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Agenda 4

Consider approval of the minutes from the December 16, 2013 regular city council meeting, and take any action necessary.

12-16-13 CC Mtg. Minutes 8

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Z2013-032 - Consider approval of an ordinance for a request by Andrea Holliman for the approval of a Specific Use Permit to allow an antiques/collectibles and general retail store in Planned Development District 50 (PD-50) for a 0.47-acre parcel of land identified as a portion of Lot 1 of the W. D. Austin Addition, Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District and the North SH 205 Corridor Overlay (N-SH 205 OV) District, addressed as 904 N. Goliad Street, and take any action necessary (2nd Reading).

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Z2013-033 - Consider approval of an ordinance for a request by Kristin and Joshua Whitaker for the approval of a Specific Use Permit for an accessory building that does not conform to the material requirements as specified for a property in a Single-Family Estate 1.5 (SFE-1.5) District on a 1.5-acre parcel of land identified as Lot 17, Block B, Sterling Farms Addition, Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, located at 1970 Copper Ridge Circle, and take any action necessary (2nd Reading).

Ord_2nd Reading 24

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Z2013-035 - Consider approval of an ordinance for a request by J. D. Jacobs, Jr. for the approval of a zoning change from Single Family 7 (SF-7) District to a Residential-Office (RO) District for a 0.661-acre tract of land identified as a portion of Lot 3 and all of Lot 4, Block G, Sanger Addition, Rockwall, Rockwall County, Texas, located east of the intersection of Peters Colony Drive and E. Bourn Street, and take any action necessary (2nd Reading).

Ord_2nd Reading 29

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Consider authorizing the City Manager to execute a contract with Cambridge Fence Co. for a gate construction project at Tuttle Park in the amount of $13,998.00 to be funded from the Recreation Development Fund, and take any action necessary.

Tuttle Park Gate Construction Bid 34

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Appointment with representative(s) of the American Heart Association to request waiver of Harbor related fees for the 4th annual Heart Chase event to be held in September 2014 at The Harbor, and take any action necessary.

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A2013-001- Discuss and consider approval of an ordinance for a City initiated request to annex land in accordance with previously approved Chapter 212 Texas Local Government Code Development Agreements, specifically for four (4) tracts of land comprising approximately 42.482-acres of land situated in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey, Abstract No. 181 and generally located contiguous to the existing city limits line west of SH-205 (S. Goliad Street) and south of FM-549 and specifically described as follows: (1)Tract 17-14 of the W. W. Ford Survey, Abstract No. 80 being 12.493-acres, (2) Tract 40 of the W. W. Ford Survey, Abstract No. 80 being 8.989-acres, (3) Tract 40-1 of the W. W. Ford Survey, Abstract No. 80 being 1-acre, (4) Tract 1-4 of the J. W. Pitman Survey, Abstract No. 181 being 20-acres. (1st Reading)

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Discuss and consider approval of an ordinance amending Chapter 22, Article II of the City's Code of Ordinances to establish Section 22.71 regulating the possession purchase, sale, offer to sell, and ingestion of any e-cigarette smoking product to or by any minor, and take any action necessary. (1st reading)

Memo 57

Draft Ord (1st Reading) 58

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Discuss and consider amending the Volunteer Coach's Eligibility Policy and take any action necessary.

Supplemental Memo 71

Original Dec. Memo 72

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Discuss and consider approval of an ordinance amending the Code of Ordinances in Chapter 32 Signs, Article III. Regulations and Requirements, Division 3. Functional Standards, Section 32 -233. Changeable Electronic Variable Message Signs (CEVMs) to repeal this section in its entirety and provide for a new section 32-233, and take any action necessary. (1st reading)

Memo 77

Ord. 1st Reading 78

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Discuss and consider approval of an ordinance amending the Code of Ordinances in Chapter 32 Signs, Article III. Regulations and Requirements, Division 2. Structural Standards, Section 32-204. Wall Signs and Division 6. Specific Sign Regulations, Section 32-306. Wall Signs to eliminate certain provisions regarding wall sign height, and take any action necessary. (1st reading)

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AGENDA
ROCKWALL CITY COUNCIL
Monday, January 06, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

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

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Fire Department Pension Board pursuant to Section §551.074 (personnel matters)

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, January 06, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TOWNSEND

VII. OPEN FORUM

VIII. CONSENT AGENDA

p.4 **1.** Consider approval of the minutes from the December 16, 2013 regular city council meeting, and take any action necessary.

p.18 **2.** **Z2013-032** - Consider approval of an **ordinance** for a request by Andrea Holliman for the approval of a Specific Use Permit to allow an antiques/collectibles and general retail store in Planned Development District 50 (PD-50) for a 0.47-acre parcel of land identified as a portion of Lot 1 of the W. D. Austin Addition, Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District and the North SH 205 Corridor Overlay (N-SH 205 OV) District, addressed as 904 N. Goliad Street, and take any action necessary **(2nd Reading)**.

p.24 **3.** **Z2013-033** - Consider approval of an **ordinance** for a request by Kristin and Joshua Whitaker for the approval of a Specific Use Permit for an accessory building that does not conform to the material requirements as specified for a property in a Single-Family Estate 1.5 (SFE-1.5) District on a 1.5-acre parcel of land identified as Lot 17, Block B, Sterling Farms Addition, Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, located at 1970 Copper Ridge Circle, and take any action necessary **(2nd Reading)**.

p.29 **4.** **Z2013-035** - Consider approval of an **ordinance** for a request by J. D. Jacobs, Jr. for the approval of a zoning change from Single Family 7 (SF-7) District to a Residential-Office (RO) District for a 0.661-acre tract of land identified as a portion of Lot 3 and all of Lot 4, Block G, Sanger Addition, Rockwall, Rockwall County, Texas, located east of the intersection of Peters Colony Drive and E. Bourn Street, and take any action necessary **(2nd Reading)**.

p.34 **5.** Consider authorizing the City Manager to execute a contract with Cambridge Fence Co. for a gate construction project at Tuttle Park in the amount of $13,998.00 to be funded from the Recreation Development Fund, and take any action necessary.

IX. APPOINTMENTS

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

p.36 **2.** Appointment with representative(s) of the American Heart Association to request waiver of Harbor related fees for the 4th annual Heart Chase event to be held in September 2014 at The Harbor, and take any action necessary.

3. Appointment with Rick Bernas of Republic Waste to hear update regarding debris clean-up efforts associated with the recent ice-related severe weather event, and take any action necessary.

X. ACTION ITEMS

p.38 **1.** **A2013-001**- Discuss and consider approval of an **ordinance** for a City initiated request to annex land in accordance with previously approved Chapter 212 Texas Local Government Code Development Agreements, specifically for four (4) tracts of land comprising approximately 42.482-acres of land situated in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey, Abstract No. 181 and generally located contiguous to the existing city limits line west of SH-205 (S. Goliad Street) and south of FM-549 and specifically described as follows: (1)Tract 17-14 of the W. W. Ford Survey, Abstract No. 80 being 12.493-acres, (2) Tract 40 of the W. W. Ford Survey, Abstract No. 80 being 8.989-acres, (3) Tract 40-1 of the W. W. Ford Survey, Abstract No. 80 being 1-acre, (4) Tract 1-4 of the J. W. Pitman Survey, Abstract No. 181 being 20-acres. **(1st Reading)**

p.57 **2.** Discuss and consider approval of an **ordinance** amending Chapter 22, Article II of the City's Code of Ordinances to establish Section 22.71 regulating the possession purchase, sale, offer to sell, and ingestion of any e-cigarette smoking product to or by any minor, and take any action necessary. **(1st reading)**

p.71 **3.** Discuss and consider amending the Volunteer Coach's Eligibility Policy and take any action necessary.

p.77 **4.** Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 32 Signs, Article III. Regulations and Requirements, Division 3. Functional Standards, Section 32-233. Changeable Electronic Variable Message Signs (CEVMs) to repeal this section in its entirety and provide for a new section 32-233, and take any action necessary. **(1st reading)**

p.82 **5.** Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 32 Signs, Article III. Regulations and Requirements, Division 2. Structural Standards, Section 32-204. Wall Signs and Division 6. Specific Sign Regulations, Section 32-306. Wall Signs to eliminate certain provisions regarding wall sign height, and take any action necessary. **(1st reading)**

p.86 **6.** Discuss and consider appointments to the city's Main Street Advisory Board, and take any action necessary.

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

1. Departmental Reports
Building Inspections Monthly Report - November 2013 **p.88**
Fire Department Monthly Report - November 2013 **p.100**
Harbor PD Monthly Report - November 2013 **p.124**
Internal Operations Department Monthly Report - November 2013 **p.126**
Police Department Monthly Report - November 2013 **p.129**
Recreation Monthly Report - November 2013 **p.132**

2. City Manager's Report

XII. EXECUTIVE SESSION

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

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

2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Fire Department Pension Board pursuant to Section §551.074 (personnel matters)

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

XIV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.
The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)
I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 3rd day of January, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____
Kristy Ashberry, City Secretary Date Removed

Jacky Casey, Assistant Secretary

MINUTES
ROCKWALL CITY COUNCIL
Monday, December 16, 2013
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 4:00 p.m. Mayor David Sweet, Mayor Pro Tem David White and Council Members Jim Pruitt, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis were present as well as City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and city attorney Steven Pena (filling in for Frank Garza). Mayor Sweet read the below listed discussion items into the record before recessing the public meeting into Executive Session.

II. EXECUTIVE SESSION.

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

1. Discussion regarding the city's Fixed Based Operator airport agreement pursuant to Section § 551.071 (Consultation with Attorney)
2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Central Appraisal District and the Fire Department Pension Board pursuant to Section §551.074 (personnel matters)
3. Discussion regarding the following legal claims: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. and Philadelphia Indemnity Insurance v. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding park land acquisition and land in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

III. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:50 p.m.

MINUTES
ROCKWALL CITY COUNCIL
Monday, December 16, 2013
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

Mayor Sweet reconvened the public meeting at 6:00 p.m. with all seven city council members present. City Manager Rick Crowley, Assistant City Managers Brad Griggs and Mary Smith, and city attorney Steven Pena (filling in for Frank Garza) were also present.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Councilmember Jim Pruitt made a motion to appoint Ben Weible to be the city's representative on the Rockwall Central Appraisal District (RCAD) Board of Directors. Councilmember Townsend seconded the motion, which passed by a vote of 6 ayes with 1 abstention (White).

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER LEWIS

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

VII. CONSENT AGENDA

1. Consider approval of the minutes from the November 18, 2013 regular city council meeting, and take any action necessary.

2. Consider approval of the minutes from the December 2, 2013 regular city council meeting, and take any action necessary.

3. Consider authorizing the City Manager to execute a maintenance agreement with Harris Corporation for the public safety radio system in the amount of $163,178.17 and to purchase radio system spare parts in the amount of $38,880.00 to be funded from the Radio System Operating Budget and take any action necessary.

4. **P2013-040** - Consider a request by Glenn Engineering Corporation on behalf of James A. Havens for the approval of a replat for Lots 2 & 3, Block H, The Shores Club House Addition, Phase 2 being a 9.455-acre parcel of land currently identified as Lot 1, Block H, The Shores Club House Addition, Phase 2, City of Rockwall, Rockwall County, Texas; zoned Planned Development District 3 (PD-3), addressed as 2600 Champions Drive, and take any action necessary.

5. Consider authorizing the City Manager to execute a purchase agreement with Affiliated Communications, Inc. for the purchase and installation of a new phone system in the amount of $156,982.00 to be paid for from the Internal Operations Operating Budget and take any action necessary.

6. Consider approval of a Facilities Agreement with Lakes Regional MHMR center for the pro-rata reimbursement of off-site sanitary sewer expenses associated with this development, and take any action necessary.

Mayor Pro Tem White made a motion to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5 and 6). Councilmember Townsend seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

VIII. APPOINTMENTS

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

Chair of the Planning & Zoning Commission, Craig Renfro, came forth and provided brief comments related to recommendations of the Commission relative to items on tonight's council agenda. Mr. Renfro indicated that one commissioner was absent when these cases went before the Planning & Zoning Commission. He shared that the Commission unanimously voted to deny the SUP for Z2013-031 and that the remaining cases were all unanimously recommended for approval. The Council took no action related to this agenda item.

2. Appointment with Dana Macalik of the Rockwall Area Chamber of Commerce to hear report on the Rockwall Boat Show, which took place in September at The Harbor and included the use of Hotel/Motel Tax Funding, and take any action necessary.

Mrs. Macalik came forward and provided an update to council regarding this event, which was held on September 28 and 29, 2013 at The Harbor. She stated that a little over five hundred people attended over the course of the two day event. Mrs. Macalik reported that advertising for the event was promoted through the Dallas Morning News as well as Groupon, Living Social, The Friday Guide, local newspapers, three separate billboards, the Chamber website, e-mails, and social media. Thirty-six rooms associated with this event were booked at The Hilton. The council thanked Mrs. Macalik for her report and took no action related to this agenda item.

IX. PUBLIC HEARING ITEMS

1. **Z2013-031 - (Applicant has requested withdrawal)** Hold a public hearing to discuss and consider approval of an ordinance for a request by Shawn Valk on behalf of LGI Properties for the approval of a Specific Use Permit to allow a mini-warehouse facility on a 5.94-acre tract of land, zoned Commercial (C) District and located within the Scenic Overlay (SOV) District, being a portion of a 9.699-acre tract land identified as Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas; located at the southwestern corner of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary (1st Reading).

Mayor Pro Tem White made a motion to accept the applicant's requested withdrawal. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

2. **Z2013-032** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Andrea Holliman for the approval of a Specific Use Permit to allow an antiques/collectibles and general retail store in Planned Development District 50 (PD-50) for a 0.47-acre parcel of land identified as a portion of Lot 1 of the W. D. Austin Addition, Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad

Corridor Overlay (NGC OV) District and the North SH 205 Corridor Overlay (N-SH 205 OV) District, addressed as 904 N. Goliad Street, and take any action necessary **(1st Reading).**

Planning Director Robert LaCroix provided background information related to this item, indicating that the underlying zoning for this piece of property is RO (residential office). Ms. Holliman has bought the property, which is L shaped and fronts on Goliad Street with access on the Heath Street side. Ms. Holliman would like to do a general retail store with antique / collectibles. Mr. LaCroix went on to explain that the antique / collectible use is limited to 2,000 square feet, and there is a limitation in that it cannot include the sale of used clothing. Only new clothing would be allowed to be sold in the general retail section of the facility. The applicant has been able to accommodate the required nine parking spaces. An easement along the rear of the property will serve as a joint access easement. Notices were mailed out to twenty-three adjacent property owners in the area, and no responses have been received back by staff at this time. Staff has suggested some limitations for the council to consider regarding potential approval of this SUP.

Mayor Sweet then opened the public hearing and called the applicant forth.

Andrea Holliman
332 Shepherds Hill
Rockwall, TX

Mrs. Holliman explained that she has decided to eliminate the sale of any sort of clothing and instead just focus on china, silver, antiques and collectibles as well as general retail.

There being non one else in the audience wishing to come forth and speak regarding this item, Mayor Sweet then closed the public hearing.

Mayor Pro Tem White made a motion to approve Z2013-032. Councilmember Lewis seconded the motion.

After additional discussion, the ordinance was read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN PLANNED DEVELOPMENT DISTRICT 50 (PD-50) ALLOWING FOR AN ANTIQUES/COLLECTIBLES AND GENERAL RETAIL STORE, THE SUBJECT PROPERTY IS LOCATED AT 904 N. GOLIAD STREET, BEING A PARCEL OF LAND DESCRIBED AS LOT 1 OF THE W. D. AUSTIN ADDITION, ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion to approve passed by a vote of 7 ayes to 0 nays.

3. **Z2013-033** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Kristin and Joshua Whitaker for the approval of a Specific Use Permit for an accessory building that does not conform to the material requirements as specified for a property in a Single-Family Estate 1.5 (SFE-1.5) District on a 1.5-acre parcel of land identified as Lot 17, Block B, Sterling Farms Addition, Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, located at 1970 Copper Ridge Circle, and take any action necessary **(1st Reading)**.

Planning Director Robert LaCroix provided brief background information related to this agenda item. He indicated that notices were sent out to fifteen adjacent property owners in the area, and one was received back by staff in favor of this SUP.

Mayor Sweet opened the public hearing and called the applicant forth to speak. Being that the applicant did not wish to come forth, and there being no one else in the audience wishing to come forth and speak, Mayor Sweet closed the public hearing.

Mayor Pro Tem White made a motion to approve Z2013-033. Councilmember Pruitt seconded the motion. The ordinance was read as follows:

> **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN THE SINGLE-FAMILY ESTATE (SF-E/1.5) DISTRICT ALLOWING FOR AN ACCESSORY BUILDING NOT MEETING THE EXTERIOR CLADDING REQUIREMENTS, ON THE PROPERTY LOCATED AT 1970 COPPER RIDGE CIRCLE, BEING A 1.5 ACRE PARCEL OF LAND DESCRIBED AS LOT 17, BLOCK B, STERLING FARMS ADDITION, CITY AND COUNTY OF ROCKWALL, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

The motion to approve passed by a vote of 7 ayes to 0 nays.

4. **Z2013-034** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by John Spiars on behalf of the owner the Cambridge Company, Inc. for the approval of a Specific Use Permit for a new car dealership on a 12.6114-acre tract of land being identified as a 5.0966-acre portion of Tract 2 of the J. Lockhart Survey, Abstract No. 134 and a 7.5148-acre portion of Tract 3 of the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located within the IH-30 Overlay (IH-30 OV) District and the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the southwest corner of John King Boulevard and the IH-30 frontage road, and take any action necessary **(1st Reading)**.

Mr. LaCroix provided background information related to this agenda item. He explained that this is a conceptual plan and that no specific building plan has been submitted at this time. Also, no indication has been given regarding what specific car dealership this will be. Notices were sent out to adjacent property owners located within two hundred feet, and one notice was received back in favor. The Planning & Zoning Commission did recommend approval of this item.

Mayor Sweet opened the public hearing and called the applicant forth to address the council.

Gary Halbrooks
1307 Dominion Plaza
Tyler, TX 75703
Fenton Motor Group

Mr. Halbrooks came forth and indicated that this will be a Nissan dealership.

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

Councilmember Pruitt asked if the applicant is willing to forego a previously granted SUP by the Rockwall City Council if this one should be approved by council this evening.

Mayor Pro Tem White made a motion to approve Z2013-034. Councilmember Daniels seconded the motion.

Councilmember Pruitt generally expressed concerns regarding adding additional car dealerships to the IH-30 and John King Boulevard area, especially since it is an important entryway into our city. Mayor Sweet added to those comments, indicating that he too has concerns about adding an additional car dealership in this area along IH-30. Councilmember Milder echoed Councilmember Pruitt and Mayor Sweet's comments and concerns regarding the addition of another car dealership in this area. After the discussion, the ordinance was read as follows:

> **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "MOTOR VEHICLE DEALERSHIP, NEW" ON A TRACT OF LAND BEING A TOTAL OF 12.6114-ACRES AND FURTHER IDENTIFED AS A 5.0966-ACRE PORTION OF TRACT 2 OF THE J. LOCKHART SURVEY, ABSTRACT NO. 134 AND A 7.5148-ACRE PORTION OF LOT 3 OF THE J.M. ALLEN SURVEY, ABSTRACT NO. 2, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" AND FURTHER DEPICTED IN EXHIBIT "B" OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

The motion to approve Z2013-034 failed by a vote of 3 in favor with 4 against (Pruitt, Townsend, Sweet, and Milder).

5. **Z2013-035** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by J. D. Jacobs, Jr. for the approval of a zoning change from Single Family 7 (SF-7) District to a Residential-Office (RO) District for a 0.661-acre tract of land identified as a portion of Lot 3 and all of Lot 4, Block G, Sanger Addition, Rockwall, Rockwall County, Texas, located east of the intersection of Peters Colony Drive and E. Bourn Street, and take any action necessary **(1st Reading)**.

Planning Director Robert LaCroix provided background information related to this agenda item. Notices were sent out to nineteen surrounding property owners, and one notice was received back in favor. Mayor Sweet then opened the public hearing and called for the applicant:

Donna Allen
106 Windmill Ridge Drive
Rockwall, Texas.

Ms. Allen indicated that she is representing her father this evening, and he has owned this piece of property since 2007. She generally asked the council to approve the requested

zoning change. There being no one else wishing to come forth and speak, Mayor Sweet then closed the public hearing.

Mayor Sweet made a motion to approve Z2013-035. Mayor Pro Tem White seconded the motion.

The ordinance was read as follows:

> **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM A SINGLE FAMILY 7 (SF-7) DISTRICT TO A RESIDENTIAL-OFFICE (RO) DISTRICT FOR A TRACT OF LAND BEING A TOTAL OF 0.661-ACRES AND FURTHER IDENTIFIED AS A PORTION OF LOT 3 AND ALL OF LOT 4, BLOCK G, SANGER ADDITION, ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND FURTHER DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

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

X. ACTION ITEMS

1. Discuss and consider amending the Volunteer Coach's Eligibility Policy and take any action necessary.

Andy Hesser, Parks and Recreation Manager, indicated that the city council passed a policy back in 2006 to spell out the eligibility criteria for individuals who would like to coach youth sports teams on a volunteer basis. As part of the policy, all coaches, umpires, board members and volunteers on the field of play during a game have to submit to criminal history background searches. He went on to explain the various waiting periods associated with different types of past crimes which may be revealed about individuals upon conducting of said background checks. He explained that the policy from 2006 specifies that the appeal board will be the Rockwall Police Chief (or his designee), the Rockwall Municipal Court Judge (or designee), a member of the association wishing to make the appeal (i.e. Lakepointe Church sports program or the past RGBA or RBA). An amendment to this past policy is needed to specify the make-up of a new appeal board. He explained that the Park Board, upon review of the 2006 policy, had strong feelings about certain "crimes of moral turpitude" as well as other crimes they felt were quite serious and should be considered only via the appeal board process. Regarding the appeal board, the Park Board felt that it should be comprised of the Police Chief, the Municipal Court Judge (or their designees) and a three person sub-committee of the Park Board to be appointed by the Park Board Chairman.

City Manager Rick Crowley indicated that the service of the appeal board (its stated purposes) and who will serve on the appeal board are things that our city attorney (who is currently not present at the council meeting this evening) is reviewing at this time but has not yet made a final recommendation on. So, Mr. Crowley urged the council to take information that Mr. Hesser has shared under advisement at this time with further discussion taking place concerning these matters upon return and receipt of the recommendations by the city's attorney, Frank Garza, in January. Mr. Pena, the attorney

filling in for Mr. Garza at the meeting, generally explained that appointing, for example the Police Chief or Municipal Court Judge, to serve on the proposed appeals board may be in violation of the city's charter. Mr. Garza will be evaluating this matter for clarification and further discussion at a January council meeting.

Councilmember Pruitt pointed out that it is not a crime to lie to a police officer; however, it is a crime to file a false police report – he suggested this language be changed in the proposed policy. He also has concerns about some of the "waiting period" time frames associated with past crimes that show up in background checks. He suggested the council carefully evaluate these waiting periods and perhaps consider some of the crimes on a case-by-case basis.

After additional, lengthy discussion regarding various types of past crimes committed and how they should be addressed in the policy, the Council took no action related to this agenda item, agreeing instead to revisit the proposed policy at a January city council meeting.

2. Discuss and consider appointments to the city's Architectural Review Board, and take any action necessary.

The Council did not discuss this agenda item and took no related action.

XI. EXECUTIVE SESSION

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

1. Discussion regarding the city's Fixed Based Operator airport agreement pursuant to Section § 551.071 (Consultation with Attorney)

2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Central Appraisal District and the Fire Department Pension Board pursuant to Section §551.074 (personnel matters)

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

4. Discussion regarding park land acquisition and land in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

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

The council did not reconvene into Executive Session at the close of the public meeting. See action taken at the start of the 6:00 p.m. public meeting for action taken as a result of the first Executive Session.

XIII. ADJOURNMENT

The meeting was adjourned at 7:07 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 6th day of January, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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17

CITY OF ROCKWALL

ORDINANCE NO. 14-01

SPECIFIC USE PERMIT NO. S-117

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN PLANNED DEVELOPMENT DISTRICT 50 (PD-50) ALLOWING FOR AN ANTIQUES/COLLECTIBLES AND GENERAL RETAIL STORE, THE SUBJECT PROPERTY IS LOCATED AT 904 N. GOLIAD STREET, BEING A PARCEL OF LAND DESCRIBED AS LOT 1 OF THE W. D. AUSTIN ADDITION, ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Andrea Holliman for a Specific Use Permit within Planned Development District 50 (PD-50) allowing for an Antiques/Collectibles and General Retail Store on the property located at 904 N. Goliad Street, being a parcel of land described as Lot 1 of the W. D. Austin Addition, Rockwall, Rockwall County, Texas; and

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

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

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for an Antiques/Collectibles and General Retail Store within Planned Development District 50 (PD-50), on the subject property at 904 N. Goliad Street, being a parcel of land described as Lot 1 of W.D. Austin Addition, Rockwall, Rockwall County, Texas; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **"PD-50" Planned Development District-50 (PD-50) & Section 4.2, *"R-O" Residential Office District*, of Article V, *District Development Standards*, of the City of Rockwall Unified Development Code (Ordinance No. 04-38)** as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject

to the additional following conditions and definitions.

2.1 Operational Conditions

The following conditions pertain to the operation of an Antiques/Collectibles and General Retail Store on the subject property at 904 N. Goliad Street and conformance to these stipulations are required for continued operations:

1) The Antique/Collectible Sales and General Retail Store shall be limited to the existing home at 2,246 square feet in area and in accordance with the floor plan attached hereto as Exhibit A (Area for Antique/Collectible Sales not to exceed 2,000 square feet).

2) Parking along, adjacent to or in the right-of-way of SH-205 shall be prohibited. Parking in front of the building for any reason shall also be prohibited.

3) Signage for the site shall conform to the Old Historic Rockwall Historic District Guidelines detailed in Exhibit B of Ordinance No. 02-46 (PD-50) and the North Goliad Corridor Overlay (NGCOV) District.

4) No outside display or storage shall be permitted on this site.

5) The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof and at any time thereafter.

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6th DAY OF JANUARY, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

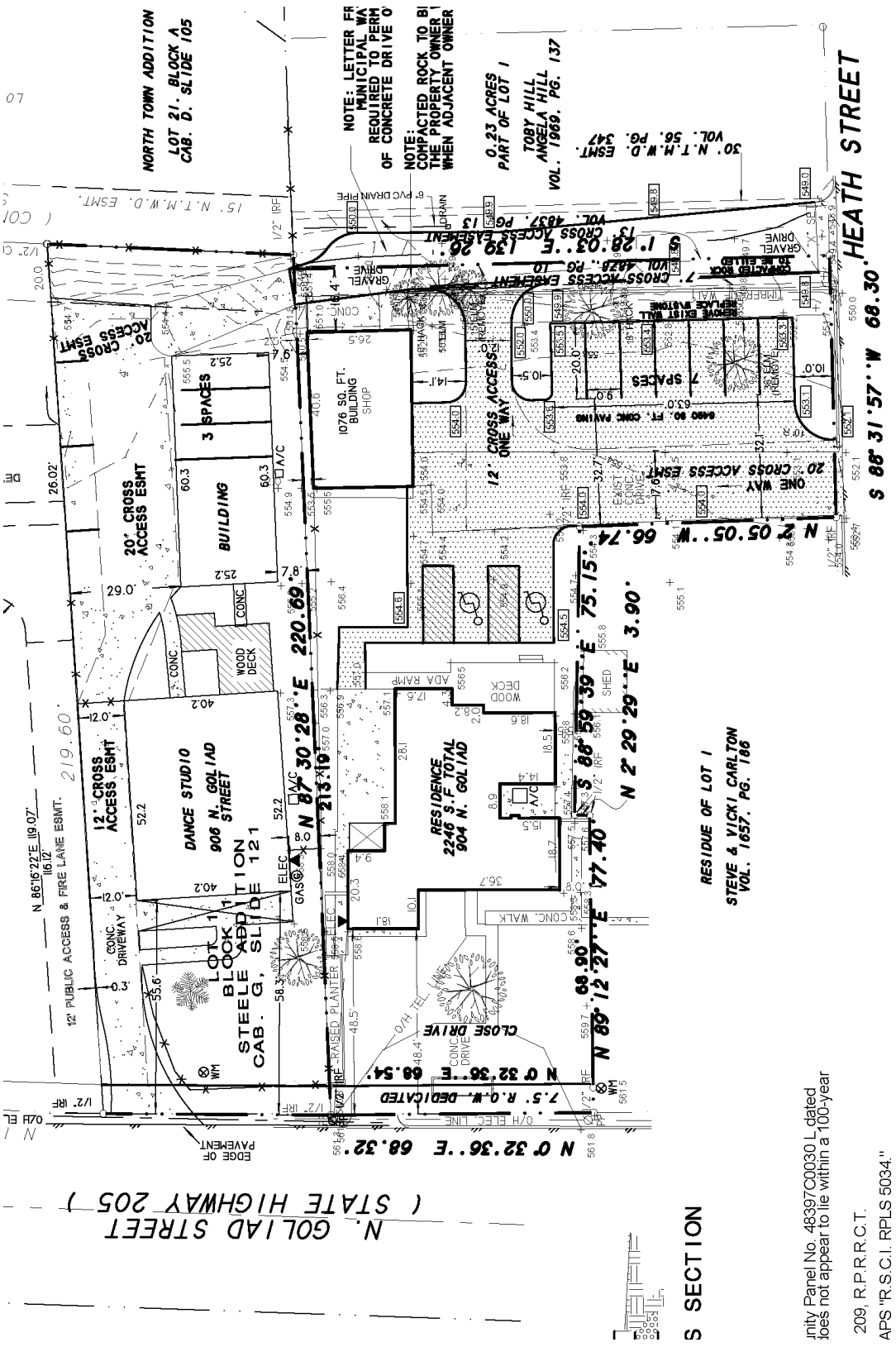
Frank Garza, City Attorney

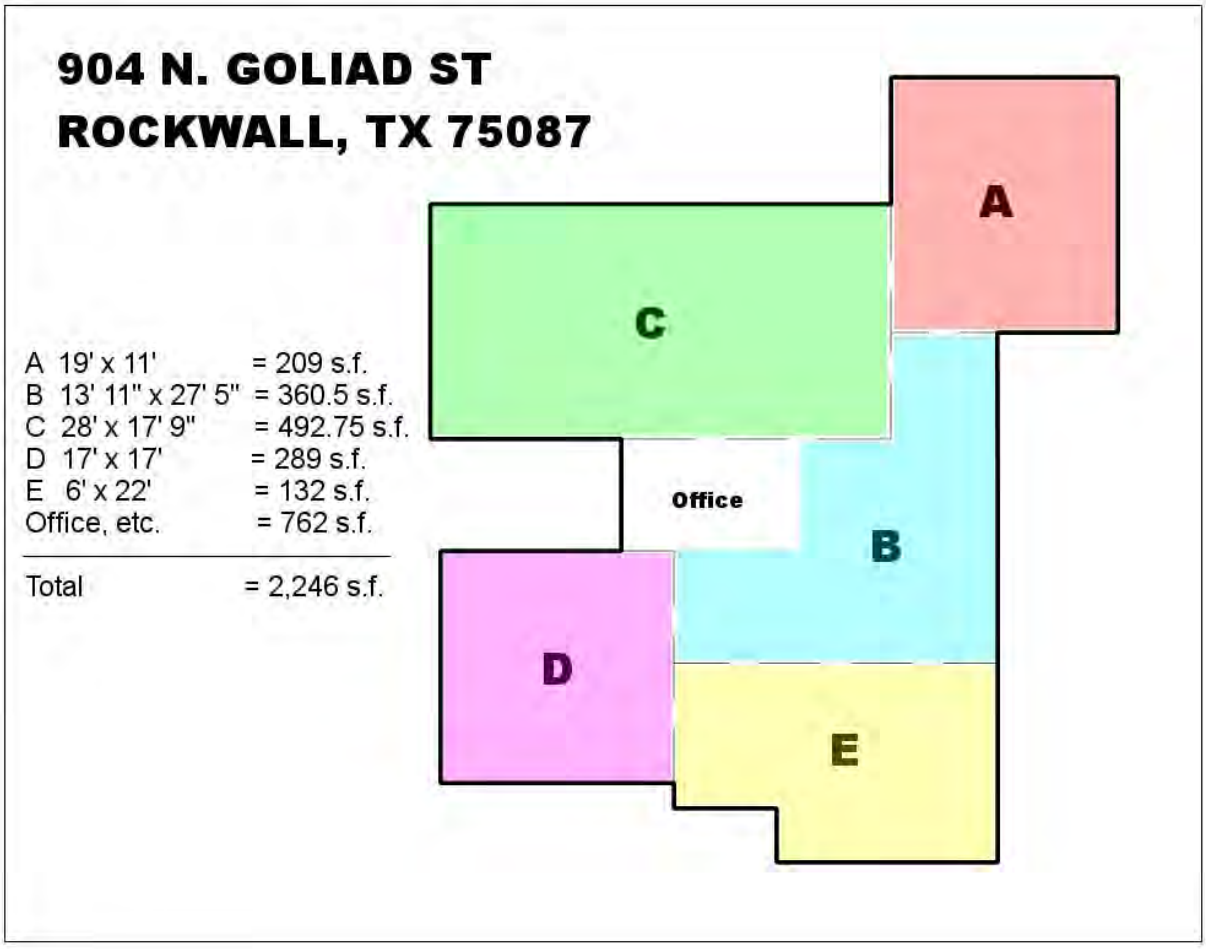
1st Reading: 12-16-13

2nd Reading: 01-06-14

Exhibit A

Site Plan: Page 1 of 2




904 N. GOLIAD ST
ROCKWALL, TX 75087
A 19' x 11' = 209 s.f.
B 13' 11" x 27' 5" = 360.5 s.f.
C 28' x 17' 9" = 492.75 s.f.
D 17' x 17' = 289 s.f.
E 6' x 22' = 132 s.f.
Office, etc. = 762 s.f.
Total = 2,246 s.f.
A
C
Office
B
D
E

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CITY OF ROCKWALL

ORDINANCE NO. 14-02

SPECIFIC USE PERMIT NO. S-118

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN THE SINGLE-FAMILY ESTATE (SF-E/1.5) DISTRICT ALLOWING FOR AN ACCESSORY BUILDING NOT MEETING THE EXTERIOR CLADDING REQUIREMENTS, ON THE PROPERTY LOCATED AT 1970 COPPER RIDGE CIRCLE, BEING A 1.5 ACRE PARCEL OF LAND DESCRIBED AS LOT 17, BLOCK B, STERLING FARMS ADDITION, CITY AND COUNTY OF ROCKWALL, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Kristen and Joshua Whitaker for a Specific Use Permit allowing for an accessory building not meeting the exterior cladding requirements within the Single-Family Estate (SF/E-1.5) District, on the property located at 1970 Copper Ridge Circle, being a 1.5 acre parcel of land described as Lot 17, Block B, Sterling Farms Addition, City and County of Rockwall, Texas; and

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

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

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for an accessory building not meeting the exterior cladding requirements within the Single-Family Estate (SF/E-1.5) District, on the property located at 1970 Copper Ridge Circle, being a 1.5 acre parcel of land described as Lot 17, Block B, Sterling Farms Addition, City and County of Rockwall, Texas; and

Section 2. That the Specific Use Permit shall be subject to the following conditions:

1) The accessory building must conform to the approved site plan and building elevations depicted in Exhibits 'A' & 'B' of this ordinance.

2) The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof and at any time thereafter.

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6th DAY OF JANUARY, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: 12-16-13

2nd Reading: 01-06-14

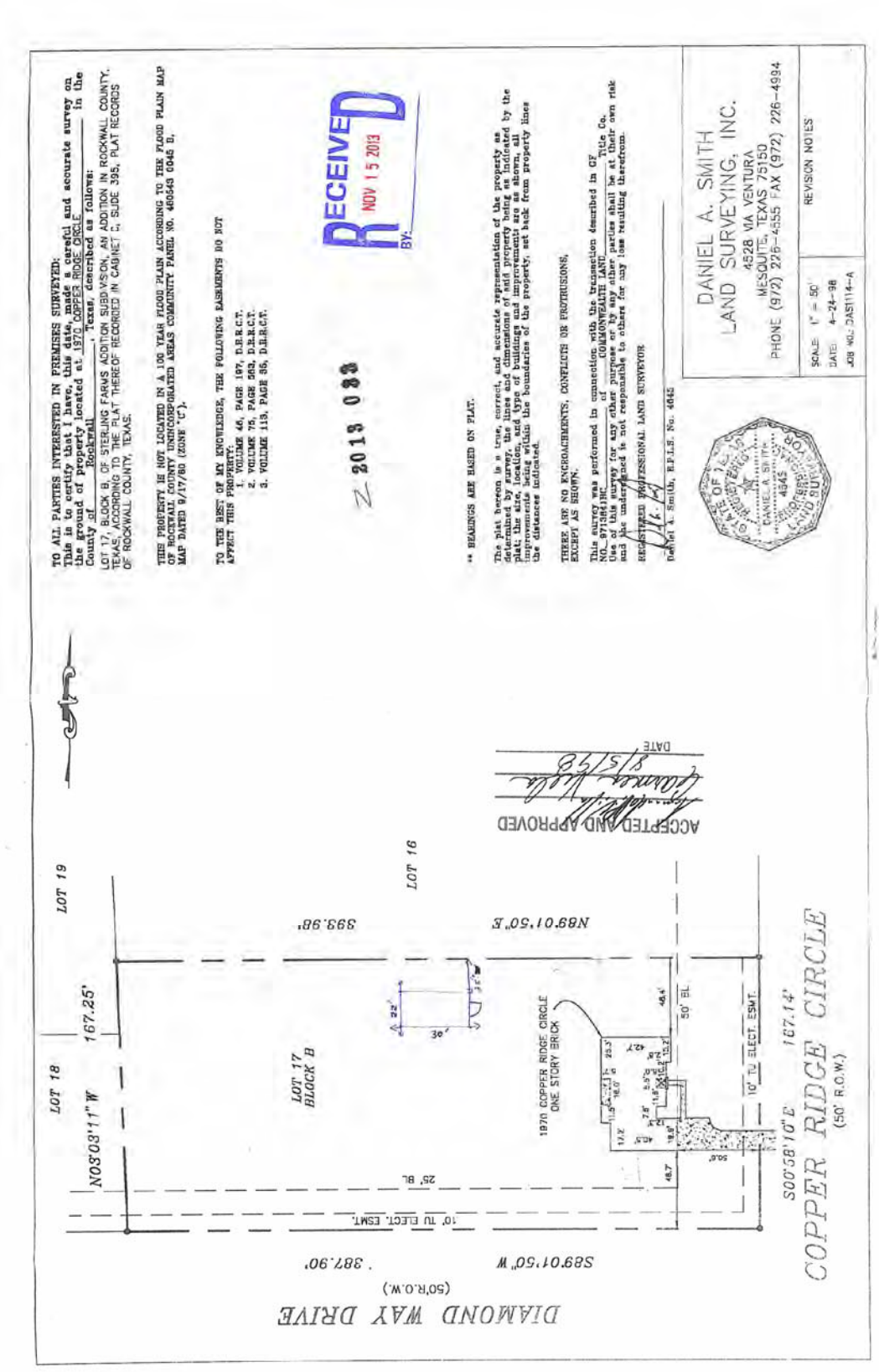
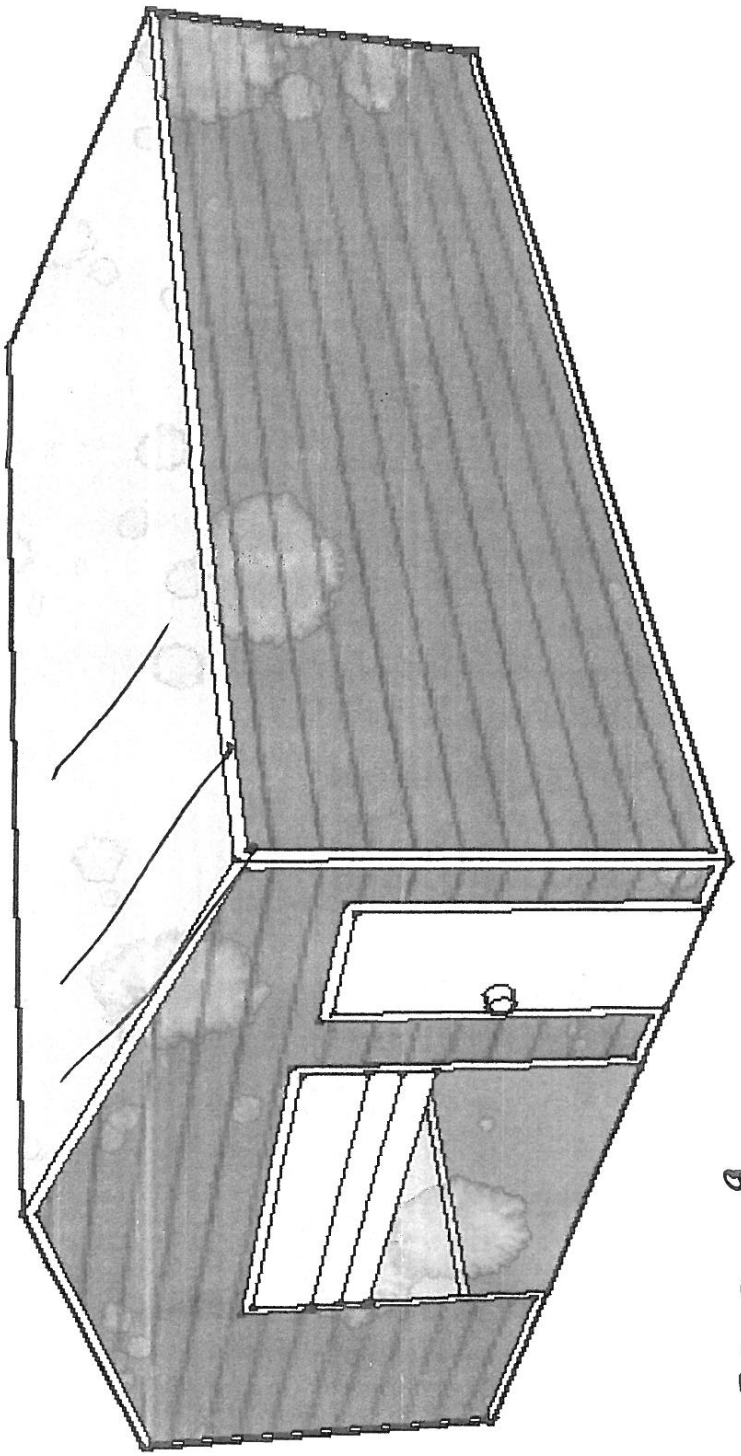

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at 1970 COPPER RIDGE CIRCLE in the County of Rockwall, Texas, described as follows:
LOT 17, BLOCK B, OF STERLING FARMS ADDITION SUBDIVISION, AN ADDITION IN ROCKWALL COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET C, SLIDE 395, PLAT RECORDS OF ROCKWALL COUNTY, TEXAS.
THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN ACCORDING TO THE FLOOD PLAIN MAP OF ROCKWALL COUNTY UNINCORPORATED AREAS COMMUNITY PANEL NO. 480543 0045 B, MAP DATED 9/17/80 (ZONE "C").
TO THE BEST OF MY KNOWLEDGE, THE FOLLOWING EASEMENTS DO NOT AFFECT THIS PROPERTY:
1. VOLUME 46, PAGE 187, D.R.R.C.T.
2. VOLUME 75, PAGE 563, D.R.R.C.T.
3. VOLUME 119, PAGE 86, D.R.R.C.T.
RECEIVED
NOV 15 2013
BY:
Z 2013 033
** BEARINGS ARE BASED ON PLAT.
The plat hereon is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location, and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distances indicated.
THERE ARE NO ENCROACHMENTS, CONFLICTS OR PROTRUSIONS, EXCEPT AS SHOWN.
This survey was performed in connection with the transaction described in GF NO. 07181JHCW of COMMONWEALTH Title Co.
NO_OTHER_USE: All rights to the use of this survey for any other purpose or by any other parties shall be at their own risk and the undersigned is not responsible to others for any loss resulting therefrom.
REGISTERED PROFESSIONAL LAND SURVEYOR
Daniel A. Smith, R.P.L.S. No. 4045
DANIEL A. SMITH
LAND SURVEYING, INC.
4528 VIA VENTURA
MESQUITE, TEXAS 75150
PHONE (972) 226-4555 FAX (972) 226-4994
SCALE 1" = 50'
DATE 4-24-98
JOB NO. DAS1114-A
REVISION NOTES
ACCEPTED AND APPROVED
DATE
DIAMOND WAY DRIVE
(50'R.O.W.)
S89°01'50"W 387.90'
10' TU ELECT. ESMT.
25' BL
LOT 18
LOT 19
LOT 16
LOT 17
BLOCK B
N89°01'50"E 393.98'
1970 COPPER RIDGE CIRCLE
ONE STORY BRICK
50' BL
10' TU ELECT. ESMT.
S00°58'10"E 167.14'
COPPER RIDGE CIRCLE
(50' R.O.W.)
N03°03'11"W 167.25'

Exhibit B: Elevations

Sheet Metal: 29 Gauge Galvanized polyester painted
framing: 14 Gauge Galvanized
Concrete: 4" thick with 3/8 rebar with moisture barrier
8 to 12" footer around perimeter
Spray Foam: standard 2lb spray foam



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CITY OF ROCKWALL

ORDINANCE NO. 14-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM A SINGLE FAMILY 7 (SF-7) DISTRICT TO A RESIDENTIAL-OFFICE (RO) DISTRICT FOR A TRACT OF LAND BEING A TOTAL OF 0.661-ACRES AND FURTHER IDENTIFIED AS A PORTION OF LOT 3 AND ALL OF LOT 4, BLOCK G, SANGER ADDITION, ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND FURTHER DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from J.D. Jacobs, Jr. for an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from a Single Family 7 (SF-7) District to a Residential-Office (RO) District for a tract of land being a total of 0.661-acres and further identified as a portion of Lot 3 and all of Lot 4, Block G, Sanger Addition, Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' and further depicted in Exhibit 'B' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from a Single Family 7 (SF-7) District to a Residential-Office (RO) District for the *Subject Property*; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for in *Section 4.2, "Residential-Office (RO) District", Article V, "District Development Standards", of the Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 6th DAY OF JANUARY, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 12-16-13

2nd Reading: 01-06-14

EXHIBIT "A"

DESCRIPTION

All that certain lot, tract or parcel of land situated in the City of Rockwall, in the J.T. LEWIS SURVEY, ABSTRACT NO. 255, Rockwall County, Texas, and being a part of Lots 3 and 4, Block G, of SANGER BROTHERS ADDITION, an Addition to Rockwall, Texas, according to the Plat thereof recorded in Volume Q, Page 100 and 101 of the Deed Records of Rockwall County, Texas, and being the residue of that tract of land as described in a Sherriff's deed to Bob Perry, dated February 5, 1917, and being recorded in Volume 17, Page 32 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the Southeast corner of Lot 4, Block G, at the intersection of the West margin of Lamar Avenue and the North right-of-way line of E. Bourn Avenue;

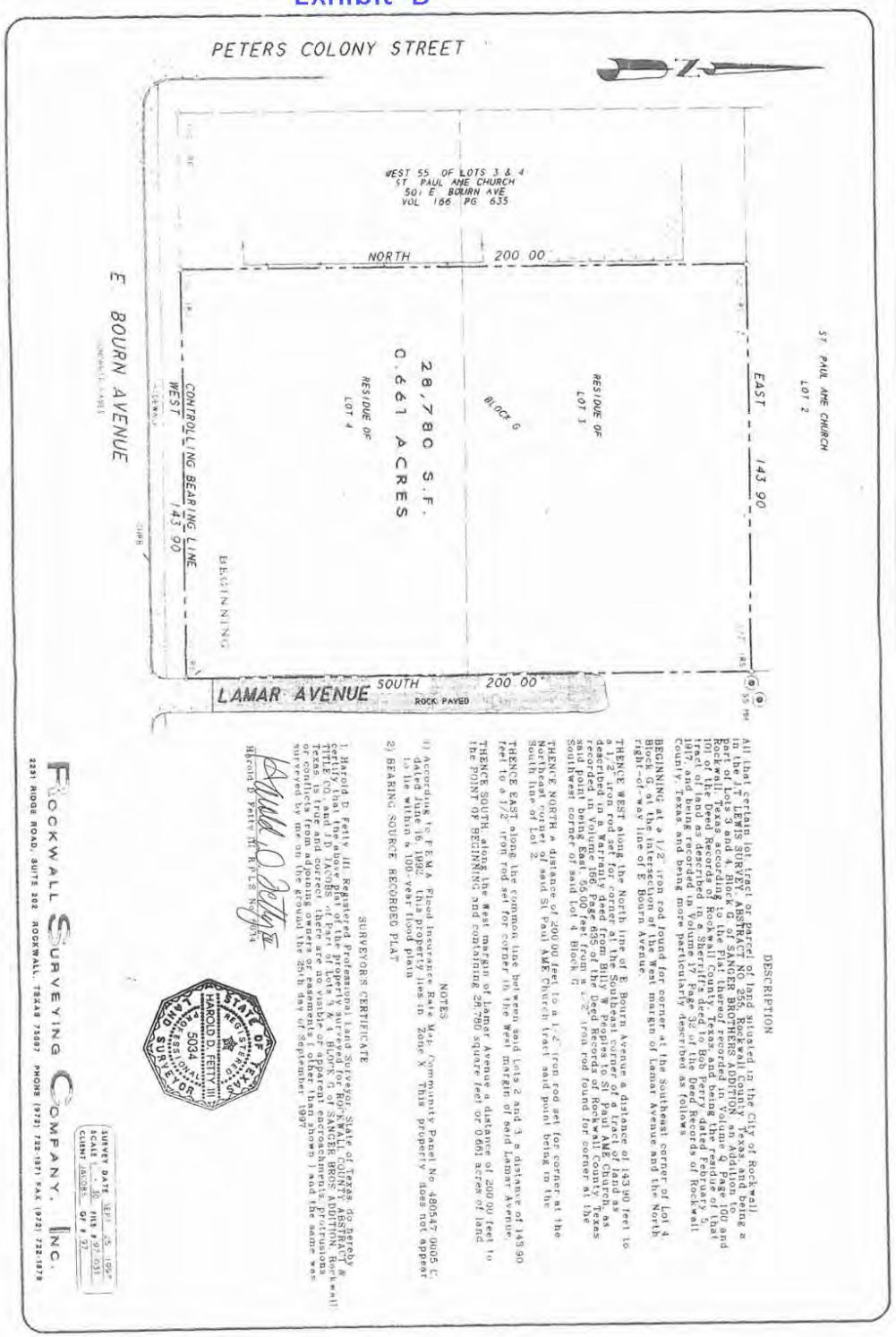
THENCE WEST along the North line of E. Bourn Avenue a distance of 143.90 feet to a 1/2" iron rod set for corner at the Southeast corner of a tract of land as described in a Warranty deed from Billy W. Peoples to St. Paul AME Church, as recorded in Volume 166, Page 635 of the Deed Records of Rockwall County, Texas, said point being East, 55.00 feet from a 1/2" iron rod found for corner at the Southwest corner of said Lot 4, Block G;

THENCE NORTH a distance of 200.00 feet to a 1/2" iron rod set for corner at the Northeast corner of said St Paul AME Church tract, said point being in the South line of Lot 2;

THENCE EAST along the common line between said Lots 2 and 3, a distance of 143.90 feet to a 1/2" iron rod set for corner in the West margin of said Lamar Avenue;

THENCE SOUTH, along the West margin of Lamar Avenue a distance of 200.00 feet to the POINT OF BEGINNING and containing 28,780 square feet or 0.661 acres of land, more or less.

Exhibit 'B'


PETERS COLONY STREET
WEST 55 OF LOTS 3 & 4
ST PAUL AME CHURCH
501 E BOURN AVE
VOL 166 PG 635
NORTH 200 00
ST PAUL AME CHURCH
LOT 2
EAST 143 90
RESIDUE OF
LOT 3
BLOCK G
28,780 S.F.
0.661 ACRES
RESIDUE OF
LOT 4
CONTROLLING BEARING LINE
WEST 143 90
BEGINNING
E BOURN AVENUE
LAMAR AVENUE
SOUTH 200 00
ROCK PAVED
DESCRIPTION
All that certain lot tract or parcel of land situated in the City of Rockwall in the J.T. LEWIS SURVEY ABSTRACT NO 255, Rockwall County Texas and being a part of Lots 3 and 4, Block G of SANGER BROTHERS ADDITION, an Addition to Rockwall, Texas according to the Plat Thereof recorded in Volume Q Page 100 and 101 of the Deed Records of Rockwall County, Texas and being the residue of that tract of land as described in a Sherriffs deed to Bob Perry dated February 5, 1917, and being recorded in Volume 17 Page 32 of the Deed Records of Rockwall County, Texas and being more particularly described as follows
BEGINNING at a 1/2" iron rod found for corner at the Southeast corner of Lot 4, Block G, at the intersection of the West margin of Lamar Avenue and the North right-of-way line of E Bourn Avenue.
THENCE WEST along the North line of E Bourn Avenue a distance of 143.90 feet to a 1/2" iron rod set for corner at the Southeast corner of a tract of land as described in a Warranty deed from Billy W Peoples to St Paul AME Church, as recorded in Volume 166 Page 635 of the Deed Records of Rockwall County, Texas said point being East 55.00 feet from a 1/2" iron rod found for corner at the Southwest corner of said Lot 4 Block G
THENCE NORTH a distance of 200.00 feet to a 1/2" iron rod set for corner at the Northeast corner of said St Paul AME Church tract said point being in the South line of Lot 2.
THENCE EAST along the common line between said Lots 2 and 3 a distance of 143.90 feet to a 1/2" iron rod set for corner in the West margin of said Lamar Avenue.
THENCE SOUTH along the West margin of Lamar Avenue a distance of 200.00 feet to the POINT OF BEGINNING and containing 28,780 square feet or 0.661 acres of land
NOTES
1) According to F.E.M.A. Flood Insurance Rate Map Community Panel No 480547 0005 C dated June 16, 1992 this property lies in Zone X This property does not appear to lie within a 100-year flood plain
2) BEARING SOURCE RECORDED PLAT
SURVEYOR'S CERTIFICATE
I, Harold D. Fetty III, Registered Professional Land Surveyor, State of Texas do hereby certify that the above plat of the property surveyed for ROCKWALL COUNTY ABSTRACT & TITLE CO. and J.D. JACOBS of Part of Lots 3 & 4 BLOCK G of SANGER BROS ADDITION, Rockwall Texas is true and correct, there are no visible or apparent encroachments, protrusions or conflicts from adjoining owners or easements (other than shown) and the same was surveyed by me on the ground the 25th day of September 1997
Harold D Fetty III R.P.L.S. No 5034
STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR
SURVEY DATE SEPT 25 1997
SCALE 1" = 30' FILE # 97-031
CLIENT JACOBS OF # 97
ROCKWALL SURVEYING COMPANY, INC.
2231 RIDGE ROAD, SUITE 202 ROCKWALL, TEXAS 75087 PHONE (972) 722-1871 FAX (972) 722-1878

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

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

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

DATE: **December 30, 2013**

SUBJECT: **CONSTRUCTION OF ORNAMENTAL GATES AT TUTTLE ATHLETIC COMPLEX**

One of the improvements that have been discussed at the Tuttle Athletic Complex is to improve the entry features by adding ornamental wrought iron style gates at each of the three entrances. Three commercial fence contractors were contacted to discuss design and pricing.

Each gate is planned to have a laser cut steel City of Rockwall logo similar to the one at the south entrance of The Harbor. The gates will be mounted between to stone columns approximately 7 feet tall and 18 inches square with cast stone caps.

The bid results are as follows:

- Cambridge Fence. Co. - $13,998.00
- Sunnyvale Fence Co. - $16,000.00
- Blackwell Fence NO BID

This park upgrade was not budgeted this year. Staff is asking Council to consider approving this project and allow the City Manager to execute a contract with the low bidder, Cambridge Fence, for this work. Adequate funding is available in the Recreation Development Fund.

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Ashberry, Kristy

Subject: FW: American Heart Association-Request to be on City Council Agenda for Request of Harbor in 2014

From: Brooke Domek
Sent: Friday, December 13, 2013 6:30 AM
To: Ashberry, Kristy
Cc: 'Kurt Pflieger, MD'; Dobson, Aaron; Angela Nawar
Subject: RE: American Heart Association-Request to be on City Council Agenda for Request of Harbor in 2014

On behalf of the American Heart Association, we would like to have the opportunity to request the use of the Harbor in Rockwall for the use of our 4th Annual HeartChase event in Rockwall for September 2014 with the fees waived again this year. HeartChase allows us engage the community in a fun and educational way through challenges and games! This past year was the greatest success yet, both in sponsors and participant engagement. We are looking forward to another great year!

Let me know if this will work Kristy.

Dr. Pflieger, are you able to attend to request this sir?

Thanks so much for your help!

Best,
Brooke Domek

Brooke Domek
Youth Market Manager & HeartChase Specialist

American Heart Association
SouthWest Affiliate

Thank you for supporting us through your time, efforts and charitable giving. Your district plays such an important role in our programs and we appreciate you!
Please check-out our new resource center that was created with YOU in mind! Visit www.heart.org/ahaschoolpartnership for tips to motivate your campus and community to adopt a healthier lifestyle today.

This email contains the thoughts and opinions of the sender and does not reflect official City of Rockwall policies.

Other than the intended recipient, any confidential information contained in this email is prohibited from disclosure or use.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: City Council

FROM: Ryan Miller, *Planning Manager*

DATE: January 6, 2014

SUBJECT: Proposed Annexation of 42.482-Acres [*A2013-001*]

On January 6, 2014 the City Council will be considering the first reading of an annexation ordinance proposing the voluntary annexation of approximately 42.482-acres. The subject properties consist of two (2) areas (depicted in *Exhibit 'A'*), which are generally located contiguous to the existing city limits line west of SH-205 (S. Goliad Street) and south of FM-549.

In accordance with Texas State Law, public hearings were conducted on December 2, 2013 at 6:00 PM and 6:30 PM. Additionally, staff has followed proper procedure as set forth in the Texas Local Government Code concerning public notices to all affected property owners, publishing a notice in a newspaper of general circulation (i.e. Rockwall County News), and posting the case on the City's website.

The subject area consists of two (2) areas comprised of four (4) tracts of land owned by three (3) property owners. The annexation area totals 42.482-acres of land and is more specifically described as follows:

1) Tract 17-14 of the W. W. Ford Survey, Abstract No. 80 being 12.493-acres.
2) Tract 40 of the W. W. Ford Survey, Abstract No. 80 being 8.989-acres.
3) Tract 40-1 of the W. W. Ford Survey, Abstract No. 80 being 1-acre.
4) Tract 1-4 of the J. W. Pitman Survey, Abstract No. 181 being 20-acres.

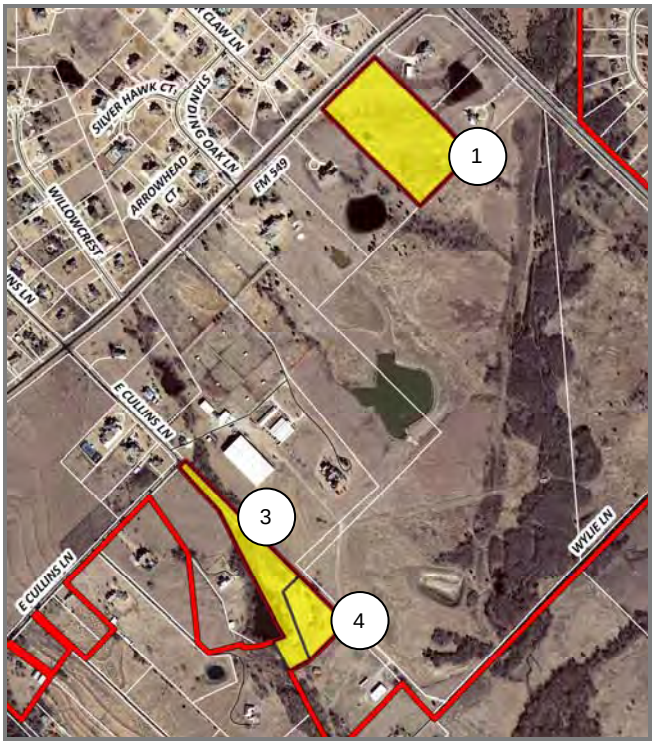
Included in the Ordinance is the service plan (which is also contained in *Exhibit 'B'*) for the proposed annexation area. This service plan has been available to the public at City Hall and on the City's website since the expiration of the previous 212 Development Agreement. The second and final reading of the attached ordinance is planned for January 21, 2013 (regularly scheduled City Council Meeting).

Exhibit 'A'
Legal Descriptions and Location Maps

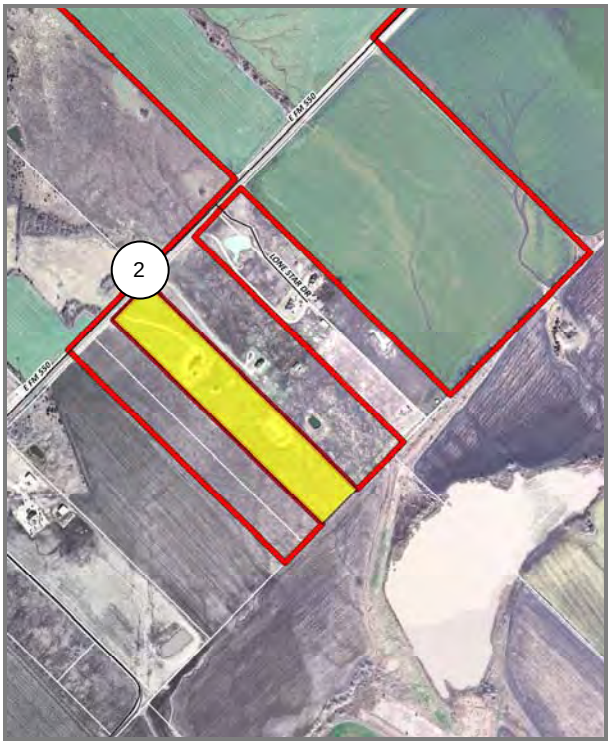
(Page 1 of 1)

BEING for four (4) tracts of land comprising approximately 42.482-acres of land situated in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey, Abstract No. 181, County of Rockwall, Texas and generally located contiguous to the existing city limits line west of SH-205 (S. Goliad Street) and south of FM-549 and specifically described as follows:

No.	Owner	Tract	Size of Tract
1	Scott W. & Glenita G. Blackwood	A0080 W. W. Ford, Tract 17-14	12.493-Acres
2	Mark S. Olmstead	A0181 J. W. Pitman, Tract 1-4	20.00-Acres
3	Alan D. Travis	A0080 W. W. Ford, Tract 40	8.989-Acres
4	Alan D. Travis	A0080 W. W. Ford, Tract 40-01	1.00-Acres



Area 1



Area 2

SERVICE PLAN FOR ANNEXED AREA

CITY OF ROCKWALL, TEXAS
CASE NO.: A2013-001

ACREAGE/AREA TO BE ANNEXED: *42.482-Acres*

SURVEY ABSTRACT AND COUNTY

BEING four (4) tracts of land comprising approximately 42.482-acres of land situated in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey, Abstract No. 181, Rockwall County, Texas and being specifically described in the following sections of this plan.

DATE OF ADOPTION OF ANNEXATION ORDINANCE: *January 21, 2014*
DATE

Municipal services to the acreage described above shall be furnished by or on behalf of the City of Rockwall, Texas, at the following levels and in accordance with the following schedule:

A. POLICE SERVICES:

1. Patrolling, responses to calls, and other routine police services, within the limits of existing personnel and equipment, will be provided within 60 days of the effective date of annexation.
2. As development and construction commence within this area, sufficient police personnel and equipment will be provided to continue to furnish this area the level of police services consistent with police services available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

B. FIRE SERVICES

1. Fire protection by the present personnel and the present equipment of the fire Department, within the limitations of available water and distances from existing fire stations, will be provided to this area within 60 days of the effective date of annexation.
2. As development and construction commences within this area, sufficient fire personnel and equipment will be provided to continue to furnish this area the level of fire services consistent with fire service available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

C. HEALTH AND CODE COMPLIANCE SERVICES

1. Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced by existing personnel.

   Complaints of ordinance or regulation violations within this area will be responded

and investigated by existing personnel beginning with the effective date of the annexation ordinance.

2. The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.
3. The City's zoning, subdivision, and other ordinances shall be enforced in this area beginning on the effective date of the annexation ordinance.
4. All inspection services furnished by the City of Rockwall, but not mentioned above, will be provided to this area beginning on the effective date of the annexation ordinance. Any property owner or his/her assigns who in good faith has a new building or structure, as defined in the Comprehensive Zoning Ordinance, under construction on the effective date of annexation shall be exempted from these inspections for that building or structure under construction for a period of one year from the effective date of annexation. *For the purpose of this ordinance "under construction" shall mean any work that requires a building permit from the City of Rockwall.*
5. As development and construction commence within this area, sufficient personnel will be provided to continue to furnish this area the same level of Health and Code compliance services as are furnished throughout the City.

D. PLANNING AND ZONING SERVICES

1. The planning and zoning jurisdiction of the City will extend to this area on the effective date of the annexation ordinance. City planning will thereafter encompass this property, and it shall be entitled to consideration for zoning in accordance with the City's Comprehensive Plan, Zoning Ordinance, Landscape Ordinance and Code of Ordinances.

E. RECREATION AND LEISURE SERVICES

1. Residents of this property may utilize all existing recreational and leisure services facilities and sites throughout the City beginning with the effective date of the annexation ordinance.
2. Existing parks, playgrounds, swimming pools and other recreation and leisure facilities within this property shall, upon dedication to and acceptance by the City, be maintained and operated by the City of Rockwall.

F. SOLID WASTE COLLECTION

1. Solid waste collection shall be provided to the property owner in accordance with existing City policies as to frequency and charges, beginning on the effective date of annexation except for properties that are served by a privately owned solid waste management service provider. Such properties will be allowed to continue private service for a period of two years from the effective date of annexation at which time the property will be required to begin service with a franchised solid waste contractor within the City of Rockwall.

G. STREETS

1. The City of Rockwall's existing policies with regard to street maintenance, applicable throughout the entire City, shall apply to this property beginning immediately as of the effective date of the annexation ordinance.
2. As development, improvements or construction of streets to the City standards commence within this property, the policies of the City of Rockwall with regard to impact fees and participation in the cost thereof, acceptance upon completion, and maintenance after completion, shall apply.
3. The same level of maintenance shall be provided to streets within this property that have been accepted by the City of Rockwall as is provided to like City streets throughout the City.

H. WATER SERVICES

1. Connection to existing City water mains for water services for domestic, commercial and industrial use within this property will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinance for such services throughout the City.
2. Water mains of the City will be extended in accordance with provisions of the Code of Ordinances and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, population densities similar to those reasonably contemplated or projected in the annexed area.
3. Water mains which are within the annexed area and are owned and operated by the City shall be maintained beginning with the effective date of the annexation ordinance or upon acquisition by the City.
4. Private water lines within this property shall be maintained by their owners, in accordance with existing policies applicable throughout the City.

I. SANITARY SEWER SERVICES

1. Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with the existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such services throughout the City.
2. Sanitary sewer mains and/or lift stations which are within the annexed area and are connected to City mains shall be maintained by the City of Rockwall beginning with the effective date of the annexation ordinance or upon acquisition by the City.
3. Sanitary sewer mains of the City will be extended in accordance with the provisions of the Code of Ordinances and engineering standards and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise availably in other parts of the City with topography, land uses, and population densities similar to those reasonably contemplated or projected in the area.

4. Previously granted exceptions to the requirements of connections to the city's sanitary sewer treatment system shall be continued until such alternate systems are determined to no longer function to meet the sanitary sewer needs of the subdivision granted the exception.

J. PUBLIC UTILITIES

1. Other public utilities will be provided by the City's franchisee or a provider holding a certificate of convenience issued by the state to serve that area.

K. MISCELLANEOUS

1. General municipal administration services of the City shall be available to the annexed area beginning with the effective date of the annexation ordinance.

ANNEXATION SCHEDULE

- ✓ *Friday, March 15, 2013:* 180-day notice of expiring 212 Development Agreement sent to all property owners.
- ✓ *Tuesday, May 21, 2013:* 150-day extension request deadline.
- ✓ *Friday, July 12, 2013:* Notice sent by Certified Mail of expiring 212 Development Agreement and intent to accept voluntary petitions for annexation (*sent 90 days prior to the expiration date of the 212 Development Agreement*).
- ✓ *Friday, October 18, 2013: Current 212 Development Agreements expire.*
- ✓ *Thursday, October 24, 2013:* Notice of 1st & 2nd Public Hearing mailed to property owners (*30 days prior to 1st & 2nd Public Hearing*).
- ✓ *Thursday, October 31, 2013:* Notice sent to paper for publication (*1st & 2nd Public Hearing*).
- ✓ *Tuesday, November 12, 2013:* Notification appears in newspaper for 1st & 2nd Public Hearing (*x<20 and x>10 days before Public Hearing*). Obtain required affidavit of publication from paper.
- ✓ *Tuesday, November 12, 2013:* Notification posted on internet 1st & 2nd Public Hearing (*x<20 and x>10 days before Public Hearing*).
- ✓ *Monday, December 02, 2013:* FIRST PUBLIC HEARING/SECOND PUBLIC HEARING (*x<40 and x>20 days before 1st Reading*).
- ✓ *Monday, January 06, 2013:* City Council approves annexation ordinance (*1st Reading*).
- ✓ *Monday, January 21, 2014:* City Council final approval (*2nd Reading*).
- ✓ *Sunday, April 06, 2014:* Annexation must be completed before the date to the left. Annexation proceedings must be completed within 90 days of 1st Reading of ordinance.

LEGAL DESCRIPTION

Being for four (4) tracts of land comprising approximately 42.482-acres of land situated in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey, Abstract No. 181, County of Rockwall, Texas and generally located contiguous to the existing city limits line west of SH-205 (S. Goliad Street) and south of FM-549 and specifically described as follows:

No.	Owner	Tract	Size of Tract
1	Scott W. & Glenita G. Blackwood	A0080 W. W. Ford, Tract 17-14	12.493-Acres
2	Mark S. Olmstead	A0181 J. W. Pitman, Tract 1-4	20.00-Acres
3	Alan D. Travis	A0080 W. W. Ford, Tract 40	8.989-Acres
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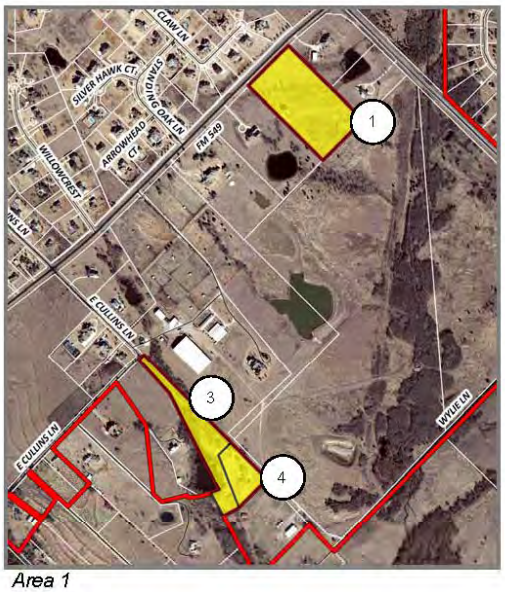


Area 1



Area 2

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 42.482-ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Public Hearings were held before the governing body of the City of Rockwall, Texas, where all interested persons were provided with an opportunity to be heard, on December 2, 2013, at 6:00 p.m. and on December 2, 2013, at 6:30 p.m. at *City Hall, 385 S. Goliad*, Rockwall, Rockwall County, Texas with said dates being not more than forty (40) days nor less than twenty (20) days prior to the institution of annexation proceedings, on the proposed annexation of the following described territories.

BEING, four (4) tracts of land comprised of 42.482-acres of land situated in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey, Abstract No. 181 in the County of Rockwall, Texas and generally located contiguous to the existing city limits line west of SH-205 (S. Goliad Street) and south of FM-549, depicted in *Exhibit 'A'* of this ordinance, and specifically described as follows:

No.	Owner	Tract	Size of Tract
1	Scott W. & Glenita G. Blackwood	A0080 W. W. Ford, Tract 17-14	12.493-Acres
2	Mark S. Olmstead	A0181 J. W. Pitman, Tract 1-4	20.00-Acres
3	Alan D. Travis	A0080 W. W. Ford, Tract 40	8.989-Acres
4	Alan D. Travis	A0080 W. W. Ford, Tract 40-01	1.00-Acres

WHEREAS, notice of such public hearings were published in a newspaper having general circulation in the City of Rockwall, Rockwall County, Texas and in the territory described herein on October 31, 2013, and posted on the City of Rockwall Internet site on November 12, 2013, said dates being not more than twenty (20) days nor less than ten (10) days prior to the dates of such public hearings; and

WHEREAS, the territory lies adjacent to and adjoins the present boundaries of the City of Rockwall, Rockwall County, Texas; and

WHEREAS, the territory above contains 42.482-acres;

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

SECTION 1. That the above recitals are hereby found to be true and correct and incorporated herein for all purposes.

SECTION 2. The land and territory more specifically described in *Exhibit 'A'* and incorporated by reference as the *Subject Property*, and containing 42.482-acres which is adjacent to and adjoining the present boundaries of the City of Rockwall, Rockwall County, Texas, is hereby added and annexed to the City of Rockwall, Rockwall County, Texas and said territory as described herein shall hereafter be included within the boundary limits of the City of Rockwall, Rockwall County,

Texas and the present boundary limits of the City at the various points contiguous to the areas as described above, are altered and amended so as to include said area within the corporate limits of the City.

SECTION 3. That the official map of the City is hereby amended to reflect the addition of the property described herein.

SECTION 4. The above described territory and the acres so annexed shall be a part of the City of Rockwall, Texas, and the inhabitants thereof, if any, shall be entitled to all of the rights and privileges of all citizens and shall be bound by the acts, ordinances, resolutions and regulations of the City of Rockwall, Texas.

SECTION 5. That the *Service Plan* for the annexation area, which was made available for public inspection at the Public Hearings referenced above, is hereby approved with a copy of said plan being attached hereto and incorporated by reference for all purposes and labeled *Exhibit 'B'*.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and approval, in accordance with applicable law and the charter of the City of Rockwall, Texas.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 21ST DAY OF JANUARY, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *January 6, 2014*

2nd Reading: *January 21, 2014*

Exhibit A: Location Map

[AREA '1']

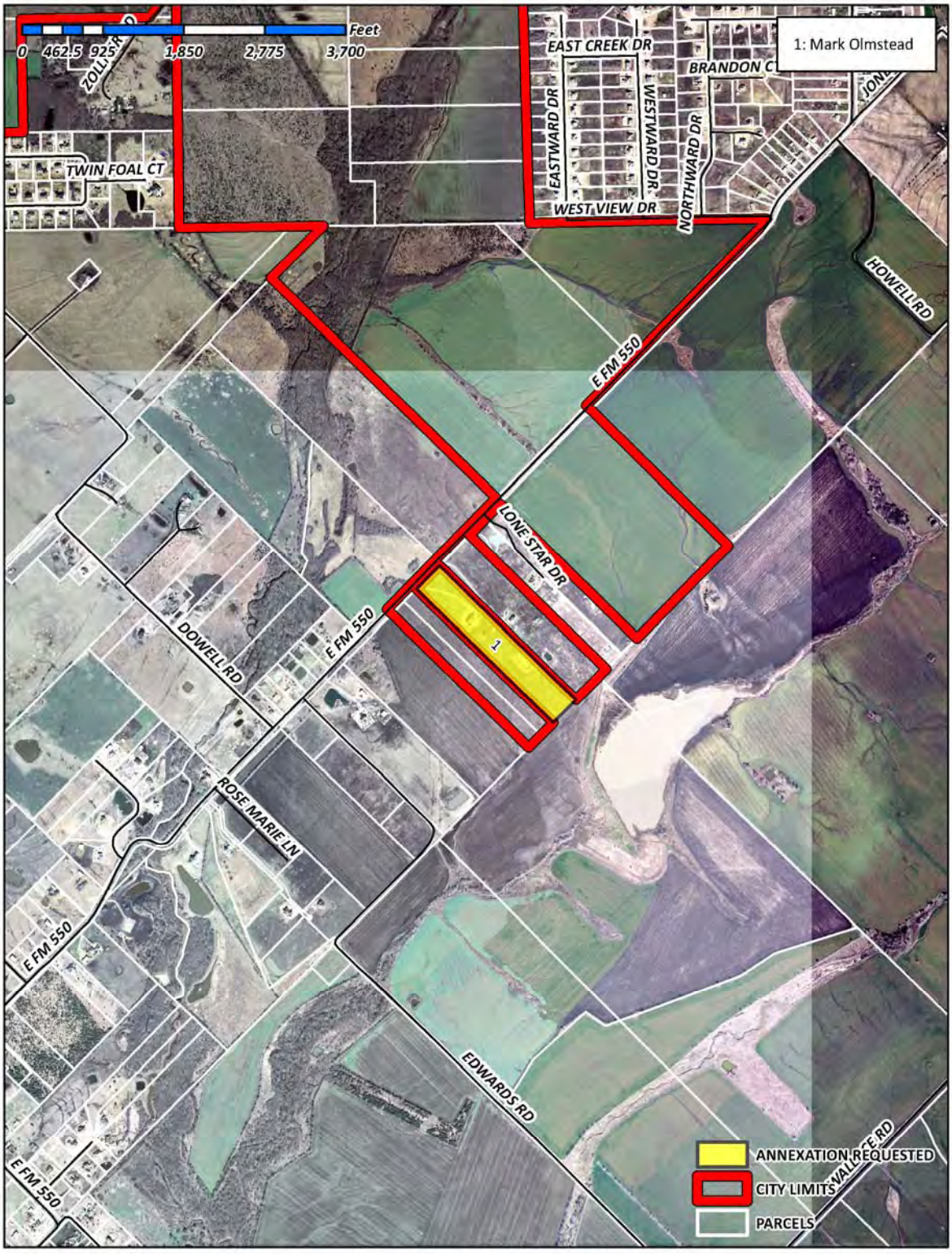
(Page 1 of 2)



Exhibit A: Location Map

[AREA '2']

(Page 2 of 2)



SERVICE PLAN FOR ANNEXED AREA

CITY OF ROCKWALL, TEXAS
CASE NO.: A2013-001

ACREAGE/AREA TO BE ANNEXED: *42.482-Acres*

SURVEY ABSTRACT AND COUNTY

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DATE OF ADOPTION OF ANNEXATION ORDINANCE: *January 21, 2014*
DATE

Municipal services to the acreage described above shall be furnished by or on behalf of the City of Rockwall, Texas, at the following levels and in accordance with the following schedule:

A. POLICE SERVICES:

1. Patrolling, responses to calls, and other routine police services, within the limits of existing personnel and equipment, will be provided within 60 days of the effective date of annexation.
2. As development and construction commence within this area, sufficient police personnel and equipment will be provided to continue to furnish this area the level of police services consistent with police services available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

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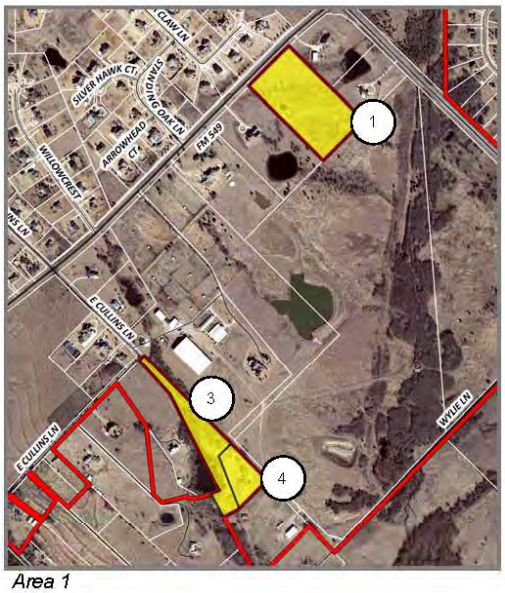

Area 1



Area 2

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Honorable Mayor & City Council Members

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

DATE: December 31, 2013

SUBJECT: Ordinance prohibiting e-cigarette smoking products

At the December 2, 2013 meeting, the City Council discussed an agenda item regarding the possibility of placing "a moratorium on the acceptance, processing of applications and issuance of permits for the operation of non-traditional smoking related businesses including regulation of vaporizers, e-cigarettes and other non-traditional smoking products within the corporate limits of the City of Rockwall." As part of this discussion, some members of council expressed an interest in having the city attorney further evaluate this matter and return a draft ordinance to the Council for consideration at a later date. Mr. Garza has evaluated this topic, as requested. Included for consideration in the January 6th city council meeting packet is an ordinance drafted by City Attorney, Frank Garza, related to e-cigarette smoking product prohibitions, specifically concerning minors. In addition to the draft ordinance, at the request of Councilmember Milder, I have also included some articles related to the subject of e-cigarettes.

Mr. Garza and staff will be available to answer any questions the council may have at the meeting Monday evening.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-xx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CITY CODE OF ORDINANCES TO ESTABLISH CHAPTER 22, ARTICLE II. OFFENSES REGARDING MINORS, SECTION 22-71. POSSESSION/PURCHASE BY MINOR OF E-CIGARETTES, REGULATING THE POSSESSION PURCHASE, SALE, OFFER TO SELL, AND INGESTION OF ANY E-CIGARETTE SMOKING PRODUCT TO OR BY ANY MINOR; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall (the "City") is permitted to establish ordinances to protect the health, safety and general welfare of its residents; and

WHEREAS, electronic cigarettes are devices that convert liquid nicotine into a gas that is inhaled by the consumer; and

WHEREAS, the National Institute for Occupational Safety and Health and the Center for Disease Control and Prevention have prepared emergency response information addressing the dangers associated with liquid nicotine. Nicotine affects the nervous system and heart and is addictive. Exposure to relatively small amounts of liquid nicotine can rapidly be fatal; and

WHEREAS, the Federal Drug Administration published an article in July of 2009 warning of the dangers posed by electronic cigarettes, which include nicotine addiction and the appeal to young people due to the different flavors (such as chocolate, strawberry and mint); and

WHEREAS, the American Medical Association addressed the risks associated with the use of electronic cigarettes and adopted a policy recommending that electronic cigarettes be classified as a drug delivery device, subject the FDA's regulations and approval;

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

SECTION 1. FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. PURPOSE. The purpose and intent of this Section is to protect individuals under the age of 18 from the hazards of nicotine addiction and the dangers of ingesting products with no regulatory oversight as to their purity, contents, and potential negative health impacts.

SECTION 3. Section 22.71 is hereby established and shall read as follows:

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Sec. 22.71 Possession/purchase by minor of E-Cigarettes

(a) Definitions: As used in this section, the following words and phrases shall have the following meanings:

"*Electronic cigarette*" or "*e- cigarette*" means an electronic device usually composed of a mouthpiece, a heating element or atomizer, a battery, and electronic circuits that provides a gas derived from liquid nicotine and/or other substances which is inhaled by a user simulating smoking. The term includes such devices, regardless of the details of the product appearance or marketed name, generally manufactured to resemble cigarettes, cigars, pipes, or other smoking devices.

"*Liquid nicotine*" means any liquid product composed either in whole or part of nicotine, propylene glycol and/or other similar substances and manufactured for use with an e- cigarette to be converted into a gas for inhaling.

"*Minor*" means a person less than 18 years of age.

"*Person*" means any natural person, individual, corporation, limited liability company, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, or other entity or business of any kind.

"*Photographic identification*" means state, district, national or other equivalent government driver's license, identification card or military card, in all cases bearing a photograph and a date of birth, or a valid passport.

(b) Prohibited Acts

1. No person may give, distribute, transfer, sell, market, or offer e-cigarettes, their components, or samples to any minor.

2. No minor may purchase, attempt to purchase, possess, or obtain e-cigarette or their components. This prohibition does not apply to activities or enforcement actions under the control of a City, state, or federal law enforcement authority.

3. No person shall sell or permit to be sold e-cigarettes or their components through any device that mechanically dispenses such products unless the device is located fully within premises from which minors are prohibited.

(c) Penalty and Exceptions

1. The penalty for violation of this Ordinance shall be in accordance with the general penalty provision contained in the Code of Ordinances of the City of Rockwall, Texas. Each continuing day's violation under this Ordinance shall constitute a separate offense.

2. It is a defense to a prosecution for violation of subsection (b) of this section that a minor possessed an e-cigarette product in the presence of an adult parent, guardian, or spouse, or other adult to whom the minor has been committed by a court.

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3. It is a defense to a prosecution for violation of subsection (b) of this section that a minor possessed a e-cigarette product while in the course and scope of the minor's employment by a person or entity in the business of being a distributor, wholesaler, bonded agent or retailer of e-cigarette products.

4. Purchase by Minor.

(A) It is a defense to prosecution under this subsection (b) that the minor purchased an e-cigarette product in the presence of an adult parent, guardian, or spouse, or other adult to whom the minor has been committed by a court.

(B) False information. It is an offense for a minor, in order to acquire an e-cigarette product, to state to any person engaged in the business of selling such products that such minor is not a minor, or to present to any such person a document or writing that purports to establish that such minor is not a minor.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 5. SAVINGS CLAUSE. All ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 6. EFFECTIVE DATE. The Ordinance shall be effective immediately following its second reading and publication in accordance with the City Charter.

_____

David Sweet, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____

Frank Garza, City Attorney

1st Reading: _____

2nd Reading: _____

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U.S. State and Local Laws Regulating Use of Electronic Cigarettes

As of January 2, 2014

The following list includes states and municipalities that have enacted laws regulating where electronic cigarette use (e-cigarettes) is prohibited. E-cigarettes are battery-powered devices that are designed to mimic cigarettes by vaporizing a nicotine-laced liquid that is inhaled by the user. The use of e-cigarettes in workplaces and public places is a significant public health concern, not only because of their unregulated constituents and the potential health impact of the vapor on users and bystanders, but also because e-cigarette use causes public confusion as to where smoking is allowed, resulting in compliance problems with smokefree laws.

Most local and state smokefree laws were enacted before e-cigarettes were on the market, so while such laws do not explicitly mention e-cigarettes, it should not be assumed that their use is permitted. Existing smokefree laws are often interpreted to prohibit e-cigarette use in their smokefree provisions.

NOTE: In the 100% Smokefree Venues column, the following abbreviations are used: W=non-hospitality workplaces; R=restaurants; B=bars; G=gambling facilities.

For more information, please visit ANR's e-cigarettes page.

State Laws Regulating Use of E-cigarettes

State Laws Restricting E-cigarette Use in 100% Smokefree Venues

Other state laws that do not explicitly address e-cigarettes might be interpreted as prohibiting the use of e-cigarettes in existing smokefree provisions.

State	Use of E-cigarettes Prohibited	100% Smokefree Venues in Which Use of E-cigarettes Prohibited	Use of E-cigarettes Specifically Permitted	Permitted In:
1. North Dakota	Yes	WRBG	No	
2. New Jersey	Yes	WRB	No	
3. Utah	Yes	WRB	Yes	Retailers that sell e-cigarettes, until 7/1/17.

State Laws Regulating E-cigarette Use in Other Venues

State	Use of E-cigarettes Prohibited	Prohibited In:	Use of E-cigarettes Specifically Permitted	If Partial, Permitted In:
1. Arkansas	Yes	Use of e-cigarettes prohibited on school district property.	No	
2. Colorado	Yes	Definition of tobacco product for purposes of prohibition of use on school property amended to include e-cigarettes, unless approved by FDA as cessation devices.	No	
3. Delaware	Yes	Tobacco use, including use of e-cigarettes and hookahs, prohibited in all State workplaces, including all buildings, facilities, indoor and outdoor spaces and surrounding grounds, as well as parking lots and state vehicles operated on State workplace property.	No	
4. Kansas	Yes	Tobacco use, including use of e-cigarettes, prohibited on all Dept. of Corrections property and grounds, by both employees and inmates. Per opinion of Attorney General, Indoor Clean Air Act of 2010 does not apply to e-cigarettes.	Partial	All places where smoking is prohibited per 3/12/10 law, including workplaces, restaurants, bars, gambling facilities, and public places generally.
5. Maryland	Yes	Smoking, including use of e-cigarettes prohibited on MARC commuter rail system trains.	No	
6. New Hampshire	Yes	Use of e-cigarettes prohibited in public educational facilities and on grounds thereof.	No	
7. Oklahoma	Yes	Tobacco use, including use of e-cigarettes, prohibited in all Dept. of Corrections facilities, including vehicles and grounds.	No	
8. Oregon	Yes	State agency employees prohibited from using tobacco products, including e-cigarettes, in State agency buildings and on State agency grounds adjacent to buildings.	No	

State	Use of E-cigarettes Prohibited	Prohibited In:	Use of E-cigarettes Specifically Permitted	If Partial, Permitted In:
9. South Dakota	Yes	Tobacco use, including use of e-cigarettes, prohibited in Dept. of Corrections facilities and on grounds thereof, by both employees and inmates.	No	

Local Laws Regulating Use of E-cigarettes

Laws Restricting E-cigarette Use in 100% Smokefree Venues

Note: <u>The jurisdiction(s) affected by county-level laws vary widely.</u> Look for a plus symbol (+) next to each county with a law that includes both incorporated and unincorporated areas. A county without a symbol means that the county law covers unincorporated areas only.

State	Name	Use of E-cigarettes Prohibited	If Partial, Prohibited In:	100% Smokefree Venues in Which Use of E-cigarettes Prohibited	Use of E-cigarettes Specifically Permitted	If Partial, Permitted In:
1. AK	Palmer	Yes		WRB	No	
2. AL	Anniston	Yes		WRBG	No	
3. AL	Bessemer	Yes		WRG	No	
4. AL	Clay	Yes		WRBG	No	
5. AL	Creola	Yes		WRBG	No	
6. AL	Fultondale	Yes		WRBG	No	
7. AL	Midfield	Yes		WRBG	No	
8. AL	Monroeville	Yes		WRBG	No	
9. AL	Troy	Yes		WRBG	No	
10. AL	Vestavia Hills	Yes		WRBG	No	
11. CA	Arcata	Yes		WRB	No	
12. CA	Campbell	Yes		RBG	No	
13. CA	Eureka	Yes		WRBG	No	
14. CA	Fairfax	Yes		WRBG	No	

State	Name	Use of E-cigarettes Prohibited	If Partial, Prohibited In:	100% Smokefree Venues in Which Use of E-cigarettes Prohibited	Use of E-cigarettes Specifically Permitted	If Partial, Permitted In:
15. CA	Marin County	Partial	Use of e-cigarettes prohibited everywhere that smoking is prohibited, except in individual apartment units in multi-unit residences.	WRB	Partial	Individual apartment units in multi-unit residences.
16. CA	Mill Valley	Yes		WRB	No	
17. CA	Morgan Hill	Yes		WRB	No	
18. CA	Mountain View	Yes		WRB	No	
19. CA	Petaluma	Yes		W	No	
20. CA	Santa Clara County	Yes		WRB	No	
21. CA	Sebastopol	Yes		WRBG	No	
22. CA	Tiburon	Yes		WRB	No	
23. CA	Union City	Yes		WRB	No	
24. CA	Walnut Creek	Yes		RBG	No	
25. FL	Clay County	Yes		WR	No	
26. GA	Chatham County	Yes		WRBG	No	
27. GA	DeKalb County	Yes		W	No	
28. GA	Savannah	Yes		WRBG	No	
29. ID	Ketchum	Yes		WRBG	No	
30. IN	Indianapolis/Marion County+ (except the cities of Beech Grove, Lawrence, Southport, and Speedway)	Yes		WRB	No	
31. KY	Bardstown	Yes		WRBG	No	
32. KY	Glasgow	Yes		RBG	No	
33. KY	Kenton County+	Yes		W	No	
34. KY	Madison County+	Yes		WRBG	No	
35. KY	Manchester	Yes		WRBG	No	
36. LA	Monroe	Yes		WRBG	No	
37. LA	Ouachita Parish	Yes		WRBG	No	

State	Name	Use of E-cigarettes Prohibited	If Partial, Prohibited In:	100% Smokefree Venues in Which Use of E-cigarettes Prohibited	Use of E-cigarettes Specifically Permitted	If Partial, Permitted In:
38. LA	West Monroe	Yes		WRBG	No	
39. MA	Boston	Yes		WRB	No	
40. MA	Bourne	Yes		WRB	No	
41. MA	Buckland	Yes		WRBG	No	
42. MA	Burlington	Yes		WRBG	No	
43. MA	Foxborough	Yes		WRBG	No	
44. MA	Gill	Yes		WRBG	No	
45. MA	Grafton	Yes		WRBG	No	
46. MA	Great Barrington	Yes		WRBG	No	
47. MA	Hatfield	Partial	Use of e-cigarettes prohibited everywhere that smoking is prohibited, except for smoking bars and hotels/motels.	WRBG	Partial	Smoking bars and hotels/motels.
48. MA	Haverhill	Yes		WRBG	No	
49. MA	New Bedford	Yes		WRB	No	
50. MA	North Attleborough	Yes		WRBG	No	
51. MA	Northampton	Yes		WRB	No	
52. MA	Oxford	Yes		WRBG	No	
53. MA	Pittsfield	Yes		WRBG	No	
54. MA	Salem	Yes		WRBG	No	
55. MA	Saugus	Yes		WRBG	No	
56. MA	Shelburne	Yes		WRB	No	
57. MA	South Hadley	Yes		WRBG	No	
58. MA	Taunton	Yes		WRBG	No	
59. MA	Westminster	Yes		WRBG	No	
60. MA	Westport	Yes		WRBG	No	
61. MA	Westwood	Yes		WRBG	No	
62. MA	Whately	Yes		WRB	No	
63. MA	Winchester	Yes		WRBG	No	
64. MN	Duluth	Yes		WRBG	No	
65. MN	Ely	Yes		WRBG	No	
66. MN	Hermantown	Yes		WRB	No	

State	Name	Use of E-cigarettes Prohibited	If Partial, Prohibited In:	100% Smokefree Venues in Which Use of E-cigarettes Prohibited	Use of E-cigarettes Specifically Permitted	If Partial, Permitted In:
67. MO	Creve Coeur	Yes		WRB	No	
68. MO	Jefferson City	Yes		WRBG	No	
69. MO	Washington	Yes		WRBG	No	
70. MS	Anguilla	Yes		WRBG	No	
71. MS	Arcola	Yes		WRBG	No	
72. MS	Baldwyn	Yes		WRBG	No	
73. MS	Bassfield	Yes		WRBG	No	
74. MS	Byram	Yes		WRBG	No	
75. MS	Calhoun City	Yes		WRBG	No	
76. MS	Centreville	Yes		WRBG	No	
77. MS	Coahoma County	Yes		WRB	No	
78. MS	Duncan	Yes		WRBG	No	
79. MS	Durant	Yes		WRBG	No	
80. MS	Flowood	Yes		WRG	No	
81. MS	Forest	Yes		WRBG	No	
82. MS	Georgetown	Yes		WRBG	No	
83. MS	Monticello	Yes		RBG	No	
84. MS	New Augusta	Yes		WRBG	No	
85. MS	Plantersville	Yes		WRBG	No	
86. MS	Prentiss	Yes		WRBG	No	
87. MS	Rolling Fork	Yes		WRBG	No	
88. MS	Sumner	Yes		WRBG	No	
89. MS	Wesson	Yes		WRBG	No	
90. ND	Bismarck	Yes		WRB	No	
91. ND	Walhalla	Yes		WRBG	No	
92. NY	Cattaraugus County	Yes		RBG	No	
93. NY	Suffolk County+	Yes		WRB	No	
94. SC	Estill	Yes		WRBG	No	
95. SC	Yemassee	Yes		WRB	No	
96. TX	Lufkin	Yes		WRBG	No	
97. TX	San Angelo	Yes		WRB	No	
98. WA	King County+	Yes		WRBG	No	
99. WV	Calhoun County+	Yes		WRBG	No	

State	Name	Use of E-cigarettes Prohibited	If Partial, Prohibited In:	100% Smokefree Venues in Which Use of E-cigarettes Prohibited	Use of E-cigarettes Specifically Permitted	If Partial, Permitted In:
100. WV	Greenbrier County+	Yes		WRBG	No	
101. WV	Lewis County+	Yes		WRBG	No	
102. WV	Marshall County+	Yes		W	No	
103. WV	Pleasants County+	Yes		WRBG	No	
104. WV	Ritchie County+	Yes		WRBG	No	
105. WV	Roane County+	Yes		WRBG	No	
106. WV	Taylor County	Yes		WRBG	No	
107. WV	Wirt County+	Yes		WRBG	No	
108. WV	Wood County+	Yes		WRBG	No	

[+]Law pertains to both incorporated and unincorporated areas of county.

State Laws Restricting E-cigarette Use in 100% Smokefree Venues: 3
State Laws Restricting E-cigarette Use in Other Venues: 9
Local Laws Restricting E-cigarette Use in 100% Smokefree Venues: 108

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Tuesday, December 31st, 2013



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Forecast

TUESDAY: Partly sunny. High: 28. Winds: South 5-10 mph.

NEW YEAR'S EVE: Mostly cloudy. Low: 21. Winds: Southeast 5-10 mph.

NEW YEAR'S DAY: Mostly cloudy with some snow, possibly mixed with rain. High: ...

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The following is an archived video story. The text content of that video story is available below for reference. The original video has been deleted and is no longer available.

Marijuana Smokers Using E-Cigarettes to get High

When you see someone smoking an electronic cigarette, it might not be nicotine they're inhaling. Some are now using e-cigarettes as a new way to get high. They're smoking a vapor of liquid cannabis. It's sometimes referred to as hash oil. By using e-cigarettes, the illegal drug can be smoked anywhere without being detected. That has the Sangamon County Sheriff's Office concerned.

"You have no idea what they're smoking in there," said Kathy Drea, Vice President of Advocacy for the American Lung Association of the Upper Midwest.

It's a new trend among marijuana users: smoking illegal hash oil using electronic cigarettes.

"Hash is a derivative of marijuana, and it's a process where they make it sometimes into a paste, obviously they make it into an oil. But they're putting it into these e-cigarettes and they're using it to get high. And hash causes a very intense high," said Sangamon County Undersheriff Jack Campbell.

Since the vapor from electronic cigarettes is odorless, the smell of the marijuana is non-existent.

"Now we're afraid that here's another opportunity for people to walk down the street and do this right in front of us and we can't tell," said Campbell.

That's just one more reason Drea says she is fighting for e-cigarettes to be regulated by the government.

"We would like to see definitely restrictions on sales. We would like to see all smoke-free laws--that they're included in all smoke-free laws like Smoke-

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Free Illinois," said Drea.

With marijuana now legal in some states, enforcement in Illinois is even more challenging.

"It seems to be working its way here probably from the west. Colorado, where marijuana is legal now, is one of the places where they began using this first. And we're afraid that as other states move into legalizing marijuana, that we're going to be seeing more of that here," said Campbell.

That's why local law enforcement officials say they're on the lookout for those using electronic cigarettes to smoke hash oil.

"Right now it's illegal to do, it's illegal to possess. So from our end of it in law enforcement, we're going to arrest you if we catch you with it," said Campbell.

A letter was signed by 40 state attorneys general, including Illinois' Lisa Madigan, urging the Food and Drug Administration to regulate electronic cigarettes. Officials say they're expecting a response from the FDA soon.

The National Association of Attorneys General says e-cigarette sales are growing rapidly, doubling every year since their inception in 2008. Sales in 2013 are now accelerating even faster and projected to reach $1.7 billion.



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CITY OF ROCKWALL, TEXAS
MEMORANDUM

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

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

DATE: **December 31, 2013**

SUBJECT: **SUPPLEMENTAL MEMO FOR VOLUNTEER COACH'S ELIGIBILITY POLICY**

At the December 16th Council meeting, two issues were raised regarding the Coach's Eligibility Policy. The first issue raised by the City Attorney in regards to the membership of the appeal board. The original recommendation included the Police Chief, a City of Rockwall Municipal Judge and a three person subcommittee of the Park Board appointed by the Park Board Chairman.

According to the City Attorney's review of the City of Rockwall Charter during the Council meeting, a person who serves in an appointed position AND who is compensated for that appointment cannot serve as a voting member on another decision-making board.

In consultation with City Attorney Frank Garza following the Council meeting, Mr. Garza recommended that the Municipal Judge can act in an advisory capacity on the appeal board, but not as a voting member. I have included the revised policy recommendation in the Council packet. The amended language is in RED.

The second issue raised by Council was in reference to the time frames associated with the categories of crimes and the respective waiting period. There was much discussion, but no recommendation was made at that time. The policy included in the packet reflects the original unanimous Park Board recommendation as well as the original memo for the December 16th Council meeting.

CITY OF ROCKWALL, TEXAS
MEMORANDUM

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

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

DATE: **December 11, 2013**

SUBJECT: **AMENDED YOUTH SPORTS COACH'S ELIGIBILITY POLICY**

BACKGROUND: In February of 2006, City Council approved Park Board's recommendation to establish a policy for Eligibility Criteria for Co-Sponsored Youth Sports Programs as a Coach. This policy was included as a requirement in the Facility Use Agreements between the City and Rockwall Baseball Association (RBA) and Rockwall Girls Softball Association (RGSA) since 2006 to present. Lake Pointe Church Youth Sports Program has had the same requirement in their Facility Use Agreement since 2011.

All volunteers wishing to coach for any of these entities must submit a background check form as well as a signed copy of the Coach's Eligibility Policy indicating that they have received it and read it. A firm selected by the City then conducts the search and reports the data back to the City. The policy recommends various waiting periods in determining applicant's eligibility. For example, Driving Under the Influence requires a three year waiting period before a coach is eligible.

At the August 2013 meeting, staff brought the policy before the Park Board to discuss needed amendments. The first issue concerned the members of the appeal board. The current policy states that the appeal board is made up of the Rockwall Police Chief or designee, a City of Rockwall Municipal Court Judge, a member of the Rockwall County District Attorney's office and a board member of the respective youth sports association i.e. RBA or RGSA. At this time, it was clear that pending budget approval the City would no longer contract with RBA and RGSA and would offer those services as a City operated program. Therefore the policy needs to reflect those changes.

The second issue was the need for further clarification of offenses that affect the eligibility of prospective coaches. There have been instances of offenses that show up on the criminal history search results that may not clearly fall under the category of Crimes of Moral Turpitude, such as certain assaults. An example is that a simple misdemeanor assault may not fall into the category of Crimes of Moral Turpitude as defined by the Texas Attorney General, but assault with a deadly weapon may qualify.

From the August meeting, Park Board's unanimous recommendation is as follows:

- The appeal board shall be the City of Rockwall Police Chief or designee, the City of Rockwall Municipal Judge and a three member subcommittee of the Park Board which shall be appointed by the Park Board Chairman.
- All assaults, family violence and crimes of a sexual nature should be considered on an appeal basis only.

Two other concerns were raised. The first being the need for a clear definition of Crimes of Moral Turpitude, the second was concerning non-disclosure orders issued by a judge in deferred adjudication cases.

In consultation with the City Attorney, the proposed policy amendments address the Park Board's recommendation and concerns by reflecting the changes in the Appeal Board membership; and including a definition and list of crimes that have been recognized under Texas Law as Crimes of Moral Turpitude that could affect the eligibility to serve as a coach or official.

In regards to non-disclosure orders, KRESS the company that the City has used to conduct criminal history searches, collects data from sites that provide public information only. According to KRESS, information that may be included in a judge's order for non-disclosure should not be available as public information through public data portals.

They also stated that their staff is trained to look for possible non-disclosure rulings and would therefore not include this information to the City in their report. Criminal history checks through KRESS are required to be in compliance with the Fair Credit Reporting Act (FCRA). Individuals who submit a form for a criminal history check are also provided a copy of their rights under the FCRA and the process for disputing any information reported by KRESS.

I have included a copy of the previously adopted policy as well as the proposed amended draft in your packet. Staff will be available to answer any questions you may have.

The City of Rockwall	**Parks, Recreation, and Streets Policies & Administrative Directives**		
	Policy Number **1**	Page # 1 of 2	Origination Date: 2/20/2006 Revision Date: 12/31/2013
	Subject: **AMENDED Eligibility Criteria for Youth Sports Programs as a Coach**		_____Date:_____ Director Signature

The eligibility of a coach or an official in the City of Rockwall Baseball & Softball League (RBSL) is based on the results of a criminal history background check. A firm selected by the City will conduct the search and report the data back to the City. A coach or other official that is determined by city staff to be ineligible, shall not be allowed on the field of play during practices or games. A potential applicant may appeal the staff decision to a five member panel for final determination. The appeal panel would listen to an applicant's appeal of ineligibility taking into account the type and severity of the offense reported in the background check and all mitigating factors provided by the applicant. **The make-up of this appeal panel is to be the City of Rockwall Chief of Police or his designated representative, the City of Rockwall Municipal Judge, and a three member subcommittee of the Park Board which shall be appointed by the Park Board Chairman**. The ruling by appointed panel shall be final. The Municipal Judge shall not be a voting member, but act in an advisory capacity only. In the event of a tie vote of two appeal board members in favor and two against, the appeal shall be considered denied and the coach will be deemed ineligible.

A person shall not be eligible to serve as a coach or official if they have been convicted of or received deferred adjudication community supervision for a crime involving moral turpitude. A person is considered to have been placed on deferred adjudication community supervision if, regardless of the statutory authorization:

(1) the person entered a plea of guilty or nolo contendere;

(2) the judge deferred further proceedings without entering an adjudication of guilt and placed the person under the supervision of the court or an officer under the supervision of the court; and

(3) at the end of the period of supervision the judge dismissed the proceedings and discharged the person.

Moral turpitude is a legal term and has a recognized meaning to include:

- Dishonesty, fraud, deceit, misrepresentation or deliberate violence
- Matters of personal morality
- Conduct committed knowingly and contrary to justice, honesty, principle or good morals
- Baseness, vileness or depravity
- Conduct immoral in itself, regardless of whether it is punishable by law
- Immoral conduct that is willful, flagrant or shameless and shows a moral indifference to the opinion of the good and respectable members of the community

Under Texas Law the following crimes have been recognized as crimes of moral turpitude and shall affect the eligibility to serve as a coach or official:

- **Sexual assault of a child**

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- **Lying to a police officer**
- **Mail fraud**
- **Tax evasion**
- **Prostitution**
- **Purchase of a child**
- **Indecent exposure**
- **Failure to stop & render aid**
- **Theft**
- **Aggravated assault**
- **Assault by a male on a female**
- **Communicating a false alarm**
- **Murder and indecent exposure**
- **Swindling**
- **Bank fraud**
- **Theft, shoplifting**

The safety and protection of the participants in this league are paramount to the interests of coaches or officials. As such, some offenses that may not be crimes of moral turpitude are nonetheless determinative as to eligibility to participate as a coach or official in this league. Potential coaches or officials that may have been convicted or received deferred adjudication community supervision for certain crimes may apply if certain time periods have expired. These time periods run from the date of conviction or the date that the person was discharged from deferred adjudication community supervision. The following waiting periods will be used in determining applicant's eligibility.

- Driving Under the Influence/Driving While Intoxicated/misdemeanor — 3 years
- Misdemeanor Crimes of Moral Turpitude — 7 years
- Felony Offenses not involving assaults or domestic violence — 10 years

Potential coaches or officials that may have been convicted or received deferred adjudication community supervision for certain crimes may be totally excluded if the offense was of a sexual nature, a felony assault or felony domestic violence. Potential coaches or officials that may have been convicted or received deferred adjudication community supervision for these offenses can only participate if the appeal panel grants their appeal of ineligibility.

DRAFT

Printed Name: _____ ***Signature & Date:*** _____

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **January 6, 2014**

SUBJECT: **Amendment to sign ordinance adding brightness standards for CEVM signs and a minor change regarding the allowable height for wall signs.**

Following the recent City Council work session pertaining to various sign ordinance issues, and the direction given by City Council to develop standards regulating the brightness of changeable electronic variable message signs (CEVM), staff has researched the topic and has drafted a sign ordinance amendment for your review and consideration.

Topics that were researched and considered in preparing the draft amendment included the following; other municipalities that currently have standards to regulate CEVM signs and studies that have been conducted on the topic of safety for motorists and the appropriate methods that should be utilized to measure and regulate the brightness and motion of CEVM signage displays. In addition, staff has inventoried and measured the brightness of all existing CEVM signs within the City, to determine how this new proposed standard might affect them.

The proposed amendment basically sets limitations for the maximum amount of light emitted from CEVM signs and would require existing signs to be brought into compliance within a set period of time. Two levels of limits are included, with one for daytime and one for nighttime use. The ordinance would require any individuals seeking a future permit to erect a CEVM sign, to provide certification to the City, indicating that the new proposed sign would meet the ordinance requirements. In addition, a maximum allowable size for the CEVM portion of any sign has been added. Lastly, the language for other existing regulations related to CEVM signs has been reorganized.

In addition to the changes listed above, a proposed change had been drafted relating to the allowable height for wall signs. Currently, wall sign height is limited to a maximum of six (6) feet. The proposed amendment eliminates the six (6) foot limitation and relies simply on the maximum allowable size for wall signs to govern their overall height. Wall signs are currently allowed up to ten (10%) percent of a building façade area and that regulation would continue to apply to any future wall signs.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-xx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 32 SIGNS, ARTICLE III REGULATIONS AND REQUIREMENTS, DIVISION 3. FUNCTIONAL STANDARDS, SECTION 32-233. CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS (CEVM) TO REPEAL THIS SECTION IN ITS ENTIRETY AND PROVIDE FOR A NEW SECTION 32-233; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the Rockwall City Council deems the public interest to be best served by the adoption of certain rules and regulations regarding Changeable Electronic Variable Message Signs as set forth herein;

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

SECTION 1. That the Code of Ordinances in Chapter 32. Signs, Article III. Regulations and Requirements, Division 3. Functional Standards, Section 32-233 is hereby repealed in its entirety and is replaced with a new Sec. 32-233 which shall hereby read in its entirety as follows:

Sec. 32-233. Changeable Electronic Variable Message Signs (CEVMs)

CEVMS signs are subject to the same size and location restrictions as other signs regulated by this division. In addition, CEVM signs are subject to the following restrictions:

(1) *Location:* CEVM signs shall not be erected within 150 feet of a residential district or residential use unless the lighting is shielded from view from the residential district or residential use.

(2) *Size:* The CEVM portion of any sign shall be limited to two hundred (200) square feet in message area.

(3) *Dwell Time:* Messages shall remain static for a minimum period of five (5) seconds.

(4) *Change of Message:* Any change of pictures or information on a CEVM sign shall not produce the illusion of blinking, flashing, expanding or contracting shapes, scrolling, rotation or any similar effect of animation. Message changes shall be accomplished within two (2) seconds or less and shall occur simultaneously on the entire sign face.

(5) *Brightness:* The maximum brightness of a CEVM sign shall not exceed 7,500 Nits (candelas per square meter cd/m^2) during daylight hours or 750 Nits between dusk to dawn. CEVM signs shall be fitted with a light sensing device or contain software that is programmed to automatically adjust the brightness in accordance with these standards and the intensity of its display according to natural ambient light conditions. Further, prior to the issuance of a permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the levels specified above, and the intensity level is protected from end-user manipulation by password-protected software or other method.

(6) *Malfunction:* CEVM signs shall be equipped with a properly functioning default mechanism that will cause the sign to revert immediately to a single, fixed image or to a black-screen if the sign malfunctions.

(7) *Existing signs:* All CEVM signs in existence prior to the effective date of this Ordinance shall conform to the provisions of this subsection within 30 days of the adoption date of this ordinance [January 20, 2014].

SECTION 2. That any person, firm or corporation who violates any provision of this ordinance or who fails to obtain a special event permit shall be deemed guilty of a misdemeanor and upon conviction thereof, in the Municipal Court of Rockwall, TX, shall be subject to a fine in accordance with the general provisions of the Code of Ordinances.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 4. That the Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

SECTION 6. That it is hereby found and determined that the meeting at which this ordinance was passes was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

SECTION 7. That this Ordinance shall take effect immediately upon its second reading and newspaper publication as required by the City Charter, Section 3.11.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of January, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 01-06-14

2nd Reading: 01-21-14

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **January 6, 2014**

SUBJECT: **Amendment to sign ordinance adding brightness standards for CEVM signs and a minor change regarding the allowable height for wall signs.**

Following the recent City Council work session pertaining to various sign ordinance issues, and the direction given by City Council to develop standards regulating the brightness of changeable electronic variable message signs (CEVM), staff has researched the topic and has drafted a sign ordinance amendment for your review and consideration.

Topics that were researched and considered in preparing the draft amendment included the following; other municipalities that currently have standards to regulate CEVM signs and studies that have been conducted on the topic of safety for motorists and the appropriate methods that should be utilized to measure and regulate the brightness and motion of CEVM signage displays. In addition, staff has inventoried and measured the brightness of all existing CEVM signs within the City, to determine how this new proposed standard might affect them.

The proposed amendment basically sets limitations for the maximum amount of light emitted from CEVM signs and would require existing signs to be brought into compliance within a set period of time. Two levels of limits are included, with one for daytime and one for nighttime use. The ordinance would require any individuals seeking a future permit to erect a CEVM sign, to provide certification to the City, indicating that the new proposed sign would meet the ordinance requirements. In addition, a maximum allowable size for the CEVM portion of any sign has been added. Lastly, the language for other existing regulations related to CEVM signs has been reorganized.

In addition to the changes listed above, a proposed change had been drafted relating to the allowable height for wall signs. Currently, wall sign height is limited to a maximum of six (6) feet. The proposed amendment eliminates the six (6) foot limitation and relies simply on the maximum allowable size for wall signs to govern their overall height. Wall signs are currently allowed up to ten (10%) percent of a building façade area and that regulation would continue to apply to any future wall signs.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-xx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 32 SIGNS, ARTICLE III REGULATIONS AND REQUIREMENTS, DIVISION 2. STRUCTURAL STANDARDS, SECTION 32-204. WALL SIGNS AND DIVISION 6. SPECIFIC SIGN REGULATIONS, SECTION 32-306. WALL SIGNS TO ELIMINATE CERTAIN PROVISIONS REGARDING WALL SIGN HEIGHT; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Rockwall City Council deems the public interest to be best served by the adoption of certain rules and regulations regarding the height of wall signs as set forth herein;

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

SECTION 1. That the Code of Ordinances in Chapter 32. Signs, Article III. Regulations and Requirements, Division 2. Structural Standards, Section 32-204(a) is hereby amended to strike language and read as follows:

Sec. 32-204. Wall Signs

(a) Wall signs may be painted on a window or door, but no other building surface. All other wall signs shall be attached to, and not painted onto any building. The sign brackets or supports for wall signs may not project more than two inches from said wall. Such sign faces shall not ~~have a vertical height of more than six feet nor~~ exceed ten percent of the front face area of the building or storefront as established in approved plans submitted to the city, or 60 square feet, whichever is greater, nor exceed 75 percent of the width of such building or store frontage, nor the sign standards of the functional standards table set forth in section 32-366. Vertical clearance shall be subject to the requirements of section 32-206.

SECTION 2. That the Code of Ordinances in Chapter 32. Signs, Article III. Regulations and Requirements, Division 6. Specific Sign Regulations, Section 32-306 is hereby amended to strike language and read as follows:

Sec. 32-306. Wall Signs

A business shall be allowed any number of attached wall, projection or marquee signs so long as the total face area of the attached signs does not exceed ten percent of the front face area of the building or store front as established in approved plans

submitted to the city, or 60 square feet, whichever is greater~~, or exceed six feet in height~~.

SECTION 3. That any person, firm or corporation who violates any provision of this ordinance or who fails to obtain a special event permit shall be deemed guilty of a misdemeanor and upon conviction thereof, in the Municipal Court of Rockwall, TX, shall be subject to a fine in accordance with the general provisions of the Code of Ordinances.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 5. That the Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 6. That should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

SECTION 7. That it is hereby found and determined that the meeting at which this ordinance was passes was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

SECTION 8. That this Ordinance shall take effect immediately upon its second reading and newspaper publication as required by the City Charter, Section 3.11.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of January, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 01-06-14

2nd Reading: 01-21-14

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

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

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

DATE: **December 31, 2013**

SUBJECT: **Appointment(s) to Main Street Advisory Board (MSAB)**

Mayor Sweet is the council's designee for making recommendations to the full council concerning appointments to the Main Street Advisory Board. He would like the council to consider appointing Jessica Kovar to fill a vacancy left by Chris Cameron, a current board member whose term expires in Jan. 2014 and who does not wish to be reappointed. In Ms. Kovar's application, she states the following about herself:

> *I have been in the restaurant and customer service trades through professional offices and many aspects of the food and beverage industry. I love working with people and creating a buzz around projects I am involved in. I have recently accepted a promotion of Food and Beverage Director at the Rockwall Golf and Athletic Club after leaving one of my favorite place, Zanata. There is a great undertaking here to improve the experience and general services we provide to our members and surrounding public, and I love the challenge. I was born and raised in Rockwall, graduated from Rockwall High School in 2003 and went to North Texas, Texas Tech and the Art Institute for Interior Design and Architecture.*

I have briefly spoken to Ms. Kovar to confirm her interest and willingness to serve, and I notified her that the council will be considering her possible appointment at the January 6 council meeting. I explained that, if appointed, she would serve a two-year term (expiring January 2016).

In addition, Mayor Sweet would like the council to consider reappointing Michael Adrian to the MSAB for an additional, two-year term which would expire in January 2016. While Mr. Adrian's attendance was concerning for a period, the previous conflict related to his ability to attend meetings has been resolved, and he does have a desire to be reappointed at this time.

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City of Rockwall

The New Horizon

Building Inspections Department
Monthly Report

November 2013

Permits

Total Permits Issued: 185

Building Permits 35 Contractor Permits 150

Total Permit Values: $ 4,822.737.62

Building Permits $ 4,225,044.74 Contractor Permits $ 597,692.88

Total Fees Collected: $ 91,778.83

Building Permits $81,874.19 Contractor Permits $ 9,904.64

Board of Adjustment

Board of Adjustment Cases 1

City of Rockwall

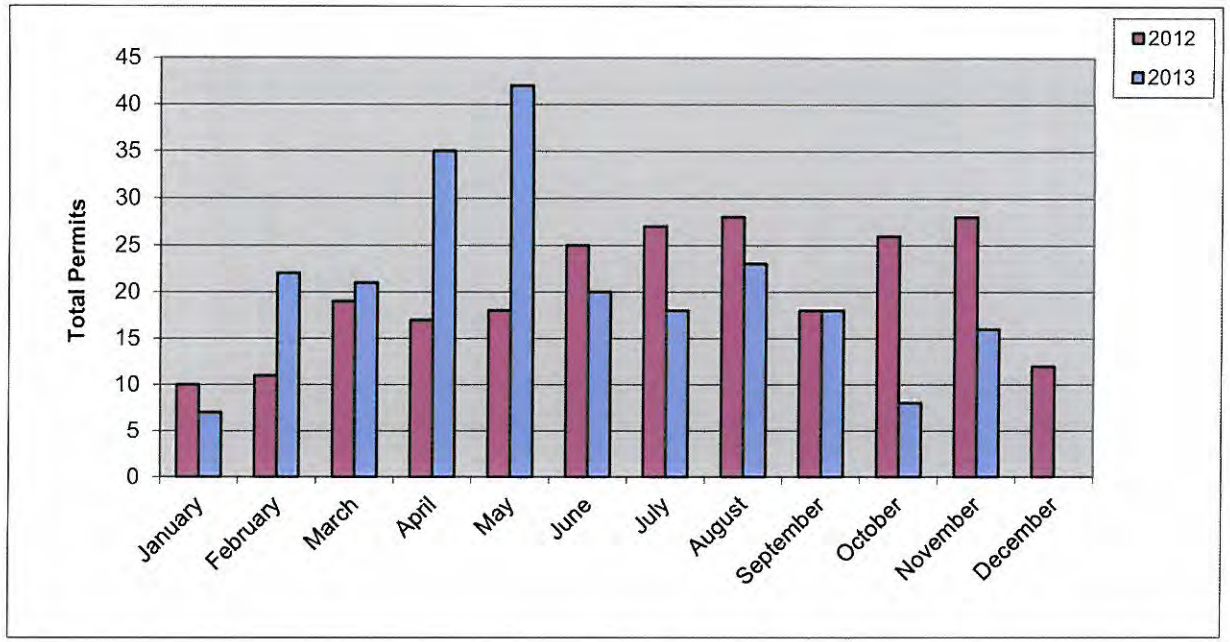
PERMITS ISSUED - Summary by Type and Subtype

For the Period 11/1/2013 thru 11/30/2013

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	4	$0.00	$214.50
30 DAY BANNER	4	$0.00	$214.50
CLEAN SHOW	1	$0.00	$75.00
	1	$0.00	$75.00
CO	7	$0.00	$529.50
BUSINESS	6	$0.00	$454.50
SHELL	1	$0.00	$75.00
COMM	20	$995,950.00	$8,209.92
ACC BLDG	1	$478,500.00	$3,127.65
ALTERATION	2	$54,000.00	$795.60
ELECTRICAL	6	$20,450.00	$568.57
INTERIOR COMP	1	$17,500.00	$304.75
IRRIGATION	3	$67,500.00	$105.40
MECHANICAL	1	$14,000.00	$253.43
PLUMBING	2	$1,000.00	$171.50
REMODEL	3	$288,000.00	$2,848.02
RETAINING WALL	1	$55,000.00	$35.00
SIGNAGE	21	$84,501.00	$2,569.50
CANOPY	1	$2,000.00	$229.50
MONUMENT	4	$67,000.00	$303.00
TEMP REAL ESTATE	3	$0.00	$228.00
WALL	13	$15,501.00	$1,809.00
SINGLE FAMILY	126	$3,742,286.62	$79,577.41
ACC BLDG	7	$23,200.00	$693.73
ADDITION	2	$18,500.00	$356.25
CONCRETE	3	$9,900.00	$277.58
DECK	1	$15,000.00	$262.75
ELECTRICAL	3	$13,250.00	$299.90
FENCE	22	$45,595.00	$770.70
IRRIGATION	16	$28,900.00	$561.40
MECHANICAL	2	$6,500.00	$203.50
MISCELLANEOUS	1	$0.00	$35.00
NEW	16	$3,202,067.00	$72,175.26
PATIO COVER	1	$5,000.00	$122.75
PLUMBING	31	$41,698.00	$1,720.26
REMODEL	1	$8,000.00	$164.75
REPAIR	1	$120,277.74	$1,145.43
RETAINING WALL	6	$35,100.00	$210.70
ROOF	10	$125,023.53	$352.90
SWIM POOL	1	$39,744.00	$153.00
WINDOWS	2	$4,531.35	$71.55
SPECIAL EVENT	5	$0.00	$303.00
	5	$0.00	$303.00
TCO	1	$0.00	$300.00
	1	$0.00	$300.00
Totals:	185	$4,822,737.62	$91,778.83

New Residential Permits Calendar Year

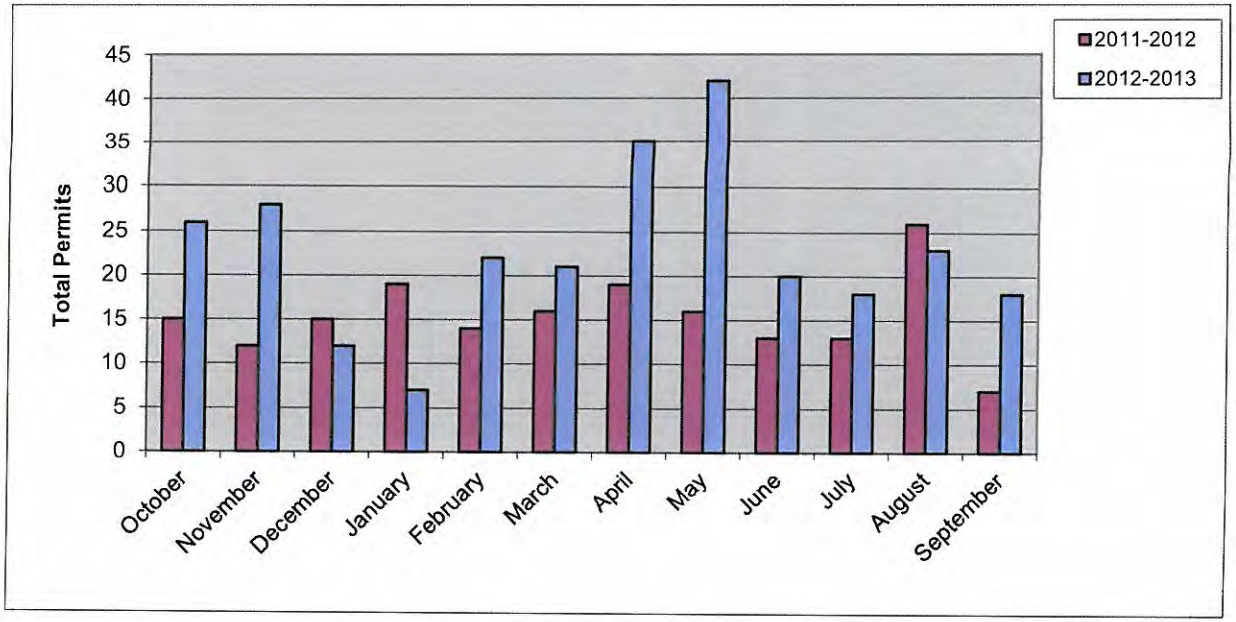
	Year	
	2012	2013
January	10	7
February	11	22
March	19	21
April	17	35
May	18	42
June	25	20
July	27	18
August	28	23
September	18	18
October	26	8
November	28	16
December	12	
Totals	**239**	**230**



06

New Residential Permits Fiscal Year

	Year	
	2011-2012	2012-2013
October	15	26
November	12	28
December	15	12
January	19	7
February	14	22
March	16	21
April	19	35
May	16	42
June	13	20
July	13	18
August	26	23
September	7	18
Totals	**185**	**272**



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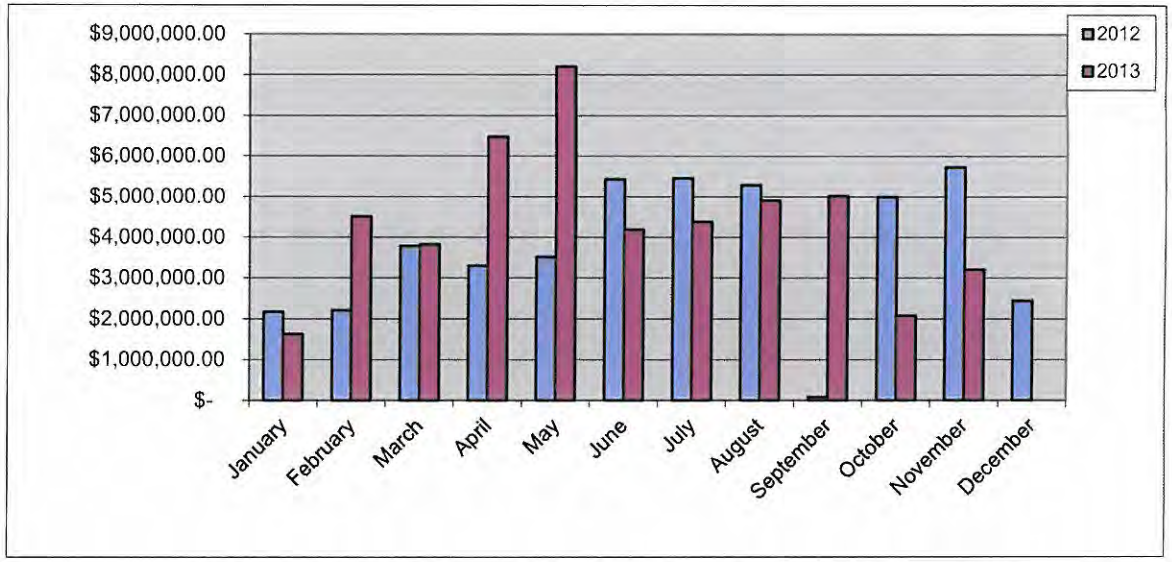
New Residential Value Calendar Year

Year	2012	2013
January	$ 2,166,648.00	$ 1,625,808.00
February	$ 2,205,704.00	$ 4,506,220.00
March	$ 3,782,280.00	$ 3,823,384.00
April	$ 3,294,042.00	$ 6,469,868.00
May	$ 3,514,280.00	$ 8,193,211.00
June	$ 5,433,888.00	$ 4,185,842.00
July	$ 5,456,242.00	$ 4,382,866.00
August	$ 5,293,062.00	$ 4,906,203.00
September	$ 85,460.46	$ 5,018,954.00
October	$ 4,993,587.00	$ 2,078,584.00
November	$5,718,696.00	$3,202,067.00
December	$ 2,441,748.00	
Totals	**$44,385,637.46**	**$ 48,393,007.00**



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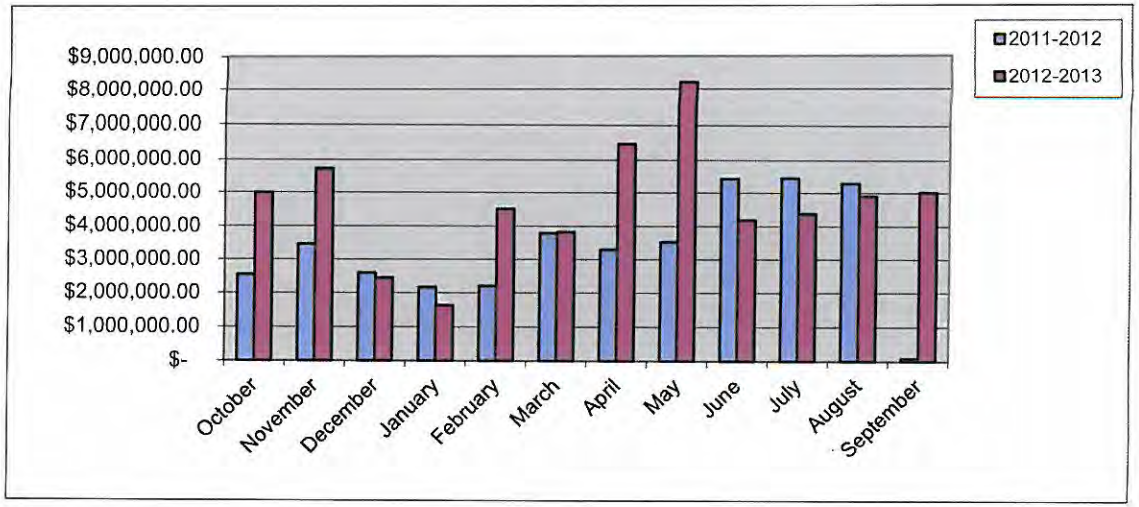
New Residential Value Fiscal Year

Year	2011-2012	2012-2013
October	$ 2,544,320.00	$ 4,993,587.00
November	$ 3,453,416.00	$5,718,696.00
December	$ 2,585,762.00	$ 2,441,748.00
January	$ 2,166,648.00	$ 1,625,808.00
February	$ 2,205,704.00	$ 4,506,220.00
March	$ 3,782,280.00	$ 3,823,384.00
April	$ 3,294,042.00	$ 6,469,868.00
May	$ 3,514,280.00	$ 8,193,211.00
June	$ 5,433,888.00	$ 4,185,842.00
July	$ 5,456,242.00	$ 4,382,866.00
August	$ 5,293,062.00	$ 4,906,203.00
September	$ 85,460.46	$ 5,018,954.00
Totals	**$39,815,104.46**	**$ 56,266,387.00**



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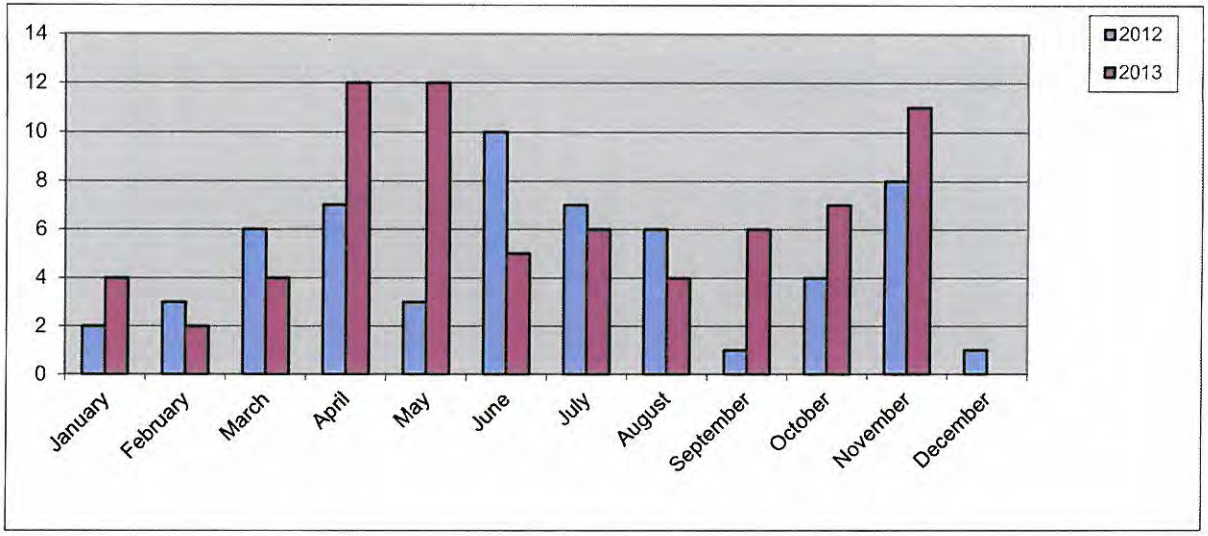
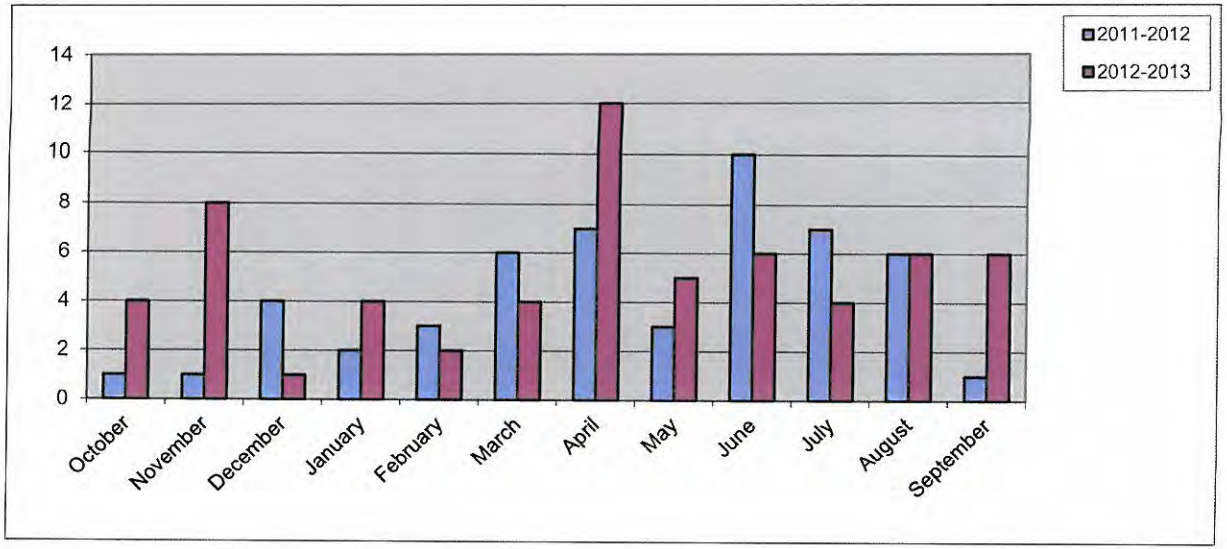
Residential Remodel Permits Calendar Year

	Year	
	2012	2013
January	2	4
February	3	2
March	6	4
April	7	12
May	3	12
June	10	5
July	7	6
August	6	4
September	1	6
October	4	7
November	8	11
December	1	
Totals	**58**	**73**



Residential Remodel Permits Fiscal Year

	Year	
	2011-2012	2012-2013
October	1	4
November	1	8
December	4	1
January	2	4
February	3	2
March	6	4
April	7	12
May	3	5
June	10	6
July	7	4
August	6	6
September	1	6
Totals	**51**	**62**



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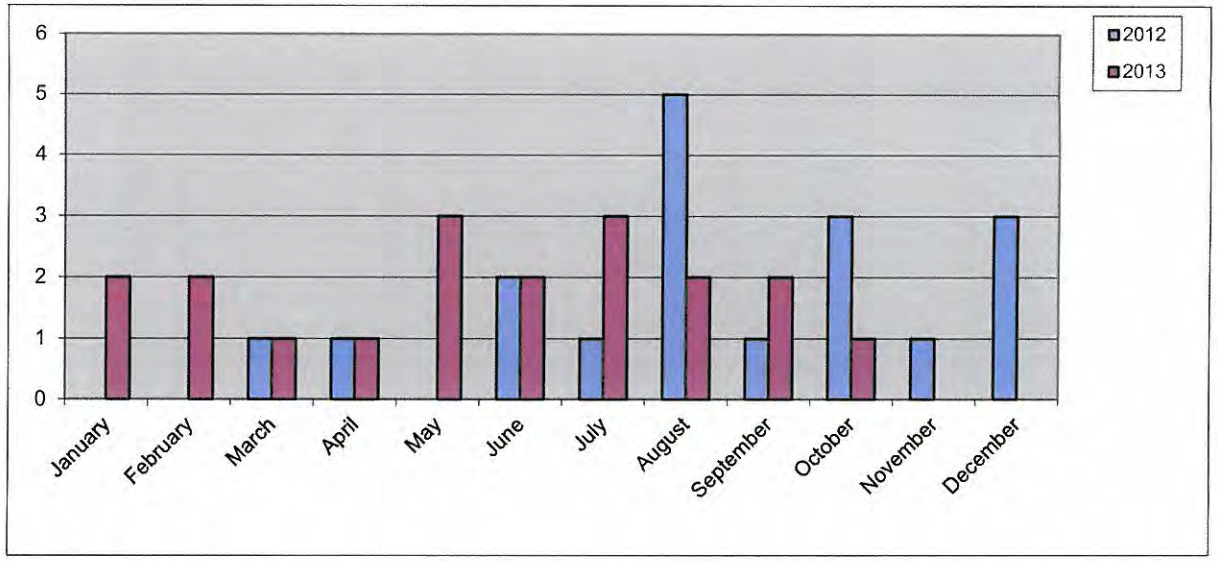
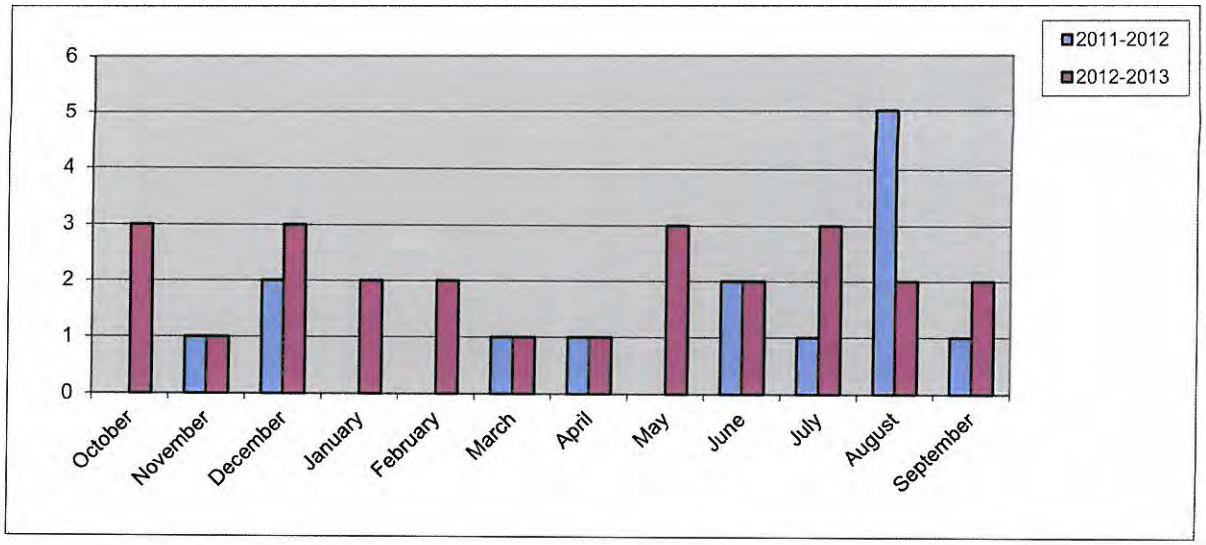
New Commercial Permits Calendar Year

	Year	
	2012	2013
January	0	2
February	0	2
March	1	1
April	1	1
May	0	3
June	2	2
July	1	3
August	5	2
September	1	2
October	3	1
November	1	0
December	3	
Totals	**18**	**19**



New Commercial Permits Fiscal Year

	Year	
	2011-2012	2012-2013
October	0	3
November	1	1
December	2	3
January	0	2
February	0	2
March	1	1
April	1	1
May	0	3
June	2	2
July	1	3
August	5	2
September	1	2
Totals	**14**	**25**



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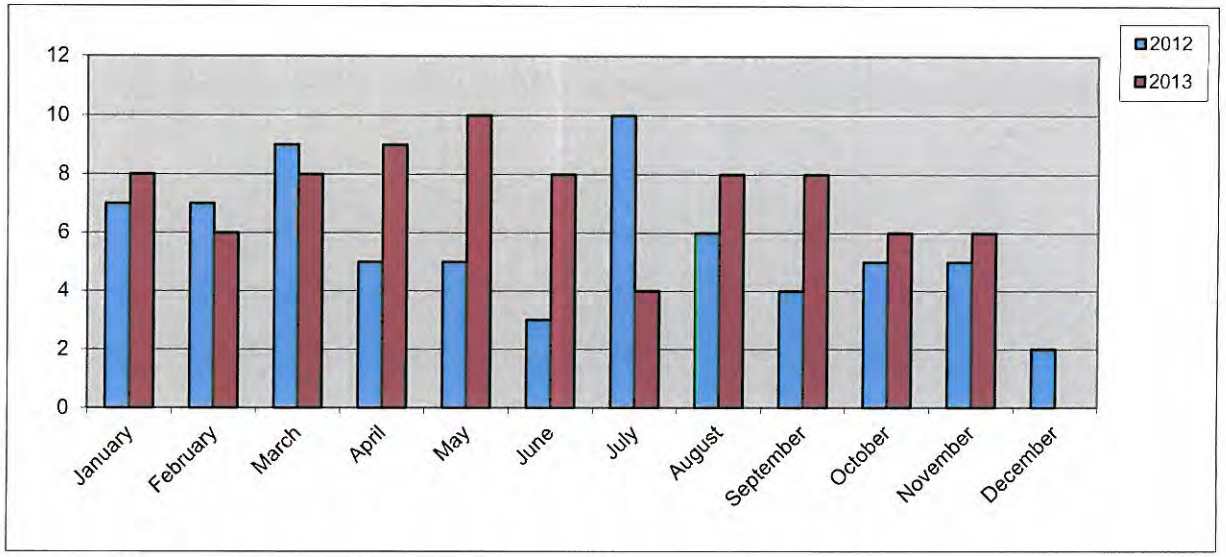
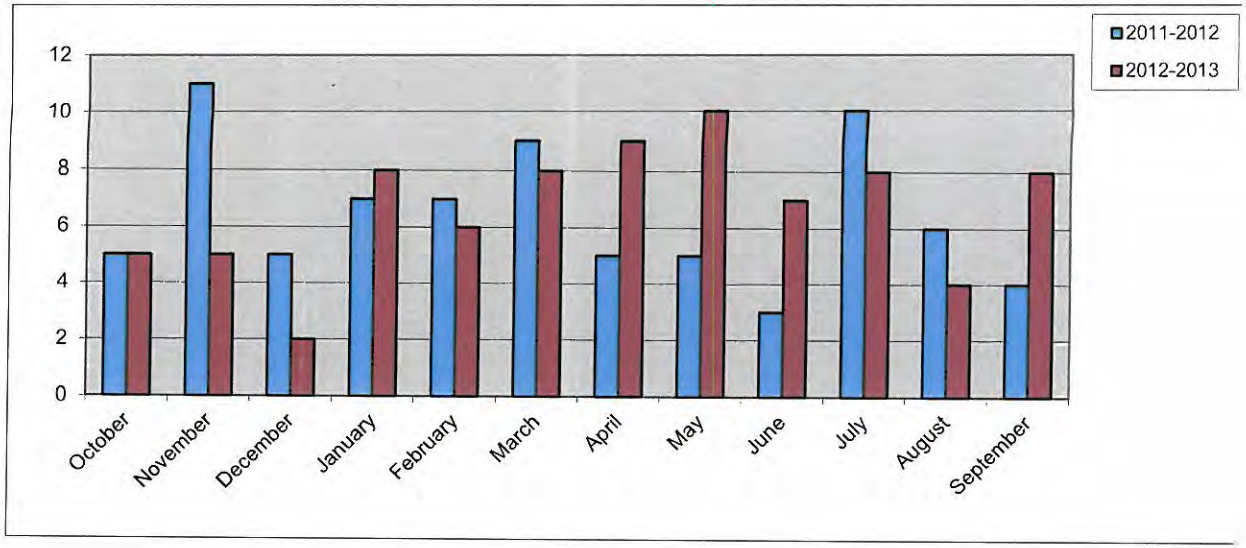
Commercial Remodel Permits Calendar Year

	Year	
	2012	2013
January	7	8
February	7	6
March	9	8
April	5	9
May	5	10
June	3	8
July	10	4
August	6	8
September	4	8
October	5	6
November	5	6
December	2	
Totals	**68**	**81**



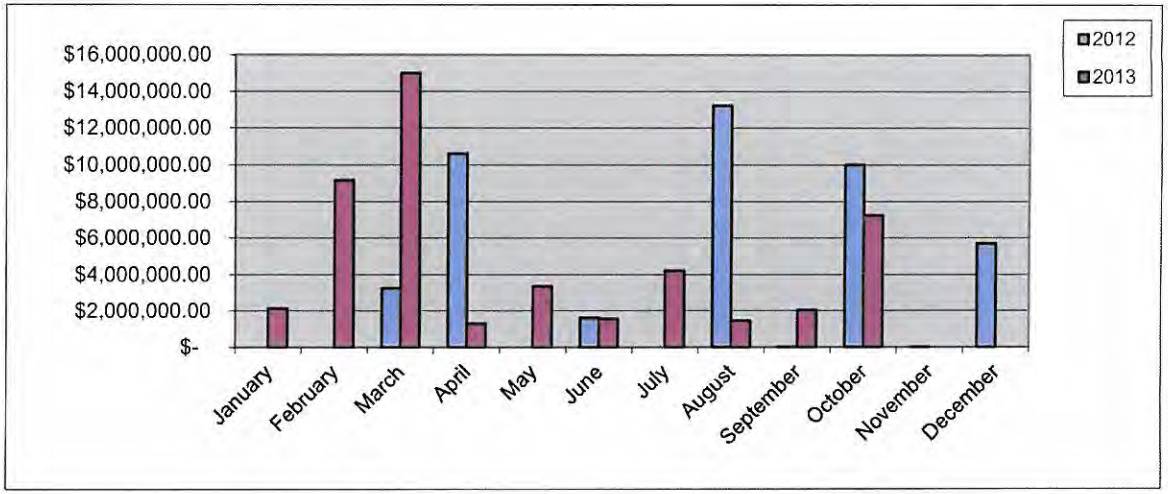
Commercial Remodel Permits Fiscal Year

	Year	
	2011-2012	2012-2013
October	5	5
November	11	5
December	5	2
January	7	8
February	7	6
March	9	8
April	5	9
May	5	10
June	3	7
July	10	8
August	6	4
September	4	8
Totals	**77**	**80**



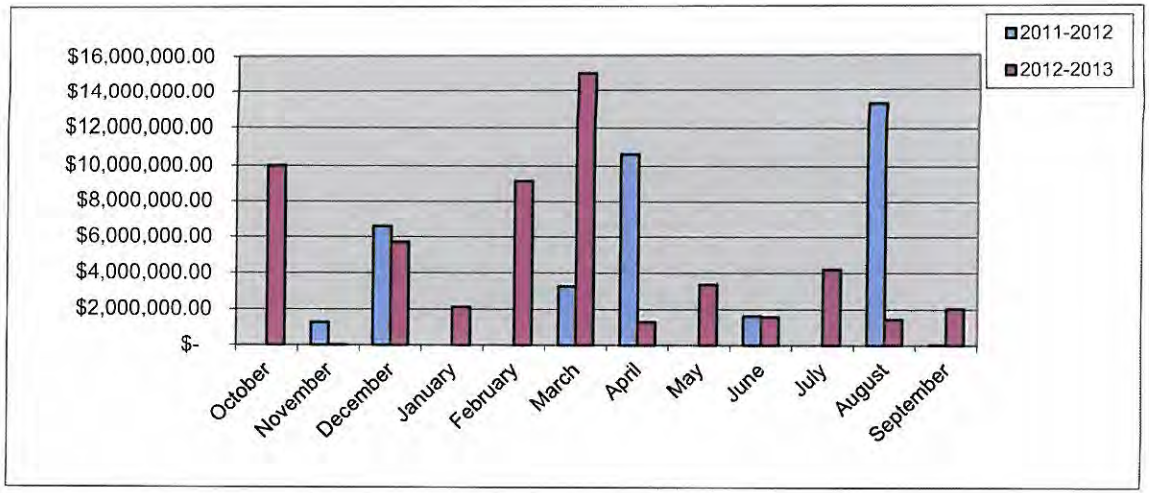
New Commercial Value Calendar Year

Year	2012	2013
January	$ -	$ 2,125,000.00
February	$ -	$ 9,150,000.00
March	$ 3,260,000.00	$ 15,000,000.00
April	$ 10,610,776.00	$ 1,300,000.00
May	$ -	$ 3,372,000.00
June	$ 1,620,000.00	$ 1,575,000.00
July	$ -	$ 4,200,000.00
August	$ 13,227,483.00	$ 1,454,000.00
September	$ 15,000.00	$ 2,040,000.00
October	$ 10,000,000.00	$ 7,225,000.00
November	$ 5,000.00	$ -
December	$ 5,700,000.00	
Totals	**$ 44,438,259.00**	**$ 47,441,000.00**



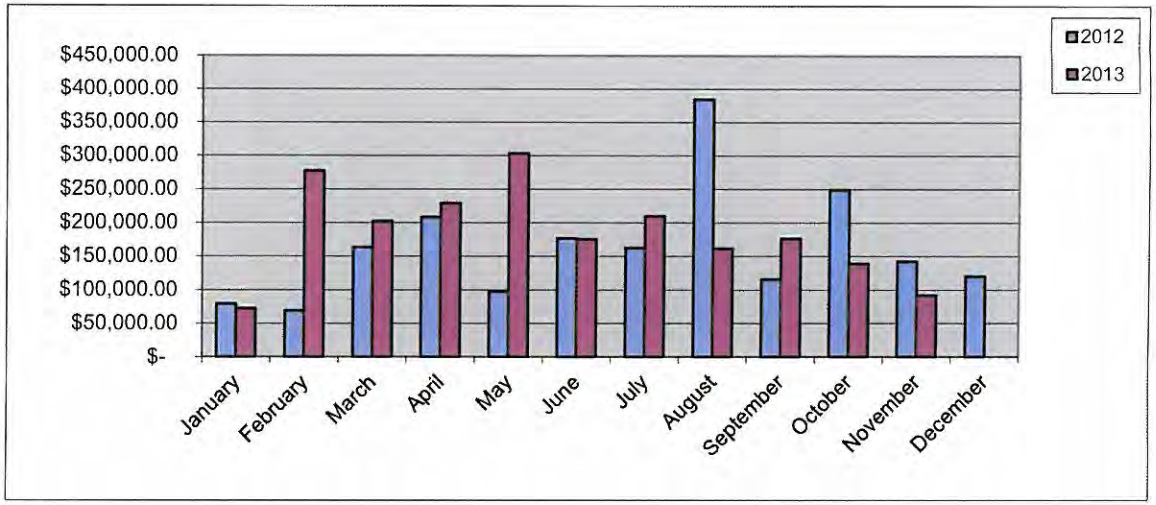
New Commercial Value Fiscal Year

Year	2011-2012	2012-2013
October	$ -	$ 10,000,000.00
November	$ 1,250,000.00	$ 5,000.00
December	$ 6,595,000.00	$ 5,700,000.00
January	$ -	$ 2,125,000.00
February	$ -	$ 9,150,000.00
March	$ 3,260,000.00	$ 15,000,000.00
April	$ 10,610,776.00	$ 1,300,000.00
May	$ -	$ 3,372,000.00
June	$ 1,620,000.00	$ 1,575,000.00
July	$ -	$ 4,200,000.00
August	$ 13,227,483.00	$ 1,454,000.00
September	$ 15,000.00	$ 2,040,000.00
Totals	**$ 36,578,259.00**	**$ 55,921,000.00**



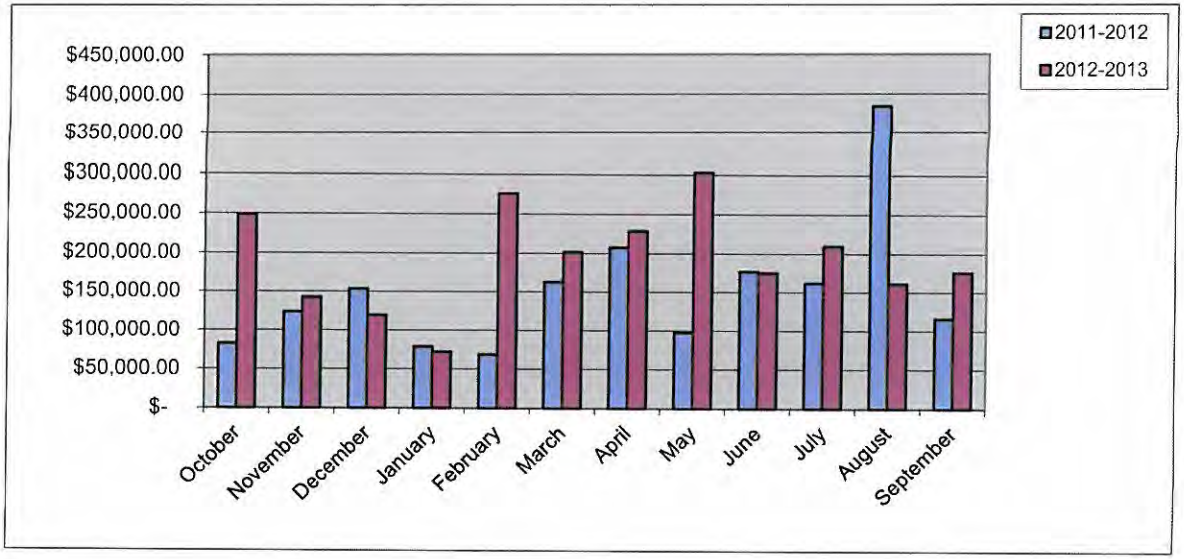
Total Fees Collected Calendar Year

Year	2012	2013
January	$ 78,907.85	$ 72,345.98
February	$ 69,014.00	$ 276,902.10
March	$ 162,980.05	$ 201,529.43
April	$ 207,705.63	$ 228,621.67
May	$ 97,570.58	$ 302,928.73
June	$ 176,481.23	$ 174,872.41
July	$ 162,058.27	$ 209,566.63
August	$ 383,849.86	$ 161,080.17
September	$ 115,737.66	$ 175,835.03
October	$ 248,932.46	$ 138,771.53
November	$ 142,356.98	$ 91,778.83
December	$ 119,604.19	
Totals	**$ 1,965,198.76**	**$ 2,034,232.51**



Total Fees Collected Fiscal Year

Year	2011-2012	2012-2013
October	$ 82,438.82	$ 248,932.46
November	$ 123,794.85	$ 142,356.98
December	$ 153,543.45	$ 119,604.19
January	$ 78,907.85	$ 72,345.98
February	$ 69,014.00	$ 276,902.10
March	$ 162,980.05	$ 201,529.43
April	$ 207,705.63	$ 228,621.67
May	$ 97,570.58	$ 302,928.73
June	$ 176,481.23	$ 174,872.41
July	$ 162,058.27	$ 209,566.63
August	$ 383,849.86	$ 161,080.17
September	$ 115,737.66	$ 175,835.03
Totals	**$ 1,814,082.25**	**$ 2,314,575.78**



City of Rockwall
PERMITS ISSUED
For the Period 11/1/2013 thru 11/30/2013

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2013-0116 8/28/2013 11/21/2013	CO BUSINESS ACTIVE	2336 Greencrest Blvd. SHAFER PLAZA Metro PCS	0.00	$ 76.50	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
APPLICANT	SOON CHOE	806 BEDELL LN.	ALLEN	TX	75002	(469) 328-6871
BUS OWNER	Soon Choe	2336 Greencrest Blvd.	Rockwall	TX	75087	
BUSINESS	Metro PCS	2336 GREENCREST BLVD.	ROCKWALL	TX	75087	
OWNER	SOON CHOE	806 BEDELL LN.	ALLEN	TX	75002	(469) 328-6871

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2013-0130 10/7/2013 11/25/2013	CO BUSINESS ACTIVE	3045 Goliad St N 105 SHOPS AT RIDGE CREEK Lakeshore Dental, PLLC	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	Dr Villarreal	3045 Goliad St N	ROCKWALL	TX	75087	
OWNER	PCB, PROPERTIES LLC		DALLAS	TX	75206	
INSPECTOR1	Rusty McDowell					
INSPECTOR2	John Shannon					
INSPECTOR3	Larry Daniel					
APPLICANT	Med-Tech Construction, Inc.	P.O. Box 2497	Rockwall	TX	75087	(972) 226-3332
CONTRACTOR	Med-Tech Construction, Inc.	P.O. Box 2497	Rockwall	TX	75087	(972) 226-3332
MECH CONTR	WILLARD HEATING & AIR	105 INDUSTRIAL	Forney	TX	75126	(972) 564-9785
ELEC CONTR	BIG SKY ELECTRIC	P. O. BOX 2558	Rockwall	TX	75032	(214) 729-4080
PLB CONTR	BACON PLUMBING	1150 WATERWOOD CIR.	ROCKWALL	TX	75087	(214) 280-2296

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2013-0131 10/7/2013 11/4/2013	CO BUSINESS ACTIVE	2010 Industrial Blvd. 607 ROCKWALL INDUSTRIAL FOUNDATION-REPLAT Patron Manufacturing, LLC	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	ROCKWALL, STEEL CO		TERRELL	TX	75160	
INSPECTOR1	Rusty McDowell					
INSPECTOR2	John Shannon					
INSPECTOR3	Larry Daniel					
APPLICANT	ANA-NGAT.NGUYEN	3605 TANNER LN.	RICHARDSON	TX	75082	(571) 423-8293
BUSINESS	Patron Manufacturing, LLC					
BUS OWNER	Anh-Ngat, Nguyen	3605 Tanner Ln.	Richardson	TX	75082	(571) 423-8293

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2013-0140 10/24/2013 11/14/2013	CO BUSINESS ACTIVE	101 Fannin 100 GRIFFITH 66 Bar BQ Diner	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	RDT, ENTERPRISES INC		ROCKWALL	TX	75087	

City of Rockwall
PERMITS ISSUED
For the Period 11/1/2013 thru 11/30/2013

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number			Valuation	Total Fees / Total SQFT	Fees Paid
APPLICANT	Jim Pannell	111 N. Goliad St	Rockwall	TX 75087			(214) 676-1571
CONTRACTOR	Jim Pannell	111 N. Goliad	ROCKWALL	TX 75087			
ELEC CONTR	ARMOR ELECTRICAL	2850 SHORELINE TRAIL	Rockwall	TX 75032			(972) 771-9388
BUS OWNER	Jim Pannell	101 Fannin #100	Rockwall	TX 75087			(214) 676-1571
BUSINESS	66 Bar BQ Diner						
CO2013-0141	CO	1785 IH 30 103			0.00	$ 76.50	$ 76.50
10/29/2013	BUSINESS					0	
11/7/2013	ACTIVE	Sunshade Awning of Texas, LLC					
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	OLLOM, GREGORY D		ROCKWALL	TX 75087			
APPLICANT	Orlando Duronio	2388 Lalview Ln	Wylie	TX 75098			(214) 714-3423
BUS OWNER	Orlando Duronio	2388 Lalview Ln	Wylie	TX 75098			(214) 714-3423
BUSINESS	Sun Shade Awning of Texas, LLC						
CO2013-0143	CO	941 Ralph Hall Pkwy 101			0.00	$ 75.00	$ 75.00
10/30/2013	BUSINESS	HORIZON RIDGE ADDITION				0	
11/7/2013	ACTIVE	Keystone South West Insurance Agency					
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	MCBANE, JANET T		ROCKWALL	TX 75032			
APPLICANT	Jim Leeker	941 W. Ralph Hall Pkwy, #101	Rockwall	TX 75032			(972) 772-1030
BUS OWNER	Jim Leeker	941 W. Ralph Hall Pkwy, #101	Rockwall	TX 75032			(972) 772-1030
BUSINESS	Keystone Southwest Insurance Ag						
CO2013-0144	CO	3090 Goliad St N			0.00	$ 75.00	$ 75.00
11/6/2013	SHELL	STONE CREEK RETAIL ADDITION				0	
11/20/2013	ACTIVE	Shops at Stone Creek - Shell Bldg.					
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	METROPLEX, ACQUISITION F		THE WOODLANDS	TX 77380			
APPLICANT	M L GRAY PARTNERSHIP, LLC	5646 MILTON, STE 641	Dallas	Tx 75206			(214) 628-9425
CONTRACTOR	M L GRAY PARTNERSHIP, LLC	5646 MILTON, STE 641	Dallas	Tx 75206			(214) 628-9425
BUS OWNER	Metroplex Acquisition Fund, LP	15150 Preston Rd, #210	Dallas	TX 75248			(214) 343-4477
BUSINESS	Shops at Stone Creek - Shell Bldg						

7 **Permits Issued from: 11/1/2013** **Thru: 11/30/2013**

Total Valuation: $ 0.00
Total Fees: $ 529.50
Total Fees Paid: $ 529.50

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CALLS BY TYPE
NOVEMBER 2013
ALL (COUNTED AND NON COUNTED)

City of Rockwall
The New Horizon

CITY CALLS

Situation Type	November #
Public service - Non paged	5
No incident found on arrival	5
Dispatched & canceled enroute	2
Public service	8
Assist police or oth gov agncy	6
Smoke or odor removal	1
Aircraft standby	1
Power line down	1
Breakdown of light ballast	1
Overheated motor	1
Electrical wiring/equipment pr	3
Alarm sys act, no fire Uninten	8
Smoke detector activate, no fi	7
Unintentional trans. of alarm	1
Alarm system sounded malfun	7
Smoke detector act. malf.	4
Local alm sys, mal false alm	2
Central station, mal false alm	1
False alarm or false call,othe	2
Steam, vapor, fog or dust thou	2
Smoke scare, odor of smoke	7
Exces heat,sch burns w no ign	1
Dumpster or oth outside trash	1
Off-road veh heavy equip fire	1
Passenger vehicle fire	3
Building fire	1
Gas leak natural gas or LPG	5
Gasoline or oth flammable liqu	2
Extrication of vict from veh	1
Totals:	90

COUNTY AND MUTUAL AID CALLS

COUNTY Situation Type	November #
gasoline or oth flammable liquid	1
Alarm System sounded malfunction	1
Exces Heat, Sch Burns w/no ignition	1
Off Road Veh Heavy equip Fire	1
Total County	4

FATE	0
HEATH	0
MCCLENDON-CHISHOLM	
Cover Assignment, Standby	1
MOBILE CITY	0
ROYSE CITY	0
ROWLETT	0
WYLIE	0

To: Chief Poindexter
From: BC Merritt
Re: November 2013 Structure Fire Report.
Date: November 14, 2013

609 Sunset Hill

We responded to a report of a fire at 609 Sunset Hill on November 24, 2013. The first unit on scene arrived and reported light smoke showing from the garage. Upon entry into the garage firefighters located a small smoldering fire that was emitting a large amount of smoke. The fire was quickly extinguished. There was some damage to the interior of the residence due smoke and there was significant damage to the garage due to smoke and heat. No firefighter injuries were reported on this incident.

Dispatch time: 09:19.36
Enroute time: 09:21.04
On scene time: 09:24.00
Clear time: 10:31.20

4 Men on scene 09:27
8 men on scene 09:30
12 men on scene 09:32

We had a total of 16 Firefighters on scene, 2 Chiefs and 3 apparatus.

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Enroute Overages
City Calls
November 2013

Venue	Alarm Date	Alarm Time	Apparatus	Enroute Time	Paged to Enroute	Arrival time	Inc. Number	Station	Lights and Sirens	reason for overages
Rockwall	11/02/2013	13:57:33	E4	13:59:59	0:02:26	14:02:55	2013-00000729	Rockwall 3	Code 3	Response to Area without Stations
Rockwall	11/23/2013	04:38:32	E6	04:40:36	0:02:04	04:43:10	2013-00000790	Rockwall 1	Code 3	CAD times do not match Radio times
Rockwall	11/13/2013	03:20:56	E1	03:22:58	0:02:02	03:39:00	2013-00000764	Rockwall 1	Code 3	CAD times do not match Radio times
Rockwall	11/28/2013	14:29:34	E1	14:31:13	0:01:39	14:32:39	2013-00000810	Rockwall 1	Code 3	CAD times do not match Radio times
Rockwall	11/19/2013	05:49:53	E2	05:51:28	0:01:35	05:57:34	2013-00000785	Rockwall 2	Code 3	CAD times do not match Radio times
Rockwall	11/13/2013	21:33:29	E2	21:35:03	0:01:34	21:47:22	2013-00000772	Rockwall 2	Code 3	CAD times do not match Radio times
Rockwall	11/28/2013	22:39:46	E3	22:41:19	0:01:33	22:46:29	2013-00000811	Rockwall 3	Code 3	CAD times do not match Radio times

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Arrival Overages
City Calls
Nov 2013

Venue	Alarm Date	Alarm Time	Apparatus	Enroute Time	Arrival time	Enroute to Arrival	Inc. Number	Station	Lights and Sirens	reason for overages
Rockwall	11/13/2013	03:20:56	E1	03:22:58	03:39:00	0:16:02	2013-00000764	Rockwall 1	Code 3	Wrong address given
Rockwall	11/13/2013	21:33:29	E2	21:35:03	21:47:22	0:12:19	2013-00000772	Rockwall 2	Code 3	CAD times don't match radio times
Rockwall	11/17/2013	16:56:42	BT4	16:57:19	17:08:04	0:10:45	2013-00000782	Rockwall 4	Code 3	Response to area without stations
Rockwall	11/07/2013	12:51:38	E4	12:52:57	13:00:13	0:07:16	2013-00000744	Rockwall 4	Code 3	E4 did not check enroute
Rockwall	11/19/2013	05:49:53	E2	05:51:28	05:57:34	0:06:06	2013-00000785	Rockwall 2	Code 3	Chandlers, slow due to speed bumps

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RESPONSE OVERAGES
CITY CALLS
NOVEMBER 2013

Venue	Alarm Date	Alarm Time	Apparatus	Arrival time	Enroute to Arrival	Response Time	Inc. Number	Station	Lights and Sirens	reason for overages
Rockwall	11/13/2013	03:20:56	E1	03:39:00	0:16:02	0:18:04	2013-00000764	Rockwall 1	Code 3	wrong address given
Rockwall	11/13/2013	21:33:29	E2	21:47:22	0:12:19	0:13:53	2013-00000772	Rockwall 2	Code 3	CAD times do not match radio times
Rockwall	11/17/2013	16:56:42	BT4	17:08:04	0:10:45	0:11:22	2013-00000782	Rockwall 4	Code 3	Response to Area without Stations
Rockwall	11/07/2013	12:51:38	E4	13:00:13	0:07:16	0:08:35	2013-00000744	Rockwall 4	Code 3	E4 did not check enroute
Rockwall	11/19/2013	05:49:53	E2	05:57:34	0:06:06	0:07:41	2013-00000785	Rockwall 2	Code 3	Chandlers, slow due to speed bumps

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CITY RESPONSE
NOVEMBER 2013
COUNTED CALLS ONLY

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %	33 OF 39	CRITERIA MET %	3 OF 4
CRITERIA -ACHIEVE RESPONSE TIME	85.00%	CRITERIA -ACHIEVE RESPONSE TIME	75%
90% OF TIME IN BOXES WITH STATIONS	CRITERIA NOT MET	60% OF TIME IN BOXES WITH STATIONS	CRITERIA MET
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6	
CRITERIA MET %	35 OF 39	CRITERIA MET %	3 OF 4.%
CRITERIA -ACHIEVE RESPONSE TIME	90.00%	CRITERIA -ACHIEVE RESPONSE TIME	75.00%
90% OF TIME IN BOXES WITH STATIONS	CRITERIA MET	60% OF TIME IN BOXES WITH STATIONS	CRITERIA MET
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 MINUTES	35 OF 39	0-7	
CRITERIA MET%	90.00%	CRITERIA MET%	3 OF 4 .%
CRITERIA -ACHIEVE RESPONSE TIME	CRITERIA MET	CRITERIA -ACHIEVE RESPONSE TIME	75.00%
90% OF TIME IN BOXES WITH STATIONS		60% OF TIME IN BOXES WITH STATIONS	CRITERIA MET

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COUTY AND MUTUAL AID RESPONSES
NOVEMBER 2013
Counted calls only

ROCKWALL COUNTY	
	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	1 of 1
CRITERIA -ACHIEVE RESPONSE TIME	100%
60% OF TIME IN BOXES WITH STATIONS	criteria met
	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	1 of 1
CRITERIA -ACHIEVE RESPONSE TIME	100%
60% OF TIME IN BOXES WITH STATIONS	criteria met
	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 MINUTES	
CRITERIA MET%	1 of 1
CRITERIA -ACHIEVE RESPONSE TIME	100%
60% OF TIME IN BOXES WITH STATIONS	criteria met

OTHER MUTUAL AID OR COUNTY CALLS	counted calls

FATE	0
HEATH	0
ROWLETT	0
ROYSE CITY	0
MCCLENDON CHISOLM	0
WYLIE	0

Total Dollar Losses

November 2013

City of Rockwall
The New Horizon

CITY CALLS ONLY

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$10,000.00	$61,300.00	$8,500.00	$498,344.90	$225,370.00
Total Content Loss:	$3,000.00	$25,250.00	$1,000.00	$225,438.94	$130,812.00
Total Property Pre-Incident Value:	$441,930.00	$262,690.00	$443,000.00	$3,153,807.00	$5,413,625.00
Total Contents Pre-Incident Value	$262,114.00	$116,714.00	$15,000.00	$13,513,180.20	$10,372,154.00
Total Losses:	$13,000.00	$86,550.00	$9,500.00	$723,783.84	$13,000.00
Total Value:	$704,044.00	$379,404.00	$458,000.00	$16,666,987.20	$15,785,779.00

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 11/1/2013 thru 11/30/2013

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
CIP2013-003	02/20/2013		CAPITAL IMPROVEMENT	300	Kathleen Moreno ENGINEERING	COMMENTS 11/21/2013
CIP2013-003	02/20/2013		CAPITAL IMPROVEMENT	300	Steve Clawson SEWER DEPARTMEN	APPROVED 11/8/2013
CIP2013-003	02/20/2013		CAPITAL IMPROVEMENT	300	Amy Williams ENGINEERING	COMMENTS 11/8/2013
CIP2013-014	09/09/2013		CAPITAL IMPROVEMENT	99	Amy Williams ENGINEERING	COMMENTS 11/7/2013
CIP2013-014	09/09/2013		CAPITAL IMPROVEMENT	99	Kathleen Moreno ENGINEERING	COMMENTS 11/8/2013
CIP2013-014	09/09/2013		CAPITAL IMPROVEMENT	99	Curtis McAden WATER DEPARTMEN	APPROVED 11/15/2013
CIP2013-014	09/09/2013		CAPITAL IMPROVEMENT	99	Billy Chaffin STREET DEPARTMEN	COMMENTS 11/8/2013
CIP2013-014	09/09/2013		CAPITAL IMPROVEMENT	99	Steve Clawson SEWER DEPARTMEN	COMMENTS 11/7/2013
CIP2013-014	09/09/2013		CAPITAL IMPROVEMENT	99	Ariana Hargrove FIRE	APPROVED 11/12/2013
CIP2013-014	09/09/2013		CAPITAL IMPROVEMENT	99	Bruce Hanby ENG-TECH	COMMENTS 11/12/2013
CIP2013-014	09/09/2013		CAPITAL IMPROVEMENT	99	Tim Tumulty CITY ENGINEER	COMMENTS 11/19/2013
CIP2013-017	10/10/2013		CAPITAL IMPROVEMENT	68	Amy Williams ENGINEERING	COMMENTS 11/21/2013
E2013-032	11/12/2013		ENGINEERING	35	Amy Williams ENG - Engineering	COMMENTS 11/18/2013
E2013-032	11/12/2013		ENGINEERING	35	Ariana Hargrove ENG - Fire	

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 11/1/2013 thru 11/30/2013

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2013-032	11/12/2013		ENGINEERING	35	Tim Tumulty ENGINEERING	
E2013-032	11/12/2013		ENGINEERING	35	Steve Clawson ENGINEERING	COMMENTS 11/20/2013
E2013-032	11/12/2013		ENGINEERING	35	Curtis McAden WATER DEPARTMEN	APPROVED 11/20/2013
E2013-032	11/12/2013		ENGINEERING	35	Billy Chaffin STREET DEPARTMEN	COMMENTS 11/20/2013
E2013-032	11/12/2013		ENGINEERING	35	Steve Clawson SEWER DEPARTMEN	COMMENTS 11/20/2013
E2013-032	11/12/2013		ENGINEERING	35	Kathleen Moreno ENGINEERING	
E2013-033	11/20/2013		ENGINEERING HWY276	27	Tim Tumulty ENG - Engineering	COMMENTS 11/20/2013
E2013-033	11/20/2013		ENGINEERING HWY276	27	Amy Williams ENG - Engineering	COMMENTS 11/20/2013
E2013-033	11/20/2013		ENGINEERING HWY276	27	Ariana Hargrove ENG - Fire	COMMENTS 11/26/2013
E2013-033	11/20/2013		ENGINEERING HWY276	27	Kathleen Moreno ENG - Engineering	COMMENTS 11/21/2013
E2013-033	11/20/2013		ENGINEERING HWY276	27	Bruce Hanby ENG - Engineering	COMMENTS 11/22/2013
E2013-034	11/21/2013		ENGINEERING 1210 N GOLIAD	26	Bruce Hanby ENG - Engineering	COMMENTS 11/26/2013
E2013-034	11/21/2013		ENGINEERING 1210 N GOLIAD	26	Tim Tumulty ENG - Engineering	COMMENTS 11/26/2013
E2013-034	11/21/2013		ENGINEERING 1210 N GOLIAD	26	Amy Williams ENG - Engineering	COMMENTS 11/21/2013
E2013-034	11/21/2013		ENGINEERING 1210 N GOLIAD	26	Curtis McAden WATER DEPARTMEN	

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 11/1/2013 thru 11/30/2013

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2013-034	11/21/2013		ENGINEERING 1210 N GOLIAD	26	Billy Chaffin STREET DEPARTMEN	APPROVED 11/26/2013
E2013-034	11/21/2013		ENGINEERING 1210 N GOLIAD	26	Ariana Hargrove ENG - Fire	COMMENTS 11/26/2013
E2013-034	11/21/2013		ENGINEERING 1210 N GOLIAD	26	Steve Clawson SEWER DEPARTMEN	COMMENTS 11/26/2013
E2013-034	11/21/2013		ENGINEERING 1210 N GOLIAD	26	Kathleen Moreno ENG - Engineering	COMMENTS 11/26/2013
H2013-012	11/01/2013		HISTORIC 302 WILLIAMS ST	46	David Gonzales PLANNING	
MIS2013-010	11/19/2013		MISCELLANEOUS HILLTOP	28	John Shannon BUILDING	
MIS2013-010	11/19/2013		MISCELLANEOUS HILLTOP	28	Ryan Miller PLANNING	
MIS2013-010	11/19/2013		MISCELLANEOUS HILLTOP	28	Ariana Hargrove FIRE	
MIS2013-010	11/19/2013		MISCELLANEOUS HILLTOP	28	Amy Williams ENGINEERING	
P2013-032	10/18/2013		PLAT 937 WILLIAMS ST	60	Amy Williams ENGINEERING	COMMENTS 11/6/2013
P2013-034	10/18/2013		PLAT HWY276	60	Amy Williams ENG - Engineering	COMMENTS 11/5/2013
P2013-035	10/18/2013		PLAT HWY276	60	Amy Williams ENG - Engineering	COMMENTS 11/5/2013
P2013-037	11/01/2013		PLAT	46	Ryan Miller PLANNING	APPROVED W/ 11/4/2013
P2013-037	11/01/2013		PLAT	46	John Shannon BUILDING	APPROVED 11/4/2013
P2013-037	11/01/2013		PLAT	46	Amy Williams ENGINEERING	APPROVED 11/1/2013

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 11/1/2013 thru 11/30/2013

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	---------- Plan Review Detail ---------- Contact / Review Type	Status / Completed
P2013-037	11/01/2013		PLAT	46	Ariana Hargrove	APPROVED
					FIRE	11/5/2013
P2013-038	11/01/2013		PLAT	46	John Shannon	APPROVED
			RIDGE RD		BUILDING	11/4/2013
P2013-038	11/01/2013		PLAT	46	Ryan Miller	APPROVED W/
			RIDGE RD		PLANNING	11/1/2013
P2013-038	11/01/2013		PLAT	46	Amy Williams	COMMENTS
			RIDGE RD		ENGINEERING	11/1/2013
P2013-038	11/01/2013		PLAT	46	Ariana Hargrove	APPROVED
			RIDGE RD		FIRE	11/5/2013
P2013-039	11/18/2013		PLAT	29	Amy Williams	COMMENTS
			2578 HWY276		ENGINEERING	11/20/2013
P2013-039	11/18/2013		PLAT	29	Ariana Hargrove	APPROVED
			2578 HWY276		FIRE	11/21/2013
P2013-039	11/18/2013		PLAT	29	Ryan Miller	APPROVED W/
			2578 HWY276		PLANNING	11/21/2013
P2013-039	11/18/2013		PLAT	29	John Shannon	APPROVED
			2578 HWY276		BUILDING	11/19/2013
SP2013-018	07/15/2013		SITE PLAN	155	Amy Williams	APPROVED
			2600 CHAMPIONS		ENG - Engineering	11/20/2013
SP2013-018	07/15/2013		SITE PLAN	155	Ariana Hargrove	APPROVED
			2600 CHAMPIONS		FIRE	11/21/2013
SP2013-026	10/21/2013		SITE PLAN	57	Amy Williams	COMMENTS
			1210 N GOLIAD		ENG - Engineering	11/6/2013
SP2013-027	11/15/2013		SITE PLAN	32	JoDee Sanford	APPROVED W/
			807 N GOLIAD		PLANNING	11/21/2013
SP2013-027	11/15/2013		SITE PLAN	32	Amy Williams	APPROVED W/
			807 N GOLIAD		ENGINEERING	11/20/2013
SP2013-027	11/15/2013		SITE PLAN	32	Ariana Hargrove	APPROVED
			807 N GOLIAD		FIRE	11/21/2013

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 11/1/2013 thru 11/30/2013

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
SP2013-027	11/15/2013		SITE PLAN 807 N GOLIAD	32	John Shannon BUILDING	APPROVED 11/19/2013
SP2013-028	11/19/2013		SITE PLAN JEFF BOYD CIR	28	Ariana Hargrove FIRE	APPROVED 11/21/2013
SP2013-028	11/19/2013		SITE PLAN JEFF BOYD CIR	28	David Gonzales PLANNING	COMMENTS 11/21/2013
SP2013-028	11/19/2013		SITE PLAN JEFF BOYD CIR	28	John Shannon BUILDING	APPROVED W/ 11/19/2013
SP2013-028	11/19/2013		SITE PLAN JEFF BOYD CIR	28	Amy Williams ENGINEERING	COMMENTS 11/21/2013
SP2013-029	11/26/2013		SITE PLAN RALPH HALL PKWY	21	Ariana Hargrove FIRE	COMMENTS 12/3/2013
SP2013-029	11/26/2013		SITE PLAN RALPH HALL PKWY	21	Amy Williams ENGINEERING	COMMENTS 11/26/2013
SP2013-029	11/26/2013		SITE PLAN RALPH HALL PKWY	21	John Shannon BUILDING	APPROVED 11/27/2013
SP2013-029	11/26/2013		SITE PLAN RALPH HALL PKWY	21	David Gonzales PLANNING	COMMENTS 11/26/2013
Z2013-032	11/15/2013		ZONING 904 N GOLIAD	32	Ariana Hargrove FIRE	APPROVED 11/20/2013
Z2013-032	11/15/2013		ZONING 904 N GOLIAD	32	John Shannon BUILDING	
Z2013-032	11/15/2013		ZONING 904 N GOLIAD	32	Amy Williams ENGINEERING	
Z2013-032	11/15/2013		ZONING 904 N GOLIAD	32	JoDee Sanford PLANNING	COMMENTS 11/20/2013
Z2013-033	11/15/2013		ZONING 1970 COPPER RIDGE CIR	32	JoDee Sanford PLANNING	COMMENTS 11/20/2013
Z2013-033	11/15/2013		ZONING 1970 COPPER RIDGE CIR	32	Amy Williams ENGINEERING	APPROVED 11/20/2013

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 11/1/2013 thru 11/30/2013

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
Z2013-033	11/15/2013		ZONING 1970 COPPER RIDGE CIR	32	Ariana Hargrove FIRE	APPROVED W/ 11/21/2013
Z2013-033	11/15/2013		ZONING 1970 COPPER RIDGE CIR	32	John Shannon BUILDING	APPROVED 11/19/2013
Z2013-034	11/18/2013		ZONING I30 SOUTH SERVICE RD	29	David Gonzales PLANNING	COMMENTS 11/20/2013
Z2013-034	11/18/2013		ZONING I30 SOUTH SERVICE RD	29	John Shannon BUILDING	APPROVED 11/19/2013
Z2013-034	11/18/2013		ZONING I30 SOUTH SERVICE RD	29	Amy Williams ENGINEERING	APPROVED W/ 11/21/2013
Z2013-034	11/18/2013		ZONING I30 SOUTH SERVICE RD	29	Ariana Hargrove FIRE	APPROVED 11/21/2013
Z2013-035	11/18/2013		ZONING E BOURN	29	David Gonzales PLANNING	COMMENTS 11/19/2013
Z2013-035	11/18/2013		ZONING E BOURN	29	Amy Williams ENGINEERING	APPROVED 11/20/2013
Z2013-035	11/18/2013		ZONING E BOURN	29	Ariana Hargrove FIRE	APPROVED 11/21/2013
Z2013-035	11/18/2013		ZONING E BOURN	29	John Shannon BUILDING	APPROVED 11/19/2013

City of Rockwall
Inspection Totals Completed by Inspector
For the Period 11/1/2013 thru 11/30/2013

Bryan Patrick		
	CO - FIRE	6
TOTAL INSPECTIONS for Bryan Patrick:		6
Kevin Clark		
	CO - FIRE	2
TOTAL INSPECTIONS for Kevin Clark:		2
TOTAL INSPECTIONS COMPLETED:		8

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 11/1/2013 thru 11/30/2013

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail: Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2013-165	10/11/13 COMM	67	970 IH 30 E FABRIC SHADE CANOPIES (ROCKWALL DODGE)	ROCKWALL, DIRT CO LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	11/01/13	11/11/13	11/01/13
BLD2013-173	11/01/13 COMM	46	3090 Goliad St N Stone Creek Retail Addition -Irrigation	METROPLEX, ACQUISITION FUND LP	Ariana Hargrove	FIRE 972-772-6431		11/01/13	11/11/13	
ELE2013-008	11/01/13 COMM	46	455 National Dr. Add 3 Antennas & 3 lines coax to existing tower	FRAUSTO, MICKEY & LISA L	Ariana Hargrove	FIRE 972-772-6431	APPROVED	11/01/13	11/11/13	11/05/13
TCO2013-000	11/04/13 TCO	43	1 Harborview Dr. Chandler's Landing Marina Dock EE		Ariana Hargrove	FIRE CO	APPROVED	11/04/13	11/07/13	11/04/13
BLD2013-165	10/11/13 COMM	67	970 IH 30 E FABRIC SHADE CANOPIES (ROCKWALL DODGE)	ROCKWALL, DIRT CO LTD	Ariana Hargrove	BUILDING 972-772-6774	APPROVED	11/05/13	11/15/13	11/05/13
BLD2013-166	10/16/13 COMM	62	2880 Ridge Rd. Interior alteration (David Pirtle)	HP, ROCKWALL 740 LTD	Ariana Hargrove	BUILDING 972-772-6774	APPROVED	11/05/13	11/15/13	11/05/13
BLD2013-175	11/05/13 COMM	42	2350 GREENCREST Anytime Fitness - Remodel, new walls, restrooms, mep	JLIU, ASSET MANAGEMENT LTD	Bryan Patrick	FIRE 972-772-6431	COMMENTS NEEDED	11/05/13	11/15/13	11/13/13
CO2013-0142	10/30/13 CO	48	401 WASHINGTON ST. W DFW OIL INC.	SAMI N ELORAHIM	Ariana Hargrove	FIRE CO	APPROVED	11/05/13	11/08/13	11/05/13
CO2013-0144	11/06/13 CO	41	3090 Goliad St N Shops at Stone Creek - Shell Bldg.	METROPLEX, ACQUISITION FUND LP	Ariana Hargrove	FIRE CO	APPROVED	11/06/13	11/09/13	11/06/13
CO2013-0145	11/06/13 CO	41	2109 Summer Lee Dr 101 Timios, Inc.	MARIAH, BAY DEVELOPMENT INC	Ariana Hargrove	FIRE CO	APPROVED	11/06/13	11/09/13	11/08/13
CO2013-0146	11/06/13 CO	41	105 Bourn E The Groomer Has It	EDWARDS, JASON	Ariana Hargrove	FIRE CO	APPROVED	11/06/13	11/09/13	11/08/13
ELE2013-008	11/06/13 COMM	41	1699 LAGUNA 101 Starbucks - Adding 1 30-amp circuit	M, & S MCGRATH TRUST AND MARY P M	Ariana Hargrove	FIRE 972-772-6431		11/06/13	11/16/13	
ELE2013-008	11/06/13 COMM	41	3136 HORIZON PUTTING IN METER BASE & PANEL TO FEED EXTERIOR LIGHTING	GA, HC REIT II ROCKWALL MOB LLC	Ariana Hargrove	FIRE 972-772-6431		11/06/13	11/16/13	
BLD2013-132	08/13/13 COMM	126	1005 RALPH HALL 217 HARBOR HEIGHTS FAMILY MEDICAL TENANT IMPROVEMENT	GA, HC REIT II ROCKWALL MOB LLC	Bryan Patrick	FIRE 972-772-6431	APPROVED	11/07/13	11/17/13	11/07/13
BLD2013-177	11/07/13 COMM	40	697 IH 30 CHAMBER OF COMMERCE - STORAGE ADDITION	ROCKWALL, AREA CHAMBER OF COMMERCE	Ariana Hargrove	FIRE 972-772-6431	DENIED	11/07/13	11/17/13	11/07/13
BLD2013-145	09/12/13 COMM	96	2235 Goliad St S Luby's / Fuddrucker's	CPI, MORTGAGE INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	11/08/13	11/23/13	11/08/13
BLD2013-166	10/14/13 COMM	64	930 WHITMORE DR. WHITMORE PHASE 2B	WHITMORE, MANUFACTURING CO	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	11/08/13		11/08/13

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 11/1/2013 thru 11/30/2013

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2013-178	11/11/13	36	1100 Townsend	POTTS, DANNY & VONDA	Ariana Hargrove	FIRE 972-772-6431	APPROVED	11/11/13	11/21/13	11/11/13
	COMM		Stand alone metal Canopy 45'x20'							
BLD2013-180	11/13/13	34	SPYGLASS HILL PHASE III	PHIL BISHOP	Ariana Hargrove	FIRE 972-772-6431		11/13/13	11/23/13	
	COMM		7' RETAINING WALL FOR SPYGLASS CONDO							
BLD2013-181	11/15/13	32	807 GOLIAD ST. N	SPAFFORD, SARAH	Ariana Hargrove	FIRE 972-772-6431	APPROVED	11/15/13	11/25/13	11/15/13
	COMM		RESIDENTIAL OFFICE REMODEL							
BLD2013-181	11/15/13	32	805 TOWNSEND	CORRIGAN, BRIAN	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	11/15/13	11/25/13	11/21/13
	COMM		NEW OFFICE FOR CORRIGAN LAW OFFICE							
BLD2013-182	11/15/13	32	3090 GOLIAD ST. N 106	METROPLEX, ACQUISITION FUND LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	11/15/13	11/25/13	11/20/13
	COMM		Dr. HSU DENTAL OFFICE INTERIOR FINISH							
CO2013-0148	11/15/13	32	660 Justin	AMS, I ROCKWALL INVESTMENTS LP	Ariana Hargrove	FIRE CO		11/15/13	11/18/13	
	CO		ADVANTAGE STORAGE							
CO2013-0149	11/18/13	29	1114 IH 30 E	CPI, MORTGAGE INVESTORS LP	Ariana Hargrove	FIRE CO	APPROVED	11/18/13	11/21/13	11/19/13
	CO		Raising Cane's Chicken Fingers							
PLB2013-030	11/18/13	29	2861 RIDGE RD. 101	STEGER, TOWNE CROSSING II LP	Ariana Hargrove	FIRE 972-772-6431		11/18/13	11/28/13	
	COMM		BLACK EYED PEA GAS TEST & REPAIR							
PLB2013-030	11/20/13	27	1209 Ridge Rd	BENBROOKE, RIDGE PARTNERS LP	Ariana Hargrove	FIRE 972-772-6431		11/20/13	11/30/13	
	COMM		REPLACING 1/2 GAS ON ROOF FOR PIZZA CUCINA							
CO2013-0150	11/21/13	26	2135 Ridge Rd.	IN, KYUNG H &	Ariana Hargrove	FIRE CO	APPROVED	11/21/13	11/24/13	11/25/13
	CO		Lenny's Sub Shop #162							
SPEC2013-02	11/22/13	25	301 N SAN JACINTO	JOY, LUTHERAN CHURCH	Ariana Hargrove	FIRE 972-772-6431	APPROVED	11/22/13	11/29/13	11/25/13
	SPECIAL EVENT		ROCKWALL WINEFEST							
BLD2013-154	09/27/13	81	3035 RIDGE RD.	TEMUNOVIC, PARTNERSHIP LTD	Bryan Patrick	FIRE 972-772-6431	APPROVED	11/25/13	12/05/13	11/25/13
	COMM		DUNKIN DONUT - SHELL ONLY							
BLD2013-154	09/27/13	81	3035 RIDGE RD.	TEMUNOVIC, PARTNERSHIP LTD	Bryan Patrick	FIRE 972-772-6431	COMMENTS NEEDED	11/25/13	12/05/13	11/25/13
	COMM		DUNKIN DONUT - SHELL ONLY							
BLD2013-175	11/05/13	42	2350 GREENCREST	JLIU, ASSET MANAGEMENT LTD	Bryan Patrick	FIRE 972-772-6431	COMMENTS NEEDED	11/25/13	12/05/13	11/25/13
	COMM		Anytime Fitness - Remodel, new walls, restrooms, mep							
BLD2013-183	11/21/13	26	2830 Ridge Rd.	INWOOD, NATIONAL BANK	Bryan Patrick	ENG 972-771-7746	APPROVED	11/25/13	12/05/13	11/25/13
	COMM		Inwood bank - Irrigation							
BLD2013-173	10/30/13	48	3035 RIDGE RD.	TEMUNOVIC, PARTNERSHIP LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	11/26/13	12/06/13	11/26/13
	COMM		DUNKIN DONUT - Interior Finishout							
BLD2013-185	11/26/13	21	903 S GOLIAD	MOORE, TIMOTHY H & TRACEY PARK	Ariana Hargrove	FIRE 972-772-6431		11/26/13	12/06/13	
	COMM		Saw cut & replace broken driveway							
BLD2013-185	11/26/13	21	2578 SH 276	SHARP, RICK	Ariana Hargrove	FIRE 972-772-6431	CORRECTION NEEDED	11/26/13	12/06/13	12/04/13
	COMM		Vac Parts Warehouse - Interior remodel							

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 11/1/2013 thru 11/30/2013

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2013-0151	11/26/13	21	339 County Line Rd	KELLY, EDDY D & SHARON RENEE REV LIV	Ariana Hargrove	FIRE CO	APPROVED	11/26/13	11/29/13	12/12/13
	CO		Probe AIG							
ELE2013-008	11/26/13	21	102 W KAUFMAN	RHODES, TOM B	Ariana Hargrove	FIRE 972-772-6431		11/26/13	12/06/13	
	COMM		7-Eleven Relocate /install 2to 4 outlets at sales area							
ELE2013-008	11/26/13	21	1007 RIDGE RD	7-Eleven	Ariana Hargrove	FIRE 972-772-6431		11/26/13	12/06/13	
	COMM		7-Eleven -Relocate/install 2 to 4 outlets							
MEC2013-01	11/26/13	21	2307 Market Center	CRP/ARROW, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431		11/26/13	12/06/13	
	COMM		Dr. Keith Webb							
BLD2013-185	11/27/13	20	2006 GOLIAD ST. 212	ROCKWALL, CENTRAL SHOP/CNTR JV	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	11/27/13	12/07/13	12/04/13
	COMM		ALL SPORTS REMODEL							
CO2013-0152	11/27/13	20	906 STEGER TOWNE	DUNGHILL PARTNERS	Ariana Hargrove	FIRE CO	APPROVED	11/27/13	11/30/13	12/04/13
	CO		JANIE'S TAILORING SHOP							

CRW SYSTEMS

Fire Alarms

November 2013

Date	Address	Common Name	Dispostion Code	CFS Number	Call Type	Incident Number	Incident ORI
11/01/2013 06:23:02	1390 GLENWICK DR		FA	12	FD - Fire Alarm Residential	2013-00000718	TX504
11/02/2013 07:55:56	1389 RIDGE RD	Commons, The, Rockwall Commons, The Commons	FA	174	FD - Fire Alarm Commercial	2013-00000727	TX504
11/03/2013 11:52:54	996 E INTERSTATE 30		FA	343	FD - Fire Alarm Commercial	2013-00000733	TX504
11/03/2013 15:15:58	1200 E YELLOW JACKET LN		FA	366	FD - Fire Alarm Commercial	2013-00000735	TX504
11/03/2013 23:00:10	1930 CLUB LAKE CIR		FA	414	FD - Fire Alarm Residential	2013-00000736	TX504
11/05/2013 15:25:33	805 S LAKESHORE DR : 6		FA	627	FD - Fire Alarm Residential	2013-00000741	TX504
11/06/2013 10:10:21	109 VICTORIA PL : 1		FA	721	FD - Fire Alarm Residential	2013-00004314	TX1990300
11/06/2013 10:10:21	109 VICTORIA PL : 1		FA	721	FD - Fire Alarm Residential	2013-00000317	TX402
11/07/2013 12:50:38	3055 DISCOVERY BLVD		FA	874	FD - Fire Alarm Commercial	2013-00000744	TX504
11/07/2013 16:42:33	1095 HAMPTON BAY DR		FA	907	FD - Fire Alarm Residential	2013-00000746	TX504
11/10/2013 00:53:15	2055 SUMMER LEE DR	Hilton, Hilton Hotel	FA	1297	FD - Fire Alarm Commercial	2013-00000756	TX504
11/11/2013 16:06:43	685 E INTERSTATE 30 : 4		FA	1526	FD - Fire Alarm Commercial	2013-00000759	TX504
11/12/2013 12:24:11	181 COLONIAL TRCE : 1		FA	1636	FD - Fire Alarm Residential	2013-00000068	TX301
11/13/2013 03:16:33	5128 SH 205		FA	1725	FD - Fire Alarm	2013-00000764	TX504

					Residential		
11/15/2013 08:26:53	3084 N GOLIAD ST		FA	2014	FD - Fire Alarm Commercial	2013-00000774	TX504
11/17/2013 13:30:44	3115 RIDGE RD	Primrose School	FA	2365	FD - Fire Alarm Commercial	2013-00000780	TX504
	: 3						
11/18/2013 10:23:05	561 MARIAH BAY DR		FA	2469	FD - Fire Alarm Residential	2013-00004485	TX1990300
	: 1						
11/18/2013 10:23:05	561 MARIAH BAY DR		FA	2469	FD - Fire Alarm Residential	2013-00000332	TX402
	: 1						
11/18/2013 18:50:44	7110 HUNT LN		FA	2520	FD - Fire Alarm Residential	2013-00000784	TX504
11/19/2013 05:48:48	5308 YACHT CLUB DR		FA	2558	FD - Fire Alarm Residential	2013-00000785	TX504
11/19/2013 11:13:54	610 S GOLIAD ST	First Baptist Church	FA	2576	FD - Fire Alarm Commercial	2013-00000786	TX504
11/22/2013 13:18:43	850 STEGER TOWNE DR	Target	FA	2955	FD - Fire Alarm Commercial	2013-00000788	TX504
11/24/2013 09:03:54	1505 STEWART DR		FA	3175	FD - Fire Alarm Residential	2013-00000795	TX504
11/25/2013 10:58:52	3055 DISCOVERY BLVD		FA	3290	FD - Fire Alarm Commercial	2013-00000797	TX504
	: 6						
11/28/2013 11:37:50	210 MULBERRY DR		FA	3683	FD - Fire Alarm Residential	2013-00001217	TX1990800
	: 1						
11/28/2013 11:37:50	210 MULBERRY DR		FA	3683	FD - Fire Alarm Residential	2013-00000099	TX301
	: 1						
11/28/2013 11:37:50	210 MULBERRY DR		FA	3683	FD - Fire Alarm Residential	2013-00000808	TX504
	: 1						

Inspection Totals Per Inspector

November 2013

Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Inspection Number	Fire Inspection Status
TX504	366 - Hargrove	Fire Alarm System	1955	Pending
Total Per Inspector: 1				
TX504	744 - Patrick	Annual	1906	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0141	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0142	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0140	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0140	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0130	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0144	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0142	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0142	Pending
TX504	744 - Patrick	Construction Final	1944	Pending
TX504	744 - Patrick	Construction Final	1954	Pending
TX504	744 - Patrick	Construction Final	1954	Pending
TX504	744 - Patrick	Construction Final	1944	Finaled
TX504	744 - Patrick	Construction Final	1954	Finaled
TX504	744 - Patrick	Construction Final	1939	Pending
TX504	744 - Patrick	Construction Final	1867	Finaled
TX504	744 - Patrick	Courtesy	1917	Finaled
TX504	744 - Patrick	Courtesy	1959	Finaled
TX504	744 - Patrick	Courtesy	1917	Finaled
TX504	744 - Patrick	Courtesy	1917	Finaled
TX504	744 - Patrick	Courtesy	1942	Finaled
TX504	744 - Patrick	Courtesy	1941	Finaled
TX504	744 - Patrick	Fire Alarm System	1958	Finaled
TX504	744 - Patrick	Fire Alarm System	1943	Finaled
TX504	744 - Patrick	Fire Spinkler System	1928	Pending
TX504	744 - Patrick	Fire Spinkler System	1945	Finaled
TX504	744 - Patrick	Fire Spinkler System	1834	Pending
TX504	744 - Patrick	Fire Spinkler System	1928	Pending
TX504	744 - Patrick	Fire Spinkler System	1908	Finaled
TX504	744 - Patrick	Fire Spinkler System	1945	Pending

TX504	744 - Patrick	Flow Test	1960	Finaled
TX504	744 - Patrick	Hazmat	1953	Finaled
TX504	744 - Patrick	Underground Fire Line	1800	Finaled
TX504	744 - Patrick	Underground Fire Line	1863	Pending
TX504	744 - Patrick	Underground Fire Line	1961	Pending
TX504	744 - Patrick	Underground Fire Line	1914	Pending
TX504	744 - Patrick	Underground Fire Line	1800	Pending
Total Per Inspector: 37				
TX504	836 - Ayres	Certificate of Occupancy	CO2013-0150	Pending
Total Per Inspector: 1				
TX504	843 - Clark	Certificate of Occupancy	CO2013-0145	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2013-0145	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2013-0072	CO Terminated
TX504	843 - Clark	Certificate of Occupancy	CO2013-0143	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2013-0143	Pending
TX504	843 - Clark	Construction Final	1835	Pending
TX504	843 - Clark	Construction Final	1950	Finaled
TX504	843 - Clark	Construction Final	4th floor - tenant	Pending
TX504	843 - Clark	Construction Final	4th floor - core	Pending
TX504	843 - Clark	Construction Final	3rd floor - tenant	Pending
TX504	843 - Clark	Construction Final	3rd floor - core	Pending
TX504	843 - Clark	Construction Final	2nd floor - tenant	Pending
TX504	843 - Clark	Construction Final	2nd floor - core	Pending
TX504	843 - Clark	Construction Final	1st floor - tenant	Pending
TX504	843 - Clark	Construction Final	1st floor - core	Pending
TX504	843 - Clark	Construction Final	1835	Pending
TX504	843 - Clark	Construction Final	5th floor - core	Pending
TX504	843 - Clark	Construction Final	4th floor - tenant	Pending
TX504	843 - Clark	Construction Final	4th floor - core	Pending
TX504	843 - Clark	Construction Final	3rd floor - tenant	Pending
TX504	843 - Clark	Construction Final	3rd floor - core	Pending
TX504	843 - Clark	Construction Final	2nd floor - tenant	Pending
TX504	843 - Clark	Construction Final	2nd floor - core	Pending
TX504	843 - Clark	Construction Final	1835	Pending
TX504	843 - Clark	Courtesy	1948	Finaled
TX504	843 - Clark	Courtesy	1947	Finaled

TX504	843 - Clark	FDC	1887	Finaled
TX504	843 - Clark	FDC	1887	Pending
TX504	843 - Clark	Fire Alarm System	1962	Pending
TX504	843 - Clark	Fire Alarm System	1842	Pending
TX504	843 - Clark	Fire Spinkler System	1949	Pending
TX504	843 - Clark	Fire Spinkler System	1894	Pending
TX504	843 - Clark	Fire Spinkler System	1949	Pending
TX504	843 - Clark	Fire Spinkler System	1834	Pending
TX504	843 - Clark	Fire Spinkler System	1894	Pending
TX504	843 - Clark	Flow Test	1940	Finaled
TX504	843 - Clark	Flow Test	1940	Finaled
TX504	843 - Clark	Follow Up	1935	Finaled
TX504	843 - Clark	Follow Up	1927	Finaled
TX504	843 - Clark	Follow Up	1957	Pending
TX504	843 - Clark	Follow Up	1956	Pending
TX504	843 - Clark	Follow Up	1957	Pending
TX504	843 - Clark	Kitchen Hood Suppression	1964	Finaled
TX504	843 - Clark	Other	1924	Pending
TX504	843 - Clark	Other	1924	Pending
TX504	843 - Clark	Other	1924	Pending
TX504	843 - Clark	Other	1924	Pending
TX504	843 - Clark	Other	1924	Pending
TX504	843 - Clark	Other	1924	Pending
TX504	843 - Clark	Other	1924	Pending
TX504	843 - Clark	Remote FDC	1712	Finaled
TX504	843 - Clark	Remote FDC	1712	Pending
TX504	843 - Clark	Tanks-TEMP	1952	Pending
TX504	843 - Clark	TCO	TCO	Finaled
TX504	843 - Clark	Underground Fire Line	1832	Finaled
TX504	843 - Clark	Underground Fire Line	1961	Pending
TX504	843 - Clark	Underground Fire Line	1961	Pending

Total Per Inspector:
57

Department Total:
96

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Rockwall Police Department
Harbor District Calls For Service
November 2013

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2013-00026102	11/10/2013	00:06:00	Agave	Disorderly Conduct	Arrest
2013-00025901	11/07/2013	23:01:25	Agave	Disturbance	No Report
2013-00026498	11/14/2013	20:14:19	Cinemark	Suspicious Activity	No Report
2013-00025412	11/02/2013	01:16:10	Cinemark	Theft	No Report
2013-00026830	11/18/2013	16:24:03	El Portrillo De La Sandia	Theft	No Report
2013-00026442	11/14/2013	02:27:21	Hilton	Investigation	No Report
2013-00025800	11/06/2013	18:40:45	Hilton	Narcotics	Report
2013-00026087	11/09/2013	21:51:00	Hilton	Suspicious Activity	No Report
2013-00026125	11/10/2013	12:53:18	Hilton	Suspicious Activity	No Report
2013-00027710	11/30/2013	14:42:13	The Harbor	BMV	Report
2013-00026892	11/19/2013	17:13:38	The Harbor	BMV	Report
2013-00025979	11/08/2013	22:06:46	The Harbor	BMV	Report
2013-00026074	11/09/2013	20:08:47	The Harbor	Intoxicated	No Report
2013-00026694	11/16/2013	22:33:29	The Harbor	Welfare Concern	No Report
2013-00026985	11/20/2013	20:38:51	Zeus Botique	Alarm-BUSN	False Alarm
			Common Name		
			The Harbor	5	
			Hilton	4	
			Cinemark	2	
			Agave	2	
			Zeus Botique	1	
			El Portrillo De La Sandia	1	
			Total	**15**	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
NOVEMBER 2013

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	18	18	0	100%
ADMINISTRATIVE SERVICES	2	2	0	100%
AIRPORT	1	1	0	100%
ANIMAL SERVICES	4	4	0	100%
BUILDING INSPECTIONS / CODE ENFORCEMENT	3	3	0	100%
ENGINEERING	5	5	0	100%
FINANCE	0	0	0	0%
FIRE DEPARTMENT	44	43	1	98%
INTERNAL OPERATIONS	112	112	0	100%
MUNICIPAL COURT	6	6	0	100%
PARKS & RECREATION	25	25	0	100%
PLANNING & ZONING	2	2	0	100%
POLICE DEPARTMENT	21	20	1	95%
PUBLIC WORKS	4	4	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	247	245	2	99%

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
NOVEMBER 2013

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT	0	0	0	100%
FIRE DEPARTMENT	3	3	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	2	2	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	8	8	0	100%
PUBLIC WORKS	2	2	0	100%
UTILITY BILLING	0	0	0	100%
HEATH DEPT. PUBLIC SAFETY	2	2	0	100%
HOSPITAL CONTROL STATIONS	0	0	0	100%
SYSTEM ISSUES	0	0	0	100%
TOTAL	17	17	0	100%

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Rockwall Police Department

Monthly Activity Report

November-2013

ACTIVITY	CURRENT MONTH NOVEMBER	PREVIOUS MONTH OCTOBER	YTD 2013	YTD 2012	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	1	1	**0.00%**
Rape	0	1	7	2	**250.00%**
Robbery	1	0	6	3	**100.00%**
Aggravated Assault	1	0	10	19	**-47.37%**
Burglary	7	12	90	117	**-23.08%**
Larceny	62	61	582	644	**-9.63%**
Motor Vehicle Theft	12	6	59	39	**51.28%**
TOTAL PART I	**83**	**80**	**755**	**825**	**-8.48%**
TOTAL PART II	**109**	**112**	**1353**	**1604**	**-15.65%**
TOTAL OFFENSES	**192**	**192**	**2108**	**2429**	**-13.22%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	9	15	151	109	**38.53%**
D.W.I.	16	17	188	302	**-37.75%**
TEEN CURFEW	0	0	8	33	**-75.76%**
ARRESTS					
FELONY	10	10	170	273	**-37.73%**
MISDEMEANOR	45	63	801	1187	**-32.52%**
WARRANT ARREST	16	33	293	400	**-26.75%**
JUVENILE	12	7	59	67	**-11.94%**
TOTAL ARRESTS	**83**	**113**	**1323**	**1927**	**-31.34%**
DISPATCH					
CALLS FOR SERVICE	1390	1344	15027	15738	**-4.52%**
ACCIDENTS					
INJURY	11	18	129	128	**0.78%**
(INJURIES)	19	24	163	185	**-11.89%**
NON-INJURY	39	46	442	432	**2.31%**
FATALITY	0	0	2	2	**0.00%**
(FATALITIES)	0	0	2	2	**0.00%**
TOTAL	**50**	**64**	**573**	**562**	**1.96%**
FALSE ALARMS					
RESIDENT ALARMS	57	62	734	719	**2.09%**
BUSINESS ALARMS	135	114	1212	1049	**15.54%**
TOTAL FALSE ALARMS	**192**	**176**	**1946**	**1768**	**10.07%**
Estimated Lost Hours	**126.72**	**116.16**	**1284.36**	**1166.88**	**10.07%**
Estimated Cost	**$3,014.40**	**$2,763.20**	**$30,552.20**	**$27,757.60**	**10.07%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**4**
Arrests	**4**
Arrest Warrants	**0**
Search Warrants	**2**
Assist other Agencies	**2**
Seized	
Methamphetamine	13.5 grams
Marijuana	23 pounds
Cocaine	2 kilos
Guns	8
Vehicles	1

Rockwall Police Department
Dispatch and Response Times
November 2013

Police Department

	Average Response Time	
Priority 1		Number of Calls **90**
Call to Dispatch	0:00:22	
Call to Arrival	0:05:02	
% over 7 minutes	21%	
Priority 2		Number of Calls **180**
Call to Dispatch	0:00:22	
Call to Arrival	0:06:03	
% over 7 minutes	26%	
Priority 3		Number of Calls **7**
Call to Dispatch	0:03:19	
Call to Arrival	0:08:40	
% over 7 minutes	29%	
***Priority 4**		Number of Calls **1113**
****Priority 5**		Number of Calls **0**

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

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

Fire Department

	Average Response Time	
Call to Dispatch	0:00:07	Number of Calls **87**
Call to Arrival	0:07:01	

Overages

None

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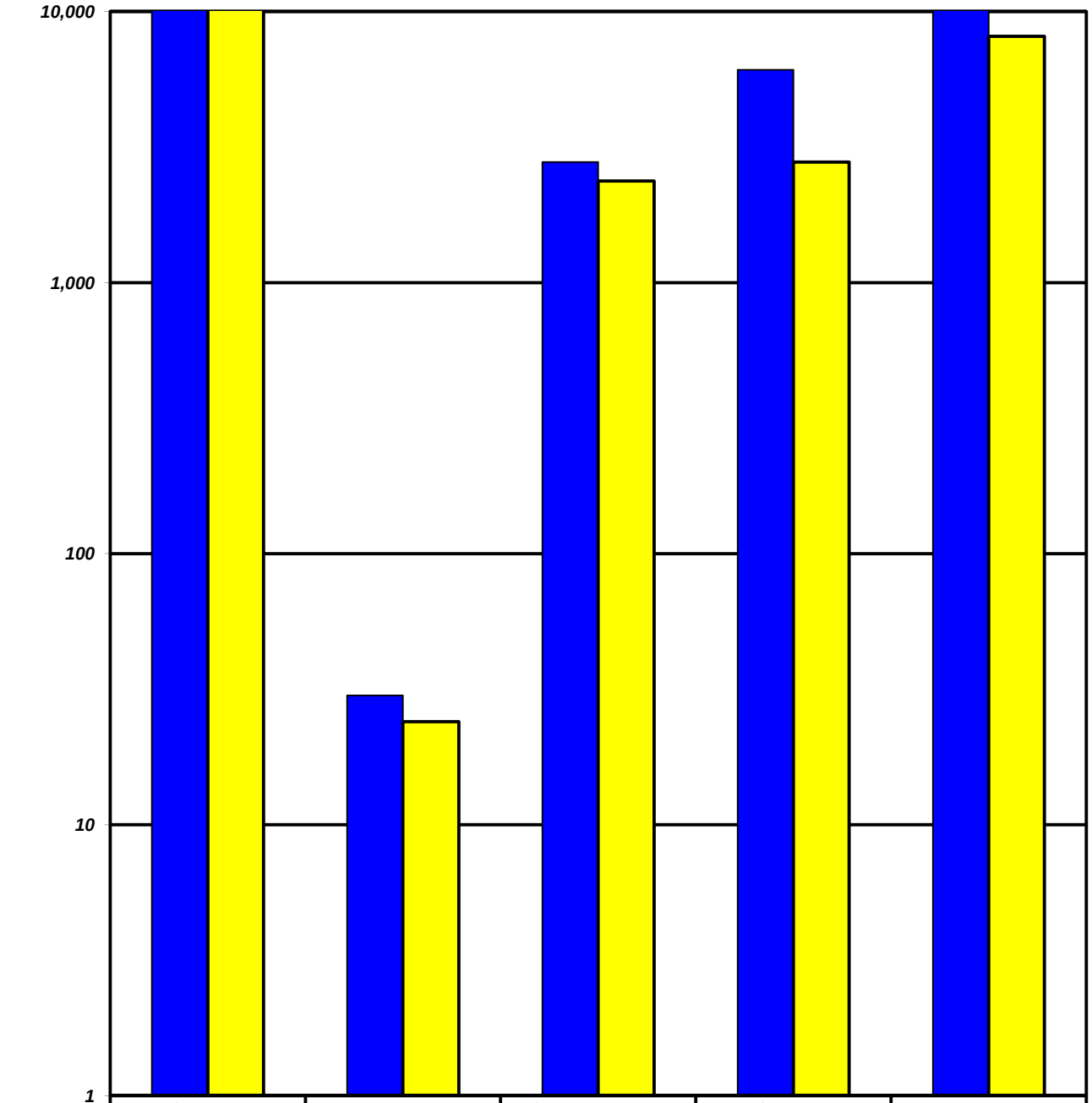
City of Rockwall
Parks and Recreation Department
FY14 November Report



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY14 YTD	15,305	30	2,786	$6,087	$13,769
FY13 YTD	13,318	24	2,370	$2,785	$8,104

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

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Consider approval of the minutes from the January 6, 2014 regular city council meeting, and take any action necessary.

1/6 Mtg. Minutes 10

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Consider approval of the Contract for Election Services between the City of Rockwall, Rockwall County and the Rockwall Independent School District for a General Election to be held May 10, 2014, and take any action necessary.

Memo 23

Election Contract 24

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A2013-001- Consider approval of an ordinance for a City initiated request to annex land in accordance with previously approved Chapter 212 Texas Local Government Code Development Agreements, specifically for four (4) tracts of land comprising approximately 42.482-acres of land situated in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey, Abstract No. 181 and generally located contiguous to the existing city limits line west of SH-205 (S. Goliad Street) and south of FM-549 and specifically described as follows: (1)Tract 17-14 of the W. W. Ford Survey, Abstract No. 80 being 12.493-acres, (2) Tract 40 of the W. W. Ford Survey, Abstract No. 80 being 8.989-acres, (3) Tract 40-1 of the W. W. Ford Survey, Abstract No. 80 being 1-acre, (4) Tract 1-4 of the J. W. Pitman Survey, Abstract No. 181 being 20-acres. (2nd Reading)

second reading ordinance 39

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Consider authorizing the City Manager to enter into a contract extension with Clean Harbors Inc. to manage Household Hazardous Waste Collection Day April 5, 2014 and take any action necessary.

memo 50

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Consider authorizing the City Manager to execute a purchase order with Caldwell Country (Chevrolet) for the purchase of a Suburban for Fire Command operations in the amount of $45,388 funded with General Fund Reserves budget of $65,000 and take any action necessary.

Memo 52

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Consider approval of Change Order No. 1 to Hill & Wilkinson General Contractors for the construction of additional two parking lots with the downtown project in the amount of $126,224.00 and funded by General Reserves, and take any action necessary.

Downtown Rockwall Improvement Project 54

Cost Estimates 55

Cost Estimate 56

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Consider approval of a resolution establishing the pro rata equipment fee related to the city's mandatory neighborhood park land dedication regulations, and take any action necessary.
Memo 58
Resolution 59
Blank Page 60
Consider approval of a resolution regarding the cost per acre for mandatory neighborhood park land dedication, and take any action necessary.
Memo 61
Resolution 62
Market Study Letter 63
Market Study Report 65
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Consider approval of an ordinance amending the Code of Ordinances in Chapter 32 Signs, Article III. Regulations and Requirements, Division 2. Structural Standards, Section 32-204. Wall Signs and Division 6. Specific Sign Regulations, Section 32 -306. Wall Signs to eliminate certain provisions regarding wall sign height, and take any action necessary. (2nd reading)
Ord_2nd Reading 103
Blank Page 105
P2013-042 - Consider a request by Drew Colon of Greener City Groups, Inc. for the approval of a final plat of Lots 1-14, Block 1, Shady Dale Estates Addition being a 4.32-acre tract of land identified as Tracts 4-13 & 4-14 of the Edward Teal Survey, Abstract 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for Single Family Residential uses, located east of the intersection of Ridge Road [FM-740] and Shady Dale Lane, and take any action necessary.
Staff Report 106
Blank Page 113
P2013-043 - Consider a request by Mushtak Khatri of the Tabani Group on behalf of T. Rockwall Phase 2, LLC for the approval of a final plat for Lot 5, Block A, Rockwall Commons Addition being a 3.802-acre parcel of land currently recognized as a one (1) acre parcel of land identified as Lot 1, Block 1, Independent Community Financial Corporation Addition and a 2.802-acre tract of land identified as Tract 6-2 of the B. J. T. Lewis Survey, Abstract No. 255 and the D. Atkins Survey, Abstract No. 1, both properties being zoned Planned Development District 1 (PD-1) for mixed use development, generally located on Ridge Road [FM-740] south of Summit Ridge Drive, and take any action necessary.
Staff Report 114
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P2013-044 - Consider a request by Jay Bedford of the A. J. Bedford Group, Inc. on behalf of BDC Family Limited Partnership for the approval of a replat for Lot 13, Block 1, Rockwall Centre Corners Addition being a 2.644-acre parcel of land currently identified as Lot 12, Block 1, Rockwall Centre Corners Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, the SH-205 (SH-205 OV) District and SH-276 (SH-276) District, and located at the northeast corner of the intersection of S. Goliad Street (SH-205) and SH-276, and take any action necessary.

Staff Report . . . 120
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Appointment with Rob Dixon of Hill & Wilkinson, General Contractors, and Michael Black with la terra studio, to hear and discuss a progress update of the Downtown Improvements Project, including the engineering and construction plans status for phase two, and take any action necessary.

Memo . . . 126
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Z2013-035 - Discuss and consider approval of an ordinance for a request by J. D. Jacobs, Jr. for the approval of a zoning change from Single Family 7 (SF-7) District to a Residential-Office (RO) District for a 0.661-acre tract of land identified as a portion of Lot 3 and all of Lot 4, Block G, Sanger Addition, Rockwall, Rockwall County, Texas, located east of the intersection of Peters Colony Drive and E. Bourn Street, and take any action necessary (2nd Reading).

2nd Reading Ordinance . . . 128
F. Jackson attachment for Council . . . 132
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Discuss and consider the city's process associated with proposed zoning change notifications, and take any action necessary.

Memo . . . 140
email request Sweet . . . 165
email request Pruitt . . . 166
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Discuss and consider approval of an ordinance amending Chapter 22, Article II of the City's Code of Ordinances to establish Section 22.71 regulating the purchase, sale, offer to sell, and ingestion of any e-cigarette smoking product to or by any minor, and take any action necessary. (2nd reading)

Ord_2nd Reading . . . 168
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Discuss and consider approval of an ordinance amending the Code of Ordinances in Chapter 32 Signs, Article III. Regulations and Requirements, Division 3. Functional Standards, Section 32 -233. Changeable Electronic Variable Message Signs (CEVMs) to repeal this section in its entirety and provide for a new section 32-233, and take any action necessary. (2nd reading)

Ord_2nd Reading . . . 173
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Discuss and consider an ordinance amending the city's Code of Ordinances in Chapter 10. Buildings and Building Regulations, Article XIII. Dangerous Buildings, Section 10-537. Procedure When Owner Fails to Comply to amend the minimum waiting period associated with the City conducting a building demolition, and take any necessary action. (1st reading)

Memo 177
Ordinance 179
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Discuss and consider citywide recycling program, including possible survey of residents regarding the program and associated monthly fee, and take any action necessary.

Pruitt Request 182
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Discuss and consider appointments to the city's Art Review Team (ART) Commission, and take any action necessary.

Memo 184
Blank Page 187

AGENDA
ROCKWALL CITY COUNCIL
Tuesday, January 21, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION

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

1. Discussion regarding recent employment action taken pursuant to Section § 551.074 (Personnel Matters)
2. Discussion regarding land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
3. Discussion regarding the city's Fixed Based Operator airport agreement pursuant to Section § 551.071 (Consultation with Attorney)
4. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

IV. WORK SESSION (5:00 P.M.)

1. **CONDUCT INTERVIEWS FOR FIXED BASED OPERATOR SERVICES AT THE RALPH M. HALL / ROCKWALL MUNICIPAL AIRPORT AND TAKE ANY NECESSARY ACTION.**

AGENDA
ROCKWALL CITY COUNCIL
Tuesday, January 21, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM WHITE

VIII. CONSENT AGENDA

p.10 **1.** Consider approval of the minutes from the January 6, 2014 regular city council meeting, and take any action necessary.

p.23 **2.** Consider approval of the Contract for Election Services between the City of Rockwall, Rockwall County and the Rockwall Independent School District for a General Election to be held May 10, 2014, and take any action necessary.

p.39 **3.** **A2013-001**- Consider approval of an **ordinance** for a City initiated request to annex land in accordance with previously approved Chapter 212 Texas Local Government Code Development Agreements, specifically for four (4) tracts of land comprising approximately 42.482-acres of land situated in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey, Abstract No. 181 and generally located contiguous to the existing city limits line west of SH-205 (S. Goliad Street) and south of FM-549 and specifically described as follows: (1)Tract 17-14 of the W. W. Ford Survey, Abstract No. 80 being 12.493-acres, (2) Tract 40 of the W. W. Ford Survey, Abstract No. 80 being 8.989-acres, (3) Tract 40-1 of the W. W. Ford Survey, Abstract No. 80 being 1-acre, (4) Tract 1-4 of the J. W. Pitman Survey, Abstract No. 181 being 20-acres. **(2nd Reading)**

p.50 **4.** Consider authorizing the City Manager to enter into a contract extension with Clean Harbors Inc. to manage Household Hazardous Waste Collection Day April 5, 2014 and take any action necessary.

p.52 **5.** Consider authorizing the City Manager to execute a purchase order with Caldwell Country (Chevrolet) for the purchase of a Suburban for Fire Command operations in the amount of $45,388 funded with General Fund Reserves budget of $65,000 and take any action necessary.

p.54 **6.** Consider approval of Change Order No. 1 to Hill & Wilkinson General Contractors for the construction of additional two parking lots with the downtown project in the amount of $126,224.00 and funded by General Reserves, and take any action necessary.

p.58 **7.** Consider approval of a resolution establishing the pro rata equipment fee related to the city's mandatory neighborhood park land dedication regulations, and take any action necessary.

p.61 **8.** Consider approval of a resolution regarding the cost per acre for mandatory neighborhood park land dedication, and take any action necessary.

p.103 **9.** Consider approval of an ordinance amending the Code of Ordinances in Chapter 32 Signs, Article III. Regulations and Requirements, Division 2. Structural Standards, Section 32-204. Wall Signs and Division 6. Specific Sign Regulations, Section 32-306. Wall Signs to eliminate certain provisions regarding wall sign height, and take any action necessary. (2nd reading)

p.106 **10.** **P2013-042** - Consider a request by Drew Colon of Greener City Groups, Inc. for the approval of a final plat of Lots 1-14, Block 1, Shady Dale Estates Addition being a 4.32-acre tract of land identified as Tracts 4-13 & 4-14 of the Edward Teal Survey, Abstract 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for Single Family Residential uses, located east of the intersection of Ridge Road [FM-740] and Shady Dale Lane, and take any action necessary.

p.114 **11.** **P2013-043** - Consider a request by Mushtak Khatri of the Tabani Group on behalf of T. Rockwall Phase 2, LLC for the approval of a final plat for Lot 5, Block A, Rockwall Commons Addition being a 3.802-acre parcel of land currently recognized as a one (1) acre parcel of land identified as Lot 1, Block 1, Independent Community Financial Corporation Addition and a 2.802-acre tract of land identified as Tract 6-2 of the B. J. T. Lewis Survey, Abstract No. 255 and the D. Atkins Survey, Abstract No. 1, both properties being zoned Planned Development District 1 (PD-1) for mixed use development, generally located on Ridge Road [FM-740] south of Summit Ridge Drive, and take any action necessary.

p.120 **12.** **P2013-044** - Consider a request by Jay Bedford of the A. J. Bedford Group, Inc. on behalf of BDC Family Limited Partnership for the approval of a replat for Lot 13, Block 1, Rockwall Centre Corners Addition being a 2.644-acre parcel of land currently identified as Lot 12, Block 1, Rockwall Centre Corners Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, the SH-205 (SH-205 OV) District and SH-276 (SH-276) District, and located at the northeast corner of the intersection of S. Goliad Street (SH-205) and SH-276, and take any action necessary.

IX. APPOINTMENTS

p.126 **1.** Appointment with Rob Dixon of Hill & Wilkinson, General Contractors, and Michael Black with la terra studio, to hear and discuss a progress update of the Downtown Improvements Project, including the engineering and construction plans status for phase two, and take any action necessary.

2. Appointment with Freddie Jackson and representatives of the Southside Residential Overlay District to discuss zoning procedures, and take any action necessary.

X. ACTION ITEMS

p.128 **1.** **Z2013-035** - Discuss and consider approval of an **ordinance** for a request by J. D. Jacobs, Jr. for the approval of a zoning change from Single Family 7 (SF-7) District to a Residential-Office (RO) District for a 0.661-acre tract of land identified as a portion of Lot 3 and all of Lot 4, Block G, Sanger Addition, Rockwall, Rockwall County, Texas, located east of the intersection of Peters Colony Drive and E. Bourn Street, and take any action necessary **(2nd Reading).**

p.140 **2.** Discuss and consider the city's process associated with proposed zoning change notifications, and take any action necessary.

p.168 **3.** Discuss and consider approval of an **ordinance** amending Chapter 22, Article II of the City's Code of Ordinances to establish Section 22.71 regulating the purchase, sale, offer to sell, and ingestion of any e-cigarette smoking product to or by any minor, and take any action necessary. **(2nd reading)**

p.173 **4.** Discuss and consider approval of an ordinance amending the Code of Ordinances in Chapter 32 Signs, Article III. Regulations and Requirements, Division 3. Functional Standards, Section 32-233. Changeable Electronic Variable Message Signs (CEVMs) to repeal this section in its entirety and provide for a new section 32-233, and take any action necessary. **(2nd reading)**

p.177 **5.** Discuss and consider an ordinance amending the city's Code of Ordinances in Chapter 10. Buildings and Building Regulations, Article XIII. Dangerous Buildings, Section 10-537. Procedure When Owner Fails to Comply to amend the minimum waiting period associated with the City conducting a building demolition, and take any necessary action. **(1st reading)**

p.182 **6.** Discuss and consider citywide recycling program, including possible survey of residents regarding the program and associated monthly fee, and take any action necessary.

p.184 **7.** Discuss and consider appointments to the city's Art Review Team (ART) Commission, and take any action necessary.

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

1. Discussion regarding recent employment action taken pursuant to Section § 551.074 (Personnel Matters)

2. Discussion regarding land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

3. Discussion regarding the city's Fixed Based Operator airport agreement pursuant to Section § 551.071 (Consultation with Attorney)

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

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

XIII. ADJOURNMENT

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

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

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 17th day of January, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

MINUTES
ROCKWALL CITY COUNCIL
Monday, January 06, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

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

Mayor Sweet read the below listed items into the public record before recessing the meeting into Executive Session at 4:01 p.m.

II. EXECUTIVE SESSION.

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

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Fire Department Pension Board pursuant to Section §551.074 (personnel matters)

III. ADJOURN EXECUTIVE SESSION

The Council adjourned from Executive Session at 4:25 p.m.

MINUTES
ROCKWALL CITY COUNCIL
Monday, January 06, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

Mayor Sweet reconvened the public meeting at 6:00 p.m. All council members except for Councilman Jim Pruitt were present.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem White made a motion to appoint Bennie Daniels to serve on the Fire Department Pension Board. Councilmember Lewis seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TOWNSEND

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

VII. OPEN FORUM

Mayor Sweet explained how Open Forum is conducted and then asked if anyone in the audience would like to come forth to address the Council at this time.

Joe Robbins
805 Peters Colony
Rockwall, TX

Mr. Robbins expressed that he is transferring his pastor role to a younger pastor. He indicated he is also concerned about the rezoning that has been proposed in the Southside community. He shared that he is located next door to the subject property and did not receive a letter notifying him of the proposed zoning change. He is not in favor of a commercial office building being placed on this piece of property.

Freddie Jackson
1812 Bristol Lane
Rockwall, TX 75032

Mr. Jackson thanked the city council and city officials for coming out and supporting the community in their loss of Mr. Sam Buffington. He then indicated that the community itself is opposed to this proposed zoning change in the Southside. He expressed that they want to see that piece of property zoned for residential homes instead of an office building. He shared that a lot of the residents have indicated to him that they did not receive a notice of this proposed zoning change. He would like the council to postpone this item or send it back to the Planning & Zoning Commission for further investigation at this time.

Judith Matherne
1115 Signal Ridge Place
Rockwall, TX 75032

Mrs. Matherne indicated that she has been a resident of Rockwall for a long time, and she is also a friend of the late Sam Buffington. She expressed she agrees with Mr. Jackson in that the community needs to remain residential. She spoke on behalf of the community asking the council to reconsider approving this zoning change request for office space.

Leslie Milder
830 Shores Boulevard
Rockwall, TX

Mrs. Milder generally indicated that she would like to speak in favor of the agenda item related to prohibiting the sale of e-cigarettes to minors in the Rockwall community. She expressed that she is a former teacher and has background knowledge in child psychology, so she understands the questionable ability of adolescents to make good choices for themselves. She is in favor of free enterprise, but not at the expense of kids. She generally expressed the belief that banning the sale of these products to minors will aid in keeping Rockwall as a great place to raise children and families.

Etta Anderson
Pastor, St. Paul AME Church
805 Peters Colony
Rockwall, TX

Ms. Anderson indicated that she is the new pastor of this church. She generally expressed that she is in opposition of the proposed zoning change which changes the property to commercial office space. She is only in favor of it being zoned as residential. She asked the council to either postpone approval of this item or otherwise allow time for it to be reconsidered.

Tony Rios
(no address provided)

Mr. Rios indicated that years ago (in 1995), he met with Mr. Buffington and Pastor Robbins. During that time period, the Southside Neighborhood Coalition, a 501c3, non-profit organization, was created in order to preserve the Southside Community. He generally urged the council to consider delaying the decision regarding rezoning this property because he would like to see it preserved for residential use.

Dr. Barbara Montgomery
205 Clark Street
Rockwall, TX

Dr. Montgomery indicated she would like to speak on behalf of the late Sam Buffington. She indicated she was an honorary member of the Southside Coalition, and she worked with other members in the community to protect and preserve the Southside community. She believes that an Overlay District that was created years ago would protect the Southside community and preserve it as residential. She urged the council to revisit the

Overlay District regulations. She also indicated that a lot of people in the community did not receive a notice about this proposed rezoning.

Reverend Warren Daniels
New Caldonia Baptist Church
301 East Bourn

Reverend Daniels indicated he would like the proposed zoning to be kept "as is" and not changed to commercial office.

J.D. Jacobs
5961 Connie Lane
Rockwall, TX

Mr. Jacobs thanked the Mayor and Council for their time. He indicated that he has a residence in Rockwall and has had it since 1969. He has raised a family in Rockwall. He stated that he was the original Chairman of the Southside Coalition when it started. In the past, he has worked in the New Caldonia Church and St. Paul church building cabinets and donating his time. He has also previously served for three-and-a-half years on the city's Planning and Zoning Commission and the Rockwall Housing Development Board for three years. He was previously instrumental in getting grants to help build homes in the Southside area. He clarified that he is requesting the zoning on this piece of property for "residential office," which is different than "commercial" or "industrial" zoning. He thinks it may be helpful if there were more clarification provided, perhaps by staff, to more clearly define the "residential office" zoning designation. He indicated that this item has been up before the city for public hearing twice. He cares about the Southside community and is trying to increase the property values.

Nell Wellborn
810 Lake Meadows Circle
Rockwall, TX

Mrs. Wellborn indicated she is speaking about Z2013-035. She shared that for many years, residents in this neighborhood have depended on Sam Buffington and that during his illness and subsequent passing, perhaps some things fell to the way side. Mrs. Welborn stated that there is obviously some level of confusion or misunderstanding regarding this matter. Also, some residents have indicated that they did not receive notices on this proposed zoning change. She asked the Council to consider delaying the second reading of this ordinance in order to allow some additional community input regarding this topic. If this is not possible, she asked if there is some way that this item can be remanded back to the Planning & Zoning Commission for another public hearing without it being too disruptive to Mr. Jacobs who is requesting the zoning change.

There being no one else wishing to come forth and speak during Open Forum, Mayor Sweet then closed Open Forum.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the December 16, 2013 regular city council meeting, and take any action necessary.

2. **Z2013-032** - Consider approval of an **ordinance** for a request by Andrea Holliman for the approval of a Specific Use Permit to allow an antiques/collectibles and general retail store in Planned Development District 50 (PD-50) for a 0.47-acre parcel of land identified as a portion of Lot 1 of the W. D. Austin Addition, Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District and the North SH 205 Corridor Overlay (N-SH 205 OV) District, addressed as 904 N. Goliad Street, and take any action necessary **(2nd Reading)**.

3. **Z2013-033** - Consider approval of an **ordinance** for a request by Kristin and Joshua Whitaker for the approval of a Specific Use Permit for an accessory building that does not conform to the material requirements as specified for a property in a Single-Family Estate 1.5 (SFE-1.5) District on a 1.5-acre parcel of land identified as Lot 17, Block B, Sterling Farms Addition, Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, located at 1970 Copper Ridge Circle, and take any action necessary **(2nd Reading)**.

4. **Z2013-035** - Consider approval of an **ordinance** for a request by J. D. Jacobs, Jr. for the approval of a zoning change from Single Family 7 (SF-7) District to a Residential-Office (RO) District for a 0.661-acre tract of land identified as a portion of Lot 3 and all of Lot 4, Block G, Sanger Addition, Rockwall, Rockwall County, Texas, located east of the intersection of Peters Colony Drive and E. Bourn Street, and take any action necessary **(2nd Reading)**.

5. Consider authorizing the City Manager to execute a contract with Cambridge Fence Co. for a gate construction project at Tuttle Park in the amount of $13,998.00 to be funded from the Recreation Development Fund, and take any action necessary.

Mayor Pro Tem White pulled Consent Agenda item #4.

Mayor Pro Tem White then made a motion to approve the remaining Consent Agenda items (#1, 2, 3, and 5). Councilmember Daniels seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-01
SPECIFIC USE PERMIT NO. S-117

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN PLANNED DEVELOPMENT DISTRICT 50 (PD-50) ALLOWING FOR AN ANTIQUES/COLLECTIBLES AND GENERAL RETAIL STORE, THE SUBJECT PROPERTY IS LOCATED AT 904 N. GOLIAD STREET, BEING A PARCEL OF LAND DESCRIBED AS LOT 1 OF THE W. D. AUSTIN ADDITION, ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 14-02
SPECIFIC USE PERMIT NO. S-118

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN THE SINGLE-FAMILY ESTATE (SF-E/1.5) DISTRICT ALLOWING FOR AN ACCESSORY BUILDING NOT MEETING THE EXTERIOR CLADDING REQUIREMENTS, ON THE PROPERTY LOCATED AT 1970 COPPER RIDGE CIRCLE, BEING A 1.5 ACRE PARCEL OF LAND DESCRIBED AS LOT 17, BLOCK B, STERLING FARMS ADDITION, CITY AND COUNTY OF ROCKWALL, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

Mayor Pro Tem White made a motion to table Consent Agenda item #4 for at least two weeks. During that time, he asked Mr. Jacobs to please meet with members of the Southside community to plead his case with residents and representatives in that community and try to address any concerns or potential misconceptions concerning the proposed zoning change. Councilmember Lewis seconded the motion.

Councilmember Daniels facilitated a brief discussion related to notices that were sent out regarding the Z2013-035 rezoning proposal. Planning Director Robert LaCroix indicated that about twenty-five notices were sent out to property owners within two-hundred feet of the subject property. He clarified that if residents in that notification area rent their homes, they may not have received the notice, as, again, it is sent out to only property owners in accordance with the law. He also indicated that a notice in the form of an actual sign posted on the property was also posted at least ten days prior to the Planning & Zoning public hearing, and that this type of sign stays posted on the property until substantially after the second hearing of the ordinance has taken place. All in all, it has been posted for about a four week period.

Councilmember Daniels expressed concern about the oppositions just now coming forth in the last couple of days, despite the fact that this topic has already gone substantially through the process at this point.

Mayor Sweet spoke, generally indicating that he will be placing an agenda item on the next council agenda to revisit notices related to zoning changes, including the distance associated with the notifications, the signage requirements, and other provisions.

The motion passed unanimously by a vote of 6 in favor with 1 absent (Pruitt).

IX. APPOINTMENTS

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

Mr. LaCroix indicated that the chairman had no additional information to share with the council this evening. The council did not discuss this item, nor was any action taken.

2. Appointment with representative(s) of the American Heart Association to request waiver of Harbor related fees for the 4th annual Heart Chase event to be held in September 2014 at The Harbor, and take any action necessary.

Dr. Kirk Pfleiger came forth and indicated that he represents the American Heart Association. He thanked the city council for their support of this event in the past. He stated that the event will be held in September this year, so hopefully it will be much cooler. He asked the council to please consider waiving the Harbor related fees again this year.

Councilmember Lewis made a motion to waive the Harbor-related fees with the understanding that the American Heart Association will still be responsible for the custodial portion of any fees associated with renting the Harbor for this event. Mayor Pro Tem White seconded the motion. He asked Dr. Pfleiger if this is a totally local event, or if people from outside of Rockwall come to stay the night in local hotels as a result of this event. Dr. Pfleiger indicated that it does attract people from Rowlett and other cities, and it does result in some overnight stays in hotels. Mayor Pro Tem White indicated that the city has hotel/motel tax funds that it collects in order to assist with events that help attract outsiders into Rockwall. He asked Dr. Pfleiger to speak with staff about the possibility of utilizing hotel/motel tax funding for requests such associated with the Heart Chase event in the future.

Councilmember Lewis clarified his motion to approve waiver of the Harbor-related fees with the exception of custodial fees and with the understanding that next year, event planners will consult with staff to see if the event will qualify for hotel / motel tax funding to take care of the Harbor fees. Mayor Pro Tem White asked that the motion be amended and restated once more to stipulate that if the event qualifies for hotel / motel funding this year, that those types of funds be utilized for this year's event. Councilmember Lewis agreed to this stipulation in his motion. Mayor Pro Tem White seconded it, which passed by a vote of 6 ayes with 1 absent (Pruitt).

3. Appointment with Rick Bernas of Republic Waste to hear update regarding debris clean-up efforts associated with the recent ice-related severe weather event, and take any action necessary.

Mr. Bernas came forth and provided an update on the clean up efforts associated with the recent ice storm in December. He indicated that on an average week, about 85 tons of debris is collected. In the last three weeks, they have collected 931 tons and 233 loads. About ¾ of the city is completed at this time. On about January 27, they expect to be back on a normal routine and pick up schedule. In summary, about 3 months worth of volume has been collected in the last three weeks since the recent, December ice storm occurred.

Mayor Sweet and Mayor Pro Tem White thanked Republic for their work on these clean up efforts over the last several weeks.

X. ACTION ITEMS

1. **A2013-001**- Discuss and consider approval of an **ordinance** for a City initiated request to annex land in accordance with previously approved Chapter 212 Texas Local Government Code Development Agreements, specifically for four (4) tracts of land comprising approximately 42.482-acres of land situated in the W. W. Ford Survey, Abstract No. 80 and J.

W. Pitman Survey, Abstract No. 181 and generally located contiguous to the existing city limits line west of SH-205 (S. Goliad Street) and south of FM-549 and specifically described as follows: (1)Tract 17-14 of the W. W. Ford Survey, Abstract No. 80 being 12.493-acres, (2) Tract 40 of the W. W. Ford Survey, Abstract No. 80 being 8.989-acres, (3) Tract 40-1 of the W. W. Ford Survey, Abstract No. 80 being 1-acre, (4) Tract 1-4 of the J. W. Pitman Survey, Abstract No. 181 being 20-acres. **(1st Reading)**

Planning Director Robert LaCroix provided background information related to this agenda item. He indicated that these are voluntary annexations related to property owners who did not wish to renew their 212 agreements upon their 3 year term expiration and therefore would now like to be annexed into the city. Two public hearings were held on December 2, 2013, and all legal requirements have been adhered to. Included with the ordinance is the service plan that speaks about the city services that will be extended to the area upon annexation. Should the council approve this upon 1st reading tonight, second reading will take place on January 21st.

Mayor Pro Tem White made a motion to approve the annexations associated with A2013-001. Councilmember Townsend seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 42.482-ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

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

2. Discuss and consider approval of an **ordinance** amending Chapter 22, Article II of the City's Code of Ordinances to establish Section 22.71 regulating the possession purchase, sale, offer to sell, and ingestion of any e-cigarette smoking product to or by any minor, and take any action necessary. **(1st reading)**

Councilmember Milder explained that it is currently legal in our city for any minor to walk into a store and purchase these sorts of products. Councilmember Milder then made a motion to approve the ordinance, clarifying that the prohibition would apply to any product with or without nicotine. Councilmember Townsend seconded the motion.

Councilmember Townsend then asked for clarification regarding a portion of the ordinance where it speaks about a minor "purchasing "and "attempting to purchase" these sorts of products. He asked if "attempting to purchase" would be a violation under this ordinance, expressing some concern regarding enforceability of such provision. Also, Councilmember Townsend asked for clarification regarding a minor being in possession of these sorts of products. He wondered, for example, if the minor purchases the product in Garland and then enters Rockwall, will that minor be in violation of the ordinance?

Councilmember Milder indicated that he would like to leave out the "attempt to purchase" and "possession" aspects of the draft ordinance upon approval.

After input from Mr. Garza, City Attorney, Councilmember Milder clarified and restated his original motion, calling for approval of the ordinance with the understanding that Section 22.71 (b) (2) will be amended to eliminate "attempt to purchase or possess" from the final ordinance prior to second reading. Councilmember Townsend seconded the amended motion.

Councilmember Lewis clarified with the city attorney that the fine for violation of this ordinance is set at $500 and that this fine would apply to both the person selling the product to a minor and to any minor purchasing such product.

Both Councilmember Lewis and Mayor Sweet expressed that they are thankful the previously discussed moratorium on businesses selling this products did not come to fruition. Mayor Sweet indicated that he shares Councilman Milder's concerns with regards to these types of products being sold to minors.

Police Chief Mark Moeller indicated he believes his staff will be able to work with the Neighborhood Improvement Services Department on enforcement of this ordinance.

CITY OF ROCKWALL
ORDINANCE NO. 14-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CITY CODE OF ORDINANCES TO ESTABLISH CHAPTER 22, ARTICLE II. OFFENSES REGARDING MINORS, SECTION 22-71. PURCHASE BY MINOR OF E-CIGARETTES, REGULATING THE PURCHASE, SALE, OFFER TO SELL, AND INGESTION OF ANY E-CIGARETTE SMOKING PRODUCT TO OR BY ANY MINOR; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The motion passed by a vote of 5 in favor, 1 against (White), and 1 absent (Pruitt).

3. Discuss and consider amending the Volunteer Coach's Eligibility Policy and take any action necessary.

Andy Hesser, Parks & Recreation Manager, came forth and indicated that there were a couple of outstanding issues which warranted further exploration on the part of staff as a result of the December 16 council meeting. Mr. Hesser indicated that the Park Board had previously recommended that the 'appeal board' be comprised of the city's Police Chief, the Municipal Court Judge, and three individuals from the city's Park Board. City Attorney Frank Garza indicated that he has reviewed this proposed make-up and is recommending the council consider having the Municipal Court Judge, who is appointed by the council, only serve on the appeal board in an advisory / non-voting capacity.

Regarding waiting periods associated with various types of past crimes which may come before the appeal board for consideration, Mr. Hesser indicated that staff will need direction from Council on this if the periods which have been proposed are in need of modification.

Mayor Pro Tem White made a motion to approve the amended Volunteer Coach's Eligibility Policy. Councilmember Lewis seconded the motion.

Discussion ensued regarding modifying some of the waiting period timeframes. Councilmember Townsend indicated he would like to see 3, 5 and 7 year waiting periods

in the policy in lieu of the proposed 3, 7 and 10. Brief, additional discussion took place related to the various timeframes, but no subsequent motion was made to change the draft policy as presented.

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

4. Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 32 Signs, Article III. Regulations and Requirements, Division 3. Functional Standards, Section 32-233. Changeable Electronic Variable Message Signs (CEVMs) to repeal this section in its entirety and provide for a new section 32-233, and take any action necessary. **(1st reading)**

Supervisor of Neighborhood Improvement Services (NIS), Cliff Griffin, came forth and offered background information related to this agenda item. Mr. Griffin indicated that staff has researched the brightness of these types of signs. Only about two to three companies in the United States manufacture the type of signs, and staff has spoken with these sign companies to verify that adjustments can be made to affect the brightness level of these signs without hindering the full effectiveness of the signs for the businesses who use them.

Councilmember Lewis asked how bright the Hyundai sign has been when staff measured it. Mr. Griffin indicated when staff measured it during daytime hours, it was at 7450 NITS. One night when staff measured it, it was over 6000 NITS, and it was on a night when the sign was not functioning properly. He stated that he measured this sign one night recently, and it was at 132 NITS. At that level, it was still totally visible at night.

After the discussion, Councilmember Lewis made a motion to approve the ordinance. Councilmember Milder seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-xx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 32 SIGNS, ARTICLE III REGULATIONS AND REQUIREMENTS, DIVISION 3. FUNCTIONAL STANDARDS, SECTION 32-233. CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS (CEVM) TO REPEAL THIS SECTION IN ITS ENTIRETY AND PROVIDE FOR A NEW SECTION 32-233; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

The motion passed by a vote of 5 in favor, 1 against (White), and 1 absent (Pruitt).

5. Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 32 Signs, Article III. Regulations and Requirements, Division 2. Structural Standards, Section 32-204. Wall Signs and Division 6. Specific Sign Regulations, Section 32-306. Wall Signs to eliminate certain provisions regarding wall sign height, and take any action necessary. **(1st reading)**

Cliff Griffin of the Neighborhood Improvement Services Department provided brief comments related to this proposed ordinance. Councilmember Townsend made a motion to approve the ordinance. Councilmember Milder seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-xx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 32 SIGNS, ARTICLE III REGULATIONS AND REQUIREMENTS, DIVISION 2. STRUCTURAL STANDARDS, SECTION 32-204. WALL SIGNS AND DIVISION 6. SPECIFIC SIGN REGULATIONS, SECTION 32-306. WALL SIGNS TO ELIMINATE CERTAIN PROVISIONS REGARDING WALL SIGN HEIGHT; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

6. Discuss and consider appointments to the city's Main Street Advisory Board, and take any action necessary.

Mayor Sweet made a motion to reappoint Michael Adrian to the Main Street Advisory Board for a two-year term to expire in January 2016 and to appoint Jessica Kovar to replace Chris Cameron on the MSAB for a two-year term expiring in January 2016. Mayor Pro Tem White seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

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

1. Departmental Reports
Building Inspections Monthly Report - November 2013
Fire Department Monthly Report - November 2013
Harbor PD Monthly Report - November 2013
Internal Operations Department Monthly Report - November 2013
Police Department Monthly Report - November 2013
Recreation Monthly Report - November 2013

2. City Manager's Report

City Manager Rick Crowley shared that the city's bond rating with Standard and Poors recently improved from AA- to AA+, which is a two-step improvement for the city. An update from the Construction Manager at Risk related to the downtown improvements project is forthcoming soon, likely at the next council meeting. The Trend Tower construction is progressing and meetings will be held next week regarding "finish out" of the building. The city's annual audit being conducted by Rutledge and Crain is currently underway. Assistant City Manager Brad Griggs provided a brief update to the council regarding the status of a "facilities use agreement" with Lakepointe Church regarding sports playing fields use. Mr. Griggs indicated that staff has worked out this agreement to facilitate the church's youth baseball program. It has been approved by the church and will go to the Park Board for approval tomorrow. It will then be brought to the council for approval in two weeks. It is designed to meet the church's needs and the city's needs. It is a five year agreement. Mr. Crowley then briefly updated the council on various, upcoming events and associated dates that the Council may have an interest in attending.

Mayor Sweet adjourned the meeting at 7:21 p.m.

XII. EXECUTIVE SESSION

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

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Fire Department Pension Board pursuant to Section §551.074 (personnel matters)

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

The Council did not reconvene into Executive Session following the close of the public meeting. Please see the start of the 6:00 p.m. public meeting above for action taken as a result of the first Executive Session.

XIV. ADJOURNMENT

The meeting was adjourned at 7:21 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of January, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Kristy Ashberry, City Secretary

DATE: January 17, 2014

SUBJECT: General Election Contract with Rockwall County Elections Administrator

Included for council consideration is a joint election agreement between the City of Rockwall, Rockwall County and the Rockwall Independent School District. This contract has been reviewed and approved by our City Attorney. Staff recommends approval of each of these items.

May 10, 2014

General Election

Contract for Election Services

Elections Administrator of Rockwall County
and
City of Rockwall
and
Rockwall Independent School District

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May 10, 2014

General Election

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IV ..... General Provisions

Exhibits

Exhibit A .....Early Voting Schedule and Polling Locations
Exhibit B .....Election Day Schedule and Polling Locations
Exhibit C ……..Cost of Services
Exhibit D…….Joint Election Agreement

STATE OF TEXAS
COUNTY OF ROCKWALL
CITY OF ROCKWALL
ROCKWALL INDEPENDENT SCHOOL DISTRICT

CONTRACT FOR ELECTION SERVICES

BY THE TERMS OF THIS CONTRACT made and entered into by and between the **CITY OF ROCKWALL** (the "City"), the **ROCKWALL INDEPENDENT SCHOOL DISTRICT** (the "School District") and the **ELECTIONS ADMINISTRATOR OF ROCKWALL COUNTY** (the "EA"), pursuant to the authority in Subchapter D, Section 31.092, of Chapter 31, of the Texas Election Code, agree to the following particulars in regard to coordination, supervision and running of the City's General Election and the School District's General Election to be held on May 10, 2014.

THIS AGREEMENT is entered into in consideration of the mutual covenants and promises hereinafter set out. IT IS AGREED AS FOLLOWS:

I. **PRINCIPAL DUTIES AND SERVICES OF THE EA**. The EA shall be responsible for performing the following duties and shall furnish the following services and equipment:

A. The EA shall arrange for appointment, notification (including writ of election), training and compensation of all presiding judges, alternate judges, the judge of the Tabulation Room and judge of the Early Voting Balloting Board.

1. The EA shall be responsible for notification of each Election day and Early Voting presiding judge and alternate judge of his or her appointment. The EA recommends providing up to six (6) election workers including alternate judges, clerks and interpreters. The presiding election judge of each polling place, however, will use his/her discretion to determine the working hours of the election workers during normal and peak voting hours. The EA will determine the number of clerks to work in the Tabulation Room and the number of clerks to work on the Balloting Board.

2. Election judges (including Presiding and Alternate) shall attend the EA's school of instruction (Elections Seminar) to be held on a date determined by the EA. The Elections Seminar shall provide training in standard procedures as set forth by the Secretary of State and will also include training on the ES&S Model 100 Precinct Ballot Scanners, the ES&S Ivotronic ADA voting machines and the ADA headphones.

3. Election judges shall be responsible for picking up from and returning election supplies to the Rockwall County Election Administrator's office located at 107 E. Kaufman, Rockwall, Texas. Compensation for this pickup and delivery of supplies will be $25.00.

4. The EA shall compensate each election judge, alternate judge, clerk and interpreter. Each election judge and interpreter shall receive $12.00 per hour for services rendered. Each alternate judge and clerk shall receive $10.00 per hour for services rendered. The expenses shall be shared equally pursuant to the Joint Election Agreement as

shown in Exhibit “D” attached and incorporated by reference into this contract.

B. The EA shall procure, prepare, and distribute voting machines, election kits and election supplies.

1. The EA shall secure election kits which include the legal documentation required to hold an election and all supplies including locks, pens, magic markers, etc.

2. The EA shall secure all tables, chairs, and legal documentation required to run the Tabulation Room.

3. The EA shall provide all lists of registered voters required for use on election day and for the early voting period required by law. The Election Day List of registered voters shall be arranged in alphabetical order by polling place.

4. The EA shall procure and arrange for the distribution of all election equipment and supplies required to hold an election. Equipment includes the rental of ES&S Model 100 Precinct Ballot Scanners, ES&S Ivotronic ADA voting machines, ADA headphones, transfer cases, voting signs and supply bags.

5. The EA shall take reasonable measurers to ensure that the voting Systems and election equipment are in working order and comply with applicable laws and regulations.

C. The EA shall be appointed as the Early Voting Clerk by the City and School District.

1. The EA shall supervise and conduct early voting by mail and in person and shall secure personnel to serve as Early Voting Deputies.

2. Early Voting by personal appearance for the City’s General Election and School District’s General Election held on May 10, 2014 shall be conducted during the time period and at the locations listed in Exhibit “A”, attached and incorporated by reference into , this contract.

3. All applications for an Early Voting mail ballot shall be received and processed by the Rockwall County Elections Administrator’s office located at 107 E. Kaufman, Rockwall, Texas 75087.

(a) Applications for mail ballots erroneously mailed to the City or School District shall immediately be faxed to the EA for timely processing. The original application shall then be forwarded to the EA for proper retention.

(b) All Federal Post Card Applicants (FPCA) will be sent a mail ballot. No postage is required.

4. All Early Voting ballots (those cast by mail and those cast by personal appearance) shall be prepared for count by the Early Voting Ballot Board in accordance with Section 87.000 of the Texas Election Code. The presiding judge of this Board shall be appointed by the EA. The Board shall meet for preparation of the early voting ballots at a time agreed to between the EA and the Early Voting Ballot Board Judge.

D. The EA shall arrange for the use of all election day polling places. The City and School District shall each assume the responsibility of incurring and absorbing the cost of its employees required to provide access, security and/or custodial services for the polling locations pursuant to a Joint Election Agreement as shown in Exhibit "D" attached and incorporated by reference into this contract. The election day polling locations are listed in Exhibit "B", attached and incorporated by reference into this contract.

E. The EA shall be responsible for establishing and operating the Tabulation Room to receive the ES&S Ivotronic Flashcards and the ES&S Model 100 PCMIA memory cards.

1. The EA shall prepare, test and run the County's Tabulation System in accordance with the statutory requirements.

2. The Public Logic and Accuracy Test of the electronic voting system shall be conducted by the EA and notice of the date shall be posted in local newspapers.

3. The EA shall cause to be published in the local newspapers the required notices including notices of early voting locations, election day voting locations, and tabulation testing.

4. Election night reports will be available to the City and School District after tabulation is completed. Provisional ballots will be tabulated after election night in accordance with the law.

5. The EA shall prepare the unofficial canvass report after all precincts have been counted, and will provide a copy of the unofficial canvass to the City and School District as soon as possible after all returns have been tallied.

6. The EA shall conduct a manual count as prescribed by Section 127.201 of the Texas Election Code and submit a written report to the City and School District in a timely manner. Unless waived by the Secretary of State, if applicable, a written report shall be submitted to the Secretary of State as required by Section 127.201(e) of the aforementioned code.

F. The EA shall be appointed to serve as the Central Counting Station Manager and Tabulation Supervisor by the City and School District.

II. PRINCIPAL DUTIES AND SERVICES OF THE CITY AND SCHOOL DISTRICT. Each entity shall assume the following responsibilities:

A. The City and School District shall prepare the election orders, resolutions, notices, official canvass and other pertinent documents for adoption by the appropriate office or body.

B. The City and School District shall provide the EA with an updated map and street index of its jurisdictions in an electronic or printed format as soon as possible.

C. The City and School District shall design and provide the EA with the ballot layout and Spanish interpretation in an electronic format.

D. The City and School District shall cause to be published in the local newspapers the required notice of election.

1. The City and School District shall deliver to the EA as soon as possible the official wording of the ballot for the City's General Election and School District's General Election to be held on May 10, 2014.

2. The City and School District shall approve the ballot format prior to the final printing.

E. The City, School District and the EA shall determine the number of ballots to be purchased.

F. The City and School District shall compensate the EA for any additional verified cost incurred in the process of running this election or for a manual count of this election, if required, consistent with charges and rates shown on Exhibit "C" for required services. These costs will be invoiced for reimbursement.

G. The City and School District shall reimburse Rockwall County for its portion of the printing costs of any and all related materials for ballots, early voting, election day voting, election kits, and for the ES&S Model 100 Precinct Ballot Scanner and ES&S ADA Ivotronic voting machines pursuant to a Joint Election Agreement as shown in Exhibit "D" attached and incorporated by reference into this contract.

H. The City and School District shall reimburse Rockwall County for its portion of the rental of all electronic voting equipment, including Model 100 Precinct Ballot Scanners and ADA Ivotronic voting machines, compliance headphones, PEBs, flash cards, PCMIA cards and any other equipment required to complete the counting of votes pursuant to a Joint Election Agreement as shown in Exhibit "D" attached and incorporated by refrence into this contract.

I. The City and School District shall each reimburse the EA for an administrative fee not to exceed ten percent (10%) of the City and School District's portion of the total cost of the election.

J. The City and School District shall each deposit its share of the election costs as set forth on Exhibit “C”. The check is to be made payable to Rockwall County and delivered to the EA. The final costs of the election along with the ten percent (10%) administration fee will be prepared on a format similar to Exhibit “C” and the invoice along with any supporting documentation shall be delivered by the EA. The invoice is due and payable 30 days after receipt by the City and School District.

K. The City and School District, in the event of a contested election, agrees to provide competent legal counsel and representation for the EA and her staff, covering any and all legal fees and costs as a result of this elections process.

L. The City and School District, in the event of a recount, agrees to reimburse any expenses incurred by the EA’s office not covered by the charges assessed to the person requesting the recount. This would include, but not be limited to the compensation costs of any Rockwall County Election personnel required to work beyond regular office hours in order to conduct said recount of this election. The recount shall take places in the EA’s office and the EA’s office shall assist the Recount Supervisor and/or the Recount Coordinator in the completion of the recount.

M. The EA shall be the custodian of the voted ballots and shall retain all election materials for a period of 6 months.

N. The City and School District shall prepare and submit to the U.S. Department of Justice under the Federal Voting Rights Act of 1965, any required submissions on voting changes.

III. COST OF SERVICES. See Exhibit "C."

A. The City and School District shall share equally in the expense of conducting early voting and election day voting pursuant to a Joint Election Agreement as shown in Exhibit “D” attached incorporated by reference into this contract.

B. The cost of site support by Third Party Contractors shall be shared equally by the City and School District pursuant to a Joint Election Agreement as shown in Exhibit “D” attached and incorporated by reference into this contract.

IV. GENERAL PROVISIONS.

A. To the extent permitted by law, the City and School District agree to save and hold harmless the EA from any and all claims arising out of the failure or omission of the City or School District to perform its obligations under this contract.

B. To the extent permitted bylaw, the EA agrees to save and hold harmless the City and School District from any all claims arising out of the failure or omission of the County and the EA to perform their obligations under this contract.

C. Nothing contained in this agreement shall constitute a waiver of immunity from Tort liability by either party or an agreement to assume any liabilities of one party for which the other party would be entitiled to claim immunity.

D. Nothing contained in this contract shall authorize or permit a change in the officer with whom or the place at which any document or record relating to the City's General Election or School District's General Election held on May 10, 2014 is to be filed or the place at which any function is to be carried out, or any nontransferable functions specified under Section 31.096 of the Texas Election Code.

E. Upon request, the EA shall provide copies of all invoices, cost reports and other charges incurred in the process of running said election for the City and School District.

F. The EA shall file copies of this contract with the County Auditor and the County Treasurer of Rockwall County, Texas.

G. The City and School District shall enter into a Joint Election Agreement as shown in Exhibit "D" attached and incorporated by reference into this contract.

H. If the City and/or School District cancels their election pursuant to Section 2.053 of the Texas Election Code, the EA shall be paid a contract preparation fee of $75.00. The City and School District will not be liable for any further costs incurred by the EA in conducting the May 10, 2014 Election.

I. This Agreement contains the entire agreement of the parties to the rights herein granted and the obligations herein assumed and supersedes all prior agreements, including prior election services contracts relating to each Entity's May 2014 election. Any prior agreements, promises, negotiations, or representations not expressly contained in this Agreement are of no force and effect. Any oral representations or modifications concerning this Agreement shall be of no force or effect, excepting a subsequent modification in writing as provided herein.

J. Should any part of this Agreement conflict with any state or federal law or regulation, the law or regulation shall prevail. Further the invalidity or unenforceability of any particular provision of this Agreement shall not affect the other provisions hereof, and this Agreement shall be construed in all respects as if such invalid or unenforceable provision were omitted.

K. Except as otherwise provided, this Agreement may not be amended, modified, or changed in any respect whatsoever, except by a further Agreement in writing, duly executed by the parties hereto. No official, representative, agent or employee of any Participating Entity has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the governing body of the respective Participating Entity.

L. This Agreement may be executed in multiple counterparts, all of which shall be deemed originals and with the same effect as if all parties hereto had signed the same document. All of such counterparts shall be construed together and shall constitute one and the same Agreement.

WITNESS BY MY HAND THIS _____ DAY OF _____, 2014.

Glenda Denton, Elections Administrator
Rockwall County, Texas

Rick Crowley, City Manager
City of Rockwall, Texas

ATTEST:

Kristy Ashberry, City Secretary

Jeff Bailey, Superintendent
Rockwall Independent School District

ATTEST:

Secretary

EXHIBIT "A"
EARLY VOTING LOCATIONS & HOURS
FOR GENERAL ELECTION
(votacion anticipada horarios y ubicaciones para elecciones generales)

May 10, 2014
(10 de mayo de 2014)

POLLING PLACE (lugar de votacion)	LOCATION & ADDRESS (lugar y direccion)	CITY (ciudad)
FATE	FATE COMMUNITY CENTER (centro de comunidad del fate) 104 S. W E CRAWFORD	FATE
HEATH	HEATH CITY HALL (ciudad pasillo de heath) 200 LAURENCE	HEATH
McLENDON-CHISHOLM	CHISHOLM BAPTIST CHURCH (iglesia Bautista de Chisholm) 1388 S. HWY 205	McLENDON-CHISHOLM
ROCKWALL	ELECTIONS OFFICE (oficina de las eleccions) 107 E. KAUFMAN	ROCKWALL
ROYSE CITY	ROYSE CITY HALL (ciudad pasillo de royse) 305 N. ARCH	ROYSE CITY
WYLIE	WYLIE MUNICIPAL COMPLEX (LIBRARY) (complejo municipal de wylie – biblioteca) 300 COUNTRY CLUB RD., BLDG 300	WYLIE

SUNDAY (Domingo)	MONDAY (Lunes)	TUESDAY (Martes)	WEDNESDAY (Miercoles)	THURSDAY (Jueves)	FRIDAY (Viernes)	SATURDAY (Sabado)
N/A	APRIL 28 8am – 5pm Early Voting	APRIL 29 8am – 5pm Early Voting	APRIL 30 8am – 5pm Early Voting	MAY 1 8am – 5pm Early Voting	MAY 2 8am – 5pm Early Voting	MAY 3 8am –5pm Early Voting
SUNDAY N/A	MAY 5 7am –7pm* Early Voting	MAY 6 7am – 7pm* Early Voting	MAY 7 N/A	MAY 8 N/A	MAY 9 N/A	MAY 10 Election Day 7am-7pm

ROWLETT	CULLINS - LAKE POINTE ELEMENTARY (cullins lago pointe elemental) 5801 SCENIC DR	ROWLETT

SUNDAY (Domingo)	MONDAY (Lunes)	TUESDAY (Martes)	WEDNESDAY (Miercoles)	THURSDAY (Jueves)	FRIDAY (Viernes)	SATURDAY (Sabado)
N/A	APRIL 28 N/A	APRIL 290 N/A	APRIL 30 N/A	MAY 1 8am – 5pm	MAY 2 8am – 5pm	MAY 3 8am –5pm
SUNDAY N/A	MAY 5 7am – 7pm Early Voting	MAY 6 7am – 7pm Early Voting	MAY 7 N/A	MAY 8 N/A	MAY 9 N/A	MAY 10 Election Day 7am-7pm

***Extended hours on Monday, May 5 and Tuesday, May 6, 2014**

Exhibit “B”

ELECTION DAY VOTING LOCATIONS & HOURS FOR GENERAL ELECTION

(lugares de votacion de dia de la eleccion para elecciones generales)

May 10, 2014

(10 de mayo de 2014)

7:00 a.m. – 7:00 p.m.

POLLING PLACE (lugar de votacion)	LOCATION & ADDRESS (lugar y direccion)	CITY (ciudad)
Rockwall	Utley Middle School (Utley middle escuela) 1201 T L Townsend Drive	Rockwall

Exhibit “C”

Cost of Services – Rockwall/RISD

	Quantity	Unit Costs	Subtotal Costs	Extended Costs
Non-Refundable Contract Preparation (Payable only if Contract is Canceled)				75.00
Direct Costs				
Ballots	5,000	0.30	1,500.00	1,500.00
Shipping	5,000		15.00	15.00
Sample Ballots	50	0.30	14.00	14.00
Early Voting Election Kits	1	40.00	40.00	40.00
Election Day Kits	1	40.00	40.00	40.00
Supply Costs [Based upon # voting places]	2	15.00	30.00	30.00
Metal Voting Signs	16	1.00	16.00	16.00
Equipment Rental				
Early Voting DRE Machine	3	250.00	750.00	750.00
Election Day DRE Machine	6	250.00	1,500.00	1,500.00
Precinct Counter – EV & ED	3	450.00	1,350.00	1,350.00
Equipment Delivery Fee/Truck Rental	12	50.00	600.00	600.00
L & A Machine Testing	12	20.00	240.00	240.00
Judges Pickup & Delivery Fees	2	25.00	50.00	50.00
Notices*				
Notice of Tabulation Testing	1	50.00	50.00	50.00
Notice of Election Day Polling Locations\n	1	50.00	50.00	50.00
Notice of Early Voting Polling Locations	1	50.00	50.00	50.00
Compensation of Judges & Clerks**				
Early Voting Workers			2,000.00	2,000.00
Election Day Workers			600.00	600.00
Compensation of County Employees***				
Staff Overtime for Early & Election Day Voting			150.00	150.00
Process Election Workers' Checks			50.00	50.00
Tabulation of Ballots			150.00	150.00
ES&S Site Support Fee (Based on # entities) Subject to change			500.00	500.00
Programming Electronic Voting Machines			1,500.00	1,500.00
Subtotal of Direct Costs				11,246.00
Administration Fee [10% calculated on final billing]				
Total Contract Costs				11,246.00
Number of participating entities	2			
25 % Due from Each Entity 45 days before election				2,811.50

* Costs for notices will be determined by newspapers and the final invoice will be based upon costs charged by the newspapers.

** The compensation of election judges and clerks will be adjusted on the final billing to reflect actual costs paid after all timesheets have been tabulated and paid. Where applicable, compensation includes payroll appendages.

*** County employees will be paid in accordance with County policies regarding overtime. Hours worked in excess of 40 during a week are paid at 1.5 times each employee's hourly rate. Compensation includes payroll appendages.

A 10% Administration fee will be added to the total amount of the contract. This fee will be determined based upon final actual costs and included on the final invoice.

Exhibit "D"

STATE OF TEXAS
CITY OF ROCKWALL
ROCKWALL INDEPENDENT SCHOOL DISTRICT

JOINT ELECTION AGREEMENT

This Agreement is entered into by and between the City of Rockwall, Texas (the "City") and the Rockwall Independent School District (the "School District").

By the terms of this agreement, the City and School District do hereby agree, pursuant to the provisions of the Texas Election Code, to hold a joint election of the General Election of the City and the General Election of the School District to be held on Saturday, May 10, 2014. All entities have contracted with the Rockwall County Elections Administrator (the "EA") to perform various duties and responsibilities on behalf of the two entities.

The two entities shall share equally in the expense of conducting Early and Election Day voting, polling locations, election officials, election supplies, ballots and other and all necessary expenses for the election upon receipt of satisfactory billing and invoices reflecting the total of such election.

An entity canceling an election pursuant to Section 2.053 of the Texas Election Code will not be liable for costs incurred by the EA in conducting the May 10, 2014 Joint General Election; they will be liable for on the contract preparation fee of $75.00.

This Agreement contains the entire agreement of the parties relating to the rights herein granted and the obligations herein assumed and supersedes all prior agreements, including prior election services contracts relating to each Entity's May 2014 election. Any prior agreements, promises, negotiations, or representations not expressly contained in this Agreement are of no force and effect. Any oral representations or modifications concerning this Agreement shall be of no force or effect, excepting a subsequent modification in writing as provided herein.

Except as otherwise provided, this Agreement may not be amended, modified, or changed in any respect whatsoever, except by a further Agreement in writing, duly executed by the parties hereto. No official, representative, agent or employee of any Participating Entity has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the governing body of the respective Participating Entity.

This Agreement may be executed in multiple counterparts, all of which shall be deemed originals and with the same effect as if all parties hereto had signed the same document. All of such counterparts shall be construed together and shall constitue one and the same Agreement.

APPROVED BY THE CITY COUNCIL OF ROCKWALL, TEXAS, in its meeting held on the _____ day of _____, 2014, and executed by its authorized representative.

_____
Rick Crowley, City Manager
City of Rockwall, Texas

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED BY THE TRUSTEES OF THE ROCKWALL INDEPENDENT SCHOOL BOARD, in its meeting held on the _____ day of _____, 2014, and executed by its authorized representative.

_____
Jeff Bailey, Superintendent
Rockwall Independent School District

ATTEST:

_____
Secretary

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CITY OF ROCKWALL

ORDINANCE NO. 14-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 42.482-ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Public Hearings were held before the governing body of the City of Rockwall, Texas, where all interested persons were provided with an opportunity to be heard, on December 2, 2013, at 6:00 p.m. and on December 2, 2013, at 6:30 p.m. at *City Hall, 385 S. Goliad*, Rockwall, Rockwall County, Texas with said dates being not more than forty (40) days nor less than twenty (20) days prior to the institution of annexation proceedings, on the proposed annexation of the following described territories.

BEING, four (4) tracts of land comprised of 42.482-acres of land situated in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey, Abstract No. 181 in the County of Rockwall, Texas and generally located contiguous to the existing city limits line west of SH-205 (S. Goliad Street) and south of FM-549, depicted in *Exhibit 'A'* of this ordinance, and specifically described as follows:

No.	Owner	Tract	Size of Tract
1	Scott W. & Glenita G. Blackwood	A0080 W. W. Ford, Tract 17-14	12.493-Acres
2	Mark S. Olmstead	A0181 J. W. Pitman, Tract 1-4	20.00-Acres
3	Alan D. Travis	A0080 W. W. Ford, Tract 40	8.989-Acres
4	Alan D. Travis	A0080 W. W. Ford, Tract 40-01	1.00-Acres

WHEREAS, notice of such public hearings were published in a newspaper having general circulation in the City of Rockwall, Rockwall County, Texas and in the territory described herein on October 31, 2013, and posted on the City of Rockwall Internet site on November 12, 2013, said dates being not more than twenty (20) days nor less than ten (10) days prior to the dates of such public hearings; and

WHEREAS, the territory lies adjacent to and adjoins the present boundaries of the City of Rockwall, Rockwall County, Texas; and

WHEREAS, the territory above contains 42.482-acres;

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

SECTION 1. That the above recitals are hereby found to be true and correct and incorporated herein for all purposes.

SECTION 2. The land and territory more specifically described in *Exhibit 'A'* and incorporated by reference as the *Subject Property*, and containing 42.482-acres which is adjacent to and adjoining the present boundaries of the City of Rockwall, Rockwall County, Texas, is hereby added and annexed to the City of Rockwall, Rockwall County, Texas and said territory as described herein shall hereafter be included within the boundary limits of the City of Rockwall, Rockwall County, Texas and

the present boundary limits of the City at the various points contiguous to the areas as described above, are altered and amended so as to include said area within the corporate limits of the City.

SECTION 3. That the official map of the City is hereby amended to reflect the addition of the property described herein.

SECTION 4. The above described territory and the acres so annexed shall be a part of the City of Rockwall, Texas, and the inhabitants thereof, if any, shall be entitled to all of the rights and privileges of all citizens and shall be bound by the acts, ordinances, resolutions and regulations of the City of Rockwall, Texas.

SECTION 5. That the *Service Plan* for the annexation area, which was made available for public inspection at the Public Hearings referenced above, is hereby approved with a copy of said plan being attached hereto and incorporated by reference for all purposes and labeled *Exhibit 'B'*.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and approval, in accordance with applicable law and the charter of the City of Rockwall, Texas.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 21ST DAY OF JANUARY, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *January 6, 2014*

2nd Reading: *January 21, 2014*

Exhibit A: Location Map

[AREA '1']
(Page 1 of 2)

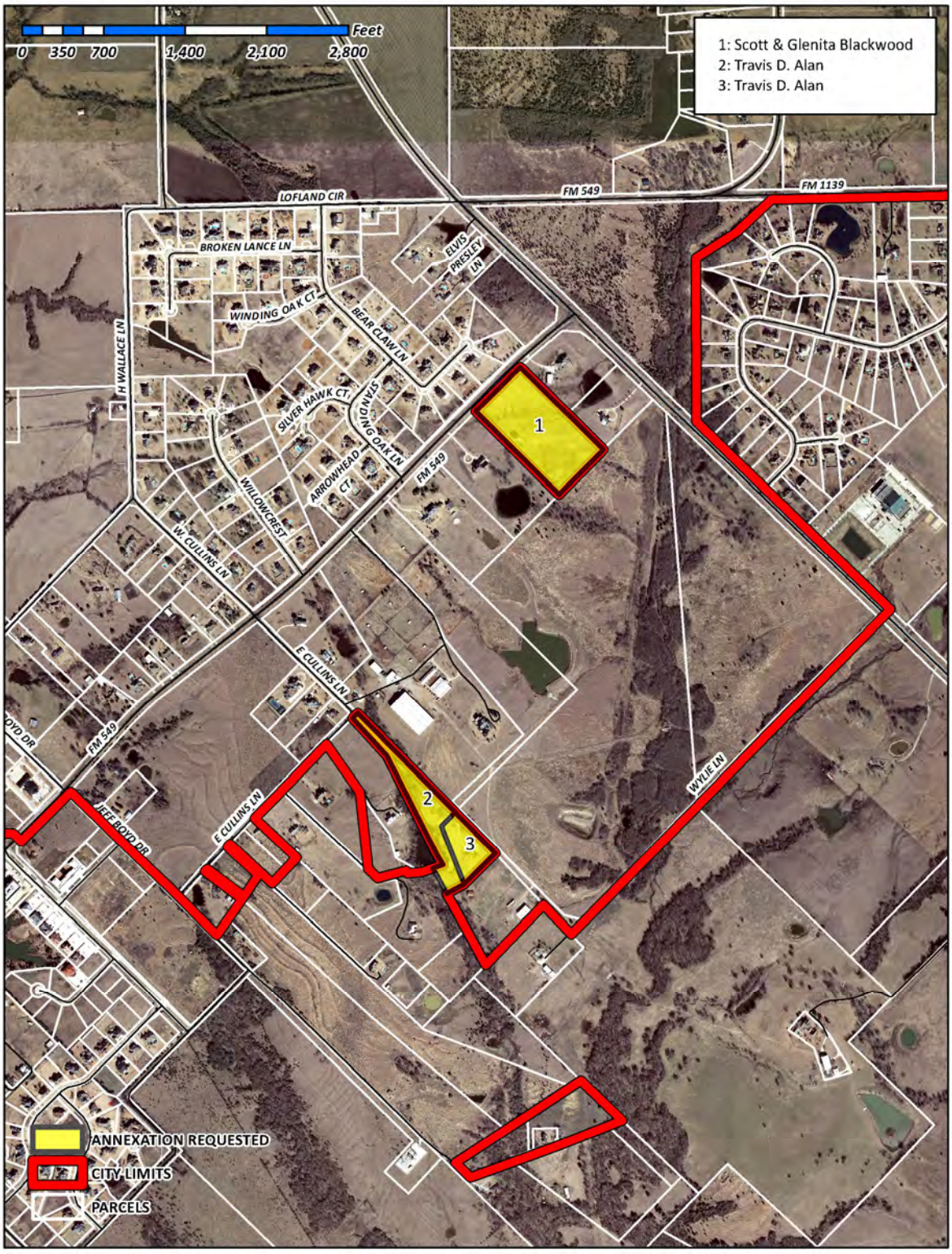
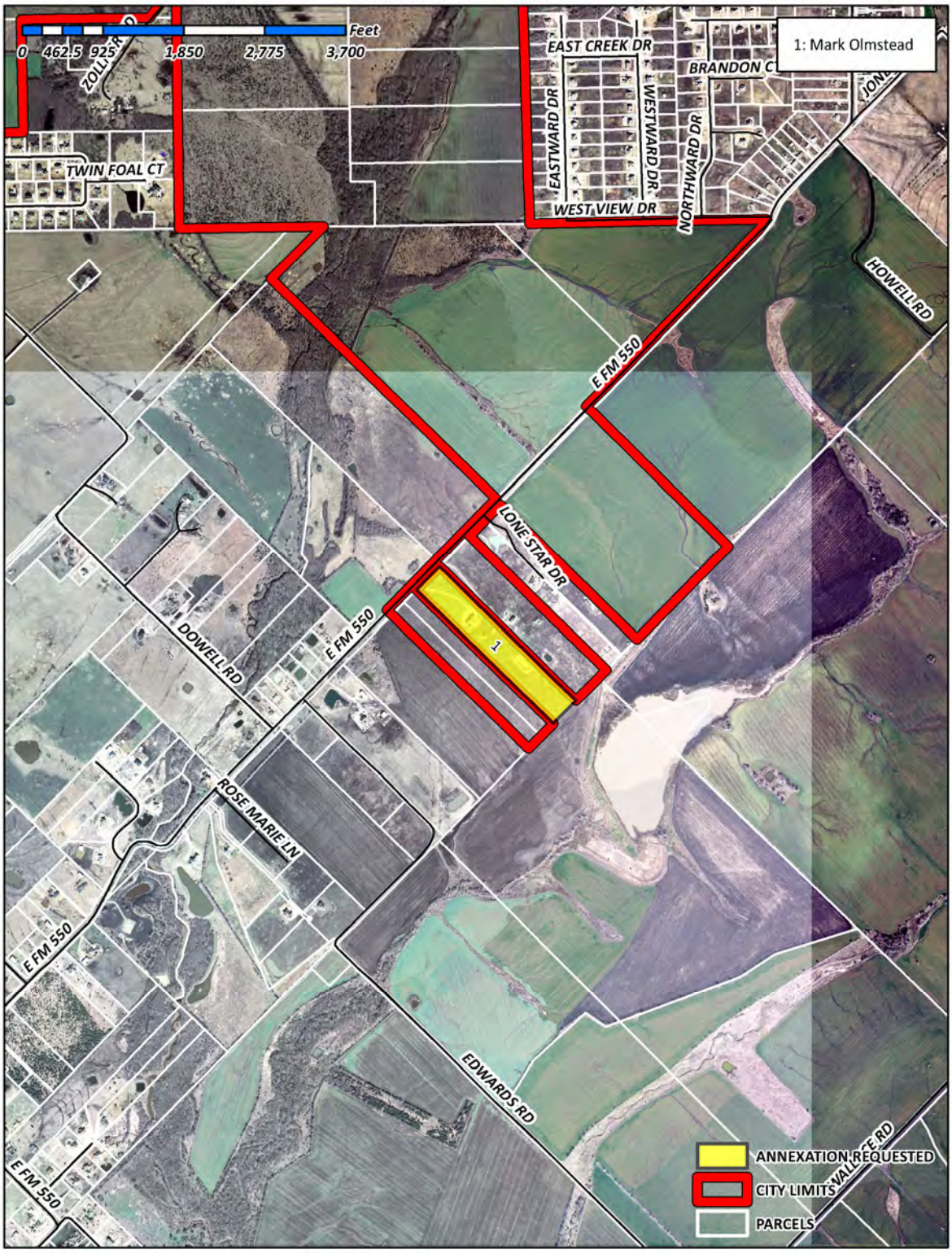


Exhibit A: Location Map

[AREA '2']
(Page 2 of 2)



SERVICE PLAN FOR ANNEXED AREA

CITY OF ROCKWALL, TEXAS
CASE NO.: A2013-001

ACREAGE/AREA TO BE ANNEXED: *42.482-Acres*

SURVEY ABSTRACT AND COUNTY

BEING four (4) tracts of land comprising approximately 42.482-acres of land situated in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey, Abstract No. 181, Rockwall County, Texas and being specifically described in the following sections of this plan.

DATE OF ADOPTION OF ANNEXATION ORDINANCE: *January 21, 2014*
DATE

Municipal services to the acreage described above shall be furnished by or on behalf of the City of Rockwall, Texas, at the following levels and in accordance with the following schedule:

A. POLICE SERVICES:

1. Patrolling, responses to calls, and other routine police services, within the limits of existing personnel and equipment, will be provided within 60 days of the effective date of annexation.
2. As development and construction commence within this area, sufficient police personnel and equipment will be provided to continue to furnish this area the level of police services consistent with police services available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

B. FIRE SERVICES

1. Fire protection by the present personnel and the present equipment of the fire Department, within the limitations of available water and distances from existing fire stations, will be provided to this area within 60 days of the effective date of annexation.
2. As development and construction commences within this area, sufficient fire personnel and equipment will be provided to continue to furnish this area the level of fire services consistent with fire service available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

C. HEALTH AND CODE COMPLIANCE SERVICES

1. Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced by existing personnel.

   Complaints of ordinance or regulation violations within this area will be responded

and investigated by existing personnel beginning with the effective date of the annexation ordinance.

2. The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.
3. The City's zoning, subdivision, and other ordinances shall be enforced in this area beginning on the effective date of the annexation ordinance.
4. All inspection services furnished by the City of Rockwall, but not mentioned above, will be provided to this area beginning on the effective date of the annexation ordinance. Any property owner or his/her assigns who in good faith has a new building or structure, as defined in the Comprehensive Zoning Ordinance, under construction on the effective date of annexation shall be exempted from these inspections for that building or structure under construction for a period of one year from the effective date of annexation. *For the purpose of this ordinance "under construction" shall mean any work that requires a building permit from the City of Rockwall.*
5. As development and construction commence within this area, sufficient personnel will be provided to continue to furnish this area the same level of Health and Code compliance services as are furnished throughout the City.

D. PLANNING AND ZONING SERVICES

1. The planning and zoning jurisdiction of the City will extend to this area on the effective date of the annexation ordinance. City planning will thereafter encompass this property, and it shall be entitled to consideration for zoning in accordance with the City's Comprehensive Plan, Zoning Ordinance, Landscape Ordinance and Code of Ordinances.

E. RECREATION AND LEISURE SERVICES

1. Residents of this property may utilize all existing recreational and leisure services facilities and sites throughout the City beginning with the effective date of the annexation ordinance.
2. Existing parks, playgrounds, swimming pools and other recreation and leisure facilities within this property shall, upon dedication to and acceptance by the City, be maintained and operated by the City of Rockwall.

F. SOLID WASTE COLLECTION

1. Solid waste collection shall be provided to the property owner in accordance with existing City policies as to frequency and charges, beginning on the effective date of annexation except for properties that are served by a privately owned solid waste management service provider. Such properties will be allowed to continue private service for a period of two years from the effective date of annexation at which time the property will be required to begin service with a franchised solid waste contractor within the City of Rockwall.

G. STREETS

1. The City of Rockwall's existing policies with regard to street maintenance, applicable throughout the entire City, shall apply to this property beginning immediately as of the effective date of the annexation ordinance.
2. As development, improvements or construction of streets to the City standards commence within this property, the policies of the City of Rockwall with regard to impact fees and participation in the cost thereof, acceptance upon completion, and maintenance after completion, shall apply.
3. The same level of maintenance shall be provided to streets within this property that have been accepted by the City of Rockwall as is provided to like City streets throughout the City.

H. WATER SERVICES

1. Connection to existing City water mains for water services for domestic, commercial and industrial use within this property will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinance for such services throughout the City.
2. Water mains of the City will be extended in accordance with provisions of the Code of Ordinances and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, population densities similar to those reasonably contemplated or projected in the annexed area.
3. Water mains which are within the annexed area and are owned and operated by the City shall be maintained beginning with the effective date of the annexation ordinance or upon acquisition by the City.
4. Private water lines within this property shall be maintained by their owners, in accordance with existing policies applicable throughout the City.

I. SANITARY SEWER SERVICES

1. Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with the existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such services throughout the City.
2. Sanitary sewer mains and/or lift stations which are within the annexed area and are connected to City mains shall be maintained by the City of Rockwall beginning with the effective date of the annexation ordinance or upon acquisition by the City.
3. Sanitary sewer mains of the City will be extended in accordance with the provisions of the Code of Ordinances and engineering standards and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise availably in other parts of the City with topography, land uses, and population densities similar to those reasonably contemplated or projected in the area.

4. Previously granted exceptions to the requirements of connections to the city's sanitary sewer treatment system shall be continued until such alternate systems are determined to no longer function to meet the sanitary sewer needs of the subdivision granted the exception.

J. PUBLIC UTILITIES

1. Other public utilities will be provided by the City's franchisee or a provider holding a certificate of convenience issued by the state to serve that area.

K. MISCELLANEOUS

1. General municipal administration services of the City shall be available to the annexed area beginning with the effective date of the annexation ordinance.

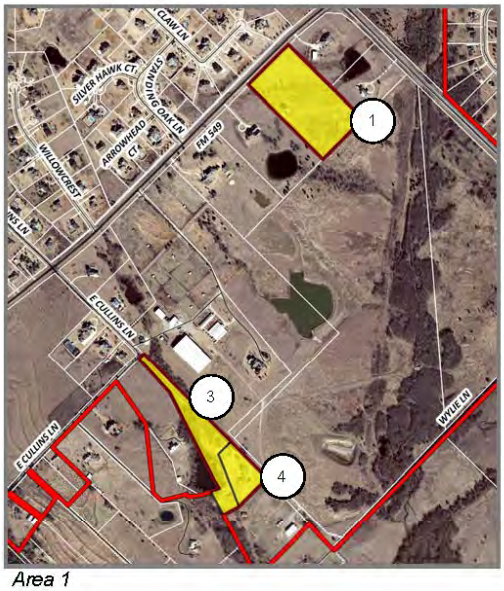
ANNEXATION SCHEDULE

- ✓ *Friday, March 15, 2013:* 180-day notice of expiring 212 Development Agreement sent to all property owners.
- ✓ *Tuesday, May 21, 2013:* 150-day extension request deadline.
- ✓ *Friday, July 12, 2013:* Notice sent by Certified Mail of expiring 212 Development Agreement and intent to accept voluntary petitions for annexation (*sent 90 days prior to the expiration date of the 212 Development Agreement*).
- ✓ *Friday, October 18, 2013: Current 212 Development Agreements expire.*
- ✓ *Thursday, October 24, 2013:* Notice of 1st & 2nd Public Hearing mailed to property owners (*30 days prior to 1st & 2nd Public Hearing*).
- ✓ *Thursday, October 31, 2013:* Notice sent to paper for publication (*1st & 2nd Public Hearing*).
- ✓ *Tuesday, November 12, 2013:* Notification appears in newspaper for 1st & 2nd Public Hearing (*x<20 and x>10 days before Public Hearing*). Obtain required affidavit of publication from paper.
- ✓ *Tuesday, November 12, 2013:* Notification posted on internet 1st & 2nd Public Hearing (*x<20 and x>10 days before Public Hearing*).
- ✓ *Monday, December 02, 2013:* FIRST PUBLIC HEARING/SECOND PUBLIC HEARING (*x<40 and x>20 days before 1st Reading*).
- ✓ *Monday, January 06, 2013:* City Council approves annexation ordinance (*1st Reading*).
- ✓ *Monday, January 21, 2014:* City Council final approval (*2nd Reading*).
- ✓ *Sunday, April 06, 2014:* Annexation must be completed before the date to the left. Annexation proceedings must be completed within 90 days of 1st Reading of ordinance.

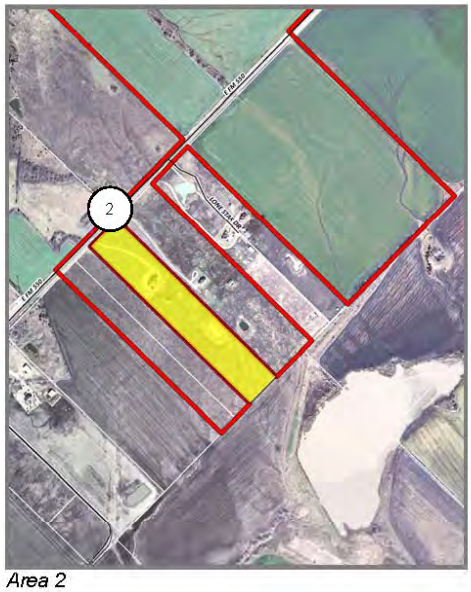
LEGAL DESCRIPTION

Being for four (4) tracts of land comprising approximately 42.482-acres of land situated in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey, Abstract No. 181, County of Rockwall, Texas and generally located contiguous to the existing city limits line west of SH-205 (S. Goliad Street) and south of FM-549 and specifically described as follows:

No.	Owner	Tract	Size of Tract
1	Scott W. & Glenita G. Blackwood	A0080 W. W. Ford, Tract 17-14	12.493-Acres
2	Mark S. Olmstead	A0181 J. W. Pitman, Tract 1-4	20.00-Acres
3	Alan D. Travis	A0080 W. W. Ford, Tract 40	8.989-Acres
4	Alan D. Travis	A0080 W. W. Ford, Tract 40-01	1.00-Acres



Area 1



Area 2

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **January 17, 2014**

SUBJECT: **2014 Household Hazardous Waste Program**

The fiscal year 2014 Water and Sewer budget includes funding for the 13th annual household hazardous waste collection event. Staff has selected April 5, 2014 as the date for this collection. The previous programs have been tremendous successes for citizens and the City. The City also gets credit on our Storm Water Control Program for sponsoring the program. The City of Heath as well as Rockwall County joined in participation and sponsorship of the event for 2013 and we expect their participation is likely again this year. We processed items from 947 vehicles last year.

In March 2001, the City Council awarded a contract for the categorization, packaging, manifesting, transporting and disposal of household hazardous waste. The contract is with Clean Harbors, Inc. and is annually renewing until either of the parties chooses to terminate. The collection site crew will come out of the Dallas field office and will include many of the same people who have been here for our previous events. Their longevity with this event allows us to continue to offer good service as the day has become routine for city staff and public.

Last year's program cost to the City was approximately $95,931. The cost included set up, labor at the collection site and primarily disposal of all collected materials. Over 77,930 lbs of paint and chemicals were collected during the six-hour event. Funding for this event is included in the monthly garbage rate at $.64 per household. Each of the other participating entities was charged a $115 per car fee to offset their portion of the expense.

In addition to the Clean Harbors contract, the City used a local tire service to dispose of the more than 1,070 old tires collected last year. We also collected old computer and television equipment and took in more than 23,600lbs of it at last year's event. The equipment was disposed of with the assistance of a grant program from Apple, Inc. In addition, we offered secure paper shredding which resulted in 15,520lbs of paper being shredded that day.

The 2013 event budget is $100,000. The full cost is not known until the close of the event since it is principally dependent on volumes. Staff requests Council authorize the City Manager to execute the necessary documents to proceed with the 2014 household hazardous waste event on April 5, 2014.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **January 15, 2014**

SUBJECT: **Purchase of Command Vehicle for Fire Operations**

Approved in the budget is $65,000 to purchase a Chevrolet Suburban for Fire Command Operations.

The Suburban is available from Caldwell Country Chevrolet through the Houston Galveston Area Council of Governments (HGAC) purchasing cooperative contract #VE11-13 for $45,388. The remaining budget dollars will be used to purchase emergency lights, decals, console, power pack, wiring, mounting brackets and installation of these items plus install of radio and computer.

The City has participated and purchased commodities, vehicles and equipment through purchasing cooperatives for many years. As a member and participant in these coop programs, we have met all formal bidding requirements pertaining to the purchase of this new vehicle.

Staff recommends purchase of this vehicle as described above; authorizing the City Manager to execute a Purchase Order to Caldwell Country for a total bid award of $45,388. Funded from General Reserves.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

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

DATE: January 16, 2014

SUBJECT: Downtown Rockwall Improvement Project

Hill & Wilkinson General Contractors was hired by the City to function as the Construction Manager At-Risk for the engineering design and construction of the Downtown Rockwall Improvement Project. The Guaranteed Maximum Price was approved in the amount of $8,625,000.00.

This project did not include the construction of the expansion of the parking south of the City Hall building (adjacent to the Rockwall Drugstore) as well constructing a new parking lot on Dewayne Cain's empty lot at the northeast corner of North Fannin and Rusk Streets. The cost for the construction of these two parking lots is $126,224.00. This change order will be funded from General Reserves as discussed with City Council when property acquisitions were occurring.

Staff recommends approval of Change Order Number One to Hill & Wilkinson General Contractors for the construction of two additional parking lots in the Downtown Rockwall Improvement Project in an amount of $126,224.00

TMT:em

Attachments:

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

Cain's Parking Lot - Breakout	
Earthwork/Demolition	$ 21,306
Concrete	$ 36,261
Joint Sealants	$ 1,448
Landscaping & Irrigation	$ 6,500
Striping	$ 1,500
General Requirements	$ 5,000
Insurance, Subguard, Etc.	$ 1,283
Fee	$ 3,926
Total	$ 77,224

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Rockwall Drug Parking Lot - Breakout	
Earthwork/Demolition	$ 8,300
Concrete	$ 32,157
Joint Sealants	$ 700
Striping	$ 1,200
General Requirements	$ 3,000
Insurance, Subguard, Etc.	$ 907
Fee	$ 2,736
Total	$ 49,000

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

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

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

DATE: **January 15, 2014**

SUBJECT: **MANDATORY PARK LAND DEDICATION FEES**

A component of our Mandatory Park Land Dedication Ordinance is the cash in lieu of land fee. This fee is applied when the Park Board feels that it is in the best interest of the City to accept cash-in-lieu of land for neighborhood parkland. According to our Mandatory Parkland Dedication Ordinance, the Park Board shall annually make a recommendation to the City Council and Council will set the fee by resolution. The fee is based on the average cost of neighborhood park land across the entire City.

Bryan E. Humphries and Associates completed their appraisal in December 2013 to determine the average cost. The property must not be within the 100 year flood plain and not possess any unusual topography rendering the land useless for organized recreational activities. According to Mr. Humphries, the average cost of one acre of neighborhood park land with the above restrictions within the City is $28,000.

At the January 7th 2014 meeting, Park Board recommended keeping the fee for 2014 at $28,000 per acre. Park Board also recommended that the Pro-rata Equipment Fee portion of the ordinance remain at $1,050,000 for the cost of developing a typical 11 park. $525,000.00 would be the "per neighborhood park" cost to be used in calculation of pro-rata neighborhood park development equipment fees associated with the developer's share of the park.

I have attached the appraisal letter completed by Mr. Humphries and the resolutions for the City Council to set the fee at $28,000 per acre. Please let me know if you need additional information.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. ___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ADOPTING THE PER NEIGHBORHOOD PARK DEVELOPMENT COST TO BE USED IN CALCULATION OF A NEW DEVELOPMENT'S PRO RATA SHARE CONTRIBUTION FOR NEIGHBORHOOD PARK DEVELOPMENT EQUIPMENT FEES; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Rockwall desires to provide a park system which includes adequately sized and appropriately equipped Neighborhood Parks, and

WHEREAS, the City of Rockwall has adopted a Park and Recreation Master Plan designed to facilitate development of its Park Systems; and

WHEREAS, the City of Rockwall adopted Ordinance No. 99-20, Mandatory Neighborhood Parkland Dedication Ordinance, designed to facilitate participation by developers (on a pro-rata basis) in acquisition and development of neighborhood parks; and

WHEREAS, said ordinance provides that the City Council shall annually adopt a resolution establishing the "per neighborhood park development cost" to be used in calculation of a new development's pro-rata share contribution for neighborhood park development equipment fees,

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

Section 1. Based upon a recommendation of the City of Rockwall Parks and Recreation Board, $525,000.00 per neighborhood park is hereby adopted as the "per neighborhood park" park development cost to be used in calculation of pro-rata neighborhood park development equipment fees associated with Ordinance No. 99-20.

Section 2. This resolution shall be in force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 21st day of January, 2014.

_____

David Sweet, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

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

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

DATE: **January 15, 2014**

SUBJECT: **MANDATORY PARK LAND DEDICATION FEES**

A component of our Mandatory Park Land Dedication Ordinance is the cash in lieu of land fee. This fee is applied when the Park Board feels that it is in the best interest of the City to accept cash-in-lieu of land for neighborhood parkland. According to our Mandatory Parkland Dedication Ordinance, the Park Board shall annually make a recommendation to the City Council and Council will set the fee by resolution. The fee is based on the average cost of neighborhood park land across the entire City.

Bryan E. Humphries and Associates completed their appraisal in December 2013 to determine the average cost. The property must not be within the 100 year flood plain and not possess any unusual topography rendering the land useless for organized recreational activities. According to Mr. Humphries, the average cost of one acre of neighborhood park land with the above restrictions within the City is $28,000.

At the January 7th 2014 meeting, Park Board recommended keeping the fee for 2014 at $28,000 per acre. Park Board also recommended that the Pro-rata Equipment Fee portion of the ordinance remain at $1,050,000 for the cost of developing a typical 11 park. $525,000.00 would be the "per neighborhood park" cost to be used in calculation of pro-rata neighborhood park development equipment fees associated with the developer's share of the park.

I have attached the appraisal letter completed by Mr. Humphries and the resolutions for the City Council to set the fee at $28,000 per acre. Please let me know if you need additional information.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 14-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ESTABLISHING THE "PER ACRE PRICE" TO BE USED IN CALCULATION OF A NEW DEVELOPMENT'S PRO RATA SHARE CONTRIBUTION FOR NEIGHBORHOOD PARK LAND DEDICATION IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 38. SUBDIVISIONS, ARTICLE II. PARKLAND DEDICATION OF THE ROCKWALL CITY CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall desires to provide an exemplary park system which includes adequately sized and appropriately equipped Neighborhood Parks; and

WHEREAS, the City of Rockwall has adopted a Parks and Recreation Master Plan designed to facilitate development of its Parks System; and

WHEREAS, the City of Rockwall adopted Chapter 38. Subdivisions, Article II. Parkland Dedication, to facilitate participation by developers (on a pro-rata basis) in acquisition and development of neighborhood parks, and

WHEREAS, Sec. 38-55 of Ch. 38, Article II. provides that the City Council shall annually adopt a resolution establishing the "per acre price" to be used in calculation of a new development's pro rata cash payment in lieu of land contribution for neighborhood park land;

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

Section 1. That based upon a recommendation of the City of Rockwall Parks and Recreation Board, $28,000.00 is the dollar amount hereby adopted as the "per acre price" to be used in calculation of a developer's pro-rata cash payment in lieu of land associated with neighborhood parkland dedication in accordance with the Ch. 38, Article II. of the Rockwall City Code.

Section 2. That this resolution shall be in force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 21st day of January, 2013.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

BRYAN E. HUMPHRIES & ASSOCIATES
REAL ESTATE VALUATION AND SERVICES

October 15, 2013

City of Rockwall
Parks and Recreation Department
108 E. Washington
Rockwall, Texas 75087
Attn: Andy Hesser, Manager

Reference: Summary Residential Sales Analysis
Rockwall County, Texas

Dear Mr. Hesser:

Per our conversations, I am submitting the following bid regarding cost and timing to perform a Summary Residential Sales Analysis for Rockwall County.

The cost for the analysis will be $2,500 and the delivery of the analysis will be no later than 12/31/13.

It is specifically understood that our fee is not in any way conditioned upon the resultant value estimate.

If this agreement is given to our attorney for collection or enforcement, the prevailing party shall be entitled to recover all costs, expenses, and reasonable attorney's fees incurred because of the legal action.

If these terms are acceptable, please sign this letter and return the signed copy to me.

4054 McKinney Avenue, Suite 210, Dallas, Texas 75204

214/528-7584 E-Mail: behinc@flash.net FAX 214/528-2921

If you have any questions, please feel free to call.

Sincerely,

BRYAN E. HUMPHRIES & ASSOCIATES

Bryan Humphries

Bryan E. Humphries, MAI
President

BEH/bh

ANDY HESSER, PARKS AND RECREATION MANAGER
FULL NAME OF AUTHORIZED REPRESENTATIVE

385 S. GOLIAD ST. ROCKWALL TX
MAIL DELIVERY ADDRESS

CITY/STATE/ZIP

972-771-7761
TELEPHONE NUMBER

10-16-13
DATE

MARKET STUDY
REAL PROPERTY APPRAISAL CONSULTING REPORT

Prepared For

Andy Hesser, Parks and Recreation Manager
City of Rockwall
108 E. Washington
Rockwall, Texas, 75087

MARKET STUDY
Average Price Per-Acre of Land in the City of Rockwall
The City of Rockwall, Rockwall County, Texas

EFFECTIVE DATE OF CONSULTING ASSIGNMENT:
JANUARY 1, 2014

Prepared By

Bryan E. Humphries & Associates
4054 McKinney Avenue
Suite 210
Dallas, Texas 75204

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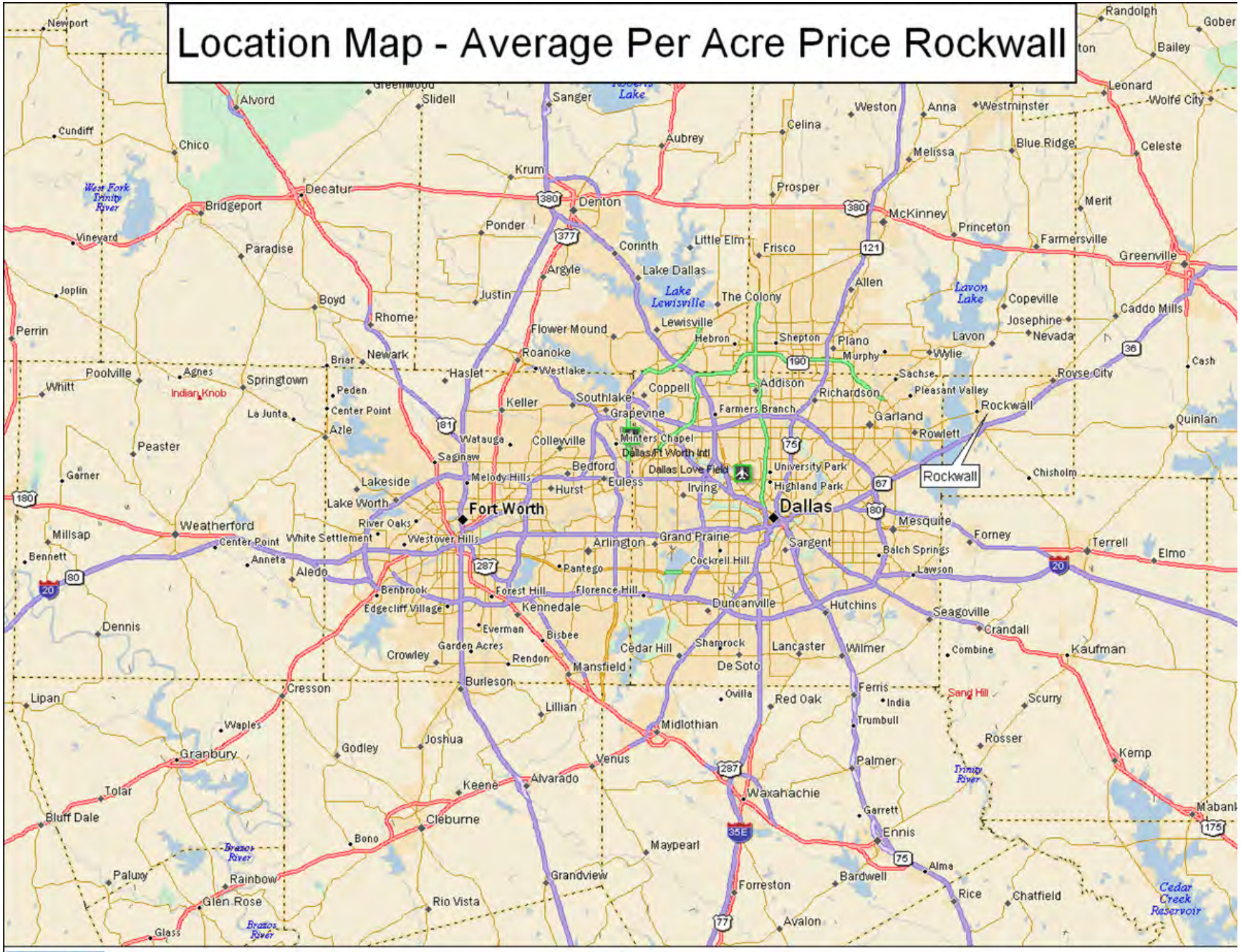
Location Map - Average Per Acre Price Rockwall



BRYAN E. HUMPHRIES & ASSOCIATES
REAL ESTATE VALUATION AND SERVICES

January 4, 2014

Andy Hesser, Parks and Recreation Manager
City of Rockwall
108 E. Washington
Rockwall, TX 75087

Re: Average Price Per-Acre of Land in the City of Rockwall
City of Rockwall, Rockwall County, Texas

Dear Mr. Andy Hesser,

We are pleased to transmit this gross market study/real property appraisal consulting report that was prepared for the purpose of valuing typical parkland in the City of Rockwall. This parkland is typically five acres and in the early stages of development. Please refer to identification of project on page 4 for further explanation of the project scope. This report is a gross market study (real property appraisal consulting report) and does not involve analysis of or the inspection of a physical subject property. The purpose of this gross market study is to derive an opinion of a fee simple market value of the average price per-acre of land in the City of Rockwall, as set forth in the City of Rockwall Park Land Dedication Ordinance, Section 24-45 (b). The effective date of this gross market study is January 1, 2014.

The client should not conclude that an appraisal has been prepared, and this report should not be used for condemnation purposes. This consulting report is only intended to assist the City of Rockwall, in establishing a general value trend and current market value of the average price per-acre of land in the City of Rockwall.

4054 McKinney Avenue, Suite 210, Dallas, Texas 75204

214/528-7584 E-Mail: behinc@flash.net FAX 214/528-2921

Our opinion of market value is premised upon the Assumptions and Limiting Conditions outlined herein. The definition of market value may be found in Addendum A. The report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice (USPAP) and the Standards of Professional Practice of the Appraisal Institute. This consulting assignment has been developed and reported in conformity with Standards Rules 4 and 5 of USPAP. Again, it should be noted that this assignment provides an analysis of general land value and value trend. The assignment considers sales and listing data available from the North Texas Multiple Listing Service as well as information gathered from interviews with knowledgeable real estate brokers and salespeople.

Based on the analysis contained within this report, considering the nature of the analyzed market areas, it is our opinion that the approximate value for the average price-per acre of land in the City of Rockwall, as of January 1, 2014, is:

$28,000

If you have any questions or comments, please contact the undersigned. Thank you for the opportunity to be of service

Respectfully submitted,
BRYAN E. HUMPHRIES AND ASSOCIATES



Bryan E. Humphries, MAI
President
TX-1320676-G

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Assumptions and Limiting Conditions ..... Addendum B

Park Land Dedication Ordinance ..... Addendum C

CERTIFICATE

I certify that, to the best of my knowledge and belief,...

The statements of fact contained in this report are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, unbiased professional analyses, opinions, and conclusions.

As of the date of the appraisal only, I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.

We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

My engagement in this assignment was not contingent upon developing or reporting predetermined results.

My compensation for completing this assignment is not contingent on the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

Bryan Humphries has made a personal inspection of the property that is the subject of this report.

No one provided significant real property appraisal assistance to the persons signing this certificate.

I have performed a previous appraisal (1/1/13) involving the subject property within the three years prior to this assignment.

The report analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Uniform Standards of Professional Appraisal Practice of the Appraisal Institute.

The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

As of the date of this Study, I have completed the requirements of the continuing education program of the Appraisal Institute.

_____

Bryan E. Humphries, MAI
TX-1320676-G

GENERAL INFORMATION & SCOPE OF WORK

Identification of Subject and Project

The subject property is a typical, underdeveloped, Parcel in the City of Rockwall. The parcel represents the average in the City of Rockwall, as set forth in the City of Rockwall Park Land Dedication Ordinance, Section 24-45 (b). According to the ordinance, from time to time, developers must dedicate land to the City of Rockwall in order to meet the need for park land in the area. If the dedication is not feasible, the developers must then give the City cash in liew of land that is reflective of typical residential land in Rockwall. The client has indicated that this average residential land is typically 5 acres and in the early stages of development.

Inspection Information, Effective Date and Date of Report

This analysis does not involve a physical subject property, only a hypothetical property, thus no inspection is required. The effective date of the assignment is January 1, 2014. The date of the report is the date of the signature on the first page of this report. Unless otherwise stated, all factors pertinent to a determination of value are considered as of this date.

Identification of the Client/Intended User

This real property appraisal consulting report is prepared for the City of Rockwall, Mr. Andy Hesser, 108 E. Washington, Rockwall, Texas 75087.

Objective of the Assignment/Intended Use

This consulting assignment is only intended to assist the client in establishing an average price per-acre of land. The client should not conclude that an appraisal has been prepared, and this report should not be used for condemnation purposes.

Appraisal Report Option

This is a real property appraisal consulting assignment that complies with the reporting requirements set forth under Standard 5 of the *Uniform Standards of professional Appraisal Practices (USPAP).* As such, it presents sufficient information to enable the client and other intended users, as identified, to understand it properly. The depth of discussion contained in this report is specific to the needs of the client and the intended users of this property appraisal consulting report.

Analysis Overview

As part of this consulting assignment, we have completed the following steps to gather, confirm, and analyze the data.

- ► Physically inspected the subject markets and the surrounding neighborhoods.
- ► Collected factual information about the surrounding market and confirmed that information with various sources.
- ► Collected market information needed to consider the three traditional approaches to value: Cost approach, sales comparison approach and income capitalization approach (if applicable).
- ► Prepared a real property appraisal consulting report setting forth the conclusion derived in this analysis as well as a summary of the information upon which the conclusions are based.

Extraordinary Assumptions

An extraordinary assumption is something that is assumed to be true, but it is not certain. If it turns out to be untrue, the value conclusion could be impacted. Extraordinary assumptions are those assumptions that are specific to the assignment, as opposed to general assumptions, which could be applicable to any assignment. In this assignment, we have assumed typical general assumptions and limiting conditions as cited above. In this particular assignment, the following extraordinary assumptions were made:

- ► Sales and listing data obtained from the Multiple Listing Service is deemed to be sufficiently reliable data to establish overall market trends and the current market value of an average, price per-acre of land. While some knowledgeable real estate brokers and salespeople have been contacted to obtain and confirm data, the reader should be aware that not all of the sales and listing data analyzed was independently confirmed.

- The client should not conclude than an appraisal has been prepared, and this consulting report should not be used for condemnation purposes. This gross market study (real property appraisal consulting report) is only intended to assist the City of Rockwall in establishing a general value trend and current market value of an average price per-acre in the City of Rockwall.

- The purpose of this consultation report is to establish the average price per acre of land in the City of Rockwall. As set forth in the City of Rockwall, Park Land Dedication Ordinance, Section 24-45(b). However, it is beyond the scope of this consultation report to estimate the actual costs of adjacent street and site utilities as stated in the ordinance (see addenda).

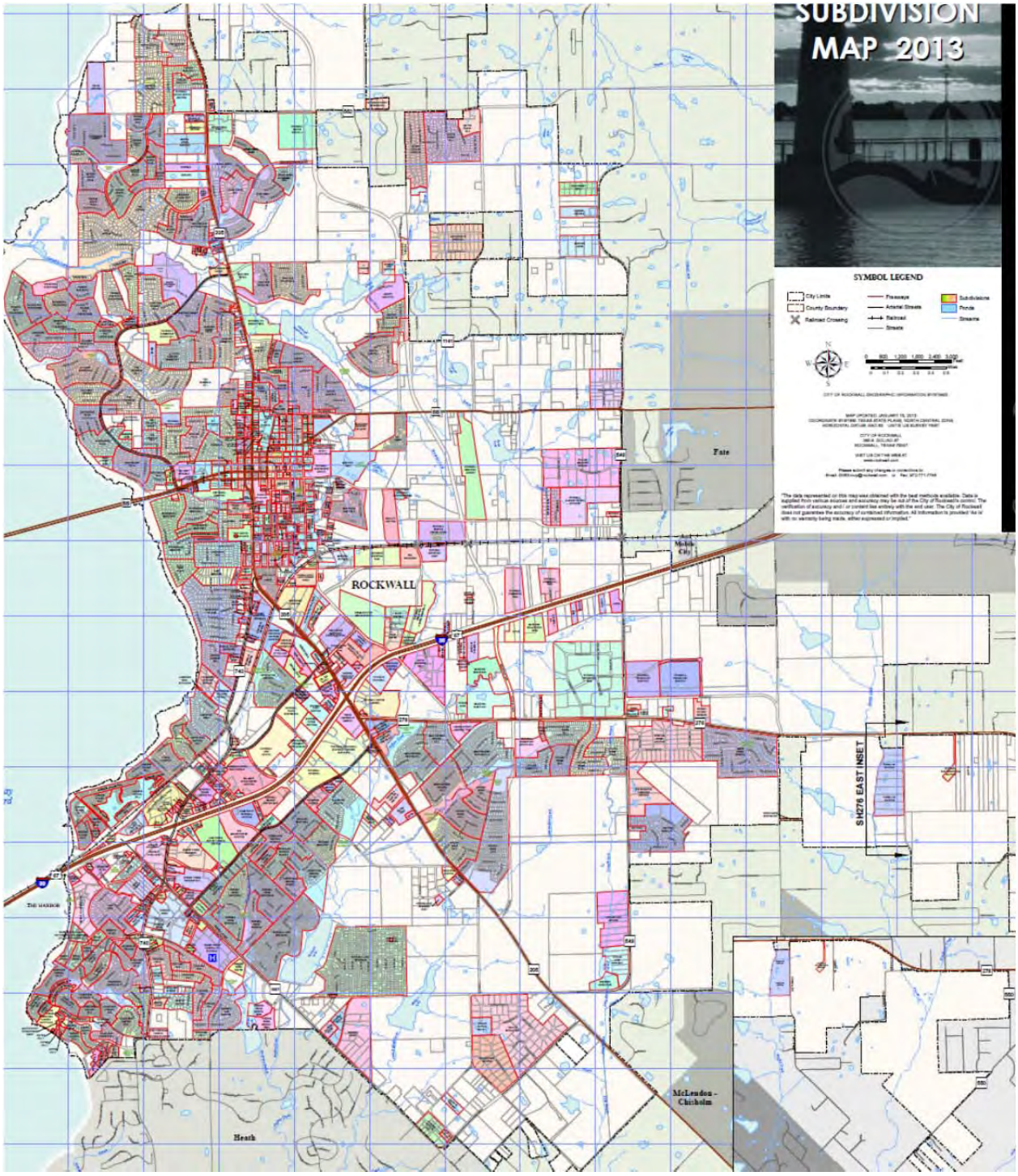
Jurisdictional Exceptions

The Jurisdictional Exception Rule provides for severability preserving the balance of the *Uniform Standards of Professional Appraisal Practice (USPAP).* If one or more parts of *USPAP* are "contrary to the law or public policy of any jurisdiction, only that part shall be void and of no force or effect in that jurisdiction." According to *USPAP*, "A law means a body of rules with binding legal force established by the controlling governmental authority." This includes federal and state constitutions, legislative and court made law, administrative rules, regulations and ordinances. In this assignment, there are no known conflicts of law or public policy that disregard the *USPAP*.

Hypothetical Conditions

A hypothetical condition is that which is contrary to what exists but is supposed for the purpose of analysis. In this particular assignment, the following hypothetical condition was made:

> For purposes of this analysis, the subject property is a hypothetical, undeveloped, parcel in the City of Rockwall.


SUBDIVISION
MAP 2013
SYMBOL LEGEND
City Limits
County Boundary
Railroad Crossing
Freeways
Arterial Streets
Railroad
Streets
Subdivisions
Ponds
Streams
ROCKWALL
Fate
McLendon-Chisholm
Heath
SH276 EAST INSET

Residential Market Analysis

Boundaries

The neighborhood boundaries are generally defined as follows:
City of Rockwall (Urban)
Outlying areas of the City of Rockwall (Suburban)

Development Activities and Trends

Residential development comprises approximately 80% of the development in Rockwall. According to ESRI, the median 2010 home price within a 1-mile, 3-mile, and 5-mile radius of the Subject is $198,378, $207,000, and $201,790, respectively.

Recent single family building permit activity in Rockwall County summarized as follows:

Rockwall MSA Single Family Building Permits				
Year	**Units**	**% Change**	**Average Value**	**% Change**
2000	955	-	$194,400	-
2001	1.267	32.7%	$171,000	-12%
2002	1,224	-3.4%	$171,000	0.0%
2003	1,219	-0.4%	$168,500	-1.5%
2004	1,598	31.1%	$168,100	-0.2%
2005	1,756	9.9%	$183,400	9.1%
2006	1,190	-32.2%	$201,800	10.0%
2007	759	-36.2%	$240,200	19.0%
2008	589	-22.4%	$192,800	-19.7%
2009	545	-7.5%	$166,500	-13.6%
2010	489	-10.3%	$200,800	20.6%
2011	411	-16.0%	$233,800	16.4%
2012	675	+64.2	$247,700	5.9%
YTD Oct 2013	618	-	$260,530	5.2%

1Data provided by Texas A&M Real Estate Center

As indicated by the preceding chart, new single family home activity peaked in 2005 at 1,756 permits. Building permit activity dropped significantly in 2006, 2007, and 2008, but slowed to 7.5% in 2009. New construction continued to decline in 2010, but appears to have bottomed in 2011 with 411 homes as 487 building permits were issued through September 2012. For 2012 & YTD 2013, permits have rebounded significantly, being up over 60% from 2011 levels.

Demographic Trends
Population growth in Rockwall County had been slow in relation to the Dallas-Fort Worth CMSA after Lake Ray Hubbard was impounded in the 1960's. That changed when IH-30 was upgraded and the bridge widened in the 1990s. While the entire county

has benefited, most of the growth has taken place along or near IH-30, and from west to east. Access remains an important factor in Rockwall County's growth pattern.

Area	1980	1990	2000	2010	2000 to 2010 % Change	2000 to 2010 Annual %Change	Estimated 2013
City of Fate	NA	477	463	6,357	1273.0%	29.9%	7,370
City of Heath	1,459	2,108	4,149	6,921	66.8%	5.3%	7,260
City of Rockwall	5,939	10,486	17,976	37,490	108.6%	7.6%	38,990
City of Rowlett	7,522	23,260	44,503	56,199	26.3%	2.4%	56,420
City of Royse City	1,566	2,206	2,957	9,349	216.2%	12.2%	9,690
Rockwall County	14,528	25,600	43,080	78,337	81.8%	6.2%	81,890

Source: U.S. Bureau of the Census & State of Texas

The population in the City of Rockwall increased 7.6% annually from 2000 to its 2010 level of 37,490. The Rockwall County grew 6.2% annually to 78,337 during the same period.

Demographics

The following chart summarizes demographic data in the Subject Neighborhood. The data was provided by ESRI, Inc., and is based on demographics in a 1,3, and 5-mile radius within the City of Rockwall.

Residential Market Analysis, continued

2010-2011 Demographic Data (Source, ERSI, Inc.)			
Item	**1 Mile**	**3 Mile**	**5 Mile**
2000 Population	5,631	19,454	48,323
2013 Population	6,436	37,840	85,743
2000-2013 Population	14.3%	94.5%	77.4%
Projected 2018 Population	7,194	42,671	95,431
Projected 5-Year Growth Rate	2.25%	2.43%	2.16%
2013 Households	2,671	13,090	28,726
2013 Average Household Size	2.31	2.86	2.96
2013 Median Household Income	$55,685	$77,450	$80,958
2013 Average Household Income	$73,822	$94,988	$100,358
2013 Per Capita Income	$31,648	$33,138	$33,766
2010 Housing Units	2,690	12,756	28,106
2010 Owner Housing Units	51.3%	74.0%	79.2%
2010 Renter Occupied Housing Units	42.0%	21.0%	16.0%
2010 Vacant Housing Units	6.7%	4.9%	4.8%
Projected 2018 Housing Units	3,257	15,774	33,852
2010 Median Home Value	$198,378	$207,401	$201,790

The following data is compiled from the North Texas Real Estate Information Systems and analyzed by the Real Estate Center at Texas A&M University. According to the data as of October 2013 (includes residential, commercial and farm and ranch) the number of closed transactions year-to-date for lots and vacant land in the Rockwall market area has decreased 7% and the average price has increased 23%. The average sold to list price has increased 9% and the average days on market has increased 24%. Pending sales have decreased by 20% and inventory has decreased. The increase in pending sales is a good indicator of possible increased transaction levels in the coming months.

Year-to-Date Sales Closed by Area for: October 2013 Lots and Vacant Land – Part 1								
Area	Sales	%Change Year Ago	Dollar Volume	% Change Year Ago	Average Price	% Change Year Ago	Median Price	% Change Year Ago
34	100	-7%	$11,168,300	15%	$111,683	23%	$53,000	-3%

Year-to-Date Sales Closed by Area for: October 2013 Lots and Vacant Land – Part 11								
Area	Price per SF	%Change Year Ago	Sold to List Price	% Change Year Ago	Co-op Sales	% Change Year Ago	DOM	% Change Year Ago
34			91%	9%	52%	1%	245	24%

Year-to-Date Sales Closed by Area for: October 2013 Lots and Vacant Land – Part 111								
Area	Pending Sales	%Change Year Ago	New Listings	% Change Year Ago	Active Listings	% Change Year Ago	Months Inventory	% Change Year Ago
34	89	-20%	321	-18%	409	-9%	43.4	-1%

The following data is also compiled from the North Texas Real Estate Information Systems and analyzed by the Real Estate Center at Texas A&M University. According to the data as of October 2013 the number of closed transactions year-to-date for single family residences in the Rockwall market area has increased 33% and the average price increased 9%. The average price per square foot has increased 9% and the average days on market has decreased 25%. Pending sales have increased 12% and months of inventory has decreased 34%.

Year-to-Date Sales Closed by Area for: October 2013 Single Family – Part 1								
Area	Sales	%Change Year Ago	Dollar Volume	% Change Year Ago	Average Price	% Change Year Ago	Median Price	% Change Year Ago
34	1567	33%	$377,668,938	45%	$241,014%	9%	$199,000	10%

Residential Market Analysis, continued

Year-to-Date Sales Closed by Area for: October 2013 Single Family – Part 11								
Area	Price per SF	%Change Year Ago	Sold to List Price	% Change Year Ago	Co-op Sales	% Change Year Ago	DOM	% Change Year Ago
34	$91	9%	97%	0%	82%	1%	62	-26%

Year-to-Date Sales Closed by Area for: October 2013 Single Family – Part 111								
Area	Pending Sales	%Change Year Ago	New Listings	% Change Year Ago	Active Listings	% Change Year Ago	Months Inventory	% Change Year Ago
34	1346	29	2095	13%	483	-15%	3.3	-34%

Conclusions

Rockwall has shown strong population growth over the past twenty years and employment trends are positive. The area is rapidly being developed with commercial and residential uses. In the future, Rockwall County is anticipated to be one of the fastest growing areas of the metropolis. The neighborhood is considered to be in a growth life stage and the overall aspects are considered to be good.

DATA ANALYSIS

Description and Analysis of the Subject

For purposes of this analysis, the subject property is a typical, undeveloped, parcel in the City of Rockwall. According to the client, the City of Rockwall will be using the data to value parklands ranging in size from 1 to 10 acres. The client instructed the appraisers to base adjustments on a typical 5 acre residential parcel.

Description of the Data and Analysis

The purpose of this analysis is to determine the average value of a residential, undeveloped, parcel within the City of Rockwall. The parcel is assumed to have paved street access, utilities and to be in the early stages of development.

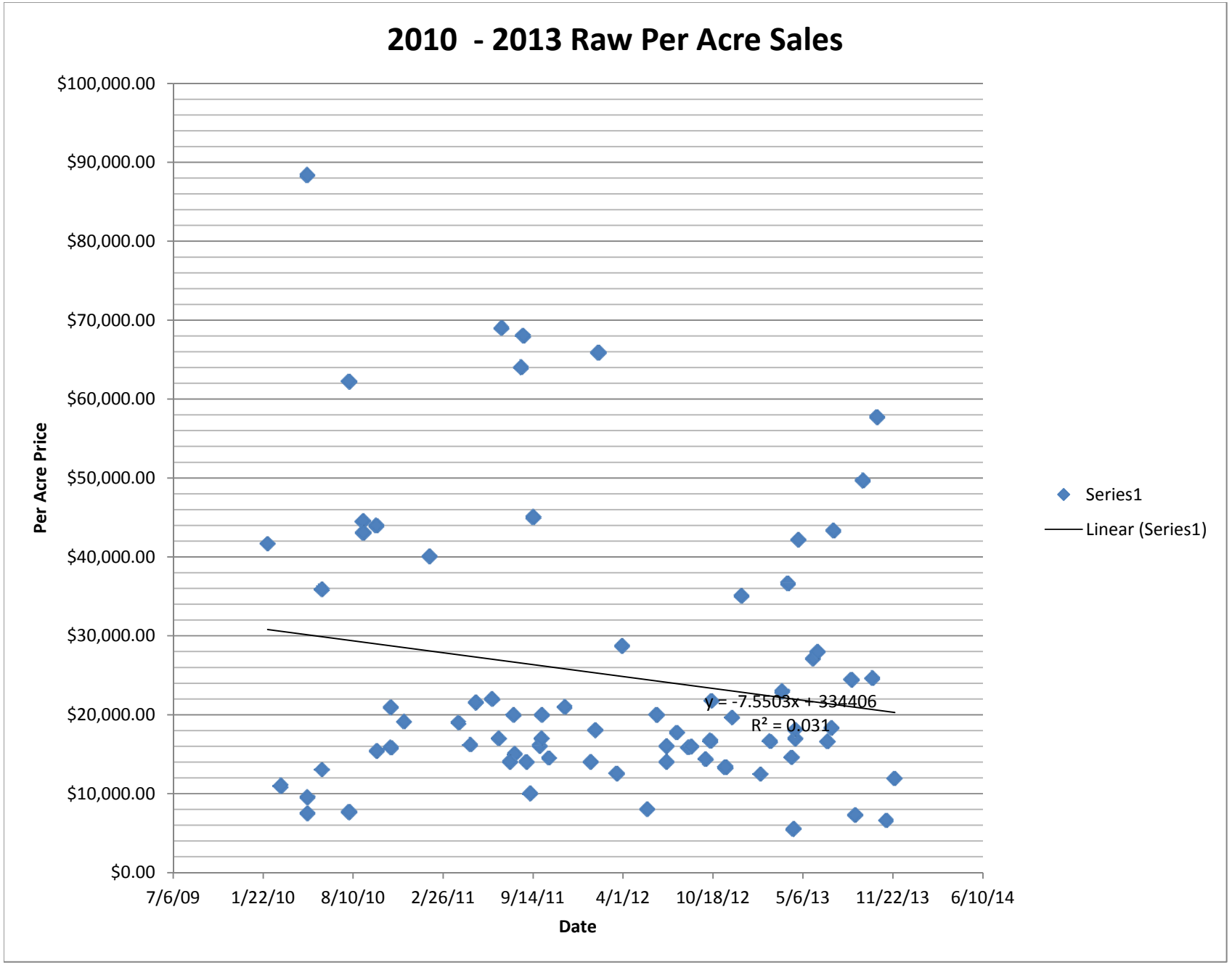
Sales and listing data was obtained from the Multiple Listing Service. Our queried data included all residential land sales from one tenth of an acre to twenty acres in the City of Rockwall. Included within the data are land sales of parcels improved with typical subdivision infra-structure (i.e. paved streets, utilities, engineering, platting, etc.) and those that do not have these improvements. These sales have been adjusted to reflect their condition above and below the average undeveloped parcel. Within our analysis we have also considered historical land sale prices and trends as these are good indicators of current prices and prices going forward and provide a helpful frame of reference for the overall market. Other factors considered and adjusted for within the sales data include parcel size and location.

Our queries presented the following raw data. The data is not adjusted to reflect the average, undeveloped parcel. The raw average price per acre is heavily biased and influenced by sales of lake front lots.

	2010	2011	2012	2013
Total Sales	51	79	90	97
Sale to List Ratio	83%	85%	88%	92%
Avg. Price Per Acre	$139,558	$75,231	$59,877	$89,958
Avg. Days on Market	304	371	90	282
Percentage of Sale Under 1 Acre	33.33%	45.57%	36.67%	41.1%

Data Analysis, continued

A trend analysis of the raw price per acre of all lot sale listed in MLS from 2010 to 2013 suggests the price trend is to be to slightly increasing. The data set was 317 sales. However, little weight should be given in this data as it is heavily upward biased because of small lots located on or near the lake which sale at a premium price due to location and higher unit prices due to economies of scale. Likewise, at the other end of the spectrum, a few sales sold for $200,000+. Many of the sales were located within Rockwall County but not in the City of Rockwall. In an attempt to reduce the skewing, the data set used in the analysis is refined to sales greater than 1 acre up to 20 acres that sold for less than $200,000 per acre. Only lot sales stated by MLS to be in the City of Rockwall were considered. For the 2010 thru 2013 time period the data set is narrowed to sales greater than 1.0001 acres and less than $100,000 in price. The following chart reflects the trend of these sales. The data indicates that not only has the velocity of acre sales increased but also the price. The data would indicate that the lots sales from 2010 to 2013 had a declining trend. However, this is somewhat misleading because the data appears to be skewed by several high priced lot sales in 2010 & 2011.

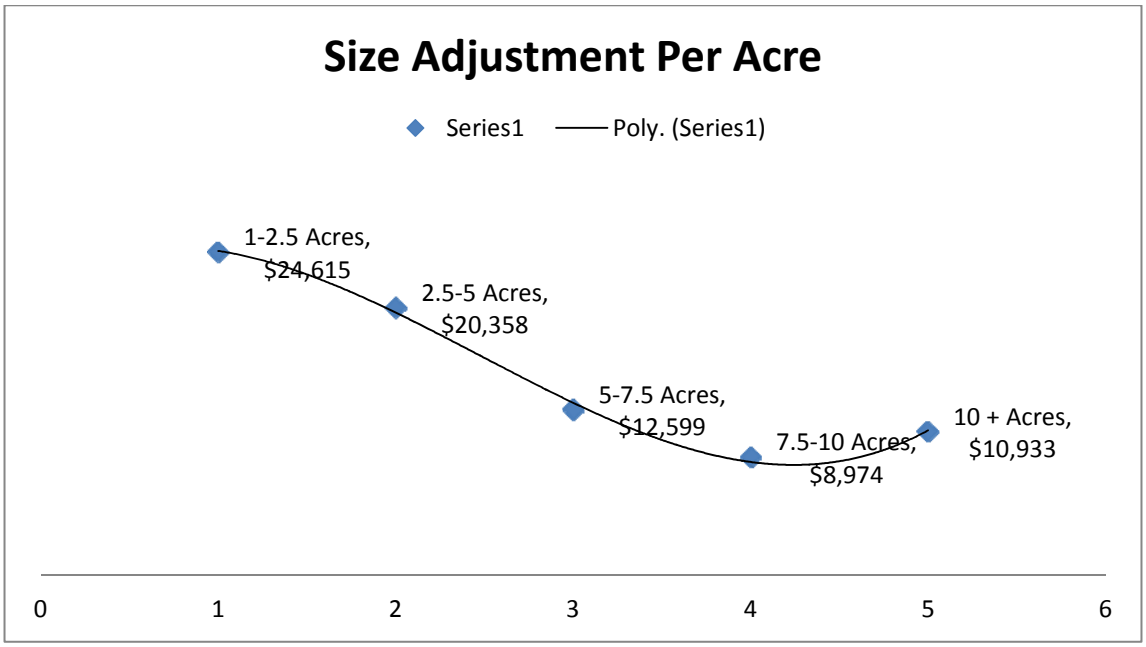

2010 - 2013 Raw Per Acre Sales
$100,000.00
$90,000.00
$80,000.00
$70,000.00
$60,000.00
$50,000.00
$40,000.00
$30,000.00
$20,000.00
$10,000.00
$0.00
Per Acre Price
7/6/09
1/22/10
8/10/10
2/26/11
9/14/11
4/1/12
10/18/12
5/6/13
11/22/13
6/10/14
Date
y = -7.5503x + 334406
R² = 0.031
Series1
Linear (Series1)

Data Analysis, continued

The most recent sales of lots is the 2013 data set. The analysis will focus on the 2013 sales. This data set contains 20 sales that MLS lists as in the City of Rockwall.

The data will first be adjusted for location and in infrastructure. These adjustments considered information included in the detail MLS write up sheets. . The average price per acre adjusted for location and infrastructure was $32,610.

The next adjustment is a lot size adjustment. The following chart represents the size adjustment of the data set.



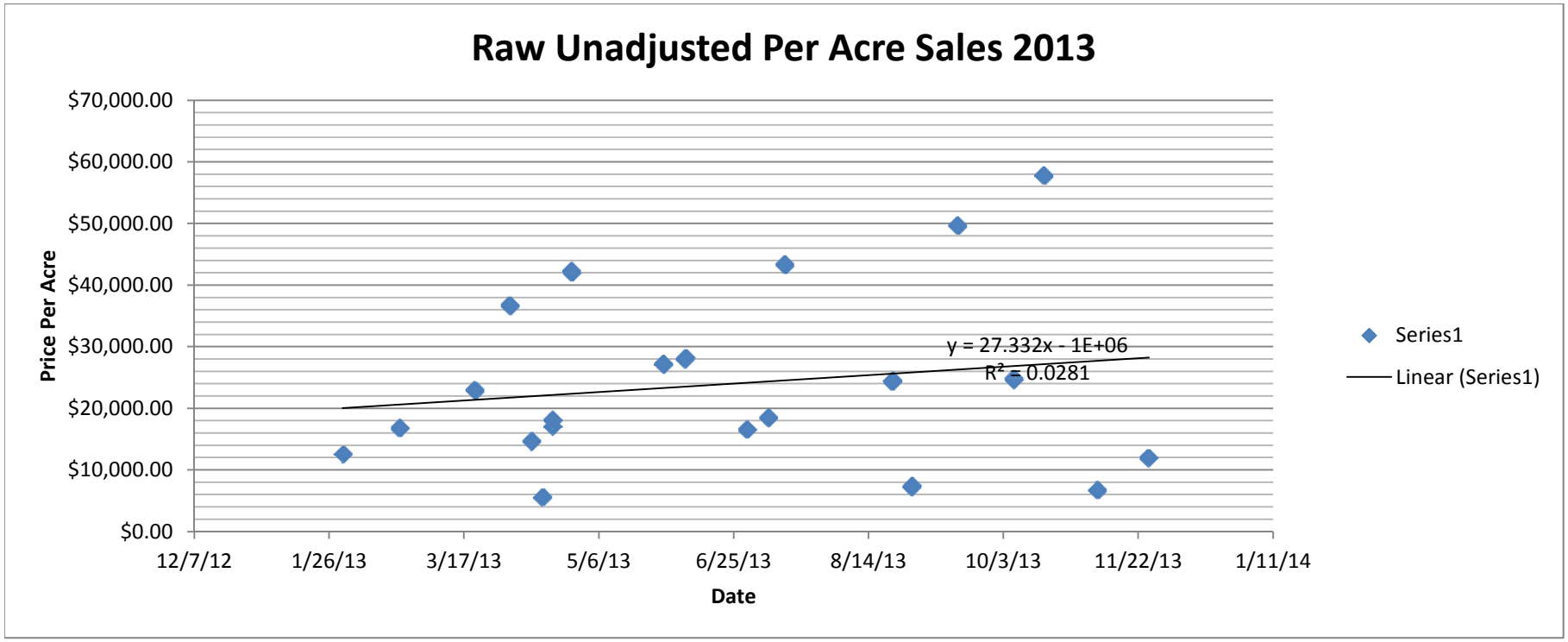
Data Analysis, continued

The data represents the following adjustment to a 5 acre tract.

Size Adjustment for a 5 Acre Tract	
1 Acre	**-25%**
2Acre	**-15%**
3Acre	**-7.5%**
4 Acre	**-3%**
5 Acre	**0**
6 Acre	**+5**
7 Acre	**+10**
8 Acre	**-20**
9 Acre	**+25**
10 Acre	**+25**

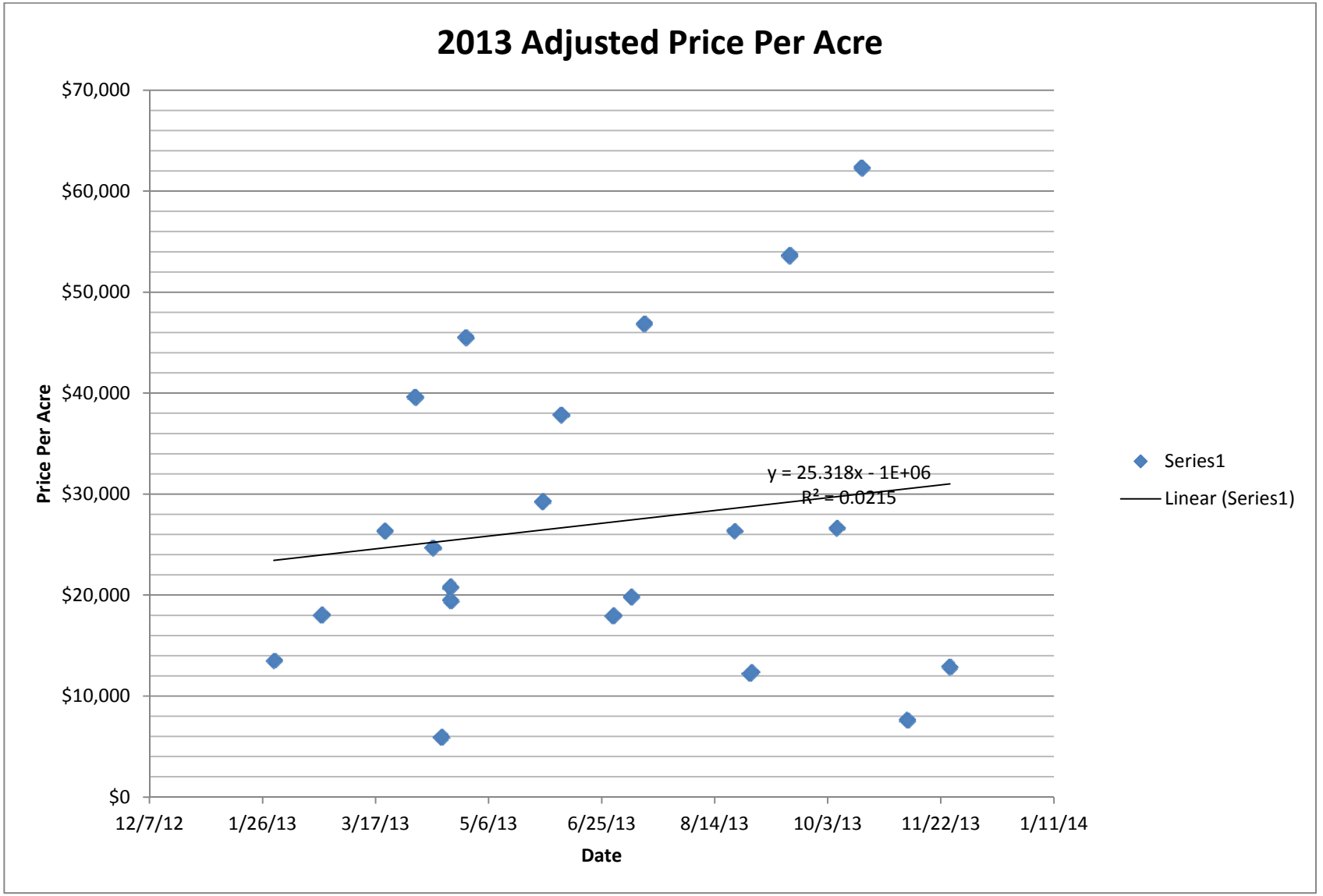
Following are two charts. The first shows the 2013 per acre lot sales date unadjusted. This chart shows the data quite dispersed between ±$6,000 per acre price to a $68,000 per acre price. The average 2013 per acre price was $25,085/Acre. The trend line indicates that the Acre price to be approximately $20,000/Acre at the beginning of 2012 and around $28,000/Acre at the end of 2013.

Data Analysis, continued



Data Analysis, continued

The second chart represents the 2013 data after adjustments for location, infrastructure and size. As shown on the chart, the data is represented in a much tighter range. The average for the adjusted data is $26,900/acre. The trend line indicates the price per acre at the beginning of 2013 to be approximately $23,500/acre and $31,000/acre toward the end of the year. This represents an annual growth rate of ±12%


2013 Adjusted Price Per Acre
$70,000
$60,000
$50,000
$40,000
$30,000
$20,000
$10,000
$0
Price Per Acre
12/7/12
1/26/13
3/17/13
5/6/13
6/25/13
8/14/13
10/3/13
11/22/13
1/11/14
Date
y = 25.318x - 1E+06
R² = 0.0215
Series1
Linear (Series1)

Data Analysis, continued

Conclusions

Over the last three years lot sales actively has been improving for both the number of sales as well as the price.

The following list a summary of our data findings over the past three years.

Average Per Acre Price 2010 2013 Unadjusted:	$25,595Acre
Average Per Acre Price 2013 Unadjusted:	$25,085/Acre
Average Per Acer Price Adjusted for Location & Infrastructure:	$32,610/Acre
Average per Acre Price 2013 Adjusted for Location, Infrastructure and Size:	$27,300/Acre

The adjusted 2013 data represents the tightest range of lot sales. The trend line of the data indicates per acre lot sales increased during 2013 from $23,500/Acre to $31,000/Acre at the end of the year.

Based upon our analysis and conclusions, subject to parameters defined, my opinion of the average market value price per acre of residential land in the City of Rockwall as of 1/1/2014 is:

$28,000/Acre

Addendum

Qualifications

Assumptions & Limiting Conditions

City of Rockwall Park Land Ordinance

SUMMARY OF QUALIFICATIONS - Bryan E. Humphries, MAI

Currently

Owner, BRYAN E. HUMPHRIES, INC.

Experience

Over 31 years experience in the appraisal of real properties, including commercial, multi-family, industrial, and special purpose properties, for mortgage bankers, savings and loan associations, insurance companies, attorneys, private individuals, public utilities, and governmental agencies.

Education

Graduated from Texas Tech University in 1974: B.B.A. Business

Graduated from Texas Tech University in 1976: M.S. Finance

Completed college, SREA, and AIREA courses in real estate appraisal

Qualified as "Expert" in real estate valuation in various courts

Professional Designations and Affiliations

MAI	Member (#6514), Appraisal Institute
AI	Admissions Committee, North Texas Chapter 17, 1983-1992 (Chairman, 1989-1990); National Admissions Review (1994-1996); Education Committee (1988); Region 8 Representative (1994, 1996, 1997, 2002); North Texas Chapter 17 Board of Directors (1993 - 1995; 1999 – 2001)
	Appraisal Institute National Screener (1996-2005)
Broker	Licensed Broker (#216136-12), Texas Real Estate Commission
State Certified	Texas State Certified - General Real Estate Appraiser (#TX 1320676-G)
State Certified	Texas State Certified – Property Tax Consultant (00003440)
Member	North Texas Commercial Association of Realtors
Member	Real Estate Financial Executive Association

ASSUMPTIONS AND LIMITING CONDITIONS

1. It is assumed that title to the property herein appraised is good and merchantable, and in fee simple. The value is reported without regard to questions of title, boundaries, encroachments, environmental regulations, licenses, or other matters of a legal nature unless noncompliance has been stated, defined, and considered in the appraisal report.

2. The value is estimated under the assumption that there will be no international or domestic political, economic, or military actions that will seriously affect real estate values throughout the country.

3. Certain information concerning market and operating data was obtained from others. This information is verified and checked, where possible, and is used in this appraisal only if it is believed to be accurate and correct. However, such information is not guaranteed. Dimensions and areas of the Subject Property and of the comparables were obtained by various means and are not guaranteed to be exact.

4. Real estate values are influenced by a number of external factors. The information contained herein is all of the data we consider necessary to support the value estimate. We have not knowingly withheld any pertinent facts, but we do not guarantee that we have knowledge of all factors, which might influence the value of the Subject Property. Due to rapid changes in external factors, the value estimate is considered to be reliable only as of the date of the appraisal.

5. Opinions of value contained herein are estimates. This is the definition of an appraisal. There is no guarantee, written or implied, that the Subject Property will sell for the estimated value. The estimated value assumes that the property is under responsible ownership and has competent and prudent management.

6. The appraiser will not be required to provide testimony or attendance in court or before other legal authority by reason of this appraisal without prior agreement and arrangement between the employer and the appraiser.

7. Disclosure of the contents of this appraisal report is governed by the By-Laws and Regulations of the Appraisal Institute. Neither all nor any part of the contents of this report (especially any opinions, analyses, or conclusions concerning value, the identity of the appraiser or the firm with which he is connected, or any reference to the Appraisal Institute or the M.A.I. or SRA Designation) shall be disseminated to the public through advertising media, public relations media, news media, sales media, prospectus for securities, or any other public means of communication without prior written consent and approval of the undersigned.

8. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures which would render it more or less valuable, except as stated in this report. No responsibility is assumed for such conditions or for engineering, which may be required to discover them. It is assumed that a prudent owner/buyer would allow inspection of the property by a qualified soils or structure engineer if conditions so required.

9. The distribution of the total valuation in this report between land and improvements applies only under the reported highest and best use of the land. The allocation of value for land and improvements, if presented, must not be used in conjunction with any other appraisal and are invalid if so used.

10. Estimates of costs to cure deferred maintenance are difficult at best. Contractors approach such problems in various ways. The estimates, if any, provided within this report are probable costs given current market conditions, available information, and the appraiser's expertise.

11. No environmental impact studies were requested or made in conjunction with this appraisal, and the appraiser hereby reserves the right to alter, amend, revise, and/or rescind the value opinions based upon any subsequent environmental impact studies, research, or investigation.

12. This appraisal was prepared by Bryan E. Humphries & Associates and consists of trade secrets and commercial or financial information, which is privileged and confidential and is exempted from disclosure under 5 U.S.C. 552 (b) (4). Please notify Bryan E. Humphries & Associates of any request of reproduction of this appraisal.

13. Unless otherwise stated in this report, the existence of hazardous substances, including without limitation asbestos, polychlorinated biphenyl, petroleum leakage, or agricultural chemicals, which may or may not be present on the property or other environmental conditions, were not called to the attention of nor did the appraiser become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraiser, however, is not qualified to test such substances or conditions. If the presence of such substances, such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions, may affect the value of the property, the value estimated is predicated on the assumption that there is

no such condition on or in the property or in such proximity thereto that it would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them.

14. Anyone acting in reliance upon the opinions, judgments, conclusions, or data contained herein, who has the potential for monetary loss due to the reliance thereon, is advised to secure an independent review and verification of all such conclusions and/or facts.

The user agrees to notify the appraiser prior to any irrevocable loan or investment decision of any error, which would reasonably be determined from a thorough and knowledgeable review.

15. By acceptance and use of this report, the user agrees that any liability for errors, omissions or judgment of the appraiser is limited to the amount of the fee charged.

16. The limiting condition relating to the ADA is as follows:

> This appraisal has not considered the effects of the enactment of the Americans with Disabilities Act of 1990 (ADA), which initially became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. Standards of this act are designed to provide access to all public facilities to all persons, regardless of mobility limitations. The act provides forceful encouragement for commercial establishments to enhance their accessibility and requires that renovations after this date fully comply with the access standards established by the Architectural and Transportation Barriers Compliance Board. Enhancements to buildings must be readily achievable and able to be carried out without much difficulty or expense. The act recognizes that "readily achievable" is different for companies depending on their resources. The first priority is to provide access from sidewalks, parking and transportation areas, with the second priority being to provide access to areas where goods and services are available to the public. Finally, access to restroom facilities must accommodate all persons. The modifications and costs that may be necessary for the property to conform to ADA can be ascertained only by a qualified architect. Should such a study be undertaken, and should the retrofit costs, if any, become known, then the appraisers reserve the right to re-evaluate the Subject Property.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING ARTICLE II. PARK LAND DEDICATION OF THE SUBDIVISION REGULATIONS OF THE CODE OF ORDINANCES AS SET FORTH HEREIN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS ($500.00); PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

Section 1. That the Subdivision Regulations of the Code of Ordinances shall be amended in Article II. Park Land Dedication, which shall hereafter read in its entirety as follows:

"ARTICLE II. PARK LAND DEDICATION

Sec. 24-41. Purpose.

(a) This article [Ordinance Number 87-1] is adopted to provide recreational areas in the form of neighborhood parks as a function of subdivision development in the City of Rockwall, Texas.This article is enacted in accordance with the Home Rule powers of the City of Rockwall, granted under the Texas Constitution, in statutes of the State of Texas, including but not by way of limitation, articles 974a and 1175. It is hereby declared by the city council that recreation areas in the form of neighborhood parks are necessary and in the public welfare, and that the only adequate procedure to provide for same is by integrating such a requirement into the procedure for planning and developing property or subdivisions in the city, whether such development consists of new construction on vacant land or rebuilding structures on existing residential property.

(b) Neighborhood parks are those parks providing for a variety of outdoor recreational opportunities, be a minimum of ten acres, and be within convenient distances for a majority of the residents to be served thereby. Park districts are established by the official park plan for the City of Rockwall, Texas, and shall be prima facie proof that any park located therein is within such convenient distance from any residence located therein. Primary cost of neighborhood parks shall be borne by the ultimate residential property owners, who, by reason of the proximity of their property to such parks, shall be the primary beneficiary of such facilities. Therefore, the following requirements are adopted to effect the purposes stated. (Ord. No. 87-1, § I, 1-5-87)

Sec. 24-42. Definitions.

For the purposes of this article, the following definitions shall apply:

Develop (V): The act of subdividing a parcel or tract of land and installation of community facilities in accordance with and as defined by the City of Rockwall Subdivision Ordinance.

Development (N): A parcel or tract of land proposed for subdivision in accordance with and as defined by the City of Rockwall Subdivision Ordinance.

Park development. The development of a park site by construction of streets, drainage, utilities, and recreational improvements to serve a neighborhood park district.

Recreational Improvements - Facilities: The park features set forth for a neighborhood park in the Activity Menu of the Park Plan. A uniform cost shall be prepared annually for these features and adopted by resolution by the City Council. The dedication factor shall be applied to this cost to determine the pro rata share per new dwelling unit for recreational improvements - facilities.

Pro rata share of required dedication. The amount of land that shall be dedicated (or the acreage figure used to calculate cash in lieu of land donation) as prescribed within this article. The pro rata share of required dedication in a neighborhood park district shall be calculated as follows: Pro rata share of required acreage dedication per new dwelling unit is the factor obtained when the 10 acre area of park is divided by the ultimate residential dwelling unit holding capacity for park district in which the unit(s) is located.

The total number of residential units which a neighborhood park district is projected to have when fully developed shall be determined by the Impact Fee Land Use Assumptions as set forth in Table 1, Park Dedication Acreage Factor per Dwelling Unit, below. (Ord. No. 87-1, § II, 1-5-87)

TABLE 1
PARK DEDICATION ACREAGE FACTOR PER DWELLING UNIT

Park District	Ultimate Dwelling Unit Holding Capacity	Dwelling Unit Dedication Factor (Acre)
1	653	.015
2	1151	.009
3	962	.010
4	1660	.006
5	1558	.007
6	978	.010
7	1282	.008
8	1856	.005
9	1524	.007
10	1041	.010
11	948	.011

12	2663	.004
13	728	.014
14	1940	.005
15	870	.015
16	728	.014
17	1235	.008
18	801	.012
19	1071	.009
20	699	.014
21	1473	.007
22	1598	.006
Total	27,419	

Sec. 24-43. General Requirement for SF-16, SF-10, SF-7, ZL-5, 2-F and MF-15, to be used for single-family, zero lot line, duplex, and/or apartment multi-family residential purposes.

(a) Whenever a final plat is filed of record with the county clerk of Rockwall County for development of a residential area in accordance with the planning and zoning ordinances of the City of Rockwall, such plat shall contain a clear fee simple dedication of an area of land to the City of Rockwall for park purposes, which area shall be equal to or greater than the property being subdivided's pro rata share of neighborhood park property required for the neighborhood park district in which the property being platted or subdivided is located as shown by the Park Master Plan. In addition, the developer shall make payment of money for pro-rata share and recreational improvement facilities as defined in this article. Any proposed plat submitted to the city for approval shall show the area proposed to be dedicated under this article. The requirement for dedication under this article may be met by a payment of money in lieu of land when permitted or required by the other provisions of this article.

(b) The city council declares the development of an area smaller than one acre for public park purposes to be impractical. Therefore, if less than one acre is calculated to be the pro rata share of a development plat filed for approval, the developer shall be required to pay the applicable cash in lieu of land amount provided for by Section 24-45(c) of this article, rather than dedicate any land area. No plat showing a dedication of less than one acre shall be approved.

(c) In instances where an area of less than six (6) acres but more than one acre is calculated to be the pro rata share of a development the city council shall have the option of requiring land dedication or cash in lieu of land in accordance with Section 24-45(c) of this article after consideration of the recommendation of the planning and zoning commission and the parks and recreation board. If the City determines that sufficient park area is already in the public domain in the area of the proposed development or the neighborhood park district, or if the recreation potential for that zone would be better served by

expanding or improving an existing park, dedication may also be refused and cash in lieu of land may, likewise, be required.

(d) The dedication required by this article shall be made by filing of final plat or contemporaneously by separate instrument. If the actual number of completed dwelling units exceeds the figures upon which the original dedication is based, additional dedication shall be required and shall be made by payment in lieu of land amount described by Section 24-45(c) of this article, or by the conveyance of an entire numbered lot to the city. (Ord. No.87-1, § III, 1-5-87)

Sec. 24-44. Prior dedication; absence of prior dedication.

At the discretion of the city council, any former gift of land to the city may be credited on a per acre basis toward the eventual land dedication requirements imposed on the donor of such land. The city council shall consider recommendations of the planning and zoning commission and the parks and recreation board in exercising its discretion under this section. (Ord. No. 87-1, § IV, 1-5-87)

Sec. 24-45. Money in lieu of land.

(a) Subject to the veto of the city council and the terms of Section 24-43 of this article, a land owner responsible for dedication under this article may elect to meet the requirements of Section 24-43 in whole or in part by a cash payment in lieu of land, in an amount set forth in Section 24-45(c). Such payment in lieu of land shall be made at or prior to final plat approval.

(b) The city may from time to time decide to purchase land for parks in or near the area of actual or potential development. If the city does purchase park land in a neighborhood park district and said land purchased is used to meet the need for a neighborhood park, subsequent land dedications for that district shall be in cash only and calculated on a pro rata share basis to reimburse the city's actual cost of acquisition and development of such land for parks. The cash amount shall be equal to the sum of (1) the average price per acre of such land, and (2) the actual cost of adjacent streets and site utilities, or an estimate of such actual costs provided by the city engineer and the recreation improvement costs for facilities as set forth in the Park Master Plan for neighborhood parks. Once the city has been reimbursed entirely for all park land within a park zone, this section shall cease to apply and the other sections of this article shall be applicable.

(c) To the extent that Section 24-45(b) is not applicable, the dedication requirements shall be met by a cash payment in lieu of land on the basis of a per acre price. Said per acre price shall be determined annually by the city council and shall be based on current land values within the City. Once established the Council shall adopt the value(s) by resolution for appreciation as required in this subsection. Cash payments may be used only for acquisition or improvement of neighborhood parks located within the same neighborhood park district as the development in accordance with the Park Master Plan. (Ord. No. 87-1, § V, 1-5-87)

Sec. 24-46. Dedication of more than the pro rata share of park land.

The developer of a residential subdivision which is subject to the terms of this article may dedicate more land than the pro rata share calculated for the development if approved by the city council. If the developer dedicates an amount equal to or greater than the total required park land area for the neighborhood park district in which his subdivision is located, the city and the developer shall execute a pro rata refunding agreement in accordance with the City of Rockwall Subdivision Regulations which shall recover the cost of land dedicated in excess of the developer's pro rata share after streets, drainage, and utilities are constructed on the dedicated property.

The developer shall install the streets, drainage, and utilities to serve the neighborhood park, and the cost of same shall be included in the pro rata refunding agreement. The pro rata refunding agreement shall provide that future developers in the same neighborhood park district shall pay their pro rata share of the actual cost of park development which shall be calculated based on the per acre cash in lieu of land cost in effect at the time of dedication, plus the costs of streets, drainage, utilities, and recreational facilities installed to serve the dedicated neighborhood park. The cost of streets, drainage and utilities installed to serve the park shall be certified by the city engineer. In no case shall the developer receive pro rata payments after he has recovered an amount equal to the number of acres actually dedicated in excess of his pro rata share multiplied by the per acre cash in lieu of land figure in effect at the time of actual dedication, plus the costs of streets, drainage, and utilities as certified by the city engineer necessary to serve the neighborhood park. In no case shall the term of any pro rata agreement provided by this article be for a period in excess of five (5) years from the date of dedication. (Ord. No. 87-1, § VI, 1-5-87)

Sec. 24-47. Special fund established; right to refund.

(a) There is hereby established a special fund for the deposit of all cash funds in lieu of land dedication under this article, which fund shall be known as the "Park Land Dedication Fund."

(b) The city shall account for all sums paid in lieu of land dedication under this article referenced to individual plats involved. Any funds paid for such purposes must be expended by the city within eight (8) years from the date received by the city for acquisition and development of a neighborhood park as defined herein. Such funds shall be considered to be spent on a first/in first/out basis. If not so expended, the owners of the property on the last day of such period shall be entitled to a pro rata refund of such funds, calculated on a square footage basis. The owners of such property must request such refund within one year of entitlement; in writing, or such rights shall be barred. (Ord. No. 87-1, § VII, 1-5-87)

Sec. 24-48. Additional requirements and provisions.

(a) Any land dedicated to the city under this article shall be suitable for park and recreation use. The following characteristics of a proposed area are generally unsuitable:

(1) Any area located in the one hundred-year floodplain;

(2) Any area of unusual topography or slope which renders same unusable for organized recreational activities.

The above characteristics of park land dedication area may be grounds for refusal of a plat.

(b) Each park must have ready access to a public street.

(c) Unless provided otherwise herein, action by the city shall be by the city council after consideration of the recommendations of the planning and zoning commission and the parks and recreation board. Any proposal considered by the planning and zoning commission under this article shall have been reviewed by the parks and recreation board and its recommendation given to the commission. The commission may make a decision contrary to such recommendation only by a vote of at least five (5) members. Should the commission be unable to get this vote, the matter shall then be referred to the city council for final decision.

(d) If any provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

(e) This article shall become effective upon adoption by the city council. (Ord. No. 87-1, § VIII, 1-5-87)

Sec. 24-49. Review and updating park master plan.

The City of Rockwall Parks and Recreation Department shall consider the need to update the Park Master Plan at least annually to insure that the plan remains current and provides an equitable, effective framework from which to pursue the acquisition and development of neighborhood park services for each neighborhood park district.

(Ord. No. 87-1, § XI, 1-5-87)

Sec. 24-50. Waiver of mandatory neighborhood park land dedication in the case of private developments.

If a development is proposed to be a private development where no public streets are dedicated for use by the public the city shall:

(1) Calculate the pro rata share of the proposed private development as if it were to be a development where public streets were to be dedicated.

(2) Waive the requirement for mandatory dedication if the private amenities of the proposed development meet or exceed the calculated pro rata share as calculated under Section 24-50(1) above.

(3) Decrease the total acreage shown in the Park Master Plan as being required to meet the ultimate need for neighborhood parks in the applicable neighborhood park district by the acreage calculated under Section 24-50(1) above (for the purpose of future calculations of pro rata shares for future developments).

(4) In a private development within a park district or a private development encompassing an entire park district, the park property within the private development must be easily accessible to the general public either through the use of the city trail system or public roadways. If the private development encompasses the entire park district and the ten acres of park land is not continuous, each separate section of park property must be accessible to the general public and connected by way of a minimum eight foot wide trail.

(Ord. No. 87-1, § IX, 1-5-87)

Sec. 24-51. Waiver of article requirements by city council.

The city council of the City of Rockwall, Texas may waive the requirements of this article upon a finding by the city council that said waiver is clearly in the best interest of the City of Rockwall. (Ord. No. 87-13, § I, 3-16-87)"

Section 2. Any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction be subject to a fine in accordance with the general provisions of the Code of Ordinances.

Section 3. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 4. That this ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this _____ day of _____, 1999.

_____
Mayor
City of Rockwall, Texas

ATTEST:

_____
City Secretary
City of Rockwall, Texas

APPROVED:

_____
City Attorney
City of Rockwall, Texas

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 32 SIGNS, ARTICLE III REGULATIONS AND REQUIREMENTS, DIVISION 2. STRUCTURAL STANDARDS, SECTION 32-204. WALL SIGNS AND DIVISION 6. SPECIFIC SIGN REGULATIONS, SECTION 32-306. WALL SIGNS TO ELIMINATE CERTAIN PROVISIONS REGARDING WALL SIGN HEIGHT; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Rockwall City Council deems the public interest to be best served by the adoption of certain rules and regulations regarding the height of wall signs as set forth herein;

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

SECTION 1. That the Code of Ordinances in Chapter 32. Signs, Article III. Regulations and Requirements, Division 2. Structural Standards, Section 32-204(a) is hereby amended to strike language and read as follows:

Sec. 32-204. Wall Signs

(a) Wall signs may be painted on a window or door, but no other building surface. All other wall signs shall be attached to, and not painted onto any building. The sign brackets or supports for wall signs may not project more than two inches from said wall. Such sign faces shall not ~~have a vertical height of more than six feet nor~~ exceed ten percent of the front face area of the building or storefront as established in approved plans submitted to the city, or 60 square feet, whichever is greater, nor exceed 75 percent of the width of such building or store frontage, nor the sign standards of the functional standards table set forth in section 32-366. Vertical clearance shall be subject to the requirements of section 32-206.

SECTION 2. That the Code of Ordinances in Chapter 32. Signs, Article III. Regulations and Requirements, Division 6. Specific Sign Regulations, Section 32-306 is hereby amended to strike language and read as follows:

Sec. 32-306. Wall Signs

A business shall be allowed any number of attached wall, projection or marquee signs so long as the total face area of the attached signs does not exceed ten percent of the front face area of the building or store front as established in approved plans

submitted to the city, or 60 square feet, whichever is greater~~, or exceed six feet in height~~.

SECTION 3. That any person, firm or corporation who violates any provision of this ordinance or who fails to obtain a special event permit shall be deemed guilty of a misdemeanor and upon conviction thereof, in the Municipal Court of Rockwall, TX, shall be subject to a fine in accordance with the general provisions of the Code of Ordinances.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 5. That the Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 6. That should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

SECTION 7. That it is hereby found and determined that the meeting at which this ordinance was passes was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

SECTION 8. That this Ordinance shall take effect immediately upon its second reading and newspaper publication as required by the City Charter, Section 3.11.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of January, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 01-06-14

2nd Reading: 01-21-14

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 1/21/2014

APPLICANT: Greener City Group

AGENDA ITEM: **P2013-042**; Shady Dale Estates

Discuss and consider a request by Drew Colon of Greener City Groups, Inc. for the approval of a final plat of Lots 1-14, Block 1, Shady Dale Estates Addition being a 4.32-acre tract of land identified as Tracts 4-13 & 4-14 of the Edward Teal Survey, Abstract 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for Single Family Residential uses, located east of the intersection of Ridge Road [FM-740] and Shady Dale Lane, and take any action necessary.

BACKGROUND INFORMATION:

* The purpose of the final plat is to establish 14 single family lots for the Shady Dale Estates Addition. The plat conforms to the requirements established within PD-9.

* The Treescape Plan submitted for this development indicates an overall total of 81 caliper inches being removed from the site (primarily Hackberry & Cedars). However, there are two (2) Elms that are considered feature trees and require P&Z approval prior to their removal. The Elms require an inch for inch replacement while Hackberry & Cedars that are eleven (11) caliper inches or great require a 50% replacement of the total caliper inches being removed. The applicant is proposing 28 – three (3) caliper inch trees to be planted (2 trees per lot) in order to satisfy the mitigation for the development.

* The Parks Board met on January 7, 2014 and recommended approval of the final plat. The Shady Dale Estates Addition is within Park District No. 16 and requires Cash in Lieu of Land fees calculated at $590 per lot and Pro-Rata Equipment fees calculated at $1,006 per lot. These particular fees are due at final plat approval.

* This plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required prior to the recordation with the County.

* Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the Recommendation section below.

With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision

Ordinance in the Municipal Code of Ordinances. Also, the final plat meets the minimum requirements of the Planned Development No. 9 (PD-9) district that governs the development.

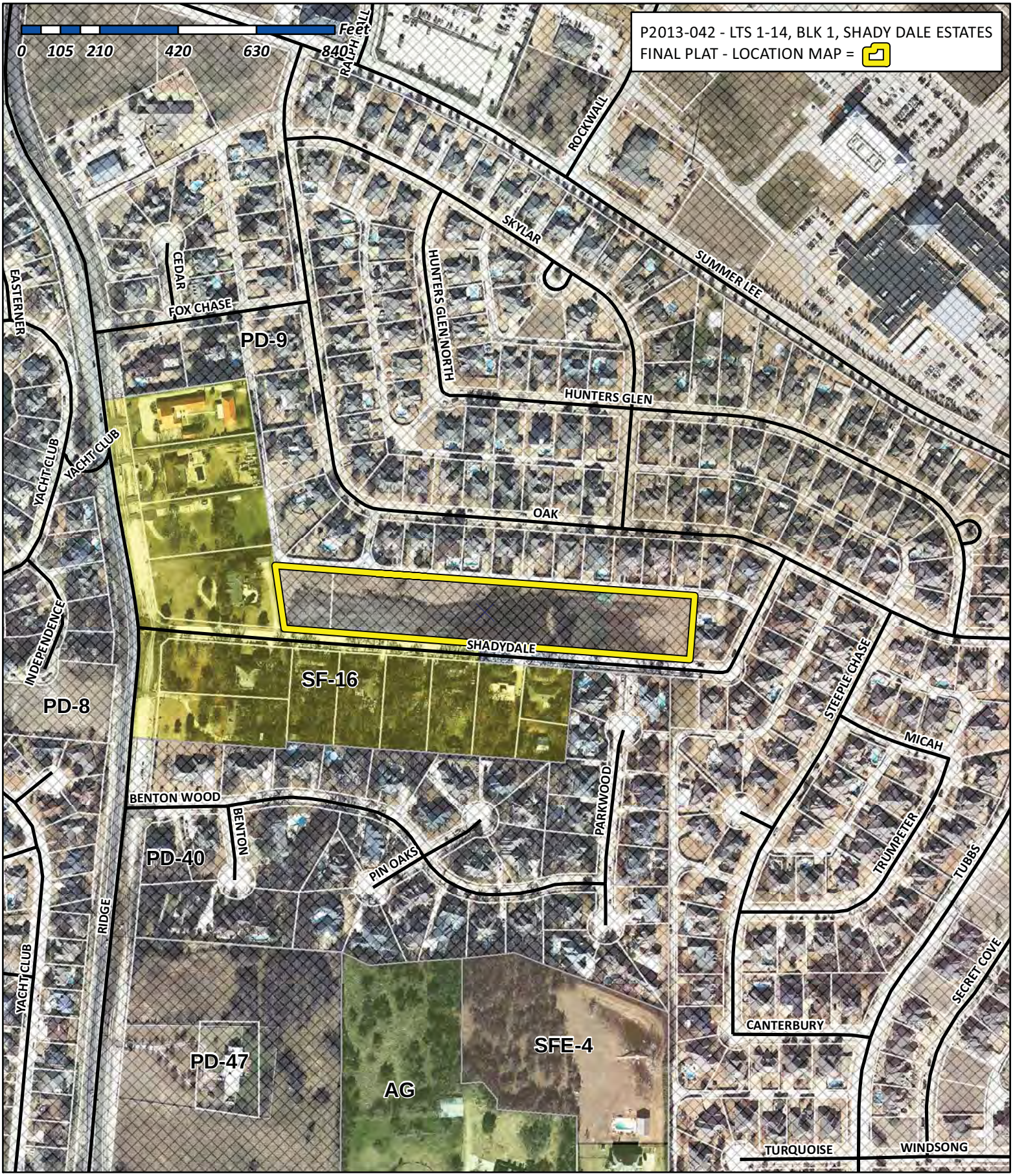
RECOMMENDATIONS:

If approved, staff recommends the following conditions:

1. Adherence to Engineering and Fire Department standards.
2. Provide the location and dimension of all franchise easements.
3. Adherence to Parks Board and Parks Department requirements. Payment of the Cash in Lieu of Land and Pro-Rata Equipment fees are due at final plat approval.

PLANNING & ZONING COMMISSION:

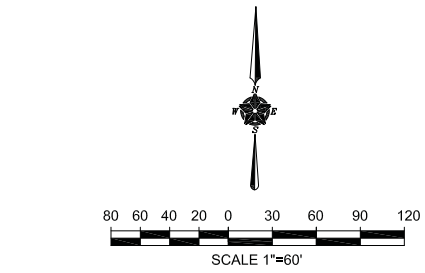
On January 14, 2014 the Planning & Zoning Commission approved the replat subject to staff's recommendations by a vote of 6-0, with Commissioner McCuthcheon absent.



City of Rockwall

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

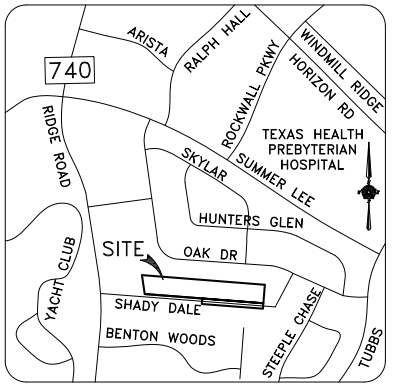
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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

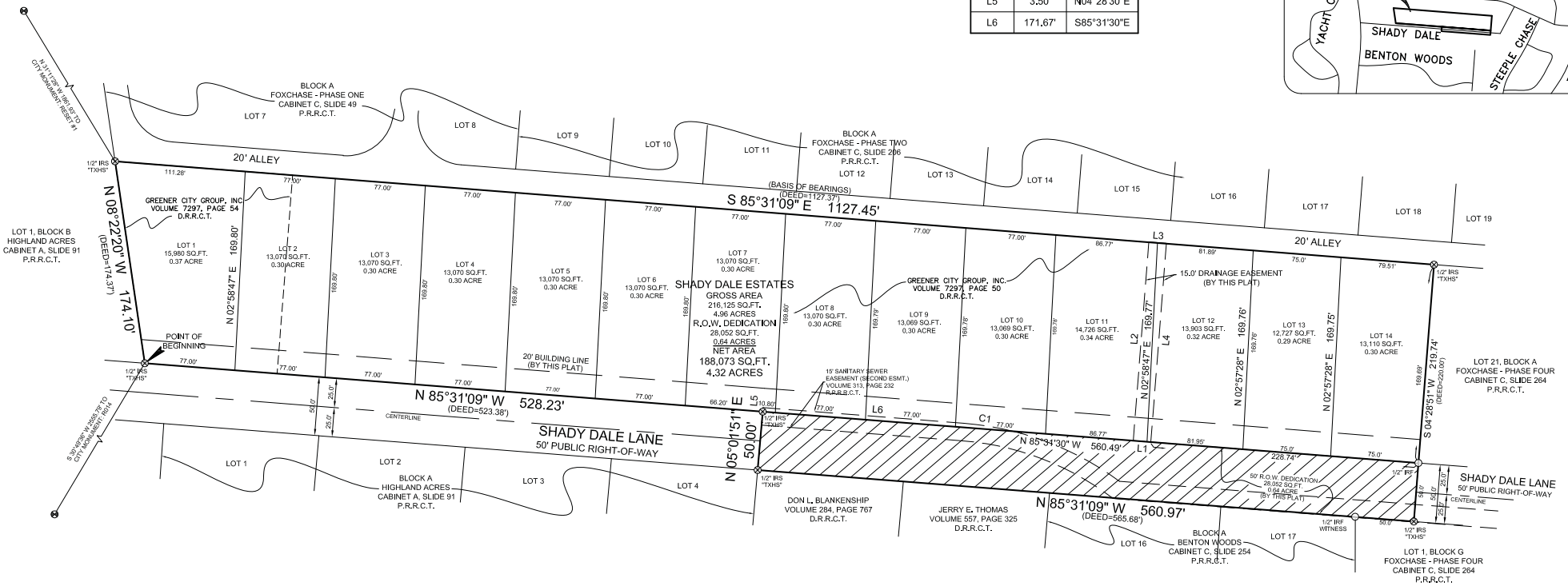


EASEMENT CURVE TABLE			
CURVE #	LENGTH	RADIUS	CHORD
C1	42.45'	257.02'	S80°47'37"E 42.40'

EASEMENT LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	15.00'	N85°31'30"W
L2	170.00'	N04°28'30"E
L3	15.00'	S85°31'30"E
L4	170.00'	S04°28'30"W
L5	3.50'	N04°28'30"E
L6	171.67'	S85°31'30"E

VICINITY MAP - NOT TO SCALE





GENERAL NOTES:

1) Bearings are based on deed recorded in Volume 7297, Page 50, Deed Records, Rockwall County, Texas.

2) The purpose of this plat is to create 14 lots.

3) This property is in Zone(s) X of the Flood Insurance Rate Map, Community Panel No. 49397C0040 L, which bears an effective date of September 26, 2008 and IS NOT in a Special Flood Hazard Area.

LEGEND

IRF	IRON ROD FOUND
IRS	IRON ROD SET WITH YELLOW CAP STAMPED "TXHS"
ESMT.	EASEMENT
VOL., PG.	VOLUME, PAGE
P.R.R.C.T.	PLAT RECORDS, ROCKWALL COUNTY, TEXAS
D.R.R.C.T.	DEED RECORDS, ROCKWALL COUNTY, TEXAS

FINAL PLAT

LOTS 1-14, BLOCK 1
SHADY DALE ESTATES

BEING 4.32 ACRES SITUATED IN THE EDWARD TEAL SURVEY, ABSTRACT NO. 207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS.
CASE NO. P2013-042

OWNER
GREENER CITY GROUP, INC.
8201 PRESTON ROAD, SUITE #300
DALLAS, TEXAS 75225

TEXAS HERITAGE SURVEYING, LLC
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com

SHEET 1 OF 2

DATE: 12/27/2013 / JOB # 1301608-2 / SCALE: 1"=60' / DRAWN BY: MC

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OWNER'S CERTIFICATE:

STATE OF TEXAS
COUNTY OF ROCKWALL
CITY OF ROCKWALL

WHEREAS, Greener City Group, Inc. is the sole owner of a tract of land situated in the Edward Teal Survey, Abstract No. 207, in Rockwall County County, Texas, being that same tract of land conveyed to Greener City Group, Inc. by General Warranty Deeds recorded In Volume 7297, Page 50 and Volume 7297, Page 54, of the Deed Records of Rockwall County, Texas, and being together more particularly described by metes and bounds as follows:

Beginning at a 1/2 inch iron rod set for corner with a yellow cap stamped "TXHS" in the North right-of-way line of Shady Dale Lane (50 foot public right-of-way), said point being the Southeast corner of Lot 1, Block B of Highland Acres, an addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded In Cabinet A, Slide 91 of the Plat Records of Rockwall County, Texas, same being the most westerly Southwest corner of herein described tract;

Thence North 08 Degrees 22 Minutes 20 Seconds West, along the East line of said Lot 1, Block B, a distance of 174.10 feet to a 1/2 Inch Iron rod set for corner with a yellow cap stamped "TXHS", said point being the Southwest corner of a 20 foot alley as shown on the plats of Foxchase - Phase One, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded In Cabinet C, Slide 49 and Foxchase - Phase Two, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 206 of the Plat Records of Rockwall County, Texas, same being the Northwest corner of herein described tract;

Thence South 85 Degrees 31 Minutes 09 Seconds East, along the South right-of-way line of said alley, a distance of 1127.45 feet to a 1/2 inch Iron rod set for corner with a yellow cap stamped "TXHS", said point being the Northwest corner of Lot 21, Block A of Foxchase - Phase Four, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded In Cabinet C, Slide 264 of the Plat Records of Rockwall County, Texas, same being the Northeast corner of herein described tract;

Thence South 04 Degrees 28 Minutes 51 Seconds West, along the West line of said Lot 21, passing its Southwest corner, same being the North right-of-way line of said Shady Dale Lane, at a distance of 170.00 feet and continuing for a total distance of 219.74 feet to a 1/2 Inch Iron rod set for corner with a yellow cap stamped "TXHS" In the North line of Lot 1, Block G of said FOxchase - Phase Four addition, said point being also In the South right-of-way line of said Shady Dale Lane, same being the Southeast corner of herein described tract;

Thence North 85 Degrees 31 Minutes 09 Seconds West, along the North line of said Lot 1, Block G, passing the Northeast corner of Block A of Benton Woods, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded In Cabinet C, Slide 254 of the Plat Records of Rockwall County, Texas, and continuing along the North line of said Benton Woods addition, and passing the Northeast corner of a tract of land conveyed to Jerry E. Thomas by deed recorded in Volume 557, Page 325 of the Deed Records of Rockwall County, Texas, and continuing along the North line of said Thomas tract, and passing the Northeast corner of a tract of land conveyed to Don L. Blankenship by deed recorded in Volume 284, Page 767 of the Deed Records of Rockwall County, Texas, and contiuing along the North line of said Blankenship tract, for a total distance of 560.97 feet to a 1/2 Inch Iron rod set for corner with a yellow cap stamped "TXHS", said point being the Southeast corner of said Shady Dale Lane, same being the Northeast corner of Lot 4, Block A of the aforementioned Highland Acres, being the Northwest corner of said Blankenship tract and being the most easterly Southwest corner of herein described tract;

Thence North 05 Degrees 01 Minute 51 Seconds East, along the East right-of-way line of said Shady Dale Lane, a distance of 50.00 feet to a 1/2 Inch Iron rod set for corner with a yellow cap stamped "TXHS", said point being the Northeast corner of said Shady Dale Lane;

Thence North 85 Degrees 31 Minutes 09 Seconds West, along the North right-of-way line of said Shady Dale Lane, a distance of 528.23 feet to the POINT OF BEGINNING and containing 216,125 square feet or 4.96 acres of land.

GENERAL NOTES:

1) Bearings are based on deed recorded in Volume 7297, Page 50, Deed Records, Rockwall County, Texas.

2) The purpose of this plat is to create 14 lots.

3) This property is in Zone(s) X of the Flood Insurance Rate Map, Community Panel No. 49397C0040 L, which bears an effective date of September 26, 2008 and IS NOT In a Special Flood Hazard Area.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL
CITY OF ROCKWALL

That, Greener City Group, Inc., through the undersigned authority, does hereby adopt this plat designating the herein above described property as **Shady Dale Estates**, a subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown for the purposes and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the Shady Dale Estates subdivision have been notified and signed this plat.

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

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

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

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

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

_____
Drew Colon (owner)
Greener City Group Inc.

STATE OF TEXAS
COUNTY OF ROCKWALL

BEFORE ME, the undersigned authority, a Notary Public In and for the said County and State, on this day personally appeared Azra Bazargani, known to me to be the person whose name is subscribed to the foregoing Instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

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

_____ My commission expires: _____
Notary Signature

SURVEYORS CERTIFICATE:

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

_____
Gary E. Johnson, R.P.L.S. No. 5299

STATE OF TEXAS

BEFORE ME, the undersigned authority, a Notary Public In and for the said County and State, on this day personally appeared Gary E. Johnson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

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

_____ My commission expires: _____
Notary Signature

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

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

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

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

_____
Mayor, City of Rockwall

_____
City Secretary, City of Rockwall

_____
Engineer, City of Rockwall

OWNER
GREENER CITY GROUP, INC.
8201 PRESTON ROAD, SUITE #300
DALLAS, TEXAS 75225

FINAL PLAT
LOTS 1-14, BLOCK 1
SHADY DALE ESTATES
BEING 4.32 ACRES SITUATED IN THE
EDWARD TEAL SURVEY, ABSTRACT NO. 207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS.
CASE NO. P2013-042

TEXAS HERITAGE SURVEYING, LLC
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com

SHEET 2 OF 2

DATE: 12/27/2013 / JOB # 1301608-2 / SCALE: 1" = 40' / DRAWN BY: MC

110

PROPERTY DESCRIPTION

Being a tract of land situated in the Edward Teal Survey, Abstract No. 207, in Rockwall County County, Texas, being that same tract of land conveyed to Greener City Group, Inc. by General Warranty Deeds recorded in Volume 7297, Page 50 and Volume 7297, Page 54, of the Deed Records of Rockwall County, Texas, and being together more particularly described by metes and bounds as follows:

Beginning at a 1/2 inch iron rod set for corner with a yellow cap stamped "TXHS" in the North right-of-way line of Shady Dale Lane (50 foot public right-of-way), said point being the Southeast corner of Lot 1, Block B of Highland Acres, an addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 91 of the Plat Records of Rockwall County, Texas, same being the most westerly Southwest corner of herein described tract;

Thence North 08 Degrees 22 Minutes 20 Seconds West, along the East line of said Lot 1, Block B, a distance of 174.10 feet to a 1/2 inch iron rod set for corner with a yellow cap stamped "TXHS", said point being the Southwest corner of a 20 foot alley as shown on the plats of Foxchase - Phase One, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 49 and Foxchase - Phase Two, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 206 of the Plat Records of Rockwall County, Texas, same being the Northwest corner of herein described tract;

Thence South 85 Degrees 31 Minutes 09 Seconds East, along the South right-of-way line of said alley, a distance of 1127.45 feet to a 1/2 inch iron rod set for corner with a yellow cap stamped "TXHS", said point being the Northwest corner of Lot 21, Block A of Foxchase - Phase Four, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 264 of the Plat Records of Rockwall County, Texas, same being the Northeast corner of herein described tract;

Thence South 04 Degrees 28 Minutes 51 Seconds West, along the West line of said Lot 21, passing its Southwest corner, same being the North right-of-way line of said Shady Dale Lane, at a distance of 170.00 feet and continuing for a total distance of 219.74 feet to a 1/2 inch iron rod set for corner with a yellow cap stamped "TXHS" in the North line of Lot 1, Block G of said FOxchase - Phase Four addition, said point being also in the South right-of-way line of said Shady Dale Lane, same being the Southeast corner of herein described tract;

Thence North 85 Degrees 31 Minutes 09 Seconds West, along the North line of said Lot 1, Block G, passing the Northeast corner of Block A of Benton Woods, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 254 of the Plat Records of Rockwall County, Texas, and continuing along the North line of said Benton Woods addition, and passing the Northeast corner of a tract of land conveyed to Jerry E. Thomas by deed recorded in Volume 557, Page 325 of the Deed Records of Rockwall County, Texas, and continuing along the North line of said Thomas tract, and passing the Northeast corner of a tract of land conveyed to Don L. Blankenship by deed recorded in Volume 284, Page 767 of the Deed Records of Rockwall County, Texas, and continuing along the North line of said Blankenship tract, for a total distance of 560.97 feet to a 1/2 inch iron rod set for corner with a yellow cap stamped "TXHS", said point being the Southeast corner of said Shady Dale Lane, same being the Northeast corner of Lot 4, Block A of the aforementioned Highland Acres, being the Northwest corner of said Blankenship tract and being the most easterly Southwest corner of herein described tract;

Thence North 05 Degrees 01 Minute 51 Seconds East, along the East right-of-way line of said Shady Dale Lane, a distance of 50.00 feet to a 1/2 inch iron rod set for corner with a yellow cap stamped "TXHS", said point being the Northeast corner of said Shady Dale Lane;

Thence North 85 Degrees 31 Minutes 09 Seconds West, along the North right-of-way line of said Shady Dale Lane, a distance of 528.23 feet to the POINT OF BEGINNING and containing 216,125 square feet or 4.96 acres of land.

GENERAL NOTES

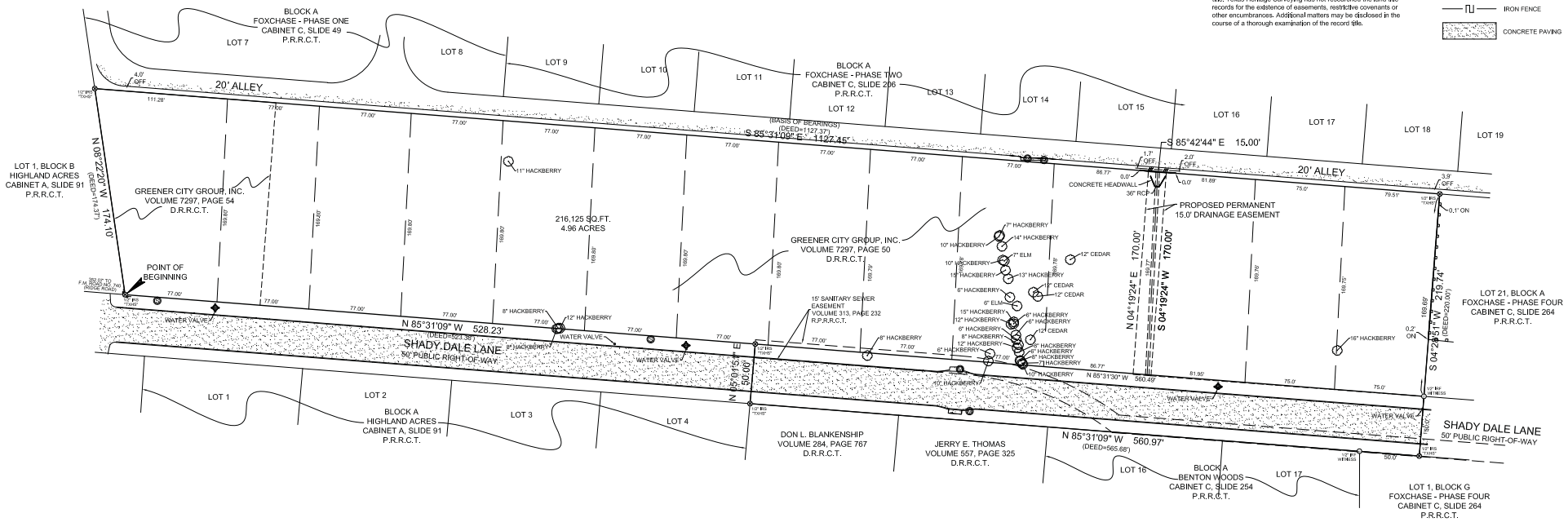
1) According to the F.I.R.M. No. 48397C0040 L, the subject property lies in Zone X and does not lie within a Flood Prone Hazard Area.

2) Bearings are based on deed recorded in Document No. 2013-491927, Deed Records, Rockwall County, Texas.

3) This survey plat has been prepared without benefit of abstract title. Texas Heritage Surveying has not researched the land title records for the existence of easements, restrictive covenants or other encumbrances. Additional matters may be disclosed in the course of a thorough examination of the record title.

LEGEND

- IRON ROD FOUND
- SANITARY SEWER MANHOLE COVER
- STORM SEWER MANHOLE COVER
- IRON ROD SET
- FIRE HYDRANT
- WOOD FENCE
- IRON FENCE
- CONCRETE PAVING



TEXAS HERITAGE SURVEYING, LLC
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com

TREE & BOUNDARY SURVEY
SHADY DALE LANE
PORTION OF THE EDWARD TEAL SURVEY, ABSTRACT NO. 207
ROCKWALL COUNTY, TEXAS
JOB NO: 1301608-2
DRAWN BY: MC
DATE: 11/25/2013
SCALE: 1"=40'

111

LOT NO	TREE CALIPER SIZE	TREE TYPE COMMON NAME	CONDITION OF TREE	SAVED OR REMOVED	MITIGATION CALCULATIONS	MITICATION REQUIRED
Lot 5	12"	Hackberry	Good	Removed	Mitigation Requires 1/2 of |:| Ratio	6"
Lot 10	14"	Hackberry	Good	Removed	Mitigation Requires 1/2 of |:| Ratio	7"
Lot 10	13"	Hackberry	Good	Removed	Mitigation Requires 1/2 of |:| Ratio	6.5"
Lot 10	12"	Cedar	Good	Removed	Mitigation Requires 1/2 of |:| Ratio	6"
Lot 10	12"	Cedar	Good	Removed	Mitigation Requires 1/2 of |:| Ratio	6"
Lot 10	15"	Hackberry	Good	Removed	Mitigation Requires 1/2 of |:| Ratio	7.5"
Lot 10	12"	Hackberry	Good	Removed	Mitigation Requires 1/2 of |:| Ratio	6"
Lot 10	12"	Hackberry	Good	Removed	Mitigation Requires 1/2 of |:| Ratio	6"
Lot 10	12"	Hackberry	Good	Removed	Mitigation Requires 1/2 of |:| Ratio	6"
Lot 10	12"	Cedar	Good	Removed	Mitigation Requires 1/2 of |:| Ratio	6"
Lot 10	6"	Elm	Good	Removed	Mitigation Requires 1 to 1 Ratio	6"
Lot 10	6"	Elm	Good	Removed	Mitigation Requires 1 to 1 Ratio	6"
Lot 11	12"	Cedar	Good	Removed	Mitigation Requires 1/2 of |:| Ratio	6"
Lot 13/14	16"	Hackberry	Good	Saved	Mitigation Requires 1/2 of |:| Ratio	0"
					TOTAL	**81 Inches**
		New Trees being installed on 14 Lots				
		2 (3") CAL. Trees Per Lot				
						84 Inches

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113

CITY OF ROCKWALL
PLANNING AND ZONING COMMISSION MEMO

AGENDA DATE: 01/14/2014

APPLICANT: Tabani Group

AGENDA ITEM: **P2013-043**; Lot 5, Block A, Rockwall Commons

SUMMARY:

Discuss and consider a request by Mushtak Khatri of the Tabani Group on behalf of T. Rockwall Phase 2, LLC for the approval of a final plat for Lot 5, Block A, Rockwall Commons Addition being a 3.802-acre parcel of land currently recognized as a one (1) acre parcel of land identified as Lot 1, Block 1, Independent Community Financial Corporation Addition and a 2.802-acre tract of land identified as Tract 6-2 of the B. J. T. Lewis Survey, Abstract No. 255 and the D. Atkins Survey, Abstract No. 1, both properties being zoned Planned Development District 1 (PD-1) for mixed use development, generally located on Ridge Road [FM-740] south of Summit Ridge Drive, and take any action necessary.

COMMENTS:

- ✓ The objective of this request is to final plat a 3.802-acre tract of land into one (1) non-residential lot for the purpose of constructing a mixed residential/retail development. The proposed development will be similar to the existing mixed use development that exists directly adjacent to the subject property.

- ✓ This plat includes the dedication of twenty (20) feet of right-of-way for Ridge Road [FM-740]. After the dedication the total right-of-way width for Ridge Road [FM-740] will be 100-feet.

- ✓ On January 7, 2014 the Parks Board reviewed the proposed final plat and recommended the following:

    1) The developer pay the cash-in-lieu of land fees required for Park District No. 20 in the amount of $68,180.00 [140 Units @ $487.00 Per Unit], and

    2) The developer pay the pro-rata equipment fees required for Park District No. 20 in the amount of $40,040.00 [140 Units @ $286.00 Per Unit].

- ✓ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for final plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

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

RECOMMENDATIONS:

Staff recommends approval of the final plat for *Lot 5, Block A, Rockwall Commons* in conformance with the following conditions of approval:

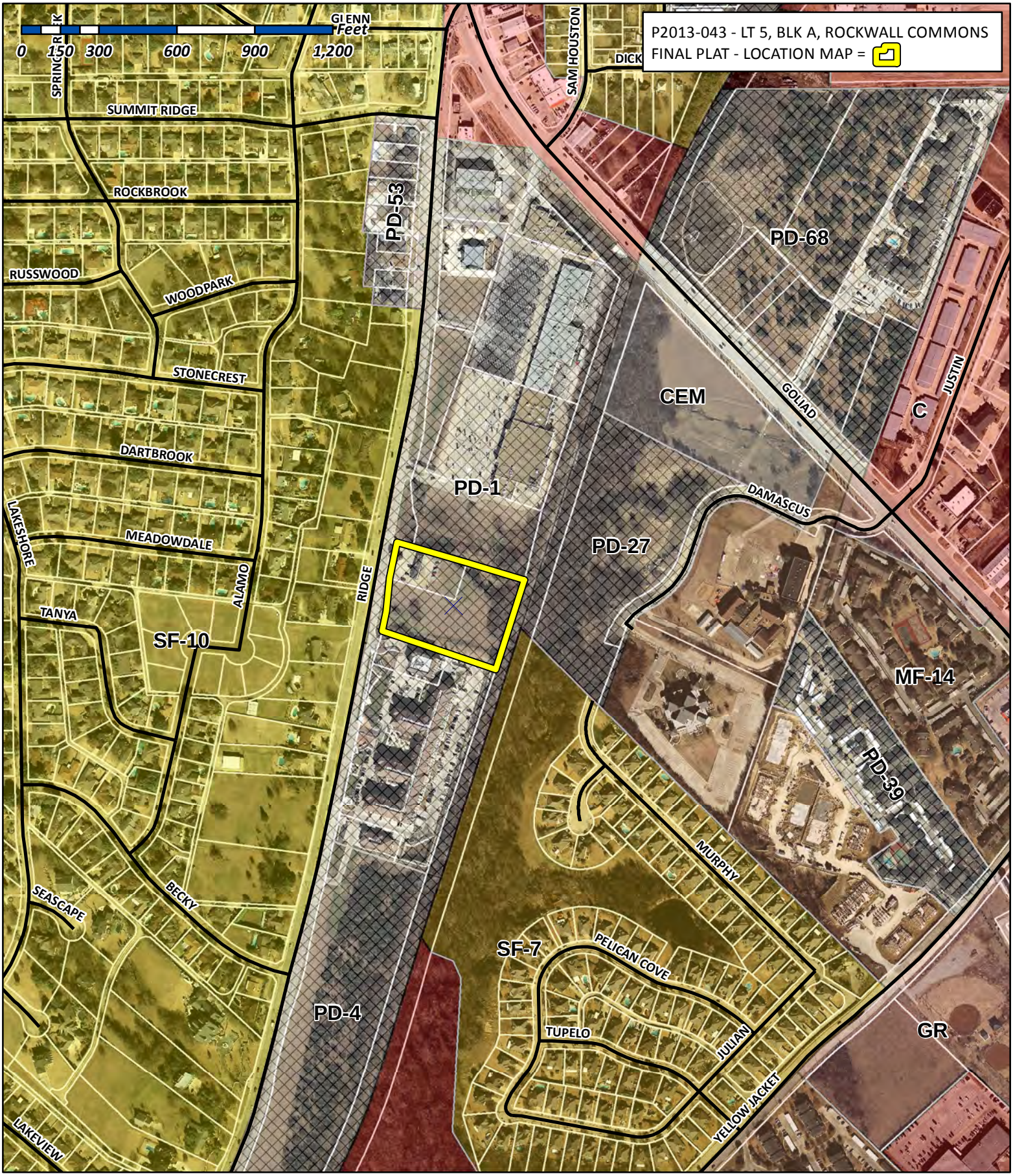
1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

2) The applicant shall adhere to the recommendations made by the Parks Board (*stated above*);

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

PLANNING & ZONING COMMISSION:

On January 14, 2014 the Planning & Zoning Commission approved the replat subject to staff's recommendations by a vote of 6-0, with Commissioner McCuthcheon absent.



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

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

116

TXNC 4202
N=6893925.89
E=2654125.72

0 30 60 feet

SCALE: 1" = 30'

—LEGEND—

brass mon — Brass Monument
irf — Iron Rod Found

Eastridge Center
Cabinet A, Slide 263 P.R.R.C.T.

S 71°26'08" E 278.31'
S 71°17'00" E 278.67' (Plat)

S 71°14'00" E 231.77'
S 71°12'04" E (Deed)

20' Utility Easement
Cabinet B, Slide 76

Lot 1, Block 1
INDEPENDENT COMMUNITY
FINANCIAL CORPORATION
Cabinet B, Slide 76 P.R.R.C.T.

T Rockwall Phase 2, LLC
VOL. 7063, PG. 160

N 12°20'00" E 150.68'
150.94' (Plat)
(Basis of Bearings)

20' Road Dedication
Cabinet B, Slide 76

S 71°00'07" E 116.76'
S 71°00'07" E 95.69'
S 71°00'07" E 84.71'
N 71°00'07" W 101.01'

FIRE LANE & PUBLIC ACCESS EASEMENT

UTILITY EASEMENT

N 63°59'53" E 48.21'

C4 C5 C6 C7 C8 C9

S 71°17'00" E 283.56'
S 71°17'00" E 249.96'
N 71°17'00" W 272.38'
N 71°17'00" W 64.76'
40.57' N 71°17'00" W

Old Lot Line

N 18°43'44" E 150.68'
150.00' (Plat)
150.87' (Deed)

S 18°43'00" W 150.00' (Plat)
N 18°43'00" E 64.83'
S 18°59'52" W 64.54'

DRAINAGE/DETENTION EASEMENT

N 71°17'00" W 198.46'
S 71°14'00" E 198.78'
32.9'

N 68°11'36" E 26.93'
N 68°11'36" E 46.17'
30.78'
29.81'
17.00'

S 71°17'00" E 249.96'

N 18°43'00" E 17.07'
N 71°17'00" W 17.06'

261.89' (Plat)
261.53'
S 71°14'24" E

S 71°17'00" E 19.50'

N 58°43'57" E 43.43'
S 58°43'57" W 38.48'
N 31°16'03" W 20.00'

172.59'
165.30'

Lot 3, Block A
Rockwall Commons Phase 2
165,635 sq.ft.
3.802 acres

T Rockwall Phase 2, LLC
VOL. 6766, PG. 292

UP & DALLAS N.E. R.R.
(100' R.O.W.)

S 18°59'52" W 340.25'

175.15'
183.70'
175.15'
208.70'

14' Water Easement
Volume 114, Page 468

RIDGE ROAD (F.M. 740)
(100' Public R.O.W.)

N 07°59'24" E 114.43'
113.20' (Deed)

N 08°05'59" E 77.99'
78.90' (Deed)

N 12°32'48" E
N 12°16'15" E

brass mon
0.23'
12.87'
2.01'
22.15'

P.O.B.

1/2" irf

SWBT/AT&T Easement
Vol. 4811, Pg. 167
CF# 2006-00365864

SWBT/AT&T Easement
Vol.4991, Pg. 96
CF# 2007-00374459

N 12°16'15" E 21.10'

100.50'

10' ELEC. ESMT.
Cab. H, Slide 135

FIRE LANE & PUBLIC ACCESS EASEMENT
Vol. Pg.

UTILITY EASEMENT
Vol. Pg.

WATER ESMT.
Cab. H, Slide 135

STORM ESMT.
Cab. H, Slide 135

FIRE LANE
Cab. H, Slide 135

15.00'
S 71°17'00" E 13.10'
N 18°43'00" E 10.00'
N 71°17'00" W 13.10'
N 18°43'00" E 0.70'
29.34'
C3

N 71°17'00" W 461.98'

20' Building Line — Cab. H, Slide 135

LOT 2, BLOCK A
REPLAT OF ROCKWALL COMMONS
Cabinet H, Slide 135
T ROCKWALL COMMONS, LLC
VOL. 6445, PG. 212
2011-00449998

LOT 4, BLOCK A
REPLAT OF ROCKWALL COMMONS
Cabinet H, Slide 135
T ROCKWALL COMMONS, LLC
VOL. 6445, PG. 212
2011-00449998

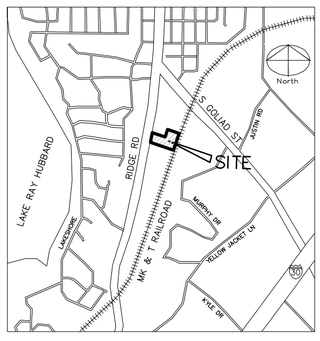
N 18°43'02" W 130.90'

N 18°43'00" E
S 18°43'00" W
S 18°43'00" W
N 18°43'00" E
15.00'

C1 C2
26.26'
39.54'

TXNC 4202
N=6893585.64
E=2653615.64

VICINITY MAP
nts



NOTES:

cirs = 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner

No portion of the subject property lies within any area of 100-year flood according to FEMA's Flood Insurance Rate Map No. 48397C0040L, dated September 26, 2008. Property is in zone X.

Bearings are based upon the southeasterly line of Ridge Road (FM 740) as shown on plat of Lot 1, Block 1, INDEPENDENT COMMUNITY FINANCIAL CORPORATION ADDITION, as recorded in Cabinet B, Slide 76, Plat Records, Rockwall County, Texas.

Final Plat

ROCKWALL COMMONS PHASE 2
LOT 3, BLOCK A

3.802 ACRES
SITUATED IN THE
D. ARKINS SURVEY, ABSTRACT No. 1
CITY OF ROCKWALL,
ROCKWALL COUNTY, TEXAS

August 7, 2013

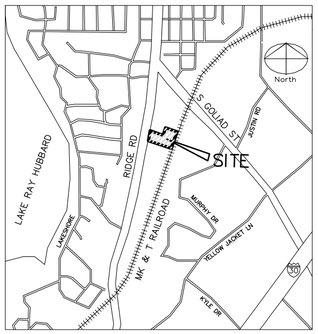
Sheet 1 of 2

OWNER
T Rockwall Phase 2, LLC
166600 Dallas Parkway, Suite 300
Dallas, Texas 75248
(469) 726-3100

SURVEYOR
PIBURN & PARTNERS, LLC
9535 Forest Lane, Suite 229
Dallas, Texas 75243
(214) 328-3500

VICINITY MAP

nts



NOTES:

cirs = 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner

No portion of the subject property lies within any area of 100-year flood according to FEMA's Flood Insurance Rate Map No. 48397C0040L, dated September 26, 2008. Property is in zone X.

Bearings are based upon the southeasterly line of Ridge Road (FM 740) as shown on plat of Lot 1, Block 1, INDEPENDENT COMMUNITY FINANCIAL CORPORATION ADDITION, as recorded in Cabinet B, Slide 76, Plat Records, Rockwall County, Texas.

OWNERS CERTIFICATE

STATE OF TEXAS §
COUNTY OF ROCKWALL §

WHEREAS T Rockwall Phase 2, LLC, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING *a 3.802 acre tract of land situated in the D. Arkins Survey, Abstract No. 1, same being a tract of land conveyed to T Rockwall Phase 2, LLC by deed recorded in Volume 6766, Page 292, Deed Records, Rockwall County, Texas, all being further described as follows:*

BEGINNING *at a 1/2" iron rod found for corner at the southwesterly corner of the herein described tract of land, same being in the southeasterly right-of-way line of Ridge Road (FM 740, a 100' Public R.O.W.), same also being the northwesterly corner of Lot 2, Block A, of REPLAT OF ROCKWALL COMMONS, as recorded in Cabinet H, Slide 135, Plat Records, Rockwall County, Texas;*

THENCE *North 12°32'48" East, along said right-of-way line, for a distance of 77.99 feet to a brass monument found for corner;*

THENCE *North 07°59'24" East, for a distance of 114.43 feet to a brass monument found for corner in the southwesterly corner of Lot 1, Block 1, Independent Community Financial Corporation, as recorded in Cabinet B, Slide 76, Plat Records, Rockwall County, Texas;*

THENCE *North 12°20'00" East, continuing along said right-of-way line, for a distance of 150.68 feet to a brass monument found for corner at the southwest corner of Eastridge Center, as recorded in Cabinet A, Slide 263, Plat Records, Rockwall County, Texas;*

THENCE *South 71°26'08" East, departing said southeasterly right-of-way line and along the southerly line of said Eastridge Center, for a distance of 278.31 feet to a 3/8" iron rod found for corner;*

THENCE *South 71°14'00" East, continuing along said Eastridge Center, for a distance of 231.77 feet to a 1/2" iron rod found for the southeast corner of said Eastridge Center, same being in the northwesterly line of the UP & Dallas Northeast Railroad (100' R.O.W.);*

THENCE *South 18°59'52" West, along said northwesterly line of the UP & Dallas Northeast Railroad, for a distance of 340.25 feet to a 1/2" iron rod found for corner at the northeast corner of Lot 4, Block A, of said REPLAT OF ROCKWALL COMMONS;*

THENCE *North 71°17'00" West, departing said northwesterly line of the UP & Dallas Northeast Railroad, along said northerly line of said Lot 4, Block A and aforementioned Lot 2, Block A, for a distance of 461.98 feet to the POINT OF BEGINNING and containing 165,635 square feet or 3.802 acres of land, more or less.*

I(we) the undersigned owner(s) of the land shown on this plat, and designated herein as LOT 3, BLOCK A, ROCKWALL COMMONS PHASE 2, an addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the LOT 3, BLOCK A, ROCKWALL COMMONS PHASE 2, addition have been notified and signed this plat.

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

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

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

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

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

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

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

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

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

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

_____
Owner

STATE OF TEXAS §
COUNTY OF DALLAS §

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

Given upon my hand and seal of office, this _____ day of _____, 2013.

_____ _____
Notary Public in and for the the State of Texas *My Commission Expires:*

_____
Signature of Party with Mortgage or Lien Interest

CURVE TABLE

NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	16°39'54"	49.00	14.25	N 27°02'57" E	14.20
C2	34°11'59"	25.00	14.92	N 35°49'00" E	14.70
C3	36°36'02"	25.04	15.99	S 01°08'26" E	15.72
C4	89°43'07"	21.00	32.88	N 26°08'34" W	29.63
C5	90°00'00"	25.00	39.27	S 63°43'00" W	35.36
C6	33°23'16"	25.00	14.57	S 87°41'45" E	14.36
C7	33°06'23"	49.00	28.31	N 87°50'11" W	27.92
C8	90°00'00"	25.00	39.27	N 26°17'00" W	35.36
C9	90°00'00"	49.00	76.97	N 26°17'00" W	69.30

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2013.

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

WITNESS OUR HANDS, this _____ day of _____, 2013.

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

SURVEYOR'S CERTIFICATION

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That I, John R. Piburn, Jr., do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

******PRELIMINARY *** RELEASED FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.***

_____
John R. Piburn, Jr.
Registered Public Surveyor No. 3689

STATE OF TEXAS §
COUNTY OF DALLAS §

STATE OF TEXAS · REGISTERED · JOHN R. PIBURN, JR. 3689 · PROFESSIONAL LAND SURVEYOR

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared John R. Piburn, Jr., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 2013.

_____
Notary Public in and for the State of Texas

Final Plat
ROCKWALL COMMONS PHASE 2
LOT 3, BLOCK A
3.802 ACRES
SITUATED IN THE
D. ARKINS SURVEY, ABSTRACT No. 1
CITY OF ROCKWALL,
ROCKWALL COUNTY, TEXAS

OWNER
T Rockwall Phase 2, LLC
166600 Dallas Parkway, Suite 300
Dallas, Texas 75248
(469) 726-3100

SURVEYOR
PIBURN & PARTNERS, LLC
9535 Forest Lane, Suite 229
Dallas, Texas 75243
(214) 328-3500

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CITY OF ROCKWALL
PLANNING AND ZONING COMMISSION MEMO

AGENDA DATE: 01/14/2014

APPLICANT: A. J. Bedford Group, Inc.

AGENDA ITEM: **P2013-044**; Lot 13, Block 1, Rockwall Centre Corners Addition

---

SUMMARY:

Discuss and consider a request by Jay Bedford of the A. J. Bedford Group, Inc. on behalf of BDC Family Limited Partnership for the approval of a replat for Lot 13, Block 1, Rockwall Centre Corners Addition being a 2.644-acre parcel of land currently identified as Lot 12, Block 1, Rockwall Centre Corners Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, the SH-205 (SH-205 OV) District and SH-276 (SH-276) District, and located at the northeast corner of the intersection of S. Goliad Street (SH-205) and SH-276, and take any action necessary.

COMMENTS:

- ✓ The purpose of the applicant's request is to replat one (1) non-residential parcel of land for the purpose of establishing easements on a previously platted property. A site plan (SP2013-015) for a restaurant was approved for this site on July 9, 2013 by the Planning & Zoning Commission.

- ✓ The Engineer has completed the majority of the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

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

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the final plat for *Lot 13, Block 1, Rockwall Centre Corners Addition* then staff would recommend the following conditions of approval:

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

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

PLANNING & ZONING COMMISSION:

On January 14, 2014 the Planning & Zoning Commission approved the replat subject to staff's recommendations by a vote of 6-0, with Commissioner McCuthcheon absent.

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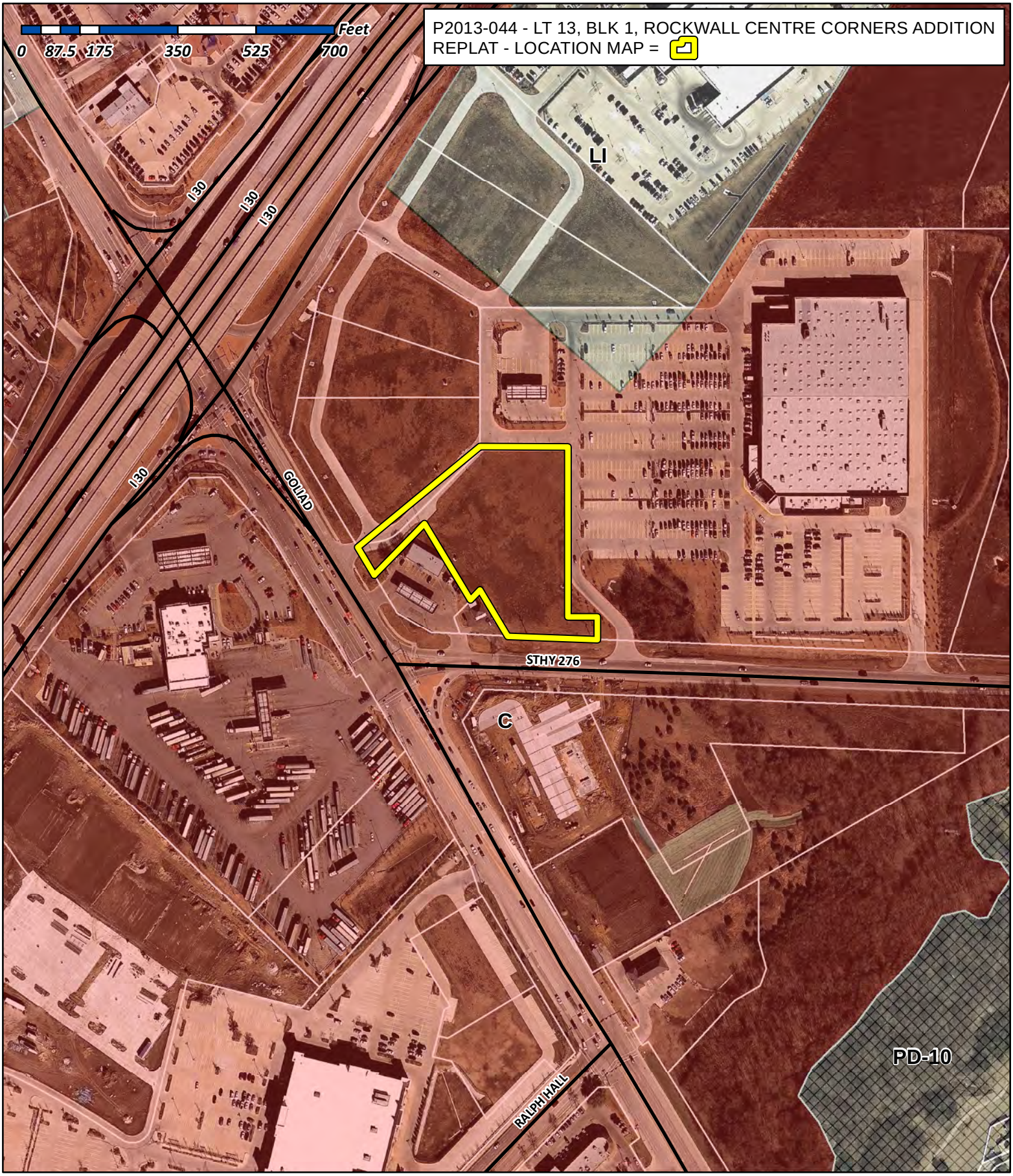

City of Rockwall

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

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

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INTERSTATE HIGHWAY 30
(VARIABLE WIDTH R.O.W.)

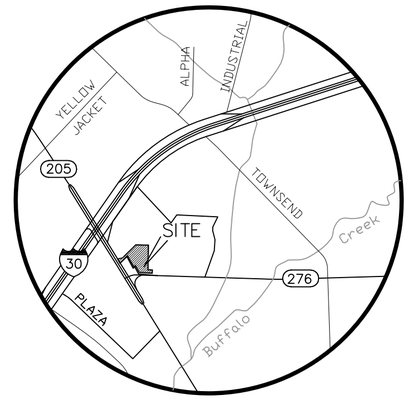
LEGEND

IRF	Iron Rod Found
IRS	Iron Rod Set
OPRRCT	Official Public Records of Rockwall County, Texas
PRRCT	Plat Records of Rockwall County, Texas
DRRCT	Deed Records of Rockwall County, Texas

N

0' 25' 50' 100'

Scale: 1" = 50'



LOCATION MAP

24' FIRE LANE, ACCESS & UTILITY EASEMENT CAB. G, SLIDE 299

ROCKWALL CENTRE CORNERS ADDITION LOTS 9 & 10, BLOCK 1 CABINET H, SLIDE 62 (PRRCT)

BLOCK 1
LOT 9
1.228 ACRES
(53,491 SF)

10' x 25' UTILITY EAST Cabinet H, Slide 62

24' FIRE LANE, ACCESS & UTILITY EASEMENT CAB. H, SLIDE 62

15' UTILITY EASEMENT CAB. G, SLIDE 299

20' BUILDING LINE CAB. G, SLIDE 299

15' UTILITY EASEMENT CAB. G, SLIDE 299

Rockwall Centre Corners Addition
LOT 1, BLOCK 1
Cabinet G, Slide 299

10' x 30' UTILITY EAST Cabinet H, Slide 62

15' ONCOR EASEMENT CC#20090025678

20' DRAINAGE EASEMENT CAB. G, SLIDE 299

15x15' UTILITY EASEMENT CAB. G, SLIDE 299

Wooden "ROW" Marker found

ROCKWALL CENTRE CORNERS ADDITION LOTS 11 & 12, BLOCK 1 CABINET H, SLIDE 307 (PRRCT)

BLOCK 1
LOT 11
Cabinet H, Slide 307

N:7019575.379
E:2598214.834

S 89°03'17" E
196.00'

5/8" IRS

"X" CUT SET

0.85'

△ =83°59'41"
R=20.00'
L=29.32'
CB=N 03°01'20" W

15x15' UTILITY EASEMENT

20' LANDSCAPE BUFFERR CAB. G, SLIDE 299

24' FIRE LANE, ACCESS & UTILITY EASEMENT Cabinet H, Slide 62

30' FIRE LANE, ACCESS & UTILITY EASEMENT Cabinet G, Slide 299

15' DRAINAGE EASEMENT CAB. G, SLIDE 299

20' x 20' UTILITY EAST Cab. H, Slide 62

261.23'

380.80'

5.48'

S 44°53'27" E
8.71'

N 44°53'27" W
8.71'

△ =90°15'08"
R=20.00'
L=31.50'
CB=S 89°58'59" W

△ =89°54'55"
R=20.00'
L=31.39'
CB=S 00°04'01" W

△ =89°54'55"
R=48.00'
L=75.33'
CB=N 00°04'01" E

△ =90°09'42"
R=19.99'
L=31.45'
CB=N 89°55'59" W

15' x 25' UTILITY EASEMENT CAB. G, SLIDE 299

△ =27°52'02"
R=20.00'
L=9.73'
CB=N 30°57'26" W

24' FIRE LANE, ACCESS & UTILITY EASEMENT CAB H, SLIDE 307

25' BUILDING LINE CAB. G, SLIDE 299

15' UTILITY EASEMENT CAB. G, SLIDE 299

STATE HIGHWAY 205
(140' R.O.W.)

L=5.97'

S 45°01'28" W
94.59'

FIRELANE & MUTUAL ACCESS EASEMENT (By this Plat)

N 45°01'28" E
105.32'

28'

LOT 12
2.664 ACRES
(116,047 SF)
Cabinet H, Slide 307
BDC FAMILY LIMITED PARTNERSHIP
Instr. #2013-494693

20' DRAINAGE EASEMENT CAB. G, SLIDE 299

174.09'

△ =89°03'17"
R=20.00'
L=31.09'
CB=N 45°28'21" E

Capped "CARTER & BURGESS" IRF

27.78'

10.05'

S 45°04'53" E
36.10'

N 44°53'27" W
8.90'

△=12°29'15"
R=86.87'
A=18.93'
CB=N75°34'40"E

N 81°21'00" E
17.59'

"X" CUT SET

ROCKWALL CENTRE CORNERS ADDITION CABINET H, SLIDE 307 (PRRCT)

△ =45°00'32"
R=10.00'
L=7.86'
CB=S 67°29'44" W

△ =90°06'21"
R=20.00'
L=31.45'
CB=N 00°01'42" W

△ =25°24'30"
R=46.00'
L=20.40'
CB=S 32°22'38" E

BLOCK 1
LOT 13
2.664 ACRES
(116,055 SF)

N 90°00'00" W
35.57'

64.01'

Rockwall Centre Corners Addition
LOT 1, BLOCK 1
Cabinet G, Slide 299

108.42'

N 45°04'53" W
103.10'

S 45°04'53" E
101.10'

FIRELANE & MUTUAL ACCESS EASEMENT (By this Plat)

26'

△ =89°55'39"
R=20.00'
L=31.39'
CB=S 89°57'17" W

S 44°57'28" W

24'

N 44°57'28" E

N 90°00'00" E
20.42'

△ =92°06'07"
R=20.00'
L=32.15'
CB=N 45°06'21" W

△ =45°00'32"
R=20.00'
L=15.71'
CB=N 67°29'44" E

N 67°51'42" E
13.74'

N 29°58'48" W
72.85'

N:7019292.323
E:2597973.176

S 44°57'00" W

△= 36°39'52"
R=80.00'
A=51.19'
CB=S63°01'04"W

160.80'

△ =16°59'53"
R=20.00'
L=5.93'
CB=S 53°34'49" E

N 30°05'37" W

△ =25°24'30"
R=46.00'
L=20.40'
CB=S 32°22'38" E

POINT OF BEGINNING

5/8" IRS

10'x10' UTILITY EASEMENT, CABINET C, SLIDE 36

HALDEMAN ADDITION
CABINET C, SLIDE 36 (PRRCT)

15' ONCOR EASEMENT CC#20090025678

199.63'

Capped "PATE" IRF

5/8" IRS

LOT 2

△ =89°55'39"
R=46.00'
L=72.20'
CB=N 89°57'17" E

15' DRAINAGE EASEMENT CAB. G, SLIDE 299

S 44°22'14" W
31.14'

N 30°01'20" W
121.26'

S 00°56'43" W

5/8" IRS

S 89°03'17" E
65.52'

5/8" IRS

LOT 1

20' BUILDING LINE

Capped "PATE" IRF

N 86°45'50" W

200.19'

S 00°56'43" W
51.00'

7' TXU ELECTRIC DELIVERY CO. EASEMENT VOLUME 4146, PAGE 194

STATE HIGHWAY 276
(125' R.O.W.)

NOTES

Bearings shown hereon are based on the southeast line of IH-30 (N 33°16'00" E) as shown on TXDOT Right-of-way map, sheet No. 2.

All easements shown hereon are to be dedicated by this plat, unless otherwise noted.

All interior Lot corners are monumented with a 5/8" iron rod set unless otherwise noted.

Coordinates shown hereon are grid coordinates and were obtained using City Monuments R016 and N1495 with a combined scale factor of 0.9998738368405. All other distances Shown hereon are surface.

CASE # P2013-044

FINAL PLAT
ROCKWALL CENTRE CORNERS ADDITION
LOTS 13, BLOCK 1
Being a Replat of
Rockwall Centre Corners Addition
Lots 12, Block 1
Being 2.664 Acres
Joseph Cadle Survey, Abstract No. 65
City of Rockwall, Rocwall County, Texas

Owner, BDC FAMILY LIMINTED PARTNERSHIP
C/O BOBBY COX COMPANIES, INC.
500 OVERTON PLAZA, SUITE 300
FORT WORTH, TEXAS 76109 817-377-6243

AJ BEDFORD GROUP, INC.
Registered Professional Land Surveyors
301 N. Alamo Rd. * Rockwall, Texas 75087
972.722.0225 * email - ajb@ajbedfordgroup.com

Page, 1 OF 2	Scale, 1" = 50'	Checked By, A.J. Bedford	
	Date, January 8, 2014	P.C., L. Spradling	
	Technician, L. Spradling	File, REPLAT - LOT 12	
	Drawn By, L. Spradling	Job. No. 473-004	

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS §
COUNTY OF ROCKWALL §

WE the undersigned owners of the land shown on this plat, and designated herein as the FINAL REPLAT ROCKWALL CENTRE CORNERS ADDITION LOT 13, BLOCK 1 to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. WE further certify that all other parties who have a mortgage or lien interest in the ROCKWALL CENTRE CORNERS ADDITION have been notified and signed this plat.

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

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

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

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

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

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

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

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

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

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

BDC FAMILY LIMITED PARTNERSHIP

By: _____
Bobby D. Cox, member of
Bobby and Leona Cox, LLC
General Partner

STATE OF TEXAS §
COUNTY OF TARRANT §

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

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

_____
Notary Public in and for the State of Texas

OWNER'S CERTIFICATE
STATE OF TEXAS §
COUNTY OF ROCKWALL §

WHEREAS, We, BDC FAMILY LIMITED PARTNERSHIP, being the owner of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING all that certain lot, tract or parcel of land situated in the JOSEPH CADLE SURVEY, ABSTRACT NO. 65, in the City of Rockwall, Rockwall County, Texas, and being all of LOT12, BLOCK 1 of ROCKWALL CENTRE CORNERS ADDITION according to the plat recorded in Cabinet H, Slide 307 of the Plat Records of Rockwall County Texas (PRRCT) and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod set for the westerly corner of Lot 1 of the Haldeman Addition, an addition to the City of Rockwall, according to the plat recorded in Cabinet C, Slide 36 (PRRCT) and being located in the northeasterly line of State Highway No. 205 (140' wide);

THENCE NORTH 29°58'48" WEST, along the northeasterly right-of-way line of said State Highway No. 205, a distance of 72.85 feet to an "x" concrete set for the most westerly corner of said Lot 12 and being located in the center of a Fire Lane, Access and Utility Easement;

THENCE departing the northeast line of said State Highway No. 205 and following the northwest line of said Lot 12, NORTH 67°51'42" EAST a distance of 13.74 feet to an "x" in concrete set for the beginning of a curve to the right having a radius of 86.87 feet and a chord bearing of North 75°34'40" East;

THENCE continuing with said northwest line and said curve to the right through a central angle of 12°29'15" for an arc length of 18.93 feet to an "x" in concrete set for corner;

THENCE continuing with said northwest line, NORTH 81°21'00" EAST a distance of 17.59 feet to an "x" in concrete set for the beginning of a curve to the left having a radius of 80.00 feet and a chord bearing of North 63°01'04" East;

THENCE continuing with said northwest line and said curve to the left through a central angle of 36°39'52" for an arc length of 51.19 feet to an "x" in concrete set for corner;

THENCE NORTH 45°01'28" EAST a distance of 261.23 feet to an "x" in concrete set for the northwest corner of said Lot 12;

HENCE SOUTH 89°03'17" EAST a distance of 196.00 to an "x" in concrete set for the northeast corner of said Lot 12;

THENCE with the east line of said Lot 12, SOUTH 00°56'43" WEST a distance of 380.80 feet to a 5/8 iron rod set for corner;

THENCE continuing with said east line, SOUTH 89°03'17" EAST a distance of 65.52 feet to a 5/8 inch iron rod set for corner;

THENCE SOUTH 00°56'43" WEST a distance of 51.00 feet to a 5/8 inch iron rod set for the southeast corner of said Lot 12 and being in the northerly right-of-way line of State Highway No. 276 (120' wide);

THENCE NORTH 86°45'50" WEST, along the northerly right-of-way line of said State Highway No. 276, a distance of 200.19 feet to an iron rod capped "PATE" found for the most easterly corner of said Lot 1 of Haldeman Addition;

THENCE NORTH 30°01'20" WEST, along the northeasterly line of said Lot 1 of Haldeman Addition, a distance of 121.26 feet to an iron rod capped "PATE" found for the most northerly corner of said Lot 1 of Haldeman Addition;

THENCE SOUTH 44°22'14" WEST, along the northerly line of said Lot 1 of Haldeman Addition, a distance of 31.14 feet to a 5/8 inch iron rod set for the most easterly southeast corner of Lot 2 of said Haldeman Addition;

THENCE NORTH 30°05'37" WEST, along the northeasterly line of said Lot 2 of Haldeman Addition, a distance of 199.63 feet to an iron rod capped "CARTER & BURGESS" found for the most Northerly corner of said Lot 2 of Haldeman Addition;

THENCE SOUTH 44°57'00" WEST, along the northwesterly line of said Lot 2 of Haldeman Addition, a distance of 160.80 feet to the POINT OF BEGINNING;

CONTAINING 2.664 acres or 116,055 square feet of land more or less.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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

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

STATE OF TEXAS §
COUNTY OF ROCKWALL §

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

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

_____
Notary Public in and for the State of Texas

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____2014.

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

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

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

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

CASE # P2013-044

FINAL PLAT
ROCKWALL CENTRE CORNERS ADDITION
LOTS 13, BLOCK 1
Being a Replat of
Rockwall Centre Corners Addition
Lots 12, Block 1
Being 2.664 Acres
Joseph Cadle Survey, Abstract No. 65
City of Rockwall, Rocwall County, Texas

Owner: BDC FAMILY LIMINTED PARTNERSHIP
C/O BOBBY COX COMPANIES, INC.
500 OVERTON PLAZA, SUITE 300
FORT WORTH, TEXAS 76109 817-377-6243

Page: 2 OF 2

Scale:	1" = 50'
Date:	January 8, 2014
Technician:	L. Spradling
Drawn By:	L. Spradling
Checked By:	A.J. Bedford
P.C.:	L. Spradling
File:	REPLAT 11-12
Job. No.	473-004

AJ BEDFORD GROUP, INC.
Registered Professional Land Surveyors
301 N. Alamo Rd. * Rockwall, Texas 75087
972.722.0225 * email - ajb@ajbedfordgroup.com

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Robert LaCroix, Director of Planning

DATE: January 21, 2014

SUBJECT: Update on the Downtown Improvements Project

At the January 21, 2013 City Council Meeting, Rob Dixon with Hill & Wilkinson, General Contractors, and Michael Black with la terra studio, will discuss an update of the progress with Downtown Improvements Project, including the engineering and construction plans status of plans for phase two.

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CITY OF ROCKWALL

ORDINANCE NO. 14-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM A SINGLE FAMILY 7 (SF-7) DISTRICT TO A RESIDENTIAL-OFFICE (RO) DISTRICT FOR A TRACT OF LAND BEING A TOTAL OF 0.661-ACRES AND FURTHER IDENTIFIED AS A PORTION OF LOT 3 AND ALL OF LOT 4, BLOCK G, SANGER ADDITION, ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND FURTHER DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from J.D. Jacobs, Jr. for an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from a Single Family 7 (SF-7) District to a Residential-Office (RO) District for a tract of land being a total of 0.661-acres and further identified as a portion of Lot 3 and all of Lot 4, Block G, Sanger Addition, Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' and further depicted in Exhibit 'B' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from a Single Family 7 (SF-7) District to a Residential-Office (RO) District for the *Subject Property*; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for in *Section 4.2, "Residential-Office (RO) District", Article V, "District Development Standards", of the Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 6th DAY OF JANUARY, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 12-16-13

2nd Reading: 01-06-14

EXHIBIT "A"

DESCRIPTION

All that certain lot, tract or parcel of land situated in the City of Rockwall, in the J.T. LEWIS SURVEY, ABSTRACT NO. 255, Rockwall County, Texas, and being a part of Lots 3 and 4, Block G, of SANGER BROTHERS ADDITION, an Addition to Rockwall, Texas, according to the Plat thereof recorded in Volume Q, Page 100 and 101 of the Deed Records of Rockwall County, Texas, and being the residue of that tract of land as described in a Sherriff's deed to Bob Perry, dated February 5, 1917, and being recorded in Volume 17, Page 32 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the Southeast corner of Lot 4, Block G, at the intersection of the West margin of Lamar Avenue and the North right-of-way line of E. Bourn Avenue;

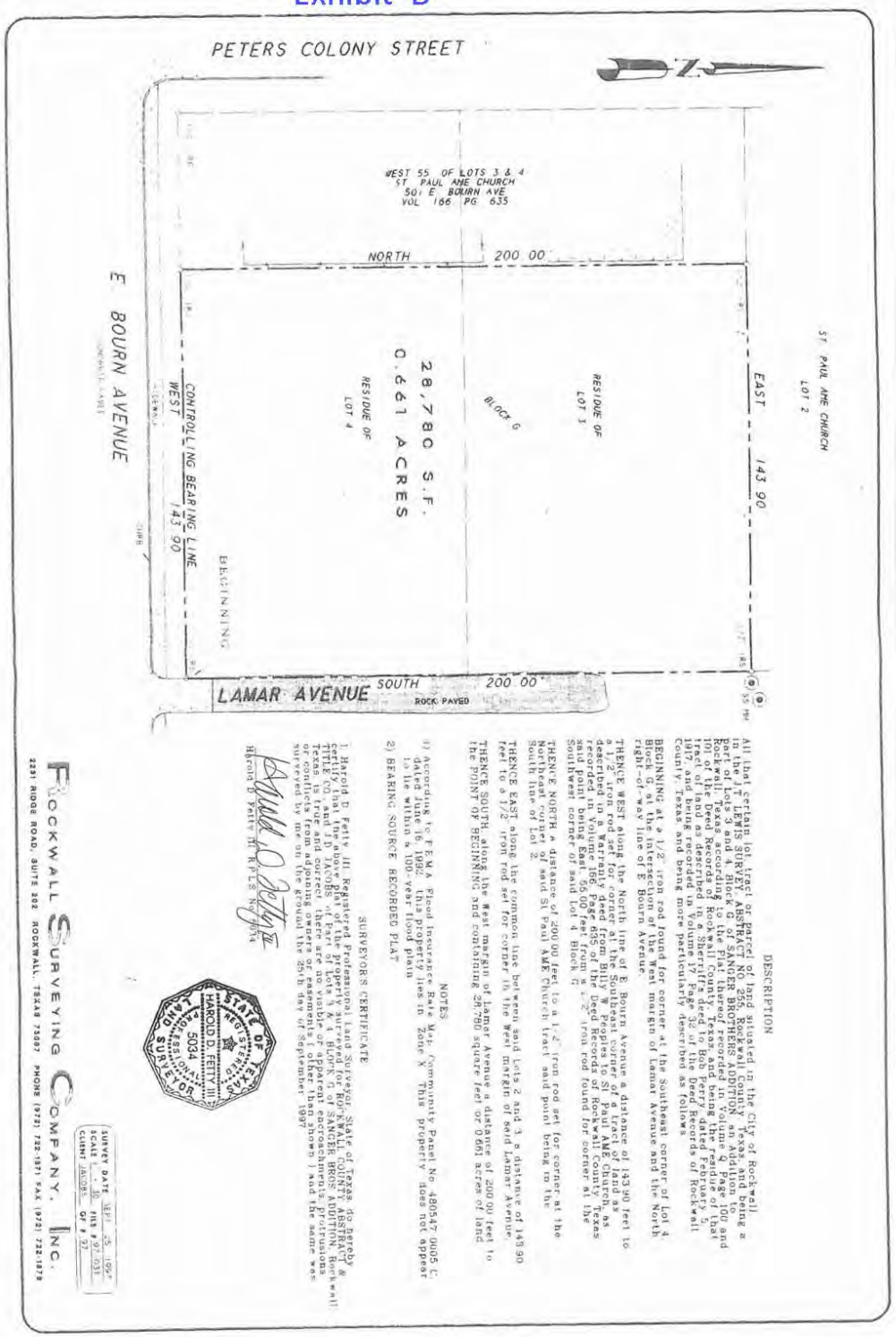
THENCE WEST along the North line of E. Bourn Avenue a distance of 143.90 feet to a 1/2" iron rod set for corner at the Southeast corner of a tract of land as described in a Warranty deed from Billy W. Peoples to St. Paul AME Church, as recorded in Volume 166, Page 635 of the Deed Records of Rockwall County, Texas, said point being East, 55.00 feet from a 1/2" iron rod found for corner at the Southwest corner of said Lot 4, Block G;

THENCE NORTH a distance of 200.00 feet to a 1/2" iron rod set for corner at the Northeast corner of said St Paul AME Church tract, said point being in the South line of Lot 2;

THENCE EAST along the common line between said Lots 2 and 3, a distance of 143.90 feet to a 1/2" iron rod set for corner in the West margin of said Lamar Avenue;

THENCE SOUTH, along the West margin of Lamar Avenue a distance of 200.00 feet to the POINT OF BEGINNING and containing 28,780 square feet or 0.661 acres of land, more or less.

Exhibit 'B'


PETERS COLONY STREET
WEST 55 OF LOTS 3 & 4
ST PAUL AME CHURCH
501 E BOURN AVE
VOL 166 PG 635
NORTH 200 00
E BOURN AVENUE
ST PAUL AME CHURCH
LOT 2
EAST 143 90
RESIDUE OF
LOT 3
BLOCK G
28,780 S.F.
0.661 ACRES
RESIDUE OF
LOT 4
CONTROLLING BEARING LINE
WEST 143 90
BEGINNING
LAMAR AVENUE
SOUTH 200 00
ROCK PAVED
DESCRIPTION
All that certain lot tract or parcel of land situated in the City of Rockwall in the J.T. LEWIS SURVEY ABSTRACT NO 255, Rockwall County Texas and being a part of Lots 3 and 4, Block G of SANGER BROTHERS ADDITION, an Addition to Rockwall, Texas according to the Plat Thereof recorded in Volume Q Page 100 and 101 of the Deed Records of Rockwall County, Texas and being the residue of that tract of land as described in a Sherriffs deed to Bob Perry dated February 5, 1917, and being recorded in Volume 17 Page 32 of the Deed Records of Rockwall County, Texas and being more particularly described as follows
BEGINNING at a 1/2" iron rod found for corner at the Southeast corner of Lot 4, Block G, at the intersection of the West margin of Lamar Avenue and the North right-of-way line of E Bourn Avenue.
THENCE WEST along the North line of E Bourn Avenue a distance of 143.90 feet to a 1/2" iron rod set for corner at the Southeast corner of a tract of land as described in a Warranty deed from Billy W Peoples to St Paul AME Church, as recorded in Volume 166, Page 635 of the Deed Records of Rockwall County, Texas said point being East 55.00 feet from a 1/2" iron rod found for corner at the Southwest corner of said Lot 4 Block G
THENCE NORTH a distance of 200.00 feet to a 1/2" iron rod set for corner at the Northeast corner of said St Paul AME Church tract said point being in the South line of Lot 2.
THENCE EAST along the common line between said Lots 2 and 3 a distance of 143.90 feet to a 1/2" iron rod set for corner in the West margin of said Lamar Avenue.
THENCE SOUTH along the West margin of Lamar Avenue a distance of 200.00 feet to the POINT OF BEGINNING and containing 28,780 square feet or 0.661 acres of land
NOTES
1) According to F.E.M.A. Flood Insurance Rate Map Community Panel No 480547 0005 C dated June 16, 1992 this property lies in Zone X This property does not appear to lie within a 100-year flood plain
2) BEARING SOURCE RECORDED PLAT
SURVEYOR'S CERTIFICATE
I, Harold D. Fetty III, Registered Professional Land Surveyor, State of Texas do hereby certify that the above plat of the property surveyed for ROCKWALL COUNTY ABSTRACT & TITLE CO. and J.D. JACOBS of Part of Lots 3 & 4 BLOCK G of SANGER BROS ADDITION, Rockwall Texas is true and correct, there are no visible or apparent encroachments, protrusions or conflicts from adjoining owners or easements (other than shown) and the same was surveyed by me on the ground the 25th day of September 1997
Harold D Fetty III R.P.L.S. No 5034
STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR
SURVEY DATE SEPT 25 1997
SCALE 1" = 30' FILE # 97-031
CLIENT JACOBS OF # 97
ROCKWALL SURVEYING COMPANY, INC.
2231 RIDGE ROAD, SUITE 202 ROCKWALL, TEXAS 75087 PHONE (972) 722-1871 FAX (972) 722-1878

January 17, 2014

To: Mayor and Council

From: Southside Community

Reference: Zone Change, 500 block of E. Bourne St, Lot 3&4 Rockwall, TX

Mayor and City Council,

Please see attached petition with names and addresses of citizens Against the zone change from Single Family Residential (SF-7) to Residential Office (RO) it the Southside Community.

Southside Community

Petition to Block SF-7 to RO Zone Change

Petition summary and background:	The Southside (Sanger Addition) community and the Citizens of Rockwall, TX is against the zone change for 500 block of E. Bourn St., Lot 3 & 4 proposed by J D Jacobs.
Action petitioned for:	We, the undersigned, are concerned citizens who urge our leaders to act now, NOT to approve the zone change for Single Family Residential to Residential Office.

Printed name	Signature	Address	Comment	Date
FREDDIE JACKSON	[illegible]	1812 Bristol Ln. Rockwall		
Willie Davis	Willie Davis	1008 Davey Crockett	Don't Wanting it.	1-15-14
Arenia Davis	Arenia Davis	1008 Davey Crockett	— " —	"
Corey Jackson	Corey Jackson	1006 Day Crockett St.	"	"
Maquanda Martin	[illegible]	504 Dickey St	" "	1-15-14
Nell Welborn	Nell Welborn	810 Lake Meadows Cir 75087	"	1-15-14
McGuire	McGuire	800 Sam Houston	" "	1-15-14
D'Andre Mitchell	D'Andre Mitchell	800 Sam Houston	Dont Want it	1-15-14
Adrian Thomas	Adrian Thomas	800 Sam Houston	"	1-15-14
Ruby McGuire	Ruby McGuire	800 Sam Houston		1-15-14
Orlando Williams	Orlando Williams	800 Sam Houston	Dont Want it	1-15-14
Paul Pirjol	Paul Pirjol	712 Sherman	Dont Want	1-15-14

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Printed name	Signature	Address	Comment	Date
James E. Hickman Jr	James E. Hickman Jr.	709 Sam Houston	NO	1-15-2014
[illegible] Hickman	[illegible]	709 Sam Houston St.		1-15-14
Shonda Bell	Shonda Bell	703 Sam Houston		1-15-14
M G Lanier	M G Lanier	304 E. Boydstun		1-15-14
S B Williams	Shirley Williams	706 Davy Crockett		1-15-14
Lorenza Crenshaw	Lorenza Crenshaw	707 Davy Crockett St.		1-15-14
Margaret Jones	Margaret Jones	410 Boydstun		1-15-14
Dakota Phillips	Dakota Phillips	703 Sherman St		1-15-14
Savannah Phillips	Savannah Phillips	705 Sherman St		1-15-14
Leslie Ross	Leslie A. Ross	705 Sherman St		1-15-14
Charles Kately	Charles Kately	706 Sherman St.		1-15-14
Ernest Alberado	Ernest Alberado	707 Sherman St		1-15-14
Maria Colon Diaz	Magdalena Colon Diaz	708 Sherman St		1-15-14
Shonique	[illegible]	710 Sherman		1/15/14
Willie Strange	Willie Strange	711 Sherman St		1/15/14
Jarred Strange	[illegible]	711 Sherman St.		1/15/14

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Petition to Block SF-7 to RO Zone Change

Petition summary and background:	The Southside (Sanger Addition) community and the Citizens of Rockwall, TX is against the zone change for 500 block of E. Bourn St., Lot 3 & 4 proposed by J D Jacobs.
Action petitioned for:	We, the undersigned, are concerned citizens who urge our leaders to act now, NOT to approve the zone change for Single Family Residential to Residential Office.

Printed name	Signature	Address	Comment	Date
June Hubbard	June Hubbard	609 E. Ross St.	Don't want it	1-15-14
JACKIE MACON	Jackie Macon	605 E. ROSS ST.	NOT NEEDED	1-15-14
Brandon Walker	Brandon Walker	725 Peters Colony	Don't want it.	1-15-14
Laura Carabajal	Laura Carabajal	725 Peters Colony	Don't want it	1-15-14
Juan Cabrera		715 Peters Colony	Don't want it	1-15-14
		706 peters colony		
Amber Hess	Amber Hess	801 peters colony		
Cedric Thompson	Cedric Thompson MS	812 Peters Colony	"NO"	1-15-14
Jerry Shaw	Jerry Shaw	803 LAMAR ST	NO	1-15-14
MICHAEL KING	Michael King	405 E. BOURN ST.	NO	1-15-14
GARY McCALLISTER	Gary McCallister	407 BOURNE ST	NO	1-15-14
VIRGINIA WOOTEN	Virginia Wooten	509 Bourn St	NO	1-15-14

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Printed name	Signature	Address	Comment	Date
mary walter	Mary Walter	408. E. Bourn	Don't Need it downhear	1-15-14
Tyrell Jones	Tyrell Jones	410 E. Boydstun	NO	1-15-14
Barbara Jones	Barbara Jones	308 Bourne	NO	1-15-14
Joseph Jones	Joseph Jones	308 Bourne	no	1-15-14
M. Wade Dixie	M. Wade Dixie	905 Sam Houston	NO!	1-15-14
Karen Gibson	Karen Gibson	306 Bourn Ave	NO	1-15-2014
Jermaine	Jacson	302 Bourn Ave	NO!	1-15-14
Danielle Carwile	D Carwile	208 E Bourn	NO	1-15-14
Jeff Harris	[illegible]	207 E Bourn	No	1-15-14
Jose Rivera	J Jaime Rivera	204 E Bourn	NO	1-15/14
Elisha Rivo	Elisha E Ri	202 E Bourn	No	1-15-14
Rosa Maxa	[illegible]	815 Throckmorton	No	1-15-14
Adrienne Turner	Adrienne Turner	807 Throckmorton	NO!	1-15-14
Annie Daniels		803 Throckmorton	no	1-15-14
Tashunda Lafayette	Tashunda Lafayette	801 Throckmorton	no	1-15-14
Estelle Lafayette	Estelle Lafayette	801 Throckmorton	no	1-15-14

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Petition to Block SF-7 to RO Zone Change

Petition summary and background:	The Southside (Sanger Addition) community and the Citizens of Rockwall, TX is against the zone change for 500 block of E. Bourn St., Lot 3 & 4 proposed by J D Jacobs.
Action petitioned for:	We, the undersigned, are concerned citizens who urge our leaders to act now, NOT to approve the zone change for Single Family Residential to Residential Office.

Printed name	Signature	Address	Comment	Date
DEBRA MATHIS	Debra Mathis	504 Dickey St	NO Dont Want	1/15/14
ANNA M PAGE	Anna M Page	508 Dickey St	NO	1/15/14
GEORGIA BROWN	Georgia Brown	508 Dickey ST	NO	1/15/14
Shabralla Brown	Shabralla	902 Davy Crockett St		1/15/14
Lena Jones	Lena Jones	302 Lake Meadows	—	1/15/14
Debra Brown	Delesa Brown	902 Davy Crockett	NO	1/15/14
Dorothy Norman	Dorothy Norman	100 Lake Meadows Dr, 208	No	1/15/14
Dr Barbara Montgomery	DR. B. MONTG	605 N. Clark	No	1/15/14
Helen Martin	HELEN MARTIN	501 E. BOURN St.	NO	1-15-14
Calvin Jackson	CALVIN JACKSON	802 SAM HOUSTON	NO	1-16-14
Monica Simien	Monica Simien	804 Sam Houston	NO	1/16/14
Alma Dixon	Alma Dixon	804 Sam Houston	NO	1/16/14

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Printed name	Signature	Address	Comment	Date
Bill Scroggins	Bill Scroggins	208 Bowie Ave	NO	1-16-2014
ST. PAUL	Pastor Etter Anderson	805 Peters Colony	NOT IN OUR Community	1-16-14

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Rick Crowley, *City Manager*

FROM: Ryan Miller, *Planning Manager*

DATE: January 14, 2014

SUBJECT: Notification Procedures for Zoning Cases

At the January 6, 2014 City Council Meeting questions were raised concerning the notification procedures for zoning cases. The following is a summary of all practices performed by staff concerning the notification of property owners as required by State and Local law and Departmental policy.

State Requirements

According to Section 211, *Municipal Zoning Authority*, of the Texas Local Government Code in order for a municipality to exercise zoning authority through a public hearing proper notification must be provided. Proper notification in this case is defined as (1) a newspaper notice which is published in a newspaper of general circulation within the municipality ten (10) days prior to the public hearing, and (2) a notification indicating the proposed change in zoning and the date of the public hearing sent to all real property owners, as indicated by the most recent municipal tax roll, within 200-feet of the subject property (*§211.007(c)*) [see *Appendix 'A'* for all Texas Local Government Code references pertaining to property owner notifications under Section 211].

In addition, Section 211.0075 states that all meetings posted by the board or commission and the governing body shall maintain compliance with the requirements of the open meetings laws. As required by these laws, staff posts a copy of the agendas for all public meetings on the bulletin board at the entrance to City Hall (*§551.050*) [see *Appendix 'B'* for all Texas Local Government Code references pertaining to posting notice under Section 551]. Section 551.056 also requires that all municipalities that maintain a website shall be required to post notice of all public meetings on said website. The City's website currently complies with this requirement [see *Appendix 'C'* depicting the Meeting and Agendas webpage available on the City's website].

City Requirements

Section 6.1 of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) summarizes the Texas Local Government Code's notification requirements, and stipulates that staff shall post a sign advertising the zoning change on the subject property ten (10) days prior to the public hearing date [see *Appendix 'D'* for Section 6.1 of the UDC]. It is the Planning & Zoning Department's policy to have signs posted 15 days prior to the Planning & Zoning Meeting and 21 days prior to the City Council Meeting [see *Appendix 'E'* for examples of the signs used by staff to advertise zoning cases].

Planning and Zoning Department Policy

In addition to maintaining compliance with all current State and Local laws, staff also posts all current development cases (*i.e. Plats, Site Plans, Specific Use Permits, Zoning Changes, etc.*) on the Planning & Zoning Department's webpage located on the city's website and adds the

locations of the subject properties to the interactive map (which is also available on the City's website) [see *Appendix 'F'* for screen shots of the website]. These courtesy notifications on the website generally include links to the location map and/or the development documents (*i.e. the Plat, Site Plan, Zoning Exhibit, etc.*). Additionally, the locations of the development cases are generally input into the online map within a week of receiving the application (*i.e. 18-19 days prior to the Planning & Zoning Commission Meeting*), and are generally advertised on the Planning & Zoning Department's webpage 15 days prior to the Planning & Zoning Meeting.

Summary of Notification Statistics

As of last year the Planning & Zoning Department compiled the following notification statistics:

- ☑ Between January 1, 2013 and December 31, 2013 city staff sent out 608 property owner notifications concerning zoning cases and residential replats were mailed out (*i.e. 460 zoning related notifications and 148 replat notifications*).

- ☑ Between January 1, 2013 and December 31, 2013 35 zoning applications were submitted with 33 zoning applications requiring notification (two [2] cases were withdrawn prior to notices being sent out).

- ☑ Between January 1, 2013 and December 31, 2013 six (6) residential replat applications were submitted.

- ☑ Between October 1, 2012 and September 30, 2013 staff published eleven (11) publications in a newspaper of general circulation costing approximately $2,830.10 (this figure may actually be higher due to notifications sent out by the City Secretary's Office as opposed to the Planning and Zoning Department).

In summary, the City of Rockwall currently posts notifications concerning public hearings on its website and in a newspaper of general circulation, sends out property owner notifications to all properties within 200-feet of the subject property, posts a sign advertising the public hearing on the subject property, and provides links to materials submitted with the development application on the City's website. These actions currently exceed the notification requirements stipulated by State and Local laws.

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SECTION 211.007. ZONING COMMISSION.

(a) To exercise the powers authorized by this subchapter, the governing body of a home-rule municipality shall, and the governing body of a general-law municipality may, appoint a zoning commission. The commission shall recommend boundaries for the original zoning districts and appropriate zoning regulations for each district. If the municipality has a municipal planning commission at the time of implementation of this subchapter, the governing body may appoint that commission to serve as the zoning commission.

(b) The zoning commission shall make a preliminary report and hold public hearings on that report before submitting a final report to the governing body. The governing body may not hold a public hearing until it receives the final report of the zoning commission unless the governing body by ordinance provides that a public hearing is to be held, after the notice required by Section 211.006(a), jointly with a public hearing required to be held by the zoning commission. In either case, the governing body may not take action on the matter until it receives the final report of the zoning commission.

(c) Before the 10th day before the hearing date, written notice of each public hearing before the zoning commission on a proposed change in a zoning classification shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the property on which the change in classification is proposed. The notice may be served by its deposit in the municipality, properly addressed with postage paid, in the United States mail. If the property within 200 feet of the property on which the change is proposed is located in territory annexed to the municipality and is not included on the most recently approved municipal tax roll, the

notice shall be given in the manner provided by Section 211.006(a).

(d) The governing body of a home-rule municipality may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of a public hearing held jointly by the governing body and the zoning commission. If notice requirements are prescribed under this subsection, the notice requirements prescribed by Subsections (b) and (c) and by Section 211.006(a) do not apply.

(e) If a general-law municipality exercises zoning authority without the appointment of a zoning commission, any reference in a law to a municipal zoning commission or planning commission means the governing body of the municipality.

Sec. 551.050. MUNICIPAL GOVERNMENTAL BODY: PLACE OF POSTING NOTICE.

(a) In this section, "electronic bulletin board" means an electronic communication system that includes a perpetually illuminated screen on which the governmental body can post messages or notices viewable without manipulation by the public.

(b) A municipal governmental body shall post notice of each meeting on a physical or electronic bulletin board at a place convenient to the public in the city hall.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.
Amended by: Acts 2011, 82nd Leg., R.S., Ch. 1007, Sec. 2, eff. June 17, 2011.

Sec. 551.056. ADDITIONAL POSTING REQUIREMENTS FOR CERTAIN MUNICIPALITIES, COUNTIES, SCHOOL DISTRICTS, JUNIOR COLLEGE DISTRICTS, AND DEVELOPMENT CORPORATIONS.

(a) This section applies only to a governmental body or economic development corporation that maintains an Internet website or for which an Internet website is maintained. This section does not apply to a governmental body described by Section 551.001(3)(D).

(b) In addition to the other place at which notice is required to be posted by this subchapter, the following governmental bodies and economic development corporations must also concurrently post notice of a meeting on the Internet website of the governmental body or economic development corporation:

1) a municipality;
2) a county;
3) a school district;

4) the governing body of a junior college or junior college district, including a college or district that has changed its name in accordance with Chapter 130, Education Code;
5) a development corporation organized under the Development Corporation Act (Subtitle C1, Title 12, Local Government Code); and
6) a regional mobility authority included within the meaning of an "authority" as defined by Section 370.003, Transportation Code.

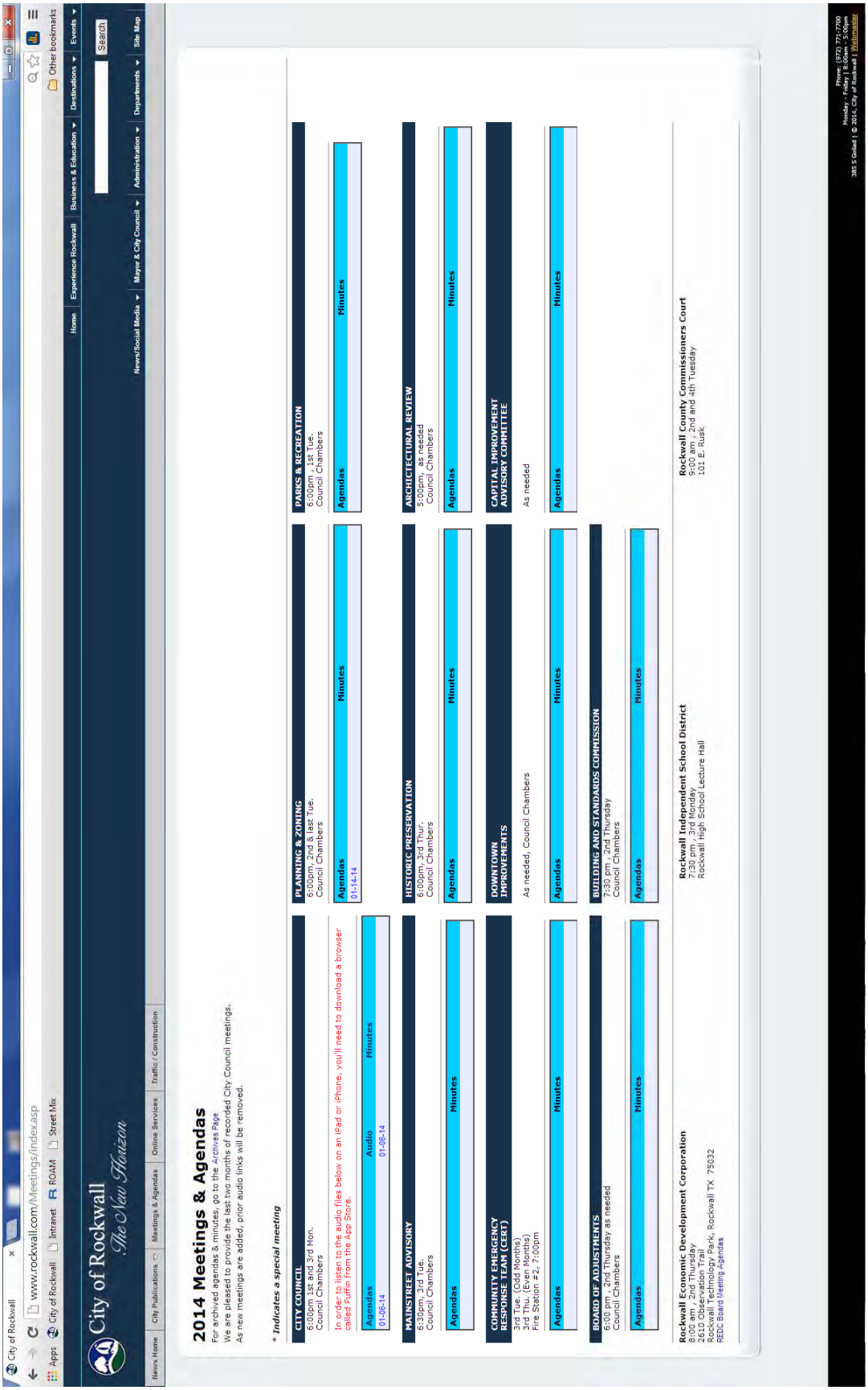
(c) The following governmental bodies and economic development corporations must also concurrently post the agenda for the meeting on the Internet website of the governmental body or economic development corporation:

1) a municipality with a population of 48,000 or more;
2) a county with a population of 65,000 or more;
3) a school district that contains all or part of the area within the corporate boundaries of a municipality with a population of 48,000 or more;
4) the governing body of a junior college district, including a district that has changed its name in accordance with Chapter 130, Education Code, that contains all or part of the area within the corporate boundaries of a municipality with a population of 48,000 or more;
5) a development corporation organized under the Development Corporation Act (Subtitle C1, Title 12, Local Government Code) that was created by or for:
6) a municipality with a population of 48,000 or more; or
7) a county or district that contains all or part of the area within the corporate boundaries of a municipality with a population of 48,000 or more; and
8) a regional mobility authority included within the meaning of an "authority" as defined by Section 370.003, Transportation Code.

(d) The validity of a posted notice of a meeting or an agenda by a governmental body or economic development corporation subject to this section that made a good faith attempt to comply with the requirements of this section is not affected by a failure to comply with a requirement of this section that is due to a technical problem beyond the control of the governmental body or economic development corporation.

Added by Acts 2005, 79th Leg., Ch. 340, Sec. 1, eff. January 1, 2006. Amended by: Acts 2007, 80th Leg., R.S., Ch. 814, Sec. 1, eff. September 1, 2007. Acts 2007, 80th Leg., R.S., Ch. 885, Sec. 3.10, eff. April 1, 2009.

Exhibit 'C'
Meetings and Agendas Webpage on the City's Website



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Sec. 6.1. Notice of Public Hearing.

Written notice of all public hearings on proposed changes in district boundaries shall be sent to all owners of property within a distance of at least 200 feet from the boundaries of the subject property at least ten days prior to the hearing date. Such notice shall be served by using the last known address as listed on the last approved city tax roll and depositing the notice postage paid in the United States mail.

In addition, notice of such hearing shall be published one time in a newspaper of general circulation in the city, not less than ten days prior to the date of such hearing, and signs giving notice of a proposed zone change shall be placed on the subject property at least ten days prior to the public hearing.

Notice of hearings on proposed changes in the text of this Unified Development Code shall be accomplished by one publication not less than 15 days prior to the hearing, in the official newspaper of the city.

(Ord. No. 10-14, § 1, 7-6-2010)

Exhibit 'E'
Zoning Signs

The following are illustrations of the signs used to advertise development cases to meet the requirements of Article II, *Authority and Administrative Procedures*, of the Unified Development Code. The signs used by staff are either 1½-feet by two (2) feet (or 3 SF) or four (4) feet by five (5) feet (or 20 SF). The smaller of the two (2) signs costs $75.00 per sign and the larger of the two signs cost $170.00 per sign.





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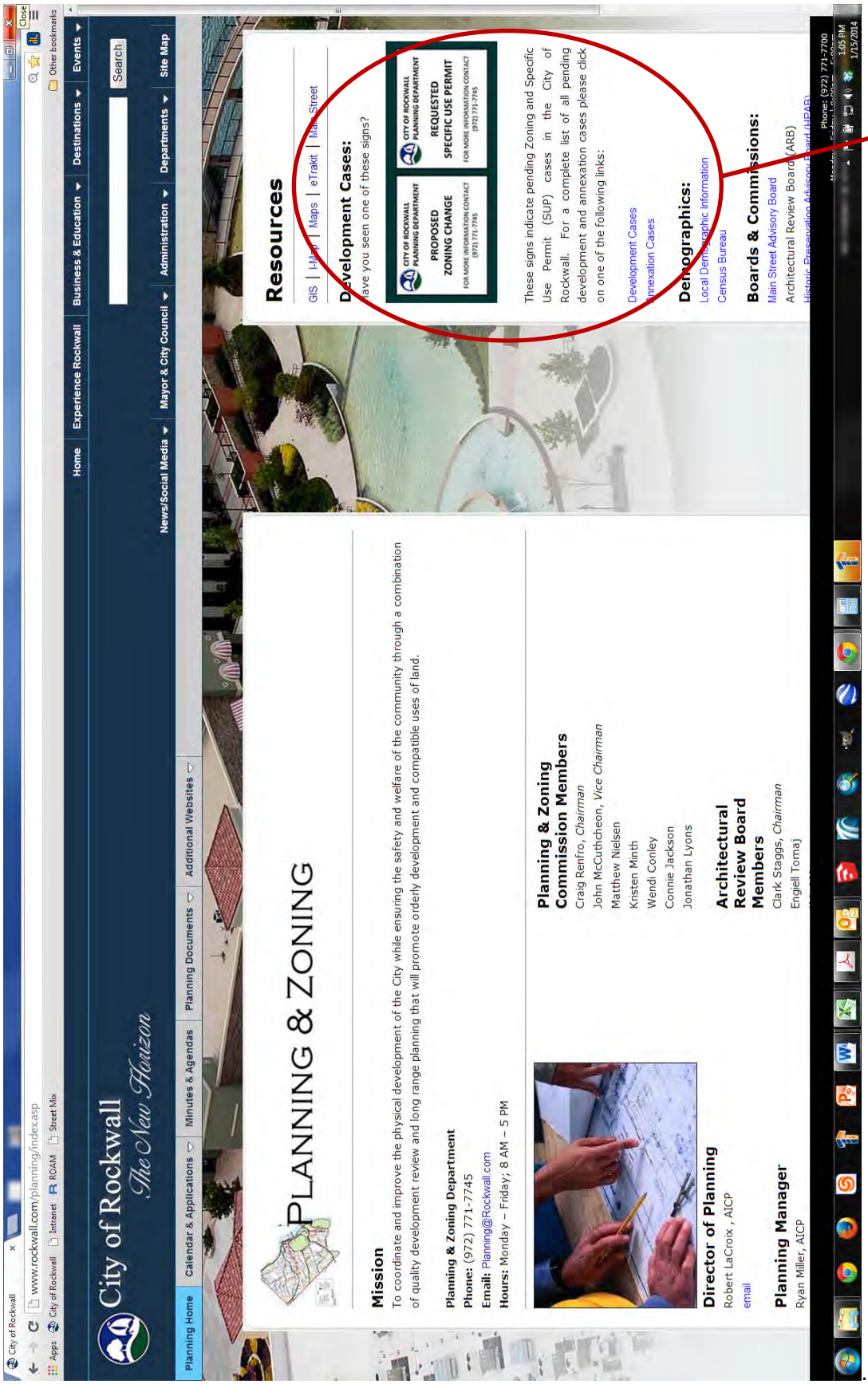
Exhibit 'F'
Screen Shots from the Planning and Zoning Departments Webpage on the City's Website



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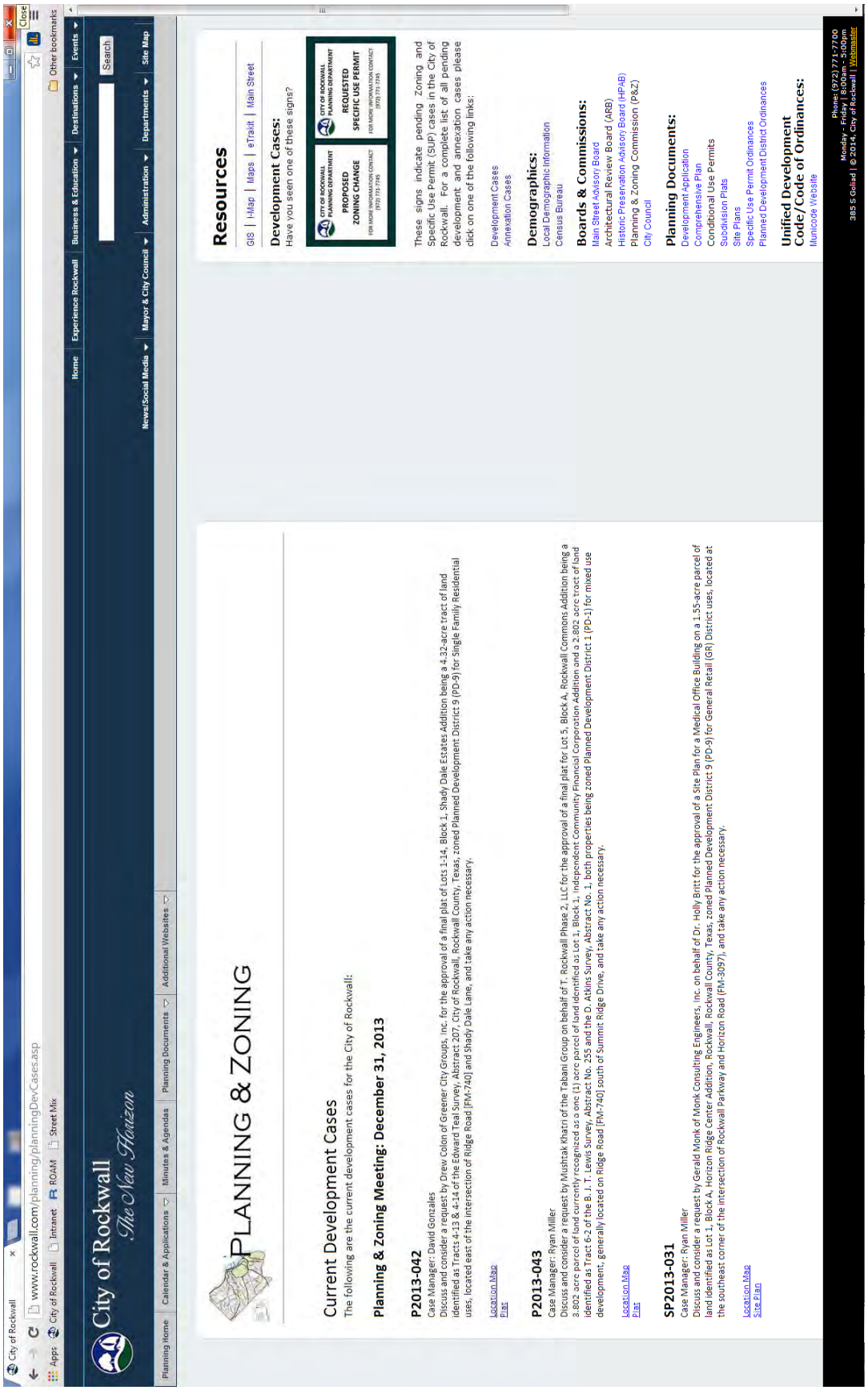

151

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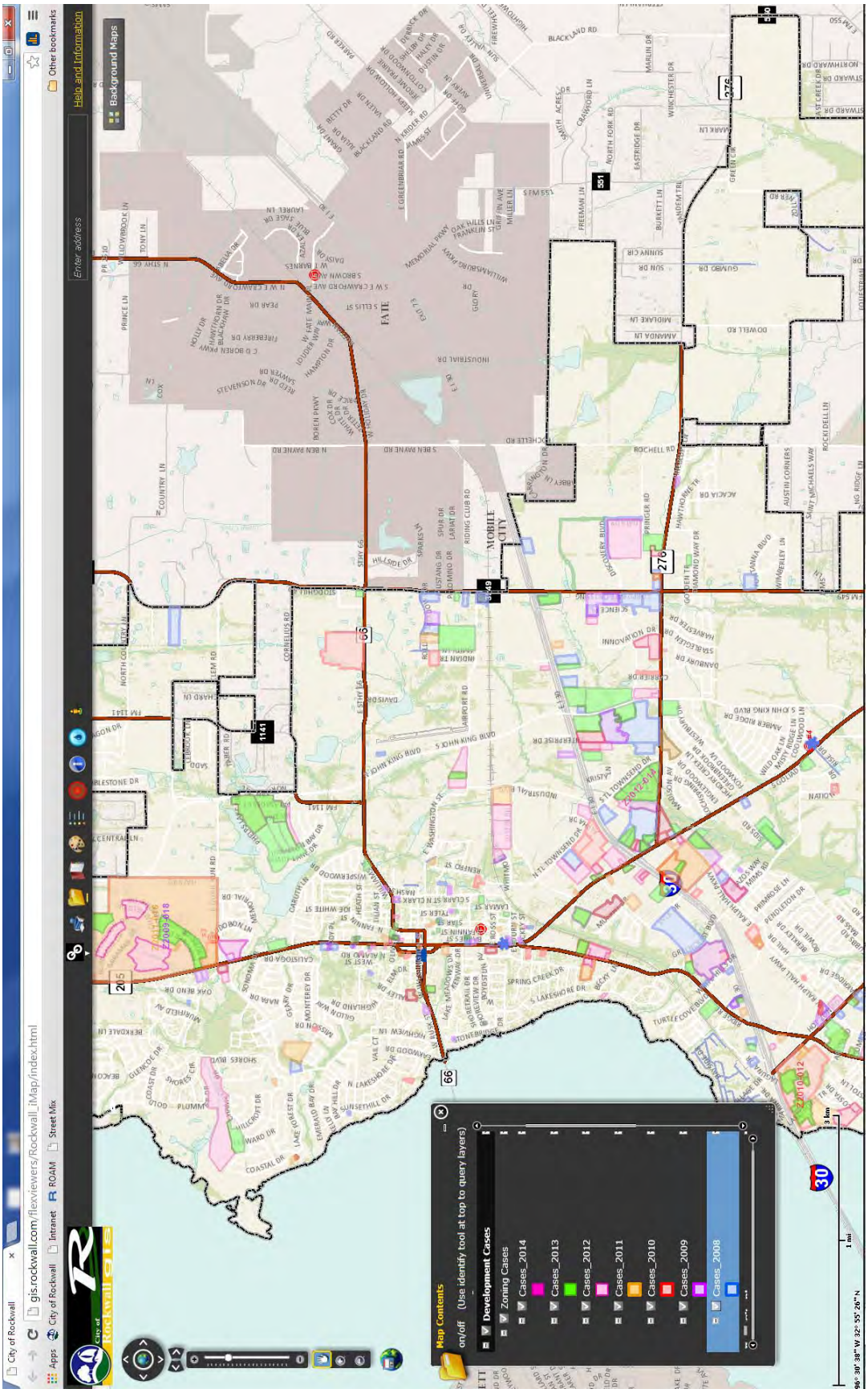

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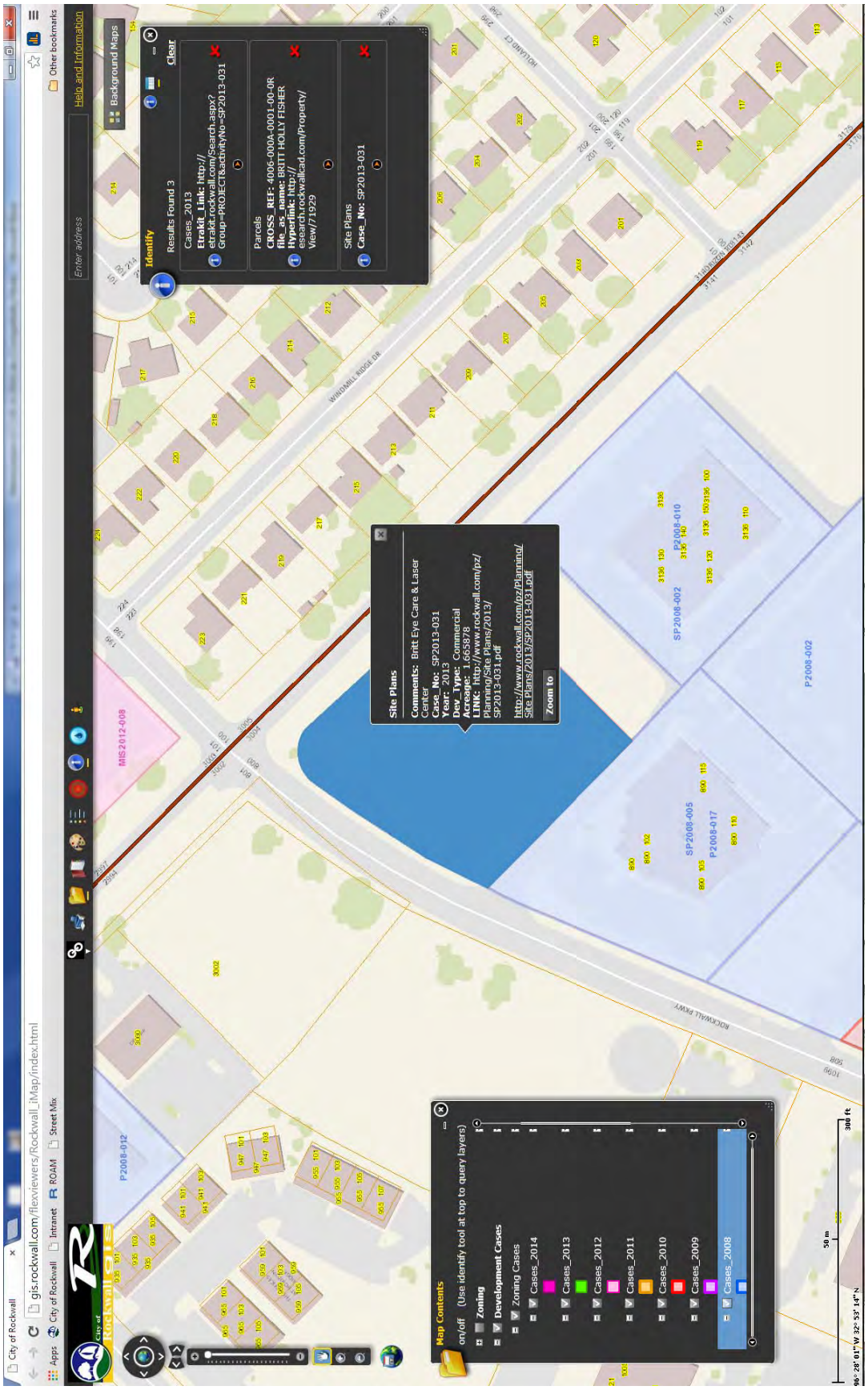
Screen Shots from the Planning and Zoning Departments Webpage on the City's Website



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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Robert LaCroix

DATE: April 8, 2013

SUBJECT: Zoning Notification Signage

Notice Procedures

Article II, Section 6.1 of the Unified Development Code contains the notice procedures for conducting public hearings. In addition to the required procedures the staff also posts the agenda on the City's website and zoning cases are linked to our GIS interactive map for citizens to get more detailed information on individual cases. The agenda is also sent out as part of the E-News email blast. The signs that we utilize are 24" x 18" for smaller properties and the larger signs are 5' x 4' for the bigger properties.

The City Council reviewed the notification policies back in January 2010 and elected to continue using the notification procedures that were in place at the time with the addition of the E-News and posting additional information on the website.

Sec. 6.1. - Notice of public hearing.

Written notice of all public hearings on proposed changes in district boundaries shall be sent to all owners of property within a distance of at least 200 feet from the boundaries of the subject property at least ten days prior to the hearing date. Such notice shall be served by using the last known address as listed on the last approved city tax roll and depositing the notice postage paid in the United States mail.

In addition, notice of such hearing shall be published one time in a newspaper of general circulation in the city, not less than ten days prior to the date of such hearing, and signs giving notice of a proposed zone change shall be placed on the subject property at least ten days prior to the public hearing.

Notice of hearings on proposed changes in the text of this Unified Development Code shall be accomplished by one publication not less than 15 days prior to the hearing, in the official newspaper of the city.

AGENDA
ROCKWALL CITY COUNCIL
Monday, January 04, 2010
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER FARRIS

III. OPEN FORUM

IV. CONSENT AGENDA

1. Consider approval of an ordinance granting a franchise to Oncor Electric Delivery Company LLC and take any action necessary.(2nd Reading)
2. Consider authorizing the purchase of a new fire apparatus, and take any action necessary.
3. Consider award of a contract for construction debris hauling, and take any action necessary.
4. A2009-005 - Discuss and consider approval of an ordinance for a City-initiated request to annex land in accordance with a previously approved Chapter 212 Texas Local Government Code Development Agreement, specifically for approximately 288.80-acres located along the north side of SH 66 east of FM 1141 and west of FM 549, and contiguous to the existing City Limits line. (2nd reading)
5. Consider a resolution approving the Multiple Use Agreement with TXDOT for the City's early warning signal siren at the corner of Emma Jane and SH-205, and take any action necessary.

V. ACTION ITEMS

1. Discuss and consider expanding the distance requirement from 200 feet to 1,000 feet associated with notices issued to property owners by the city for zoning changes, and consider requiring sending such notices for requests for Special Use Permits and take any action necessary.

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

1. Departmental Reports
   Building Monthly Report - November 2009
   Police Department Monthly Report - November 2009
   Internal Operations Department Monthly Report - November 2009
   Finance Department Monthly Report - November 2009
   Recreation Monthly Report - November 2009
   Harbor PD Report - November 2009

MINUTES

ROCKWALL CITY COUNCIL

Monday, January 04, 2010
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Bill Cecil called the meeting to order at 6:00 p.m. Present were Mayor Cecil, Mayor Pro Tem David Sweet and Council members Matt Scott, Margo Nielsen, Cliff Sevier and Glen Farris. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Councilmember Mark Russo was absent from the meeting.

II. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER FARRIS

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

III. OPEN FORUM

Mayor Cecil explained Open Forum and then opened the floor for anyone wishing to come forth and speak.

Pastor Joe Robbins
Peters Colony
Rockwall, TX
Pastor Robbins came forth to commend the Council and staff for a job well done over the course of the past year and in years past.

Bill Bricker
505 Westway
Rockwall, TX
Mr. Bricker came forth to generally commend the council for a job well done.

There being no one else to come forth to speak, Mayor Cecil then closed the Open Forum.

IV. CONSENT AGENDA

1. Consider approval of an ordinance granting a franchise to Oncor Electric Delivery Company LLC and take any action necessary.(2nd Reading)
2. Consider authorizing the purchase of a new fire apparatus, and take any action necessary.
3. Consider award of a contract for construction debris hauling, and take any action necessary.
4. A2009-005 - Discuss and consider approval of an ordinance for a City-initiated request to annex land in accordance with a previously approved Chapter 212 Texas Local Government Code Development Agreement, specifically for approximately 288.80-acres located along the north side of

SH 66 east of FM 1141 and west of FM 549, and contiguous to the existing City Limits line. (2nd reading)

5. Consider a resolution approving the Multiple Use Agreement with TXDOT for the City's early warning signal siren at the corner of Emma Jane and SH-205, and take any action necessary.

Councilmember Scott made a motion to approve Consent Agenda items #1-5. Mayor Pro Tem seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 10-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 288.80 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 10-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS GRANTING TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC POWER FRANCHISE TO USE THE PRESENT AND FUTURE STREETS, ALLEYS, HIGHWAYS, PUBLIC UTILITY EASEMENTS, PUBLIC WAYS AND PUBLIC PROPERTY OF ROCKWALL, TEXAS, PROVIDING FOR COMPENSATION THEREFOR, PROVIDING FOR AN EFFECTIVE DATE AND A TERM OF SAID FRANCHISE, PROVIDING FOR WRITTEN ACCEPTANCE OF THIS FRANCHISE, PROVIDING FOR THE REPEAL OF ALL EXISTING FRANCHISE ORDINANCES TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS PREDECESSORS AND ASSIGNS, AND FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC.

The motion passed by a vote of 6 ayes to 1 absent (Russo).

V. ACTION ITEMS

1. Discuss and consider expanding the distance requirement from 200 feet to 1,000 feet associated with notices issued to property owners by the city for zoning changes, and consider requiring sending such notices for requests for Special Use Permits (SUP) and take any action necessary.

Councilmember Scott expressed that he has brought this item forth to the Council for consideration at this time because of his concerns that the existing 200 feet rule is not sufficient to notify enough people who may be affected by a particular zoning change or SUP. In general, he expressed that he would like the Council to consider expanding the notification requirement include those living outside of the existing 200 foot area.

Mayor Cecil called upon former Planning & Zoning Chairman Bill Bricker to come forth and speak related to his personal views on this topic. In general, Mr. Bricker expressed that he has concern about expanding the notification area and believes it could negatively affect developers. He generally believes that the current notification requirements (200 feet) should remain in place.

Councilmember Nielsen made a motion to instruct staff to move forward with bringing back a resolution, policy or ordinance to the Council for consideration at a future date related to a tiered notification approach recommended by staff as follows:

- A tiered approach adopted by policy rather than by ordinance as follows:
  0-5 acres = 200' notice
  5-25 acres = 400' notice (courtesy notice beyond 200')
  25+ acres = 500' notice (courtesy notice beyond 200')

Councilmember Scott seconded the motion.

Mayor Cecil generally expressed that he does not support the motion on the floor this evening. Councilmember Farris also expressed that he is not in support of the motion on the floor due to the various, present day means by which a large number of citizens likely receive their information, such as through 'social media' like the city's E-News e-mail blasts/notifications. General discussion took place related to 'social media' and other methods by which citizens are informed of issues such as potential zoning changes or special use permits (SUPs), including the monthly water bill newsletter/insert and the city's website.

After additional discussion, the motion failed by a vote of 3 ayes to 3 nays (Cecil, Sevier, and Farris).

Mayor Cecil then made a motion to send out notices on the city's E-News e-mail blasts and to post them on the city's website. Councilmember Farris seconded the motion.

The motion passed by a vote of 6 ayes to 1 absent (Russo).

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

1. Departmental Reports
   Building Monthly Report - November 2009
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   Internal Operations Department Monthly Report - November 2009
   Finance Department Monthly Report - November 2009
   Recreation Monthly Report - November 2009
   Harbor PD Report - November 2009
2. City Manager's Report

No action was taken as a result of the Departmental & City Manager reports.

VII. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074 AND 551.087 OF TEXAS GOVERNMENT CODE TO DISCUSS:

1. Deliberation regarding the purchase, exchange, lease, or value of real property.
2. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
3. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
4. Pursuant to Section 551.071, consultation between the City's attorneys and City Council where the duty of the City's attorneys to the City Council under the Code of Professional Responsibility of the State Bar of Texas clearly conflicts with the Open Meetings Act, regarding: legal issues pertaining to annexation of territory, annexation agreements, and development agreements pursuant to Tex. Loc. Gov't Code ch. 43.

VIII. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The Council did not reconvene into Executive Session at the close of the public meeting; therefore, no action was taken as a result of Executive Session.

IX. ADJOURNMENT

Mayor Cecil adjourned the meeting at 6:48 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 19th day of January, 2010.

William R. Cecil

William R. Cecil, Mayor

ATTEST:

Kristy Ashberry

Kristy Ashberry, City Secretary

CITY OF ROCKWALL TEXAS
SEAL

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **City Council**

FROM: **Robert LaCroix**

DATE: **June 4, 2007**

SUBJECT: **Zoning Notification**

At the April 16, 2007 City Council Meeting, Staff was instructed to look at the implications of increasing the notification buffer for zoning cases. The first seven (7) local cities that staff researched (**Wylie, Richardson, Southlake, Rowlett, McKinney, Frisco** and **Allen**) all have maintained the 200-ft notification requirements as prescribed in State Law. Subsequently, we sent an email request through the APA-Texas Chapter's listserv (which is distributed instantly to planners in most cities and private firms in the state of Texas) soliciting input from anyone that has increased notification areas. Staff received twelve (12) responses from organizations that have modified their notification requirements in some fashion, and several more responses from cities that have not. We also inquired about courtesy notification, if increased notification was accomplished by ordinance or policy and any other information that might be useful in determining whether to increase notification. We have included that information for your review.

Several cities did send out "courtesy notices" as a matter of policy or in specific situations. For instance, the City of **Denton** ordinance requires a 200 foot notification, but as a matter of policy the City also sends out a separate courtesy notice to all *physical addresses* within 500-ft of the subject property. By sending the notice to the physical address, renters, new property owners and others that may not show up on the latest tax roll are also notified. The City of **Plano** indicated they have not changed from 200-ft, but have sent out extended courtesy notices on sensitive zoning cases. The City of **Leon Valley** will send out an extended notice for a case if a special request is made by a City Council member.

The cities of **Austin**, **Round Rock**, **El Paso**, **Fort Worth** and **Hutto** have adopted a 300 foot notification by ordinance. The City of **Garland** has instituted a 400-ft notification requirement. However, most of these cities (with the known exception of **Hutto**) maintain that written protest is only counted for the area within 200-ft, as outlined in State Law. This means that written protests from owners that are located beyond 200-ft do not count towards the 20% rule that constitutes a ¾ vote by City Council for approval.

The City of **Dallas** has created a tiered approach to notification. The notification area is based on the property size in the request:

- 0-1 acre = 200' notice
- 1-5 acres = 300' notice,
- 5-25 acres = 400' notice
- 25+ acres = 500' notice

These notice requirements are tied to their fee schedule and the fees are quite substantial with the larger zoning requests. It would appear from this approach that the greater the land area of

the zoning request the greater the amount of effect on the surrounding properties, hence, the increased notification requirement.

Some of the cities (**Austin, El Paso)** we surveyed also send notices to registered or known home owners association within the notification area. This is generally done by policy, and the City of Rockwall has employed this policy for both zoning and residential replat notifications.

Finally, it should be noted that several cities responded to staff's inquiry with caution and reported that they have been advised by their legal staff not to deviate from state law. The City of **San Antonio**, for example, indicated that their legal counsel believed the 200 foot notice required by State Law is the maximum that could be required and advised against increasing it because any additional notice would, in their opinion, injure the rights of the applicant by giving standing to individuals who should not be involved. The City of **Sugarland** further pointed out that there would be greater chances of clerical error with a larger notice, and potentially greater chances for due process claims.

City of Rockwall Current Ordinance / Policy for Zoning Notifications

The following is the notification requirements for the City of Rockwall, as specified in the Unified Development Code:

> **"Notice of Public Hearing**
> Written notice of all public hearings on proposed changes in district boundaries shall be sent to all owners of property within a distance of at least 200 feet from the boundaries of the subject property at least ten (10) days prior to the hearing date. Such notice shall be served by using the last known address as listed on the last approved City tax roll and depositing the notice postage paid in the United States mail. In addition, notice of such hearing shall be published one time in a newspaper of general circulation in the City, not less than ten (10) days prior to the date of the Planning & Zoning public hearing and fifteen (15) days prior to the date of the City Council public hearing. Additionally, signs giving notice of a proposed zone change shall be placed on the subject property at least ten (10) days prior to the public hearing."

Additional steps of notification done by departmental policy:

- Staff posts the Planning & Zoning agenda on our website that would indicate all public hearings.

- In the recent past, depending on the significance of either a zoning case or a major new development case, we have encouraged broader communication with affected neighborhoods either by the developer or initiated by the City. Some examples of these actions include the Harbor Project where the City notified and initiated public meetings with the Lago Vista subdivision, the new hospital project where the developer and the City notified and coordinated meetings with the Fox Chase subdivision, the Downtown Plan and form-based code adoption where the City notified all property owners (and tenants) and held town hall meetings to inform citizens of the proposed changes and recently, the Caruth zoning case where the City and developers held public meetings with the surrounding property owners to discuss the proposal prior to the public hearings.

- Generally if a portion of a subdivision receives a zoning change notice and that subdivision has an HOA (Homeowner's Association), the staff will send a notice to the HOA. An active HOA will usually notify its membership of any zoning change it deems significant or one that would raise concerns. Good examples of an active HOA are Chandler's Landing and the Shores.

Cost of increased notification:

Staff has created two hypothetical cases to attempt to identify some quantifiable costs associated with increased notification. Items such as postage, letterhead, envelopes, and initial staff time dedicated to produce the notices are listed in both examples (see attached worksheet). The 500-ft notification for instance led to a 143% cost increase on the larger case (Presbyterian Hospital site) and a 236% cost increase on the smaller case (Green Cottage site).

With the increased notification (particularly for smaller-tract application) the basic quantifiable costs such as postage and envelopes quickly begin to approach the charged fee amount. Moreover, we did not include the "fixed costs" of newspaper advertising or zoning signs, which will not change regardless of notification area. Nor did we factor in administrative costs associated with each case such as staff time for review and analysis, all of which can be partly weighed into the application fee.

The unquantifiable costs associated with increased notification would essentially include, but not necessarily limited to:

- Increased staff time involved with customer inquires (phone calls and walk-ins),
- Potential errors associated with increased notification which may lead to re-notification,
- Delays to applicants that lead to increased cost in development and land acquisition,
- Challenges from property owners regarding receipt of notification that may lead to delays in processing applications.
- Increased complication and potential for error involved with calculating the "area of protest" within 200-ft with additional notices to owners beyond the 200-ft. On a related note, an unintended effect could be the frustration of citizens who may not understand why their written protest does not "count" towards the 20% rule.

Recommendations:

If Council is inclined to increase the notification area staff would recommend the following alternative approaches in regard to an increase:

- A tiered approach adopted by policy rather than by ordinance as follows:
  0-5 acres = 200' notice
  5-25 acres = 400' notice (courtesy notice beyond 200')
  25+ acres = 500' notice (courtesy notice beyond 200')
- An overall 300' notice for all zoning cases regardless of size, with the courtesy notice beyond 200' being adopted by policy

Staff would also recommend, if either of these approaches are considered, that the current fees for zoning applications be reviewed to determine if they are appropriate to address the increased costs. A tiered fee structure similar to Dallas may be appropriate, or possibly a fee structure that charges a base fee *plus an amount per notice mailed* (which was used in cities such as Rowlett and Frisco when staff reviewed area fees and revised the City's development fees in 2005).

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **City Council**

FROM: **Robert LaCroix**

DATE: **April 9, 2007**

SUBJECT: **Zoning Notification**

Recently, a zoning application concerning a zone change in the 1400 block of Ridge Road was submitted to the Planning Staff and shortly after the submission the application was withdrawn. The Unified Development Code prescribes the manner in which notice of public hearings is given in accordance with State law.

Notice of Public Hearing

Written notice of all public hearings on proposed changes in district boundaries shall be sent to all owners of property within a distance of at least 200 feet from the boundaries of the subject property at least ten (10) days prior to the hearing date. Such notice shall be served by using the last known address as listed on the last approved City tax roll and depositing the notice postage paid in the United States mail. In addition, notice of such hearing shall be published one time in a newspaper of general circulation in the City, not less than ten (10) days prior to the date of the Planning & Zoning public hearing and fifteen (15) days prior to the date of the City Council public hearing. Additionally, signs giving notice of a proposed zone change shall be placed on the subject property at least ten (10) days prior to the public hearing.

Staff also posts the Planning & Zoning agenda on our website that would indicate all public hearings.

In the recent past, depending on the significance of either a zoning case or a major new development case, we have encouraged broader communication with affected neighborhoods either by the developer or initiated by the City. Some examples of these actions include the Harbor Project where the City notified and initiated public meetings with the Lago Vista subdivision, the new hospital project where the developer and the City notified and coordinated meetings with the Fox Chase subdivision, the Down Town zoning change where the City notified all property owners and held town hall meetings to inform citizens of the proposed changes and recently, the Caruth zoning case where the City and developers held public meetings with the surrounding property owners to discuss the proposal prior to the public hearings.

Generally if a portion of a subdivision receives a zoning change notice and that subdivision has an HOA (Homeowner's Association), the staff will send a notice to the HOA. An active HOA will usually notify its membership of any zoning change it deems significant or one that would raise concerns. Good examples of an active HOA are Chandler's and the Shores.

The staff encourages developers to meet with neighborhoods when critical zoning changes are being proposed, especially when they are affecting single family residential neighborhoods. As stated, when development or a zoning change is perceived to be affecting a neighborhood to a much greater extent as with the Harbor Project or the hospital project, staff would initiate a greater notification as a courtesy to those affected residents. However, the Staff does follow certain procedures before notification which include deadlines for newspaper publication and the mailing of notices. These procedures allow for an applicant to withdraw his zoning case prior to the newspaper publication and the mailing of notices.

State law prescribes that if a proposed zoning change is protested by at least 20% of either the area of the lots or land covered by the propose changed; or the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, to be approved, the affirmative vote of at least three-fourths of all members of the governing body must be received. Precaution should be taken in amending the zoning ordinance to consider any increase to the required notification areas for public hearings due to the 20% protest calculation and that a dual notice process would have to be undertaken. An increase to 400 feet or 800 feet would exponentially increase the area of notification and would increase the cost of notification in both mailing and staff time and increase the potential of errors in notification which would in turn delay cases, cause more cost to the City as well as the applicant. In some cases, the increased notification area would incur more cost that would not be covered by our current fee structure. As we have previously stated, if an application, whether it is a zoning case or a development case, is affecting an entire neighborhood or subdivision we would encourage an applicant to communicate and meet with the neighborhood and additionally, the City may elect to initiate a courtesy notification to those affected citizens and hold additional public meetings. We feel that this approach is actually more beneficial to the surrounding property owners and to the applicant in his attempt to communicate his project to the neighborhood and gain approval from Council.

Casey, Jacky

From: Ashberry, Kristy
Sent: Tuesday, January 14, 2014 11:23 AM
To: Casey, Jacky
Subject: FW: Agenda item

From: Sweet, David
Sent: Monday, January 06, 2014 7:33 PM
To: Crowley, Rick; Ashberry, Kristy
Subject: Agenda item

Kristy,
Please place an item on the next agenda to discuss changes to the sign , notice and footage of residents notified when a zoning change is being considered.

David Sweet

David Sweet
Mayor, City of Rockwall
385 S. Goliad Street
Rockwall, TX. 75087
Cell: 972-639-6530
Email: davidsweet@rockwall.com

Casey, Jacky

From: Ashberry, Kristy
Sent: Tuesday, January 14, 2014 11:23 AM
To: Casey, Jacky
Subject: FW: City of Rockwall

From: Crowley, Rick
Sent: Tuesday, January 14, 2014 11:18 AM
To: Ashberry, Kristy; Smith, Mary
Subject: Fwd: City of Rockwall

We got the Mayor's similar request last week on this item. We need to put both requests in the packet with the item.

Sent from my iPhone

Begin forwarded message:

> **From:** "Pruitt, Jim" <JimPruitt@rockwall.com>
> **Date:** January 13, 2014 6:22:45 PM CST
> **To:** "Crowley, Rick" <RCrowley@rockwall.com>
> **Subject: Re: City of Rockwall**
>
> Can we get an agenda item about notice for zoning changes both distance and method.
>
> Jim

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CITY CODE OF ORDINANCES TO ESTABLISH CHAPTER 22, ARTICLE II. OFFENSES REGARDING MINORS, SECTION 22-71. PURCHASE BY MINOR OF E-CIGARETTES, REGULATING THE PURCHASE, SALE, OFFER TO SELL, AND INGESTION OF ANY E-CIGARETTE SMOKING PRODUCT TO OR BY ANY MINOR; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall (the "City") is permitted to establish ordinances to protect the health, safety and general welfare of its residents; and

WHEREAS, electronic cigarettes are devices that convert liquid nicotine into a gas that is inhaled by the consumer; and

WHEREAS, the National Institute for Occupational Safety and Health and the Center for Disease Control and Prevention have prepared emergency response information addressing the dangers associated with liquid nicotine. Nicotine affects the nervous system and heart and is addictive. Exposure to relatively small amounts of liquid nicotine can rapidly be fatal; and

WHEREAS, the Federal Drug Administration published an article in July of 2009 warning of the dangers posed by electronic cigarettes, which include nicotine addiction and the appeal to young people due to the different flavors (such as chocolate, strawberry and mint); and

WHEREAS, the American Medical Association addressed the risks associated with the use of electronic cigarettes and adopted a policy recommending that electronic cigarettes be classified as a drug delivery device, subject the FDA's regulations and approval;

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

SECTION 1. FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. PURPOSE. The purpose and intent of this Section is to protect individuals under the age of 18 from the hazards of nicotine addiction and the dangers of ingesting products with no regulatory oversight as to their purity, contents, and potential negative health impacts.

SECTION 3. Section 22.71 is hereby established and shall read as follows:

Sec. 22.71 Purchase by minor of E-Cigarettes

(a) Definitions: As used in this section, the following words and phrases shall have the following meanings:

"*Electronic cigarette*" or "*e- cigarette*" means an electronic device usually composed of a mouthpiece, a heating element or atomizer, a battery, and electronic circuits that provides a gas derived from liquid nicotine and/or other substances which is inhaled by a user simulating smoking. The term includes such devices, regardless of the details of the product appearance or marketed name, generally manufactured to resemble cigarettes, cigars, pipes, or other smoking devices.

"*Liquid nicotine*" means any liquid product composed either in whole or part of nicotine, propylene glycol and/or other similar substances and manufactured for use with an e- cigarette to be converted into a gas for inhaling.

"*Minor*" means a person less than 18 years of age.

"*Person*" means any natural person, individual, corporation, limited liability company, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, or other entity or business of any kind.

"*Photographic identification*" means state, district, national or other equivalent government driver's license, identification card or military card, in all cases bearing a photograph and a date of birth, or a valid passport.

(b) Prohibited Acts

1. No person may give, distribute, transfer, sell, market, or offer e-cigarettes, their components, or samples to any minor.

2. No minor may purchase or obtain e-cigarette or their components. This prohibition does not apply to activities or enforcement actions under the control of a City, state, or federal law enforcement authority.

3. No person shall sell or permit to be sold e-cigarettes or their components through any device that mechanically dispenses such products unless the device is located fully within premises from which minors are prohibited.

(c) Penalty and Exceptions

1. The penalty for violation of this Ordinance shall be in accordance with the general penalty provision contained in the Code of Ordinances of the City of Rockwall, Texas. Each continuing day's violation under this Ordinance shall constitute a separate offense.

2. It is a defense to a prosecution for violation of subsection (b) of this section that a minor possessed an e-cigarette product in the presence of an adult parent, guardian, or spouse, or other adult to whom the minor has been committed by a court.

3. It is a defense to a prosecution for violation of subsection (b) of this section that a minor possessed a e-cigarette product while in the course and scope of the minor's employment by a person or entity in the business of being a distributor, wholesaler, bonded agent or retailer of e-cigarette products.

4. Purchase by Minor.

(A) It is a defense to prosecution under this subsection (b) that the minor purchased an e-cigarette product in the presence of an adult parent, guardian, or spouse, or other adult to whom the minor has been committed by a court.

(B) False information. It is an offense for a minor, in order to acquire an e-cigarette product, to state to any person engaged in the business of selling such products that such minor is not a minor, or to present to any such person a document or writing that purports to establish that such minor is not a minor.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 5. SAVINGS CLAUSE. All ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 6. EFFECTIVE DATE. The Ordinance shall be effective immediately following its second reading and publication in accordance with the City Charter.

_____

David Sweet, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____

Frank Garza, City Attorney

1st Reading: 01-06-14

2nd Reading: 01-21-14

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 32 SIGNS, ARTICLE III REGULATIONS AND REQUIREMENTS, DIVISION 3. FUNCTIONAL STANDARDS, SECTION 32-233. CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS (CEVM) TO REPEAL THIS SECTION IN ITS ENTIRETY AND PROVIDE FOR A NEW SECTION 32-233; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the Rockwall City Council deems the public interest to be best served by the adoption of certain rules and regulations regarding Changeable Electronic Variable Message Signs as set forth herein;

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

SECTION 1. That the Code of Ordinances in Chapter 32. Signs, Article III. Regulations and Requirements, Division 3. Functional Standards, Section 32-233 is hereby repealed in its entirety and is replaced with a new Sec. 32-233 which shall hereby read in its entirety as follows:

Sec. 32-233. Changeable Electronic Variable Message Signs (CEVMs)

CEVMS signs are subject to the same size and location restrictions as other signs regulated by this division. In addition, CEVM signs are subject to the following restrictions:

(1) *Location:* CEVM signs shall not be erected within 150 feet of a residential district or residential use unless the lighting is shielded from view from the residential district or residential use.

(2) *Size:* The CEVM portion of any sign shall be limited to two hundred (200) square feet in message area.

(3) *Dwell Time:* Messages shall remain static for a minimum period of five (5) seconds.

(4) *Change of Message:* Any change of pictures or information on a CEVM sign shall not produce the illusion of blinking, flashing, expanding or contracting shapes, scrolling, rotation or any similar effect of animation. Message changes shall be accomplished within two (2) seconds or less and shall occur simultaneously on the entire sign face.

(5) *Brightness:* The maximum brightness of a CEVM sign shall not exceed 7,500 Nits (candelas per square meter cd/m^2) during daylight hours or 750 Nits between dusk to dawn. CEVM signs shall be fitted with a light sensing device or contain software that is programmed to automatically adjust the brightness in accordance with these standards and the intensity of its display according to natural ambient light conditions. Further, prior to the issuance of a permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the levels specified above, and the intensity level is protected from end-user manipulation by password-protected software or other method.

(6) *Malfunction:* CEVM signs shall be equipped with a properly functioning default mechanism that will cause the sign to revert immediately to a single, fixed image or to a black-screen if the sign malfunctions.

(7) *Existing signs:* All CEVM signs in existence prior to the effective date of this Ordinance shall conform to the provisions of this subsection within 30 days of the adoption date of this ordinance [January 20, 2014].

SECTION 2. That any person, firm or corporation who violates any provision of this ordinance or who fails to obtain a special event permit shall be deemed guilty of a misdemeanor and upon conviction thereof, in the Municipal Court of Rockwall, TX, shall be subject to a fine in accordance with the general provisions of the Code of Ordinances.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 4. That the Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

SECTION 6. That it is hereby found and determined that the meeting at which this ordinance was passes was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

SECTION 7. That this Ordinance shall take effect immediately upon its second reading and newspaper publication as required by the City Charter, Section 3.11.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of January, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 01-06-14

2nd Reading: 01-21-14

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **January 21, 2014**

SUBJECT: **Waiting period to perform a demo following a show cause hearing.**

The City of Rockwall currently has a ninety day waiting period prior to performing demolition work following a show cause hearing in which the City Council orders the property owner to repair, remove or demolish. This ninety day period has been in place for many years.

After consultation with Mr. Garza, I would like to ask the Council to consider an amendment to our Dangerous Building ordinance, setting our waiting period at thirty days, which complies with state law.

The purpose for the proposed change is to allow the City to move forward with any future demolition work in a timelier manner. Typically, when staff brings a show cause hearing to the Council for consideration, it is because the building in question has deteriorated to an extent that it is considered dangerous and potentially hazardous to the public. Because of this, it would be prudent to proceed with the demolition work in a more expeditious manner in order to protect the public's health and safety. If Council elects to approve this proposed amendment, staff would continue to exercise discretion if extenuating circumstances are involved and could allow additional time for a property owner to bring the property into compliance.

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Proposed ordinance amendment to Code of Ordinances Chapter 10, Article XIII, Section 10-537

Sec. 10-537. - Procedure when owner fails to comply.

If the owner or responsible person fails or refuses to repair, demolish or remove a building or structure within ten days after receipt of the notice provided for in section 10-536, the fire marshal, fire chief or building official may cause an appropriate citation to be issued notifying such person to appear before the municipal court to answer a complaint against him for violation of this article, or the fire marshal, fire chief or building official may give further notice in writing by certified mail, return receipt requested, or in the event the owner is a nonresident, and his address is unknown, by publishing notice one time in the official newspaper of the city and by posting a copy thereof on the building or structure, ordering such person to appear before the city council at a time and date specified in the notice, to show cause, if he has any, why the building or structure, or any part thereof, should not be repaired, demolished or removed. At the time of the hearing before the city council, the appropriate official of the city shall present such evidence as he may have concerning the condition of the building or structure and make such recommendations, as he may feel proper to the city council. The owner or other person ordered to appear may offer such evidence concerning the condition of the building or structure, as he may desire. At the conclusion of the hearing, the city council may order the building or structure repaired, demolished or removed, as the council may deem necessary. In no event, however, shall the time fixed for such repair, demolition, or removal be less than ~~90~~ 30 days from the date of the council order.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 10 BUILDINGS AND BUILDING REGULATIONS, ARTICLE XIII DANGEROUS BUILDINGS, SECTION 10-537. PROCEEDURES WHEN OWNER FAILS TO COMPLY; TO AMEND THE 90 DAY DEMOLITION WAITING PERIOD TO 30 DAYS ; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Rockwall City Council deems the public interest to be best served by the adoption of certain rules and regulations regarding the height of wall signs as set forth herein;

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

SECTION 1. That the Code of Ordinances in Chapter 10. Buildings and Building Regulations, Article XIII. Dangerous Buildings Section 10-537 is hereby amended to strike language and read as follows:

Sec. 10-537. - Procedure when owner fails to comply.

If the owner or responsible person fails or refuses to repair, demolish or remove a building or structure within ten days after receipt of the notice provided for in section 10-536, the fire marshal, fire chief or building official may cause an appropriate citation to be issued notifying such person to appear before the municipal court to answer a complaint against him for violation of this article, or the fire marshal, fire chief or building official may give further notice in writing by certified mail, return receipt requested, or in the event the owner is a nonresident, and his address is unknown, by publishing notice one time in the official newspaper of the city and by posting a copy thereof on the building or structure, ordering such person to appear before the city council at a time and date specified in the notice, to show cause, if he has any, why the building or structure, or any part thereof, should not be repaired, demolished or removed. At the time of the hearing before the city council, the appropriate official of the city shall present such evidence as he may have concerning the condition of the building or structure and make such recommendations, as he may feel proper to the city council. The owner or other person ordered to appear may offer such evidence concerning the condition of the building or structure, as he may desire. At the conclusion of the hearing, the city council may order the building or structure repaired, demolished or removed, as the council may deem necessary. In no event, however, shall the time fixed for such repair, demolition, or removal be less than ~~90~~ 30 days from the date of the council order.

SECTION 2. That any person, firm or corporation who violates any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, in the Municipal Court of Rockwall, TX, shall be subject to a fine in accordance with the general provisions of the Code of Ordinances.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 4. That the Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

SECTION 6. That it is hereby found and determined that the meeting at which this ordinance was passes was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

SECTION 7. That this Ordinance shall take effect immediately upon its second reading and newspaper publication as required by the City Charter, Section 3.11.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of February, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 01-21-14

2nd Reading: 02-03-14

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and Council members**

DATE: **January 15, 2014**

SUBJECT: **Requested Agenda Item**

Council member Pruitt requested an agenda item regarding recycling. He would like Council to consider authorizing a survey regarding people's willingness to continue to pay the $1.99 charge per month for residential recycling.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Kristy Ashberry, City Secretary

DATE: January 17, 2014

SUBJECT: Art Review Team (ART) Commission

An item has been placed on the January 21 council meeting agenda related to appointments to the city's ART Commission. Information relative to this commission is as follows:

Councilmember Milder was selected by council to serve as the "appointments liaison" to this board, and it was agreed that Mayor Sweet would also assist with the recommendations. Please note it has been a number of years since appointments to this commission have been considered by council, and it has been many years since it actually convened. The table below shows the most up-to-date information on file relative to the ART Commission.

Art Review Team Commission	FIRST	LAST	CURRENT 2 YR. TERM EXPIRES
~~Visual Art Professional / Chairperson~~	~~Joetta~~	~~Currie~~	~~Aug. 2010~~
Visual Art Professional (Chairperson)	Michelle	Pauken	Aug. 2009
Business Community Member (Vice Chair)	Bob	Jolley	Aug. 2009
Business Community Member	David	Butler	Aug. 2010
Resident / Vice Chairperson	Anita	Russelmann	Aug. 2009
Ex Officio member from Rockwall Alliance for the Arts	Maurice	Thompson	Aug. 2010
Ex Officio City Staff Member	Andy	Hesser	n/a

Information reflected in our city's code of ordinances regarding this commission is as follows:

Sec. 36-77. Established

(a) *Composition; appointment of members; term; compensation.* There is hereby created a commission known as the art review team (ART) commission. The commission shall be organized as follows:

(1) **The art review team (ART) commission shall consist of five members, appointed by the city council. The team members will include:**

- **two visual arts professionals,**
- **two members of the business community who will be representative of the environmental design fields (architecture, landscape architecture, urban planning / design), and**
- **one resident of the community.**

Selection of the team will reflect ethnic, artistic, economic and demographic diversity of the community. All team members must possess knowledge of, or have an interest in contemporary, visual art, artistic principles and art media. **A board member of the Rockwall Alliance for the Arts and the director of parks and recreation or his designee will serve as ex officio (nonvoting) members.**

a. The art review team (ART) commission shall consist of five regular members appointed by a majority of the city council. The ex officio member from the Rockwall Alliance for the Arts will also be appointed by the city council. The ex officio member from the parks and recreation department will be appointed by the city manager.

b. In the case of a vacancy of the commission, the city council, by a majority vote, may appoint a replacement member to the commission. Any person appointed shall serve until the expiration of the term of office of the vacated position.

c. Each member of the commission shall be a resident citizen and qualified voter of the city.

d. Upon the initial appointment of the commission by the city council, members shall draw lots for three two-year terms and three one-year terms of service. Thereafter, the term of office of members of the commission shall be for two years. Members may be removed, as determined by the city council.

e. Members shall serve without compensation.

(b) *Meetings.* The commission shall hold its meetings on the call of the chairperson, or at such other times as the commission may determine. All meetings shall be open to the public.

(c) *Quorum.* All cases to be heard by the commission must be heard by at least four members.

(d) *Chairperson and vice-chairperson.* A chairperson and vice-chairperson shall be elected by the members of the commission at the first meeting following the annual appointment of the new members.

(e) *Records.* The commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the commission and shall be a public record.

(f) *Vote.* The concurring vote of four members of the commission shall be necessary for the approval of any application. Only the members of the commission present shall have voting privileges.

(g) *Rules and regulations.* The commission shall adopt rules in accordance with this article.

(Ord. No. 06-17, § 1(23-35), 6-5-2006)

Sec. 36-78. Duties and responsibilities regarding education and public relations.

(a) The art review team (ART) commission shall promote the art in public places master plan.

(b) The art review team (ART) commission shall develop, evaluate and recommend projects in accordance with these guidelines:

(1) Press releases to all applicable news sources;

(2) Presentations to local civic organizations and area schools;

(3) Fundraising efforts for the art in public places fund;

(4) Grant applications for the art in public places program or its proposed projects; and

(5) Public forum.

(c) The art review team (ART) commission shall promote the art in public places master plan by various means, including:

(1) Acquiring suitable speakers to make presentations;

(2) Scheduling presentations; and

(3) Providing a copy of the information to outside sources wishing to use it to promote and further the art in public places master plan.

(d) The art review team (ART) commission, on an ongoing basis, shall actively explore potential sites for art in public places projects. In this, the commission shall seek the input of various city departments, as well as the community at large, to identify both future planned and existing sites. Upon development of an art project, information will be disseminated, as appropriate, through various mediums well in advance of the selection process to provide adequate time for applicants to prepare submissions. The coordinator will promote communication between the artist, art review team (ART) commission, city departments and any contractor or consultant involved with the project.

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Consider authorizing the City Council to award the Glenn Avenue Utility Rehabilitation Project construction contract to PC Contractors, in the amount of $452,009.04. Funding for this project is available from 2008 water/sewer revenue bonds and take any action necessary.

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Consider authorizing Council to approve an Interlocal Agreement with Rockwall County to permit and inspect sanitary sewer septic systems in the City of Rockwall and take any action necessary.

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Consider an ordinance amending the city's Code of Ordinances in Chapter 10. Buildings and Building Regulations, Article XIII. Dangerous Buildings, Section 10-537. Procedure When Owner Fails to Comply to amend the minimum waiting period associated with the City conducting a building demolition, and take any necessary action. (2nd Reading)

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Consider authorizing the City Manager to execute a Field Use Agreement with Lake Pointe Church for ballfield usage, and take any action necessary.

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Discuss and consider a request from Trevor Arterburn with Houston’s Drive Inn, LLC for a height, size and setback variance for a new monument sign to be located at 715 West Rusk Street and take an action necessary.

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Discuss and consider approval of an ordinance amending the city's Code of Ordinances in Chapter 32. Signs, Article I. In General. Section 32-1. Definitions to modify the definition of "sign, human," and take any action necessary.

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AGENDA
ROCKWALL CITY COUNCIL
Monday, February 03, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION

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

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)

2. Discussion regarding legal options available against former city contractors pursuant to § 551.071 (Consultation with Attorney)

3. Discussion regarding land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

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

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, February 03, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR DAVID SWEET

VII. OPEN FORUM

VIII. CONSENT AGENDA

p.6 **1.** Consider approval of a resolution calling the May 10, 2014 General Election for the purpose of electing city council members, one each for Place 2, 4, and 6, and take any action necessary.

p.11 **2.** Consider authorizing the City Council to award the Glenn Avenue Utility Rehabilitation Project construction contract to PC Contractors, in the amount of $452,009.04. Funding for this project is available from 2008 water/sewer revenue bonds, and take any action necessary.

p.15 **3.** Consider authorizing Council to approve an Interlocal Agreement with Rockwall County to permit and inspect sanitary sewer septic systems in the City of Rockwall, and take any action necessary.

p.20 **4.** Consider an **ordinance** amending the city's Code of Ordinances in Chapter 10. Buildings and Building Regulations, Article XIII. Dangerous Buildings, Section 10-537. Procedure When Owner Fails to Comply to amend the minimum waiting period associated with the City conducting a building demolition, and take any necessary action. **(2nd Reading)**

p.23 **5.** Consider authorizing the City Manager to execute a Field Use Agreement with Lake Pointe Church for ball field usage, and take any action necessary.

IX. ACTION ITEMS

p.36 **1.** Discuss and consider a request from Trevor Arterburn with Houston's Drive Inn, LLC for a height, size and setback variance for a new monument sign to be located at 715 West Rusk Street and take an action necessary.

p.42 **2.** Discuss and consider approval of an ordinance amending the city's Code of Ordinances in Chapter 32. Signs, Article I. In General. Section 32-1. Definitions to modify the definition of "sign, human," and take any action necessary.

p.44 **3.** Discuss status of the girls' softball program and take any action necessary.

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

1. Departmental Reports
Animal Shelter Monthly Report - December 2013
Building Inspections Monthly Report - December 2013
Finance Department Monthly Report - December 2013
Harbor PD Monthly Report December 2013
Fire Department Monthly Reports - December 2013
2013 Fire Dept. Annual Report
Internal Operations Department Monthly Report - December 2013
Police Department Monthly Report
Recreation Monthly Report December 2013
Quarterly Report from Rockwall County Committee on Aging

2. City Manager's Report

XI. EXECUTIVE SESSION

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

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)

2. Discussion regarding legal options available against former city contractor pursuant to § 551.071 (Consultation with Attorney)

3. Discussion regarding land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

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

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

XIII. ADJOURNMENT

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

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

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 31st day of January, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Jacky Casey, Assistant Secretary Date Removed

City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Kristy Ashberry, City Secretary

DATE: January 31, 2014

SUBJECT: May 10, 2014 General Election

Included for consideration and approval in the February 3rd council meeting packet is a resolution calling the Saturday, May 10, 2014 General Election to elect City Council Places 2, 4, and 6. Staff recommends approval of this item.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 14-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, CALLING A GENERAL ELECTION TO BE HELD JOINTLY WITH THE ROCKWALL INDEPENDENT SCHOOL DISTRICT AND ADMINISTERED BY THE ROCKWALL COUNTY ELECTIONS ADMINISTRATOR ON SATURDAY, MAY 10, 2014 FOR THE PURPOSE OF ELECTING THREE (3) COUNCIL MEMBERS, ONE (1) FOR PLACE 2, ONE (1) FOR PLACE 4, AND ONE (1) FOR PLACE 6, EACH FOR TWO (2) YEAR TERMS; DESIGNATING THE ENTIRE CITY AS ONE ELECTION PRECINCT; DESIGNATING THE POLLING PLACE; DESIGNATING FILING DEADLINES: ORDERING NOTICES OF ELECTION TO BE POSTED AND PUBLISHED AS PRESCRIBED BY LAW IN CONNECTION WITH SAID ELECTION; PROVIDNG A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 41.001 of the Texas Election Code, as amended (the "Code") specifies that the second Saturday in May shall be a "uniform election date" and that a general election of a city may be held on such day; and

WHEREAS, the City Council of the City of Rockwall, Texas (hereinafter referred to as the "City"), in accordance with its City Charter, Section 5.01, has determined that the City shall conduct general municipal elections on the second Saturday in May 2014; and

WHEREAS, by this Resolution, it is the intention of the City Council to: (i) call for said election to be held on said date, (ii) designate the entire City as one election precinct, (iii) designate Utley Middle School as the polling place for the election and (iv) establish and set forth procedures for conducting said election.

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

Section 1. Incorporation of Premises. That all of the above premises are found to be true and correct and are incorporated into the body of this Resolution as if copied in their entirety.

Section 2. Election Date, Purpose of Election, Officers and Terms of Office. That a general election is hereby ordered to be held jointly with the Rockwall Independent School District in and throughout the City on Saturday, May 10, 2014, for the purpose of electing three (3) Council Members, one (1) for Place 2, one (1) for Place 4, and one (1) for Place 6, each for two (2) year terms.

Section 3. Eligibility for Candidacy. That in accordance with Section 22.032 of the Texas Local Government Code and Section 5.02 of the City Charter of the City of Rockwall, no person shall be eligible for the office of Council Member, unless he/she is a registered voter who

shall have resided within the corporate limits of the City, or recently annexed territory, for at least twelve (12) months prior to the filing deadline, shall be twenty-one years old and not be in arrears in payment of taxes or other liabilities due the City. In accordance with Section 5.04 of the City Charter, a plurality vote is required to be elected and declared the winner.

Section 4. Application for a Place on the Ballot. That in accordance with Section 143.007 of the Code, any eligible and qualified person may have his/her name printed upon the official ballot as a candidate for the offices herein before set forth by filing his/her sworn application with the City Secretary not earlier than 8:00 a.m., January 29, 2014 and not later than 5:00 p.m., February 28, 2014. Each such application shall be on a form as prescribed by Section 141.031 of the Code. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary as provided by Section 52.094 of the Code. Notice of the time and place for such drawing shall be given in accordance with the Code.

Section 5. Election Precinct, Polling Place, and Election Hours. That the entire City of Rockwall, Texas shall constitute one (1) election precinct for the election, and the polling place is hereby designated to be located at Utley Middle School, 1201 T.L. Townsend, Rockwall, Texas 75087. In accordance with and pursuant to the requirements of the Code, said polling place shall be open from 7:00 a.m. until 7:00 p.m. on the date of the election.

Section 6. Early Voting. That early voting by personal appearance shall be conducted at the Rockwall County Elections Office, 107 E. Kaufman, Rockwall, Texas 75087 on the following dates at the specified times with the exception of Saturday, Sunday and State holidays:

Monday, April 28 through Saturday, May 3, 2014 - 8:00 a.m. until 5:00 p.m.
Monday, May 5 and Tuesday, May 6, 2014 - 7:00 a.m. until 7:00 p.m.

Applications for ballot by mail shall be requested from and mailed to the Rockwall County Election Administrator, Attn: Glenda Denton, 107 E. Kaufman, Rockwall, TX 75087. Applications for ballots by mail must be received no later than the close of business on Thursday, May 1, 2014.

Section 7. Method of Voting. That Direct Record Electronic (DRE) voting machines and Optical Scan ballots shall be used for early voting by personal appearance and for Election Day voting. Optical scan ballots shall be used for early voting by mail. The City Secretary, acting as chief elections officer, shall provide at least one (1) E. S. & S. Ivotronic "ADA" approved voting machine at the polling place as required by Section 61.012, of the Texas Election Code.

Section 8. Governing Law and Qualified Voters. That the election shall be held in accordance with the constitution of the State of Texas and the Code, and all resident, qualified electors of the city, shall be eligible to vote at the election.

Section 9. Publication and Posting of the Notice. That notice of the election in English and Spanish shall be given by posting a notice of election on the City Hall bulletin board used for posting notices of the meetings of the City Council not less than twenty-one (21) days prior to the date upon which the election is to be held, and by publication of said notice at least once in a newspaper of general circulation within the city, the date of said publication to be not less than ten (10) days and not more than thirty (30) days prior to the date set for the election.

Section 10. That the Rockwall Elections Administrator shall serve as the Administrator of the election. The Elections Administrator shall appoint a sufficient number of judges and clerks in accordance with Chapter 32 Texas Elections Code to assist in the proper conduct of the election.

Section 11. Delivery of Returns: Preservation of Election Records. That in accordance with the Code and the City's contract with the Rockwall County Elections Administrator, immediately after the closing of the poll on the day of the election, the election officers shall make and deliver the returns of the election in triplicate as follows: one copy shall be retained by the Presiding Election Judge and by the Presiding Election Judge of the Early Ballot Board, one copy shall be delivered to the Mayor of the City, and one copy of the returns, together with the ballot boxes and all election supplies, shall be delivered to the Rockwall County Elections Administrator. All election records and supplies shall be preserved in accordance with the Code.

Section 12. Representatives. That the following slate of officials and other designated persons are hereby authorized to be present to observe the election counting process:

a. The Mayor and members of the City Council of the City of Rockwall;
b. Candidates for Mayor and City Council of the City of Rockwall;
c. The Rockwall City Secretary or her designated representative.

Section 13. Canvassing of Returns. That the City Council of the City shall convene between May 13, 2014 to May 21, 2014 to canvass the returns of the election in accordance with the Texas Election Code.

Section 14. Necessary Action. That the Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

Section 15. Severability. That should any part, section, subsection, paragraph, sentence, clause or phrase contained in this resolution be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this resolution, but in all respects said remaining portion shall be and remain in full force and effect.

Section 16. Effective Date. That this Resolution shall be in force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of February, 2014.

ATTEST: **David Sweet, Mayor**

Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

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

DATE: **January 29, 2014**

SUBJECT: **Construction Contract Award – Glenn Avenue Utility Rehabilitation**

Background:
The Glenn Avenue Utility Rehabilitation project consists of approximately 289 linear feet of storm sewer, 1,894 linear feet of 8-inch waterline, 1,494 linear feet of 8-inch wastewater line, and associated services and pavement replacement on Glenn Avenue. The design was completed by Verdunity, and the consultant provided an engineer's estimate of $531.492.00 for construction.

The City received and opened bids on January 23, 2014 and are as follows:

1. PC Contractors $452,009.04
2. Jim Bowman Construction $502,579.70
3. A&M Construction and Utilities $552,972.75

The experience and references provided with the low bid demonstrate PC Contractors has the resources to suitably complete a utility rehabilitation project.

Financial Implications:
Funding for this project is available in current water/sewer revenues.

Action Desired/Recommendation:
Staff recommends Council award the Glenn Avenue Utility Rehabilitation Project construction contract to PC Contractors, in the amount of $452,009.04.

TMT: km
Attachments

Cc: **Mary Smith, Assistant City Manager**
Rick Sherer, Water/Wastewater Manager
Amy Williams, Assistant City Engineer
Kathleen Moreno, Civil Engineer
File, CIP2013-002

VERDUNITY
A better future, by design.

January 29, 2014

Kathleen Moreno, P.E.
Engineer II
City of Rockwall
385 S. Goliad
Rockwall, Texas 75087

Reference: BID EVALUATION AND RECOMMENDATION FOR AWARD
Glenn Avenue Utility, Paving and Drainage Improvements, Rockwall TX

Dear Ms. Moreno:

Bids for the above referenced project were submitted last Thursday, January 23rd. Five bids were received from the following contractors:

Bidder	Total Base Bid
PC Contractors, LLC	$452,009.04
A&M Construction & Utilities, Inc	$552,972.75
Camino Constructionm LP	$568,370.50
Jim Bowman Construction Co, LP	$502,579.70
Utilitex	$663,270.50

We have reviewed all of the bids for accuracy and completeness, and prepared a bid tabulation spreadsheet showing the unit prices and total bids for our engineer's estimate and the bidders (attached). **The low bidder is PC Contractors, LLC with a total base bid of $452,009.04.** For reference purposes, VERDUNITY's estimate was $531,492.00, which ended up in the middle of the submitted bids. We have checked references, and are confident this company has sufficient qualifications and resources to complete the work as outlined in the construction plans and specifications. Therefore, **VERDUNITY is pleased to recommend that the City proceed with awarding the construction contract for this project to PC Contractors, LLC**.

If you have any questions regarding this recommendation, please do not hesitate to call me at (214) 425-6720 or email me at kevin@verdunity.com. We look forward to beginning construction soon!

Respectfully Submitted,

VERDUNITY, Inc.
Texas Registered Engineering Firm F-13496

Kevin Shepherd, P.E., ENV-SP
Principal/Project Manager

Encl: Bid Tabulation Summary

© Verdunity 2013

BID TABULATION
Glenn Avenue Utility Rehabilitation

BID OPENING: January 23, 2014

				Engineer's Estimate		Verdunity, Inc.		P.C. Contractors, LLC		A&M Construction and Utilities, INC		Camino Construction, LP		Jim Bowman Construction Co, LP		Utilitex	
ITEM	DESCRIPTION	UNIT	BID QTY	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
100	Mobilization	LS	1	$20,000.00	$20,000.00	$20,723.00	$20,723.00	$16,200.00	$16,200.00	$30,000.00	$30,000.00	$30,750.00	$30,750.00	$15,000.00	$15,000.00		
101	Remove existing asphalt pavement	SY	524	$5.00	$2,620.00	$6.41	$3,358.84	$7.25	$3,799.00	$10.00	$5,240.00	$2.50	$1,310.00	$6.00	$3,144.00		
102	Remove existing concrete pavement	SY	1,127	$5.00	$5,635.00	$6.32	$7,122.64	$7.25	$8,170.75	$10.00	$11,270.00	$10.00	$11,270.00	$9.00	$10,143.00		
103	Furnish and install 8-inch reinf concrete pavement	SY	1,127	$50.00	$56,350.00	$61.53	$69,344.31	$63.00	$71,001.00	$45.00	$50,715.00	$56.50	$63,675.50	$72.50	$81,707.50		
104	Remove and replace 6-inch reinf concrete driveway pavement	SY	18	$35.00	$630.00	$45.31	$815.58	$57.00	$1,026.00	$45.00	$810.00	$55.00	$990.00	$77.00	$1,386.00		
105	Remove and replace 4-inch reinforced concrete sidewalk	SY	6	$30.00	$180.00	$36.79	$220.74	$40.00	$240.00	$45.00	$270.00	$60.00	$360.00	$65.00	$390.00		
106	Furnish and install HMAC pavement	TON	2	$45.00	$90.00	$175.00	$350.00	$120.00	$240.00	$200.00	$400.00	$300.00	$600.00	$175.00	$350.00		
107	Remove and replace curb and gutter	LF	553	$2.00	$1,106.00	$16.22	$8,969.66	$45.00	$24,885.00	$3.00	$1,659.00	$1.00	$553.00	$35.00	$19,355.00		
108	Construct longitudinal joint	LF	435	$4.00	$1,740.00	$8.79	$3,823.65	$2.00	$870.00	$4.00	$1,740.00	$2.50	$1,087.50	$6.00	$2,610.00		
109	Furnish and install 8-inch water line by bore (@ driveways)	LF	488	$80.00	$39,040.00	$87.35	$42,626.80	$84.00	$40,992.00	$140.00	$68,320.00	$81.00	$39,528.00	$85.00	$41,480.00		
110	Furnish and install 8-inch water line (PVC) by open cut	LF	1,406	$50.00	$70,300.00	$25.83	$36,316.98	$38.00	$53,428.00	$40.00	$56,240.00	$40.00	$56,240.00	$65.00	$91,390.00		
111	Furnish and install 8-inch resilient seated gate valve	EA	9	$1,250.00	$11,250.00	$1,429.00	$12,861.00	$1,475.00	$13,275.00	$1,500.00	$13,500.00	$1,625.00	$14,625.00	$1,600.00	$14,400.00		
112	Furnish and install 6-inch resilient seated gate valve	EA	6	$3,600.00	$21,600.00	$1,013.00	$6,078.00	$1,020.00	$6,120.00	$1,100.00	$6,600.00	$1,200.00	$7,200.00	$1,175.00	$7,050.00		
113	Furnish and install standard fire hydrant assembly	EA	6	$3,500.00	$21,000.00	$3,601.00	$21,606.00	$3,210.00	$19,260.00	$3,000.00	$18,000.00	$3,350.00	$20,100.00	$3,500.00	$21,000.00		
114	Furnish and install 1-inch service with meter box (by open cut)	EA	14	$750.00	$10,500.00	$695.00	$9,730.00	$750.00	$10,500.00	$600.00	$8,400.00	$675.00	$9,450.00	$900.00	$12,600.00		
115	Furnish and install 1-inch service with meter box (by bore)	EA	15	$1,750.00	$26,250.00	$911.00	$13,665.00	$1,600.00	$24,000.00	$900.00	$13,500.00	$1,170.00	$17,550.00	$1,900.00	$28,500.00		
116	Furnish and install radio read meter	EA	29	$150.00	$4,350.00	$67.78	$1,965.62	$150.00	$4,350.00	$385.00	$11,165.00	$1.00	$29.00	$150.00	$4,350.00		
117	Cut and plug existing waterline	EA	2	$400.00	$800.00	$479.00	$958.00	$350.00	$700.00	$600.00	$1,200.00	$750.00	$1,500.00	$500.00	$1,000.00		
118	For water testing and chlorination	LF	1,894	$2.00	$3,788.00	$1.00	$1,894.00	$1.25	$2,367.50	$1.00	$1,894.00	$2.00	$3,788.00	$2.75	$5,208.50		
119	Abandon existing valve	EA	3	$300.00	$900.00	$196.00	$588.00	$150.00	$450.00	$35.00	$105.00	$200.00	$600.00	$250.00	$750.00		
120	Furnish and install Class B concrete blocking	CY	3	$95.00	$285.00	$187.00	$561.00	$125.00	$375.00	$150.00	$450.00	$200.00	$600.00	$275.00	$825.00		
121	Salvage existing fire hydrant	EA	2	$500.00	$1,000.00	$294.00	$588.00	$150.00	$300.00	$260.00	$520.00	$300.00	$600.00	$150.00	$300.00		
122	Furnish and install cast iron fittings	TON	2	$5,000.00	$10,000.00	$5,761.00	$11,522.00	$3,700.00	$7,400.00	$500.00	$1,000.00	$9,000.00	$18,000.00	$7,800.00	$15,600.00		
123	Furnish and install 8-inch sanitary sewer (PVC) by open cut	LF	1,130	$50.00	$56,500.00	$19.78	$22,351.40	$45.00	$50,850.00	$45.00	$50,850.00	$33.00	$37,290.00	$61.00	$68,930.00		
124	Furnish and install sanitary sewer service and connection	EA	14	$800.00	$11,200.00	$765.90	$10,722.60	$750.00	$10,500.00	$900.00	$12,600.00	$920.00	$12,880.00	$600.00	$8,400.00		
125	Furnish and install sanitary sewer service and connection (by bore)	EA	13	$2,500.00	$32,500.00	$1,358.00	$17,654.00	$1,600.00	$20,800.00	$1,400.00	$18,200.00	$2,250.00	$29,250.00	$3,300.00	$42,900.00		
126	Connect to existing manhole	EA	1	$2,500.00	$2,500.00	$854.00	$854.00	$5,400.00	$5,400.00	$900.00	$900.00	$400.00	$400.00	$1,100.00	$1,100.00		
127	Furnish and install internal drop connection to existing manhole	EA	1	$2,650.00	$2,650.00	$1,947.00	$1,947.00	$1,800.00	$1,800.00	$2,500.00	$2,500.00	$855.00	$855.00	$1,500.00	$1,500.00		
128	For rehabilitation of existing manhole	VF	15	$250.00	$3,750.00	$257.00	$3,855.00	$320.00	$4,800.00	$200.00	$3,000.00	$230.00	$3,450.00	$225.00	$3,375.00		
129	Furnish and install 4-foot diameter sanitary sewer manhole	EA	3	$5,000.00	$15,000.00	$4,273.00	$12,819.00	$4,200.00	$12,600.00	$5,100.00	$15,300.00	$4,525.00	$13,575.00	$5,400.00	$16,200.00		
130	Furnish and install 4-foot diameter sanitary sewer internal drop manhole	EA	1	$5,500.00	$5,500.00	$5,436.00	$5,436.00	$4,500.00	$4,500.00	$6,500.00	$6,500.00	$6,300.00	$6,300.00	$7,200.00	$7,200.00		
131	Conduct vacuum test for manhole	EA	6	$140.00	$840.00	$128.00	$768.00	$150.00	$900.00	$150.00	$900.00	$110.00	$660.00	$125.00	$750.00		
132	Furnish and install 8-inch sanitary sewer (PVC) by bore	LF	364	$80.00	$29,120.00	$99.00	$36,036.00	$170.00	$61,880.00	$215.00	$78,260.00	$70.00	$25,480.00	$115.00	$41,860.00		
133	Furnish and install standard cleanout	EA	2	$800.00	$1,600.00	$501.00	$1,002.00	$350.00	$700.00	$800.00	$1,600.00	$1,200.00	$2,400.00	$900.00	$1,800.00		
134	Abandon and grout existing sanitary sewer cleanout	EA	2	$300.00	$600.00	$68.00	$136.00	$210.00	$420.00	$200.00	$400.00	$250.00	$500.00	$250.00	$500.00		
135	For visual inspection (TV) by photographic means	LF	1,494	$2.00	$2,988.00	$1.29	$1,927.26	$1.50	$2,241.00	$1.25	$1,867.50	$1.05	$1,568.70	$1.75	$2,614.50		
136	Remove and reset mailbox	EA	14	$150.00	$2,100.00	$172.00	$2,408.00	$350.00	$4,900.00	$175.00	$2,450.00	$125.00	$1,750.00	$700.00	$9,800.00		
137	Furnish and install block sodding	SY	597	$4.00	$2,388.00	$4.18	$2,495.46	$5.50	$3,283.50	$6.00	$3,582.00	$5.00	$2,985.00	$7.00	$4,179.00		
138	Remove and replace existing pavestone wall	LF	20	$100.00	$2,000.00	$40.89	$817.80	$110.00	$2,200.00	$10.00	$200.00	$150.00	$3,000.00	$70.00	$1,400.00		
139	For trench safety system	LF	634	$1.00	$634.00	$2.86	$1,813.24	$1.00	$634.00	$1.00	$634.00	$4.50	$2,853.00	$10.00	$6,340.00		
140	Prepare SWPPP	LS	1	$1,500.00	$1,500.00	$1,545.00	$1,545.00	$700.00	$700.00	$3,500.00	$3,500.00	$1,100.00	$1,100.00	$3,125.00	$3,125.00		
141	For traffic control and temporary detours	LS	1	$3,000.00	$3,000.00	$4,598.00	$4,598.00	$4,700.00	$4,700.00	$8,800.00	$8,800.00	$6,350.00	$6,350.00	$7,000.00	$7,000.00		
142	For construction staking and surveying	LF	640	$1.00	$640.00	$6.04	$3,865.60	$6.50	$4,160.00	$5.00	$3,200.00	$5.85	$3,744.00	$6.00	$3,840.00		
143	Remove and replace trees	EA	0	$1,500.00	$0.00	$0.00	$0.00	$800.00	$0.00	$2,200.00	$0.00	$0.00	$0.00	$0.00	$0.00		
144	Brace and protect trees	EA	5	$500.00	$2,500.00	$274.00	$1,370.00	$250.00	$1,250.00	$220.00	$1,100.00	$50.00	$250.00	$900.00	$4,500.00		
145	Remove and replace irrigation control valve	EA	9	$250.00	$2,250.00	$223.00	$2,007.00	$300.00	$2,700.00	$200.00	$1,800.00	$250.00	$2,250.00	$150.00	$1,350.00		
146	Remove and replace sprinkler	EA	7	$150.00	$1,050.00	$292.00	$2,044.00	$50.00	$350.00	$1,000.00	$7,000.00	$50.00	$350.00	$150.00	$1,050.00		
147	Remove and reset existing sign	EA	1	$250.00	$250.00	$175.00	$175.00	$200.00	$200.00	$225.00	$225.00	$100.00	$100.00	$150.00	$150.00		
148	Furnish and install 27-inch RCP	LF	46	$48.00	$2,208.00	$69.00	$3,174.00	$68.00	$3,128.00	$78.00	$3,588.00	$85.00	$3,910.00	$111.00	$5,106.00		
149	Furnish and install 21-inch RCP, Class III	LF	100	$35.00	$3,500.00	$61.00	$6,100.00	$64.00	$6,400.00	$68.00	$6,800.00	$73.00	$7,300.00	$88.00	$8,800.00		
150	Furnish and install 21-inch RCP, Class IV	LF	143	$40.00	$5,720.00	$65.00	$9,295.00	$67.00	$9,581.00	$69.00	$9,867.00	$76.00	$10,868.00	$94.00	$13,442.00		
151	Construct standard 20-foot curb inlet	EA	1	$5,000.00	$5,000.00	$3,593.00	$3,593.00	$4,900.00	$4,900.00	$6,300.00	$6,300.00	$5,700.00	$5,700.00	$5,000.00	$5,000.00		
152	Furnish and install 5-foot storm sewer manhole	EA	1	$4,000.00	$4,000.00	$3,974.00	$3,974.00	$4,600.00	$4,600.00	$4,200.00	$4,200.00	$3,700.00	$3,700.00	$3,750.00	$3,750.00		
153	Construct standard 10-foot curb inlet	EA	1	$4,000.00	$4,000.00	$2,472.00	$2,472.00	$3,200.00	$3,200.00	$3,800.00	$3,800.00	$3,350.00	$3,350.00	$2,750.00	$2,750.00		
154	Connect to existing storm sewer	EA	1	$350.00	$350.00	$376.00	$376.00	$150.00	$150.00	$360.00	$360.00	$500.00	$500.00	$700.00	$700.00		
155	Remove existing slotted drain and pipe	LF	20	$10.00	$200.00	$12.36	$247.20	$4.00	$80.00	$10.00	$200.00	$50.00	$1,000.00	$20.00	$400.00		
156	Remove existing concrete flume	SY	27	$20.00	$540.00	$4.58	$123.66	$8.00	$216.00	$7.00	$189.00	$15.00	$405.00	$10.00	$270.00		
157	Furnish and install erosion control measures	LS	1	$4,500.00	$4,500.00	$4,842.00	$4,842.00	$3,500.00	$3,500.00	$2,000.00	$2,000.00	$2,000.00	$2,000.00	$1,250.00	$1,250.00		
158	Furnish and install 6-inch by 6-inch tapping sleeve and valve	EA	1	$4,500.00	$4,500.00	$2,544.00	$2,544.00	$3,600.00	$3,600.00	$2,200.00	$2,200.00	$3,200.00	$3,200.00	$2,650.00	$2,650.00		
159	Furnish and install 2-inch resilient seated gate valve	EA	1	$4,500.00	$4,500.00	$932.00	$932.00	$1,200.00	$1,200.00	$500.00	$500.00	$900.00	$900.00	$750.00	$750.00		
			TOTAL				$531,492.00		$452,009.04		$552,972.75		$568,370.50		$502,579.70		$663,270.50

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

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

DATE: January 30, 2014

SUBJECT: Septic System Inspection and Permitting Renewal – Interlocal Agreement Rockwall County

Historically Rockwall County has provided septic sewer system permitting and inspection services to the areas of the city not served by sanitary sewer service. Rockwall County charges a fee of $500.00 for an initial inspection. In addition, they charge a $100 fee for modifications, repairs or re-inspections. The same fee applies to all areas they serve, whether they are in the City of Rockwall or other parts of the County. They do not charge any annual maintenance fee so the initial fee is the only County charge incurred by a homeowner until the system needs repair, modifications or replacement. Septic systems generally last for many years. The fees have not changed since 2009.

The County currently maintains permits for over 500 septic systems within our City limits. That number changes as the City continues to annex additional areas in our City limits. The County reviews the permit which includes septic system plans and drawings submitted by a Registered Sanitarian or Professional Engineer and a site visit is performed. During construction, the County will inspect the system to insure that it was installed properly. All septic systems must have a maintenance contract to insure proper operation of the system. The County tracks the maintenance contracts and notifies the system owner when their contract is about to expire and reminds them to obtain a new maintenance contract. The septic systems are inspected three times per year by an "on-site septic system maintenance provider" (hired by the system owner) and the reports are tracked and reviewed by the County. If a problem is identified the County coordinates with the system owner to resolve the problem.

Attached for review and execution is a renewal of the Interlocal Agreement between the City of Rockwall and Rockwall County for the inspection of new and existing commercial/ residential septic systems as well as permit review and approval (when applicable) within the City of Rockwall. The Rockwall County Commissioner's Court approved the Interlocal Agreement on January 14, 2014. If you have any questions, please advise.

TMT:em

Attachment

Cc:

Mary Smith, Assistant City Manager
File

INTERLOCAL COOPERATION AGREEMENT BETWEEN ROCKWALL COUNTY AND THE CITY OF ROCKWALL REGARDING SEPTIC SYSTEM INSPECTIONS

THIS INTERLOCAL COOPERATION AGREEMENT is made and entered into by and between Rockwall County, Texas, a political subdivision of the State of Texas (*hereinafter referred to as "COUNTY")*, and the City of Rockwall, a Home Rule Municipal Corporation within the State of Texas (*hereinafter referred to as "CITY."*)

WHEREAS, the CITY and the COUNTY have determined that a need exists to perform inspections on new and existing systems in the CITY; and

WHEREAS, the septic systems subject to this agreement are located either wholly or in part within the corporate boundaries of the CITY which is itself located wholly within the COUNTY; and

WHEREAS, the CITY and the COUNTY find that the septic system inspections referred to above will provide a public health benefit to the citizens of both the COUNTY and the CITY and that a cooperative effort by both parties, pursuant to Texas Government Code Chapter 791.011 (a), whereby the COUNTY and the CITY will agree upon the terms of said written agreement;

NOW, THEREFORE, the COUNTY and the CITY mutually agree as follows:

A. The COUNTY agrees to perform inspection of new and existing septic systems (and to issue permits when applicable) through its County Environmental Health Coordinator and pursuant to the COUNTY'S Rules for Regulation of On-Site Sewage Facilities adopted on September 9, 2008, as amended, by the Rockwall County Commissioners Court and approved by the Texas Commission on Environmental Quality on February 11, 2009.

B. The COUNTY shall collect all inspection fees based upon the following fee schedule:

(1)	New Residential Inspections	$500.00
(2)	New Commercial Inspections	$500.00
(3)	Repair or Add-On Fee	$100.00
(4)	Re-Inspection Fee	$100.00

C. This Agreement is effective as of February 4, 2014 and will continue for a period of one (1) year ending February 3, 2015. Thereafter, the agreement shall be renewed automatically for an additional one year term unless either the CITY or the COUNTY gives the other party written notice of its desire not to renew the agreement at least ninety (90) days prior to the expiration of the then current term.

D. The COUNTY agrees and is hereby bound to hold the CITY whole and harmless from any act or omission of any representative, agent, customer, employee and/or invitee of the COUNTY to the extent permitted by Texas law. The CITY agrees and is hereby bound to hold the COUNTY whole and harmless from any act or omission of any representative,

agent, customer, employee and/or invitee of the CITY to the extent permitted by Texas law.

E. This agreement represents the entire understanding of both the CITY and the COUNTY and may not be changed, altered, or modified without the prior written consent of the CITY and the COUNTY.

EXECUTED THIS 14th day of January 2014.

Rockwall County

By: _____
Honorable Jerry Hogan
Rockwall County Judge

Attest:

Stephanie Bennett Date: 1/14/2014
deputy clerk

EXECUTED THIS _____ day of _____ 2014.

City of Rockwall

By: _____
Mayor David Sweet
City of Rockwall

Attest:

_____ Date: _____

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 10 BUILDINGS AND BUILDING REGULATIONS, ARTICLE XIII DANGEROUS BUILDINGS, SECTION 10-537. PROCEDURES WHEN OWNER FAILS TO COMPLY; TO AMEND THE 90 DAY DEMOLITION WAITING PERIOD TO 30 DAYS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Rockwall City Council deems the public interest, safety and welfare to be best served by the adoption of certain rules and regulations regarding the waiting period associated with demolition of dangerous structures as set forth herein;

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

SECTION 1. That the Code of Ordinances in Chapter 10. Buildings and Building Regulations, Article XIII. Dangerous Buildings Section 10-537 is hereby amended to strike language and read as follows:

Sec. 10-537. - Procedure when owner fails to comply.

If the owner or responsible person fails or refuses to repair, demolish or remove a building or structure within ten days after receipt of the notice provided for in section 10-536, the fire marshal, fire chief or building official may cause an appropriate citation to be issued notifying such person to appear before the municipal court to answer a complaint against him for violation of this article, or the fire marshal, fire chief or building official may give further notice in writing by certified mail, return receipt requested, or in the event the owner is a nonresident, and his address is unknown, by publishing notice one time in the official newspaper of the city and by posting a copy thereof on the building or structure, ordering such person to appear before the city council at a time and date specified in the notice, to show cause, if he has any, why the building or structure, or any part thereof, should not be repaired, demolished or removed. At the time of the hearing before the city council, the appropriate official of the city shall present such evidence as he may have concerning the condition of the building or structure and make such recommendations, as he may feel proper to the city council. The owner or other person ordered to appear may offer such evidence concerning the condition of the building or structure, as he may desire. At the conclusion of the hearing, the city council may order the building or structure repaired, demolished or removed, as the council may deem necessary. In no event, however, shall the time fixed for such repair, demolition, or removal be less than ~~90~~ 30 days from the date of the council order.

SECTION 2. That any person, firm or corporation who violates any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, in the Municipal Court of Rockwall, TX, shall be subject to a fine in accordance with the general provisions of the Code of Ordinances.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 4. That the Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

SECTION 6. That it is hereby found and determined that the meeting at which this ordinance was passes was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

SECTION 7. That this Ordinance shall take effect immediately upon its second reading and newspaper publication as required by the City Charter, Section 3.11.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of February, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 01-21-14

2nd Reading: 02-03-14

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

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

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

DATE: **January 28, 2014**

SUBJECT: **FIELD USE AGREEMENT BETWEEN CITY AND LAKE POINTE CHURCH**

In 2004, the City of Rockwall and Lake Pointe Church (LPC) entered into a three year agreement to improve the ball fields located at Yellow Jacket Park. The agreement involved approximately $80,000 of improvements from Lake Pointe Church in the form of new fencing, infields, irrigation and landscaping. The City's contribution was a similar amount of amenities that included an asphalt parking lot and a restroom facility. In exchange, LPC was granted use of the fields to provide a spring youth baseball program.

LPC was permitted to continue using the fields under a facility use agreement that required a $30 non-resident fee and proof of sufficient background checks for all coaches. This agreement has now expired and LPC is requesting a new facility use agreement with the City.

The terms of the proposed agreement are based on the primary goal of the City is to coordinate the Rockwall Baseball and Softball League for children ages 5-14 years old. The format of the program is to provide participants two practices per week prior to the season and one practice slot per week and two games per week once the season begins. This goal is the basis of the allocation of City owned fields. Once this goal is met, additional fields may be available to LPC. The goal of LPC is to provide one practice time and one game time per week during the season. Fields will be allocated in a manner to meet the goals of each party.

The initial agreement is a three year term with two one-year optional renewals. In exchange for field use LPC agrees to pay the City as follows: $10,000 in 2014, $11,000 in 2015 and $12,000 in each year from 2016 – 2018 including renewals. The fees include non-resident fees and field use fees. The specific means of calculating the fees is included in the agreement provided in your packet.

At the January 7th meeting, the Park Board voted unanimously to recommend that City Council authorize the City Manager to execute the attached field use agreement with LPC.

FACILITY USE AGREEMENT BETWEEN THE CITY OF ROCKWALL, TEXAS, AND THE LAKEPOINTE CHURCH

STATE OF TEXAS §
§
COUNTY OF ROCKWALL §

WHEREAS, the City of Rockwall, Texas (City) is a home rule city with all the rights, powers, and privileges set forth by the applicable statutes of the State of Texas and the City Charter; and

WHEREAS, the City is empowered pursuant to those statutes and said City Charter to provide for the regulation and improvement of all public grounds, including parks, located within the City's limits; and

WHEREAS, Lakepointe Church (LPC) desires to operate a baseball program utilizing City athletic fields; and

WHEREAS, the City desires to promote the health, welfare, and safety of its citizens:

WITNESSETH

NOW, THEREFORE, for and in consideration of the mutual promises contained herein and the mutual benefits flowing to both the City and LPC, and other good and valuable considerations recited herein, the receipt and sufficiency of which are hereby acknowledged, the City and the Associations do **CONTRACT, COVENANT, WARRANT, AND AGREE** as follows:

I.

INCORPORATION

All matters contained in the above and foregoing preamble are incorporated herein and made part of this Facilities Use Agreement (Agreement) as if copied herein in its entirety.

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II.

DEFINITIONS

A. The terms "athletic facility," "athletic fields," or "fields" mean the eight fields at Leon Tuttle Park, the two fields at Harry Myers Park and the three fields Yellowjacket Park, and any other location made available by the City on which athletic events are or can be held.

B. "Director" means the Director of Parks and Recreation for the City of Rockwall, or his/her designee.

C. "City Manager" means the City Manager for the City of Rockwall, or his/her designee.

III.

FIELD USE

A. Both the City and LPC acknowledge that the fields are owned by the City and are provided for the benefit of citizens of the City. At any time the fields are not being used by LPC, the City may assign such fields to other associations or parties. The City shall maintain approval over the use of the fields at all times. Under terms of this Agreement, the City permits LPC to use the fields to provide youth baseball activities.

B. LPC shall not assign this Agreement or rent out any part of the fields or concession facilities without prior written consent of the City. Any request for assignment or rental made by a third party shall be referred to the Director. All parties understand that LPC's use of the fields is nonexclusive.

C. No use of the City's fields is permitted outside the terms of this Agreement, as set forth herein.

D. The City of Rockwall will coordinate the Rockwall Baseball and Softball League for children 5-14 years old. It is the goal to provide two practice periods per week to each team prior to the season and fields for one practice and two games per week and once the season has commenced. This goal will be the basis for the allocation of all City owned fields. Once this goal is met, additional fields may be available to LPC. It shall be the goal of LPC to provide one practice time and one game time per week during the season. Fields shall be allocated in a manner to meet the goals of each party.

E. At the beginning of each season, a representative from LPC will meet with the Director to work through game and practice schedules. The Director will have final approval over all game and practice schedules of LPC and any other league or organization.

IV.

OBLIGATIONS OF THE CITY

The City shall:

A. Maintain all fences and gates in a safe and secure condition;

B. Maintain all turf areas on the fields to include mowing, weed control, fertilizing and herbicide spraying;

C. Perform all pre-season clay and turf maintenance to include adding clay, clay renovation and cutting infield arcs;

D. Provide sand, soil, etc. to be used in leveling or backfilling low areas when deemed necessary, within normal yearly operating budget constraints;

E. Drag infields daily, Monday through Friday, weather permitting during regularly scheduled league games, and make-up games. The City will drag fields on Saturdays and Sundays upon request subject to applicable fees (see attached fee schedule). Services do not include preparation for foul weather;

F. Painting or chalking of outfield boundary lines on the playing surface of the park areas;

G. Haul off trash **THAT HAS BEEN DEPOSITED** in trash receptacles as warranted. The City shall provide trash receptacles;

H. Maintain structural integrity of concession stands, restrooms and storage buildings, including repair or replacements of damaged roofs, doors, and windows;

I. Maintain all area and field lighting systems where applicable;

J. Repair or replace lights, poles, wiring fuses, transformers and other equipment related to the lighting of each field to be used by LPC where applicable and within normal operating budget constraints;

K. Pay all electric and water bills in connection with use of the fields;

L. Maintain any field irrigation system and watering schedules of turf areas;

M. Maintain any adjacent park irrigation systems and the scheduling of watering turf areas;

N. Maintain restroom facilities;

O. Maintain and repair parking areas; and

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P. Provide Hollywood style bases, home plates, and pitching rubbers for use by LPC.

Q. Determine, in its sole discretion, field closures due to weather. Determinations will be made by 3:30 pm on weekdays. Weather will be monitored beyond the determination times if necessary.

R. Perform its duties only to the extent that budgeted funds and manpower are available. If the City is unable to fulfill its obligation due to budget restraints, it will not be obligated to LPC for any monetary damages.

S. Provide pitching mounds and bases according to the rules and regulations of the relevant age group of teams participating in practices and games. The initial field and mound set-up shall be at no charge to LPC. The City shall charge a $50 fee for each additional mound construction and/or demolition that is required for non-regular season games or additional tournaments (see attached fee schedule).

T. To be eligible to be on the field or in the dugout during league games, coaches must pass a criminal history check. The eligibility criteria for coach participation shall be determined by the City of Rockwall Parks and Recreation Advisory Board in accordance with the adopted coach's eligibility policy. LPC coach's eligibility procedure will be accepted in lieu of City program.

V.

OBLIGATIONS OF LPC

LPC shall:

A. Provide a field manager schedule no later than 7 days prior to the beginning of each season. The field manager shall be responsible for unlocking and locking the gates and shall be on site during every regular season game and tournament game, and is responsible for game day policing of all litter on their field(s), to include playing areas, dugouts, fences, backstops, bleachers, concession stands, and adjacent grounds;

B. Monitor any restrooms at the fields and keep them stocked and assist with cleaning when needed;

C. Pay a key deposit prior to commencement of regularly scheduled practices and league games, if applicable;

D. LPC shall pay the City of Rockwall a fee for field use according to the following schedule. The "field use" fee shall include all "non-resident" player fees as well as fee for the field use and the preparation of the playing areas.

2014: Non-resident fees and field use shall be $10,000

2015: Non-Resident fees and field use fees shall be $11,000

2016-2018: Non-Resident Fees and Field use fees shall be $12,000

If the CITY is unable to meet the field use needs of LPC as defined in Section III. D., LPC will pay the City the pro-rata share of the field usage charges (i.e. if LPC field use requests total 100 practice/game times to meet the goals of LPC as described in Section III, D., and the City is only able to provide 93 game/practice times, LPC will pay the CITY 93% of the difference between the total "non-resident" fees and the maximum amount to be paid by LPC).

E. Pay all fees associated with additional services provided, such as pitching mound construction and weekend field preparation, according to attached fee schedule;

F. Obtain advanced written approval from the Director to charge admissions to any field or park for LPC events;

G. Use the fields within the policies, procedures, and rules established for park usage by the Parks and Recreation Department. Policies, procedures, and rules are as follows:

a. No alcoholic beverages allowed in the park. **Ordinance No. 19.3f;**

b. No skates, skateboards, or bikes allowed in the park;

c. Pets must be on leashes at all times. **Ordinance No. 5.18;**

d. No glass containers allowed around the athletic facilities;

e. Users will not use the fields when there is inclement weather or when the fields are unplayable;

f. Users will park in designated parking areas. **Ordinance No. 19.3d;**

g. City field curfew is 11 p.m., **Ordinance No. 19.3e.** This can be waived for tournaments with permission from the Director. (No league games may start after 8:30 p.m.);

h. Illegal entry by players or coaches may result in that team's loss of field use for practice privileges.

H. Not discriminate against any person or persons because of race, color, religion, sex, disability, or national origin;

DRAFT

I. Provide sufficient notice of all scheduled make-up game times (preferably a one-week notice). Notice shall be given to the Director;

J. Not engage in any business on the premises or do anything in connection therewith that shall violate any existing municipal, state, or federal law or ordinance, or use the same in such manner as to constitute a nuisance. The City reserves the right to exclude any individual or group from its facilities based on conduct, which it determines in its sole discretion to be objectionable or contrary to City interests. LPC hereby consents to the exercise of such authority by the City over its members, officials, and agents;

K. Submit all of the following to the Director:

a. A list of current participants, including name and address, as well as coaches, leadership staff, and officials, including the name, address, day and night time telephone numbers, and e-mail address of all adults;

b. A schedule of games with coaches and rosters to be played at the City's fields;

c. A copy of a general liability insurance policy naming the City as additional insured in the amount of at least $1,000,000.00;

d. A schedule with names and contact numbers of on site field representatives during the spring and fall seasons;

e. Policies and procedures for dealing with medical emergencies and hazardous weather conditions;

f. Any proposal to install, construct, alter, or modify any temporary or permanent structures, signs, equipment, or other related items, before commencing any work. All such proposals must be approved in writing by the Director in advance of construction. All applicable City codes must be followed. Approval of the proposal shall rest solely with the Director. Permanent structures shall become property of the City;

L. Designate a point of contact that will be responsible for correspondence with the City;

M. Communicate all necessary repairs and/or service requests to the Director;

N. Account for non-resident use of City fields by requiring a $30.00 payment per non-resident participant, and such amounts shall be remitted to the City by LPC which is included in fee contained in Section V. D.

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VI.

CESSATION OF PLAY

A. LPC agrees and understands that the City, acting through an employee designated by the City Manager, the Director, or any Rockwall Police Officer shall have the authority to order cessation of any ball game, practice, or other activity of LPC on City fields. Such a cessation order by any one of said representatives of the City shall be the result of a determination by said representative that continuation of play would be unsafe or not in the interest of the City or the players. Play or use may resume when approved by the representative of the City who issued the cessation order or the City Manager.

VII.

LIABILITY INSURANCE

A. The City, its employees, agents, and landlords shall not be liable to the LPC or to any employee, member, customer, or agent of the LPC for any damage caused by negligence of the LPC, its members, employees, customers, volunteers or agents. The LPC hereby releases, relieves, quit claim and holds harmless, fully indemnifies and agrees to defend the City, its employees, agents, and landlords from any and all claims, damages, injuries, law suits, judgments, or causes of action of ay type (including but not limited to any action taken as a result of the sale of food and beverages at the concession facility) arising out of the Agreement or any reasonable action taken pursuant thereto.

B. LPC agrees to acquire and maintain an insurance policy or policies that will provide liability coverage and medical coverage for medical expenses resulting from injury of players while engaged in the Association's activities. Said coverage shall be with an insurance company and have such limits as shall be acceptable to the City Manager. Evidence of such insurance policies shall be provided to the City prior to use of fields by LPC and the City shall be listed as an additional insured.

VIII.

RULE CHANGES

A. LPC shall submit a copy of all rule changes to the Parks and Recreation Director for approval before the beginning of the season in which the rule changes will be effective.

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IX.

FINANCIAL RECORDS

A. The City shall have the right to examine LPC's annual audit, upon request, by the City Director of Parks and Recreation, Assistant City Manager, or City Manager. LPC shall be given reasonable notice and the City will schedule a time convenient for LPC.

X.

DEFAULT BY LPC

A. This Agreement may be canceled in the event of default by LPC. The City may by action of the City Council declare LPC in default of this Agreement and the Agreement canceled if any of the following conditions are present:

a. LPC ceases or is unable to provide or perform the functions listed in this Agreement;

b. LPC becomes inactive or fails to initiate advance planning for any season during the term of this contract;

c. LPC provides a program in any year that is not acceptable to the City.

XI.

TERM OF AGREEMENT

A. This Agreement runs from February 15, 2014, to July 1, 2016 and shall be renewable by consent of each party for a one year period a maximum of two times.

B. Either party may terminate this Agreement by giving thirty days written notice to the other party.

XII.

VENUE

A. Venue for any proceedings under this Agreement shall be in Rockwall County, Texas.

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XIII.

SEVERABILITY

A. If any clause, section, paragraph, or portion of this Agreement shall be found to be illegal, unlawful, unconstitutional, or void for any reason, the balance of the contract shall remain in full force and effect and the parties shall be deemed to have contracted as if said clause, section, paragraph, or portion had not been in the Agreement initially.

XIV.

SCHEDULE OF FEES

Key Deposit	$300
Trash Hourly Rate	$25/hour per worker
Weekend Field Preparation	$25/hour
Non-resident Fee	$30 per individual
Pitching Mound Construction/Demolition	$50 per mound each time

LPC'S NON-COMPLIANCE WITH ANY OF THE ABOVE STATED POLICIES, PROCEDURES, OR RULES COULD RESULT IN IMMEDIATE TERMINATION OF THIS AGREEMENT BY THE CITY.

DRAFT

EXECUTED and AGREED this _____ day of _____, 2013.

_____
RICK CROWLEY, CITY MANAGER
CITY OF ROCKWALL, TEXAS

_____
CARTER SHOTWELL, EXECUTIVE PASTOR
LAKEPOINTE CHURCH

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **February 3, 2014**

SUBJECT: **Monument sign height, size and setback variance request**

Mr. Trevor Arterburn with Houston's Drive Inn, LLC has requested to appear before the City Council to request variances for the height, size and setback of a new monument sign to be located at 715 West Rusk Street.

Our sign ordinance allows a monument sign to be a maximum height of seven (7) feet, a maximum size of ninety-eight (98) square feet and requires a minimum setback from property lines of ten (10) feet.

The applicant is requesting approval to allow a one hundred thirty six (136) square foot sign, with a height of ten and one half (10½) feet and placed two and a half (2½) feet from the property line.

The applicant has stated that the setback variance request is due to limited location options for the new sign and that the purpose for the increased height, is to raise the sign area up to the top of the existing landscaping, so that it will be clearly visible by passing motorists. The increased size is attributed to the large masonry base, which will be used to raise the sign to the necessary height for visibility. The Applicant is planning to include the required six inch masonry cap on the top of the sign.

City of Rockwall
385 South Goliad
Rockwall, Texas 75087

Re: Sign variance at 715 West Rusk, Rockwall, Texas

To Whom It May Concern:

We are requesting a variance for a sign at 715 West Rusk, Rockwall, Texas 75087. The location has been vacant for several years with the previous sign removed due to the vacancy. In preparation for the reopening, several improvements have been made to the inside and outside of the property, and we have a strong desire to upgrade the signage.

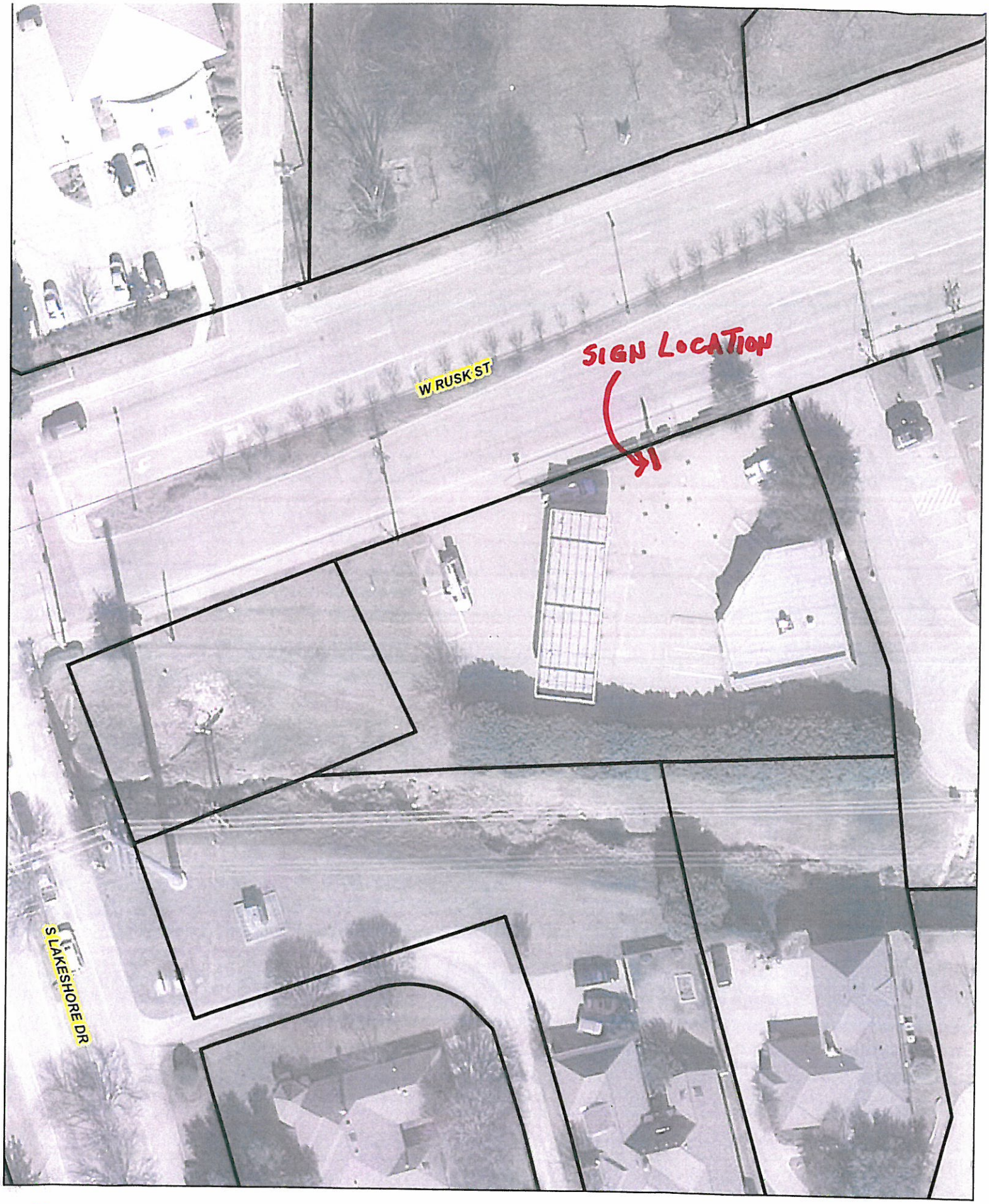
Our desire is for a sign that will not only show the residents of Rockwall that we are reopening this location, but that the store will be better than before. The size of the sign requested is 130 square feet (10' high & 13' wide). A 6" masonry cap and side border will also be added to meet other requirements.

We are also requesting a variance that the sign be allowed at the location of the previous sign. Our desire is to put the sign in a spot highly visible to the public, but with the limited size of the parking lot and objects that hinder visibility, our location options are limited. Therefore, we request a variance allowing us to use the position of the original sign. Our plans are adjusted so that it will be located within 10' of the property line and will not hang over the curb whatsoever.

Thank you for your consideration and for the opportunity to contribute to this great city.

Sincerely,

Trevor Arterburn
Houston's Drive Inn, LLC
Post Office Box 339
Rockwall, Texas 75087



City of Rockwall

N W E S

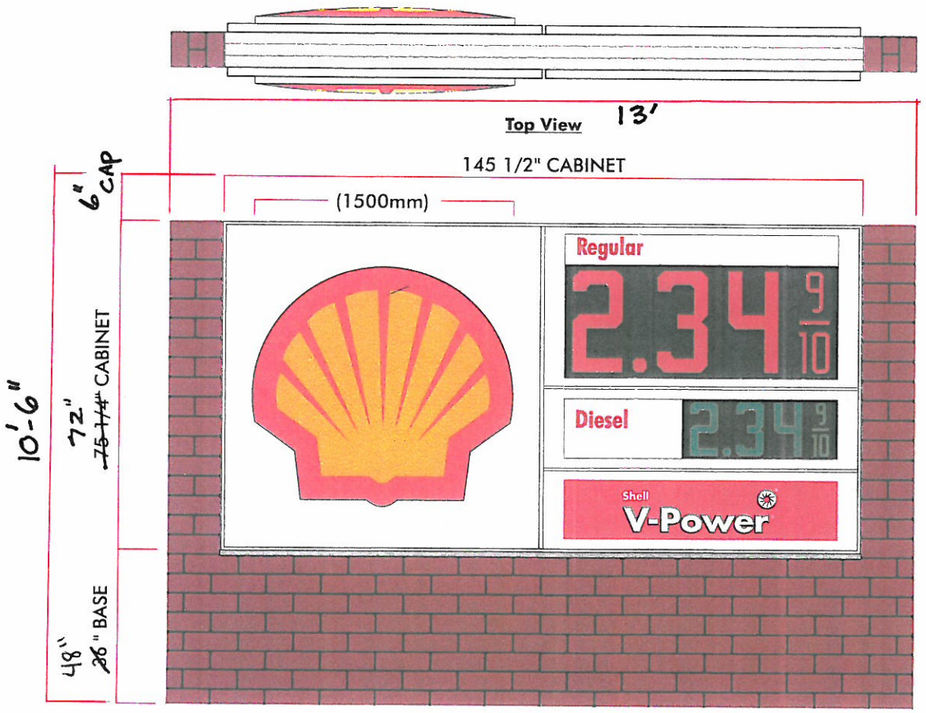
0 10 20 30 40 50 Feet

Date: 1/17/2014

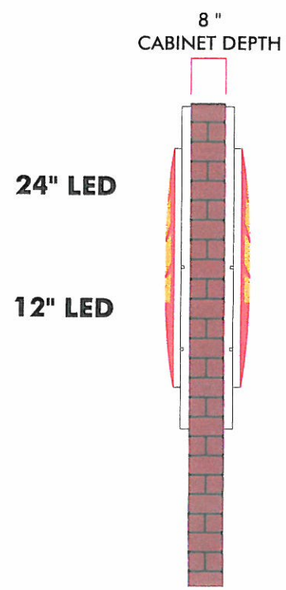
City of Rockwall Geographic Information Systems


SIGN LOCATION

RVI Evolution
6 x 12 Monument



Proposed Elevation
Scale 3/8" = 1'



Side View

FEDERAL HEATH
SIGN COMPANY
www.FederalHeath.com
1500 North Bolton • Jacksonville, Texas 75766
(903) 589-2100 • Fax (903) 589-2101

Revisions:

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Client Approval/Date: _____

Colors Depicted In This Rendering May Not Match Actual Finished Materials. Refer To Product Samples For Exact Color Match.

Account Rep: Dan Hull
Project Manager: A. Martinez
Drawn By: Mike Lees

Underwriters Laboratories Inc. — ELECTRICAL TO USE U.L. LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS
ALL ELECTRICAL SIGNS ARE TO COMPLY WITH N.E.C. 2008 ARTICLE 600 OF THE N.E.C. STANDARDS, INCLUDING THE PROPER GROUNDING AND BONDING OF ALL SIGNS

Project / Location:
Shell
RVI Evolution
GLOBAL

Job Number: 140305
Date: 1.17.14
Sheet Number: 1 Of 1
Design Number: SG140305_e

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

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

DATE: **January 29, 2014**

SUBJECT: **Regulations for Human Signs**

Councilmember Pruitt has requested that an item be placed on the agenda concerning the regulation of "human signs".

As our ordinance currently states, a human sign is currently defined as:

"Sign, human, means a sign held by or attached to a human being who stands or walks on the ground, at a business location. A human sign includes a person dressed in costume, for the purposes of advertising or otherwise drawing attention to an individual, business, commodity, service, activity, or product. (On-premises)

Councilmember Pruitt has proposed that the following definition be used:

"Sign, human, means a (COMMERCIAL) sign held by or attached to a human being who stands or walks on the ground, at a business location. A human sign includes a person dressed in costume, for the purposes of advertising or otherwise drawing attention to an individual, business, commodity, service or product."

Mr. Pruitt will be discussing the item as requested and staff will be available to respond to the Council action or answer any questions that may arise.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and Council**

FROM: **Rick Crowley, City Manager**

DATE: **January 31, 2014**

SUBJECT: **Girls Softball Program**

Council member Pruitt has requested an item on the Council agenda to discuss the girl's softball program.

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December 2013

Intakes:	106	Dogs	**Heath:**	4	Dogs	**County**	14 Dogs
	25	Cats		0	Cat		1 Cat
	2	Misc.					
total:	133		total:	4		total:	15

Outcomes

Adoptions:	88	Dogs
	29	Cats
	0	Other
total:	117	

Rescued:	22	Dogs
	1	Cats
	3	Other
total:	26	

Return to Owner:	9	Dogs
	3	Cats
total:	12	

Euthanized:	1	Cats	12-14-Whisper (illness)
	6	Dogs	12-5 Amelia-Blake (Temperament) Hutch (Illness) 12-13 Remin (Temperament) 12-16 Philly
1045:	0	Dog	
	0	Cat	
Total:	7		

Total Dispositions: **162**

Currently in Foster:	5	Dogs	**Currently with Adoption Partner:**	0	Dogs

0 Cats

total: 5

Adoption Returns: 8 Dogs

2 Cats

total: 10

2 Cats

total: 2

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City of Rockwall

The New Horizon

Building Inspections Department

Monthly Report

December 2013

Permits

Total Permits Issued: 160

Building Permits 32 Contractor Permits 128

Total Permit Values: $ 6,026,915.75

Building Permits $ 5,646,270 Contractor Permits $ 38,0645.75

Total Fees Collected: $ 114,645.28

Building Permits $ 106,019.57 Contractor Permits $ 8,625.71

Board of Adjustment

Board of Adjustment Cases 0

City of Rockwall

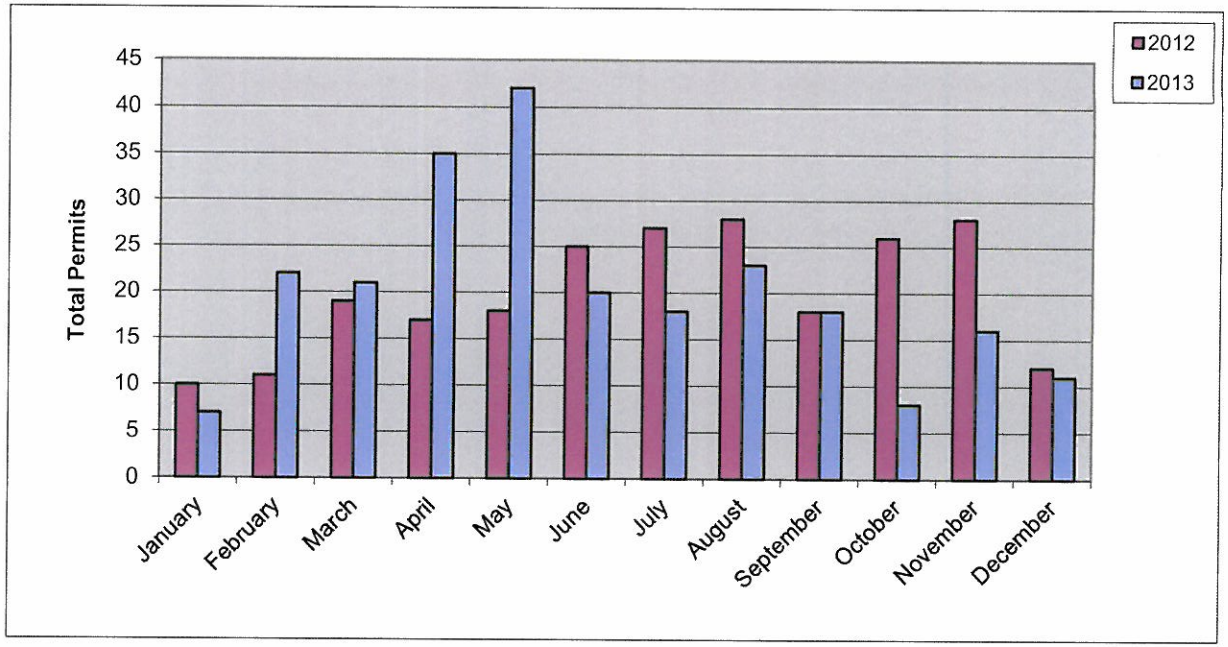
PERMITS ISSUED - Summary by Type and Subtype

For the Period 12/1/2013 thru 12/31/2013

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	6	$0.00	$253.00
30 DAY BANNER	4	$0.00	$151.50
COMING SOON	2	$0.00	$101.50
CO	5	$0.00	$378.00
BUSINESS	3	$0.00	$226.50
NEW CONSTRUCTION	2	$0.00	$151.50
COMM	19	$3,315,813.00	$50,445.34
CONCRETE	2	$12,000.00	$289.68
CONST TRAILER	1	$5,000.00	$100.00
DEMO	4	$7,361.00	$150.00
ELECTRICAL	2	$2,200.00	$106.60
FENCE	1	$0.00	$36.50
INTERIOR COMP	2	$335,252.00	$2,801.84
IRRIGATION	1	$8,000.00	$36.50
MECHANICAL	2	$40,000.00	$673.56
NEW	1	$2,800,000.00	$44,729.44
REMODEL	3	$106,000.00	$1,521.22
NONPROFIT SIGN	1	$0.00	$0.00
	1	$0.00	$0.00
NONPROFIT SIGN PERMI	1	$0.00	$0.00
	1	$0.00	$0.00
SIGNAGE	10	$25,000.00	$1,578.00
CANOPY	1	$0.00	$75.00
MONUMENT	3	$0.00	$376.50
WALL	6	$25,000.00	$1,126.50
SINGLE FAMILY	108	$2,686,102.75	$61,759.44
ACC BLDG	5	$22,000.00	$566.71
ALTERATION	1	$6,000.00	$136.75
CARPORT	1	$3,000.00	$94.75
CONCRETE	1	$1,800.00	$74.65
ELECTRICAL	8	$32,450.00	$812.77
FENCE	21	$45,350.48	$741.00
IRRIGATION	13	$20,400.00	$456.50
MECHANICAL	8	$42,359.00	$1,040.15
MISCELLANEOUS	1	$3,000.00	$35.00
NEW	11	$2,215,924.00	$53,888.36
PATIO COVER	5	$29,464.00	$672.25
PERGOLA	1	$4,312.00	$122.75
PLUMBING	22	$21,079.00	$1,119.30
REMODEL	1	$49,318.00	$655.25
REPAIR	1	$75,000.00	$830.25
RETAINING WALL	1	$25,000.00	$35.00
ROOF	5	$32,646.27	$178.00
SWIM POOL	2	$57,000.00	$300.00
SPECIAL EVENT	10	$0.00	$231.50
	10	$0.00	$231.50
Totals:	160	$6,026,915.75	$114,645.28

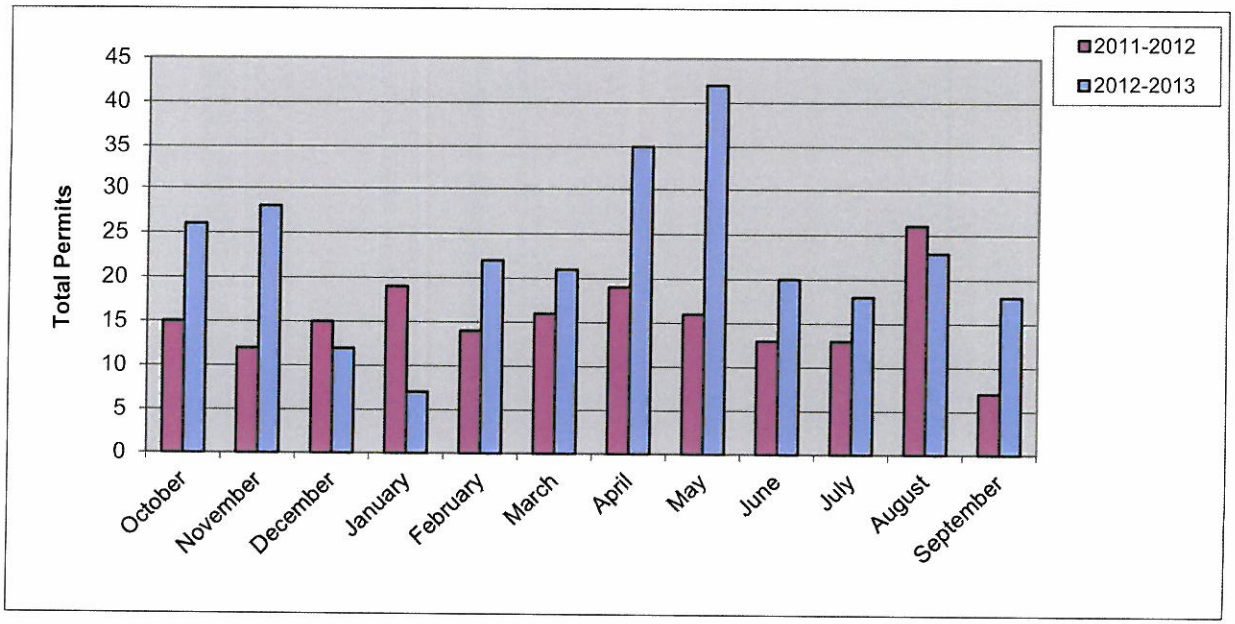
New Residential Permits Calendar Year

	Year	
	2012	2013
January	10	7
February	11	22
March	19	21
April	17	35
May	18	42
June	25	20
July	27	18
August	28	23
September	18	18
October	26	8
November	28	16
December	12	11
Totals	**239**	**241**



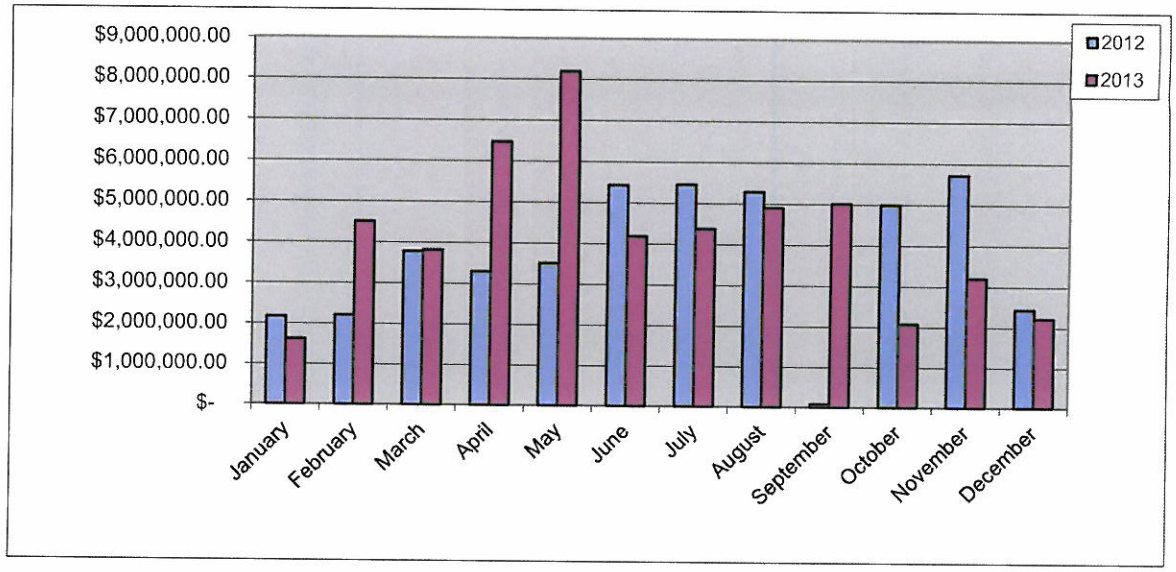
New Residential Permits Fiscal Year

	Year	
	2011-2012	2012-2013
October	15	26
November	12	28
December	15	12
January	19	7
February	14	22
March	16	21
April	19	35
May	16	42
June	13	20
July	13	18
August	26	23
September	7	18
Totals	**185**	**272**



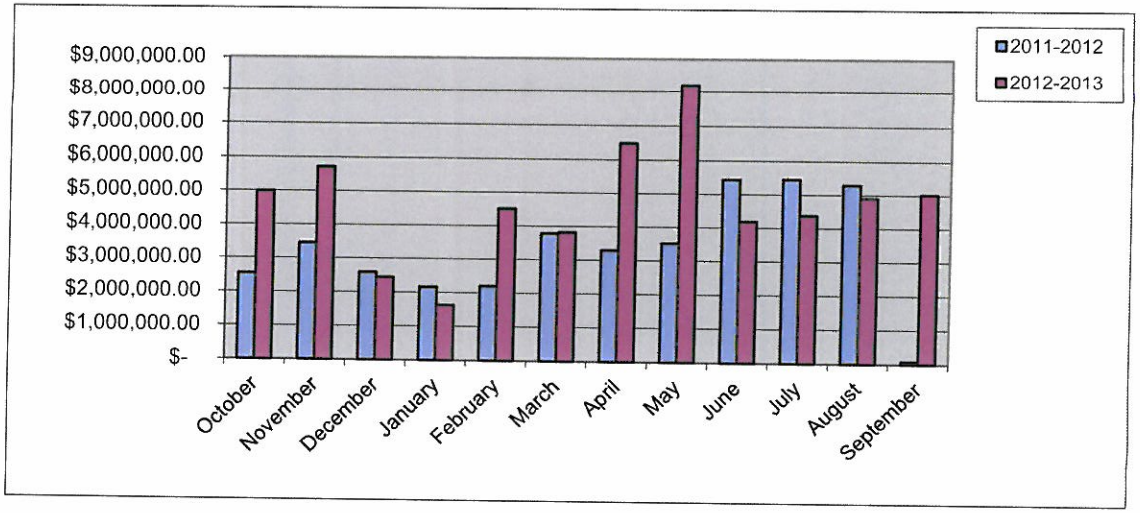
New Residential Value Calendar Year

Year	2012	2013
January	$ 2,166,648.00	$ 1,625,808.00
February	$ 2,205,704.00	$ 4,506,220.00
March	$ 3,782,280.00	$ 3,823,384.00
April	$ 3,294,042.00	$ 6,469,868.00
May	$ 3,514,280.00	$ 8,193,211.00
June	$ 5,433,888.00	$ 4,185,842.00
July	$ 5,456,242.00	$ 4,382,866.00
August	$ 5,293,062.00	$ 4,906,203.00
September	$ 85,460.46	$ 5,018,954.00
October	$ 4,993,587.00	$ 2,078,584.00
November	$5,718,696.00	$3,202,067.00
December	$ 2,441,748.00	$ 2,215,924.00
Totals	**$44,385,637.46**	**$ 50,608,931.00**



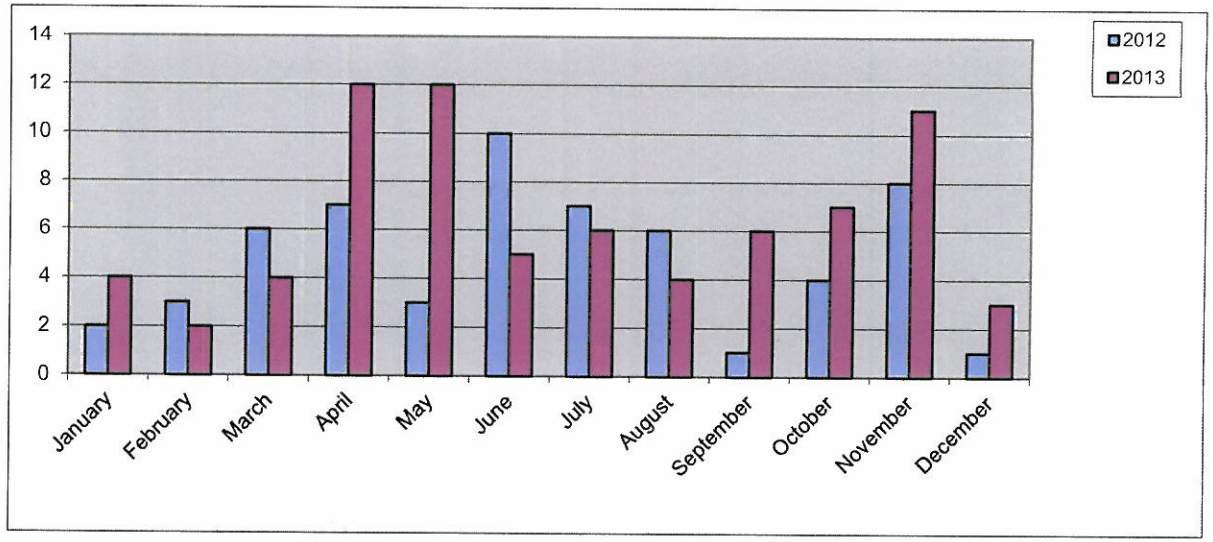
New Residential Value Fiscal Year

Year	2011-2012	2012-2013
October	$ 2,544,320.00	$ 4,993,587.00
November	$ 3,453,416.00	$5,718,696.00
December	$ 2,585,762.00	$ 2,441,748.00
January	$ 2,166,648.00	$ 1,625,808.00
February	$ 2,205,704.00	$ 4,506,220.00
March	$ 3,782,280.00	$ 3,823,384.00
April	$ 3,294,042.00	$ 6,469,868.00
May	$ 3,514,280.00	$ 8,193,211.00
June	$ 5,433,888.00	$ 4,185,842.00
July	$ 5,456,242.00	$ 4,382,866.00
August	$ 5,293,062.00	$ 4,906,203.00
September	$ 85,460.46	$ 5,018,954.00
Totals	**$39,815,104.46**	**$ 56,266,387.00**



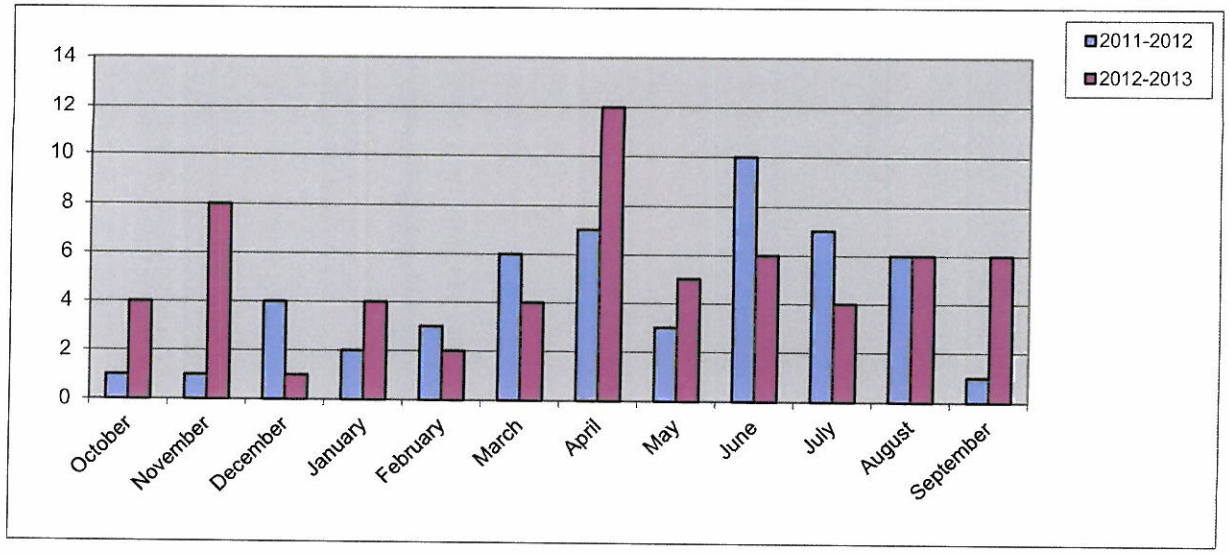
Residential Remodel Permits Calendar Year

	Year	
	2012	2013
January	2	4
February	3	2
March	6	4
April	7	12
May	3	12
June	10	5
July	7	6
August	6	4
September	1	6
October	4	7
November	8	11
December	1	3
Totals	**58**	**76**



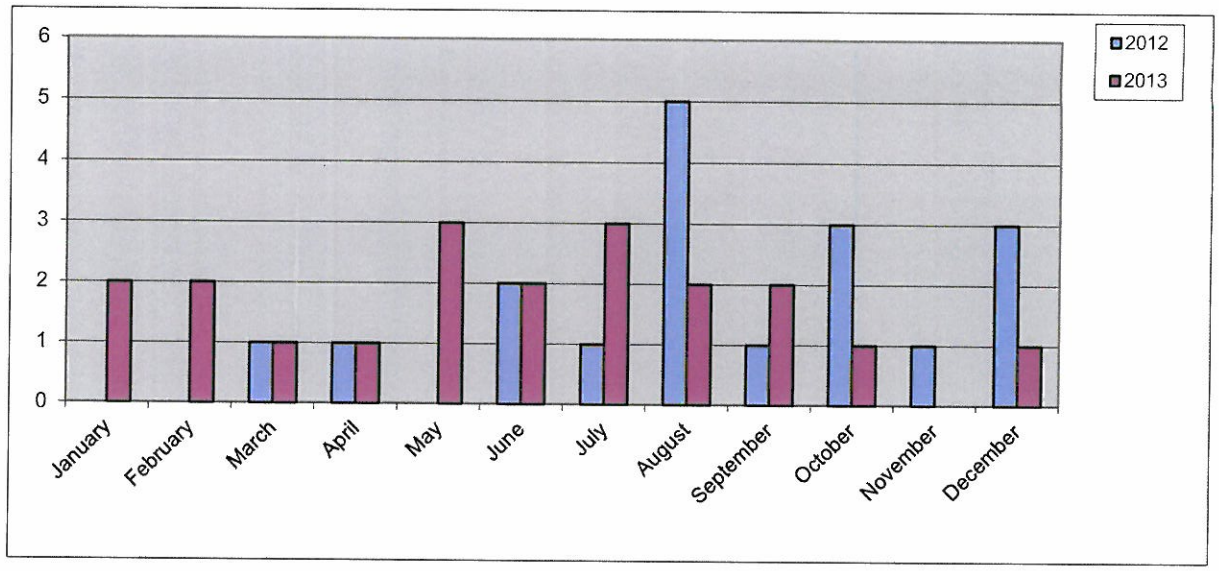
Residential Remodel Permits Fiscal Year

	Year	
	2011-2012	2012-2013
October	1	4
November	1	8
December	4	1
January	2	4
February	3	2
March	6	4
April	7	12
May	3	5
June	10	6
July	7	4
August	6	6
September	1	6
Totals	**51**	**62**



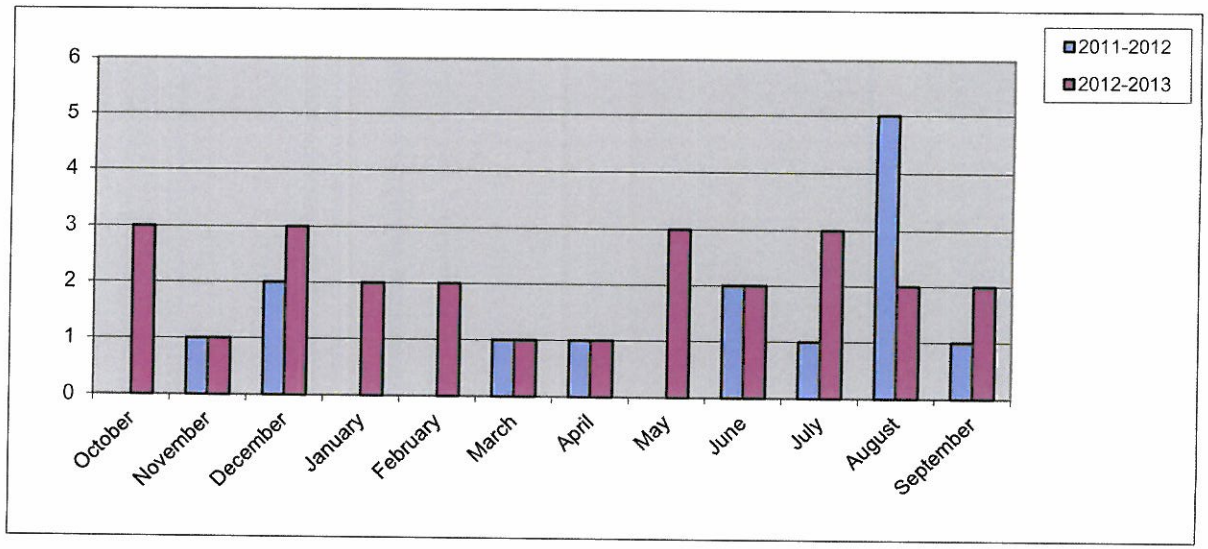
New Commercial Permits Calendar Year

	Year	
	2012	2013
January	0	2
February	0	2
March	1	1
April	1	1
May	0	3
June	2	2
July	1	3
August	5	2
September	1	2
October	3	1
November	1	0
December	3	1
Totals	**18**	**20**



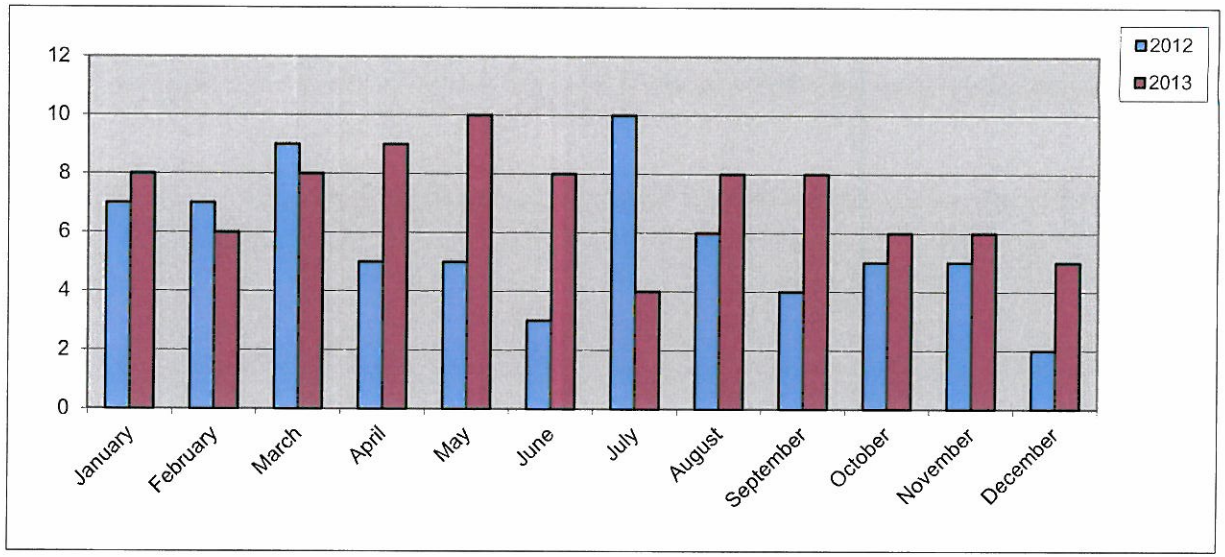
New Commercial Permits Fiscal Year

	Year	
	2011-2012	2012-2013
October	0	3
November	1	1
December	2	3
January	0	2
February	0	2
March	1	1
April	1	1
May	0	3
June	2	2
July	1	3
August	5	2
September	1	2
Totals	**14**	**25**



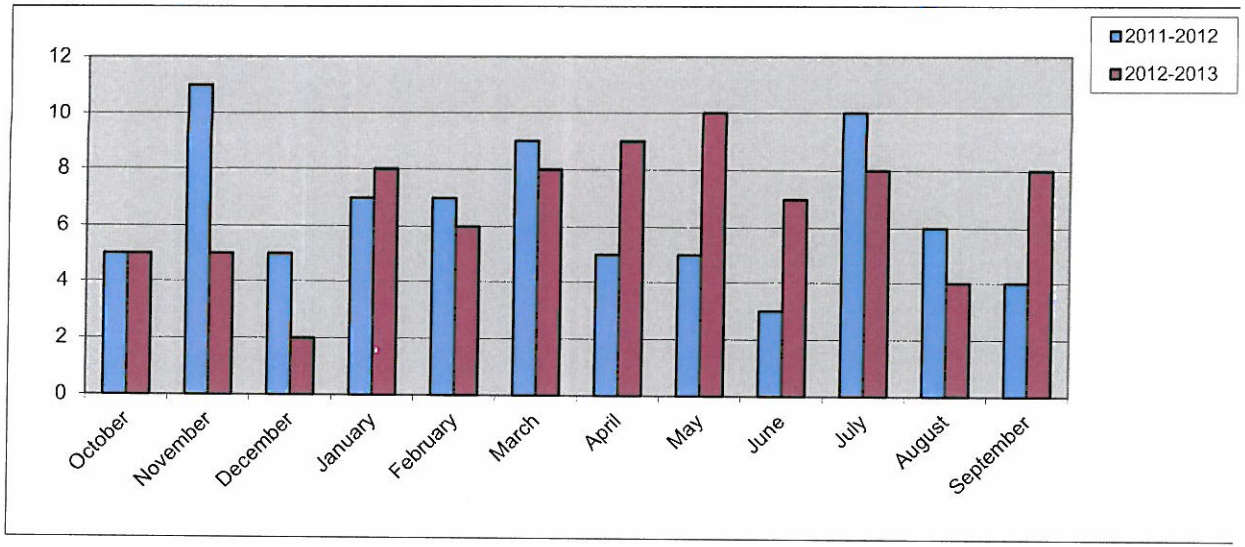
Commercial Remodel Permits Calendar Year

	Year	
	2012	2013
January	7	8
February	7	6
March	9	8
April	5	9
May	5	10
June	3	8
July	10	4
August	6	8
September	4	8
October	5	6
November	5	6
December	2	5
Totals	**68**	**86**



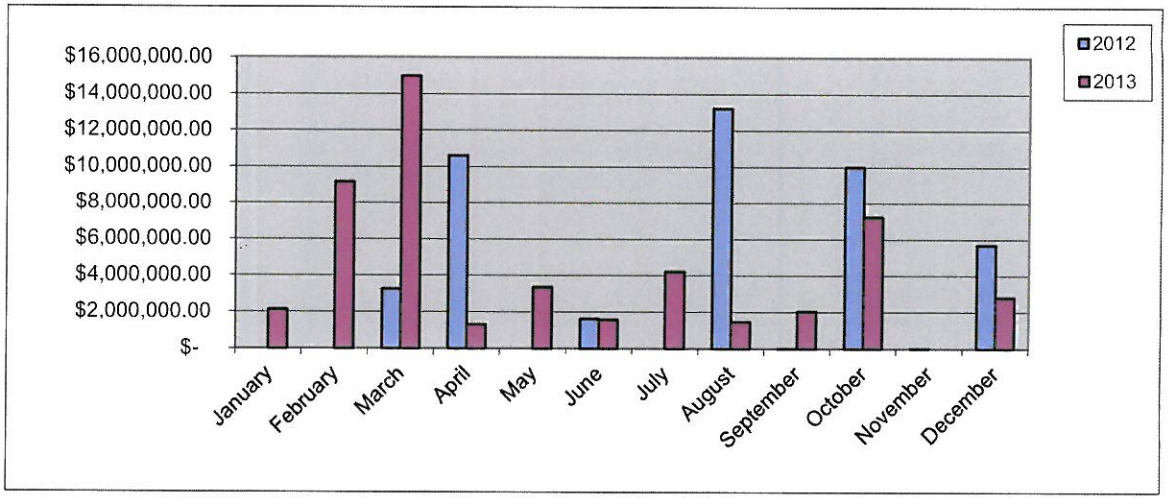
Commercial Remodel Permits Fiscal Year

	Year	
	2011-2012	2012-2013
October	5	5
November	11	5
December	5	2
January	7	8
February	7	6
March	9	8
April	5	9
May	5	10
June	3	7
July	10	8
August	6	4
September	4	8
Totals	**77**	**80**



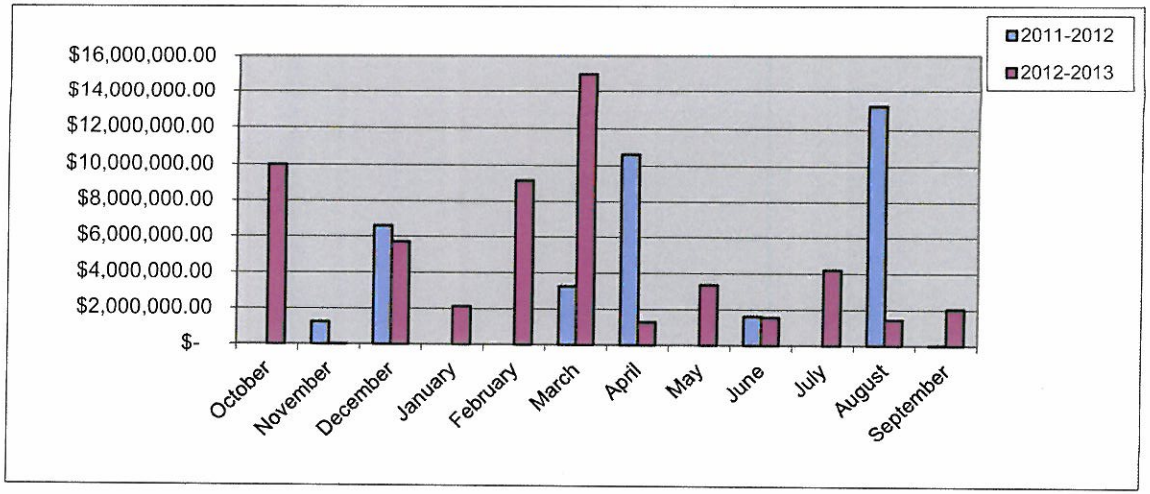
New Commercial Value Calendar Year

Year	2012	2013
January	$ -	$ 2,125,000.00
February	$ -	$ 9,150,000.00
March	$ 3,260,000.00	$ 15,000,000.00
April	$ 10,610,776.00	$ 1,300,000.00
May	$ -	$ 3,372,000.00
June	$ 1,620,000.00	$ 1,575,000.00
July	$ -	$ 4,200,000.00
August	$ 13,227,483.00	$ 1,454,000.00
September	$ 15,000.00	$ 2,040,000.00
October	$ 10,000,000.00	$ 7,225,000.00
November	$ 5,000.00	$ -
December	$ 5,700,000.00	$ 2,800,000.00
Totals	**$ 44,438,259.00**	**$ 50,241,000.00**



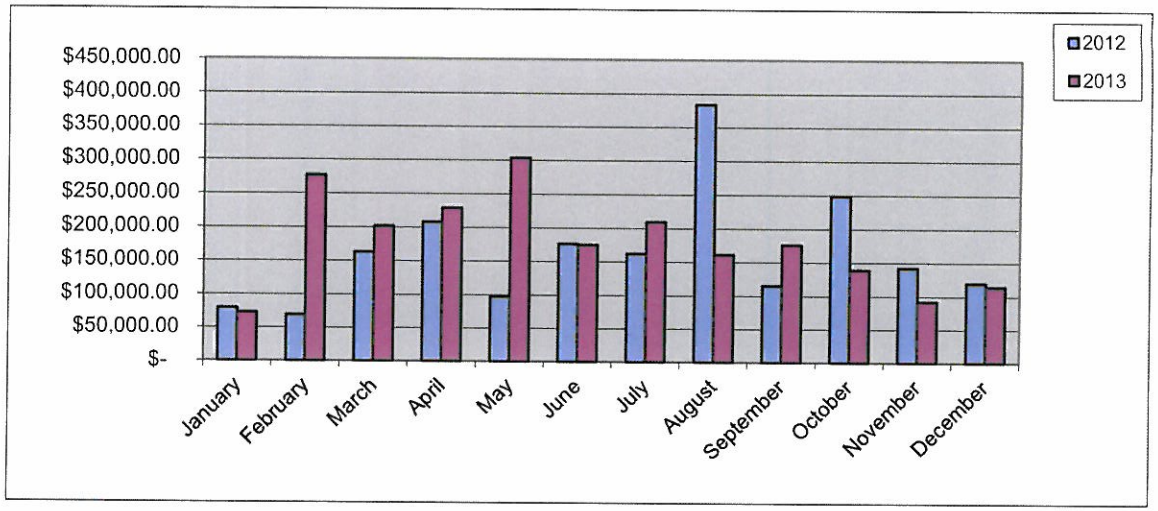
New Commercial Value Fiscal Year

Year	2011-2012	2012-2013
October	$ -	$ 10,000,000.00
November	$ 1,250,000.00	$ 5,000.00
December	$ 6,595,000.00	$ 5,700,000.00
January	$ -	$ 2,125,000.00
February	$ -	$ 9,150,000.00
March	$ 3,260,000.00	$ 15,000,000.00
April	$ 10,610,776.00	$ 1,300,000.00
May	$ -	$ 3,372,000.00
June	$ 1,620,000.00	$ 1,575,000.00
July	$ -	$ 4,200,000.00
August	$ 13,227,483.00	$ 1,454,000.00
September	$ 15,000.00	$ 2,040,000.00
Totals	**$ 36,578,259.00**	**$ 55,921,000.00**



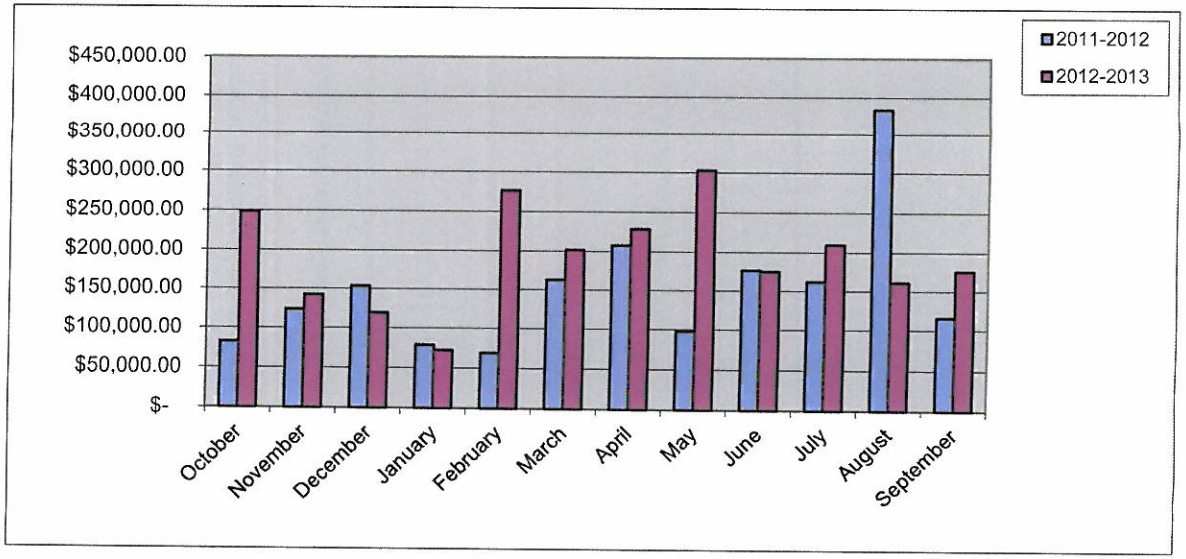
Total Fees Collected Calendar Year

Year	2012	2013
January	$ 78,907.85	$ 72,345.98
February	$ 69,014.00	$ 276,902.10
March	$ 162,980.05	$ 201,529.43
April	$ 207,705.63	$ 228,621.67
May	$ 97,570.58	$ 302,928.73
June	$ 176,481.23	$ 174,872.41
July	$ 162,058.27	$ 209,566.63
August	$ 383,849.86	$ 161,080.17
September	$ 115,737.66	$ 175,835.03
October	$ 248,932.46	$ 138,771.53
November	$ 142,356.98	$ 91,778.83
December	$ 119,604.19	$ 114,645.28
Totals	**$ 1,965,198.76**	**$ 2,148,877.79**



Total Fees Collected Fiscal Year

Year	2011-2012	2012-2013
October	$ 82,438.82	$ 248,932.46
November	$ 123,794.85	$ 142,356.98
December	$ 153,543.45	$ 119,604.19
January	$ 78,907.85	$ 72,345.98
February	$ 69,014.00	$ 276,902.10
March	$ 162,980.05	$ 201,529.43
April	$ 207,705.63	$ 228,621.67
May	$ 97,570.58	$ 302,928.73
June	$ 176,481.23	$ 174,872.41
July	$ 162,058.27	$ 209,566.63
August	$ 383,849.86	$ 161,080.17
September	$ 115,737.66	$ 175,835.03
Totals	**$ 1,814,082.25**	**$ 2,314,575.78**



City of Rockwall
PERMITS ISSUED
For the Period 12/1/2013 thru 12/31/2013

Subtype: BUSINESS

Permit No / Date Issued	Type of Permit / Status	Address / Parcel Number	Owner / Contractor	Valuation / Description	Total Fees	Fees Paid
CO2013-0148 12/30/2013	CO ACTIVE	660 Justin 4322-000B-0002-00-0R	AMS, I ROCKWALL INVESTME	$ 0.00 Advantage Storage	$ 75.00	$ 75.00
CO2013-0152 12/30/2013	CO ACTIVE	906 Steger Towne 5067-000A-0003-00-0R	DUNGHILL PARTNERS	$ 0.00 Janie's Tailoring	$ 75.00	$ 75.00
CO2013-0154 12/16/2013	CO ACTIVE	2608 Ridge Rd 4040-0000-0001-00-0R	Falcon Holdings Lake Water Construction	$ 0.00 Long John Silvers - 32042	$ 76.50	$ 76.50
3 Permit(s) Issued with Subtype: BUSINESS				**$0.00**	**$226.50**	**$226.50**

Subtype: NEW CONSTRUCTION

Permit No / Date Issued	Type of Permit / Status	Address / Parcel Number	Owner / Contractor	Valuation / Description	Total Fees	Fees Paid
CO2012-0110 12/11/2013	CO ACTIVE	720 Ralph Hall Pkwy E 3683-000A-0001-00-0R	HEALTHCARE REIT, INC.	$ 0.00 Rock Ridge Assisted Living & Memory Care	$ 76.50	$ 76.50
CO2013-0149 12/4/2013	CO ACTIVE	1114 IH 30 E 4797-0001-0003-00-0R	CPI, MORTGAGE INVESTORS L	$ 0.00 Raising Cane's Chicken Fingers	$ 75.00	$ 75.00
2 Permit(s) Issued with Subtype: NEW CONSTRUCTION				**$0.00**	**$151.50**	**$151.50**
				$0.00	**$378.00**	**$378.00**

5 Total Permit(s) Issued

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **January 31, 2014**

SUBJECT: **December 2013 Budget Report**

The following analysis is offered for the period ended December 31, 2014 budget report. The budget is established in broad categories with line item estimates. In each category actual expenses as a whole should be considered rather than at the line item level. The budget threshold for this period is 25%.

General Fund Revenues

- All revenues are coming in at or above expected levels for this early period.
- Sales tax increased by 4.38% for the month of December (October sales) as compared to the prior year, same month. The statewide increase was 6.56%. November sales were even higher at 6.05%.

General Fund Expenditures

- Administration Contractual – the first and second quarter payments to the E.S Corporation and the Appraisal District have been made this quarter.
- Internal Operations Capital – Council approved the purchase of security equipment this quarter.
- Police Communications Contractual – annual lease payment and maintenance agreement for CAD package have been paid.
- Inspections Operations – annual training is held early in the budget year.
- Engineering Operations – annual membership in COG regional storm water and public works standards programs were paid in this quarter.

Water / Sewer Revenues

- Water sales – sales were up nearly 9.63% for the first quarter when compared to the prior year. The revenues for this period were increased due to the rate increases enacted – our customers continue to conserve, as we have required them to do.
- All other revenues are in line with projections.

Water / Sewer Expenditures

- Sewer Operations Contractual – NTMWD requires payment in advance for the sewer treatment plants in order to fund their operating expenses.
- All other accounts are within thresholds.

Special Revenue Funds Summary

- All establishments paid the hotel taxes this quarter.

CITY OF ROCKWALL
REPORT OF REVENUES
FOR THE PERIOD ENDED DECEMBER 31, 2013
WITH COMPARATIVE TOTALS FROM PRIOR YEAR

GENERAL FUND

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	YTD %
Current Taxes	8,776,000	1,518,563	17.30%	8,267,100	2,270,643	27.47%
Delinquent Taxes	60,000	58,910	98.18%	60,000	25,771	42.95%
Penalty & Interest	60,000	7,702	12.84%	60,000	2,326	3.88%
Total Property Taxes	8,896,000	1,585,174	17.82%	8,387,100	2,298,741	27.41%
General Sales Tax	13,258,200	3,045,467	22.97%	12,998,000	3,092,822	23.79%
Beverage Tax	160,000	45,363	28.35%	160,000	55,624	34.77%
Total Sales Tax	13,418,200	3,090,829	23.03%	13,158,000	3,148,447	23.93%
Electrical Franchise	1,580,000	505,021	31.96%	1,620,000	507,403	31.32%
Telephone Franchise	150,000	38,446	25.63%	150,000	37,773	25.18%
Gas Franchise	313,600	-	0.00%	325,000	-	0.00%
Cable T.V. Franchise	420,000	95,485	22.73%	470,000	93,916	19.98%
Garbage Franchise	185,000	46,003	24.87%	190,000	37,825	19.91%
Total Franchise Fees	2,648,600	684,955	25.86%	2,755,000	676,917	24.57%
Park & Recreation Fees	33,000	3,515	10.65%	35,000	4,318	12.34%
Municipal Pool Fees	15,000	-	0.00%	-	-	0.00%
Center Rentals	32,000	6,136	19.18%	32,000	9,158	28.62%
Harbor Rental	2,000	400	20.00%	10,000	3,356	33.56%
Tax Certificate Fees	400	33	8.33%	100	30	30.00%
Code Enforcement Fees	24,000	6,970	29.04%	5,000	8,258	165.16%
Beverage Permits	10,000	1,265	12.65%	10,000	1,955	19.55%
Planning & Zoning Fees	35,000	8,876	25.36%	35,000	8,386	23.96%
Construction Fees	120,000	12,220	10.18%	140,000	29,038	20.74%
Fire Plan Fees	19,000	6,655	35.03%	10,000	5,005	50.05%
Total Misc. Fees	290,400	46,071	15.86%	277,100	69,503	25.08%
Building Permits	782,000	193,896	24.79%	670,000	140,023	20.90%
Fence Permits	20,000	4,360	21.80%	20,000	4,405	22.03%
Electrical Permits	20,000	4,738	23.69%	20,000	11,201	56.00%
Plumbing Permits	30,000	9,073	30.24%	30,000	9,425	31.42%
Mechanical Permits	35,000	5,425	15.50%	35,000	5,929	16.94%
Daycare Center Permits	2,000	750	37.50%	2,000	310	15.50%
Health Permits	80,000	16,112	20.14%	80,000	27,140	33.93%
Sign Permits	22,000	4,875	22.16%	22,000	9,110	41.41%
Miscellaneous Permits	50,000	11,118	22.24%	50,000	7,067	14.13%
Total Permits	1,041,000	250,347	24.05%	929,000	214,608	23.10%

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Court Fines	500,000	114,233	22.85%	500,000	97,003	19.40%
Court Fees	165,000	41,816	25.34%	165,000	31,491	19.09%
Warrant Fees	65,000	15,800	24.31%	65,000	13,660	21.01%
Court Deferral Fees	277,000	67,151	24.24%	260,000	59,948	23.06%
Animal Control Fees	7,000	1,870	26.71%	7,000	1,422	20.31%
Alarm Fees and Fines	45,000	12,820	28.49%	45,000	6,693	14.87%
Total Municipal Court	1,059,000	253,690	23.96%	1,042,000	210,216	20.17%
Interest Earnings	40,000	20,602	51.51%	40,000	9,267	23.17%
Sale of Supplies	500	-	0.00%	500	-	0.00%
Auction/Scrap	20,000	-	-	20,000	7,847	39.24%
Tower Lease	-	-	-	-	8,400	0.00%
Other	75,000	49,649	66.20%	75,000	1,130	1.51%
Total Miscellaneous	135,500	70,251	51.85%	135,500	26,644	19.66%
Grant Proceeds	-	-	0.00%	-	-	0.00%
School Patrol	205,750	65,113	31.65%	289,350	108,710	37.57%
County Contracts	3,000	-	0.00%	3,000	320	10.67%
City Contracts	185,000	46,250	25.00%	256,400	51,613	20.13%
Total Intergovernmental	393,750	111,363	28.28%	548,750	160,643	29.27%
Transfer In - Water & Sewer	602,100	-	0.00%	602,100	-	0.00%
Transfer In - Court Fees	39,000	-	0.00%	25,000	-	0.00%
Transfer In - Recreation Dev.	50,000	-	0.00%	110,000	-	0.00%
Total Transfers In	691,100	-	0.00%	737,100	-	0.00%
Total General Fund Revenues	**28,573,550**	**6,092,679**	**21.32%**	**27,969,550**	**6,805,719**	**24.33%**

CITY OF ROCKWALL
REPORT OF EXPENDITURES
FOR THE PERIOD ENDED DECEMBER 31, 2013
WITH COMPARATIVE TOTALS FROM PRIOR YEAR

GENERAL FUND

	PRIOR YEAR			CURRENT YEAR		
DESCRIPTION	**BUDGET**	**ACTUAL**	**YTD %**	**BUDGET**	**ACTUAL**	**YTD %**
Mayor and Council						
Contractual	46,200	9,682	20.96%	43,350	9,683	22.34%
Supplies	400	-	0.00%	400	-	0.00%
Operational	72,000	16,888	23.45%	72,000	17,509	24.32%
Total	118,600	26,569	22.40%	115,750	27,192	23.49%
Administration						
Personnel Costs	769,700	116,627	15.15%	801,800	184,486	23.01%
Contractual	734,000	167,846	22.87%	676,000	293,586	43.43%
Supplies	21,350	4,187	19.61%	16,850	3,191	18.94%
Operational	51,750	9,106	17.60%	51,750	12,399	23.96%
Utilities	5,100	372	7.29%	5,100	406	7.96%
Capital	271,000	-	0.00%	-	-	0.00%
Total	1,852,900	298,138	16.09%	1,551,500	494,068	31.84%
Administrative Services						
Personnel Costs	475,800	101,471	21.33%	468,600	105,914	22.60%
Contractual	46,400	375	0.81%	9,000	76	0.84%
Supplies	2,500	125	4.99%	2,500	221	8.85%
Operational	51,100	16,992	33.25%	52,600	9,104	17.31%
Utilities	2,100	78	3.73%	2,100	163	7.78%
Total	577,900	119,041	20.60%	534,800	115,479	21.59%
Internal Operations						
Personnel Costs	818,600	133,476	16.31%	842,400	214,824	25.50%
Contractual	267,050	83,868	31.41%	300,350	67,210	22.38%
Supplies	84,400	13,483	15.98%	88,700	13,825	15.59%
Operational	2,750	-	0.00%	3,550	-	0.00%
Utilities	331,600	45,201	13.63%	320,700	66,887	20.86%
Capital	57,000	-	0.00%	354,700	136,003	38.34%
Total	1,561,400	276,027	17.68%	1,910,400	498,748	26.11%
Finance						
Personnel Costs	367,100	164,584	44.83%	374,700	98,834	26.38%
Contractual	213,200	77,806	36.49%	231,500	52,192	22.55%
Supplies	70,750	17,763	25.11%	73,750	9,022	12.23%
Operational	9,000	3,505	38.94%	9,000	628	6.98%
Utilities	-	-	0.00%	-	-	0.00%
Total	660,050	263,658	39.95%	688,950	160,676	23.32%

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Municipal Court						
Personnel Costs	269,300	65,738	24.41%	272,600	72,925	26.75%
Contractual	75,200	8,719	11.59%	77,700	9,656	12.43%
Supplies	9,250	276	2.99%	9,250	75	0.81%
Operational	5,000	556	11.12%	5,000	1,383	27.66%
Capital	-	-	0.00%	-	-	0.00%
Total	358,750	75,289	20.99%	364,550	84,039	23.05%
Fire Department						
Personnel Costs	1,727,850	354,264	20.50%	2,148,500	433,884	20.19%
Contractual	175,400	21,421	12.21%	186,300	31,228	16.76%
Supplies	97,400	10,428	10.71%	101,400	8,066	7.95%
Operational	49,900	4,015	8.05%	57,500	3,515	6.11%
Utilities	2,800	353	12.60%	2,800	495	17.68%
Capital	94,200	-	0.00%	100,650	-	0.00%
Total	2,147,550	390,481	18.18%	2,597,150	477,188	18.37%
Fire Marshal						
Personnel Costs	366,950	89,191	24.31%	354,700	72,847	20.54%
Contractual	14,900	2,024	13.58%	12,400	2,125	17.13%
Supplies	41,300	9,087	22.00%	43,000	7,851	18.26%
Operational	18,750	1,930	10.29%	18,500	5,313	28.72%
Utilities	3,800	52	1.38%	3,800	0	0.00%
Capital	15,400	327	2.12%	94,750	-	0.00%
Total	461,100	102,612	22.25%	527,150	88,135	16.72%
Police Administration						
Personnel Costs	909,850	200,192	22.00%	962,500	238,159	24.74%
Contractual	76,050	21,127	27.78%	81,350	11,750	14.44%
Supplies	14,600	2,461	16.86%	14,600	1,840	12.60%
Operational	17,650	3,716	21.05%	19,650	820	4.18%
Utilities	6,800	1,030	15.15%	6,800	611	8.98%
Capital	5,000	1,498	29.96%	0	0	0.00%
Total	1,029,950	230,025	22.33%	1,084,900	253,180	23.34%
Communications						
Personnel Costs	682,150	160,800	23.57%	793,500	198,565	25.02%
Contractual	150,500	131,902	87.64%	156,950	126,980	80.90%
Supplies	4,500	50	1.11%	5,700	148	2.59%
Operational	9,800	355	3.62%	9,800	-	0.00%
Utilities	1,000	180	18.00%	1,000	83	8.25%
Capital	-	-	0.00%	-	-	0.00%
Total	847,950	293,286	34.59%	966,950	325,775	33.69%

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Police Patrol						
Personnel Costs	4,370,400	999,171	22.86%	4,413,300	1,069,582	24.24%
Contractual	75,000	19,246	25.66%	78,800	15,314	19.43%
Supplies	298,550	53,308	17.86%	328,550	39,031	11.88%
Operational	22,650	3,751	16.56%	30,050	3,054	10.16%
Utilities	5,100	826	16.19%	5,100	368	7.21%
Capital	8,900	-	0.00%	469,250	-	0.00%
Total	4,780,600	1,076,302	22.51%	5,325,050	1,127,349	21.17%
Criminal Investigation						
Personnel Costs	911,100	216,559	23.77%	907,000	228,963	25.24%
Contractual	15,300	1,502	9.82%	13,300	2,513	18.90%
Supplies	48,000	12,842	26.75%	42,000	5,125	12.20%
Operational	8,700	2,158	24.80%	8,700	2,421	27.83%
Utilities	8,500	1,542	18.14%	8,500	1,567	18.44%
Capital	-	-	0.00%	-	-	0.00%
Total	991,600	234,604	23.66%	979,500	240,589	24.56%
Community Services						
Personnel Costs	508,900	120,731	23.72%	645,100	168,953	26.19%
Contractual	24,250	5,965	24.60%	25,750	6,722	26.11%
Supplies	19,800	3,549	17.92%	29,900	4,859	16.25%
Operational	6,500	2,840	43.70%	10,400	1,304	12.54%
Utilities	1,950	-	0.00%	1,950	-	0.00%
Capital	-	-	0.00%	15,900	459	2.89%
Total	561,400	133,085	23.71%	729,000	182,298	25.01%
Warrant Officer						
Personnel Costs	170,600	43,359	25.42%	178,800	42,286	23.65%
Contractual	2,600	254	9.77%	2,600	420	16.15%
Supplies	4,150	616	14.85%	3,450	617	17.89%
Operational	-	-	0.00%	-	-	0.00%
Utilities	900	132	14.65%	900	-	0.00%
Capital	-	-	0.00%	-		0.00%
Total	178,250	44,361	24.89%	185,750	43,323	23.32%
Records						
Personnel Costs	306,900	74,188	24.17%	313,400	77,042	24.58%
Contractual	2,050	1,300	63.41%	750	-	0.00%
Supplies	1,700	247	14.54%	1,700	477	28.06%
Operational	2,100	2,324	110.68%	4,900	125	2.54%
Utilities	1,100	78	7.12%	1,100	-	0.00%
Capital	-	-	0.00%	-	-	0.00%
Total	313,850	78,138	24.90%	321,850	77,644	24.12%

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Planning						
Personnel Costs	567,700	131,375	23.14%	597,500	142,124	23.79%
Contractual	32,100	10,821	33.71%	50,600	2,662	5.26%
Supplies	2,950	612	20.75%	2,950	359	12.17%
Operational	19,350	3,843	19.86%	19,250	859	4.46%
Utilities	1,100	230	20.89%	1,250	202	16.19%
Capital	-	-	0.00%	-	-	0.00%
Total	623,200	146,881	23.57%	671,550	146,207	21.77%
Neighborhood Improvement Services						
Personnel Costs	363,000	81,355	22.41%	375,400	96,343	25.66%
Contractual	117,950	22,639	19.19%	112,350	20,794	18.51%
Supplies	27,950	6,470	23.15%	24,050	3,237	13.46%
Operational	10,150	1,403	13.82%	9,650	2,653	27.50%
Utilities	2,800	816	29.15%	2,800	341	12.19%
Capital	-	-	0.00%	-	-	0.00%
Total	521,850	112,683	21.59%	524,250	123,369	23.53%
Inspections						
Personnel Costs	568,000	134,509	23.68%	596,700	155,897	26.13%
Contractual	33,600	3,913	11.65%	41,800	1,910	4.57%
Supplies	12,950	2,009	15.51%	13,450	1,476	10.97%
Operational	9,750	1,384	14.20%	9,750	4,404	45.17%
Utilities	4,000	707	17.69%	4,500	610	13.55%
Capital	-	-	0.00%	-	-	0.00%
Total	628,300	142,523	22.68%	666,200	164,297	24.66%
Animal Services						
Personnel Costs	183,000	44,770	24.46%	185,400	51,272	27.65%
Contractual	414,250	99,022	23.90%	414,500	102,981	24.84%
Supplies	19,750	3,298	16.70%	18,500	1,991	10.76%
Operational	2,550	9	0.36%	2,550	612	23.99%
Utilities	4,000	779	19.47%	4,000	545	13.63%
Capital	-	-	0.00%	-	-	0.00%
Total	623,550	147,878	23.72%	624,950	157,401	25.19%
Parks						
Personnel Costs	908,000	216,636	23.86%	939,100	236,379	25.17%
Contractual	347,500	70,276	20.22%	360,750	55,769	15.46%
Supplies	219,300	58,659	26.75%	217,050	36,263	16.71%
Operational	11,500	1,291	11.22%	11,500	3,082	26.80%
Utilities	176,900	58,421	33.02%	191,900	33,567	17.49%
Capital	-	-	0.00%	83,600	3,721	4.45%
Total	1,663,200	405,282	24.37%	1,803,900	368,782	20.44%

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Harbor						
Personnel Costs	95,600	24,679	25.82%	99,800	23,525	23.57%
Contractual	299,500	10,987	3.67%	164,000	11,601	7.07%
Supplies	46,800	8,128	17.37%	46,800	8,891	19.00%
Operational	5,700	563	9.87%	5,500	-	0.00%
Utilities	146,500	11,160	7.62%	146,500	29,620	20.22%
Capital	-	-	0.00%	10,550	7,580	71.85%
Total	594,100	55,517	9.34%	473,150	81,218	17.17%
Recreation						
Personnel Costs	470,200	134,354	28.57%	508,100	111,256	21.90%
Contractual	27,950	4,363	15.61%	21,750	1,337	6.15%
Supplies	55,100	4,399	7.98%	55,100	5,303	9.62%
Operational	55,000	12,422	22.59%	58,650	10,667	18.19%
Utilities	75,700	4,539	6.00%	75,700	20,477	27.05%
Capital	-	-	0.00%	-	-	0.00%
Total	683,950	160,077	23.40%	719,300	149,041	20.72%
Streets						
Personnel Costs	595,900	145,793	24.47%	611,000	161,244	26.39%
Contractual	88,100	8,971	10.18%	102,000	17,826	17.48%
Supplies	913,200	44,545	4.88%	1,095,400	40,696	3.72%
Operational	2,700	179	6.63%	2,500	25	1.01%
Utilities	403,900	50,335	12.46%	418,900	108,273	25.85%
Capital	15,600	13,409	85.96%	15,500	11,490	74.13%
Total	2,019,400	263,232	13.04%	2,245,300	339,554	15.12%
Engineering						
Personnel Costs	795,800	171,542	21.56%	907,400	226,655	24.98%
Contractual	152,800	44,554	29.16%	84,700	21,524	25.41%
Supplies	19,050	3,411	17.91%	20,150	2,589	12.85%
Operational	24,900	3,981	15.99%	24,900	7,866	31.59%
Utilities	5,500	1,310	23.82%	8,000	2,160	27.00%
Capital	-	-	0.00%	27,400	-	0.00%
Total	998,050	224,798	22.52%	1,072,550	260,793	24.32%
Operating Transfers Out						
Trsf Out - Radio Sys	150,000	-	0.00%	175,000	-	0.00%
Trsf Out - Employee Benefits	2,100,000	850,000	40.48%	2,300,000	2,260,000	98.26%
Trsf Out - Airport	25,000	-	0.00%	11,000	-	0.00%
Trsf Out - Capital Projects	30,000	-	0.00%	350,000	-	0.00%
Trsf Out - Harbor	1,244,000	-	0.00%	-	-	0.00%
Trsf Out - Equipment Replacement	129,700	-	0.00%	157,000	-	0.00%
Total	3,678,700	850,000	23.11%	2,993,000	2,260,000	75.51%
TOTAL GENERAL FUND:	**28,476,150**	**6,150,488**	21.60%	**29,677,400**	**8,246,345**	27.79%

WATER AND SEWER FUND

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Operating Revenues:						
Retail Water Sales	8,913,000	1,950,582	21.88%	9,694,000	2,140,930	22.09%
Sewer Charges	4,258,000	869,165	20.41%	4,684,000	1,179,340	25.18%
Pretreatment Charges	16,700	2,327	13.93%	27,000	2,327	8.62%
HHW Fee	93,000	21,410	23.02%	97,000	24,129	24.88%
Penalties	185,000	52,911	28.60%	150,000	64,509	43.01%
Total Utility Sales	13,465,700	2,896,394	21.51%	14,652,000	3,411,235	23.28%
RCH Water Sales	832,500	246,406	29.60%	874,200	143,157	16.38%
Blackland Water Sales	573,000	157,726	27.53%	601,650	151,960	25.26%
City of Heath	930,000	265,744	28.57%	900,800	171,357	19.02%
Total Contract Sales	2,335,500	669,876	28.68%	2,376,650	466,474	19.63%
Water Taps	79,000	20,980	26.56%	75,000	12,334	16.45%
Sewer Taps	13,000	3,200	24.62%	12,000	1,750	14.58%
Total Other Receipts	92,000	24,180	26.28%	87,000	14,084	16.19%
Meter Rental Fees	14,200	3,500	24.65%	10,000	3,700	37.00%
Total Other Fees	14,200	3,500	24.65%	10,000	3,700	37.00%
Total Operating Revenues	15,907,400	3,593,950	22.59%	17,125,650	3,895,493	22.75%
Non-Operating Revenues:						
Interest Earnings	20,000	117	0.58%	20,000	1,408	7.04%
Auction/Scrap Proceeds	6,000	-	-	10,000	-	0.00%
Other	24,000	32,100	133.75%	24,000	6,173	25.72%
Cell Tower Leases	90,000	-	-	90,000	36,575	40.64%
Bond Proceeds	-	-	0.00%	-	-	0.00%
Transfer In - Impact Fees	1,000,000	-	0.00%	500,000	-	0.00%
Total Non-Operating Revenues	1,140,000	32,216	2.83%	644,000	44,156	6.86%
Total Water & Sewer Revenues	**17,047,400**	**3,626,166**	**21.27%**	**17,769,650**	**3,939,649**	**22.17%**

WATER & SEWER FUND

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Long Term Debt						
Total	3,932,450	248,865	6.33%	4,143,150	107,995	2.61%
Utility Billing						
Personnel Costs	379,600	92,189	24.29%	386,400	94,110	24.36%
Contractual	293,500	40,397	13.76%	302,600	28,775	9.51%
Supplies	91,800	13,296	14.48%	91,800	13,142	14.32%
Operational	130,100	163	0.12%	133,800	1,532	1.14%
Capital	-	-	0.00%	-	-	0.00%
Total	895,000	146,045	16.32%	914,600	137,558	15.04%
Water Operations						
Personnel Costs	810,000	191,020	23.58%	840,500	211,171	25.12%
Contractual	6,103,200	1,932,564	31.66%	6,673,700	1,554,915	23.30%
Supplies	300,550	65,659	21.85%	404,400	58,288	14.41%
Operational	19,000	1,414	7.44%	19,000	218	1.15%
Utilities	252,900	30,555	12.08%	252,900	64,377	25.46%
Capital	3,509,000	-	0.00%	62,550	-	0.00%
Total	10,994,650	2,221,211	20.20%	8,253,050	1,888,968	22.89%
Sewer Operations						
Personnel Costs	678,900	156,633	23.07%	687,300	182,932	26.62%
Contractual	3,329,850	943,954	28.35%	3,481,100	1,232,344	35.40%
Supplies	126,050	17,651	14.00%	149,600	13,396	8.95%
Operational	12,900	1,060	8.22%	13,100	1,148	8.76%
Utilities	123,450	16,968	13.74%	123,450	35,696	28.92%
Capital	8,500	-	0.00%	80,700	-	0.00%
Total	4,279,650	1,136,266	26.55%	4,535,250	1,465,515	32.31%
Operating Transfers Out						
Trsf Out - General	602,100	-	0.00%	602,100	-	0.00%
Trsf Out - Employee Benefits	1,025,000	35,000	3.41%	1,095,000	700,000	63.93%
Trsf Out - Workers' Comp.	30,000	-	0.00%	30,000	-	0.00%
Trsf Out - Equipment	11,950	-	0.00%	11,950	-	0.00%
Total	1,669,050	35,000	2.10%	1,739,050	700,000	40.25%
TOTAL WATER/SEWER FUND:	**21,770,800**	**3,787,388**	**17.40%**	**19,585,100**	**4,300,037**	**21.96%**

City of Rockwall
2013-2014 Approved Budget Items
Purchase Status as of December 31, 2013

Fund/Department	Item/Description	Budget	Cost	Status
General Fund				
Internal Operations	Phone System	158,000	156,982	Ordered
	Software server licensing upgrade	14,800	14,200	Received
	New World Mobile software upgrade	12,000		
	Carpet Cleaner	3,000		
	Security System upgrade	167,000	173,464	Ordered
	Radios	19,300		
	Radio System spare parts	38,880	38,880	Ordered
Fire	Radios	14,650		
	Command Vehicle	65,000		
	FS 1 Exhaust system	30,000		
	FS 2 Alerting	5,000		
	FS 2 AV system	13,600		
	FS 2 Bedrooms	130,000	128,702	Proj Started
Fire Marshal	SUV full size (2)	94,800	90,351	Ordered
Police				
Patrol	Chevrolet Interceptor (Tahoe) 5	150,000	144,975	Ordered
	Dodge Interceptor (Charger) 5	132,200	123,400	Ordered
	New Interceptor Equipment	162,500	118,320	Partial Order
	E-Citation system	87,000		
	Radios	13,350		
	Mobile speed sign (trailer mounted)	11,200		looking at demos
	SWAT Body Armor	6,600		
	Rescue (Throw) Phone	9,500		
	Body Worn Cameras	13,900	13,494	Received
	Surviellance system	4,000		
	Tasers	21,400	22,800	Ordered
Comm Serv	Radios	15,900	12,053	Received
Parks	Truck 3/4 ton Utility (2)	59,750	58,230	Ordered
	Pool Vacuum	3,000	2,126	Received
	Tiller	1,800	1,595	Received
	Trailer	8,200	7,919	Ordered
	Lift Gate	3,350	2,208	Received
	Fogger	7,500		
	Yellow Jacket Park Improvements	60,500		
	Chandler's Soccer goals and signage	11,700		

City of Rockwall
2013-2014 Approved Budget Items
Purchase Status as of December 31, 2013

Fund/Department	Item/Description	Budget	Cost	Status
	Phelps Pond Fishing Pier and signage	75,000		
Harbor	Power Washer	3,900	3,631	Received
	Turf Vacuum	3,750	1,823	Received
	Pool Vacuum	2,900	2,126	Received
Streets	Flat Truck Bed	4,500	4,500	Received
	Trailer	3,500		
	Concrete Saw	7,500	6,990	Received
Engineering	Truck 1/2 ton	19,000	18,992	Ordered
	GeoXT Locating Unit	8,400	8,153	Received
Water & Sewer Fund				
Water	Southside & Springer Tower Generators	14,850		
	Leak Detector Correlator	15,600		
	Boring tool	6,700		
	Chain Saw	3,250		
	1 ton Service Truck	37,000		
Sewer	Air Cylinders	6,450		
	Pelican lights	2,000		
	Camera for line inspection	12,450		
	Vacumm Truck (lease)	68,250		

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Rockwall Police Department

Harbor District Calls For Service

December 2013

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2013-00029666	12/22/2013	01:07:00	Agave	Theft	Report
2013-00028244	12/06/2013	07:12:20	Cinemark	Alarm-BUSN	False Alarm
2013-00029429	12/19/2013	18:28:04	Cinemark	Assist Motorist	No Report
2013-00029551	12/20/2013	18:38:43	Cinemark	Intoxicated	Arrest
2013-00030240	12/28/2013	23:36:53	Cinemark	Intoxicated	Arrest
2013-00030220	12/28/2013	20:45:53	Cinemark	Investigation	Citation
2013-00029359	12/18/2013	23:35:53	Cinemark	Investigation	No Report
2013-00028363	12/07/2013	19:23:09	Cinemark	Reckless Driver	No Report
2013-00029660	12/21/2013	22:42:31	Cinemark	Suspicious Activity	No Report
2013-00030280	12/29/2013	17:12:00	Glorias Restaurant	Accident - Minor	No Report
2013-00030060	12/27/2013	11:18:01	Glorias Restaurant	Assault	Report
2013-00029661	12/21/2013	23:23:00	Hilton	Intoxicated	Arrest
2013-00028051	12/03/2013	23:46:32	Hilton	Intoxicated	Arrest
2013-00029736	12/23/2013	00:56:48	Hilton	Investigation	No Report
2013-00030207	12/28/2013	18:55:21	Hilton	Investigation	Warning
2013-00028946	12/15/2013	01:01:47	Hilton	Investigation	No Report
2013-00029919	12/25/2013	18:20:10	The Harbor	Criminal Mischief	Report
2013-00028654	12/12/2013	02:21:47	The Harbor	Investigation	No Report
2013-00027766	12/01/2013	00:56:40	The Harbor	Investigation	Arrest
2013-00029354	12/18/2013	22:46:17	The Harbor	Investigation	Arrest
2013-00028827	12/13/2013	22:18:51	The Harbor	Property	No Report
2013-00029778	12/23/2013	16:22:58	The Harbor	Suspicious Activity	No Report
2013-00028013	12/03/2013	14:37:26	The Harbor	Suspicious Activity	No Report
2013-00027810	12/01/2013	15:25:14	The Harbor	Suspicious Activity	No Report
2013-00029800	12/23/2013	21:03:44	Zeus Botique	Alarm-BUSN	False Alarm
2013-00030289	12/29/2013	19:14:00	Zeus Botique	Alarm-BUSN	False Alarm
2013-00030375	12/30/2013	20:52:00	Zeus Botique	Alarm-BUSN	No Report
2013-00029578	12/20/2013	22:08:00	Zeus Botique	Alarm-BUSN	False Alarm
			Common Name		
			Cinemark	8	
			The Harbor	8	
			Hilton	5	
			Zeus Botique	4	
			Glorias Restaurant	2	
			Agave	1	
			Total	**28**	

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City of Rockwall
The New Horizon

CITY	December
Situation Type	**#**
Public service - Non paged	5
No incident found on arrival	6
Authorized controlled burning	1
Dispatched & canceled enroute	3
Public service	6
Assist police or oth gov agncy	28
Public service assistance, oth	2
Water or steam leak	1
Lock-out	1
Arcing, shorted elect equip	1
Power line down	30
Carbon monoxide detector act	1
Alarm sys act, no fire Uninten	8
Smoke detector activate, no fi	11
Sprinkler activate, no fire -	2
Unintentional trans. of alarm	2
CO detector act due to malf	3
Alarm system sounded malfun	6
Smoke detector act. malf.	5
Sprinkler action due to malf	1
False alarm or false call,othe	2
HazMat release investigation	3
Smoke from BBQ, tar kettle	2
Steam, vapor, fog or dust thou	2
Smoke scare, odor of smoke	2
Medical assist,assist EMS crew	1
Outside equipment fire	1
Grass fire	1
Trash or rubbish fire, contain	1
Building fire	2
Gas leak natural gas or LPG	7
Remi of vic(s) stalled elev	2
Totals:	149

COUNTY	December
Situation Type	**#**
Public service - Non paged	1
Power line down	7
Smoke scare, odor of smoke	1
Rescue, EMS incident, other	1
Grass fire	1
Total	11

HEATH	December
Alarm system sounded malfun	1
Building fire	1
Total	2

OTHER MUTUAL AID	NONE

CITY RESPONSE
DECEMBER 2013
COUNTED CALLS ONLY

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %	29 of 31	CRITERIA MET %	8 of 8
CRITERIA -ACHIEVE RESPONSE TIME	93.50%	CRITERIA -ACHIEVE RESPONSE TIME	100%
90% OF TIME IN BOXES WITH STATIONS	Criteria Met	60% OF TIME IN BOXES WITH STATIONS	Criteria Met
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6	
CRITERIA MET %	30 of 31	CRITERIA MET %	4 of 8
CRITERIA -ACHIEVE RESPONSE TIME	96.77%	CRITERIA -ACHIEVE RESPONSE TIME	50.00%
90% OF TIME IN BOXES WITH STATIONS	Criteria Met	60% OF TIME IN BOXES WITH STATIONS	Criteria Not Met
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 MINUTES	30 of 31	0-7	4 of 8
CRITERIA MET%	96.77%	CRITERIA MET%	50%
CRITERIA -ACHIEVE RESPONSE TIME	Criteria Not Met	CRITERIA -ACHIEVE RESPONSE TIME	Criteria Not Met
90% OF TIME IN BOXES WITH STATIONS		60% OF TIME IN BOXES WITH STATIONS	

COUTY AND MUTUAL AID RESPONSES
DECEMBER 2013
Counted calls only

ROCKWALL COUNTY	
	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	6 OF 6
CRITERIA -ACHIEVE RESPONSE TIME	100%
60% OF TIME IN BOXES WITH STATIONS	CRITERIA MET
	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	4 OF 6
CRITERIA -ACHIEVE RESPONSE TIME	67%
60% OF TIME IN BOXES WITH STATIONS	CRITERIA MET
	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 MINUTES	
CRITERIA MET%	4 OF 6
CRITERIA -ACHIEVE RESPONSE TIME	67%
60% OF TIME IN BOXES WITH STATIONS	CRITERIA MET

OTHER MUTUAL AID OR COUNTY CALLS	counted calls
FATE	0
HEATH	2
ROWLETT	0
ROYSE CITY	0
MCCLENDON CHISOLM	0
WYLIE	0

CITY ENROUTE OVERAGES
DECEMBER 2013

Venue	Alarm Date	Alarm Time	Enroute Date	Alarm to Enroute	Incident Number	Apparatus	Fire Incident Station	Lights and Sirens	REASON FOR OVERAGE
Rockwall	12/04/2013	17:23:29	17:25:08	0:01:39	2013-00000825	E6	Rockwall 3	Code 3	CAD Times Don't Match Radio Times
Rockwall	12/13/2013	14:01:33	14:03:04	0:01:31	2013-00000934	E2	Rockwall 2	Code 3	CAD Times Don't Match Radio Times

ARRIVAL OVERAGES
CITY CALLS
DECEMBER 2013

Venue	Alarm Date	Enroute Date	Arrival Time	Enroute to Arrival	Incident Number	Apparatus	Fire Incident Station	Lights and Sirens	REASON FOR OVERAGES
Rockwall	12/08/2013	11:58:40	12:06:15	0:07:35	2013-00000910	BT3	Rockwall 3	Code 3	Response to area without station
Rockwall	12/16/2013	14:16:39	14:23:30	0:06:51	2013-00000947	E6	Rockwall 3	Code 3	E-6 never checked enroute
Rockwall	12/31/2013	17:40:03	17:46:22	0:06:19	2013-00000992	BT3	Rockwall 3	Code 3	Response to area without station
Rockwall	12/30/2013	03:07:36	03:13:51	0:06:15	2013-00000981	E5	Rockwall 4	Code 3	Response to area without station
Rockwall	12/08/2013	14:03:29	14:09:36	0:06:07	2013-00000912	BT3	Rockwall 3	Code 3	Response to area without station

Response Overages
City Calls
December 2013

Venue	Alarm Date	Alarm Time	Arrival Time	Response Time	Incident Number	Apparatus	Fire Incident Station	Lights and Sirens	REASON FOR OVERAGES
Rockwall	12/08/2013	11:57:47	12:06:15	0:08:28	2013-00000910	BT3	Rockwall 3	Code 3	Response to Area without Station
Rockwall	12/16/2013	14:15:33	14:23:30	0:07:57	2013-00000947	E6	Rockwall 3	Code 3	E6 did not check enroute
Rockwall	12/08/2013	14:02:13	14:09:36	0:07:23	2013-00000912	BT3	Rockwall 3	Code 3	Response to Area without Station
Rockwall	12/30/2013	03:06:37	03:13:51	0:07:14	2013-00000981	E5	Rockwall 4	Code 3	Response to Area without Station
Rockwall	12/31/2013	17:39:13	17:46:22	0:07:09	2013-00000992	BT3	Rockwall 3	Code 3	Response to Area without Station

COUNTY AND MUTUAL AID OVERAGES
DECEMBER 2013

Venue	Alarm Date	Alarm Time	Arrival Time	Enroute to Arrival	Response Time	Incident Number	Apparatus	Fire Incident Station	Lights and Sirens	REASON FOR OVERAGES
HEATH										
Heath	12/07/2013	08:13:01	08:25:42	0:11:23	0:12:41	2013-00000888	E2	Rockwall 2	Code 3	Drive Time to County
ROCKWALL COUNTY										
Rockwall County	12/15/2013	16:45:03	16:59:48	0:13:41	0:14:45	2013-00000946	E6	Rockwall 3	Code 3	Drive Time to County
Rockwall County	12/20/2013	11:29:54	11:41:04	0:10:43	0:11:10	2013-00000956	E3	Rockwall 1	Code 3	Drive Time to County

To: Chief Poindexter
From: BC Merritt
Re: December 2013 Structure Fire Report.
Date: January 14, 2013

2003 Ridge Road

We responded to a report of a fire at 2003 Ridge Rd on December 03, 2013. The first unit on scene arrived and reported heavy flames and smoke coming from one room of the structure. One dog was rescued from within the burning structure. There was major damage to the interior of the residence due smoke and heat. No firefighter injuries were reported on this incident.

Dispatch time: 10:02.56
Enroute time: 10:03.44
On scene time: 10:07.38
Clear time: 12:22.20

4 Men on scene 10:08.13
8 men on scene 10.12.15
12 men on scene 10:15.48

We had a total of 20 Firefighters on scene, 2 Chiefs and 3 apparatus.

6007 Volunteer Place

We responded to a report of a structure fire on December 08, 2013. The first unit arrived on scene and reported no smoke or flames visible from the outside. Upon entry into the residence firefighters discovered a small pile of trash and a cabinet on fire in the kitchen. The fire was quickly extinguished. Minimal damage was done to the residence and no firefighter injuries were reported on this incident.

Dispatch Time 12:45.55
Enroute Time 12:46.40
On scene Time 12:51.09
Clear Time 14:03.39

4 men on scene Not recorded
8 men on scene 12:59.18
12 men on scene 13:01.36
We had a total of 16 Firefighters on scene, 2 Chiefs and 3 apparatus.

Total Dollar Losses

December 2013

City of Rockwall
The New Horizon

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$40,800.00	$10,000.00	$3,000.00	$539,144.90	$228,370.00
Total Content Loss:	$12,000.00	$3,000.00	$25,050.00	$237,438.94	$155,862.00
Total Property Pre-Incident Value:	$343,000.00	$441,930.00	$275,110.00	$3,526,807.00	$5,688,735.00
Total Contents Pre-Incident Value	$205,800.00	$262,114.00	$162,416.00	$13,718,980.20	$10,534,570.00
Total Losses:	$52,800.00	$13,000.00	$28,050.00	$776,583.84	$52,800.00
Total Value:	$548,800.00	$704,044.00	$437,526.00	$17,245,787.20	$16,223,305.00

Fire Alarms

December 2013

Date	Address	Common Name	Dispostion Code	CFS Number	Call Type	Incident Number	Incident ORI
12/04/2013 09:24:43	2007 N GOLIAD ST	Walgreens (N Goliad)	FA	448	FD - Fire Alarm Commercial	2013-00000820	TX504
12/06/2013 04:56:19	112 E RUSK ST	Fatted Calf	FA	760	FD - Fire Alarm Commercial	2013-00000848	TX504
	: 2						
12/06/2013 08:18:16	1604 MARIAH BAY CIR		FA	829	FD - Fire Alarm Residential	2013-00000357	TX402
	: 1						
12/06/2013 09:38:50	418 E BOURN ST		FA	851	FD - Fire Alarm Commercial	2013-00000869	TX504
12/07/2013 09:33:17	1650 S JOHN KING BLVD	Mansion Family	FA	1005	FD - Fire Alarm Commercial	2013-00000891	TX504
	: 2						
12/07/2013 11:53:22	152 YANKEE CREEK RD		FA	1026	FD - Fire Alarm Residential	2013-00000370	TX402
12/07/2013 12:27:47	20 NOBLE CT	Synergy Bank	FA	1031	FD - Fire Alarm Commercial	2013-00000371	TX402
	: 2						
12/08/2013 15:29:59	1000 SIGNAL RIDGE PL		FA	1143	FD - Fire Alarm Commercial	2013-00000913	TX504
12/09/2013 02:04:03	2161 PORTOFINO CIR		FA	1202	FD - Fire Alarm Commercial	2013-00000917	TX504
12/09/2013 10:32:11	1225 SH 276	Costco	FA	1238	FD - Fire Alarm Commercial	2013-00000918	TX504
12/11/2013 08:11:44	510 BENDING OAKS TRL		FA	1479	FD - Fire Alarm Residential	2013-00000929	TX504
12/11/2013 19:01:07	2875 MARKET CENTER DR	Old Navy	FA	1551	FD - Fire Alarm Commercial	2013-00000930	TX504
12/12/2013 05:58:17	3017 COOLWOOD LN		FA	1607	FD - Fire Alarm Residential	2013-00000931	TX504
12/13/2013 11:01:17	1000 SIGNAL RIDGE PL		FA	1795	FD - Fire Alarm Commercial	2013-00000933	TX504
12/13/2013	1000 SIGNAL	Signal Ridge			FD - Fire	2013-	

14:00:38	RIDGE PL	Security	FA	1811	Alarm Commercial	00000934	TX504
12/14/2013 20:17:16	303 STONEBRIDGE DR		FA	2010	FD - Fire Alarm Residential	2013-00000941	TX504
12/16/2013 14:14:33	919 E INTERSTATE 30		FA	2291	FD - Fire Alarm Commercial	2013-00000947	TX504
12/19/2013 22:51:38	2871 LAGO VISTA LN		FA	2895	FD - Fire Alarm Residential	2013-00000954	TX504
12/20/2013 15:15:00	2890 RIDGE RD		FA	3037	FD - Fire Alarm Commercial	2013-00000957	TX504
12/24/2013 07:02:24	610 S GOLIAD ST	First Baptist Church	FA	3558	FD - Fire Alarm Commercial	2013-00000972	TX504
12/27/2013 22:03:05	206 STORRS ST	Nursing Home, Rockwall, Rockwall Nursing Care, Rockwall Nursing Center	FA	3978	FD - Fire Alarm Commercial	2013-00000977	TX504
12/30/2013 03:04:29	1655 SCIENCE PL	GMI, Graphics Microsystems	FA	4311	FD - Fire Alarm Commercial	2013-00000981	TX504
12/30/2013 04:35:48	610 S GOLIAD ST	First Baptist Church	FA	4326	FD - Fire Alarm Commercial	2013-00000982	TX504
12/31/2013 11:13:22	1000 SIGNAL RIDGE PL	Signal Ridge Security	FA	4466	FD - Fire Alarm Commercial	2013-00000989	TX504

: 17

1/7/2014 3:26:18 PM

Inspection Totals Per Inspector

December 2013

Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Inspection Number	Fire Inspection Status
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0156	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0133	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0156	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0154.	Finaled
TX504	744 - Patrick	Construction Final	1981	Finaled
TX504	744 - Patrick	Construction Final	1987	Pending
TX504	744 - Patrick	Construction Final	1979	Pending
TX504	744 - Patrick	Construction Final	1981	Pending
TX504	744 - Patrick	Construction Final	1979	Finaled
TX504	744 - Patrick	Construction Final	1977	Finaled
TX504	744 - Patrick	Construction Final	2008	Pending
TX504	744 - Patrick	Construction Final	1977	Pending
TX504	744 - Patrick	Courtesy	1963	Finaled
TX504	744 - Patrick	Courtesy	2000	Finaled
TX504	744 - Patrick	Courtesy	1999	Finaled
TX504	744 - Patrick	Courtesy	1989	Finaled
TX504	744 - Patrick	Fire Alarm System	1976	Finaled
TX504	744 - Patrick	Fire Alarm System	1983	Pending
TX504	744 - Patrick	Fire Alarm System	1982	Pending
TX504	744 - Patrick	Fire Alarm System	1982	Finaled
TX504	744 - Patrick	Fire Alarm System	1976	Pending
TX504	744 - Patrick	Fire Alarm System	1969	Finaled
TX504	744 - Patrick	Fire Alarm System	1955	Pending

TX504	843 - Clark	Construction Final	2008	Finaled
TX504	843 - Clark	Fire Alarm System	2005	Pending
TX504	843 - Clark	Fire Alarm System	1993	Finaled
TX504	843 - Clark	Fire Alarm System	1842	Finaled
TX504	843 - Clark	Fire Alarm System	1962	Finaled
TX504	843 - Clark	Fire Spinkler System	1949	Finaled
TX504	843 - Clark	Fire Spinkler System	1834	Finaled
TX504	843 - Clark	Fire Spinkler System	1894	Pending
TX504	843 - Clark	Fire Spinkler System	1995	Pending
TX504	843 - Clark	Fire Spinkler System	1995	Pending
TX504	843 - Clark	Fire Spinkler System	1928	Pending
TX504	843 - Clark	Fire Spinkler System	1928	Pending
TX504	843 - Clark	Fire Spinkler System	1995	Pending
TX504	843 - Clark	Fire Spinkler System	1894	Pending
TX504	843 - Clark	Fire Spinkler System	1894	Finaled
TX504	843 - Clark	Fire Spinkler System	1988	Pending
TX504	843 - Clark	Follow Up	2001	Pending
TX504	843 - Clark	Follow Up	2007	Pending
TX504	843 - Clark	Follow Up	2002	Pending
TX504	843 - Clark	Follow Up	1992	Finaled
TX504	843 - Clark	Follow Up	1991	Pending
TX504	843 - Clark	Follow Up	1956	Finaled
TX504	843 - Clark	Follow Up	1957	Finaled
TX504	843 - Clark	Kitchen Hood Suppression	1966	Finaled
TX504	843 - Clark	Knox Box	2009	Finaled
TX504	843 - Clark	Other	Electrical Box	Finaled
TX504	843 - Clark	Other	2003	Finaled
TX504	843 - Clark	Other	1998	Finaled
TX504	843 - Clark	Other	1924	Finaled
TX504	843 - Clark	Standpipes	Temp Standpipes	Pending
TX504	843 - Clark	Tanks-TEMP	1952	Finaled

Total Per Inspector:
58

Department Total:
108

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City of Rockwall
Inspection Totals Completed by Inspector
For the Period 12/1/2013 thru 12/31/2013

Bryan Patrick		
	CO - FIRE	3
TOTAL INSPECTIONS for Bryan Patrick:		3
Kevin Clark		
	CO - FIRE	7
TOTAL INSPECTIONS for Kevin Clark:		7
TOTAL INSPECTIONS COMPLETED:		10

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 12/1/2013 thru 12/31/2013

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2013-0153	12/02/13	37	2927 RIDGE RD. 112	REGENCY, CENTERS LP	Ariana Hargrove	FIRE CO	APPROVED	12/02/13	12/05/13	12/04/13
	CO		FIREHOUSE							
PLB2013-031	12/03/13	36	2927 RIDGE 112	REGENCY, CENTERS LP	Ariana Hargrove	FIRE 972-772-6431		12/03/13	12/13/13	
	COMM		Firehouse - New gas line							
PLB2013-031	12/03/13	36	1336 Calistoga	MINOR, FRANCIS GENE & JOYCE NADINE	Ariana Hargrove	FIRE 972-772-6431		12/03/13	12/13/13	
	COMM		Water Heater Replacement & slab leak							
CO2013-0147	11/15/13	54	919 IH 30 107	WOODMONT MANAGEMENT	Ariana Hargrove	FIRE CO	APPROVED	12/04/13	12/07/13	12/04/13
	CO		PRIME COMMUNICATIONS							
CO2013-0154	12/04/13	35	2608 Ridge Rd	Falcon Holdings	Ariana Hargrove	FIRE CO	APPROVED	12/04/13	12/07/13	12/04/13
	CO		Long John Silvers - 32042							
CO2013-0155	12/04/13	35	1154 IH 30	CPI, MORTGAGE INVESTORS LP	Ariana Hargrove	FIRE CO	APPROVED	12/04/13	12/07/13	12/04/13
	CO		La-Z-Boy Furniture							
MEC2013-01	12/04/13	35	1208 SIGMA CRT.	MITCHELL, II LTD	Ariana Hargrove	FIRE 972-772-6431		12/04/13	12/14/13	
	COMM		REPLACING 6 ROOF TOP UNITS							
MEC2013-01	12/04/13	35	2020 INDUSTRIAL BLVD.	ROCKWALL, STEEL CO	Ariana Hargrove	FIRE 972-772-6431		12/04/13	12/14/13	
	COMM		ADD TWO NEW A/C UNITS							
BLD2013-149	09/18/13	112	3090 Goliad St N 110	METROPLEX, ACQUISITION FUND LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/05/13	12/15/13	12/05/13
	COMM		National Urgent Care							
BLD2013-188	12/05/13	34	2235 Goliad St S	CPI, MORTGAGE INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/05/13	12/15/13	12/05/13
	COMM		Luby's / Fuddruckers - Constr. Trailer							
CO2013-0156	12/09/13	30	670 IH 30 E	MIUZNA REAL ESTATE	Ariana Hargrove	FIRE CO	APPROVED	12/09/13	12/12/13	12/09/13
	CO		Denny's #8871							
DEM2013-00	12/10/13	29	108 Fannin St. S.	COUNTY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431		12/10/13	12/20/13	
	COMM		Demo The Old Adult Probation office							
DEM2013-00	12/11/13	28	2578 HWY276	Tim Wiener w/ Vac Parts Warehouse	Ariana Hargrove	FIRE 972-772-6431		12/11/13	12/21/13	
	COMM		INTERIOR DEMO							
CO2013-0157	12/12/13	27	2830 RIDGE ROAD	INWOOD, NATIONAL BANK	Ariana Hargrove	FIRE CO	APPROVED	12/12/13	12/15/13	12/12/13
	CO		INWOOD NATIONAL BANK							
ELE2013-009	12/12/13	27	308 Fannin St. N.	PANNELL, SMITH PROPERTY MANAGEMENT LLC	Ariana Hargrove	FIRE 972-772-6431		12/12/13	12/22/13	
	COMM		Londoner - Elec. lighting							
BLD2013-190	12/16/13	23	2701 Sunset Ridge 6000	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/16/13	12/26/13	12/23/13
	COMM		Trend Corporate & B & H Ins.- Intr. Completion							
BLD2013-191	12/18/13	21	1154 I30	POTOMAC, ROCKWALL PARTNERSHIP LP	Ariana Hargrove	FIRE 972-772-6431		12/18/13	12/28/13	
	COMM		LA-Z-BOY IRRIGATION SYSTEM							
BLD2013-190	12/17/13	22	2701 Sunset Ridge 2000	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/19/13		12/23/13
	COMM		Harbor Heights Family Medicine - Inter. Completion							

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 12/1/2013 thru 12/31/2013

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail: Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2013-191	12/17/13 COMM	22	2701 Sunset Ridge 1101 Harbor Heights Family Medicine - Inter. Completion	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/19/13		12/23/13
BLD2013-191	12/17/13 COMM	22	2701 Sunset Ridge 105 Allegiance Title Inter. Completion	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/19/13		12/23/13
BLD2013-192	12/19/13 COMM	20	2935 Ridge Rd. Kroger - Remodel / alteration	KROGER, TEXAS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/19/13	12/29/13	12/23/13
BLD2013-192	12/19/13 COMM	20	2701 Sunset Ridge 5000 Trend HR Inter. Completion	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/19/13		12/23/13
BLD2013-192	12/19/13 COMM	20	3013 Ridge Rd. Medical Bldg, New Construction (McClintock)	PS5, PROPERTIES LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/19/13	12/29/13	01/02/14
DEM2013-001	12/19/13 COMM	20	3084 GOLIAD N 120 DEMO LEASE SPACE NATIONWIDE	METROPLEX, ACQUISITION FUND LP	Ariana Hargrove	FIRE 972-772-6431		12/19/13	12/29/13	
CO2013-0159	12/20/13 CO	19	811 YELLOW JACKET 116 AAA I Repairs	LANDLOW, LLC	Ariana Hargrove	FIRE CO	APPROVED	12/20/13	12/23/13	12/23/13
BLD2013-185	11/26/13 COMM	43	2578 SH 276 Vac Parts Warehouse - Interior remodel	SHARP, RICK	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/23/13	01/02/14	12/23/13
BLD2013-193	12/23/13 COMM	16	2931 Ridge Rd. Demo interior & rebuild wall	KROGER, TEXAS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/23/13	01/02/14	12/23/13
BLD2013-193	12/23/13 COMM	16	108 E RUSK 48" wood picket fence	SWIERCINSKY, MICHAEL P AND	Ariana Hargrove	FIRE 972-772-6431		12/23/13	01/02/14	
CO2013-0160	12/23/13 CO	16	4028 SH 205 Platinum Storage		Ariana Hargrove	FIRE CO		12/23/13	12/26/13	
BLD2013-193	12/24/13 COMM	15	3021 Ridge Rd. Bank New Construction (McClintock)	PS5, PROPERTIES LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/24/13		01/02/14
CO2013-0161	12/24/13 CO	15	3125 Ridge Rd. Regal Realtors	HOLLAND, & CLARK RIDGE RD JV	Ariana Hargrove	FIRE CO	APPROVED	12/24/13	12/27/13	12/24/13
CO2013-0162	12/24/13 CO	15	600 IH 30 Rockwall Mart	7, ELEVEN INC	Ariana Hargrove	FIRE CO	APPROVED	12/24/13	12/27/13	12/26/13
ELE2013-009	12/24/13 COMM	15	3701 Windjammer Ln. Harbor Bay Marina Elec. repair	Stone Wood Investments	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/24/13	01/03/14	12/26/13
BLD2013-193	12/24/13 COMM	15	801 Zion Hills Circle Rockwall Bible Church - Remodel interior	ROCKWALL, BIBLE CHURCH	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/26/13	01/05/14	12/26/13
BLD2013-194	12/27/13 COMM	12	1210 Goliad Concrete ramp & sidewalk	YMCA, OF DALLAS	Ariana Hargrove	FIRE 972-772-6431		12/27/13	01/06/14	
PLB2013-034	12/30/13 COMM	9	3060 Ridge Rd. Water Heater Replacement - Community Bank	COMMUNITY, BANK OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431		12/30/13	01/09/14	
BLD2013-057	04/10/13 COMM	273	4450 Tubbs Rd Lakeside Surgery Medical Office Bldg	ROCKWALL, REGIONAL HOSPITAL LLP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/31/13	01/10/14	12/31/13

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 12/1/2013 thru 12/31/2013

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2013-196	12/31/13	8	4450 Tubbs Rd	ROCKWALL, REGIONAL HOSPITAL LLP	Ariana Hargrove	FIRE 972-772-6431		12/31/13	01/10/14	
	COMM		Lakeside Surgery - Irrigation							
CO2013-0163	12/31/13	8	3084 Goliad St N, 104	CRESTVIEW REAL ESTATES	Ariana Hargrove	FIRE CO	APPROVED	12/31/13	01/03/14	12/31/13
	CO		Paradise Tan & Spa							
PLB2013-034	12/31/13	8	331 COUNTY LINE RD	BUFFALO, CREEK BUSINESS PARK LTD	Ariana Hargrove	FIRE 972-772-6431		12/31/13	01/10/14	
	COMM		GAS LINE TO FURNACE							

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 12/1/2013 thru 12/31/2013

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
CIP2013-013	08/27/2013		CAPITAL IMPROVEMENT	134	Tim Tumulty CITY ENGINEER	COMMENTS 12/9/2013
CIP2013-013	08/27/2013		CAPITAL IMPROVEMENT	134	Kathleen Moreno ENG-ENGINEER	COMMENTS 12/9/2013
CIP2013-013	08/27/2013		CAPITAL IMPROVEMENT	134	Bruce Hanby ENG-TECH	COMMENTS 12/9/2013
CIP2013-013	08/27/2013		CAPITAL IMPROVEMENT	134	Amy Williams ENGINEERING	COMMENTS 12/9/2013
CIP2013-013	08/27/2013		CAPITAL IMPROVEMENT	134	Curtis McAden WATER DEPARTMEN	COMMENTS 12/9/2013
CIP2013-014	09/09/2013		CAPITAL IMPROVEMENT	121	Amy Williams ASSISTANT CITY ENC	COMMENTS 12/11/2013
CIP2013-014	09/09/2013		CAPITAL IMPROVEMENT	121	Tim Tumulty CITY ENGINEER	APPROVED 12/16/2013
CIP2013-014	09/09/2013		CAPITAL IMPROVEMENT	121	Kathleen Moreno ENG-ENGINEER	COMMENTS 12/16/2013
CIP2013-014	09/09/2013		CAPITAL IMPROVEMENT	121	Bruce Hanby ENG-TECH	APPROVED 12/10/2013
CIP2013-014	09/09/2013		CAPITAL IMPROVEMENT	121	Steve Clawson SEWER DEPARTMEN	
CIP2013-014	09/09/2013		CAPITAL IMPROVEMENT	121	Billy Chaffin STREET DEPARTMEN	
CIP2013-021	12/16/2013		CAPITAL IMPROVEMENT	23	Kathleen Moreno ENG-ENGINEER	COMMENTS 12/31/2013
CIP2013-021	12/16/2013		CAPITAL IMPROVEMENT	23	Amy Williams ASSISTANT CITY ENC	COMMENTS 12/24/2013
CIP2013-021	12/16/2013		CAPITAL IMPROVEMENT	23	Bruce Hanby ENG-TECH	COMMENTS 12/31/2013

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City of Rockwall
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For the Period 12/1/2013 thru 12/31/2013

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CIP2013-021	12/16/2013		CAPITAL IMPROVEMENT	23	Billy Chaffin STREET DEPARTMEN	COMMENTS 12/20/2013
CIP2013-021	12/16/2013		CAPITAL IMPROVEMENT	23	Tim Tumulty CITY ENGINEER	APPROVED 1/2/2014
E2013-033	11/20/2013		ENGINEERING HWY276	49	Amy Williams ASSISTANT CITY ENC	COMMENTS 12/31/2013
E2013-033	11/20/2013		ENGINEERING HWY276	49	Kathleen Moreno ENG-ENGINEER	COMMENTS 12/31/2013
E2013-033	11/20/2013		ENGINEERING HWY276	49	Bruce Hanby ENG-TECH	COMMENTS 12/31/2013
E2013-033	11/20/2013		ENGINEERING HWY276	49	Ariana Hargrove FIRE	COMMENTS 12/27/2013
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	36	Amy Williams ASSISTANT CITY ENC	COMMENTS 12/4/2013
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	36	Tim Tumulty CITY ENGINEER	COMMENTS 12/9/2013
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	36	Ariana Hargrove ENG - FIRE	COMMENTS 12/4/2013
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	36	Kathleen Moreno ENG-ENGINEER	COMMENTS 12/4/2013
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	36	Bruce Hanby ENG-TECH	COMMENTS 12/4/2013
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	36	Billy Chaffin STREET DEPARTMEN	APPROVED 12/9/2013
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	36	Curtis McAden WATER DEPARTMEN	APPROVED 12/3/2013
E2013-036	12/20/2013		ENGINEERING RALPH HALL PKWY	19	Tim Tumulty CITY ENGINEER	APPROVED 1/2/2014
E2013-036	12/20/2013		ENGINEERING RALPH HALL PKWY	19	Ariana Hargrove ENG - FIRE	COMMENTS 12/27/2013

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 12/1/2013 thru 12/31/2013

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E2013-036	12/20/2013		ENGINEERING RALPH HALL PKWY	19	Kathleen Moreno ENG-ENGINEER	COMMENTS 12/31/2013
E2013-036	12/20/2013		ENGINEERING RALPH HALL PKWY	19	Bruce Hanby ENG-TECH	COMMENTS 12/31/2013
E2013-036	12/20/2013		ENGINEERING RALPH HALL PKWY	19	Curtis McAden WATER DEPARTMEN	APPROVED 12/31/2013
E2013-036	12/20/2013		ENGINEERING RALPH HALL PKWY	19	Amy Williams ASSISTANT CITY ENC	COMMENTS 12/24/2013
P2013-040	12/05/2013		PLAT	34	Amy Williams ENGINEERING	COMMENTS 12/11/2013
P2013-040	12/05/2013		PLAT	34	John Shannon BUILDING	APPROVED 12/10/2013
P2013-040	12/05/2013		PLAT	34	Ariana Hargrove FIRE	APPROVED 12/12/2013
P2013-040	12/05/2013		PLAT	34	JoDee Sanford PLANNING	COMMENTS 12/17/2013
P2013-042	12/20/2013		PLAT SHADY DALE LN	19	John Shannon BUILDING	APPROVED 12/24/2013
P2013-042	12/20/2013		PLAT SHADY DALE LN	19	Amy Williams ENGINEERING	APPROVED 12/23/2013
P2013-042	12/20/2013		PLAT SHADY DALE LN	19	David Gonzales PLANNING	COMMENTS 12/23/2013
P2013-042	12/20/2013		PLAT SHADY DALE LN	19	Ariana Hargrove FIRE	APPROVED 12/24/2013
P2013-043	12/20/2013		PLAT Ridge Road	19	Ryan Miller PLANNING	APPROVED W/ 12/23/2013
P2013-043	12/20/2013		PLAT Ridge Road	19	John Shannon BUILDING	APPROVED 12/24/2013
P2013-043	12/20/2013		PLAT Ridge Road	19	Amy Williams ENGINEERING	COMMENTS 12/23/2013

CRW SYSTEMS

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For the Period 12/1/2013 thru 12/31/2013

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
P2013-043	12/20/2013		PLAT	19	Ariana Hargrove	APPROVED
			Ridge Road		FIRE	12/24/2013
SP2013-002	01/18/2013		SITE PLAN	355	John Shannon	APPROVED
			RIDGE RD		BUILDING	12/3/2013
SP2013-002	01/18/2013		SITE PLAN	355	David Gonzales	COMMENTS
			RIDGE RD		PLANNING	12/9/2013
SP2013-002	01/18/2013		SITE PLAN	355	Ariana Hargrove	APPROVED W/
			RIDGE RD		FIRE	12/3/2013
SP2013-002	01/18/2013		SITE PLAN	355	Amy Williams	COMMENTS
			RIDGE RD		ENG-ENGINEER	12/4/2013
SP2013-025	10/18/2013		SITE PLAN	82	Ariana Hargrove	APPROVED
			970 E I30		FIRE	12/10/2013
SP2013-028	11/19/2013		SITE PLAN	50	Ariana Hargrove	APPROVED
			JEFF BOYD CIR		FIRE	12/5/2013
SP2013-028	11/19/2013		SITE PLAN	50	Amy Williams	COMMENTS
			JEFF BOYD CIR		ENGINEERING	12/5/2013
SP2013-028	11/19/2013		SITE PLAN	50	John Shannon	APPROVED
			JEFF BOYD CIR		BUILDING	12/9/2013
SP2013-029	11/26/2013		SITE PLAN	43	Ariana Hargrove	COMMENTS
			RALPH HALL PKWY		FIRE	12/12/2013
SP2013-029	11/26/2013		SITE PLAN	43	Amy Williams	APPROVED
			RALPH HALL PKWY		ENGINEERING	12/9/2013
SP2013-029	11/26/2013		SITE PLAN	43	John Shannon	APPROVED
			RALPH HALL PKWY		BUILDING	12/9/2013
SP2013-029	11/26/2013		SITE PLAN	43	David Gonzales	COMMENTS
			RALPH HALL PKWY		PLANNING	12/12/2013
SP2013-030	12/17/2013		SITE PLAN	22	John Shannon	APPROVED
			602 S GOLIAD		BUILDING	12/20/2013
SP2013-030	12/17/2013		SITE PLAN	22	JoDee Sanford	COMMENTS
			602 S GOLIAD		PLANNING	12/18/2013

CRW SYSTEMS

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For the Period 12/1/2013 thru 12/31/2013

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
SP2013-030	12/17/2013		SITE PLAN 602 S GOLIAD	22	Ariana Hargrove FIRE	APPROVED 12/23/2013
SP2013-030	12/17/2013		SITE PLAN 602 S GOLIAD	22	Amy Williams ENGINEERING	COMMENTS 12/17/2013
SP2013-031	12/20/2013		SITE PLAN HORIZON RD	19	Amy Williams ENGINEERING	APPROVED W/ 12/23/2013
SP2013-031	12/20/2013		SITE PLAN HORIZON RD	19	John Shannon BUILDING	APPROVED 12/24/2013
SP2013-031	12/20/2013		SITE PLAN HORIZON RD	19	Ryan Miller PLANNING	APPROVED W/ 12/24/2013
SP2013-031	12/20/2013		SITE PLAN HORIZON RD	19	Ariana Hargrove FIRE	APPROVED W/ 12/24/2013

CRW SYSTEMS

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2013 Points of Pride
Rockwall Fire Department
Prepared by: Chief Poindexter

OVERVIEW

The 2013 calendar year was another very busy year for the Rockwall Fire Department. Our calls were up 3.87% in the City and down 42.86% in the County. As always, the volunteers and full-time members of this department worked very hard, did an excellent job for the city and its citizens, and achieved many goals within the year. As a Combination Department we continue to work with a limited paid staff to supplement the volunteers of the department. Operating four fire stations with three Captains, ten drivers and part-time drivers is very challenging and we will be evaluating the future staffing levels in the first quarter of 2014. We currently have one person on shift duty at Station 3 & 4. We have two persons on duty at Station 1. Station 2 only has two on duty on one of the three shifts and we are working to fill the two open spots, so that we have two on each shift at Station 2. I am excited about the New Year. The City Council and City staff have assisted this department in making major changes that will produce many positive effects in the years to come. The Fire Department is off to a busy start in 2014.

TRAINING & INCENTIVES

The Battalion Chief continues to have positive effects on the level of training among fire department personnel.

Training Highlights

- Twice monthly training sessions
- Fire training schools at Texas A & M
- Basic Wildland Firefighting Certification
- 168 certifications held among our firefighters
- 23 different types of certifications
- 34 Certified firefighters

Incentives at a Glance

- Provide tuition for State Firefighter certification and Emergency Medical Technician certification
- Incentive to attend week long training courses
- VFIS accident/injury insurance
- Workers compensation coverage
- Credit on monthly water bills
- Higher education certification pay
- Pay per call incentive
- Retirement program
- Incentive for receiving State Firefighter Certification & EMT Certifications
- Recruiting incentive
- Recruit training incentive
- Driver shift pay
- Longevity pay

STAFFING

As you are aware, the Rockwall Fire Department can have up to forty-nine volunteer firefighters. Currently we have:

- Fire Chief
- Battalion Chief
- 3 Captains
- 10 Driver/Operators
- 2 vacant Driver/Operator positions
- Fire Marshal
- 3 Fire Inspectors/Arson Investigators/Firefighters
- 16 Part-time Driver/Operators (8 full-time paid in other cities)
- 13 volunteers
- 1 Administrative Assistant
- 1 Administrative Technician

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RECRUITING & RETENSION

The number of applications submitted in 2012 decreased by 1 from 2011, from 18 to 17 this year. This continues to be a priority for our department as we look for ways to recruit new volunteers.

Recruiting Results:

- 34 volunteers at beginning of year
- 11 volunteers left the volunteer force during the year
- We had 20 applications in the process at the start of year
- We received 40 applications during the year
- 12 applications currently being processed or awaiting Physical Agility Testing or Oral Review Board
- 42 applicants were rejected or withdrew from process
- 6 became new members
- 29 total volunteers at end of the year

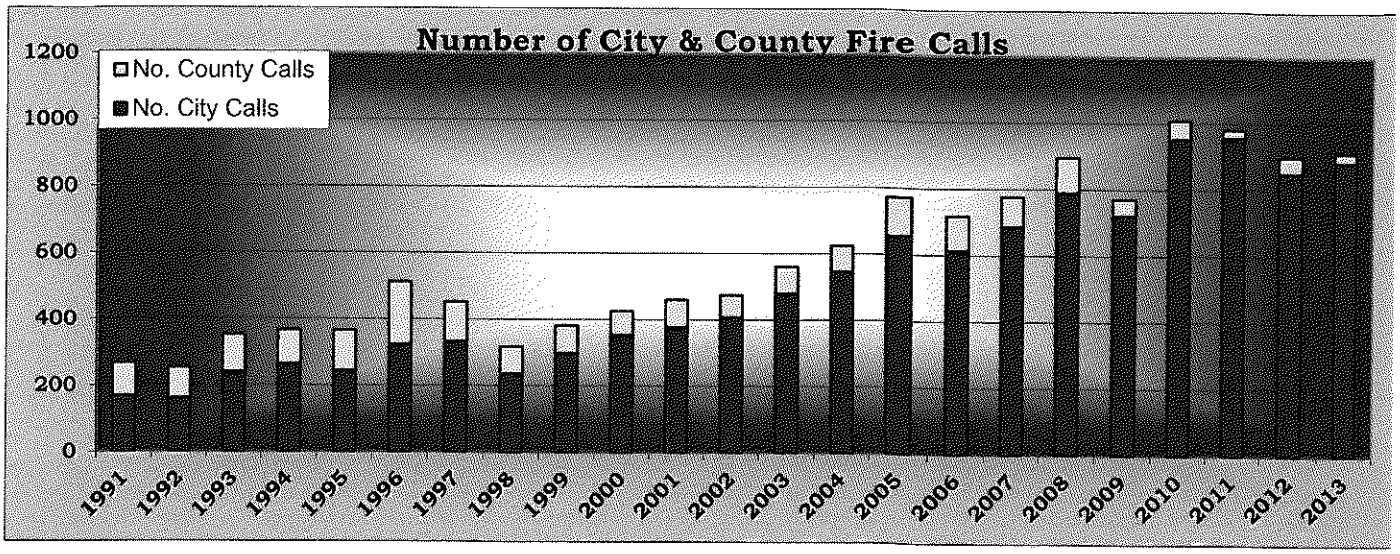
Retention Results:

- 3 volunteers resigned during the year

STATISTICS

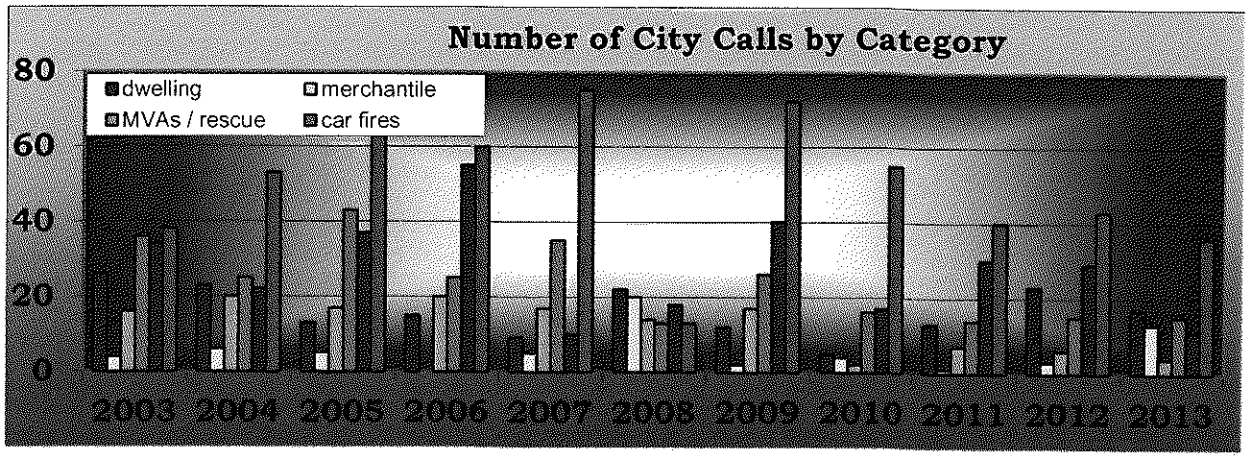
Fire Calls

In 2013, the Rockwall Fire Department answered 885 calls in the City and 28 calls in the County for a total of 913 calls. Of those calls, 11 of the 913 calls were mutual aid calls. City calls were up, but County calls were down, so overall we increased call volume by 12 calls, or 1.315%



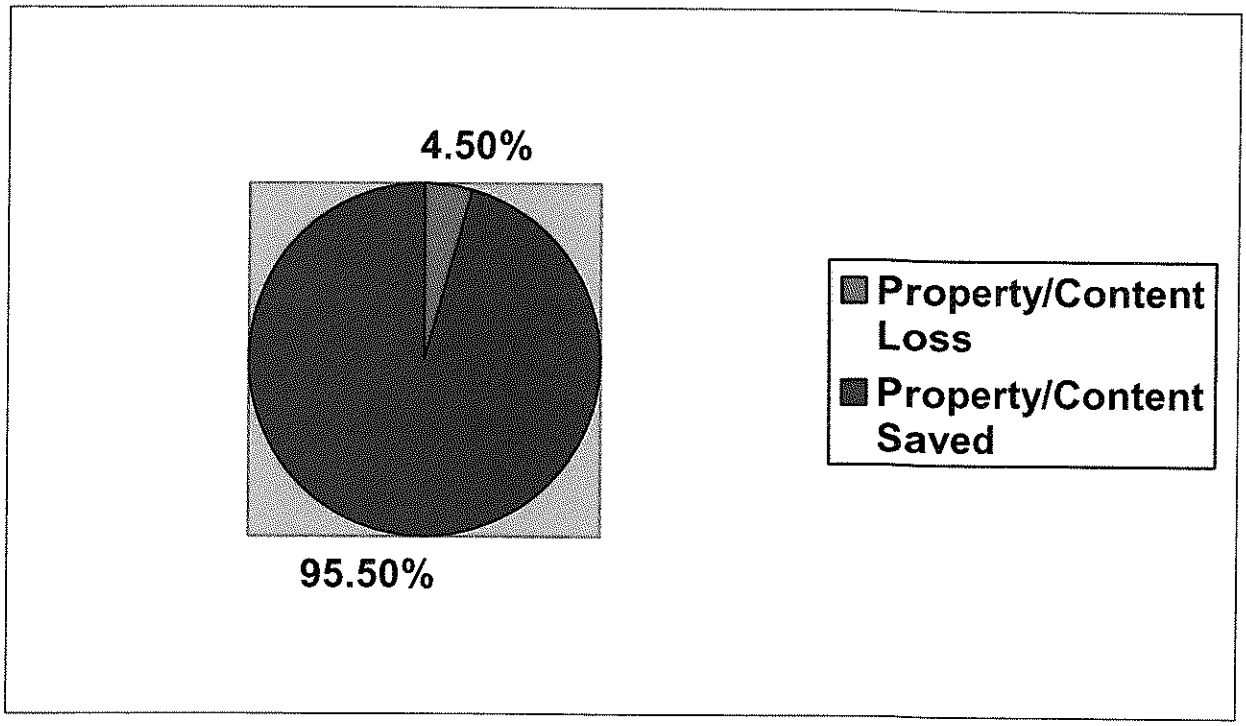
Manpower
During 2013, we maintained the average manpower of 15.86 firefighters on structure fire calls within the City.

Our target is to have at least 24 firefighters available for any type of structure fire. Therefore we fell short of meeting the target for 2013 by 8.14 firefighters.



The pre-incident value of property involved in a fire incident in the City was $3,526,807.00 and the pre-incident value of content involved in a fire incident in the City was $13,718,980.20 for a total of $17,245,787.20. The property lost in a fire was valued at $539,144.90 and the content lost in a fire was valued at $237,438.94.

In 2013 the Fire Department saved $2,987,662.10 in property and $13,481,541.26 in content in the City of Rockwall. The amount of property/content loss was 4.5% of the pre-incident value and the amount of property/content saved was 95.5%.



ISO

We are very proud that we were able to achieve our Goal in 2013 by lowering our Class 3 Public Protection Class Rating to a PPC Rating of Class 2. This is done by using the Fire Suppression Rating Schedule and taking an in-depth look into the dispatching, water system, fire department and prevention programs within our community. The Citizens should start seeing the great benefits through the lowering of their insurance premiums as their policies renew.

Response Time

Response time criteria was set by Council with goals of achieving them 90% of the time in City fire boxes with stations, 60% of the time in City fire boxes without stations and 60% of the time in the County and Mutual Aid fire boxes. The criteria set forth by Council for enroute times is 1 ½ minutes in the City and County. The criterion for arrival time is 6 minutes in the City and 10 minutes in the County. The criteria set forth for overall response time is 7 ½ minutes in the City and 11 ½ minutes in the County. Response times are tracked by boxes, involving those in the City where we have stations versus those in the City where there are no stations. Also we track the County and mutual aid response times and boxes separately.

In 2013, we met the enroute criteria in the City overall 90.48% of the time. We met the enroute criteria for the County and Mutual Aid areas 77.27% of the time. The arrival criterion in the city overall was 88.25%. The arrival criterion in the County and Mutual Aid boxes was met at 86.36%. The response time criterion in the City Overall was met at 91.98%. The response time criterion in the County and Mutual Aid box districts was met at 86.36%.
This chart shows the response times percentages under the criteria set by Council in the Balanced Scorecard Measures.

	En Route	Arrival	Response	Goal	Status
City limits - boxes with stations	89.49%	92.04%	94.32%	90%	Not Achieved
City limits - boxes without station	98.00%	60.42%	74.46%	60%	Achieved
County & Mutual Aid Area	77.27%	86.36%	86.36%	60%	Achieved

Fire Marshal's Office

The Fire Marshal's Office is responsible for community Fire Prevention Education, Fire & Building Codes Enforcement, Business & Building Pre Incident Planning, and Fire/Arson Investigations. The Rockwall Fire Marshal's Office strives to provide the best service possible to the City of Rockwall and its customers in all we do.

Fire Prevention Education

An essential component of the service that the Fire Marshal's Office provides to our customers is Fire Prevention. The Fire Marshal's Office focuses on educating the community about the benefits of proper safety practices and identifying and eliminating all types of hazardous conditions, which pose a threat to life, the environment, and property.

Annual Fire Department Open House

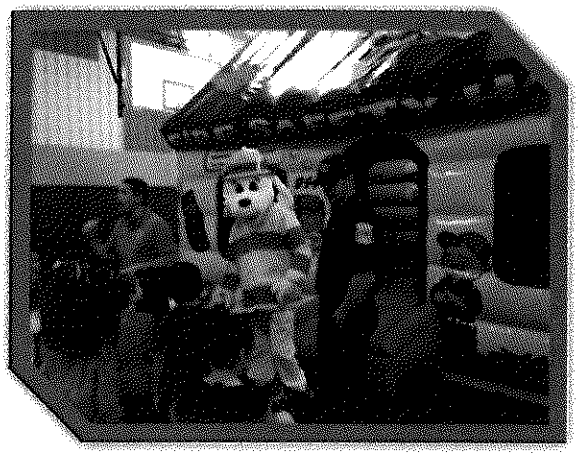
The Fire Marshal's Office is responsible for organizing and managing our annual Fire Department Open House. This year we hosted our 10th annual event. We opened Fire Station #2 to our citizens who wanted to learn more about their fire department. The event was a lot of fun and educational too.





Fire Prevention Month

We continued our partnership with the Rockwall Independent School District on the injury prevention Risk Watch program,

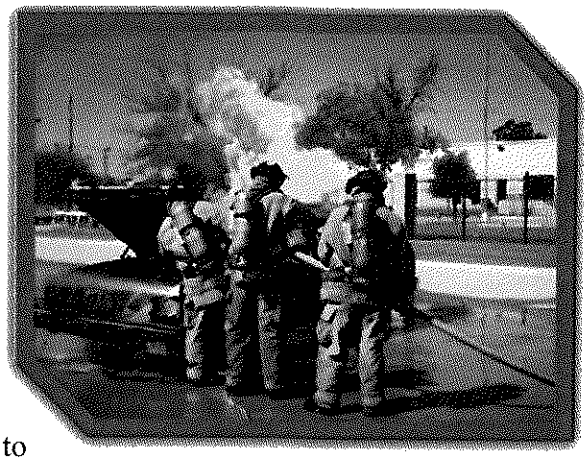


Fire Prevention Month

We continued our partnership with the Rockwall Independent School District on the injury prevention Risk Watch program, focusing this year on cooking safety. We visited 11 elementary schools with our interactive Fire Safety Games, new Sparky the Fire Dog (purchased with a grant from Firehouse Subs) and new inflatable fire safety house (purchased with a grant from FEMA). With this program we directly educated over 7,000 children in the community of Rockwall.

Citizen's Fire Academy

The Fire Marshal's Office host a free educational program called Rockwall Citizen's Fire Academy once a year for Rockwall citizens and those who work in Rockwall giving them an insider's look at firefighter training involving structural firefighting, fire investigations, and fire prevention, plus hands-on experience in emergency operations. The academy includes classes about various fire department activities and all classes include a hands-on activity each night. Climb a ladder truck, investigate a fire scene, use a fire extinguisher, drag a fire hose, wear all the gear, use the rescue tools to cut apart a vehicle, experience firefighter life inside a fiery building, do the same things Rockwall firefighters do while they train to rescue citizens from burning buildings.



Community Emergency Response Team

The Fire Marshal's Office manages and conducts training for our CERT program to promote a partnering effort between emergency services and the people they serve. The goal is for emergency personnel to provide training in basic response skills to volunteer members from our neighborhoods, community organizations and workplaces. CERT members learn basic emergency skills, such as first aid, CPR, triage, fire suppression, utilities management, communications, and traffic/crowd control. In addition, the CERT team provides rehab services to the fire department during large



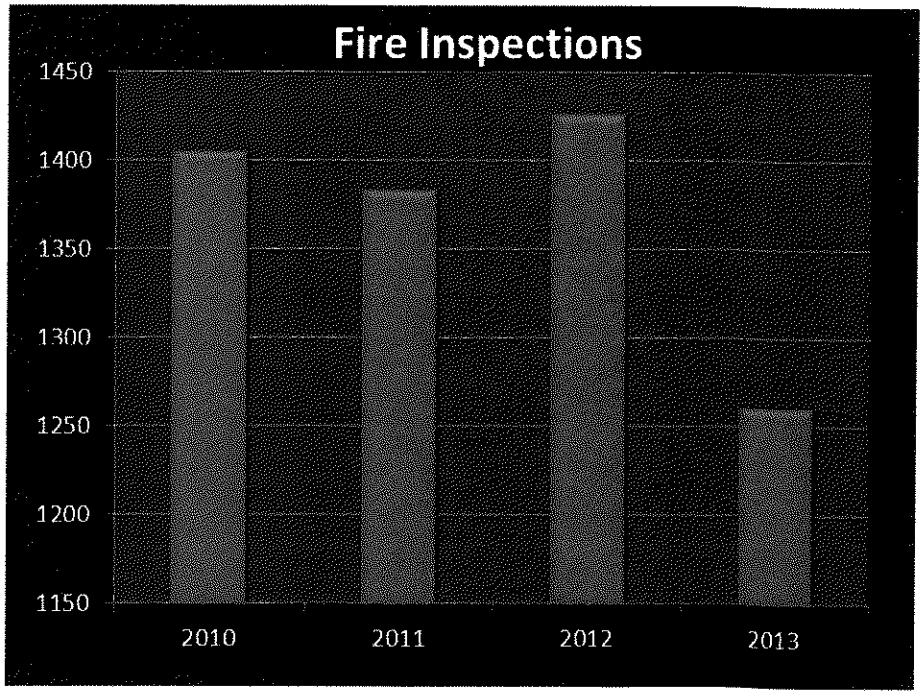
emergency events, assist with Traffic/crowd control, First aid stations, and helps with Lost Child services at various community events. This year we have expanded our community efforts by partnering with East Texas CERT, a group serving our surrounding counties. The joint effort has led to increased training opportunities and resources.

Fire & Building Codes Enforcement Program

Code enforcement is a critical element in the success of fire prevention programs. Almost every aspect of a thorough fire prevention program is affected by code enforcement in some way. It plays a major role in fire and life safety inspections, plans review, hazardous materials and environmental investigations, and the issuance of fire code permits.

Fire Inspections

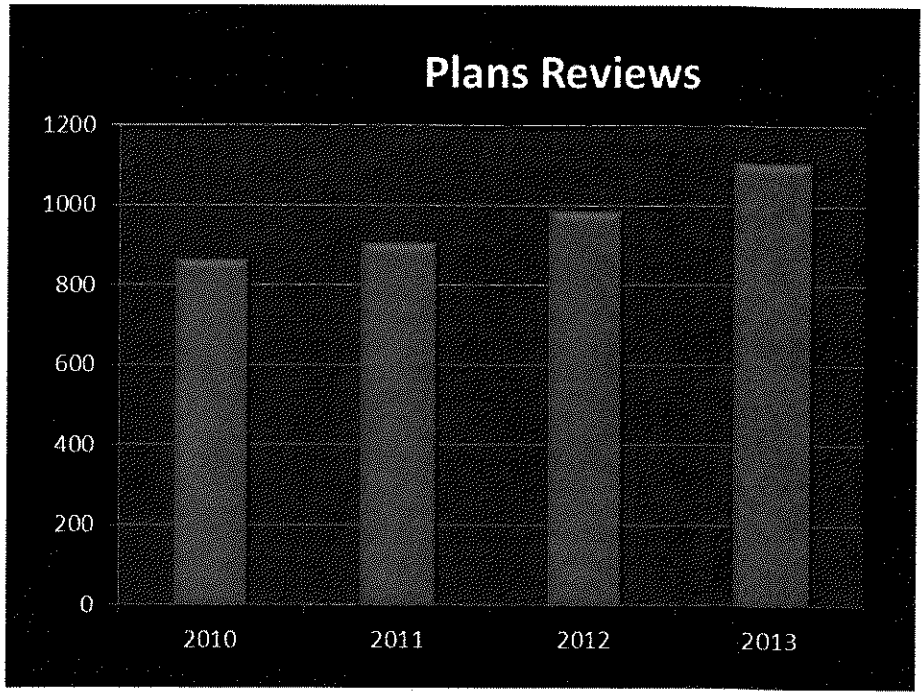
The Fire Marshal's Office is involved in the inspection process from the very beginning of a building development until the day the building opens to the public, and then at least every year thereafter. The Fire Marshal's Office conducts inspections during the Site/Civil phase, Building Construction Phases, and during building modifications. In addition, the Fire Marshal's Office conducts annual inspections in existing occupancies, State Mandated Licensing Inspections, Special Events Inspection, and other specialized permit inspections such as for Hazardous Materials and Rack Storage.



Plan Reviews

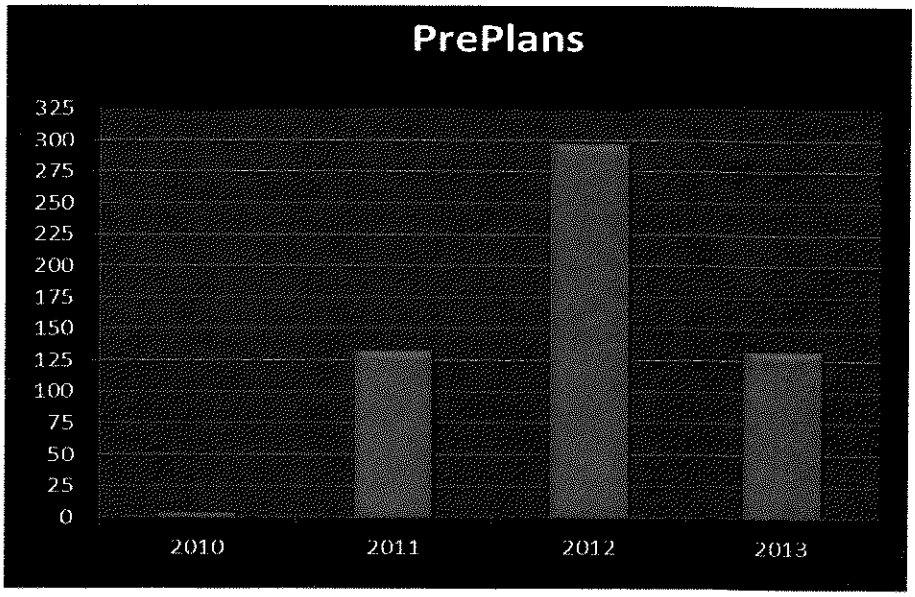
The Fire Marshal's Office plays a key role in the development process within the City of Rockwall. The Fire Marshal's Office is involved from the very early stages all the way until the opening day of a building and the business that occupies it, from concept to certificate of occupancy. The Fire Marshal's Office reviews Zoning Cases, Site Plans, Specific Use

Permits, Site/Civil Engineering Plans, Building Plans, Fire Protection Systems Plans, and Special System Plans such as electronic locking systems, Hazardous Materials, and High-Rack Storage Permits. In addition, The Fire Marshal's office is involved in the Special Event permitting process.



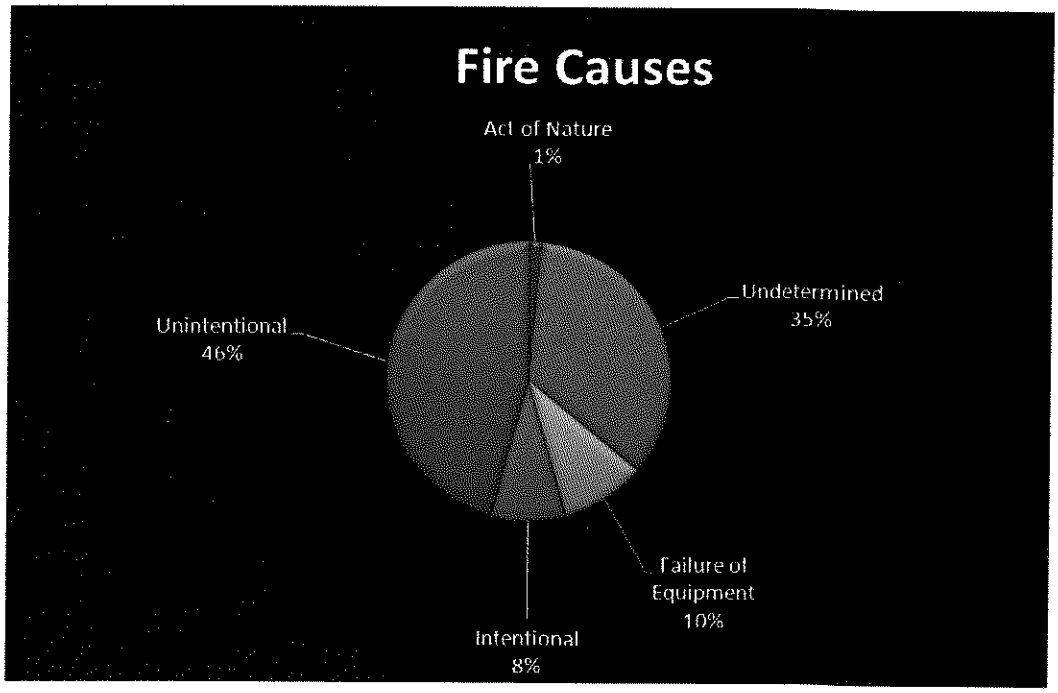
Building & Business Pre Incident Planning

In the last quarter of 2010, we began a new Building and Business Pre-Incent Planning Program. The Rockwall Fire Department is responsible to conduct Pre-Incident Plans, or pre-plans, on every commercial occupancy. Every building and business that is considered commercial property has a record in our reporting software. This program allows for vital information to be available to responding firefighters and the Incident Commander at all incidents.



Fire Investigations

The Fire Marshal's Office conducted 72 investigations to determine the cause. The investigators interview witnesses, collect evidence, write reports, and process cases all the way to the DA's office for prosecution if needed.



CITY RESPONSE
ANNUAL 2013

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %	89.49%	CRITERIA MET %	98.00%
CRITERIA -ACHIEVE RESPONSE TIME	315 of 352	CRITERIA -ACHIEVE RESPONSE TIME	46 of 47
90% OF TIME IN BOXES WITH STATIONS	CRITERIA NOT MET	60% OF TIME IN BOXES WITH STATIONS	CRITERIA MET
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	92.04%	CRITERIA MET %	60.42%
CRITERIA -ACHIEVE RESPONSE TIME	324 of 352	CRITERIA -ACHIEVE RESPONSE TIME	29 of 48
90% OF TIME IN BOXES WITH STATIONS	Criteria Met	60% OF TIME IN BOXES WITH STATIONS	CRITERIA MET
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES	94.32%	0-7 1/2 MINUTES	74.46%
CRITERIA MET%	332 OF 352	CRITERIA MET%	35 of 47
CRITERIA -ACHIEVE RESPONSE TIME	CRITERIA MET	CRITERIA -ACHIEVE RESPONSE TIME	CRITERIA MET
90% OF TIME IN BOXES WITH STATIONS		60% OF TIME IN BOXES WITH STATIONS	

COUTY AND MUTUAL AID RESPONSES
ANNUAL 2013

ROCKWALL COUNTY	
	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	77.27%
CRITERIA -ACHIEVE RESPONSE TIME	17 or 22
60% OF TIME IN BOXES WITH STATIONS	CRITERIA MET
	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	86.36%
CRITERIA -ACHIEVE RESPONSE TIME	19 of 22
60% OF TIME IN BOXES WITH STATIONS	CRITERIA MET
	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	86.36%
CRITERIA -ACHIEVE RESPONSE TIME	19 of 22
60% OF TIME IN BOXES WITH STATIONS	CRITERIA MET

TOTAL OPERATIONAL
COST PER YEAR
1990-2013

YEAR	GENERAL FUND	FIRE EQUIP. FUND	FIRE EQUIP. DEPRECIATED	TOTAL OPERATIONAL COST
1990-1991	85,391.00	0	19,576.25	104,967.25
1991-1992	74,020.00	124.00	19,576.25	93,720.25
1992-1993	99,006.00	4,655.00	19,576.25	123,237.25
1993-1994	87,128.00	21,543.00	19,576.25	128,247.25
1994-1995	80,394.00	12,648.00	19,576.25	112,618.25
1995-1996	110,075.00	54,877.00	19,576.25	184,528.25
1996-1997	131,717.00	14,585.00	46,275.25	192,577.25
1997-1998	141,035.13	19,300.28	46,275.25	206,610.66
1998-1999	176,353.51	3,896.37	67,020.63	247,270.51
1999-2000	232,350.11	190,974.08	83,838.63	507,162.82
2000-2001	310,562.69	153,434.80	89,692.79	553,690.28
2001-2002	446,327.14	33,128.39	94,582.04	574,037.57
2002-2003	830,566.61	35,660.43	94,582.04	960,809.08
2003-2004	960,205.96	98,699.53	116.226.49	1,058,905.49
2004-2005	1,095,123.80	122,320.71	107,627.64	1,325,072.10
2005-2006	1,237,836.64	91,935.14	108,336.99	1,438,108.70
2006-2007	1,334,544.70	163,705.79	156,705.24	1,654,955.73
2007-2008	1,449,026.24	70,747.93	156,705.24	1,676,479.41
2008-2009	1,615,569.80	127,789.35	194,217.74	1,937,576.89
2009-2010	2,061,423.72	172,720.60	194,217.74	2,428,362.06
2010-2011	2,142,091.11	23,073.74	174,659.98	2,339,824.83
2011-2012	2,303,951.24	137,898.90	174,659.98	2,616,510.12
2012-2013	2,440,340.42	99,729.09	228,930.78	2,769,000.29

TOTAL AVERAGE COST
PER FIRE CALL
1990 thru 2013

YEAR	TOTAL COST OPERATIONS	TOTAL FIRE CALLS CITY	TOTAL FIRE CALLS COUNTY	TOTAL FIRE CALLS FOR YEAR	AVERAGE COST PER FIRE CALL
1990-1991	104,967.25	168	99	267	393.13
1991-1992	93,720.25	161	92	253	370.43
1992-1993	123,237.25	241	111	352	350.10
1993-1994	128,247.25	264	102	366	350.40
1994-1995	112,618.25	244	121	365	308.54
1995-1996	184,528.25	324	188	512	360.40
1996-1997	192,577.25	333	119	452	426.05
1997-1998	206,610.66	236	82	318	649.71
1998-1999	247,270.51	298	84	382	647.30
1999-2000	507,162.82	354	71	425	1193.32
2000-2001	553,690.28	376	82	458	1208.93
2001-2002	574,037.57	408	66	474	1211.05
2002-2003	960,809.08	481	79	560	1715.73
2003-2004	1,058,905.49	545	78	623	1699.69
2004-2005	1,325,072.10	656	116	772	1716.41
2005-2006	1,438,108.70	614	104	718	2,002.93
2006-2007	1,654,955.73	687	90	777	2,129.93
2007-2008	1,676,479.41	791	105	896	1,871.07
2008-2009	1,937,576.89	721	50	771	2,513.07
2009-2010	2,428,362.06	950	56	1006	2,413.88
2010-2011	2,339,824.83	958	24	982	2,382.71
2011-2012	2,616,510.12	852	49	901	2,904.01
2012-2013	2,769,000.29	885	28	913	3,032.86

EQUIPMENT
DEPRECIATION
2013

CAPITAL EQUIPMENT	NEW COST	# YRS. DEP.	AMOUNT DEP. PER YEAR
1999 PUMPER	215,276.00	20	10,763.80
1999 RESCUE/PUMPER	217,313.00	20	10,865.65
1999 COMPUTER SOFTWARE	42,989.00	15	2,865.93
2000 SCBA	55,425.00	15	3,695.00
2001 BREATHING AIR SYSTEM	35,673.00	20	1,783.65
2001 SCBA	46,584.00	15	3,105.60
2004 FASATTACK GRASS TRUCK	129,472.00	20	6,473.60
2004 PUMPER	331,555.00	20	16,577.75
2004 3,500 GALLON TANKER	0/COUNTY FUNDED	20	0.00
2006 MOBILE COMMAND VEHICLE	$216,825 GRANT/$14,175 CITY FUND	20	708.75
2006 FASATTACK GRASS TRUCK	169,319.00	20	8,465.95
2006 PUMPER	399,023.00	20	19,951.15
2006 PUMPER	399,023.00	20	19,951.15
2009 100' LADDER	855,060.00	20	42,753.00
2012 100' PLATFORM	1,082,582.00	20	54,129.10
2012 E1 PUMPER	536,814.00	20	26,840.70
TOTAL YEARLY DEPRECIATION			228,930.78

COUNTY PAYMENT FOR FIRE CALLS
1984 THRU 2013

YEAR	PAYMENT RECEIVED FOR FIRE CALLS	PAYMENT RECEIVED FOR TRAINING	TOTAL $ RECEIVED	NUMBER CALLS	TOTAL AVERAGE $ RECEIVED PER CALL
1984	UNK.	0.00	UNK.	UNK.	50.00
1987	9075.00	0.00	9075.00	121	75.00
1988	12,500.00	0.00	12,500.00	150	83.33
1989	14,100.00	0.00	14,100.00	135	104.44
1990	14,100.00	0.00	14,100.00	143	98.60
1991	14,100.00	0.00	14,100.00	99	142.42
1992	14,100.00	0.00	14,100.00	92	153.26
1993	14,100.00	500.00	14,600.00	111	131.53
1994	14,100.00	500.00	14,600.00	102	143.13
1995	14,100.00	500.00	14,600.00	121	120.66
1996	40,000.00	0.00	40,000.00	188	212.76
1997	40,000.00	0.00	40,000.00	119	336.13
1998	40,000.00	0.00	40,000.00	82	487.8
1999	40,000.00	0.00	40,000.00	84	476.19
2000	50,000.00	0.00	50,000.00	71	704.22
2001	65,000.00	0.00	65,000.00	82	792.68
2002	65,000.00	0.00	65,000.00	66	984.84
2003	65,000.00	0.00	65,000.00	79	822.78
2004	78,000.00	0.00	78,000.00	78	1,000.00
2005	78,000.00	0.00	78,000.00	116	672.41
2006	93,600.00	0.00	93,600.00	104	900.00
2007	93,600.00	0.00	93,600.00	90	1,040.00
2008	93,600.00	0.00	93,600.00	105	891.43
2009	93,600.00	0.00	93,600.00	50	1872.00
2010	93,600.00	0.00	93,600.00	56	1671.43
2011	93,600.00	0.00	93,600.00	24	3900.00
2012	93,600.00	0.00	93,600.00	49	1910.20
2013	58,250.00	0.00	58,250.00	28	2080.36

SHORTAGE /OVERAGES FOR PAYMENT FOR
COUNTY CALLS
1990 THROUGH 2013

YEAR	AVERAGE CITY COST PER FIRE CALL	COUNTY AVERAGE PAYMENT PER FIRE CALL	PAYMENT OVER/UNDER DIFFERENCE	PERCENTAGE OF THE DIFFERENCE (POSTIVE NUMBERS REFLECT % CITY MADE UP AND NEGATIVE NUMBERS REFLECT % CITY WAS OVERPAID)
1990-1991	393.13	142.42	-250.71	63.8
1991-1992	370.43	153.26	-217.17	58.6
1992-1993	350.10	131.53	-218.57	62.4
1993-1994	350.40	143.13	-207.27	59.2
1994-1995	308.54	120.66	-187.88	60.9
1995-1996	360.40	212.76	-147.64	-41.0
1996-1997	426.05	336.13	-89.92	-21.1
1997-1998	649.71	487.80	-161.91	-24.9
1998-1999	647.30	476.19	-171.11	-26.4
1999-2000	1193.32	595.23	-598.12	-50.1
2000-2001	1208.93	704.22	-504.71	-41.7
2001-2002	1211.05	984.84	-226.21	-18.7
2002-2003	1715.73	866.67	-849.06	-49.5
2003-2004	1,699.69	1,000.00	-699.69	-41.2
2004-2005	1,716.41	672.41	-1,044.00	-60.8
2005-2006	2,002.93	900.00	-1,102.93	-55.1
2006-2007	2,129.93	1,040.00	-1,089.93	-51.2
2007-2008	1,871.07	891.43	-979.64	-52.4
2008-2009	2,513.07	1,872.00	-641.07	-25.5
2009-2010	2,413.88	1,671.43	-742.45	-30.8
2010-2011	2,382.71	3,900.00	1,517.29	63.7
2011-2012	2,904.01	1,910.20	-993.81	-34.2
2012-2013	3,032.86	2080.36	-952.50	-31.4

NUMBER VOLUNTEERS
AND
CERTIFICATIONS
ANNUAL 2013

YEAR	NUMBER PAID	NUMBER VOLUNTEERS	CERTIFIED VOLUNTEER FIREFIGHTERS	CERTIFIED PAID FIREFIGHTERS	EMERGENCY MEDICAL TECHNICIAN	PARAMEDIC	ECA	ATTENDING PAID ACADEMY
2013	17	29	2	35	20	15	2	0
2012	14	34	2	37	22	12	3	2
2011	14	35	3	34	20	10	3	0
2010	13	36	3	33	20	9	3	0
2009	13	37	3	32	18	10	3	2
2008	7	39	3	29	17	8	3	1
2007	7	38	3	27	16	7	3	0
2006	7	40	3	28	16	9	3	0
2005	6	42	3	29	14	11	4	1
2004	5	38	5	26	11	8	4	0
2003	5	36	2	21	9	7	4	4
2002	2	37	4	19	8	7	4	3
2001	1	33	6	16	7	7	3	1
2000	1	40	5	18	10	8	1	2
1999	0	40	7	17	11	8	0	0
1998	0	40	7	15	11	7	0	0
1997	0	40	8	10	5	7	0	0
1996	0	38	10	7	6	7	0	0
1995	0	35	13	7	2	7	0	0
1994	0	33	15	5	2	6	0	0
1993	0	33	10	5	2	5	0	0
1992	0	33	10	5	2	6	0	0
1991	0	33	UNK.	4	1	6	0	0

Total Dollar Losses

2013 CITY CALLS

City of Rockwall
The New Horizon

	Current	Last Year
Total Property Loss:	$539,144.90	$228,370.00
Total Content Loss:	$237,438.94	$155,862.00
Total Property Pre-Incident Value:	$3,526,807.00	$5,688,735.00
Total Contents Pre-Incident Value	$13,718,980.20	$10,534,570.00
Total Losses:	$776,583.84	$384,232.00
Total Value:	$17,245,787.20	$16,223,305.00

False Alarm Calls
Annual Report 2013

Total Alarms:	299(City and County)
Total False Alarms:	29

To: Chief Mark Poindexter
From: Battalion Chief Brett Merritt
Re: Applicant Status for 2013
Date: January 14, 2014.

2013 Beginning membership 34, current membership 29

1. **40** Total Applications received in 2013. Adams, Ashcraft, Baker, Barto, Bryan, Carter, Carter, Coates, Combs, Davis, Day, Dillard, Dower, Dudley, Gregory, Harvey, Houpt, Kelley, Leal, Lopez, McCormack, Moffat, Moreau, Najmabadi, Oloya, Oravsky, Osborn, Perez, Plexico, Poindexter, Points, Saliture, Stephens, Thorn, Vasquez, Waters,Wells, West, Wray.

2. **3** Applications withdrawn by the applicant: Poindexter, Plexico, Saliture

3. **2** applicants passed the PAT and then withdrew their applications: Ashcraft Moffat.

4. **1** applicants have been rejected due to issues that were found during the background check or oral review: Moreau.

5. **11** Applications were rejected due to applicants' failure to return phone calls or e-mail messages that were intended to schedule the applicant for the physical agility tests. I made multiple unsuccessful attempts to contact each applicant prior to this rejection: Carter, Coates, Dillard, Dudley, Harvey, Kelley, Leal, Perez, Waters, West, Wray.

6. **1** Applicant was disqualified due to confirming for and then failing to attend the PAT: Oloya

7. **30** Applicant were rejected due to not meeting residency requirements:

8. **9** Applicants are awaiting the next physical agility test: Baker, Barto, Bryan, Davis, Houpt, Lopez, Najmabadi, Orovsky, Vasquez.

9. **6** Applicants became recruits 2013: Day, Dower, Gregory, Points, Stephens, Thorn.

10. **1** Applicant is awaiting the oral review board. Wells

11. 2 Applicants have passed PAT and we are awaiting the return of background packet. Combs, McCormack

12. **1** member was removed from the department for failing to attend 25% of paged emergency calls for two years in a row. Colbert

13. **6** Volunteer Firefighters resigned from the department in 2012. Cruse, Walker, Whaley, Deleon, Gregory, Stephens.

14. **26** Scheduled Physical agility test/practice sessions. 10 were cancelled due to weather or no applicants for testing.

15. **0** volunteers are being placed on probation for failing to attend meet minimum response and training requirements for the year.

16. **4** Volunteer Firefighters were hired as full time driver operators.

2013 Structure Fire Report

6007 Volunteer Place

We responded to a report of a structure fire on December 08, 2013. The first unit arrived on scene and reported no smoke or flames visible from the outside. Upon entry into the residence firefighters discovered a small pile of trash and a cabinet on fire in the kitchen. The fire was quickly extinguished. Minimal damage was done to the residence and no firefighter injuries were reported on this incident.

Dispatch Time 12:45.55
Enroute Time 12:46.40
On scene Time 12:51.09
Clear Time 14:03.39

4 men on scene Not recorded
8 men on scene 12:59.18
12 men on scene 13:01.36

We had a total of 16 Firefighters on scene, 2 Chiefs and 3 apparatus.

2003 Ridge Road

We responded to a report of a fire at 2003 Ridge Rd on December 03, 2013. The first unit on scene arrived and reported heavy flames and smoke coming from one room of the structure. One dog was rescued from within the burning structure. There was major damage to the interior of the residence due smoke and heat. No firefighter injuries were reported on this incident.

Dispatch time: 10:02.56
Enroute time: 10:03.44
On scene time: 10:07.38
Clear time: 12:22.20

4 Men on scene 10:08.13
8 men on scene 10.12.15
12 men on scene 10:15.48

We had a total of 20 Firefighters on scene, 2 Chiefs and 3 apparatus.

609 Sunset Hill

We responded to a report of a fire at 609 Sunset Hill on November 24, 2013. The first unit on scene arrived and reported light smoke showing from the garage. Upon entry into the garage firefighters located a small smoldering fire that was emitting a large amount of

smoke. The fire was quickly extinguished. There was some damage to the interior of the residence due smoke and there was significant damage to the garage due to smoke and heat. No firefighter injuries were reported on this incident.

Dispatch time: 09:19.36
Enroute time: 09:21.04
On scene time: 09:24.00
Clear time: 10:31.20

4 Men on scene 09:27
8 men on scene 09:30
12 men on scene 09:32

We had a total of 16 Firefighters on scene, 2 Chiefs and 3 apparatus.

116 Windmill Ridge

We were dispatched to a report of a structure fire at 116 Windmill Ridge on October 12, 2013. First unit on arrived on scene and reported a smoke showing from the exterior of the residence. Upon further investigation a fire was determined to have been burning inside the residence and was mostly out upon our arrival. A significant amount of damage occurred to the interior of the residence due to smoke and heat from the fire.

Dispatch time: 20:10.35
Enroute time: 20:11.31
On scene time: 20:13.38
Clear time: 21:16.40

6-men on scene 20:20
8-men on scene not reported
12 men on scene 20:38

We had a total of 10 Firefighters on scene, 2 Chiefs, 3 apparatus and 1 Investigator.

214 Joe White

We responded to a report of a fire at 214 Joe White on October 06, 2013. The first unit on scene arrived and reported light smoke showing from the exterior. Upon entry into the residence and further investigation the firefighters discovered a fire which had started as a result of a candle left unattended. The fire was quickly extinguished. There was some damage to the residence due to water and fire. No firefighter injuries were reported on this incident.

Dispatch time: 18:08.58
Enroute time: 18:09.54
On scene time: 18:13.46

Clear time: 20:17.57

4 Men on scene 18:15
8 men on scene 18:18
12 men on scene 18:30

We had a total of 12 Firefighters on scene, 1 Chief and 3 apparatus.

2823 Tangleglen Drive

We were dispatched to a report of a structure fire at 2823 Tangleglen Drive on August 24, 2013. The first unit on scene arrived and reported smoke showing from the left front of the structure. The firefighters made a quick attack on the fire and were able to quickly douse the flames and bring the fire under control. No firefighter injuries were reported on this incident

Dispatch time: 03:11
Enroute time: 03:12
On scene time: 03:16
Clear time: 05:46

3-men on scene 03:18
8-men on scene not reported due to lack of manpower
12 men on scene 03:38

We had a total of 13 Firefighters on scene, 1 Chief, 3 apparatus and 1 Investigator.

2625 Discovery Blvd

We were dispatched to a report of a structure fire at 2625 Discovery Blvd on August 21, 2013. First unit on arrived on scene and reported a large commercial structure with heavy smoke inside. It was reported to the firefighters that a machine within the building was on fire. It was discovered upon investigation that filters within the machine had caught on fire. The fire was quickly extinguished and there was no damage to the structure.

Dispatch time: 22.31
Enroute time: 22.32
On scene time: 22.38
Clear time: 00:31

4-men on scene not reported
8-men on scene not reported
12 men on scene 22:49

We had a total of 18 Firefighters on scene, 2 Chiefs, 4 apparatus and 1 Investigator.

5909 Sceptre Drive

We responded to a report of a fire at 5909 Sceptre Drive on August 13, 2012. The first unit on scene arrived and reported no smoke showing from the exterior. Upon entry into the residence and further investigation the firefighters discovered a fire in the attic that was very difficult to access. Access was finally made from the exterior of this two story residence at which time visible flames began to show from the exterior. The fire was quickly extinguished. Their was some damage to the residence due to water and fire. No firefighter injuries were reported on this incident.

Dispatch time: 19:42
Enroute time: 19:43
On scene time: 19:47
Clear time: 21:38

No crew times were reported on this incident due to the call originally being dispatched as a smoke investigation only. It was not upgraded to a structure fire until later in the incident.

We had a total of 15 Firefighters on scene, 1 Chief, 6 Firefighters stand by at the station 2 Investigators and 3 apparatus respond to this scene.

1383 Hayward

We responded to a report of a structure fire at 1383 Hayward on July 20, 2013. The first unit on scene arrived and reported heavy smoke and fire showing from the garage of the structure. The first units on scene made a quick interior attack and prevented the fire from spreading to the main portion of the residence. The garage and a room over the garage suffered major damage as well as two cars that were in the garage. No firefighter injuries were reported on this incident.

Dispatch time: 17:39.55
Enroute time: 17:41.13
On scene time: 17:44.17
Clear time: 19:49.10

4-men on scene Not Reported
8-men on scene Not Reported
12 men on scene Not Reported

Crew times were not reported due to Captain making a quick attack on the fire and delay in arrival of Battalion Chief.

We had a total of 24 Firefighters on scene, 1 Chief, 3 apparatus and 1 Investigator.

305 Blanche Drive

We were dispatched to a report of a structure fire at 305 Blanche Drive on July 18, 2013. The first unit on scene arrived and reported heavy fire showing from the structure. Due to the condition of the structure and the lack of a water supply source, a defensive attack was made on the structure and it was a total loss. No firefighter injuries were reported on this incident

Dispatch time: 15:02.25
Enroute time: 15:03.24
On scene time: 15:09.19
Clear time: 17:16.41

4-men on scene 15:12
8-men on scene 15:18
12 men on scene 15:25

We had a total of 21 Firefighters on scene, 1 Chief, 3 apparatus and 3 Investigators.

114 Henry M. Chandler

We responded to a report of a fire at 114 Henry M Chandler on July 12, 2013. The first unit on scene arrived and reported light smoke from the exterior. Upon entry into the building firefighters discovered fire in the kitchen area of the residence. The fire was quickly extinguished by fire personnel and contained to the kitchen area only. The structured suffered minor smoke and water damage. No firefighter injuries were reported on this incident.

Dispatch time: 13:22
Enroute time: 13:23
On scene time: 13:28
Clear time: 14:20

4-men on scene not Reported
8-men on scene 13:32
12 men on scene not Reported

We had a total of 12 Firefighters on scene, 2 Firefighters stand by at the station 2 Investigators and 3 apparatus respond to this scene.

850 W. Rusk (Wal-Mart Neighborhood Market)

We responded to a report of a fire at 850 W. Rusk on June 22, 2013. The first unit on scene arrived and reported no smoke or fire showing from the exterior. Upon entry into the building firefighters discovered heavy smoke coming from the restroom area inside of the store. The fire sprinkler system was already activated and along with the firefighters

contained the fire to the area of origin within the restroom. The structured suffered minor smoke and water damage, however due the smoke the health inspector came and required some merchandise within the store to be destroyed. No firefighter injuries were reported on this incident.

Dispatch time: 13:42
Enroute time: 13:43
On scene time: 13:47
Clear time: 15:56

4-men on scene 13:51
8-men on scene 13:56
12 men on scene Not achieved

We had a total of 10 Firefighters, 2 Chiefs, 3 Investigators and 4 apparatus respond to this scene.

2002 S. Goliad

We responded to a report of a fire at 2002 S. Goliad on May 20, 2013. The first unit on scene arrived and reported no smoke or fire showing from the exterior. Upon further investigation a small amount of fire was located inside a wall of the building. The fire was quickly extinguished and only minor damage was done to the building No firefighter injuries were reported on this incident.

Dispatch time: 14:52
Enroute time: 14:53
On scene time: 14:55
Clear time: 16:58

4-men on scene 14:58
12 men on scene 15:03

We had a total of 21 Firefighters, 2 Chiefs and 3 apparatus respond to this scene.

594 Eva Place

We had a report of a structure fire at 594 Eva Place on May 01, 2013. The first unit arrived on scene and reported fire showing from the roof and side of the house. Firefighters made an interior attack on the house and quickly got the fire under control. The structure received major damage from the fire. No firefighter injuries were reported on this incident.

Dispatch time: 17:09
Enroute time: 17:10
On scene time: 17:14

Clear time: 19:16

4 men on scene: 17:20
8 men on scene: 17:26
12 men on scene: 17:28

We had a total of 15 firefighters, 2 Chiefs and 3 apparatus respond to this scene.

601 Monterey

We responded to a report of a fire at 601 Monterey Drive on March 24, 2013. The first unit on scene arrived and reported heavy fire showing from the first and second floors of the rear of the residence. Firefighters made an exterior attack with hand lines and elevated master stream to gain control of the fire and then made an interior attack to completely extinguish the fire. The residence received major damage due to fire and water. No firefighter injuries were reported on this incident.

Dispatch time: 04:21:50
Enroute time: 04:23:00
On scene time: 04:26:00
Clear time: 07:57:00

4-men on scene 04:31

We had a total of 15 Firefighters and 2 Chiefs on the initial response, 2 Investigators, 2 additional firefighters and two firefighters from Heath responded later in the incident.

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
DECEMBER 2013

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	4	4	0	100%
ADMINISTRATIVE SERVICES	2	2	0	100%
AIRPORT	3	3	0	100%
ANIMAL SERVICES	5	5	0	100%
BUILDING INSPECTIONS / CODE ENFORCEMENT	1	1	0	100%
ENGINEERING	5	4	1	80%
FINANCE	0	0	0	0%
FIRE DEPARTMENT	35	35	0	100%
INTERNAL OPERATIONS	138	138	0	100%
MUNICIPAL COURT	6	6	0	100%
PARKS & RECREATION	37	36	1	97%
PLANNING & ZONING	0	0	0	0%
POLICE DEPARTMENT	25	19	6	76%
PUBLIC WORKS	7	7	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	268	260	8	97%

CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
DECEMBER 2013

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT	0	0	0	100%
FIRE DEPARTMENT	4	4	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	1	1	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	7	7	0	100%
PUBLIC WORKS	4	4	0	100%
UTILITY BILLING	0	0	0	100%
HEATH DEPT. PUBLIC SAFETY	4	4	0	100%
HOSPITAL CONTROL STATIONS	0	0	0	100%
SYSTEM ISSUES	0	0	0	100%
TOTAL	20	20	0	100%

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Rockwall Police Department

Monthly Activity Report

December-2013

ACTIVITY	CURRENT MONTH DECEMBER	PREVIOUS MONTH NOVEMBER	YTD 2013	YTD 2012	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	1	1	**0.00%**
Rape	0	0	7	2	**250.00%**
Robbery	0	1	6	4	**50.00%**
Aggravated Assault	1	1	11	20	**-45.00%**
Burglary	3	7	93	130	**-28.46%**
Larceny	57	62	639	692	**-7.66%**
Motor Vehicle Theft	4	12	63	41	**53.66%**
TOTAL PART I	**65**	**83**	**820**	**890**	**-7.87%**
TOTAL PART II	**122**	**109**	**1475**	**1706**	**-13.54%**
TOTAL OFFENSES	**187**	**192**	**2295**	**2596**	**-11.59%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	11	9	162	118	**37.29%**
D.W.I.	15	16	203	324	**-37.35%**
TEEN CURFEW	4	0	12	40	**-70.00%**
ARRESTS					
FELONY	15	10	185	294	**-37.07%**
MISDEMEANOR	69	45	870	1262	**-31.06%**
WARRANT ARREST	19	16	312	434	**-28.11%**
JUVENILE	5	12	64	71	**-9.86%**
TOTAL ARRESTS	**108**	**83**	**1431**	**2061**	**-30.57%**
DISPATCH					
CALLS FOR SERVICE	1411	1390	16438	17156	**-4.19%**
ACCIDENTS					
INJURY	15	11	144	145	**-0.69%**
(INJURIES)	20	19	183	206	**-11.17%**
NON-INJURY	59	39	501	482	**3.94%**
FATALITY	0	0	2	2	**0.00%**
(FATALITIES)	0	0	2	2	**0.00%**
TOTAL	**74**	**50**	**647**	**629**	**2.86%**
FALSE ALARMS					
RESIDENT ALARMS	67	57	801	805	**-0.50%**
BUSINESS ALARMS	116	135	1328	1176	**12.93%**
TOTAL FALSE ALARMS	**183**	**192**	**2129**	**1981**	**7.47%**
Estimated Lost Hours	**120.78**	**126.72**	**1405.14**	**1307.46**	**7.47%**
Estimated Cost	**$2,873.10**	**$3,014.40**	**$33,425.30**	**$31,101.70**	**7.47%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**4**
Arrests	**7**
Arrest Warrants	**1**
Search Warrants	**4**
Seized	
Methamphetamine	1,508.3 grams
Marijuana	170 pounds
Heroin	10 grams
Firearms	4

Rockwall Police Department
Dispatch and Response Times
December 2013

Police Department

	Average Response Time	
Priority 1		Number of Calls **106**
Call to Dispatch	0:00:26	
Call to Arrival	0:05:10	
% over 7 minutes	20%	

	Average Response Time	
Priority 2		Number of Calls **211**
Call to Dispatch	0:00:28	
Call to Arrival	0:06:56	
% over 7 minutes	36%	

	Average Response Time	
Priority 3		Number of Calls **2**
Call to Dispatch	0:01:34	
Call to Arrival	0:14:43	
% over 7 minutes	50%	

***Priority 4** Number of Calls **1091**

****Priority 5** Number of Calls **1**

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

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

Fire Department

	Average Response Time	
Call to Dispatch	0:00:16	Number of Calls **150**
Call to Arrival	0:06:38	

Overages

Incident No.	Date	Time Rec'd	Call Type	Time Disp	Resp Time	Reason
2013-852	12/6/2013	05:24:08	Assist Other Agency	05:25:14	00:01:06	Ice Storm
2013-837	12/5/2013	18:52:35	Traffic Blocking	18:53:43	00:01:08	Ice Storm
2013-854	12/6/2013	05:31:20	Assist Other Agency	05:32:32	00:01:12	Ice Storm
2013-880	12/6/2013	16:16:43	Wire Down/Arc Transformer	16:17:58	00:01:15	Ice Storm
2013-878	12/6/2013	15:49:08	Wire Down/Arc Transformer	15:50:24	00:01:16	Ice Storm
2013-851	12/6/2013	05:12:49	Wire Down/Arc Transformer	05:14:34	00:01:45	Ice Storm
2013-881	12/6/2013	16:26:55	Wire Down/Arc Transformer	16:29:18	00:02:23	Ice Storm

Rockwall Police Department

Quarterly Crime Report

4th Quarter - 2013

Violent Crimes			
Month	**Total Violent Crimes**	**Population Estimate**	**Crime Index / 1000 population**
October-13	2	39,238	0.05
November-13	2	39,238	0.05
December-13	1	39,238	0.03
Average	**1.7**	**39,238**	**0.04**

Property Crimes			
Month	**Total Property Crimes**	**Population Estimate**	**Crime Index / 1000 population**
October-13	95	39,238	2.42
November-13	92	39,238	2.34
December-13	73	39,238	1.86
Average	**86.7**	**39,238**	**2.21**

Crime Index per 1,000 population			
Month	**Total Part I Crimes**	**Population Estimate**	**Crime Index**
October-13	81	39,238	2.1
November-13	83	39,238	2.1
December-13	66	39,238	1.7
Average	**76.7**	**39,238**	**2.0**

The City of Rockwall Crime Index is calculated by taking the UCR Part I crimes and comparing them with the City of Rockwall's estimated population.

Rockwall Police Department

Quarterly Crime Report

4th Quarter - 2013

Violent Crimes			
Month	**Total Violent Crimes**	**Population Estimate**	**Crime Index / 1000 population**
October-13	2	39,238	0.05
November-13	2	39,238	0.05
December-13	1	39,238	0.03
Average	**1.7**	**39,238**	**0.04**

Property Crimes			
Month	**Total Property Crimes**	**Population Estimate**	**Crime Index / 1000 population**
October-13	95	39,238	2.42
November-13	92	39,238	2.34
December-13	73	39,238	1.86
Average	**86.7**	**39,238**	**2.21**

Crime Index per 1,000 population			
Month	**Total Part I Crimes**	**Population Estimate**	**Crime Index**
October-13	81	39,238	2.1
November-13	83	39,238	2.1
December-13	66	39,238	1.7
Average	**76.7**	**39,238**	**2.0**

The City of Rockwall Crime Index is calculated by taking the UCR Part I crimes and comparing them with the City of Rockwall's estimated population.

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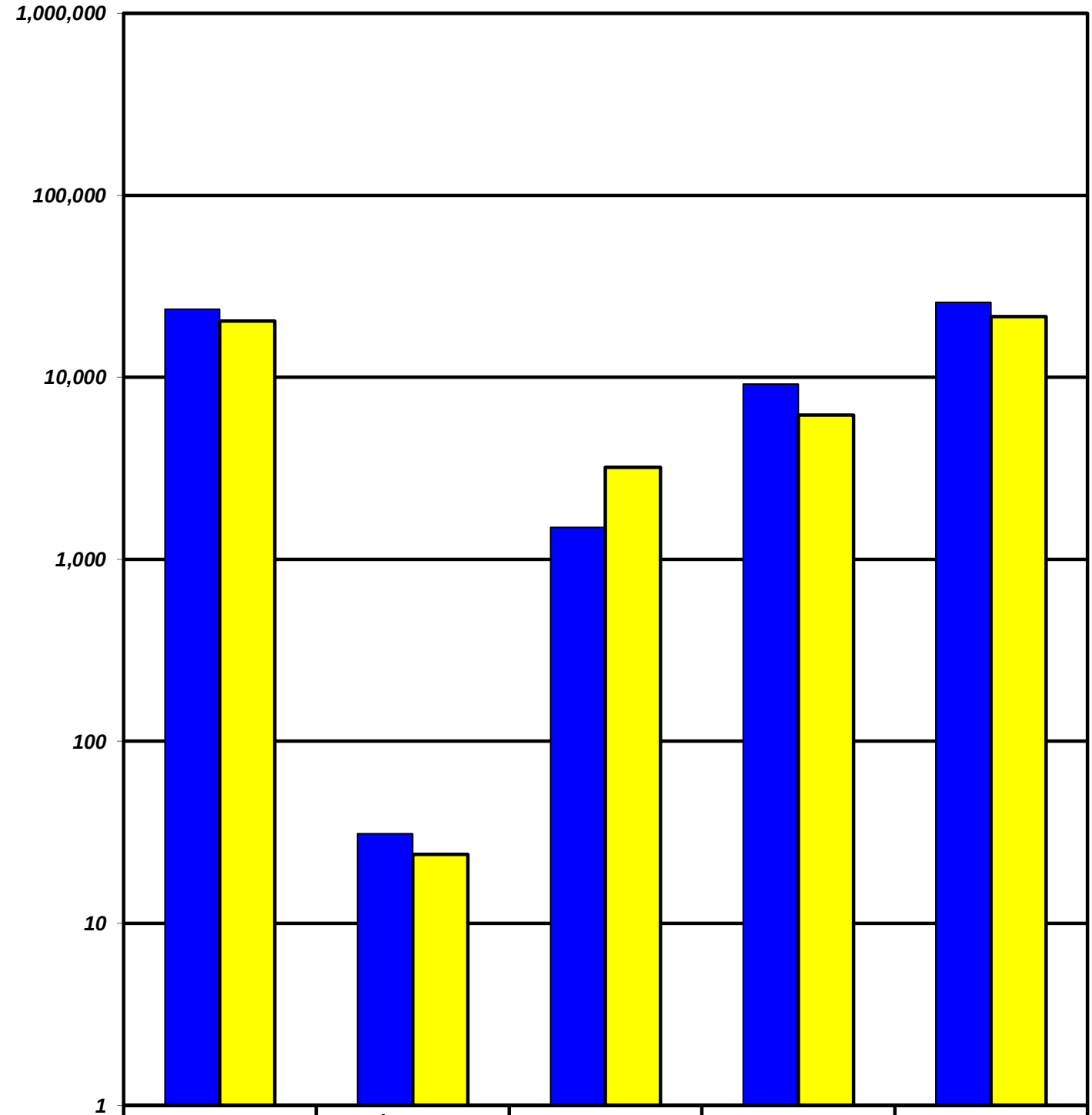
City of Rockwall
Parks and Recreation Department
FY14 December Report



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY14 YTD	23,617	31	1,502	$9,158	$25,842
FY13 YTD	20,382	24	3,196	$6,196	$21,588

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2013/14 City of Rockwall In kind values /Meals 1st Quarter
Meals On Wheels Senior Services

Oct-13 — 23 Days served

ROUTES	MILES	$
A	322	$164.22
B	220	$112.20
C	782	$398.82
E	713	$332.01
F & K	851	$468.05
H	276	$151.80
I&J	931	$512.32
RM & R	362	$199.10
	4457	$2,338.52

	HOURS	$
A	23	$273.93
B	34.5	$410.89
C	23	$273.93
E	23	$273.93
F &K	44	$524.04
H	23	$273.93
I&J	28.75	$342.41
RM & R	34.5	$410.89
	233.75	$2,783.95

$ Value in kind volunteer services $5,122.47

Total October inkind value $5,122.47

Nov-13 — 20 Days served

ROUTES	MILES	$
A	280	$154.00
B	200	$110.00
C	680	$374.00
E	620	$341.00
F& K	740	$407.00
H	240	$132.00
I&J	810	$445.50
RM & R	320	$176.00
	3890	$2,139.50

	HOURS	$
A	20	$238.20
B	30	$357.30
C	20	$238.20
E	20	$238.20
F & K	40	$476.40
H	20	$238.20
I&J	25	$297.75
RM & R	30	$357.30
	205	$2,441.55

$ Value in kind volunteer services $4,581.05

Thanksgiving Holiday Meal $750.00
prepared by Liberty Heights 170

Private Donation/Drinks $25.00
Inkind Miles/Hrs $225.50
Total November inkind value $5,581.55

Dec-13 — 20 Days served

ROUTES	MILES	$
A	280	$154.00
B	200	$110.00
C	680	$374.00
E	620	$341.00
F& K	740	$407.00
H	240	$132.00
I&J	810	$445.50
RM & R	320	$176.00
	3890	$2,139.50

	HOURS	$
A	20	$238.20
B	30	$357.30
C	20	$238.20
E	20	$238.20
F & K	40	$476.40
H	20	$238.20
I&J	25	$297.75
RM & R	30	$357.30
	205	$2,441.55

$ Value in kind volunteer services $4,581.05

Christmas Holiday Meal $750.00
Sponsored by Dr Les Sandknop
Prepared by Zanatas 170

New Years Eve Holiday Meal $750.00
Prepared by ElChicoPriva 170 $50.00
Total Inkind Miles /Hrs $451.00
Total December inkind value $6,582.05

ROCKWALL PROGRAM MEALS by classification
2,432 Home Delivered and Disabled
540 Congregate Centers
Total purchased Meals 2,972

ROCKWALL PROGRAM MEALS
1,983 Home Delivered and Disabled
478 Congregate Centers
Total purchased Meals & Holiday Meals 2,631

ROCKWALL PROGRAM MEALS
1,807 Home Delivered and Disabled
458 Congregate Centers
Total Purchased Meals & Holiday Meals 2605

THANK YOU
FOR YOUR
SUPPORT
HAPPY NEW YEAR!
Sincerely, Margie VerHagen E.D.

Total meals Program Purchased 8,208

VALUE Donated 1st Quarter 2013/14
$5,122.47 Oct. Total $17,286.07
$5,581.55 Nov.
$6,582.05 Dec.

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Consider approval of the minutes from the January 21, 2014 regular city council meeting, and take any action necessary.

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Consider approval of the minutes from the February 3, 2014 regular city council meeting, and take any action necessary.

02-03-14 Minutes 22

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P2014-003 - Consider a request by R.L. Goodson Consulting Engineers on behalf of the YMCA of Dallas for the approval of a replat for Lot 2, Block A, Rockwall County Y.M.C.A. containing one (1) non-residential lot, zoned Planned Development 5 (PD-5) District, on 21.378-acres, currently identified as Lot 1, Block A, Rockwall County Branch Y.M.C.A., City of Rockwall, Rockwall County, Texas, situated within the North SH-205 Overlay (N SH-205 OV) District, located on the east side of SH-205 north of Caruth Lane, and take any action necessary.

Staff Report 31

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P2014-004 - Consider a request by Ronald Valk for the approval of a final plat for Lot 1, Block 1, Valk Rockwall Addition being a 4.264-acre tract of land located within the extraterritorial jurisdiction of the City of Rockwall and situated in the Joseph Strickland Survey, Abstract No. 187, Rockwall County, Texas, and located on the east side of SH-205 north of F.M. 552, and take any action necessary.

Staff Report 37

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Consider approval of an ordinance establishing the speed limit along SH 205 from Darrin Drive to FM 552/Dalton Road at 50 miles per hour and take any action necessary.

City Manager Memo 43

Ordinance 44

Speed Study Document 46

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Consider approval of the Interlocal Purchasing Agreement with Reynolds Asphalt & Construction Company to rehabilitate E. Cullins Road from SH 549 to Jeff Boyd Drive and Alpha Drive from T.L. Townsend Drive to 190 feet north of Sigma Drive in an amount of $219,082.00,and being funded through the Streets Department Operations Budget, and take any action necessary.

City Manager Memo 52

Interlocal Agreement 53

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Consider awarding the Glenn Avenue Utility Rehabilitation Project construction contract to PC Contractors, in the amount of $452,009.04, utilizing funds available from 2008 water/sewer revenue bonds and take any action necessary.

City Manager Memo . . . 58
Consultant letter of Recomendation . . . 59
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Consider approval of a request by Verizon Wireless for a new monopole cellular communications tower to be located on Dickson Lane (Squabble Creek Treatment Facility), authorizing the City Manager to execute an agreement and take any action necessary.
Verizon Tower . . . 62
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Consider approval of an ordinance amending the Code of Ordinances in Chapter 32, Signs, Article I. In General and Article IV. Prohibited Signs, Sections 32-1 and 32-332 to amend regulations related to human signs, and take any action necessary. (1st reading)
Ord_1st Reading . . . 116
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Appointment with Rockwall Police Chief Mark Moeller to hear the Racial Profiling Report and Crime Report for 2013, and take any action necessary.
Memo . . . 119
Racial Profiling Report . . . 120
Crime Comparison . . . 123
Holiday Crime Initiative . . . 125
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Appointment with Rob Dixon of Hill & Wilkinson, General Contractors, and Michael Black with la terra studio, to hear and discuss a progress update of the Downtown Improvements Project, including associated scheduling, and take any action necessary.
Memo . . . 127
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Z2014-001 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Tommy Pulliam on behalf of Rayburn Electric Cooperation, Inc. for the approval of a zoning change from Agricultural (Ag) District to a Heavy Commercial (HC) District for a 6.057-acre tract land identified as a portion of Tract 3-06 of the W. H. Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Agricultural (Ag) District, located on the south side of Sids Road west of S. Goliad Street (SH-205), and take any action necessary. (1st Reading)
Staff Report . . . 129
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Z2014-003 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Charlie Rickerson for the approval of a Specific Use Permit to allow a detached garage with guest quarters/secondary living unit that will exceed the maximum permissible height for an accessory structure on a 0.40-acre parcel of land identified as Lot A, Block 117, B. F. Boydstun Addition, Rockwall, Rockwall County, Texas, also identified as a Landmarked Property, zoned Single Family 7 (SF -7) District, located at 109 St. Mary's Street, and take any action necessary. (1st Reading)

Staff Report . . . 141

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P2014-001 - Discuss and consider a request by Bobby Samuels of the Skorburg Company representing BH Phase III, SF, LTD. for the approval of a preliminary plat for 71 residential lots identified as Breezy Hill, Phase III, being a 48.247-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74), generally situated north of FM -552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

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P2014-002 - Discuss and consider a request by Bobby Samuels of the Skorburg Company representing BH Phase IV, SF, LTD. for the approval of a preliminary plat for 51 residential lots identified as Breezy Hill, Phase IV, being a 41.662-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74), generally situated north of FM -552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

Staff Report . . . 169

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SP2014-002 - Discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf of Billy Self of Pro Soap, Inc. for the approval of variances associated with an approved site plan for a warehouse facility on a 2.03-acre parcel of land identified as Lot 2 of the DBK Addition, Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of IH-30 west of Corporate Crossing, and take any action necessary. (3/4 majority vote required)

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Discuss and consider Pacific Sports request for hotel tax funding for the 2014 U.S. Open Triathlon; authorize the City Manager to finalize negotiations and execute a contract for the event and take any action necessary.

staff memo . . . 191

Draft agreement . . . 192

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Discuss and consider appointments to the city's Main Street Advisory Board, and take any action necessary.

Memo MSAB appt 196
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AGENDA
ROCKWALL CITY COUNCIL
Monday, February 17, 2014
5:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION

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

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
3. Discussion regarding Right-of-Way in the vicinity of Corporate Crossing Drive pursuant to Section § 551.072 (Real Property).

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, February 17, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MILDER

VII. CONSENT AGENDA

1. Consider approval of the minutes from the January 21, 2014 regular city council meeting, and take any action necessary.

2. Consider approval of the minutes from the February 3, 2014 regular city council meeting, and take any action necessary.

3. **P2014-003** - Consider a request by R.L. Goodson Consulting Engineers on behalf of the YMCA of Dallas for the approval of a replat for Lot 2, Block A, Rockwall County Y.M.C.A. containing one (1) non-residential lot, zoned Planned Development 5 (PD-5) District, on 21.378-acres, currently identified as Lot 1, Block A, Rockwall County Branch Y.M.C.A., City of Rockwall, Rockwall County, Texas, situated within the North SH-205 Overlay (N SH-205 OV) District, located on the east side of SH-205 north of Caruth Lane, and take any action necessary.

4. **P2014-004** - Consider a request by Ronald Valk for the approval of a final plat for Lot 1, Block 1, Valk Rockwall Addition being a 4.264-acre tract of land located within the extraterritorial jurisdiction of the City of Rockwall and situated in the Joseph Strickland Survey, Abstract No. 187, Rockwall County, Texas, and located on the east side of SH-205 north of F.M. 552, and take any action necessary.

5. Consider approval of an **ordinance** establishing the speed limit along SH 205 from Darrin Drive to FM 552/Dalton Road at 50 miles per hour and take any action necessary. **(1st Reading)**

6. Consider approval of the Interlocal Purchasing Agreement with Reynolds Asphalt & Construction Company to rehabilitate E. Cullins Road from SH 549 to Jeff Boyd Drive and Alpha Drive from T.L. Townsend Drive to 190 feet north of Sigma Drive in an amount of $219,082.00,and being funded through the Streets Department Operations Budget, and take any action necessary.

7. Consider awarding the Glenn Avenue Utility Rehabilitation Project construction contract to PC Contractors, in the amount of $452,009.04, utilizing funds available from 2008 water/sewer revenue bonds and take any action necessary.

8. Consider approval of a request by Verizon Wireless for a new monopole cellular communications tower to be located on Dickson Lane (Squabble Creek Treatment Facility), authorizing the City Manager to execute an agreement and take any action necessary.

9. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 32, Signs, Article I. In General and Article IV. Prohibited Signs, Sections 32-1 and 32-332 to amend regulations related to human signs, and take any action necessary. **(1st reading)**

VIII. APPOINTMENTS

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

2. Appointment with Rockwall Police Chief Mark Moeller to hear the Racial Profiling Report and Crime Report for 2013, and take any action necessary.

3. Appointment with Rob Dixon of Hill & Wilkinson, General Contractors, and Michael Black with la terra studio, to hear and discuss a progress update of the Downtown Improvements Project, including associated scheduling, and take any action necessary.

4. Appointment with Rick Bernas, of Republic Waste, to make presentation of downtown improvement fund donation and take any action necessary.

IX. PUBLIC HEARING ITEMS

1. **Z2014-001** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Tommy Pulliam on behalf of Rayburn Electric Cooperation, Inc. for the approval of a zoning change from Agricultural (Ag) District to a Heavy Commercial (HC) District for a 6.057-acre tract land identified as a portion of Tract 3-06 of the W. H. Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Agricultural (Ag) District, located on the south side of Sids Road west of S. Goliad Street (SH-205), and take any action necessary. **(1st Reading)**

2. **Z2014-003** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Charlie Rickerson for the approval of a Specific Use Permit to allow a detached garage with guest quarters/secondary living unit that will exceed the maximum permissible height for an accessory structure on a 0.40-acre parcel of land identified as Lot A, Block 117, B. F. Boydstun Addition, Rockwall, Rockwall County, Texas, also identified as a Landmarked Property, zoned Single Family 7 (SF-7) District, located at 109 St. Mary's Street, and take any action necessary. **(1st Reading)**

X. SITE PLANS / PLATS

1. **P2014-001** - Discuss and consider a request by Bobby Samuels of the Skorburg Company representing BH Phase III, SF, LTD. for the approval of a preliminary plat for 71 residential lots identified as Breezy Hill, Phase III, being a 48.247-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74), generally situated north of FM-552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

2. **P2014-002** - Discuss and consider a request by Bobby Samuels of the Skorburg Company representing BH Phase IV, SF, LTD. for the approval of a preliminary plat for 51 residential lots identified as Breezy Hill, Phase IV, being a 41.662-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74), generally situated north of FM-552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

3. **SP2014-002** - Discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf of Billy Self of Pro Soap, Inc. for the approval of variances associated with an approved site plan for a warehouse facility on a 2.03-acre parcel of land identified as Lot 2 of the DBK Addition, Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of IH-30 west of Corporate Crossing, and take any action necessary. **(3/4 majority vote required)**

XI. ACTION ITEMS

1. Discuss and consider Pacific Sports request for hotel tax funding for the 2014 U.S. Open Triathlon; authorize the City Manager to finalize negotiations and execute a contract for the event and take any action necessary.

2. Discuss and consider appointments to the city's Main Street Advisory Board, and take any action necessary.

XII. EXECUTIVE SESSION

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

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

2. Discussion regarding land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

3. Discussion regarding Right-of-Way in the vicinity of Corporate Crossing Drive pursuant to Section § 551.072 (Real Property).

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

XIV. ADJOURNMENT

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

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

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 14th day of February, 2014 at 5:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

MINUTES
ROCKWALL CITY COUNCIL
Tuesday, January 21, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 4:00 p.m. Present were Mayor David Sweet, Mayor Pro Tem David White and Councilmembers Jim Pruitt, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Steven Pena (filling in for Frank Garza). Mayor Sweet read the below listed discussion items into the public record before recessing the public meeting into Executive Session.

II. EXECUTIVE SESSION

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

1. Discussion regarding recent employment action taken pursuant to Section § 551.074 (Personnel Matters)
2. Discussion regarding land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
3. Discussion regarding the city's Fixed Based Operator airport agreement pursuant to Section § 551.071 (Consultation with Attorney)
4. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:00 p.m.

IV. WORK SESSION (5:00 P.M.)

1. **CONDUCT INTERVIEWS FOR FIXED BASED OPERATOR SERVICES AT THE RALPH M. HALL / ROCKWALL MUNICIPAL AIRPORT AND TAKE ANY NECESSARY ACTION.**

The Council opened up the doors to the conference room after adjourning from Executive Session. Brief interviews were then conducted by the council with potential FBO operators, including Greg Shockley and Todd Parks. Mayor Sweet recessed the meeting until 6:00 p.m. following the conclusion of these interviews.

MINUTES
ROCKWALL CITY COUNCIL
Tuesday, January 21, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

Mayor Sweet reconvened the public meeting at 6:00 p.m. with all city council members present. Mayor Sweet introduced a local Cub Scout troop, explaining that members of the troop are visiting to observe a portion of the city council meeting this evening.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Sweet announced that there is no action to be taken as a result of Executive Session at this time.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM WHITE

Mayor Pro Tem White delivered the invocation, and one of the visiting Cub Scout members led the Pledge of Allegiance.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the January 6, 2014 regular city council meeting, and take any action necessary.

2. Consider approval of the Contract for Election Services between the City of Rockwall, Rockwall County and the Rockwall Independent School District for a General Election to be held May 10, 2014, and take any action necessary.

3. **A2013-001**- Consider approval of an **ordinance** for a City initiated request to annex land in accordance with previously approved Chapter 212 Texas Local Government Code Development Agreements, specifically for four (4) tracts of land comprising approximately 42.482-acres of land situated in the W. W. Ford Survey, Abstract No. 80 and J. W. Pitman Survey, Abstract No. 181 and generally located contiguous to the existing city limits line west of SH-205 (S. Goliad Street) and south of FM-549 and specifically described as follows: (1)Tract 17-14 of the W. W. Ford Survey, Abstract No. 80 being 12.493-acres, (2) Tract 40 of the W. W. Ford Survey, Abstract No. 80 being 8.989-acres, (3) Tract 40-1 of the W. W. Ford Survey, Abstract No. 80 being 1-acre, (4) Tract 1-4 of the J. W. Pitman Survey, Abstract No. 181 being 20-acres. **(2nd Reading)**

4. Consider authorizing the City Manager to enter into a contract extension with Clean Harbors Inc. to manage Household Hazardous Waste Collection Day April 5, 2014 and take any action necessary.

5. Consider authorizing the City Manager to execute a purchase order with Caldwell Country (Chevrolet) for the purchase of a Suburban for Fire

Command operations in the amount of $45,388 funded with General Fund Reserves budget of $65,000 and take any action necessary.

6. Consider approval of Change Order No. 1 to Hill & Wilkinson General Contractors for the construction of additional two parking lots with the downtown project in the amount of $126,224.00 and funded by General Reserves, and take any action necessary.

7. Consider approval of a resolution establishing the pro rata equipment fee related to the city's mandatory neighborhood park land dedication regulations, and take any action necessary.

8. Consider approval of a resolution regarding the cost per acre for mandatory neighborhood park land dedication, and take any action necessary.

9. Consider approval of an ordinance amending the Code of Ordinances in Chapter 32 Signs, Article III. Regulations and Requirements, Division 2. Structural Standards, Section 32-204. Wall Signs and Division 6. Specific Sign Regulations, Section 32-306. Wall Signs to eliminate certain provisions regarding wall sign height, and take any action necessary. (2nd reading)

10. **P2013-042** - Consider a request by Drew Colon of Greener City Groups, Inc. for the approval of a final plat of Lots 1-14, Block 1, Shady Dale Estates Addition being a 4.32-acre tract of land identified as Tracts 4-13 & 4-14 of the Edward Teal Survey, Abstract 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for Single Family Residential uses, located east of the intersection of Ridge Road [FM-740] and Shady Dale Lane, and take any action necessary.

11. **P2013-043** - Consider a request by Mushtak Khatri of the Tabani Group on behalf of T. Rockwall Phase 2, LLC for the approval of a final plat for Lot 5, Block A, Rockwall Commons Addition being a 3.802-acre parcel of land currently recognized as a one (1) acre parcel of land identified as Lot 1, Block 1, Independent Community Financial Corporation Addition and a 2.802-acre tract of land identified as Tract 6-2 of the B. J. T. Lewis Survey, Abstract No. 255 and the D. Atkins Survey, Abstract No. 1, both properties being zoned Planned Development District 1 (PD-1) for mixed use development, generally located on Ridge Road [FM-740] south of Summit Ridge Drive, and take any action necessary.

12. **P2013-044** - Consider a request by Jay Bedford of the A. J. Bedford Group, Inc. on behalf of BDC Family Limited Partnership for the approval of a replat for Lot 13, Block 1, Rockwall Centre Corners Addition being a 2.644-acre parcel of land currently identified as Lot 12, Block 1, Rockwall Centre Corners Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, the SH-205 (SH-205 OV) District and SH-276 (SH-276) District, and located at the northeast corner of the intersection of S. Goliad Street (SH-205) and SH-276, and take any action necessary.

Councilmember Daniels pulled item #10. Councilmember Lewis pulled item #6. Mayor Pro Tem White made a motion to approve the remaining Consent Agenda items (#1, 2, 3,

4, 5, 7, 8, 9, 11 and 12). Councilmember Lewis seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 42.482-ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 32 SIGNS, ARTICLE III REGULATIONS AND REQUIREMENTS, DIVISION 2. STRUCTURAL STANDARDS, SECTION 32-204. WALL SIGNS AND DIVISION 6. SPECIFIC SIGN REGULATIONS, SECTION 32-306. WALL SIGNS TO ELIMINATE CERTAIN PROVISIONS REGARDING WALL SIGN HEIGHT; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Regarding Consent Agenda item #6, Councilmember Lewis indicated that he needs to recuse himself from any discussion and vote on this item due to a business-related conflict of interest. Mayor Pro Tem White made a motion to approve Consent Agenda item #6. Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes with 1 abstention (Lewis).

Regarding Consent Agenda item #10, Councilmember Daniels indicated that he is opposed to this item, so he wanted to pull it to state so this evening. Mayor Pro Tem White then made a motion to approve this item. Councilmember Townsend seconded the motion, which passed by a vote of 5 ayes with 2 against (Milder and Daniels).

IX. APPOINTMENTS

1. Appointment with Rob Dixon of Hill & Wilkinson, General Contractors, and Michael Black with la terra studio, to hear and discuss a progress update of the Downtown Improvements Project, including the engineering and construction plans status for phase two, and take any action necessary.

Mr. Dixon came forth and provided a briefing to the council regarding construction progress in the downtown area and timeline estimates associated with future work. The Council took no action related to this agenda item.

2. Appointment with Freddie Jackson and representatives of the Southside Residential Overlay District to discuss zoning procedures, and take any action necessary.

Mr. Freddie Jackson
1812 Bristol Lane

Rockwall, Texas

Mr. Jackson indicated that he would like to propose that signage used for zoning notifications have larger print, more colors so they will stand out, and a diagonal type of positioning instead of 'straight on' so that such signs may be more easily read by those passing by. He suggested the Council also consider hand delivering zoning notification letters to residents, as this will be the only way to ensure residents receive such letters.

Councilmember Pruitt indicated that he gleaned from attending a recent Southside community meeting that the city could improve upon communication with residents with regards to proposed zoning cases. Councilmember Pruitt indicated that he may put forth a suggestion about mailing the notices certified mail to both the property owner and to the actual, physical address. He also has concerns that the signage on the property of a recently proposed zoning change was not seen by residents in the neighborhood.

Mr. Jackson went on to suggest that the 200 foot notice be broadened beyond this limited circumference so that more residents are made aware of proposed zoning changes. He also suggested that the city consider different colored text, such as red and larger font / text.

The council took no action related to this appointment item.

X. ACTION ITEMS

1. **Z2013-035** - Discuss and consider approval of an **ordinance** for a request by J. D. Jacobs, Jr. for the approval of a zoning change from Single Family 7 (SF-7) District to a Residential-Office (RO) District for a 0.661-acre tract of land identified as a portion of Lot 3 and all of Lot 4, Block G, Sanger Addition, Rockwall, Rockwall County, Texas, located east of the intersection of Peters Colony Drive and E. Bourn Street, and take any action necessary **(2nd Reading).**

Planning Director Robert LaCroix offered brief comments related to this agenda item, indicating that a public hearing has already been conducted on this item. At the last council meeting, the city council had asked that Mr. Jacobs meet with residents in the Southside neighborhood to further discuss this matter before considering second reading of the ordinance this evening. Mr. LaCroix indicated that this meeting was held on January 13, and staff did offer further information and zoning-related clarification to those in attendance as well as answer questions from those in the audience. Mr. Jacobs, the applicant, also conversed with residents who attended the meeting. Mr. LaCroix indicated that he is unsure if a positive resolution was reached during the meeting, as some seemed to remain in opposition to the proposed zoning change while some seemed to be in favor of it.

Mr. Anderson
Pastor, St. Paul AME Church
805 Peters Colony
Rockwall, TX

Mr. Anderson came forth, generally expressing concern about residents not having had knowledge of this proposed zoning change in a timely manner. He expressed the belief

that the process associated with this particular zoning change seemed to speed up when Mr. Sam Buffington was on his death bed. Overall, he strongly encouraged the council to vote 'no' regarding this proposed zoning change. He indicated that he originally heard about this proposed zoning change via 'word of mouth.'

Mr. Freddie Jackson
1812 Bristol Lane
Rockwall, Texas

Mr. Jackson came forth and showed a map of the overlay district of which the Southside community is a part, explaining its parameters. He explained the current zoning and the types of homes, families, people and facilities (churches) located in the area. He then shared a series of photographs of the homes and structures currently located in this neighborhood. He explained that he and the residents in the neighborhood see no reason to allow a "residential office" zoning for this property. He explained that the churches that exist are operating as churches, not as commercial-type uses. He generally urged the council to vote 'no' to this proposed zoning change and help keep the Southside a residential / family type community.

Councilmember Pruitt asked if the church were to someday sell, could it turn into a commercial use thereafter and be converted into offices. Mr. LaCroix indicated that, yes, this could happen.

Ms. Allen (speaking on behalf of the applicant) came forth and indicated that Enid Reyes with Lakepointe Church is considering placing a clinic in the location of the former Borne Avenue School.

Mayor Pro Tem White made a motion to deny the ordinance for Z2013-035. Councilmember Pruitt seconded the motion. The motion passed by a vote of 7 ayes to 0 nays.

2. Discuss and consider the city's process associated with proposed zoning change notifications, and take any action necessary.

Mayor Sweet began discussion of this item, indicating that both he and Councilmember Pruitt requested this agenda discussion item. He has concerns about zoning notifications, including the size of the sign, the fact that signs are single-sided, notification areas (suggested expanding the number of feet surrounding the proposed zoning change regarding mailing of notices), and notice of acceptance of said notifications.

Councilmember Pruitt indicated that the city spent $2,800 putting notices in the newspaper regarding the recent proposed zoning change, but he does not believe these published notices are effective in notifying residents, although, he indicated the city does the publications due to legal requirements. He suggested that the notice area be expanded from 200 to at least 500 feet surrounding the proposed zoning change. He would also like the notices to be certified mailed to not only the property owner on record but also the physical address of the property. Perhaps this will help renters be informed as well.

Councilmember Daniels indicated he totally agrees with Councilmember Pruitt's comments. In addition, he would like proposed zoning change signs to be 4'x5' to

ensure they are large enough to be seen. He also suggested they be positioned in a way they can be seen for those passing by, both coming and going.

Councilmember Milder indicated he supports these proposed, enhanced notification measures. He asked if the Planning staff will be able to accommodate these suggested measures. Mr. LaCroix indicated that making these sorts of changes will result in some level of increased cost, but it will likely be monetarily minimal if the regular U.S. Postal service is utilized. It will also take more staff time to separate and calculate the 'opposition' responses to delineate which of those are located within 200 feet and which are beyond the 200 feet. He explained that the percentages of opposition located within 200 feet makes a difference because, legally, it could trigger a different type of voting requirement (i.e. "super majority") on the part of the council.

Councilmember Lewis indicated he agrees with the signs being a bit larger and being a different color. He is unsure how much he agrees with the notification zone being expanded to five hundred feet. Discussion ensued regarding the length of advanced notification, including ten days versus fifteen advanced days prior to a Planning & Zoning Commission meeting. Mr. LaCroix pointed out that their Planning Department website always has notices posted along with pertinent information related to zoning cases that are in progress or upcoming.

Mr. Crowley indicated that if there are any increased costs associated with these notice changes, the council can choose to pass along these sorts of costs to the applicant making the zoning change request. He also pointed out that changing procedures to require a certified letter be sent and to require a "sign receipt" may trigger a resident having to travel to the post office in order to sign for the letter. He indicated that, while there may be some increased costs, the signage can be any size and color the council chooses.

Mayor Pro Tem White summarized that the council would like to see an expanded notification area, larger signage (passing along the increased costs to the applicants) (size 4'x4') and notices sent via Certified Mail.

Councilmember Pruitt offered brief comments related to estimated increases in costs associated with mailing notices to both the property owners and the actual property address, generally indicating the estimated increased costs are minimal.

Councilmember Daniels asked if SUP requests will be included in these changes. Mr. LaCroix indicated that, yes, these would be included. Mr. LaCroix indicated that there were 460 zoning-related requests last year.

City Attorney Frank Pena did clarify that for a home rule city such as Rockwall, publishing notice of public hearings in a newspaper is in fact required by law.

Mayor Sweet made a motion to expand the notification area to 500 feet, a 4'x4' sign be placed on the property with clearly understandable verbiage stating what the zoning is being proposed to change 'from' and 'to,' and the notifications to be sent via certified mail to both the property owner and the physical addresses (no return receipt necessary). Councilmember Pruitt seconded the motion.

Mayor Sweet restated his motion to clarify that he is calling for a 500 foot notification area, a 4'x4' sign that is front and back (double sided) with the proposed zoning change type clearly stated on the sign (change "from" / "to"), with certified mailings being sent to both the property owner listed on the tax rolls and the physical addresses of property owners within 500 feet, and with any increased costs being passed along to applicants.

Councilmember Pruitt seconded the motion. After brief comments, the motion passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider approval of an **ordinance** amending Chapter 22, Article II of the City's Code of Ordinances to establish Section 22.71 regulating the purchase, sale, offer to sell, and ingestion of any e-cigarette smoking product to or by any minor, and take any action necessary. **(2nd reading)**

Councilmember Milder made a motion to approve the ordinance as presented. Councilmember Townsend seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CITY CODE OF ORDINANCES TO ESTABLISH CHAPTER 22, ARTICLE II. OFFENSES REGARDING MINORS, SECTION 22-71. PURCHASE BY MINOR OF E-CIGARETTES, REGULATING THE PURCHASE, SALE, OFFER TO SELL, AND INGESTION OF ANY E-CIGARETTE SMOKING PRODUCT TO OR BY ANY MINOR; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The motion passed by a vote of 5 ayes with 2 nay (White and Pruitt).

4. Discuss and consider approval of an ordinance amending the Code of Ordinances in Chapter 32 Signs, Article III. Regulations and Requirements, Division 3. Functional Standards, Section 32-233. Changeable Electronic Variable Message Signs (CEVMs) to repeal this section in its entirety and provide for a new section 32-233, and take any action necessary. **(2nd reading)**

Mayor Sweet made a motion to approve the ordinance as presented. Councilmember Lewis seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 32 SIGNS, ARTICLE III REGULATIONS AND REQUIREMENTS, DIVISION 3. FUNCTIONAL STANDARDS, SECTION 32-233. CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS (CEVM) TO REPEAL THIS SECTION IN ITS ENTIRETY AND PROVIDE FOR A NEW SECTION 32-233; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

The motion passed by a vote of 6 ayes to 1 nay (White).

5. Discuss and consider an ordinance amending the city's Code of Ordinances in Chapter 10. Buildings and Building Regulations, Article XIII. Dangerous Buildings, Section 10-537. Procedure When Owner Fails to Comply to amend the minimum waiting period associated with the City conducting a building demolition, and take any necessary action. **(1st reading)**

Mr. Jeffrey Widmer, the city's Building Official, provided brief background information related to this agenda item, indicating that a recent change in state law now allows the waiting period regarding demolitions following a show cause hearing to be as short as thirty (30) days. Staff would like to see if council is interested in lowering the current ninety (90) day waiting period down to thirty days instead.

Councilmember Lewis made a motion to approve the ordinance as presented (at a thirty (30) day waiting period. Councilmember Milder seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 10 BUILDINGS AND BUILDING REGULATIONS, ARTICLE XIII DANGEROUS BUILDINGS, SECTION 10-537. PROCEDURES WHEN OWNER FAILS TO COMPLY; TO AMEND THE 90 DAY DEMOLITION WAITING PERIOD TO 30 DAYS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

6. Discuss and consider citywide recycling program, including possible survey of residents regarding the program and associated monthly fee, and take any action necessary.

Rick Burnis, representing the city's solid waste contractor, Republic Waste, was present and came forth at this time. Councilmember Pruitt indicated that he requested this item be placed on the agenda tonight for council discussion. He generally expressed a desire to allow the citizens of Rockwall to choose whether or not they wish to participate in a recycling program instead of forcing it upon residents.

Councilmember Daniels made a comparison of charging residents for recycling to being charged property taxes that benefit the school district even though he has not had school aged children in local schools for more than thirty years. He suggested that sometimes things like this are just good for the community as a whole.

Councilmember Pruitt indicated that maybe the next time the city negotiates its solid waste contract, the contractor will absorb all of the costs associated with a recycling program such as the one currently in place in Rockwall. Councilmember Pruitt generally indicated he does not see a benefit "to the whole" as Councilmember Daniels alluded to.

Councilmember Townsend suggested that allowing residents to "opt in or out," address-by-address, will likely result in a much higher cost. He suggested that a program like this should either be "all or nothing" as far as resident participation.

Assistant City Manager Mary Smith indicated that a reduction in recycling could perhaps have the affect of increasing the solid waste side of the contract expenses due to increases in landfill fees.

Mr. Crowley, City Manager, indicated that staff will be glad to draft a survey for residents to bring back to the council for consideration at a future meeting date if the council so desires.

In 2013, the City of Rockwall recycled 3.4 million pounds of recycling material. The city has about a 40% participation rate in recycling currently. Mr. Burnis indicated he will be glad to evaluate the recycling program with staff. Mrs. Smith indicated that the current solid waste contract runs through the end of the year 2015.

Councilmember Milder asked if any residents have called the city to complain that they are being charged the .99 cents for the recycling program. Mrs. Smith indicated that she cannot recall any off hand.

Councilmember Milder suggested a 'multi subject' type survey be developed (including recycling and other city items of concern) if the city council chooses to move forward with conducting a survey of residents.

Councilmember Pruitt indicated that he did not realize, until recently, that he was being assessed this recycling charge. He suggested that the Republic Waste representatives meet with staff and then return to the city council to hold a work session to further discuss the financials.

Brief comments took place related to the recent ice storm cleanup efforts.

The council took no formal action related to this agenda item.

7. Discuss and consider appointments to the city's Art Review Team (ART) Commission, and take any action necessary.

Councilmember Milder indicated that he was the councilmember selected by the council to make recommendations regarding appointments to this Commission. During the discussion, Mr. Crowley indicated that about $73,000 in art-related funding will be available associated with the downtown improvements project. He stated that this ordinance was passed years ago as a way to fund public art. Assistant City Manager Brad Griggs suggested that the council may want staff to attempt to solicit applicants that would be qualified to serve on this five-member commission, as the required positions, according to the ordinance, are specific. The council took no action related to this agenda item at this time.

Mayor Sweet then read Executive Session discussion items #3, #2 and #4 below into the public record before recessing the public meeting back into Executive Session (at 7:50 p.m.).

3. Discussion regarding the city's Fixed Based Operator airport agreement pursuant to Section § 551.071 (Consultation with Attorney)

2. Discussion regarding land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

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

XI. EXECUTIVE SESSION

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

1. Discussion regarding recent employment action taken pursuant to Section § 551.074 (Personnel Matters)

2. Discussion regarding land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

3. Discussion regarding the city's Fixed Based Operator airport agreement pursuant to Section § 551.071 (Consultation with Attorney)

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

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

Mayor Sweet reconvened the public meeting at 8:23 p.m. with all city council members (7) present. Mayor Pro Tem White made a motion to select Todd Parks, also known as Texas Air Center, as the city's Fixed Based Operator (FBO) for the Rockwall Municipal Airport and to authorize the city manager to pursue contract negotiations with this company. Councilmember Milder seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XIII. ADJOURNMENT

The meeting was adjourned at 8:24 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 17th day of February, 2014.

_____

David Sweet, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

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MINUTES
ROCKWALL CITY COUNCIL
Monday, February 03, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 4:00 p.m. Present were Mayor David Sweet, Mayor Pro Tem David White and Councilmembers Jim Pruitt, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Brad Griggs and Mary Smith, and City Attorney Frank Garza. Mayor Sweet then read the below listed discussion items into the public record before recessing the meeting into Executive Session.

II. EXECUTIVE SESSION

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

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)

2. Discussion regarding legal options available against former city contractors pursuant to § 551.071 (Consultation with Attorney)

3. Discussion regarding land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

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

III. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:20 p.m.

MINUTES
ROCKWALL CITY COUNCIL
Monday, February 03, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

Mayor Sweet reconvened the public meeting at 6:00 p.m. All seven council members were present.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem White indicated there was no action to take as a result of Executive Session.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR DAVID SWEET

Mayor David Sweet delivered the invocation and led the Pledge of Allegiance.

VII. OPEN FORUM

Mayor Sweet explained how Open Forum is conducted and then asked if anyone would like to address the council at this time.

Judith Matherne
1115 Signal Ridge
Rockwall, TX 75032

Mrs. Matherne came forth and thanked the council for the action they took at the last meeting which honored the wishes of residents in the Southside community who had opposed a particular, proposed zoning change.

Jennifer Norman
1408 Rapids Court
Rockwall, TX

Mrs. Norman came forth and indicated that she owns and operates JW Winery and KE Cellars in downtown Rockwall. She explained they have a "winery" license currently, and they would like to get a beer and wine license, which she has been told by TABC will require a 'food and beverage permit' (51% sale of food) in Rockwall. She explained there is no way for a kitchen to be put in to meet this requirement. So she asked if there is a way that the 'food and beverage permit' provision could be waived for her business. Or, if this is not possible, she wonders if the restaurants that she partners with to have food brought into her establishment (i.e. Zanatas and Pizza Cucina) could somehow count towards the food percentage requirement.

City Attorney Frank Garza indicated he will need to look into how the ballot language was worded when the election passed allowing alcohol sales in the city. He will also have to look into how the city defines "food service establishment" compared to how TABC

defines "food service establishment" and then get back to Mrs. Norman. It was agreed Mr. Garza would look into this further, and it would be discussed with Mrs. Norman.

Pastor Joe Robbins
St. Paul AME Church
805 Peters Colony

Mr. Robbins commended the city council for listening to the Southside community regarding the recently proposed zoning change.

Dwain Smith
2165 Hillcroft Drive
Rockwall, TX 75087

Mr. Smith came forward to indicate he would like to speak about the Rockwall Girls Softball Association (RGSA). Mayor Sweet asked Mr. Smith to wait, and he will move Action Item #3 up for discussion just after the Consent Agenda is addressed.

VIII. CONSENT AGENDA

1. Consider approval of a resolution calling the May 10, 2014 General Election for the purpose of electing city council members, one each for Place 2, 4, and 6, and take any action necessary.

2. Consider authorizing the City Council to award the Glenn Avenue Utility Rehabilitation Project construction contract to PC Contractors, in the amount of $452,009.04. Funding for this project is available from 2008 water/sewer revenue bonds, and take any action necessary.

3. Consider authorizing Council to approve an Interlocal Agreement with Rockwall County to permit and inspect sanitary sewer septic systems in the City of Rockwall, and take any action necessary.

4. Consider an **ordinance** amending the city's Code of Ordinances in Chapter 10. Buildings and Building Regulations, Article XIII. Dangerous Buildings, Section 10-537. Procedure When Owner Fails to Comply to amend the minimum waiting period associated with the City conducting a building demolition, and take any necessary action. **(2nd Reading)**

5. Consider authorizing the City Manager to execute a Field Use Agreement with Lake Pointe Church for ball field usage, and take any action necessary.

Mayor Pro Tem White pulled item # 2 from the Consent Agenda. Councilmember Pruitt pulled item #1.

Mayor Pro Tem White made a motion to approve the remaining items (#3, 4 and 5). Councilmember Townsend seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 10 BUILDINGS AND

BUILDING REGULATIONS, ARTICLE XIII DANGEROUS BUILDINGS, SECTION 10-537. PROCEDURES WHEN OWNER FAILS TO COMPLY; TO AMEND THE 90 DAY DEMOLITION WAITING PERIOD TO 30 DAYS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

Regarding Consent Agenda item #1, Councilmember Pruitt offered a few, brief comments related to the memo and associated resolution. He then made a motion to approve item #1. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Regarding Consent Agenda item #2, Mayor Pro Tem White indicated that staff has asked that this item be pulled for consideration at a later time.

Mayor Sweet then reordered the agenda to address Action Item #3 next.

IX. ACTION ITEMS

1. Discuss and consider a request from Trevor Arterburn with Houston's Drive Inn, LLC for a height, size and setback variance for a new monument sign to be located at 715 West Rusk Street and take an action necessary.

Mr. Jeffrey Widmer, Rockwall Building Official, came forth and provided brief, introductory comments related to this agenda item.

Mr. Trevor Arterburn then came forth and explained the nature of his variance request.

Mayor Pro Tem White made a motion to approve the sign variance. Councilmember Townsend seconded the motion. Councilmember Townsend expressed concern that where the sign sits may cause a traffic hazard in that it may cause a visibility and safety concern. Mr. Arterburn explained why he does not believe this will be a problem.

After brief discussion, the motion passed by a vote of 7 ayes to 0 nays.

2. Discuss and consider approval of an ordinance amending the city's Code of Ordinances in Chapter 32. Signs, Article I. In General. Section 32-1. Definitions to modify the definition of "sign, human," and take any action necessary.

Councilmember Pruitt indicated that he brought this item forth for discussion because of some things that have happened recently in other cities, things that really had more so to do with 'freedom of speech' than anything. He generally expressed the belief that our city's current definition of 'human sign' needs some tweaking if it is even to remain at all.

Mayor Pro Tem White made a motion to repeal the entire portions of the sign ordinance regulations that deal with "human signs," including the associated definition of such. Councilmember Pruitt seconded the motion.

The motion passed by a vote of 7 ayes to 0 nays.

The council next addressed the departmental and city managers reports on the agenda.

3. Discuss status of the girls' softball program and take any action necessary.

Councilmember Jim Pruitt indicated he placed this item on tonight's agenda for discussion. Mr. Shawn Britton (1080 Midnight Pass Rockwall, TX) came forth and read a pre-written letter to the city council on behalf of the the Rockwall Girls Softball Association Board of Directors. In it, he generally expressed a desire to continue partnering with the city to allow girls on the RGSA to practice and play on Rockwall fields. He explained that a proposed field use agreement was recently given to Brad Griggs, and he hopes this agreement will be forthcoming to the council for consideration in the next few weeks, as time is of the essence regarding securing practice and playing fields. During the discussion, Mr. Britton expressed general concern related to the current dynamics associated with the long-standing partnership between the RGSA and the City of Rockwall.

Councilmember Townsend asked Mr. Britton why he so strongly believes that the RGSA league is better and will succeed more so than the city's newly formed RBSA league. Mr. Townsend went on to express deep concern about past meetings and conversations that were had between the City Council Sports Subcommittee and the RGSA league, generally indicating he thought any concerns had already been addressed.

Councilmember Pruitt indicated he had a discussion last week with one of the RGSA board members that led him to believe RGSA would like to reach some sort of compromise with the city regarding these leagues; however, since that conversation and over the weekend, he has not heard anything from the RGSA about facilitating such discussions. He encouraged the RGSA to take action to reach out to the city council and/or staff to have said dialogue soon if they so desire.

Councilmember Lewis asked why the RGSA does not wish to mesh and blend with the city's new league. Mr. Britton generally indicated that his league has been in existence for a long time, and it is like a big family. Girls who play in the league would like to continue to play on the same teams they have been accustomed to playing on. Councilmember Lewis expressed concern, indicating he does not understand why, if everyone is only concerned about the girls who want to play, these conversations are even taking place.

Councilmember Milder indicated that Rockwall is now a city of more than 40,000 population, and it is now in a position to take over and organize a successful league. He explained that in years past, when the RGSA was organizing things, the city was much smaller and it made sense at the time. He explained that administering a league via the city and city staff seems to make the most sense at this time because it takes the burden of registrations, acceptance of money and organization of teams off of volunteers in the RGSA league; however, it still allows coaching to continue to take place with volunteer coaches who wish to do so.

Mayor Sweet expressed concern with the city and the RGSA both digging their heels in, which is resulting in division of girls between these two leagues.

Councilmember Townsend suggested that the RGSA request a meeting with the city. He asked RGSA to come up with a proposal they want the Council to consider and then approach the city to have discussions about reaching a compromise.

During the discussion, Councilmember Daniels asked if all the obligations of the 2013 contract had been fulfilled by both the RGSA and the city. Mr. Griggs, Assistant City Manager and Director of Parks & Recreation, indicated that no, they had not. He further indicated that dues to the city for non-resident players had not been paid by the RGSA.

Mayor Sweet made a motion to have the city council sports subcommittee and city staff schedule and hold a meeting by the end of this week with representatives of the RGSA league. Councilmember Daniels seconded the motion.

Brian Martin
10610 Waterview Parkway
Rowlett, TX 75089

Mr. Martin came forth and indicated he is a resident of Rowlett but he has a daughter who has been playing on a softball team through RGSA, and she would like to continue playing on that same team. He explained he inquired about the new league by calling a city staff member, and he was told his daughter needed to sign up with the city's new league or else she would not be able to play. He expressed deep concern about the division and tension between the city and the RGSA, as he believes it is adversely affecting the girls who want to play. He expressed that the conversation he had with the city staff member with whom he spoke after receiving the letter from the city was not perceived by him as a pleasant one.

Justin Jeffus
581 Lone Rider Court
Rockwall, TX 75087

Mr. Jeffus expressed concern that the city seems to be focusing mainly on boys baseball rather than girls, and he has concerns about having two different sets of Rockwall girls playing in two different leagues.

Jay Baker
1475 Lochspring Drive
Rockwall, TX

Mr. Baker came forth, indicating he is the president of the RGSA league, and he suggested, as a starting point, that the city consider allowing RGSA to run the citywide league (only one league, not two), and then have Mr. Evans (city's program director) have a seat on his RGSA board.

Councilmember Pruitt briefly stepped out of the chambers. Upon his return, he indicated that the RGSA board member with whom he had the discussion last week indicated there had been some miscommunication because he was under the impression that any discussions about compromise would be facilitated and take place after tonight's city council meeting.

After additional, brief comments the motion made by Mayor Sweet and seconded by Councilmember Daniels passed unanimously of council (7 ayes to 0 nays).

Action Item #1 was addressed next by city council.

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

1. Departmental Reports
Animal Shelter Monthly Report - December 2013
Building Inspections Monthly Report - December 2013
Finance Department Monthly Report - December 2013
Harbor PD Monthly Report December 2013
Fire Department Monthly Reports - December 2013
2013 Fire Dept. Annual Report
Internal Operations Department Monthly Report - December 2013
Police Department Monthly Report
Recreation Monthly Report December 2013
Quarterly Report from Rockwall County Committee on Aging

2. City Manager's Report

City Manager Rick Crowley pointed out that the departmental reports were included in council member packets, and he asked if anyone has any questions relative to those reports. No questions were brought forth by council.

XI. EXECUTIVE SESSION

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

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)

2. Discussion regarding legal options available against former city contractor pursuant to § 551.071 (Consultation with Attorney)

3. Discussion regarding land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

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

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

The council did not reconvene back into Executive Session at the close of the public meeting agenda.

XIII. ADJOURNMENT

Mayor Sweet adjourned the meeting at 7:19 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 17th day of February, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 2/17/2014

APPLICANT: R.L. Goodson Consulting Eng

AGENDA ITEM: **P2014-003;** YMCA Replat

SUMMARY:

Discuss and consider a request by R.L. Goodson Consulting Engineers on behalf of the YMCA of Dallas for the approval of a replat for Lot 2, Block A, Rockwall County Y.M.C.A. containing one (1) non-residential lot, zoned Planned Development District 5 (PD-5), on 21.378-acres, currently identified as Lot 1, Block A, Rockwall County Branch Y.M.C.A., City of Rockwall, Rockwall County, Texas, situated within the North SH-205 Overlay (N SH-205 OV) District, located on the east side of SH-205 north of Caruth Lane, and take any action necessary.

COMMENTS:

- The purpose of this replat is to indicate easements required for the expansion of the YMCA.

- The Engineer has completed the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

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

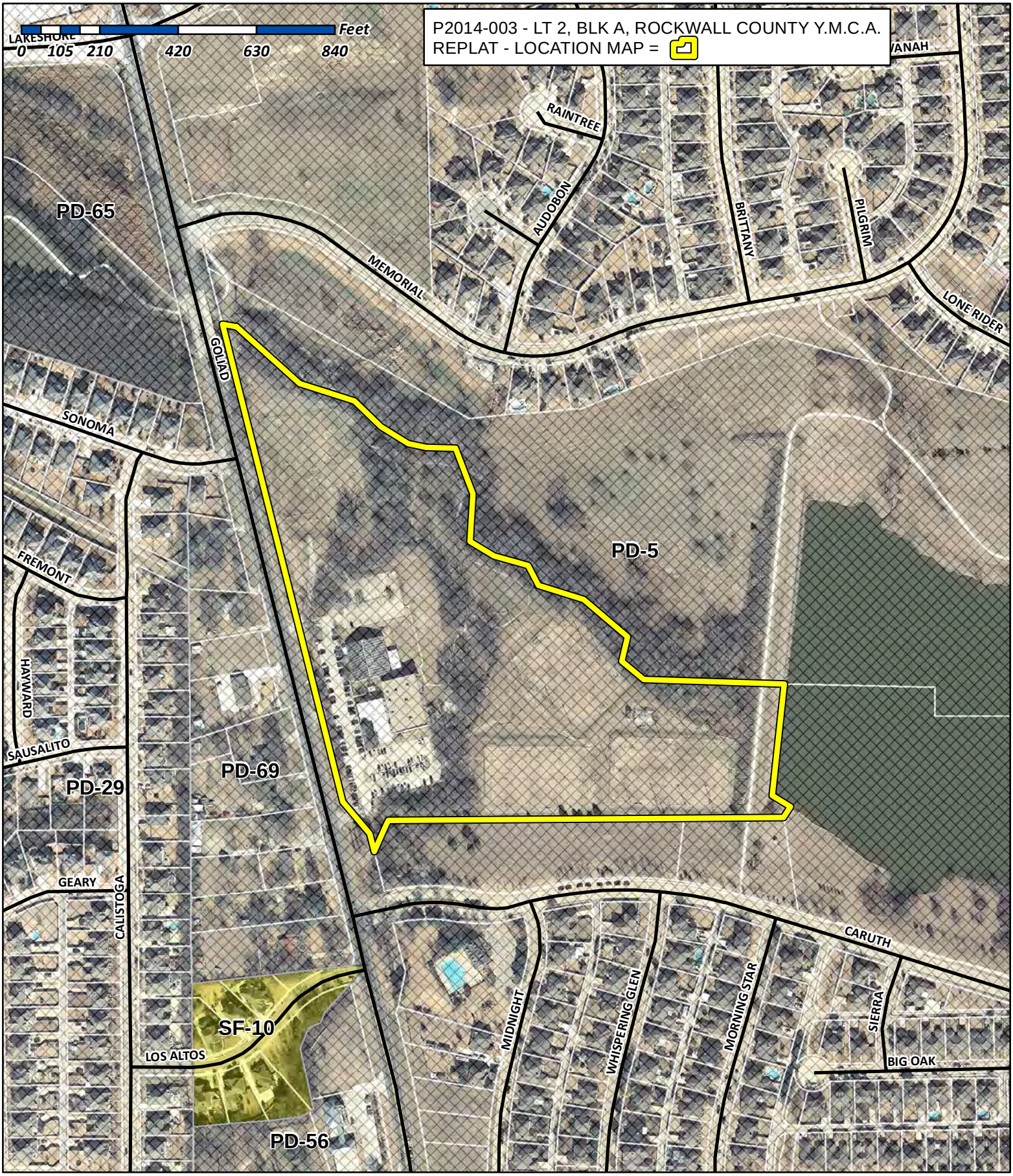
With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the replat for Lot 2, Block A, Rockwall County Y.M.C.A., the following conditions of approval are offered:

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

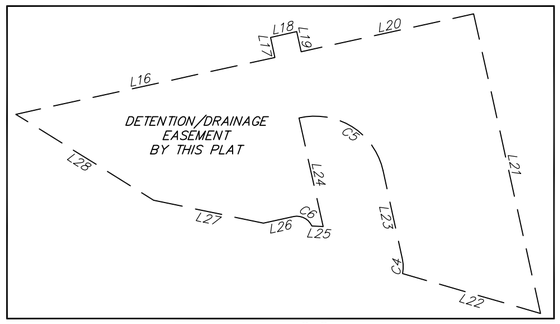
2) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory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



City of Rockwall

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

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



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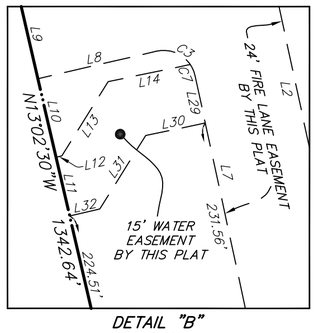

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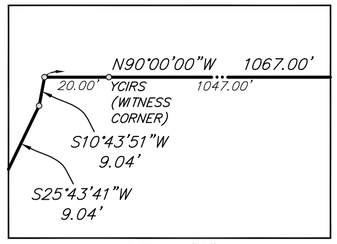


DETAIL "C"
NOT TO SCALE

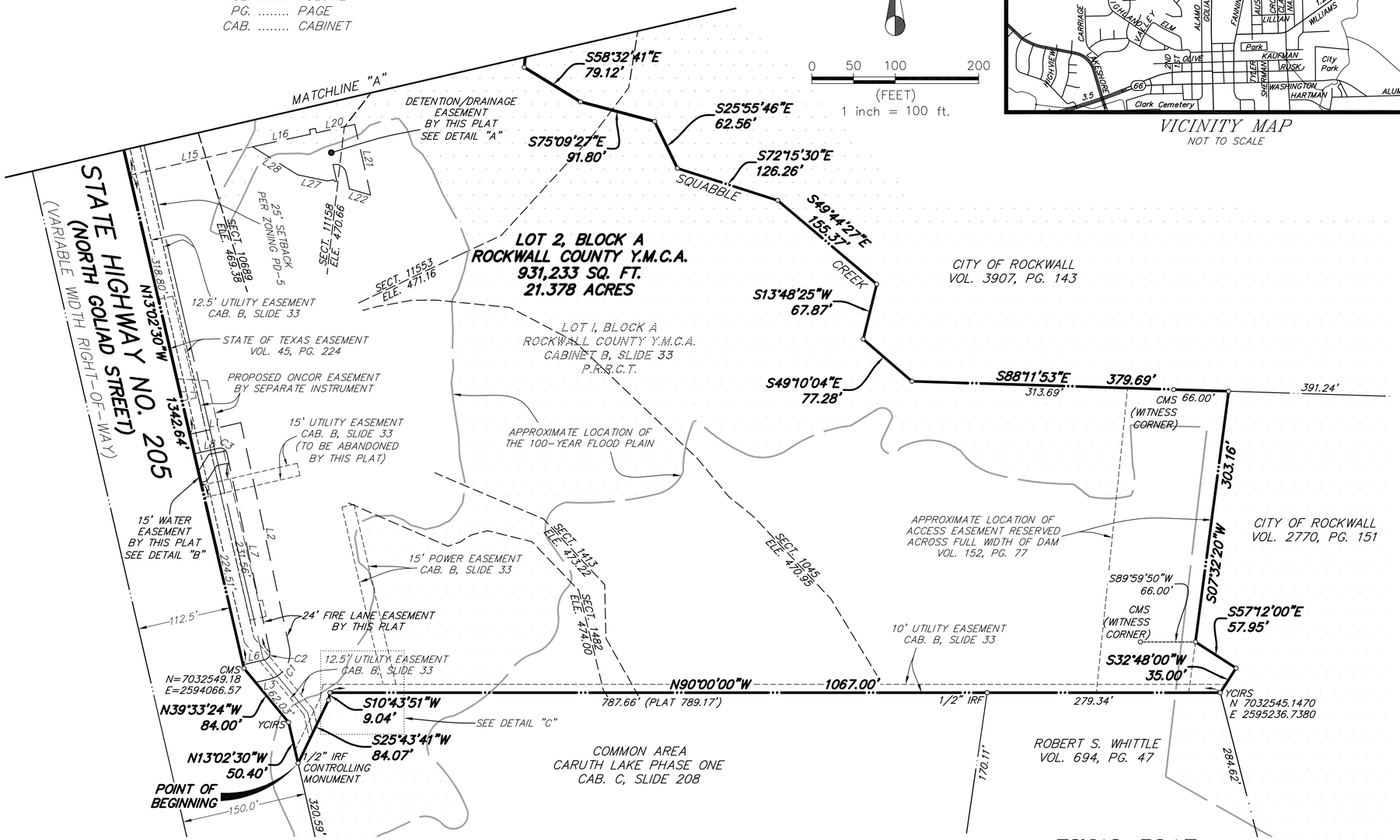
CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CH. BRG.	CHORD
C1	89°09'26"	32.00'	31.53'	49.79'	N32°22'47"E	44.92'
C2	89°09'26"	8.00'	7.88'	12.45'	N32°22'47"E	11.23'
C3	90°50'34"	8.00'	8.12'	12.68'	N57°37'13"W	11.40'
C4	22°08'53"	6.93'	1.36'	2.68'	N1°12'33"W	2.66'
C5	91°10'10"	12.95'	13.21'	20.60'	N57°52'04"W	18.50'
C6	79°19'45"	3.00'	2.49'	4.16'	N62°41'23"W	3.83'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N76°57'30"E	62.69'
L2	S12°11'56"E	276.03'
L3	S76°57'30"W	16.82'
L4	N39°33'24"W	21.97'
L5	N13°02'30"W	4.34'
L6	N76°57'30"E	26.63'
L7	N12°11'56"W	243.56'
L8	S76°57'30"W	30.21'
L9	N13°02'30"W	24.00'
L10	N13°02'30"W	20.02'
L11	N13°02'30"W	15.00'
L12	S76°57'30"W	1.45'
L13	S31°57'30"W	21.75'
L14	S78°13'48"W	20.84'
L15	N76°57'30"E	151.26'
L16	N77°37'39"E	70.88'

LINE TABLE		
LINE	BEARING	LENGTH
L17	N12°22'21"W	5.46'
L18	N77°18'20"E	7.18'
L19	S12°22'21"E	5.50'
L20	N77°37'39"E	47.21'
L21	S12°35'35"E	86.73'
L22	N73°54'56"W	26.75'
L23	N12°16'59"W	16.88'
L24	S12°33'27"E	20.73'
L25	N87°03'10"W	2.12'
L26	S77°38'45"W	5.75'
L27	N78°11'34"W	36.67'
L28	N58°03'41"W	63.32'
L29	S12°11'56"E	12.00'
L30	S78°13'48"W	15.13'
L31	S31°57'30"W	21.55'
L32	S76°57'30"W	7.67'

LEGEND

——•—•——	PROPERTY LINE
- - - - - - - - - - - -	EASEMENT LINE
IRF	IRON ROD FOUND
YCIRS	1/2" IRON ROD W/ YELLOW PLASTIC CAP STAMPED "RLG INC" SET
YCIRF	IRON ROD W/ YELLOW PLASTIC CAP STAMPED "BURY+PARTNERS" FOUND
P.R.R.C.T.	PLAT RECORDS, ROCKWALL COUNTY, TEXAS
VOL.	VOLUME
PG.	PAGE
CAB.	CABINET



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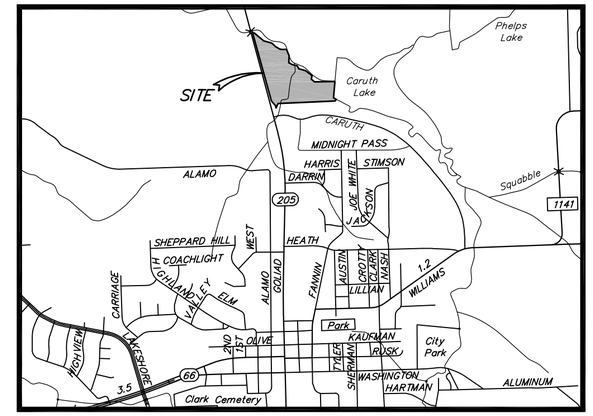
1 inch = 100 ft.



VICINITY MAP
NOT TO SCALE

NOTES:

1. BASIS OF BEARINGS: BASED ON THE EAST LINE OF STATE HIGHWAY 205 (N13°02'30"W) AS SHOWN ON PLAT OF ROCKWALL COUNTY BRANCH Y.M.C.A. RECORDED IN CABINET B, SLIDE 33, PLAT RECORDS, ROCKWALL COUNTY, TEXAS.
2. CONTROLLING MONUMENTS: AS SHOWN
3. ROCKWALL COUNTY YMCA, LOT 2, BLOCK A, LIES WITHIN THE 100-YEAR FLOODPLAIN AS PER FEMA FIRM NUMBER 48397C0030L, EFFECTIVE DATE: SEPTEMBER 26, 2008. LOCATION SHOWN IS SCALED FROM SAID MAP.
4. NO BUILDING PERMITS WILL BE ISSUED UNTIL ALL PUBLIC IMPROVEMENTS ARE ACCEPTED BY THE CITY.

FINAL PLAT
ROCKWALL COUNTY Y.M.C.A.
LOT 2, BLOCK A
1 LOT (931,233 SQ. FT. OR 21.378)
BEING A REPLAT OF
ROCKWALL COUNTY BRANCH Y.M.C.A.
LOT 1, BLOCK A
SAMUEL S. McCURRY SURVEY, ABSTRACT NO. 146
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SCALE: 1" = 100'

DATE: JANUARY 2014

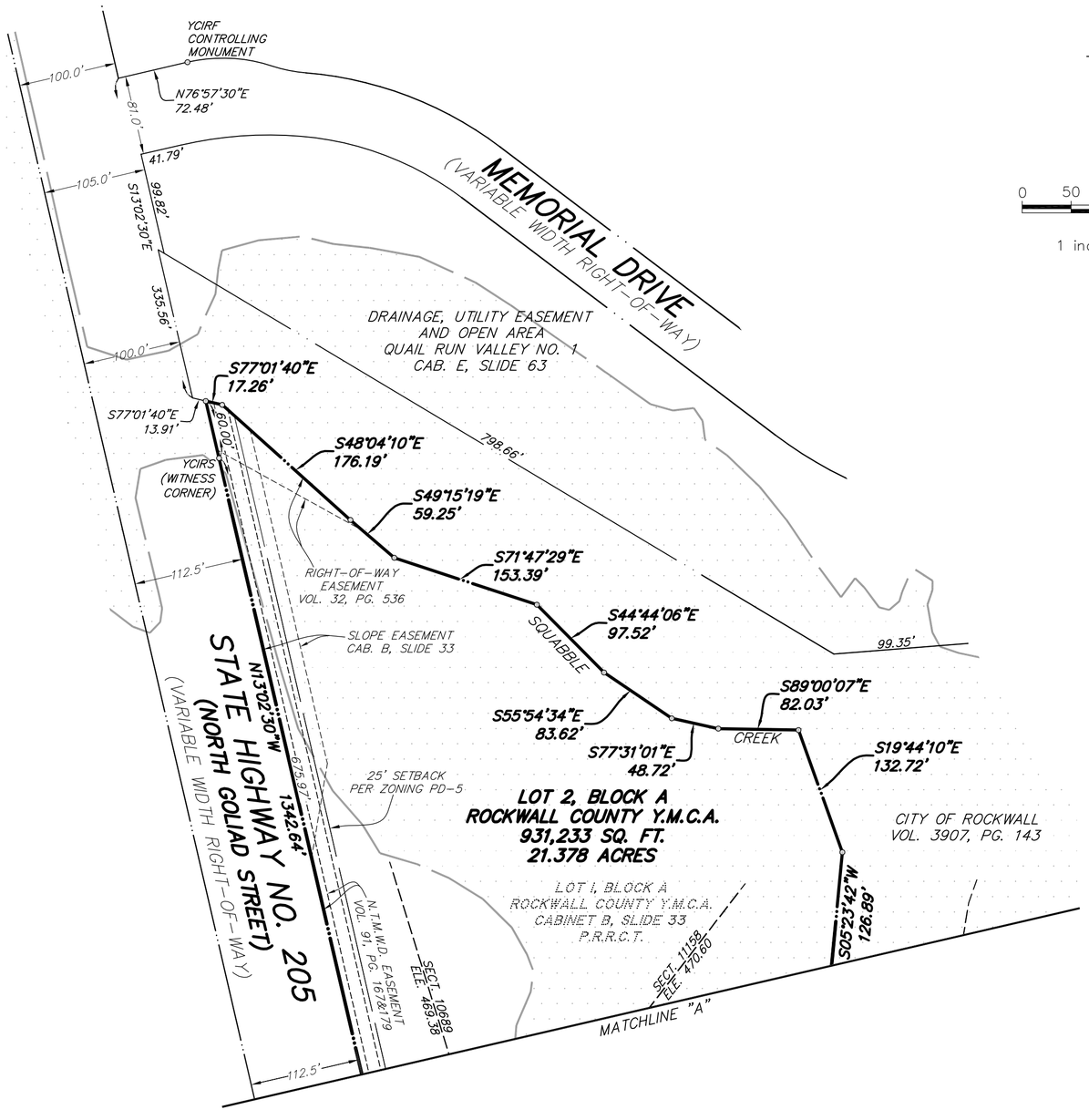
OWNER:
Y.M.C.A. OF DALLAS
1621 W. WALNUT HILL LN.
IRVING, TX. 75038
214-880-9622

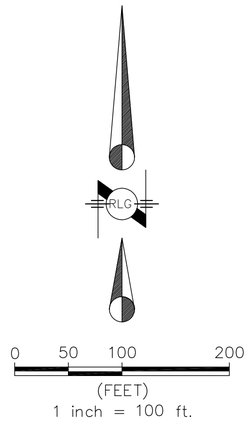
SURVEYOR:
RAYMOND L. GOODSON JR., INC.
5445 LA SIERRA, STE 300, LB 17
DALLAS, TX. 75231-4138
214-739-8100
rlg@rlginc.com
TX PE REC #F-493
TBPLS REC #100341-00

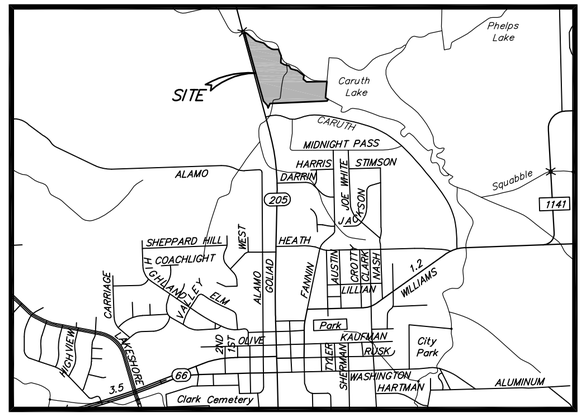
SHEET 1 OF 3

CASE # P2014-003

RECORDED	INST#	JOB NO.	13009.10	E-FILE	13009.10plat	DWG NO.	25,939Z







VICINITY MAP
NOT TO SCALE

FINAL PLAT
ROCKWALL COUNTY Y.M.C.A.
LOT 2, BLOCK A
1 LOT (931,233 SQ. FT. OR 21.378)
BEING A REPLAT OF
ROCKWALL COUNTY BRANCH Y.M.C.A.
LOT 1, BLOCK A
SAMUEL S. McCURRY SURVEY, ABSTRACT NO. 146
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SCALE: 1" = 100'

DATE: JANUARY 2014

OWNER:

Y.M.C.A. OF DALLAS
1621 W. WALNUT HILL LN.
IRVING, TX. 75038
214-880-9622

SURVEYOR:

RAYMOND L. GOODSON JR., INC.
5445 LA SIERRA, STE 300, LB 17
DALLAS, TX. 75231-4138
214-739-8100
rlg@rlginc.com
TX PE REC #F-493
TBPLS REC #100341-00

LEGEND

——·——	PROPERTY LINE
- - - - - - - - - - - -	EASEMENT LINE
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VOL.	VOLUME
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CAB.	CABINET

NOTES:

1. BASIS OF BEARINGS: BASED ON THE EAST LINE OF STATE HIGHWAY 205 (N13°02'30"W) AS SHOWN ON PLAT OF ROCKWALL BRANCH COUNTY Y.M.C.A. RECORDED IN CABINET B, SLIDE 33, PLAT RECORDS, ROCKWALL COUNTY, TEXAS.
2. CONTROLLING MONUMENTS: AS SHOWN
3. ROCKWALL COUNTY YMCA, LOT 2, BLOCK A, LIES WITHIN THE 100-YEAR FLOODPLAIN AS PER FEMA FIRM NUMBER 48397C0030L, EFFECTIVE DATE: SEPTEMBER 26, 2008. LOCATION SHOWN IS SCALED FROM SAID MAP.
4. NO BUILDING PERMITS WILL BE ISSUED UNTIL ALL PUBLIC IMPROVEMENTS ARE ACCEPTED BY THE CITY.

SHEET 2 OF 3

CASE # P2014-003

RECORDED	INST#	JOB NO.	13009.10	E-FILE	13009.10plat	DWG NO.	25,939Z

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF ROCKWALL §

WHEREAS, Y.M.C.A. of Dallas, BEING THE OWNER OF A TRACT OF land situated in the Samuel S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, as conveyed to Y.M.C.A. of Dallas by Warranty Deed recorded in Volume 152, Page 77, Deed Records, Rockwall County, Texas, and being all of Lot 1, Block A, Rockwall County Branch Y.M.C.A., an addition to the City of Rockwall according to the plat recorded in Cabinet B, Slide 33, Plat Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the east line of State Highway No. 205, North Goliad Street (variable width right-of-way, 150' wide at this point), said rod being the most westerly northwest corner of Caruth Lake Phase One, an addition to the City of Rockwall according to the plat recorded in Cabinet C, Slide 208, Plat Records, Rockwall County, Texas;

THENCE North 13° 02' 30" West along the east line of said State Highway No. 205 a distance of 50.40 feet to 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner;

THENCE North 39° 33' 24" West continuing along the east line of said State Highway No. 205 a distance of 84.00 feet to a chiseled "X" set for corner;

THENCE North 13° 02' 30" West continuing along the east line of said State Highway No. 205, passing at a distance of 1,282.64 feet a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for witness corner, continuing a total distance of 1,342.64 feet to a point for corner in the center of Squabble Creek and the southwest line of a tract of land conveyed to the City of Rockwall by Quit Claim Deed recorded in Volume 3907, Page 143, Deed Records, Rockwall County, Texas;

THENCE along the common line between said City of Rockwall tract and said Lot 1 and along the meanders of Squabble Creek as follows:

South 77° 01' 40" East a distance of 17.26 feet to a point for corner;

South 48° 04' 10" East a distance of 176.19 feet to a point for corner;

South 49° 15' 19" East a distance of 59.25 feet to a point for corner;

South 71° 47' 29" East a distance of 153.39 feet to a point for corner;

South 44° 44' 06" East a distance of 97.52 feet to a point for corner;

South 55° 54' 34" East a distance of 83.62 feet to a point for corner;

South 77° 31' 01" East a distance of 48.72 feet to a point for corner;

South 89° 00' 07" East a distance of 82.03 feet to a point for corner;

South 19° 44' 10" East a distance of 132.72 feet to a point for corner;

South 05° 23' 42" West a distance of 126.89 feet to a point for corner;

South 58° 32' 41" East a distance of 79.12 feet to a point for corner;

South 75° 09' 27" East a distance of 91.80 feet to a point for corner;

South 25° 55' 46" East a distance of 62.56 feet to a point for corner;

South 72° 15' 30" East a distance of 126.26 feet to a point for corner;

South 49° 44' 27" East a distance of 155.37 feet to a point for corner;

South 13° 48' 25" West a distance of 67.87 feet to a point for corner;

South 49° 10' 04" East a distance of 77.28 feet to a point for corner;

South 88° 11' 53" East passing at a distance of 313.69 feet a chiseled "X" set for witness corner, continuing a total distance of 379.69 feet to a point for corner in Caruth Lake, said point being the northwest corner of tract of land conveyed to the City of Rockwall by Quitclaim Deed recorded in Volume 2770, Page 151, Deed Records, Dallas County, Texas;

THENCE South 07° 32' 20" West along said City of Rockwall tract a distance of 303.16 feet to a point for corner in Caruth Lake, from which a chiseled "X" set for witness corner bears South 89° 59' 50" West a distance of 66.00 feet;

THENCE South 57° 12' 00" East along said City of Rockwall tract a distance of 57.95 feet to a point for corner in Caruth Lake;

THENCE South 32° 48' 00" West along said Rockwall tract a distance of 35.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner, being a common corner with said City of Rockwall tract and a tract of land conveyed to Robert S. Whittle by Special Warranty Deed and Bill of Sale recorded in Volume 694, Page 47, Deed Records, Rockwall County, Texas;

THENCE North 90° 00' 00" West along the north line of said Whittle tract, passing at a distance of a 279.34 feet the common corner between said Whittle tract and said Caruth Lake addition, continuing along the north line of said Caruth Lake addition, passing at a distance of 1047.00 feet a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for witness corner, continuing a total distance of 1,067.00 feet to a point for corner in the center of a creek;

THENCE South 10° 43' 51" West along the north line of said Caruth Lake addition a distance of 9.04 feet to a point for corner in said creek;

THENCE South 25° 43' 41" West along said Caruth Lake addition a distance of 84.07 feet to the **POINT OF BEGINNING** and containing 931,233 square feet or 21.378 acres, more or less.

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owners of the land shown on this plat, and designated herein as the **ROCKWALL COUNTY BRANCH Y.M.C.A.** subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the **ROCKWALL COUNTY BRANCH Y.M.C.A.** subdivision have been notified and signed this plat.

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

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

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

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

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

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

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

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

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

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

_____
Signature

_____
Title

STATE OF TEXAS §
COUNTY OF _____ §

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

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

_____
Notary Public in and for the State of Texas

_____
My Commission Expires:

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

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

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

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

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

SURVEYOR'S CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Dale R. White, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown hereon were property placed under my personal supervision.

_____
Dale R. White R.P.L.S. NO. 4762

STATE OF TEXAS §
COUNTY OF DALLAS §

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

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

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

FINAL PLAT
ROCKWALL COUNTY Y.M.C.A.
LOT 2, BLOCK A
1 LOT (931,233 SQ. FT. OR 21.378)
BEING A REPLAT OF
ROCKWALL COUNTY BRANCH Y.M.C.A.
LOT 1, BLOCK A
SAMUEL S. McCURRY SURVEY, ABSTRACT NO. 146
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SCALE: 1" = 100' DATE: JANUARY 2014

OWNER:
Y.M.C.A. OF DALLAS
1621 W. WALNUT HILL LN.
IRVING, TX. 75038
214-880-9622

SURVEYOR:
RAYMOND L. GOODSON JR., INC.
5445 LA SIERRA, STE 300, LB 17
DALLAS, TX. 75231-4138
214-739-8100
rlg@rlginc.com
TX PE REC #F-493
TBPLS REC #100341-00

SHEET 3 OF 3 CASE # P2014-003

RECORDED	INST#	JOB NO.	13009.10	E-FILE	13009.10plat	DWG NO.	25,939Z

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 02/17/2014

APPLICANT: Ronald Valk

AGENDA ITEM: **P2014-004**; Lot 1, Block 1, Valk Rockwall Addition

---

SUMMARY:

Discuss and consider a request by Ronald Valk for the approval of a final plat for Lot 1, Block 1, Valk Rockwall Addition being a 4 .264-acre tract of land located within the ext raterritorial jurisdiction of the City of Rockwall and situate d in the Joseph Strickla nd Survey, Abstract No. 187, Rockwall County, Texas, and located on the east side of SH-205 north of F. M. 552, and take any action necessary.

COMMENTS:

- ✓ The objective of this request is to final plat a 4.264-acre tract of land into one (1) non-residential lot in conformance with the requirements of a 212 Development Agreement that was approved by City Council. The subject property is located within t he Extra Territorial Jurisdiction (ETJ) of the City of Rockwall and is being operated as a mini-warehouse facility.

- ✓ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for final p lats as stated in the Su bdivision Ordinance in the Municipal Code of Ordinances, is recommended for conditional a pproval pending the completion of final technical modifications and submittal requirements.

- ✓ Conditional approval of this plat by t he City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

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

RECOMMENDATIONS:

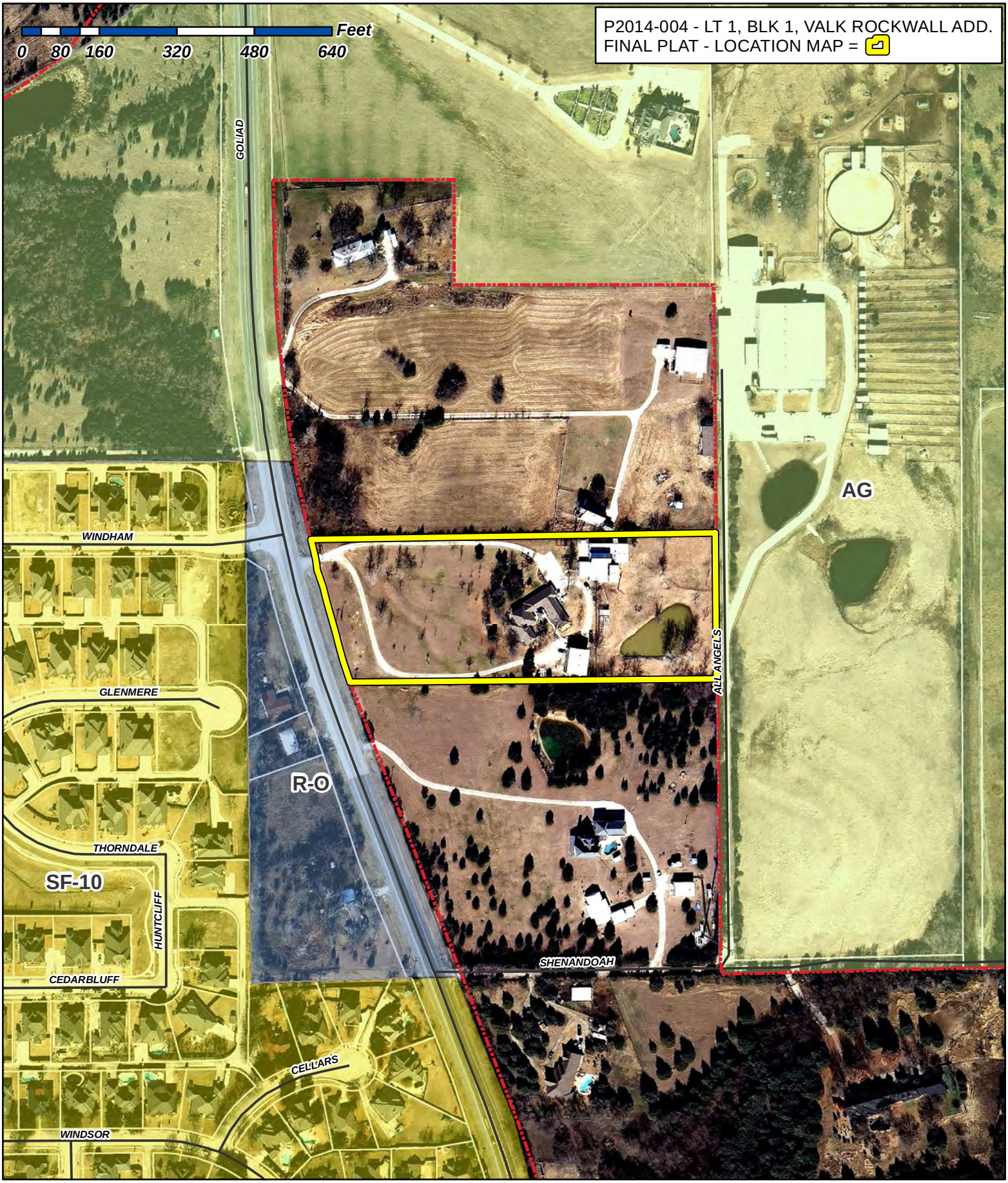
If the Planning & Zoning Commissio n and City Council choose to approve the final plat of *Lot 1, Block 1, Valk Rockwall Addition* staff would recommend conformance with the following conditions of approval:

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

2) Any construction resu lting from the approval of this *final plat* shall conform to the requirements set forth by the Unified Development Code, the 2009 I nternational Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regula tory requirements admi nistered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On February 11, 2014, the Planning & Zoning Commission approved the final plat per staff's recommendations by a vote of 6 to 0, with Commissioner Minth absent.



City of Rockwall

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

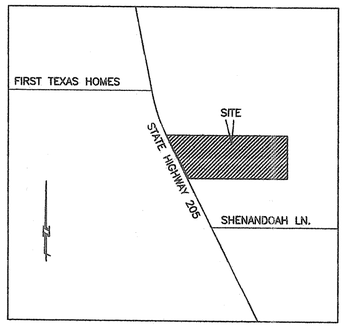
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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

1:3,062

SCALE 1" = 50'

0 50 100 125

VICINITY MAP
(NOT TO SCALE)



FIRELANE DATA

NUM	BEARING	DISTANCE
L1	S68°51'36"W	83.98'
L2	N89°05'59"E	479.78'
L3	S0°54'01"E	95.15'
L4	N89°05'59"E	363.98'
L5	S21°08'24"E	127.85'
L6	S68°51'36"W	88.06'
L7	N89°05'59"E	399.06'
L8	S0°54'01"E	95.15'
L9	N89°05'59"E	363.98'
L10	S21°08'24"E	101.41'

FIRELANE DATA

C1	20°14'23"	7.06'	20.00'	S78°58'48"W	7.03'
C2	90°00'00"	69.12'	44.00'	N45°54'01"W	62.23'
C3	90°00'00"	69.12'	44.00'	N44°05'59"E	62.23'
C4	69°45'37"	53.57'	44.00'	S56°01'12"E	50.32'
C5	90°00'00"	31.42'	20.00'	N66°08'24"W	28.28'
C6	110°14'23"	38.48'	20.00'	S33°58'48"W	32.81'
C7	90°00'00"	31.42'	20.00'	N45°54'01"W	28.28'
C8	90°00'00"	31.42'	20.00'	N44°05'59"E	28.28'
C9	69°45'37"	24.35'	20.00'	S56°01'12"E	22.87'

JENNIFER A. PETERS
VOL. 1784 PG. 236
DRRCT

GPS POINT
NORTH-7027433.81
EAST-2592745.56
ELEV.

A=01°59'53"
R=2836.19'
L=98.90'
CB=N20°09'29"W
CD=98.896'

N 89°05'59" E 763.28'

3/8" FIR

1/2" FIR

WATER LINE EASEMENT

NUM	BEARING	DISTANCE
L11	N68°51'36"E	23.01'
L12	N89°05'59"E	155.43'
L13	N0°54'01"W	21.50'
L14	N89°05'59"E	233.27'
L15	S0°54'01"E	22.00'
L16	N89°05'59"E	10.00'
L17	S0°54'01"E	22.00'
L18	N89°05'59"E	182.73'
L19	S0°54'01"E	168.00'
L20	N89°05'59"E	399.57'
L21	S45°54'01"E	3.36'
L22	N44°05'59"E	58.60'
L23	N89°05'59"E	81.10'
L24	N44°05'59"E	53.19'
L25	S45°54'01"E	46.62'
L26	N0°54'01"W	133.07'
L27	N89°05'59"E	137.76'
L28	N68°51'36"E	20.58'
L29	N20°10'46"W	15.00'
L30	N89°05'59"E	411.00'
L31	S0°54'01"E	123.96'
L32	N89°05'59"E	9.85'
L33	N0°54'01"W	10.00'
L34	S89°05'59"W	9.85'
L35	S0°54'01"E	4.32'
L36	N89°05'59"E	378.36'
L37	S45°54'01"E	8.54'
L38	S44°05'59"W	1.36'
L39	S0°54'01"E	10.00'
L40	N89°05'59"E	2.93'
L41	N89°05'59"E	7.07'
L42	S44°05'59"W	5.51'
L43	S45°54'01"E	27.63'
L44	N0°54'01"W	105.36'
L45	S0°57'31"E	16.99'
L46	S61°01'28"W	47.67'
L47	S0°48'43"E	16.44'
L48	N89°11'17"E	13.00'
L49	S0°48'43"E	198.94'
L50	S89°05'55"W	52.00'
L51	N0°48'43"W	199.02'
L52	N89°11'17"E	24.00'
L53	N0°48'43"W	25.42'
L54	N61°01'28"E	64.64'

STATE HIGHWAY 205
(VARIABLE WIDTH)

N 21°10'20" W 176.63'

N 21°10'20" W 150.00' to 1" IPF

40.89'
21.84'
21.17'
2.84'

L1 24' FIRELANE EASEMENT

L2 L12 L13 L14 15' WATER LINE EASEMENT L15 L16 L17 L18 24' FIRELANE EASEMENT L30 L7

C1 C2 C3 C5 C6

L26 L5 L44 L10 L43 L42 L41 L39 L38 L40 L37 L21 L25

L31 L8 L19 L3

L9 L32 C8 L33 L35 L34 C3

15' WATER LINE EASEMENT L36 L20 24' FIRELANE EASEMENT

L4

C4 L24 L22 L23

POB

79.70'

10.56'

8.60' WATER ESMT

9.90' WATER ESMT

1/2" FIR

GPS POINT
NORTH-7027433.81
EAST-2592745.56
ELEV.

S 89°05'58" W 669.73'

L54 L45 L53 L46 L47 L52 L48

DETENTION DRAINAGE EASEMENT

L51

1/2" FIR

29.64'

1/2" FIR

S 0°57'31"E 259.05'

ALL ANGELS HILL LANE (PRIVATE DRIVE)

SHENANDOAH REAL ESTATE PARTNERS
VOL. 3351 PG. 114
DRRCT

AARON & HELLEN BYRD
VOL. 6416 PG. 106
DRRCT

P2014 004

FILE COPY

RECEIVED
FEB 03 2014
BY:

BASIS OF BEARING

COORDINATES SHOWN HEREON ARE NAD83 (CORS96, EPOCH 2002) TIED TO THE TEXAS COORDINATES SYSTEM OF 1983, NORTH CENTRAL ZONE (4202) USING CITY GARLAND GEODETIC CONTROL (2002 DATUM) MONUMENT R008

MONU #8 N= 7040275.230
E= 2592504.070
Z= 542.335

THE CONVERGENCE/MAPPING ANGLE AT MONUMENT R008, LOCATED ON SOUTHWEST CORNER OF DALTON ROAD AND STATE HIGHWAY 205 CONV. ANGLE. 01° 06' 35.1745" WITH A COMBINED SCALE FACTOR OF 0.999873743848

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

Floodplain Statement: The property shown herein is located in Zone "X" which is not a flood hazard area according to Map No. 48397C0040L, dated September 26, 2008 of the National Insurance Rate Map prepared by the Federal Emergency Mangement Agency.

OWNER:
RON C. VALK
2906 PANHANDLE DRIVE
ROCKWALL, TEXAS 75087

LANE'S SOUTHWEST SURVEYING INC.
2717 MOTLEY DR. SUITE B
MESQUITE, TEXAS 75150
PH- 972-681-4442

FINAL PLAT

LOT 1, BLOCK 1
VALK ROCKWALL ADDITION

OUT OF THE JOSEPH STRICKLAND SURVEY ABST.NO. 187

BEING 4.264 ACRES

CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

CASE NO.

RP-912

FILE W05095-PLAT

PROPERTY DESCRIPTION

BEING a tract of land situated in the Joseph Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas and being all of that certain tract of land conveyed to Ronald C. Valk by Warranty Deed recorded in Volume 6363, Page 130, Deed Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for corner in the East ROW line of State Highway 205 (a variable ROW), being at the Southwest corner of said Valk Tract and the Northwest corner of a tract of land conveyed to Aaron and Hellen Byrd by Deed recorded in Volume 6416, Page 106, Deed Records, Rockwall County, Texas, said iron rod being North 21 degrees 10 minutes 20 seconds West, a distance of 150.00 feet from a 1-inch iron pipe found at the Southwest corner of said Byrd Tract and the Northwest corner of a tract of land conveyed to Daniel and Kay Strong by Deed recorded in Volume 1823, Page 224, Deed Records, Rockwall County, Texas;

THENCE: North 21 degrees 10 minutes 20 seconds West, along the East ROW line of State Highway 205 and the West line of said Valk Tract, a distance of 176.63 feet to a 1/2 inch iron rod found at the beginning of a curve to the left, having a central angle of 01 degrees 59 minutes 53 seconds, a radius of 2836.19 feet and a chord bearing North 20 degrees 09 minutes 29 seconds West, a distance of 98.90 feet;

THENCE: Northwesterly, along the East ROW line of State Highway 205 and the West line of said Valk Tract and along said curve to the left, an arc distance of 98.90 feet to a 3/8 inch iron rod found at the Northwest corner of said Valk Tract and the Southwest corner of a tract of land conveyed to Jennifer A. Peters by Deed recorded in Volume 1784, Page 236, Deed Records, Rockwall County, Texas;

THENCE: North 89 degrees 05 minutes 59 East, departing the East ROW line of State Highway 205, along the common line of said Valk Tract and said Peters Tract, a distance of 763.28 feet to a 1/2 inch iron rod found in the West ROW line of All Angels Hill Lane (a private ROW), said iron rod being at the Northeast corner of said Valk Tract and the Southeast corner of said Peters Tract;

THENCE: South 00 degrees 57 minutes 31 seconds East, along the West ROW line of All Angels Hill Lane and the East line of said Valk Tract, a distance of 259.05 feet to a 1/2 inch iron rod found at the Southeast corner of said Valk Tract and the Northeast corner of said Byrd Tract;

THENCE: South 89 degrees 05 minutes 58 seconds West, departing the West ROW line of All Angels Hill Lane, along the common line of said Valk Tract and said Byrd Tract, a distance of 669.73 feet to the PLACE OF BEGINNING and containing 4.264 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

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

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

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

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

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

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

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning & Zoning Commission, Chairman Date

APPROVED:

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

WITNESS OUR HANDS, this _____ day of _____, 2014

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

_____ _____
Rockwall County Judge Date

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

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

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

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

_____
RONALD C. VALK, OWNER

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

_____
NOTARY PUBLIC in and for the State of TEXAS

_____
Signature of Party with Mortgage or Lien Interest

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

_____
NOTARY PUBLIC in and for the State of TEXAS

SURVEYOR'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

PRELIMINARY FOR REVIEW DO NOT FILE

_____
J. L. LANE
REGISTERED PROFESSIONAL LAND SURVEYOR No. 2509

FINAL PLAT

LOT 1, BLOCK 1
VALK ROCKWALL ADDITION

OUT OF THE JOSEPH STRICKLAND SURVEY ABST.NO. 187

BEING 4.264 ACRES

CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

LANE'S SOUTHWEST SURVEYING INC.
2717 MOTLEY DR. SUITE B
MESQUITE, TEXAS 75150
PH- 972-681-4442

CASE NO.

RP-912

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

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

DATE: February 10, 2014

SUBJECT: SH 205 Speed Limit Reduction

The current speed limit on SH 205 from Darrin Drive to FM 552/Dalton Road is 55 miles per hour. Staff has received complaints that this speed was too fast for the developed conditions adjacent to the roadway. The roadway is under the Texas Department of Transportation (TxDOT) responsibility and maintenance. Staff requested TxDOT to perform a speed study to determine the appropriate speed for this roadway. The results of the speed study recommend decreasing the speed limit along SH 205 between Darrin Drive and FM 552/ Dalton Road from 55 mph to 50 mph.

To proceed with the changing of the speed limit, TxDOT requires an approved City ordinance matching the zones on the speed study. Upon receiving the executed ordinance, TxDOT will furnish and install the necessary signs at the proper locations.

Staff requests City Council consideration to approve the attached ordinance establishing the speed limit along SH 205 from Darrin Drive to FM 552/Dalton Road to 50 miles per hour and take any action necessary.

If you have any questions, please advise.

TMT:em

Attachments:

Cc:

Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
Billy Chaffin, Streets & Drainage Superintendent
file

NO. _____

SPEED ZONE ORDINANCE

AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY NO. 205 OR PARTS THEREOF, WITHIN THE INCORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED $200.00 FOR THE VOILATION OF THIS ORDINANCE.

WHEREAS**,** Section 545.356 of the Texas Transportation Code, provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration that width and condition of the pavement and other circumstances such portion of said street or highway, as well as the traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway; NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1.

Upon the basis of an engineering and traffic investigation heretofore made as a authorized by the provisions of Transportation Code, Section 545.356, the following prima facie speed limits hereafter indicated for vehicles on the attached Exhibit “A” (strip map) are herby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

A. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

1. That from and after the date of the passage of this speed zone ordinance, no motor vehicle shall be operated along and upon State Highway No. 205 within the corporate limits of the City of Rockwall in excess of speeds now set forth in Exhibit “A”.

SECTION 2.

The Mayor of Rockwall is hereby authorized to cause to be erected, appropriated signs indicating such speed zones.

SECTION 3.

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed Two Hundred Dollars ($200.00).

PASSED AND APPROVED THIS ____ DAY OF_____, A.D., 20___.

_____
David Sweet, Mayor

City of Rockwall, Texas

Attest:

_____
Kristy Ashberry, City Secretary

City of Rockwall, Texas

APPROVED AS TO LEGAL FORM:

_____
Frank Garza, City Attorney

City of Rockwall, Texas

APPROVED:

_____
Rick Crowley, City Manager

City of Rockwall, Texas

I, _____, City Secretary of the City of Rockwall, Texas, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. _____ adopted by the City Council of the City of Rockwall, Texas, _____, A.D., 20____. To certify which, witness my hand and seal of office this _____ day of _____, A.D., 20___.

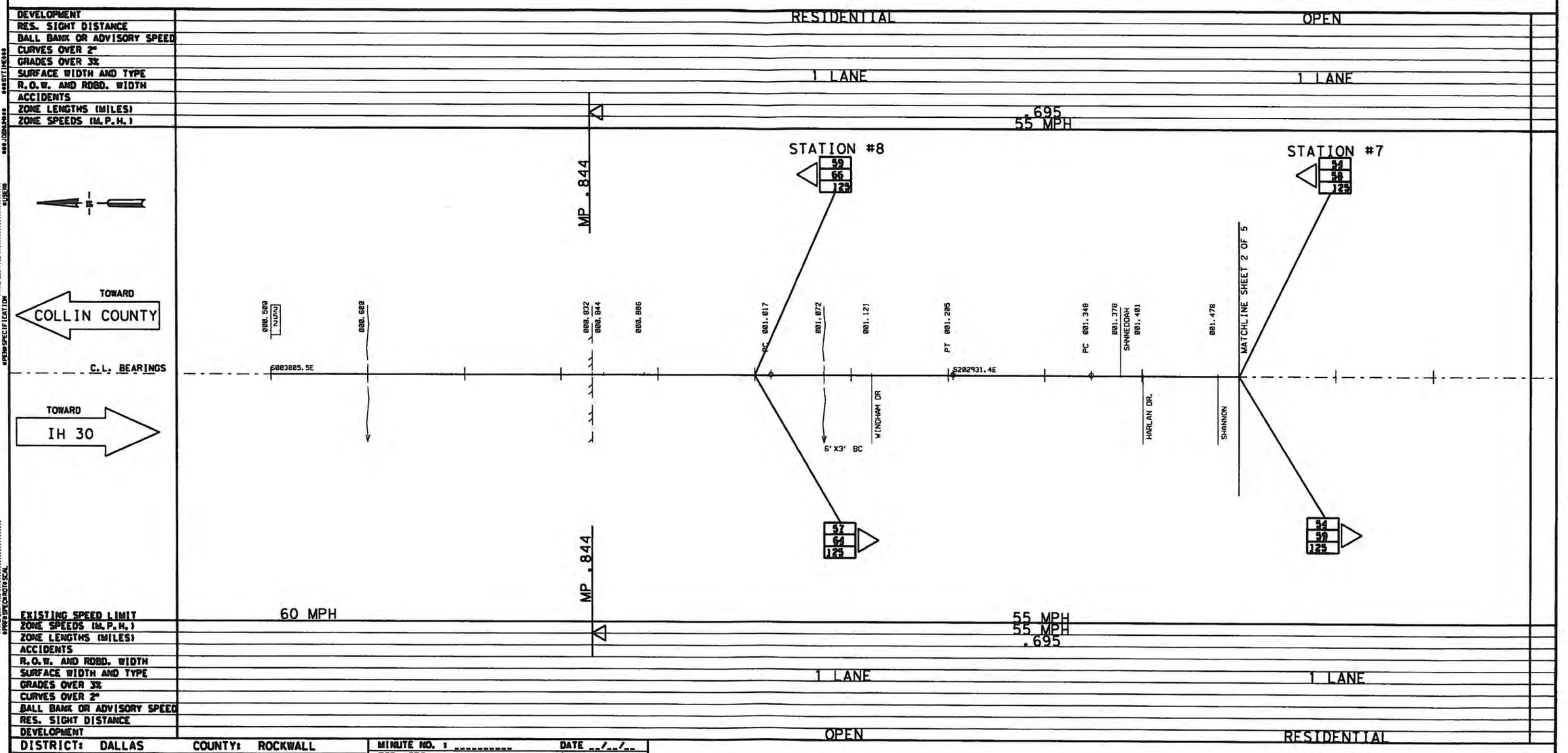
_____
Kristy Ashberry, City Secretary

City of Rockwall, Texas

1st Reading: _____

2nd Reading: _____

SH 205



DISTRICT: DALLAS	COUNTY: ROCKWALL	MINUTE NO. : _____	DATE __/__/__
HIGHWAY: SH 205	CITY: ROCKWALL	REPLACES : _____	DATE __/__/__
DATE OF STUDY 02-27-13	SCALE 1" = 0.1 MILES	REPLACED BY : _____	DATE __/__/__
		CANCELLED BY : _____	DATE __/__/__

LIMITS OF ZONE

SECTION ONE		LENGTH ___ MILES		SECTION TWO		LENGTH ___ MILES	
BEGINS	STA. OR M.P. ___0 + 00___ MP _____	CONT. AND SECT. ____ - __	PROJECT _____ (__)	BEGINS	STA. OR M.P. ___ + ___ MP _____	CONT. AND SECT. ____ - __	PROJECT _____ (__)
ENDS	STA. OR M.P. ___0 + 00___ MP _____	CONT. AND SECT. ____ - __	PROJECT _____ (__)	ENDS	STA. OR M.P. ___ + ___ MP _____	CONT. AND SECT. ____ - __	PROJECT _____ (__)

42 — 85 PERCENTILE SPEED
62 — TOP SPEED MEASURED
125 — NUMBER OF CARS CHECKED

○ FATAL ACCIDENT
⊘ PERSONAL INJURY ACCIDENT
○ PROPERTY DAMAGE ACCIDENT

INDICATES SECTION ZONED BY COMMISSION MINUTE

△ SIGNALIZED INTERSECTION

TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 04

LIMITS: FM 740 TO NORTH CITY LIMITS

SHEET 1 OF 5

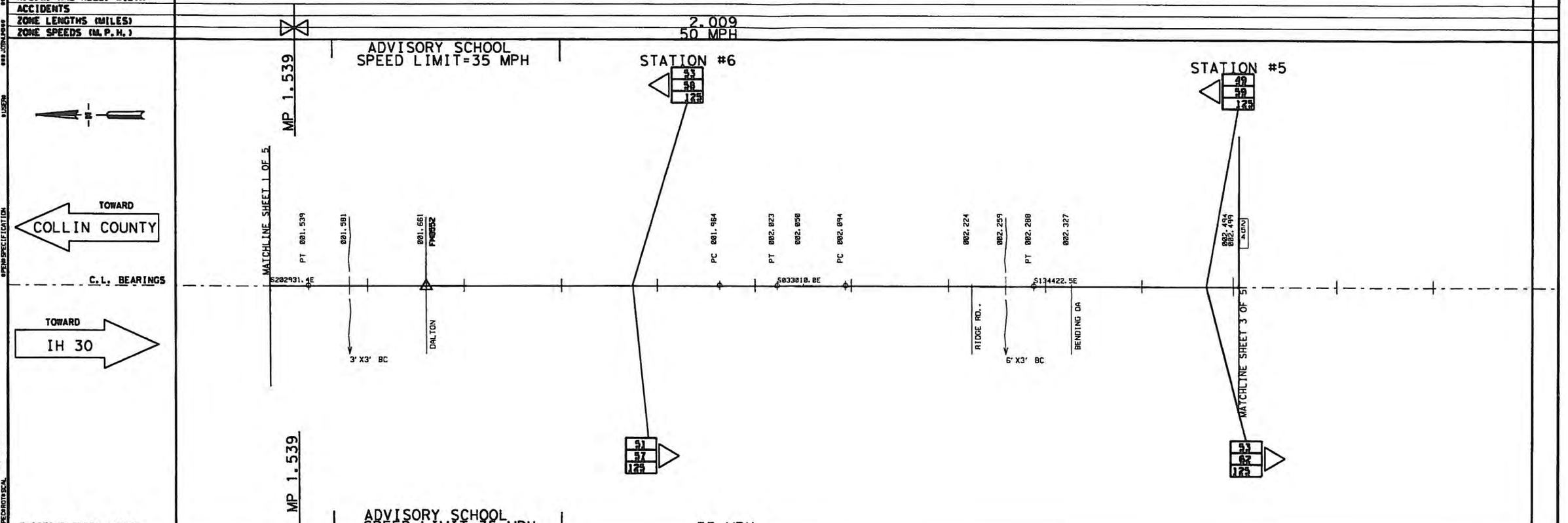
Texas Department of Transportation

SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN TEAM	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.		SHEET NO.
	STATE	STATE DIST. NO.	COUNTY	
CHECKED	CONTROL NO.	SECTION NO.	JOB NO.	HIGHWAY NO.

SH 205

DEVELOPMENT	RESIDENTIAL / OPEN
RES. SIGHT DISTANCE	
BALL BANK OR ADVISORY SPEED	
CURVES OVER 2°	
GRADES OVER 3%	
SURFACE WIDTH AND TYPE	1 LANE / 1 LANE
R.O.W. AND RDBD. WIDTH	
ACCIDENTS	
ZONE LENGTHS (MILES)	2.009
ZONE SPEEDS (M.P.H.)	50 MPH



EXISTING SPEED LIMIT	55 MPH
ZONE SPEEDS (M.P.H.)	50 MPH
ZONE LENGTHS (MILES)	2.009
ACCIDENTS	
R.O.W. AND RDBD. WIDTH	
SURFACE WIDTH AND TYPE	1 LANE
GRADES OVER 3%	
CURVES OVER 2°	
BALL BANK OR ADVISORY SPEED	
RES. SIGHT DISTANCE	
DEVELOPMENT	RESIDENTIAL

DISTRICT: DALLAS COUNTY: ROCKWALL
HIGHWAY: SH 205 CITY: ROCKWALL
DATE OF STUDY 02-27-13 SCALE 1" = 0.1 MILES

MINUTE NO. :		DATE __/__/__
REPLACES :		DATE __/__/__
REPLACED BY :		DATE __/__/__
CANCELLED BY :		DATE __/__/__

LIMITS OF ZONE

	SECTION ONE			SECTION TWO		
	STA. OR M.P.	LENGTH CONT. AND SECT.	MILES PROJECT	STA. OR M.P.	LENGTH CONT. AND SECT.	MILES PROJECT
BEGINS	0 + 00 MP			MP		
ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT	STA. OR M.P.	CONT. AND SECT.	PROJECT
	0 + 00 MP			MP		

42 85 PERCENTILE SPEED
62 TOP SPEED MEASURED
129 NUMBER OF CARS CHECKED

O FATAL ACCIDENT
⊘ PERSONAL INJURY ACCIDENT
O PROPERTY DAMAGE ACCIDENT

INDICATES SECTION ZONED BY COMMISSION MINUTE

△ SIGNALIZED INTERSECTION

TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 04
LIMITS: FM 740 TO NORTH CITY LIMITS

SHEET 2 OF 5

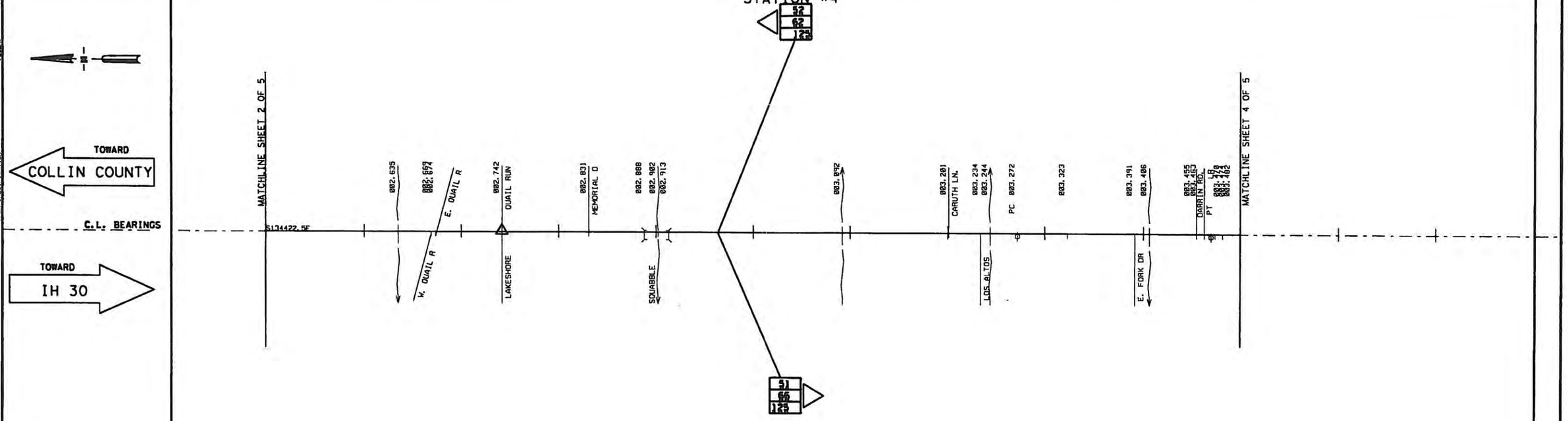
Texas Department of Transportation

SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN TEAM	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.	SHEET NO.
	STATE	STATE DIST. NO. / COUNTY	
CHECKED	CONTROL NO.	SECTION NO.	JOB NO. / HIGHWAY NO.

SH 205

DEVELOPMENT	OPEN / RESIDENTIAL
RES. SIGHT DISTANCE	
BALL BANK OR ADVISORY SPEED	
CURVES OVER 2°	
GRADES OVER 3%	
SURFACE WIDTH AND TYPE	1 LANE / 1 LANE
R.O.W. AND RDBD. WIDTH	
ACCIDENTS	
ZONE LENGTHS (MILES)	2.009
ZONE SPEEDS (M.P.H.)	50 MPH



EXISTING SPEED LIMIT	55 MPH
ZONE SPEEDS (M.P.H.)	50 MPH
ZONE LENGTHS (MILES)	2.009
ACCIDENTS	
R.O.W. AND RDBD. WIDTH	
SURFACE WIDTH AND TYPE	1 LANE / 1 LANE
GRADES OVER 3%	
CURVES OVER 2°	
BALL BANK OR ADVISORY SPEED	
RES. SIGHT DISTANCE	
DEVELOPMENT	RESIDENTIAL / RESIDENTIAL

DISTRICT: DALLAS COUNTY: ROCKWALL

HIGHWAY: SH 205 CITY: ROCKWALL

DATE OF STUDY 02-27-13 SCALE 1" = 0.1 MILES

MINUTE NO. : _____	DATE __/__/__
REPLACES : _____	DATE __/__/__
REPLACED BY : _____	DATE __/__/__
CANCELLED BY : _____	DATE __/__/__

LIMITS OF ZONE

	SECTION ONE	LENGTH ___ MILES		SECTION TWO	LENGTH ___ MILES	
	STA. OR M.P.	CONT. AND SECT.	PROJECT	STA. OR M.P.	CONT. AND SECT.	PROJECT
BEGINS	0 + 00 MP	____ - __	_____ (__)	___ + ___ MP	____ - __	_____ (__)
ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT	STA. OR M.P.	CONT. AND SECT.	PROJECT
	0 + 00 MP	____ - __	_____ (__)	___ + ___ MP	____ - __	_____ (__)

42 85 PERCENTILE SPEED
62 TOP SPEED MEASURED
123 NUMBER OF CARS CHECKED

O FATAL ACCIDENT
⊘ PERSONAL INJURY ACCIDENT
O PROPERTY DAMAGE ACCIDENT

INDICATES SECTION ZONED BY COMMISSION MINUTE

△ SIGNALIZED INTERSECTION

(__) TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 04

LIMITS: FM 740 TO NORTH CITY LIMITS

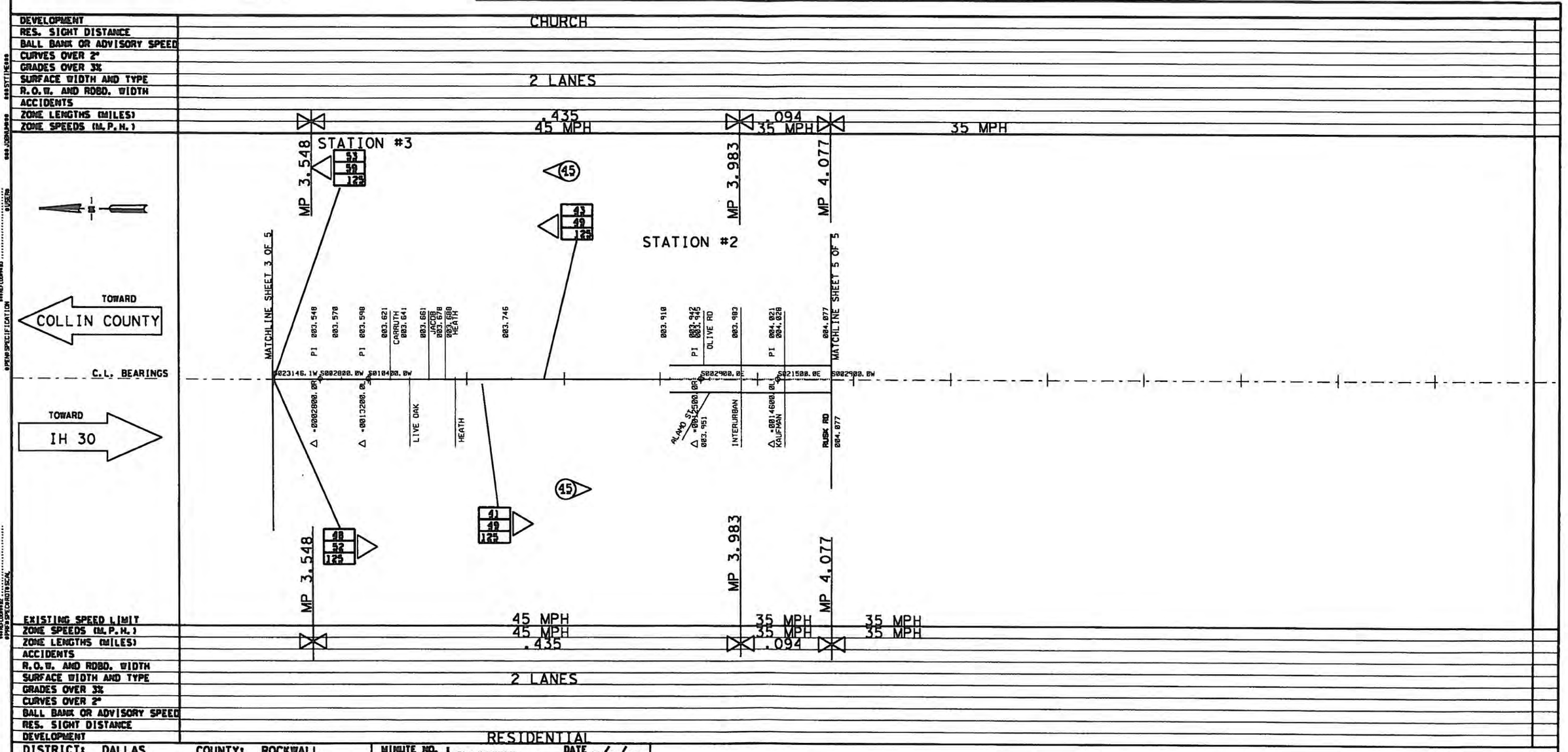
SHEET 3 OF 5

Texas Department of Transportation

SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN TEAM	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.	SHEET NO.
	STATE	STATE DIST. NO. / COUNTY	
CHECKED	CONTROL NO.	SECTION NO. / JOB NO.	HIGHWAY NO.

SH 205



DISTRICT: DALLAS COUNTY: ROCKWALL

HIGHWAY: SH 205 CITY: ROCKWALL

DATE OF STUDY 02-27-13 SCALE 1_" = 0.1 MILES

MINUTE NO. : _____	DATE __/__/__
REPLACES : _____	DATE __/__/__
REPLACED BY : _____	DATE __/__/__
CANCELLED BY : _____	DATE __/__/__

LIMITS OF ZONE

	SECTION ONE	LENGTH ___ MILES		SECTION TWO	LENGTH ___ MILES	
	STA. OR M.P.	CONT. AND SECT.	PROJECT	STA. OR M.P.	CONT. AND SECT.	PROJECT
BEGINS	0 + 00	____ - __	____ (__)	___ + ___	____ - __	____ (__)
	MP _____			MP _____		
ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT	STA. OR M.P.	CONT. AND SECT.	PROJECT
	0 + 00	____ - __	____ (__)	___ + ___	____ - __	____ (__)
	MP _____			MP _____		

42 85 PERCENTILE SPEED
62 TOP SPEED MEASURED
125 NUMBER OF CARS CHECKED

O FATAL ACCIDENT
Ø PERSONAL INJURY ACCIDENT
O PROPERTY DAMAGE ACCIDENT

INDICATES SECTION ZONED BY COMMISSION MINUTE

△ SIGNALIZED INTERSECTION

(--) TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 04

LIMITS: FM 740 TO NORTH CITY LIMITS

SHEET 4 OF 5

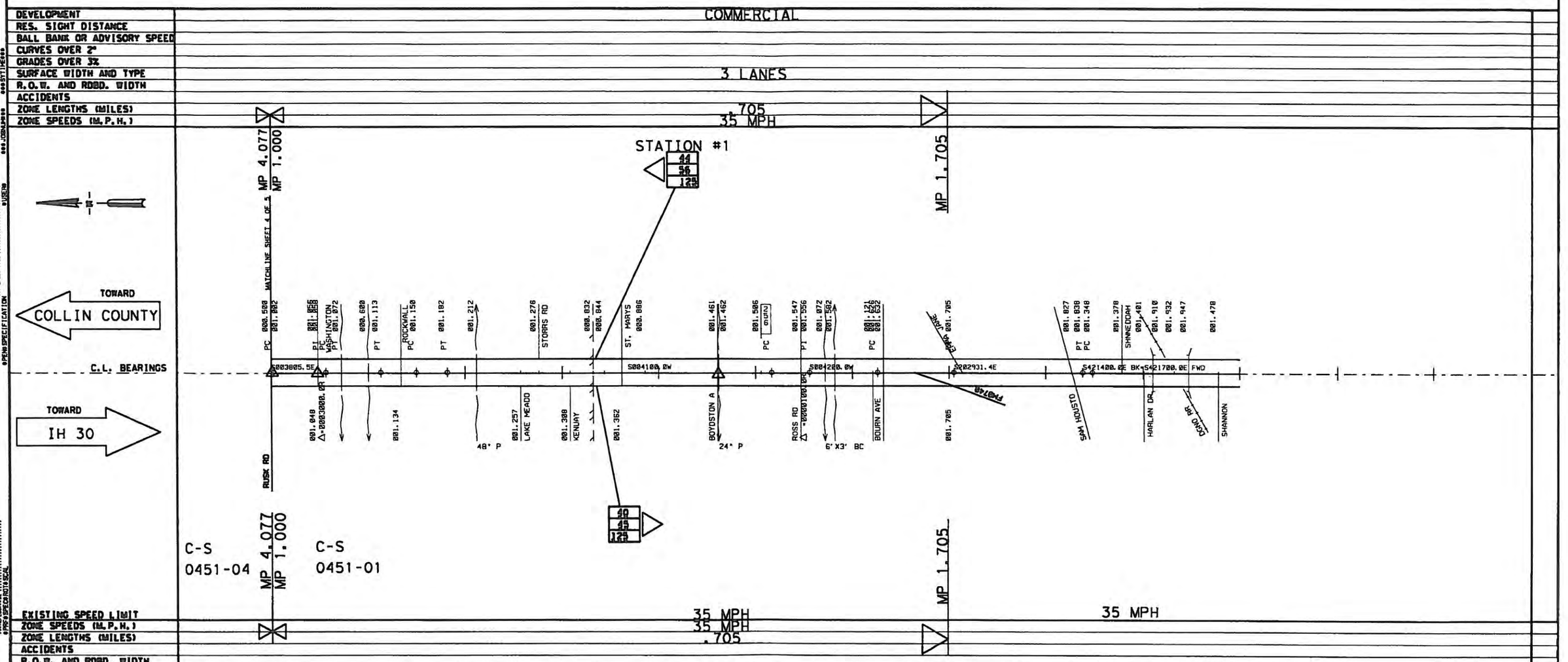
Texas Department of Transportation

SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN TEAM	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.	SHEET NO.
	STATE	STATE DIST. NO. / COUNTY	
CHECKED	CONTROL NO.	SECTION NO.	JOB NO. / HIGHWAY NO.

SH 205

DEVELOPMENT	COMMERCIAL
RES. SIGHT DISTANCE	
BALL BANK OR ADVISORY SPEED	
CURVES OVER 2°	
GRADES OVER 3%	
SURFACE WIDTH AND TYPE	3 LANES
R.O.W. AND ROBD. WIDTH	
ACCIDENTS	
ZONE LENGTHS (MILES)	.705
ZONE SPEEDS (M.P.H.)	35 MPH



EXISTING SPEED LIMIT	35 MPH
ZONE SPEEDS (M.P.H.)	35 MPH
ZONE LENGTHS (MILES)	.705
ACCIDENTS	
R.O.W. AND ROBD. WIDTH	
SURFACE WIDTH AND TYPE	3 LANES
GRADES OVER 3%	
CURVES OVER 2°	
BALL BANK OR ADVISORY SPEED	
RES. SIGHT DISTANCE	
DEVELOPMENT	COMMERCIAL

DISTRICT: DALLAS COUNTY: ROCKWALL

HIGHWAY: SH 205 CITY: ROCKWALL

DATE OF STUDY 02-27-13 SCALE 1_" = 0.1 MILES

MINUTE NO. : _____	DATE __/__/__	
REPLACES : _____	DATE __/__/__	
REPLACED BY : _____	DATE __/__/__	
CANCELLED BY : _____	DATE __/__/__	

LIMITS OF ZONE

SECTION ONE	STA. OR M.P.	LENGTH MILES CONT. AND SECT.	PROJECT	SECTION TWO	STA. OR M.P.	LENGTH MILES CONT. AND SECT.	PROJECT
BEGINS	0 + 00	-	( )	BEGINS	+	-	( )
	MP				MP		
ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT	ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT
	0 + 00	-	( )		+	-	( )
	MP				MP		

42 85 PERCENTILE SPEED
62 TOP SPEED MEASURED
129 NUMBER OF CARS CHECKED

O FATAL ACCIDENT
⊘ PERSONAL INJURY ACCIDENT
O PROPERTY DAMAGE ACCIDENT

INDICATES SECTION ZONED BY COMMISSION MINUTE

△ SIGNALIZED INTERSECTION

(--) TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 01

LIMITS: FM 740 TO NORTH CITY LIMITS

SHEET 5 OF 5

Texas Department of Transportation

SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN TEAM	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.	SHEET NO.
	STATE	STATE DIST. NO.	COUNTY
CHECKED	CONTROL NO.	SECTION NO.	JOB NO. / HIGHWAY NO.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

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

DATE: February 10, 2014

SUBJECT: East Cullins Road/Alpha Drive Rehabilitation

City Council approved an asphalt rehabilitation project with Reynolds Asphalt & Construction Company on October 2013 in the amount of $400,000.00 for various roads within the City. Staff has identified two additional roadways requiring rehabilitation. East Cullins Road from FM 549 to Jeff Boyd Drive is a two lane asphalt road with bar ditches. The roadway surface has deteriorated and needs repair. The repair process will consist of full depth milling, applying an eight inch depth cement stabilization with a two inch thick asphaltic pavement overlay. This work will occur after an eight inch water line is installed this section of roadway as part of another Capital Improvements Project. The estimated constructed cost for this rehabilitation work is $151,748.00.

The second project is Alpha Drive. Alpha Drive is an existing 37 foot wide concrete roadway from T. L. Townsend Drive to 190 feet north of Sigma Drive. The roadway was constructed in 1984. The roadway is experiencing several concrete pavement failures and needs repair especially since the Emerus/Baylor Hospital facility is set to open in the near future. This facility will place more traffic on Alpha Drive thus expediting more pavement failures.

The Street Department staff has been evaluating options to repair this roadway. The selected repair option consists of minor concrete repairs, wedge mill the gutter lines, place petromat over the existing concrete surface and place a two inch thick asphalt overlay. The total cost for this roadway rehabilitation will be $107,767.00.

Staff wishes to utilize the Interlocal Purchasing Agreement with the City of Grand Prairie, Texas employing Reynolds Asphalt & Construction Company to rehabilitate E. Cullins Road and Alpha Drive. Funding will be provided from the FY2013-14 Streets Operation budget.

Staff request City Council consideration to approve the use of the Interlocal Purchasing Agreement with Reynolds Asphalt & Construction Company to rehabilitate E. Cullins Road from SH 549 to Jeff Boyd Drive and Alpha Drive from T.L. Townsend Drive to 190 feet north of Sigma Drive in an amount of $219,082.00.

TMT:em

Cc:

Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
Kathleen Moreno, Civil Engineer
Billy Chaffin, Superintendent
File

ID **3085**

Department:
Purchasing for Streets

Vendor Name:
Reynolds Asphalt & Construction Co.

Project Name:
11099 R2 Pavement Resurfacing Service - Reynolds Asphalt - amendment

Work Order Number(s):

Account Number:
258111-63030

Contract Amount:	**Implementation Date:**	**Termination Date:**	**City Council Appr. Date:**
$2,780,213.00	10/1/2013	9/30/2014	9/6/2011

Insurer A Name: Continental Ins Co.	**Insurer A Expiration:** 5/8/2014
Insurer B Name: Continental Casualty Co	**Insurer B Expiration:** 5/8/2014
Insurer C Name: Commerce & Industry Ins. Co.	**Insurer C Expiration:** 5/8/2014
Insurer D Name: National Fire Ins Co of Hartford	**Insurer D Expiration:** 5/8/2014
Insurer E Name:	**Insurer E Expiration:**

Return Executed Copy To:
purchasing interoffice mail

MP

Department Manager Signature: **Date:** 6-7-13

City Attorney Signature: **Date:** 6/7

City Manager/Deputy City Manager Signature: **Date:** 06/10/13

City Secretary Signature: **Date:** 6/10/2013

AMENDMENT TO PRICE AGREEMENT CONTRACT
NON MONETARY CHANGE
CITY OF GRAND PRAIRIE

STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

THIS AMENDMENT is made and entered into this date by and between the **CITY OF GRAND PRAIRIE,** a Texas municipal corporation (hereinafter referred to as the "CITY", and **REYNOLDS ASPHALT & CONSTRUCTION CO** (hereinafter referred to as "VENDOR").

WHEREAS, the CITY and VENDOR have entered into a price agreement to provide pavement resurfacing service per bid award resulting from vendor's response to RFB #11099, submitted by Ned Tankersley on August 22, 2011; and

WHEREAS, the above referenced agreement was for an initial term of one year with the option to renew for four additional one year periods, totaling $13,901,065.00 if all extensions were exercised. This Contract was effective as of October 1, 2011, and was to terminate at midnight on September 30, 2012, unless the parties mutually agreed in writing to extend the term of the Contract through an allowable renewal option, or, unless otherwise terminated as provided in provided in paragraph XVI of the original contract; and

WHEREAS, the first of four available renewal options was executed on June 26, 2012 and extended the term of the contract through September 30, 2013; and

NOW, THEREFORE, for and in consideration of the mutual acts and covenants set out herein, the parties agree as follows:

1. The parties mutually agree to extend the term of the contract and execute the second of the four available renewal options and extend the contract expiration to midnight on September 30, 2014 at which time all of the work called for under this Contract must be completed unless the parties mutually agree in writing to extend the term of the Contract through an additional allowable renewal option, or, unless otherwise terminated as provided in paragraph XVI of the original contract; and

2. The estimated annual amount to be paid to VENDOR under such contract shall remain the sum of $2,780,213.00, to reflect the contract renewal; and

3. This shall constitute an Authorization for extension of price agreement as set out in the agreement between the parties, and an amendment to such contract. All of the terms and conditions of the original contract shall remain in full force and effect, as amended hereto, unless set out otherwise herein.

EXECUTED this the 10th day of June, 20__.

CITY OF GRAND PRAIRIE, TEXAS

By: _____
Tom Cox, Deputy City Manager

ATTEST:

_____
Cathy E. DiMaggio, City Secretary

APPROVED AS TO FORM:

_____
Donald R. Postell, City Attorney

REYNOLDS ASPHALT & CONSTRUCTION CO.

By: _____
Printed Name: Ned Tankersley
Title: Vice President

ACORD® CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 5/2/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME:	
The Sweeney Company 1121 E. Loop 820 South P O Box 8720 Fort Worth TX 76124-0720	PHONE (A/C, No, Ext): (817) 457-6700	FAX (A/C, No): (817) 457-7246
	E-MAIL ADDRESS:	

INSURED	INSURER(S) AFFORDING COVERAGE	NAIC #
Reynolds Asphalt & Construction Company P.O. Box 370 Euless TX 76039	INSURER A: Continental Insurance Co	
	INSURER B: Continental Casualty Co	
	INSURER C: Commerce & Industry Ins Co	
	INSURER D: Nat'l Fire Ins Co of Hartford	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR X CONTRACTUAL, XCU X CROSS LIAB, BFPD GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRO-JECT LOC			INS 4028760229	5/8/2013	5/8/2014	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 300,000 $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
B	AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS X MCS90			BUA 4028760232	5/8/2013	5/8/2014	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) Uninsured motorist combined	$ 1,000,000 $ $ $ $
C	UMBRELLA LIAB X OCCUR X EXCESS LIAB CLAIMS-MADE DED X RETENTION $ 10,000			BE 16015394	5/8/2013	5/8/2014	EACH OCCURRENCE AGGREGATE	$ 10,000,000 $ 10,000,000 $
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		WC 4028760215	5/8/2013	5/8/2014	X WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 1,000,000 $ 1,000,000 $ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

RENEWAL OF PRICE AGREEMENT CONTRACT FOR HOT MIX ASPHALTIC CONCRETE, CITY OF ARLINGTON RFB #09-0045, CITY OF GRAND PRAIRIE PURCHASE NO 12090. ALL POLICIES INCLUDE A BLANKET AUTOMATIC WAIVER OF SUBROGATION ENDORSEMENT & THE GL, AUTO & UMB POLICIES INCLUDE A BLANKET AUTOMATIC ADDITIONAL INSD ENDORSEMENT PROVIDING ADDITIONAL INSD & WAIVER OF SUBROGATION STATUS TO CERTIFICATE HOLDER ONLY WHEN THERE IS A WRITTEN CONTRACT BETWEEN NAMED INSURED & CERTIFICATE HOLDER THAT REQUIRES SUCH STATUS. GL ADDITIONAL INSD ENDORSEMENT CONTAINS SPECIAL PRIMARY & NONCONTRIBUTORY WORDING. POLICIES INCLUDE AN ENDORSEMENT PROVIDING 30 DAYS NOTICE (10 DAYS FOR NONPAYMENT OF PREMIUM) OF CANCELLATION TO CERTIFICATE HOLDER.

CERTIFICATE HOLDER

CITY OF GRAND PRAIRIE
PURCHASING DIVISION
P O BOX 534045
GRAND PRAIRIE, TX 75053-4045

CANCELLATION

RECEIVED
MAY 07 2013

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

City of Grand Prairie
Purchasing

Charles Sweeney/JOYCE

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

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

DATE: **January 29, 2014**

SUBJECT: **Construction Contract Award – Glenn Avenue Utility Rehabilitation**

Background:
The Glenn Avenue Utility Rehabilitation project consists of approximately 289 linear feet of storm sewer, 1,894 linear feet of 8-inch waterline, 1,494 linear feet of 8-inch wastewater line, and associated services and pavement replacement on Glenn Avenue. The design was completed by Verdunity, and the consultant provided an engineer's estimate of $531.492.00 for construction.

The City received and opened bids on January 23, 2014 and are as follows:

1. PC Contractors $452,009.04
2. Jim Bowman Construction $502,579.70
3. A&M Construction and Utilities $552,972.75

The experience and references provided with the low bid demonstrate PC Contractors has the resources to suitably complete a utility rehabilitation project.

Financial Implications:
Funding for this project is available in current water/sewer revenues.

Action Desired/Recommendation:
Staff recommends Council award the Glenn Avenue Utility Rehabilitation Project construction contract to PC Contractors, in the amount of $452,009.04.

TMT: km
Attachments

Cc: **Mary Smith, Assistant City Manager**
Rick Sherer, Water/Wastewater Manager
Amy Williams, Assistant City Engineer
Kathleen Moreno, Civil Engineer
File, CIP2013-002

VERDUNITY

A better future, by design.

February 13, 2014

Kathleen Moreno, P.E.
Engineer II
City of Rockwall
385 S. Goliad
Rockwall, Texas 75087

Reference: BID EVALUATION AND RECOMMENDATION FOR AWARD
Glenn Avenue Utility, Paving and Drainage Improvements, Rockwall TX

Dear Ms. Moreno:

Bids for the above referenced project were submitted Thursday, January 23rd. Five bids were received from the following contractors:

Bidder	Total Base Bid
PC Contractors, LLC	$452,009.04
A&M Construction & Utilities, Inc	$552,972.75
Camino Constructionm LP	$568,370.50
Jim Bowman Construction Co, LP	$502,579.70
Utilitex	$663,270.50

We have reviewed all of the bids for accuracy and completeness, and prepared a bid tabulation spreadsheet showing the unit prices and total bids for our engineer's estimate and the bidders (attached). **The low bidder is PC Contractors, LLC with a total base bid of $452,009.04.** For reference purposes, VERDUNITY's estimate was $531,492.00, which ended up in the middle of the submitted bids.

Prior to the last Council meeting, we were made aware of some potential concerns with PC Contractors. After discussing with Tim Tumulty, we decided to pull the agenda item and check some additional references, which we have now done. We met with Chase Patterson (President of PC Contractors) on February 10th to discuss our concerns, and Mr. Patterson provided candid and, in our opinion, justified explanations. We also reviewed the contractor's 2012 financial statements and current backlog, and they are in good standing financially. Mr. Patterson assured us that he is confident he can complete the project for the amount bid, and he has a crew finishing up a project in Princeton that will be available to start on this project by the time we complete award and preconstruction meetings.

After further consideration, we are confident this company has sufficient qualifications and resources to complete the work as outlined in the construction plans and specifications.

© Verdunity 2014

17000 Preston Rd, Ste 110 Dallas, TX 75248 (214) 425-6720 www.verdunity.com

Therefore, **VERDUNITY is pleased to recommend that the City proceed with awarding the construction contract for this project to PC Contractors, LLC.**

If you have any questions regarding this recommendation, please do not hesitate to call me at (214) 425-6720 or email me at kevin@verdunity.com. We look forward to beginning construction soon!

Respectfully Submitted,

VERDUNITY, Inc.
Texas Registered Engineering Firm F-13496



Kevin Shepherd, P.E., ENV-SP
Principal/Project Manager

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **City Council**

FROM: **Joey Boyd, Director of Internal Operations**

DATE: **January 27, 2014**

SUBJECT: **Verizon Tower at Squabble Creek Treatment Plant Facility**

Verizon Wireless is requesting to build a new monopole cellular tower adjacent to the City's Squabble Creek Treatment Facility, inside the parkland dedicated to the City. Verizon has provided information in the attached bullet points and coverage maps showing what the new site will achieve for its customers in this area of Rockwall. Also included in the packet is a photo simulation of the proposed tower showing before and after shots of what the tower is anticipated to look like once it is constructed on the site.

Attached for your consideration are the ground lease agreement and Verizon's proposed site plan and equipment plan. The main points of the agreement are:

- The lease area is a 30x40 feet site.
- The tower will be a 120 foot monopole (plus 10 foot lightning rod).
- Monthly rent will be $2,200.00 per month.
- The initial term of the agreement is 5 years and will automatically extend for 4 additional 5-year terms, with an escalator of 10% increase from one term to the next.

The City Attorney has reviewed the agreement. Verizon will be required to go through plan review and inspections just like any other project submitted to the City. If this project and location is favorable to the City Council, the request is to authorize the City Manager to execute the agreement on behalf of the City and proceed with installation.

LAND LEASE AGREEMENT

This Agreement, made this _____ day of _____, 201___, between the City of Rockwall, with a mailing address of 385 South Goliad Street, Rockwall, Texas 75087, hereinafter designated LESSOR, and Dallas MTA, L.P. d/b/a Verizon Wireless, with its principal offices located at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920 (telephone number 866-862-4404), hereinafter designated LESSEE. The LESSOR and LESSEE are at times collectively referred to hereinafter as the "Parties" or individually as the "Party".

1. PREMISES. LESSOR hereby leases to LESSEE a portion of that certain parcel of property (the entirety of LESSOR's property is referred to hereinafter as the "Property"), located at _____, Rockwall County, Texas, and being described as a 30' by 40' parcel containing 1,200 square feet (the "Land Space"), together with the non-exclusive right (the "Rights of Way") for ingress and egress, seven (7) days a week twenty-four (24) hours a day, on foot or motor vehicle, including trucks, over or along a twenty (20') foot wide right-of-way extending from the nearest public right-of-way, North Lakeshore Drive, to the Land Space, and for the installation and maintenance of utility wires, poles, cables, conduits, and pipes over, under, or along one or more rights-of-way from the Land Space, said Land Space and Rights of Way (hereinafter collectively referred to as the "Premises") being substantially as described herein in Exhibit "A" attached hereto and made a part hereof. The Property being more particularly described in that certain _____ dated _____, recorded in Volume _____, Page _____, Real Property Records, Rockwall County, Texas.

In the event any public utility is unable to use the Rights of Way at no fault of the LESSEE, the LESSOR hereby agrees to grant an additional right-of-way either to the LESSEE or to the public utility at no cost to the LESSEE.

2. SURVEY. LESSOR also hereby grants to LESSEE the right to survey the Property and the Premises, and said survey shall then become Exhibit "B" which shall be attached hereto and made a part hereof, and shall control in the event of boundary and access discrepancies between it and Exhibit "A". Cost for such work shall be borne by the LESSEE.

3. TERM; RENTAL.

a. This Agreement shall be effective as of the date of execution by both Parties, provided, however, the initial term shall be for five (5) years ("Initial Term") and shall commence on the Commencement Date (as hereinafter defined) at which time rental payments shall commence and be due at a total annual rental of Twenty-Six Thousand Four Hundred and No/100 Dollars ($26,400.00) to be paid in equal monthly installments on the first day of the month, in advance, to LESSOR or to such other person, firm or place as LESSOR may, from time to time, designate in writing at least thirty (30) days in advance of any rental payment date by notice given in accordance with Paragraph 23 below. The Agreement shall commence on the first day of July, 2014 (the "Commencement Date"). LESSOR and LESSEE acknowledge and agree that initial rental payment(s) shall not actually be sent by LESSEE until thirty (30) days

after the Commencement Date. By way of illustration of the preceding sentence, if the Commencement Date is January 1, LESSEE shall send to the LESSOR the rental payments for January 1 and February 1 by February 1.

Upon agreement of the Parties, LESSEE may pay rent by electronic funds transfer and in such event, LESSOR agrees to provide to LESSEE bank routing information for such purpose upon request of LESSEE.

b. LESSOR hereby agrees to provide to LESSEE certain documentation (the "Rental Documentation") evidencing LESSOR's interest in, and right to receive payments under, this Agreement, including without limitation: (i) documentation, acceptable to LESSEE in LESSEE's reasonable discretion, evidencing LESSOR's good and sufficient title to and/or interest in the Property and right to receive rental payments and other benefits hereunder; (ii) a complete and fully executed Internal Revenue Service Form W-9, or equivalent, in a form acceptable to LESSEE, for any party to whom rental payments are to be made pursuant to this Agreement; and (iii) other documentation requested by LESSEE in LESSEE's reasonable discretion. From time to time during the Term of this Agreement and within thirty (30) days of a written request from LESSEE, LESSOR agrees to provide updated Rental Documentation in a form reasonably acceptable to LESSEE. The Rental Documentation shall be provided to LESSEE in accordance with the provisions of and at the address given in Paragraph 23. Delivery of Rental Documentation to LESSEE shall be a prerequisite for the payment of any rent by LESSEE and notwithstanding anything to the contrary herein, LESSEE shall have no obligation to make any rental payments until Rental Documentation has been supplied to LESSEE as provided herein.

Within fifteen (15) days of obtaining an interest in the Property or this Agreement, any assignee(s), transferee(s) or other successor(s) in interest of LESSOR shall provide to LESSEE Rental Documentation in the manner set forth in the preceding paragraph. From time to time during the Term of this Agreement and within thirty (30) days of a written request from LESSEE, any assignee(s) or transferee(s) of LESSOR agrees to provide updated Rental Documentation in a form reasonably acceptable to LESSEE. Delivery of Rental Documentation to LESSEE by any assignee(s), transferee(s) or other successor(s) in interest of LESSOR shall be a prerequisite for the payment of any rent by LESSEE to such party and notwithstanding anything to the contrary herein, LESSEE shall have no obligation to make any rental payments to any assignee(s), transferee(s) or other successor(s) in interest of LESSOR until Rental Documentation has been supplied to LESSEE as provided herein.

4. EXTENSIONS. This Agreement will automatically renew for four (4) additional five (5) year term(s) (each five (5) year term shall be defined as an "**Extension Term**"), upon the same terms and conditions unless LESSEE notifies LESSOR in writing of LESSEE's intention not to renew this Agreement at least six (6) months prior to the expiration of the Initial Term or then-existing Extension Term.

5. EXTENSION RENTALS. The Annual Rent shall be increased on the first day of each extension term by an amount equal to ten percent (10%) of the Rent in effect during the previous year.

6. ADDITIONAL EXTENSIONS. Unless (i) LESSOR or LESSEE notifies the other in writing of its intention to terminate this Agreement at least six (6) months prior to the expiration of the final Extension Term, or (ii) the Agreement is terminated prior to the end of the final Extension Term, , then upon the final Extension Term, this Agreement shall continue in force upon the same covenants, terms and conditions for a further term of one (1) year, and for annual terms thereafter ("**Annual Term**") until terminated by either party by giving to the other written notice of its intention to so terminate at least six (6) months prior to the end of any such Annual Term. Monthly rental during such Annual Terms shall be increased by two percent (2%) to the Rent paid for the last month of the most recent Extension Term or Annual Term (as applicable). If LESSEE remains in possession of the Premises after the termination of this Agreement then LESSEE will be deemed to be occupying the Premises on a month-to-month basis (the "**Holdover Term**"), subject to the terms and conditions of this Agreement. The initial term and all extensions shall be collectively referred to herein as the "Term".

7. [INTENTIONALLY DELETED].

8. USE; GOVERNMENTAL APPROVALS. LESSEE shall use the Premises for the purpose of constructing, maintaining, repairing and operating a communications facility and uses incidental thereto. A security fence consisting of chain link construction or similar but comparable construction may be placed around the perimeter of the Premises at the discretion of LESSEE (not including the access easement). All improvements, equipment, antennas and conduits shall be at LESSEE's expense and their installation shall be at the discretion and option of LESSEE. LESSEE shall have the right to replace, repair, add or otherwise modify its utilities, equipment, antennas and/or conduits or any portion thereof and the frequencies over which the equipment operates, whether the equipment, antennas, conduits or frequencies are specified or not on any exhibit attached hereto, during the Term. LESSEE will maintain the Premises in good condition, reasonable wear and tear excepted. LESSOR will maintain the Property, excluding the Premises, in good condition, reasonable wear and tear excepted. It is understood and agreed that LESSEE's ability to use the Premises is contingent upon its obtaining after the execution date of this Agreement all of the certificates, permits and other approvals (collectively the "Governmental Approvals") that may be required by any Federal, State or Local authorities as well as satisfactory soil boring tests which will permit LESSEE use of the Premises as set forth above. LESSOR shall cooperate with LESSEE in its effort to obtain such approvals and shall take no action which would adversely affect the status of the Property with respect to the proposed use thereof by LESSEE. In the event that (i) any of such applications for such Governmental Approvals should be finally rejected; (ii) any Governmental Approval issued to LESSEE is canceled, expires, lapses, or is otherwise withdrawn or terminated by governmental authority; (iii) LESSEE determines that such Governmental Approvals may not be obtained in a timely manner; (iv) LESSEE determines that any soil boring tests are unsatisfactory; or (v) LESSEE determines that the Premises is no longer technically compatible for its use, LESSEE shall have the right to terminate this Agreement. Notice of LESSEE's exercise of its right to terminate shall be given to LESSOR in writing by certified mail, return receipt requested, and shall be effective upon the mailing of such notice by LESSEE, or upon such later date as designated by LESSEE. All rentals paid to said termination date shall be retained by LESSOR. Upon such termination, this Agreement shall become null and void and all the Parties shall have no further obligations including the payment of money to each other.

9. INDEMNIFICATION.

(a) LESSEE agrees to indemnify, defend and hold LESSOR harmless from and against any and all injury, loss, damage or liability (or any claims in respect of the foregoing), costs or expenses (including reasonable attorneys' fees and court costs) arising directly from the installation, use, maintenance, repair or removal of the Communication Facility or LESSEE's breach of any provision of this Agreement, except to the extent attributable to the negligent or intentional act or omission of LESSOR, its employees, agents or independent contractors.

(b) To the extent allowed by law, LESSOR agrees to indemnify, defend and hold LESSEE harmless from and against any and all injury, loss, damage or liability (or any claims in respect of the foregoing), costs or expenses (including reasonable attorneys' fees and court costs) arising directly from the actions or failure to act of LESSOR, its employees or agents, or LESSOR's breach of any provision of this Agreement, except to the extent attributable to the negligent or intentional act or omission of LESSEE, its employees, agents or independent contractors.

(c) The indemnified party: (i) shall promptly provide the indemnifying party with written notice of any claim, demand, lawsuit, or the like for which it seeks indemnification pursuant to this Section and provide the indemnifying party with copies of any demands, notices, summonses, or legal papers received in connection with such claim, demand, lawsuit, or the like; and (ii) shall fully cooperate with the indemnifying party in the defense of the claim, demand, lawsuit, or the like. A delay in notice shall not relieve the indemnifying party of its indemnity obligation, except (1) to the extent the indemnifying party can show it was prejudiced by the delay; and (2) the indemnifying party shall not be liable for any settlement or litigation expenses incurred before the time when notice is given

10. INSURANCE.

(a) During the Term, LESSEE will carry, at its own cost and expense, the following insurance: (i) workers' compensation insurance as required by law; and (ii) commercial general liability (CGL) insurance with respect to its activities on the Property, such insurance to afford protection of up to Five Million Dollars ($5,000,000) per occurrence and Five Million Dollars ($5,000,000) general aggregate, based on Insurance Services Office (ISO) Form CG 00 01 or a substitute form providing substantially equivalent coverage. LESSEE's CGL insurance shall contain a provision including LESSOR as an additional insured. Such additional insured coverage:

(i) shall be limited to bodily injury, property damage or personal and advertising injury caused, in whole or in part, by LESSEE, its employees, agents or independent contractors;

(ii) shall not extend to claims for punitive or exemplary damages arising out of the acts or omissions of LESSOR, its employees, agents or independent contractors or where such coverage is prohibited by law or to claims arising out of the gross negligence of LESSOR, its employees, agents or independent contractors.

(b) Notwithstanding the foregoing, LESSEE shall have the right to self-insure the coverages required in subsection (a). In the event LESSEE elects to self-insure its obligation to include LESSOR as an additional insured, the following provisions shall apply (in addition to those set forth in subsection (a)):

(i) LESSOR shall promptly and no later than thirty (30) days after notice thereof provide LESSEE with written notice of any claim, demand, lawsuit, or the like for which it seeks coverage pursuant to this Section and provide LESSEE with copies of any demands, notices, summonses, or legal papers received in connection with such claim, demand, lawsuit, or the like;

(ii) LESSOR shall not settle any such claim, demand, lawsuit, or the like without the prior written consent of LESSEE; and

(iii) LESSOR shall fully cooperate with LESSEE in the defense of the claim, demand, lawsuit, or the like.

11. [INTENTIONALLY DELETED].

12. ANNUAL TERMINATION. Notwithstanding anything to the contrary contained herein, provided LESSEE is not in default hereunder and shall have paid all rents and sums due and payable to the LESSOR by LESSEE, LESSEE shall have the right to terminate this Agreement upon the annual anniversary of this Agreement provided that six (6) months prior notice is given the LESSOR.

13. INTERFERENCE. LESSEE agrees to have installed radio equipment of the type and frequency which will not cause measurable interference to the equipment of the LESSOR, or other lessees of the Property existing as of the date this Agreement is executed by the Parties. In the event LESSEE's equipment causes such interference, and after LESSOR has notified LESSEE of such interference, LESSEE will take all steps necessary to correct and eliminate the interference. LESSOR agrees that LESSOR and any other tenants of the property who currently have or in the future take possession of the Property will be permitted to install only such radio equipment that is of the type and frequency which will not cause measurable interference to the existing equipment of the LESSEE. The Parties acknowledge that there will not be an adequate remedy at law for non-compliance with the provisions of this paragraph and therefore, either Party shall have the right to specifically enforce the provisions of this paragraph in a court of competent jurisdiction.

14. REMOVAL UPON TERMINATION. LESSEE, upon termination of the Agreement, shall, within ninety (90) days, remove its equipment, generator, antennas, fixtures and all personal property and otherwise restore the Property to its original condition, reasonable wear and tear excepted. LESSEE will repair any damage to the Property resulting from

LESSEE's removal activities. LESSOR agrees and acknowledges that all of the equipment, fixtures and personal property of the LESSEE shall remain the personal property of the LESSEE and the LESSEE shall have the right to remove the same, whether or not said items are considered fixtures and attachments to real property under applicable law. If such time for removal causes LESSEE to remain on the Premises after termination of this Agreement, LESSEE shall pay rent at the then existing monthly rate or on the existing monthly pro rata basis if based upon a longer payment term, until such time as the removal of the equipment, antennas, fixtures and all personal property are completed. Any portions of the Communication Facility that LESSEE does not remove within one year after the later of the end of the Term and cessation of LESSEE's operations at the Premises shall be deemed abandoned and owned by LESSOR.

15. HOLDOVER. LESSEE has no right to retain possession of the Premises or any part thereof beyond the expiration of that removal period set forth in Paragraph 14 herein, unless the Parties are negotiating a new lease or lease extension in good faith. In the event that the Parties are not in the process of negotiating a new lease or lease extension in good faith, LESSEE holds over in violation of Paragraph 14 and this Paragraph 15, then the rent then in effect payable from and after the time of the expiration or earlier removal period set forth in Paragraph 14 shall be equal to the rent applicable during the month immediately preceding such expiration or earlier termination.

16. **MAINTENANCE/UTILITIES**

(a) LESSEE will keep and maintain the Premises in good condition, reasonable wear and tear and damage from the elements excepted. LESSOR will maintain and repair the Property and access thereto and all areas of the Premises where LESSEE does not have exclusive control, in good and LESSEE tenantable condition, subject to reasonable wear and tear and damage from the elements. LESSOR will be responsible for maintenance of landscaping on the Property, including any landscaping installed by LESSEE as a condition of this Agreement or any required permit.

(b) LESSEE will be responsible for paying on a monthly or quarterly basis all utilities charges for electricity, telephone service or any other utility used or consumed by LESSEE on the Premises. In the event LESSEE cannot secure its own metered electrical supply, LESSEE will have the right, at its own cost and expense, to submeter from LESSOR. When submetering is required under this Agreement, LESSOR will read the meter and provide LESSEE with an invoice and usage data on a monthly basis. LESSOR agrees that it will not include a markup on the utility charges. LESSOR further agrees to provide the usage data and invoice on forms provided by LESSEE and to send such forms to such address and/or agent designated by LESSEE. LESSEE will remit payment within forty-five (45) days of receipt of the usage data and required forms. As noted in Section 4(c) above, any utility fee recovery by LESSOR is limited to a twelve (12) month period. If LESSEE submeters electricity from LESSOR, LESSOR agrees to give LESSEE at least twenty-four (24) hours advance notice of any planned interruptions of said electricity. LESSOR acknowledges that LESSEE provides a communication service which requires electrical power to operate and must operate twenty-four (24) hours per day, seven (7) days per week. If the interruption is for an extended period of time, in LESSEE's

reasonable determination, LESSOR agrees to allow LESSEE the right to bring in a temporary source of power for the duration of the interruption. LESSOR will not be responsible for interference with, interruption of or failure, beyond the reasonable control of LESSOR, of such services to be furnished or supplied by LESSOR.

(c) LESSOR hereby grants to any company providing utility or similar services, including electric power, fiber, and telecommunications, to LESSEE an easement over the Property, from an open and improved public road to the Premises, and upon the Premises, for the purpose of constructing, operating and maintaining such lines, wires, circuits, and conduits, associated equipment cabinets and such appurtenances thereto, as such utility companies may from time to time require in order to provide such services to the Premises. Upon LESSEE's or service company's request, LESSOR will execute a separate recordable easement evidencing this grant, at no cost to LESSEE or the service company

17. [INTENTIONALLY DELETED].

18. QUIET ENJOYMENT. LESSOR covenants that LESSEE, on paying the rent and performing the covenants shall peaceably and quietly have, hold and enjoy the Premises.

19. TITLE. LESSOR covenants that LESSOR is seized of good and sufficient title and interest to the Property and has full authority to enter into and execute this Agreement. LESSOR further covenants that there are no other liens, judgments or impediments of title on the Property, or affecting LESSOR's title to the same. and that there are no covenants, easements or restrictions which prevent the use of the Premises by the LESSEE as set forth above.

20. INTEGRATION. It is agreed and understood that this Agreement contains all agreements, promises and understandings between the LESSOR and LESSEE and that no verbal or oral agreements, promises or understandings shall be binding upon either the LESSOR or LESSEE in any dispute, controversy or proceeding at law, and any addition, variation or modification to this Agreement shall be void and ineffective unless made in writing signed by the Parties. In the event any provision of the Agreement is found to be invalid or unenforceable, such finding shall not affect the validity and enforceability of the remaining provisions of this Agreement. The failure of either Party to insist upon strict performance of any of the terms or conditions of this Agreement or to exercise any of its rights under the Agreement shall not waive such rights and such Party shall have the right to enforce such rights at any time and take such action as may be lawful and authorized under this Agreement, either in law or in equity.

21. GOVERNING LAW. This Agreement and the performance thereof shall be governed, interpreted, construed and regulated by the laws of the State in which the Property is located.

22. ASSIGNMENT. This Agreement may be sold, assigned or transferred by the LESSEE without any approval or consent of the LESSOR to the LESSEE's principal, affiliates, subsidiaries of its principal or to any entity which acquires all or substantially all of LESSEE's assets in the market defined by the Federal Communications Commission in which the Property

is located by reason of a merger, acquisition or other business reorganization. As to other parties, this Agreement may not be sold, assigned or transferred without the written consent of the LESSOR, which such consent will not be unreasonably withheld or delayed. The term "Sublease", "Sublet", "Sublessee" and any other similar term shall apply to any situation by which LESSEE allows a third party use of the Premises for collocation, whether it be by formal sublease, license or other agreement. All rights and responsibilities of LESSEE set forth in this Agreement shall be enjoyed by and binding on any Sublessee.

a. In the event LESSEE subleases any portion of the Premises, in accordance with this Agreement, any rental paid by any Sublessee(s) shall be divided between LESSOR and LESSEE in the following manner: fifty percent (50%) to LESSOR and fifty percent (50%) to LESSEE. Any Sublessee shall be instructed to pay the foregoing percentage amounts directly to LESSOR and LESSEE. LESSEE shall not be responsible to LESSOR for the collection or payment of rents by the Sublessee to LESSOR, and LESSEE shall have no liability to LESSOR in the event of failure of payment by the Sublessee. At LESSOR's request, LESSEE will provide LESSOR with a tri-party agreement to be executed by the LESSEE, its Sublessee, and LESSOR to confirm direct payment obligation from the Sublessee to the LESSOR and to indicate LESSOR has been notified of the sublease.

b. It is understood and agreed by the Parties that the foregoing rental percentage amounts shall only apply if LESSEE is able to accommodate all of Sublessee's facilities within the Premises. If LESSEE is unable to accommodate any or part of Sublessee's facilities within the Premises, then LESSOR may enter into an agreement with the Sublessee for a portion of the Property outside the Premises that Sublessee requires to locate its facilities. In this event, LESSEE shall receive 100% of the rental for the portion of the facilities that are located within the limits of the Premises and LESSOR shall receive 100% of the rental, negotiated by the LESSOR and Sublessee, for the portion of Sublessee's facilities that are located on the Property outside the Premises.

c. Notwithstanding any other provision of this Agreement, LESSEE shall not be required to obtain approval from LESSOR for the subletting of the Premises or part thereof. LESSEE shall have the sole right to determine whether it will sublet any portion of the Premises or whether it will sublease to any specific Sublessee.

23. NOTICES. All notices hereunder must be in writing and shall be deemed validly given if sent by certified mail, return receipt requested or by commercial courier, provided the courier's regular business is delivery service and provided further that it guarantees delivery to the addressee by the end of the next business day following the courier's receipt from the sender, addressed as follows (or any other address that the Party to be notified may have designated to the sender by like notice):

LESSOR: City of Rockwall
385 South Goliad
Rockwall, Texas 75087
ATTN: Assistant City Manager

LESSEE: Dallas MTA, L.P.
d/b/a Verizon Wireless
180 Washington Valley Road
Bedminster, New Jersey 07921
Attention: Network Real Estate

Notice shall be effective upon actual receipt or refusal as shown on the receipt obtained pursuant to the foregoing.

24. SUCCESSORS. This Agreement shall extend to and bind the heirs, personal representatives, successors and assigns of the Parties hereto.

25. SUBORDINATION AND NON-DISTURBANCE. At LESSOR's option, this Agreement shall be subordinate to any mortgage or other security interest by LESSOR which from time to time may encumber all or part of the Property or right of way; provided, however, every such mortgage or other security interest shall recognize the validity of this Agreement in the event of a foreclosure of LESSOR's interest and also LESSEE's right to remain in occupancy of and have access to the Premises as long as LESSEE is not in default of this Agreement. LESSEE shall execute whatever instruments may reasonably be required to evidence this subordination clause. In the event the Property is encumbered by a mortgage or other security interest, the LESSOR immediately after this Agreement is executed, will obtain and furnish to LESSEE, a non disturbance agreement for each such mortgage or other security interest in recordable form. In the event the LESSOR defaults in the payment and/or other performance of any mortgage or other security interest encumbering the Property, LESSEE, may, at its sole option and without obligation, cure or correct LESSOR's default and upon doing so, LESSEE shall be subrogated to any and all rights, titles, liens and equities of the holders of such mortgage or security interest and the LESSEE shall be entitled to deduct and setoff against all rents that may otherwise become due under this Agreement the sums paid by LESSEE to cure or correct such defaults.

26. RECORDING. LESSOR agrees to execute a Memorandum of this Lease Agreement which LESSEE may record with the appropriate Recording Officer The date set forth in the Memorandum of Lease is for recording purposes only and bears no reference to commencement of either term or rent payments.

27. DEFAULT. In the event there is a default by the LESSEE with respect to any of the provisions of this Agreement or its obligations under it, including the payment of rent, the LESSOR shall give LESSEE written notice of such default. After receipt of such written notice, the LESSEE shall have fifteen (15) days in which to cure any monetary default and thirty (30) days in which to cure any non-monetary default, provided the LESSEE shall have such extended period as may be required beyond the thirty (30) days if the nature of the cure is such that it reasonably requires more than thirty (30) days and the LESSEE commences the cure within the thirty (30) day period and thereafter continuously and diligently pursues the cure to completion. The LESSOR may not maintain any action or effect any remedies for default against the LESSEE unless and until the LESSEE has failed to cure the same within the time periods provided in this paragraph.

28. REMEDIES. Upon a default, the non-defaulting Party may at its option (but without obligation to do so), perform the defaulting Party's duty or obligation on the defaulting Party's behalf, including but not limited to the obtaining of reasonably required insurance policies. The costs and expenses of any such performance by the non-defaulting Party shall be due and payable by the defaulting Party upon invoice therefor. In the event of a default by either Party with respect to a material provision of this Agreement, without limiting the non-defaulting Party in the exercise of any right or remedy which the non-defaulting Party may have by reason of such default, the non-defaulting Party may terminate the Agreement and/or pursue any remedy now or hereafter available to the non-defaulting Party under the Laws or judicial decisions of the state in which the Premises are located; provided, however, LESSOR shall use reasonable efforts to mitigate its damages in connection with a default by LESSEE. If LESSEE so performs any of LESSOR's obligations hereunder, the full amount of the reasonable and actual cost and expense incurred by LESSEE shall immediately be owing by LESSOR to LESSEE, and LESSOR shall pay to LESSEE upon demand the full undisputed amount thereof with interest thereon from the date of payment at the greater of (i) ten percent (10%) per annum, or (ii) the highest rate permitted by applicable Laws. Notwithstanding the foregoing, if LESSOR does not pay LESSEE the full undisputed amount within thirty (30) days of its receipt of an invoice setting forth the amount due from LESSOR, LESSEE may offset the full undisputed amount, including all accrued interest, due against all fees due and owing to LESSOR until the full undisputed amount, including all accrued interest, is fully reimbursed to LESSEE.

29. ENVIRONMENTAL.

a. LESSOR will be responsible for all obligations of compliance with any and all environmental and industrial hygiene laws, including any regulations, guidelines, standards, or policies of any governmental authorities regulating or imposing standards of liability or standards of conduct with regard to any environmental or industrial hygiene conditions or concerns as may now or at any time hereafter be in effect, that are or were in any way related to activity now conducted in, on, or in any way related to the Property, unless such conditions or concerns are caused by the activities of the LESSEE.

b. To the extent permitted by law, LESSOR shall hold LESSEE harmless and indemnify the LESSEE from and assume all duties, responsibility and liability at LESSOR's sole cost and expense, for all duties, responsibilities, and liability (for payment of penalties, sanctions, forfeitures, losses, costs, or damages) and for responding to any action, notice, claim, order, summons, citation, directive, litigation, investigation or proceeding, including without limitation any claims in strict liability, which is in any way related to: a) failure to comply with any environmental or industrial hygiene law, including without limitation any regulations, guidelines, standards, or policies of any governmental authorities regulating or imposing standards of liability or standards of conduct with regard to any environmental or industrial hygiene concerns or conditions as may now or at any time hereafter be in effect, unless such non-compliance results from conditions caused by the LESSEE; and b) any environmental or industrial hygiene conditions arising out of or in any way related to the condition of the Property or activities conducted thereon, unless such environmental conditions are caused by the LESSEE.

30. CASUALTY. In the event of damage by fire or other casualty to the Premises that cannot reasonably be expected to be repaired within forty-five (45) days following same or, if the Property is damaged by fire or other casualty so that such damage may reasonably be expected to disrupt LESSEE's operations at the Premises for more than forty-five (45) days, then LESSEE may at any time following such fire or other casualty, provided LESSOR has not completed the restoration required to permit LESSEE to resume its operation at the Premises, terminate this Lease upon fifteen (15) days written notice to LESSOR. Any such notice of termination shall cause this Lease to expire with the same force and effect as though the date set forth in such notice were the date originally set as the expiration date of this Lease and the parties shall make an appropriate adjustment, as of such termination date, with respect to payments due to the other under this Lease. Notwithstanding the foregoing, all rental shall abate during the period of such fire or other casualty.

31. CONDEMNATION. In the event of any condemnation of the Property, LESSEE may terminate this Lease upon fifteen (15) days written notice to LESSOR if such condemnation may reasonably be expected to disrupt LESSEE's operations at the Premises for more than forty-five (45) days. LESSEE may on its own behalf make a claim in any condemnation proceeding involving the Premises for losses related to the antennas, equipment, its relocation costs and its damages and losses (but not for the loss of its leasehold interest). Any such notice of termination shall cause this Lease to expire with the same force and effect as though the date set forth in such notice were the date originally set as the expiration date of this Lease and the parties shall make an appropriate adjustment as of such termination date with respect to payments due to the other under this Lease.

32. SUBMISSION OF AGREEMENT/PARTIAL INVALIDITY/AUTHORITY. The submission of this Lease for examination does not constitute an offer to lease the Premises and this Lease becomes effective only upon the full execution of this Lease by the Parties. If any provision herein is invalid, it shall be considered deleted from this Lease and shall not invalidate the remaining provisions of this Lease. Each of the Parties hereto warrants to the other that the person or persons executing this Lease on behalf of such party has the full right, power and authority to enter into and execute this Lease on such Party's behalf and that no consent from any other person or entity is necessary as a condition precedent to the legal effect of this Lease.

33. APPLICABLE LAWS. LESSEE shall use the Premises as may be required or as permitted by applicable laws, rules and regulations. LESSOR agrees to keep the Property in conformance with all applicable, laws, rules and regulations and agrees to reasonably cooperate with the LESSEE regarding any compliance required by the LESSEE in respect to its use of the Premises.

34. SURVIVAL. The provisions of the Agreement relating to indemnification from one Party to the other Party shall survive any termination or expiration of this Agreement. Additionally, any provisions of this Agreement which require performance subsequent to the termination or expiration of this Agreement shall also survive such termination or expiration.

35. CAPTIONS. The captions contained in this Agreement are inserted for convenience only and are not intended to be part of the Agreement. They shall not affect or be utilized in the construction or interpretation of the Agreement.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the Parties hereto have set their hands and affixed their respective seals the day and year first above written.

LESSOR: City of Rockwall, Texas

By: _____
Rick Crowley
City Manager

Date: _____

LESSEE: Dallas MTA, L.P. d/b/a Verizon Wireless, by Verizon Wireless Texas, LLC, its general partner

By: _____
Aparna Khurjekar
Area Vice President Network

Date: _____

Exhibit "A"

Exhibit "B"

See attached Survey

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

STATE OF TEXAS

COUNTY OF ROCKWALL

MEMORANDUM OF LAND LEASE AGREEMENT

This Memorandum of Land Lease Agreement is made this _____ day of _____, 201___, between City of Rockwall, with a mailing address of 385 South Goliad Street, Rockwall, Texas 75087, hereinafter referred to as "LESSOR", and Dallas MTA, L.P. d/b/a Verizon Wireless, with its principal offices located at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920, and with notices to be sent to Dallas MTA, L.P. d/b/a Verizon Wireless, 180 Washington Valley Road, Bedminster, New Jersey 07921, Attention: Network Real Estate, hereinafter referred to as "LESSEE". LESSOR and LESSEE are at times collectively referred to hereinafter as the "Parties" or individually as the "Party".

1. LESSOR and LESSEE entered into a Land Lease Agreement (the "Agreement") on _____, 201___ for an initial term of five (5) years, commencing on the Commencement Date. The Agreement shall automatically be extended for four (4) additional five (5) year terms unless the LESSEE terminates it at the end of the then current term by giving the LESSOR written notice of the intent to terminate at least six (6) months prior to the end of the then current term. If at the end of the fourth (4th) five (5) year extension term the Agreement has not been terminated by either Party by giving to the other written notice of an intention to terminate it at least three (3) months prior to the end of such term, this Agreement shall continue in force upon the same covenants, terms and conditions for a further term of five (5) years and for five (5) year terms thereafter until terminated by either Party by giving to the other written notice of its intention to so terminate at least three (3) months prior to the end of such term.

2. LESSOR hereby leases to LESSEE a portion of that certain parcel of property (the entirety of LESSOR's property is referred to hereinafter as the "Property"), located at _____, Rockwall County, Texas, and being described as a ___' by ___' parcel containing _____ square feet (the "Land Space"), together with the non-exclusive right (the "Rights of Way") for ingress and egress, seven (7) days a week twenty-four (24) hours a day, on foot or motor vehicle, including trucks, over or along a _____ (___) foot wide right-of-way extending from the nearest public right-of-way, _____, to the Land Space, and for the installation and maintenance of utility wires, poles, cables, conduits, and pipes over, under, or along one or more rights-of-way from the Land Space, said Land Space and Rights of Way (hereinafter collectively referred to as the "Premises") being described in Exhibit "A" attached hereto and made a part hereof, and as shown on the survey attached hereto and incorporated herein as Exhibit "B". The Property being more particularly described in that certain _____ dated _____, recorded in Volume _____, Page _____, Real Property Records, Rockwall County, Texas. In the event any public utility is unable to use the aforementioned Rights of Way, LESSOR has agreed to grant an additional right-of-way either to the LESSEE or to the public utility at no cost to the LESSEE.

3. The Agreement shall be effective as of the date of execution by both Parties, provided, however, the initial term shall be for five (5) years and shall commence on the Commencement Date (as hereinafter defined)

at which time rental payments shall commence. The Agreement shall commence on the first day of _____, 201___ (the "Commencement Date").

4. The terms, covenants and provisions of the Agreement, the terms of which are hereby incorporated by reference into this Memorandum, shall extend to and be binding upon the respective executors, administrators, heirs, successors and assigns of LESSOR and LESSEE.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, hereunto and to a duplicate hereof, LESSOR and LESSEE have caused this Memorandum to be duly executed on the date first written hereinabove.

LESSOR: City of Rockwall, Texas

By: _____
Rick Crowley
City Manager

Date: _____

LESSEE: Dallas MTA, L.P. d/b/a Verizon Wireless,
by Verizon Wireless Texas, LLC, its general partner

By: _____
Aparna Khurjekar
Area Vice President Network

Date: _____

NOTARY ACKNOWLEDGMENT

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 201__, by Rick Crowley, City Manager of the City of Rockwall. He is personally known to me or has produced a driver's license as identification.

(AFFIX NOTARIAL SEAL)

_____
(OFFICIAL NOTARY SIGNATURE)
NOTARY PUBLIC — STATE OF _____

My commission expires:

_____
(PRINTED, TYPED OR STAMPED NAME OF NOTARY)

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

The foregoing instrument was acknowledged before me this _____ day of _____, 201__, by Aparna Khurjekar, Area Vice President Network, of Verizon Wireless Texas, LLC, General Partner of Dallas MTA, L.P. d/b/a Verizon Wireless, on behalf of said partnership. She is personally known to me.

(AFFIX NOTARIAL SEAL)

_____
(OFFICIAL NOTARY SIGNATURE)
NOTARY PUBLIC — STATE OF NORTH CAROLINA

My commission expires:

_____
(PRINTED, TYPED OR STAMPED NAME OF NOTARY)

Exhibit "A"

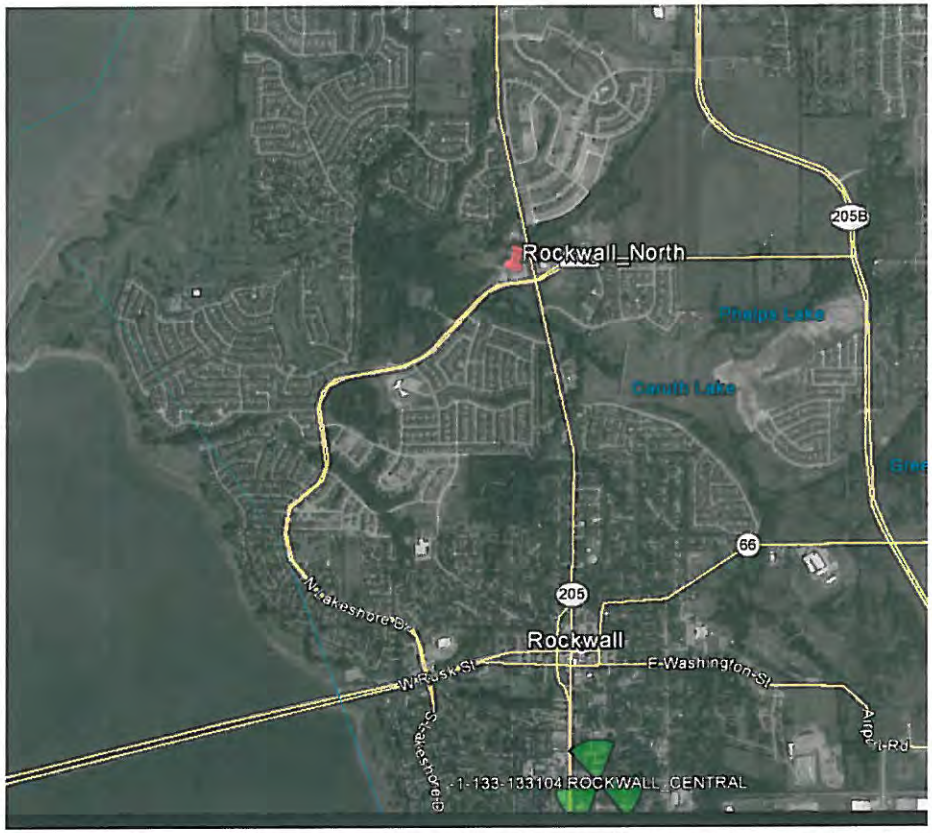
Exhibit "B"

See attached Survey.


CITY OF ROCKWALL
CAUSE NO. 1579
CONDEMNATION PROCEEDINGS
Parent Tract Boundary
EXIST. BLDG.
WATER TANK
IA Location
El.=474.34'
LESSOR LEASE AREA
PARKLAND DEDICATION
LAKEVIEW SUMMIT, PHASE 3
CAB. 267-270
P.R.R.C.T.
FLOOD LINE
50' EASEMENT TO
CITY OF ROCKWALL
CAUSE NO. 1579
CONDEMNATION PROCEEDINGS
Existing Gravel Dr.
Power Pole
Existing Fence
O/H
SS
SSMH
(E) LESSOR
10' UTILITY
EASEMENT
Tree's
(N) 30'X40' LESSEE
LEASE AREA
(N) LESSEE
20' ACCESS
EASEMENT
(E) LESSOR
15' ACCESS
EASEMENT
Concrete Sidewalk
(Concrete)
(Concrete)
Lane Marker
Parent Tract Boundary

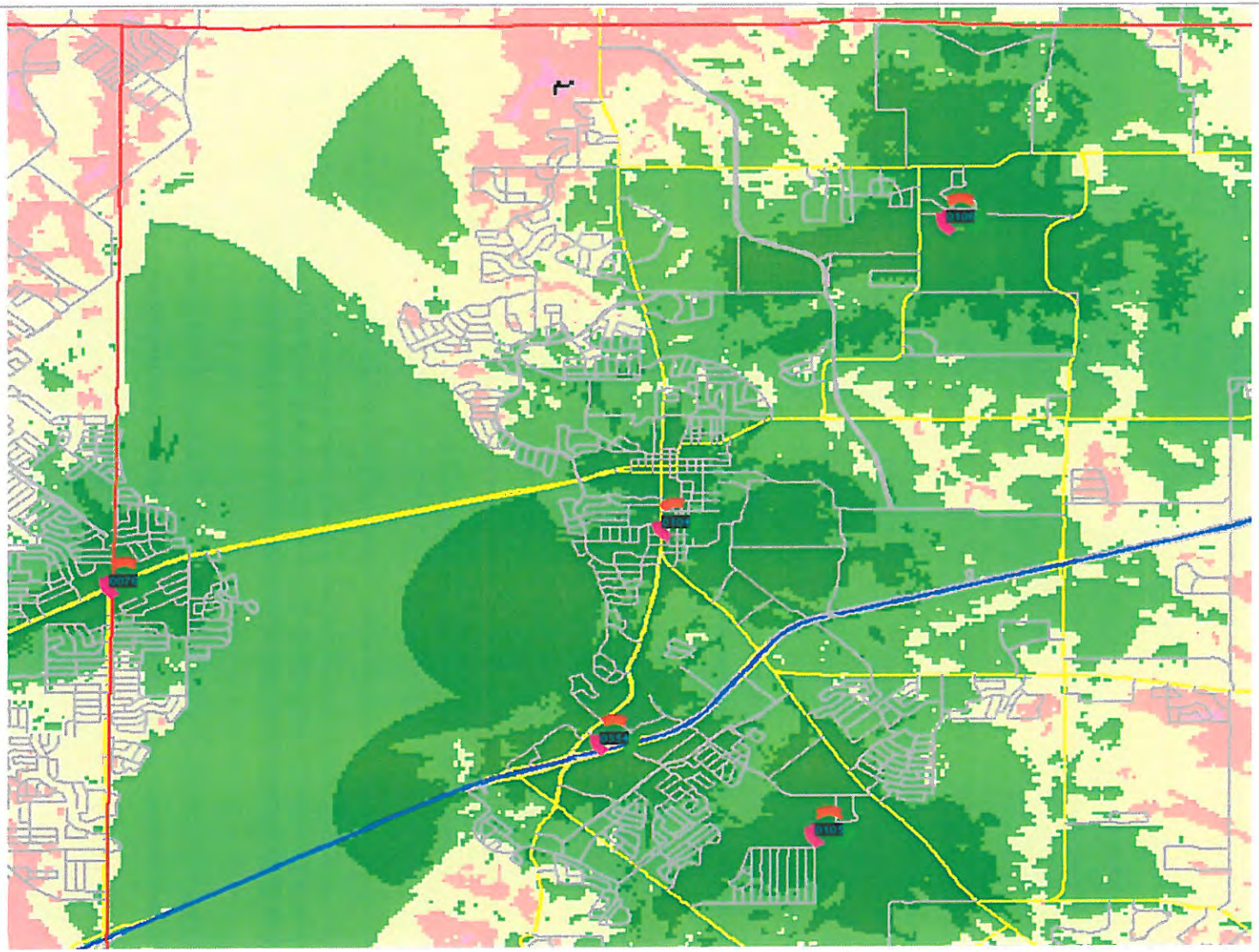
Rockwall_North

- This particular site is needed in the area as the surrounding sites are predicted to reach their max capacity this year
- In addition to off-loading the above mentioned sites, this site will provide much needed coverage to the residential area surrounding the site.
- The existing Crown tower can't accommodate Verizon's antennas due to the construction of the tower. AT&T is attaching antennas on the exterior of the tower and Verizon can't locate below that level and still provide the necessary coverage for their customers in the area.
- Verizon Wireless will allow other wireless providers to co-locate on this new tower



Confidential and proprietary materials for authorized Verizon personnel and outside agencies only. Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.

Coverage without Rockwall_North



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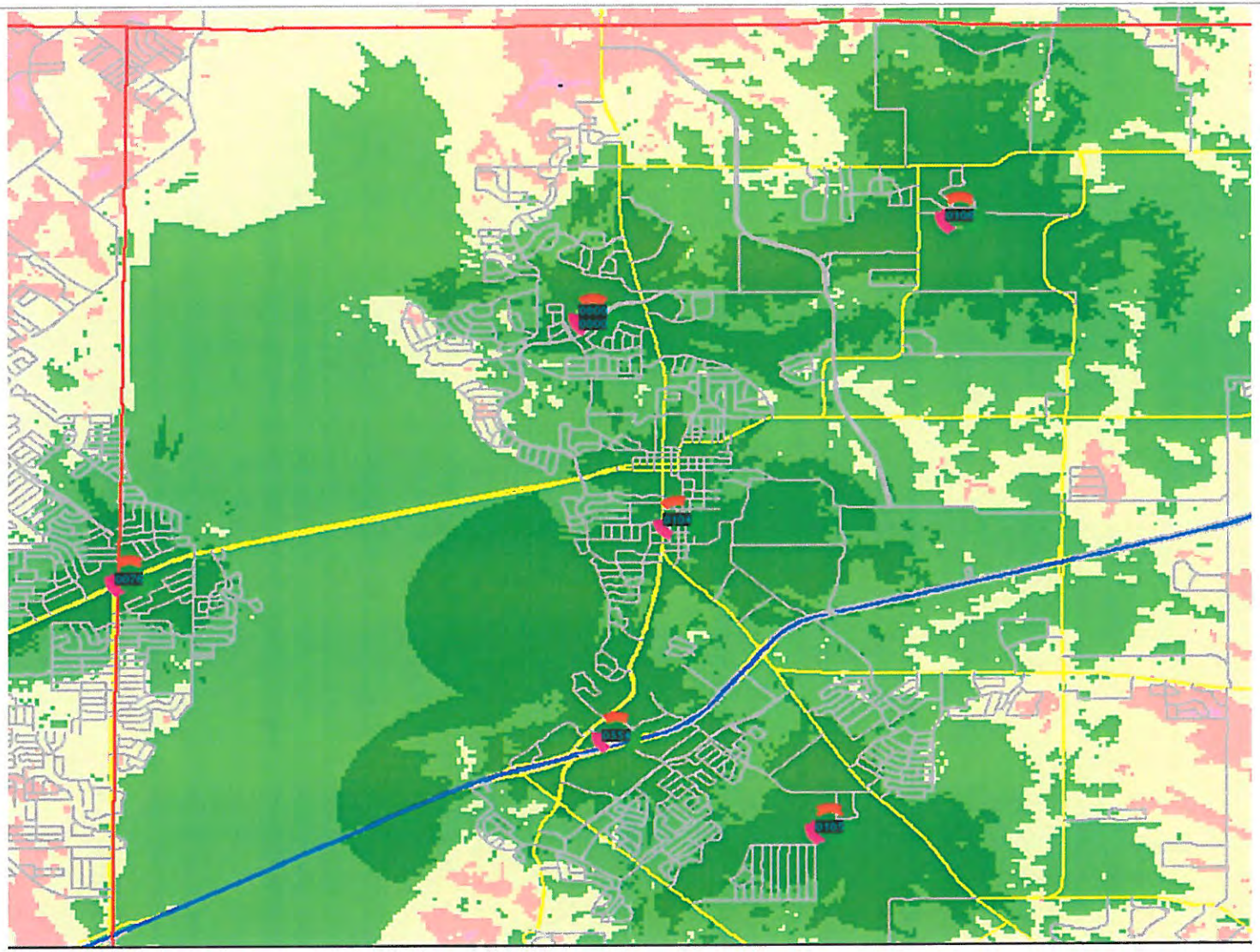
Coverage with Rockwall_North



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193523 - Rockwall North

N. Lakeshore Dr.
Rockwall, TX 750857



View Arrow

88

verizonwireless

W-T
W-T COMMUNICATION DESIGN GROUP, LLC
WIRELESS INFRASTRUCTURE

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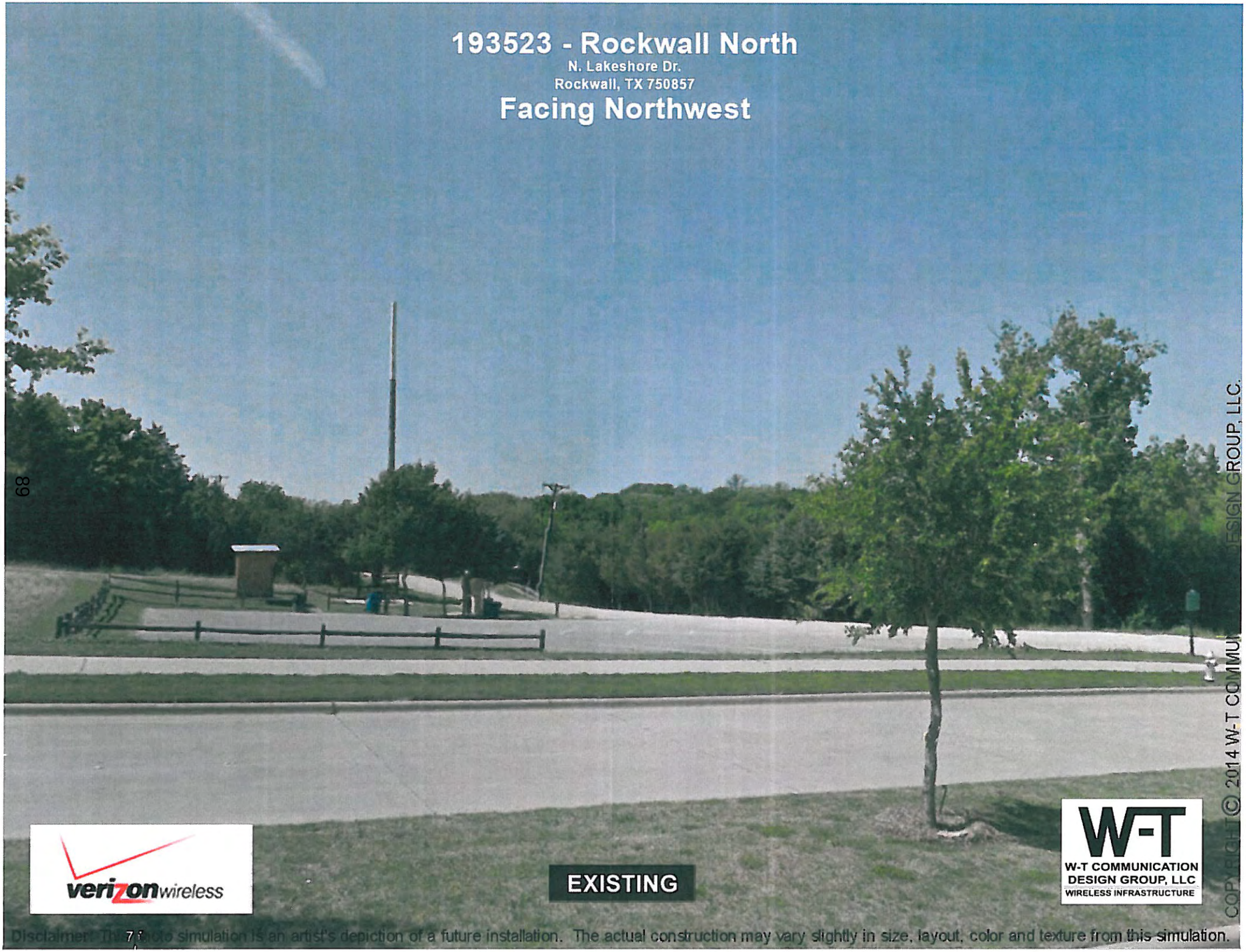
Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color and texture from this simulation.

193523 - Rockwall North

N. Lakeshore Dr.
Rockwall, TX 750857

Facing Northwest



verizonwireless

EXISTING

W-T
W-T COMMUNICATION DESIGN GROUP, LLC
WIRELESS INFRASTRUCTURE

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Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color and texture from this simulation.

193523 - Rockwall North

N. Lakeshore Dr.
Rockwall, TX 750857

Facing Northwest



PROPOSED

verizonwireless

W-T COMMUNICATION DESIGN GROUP, LLC
WIRELESS INFRASTRUCTURE

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Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color and texture from this simulation.

Texas811 Know what's below. Call before you dig.

OTHER UTILITIES NOT INCLUDED IN DIGGERS HOTLINE AND LOCAL UTILITY DISTRICTS AND COMPANIES SHALL ALSO BE NOTIFIED PRIOR TO EXCAVATION

W-T Communication Design Group's Commitment to Quality

Please take a few moments to fill out our online survey.

BUILDING CODES:
ROCKWALL COUNTY JURISDICTION:
IBC 2013 AND NEC 2011 TO BE FOLLOWED AS A MINIMUM STANDARD

CD REVIEWER NOTE:
NOTE TO REVIEWER:
ANY PLAN SIZE LESS THAN 11"X17" IS REDUCED IN SIZE AND SHOULD NOT BE SCALED

SCOPE OF WORK:
INSTALL (N) 120'-0" MONOPOLE WITH (N) TOWER FOUNDATION. INSTALL (N) EQUIPMENT PLATFORM WITH (N) CONCRETE FOUNDATION, WITHIN (N) 30'-0" X 40'-0" LEASE AREA. INSTALL (6) (N) ANTENNAS AT 120' AGL.

STRUCTURAL REVIEW NOTE:
W-T'S SCOPE OF WORK DOES NOT INCLUDE A STRUCTURAL EVALUATION OF THIS TOWER OR STRUCTURE. NEW ANTENNAS & EQUIPMENT SHOWN ON THIS PLAN HAVE NOT BEEN EVALUATED TO VERIFY THE TOWER OR STRUCTURE HAS THE CAPACITY TO ADEQUATELY SUPPORT THESE ANTENNAS & EQUIPMENT. PRIOR TO ANY ANTENNA OR EQUIPMENT INSTALLATION, A STRUCTURAL EVALUATION OF TOWER OR STRUCTURE, INCLUDING ALL MOUNTING SYSTEMS AND HARDWARE, SHOULD BE PERFORMED.

PROJECT SIGNOFF:
REAL ESTATE:_____
RF:_____
CONSTRUCTION:_____
OPERATIONS:_____

verizonwireless

ROCKWALL NORTH

NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

SITE ID # 193523

NEW TELECOMMUNICATION SITE

VERIZON WIRELESS
1 VILLAGE CIRCLE
SUITE 400
WESTLAKE, TEXAS 76262
PHONE: (817) 961-2512

DRAWING INDEX

SHEET NO.	DESCRIPTION	SHEET NO.	DESCRIPTION
T-1	TITLE SHEET	A-1	TOWER ELEVATION
SV-1	SITE PLAN	A-2	ANTENNA INSTALLATION DETAILS
SV-2	NOTES	E-1	ELECTRIC & TELCO SITE PLAN
SP-1	GENERAL NOTES	E-2	ELECTRIC & TELCO SITE DETAILS
SP-2	GENERAL NOTES	E-3	ELECTRIC & TELCO SITE DETAILS
SP-3	GENERAL NOTES	E-4	GROUNDING PLAN & DETAILS
SP-4	GENERAL NOTES	E-5	GROUNDING DETAILS
C-1	OVERALL SITE PLAN	E-6	GROUNDING DETAILS
C-2	ENLARGED SITE PLAN	E-7	GROUNDING DETAILS
C-3	GEOMETRIC SITE PLAN	SE-1	FOUNDATION PLAN & DETAILS
C-4	OVERALL GRADING PLAN	SE-2	PLATFORM PLAN & CONNECTION DETAILS
C-5	SITE DETAILS	SE-3	FOUNDATION & BASE PLATE AND SECTIONS
C-6	SITE DETAILS	SE-4	GENERAL NOTES
C-7	SITE DETAILS		
C-8	FENCE DETAILS		

NO.	DATE	REVISION
1	01/17/14	ISSUED FOR FINAL
A	12/27/13	ISSUED FOR REVIEW

DATA:
LATITUDE: 32° 56' 54.0705" N
LONGITUDE: 96° 28' 03.6294" W
ELEVATION: 461.0' AMSL
(OBTAINED FROM SURVEY PREPARED BY WEBB DATED 11/9/13)

POWER COMPANY
ONCOR
(888) 313-4747

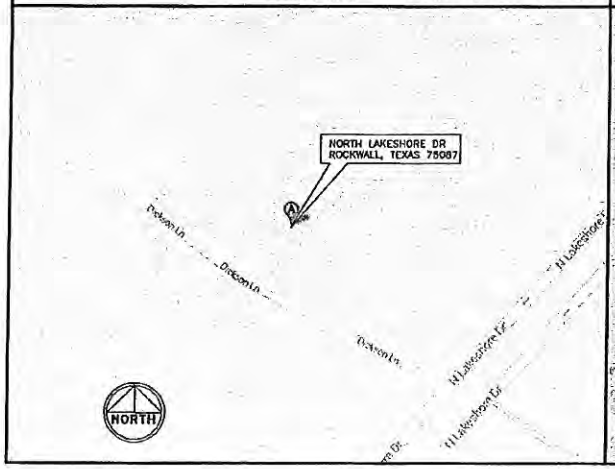
TELEPHONE COMPANY
TIME WARNER
(855) 620-8096

SITE INFORMATION
COUNTY: ROCKWALL
CITY: ROCKWALL
OCCUPANCY: U-UTILITY
CONSTRUCTION TYPE: 2B

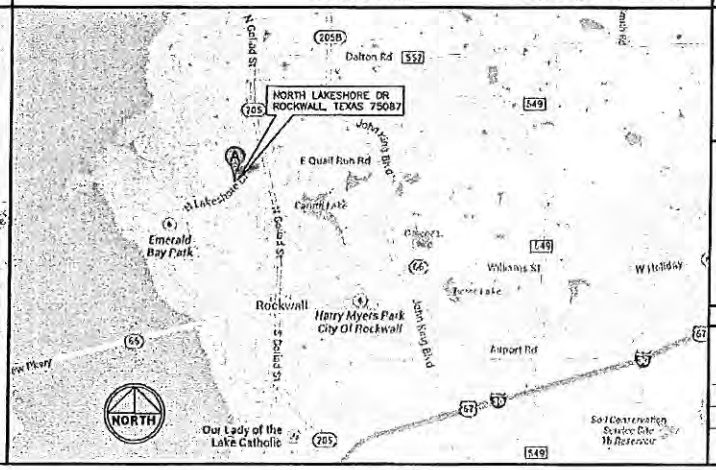
LANDLORD
CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087
(972) 771-7700

SITE REP
DAVID FRANKS
(214) 766-9123

VICINITY MAP — Google Maps - ©2014 Google



LOCATION MAP — Google Maps - ©2014 Google



PROFESSIONAL ENGINEER
W-T COMMUNICATION DESIGN GROUP LLC.
751 HEBRON PARKWAY, STE 200
LEWISVILLE, TEXAS 75057
PHONE: (972) 739-0761 EXT 200

SURVEYOR
WEBB SURVEYING, INC.
6313 PRESTON ROAD
SUITE 200
PLANO, TX 75024
PHONE: (972) 781-6600
FAX: (972) 781-6100

APPLICANT
VERIZON WIRELESS
1 VILLAGE CIRCLE,
SUITE 400
WESTLAKE, TEXAS 76262
PHONE: (817) 961-2512

STRUCTURAL ENGINEER- T.B.D.

W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE
751 Hebron Parkway, Ste 200
Lewisville, Texas 75057
PH: (972) 739-0761 FAX: (972) 739-0762
www.wtengineering.com
Texas Firm Registration No.: F-11754 Exp: 09/30/14

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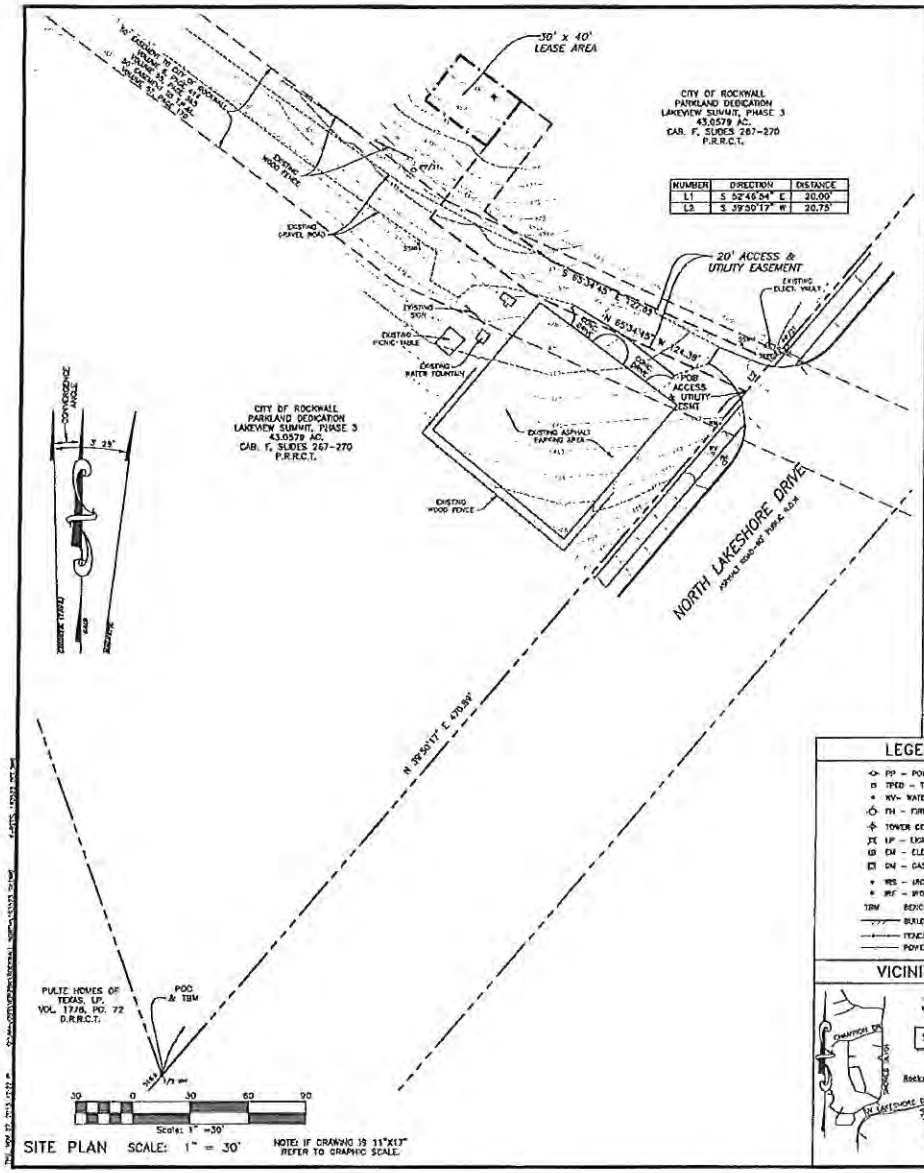
DATE:____
EXPIRES: 03/31/14

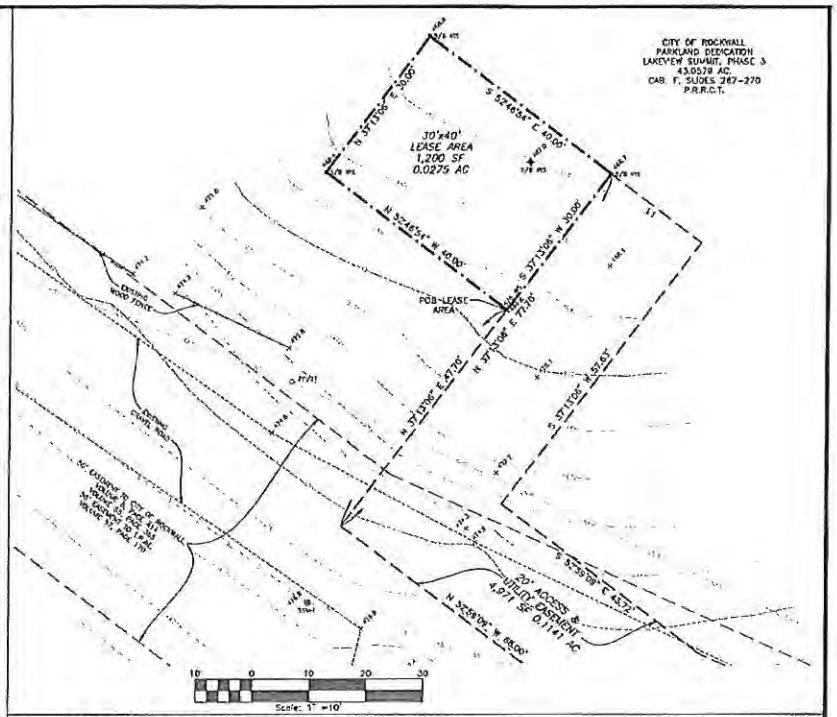
ROCKWALL NORTH

DATE DRAWN:	12/11/13	DRAWN BY:	SXC
CHECKED BY:	JLM	W-T PROJECT NO.	T133393

SITE ID # 193523 — SHEET: T-1



NUMBER	DIRECTION	DISTANCE
L1	S 52°46'54" E	20.00'
L2	S 39°30'17" W	20.75'

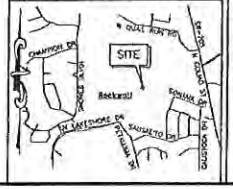


ENLARGED SITE PLAN SCALE: 1" = 10'

LEGEND

- PP – POWER POLE
- TPED – TELEPHONE RISER
- WV– WATER VALVE
- FH – FIRE HYDRANT
- TOWER CENTROID
- LP – LIGHT POLE
- EM – ELECTRIC METER
- GM – GAS METER
- IRS – IRON ROD SET
- IRF – IRON ROD FOUND
- TBM BENCH MARK
- BUILDING LINES
- FENCE LINE
- POWER LINE

VICINITY MAP



PROJECT INFORMATION

CENTER OF TOWER COORDINATES:

NAD83:
LAT 32° 56' 54.0765"
LONG 96° 28' 03.6294"
ELEV. 487.0 FEET (AMSL NAVD88)

NOTES:

INGRESS/EGRESS IN COMMON WITH LESSOR.

LATITUDE AND LONGITUDE SHOWN HEREON ARE BASED ON NAD83 AND ELEVATIONS NAVD 1988.

MAGNETIC DECLINATION INFORMATION TAKEN FROM NOAA WEB SITE AND IS APPROXIMATE.

LATITUDE AND LONGITUDE FROM GPS OBSERVATIONS PERFORMED COINCIDENT WITH SURVEY, 1983 NORTH AMERICAN DATUM.

BASIS OF ELEVATION: GPS OBSERVATIONS PERFORMED COINCIDENT WITH SURVEY.

BASIS OF BEARINGS: GRID BEARINGS BASED ON GPS OBSERVATIONS PERFORMED COINCIDENT WITH SURVEY.

CONVERGENCE ANGLE: 01° 08' 20"

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS WITHIN ZONE "X", AREAS OUTSIDE OF A 100 YR. FLOOD PLAIN AS SHOWN BY FIRM MAP COMMUNITY–PANEL NUMBER 48397C0030L, DATED SEPTEMBER 26, 2008. NO SURVEYING WAS DONE TO DETERMINE THIS FLOOD ZONE.

SURVEYOR'S CERTIFICATE

The undersigned hereby certifies unto Verizon Wireless that (a) this survey drawing is based upon an on-the-ground survey made by the undersigned on October 29, 2013, and as to matters of record relies upon Abstractor's Certificate #17859299, dated effective as of October 18, 2013, issued by Fidelity National Title, covering the Lease Property (the "Lease Property") described on this drawing; (b) this survey accurately shows to the best of my knowledge upon review of the existing recorded instruments provided (1) the location of any buildings, structures and other improvements situated on or within the Lease Property, (2) the facts found by the undersigned at the time of said survey, (3) the courses and measured distances of the perimeter boundaries of the Lease Property, and (4) all setback lines, encroachments, easements and rights-of-way across, abutting or affecting the Lease Property, as shown on the Abstractor's Certificate or otherwise known to or observed by the undersigned, along with any recording information for such setback lines, encroachments, easements and rights-of-way; (c) the area of the Lease Property shown hereon is accurate to the nearest square foot, and there are no discrepancies, conflicts or shortages in area or boundary lines; (d) the legal description attached to this survey accurately states the courses and measured distances found in performing the on-the-ground survey; (e) except as shown on the survey drawing, to the best of my knowledge upon review of the existing recorded instruments provided, there are no (1) visible easements or rights-of-way across or abutting or affecting the Lease Property, (2) easements or rights-of-way across or abutting or affecting the Lease Property of which the undersigned has been advised, (3) visible encroachments from the Lease Property onto an adjacent property, or onto easements, streets, or alleys, by any of the Lease Property building structures or other improvements, or (4) visible encroachments on the Lease Property by building structures or other improvements situated on adjoining property; (f) no portion of the Lease Property has been designated as lying within a flood zone or flood prone area as designated on the most recent Flood Insurance Rate Map promulgated by the Federal Emergency Management Agency, except as shown hereon; and (g) this professional service conforms to the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition 3 Survey.

Kurtis R. Webb
R.P.L.S. #4125

Webb Surveying, Inc.
Land Surveyors
214 E. 29th Street
Bryan, TX 77803
Phone: (979) 731-0000
Fax: (979) 731-0003
Texas Firm No. 10194379

SURVEY
SITE NAME: ROCKWALL NORTH
SITE NUMBER: 193523
ROCKWALL, TX 75087

verizon wireless
1614 TEXAS DRIVE SUITE
SUGAR LAND, TEXAS 77478
PHONE (281) 213-1000
FAX (281) 213-1001

STATE OF TEXAS
KURTIS R. WEBB
4125
REGISTERED
PROFESSIONAL
LAND SURVEYOR

DRWN KRW
CK KRW

NO:	DATE:	DESCRIPTION:
1	10/29/2013	DATE OF SURVEY
2	11/18/2013	ISSUED
3	11/19/2013	ISSUED FOR FINAL
4		
5		
6		

SV-1

30' x 40' LEASE AREA

BEING a tract of land situated in the J.H.B. Jones Kennedy Survey, Abstract No. 124, Rockwall County, Texas, and being out of and a portion of that certain 43.0579 acre tract, conveyed to the City of Rockwall, Rockwall County, Texas, according to the Parkland Dedication on Lakeview Summit, Phase 3, recorded in Cabinet F, Slides 267-270, Plat Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found at the southwest corner of said 43.0579 acre tract, same being the northeast corner of a tract of land owned by Pulte Homes of Texas, LP., recorded in Volume 1778, Page 72, Deed Records, Rockwall County, Texas, also being in the northwesterly right-of-way line of North Lakeshore Drive;

THENCE along the northwesterly right-of-way line of said North Lakeshore Drive, same being the southeasterly line of said 43.0579 acre tract, North 39 degrees 50 minutes 17 seconds East, a distance of 470.89 feet to a Point;

THENCE departing the northwesterly right-of-way line of said North Lakeshore Drive, through the interior of said 43.0579 acre tract, the following three (3) courses,

1. North 85 degrees 34 minutes 45 seconds West, a distance of 124.38 feet to a Point;
2. North 52 degrees 39 minutes 09 seconds West, a distance of 66.00 feet to a Point;
3. North 37 degrees 13 minutes 08 seconds East, a distance of 47.70 feet to a 5/8" iron rod set with cap marked "WEBB-4125" at the most South corner of the herein described Lease Area for the POINT OF BEGINNING hereof;

THENCE continuing through the interior of said 43.0579 acre tract, the following four (4) courses:

1. North 52 degrees 46 minutes 54 seconds West, a distance of 40.00 feet to a 5/8" iron rod set with cap marked "WEBB-4125" for the most West corner of the herein described Lease Area;
2. North 37 degrees 13 minutes 06 seconds East, a distance of 30.00 feet to a 5/8" iron rod set with cap marked "WEBB-4125" for the most North corner of the herein described Lease Area;
3. South 52 degrees 46 minutes 54 seconds East, a distance of 40.00 feet to a 5/8" iron rod set with cap marked "WEBB-4125" for the most East corner of the herein described Lease Area;
4. South 37 degrees 13 minutes 06 seconds West, a distance of 30.00 feet to the POINT OF BEGINNING hereof and containing 0.0275 acres or 1,200 square feet of land, more or less.

20' ACCESS & UTILITY EASEMENT

BEING a tract of land situated in the J.H.B. Jones Kennedy Survey, Abstract No. 124, Rockwall County, Texas, and being out of and a portion of that certain 43.0579 acre tract, conveyed to the City of Rockwall, Rockwall County, Texas, according to the Parkland Dedication on Lakeview Summit, Phase 3, recorded in Cabinet F, Slides 267-270, Plat Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found at the southwest corner of said 43.0579 acre tract, same being the northeast corner of a tract of land owned by Pulte Homes of Texas, LP., recorded in Volume 1778, Page 72, Deed Records, Rockwall County, Texas, also being in the northwesterly right-of-way line of North Lakeshore Drive;

THENCE along the northwesterly right-of-way line of said North Lakeshore Drive, same being the southeasterly line of said 43.0579 acre tract, North 39 degrees 50 minutes 17 seconds East, a distance of 470.89 feet to the POINT OF BEGINNING hereof;

THENCE departing the northwesterly right-of-way line of said North Lakeshore Drive, through the interior of said 43.0579 acre tract, the following seven (7) courses;

1. North 85 degrees 34 minutes 45 seconds West, a distance of 124.38 feet to a Point;
2. North 52 degrees 39 minutes 09 seconds West, a distance of 66.00 feet to a Point;
3. North 37 degrees 13 minutes 08 seconds East, passing at a distance of 47.70 feet a 5/8" iron rod set with cap marked "WEBB-4125" at the most South corner of the hereon described Lease Area and continuing for a total distance of 77.70 feet a 5/8" iron rod set with cap marked "WEBB-4125" at the most East corner of said Lease Area;
4. South 52 degrees 46 minutes 54 seconds East, a distance of 20.00 feet to a Point;
5. South 37 degrees 13 minutes 06 seconds West, a distance of 57.63 feet to a Point;
6. South 52 degrees 59 minutes 09 seconds East, a distance of 43.72 feet to a Point;
7. South 85 degrees 34 minutes 45 seconds East, a distance of 127.69 feet to a Point, same point being in the northwesterly right-of-way line of said North Lakeshore Drive, same being the southeasterly line of said 43.0579 acre tract;

THENCE South 39 degrees 50 minutes 17 seconds West, along the northwesterly right-of-way line of said North Lakeshore Drive, same being the southeasterly line of said 43.0579 acre tract, a distance of 20.75 feet to the POINT OF BEGINNING hereof and containing 0.1141 acres or 4,971 square feet of land, more or less.

EASEMENT NOTES:

Commissioners' Report and Award in the Matter of Proceeding by the City of Rockwall for the Condemnation of Certain Property Owned by L. S. Thompson; Dated: 07/19/1956; Recorded on: 08/14/1956; Recorded in: Deed Book 6, Page 414. Shown hereon; affects the access and utility easement shown hereon.

Easement: in favor of: City of Rockwall, Texas; Recorded on: 11/13/1956; Recorded in: Deed Book 55, Page 145. Does not affect the lease area or access and utility easement shown hereon.

Easement: in favor of: City of Rockwall, Texas; Recorded on: 02/08/1957; Recorded in: Deed Book 55, Page 365. Shown hereon; affects the access and utility easement shown hereon.

Easement: in favor of: Texas Power and Light Company; Recorded on: 06/21/1957; Recorded in: Deed Book 56, Page 331. Shown hereon; affects the access and utility easement shown hereon.

Easement Agreement for Impounding Water: in favor of: The City of Rockwall, Texas; Recorded on: 12/20/1957; Recorded in: Deed Book 57, Page 170. Affects parent tract.

Final Plat Lakeview Summit, Phase 3 recorded on 08/09/2005 in Plat Book F, Page 267. Affects parent tract.

Easement: in favor of: Oncor Electric Delivery Company, LLC, a Delaware limited liability company; Recorded on: 03/07/2011; Recorded in: Deed Book 6389, Page 112. Does not affect the lease area or access and utility easement shown hereon.

LEGEND

- PP – POWER POLE
- TPED – TELEPHONE RISER
- WV – WATER VALVE
- FH – FIRE HYDRANT
- TOWER CENTROID
- LP – LIGHT POLE
- EM – ELECTRIC METER
- GM – GAS METER
- IRS – IRON ROD SET
- IRF – IRON ROD FOUND
- TBM BENCH MARK
- BUILDING LINES
- FENCE LINE
- POWER LINE

VICINITY MAP



PROJECT INFORMATION

CENTER OF TOWER COORDINATES:

NAD83:
LAT 32° 56' 54.0705"
LONG 95° 28' 03.6291"
ELEV. 467.0 FEET (AMSL NAVD88)

NOTES:

INGRESS/EGRESS IN COMMON WITH LESSOR.

LATITUDE AND LONGITUDE SHOWN HEREON ARE BASED ON NAD83 AND ELEVATIONS NAVD 1988.

MAGNETIC DECLINATION INFORMATION TAKEN FROM NOAA WEB SITE AND IS APPROXIMATE.

LATITUDE AND LONGITUDE FROM GPS OBSERVATIONS PERFORMED COINCIDENT WITH SURVEY, 1983 NORTH AMERICAN DATUM.

BASIS OF ELEVATION: GPS OBSERVATIONS PERFORMED COINCIDENT WITH SURVEY.

BASIS OF BEARINGS: GRID BEARINGS BASED ON GPS OBSERVATIONS PERFORMED COINCIDENT WITH SURVEY.

CONVERGENCE ANGLE: 01° 08' 30"

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS WITHIN ZONE "X", AREAS OUTSIDE OF A 100 YR. FLOOD PLAIN AS SHOWN BY FIRM MAP COMMUNITY-PANEL NUMBER 48397C0030L, DATED SEPTEMBER 26, 2008. NO SURVEYING WAS DONE TO DETERMINE THIS FLOOD ZONE.

SURVEYOR'S CERTIFICATE

The undersigned hereby certifies unto Verizon Wireless that (a) this survey drawing is based upon an on-the-ground survey made by the undersigned on October 29, 2013, and as to matters of record relies upon Abstractor's Certificate #17669399, dated effective as of October 16, 2013, issued by Fidelity National Title, covering the Lease Property (the "Lease Property") described on this drawing; (b) this survey accurately shows to the best of my knowledge upon review of the existing recorded instruments provided (1) the location of any buildings, structures and other improvements situated on or within the Lease Property, (2) the facts found by the undersigned at the time of said survey, (3) the courses and measured distances of the perimeter boundaries of the Lease Property, and (4) all setback lines, encroachments, easements and rights-of-way across, abutting or affecting the Lease Property, as shown on the Abstractor's Certificate or otherwise known to or observed by the undersigned, along with any recording information for such setback lines, encroachments, easements and rights-of-way; (c) the area of the Lease Property shown hereon is accurate to the nearest square foot, and there are no discrepancies, conflicts or shortages in area or boundary lines; (d) the legal description attached to this survey accurately state the courses and measured distances found in performing the on-the-ground survey; (e) except as shown on the survey drawing, to the best of my knowledge upon review of the existing recorded instruments provided, there are no (1) visible easements or rights-of-way across or abutting or affecting the Lease Property, (2) easements or rights-of-way across or abutting or affecting the Lease Property of which the undersigned has been advised, (3) visible encroachments from the Lease Property onto on adjacent property, or onto easements, streets, or alleys, by any of the Lease Property building structures or other improvements, or (4) visible encroachments on the Lease Property by building structures or other improvements situated on adjoining property; (f) no portion of the Lease Property has been designated as lying within a flood zone or flood prone area as designated on the most recent Flood Insurance Rate Map promulgated by the Federal Emergency Management Agency, except as shown hereon; and (g) this professional service conforms to the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition II Survey.

Kurtis R. Webb
R.P.L.S. #4125

SURVEY

SITE NAME: ROCKWALL NORTH
SITE NUMBER: 193523
ROCKWALL, TX 75087

Webb Surveying, Inc.

verizon wireless

DRWN KRW
CK KRW

NO:	DATE:	DESCRIPTION:
1		DATE OF SURVEY
2		ISSUED
3		ISSUED FOR FINAL
4		
5		
6		
7		

SV-2

GENERAL

1. THE CONSTRUCTION DOCUMENT DRAWINGS ARE INTERRELATED. WHEN PERFORMING THE WORK, EACH CONTRACTOR MUST REFER TO ALL DRAWINGS. COORDINATION IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

2. CONSTRUCTION DRAWINGS TO OVERRIDE SPECIFICATIONS ON THE ITEMS OF CONFLICT BETWEEN THE TWO.

SITE WORK

SECTION - EARTHWORK AND DRAINAGE

PART 1 - GENERAL

1. WORK INCLUDED: SEE SITE PLAN.

2. DESCRIPTIONS

   ACCESS DRIVE W/ TURNAROUND AREA, LEASE AREA, AND IF APPLICABLE UNDERGROUND UTILITY EASEMENTS ARE TO BE CONSTRUCTED TO PROVIDE A WELL DRAINED, EASILY MAINTAINED, EVEN SURFACE FOR MATERIAL AND EQUIPMENT DELIVERIES AND MAINTENANCE PERSONNEL ACCESS.

3. QUALITY ASSURANCE

   A. APPLY SOIL STERILIZER IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS (AS NEEDED).

   B. APPLY AND MAINTAIN GRASS SEED AS RECOMMENDED BY THE SEED PRODUCER (IF REQUIRED).

   C. PLACE AND MAINTAIN VEGETATION LANDSCAPING, IF INCLUDED WITHIN THE CONTRACT, AS RECOMMENDED BY NURSERY INDUSTRY STANDARDS.

4. SEQUENCING

   A. CONFIRM SURVEY STAKES AND SET ELEVATION STAKES PRIOR TO ANY CONSTRUCTION.

   B. COMPLETELY GRUB THE ACCESS DRIVE W/TURNABOUT, UNDERGROUND UTILITY EASEMENTS, (IF APPLICABLE) AND LEASE AREA PRIOR TO FOUNDATION CONSTRUCTION, PLACEMENT OF BACKFILL AND SUB-BASE MATERIAL.

   C. CONSTRUCT TEMPORARY CONSTRUCTION AREA ALONG ACCESS DRIVE.

   D. BRING THE LEASE AREA AND ACCESS DRIVE W/TURNAROUND TO BASE COURSE ELEVATION PRIOR TO INSTALLING FOUNDATION.

   E. APPLY SOIL STERILIZER PRIOR TO PLACING BASE MATERIALS.

   F. GRADE, SEED, FERTILIZE, AND MULCH ALL AREAS DISTURBED BY CONSTRUCTION (INCLUDING UNDERGROUND UTILITY EASEMENTS) IMMEDIATELY AFTER BRINGING LEASE AREA AND ACCESS DRIVE W/TURNAROUND TO BASE COURSE ELEVATION, WATER TO ENSURE GROWTH.

   G. REMOVE GRAVEL FROM TEMPORARY CONSTRUCTION ZONE TO AN AUTHORIZED AREA OR AS DIRECTED BY PROJECT MANAGER.

   H. AFTER APPLICATIONS OF FINAL SURFACES, APPLY SOIL STERILIZER TO STONE SURFACES.

5. SUBMITTALS

   A. BEFORE CONSTRUCTION

      IF LANDSCAPING IS APPLICABLE TO THE CONTRACT, SUBMIT TWO COPIES OF THE LANDSCAPE PLAN UNDER NURSERY LETTERHEAD. IF A LANDSCAPE ALLOWANCE WAS INCLUDED IN THE CONTRACT, PROVIDE AN ITEMIZED LISTING OF PROPOSED COSTS ON NURSERY LETTERHEAD (REFER TO PLANS FOR LANDSCAPING REQUIREMENTS).

   B. AFTER CONSTRUCTION

      1. MANUFACTURER'S DESCRIPTION OF PRODUCT AND WARRANTY STATEMENT ON SOIL STERILIZER.
      2. MANUFACTURER'S DESCRIPTION OF PRODUCT ON GRASS SEED AND FERTILIZER.
      3. LANDSCAPING WARRANTY STATEMENT.

6. WARRANTY

   A. IN ADDITION TO THE WARRANTY ON ALL CONSTRUCTION COVERED IN THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL REPAIR ALL DAMAGE AND RESTORE AREA AS CLOSE TO ORIGINAL CONDITION AS POSSIBLE AT SITE AND SURROUNDINGS.

   B. SOIL STERILIZATION APPLICATION TO GUARANTEE VEGETATION FREE ROAD AND SITE AREAS FOR ONE YEAR FROM DATE OF FINAL INSPECTION.

   C. DISTURBED AREAS WILL REFLECT GROWTH OF NEW GRASS COVER PRIOR TO FINAL INSPECTION.

   D. LANDSCAPING, IF INCLUDED WITHIN THE SCOPE OF THE CONTRACT, WILL BE GUARANTEED FOR ONE YEAR FROM DATE OF FINAL INSPECTION.

PART 2 - PRODUCTS

1. MATERIALS

   A. SOIL STERILIZER SHALL BE EPA-REGISTERED, PRE-EMERGENCE LIQUID.

   B. ROAD AND SITE MATERIALS SHALL CONFORM TO TXDOT SPECIFICATIONS FILL MATERIAL (UNLESS OTHERWISE NOTED) - ACCEPTABLE SELECT FILL SHALL BE IN ACCORDANCE WITH LOCAL JURISDICTION.

   C. SOIL STABILIZER FABRIC SHALL BE MIRAFI - 500X.

PART 3 - EXECUTION

1. INSPECTIONS

   LOCAL BUILDING INSPECTORS SHALL BE NOTIFIED NO LESS THAN 48 HOURS IN ADVANCE OF CONCRETE POURS, UNLESS OTHERWISE SPECIFIED BY JURISDICTION.

2. PREPARATIONS

   A. CLEAR TREES, BRUSH AND DEBRIS FROM LEASE AREA, ACCESS DRIVE W/TURNAROUND AND UNDER GROUND UTILITY EASEMENTS AS REQUIRED FOR CONSTRUCTION.

   B. PRIOR TO OTHER EXCAVATION AND CONSTRUCTION, GRUB ORGANIC MATERIAL TO A MINIMUM OF SIX INCHES (6") BELOW GRADE.

   C. UNLESS OTHERWISE INSTRUCTED BY VERIZON WIRELESS, TRANSPORT ALL REMOVED TREES, BRUSH AND DEBRIS FROM THE PROPERTY TO AN AUTHORIZED LANDFILL.

   D. PRIOR TO PLACEMENT OF FILL OR BASE MATERIALS, ROLL THE SOIL.

   E. WHERE UNSTABLE SOIL CONDITIONS ARE ENCOUNTERED, LINE THE AREAS WITH STABILIZER MAT PRIOR TO PLACEMENT OF FILL OR BASE MATERIAL.

3. INSTALLATION

   A. GRADE ELEVATION FOR THE LEASE AREA AND ACCESS DRIVE UPON DISTRIBUTION OF SPOILS, RESULTING FROM EXCAVATIONS, SHALL CORRESPOND WITH SAID SUB-BASE COURSE. ELEVATIONS ARE TO BE CALCULATED FROM BENCHMARK, FINISHED GRADES, OR INDICATED SLOPES.

   B. CLEAR EXCESS SPOILS, IF ANY, FROM JOB SITE AND DO NOT SPREAD BEYOND THE LIMITS OF PROJECT AREA UNLESS AUTHORIZED BY PROJECT MANAGER AND AGREED TO BY LANDOWNER.

   C. BRING THE ACCESS DRIVE W/ TURNAROUND TO BASE COURSE ELEVATION TO FACILITATE CONSTRUCTION AND OBSERVATION DURING CONSTRUCTION OF THE SITE.

   D. AVOID CREATING DEPRESSIONS WHERE WATER MAY POND.

   E. THE CONTRACT SHALL INCLUDE GRADING, BANKING, AND DITCHING, UNLESS OTHERWISE INDICATED.

   F. WHEN IMPROVING AN EXISTING ACCESS DRIVE, GRADE THE EXISTING DRIVE TO REMOVE ANY ORGANIC MATTER AND SMOOTH THE SURFACE BEFORE PLACING FILL OR STONE.

   G. PLACE FILL OR STONE IN SIX INCHES (6") MAXIMUM LIFTS, AND COMPACT BEFORE PLACING NEXT LIFT.

   H. THE TOP SURFACE COURSE, SHALL EXTEND A MINIMUM OF ONE FOOT (1') BEYOND THE SITE FENCE (UNLESS OTHERWISE NOTED) AND SHALL COVER THE AREA AS INDICATED.

   I. APPLY RIPRAP TO THE SIDE SLOPES OF ALL FENCED SITE AREAS, PARKING AREAS, AND ALL OTHER SLOPES GREATER THAN 2:1.

   J. APPLY RIPRAP TO THE SIDES OF DITCHES OR DRAINAGE SWALES.

   K. RIPRAP ENTIRE DITCH FOR SIX FEET (6') IN ALL DIRECTIONS AT CULVERT OPENINGS.

   L. APPLY SEED, FERTILIZER AND STRAW COVER TO ALL OTHER DISTURBED AREAS, DITCHES, AND DRAINAGE SWALES, NOT OTHERWISE RIPRAPPED.

   M. UNDER NO CIRCUMSTANCES WILL DITCHES, SWALES, OR CULVERTS BE PLACED SO THAT THEY DIRECT WATER TOWARDS, OR PERMIT STANDING WATER IMMEDIATELY ADJACENT TO SHELTER OR EQUIPMENT. IF ELEVATIONS ARE IN CONFLICT WITH THIS, ADVISE CONSTRUCTION MANAGER IMMEDIATELY.

   N. IN DITCHES WITH SLOPES GREATER THAN 10%, MOUND DIVERSIONARY HEADWALLS IN THE DITCH AT CULVERT ENTRANCES. POSITION THE HEADWALL AT AN ANGLE NO GREATER THAT 60° OFF THE DITCH LINE. RIPRAP THE UPSTREAM SIDE OF THE HEADWALL AS WELL AS THE DITCH FOR SIX FEET (6') ABOVE THE CULVERT ENTRANCE.

   O. APPLY SEED AND FERTILIZER TO SURFACE CONDITIONS WHICH WILL ENCOURAGE ROOTING. RAKE AREAS TO BE SEEDED TO EVEN THE SURFACE AND LOOSEN THE SOIL.

   P. SOW SEED IN TWO DIRECTIONS IN TWICE THE QUANTITY RECOMMENDED BY THE SEED PRODUCER.

   Q. ENSURE GROWTH OF SEEDED AND LANDSCAPED AREAS, BY WATERING, UP TO THE POINT OF RELEASE FROM THE CONTRACT. CONTINUE TO REWORK THE BARE AREAS UNTIL COMPLETE COVERAGE IS OBTAINED.

4. FIELD QUALITY CONTROL

   COMPACT SOILS TO MAXIMUM DENSITY IN ACCORDANCE WITH ASTM D-1557. AREAS SUBJECT TO SETTLEMENT WILL BE EXCAVATED AND REFILLED AT CONTRACTOR'S EXPENSE. INDICATE PERCENTAGE OF COMPACTION ACHIEVED ON AS-BUILT DRAWINGS.

5. PROTECTION

   A. PROTECT SEEDED AREAS FROM EROSION BY SPREADING STRAW TO A UNIFORM LOOSE DEPTH OF 1-2 INCHES, STAKE AND TIE DOWN AS REQUIRED. USE OF EROSION CONTROL MESH OR MULCH NET WILL BE AN ACCEPTABLE ALTERNATE.

   B. ALL TREES PLACED IN CONJUNCTION WITH A LANDSCAPE CONTRACT WILL BE WRAPPED, TIED WITH HOSE PROTECTED WIRE, AND SECURED TO 2" X 2" X 4'-0" WOODEN STAKES EXTENDING TWO-FEET INTO THE GROUND ON FOUR SIDES OF THE TREE.

   C. PROTECT ALL EXPOSED AREAS AGAINST WASHOUTS AND SOIL EROSION. PLACE STRAW BALES AT THE INLET APPROACH TO ALL NEW OR EXISTING CULVERTS. WHERE THE SITE OR ROAD AREAS HAVE BEEN ELEVATED IMMEDIATELY ADJACENT TO THE RAIL LINE, STAKE EROSION CONTROL FABRIC FULL LENGTH IN THE SWALE TO PREVENT CONTAMINATION OF THE RAIL BALLAST. ALL EROSION CONTROL METHODS SHALL CONFORM TO APPLICABLE BUILDING CODE REQUIREMENTS.

SECTION - FENCING AND GATE(S)

PART 1 - GENERAL

1. WORK INCLUDED

   SEE PLAN FOR SITE AND LOCATION OF FENCE AND GATE(S).

2. QUALITY ASSURANCE

   ALL STEEL MATERIALS UTILIZED IN CONJUNCTION WITH THIS SPECIFICATION WILL BE GALVANIZED OR STAINLESS STEEL. WEIGHT OF ZINC COATING ON THE FABRIC SHALL NOT BE LESS THAN 12 OUNCES PER SQUARE FOOT OF MATERIAL COVERED. POSTS SHALL BE HOT-DIPPED IN GRADE "E" ZINC, 18 OUNCES PER SQUARE FOOT.

3. SEQUENCING

   IF THE SITE AREA HAS BEEN BROUGHT UP TO SURFACE COURSE ELEVATION (PRIOR TO THE FENCE CONSTRUCTION), FENCE POST EXCAVATION SPOILS MUST BE CONTROLLED TO PRECLUDE CONTAMINATION OF BASE SURFACE COURSE.

4. SUBMITTALS

   A. MANUFACTURER'S DESCRIPTIVE LITERATURE.

   B. CERTIFICATION OF STATEMENT OF COMPLIANCE WITH THE SPECIFICATIONS.

PART 2 - PRODUCTS

1. FENCE MATERIAL

   A. ALL FABRIC WIRE, RAILS, HARDWARE, AND OTHER STEEL MATERIALS SHALL BE HOT-DIPPED GALVANIZED.

   B. FABRIC SHALL BE SIX-FOOT (6') HIGH OR TO MATCH EXISTING FENCE TWO-INCH (2") VINYL COVERED MESH OF NO. 9 GAUGE (0.130") WIRE. THE FABRIC SHALL HAVE A KNUCKLED FINISH FOR THE TOP SELVAGES. FABRIC SHALL CONFORM TO THE SPECIFICATIONS OF ASTM A-392 CLASS 1.

   C. BARBED WIRE SHALL BE DOUBLE-STRAND, 12-1/2 GAUGE TWISTED WIRE, WITH 14-GAUGE, 4-POINT ROUND BARBS SPACED ON FIVE-INCH CENTERS.

NO.	DATE	REVISION
3	01/17/14	ISSUED FOR FINAL
2	12/27/13	ISSUED FOR REVIEW
1	DATE	REVISION

verizonwireless
7 VILLAGE CIRCLE, SUITE 4400
WESTLAKE, TEXAS 76262

DATE DRAWN: 12/11/13
DRAWN BY: SXC
APPROVED BY: TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523
NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE

DATE: _____
EXPIRES: 03/31/14

PROJECT NO: T133393

SHEET NAME
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SP-1

D. ALL POSTS SHALL BE SCHEDULE - 40 MECHANICAL SERVICE PIPE AND SHALL BE TYPE 1 ASTM A-120 AND OF THE FOLLOWING DIAMETER

LINE	2" SCHEDULE 40 (2 3/8" OD.)
CORNER	3" SCHEDULE 40 (3 1/2" OD.)
GATE	3" SCHEDULE 40 (3 1/2" OD.)

E. GATE POSTS SHALL BE EXTENDED 12 INCHES (12"), INCLUDING DOME CAP, TO PROVIDE FOR ATTACHMENT OF BARBED WIRE.

F. ALL TOP AND BRACE RAILS SHALL BE 1-1/2 DIAMETER SCHEDULE - 40 MECHANICAL - SERVICE PIPE.

G. GATE FRAMES AND BRACES SHALL BE 1-5/8 INCH DIAMETER SCHEDULE 40 MECHANICAL - SERVICE PIPE. FRAMES SHALL HAVE WELDED CORNERS.

H. GATE FRAMES SHALL HAVE A FULL-HEIGHT VERTICAL BRACE, AND A FULL-WIDTH HORIZONTAL BRACE, SECURED IN PLACE BY USE OF GATE BRACE CLAMPS.

I. GATE HINGES SHALL BE MERCHANTS METAL MODEL 64385 HINGE ADAPTER WITH MODEL 6409, 188-DEGREE ATTACHMENT.

J. THE GUIDE (LATCH ASSEMBLY) SHALL BE HEAVY INDUSTRIAL DOUBLE GATE LATCH. SEE DETAIL.

K. LATCHES AND STOPS SHALL BE PROVIDED FOR ALL GATES.

L. PLUNGER ROD COMPLETE WITH RECEPTOR TO BE PROVIDED AT THE INACTIVE LEAF OF ALL DOUBLE GATE INSTALLATIONS.

M. ALL STOPS SHALL HAVE KEEPERS CAPABLE OF HOLDING THE GATE LEAF IN THE OPEN POSITION.

N. A NO. 7 GAUGE ZINC COATED TENSION WIRE SHALL BE USED AT THE BOTTOM OF THE FABRIC, TERMINATED WITH BANK CLIPS AT CORNER AND GATE POSTS.

O. A SIX-INCH BY 1/2 -INCH DIAMETER EYEBOLT TO HOLD TENSION WIRE SHALL BE PLACED AT LINE POSTS.

P. STRETCHER BARS SHALL BE 3/16-INCH BY 3/4-INCH OR HAVE EQUIVALENT CROSS-SECTIONAL AREA.

Q. ALL CORNER GATE AND PANELS SHALL HAVE A 3/8-INCH TRUSS ROD WITH TURNBUCKLES.

R. ALL POSTS EXCEPT GATE POSTS SHALL HAVE A COMBINATION CAP AND BARBED WIRE SUPPORTING ARM. GATE POSTS SHALL HAVE A DOME CAP.

S. OTHER HARDWARE INCLUDES BUT MAY NOT BE LIMITED TO TIE CLIPS, BAND CLIPS AND TENSION BAND CLIPS.

T. BARBED WIRE GATE GUARDS SHALL BE FITTED WITH DOME CAPS.

U. BARBED WIRE SUPPORT ARMS SHALL BE PRESSED STEEL COMPLETE WITH SET BOLT AND LOCK WIRE IN THE ARM.

V. ALL CAPS SHALL BE MALLEABLE IRON, DOME OR ACORN SHAPED AS REQUIRED BY PIPE SIZE.

W. WHERE THE USE OF CONCERTINA HAS BEEN SPECIFIED, 24-INCH (24") DIAMETERS COIL, BARBED TAPE, STAINLESS STEEL, CYCLONE FENCE MODEL G6B TO TYPE III SHALL BE FURNISHED. IT SHALL BE SUPPORTED ABOVE THE TOP RAIL BY USE OF SIX (6) WIRE BARBED WIRE ARMS POSITIONED ATOP EACH LINE/CORNER POST.

PART 3 - EXECUTION

1. INSPECTION

TO CONFIRM PROPER DEPTH AND DIAMETER OF POST HOLE EXCAVATIONS. ALL POST HOLES WILL BE EXCAVATED AS PER CONSTRUCTION DOCUMENTS.

2. INSTALLATION

A. FOUNDATIONS SHALL HAVE A MINIMUM SIX INCH (6") CONCRETE COVER UNDER POSTS.

B. ALL FENCE POSTS SHALL BE VERTICALLY PLUMB: ONE QUARTER INCH (1/4").

C. AT CORNER POSTS, GATE POSTS, AND SIDES OF GATE FRAME, FABRIC SHALL BE ATTACHED WITH STRETCHER AND TENSION BAND-CLIPS AT FIFTEEN INCH (15") INTERVALS.

D. AT LINE POSTS, FABRIC SHALL BE ATTACHED WITH BAND-CLIPS AT FIFTEEN INCH (15") INTERVALS.

E. FABRIC SHALL BE ATTACHED TO BRACE RAILS, TENSION WIRE AND TRUSS RODS WITH TIE-CLIPS AT TWO FEET (2') INTERVALS.

F. A MAXIMUM GAP OF ONE INCH (1") WILL BE PERMITTED BETWEEN THE CHAIN LINK FABRIC AND THE FINAL GRADE.

G. GATE SHALL BE INSTALLED SO LOCKS ARE ACCESSIBLE FROM BOTH SIDES.

H. GATE HINGE BOLTS SHALL HAVE THEIR THREADS PINNED OR WELDED TO PREVENT UNAUTHORIZED REMOVAL.

I. CONCRETE TO BE A MINIMUM OF 4,000 PSI AT 7 DAYS. CEMENT SHALL EXCEED ASTM C150,TYPE IIIA.

3. PROTECTION

UPON COMPLETION OF ERECTION, INSPECT FENCE MATERIAL AND PAINT FIELD CUTS OR GALVANIZING BREAKS WITH ZINC-BASED PAINT, COLOR TO MATCH THE GALVANIZED METAL.

APPLICABLE STANDARDS

ASTM-F1083	SPECIFICATION FOR PIPE, STEEL BLACK AND HOT-DIPPED ZINC COATED (GALVANIZED) WELDED AND SEAMLESS, FOR ORDINARY USES.
ASTM-A123	ZINC (HOT-DIP GALVANIZED) COATING ON IRON AND STEEL PRODUCT.
ASTM-A153	STANDARD SPECIFICATION FOR ZINC COATING (HOT-DIP) ON IRON AND STEEL HARDWARE.
ASTM-A392	SPECIFICATION FOR ZINC-COATED STEEL VINYL FENCE FABRIC.
ASTM-A491	SPECIFICATION FOR ALUMINUM-COATED VINYL FENCE FABRIC.
ASTM-A525	STANDARD SPECIFICATION FOR STEEL SHEET ZINC COATED (GALVANIZED) BY THE HOT-DIPPED PROCESS.
ASTM-A570	SPECIFICATION FOR HOT-ROLLED CARBON STEEL SHEET AND STRIP. STRUCTURAL QUALITY.
ASTM-A585	SPECIFICATION FOR ALUMINUM COATED STEEL BARBED WIRE.

BASIC CONCRETE MATERIALS AND METHODS

PART 1 - GENERAL

1. WORK INCLUDED

FORMWORK, REINFORCEMENT, ACCESSORIES, CAST-IN-PLACE, CONCRETE, FINISHING, AND CURING.

2. INSPECTIONS

A. CONTRACTOR IS RESPONSIBLE FOR SCHEDULING BUILDING DEPARTMENT INSPECTIONS REQUIRED FOR HIS SCOPE OF WORK.

B. ALL REINFORCING STEEL SHALL BE INSPECTED AND APPROVED BY THE LESSEE CONSTRUCTION MANAGER PRIOR TO PLACEMENT OF CONCRETE.

C. LESSEE CONSTRUCTION MANAGER SHALL BE NOTIFIED NO LESS THAN 48 HOURS IN ADVANCE OF CONCRETE POURS.

3. QUALITY ASSURANCE

A. CONSTRUCT AND ERECT CONCRETE FORMWORK IN ACCORDANCE WITH ACI 301 AND ACI 318.

B. PERFORM CONCRETE REINFORCING WORK IN ACCORDANCE WITH ACI 301, ACI 318, AND ASTM A184.

C. PERFORM CAST-IN-PLACE CONCRETE WORK IN ACCORDANCE WITH ACI 301, ACI 318, AND ACI 117-90.

D. OPEN FOUNDATION TRENCHES SHALL BE INSPECTED PRIOR TO CONCRETE INSTALLATION.

4. SUBMITTALS

SUBMIT CONCRETE MIX AND REINFORCING STEEL SHOP DRAWINGS FOR APPROVAL BY VERIZON WIRELESS CONSTRUCTION MANAGER/ENGINEER. THE SHOP DRAWINGS SHALL BE SUBMITTED IN THE FORM OF TWO (2) CONCRETE MIX DESIGN INFORMATION SHEETS AND TWO (2) BLUELINE DRAWINGS FOR REINFORCING STEEL.

PART 2 - PRODUCTS

1. REINFORCEMENT MATERIALS

A. REINFORCEMENT STEEL, ASTM A615, 60 YIELD GRADE, DEFORMED BILLET STEEL BARS, PLAIN FINISH.

B. WELDED STEEL WIRE FABRIC ASTM A185 PLAIN TYPE, IN FLAT SHEETS, PLAIN FINISH.

C. CHAIRS, BOLSTERS, BAR SUPPORTS, SPACERS, SIZED AND SHAPED FOR SUPPORTS OF REINFORCING.

D. FABRICATE CONCRETE REINFORCING IN ACCORDANCE WITH ACI 315, ACI 318, ASTM A184.

2. CONCRETE MATERIALS

A. CEMENT: ASTM C150, PORTLAND TYPE.

B. FINE AND COURSE AGGREGATES ASTM C33 - MAXIMUM SIZE OF CONCRETE AGGREGATE SHALL NOT EXCEED 1 ONE INCH (1") SIZE SUITABLE FOR INSTALLATION METHOD UTILIZED OR ONE-THIRD CLEAR DISTANCE BEHIND OR BETWEEN REINFORCING.

C. WATER: POTABLE CLEAN AND NOT DETRIMENTAL TO CONCRETE.

D. AIR ENTRAINING ADMIXTURE: ASTM C260.

E. BONDING AGENT: LATEX EMULSION FOR BONDING NEW TO OLD CONCRETE AS MANUFACTURED BY DAYTON SUPERIOR.

F. NON-SHRINK GROUT: PREMIXED COMPOUND CONSISTING OF NONMETALLIC AGGREGATE, CEMENT WATER REDUCING AND PLASTICIZING AGENTS.

3. CONCRETE MIX

A. CONCRETE MATERIALS SHALL CONFORM TO THE APPROPRIATE A.C.I. REQUIREMENTS FOR EXPOSED STRUCTURAL CONCRETE.

B. MIX AND DELIVER CONCRETE IN ACCORDANCE WITH ASTM C94, ALT. 3.

C. PROPORTIONS OF CONCRETE MATERIALS SHALL BE SUITABLE FOR THE INSTALLATION METHOD UTILIZED AND SHALL RESULT IN DURABLE CONCRETE FOR LOCAL ANTICIPATED AGGRESSIVE ACTIONS. THE DURABILITY REQUIREMENTS OF ACI 318 CHAPTER 4 SHALL BE SATISFIED BASED ON THE CONDITIONS EXPECTED AT THE SITE. PROVIDE CONCRETE AS FOLLOWS:

1. COMPRESSIVE STRENGTH: 4000 PSI AT 7 DAYS.

2. SLUMP: 3 INCHES

PART 3 - EXECUTION

1. INSERTS, EMBEDDED COMPONENTS AND OPENINGS

A. THE CONTRACTOR SHALL COORDINATE AND CROSS-CHECK ARCHITECTURAL, BUILDING & ELECTRICAL DRAWINGS FOR OPENINGS, SLEEVES, ANCHORS, HANGERS, AND OTHER ITEMS RELATED TO CONCRETE WORK AND SHALL ASSUME FULL RESPONSIBILITY FOR THE PROPER LOCATION BEFORE PLACING CONCRETE.

B. PROVIDE FORMED OPENINGS WHERE REQUIRED FOR WORK TO BE EMBEDDED IN AND PASSING THROUGH CONCRETE MEMBERS.

C. COORDINATE WORK OF OTHER SECTIONS IN FORMING AND SETTING OPENING, SLOTS, RECESSES, CHASES, SLEEVES, BOLTS, ANCHORS, AND OTHER INSERTS.

D. INSTALL CONCRETE ACCESSORIES STRAIGHT, LEVEL AND PLUMB.

2. REINFORCEMENT PLACEMENT

A. PLACE REINFORCEMENT, SUPPORTED AND SECURED AGAINST DISPLACEMENT.

B. ENSURE REINFORCING IS CLEAN, FREE OF LOOSE SCALE, DIRT, OR OTHER FOREIGN COATINGS.

C. WELDING IS PROHIBITED ON REINFORCING STEEL AND EMBEDMENT.

D. MINIMUM CONCRETE COVER FOR REINFORCING SHALL BE 3 INCHES UNLESS OTHERWISE NOTED.

E. CONCRETE COVER FROM TOP OF FOUNDATION TO ENDS OF VERTICAL REINFORCEMENT SHALL NOT EXCEED 3 INCHES (3") NOR BE LESS LESS THAN 2 INCHES (2").

3. PLACING CONCRETE

A. VIBRATE ALL CONCRETE TO COMPACTION

B. ALL CONCRETE WORK SHALL ADHERE TO THE LATEST A.C.I. STANDARDS FOR WINTER POURING AND CURING PROCEDURES IF SEASONAL CONDITIONS APPLY.

4. CURING

A. AFTER PLACEMENT, PROTECT CONCRETE FROM PREMATURE DRYING, AND/OR AGAINST FREEZING.

B. MAINTAIN CONCRETE WITH MINIMAL MOISTURE LOSS AT RELATIVELY CONSTANT TEMPERATURE FOR A PERIOD NECESSARY FOR HYDRATION OF CEMENT AND HARDENING OF CONCRETE.

NO.	DATE	REVISION
1	01/17/14	ISSUED FOR FINAL
A	12/27/13	ISSUED FOR REVIEW

verizonwireless
7 MILLARC CIRCLE SUITE 4400
HIGHLAND, TEXAS 75035

DATE DRAWN: 12/11/13
DRAWN BY: SWC
APPROVED BY: TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523
NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE
[illegible]

DATE: _____
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5. PROVIDE HAND RUBBED SMOOTH FINISH TO ALL EXPOSED VERTICAL FORMED CONCRETE SURFACES.

6. FIELD QUALITY CONTROL

A. SUBMIT THREE (3) CONCRETE TEST CYLINDERS- TAKEN FOR EVERY 15 CUBIC YARD OR LESS, SUBMIT CONCRETE TESTS TO THE PROJECT MANAGER IN ACCORDANCE WITH ASTM, C-31 AND C-39.

B. SUBMIT ONE (1) ADDITIONAL TEST CYLINDER - TAKEN DURING COLD WEATHER POURS, AND CURED ON JOB SITE UNDER SAME CONDITIONS AS CONCRETE IT REPRESENTS.

C. SUBMIT ONE (1) SLUMP TEST - TAKEN FOR EACH SET OF TEST CYLINDERS TAKEN.

7. DEFECTIVE CONCRETE

MODIFY OR REPLACE CONCRETE NOT CONFORMING TO REQUIRED LINES, DETAILS OR ELEVATIONS AT COST OF GC. AS DIRECTED BY ARCHITECT/ENGINEER.

METALS
PART 1 - GENERAL

1. SECTION INCLUDES:
STRUCTURAL STEEL FRAMING MEMBERS, BASE PLATES, BARS AND GROUTING UNDER BASE PLATES.

2. SUBMITTALS:

SHOP DRAWINGS: INDICATE SIZES, SPACING AND LOCATIONS OF STRUCTURAL MEMBERS, OPENINGS, CONNECTIONS, CAMBERS, LOADS, AND WELDED SECTIONS.

3. QUALITY ASSURANCE

A. FABRICATE STRUCTURAL STEEL MEMBERS IN ACCORDANCE WITH AISC SPECIFICATIONS FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS.

B. PERFORM DESIGN UNDER DIRECT SUPERVISION OF A PROFESSIONAL STRUCTURAL ENGINEER LICENSED IN THE STATE.

PART 2 - PRODUCTS

1. MATERIALS

A. STRUCTURAL STEEL MEMBERS: ASTM A572, GRADE 50

B. STRUCTURAL TUBING: ASTM A500, GRADE B

C. PIPE: ASTM A53, TYPE E OR S, GRADE B

D. BOLTS, NUTS AND WASHERS: ASTM A325

E. ANCHOR BOLTS: ASTM A307

F. WELDING MATERIALS: AWS D1.1, TYPE REQUIRED FOR MATERIALS BEING WELDED

G. GROUT: NON-SHRINK TYPE, PREMIXED COMPOUND CONSISTING OF NONMETALLIC AGGREGATE, CEMENT, WATER REDUCING AND PLASTICIZING ADDITIVES, CAPABLE OF DEVELOPING A MINIMUM COMPRESSIVE STRENGTH OF 7000 PSI AT 28 DAYS.

H. SHOP AND TOUCH-UP PRIMER: SSPC 15, TYPE 1, RED OXIDE

I. TOUCH-UP PRIMER FOR GALV. SURFACES: ZINC RICH TYPE

2. FABRICATION:

CONTINUOUSLY SEAL JOINTED MEMBERS BY CONTINUOUS WELDS. GRIND EXPOSED WELDS SMOOTH.

3. FINISH:

A. PREPARE STRUCTURAL COMPONENT SURFACES IN ACCORDANCE WITH SSPC SP-1 TO SP-10 PROCEDURES.

B. STRUCTURAL STEEL MEMBERS SHALL BE HOT DIPPED GALVANIZED.

PART 3 - EXECUTION

1. EXAMINATION AND PREPARATION:
VERIFY THAT THE FIELD CONDITIONS ARE ACCEPTABLE.

2. ERECTION:

A. ALLOW FOR ERECTION LOADS. PROVIDE TEMPORARY BRACING TO MAINTAIN FRAMING IN ALIGNMENT UNTIL COMPLETION OF ERECTION AND INSTALLATION OF PERMANENT BRIDGING AND BRACING.

B. FIELD WELD COMPONENTS INDICATED ON SHOP DRAWINGS.

C. DO NOT FIELD CUT OR ALTER STRUCTURAL MEMBERS WITHOUT APPROVAL OF THE ARCHITECT/ENGINEER.

D. AFTER ERECTION, TOUCH-UP WELDS, ABRASIONS, AND SURFACES NOT SHOP PRIMED OR GALVANIZED WITH TOUCH-UP PRIMERS AS SPECIFIED UNDER SECTION 05000-METALS, PART 2 - PRODUCTS, H & I, SURFACES TO BE IN CONTACT WITH CONCRETE NOT INCLUDED.

3. FIELD QUALITY CONTROL:

FIELD INSPECTION OF MEMBERS, CONNECTIONS, WELDS AND TORQUING.

DIVISION 16 ELECTRICAL
BASIC ELECTRICAL MATERIALS AND METHODS

1. CONTRACTOR SHALL REVIEW THE CONTRACT DOCUMENTS PRIOR TO ORDERING THE ELECTRICAL EQUIPMENT AND STARTING THE ACTUAL CONSTRUCTION. CONTRACTOR SHALL ISSUE A WRITTEN NOTICE OF ALL FINDINGS TO THE ARCHITECT LISTING ANY DISCREPANCIES OR CONFLICTING INFORMATION.

2. ELECTRICAL PLANS, DETAILS AND DIAGRAMS ARE DIAGRAMMATIC ONLY. VERIFY EXACT LOCATIONS AND MOUNTING HEIGHTS OF ELECTRICAL EQUIPMENT WITH OWNER PRIOR TO INSTALLATION.

3. EACH CONDUCTOR OF EVERY SYSTEM SHALL BE PERMANENTLY TAGGED IN EACH PANEL-BOARD, PULLBOX JUNCTION BOX, SWITCH BOX, ETC. THE TYPE OF TAGGING METHODS SHALL BE IN COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (O.S.H.A.).

4. ALL MATERIALS AND EQUIPMENT SHALL BE NEW AND IN GOOD WORKING CONDITION WHEN INSTALLED AND SHALL BE OF THE BEST GRADE AND OF THE SAME MANUFACTURER THROUGHOUT FOR EACH CLASS OR GROUP OF EQUIPMENT. MATERIALS SHALL BE LISTED "U" WHERE APPLICABLE. MATERIALS SHALL MEET WITH APPROVAL OF ALL GOVERNING BODIES HAVING JURISDICTION. MATERIALS SHALL BE MANUFACTURED IN ACCORDANCE WITH APPLICABLE STANDARDS ESTABLISHED BY ANSI, NEMA, NBFU AND "UL" LISTED.

5. ALL CONDUIT SHALL HAVE A PULL CORD.

6. PROVIDE PROJECT MANAGER WITH ONE SET OF COMPLETE ELECTRICAL "AS INSTALLED" DRAWINGS AT THE COMPLETION OF THE JOB, SHOWING ACTUAL DIMENSIONS, ROUTINGS, AND CIRCUITS.

7. ALL CIRCUIT BREAKERS, FUSES AND ELECTRICAL EQUIPMENT SHALL HAVE AN INTERRUPTING SHORT CIRCUIT CURRENT TO WHICH THEY MAY BE SUBJECTED, AND A MINIMUM OF 10,000 A.I.C.

8. THE ENTIRE ELECTRICAL INSTALLATION SHALL BE GROUNDED AS REQUIRED BY IBC, NEC AND ALL APPLICABLE CODES.

9. PATCH, REPAIR AND PAINT ANY AREA THAT HAS BEEN DAMAGED IN THE COURSE OF THE ELECTRICAL WORK.

10. PLASTIC PLATES FOR ALL SWITCHES, RECEPTACLES, TELEPHONE AND BLANKED OUTLETS SHALL HAVE ENGRAVED LETTERING WHERE INDICATED ON THE DRAWINGS. WEATHERPROOF RECEPTACLES SHALL HAVE SIERRA WPD-8 LIFT COVER-PLATES.

SERVICE AND DISTRIBUTION

1. WIRE AND CABLE CONDUCTORS SHALL BE COPPER, 600V, TYPE THHN OR THWN, WITH A MIN. SIZE OF #12 AWG, COLOR CODED. ALL RECTIFIER DROPS SHALL BE STRANDED TO ACCEPT CRIMP CONNECTORS.

2. ALL CHEMICAL GROUND RODS SHALL BE "UL" APPROVED.

3. METER SOCKET AMPERES, VOLTAGE, NUMBER OF PHASES SHALL BE AS NOTED ON THE DRAWINGS. MANUFACTURED BY MILBANK OR APPROVED EQUAL AND SHALL BE UTILITY COMPANY APPROVED.

4. CONDUIT:

A. RIGID CONDUIT SHALL BE U.L. LABEL GALVANIZED ZINC COATED WITH GALVANIZED ZINC INTERIOR AND SHALL BE USED WHEN INSTALLED IN OR UNDER CONCRETE SLABS, IN CONTACT WITH THE EARTH, UNDER PUBLIC ROADWAYS, IN MASONRY WALLS OR EXPOSED ON BUILDING EXTERIOR. RIGID CONDUIT IN CONTACT WITH EARTH SHALL BE 1/2 LAPPED WRAPPED WITH HUNTS WRAP PROCESS NO. 3.

B. ELECTRICAL METALLIC TUBING SHALL HAVE U.L. LABEL.FITTING SHALL BE GLAND RING COMPRESSION TYPE.

C. FLEXIBLE METALLIC CONDUIT SHALL HAVE U.L. LISTED LABEL AND MAY BE USED WHERE PERMITTED BY CODE. FITTINGS SHALL BE "JAKE" OR "SQUEEZE" TYPE. ALL FLEXIBLE CONDUITS SHALL HAVE FULL LENGTH GROUND WIRE.

D. ALL UNDERGROUND CONDUIT SHALL BE AS NOTED ON THE DRAWINGS AT A MINIMUM DEPTH OF 30" BELOW GRADE. IT IS REQUIRED AND WILL BE THE RESPONSIBILITY OF THE ELECTRICAL CONTRACTOR TO NOTIFY 811 OR SUCH DIGGING AGENCY 48 HRS PRIOR TO DIGGING.

5. CONTRACTOR TO COORDINATE WITH UTILITY COMPANY FOR CONNECTION OF TEMPORARY AND PERMANENT POWER TO THE SITE. THE TEMPORARY POWER AND ALL HOOKUP COSTS ARE TO BE PAID BY THE CONTRACTOR.

6. ALL ELECTRICAL EQUIPMENT SHALL BE LABELED WITH PERMANENT ENGRAVED PLASTIC LABELS WITH WHITE ON BLUE BACKGROUND LETTERING (MINIMUM LETTER HEIGHT SHALL BE 1/4"). NAMEPLATES SHALL BE FASTENED WITH STAINLESS STEEL SCREWS, NOT ADHESIVE.

7. UPON COMPLETION OF WORK, CONTINUITY, SHORT CIRCUIT, AND FALL POTENTIAL GROUNDING TESTS BY AN INDEPENDENT TESTING SERVICE ENGAGED BY THE CONTRACTOR SHALL BE SUBMITTED FOR APPROVAL. SUBMIT TEST REPORTS TO PROJECT MANAGER. CLEAN PREMISES OF ALL LEAVE WORK IN A COMPLETE AND UNDAMAGED CONDITION.

8. GROUNDING ELECTRODE SYSTEM

A. PREPARATION

1. SURFACE PREPARATION:

ALL CONNECTIONS SHALL BE MADE TO BARE METAL. ALL PAINTED SURFACES SHALL BE FIELD INSPECTED AND MODIFIED TO ENSURE PROPER CONTACT. NO WASHERS ARE ALLOWED BETWEEN THE ITEMS BEING GROUNDED. ALL CONNECTIONS ARE TO HAVE A NON-OXIDIZING AGENT APPLIED PRIOR TO INSTALLATION.

2. GROUND BAR PREPARATION:

ALL COPPER GROUND BARS SHALL BE CLEANED, POLISHED AND A NON-OXIDIZING AGENT APPLIED. NO FINGERPRINTS OR DISCOLORED COPPER WILL BE PERMITTED.

3. SLEEVES:

ALL GROUNDING CONDUCTORS SHALL RUN THROUGH PVC SLEEVES WHEREVER CONDUCTORS RUN THROUGH WALLS, FLOORS OR CEILINGS. IF CONDUCTORS MUST RUN THROUGH EMT, BOTH ENDS OF CONDUIT SHALL BE GROUNDED. SEAL BOTH ENDS OF CONDUIT WITH SILICONE CAULK.

B. GROUND BARS

1. ALL GROUND BARS SHALL BE 1/4" THICK TINNED COPPER PLATE AND OF SIZE INDICATED ON DRAWINGS.

2. ALL CONNECTIONS TO THE GROUND BAR SHALL OBSERVE THE FOLLOWING SEQUENCE:

A. BOLT-HEAD
B. 2-HOLE LUG
C. TINNED BUSS BAR
D. STAR WASHER
E. NUT
F. EXTERNAL CONNECTIONS

3. ALL BURIED GROUNDING CONNECTIONS SHALL BE MADE BY THE EXOTHERMIC WELD PROCESS. CONNECTIONS SHALL INCLUDE ALL CABLE, SPLICES, TEE'S, CROSSED, ETC. ALL CABLE TO GROUND RODS, GROUND ROD SPLICES AND LIGHTING PROTECTION SYSTEMS ARE TO BE AS INDICATED. ALL MATERIALS USED (MOLDS, WELDING METAL, TOOLS, ETC.) SHALL BE BY "CADWELD" AND INSTALLED PER MANUFACTURER'S RECOMMENDED PROCEDURES.

4. ALL ABOVE GRADE GROUNDING AND BONDING CONDUCTORS SHALL BE CONNECTED BY TWO HOLE CRIMP TYPE (COMPRESSION) CONNECTORS (EXCEPT FORTH ACEG AND GROUND ROD) MECHANICAL CONNECTIONS, FITTINGS OR CABLE TO CABLE CONNECTIONS SHALL BE HIGH PRESSURE DOUBLE CRIMP TYPE CONNECTIONS. CONNECTION TO STRUCTURAL STEEL SHALL BE EXOTHERMIC WELDS.

C. GROUND RODS

ALL GROUND RODS SHALL BE 5/8-INCH DIAMETER X 10'-0" LONG "COPPERWELD" OR APPROVED EQUAL, OF THE NUMBER AND LOCATIONS INDICATED. GROUND RODS SHALL BE DRIVEN FULL LENGTH VERTICAL IN UNDISTURBED EARTH.

NO.	DATE	REVISION
1	07/17/13	ISSUED FOR FINAL
A	12/27/13	ISSUED FOR REVIEW

verizonwireless
7 TELWAY CIRCLE SUITE 8400
NORTH LAKE, TEXAS 75038

DATE DRAWN: 12/27/13
DRAWN BY: JJC
APPROVED BY: TJ

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523
NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE

DATE: _____
EXPIRES: 03/31/15

PROJECT NO: 1133393

SHEET NAME
GENERAL NOTES

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SP-3

D. GROUND CONDUCTORS

ALL GROUND CONDUCTORS SHALL BE STANDARD TINNED SOLID BARE COPPER ANNEALED, AND OF SIZE INDICATED ON DRAWINGS UNLESS NOTED OTHERWISE.

E. LUGS

1. LUGS SHALL BE 2-HOLE, LONG BARREL, STRAND COPPER UNLESS OTHERWISE SPECIFIED IN THE CONTRACT DOCUMENTS. LUGS SHALL BE THOMAS AND BETTS SERIES 548 x x BE OR EQUIVALENT.

   A. 535 MCM DLO 54880BE
   B. 262 MCM DLO 54872BE
   C. 1/0 DLO 54867DE
   D. 1/0 THIN AND BARE 54866BE
   E. 2/0 THIN 54862BE
   F. #2 THHN 54207BE
   G. #6 DLO 54205BE

2. WHEN THE DIRECTION OF CONDUCTOR MUST CHANGE, IT SHALL BE DONE GRADUALLY. THE CURVATURE OF THE TURN SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING CHART:

GROUNDING CONDUCTOR SIZE	MINIMUM BENDING RADIUS TO INSIDE EDGE
NO. 6 AWG TO NO. 4 AWG	6 INCHES
NO. 2 AWG TO NO. 1/0 AWG	8 INCHES
NO. 2/0 AWG TO 4/0 MCM	12 INCHES
250 MCM TO 750 MCM	24 INCHES

F. GROUND RING

1. THE EXTERNAL GROUND RING ENCIRCLING THE TOWER (IF APPLICABLE) AND BETWEEN THE EQUIPMENT SHELTER PLATFORM ANCHORS SHALL BE MINIMUM NO. 2 AWG. SOLID TINNED BARE COPPER CONDUCTOR IN DIRECT CONTACT WITH THE EARTH AT THE DEPTH INDICATED ON THE DRAWINGS. CONDUCTOR BENDS SHALL HAVE A MINIMUM BENDING RADIUS OF EIGHT (8) INCHES.

2. ALL EXTERNAL GROUND RINGS ARE TO BE JOINED TOGETHER AND ALL CONNECTIONS MUST BE CADWELDED. NO LUGS OR CLAMPS WILL BE ACCEPTED.

G. FENCE GATE

GROUND EACH GATE POST, CORNER POST AND GATE AS INDICATED ON DRAWING GROUND CONNECTIONS TO FENCE POSTS AND ALL OTHER CONNECTIONS FOR THE GROUND GRID SYSTEM SHALL BE MADE BY EXOTHERMIC WELD PROCESS, AND INSTALLED PER MANUFACTURER'S RECOMMENDATIONS AND PROCEDURES, AND SPRAYED WITH COLD-GALVANIZED PAINT.

9. I.E.E.E. FALL POTENTIAL TESTS

A. FOR RAW LAND SITE

1. GROUND TEST SHALL BE PERFORMED AS INDICATED ON DRAWINGS. A BIDDLE GROUND OHMER OR THE METHOD OF USING TWO AUXILIARY GROUND RODS (AS DESCRIBED IN I.E.E.E. STANDARDS NO. 81-1-983, PART 1) MAY BE USED. THE I.E.E.E. METHOD REQUIRES THE USE OF AN A.C. TEST CURRENT. THE AUXILIARY TEST RODS MUST BE SUFFICIENTLY FAR AWAY FROM THE ROD UNDER TEST SO THAT THE REGIONS IN WHICH THEIR RESISTANCE IS LOCALIZED DO NOT OVERLAP. THE TEST POINT WILL BE THE GROUND ROD AND WILL CONSIST OF THE THREE POINT FALL OF POTENTIAL MEGGER TEST METHOD, USING THE BIDDLE NULL-BALANCE EARTH TESTER (MEGGER #250220-2 OR EQUIVALENT).

2. CONTRACTOR TO CONDUCT GROUND RESISTANCE TEST IN THE FORMAT AS FOLLOWS:

B. EQUIPMENT PAD

1. FIRST TEST - SHALL BE WITH FOUR GROUND RODS INSTALLED, ONE AT EACH CORNER OF THE PAD BUT NOT CONNECTED TO THE MAIN GROUNDING BUS. FURNISH WIRE TO CONNECT (TEMPORARY CLAMP) ALL FOUR GROUND RODS TOGETHER TO MAKE A SYSTEM TEST AFTER EACH ROD IS INDIVIDUALLY TESTED. IF ANY INDIVIDUAL ROD TESTS 25 OHMS OR MORE, THE ELECTRICAL CONTRACTOR AND OWNER'S REPRESENTATIVE SHOULD BE NOTIFIED SO THAT THE ROD CAN BE DRIVEN DEEPER UNTIL ALL FOUR RODS HAVE A RESISTANCE OF 10 OHMS OR LESS ON A DRY DAY.

2. SECOND TEST - SHALL BE WITH THE GROUND RODS CONNECTED, WITH DRY SOIL AND WHEN NO STANDING WATER HAS BEEN PRESENT FOR THE PAST TEN (10) DAYS. THE MAXIMUM ALLOWABLE READING IS 5 OHMS TO GROUND. IF THE RESISTANCE OF THE ENTIRE SYSTEM EXCEEDS 5 OHMS, NOTIFY THE CONTRACTOR AND OWNER'S REPRESENTATIVE SO THAT ADDITIONAL AND/OR DEEPER RODS CAN BE INSTALLED.

C. TOWER

1. FIRST TEST - SHALL BE WITH THREE GROUND RODS INSTALLED (MINIMUM), EQUALLY SPACED AROUND THE TOWER FOUNDATION, BUT NOT CONNECTED TO THE SHELTER PAD EXTERNAL GROUND RING. FURNISH WIRE TO CONNECT (TEMPORARY CLAMP) ALL THREE GROUND RODS TOGETHER TO MAKE A SYSTEM TEST AFTER EACH ROD IS INDIVIDUALLY TESTED. IF ANY INDIVIDUAL ROD TESTS 25 OHMS OR MORE, NOTIFY THE CONTRACTOR AND OWNER'S REPRESENTATIVE SO THAT THE ROD CAN BE DRIVEN DEEPER UNTIL ALL THREE (3) RODS HAVE A RESISTANCE OF 10 OHMS OR LESS ON A DRY DAY.

2. SECOND TEST - SHALL BE WITH THE GROUND RODS CONNECTED, WITH DRY SOIL AND WHEN NO STANDING WATER HAS BEEN PRESENT FOR THE PAST TEN (10) DAYS. THE MAXIMUM ALLOWABLE READING IS 5 OHMS TO GROUND. IF THE RESISTANCE OF THE ENTIRE SYSTEM EXCEEDS 5 OHMS THE ELECTRICAL CONTRACTOR AND OWNER'S REPRESENTATIVE SHOULD BE NOTIFIED SO THAT EITHER ADDITIONAL AND/OR DEEPER RODS CAN BE INSTALLED.

D. EQUIPMENT PAD AND TOWER

1. AFTER THE EQUIPMENT PAD AND TOWER GROUND RESISTANCE TEST IS COMPLETED, CONTRACTOR SHALL TIE EQUIPMENT PAD EXTERNAL GROUND RING AND TOWER EXTERNAL GROUND RING TOGETHER. AFTER FIRST AND SECOND TEST ALL CONNECTIONS MUST BE MADE USING EXOTHERMIC WELD. NO LUGS OR CLAMPS WILL BE ACCEPTED.

2. AFTER ALL THE EXTERNAL GROUND RINGS ARE TIED TOGETHER, A COMPLETE MEGGER CHECK OF THE GROUND SYSTEM SHOULD BE DONE. THE MAXIMUM ALLOWABLE LEADING IS 5 OHMS TO GROUND.

10. GROUNDING RESISTANCE TEST REPORT

UPON COMPLETION OF THE TESTING FOR EACH SITE, A TEST REPORT SHOWING RESISTANCE IN OHMS WITH AUXILIARY POTENTIAL ELECTRODES AT 5 FEET AND 10 FEET INTERVALS UNTIL THE AVERAGE RESISTANCE STARTS INCREASING AND ALSO NOTE THAT 10-15 PHOTOS MUST BE TAKEN TO PROOF ENTIRE EXTERNAL GROUND RING SYSTEM BEFORE BACKFILL. TWO (2) SETS OF TEST DOCUMENTS ARE OF THE INDEPENDENT TESTING SERVICE TO BE BOUND AND SUBMITTED WITHIN ONE (1) WEEK OF WORK COMPLETION.

POLES, POSTS, AND STANDARDS SINGLE MAST AND SELF SUPPORTING TOWERS

1. GENERAL

A. LIGHTNING ROD AND EXTENSION PIPE INCLUDING ALL APPURTENANCES, TO BE FURNISHED BY OWNER, IF REQUIRED.

B. PROVIDE TEMPORARY LIGHTING FOR TOWER AS PER FAA REGULATIONS DURING CONSTRUCTION, IF REQUIRED.

C. GROUNDING:

GROUND TOWER WITH A MINIMUM OF #2 AWG TINNED SOLID BARE COPPER CONDUCTOR CADWELDED TO TOWER BASE PLATE. TWO (2) GROUNDING LEADS PER TOWER BASE PLATE.

NO EXOTHERMIC WELDS SHALL BE ATTACHED DIRECTLY TO THE MONOPOLE TOWER SHAFT.

TELECOMMUNICATIONS WIRING COMPONENTS COAXIAL ANTENNA CABLE

1. GENERAL

A. ALL MATERIALS, PRODUCTS OR PROCEDURES INCORPORATED INTO WORK SHALL BE NEW AND OF STANDARD COMMERCIAL QUALITY.

B. CERTAIN MATERIALS AND PRODUCTS WILL BE SUPPLIED BY THE OWNER (REFER TO GENERAL CONDITIONS FOR THE LIST OF OWNER FURNISHED EQUIPMENT, MATERIALS AND SUPPLIES FOR THESE ITEMS). THE CONTRACTOR IS RESPONSIBLE FOR PICKUP AND DELIVERY OF ALL SUCH MATERIALS.

C. ALL OTHER MATERIALS AND PRODUCTS SPECIFIED IN THE CONTRACT DOCUMENTS SHALL BE SUPPLIED BY THE CONTRACTOR.

2. MATERIALS:

A. COAXIAL CABLE:

1. INSTALL COAXIAL CABLE AND TERMINATIONS BETWEEN ANTENNAS AND EQUIPMENT PER MANUFACTURER'S RECOMMENDATIONS WITH COAXIAL CABLES SUPPORTED AT NO MORE THAN 3'-0" O.C. WEATHERPROOF ALL CONNECTORS BETWEEN THE ANTENNA AND EQUIPMENT PER MANUFACTURERS' REQUIREMENTS. TERMINATE ALL COAXIAL CABLE THREE FEET (3') IN EXCESS OF EQUIPMENT LOCATION UNLESS OTHERWISE STATED.

3. ANTENNA AND COAXIAL CABLE GROUNDING

A. ALL COAXIAL CABLE GROUNDING KITS ARE TO BE INSTALLED ON STRAIGHT RUNS OF COAXIAL CABLE (NOT WITHIN BENDS)

4. COAXIAL CABLE IDENTIFICATION

A. TO PROVIDE EASY IDENTIFICATION AND UNIFORM MARKING OF ANTENNA CABLING, PLASTIC TAGS SHALL SHALL BE USED AT THE FOLLOWING LOCATIONS:

1. FIRST LOCATION IS AT THE END OF THE COAX NEAREST THE ANTENNA (WHERE THE COAXIAL CABLE AND JUMPER ARE CONNECTED).

2. SECOND LOCATION IS INSIDE THE EQUIPMENT SHELTER NEAR THE WAVEGUIDE ENTRY PORT.

B. USE ANDREW CABLE TIES (PT.# 21230) TO SECURE IDENTIFICATION TAGS.

5. TESTING

LESSEE SHALL PROVIDE AN INDEPENDENT TESTING AGENCY TO PERFORM THE COAXIAL SWEEP TEST & REPORT. THE CONTRACTOR IS TO PROVIDE ONE CLIMBER / QUALIFIED PERSONNEL TO ASSIST IN ANY REPAIRS AND WEATHERPROOFING ONCE THE TEST IS COMPLETE. THE CONTRACTOR IS TO PROVIDE LESSEE WITH A MINIMUM OF 48 HOURS NOTICE PRIOR TO THE TIME OF THE SWEEP TEST.

NO.	DATE	REVISION
1	9/17/14	ISSUED FOR FINAL
0	12/27/13	ISSUED FOR REVIEW

verizonwireless
7 WILLOWS CIRCLE, SUITE 1400
WESTLAKE, TEXAS 76262

DATE DRAWN: 12/11/13
DRAWN BY: SDC
APPROVED BY: TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523

NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE

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DATE: _____
EXPIRES: 03/31/15

PROJECT NO: T133393

SHEET NAME
GENERAL NOTES

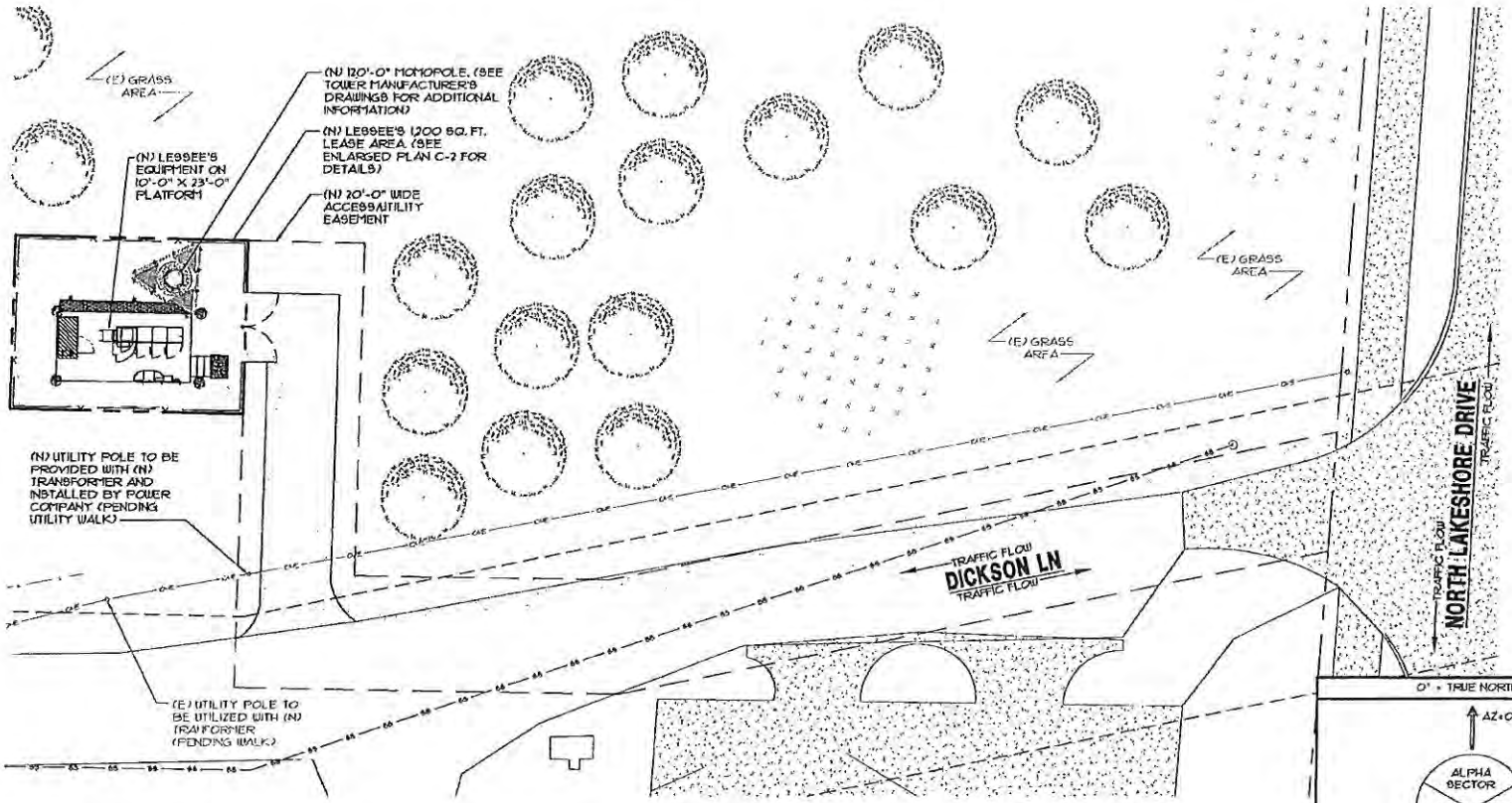
SHEET NUMBER
SP-4

SEE SURVEY FOR LEGAL DESCRIPTION OF LEASE AREA, ACCESS AND UTILITY EASEMENT

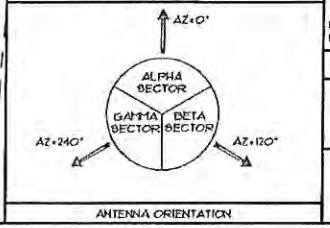
NOTE:
CONTRACTOR SHALL RESTORE AND REPAIR ANY DAMAGED AREAS CAUSED BY CONSTRUCTION TO ORIGINAL OR BETTER CONDITION

NOTE:
DURING CONSTRUCTION CONTRACTOR TO MAINTAIN AN ORANGE FENCE PERIMETER AROUND THE SITE AT ALL TIMES FOLLOWING CLOSE OF EVERY BUSINESS DAY

NOTE:
W-T'S SCOPE OF WORK DOES NOT INCLUDE A STRUCTURAL EVALUATION OF THIS TOWER OR STRUCTURE. NEW ANTENNAS & EQUIPMENT SHOWN ON THIS PLAN HAVE NOT BEEN EVALUATED TO VERIFY THE TOWER OR STRUCTURE HAS THE CAPACITY TO ADEQUATELY SUPPORT THESE ANTENNAS & EQUIPMENT. PRIOR TO ANY ANTENNA OR EQUIPMENT INSTALLATION, A STRUCTURAL EVALUATION OF TOWER OR STRUCTURE, INCLUDING ALL MOUNTING SYSTEMS AND HARDWARE, SHOULD BE PERFORMED.



1 OVERALL SITE PLAN
SCALE: 1" = 70'-0"



ANTENNA ORIENTATION

NO.	DATE	REVISION
1	01/27/14	ISSUED FOR FINAL
A	12/27/13	ISSUED FOR REVIEW

verizonwireless
7 VILLAGE CIRCLE, SUITE #200
WESTLAKE, TEXAS 76262

DATE DRAWN: 12/11/13
DRAWN BY: SXC
APPROVED BY: TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523
NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE
2713 Hudnut Park Ave, Ste 310
Lewisville, Texas 75067
PH: (972) 219-0101 FAX: (972) 219-0102
www.wtcommgroup.com
Texas Firm Registration No. F-13014 Exp. 08/31/14
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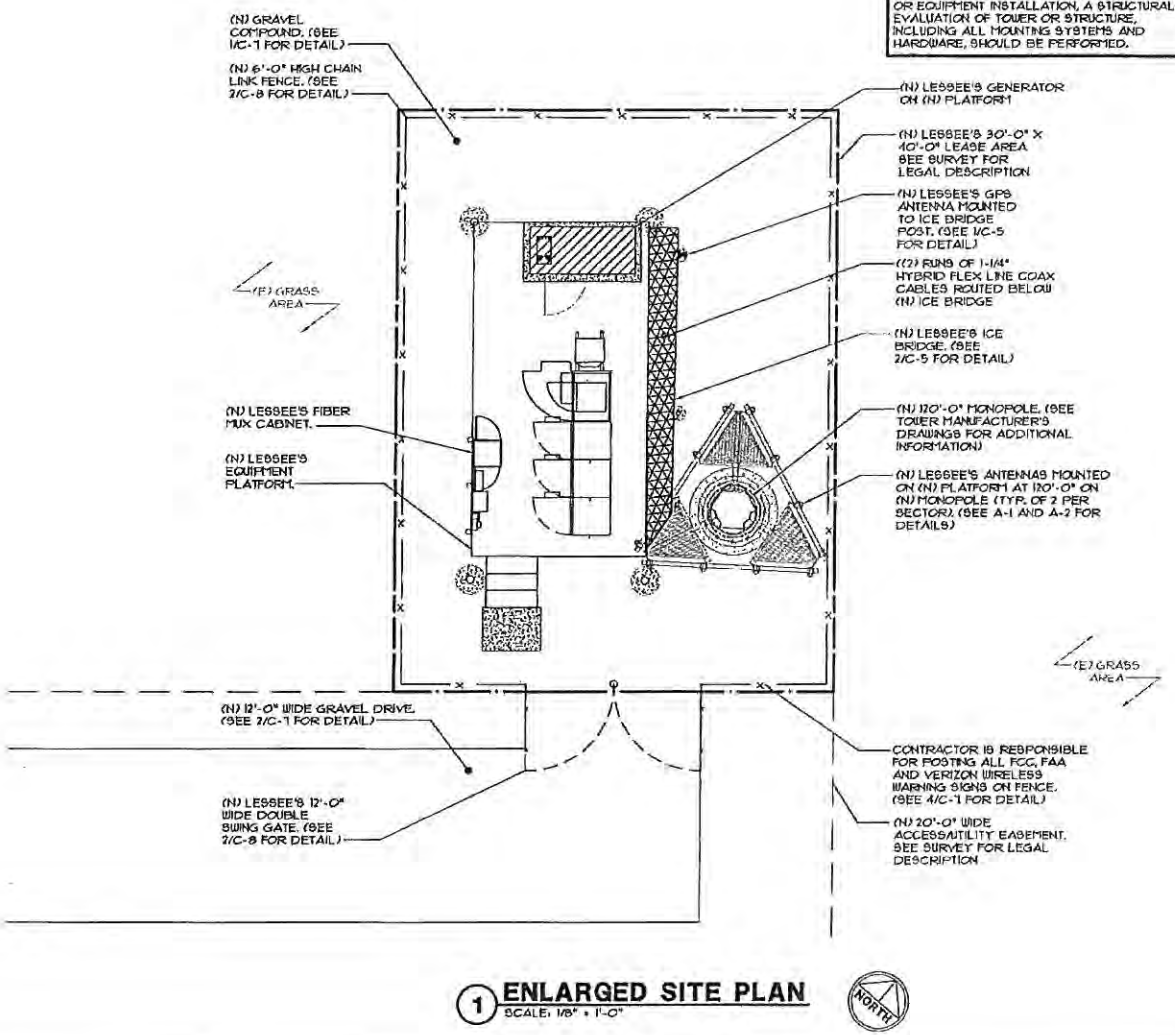
DATE: _____
EXPIRES: 03/31/14.

PROJECT NO: T133393

SHEET NAME
OVERALL SITE PLAN

SHEET NUMBER
C-1

NOTE:
W-T'S SCOPE OF WORK DOES NOT INCLUDE A STRUCTURAL EVALUATION OF THIS TOWER OR STRUCTURE. NEW ANTENNAS & EQUIPMENT SHOWN ON THIS PLAN HAVE NOT BEEN EVALUATED TO VERIFY THE TOWER OR STRUCTURE HAS THE CAPACITY TO ADEQUATELY SUPPORT THESE ANTENNAS & EQUIPMENT. PRIOR TO ANY ANTENNA OR EQUIPMENT INSTALLATION, A STRUCTURAL EVALUATION OF TOWER OR STRUCTURE, INCLUDING ALL MOUNTING SYSTEMS AND HARDWARE, SHOULD BE PERFORMED.



1 ENLARGED SITE PLAN
SCALE: 1/8" = 1'-0"

NOTE 1:
THE CONTRACTOR WILL, UPON BECOMING AWARE OF SUBSURFACE OR LATENT PHYSICAL CONDITIONS DIFFERING FROM THOSE DISCLOSED BY THE ORIGINAL SOIL INVESTIGATION WORK, PROMPTLY NOTIFY THE OWNER VERBALLY TO PERMIT VERIFICATION OF THE DIFFERING CONDITIONS, AND IN WRITING, AS TO THE NATURE OF THE DIFFERING CONDITIONS. NO CLAIM BY THE CONTRACTOR FOR ANY CONDITIONS DIFFERING FROM THOSE ANTICIPATED IN THE PLANS AND SPECIFICATIONS AND DISCLOSED BY THE SOIL STUDIES WILL BE ALLOWED UNLESS THE CONTRACTOR HAS SO NOTIFIED THE OWNER, VERBALLY AND IN WRITING, AS REQUIRED ABOVE, OF SUCH DIFFERING SUBSURFACE CONDITIONS.

NOTE 2:
ANY AREA ALTERED FROM CONSTRUCTION TO BE RETURNED TO ITS ORIGINAL STATE. GRASS AREA SHALL BE SEEDED AND MAINTAINED UNTIL SEEDS HAVE GERMINATED

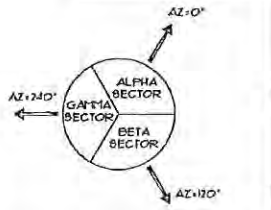
NOTE 3:
CONTRACTOR SHALL VERIFY ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.

NOTE 4:
CONTRACTOR TO INSTALL EROSION CONTROL MEASURES ALONG PERIMETER OF ALL CONSTRUCTION SUFFICIENT TO PREVENT STORM WATER RUNOFF CONTAMINATION. SEE I/C-6.

NOTE 5:
THE CONTRACTOR SHALL CLEAN-UP AND REMOVE FROM THE WORK SITE ON A DAILY BASIS (OR SOONER IF DIRECTED BY THE VERIZON WIRELESS PROJECT MANAGER) ALL RUBBISH AND CONSTRUCTION DEBRIS, RESULTING FROM HIS OWN WORK. THE CONTRACTOR SHALL SUPPLY A DUMPSTER OR SIMILAR TRASH STORAGE/REMOVAL DEVICE AT JOBSITES WHERE CONSTRUCTION DEBRIS OR GARBAGE IS GENERATED.

NOTE 6:
THE CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL SURFACE GROWTH, NCLUDING TREES, VEGETATION, RUBBISH, UNDERGROWTH, STUMP AND ROOT STRUCTURES, SURFACE BOULDERS, AND ANY OTHER OBJECTIONABLE MATERIAL FROM THE TOWER BASE, GUYS PATHS, GUY ANCHOR AREA, BUILDING AREA AND ROADS.

0° = TRUE NORTH



ANTENNA ORIENTATION

NO.	DATE	ISSUED FOR
1	05/07/14	ISSUED FOR REVIEW
A	12/27/13	ISSUED FOR REVIEW

verizonwireless
7 VILLAGE CIRCLE SUITE #400
WESTLAKE, TEXAS 76262

DATE DRAWN: 12/11/13
DRAWN BY: SXC
APPROVED BY: TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523
NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

W-T
W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE
751 Arapaho Parkway, Ste 200
Lewisville, Texas 75067
PH: (972) 294-0145 FAX: (972) 786-0762
www.wtdesigngroup.com
Texas Firm Registration No. F-11756 Exp. 09/30/15
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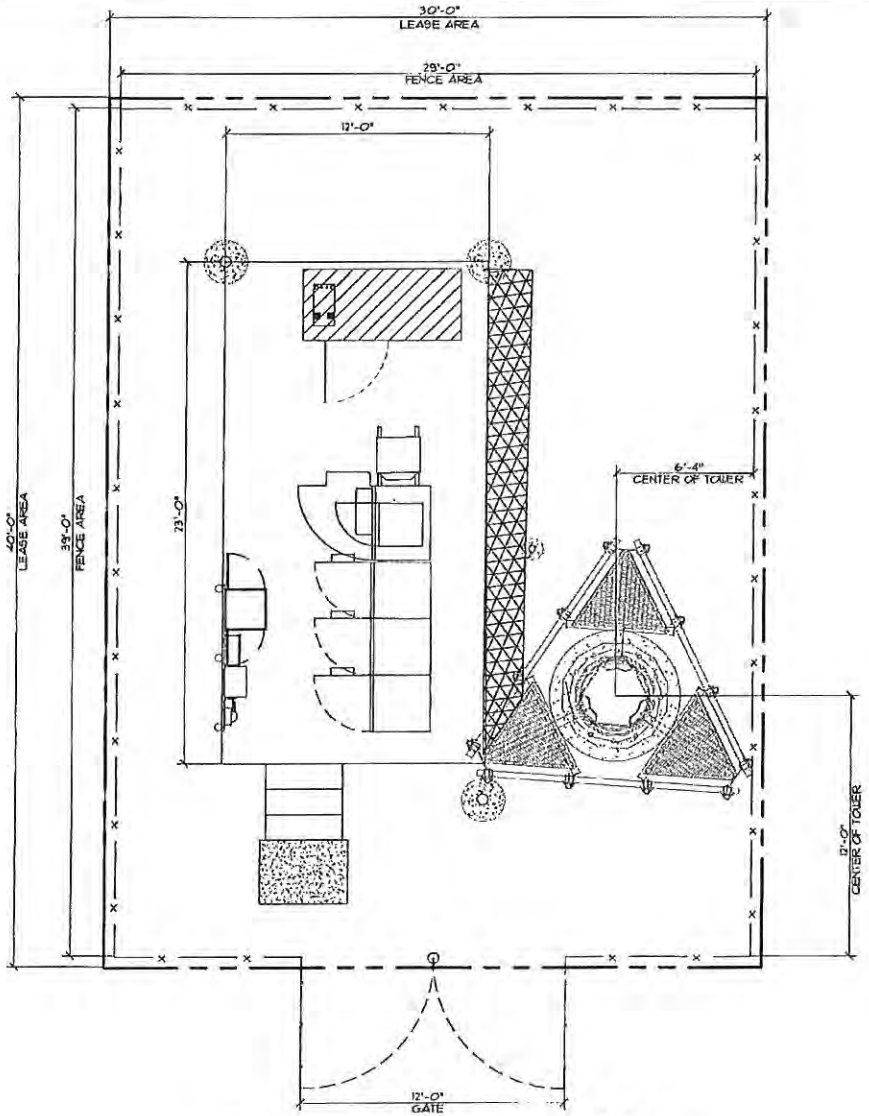
DATE: _____
EXPIRES: 03/31/15

PROJECT NO: T133393

SHEET NAME
ENLARGED SITE PLAN

SHEET NUMBER
C-2



1 **GEOMETRIC SITE PLAN**
SCALE: 1" = 5'-0"

NO.	DATE	ISSUED FOR
1	01/17/14	ISSUED FOR FINAL
A	12/27/13	ISSUED FOR REVIEW

verizonwireless
7 VILLAGE CIRCLE SUITE #400
WESTLAKE, TEXAS 76262

DATE DRAWN:	DRAWN BY:	APPROVED BY:
12/11/13	SXC	TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523

NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

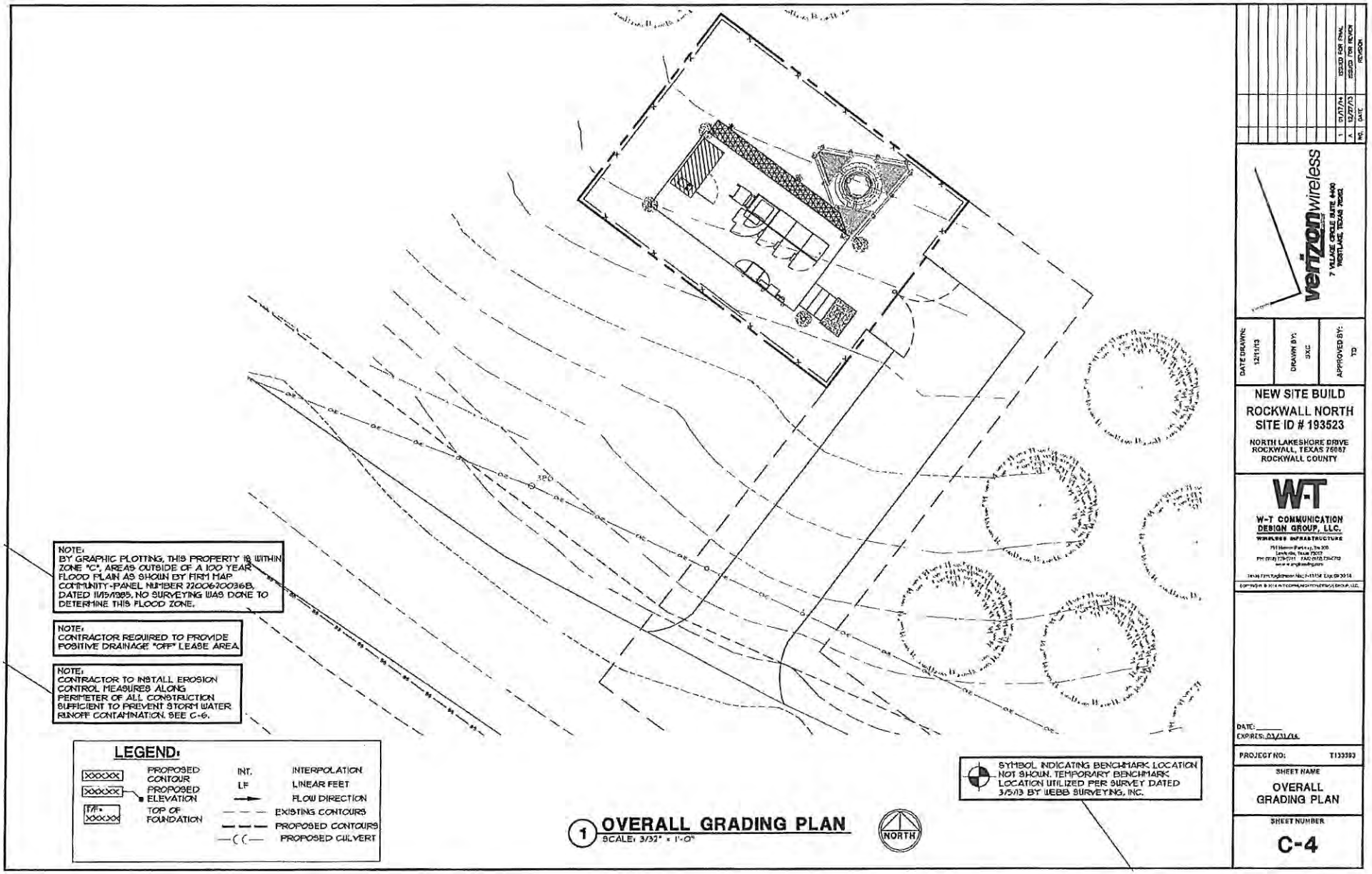
W-T
W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE

DATE:
EXPIRES: 01/31/14

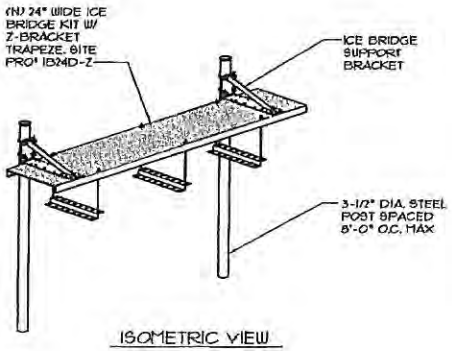
PROJECT NO: T133393

SHEET NAME
GEOMETRIC SITE PLAN

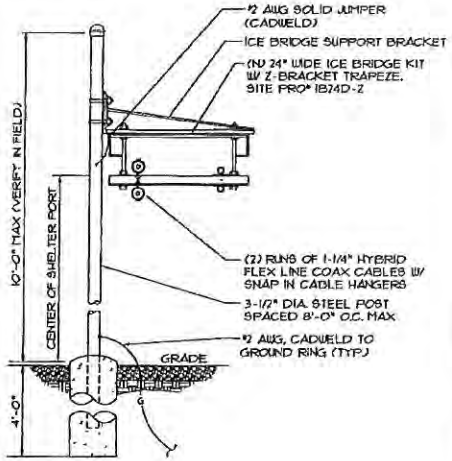
SHEET NUMBER
C-3


NOTE:
BY GRAPHIC PLOTTING, THIS PROPERTY IS WITHIN ZONE "C", AREAS OUTSIDE OF A 100 YEAR FLOOD PLAIN AS SHOWN BY FIRM MAP COMMUNITY-PANEL NUMBER 2200670036B, DATED 11/5/1985. NO SURVEYING WAS DONE TO DETERMINE THIS FLOOD ZONE.
NOTE:
CONTRACTOR REQUIRED TO PROVIDE POSITIVE DRAINAGE "OFF" LEASE AREA.
NOTE:
CONTRACTOR TO INSTALL EROSION CONTROL MEASURES ALONG PERIMETER OF ALL CONSTRUCTION SUFFICIENT TO PREVENT STORM WATER RUNOFF CONTAMINATION. SEE C-6.
LEGEND:
PROPOSED CONTOUR
PROPOSED ELEVATION
T/F: TOP OF FOUNDATION
INT. INTERPOLATION
LF LINEAR FEET
FLOW DIRECTION
EXISTING CONTOURS
PROPOSED CONTOURS
PROPOSED CULVERT
SYMBOL INDICATING BENCHMARK LOCATION NOT SHOWN. TEMPORARY BENCHMARK LOCATION UTILIZED PER SURVEY DATED 3/5/13 BY WEBB SURVEYING, INC.
1 OVERALL GRADING PLAN
SCALE: 3/32" = 1'-0"
NORTH
NO. DATE REVISION
1 01/17/14 ISSUED FOR FINAL
A 12/27/13 ISSUED FOR REVIEW
verizonwireless
7 VILLAGE CIRCLE SUITE #400
WESTLAKE, TEXAS 76262
DATE DRAWN: 12/11/13
DRAWN BY: JXC
APPROVED BY: TD
NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523
NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY
W-T
W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE
DATE:
EXPIRES: 03/31/14
PROJECT NO: T133393
SHEET NAME
OVERALL GRADING PLAN
SHEET NUMBER
C-4

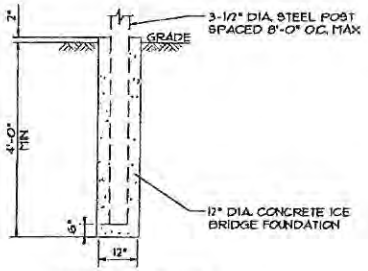
NOTE:
ALL MOUNTING HARDWARE IS INCLUDED IN ICE BRIDGE KIT. CONTRACTOR TO VERIFY



ISOMETRIC VIEW



FRONT VIEW



SECTION DETAIL

NOTES:

1. WHEN USING COMPONENTS AS SHOWN IN STANDARD DETAIL, MAXIMUM ALLOWABLE SPAN BETWEEN SUPPORTS ON A CONTINUOUS SINGLE SECTION OF BRIDGE CHANNEL SHALL BE 8'-0"

2. WHEN USING COMPONENTS FOR SPLICING BRIDGE CHANNEL SECTIONS, THE SPLICE SHOULD BE PROVIDED AT THE SUPPORT, IF POSSIBLE, OR AT A MAXIMUM OF 2 FEET FROM THE SUPPORT.

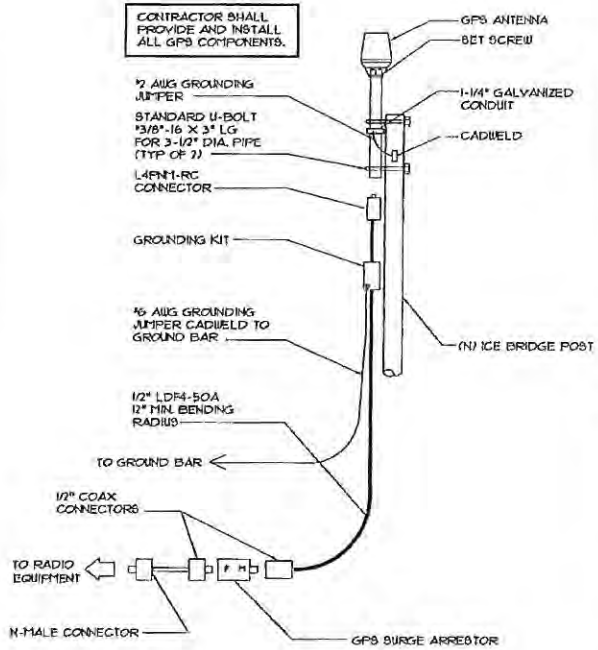
3. WHEN USING COMPONENTS, SUPPORT SHOULD BE PROVIDED AS CLOSE AS POSSIBLE TO THE END OF THE ICE BRIDGE, WITH A MAXIMUM CANTILEVER OF 2' FROM THE SUPPORT AT THE END.

4. DEVIATIONS FROM STANDARDS FOR COMPONENT INSTALLATIONS ARE PERMITTED WITH THE RESPECTIVE MANUFACTURER'S APPROVAL.

5. CUT BRIDGE CHANNEL SECTIONS SHOULD HAVE RAW EDGES TREATED WITH A MATERIAL TO RESTORE THE CUT EDGES TO THE ORIGINAL CHANNEL, OR EQUIVALENT, FINISH.

2 ICE BRIDGE DETAIL
SCALE: NONE

CONTRACTOR SHALL PROVIDE AND INSTALL ALL GPS COMPONENTS.



1 GPS ANTENNA
SCALE: NONE

NO	DATE	REVISION
1	01/17/14	ISSUED FOR FINAL
A	12/27/13	ISSUED FOR REVIEW

verizonwireless
7 VILLAGE CIRCLE SUITE #100
WESTLAKE, TEXAS 76262

DATE DRAWN:	DRAWN BY:	APPROVED BY:
12/19/13	SJC	TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523
NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE

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DATE:
EXPIRES: 03/31/14

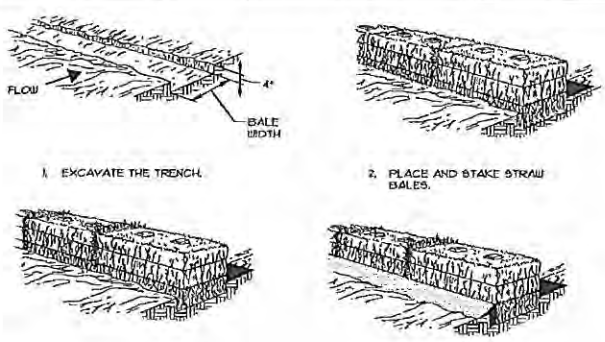
PROJECT NO: T133393

SHEET NAME
SITE DETAILS

SHEET NUMBER
C-5

3 NOT USED
SCALE: NONE

2 NOT USED
SCALE: NONE



1. EXCAVATE THE TRENCH.
2. PLACE AND STAKE STRAW BALES.
3. WEDGE LOOSE STRAW BETWEEN BALES.
4. BACKFILL AND COMPACT THE EXCAVATED SOIL.

STRAW BALE BARRIER

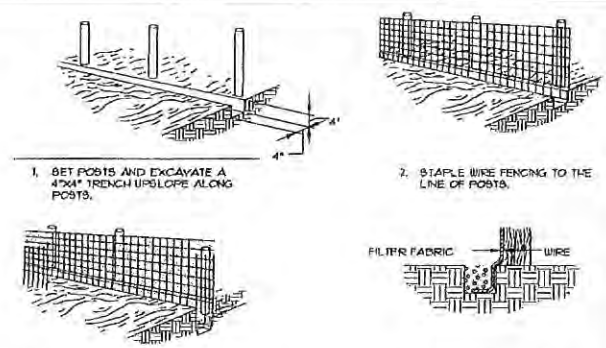
GRADING NOTES:

1. THE CONTRACTOR SHALL REWORK (DRY, SCARIFY, ETC.) ALL MATERIAL NOT SUITABLE FOR SUB GRADE IN ITS PRESENT STATE. IF THE MATERIAL, AFTER REWORKING, REMAINS UNSUITABLE THEN THE CONTRACTOR SHALL UNDERCUT THIS MATERIAL AND REPLACE WITH APPROVED MATERIAL AT HIS EXPENSE. ALL SUB GRADES SHALL BE PROOF ROLLED WITH A FULLY LOADED TANDEM AXLE DUMP TRUCK PRIOR TO PAVING. ANY SOFT MATERIAL SHALL BE REWORKED OR REPLACED.

2. THE CONTRACTOR IS REQUIRED TO MAINTAIN ALL DITCHES, PIPES, AND OTHER DRAINAGE STRUCTURES FREE FROM OBSTRUCTION UNTIL WORK IS ACCEPTABLE BY THE OWNER. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGES CAUSED BY FAILURE TO MAINTAIN DRAINAGE STRUCTURES IN OPERABLE CONDITION.

3. ALL MATERIALS AND WORKMANSHIP SHALL BE WARRANTED FOR ONE (1) YEAR FROM DATE OF ACCEPTANCE.

4. ALL DIMENSIONS SHALL BE VERIFIED WITH THE PLANS (LATEST REVISION) PRIOR TO COMMENCING CONSTRUCTION. NOTIFY THE OWNER IMMEDIATELY IF DISCREPANCIES ARE DISCOVERED. THE CONTRACTOR SHALL HAVE A SET OF APPROVED PLANS AVAILABLE AT THE SITE AT ALL TIMES WHEN WORK IS BEING PRE FORMED. A DESIGNATED RESPONSIBLE EMPLOYEE SHALL BE AVAILABLE FOR CONTACT BY GOVERNING AGENCY INSPECTORS.



1. SET POSTS AND EXCAVATE A 4"X4" TRENCH UPSLOPE ALONG POSTS.
2. STAPLE WIRE FENCING TO THE LINE OF POSTS.
3. ATTACH THE FILTER FABRIC TO THE WIRE FENCE AND EXTEND IT INTO THE TRENCH.
4. EXTENSION OF FABRIC AND WIRE INTO THE TRENCH

SILT FENCE

1 EROSION CONTROL DETAIL
SCALE: NONE

NO.	DATE	REVISION
1	01/17/14	ISSUED FOR FINAL
A	12/27/13	ISSUED FOR REVIEW

verizon wireless
7 VILLAGE CIRCLE SUITE #400
WESTLAKE, TEXAS 76262

DATE DRAWN: 12/11/13
DRAWN BY: SXC
APPROVED BY: TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523

NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

W-T
W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE

DATE:
EXPIRES: 03/31/14

PROJECT NO: T133393

SHEET NAME
SITE DETAILS

SHEET NUMBER
C-6







18"x24" .040 ALUMINUM

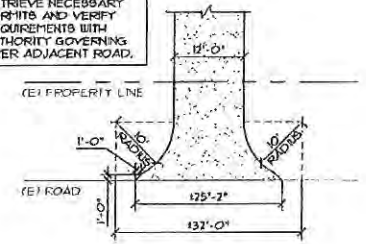
FCC #: -------

4"x18" .040 ALUMINUM

NOTE:
GENERAL CONTRACTOR TO INSTALL SIGNS BEFORE QA WALK. PROJECT MANAGER WILL PROVIDE SIGNS.

4 RF SIGNAGE NOTES
SCALE: NONE

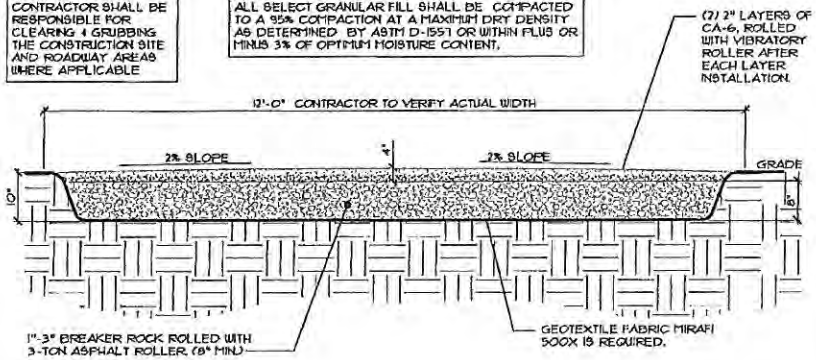
NOTE:
CONTRACTOR TO RETRIEVE NECESSARY PERMITS AND VERIFY REQUIREMENTS WITH AUTHORITY GOVERNING OVER ADJACENT ROAD.



3 ROAD ENTRY
SCALE: NONE

NOTE:
CONTRACTOR SHALL BE RESPONSIBLE FOR CLEARING & GRUBBING THE CONSTRUCTION SITE AND ROADWAY AREAS WHERE APPLICABLE

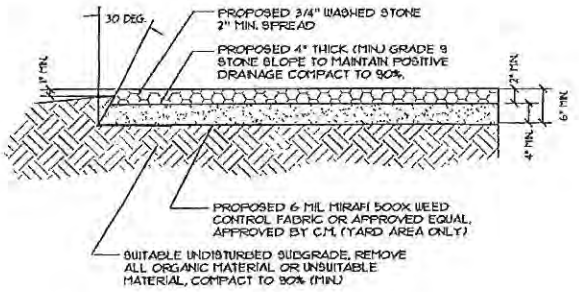
NOTE:
ALL SELECT GRANULAR FILL SHALL BE COMPACTED TO A 95% COMPACTION AT A MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D-1557 OR WITHIN PLUS OR MINUS 3% OF OPTIMUM MOISTURE CONTENT.



INSTALLATION PROCEDURE:

1. EXCAVATE TO 10" BELOW GRADE AND INSTALL 8" OF 1"-3" OF BREAKER ROCK AND ROLL WITH A 3-TON ASPHALT ROLLER
2. INSTALL 2" OF CA-6 AND ROLL WITH VIBRATORY ROLLER AT TIME OF SHELTER DELIVERY
3. INSTALL AN ADDITIONAL 2" OF CA-6 AND ROLL WITH VIBRATORY ROLLER AFTER CONSTRUCTION IS COMPLETE

2 DRIVEWAY DETAIL
SCALE: NONE



NOTE:
WEED CONTROL FABRIC SHALL BE USED UNDER ALL AREAS OF THE YARD, INCLUDING UNDER THE SHELTER.

1 YARD PAVEMENT DETAIL
SCALE: NONE

NO.	DATE	REVISION
1	01/07/14	ISSUED FOR FINAL
A	12/27/13	ISSUED FOR REVIEW

verizonwireless
7 VILLAGE CIRCLE SUITE #400
WESTLAKE, TEXAS 76262

DATE DRAWN:	DRAWN BY:	APPROVED BY:
12/11/13	SXC	TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523
NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

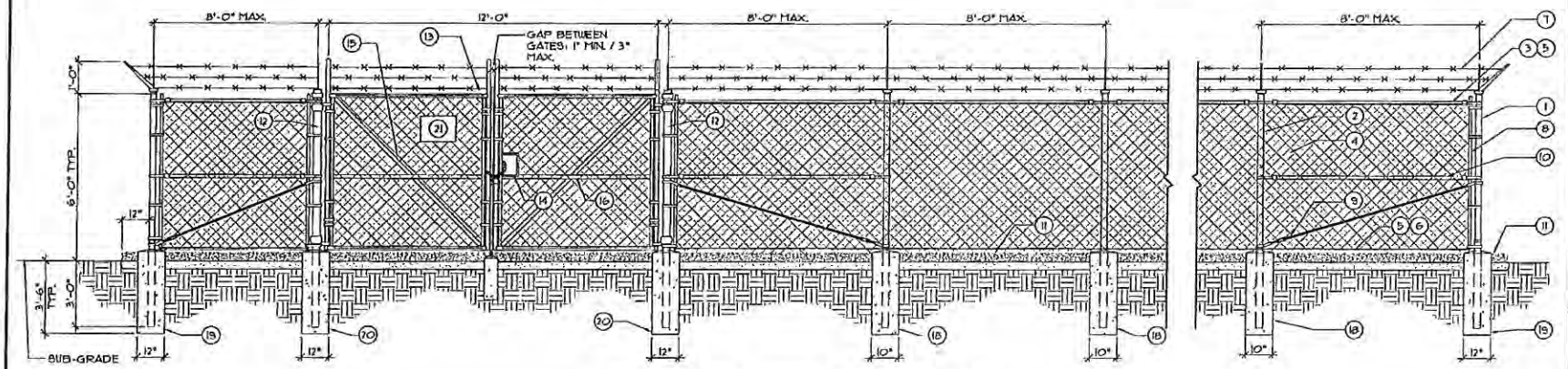
W-T
W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE

DATE:
EXPIRES: 03/31/14

PROJECT NO: T133393

SHEET NAME
SITE DETAILS

SHEET NUMBER
C-7



2 6' CHAIN LINK FENCE DETAIL

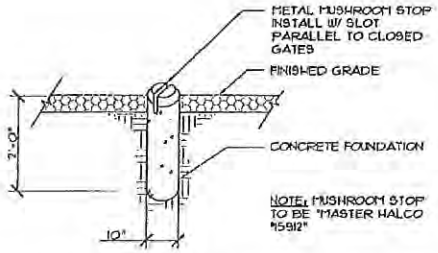
SCALE : NONE

REFERENCE NOTES:

1. CORNER, END OR PULL POST: 3" NOMINAL SCHEDULE 40 PIPE.
2. LINE POST: 2 1/2" SCHEDULE 40 PIPE, PER ASTM F1083. LINE POSTS SHALL BE EQUALLY SPACED AT MAXIMUM 8'-0" O.C.
3. TOP RAIL & BRACE RAIL: 1 1/2" PIPE, PER ASTM F1083.
4. FABRIC: 9 GAUGE CORE WIRE SIZE 2" MESH, CONFORMING TO ASTM A392.
5. TIE WIRE: MINIMUM 11 GAUGE GALVANIZED STEEL. A SINGLE WRAP OF FABRIC TIE AT POSTS AND RAILS. BY HOG RINGS SPACED MAXIMUM 24" INTERVALS AT TENSION WIRE .
6. TENSION WIRE: 9 GAUGE GALVANIZED STEEL.
7. BARBED WIRE: DOUBLE STRAND 12 GAUGE TWISTED WIRE TO MATCH WITH FABRIC. 14 GAUGE 4 POINT BARBS SPACED APPROXIMATELY 5" ON CENTER. 45 DEGREE ARM ANGLED OUTWARD.
8. STRETCHER BAR: 3/16" X 3/4" X HEIGHT OF FENCE.
9. 3/8" DIAGONAL ROD WITH GALVANIZED STEEL TURNBUCKLE OR DIAGONAL THREADED ROD.
10. CORNER POST BRACE: 1 5/8" DIA. EACH CORNER EACH WAY.
11. FINISH GRADE SHALL BE UNIFORM, LEVEL AND EXTEND 12" BEYOND FENCE BOUNDARY.
12. GATE POST: 4" SCHEDULE 40 PIPE, FOR GATE WIDTHS UP THRU 10 FEET OR 20 FEET FOR DOUBLE SWING GATE, PER ASTM F1083.
13. GATE FRAME: 1 1/2" PIPE, PER ASTM F1083.
14. 4" X 6" HANDHOLD WITH 3/4" CHAIN AND LOCKS. WELD CHAIN TO THE GATE LEAF WITHOUT THE HANDHOLD.
15. GATE DIAGONAL: GALVANIZED STEEL 1 1/2" PIPE.
16. GATE FRAME BRACE: 1 5/8" DIAMETER.
17. NOT USED
18. LINE POST CONCRETE FOUNDATION (2000 PSI).
19. CORNER POST CONCRETE FOUNDATION (2000 PSI).
20. GATE POST CONCRETE FOUNDATION (2000 PSI).
21. SIGNAGE PROVIDED BY OWNER.

GENERAL NOTES:

1. INSTALL FENCING PER ASTM F567.
2. INSTALL SWING GATES PER ASTM F900.
3. COMPLY WITH LOCAL ORDINANCE OF BARBED WIRE PERMIT REQUIREMENT, IF REQUIRED.
4. POST & GATE PIPE SIZES ARE INDUSTRY STANDARDS. ALL PIPE TO BE 1-1/4" NOMINAL SCHEDULE 40 GALVANIZED MINIMUM (HOT DIP, ASTM F1083 GRADE "A" STEEL). ALL GATE FRAMES SHALL BE WELDED. ALL WELDING SHALL BE COATED WITH (3) COATS OF COLD GALVANIZING (OR EQUAL).
5. ALL OPEN POSTS SHALL HAVE END-CAPS.
6. USE GALVANIZED HOG-RING WIRE TO MOUNT ALL SIGNS.
7. ALL SIGNS MUST BE MOUNTED ON INSIDE OF FENCE FABRIC.



1 MUSHROOM GATE STOP

SCALE: NONE

NO.	DATE	REVISION
1	9/17/14	ISSUED FOR FINAL
A	12/02/13	ISSUED FOR REVIEW

verizonwireless
7 VILLAGE CIRCLE, SUITE #100
WESTLAKE, TEXAS 76262

DATE DRAWN: 12/19/13
DRAWN BY: SJC
APPROVED BY: TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523
NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE

733 Sherman Parkway, Ste 270
Sherman, Texas 75092
PH: (972) 814-8741 FAX: (972) 734-0769
www.wtcommunications.com

Texas Firm Registration No. F-13934, Exp. 08/31/15
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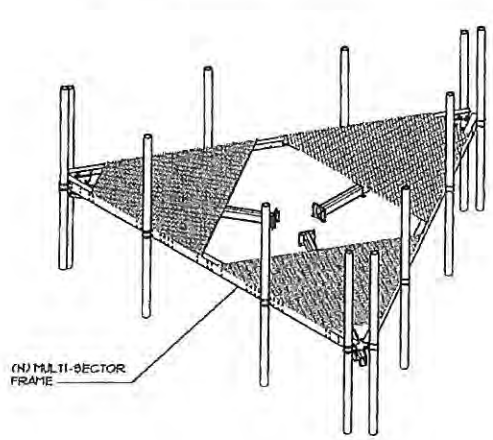
DATE: _____
EXPIRES: 03/31/14

PROJECT NO: T133393

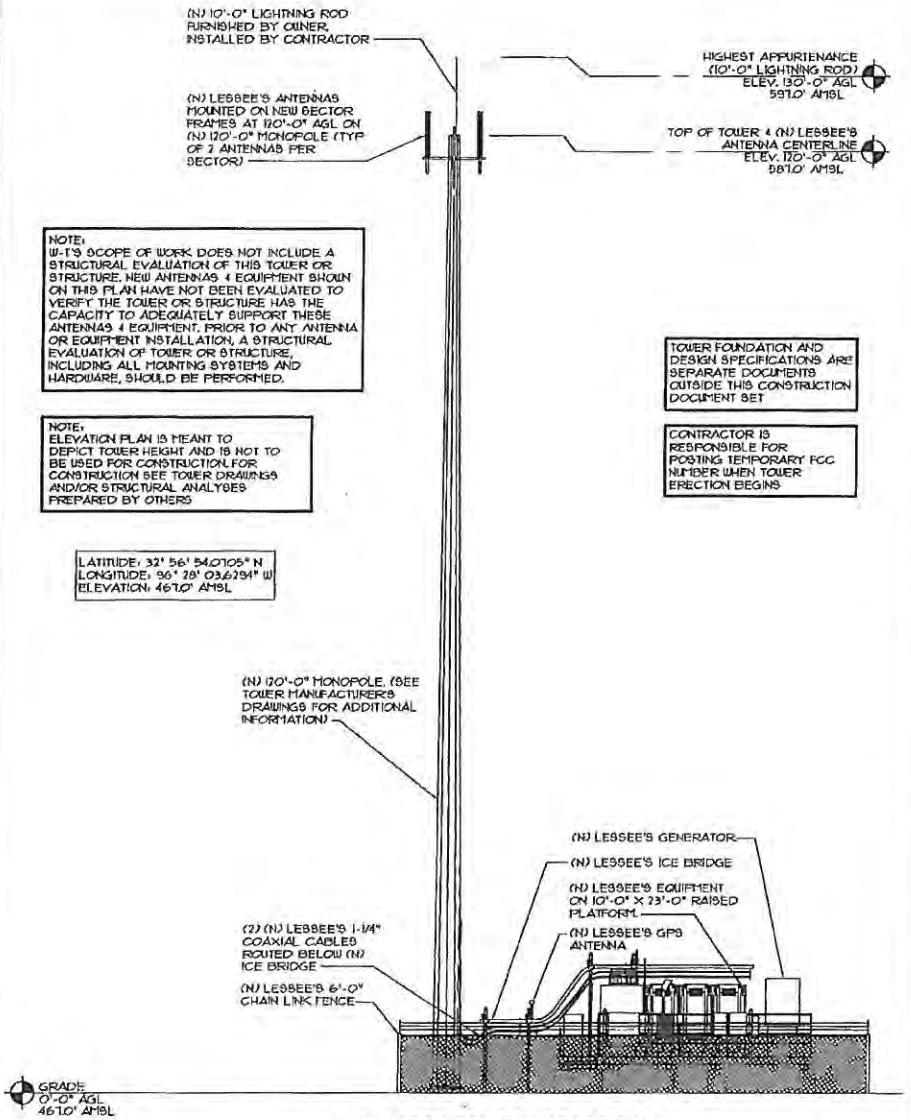
SHEET NAME
FENCE DETAILS

SHEET NUMBER
C-8



3 ANTENNA ARRAY
SCALE: NONE

2 NOT USED
SCALE: NONE



1 TOWER ELEVATION
SCALE: 1" = 15'-0"

NO.	DATE	REVISION
1	6/17/14	ISSUED FOR FINAL
A	12/27/13	ISSUED FOR REVIEW

verizonwireless
7 VILLAGE CIRCLE SUITE #100
WESTLAKE, TEXAS 76262

DATE DRAWN: 12/17/13
DRAWN BY: SMD
APPROVED BY: TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523
NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

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WIRELESS INFRASTRUCTURE
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DATE:
EXPIRES: 03/31/14

PROJECT NO: Y133393

SHEET NAME
TOWER ELEVATION

SHEET NUMBER
A-1

Site Name:	ROCKWALL_NORTH
Candidate:	
Latitude:	
Longitude:	
Address:	
City:	
State:	
Zip:	
County:	
Date of Issue:	12/24/2013
Revision:	New Build - Initial
Issued By:	
Structure Type:	
Tower Owner:	
AM Study:	
RFE Study:	

AWS Configuration

Sector	Ant QTY/ TYP	Azimuth°	Ant Manufacturer	Ant Model	Ant Qty	Mech'l Down Tilt°	RET°	Coax Size (in)	Coax Qty
Alpha									
Beta									
Gamma									
TMA Y/N?	TMA Model	TMA Qty							
RRH Y/N?	RRH Model	RRH Qty							
Diplexed Y/N?	Diplexer Model	Qty on tower	Qty in Shelter						
Comments:									

LTE Configuration

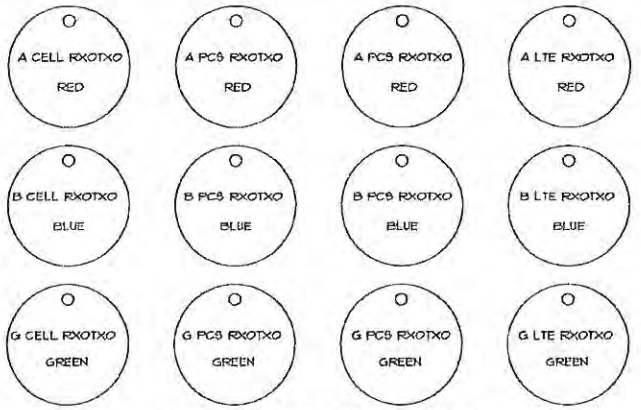
Sector	Ant QTY/ TYP	Azimuth°	Ant Manufacturer	Ant Model	Ant Qty	Mech'l Down Tilt°	RET°	Coax Size (in)	Coax Qty
Alpha									
Beta									
Gamma									
TMA Y/N?	TMA Model	TMA Qty							
RRH Y/N?	RRH Model	RRH Qty							
Diplexed Y/N?	Diplexer Model	Qty on tower	Qty in Shelter						
Comments:									

PCS Configuration

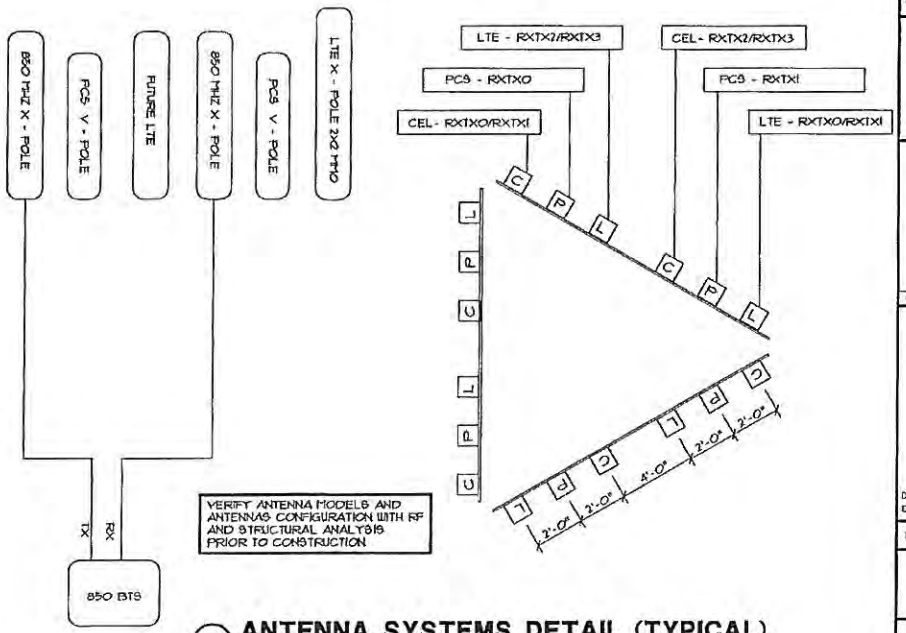
Sector	Ant QTY/ TYP	Azimuth°	Ant Manufacturer	Ant Model	Ant Qty	Mech'l Down Tilt°	RET°	Coax Size (in)	Coax Qty
Alpha									
Beta									
Gamma									
TMA Y/N?	TMA Model	TMA Qty							
RRH Y/N?	RRH Model	RRH Qty							
Diplexed Y/N?	Diplexer Model	Qty on tower	Qty in Shelter						
Comments:									

850 Configuration

Sector	Ant QTY/ TYP	Azimuth°	Ant Manufacturer	Ant Model	Ant Qty	Mech'l Down Tilt°	RET°	Coax Size (in)	Coax Qty
Alpha									
Beta									
Gamma									
TMA Y/N?	TMA Model	TMA Qty							
RRH Y/N?	RRH Model	RRH Qty							
Diplexed Y/N?	Diplexer Model	Qty on tower	Qty in Shelter						
Comments:									



2 **TAGS DETAIL (TYPICAL)**
SCALE: NONE



1 **ANTENNA SYSTEMS DETAIL (TYPICAL)**
SCALE: NONE

NO.	DATE	REVISION
1	01/17/14	ISSUED FOR FINAL
A	12/27/13	ISSUED FOR REVIEW

verizonwireless
7 "ELLUSE GRV", SUITE 4400
WESTLAKE, TEXAS 76262

DATE DRAWN:	DRAWN BY:	APPROVED BY:
12/17/13	SXC	TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523
NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE

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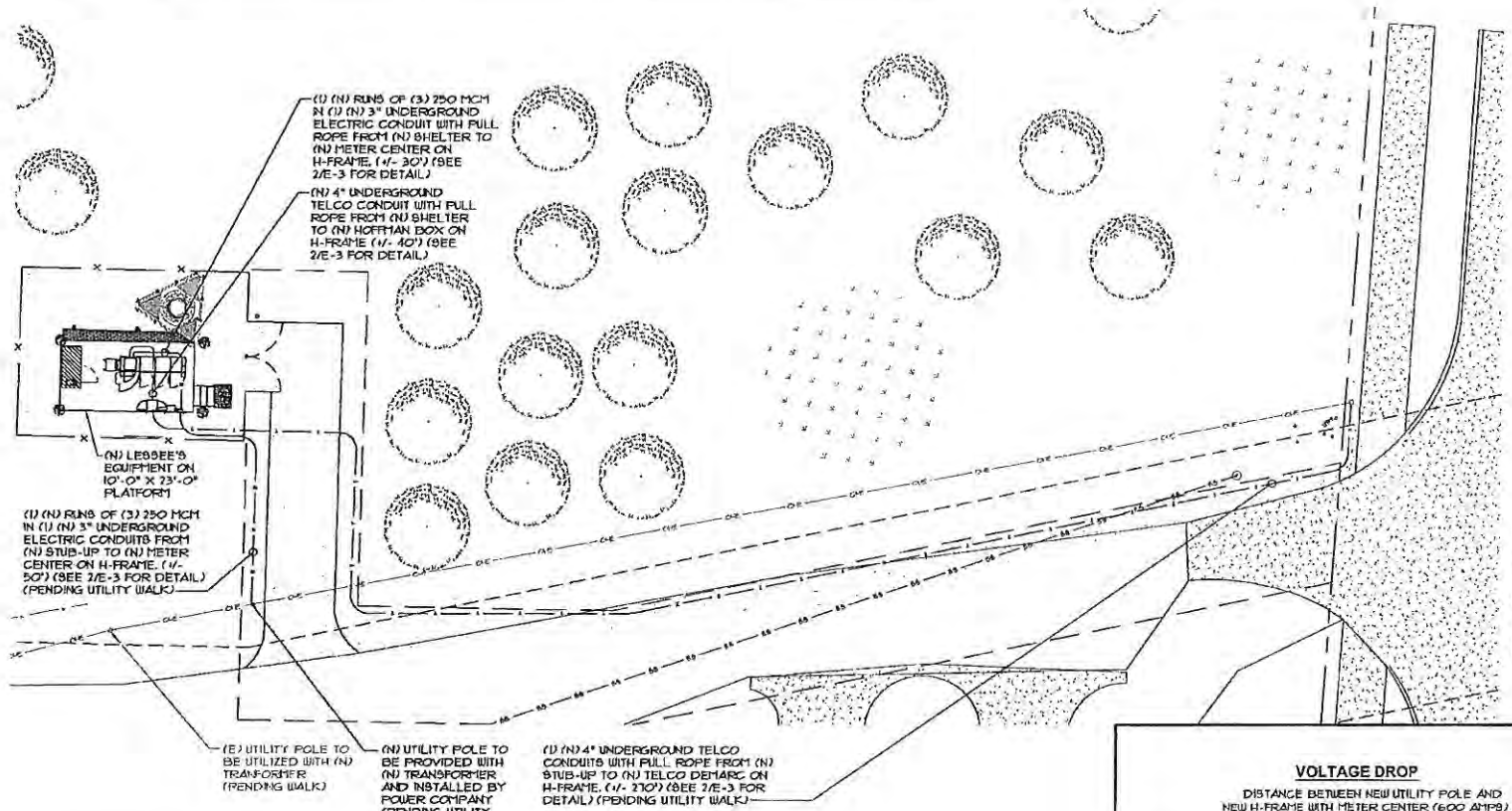
DATE: _____
EXPIRES: 03/31/14

PROJECT NO: T133393

SHEET NAME
ANTENNA INSTALLATION DETAILS

SHEET NUMBER
A-2



NOTE:
LINES SHOWN DO NOT REPRESENT THE EXACT LOCATION OF THE CONDUIT RUNS CONTRACTOR TO VERIFY SERVICE LOCATIONS W/ACTUAL FIELD CONDITIONS.

NOTE:
CONTRACTOR TO VERIFY EXACT TIE IN POINT WITH LOCAL UTILITY COMPANY

NOTE:
ANY AREA ALTERED FROM CONSTRUCTION TO BE RETURNED TO ITS ORIGINAL STATE. GRASS AREA SHALL BE SEEDED AND MAINTAINED UNTIL SEEDS HAVE GERMINATED

NOTE:
ALL RISERS TO BE HEAVY WALL CONDUIT ABOVE GROUND

1 ELECTRIC & TELCO PLAN

SCALE: 1" = 20'-0"

NORTH

VOLTAGE DROP

DISTANCE BETWEEN NEW UTILITY POLE AND NEW H-FRAME WITH METER CENTER (600 AMPS) (ALUMINUM WIRE)

WIRE SIZE	LENGTH OF RUN	PHASE	VOLTAGE DROP %	VOLTAGE DROP
1 RUNS OF (3) 250MCM	50'-0"	1 PHASE	.66%	1.58V

DISTANCE BETWEEN EQUIPMENT AND NEW H-FRAME WITH METER CENTER (200 AMPS) (ALUMINUM WIRE)

WIRE SIZE	LENGTH OF RUN	PHASE	VOLTAGE DROP %	VOLTAGE DROP
1 RUN OF (3) 250MCM	30'-0"	1 PHASE	.44%	1.05V

DISTANCE BETWEEN TELCO SOURCE AND EQUIPMENT
310'-0"

NO.	DATE	ISSUED FOR
1	01/07/14	ISSUED FOR FINAL
A	12/27/13	ISSUED FOR REVIEW

verizonwireless
7 VILLAGE CIRCLE SUITE #100
WESTLAKE, TEXAS 76262

DATE DRAWN: 12/11/13
DRAWN BY: SMC
APPROVED BY: TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523

NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

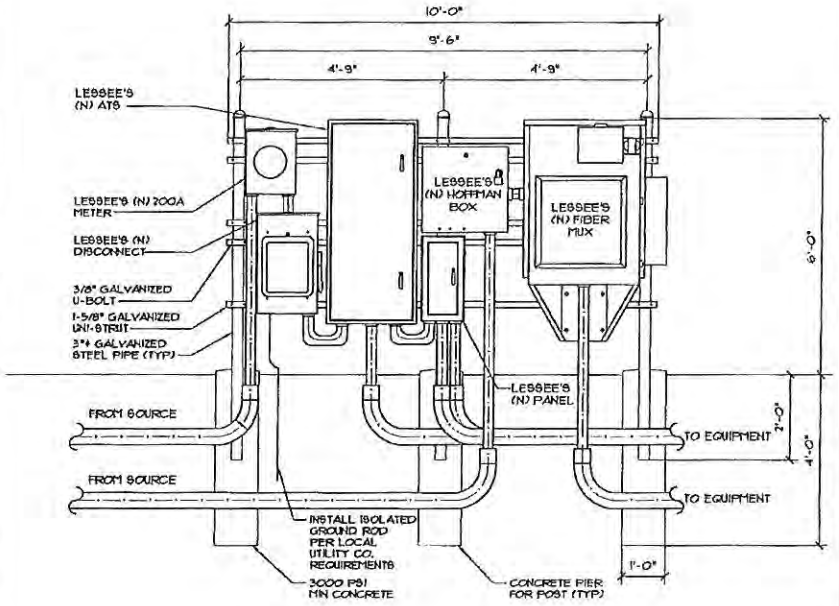
W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE

DATE:
EXPIRES: 12/31/14

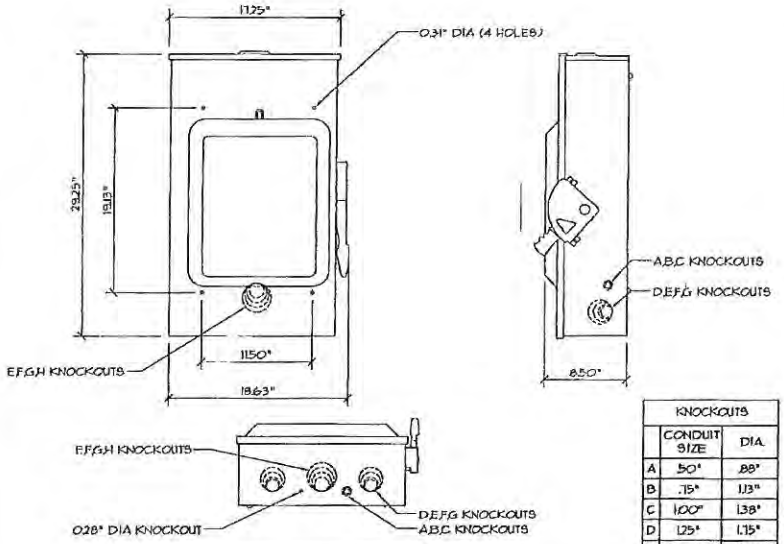
PROJECT NO: T133393

SHEET NAME
ELECTRIC & TELCO SITE PLAN

SHEET NUMBER
E-1



1 ELECTRIC H-FRAME
SCALE: NONE



KNOCKOUTS		
	CONDUIT SIZE	DIA.
A	.50"	.88"
B	.75"	1.13"
C	1.00"	1.38"
D	1.25"	1.75"
E	1.50"	2.00"
F	2.00"	2.50"
G	2.50"	3.00"
H	3.00"	3.50"

TERMINAL LUGS †			
AMPERES	MAX. WIRE	MIN. WIRE	TYPE
200	#250 KCMIL	#6 AWG	AL OR CU

2 DISCONNECT DETAIL
SCALE: NONE

NO.	DATE	REVISION
1	01/17/14	ISSUED FOR FINAL
A	12/27/13	ISSUED FOR REVIEW

verizon wireless
7 VILLAGE CIRCLE SUITE #400
WESTLAKE, TEXAS 76262

DATE DRAWN: 12/11/13
DRAWN BY: SXC
APPROVED BY: TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523
NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

W-T
W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE

DATE: _____
EXPIRES: 03/31/14

PROJECT NO: T133393

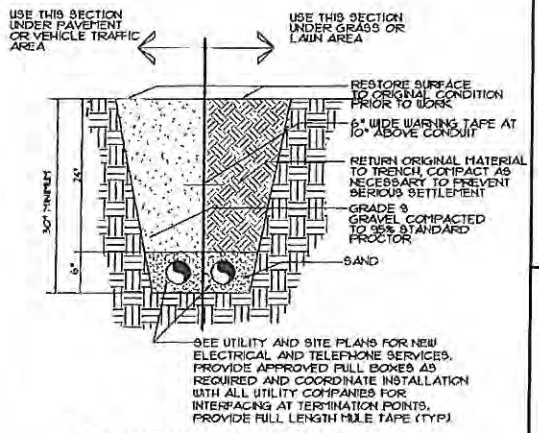
SHEET NAME
ELECTRIC & TELCO SITE DETAILS

SHEET NUMBER
E-2

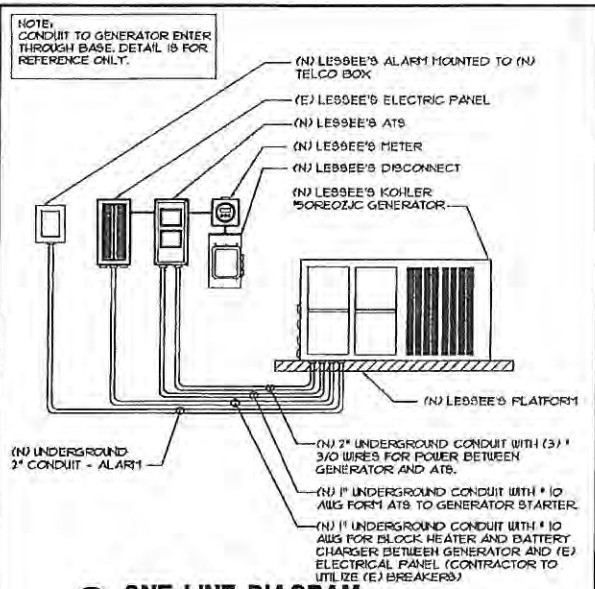
NOTES:
RACEWAYS & WIRING:
1. WIRING OF EVERY KIND MUST BE INSTALLED IN CONDUIT, UNLESS NOTED OTHERWISE, OR AS APPROVED BY THE ENGINEER.
2. UNLESS OTHERWISE SPECIFIED, ALL WIRING SHALL BE COPPER (CU) TYPE THHN, SIZED IN ACCORDANCE W/ THE NATIONAL ELECTRICAL CODE.
3. RACEWAYS SHALL BE GALVANIZED STEEL, SIZED IN ACCORDANCE W/ THE NATIONAL ELECTRICAL CODE, UNLESS OTHERWISE NOTED. ALL RACEWAYS SHALL BE APPROVED FOR THE INSTALLATION.
4. PULL OR JUNCTION BOXES SHALL BE PROVIDED AS REQUIRED TO FACILITATE INSTALLATION OF RACEWAYS AND WIRING. PROVIDE JUNCTION BOX AND PULL BOXES FOR CONDUIT RUNS W/ MORE THAN (360) DEGREES OF BENDS.
5. PROVIDE A COMPLETE RACEWAY AND WIRING INSTALLATION, PERMANENTLY AND EFFECTIVELY GROUNDED IN ACCORDANCE W/ ARTICLE 250 OF THE NATIONAL ELECTRICAL CODE AND LOCAL CODES.
6. ELECTRICAL PANEL BOARD SHALL BE FURNISHED AND INSTALLED BY OTHERS. ELECTRICAL CONTRACTOR SHALL FIELD VERIFY EXACT LOCATION.
7. ALL STEEL CONDUIT SHALL BE BONDED AT BOTH ENDS WITH GROUNDING BUSHING.

GENERAL:
SEE DETAILS AND SCHEDULES ON DRAWINGS AND SPECIFICATIONS FOR MEANING OF ABBREVIATIONS AND ADDITIONAL REQUIREMENTS AND INFORMATION. CHECK ARCHITECTURAL, STRUCTURAL AND OTHER MECHANICAL AND ELECTRICAL DRAWINGS FOR SCALE, SPACE LIMITATIONS, COORDINATION, AND ADDITIONAL INFORMATION, ETC. REPORT ANY DISCREPANCIES, CONFLICTS, ETC. TO ENGINEER BEFORE SUBMITTING BID. ALL EQUIPMENT FURNISHED BY OTHERS (EBO) SHALL BE PROVIDED W/ PROPER MOTOR STARTERS, DISCONNECTS, CONTROLS, ETC. BY THE ELECTRICAL CONTRACTOR UNLESS SPECIFICALLY NOTED OTHERWISE. THE ELECTRICAL CONTRACTOR SHALL INSTALL AND COMPLETELY WIRE ALL ASSOCIATED EQUIPMENT IN ACCORDANCE W/ MANUFACTURER'S WIRE DIAGRAMS AND AS REQUIRED FOR A COMPLETE OPERATING INSTALLATION. ELECTRICAL CONTRACTOR SHALL VERIFY AND COORDINATE ELECTRICAL CHARACTERISTICS AND REQUIREMENTS OF (EBO) EQUIPMENT PRIOR TO ROUGH-IN OF CONDUIT AND WIRING TO AVOID CONFLICTS.

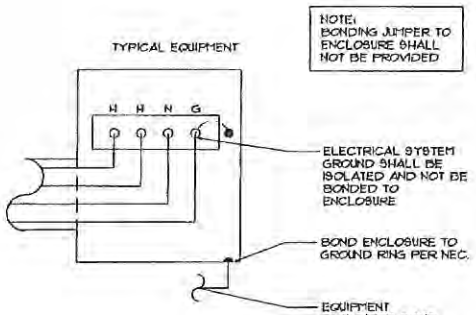
COORDINATION WITH UTILITY COMPANY:
THE ELECTRICAL CONTRACTOR SHALL COORDINATE COMPLETE ELECTRICAL SERVICE W/ LOCAL UTILITY COMPANY FOR A COMPLETE OPERATIONS SYSTEM, INCLUDING TRANSFORMER CONNECTIONS, CONCRETE TRANSFORMER PADS, IF REQUIRED, METER SOCKETS, PRIMARY CABLE RACEWAY REQUIREMENTS, SECONDARY SERVICE, ETC. PRIOR TO SUBMITTING BID TO INCLUDE ALL LABOR AND MATERIALS. THE ELECTRICAL CONTRACTOR SHALL INCLUDE IN THE BID ANY OPTIONAL OR EXCESS FACILITY CHARGES ASSOCIATED W/ PROVIDING ELECTRICAL SERVICE FROM LOCAL UTILITY COMPANY. VERIFY BEFORE BIDDING TO INCLUDE ALL COSTS.
THE ELECTRICAL CONTRACTOR SHALL VERIFY THE AVAILABLE FAULT CURRENT W/ THE LOCAL UTILITY COMPANY PRIOR TO SUBMITTING BID. ADJUST A.I.C. RATING OF THE OVERCORRECT PROTECTION DEVICES IN DISTRIBUTION EQUIPMENT AS REQUIRED TO COORDINATE W/ AVAILABLE FAULT CURRENT FROM LOCAL UTILITY COMPANY. ALL GROUNDING RODS PROVIDED BY THE POWER OR TELEPHONE UTILITY COMPANIES MUST BE TIED INTO THE MAIN EXTERNAL GROUND RING.



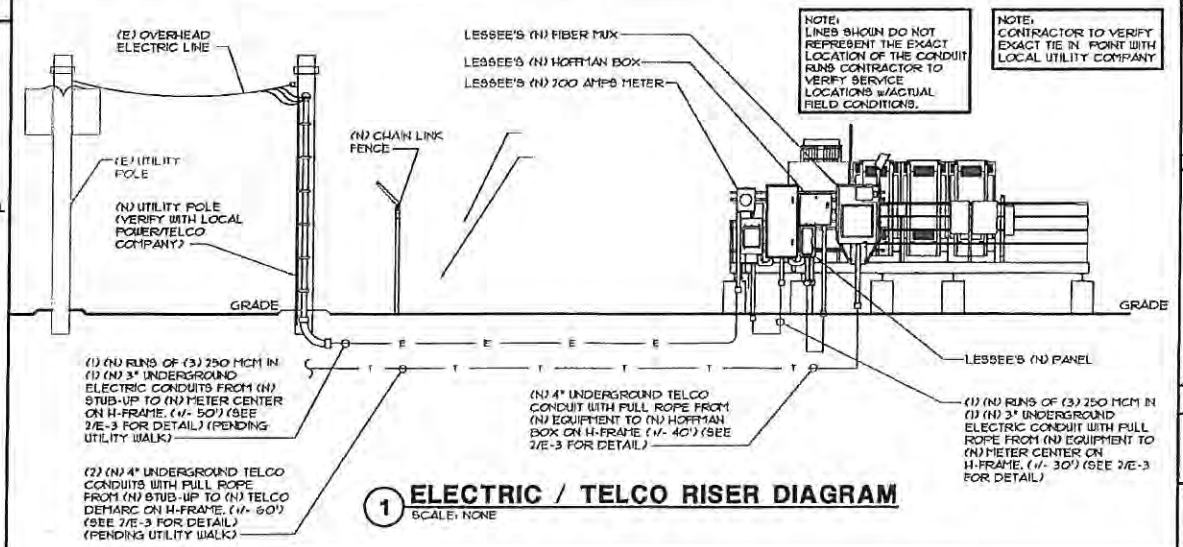
2 BURIED CONDUIT DETAIL
SCALE: NONE



3 ONE LINE DIAGRAM
SCALE: N.T.S.



2 EQUIPMENT GROUND DETAIL
SCALE: N.T.S.



1 ELECTRIC / TELCO RISER DIAGRAM
SCALE: NONE

NO.	DATE	ISSUED FOR
1	05/07/13	ISSUED FOR FINAL
4	12/07/13	ISSUED FOR REVIEW

verizonwireless
7 VILLAGE CIRCLE, SUITE A-100
WESTLAKE, TEXAS 76262

DATE DRAWN: 12/17/13
DRAWN BY: SDC
APPROVED BY: TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523
NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE

DATE: _____
EXPIRES: 03/31/14

PROJECT NO: 7133393

SHEET NAME
ELECTRIC & TELCO SITE DETAILS

SHEET NUMBER
E-3

GROUNDING ELECTRODE SYSTEM

1. CONNECTIONS
ALL GROUNDING CONNECTIONS SHALL BE MADE BY THE "CADWELD" PROCESS CONNECTIONS SHALL INCLUDE ALL CABLE TO CABLE, SPLICES, ETC. ALL CABLE TO GROUND RODS, GROUND RODS SPLICES AND LIGHTNING PROTECTION SYSTEM AS INDICATED. GROUND FOUNDATION ONLY AS INDICATED BY PM. ALL MATERIALS USED (MOLDS, WELDING, METAL, TOOLS, ETC.) SHALL BE "CADWELD" PROCESS AND INSTALLED PER MANUFACTURER'S RECOMMENDATIONS AND PROCEDURES. GROUND CONDUCTOR SHALL HAVE A MINIMUM 24" BENDING RADIUS.

2. ALL CADWELD CONNECTIONS ON GALVANIZED SURFACES SHALL BE CLEANED THOROUGHLY AND COLORED TO MATCH SURFACE WITH (2) TWO COATS OF SHERWIN-WILLIAMS GALVITE (WHITE) PAINT B50W8 (OR EQUAL) OR SHERWIN-WILLIAMS SILVERBRITE (ALUMINUM) B59911 (OR EQUAL).

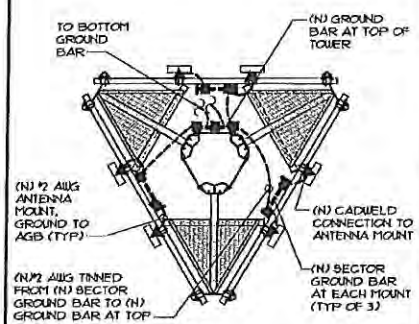
3. ALL ELECTRICAL & MECHANICAL GROUND CONNECTIONS SHALL HAVE ANTIOXIDANT COMPOUND APPLIED TO CONNECTION.

4. FENCE/ GATE:
GROUND FENCE POSTS WITHIN 6 FEET OF ENCLOSURE AND 25 FEET OF TOWER AS INDICATED ON DRAWINGS. GROUND ALTERNATING GATE POSTS AND ALL CORNER POSTS. GROUND CONNECTIONS TO FENCE POSTS SHALL BE MADE BY THE "CADWELD" PROCESS AND INSTALLED PER MANUFACTURER'S RECOMMENDATIONS AND PROCEDURES. ALL OTHER CONNECTIONS FOR THE GROUND GRID SYSTEM SHALL BE MADE BY THE "CADWELD" PROCESS, AND INSTALLED PER MANUFACTURER'S RECOMMENDATIONS AND PROCEDURES.

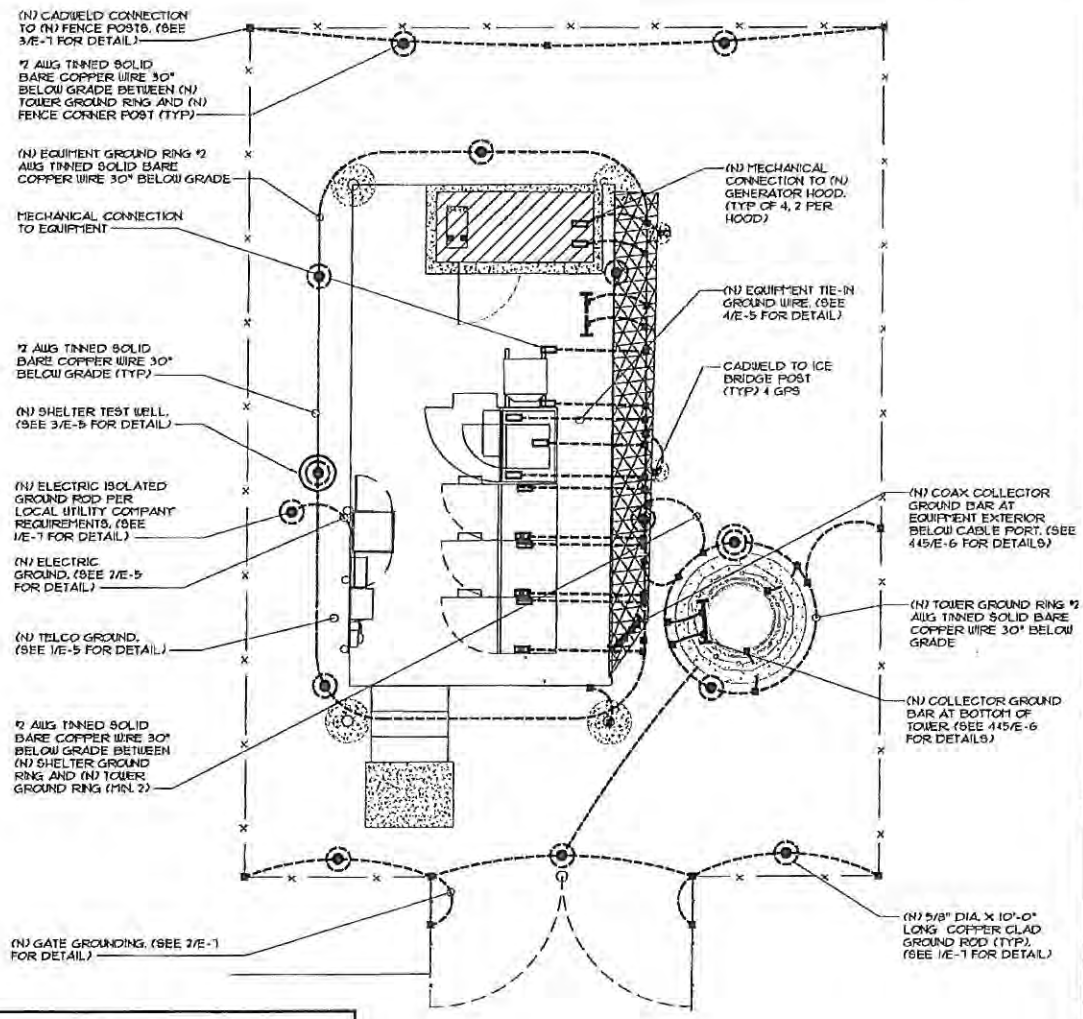
5. UTILITY COMPANY COORDINATION:
ELECTRICAL CONTRACTOR SHALL CONFIRM THAT ALL WORK IS IN ACCORDANCE WITH THE RULES OF THE LOCAL UTILITY COMPANY BEFORE SUBMITTING THE BID, THE CONTRACTOR SHALL CHECK WITH THE UTILITY COMPANIES SUPPLYING SERVICE TO THIS PROJECT AND SHALL DETERMINE FROM THEM ALL EQUIPMENT AND CHARGES WHICH THEY WILL REQUIRE AND SHALL INCLUDE THE COST IN THE BID.

6. GROUND TESTS:
GROUND TESTS SHALL BE PERFORMED AS REQUIRED BY LESSEE STANDARD PROCEDURES. GROUND GRID RESISTANCE SHALL NOT EXCEED 5-OHMS.

7. CONTRACTOR SHALL SUBMIT THE GROUND RESISTANCE TEST REPORT AS FOLLOWS:
1. ONE (1) COPY TO OWNER REPRESENTATIVE
2. ONE (1) COPY TO ENGINEER
3. ONE (1) COPY TO KEEP INSIDE EQUIPMENT ENCLOSURE



2 ANTENNA GROUNDING PLAN
SCALE: NONE



LEGEND

- CADWELD CONNECTION
- 10' x 5/8" COPPER CLAD GROUND ROD (10' MIN SEPARATION, EQUALLY SPACED)
- TEST WELL & GROUND ROD
- MECHANICAL CONNECTION
- COMPRESSION CONNECTION
- #2 AWG TINNED SOLID BARE CU (GROUND RINGS SHALL BE 2'-6" BELOW GRADE)
- CHAIN LINK FENCE

1 GROUNDING PLAN
SCALE: 1"=15'-0"

NORTH

NO.	DATE	REVISION
1	05/17/14	ISSUED FOR FINAL
A	12/27/13	ISSUED FOR REVIEW

verizonwireless
7 VILLAGE CIRCLE SUITE #400
WESTLAKE, TEXAS 76262

DATE DRAWN: 12/11/13
DRAWN BY: SXC
APPROVED BY: TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523
NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE

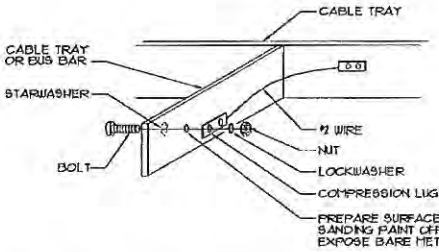
COPYRIGHT © 2014 W-T COMMUNICATION DESIGN GROUP, LLC

DATE: _____
EXPIRES: 03/31/14

PROJECT NO: T133393

SHEET NAME
GROUNDING PLAN & DETAILS

SHEET NUMBER
E-4

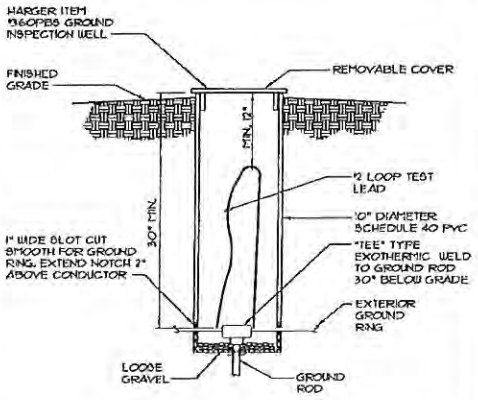


NOTES:
1. EACH LUG REQUIRES TWO (2) BOLTED CONNECTIONS (ONE SHOWN FOR CLARITY).
2. USE STAINLESS STEEL BOLTS, NUTS AND WASHERS.

6 NOT USED
SCALE: NONE

5 COMPRESSION LUG GROUNDING AT ICE BRIDGE
SCALE: NONE

4 NOT USED
SCALE: NONE



3 GROUND INSPECTION WELL
SCALE: NONE

2 NOT USED
SCALE: NONE

1 NOT USED
SCALE: NONE

NO.	DATE	REVISION
1	5/17/13	ISSUED FOR FINAL
A	12/27/13	ISSUED FOR REVIEW

verizonwireless
7 VILLAGE CIRCLE SUITE 4450
WESTLAKE, TEXAS 76262

DATE DRAWN:	DRAWN BY:	APPROVED BY:
12/17/13	SXC	TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523
NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE

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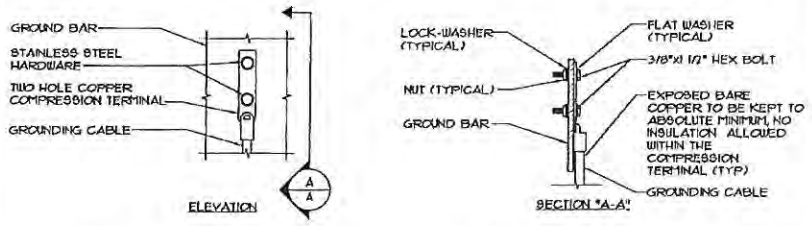
DATE:
EXPIRES: 03/31/14

PROJECT NO: T133583

SHEET NAME
GROUNDING DETAILS

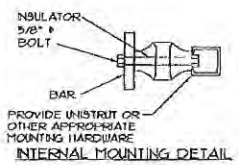
SHEET NUMBER
E-5



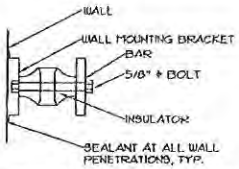
NOTE:
1. "DOUBLING UP" OR "STACKING" OF CONNECTION IS NOT PERMITTED.
2. OXIDE INHIBITING COMPOUND TO BE USED AT ALL LOCATIONS.

NOTE: ALL SOLID WIRE SHALL BE CADWELD TYPE CONNECTION UNLESS OTHERWISE NOTED

5 TYPICAL GROUND BAR CONNECTIONS DETAIL
SCALE: NONE

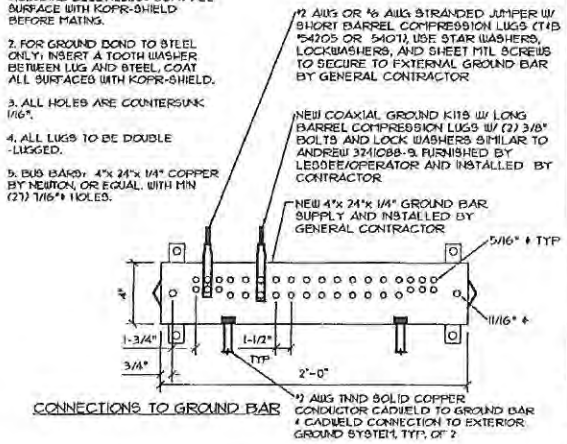


INTERNAL MOUNTING DETAIL



EXTERNAL MOUNTING DETAIL

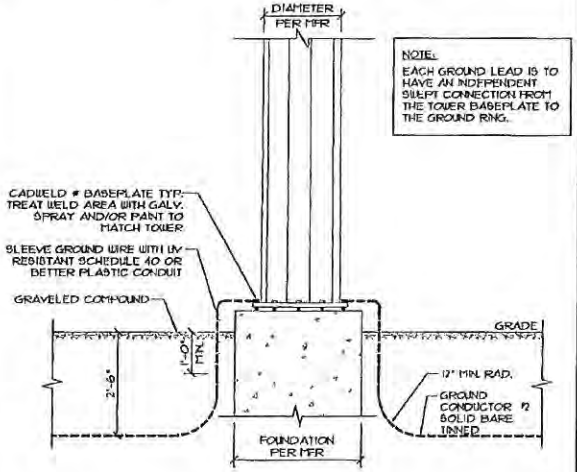
NOTES:
1. ALL HARDWARE STAINLESS STEEL INCLUDING BELLVILLES: COAT ALL SURFACE WITH KOPR-SHIELD BEFORE MATING.
2. FOR GROUND BOND TO STEEL ONLY: INSERT A TOOTH WASHER BETWEEN LUG AND STEEL, COAT ALL SURFACES WITH KOPR-SHIELD.
3. ALL HOLES ARE COUNTERSUNK 1/16".
4. ALL LUGS TO BE DOUBLE -LUGGED.
5. BUS BARS: 4"x 24"x 1/4" COPPER BY NEATON, OR EQUAL. WITH MIN (21) 7/16"ø HOLES.



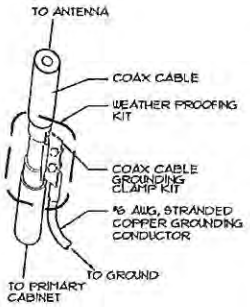
CONNECTIONS TO GROUND BAR

4 GROUND BAR
SCALE: NONE

3 NOT USED
SCALE: NONE



5 TOWER BASE GROUNDING
SCALE: NONE



1 COAX CABLE GROUNDING KIT
SCALE: NONE

NO.	DATE	REVISION
1	05/17/24	ISSUED FOR FINAL
A	12/27/23	ISSUED FOR REVIEW

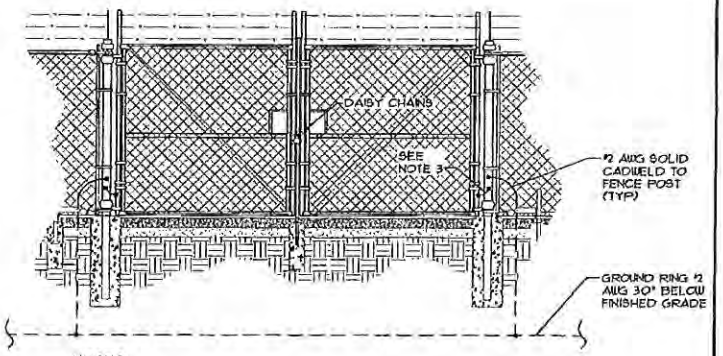
verizonwireless
7 VILLAGE CIRCLE SUITE #200
WESTLAKE, TEXAS 76262

DATE DRAWN: 12/1/23
DRAWN BY: SMC
APPROVED BY: TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523
NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE

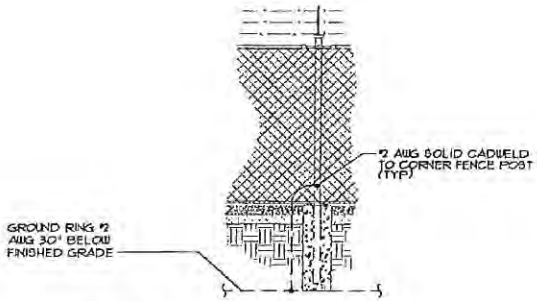
DATE: EXPIRES: 03/31/26
PROJECT NO: T133393
SHEET NAME: GROUNDING DETAILS
SHEET NUMBER: E-6



NOTES:

1. THE #2 AWG, FROM THE RING GROUND SHALL BE CADWELDED TO THE POST OR MECHANICAL CONNECTION, ABOVE GRADE.
2. GATE JUMPER SHALL BE #1/0 AWG WELDING CABLE OR FLEXIBLE COPPER BRAID BURNDY TYPE 'B' W SLEEVE ON EACH END DESIGNED FOR EXOTHERMIC WELDING
3. GATE JUMPER SHALL BE INSTALLED SO THAT IT WILL NOT BE SUBJECTED TO DAMAGING STRAIN WHEN GATE IS FULLY OPEN IN EITHER DIRECTION

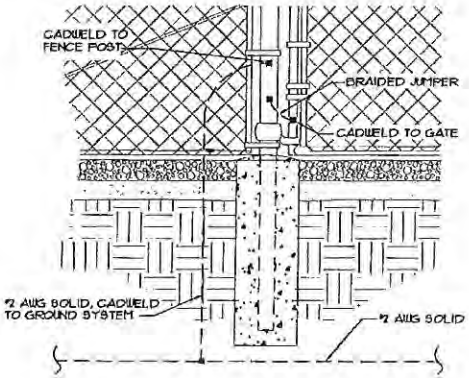
4 FENCE GROUNDING
SCALE: NONE



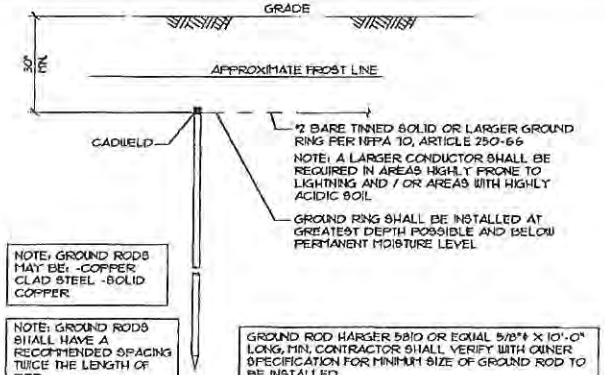
NOTES:

1. THE #2 AWG, FROM THE RING GROUND SHALL BE CADWELDED TO THE POST, ABOVE GRADE.
2. FOR ABOVE GRADE GROUND WIRE TO GROUND PENETRATION
3. VERTICAL POST SHALL BE BONDED TO THE RING AT EACH CORNER AND AT EACH GATE POST. AS A MINIMUM, ONE VERTICAL POST SHALL BE BONDED TO THE GROUND RING IN EVERY 100 FOOT.

3 POST GROUNDING
SCALE: NONE



2 GATE GROUNDING
SCALE: NONE



1 TYPICAL GROUND ROD
SCALE: NONE

NO.	DATE	REVISION
1	11/17/14	ISSUED FOR FINAL
A	12/27/13	ISSUED FOR REVIEW

verizonwireless
7 VILLAGE CIRCLE SUITE #400
WESTLAKE, TEXAS 76262

DATE DRAWN:	DRAWN BY:	APPROVED BY:
12/13/13	SXG	TD

NEW SITE BUILD
ROCKWALL NORTH
SITE ID # 193523
NORTH LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
ROCKWALL COUNTY

W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE

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DATE: _____
EXPIRES: 03/31/14

PROJECT NO: T133393

SHEET NAME
GROUNDING DETAILS

SHEET NUMBER
E-7

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CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-xx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 32 *SIGNS*, ARTICLE I, *IN GENERAL* AND ARTICLE IV *PROHIBITED SIGNS; SECTIONS 32-1 AND 32-332;* INCORPORATING RECITALS; PROVIDING FOR SEVERABILITY; AND ADOPTING AN EFFECTIVE DATE.

WHEREAS, the regulation of human display provision of the City Sign Ordinance has been determined by the City Council to be overbroad and in need of revisions; and

WHEREAS, the City Council has determined that the amendment to the sign ordinance made herein is in the best interest of the citizens of the City of Rockwall.

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

SECTION 1. ***Amendments.*** Chapter 32 *Signs*, Article I, In General Section 32-1 "Definitions" and Article IV *Prohibited Signs;* Section 32-332, "Certain content or displays unlawful" is hereby amended to read as follows:

Sec. 32-1 Definitions

The following definition is hereby deleted from Section 32-1:

"~~Sign, human, means a sign held by or attached to a human being who stands or walks on the ground, at a business location. A human sign includes a person dressed in costume, for the purposes of advertising or otherwise drawing attention to an individual, business, commodity, service, activity, or product. (On-premises~~)"

Sec. 32-332. Certain content or displays unlawful

The following provision is hereby deleted from Section 32-332:

The following sign content or signs are prohibited:

~~(17) Human signs.~~

(17~~8~~) Any sign not referenced in, not governed by, not allowed or not defined by this chapter. Also, any sign that does not comply with this or other applicable municipal ordinances, or which does not comply with federal or state laws.

SECTION 2. ***Findings.*** The City Council finds all of the above recitals to be true and correct and incorporates the same in this Ordinance as findings of fact.

SECTION 3. ***Severability.*** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared void.

SECTION4. ***Savings Clause.*** All ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 5. ***Effective Date.*** The Ordinance shall be effective immediately following its second reading and publication in accordance with the City Charter.

_____

David Sweet, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____

Frank Garza, City Attorney

1st Reading: 02-17-14

2nd Reading: 03-03-14

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mark Moeller, Chief of Police**

DATE: **February 5, 2014**

SUBJECT: **2013 Racial Profiling Report**

To comply with Article 2.132 of the Texas Code of Criminal Procedure addressing racial profiling, each law enforcement agency must collect information relating to traffic stops in which a citation is issued or an arrest is made. The law enforcement agency must also report this information to the governing body no later than March 1st of the following year and must submit the report to the Texas Commission on Law Enforcement (TCOLE) who is the designated central depository for all reports in the state.

There were no complaints of racial profiling made against any Rockwall Police Officer this past year.

Attached is the report submitted to TCOLE of the racial breakdown for citations issued, searches conducted, and arrests made resulting from traffic stops by the Rockwall Police Department for 2013.

TIER 1 - PARTIAL EXEMPTION RACIAL PROFILING REPORT

Agency Name:	ROCKWALL POLICE DEPT.
Reporting Date:	02/03/2014
TCOLE Agency Number:	397204
Chief Administrator:	MARK MOELLER
Agency Contact Information:	Phone: 972 772-6454 Mailing Address: ROCKWALL POLICE DEPT. 205 W. Rusk Rockwall, TX 75087

This Agency claims partial racial profiling report exemption because:
Our vehicles that conduct motor vehicle stops are equipped with video and audio equipment and we maintain videos for 90 days.

Certification to This Report 2.132 (Tier 1) – Partial Exemption

Article 2.132(b) CCP Law Enforcement Policy on Racial Profiling
ROCKWALL POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:
(1) clearly defines acts constituting racial profiling;
(2) strictly prohibits peace officers employed by the ROCKWALL POLICE DEPT. from engaging in racial profiling;
(3) implements a process by which an individual may file a complaint with the ROCKWALL POLICE DEPT. if the individual believes that a peace officer employed by the ROCKWALL POLICE DEPT. has engaged in racial profiling with respect to the individual;
(4) provides public education relating to the agency's complaint process;
(5) requires appropriate corrective action to be taken against a peace officer employed by the ROCKWALL POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the ROCKWALL POLICE DEPT.'s policy adopted under this article;
(6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
(A) the race or ethnicity of the individual detained;
(B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) The Commission on Law Enforcement; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

I certify these policies are in effect.

Executed by: ***MARK MOELLER***
Chief Administrator

ROCKWALL POLICE DEPT.

Date: 02/03/2014

ROCKWALL POLICE DEPT. Motor Vehicle Racial Profiling Information

Number of motor vehicle stops:

1. **8034** citation only
2. **253** arrest only
3. **301** both

4. **8588 Total** (4, 11, 14 and 17 must be equal)

Race or Ethnicity:

5 **830** African
6. **113** Asian
7. **6186** Caucasian
8. **1417** Hispanic
9. **15** Middle Eastern
10. **27** Native American

11. **8588 Total** (lines 4, 11, 14 and 17 must be equal)

Race or Ethnicity known prior to stop?

12. **430** Yes
13. **8158** No

14. **8588 Total** (lines 4, 11, 14 and 17 must be equal)

Search conducted?

15. **322** Yes
16. **8266** No

17. **8588 Total** (lines 4, 11, 14 and 17 must be equal)

Was search consented?

18. **157** Yes
19. **165** No

20. **322 Total** (must equal line 15)

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mark Moeller, Chief of Police**

DATE: **January 28, 2014**

SUBJECT: **Crime Comparison - 2013**

Each year we analyze and compare our crime rate by utilizing the crime index. This is calculated by taking the number of crimes, in any type of category, and comparing those numbers to the estimated population for that year. To make a more accurate comparison from year to year we further break it down based on crimes reported per 1,000 residents.

Part 1 offenses are those crimes that must be reported to the FBI by every police agency in the country. They consist of the total numbers of all murders, rapes, robberies, aggravated assaults, burglaries, thefts, and motor vehicle thefts occurring within that agency's jurisdiction. The following tables compare 2013 with previous years:

Part 1 Offenses

Year	Total Part 1 Crimes	Population Estimate	Crime Index
2003	896	24,332	36.8
2004	896	25,377	35.3
2005	834	28,173	29.6
2006	880	29,458	29.9
2007	853	31,067	27.4
2008	1,051	31,800	33.0
2009	1,070	34,700	30.8
2010	1,004	36,300	27.7
2011	1,070	37,666	28.5
2012	890	38,750	22.9
2013	820	39,238	20.9

Violent Crime

Year	Violent Crimes	Population Estimate	Crime Index
2003	46	24,332	1.9
2004	51	25,377	2.0
2005	57	28,173	2.0
2006	32	29,458	1.09
2007	23	31,067	0.74
2008	33	31,800	1.03
2009	28	34,700	0.80
2010	18	36,300	0.49
2011	37	37,666	0.98
2012	27	38,750	0.69
2013	25	39,238	0.64

Total Crime

Year	Total Crimes	Population Estimate	Crime Index
2003	2,401	24,332	98.7
2004	2,556	25,377	100.9
2005	2,605	28,173	92.5
2006	2,914	29,458	98.9
2007	2,927	31,067	94.2
2008	2,849	31,800	89.6
2009	2,946	34,700	84.9
2010	2,763	36,300	76.1
2011	2,897	37,666	77.0
2012	2,596	38,750	67.0
2013	2,115	39,238	53.9

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mark Moeller, Chief of Police**

DATE: **February 5, 2014**

SUBJECT: **Holiday Crime Initiative - 2013**

Our 2013 Holiday Crime Initiative, which added extra patrol throughout the I-30 retail/restaurant corridor, was implemented and managed in the same manner and time frame as all the previous years. STEP overtime is paid for one officer from 1:00pm till 9:00pm through the Thanksgiving weekend and then for the two weeks preceding Christmas day, but also including Christmas and the day after; a total of seventeen days.

In 2010 and 2011, 16 Part One criminal offenses were reported in each year; 2012 had 11 offenses reported. This year 17 offenses were reported.

An analysis of these thefts occurring during this time frame and along the I-30 corridor, showed six were shoplifting thefts which are virtually impossible to prevent by officers patrolling parking lots. Three other theft offenses were also outside the scope of the program since they occurred inside the stores and were thefts of purses from the shopping cart and one was an employee theft.

Only four burglary of motor vehicle offenses targeted shoppers and their parked vehicles in a commercial area that continues to grow. The 2013 Holiday Crime Initiative has again proven that this program is very effective in providing a safe environment for our residents and visitors during a very busy shopping season.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Robert LaCroix, Director of Planning

DATE: January 21, 2014

SUBJECT: Update on the Downtown Improvements Project

At the February 17, 2013 City Council Meeting, Rob Dixon with Hill & Wilkinson, General Contractors, and Michael Black with la terra studio, will discuss an update of the progress with the Downtown Improvements Project, including the engineering and construction plans status of plans for phase two and the associated scheduling of the project.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 2/17/2014

APPLICANT: Engineering Concepts & Design

AGENDA ITEM: **Z2014-001;** Rayburn Electric Zoning (AG to HC)

SUMMARY:

Hold a public hearing to discuss and consider a request by Tommy Pulliam on behalf of Rayburn Electric Cooperation, Inc. for the approval of a zoning change from Agricultural (Ag) District to a Heavy Commercial (HC) District for a 6.057-acre tract land identified as a portion of Tract 3-06 of the W. H. Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Agricultural (Ag) District, located on the south side of Sids Road west of S. Goliad Street (SH-205), and take any action necessary.

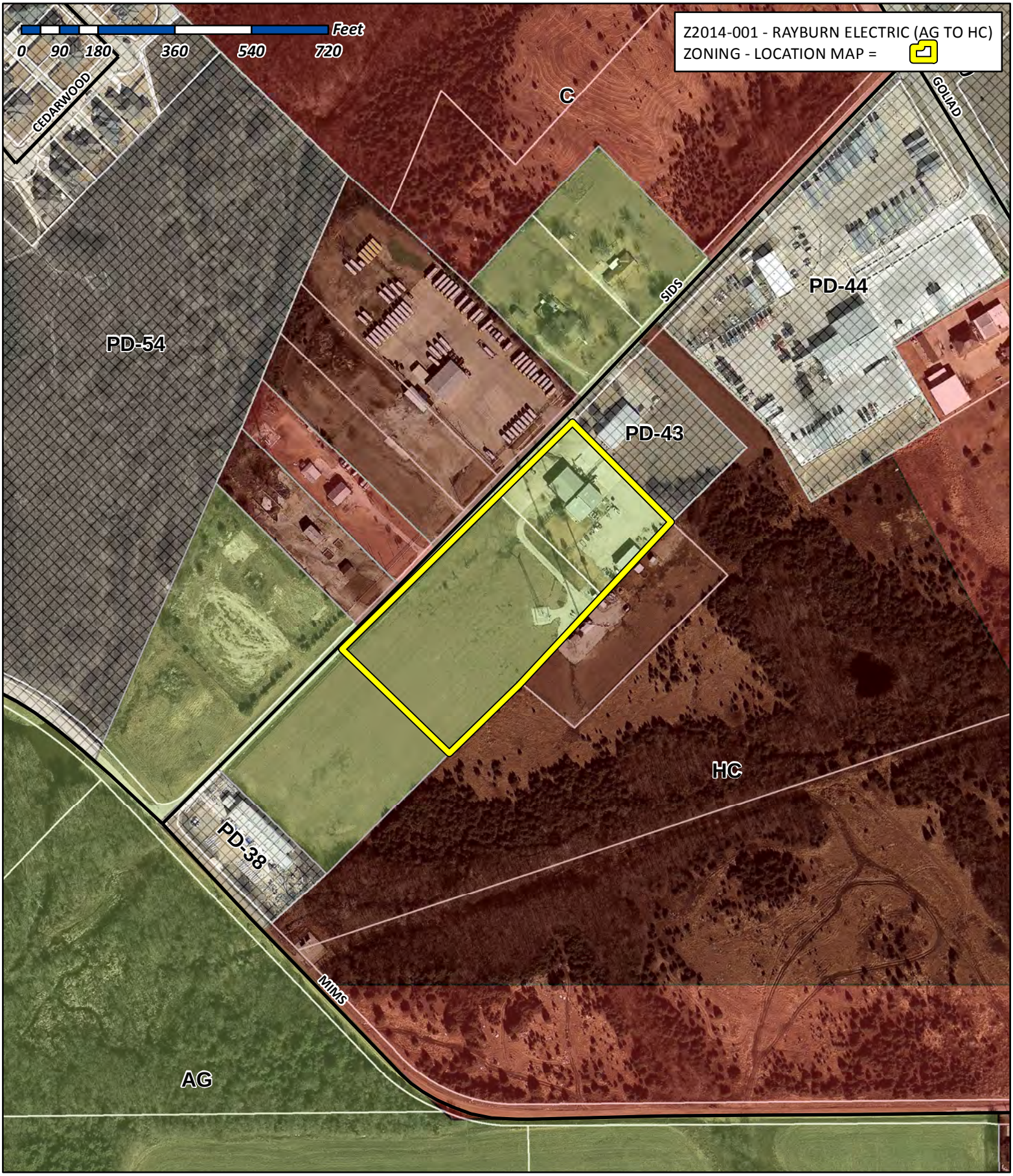
BACKGROUND INFORMATION:

The applicant has requested to rezone approximately 6.57-acres on the south side of Sids Road from Agricultural (AG) District to Heavy Commercial (HC) District. The site features an existing office/warehouse building for Rayburn Electric which is considered a legal, non-conforming use. The owner intends to construct a new office building for Rayburn Electric on the property. Rezoning will bring the property into conformance as well as create consistency in zoning with surrounding properties.

The majority of properties to the north are zoned Heavy Commercial. The properties to the south are zoned Heavy Commercial. The property to the west is zoned PD-38 with an underlying zoning of Heavy Commercial and the property to the east is zoned PD-43 with an underlying zoning of Commercial. Additionally, a portion of the Rayburn Electric Lot 1 is zoned Heavy Commercial.

NOTIFICATION:

A notice was published in the Rockwall County News on January 30, 2014. Staff mailed nine (9) notices to property owners within 200 feet of the subject property. Additionally, staff posted signage along street frontage adjacent to the subject property, as required by the UDC. At the time this case memo, staff has not received any responses.



City of Rockwall

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

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

City of Rockwall

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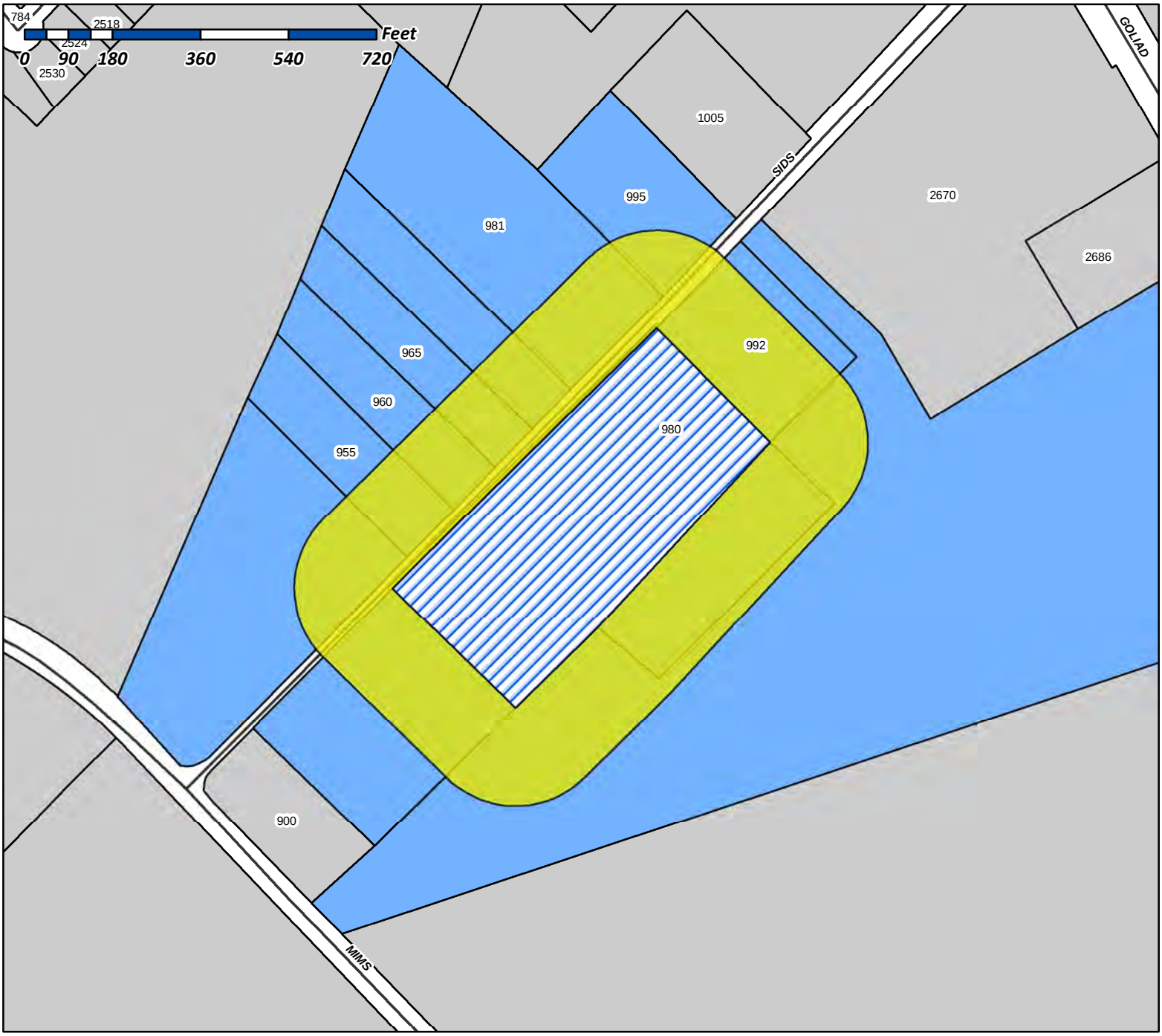
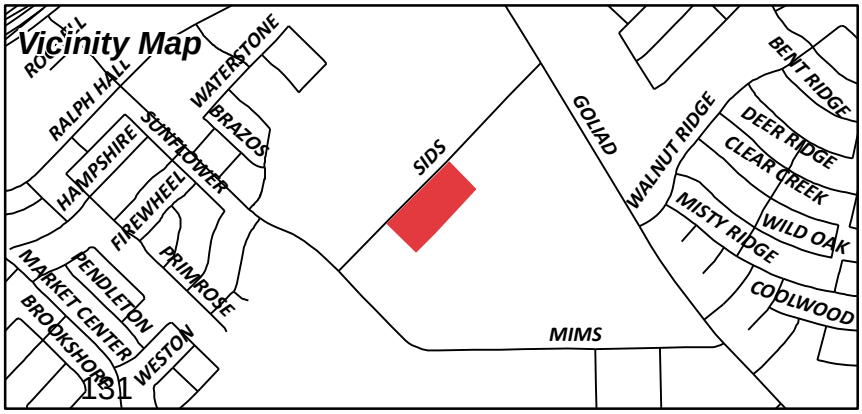


Case Number: Z2014-001
Case Name: Rezone (AG to HC)
Case Type: Zoning
Zoning: Agricultural
Case Address: 980 Sids Road

Date Created: *1/23/2014*
For Questions on this Case Call (972) 771-7745



Reference No.	First Name	Last Name	Legal Description	Address Line 1	Address Line 2	City	State	Zip
4705-0001-0001-00-0R	S & A SYSTEMS	SRYGLEY JAMES G	POTT SHRIGLEY ADDITION, BLOCK 1, LOT 1, ACRES 2.000		992 SIDS RD	ROCKWALL	TX	75032
0026-0000-0003-06-0R		RAYBURN COUNTRY ELECTRIC CORP INC	A0026 W H BARNES, TRACT 3-06, ACRES 7.403, (PT OF 11.403 AC TR)		PO BOX 37	ROCKWALL	TX	75087
0145-0000-0011-00-0R		LOFLAND ROBERT G & BETTY K	A0145 J D MCFARLAND, TRACT 11, ACRES 2		995 SIDS RD	ROCKWALL	TX	75032
0145-0000-0008-00-0R		ROCKWALL I S D	A0145 J D MCFARLAND, TRACT 8, ACRES 4		801 E WASHINGTON ST	ROCKWALL	TX	75087
0026-0000-0003-08-0R		RAYBURN COUNTRY ELECTRIC CORP INC	A0026 W H BARNES, TRACT 3-8, ACRES 2, (PT OF 11.403 AC TR)		PO BOX 37	ROCKWALL	TX	75087
0026-0000-0003-10-0R		RAYBURN COUNTRY ELECTRIC CORP INC	A0026 W H BARNES, TRACT 3-10, ACRES 2.00, (PT OF 11.403 AC TR)		PO BOX 37	ROCKWALL	TX	75087
0026-0000-0003-13-0R		OSEE PROPERTY MANAGEMENT LLC	A0026 W H BARNES, TRACT 3-13, ACRES 24.818		PO BOX 59106	DALLAS	TX	75229
0145-0000-0008-03-0R		CAMPERS 4 RENT LLC	A0145 J D MCFARLAND, TRACT 8-3, ACRES 1.5		518 WATERVIEW DRIVE	COPPELL	TX	75019
0145-0000-0008-01-0R		RUTLEDGE MARTIN LLC	A0145 J D MCFARLAND, TRACT 8-1, ACRES 5		6207 ROYAL CREST DR	DALLAS	TX	75230
0145-0000-0008-02-0R		RODD HANNA'S AIR PERFORMANCE	A0145 J D MCFARLAND, TRACT 8-02, ACRES 1.5	HEATING & A/C INC	PO BOX 208	ROCKWALL	TX	75087
3155-000A-0001-00-0R		ROCKWALL ISD	BROWN & BROWN SUBD, BLOCK A, LOT 1, 1.5 ACRES		1050 WILLIAMS ST	ROCKWALL	TX	75087
3155-000A-0002-00-0R		ROCKWALL ISD	BROWN & BROWN SUBD, BLOCK A, LOT 2, 1.5 ACRES		1050 WILLIAMS ST	ROCKWALL	TX	75087

ENGINEERINGCONCEPTS & DESIGN, L.P.

201 Windco Cr. Suite 200
Wylie, Texas 75098
Tel: 972-941-8400
Fax: 972-941-8401

January 17, 2014

Mrs. JoDee Sanford
Planning Technician
City of Rockwall, TX

Re: Letter of Intent for Rezoning of 6.057 acres along Sids Rd.
Rayburn Country Electric, Rockwall, TX

Dear Mrs. Sanford

We are requesting to rezone the above mentioned property in order to construct a 15,000 sf office building on the property. This rezoning from AG to HC includes the existing building and structures on Lot 1. All documentation including the application, fee, exhibits and legal description have been submitted for your review.

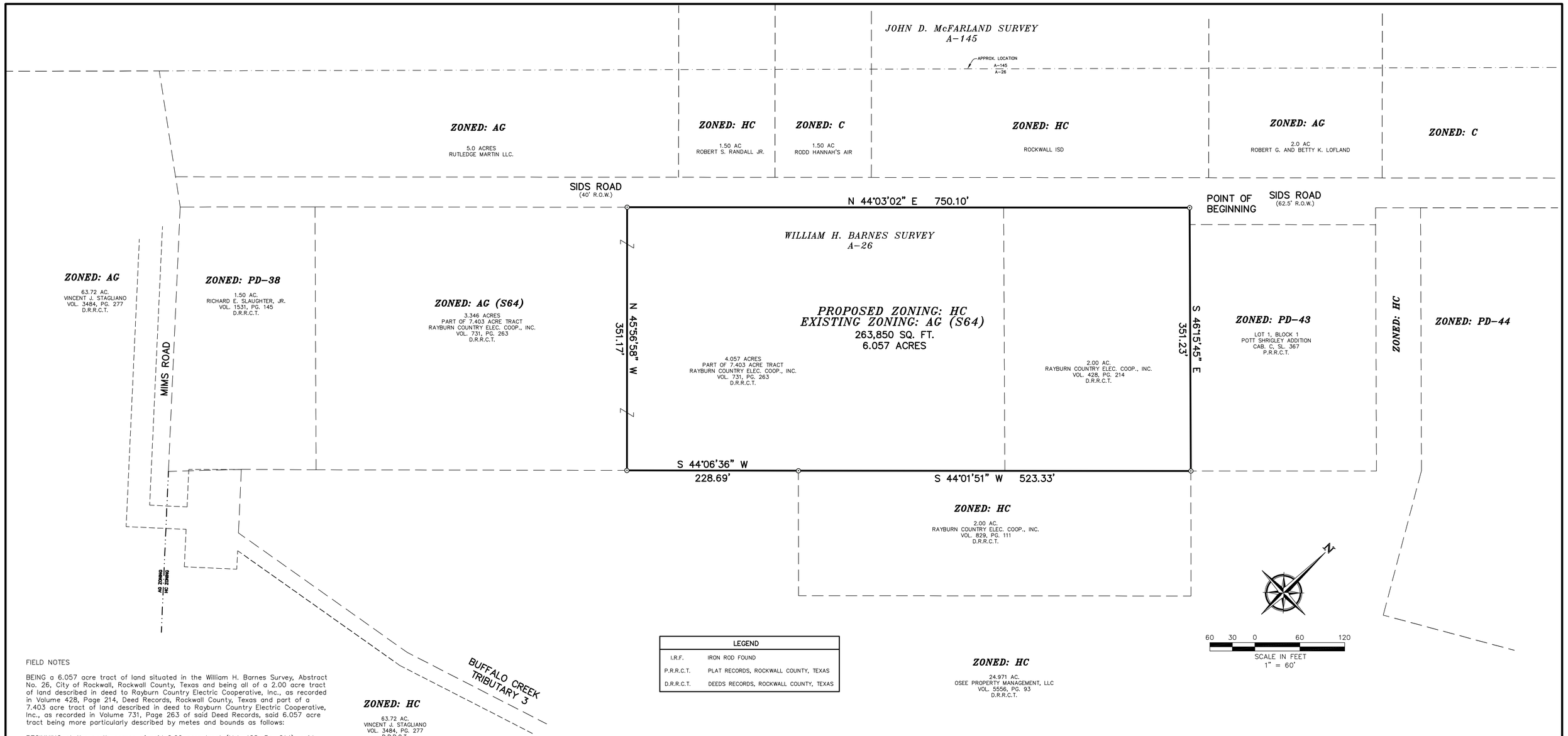
Please do not hesitate to call if you have any questions or comments.

Sincerely,

Todd D. Wintters, P.E.

Attachments:

a. Signed Planning Submittal Application
b. Legal description of 6.057 acre tract
c. 4 folded copies of 24" X 36" Plats
d. 1 – 11" X 17" reduced copy
e. Check for Zoning fee
f. CD with All Submitted Documents



LEGEND	
I.R.F.	IRON ROD FOUND
P.R.R.C.T.	PLAT RECORDS, ROCKWALL COUNTY, TEXAS
D.R.R.C.T.	DEEDS RECORDS, ROCKWALL COUNTY, TEXAS

FIELD NOTES

BEING a 6.057 acre tract of land situated in the William H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas and being all of a 2.00 acre tract of land described in deed to Rayburn Country Electric Cooperative, Inc., as recorded in Volume 428, Page 214, Deed Records, Rockwall County, Texas and part of a 7.403 acre tract of land described in deed to Rayburn Country Electric Cooperative, Inc., as recorded in Volume 731, Page 263 of said Deed Records, said 6.057 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at the north corner of said 2.00 acre tract (Vol. 428, Pg. 214), said corner being in the southeasterly right-of-way line of Sids Road, a 40 ft. right-of-way at this point;

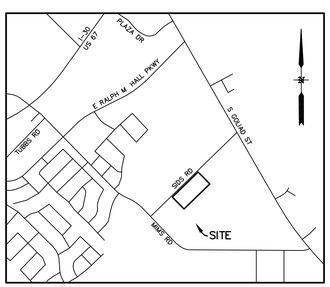
THENCE South 46 degrees 15 minute 45 seconds East, with the northeast boundary line of said 2.00 acre tract (Vol. 428, Pg. 214), at 22.5 feet passing the west corner of Lot 1, Block 1, Pott Shrigley Addition, an addition to the City of Rockwall, as recorded in Cabinet C, Slide 367, Plat Records, Rockwall County, Texas and continuing with the common boundary line of said 2.00 acre tract and said Lot 1, a total distance of 351.23 feet to a 1/2-inch iron rod found for the east corner of said 2.00 acre tract (Vol. 428, Pg. 214), the south corner of said Lot 1, a west corner of a 24.971 acre tract of land described in deed to OSEE Property Management, LLC, as recorded in Volume 5556, Page 93, of said Deed Records and the north corner of a 2.00 acre tract of land described in deed to Rayburn Country Electric Cooperative, Inc., as recorded in Volume 829, Page 111 of said Deed Records;

THENCE South 44 degrees 01 minute 51 seconds West, with the common boundary line of said 2.00 acre tract (Vol. 428, Pg. 214), said 7.403 acre tract and said 2.00 acre tract (Vol. 829, Pg. 111), a distance of 523.33 feet to a 1/2-inch iron rod found for the west corner of said 2.00 acre tract (Vol. 829, Pg. 111) and a north corner of said 24.971 acre tract;

THENCE South 44 degrees 06 minute 36 seconds West, with the common boundary line of said 7.403 acre tract and said 24.971 acre, a distance of 228.69 feet to a point for corner;

THENCE North 45 degrees 56 minute 58 seconds West, a distance of 351.17 feet to a point for corner in the common boundary line of said 7.403 acre tract and said Sids Road;

THENCE North 44 degrees 03 minute 02 seconds East, with the common boundary line of said 7.403 acre tract, said 2.00 acre tract (Vol. 428, Pg. 214), and said Sids Road, a distance of 750.10 feet to the POINT OF BEGINNING AND CONTAINING 263,850 square feet or 6.057 acres of land.



VICINITY MAP
N.T.S.

NOTE:

Bearings are based on Texas State Plane Coordinates. Projection: State Plane NAD83 Texas North Central Zone 4202, Lambert Conformal Conic, Feet (TX83-NCF).

ZONING EXHIBIT
OF
6.057 ACRES

SITUATED IN THE

WILLIAM H. BARNES SURVEY, ABST. NO. 26
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE, TX 75098
(972) 941-8400 FAX (972) 941-8401

CASE NUMBER: Z2014-001 DATE: FEBRUARY 10, 2014

03551\DWG\3551 Exhibit Zoning.dwg

6.057 ACRE TRACT

PROJECT NUMBER: Z2014-001

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CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A HEAVY COMMERCIAL (HC) DISTRICT FOR A 6.057-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 3-06 OF THE W.H. BARNES SURVEY, ABSTRACT NO. 26, CITY AND COUNTY OF ROCKWALL, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Tommy Pulliam on behalf of Rayburn Electric Cooperative, for an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from an Agricultural (Ag) District to a Heavy Commercial (HC) District for a 6.057-acre tract of land identified as a portion of tract 3-06 of the W.H. Barnes Survey, Abstract No. 26, City and County of Rockwall, Texas, and more specifically described in Exhibit "A" of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from an Agricultural (Ag) District to a Heavy Commercial (HC) District for the *Subject Property*; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for in *Section 4.7, "Heavy Commercial (HC) District", Article V, "District Development Standards", of the Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

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

zoning described herein.

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE ____ DAY OF _____, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading:
2nd Reading

Exhibit 'A':
Legal Description

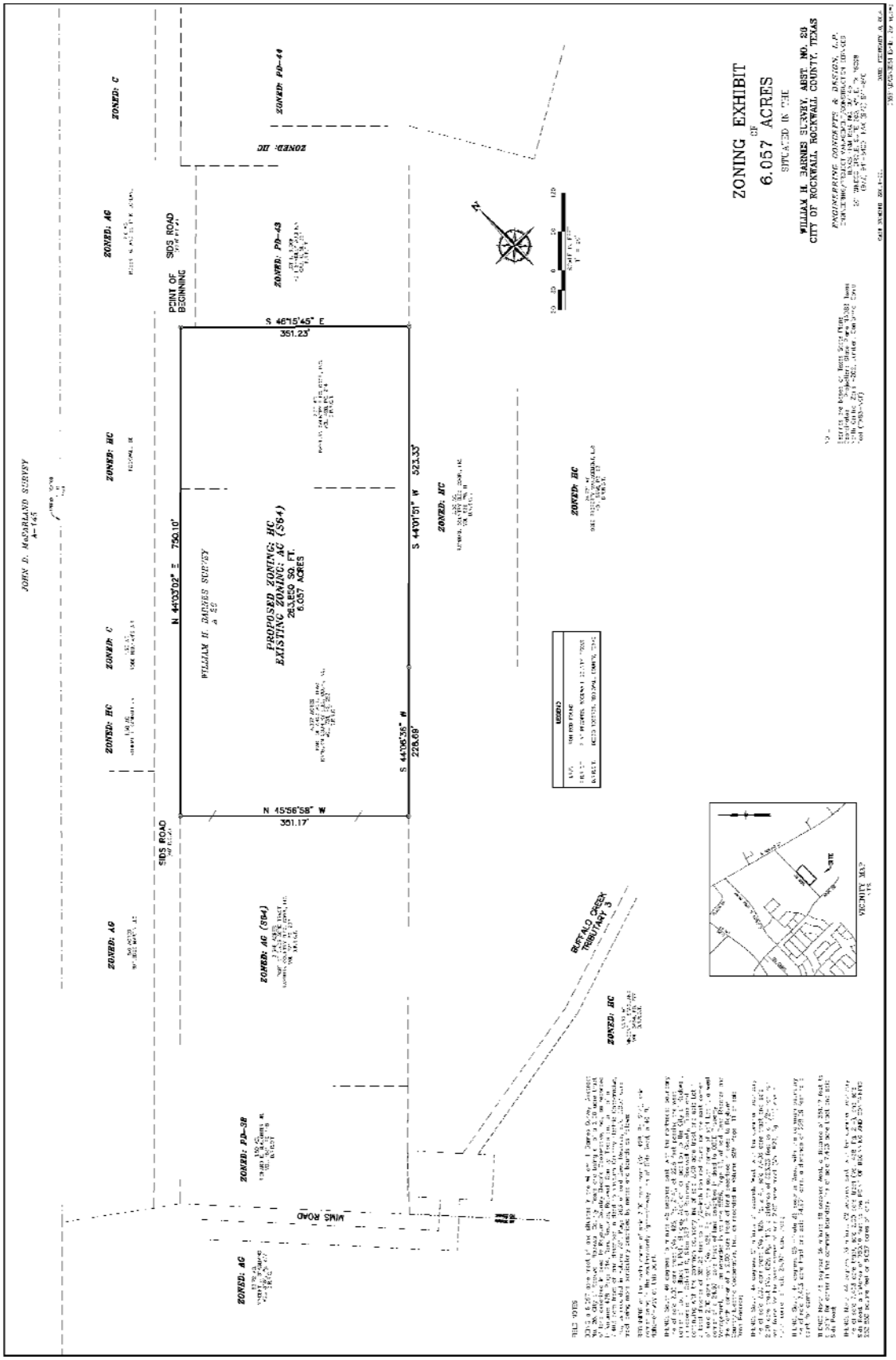

Exhibit 'A':
Legal Description

6.057 ACRE TRACT

PROJECT NUMBER: Z2014-001

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 02/17/2014

APPLICANT: Charlie Rickerson

AGENDA ITEM: **Z2014-003**; Detached Garage with Secondary Living Unit

---

SUMMARY:

Hold a public hearing to discuss and consider a request by Charlie Rickerson for the approval of a Specific Use Permit to allow a detached garage with guest quarters/secondary living unit that will exceed the maximum permissible height for an accessory structure on a 0.40-acre parcel of land identified as Lot A, Block 117, B. F. Boydstun Addition, Rockwall, Rockwall County, Texas, also identified as a *Landmarked Property*, zoned Single Family 7 (SF-7) District, located at 109 St. Mary's Street, and take any action necessary.

DISCUSSION:

The applicant, Charlie Rickerson, is requesting approval of a Specific Use Permit (SUP) for the construction of a detached garage that will include a guest quarters/secondary living unit. The property is located at 109 St. Mary's St., zoned Single Family (SF-7) District, is recognized locally as a *Landmarked Property,* and was constructed in 1888*.* The *Folk Victorian* styled home is also known as the *Jordan House.* In keeping with the historic integrity of the property, the detached garage (accessory structure) will be composed primarily of a beveled (horizontal) six (6) inch wood siding, a steep sloped gabled roof with a staggered "shake" wall surface pattern on the façade, and decorative windows with the cornice and lintel matching the primary structures appearance. The garage door for the building will have the appearance of a carriage styled door, providing a historically relevant quality to the structure.

The proposed accessory structure will be a two (2) story structure with an overall square footage of approximately 1,152 sq. ft. and an overall height of 30.8 feet. The lower level of the accessory structure will consist of a detached garage that will be approximately 576 sq. ft. in area. The Unified Development Code (UDC) allows for one (1) detached garage in a residential district as long as it does not exceed 900 sq. ft. in area or fifteen (15) feet in height, provided that it is located on the same lot as the residential use and that the exterior cladding contains the same materials, excluding glass, as found on the main structure and is generally in the same proportion. The area of the proposed accessory structure does not exceed the maximum square footage allowed; however, it does exceed the maximum height of fifteen (15) feet, therefore requires an SUP.

In addition, the proposed accessory structure will provide a "Guest Quarters/Secondary Living Unit" to be located on the second floor. The applicant has submitted proposed floor plans for the accessory structure indicating the upstairs living space to be approximately 576 sq. ft., thereby not exceeding the maximum allowable area of 30% of the main structure (2738 sq. ft. X 30% = 821.4 sq. ft.). Under the Permissible Uses Section of the Unified Development Code

(UDC), a guest quarters/secondary living unit requires approval of an SUP with the following conditions:

- Guest quarters or secondary living units may be allowed on a property in a residential zoning district provided it is ancillary to the primary use and that only one such facility is provided.
- The area of such quarters shall not exceed 30% of the area of the main structure.
- No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the Subdivision Ordinance.

The Rickerson's have recently been approved for a Certificate of Appropriateness (COA) by the Historic Preservation Advisory Board (HPAB) that allows for the construction of the accessory building (with approval of an SUP) and restoration of the primary structure based on their goal of maintaining the historical integrity of the home. Although the intent of the applicant is to provide an accessory structure that is compatible in height, materials, color, design and style to the primary structure, the SUP remains a discretionary action for the Planning and Zoning Commission and City Council.

NOTIFICATION:

A public notice has been published in the Rockwall County News, on the City's web-site, and a sign has been posted on the property. Also, notices have been mailed to fifteen (15) property owners within 200-ft of the subject property as required by law. At time of this report, staff has received two (2) response "in favor of," and none "opposed to" the request.

RECOMMENDATIONS:

On January 16, 2014, the Historic Preservation Advisory Board approved the request of a COA for the garage and secondary living unit, rear driveway and reconstructed front walkway with staff recommendations and to include an additional condition that the new front driveway be a ribbon driveway that extends a minimum of seventy feet from the front property line towards the garage prior to pouring a standard drive for maneuvering and parking purposes.

Should the request be approved, staff would offer the following conditions:

1) The applicant will be required to obtain a building permit from the Building Inspections Department prior to the commencement of any work on the subject property;

2) The detached garage/accessory structure shall comply with the submitted site plan and building elevations;

3) The detached garage/accessory structure shall not exceed an overall height of 32-ft;

4) The area of the detached garage shall not exceed 900 sq. ft.;

5) The second floor guest quarters/secondary living area shall not exceed 30% of the area of the main structure (i.e. 821.4 sq. ft.);

6) The guest quarters/secondary living unit shall be ancillary to the primary use and only one such unit shall be provided;

7) The detached garage/accessory structure may not be sold or conveyed separately without meeting the requirements of the zoning district and the Subdivision Ordinance;

8) The accessory structure is subject to administrative review in the event that the subject property is sold, conveyed to another party, subdivided or re-platted;

9) The City Council reserves the right to review the SUP granted herein upon the expiration of one (1) year from the date hereof;

10) Any construction, building or demolition necessary to complete this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

On February 11, 2014, the Planning and Zoning Commission recommended approval of the Specific Use Permit request with staff conditions by a vote of 5 to 1 (Lyons - against & Minth - absent).



City of Rockwall

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

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

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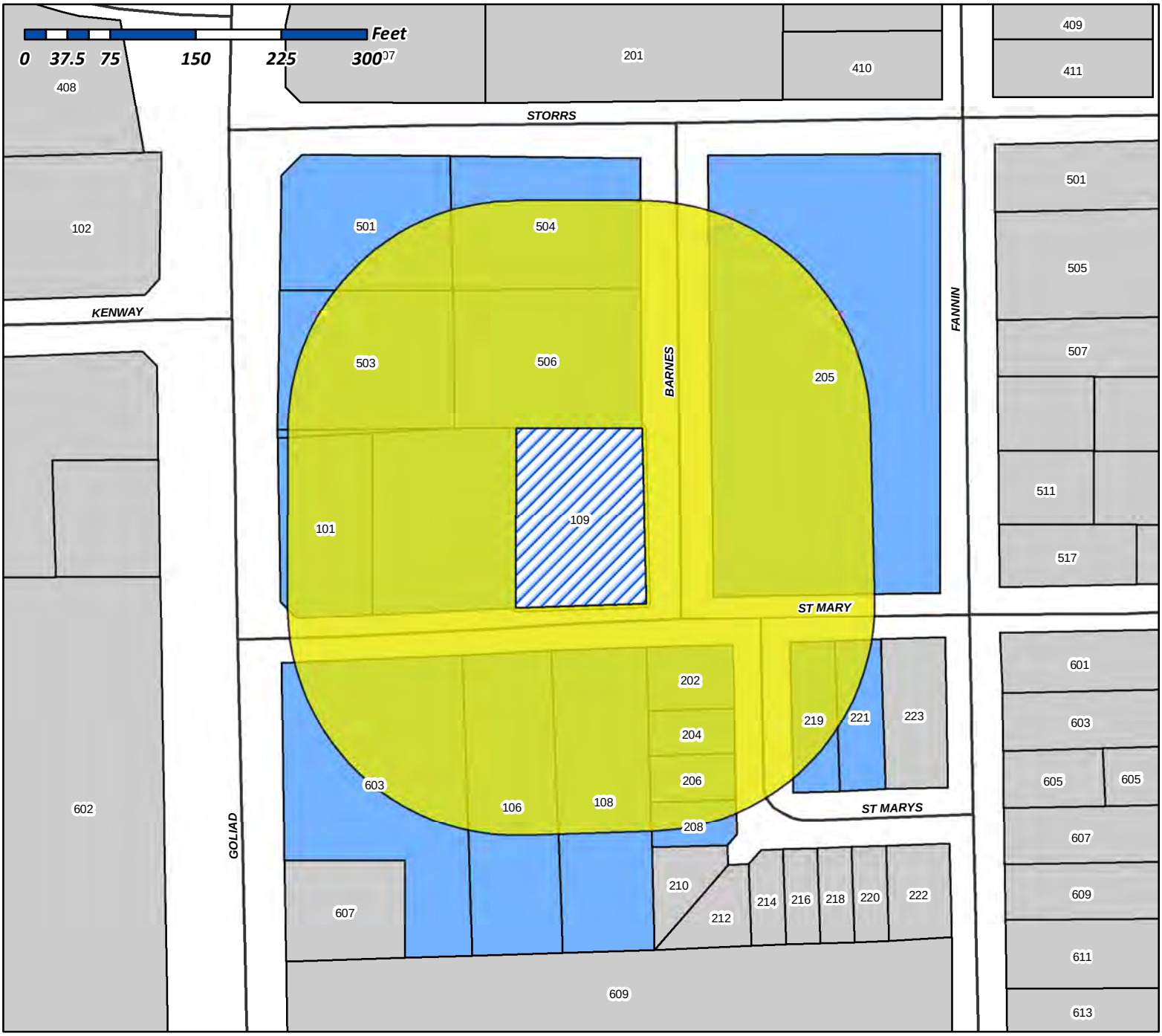
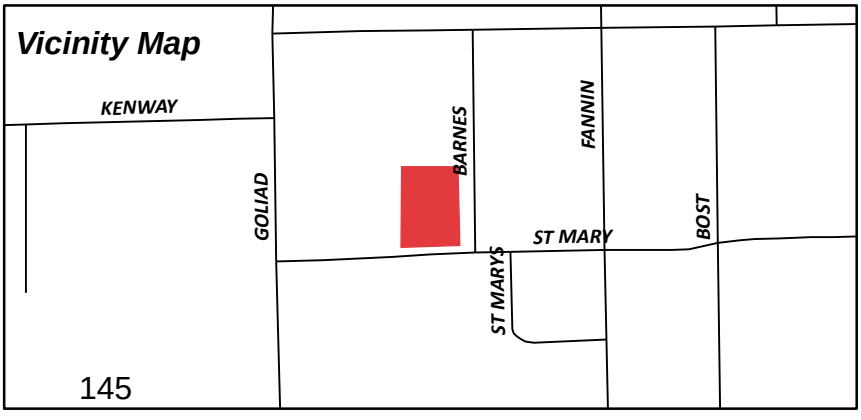


Case Number: Z2014-003
Case Name: 109 St. Mary's Remodel
Case Type: Specific Use Permit
Zoning: SF-7
Case Address: 109 St. Mary's

Date Created: 1/24/2014
For Questions on this Case Call (972) 771-7745



Reference No.	Last Name	Name	Legal Description	Address 1	Address 2	Address 3	City	State	Zip
5061-0001-0004-00-0R		MOORE GLEN & JACKIE	ST MARYS PLACE, BLOCK 1, LOT 4		2026 SUNNY CIR		ROCKWALL	TX	75032
3140-080C-0000-00-0R		MERRITT P CRAIG JR	B F BOYDSTON, BLOCK 80C		504 BARNES ST		ROCKWALL	TX	75087
3140-080A-0000-00-0R	LAKEPOINTE PHOTOGRAPHY	WAY FAMILY MANAGEMENT LLC	B F BOYDSTON, BLOCK 80A		8441 S FM 549		ROCKWALL	TX	75032
3140-0117-000A-00-0R		GRANDSTAFF DEANNA	B F BOYDSTON, BLOCK 117, LOT A		8128 MONTERRA VILLA TRL	APT 3016	FT WORTH	TX	76177
3140-0079-0000-00-0R		MIGNEAULT WILLIAM H & MELINDA	B F BOYDSTON, BLOCK 79, ACRES .500		188 RIDGEMONT DR		FORNEY	TX	75126
5061-0002-0001-00-0R		GREEN MAUREEN & MICKEY R	ST MARYS PLACE, BLOCK 2, LOT 1		945 BREEZY HILL LN		ROCKWALL	TX	75087
5061-0002-0002-00-0R		GREEN MAUREEN & MICKEY R	ST MARYS PLACE, BLOCK 2, LOT 2		945 BREEZY HILL LN		ROCKWALL	TX	75087
3140-080B-0000-00-0R		PEOPLES BILLY W	B F BOYDSTON, BLOCK 80B		PO BOX 35		ROCKWALL	TX	75087
3140-0117-000E-00-0R		BOND DAVID L AND LOUIS ANNE BOND AND	B F BOYDSTON, BLOCK 117, LOT E	DAVID L BOND TRUSTEE JULIANA L BOND TAX EXEMPT TRUST		1122 SURREY LANE	ALLEN	TX	75013
3140-0117-000D-00-0R		BOND DAVID L AND LOUIS ANNE BOND AND	B F BOYDSTON, BLOCK 117, LOT D, ACRES 0.471	DAVID L BOND TRUSTEE JULIANA L BOND TAX EXEMPT TRUST		1122 SURREY LANE	ALLEN	TX	75013
5061-0001-0001-00-0R		RICKARDS MICHAEL A ETUX	ST MARYS PLACE, BLOCK 1, LOT 1		202 SAINT MARYS PL		ROCKWALL	TX	75087
5061-0001-0002-00-0R		VEGA JOHN & PAM S	ST MARYS PLACE, BLOCK 1, LOT 2		205 TUPELO DR		ROCKWALL	TX	75087
5061-0001-0003-00-0R		MORKEN PETER & GAY ANDERSON	ST MARYS PLACE, BLOCK 1, LOT 3	GILMA L MORKEN LIFE ESTATE	206 SAINT MARYS PL		ROCKWALL	TX	75087
3239-000A-0001-00-0R		SAINT JOSEPH BUILDING LLC	CARABAJAL ADDNITION, BLOCK A, LOT 1		503 SOUTH GOLIAD		ROCKWALL	TX	75087
	ABANDONED ROW								
	CEMETERY								
3205-000A-0001-00-0R	ROCKWALL NURSING CENTER	CAMPBELL W E	W E CAMPBELL, BLOCK A, LOT 1, ACRES 1.814	C/O RW SCC, LLC	206 STORRS ST		ROCKWALL	TX	75087
3140-0078-0000-00-0R		MERRITT CRAIG	B F BOYDSTON, BLOCK 78, ACRES .500		504 BARNES ST		ROCKWALL	TX	75087
3140-0117-000C-00-0R	JOUR SALON & SPA	MCCORD SHANNON	B F BOYDSTON, BLOCK 117, LOT C		501 S GOLIAD ST		ROCKWALL	TX	75087

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

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

To Whom It May Concern:

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

Case No. Z2014-003: 109 St. Mary's Remodel

Hold a public hearing to discuss and consider a request by Charlie Rickerson for the approval of a Specific Use Permit to allow a detached garage with guest quarters/secondary living unit that will exceed the maximum permissible height for an accessory structure on a 0.40-acre parcel of land identified as Lot A, Block 117, B. F. Boydstun Addition, Rockwall, Rockwall County, Texas, also identified as a Landmarked Property, zoned Single Family 7 (SF-7) District, located at 109 St. Mary's Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 2/11/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 2/17/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **2/17/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-003: 109 St. Mary's Remodel

Please place a check mark on the appropriate line below:

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

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

No objection, but I would like to know where on the property the structure will be built. I can't see that online.

Name: Todd W. White, St. Joseph Building, LLC

Address: 503 South Goliad, Rockwall, TX 75087

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

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

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

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

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

Case No. Z2014-003: 109 St. Mary's Remodel

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Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2014-003: 109 St. Mary's Remodel

Please place a check mark on the appropriate line below:

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

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

Name: WAY Family Mgt. LLC.

Address: 8441 S. F.M. 549 Heath Tx 75032

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

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

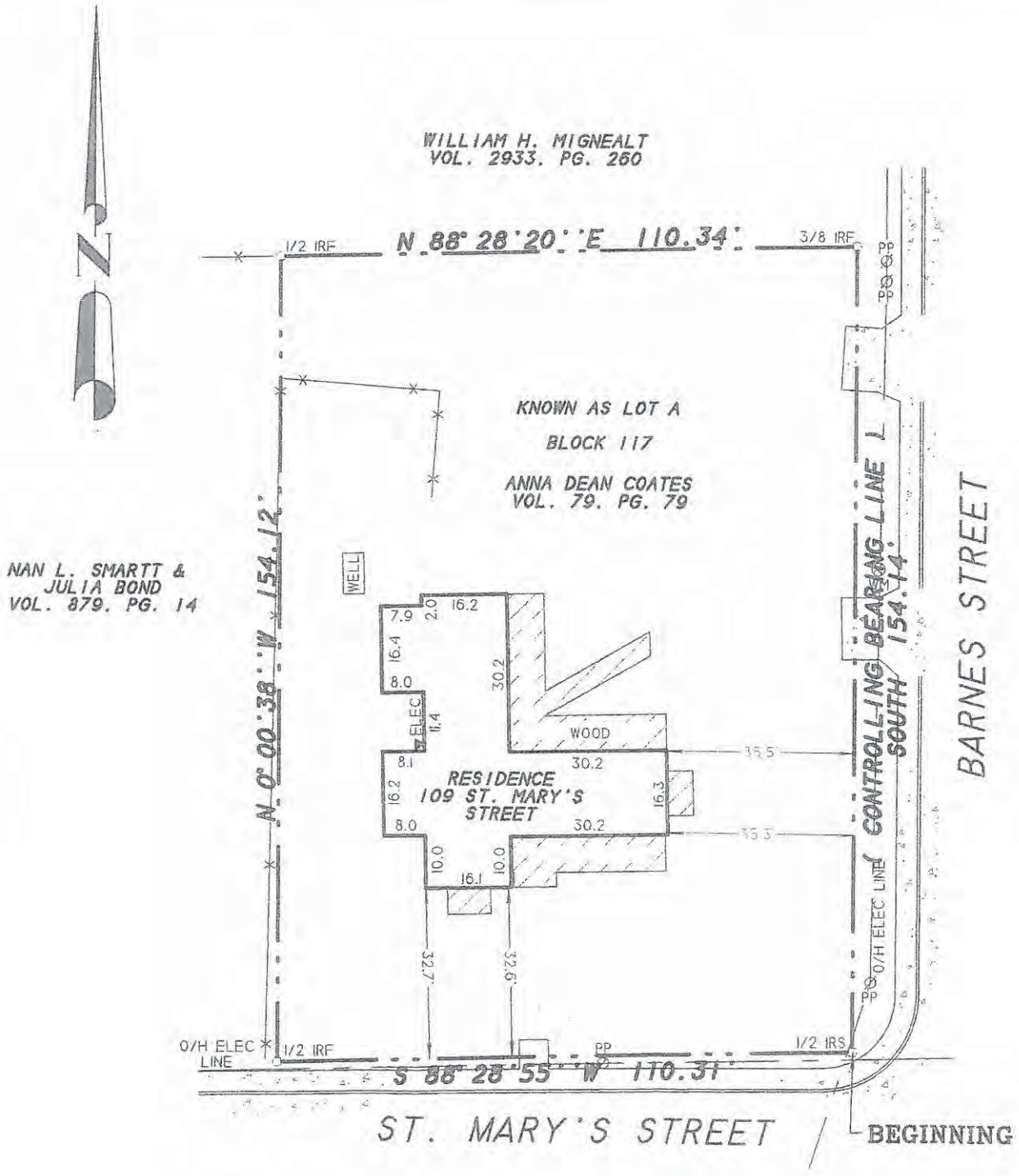
January 02, 2014

Historic Preservation Advisory Board,

We have submitted a list of projects we would like to complete on our home located at 109 St. Marys Street. Our requests are based upon improving the aesthetics and proper functionality of the property. Our primary purpose is to add a garage and two driveways that would coordinate with the style of the property. We currently have two dirt path driveways that enter the property from Barnes Lane. They are both frequently blocked by visitors or staff of the nursing home that is across from the property. We are restoring this property for our family to enjoy and to contribute positively to our Rockwall community. We are honored to be a part of such a rich history. Thank you for considering our requests.

Sincerely,

Charlie & Ginni Rickerson



SURVEY ACCEPTED BY:

_____ DATE _____

_____ DATE _____

DESCRIPTION

All that certain lot, tract or parcel of land situated in the B.F. BOYDSTUN SURVEY, ABSTRACT NO. 14, City of Rockwall, Rockwall County, Texas, and being all of that tract of land as described in a Warranty deed from Anna Dean Coates to Richard D. Jordan and Wilma D. Jordan, dated May 5, 1967 and being recorded in Volume 79, Page 79 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the intersection of the North right-of-way line of St. Mary's Street with the West right-of-way line of Barnes Street at the Southeast corner of said Jordan tract;

THENCE S. 88 deg. 28 min. 55 sec. W. along the North right-of-way line of St. Mary's Street, a distance of 110.31 feet to a 1/2" iron rod found for corner;

THENCE N. 00 deg. 00 min. 38 sec. W. a distance of 154.12 feet to a 1/2" iron rod found for corner;

THENCE N. 88 deg. 28 min. 20 sec. E. a distance of 110.34 feet to a 3/8" iron rod found for corner in the West right-of-way line of Barnes Street;

THENCE SOUTH (Controlling bearing line) along said right-of-way line, a distance of 154.14 feet to the POINT OF BEGINNING and containing 0.39 acres of land.

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 480547 0005 C dated June 16, 1992, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: RECORDED PLAT.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for AMERICAN TITLE COMPANY, LEHMAN BROTHERS BANK, and DEANNA GRANDSTAFF at 109 ST. MARY'S STREET, ROCKWALL, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 12th day of December, 2005.

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

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	TU ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	1/2" IRF IRON ROD FOUND & CORNER	
FENCE		A/C AIR CONDITIONER UNIT	LP LIGHT POLE	PROP PROPANE TANK

PROPERTY LINES

SURVEY DATE DECEMBER 12, 2005
SCALE 1" = 30' FILE # 20052148
CLIENT GRANDSTAFF GF # 17582-RW05

R.S.C.I.
ROCKWALL SURVEYING CO., INC. LAND SURVEYING
1984 S. FM 551 ROYSE CITY, TX 75189 972-772-5434 PHONE 972-772-5443 FAX


Shake

GROSS FLOOR AREA: 1152 SF	FIRST FLOOR AREA (GARAGE): 576 SF	SECOND FLOOR AREA 576 SF

GRADE TO RIDGE HEIGHT: 22' - 8"

Building Materials List for Plan #1152-1

– Local building code approved substitutions may be made to this list –

Variations in construction methods and materials can require modification of this list. Every attempt is made for greatest accuracy, but typographical or human error is possible. Quantities verification by the materials supplier is recommended before materials package is finalized and/or shipped.

Concrete & Reinforcements For Stemwall/Footing Foundation

Poured-in-place concrete		(min.) 11.5 cy
#4 Reinforcing Steel Bar	568 lf	28 - 20' pcs.
w/6 x 6 - w1.4 x 1.4 wire mesh	506 sf	126 lf, 4' roll

Rough Framing

2 x 6 x 92-1/2" HF/DF "stud" exterior wall framing		180 pcs.
2 x 6 HF/DF NO. 2 ext.wall sole plate material		96 lf
2 x 4 x 96" utility grade interior wall framing		65 pcs.
2 x 4 utility grade interior wall plates		128 lf
2 x 6 x 96" utility grade interior wall framing		10 pcs.
2 x 6 utility grade interior wall plates		24 lf
2 x 6 HF/DF No. 2 for ext.wall top plates		384 lf
2 x 4 HF/DF No. 2 lookouts		48 lf
2 x 6 HF/DF No. 2 pressure-treated mudsill (bottom plate)		96 lf
4 x 6 x 92-1/2" HF/DF No. 2 "king stud" material (for bracket support)		2 pcs.
4 x 4 x 96" HF/DF No. 2 support bracket material		3 pcs.
2 x 6 DF No. 1 header material	8' length	17 pcs.
5 1/2 x 9 1/4 LVL garage door header 2950Fb/2.0E	18' length	1 pc.
16" LPI 32 second floor joists	23' - 9 3/4" length	19 pcs.
16" x 1-1/8" thick LPI rim joist material		48 lf
3/4" T & G C-D APA Plywood, ext. glue floor	4 x 8 sheet	18 sheets
2 x 8 HF/DF pressure treated landing joists	8 ' length	1 pc.
2 x 8 HF/DF pressure treated landing joists	8 ' length	3 pcs.
2 x 12 HF No. 2 Stair Stringer	16' length	3 pcs.
2 x 4 cedar or treated wood for stair tread & landing	8' length	30 pcs.
2 x 2 cedar pickets for guardrails	8' length	26 pcs.
2 x 4 cedar cap for guardrails	8' length	3 pcs.
1 x 4 cedar trim for guardrails	8' length	3 pcs.
Roof Trusses: 4 . 12 pitch, 24'-0" span, including (2) ends		13 pcs.
2 x 4 x 22-1/2" eave blocks w/ screened vent holes		24 pcs.

Sheathing Materials

15/32", 5-ply C-D APA, ext. glue P.I. 24/0 Roof Sh.	4 x 8 sheets	25 sheets
7/16" o.s.b. Wall Sheathing	4 x 8 sheets	53 sheets

Vapor Barrier

Roof 15# bituminous felt paper in 36" wide roll		300 lf
Wall 7# bituminous felt paper in 40" wide roll		680 lf
Floor .006" black polyethylene membrane		576 sf

Siding Materials

8" textured o.s.b.siding boards with 1" lap	1500 sf of sided area	
(alternate siding) textured 7/16" o.s.b. panel siding	4 x 8 sheets	28 sheets
(alternate siding) textured 7/16" o.s.b. panel siding	4 x 10 sheets	24 sheets
Trim: 5/4 x 4 (use 1 x trims for alt. siding)	9' length	8 pcs.
Trim: 5/4 x 3	9' length	8 pcs.
Trim: 5/4 x 4	8' length	32 pcs.
Trim: 5/4 x 4	10' length	2 pcs.
Fascia: 1 x 6		52 lf
Rakeboard: 2 x 6	16' length	4 pcs.

Roofing Materials

Composition Roofing Shingles	731 sf	of roof area
Ridgevent material		24 lf

Windows and Doors

4068 interior bypass door assembly	2 ea.
2668 interior swing door assembly	2 ea.
2668 interior bi-fold door assembly	1 ea.
2468 interior swing door assembly	2 ea.
6040 slider window	2 ea.
6030 slider window	2 ea.
5040 slider window	1 ea.
5036 slider window	2 ea.
3030 slider window	1 ea.
3068 — exterior door assembly	2 ea.
16'-0" x 7'-0" sectional garage door assembly	1 ea.



1152-1

Metal Parts

Anch. bolts: 1/2" x 10" ASTM A-307	22 pcs.
Hex Nuts for anchor bolts	22 pcs.
Flat washer: 2" x 2" square x 3/16" thick	22 pcs.
Simpson H1 clips	22 pcs.
Handrail, 1-1/2" dia. Wood or metal	16' length
Handrail Support Brackets	4 pcs
Simpson STHD14 hold-down straps	3 pcs.
Hanger - Simpson U26 for stringers	3 pcs.
16d sinker nails @ 50 lbs. / box	50 lbs.
8d common nails @ 50lbs. / box	50 lbs.
Roofing nails @ 210 nails / lb.	10 lbs.
Metal flashing strip for wdw. & door heads (applied length)	54 lf
Z-flashing strip for asltemate panel siding (installed, allow for overlaps)	48 lf

(Interior finishing materials are not included in this list, except for interior doors)

– Note: To advise corrections, please call Behm Design @ 1-800-210-6776 –

Building Code Compliance

This planset was prepared to comply with the prescriptive requirements of the 2009 edition of the International Residential Code (IRC)

Parameters For Design

Wind Speed:
100 mph - 3 sec. gust

Wind Exposure: "B"

Seismic Category:
A, B and C

Snow Load: 30# / sq. ft.

Building Categories and Data

Occupancy Classification: "U"

Construction Type: "V"

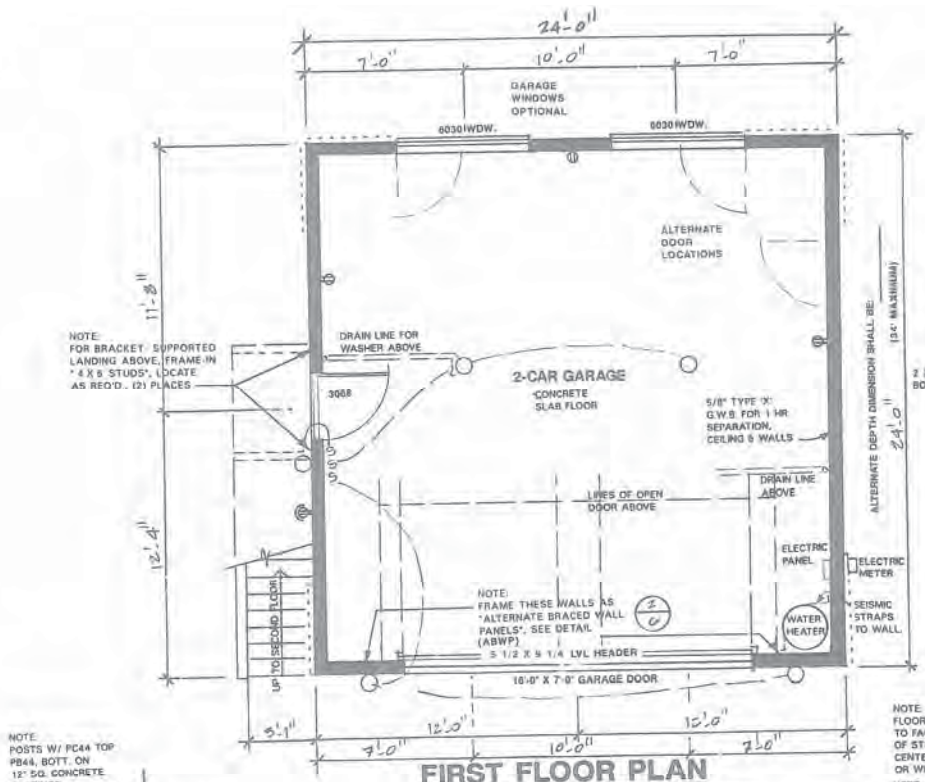
Behm Design
www.behmdesign.com
QUESTIONS? CALL 1-800-210-6776

PLAN NO 1152-1

DESIGN VP | DRAWN VP | DATE 6/

SHEET CONTENTS
MATERIALS LIST
PROJECT ILLUSTRATION
PROJECT DATA

SHEET 1 OF 8

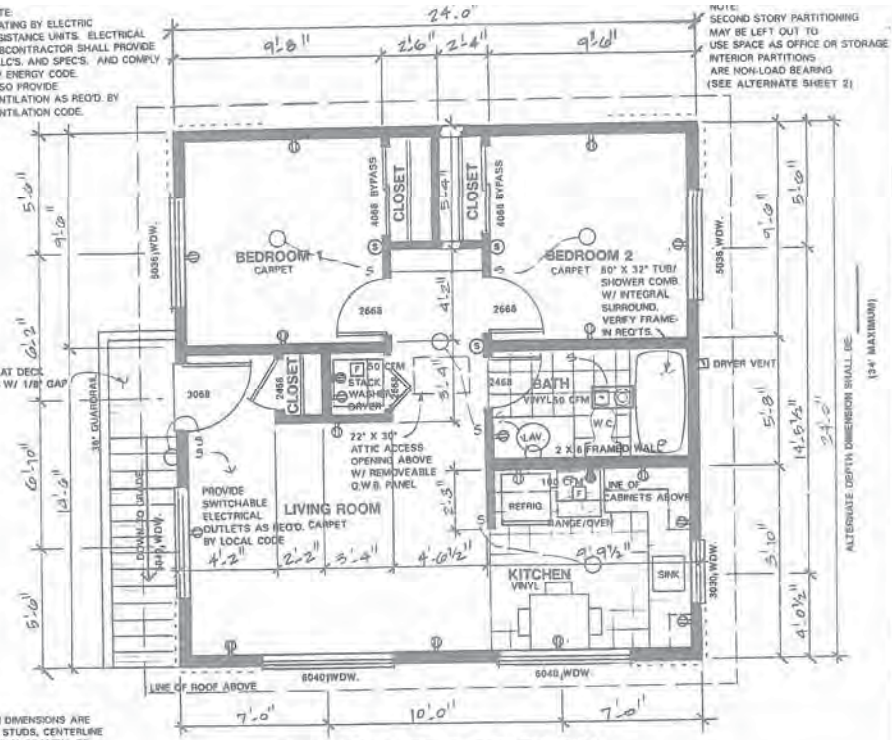


NOTE: FOR BRACKET SUPPORTED LANDING ABOVE, FRAME IN "4 X 8 STUDS", LOCATE AS REQ'D., (2) PLACES

FIRST FLOOR PLAN

1/4" = 1'-0"

NOTE: HEATING BY ELECTRIC RESISTANCE UNITS. ELECTRICAL SUBCONTRACTOR SHALL PROVIDE CALC'S. AND SPEC'S. AND COMPLY W/ ENERGY CODE. ALSO PROVIDE VENTILATION AS REQ'D. BY VENTILATION CODE.



NOTE: SECOND STORY PARTITIONING MAY BE LEFT OUT TO USE SPACE AS OFFICE OR STORAGE. INTERIOR PARTITIONS ARE NON-LOAD BEARING (SEE ALTERNATE SHEET 2)

SECOND FLOOR PLAN

1/4" = 1'-0"

NOTE: FLOOR PLAN DIMENSIONS ARE TO FACE OF STUDS, CENTERLINE OF STRUCTURAL FRAMING OR CENTERLINE OF DOOR OR WINDOW LOCATIONS.

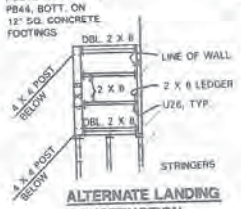
NOTE: EXTERIOR WALLS ARE FRAMED WITH 2 X 6 @ 16" O.C., INTERIOR WITH 2 X 4 @ 16" O.C. TYPICAL, UNLESS OTHERWISE NOTED.

NOTE: ALL HEADERS OVER DOORS AND WINDOWS ARE, (2) 2 X 8 HF2 UNLESS OTHERWISE NOTED.

NOTE: COMPLY WITH LOCAL ELECTRICAL CODES AND STANDARDS AS APPLICABLE

NOTE: BUILDING DEPTH MAY BE ADJUSTED TO DIMENSION WITHIN LIMITS SHOWN. EXACT DIMENSION SHALL BE NOTED ON THIS PLAN. BUILDING MATERIALS LIST QUANTITIES ARE BASED ON 24' DEPTH DIMENSION AND OTHER DEPTH WILL REQUIRE QUANTITIES REVISIONS.

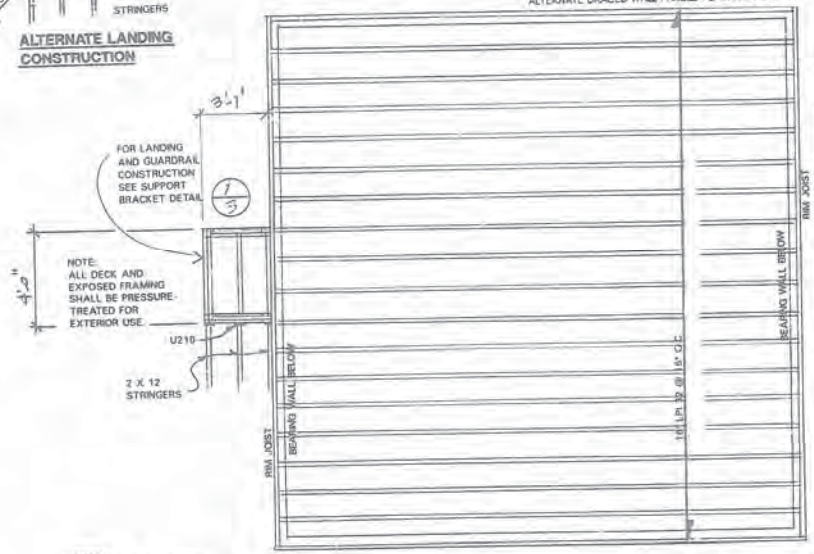
NOTE: POSTS W/ PC44 TOP PB44, BOTT. ON 12" SQ. CONCRETE FOOTINGS



ALTERNATE LANDING CONSTRUCTION

BRACED WALLS AS PER IRC R602.10, AS APPLICABLE FOR LOCAL CODES

(SHOWN: - - - - - - - - - - - -)
EXTERIOR BRACED WALLS (MIN. 48") NAIL SIDING PANELS OR SHEATHING W/ 8d @ 6" o.c., EDGES AND @ 12" O.C., FIELD AND BLOCK AT HORIZ. PANEL JOINTS. PROVIDE ALTERNATE BRACED WALL PANELS AS INDICATED.



SECOND FLOOR FRAMING PLAN

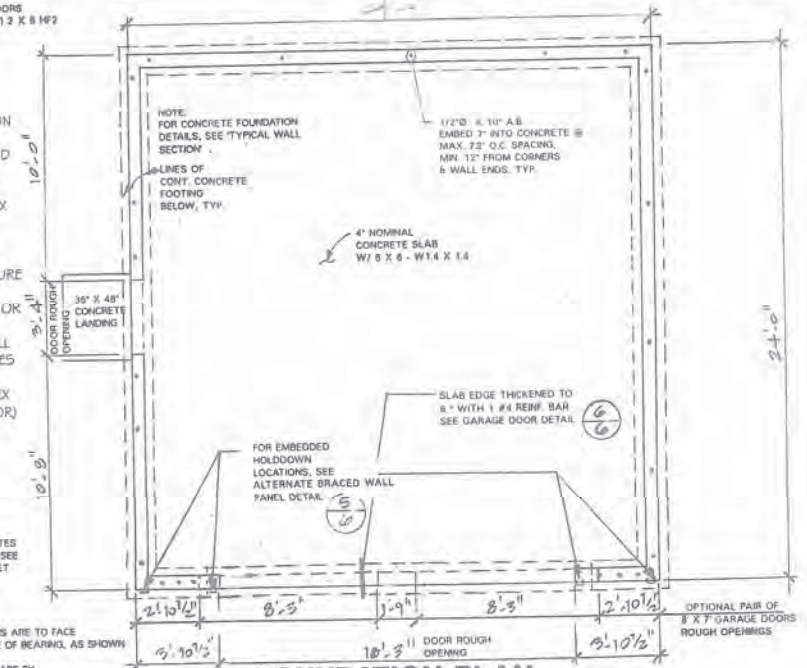
1/4" = 1'-0"

NOTE: ARROW LINE INDICATIONS ILLUSTRATE ENTENT OF SPANNING MEMBERS, NOT DIRECTION OF SPAN

LEGEND

- SWITCH LOCATION
- CEILING MOUNTED LIGHT FIXTURE
- 110 VOLT DUPLEX OUTLET
- EXTERIOR WALL-MTD. LIGHT FIXTURE
- ELECTRIC PANEL OR SUB-PANEL LOCATE & INSTALL PER LOCAL CODES
- 110 VOLT DUPLEX OUTLET (EXTERIOR)

NOTE: FOR STRUCTURAL NOTES AND SPECIFICATIONS, SEE LAST SHT. OF PLANSET



NOTE: FOUNDATION PLAN DIMENSIONS ARE TO FACE OF CONCRETE OR CENTERLINE OF BEARING, AS SHOWN

NOTE: ALL CONNECTIONS SPECIFIED ARE BY SIMPSON STRONG TIE, OR USE CODE APPROVED EQUAL

FOUNDATION PLAN

1/4" = 1'-0"

Behm Design
www.behmdesign.com

PLAN NO. 1152-1

DESIGN VB
DRAWN VB
DATE 01

SHEET CONTENTS
FIRST FLOOR PLAN
SECOND FLOOR PLAN
FOUNDATION PLAN
SECOND FLOOR FRAMING PLAN

SHEET 2 OF 8


109

CITY OF ROCKWALL

ORDINANCE NO. 14-__

SPECIFIC USE PERMIT NO. S-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR A DETACHED GARAGE WITH GUEST QUARTERS/SECONDARY LIVING UNIT, EXCEEDING THE MAXIMUM PERMISSIBLE HEIGHT OF 15-FT. FOR AN ACCESSORY STRUCTURE, ON A 0.40-ACRE PARCEL OF LAND IDENTIFIED AS LOT A, BLOCK 117, B.F. BOYDSTUN ADDITION, LOCATED AT 109 ST. MARY'S STREET, AND FURTHER DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, AND ZONED (SF-7) SINGLE-FAMILY RESIDENTIAL DISTRICT; CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Charlie Rickerson for a Specific Use Permit (SUP) within the (SF-7) Single-Family Residential district allowing for a "detached garage with guest quarters/secondary living unit" exceeding the maximum permissible height 15-ft. for an accessory structure, on a parcel of land located at 109 St. Mary's Street, being Lot A, Block 117, B.F. Boydstun Addition, as further described in Exhibit "A", City of Rockwall, Rockwall County, Texas, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) to allow for a "detached garage with guest quarters/secondary living unit" exceeding the maximum permissible height of 15-ft. for an accessory structure within the (SF-7) Single Family Residential District as stipulated by the Unified Development Code [Ordinance no. 04-38] on the *Subject Property*; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) and as set forth in the Unified Development Code [Ordinance No. 04-38] as heretofore amended, and as may be amended in the future, and shall be subject to the additional conditions and compliance standards;

2.1 Operational Conditions

The following conditions pertain to the operation of a "detached garage with guest quarters/secondary living unit" on the *Subject Property*, and conformance to these operational conditions is required for continued operations;

1. The applicant will be required to obtain a building permit from the Building Inspections Department prior to the commencement of any work on the subject property;
2. The detached garage / accessory structure shall comply with the approved site plan (Exhibit "A") and building elevations contained in the Certificate of Appropriateness (COA) as approved by the Historic Preservation Advisory Board on January 16, 2014;
3. The detached garage / accessory structure shall not exceed an overall height of 32 feet;
4. The area of the detached garage shall not exceed 900 sq. ft.;
5. The second floor "guest quarters/secondary living unit" area shall not exceed 30% of the area of the main structure (i.e.821.4 sq. ft.);
6. The "guest quarters/secondary living unit" shall be ancillary to the primary use and only one such unit shall be provided;
7. The detached garage/accessory structure may not be sold or conveyed separately without meeting the requirements of the zoning district and the Subdivision Ordinance;
8. The accessory structure is subject to administrative review in the event that the subject property is sold, conveyed to another party, subdivided or re-platted;
9. The City Council reserves the right to review the SUP granted herein upon the expiration of one (1) year from the date hereof;
10. Any construction, building or demolition necessary to complete this request must conform to the requirements set forth by the Unified Development Code, International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

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

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

Section 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of

the Unified Development Code of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this ___ day of _____, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

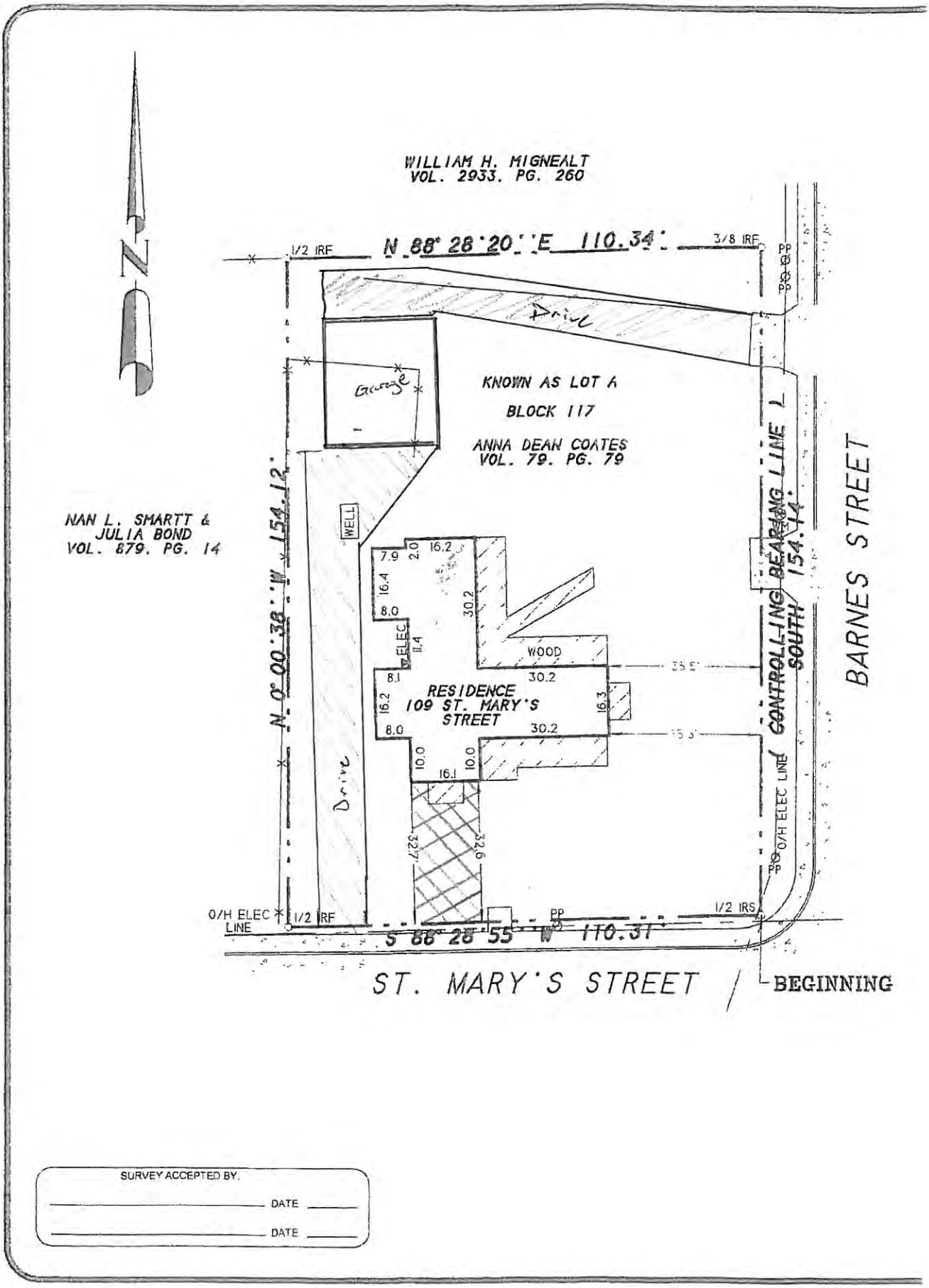
APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: _____

2nd Reading: _____

Exhibit "A"



SURVEY ACCEPTED BY.

_____ DATE _____

_____ DATE _____

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 02/17/2014

APPLICANT: Skorburg Company

AGENDA ITEM: **P2014-001**; Breezy Hill, Phase III

SUMMARY:

Discuss and consider a request by Bobby Samuels of the Skorburg Company representing BH Phase III, SF, LTD. for the approval of a preliminary plat for 71 residential lots identified as Breezy Hill, Phase III, being a 48.247-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74), generally situated north of FM-552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

PRELIMINARY PLAT INFORMATION:

- ✓ The Breezy Hill Subdivision is a master planned community that will provide approximately 405-acres of residential and commercial development. The residential subdivision will be composed of 691 single family lots on 345.8-acres of land, and be broken down per the lot mix indicated in Planned Development District 74 (PD-74). The lot mix in this Planned Development District is as follows:

Lot Types	*A*	*B*	*C*	*D*
Typical Lot Frontage *(Feet)*	60	70	80	100
Typical Lot Depth *(Feet)*	120	120	125	200
Minimum Lot Size *(Sq. Ft.)*	7,200	8,400	10,000	20,000
Number of Proposed Units	134	133	326	98
Dwelling Unit %	19.4	19.2	47.2	14.2

- ✓ The purpose of the applicant's submittal is to preliminary plat Phase III of the Breezy Hill Subdivision and layout 71 of the 691 single family lots. Out of the 71 proposed lots 23 will be constructed to the *Type 'B'* standard and 48 will be constructed to the *Type 'C'* standard (*all standards are displayed in the above table*). In addition to the preliminary plat the applicant has also submitted a preliminary water, sanitary sewer and storm water plan establishing that the developer can provide adequate utilities to service the proposed phase.

- ✓ The proposed preliminary plat conforms to the Master Plat that was approved by the City Council on October 15, 2012 under *Case No. P2012-029*.

- ✓ On February 4, 2014 the Parks Board reviewed the proposed preliminary plat and recommended the following:

    1) The developer pay the pro-rata equipment fees required for District No. 7 in the amount of $16,269.00 [51 Lots @ $319.00 Per Lot].

- ✓ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for preliminary plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the *Preliminary Plat* for *Phases III* of the *Breezy Hill Subdivision* staff would recommend the following conditions of approval:

1) The *Preliminary Plat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;

2) In conformance with Planned Development District 74 (PD-74) [*Ordinance No. 12-26*] a *PD Site Plan* shall be submitted and approved prior to the submittal of a final plat;

3) A Treescape Plan for the entire phase shall be required to be submitted with the Final Plat;

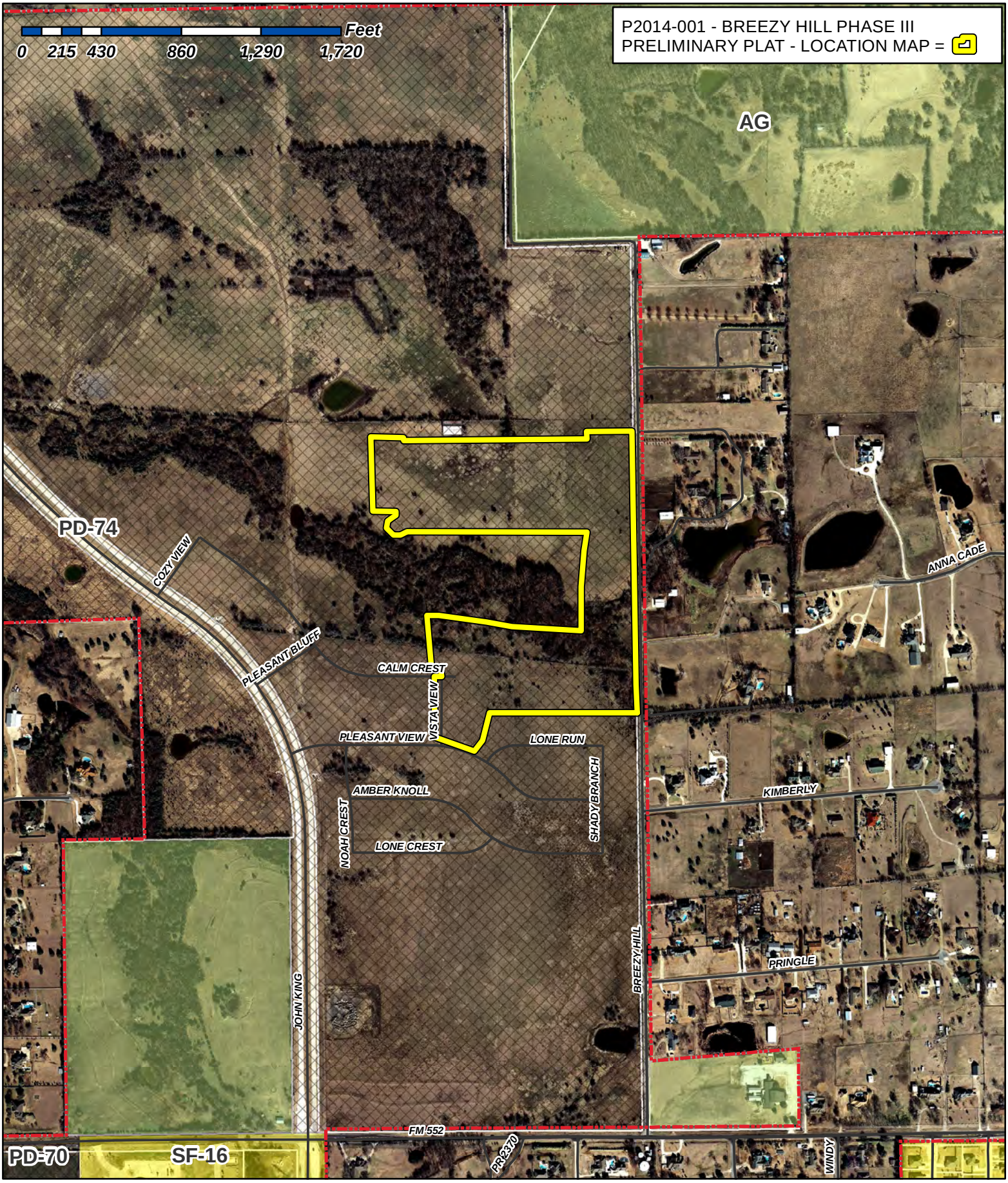
4) A final submittal of the Preliminary Plat shall be submitted to the Planning Department indicating all outstanding comments and labeling all street names prior to any future submittals;

5) The Preliminary Plat shall conform to the recommendations made by the Parks Board; and,

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

PLANNING & ZONING COMMISSION:

On February 11, 2014, the City Council approved the preliminary plat per staff's recommendations by a vote of 6 to 0, with Commissioner Minth absent.



City of Rockwall

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

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

1:8,000

BH Phase III SF, Ltd.

By BH Phase III SF GP Corporation
8214 Westchester Drive, Suite 710, Dallas, Texas 75225
*Phone: 214-522-4945 * Fax: 214-522-7244*

February 3, 2014

Mr. Ryan Miller
Planning Manger
City of Rockwall
385 S. Goliad
Rockwall, TX 75087

Re: Breezy Hill Phase III – Preliminary Plat
Subdivider's Statement

Mr. Miller,

In accordance with Section 38-8 (Preliminary Plat) of the City of Rockwall Code of Ordinances, the Breezy Hill Phase III development will comply with all the City ordinance requirements and conform to or exceed the standards for such improvements prescribed by the City.

Best Regards,

Bobby Samuel

CORWIN ENGINEERING, INC.
200 W. Belmont • Suite E • Allen, TX 75013
(972) 396-1200 • FAX (972) 396-4987

February 4, 2014

City of Rockwall
Planning & Development Services
385 S. Goliad Street
Rockwall, Texas 75087

RE: Breezy Hill Phases 3 & 4
City Project No.

The following is a list of proposed street names for the above referenced project. Please review and let us know which street names are acceptable.

Foxhall Drive
Ravenbank Drive
Lorion Drive
Catterick Drive
Meroo Drive
Drewsbury Drive
Seney Drive
Ketten Drive
Harwick Drive
Limmerhill Drive
Maybaum Drive
Kitts Drive
Forston Drive
Aulin Drive

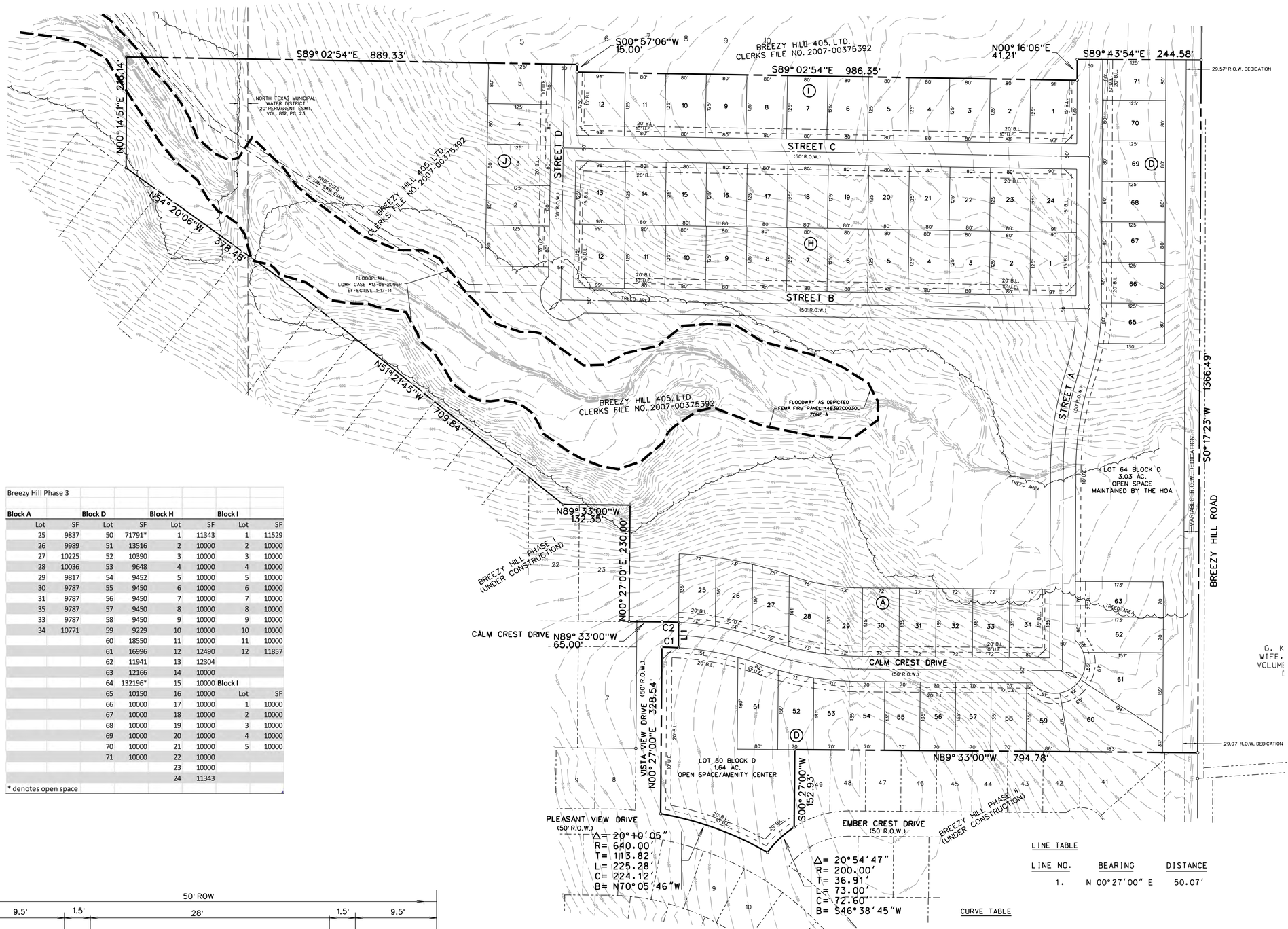
Chase Finch
Corwin Engineering, Inc.

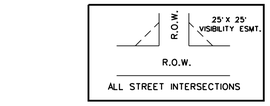
Reviewed for preliminary Approval:

Planning & Zoning Commission Chairman — Date

Approved for Preparation of Final Plat:

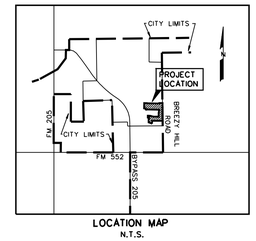
Mayor, City of Rockwall — Date





VISIBILITY EASEMENT DETAIL
N.T.S.

0 50 100 200
SCALE: 1" = 100'



LOT SUMMARY	
LOTS	
TYPE B	23
TYPE C	48

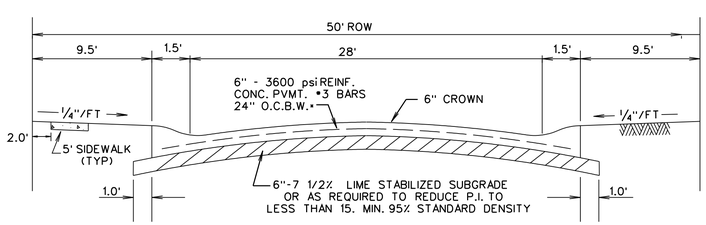
NOTE:

ALL OPEN SPACE AREAS WILL BE MAINTAINED BY THE HOA.

Breezy Hill Phase 3

Block A		Block D		Block H		Block I	
Lot	SF	Lot	SF	Lot	SF	Lot	SF
25	9837	50	71791*	1	11343	1	11529
26	9989	51	13516	2	10000	2	10000
27	10225	52	10390	3	10000	3	10000
28	10036	53	9648	4	10000	4	10000
29	9817	54	9452	5	10000	5	10000
30	9787	55	9450	6	10000	6	10000
31	9787	56	9450	7	10000	7	10000
35	9787	57	9450	8	10000	8	10000
33	9787	58	9450	9	10000	9	10000
34	10771	59	9229	10	10000	10	10000
		60	18550	11	10000	11	10000
		61	16996	12	12490	12	11857
		62	11941	13	12304		
		63	12166	14	10000		
		64	132196*	15	10000	Block I	
		65	10150	16	10000	Lot	SF
		66	10000	17	10000	1	10000
		67	10000	18	10000	2	10000
		68	10000	19	10000	3	10000
		69	10000	20	10000	4	10000
		70	10000	21	10000	5	10000
		71	10000	22	10000		
				23	10000		
				24	11343		

* denotes open space



TYPICAL PAVEMENT SECTION - LAYDOWN CURB
N.T.S.
*MIN. 6 1/2 SACK MIX IF HAND PLACED

LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	N 00°27'00" E	50.07'

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
1.	03°06'26"	600.00'	32.54'	16.27'	32.54'	S87°59'47"E
2.	02°52'05"	650.00'	32.54'	16.27'	32.53'	N88°06'57"W

LEGEND

B.L. - BUILDING LINE
U.E. - UTILITY EASEMENT
R.O.W. - RIGHT OF WAY
H.O.A. - HOMEOWNERS ASSOCIATION
◊ - STREET NAME CHANGE

Zoning: Planned Development District (PD-74)
Single Family Residential [Lot Type B & C]

TOTAL ACRES 48.247

TOTAL RESIDENTAL LOTS 71

DENSITY 1.47

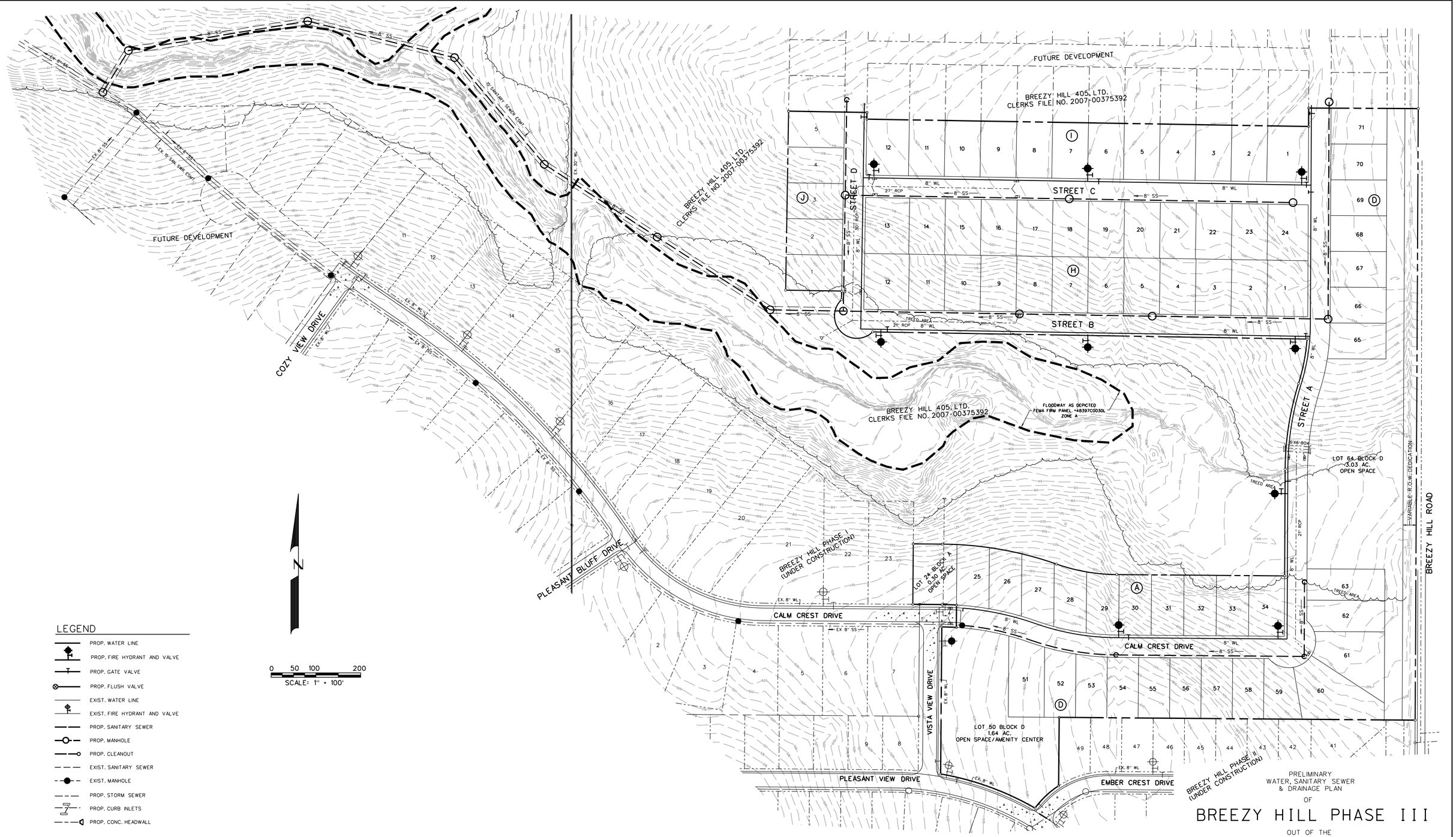
PRELIMINARY PLAT
OF
BREEZY HILL PHASE III
OUT OF THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER
BH PHASE III SF, LTD.
8214 WESTCHESTER DRIVE., SUITE 710
DALLAS, TEXAS 75225
214-522-4945

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

JANUARY 2014 SCALE 1" = 100'

CASE #P2014-001



LEGEND

- PROP. WATER LINE
- PROP. FIRE HYDRANT AND VALVE
- PROP. GATE VALVE
- PROP. FLUSH VALVE
- EXIST. WATER LINE
- EXIST. FIRE HYDRANT AND VALVE
- PROP. SANITARY SEWER
- PROP. MANHOLE
- PROP. CLEANOUT
- EXIST. SANITARY SEWER
- EXIST. MANHOLE
- PROP. STORM SEWER
- PROP. CURB INLETS
- PROP. CONC. HEADWALL

PRELIMINARY
WATER, SANITARY SEWER
& DRAINAGE PLAN
OF

BREEZY HILL PHASE III

OUT OF THE

J. STRICKLAND SURVEY, ABSTRACT NO. 187

IN THE

CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER

BH PHASE III SF, LTD.
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DALLAS, TEXAS 75225
214-522-4945

PREPARED BY

CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

JANUARY 2014 SCALE 1" = 100'

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 02/17/2014

APPLICANT: Skorburg Company

AGENDA ITEM: **P2014-002**; Breezy Hill, Phase IV

SUMMARY:

Discuss and consider a request by Bobby Samuels of the Skorburg Company representing BH Phase IV, SF, LTD. for the approval of a preliminary plat for 51 residential lots identified as Breezy Hill, Phase IV, being a 41.662-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74), generally situated north of FM-552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

PRELIMINARY PLAT INFORMATION:

- ✓ The Breezy Hill Subdivision is a master planned community that will provide approximately 405-acres of residential and commercial development. The residential subdivision will be composed of 691 single family lots on 345.8-acres of land, and be broken down per the lot mix indicated in Planned Development District 74 (PD-74). The lot mix in this Planned Development District is as follows:

Lot Types	*A*	*B*	*C*	*D*
Typical Lot Frontage *(Feet)*	60	70	80	100
Typical Lot Depth *(Feet)*	120	120	125	200
Minimum Lot Size *(Sq. Ft.)*	7,200	8,400	10,000	20,000
Number of Proposed Units	134	133	326	98
Dwelling Unit %	19.4	19.2	47.2	14.2

- ✓ The purpose of the applicant's submittal is to preliminary plat Phase IV of the Breezy Hill Subdivision and layout 51 of the 691 single family lots. The 51 proposed lots will be constructed to the *Type 'D'* standard (*all standards are displayed in the above table*). This portion of the development is intended to have a rural aesthetic and will incorporate a street section, which will utilize valley ditches in lieu of curbs that will running adjacent to a 28-foot street section (*a cross section of the proposed street section is shown of the preliminary plat*).

- ✓ In addition to the preliminary plat the applicant has also submitted a preliminary water, sanitary sewer and storm water plan establishing that the developer can provide adequate utilities to service the proposed phase.

- ✓ The proposed preliminary plat conforms to the Master Plat that was approved by the City Council on October 15, 2012 under *Case No. P2012-029*.

- ✓ On February 4, 2014 the Parks Board reviewed the proposed preliminary plat and recommended the following:

    1) The developer pay the pro-rata equipment fees required for District No. 7 in the amount of $16,269.00 [51 Lots @ $319.00 Per Lot], and

    2) The developer provides a ten (10') foot walking trail along John King Boulevard per the requirements of Planned Development District 74 (PD-74).

- ✓ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for preliminary plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the *Preliminary Plat* for *Phases IV* of the *Breezy Hill Subdivision* staff would recommend the following conditions of approval:

1) The *Preliminary Plat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;

2) In conformance with Planned Development District 74 (PD-74) [*Ordinance No. 12-26*] a *PD Site Plan* shall be submitted and approved prior to the submittal of a final plat;

3) A Treescape Plan for the entire phase shall be required to be submitted with the Final Plat;

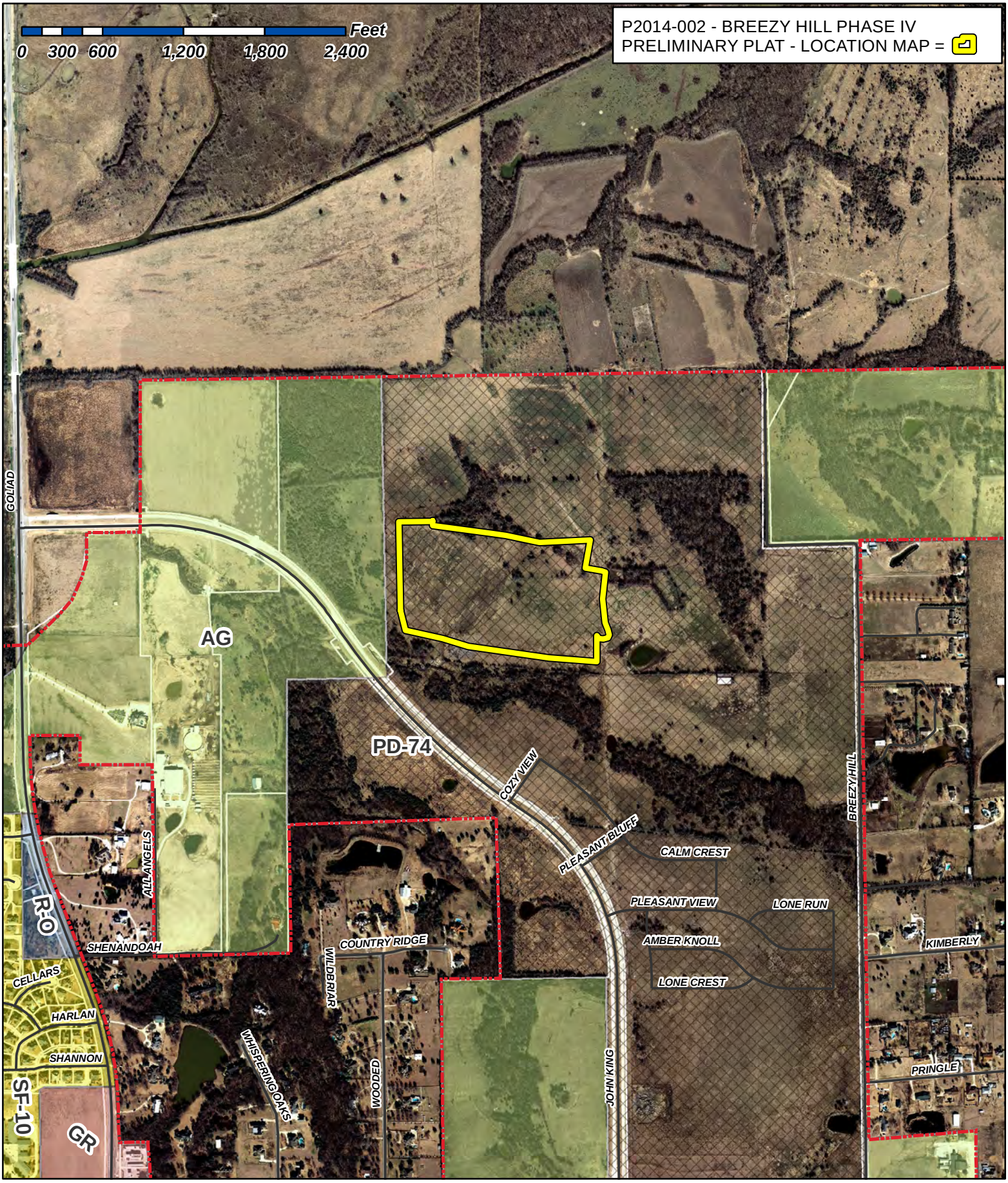
4) A final submittal of the Preliminary Plat shall be submitted to the Planning Department indicating all outstanding comments and labeling all street names prior to any future submittals;

5) The Preliminary Plat shall conform to the recommendations made by the Parks Board; and,

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

PLANNING & ZONING COMMISSION:

On February 11, 2014, the City Council approved the preliminary plat per staff's recommendations by a vote of 6 to 0, with Commissioner Minth absent.



City of Rockwall

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

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1:11,000

BH Phase IV SF, Ltd.

By BH Phase IV SF GP Corporation
8214 Westchester Drive, Suite 710, Dallas, Texas 75225
*Phone: 214-522-4945 * Fax: 214-522-7244*

February 3, 2014

Mr. Ryan Miller
Planning Manger
City of Rockwall
385 S. Goliad
Rockwall, TX 75087

Re: Breezy Hill Phase IV – Preliminary Plat
Subdivider's Statement

Mr. Miller,

In accordance with Section 38-8 (Preliminary Plat) of the City of Rockwall Code of Ordinances, the Breezy Hill Phase IV development will comply with all the City ordinance requirements and conform to or exceed the standards for such improvements prescribed by the City.

Best Regards,

Bobby Samuel

CORWIN ENGINEERING, INC.
200 W. Belmont • Suite E • Allen, TX 75013
(972) 396-1200 • FAX (972) 396-4987

February 4, 2014

City of Rockwall
Planning & Development Services
385 S. Goliad Street
Rockwall, Texas 75087

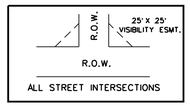
RE: Breezy Hill Phases 3 & 4
City Project No.

The following is a list of proposed street names for the above referenced project. Please review and let us know which street names are acceptable.

Foxhall Drive
Ravenbank Drive
Lorion Drive
Catterick Drive
Meroo Drive
Drewsbury Drive
Seney Drive
Ketten Drive
Harwick Drive
Limmerhill Drive
Maybaum Drive
Kitts Drive
Forston Drive
Aulin Drive

Chase Finch
Corwin Engineering, Inc.

Breezy Hill Phase 4							
Block A		**Block B**		**Block C**		**Block D**	
Lot	SF	Lot	SF	Lot	SF	Lot	SF
1	22712	1	25337	1	25780	1	23354
2	22222	2	20000	2	21293	2	20000
3	21000	3	20000	3	21293	3	20000
4	20000	4	20787	4	20746	4	20000
5	20000	5	20871	5	20761	5	20000
6	20959	6	20871	6	24009	6	20000
7	21015	7	20871	7	24009		
8	21015	8	20544	8	21866		
9	21015	9	20000	9	22000		
10	21015	10	20000	10	27012		
11	20474	11	22734				
12	20000	12	25728				
13	20000	13	21675				
14	20137	14	21675				
		15	23206				
		16	23700				
		17	22920				
		18	21678				
		19	23052				
		20	22007				
		21	22689				



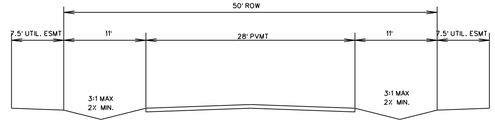
VISIBILITY EASEMENT DETAIL
N.T.S.

Reviewed for preliminary Approval:

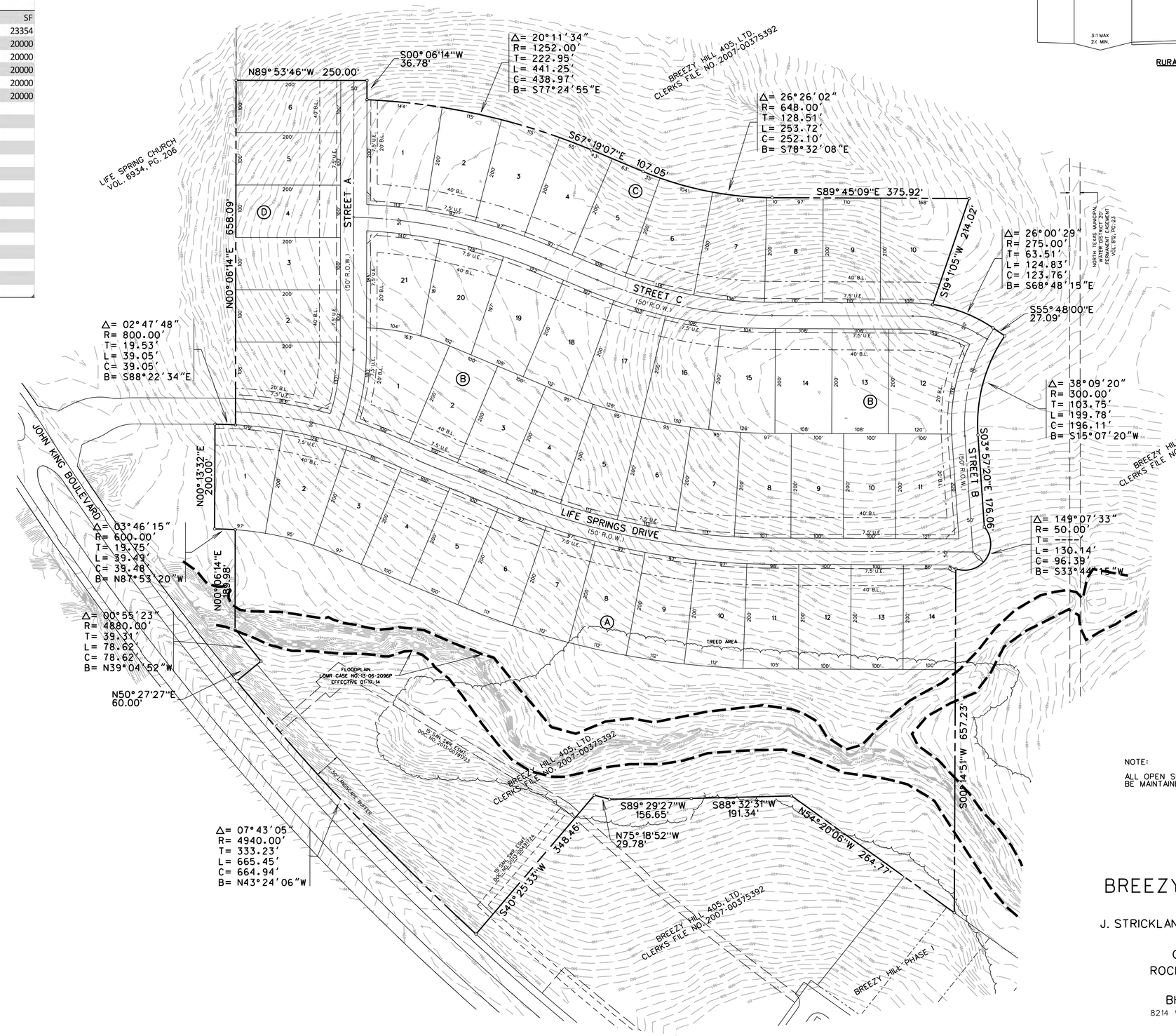
Planning & Zoning Commission Chairman — Date

Approved for Preparation of Final Plat:

Mayor, City of Rockwall — Date

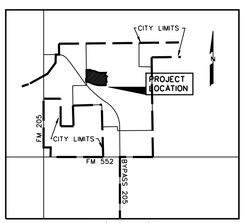


RURAL STREET SECTION
N.T.S.
100'x200' LOTS



LEGEND

B.L. - BUILDING LINE
R.O.W. - RIGHT OF WAY
H.O.A. - HOMEOWNERS ASSOCIATION
S.S.E. - SANITARY SEWER EASEMENT
D.E. - DRAINAGE EASEMENT
◊ - STREET NAME CHANGE



LOCATION MAP
N.T.S.

NOTE:

ALL OPEN SPACE AREAS WILL BE MAINTAINED BY THE HOA.

Zoning: Planned Development District (PD-74)
Single Family Residential[Lot Type D]

TOTAL ACRES 41.662

TOTAL RESIDENTAL LOTS 51

DENSITY 1.22

PRELIMINARY PLAT
OF
BREEZY HILL PHASE IV
OUT OF THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER
BH PHASE IV SF, LTD.
8214 WESTCHESTER DRIVE., SUITE 710
DALLAS, TEXAS 75225
214-522-4945

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

JANUARY 2014 SCALE 1" = 100'

CASE #P2014-002

LEGEND

- PROP. WATER LINE
- PROP. FIRE HYDRANT AND VALVE
- PROP. GATE VALVE
- PROP. FLUSH VALVE
- EXIST. WATER LINE
- EXIST. FIRE HYDRANT AND VALVE
- PROP. SANITARY SEWER
- PROP. MANHOLE
- PROP. CLEANOUT
- EXIST. SANITARY SEWER
- EXIST. MANHOLE
- PROP. STORM SEWER
- PROP. CURB INLETS
- PROP. CONC. HEADWALL



PRELIMINARY
WATER, SANITARY SEWER
AND STORM PLAN
OF

BREEZY HILL PHASE IV

OUT OF THE

J. STRICKLAND SURVEY, ABSTRACT NO. 187

IN THE

CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNERS

BH PHASE IV SF, LTD.
8214 WESTCHESTER DRIVE., SUITE 710
DALLAS, TEXAS 75225
214-522-4945

PREPARED BY

CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

JANUARY 2014 SCALE 1" = 200'

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 02/17/2014

APPLICANT: Wayne Mershawn

AGENDA ITEM: **SP2014-002**; Pro Soap Distribution Center

SUMMARY:

Discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf of Billy Self of Pro Soap, Inc. for the approval of a site plan for a warehouse facility on a 2.03-acre parcel of land identified as Lot 2 of the DBK Addition, Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of IH-30 west of Corporate Crossing, and take any action necessary

(Note: 3/4 vote by City Council required for approval of variances to IH-30 OV District)

BACKGROUND INFORMATION:

Wayne Mershawn of Mershawn Architects has submitted an application on behalf of Billy Self, owner of Pro Soap, for site plan approval of a 19,500 sq. ft. distribution center. The proposed facility is to be located on a 2.03-acre vacant lot that is adjacent to and is southeast of the Pro Soap business, which is currently being used for boat storage. The lot is identified to be within the IH-30 Overlay District (IH-30 OV) and is subject to the standards established within this district; however, the lot is approximately 300-ft from the IH-30 service road and approximately an additional 75-ft from IH-30. Due to the distance and limited visibility from IH-30, the applicant is requesting exterior material, building articulation, and the minimum 10-ft high screening wall as variances for the proposed distribution center.

VARIANCE REQUEST(S):

Based on the IH-30 OV district requirements and the general location of the proposed 19,500 sq. ft. distribution center, the applicant is requesting variances for the exterior materials, the 10-ft. screening wall for the loading dock, and the four articulated elements associated with the building's design. The requested variances are to allow for:

1) Not meeting the minimum 90% masonry requirement including 20% natural or quarried stone for the south, east and west exterior elevations by allowing prefabricated metal finished panels on these particular elevations, and;

2) Not meeting the minimum 10-ft solid wall screening requirement for loading docks and allowing for the living screen as depicted in the landscape plan submitted, and;

3) Not meeting the articulated building design standards by allowing for a linear designed building envelope with a non-articulated gable roof.

Under Sec. 6.6, IH-30 OV district, the UDC provides as follows:

G. Variance.

The City Council may, upon request from the applicant, grant a variance to any provision of this section where unique or extraordinary conditions exist or where strict adherence to the provisions of this section would create a hardship. Approval of any variance to any provision of this section shall require city council approval by a three-quarter majority vote of those city council members present with a minimum of four affirmative votes.

Staff would point out that the majority of the existing buildings surrounding the proposed property are also metal buildings, many of which existed prior to annexation of the area. The proposed 19,500 sq. ft. building is generally screened from east bound IH-30 traffic by several of the surrounding buildings and will be screened from the IH-30 service road as well as by the existing Pro Soap landscaping. Staff would point out that given the limited visibility and the general location of the property, being approximately 300-ft from the IH-30 service road and to the rear of an existing building located north of this particular lot, the proposed variances remain a discretionary action for the Planning and Zoning Commission and City Council.

RECOMMENDATIONS:

On January 28, 2014, the ***Architectural Review Board (ARB)*** recommended the applicant incorporate an evergreen tree/shrub (e.g. Leyland cypress) in an effort to screen the building from IH-30 and to incorporate a mixture of dark stone (matching the existing Pro Soap building) and light stone on the north elevation to provide relief and a unified development scheme.

If approved, staff would offer the following conditions:

1. Adherence to all engineering and fire department standards.
2. Submittal and approval of a building permit.
3. Submittal and approval of replat.
4. Consider recommendations forwarded to the Planning and Zoning Commission from the Architectural Review Board.

Site Plan:
The plan meets the intent of the Unified Development Code as submitted.

Landscape Plan:
The plan meets the intent of the Unified Development Code as submitted.

Building Elevations:

1. With the exception of the variances requested, the proposed building meets the intent of the Unified Development Code.

Photometric Plan:

1. Review and approval by staff of a photometric plan that meets City standards for light levels at the property lines. Lighting levels along the east property line exceed 0.2-FC. Also, removal of the statement from the photometric plan "The calculated foot-candle....We make no claims of compliance with any local or state lighting codes." Photometric plans are to comply with City of Rockwall lighting standards.

Other that the item listed above, the plan meets the intent of the Unified Development Code as submitted.

It should be noted that prior to the P&Z meeting, the applicant has submitted a photometric plan in compliance with the Unified Development Code and has been included with this staff report*

Planning and Zoning Recommendation:

On February 11, 2014, the Planning and Zoning Commission approved the Site Plan request, and recommended approval of the requested variances to the IH-30 Overlay District to allow for:

1) Not meeting the minimum 90% masonry requirement including 20% natural or quarried stone for the south, east and west exterior elevations by allowing prefabricated metal finished panels on these particular elevations, and;

2) Not meeting the minimum 10-ft solid wall screening requirement for loading docks and allowing for the living screen as depicted in the landscape plan submitted, and;

3) Not meeting the articulated building design standards by allowing for a linear designed building envelope with a non-articulated gable roof.

Furthermore (and based on the applicant's written proposal), the Planning and Zoning Commission recommended the application of a stone finish to the exiting Pro Soap buildings' east facing facade incorporating a unified development scheme with the proposed north elevation of the new facility by a vote of 5 to 1 (Nielsen - against & Minth - absent).



City of Rockwall

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

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MERSHAWN
ARCHITECTS

Robert LaCroix
Planning and Zoning Department
City of Rockwall
Rockwall, Texas

December 20, 2013

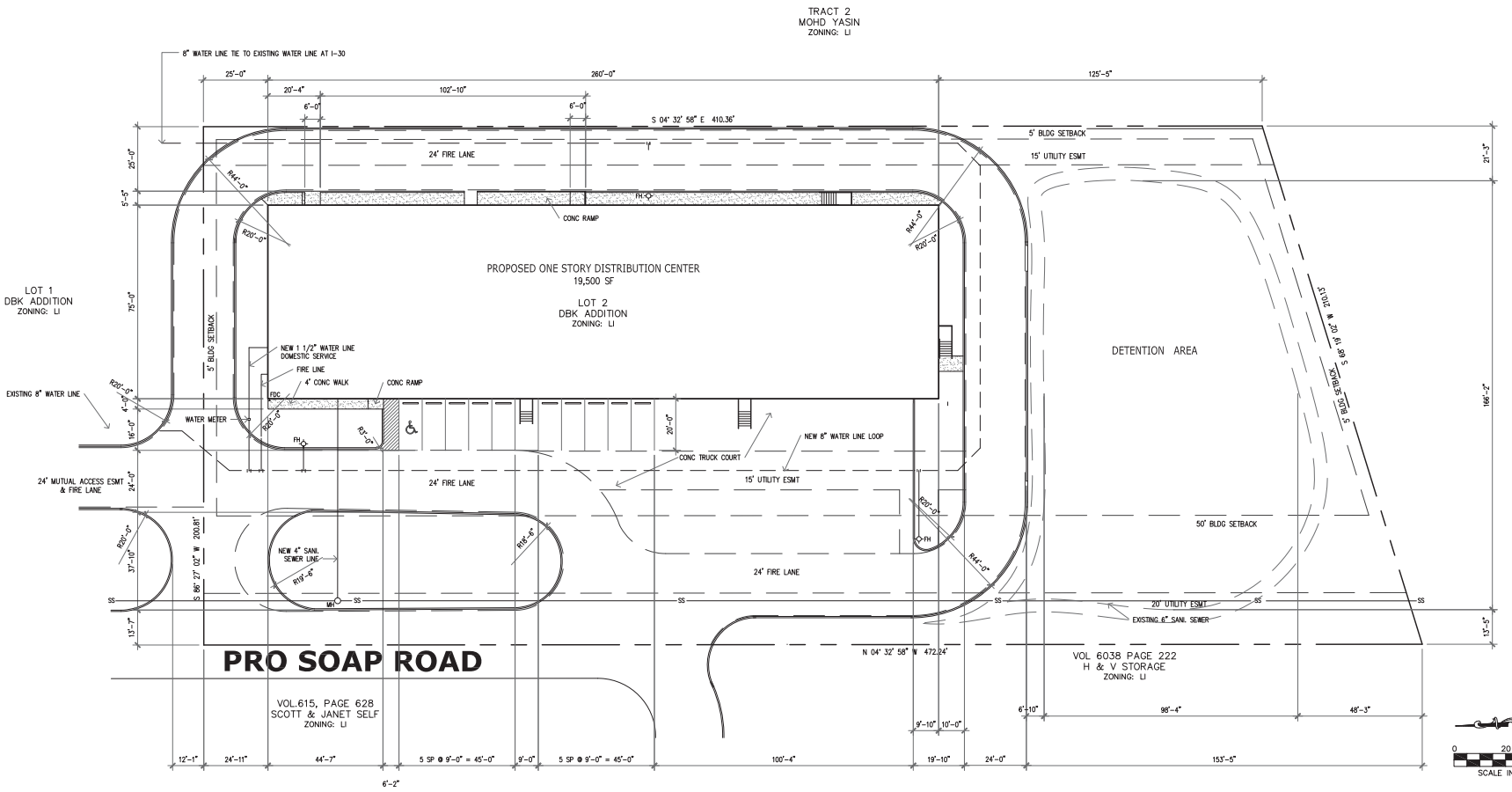
LETTER OF VARIANCE

As the acting agents for Billy Self, owner of ProSoap; we respectfully request A variance on the I-30 overlay district ordinances as listed below.

1. Variance for the current masonry requirement. We propose to meet the requirement on the north side of the building facing I-30, however due to the distance and reduced visibility from I-30 we are proposing prefinished metal wall panels on the east, west, and south elevations. In order to enhance the overall ProSoap building sites, we propose to remodel the east elevation of the existing ProSoap building which has greater visibility from I-30. Our proposal is to remove the existing metal building façade and replace with natural stone to blend with the existing north elevation and the proposed north elevation of the new building.
2. Variance for the requirement of four architectural elements in the design of the building and for the horizontal and vertical articulation requirment
3. Variance for the masonry dock screening and provide a living screen with Live Oak evergreen trees.

2313 Ridge Rd. #103, Rockwall, TX 75087 • 972-722-9302 PH • 972-722-9299 FAX

CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



PARKING DATA

DISTRIBUTION AREA 19,500 SF @ 1/2000 = 10

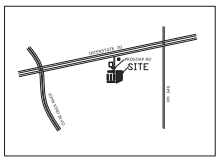
10 PARKING SPACES REQUIRED

10 PARKING SPACES PROVIDED

DBK ADDITION

BEING A 2.03 AC. TRACT OF LAND SITUATED IN THE JOHN LOCKHART SURVEY, ABST. NO. 134 IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER
SCOTT SELF
1800 INTERSTATE 30
ROCKWALL, TEXAS 75087
469-776-7687



PRICING & CONSTRUCTION GENERAL NOTES:

1. THESE DRAWINGS ARE DIAGRAMMATIC IN NATURE AND ARE NOT INTENDED TO INDICATE EACH AND EVERY FITTING, OFFSET, OR OTHER APPURTENANCE NECESSARY TO COMPLETE THE SYSTEM.
2. IT IS THE CONTRACTOR'S RESPONSIBILITY TO REVIEW THE DOCUMENTS AND INCLUDE ALL NECESSARY ITEMS TO PROVIDE A COMPLETE OPERATIONAL SYSTEM.
3. ANY DISCREPANCIES NOTED BY THE CONTRACTOR SHALL BE BROUGHT TO THE ATTENTIONS OF THE ARCHITECT (IN WRITING) BEFORE BIDDING THIS PROJECT.
4. AFTER BIDS ARE TURNED IN, THE CONTRACTOR SHALL COMPLETE THE SYSTEMS AT NO ADDITIONAL COST.

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CHURCHES
MERSHAWN ARCHITECTS
2313 RIDGE ROAD #103
ROCKWALL, TEXAS 75087
PHONE: 972-722-9302
FAX: 972-249-3381

No.	Date	Revision	By

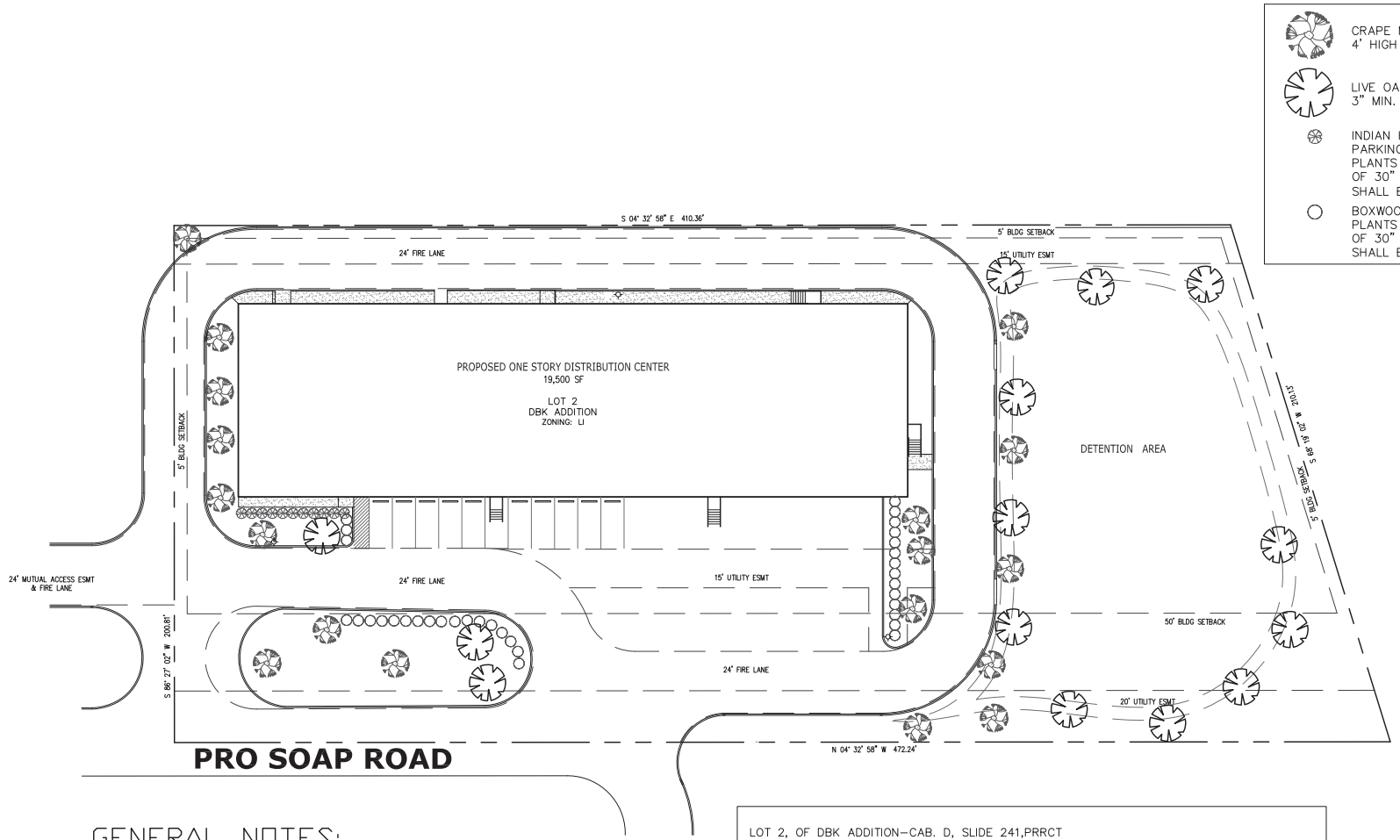
PRO SOAP
ROCKWALL, TEXAS

SITE PLAN

Scale:	1" = 20'-0"
Date:	MM/DD/YEAR
Project No.:	130913
Designed:	GW
Drawn:	GW
Checked:	MM

SHEET A1 OF 14

CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



GENERAL NOTES:

1. VERIFY ALL UTILITIES BEFORE CONSTRUCTION.
2. EA. SUB-CONTRACTOR SHALL COORDINATE AND CALL FOR ALL INSPECTIONS W/TESTING LAB, OWNER WILL PAY FOR TESTING
3. LABS. ALL BUILDING ENTRANCES AND EXITS SHALL BE HANDICAP ACCESSIBLE; SIDEWALK AND RAMP SLOPES SHALL NOT EXCEED THE MAXIMUM REQUIRED SLOPE NOT REQUIRING HANDRAILS, SEE TAS NOTES & DETAILS.
4. LANDSCAPE SUBCONTRACTOR SHALL PROVIDE STABILIZATION OF ALL DISTURBED AREAS.
5. ALL AREAS NOT SHOWN AS SPECIFIC PLANT MATERIAL SHALL BE HYDROMULCHED BERMUDA, EXCEPT FOR UNDISTURBED SITE AREA.
6. NO TREES SHALL BE PLANTED WITHIN 5'-0" OF ANY UTILITIES.

LOT 2, OF DBK ADDITION-CAB. D, SLIDE 241,PRRCT

1. PROPOSED USE:- DISTRIBUTION CENTER
2. PROPERTY AREA: 88,618.0 SF OR 2.03 ACRES
3. BUILDING AREA: 19,500 SF
4. BUILDING HEIGHT: SINGLE STORY - 31'-3"
5. LOT COVERAGE: 22.00%
   F.A.R. = 0.22:1
6. PARKING REQUIRED: 19,500 SF DISTRIBUTION @ 1 SPACE PER 2,000 SF = 10
   10 SPACES REQUIRED
7. HANDICAP REQUIRED 1 ACCESSIBLE FOR 0-26 SPACES = 1 ACCESSIBLE
8. TOTAL PARKING PROVIDED: 10 SPACES
9. LANDSCAPE AREA REQUIRED: 13,293 SF
   LANDSCAPE AREA PROVIDED: 34,158 SF
10. TOTAL SQUARE FOOTAGE OF IMPERVIOUS SURFACE: 54,460 SF

0 20 40
SCALE IN FEET

PRICING & CONSTRUCTION GENERAL NOTES:

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ROCKWALL, TEXAS 75087
PHONE: 972-722-9302
FAX: 972-249-2381

No.	Date	Revision	By

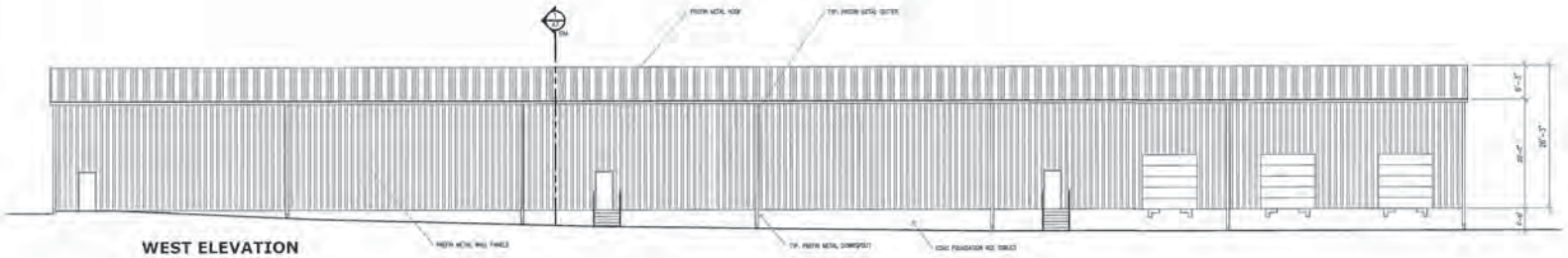
PRO SOAP
ROCKWALL, TEXAS

SITE PLAN

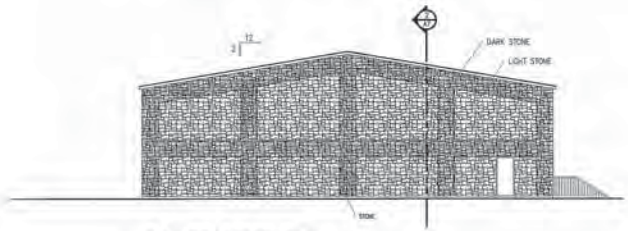
Scale:	1" = 20'-0"
Date:	MM/DD/YEAR
Project No.:	130913
Designed:	GW
Drawn:	GW
Checked:	WM

SHEET L1 OF 1

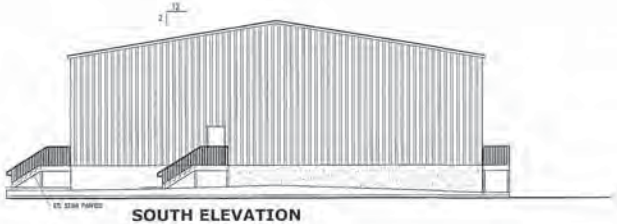
CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION



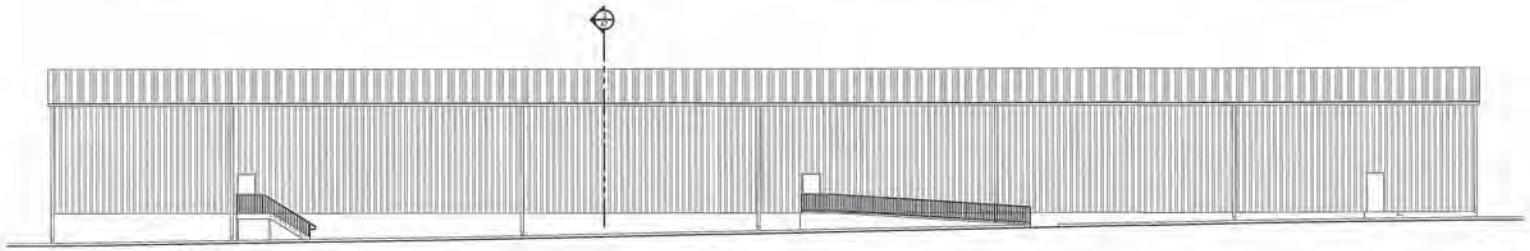
WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION

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FAX: 972-248-2091

No.	Date	Revision	By

PROSOAP
ROCKWALL, TEXAS

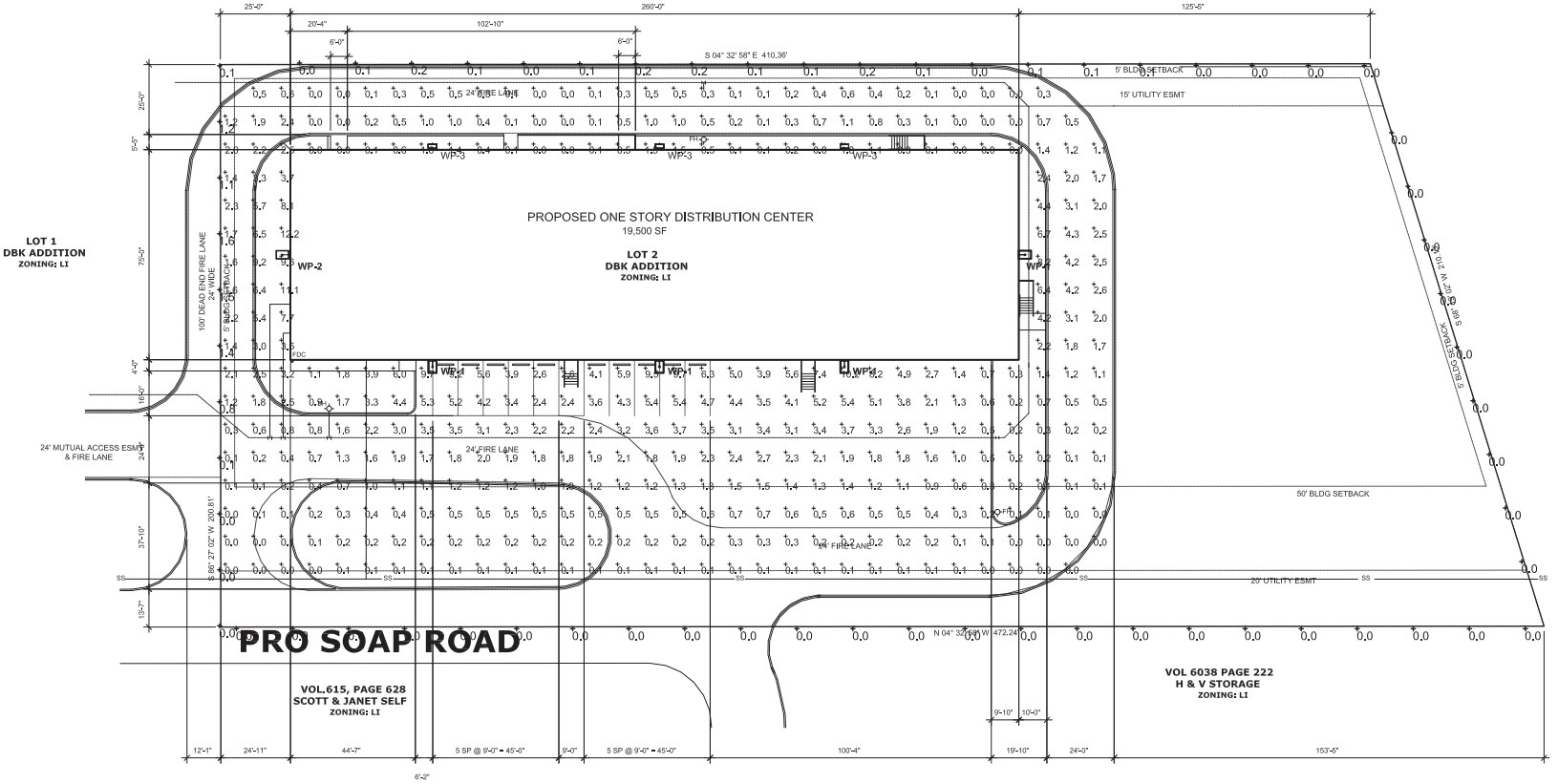
EXTERIOR ELEVATIONS

Scale:	3/32" = 1'-0"
Date:	MM/DD/YY
Project No:	13013
Designed:	DH
Drawn:	DH
Checked:	MM

SHEET A4 OF 14

TRACT 2
MOHD YASIN
ZONING: LI

CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



Fixture Schedule							
Symbol	Qty	Label	Arrangement	Total Lamp Lumens	Lum. Watts	LLF	Description
	4	WP-1	SINGLE	40000	452	0.800	MPTR-5S-400
	1	WP-2	SINGLE	40000	452	0.800	MPTR-2S-400-HS
	3	WP-3	SINGLE	N.A.	21.4	0.864	XTOR2A

Calculation Summary									
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	PtSpcLr	PtSpcTb
Property Line	Illuminance	Fc	0.15	1.6	0.0	N.A.	N.A.	20	N.A.
Site @Finished Grade	Illuminance	Fc	1.63	12.2	0.0	N.A.	N.A.	10	10

Luminaire Location Summary						
LumNo	Label	X	Y	Z	Orient	Tilt
1	WP-1	187.065	257.021	18	270	0
2	WP-1	334.065	257.021	18	270	0
3	WP-1	268.065	257.021	18	270	0
4	WP-1	396	294.5	18	0	0
5	WP-2	136	294.5	18	180	0
6	WP-3	187.065	334.021	18	90	0
7	WP-3	334.065	334.021	18	90	0
8	WP-3	268.065	334.021	18	90	0

0 20 40
SCALE IN FEET

The calculated footcandle levels indicate luminaire performance based on the Information provided to Texas Lighting Sales, Inc.

February 05, 2014
Pro Soap Distribution Center
Revision 1
Rockwall, Texas

PRICING & CONSTRUCTION
GENERAL NOTES:

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ROCKWALL, TEXAS 75087
PHONE: 972-722-9302
FAX: 972-249-3381

No.	Date	Revision	By

PRO SOAP
ROCKWALL, TEXAS

PHOTOMETRIC PLAN

Scale: 1" = 20'-0"
Date: MM/DD/YEAR
Project No.: 130913
Designed: GW
Drawn: GW
Checked: WM
SHEET OF



EXISTING VIEW



RENDING OF PROPOSED VIEW

NEW BLDG IN DISTANCE WITH STONE FRONT FACE ONLY

STONE ADDED TO EXISTING BLDG. NEAR I-30

EXISTING BLDG. NEAR I-30 WITH ESTABLISHED GRASS & TREES



NO EXISTING SPRINKLER SYSTEM
FOR LANDSCAPED AREAS


EXISTING ESTABLISHED
GRASS & TREES & NO
EXISTING SPRINKLER SYSTEM
FOR LANDSCAPING.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Mary Smith, Assistant City Manager

DATE: February 14, 2014

SUBJECT: Request for Funding Allocation – U.S. Open Triathlon

Pacific Sports is proposing to bring the U.S. Open Triathlon to Rockwall in October 2014. Lifetime Fitness will not be continuing the Rockwall event in their multi-race series due in large part to costs to put on the event. The owner of Pacific Sports, Jack Caress, was the race organizer for the first U.S. Open triathlon in Rockwall and owns the rights to the U.S. Open name.

Pacific Sports has requested hotel tax funding to promote the 2014 event in Rockwall and to offset Harbor rental costs. Their request is for $17,400 of hotel tax funds and they will pay $14,400 to the City for Harbor rental fees. A preliminary draft of the agreement is attached for review as well. Negotiations haven't been finalized and the draft agreement is pending the City Attorney's review.

The Hotel/Motel Occupancy Tax budget is as follows:

Fund Balance carried forward	**$ 126,619**
Revenues budgeted	**275,000**
Allocated Funding	**(296,550)**
Projected Fund Balance	**$ 105,069**

The Hotel / Motel sub-committee has considered the request for funding and will make their recommendation during the Council meeting for the grant from Hotel Tax funds for $17,400 to Pacific Sports.

In addition, staff asks Council consider authorizing the City Manager to finalize negotiations and execute the agreement with Pacific Sports.

PROMOTIONAL AGREEMENT

This Promotional Agreement ("Agreement") is dated and effective as of February __, 2014 (the "Effective Date") and is entered into by and between Pacific Sports, LLC ("Pacific Sports"), whose address is 1590 N. Batavia Street, Suite 2 Orange, California 92867, and The City of Rockwall ("the City"), a municipal corporation, whose address is 385 S. Goliad Street, Rockwall, Texas 75087. Each of the foregoing is sometimes referred to in this Agreement individually as a "Party" or collectively as the "Parties."

WITNESSETH:

A. Pacific Sports is the producer of the U.S. Open Triathlon (the "Event").

B. Pacific Sports would like to produce the Event at the Harbor District in Rockwall, Texas in October of each year, working closely with the City to ensure the Event's success and longevity in Rockwall.

C. The Parties contemplate that the Event will preserve and perpetuate an economic benefit to the City (via city sales tax collections, room nights in local hotels, participant spending at local businesses), increased resident activity options, and promotion of the City as a desirable residential community and destination location and athletic venue to an attractive target market.

NOW THEREFORE, in consideration of the mutual promises and obligations set forth herein, the Parties hereto agree as follows:

1. **BENEFITS TO CITY**: Pacific Sports shall do the following for each year of the Event:

a) Produce a first class triathlon featuring an Olympic distance event, a Sprint distance event, a Super Sprint distance event, and a Kids triathlon. Pacific Sports shall have the right to modify the Event format at its sole discretion, upon notice to the City.

b) Feature the City's name, logo and website address in all significant advertising and promotional materials created for each year of the Event, including race brochures, t-shirts, posters and all other significant materials produced for the Event, as well as the Event website, which will provide a link to the City's website.

c) Designate the City as the Official Host City and Official Sponsor with respect to (b) immediately hereinabove.

d) Provide the City with twelve (12) entries, to be distributed at the City's sole discretion.

e) Promote local hotels on the Event website.

f) Meet with appropriate City personnel prior to the Event regarding race logistics and minimizing any negative impact on local area residents and businesses.

g) Work with the City in preparing an economic impact analysis for the Event and use the information obtained to maximize marketing opportunities for future Events.

2. **BENEFITS TO PACIFIC SPORTS**: The City shall provide Pacific Sports the following benefits for each year of the Event:

a) A cash sponsorship fee ("Sponsorship Fee") out of its bed tax funds or other tourism-related dollars or otherwise, subject to annual appropriation by the City. For the October 2014 Event, the Sponsorship Fee shall be Seventeen Thousand Four Hundred Dollars ($17,400), of which $14,400 will be paid to the City as a rental fee (the "Rental Fee") for the City-owned and/or City-operated land and facilities around the Harbor District for Pacific Sports' use of the area for the Friday through Sunday of the Event. The Rental Fee shall include all of the City-owned and/or City-operated areas and venues needed for the swim segment (including the boat docks and the area surrounding the light house), the transition area (contemplated to be the land area adjacent to the Hilton Bella Harbor), the finish line area, the venue for the post-Event celebration, and the areas needed for the sponsor/vendor expo for the Saturday of the Event. The remainder of the Sponsorship Fee will be used exclusively for marketing and promotion of the Event. This will include website and/or logo development and Event advertising and promotion. The Sponsorship Fee will increase to Eighteen Thousand Five Hundred Dollars ($18,500) for the 2015 Event, subject to appropriation by the City, and will be renewed for successive one (1) year periods upon the mutual agreement of the Parties hereto as an addendum to this Agreement.

b) The City shall waive all permit fees and assist Pacific Sports in obtaining all required approvals and consents.

c) The City is unable to donate the ballroom and meeting rooms at the Hilton Bella Harbor Hotel for the 2014 Event. However, the City will endeavor to allocate one (1) of its free uses of the Hilton Bella Harbor Hotel ballroom and meeting space for the weekend of the Event for each year of the Event after 2014.

d) The City will provide a minimum of 300 cones plus road crews for setting out the cones along the course route, water department services, hydrant water, and post-race street sweeping at no charge to Pacific Sports. The City will also provide signage to advertise the Event in the months leading up to the Event. After each Event, the Parties will discuss what additional supplies, if any, can be purchased by the City to be used by Pacific Sports at future Events.

e) The City shall provide all police personnel at cost to Pacific Sports.

f) The City will actively market the Event to its residents and local businesses. At a minimum, the City will prominently feature the Event on the "Events" tab of its website, as well as include the Events in the "Fun Guide." The Parties will work together to formulate a cohesive marketing plan for the Event.

3. **INSURANCE**: Pacific Sports will obtain customary event insurance for the Event.

4. **EVENT PROTECTION:** The Parties agree that they shall use their best efforts to protect the trademarks and goodwill associated with the Event. The City shall prohibit any triathlon of a comparable size as the Event from taking place at the Harbor District within 45 days of the Event.

5. **OWNERSHIP OF EVENT NAME:** Pacific Sports shall remain the sole owner of all rights in and to the Event.

6. **TERMINATION OF AGREEMENT**: Either Party may terminate this Agreement upon 270 days' written notice to the other Party. If the City terminates the Agreement for any reason, the City shall not produce nor allow any third party to produce a triathlon event at the Harbor District for one (1) year following the date of termination of the Agreement.

7. **RIGHT OF ASSIGNMENT**: The City agrees that Pacific Sports shall have the right to assign this Agreement to a limited liability company to be set up by Jack Caress exclusively for the Event.

8. **ADDITIONAL PROVISIONS**: This instrument sets forth the entire agreement between the Parties with respect to the subject matter hereof, supersedes any and all prior agreements, whether written or oral, and no modification, amendment, waiver, termination or discharge of any provision hereof shall be binding upon the Parties unless confirmed by a written instrument executed by the Party to be charged. No waiver by either Party of any term or provision of this Agreement or of any default hereunder shall affect any Party's right thereafter to enforce such term or provision, or to exercise any right or remedy in the event of any other default, whether or not similar. The Parties hereby represent and warrant that no statement, promise, representation or inducement, except as herein set forth, has been made on any Party's behalf, or by any of such Party's employees or representatives. Should any provision of this Agreement be held void or unenforceable, such provision shall be deemed severed and this Agreement, with such provision severed, shall remain in full force and effect to the extent permitted by law. This Agreement shall be construed in accordance with the laws of the State of Texas applicable to agreements entered into and to be performed in that state; and the Parties hereto hereby submit to the exclusive jurisdiction of the courts in Rockwall County, Texas. Headings are inserted for reference and convenience only and in no way define, limit or describe the scope of this Agreement or any intent of any provision.

9. **RELATIONSHIP**: This Agreement between the Parties does not constitute a joint venture or partnership of any kind.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the date first written above.

PACIFIC SPORTS, LLC	**THE CITY OF ROCKWALL**
By: Jack Caress, President	By: _____ Title: _____

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council

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

DATE: February 13, 2014

SUBJECT: Applicant for Main Street Advisory Board

Mayor Sweet is the council's designated representative for reviewing applicants and making recommendations to the full council regarding appointments to the Main Street Advisory Board. Mayor Sweet would like to recommend the council consider appointing the following resident to serve on the Main Street Advisory Board for an initial term to begin immediately and expire in January of 2016. If appointed, Mr. Matteson will take the place of Chris Cameron, whose term expired last month and who no longer wishes to serve.

Applicant Information:

Evan Matteson
202 Gretel Place
Rockwall, TX 75032
(in Chandler's Landing)

Moved to Rockwall in 1980 and lived here the entire time except while away at college. I graduated Baylor University with a double major in Entrepreneurship and Mgmt. of Info Systems. I owned a marketing company that sold in 2009. Since 2003 I've been a full time Realtor with Coldwell Banker Apex Realtors in Rockwall where we run The Matteson Group, a real estate consultant business with 5 agents. I'm an avid sailor, homebrewer and father of three daughters. I've been a member for last three years on the Chandlers Landing Environmental Committee.

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Hold work session to discuss open space dedication options as part of the development process, and take any action necessary.

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Multiple Myeloma Awareness Month

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Consider approval of the minutes from the February 17, 2014 regular city council meeting, and take any action necessary.

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P2014-006 - Consider approval of a request by Harold Fetty on behalf of Meldria Johnson for the approval of a replat for Lots 1 & 2, Block A, M & M Johnson Addition being a 0.37-acre parcel of land currently identified as a portion of Lot 3, Block H, Sanger Brothers Addition, zoned Multi Family-14 (MF-14) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, and located approximately 113-feet from the northeast corner of the intersection of Davy Crockett Street and Bourn Avenue, and take any action necessary.

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Consider approval of an ordinance establishing the speed limit along SH 205 from Darrin Drive to FM 552/Dalton Road at 50 miles per hour and take any action necessary. (2nd reading)

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Consider approval of an ordinance amending the Code of Ordinances in Chapter 32, Signs, Article I. In General and Article IV. Prohibited Signs, Sections 32-1 and 32-332 to amend regulations related to human signs, and take any action necessary. (2nd reading)

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Z2014-003 - Consider approval of an ordinance for a request by Charlie Rickerson for the approval of a Specific Use Permit to allow a detached garage with guest quarters/secondary living unit that will exceed the maximum permissible height for an accessory structure on a 0.40-acre parcel of land identified as Lot A, Block 117, B. F. Boydstun Addition, Rockwall, Rockwall County, Texas, also identified as a Landmarked Property, zoned Single Family 7 (SF-7) District, located at 109 St. Mary's Street, and take any action necessary. (2nd Reading)

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AGENDA
ROCKWALL CITY COUNCIL
Monday, March 03, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. (4:00 P.M.) WORK SESSION

p.8 **1. HOLD WORK SESSION TO DISCUSS OPEN SPACE DEDICATION OPTIONS AS PART OF THE DEVELOPMENT PROCESS, AND TAKE ANY ACTION NECESSARY.**

III. (5:00 P.M.) EXECUTIVE SESSION.

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

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding the appointment, evaluation and possible replacement for a member of a City Board pursuant to Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters).

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, March 03, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

VIII. PROCLAMATIONS / AWARDS

p.24 **1.** Multiple Myeloma Awareness Month

IX. OPEN FORUM

X. CONSENT AGENDA

p.26 **1.** Consider approval of the minutes from the February 17, 2014 regular city council meeting, and take any action necessary.

p.35 **2.** **P2014-006** - Consider approval of a request by Harold Fetty on behalf of Meldria Johnson for the approval of a replat for Lots 1 & 2, Block A, M & M Johnson Addition being a 0.37-acre parcel of land currently identified as a portion of Lot 3, Block H, Sanger Brothers Addition, zoned Multi Family-14 (MF-14) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, and located approximately 113-feet from the northeast corner of the intersection of Davy Crockett Street and Bourn Avenue, and take any action necessary.

p.40 **3.** Consider approval of an **ordinance** establishing the speed limit along SH 205 from Darrin Drive to FM 552/Dalton Road at 50 miles per hour and take any action necessary. **(2nd reading)**

p.48 **4.** Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 32, Signs, Article I. In General and Article IV. Prohibited Signs, Sections 32-1 and 32-332 to amend regulations related to human signs, and take any action necessary. **(2nd reading)**

p.51 **5.** **Z2014-003** - Consider approval of an **ordinance** for a request by Charlie Rickerson for the approval of a Specific Use Permit to allow a detached garage with guest quarters/secondary living unit that will exceed the maximum permissible height for an accessory structure on a 0.40-acre parcel of land identified as Lot A, Block 117, B. F. Boydstun Addition, Rockwall, Rockwall County, Texas, also identified as a Landmarked Property, zoned Single Family 7 (SF-7) District, located at 109 St. Mary's Street, and take any action necessary. **(2nd Reading)**

p.56 **6.** Consider approval of an amendment to the Youth Sports Coach's Eligibility Policy, and take any action necessary.

p.63 **7.** Consider approval of a variance request by the Rockwall Economic Development Corporation (REDC) to allow a 135 foot median opening on Justin Road west of the intersection of John King Boulevard and Justin Road, and take any action necessary.

p.68 **8.** Consider approval of a resolution authorizing the city manager to apply for and accept grant funding from the Violent Crimes Against Women (VCAW) Grant Program through the Criminal Justice Division of the Governor's Office for the creation of a Domestic Violence Investigator / Prevention Officer, and take any action necessary.

XI. APPOINTMENTS

p.71 **1.** Appointment with Mark Spencer of MHS Planning and Design to discuss and consider authorizing Phelps Lake park improvements and take any action necessary.

p.76 **2.** Appointment with Mr. Marlyn Roberts to discuss screening at his business located at 2325 S. Goliad, and take any action necessary.

XII. PUBLIC HEARING ITEMS

p.81 **1.** **Z2014-001** - Continue a public hearing to discuss and consider approval of an **ordinance** for a request by Tommy Pulliam on behalf of Rayburn Electric Cooperation, Inc. for the approval of a zoning change from Agricultural (Ag) District to a Heavy Commercial (HC) District for a 6.057-acre tract land identified as a portion of Tract 3-06 of the W. H. Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Agricultural (Ag) District, located on the south side of Sids Road west of S. Goliad Street (SH-205), and take any action necessary. **(1st Reading)**

XIII. ACTION ITEMS

p.93 **1.** Discuss and consider amending the FY 2013-14 Budget in the amount of $65,000 for Myers Park pool repairs and operating expenses, and take any action necessary.

p.96 **2.** Discuss and consider approval of budgeted Yellow Jacket Park improvements and take any action necessary.

p.98 **3.** Discuss and consider appointments to the city's Architectural Review Board and Main Street Advisory Board, and take any action necessary.

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

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p.152 Recreation Monthly Report - January 2014

2. City Manager's Report

XV. EXECUTIVE SESSION

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

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding the appointment, evaluation and possible replacement for a member of a City Board pursuant to Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters).

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

XVII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.
The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)
I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 28th day of February, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____
Kristy Ashberry, City Secretary Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Robert LaCroix

DATE: February 28, 2014

SUBJECT: Open Space Dedication

Recently an issue has surfaced with the newer residential subdivision developments within the City. This issue lies with the platting of the property and identifying open space/drainage areas as being maintained by the HOA (Home Owner's Association) but not dedicated to the City of Rockwall. At the time of platting of the property, the Chief Appraiser will make a determination that a "change of use" of the land has occurred. If a change of use is determined to have happened an additional tax is imposed on the land equal to the difference between the taxes imposed on the land for each of the five years preceding the year in which the change of use occurs that the land was appraised and the tax that would have been imposed had the land been taxed on the basis of the market value in each of those years, plus interest at an annual rate of seven percent calculated from the dates on which the differences would have become due. This is commonly known as "Rollback Taxes."

The Chief Appraiser is required to deliver a notice of the determination to the owner of the land as soon as possible after making the determination and shall include in the notice an explanation of the owner's right to protest the determination. If the owner does not file a timely protest or if the final determination of the protest is that the additional taxes are due then the taxes and interest are due to each taxing unit.

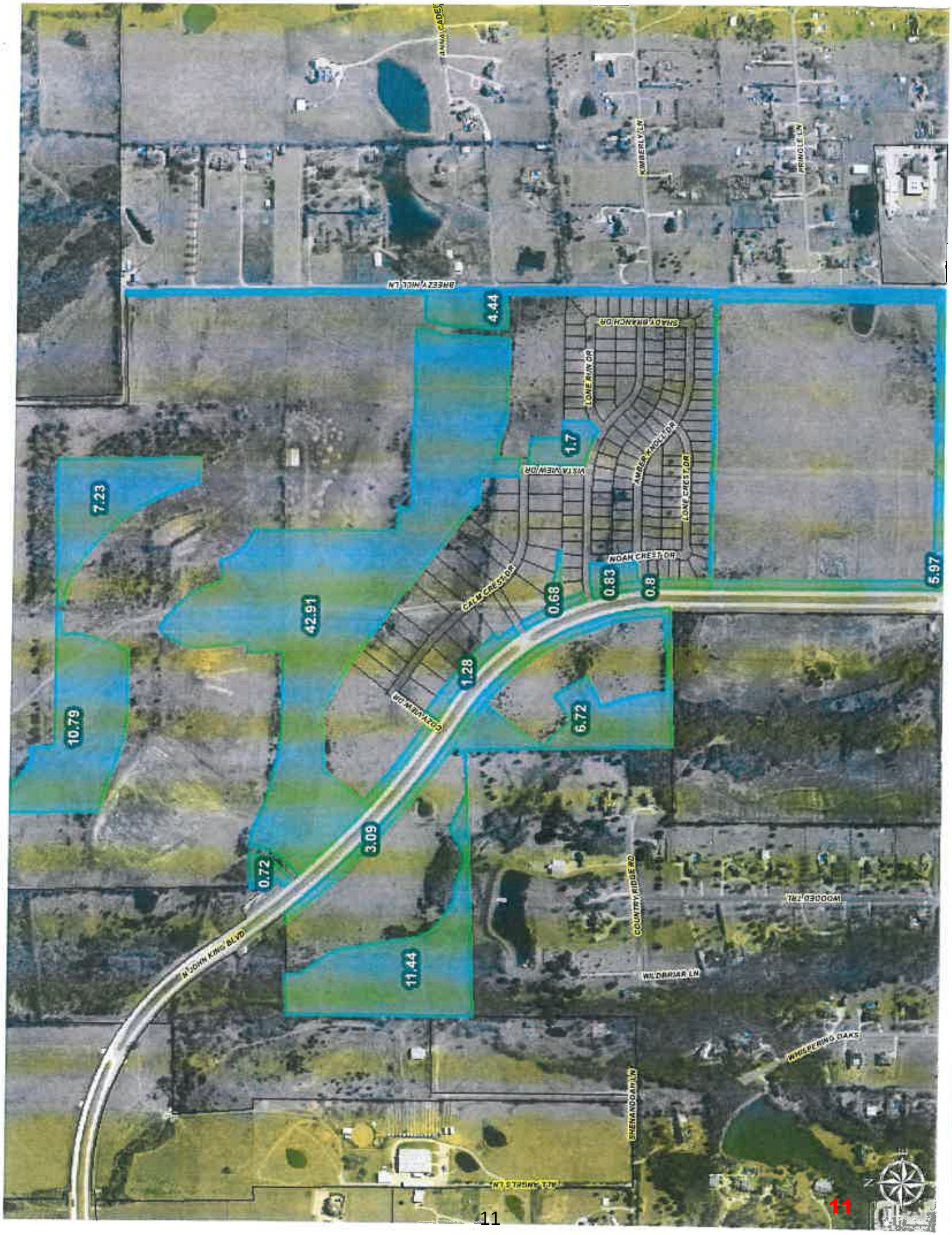
The Rockwall Appraisal District recently determined that a residential subdivision plat within the Stone Creek development, containing a large platted area of open space, was subject to the additional tax (rollback) inclusive of the open space being appraised at the higher market value. Because the "open space" was included in the plat but not directly dedicated to the City this additional tax was billed to the owner/developer. In the past the City has accepted residential plats with open/drainage space to be maintained by the HOA. However, there have been some issues with certain HOA communities with the responsibility of maintaining the space and the expectation that the City would accept some portion of the maintenance. In the past, the City has been involved in some of the cleanup and maintenance of these drainage open space areas where HOA's have been unable to fulfill the duty as prescribed by the subdivision plat. The

City has also been concerned about the sheer magnitude of the amount of drainage open space in the Rockwall jurisdiction. The City's ability to provide the minimum level of maintenance to existing open spaces could be a very large task if such maintenance was required due to flooding or other acts of nature. This would also be compounded if the expectation was that the City maintained all future dedicated drainage open space even though these areas are maintained by the HOA (homeowner's association) according to the plat. Beginning with the Stone Creek Subdivision, the City began a policy of not accepting drainage open space as a direct dedication to the City but rather as "drainage open space maintained by the HOA" basically so that the HOA and the homeowners would clearly understand that the City was not going to maintain the space.

Once the property is transferred to an HOA (Home Owner's Association) the Rockwall Appraisal District appraises the open space at the minimal value similar to agricultural use. The Chief Appraiser has stated to staff that if the open space is dedicated to the City on the plat that the additional tax (rollback) would not be assessed to the open space since the City is a taxing entity.

The staff is requesting direction from the Council on this question of whether to accept the drainage open space as a dedication to the City. Since there is no transaction of a deed the City will not actually have ownership but it would be treated in the same manner as a public easement.


PARK CENTRAL LN
N JOHN KING BLVD
NAVY RD
E QUAIL RUN RD
6.13
9.05
1.1
1.36
0.86
4.65
4.4
4.4
4.56
2.72
1.13
0.58
2.81
9.88
FEATHERSTONE DR
DEVERSON DR
BORDEAUX DR
MIRAMAR DR
HARVARD DR
HANOVER DR
YORK DR
2.57
8.19
0.54
0.25
STONE CREEK DR
1.22
BARRYMORE DR
HAINSWORTH DR
0.68
10.46
6.26
BARLASS DR
N GOLIAD ST
OAK BEND DR
RANDOM OAKS DR
MIDDEN OAK LN
W QUAIL RUN RD
DALTON RD
OAK HOLLOW LN
BEAR BRANCH CT
RIDGE ROAD WEST
CREEKSIDE DR
MUNFIELD AV
LACEBARK LN
10



BREEZY HILL LN
SHADY BRANCH DR
LONE RUN DR
VISTA VIEW DR
AMBER KNOLL DR
LONE CREST DR
NOAH CREST DR
CALM CREST DR
COZY VIEW DR
COUNTRY RIDGE RD
WOODED TRL
WILDBRIAR LN
WHISPERING OAKS
SHENANDOAH LN
ALL ANGELS LN
M JOHN KING BLVD
4.44
1.7
7.23
42.91
10.79
0.68
0.83
0.8
5.97
1.28
6.72
3.09
0.72
11.44

Breezy Hill 405, Ltd.
By Breezy Hill 405 GP Corporation
8214 Westchester Drive, Suite 710
Dallas, Texas 75225

February 24, 2014

City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

Attention:
Mr. Robert LaCroix, Director of Planning
Mr. Ryan Miller, Planning Manager

Re: Breezy Hill Estates property taxes & rollback taxes for future open space land

Dear Mr. LaCroix and Mr. Miller:

In follow up to our discussions and meetings with Mr. Helm of the Rockwall Central Appraisal District ("RCAD"), and as requested, this letter summarizes the unforeseen economic burden that our partnership will experience in the event the City does not accept the dedication of the planned open space areas within Stone Creek subdivision.

As of the date of this letter, there is currently a total of +/- 52.98 acres of open space land that is planned to be dedicated within Breezy Hill Estates.

When the City informed us that they would not accept the open space dedication of the +/- 12.12 acres with the Phase IV final plat of our Stone Creek Estates community, we realized we need to request the City to reconsider the position as disallowing the dedications will also have a material impact on our Breezy Hill Estates master plan.

"Exhibit A" of this letter contains the rollback tax bill for Phase I of Breezy Hill Estates, which amounted to $42,935 on 21.857 acres, or $1,964 per acre.

Estimated financial impact of rollback taxes going forward on Breezy Hill Estates

Based on 52.98 acres remaining of open space in Breezy Hill Estates and on a $1,964 per acre rollback assessment, and unless the City agrees to allow us to dedicate the open spaces to the City with our plats, we extrapolate that we will incur unforeseen rollback taxes of approximately $104,000.

Phone 214-888-8843 abuczek@skorburgcompany.com Fax 214-522-7244

Breezy Hill 405, Ltd.
By Breezy Hill 405 GP Corporation
8214 Westchester Drive, Suite 710
Dallas, Texas 75225

Estimated financial impact of loss of tax deduction as a result of not being allowed to dedicate open space land to the City of Rockwall

If we are unable to dedicate open space land to the City, our banks and partners who have lent and invested in our partnership will no longer be able to receive a tax deduction for the open space land dedications. The current estimated impact to our partnership based on the remaining +/- 52.98 acres of open space land is approximately $465,000.

Between both items, the total estimated unforeseen financial impact to Breezy Hill Estates (if the City will not accept dedications of open space) is approximately $569,000.

We understand the City is concerned about the ongoing maintenance of the open space areas; however, we will continue to include the exact language on the final plats of each phase that will make it the HOA's obligation to maintain the open space areas at its expense as directed by the City.

Please do not hesitate to contact our office should you have any questions.

Sincerely,

Breezy Hill 405, Ltd., a Texas limited partnership
By: Breezy Hill 405 GP Corporation, a Texas corporation, its general partner

By: _____
Adam J. Buczek, Director

Phone 214-888-8843 abuczek@skorburgcompany.com Fax 214-522-7244

Property ID: 84386

Exhibit "A" - RS 184

Geographic ID:

Legal Acres:

Legal Description:

Owner: (1059085) BH PHASE I SF LTD
8214 WESTCHESTER DRIVE
SUITE 710
DALLAS, TX 75225

Pct Ownership: 100.0000000000

Year	Stmnt ID	Taxing Unit	Taxable Value	Tax Rate	Base Tax	Total Due If Paid in May 2013	Total Due If Paid in June 2013	Total Due If Paid in July 2013
2008	42614	ROCKWALL ISD	309,167.00	1.470000	$5,997.71	$5,997.71	$5,997.71	$5,997.71
2008	42614	ROCKWALL COUNTY	309,167.00	0.375000	$1,530.03	$1,530.03	$1,530.03	$1,530.03
2008	42614	CITY OF ROCKWALL	309,167.00	0.503100	$2,052.69	$2,052.69	$2,052.69	$2,052.69
2009	42614	ROCKWALL ISD	309,167.00	1.470000	$5,679.58	$5,679.58	$5,679.58	$5,679.58
2009	42614	ROCKWALL COUNTY	309,167.00	0.375000	$1,448.87	$1,448.87	$1,448.87	$1,448.87
2009	42614	CITY OF ROCKWALL	309,167.00	0.503100	$1,943.81	$1,943.81	$1,943.81	$1,943.81
2010	42614	ROCKWALL ISD	309,167.00	1.470000	$5,361.44	$5,361.44	$5,361.44	$5,361.44
2010	42614	ROCKWALL COUNTY	309,167.00	0.386400	$1,409.30	$1,409.30	$1,409.30	$1,409.30
2010	42614	CITY OF ROCKWALL	309,167.00	0.503100	$1,834.92	$1,834.92	$1,834.92	$1,834.92
2011	42614	ROCKWALL ISD	309,167.00	1.470000	$5,043.31	$5,043.31	$5,043.31	$5,043.31
2011	42614	ROCKWALL COUNTY	309,167.00	0.386400	$1,325.67	$1,325.67	$1,325.67	$1,325.67
2011	42614	CITY OF ROCKWALL	309,167.00	0.503100	$1,726.05	$1,726.05	$1,726.05	$1,726.05
2012	42614	ROCKWALL ISD	309,167.00	1.470000	$4,725.18	$4,725.18	$4,725.18	$4,725.18
2012	42614	ROCKWALL COUNTY	309,167.00	0.386400	$1,242.05	$1,242.05	$1,242.05	$1,242.05
2012	42614	CITY OF ROCKWALL	309,167.00	0.502500	$1,615.24	$1,615.24	$1,615.24	$1,615.24
				Total:	42,935.85	$42,935.85	$42,935.85	$42,935.85

Rollback on 21,857

IF YOU ARE 65 YEARS OF AGE OR OLDER OR ARE DISABLED AND YOU OCCUPY THE PROPERTY DESCRIBED IN THIS DOCUMENT AS YOUR RESIDENCE HOMESTEAD, YOU SHOULD CONTACT THE APPRAISAL DISTRICT REGARDING ANY ENTITLEMENT YOU MAY HAVE TO A POSTPONEMENT IN THE PAYMENT OF THESE TAXES.

DALLAS, TX 75225

ROCKWALL, TX 75087
Phone: 972-771-2034
972-635-9351

Exhibit A - pg. 264

Legal: A0187 J STRICKLAND, A0190 J SIMMONS, A0030TR BAILEY TRACT 7-02, ACRES

Prop ID: 84386

GEO ID: 0187-0000-0007-02-0R

Ref ID 2: R12297

Change of Use Date: 05/01/2013

Statement Date: 10/05/2012

Formula1: (Market Value per acre - Ag Value per acre) * Acres = Rollback Taxable
Formula2: (Rollback Taxable * Tax Rate * Interest Rate) = Rollback Tax

Rollback Type: 1-D-1 Status: C - Completed
Entity: (CRW) CITY OF ROCKWALL

Year	Market Value	Ag Value	Acres	Rollback Taxable	Tax Rate	Interest Rate	Rollback
2012	$14250.00	$105.00	21.8570	$309,167.27	0.5025	1.0397	$1,615
2011	$14250.00	$105.00	21.8570	$309,167.27	0.5031	1.1097	$1,726
2010	$14250.00	$105.00	21.8570	$309,167.27	0.5031	1.1797	$1,834
2009	$14250.00	$105.00	21.8570	$309,167.27	0.5031	1.2497	$1,943
2008	$14250.00	$105.00	21.8570	$309,167.27	0.5031	1.3197	$2,052
						Rollback Tax Total:	$9,17

Rollback Type: 1-D-1 Status: C - Completed
Entity: (GRW) ROCKWALL COUNTY

Year	Market Value	Ag Value	Acres	Rollback Taxable	Tax Rate	Interest Rate	Rollback
2012	$14250.00	$105.00	21.8570	$309,167.27	0.3864	1.0397	$1,242
2011	$14250.00	$105.00	21.8570	$309,167.27	0.3864	1.1097	$1,325
2010	$14250.00	$105.00	21.8570	$309,167.27	0.3864	1.1797	$1,409
2009	$14250.00	$105.00	21.8570	$309,167.27	0.3750	1.2497	$1,448
2008	$14250.00	$105.00	21.8570	$309,167.27	0.3750	1.3197	$1,530
						Rollback Tax Total:	$6,95

Rollback Type: 1-D-1 Status: C - Completed
Entity: (SRW) ROCKWALL ISD

Year	Market Value	Ag Value	Acres	Rollback Taxable	Tax Rate	Interest Rate	Rollback
2012	$14250.00	$105.00	21.8570	$309,167.27	1.4700	1.0397	$4,725
2011	$14250.00	$105.00	21.8570	$309,167.27	1.4700	1.1097	$5,043
2010	$14250.00	$105.00	21.8570	$309,167.27	1.4700	1.1797	$5,361
2009	$14250.00	$105.00	21.8570	$309,167.27	1.4700	1.2497	$5,679
2008	$14250.00	$105.00	21.8570	$309,167.27	1.4700	1.3197	$5,997
						Rollback Tax Total:	$26,80

Rockwall Central Appraisal District

Ray E. Helm Chief Appraiser
841 Justin Road
Rockwall, Texas 75087
972-771-2034/972-635-9351
Fax 972-771-6871

"Exhibit A" - pg. 36 4

DATE: May 15, 2013

PROPERTY OWNER: BH PHASE I SF LTD
8214 WESTCHESTER DR SUITE 710
DALLAS TX 75225

LEGAL: A0187J STRICKLAND A0190J SIMMONS A0030TR BAILEY TR7-02

ACCOUNT #: R84386

The Chief Appraiser of the Rockwall Central Appraisal District has determined that your property is not being used for agricultural purposes. An additional tax is imposed on the land as provided by Sec.23.55 of the State Property Tax Code. This tax is due and becomes delinquent as of **02/01/2014**.

If you have any questions, please call (972) 771-2034.

Sincerely,

PATTI JONES
Director of Collections

13

Exhibit "A" - pg. 4 of 4

BH PHASE I SF LTD / BY BH PHASE I SF GP CORPORATION

0590

Rockwall Central Appraisal District

12/17/2013

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
12/17/2013	Bill	84386	42,935.85	42,935.85		42,935.85
					Check Amount	42,935.85

Operating - Vista 42,935.85

Stone Creek Balance, Ltd.
By Stone Creek Balance GP Corporation
8214 Westchester Drive, Suite 710
Dallas, Texas 75225

February 24, 2014

City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

Attention:
Mr. Robert LaCroix, Director of Planning
Mr. Ryan Miller, Planning Manager

Re: Stone Creek Balance, Ltd. property taxes & rollback taxes for future open space land

Dear Mr. LaCroix and Mr. Miller:

In follow up to our discussions and meetings with Mr. Helm of the Rockwall Central Appraisal District ("RCAD"), and as requested, this letter summarizes the unforeseen economic burden that our partnership will experience in the event the City does not accept the dedication of the planned open space areas within Stone Creek subdivision.

As of the date of this letter, there is currently a total of +/- 36.8 acres of open space planned within the future phases of Stone Creek Estates.

When the City informed us that they would not accept the dedication of the +/- 12.12 acres of open space that was contiguous with and part of the Phase IV final plat (which we had planned to dedicate to the City of Rockwall (the "City") to be maintained by the Stone Creek HOA as we had done for open spaces in prior phases), RCAD sent us a rollback tax bill of $34,374.27, or $2,836 per acre. The supporting documentation of this charge (which we have paid) is attached with this letter as **"Exhibit A."**

When the City informed us they would no longer accept open space dedications, we learned we would be charged with rollback taxes and lose the tax deduction on such open space acreage. These items are of a material financial amount, and thus, we are hopeful that the City will reconsider this issue and allow us to continue to dedicate open space to the City and stipulate on the plats that such open space is to be maintained by the HOA.

Phone 214-888-8843 abuczek@skorburgcompany.com Fax 214-522-7244

Stone Creek Balance, Ltd.
By Stone Creek Balance GP Corporation
8214 Westchester Drive, Suite 710
Dallas, Texas 75225

Estimated financial impact of rollback taxes going forward on Stone Creek

Based on 36.8 acres remaining of open space in Stone Creek Estates, unless the City agrees to allow us to dedicate open spaces to the City with our plats, we extrapolate (based on what we were charged in Phase IV) that we will incur unforeseen rollback taxes on the remaining phases of Stone Creek in the amount of approximately $104,000.

Estimated financial impact of loss of tax deduction as a result of not being allowed to dedicate open space land to the City of Rockwall

If we are unable to dedicate open space land to the City, our banks and partners who have lent and invested in our partnership will no longer be able to receive a tax deduction for the open space land dedications. The current estimated impact to our partnership based on the remaining +/- 36.8 acres of open space land is approximately $285,000.

Between both items, the total estimated unforeseen financial impact to Stone Creek Balance, Ltd if the City will not accept dedications of open space is approximately $389,000.

We understand the City is concerned about the ongoing maintenance of the open space areas; however, we will continue to include the exact language on the final plats of each phase that will make it the HOA's obligation to maintain the open space areas at its expense.

Please do not hesitate to contact our office should you have any questions.

Sincerely,

Stone Creek Balance, Ltd., a Texas limited partnership
By: Stone Creek Balance GP Corporation, a Texas corporation, its general partner

By: _____
Adam J. Buczek, Director

Phone 214-888-8843 abuczek@skorburgcompany.com Fax 214-522-7244

(Exhibit "A") - page 16 3

NOTICE OF CHANGE OF USE DETERMINATION (1-d-1)

CENTRAL APPRAISAL DISTRICT OF ROCKWALL COUNTY
841 JUSTIN ROCKWALL, TX 75087
(972) 771-2034 OR (972) 635-9351

09/24/13

STONE CREEK SF LTD
8214 WESTCHESTER DR
STE 710
DALLAS TX 75225-6133

A0131, S KING, TRACT 3, 12.128 ACRES

Prop ID: 11323

The chief appraiser has determined that the 1-d-1 qualified property described above is not used for agriculture or the production of timber so the property no longer qualifies for the 1-d-1 appraisal. The property will be taxed on its market value beginning with the 2013 tax year.

You may protest this change of use determination to the Appraisal Review Board (ARB) by filing a written notice of protest not later than 30 days after the receipt of this letter. If you have questions about the determination or the procedure for filing a protest, you may wish to consult your appraisal district's staff. You may also consult the State Comptroller's Manual for the Appraisal of Agricultural Land.

If you do not protest or if the ARB determines that the use of the property has changed, the property is subject to an additional tax (rollback tax) equal to the tax savings you realized for the five years before the year of this determination, plus interest. A tax lien for the amount of the additional tax and interest attaches to the land on the date the change occurs. The assessor for each taxing unit taxing the property will assess the additional tax. If you have any questions about the amount or calculation of this additional tax, please contact me at the appraisal office or consult the State Comptroller's Manual for the Appraisal of Agricultural Land.

Sincerely,

Cody Sanderson
Deputy Chief Appraiser

Ag Rollback Tax Report

Roll back Estimate

Exhibit "1" - pg. 283

Name & Address: STONE CREEK SF LTD
8214 WESTCHESTER DR
STE 710
DALLAS, TX 75225-6133

ROCKWALL CENTRAL APPRAISAL DI
841 JUSTIN ROAD
ROCKWALL, TX 75087
Phone: 972-771-2034
972-635-9351

Legal: A0131, S KING, TRACT 3, 192.123 ACRES

Prop ID: 11323
GEO ID: 0131-0000-0003-00-0R
Prof ID 2: R11323

Change of Use Date: 09/24/2013
Statement Date: 10/01/2012

Formula1: (Market Value per acre - Ag Value per acre) * Acres = Rollback Taxable
Formula2: (Rollback Taxable * Tax Rate * Interest Rate) = Rollback Tax

Rollback Type: 1-D-1 Status: C - Completed
Entity: (CRW) CITY OF ROCKWALL

Year	Market Value	Ag Value	Acres	Rollback Taxable	Tax Rate	Interest Rate	Rollback Tax
2012	$20800.00	$105.00	12.1280	$250,988.96	0.5025	1.0685	$1,347.57
2011	$20800.00	$105.00	12.1280	$250,988.96	0.5031	1.1385	$1,437.57
2010	$20800.00	$105.00	12.1280	$250,988.96	0.5031	1.2085	$1,525.96
2009	$20800.00	$105.00	12.1280	$250,988.96	0.5031	1.2785	$1,614.35
2008	$17331.00	$105.00	12.1280	$208,916.93	0.5031	1.3485	$1,417.32
						Rollback Tax Total:	$7,342.77

Rollback Type: 1-D-1 Status: C - Completed
Entity: (GRW) ROCKWALL COUNTY

Year	Market Value	Ag Value	Acres	Rollback Taxable	Tax Rate	Interest Rate	Rollback Tax
2012	$20800.00	$105.00	12.1280	$250,988.96	0.3864	1.0685	$1,036.23
2011	$20800.00	$105.00	12.1280	$250,988.96	0.3864	1.1385	$1,104.11
2010	$20800.00	$105.00	12.1280	$250,988.96	0.3864	1.2085	$1,171.99
2009	$20800.00	$105.00	12.1280	$250,988.96	0.3750	1.2785	$1,203.31
2008	$17331.00	$105.00	12.1280	$208,916.93	0.3750	1.3485	$1,056.44
						Rollback Tax Total:	$5,572.08

Rollback Type: 1-D-1 Status: C - Completed
Entity: (SRW) ROCKWALL ISD

Year	Market Value	Ag Value	Acres	Rollback Taxable	Tax Rate	Interest Rate	Rollback Tax
2012	$20800.00	$105.00	12.1280	$250,988.96	1.4700	1.0685	$3,942.14
2011	$20800.00	$105.00	12.1280	$250,988.96	1.4700	1.1385	$4,200.41
2010	$20800.00	$105.00	12.1280	$250,988.96	1.4700	1.2085	$4,458.68
2009	$20800.00	$105.00	12.1280	$250,988.96	1.4700	1.2785	$4,716.95
2008	$17331.00	$105.00	12.1280	$208,916.93	1.4700	1.3485	$4,141.24
						Rollback Tax Total:	$21,459.42

$34,374.27

Exhibit "A" - pg. 3 of 3

STONE CREEK SF LTD / OPERATING ACCOUNT 4403

Rockwall Central Appraisal District

Date	Type	Reference	Original Amt.	Balance Due	1/28/2014 Discount	Payment
1/27/2014	Bill	Rollback Tax-'08-'12	34,374.27	34,374.27		34,374.27
					Check Amount	34,374.27

Southwest Bank-Oper A0131 TRACT3 12.128 ACRS 34,374.27

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Proclamation

Rockwall, Texas

Whereas, Multiple Myeloma (or Myeloma), the second most common blood cancer worldwide, is a cancer of plasma cells in the bone marrow. It is called "multiple" because the cancer can occur at multiple sites.

Whereas, Multiple Myeloma currently affects more than 100,000 people in the United States, with an estimated 20,000 new cases diagnosed each year and 10,000 losing their battle each year; and

Whereas, once a disease of the elderly, it is now being found in increasing numbers in people under 65; and

Whereas, because Myeloma is a rare disease, there can be a delayed diagnosis, leading to delayed treatment. For this reason an increased awareness of Myeloma for clinicians and the general public will lead to earlier diagnosis allowing people to live longer; and

Whereas, continued investment and innovation is critical to achieve early diagnosis and implement the most effective and safest treatments for Myeloma patients; and

Whereas, although we have seen important advances in the last decade there is still no cure for Myeloma; and

Whereas, The City of Rockwall, Texas is committed to finding a cure for Myeloma and supports the treatment of its citizens that suffer from Myeloma and encourages private efforts to enhance research funding and education programs, and

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim the month of March, 2014 as

MULTIPLE MYELOMA AWARENESS MONTH

in the City of Rockwall and encourage all citizens to support efforts to find a cure for this terrible disease.

In Witness Whereof, I hereunto set my hand and official seal this 3rd day of March, 2014.

David Sweet, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, February 17, 2014
5:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order. Mayor David Sweet, Mayor Pro Tem David White, and Council Members Jim Pruitt, Mike Townsend, Scott Milder and Bennie Daniels were present as well as City Manager Rick Crowley, Assistant City Manager Mary Smith and City Attorney Frank Garza. Councilmember Dennis Lewis and Assistant City Manager Brad Griggs were absent from the meeting. Mayor Sweet read the below listed discussion items into the public record before recessing the meeting into Executive Session.

II. EXECUTIVE SESSION

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

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
3. Discussion regarding Right-of-Way in the vicinity of Corporate Crossing Drive pursuant to Section § 551.072 (Real Property).

III. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:30 p.m.

MINUTES
ROCKWALL CITY COUNCIL
Monday, February 17, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

Mayor Sweet reconvened the public meeting at 6:00 p.m. with all council members except for Councilmember Lewis being present.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem White made a motion to authorize right-of-way acquisition on Corporate Crossing. Councilmember Townsend seconded the motion, which passed unanimously of those present (6 ayes with 1 absent (Lewis)).

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MILDER

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

VII. CONSENT AGENDA

1. Consider approval of the minutes from the January 21, 2014 regular city council meeting, and take any action necessary.
2. Consider approval of the minutes from the February 3, 2014 regular city council meeting, and take any action necessary.
3. **P2014-003** - Consider a request by R.L. Goodson Consulting Engineers on behalf of the YMCA of Dallas for the approval of a replat for Lot 2, Block A, Rockwall County Y.M.C.A. containing one (1) non-residential lot, zoned Planned Development 5 (PD-5) District, on 21.378-acres, currently identified as Lot 1, Block A, Rockwall County Branch Y.M.C.A., City of Rockwall, Rockwall County, Texas, situated within the North SH-205 Overlay (N SH-205 OV) District, located on the east side of SH-205 north of Caruth Lane, and take any action necessary.
4. **P2014-004** - Consider a request by Ronald Valk for the approval of a final plat for Lot 1, Block 1, Valk Rockwall Addition being a 4.264-acre tract of land located within the extraterritorial jurisdiction of the City of Rockwall and situated in the Joseph Strickland Survey, Abstract No. 187, Rockwall County, Texas, and located on the east side of SH-205 north of F.M. 552, and take any action necessary.
5. Consider approval of an **ordinance** establishing the speed limit along SH 205 from Darrin Drive to FM 552/Dalton Road at 50 miles per hour and take any action necessary. **(1st Reading)**
6. Consider approval of the Interlocal Purchasing Agreement with Reynolds Asphalt & Construction Company to rehabilitate E. Cullins Road from SH 549 to Jeff Boyd Drive and Alpha Drive from T.L. Townsend Drive to 190 feet north of Sigma Drive in an amount of $219,082.00, and being funded through the Streets Department Operations Budget, and take any action necessary.

7. Consider awarding the Glenn Avenue Utility Rehabilitation Project construction contract to PC Contractors, in the amount of $452,009.04, utilizing funds available from 2008 water/sewer revenue bonds and take any action necessary.

8. Consider approval of a request by Verizon Wireless for a new monopole cellular communications tower to be located on Dickson Lane (Squabble Creek Treatment Facility), authorizing the City Manager to execute an agreement and take any action necessary.

9. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 32, Signs, Article I. In General and Article IV. Prohibited Signs, Sections 32-1 and 32-332 to amend regulations related to human signs, and take any action necessary. **(1st reading)**

Mayor Pro Tem White made a motion to approve the entire Consent Agenda. Councilmember Milder seconded the motion. Councilmember Milder asked a brief, clarifying question related to the monopole being proposed in association with Consent Agenda item #8. The ordinances were then read as follows:

CITY OF ROCKWALL, TEXAS

ORDINANCE # 14-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY NO. 205 OR PARTS THEREOF, WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET OUT IN THIS ORDINANCE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF $200.00 FOR EACH OFFENSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 32 *SIGNS*, ARTICLE I, *IN GENERAL* AND ARTICLE IV *PROHIBITED SIGNS; SECTIONS 32-1 AND 32-332;* INCORPORATING RECITALS; PROVIDING FOR SEVERABILITY; AND ADOPTING AN EFFECTIVE DATE.

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

VIII. APPOINTMENTS

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

Chair of the Planning & Zoning Commission, Craig Renfro, came forth and briefed the city council on recommendations of the Commission relative to planning-related items on tonight's city council meeting agenda. Following the briefing, the council took no action related to this agenda item.

2. Appointment with Rockwall Police Chief Mark Moeller to hear the Racial Profiling Report and Crime Report for 2013, and take any action necessary.

Rockwall Police Chief Mark Moeller came forth and provided a verbal presentation to the city council related to his department's 2013 Racial Profiling and Crime Reports as required

by state law. He indicated that number of stops and citations are down from past years; however, the percentage ratios are virtually the same as last year.

Chief Moeller indicated that for the last eleven years, statistics have been kept regarding Part 1 crimes (murder, rape, robbery, aggravated assault, auto theft, burglary, and theft), violent crimes and total crime numbers. He indicated that crime numbers have gone down significantly over the last ten years. He further stated that from 2003-2013, Part 1 offenses decreased by over 43%. For violent crimes, a 66.3% reduction occurred from 2003-2013, and there was a 45.4% reduction in total crime for that same period. Regarding the 2013 Holiday Crime Initiative, Chief Moeller reported that the 2013 numbers showed four offenses that occurred outside of retail stores in parking lot areas with eleven total offenses (mostly thefts) being reported for the holiday season in retail shopping areas.

The Council took no action related to this agenda item.

3. Appointment with Rob Dixon of Hill & Wilkinson, General Contractors, and Michael Black with la terra studio, to hear and discuss a progress update of the Downtown Improvements Project, including associated scheduling, and take any action necessary.

Mr. Dixon of Hill Wilkinson came forth and passed out photocopies to the council which showed the construction progress and anticipated schedule. He indicated that their goal is to not have major areas of the downtown area torn up and under construction from October 10 through January 2 of 2015 in order to minimize the impact on businesses during the holiday shopping season. He indicated he has met with the downtown merchants, and these dates reflect what has been proposed by them because the businesses along San Jacinto have indicated they do roughly fifty percent of their yearly business during the last two months of the calendar year.

Assistant City Manager Mary Smith reported that city staff recently met with the contractors, and is happy to report the project is currently well within and under budget. There is about an eleven percent contingency at this time, which is viewed as pretty healthy for this project.

The council took no action related to this agenda item.

4. Appointment with Rick Bernas, of Republic Waste, to make presentation of downtown improvement fund donation and take any action necessary.

Mr. Bernas thanked the council for the city's partnership with Republic Waste. He then presented the city with two checks, one for the Rockwall ISD Scholarship Program and a $10,000 check for the city's improvement program. He indicated that Republic has now donated over $100,000 to the City of Rockwall. The Council took no action related to this appointment item.

IX. PUBLIC HEARING ITEMS

1. **Z2014-001** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Tommy Pulliam on behalf of Rayburn Electric Cooperation, Inc. for the approval of a zoning change from Agricultural (Ag) District to a Heavy Commercial (HC) District for a 6.057-acre tract land identified as a portion of Tract 3-06 of the W. H. Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Agricultural (Ag) District, located on the south side of Sids Road west of S. Goliad Street (SH-205), and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix provided brief background information related to this agenda item, indicating that the owner/applicant would like to rezone a portion of this property. Staff mailed notices out to property owners located within two hundred feet of the proposed rezoning and signs were posted. He indicated the Planning & Zoning Commission did recommend approval of this agenda item by a vote of 6 ayes to 0 nays at its February 11 meeting.

Mayor Sweet opened the public hearing and asked if the applicant is in the audience and if anyone would like to come forth and speak regarding this item. There being no one, Mayor Pro Tem White made a motion to continue the Public Hearing item until the next regularly scheduled council meeting. Councilmember Townsend seconded the motion, which passed by a vote of 6 ayes with 1 absent (Lewis).

2. **Z2014-003** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Charlie Rickerson for the approval of a Specific Use Permit to allow a detached garage with guest quarters/secondary living unit that will exceed the maximum permissible height for an accessory structure on a 0.40-acre parcel of land identified as Lot A, Block 117, B. F. Boydstun Addition, Rockwall, Rockwall County, Texas, also identified as a Landmarked Property, zoned Single Family 7 (SF-7) District, located at 109 St. Mary's Street, and take any action necessary. **(1st Reading)**

Mr. LaCroix provided background information related to this agenda item, indicating that the applicant would like to build what is essentially a two-story 'carriage house' on his property. The applicant is trying to match the look and feel of the existing historic home on the property, so the Historic Preservation Advisory Board did agree to recommend approval of this agenda item. Mr. Rickerson is meeting all of the required building codes; however, he is exceeding the maximum allowable height on the second story floor. Notices were sent out to property owners located within two hundred feet. Two notices were received back in favor and none were received back in opposition. The Planning & Zoning Commission did recommend approval of this item at its February 11 meeting.

Mayor Sweet opened the public hearing and called forth the applicant. Mrs. Rickerson, the applicant's wife, came forth and offered a few, brief words. There being no one else in the audience wishing to come forth and speak, Mayor Sweet then closed the public hearing.

Mayor Pro Tem White made a motion to approve Z201-003. Councilmember Pruitt seconded the motion. Councilmember Daniels clarified with staff, receiving affirmation that the height of the proposed structure will not be higher than the height of the existing home. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-__
SPECIFIC USE PERMIT NO. S-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR A DETACHED GARAGE WITH GUEST QUARTERS/SECONDARY LIVING UNIT, EXCEEDING THE MAXIMUM PERMISSIBLE HEIGHT OF 15-FT. FOR AN ACCESSORY STRUCTURE, ON A 0.40-ACRE PARCEL OF LAND IDENTIFIED AS LOT A, BLOCK 117, B.F. BOYDSTUN ADDITION, LOCATED AT 109 ST. MARY'S STREET, AND FURTHER DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, AND ZONED

(SF-7) SINGLE-FAMILY RESIDENTIAL DISTRICT; CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

X. SITE PLANS / PLATS

1. **P2014-001** - Discuss and consider a request by Bobby Samuels of the Skorburg Company representing BH Phase III, SF, LTD. for the approval of a preliminary plat for 71 residential lots identified as Breezy Hill, Phase III, being a 48.247-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74), generally situated north of FM-552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

Mr. LaCroix provided background information related to this agenda item. The whole of this residential subdivision has an allowance of 691 single family lots on about 345.8 acres. A matrix of the lot sizes has been provided. This particular preliminary plat focuses on 71 single family residential lots within the subdivision. He explained that twenty-three of the lots will be Type B lots, and forty-eight lots will be Type C lots. This preliminary plat meets all the requirements of the master plat previously approved by council. Pro-rata park equipment fees will be due by the developer. Staff has listed some conditions the council may wish to consider. The Planning & Zoning Commission did recommend unanimous approval of this preliminary plat at its February 11 meeting. Mr. LaCroix indicated that the typical house built will be about 2,500 square feet in size.

Mayor Pro Tem White made a motion to approve P2014-001. Councilmember Townsend seconded the motion, which passed by a vote of 6 ayes with 1 absent (Lewis).

2. **P2014-002** - Discuss and consider a request by Bobby Samuels of the Skorburg Company representing BH Phase IV, SF, LTD. for the approval of a preliminary plat for 51 residential lots identified as Breezy Hill, Phase IV, being a 41.662-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74), generally situated north of FM-552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

Planning Director Robert LaCroix provided background information related to this agenda item. He explained that this preliminary plat is another portion of the plat that was just addressed (above). These lots are the developer's continuation of what had begun to be built in the first phase. These larger lots will be more rural in nature and will have drainage swells, no curbs and slightly smaller roads.

Mayor Pro Tem White made a motion to approve P2014-002. Mayor Sweet seconded the motion which, after brief discussion, passed unanimously of council present (6 ayes with Lewis absent).

3. **SP2014-002** - Discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf of Billy Self of Pro Soap, Inc. for the approval of variances associated with an approved site plan for a warehouse facility on a 2.03-acre parcel of land identified as Lot 2 of the DBK Addition, Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of IH-30 west of Corporate Crossing, and take any action necessary. **(3/4 majority vote required)**

Mr. LaCroix provided background information related to this agenda item. He explained that Pro Soap Road, as part of this case, will be turned into a 'private road' which will provide proper public access. He indicated that the applicant would like to put a warehouse distribution type of business in a separate 19,500 square foot building located in the rear of his current building. Mr. LaCroix explained the screening that will be in place. The applicant is willing to put masonry on the front of his existing building. The Planning & Zoning Commission and the Architectural Review Board both asked the applicant to utilize two different types of stone to break up the pattern where it would not look so dense looking. The P&Z and ARB also asked the applicant to attempt to match the color of stone that is already on the existing Pro Soap building. The applicant has indicated he will attempt to accommodate these requests. He then briefed the council on the variances being requested by the applicant – not meeting the minimum ninety percent masonry requirement, including twenty percent stone, on the South, East and West elevations of the new building; allowing prefabricated metal on the rest of the building; allowing landscape screening in lieu of the ten foot solid screening wall requirement on the loading docks in the back; they do not meet the articulation standards for the building as required by the Code. He explained that approval does take a ¾ majority vote of the council this evening since it is located in the IH-30 Overlay District.

Mr. Billy Self came forth and offered a few, clarifying words related to his variance requests.

Mayor Pro Tem White made a motion to approve SP2014-002. Councilmember Pruitt seconded the motion, which passed by a vote of 6 ayes with 1 absent (Lewis).

XI. ACTION ITEMS

1. Discuss and consider Pacific Sports request for hotel tax funding for the 2014 U.S. Open Triathlon; authorize the City Manager to finalize negotiations and execute a contract for the event and take any action necessary.

Assistant City Manager Mary Smith provided brief information to the council related to this agenda item. Pacific Sports has asked for hotel / motel tax funding in the amount of $17,400 to assist with promotion of the event. The Harbor rental fees would be $14,400, so mostly what the city would give them would be coming right back to us. This event would take place the first weekend in October.

Clarifying discussion took place related to some of the language in the proposed contract, specifically the language pertaining to the potential for the city to approve additional funding for a 2015 event. Mayor Pro Tem White pointed out that the language in the contract specifies that any 2015 funding would be subject to the approval of the city council at that time. Mrs. Smith indicated that the applicant wanted some sort of assurance from the City that if the 2014 event is positive and a success, the city may consider additional

funding for a subsequent event again in 2015. However, the council at that time in the future will still need to review and approve said funding request.

Mayor Pro Tem White explained that the hotel / motel tax funding subcommittee of the council did review this matter, and this particular contract is a much better contract than that which was originally being proposed by Pacific Sports (originally they were seeking a five year commitment from the city).

After additional discussion, Mayor Pro Tem White made a motion to approve the hotel /motel tax funding request for the 2014 U.S. Open Triathlon and to authorize the city manager to finalize negotiations and execute a contract for the event. Councilmember Townsend seconded the motion, which passed by a vote of 6 ayes with 1 absent (Lewis).

2. Discuss and consider appointments to the city's Main Street Advisory Board, and take any action necessary.

Mayor Sweet made a motion appoint Evan Matteson to the Main Street Advisory Board to replace Chris Cameron (term to expire in January of 2016). Councilmember Daniels seconded the motion. Mayor Sweet encouraged members of the public to consider submitting an application to serve on city boards and commission, as it is sometimes difficult to find residents who are willing to serve.

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

XII. EXECUTIVE SESSION

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

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

2. Discussion regarding land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

3. Discussion regarding Right-of-Way in the vicinity of Corporate Crossing Drive pursuant to Section § 551.072 (Real Property).

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

Council did not reconvene into Executive Session. Please see start of 6:00 p.m. public meeting above for action taken as a result of the first Executive Session.

XIV. ADJOURNMENT

The meeting was adjourned at 7:20 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of March, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 3/3/2014

APPLICANT: JOHNSON, MELDRIA

AGENDA ITEM: **P2014-006;** M&M Johnson Addition

SUMMARY:

Discuss and consider a request by Harold Fetty on behalf of Meldria Johnson for the approval of a replat for Lots 1 & 2, Block A, M & M Johnson Addition being a 0.37-acre parcel of land currently identified as a portion of Lot 3, Block H, Sanger Brothers Addition, zoned Multi Family-14 (MF-14) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, and located approximately 113-feet from the northeast corner of the intersection of Davy Crockett Street and Bourn Avenue, and take any action necessary.

COMMENTS:

- The purpose of this plat is to subdivide one (1) lot into two (2) lots.

- The Engineer has completed the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

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

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

RECOMMENDATIONS:

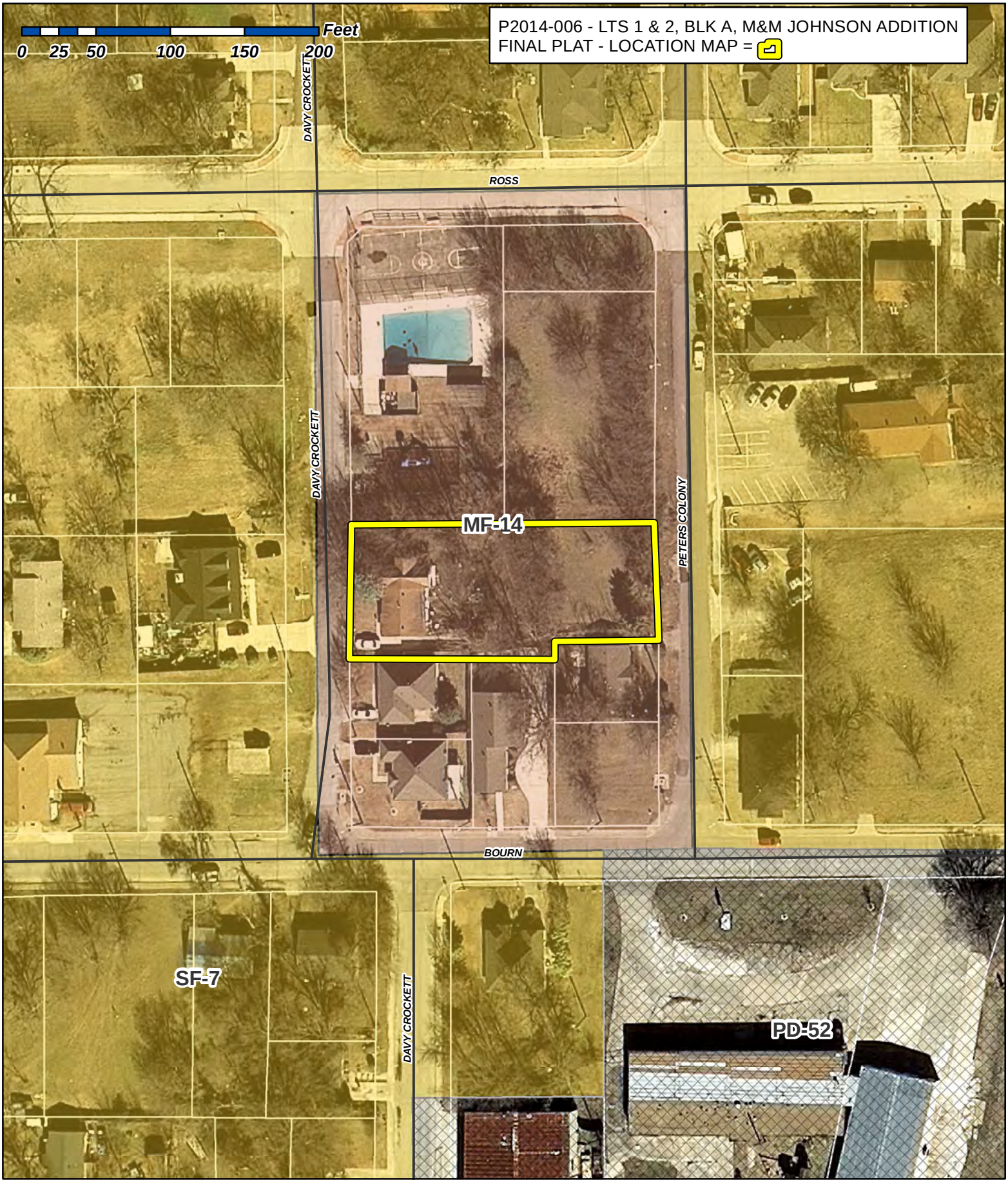
If the Planning & Zoning Commission and City Council choose to approve the replat for Lots 1 & 2, Block A, M&M Johnson Addition, the following conditions of approval are offered:

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

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

PLANNING & ZONING COMMISSION:

On February 25, 2014, the Planning & Zoning Commission approved the replat per staff's recommendations by a vote of 6 to 0, with Chairman Renfro absent.



City of Rockwall

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

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

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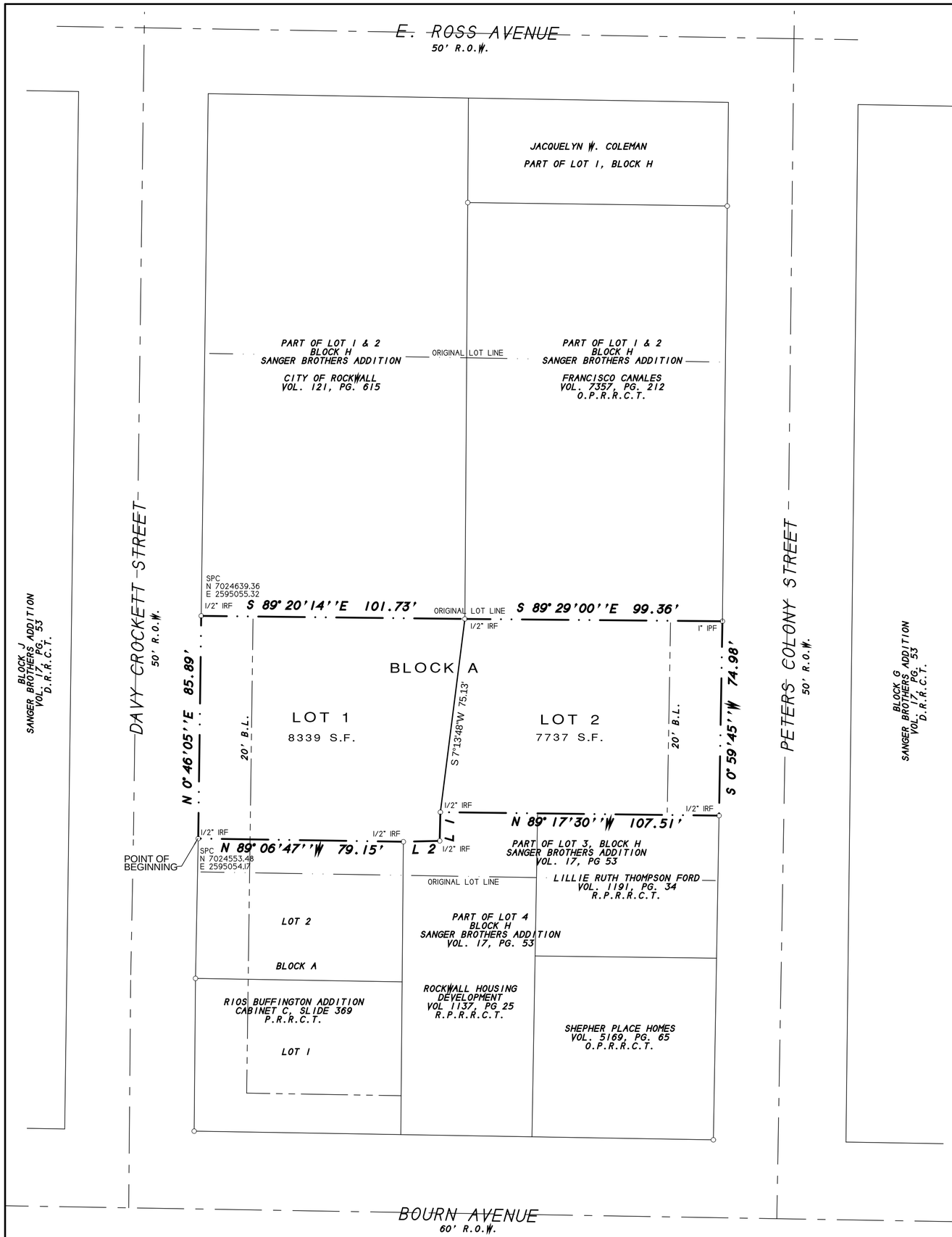
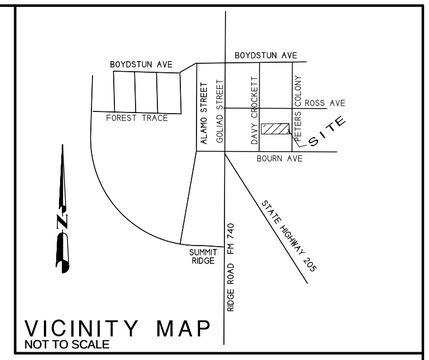
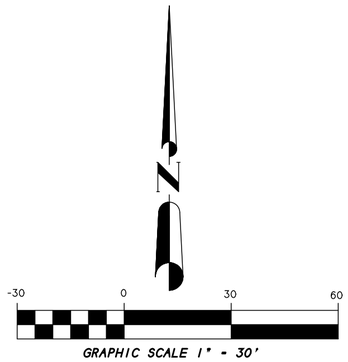




VICINITY MAP
NOT TO SCALE



GRAPHIC SCALE 1" = 30'

LINE TABLE

Line	Bearing	Distance
1	S 1°20'19"W	11.08'
2	S 88°39'47"W	14.02'

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

FINAL PLAT

M & M JOHNSON ADDITION

BEING A REPLAT OF PART OF LOT 3, BLOCK H
SANGER BROTHERS ADDITION
0.37 ACRES OR 16,076 S.F.
(2 LOTS)
B.J.T LEWIS SURVEY, A-255
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
MELDRIA JOHNSON
MICHAEL JOHNSON
809 DAVEY CROCKETT
ROCKWALL, TEXAS 75087

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (CORNER)
FENCE	EASEMENT LINE PROPERTY LINES	A/C AIR COND. UNIT	PROPANE TANK	

SURVEY DATE	FEBRUARY 13, 2014
SCALE	1" = 30'
FILE #	20140006
CLIENT	JOHNSON

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE
(Public Dedication)

WHEREAS, MELDRIA JOHNSON and MICHAEL JOHNSON, BEING the Owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a part of Lot 3, Block H, SANGER BROTHERS ADDITION, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Volume 17, Slide 53, of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the east right-of-way line of Davy Crockett Street, a 50 foot right-of-way, said point being at the northwest corner of Lot 2, Block A, RIOS BUFFINGTON ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet C, Slide 369 of the Plat Records of Rockwall County, Texas;

THENCE N. 00 deg. 46 min. 05 sec. E. along the east right-of-way line of Davy Crockett Street, a distance of 85.89 feet to a 1/2" iron rod found for corner at the southwest corner of a tract of land as described in a Deed to the City of Rockwall, Texas, as recorded in Volume 121, Page 615 of the Real Property Records of Rockwall County, Texas;

THENCE S. 89 deg. 20 min. 14 sec. E. along the south line of said City of Rockwall tract, a distance of 101.73 feet to a 1/2" iron rod found for corner at the southeast corner of same;

THENCE S. 89 deg. 29 min. 00 sec. E. a distance of 99.36 feet to a 1" iron pipe found for corner in the west right-of-way line of Peters Colony Street, a 50 foot right-of-way;

THENCE S. 00 deg. 59 min. 45 sec. W. along said right-of-way line, a distance of 74.98 feet to a 1/2" iron rod found for corner;

THENCE N. 89 deg. 17 min. 30 sec. W. a distance of 107.51 feet to a 1/2" iron rod found for corner;

THENCE S. 01 deg. 20 min. 19 sec. W. a distance of 11.08 feet to a 1/2" iron rod found for corner;

THENCE S. 88 deg. 39 min. 47 sec. W. a distance of 14.02 feet to a 1/2" iron rod found for corner at the northeast corner of said Lot 2, Block A, Rios Buffington Addition;

THENCE N. 89 deg. 06 min. 47 sec. W. along the north line of Lot 2, Block A, a distance of 79.15 feet to the POINT OF BEGINNING and containing 16,076 square feet or 0.37 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner of the land shown on this plat, and designated herein as M & M JOHNSON ADDITION, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

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

We also understand the following;

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

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

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

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

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

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

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

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

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

MELDRIA JOHNSON

MICHAEL JOHNSON

STATE OF TEXAS
COUNTY OF ROCKWALL

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

Given upon my hand and seal of office this _____day of _____, _____.

Notary Public in and for the State of Texas

My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

STATE OF TEXAS
COUNTY OF ROCKWALL

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

Given upon my hand and seal of office this _____day of _____, _____.

Notary Public in and for the State of Texas

My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

STATE OF TEXAS · REGISTERED · HAROLD D. FETTY III · 5034 · PROFESSIONAL · LAND SURVEYOR

Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission

Date

APPROVED

I hereby certify that the above and foregoing plat of M & M JOHNSON ADDITION, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of_____ ,_____.

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

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

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

Mayor, City of Rockwall

City Secretary City of Rockwall

City Engineer

Date

FINAL PLAT

M & M JOHNSON ADDITION

BEING A REPLAT OF PART OF LOT 3, BLOCK H
SANGER BROTHERS ADDITION
0.37 ACRES OR 16,076 S.F.
(2 LOTS)
B.J.T LEWIS SURVEY, A-255
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER:
MELDRIA JOHNSON
MICHAEL JOHNSON
809 DAVEY CROCKETT
ROCKWALL, TEXAS 75087

SYMBOL LEGEND

TV — TELEVISION CABLE RISER	GAS — GAS METER	TEL — PHONE RISER	FH — FIRE HYDRANT	PP — POWER POLE
ELEC — ELECTRIC METER	ELEC BOX — SUBSURFACE JUNCTION BOX	WM — WATER METER	LP — LIGHT POLE	1/2" IRF — IRON ROD FOUND (CORNER)
FENCE	EASEMENT LINE	PROPERTY LINES	A/C — AIR COND. UNIT	PROPANE TANK

SURVEY DATE FEBRUARY 13, 2014
SCALE 1" = 30' FILE # 20140006
CLIENT JOHNSON

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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CITY OF ROCKWALL, TEXAS

ORDINANCE # 14-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY 205 GENERALLY FROM DARRIN DRIVE TO FM 552 / DALTON ROAD OR PARTS THEREOF, WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET OUT IN THIS ORDINANCE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF $200.00 FOR EACH OFFENSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 545.356 of the Texas Transportation Code, provides that whenever the governing body of the City shall determine, upon the basis of an engineering and traffic investigation, that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration that width and condition of the pavement and other circumstances such portion of said street or highway, as well as the traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway;

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

SECTION 1. Upon the basis of an engineering and traffic investigation heretofore made as a authorized by the provisions of Transportation Code, Section 545.356, the following prima facie speed limits hereafter indicated for vehicles on the attached Exhibit “A” (strip map) are herby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

SECTION 2. From and after the date of the passage of this speed zone ordinance, no motor vehicle shall be operated along and upon State Highway No. 205 within the corporate limits of the City of Rockwall in excess of speeds now set forth in Exhibit “A”.

SECTION 3. The Mayor of Rockwall is hereby authorized to cause to be erected, appropriated signs indicating such speed zones.

SECTION 4. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed Two Hundred Dollars ($200.00) for each offense.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS THE 3RD DAY OF MARCH, 2014.

David Sweet, Mayor
City of Rockwall, Texas

ATTEST:

Kristy Ashberry, City Secretary
City of Rockwall, Texas

APPROVED AS TO LEGAL FORM:

Frank Garza, City Attorney
City of Rockwall, Texas

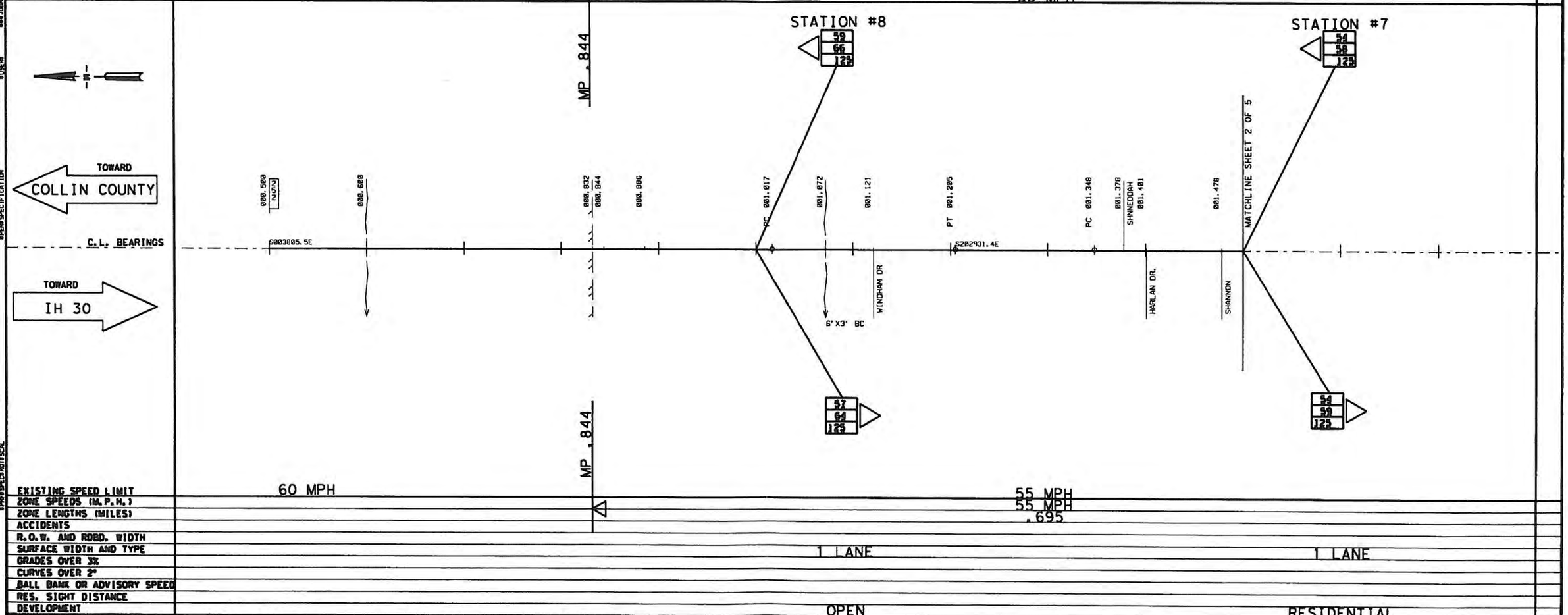
1st Reading: 02-17-14

2nd Reading: 03-03-14

"Exhibit A" (Ord. 14-11)

SH 205

DEVELOPMENT	RESIDENTIAL / OPEN
RES. SIGHT DISTANCE	
BALL BANK OR ADVISORY SPEED	
CURVES OVER 2°	
GRADES OVER 3%	
SURFACE WIDTH AND TYPE	1 LANE / 1 LANE
R.O.W. AND ROBD. WIDTH	
ACCIDENTS	
ZONE LENGTHS (MILES)	.695
ZONE SPEEDS (M.P.H.)	55 MPH



EXISTING SPEED LIMIT	60 MPH / 55 MPH
ZONE SPEEDS (M.P.H.)	55 MPH
ZONE LENGTHS (MILES)	.695
ACCIDENTS	
R.O.W. AND ROBD. WIDTH	
SURFACE WIDTH AND TYPE	1 LANE / 1 LANE
GRADES OVER 3%	
CURVES OVER 2°	
BALL BANK OR ADVISORY SPEED	
RES. SIGHT DISTANCE	
DEVELOPMENT	OPEN / RESIDENTIAL

DISTRICT: DALLAS COUNTY: ROCKWALL
HIGHWAY: SH 205 CITY: ROCKWALL
DATE OF STUDY 02-27-13 SCALE 1" = 0.1 MILES

MINUTE NO. : _____ DATE __/__/__
REPLACES : _____ DATE __/__/__
REPLACED BY : _____ DATE __/__/__
CANCELLED BY : _____ DATE __/__/__

LIMITS OF ZONE

	SECTION ONE				SECTION TWO			
	STA. OR M.P.	CONT. AND SECT.	PROJECT	LENGTH ___ MILES	STA. OR M.P.	CONT. AND SECT.	PROJECT	LENGTH ___ MILES
BEGINS	0 + 00	-	( )		+	-	( )	
	MP				MP			
ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT		STA. OR M.P.	CONT. AND SECT.	PROJECT	
	0 + 00	-	( )		+	-	( )	
	MP				MP			

42 85 PERCENTILE SPEED
62 TOP SPEED MEASURED
125 NUMBER OF CARS CHECKED

- FATAL ACCIDENT
- PERSONAL INJURY ACCIDENT
- PROPERTY DAMAGE ACCIDENT

INDICATES SECTION ZONED BY COMMISSION MINUTE

SIGNALIZED INTERSECTION

TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 04
LIMITS: FM 740 TO NORTH CITY LIMITS

SHEET 1 OF 5

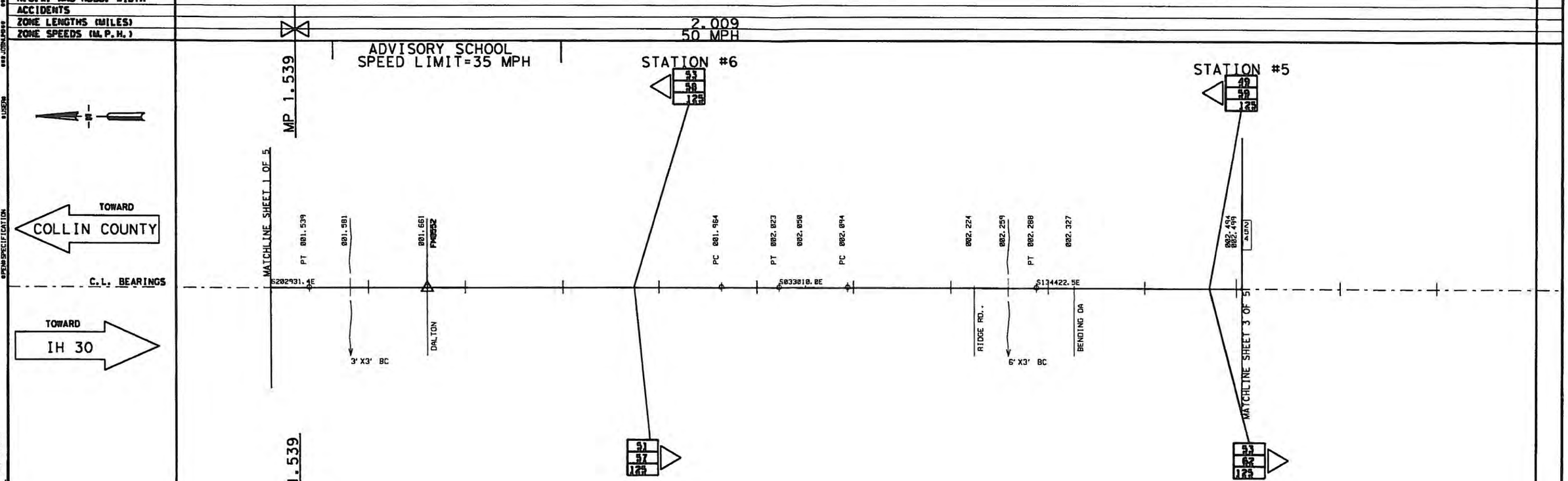
Texas Department of Transportation

SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN TEAM	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.	SHEET NO.
	STATE	STATE DIST. NO.	COUNTY
CHECKED	CONTROL NO.	SECTION NO.	JOB NO. 42 / HIGHWAY NO.

SH 205

DEVELOPMENT	RESIDENTIAL / OPEN
RES. SIGHT DISTANCE	
BALL BANK OR ADVISORY SPEED	
CURVES OVER 2°	
GRADES OVER 3%	
SURFACE WIDTH AND TYPE	1 LANE / 1 LANE
R.O.W. AND ROBD. WIDTH	
ACCIDENTS	
ZONE LENGTHS (MILES)	2.009
ZONE SPEEDS (M.P.H.)	50 MPH



EXISTING SPEED LIMIT	55 MPH
ZONE SPEEDS (M.P.H.)	50 MPH
ZONE LENGTHS (MILES)	2.009
ACCIDENTS	
R.O.W. AND ROBD. WIDTH	
SURFACE WIDTH AND TYPE	1 LANE
GRADES OVER 3%	
CURVES OVER 2°	
BALL BANK OR ADVISORY SPEED	
RES. SIGHT DISTANCE	
DEVELOPMENT	RESIDENTIAL

DISTRICT: DALLAS COUNTY: ROCKWALL

HIGHWAY: SH 205 CITY: ROCKWALL

DATE OF STUDY 02-27-13 SCALE 1" = 0.1 MILES

MINUTE NO. : _____ DATE __/__/__

REPLACES : _____ DATE __/__/__

REPLACED BY : _____ DATE __/__/__

CANCELLED BY : _____ DATE __/__/__

LIMITS OF ZONE

	SECTION ONE	LENGTH MILES		SECTION TWO	LENGTH MILES	
	STA. OR M.P.	CONT. AND SECT.	PROJECT	STA. OR M.P.	CONT. AND SECT.	PROJECT
BEGINS	0 + 00	____ - __	_____ (__)	___ + ___	____ - __	_____ (__)
	MP _____			MP _____		
ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT	STA. OR M.P.	CONT. AND SECT.	PROJECT
	0 + 00	____ - __	_____ (__)	___ + ___	____ - __	_____ (__)
	MP _____			MP _____		

42 85 PERCENTILE SPEED
62 TOP SPEED MEASURED
125 NUMBER OF CARS CHECKED

O FATAL ACCIDENT
⊘ PERSONAL INJURY ACCIDENT
O PROPERTY DAMAGE ACCIDENT

INDICATES SECTION ZONED BY COMMISSION MINUTE

△ SIGNALIZED INTERSECTION

(--) TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 04

LIMITS: FM 740 TO NORTH CITY LIMITS

SHEET 2 OF 5

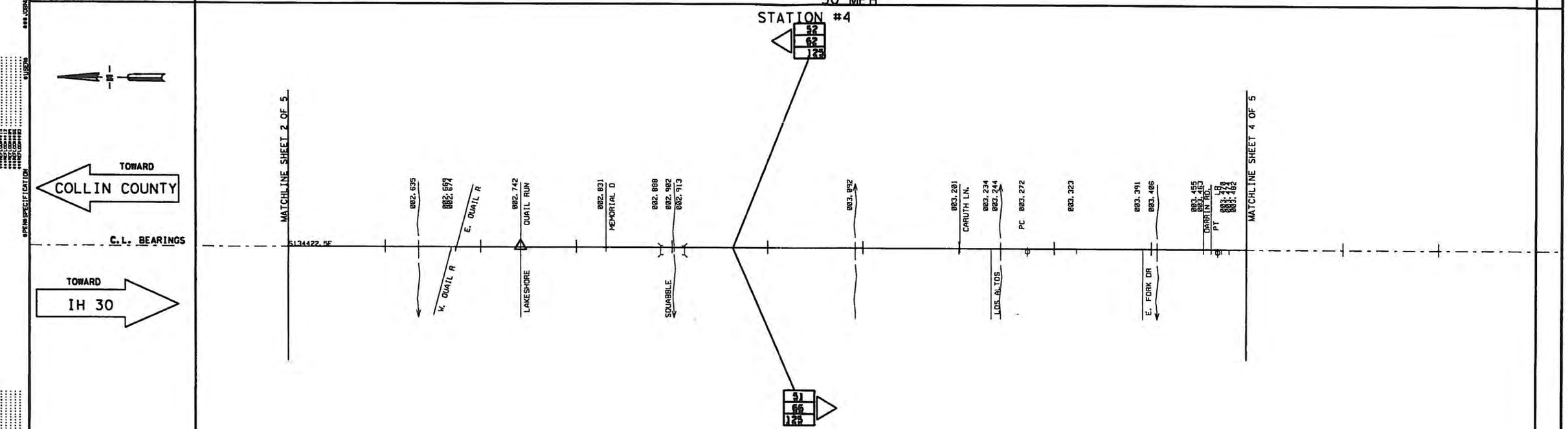
Texas Department of Transportation

SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN TEAM	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.	SHEET NO.
	STATE	STATE DIST. NO. / COUNTY	
CHECKED	CONTROL NO.	SECTION NO. / JOB NO.	HIGHWAY NO.

SH 205

DEVELOPMENT	OPEN / RESIDENTIAL
RES. SIGHT DISTANCE	
BALL BANK OR ADVISORY SPEED	
CURVES OVER 2°	
GRADES OVER 3%	
SURFACE WIDTH AND TYPE	1 LANE / 1 LANE
R.O.W. AND RDBD. WIDTH	
ACCIDENTS	
ZONE LENGTHS (MILES)	2.009
ZONE SPEEDS (M.P.H.)	50 MPH



EXISTING SPEED LIMIT	55 MPH
ZONE SPEEDS (M.P.H.)	50 MPH
ZONE LENGTHS (MILES)	2.009
ACCIDENTS	
R.O.W. AND RDBD. WIDTH	
SURFACE WIDTH AND TYPE	1 LANE / 1 LANE
GRADES OVER 3%	
CURVES OVER 2°	
BALL BANK OR ADVISORY SPEED	
RES. SIGHT DISTANCE	
DEVELOPMENT	RESIDENTIAL / RESIDENTIAL

DISTRICT: DALLAS COUNTY: ROCKWALL

HIGHWAY: SH 205 CITY: ROCKWALL

DATE OF STUDY 02-27-13 SCALE 1" = 0.1 MILES

MINUTE NO. : _____ DATE __/__/__

REPLACES : _____ DATE __/__/__

REPLACED BY : _____ DATE __/__/__

CANCELLED BY : _____ DATE __/__/__

LIMITS OF ZONE

	SECTION ONE	LENGTH ___ MILES			SECTION TWO	LENGTH ___ MILES	
	STA. OR M.P.	CONT. AND SECT.	PROJECT		STA. OR M.P.	CONT. AND SECT.	PROJECT
BEGINS	0 + 00. MP _____	_____ - __	_____ (__)	BEGINS	___ + ___ MP _____	_____ - __	_____ (__)
ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT	ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT
	0 + 00. MP _____	_____ - __	_____ (__)		___ + ___ MP _____	_____ - __	_____ (__)

42 85 PERCENTILE SPEED
62 TOP SPEED MEASURED
125 NUMBER OF CARS CHECKED

O FATAL ACCIDENT
⊘ PERSONAL INJURY ACCIDENT
O PROPERTY DAMAGE ACCIDENT

INDICATES SECTION ZONED BY COMMISSION MINUTE

△ SIGNALIZED INTERSECTION

(--) TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 04

LIMITS: FM 740 TO NORTH CITY LIMITS

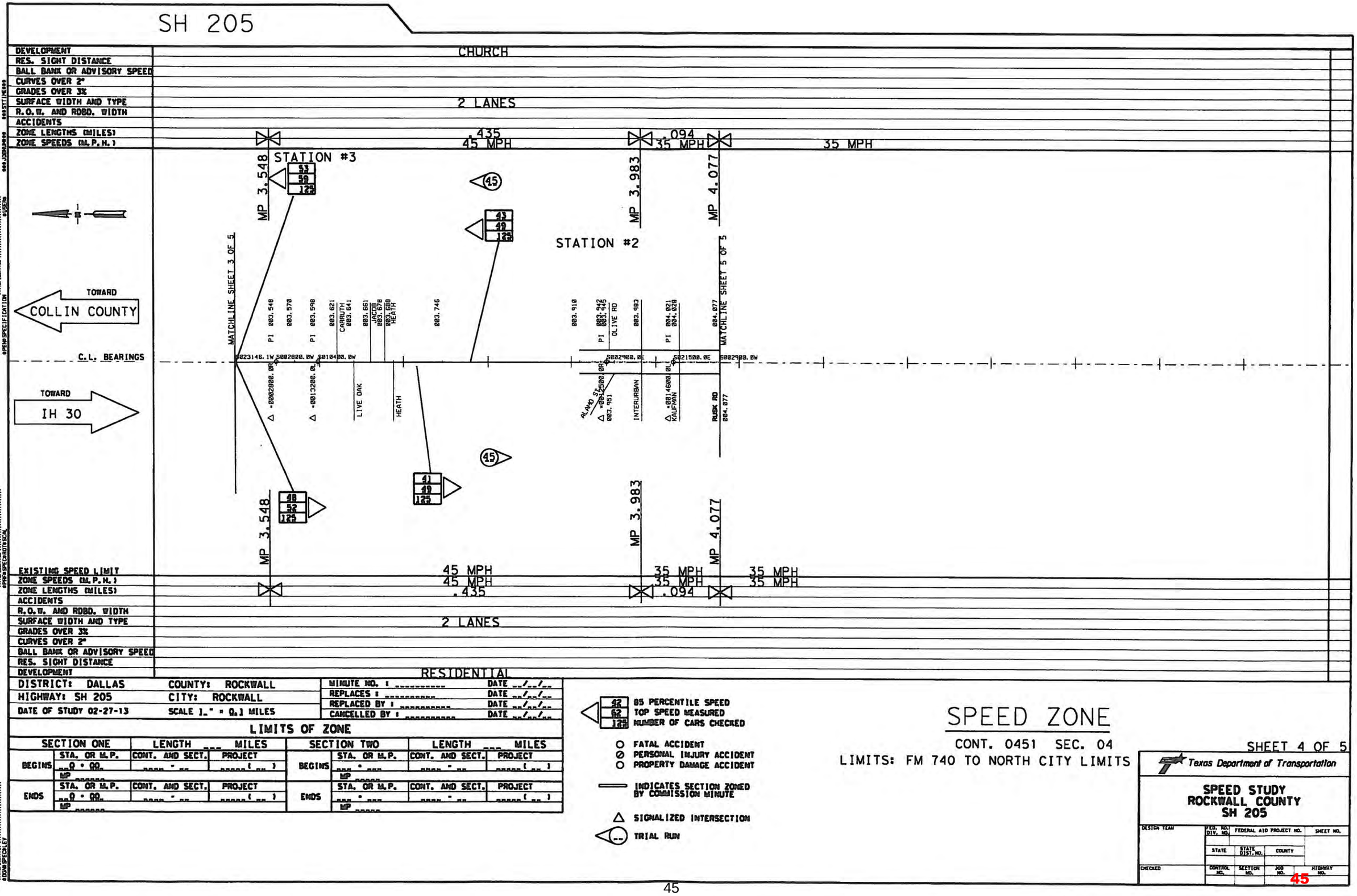
SHEET 3 OF 5

Texas Department of Transportation

SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN TEAM	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.	SHEET NO.
	STATE	STATE DIST. NO. / COUNTY	
CHECKED	CONTROL NO.	SECTION NO.	JOB NO. / HIGHWAY NO.

SH 205



DISTRICT: DALLAS	COUNTY: ROCKWALL	MINUTE NO. : _____	DATE __/__/__
HIGHWAY: SH 205	CITY: ROCKWALL	REPLACES : _____	DATE __/__/__
DATE OF STUDY 02-27-13	SCALE 1_" = 0.1 MILES	REPLACED BY : _____	DATE __/__/__
		CANCELLED BY : _____	DATE __/__/__

LIMITS OF ZONE

	SECTION ONE				SECTION TWO			
	STA. OR M.P.	CONT. AND SECT.	PROJECT		STA. OR M.P.	CONT. AND SECT.	PROJECT	
BEGINS	0 + 00	_____ - __	_____ (__)	BEGINS	___ + ___	_____ - __	_____ (__)	
	MP _____				MP _____			
ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT	ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT	
	0 + 00	_____ - __	_____ (__)		___ + ___	_____ - __	_____ (__)	
	MP _____				MP _____			

- 85 PERCENTILE SPEED
- TOP SPEED MEASURED
- NUMBER OF CARS CHECKED
- FATAL ACCIDENT
- PERSONAL INJURY ACCIDENT
- PROPERTY DAMAGE ACCIDENT
- INDICATES SECTION ZONED BY COMMISSION MINUTE
- SIGNALIZED INTERSECTION
- TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 04

LIMITS: FM 740 TO NORTH CITY LIMITS

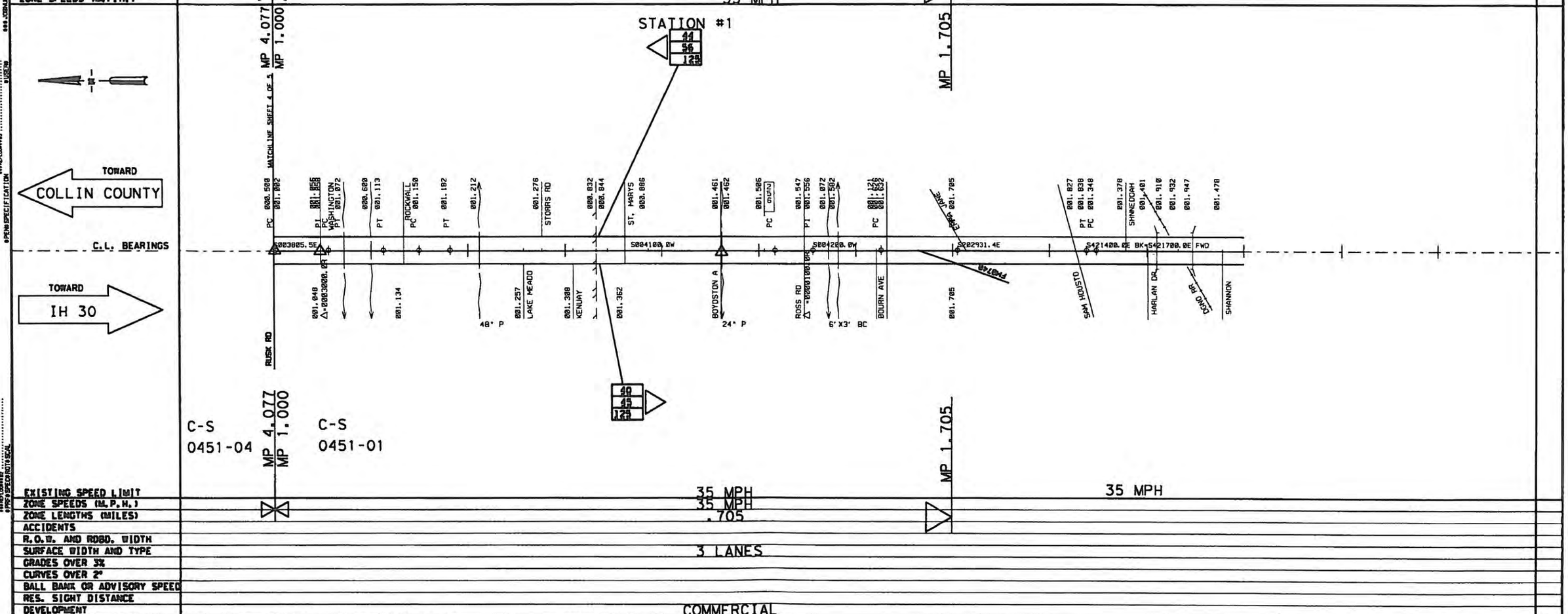
Texas Department of Transportation

SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN TEAM	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.	SHEET NO.
	STATE	STATE DIST. NO.	COUNTY
CHECKED	CONTROL NO.	SECTION NO.	JOB NO. / HIGHWAY NO.

SH 205

DEVELOPMENT	COMMERCIAL
RES. SIGHT DISTANCE	
BALL BANK OR ADVISORY SPEED	
CURVES OVER 2°	
GRADES OVER 3%	
SURFACE WIDTH AND TYPE	3 LANES
R.O.W. AND RDBD. WIDTH	
ACCIDENTS	
ZONE LENGTHS (MILES)	.705
ZONE SPEEDS (M.P.H.)	35 MPH



EXISTING SPEED LIMIT	35 MPH		35 MPH
ZONE SPEEDS (M.P.H.)	35 MPH		
ZONE LENGTHS (MILES)	.705		
ACCIDENTS			
R.O.W. AND RDBD. WIDTH			
SURFACE WIDTH AND TYPE	3 LANES		
GRADES OVER 3%			
CURVES OVER 2°			
BALL BANK OR ADVISORY SPEED			
RES. SIGHT DISTANCE			
DEVELOPMENT	COMMERCIAL		

DISTRICT: DALLAS	COUNTY: ROCKWALL	MINUTE NO. : _____	DATE __/__/__
HIGHWAY: SH 205	CITY: ROCKWALL	REPLACES : _____	DATE __/__/__
DATE OF STUDY 02-27-13	SCALE 1" = 0.1 MILES	REPLACED BY : _____	DATE __/__/__
		CANCELLED BY : _____	DATE __/__/__

LIMITS OF ZONE

SECTION ONE		LENGTH ___ MILES		SECTION TWO		LENGTH ___ MILES	
BEGINS	STA. OR M.P. __0 + 00__ MP _____	CONT. AND SECT. ____ - __	PROJECT _____ (__)	BEGINS	STA. OR M.P. ___ + ___ MP _____	CONT. AND SECT. ____ - __	PROJECT _____ (__)
ENDS	STA. OR M.P. __0 + 00__ MP _____	CONT. AND SECT. ____ - __	PROJECT _____ (__)	ENDS	STA. OR M.P. ___ + ___ MP _____	CONT. AND SECT. ____ - __	PROJECT _____ (__)

42 85 PERCENTILE SPEED
62 TOP SPEED MEASURED
125 NUMBER OF CARS CHECKED

○ FATAL ACCIDENT
⊘ PERSONAL INJURY ACCIDENT
○ PROPERTY DAMAGE ACCIDENT

INDICATES SECTION ZONED BY COMMISSION MINUTE

△ SIGNALIZED INTERSECTION

TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 01

LIMITS: FM 740 TO NORTH CITY LIMITS

SHEET 5 OF 5

Texas Department of Transportation

SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN TEAM	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.		SHEET NO.
	STATE	STATE DIST. NO.	COUNTY	
CHECKED	CONTROL NO.	SECTION NO.	JOB NO.	HIGHWAY NO.

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 32 *SIGNS*, ARTICLE I, *IN GENERAL* AND ARTICLE IV *PROHIBITED SIGNS; SECTIONS 32-1 AND 32-332;* INCORPORATING RECITALS; PROVIDING FOR SEVERABILITY; AND ADOPTING AN EFFECTIVE DATE.

WHEREAS, the regulation of human display provision of the City Sign Ordinance has been determined by the City Council to be overbroad and in need of revisions; and

WHEREAS, the City Council has determined that the amendment to the sign ordinance made herein is in the best interest of the citizens of the City of Rockwall.

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

SECTION 1. ***Amendments.*** Chapter 32 *Signs*, Article I, In General Section 32-1 "Definitions" and Article IV *Prohibited Signs;* Section 32-332, "Certain content or displays unlawful" is hereby amended to read as follows:

Sec. 32-1 Definitions

The following definition is hereby deleted from Section 32-1:

"~~Sign, human, means a sign held by or attached to a human being who stands or walks on the ground, at a business location. A human sign includes a person dressed in costume, for the purposes of advertising or otherwise drawing attention to an individual, business, commodity, service, activity, or product. (On-premises~~)"

Sec. 32-332. Certain content or displays unlawful

The following provision is hereby deleted from Section 32-332:

The following sign content or signs are prohibited:

~~(17) Human signs.~~

(17~~8~~) Any sign not referenced in, not governed by, not allowed or not defined by this chapter. Also, any sign that does not comply with this or other applicable municipal ordinances, or which does not comply with federal or state laws.

SECTION 2. ***Findings.*** The City Council finds all of the above recitals to be true and correct and incorporates the same in this Ordinance as findings of fact.

SECTION 3. ***Severability.*** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared void.

SECTION4. ***Savings Clause.*** All ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 5. ***Effective Date.*** The Ordinance shall be effective immediately following its second reading and publication in accordance with the City Charter.

_____

David Sweet, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____

Frank Garza, City Attorney

1st Reading: 02-17-14

2nd Reading: 03-03-14

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CITY OF ROCKWALL

ORDINANCE NO. 14-10

SPECIFIC USE PERMIT NO. S-119

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR A DETACHED GARAGE WITH GUEST QUARTERS/SECONDARY LIVING UNIT, EXCEEDING THE MAXIMUM PERMISSIBLE HEIGHT OF 15-FT. FOR AN ACCESSORY STRUCTURE, ON A 0.40-ACRE PARCEL OF LAND IDENTIFIED AS LOT A, BLOCK 117, B.F. BOYDSTUN ADDITION, LOCATED AT 109 ST. MARY'S STREET, AND FURTHER DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, AND ZONED (SF-7) SINGLE-FAMILY RESIDENTIAL DISTRICT; CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Charlie Rickerson for a Specific Use Permit (SUP) within the (SF-7) Single-Family Residential district allowing for a "detached garage with guest quarters/secondary living unit" exceeding the maximum permissible height 15-ft. for an accessory structure, on a parcel of land located at 109 St. Mary's Street, being Lot A, Block 117, B.F. Boydstun Addition, as further described in Exhibit "A", City of Rockwall, Rockwall County, Texas, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) to allow for a "detached garage with guest quarters/secondary living unit" exceeding the maximum permissible height of 15-ft. for an accessory structure within the (SF-7) Single Family Residential District as stipulated by the Unified Development Code [Ordinance no. 04-38] on the *Subject Property*; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) and as set forth in the Unified Development Code [Ordinance No. 04-38] as heretofore amended, and as may be amended in the future, and shall be subject to the additional conditions and compliance standards;

2.1 Operational Conditions

The following conditions pertain to the operation of a "detached garage with guest quarters/secondary living unit" on the *Subject Property*, and conformance to these operational conditions is required for continued operations;

1. The applicant will be required to obtain a building permit from the Building Inspections Department prior to the commencement of any work on the subject property;
2. The detached garage / accessory structure shall comply with the approved site plan (Exhibit "A") and building elevations contained in the Certificate of Appropriateness (COA) as approved by the Historic Preservation Advisory Board on January 16, 2014;
3. The detached garage / accessory structure shall not exceed an overall height of 32 feet;
4. The area of the detached garage shall not exceed 900 sq. ft.;
5. The second floor "guest quarters/secondary living unit" area shall not exceed 30% of the area of the main structure (i.e.821.4 sq. ft.);
6. The "guest quarters/secondary living unit" shall be ancillary to the primary use and only one such unit shall be provided;
7. The detached garage/accessory structure may not be sold or conveyed separately without meeting the requirements of the zoning district and the Subdivision Ordinance;
8. The accessory structure is subject to administrative review in the event that the subject property is sold, conveyed to another party, subdivided or re-platted;
9. The City Council reserves the right to review the SUP granted herein upon the expiration of one (1) year from the date hereof;
10. Any construction, building or demolition necessary to complete this request must conform to the requirements set forth by the Unified Development Code, International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

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

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

Section 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of

the Unified Development Code of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of February, 2014.

David Sweet, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

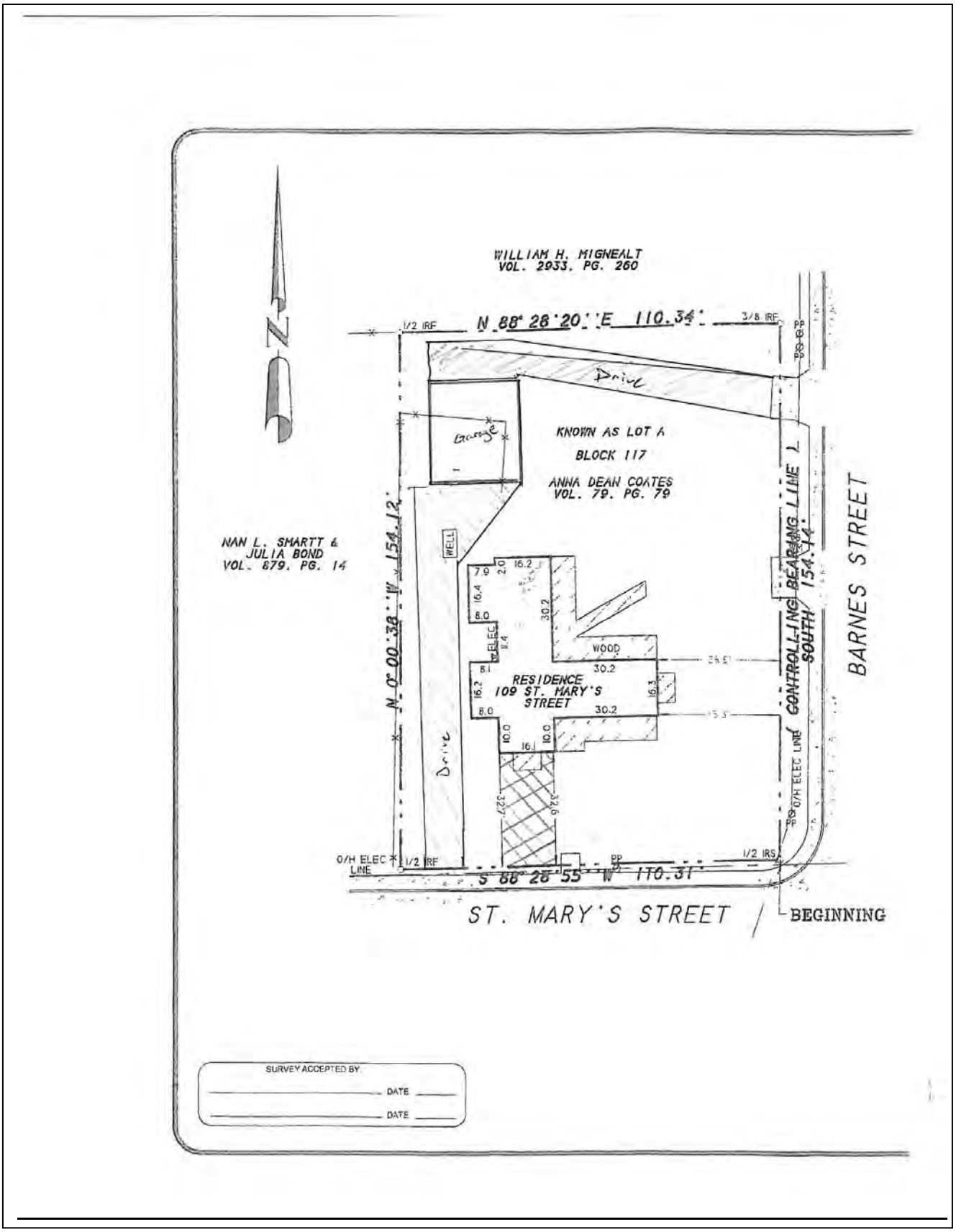
APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: 02-17-14

2nd Reading: 03-03-14

Exhibit "A"


WILLIAM H. MIGNEALT
VOL. 2933, PG. 260
N 88° 28' 20" E 110.34'
1/2 IRF
3/8 IRF
Drive
Garage
KNOWN AS LOT A
BLOCK 117
ANNA DEAN COATES
VOL. 79, PG. 79
NAN L. SMARTT &
JULIA BOND
VOL. 879, PG. 14
N 0° 00' 38" W 154.12'
WELL
RESIDENCE
109 ST. MARY'S
STREET
WOOD
CONTROLLING BEARING LINE
SOUTH 154.14'
BARNES STREET
O/H ELEC LINE
1/2 IRS
S 88° 28' 55" W 110.31'
ST. MARY'S STREET
BEGINNING
SURVEY ACCEPTED BY
DATE
DATE

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

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

DATE: **February 26, 2014**

SUBJECT: **Coach's Eligibility Policy**

During the adoption of the revised Coach's Eligibility Policy that was adopted by the Council a few meetings ago, there was a potential conflict in the date that was to be used when determining time an applicant must be without additional incident. The policy, as currently written, states that "potential coaches or officials that may have been convicted or received deferred adjudication community supervision for certain crimes may apply if certain time periods have expired. These time periods run from the date of conviction or the date that the person was discharged from deferred adjudication community supervision".

During a recent appeal, Police Chief Moeller noted that the date of conviction and the date of the discharge from deferred adjudication may be multiple years apart from each other. Upon receiving this information, staff recommends that the policy be amended to start the waiting period from the "date of conviction or when the applicant was placed on deferred adjudication, whichever is the later". Copies of the adopted policy and the amended policy for consideration are attached for your review.

The City of Rockwall	**Parks, Recreation, and Streets Policies & Administrative Directives**		
	Policy Number **1**	Page # 1 of 2	Origination Date: 2/20/2006 Revision Date: 12/31/2013 Adopted by Council: 1/6/2014
	Subject: **Eligibility Criteria for Youth Sports Programs as a Coach**		_____ Date:_____ Dept Signature

The eligibility of a coach or an official in the City of Rockwall Baseball & Softball League (RBSL) is based on the results of a criminal history background check. A firm selected by the City will conduct the search and report the data back to the City. A coach or other official that is determined by city staff to be ineligible, shall not be allowed on the field of play during practices or games. A potential applicant may appeal the staff decision to a five member panel for final determination. The appeal panel would listen to an applicant's appeal of ineligibility taking into account the type and severity of the offense reported in the background check and all mitigating factors provided by the applicant. **The make-up of this appeal panel is to be the City of Rockwall Chief of Police or his designated representative, the City of Rockwall Municipal Judge, and a three member subcommittee of the Park Board which shall be appointed by the Park Board Chairman**. The ruling by appointed panel shall be final. The Municipal Judge shall not be a voting member, but act in an advisory capacity only. In the event of a tie vote of two appeal board members in favor and two against, the appeal shall be considered denied and the coach will be deemed ineligible.

A person shall not be eligible to serve as a coach or official if they have been convicted of or received deferred adjudication community supervision for a crime involving moral turpitude. A person is considered to have been placed on deferred adjudication community supervision if, regardless of the statutory authorization:

(1) the person entered a plea of guilty or nolo contendere;

(2) the judge deferred further proceedings without entering an adjudication of guilt and placed the person under the supervision of the court or an officer under the supervision of the court; and

(3) at the end of the period of supervision the judge dismissed the proceedings and discharged the person.

Moral turpitude is a legal term and has a recognized meaning to include:

- Dishonesty, fraud, deceit, misrepresentation or deliberate violence
- Matters of personal morality
- Conduct committed knowingly and contrary to justice, honesty, principle or good morals
- Baseness, vileness or depravity
- Conduct immoral in itself, regardless of whether it is punishable by law
- Immoral conduct that is willful, flagrant or shameless and shows a moral indifference to the opinion of the good and respectable members of the community

Under Texas Law the following crimes have been recognized as crimes of moral turpitude and shall affect the eligibility to serve as a coach or official:

- **Sexual assault of a child**

- **Lying to a police officer**
- **Mail fraud**
- **Tax evasion**
- **Prostitution**
- **Purchase of a child**
- **Indecent exposure**
- **Failure to stop & render aid**
- **Theft**
- **Aggravated assault**
- **Assault by a male on a female**
- **Communicating a false alarm**
- **Murder and indecent exposure**
- **Swindling**
- **Bank fraud**
- **Theft, shoplifting**

The safety and protection of the participants in this league are paramount to the interests of coaches or officials. As such, some offenses that may not be crimes of moral turpitude are nonetheless determinative as to eligibility to participate as a coach or official in this league. Potential coaches or officials that may have been convicted or received deferred adjudication community supervision for certain crimes may apply if certain time periods have expired. These time periods run from the date of conviction or the date that the person was discharged from deferred adjudication community supervision. The following waiting periods will be used in determining applicant's eligibility.

- Driving Under the Influence/Driving While Intoxicated/misdemeanor — 3 years
- Misdemeanor Crimes of Moral Turpitude — 7 years
- Felony Offenses not involving assaults or domestic violence — 10 years

Potential coaches or officials that may have been convicted or received deferred adjudication community supervision for certain crimes may be totally excluded if the offense was of a sexual nature, a felony assault or felony domestic violence. Potential coaches or officials that may have been convicted or received deferred adjudication community supervision for these offenses can only participate if the appeal panel grants their appeal of ineligibility.

Printed Name: _____ *Signature & Date:* _____

The City of Rockwall	**Parks, Recreation, and Streets Policies & Administrative Directives**		
	Policy Number **1**	Page # 1 of 3	Origination Date: 2/20/2006 Revision Date: 12/31/2013 Adopted by Council: 1/6/2014
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- **Failure to stop & render aid**
- **Theft**
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The City of Rockwall	Parks, Recreation, and Streets Policies & Administrative Directives		
	Policy Number **1**	Page # 3 of 3	Origination Date: 2/20/2006 Revision Date: 12/31/2013 Adopted by Council: 1/6/2014
	Subject: **Eligibility Criteria for Youth Sports Programs as a Coach**		_____Date:_____ Dept Signature

Printed Name: _____ *Signature & Date:* _____

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

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

DATE: February 28, 2014

SUBJECT: Roadway Variance Request

The engineering design for Justin Road from Industrial Boulevard to John King Boulevard is nearing completion. As a requirement of acquiring right-of-way for John King Boulevard in the area of Justin Road, the City is required to provide a driveway and a median opening on Justin Road for the Temunovic property located at the southwest corner of the John King Boulevard/Justin Road intersection (see the attached drawing marked Exhibit A). The Rockwall Economic Development Corporation (REDC) has been working with the Channell Company to develop the property on the north side of the Justin Road extension. They have requested a driveway and median opening approximately 135 feet west of the proposed Temunovic property median opening.

The City of Rockwall Standard of Design and construction requires that a median opening be no more than 60 feet in width and spacing between median openings can not be closer than 220 feet.

The staff has received a variance request from REDC's engineer proposing a median opening width of 135 feet to allow these two developments two way access on Justin Road from their properties. Staff has analyzed this request and supports the variance request.

Staff would request consideration of the City Council to approve a variance for the REDC to allow a 135 foot median opening on Justin Road to allow access for both proposed developments.

Attachments

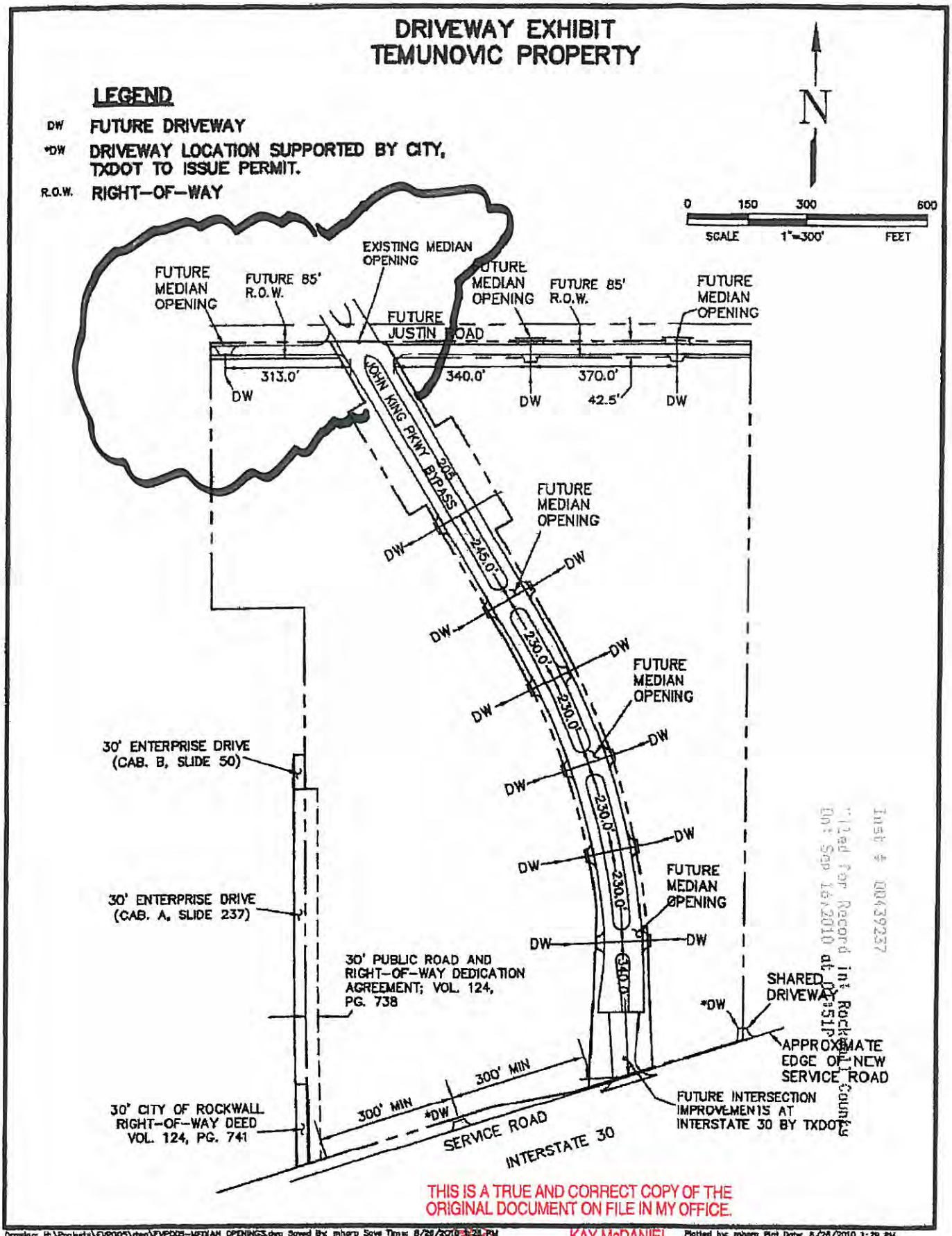
TMT:em

Attachments:

Cc:

Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
Sheri Franza, Rockwall Economic Development
file

DRIVEWAY EXHIBIT
TEMUNOVIC PROPERTY



Inst # 00439237
Filed For Record in: Rockwall County
On: Sep 16,2010 at 04:51P

THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL DOCUMENT ON FILE IN MY OFFICE.
KAY McDANIEL
DISTRICT CLERK
ROCKWALL COUNTY, TEXAS

Drawing: H:\Projects\EVP005\dwg\EVP005-MEDIAN OPENINGS.dwg Saved By: mharp Save Time: 8/26/2010 3:28 PM Plotted by: mharp Plot Date: 8/26/2010 3:29 PM

EXHIBIT 'A'

64

WIER & ASSOCIATES, INC.
ENGINEERS
SURVEYORS
LAND PLANNERS

February 25, 2014

PRINCIPALS
JOHN P. WIER, P.E., R.P.L.S.
ULYS LANE III, P.E., R.P.L.S., CFM
CARLO SILVESTRI, P.E.
RONALD RAMIREZ, P.E.
GREGG MADSEN, R.P.L.S.

SENIOR ASSOCIATES
PHILIP L. GRAHAM, P.E.
JAKE H. FEARS, P.E., LEED AP

ASSOCIATES
TOBY W. RODGERS
JOHN L. HENDERSON
CASEY D. YORK

City of Rockwall
Engineering Department
385 S. Goliad Street
Rockwall, Texas 75087

RE: W&A#13096: JUSTIN ROAD - REQUEST FOR VARIANCE – MEDIAN OPENING WIDTH

Dear Mr. Tumulty,

Wier & Associates, Inc. is in the design phase of the Justin Road Extension from Industrial Blvd to John King Blvd. The project is facilitated by the Rockwall Economic Development Corporation. There is a location of a median break associated with an upcoming REDC prospect and a landowner, Temunovic. The location of the median break and associated drive opening for the Temunovic Tract is determined by a condemnation decision acquired during the construction of John King Boulevard.

The City of Rockwall's "Standards of Design and Construction" requires that a median break be no more than 60' nose-nose.

Our client, the REDC is requesting a variance to this width, proposing an approximate 135' width to accommodate the following:

1. The prospect drive on the North side of Justin Road requires a driveway at the proposed location, which creates an offset with the Temunovic property.
2. Both parties require access to a median break. The Temunovic landowner is promised a break at the location shown
3. The design will incorporate colored concrete to create a visual division as a "laydown median".

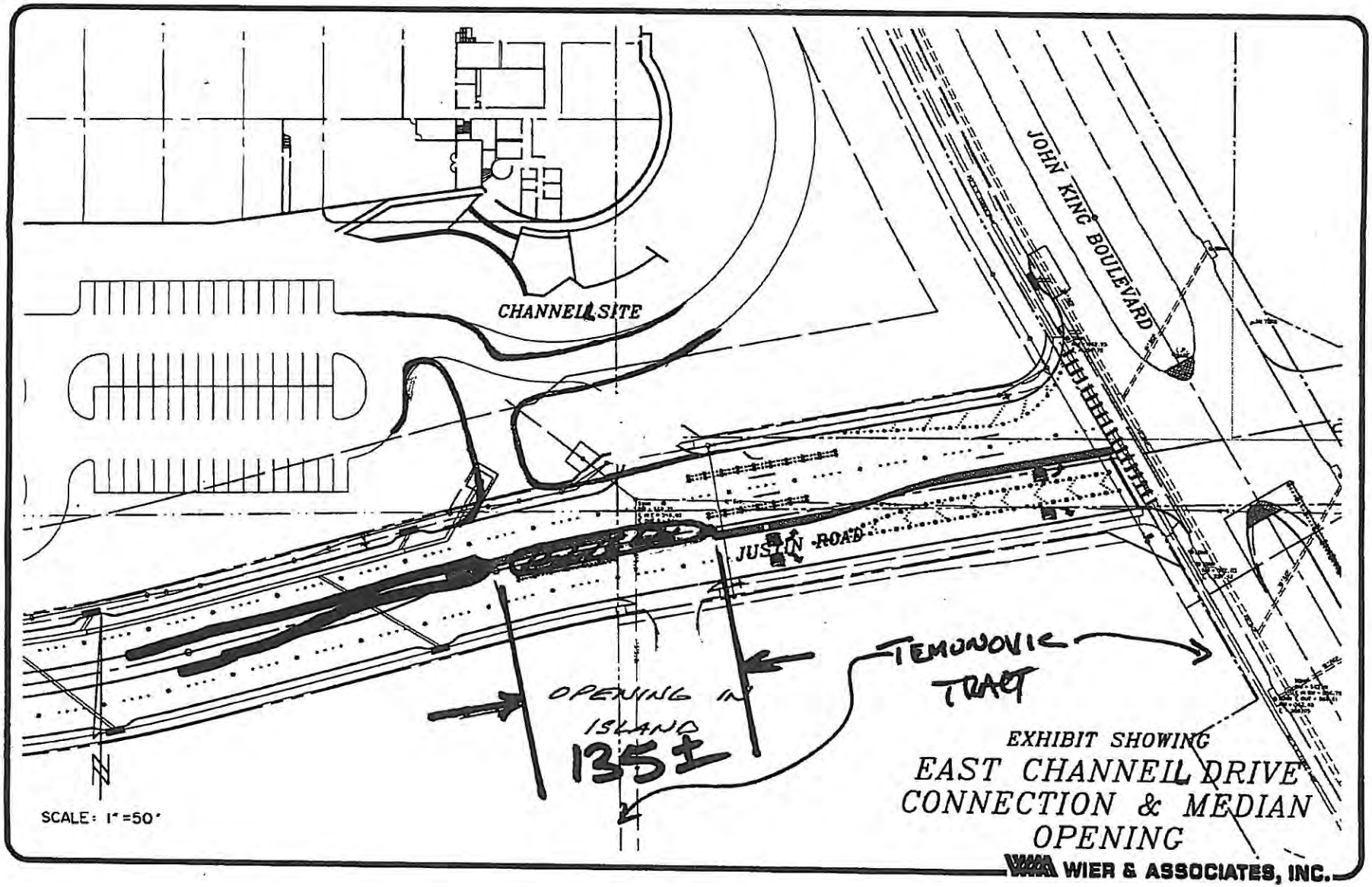
Please contact me at 817-467-7700 or ronr@wierassociates.com if you have any questions regarding this request.

Very truly yours,

Ron Ramirez, P.E., Vice President

cc: Sheri Franza, Ken Keeton - REDC

701 HIGHLANDER BLVD., SUITE 300 • ARLINGTON, TEXAS 76015-4340
METRO (817) 467-7700 • METRO FAX (817) 467-7713
WWW.WIERASSOCIATES.COM


CHANNELL SITE
JOHN KING BOULEVARD
JUSTIN ROAD
OPENING IN ISLAND
135±
TEMONOVIC TRACT
SCALE: 1" =50'
EXHIBIT SHOWING
EAST CHANNELL DRIVE CONNECTION & MEDIAN OPENING
WIER & ASSOCIATES, INC.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **February 28, 2014**

SUBJECT: **Domestic Violence Investigator/Prevention Officer Grant Application Resolution**

The Rockwall Police Department is requesting City Council approval of a Resolution authorizing the submission of a grant application through the Criminal Justice Division of the Governor's office.

The Resolution authorizes the submission of the grant application and designates me as the City's authorized official for the grant program. The Department will be preparing the grant application. The Council may recall that one of the budget items which the City was unable to fund in the budget for this fiscal year was the (police officer) position of Domestic Violence Investigator/Prevention Officer. While the need for the position can be well documented, it was one of several positions that was deferred for later consideration.

District Attorney Kenda Culpepper and her office have been very helpful in both identifying the grant program as a potential source of funding for the position and will be assisting the Department by providing data supporting the need for the position as well as providing a letter of support for the application. If approved, the city's contribution would be to fund benefits and equipment, computers, vehicle, and radios which are currently available. Training would also be provided by the city. While some of the local contributions are non-cash the total cash paid by the city would be about $24,300. If approved by the state the grant would begin in September 2014. Only one month of the grant would be in this fiscal year.

The resolution is attached for your review and the staff will be available at the meeting to answer any questions that you may have. Approval of the Resolution is requested. After discussion with City Attorney, Frank Garza, in order to meet the submission deadline, I have authorized the submission of the application. Should the Council not approve the resolution, the application will be immediately withdrawn.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 14-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPLYING FOR AND ACCEPTING GRANT FUNDING FROM THE VIOLENT CRIMES AGAINST WOMEN (VCAW) GRANT PROGRAM THROUGH THE CRIMINAL JUSTICE DIVISION OF THE GOVERNORS OFFICE FOR THE CREATION OF A DOMESTIC VIOLENCE INVESTIGATOR / PREVENTION OFFICER; ESTABLISHING THE DUTIES AND RESPONSIBILITIES OF SAID GRANT REQUIREMENTS; DESIGNATING THE CITY MANAGER AS THE AUTHORIZED OFFICIAL FOR THE GRANT APPLICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall finds it in the best interest of the citizens of Rockwall, Texas, that funding for the creation of a Domestic Violence Investigator/Prevention Officer be requested through the VCAW Program and that activities of said Investigator begin in the year 2014; and

WHEREAS, the City of Rockwall understands that matching funds are required for the said project through the VCAW grant application; and

WHEREAS, the City of Rockwall agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City of Rockwall will return the funds in full to the Criminal Justice Division (CJD).

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

Section 1. That the City of Rockwall hereby designates Rick Crowley, City Manager, as the grantee's authorized official and empowers him to apply for, accept, reject, alter or terminate the grant on behalf of the City of Rockwall;

Section 2. That the City of Rockwall approves submission of a grant application for the creation of a Domestic Violence Investigator / Prevention Officer to the Office of the Governor, Criminal Justice Division; and

Section 3. That this Resolution shall be effective immediately after passage and approval, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of March, 2014.

ATTEST: **David Sweet, Mayor**

Kristy Ashberry, City Secretary

Grant Number: _____

Application #: 2793301

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

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

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

DATE: **February 25, 2014**

SUBJECT: **APPOINTMENT WITH MARK SPENCER TO PRESENT PROPOSED PHELPS LAKE IMPROVEMENTS**

The FY 2014 approved budget includes $75,000 for improvements to Phelps Lake. The funding source is from Pro-rata Equipment Fees paid by residential developers into the Park District #9 escrow account, in accordance with the Mandatory Park Land Dedication Ordinance.

At the December 3rd meeting, Park Board heard public input and discussed proposed improvements for the Phelps Lake area. An invitation to the Park Board meeting was also sent to the Caruth Lakes HOA for distribution to its residents due to its proximity to the park. Two residents from the Caruth Lakes Subdivision were present and spoke at the meeting, voicing their support for the proposed amenities to Phelps Lake.

Mark Spencer of MHS Planning and Design was hired to provide construction drawings for the Phelps Lake project. At the February meeting Mr. Spencer presented a plan based on feedback from Park Board and public input from the December Park Board meeting.

At the February 4th meeting, Park Board voted unanimously to recommend approval of the plan to City Council with the following improvements:

- Fishing pier
- Kayak launch
- Loop connection to the existing trail
- Park benches and trash receptacles
- Stone park entrance sign

Mr. Spencer will be prepared to present the Phelps Lake improvements. Included in your packet is a copy of the site plan.

20' 0' 20' 40'

GRAPHIC SCALE

KAYAK LAUNCH
KAYAK LAUNCH PIER

TREES
(FUTURE)

BOARDWALK
(FUTURE)

SIDEWALK CONNECTION
FUTURE

EXISTING TREES

BENCH STATION

EXISTING 8' WIDE
CONCRETE TRAIL

4' WIDE GARDEN PATH

NATIVE PLANT
DEMONSTRATION
GARDEN (FUTURE)

LAWN AREA

NATIVE PLANT
DEMONSTRATION
GARDEN (FUTURE)

8' WIDE CONCRETE TRAIL
+/-670 LF LOOP

NATIVE PLANT
DEMONSTRATION
GARDEN (FUTURE)

TREES
(FUTURE)

LANDSCAPE
BED

12 STAIRS

500

510

20' 0' 20' 40'

GRAPHIC SCALE

FISHING
PIER

6' WIDE
CONCRETE WALK

PHELPS LAKE

NORTH

40' 0' 40' 80'

GRAPHIC SCALE

KAYAK LAUNCH
KAYAK LAUNCH PIER
TREES
(FUTURE)
BOARDWALK
(FUTURE)
SIDEWALK CONNECTION
FUTURE
EXISTING TREES
BENCH STATION
EXISTING 8' WIDE
CONCRETE TRAIL
4' WIDE GARDEN PATH
NATIVE PLANT
DEMONSTRATION
GARDEN (FUTURE)
LAWN AREA
NATIVE PLANT
DEMONSTRATION
GARDEN (FUTURE)
8' WIDE CONCRETE TRAIL
+/-670 LF LOOP
NATIVE PLANT
DEMONSTRATION
GARDEN (FUTURE)
TREES
(FUTURE)
LANDSCAPE
BED
12 STAIRS
500
510
520

REVISIONS:

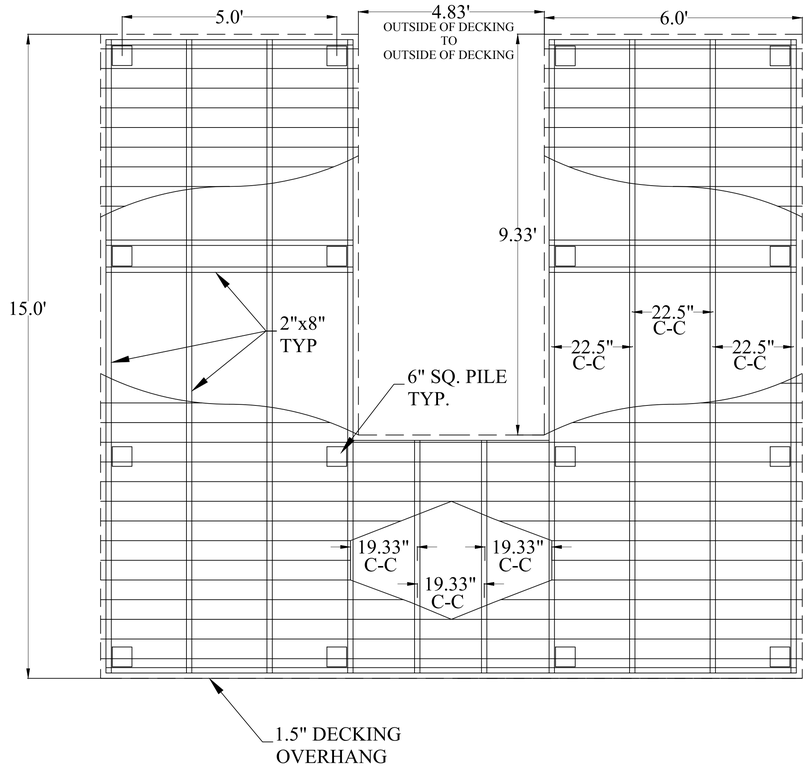
212 West Ninth Street
Tyler, Texas 75701
903-597-6606
903-597-0517 Fax

MHS
PLANNING & DESIGN, LLC

SITE PLAN
PHELPS LAKE
CITY OF ROCKWALL, TEXAS

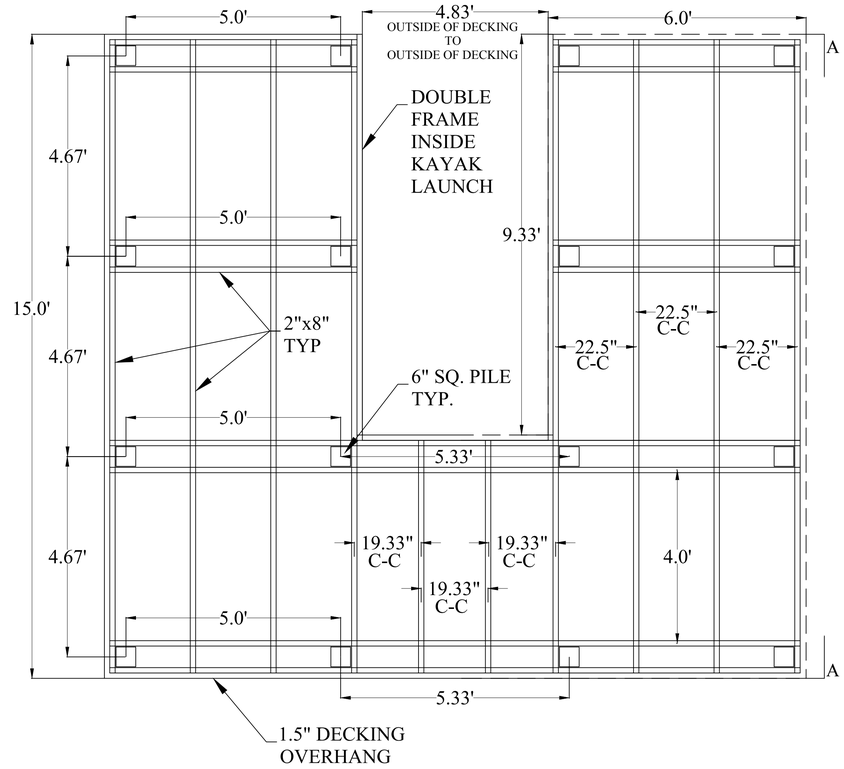
DRAWN:	HNR
CHECKED:	MHS
DATE:	FEB 2014
SCALE:	AS SHOWN
JOB NO.:	13-004

1 OF 1



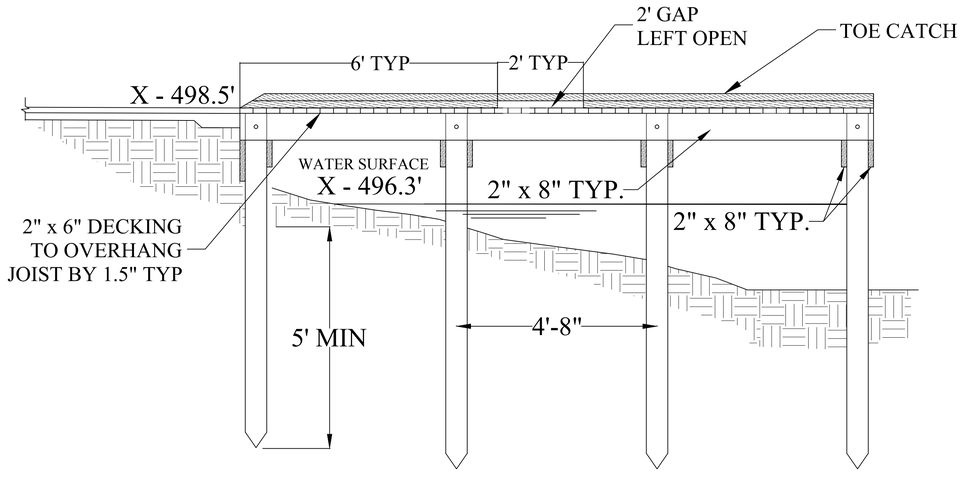
KAYAK LAUNCH DECKING DETAIL

1" = 20'



KAYAK LAUNCH FRAMING DETAIL

1" = 20'



KAYAK LAUNCH - SIDE ELEVATION A-A

1" = 20'

NOTE: ALL LUMBER TO BE IPE.
ALL HARDWARE TO BE STAINLESS STEEL OR HOT DIPPED GALVANIZED.

NOTE: KAYAK LAUNCH TO BE:
HEAVY DUTY LAUNCH RAMP SECTION INCLUDING BOARDING
HANDLE AND GRAB AND LAUNCH RAILS PROVIDED BY:
THE DOCK DOCTORS, LLC
19 LITTLE OTTER LANE
FERRISBURGH, VT 05456
ATTN: MIKE SAVIOLI
(1.802.877.6756)
MIKE@THEDOCKDOCTORS.COM

ALUMINUM LAUNCH TO BE POWDER COATED - COLOR BY OWNER

REVISIONS:

212 West Ninth Street
Tyler, Texas 75701
903-597-6606
903-597-0517 Fax

MHS
PLANNING & DESIGN, LLC

KAYAK LAUNCH DETAILS

PHELPS LAKE

CITY OF ROCKWALL, TEXAS

DRAWN:	HNR
CHECKED:	MHS
DATE:	FEB 2014
SCALE:	AS SHOWN
JOB NO.:	13-004

1 OF 1

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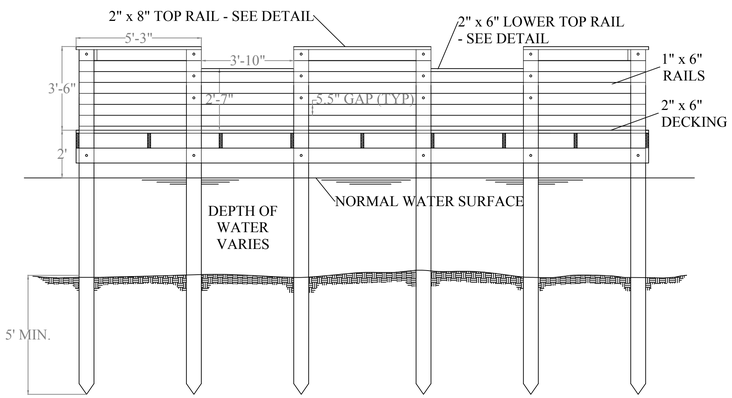
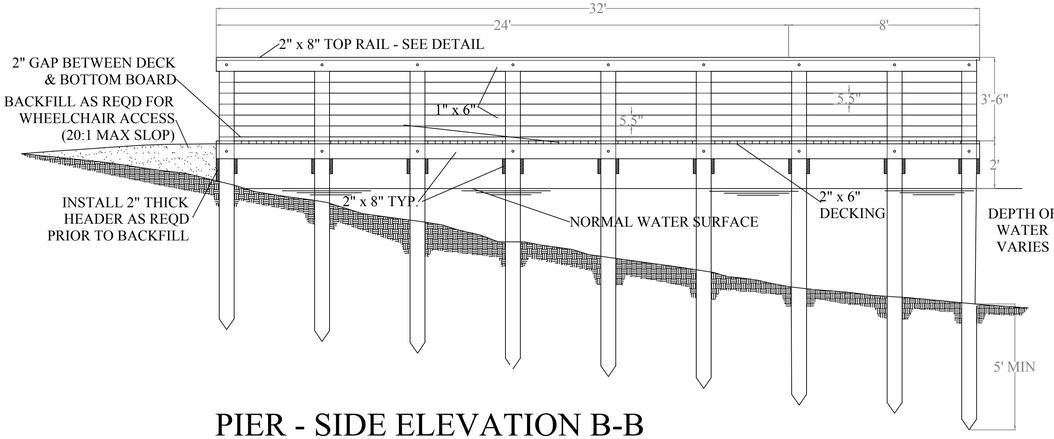


PIER - FRONT ELEVATION A-A

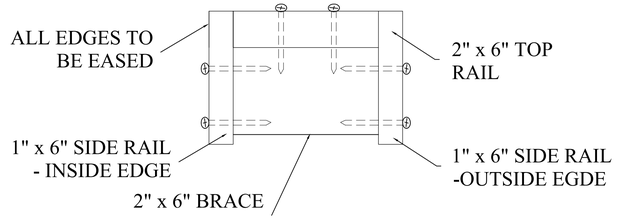
0' 3' 6' 9'



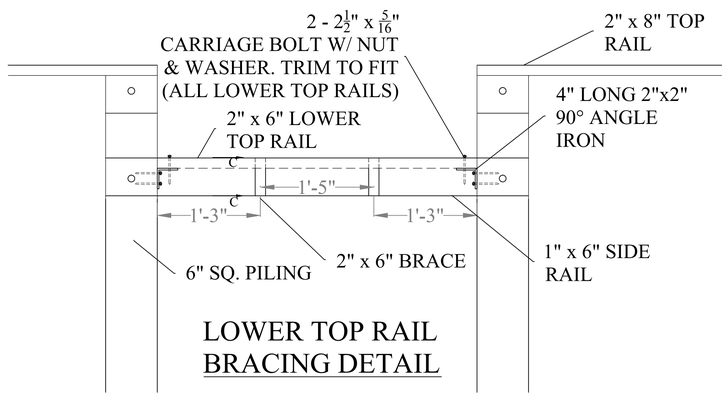
PIER - SIDE ELEVATION B-B

0' 3' 6' 9'

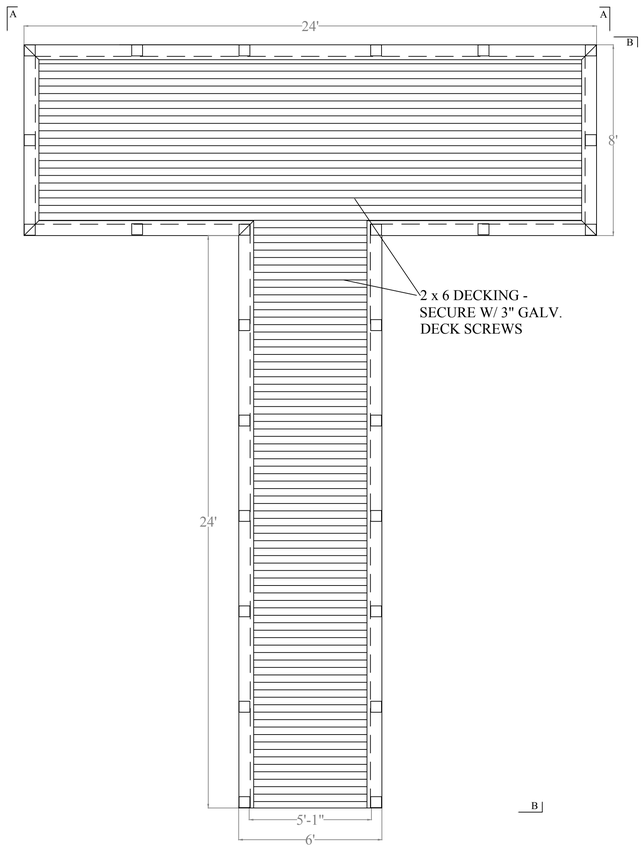
NOTE: ALL LUMBER TO BE IPE. ALL HARDWARE TO BE STAINLESS STEEL OR HOT DIPPED GALVANIZED.



LOWER TOP RAIL BRACING DETAIL C-C

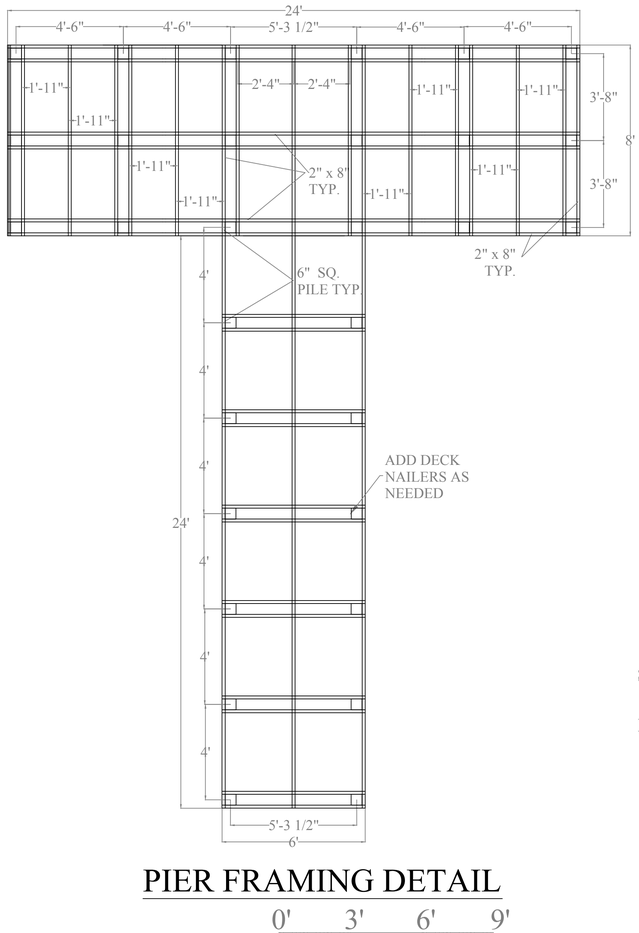


LOWER TOP RAIL BRACING DETAIL



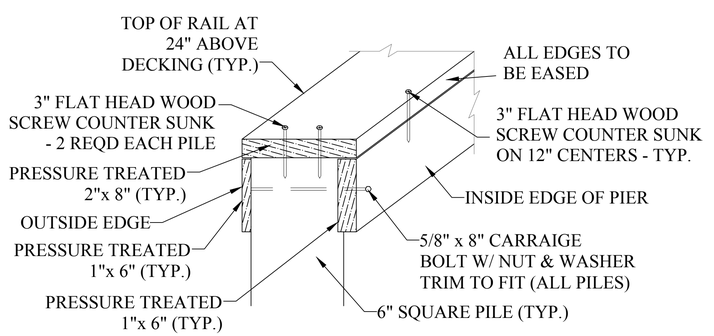
PIER DETAIL - DECKING

0' 3' 6' 9'



PIER FRAMING DETAIL

0' 3' 6' 9'



RAIL DETAIL

NO SCALE

212 West Ninth Street
Tyler, Texas 75701
903-597-6606
903-597-0517 Fax

MHS
PLANNING & DESIGN, LLC

REVISIONS:

FISHING PIER DETAILS

PHELPS LAKE

CITY OF ROCKWALL, TEXAS

DRAWN:	HNR
CHECKED:	MHS
DATE:	FEB 2014
SCALE:	AS SHOWN
JOB NO.:	13-004

1 OF 1

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Ashberry, Kristy

From: valvoline express <mbrr@att.net>
Sent: Friday, February 21, 2014 5:45 PM
To: Ashberry, Kristy
Subject: Re:

screening

From: "Ashberry, Kristy" <KAshberry@rockwall.com>
To: 'valvoline express' >
Cc: "Casey, Jacky" <JCasey@rockwall.com>
Sent: Friday, February 21, 2014 12:11 PM
Subject: RE:

Mr. Roberts,

I will need to know what, specifically, you would like to speak to the Council about. Please provide me with additional details.

Thank you,

Kristy Ashberry
Assistant to the City Manager/
City Secretary
City of Rockwall
Ph: (972) 772-6406
Fax: (972) 771-7727
http://www.knowhat2do.com/

From: valvoline express [mailto:
Sent: Friday, February 21, 2014 12:11 PM
To: Ashberry, Kristy
Subject:

I would like to schedule a spot on the next city council meeting. Thanks Marlyn Roberts

This email contains the thoughts and opinions of the sender and does not reflect official City of Rockwall policies.

Other than the intended recipient, any confidential information contained in this email is prohibited from disclosure or use.

City of Rockwall
The New Horizon

MEMORANDUM

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

FROM: **Jeffrey Widmer, Building Official**

DATE: **2/27/14**

SUBJECT: **Marlyn Roberts illegal outside storage container case**

N.I.S. issued a notice to Marlyn on 2/5 giving him until 8:00am on 2/15 to abate the zoning violation he had on his property, with the existing storage container that was not approved by Council.

Marlyn called me on 2/12 late afternoon. He complained that he did not like it, but that he was going to move the container. During that conversation, I reiterated to him, that if he did not bring his property into compliance by 8:00am on the 15th, we would be coming out to issue him a citation for that zoning violation.

I asked Marlyn where he was going to move the storage container to, and he told me he planned to move it back into the trees, at the rear of his lot. I told Marlyn that there are two issues with that. The first issue is regarding the floodplain and whether he had a suitable location that was not in the floodplain, to place the container in. The second issue is the fact that in order for him to be able to keep the container on his property, he would need to go back to Council and ask for their approval. I told Marlyn that I would go to Tim Timulty and find out where the floodplain line is and if the location he was looking at for the container was in or out of the floodplain. If it was not in the floodplain, then I would go to Robert LaCroix and ask about Marlyn going back to Council with his request to possibly relocate and keep the container on his property. I told Marlyn that I did not recommend him moving the container prior to me calling him back with the info, because if he placed it in the floodplain he would have to move it again. I stated that I was pretty sure he would not want to pay the wrecker service to move it a second time.

Tim provided me with the floodplain location. The location Marlyn was interested in, is indeed within the floodplain. I called Marlyn first thing in the morning on 2/13 and left a message with one of his employees, asking him to return my call. I never heard back from him that day. I called him again in early am on 2/14 and spoke to his wife, informing her that I told Marlyn I would get some info for him and asked her to have him return my call. Having not heard from Marlyn, I called him once again on 2/14 about 2pm and spoke to his wife again. She stated that he was very busy with the business and was tied up. I did not receive a return call from Marlyn.

Approximately 9am on 2/15, Cliff Griffin arrived at Marlyn's place of business to determine if Marlyn had brought his property into compliance. Cliff noticed that Marlyn had relocated the

storage container to the rear of his property and inside a group of trees. Cliff said that Marlyn noticed his car and came directly over to it. Cliff said he started to open his car door and that Marlyn placed his hands on the door and physically shut it. Cliff said that Marlyn told him to get the hell off of his property. Cliff attempted to inform Marlyn that he was there to issue him a citation and that Marlyn stated that he had done exactly what I had told him to do. Cliff was well aware of my conversation with Marlyn and told him that I had asked him not to move the container until I could obtain the info he and I spoke about and called him back to inform him. Marlyn once again told Cliff to get off of his property. Cliff left the property and called me. After a brief discussion, the decision was made to mail the citation to Marlyn. The citation was mailed on 2/18 and delivery was rejected by Mr. Roberts. We then proceeded to work with Municipal Court and they sent an Officer to Mr. Roberts place of business on 2/24 and a summons to appear in court was served.

Following Mr. Crowley's request that I contact Frank Garza to seek his counsel about Marlyn's argument pertaining to the fact that his site plan, which was drawn and submitted to the City by his Engineer when he developed his business does not show the floodplain in the same location as our current floodplain study plan does, I contacted Mr. Garza. We discussed the fact that Marlyn may argue that his site plan was approved by the City and now we are telling him that we are using the more recent floodplain study data to determine the location of the floodplain line. The reality is his Engineer did not perform a floodplain study to determine the location of the floodplain line, and simply noted on his site plan "approximate line of 100 year floodplain". Frank stated that he is not concerned with those facts for two reasons. First, the site plan drawn by Marlyn's Engineer was showing the floodplain line in an approximate location and would require further study to determine the exact location of that line. Secondly, the notice we issued to Marlyn, informed him that we consider the container a zoning violation and the notice had nothing to do with the location of the floodplain line, but the fact that he was not successful in obtaining Councils approval to keep the container on his property. We asked him to abate that zoning violation and because he failed to comply by the notice deadline, we proceeded with issuing the citation and ultimately the court summons.

I have attached a pdf which shows the floodplain study's location of the floodplain line in red. Marlyn's Engineer called out the approximate line location in yellow, which I have marked on the plan. In addition, I have marked the current location of the container.

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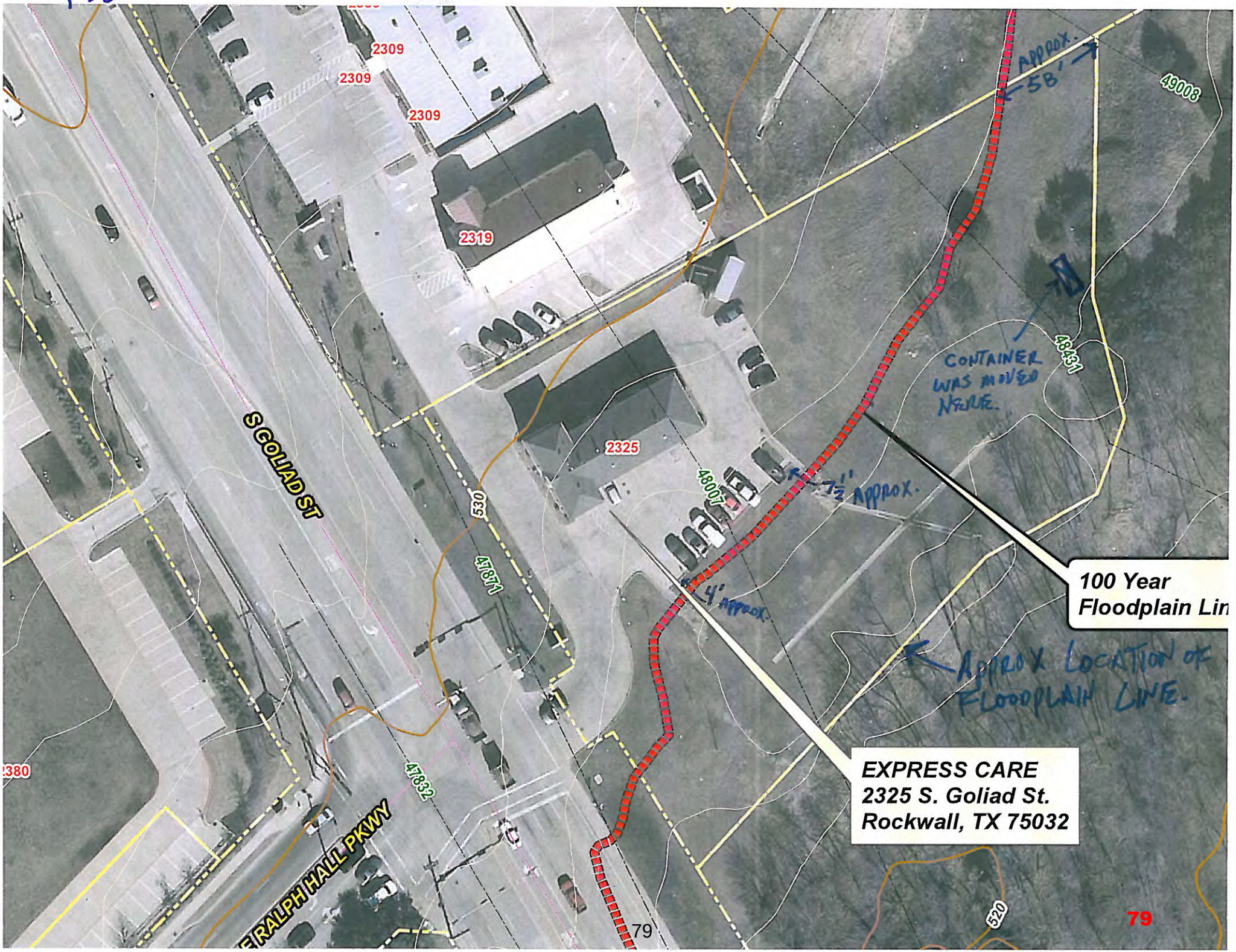
1" = 60'
2309
2309
2309
2319
2325
S GOLIAD ST
530
47871
48007
48431
49008
47832
2380
520
RALPH HALL PKWY
APPROX. 58'
CONTAINER WAS MOVED HERE.
7½' APPROX.
4' APPROX.
APPROX LOCATION OF FLOODPLAIN LINE.
100 Year Floodplain Lin
EXPRESS CARE
2325 S. Goliad St.
Rockwall, TX 75032

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 2/17/2014

APPLICANT: Engineering Concepts & Design

AGENDA ITEM: **Z2014-001;** Rayburn Electric Zoning (AG to HC)

SUMMARY:

Hold a public hearing to discuss and consider a request by Tommy Pulliam on behalf of Rayburn Electric Cooperation, Inc. for the approval of a zoning change from Agricultural (Ag) District to a Heavy Commercial (HC) District for a 6.057-acre tract land identified as a portion of Tract 3-06 of the W. H. Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Agricultural (Ag) District, located on the south side of Sids Road west of S. Goliad Street (SH-205), and take any action necessary.

BACKGROUND INFORMATION:

The applicant has requested to rezone approximately 6.57-acres on the south side of Sids Road from Agricultural (AG) District to Heavy Commercial (HC) District. The site features an existing office/warehouse building for Rayburn Electric which is considered a legal, non-conforming use. The owner intends to construct a new office building for Rayburn Electric on the property. Rezoning will bring the property into conformance as well as create consistency in zoning with surrounding properties.

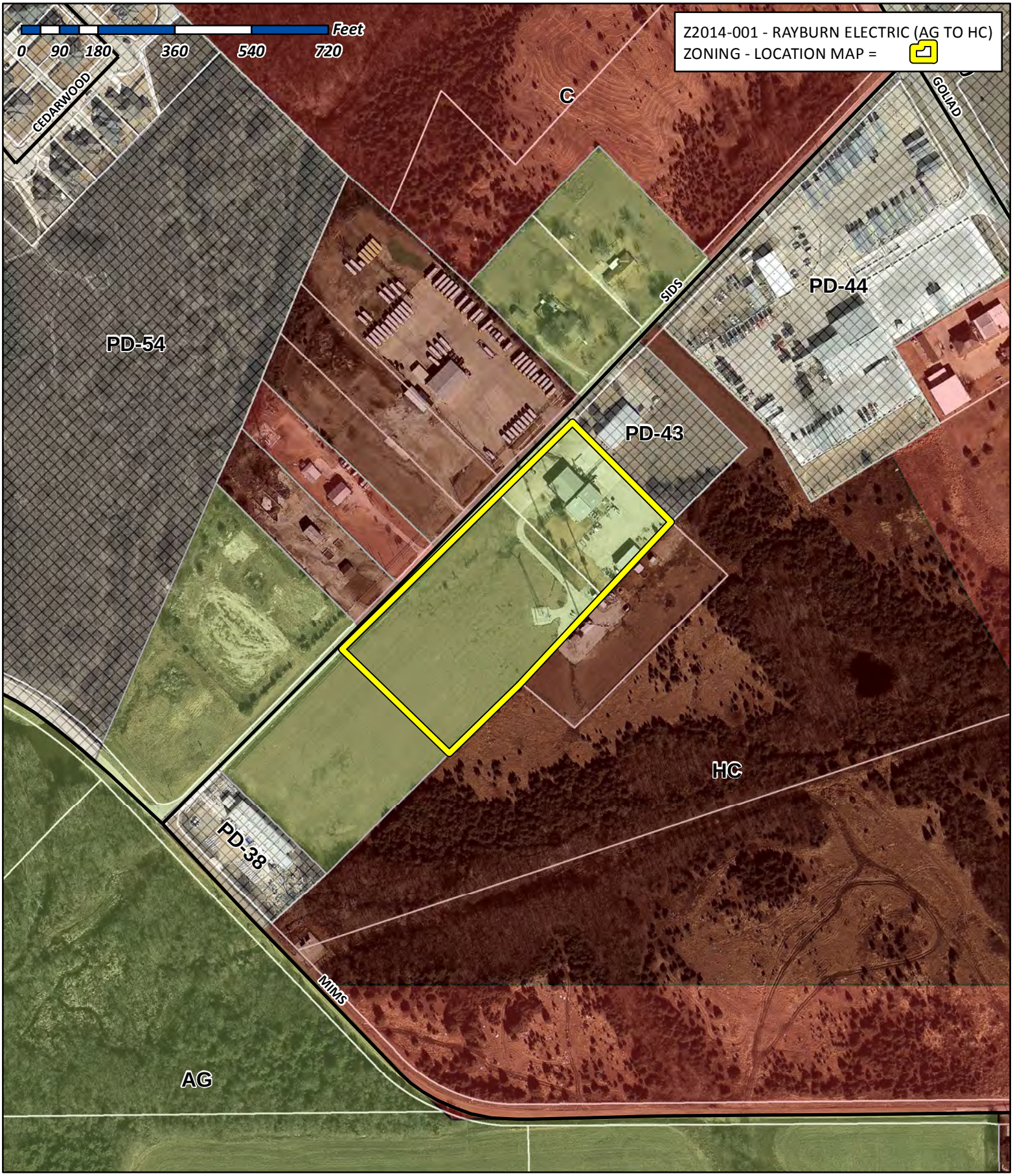
The majority of properties to the north are zoned Heavy Commercial. The properties to the south are zoned Heavy Commercial. The property to the west is zoned PD-38 with an underlying zoning of Heavy Commercial and the property to the east is zoned PD-43 with an underlying zoning of Commercial. Additionally, a portion of the Rayburn Electric Lot 1 is zoned Heavy Commercial.

NOTIFICATION:

A notice was published in the Rockwall County News on January 30, 2014. Staff mailed nine (9) notices to property owners within 200 feet of the subject property. Additionally, staff posted signage along street frontage adjacent to the subject property, as required by the UDC. At the time this case memo, staff has not received any responses.

PLANNING & ZONING COMMISSION:

On February 11, 2014, the Planning & Zoning Commission recommended approval of the applicant's request by a vote of 6-0, with Commissioner Minth absent.



City of Rockwall

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

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

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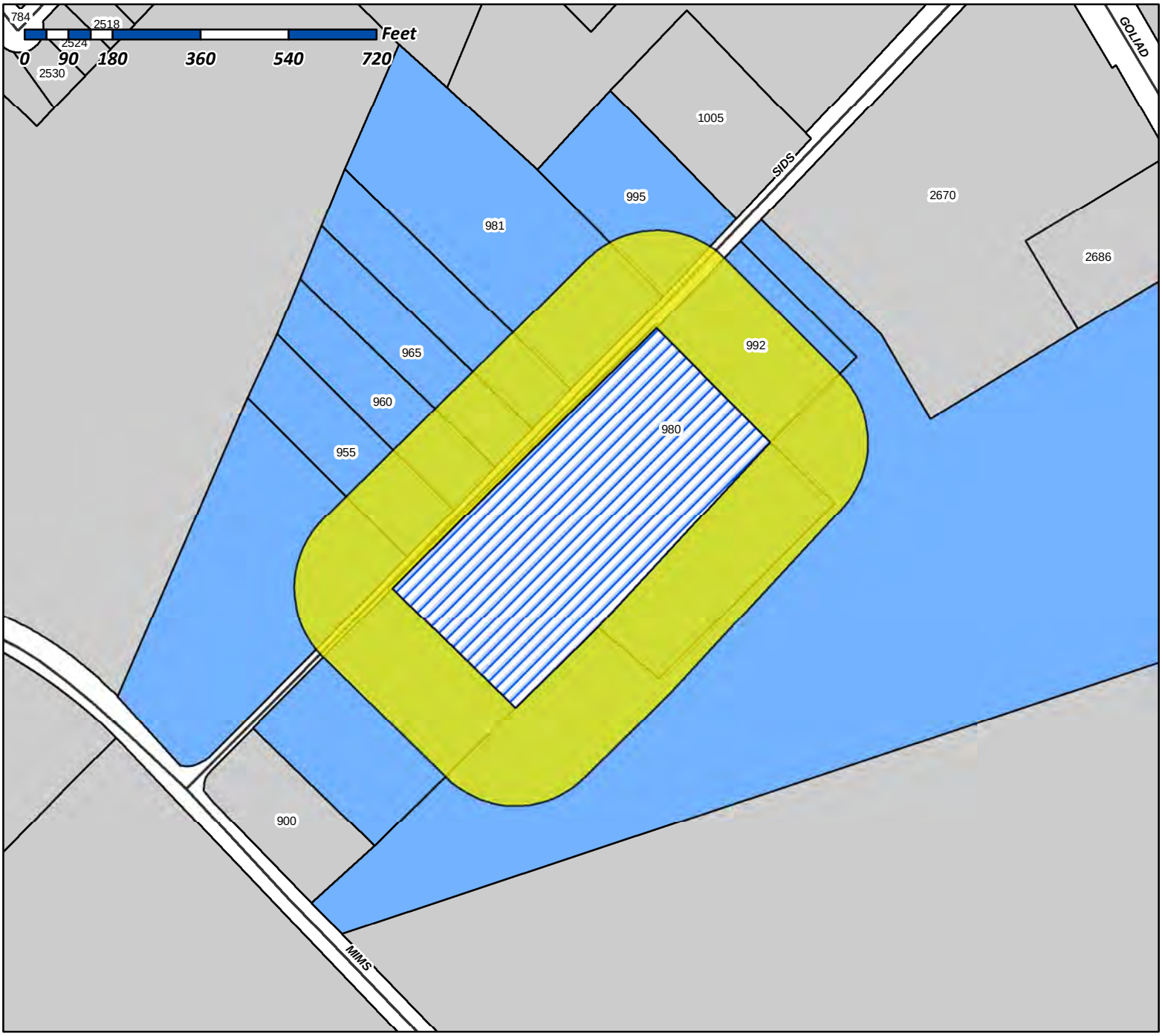
City of Rockwall

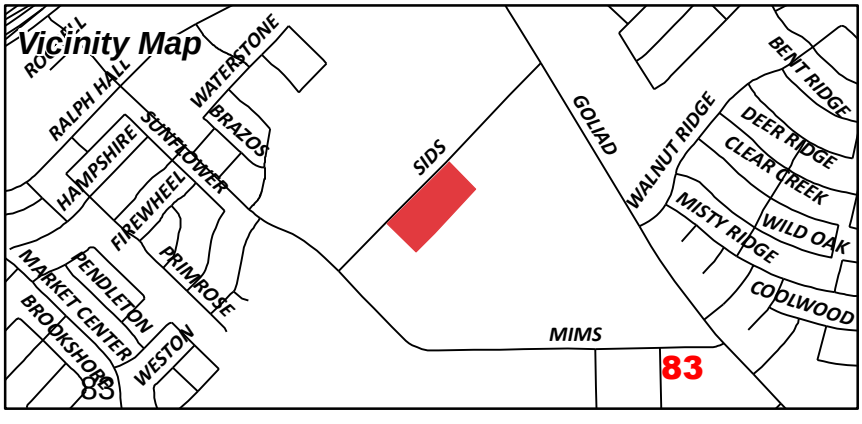
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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



Case Number: Z2014-001
Case Name: Rezone (AG to HC)
Case Type: Zoning
Zoning: Agricultural
Case Address: 980 Sids Road

Date Created: *1/23/2014*
For Questions on this Case Call (972) 771-7745



Reference No.	First Name	Last Name	Legal Description	Address Line 1	Address Line 2	City	State	Zip
4705-0001-0001-00-0R	S & A SYSTEMS	SRYGLEY JAMES G	POTT SHRIGLEY ADDITION, BLOCK 1, LOT 1, ACRES 2.000		992 SIDS RD	ROCKWALL	TX	75032
0026-0000-0003-06-0R		RAYBURN COUNTRY ELECTRIC CORP INC	A0026 W H BARNES, TRACT 3-06, ACRES 7.403, (PT OF 11.403 AC TR)		PO BOX 37	ROCKWALL	TX	75087
0145-0000-0011-00-0R		LOFLAND ROBERT G & BETTY K	A0145 J D MCFARLAND, TRACT 11, ACRES 2		995 SIDS RD	ROCKWALL	TX	75032
0145-0000-0008-00-0R		ROCKWALL I S D	A0145 J D MCFARLAND, TRACT 8, ACRES 4		801 E WASHINGTON ST	ROCKWALL	TX	75087
0026-0000-0003-08-0R		RAYBURN COUNTRY ELECTRIC CORP INC	A0026 W H BARNES, TRACT 3-8, ACRES 2, (PT OF 11.403 AC TR)		PO BOX 37	ROCKWALL	TX	75087
0026-0000-0003-10-0R		RAYBURN COUNTRY ELECTRIC CORP INC	A0026 W H BARNES, TRACT 3-10, ACRES 2.00, (PT OF 11.403 AC TR)		PO BOX 37	ROCKWALL	TX	75087
0026-0000-0003-13-0R		OSEE PROPERTY MANAGEMENT LLC	A0026 W H BARNES, TRACT 3-13, ACRES 24.818		PO BOX 59106	DALLAS	TX	75229
0145-0000-0008-03-0R		CAMPERS 4 RENT LLC	A0145 J D MCFARLAND, TRACT 8-3, ACRES 1.5		518 WATERVIEW DRIVE	COPPELL	TX	75019
0145-0000-0008-01-0R		RUTLEDGE MARTIN LLC	A0145 J D MCFARLAND, TRACT 8-1, ACRES 5		6207 ROYAL CREST DR	DALLAS	TX	75230
0145-0000-0008-02-0R		RODD HANNA'S AIR PERFORMANCE	A0145 J D MCFARLAND, TRACT 8-02, ACRES 1.5	HEATING & A/C INC	PO BOX 208	ROCKWALL	TX	75087
3155-000A-0001-00-0R		ROCKWALL ISD	BROWN & BROWN SUBD, BLOCK A, LOT 1, 1.5 ACRES		1050 WILLIAMS ST	ROCKWALL	TX	75087
3155-000A-0002-00-0R		ROCKWALL ISD	BROWN & BROWN SUBD, BLOCK A, LOT 2, 1.5 ACRES		1050 WILLIAMS ST	ROCKWALL	TX	75087

ENGINEERINGCONCEPTS & DESIGN, L.P.

201 Windco Cr. Suite 200
Wylie, Texas 75098
Tel: 972-941-8400
Fax: 972-941-8401

January 17, 2014

Mrs. JoDee Sanford
Planning Technician
City of Rockwall, TX

Re: Letter of Intent for Rezoning of 6.057 acres along Sids Rd.
Rayburn Country Electric, Rockwall, TX

Dear Mrs. Sanford

We are requesting to rezone the above mentioned property in order to construct a 15,000 sf office building on the property. This rezoning from AG to HC includes the existing building and structures on Lot 1. All documentation including the application, fee, exhibits and legal description have been submitted for your review.

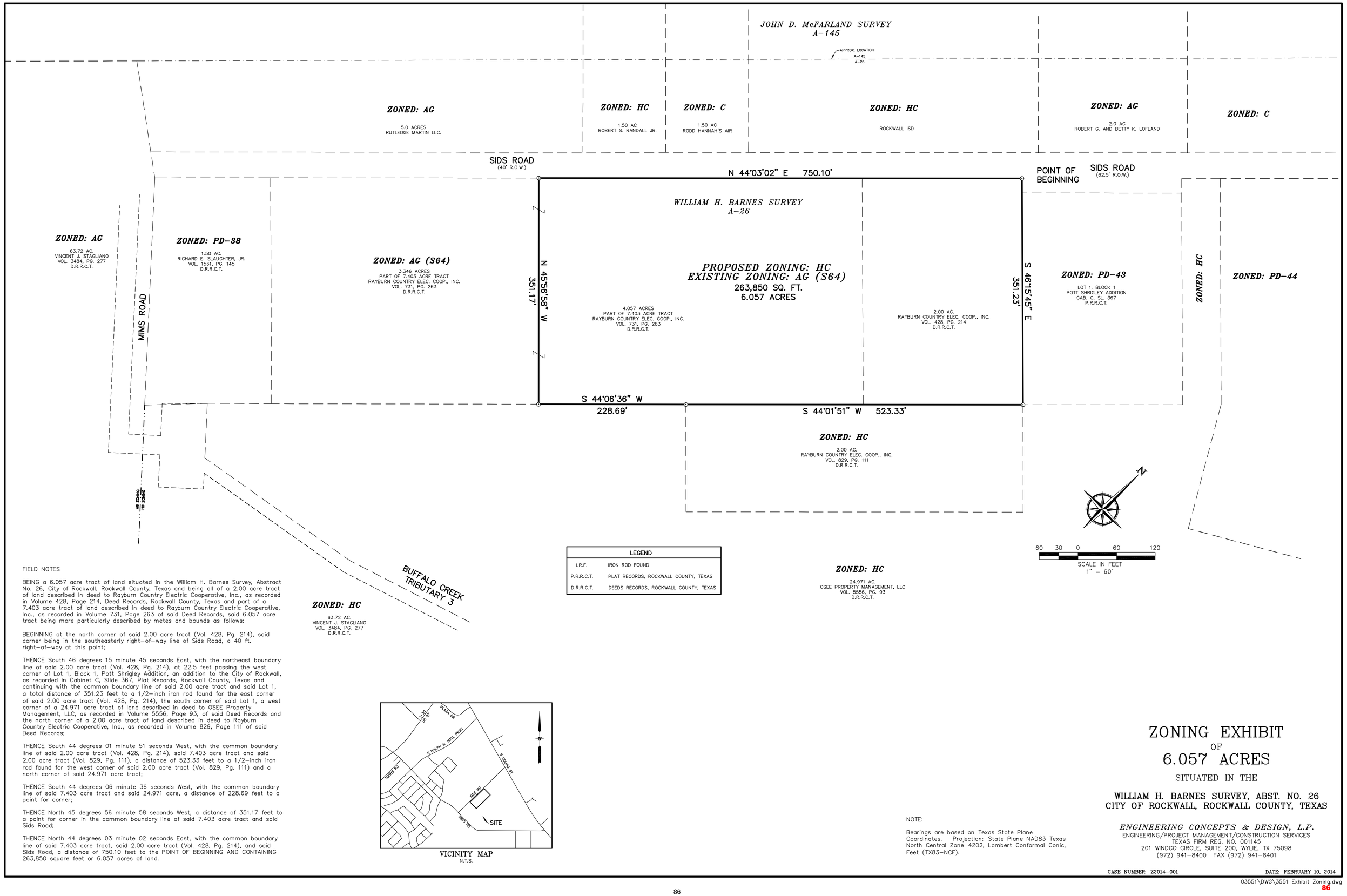
Please do not hesitate to call if you have any questions or comments.

Sincerely,

Todd D. Wintters, P.E.

Attachments:

a. Signed Planning Submittal Application
b. Legal description of 6.057 acre tract
c. 4 folded copies of 24" X 36" Plats
d. 1 – 11" X 17" reduced copy
e. Check for Zoning fee
f. CD with All Submitted Documents



LEGEND	
I.R.F.	IRON ROD FOUND
P.R.R.C.T.	PLAT RECORDS, ROCKWALL COUNTY, TEXAS
D.R.R.C.T.	DEEDS RECORDS, ROCKWALL COUNTY, TEXAS

FIELD NOTES

BEING a 6.057 acre tract of land situated in the William H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas and being all of a 2.00 acre tract of land described in deed to Rayburn Country Electric Cooperative, Inc., as recorded in Volume 428, Page 214, Deed Records, Rockwall County, Texas and part of a 7.403 acre tract of land described in deed to Rayburn Country Electric Cooperative, Inc., as recorded in Volume 731, Page 263 of said Deed Records, said 6.057 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at the north corner of said 2.00 acre tract (Vol. 428, Pg. 214), said corner being in the southeasterly right-of-way line of Sids Road, a 40 ft. right-of-way at this point;

THENCE South 46 degrees 15 minute 45 seconds East, with the northeast boundary line of said 2.00 acre tract (Vol. 428, Pg. 214), at 22.5 feet passing the west corner of Lot 1, Block 1, Pott Shrigley Addition, an addition to the City of Rockwall, as recorded in Cabinet C, Slide 367, Plat Records, Rockwall County, Texas and continuing with the common boundary line of said 2.00 acre tract and said Lot 1, a total distance of 351.23 feet to a 1/2-inch iron rod found for the east corner of said 2.00 acre tract (Vol. 428, Pg. 214), the south corner of said Lot 1, a west corner of a 24.971 acre tract of land described in deed to OSEE Property Management, LLC, as recorded in Volume 5556, Page 93, of said Deed Records and the north corner of a 2.00 acre tract of land described in deed to Rayburn Country Electric Cooperative, Inc., as recorded in Volume 829, Page 111 of said Deed Records;

THENCE South 44 degrees 01 minute 51 seconds West, with the common boundary line of said 2.00 acre tract (Vol. 428, Pg. 214), said 7.403 acre tract and said 2.00 acre tract (Vol. 829, Pg. 111), a distance of 523.33 feet to a 1/2-inch iron rod found for the west corner of said 2.00 acre tract (Vol. 829, Pg. 111) and a north corner of said 24.971 acre tract;

THENCE South 44 degrees 06 minute 36 seconds West, with the common boundary line of said 7.403 acre tract and said 24.971 acre, a distance of 228.69 feet to a point for corner;

THENCE North 45 degrees 56 minute 58 seconds West, a distance of 351.17 feet to a point for corner in the common boundary line of said 7.403 acre tract and said Sids Road;

THENCE North 44 degrees 03 minute 02 seconds East, with the common boundary line of said 7.403 acre tract, said 2.00 acre tract (Vol. 428, Pg. 214), and said Sids Road, a distance of 750.10 feet to the POINT OF BEGINNING AND CONTAINING 263,850 square feet or 6.057 acres of land.

VICINITY MAP
N.T.S.

NOTE:

Bearings are based on Texas State Plane Coordinates. Projection: State Plane NAD83 Texas North Central Zone 4202, Lambert Conformal Conic, Feet (TX83-NCF).

ZONING EXHIBIT
OF
6.057 ACRES
SITUATED IN THE

WILLIAM H. BARNES SURVEY, ABST. NO. 26
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE, TX 75098
(972) 941-8400 FAX (972) 941-8401

CASE NUMBER: Z2014-001 DATE: FEBRUARY 10, 2014

03551\DWG\3551 Exhibit Zoning.dwg

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6.057 ACRE TRACT

PROJECT NUMBER: Z2014-001

FIELD NOTES

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BEGINNING at the north corner of said 2.00 acre tract (Vol. 428, Pg. 214), said corner being in the southeasterly right-of-way line of Sids Road, a 40 ft. right-of-way at this point;

THENCE South 46 degrees 15 minute 45 seconds East, with the northeast boundary line of said 2.00 acre tract (Vol. 428, Pg. 214), at 22.5 feet passing the west corner of Lot 1, Block 1, Pott Shrigley Addition, an addition to the City of Rockwall, as recorded in Cabinet C, Slide 367, Plat Records, Rockwall County, Texas and continuing with the common boundary line of said 2.00 acre tract and said Lot 1, a total distance of 351.23 feet to a 1/2-inch iron rod found for the east corner of said 2.00 acre tract (Vol. 428, Pg. 214), the south corner of said Lot 1, a west corner of a 24.971 acre tract of land described in deed to OSEE Property Management, LLC, as recorded in Volume 5556, Page 93, of said Deed Records and the north corner of a 2.00 acre tract of land described in deed to Rayburn Country Electric Cooperative, Inc., as recorded in Volume 829, Page 111 of said Deed Records;

THENCE South 44 degrees 01 minute 51 seconds West, with the common boundary line of said 2.00 acre tract (Vol. 428, Pg. 214), said 7.403 acre tract and said 2.00 acre tract (Vol. 829, Pg. 111), a distance of 523.33 feet to a 1/2-inch iron rod found for the west corner of said 2.00 acre tract (Vol. 829, Pg. 111) and a north corner of said 24.971 acre tract;

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THENCE North 45 degrees 56 minute 58 seconds West, a distance of 351.17 feet to a point for corner in the common boundary line of said 7.403 acre tract and said Sids Road;

THENCE North 44 degrees 03 minute 02 seconds East, with the common boundary line of said 7.403 acre tract, said 2.00 acre tract (Vol. 428, Pg. 214), and said Sids Road, a distance of 750.10 feet to the POINT OF BEGINNING AND CONTAINING 263,850 square feet or 6.057 acres of land.

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CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A HEAVY COMMERCIAL (HC) DISTRICT FOR A 6.057-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 3-06 OF THE W.H. BARNES SURVEY, ABSTRACT NO. 26, CITY AND COUNTY OF ROCKWALL, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Tommy Pulliam on behalf of Rayburn Electric Cooperative, for an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from an Agricultural (Ag) District to a Heavy Commercial (HC) District for a 6.057-acre tract of land identified as a portion of tract 3-06 of the W.H. Barnes Survey, Abstract No. 26, City and County of Rockwall, Texas, and more specifically described in Exhibit "A" of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from an Agricultural (Ag) District to a Heavy Commercial (HC) District for the *Subject Property*; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for in *Section 4.7, "Heavy Commercial (HC) District", Article V, "District Development Standards", of the Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

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

zoning described herein.

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE ____ DAY OF _____, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading:
2nd Reading

Exhibit 'A':
Legal Description

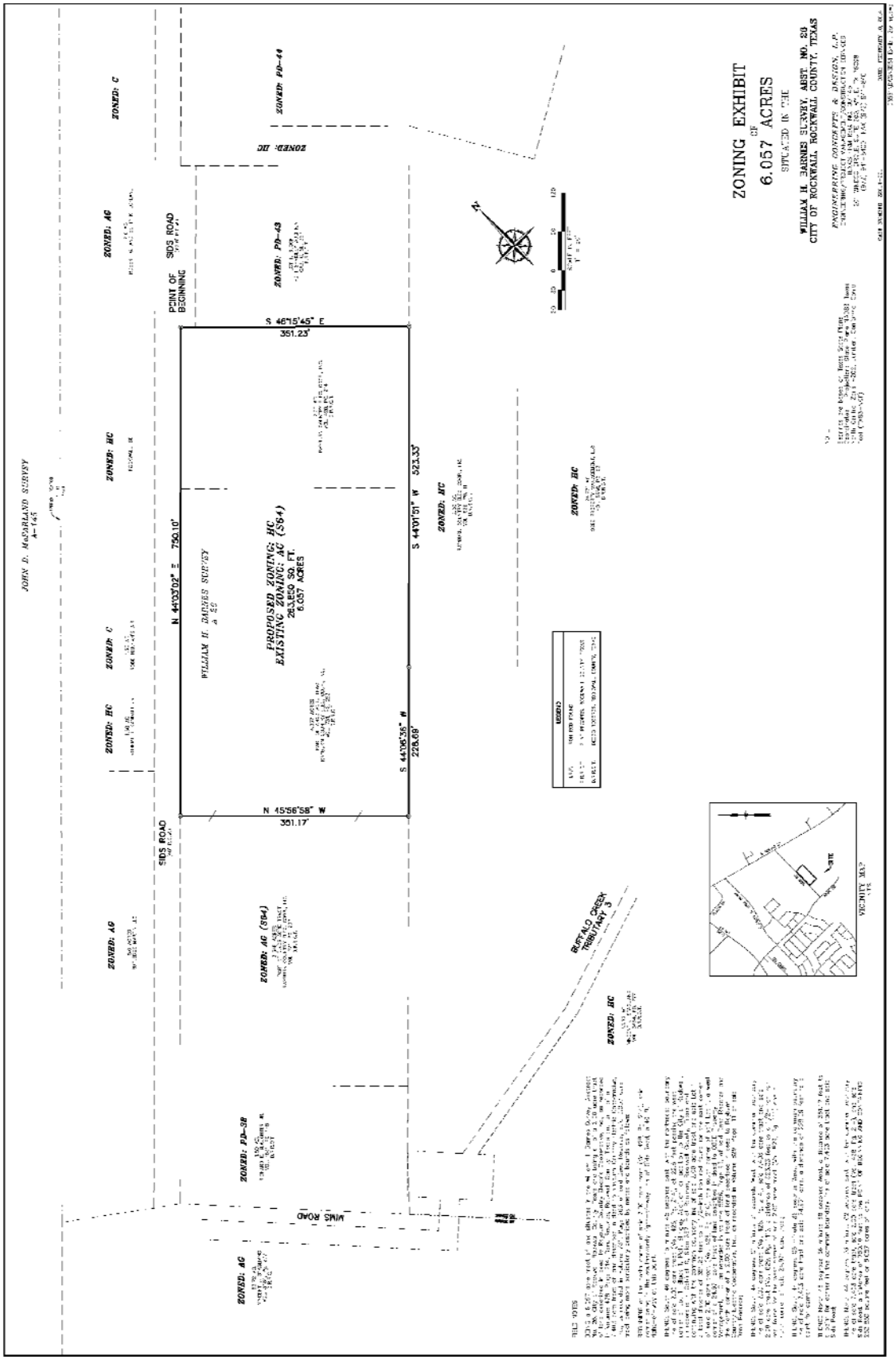

Exhibit 'A':
Legal Description

6.057 ACRE TRACT

PROJECT NUMBER: Z2014-001

FIELD NOTES

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City of Rockwall
The New Horizon

MEMORANDUM

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

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

DATE: **February 26, 2014**

SUBJECT: **Harry Myers Park Pool**

During the late Summer and early Fall of last year, the staff and Council had several conversations regarding the future operations of the pool at Harry Myers Park in light of new regulations adopted by the Texas Department of State Health Services. Through conversations with Texas Waterworks, due to the age of our pool and the current turnover rate, we were led to believe that it was necessary to reduce the turnover rate to be in compliance with State law. This was further verified by two commercial pool contractors who were asked to submit a proposal to replace the filters at the pool that were approved during the budget process.

The staff believed we could replace the filtering equipment as "maintenance" which would not require the City to bring the pool into compliance with standards for public pools built after 1999. In December of 2013, we contracted with Bryan Ziegler with Aqueous Engineering to confirm the replumbing of the pool was necessary and for design services to bring the pool into compliance with State law.

During the analysis of the project scope, Mr. Ziegler did not see clear guidance from the pool code as it relates to whether or not a complete overhaul of the plumbing system was needed or not. At that point, Mr. Ziegler contacted Katie Moore, Compliance Officer for the Department of State Health Services. E-mail correspondence between the City and Mr. Ziegler references her response to our situation below:

The Texas pool regulations have 2 main divisions which are defined by pre-10/01/99 pools/spas and post-10/01/99 pools and spas. Pre-10/01/99 pools and spas, "Construction design and materials used in construction of pre-10/99 pools and spas shall comply with good public health engineering practices for construction of newly-built pools and spas prevailing at the time of original construction…."

In Section 265.188 (b) When equipment is replaced on pre-10/01/99 pools and spas, equipment falling within the scope of the NSF Standard 50 shall meet that standard.

Nowhere in the rules is there a requirement to replace anything in a pre-10/01/99 pool or spa (excluding compliance with VGBA) – only that when it is replaced it meets NSF Standard 50 where and when applicable.

There is no requirement to decrease turnover times in a pre-10/01/99 pool or spa even when equipment is replaced. This would be different if the scope of work included replacing all the plumbing, however, the current State rules do not require that plumbing is replaced in a pre-10/01/99 pool or spa simply to meet decreased turnover times as required for post-10/01/99 pools and spas.

Kathleen O. Moore, R.S., CPO
Compliance Officer
Public Sanitation and Retail Food Safety Group
Policy, Standards & Quality Assurance Unit
Environmental and Consumer Safety Section
Division for Regulatory Services
Department of State Health Services

Based on Ms. Moore's email, the replacement of the filters will not require the turnover rate to be reduced and we can move forward with the original project.

During the budget process, the funding for the staff to operate the pool was withdrawn from the budget. Contingent on Council approval, staff is requesting the budget be amended in the amount of $65,000 to include the following:

- $16,000 – Funding to replace the filters and pumps using the existing design parameters at Myers Park Pool. This project was requested during the budget process but was withdrawn when the pool alternative discussions were had.
- $3,000 – Replace and relocate the existing electrical panel that operates the pumps at the pool.
- $46,000 – Funding to pay for seasonal staff to operate the Harry Myers Park Pool for the Summer of 2014. This includes 13 weeks of operations, in-service training and end of season duties.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

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

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

DATE: **February 25, 2014**

SUBJECT: **PROPOSED YELLOW JACKET PARK IMPROVEMENTS**

The FY 2014 approved budget includes $60,500 for improvements to Yellow Jacket Park. The funding source is from Pro-rata Equipment Fees paid by residential developers into the Park District 20 escrow account, in accordance with the Mandatory Park Land Dedication Ordinance.

A public hearing was held at the December 3rd Park Board meeting to discuss and prioritize proposed amenities to be included in the park improvements. Although Yellow Jacket Park is associated with youth baseball/softball fields, it also serves as the neighborhood park for that district. The discussion centered on serving both the needs of youth baseball/softball uses as well as updated amenities for neighboring residents that benefit from the park.

Park Board voted unanimously to recommend to City Council the following improvements:

- Irrigation system and turf improvements
- Replace old playground equipment
- Add a stone park monument sign and landscaping
- Replace old border around playground fall zones
- New safety surfacing within fall zone
- Miscellaneous signage – field numbers, rules, ordinances and City contact information.

Staff will prepare a PowerPoint presentation for Council and be available to answer any questions.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Kristy Ashberry, City Secretary

DATE: February 28, 2014

SUBJECT: Appointments to Main Street Board & Architectural Review Board

Mayor Sweet would like to recommend that the Council consider appointing **Claudette Hatfield** to serve on the **Main Street Advisory Board** to replace former member, Lorie Lawing, who did not wish to be reappointed. Should the Council choose to appoint Mrs. Hatfield, her term would begin immediately and run until January of 2016.

Details provided in Mrs. Hatfield's application are as follows:

Address: #1 Shadydale Lane, Rockwall, TX

I've lived in Rockwall since 1976, so I have seen many changes. My job now is my family and friends. Over the years I've been part of almost every organization and sat on many boards. I started Pumpkin Patch and Reviews Reviews (book club) and co-founded Farmers Market. I am a people person and love to volunteer in Rockwall.

Councilmember Milder would like the Council to consider appointing **Ashlei Neill** to the **Architectural Review Board** to replace member, Clark Staggs, whose term expired in August of 2013 (he has served more than 6 years). Should the council appoint Ms. Neill, her term would begin immediately and run until August of 2015 (partial term appointment).

Details provided in Ms. Neill's application are as follows:

Address: 2631 Eganridge Lane, Rockwall, TX

My husband and I moved from Mesquite to Rockwall in 2006 for the simple, yet substantial, reason of raising our two sons in a community that recognizes the value of providing exceptional quality of life. I'm the third generation of a Mesquite raised family, yet Rockwall feels like my hometown. My community involvement primarily consists of school-based, volunteer organizations...elementary and secondary PTA, Campus Improvement Committees, RISD Strategic Planning and RISD PTA Council. I've been a small business owner since 2008 when I formed my own interior design/home staging firm and maintain a thriving relationship with several local realtors as retained clients. In 2011 I was approached by the RISD Education

Foundation to become their Executive Director, as the Foundation had recently separated from the District, becoming their own entity. One of my favorite experiences related to Rockwall County is being a Class of 2013 graduate from Leadership Rockwall. I currently serve on the Leadership Rockwall board as their PR/Marketing chairperson. My formal education includes a BA specializing in Advertising/Mass Communications and Design Communication from Southwest Texas State University (known now as Texas State). My draw to becoming a member of the Architectural Review Board is based on pure desire to give back to the Rockwall community, and hopefully provide insight and potential enhancement while preserving the design integrity for the existing and future structures in our town. I appreciate your consideration and looking forward to joining the team.

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City of Rockwall

The New Horizon

Building Inspections Department
Monthly Report

January 2014

Permits

Total Permits Issued: 228

Building Permits 41 Contractor Permits 187

Total Permit Values: $ 12,798,506.79

Building Permits $ 11,758,316.71 Contractor Permits $ 1,040,190.08

Total Fees Collected: $ 176,162.63

Building Permits $ 163,489.46 Contractor Permits $ 12,673.17

Board of Adjustment

Board of Adjustment Cases 0

City of Rockwall

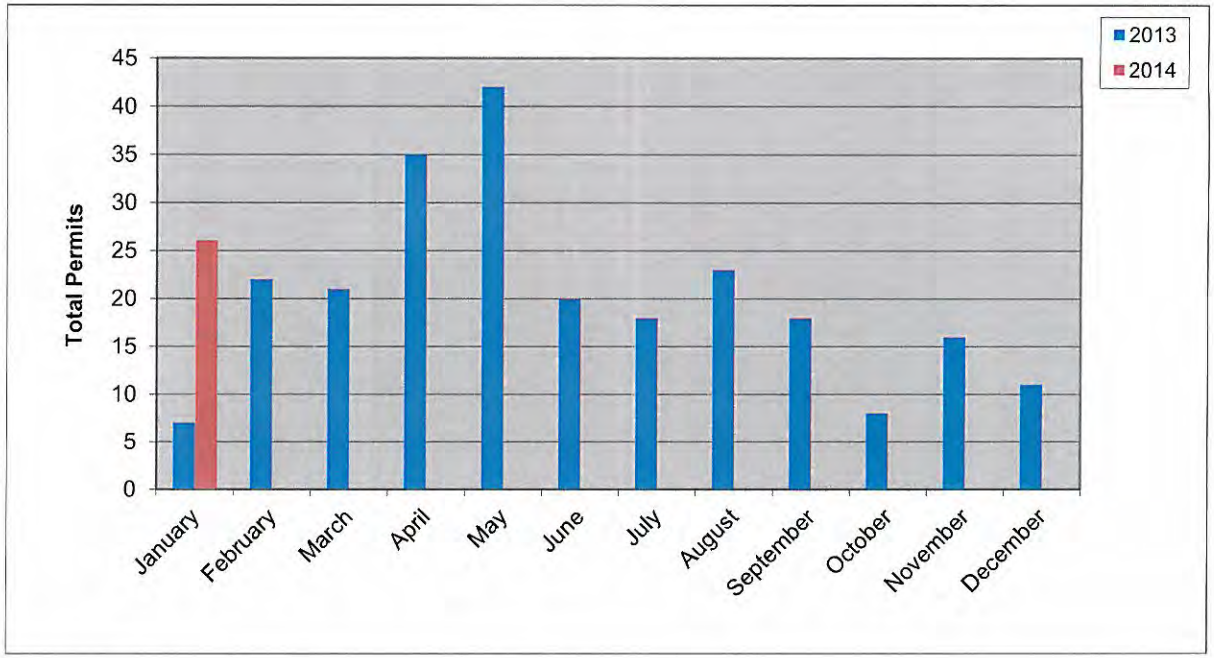
PERMITS ISSUED - Summary by Type and Subtype

For the Period 1/1/2014 thru 1/31/2014

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	8	$0.00	$353.00
30 DAY BANNER	8	$0.00	$353.00
CHURCH	1	$20,000.00	$332.75
ACC BLDG	1	$20,000.00	$332.75
CLEAN SHOW	1	$0.00	$75.00
	1	$0.00	$75.00
CO	14	$0.00	$1,057.50
BUSINESS	11	$0.00	$832.50
NEW CONSTRUCTION	1	$0.00	$75.00
SHELL	2	$0.00	$150.00
COMM	20	$4,592,526.00	$23,777.77
ALTERATION	1	$3,500,000.00	$14,745.25
CONCRETE	1	$140,000.00	$1,229.25
DEMO	2	$27,000.00	$101.50
ELECTRICAL	1	$20,000.00	$339.41
FENCE	1	$0.00	$75.00
INTERIOR COMP	1	$316,000.00	$2,214.00
IRRIGATION	2	$9,200.00	$70.00
PLUMBING	6	$5,500.00	$287.56
REMODEL	4	$565,926.00	$4,680.10
ROOF	1	$8,900.00	$35.70
SIGNAGE	7	$23,000.00	$831.00
DEVELOPMENT	1	$0.00	$75.00
POLE	1	$0.00	$76.50
TEMP REAL ESTATE	1	$400.00	$75.00
WALL	4	$22,600.00	$604.50
SINGLE FAMILY	171	$8,162,980.79	$149,492.61
ACC BLDG	2	$45,277.71	$691.00
ADDITION	2	$10,000.00	$158.00
BALCONY	1	$11,000.00	$206.75
CONCRETE	2	$5,500.00	$175.21
ELECTRICAL	2	$9,918.00	$241.20
FENCE	36	$117,934.18	$1,263.00
IRRIGATION	32	$58,000.00	$1,120.00
MECHANICAL	10	$49,292.00	$1,226.48
NEW	26	$7,288,000.00	$140,255.63
PATIO COVER	3	$16,113.00	$399.25
PERGOLA	1	$6,000.00	$139.48
PLUMBING	33	$35,983.00	$1,721.41
RETAINING WALL	2	$10,000.00	$70.00
ROOF	6	$85,334.90	$210.70
SWIM POOL	10	$403,200.00	$1,509.00
WINDOWS	3	$11,428.00	$105.50
SPECIAL EVENT	6	$0.00	$243.00
	6	$0.00	$243.00
Totals:	228	$12,798,506.79	$176,162.63

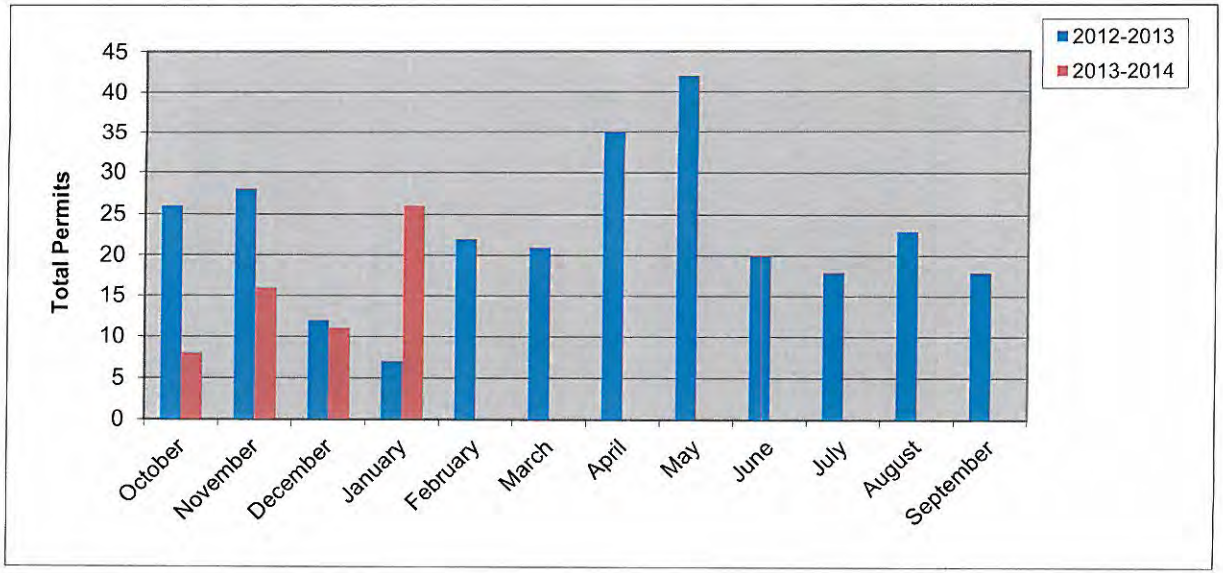
New Residential Permits Calendar Year

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



New Residential Permits Fiscal Year

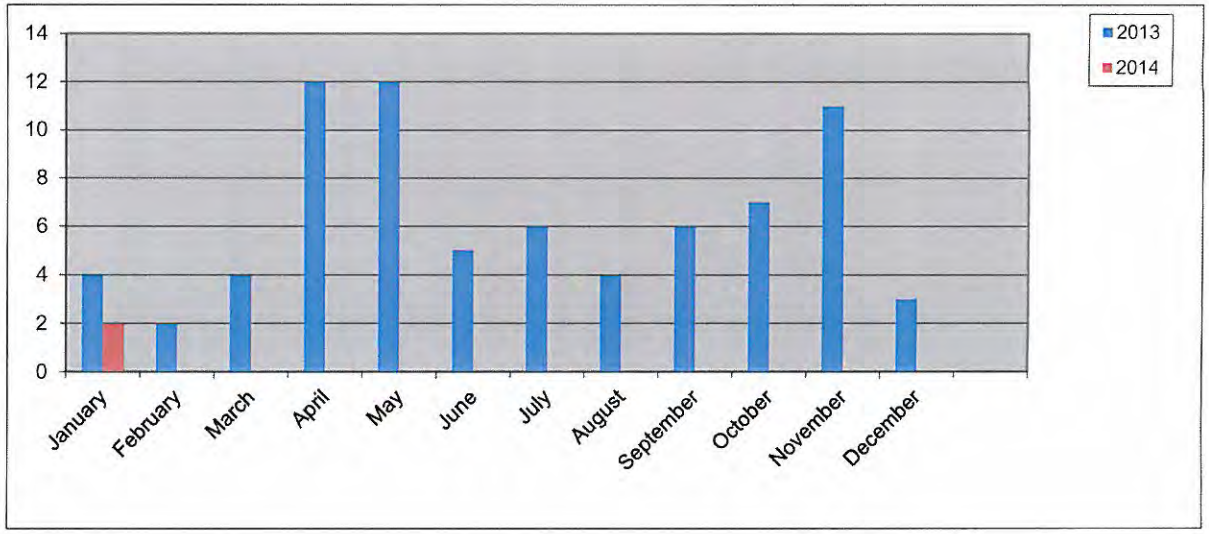
	Year	
	2012-2013	2013-2014
October	26	8
November	28	16
December	12	11
January	7	26
February	22	
March	21	
April	35	
May	42	
June	20	
July	18	
August	23	
September	18	
Totals	**272**	



103

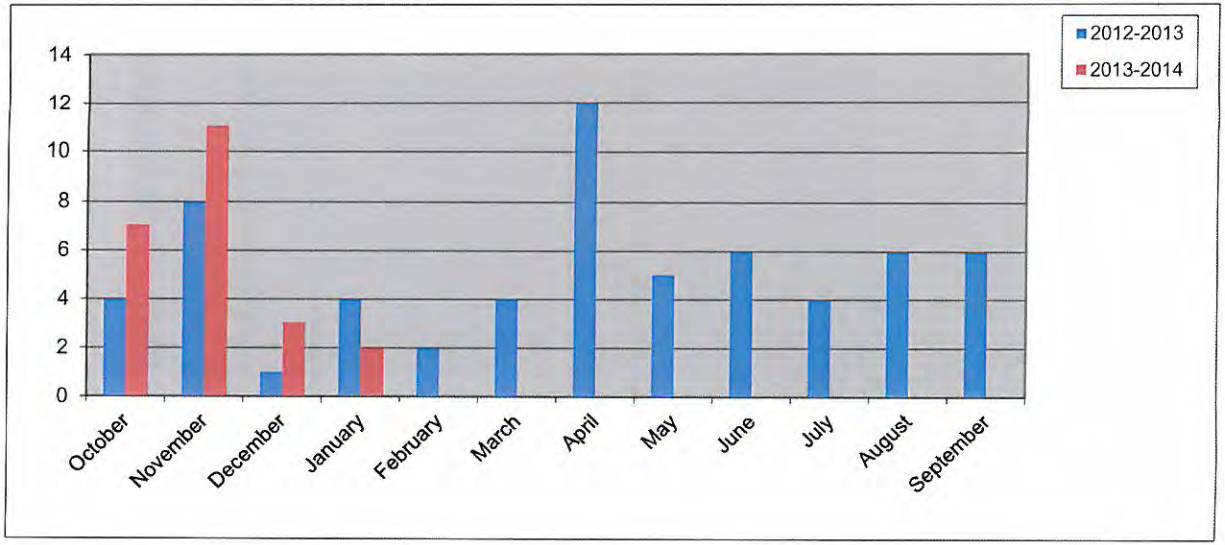
Residential Remodel Permits Calendar Year

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



Residential Remodel Permits Fiscal Year

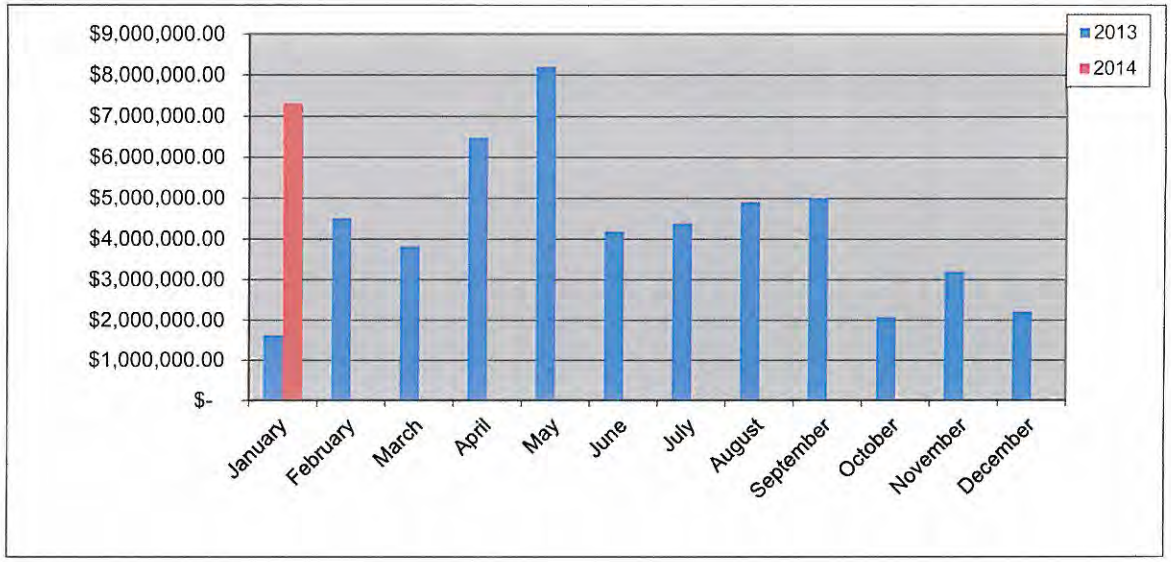
	Year	
	2012-2013	2013-2014
October	4	7
November	8	11
December	1	3
January	4	2
February	2	
March	4	
April	12	
May	5	
June	6	
July	4	
August	6	
September	6	
Totals	**62**	**23**



104

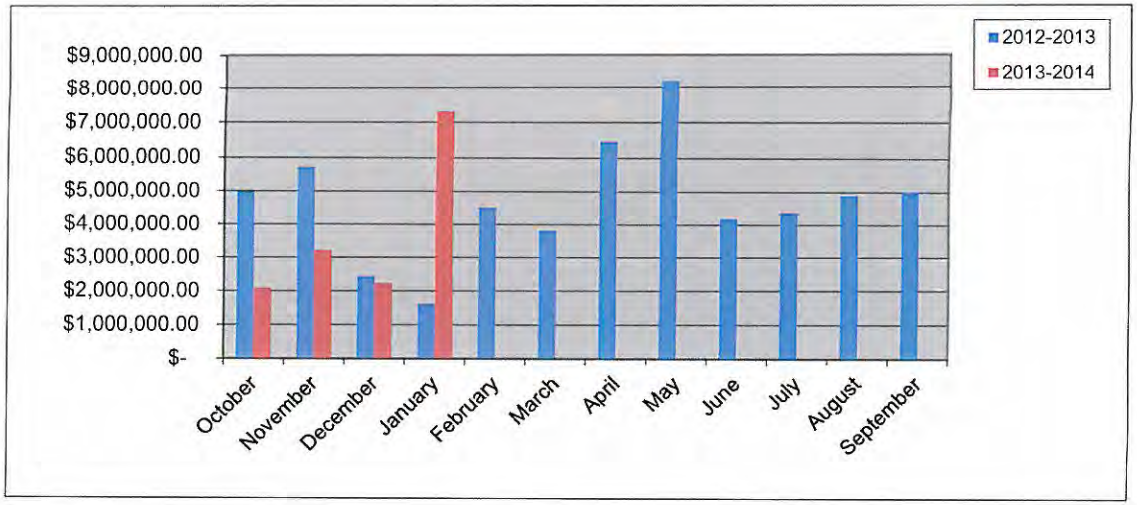
New Residential Value Calendar Year

Year	2013	2014
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	
March	$ 3,823,384.00	
April	$ 6,469,868.00	
May	$ 8,193,211.00	
June	$ 4,185,842.00	
July	$ 4,382,866.00	
August	$ 4,906,203.00	
September	$ 5,018,954.00	
October	$ 2,078,584.00	
November	$ 3,202,067.00	
December	$ 2,215,924.00	
Totals	**$50,608,931.00**	**$ 7,288,000.00**



New Residential Value Fiscal Year

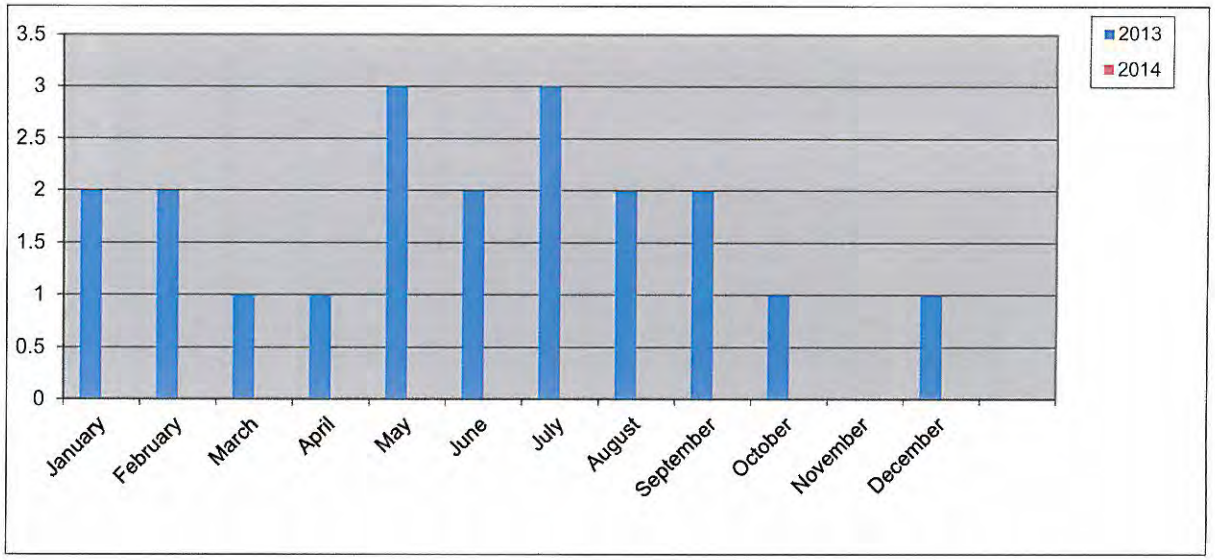
Year	2012-2013	2013-2014
October	$ 4,993,587.00	$ 2,078,584.00
November	$ 5,718,696.00	$ 3,202,067.00
December	$ 2,441,748.00	$ 2,215,924.00
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	
March	$ 3,823,384.00	
April	$ 6,469,868.00	
May	$ 8,193,211.00	
June	$ 4,185,842.00	
July	$ 4,382,866.00	
August	$ 4,906,203.00	
September	$ 5,018,954.00	
Totals	**$56,266,387.00**	**$ 14,784,575.00**



105

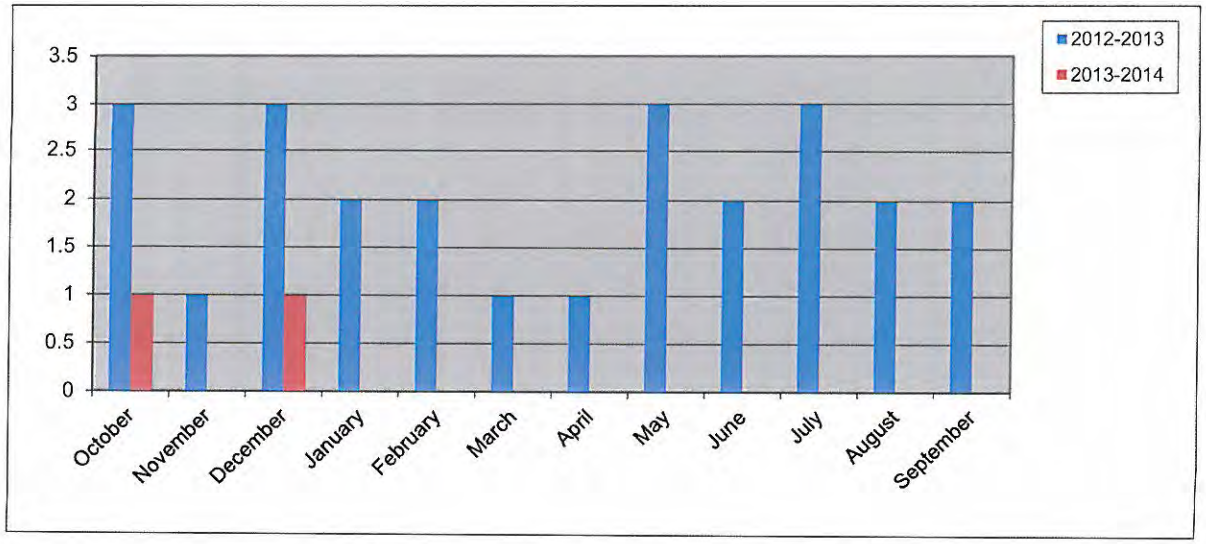
New Commercial Permits Calendar Year

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



New Commercial Permits Fiscal Year

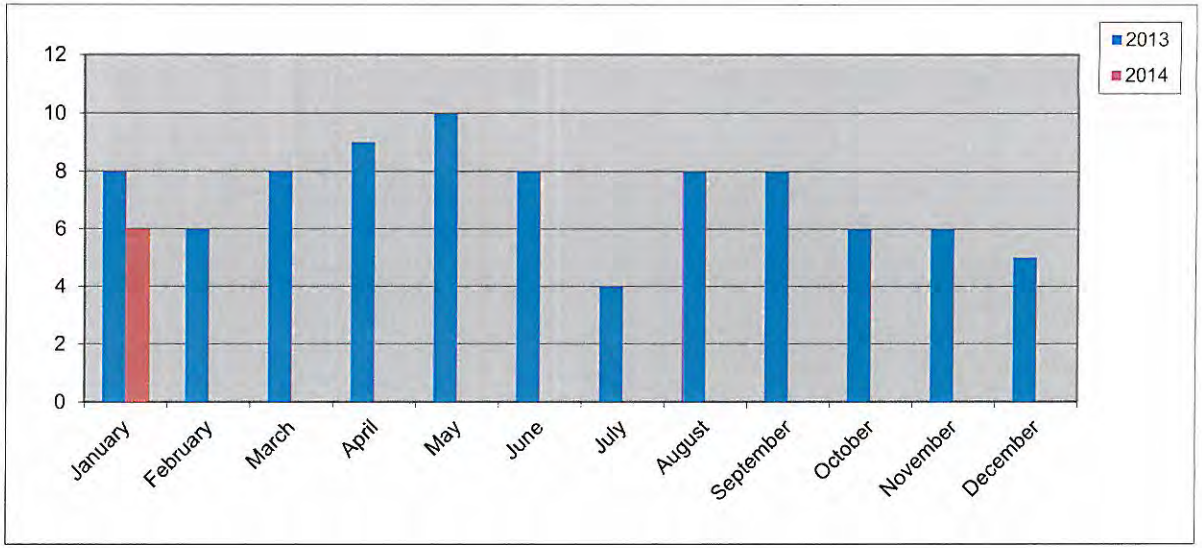
Year		
	2012-2013	2013-2014
October	3	1
November	1	0
December	3	1
January	2	0
February	2	
March	1	
April	1	
May	3	
June	2	
July	3	
August	2	
September	2	
Totals	**25**	**2**



106

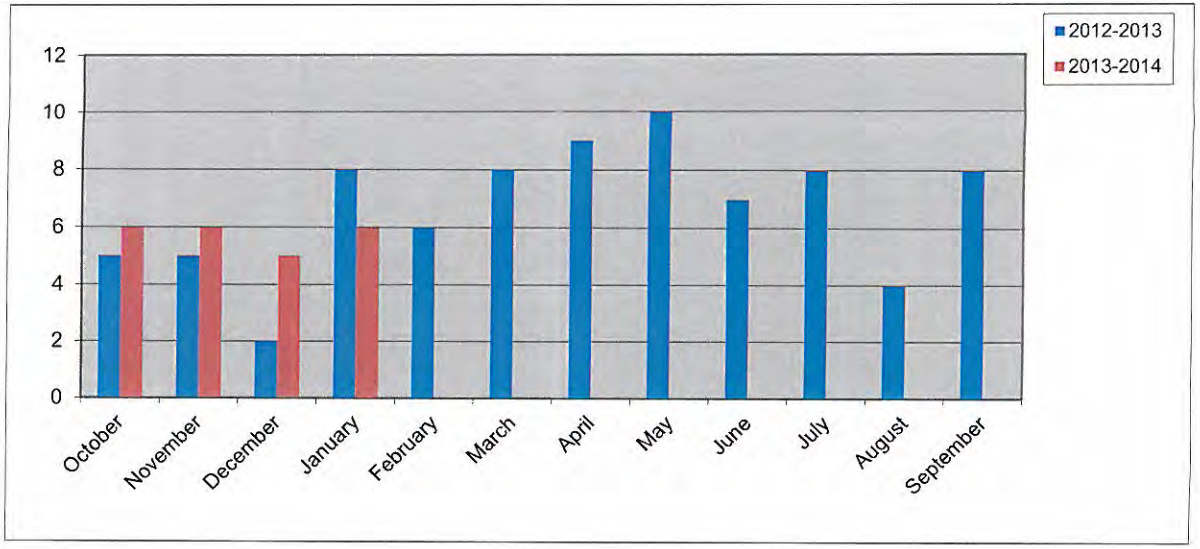
Commercial Remodel Permits Calendar Year

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



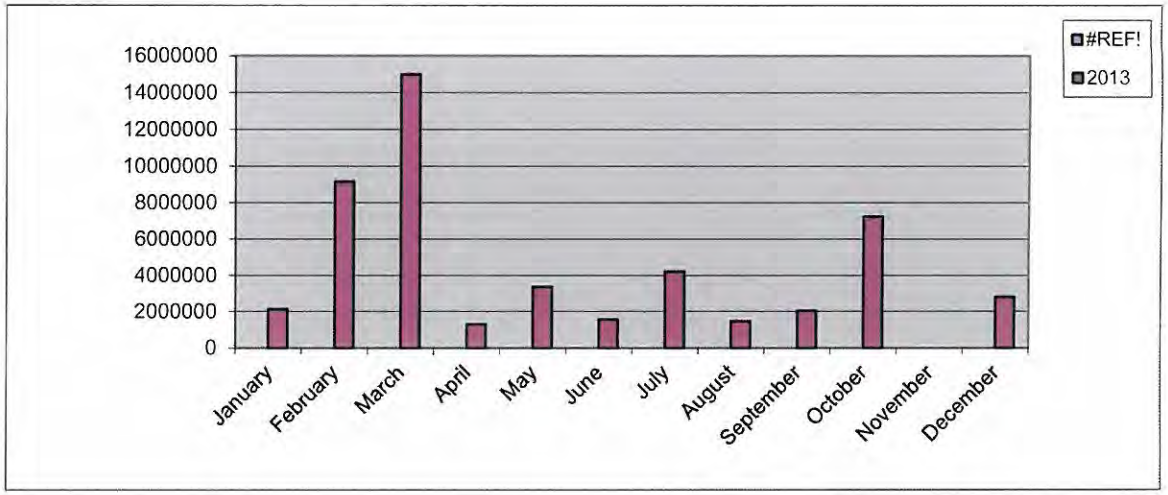
Commercial Remodel Permits Fiscal Year

Year	2012-2013	2013-2014
October	5	6
November	5	6
December	2	5
January	8	6
February	6	
March	8	
April	9	
May	10	
June	7	
July	8	
August	4	
September	8	
Totals	**80**	**23**



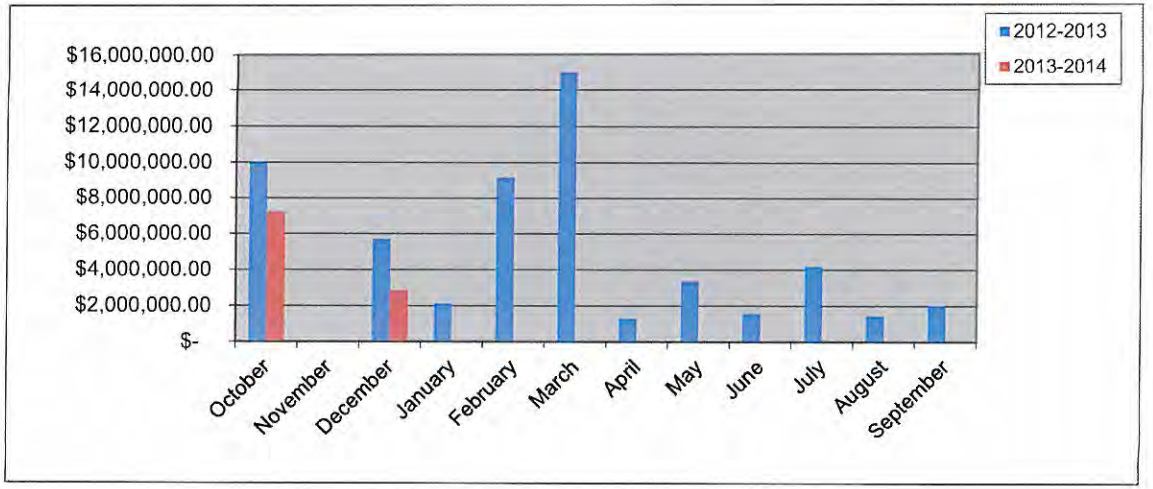
New Commercial Value Calendar Year

Year	2013	2014
January	$ 2,125,000.00	0
February	$ 9,150,000.00	
March	$ 15,000,000.00	
April	$ 1,300,000.00	
May	$ 3,372,000.00	
June	$ 1,575,000.00	
July	$ 4,200,000.00	
August	$ 1,454,000.00	
September	$ 2,040,000.00	
October	$ 7,225,000.00	
November	$ -	
December	$ 2,800,000.00	
Totals	**$ 50,241,000.00**	0



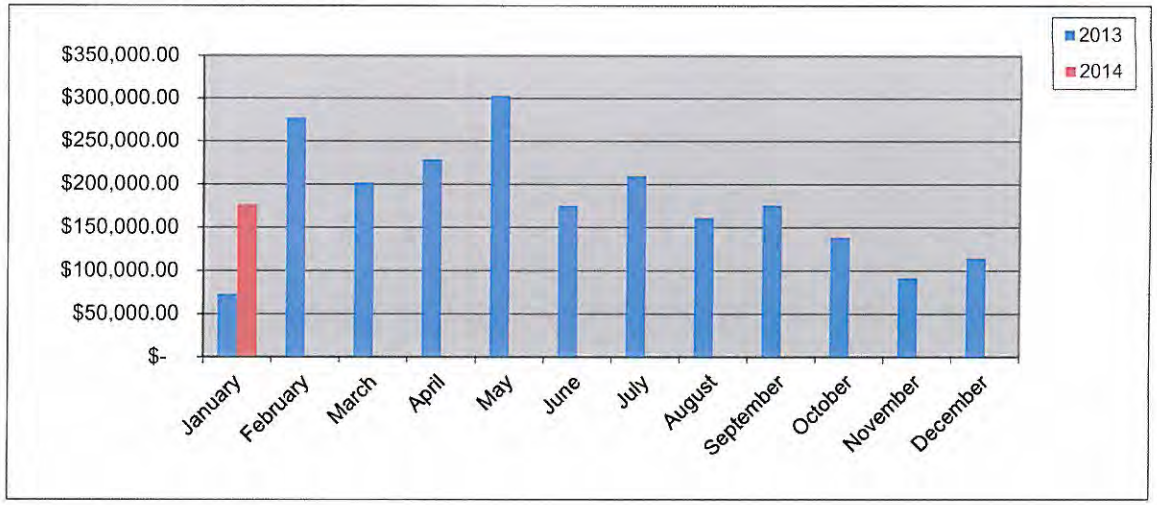
New Commercial Value Fiscal Year

Year	2012-2013	2013-2014
October	$ 10,000,000.00	$ 7,225,000.00
November	$ 5,000.00	$ -
December	$ 5,700,000.00	$ 2,800,000.00
January	$ 2,125,000.00	0
February	$ 9,150,000.00	
March	$ 15,000,000.00	
April	$ 1,300,000.00	
May	$ 3,372,000.00	
June	$ 1,575,000.00	
July	$ 4,200,000.00	
August	$ 1,454,000.00	
September	$ 2,040,000.00	
Totals	**$ 55,921,000.00**	$ 10,025,000.00



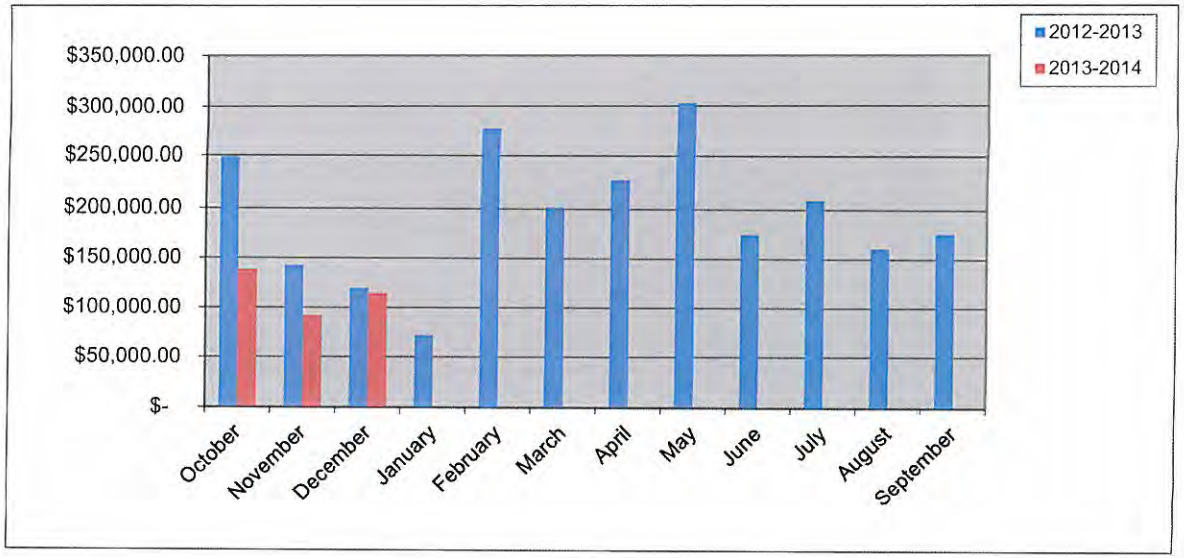
Total Fees Collected Calendar Year

	Year	
	2013	2014
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	
March	$ 201,529.43	
April	$ 228,621.67	
May	$ 302,928.73	
June	$ 174,872.41	
July	$ 209,566.63	
August	$ 161,080.17	
September	$ 175,835.03	
October	$ 138,771.53	
November	$ 91,778.83	
December	$ 114,645.28	
Totals	**$ 2,148,877.79**	**$ 176,162.63**



Total Fees Collected Fiscal Year

	Year	
	2012-2013	2013-2014
October	$ 248,932.46	$ 138,771.53
November	$ 142,356.98	$ 91,778.83
December	$ 119,604.19	$ 114,645.28
January	$ 72,345.98	
February	$ 276,902.10	
March	$ 201,529.43	
April	$ 228,621.67	
May	$ 302,928.73	
June	$ 174,872.41	
July	$ 209,566.63	
August	$ 161,080.17	
September	$ 175,835.03	
Totals	**$ 2,314,575.78**	**$ 345,195.64**



City of Rockwall
PERMITS ISSUED
For the Period 1/1/2014 thru 1/31/2014

Subtype: BUSINESS

Permit No / Date Issued	Type of Permit / Status	Address / Parcel Number	Owner / Contractor	Valuation / Description	Total Fees	Fees Paid
CO2013-0112 1/21/2014	CO ACTIVE	955 Sids 0145-0000-0008-03-0R	RANDALL, ROBERT S JR Campers 4 Rent LLC	$ 0.00 Campers 4 Rent, LLC	$ 75.00	$ 75.00
CO2013-0133 1/16/2014	CO ACTIVE	489 IH 30 3245-0000-0003-00-0R	BENT, TREE REALTY CO	$ 0.00 Don Martin Taqueria	$ 75.00	$ 75.00
CO2013-0150 1/8/2014	CO ACTIVE	2135 Ridge Rd. 5355-000A-0001-00-0R	IN, KYUNG H &	$ 0.00 Lenny's Sub Shop #162	$ 75.00	$ 75.00
CO2013-0156 1/7/2014	CO ACTIVE	670 IH 30 E 4838-000A-0011-R0-0R	MIUZNA REAL ESTATE On Call Construction	$ 0.00 Denny's #8871	$ 75.00	$ 75.00
CO2013-0157 1/15/2014	CO ACTIVE	2830 Ridge Rd 3245-0000-0004-00-0R	INWOOD, NATIONAL BANK Raymond Construction	$ 0.00 Inwood National Bank	$ 76.50	$ 76.50
CO2013-0163 1/2/2014	CO ACTIVE	3084 Goliad St N, 104 5121-000A-0001-00-0R	CRESTVIEW REAL ESTATES TCB CONSTRUCTION GROUP	$ 0.00 Paradise Tan & Spa	$ 75.00	$ 75.00
CO2014-0003 1/28/2014	CO ACTIVE	3090 Goliad St N 110 5121-000A-0004-00-0R	METROPLEX, ACQUISITION FU	$ 0.00 National Urgent Care	$ 76.50	$ 76.50
CO2014-0005 1/31/2014	CO ACTIVE	3084 Goliad St N 120 5121-000A-0001-00-0R	METROPLEX, ACQUISITION FU Crestview Real Estate	$ 0.00 Jeff Bickerstaff Ins. Agency	$ 76.50	$ 76.50
CO2014-0006 1/31/2014	CO ACTIVE	1411 Goliad St S 0255-0000-0002-00-0R	T-ROCK, LP	$ 0.00 Texas Dealer Services	$ 76.50	$ 76.50
CO2014-0008 1/22/2014	CO ACTIVE	2785 Ridge Rd. 5067-000A-0005-00-0R	STEGER, DUNHILL LLC ACT CONSTRUCTION	$ 0.00 Jimmy John's	$ 75.00	$ 75.00
CO2014-0011 1/24/2014	CO ACTIVE	2927 Ridge Rd. 109 4009-000A-0019-00-0R	REGENCY, CENTERS LP Signature Nail Salon	$ 0.00 Signature Nail Salon	$ 76.50	$ 76.50
11 Permit(s) Issued with Subtype: BUSINESS				**$0.00**	**$832.50**	**$832.50**

Subtype: NEW CONSTRUCTION

Permit No / Date Issued	Type of Permit / Status	Address / Parcel Number	Owner / Contractor	Valuation / Description	Total Fees	Fees Paid
CO2014-0004 1/22/2014	CO ACTIVE	1975 Alpha 3585-000B-0001-00-0R	TRI DAL UTILITIES, Ltd.	$ 0.00 Baylor Emergency Medical Center of Rockwall	$ 75.00	$ 75.00
1 Permit(s) Issued with Subtype: NEW CONSTRUCTION				**$0.00**	**$75.00**	**$75.00**

Subtype: SHELL

Permit No / Date Issued	Type of Permit / Status	Address / Parcel Number	Owner / Contractor	Valuation / Description	Total Fees	Fees Paid
CO2014-0015 1/31/2014	CO ACTIVE	6537 Horizon 3039-0002-0005-00-0R	ROCKWALL RENTAL PROPERT Caruth Lake Developement	$ 0.00 Whittle Alliance New Office Bldg. #1	$ 75.00	$ 75.00
CO2014-0016 1/31/2014	CO Active	6531 Horizon 3039-0002-0006-00-0R	ROCKWALL RENTAL PROPERT Caruth Lake Developement	$ 0.00 Whittle Alliance Office II (New) lot 6	$ 75.00	$ 75.00

2 Permit(s) Issued with Subtype: SHELL	**$0.00**	**$150.00**	**$150.00**
	$0.00	**$1,057.50**	**$1,057.50**

14 Total Permit(s) Issued

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CITY RESPONSE
January 2014

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %	0.97%	CRITERIA MET %	100.00%
CRITERIA -ACHIEVE RESPONSE TIME	38 of 39	CRITERIA -ACHIEVE RESPONSE TIME	6 of 6
90% OF TIME IN BOXES WITH	Criteria Met	60% OF TIME IN BOXES WITH	Criteria Met
STATIONS		STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	0.85%	CRITERIA MET %	0.83%
CRITERIA -ACHIEVE RESPONSE TIME	33 of 39	CRITERIA -ACHIEVE RESPONSE TIME	5 of 6
90% OF TIME IN BOXES WITH	Criteria not Met	60% OF TIME IN BOXES WITH	Criteria Met
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES		0-7 1/2 MINUTES	
CRITERIA MET%	0.85%	CRITERIA MET%	0.83%
CRITERIA -ACHIEVE RESPONSE TIME	33 of 39	CRITERIA -ACHIEVE RESPONSE TIME	5 of 6
90% OF TIME IN BOXES WITH	Criteria not Met	60% OF TIME IN BOXES WITH	Criteria Met
STATIONS		STATIONS	

COUNTY AND MUTUAL AID
RESPONSE
JANUARY 2014

COUNTY	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	0.80%
CRITERIA -ACHIEVE RESPONSE TIME	4 OF 5
60% OF TIME IN BOXES WITH	CRITERIA MET
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	0.80%
CRITERIA -ACHIEVE RESPONSE TIME	4 OF 5
60% OF TIME IN BOXES WITH	CRITERIA MET
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	0.60%
CRITERIA -ACHIEVE RESPONSE TIME	3 OF 5
60% OF TIME IN BOXES WITH	CRITERIA MET
STATIONS	

114

To: Chief Poindexter
From: BC Merritt
Re: January 2014 Structure Fire Report.
Date: November 14, 2013

501 S. Goliad

We responded to a report of a fire at 501 S. Goliad St. on January 20, 2014. The first unit on scene arrived and reported light smoke showing from the rear of the building Upon investigation firefighters located a small smoldering fire in the outside wall of the structure The fire was quickly extinguished. There was minimal damage to the structure. No firefighter injuries were reported on this incident.

Dispatch time: 13:29.51
Enroute time: 13:29.56
On scene time: 13:32.15
Clear time: 14:22.18

No Crew times were reported on this incident.

We had a total of 14 Firefighters on scene, 0 Chiefs and 3 apparatus.

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ENROUTE OVERAGES
JANUARY 2014
CITY

VENUE	Alarm Date	Alarm Time	Enroute Time	alarm to enroute	Apparatus	Fire Incident Incident	Fire Incident Station	Lights and Sirens	reason for overages
Rockwall	01/12/2014	12:07:32	12:09:27	0:01:55	E2	2014-00000051	Rockwall 2	Code 3	CAD times do not match radio times

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ARRIVAL OVERAGES
JANUARY 2014
CITY

VENUE	Alarm Date	Alarm Time	Enroute Time	Arrival Time	enroute to arrive	Apparatus	Fire Incident Incident Number	Fire Incident Station	Lights and Sirens	REASON FOR OVERAGES
Rockwall	01/06/2014	13:20:21	13:22:02	13:32:00	0:09:58	E2	2014-00000023	Rockwall 2	Code 3	CAD times don't match radio times
Rockwall	01/23/2014	11:40:27	11:41:17	11:49:00	0:07:43	E1	2014-00000033	Rockwall 4	Code 3	CAD times don't match radio times
Rockwall	01/20/2014	15:28:39	15:29:26	15:39:47	0:10:21	E2	2014-00000052	Rockwall 2	Code 3	Chandler's Speed bumps
Rockwall	01/28/2014	14:21:13	14:22:44	14:30:26	0:07:42	BT4	2014-00000080	Rockwall 4	Code 3	Drivers were out in engines, volutneers arrived to take brush truck
Rockwall	01/28/2014	16:30:46	16:31:39	16:39:09	0:07:30	E5	2014-00000122	Rockwall 4	Code 3	Response to box without station
Rockwall	01/02/2014	04:37:47	04:39:10	04:46:06	0:06:56	E3	2014-00000125	Rockwall 3	Code 3	CAD times don't match radio times

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RESPONSE OVERAGE

JANAURY 2014

CITY CALLS

VENUE	Alarm Date	Alarm Time	Arrival Time	response	Apparatus	Fire Incident Incident Number	Fire Incident Station	Lights and Sirens	reason for overages
Rockwall	01/06/2014	13:20:21	13:32:00	0:11:39	E2	2014-00000023	Rockwall 2	Code 3	CAD times don't match radio times
Rockwall	01/07/2014	11:40:27	11:49:00	0:08:33	E1	2014-00000033	Rockwall 4	Code 3	CAD times don't match radio times
Rockwall	01/12/2014	15:28:39	15:39:47	0:11:08	E2	2014-00000052	Rockwall 2	Code 3	Chandlers Speed Bumps
Rockwall	01/17/2014	07:35:28	08:04:00	0:28:32	LAD2	2014-00000067	Rockwall 1	Code 3	CAD times don't match radio times
Rockwall	01/20/2014	14:21:13	14:30:26	0:09:13	BT4	2014-00000080	Rockwall 4	Code 3	Drivers were out in engines, had to wait for volunteers to take brush truck
Rockwall	01/28/2014	16:30:46	16:39:09	0:08:23	E5	2014-00000122	Rockwall 4	Code 3	Response to box without stations

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COUNTY AND MUTUAL AID OVERAGES
JANUARY 2014

ENROUTE OVERAGES

VENUE	ALARM DATE	ALARM TIME	ENROUTE TIME	PAGED TO ENROUTE	APPARATUS	INCIDENT NUMBER	Fire Incident Station	Lights and Sirens	REASON FOR OVERAGES
Rockwall County	01/18/2014	14:41:56	14:43:39	0:01:43	BT3	2014-00000073	Rockwall 3	Code 3	multiple calls

ARRIVAL OVERAGES

VENUE	ALARM DATE	ENROUTE TIME	ARRIVAL TIME	ENROUTE TO ARRIVAL	APPARATUS	INCIDENT NUMBER	Fire Incident Station	Lights and Sirens	REASON FOR OVERAGES
Rockwall County	01/06/2014	18:51:21	19:03:28	0:12:07	E1	2014-00000031	Rockwall 3	Code 3	Drive time to County

RESPONSE OVERAGES

VENUE	ALARM DATE	ALARM TIME	ARRIVAL TIME	RESPONSE TIME	APPARATUS	INCIDENT NUMBER	Fire Incident Station	Lights and Sirens	REASON FOR OVERAGES
COLLIN COUNTY									
Collin County	01/08/2014	21:58:48	22:12:56	0:14:08	810	2014-00000039	Rockwall 3	Code 3	Drive time to Collin County
ROCKWALL COUNTY									
Rockwall County	01/06/2014	18:49:59	19:03:28	0:13:29	E1	2014-00000031	Rockwall 3	Code 3	Drive time to County

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Total Dollar Losses

January 2014

City of Rockwall
The New Horizon

CITY CALLS	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$500.00	$0.00	$2,800.00	$500.00	$2,800.00
Total Content Loss:	$0.00	$0.00	$600.00	$0.00	$600.00
Total Property Pre-Incident Value:	$0.00	$0.00	$440,470.00	$0.00	$440,470.00
Total Contents Pre-Incident Value	$0.00	$0.00	$269,282.00	$0.00	$269,282.00
Total Losses:	$500.00	$.00	$3,400.00	$500.00	$500.00
Total Value:	$.00	$.00	$709,752.00	$.00	$709,752.00

Fire Alarms

January 2014

Date	Address	Common Name	Dispostion Code	CFS Number	Call Type	Incident Number	Incident ORI
01/02/2014 11:49:06	300 BLACKLAND RD	Harry Herndon Intermediate School, Herndon Intermediate School	FA	197	FD - Fire Alarm Commercial	2014-00000002	TX301
	: 1						
01/04/2014 13:04:11	503 MEADOWVIEW RD		FA	510	FD - Fire Alarm Residential	2014-00000046	TX1990300
	: 1						
01/04/2014 13:04:11	503 MEADOWVIEW RD		FA	510	FD - Fire Alarm Residential	2014-00000005	TX402
	: 1						
01/05/2014 19:51:45	6 CHESHIRE CT		FA	740	FD - Fire Alarm Residential	2014-00000067	TX1990300
	: 1						
01/05/2014 19:51:45	6 CHESHIRE CT		FA	740	FD - Fire Alarm Residential	2014-00000007	TX402
	: 1						
01/06/2014 13:19:38	3020 RIDGE RD	Summer Ridge Assisted Living	FA	831	FD - Fire Alarm Commercial	2014-00000023	TX504
01/06/2014 18:43:46	851 STEGER TOWNE DR	Lowes	FA	880	FD - Fire Alarm Commercial	2014-00000030	TX504
01/06/2014 18:49:11	541 EQUESTRIAN DR		FA	881	FD - Fire Alarm Residential	2014-00000031	TX504
01/07/2014 11:39:56	2301 S GOLIAD ST	RaceTrac, RaceTrac South	FA	987	FD - Fire Alarm Commercial	2014-00000033	TX504
	: 4						
01/07/2014 14:45:02	5600 HORIZON RD		FA	1007	FD - Fire Alarm Commercial	2014-00000011	TX402
01/09/2014 17:21:59	5600 HORIZON RD		FA	1304	FD - Fire Alarm Commercial	2014-00000014	TX402
	: 2						
01/10/2014 12:50:00	485 FM 549	Eastridge Church Of Christ	FA	1438	FD - Fire Alarm Commercial	2014-00000043	TX504
01/12/2014	1000 SIGNAL		FA	1791	FD - Fire Alarm	2014-	TX504

12:04:42	RIDGE PL				Commercial	00000051	
01/12/2014 15:26:02	306 VICTORY LN		FA	1824	FD - Fire Alarm Residential	2014-00000052	TX504
	: 3						
01/13/2014 23:41:55	5600 HORIZON RD		FA	2055	FD - Fire Alarm Commercial	2014-00000020	TX402
	: 1						
01/14/2014 17:18:38	1975 ALPHA DR	Baylor Emergency , Baylor ER	FA	2173	FD - Fire Alarm Commercial	2014-00000059	TX504
01/17/2014 07:34:12	1389 RIDGE RD	Commons, The, Rockwall Commons, The Commons	FA	2582	FD - Fire Alarm Commercial	2014-00000067	TX504
	: 2						
01/17/2014 14:46:14	212 SUMMER TANAGER LN		FA	2635	FD - Fire Alarm Residential	2014-00000243	TX1990300
	: 1						
01/17/2014 14:46:14	212 SUMMER TANAGER LN		FA	2635	FD - Fire Alarm Residential	2014-00000024	TX402
	: 1						
01/18/2014 13:42:29	5128 SH 205		FA	2823	FD - Fire Alarm Residential	2014-00000072	TX504
01/20/2014 20:34:42	414 ANNA CADE RD		FA	3164	FD - Fire Alarm Residential	2014-00000081	TX504
01/24/2014 13:28:19	851 STEGER TOWNE DR	Lowes	FA	3875	FD - Fire Alarm Commercial	2014-00000099	TX504
01/24/2014 18:33:31	851 STEGER TOWNE DR	Lowes	FA	3934	FD - Fire Alarm Commercial	2014-00000100	TX504
01/24/2014 22:33:12	2400 DAYBREAK DR		FA	3984	FD - Fire Alarm Residential	2014-00000102	TX504
01/28/2014 06:30:17	1148 WHISPERING GLEN		FA	4617	FD - Fire Alarm Residential	2014-00000115	TX504
01/28/2014 08:57:19	1930 CLUB LAKE CIR		FA	4628	FD - Fire Alarm Residential	2014-00000117	TX504
01/28/2014 10:20:47	2834 CLEAR CREEK DR		FA	4639	FD - Fire Alarm Residential	2014-00000118	TX504
01/28/2014 12:34:32	1056 ARBOR VIEW PL		FA	4647	FD - Fire Alarm Residential	2014-00000120	TX504

	: 9						
01/29/2014 07:20:11	300 BLACKLAND RD	Harry Herndon Intermediate School, Herndon Intermediate School	FA	4744	FD - Fire Alarm Commercial	2014-00000070	TX301
	: 1						
01/31/2014 22:56:08	145 OLD VINEYARD LN		FA	5233	FD - Fire Alarm Residential	2014-00000041	TX402
	: 1						

Inspection Totals Per Inspector

January 2014

Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Inspection Number	Fire Inspection Status
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0004	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0158	Pending
TX504	744 - Patrick	Certificate of Occupancy	Co2013-0120	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0146	
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0162	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0006	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0005	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0124	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0005	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0006	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0158	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0009	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0003	Finaled
TX504	744 - Patrick	Complaint	2046	Finaled
TX504	744 - Patrick	Complaint	2024	Finaled
TX504	744 - Patrick	Complaint	2024	Pending
TX504	744 - Patrick	Construction Final	2023	Pending
TX504	744 - Patrick	Construction Final	2023	Pending
TX504	744 - Patrick	Construction Final	1939	Pending
TX504	744 - Patrick	Construction Final	1939	Finaled
TX504	744 - Patrick	Construction Final	2043	Finaled
TX504	744 - Patrick	Construction Final	2043	Pending
TX504	744 - Patrick	Construction Final	2019	Pending

TX504	744 - Patrick	Construction Final	1987	Finaled
TX504	744 - Patrick	Construction Final	2019	Finaled
TX504	744 - Patrick	Fire Alarm System	2027	Finaled
TX504	744 - Patrick	Fire Alarm System	2049	Pending
TX504	744 - Patrick	Fire Alarm System	2027	Pending
TX504	744 - Patrick	Fire Alarm System	2027	Pending
TX504	744 - Patrick	Fire Alarm System	2027	Pending
TX504	744 - Patrick	Fire Alarm System	1955	Finaled
TX504	744 - Patrick	Fire Spinkler System	1928	Pending
TX504	744 - Patrick	Fire Spinkler System	1928	Finaled
TX504	744 - Patrick	Fire Spinkler System	1883	Finaled
TX504	744 - Patrick	Fire Spinkler System	1968	Pending
TX504	744 - Patrick	Fire Spinkler System	1986	Finaled
TX504	744 - Patrick	Fire Spinkler System	2055	Pending
TX504	744 - Patrick	Follow Up	2051	Finaled
TX504	744 - Patrick	Follow Up	2051	Pending
TX504	744 - Patrick	Follow Up	2026	Pending
TX504	744 - Patrick	Knox Box	2037	Finaled
TX504	744 - Patrick	Preplan	2059	Finaled
TX504	744 - Patrick	Tanks-TEMP	2040	Finaled
Total Per Inspector: 43				
TX504	836 - Ayres	Annual	2060	Pending
TX504	836 - Ayres	Annual	2057	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0010	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2013-0146	Pending
TX504	836 - Ayres	Certificate of	CO2013-0133	Finaled

		Occupancy		
TX504	836 - Ayres	Construction Final	2030	Finaled
TX504	836 - Ayres	Construction Final	2056	Pending
TX504	836 - Ayres	Follow Up	2045	Finaled
TX504	836 - Ayres	Follow Up	2045	Pending
TX504	836 - Ayres	Follow Up	1991	Finaled
TX504	836 - Ayres	Follow Up	1996	Finaled
TX504	836 - Ayres	Other	2052	Finaled
TX504	836 - Ayres	Other	2052	Pending
TX504	836 - Ayres	Underground Fire Line	2058	Pending
Total Per Inspector: 14				
TX504	843 - Clark	Access Control Doors	2028	Finaled
TX504	843 - Clark	Annual	1971	Finaled
TX504	843 - Clark	Annual	1990	Finaled
TX504	843 - Clark	Annual	1990	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2013-0147	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2013-0133	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2013-0159	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2013-0145	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2013-0147	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0016	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0015	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2013-0161	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0017	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2013-0159	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0012	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0017	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0008	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0011	Finaled
TX504	843 - Clark	Complaint	2048	Finaled
TX504	843 - Clark	Construction Final	1903	Pending

TX504	843 - Clark	Construction Final	1902	Pending
TX504	843 - Clark	Construction Final	2039	Finaled
TX504	843 - Clark	Construction Final	2044	Pending
TX504	843 - Clark	Construction Final	2035	Pending
TX504	843 - Clark	Construction Final	2044	Finaled
TX504	843 - Clark	Construction Final	2nd floor - tenant	Pending
TX504	843 - Clark	Construction Final	2062	Pending
TX504	843 - Clark	Construction Final	7th floor - core	Pending
TX504	843 - Clark	Construction Final	6th floor - core	Pending
TX504	843 - Clark	Construction Final	6th floor - tenant	Pending
TX504	843 - Clark	Construction Final	1st floor - tenant	Pending
TX504	843 - Clark	Construction Final	1903	Finaled
TX504	843 - Clark	Construction Final	1902	Finaled
TX504	843 - Clark	Construction Final	2053	Pending
TX504	843 - Clark	Construction Final	2006	Pending
TX504	843 - Clark	Construction Final	3rd floor - core	Pending
TX504	843 - Clark	Construction Final	5th floor - tenant	Pending
TX504	843 - Clark	Construction Final	5th floor - core	Pending
TX504	843 - Clark	Construction Final	4th floor - tenant	Pending
TX504	843 - Clark	Construction Final	4th floor - core	Pending
TX504	843 - Clark	Construction Final	3rd floor - tenant	Pending
TX504	843 - Clark	Construction Final	2nd floor - core	Pending
TX504	843 - Clark	Construction Final	1st floor - core	Pending
TX504	843 - Clark	Construction Final	2035	Pending
TX504	843 - Clark	Construction Final	1903	Pending
TX504	843 - Clark	Construction Final	1902	Pending
TX504	843 - Clark	Construction Final	2019	Pending
TX504	843 - Clark	Construction Final	2006	Pending
TX504	843 - Clark	Construction Final	2014	Pending
TX504	843 - Clark	Construction Final	2030	Pending
TX504	843 - Clark	Construction Final	2006	Pending
TX504	843 - Clark	Construction Final	2019	Pending
TX504	843 - Clark	Construction Final	2025	Finaled
TX504	843 - Clark	Construction Final	2043	Pending
TX504	843 - Clark	Construction Final	4th floor - core	Pending
TX504	843 - Clark	Construction Final	3rd floor - tenant	Pending
TX504	843 - Clark	Construction Final	2nd floor - core	Pending
TX504	843 - Clark	Construction Final	1st floor - core	Pending
TX504	843 - Clark	FDC	1916	Finaled
TX504	843 - Clark	Fire Alarm System	2061	Finaled
TX504	843 - Clark	Fire Alarm System	2061	Pending
TX504	843 - Clark	Fire Alarm System	2005	Pending

	843 - Clark	Fire Alarm System	2031	Finaled
TX504	843 - Clark	Fire Drill	2038	Finaled
TX504	843 - Clark	Fire Spinkler System	1932	Finaled
TX504	843 - Clark	Fire Spinkler System	1932	Pending
TX504	843 - Clark	Fire Spinkler System	2036	Finaled
TX504	843 - Clark	Fire Spinkler System	1995	Pending
TX504	843 - Clark	Fire Spinkler System	1995	Pending
TX504	843 - Clark	Fire Spinkler System	2036	Pending
TX504	843 - Clark	Fire Spinkler System	1988	Finaled
TX504	843 - Clark	Fire Spinkler System	1928	Pending
TX504	843 - Clark	Fire Spinkler System	2076	Finaled
TX504	843 - Clark	Follow Up	1991	Pending
TX504	843 - Clark	Follow Up	2002	Pending
TX504	843 - Clark	Follow Up	2001	Finaled
TX504	843 - Clark	Follow Up	1984	Finaled
TX504	843 - Clark	Follow Up	2002	Pending
TX504	843 - Clark	Follow Up	2007	Finaled
TX504	843 - Clark	Follow Up	2042	Finaled
TX504	843 - Clark	Follow Up	2002	Finaled
TX504	843 - Clark	Follow Up	2034	Finaled
TX504	843 - Clark	Follow Up	1937	Finaled
TX504	843 - Clark	Generator	2016	Finaled
TX504	843 - Clark	Knox Box	2020	Finaled
TX504	843 - Clark	Knox Box	2041	Pending
TX504	843 - Clark	Knox Box	2047	Finaled
TX504	843 - Clark	Open Burn	2021	Finaled
TX504	843 - Clark	Other	2012	Finaled
TX504	843 - Clark	Other	2013	Pending
TX504	843 - Clark	Other	2012	Pending
TX504	843 - Clark	Other	2017	Pending
TX504	843 - Clark	Other	2017	Finaled
TX504	843 - Clark	Other	2013	Pending
TX504	843 - Clark	Other	2013	Finaled
TX504	843 - Clark	Other	2052	Pending
TX504	843 - Clark	Other	2013	Pending
TX504	843 - Clark	Standpipes	2032	Pending
TX504	843 - Clark	Standpipes	Temp Standpipes	Finaled
TX504	843 - Clark	Tanks-TEMP	2015	Finaled
TX504	843 - Clark	Underground Fire Line	2033	Pending
TX504	843 - Clark	Underground Fire Line	2033	Pending
		Underground Fire		

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TX504	843 - Clark Line	2033	Finaled

Total Per Inspector:
103

Department Total:
160

2/12/2014 11:11:59 AM

City of Rockwall
Inspection Totals Completed by Inspector
For the Period 1/1/2014 thru 1/31/2014

Bryan Patrick

CO - FIRE	5
TOTAL INSPECTIONS for Bryan Patrick:	5

Kevin Clark

CO - FIRE	8
TOTAL INSPECTIONS for Kevin Clark:	8

TOTAL INSPECTIONS COMPLETED:	13

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 1/1/2014 thru 1/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
CIP2013-004	02/20/2013		CAPITAL IMPROVEMENT	357	Kathleen Moreno	COMMENTS
					ENGINEERING	1/27/2014
CIP2013-004	02/20/2013		CAPITAL IMPROVEMENT	357	Tim Tumulty	COMMENTS
					ENGINEERING	1/29/2014
CIP2013-004	02/20/2013		CAPITAL IMPROVEMENT	357	Amy Williams	COMMENTS
					ENGINEERING	1/27/2014
CIP2013-004	02/20/2013		CAPITAL IMPROVEMENT	357	Curtis McAden	APPROVED
					ENGINEERING	2/4/2014
CIP2013-004	02/20/2013		CAPITAL IMPROVEMENT	357	Ariana Hargrove	APPROVED
					FIRE	2/4/2014
CIP2013-004	02/20/2013		CAPITAL IMPROVEMENT	357	Bruce Hanby	COMMENTS
					ENGINEERING	2/4/2014
CIP2013-004	02/20/2013		CAPITAL IMPROVEMENT	357	Billy Chaffin	COMMENTS
					ENGINEERING	1/29/2014
CIP2013-004	02/20/2013		CAPITAL IMPROVEMENT	357	Steve Clawson	APPROVED
					ENGINEERING	1/27/2014
CIP2013-005	02/20/2013		CAPITAL IMPROVEMENT	357	Kathleen Moreno	COMMENTS
					ENGINEERING	2/4/2014
CIP2013-014	09/09/2013		CAPITAL IMPROVEMENT	156	Kathleen Moreno	COMMENTS
					ENGINEERING	1/10/2014
CIP2013-014	09/09/2013		CAPITAL IMPROVEMENT	156	Steve Clawson	COMMENTS
					ENGINEERING	1/14/2014
CIP2013-014	09/09/2013		CAPITAL IMPROVEMENT	156	Amy Williams	COMMENTS
					ENGINEERING	1/8/2014
CIP2013-021	12/16/2013		CAPITAL IMPROVEMENT	58	Amy Williams	APPROVED
					ASSISTANT CITY ENC	1/23/2014
CIP2013-021	12/16/2013		CAPITAL IMPROVEMENT	58	Billy Chaffin	APPROVED
					STREET DEPARTMEN	1/29/2014

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 1/1/2014 thru 1/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
CIP2013-021	12/16/2013		CAPITAL IMPROVEMENT	58	Steve Clawson SEWER DEPARTMEN	APPROVED 1/21/2014
CIP2013-021	12/16/2013		CAPITAL IMPROVEMENT	58	Bruce Hanby ENG-TECH	APPROVED 1/24/2014
CIP2013-021	12/16/2013		CAPITAL IMPROVEMENT	58	Kathleen Moreno ENG-ENGINEER	APPROVED 1/29/2014
CIP2013-021	12/16/2013		CAPITAL IMPROVEMENT	58	Tim Tumulty CITY ENGINEER	APPROVED 1/29/2014
CIP2014-001	01/13/2014		CAPITAL IMPROVEMENT	30	Tim Tumulty CITY ENGINEER	
CIP2014-001	01/13/2014		CAPITAL IMPROVEMENT	30	Amy Williams ASSISTANT CITY ENC	
CIP2014-001	01/13/2014		CAPITAL IMPROVEMENT	30	Ariana Hargrove ENG - FIRE	
CIP2014-001	01/13/2014		CAPITAL IMPROVEMENT	30	Kathleen Moreno ENG-ENGINEER	
CIP2014-001	01/13/2014		CAPITAL IMPROVEMENT	30	Bruce Hanby ENG-TECH	
CIP2014-001	01/13/2014		CAPITAL IMPROVEMENT	30	Billy Chaffin STREET DEPARTMEN	
CIP2014-001	01/13/2014		CAPITAL IMPROVEMENT	30	Curtis McAden WATER DEPARTMEN	
CIP2014-001	01/13/2014		CAPITAL IMPROVEMENT	30	Steve Clawson SEWER DEPARTMEN	
E2011-016	09/22/2011		ENGINEERING 2578 SH276	874	Amy Williams ASSISTANT CITY ENC	COMMENTS 1/23/2014
E2013-032	11/12/2013		ENGINEERING	92	Amy Williams ASSISTANT CITY ENC	COMMENTS 1/27/2014
E2013-033	11/20/2013		ENGINEERING HWY276	84	Ariana Hargrove ENG - Fire	APPROVED 1/7/2014

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 1/1/2014 thru 1/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2013-033	11/20/2013		ENGINEERING HWY276	84	Amy Williams ENGINEERING	COMMENTS 1/6/2014
E2013-033	11/20/2013		ENGINEERING HWY276	84	Amy Williams ASSISTANT CITY ENC	APPROVED 1/8/2014
E2013-034	11/21/2013		ENGINEERING 1210 N GOLIAD	83	Steve Clawson SEWER DEPARTMEN	APPROVED 1/31/2014
E2013-034	11/21/2013		ENGINEERING 1210 N GOLIAD	83	Bruce Hanby ENG-TECH	APPROVED 1/31/2014
E2013-034	11/21/2013		ENGINEERING 1210 N GOLIAD	83	Kathleen Moreno ENG-ENGINEER	COMMENTS 1/29/2014
E2013-034	11/21/2013		ENGINEERING 1210 N GOLIAD	83	Ariana Hargrove ENG - Fire	COMMENTS 1/30/2014
E2013-034	11/21/2013		ENGINEERING 1210 N GOLIAD	83	Curtis McAden WATER DEPARTMEN	APPROVED 1/31/2014
E2013-034	11/21/2013		ENGINEERING 1210 N GOLIAD	83	Tim Tumulty CITY ENGINEER	APPROVED 1/31/2014
E2013-034	11/21/2013		ENGINEERING 1210 N GOLIAD	83	Amy Williams ASSISTANT CITY ENC	COMMENTS 1/29/2014
E2014-001	01/02/2014		ENGINEERING RIDGE RD	41	Tim Tumulty CITY ENGINEER	APPROVED 1/13/2014
E2014-001	01/02/2014		ENGINEERING RIDGE RD	41	Kathleen Moreno ENG-ENGINEER	COMMENTS 1/13/2014
E2014-001	01/02/2014		ENGINEERING RIDGE RD	41	Bruce Hanby ENG-TECH	COMMENTS 1/13/2014
E2014-001	01/02/2014		ENGINEERING RIDGE RD	41	Billy Chaffin STREET DEPARTMEN	APPROVED 1/13/2014
E2014-001	01/02/2014		ENGINEERING RIDGE RD	41	Steve Clawson SEWER DEPARTMEN	COMMENTS 1/13/2014
E2014-001	01/02/2014		ENGINEERING RIDGE RD	41	Curtis McAden WATER DEPARTMEN	COMMENTS 1/7/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 1/1/2014 thru 1/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-001	01/02/2014		ENGINEERING RIDGE RD	41	Ariana Hargrove ENG - FIRE	APPROVED 1/7/2014
E2014-001	01/02/2014		ENGINEERING RIDGE RD	41	Amy Williams ASSISTANT CITY ENC	COMMENTS 1/6/2014
E2014-002	01/09/2014		ENGINEERING 3150 HORIZON RD	34	Amy Williams ASSISTANT CITY ENC	APPROVED 1/23/2014
E2014-002	01/09/2014		ENGINEERING 3150 HORIZON RD	34	Bruce Hanby ENG-TECH	
E2014-002	01/09/2014		ENGINEERING 3150 HORIZON RD	34	Bruce Hanby ENG-TECH	COMMENTS 1/10/2014
E2014-002	01/09/2014		ENGINEERING 3150 HORIZON RD	34	Kathleen Moreno ENG-ENGINEER	COMMENTS 1/10/2014
E2014-002	01/09/2014		ENGINEERING 3150 HORIZON RD	34	Ariana Hargrove ENG - FIRE	APPROVED 1/13/2014
E2014-002	01/09/2014		ENGINEERING 3150 HORIZON RD	34	Amy Williams ASSISTANT CITY ENC	COMMENTS 1/9/2014
E2014-002	01/09/2014		ENGINEERING 3150 HORIZON RD	34	Tim Tumulty CITY ENGINEER	APPROVED 1/13/2014
E2014-002	01/09/2014		ENGINEERING 3150 HORIZON RD	34	Kathleen Moreno ENG-ENGINEER	APPROVED 1/23/2014
E2014-003	01/24/2014		ENGINEERING HWY276	19	Tim Tumulty CITY ENGINEER	
E2014-003	01/24/2014		ENGINEERING HWY276	19	Amy Williams ASSISTANT CITY ENC	COMMENTS 1/27/2014
E2014-003	01/24/2014		ENGINEERING HWY276	19	Ariana Hargrove ENG - FIRE	COMMENTS 1/28/2014
E2014-003	01/24/2014		ENGINEERING HWY276	19	Kathleen Moreno ENG-ENGINEER	
E2014-003	01/24/2014		ENGINEERING HWY276	19	Bruce Hanby ENG-TECH	

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 1/1/2014 thru 1/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-003	01/24/2014		ENGINEERING HWY276	19	Curtis McAden WATER DEPARTMEN	
E2014-003	01/24/2014		ENGINEERING HWY276	19	Steve Clawson SEWER DEPARTMEN	
E2014-003	01/24/2014		ENGINEERING HWY276	19	Billy Chaffin STREET DEPARTMEN	
E2014-004	01/30/2014		ENGINEERING	13	Tim Tumulty CITY ENGINEER	APPROVED W/ 2/5/2014
E2014-004	01/30/2014		ENGINEERING	13	Curtis McAden WATER DEPARTMEN	APPROVED 2/4/2014
E2014-004	01/30/2014		ENGINEERING	13	Amy Williams ASSISTANT CITY ENC	COMMENTS 2/3/2014
E2014-005	01/31/2014		ENGINEERING JEFF BOYD CIR	12	Kathleen Moreno ENG-ENGINEER	COMMENTS 2/4/2014
E2014-005	01/31/2014		ENGINEERING JEFF BOYD CIR	12	Amy Williams ASSISTANT CITY ENC	COMMENTS 2/4/2014
E2014-005	01/31/2014		ENGINEERING JEFF BOYD CIR	12	Brian Patrick ENG - FIRE	COMMENTS 2/4/2014
E2014-005	01/31/2014		ENGINEERING JEFF BOYD CIR	12	Bruce Hanby ENG-TECH	COMMENTS 2/3/2014
E2014-005	01/31/2014		ENGINEERING JEFF BOYD CIR	12	Billy Chaffin STREET DEPARTMEN	COMMENTS 2/11/2014
E2014-005	01/31/2014		ENGINEERING JEFF BOYD CIR	12	Steve Clawson SEWER DEPARTMEN	APPROVED 2/11/2014
E2014-005	01/31/2014		ENGINEERING JEFF BOYD CIR	12	Curtis McAden WATER DEPARTMEN	APPROVED 2/11/2014
E2014-005	01/31/2014		ENGINEERING JEFF BOYD CIR	12	Tim Tumulty CITY ENGINEER	COMMENTS 2/11/2014
E2014-001	01/22/2014		HISTORIC 109 ST MARYS ST	21	David Gonzales PLANNING	

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 1/1/2014 thru 1/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
P2013-042	12/20/2013		PLAT SHADY DALE LN	54	Amy Williams ENGINEERING	COMMENTS 1/7/2014
P2013-042	12/20/2013		PLAT SHADY DALE LN	54	Ariana Hargrove FIRE	
P2013-044	01/09/2014		PLAT HWY276	34	Amy Williams ENGINEERING	APPROVED 1/9/2014
P2013-044	01/09/2014		PLAT HWY276	34	John Shannon BUILDING	APPROVED 1/9/2014
P2013-044	01/09/2014		PLAT HWY276	34	Ryan Miller PLANNING	APPROVED W/ 1/9/2014
P2013-044	01/09/2014		PLAT HWY276	34	Ariana Hargrove FIRE	APPROVED 1/13/2014
P2014-001	01/21/2014		PLAT BREEZY HILLS RD	22	Ariana Hargrove FIRE	COMMENTS 1/23/2014
P2014-001	01/21/2014		PLAT BREEZY HILLS RD	22	Ryan Miller PLANNING	APPROVED W/ 1/23/2014
P2014-001	01/21/2014		PLAT BREEZY HILLS RD	22	John Shannon BUILDING	APPROVED 1/21/2014
P2014-001	01/21/2014		PLAT BREEZY HILLS RD	22	Amy Williams ENGINEERING	COMMENTS 1/23/2014
P2014-002	01/21/2014		PLAT BREEZY HILLS RD	22	Amy Williams ENGINEERING	COMMENTS 1/23/2014
P2014-002	01/21/2014		PLAT BREEZY HILLS RD	22	Ariana Hargrove FIRE	COMMENTS 1/23/2014
P2014-002	01/21/2014		PLAT BREEZY HILLS RD	22	Ryan Miller PLANNING	APPROVED W/ 1/23/2014
P2014-002	01/21/2014		PLAT BREEZY HILLS RD	22	John Shannon BUILDING	APPROVED 1/21/2014
P2014-003	01/31/2014		PLAT 1210 N GOLIAD	12	JoDee Sanford PLANNING	COMMENTS 2/3/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 1/1/2014 thru 1/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
P2014-003	01/31/2014		PLAT 1210 N GOLIAD	12	Amy Williams ENGINEERING	COMMENTS 1/31/2014
P2014-003	01/31/2014		PLAT 1210 N GOLIAD	12	Ariana Hargrove FIRE	APPROVED 2/3/2014
P2014-003	01/31/2014		PLAT 1210 N GOLIAD	12	John Shannon BUILDING	APPROVED 2/5/2014
SP2014-001	01/14/2014		SITE PLAN 904 N GOLIAD	29	Amy Williams ENGINEERING	COMMENTS 1/27/2014
SP2014-001	01/14/2014		SITE PLAN 904 N GOLIAD	29	JoDee Sanford PLANNING	APPROVED W/ 1/28/2014
SP2014-001	01/14/2014		SITE PLAN 904 N GOLIAD	29	John Shannon BUILDING	APPROVED 1/27/2014
SP2014-001	01/14/2014		SITE PLAN 904 N GOLIAD	29	Ariana Hargrove FIRE	APPROVED 1/29/2014
SP2014-002	01/21/2014		SITE PLAN 1830 I30	22	David Gonzales PLANNING	COMMENTS 1/24/2014
SP2014-002	01/21/2014		SITE PLAN 1830 I30	22	John Shannon BUILDING	APPROVED 1/21/2014
SP2014-002	01/21/2014		SITE PLAN 1830 I30	22	Amy Williams ENGINEERING	COMMENTS 1/23/2014
SP2014-002	01/21/2014		SITE PLAN 1830 I30	22	Ariana Hargrove FIRE	COMMENTS 1/23/2014
SP2014-002	01/21/2014		SITE PLAN 1830 I30	22	Amy Williams ENGINEERING	APPROVED 1/30/2014
Z2014-001	01/21/2014		ZONING 980 SIDS RD	22	John Shannon BUILDING	APPROVED 1/21/2014
Z2014-001	01/21/2014		ZONING 980 SIDS RD	22	Ariana Hargrove FIRE	
Z2014-001	01/21/2014		ZONING 980 SIDS RD	22	JoDee Sanford PLANNING	COMMENTS 1/23/2014

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 1/1/2014 thru 1/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
Z2014-001	01/21/2014		ZONING	22	Amy Williams	APPROVED
			980 SIDS RD		ENGINEERING	1/23/2014
Z2014-002	01/21/2014		ZONING	22	John Shannon	APPROVED
			FM552		BUILDING	1/21/2014
Z2014-002	01/21/2014		ZONING	22	Ariana Hargrove	COMMENTS
			FM552		FIRE	1/23/2014
Z2014-002	01/21/2014		ZONING	22	Amy Williams	COMMENTS
			FM552		ENGINEERING	1/23/2014
Z2014-002	01/21/2014		ZONING	22	Ryan Miller	APPROVED W/
			FM552		PLANNING	1/24/2014
Z2014-003	01/21/2014		ZONING	22	John Shannon	APPROVED
			109 ST MARYS ST		BUILDING	1/27/2014
Z2014-003	01/21/2014		ZONING	22	Ariana Hargrove	APPROVED
			109 ST MARYS ST		FIRE	1/27/2014
Z2014-003	01/21/2014		ZONING	22	Amy Williams	APPROVED
			109 ST MARYS ST		ENGINEERING	1/23/2014
Z2014-003	01/21/2014		ZONING	22	David Gonzales	COMMENTS
			109 ST MARYS ST		PLANNING	1/24/2014

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 1/1/2014 thru 1/31/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2013-112	07/03/13 COMM	232	2835 RIDGE RD Chick-Fil-A - Addition	CHICK, FIL A INC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/03/14	01/13/14	01/03/14
BLD2013-166	10/14/13 COMM	129	930 WHITMORE DR. WHITMORE PHASE 2B	WHITMORE, MANUFACTURING CO	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	01/03/14	01/23/14	01/13/14
CO2014-0001	01/03/14 CO	48	939 IH 30 Rockwall Cycling	ROCKWALL, CROSSING LTD	Ariana Hargrove	FIRE CO	APPROVED	01/03/14	01/06/14	01/03/14
BLD2014-004	01/09/14 COMM	42	386 TL Townsend Dr. AT&T- Construct 120' tower & cabnet	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/09/14	01/19/14	01/13/14
DEM2014-001	01/09/14 COMM	42	2951 Ridge Rd. Massage Envy - Interior Demo	REGENCY, CENTERS LP	Ariana Hargrove	FIRE 972-772-6431		01/09/14	01/19/14	
BLD2013-030	02/27/13 COMM	358	2012 Goliad St QuikTrip - NEW	C, & V OF LANCASTER	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/13/14	01/23/14	01/13/14
BLD2013-166	10/14/13 COMM	129	930 WHITMORE DR. WHITMORE PHASE 2B	WHITMORE, MANUFACTURING CO	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/13/14	01/23/14	01/13/14
BLD2013-181	11/15/13 COMM	97	805 Townsend CORRIGAN LAW OFFICE - New	CORRIGAN, BRIAN	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/13/14	01/23/14	01/13/14
BLD2014-004	01/09/14 COMM	42	2951 Ridge Rd 101 Massage Envy - Interior renovation	REGENCY, CENTERS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	01/13/14		01/13/14
ELE2014-000	01/13/14 COMM	38	4300 JOHN KING BLVD ELECTRIC TO BREEZY HILL LIFT STATION		Ariana Hargrove	FIRE 972-772-6431		01/13/14	01/23/14	
CO2014-0002	01/14/14 CO	37	2346 Greencrest Anytime Fitness	JLIU, ASSET MANAGEMENT LTD	Ariana Hargrove	FIRE CO	APPROVED	01/14/14	01/17/14	01/14/14
CO2014-0003	01/14/14 CO	37	3090 Goliad St N 110 National Urgent Care	METROPLEX, ACQUISITION FUND LP	Ariana Hargrove	FIRE CO	APPROVED	01/14/14	01/17/14	01/14/14
CO2014-0004	01/14/14 CO	37	1975 Alpha Baylor Emergency Medical Center of Rockwall	TRI DAL UTILITIES, Ltd.	Ariana Hargrove	FIRE CO		01/14/14	01/17/14	
PLB2014-002	01/14/14 COMM	37	909 IH 30 Replace D/C in front of 909 IH 30	ROCKWALL, CROSSING LTD	Ariana Hargrove	FIRE 972-772-6431		01/14/14	01/24/14	
SPEC2014-00	01/14/14 SPECIAL EVENT	37	2935 RIDGE RD VALENTINE'S DAY TENT	KROGER, TEXAS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/14/14	01/21/14	01/15/14
BLD2013-190	12/16/13 COMM	66	2701 Sunset Ridge 600 Trend Corporate & B & H Ins.- Intr. Completion	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/15/14	01/25/14	01/15/14
BLD2013-190	12/17/13 COMM	65	2701 Sunset Ridge 200 Harbor Heights Family Medicine - Inter. Completion	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/15/14	01/25/14	01/15/14
BLD2013-191	12/17/13 COMM	65	2701 Sunset Ridge 102 Harbor Heights Family Medicine - Inter. Completion	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/15/14	01/25/14	01/15/14

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 1/1/2014 thru 1/31/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2013-191	12/17/13 COMM	65	2701 Sunset Ridge 110 Allegiance Title Inter. Completion	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/15/14	01/25/14	01/15/14
BLD2013-192	12/19/13 COMM	63	2701 Sunset Ridge 500 Trend HR Inter. Completion	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/15/14	01/25/14	01/15/14
CO2014-0005	01/15/14 CO	36	3084 Goliad St N 120 Jeff Bickerstaff Ins. Agency	METROPLEX, ACQUISITION FUND LP	Ariana Hargrove	FIRE CO	APPROVED	01/15/14	01/18/14	01/17/14
CO2014-0006	01/15/14 CO	36	1411 Goliad St S Texas Dealer Services	T-ROCK, LP	Ariana Hargrove	FIRE CO	APPROVED	01/15/14	01/18/14	01/15/14
ELE2013-009	12/24/13 COMM	58	3701 Windjammer Ln. Harbor Bay Marina Elec. repair	Stone Wood Investments	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/15/14	01/25/14	01/15/14
BLD2014-007	01/16/14 COMM	35	2245 Goliad St S Rosa's Cafe	CPI, MORTGAGE INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	01/16/14	01/26/14	01/21/14
CO2014-0007	01/16/14 CO	35	4450 Tubbs Rd Lakeside Surgery, PA	ROCKWALL, REGIONAL HOSPITAL LLP	Ariana Hargrove	FIRE CO	APPROVED	01/16/14	01/19/14	01/17/14
CO2014-0008	01/17/14 CO	34	2785 Ridge Rd. Jimmy John's	STEGER, DUNHILL LLC	Ariana Hargrove	FIRE CO	APPROVED	01/17/14	01/20/14	01/17/14
BLD2014-007	01/16/14 COMM	35	970 IH 30 E FABRIC SHADE CANOPIES ph 2 (ROCKWALL DODGE)	ROCKWALL, DIRT CO LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/21/14		01/21/14
CO2014-0010	01/21/14 CO	30	991 IH 30 105 Apple Nails & Spa	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE CO	APPROVED	01/21/14	01/24/14	01/21/14
CO2014-0011	01/22/14 CO	29	2927 Ridge Rd. 109 Signature Nail Salon	REGENCY, CENTERS LP	Ariana Hargrove	FIRE CO	APPROVED	01/22/14	01/25/14	01/22/14
BLD2014-004	01/09/14 COMM	42	2951 Ridge Rd 101 Massage Envy - Interior renovation	REGENCY, CENTERS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/23/14	02/02/14	01/23/14
BLD2014-010	01/23/14 COMM	28	2215 Lakeshore Dr. AT&T adding Antennas & ground equipment to existing tower	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/23/14	02/02/14	01/27/14
CO2014-0012	01/23/14 CO	28	2882 Ridge Rd. Guild Mortgage Company	HP, ROCKWALL 740 LTD	Ariana Hargrove	FIRE CO	APPROVED	01/23/14	01/26/14	01/23/14
CO2014-0013	01/23/14 CO	28	955 Ralph Hall Pkwy 105 & 107 Sharp Insulation	MILLER, ROLAND MORRIS III	Ariana Hargrove	FIRE CO	APPROVED	01/23/14	01/26/14	01/24/14
PLB2014-002	01/23/14 COMM	28	715 RUSK ST. W INSTALLING A NEW RPZ	METRO/ARTERBURN, HOLDINGS I LP	Ariana Hargrove	FIRE 972-772-6431		01/23/14	02/02/14	
CO2014-0009	01/21/14 CO	30	1401 IH 30 103 ROCKWALL ANTIQUE EMPORIUM	MCCALLUM, V LTD	Ariana Hargrove	FIRE CO	APPROVED	01/24/14		01/24/14
CO2014-0014	01/24/14 CO	27	3090 Goliad St. N 106 H2 Orthodontics, PLLC	METROPLEX, ACQUISITION FUND LP	Ariana Hargrove	FIRE CO	APPROVED	01/24/14	01/27/14	01/24/14
CO2014-0015	01/27/14 CO	24	6537 Horizon Whittle Alliance New Office Bldg. #1	ROCKWALL RENTAL PROPERTIES LP	Ariana Hargrove	FIRE CO	APPROVED	01/27/14	01/30/14	01/27/14

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 1/1/2014 thru 1/31/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2014-0016	01/27/14	24	6531 Horizon	ROCKWALL RENTAL PROPERTIES LP	Ariana Hargrove	FIRE CO	APPROVED	01/27/14	01/30/14	01/27/14
	CO		Whittle Alliance Office II (New) lot 6							
CO2014-0017	01/27/14	24	6537 Horizon C	ROCKWALL RENTAL PROPERTIES LP	Ariana Hargrove	FIRE CO	APPROVED	01/27/14	01/30/14	01/27/14
	CO		Slayton Wealth Mgmt.							
CO2014-0018	01/27/14	24	2233 Ridge Rd 101 & 102		Ariana Hargrove	FIRE CO	APPROVED	01/27/14	01/30/14	01/27/14
	CO		Commercial Construction Group							
DEM2014-00(	01/27/14	24	1210 GOLIAD ST. N	YMCA, OF DALLAS	Ariana Hargrove	FIRE 972-772-6431		01/27/14	02/06/14	
	COMM		DEMO OF EXISTING BUILDING (FRONT)							
BLD2014-011	01/29/14	22	3055 Discovery Blvd.	ROCKWALL, ECONOMIC DEVELOPMENT	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/29/14	02/08/14	02/05/14
	COMM		Bimbo Bakery- adding slab, screen wall & emergancy generator							
BLD2014-011	01/29/14	22	601 WHITE HILLS DR	SHEIKHA, SABRI H MD	Ariana Hargrove	FIRE 972-772-6431		01/29/14	02/08/14	
	COMM		RE-ROOFING (SHINGLES ONLY)							

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Rockwall Police Department

Harbor District Calls For Service

January 2014

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2014-00001746	01/17/2014	15:21:46	The Harbor	Accident - Minor	No Report
2014-00001468	01/15/2014	01:50:31	Cinemark	Alarm-BUSN	No Report
2014-00001211	01/12/2014	16:01:47	Agave	Criminal Trespass	Unable to Locate
2014-00001637	01/16/2014	19:39:23	Cinemark	Fraud	Report
2014-00001624	01/16/2014	16:13:59	The Harbor	Investigation	No Report
2014-00000949	01/10/2014	11:01:23	Cinemark	Investigation	No Report
2014-00000427	01/04/2014	23:05:51	Hilton	Investigation	Citation
2014-00000404	01/04/2014	20:14:17	Ruby Tuesday	Investigation	Report
2014-00000764	01/08/2014	12:23:07	Cinemark	Suspicious Activity	No Report
2014-00001436	01/14/2014	20:43:00	Hilton	Theft	Report
			Common Name		
			Cinemark	4	
			The Harbor	2	
			Hilton	2	
			Agave	1	
			Ruby Tuesday	1	
			Total	**10**	

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

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	7	7	0	100%
ADMINISTRATIVE SERVICES	4	4	0	100%
AIRPORT	4	4	0	100%
ANIMAL SERVICES	6	6	0	100%
BUILDING INSPECTIONS / CODE ENFORCEMENT	2	2	0	100%
ENGINEERING	7	7	0	100%
FINANCE	3	3	0	100%
FIRE DEPARTMENT	31	27	4	87%
INTERNAL OPERATIONS	118	118	0	100%
MUNICIPAL COURT	4	4	0	100%
PARKS & RECREATION	19	19	0	100%
PLANNING & ZONING	1	1	0	100%
POLICE DEPARTMENT	29	27	2	93%
PUBLIC WORKS	8	8	0	100%
UTILITY BILLING	1	1	0	100%
TOTAL	244	238	6	98%

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Rockwall Police Department

Monthly Activity Report

January-2014

ACTIVITY	CURRENT MONTH JANUARY	PREVIOUS MONTH DECEMBER	YTD 2014	YTD 2013	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	0	0.00%
Sexual Assault*	0		0		
Robbery	0	0	0	0	0.00%
Aggravated Assault	3	1	3	0	300.00%
Burglary	6	3	6	6	0.00%
Larceny	70	57	70	48	45.83%
Motor Vehicle Theft	4	4	4	5	-20.00%
TOTAL PART I	**83**	**65**	**83**	**59**	**40.68%**
TOTAL PART II	**134**	**122**	**134**	**128**	**4.69%**
TOTAL OFFENSES	**217**	**187**	**217**	**187**	**16.04%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	15	11	15	8	87.50%
D.W.I.	21	15	21	12	75.00%
TEEN CURFEW	1	4	1	0	100.00%
ARRESTS					
FELONY	20	15	20	14	42.86%
MISDEMEANOR	65	69	65	86	-24.42%
WARRANT ARREST	33	19	33	27	22.22%
JUVENILE	9	5	9	7	28.57%
TOTAL ARRESTS	**127**	**108**	**127**	**134**	**-5.22%**
DISPATCH					
CALLS FOR SERVICE	1354	1411	1354	1231	9.99%
ACCIDENTS					
INJURY	11	15	11	7	57.14%
(INJURIES)	19	20	19	8	137.50%
NON-INJURY	49	59	49	44	11.36%
FATALITY	0	0	0	0	0.00%
(FATALITIES)	0	0	0	0	0.00%
TOTAL	**60**	**74**	**60**	**51**	**17.65%**
FALSE ALARMS					
RESIDENT ALARMS	55	67	55	62	-11.29%
BUSINESS ALARMS	128	116	128	101	26.73%
TOTAL FALSE ALARMS	**183**	**183**	**183**	**163**	**12.27%**
Estimated Lost Hours	**120.78**	**120.78**	**120.78**	**107.58**	**12.27%**
Estimated Cost	**$2,873.10**	**$2,873.10**	**$2,873.10**	**$2,559.10**	**12.27%**

ROCKWALL NARCOTICS UNIT

Number of Cases	
Arrests	1
Arrest Warrants	
Search Warrants	
Seized	
Meth	3.5 grams
Cocaine	1.1 grams

*The new summary definition of rape is: "Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim."

Rockwall Police Department
Dispatch and Response Times
January 2014

Police Department

	Average Response Time	
Priority 1		Number of Calls **103**
Call to Dispatch	0:00:42	
Call to Arrival	0:04:41	
% over 7 minutes	17%	
Priority 2		Number of Calls **186**
Call to Dispatch	0:00:45	
Call to Arrival	0:06:57	
% over 7 minutes	31%	
Priority 3		Number of Calls **6**
Call to Dispatch	0:00:34	
Call to Arrival	0:05:28	
% over 7 minutes	17%	
***Priority 4**		Number of Calls **1059**
****Priority 5**		Number of Calls **0**

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

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

Fire Department

Average Response Time		
Call to Dispatch	0:00:15	Number of Calls **130**
Call to Arrival	0:07:04	

Overages

Incident No.	Date	Time Rec'd	Call Type	Time Disp	Resp Time	Reason
2014-112	1/27/2014	3:30:24	Wire Down/Arc Transformer	3:31:29	0:01:05	County call, no CAD recommendations
2014-10	1/3/2014	11:23:14	Grass Fire	11:24:29	0:01:15	County call, no CAD recommendations
2014-29	1/6/2014	17:46:26	Fire Alarm Res	17:47:43	0:01:17	FD -non emergency, was not paged out
2014-117	1/28/2014	8:57:46	Fire Alarm Res	8:59:08	0:01:22	Call Taker getting info from alarm company
2014-85	1/23/2014	10:56:25	Commercial Fire	10:59:37	0:03:12	Alarm was at the fire station / was not paged out

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
January 2014

DISPOSITION REPORT

	January
Intakes	175
1045	1
Adopted	123
Returned to Owner	23
Rescued	28
Euthanized	7
Live Outcome %	**96%**
Number of Animals in Foster	1

FINANCIAL REPORT

Income	**January**
City of Rockwall	$102,618
Adoption Fee Income	$13,325
Impound Fee Income	$964
Owner Surrender	$948
General Donations	$5,525
Medical	$625
Quarantine Fee	$200
Other Income	$1,023
Total Income	**$125,228**

Expenses	**January**
Administrative Expenses (Payroll, etc)	$31,220
Shelter Expenses (Microchips, Drugs, etc)	$1,874
Veterinary Expenses	$5,384
Professional Services	$4,967
Income Tax	$7,353
Total Expenses	**$50,797**
Balance	**$74,431**

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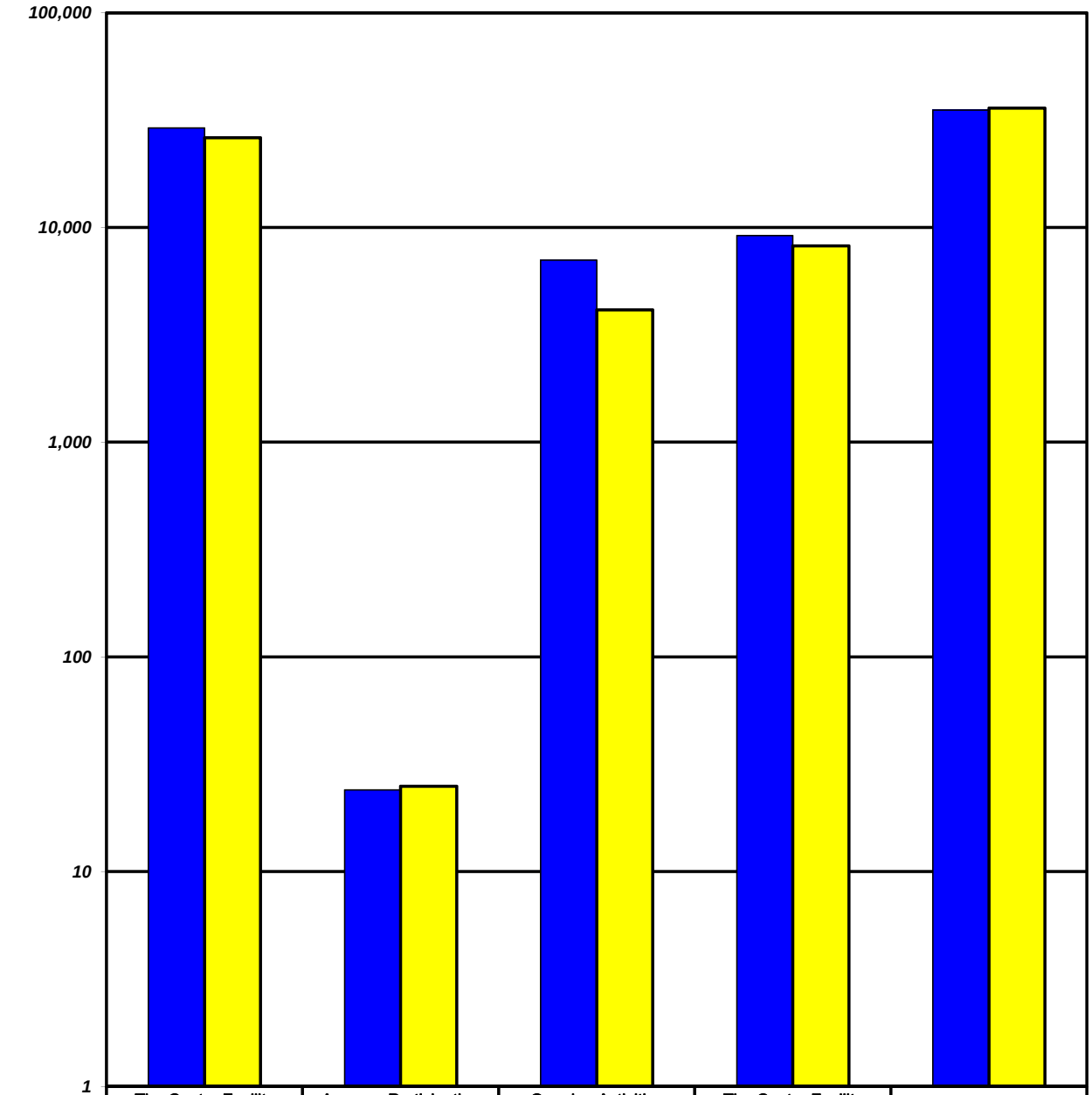
City of Rockwall
Parks and Recreation Department
FY14 January Report



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY14 YTD	29,082	24	7,034	$9,158	$35,257
FY13 YTD	26,190	25	4,135	$8,196	$35,982

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

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Agenda 5

Hold work session to discuss and consider grading and floodplain development permits and the associated process, and take any action necessary.

- City Manager Memo 10
- Grading Permit Application 11
- Grading Permit Ordinance 12
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Proclamation recognition - Future City Design Competition

- Proclamation 19
- Blank page 20

Consider approval of the minutes from the March 3, 2014 regular city council meeting, and take any action necessary.

- 03/03 cc mtg mins 21
- Blank Page 30

Consider ratifying the expenditure to Utilitex Construction, LLP for emergency repairs performed on the 16 inch diameter water line along IH 30 at a cost of $42,200.66, which was funded out of Utilities Operations budget, and take any action necessary.

- City Manager Memo 31
- Blank Page 32

Consider authorizing the City Manager to execute a contract extension for one year with 3-D Mowing for tractor mowing services in the amount of $40,291.60 funded in the General Fund, Parks Operations, Grounds Maintenance and take any action necessary.

- Memo 33
- Blank page 34

Consider approval of an ordinance declaring unopposed candidates and cancelling the 2014 General Election, and take any action necessary. (1st reading)

- Ordinance 35
- Memo 39
- blank page 40

Z2014-001 - Consider approval of an ordinance for a request by Tommy Pulliam on behalf of Rayburn Electric Cooperation, Inc. for the approval of a zoning change from Agricultural (Ag) District to a Heavy Commercial (HC) District for a 6.057-acre tract land identified as a portion of Tract 3-06 of the W. H. Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Agricultural (Ag) District, located on the south side of Sids Road west of S. Goliad Street (SH-205), and take any action necessary. (2nd Reading)

- Ord_2nd Reading 41
- Blank Page 45

P2014-008 - Consider a request by Ron Ramirez of Wier & Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of a final plat for Lot 1, Block A & Lot 1, Block B, Channel Subdivision and for the dedication of Justin Road right-of-way being a 37.828-acre tract of land located within the Archibald Hanna Survey, Abstract No. 99, the N. Butler Survey, Abstract No. 20 and the David Harr Survey, Abstract No. 102, Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) and Agriculture (AG) District, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located in between John King Boulevard and Industrial Boulevard north of Interstate Highway 30 (IH-30), and take any action necessary.

Staff Report . . . 46
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Consider approval of the award of the Evans Road Drainage Improvements construction contract to Lone Star Utilities in the amount of $67,357.00 to be funded out of the 2005 drainage bonds, and take any action necessary.

City Manager Memo . . . 53
Bid Tabulations . . . 54
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Consider approval of the award of the Northshore Lift Station Improvements construction contract to RAMA Enterprises, in the amount of $417,962.00 to be funded out of the 2008 sewer revenue bonds, and take any action necessary.

City Manager memo . . . 56
Bid Recommendation Letter . . . 57
Consultant Letter . . . 58
Northshore Bid Tab . . . 60
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Appointment with Kim Bowen to discuss and consider handicap usage of city parks, and take any action necessary.

email request . . . 64
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Appointment with Mark Spencer of MHS Planning and Design to discuss and consider authorizing Phelps Lake park improvements, and take any action necessary.

Memo . . . 66
Phelps Site Plan . . . 67
Phelps Kayak Launch . . . 68
Phelps Fishing Pier . . . 69
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Z2014-005 -Hold a public hearing to discuss and consider approval of an ordinance for a request by Ron Ramirez of Wier & Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of a zoning change from an Agriculture (AG) District to a Light Industrial (LI) District for a 2.006-acre tract of land identified as a portion of Tract 2-7 of the David Harr Survey, Abstract No. 102, Rockwall, Rockwall County, Texas, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of Airport Road, and take any action necessary (1st Reading).

Staff Report 71

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Z2014-006 - Hold a public hearing to discuss and consider approval of an ordinance for a request by the Cabana's at Chandler's Landing Homeowner's Association on behalf of the residents of the Cabana's at Chandler's Landing to amend the density and dimensional requirements stipulated by Planned Development District 8 (PD-8) for a 1.131-acre portion of a parcel of land identified as the Cabanas at Chandler's Landing, zoned Planned Development District 8 (PD-8) for multi-family or condominium uses as established in Ordinance 73-48 & 84-04, generally located south of Yacht Club Drive and west of Harbor View Drive, and take any action necessary (1st Reading).

Staff Report 84

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SP2014-003 - Discuss and consider a request by Kevin Patel of Triangle Engineering, LLC on behalf of Ketan Parekh of A. J. Squared, LLC for the approval of a variance in association with an approved site plan for a medical office building on a 1.463-acre parcel of land identified as Lot 2, Block A, Rockwall Assisted Living Facility Addition, zoned Planned Development District 18 (PD-18) for office and retail uses, situated within the Scenic Overlay (SOV) District, located on the west side of Ridge Road [FM-740] south of Cemetery Road, and take any action necessary.

Staff Report 101

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SP2014-004 - Discuss and consider a request by Bill Thomas of Engineering Concepts and Designs on behalf of Tommy Pulliam of the Rayburn Electric Cooperation, Inc. for the approval of a variance in association with an approved site plan for an office building on a 6.057-acre tract of land identified as a portion of Tract 3-06 of the W. H. Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, located on the south side of Sids Road west of S. Goliad Street [SH-205], and take any action necessary.

Staff Report 109

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P2014-005 - Discuss and consider a request by Kelcey Barnes for the approval of a final plat for a six (6) acre portion of a larger 36.61-acre tract of land identified as Tract 13-03 of the W. W. Ford Survey, Abstract No. 80, Rockwall County, Texas, being situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally being a portion of a 20-acre tract of land identified as 636 Hanby Lane, and take any action necessary.

Staff Report . . . 116
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Discuss and consider recommendation of the Hotel / Motel tax subcommittee regarding funding requests from Rockwall Chamber of Commerce, Rockwall Rubber Duck Regatta and The Rockwall News for 2014 events, and take any action necessary.

staff memo . . . 121
Chamber request . . . 123
Chamber CVB request . . . 135
Duck Regatta request . . . 149
Rockwall news request . . . 162
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Discuss and consider authorizing the City Manager to enter into a contract with Texas Air Center, LLC for Fixed Base Operator Services at the Ralph M. Hall / Rockwall Municipal Airport and take any action necessary.

FBO Contract . . . 168
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AGENDA
ROCKWALL CITY COUNCIL
Monday, March 17, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. (4:00 P.M.) WORK SESSION

p.10 **1. HOLD WORK SESSION TO DISCUSS AND CONSIDER GRADING AND FLOODPLAIN DEVELOPMENT PERMITS AND THE ASSOCIATED PROCESS, AND TAKE ANY ACTION NECESSARY.**

III. (4:15 P.M.) EXECUTIVE SESSION.

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

1. Discussion regarding land lease/acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section 551.072 (Real Property).
2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).
3. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding claim filed by Ryan Frost pursuant to Section 551.071 (Consultation with Attorney)
5. Discussion regarding the city's Fixed Based Operator airport agreement pursuant to Section 551.071 (Consultation with Attorney)
6. Discussion regarding appointments to city regulatory boards, commissions, and committees including the North TX Municipal Water District Board pursuant to Section 551.074 (personnel matters)
7. Discussion regarding the appointment, evaluation and possible replacement for a member of a City Board pursuant to Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters).

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, March 17, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER LEWIS

VIII. PROCLAMATIONS / AWARDS

p.19 **1.** Proclamation recognition - Future City Design Competition

IX. CONSENT AGENDA

p.21 **1.** Consider approval of the minutes from the March 3, 2014 regular city council meeting, and take any action necessary.

p.31 **2.** Consider ratifying the expenditure to Utilitex Construction, LLP for emergency repairs performed on the 16 inch diameter water line along IH 30 at a cost of $42,200.66, which was funded out of Utilities Operations budget, and take any action necessary.

p.33 **3.** Consider authorizing the City Manager to execute a contract extension for one year with 3-D Mowing for tractor mowing services in the amount of $40,291.60 funded in the General Fund, Parks Operations, Grounds Maintenance and take any action necessary.

p.35 **4.** Consider approval of an **ordinance** declaring unopposed candidates for city council Places 2, 4 and 6 and cancelling the 2014 General Election, and take any action necessary. **(1st reading)**

p.41 **5.** **Z2014-001** - Consider approval of an **ordinance** for a request by Tommy Pulliam on behalf of Rayburn Electric Cooperation, Inc. for the approval of a zoning change from Agricultural (Ag) District to a Heavy Commercial (HC) District for a 6.057-acre tract land identified as a portion of Tract 3-06 of the W. H. Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Agricultural (Ag) District, located on the south side of Sids Road west of S. Goliad Street (SH-205), and take any action necessary. **(2nd Reading)**

p.46 **6.** **P2014-008** - Consider a request by Ron Ramirez of Wier & Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of a final plat for Lot 1, Block A & Lot 1, Block B, Channel Subdivision and for the dedication of Justin Road right-of-way being a 37.828-acre tract of land located within the Archibald Hanna Survey, Abstract No. 99, the N. Butler Survey, Abstract No. 20 and the David Harr Survey, Abstract No. 102, Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) and Agriculture (AG) District, situated

within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located in between John King Boulevard and Industrial Boulevard north of Interstate Highway 30 (IH-30), and take any action necessary.

p.53 **7.** Consider approval of the award of the Evans Road Drainage Improvements construction contract to Lone Star Utilities in the amount of $67,357.00 to be funded out of the 2005 drainage bonds, and take any action necessary.

p.56 **8.** Consider approval of the award of the Northshore Lift Station Improvements construction contract to RAMA Enterprises, in the amount of $417,962.00 to be funded out of the 2008 sewer revenue bonds, and take any action necessary.

X. APPOINTMENTS

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

p.64 **2.** Appointment with Kim Bowen to discuss and consider handicap usage of city parks, and take any action necessary.

p.66 **3.** Appointment with Mark Spencer of MHS Planning and Design to discuss and consider authorizing Phelps Lake park improvements, and take any action necessary.

XI. PUBLIC HEARING ITEMS

p.71 **1.** **Z2014-005** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Ron Ramirez of Wier & Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of a zoning change from an Agriculture (AG) District to a Light Industrial (LI) District for a 2.006-acre tract of land identified as a portion of Tract 2-7 of the David Harr Survey, Abstract No. 102, Rockwall, Rockwall County, Texas, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of Airport Road, and take any action necessary **(1st Reading)**.

p.84 **2.** **Z2014-006** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by the Cabana's at Chandler's Landing Homeowner's Association on behalf of the residents of the Cabana's at Chandler's Landing to amend the density and dimensional requirements stipulated by Planned Development District 8 (PD-8) for a 1.131-acre portion of a parcel of land identified as the Cabanas at Chandler's Landing, zoned Planned Development District 8 (PD-8) for multi-family or condominium uses as established in Ordinance 73-48 & 84-04, generally located south of Yacht Club Drive and west of Harbor View Drive, and take any action necessary **(1st Reading)**.

XII. SITE PLANS / PLATS

p.101 **1.** **SP2014-003** - Discuss and consider a request by Kevin Patel of Triangle Engineering, LLC on behalf of Ketan Parekh of A. J. Squared, LLC for the approval of a variance in association with an approved site plan for a medical office building on a 1.463-acre parcel of land identified as Lot 2, Block A, Rockwall Assisted Living Facility Addition, zoned Planned Development District 18 (PD-18) for office and retail uses, situated within the Scenic Overlay (SOV) District, located on the west side of Ridge Road [FM-740] south of Cemetery Road, and take any action necessary.

p.109 **2.** **SP2014-004** - Discuss and consider a request by Bill Thomas of Engineering Concepts and Designs on behalf of Tommy Pulliam of the Rayburn Electric Cooperation, Inc. for the approval of a variance in association with an approved site plan for an office building on a 6.057-acre tract of land identified as a portion of Tract 3-06 of the W. H. Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, located on the south side of Sids Road west of S. Goliad Street [SH-205], and take any action necessary.

p.116 **3.** **P2014-005** - Discuss and consider a request by Kelcey Barnes for the approval of a final plat for a six (6) acre portion of a larger 36.61-acre tract of land identified as Tract 13-03 of the W. W. Ford Survey, Abstract No. 80, Rockwall County, Texas, being situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally being a portion of a 20-acre tract of land identified as 636 Hanby Lane, and take any action necessary.

XIII. ACTION ITEMS

p.121 **1.** Discuss and consider recommendation of the Hotel / Motel tax subcommittee regarding funding requests from Rockwall Chamber of Commerce, Rockwall Rubber Duck Regatta and The Rockwall News for 2014 events, and take any action necessary.

p.168 **2.** Discuss and consider authorizing the City Manager to enter into a contract with Texas Air Center, LLC for Fixed Base Operator Services at the Ralph M. Hall / Rockwall Municipal Airport and take any action necessary.

XIV. EXECUTIVE SESSION

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

1. Discussion regarding land lease/acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section 551.072 (Real Property).

2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071

(consultation with attorney) and Section 551.087 (Economic Development negotiations).

3. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
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7. Discussion regarding the appointment, evaluation and possible replacement for a member of a City Board pursuant to Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters).

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

XVI. ADJOURNMENT

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

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

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 14th day of March, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

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

DATE: March 12, 2014

SUBJECT: Grading Permit

All developments within our City limits are required to provide erosion control measures to prohibit soil from washing out into the streets or a nearby storm sewer system. These erosion control features are installed prior to the beginning of site construction and should be removed after the completion of a project provided grass has been established on all dirt surfaces.

Recently Engineering staff was notified of existing erosion control devices that were left in place years after the completion of a residential subdivision. When this occurs, City forces are utilized to remove the devices.

Staff has developed a Grading and Floodplain Development Permit very similar to one used in another Metroplex community. This permit has several positive features for the city and the development. For the City, it requires the development to erect all erosion control devises prior to beginning of construction, to maintain the erosion control devices throughout construction and remove them after project completion. For the development, it allows excavation work to begin prior to approval of engineering design plans for construction with a caveat that plans must be approved and any permanent work that occurs prior to approval is done at the developments risk.

This proposed permit would charge a monetary deposit based on acreage within the development to assure the City that these devices will be erected and maintained throughout the project and removed at completion. If the development maintains and removes these erosion control devices, their entire deposit would be returned to them once the City accepts the development and final cover has been established. If the development fails to maintain or remove the devices, the City can hire a contractor to perform these services and use the deposit as payment.

Staff suggests using $500.00 for the first acre and $100.00 per acre after that. Staff will present this proposed request to City Council for their consideration for future approval of the attached ordinance to create a Grading Permit and Floodplain Development Permit for all developments charging $500.00 for the first acre and $100.00 per acre for every acre after.

TMT:em

Attachments:

Cc:

Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
Billy Chaffin, Superintendent of Streets and Drainage
File

GRADING & FLOODPLAIN DEVELOPMENT

City of Rockwall

Permit No. _____

This permit allows the owner to fill, grade, excavate, or otherwise disturb the surface of property described below, in accordance with Rockwall City Code, Section 38-24 to 38-31.

PROJECT NAME: _____

PLAT NAME: _____

PROPERTY OWNER: _____

DEPOSIT REQUIRED **$ 0.00 (Disturbed land area-acreage)**
TOTAL: **$ 0.00**

Requirements and conditions of this permit:

- ☐ Grading plans have been submitted and approved by the City.
- ☐ Submission of a notarized statement from the property owner giving permission to the Contractor to fill, grade, excavate, or otherwise disturb the property and acknowledgement by property owner of his responsibilities as described in section 38-31 of the Rockwall City Code.
- ☐ For projects disturbing 1 acre or more of land, submission of a Storm Water Pollution Prevention Plan (SWPPP) in accordance with City, TCEQ and EPA regulations and requirements.
- ☐ For projects disturbing 5 acres or more of land submit a copy of the Notice of Intent (NOI) from all site "Operators".
- ☐ When applicable, submit copy of Parks & Recreation Department Approval of the tree preservation plan to the City Engineer.
- ☐ When applicable (floodplain encroachment), provide a copy of a Conditional Letter of Map Revision (CLOMR) from FEMA.
- ☐ Special Conditions -

The Developer, Contractor and Engineer is hereby notified that issuance of this permit does not indicate approval of the engineering plans and that grade revisions can and will be made if determined necessary after a complete review of the final plans.

At any time the City determines that the project is in non-compliance with this permit or any other applicable permits and/or letters of permission, this permit shall be revoked and a stop order shall be issued to the Developer and/or Contractor.

If it is necessary for the City to remove soil, rock, mud or debris from its streets, alleys, utility facilities, rights of way or easements, or construct erosion devices on the permit site to prevent erosion in connection with this permit, the cost of such will be charged to the holder of this permit and subtracted from the balance of the deposit required herein. To be reimbursed for deposited funds NOT used to reimburse the City for construction or removal of soil, rock, mud and debris, a written request must be made to the City Engineer from the depositor named below within two (2) years of written project acceptance by the City Engineer, and the following conditions must be met. Failure to request funds within the prescribed time will result in forfeiture of such funds to the City's General Fund.

1. All disturbed areas on and off site are vegetated with a vigorous stand of grass or other ground cover.
2. Temporary erosion control devices are no longer required and have been removed.
3. Permanent erosion control devices are in place on the site and working properly and do further hazard of erosion is present on the site.
4. Where applicable, a copy of the TCEQ Notice of Termination (NOT) for the project has been submitted to the City.
5. The City Engineer has given written acceptance of the project.

The Depositor must notify the City of Rockwall, Attn: Engineering Department in writing of all address changes.

Deposited By:

Name:

Address:

Phone:

Permit Issued By:

Name:

Title:

Date:

Cc: Construction File
Property Owner
Construction Contractor
Grading Permit File

CITY OF ROCKWALL

OWNER'S STATEMENT OF PERMISSION AND RESPONSIBILITY

I, _____, being the Owner and/or Officer of

_____,

The Company/Individual/Partnership (*circle one*) that owns the property described in the attached Grading Permit and being fully authorized to execute this statement for the purposes stated herein, do hereby give permission to

_____,

contractor, to fill, grade, excavate, or otherwise disturb the described property. Further, I acknowledge and understand all of the responsibilities and obligations of the Property Owner described in Sections 38-24 to 38-31 of the *Code of the City of Rockwall*, *Texas* and all of the provisions of such Sections including the right of the City of Rockwall to go upon the property to perform any requirements unfulfilled by the Owner.

SIGNED this _____ day of _____, _____.

By: _____
Signature

_____
Printed Name

_____
Texas Drivers License No.

_____
Title

_____
Company Name

_____
Mailing Address

_____
Mailing Address

_____
Telephone & Fax Numbers

DEPOSIT REQUIRED:

$_____; 1ST Acre $500 + $100 for each additional Acre (round up)

$_____ TOTAL AMOUNT DUE

State of Texas §
§
County of_____ §

Before me, the undersigned authority, on this day personally appeared the person whose name is subscribed to the forgoing *Owner's Statement of Permission and Responsibility* and acknowledged to me that he/she has the authority to execute the same for the Company named therein.

GIVEN under my hand and official seal this _____ day of _____, _____.

_____
Notary in and for the State of Texas

City of Rockwall – Engineering Department

ALLOWABLE FILL MATERIALS

(Per Section 38-27 of the City Code of Rockwall)

FILL IN AREAS ZONED FOR COMMERCIAL USE (excluding ROW or Easements):

- Clean soil, clay, shale, gravel or sands.
- Broken concrete pavement, if the maximum particle size is 4" in diameter and all reinforcing steel is removed.

Note: Consult with the Building Inspection Department for Compacting Requirements.

FILL IN AREAS ZONED FOR RESIDENTIAL DEVELOPMENT (excluding ROW Easements):

- Clean soil, clay, shale, gravel or sands.

All fill on residential lots and pads shall be compacted to a minimum **95% of standard proctor** (ASTM D-698) with optimum moisture content of 0% to +6%. Compaction shall be placed with a maximum of 12" loose lifts and shall be compacted with sheep's foot vibratory roller.

FILL IN AREAS THAT ARE OR MAY BECOME CITY RIGHT-OF-WAY OR EASEMENT:

- Clean soil, clay, shale, gravel or sands.
- **Under existing paving**, fill material shall be crushed concrete flexible base, TXDOT Item 247, Grade 1, Type D.

All fill within City right-of-way or easements shall be compacted to a minimum **95% of standard proctor** (ASTM D-698) within optimum moisture content of 0% to +6%. Compaction shall be placed with a maximum of 12" loose lifts and shall be compacted with sheep's foot vibratory roller.

MATERIALS UNSUITABLE FOR FILL:

The following materials are unsuitable for fill due to their high potential for settlement, decomposition, or other unsatisfactory engineering properties:

- Trash or debris of any kind.
- Any soil or debris that has a high organic content, such as pond silt, topsoil with roots, wood chips, brush or tree limbs, etc… Topsoil may be used in landscaping areas when there is an approved site plan that details the location of future paving and structures and landscape areas.
- Broken concrete pavement, if the particle size is greater than 4" in diameter or if there is any reinforcing steel.
- Reinforcing steel or other steel products.
- Asphaltic materials.

NOTE: Per the Texas Administrative Code, Title 30 Environmental Quality, Chapter 330 "Municipal Solid Waste" – the use of asphaltic materials and concrete containing reinforcing steel for fill is not permitted.

ARTICLE III. – GRADING, EXCAVATION, EARTHWORK, AND EROSION CONTROL

Sec. 38-24 – Applicability of article.
Sec. 38-25 – Grading permit required for filling, grading, excavation, etc.
Sec. 38-26 – Duty of property owner to prevent dirt, mud, etc., from washing onto public streets, alleys, etc.
Sec. 38-27 – Requirements for filling, grading, excavation, etc.
Sec. 38-28 – Issuance of permits; criteria.
Sec. 38-29 – Exceptions to the permit, permit fee and deposit.
Sec. 38-30 – Permit fee.
Sec. 38-31 – Owner's responsibility.

Sec. 38-24. – Applicability of article.

The provisions of this article shall apply to all property owners, persons or their agents filling, grading, excavating or otherwise disturbing the surface of real property within the city, whether they be contractors, subcontractors, supervisors, inspectors, managers, agents, employees or otherwise. Failure to comply with the requirements of this article shall constitute an offense, and each day such failure continues shall constitute a separate offense.

Sec. 38-25. – Grading permit required for filling, grading, excavation, etc.

No person shall fill, grade, excavate or otherwise disturb the surface of real property within the city without first having secured a grading permit from the City Engineer. No owner of real property shall knowingly permit another person to fill, grade, excavate or otherwise disturb the surface of real property within the city without first having secured a permit from the City Engineer. In addition, if the property to be filled, graded, excavated or otherwise disturbed is within flood hazard area, a development permit must be secured from the City Engineer as required in Chapter 38 of this Code.

Sec. 38-26. – Duty of property owner to prevent dirt, mud, etc., from washing onto public streets, alleys, etc.

It shall be unlawful and an offense and shall constitute a nuisance for any person owning or having control of real property within the city to suffer or permit soil, mud, rock, pollutants or debris to wash, slide, erode or otherwise be moved from said real property onto streets, alleys, utility facilities, drainage facilities, rights-of-way or easements. It shall be the duty of each property owner or party in control thereof to prevent soil, mud, rock, pollutants or debris from such real property being deposited or otherwise transported onto the streets, alleys, utility facilities, rights-of-way or easements of the city and to inspect such property and acquaint themselves with the conditions existing and to remedy any conditions likely or calculated to allow soil, mud, rock or debris to wash, slide, erode or otherwise be transported onto the streets, alleys, utility facilities, rights-of-way or easements and failure to do so shall be deemed criminal negligence for the purpose of the offense described herein.

Sec. 38-27. – Requirements for filling, grading, excavation, etc.

The City Engineer shall prepare a list of allowable fill materials and minimum required compaction requirements. All filling shall use only the materials listed for fill. All fill placed on a site and visible from a public thoroughfare shall be leveled and have a final cover of topsoil, six (6) inches minimum depth, that will support vigorous plant growth, immediately following completion of filling operations. Intermediate leveling and cover shall be required at intervals not to exceed thirty (30) days for filling operations that will exceed thirty (30) days in duration. In areas where fill is being placed to control erosion, the City Engineer may substitute an alternate cover that is resistant to erosion for the requirement to cover fill with topsoil.

Sec. 38-28. – Issuance of permits; criteria.

(a) The City Engineer's office shall issue permits for the grading, filling, excavating or otherwise disturbing the surface of real property upon satisfaction of the following criteria:

(1) Applicant provides adequate assurance that city will be reimbursed for any expense of cleaning or removal of dirt, rock, debris or other pollutants from city streets, alleys, utility facilities, rights-of-way and easements or the barricading thereof by the posting of a deposit of cash with the city to guarantee same.

(2) The amount of such deposit shall be established by the city council from time to time and is hereby established as follows:

Area	Amount
One (1) acre or less	$500.00 minimum
From one (1) acre up	$100.00 for each additional acre

(3) The applicant provides a notarized statement from the property owner giving permission for the applicant to fill, grade, excavate or otherwise disturb the property and acknowledgment by property owner of the responsibilities of the property owner as described in section 38-31 of this Code.

(4) Submission by the applicant of a Storm Water Pollution Prevention Plan (SWP3) for all work disturbing one (1) acre of land or more. This Storm Water Pollution Prevention Plan (SWP3) must be prepared by a licensed professional engineer in accordance with applicable Environmental Protection Agency (EPA) and Texas Commission on Environmental Quality (TCEQ) regulations and approved by the City Engineer prior to issuing the grading permit.

(5) Submission by the applicant of a copy of Notice of Intent (NOI) and or a Construction Site Notice (CSN) as required by the Texas Commission on Environmental Quality (TCEQ) regulations for all work disturbing one (1) acre of land or more.

(6) The City Engineer may exclude that portion of tracts in excess of ten (10) acres that he/she determines to be so situated as to not contribute to erosion due to location and topography.

(b) If removal by the city of soil, rock, mud and debris from its streets, alleys, utility facilities, rights-of-way or easements is required by reason of work performed on property for which a deposit has been made pursuant to subsection (a), reasonable charges shall be billed to the applicant and subtracted from balance of the applicant's deposit.

(c) Upon written request by the applicant to the City Engineer, the unused portion of the applicant's deposit shall be refunded if the following criteria is met:

(1) The site for which the deposit exists has been stabilized against erosion; and permanent ground cover has been established.

(2) No further hazard of erosion is present at the site;

(3) All temporary erosion control structures have been removed;

(4) Permanent erosion control facilities are in place and functioning properly as designed; and

(5) The City Engineer or his designee has given written acceptance of public improvements.

(d) An applicant who has submitted a written request for return of their deposit who meets the requirements of subsection (c) shall be refunded all funds not used to reimburse the city for the removal of soil, rock, mud, debris and pollutants from its streets, alleys, utility facilities, drainage facilities, rights-of-way or easements. Should an applicant fail to meet all requirements for a refund, the applicant's request will be rejected until such time as they are met. When the requirements have been met, the funds subject to refund will be sent via first class mail to the address on the applicant's grading permit application or if such address has been updated pursuant to application instructions to the applicant's updated address. If the refund mailed to the applicant is returned by the United States Postal Service as undeliverable, the funds shall be forfeited to the city and place in the general fund.

(e) If a written request for return of a deposit is not made within two (2) years of the date the project on the property for which the deposit has been made receives written acceptance from the City Engineer or his designee of the public improvements, the unused portion of the applicant's deposit shall be forfeited to the city and placed in the general fund.

(f) Grading permits shall be valid for two-years after date of issuance by the City. Grading permits may be extended for one additional year (for a total of three years) upon written request by the applicant to the City Engineer. The City Engineer will have the site inspected to verify compliance with the permit conditions and the provisions of the submitted SWPPP before making the permit extension. Failure of the applicant to maintain compliance with the permit conditions and the provisions of the submitted SWPPP shall be adequate cause to deny a request for grading permit extension.

Sec. 38-29. – Exceptions to the permit, permit fee and deposit.

Construction, grading, filling or excavation undertaken by the City of Rockwall, franchised utility companies and existing individual single-family lots with existing residences under one acre in size shall be exempt from the permit, deposit and permit fee as required by this article.

Sec. 38-30. – Permit fee.

A nonrefundable fee of one hundred dollars ($100.00) shall be charged for each permit issued to cover administrative expenses.

Sec. 38-31. – Owner's responsibility.

The property owner shall be responsible for implementation and operation of a Storm Water Pollution Prevention Plan (SWP3) in accordance with applicable Environmental Protection Agency (EAP) and Texas Commission on Environmental Quality (TCEQ) regulations and all cleanup operations incidental to the grading, filling, excavation, construction or other disturbance of the surface of real property including leveling, establishment of ground cover, erosion and sediment control and removal of all trash, debris or other materials not suitable for fill including those deposited on streets, alleys, utility facilities, rights-of way or easements.

In addition, the property owner shall be responsible for compliance with the approved grading plan.

If the property owner fails in any respect to fulfill the requirement of this article, the city may go upon the owner's property and perform such work as may be necessary to fulfill such requirements and may level, establish ground cover, construct erosion control, remove all soil, rock, debris and other

materials not suitable for fill including those deposited on streets, alleys, utility facilities, rights-of-way or easements, at the property owner's expense and charge same against the deposit of the applicant.

If a deposit has not been made with the city, or if the cost incurred by the city exceeds the amount of the deposit, the city shall bill the property owner for the unpaid expenses and if the owner fails to pay the city for such expenses within thirty (30) days of being billed for same, the city shall have the right to place a lien on the owner's property which shall be filed with the county clerk as in the case of paving assessment liens for all amounts expended by the city in excess of the deposit plus interest at the current lawful rate. If the property owner fails to fulfill the requirement of this article the city may revoke the grading permit, issue citations or take other legal remedies as may be necessary to enforce compliance with this article.

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Proclamation

Rockwall, Texas

Whereas, in January more than 40,000 middle school students across the nation built physical models, wrote detailed essays, honed live presentations and programmed digital prototypes that represented how they imagine innovations will change cities we call home; and

Whereas, the Future City Competition is a national, project-based learning experience where students in 6th through 8th grades imagine, design, and build cities of the future using SimCity™ Software in collaboration with an educator and engineer mentor; and

Whereas, for the 2014 "Transportation" themed competition, students researched and wrote solutions to an engineering problem, built tabletop scale models with recycled materials and presented their ideas before judges at Regional Competitions; and

Whereas, three area seventh graders representing H.E.A.R. Rockwall Homeschool soared through competitions, winning first place by prevailing over 60 other teams in the regional competition at UTA and also winning "Best Virtual City" and "People's Choice Award"; and

Whereas, these bright students went on to place 3rd in the nation at the Future City Competition held in Washington, D.C. February 15-18; and

Whereas, these bright, young students also won the "Best Future City Project Plan" as well as the prestigious "Best Model" prize.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby recognize and congratulate

Kyle Fletcher, Faith Mitchell and Nicole Bruner

for their hard work, dedication and ingenuity and for representing the City of Rockwall so incredibly well throughout these most worthwhile competitions.

In Witness Whereof, I hereunto set my hand and official seal this 17th day of March, 2014.

_____

David Sweet, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, March 03, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem White called the public meeting to order at 4:00 p.m. Present were Mayor Pro Tem David White and Council Members Jim Pruitt, Mike Townsend, Scott milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza. Mayor Sweet joined the meeting at 4:04 p.m.

II. (4:00 P.M.) WORK SESSION

1. HOLD WORK SESSION TO DISCUSS OPEN SPACE DEDICATION OPTIONS AS PART OF THE DEVELOPMENT PROCESS, AND TAKE ANY ACTION NECESSARY.

Assistant City Manager Brad Griggs provided brief background information related to this work session discussion item. He explained that some time ago the city stopped accepting dedication of land and open space that was unusable by the city as a public park. These pieces of land began to be platted as part of the HOA and were to be maintained by the HOA. At times, the HOA ends up not being able to maintain these areas, so they end up calling on the city to assist. He also indicated that this practice causes some concern due to rollback taxes. Mr. Griggs indicated that the Chief Appraiser with the Rockwall Central Appraisal District, Ray Helm, is here to speak to the council regarding roll back taxes and land dedication.

City Manager Rick Crowley clarified that the discussion today will center around whether future land dedications should be granted to the city by developers, or if land should continue to be dedicated to homeowners associations. Mr. Ray Helm of the Rockwall Central Appraisal District, came forth to address the council.

Mr. Helm indicated that rollback taxes are in place to be able to get an agricultural valuation for landowners who want to apply for agricultural use. When the property is no longer being used for agricultural purposes, it triggers a rollback on the property. He explained that a five year history of an agricultural use has to be in place prior to getting an agricultural use established. He indicated that about 1,100 tracts of land in Rockwall have this type of land use in place and that there is a big difference between market value and agricultural value.

Mayor Sweet arrived and joined the meeting at this time (4:04 p.m.).

Mr. Helm explained "Agricultural use" associated with a piece of property and what roll back taxes are. He then shared facts concerning if the city accepts the dedication of land versus if the city does not accept the dedication of land from developers.

Mr. Crowley explained that if ownership of property that is to be dedicated as 'open space' continues to fall under the homeowners associations, the developer will pay rollback taxes. If it is dedicated to the city, then they would not pay rollback taxes. If the property

ownership is retained by an HOA, then it is valued at a "nominal value." If the city owns the property, it would be exempt from taxes. Assistant City Manager Brad Griggs indicated that if the city assumes ownership, the maintenance can still be assigned to the HOA. Mr. Crowley indicated that these areas / properties tend to be more of 'neighborhood amenities' rather than 'public space amenities.'

City Attorney Frank Garza indicated that public land owned by the city that is located in a gated community cannot be maintained through use of public funds because the public cannot have access to those areas, as they are not public parks.

General discussion took place regarding how the city accepting or not accepting dedications of land will affect developers' perspectives and willingness to do business and develop in Rockwall. Council generally expressed a desire to have staff do some additional research to find out what other cities do regarding land dedications and associated maintenance. After additional discussion, the council took no action related to this work session agenda item. Mayor Sweet then recessed the public meeting until 5:00 p.m.

At 5:00 p.m., Mayor Sweet called the meeting back to order with all seven council members present. He then read the below listed discussion items into the public record before recessing the meeting into Executive Session.

III. (5:00 P.M.) EXECUTIVE SESSION.

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

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding the appointment, evaluation and possible replacement for a member of a City Board pursuant to Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters).

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:28 p.m.

MINUTES
ROCKWALL CITY COUNCIL
Monday, March 03, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

Mayor Sweet reconvened the public meeting at 6:00 p.m. with all seven city council members being present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem White indicated that no action was to be taken as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

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

VIII. PROCLAMATIONS / AWARDS

1. Multiple Myeloma Awareness Month

Mayor Sweet read the proclamation for Multiple Myeloma Awareness Month into the record.

He then called forth Mayor Pro Tem White to say a few words and recognize Kristy Ashberry, City Secretary, for her recent planning and efforts in hosting the 14th annual TX Municipal League (TML) Youth Advisory Commission Summit in Rockwall.

Mayor Sweet then recognized guests from the Nebbie Williams School SAGE program and Student Council who were present in the audience.

IX. OPEN FORUM

Mayor Sweet explained how Open Forum is conducted and asked if anyone would like to come forth and speak during this time. There being no one wishing to come forth and speak, Mayor Sweet then closed Open Forum.

X. CONSENT AGENDA

1. Consider approval of the minutes from the February 17, 2014 regular city council meeting, and take any action necessary.

2. **P2014-006** - Consider approval of a request by Harold Fetty on behalf of Meldria Johnson for the approval of a replat for Lots 1 & 2, Block A, M & M Johnson Addition being a 0.37-acre parcel of land currently identified as a portion of Lot 3, Block H, Sanger Brothers Addition, zoned Multi Family-14 (MF-14) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, and located approximately 113-feet from the northeast corner of the intersection of Davy Crockett Street and Bourn Avenue, and take any action necessary.

3. Consider approval of an **ordinance** establishing the speed limit along SH 205 from Darrin Drive to FM 552/Dalton Road at 50 miles per hour and take any action necessary. **(2nd reading)**

4. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 32, Signs, Article I. In General and Article IV. Prohibited Signs, Sections 32-1 and 32-332 to amend regulations related to human signs, and take any action necessary. **(2nd reading)**

5. **Z2014-003** - Consider approval of an **ordinance** for a request by Charlie Rickerson for the approval of a Specific Use Permit to allow a detached garage with guest quarters/secondary living unit that will exceed the maximum permissible height for an accessory structure on a 0.40-acre parcel of land identified as Lot A, Block 117, B. F. Boydstun Addition, Rockwall, Rockwall County, Texas, also identified as a Landmarked Property, zoned Single Family 7 (SF-7) District, located at 109 St. Mary's Street, and take any action necessary. **(2nd Reading)**

6. Consider approval of an amendment to the Youth Sports Coach's Eligibility Policy, and take any action necessary.

7. Consider approval of a variance request by the Rockwall Economic Development Corporation (REDC) to allow a 135 foot median opening on Justin Road west of the intersection of John King Boulevard and Justin Road, and take any action necessary.

8. Consider approval of a resolution authorizing the city manager to apply for and accept grant funding from the Violent Crimes Against Women (VCAW) Grant Program through the Criminal Justice Division of the Governor's Office for the creation of a Domestic Violence Investigator / Prevention Officer, and take any action necessary.

Councilmember Pruitt pulled item #8 for further discussion.

Mayor Pro Tem White made a motion to approve the consent agenda, minus #8 (#s 1, 2, 3, 4, 5, 6, and 7). Councilmember Lewis seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL, TEXAS

ORDINANCE # 14-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY 205 GENERALLY FROM DARRIN DRIVE TO FM 552 / DALTON ROAD OR PARTS THEREOF, WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET OUT IN THIS ORDINANCE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF $200.00 FOR EACH OFFENSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 32 *SIGNS*, ARTICLE I, *IN GENERAL* AND ARTICLE IV *PROHIBITED SIGNS; SECTIONS 32-1 AND 32-*

332; **INCORPORATING RECITALS; PROVIDING FOR SEVERABILITY; AND ADOPTING AN EFFECTIVE DATE.**

CITY OF ROCKWALL
ORDINANCE NO. 14-10
SPECIFIC USE PERMIT NO. S-119

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR A DETACHED GARAGE WITH GUEST QUARTERS/SECONDARY LIVING UNIT, EXCEEDING THE MAXIMUM PERMISSIBLE HEIGHT OF 15-FT. FOR AN ACCESSORY STRUCTURE, ON A 0.40-ACRE PARCEL OF LAND IDENTIFIED AS LOT A, BLOCK 117, B.F. BOYDSTUN ADDITION, LOCATED AT 109 ST. MARY'S STREET, AND FURTHER DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, AND ZONED (SF-7) SINGLE-FAMILY RESIDENTIAL DISTRICT; CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

Regarding Consent Agenda item #8, Councilmember Pruitt expressed concern regarding the city applying for grant funding to fund this personnel position. He indicated that once the grant runs out, the city will be faced with either continuing to fund this personnel position or get rid of it. He is also concerned that the grant may be difficult to manage. Assistant Chief Kirk Riggs came forth and answered some questions of Councilmember Pruitt, including how much this grant will fund and what this staff member will be working on. City Manager Rick Crowley indicated that this staff position in the Police Department was one of the proposed positions that was proposed this past budget cycle, but that he did not recommend approval of it, strictly due to financial reasons - not that he did not believe it was/is a needed, worthwhile position. He provided some annual statistics related to family violence in the City of Rockwall over the last few years, indicating that the city has seen an increase in these cases. He shared that this grant is on an annual commitment basis, and the city would have to reapply for funding through this grant program in the second and third year; however, the city will have to kick in some level of funding for the first year.

After brief discussion, Councilmember Pruitt made a motion to approve this resolution and the associated grant application. Councilmember Lewis seconded the motion. Brief discussion took place related to providing things like office space and office equipment.

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

XI. APPOINTMENTS

1. Appointment with Mark Spencer of MHS Planning and Design to discuss and consider authorizing Phelps Lake park improvements and take any action necessary.

City Manager Rick Crowley indicated that Mr. Spencer is not able to be in attendance this evening, so it is asked that the city council not address this item tonight and instead place it on the March 17 city council meeting agenda instead. No discussion took place related to this agenda item, and no action was taken by council.

2. Appointment with Mr. Marlyn Roberts to discuss screening at his business located at 2325 S. Goliad, and take any action necessary.

Mr. Roberts indicated that the city council was provided with a memo by city staff and that the memo has nothing to do with what he is here to address the city council about this evening. So, he requested that the council not take that memo into account in any way as he addresses the council this evening.

Mr. Roberts then shared photographs of his property, located at 2325 S. Goliad (Valvoline), and spoke to the council about his concerns related to the location of a storage shed that he keeps on his property for extra storage. He indicated that some have told him the current location of the shed is located in the flood plain; however, he contacted FEMA, and he does not believe it is located within the flood plain area.

Discussion then took place related to a citation Mr. Roberts was issued related to this storage unit. City Attorney Frank Garza indicated that the citation Mr. Roberts was issued has not yet made its way through the Municipal Court process at this time. So, this is really not an issue that the city council can legally address with Mr. Roberts at this time until the citation has worked its way through t he legal process.

City Attorney Frank Garza indicated that the city council previously denied Mr. Roberts' variance request when he sought permission from the City Council to allow him to have this outside storage unit. The council essentially, at that time, indicated that Mr. Roberts would not be allowed to have the outside storage unit on the property at all. Mr. Garza stated that there may be a waiting period before Mr. Roberts is able to re-request a variance of this sort from the Council. He will have to look into this matter.

Mr. Roberts generally indicated that he feels he has been harassed by the City Manager and the Code Enforcement Department. He stated he did not anticipate needing this extra storage when he built his business, but he later discovered that he does need this storage building in order to house his mower and lawn equipment.

Mayor Pro Tem White encouraged Mr. Roberts to re-start / initiate a new variance request process with city staff. The variance request will then work its way through the process and be brought back before city council for consideration and action.

Mr. Roberts indicated he will provide Councilmember Pruitt with a list of addresses elsewhere in the city where violations of city codes are taking place, yet city staff has not address those violations.

Mayor Pro Tem White asked City Manager Rick Crowley to personally meet with Mr. Roberts first thing tomorrow morning to assist him in working through applying for a variance request that will subsequently be heard by the city council as expeditiously as possible.

After brief, additional comments, the council took no action related to this agenda item.

XII. PUBLIC HEARING ITEMS

1. **Z2014-001** - Continue a public hearing to discuss and consider approval of an **ordinance** for a request by Tommy Pulliam on behalf of Rayburn Electric Cooperation, Inc. for the approval of a zoning change from Agricultural (Ag) District to a Heavy Commercial (HC) District for a 6.057-acre tract land identified as a portion of Tract 3-06 of the W. H. Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Agricultural (Ag) District, located on the south side of Sids Road west of S. Goliad Street (SH-205), and take any action necessary. **(1st Reading)**

Mr. LaCroix, Planning Director, indicated that this is an agenda item that was previously on the council agenda last time, but the applicant was not able to attend. So the public hearing was opened and continued to this meeting. He gave brief background information related to this piece of property. Nine notices were mailed out to adjacent property owners, and no responses were received back. Planning & Zoning Commission did recommend approval of this item at one of its February meetings.

Mayor Sweet indicated this is a public hearing, and he called the applicant forth to speak if he wished. There being no one else wishing to come forth and speak, Mayor Sweet then closed the public hearing.

Mayor Pro Tem White made a motion to approve this agenda item (Z2014-001). Councilmember Daniels seconded the motion. After brief comments, the ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A HEAVY COMMERCIAL (HC) DISTRICT FOR A 6.057-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 3-06 OF THE W.H. BARNES SURVEY, ABSTRACT NO. 26, CITY AND COUNTY OF ROCKWALL, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

XIII. ACTION ITEMS

1. Discuss and consider amending the FY 2013-14 Budget in the amount of $65,000 for Myers Park pool repairs and operating expenses, and take any action necessary.

Assistant City Manager Brad Griggs provided brief background information related to this agenda item. Discussion took place related to the proposed dollar amount associated with the actual pool repairs versus the portion that will be used to hire and pay for staff at the pool. Assistant City Manager Brad Griggs indicated that about $46,000 of it will be utilized to pay for staff, with the remaining amount being used for the actual repairs. Assistant City

Manager Mary Smith indicated that about $10,000 in net revenue is anticipated for the user fees at the pool.

Mayor Sweet made a motion to amend the FY2013-14 Budget in the amount of $65,000 for Myers Park pool repairs and operating expenses. Councilmember Daniels seconded the motion, which passed unanimously of council (7ayes to 0 nays).

2. Discuss and consider approval of budgeted Yellow Jacket Park improvements and take any action necessary.

Parks Manager, Andy Hesser, came forth and provided information to the city council related to this agenda item. He explained the various improvements that are proposed to be made relative to this agenda item. Mayor Pro Tem White pointed out that the word "Yellowjacket" should be one word instead of two, separate words, especially on the proposed monument sign at the park.

Mayor Pro Tem White made a motion to approve the Yellowjacket Park Improvements. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider appointments to the city's Architectural Review Board and Main Street Advisory Board, and take any action necessary.

Councilmember Milder indicated that he has an excellent candidate that he would like the council to consider for replacement of Clark Staggs on the Architectural Review Board. Councilmember Milder then made a motion to appoint Ashlei Neill to the Architectural Review Board to replace Clark Staggs (partial term appointment expiring in August of 2015). Mayor Pro Tem White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Sweet made a recommendation to the Council that they consider appointing Claudette Hatfield to serve on the city's Main Street Advisory Board to replace former member Lori Lawing with an initial term to expire in January of 2016. Mayor Pro Tem White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

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

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

2. City Manager's Report

City Manager Rick Crowley pointed out that TXDOT will be holding a public meeting later this week to discuss the rerouting and rebuilding of SH-276 from SH-205 to FM-549. He stated that this project has not yet received state funding, but it is a top priority project of the countywide planning consortium.

Mr. Crowley indicated that the three incumbents on city council did not draw any opponents for the city's May General Election, so staff will be bringing forth an agenda item to the city

council at the next meeting to cancel the city's previously called election. City Secretary Kristy Ashberry indicated that cancelling the election will result in a $75.00 cancellation fee that will be paid to Rockwall County, who was slated through a contract to facilitate the election on the city's behalf.

There will be a Chamber partnership breakfast this Thursday morning at 7:30 a.m., and the new Rockwall Baseball / Softball League will hold its opening ceremonies at Tuttle Field this Saturday morning between 8:00 and 10:00 a.m.

Aqua Texas will begin removal of the decommission of the wastewater treatment plant about March 10th.

He indicated that staff is evaluating council member availability for June 12-14, 2014 for a planning retreat.

The council did not reconvene in Executive Session following the close of the public meeting.

XV. EXECUTIVE SESSION

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

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding the appointment, evaluation and possible replacement for a member of a City Board pursuant to Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters).

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

Council did not reconvene in Executive Session.

XVII. ADJOURNMENT

Mayor Sweet adjourned the public meeting at 7:38 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 17th day of March, 2014.

_____

David Sweet, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

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

DATE: March 13, 2014

SUBJECT: Ratification of Expenses For IH 30 Water Line Repair

Back in late December and early January, the 16 inch diameter water line along the westbound service road of Interstate 30 developed a leak. The water leak maintained a steady stream of flow within the existing bar ditch. Under normal operating procedures, Utilities personnel started locating existing water valves on the 16 inch diameter water line so that a shut down could occur on the impacted area of the system thus allowing repairs. The existing 16 inch water main is a reinforced concrete steel cylinder pipe that was installed in the 1980s. When this type of pipe is damaged or develops a leak, it requires a welder to make the repair once the water has been shut-off.

For several weeks, our staff searched for a covered valve that prohibited the shut down of this system. There is a possibility that an existing valve will not completely close thus prohibiting a complete shut down needed for repairs. One option was to shut down the flow from Southside Elevated Tank. With limited cross connections from the south side of Interstate 30, the potential shut down area included all business along IH 30 from Greencrest Drive to Horizon Road to Turtle Cove/Lakeside neighborhoods and businesses along FM 740. This was not an option especially during the Christmas/New Year season. The other issue involved with this type of shut down created water hammer in the system which impacted existing water lines in nearby neighborhoods along FM 740 back towards SH 66.

The only option was to hire a company to mobilize on site and insert two plugs into the water line adjacent to the leak and shut down the section. Once the plugs were in place, another contractor was brought in to make the repairs. Instead of welding the bad section of the pipe to stop the leak, staff decided to install a 16 inch gate valve so that future isolation would limit the shut down area. The cost for the contractor to perform this repair work $42,200.66. Under State Law, this work can be performed without compliance to State biddings laws if it is deemed and emergency which it was.

Staff recommends City Council ratify the expenditure to Utilitex Construction, LLP for the emergency repairs to the 16 inch diameter water line along IH 30 at a cost of $42,200.66. This work was funded out of Utilities Operations budget.

TMT:em

Cc:

Mary Smith, Assistant City Manager
Rick Sherer, Manager of Water/Wastewater
file

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **March 11, 2014**

SUBJECT: **Contract Mowing Agreement Extension**

Contract mowing services include mowing of right-of-ways, street medians, 2 closed landfill locations, drainage easements and debris removal. The City received competitive sealed bids for this service in March 2013. A contract was then awarded to 3-D Mowing Services of Rockwall by the City Council for an April 1, 2013 start date. The current mowing contract amount is $40,291.

The contract terms allow for annual extension at the end of the initial contract period for up to three consecutive years should the scope of work, pricing and bid terms/conditions remain the same. The contractor has agreed to a contract extension with no amendments. Staff has determined that it would be in the best interest of the City to renew the current contract at 2013 unit prices.

Staff asks the City Council to consider this extension in the amount of $40,291. Funding for mowing services was approved in FY 2013-2014 General Fund, Parks Department operating budget and the renewal contract cost of this service is within budget.

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF CITY COUNCILMEMBER PLACE 2, CITY COUNCILMEMBER PLACE 4, AND CITY COUNCILMEMBER PLACE 6 AS ELECTED; PROVIDING THAT THE MAY 10, 2014, GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas, adopted Resolution No. 14-03 on February 3, 2014, attached hereto as Exhibit 'A', ordering a general election to be held on May 10, 2014, for the purpose of electing three officials of the City, to wit: City Councilmember Place 2, City Councilmember Place 4, and City Councilmember Place 6; and

WHEREAS, pursuant to Sections 143.007 and 146.054, Texas Election Code, the deadline for filing applications for a place on the ballot and declaration of write-in candidacy for the City's general election have expired; and

WHEREAS, the City Secretary, in accordance with Section 2.052, Texas Election code, has certified in writing, attached hereto as Exhibit 'B', to the city council that Jim Pruitt is unopposed for election to the office of Councilmember Place 2, Jim Pruitt is unopposed for election to the office of Councilmember Place 2, Dennis Lewis is unopposed for election to the office of Councilmember Place 4, and Mike Townsend is unopposed for election to the office of Councilmember Place 6; and

WHEREAS, the City Council herby finds and determines that the candidates whose names are to appear on the ballot in said election are unopposed, there are no declared write-in candidates, and no propositions to appear on the ballot for said election;

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

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. In accordance with Section 2.053(a), Texas Election Code, the following unopposed candidates are hereby declared duly elected to the respective offices for a term of two years, and shall be issued a certificate of election following the date on which the general election for Mayor and Councilmembers was to have been held:

Jim Pruitt, Place 2
Dennis Lewis, Place 4
Mike Townsend, Place 6

Section 3. Pursuant to Section 2.053(b), Texas Election code, the regular municipal election for Councilmember Place 2, Councilmember Place 4, and Councilmember Place 6 called and ordered by Resolution No. 14-03, for May 10, 2014, shall not be held and is hereby canceled.

Section 4. The City Secretary is hereby directed to cause a copy of this Ordinance to be posted on Election Day, same being May 10, 2014, at all posting places that would have been used in such election.

Section 5. Term of office for the Mayor and Councilmembers shall commence on May 19, 2014 after the Oath of office has been administered and executed.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 7. The Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

Section 8. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

Section 9. It is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

Section 10. This Ordinance shall take effect immediately upon its second reading as required by the City Charter, Section 3.11.

PRESENTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 7th DAY OF APRIL, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, Interim City Attorney

1ST Reading: March 17, 2014

2nd Reading: April 7, 2014

EXHIBIT 'A'

Resolution No. 14-03

EXHIBIT 'B'

Certification of Unopposed Status

City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Kristy Ashberry, City Secretary

DATE: March 12, 2014

SUBJECT: Ordinance cancelling May 10, 2014 election

As you know, each of the incumbent council members currently serving in Places 2, 4 and 6 drew no opponents for the May 10, 2014 General Election. As such, the city council must cancel the previously called election through passage of the ordinance included in your packets for consideration. The City of Rockwall had entered into a joint election contract with the Rockwall County Elections Administrator and the Rockwall ISD for conducting said election. In light of Rockwall being able to cancel its election and in accordance with provisions of the contract, a $75 check will be issued to Rockwall County in order to cancel the contract.

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CITY OF ROCKWALL

ORDINANCE NO. 14-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A HEAVY COMMERCIAL (HC) DISTRICT FOR A 6.057-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 3-06 OF THE W.H. BARNES SURVEY, ABSTRACT NO. 26, CITY AND COUNTY OF ROCKWALL, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Tommy Pulliam on behalf of Rayburn Electric Cooperative, for an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from an Agricultural (Ag) District to a Heavy Commercial (HC) District for a 6.057-acre tract of land identified as a portion of tract 3-06 of the W.H. Barnes Survey, Abstract No. 26, City and County of Rockwall, Texas, and more specifically described in Exhibit "A" of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from an Agricultural (Ag) District to a Heavy Commercial (HC) District for the *Subject Property*; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for in *Section 4.7, "Heavy Commercial (HC) District", Article V, "District Development Standards", of the Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

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

zoning described herein.

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE ____ DAY OF _____, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: 03-03-14

2nd Reading: 03-17-14

Exhibit 'A':
Legal Description

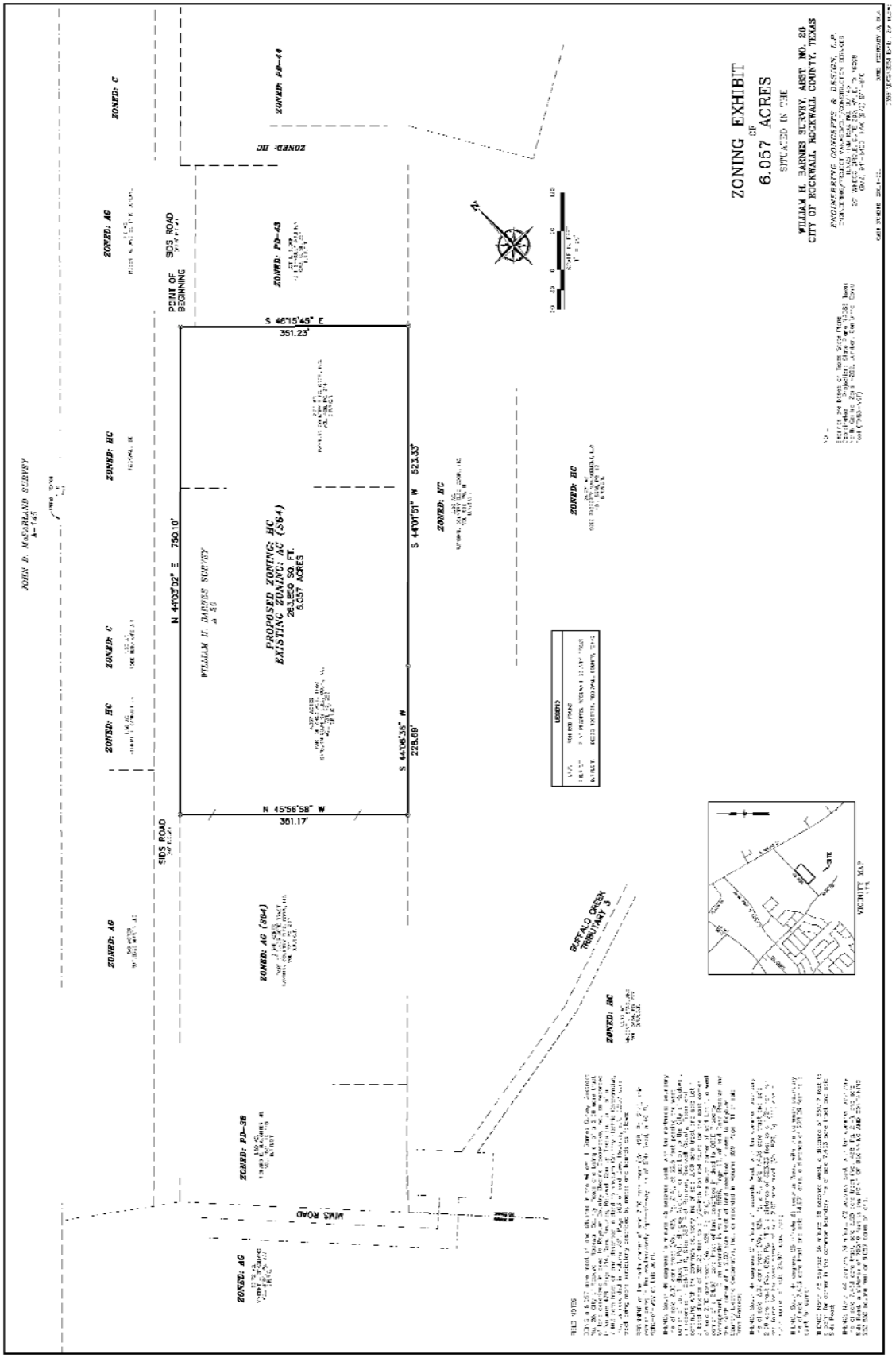

Exhibit 'A':
Legal Description

6.057 ACRE TRACT

PROJECT NUMBER: Z2014-001

FIELD NOTES

BEING a 6.057 acre tract of land situated in the William H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas and being all of a 2.00 acre tract of land described in deed to Rayburn Country Electric Cooperative, Inc., as recorded in Volume 428, Page 214, Deed Records, Rockwall County, Texas and part of a 7.403 acre tract of land described in deed to Rayburn Country Electric Cooperative, Inc., as recorded in Volume 731, Page 263 of said Deed Records, said 6.057 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at the north corner of said 2.00 acre tract (Vol. 428, Pg. 214), said corner being in the southeasterly right-of-way line of Sids Road, a 40 ft. right-of-way at this point;

THENCE South 46 degrees 15 minute 45 seconds East, with the northeast boundary line of said 2.00 acre tract (Vol. 428, Pg. 214), at 22.5 feet passing the west corner of Lot 1, Block 1, Pott Shrigley Addition, an addition to the City of Rockwall, as recorded in Cabinet C, Slide 367, Plat Records, Rockwall County, Texas and continuing with the common boundary line of said 2.00 acre tract and said Lot 1, a total distance of 351.23 feet to a 1/2-inch iron rod found for the east corner of said 2.00 acre tract (Vol. 428, Pg. 214), the south corner of said Lot 1, a west corner of a 24.971 acre tract of land described in deed to OSEE Property Management, LLC, as recorded in Volume 5556, Page 93, of said Deed Records and the north corner of a 2.00 acre tract of land described in deed to Rayburn Country Electric Cooperative, Inc., as recorded in Volume 829, Page 111 of said Deed Records;

THENCE South 44 degrees 01 minute 51 seconds West, with the common boundary line of said 2.00 acre tract (Vol. 428, Pg. 214), said 7.403 acre tract and said 2.00 acre tract (Vol. 829, Pg. 111), a distance of 523.33 feet to a 1/2-inch iron rod found for the west corner of said 2.00 acre tract (Vol. 829, Pg. 111) and a north corner of said 24.971 acre tract;

THENCE South 44 degrees 06 minute 36 seconds West, with the common boundary line of said 7.403 acre tract and said 24.971 acre, a distance of 228.69 feet to a point for corner;

THENCE North 45 degrees 56 minute 58 seconds West, a distance of 351.17 feet to a point for corner in the common boundary line of said 7.403 acre tract and said Sids Road;

THENCE North 44 degrees 03 minute 02 seconds East, with the common boundary line of said 7.403 acre tract, said 2.00 acre tract (Vol. 428, Pg. 214), and said Sids Road, a distance of 750.10 feet to the POINT OF BEGINNING AND CONTAINING 263,850 square feet or 6.057 acres of land.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 03/17/2014

APPLICANT: Ron Ramirez, *Weir & Associates, Inc.*

AGENDA ITEM: **P2014-008**; *Lot 1, Block A & Lot 1, Block B, Channell Subdivision*

SUMMARY:

Discuss and consider a request by Ron Ramirez of Wier & Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of a final plat for Lot 1, Block A & Lot 1, Block B, Channell Subdivision and for the dedication of Justin Road right-of-way being a 37.828-acre tract of land located within the Archibald Hanna Survey, Abstract No. 99, the N. Butler Survey, Abstract No. 20 and the David Harr Survey, Abstract No. 102, Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) and Agriculture (AG) District, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located in between John King Boulevard and Industrial Boulevard north of Interstate Highway 30 (IH-30), and take any action necessary.

COMMENTS:

- ✓ The objective of this request is to subdivide a 37.828-acre tract of land into two (2) non-residential lots [*Lot 1, Block A: 18.775-acres; Lot 1, Block B: 15.554-acres*] and to indicate the location of the dedication of 3.499-acres of right-of-way for the future alignment of Justin Road.

- ✓ In addition to the final plat the applicant has submitted a tree mitigation plan that shows conformance to all landscaping and tree mitigation requirements (*reference Case No. MIS2014-001*).

- ✓ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for final plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

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

RECOMMENDATIONS:

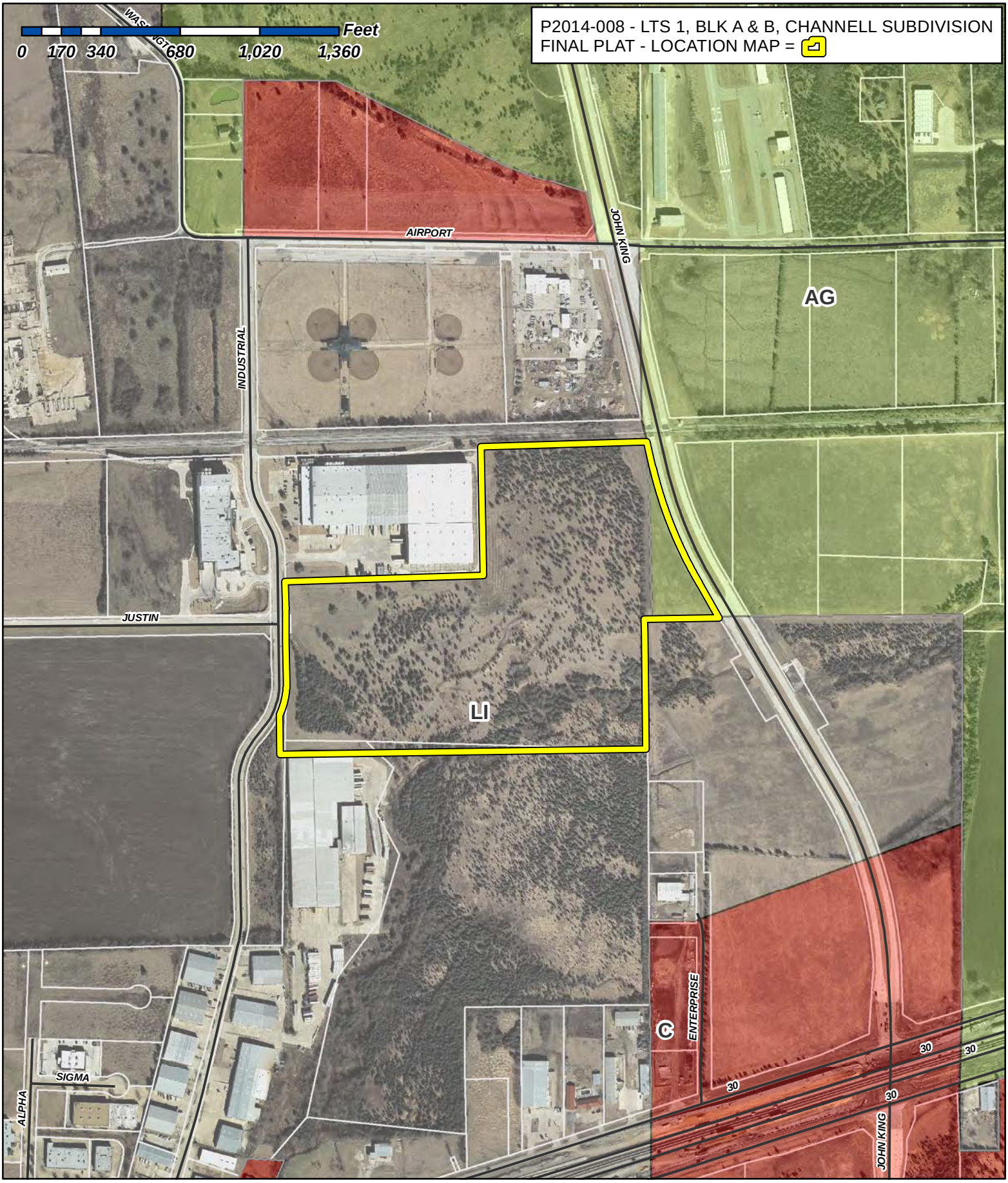
Staff recommends approval of the final plat for *Lot 1, Block A & Lot 1, Block B, Channell Subdivision* and for the dedication of right-of-way for Justin Road in conformance with the following conditions of approval:

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

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

PLANNING & ZONING COMMISSION:

On March 11, 2014 the Planning & Zoning Commission recommended approval of the final plat by a vote of 4-0, with Commissioners Nielsen, Conley and Lyons absent.



City of Rockwall

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

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

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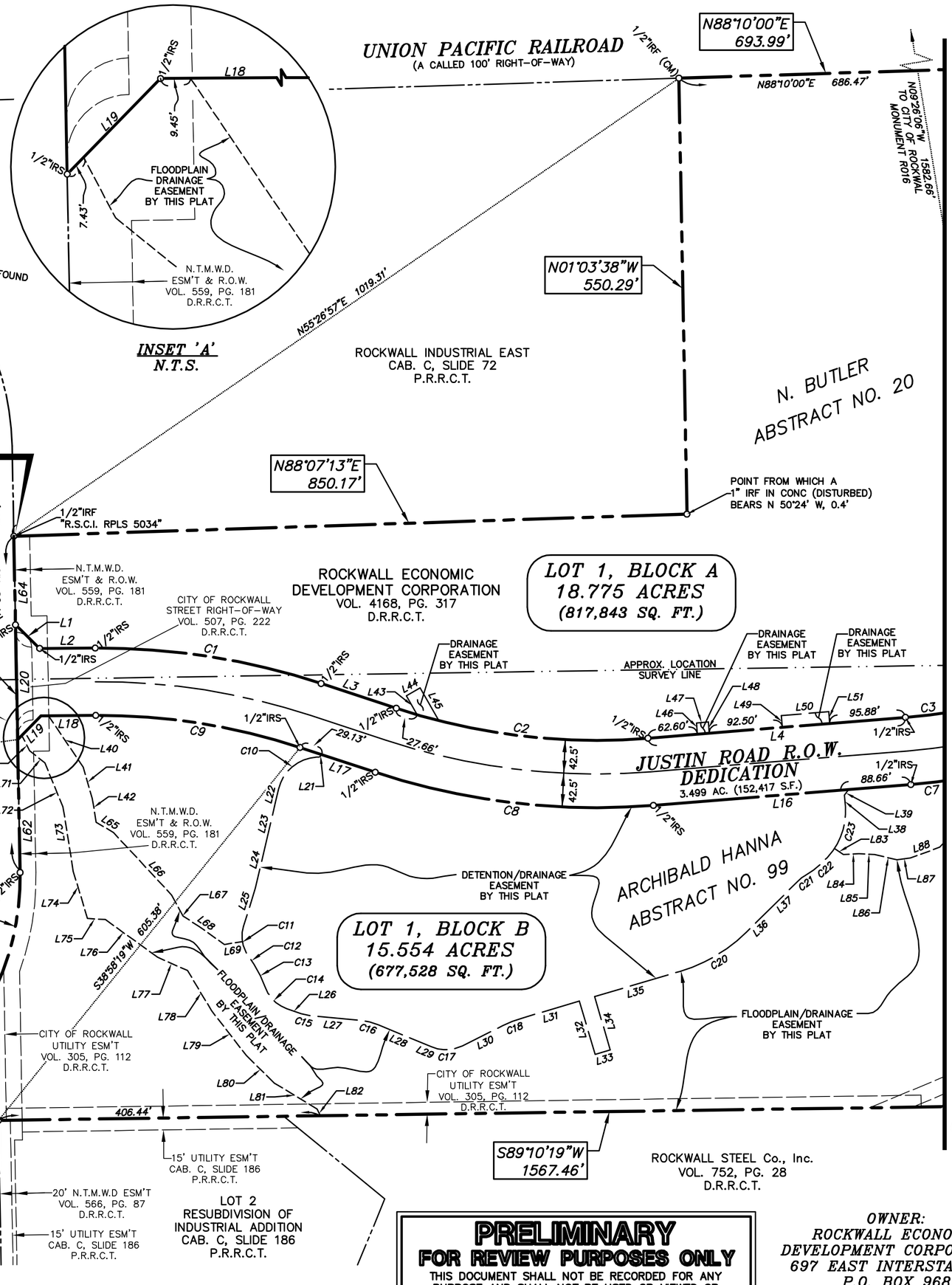
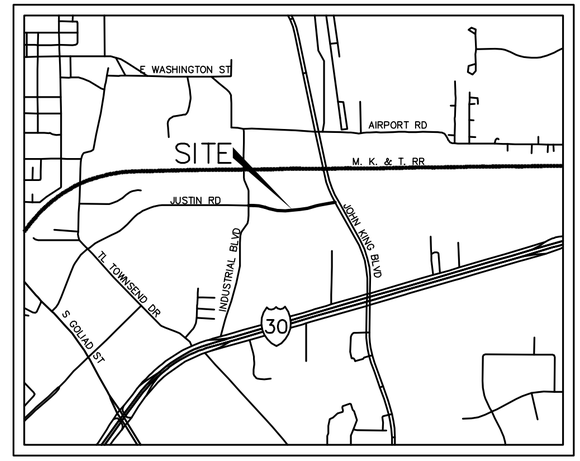
1:6,365



MATCH LINE — SEE SHEET 2



VICINITY MAP
NOT TO SCALE

GENERAL NOTES:

1) IT SHALL BE THE POLICY OF THE CITY OF ROCKWALL TO WITHHOLD ISSUING BUILDING PERMITS UNTIL ALL STREETS, WATER, SEWER AND STORM DRAINAGE SYSTEMS HAVE BEEN ACCEPTED BY THE CITY. THE APPROVAL OF A PLAT BY THE CITY DOES NOT CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE THAT ANY BUILDING WITHIN SUCH PLAT SHALL BE APPROVED, AUTHORIZED OR PERMIT THEREFORE ISSUED, NOR SHALL SUCH APPROVAL CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE BY THE CITY OF THE ADEQUACY AND AVAILABILITY FOR WATER FOR PERSONAL USE AND FIRE PROTECTION WITHIN SUCH PLAT, AS REQUIRED UNDER ORDINANCE 83-54.

2) ALL BEARINGS SHOWN HEREON ARE CORRELATED TO THE CITY OF ROCKWALL MONUMENTS R016 AS PUBLISHED IN APRIL OF 1999 AND RESET R005-1 AS PUBLISHED IN AUGUST OF 2003 BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD OF 1983.

* L E G E N D *

L1	LINE IDENTIFIED IN LINE TABLE
C1	CURVE IDENTIFIED IN CURVE TABLE
(CM)	CONTROLLING MONUMENT
IRF	IRON ROD FOUND
1/2"IRS	1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC INC"

FINAL PLAT
LOT 1, BLOCK "A" & LOT 1, BLOCK "B" CHANNELL SUBDIVISION & JUSTIN ROAD RIGHT-OF-WAY

AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, BEING 37.828 ACRES OF LAND LOCATED IN THE ARCHIBALD HANNA SURVEY, ABSTRACT No. 99, N. BUTLER SURVEY ABSTRACT No. 20 & DAVID HARR SURVEY, ABSTRACT No. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

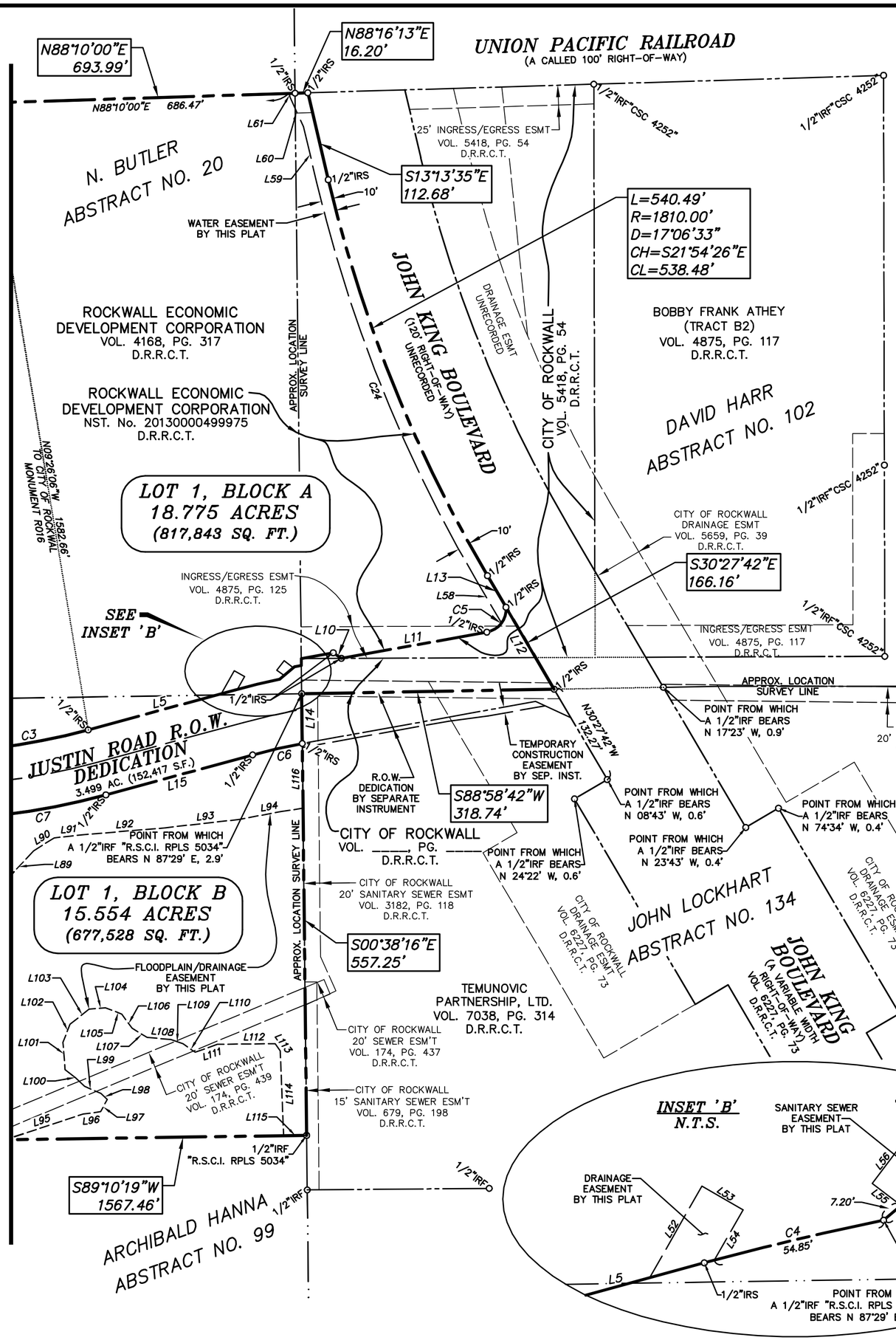
PRELIMINARY
FOR REVIEW PURPOSES ONLY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

OWNER:
ROCKWALL ECONOMIC DEVELOPMENT CORPORATION
697 EAST INTERSTATE 30
P.O. BOX 968
ROCKWALL, TEXAS 75087
(972) 772-0025

PREPARED BY:
WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
701 HIGHLANDER BLVD., SUITE 300 ARLINGTON, TEXAS 76015 METRO (817)467-7700
Texas Firm Registration No. F-2776 www.WierAssociates.com
Texas Board of Land Surveying Registration No. 10033900

SHEET 1 OF 3

PRINTED: 2/24/2014 STB FILE: WIER-SURVEY.STB LAST SAVED: 2/24/2014 2:52 PM SAVED BY: JOHNH FILE: SUBD-ROW PLAT-13096.DWG



CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	BEARING	DIST.
C1	289.81'	892.50'	18°36'18"	S81°05'03"E	288.54'
C2	322.08'	807.50'	22°51'11"	S83°12'29"E	319.95'
C3	149.09'	807.50'	10°34'42"	N80°04'34"E	148.87'
C4	58.16'	892.50'	3°44'00"	N76°39'14"E	58.14'
C5	43.46'	29.50'	84°24'20"	N37°35'03"E	39.63'
C6	64.32'	807.50'	4°33'49"	S77°04'08"W	64.30'
C7	164.78'	892.50'	10°34'42"	S80°04'34"W	164.55'
C8	355.98'	892.50'	22°51'11"	N83°12'29"W	353.63'
C9	262.21'	807.50'	18°36'18"	N81°05'03"W	261.06'
C10	67.36'	52.37'	73°42'09"	N50°05'55"E	62.81'
C11	40.57'	43.00'	54°03'27"	N09°46'35"W	39.08'
C12	11.87'	150.00'	4°32'06"	N34°32'16"W	11.87'
C13	32.61'	150.00'	12°27'27"	N26°02'29"W	32.55'
C14	39.12'	44.00'	50°56'50"	N45°17'11"W	37.85'
C15	10.93'	45.00'	13°55'10"	N77°43'10"W	10.91'
C16	22.69'	75.00'	17°20'07"	N76°00'42"W	22.61'
C17	40.27'	47.00'	49°05'32"	S88°06'35"W	39.05'
C18	26.08'	150.00'	9°57'37"	S68°32'38"W	26.04'
C20	98.57'	200.00'	28°14'13"	S59°24'19"W	97.57'
C21	12.67'	50.00'	14°31'13"	S52°32'50"W	12.64'
C22	46.47'	112.01'	23°46'08"	S47°55'23"W	46.13'
C23	58.86'	83.00'	40°37'51"	S15°43'24"W	57.63'
C24	544.97'	1825.00'	17°06'33"	N21°54'26"W	542.94'

LINE TABLE		
LINE	BEARING	DIST
L1	S45°43'30"E	42.68'
L2	N89°36'48"E	70.14'
L3	S71°46'54"E	100.00'
L4	N85°21'55"E	325.98'
L5	N74°47'13"E	191.98'
L6	N49°47'13"E	24.44'
L7	N79°47'13"E	8.78'
L8	N00°38'16"W	8.89'
L9	N79°47'13"E	40.94'
L10	S55°12'47"E	12.40'
L11	N79°47'13"E	186.65'
L12	S30°27'42"E	120.02'
L13	N30°27'42"W	46.15'
L14	S00°38'16"E	62.84'
L15	S74°47'13"W	191.98'
L16	S85°21'55"W	325.98'
L17	N71°46'54"W	100.00'
L18	S89°36'48"W	69.13'
L19	S44°16'30"W	42.18'
L20	N01°03'48"W	145.01'
L21	N47°22'05"E	4.47'
L22	N13°14'51"E	17.09'
L23	N13°14'51"E	57.29'
L24	N13°01'03"E	53.82'
L25	N17°15'09"E	50.51'
L26	N70°45'35"W	19.26'
L27	N84°40'45"W	65.06'
L28	N67°20'39"W	64.60'
L29	N67°20'39"W	7.94'
L30	S63°33'49"W	57.19'
L31	S73°31'26"W	75.56'
L32	N16°28'34"W	70.00'
L33	S73°31'26"W	20.00'
L34	S16°28'34"E	70.00'
L35	S73°31'26"W	112.30'
L36	S45°17'13"W	21.14'
L37	S45°17'13"W	70.24'
L38	S04°48'27"E	14.55'
L39	S37°16'11"W	8.82'

LINE TABLE		
LINE	BEARING	DIST
L40	N34°07'19"W	78.51'
L41	N15°57'25"W	40.91'
L42	N09°36'44"W	30.59'
L43	N29°45'23"W	27.59'
L44	N60°14'37"E	20.00'
L45	S29°45'23"E	47.60'
L46	N04°38'05"W	14.26'
L47	N85°21'55"E	15.00'
L48	S04°38'05"E	14.26'
L49	N04°38'05"W	15.00'
L50	N85°21'55"E	60.00'
L51	S04°38'05"E	15.00'
L52	N29°47'13"E	33.26'
L53	S60°12'47"E	15.00'
L54	S29°47'13"W	18.26'
L55	N52°55'04"W	11.43'
L56	N37°04'56"E	15.00'
L57	S52°55'04"E	14.81'
L58	N30°27'42"W	60.43'
L59	N13°21'09"W	72.46'
L60	N24°36'09"W	41.01'
L61	N13°21'09"W	4.77'
L62	S01°03'48"E	167.64'
L64	S01°03'48"E	111.88'
L65	N59°14'06"W	25.41'
L66	N42°54'49"W	107.91'
L67	N28°11'48"W	29.84'
L68	N54°33'16"W	39.40'
L69	S81°04'40"W	23.05'
L70	S27°47'56"E	21.61'
L71	S50°59'57"E	24.52'
L72	S22°27'30"E	59.85'
L73	S09°06'17"E	82.64'
L74	S16°51'14"E	62.14'
L75	S86°29'57"E	22.65'
L76	S54°06'14"E	81.27'
L77	S66°11'42"E	41.28'
L78	S30°53'00"E	58.98'
L79	S37°49'57"E	71.58'

LINE TABLE		
LINE	BEARING	DIST
L80	S45°23'29"E	49.69'
L81	S58°48'25"E	63.33'
L82	S24°52'17"E	9.28'
L83	S56°10'32"E	13.68'
L84	N87°11'43"E	19.69'
L85	S87°16'33"E	19.59'
L86	S76°50'33"E	29.27'
L87	N82°26'36"E	16.97'
L88	N69°56'09"E	39.56'
L89	N42°48'34"E	50.18'
L90	N57°49'26"E	31.01'
L91	N83°47'19"E	36.10'
L92	N85°12'50"E	103.95'
L93	N83°32'06"E	94.26'
L94	N79°18'33"E	54.00'
L95	N71°42'37"E	103.27'
L96	N82°24'40"E	22.04'
L97	N28°45'29"E	17.76'
L98	N47°06'41"W	11.13'
L99	N66°51'42"W	22.51'
L100	N51°44'02"W	16.81'
L101	N04°34'28"W	34.56'
L102	N21°43'48"E	24.53'
L103	N51°29'27"E	30.50'
L104	N84°35'36"E	20.96'
L105	S68°27'07"E	22.05'
L106	S36°08'24"E	22.08'
L107	S58°24'43"E	22.24'
L108	S85°23'34"E	30.09'
L109	S70°31'42"E	16.46'
L110	S54°37'27"E	18.69'
L111	N70°14'12"E	29.71'
L112	N89°22'14"E	72.95'
L113	S35°43'05"E	11.15'
L114	S02°11'42"E	107.09'
L115	N89°10'19"E	29.12'
L116	S00°38'16"E	81.61'

* L E G E N D *

L1	LINE IDENTIFIED IN LINE TABLE
C1	CURVE IDENTIFIED IN CURVE TABLE
(CM)	CONTROLLING MONUMENT
IRF	IRON ROD FOUND
1/2"IRS	1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC INC"

PRELIMINARY
FOR REVIEW PURPOSES ONLY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

FINAL PLAT
LOT 1, BLOCK "A" & LOT 1, BLOCK "B"
CHANNELL SUBDIVISION
& JUSTIN ROAD RIGHT-OF-WAY

AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, BEING 37.828 ACRES OF LAND LOCATED IN THE ARCHIBALD HANNA SURVEY, ABSTRACT No. 99, N. BUTLER SURVEY ABSTRACT No. 20 & DAVID HARR SURVEY, ABSTRACT No. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

PREPARED BY:
WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
701 HIGHLANDER BLVD., SUITE 300 ARLINGTON, TEXAS 76015 METRO (817)467-7700
Texas Firm Registration No. F-2776 www.WierAssociates.com
Texas Board of Land Surveying Registration No. 10033900

SHEET 2 OF 3

MATCH LINE — SEE SHEET 1

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OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS THE ROCKWALL ECONOMIC DEVELOPMENT CORPORATION, AND THE CITY OF ROCKWALL BEING THE OWNERS OF TRACTS OF LAND IN THE COUNTY OF ROCKWALL, STATE OF TEXAS, SAID TRACT BEING DESCRIBED AS FOLLOWS:

FIELD NOTES

BEING A TRACT OF LAND LOCATED IN THE ARCHIBALD HANNA SURVEY, ABSTRACT No. 99, THE N. BUTLER SURVEY, ABSTRACT No. 20, AND THE DAVID HARR SURVEY, ABSTRACT No. 102, ROCKWALL COUNTY, TEXAS, BEING ALL OF A TRACT OF LAND DESCRIBED IN A DEED TO ROCKWALL ECONOMIC DEVELOPMENT CORPORATION (HEREIN AFTER DENOTED AS REDC TRACT 1), RECORDED IN VOLUME 4168, PAGE 317, DEED RECORDS, ROCKWALL COUNTY, TEXAS, (D.R.R.C.T.), ALL OF A TRACT OF LAND DESCRIBED IN A DEED TO ROCKWALL ECONOMIC DEVELOPMENT CORPORATION (HEREIN AFTER DENOTED AS REDC TRACT 2), RECORDED IN INSTRUMENT NUMBER 20130000499975, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS (O.P.R.R.C.T.), A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO THE CITY OF ROCKWALL (HEREIN AFTER DENOTED AS CITY TRACT 1), RECORDED IN VOLUME 5418, PAGE 54, D.R.R.C.T., AND ALL OF A TRACT OF LAND DESCRIBED IN A DEED TO THE CITY OF ROCKWALL (HEREIN AFTER DENOTED AS CITY TRACT 2), RECORDED IN VOLUME _____, PAGE _____, D.R.R.C.T., AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH A CAP STAMPED "R.S.C.I. RPLS 5034" IN THE EAST RIGHT-OF-WAY LINE OF INDUSTRIAL BOULEVARD (A 65' RIGHT-OF-WAY), SAID 1/2" IRON ROD BEING THE MOST WESTERLY NORTHWEST CORNER OF SAID REDC TRACT 1 AND THE SOUTHWEST CORNER OF ROCKWALL INDUSTRIAL EAST, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, RECORDED IN CABINET C, SLIDE 72, PLAT RECORDS, ROCKWALL COUNTY, TEXAS (P.R.R.C.T.);

THENCE N 88°07'13" E, DEPARTING THE EAST RIGHT-OF-WAY LINE OF SAID INDUSTRIAL BOULEVARD, ALONG THE NORTHERLY LINE OF SAID REDC TRACT 1 AND THE SOUTH LINE OF SAID ROCKWALL INDUSTRIAL EAST, 850.17 FEET TO A POINT, FROM WHICH A 1" IRON ROD FOUND IN CONCRETE BEARS N 50°24' W, 0.4 FEET;

THENCE N 01°03'38" W, ALONG THE NORTHERLY LINE OF SAID REDC TRACT 1 AND THE EAST LINE OF SAID ROCKWALL INDUSTRIAL EAST, 550.29 FEET TO 1/2" IRON ROD FOUND IN THE SOUTH RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD (A CALLED 100' RIGHT-OF-WAY), SAID IRON ROD BEING THE NORTHWEST CORNER OF SAID REDC TRACT 1 AND THE NORTHEAST CORNER OF SAID ROCKWALL INDUSTRIAL EAST;

THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID UNION PACIFIC RAILROAD AS FOLLOWS:

(1) N 88°10'00" E, ALONG THE NORTH LINE OF SAID REDC TRACT 1, A DISTANCE OF 693.99 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC INC" (HEREIN AFTER DENOTED TO AS 1/2" IRON ROD SET), SAID IRON ROD SET BEING THE NORTHEAST CORNER OF SAID REDC TRACT 1 AND THE NORTHWEST CORNER OF SAID REDC TRACT 2;

(2) N 88°16'13" E, ALONG THE NORTH LINE OF SAID REDC TRACT 2, A DISTANCE OF 16.20 FEET TO 1/2" IRON ROD SET IN THE WEST RIGHT-OF-WAY LINE OF JOHN KING BOULEVARD (AN UNRECORDED 120' RIGHT-OF-WAY);

THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID JOHN KING BOULEVARD AND THE EAST LINE OF SAID REDC TRACT 2 AS FOLLOWS:

(1) S 13°13'35" E, 112.68 FEET TO A 1/2" IRON ROD SET, BEING THE BEGINNING OF A CURVE TO THE LEFT;

(2) SOUTHEASTERLY, AN ARC LENGTH OF 540.49 FEET ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1,810.00 FEET, A DELTA ANGLE OF 17°06'33", AND A CHORD BEARING OF S 21°54'26" E, 538.48 FEET TO A 1/2" IRON ROD SET;

(3) S 30°27'42" E, AT 46.15 FEET PASSING A 1/2" IRON ROD SET, SAID IRON ROD BEING A SOUTHEASTERLY CORNER OF SAID REDC TRACT 2 AND THE NORTHEAST END OF A RADIAL CORNER CLIP IN THE NORTH RIGHT-OF-WAY LINE OF PROPOSED JUSTIN ROAD (PROPOSED VARIABLE WIDTH RIGHT-OF-WAY), AND CONTINUING FOR A TOTAL DISTANCE OF 166.16 FEET TO A 1/2" IRON ROD SET IN THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO TEMUNOVIC PARTNERSHIP, LTD., RECORDED IN VOLUME 7038, PAGE 314, D.R.R.C.T.;

THENCE S 88°58'42"W, DEPARTING THE WEST RIGHT-OF-WAY LINE OF SAID JOHN KING BOULEVARD, ALONG THE NORTH LINE OF SAID TEMUNOVIC TRACT, 318.74 FEET TO A POINT, SAID POINT BEING THE NORTHWEST CORNER OF SAID TEMUNOVIC TRACT AND IN THE EAST LINE OF SAID REDC TRACT 1, FROM WHICH A 1/2" IRON ROD FOUND WITH A CAP STAMPED "R.S.C.I. RPLS 5034" BEARS N 87°29' E, 2.9 FEET;

THENCE S 00°38'16" E, ALONG THE EAST LINE OF SAID REDC TRACT 1 AND THE WEST LINE OF SAID TEMUNOVIC TRACT, 557.25 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "R.S.C.I. RPLS 5034", SAID IRON ROD BEING THE SOUTHEAST CORNER OF SAID REDC TRACT 1 AND THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO ROCKWALL STEEL COMPANY, INC., RECORDED IN VOLUME 752, PAGE 28, D.R.R.C.T.;

THENCE S 89°10'19" W, DEPARTING THE WEST LINE OF SAID TEMUNOVIC TRACT AND ALONG THE SOUTH LINE OF SAID REDC TRACT 1 AND THE NORTH LINE OF SAID ROCKWALL STEEL COMPANY TRACT, A DISTANCE OF 1,567.46 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "R.S.C.I. RPLS 5034" IN THE EAST LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO NAN A. SMART, W.I. LOFLAND AND JULIANA BOND, RECORDED IN VOLUME 70, PAGE 183, D.R.R.C.T., SAID IRON ROD BEING THE SOUTHWEST CORNER OF SAID REDC TRACT 1 AND THE NORTHWEST CORNER OF SAID ROCKWALL STEEL COMPANY TRACT;

THENCE N 00°58'22" W, ALONG THE WEST LINE OF SAID REDC TRACT 1 AND THE EAST LINE OF SAID SMART TRACT, 168.13 FEET TO A POINT IN THE EAST RIGHT-OF-WAY LINE OF SAID INDUSTRIAL BOULEVARD, BEING THE BEGINNING OF A CURVE TO THE LEFT, FROM WHICH A 1/2" IRON ROD FOUND WITH A CAP STAMPED "R.S.C.I. RPLS 5034" BEARS S 00°58' E, 0.5 FEET;

THENCE ALONG THE WEST LINE OF SAID REDC TRACT 1 AND THE EAST RIGHT-OF-WAY LINE OF SAID INDUSTRIAL BOULEVARD AS FOLLOWS:

(1) NORTHEASTERLY, AN ARC LENGTH OF 149.10 FEET ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 332.50 FEET, A DELTA ANGLE OF 25°41'35", AND A CHORD BEARING OF N 11°47'58" E, 147.86 FEET TO A 1/2" IRON ROD SET;

(2) N 01°03'48" W, 424.52 FEET TO THE PLACE OF BEGINNING AND CONTAINING 37.828 ACRES (1,647,788 SQ. FT.) OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS LOT 1, BLOCK A AND LOT 1, BLOCK B, CHANNELL SUBDIVISION AND JUSTIN ROAD RIGHT-OF-WAY TO THE CITY OF ROCKWALL, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN ON THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED. I FURTHER CERTIFY THAT ALL OTHER PARTIES WHO HAVE A MORTGAGE OR LIEN INTEREST IN THE NAME OF ADDITION AND JUSTIN ROAD RIGHT-OF-WAY HAVE BEEN NOTIFIED AND SIGNED THIS PLAT.

I UNDERSTAND AND DO HEREBY RESERVE THE EASEMENT STRIPS SHOWN ON THIS PLAT FOR THE PURPOSES STATED AND FOR THE MUTUAL USE AND ACCOMMODATION OF ALL UTILITIES DESIRING TO USE OR USING SAME. I ALSO UNDERSTAND THE FOLLOWING;

1. NO BUILDINGS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE UTILITY EASEMENTS AS DESCRIBED HEREIN.

2. ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER GROWTHS OR IMPROVEMENTS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF THEIR RESPECTIVE SYSTEM ON ANY OF THESE EASEMENT STRIPS; AND ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS OR EGRESS TO, FROM AND UPON THE SAID EASEMENT STRIPS FOR PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTING, PATROLLING, MAINTAINING, AND EITHER ADDING TO OR REMOVING ALL OR PART OF THEIR RESPECTIVE SYSTEM WITHOUT THE NECESSITY OF, AT ANY TIME, PROCURING THE PERMISSION OF ANYONE.

3. THE CITY OF ROCKWALL WILL NOT BE RESPONSIBLE FOR ANY CLAIMS OF ANY NATURE RESULTING FROM OR OCCASIONED BY THE ESTABLISHMENT OF GRADE OF STREETS IN THE SUBDIVISION.

4. THE DEVELOPER AND ENGINEER SHALL BEAR TOTAL RESPONSIBILITY FOR STORM DRAIN IMPROVEMENTS.

5. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE NECESSARY FACILITIES TO PROVIDE DRAINAGE PATTERNS AND DRAINAGE CONTROLS SUCH THAT PROPERTIES WITHIN THE DRAINAGE AREA ARE NOT ADVERSELY AFFECTED BY STORM DRAINAGE FROM THE DEVELOPMENT.

6. NO HOUSE DWELLING UNIT, OR OTHER STRUCTURE SHALL BE CONSTRUCTED ON ANY LOT IN THIS ADDITION BY THE OWNER OR ANY OTHER PERSON UNTIL THE DEVELOPER AND/OR OWNER HAS COMPLIED WITH ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY OF ROCKWALL REGARDING IMPROVEMENTS WITH RESPECT TO THE ENTIRE BLOCK ON THE STREET OR STREETS ON WHICH PROPERTY ABUTS, INCLUDING THE ACTUAL INSTALLATION OF STREETS WITH THE REQUIRED BASE AND PAVING, CURB AND GUTTER, WATER AND SEWER, DRAINAGE STRUCTURES, STORM STRUCTURES, STORM SEWERS, AND ALLEYS, ALL ACCORDING TO THE SPECIFICATIONS OF THE CITY OF ROCKWALL; OR

UNTIL AN ESCROW DEPOSIT, SUFFICIENT TO PAY FOR THE COST OF SUCH IMPROVEMENTS, AS DETERMINED BY THE CITY'S ENGINEER AND/OR CITY ADMINISTRATOR, COMPUTED ON A PRIVATE COMMERCIAL RATE BASIS, HAS BEEN MADE WITH THE CITY SECRETARY, ACCOMPANIED BY AN AGREEMENT SIGNED BY THE DEVELOPER AND/OR OWNER, AUTHORIZING THE CITY TO MAKE SUCH IMPROVEMENTS AT PREVAILING PRIVATE COMMERCIAL RATES, OR HAVE THE SAME MADE BY A CONTRACTOR AND PAY FOR THE SAME OUT OF THE ESCROW DEPOSIT, SHOULD THE DEVELOPER AND/OR OWNER FAIL OR REFUSE TO INSTALL THE REQUIRED IMPROVEMENTS WITHIN THE TIME STATED IN SUCH WRITTEN AGREEMENT, BUT IN NO CASE SHALL THE CITY BE OBLIGATED TO MAKE SUCH IMPROVEMENTS ITSELF. SUCH DEPOSIT MAY BE USED BY THE OWNER AND/OR DEVELOPER AS PROGRESS PAYMENTS AS THE WORK PROGRESSES IN MAKING SUCH IMPROVEMENTS BY MAKING CERTIFIED REQUISITIONS TO THE CITY SECRETARY, SUPPORTED BY EVIDENCE OF WORK DONE; OR

UNTIL THE DEVELOPER AND/OR OWNER FILES A CORPORATE SURETY BOND WITH THE CITY SECRETARY IN A SUM EQUAL TO THE COST OF SUCH IMPROVEMENTS FOR THE DESIGNATED AREA, GUARANTEEING THE INSTALLATION THEREOF WITHIN THE TIME STATED IN THE BOND, WHICH TIME SHALL BE FIXED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL.

I FURTHER ACKNOWLEDGE THAT THE DEDICATIONS AND/OR EXACTION'S MADE HEREIN ARE PROPORTIONAL TO THE IMPACT OF THE SUBDIVISION UPON THE PUBLIC SERVICES REQUIRED IN ORDER THAT THE DEVELOPMENT WILL COMPORT WITH THE PRESENT AND FUTURE GROWTH NEEDS OF THE CITY; I, MY SUCCESSORS AND ASSIGNS HEREBY WAIVE ANY CLAIM, DAMAGE, OR CAUSE OF ACTION THAT I (WE) MAY HAVE AS A RESULT OF THE DEDICATION OF EXACTIONS MADE HEREIN.

WITNESS OUR HANDS THIS THE _____ DAY OF _____, 2014:

FOR: ROCKWALL ECONOMIC
DEVELOPMENT CORPORATION

_____
OWNER

STATE OF TEXAS
COUNTY OF ROCKWALL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ OF ROCKWALL ECONOMIC DEVELOPMENT CORPORATION, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN STATED.

GIVEN UPON MY HAND AND SEAL OF OFFICE THIS _____DAY OF_____,2014.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

_____
PRINTED NAME

PRELIMINARY
FOR REVIEW PURPOSES ONLY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

WITNESS OUR HANDS THIS THE _____ DAY OF _____, 2014:

FOR: THE CITY OF ROCKWALL

_____
OWNER

STATE OF TEXAS
COUNTY OF ROCKWALL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ OF THE CITY OF ROCKWALL, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN STATED.

GIVEN UPON MY HAND AND SEAL OF OFFICE THIS _____DAY OF_____,2014.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

_____
PRINTED NAME

RECOMMENDED FOR FINAL APPROVAL

_____ _____
PLANNING AND ZONING COMMISSION, CHAIRMAN DATE

APPROVED

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF AN ADDITION TO THE CITY OF ROCKWALL, TEXAS, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL ON THE _____ DAY OF _____, 2014.

THIS APPROVAL SHALL BE INVALID UNLESS THE APPROVED PLAT FOR SUCH ADDITION IS RECORDED IN THE OFFICE OF THE COUNTY CLERK OF ROCKWALL COUNTY, TEXAS WITHIN ONE HUNDRED EIGHTY (180) DAYS FROM SAID DATE OF FINAL APPROVAL.

WITNESS OUR HANDS, THIS _____DAY OF_____,2014.

_____ _____ _____
MAYOR, CITY OF ROCKWALL CITY SECRETARY CITY ENGINEER

SURVEYOR'S CERTIFICATION:

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, JOHN R. ANDERSON, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION.

"THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF JOHN R. ANDERSON, RPLS. NO. 6442 ON FEBRUARY 24, 2014. IT IS NOT TO BE USED FOR RECORDING, CONSTRUCTION, BIDDING, OR PERMIT PURPOSES. THIS DOCUMENT IS NOT TO BE RELIED UPON AS A COMPLETE SURVEY AND SHALL NOT BE RECORDED ."

_____
JOHN R. ANDERSON
REGISTERED PUBLIC SURVEYOR
STATE OF TEXAS NO. 6442
EMAIL: JOHNA@WIERASSOCIATES.COM

FINAL PLAT
LOT 1, BLOCK "A" & LOT 1, BLOCK "B" CHANNELL SUBDIVISION & JUSTIN ROAD RIGHT-OF-WAY

AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, BEING 37.828 ACRES OF LAND LOCATED IN THE ARCHIBALD HANNA SURVEY, ABSTRACT No. 99, N. BUTLER SURVEY ABSTRACT No. 20 & DAVID HARR SURVEY, ABSTRACT No. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

PREPARED BY:
WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
701 HIGHLANDER BLVD., SUITE 300 ARLINGTON, TEXAS 76015 METRO (817)467-7700
Texas Firm Registration No. F-2776 www.WierAssociates.com
Texas Board of Land Surveying Registration No. 10033900

SHEET 3 OF 3

CASE No. P2014-XXX

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

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

DATE: **March 7, 2014**

SUBJECT: **Construction Contract Award – Evans Road Drainage Improvements**

Background:
Evans Road has been identified as needing drainage improvements due to the collapse of the existing box culvert under the roadway. The improvements project consists of 37 linear feet of double 4'x3' box culverts, headwalls, guard rail and replacement of asphalt pavement.

The City received and opened bids on March 6, 2014 and are as follows:

1. Lone Star Utilities $67,357.00
2. War Horse Enterprises $71,700.70
3. Jim Bowman Construction $80,969.50
4. Double R Utilities $104,974.00

Lone Star Utilities has constructed private development projects within the City and demonstrates the experience and resources to suitably complete a drainage improvements project.

Financial Implications:
Funding for this project is available in the Drainage Fund.

Action Desired/Recommendation:
Staff recommends Council consideration to approve the award of the Evans Road Drainage Improvements construction contract to Lone Star Utilities, in the amount of $67,357.00.

TMT: km
Attachments

Cc: **Mary Smith, Assistant City Manager**
Billy Chaffin, Streets and Drainage Department Superintendent
Amy Williams, Assistant City Engineer
Kathleen Moreno, Civil Engineer
File, CIP2013-008

TABULATION OF BIDS

Date: March 6, 2014

Project: Evans Road Drainage Improvements

CIP2013-008

City of Rockwall

Item No.	Approximate Quantities	Unit	Description	BID OF Lone Star Utilities PO Box 506 Scurry, TX 75158 Unit Bid Price	Extension	BID OF War Horse Enterprises, Inc. 7960 Hwy 66 West Royse City, TX 75189 Unit Bid Price	Extension	BID OF Jim Bowman Construction 2716 S Rigsbee Dr Plano, TX 75074 Unit Bid Price	Extension	BID OF Double R Utilities, Inc. 466 Poetry Rd Royse City, TX 75189 Unit Bid Price	Extension
100	1	L.S.	Mobilization	$2,450.00	$ 2,450.00	$2,850.00	$ 2,850.00	$9,720.00	$ 9,720.00	$8,788.00	$ 8,788.00
101	1	L.S.	Clearing and Grubbing	$1,500.00	$ 1,500.00	$2,500.00	$ 2,500.00	$6,780.00	$ 6,780.00	$2,750.00	$ 2,750.00
102	1	L.S.	Remove and Dispose of Existing Culvert and Headwalls	$2,500.00	$ 2,500.00	$3,000.00	$ 3,000.00	$1,450.00	$ 1,450.00	$3,344.00	$ 3,344.00
103	219	S.Y.	Remove Existing Asphalt Paving and Excess Material	$12.00	$ 2,628.00	$10.00	$ 2,190.00	$8.50	$ 1,861.50	$28.00	$ 6,132.00
104	100	C.Y.	Imported Compacted Fill	$45.00	$ 4,500.00	$22.00	$ 2,200.00	$25.00	$ 2,500.00	$65.00	$ 6,500.00
105	37	L.F.	Double 4'x3' Box Culvert	$410.00	$ 15,170.00	$217.36	$ 8,042.32	$367.00	$ 13,579.00	$688.00	$ 25,456.00
106	2	Ea.	Parallel Headwall w/Apron for Double 4'x3' Box Culvert	$5,850.00	$ 11,700.00	$4,333.19	$ 8,666.38	$7,500.00	$ 15,000.00	$8,452.00	$ 16,904.00
107	16	S.Y.	Concrete Rip Rap	$165.00	$ 2,640.00	$45.00	$ 720.00	$60.00	$ 960.00	$125.00	$ 2,000.00
108	219	S.Y.	Install 4-inch Asphalt over 6-inch Flex Base	$53.00	$ 11,607.00	$125.00	$ 27,375.00	$65.00	$ 14,235.00	$72.00	$ 15,768.00
109	46	L.F.	Metal Beam Guard Rail	$35.00	$ 1,610.00	$105.00	$ 4,830.00	$41.50	$ 1,909.00	$52.00	$ 2,392.00
110	4	Ea.	Laydown Guard Rail Ends	$350.00	$ 1,400.00	$700.00	$ 2,800.00	$575.00	$ 2,300.00	$300.00	$ 1,200.00
111	60	L.F.	Furnish and Install 2" Poly Water Line	$45.00	$ 2,700.00	$9.00	$ 540.00	$55.00	$ 3,300.00	$40.00	$ 2,400.00
112	27	S.Y.	Remove and Replace Reinforced Concrete Driveway	$56.00	$ 1,512.00	$71.00	$ 1,917.00	$75.00	$ 2,025.00	$110.00	$ 2,970.00
113	220	S.Y.	Solid Block Sodding	$9.00	$ 1,980.00	$6.00	$ 1,320.00	$7.50	$ 1,650.00	$10.00	$ 2,200.00
114	10	S.Y.	Curlex Soil Stabilization Material	$41.00	$ 410.00	$20.00	$ 200.00	$20.00	$ 200.00	$45.00	$ 450.00
115	1	L.S.	Erosion Control Installation and Maintenance	$1,200.00	$ 1,200.00	$750.00	$ 750.00	$1,000.00	$ 1,000.00	$2,500.00	$ 2,500.00
116	1	L.S.	Install and Maintain Traffic Control Plan	$1,850.00	$ 1,850.00	$1,800.00	$ 1,800.00	$2,500.00	$ 2,500.00	$3,220.00	$ 3,220.00
			TOTAL AMOUNT BID (Items 100 Through 116)		$ 67,357.00		$ 71,700.70		$ 80,969.50		$ 104,974.00

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

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

DATE: **March 6, 2014**

SUBJECT: **Construction Contract Award – Northshore Lift Station Improvements**

Background:
The Northshore Lift Station has been identified as needing rehabilitation and to meet compliance with the TCEQ Sanitary Sewer Overflow Initiative Program. The project encompasses the conversion of an existing dry pit wet well lift station to a submersible pump wet well lift station with the abandonment of the existing dry pit and pumps, the addition of new pumps, valve vault, control panel and electrical components and site improvements.

The City received and opened bids on February 20, 2014 and are as follows:

1. RAMA Enterprises, LLC $417,962.00
2. Venus Construction $441,000.00
3. Red River Construction Co. $458,020.00

The experience and references provided with the low bid demonstrate RAMA Enterprises has the resources to suitably complete a lift station rehabilitation project.

Financial Implications:
Funding for this project is available in current water/sewer revenues.

Action Desired/Recommendation:
Staff recommends Council consideration to approve the award of the Northshore Lift Station Improvements construction contract to RAMA Enterprises, in the amount of $417,962.00.

TMT: km
Attachments

Cc: **Mary Smith, Assistant City Manager**
Rick Sherer, Water/Wastewater Manager
Amy Williams, Assistant City Engineer
Kathleen Moreno, Civil Engineer
File, CIP2013-014

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600 Dallas, Texas 75243 Fax (214) 461-8390 Phone (214) 361-7900

JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E.
JOE R. CARTER, P.E.
MATT HICKEY, P.E.
ANDREW MATA, JR., P.E.
JOSEPH T. GRAJEWSKI, III, P.E.
DEREK B. CHANEY, P.E.

March 6, 2014

Mr. Tim Tumulty, P.E.
Director of Public Works / City Engineer
City of Rockwall
385 S. Goliad
Rockwall, TX 75087

Re: Northshore Lift Station Rehabilitation
Bid Award Recommendation

Dear Mr. Tumulty:

We have checked the bids received at 2:00 p.m., Thursday, February 20, 2014, for the Northshore Lift Station Rehabilitation project. Three bids were received and we found no errors or irregularities with the bids. We are enclosing a copy of the Bid Summary and itemized Bid Tabulation for your reference.

RAMA Enterprises, LLC of Dallas, Texas, submitted the low bid in the amount of $417,962.00 for the Northshore Lift Station Rehabilitation project. We have reviewed their statement of qualifications and references provided and find that RAMA Enterprises has a record of satisfactorily completing similar projects.

Accordingly, based on the information we have available to us, we recommend the City accept the bid from RAMA Enterprises, LLC and award them a contract in the amount of $417,962.00 for construction of the Northshore Lift Station Rehabilitation project.

We are available to discuss this project and our recommendation further at your convenience.

Sincerely yours,

Matt Hickey, P.E.

Enclosures

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS *Texas Firm F526*
11910 Greenville Ave., Suite 600 Dallas, Texas 75243 Fax (214) 461-8390 Phone (214) 361-7900

MEMORANDUM

To: Ms. Kathleen Moreno, P.E.

From: Mr. Matt Hickey

Date: February 21, 2014

Subject: Northshore Lift Station – Bid Results

Our opinion of probable project cost for the Northshore Lift Station project was $260,000. The Northshore Lift Station Rehabilitation project low bid price is $417,962.00, $157,962 ($417,962-$260,000) over our opinion of probable construction cost.

The following is a breakdown of the lump sum items in Pay Item 1 bid by Rama Construction on February 20, 2014:

1. Pumps - $60,000
2. Electrical/Controls/SCADA - $95,000
3. Mechanical (Valves, Piping) - $28,500
4. Labor & Equipment - $47,000

Total Pay Item 1 $230,500

The following is a summary of the major difference between our opinion of construction cost and the bid price:

1. Our opinion of probable construction cost included $80,000 for the pumps, controls and pump accessories based on a budget quote we received over the phone from Flygt. The main issue in our opinion of cost is we did not have a separate line item for electrical. The contractor's price for these items totaled $155,000 ($60,000 + $95,000), an overage of $75,000 ($155,000-$80,000) from our opinion of cost.
2. We included $20,000 in our opinion of cost for the valve vault, valves and piping. The contractor's price was $28,500, an $8,500 overage from our opinion of cost.
3. We included 60-days of bypass pumping in our opinion of cost at $250/day, totaling $15,000. The daily rate was based on bid tabulations we had from other similar projects. The contractor's price for bypass pumping is $37,000, $22,000 higher than our opinion of cost.
4. In our discussions with Rama, the site constraints (available working space, number of existing utilities and the close proximity to a residential house) also played a role in the total bid price, approximately $50,000. The contractor based his pricing on a 5 to 6 hours work day since equipment would need to be moved in and out each day. Rama also reported most contractors in this type of work are busy again and prices on materials and labor have significantly gone up in the last 12 to 18-months.

These four items account for $155,500 of the amount over our opinion of probable construction cost.

OPTIONS

1. Deduct the site work from the scope of the project and only construct the improvements needed to rehabilitate the lift station equipment. Based on the bid prices the cost would be $348,500. This would require a 16.6% deductive change order with the low bidder.
2. Secure additional funding and move forward with the project as currently bid.
3. Secure additional funding in the future and rebid the project in the next 6 to 9 months. In the opinion of RAMA, the bids will most likely come in higher in the future due to rising material and labor costs.

Please let us know how the City would like to proceed.

CITY OF ROCKWALL, TEXAS
Northshore Lift Station Improvements

BID SUMMARY
Bids Received at 2:00 p.m., Thursday, February 20, 2014

	Contractor	Total Amount Bid
1.	RAMA Enterprises, LLC 1333B Oak Lawn Avenue Dallas, Texas 75207	$ 417,962.00
2.	Venus Construction 1426 S. Main Mansfield, Texas 76063	$ 441,000.00
3.	Red River Construction Co. 2804 Capital St. Wylie, Texas 75098	$ 458,020.00

TABULATION OF BIDS

Date: February 20, 2014

Project: CITY OF ROCKWALL, TEXAS
Northshore Lift Station Improvements

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
Dallas, Texas

Item No.	Approximate Quantities	Unit	Description	BID OF RAMA Enterprises, LLC 1333B Oak Lawn Avenue Dallas, Texas 75207 Unit Bid Price	Extension	BID OF Venus Construction 1426 S. Main Mansfield, Texas 76063 Unit Bid Price	Extension	BID OF Red River Construction Co. 2804 Capital St. Wylie, Texas 75098 Unit Bid Price	Extension
1	1	L.S.	Furnish & Install Lift Station pumps and accessories including Site Preparation, Electrical, SCADA, RTU, HMI, Lift Station Piping, Force Main Piping and Connections, Fittings, 6-FT Dia. Valve Vault and Accessories, Hatches, Gate Valves, Check Valves and Couplings Complete In Place and Fully Operational	$230,500.00	$ 230,500.00	$213,785.00	$ 213,785.00	$303,000.00	$ 303,000.00
2	1	L.S.	Furnish, Install and Maintain Bypass Pumping	$37,000.00	$ 37,000.00	$21,000.00	$ 21,000.00	$33,000.00	$ 33,000.00
3	1	L.S.	For Abandonment of Existing Dry Pit, including Flowable Backfill and removal of Access Tube	$11,000.00	$ 11,000.00	$10,000.00	$ 10,000.00	$9,300.00	$ 9,300.00
4	1	L.S.	For Wet Well Rehabilitation Including Power Washing and Disposal of Wash Material, Removal, Disposal and Replacement of Existing Wet Well Cover, Removal and Replacement of Wet Well Floor Grout and Plugging Existing Suction Piping	$14,000.00	$ 14,000.00	$9,500.00	$ 9,500.00	$6,200.00	$ 6,200.00
5	1	L.S.	Furnish & Install Wet Well 125-mil Coating System, including Testing	$27,500.00	$ 27,500.00	$7,500.00	$ 7,500.00	$5,500.00	$ 5,500.00
6	1	Ea.	Furnish & Install 5-FT Diameter Sanitary Sewer Manhole	$8,200.00	$ 8,200.00	$22,000.00	$ 22,000.00	$11,400.00	$ 11,400.00
7	1	Ea.	Furnish & Install 4-FT Diameter Sanitary Sewer Manhole	$6,500.00	$ 6,500.00	$10,000.00	$ 10,000.00	$7,200.00	$ 7,200.00
8	10	L.F.	Furnish & Install 10-inch SDR-35 PVC Sanitary Sewer, including Temporary Plugs & Connections to Existing 10-inch Sanitary Sewer	$140.00	$ 1,400.00	$360.00	$ 3,600.00	$330.00	$ 3,300.00
9	10	L.F.	Furnish & Install 6-inch SDR-35 PVC Sanitary Sewer, including Temporary Plugs & Connections to Existing 6-inch Sanitary Sewer	$120.00	$ 1,200.00	$225.00	$ 2,250.00	$140.00	$ 1,400.00
10	40	L.F.	Furnish & Install Retaining Wall Including Excavation, Grading and Backfill	$395.00	$ 15,800.00	$700.00	$ 28,000.00	$180.00	$ 7,200.00
11	1	Ea.	Remove and Dispose Existing Storm Sewer Curb Inlet	$650.00	$ 650.00	$2,500.00	$ 2,500.00	$1,200.00	$ 1,200.00
12	1	Ea.	Furnish & Install 5-Foot Standard Curb Inlet	$3,250.00	$ 3,250.00	$4,500.00	$ 4,500.00	$3,300.00	$ 3,300.00
13	8	L.F.	Furnish & Install 21-inch RCP Storm Sewer	$117.00	$ 936.00	$300.00	$ 2,400.00	$150.00	$ 1,200.00
14	1	Ea.	Connect to Existing 21-inch Storm Sewer	$500.00	$ 500.00	$1,500.00	$ 1,500.00	$500.00	$ 500.00
15	12	L.F.	Furnish & Install Laydown Curb	$52.00	$ 624.00	$30.00	$ 360.00	$25.00	$ 300.00
16	12	L.F.	Furnish & Install Variable Height Monolithic Curb	$52.00	$ 624.00	$30.00	$ 360.00	$20.00	$ 240.00
17	83	S.Y.	Remove Reinforced Concrete Pavement (Alley and Residential Driveway)	$71.00	$ 5,893.00	$25.00	$ 2,075.00	$30.00	$ 2,490.00

TABULATION OF BIDS

Date: February 20, 2014

Project: CITY OF ROCKWALL, TEXAS
Northshore Lift Station Improvements

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
Dallas, Texas

Item No.	Approximate Quantities	Unit	Description	BID OF RAMA Enterprises, LLC 1333B Oak Lawn Avenue Dallas, Texas 75207		BID OF Venus Construction 1426 S. Main Mansfield, Texas 76063		BID OF Red River Construction Co. 2804 Capital St. Wylie, Texas 75098	
				Unit Bid Price	Extension	Unit Bid Price	Extension	Unit Bid Price	Extension
18	63	S.Y.	Construct 6-inch Reinforced Concrete Alley Pavement on Compacted 6-inch Flexible Base	$75.00	$ 4,725.00	$100.00	$ 6,300.00	$100.00	$ 6,300.00
19	20	S.Y.	Construct 6-inch Reinforced Concrete Residential Driveway Pavement on Compacted 6-inch Flexible Base	$90.00	$ 1,800.00	$100.00	$ 2,000.00	$100.00	$ 2,000.00
20	25	S.Y.	Construct 8-inch Lift Station Driveway on Compacted 6-inch Flexible Base	$110.00	$ 2,750.00	$125.00	$ 3,125.00	$100.00	$ 2,500.00
21	64	S.Y.	Furnish & Install 8-inch Lift Station Yard Flexible Base, including Compaction of Subgrade and Installation of Geotextile Fabric	$35.50	$ 2,272.00	$55.00	$ 3,520.00	$55.00	$ 3,520.00
22	124	L.F.	Full Depth Concrete Saw Cut	$4.00	$ 496.00	$5.00	$ 620.00	$10.00	$ 1,240.00
23	124	L.F.	Construct Longitudinal Butt Joint	$12.50	$ 1,550.00	$20.00	$ 2,480.00	$10.00	$ 1,240.00
24	1	L.S.	Construct Lift Station Bypass Piping Reinforced Concrete Pad Including Reflex Joint Material	$2,000.00	$ 2,000.00	$2,000.00	$ 2,000.00	$300.00	$ 300.00
25	8	S.Y.	Construct Reinforced Concrete Rip-Rap	$74.00	$ 592.00	$475.00	$ 3,800.00	$120.00	$ 960.00
26	5	S.Y.	Construct Non-Reinforced Concrete Rip-Rap	$62.00	$ 310.00	$475.00	$ 2,375.00	$260.00	$ 1,300.00
27	103	L.F.	Furnish & Install 8-Foot High Ornamental Welded Steel Fence, including Fence Posts and Hardware with Concrete Mow-Strip	$130.00	$ 13,390.00	$150.00	$ 15,450.00	$110.00	$ 11,330.00
28	2	Ea.	Furnish & Install Double 7-Foot Long Swing Gate	$4,000.00	$ 8,000.00	$5,000.00	$ 10,000.00	$6,500.00	$ 13,000.00
29	1	L.S.	Furnish Erosion Control Plan, and Install & Remove Erosion Control Devices	$1,800.00	$ 1,800.00	$5,000.00	$ 5,000.00	$1,200.00	$ 1,200.00
30	1	L.S.	Design and Furnish Trench Safety Plan	$900.00	$ 900.00	$1,500.00	$ 1,500.00	$1,200.00	$ 1,200.00
31	1	L.S.	Furnish, Install and Maintain Trench Safety System	$4,500.00	$ 4,500.00	$25,000.00	$ 25,000.00	$13,000.00	$ 13,000.00
32	50	S.Y.	Furnish, Install, Water and Fertilize Solid Sod, as directed by the City	$30.00	$ 1,500.00	$30.00	$ 1,500.00	$20.00	$ 1,000.00
33	1	L.S.	Prior to Construction, Locate Horizontal and Vertical Location of All Existing Utilities	$5,800.00	$ 5,800.00	$15,000.00	$ 15,000.00	$1,200.00	$ 1,200.00
			TOTAL AMOUNT BID (Items 1 Through 33)		**$ 417,962.00**		**$ 441,000.00**		**$ 458,020.00**

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Casey, Jacky

From: Ashberry, Kristy
Sent: Wednesday, March 12, 2014 4:15 PM
To: Casey, Jacky
Subject: FW: Appointment item

Importance: High

-----Original Message-----
From: Sweet, David
Sent: Wednesday, March 12, 2014 4:15 PM
To: Ashberry, Kristy; Crowley, Rick; Griggs, Brad
Subject: Appointment item

Kristy ,
Place an appointment item in the agenda for Monday with Kim Bowen to discuss handicap use age of our parks .
Thanks
David

Sent from my iPhone

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

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

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

DATE: **February 25, 2014**

SUBJECT: **APPOINTMENT WITH MARK SPENCER TO PRESENT PROPOSED PHELPS LAKE IMPROVEMENTS**

The FY 2014 approved budget includes $75,000 for improvements to Phelps Lake. The funding source is from Pro-rata Equipment Fees paid by residential developers into the Park District #9 escrow account, in accordance with the Mandatory Park Land Dedication Ordinance.

At the December 3rd meeting, Park Board heard public input and discussed proposed improvements for the Phelps Lake area. An invitation to the Park Board meeting was also sent to the Caruth Lakes HOA for distribution to its residents due to its proximity to the park. Two residents from the Caruth Lakes Subdivision were present and spoke at the meeting, voicing their support for the proposed amenities to Phelps Lake.

Mark Spencer of MHS Planning and Design was hired to provide construction drawings for the Phelps Lake project. At the February meeting Mr. Spencer presented a plan based on feedback from Park Board and public input from the December Park Board meeting.

At the February 4th meeting, Park Board voted unanimously to recommend approval of the plan to City Council with the following improvements:

- Fishing pier
- Kayak launch
- Loop connection to the existing trail
- Park benches and trash receptacles
- Stone park entrance sign

Mr. Spencer will be prepared to present the Phelps Lake improvements. Included in your packet is a copy of the site plan.

20' 0' 20' 40'

GRAPHIC SCALE

KAYAK LAUNCH
KAYAK LAUNCH PIER

TREES
(FUTURE)

BOARDWALK
(FUTURE)

SIDEWALK CONNECTION
FUTURE

EXISTING TREES

BENCH STATION

EXISTING 8' WIDE
CONCRETE TRAIL

4' WIDE GARDEN PATH

NATIVE PLANT
DEMONSTRATION
GARDEN (FUTURE)

LAWN AREA

NATIVE PLANT
DEMONSTRATION
GARDEN (FUTURE)

8' WIDE CONCRETE TRAIL
+/-670 LF LOOP

NATIVE PLANT
DEMONSTRATION
GARDEN (FUTURE)

TREES
(FUTURE)

LANDSCAPE
BED

12 STAIRS

500

520

20' 0' 20' 40'

GRAPHIC SCALE

FISHING
PIER

6' WIDE
CONCRETE WALK

PHELPS LAKE

KAYAK LAUNCH
KAYAK LAUNCH PIER

TREES
(FUTURE)

BOARDWALK
(FUTURE)

SIDEWALK CONNECTION
FUTURE

EXISTING TREES

BENCH STATION

EXISTING 8' WIDE
CONCRETE TRAIL

4' WIDE GARDEN PATH

NATIVE PLANT
DEMONSTRATION
GARDEN (FUTURE)

LAWN AREA

NATIVE PLANT
DEMONSTRATION
GARDEN (FUTURE)

8' WIDE CONCRETE TRAIL
+/-670 LF LOOP

NATIVE PLANT
DEMONSTRATION
GARDEN (FUTURE)

TREES
(FUTURE)

LANDSCAPE
BED

12 STAIRS

500

520

PS LAKE DRIVE

GREAT LAKE

FISHING
PIER

6' WIDE
CONCRETE WALK

NORTH

40' 0' 40' 80'

GRAPHIC SCALE

REVISIONS:

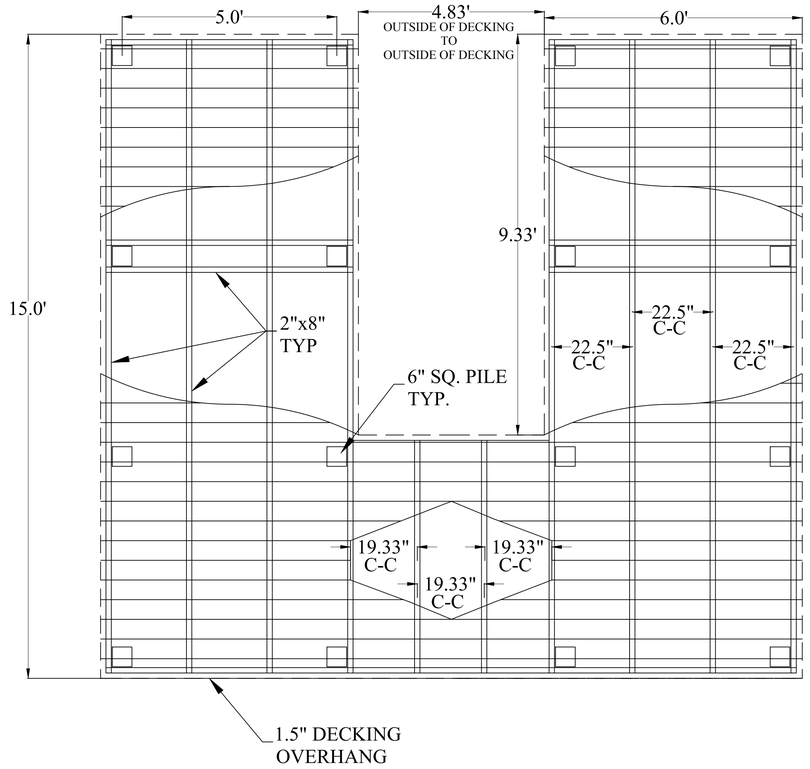
212 West Ninth Street
Tyler, Texas 75701
903-597-6606
903-597-0517 Fax

MHS
PLANNING & DESIGN, LLC

SITE PLAN
PHELPS LAKE
CITY OF ROCKWALL, TEXAS

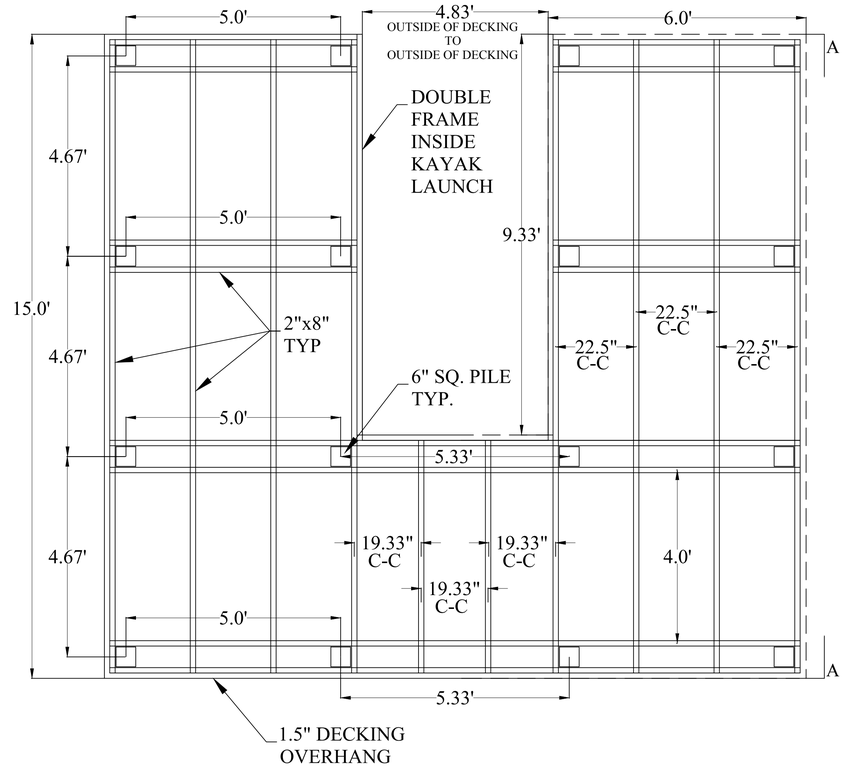
DRAWN:	HNR
CHECKED:	MHS
DATE:	FEB 2014
SCALE:	AS SHOWN
JOB NO.:	13-004

1 OF 1



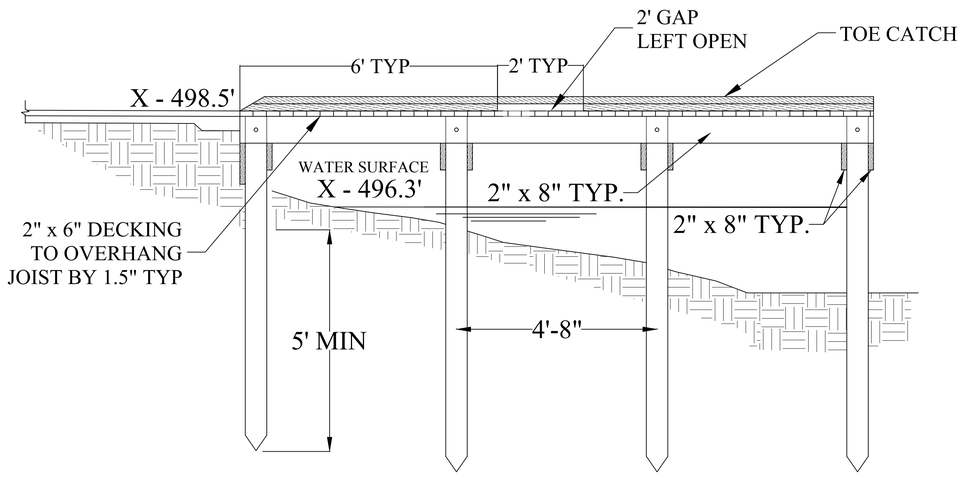
KAYAK LAUNCH DECKING DETAIL

1" = 20'



KAYAK LAUNCH FRAMING DETAIL

1" = 20'



KAYAK LAUNCH - SIDE ELEVATION A-A

1" = 20'

NOTE: ALL LUMBER TO BE IPE.
ALL HARDWARE TO BE STAINLESS STEEL OR HOT DIPPED GALVANIZED.

NOTE: KAYAK LAUNCH TO BE:
HEAVY DUTY LAUNCH RAMP SECTION INCLUDING BOARDING
HANDLE AND GRAB AND LAUNCH RAILS PROVIDED BY:
THE DOCK DOCTORS, LLC
19 LITTLE OTTER LANE
FERRISBURGH, VT 05456
ATTN: MIKE SAVIOLI
(1.802.877.6756)
MIKE@THEDOCKDOCTORS.COM

ALUMINUM LAUNCH TO BE POWDER COATED - COLOR BY OWNER

REVISIONS:

212 West Ninth Street
Tyler, Texas 75701
903-597-6606
903-597-0517 Fax

MHS
PLANNING & DESIGN, LLC

KAYAK LAUNCH DETAILS

PHELPS LAKE

CITY OF ROCKWALL, TEXAS

DRAWN:	HNR
CHECKED:	MHS
DATE:	FEB 2014
SCALE:	AS SHOWN
JOB NO.:	13-004

1 OF 1

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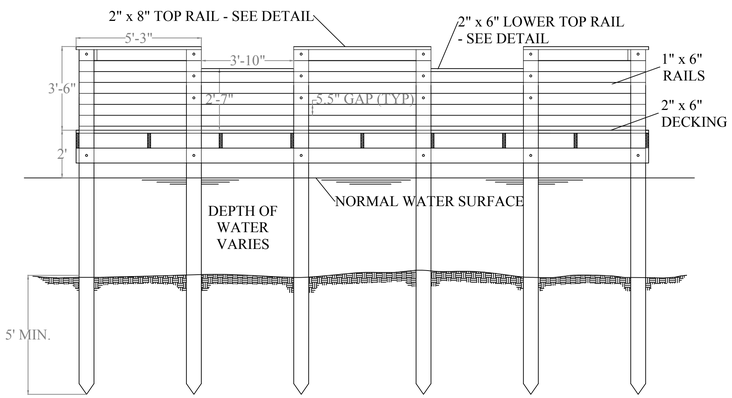
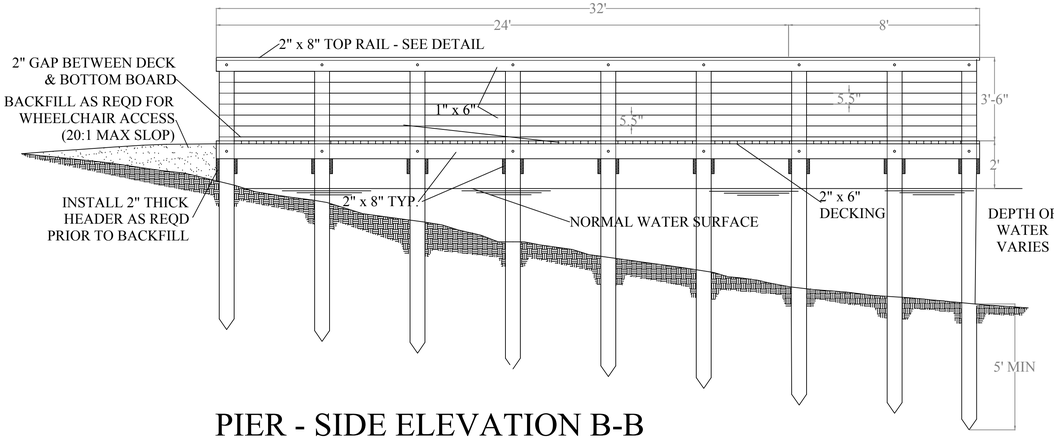


PIER - FRONT ELEVATION A-A

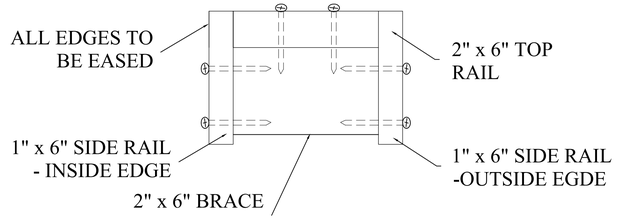
0' 3' 6' 9'



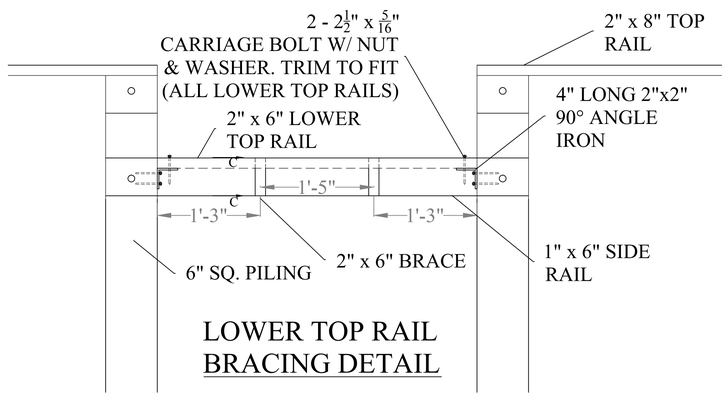
PIER - SIDE ELEVATION B-B

0' 3' 6' 9'

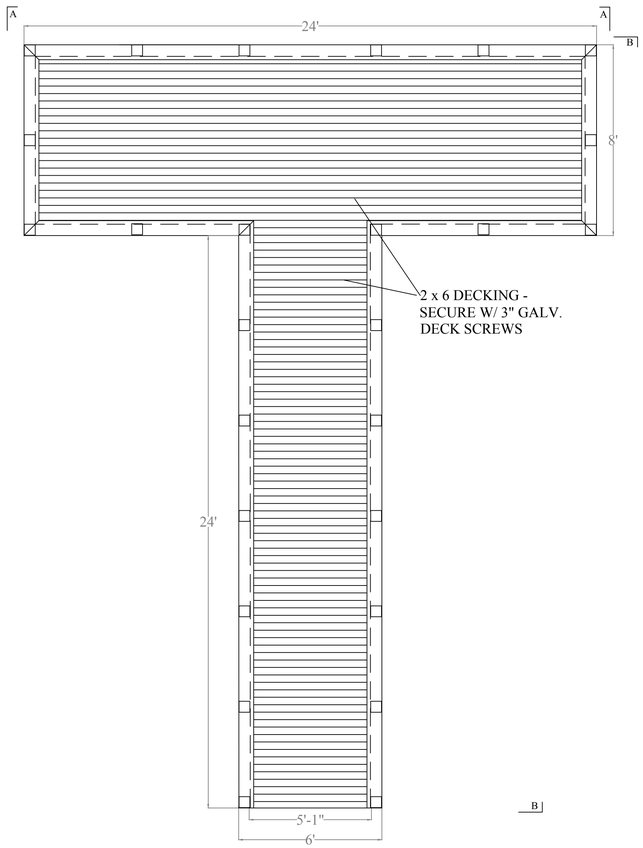
NOTE: ALL LUMBER TO BE IPE. ALL HARDWARE TO BE STAINLESS STEEL OR HOT DIPPED GALVANIZED.



LOWER TOP RAIL BRACING DETAIL C-C

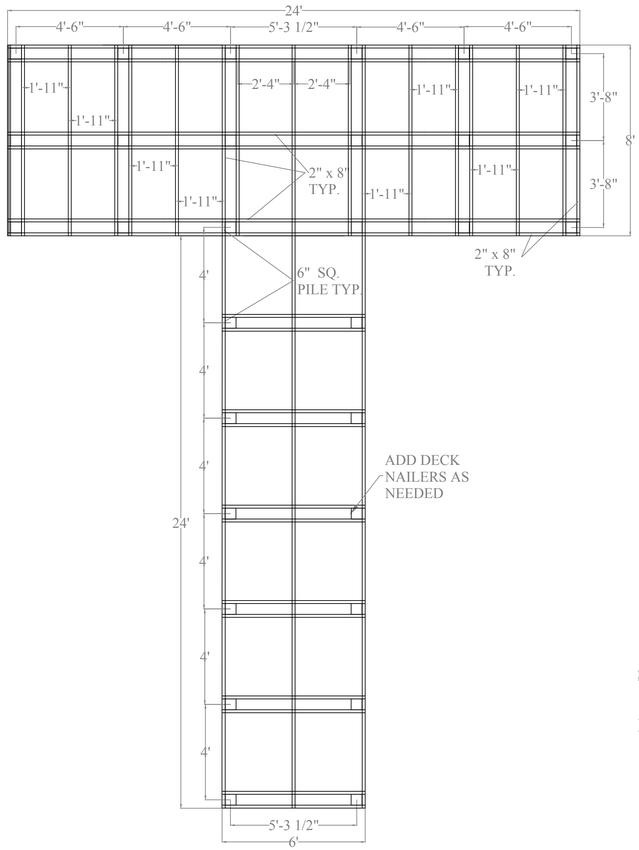


LOWER TOP RAIL BRACING DETAIL



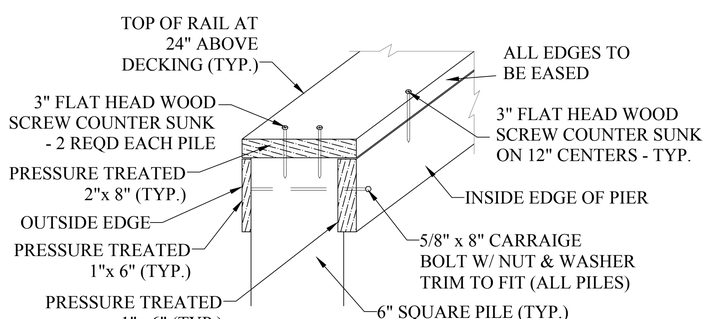
PIER DETAIL - DECKING

0' 3' 6' 9'



PIER FRAMING DETAIL

0' 3' 6' 9'



RAIL DETAIL

NO SCALE

REVISIONS:

212 West Ninth Street
Tyler, Texas 75701
903-597-6606
903-597-0517 Fax

MHS
PLANNING & DESIGN, LLC

FISHING PIER DETAILS

PHELPS LAKE

CITY OF ROCKWALL, TEXAS

DRAWN:	HNR
CHECKED:	MHS
DATE:	FEB 2014
SCALE:	AS SHOWN
JOB NO.:	13-004

1 OF 1

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 3/17/2014

APPLICANT: Ron Ramirez (Wier & Associates, Inc.)

AGENDA ITEM: **Z2014-005**; REDC Zoning Change (AG to LI)

SUMMARY:

Hold a public hearing to discuss and consider a request by Ron Ramirez of Wier & Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of a zoning change from an Agriculture (AG) District to a Light Industrial (LI) District for a 2.006-acre tract of land identified as a portion of Tract 2-7 of the David Harr Survey, Abstract No. 102, Rockwall, Rockwall County, Texas, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of Airport Road, and take any action necessary.

PURPOSE:

The subject property is a 2.006-acre portion of a larger 6.114-acre tract of land identified as Tract 2-7 of the David Harr Survey, Abstract No. 102. The City of Rockwall purchased the property in 2008 as part of the right-of-way acquisition for the construction of John King Boulevard, which eventually divided the 6.114-acre tract of land into three pieces (*i.e. the 2.006-acre subject property, ~2.058-acres of right-of-way and the ~2.05-acre remainder tract*). The intent of the proposed rezoning request is to change the zoning on the subject property from an Agriculture (AG) District to a Light Industrial (LI) District for the purpose of combining the 2.006-acre tract of land with the 35.78-acre tract of land situated west of the subject property and currently zoned Light Industrial (LI) District. The adjacent property is identified at Tract 5 of the N. Butler Survey, Abstract No. 20. Both the subject property and the 35.78-acre tract of land are owned by the Rockwall Economic Development Corporation.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is the intersection of John King Boulevard and the Union Pacific Railroad right-of-way. Beyond this rail crossing is the City of Rockwall Service Center, which is situated on a ten (10) acre parcel of land and zoned Light Industrial (LI) District.

South: Directly south of the subject property is a 26-acre tract of land that extends to Interstate Highway 30 (IH-30), and is zoned Light Industrial (LI) District on the north half of the property and Commercial (C) District on the southern half of the property.

East: Directly east of the subject property is John King Boulevard followed by the remaining acreage of the original 6.114-acre tract of land. Beyond this are several vacant tracts of land. All the properties in this area are zoned Agriculture (AG) District.

West: Directly west of the subject property is a 35.78-acre tract of vacant land, owned by the Rockwall Economic Development Corporation (REDC), and zoned Light Industrial (LI) District.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

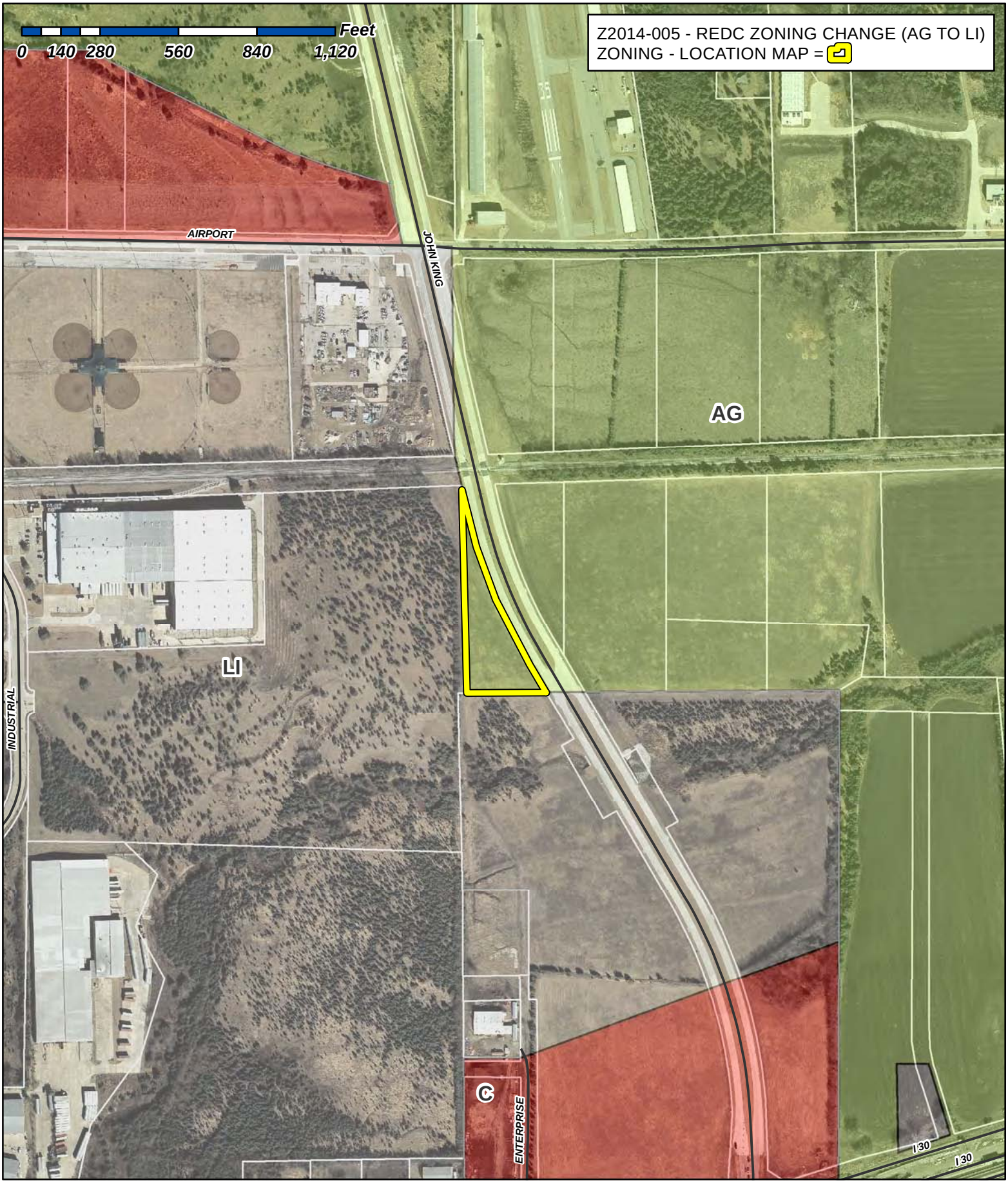
The Future Land Use Map, adopted with the Comprehensive Plan, designates the subject property for *Technology/Light Industrial* land uses. This designation is in conformance with the applicants request to rezone the subject property to a Light Industrial (LI) District.

NOTIFICATION:

On February 28, 2014, staff mailed seven (7) notices to property owners within 200 feet of the subject property. Additionally, staff posted a sign along John King Boulevard, which is the only street frontage adjacent to the subject property as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

PLANNING & ZONING COMMISSION:

On March 11, 2014 the Planning & Zoning Commission recommended approval of the proposed zoning change by a vote of 4-0, with Commissioners Nielsen, Conley and Lyons absent.



City of Rockwall

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

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

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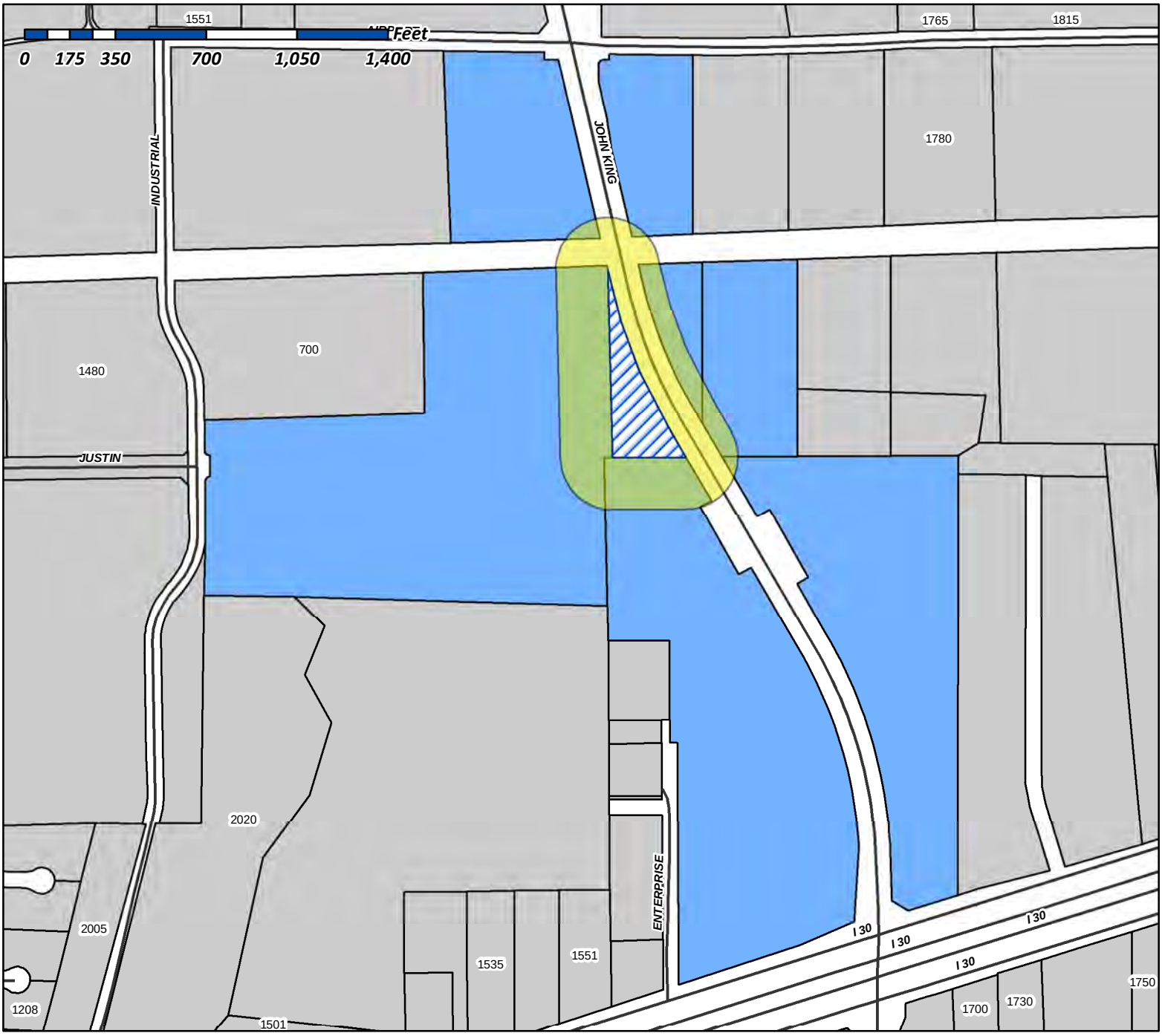
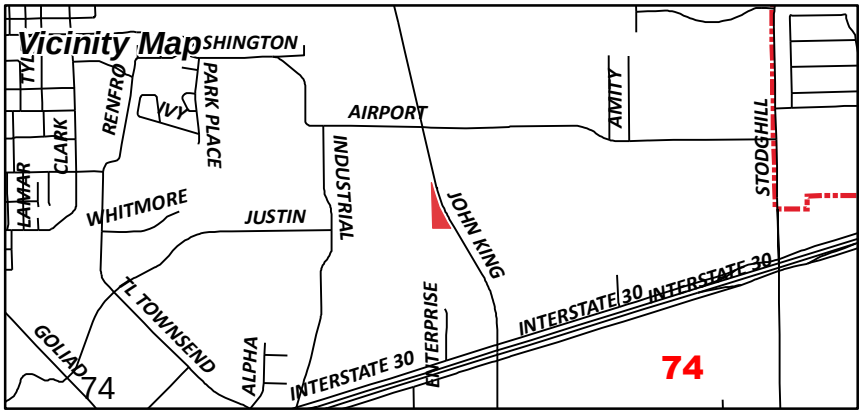


Case Number: Z2014-005
Case Name: REDC Zoning Change
Case Type: Zoning Change
Zoning: AG
Case Address: N/A

Date Created: *02/20/2014*
For Questions on this Case Call (972) 771-7745



Property ID	Name	Acerage	Legal Description	Address Line 1	Address Line 2	City	State	Zip
21511	CITY OF ROCKWALL	10.00	ROCKWALL SERVICE CENTER, LOT 1 & PARK EXEMPT					0
71535	ATHEY BOBBY FRANK	6.03	A0102, D HARR, TRACT 2-4, 6.034 ACRES, (PT OF 16.443 AC TR		517 MAYFIELD AVE	GARLAND	TX	75041
10198	ROCKWALL ECONOMIC DEVELOPMENT	35.78	A0020 N BUTLER, TRACT 5, ACRES 35.78		PO BOX 968	ROCKWALL	TX	75087
71538	CITY OF ROCKWALL	6.11	A0102, D HARR, TRACT 2-7, 6.114 ACRES					0
71538	CITY OF ROCKWALL	6.11	A0102, D HARR, TRACT 2-7, 6.114 ACRES					0
71538	CITY OF ROCKWALL	6.11	A0102, D HARR, TRACT 2-7, 6.114 ACRES					0
71538	CITY OF ROCKWALL	6.11	A0102, D HARR, TRACT 2-7, 6.114 ACRES					0
71534	MARSHALL JULIE CATHERINE ETAL	5.15	A0102, D HARR, TRACT 2-06, 5.146 ACRES		1125 S BROADWAY AVE	TYLER	TX	75701
83109	TEMUNOVIC PARTNERSHIP LTD	18.54	A0134 J LOCKHART, TRACT 3-5, ACRES 18.54		201 LAURENCE DRIVE	HEATH	TX	75032
11461	TEMUNOVIC PARTNERSHIP LTD	26.00	A0134 J LOCKHART, TRACT 3, ACRES 26.00		201 LAURENCE DRIVE	HEATH	TX	75032

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FIELD NOTES

BEING A TRACT OF LAND LOCATED IN THE DAVID HARR SURVEY, ABSTRACT No. 102, ROCKWALL COUNTY, TEXAS, BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO THE CITY OF ROCKWALL, RECORDED IN VOLUME 5418, PAGE 54, DEED RECORDS, ROCKWALL COUNTY TEXAS (D.R.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH A CAP STAMPED "CSC 4252", SAID IRON ROD BEING THE SOUTHWEST CORNER OF SAID CITY OF ROCKWALL TRACT AND IN THE EAST LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO ROCKWALL ECONOMIC DEVELOPMENT CORPORATION, RECORDED IN VOLUME 4168, PAGE 317, D.R.R.C.T.;

THENCE N 00°38'16" W, ALONG THE WEST LINE OF SAID CITY OF ROCKWALL TRACT AND THE EAST LINE OF SAID ROCKWALL ECONOMIC DEVELOPMENT TRACT, 713.31 FEET TO A POINT, BEING THE NORTHWEST CORNER OF SAID CITY OF ROCKWALL TRACT, THE NORTHEAST CORNER OF SAID ROCKWALL ECONOMIC DEVELOPMENT TRACT AND IN THE SOUTH LINE OF THE M. K. & T. RAILROAD RIGHT-OF-WAY (A CALLED 100 FOOT RIGHT-OF-WAY);

THENCE N 88°16'13" E, ALONG THE NORTH LINE OF SAID CITY OF ROCKWALL TRACT AND THE SOUTH LINE OF SAID M. K. & T. RAILROAD RIGHT-OF-WAY, 16.20 FEET TO A POINT IN THE WEST RIGHT-OF-WAY LINE OF JOHN KING BOULEVARD (STATE HIGHWAY 205 BYPASS) (AN UNRECORDED 120 FOOT WIDE RIGHT-OF-WAY);

THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID JOHN KING BOULEVARD AS FOLLOWS:

(1) S 13°13'35" E, 112.68 FEET TO A POINT AT THE BEGINNING OF A CURVE TO THE LEFT;

(2) SOUTHEASTERLY, AN ARC LENGTH OF 540.49 FEET ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1,810.00 FEET, A DELTA ANGLE OF 17°06'33", AND A CHORD BEARING OF S 21°54'26" E, 538.48 FEET TO A POINT;

(3) S 30°27'42" E, 46.15 FEET TO A POINT IN THE PROPOSED NORTH RIGHT-OF-WAY LINE OF JUSTIN ROAD (A PROPOSED VARIABLE WIDTH RIGHT-OF-WAY), SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

THENCE ALONG THE PROPOSED NORTH RIGHT-OF-WAY LINE OF SAID JUSTIN ROAD AS FOLLOWS:

(1) SOUTHWESTERLY, AN ARC LENGTH OF 43.46 FEET ALONG SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 29.50 FEET, A DELTA ANGLE OF 84°24'20", AND A CHORD BEARING OF S 37°35'03" W, 39.63 FEET TO A POINT;

(2) S 79°47'13" W, 186.65 FEET TO A POINT;

(3) N 55°12'47"W, 12.40 FEET TO A POINT;

(4) S 79°47'13" W, 40.94 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.006 ACRES (87,396 SQUARE FEET) OF LAND, MORE OR LESS.

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURE (AG) DISTRICT TO A LIGHT INDUSTRIAL (LI) DISTRICT FOR A 2.006-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 2-7 OF THE DAVID HARR SURVEY, ABSTRACT NO. 102, ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Ron Ramirez of Wier & Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from an Agriculture (AG) District to a Light Industrial (LI) District for a 2.006-acre tract of land situated identified as a portion of Tract 2-7 of the David Harr Survey, Abstract No. 102, Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agriculture (AG) District to a Light Industrial (LI) District; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a Light Industrial (LI) District in *Section 1.1, "Use of Land and Buildings,"* of *Article IV, "Permissible Uses"* and *Section 5.3, "Light Industrial (LI) District",* of *Article V, "District Development Standards",* of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

zoning described herein.

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 7TH DAY OF APRIL, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *March 17, 2014*

2nd Reading: *April 7, 2014*

Exhibit 'A':
Legal Description

* FIELD NOTES *

BEING A TRACT OF LAND LOCATED IN THE DAVID HARR SURVEY, ABSTRACT No. 102, ROCKWALL COUNTY, TEXAS, BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO THE CITY OF ROCKWALL, RECORDED IN VOLUME 5418, PAGE 54, DEED RECORDS, ROCKWALL COUNTY TEXAS (D.R.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

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(2) S 79°47'13" W, 186.65 FEET TO A POINT;

Exhibit 'A':
Legal Description

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(4) S 79°47'13" W, 40.94 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.006 ACRES (87,396 SQUARE FEET) OF LAND, MORE OR LESS.

Exhibit 'B':
Zoning Exhibit



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 3/17/2014

APPLICANT: Cabanas at Chandler's Landing Homeowner's Association

AGENDA ITEM: **Z2014-006**; Cabanas at Chandler's Landing (PD-8)

SUMMARY:

Hold a public hearing to discuss and consider a request by the Cabanas at Chandler's Landing Homeowner's Association on behalf of the residents of the Cabana's at Chandler's Landing to amend the density and dimensional requirements stipulated by Planned Development District 8 (PD-8) for a 1.131-acre portion of a parcel of land identified as the Cabanas at Chandler's Landing, zoned Planned Development District 8 (PD-8) for multi-family or condominium uses as established in Ordinance 73-48 & 84-04, generally located south of Yacht Club Drive and west of Harbor View Drive, and take any action necessary.

BACKGROUND AND PURPOSE OF THE REQUEST:

The subject property is a 1.131-acre portion of the *Cabanas at Chandler's Landing*, which contains nine (9) condominiums. When originally constructed in 1987, the Cabanas consisted of 20 condominium units that were constructed to the Multi Family 15 (MF-15) development standard. It was the intent of this development to resemble townhomes; however, the extent of ownership only consisted of interior square footage as opposed to extending to a unit and/or lot, which is typical with townhome development (see *Exhibit 'A'* for the original development standards). The remaining lot area was dedicated as open space and placed under the common ownership of the Cabanas Homeowner's Association, which was setup separate from the Chandler's Landing Homeowner's Association.

In September of 1990 the then owner, *Chisholm Federal Savings & Loan*, submitted a zoning application requesting to amend the zoning to establish lot standards to allow for six (6) of the condominiums to be situated on individual lots for the purpose of marketing them as townhomes. This request was approved on November 5, 1990 [*Ordinance No. 90-38*] and a plat depicting the lot layout was filed with the county. These six (6) townhomes along with five (5) additional condominiums, then seceded from the Cabanas Homeowner's Association leaving the nine (9) remaining units situated on the subject property.

The applicants are requesting to amend the current zoning for the subject property to allow for similar lot standards that were established under Ordinance No. 90-38 for the remaining nine (9) condominium units. Additionally, it is the applicants' intent to dissolve the Cabanas at Chandler's Landing Homeowner's Association in order to join the Chandler's Landing Homeowner's Association, and to transfer ownership and maintenance responsibility for the open space lots to the Chandler's Landing Homeowner's Association. According to the applicant this will alleviate the tax burden and maintenance costs of the open space areas, which are currently the responsibility of the Cabana's Homeowner's Association. *A Legal Description, Conceptual Site Plan [i.e. Zoning Exhibit] and PD Development Standards have been provided in Exhibits 'B', 'C' & 'D' attached to this case memo.*

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a private drive that services the condominium units and neighborhood amenities to the east. Beyond this is Chandler's Landing, Phase 9, which consists of single family homes zoned Planned Development District 8 (PD-8) [*Ordinance No. 73-48*].

South: Directly south of the subject property are the Match Point Townhomes, which consist of six (6) townhomes that are zoned Planned Development District 8 (PD-8) [*Ordinance No. 90-38*] for townhome uses.

East: Directly east of the subject property is a private drive followed by an amenity area that contains a common area, two (2) tennis courts and a pool. All areas are zoned Planned Development District 8 (PD-8) [*Ordinance No. 86-87*].

West: Directly west of the subject property is the parking lot for the Chandler's Landing Yacht Club amenity area, which contains a tennis courts, a pool, a restaurant/private club and a marina. This are is zoned Planned Development District 8 (PD-8) [*Ordinance No. 86-87*].

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The applicant's request does not change the conforming status of the property with the Future Land Use Map approved with the Comprehensive Plan.

NOTIFICATION:

On February 28, 2014, staff mailed 38 notices to property owners within 200 feet of the subject property. Additionally, staff posted a sign adjacent to the private access drive and Yacht Club Drive in front of the condominium units as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

RECOMMENDATIONS:

If the Planning and Zoning Commission recommends approval of the applicant's request to amend Planned Development District 8 (PD-8) then staff would propose the following conditions of approval:

1) In conjunction with the submission of a replat application a letter from the Chandler's Landing Homeowner's Association (HOA) stating acceptance of the open space lots depicted on the *Zoning Exhibit* (*Exhibit 'C'* in the Draft Ordinance) shall be submitted to staff,

2) A replat that generally conforms to the *Zoning Exhibit* and strictly adheres to the *PD Development Standards* (*Exhibit 'D'* in the Draft Ordinance) shall be submitted and approved by the Planning and Zoning Commission and City Council,

3) All sidewalks will be required to be indicated as *Public Access Easements* on the replat,

4) Any new development or reconstruction of existing development shall conform to the *PD Development Standards*, shall not deviate from the *Zoning Exhibit*, and shall maintain the

aesthetics of the existing buildings. To maintain conformance with this requirement staff may require an administrative site plan review at the time of a building permit submittal, and

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

PLANNING & ZONING COMMISSION:

On March 11, 2014 the Planning & Zoning Commission recommended approval of the proposed amendments to Planned Development District 8 (PD-8) by a vote of 4-0, with Commissioners Nielsen, Conley and Lyons absent.



City of Rockwall

Planning & Zoning Department
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Miller, Ryan

From: J L Gibson <jlghighlander@msn.com>
Sent: Monday, January 27, 2014 5:12 PM
To: Miller, Ryan
Subject: letter of request for rezone

Follow Up Flag: Follow up
Flag Status: Flagged

I am the President of the Cabana's at Chandlers Landing Condominium Association and we are requesting to be rezoned to enable us to file a Waiver and Revocation of Declaration and Master Deed for said HOA. In the process we will be re surveyed and re platted as town homes with real property that will be divided up from common grounds that we are currently being taxed for by the county appraisal district.
We are following the same template as used by Match Point Townhomes Condominium Association.
Thank you,
Jeanette Gibson, President Cabana's at Chandler's Landing Homeowners Association

City of Rockwall

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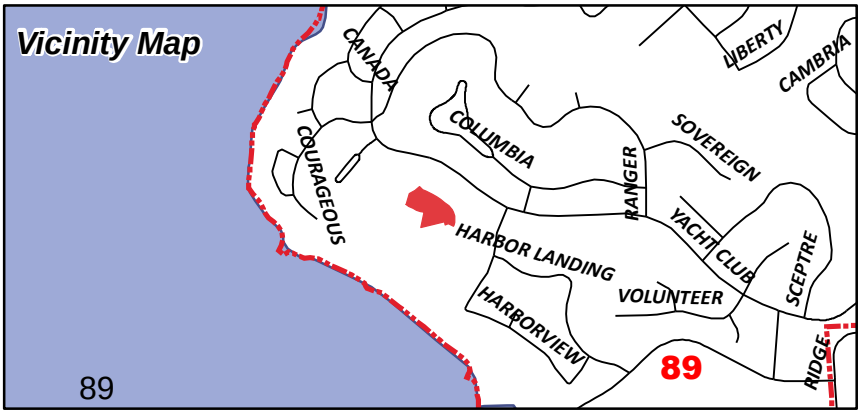
Case Number: Z2014-006
Case Name: PD Amendment
Case Type: Zoning
Zoning: PD-8
Case Address: 544-560 Yacht Club Drive



Date Created: 02/20/2014
For Questions on this Case Call (972) 771-7745

Property ID	Name	Acreage	Legal Description	Address Line 1	Address Line 2	City	State	Zip
15173	JONES KEITH R & TERESA K	0.00	CHANDLERS LANDING #9, LOT 3		409 YACHT CLUB DR	ROCKWALL	TX	75032
23350	SPEED JOE E	0.10	THE CABANAS UNIT 2 BLDG A 0.100 AC 558 YACHT CLUB DR		558 YACHT CLUB DR	ROCKWALL	TX	75032
23349	SPEED JOE E	0.10	THE CABANAS UNIT 1 BLDG A 0.100 AC 560 YACHT CLUB DR		558 YACHT CLUB DR	ROCKWALL	TX	75032
23347	TFC INV LTD	0.36	THE CABANAS, ACRES 0.361, REMAINING ACREAGE					
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
29844	LORD DEE A	0.00	HARBOR LANDING PHASE ONE, BLOCK B, LOT 1		1809 BRISTOL LN	ROCKWALL	TX	75032
15171	YONGO GEORGE & JANE	0.00	CHANDLERS LANDING #9, LOT 1		210 SOUTHLAND STATION DR	WARNER ROBINS	GA	31088
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33355	ULMEN PEGGY SUE	0.00	THE CABANAS-REPLAT, LOT 4		538 YACHT CLUB DRIVE	ROCKWALL	TX	75032
15176	KENTOPP RICHARD J & MELODY	0.00	CHANDLERS LANDING #9, LOT 6		403 YACHT CLUB DR	ROCKWALL	TX	75032
15177	KORTEMIER WILLIAM F	0.00	CHANDLERS LANDING #9, LOT 7		401 YACHT CLUB DR	ROCKWALL	TX	75032
15175	FULLER JULIE	0.00	CHANDLERS LANDING #9, LOT 5		5425 BYERS AVE	FORT WORTH	TX	76107
15174	WISE WILLIAM & RUTHANNE	0.00	CHANDLERS LANDING #9, LOT 4		407 YACHT CLUB DR	ROCKWALL	TX	75032
29845	MONAHAN GWENDELYN L AND MIRIAM GARCIA	0.00	HARBOR LANDING PHASE ONE, BLOCK B, LOT 2		335 HARBORVIEW DR	ROCKWALL	TX	75032
12837	CHANDLERS LANDING COMMUNITY ASSOC	6.24	A0207 E TEAL, TRACT 134-06, ACRES 6.242		PO BOX 638	ROCKWALL	TX	75087
15172	WATSON JARRETT A	0.00	CHANDLERS LANDING #9, LOT 2		411 YACHT CLUB DR	ROCKWALL	TX	75032
30891	GUNTER BILLY J ET UX	0.00	MATCHPOINT TOWNHOMES WEST, UNIT 524, .0241 AC		524 YACHT CLUB DR	ROCKWALL	TX	75032
30889	LAZY DALE PARTNERS LP	0.00	MATCHPOINT TOWNHOMES WEST, UNIT 522, .0241 AC		202 N SAN JACINTO ST	ROCKWALL	TX	75087
30897	WILLIS PATRICIA D	0.02	MATCHPOINT TOWNHOMES WEST, UNIT 530, .0241 AC		530 YACHT CLUB DR	ROCKWALL	TX	75032
30895	SELZER DEANNA	0.02	MATCHPOINT TOWNHOMES WEST, UNIT 528, ACRES .0235		528 YACHT CLUB DRIVE	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33354	PEARMAN JANICE	0.00	THE CABANAS-REPLAT, LOT 3		536 YACHT CLUB DR	ROCKWALL	TX	75032
33353	CONFIDENTIAL	0.00	THE CABANAS-REPLAT, LOT 2		534 YACHT CLUB DR	ROCKWALL	TX	75032
33352	VINES AMY	0.00	THE CABANAS-REPLAT, LOT 1		532 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
33351	CONFIDENTIAL	0.30	THE CABANAS-REPLAT, COMMON AREA, .2957 AC		534 YACHT CLUB DR	ROCKWALL	TX	75032
30888	CHISHOLM FEDERAL S&L	0.00	MATCHPOINT TOWNHOMES WEST, COMMON AREA, .3206 AC		(MR)		MO	
30893	COLLICHIO KIMBERLY ANN	0.02	MATCHPOINT TOWNHOMES WEST, UNIT 526, .0241 AC		526 YACHT CLUB DR	ROCKWALL	TX	75032
33356	MELNICHEK THOMAS	0.00	THE CABANAS-REPLAT, LOT 6		540 YACHT CLUB DR	ROCKWALL	TX	75032
33357	BREM MARY	0.00	THE CABANAS-REPLAT, LOT 5		1749 HACIENDAS DEL LAGO	ROCKWALL	TX	75032
23355	GIBSON JEANETTE L	0.00	THE CABANAS UNIT 1 BLDG C 548 YACHT CLUB DR		548 YACHT CLUB DR	ROCKWALL	TX	75032
23356	HEDRICK JOANN	0.00	THE CABANAS UNIT 2 BLDG C 546 YACHT CLUB DR		270 HENRY M CHANDLER DR	ROCKWALL	TX	75032
23354	WINDAHL LORRAINE S ESTATE	0.10	THE CABANAS UNIT 4 BLDG B 0.100 AC 550 YACHT CLUB DR	C/O KIRK B WINDAHL	3813 COVE RD	ROWLETT	TX	75088
30593	CHANDLERS LANDING COMMUNITY ASSOC	1.35	A0207 E TEAL, TRACT 134-13, ACRES 1.3487		PO BOX 638	ROCKWALL	TX	75087
30812	RC CHANDLERS HOLDINGS, LLC	8.78	CHANDLERS LANDING YACHT CLUB PHASE, ACRES 8.775	C/O NISSIM ELBAZ	12731 CRANES MILL	SAN ANTONIO	TX	78230
23357	MCCORMACK SARA D	0.00	THE CABANAS UNIT 3 BLDG C 544 YACHT CLUB DR	(MR)	MAIL RETURNED BY POST OFFICE			
23351	VAUGHAN SANDRA K	0.10	THE CABANAS UNIT 1 BLDG B 0.100 AC 556 YACHT CLUB DR		556 YACHT CLUB DR	ROCKWALL	TX	75032
23353	WITOWICH THEODORE T & KATHLEEN	0.10	THE CABANAS UNIT 3 BLDG B 0.100 AC 552 YACHT CLUB DR		16063 AVENIDA SAN MIGUEL	LA MIRADA	CA	90638
23352	WOMACK NATALIE	0.10	THE CABANAS UNIT 2 BLDG B 0.100 AC 554 YACHT CLUB DR		5602 YACHT CLUB DR	ROCKWALL	TX	75032

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PRODUCT TYPES AND REQUIREMENTS

MULTI-FAMILY (MF15) units will provide homes that are similar to MF20 but less dense. These units will consist of flats and studios, or a combination thereof. Ownership will be based on air spaces and interior surfaces rather than ownership of a unit and a lot. These units would resemble townhomes in that they would be built in a series of 2-8 units with common walls between the units. Green-space would be commonly owned through the Community Owners' Association.

Requirements:

- Minimum floor area for flats	1200 sq. ft.
- Minimum floor area for studios	1200 sq. ft.
- Maximum building height (restricted to 30' in most areas	36 ft.
- Minimum percent of masonry on exterior	50%
- Minimum front yard	10 ft.
- Minimum rear yard (if applicable)	15 ft.
- Minimum lot area (if applicable)	2200 sq. ft.
- Maximum building coverage (if applicable)	60%
- Minimum distance between buildings	10 ft.
- Building setback from less dense use (one story construction)	25 ft.
- Building setback from less dense use (two story construction)	35 ft.
- Minimum number of parking spaces per unit	2.0 spaces
- Maximum density per gross acre	14 u/ac.
- Minimum lot frontage on public street	0 (pri.st.)

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AMENITY PACKAGE
TEXT
WNERS

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BEING a tract or parcel of land situated in the E. Teal Survey, Abstract No. 207, Rockwall County, Texas, and being a part of the Cabanas at Chandlers Landing, an addition to the city of Rockwall, recorded in Slide B, Page 3 & 4, Plat Records Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod at the North corner of said Cabanas at Chandlers Landing, said iron rod bears North 6° 20' 10" West, a distance of 950.39 feet from City of Dallas Take Line monument for Lake Ray Hubbard marked T-13-1 and T-11-6, said iron rod being on a circular curve to the left having a central angle of 24° 27' 31", a radius of 168.23 feet, and a chord that bears South 56° 35' 00" East, a distance of 71.27 feet;

THENCE: Along said curve and with the Northeast line of said Cabanas at Chandlers Landing an arc distance of 71.82 feet to an iron rod at the point of tangency of said curve;

THENCE: South 68° 48' 46" East a distance of 17.62 feet continuing along said Northeast line to an iron rod at the point of curvature of a circular curve to the right having a central angle of 15° 29' 42" and a radius of 114.09 feet;

THENCE: Along said curve and along said Northeast line an arc distance of 30.86 feet to an iron rod at the point of tangency of said curve;

THENCE: South 53° 19' 04" East, a distance of 103.07 feet continuing along said Northeast line to an iron rod at the point of curvature of a circular curve to the right having a central angle of 80° 42' 31" and a radius of 112.00 feet;

THENCE: Along said curve and continuing along said Northeast and then the East line an arc distance of 157.77 feet to an iron rod for a corner;

THENCE: Leaving said East line and traversing said Addition as follows: North 68° 48' 11" West, a distance of 33.74 feet to an iron rod for a corner, South 74° 46' 05" West a distance of 20.00 feet to an iron rod for a corner, North 15° 13' 55" West, a distance of 18.00 feet to an iron rod for a corner, South 74° 46' 05" West, a distance of 160.58 feet to an iron rod for a corner, on a Westerly line of said Addition;

THENCE: North 13° 40' 35" East, a distance of 114.76 feet with said Westerly line to an iron rod for a corner;

THENCE: Along the most Northerly South lines of said Addition as follows:
North 76° 19' 25" West, a distance of 36.34 feet to an iron rod for a corner, North 69° 07' 25" West, a distance of 28.00 feet to an iron rod for a corner, and North 61° 59' 55" west, a distance of 79.50 feet to an iron rod for a corner at the most Northerly West corner of said Addition;

THENCE: North 20° 52' 35" East, a distance of 79.84 feet along the most Northerly Northwest line of said Addition to an iron rod for a corner; said iron rod being on a circular curve to the left having a central angle of 18° 44' 09", a radius of 234.00 feet, and a chord that bears North 60° 29' 27" East, a distance of 76.18 feet;

THENCE: Along said curve an arc distance of 76.52 feet to an iron rod at the point of compound curvature of a circular curve to the left having a central angle of 0° 32' 08" and a radius of 300.00 feet;

THENCE: Along said curve an arc distance of 2.80 feet to the Point of Beginning and containing 49,268 square feet or 1.131 Acres of Land.

FILED: 5th DAY OF: Oct. 1982@ 9:20A M.
RECORDED 7th DAY OF Oct. 1982@ 3:00P M.
JUNE WIMPEE, COUNTY CLERK, ROCKWALL COUNTY, TEXAS
BY: Ina Davis DEPUTY

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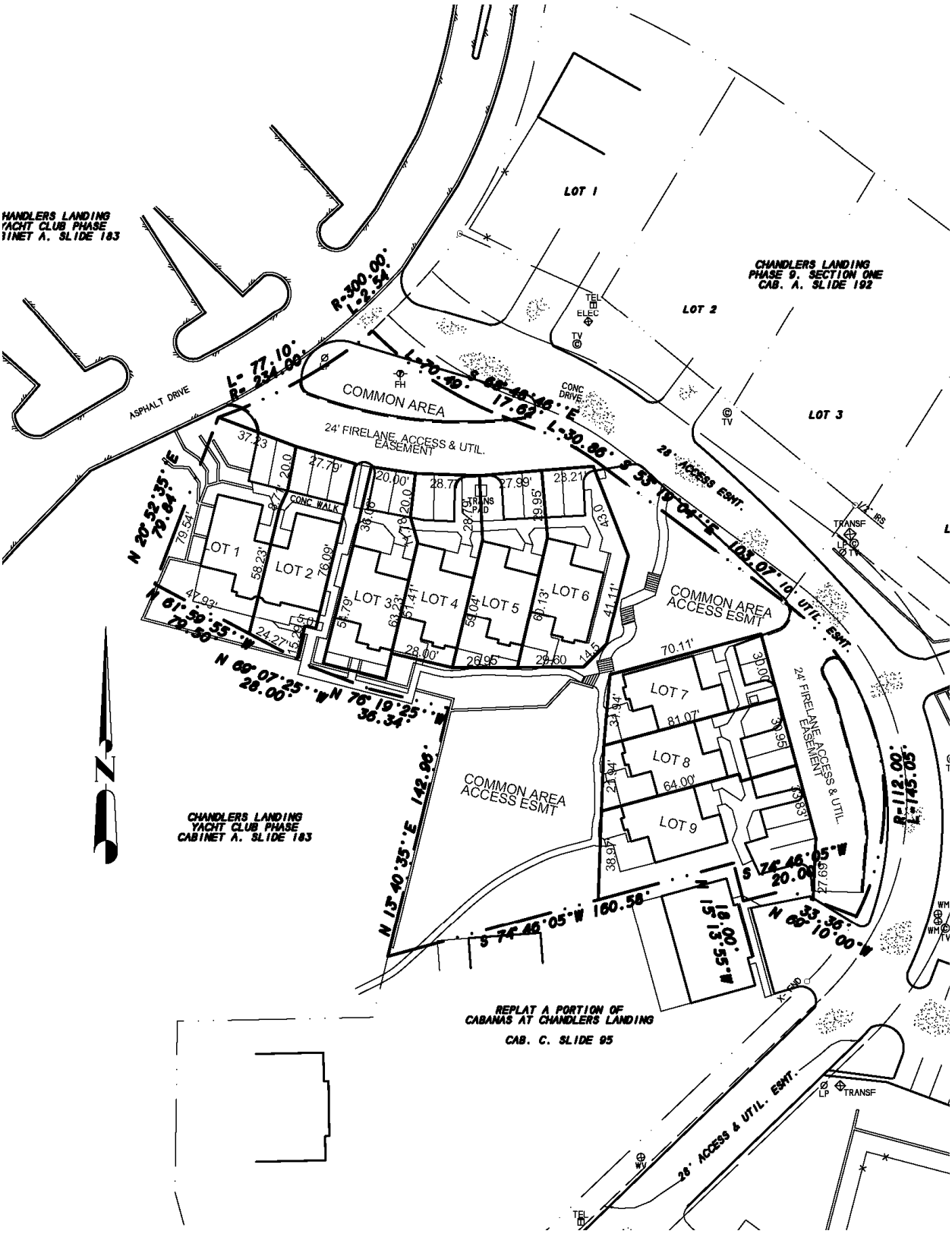
Exhibit 'C'
Conceptual Site Plan



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PD Development Standards.

1. *Purpose.* It is the intent of this zoning ordinance to maintain the current conditions of the subject property, while permitting property owners to physically subdivide their properties into lots to delineate the open space that will be dedicated to the *Chandler's Landing Homeowner's Association*.

2. *Allowed Uses*. The following are the only permitted land uses that shall be established on the *Subject Property*:

   a. *Permitted Uses.* Uses permitted *by right* or by *Specific Use Permit (SUP)* in Planned Development District 8 (PD-8) [*Ordinance No. 73-48 & 84-04*]. Uses subject to the approval of a *Specific Use Permit (SUP)* shall be required to follow the procedure for requesting an *SUP* as set forth in Article XI, *Zoning-Related Applications*, of the Unified Development Code.

   b. *Townhomes.* A single family dwelling unit constructed in a series, or group of units that share common walls, and are situated on an individual or separate lot.

   NOTE: All development of the Subject Property should conform to the Zoning Exhibit in Exhibit 'B'.

3. *Maximum Number of Units*. The *Subject Property* may contain no more than nine (9) townhomes that conform to the *Zoning Exhibit* in *Exhibit 'B'*.

4. *Area Requirements.*

   i. *Minimum Lot Area:* 2,200 Square Feet

   ii. *Minimum Lot Width:* 20 Feet

   iii. *Minimum Lot Depth:* 40 Feet

   iv. *Maximum Number of Dwelling Units per Lot:* One

   v. *Minimum Front Yard Building Setback:* 0 Feet

   vi. *Minimum Rear Yard Setback:* 0 Feet

   vii. *Minimum Side Yard Setback:*

      a. *Internal Side Yard Setback:* 0 Feet [*subject to all building code requirements*]

      b. *Side Yard Abutting a Structure:* 0 Feet [*required to be separated by a fire retardant wall*]

   viii. *Maximum Lot Coverage:* 100% [*as a percentage of lot area*]

   ix. *Maximum Height:* 30 Feet

   x. *Minimum Number of Paved Parking Spaces per Lot:* Two (2) Off-Street Spaces

5. *Additional Restrictions.* No fences or any other type of barricade shall be permitted on any property depicted in the *Zoning Exhibit* in *Exhibit 'B'*.

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) [*ORDINANCE NO. 73-48 & 84-04*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE DENSITY AND DIMENSIONAL REQUIREMENTS STIPULATED BY PLANNED DEVELOPMENT DISTRICT 8 (PD-8) FOR A 1.131-ACRE PORTION OF A PARCEL OF LAND IDENTIFIED AS THE CABANAS AT CHANDLER'S LANDING, ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the Cabana's at Chandler's Landing Homeowner's Association on behalf of the residents of the Cabana's at Chandler's Landing, for an amendment to the density and development standards contained within Planned Development District 8 (PD-8) [specifically contained within *Ordinance No. 73-48 & 84-04*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall to allow for a lot layout similar to the lot layout depicted in *Exhibit 'B'* of this ordinance, which herein after shall be referred to as the *Zoning Exhibit* and incorporated by reference herein, for a 1.131-acre portion of a parcel of land identified as the Cabanas at Chandler's Landing, Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 8 [*Ordinance No. 73-48 & 84-04*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by Planned Development District 8 (PD-8) [*Ordinance No. 73-48 & 84-04*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 2. That the subdivision of the *Subject Property* shall generally be in accordance with the *Zoning Exhibit*, described in *Exhibit 'B'* of this ordinance, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 3. That the development or redevelopment of the *Subject Property* shall generally be in accordance with the *PD Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 4. The *Official Zoning Map* of the City of Rockwall, Texas shall be amended to reflect the change in zoning for the *Subject Property* as described in this ordinance;

Section 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF APRIL, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *March 17, 2014*

2nd Reading: *April 7, 2014*

Exhibit 'A':
Legal Description

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BEING a tract or parcel of land situated in the E. Teal Survey, Abstract No. 207, Rockwall County, Texas, and being a part of the Cabanas at Chandlers Landing, an addition to the city of Rockwall, recorded in Slide B, Page 3 & 4, Plat Records Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod at the North corner of said Cabanas at Chandlers Landing, said iron rod bears North 6° 20' 10" West, a distance of 950.39 feet from City of Dallas Take Line monument for Lake Ray Hubbard marked T-13-1 and T-11-6, said iron rod being on a circular curve to the left having a central angle of 24° 27' 31", a radius of 168.23 feet, and a chord that bears South 56° 35' 00" East, a distance of 71.27 feet;

THENCE: Along said curve and with the Northeast line of said Cabanas at Chandlers Landing an arc distance of 71.82 feet to an iron rod at the point of tangency of said curve;

THENCE: South 68° 48' 46" East a distance of 17.62 feet continuing along said Northeast line to an iron rod at the point of curvature of a circular curve to the right having a central angle of 15° 29' 42" and a radius of 114.09 feet;

THENCE: Along said curve and along said Northeast line an arc distance of 30.86 feet to an iron rod at the point of tangency of said curve;

THENCE: South 53° 19' 04" East, a distance of 103.07 feet continuing along said Northeast line to an iron rod at the point of curvature of a circular curve to the right having a central angle of 80° 42' 31" and a radius of 112.00 feet;

THENCE: Along said curve and continuing along said Northeast and then the East line an arc distance of 157.77 feet to an iron rod for a corner;

THENCE: Leaving said East line and traversing said Addition as follows: North 68° 48' 11" West, a distance of 33.74 feet to an iron rod for a corner, South 74° 46' 05" West a distance of 20.00 feet to an iron rod for a corner, North 15° 13' 55" West, a distance of 18.00 feet to an iron rod for a corner, South 74° 46' 05" West, a distance of 160.58 feet to an iron rod for a corner, on a Westerly line of said Addition;

THENCE: North 13° 40' 35" East, a distance of 114.76 feet with said Westerly line to an iron rod for a corner;

THENCE: Along the most Northerly South lines of said Addition as follows:
North 76° 19' 25" West, a distance of 36.34 feet to an iron rod for a corner, North 69° 07' 25" West, a distance of 28.00 feet to an iron rod for a corner, and North 61° 59' 55" west, a distance of 79.50 feet to an iron rod for a corner at the most Northerly West corner of said Addition;

THENCE: North 20° 52' 35" East, a distance of 79.84 feet along the most Northerly Northwest line of said Addition to an iron rod for a corner; said iron rod being on a circular curve to the left having a central angle of 18° 44' 09", a radius of 234.00 feet, and a chord that bears North 60° 29' 27" East, a distance of 76.18 feet;

THENCE: Along said curve an arc distance of 76.52 feet to an iron rod at the point of compound curvature of a circular curve to the left having a central angle of 0° 32' 08" and a radius of 300.00 feet;

THENCE: Along said curve an arc distance of 2.80 feet to the Point of Beginning and containing 49,268 square feet or 1.131 Acres of Land.

FILED: 5th DAY OF: Oct. 1982@ 9:20A M.
RECORDED 7th DAY OF Oct. 1982@ 3:00P M.
JUNE WIMPEE, COUNTY CLERK, ROCKWALL COUNTY, TEXAS
BY: Ina Davis DEPUTY

Exhibit 'B':
Zoning Exhibit

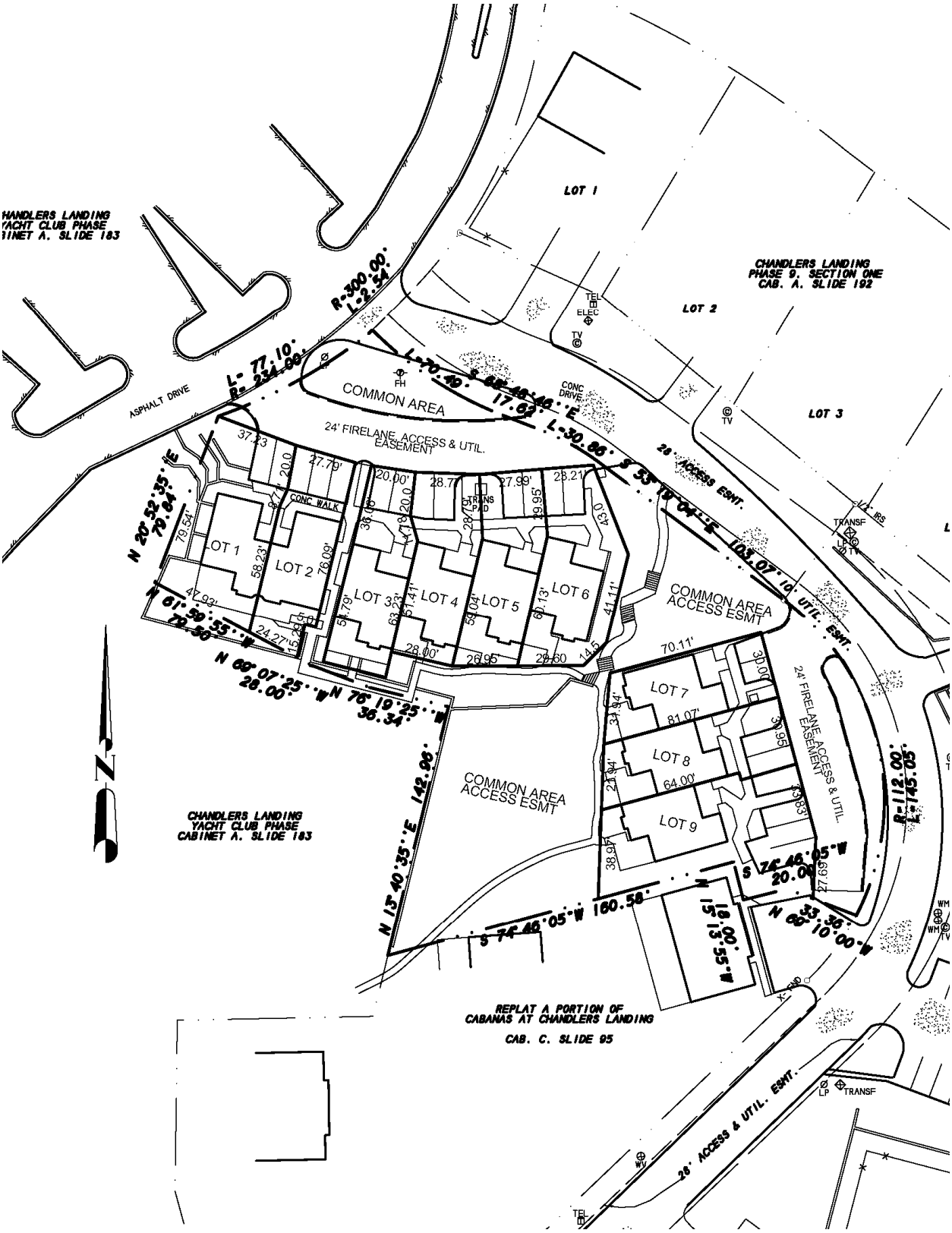

Exhibit 'C':
PD Development Standards

PD Development Standards.

1. *Purpose.* It is the intent of this zoning ordinance to maintain the current conditions of the subject property, while permitting property owners to physically subdivide their properties into lots to delineate the open space that will be dedicated to the *Chandler's Landing Homeowner's Association*.

2. *Allowed Uses*. The following are the only permitted land uses that shall be established on the *Subject Property*:

    a. *Permitted Uses.* Uses permitted *by right* or by *Specific Use Permit (SUP)* in Planned Development District 8 (PD-8) [*Ordinance No. 73-48 & 84-04*]. Uses subject to the approval of a *Specific Use Permit (SUP)* shall be required to follow the procedure for requesting an *SUP* as set forth in Article XI, *Zoning-Related Applications*, of the Unified Development Code.

    b. *Townhomes.* A single family dwelling unit constructed in a series, or group of units that share common walls, and are situated on an individual or separate lot.

    NOTE: All development of the Subject Property should conform to the Zoning Exhibit in Exhibit 'B'.

3. *Maximum Number of Units*. The *Subject Property* may contain no more than nine (9) townhomes that conform to the *Zoning Exhibit* in *Exhibit 'B'*.

4. *Area Requirements.*

    i. *Minimum Lot Area:* 2,200 Square Feet

    ii. *Minimum Lot Width:* 20 Feet

    iii. *Minimum Lot Depth:* 40 Feet

    iv. *Maximum Number of Dwelling Units per Lot:* One

    v. *Minimum Front Yard Building Setback:* 0 Feet

    vi. *Minimum Rear Yard Setback:* 0 Feet

    vii. *Minimum Side Yard Setback:*

        a. *Internal Side Yard Setback:* 0 Feet [*subject to all building code requirements*]

        b. *Side Yard Abutting a Structure:* 0 Feet [*required to be separated by a fire retardant wall*]

    viii. *Maximum Lot Coverage:* 100% [*as a percentage of lot area*]

    ix. *Maximum Height:* 30 Feet

    x. *Minimum Number of Paved Parking Spaces per Lot:* Two (2) Off-Street Spaces

5. *Additional Restrictions.* No fences or any other type of barricade shall be permitted on any property depicted in the *Zoning Exhibit* in *Exhibit 'B'*.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 3/17/2014

APPLICANT: Kevin Patel, Triangle Engineering, LLC

AGENDA ITEM: **SP2014-003**; Rockwall MOB

Discuss and consider a request by Kevin Patel of Triangle Engineering, LLC on behalf of Ketan Parekh of A. J. Squared, LLC for the approval of a variance in association with an approved site plan for a medical office building on a 1.463-acre parcel of land identified as Lot 2, Block A, Rockwall Assisted Living Facility Addition, zoned Planned Development District 18 (PD-18) for office and retail uses, situated within the Scenic Overlay (SOV) District, located on the west side of Ridge Road [FM-740] south of Cemetery Road, and take any action necessary.

BACKGROUND INFORMATION:

Kevin Patel of Triangle Engineering, LLC has submitted an application on behalf of Ketan Parekh of A.J. Squared, LLC for site plan approval of a 12,606 sq. ft. medical office. The proposed facility is to be located on a 1.463-acre lot that is north of the Rockwall Assisted Living Facility (located at the N.W. corner of Summer Lee and Ridge Road) and is situated on the west side of Ridge Road, south of Cemetery Road and is zoned Planned Development No. 18 (PD-18). The property is identified to be within the Scenic Overlay (SOV) district and is subject to the standards established within this district.

VARIANCE REQUEST:

The applicant will be seeking a variance to the SOV districts' requirements that will allow for ten (10) parking spaces to be located within the 20-ft. landscape buffer. This would allow the development to line up with the adjacent properties, to the north and south, that currently have a 10-ft buffer strip and parking spaces facing Ridge Road. It should be noted that the applicant is providing the appropriate number of canopy and accent trees within this buffer area as well as shrubbery for head light screening purposes.

Under Sec. 6.8, Scenic Overlay (SOV) District, the UDC provides as follows:

> ***J. Variance.***
>
> *The City Council may, upon request from the applicant, grant a variance to any provision of this section where unique or extraordinary conditions exist or where strict adherence to the provisions of this section would create a hardship. Approval of any variance to any provision of this section shall require city council approval by a three-quarter majority vote of those city council members present with a minimum of four affirmative votes.*

Also, the applicant is requesting a materials variance to the screening fence standards established in PD-18 which requires a minimum six (6) foot solid masonry fence. The purpose

of the fence is to provide screening of the commercial activity from the single family residential homes along the westernmost property line. The applicant is proposing an 8-ft high SimTek EcoStone fence system that is composed of a Low Density Polyethylene (LLDPE) blend and is reinforced with galvanized steel.

RECOMMENDATIONS:

Architectural Review Board Recommendation:

On February 25, 2014, after a general discussion, the Architectural Review Board expressed concern about the symmetry of the building and the lack of detail around the attic windows. To address this concern the ARB made the following recommendations:

1. The profile of the wall planes on the front façade under the gable roof should be more symmetrical (i.e. the window treatments, wall surface area, etc.).

   ALTERNATE: If the wall planes are not able to be changed to create symmetry due to interior layout then the wall plane on the right side of the elevation sheet should include a minimum of a two (2) foot offset to help better articulate the wall surface and,

2. The attic windows/vents should include a brick solider course (similar to other windows on the front façade) over the header and under the sill.

Should the request be approved, staff would offer the following conditions:

1. Adherence to Engineering and Fire Department standards.

2. Submittal and approval of a replat prior to issuance of a building permit.

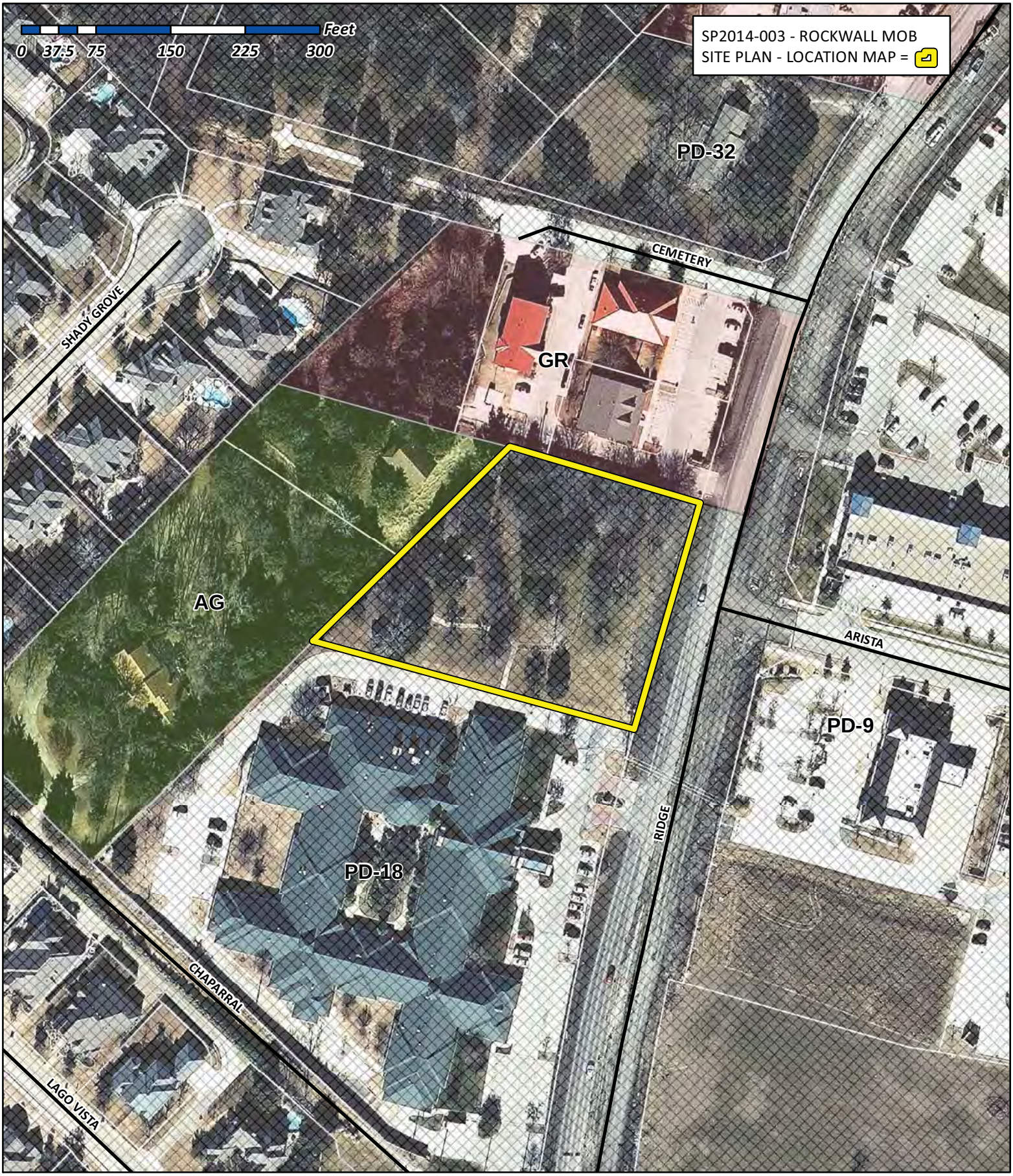
3. Consideration of the recommendations forwarded to the Planning and Zoning Commission by the Architectural Review Board.

4. The applicant is required to obtain a permit through TXDOT prior to installation of the drive at its proposed location. As this lot was in existence during the previously adopted Engineering Standards of Design Manual, and due to the circumstances associated with the lot's ability to provide access, the previously adopted code allows the City's Engineer to approve a reduction in the spacing requirements between driveways. The City's Engineer has approved this location for the drive with the stipulation that TXDOT permits the drive.

5. A facilities agreement must be executed by the property owner outlining the method, timing, and delivery of trees for the balance due from mitigation.

Planning and Zoning Commission Recommendation:

On March 11, 2014, the Planning and Zoning Commission approved the Site Plan request with staff conditions and to include a recommendation of approval for the variance requests to allow for ten (10) parking spaces to be located within the 20-ft landscape buffer along Ridge Road, and to allow for the SimTek EcoStone fence system as a screening fence on the western boarder of the property line by a vote of 4 to 0 (Neilsen, Conley, and Lyons - absent).



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

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TRIANGLE ENGINEERING LLC.
Kartavya Patel, P.E., CFM
1503 Astoria Drive
Allen, Texas 75013
Phone: (214) 609-9271
E-mail: kpatel@triangle-engr.com

Date: 03/03/2014

ATTN: Robert LaCroix/David Gonzales
City of Rockwall
385 South Goliad
Rockwall, Texas

RE: Landscape Setback & Tree Mitigation variance request letter for the proposed Medical Office Development at 3018 Ridge Road, Rockwall, Texas

Dear David,

The purpose of this letter is to request variance for the require 20' Landscape Setback along Ridge Road. Per Scenic Overlay District Zoning Ordinance, 20' landscape setback/buffer require along Ridge Road. The proposed provided clear landscape setback for parking spaces along the Ridge Road is 7.81 ' and rest of the landscape area along Ridge Road exceed minimum 20' landscape setback requirement. The proposed landscape plans meets minimum landscape requirement along the Ridge Road. The purpose of this reduction in landscape setback area is to line up propose parking spaces with the parking spaces of the existing properties located north and south. Due to the additional ROW taking to widen Ridge Road, the properties north and south of the referenced property is no longer in compliance with 20 ' Landscape setback. By aligning the proposed parking spaces for the referenced property with properties north and south will depict the purpose of uniformity within the Scenic overlay district.

Therefore you are kindly requested to consider above mentioned facts and approve variance for 20' Landscape setback along Ridge Road.

Should you have any questions, please do not hesitate to contact me.

Thanks

Sincerely
(Kartavya (Kevin) Patel, P.E.)

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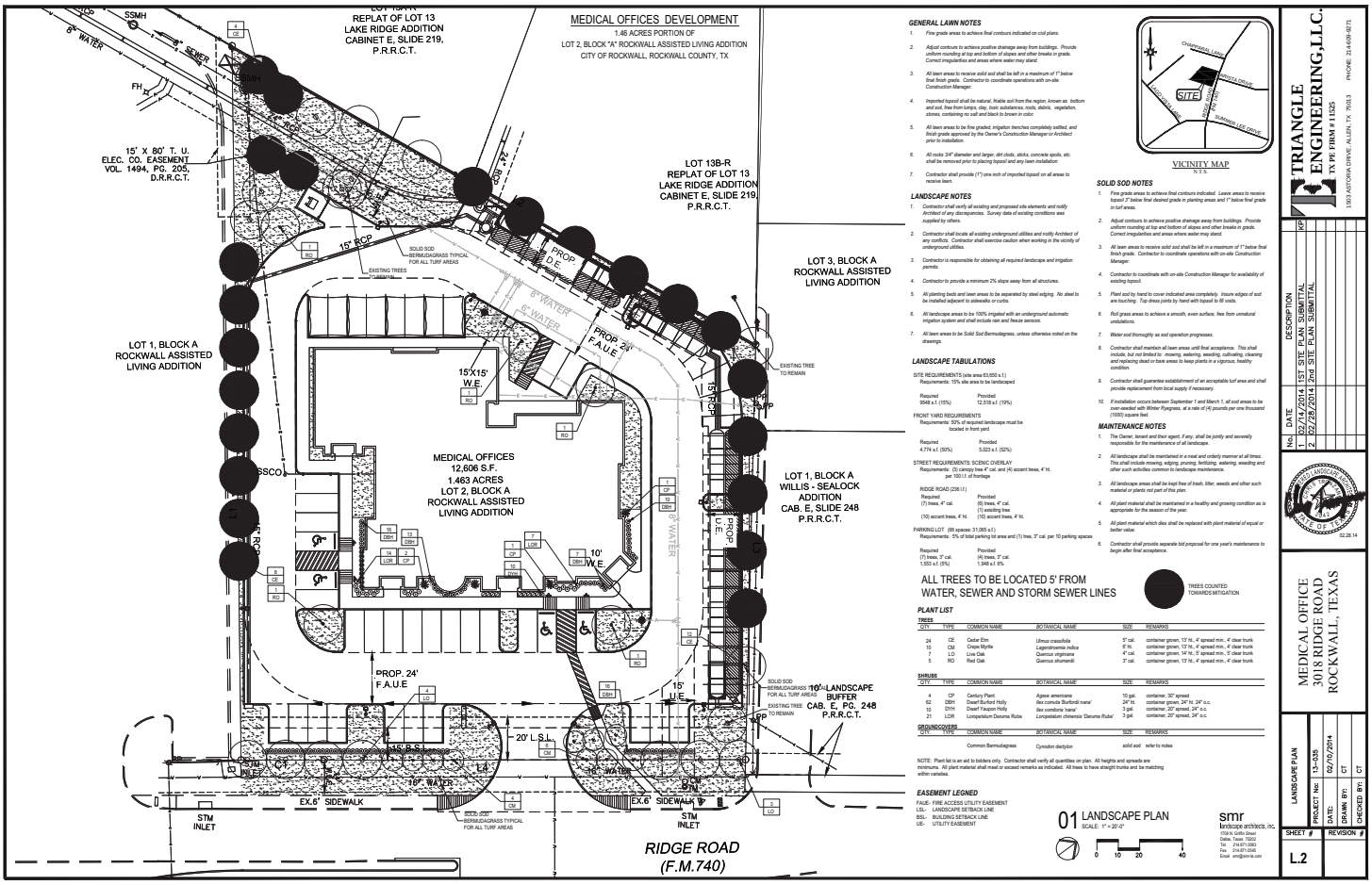


GENERAL LAWN NOTES

1. Fine grade areas to achieve final contours indicated on civil plans.
2. Adjust contours to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
3. All lawn areas to receive solid sod and shall be left in a maximum of 1" below final finish grade. Contractor to coordinate operations with on-site Construction Manager.
4. Imported topsoil shall be natural, friable soil from the region, known as bottom and soil, free from lumps, clay, toxic substances, roots, debris, vegetation, stones, containing no salt and black to brown in color.
5. All lawn areas to be fine graded, irrigation trenches completely settled, and finish grade approved by the Owner's Construction Manager or Architect prior to installation.
6. All rocks 3/4" diameter and larger, dirt clods, sticks, concrete spoils, etc. shall be removed prior to placing topsoil and any lawn installation
7. Contractor shall provide (1") one inch of imported topsoil on all areas to receive lawn.

LANDSCAPE NOTES

1. Contractor shall verify all existing and proposed site elements and notify Architect of any discrepancies. Survey data of existing conditions was supplied by others.
2. Contractor shall locate all existing underground utilities and notify Architect of any conflicts. Contractor shall exercise caution when working in the vicinity of underground utilities.
3. Contractor is responsible for obtaining all required landscape and irrigation permits.
4. Contractor to provide a minimum 2% slope away from all structures.
5. All planting beds and lawn areas to be separated by steel edging. No steel to be installed adjacent to sidewalks or curbs.
6. All landscape areas to be 100% irrigated with an underground automatic irrigation system and shall include rain and freeze sensors.
7. All lawn areas to be Solid Sod Bermudagrass, unless otherwise noted on the drawings.

LANDSCAPE TABULATIONS

SITE REQUIREMENTS (site area 63,650 s.f.)
Requirements: 15% site area to be landscaped

Required	Provided
9548 s.f. (15%)	12,318 s.f. (19%)

FRONT YARD REQUIREMENTS
Requirements: 50% of required landscape must be located in front yard

Required	Provided
4,774 s.f. (50%)	5,023 s.f. (52%)

STREET REQUIREMENTS: SCENIC OVERLAY
Requirements: (5) canopy tree 4" cal. and (4) accent trees, 4' ht. per 100 l.f. of frontage

RIDGE ROAD (238 l.f.)

Required	Provided
(7) trees, 4" cal.	(6) trees, 4" cal.
	(1) existing tree
(10) accent trees, 4' ht.	(10) accent trees, 4' ht.

PARKING LOT (66 spaces: 31,065 s.f.)
Requirements: 5% of total parking lot area and (1) tree, 3" cal. per 10 parking spaces

Required	Provided
(7) trees, 3" cal.	(4) trees, 3" cal.
1,553 s.f. (5%)	1,948 s.f. 6%

SOLID SOD NOTES

1. Fine grade areas to achieve final contours indicated. Leave areas to receive topsoil 3" below final desired grade in planting areas and 1" below final grade in turf areas.
2. Adjust contours to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
3. All lawn areas to receive solid sod shall be left in a maximum of 1" below final finish grade. Contractor to coordinate operations with on-site Construction Manager.
4. Contractor to coordinate with on-site Construction Manager for availability of existing topsoil.
5. Plant sod by hand to cover indicated area completely. Insure edges of sod are touching. Top dress joints by hand with topsoil to fill voids.
6. Roll grass areas to achieve a smooth, even surface, free from unnatural undulations.
7. Water sod thoroughly as sod operation progresses.
8. Contractor shall maintain all lawn areas until final acceptance. This shall include, but not limited to: mowing, watering, weeding, cultivating, cleaning and replacing dead or bare areas to keep plants in a vigorous, healthy condition.
9. Contractor shall guarantee establishment of an acceptable turf area and shall provide replacement from local supply if necessary.
10. If installation occurs between September 1 and March 1, all sod areas to be over-seeded with Winter Ryegrass, at a rate of (4) pounds per one thousand (1000) square feet.

MAINTENANCE NOTES

1. The Owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscape.
2. All landscape shall be maintained in a neat and orderly manner at all times. This shall include mowing, edging, pruning, fertilizing, watering, weeding and other such activities common to landscape maintenance.
3. All landscape areas shall be kept free of trash, litter, weeds and other such material or plants not part of this plan.
4. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year.
5. All plant material which dies shall be replaced with plant material of equal or better value.
6. Contractor shall provide separate bid proposal for one year's maintenance to begin after final acceptance.

VICINITY MAP
N.T.S.

ALL TREES TO BE LOCATED 5' FROM WATER, SEWER AND STORM SEWER LINES

TREES COUNTED TOWARDS MITIGATION

PLANT LIST

TREES

QTY.	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
24	CE	Cedar Elm	*Ulmus crassifolia*	5" cal.	container grown, 13' ht., 4' spread min., 4' clear trunk
10	CM	Crape Myrtle	*Lagerstroemia indica*	6' ht.	container grown, 13' ht., 4' spread min., 4' clear trunk
7	LO	Live Oak	*Quercus virginiana*	4" cal.	container grown, 14' ht., 5' spread min., 5' clear trunk
5	RO	Red Oak	*Quercus shumardii*	3" cal.	container grown, 13' ht., 4' spread min., 4' clear trunk

SHRUBS

QTY.	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
4	CP	Century Plant	*Agave americana*	10 gal.	container, 30" spread
62	DBH	Dwarf Burford Holly	*Ilex cornuta 'Burfordii nana'*	24" ht.	container grown, 24" ht. 24" o.c.
10	DYH	Dwarf Yaupon Holly	*Ilex cornuta 'nana'*	3 gal.	container, 20" spread, 24" o.c.
21	LOR	Loropetalum Daruma Ruba	*Loropetalum chinensis 'Daruma Ruba'*	3 gal.	container, 20" spread, 24" o.c.

GROUNDCOVERS

QTY.	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
		Common Bermudagrass	*Cynodon dactylon*	solid sod	refer to notes

NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.

EASEMENT LEGNED

FAUE- FIRE ACCESS UTILITY EASEMENT
LSL- LANDSCAPE SETBACK LINE
BSL- BUILDING SETBACK LINE
UE- UTILITY EASEMENT

01 LANDSCAPE PLAN
SCALE: 1" = 20'-0"
0 10 20 40

smr
landscape architects, inc.
1709 N. Griffin Street
Dallas, Texas 75202
Tel 214.871.0383
Fax 214.871.0545
Email smr@smr-la.com

TRIANGLE ENGINEERING,LLC.
TX PE FIRM # 11525
1303 ASTORIA DRIVE, ALLEN, TX 75013
PHONE: 214-509-9271

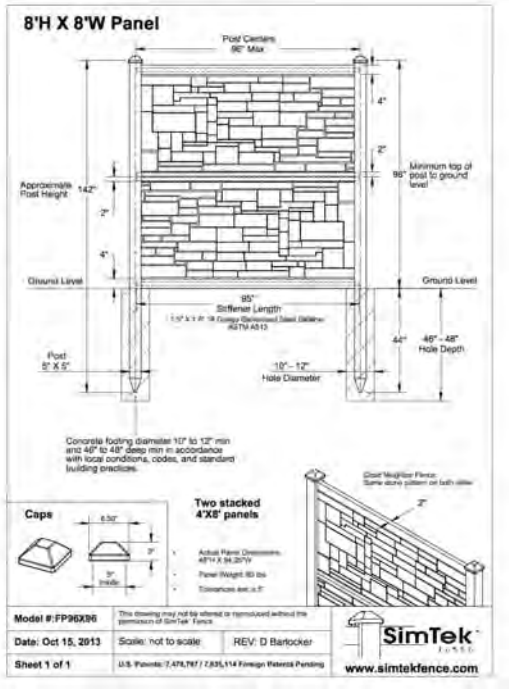
No.	DATE	DESCRIPTION	BY
1	01/27/2014	1ST SITE PLAN SUBMITTAL	KP
2	02/28/2014	2nd SITE PLAN SUBMITTAL	

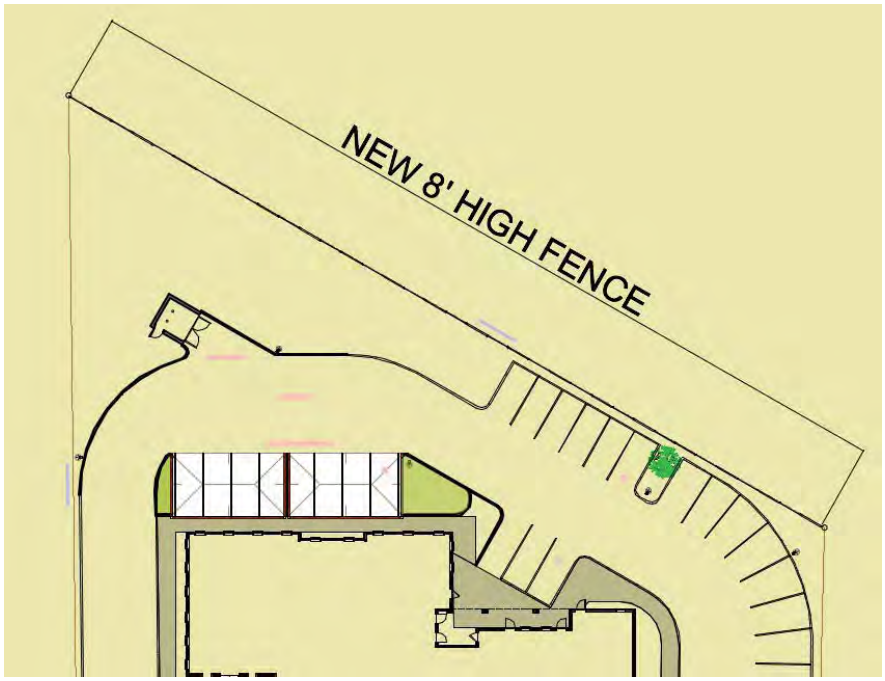
02.28.14

MEDICAL OFFICE
3018 RIDGE ROAD
ROCKWALL, TEXAS

LANDSCAPE PLAN
PROJECT No: 13-435
DATE: 02/10/2014
DRAWN BY: CT
CHECKED BY: CT
SHEET # L.2
REVISION #

105





- Patented Construction
- Superior Wind Rating
- Excellent Sound Barrier
- Durable in Any Temperature
- Fade Resistant
- Graffiti Resistant
- Easy Installation
- Solid Privacy and Security
- Eco-Friendly
- Maintenance Free
- Superior Warranty*
- Made in the USA



COLOR: BROWN GRANITE

Triangle Engineering LLC - Kevin Patel, P.E., CFM Principal
TBPE Firm No. 11525
1503 Astoria Drive, Allen TX. 75013 Ph. 214 609-9271
E-mail: kpatel@triangle-engr.com
AJ Squared L.L.C. Dr. Ketan Parekh - Owner
Ph. 469-338-6894
271 Rabbit Ridge Heath, TX. 75032
Project: Rockwall Medical / Office Building
Project Location: 1.46 Acres Portion of
Lot 2, Block "A" Rockwall Assisted Living Addition
City of Rockwall, Rockwall County Texas
Project Case Number # SP2014-003

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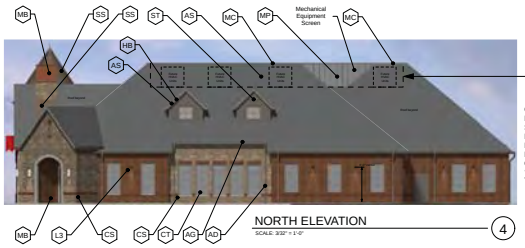


CS - Chopped Stone ----- 385 S.F.*
MB - Modular Brick ------- 653 S.F.*
ST - Stucco ---------- 64 S.F.*
PS - Painted Steel ---------- 0 S.F.
MP - Metal Panel Painted - 52 S.F.
MV - Metal Vents ---------- 2 S.F.
CC - Chimney Cap -------- 1 S.F.
* Denotes Masonry
TOTAL AREA ----------1,157 S.F.

% MASONRY 95%

NORTH ELEVATION
SCALE: 3/32" = 1'-0"
4



CS - Chopped Stone ----- 264 S.F.*
MB - Modular Brick ------- 702 S.F.*
ST - Stucco ---------- 64 S.F.*
* Denotes Masonry
TOTAL AREA ----------1,030 S.F.

% MASONRY 99%

SOUTH ELEVATION
SCALE: 3/32" = 1'-0"
3

20% Stone of 90% Masonry Requirement

CS - Chopped Stone ------ 2,876 S.F.

Total Area of Masonry --------- 5,935S.F.

2,856 / 5,935 = 48 % Stone
Exceeds 20% Requirement

Exterior Material Legend

Masonry

CS	Chop Stone - Custom blend Golden Lueders - 6" 8" & 10" Mix
MB	Modular Brick General Shale - Old Chicago
CT	Caststone 75 White / 25 Brown
SL	Slate Tile Natural Selections - Dark Sage Blend
ST	Stucco Finish Color to Match P-2 SW-7024 Functional Gray

Exposed Steel

PS	Painted Steel Beam Or Column Paint P-2

Roofing

AS	Asphalt Shingles Elk - Camelot Antique
SS	Standing Seam Metal Roof Berridge - Champagne
MC	Metal Cap - Pre-finished Aluminum Dark Gray
MP	Metal Panel - Mechanical Equipment Screen Painted P-1
AG	Aluminum Gutters - Pre-finished Dark Gray
AD	Aluminum Downspouts - Pre-finished Dark Gray
HB	Hardie Board Painted Trim Paint P-1
MV	Decorative Metal Vent Paint P-2
CC	Metal Cap - Pre-finished Aluminum (Fake Chimney) Dark Gray

Doors and Windows

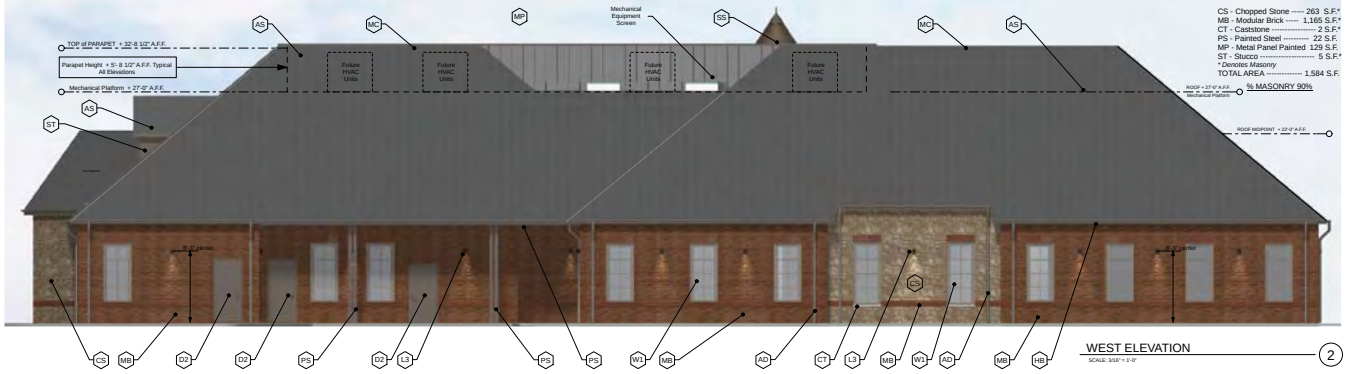
D1	Decorative Iron Door - Painted P-1 w/ Divided Lite Glass Insert
D2	Hollow Metal Door Painted Finish P-2
W1	Vinyl Clad Aluminum Windows - Tinted Solar Gray Glass -Low e

Lighting

L1	Decorative Wall Sconce Refer Cut Sheets
L2	Decorative Wall Sconce Refer Cut Sheets
L3	Wall Sconce - Down Light Refer Cut Sheets

Decorative Elements

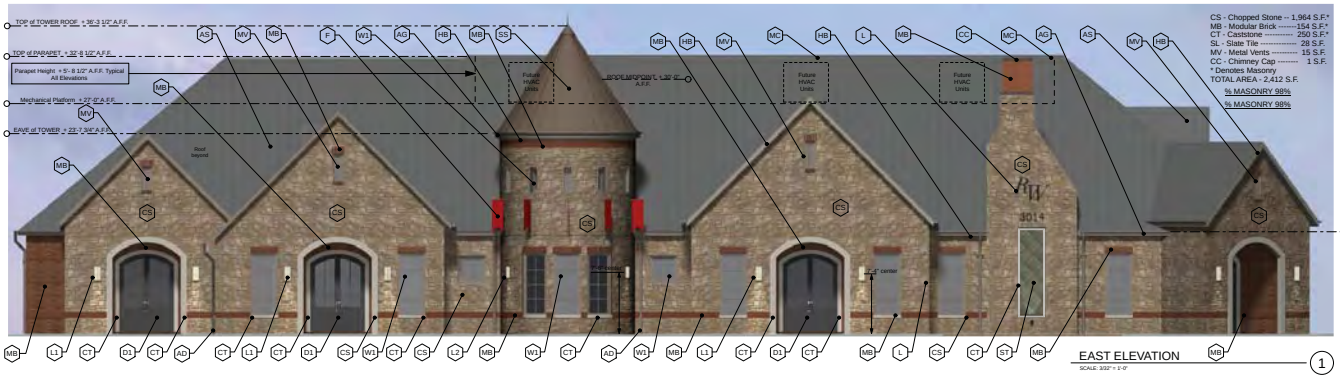
F	Flags Painted Metal to Resemble Flags
L	Building Logo / Street Address Painted Metal or Anodized Letters Color: Black or Dark Bronze



CS - Chopped Stone ----- 263 S.F.*
MB - Modular Brick ----- 1,165 S.F.*
CT - Caststone ---------- 2 S.F.*
PS - Painted Steel ---------- 22 S.F.
MP - Metal Panel Painted 129 S.F.
ST - Stucco ---------- 5 S.F.*
* Denotes Masonry
TOTAL AREA ---------- 1,584 S.F.

% MASONRY 90%

WEST ELEVATION
SCALE: 3/16" = 1'-0"
2



CS - Chopped Stone -- 1,964 S.F.*
MB - Modular Brick ------- 154 S.F.*
CT - Caststone ---------- 250 S.F.*
SL - Slate Tile ---------- 28 S.F.
MV - Metal Vents ---------- 15 S.F.
CC - Chimney Cap -------- 1 S.F.
* Denotes Masonry
TOTAL AREA - 2,412 S.F.

% MASONRY 98%

% MASONRY 98%

ROOF EAVE, + 13' - 2 1/4" A.F.F.

EAST ELEVATION
SCALE: 3/32" = 1'-0"
1

Triangle Engineering LLC - Kevin Patel, P.E., CFM Principal
TBPE Firm No. 11525
1503 Astoria Drive, Allen TX 75013 Ph. 214 609-9271
E-mail: kpatel@triangle-engr.com
AJ Squared L.L.C. Dr. Ketan Parikh - Owner
Ph. 469-338-6894
271 Rabbit Ridge Heath, TX. 75032
Project: Rockwall Medical / Office Building
Project Location: 1.46 Acres Portion of
Lot 2, Block "A" Rockwall Assisted Living Addition
City of Rockwall, Rockwall County Texas
Project Case Number _____

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 3/17/2014

APPLICANT: Engineering Concepts & Designs

AGENDA ITEM: **SP2014-004;** Rayburn Electric Site Plan

SUMMARY:

Discuss and consider a request by Bill Thomas of Engineering Concepts and Designs on behalf of Tommy Pulliam of the Rayburn Electric Cooperation, Inc. for the approval of a variance in association with an approved site plan for an office building on a 6.057-acre tract of land identified as a portion of Tract 3-06 of the W. H. Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, located on the south side of Sids Road west of S. Goliad Street [SH-205], and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Bill Thomas of Engineering Concepts and Designs on behalf of Rayburn Electric Cooperation, is requesting approval of a site plan to allow for the construction of a new office building located at 980 Sids Road. The subject property is identified as a portion of Tract 3-06 of the W.H. Barnes Survey, Abstract No. 26, Rockwall, Texas, which is zoned Agricultural (AG) District; however, a zoning application was submitted in January to change the zoning for the property to Heavy Commercial (HC) District. That case is awaiting 2nd reading at City Council on March 17th, 2014. The property is located on the south side of Sids Road just west of State Highway 205.

VARIANCE REQUEST:

According to Section 4.1, General Commercial District Standards, of Article V, District Development Standards, of the UDC:

"Each exterior wall shall consist of 90 percent masonry materials … excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20% stone. All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metals, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the buildings exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first eight [8] feet above grade on a façade visible from a street or public area."

The applicant is requesting variances to the material requirements stipulated for properties located within a Heavy Commercial (HC) District. Specifically, the applicant is requesting to utilize less than the required 90% masonry as required by the code. The elevations currently show a total stone veneer percentage of approximately 82% on the west side and 73% on the north side of the building with western red cedar accents.

RECOMMENDATION:

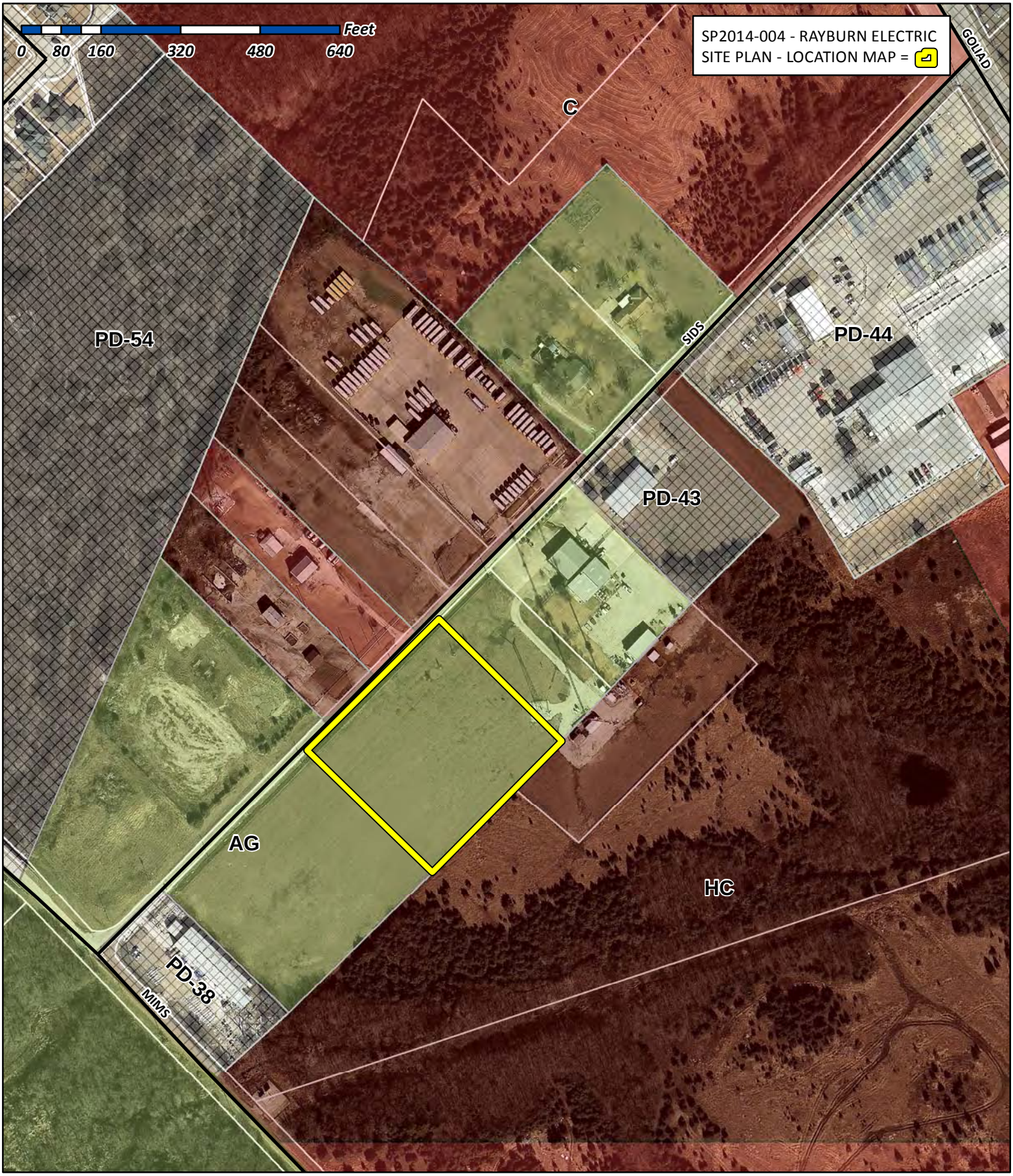
Should the request be approved, staff offers the following conditions:

1) Adherence to all Planning, Engineering and Fire Department standards;

2) Any construction or building necessary to complete this Site Plan request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On March 11, 2014, the Planning and Zoning Commission approved the Site Plan request with staff conditions and recommended of approval for the variance request to allow for less than the 90% masonry requirement on the north and west elevations by a vote of 4 to 0 (Nielsen, Conley, and Lyons - absent).



City of Rockwall

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

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ENGINEERING CONCEPTS & DESIGN, L.P.

201 Windco Cr. Suite 200
Wylie, Texas 75098
Tel: 972-941-8400
Fax: 972-941-8401

March 4, 2014

Mrs. JoDee Sanford
Planning Technician
City of Rockwall, TX

Re: Variance Request Site Plan SP2014-004.
Rayburn Country Electric, Rockwall, TX

Dear Mrs. Sanford

We are requesting a variance to the exterior material requirement of the Development Code for the North and South Elevations of the Rayburn Country Electric Office Building as outlined in the comment letter from staff dated 2/24/2014. The elevations as submitted, do not meet the Masonry minimum percentage requirement as set forth in the Code of Ordinances.

As shown on the submitted elevations, cedar material is proposed to be used on a portion of the non-conforming elevations, strictly for aesthetic purposes. We feel the use of wood frame members and the cedar is integral to the overall appearance of the building and that both a visually pleasing and a durable, high-quality finish standard can be achieved from the requested change.

Thank you for your consideration of this matter.

Sincerely,

Bill Thomas
Vice President,
Director of Commercial Services

EXTERIOR FINISH LEGEND:

ROOF
STANDING SEAM METAL
BERRIDGE: AZ-55 GALVALUME

WOOD SIDING / TRIM
WESTERN RED CEDAR
CLEAR MATTE FINISH

STONE VENEER
LEUDERS LIMESTONE
(CHOPPED BUFF)

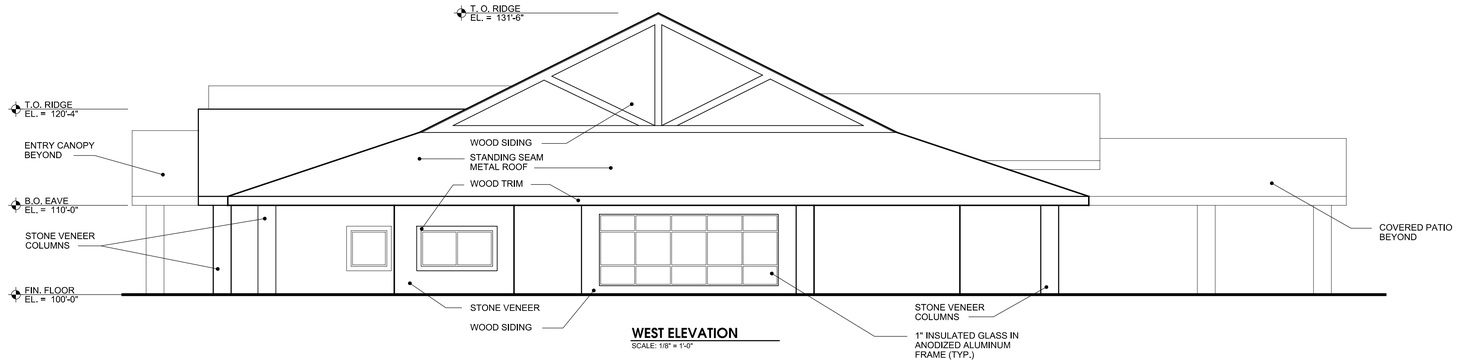
ALUMINUM FRAMING SYSTEM
KAWNEER 451: DARK BRONZE
ANODIZED FINISH

GLAZING
VIRACON: 1" INSULATED
LOW-E GLASS - (VE 1-55)

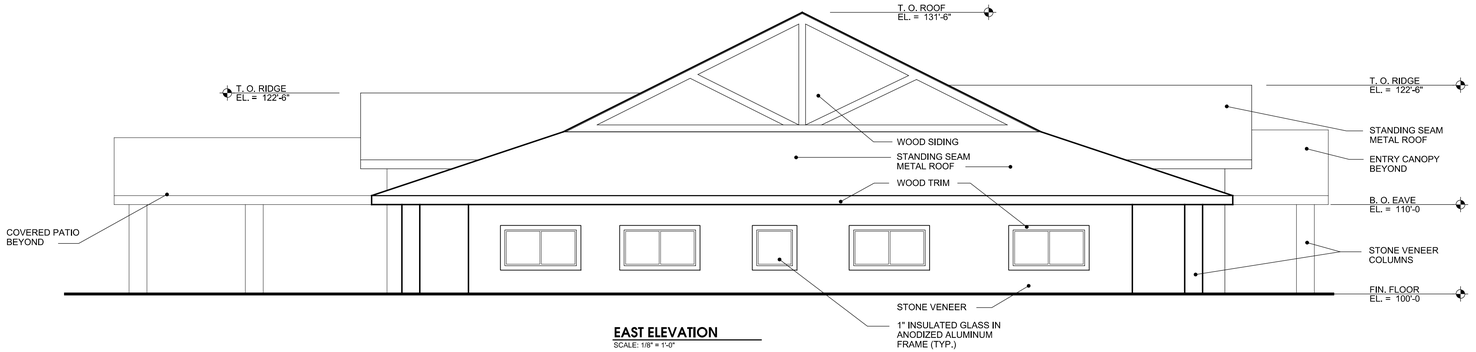
METAL DOORS AND FRAMES
SHERWIN WILLIAMS
SW 6149 - RELAXED KHAKI

MATERIAL CALCULATIONS:

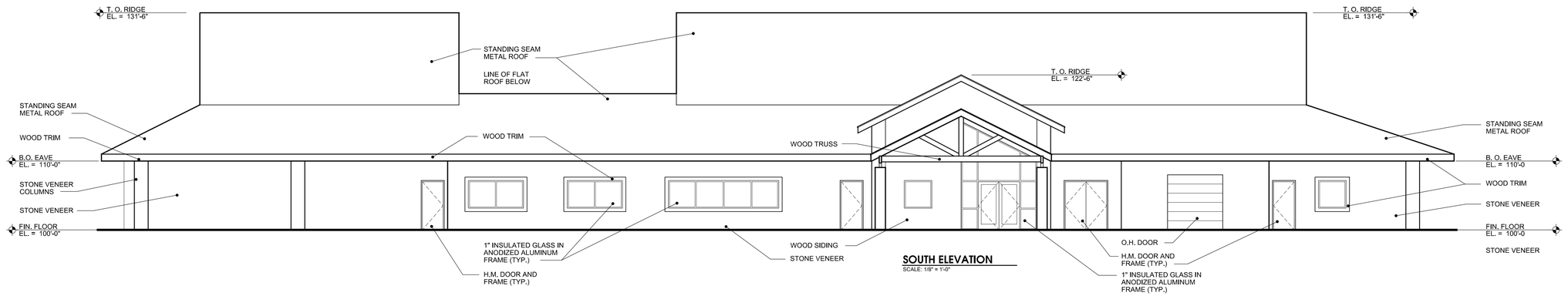
	EAST	WEST	SOUTH	NORTH
WESTERN RED CEDAR		80 SF (11.7%)	248 SF (16.2%)	416 SF (27.0%)
STONE VENEER	690 SF (100%)	563 SF (82.3%)	1,283 SF (83.8%)	1,127 SF (73.0%)
TOTAL NON-GLASS SURFACE AREA:	690 SF	683 SF	1,531 SF	1,543 SF
TOTAL SURFACE AREA:	895 SF	913 SF	2,079 SF	2,292 SF



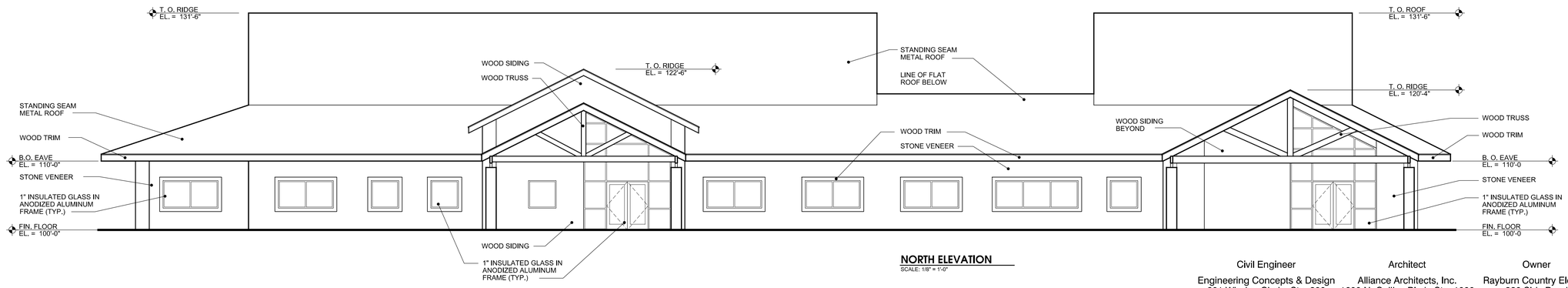
WEST ELEVATION
SCALE: 1/8" = 1'-0"



EAST ELEVATION
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



NORTH ELEVATION
SCALE: 1/8" = 1'-0"



Vicinity Map

RCEC Office Building

Lots 2, Block 1
Rayburn Country Addition

February 14, 2014

Case No. SP13-00XX

Civil Engineer
Engineering Concepts & Design
201 Windco Circle, Ste. 200
Wylie, TX 75098
Telephone: 972.941.8400

Architect
Alliance Architects, Inc.
1600 N. Collins Blvd., Ste. 1000
Richardson, TX 75080
Telephone: 972.233.0400

Owner
Rayburn Country Electric
980 Sids Road
Rockwall, TX 75087
Telephone: 469.402.2100

EXTERIOR FINISH LEGEND:

ROOF
STANDING SEAM METAL
BERRIDGE: AZ-55 GALVALUME

WOOD SIDING / TRIM
WESTERN RED CEDAR
CLEAR MATTE FINISH

STONE VENEER
LEUDERS LIMESTONE
(CHOPPED BUFF)

ALUMINUM FRAMING SYSTEM
KAWNEER 451; DARK BRONZE
ANODIZED FINISH

GLAZING
VIRACON; 1" INSULATED
LOW-E GLASS - (VE 1-55)

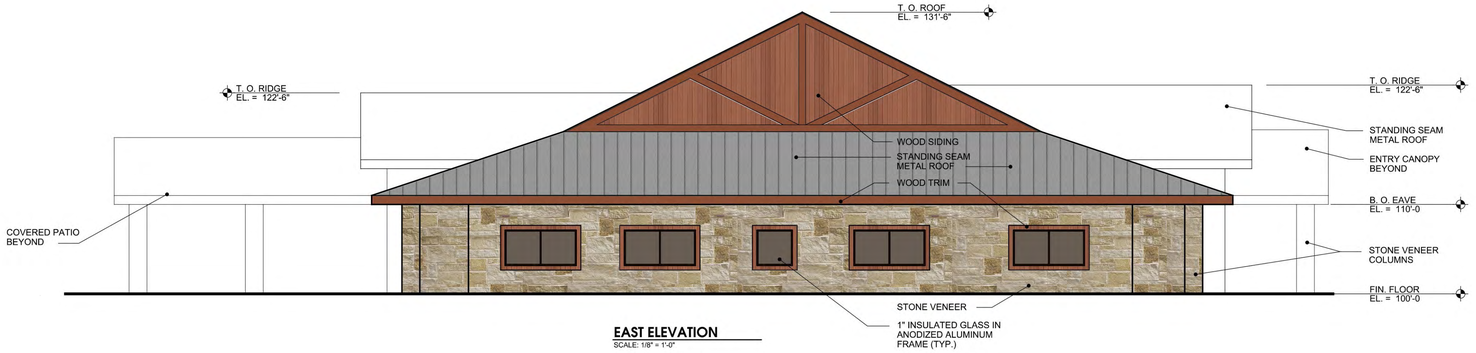
METAL DOORS AND FRAMES
SHERWIN WILLIAMS
SW 6149 - RELAXED KHAKI



WEST ELEVATION
SCALE: 1/8" = 1'-0"



Vicinity Map



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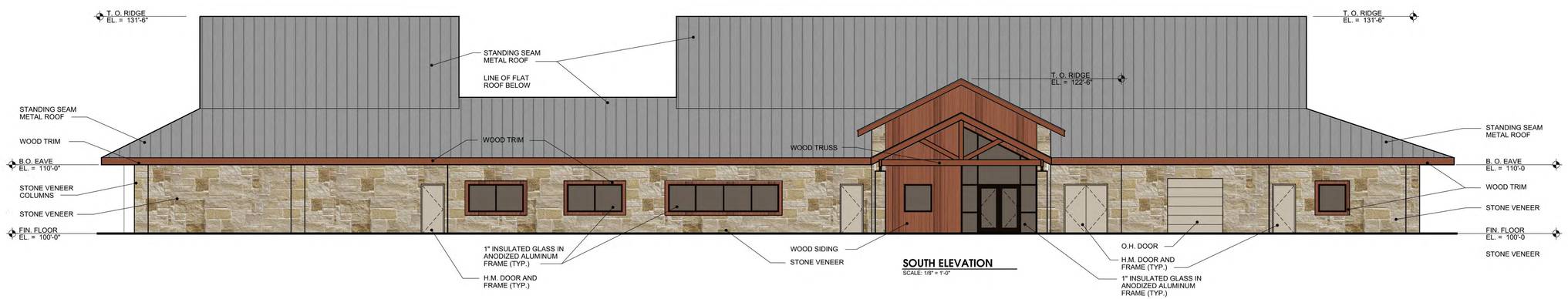

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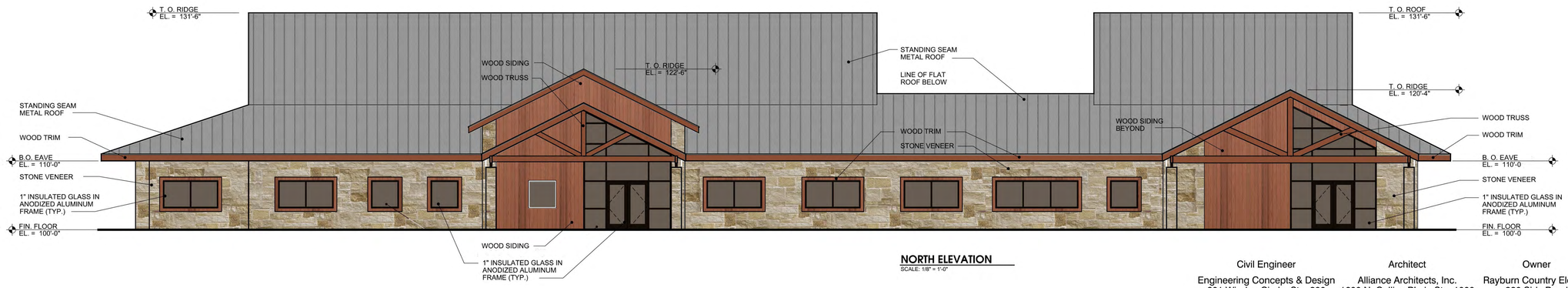

NORTH ELEVATION
SCALE: 1/8" = 1'-0"

RCEC Office Building

Lots 2, Block 1
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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 3/17/2014

APPLICANT: Kelcey Barnes

AGENDA ITEM: **P2014-005;** ETJ Plat

SUMMARY:

Discuss and consider a request by Kelcey Barnes for the approval of a final plat for a six (6) acre portion of a larger 36.61-acre tract of land identified as Tract 13-03 of the W. W. Ford Survey, Abstract No. 80, Rockwall County, Texas, being situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally being a portion of a 20-acre tract of land identified as 636 Hanby Lane, and take any action necessary.

COMMENTS:

- The purpose of this plat is to subdivide a portion of a tract of land within the extraterritorial jurisdiction (ETJ) in order to consvey property.

- The Engineer has completed the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

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

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

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the final plat for Lot 1, Block A, Barnes Estate, the following conditions of approval are offered:

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

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

PLANNING & ZONING COMMISSION:

On March 11, 2014, the Planning & Zoning Commission approved the final plat per staff's recommendations by a vote of 4 to 0, with Commissioners Conley, Lyons, and Nielsen absent.



City of Rockwall

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

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

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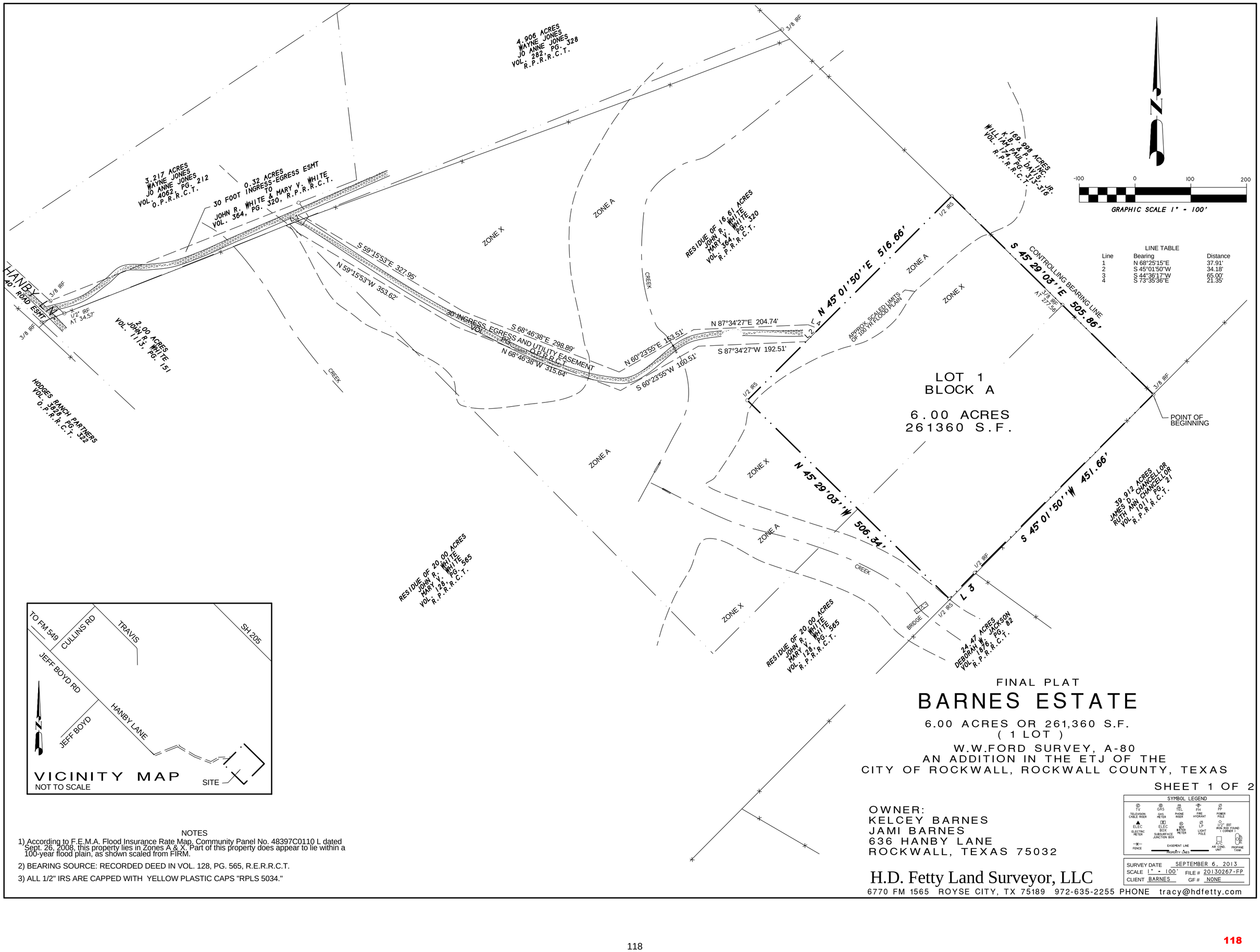
1:10,000



NOTES

1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0110 L dated Sept. 26, 2008, this property lies in Zones A & X. Part of this property does appear to lie within a 100-year flood plain, as shown scaled from FIRM.

2) BEARING SOURCE: RECORDED DEED IN VOL. 128, PG. 565, R.E.R.R.C.T.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

FINAL PLAT

BARNES ESTATE

6.00 ACRES OR 261,360 S.F.
(1 LOT)
W.W.FORD SURVEY, A-80
AN ADDITION IN THE ETJ OF THE
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
KELCEY BARNES
JAMI BARNES
636 HANBY LANE
ROCKWALL, TEXAS 75032

SYMBOL LEGEND
TV TELEVISION CABLE RISER | GAS GAS METER | TEL PHONE RISER | FH FIRE HYDRANT | PP POWER POLE
ELEC ELECTRIC METER | ELEC BOX SUBSURFACE JUNCTION BOX | WV WATER METER | LP LIGHT POLE | 1/2" IRF IRON ROD FOUND (CORNER)
FENCE | EASEMENT LINE | A/C AIR COND. UNIT | PROPANE TANK
Property Lines

SURVEY DATE SEPTEMBER 6, 2013
SCALE 1" = 100' FILE # 20130267-FP
CLIENT BARNES GF # NONE

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE
(Public Dedication)

WHEREAS, KELCEY BARNES and JAMI BARNES, BEING the Owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the W.W. FORD SURVEY, ABSTRACT NO. 80, Rockwall County, Texas, and being a part of a 20.00 acres tract of land as described in a Warranty deed from John W. Cullins and Edna Cullins to John R. White and Mary V. White, dated July 18, 1977 and being recorded in Volume 128, Page 565 of the Real Property Records of Rockwall County, Texas, and also being a part of a 16.61 acres tract of land as described in a Warranty deed from William A. White and Frankie White to John R. White and Mary V. White, dated November 5, 1987 and being recorded in Volume 364, Page 320 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod found for corner at fence post at the east most corner of said 20.00 acres tract of land and being the west most south corner of a 169.998 acres tract as described in a Deed to K. B. & P., Inc., as recorded in Volume 174, Page 313 of the Real Property Records of Rockwall County, Texas;

THENCE S. 45 deg. 01 min. 50 sec. W. along the southeast line of said 20.00 acres tract, a distance of 451.66 feet to a 1/2" iron rod found for corner at the north corner of a 24.47 acres tract of land as described in a Deed to Deborah Jackson, as recorded in Volume 1876, Page 82 of the Real Property Records of Rockwall County, Texas;

THENCE S. 44 deg. 36 min. 17 sec. W. along the northwest line of said Jackson tract, a distance of 65.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE N. 45 deg. 29 min. 03 sec. W. a distance of 506.34 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE N. 45 deg. 01 min. 50 sec. E. a distance of 516.66 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the northeast boundary line of said 16.61 acres tract;

THENCE S. 45 deg. 29 min. 03 sec. E. along the northeast line of said 16.61 acres tract, pass a 3/8" iron rod found at the east corner of same at 277.56 feet and continuing along the northeast line of said 20.00 acres tract for a total distance of 505.86 feet to the POINT OF BEGINNING and containing 6.00 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner of the land shown on this plat, and designated herein as BARNES ESTATE, an Addition in the EXTRATERRITORIAL JURISDICTION of the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

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

We also understand the following;

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

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

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

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

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

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

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

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

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

KELCEY BARNES

JAMI BARNES

STATE OF TEXAS
COUNTY OF ROCKWALL

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

Given upon my hand and seal of office this _____day of _____, _____.

Notary Public in and for the State of Texas

My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

STATE OF TEXAS
COUNTY OF ROCKWALL

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

Given upon my hand and seal of office this _____day of _____, _____.

Notary Public in and for the State of Texas

My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

STATE OF TEXAS REGISTERED HAROLD D. FETTY III 5034 PROFESSIONAL LAND SURVEYOR

Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission

Date

APPROVED

I hereby certify that the above and foregoing plat of BARNES ESTATE, an addition in the EXTRATERRITORIAL JURISDICTION of the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of_____ ,_____.

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

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

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

Mayor, City of Rockwall

City Secretary City of Rockwall

City Engineer

Date

FINAL PLAT

BARNES ESTATE

6.00 ACRES OR 261,360 S.F.
(1 LOT)
W.W.FORD SURVEY, A-80
AN ADDITION IN THE ETJ OF THE
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER:
KELCEY BARNES
JAMI BARNES
636 HANBY LANE
ROCKWALL, TEXAS 75032

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	IRF IRON ROD FOUND (CORNER)
FENCE	EASEMENT LINE PROPERTY LINES		AC AIR COND. UNIT	PROPANE TANK

SURVEY DATE	SEPTEMBER 6, 2013		
SCALE	1" = 100'	FILE #	20130267-FP
CLIENT	BARNES	GF #	NONE

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager
Hotel / Motel Sub-committee Members

FROM: Mary Smith, Assistant City Manager

DATE: March 12, 2014

SUBJECT: Request for Funding Allocation – Multiple Organizations

The City has received supplemental funding requests for hotel occupancy tax revenues. The requests are attached for Council's consideration and are summarized as follows:

Organization	Event	Amount	Subcommittee Recommendation
Rockwall Chamber of Commerce	Wooden Boat Show	$28,160	$20,000
Rockwall Chamber of Commerce	Tour Texas and CVB	$ 3,745	$3,745
Rockwall Rubber Duck Regatta	Regatta and Duck Fest	$23,600	$13,600
The Rockwall News	Rockwall News Memorial Day Concert	$ 13,160	zero

Copies of the Funding Request Questionnaires and supporting documentation are attached for the Subcommittee's review and recommendation to the full Council.

Summary of each application:

The Rockwall Chamber of Commerce was awarded $52,000 in fiscal year 2013 for the first Wooden Boat Show. The event had not yet been held when applications were due for this year. The Chamber asked for and was awarded $28,000 for the 2014 event. Following the first event, the Chamber has determined that it will take the full $52,000 to put on the 2014 event and are supplementing their original request at this time. In addition, the Chamber asks that rental fees of $4,160 at the Harbor be included in their hotel tax allocation or waived for the 2-day event.

In addition, the Chamber is seeking funds to supplement their award for the CVB function. They were awarded $39,020 for staffing and an additional $4,800 for brochures along with $13,225 for website work in the original application.

Rubber Duck Regatta did not submit a request during the application cycle. At this time, they are requesting $20,000 for promotions and $3,600 for Harbor rental or a waiver of the rental fee. They were awarded $2,000 and rental fees were waived for the 2013 event.

JJ Smith of The Rockwall News has requested $13,160 for the Memorial Day Concert he is planning at the Harbor. This includes $1,920 for the rental of the Harbor for the event. This will be a first time event and he has sought sponsorship packages in addition to the City funding requested.

At the present, the Hotel/Motel Occupancy Tax budget is as follows:

Fund Balance carried forward	**$ 126,619**
Revenues budgeted	**275,000**
Allocated Funding	**(313,950)**
Projected Fund Balance	**$ 87,669**

Total supplemental requests - $68,705

Total subcommittee recommendations - $37,345

City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2014

Application

MUST BE TYPED or PRINTED

DELIVER TO:

City of Rockwall Finance Office
Attn: Lea Ann Ewing
385 S. Goliad St., Rockwall, TX 75087
972-771-7700 lewing@rockwall.com

COMPLETED APPLICATIONS ARE DUE JUNE 28, 2013 BY 5:00 PM – NO EXCEPTIONS

Organization Name:	Rockwall Area Chamber of Commerce
Name of Event:	Additional Request Funding for Fall Event; Boat Show to meet budget requirements and ACTUAL expenses for 2013
Date of Event:	September 13, 2014
Funding Request $:	24000
Website Address:	www.visitrockwall.com
Mailing Address:	2850 Shoreline Trail #63; Rockwall, TX 75032
Physical Address:	697 East Interstate 30; Rockwall, TX 75087
Telephone:	972-771-5733 Fax: 972-772-3642
Primary Contact Name: (Project Director)	Dana K Macalik- President
Mailing Address:	2850 Shoreline Trail #63; Rockwall, TX 75032
Email Address:	dana@rockwallchamber.org
Telephone:	972-771-5733 Fax: 972-772-3642
Secondary Contact Name: (Operations Manager)	Cindy Benefield
Mailing Address:	2850 Shoreline Trail #63; Rockwall, TX 75032
Email Address:	cindy@rockwallchamber.org
Telephone:	972-771-5733 Fax: 972-772-3642

► **COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS**

► INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE

1. Mark an "X" next to the category or categories that your organization is requesting funds in the attached budget request.

X **Advertising/Tourism** **Requested funding amount $ 24,000**
Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

☐ **Arts** **Requested funding amount $**
Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

☐ **Historical** **Requested funding amount $**
Providing historical restoration, preservation, programs and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. Briefly state the purpose of your organization/mission statement:
The Rockwall Area Chamber of Commerce serves the business community through programming and support to assist businesses in advertising and networking; bringing new visitors to the area while encouraging existing residents to support their local community and sharing in the genuine hospitality. Additionally, the Chamber acts as a Visitors Bureau /Information Center and provides many services for visitors in the area, as well as answers telephone calls and sends information to potential visitors. Our goal is to increase awareness of Rockwall as a leisure travel destination and create a signature event to have a measurable impact on year-round visitations. We wish to promote the affordable variety of lodging, shopping, dining and activities found in Rockwall through this event. The website; www.visitrockwall.com helps to promote this event along with the requested HOT for additional advertising and promotional opportunities. .

3. Does your organization have paid staff?
Yes 4 # Full-Time 1 # Part-Time (High school intern)

4. Does your organization use volunteers?
Yes Approximately how many? 15-20

5. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?
Yes Name location: The Harbor
Some of the activities will be supported by the retailers/restaurants within the complex as well as bringing in nationally recognized boating and marine exhibitors and supported by a Ski Show and Wooden Boat show.

If you are holding your event in/on city-owned property, the City may, in lieu of funds, donate the cost of the facility/property rental for that event.

6. Will your event be held in "*The Downtown*" or adjacent to *Lake Ray Hubbard*?
No Name location: Not applicable.

7. Will your organization provide special event insurance coverage for the event/program if held on City property?
Yes Name of Insurance Company: BB&T

8. List all other sources of funding your organization receives for this event. Include event budget (use the required budget form attached).
Sponsorship, Exhibitor fees and Ticket Sales

9. List the programs, activities, exhibits, or event for the upcoming fiscal year (Oct. 1, 2013-Sept. 30, 2014) that the requested Hotel funding will support partially or in full.
In 2013, The Chamber on behalf of VisitRockwall held its first Boat Show at the Harbor and will hold it again in 2014.. For a first time out, this event was moderately successful but was very well received by the exhibitors and attendees. We teamed up with WFAA.com and The Dallas Morning News (as title sponsor) and brought nationally recognized boating/marine exhibitors and Wooden Boat Association to display their vintage boats. We supported the event with performances from a metroplex-based Ski Show whom have performed world-wide and introduced a new boating trend call 'FlyBoarding' that was also well attended among a different segment of enthusiasts. The 2014 Boat Show is intending on teaming and partnering with the same or similar marketing and online communication mediums and performers. The exhibitors are expected to grow in size by 20-25% more which should have a greater appeal among boating enthusiasts.

10. Provide 3 years attendance history for the above listed programs, activities, exhibits or event in #9 above.

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms
Wooden Boat Show	2013	1.5	1000	36

11. How do the requested budget expenditures meet the definition of the categories marked in #1? Advertising/Tourism, Arts, Historical
This request meets all requirements of funding from HOT, for this money would only be used for:
Promotion of the City
Handling Visitor Inquiries
Working on said Event that Support the City
Liaison between hotels and potential visitors
City/tourism promotional materials surrounding event
Posting and keeping website updated on said event

We intend to use the websites to drive traffic to event site page utilizing various advertising and marketing elements as employed in 2012 and 2013 for the Fall

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Harbor event. We will utilize this marketing arm along with the Dallas Morning News and WFAA.com and expand our exposure with online ticket services that we used in 2013 such as Groupon, Sweet Jack and Living Social to promote the event.

12. What specific market will you target with the event/program's marketing plan? Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C).

Leisure Market- Our audience will consist of weekend travelers who like to mix outdoor and fun events/activities with an entertaining approach. Our audience is not united by age or demographics but we will focus on the 25-55 age group with household income of $80,000+. Our visitors share in that they're looking for a taste of small town yet with the outdoor and lakeside adventure that our community can offer with the traveling time requirements of +/- 100 mile radius of their homes.

- Email marketing campaign
- Texas-specific Travel magazines
- DFW metroplex advertising venues
- Surrounding community newspapers
- Surrounding community radio
- Local billboard advertising (if feasible)

13. Describe in detail how your event/program will promote tourism and the hotel industry in Rockwall.

For a first time in 2013, VisitRockwall conducted an In-the-water and On-the-water boat show. This event was moderately successful, but was very well received by the exhibitors, attendees, Harbor retailers/restaurants and local hoteliers. We teamed up with WFAA.com and The Dallas Morning News (as title sponsor) and brought nationally recognized boating/marine exhibitors and Wooden Boat Association to display their vintage boats. We supported the event with performances from a metroplex-based Ski Show whom have performed world-wide and introduced a new boating trend call 'FlyBoarding' that was also well attended among a different segment of enthusiasts. The 2014 Boat Show is intending on teaming and partnering with the same or similar marketing and online communication mediums and performers which support Rockwall as a 'weekend' destination with a fun event to support the specific tourism event and future follow-up visits to our city. The exhibitors are expected to grow in size by 20-25% more which should have a greater appeal/attendance among boating and water enthusiasts alike.

14. Describe the organization's long-term plan (3-5 year) in regard to the program/ event that funds are being requested.

This type of event has all the 'essentials' for an annual tourist type of event to draw thousands to our community. There is NO OTHER 'On-the-water' type of boat show in the Dallas Metroplex making Rockwall a premier destination for this type of event. The Harbor is the exact type of location and venue that will support an event of this scope as it grows. This will be the 2nd year for the event and modifications and improvements are being planned. The actual financial/funding support for 2013 needs to be matched with HOT for us to meet and/or exceed our success metrics for 2014..

15. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.

a) Separate checking account without combining with any other revenues or maintained in any other bank account or

b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

Will the organization be able to segregate the accounting process in either a) or b) above? Yes

16. Provide all of the following documentation with this application and label each as outlined below.

Exhibit A	Proposed budget for each event/program using attached form
Exhibit B	Letter of determination certifying federal tax exempt 501(c)(3) status
Exhibit C	Examples and evidence of marketing area and readership (limit 3)
Exhibit D	List members of the governing body including name, position, mailing address and phone number

We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a result of this application will be used for the purpose set for herein and the program guidelines.

President/Board Chairman:

Dana K Macalik- President
Print Name

DK Macalik
Signature

January 17, 2014

Event/Program Director:

Cindy Benefield- Operations Manager
Print Name

Cindy Benefield
Signature

January 17, 2014

EXHIBIT A

Hotel Occupancy Tax Funding Reque
Event/Program Budget - Program Year 201

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request.

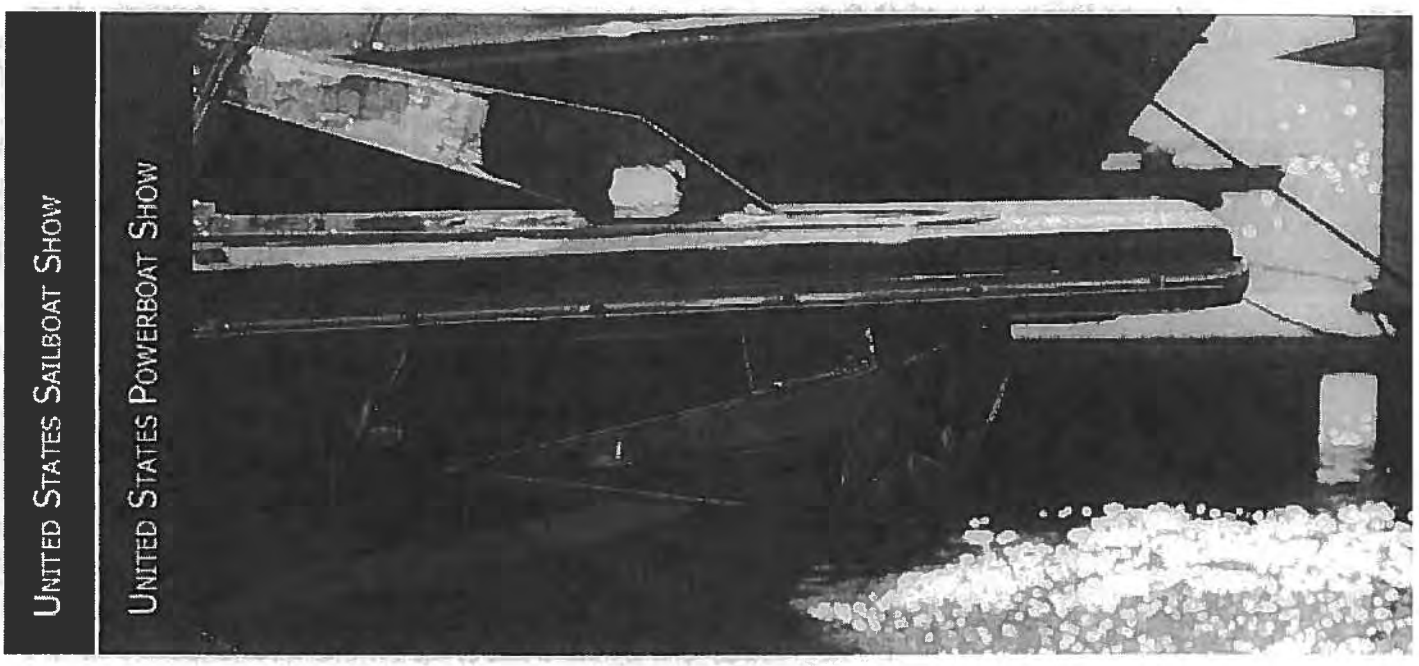
Organization Name: Rockwall Area Chamber of Commerce
Event/Program Name: Fall Event- Boat Show- Additional Funding to meet 2013 budget
Requested Funding: $24000

Expenses (for this project only)		Funding Request a	Cash from all other sources b	In-Kind, no cash Paid (value of volunteered services or goods c	Total a + b + c =
1. Personnel					
Administrative		1500			1500
Artistic					
Technical					
Other personnel					
2. Fees for outside professional service					
Administrative		1000			1000
Artistic					
Technical		250			250
3. Space Rental					
4. Equipment Rental					
5. Travel/Transportation					
6. Promotion/Printing		21250			21250
7. Costumes/Royalties					
8. Other (supplies, postage etc.)					
9. Sub -Totals					
10. Total Expenses					24000

Revenues (for this project only)					
1. Total Amount of funding request		24000			
2. Admissions (ticket and concessions)					
3. Donations					
4. Organizational funds budgeted					
5. Grants (State)					
6. Other (list):					
7. Other (list):					
8. Other (list):					
9. Other (list):					
10. Total income and contributions		24000			
11. Total In-Kind					
12. Total Revenues					
Financial Information (for this project only)					
Fiscal Year		2010	2011	2012	201
Total Revenues					
Total Expenses					
Total Prior Year Hotel funds awarded		20000	20000	20000	52000

United States Yacht Shows

Home | Our Shows | About Us | Get Eblast News | Contact Us



Welcome to United States Yacht Shows!

The United States Yacht Shows, a premier event management company, has produced several sterling in-water boat shows since 1970. Today, close to 150,000 attendees from around the world come to the Chesapeake Bay to experience these nautical extravaganzas.



Our oldest show, the **United States Sailboat Show**, is recognized as the best and biggest in the industry for new, in-water sailboats. The 2013 sailboat show will be preceded by the **United States Powerboat Show**, the oldest in-water powerboat show in the country. Both shows are held in October in historic Annapolis, Maryland.

Our newest show, **Annapolis Spring Sailboat Show**, will be held at the Annapolis City Dock & Harbor.

United States Yacht Shows presents:

- **United States Powerboat Show** (http://www.usboat.com/us-powerboat-show/home)

  October 3-6, 2013, Annapolis, Maryland



- **United States Sailboat Show** (http://www.usboat.com/us-sailboat-show/home)

  October 10 -14, 2013, Annapolis, Maryland

- **Bay Bridge Boat Show** (http://www.usboat.com/bay-bridge-boat-show/home)

  April 10 - 13, 2014, Stevensville, Maryland

- **Annapolis Spring Sailboat Show** (http://www.usboat.com/bay-bridge-boat-show/home)

  April 25 - 27, 2014, Annapolis, Maryland

- **Cruisers University** (http://www.usboat.com/bay-bridge-boat-show/home)

  April 24 - 27, 2014, Annapolis, Maryland

Web site by Hannah Studios, Inc. - a Maryland Web Design Company | © 2013 Annapolis Boat Shows

EXHIBIT D

List members of the Governing Body - Executive Committee, Board of Directors
(Include Name, Position, Mailing Address & Phone Number)

OFFICERS OF ROCKWALL AREA CHAMBER OF COMMERCE

Dana K. Macalik — President (Staff Position)
2850 Shoreline Trail, #63
Rockwall, TX 75032
972-771-5733

Cindy Paris — Chairman of the Board
Texas Health Presbyterian Hospital
3150 Horizon Road
Rockwall, TX 75032
469-698-1501

Cindy Tayem — Past Chairman of the Board
Oncor Electric Delivery
310 Hwy. 205 North
Terrell, TX 76160
972-551-6721

Lou Johnson — Chair Elect
American National Bank- Wealth Management
1010 W. Ralph Hall Parkway, Suite 112
Rockwall, TX 75032
972-863-6526

Stewart Storms — Secretary
American National Bank
2865 Ridge Road
Rockwall, TX 75032
972-863-6813

James Nelson — Treasurer
Alliance Bank
6130 S. FM 549
Rockwall, TX 75032
972-771-7098

P. O. Box 12028
Austin, Texas 78711-2028

Office of the Secretary of State

CERTIFICATE OF FILING
OF

ROCKWALL CHAMBER OF COMMERCE, INC.
File Number: 58671301

The undersigned, as Secretary of State of Texas, hereby certifies that the Nonprofit Periodic Report for the above named entity has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

Dated: 05/13/2013

Effective: 05/13/2013

THE STATE OF TEXAS

John Steen
Secretary of State

District Director
Internal Revenue Service

Date NOV 19 1974

In reply refer to
A:1427:309:R
DAL:EO:74-92

The Rockwall Chamber of Commer
104 West Rusk Street
P. O. Box 92
Rockwall, Texas 75087

I. R. Code: Section 501(c)(6)
Address Inquiries with District Director of Internal Revenue: Dallas, Texas
Accounting Period Ending: June 30

Gentlemen:

On the basis of your stated purposes and the understanding that your operations will continue as evidenced to date or will conform to those proposed in your ruling application, we have concluded that you are exempt from Federal income tax under the provisions of the Internal Revenue Code section indicated above. Any changes in operations from those described, or in your character or purposes, must be reported immediately to your District Director for consideration of their effect upon your exempt status. You must also report any change in your name or address.

You are not required to file Federal income tax returns so long as you retain an exempt status, unless you are subject to the tax on unrelated business income imposed by section 511 of the Code, in which event you are required to file Form 990-T. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You are required to file Form 990, Return of Organizations Exempt from Income Tax, only if your gross receipts each year are normally more than $5,000. If a return is required it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of $10 a day, to a maximum of $5,000, for the failure to file the return on time.

Unless specifically excepted, you are liable for taxes under the Federal Insurance Contributions Act (Social Security taxes) on remuneration of $50 or more to each of your employees during a calendar quarter and,

unless excepted, you are also liable for tax under the Federal Unemployment Tax Act on remuneration of $50 or more to each of your employees during a calendar quarter if, during the current or preceding calendar year, you have one or more employees at any time in each of 20 calendar weeks or pay wages of $1,500 or more in any calendar quarter. If you have any questions about excise, employment, or other Federal taxes, please address them to this office.

As a chamber of commerce, charitable contributions to you are not deductible by donors. You should advise your contributors to that effect.

If we may be of further assistance, please contact Roy H. Schellenberg, 214-749-3693.

This is a determination letter.

Sincerely yours,

A. W. McCanless
District Director

City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2014

Application

MUST BE TYPED or PRINTED

DELIVER TO:

City of Rockwall Finance Office
Attn: Lea Ann Ewing
385 S. Goliad St., Rockwall, TX 75087
972-771-7700 lewing@rockwall.com

COMPLETED APPLICATIONS ARE DUE JUNE 28, 2013 BY 5:00 PM – NO EXCEPTIONS

Organization Name:	Rockwall Area Chamber of Commerce
Name of Event:	Funding for Tour Texas Tourism and CVB Functions
Date of Event:	Year Round
Funding Request $:	3745
Website Address:	www.visitrockwall.com
Mailing Address:	2850 Shoreline Trail #63; Rockwall, TX 75032
Physical Address:	697 East Interstate 30; Rockwall, TX 75087
Telephone:	972-771-5733 Fax: 972-772-3642
Primary Contact Name: (Project Director)	Dana K Macalik- President
Mailing Address:	2850 Shoreline Trail #63; Rockwall, TX 75032
Email Address:	dana@rockwallchamber.org
Telephone:	972-771-5733 Fax: 972-772-3642
Secondary Contact Name: (Operations Manager)	Cindy Benefield
Mailing Address:	2850 Shoreline Trail #63; Rockwall, TX 75032
Email Address:	cindy@rockwallchamber.org
Telephone:	972-771-5733 Fax: 972-772-3642

- **COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS**
- **INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE**

1. Mark an "X" next to the category or categories that your organization is requesting funds in the attached budget request.

X **Advertising/Tourism** **Requested funding amount $ 3745**
Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

☐ **Arts** **Requested funding amount $**
Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

☐ **Historical** **Requested funding amount $**
Providing historical restoration, preservation, programs and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. Briefly state the purpose of your organization/mission statement:
The Rockwall Area Chamber of Commerce serves the business community through programming and support to assist businesses in advertising and networking; bringing new visitors to the area while encouraging existing residents to support their local community. Additionally, the Chamber acts as a Visitors Bureau /Information Center and provides many services for visitors in the area, as well as answers telephone calls and sends information to potential visitors. In 2009, it was mutually agreed with The City of Rockwall that the Chamber would continue in this role and that functions would be delineated by a unique CVB website. The website is function; www.visitrockwall.com. The day-to-day operation of tourism is supported by all chamber staff in various roles and responsibilities.

3. Does your organization have paid staff?
Yes 4 # Full-Time 1 # Part-Time (High school intern)

4. Does your organization use volunteers?
No Approximately how many? Not applicable to this request

5. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?
No Name location: N/A

If you are holding your event in/on city-owned property, the City may, in lieu of funds, donate the cost of the facility/property rental for that event.

6. Will your event be held in "*The Downtown*" or adjacent to *Lake Ray Hubbard*?
No Name location: Not applicable.

7. Will your organization provide special event insurance coverage for the event/program if held on City property?
No Name of Insurance Company: N/A

8. List all other sources of funding your organization receives for this event. Include event budget (use the required budget form attached).
Funding for staff is supported by the business member dues and special fund raising events. The goal is to separate the CVB functions that are performed by Chamber staff and fund by HOT award funds. More and more of the staff time from the President to the front desk administrative assistant is being used to accommodate tourism and visitors. For example, the front desk support staff spends 50% of their time assisting visitors in person and on the phone. Requests for information packets have increased by 100% due to advertising VisitRockwall in the statewide Texas Tourism website and magazine. The 2012-2013 (through December '13) resulted in 1961 separate and unique website requests from TourTexas.com advertising. The packets are time consuming to assemble and the postage has more than doubled. It is our belief that it is very important to the City to assist the Chamber in offsetting these costs that are truly attributable to a Visitors Bureau. We work very closely with The Hilton Dallas/Rockwall Lakefront and its affiliate hotel in assisting in bringing events to them. During the last several years, we have had numerous medium size groups request assistance for events that were being held at one of these hotels and we were able to comply, somewhat. This activity often requires assembling packets, customizing information kits and other miscellaneous items. Many times we are asked and support assembling "Goody Bags" for the out of town guests, which include city/regional and other information.

9. List the programs, activities, exhibits, or event for the upcoming fiscal year (Oct. 1, 2013-Sept. 30, 2014) that the requested Hotel funding will support partially or in full.
Attend the Annual Conference for the Texas Association of Convention & Visitors Bureaus as well as continue our yearly membership in this organization. This will begin to support the tourism development for the Rockwall area and help with our recognition and branding efforts. By joining and supporting this organization, we will further enhance our skills and knowledge within the CVB landscape. The trade organization has (1) Annual event each year (held in late summer 2014) and 2-3 mini-training (2-day) workshop events (spring and fall, typically). Lastly, the dedicated website is currently hosted under the Chamber and the yearly related expenses should be recouped. A separate HOT request will be submitted.

10. Provide 3 years attendance history for the above listed programs, activities, exhibits or event in #9 above.

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms
Not applicable to this request				

11. How do the requested budget expenditures meet the definition of the categories marked in #1? Advertising/Tourism, Arts, Historical

This request meets all requirements of funding from HOT, for this money would only be used for:

Promotion of the City
Handling Visitor Inquiries
Working on Events that Support the City
Providing CVB input and development for website
Liaison between hotels and potential visitors
City/tourism collateral and promotional materials
Posting and keeping website updated on community events
Attending and representing community in state-wide trade association

12. What specific market will you target with the event/program's marketing plan? Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C).
See 2013 Texas Association of Convention & Visitors Bureau 2013 Annual Convention for highlights and training opportunities.

13. Describe in detail how your event/program will promote tourism and the hotel industry in Rockwall.
Having administrative and advertising funds to support CVB exposure & staff functions would allow more time to promote tourism and the City of Rockwall. The Chamber is the first place that ALL visitors call or visit electronically to inquire about events in the community. The volume increases annually as more people hear about our area. The current and past Harbor activities and events, and street and parking improvements being planned for in the Downtown area has changed the landscape of the community significantly and is becoming known in other areas. There is a strong desire and curiosity for visitors to learn more about our city and visit.

14. Describe the organization's long-term plan (3-5 year) in regard to the program/ event that funds are being requested.
It is our belief that we need to migrate into a full CVB with totally separate functions from the Chamber of Commerce. How the final organization will be structured is still in the preliminary phases. A focused committee within the board of directors for the Chamber worked for the past 18 months to capture data and resources and would like to support the City Council sub-committee on the structure and formation of such an organization. However, it is the Chamber's desire to continue to support these functions, with partial funding, for the next 24-36 months. A letter of agreement was presented in 2011 to the City of Rockwall for the Rockwall Area Chamber to continue to provide CVB support and we plan to honor this arrangement. The Chamber also agreed to establish and host a separate website, which is currently being monitored, marketed, programmed and updated by Chamber staff and/or outside webhosting personnel.

15. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.
    a) Separate checking account without combining with any other revenues or maintained in any other bank account or

b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

Will the organization be able to segregate the accounting process in either a) or b) above? Yes

16. Provide all of the following documentation with this application and label each as outlined below.

Exhibit A	Proposed budget for each event/program using attached form
Exhibit B	Letter of determination certifying federal tax exempt 501(c)(3) status
Exhibit C	Examples and evidence of marketing area and readership (limit 3)
Exhibit D	List members of the governing body including name, position, mailing address and phone number

We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a result of this application will be used for the purpose set for herein and the program guidelines.

President/Board Chairman:

Dana K Macalik- President
Print Name

DK Macalik
Signature

January 17, 2014

Event/Program Director:

Cindy Benefield- Operations Manager
Print Name

Cindy Benefield
Signature

January 17, 2014

Both signatures are required for application to be considered complete.

EXHIBIT A

Hotel Occupancy Tax Funding Request
Event/Program Budget - Program Year 2014

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request.

Organization Name: Rockwall Area Chamber of Commerce
Event/Program Name: Tour Texas Tourism & CVB Functions
Requested Funding: $3745

Expenses (for this project only)		Funding Request a	Cash from all other sources b	In-Kind, no cash Paid (value of volunteered services or goods c	Total a + b + c = d
1. Personnel					
Administrative		600			600
Artistic					
Technical					
Other personnel					
2. Fees for outside professional service					
Administrative					
Artistic					
Technical					
3. Space Rental					
4. Equipment Rental					
5. Travel/Transportation					
6. Promotion/Printing		1845			1845
7. Costumes/Royalties					
8. Other (supplies, postage etc.)		1300			1300
9. Sub -Totals					
10. Total Expenses					3745

Revenues (for this project only)					
1. Total Amount of funding request		3745			
2. Admissions (ticket and concessions)					
3. Donations					
4. Organizational funds budgeted					
5. Grants (State)					
6. Other (list):					
7. Other (list):					
8. Other (list):					
9. Other (list):					
10. Total income and contributions					
11. Total In-Kind					
12. Total Revenues					

Financial Information (for this project only)					
Fiscal Year		2010	2011	2012	2013
Total Revenues					
Total Expenses					
Total Prior Year Hotel funds awarded		N/A	N/A	N/A	1500

140

Most Popular

Destinations:

- Dallas, Texas Fifty Free
- Austin, Texas Top 10 Things to Do
- Port Aransas/Mustang Island, Texas

Requested Brochures:

- Austin, Texas
- San Antonio, Texas
- Dallas-Fort Worth Area Travel Guide

Texas Videos

View More Travel Videos »

Interactive Map



- Texas Big Bend Country
- South Texas Plains
- Texas Gulf Coast
- Texas Hill Country
- Texas Panhandle Plains
- Texas Prairies and Lakes
- Texas Piney Woods
- Texas Statewide Attractions /Services
- List of Texas Cities by Region

Plan your route... click here for handy locator maps.

Travel Poll

When you plan a trip, how far in advance do you book your hotel/lodging?

- I book way in advance, close to a year
- Several months before
- Weeks before the trip
- I'm a last-minute planner

VOTE

› View Results

Texas Travel Directory: Rockwall, Texas

Printer-Friendly Version | View as PDF | Add to Favorites | Send to Friend | Order Free Brochure



Rockwall, Texas

Visit Rockwall Convention and Visitors Bureau

VIEW WEBSITE

ORDER OR DOWNLOAD A FREE BROCHURE

Rockwall, Texas

Rockwall- Originally inhabited by the Caddo Indians. Rockwall is a mysterious and fascinating city. Founded in 1854, it is the county seat of Rockwall (the smallest county in Texas). The city is twenty-two miles northeast of Dallas. The almost square county consists of 147 miles of flat and rolling prairie ranges. The town name was chosen after the discovery in 1851 of a stone wall that lay beneath the surface. While digging wells, the early settlers found numerous large underground rock walls . The city and county are named for these subterranean rock formations that have been the subject for years. Although there has been the speculation the wall was built by prehistoric man, geologists think the phenomenon is a finger of the Balcones Fault in which the "wall" was formed by geologic stress splitting the formation. Rockwall has maintained a family-friendly small-town atmosphere in the midst of being named the fastest growing county in Texas and the fifth-fastest growing in the nation.

Rockwall County's proximity to Dallas and the lure of its large, peaceful homes near the lake have made it a growing suburban county. The **historic downtown** area offers specialty retail shops and fine dining. The **Coast of Rockwall** and greatest treasure—Lake Ray Hubbard, a 22,000-acre reservoir on the East Fork of the Trinity River and recreational lake offers 111 miles of rolling shoreline and is a center for boating, water-skiing, wind surfing, parasailing and other aquatic activities. The **Harbor District** is Rockwall's home for diverse entertainment and dining experiences. With more than 40 shops, services and restaurants, The Harbor is both a community gem and a shopping and entertainment destination for North Texas. Rockwall is named the **"Live Musical Capital of North Texas"**. Rockwall is a dynamic and beautiful area with outstanding schools, exciting recreational options, access to high wages and affordable housing. It is the perfect place to raise your family and enjoy an unrivaled quality of life. Come visit us at www.visitrockwall.com



Rockwall, Texas

Rockwall, Texas | Main Page »

Rockwall, Texas | Rockin' at the Harbor »

ORDER OR DOWNLOAD A FREE BROCHURE

Related Information



Region: Texas Prairies and Lakes

Contact Information:

Area Map



Click here for larger map

Visit Rockwall Convention and Visitors Bureau

Rockwall Area Chamber of Commerce
697 Interstate Highway 30
Rockwall, Texas 75087
972-771-5733

Email: info@rockwallchamber.org
Website: www.visitrockwall.com

ORDER OR DOWNLOAD A FREE BROCHURE

VIEW WEBSITE

TOURTEXAS.COM
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☆ Most Popular

Destinations:

- Dallas, Texas Fifty Free
- Austin, Texas Top 10 Things to Do
- Port Aransas/Mustang Island, Texas

Requested Brochures:

- Austin, Texas
- San Antonio, Texas
- Dallas-Fort Worth Area Travel Guide

☆ Texas Videos

Wurstfest (New Braunfels, TX)



View All Travel Videos »



☆ Interactive Map



- Texas Big Bend Country
- South Texas Plains
- Texas Gulf Coast
- Texas Hill Country
- Texas Panhandle Plains
- Texas Prairies and Lakes
- Texas Piney Woods
- Texas Statewide Attractions /Services
- List of Texas Cities by Region

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☆ Travel Poll

When you plan a trip, how far in advance do you book your hotel/lodging?

☆ Featured Texas Video

Port Aransas/Mustang Island, Texas

REQUEST BROCHURE MORE INFORMATION



› View More Travel Videos



☆ Destination Spotlight



Abilene, Texas

Abilene, Texas offers very beautiful crystal skies, friendly people, and a feel of the traditional heritage of the Old West with the advantages of a thriving contemporary city.

REQUEST BROCHURE
MORE INFORMATION
VIEW VIDEO

TourTexas.com is your source for FREE Texas travel information. Make the most of your travels through Texas, the Lone Star State. Let TourTexas.com guide guide you to your perfect Lone Star vacation.

TourTexas.com has all the information you'll need, from destinations and attractions to events, fairs and festivals. ***Use the site to refine your search for travel in Texas then order or download travel brochures, vacation guides, maps and travel planning kits... all COMPLETELY FREE!***



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Destinations & Attractions



Use this Texas Travel Directory to get the latest travel information on **popular destinations & attractions** in the Lone Star State.

Search By City »
Search By Region »

Events, Fairs & Festivals



Access a complete **calendar of events including fairs, festivals, sports, shows, concerts, exhibits & other events** across Texas to help plan your vacation activities.

List By Date »

EXHIBIT D

List members of the Governing Body - Executive Committee, Board of Directors
(Include Name, Position, Mailing Address & Phone Number)

OFFICERS OF ROCKWALL AREA CHAMBER OF COMMERCE

Dana K. Macalik
2850 Shoreline Trail, #63
Rockwall, TX 75032
972-771-5733

President (Staff Position)

Cindy Paris
Texas Health Presbyterian Hospital
3150 Horizon Road
Rockwall, TX 75032
469-698-1501

Chairman of the Board

Cindy Tayem
Oncor Electric Delivery
310 Hwy. 205 North
Terrell, TX 76160
972-551-6721

Past Chairman of the Board

Lou Johnson
American National Bank- Wealth Management
1010 W. Ralph Hall Parkway, Suite 112
Rockwall, TX 75032
972-863-6526

Chair Elect

Stewart Storms
American National Bank
2865 Ridge Road
Rockwall, TX 75032
972-863-6813

Secretary

James Nelson
Alliance Bank
6130 S. FM 549
Rockwall, TX 75032
972-771-7098

Treasurer

P. O. Box 12028
Austin, Texas 78711-2028

Office of the Secretary of State

CERTIFICATE OF FILING
OF

ROCKWALL CHAMBER OF COMMERCE, INC.
File Number: 58671301

The undersigned, as Secretary of State of Texas, hereby certifies that the Nonprofit Periodic Report for the above named entity has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

Dated: 05/13/2013

Effective: 05/13/2013

John Steen
Secretary of State

District Director
Internal Revenue Service

Date: NOV 19 1974

In reply refer to:
A:1427:309:R
DAL:EO:74-92

The Rockwall Chamber of Commer
104 West Rusk Street
P. O. Box 92
Rockwall, Texas 75087

I. R. Code: Section 501(c)(6)
Address Inquiries with District Director of Internal Revenue: Dallas, Texas
Accounting Period Ending: June 30

Gentlemen:

On the basis of your stated purposes and the understanding that your operations will continue as evidenced to date or will conform to those proposed in your ruling application, we have concluded that you are exempt from Federal income tax under the provisions of the Internal Revenue Code section indicated above. Any changes in operations from those described, or in your character or purposes, must be reported immediately to your District Director for consideration of their effect upon your exempt status. You must also report any change in your name or address.

You are not required to file Federal income tax returns so long as you retain an exempt status, unless you are subject to the tax on unrelated business income imposed by section 511 of the Code, in which event you are required to file Form 990-T. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You are required to file Form 990, Return of Organizations Exempt from Income Tax, only if your gross receipts each year are normally more than $5,000. If a return is required it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of $10 a day, to a maximum of $5,000, for the failure to file the return on time.

Unless specifically excepted, you are liable for taxes under the Federal Insurance Contributions Act (Social Security taxes) on remuneration of $50 or more to each of your employees during a calendar quarter and,

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The Rockwall Chamber of Commerce

unless excepted, you are also liable for tax under the Federal Unemployment Tax Act on remuneration of $50 or more to each of your employees during a calendar quarter if, during the current or preceding calendar year, you have one or more employees at any time in each of 20 calendar weeks or pay wages of $1,500 or more in any calendar quarter. If you have any questions about excise, employment, or other Federal taxes, please address them to this office.

As a chamber of commerce, charitable contributions to you are not deductible by donors. You should advise your contributors to that effect.

If we may be of further assistance, please contact Roy H. Schellenberg, 214-749-3693.

This is a determination letter.

Sincerely yours,

A. W. McCanless
District Director

TourTexas.com
25132 Oakhurst Dr.
Suite 201
Spring, TX 77386

TOURTEXAS.COM

INVOICE

Oct 31, 2013

Invoice #: 240531

Bill To:
Dana Macalik
Rockwall Area Chamber of Commerce
2850 Shoreline Trail, #63
Rockwall, TX 75032

Please Remit To:
TourTexas.com
25132 Oakhurst Dr.
Suite 201
Spring, TX 77386

Publication: **TourTexas.com**

Advertiser Name: **Rockwall Area Chamber of Commerce**

Order or P.O. #	Terms	Insertion ID	Issue Date
	30 Days	**240531**	**12/1/2013**

ITEM DESCRIPTION	AMOUNT
4 Color , Silver-TTIA , Web Display	$1,595.00

RECEIVED NOV 0 4 2013

Ad Cost	$1,595.00
Total Discounts	$0.00
Total Additional Charges	$0.00
Total	$1,595.00
Payments	$0.00
PAY THIS AMOUNT	**$1,595.00**

For billing questions, please call Becky Gumm at (800) 383-7677

Now...an easier way to pay!
Visit https://pay.ajrmediagroup.com
to pay your invoices by credit card.

ourTexas.com
25132 Oakhurst Dr.
Suite 201
Spring, TX 77386

TOURTEXAS.COM

INVOICE

Oct 31, 2013

Invoice #: 240532

Bill To:
Dana Macalik
Rockwall Area Chamber of Commerce
2850 Shoreline Trail, #63
Rockwall, TX 75032

Please Remit To:
TourTexas.com
25132 Oakhurst Dr.
Suite 201
Spring, TX 77386

Publication: **TourTexas.com**

Advertiser Name: **Rockwall Area Chamber of Commerce**

Order or P.O. #	Terms	Insertion ID	Issue Date
	30 Days	**240532**	**12/1/2013**

ITEM DESCRIPTION	AMOUNT
4 Color , PDF Brochure , Web Display	$250.00

RECEIVED NOV 04 2013

Ad Cost	$250.00
Total Discounts	$0.00
Total Additional Charges	$0.00
Total	$250.00
Payments	$0.00
PAY THIS AMOUNT	**$250.00**

For billing questions, please call Becky Gumm at (800) 383-7677

Now...an easier way to pay!
Visit https://pay.ajrmediagroup.com
to pay your invoices by credit card.

City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2014

Application

MUST BE TYPED or PRINTED

DELIVER TO:

City of Rockwall Finance Office
Attn: Lea Ann Ewing
385 S. Goliad St., Rockwall, TX 75087
972-771-7700 lewing@rockwall.com

Organization Name:	Rockwall Rubber Duck Regatta
Name of Event:	2013 Rockwall Rubber Duck Regatta & Duck Fest
Date of Event:	Sept 20, 2014
Funding Request $:	~~$15,000~~ 23,600
Website Address:	www.rockwallduckrace.org
Mailing Address:	PO Box 462, Rockwall TX 75087
Physical Address:	5500 Ranger Drive, Rockwall, TX 75032
Telephone:	855-55DUCKS Fax: 972-771-1838
Primary Contact Name: (Project Director)	Ariana Hargrove
Mailing Address:	1004 Colonial Drive Royse City, TX 75189
Email Address:	amahargrove@gmail.com
Telephone:	214-538-3457 Fax:
Secondary Contact Name: (President/Board Chairman)	Brenda Cross
Mailing Address:	5500 Ranger Drive Rockwall, TX 75032
Email Address:	rockwallrubberduckregatta@gmail.com
Telephone:	214-500-6332 Fax: 972-771-1838

- **COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS**
- **INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE**

1. Mark an "X" next to the category or categories that your organization is requesting funds in the attached budget request.

☒ **Advertising/Tourism** **Requested funding amount $** 23,600
Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

☐ **Arts** **Requested funding amount $**
Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

☐ **Historical** **Requested funding amount $**
Providing historical restoration, preservation, programs and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. Briefly state the purpose of your organization/mission statement:
The mission of the Rockwall Rubber Duck Regatta is to raise money to improve the lives, health, and well-being of children, the disabled, and the elderly in Rockwall County through fun and profitable activities in a safe and family friendly environment.

3. Does your organization have paid staff?
No # Full-Time # Part-Time

4. Does your organization use volunteers?
Yes Approximately how many? **100**

5. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?
Yes Name location: **Harbor**

If you are holding your event in/on city-owned property, the City may, in lieu of funds, donate the cost of the facility/property rental for that event.

6. Will your event be held in *"The Downtown"* or adjacent to *Lake Ray Hubbard*?
Yes Name location: **Adjacent to Lake Ray Hubbard at the Harbor**

7. Will your organization provide special event insurance coverage for the event/program if held on City property?
Yes Name of Insurance Company: Philadelphia Insurance Companies

8. List all other sources of funding your organization receives for this event. Include event budget (use the required budget form attached).

Sponsorships, vendor fees, duck sales, merchandizing, and 5k entry fees

9. List the programs, activities, exhibits, or event for the upcoming fiscal year (Oct. 1, 2013-Sept. 30, 2014) that the requested Hotel funding will support partially or in full.
Running with the Nerds 5k and Fun Run, vendor/craft show, Corporate Duck Beauty Pageant, Corporate Rubber Duck Race, Adopted Baby Duck Race, Live concert, fireworks, and a Glow-in-the-dark duck race.

10. Provide 3 years attendance history for the above listed programs, activities, exhibits or event in #9 above.

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms
2012 Rockwall Rubber Duck Regatta & Duck Fest	2012	1	4000	20
2013 Rockwall Rubber Duck Regatta & Duck Fest	2013	2	5000	50

11. How do the requested budget expenditures meet the definition of the categories marked in #1? Advertising/Tourism, Arts, Historical

Funding will be utilized to advertise and promote this Rockwall event and the Harbor area. The purchase of the advertising is likely to *directly* enhance tourism to the city by letting readers of these signs, magazines, newspapers, and billboards know of an event that they may wish to attend. The promotion of this fun and unique family festival will *directly enhance* and promote tourism that will result in overnight stays in the hotels and motels of the city.

12. What specific market will you target with the event/program's marketing plan? Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C).

State-wide for festival attendees and vendors through use of print media and social media.

13. Describe in detail how your event/program will promote tourism and the hotel industry in Rockwall.

Marketing of the event will include special rates at local hotels, links to area hotels on our website, and will profile the amenities in the Harbor. We will utilize social media, such as our website and facebook page, to promote the area and the events as well. We have Facebook page friends from all over the world, including 12 different counties. Locally, we have friends from 44 different cities from around the US.

This year we will continue expanding our marketing efforts to include a digital billboard in Dallas, advertisements in the Dallas Morning Newspaper, Lakeside Living Magazine, and various other print media. In addition, we will continue our advertizing on various festival and vendor websites to reach subscribers all over the region.

14. Describe the organization's long-term plan (3-5 year) in regard to the program/ event that funds are being requested.

Continue to grow into an event for the community of Rockwall, such as the Plano Balloon Festival and Addison Oktoberfest.

15. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.

a) Separate checking account without combining with any other revenues or maintained in any other bank account or

b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

Will the organization be able to segregate the accounting process in either a) or b) above?
Yes we will utilize option B.

16. Provide all of the following documentation with this application and label each as outlined below.

Exhibit A	Proposed budget for each event/program using attached form
Exhibit B	Letter of determination certifying federal tax exempt 501(c)(3) status
Exhibit C	Examples and evidence of marketing area and readership (limit 3)
Exhibit D	List members of the governing body including name, position, mailing address and phone number

We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a result of this application will be used for the purpose set for herein and the program guidelines.

President/Board Chairman:

Brenda Cross
Print Name

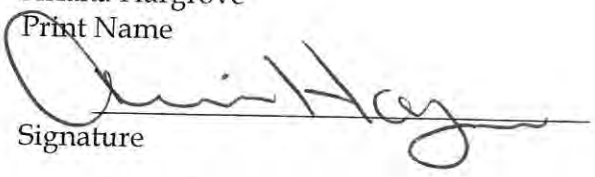


Signature

February 3, 2014
Date

Event/Program Director:

Ariana Hargrove
Print Name



Signature

February 3, 2014
Date

Both signatures are required for application to be considered complete.

EXHIBIT A

Hotel Occupancy Tax Funding Request
Event/Program Budget - Program Year 2013

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request.

Organization Name: Rockwall Rubber Duck Regatta
Event/Program Name: 2014 Rockwall Rubber Duck Regatta & Duck Fest
Requested Funding: $ 23,600

Expenses (for this project only)		Funding Request a	Cash from all other sources b	In-Kind, no cash Paid (value of volunteered services or goods c	Total a + b + c = d
1. Personnel					
Administrative					0
Artistic					0
Technical					0
Other personnel					0
2. Fees for outside professional service					
Administrative					0
Artistic				5000	5000
Technical			2000		2000
3. Space Rental		3600			3600
4. Equipment Rental			7000		7000
5. Travel/Transportation			0		0
6. Promotion/Printing		20000	2000	5000	27000
7. Costumes/Royalties			0		0
8. Other (supplies, postage etc.)			14000		14000
9. Sub -Totals		23600	25000	10000	
10. Total Expenses					58600

Revenues (for this project only)					
1. Total Amount of funding request		23600			
2. Admissions (ticket and concessions)			55000		
3. Donations			10000		
4. Organizational funds budgeted			0		
5. Grants (State)					
6. Other (list):					
7. Other (list):					
8. Other (list):					
9. Other (list):					
10. Total income and contributions			65000		
11. Total In-Kind				10000	
12. Total Revenues					65000

Financial Information (for this project only)					
Fiscal Year		2010	2011	2012	2013
Total Revenues				46797.91	$55,221.27
Total Expenses				9154.91	$31,762.30
Total Prior Year Hotel funds awarded				0	2000

Exhibit B

Corporations Section
P.O.Box 13697
Austin, Texas 78711-3697

John Steen
Secretary of State

Office of the Secretary of State

CERTIFICATE OF FILING
OF

Rockwall Rubber Duck Regatta, Inc.
File Number: 801695084

The undersigned, as Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Nonprofit Corporation has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 12/05/2012

Effective: 12/05/2012

John Steen
Secretary of State

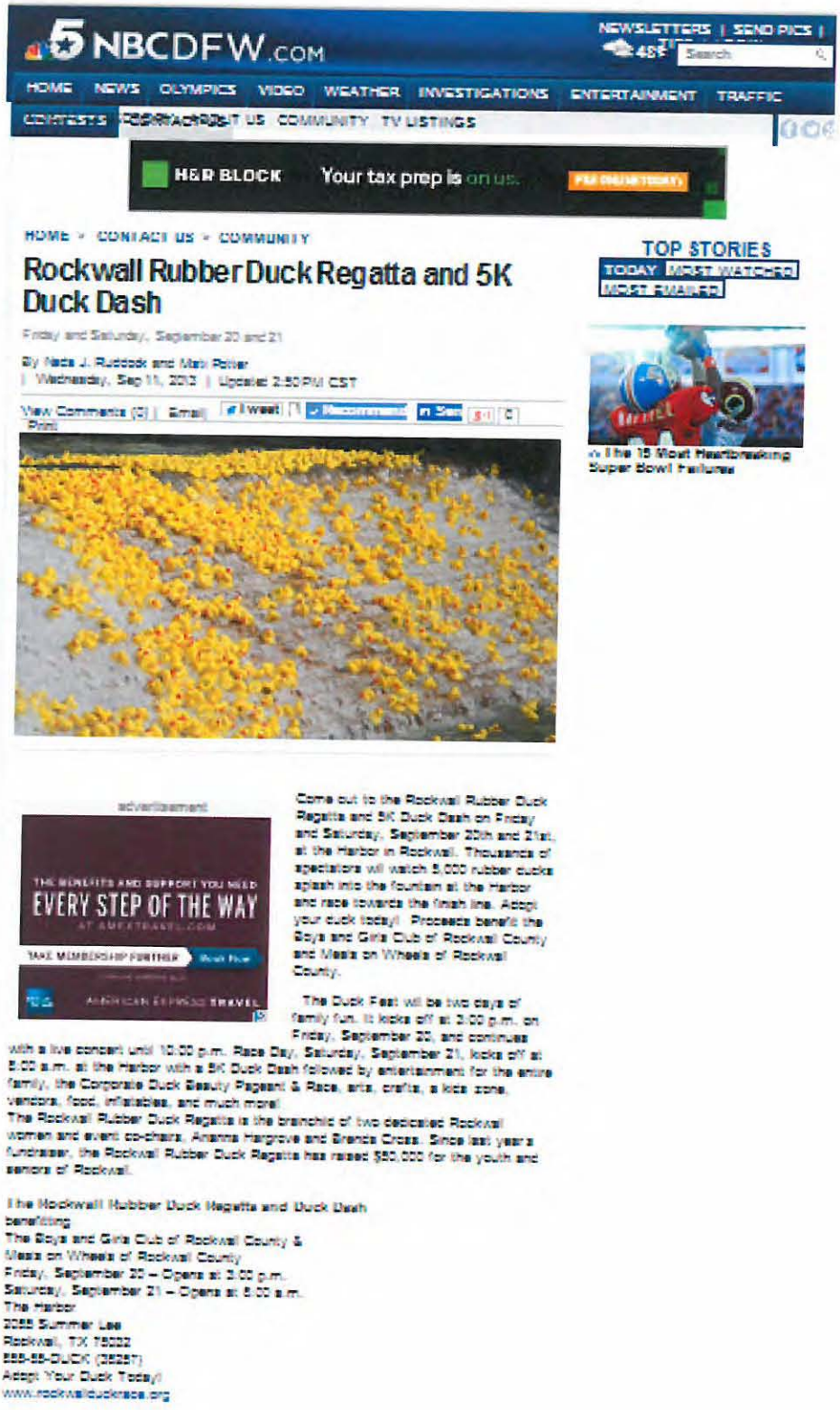
Phone: (512) 463-5555
Prepared by: Jean Marchione

Come visit us on the internet at http://www.sos.state.tx.us/
Fax: (512) 463-5709
TID: 10306

Dial: 7-1-1 for Relay Services
Document: 455676930002

Exhibit C

Profiled on NBC 5 website for several weeks. NBC 5 also ran a community service commercial for us on the event. NBC 5 have a viewership the exceeds 5.2 million.



5 NBCDFW.COM

NEWSLETTERS | SEND PICS |

HOME NEWS OLYMPICS VIDEO WEATHER INVESTIGATIONS ENTERTAINMENT TRAFFIC

CONTESTS CONTACT US COMMUNITY TV LISTINGS

H&R BLOCK Your tax prep is on us.

HOME > CONTACT US > COMMUNITY

Rockwall Rubber Duck Regatta and 5K Duck Dash

Friday and Saturday, September 20 and 21

By Nada J. Ruddock and Mati Potter

| Wednesday, Sep 11, 2013 | Updated 2:50 PM CST

View Comments (0) | Email | I weet | Recommend | Sen

Print

TOP STORIES

TODAY MOST WATCHED MOST EMAILED

The 15 Most Heartbreaking Super Bowl Failures

advertisement

THE BENEFITS AND SUPPORT YOU NEED EVERY STEP OF THE WAY AT AMEXTRAVEL.COM

TAKE MEMBERSHIP FURTHER Book Now

AMERICAN EXPRESS TRAVEL

Come out to the Rockwall Rubber Duck Regatta and 5K Duck Dash on Friday and Saturday, September 20th and 21st, at the Harbor in Rockwall. Thousands of spectators will watch 5,000 rubber ducks splash into the fountain at the Harbor and race towards the finish line. Adopt your duck today! Proceeds benefit the Boys and Girls Club of Rockwall County and Meals on Wheels of Rockwall County.

The Duck Fest will be two days of family fun. It kicks off at 3:00 p.m. on Friday, September 20, and continues with a live concert until 10:00 p.m. Race Day, Saturday, September 21, kicks off at 5:00 a.m. at the Harbor with a 5K Duck Dash followed by entertainment for the entire family, the Corporate Duck Beauty Pageant & Race, arts, crafts, a kids zone, vendors, food, inflatables, and much more!

The Rockwall Rubber Duck Regatta is the brainchild of two dedicated Rockwall women and event co-chairs, Arianna Hargrove and Brenda Cross. Since last year's fundraiser, the Rockwall Rubber Duck Regatta has raised $50,000 for the youth and seniors of Rockwall.

The Rockwall Rubber Duck Regatta and Duck Dash
benefiting
The Boys and Girls Club of Rockwall County &
Meals on Wheels of Rockwall County
Friday, September 20 – Opens at 3:00 p.m.
Saturday, September 21 – Opens at 5:00 a.m.
The Harbor
2055 Summer Lee
Rockwall, TX 75032
555-55-DUCK (35257)
Adopt Your Duck Today!
www.rockwallduckrace.org

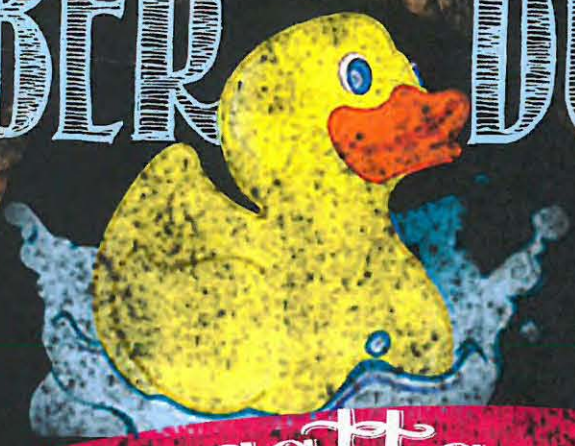
Groupon Deal offered which reached over 60,000 subscribers throughout the Mertroplex. Our Groupon deal ran for 3 weeks.



Full color, full page advertisement in the Lakeside Living Magazine. Our ad ran for two months prior to the event. Lakeside Living magazine reaches 37,000 homes in the Rockwall, Heath and Rowlett communities.



ROCKWALL RUBBER DUCK



regatta AT the HARBOR

SEPT 20TH 2014

8am TO 11pm

DAY events



RUNNING WITH THE Nerds 5K

Vendors & Kid Zone

MAIN events

RUBBER DUCK RACES AND CORPORATE duck PAGEANT

NIGHT events



LIVE CONCERT AND FIREWORKS

duck $5 ADOPTION

Benefiting Meals on Wheels of Rockwall County AND Boys and Girls Club of Rockwall County

855-55ducks ~ rockwallduckrace.org

LIKE US ON facebook

Rockwall RUBBER DUCK Regatta

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Exhibit D List members of the governing body including name, position, mailing address and phone number

- Brenda Cross, Director, 5500 Ranger Drive, Rockwall, TX 75032, 214-500-6332
- Ariana Hargrove, Director, 1004 Colonial Drive, Royse City, TX 75189, 214-538-3457
- Jackie Lawing, Director, 9011 Texas Trail, Poetry, TX 75160, 940-368-4413

Attached is Additional Advertising that was done.

City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2014

Application

MUST BE TYPED or PRINTED

DELIVER TO:

City of Rockwall Finance Office
Attn: Lea Ann Ewing
385 S. Goliad St., Rockwall, TX 75087
972-771-7700 lewing@rockwall.com

Organization Name: The Rockwall News
Name of Event: Rockwall News Memorial Day Concert
Date of Event: May 25, 8-9 pm (Sunday night)
Funding Request $: MS ~~$10,000~~ $13,160
Website Address: myrockwallnews.com
Mailing Address: 436 Yacht Club Dr. Unit F
Physical Address: Rockwall TX 75032
Telephone: 214-317-1718 Fax:

Primary Contact Name: J.J. Smith
(Project Director)
Mailing Address: 436 Yacht Club Dr. Unit F
Rockwall TX 75032
Email Address: jj@myrockwallnews.com
Telephone: 214-317-1718 Fax:

Secondary Contact Name: Roxana Smith
(President/Board Chairman)
Mailing Address: same

Email Address: csta19@yahoo.com
Telephone: 469-338-7366 Fax:

- **COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS**
- **INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE**

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1. Mark an "X" next to the category or categories that your organization is requesting funds in the attached budget request.

☒ **Advertising/Tourism** **Requested funding amount $** ~~20,000~~ 13,160 NIS
Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

☒ **Arts** **Requested funding amount $**
Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

☐ **Historical** **Requested funding amount $**
Providing historical restoration, preservation, programs and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. Briefly state the purpose of your organization/mission statement:
To honor our veterans, active-duty military, those who have lost their lives defending our great nation, and their families

3. Does your organization have paid staff?
Yes # Full-Time 1 # Part-Time

4. Does your organization use volunteers?
Yes Approximately how many? We will have 20-30 for this event

5. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?
Yes Name location: The Harbor Amphitheater

If you are holding your event in/on city-owned property, the City may, in lieu of funds, donate the cost of the facility/property rental for that event.

6. Will your event be held in "*The Downtown*" or adjacent to *Lake Ray Hubbard*?
Yes Name location: The Harbor Amphitheater

7. Will your organization provide special event insurance coverage for the event/program if held on City property? If needed
Yes Name of Insurance Company:

8. List all other sources of funding your organization receives for this event. Include event budget (use the required budget form attached).
Business sponsors - selling now

9. List the programs, activities, exhibits, or event for the upcoming fiscal year (Oct. 1, 2013-Sept. 30, 2014) that the requested Hotel funding will support partially or in full.
Rockwall News Memorial Day Concert

10. Provide 3 years attendance history for the above listed programs, activities, exhibits or event in #9 above. N/A

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms

11. How do the requested budget expenditures meet the definition of the categories marked in #1? Advertising/Tourism, Arts, Historical

All expenditures will help attract thousands of visitors to Rockwall and dozens to spend at least one night in local hotels

12. What specific market will you target with the event/program's marketing plan? Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C). Will target DFW veterans and military and families via ads & news publicity on Facebook, TV, radio & print/web news & social media

13. Describe in detail how your event/program will promote tourism and the hotel industry in Rockwall. The only event of its kind will attract thousands of veterans & active-duty military to spend night and eat and shop in Rockwall

14. Describe the organization's long-term plan (3-5 year) in regard to the program/event that funds are being requested. We intend to make this event bigger & better each year, eventually bringing in big name performers & dignitaries

15. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.

a) Separate checking account without combining with any other revenues or maintained in any other bank account or

b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

Will the organization be able to segregate the accounting process in either a) or b) above? Either (Yes) Likely separate

16. Provide all of the following documentation with this application and label each as outlined below.

Exhibit A	Proposed budget for each event/program using attached form
Exhibit B	Letter of determination certifying federal tax exempt 501(c)(3) status
Exhibit C	Examples and evidence of marketing area and readership (limit 3)
Exhibit D	List members of the governing body including name, position, mailing address and phone number

We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a result of this application will be used for the purpose set for herein and the program guidelines.

President/Board Chairman:

Print Name J.J. Smith

Signature J.J. Smith

Date 2/3/14

Event/Program Director:

Print Name J. J. Smith

Signature JJ Smith

Date 2/3/14

Both signatures are required for application to be considered complete.

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EXHIBIT A

Hotel Occupancy Tax Funding Request
Event/Program Budget - Program Year 2014

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request.

Organization Name: The Rockwall News
Event/Program Name: Memorial Day Concert
Requested Funding: $ 13,160

Expenses (for this project only)		Funding Request a	Cash from all other sources b	In-Kind, no cash Paid (value of volunteered services or goods c	Total a + b + c = d
1. Personnel					
Administrative					
Artistic			~~2000~~		~~2000~~
Technical					
Other personnel City Staff		240			240
2. Fees for outside professional service					
Administrative					
Artistic			2,000		2,000
Technical Sound & Lighting		1,000			1,000
3. Space Rental		1,920			1,920
4. Equipment Rental screens, projectors			1,000		1,000
5. Travel/Transportation					
6. Promotion/Printing Advertising		10,000	10,000		20,000
7. Costumes/Royalties					
8. Other (supplies, postage etc.)			500		500
9. Sub -Totals		13,160	13,500		26,660
10. Total Expenses					26,660

Revenues (for this project only)					
1. Total Amount of funding request		13,160			
2. Admissions (ticket and concessions)					
3. Donations					
4. Organizational funds budgeted					
5. Grants (State)					
6. Other (list): Co-Sponsorships			13,500		
7. Other (list):					
8. Other (list):					
9. Other (list):					
10. Total income and contributions			13,500		
11. Total In-Kind					
12. Total Revenues					26,660

Financial Information (for this project only)					
Fiscal Year		2010	2011	2012	2014 ~~2013~~
Total Revenues					26,660
Total Expenses					26,660
Total Prior Year Hotel funds awarded					—

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Director of Internal Operations

DATE: March 11, 2014

SUBJECT: FBO Contract at Ralph M. Hall / Rockwall Municipal Airport

In October 2013, the City Council authorized staff to issue a request for proposals for fixed base operator (FBO) services at the Ralph M. Hall / Rockwall Municipal Airport. The City received two proposals on November 27, 2013. The Airport Subcommittee (Mayor Pro Tem White and Councilmembers Townsend and Pruitt) evaluated the proposals, interviewed both parties, and all references provided by both candidates were checked. The City Council then interviewed both candidates at its meeting on Tuesday, January 21, 2014 to discuss their individual proposals and vision for their respective FBO operation at the airport. The Council selected Texas Air Center, LLC as the preferred candidate and authorized the City Manager to begin contract negotiations with Todd Parks, owner of TAC.

Attached is the proposed FBO agreement between the City and Texas Air Center. The key points of the contract are:

- The initial term is 3 years – Any violation of the contract terms allows the City to terminate the contract for cause with only a 10 day notice if necessary. Mr. Parks estimates he will be investing up to $50,000 up front for equipment and tools.
- Compensation to the City from the FBO is .10 cents per gallon flowage fee and 5% franchise fee on gross revenue from all facility rentals, which includes hangars and shops. Mr. Parks will retain revenues from the aircraft maintenance and flight school operation as is the case with the previous FBO.
- City will transfer 5.5% of its revenue generated from the land lease agreement on the west side of the Airport (Bob Clements hangars) to FBO to help with personnel costs associated with the operations of the airport, seasonal fluctuation in fuel sales, and for monitoring compliance with the land lease agreement on the City's behalf. The City will receive any remaining percentage of the revenue derived for the life of the land lease

agreement. Based on receipts from 2013, the estimated transfer to TAC is $5,200.00 next year assuming full occupancy of the Clements hangars.

- Section 2 outlines the City's obligations, which is also what the City is currently providing. Many of these items are eligible for reimbursement in TXDOT Aviation's Routine Airport Maintenance Program and generally repays the city for 50% of these costs. Any major repairs or improvements will be submitted for approval during the budget process for grant funding as well. The FBO is responsible for minor maintenance due to daily use of the facilities, but any other minor repairs the City makes will be absorbed into the Internal Operations Department's building repair budget as it would with any other city facility.

The Airport Subcommittee has reviewed the contract terms and requested the item move forward to the Council for consideration. If the City Council approves the City Manager to execute the new FBO contract, city staff will facilitate a meeting with the new FBO and outgoing FBO to develop a transition plan with a target of April 1, 2014.

STATE OF TEXAS §
§ **KNOW ALL BY THESE PRESENTS:**
COUNTY OF ROCKWALL §

FIXED BASE OPERATOR MANAGEMENT AGREEMENT AND GROUND LEASE

This agreement is entered into this _____ day of _____, 2014, between the City of Rockwall, hereinafter referred to as the "City," owner of the Ralph M. Hall / Rockwall Municipal Airport, hereinafter referred to as "Airport" and Texas Air Center LLC (a Texas Limited Liability Corporation), hereinafter referred to as "FBO" who covenant and agree as follows:

WHEREAS, City and FBO are committed to the proper operation, improvement, and continued development of the Airport and in providing good, efficient, and friendly service at the Airport; and

WHEREAS, FBO represents and has provided sufficient proof that it has the qualifications, experience, and ability to perform the functions of Airport FBO; and

WHEREAS, City and FBO desire to enter into a contractual agreement allowing the FBO to oversee the daily operation of the Airport under the direction of the City;

NOW THEREFORE, in consideration of the terms and conditions listed herein, City grants to FBO the title and office of "Airport FBO" along with the appropriate duties, responsibilities, and obligations entered herein.

DEFINITIONS

Airport - means the area known as the Ralph M. Hall / Rockwall Municipal Airport being provided as the lease area in this contract, shown in **Exhibit A**, attached hereto and incorporated herein by this reference.

City - means the City of Rockwall, City Council, City Manager, or his designee

City Manager – means the City Manager of the City of Rockwall or his designee

Fixed Base Operator – is a person, firm, or corporation performing any of the functions or furnishing any of the services listed herein. No person, firm, or corporation may act in the capacity of an FBO without a valid contract with the City of Rockwall, Texas authorizing such activity at the Airport.

Operating Revenues - shall be defined as fuel sale revenues, tie-down rentals, hangar and facility rentals. All Airport operating revenues shall become the property of the FBO save and except ad valorem and sales tax revenues generated thereupon.

SECTION 1. TERMS

A. Term – This agreement shall be for three (3) years, beginning on the 1st day of April 2014, and expiring at 12:01 AM local time on the 31st day of March 2017. The FBO shall notify the City in writing a minimum of ninety (90) days prior to the expiration of any term as to whether or not the FBO desires to request approval of an extension.

B. Lease – FBO is granted the exclusive lease of the Airport grounds as shown in **Exhibit "A"** hereto which is incorporated herein by reference as if fully copied and set forth at length. Area adjacent and connected by taxiway to private property owned by David Block as described in **Exhibit "B"** is excluded from the exclusive lease in accordance with "Through-the-Fence Agreement" executed between the City of Rockwall and David Block in May 2008. FBO may also be granted rights to the area described in **Exhibit "B"** if David Block elects not to provide services contemplated under the terms of this Agreement. FBO agrees to lease the equipment described in **Exhibit "C"** hereto during the term of the lease at the rates specified therein.

C. Through-the-Fence Operations – Through-the-fence operations are agreements that permit access to the public landing area to owners of aircraft based on land adjacent to, but not a part of, the airport property. These TTFs must be approved by the City Council, TXDOT Aviation and the FAA. Since the City has an obligation to administer these contracts and ensure compliance with all federal rules and regulations, all existing and future TTFs and its revenue will belong to the City.

D. City agrees to transfer 5.5% of its revenue generated from land lease agreement on the west side of the Airport to FBO to help with personnel costs associated with the operations of the airport, seasonal fluctuation in fuel sales, and for monitoring compliance with land lease agreement on the City's behalf. The City will receive any remaining percentage of the revenue derived for the life of the land lease agreement.

E. In consideration of the rights granted herein, FBO agrees to pay a fuel flowage fee of ten cents (.10) per gallon of fuel sold and five (5%) percent franchise fee on the gross revenues derived from all facility rentals. All franchise fees shall be without deduction or offset and shall be secured by a priority lien upon FBO's Airport Operating Revenue. FBO shall at City's request execute such documents as may be required evidencing the priority lien. Franchise fees are due monthly on the fifth (5th) day of the calendar month following the month in which the "Operating Revenues" are due and or paid and shall include an automatic ten (10%) late fee if not paid by the 10th day thereafter. Timely payment of the franchise fee shall be a condition to the continued operation of the Agreement. The failure to pay all such fees when due shall constitute a basis for the termination hereof. FBO agrees to pay reasonable attorneys fees and cost associated with the collection of the Franchise Fees provided for herein.

F. City shall have access to FBO's books and records related to defined revenues upon 5 days notice during any term hereof for the sole purposes of conducting an audit by the City. FBO shall provide written financial and operational reports pertaining to operating revenues to City's Director of Finance on the form attached **as Exhibit "D"** hereto as requested.

G. FBO agrees to provide annual report detailing pertinent activities, expenditures, and revenues related to airport operations. The City may require such other and further reports from FBO as it deems reasonably necessary. FBO shall cooperate with City in providing all reports as requested.

H. FBO agrees to provide the items identified in the Request for Proposals and financial information provided as part of the selection process, attached **as Exhibit E**, hereto during any term of the agreement. If there are any discrepancies between the contract and Exhibit E, the terms of the stricter provision shall exclusively control.

SECTION 2. CITY'S OBLIGATIONS

City shall provide an airport budget which will include funds for maintenance not required of FBO. City duties and responsibilities shall include the following non-exclusive list:

i. Utilities – electric, water/wastewater service, and propane
ii. Facilities Maintenance – HVAC system and roof on the terminal building, major repairs or improvements to the maintenance facility, and repairs and improvements to hangars necessary to provide a safe and usable structure. The City will work with FBO to identify major repair items to submit for funding as part of the annual operating budget approval process.
iii. Asphalt maintenance and repair on roads, taxiways, and runway
iv. Annual herbicide and asphalt sweeping service as needed at the request of the FBO
v. Automated Weather Observation System Maintenance and Data Service
vi. Garbage Collection Services
vii. Mowing services, landscape, entry signage, and irrigation maintenance
viii. Maintaining fire hydrants
ix. Fencing – The City shall be responsible for maintaining the Airport's perimeter fencing.
x. City will bear the cost of any fuel tank and fuel line modifications required by current and future EPA or TCEQ regulations. City shall also bear the costs of annual fuel tank testing and permitting required, inventory maintenance, and pump maintenance and operation.
xi. Maintenance and repair of mobile fueling trucks, underground storage tanks, fuel dispensing equipment identified in annual inspections.
xii. The upkeep and maintenance of all City airport equipment. This shall include replacing defective runway, taxiway, beacon, hangar and hazard lights and airport signs, arranging for repairs to any visual or navigational aids and wind socks.

SECTION 3. OFFICE AND DUTY HOURS

A. The FBO shall establish an office at the Airport.

B. Hours – the FBO shall be on duty between the hours of 7 AM and 7 PM, 7 days per week, Monday through Sunday and designate an emergency contact for all matters outside of normal operating hours. Reasonable efforts shall be taken for the FBO to be physically present at the Airport during duty hours and in the event the FBO cannot be at the Airport, FBO shall provide coverage by competent trained and as necessary appropriately licensed personnel.

SECTION 4. DUTIES AND RESPONSIBILITIES OF FBO

The FBO shall be responsible for the daily operation and facilitating all maintenance. FBO shall pay all personnel related costs associated with the Airport and all operating expenses. FBO duties and responsibilities shall include the following non-exclusive list:

i. Point of Contact – The FBO shall be the point of contact for all airport business, save and except pertaining to grants and/or loans and through-the-fence operations by the FAA, the State of Texas and TXDOT unless so granted under a separate contract.

ii. Collection of Rents – The FBO shall collect all rents and fees for use of the Airport including hangar rents, tie down fees, fuel flowage fees, Fixed Base Operator (FBO) lease payments, and any other rents or fees arising from the Airport, save and except Federal, State, County, City and/or other organization's grants or loans. The FBO shall keep accurate records of such collections and provide such records to the City on a monthly basis.

iii. FBO shall provide the following services, support, and amenities:

a) Purchase and dispensing of aircraft fuel (100LL & Jet A), oil, and lubricants
b) Hangar management, subleasing of hangars and tie-down spaces, and perform minor maintenance to the terminal, maintenance facility, and hangars as may be needed due to normal daily use of the facilities.
c) Employment of the appropriate number of properly trained and/or certified personnel to provide satisfactory FBO services, such as fueling and line service, etc.
d) Minimum hours of operation: 12 hours per day, 7 days per week, or an acceptable alternative that may be considered by the City.
e) Aircraft marshalling, parking, and tie-down, including ropes, chains, and other restraining devices
f) Oxygen, nitrogen, and compressed air services
g) Courtesy transportation and/or ground transportation arrangement
h) Provide subcontractor lease space for flight training services and ground school and show proof of appropriate certifications to provide this service
i) Provide or subcontract for airframe and power plant maintenance and repair services and show proof of appropriate certifications to provide this service
j) Operate and maintain a pilot and passenger lounge with restrooms and vending machines
k) Phone, Internet, Credit Card equipment and services
l) Weather computer station
m) All equipment necessary to file flight plans
n) Miscellaneous retail products (pilot supplies, promotional items, etc.)
o) All other products and services not specifically listed herein must be submitted to the City for review, consideration, and approval.

The FBO may also provide any of the optional aeronautical services:

a) Aircraft rental
b) Aircraft sales
c) Avionics repair

d) Specialized maintenance, (such as upholstery, radio, instrument repair, etc.)

iv. Other Fuel Sales. The City and the FBO hereby agree to prohibit access to the airport by any business that sells aviation fuel outside of the airport property except fuel service truck delivering fuel to supply fuel for private use by facilities operating off of the airport property. It is mutually understood by both parties that state law provides that the City which has contractually extended its fuel sales function to an FBO may not prohibit the sale of fuel by other businesses located on the airport, if reasonable conditions set forth by the City are met.

v. FBO shall conspicuously post prices for all Airport services in the terminal building. The rates or charges for any and all products and services shall be determined by the FBO and be reasonable and be equally and fairly applied to all users of the products and services.

vi. FBO Maintenance of Airport - FBO shall keep all Airport grounds in operational condition and in keeping with all applicable Federal, State and local laws, rules, regulations, orders and guidelines including but not limited to those of the Federal Aviation Administration ("FAA") and the Texas Department of Transportation ("TXDOT"). FBO shall see to all Airport grounds and building upkeep and maintenance in accordance with industry standards for FBO(s) in the North Texas area.

FBO shall maintain the interior and exterior of all facilities in good working order, to include electrical, mechanical, plumbing, floors, interior and exterior walls, doors, windows, furniture, permanent fixtures, and exterior lighting necessary to present a positive image to customers.

FBO shall maintain all hangars, and overhead doors and door operating systems.

FBO shall supply, install, and maintain hand-held fire extinguishers in the interior of all buildings, aircraft shops, fuel storage, and fuel dispensing areas, including both mobile fueling vehicles.

FBO shall perform minor maintenance on the mobile fuel trucks, fuel storage, and dispensing equipment as may be needed due to normal daily use of the equipment.

FBO will not permit any action on the Airport that has an adverse effect, or interferes with the proper function of any drainage system, sanitary sewer system, or any facility provided for the operation or protection of the Airport.

vii. Property – The FBO shall be responsible for the upkeep of any City-owned buildings at the Airport. FBO shall be responsible for collection of trash and for such other maintenance requirements as may arise. FBO agrees to keep the premises, together with all improvements in a safe, clean, and attractive condition at all times.

viii. Taxes, Fees, Insurance, and Bond – The FBO shall be liable for all taxes and fees owed on or by his personal business or himself. Under no circumstances shall the City be liable for or be required to pay any tax or fee owed by the FBO. The City shall provide

insurance for all City owned real property located at the Airport under the City's policy which shall be for the sole benefit and protection of the City. The FBO shall be required to provide the following insurance coverage naming the City as an additional insured other than for worker's compensation:

a.	Comprehensive General Liability (CGL)	$1,000,000/ $1,000,000
b.	Product Liability	$1,000,000/ $1,000,000
c.	Workers Compensation	Statutory
d.	Hangar Keeper Liability	$1,000,000/$1,000,000
e.	Automobile Liability	$1,000,000 combined single limit

FBO shall provide certificates of insurance on an annual or semi-annual basis which shall include blanket waivers of subrogation.

ix. Notifications – The FBO shall be responsible for issuing and canceling any required notices to the FAA, State, or local authorities pertaining to airport operations or safety. However, nothing herein shall prevent the City from issuing or cancelling its own notifications as necessary.

x. The FBO shall not use the Airport property nor permit the Airport property to be used for any illegal or unauthorized purpose. FBO may not maintain nor shall it allow any tenant or other person to maintain any type of residence, apartment, temporary living quarters or the like for residential purposes. FBO agrees not to utilize areas on the premises which are located on the outside of the Terminal Building, hangar area, or maintenance shop for storage of permanently disabled aircraft, aircraft parts, automobiles, or vehicles of any type, or any other excess equipment or items which would distract from the appearance of the premises without the written approval of the City.

xi. Airport Improvements made by FBO, any tenant or other person or entity shall at all times be the property of the City subject to the leasehold rights granted herein. Unless agreed to by the City Manager or designee, All improvements made by the FBO or tenant to the airport shall become property of the City and neither FBO, nor any tenant, other person or entity shall be entitled to any payment from City for such improvement. Nor shall such improvement be removed from the Airport premises at any time including but not limited to upon the termination of the lease unless otherwise approved in writing by the City.

xii. FBO will be required to obtain and keep current any training and/or certifications required by the EPA and/or the TCEQ necessary to dispense fuel directly to consumers and as it relates to all operations of the Airport, and agrees to cooperate with the City on any current or future program which obligates the City to comply with Federal, State, or Local regulations.

xiii. City shall have the right to enter the Terminal Building, hangar areas, and all other areas of the airport open to all other airport customers during normal business hours for the purpose of making periodic inspections of all landside and airside facilities. In the event of emergency, the City shall also have the right to take such action as may be required for the protection of persons and/or property.

xiv. FBO shall require each person owning an aircraft based at the Airport to register at the

office of the FBO their name, address, telephone number, aircraft model, aircraft registration "N" number, and the name, address, and telephone number of their next of kin or person to be notified in case of an accident or emergency.

xv. FBO agrees to cooperate fully with the Rockwall Central Appraisal District and respond in a timely manner to any legal requests for information made to the FBO by the RCAD.

xvi. FBO agrees to cooperate with and attend meetings of the Airport Advisory Board if such a board is created in the future.

xvii. FBO shall not permit domestic animals at the Airport unless the animal is, and remains, restrained by a leash or is properly confined.

xviii. FBO shall not permit model aircraft not capable of carrying a person to operate, take off or be launched from, flown over or land at the Airport.

xix. FBO shall research and be knowledgeable about rules and regulations of the FAA and TXDOT Aviation Division regarding Airports that are federally obligated and agree to abide by grant assurances of the FAA and TXDOT.

xx. The City of Rockwall participates in both the Routine Airport Maintenance Program (RAMP) and the Non-Primary Entitlement (NPE) grant programs with TXDOT Aviation and the FAA. FBO agrees to cooperate with the City to accomplish capital projects to improve the Airport.

xxi. FBO agrees to adhere to the Transportation Security Administration guidelines for security at the Airport. FBO shall control the Airport so as to prevent unauthorized access to the airside. The City reserves the future right to install security devices in or on the Airport as it deems necessary at the City's cost. FBO further agrees to secure all Airport facilities in the appropriate manner after normal business hours and control access to those that are employees and /or subcontracted instructors of the Airport. FBO agrees to properly secure all financial information of its own operation and that of its customers.

xxii. Other duties and responsibilities as required and/or agreed upon by City and FBO.

xxiii. FBO shall in its operations and activities relative to this Agreement and Lease, shall at all times be subject to a continuing duty to abide by all federal, state, and local laws including all applicable amendments thereto.

SECTION 5. SUBLEASE, ASSIGNMENT, OR SALE

The FBO shall not assign, sell, or unilaterally transfer this contract agreement or any right hereunder to any person, corporation, or association without specific approval of the City of Rockwall. Any such sublease, assignment, sale, or transfer shall be grounds, at the option of the City, for the City to immediately terminate this contract agreement.

FBO may sublease office space and excess shop space without consent of the City as long as subleased space is used for aviation related businesses.

SECTION 6. TERMINATION

a. Should the FBO be declared bankrupt, incompetent, or become deceased, this contract agreement shall immediately terminate and shall not be considered as part of the FBO's estate and shall not become an asset of any appointed or assigned guardian, trustee, or receiver. In the event the FBO fails to make timely payments of all taxes or fees, fails to provide proof of required insurance, uses the Airport property or permits the Airport property to be used for any illegal or unauthorized purpose, files bankruptcy, abandons or leaves the property vacant or unoccupied for 10 consecutive days, or violates any of the terms and conditions of this contract agreement, the City has the right with ten (10) days written notice, which notice may be extended by the City Manager to thirty (30) days, to terminate this contract agreement and retake possession of any Airport property leased to or under the control of the FBO.

b. At the termination of this contract in any manner provided for herein, FBO shall peaceably vacate the premises and any furniture or other equipment entrusted to the FBO shall be returned to the City in the same condition as it was when issued, normal wear excluded. Should the FBO be in default of any monies owed to the City, the City may take possession of any personal property owned by the FBO and located at the Airport and hold same until the monetary default is settled. In such case that the FBO cannot or will not settle any claims against it and owed to the City. City may liquidate any personal property seized in any manner permitted by Chapter 93 Texas Property Code. The FBO shall be liable for any and all expenses incurred by the City in such action. And, nothing contained herein shall ever relieve FBO of its obligation to pay unpaid or delinquent Franchise Fees as otherwise provided herein.

SECTION 7. MISCELLANEOUS

a. This contract agreement embraces the entire Airport FBO's Agreement between the parties hereto and no statement, remark, agreement, or understanding, either oral or written, not contained herein shall be recognized or enforced, except that this contract agreement may be modified by written addendum hereto attached signed by all parties and subject at all times to the approval by the City's governing body.

b. For the purpose of this contract agreement, the singular number shall include the plural and the masculine shall include the feminine and vise-versa, whenever the context so admits or requires.

c. The "Section" captions and headings are inserted solely for the convenience of reference and are not part nor intended to govern, limit, or aid in the construction of any provision hereof.

d. The parties to this contract agreement hereby acknowledge and agree they are the principals to the contract agreement and have the power, right, and authority to enter into this contact agreement and are not acting as an agent for the benefit of any third party; except that the City is acting on behalf of the City of Rockwall.

e. The contract agreement shall be governed by the laws of the State of Texas and constructed thereunder and any action brought under this contract agreement shall be in the state district courts of Rockwall County, Texas wherein mandatory and exclusive venue shall lie.

f. **FBO AGREES TO DEFEND, SAVE, INDEMNIFY AND HOLD HARMLESS THE CITY AND ITS AGENTS, OFFICERS, EMPLOYEES AND ASSIGNS OF AND FROM ANY AND ALL LIABILITIES, EXPENSES, CAUSES OF ACTION, DAMAGES, AND/OR ATTORNEY'S FEES (HEREINAFTER CLAIMS) RESULTING FROM OR AS A RESULT OF ANY OF FBO'S BUSINESSES, OPERATION, OCCUPANCY, OR USE OF THE AIRPORT, OR RESULTING FROM ANY ACT OR OMISSION OF FBO'S AGENTS, SERVANTS, OR EMPLOYEES. AND THIS INDEMNITY AGREEMENT SHALL APPLY AND PROTECT CITY AND ITS AGENTS, SERVANTS, AND EMPLOYEES, EVEN THOUGH IT BE CONTENDED, OR EVEN ESTABLISHED, THAT SAID CITY OR ITS AGENTS, SERVANTS, OR EMPLOYEES WERE NEGLIGENT, OR THAT THEIR CONDUCT OR OMISSION IN ANY WAY CAUSED OR CONTRIBUTED TO SUCH LIABILITY, EXPENSE, CAUSE OF ACTION, DAMAGE, AND/OR ATTORNEY'S FEES; PROVIDED HOWEVER THAT SUCH INDEMNITY SHALL NOT APPLY IN THE EVENT CITY IS SOLELY LIABLE FOR ANY SUCH CLAIMS OR SUCH ARISE AS A RESULF OF CITY'S GROSS NEGLIGENCE OR INTENTIONAL ACTS ALL WITHOUT WAIVING ANY SOVERIGN OR GOVERNMENTAL IMMUNITY AVAILABLE TO CITY OR THE DEFENSES OF THE PARTIES PROVIDED BY TEXAS LAW.**

g. If any section, paragraph, sentence or phrase entered in this contract agreement is held to be illegal or unenforceable by a court of competent jurisdiction, such illegality or unenforceability shall not affect the remainder of this contract agreement which can be given effect without the illegal or unenforceable section, paragraph, sentence, or phrase and to this end, the provisions of this contract agreement are declared to be severable.

h. By the execution of this FBO agreement and undertaking the obligations provided for herein, City shall never be construed as waiving governmental or sovereign immunities to suit and damages available under Texas law the rights to which are specifically reserved herein to the fullest extent permitted by law and minimally to the extent then and there existing prior to the execution hereof. In reviewing the provisions of this Agreement, every intendment shall be given by a reviewing court to provide the broadest possible immunities unto City authorized by Texas law.

i. It is expressly understood and agreed by all Parties hereto that in performing their services hereunder, neither the FBO nor its subcontractors or tenants shall at any time act as agents of the City; and all consultants or contractors engaged by the FBO, its subcontractors or tenants will be independent contractors. The Parties hereto understand and agree that the City will not be liable for any claims that may be asserted by any third party occurring in connection with services performed by the FBO under this Agreement.

j. Any notice to be given herein shall be in writing and shall be given by depositing same with the United States Postal Service, postage prepaid, via first class mail and certified, with return receipt requested. Notice required to be given herein shall be addressed as follows:

TO CITY:

City of Rockwall
City Manager
385 S. Goliad Street
Rockwall, Texas 75087

TO FBO:

Todd Parks
Texas Air Center LLC

_____

_____

k. If a dispute arises out of or relates to this Agreement or the breach thereof, the Parties shall first in good faith seek to resolve the dispute through negotiation between the upper management of each respective Party. If such dispute cannot be settled through negotiation, the Parties agree to try in good faith to settle the dispute by mediation before resorting to litigation, or some other dispute resolution procedure; provided that a Party may not invoke mediation unless it has provided the other Party with written notice of the dispute and has attempted in good faith to resolve such dispute through negotiation. All costs of negotiation, mediation, collectively known as alternate dispute resolution ("ADR") shall be assessed equally between the City and FBO with each party bearing their own costs for attorney's fees, experts, and other costs of ADR and any ensuing litigation.

SIGNATURE PAGE

EXECUTED this _____ day of _____, 2014.

City of Rockwall a Home Rule Municipality and Political Subdivision of the State of Texas

_____
Richard Crowley
City Manager

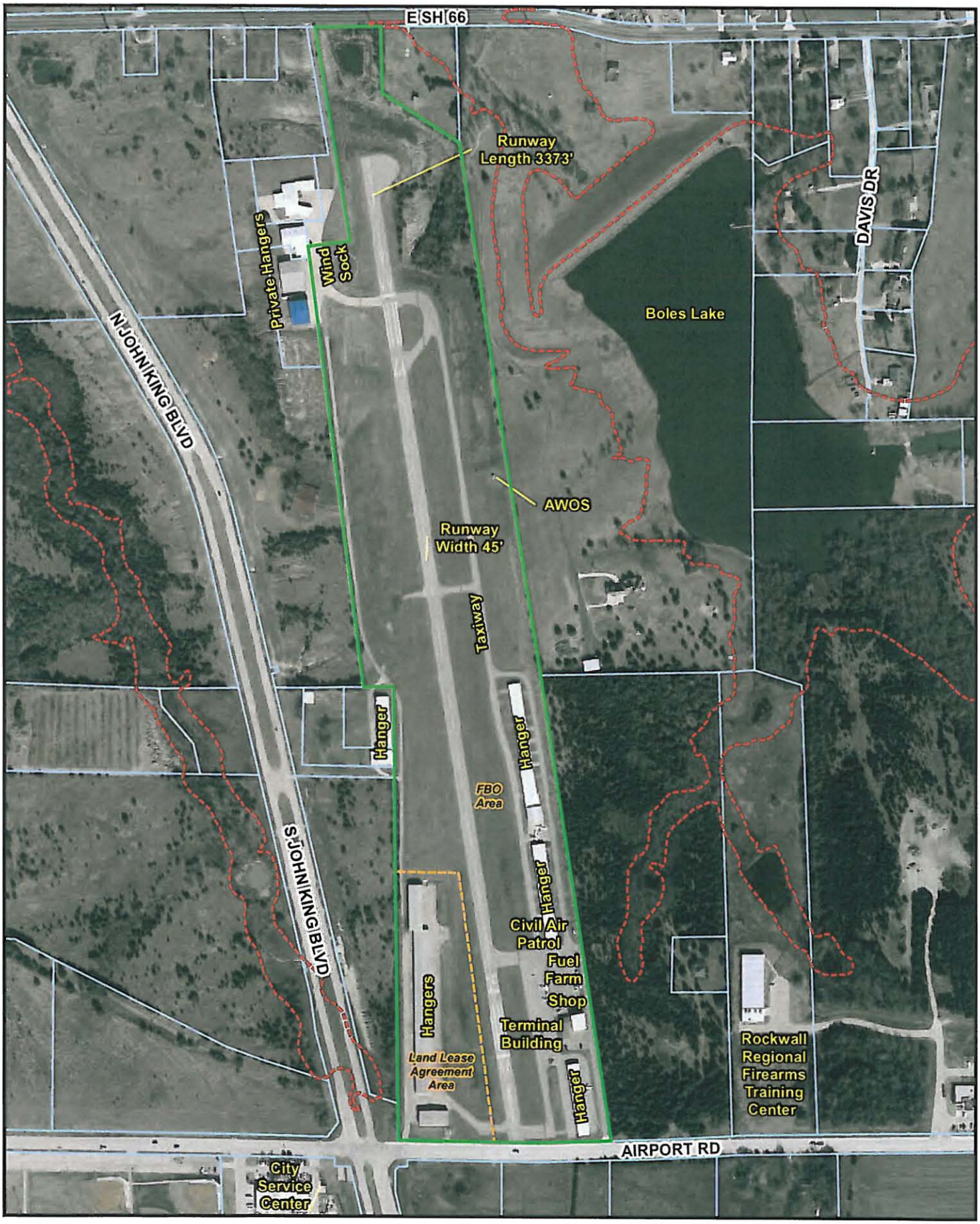
_____
Todd Parks
FBO

Approved as to Form:

_____
City Attorney

Attest: _____
Kristy Ashberry
City Secretary

Exhibit "A"
Aerial map of Airport Property



City of Rockwall

0 100 200 300 400 500 Feet

FEBRUARY 5, 2014

N W E S

Legend

100 Yr FloodPlain

Parcel Lines

RALPH M HALL - ROCKWALL MUNICIPAL AIRPORT

182

Exhibit "B"
Leased Taxiway Access Area

Through The Fence Agreement

This agreement is for through-the-fence taxiway access from private property to the Rockwall Municipal Airport.

STATE OF TEXAS)
)
CITY OF ROCKWALL)

KNOW ALL PERSONS BY THESE PRESENTS:

This agreement is entered into this 6 day of May, 2008, between the City of Rockwall, hereinafter referred to as the "Lessor" and is the owner of the Rockwall Municipal Airport, hereinafter referred to as "Airport" and David Block and/or his assignee (a corporation, partnership, or sole proprietor), hereinafter referred to as "Lessee" who covenant and agree as follows:

WHEREAS, Lessor and Lessee are committed to the proper operation, improvement, and continued development of the Airport; and

WHEREAS, Lessor deems it advantageous to itself and to the operation of the Airport to lease to Lessee certain taxiway access;

NOW THEREFORE, in consideration of the terms, considerations, and privileges listed herein, Lessor and Lessee covenant and agree as follows:

Definitions.

Taxiway Access - means an aircraft taxiway, further described and defined below as the Land, located on private property owned by Lessor adjacent to the Rockwall Municipal Airport that connects or feeds into a taxiway on the Airport and that is constructed for or intended use for the principal purpose of allowing aircraft to taxi between the Airport and one or more private properties off site, and is approved as an access taxiway by the City of Rockwall.

Airport - means the area known as the Ralph Hall, Rockwall Municipal Airport.

Section 1. Leased Area

A. Land – Lessor does hereby lease to Lessee, effective on the date above stated, the land more particularly described as follows:

Rockwall Municipal Airport property adjacent and connected by taxiway to private property owned by David Block as defined by legal description on Exhibit A which is attached hereto and incorporated herein, and hereinafter referred to as the "Land" and

located on the Airport. Lessee hereby leases the said Land from the Lessor subject to the terms, considerations, and privileges stated herein.

Section 2. Term

This agreement shall be for the term of thirty (30) years, and may be extended after the initial term upon giving of written notice by Lessee to Lessor not more than one hundred eighty (180) nor less than sixty (60) days prior to the expiration of the preceding 30 (thirty) year lease term; provided that the term of the lease shall be extended for the period of time elapsed between the date of the execution of this lease and the date when Lessee receives a Certificate of Occupancy Date as defined below:

Section 3. Consideration

A. In consideration for the lease of the Land as referenced herein, Lessor acknowledges the substantial paving improvements constructed by or in connection with Lessee on or adjacent to the Airport and further Lessee hereby agrees to pay monthly the sum of $50.00. The initial payment shall be due within five (5) days of the date Lessee receives a Certificate of Occupancy on the new hanger to be constructed by Lessee on Lessee's property adjacent to the taxiway access ("Certificate of Occupancy Date"), and thereafter shall be due on the anniversary of such date during the term of this contract plus any extensions thereto.

B. Lessee agrees that the lease payment listed herein shall be subject to review and adjustment by Lessor only upon thirty (30) days advance written notice by Lessor to Lessee prior to the end of any Adjustment Period (as defined below) and according to the following terms and on the following dates ("Adjustment Period"): first on the date ten (10) years after the Effective Date of this agreement and thereafter at five (5) year intervals calculated from such date throughout the term of the lease; provided any adjustment shall not cause the aggregate lease payment amount over an entire Adjustment Period to increase by more than $175 more than the aggregate lease payment amount for the prior Adjustment Period.

C. All lease fees shall be paid as the same becomes due, without demand, in lawful currency of the United States made payable to the City of Rockwall, Texas by mail or delivery.

D. In the event Lessee fails to remit any payments when the same are due, interest at the rate of 5% shall be charged by Lessor beginning on the tenth (10) day after the date the payment is due and such interest shall continue to accrue against such delinquent payment until the payment plus interest is received by Lessor. In the event Lessee shall become delinquent for more than 60 days, this lease may be terminated by Lessor as further defined in Section 7. – Termination.

E. Lessee agrees that he will at all times refrain from littering on or wasting the premises of the taxiway access and will not place trash, litter, junked automobiles, or scrap aircraft parts on the taxiway access. Lessee shall abide by all applicable rules and recommendations of the Environmental Protection Agency, the Texas Commission on Environmental Quality, the Texas Department of Agriculture, the Texas Department of Transportation, and any other public agency concerning the use, storage, and disposal of hazardous chemicals, fuel, and/or

oil on the Land. Lessee further agrees to abide by the manufacturer's directions in regards to the use, storage, and disposal of all pesticides, herbicides, and other chemicals plus their containers used at the airport on the Land. Should Lessee fail to keep the leased area free of hazards caused or created by Lessee, Lessor may, after 30 days written notice, arrange for the cleanup of the littered or hazardous area. Such cleanup, to the extent caused or created by Lessee, shall be charged to Lessee and payable on demand. Failure to render proper payment for such cleanup and/or general disregard for the considerations and restrictions listed in this lease agreement are grounds for Lessor to terminate this lease as provided herein.

F. Taxes, Fees, Insurance, and Bond – Lessee shall be liable for all taxes and fees owed on or by his personal business or himself. Under no circumstances shall Lessor be liable for or be required to pay any tax or fee owed by Lessee, nor shall Lessee be liable for taxes or fees relating to the Land or Airport. Lessee should provide his own insurance coverage for any personal property located in or on the leased area.

G. All improvements made by the Lessee on the Airport property shall become property of the City of Rockwall at the time of expiration or termination of this agreement unless otherwise approved in writing by the City Manager. The City shall not be required to pay the Lessee for any such improvements made unless specifically stated in writing by the City Manager.

Section 4. Permitted Use

All uses otherwise permitted by existing zoning ordinances within the boundaries of the existing Airport Overlay District and as it may be amended in the future, except where there is a conflict between the Airport Overlay District and existing zoning ordinances. Where the provisions of the Airport Overlay District are more restrictive, the provisions of the Airport Overlay District shall govern.

Section 5. Restricted Use

A. Lessee agrees that he will not store or permit the storage of any fuel or hazardous, volatile, and/or dangerous chemicals on the taxiway access except as generally allowed for and/or associated with the uses of the Land and Airport authorized herein without the written consent of Lessor.

B. Lessee agrees not to make any additions or modifications to the taxiway access except agreed upon by both parties in writing. In the case of such consent and unless agreed to the contrary in writing, all improvements or modifications shall be made at the expense of Lessee and, at the expiration of this Lease and any extensions to this lease, shall become the property of the Lessor.

C. Lessee agrees that he will access any and all hangars located on his private property from SH-66 as provided by and in the form of the Access Easement Agreement attached hereto, and not through Airport property. The Access Easement Agreement shall constitute a separate and independent instrument and obligation, shall survive the expiration or termination of this agreement, and shall run with the land owned by Lessee.

Section 6. Unrestricted Uses

The following uses of the Land and Lessee's adjacent property shall be unrestricted by Lessor: personal aeronautical use; flight school training; fly for hire; fuel storage for personal use; purchase, sale and/or lease of aircraft and aeronautical equipment; maintenance on aircraft and/or aeronautical equipment owned, leased or leasing space from lessee; sale or lease of Lessee property and/or improvements; construction, improvement and/or maintenance to the property owned, leased or controlled by Lessee; and all uses not exclusively reserved by and for the benefit of the Fixed Base Operator for the Airport pursuant to the terms of that FBO/Airport Management Agreement dated April 28, 2007 so long as said agreement is in force and effect and is binding on Lessor and after the expiration and/or termination of said FBO/Airport Management Agreement said uses previously exclusively reserved shall also be unrestricted uses hereunder.

Section 7. Sublease, Assignment, or Sale

The Lessee may sublease, assign, sell or transfer Lessee's property adjacent to the taxiway access and/or Lessee's rights and obligations hereunder upon 15 days written notice to Lessor and in such case the assignor shall be relieved of liability for the obligations assumed; provided that Lessee may sublease, assign and/or transfer without notice to any entity owned or controlled by Lessee, a family member, an heir, or a trust created for the benefit of an hear or family member. Any sublease, assignment, sale, or transfer contrary to this provision shall be grounds, at the option of the City of Rockwall, for the City of Rockwall to terminate this contract agreement as provided herein.

Section 8. Termination

A. This contract agreement may be terminated prior to its term by Lessor or Lessee if either fails to abide by the material terms and conditions expressed herein and due the complainant and so decreed by a court of competent jurisdiction. Should Lessee be declared bankrupt, this contract agreement shall immediately terminate and shall not be considered as part of Lessee's estate and shall not become an asset of any appointed or assigned trustee, or receiver. In the event Lessee fails to make timely payment as required herein, uses the Airport property or permits the Airport property to be used for any illegal or unauthorized purpose, files bankruptcy, abandons or leaves the property vacant or unoccupied for 180 consecutive days, or violates any of the material terms and conditions of this contract agreement, Lessor has the right to terminate this contract agreement and retake possession of any Airport property leased to or under the control of Lessee upon ten (10) days written notice delivered to Lessee; provided that notwithstanding any other provision to the contrary, prior to notice of default and right to termination or exercise of other remedy, Lessor shall deliver written notice to Lessee stating with reasonable particularity the facts supporting the claimed default and actions necessary to cure same and Lessee shall have thirty (30) days opportunity to cure said default. In the event that said default can not reasonably be cured

within said cure period but Lessee is acting with reasonable diligence to accomplish such cure, said cure period shall be extended another thirty (30) days.

B. Lessee agrees and understands that Lessor reserves the right to further expand, develop, or improve the airport, including the termination of this lease agreement, in such instance that the continued leasing of the taxiway access would prevent any proposed development or improvements at the Airport; provided that in determining whether this lease agreement would prevent any proposed development or improvement at the Airport, all development and improvement alternatives shall be taken into consideration; and further provided that in any event this Lease Agreement may not be terminated for the cause outlined in this sentence prior to the thirtieth year after this lease agreement is signed. In the event that termination is authorized by the preceding sentence, this contract agreement may be terminated regardless of the desires, wishes, or views of Lessee and without interference or hindrance from Lessee, but only so long as such expansion, development, or improvements are shown on a Texas Department of Transportation and/or FAA approved Airport Layout Plan or Master Plan and in a manner consistent with the preceding sentence and upon reasonable written notice given the circumstances and investment of Lessee.

C. This contract may be prematurely terminated by mutual agreement and consent of both parties in writing. Such termination by mutual agreement shall cause both Lessor and Lessee to be free of any and all requirements of this contract, and neither Lessor nor Lessee shall have any derogatory remarks or entries made upon their resumés or upon any public or private records which would indicate failure to successfully fulfill the conditions of this contract.

D. At the termination of this contract agreement consistent with the provisions herein, either by normal expiration, premature termination, or mutual agreement, Lessee shall peaceably surrender this agreement.

Section 9. Hold Harmless

Lessee agrees to save, hold harmless and indemnify Lessor and its agents, servants, and employees of and from any and all liabilities, expenses, causes of action, damages, and/or attorney's fees resulting from any negligent act or omission of Lessee or Lessee's agents, servants, or employees on the Land as defined herein.

Section 10. Maintenance of Landing Area

Lessee understands and agrees that Lessor reserves the right, but not the obligation, to maintain the Airport to at least the minimum standards as recommended by the FAA and/or the Texas Department of Transportation. Such right includes the right to maintain and keep in repair all public use areas at the Airport and the right to direct and control all activities as necessary at the Airport.

Section 11. Miscellaneous

A. This contract agreement and the exhibits referenced herein embraces the entire lease agreement of the parties mentioned herein pertaining to the taxiway access and no statement, remark, agreement, or understanding, either oral or written, not contained herein or in an exhibit hereto shall be recognized or enforced as it pertains to the lease of the taxiway access, except that this contract agreement may be modified by written addendum agreed to and signed by all pertinent parties and attached hereto.

B. For the purpose of this contract agreement, the singular number shall include the plural and the masculine shall include the feminine and vise-versa, whenever the context so admits or requires.

C. The "Section" captions and headings are inserted solely for the convenience of reference and are not part of nor intended to govern, limit, or aid in the construction of any provision hereof.

D. The parties to this contract agreement hereby acknowledge and agree that they are the principals to the contract agreement and have the power, right, and authority to enter into this contract agreement and have the power, right, and authority to enter into this contract agreement and are not acting as an agent for the benefit of any third party, except that Lessor is acting on behalf of the City of Rockwall.

E. This contract agreement shall be governed by the laws of the State of Texas and construed thereunder and venue of any action brought under this contract agreement shall be in Rockwall County, Texas.

F. If any section, paragraph, sentence, or phrase entered in this contract agreement is held to be illegal or unenforceable by a court of competent jurisdiction, such illegality or unenforceability shall not affect the remainder of this contract agreement and, to this end, the provisions of this contract agreement are declared to be severable.

Section 12. Notification

Any notice given by one party to the other in connection with this agreement shall be in writing and shall be delivered (and shall be deemed delivered three days after deposit with the U.S. Mail service with proper postage if sent certified mail, return receipt requested) to:

Lessor:
Rockwall City Hall
Attn: City Manager
385 S. Goliad Street
Rockwall, Texas 75087

Lessee:
David Block
2421 Kathryn Drive
Heath, Texas 75032

Section 13. Effective Date

This agreement is executed by the parties on the dates indicated below to be EFFECTIVE on 6th date of May, 2008.

Lessor:
City of Rockwall

City Manager
Date: 05-06-2008

Lessee:

David Block
Date: 5-6-8

Exhibit A to Through the Fence Agreement

Leased Taxiway Access Area

OWNERS CERTIFICATE

Rockwall Municipal Airport

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, the City of Rockwall is the owner of a tract of land in the County of Rockwall, State of Texas, said tract bein described as follows;
BEING a tract of land situated in the G.W.Ridlin Survey, Abstract No. 183, and the D.Berr Survey, Abstract No. 102, City o Rockwall County, Texas and also being those tracts recorded in Volume 86, Page 511, Volume 53, Page 47, Volume 81, Page part of those tracts recorded in Volume 53, Page 250 and Volume 61, Page 285, Deed Records of Rockwall County, Texas and more particularly described as follows;

BEGINNING at a point on the North line of Airport Road, said point being on the West line of said tract recorded in Page 47, an iron stake for corner;
THENCE, North, leaving the said North line of Airport Road, a distance of 1521.68 feet to an iron stake for corner;
THENCE, S.89° 55' 07" W. a distance of 102.24 feet to an iron stake for corner;
THENCE, N. 6° 35' 23" W. a distance of 1525.79 feet to an iron stake for corner;
THENCE, N. 83° 30' 12" E. a distance of 146.10 feet to an iron stake for corner;
THENCE, N. 8° 59' 35" W, a distance of 724.13 feet to a point on the South line of State Highway No. 66, an iron sta corner;
THENCE, S. 89° 43' 31" E. along the said South line of State Highway No. 66 a distance of 228.48 feet to an iron st corner;
THENCE, S. 0° 28' 47" E. leaving the said South line of State Highway No. 66, a distance of 234.50 feet to an iron stake for corner;
THENCE, S. 52° 04' 27" E. a distance of 314.43 feet to an iron stake for corner;
THENCE, S. 8° 01' 32" E. a distance of 1813.36 feet to an iron stake for corner;
THENCE, S. 8° 02' 22" E. a distance of 1604.00 feet to a point on the North line of Airport Road, an iron stake for corner;
THENCE, along the North line of Airport Road the following.
S. 89° 36' 43" W. a distance of 120.00 feet to an iron stake for corner;
N. 87° 54' 33" W. a distance of 606.90 feet to the PLACE OF BEGINNING and containing 47.89 acres of land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:
That, City of Rockwall, being owner does hereby adopt this plat designating the herein above described property as ROCKWALL MUNICIPAL AIRPORT ADDITION, to the City of Rockwall, Rockwall County, Texas, and does hereby dedicate to the public use forever the streets and alleys shown thereon and does hereby reserve the right-of-way and easement strips shown on this plat for the purposes stated and for the mutual use and accomodation of all utilities desiring to use or using same; any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective systems on any of the right-of-way and easement strips; and any public utility shall have the right of ingress and egress to, from and upon the said right-of-way and easement strips for the purpose of construction, reconstruction, patrolling maintaining and either adding to or removing all or part of their respective systems without the necessity of at any time procuring the permission of anyone. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishments of grades of streets in this addition.
WITNESS my hand at Rockwall, Texas this 22nd day of February A.D.1983.

CITY OF ROCKWALL, TEXAS
By Leon Tuttle
Leon Tuttle Mayor

STATE OF TEXAS
COUNTY OF ROCKWALL
Before me, the undersigned Notary Public, in and for the State of Texas, on this day personally appeared Leon Tuttle, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration herein expressed.

GIVEN under my hand and seal of office this 22 day of February A.D.1983.

Bob D. Allen
Notary Public for the State of Texas
My Commission Expires 10-17-85

SURVEYORS CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:
That, I, Bob O.Brown, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision.

Bob O. Brown
Bob O.Brown Registered Public Surveyor No.1744

STATE OF TEXAS
COUNTY OF ROCKWALL
Before me, the undersigned Notary Public, in and for the State of Texas, on this day personally appeared Bob O.Brown, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN under my hand and seal of office this 4 day of February A.D.1983

Notary Public for the State of Texas
My Commission Expires 4-15-85

RECOMMENDED FOR FINAL APPROVAL:
City Administrator Date

APPROVED:

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Exhibit B to Through the Fence Agreement

Payment Submittal Form

Date: _____

For the month and year of: _____

Monthly Payment: $_____

I certify the information and amount submitted on this form is true and correct.

_____
Signature

Exhibit C to Through the Fence Agreement

Easement Agreement for Access

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: 5-6, 2008

Grantor: City of Rockwall

Grantor's Mailing Address: 385 S. Goliad
Rockwall, Rockwall County, Texas 75087

Grantee: David Block and D.V.B. Family Limited Partnership

Grantee's Mailing Address: 2421 Kathryn
Heath, Rockwall County, Texas 75032

Dominant Estate Property: See legal description contained in Exhibit C and depiction in Exhibit B attached hereto and incorporated herein by reference.

Easement Property: See legal description contained in Exhibit A and depiction in Exhibit B attached hereto and incorporated herein by reference.

Easement Purpose: For providing free and uninterrupted pedestrian and vehicular ingress to and egress from the Dominant Estate Property to and from the existing Rockwall County, Texas road known as Highway 66 as depicted in Exhibit B.

Consideration: Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor.

Exceptions to Warranty: Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants and conditions, and other instruments, other than conveyances of the surface fee estate, that affect the Property; provided that no exception shall materially interfere with the Holder's rights of access as provided herein.

Grant of Easement: Grantor, for the Consideration and subject to the Reservations from Conveyance and Exceptions to Warranty, grants, sells, and conveys to Grantee and Grantee's heirs, successors, and assigns an easement over, on, and across the Easement Property for the Easement Purpose and for the benefit of the Dominant Estate Property, together with all and singular the rights and appurtenances thereto in any way belonging (collectively, the "Easement"), to have and to hold the Easement to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's

heirs, successors, and assigns to warrant and forever defend the title to the Easement in Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the Easement or any part thereof, except as to the Reservations from Conveyance and Exceptions to Warranty.

Terms and Conditions: The following terms and conditions apply to the Easement granted by this agreement:

1. *Character of Easement.* The Easement is appurtenant to and runs with any part of the Dominant Estate Property, whether or not the Easement is referenced or described in any conveyance of all or such portion of the Dominant Estate Property. The Easement is nonexclusive and irrevocable. The Easement is for the benefit of Grantee and Grantee's heirs, successors, and assigns who at any time own fee simple title to all or any portion of the Dominant Estate Property (as applicable, the "Holder").

2. *Duration of Easement.* The duration of the Easement is perpetual.

3. *Reservation of Rights.* Grantor reserves for Grantor and Grantor's heirs, successors, and assigns the right to continue to use and enjoy the surface of the Easement Property for all purposes that do not materially interfere with or interrupt the use or enjoyment of the Easement by Holder for the Easement Purposes. Grantor reserves for Grantor and Grantor's heirs, successors, and assigns the right to use all or part of the Easement in conjunction with Holder and the right to convey to others the right to use all or part of the Easement in conjunction with Holder, as long as such further conveyance and use does not materially interfere with or interrupt the use or enjoyment of the Easement by Holder for the Easement Purposes.

4. *Improvement and Maintenance of Easement Property.* Holder has the right to eliminate any encroachments into the Easement Property that prevent Holder access to the Dominant Estate Property as provided herein. Holder must not cause or allow action by Holder or Holder's guests that would cause or contribute to the Easement Property being other than in a neat and clean condition. Grantor has the right to construct, install, maintain, replace, and remove a road with all culverts, bridges, drainage ditches, sewer facilities, and similar or related utilities and facilities under or across any portion of the Easement Property (collectively, the "Road Improvements"). If Grantor fails or refuses to make or maintain Road Improvements, Holder may do so upon ten days advance written notice to Grantor and in such case shall have the rights and privileges of Grantor relating thereto. All matters concerning the configuration, construction, installation, maintenance, replacement, and removal of the Road Improvements are at Grantor's sole discretion. Grantor has the right to remove or relocate any fences within the Easement Property or along or near its boundary lines if reasonably necessary to construct, install, maintain, replace, or remove the Road Improvements or for the road to continue onto other lands or easements owned by Grantor or Grantor's assigns and adjacent to the Easement Property, subject to replacement of the fences to their original condition on the completion of the work. On written request by Grantor, the owners of the Easement Property will execute or join in the execution of easements for sewer, drainage, or utility facilities under or across the Easement Property.

5. *Equitable Rights of Enforcement.* This Easement may be enforced by restraining orders and injunctions (temporary or permanent) prohibiting interference and commanding compliance. Restraining orders and injunctions will be obtainable on proof of the existence of interference or threatened interference, without the necessity of proof of inadequacy of legal remedies or irreparable harm, and will be obtainable only by the parties to or those benefited by this agreement; provided, however, that the act of obtaining an injunction or restraining order will not be deemed to be an election of remedies or a waiver of any other rights or remedies available at law or in equity.

6. *Attorney's Fees.* If either party retains an attorney to enforce this agreement, the party prevailing in litigation is entitled to recover reasonable attorney's fees and court and other costs.

7. *Binding Effect.* This agreement binds and inures to the benefit of the parties and their respective heirs, successors, and permitted assigns.

8. *Choice of Law.* This agreement will be construed under the laws of the state of Texas, without regard to choice-of-law rules of any jurisdiction. Venue is in the county or counties in which the Easement Property is located.

9. *Counterparts.* This agreement may be executed in any number of counterparts with the same effect as if all signatory parties had signed the same document. All counterparts will be construed together and will constitute one and the same instrument.

10. *Waiver of Default.* It is not a waiver of or consent to default if the nondefaulting party fails to declare immediately a default or delays in taking any action. Pursuit of any remedies set forth in this agreement does not preclude pursuit of other remedies in this agreement or provided by law.

11. *Further Assurances.* Each signatory party agrees to execute and deliver any additional documents and instruments and to perform any additional acts necessary or appropriate to perform the terms, provisions, and conditions of this agreement and all transactions contemplated by this agreement.

12. *Indemnity.* Each party agrees to indemnify, defend, and hold harmless the other party from any loss, attorney's fees, expenses, or claims attributable to breach or default of any provision of this agreement by the indemnifying party.

13. *Integration.* This agreement contains the complete agreement of the parties and cannot be varied except by written agreement of the parties. The parties agree that there are no oral agreements, representations, or warranties that are not expressly set forth in this agreement.

14. *Legal Construction.* If any provision in this agreement is for any reason unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the parties, the unenforceability will not affect any other provision hereof, and this agreement will be construed as if the unenforceable provision had never been a part of the agreement. Whenever context requires, the singular will include the plural and neuter include the masculine

or feminine gender, and vice versa. Article and section headings in this agreement are for reference only and are not intended to restrict or define the text of any section. This agreement will not be construed more or less favorably between the parties by reason of authorship or origin of language.

15. *Notices.* Any notice required or permitted under this agreement must be in writing. Any notice required by this agreement will be deemed to be delivered (whether actually received or not) when deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address shown in this agreement. Notice may also be given by regular mail, personal delivery, courier delivery, facsimile transmission, or other commercially reasonable means and will be effective when actually received. Any address for notice may be changed by written notice delivered as provided herein.

16. *Recitals.* Any recitals in this agreement are represented by the parties to be accurate, and constitute a part of the substantive agreement.

17. *Time.* Time is of the essence. Unless otherwise specified, all references to "days" mean calendar days. Business days exclude Saturdays, Sundays, and legal public holidays. If the date for performance of any obligation falls on a Saturday, Sunday, or legal public holiday, the date for performance will be the next following regular business day.

[Signatures on Following Page]

GRANTOR:

CITY OF ROCKWALL:

By: _____
Its: City Manager

GRANTEES:

D.V.B. FAMILY LIMITED PARTNERSHIP

By: D Block Family L.C.

By: _____
David Block, President & Individually

STATE OF TEXAS *
*
COUNTY OF Rockwall *

Before me, a Notary Public, on May 6, 2008, personally appeared Julie Couch, City Manager of the City of Rockwall, Texas, known to me to be the person whose name is subscribed hereto, and after first being duly sworn, acknowledged to me that he executed the above Easement Agreement for Access for the purposes and consideration expressed therein and in the capacity therein stated.

VERONICA PADILLA
Notary Public
State of Texas
My Comm. Exp. 02-23-2009

_____
Notary Public, State of Texas

STATE OF TEXAS *
*
COUNTY OF Rockwall *

Before me, a Notary Public, on May 6, 2008, personally appeared David Block, known to me to be the person whose name is subscribed hereto, and after first being duly sworn, acknowledged to me that he executed the above Easement Agreement for Access for the purposes and consideration expressed therein and in the capacities therein stated.

VERONICA PADILLA
Notary Public
State of Texas
My Comm. Exp. 02-23-2009

_____
Notary Public, State of Texas

After Recording Return to:

David Block
2421 Kathryn
Heath, Texas 75032

EXHIBIT "A" TO EASMENT AGREEMENT FOR ACCESS

50' INGRESS-EGRESS EASEMENT
CITY OF ROCKWALL
TO
David Block and DVB Family Limited Partnership

BEING a 35,142 square foot ingress and egress easement across a tract or parcel of land situated in the G.W. RIDLIN SURVEY, ABSTRACT NO. 183, City of Rockwall, Rockwall County, Texas, and being across a part of Lot 1, ROCKWALL MUNICIPAL AIRPORT ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet B, Slide 47 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½" iron rod found for corner at an inner "L" corner of said Lot 1, and being at the southeast corner of a 3.56 acres tract of land as described in a Warranty deed from Charles T. Cody and Mary Ann Cody to Rockwall Property Corporation, dated August 30, 2000 and being recorded in Volume 1957, Page 54 of the Real Property Records of Rockwall County, Texas;

THENCE S. 08 deg. 34 min. 54 sec. E. a distance of 50.04 feet to a stake for corner;

THENCE S. 83 deg. 38 min. 46 sec. W. a distance of 97.07 feet to a stake for corner;

THENCE S. 06 deg. 41 min. 41 sec. E. a distance of 189.09 feet to a stake for corner;

THECNE S. 05 deg. 54 min. 37 sec. E. a distance of 369.87 feet to a stake for corner;

THENCE S. 89 deg. 07 min. 03 sec. W. a distance of 50.19 feet to a ½" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the West line of said Lot 1;

THENCE N. 05 deg. 54 min. 37 sec. W. along the west line of said Lot 1, a distance of 365.13 feet to a ½" iron rod found for corner;

THENCE N. 06 deg. 41 min. 41 sec. W. along the west line of said Lot 1, a distance of 201.33 feet to an "X" chiseled in concrete for corner;

THENCE N. 06 deg. 49 min. 00 sec. W. a distance of 37.72 feet to a northwest corner of Lot 1 in a hanger building wall;

THENCE N. 83 deg. 38 min. 46 sec. E. along a north line of Lot 1, a distance of 145.50 feet to the POINT OF BEGINNING and containing 35,142 square feet or 0.81 acres in said easement.

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EXHIBIT "B"

TO EASEMENT AGREEMENT FOR ACCESS

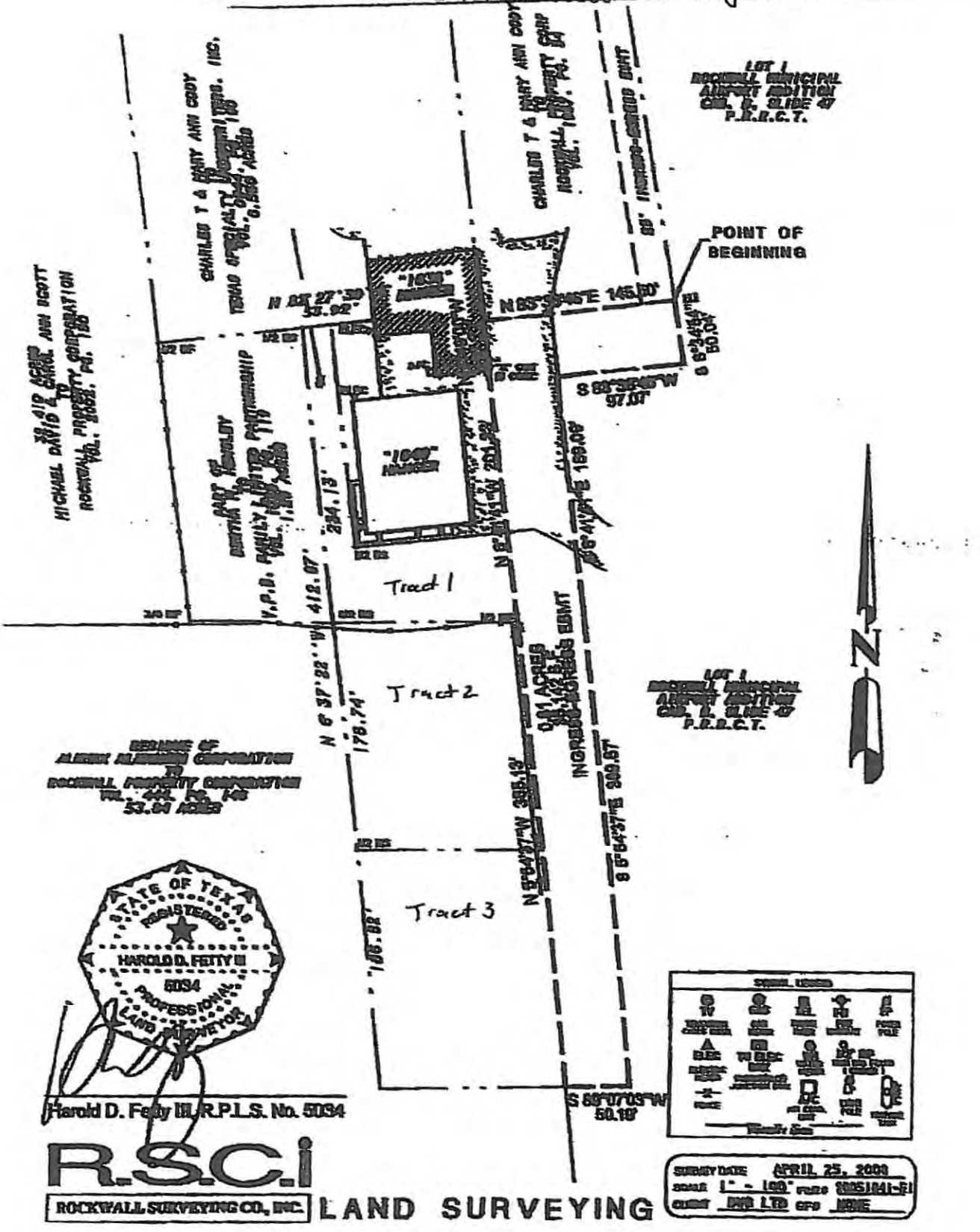

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EXHIBIT C TO EASEMENT AGREEMENT FOR ACCESS

Tract One

All that certain lot, tract or parcel of land situated in the G.W. RIDLIN SURVEY, ABSTRACT NO. 183, City of Rockwall, Rockwall County, Texas, and being a part of that 1.26 acres tract of land as described in a Warranty deed from Bertha M. Hensley and Hensley Aviation, Inc. to V.F.B. Family Limited Partnership, dated July 25, 1995 and being recorded in Volume 1026, Page 119 of the Real Property Records of Rockwall County, Texas, and being all of a 270.39 square foot tract as described in a Warranty deed from Texas Specialty Underwriters to V.F.B. Family Limited Partnership, dated September 12, 1996 and being recorded in Volume 1159, Page 79 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the North line of said 1.26 acres tract, said point being N. 82 deg. 27 min. 30 sec. E., 107.96 feet from a 1/2" iron rod found for corner at the Northwest corner of said 1.26 acres tract of land and the Southwest corner of a tract of land as described in a Warranty deed from Charles T. Cody and Mary Ann Cody to Texas Specialty Underwriters, Inc., dated September 28, 1994 and being recorded in Volume 944, Page 190 of the Real Property Records of Rockwall County, Texas;

THENCE N. 83 deg. 54 min. 14 sec. E. along the North line of said 1.26 acres tract, a distance of 53.92 feet feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the Northwest corner of a 318 square foot tract as described in a Deed to Texas Specialty Underwriters, as recorded in Volume 1159, Page 76 of the Real Property Records of Rockwall County, Texas;

THENCE S. 07 deg. 00 min. 03 sec. E. along the wall of a hanger building, a distance of 12.04 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at edge of said hanger;

THENCE N. 83 deg. 01 min. 32 sec. E. along said hanger wall, a distance of 41.94 feet to corner;

THENCE S. 07 deg. 04 min. 45 sec. E. along said hanger wall, a distance of 96.00 feet to corner;

THENCE N. 82 deg. 55 min. 15 sec. E. along said hanger wall, a distance of 40.74 feet to an "X" chiseled in concrete for corner in the East line of said 1.26 acres tract and being in the West line of Lot 1, ROCKWALL MUNICIPAL AIRPORT ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet B, Slide 47 of the Plat Records of Rockwall County, Texas;

THENCE S. 06 deg. 41 min. 41 sec. E., along the East line of said 1.26 acres tract, a distance of 201.33 feet to a 1/2" iron rod found for corner at the Southeast corner of same;

THENCE S. 89 deg. 07 min. 03 sec. W. a distance of 137.89 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 06 deg. 37 min. 22 sec. W. a distance of 234.13 feet to the POINT OF BEGINNING and containing 0.70 acres of land.

Tract Two

All that certain lot, tract or parcel of land situated in the G.W. RIDLIN SURVEY, ABSTRACT NO. 183, City of Rockwall, Rockwall County, Texas, and being a part of that tract of land as described in a Warranty deed from Alumax Aluminum Corporation to Rockwall Property Corporation, as recorded in Volume 444, Page 146 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the Southeast corner of a 1.26 acres tract of land as described in a Warranty deed from Bertha M. Hensley and Hensley Aviation, Inc. to V.F.B. Family Limited Partnership, dated July 25, 1995 and being recorded in Volume 1026, Page 119 of the Real Property Records of Rockwall County, Texas, and in the West line of Lot 1, ROCKWALL MUNICIPAL AIRPORT ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet B, Slide 47 of the Plat Records of Rockwall County, Texas;

THENCE S. 05 deg. 54 min. 37 sec. E. a distance of 178.53 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE S. 89 deg. 07 min. 03 sec. W. a distance of 135.66 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the corner;

THENCE N. 06 deg. 37 min. 22 sec. W. a distance of 178.74 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the corner;

THENCE N. 89 deg. 07 min. 03 sec. E. along the South line of said 1.26 acres tract, a distance of 137.89 feet to the POINT OF BEGINNING and containing 0.56 acres of land.

Tract Three

All that certain lot, tract or parcel of land situated in the G.W. RIDLIN SURVEY, ABSTRACT NO. 183, City of Rockwall, Rockwall County, Texas, and being a part of that tract of land as described in a Warranty deed from Alumax Aluminum Corporation to Rockwall Property Corporation, as recorded in Volume 444, Page 146 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the East line of said Rockwall Property Corporation tract, said point being S. 05 deg. 54 min. 37 sec. E., 178.53 feet from the Southeast corner of a 1.26 acres tract of land as described in a Warranty deed from Bertha M. Hensley and Hensley Aviation, Inc. to V.F.B. Family Limited Partnership, dated July 25, 1995 and being recorded in Volume 1026, Page 119 of the Real Property Records of Rockwall County, Texas, and in the West line of Lot 1, ROCKWALL MUNICIPAL AIRPORT ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet B, Slide 47 of the Plat Records of Rockwall County, Texas;

THENCE S. 05 deg. 54 min. 37 sec. E. along the West line of said Lot 1 and the East line of said tract, a distance of 186.80 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE S. 89 deg. 07 min. 03 sec. W. a distance of 133.33 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the corner;

THENCE N. 06 deg. 37 min. 22 sec. W. a distance of 186.82 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 89 deg. 07 min. 03 sec. E. a distance of 135.66 feet to the POINT OF BEGINNING and containing 25,000 square feet or 0.57 acres of land.

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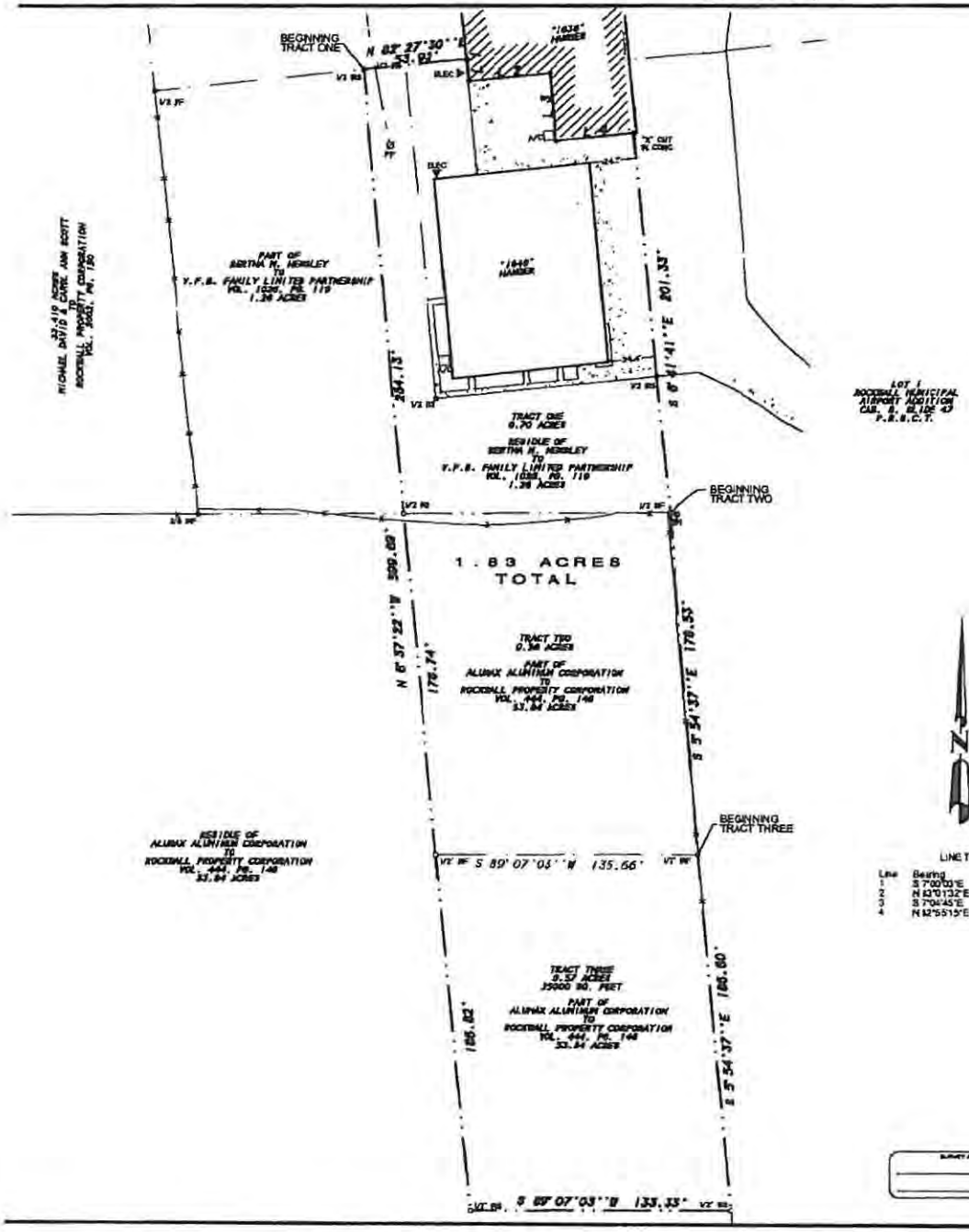
Exhibit "C"



LINE TABLE

Line	Bearing	Distance
1	S 7°00'00"E	12.04'
2	N 83°01'32"E	41.94'
3	S 7°04'45"E	35.00'
4	N 82°55'15"E	40.74'

Tract One

All that certain lot, tract or parcel of land situated in the J.W. RIDLIN SURVEY, ABSTRACT NO. 183, City of Rockwall, Rockwall County, Texas, and being a part of that 1.26 acres tract of land as described in a Warranty deed from Bertha M. Hensley and Hensley Aviation, Inc. to V.F.B. Family Limited Partnership, dated July 25, 1995 and being recorded in Volume 1026, Page 119 of the Real Property Records of Rockwall County, Texas, and being all of a 270.39 square foot tract as described in a Warranty deed from Texas Specialty Underwriters to V.F.B. Family Limited Partnership, dated September 12, 1996 and being recorded in Volume 1159, Page 79 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the North line of said 1.26 acres tract, said point being N. 82 deg. 27 min. 30 sec. E., 107.96 feet from a 1/2" iron rod found for corner at the Northwest corner of said 1.26 acres tract of land and the Southwest corner of a tract of land as described in a Warranty deed from Charles T. Cody and Mary Ann Cody to Texas Specialty Underwriters, Inc., dated September 28, 1994 and being recorded in Volume 944, Page 180 of the Real Property Records of Rockwall County, Texas;

THENCE N. 83 deg. 54 min. 14 sec. E. along the North line of said 1.26 acres tract, a distance of 53.92 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the Northwest corner of a 319 square foot tract as described in a Deed to Texas Specialty Underwriters, as recorded in Volume 1159, Page 79 of the Real Property Records of Rockwall County, Texas;

THENCE S. 07 deg. 00 min 03 sec. E. along the wall of a hanger building, a distance of 12.04 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at edge of said hanger;

THENCE N. 83 deg. 01 min. 32 sec. E. along said hanger wall, a distance of 41.94 feet to corner;

THENCE S. 07 deg. 04 min 45 sec. E. along said hanger wall, a distance of 35.00 feet to corner;

THENCE N. 82 deg. 55 min 15 sec. E. along said hanger wall, a distance of 40.74 feet to an "X" chiseled in concrete for corner in the East line of said 1.26 acres tract and being in the West line of Lot 1, ROCKWALL MUNICIPAL AIRPORT ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet B, Slide 47 of the Plat Records of Rockwall County, Texas;

THENCE S. 06 deg. 41 min 41 sec. E., along the East line of said 1.26 acres tract a distance of 201.33 feet to a 1/2" iron rod found for corner at the Southeast corner of same;

THENCE S. 88 deg. 07 min. 03 sec. W. a distance of 137.89 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 06 deg. 37 min. 22 sec. W. a distance of 534.13 feet to the POINT OF BEGINNING and containing 0.70 acres of land.

Tract Two

All that certain lot, tract or parcel of land situated in the J.W. RIDLIN SURVEY, ABSTRACT NO. 183, City of Rockwall, Rockwall County, Texas, and being a part of that tract of land as described in a Warranty deed from Alumax Aluminum Corporation to Rockwall Property Corporation, as recorded in Volume 444, Page 146 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the Southeast corner of a 1.26 acres tract of land as described in a Warranty deed from Bertha M. Hensley and Hensley Aviation, Inc. to V.F.B. Family Limited Partnership, dated July 25, 1995 and being recorded in Volume 1026, Page 119 of the Real Property Records of Rockwall County, Texas, and in the West line of Lot 1, ROCKWALL MUNICIPAL AIRPORT ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet B, Slide 47 of the Plat Records of Rockwall County, Texas;

THENCE S. 06 deg. 54 min. 37 sec. E. a distance of 178.53 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE S. 88 deg. 07 min. 03 sec. W. a distance of 136.66 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the corner;

THENCE N. 06 deg. 37 min. 22 sec. W. a distance of 178.74 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the corner;

THENCE N. 88 deg. 07 min. 03 sec. E. along the South line of said 1.26 acres tract, a distance of 137.89 feet to the POINT OF BEGINNING and containing 0.56 acres of land.

Tract Three

All that certain lot, tract or parcel of land situated in the J.W. RIDLIN SURVEY, ABSTRACT NO. 183, City of Rockwall, Rockwall County, Texas, and being a part of that tract of land as described in a Warranty deed from Alumax Aluminum Corporation to Rockwall Property Corporation, as recorded in Volume 444, Page 146 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the East line of said Rockwall Property Corporation tract, said point being S. 06 deg. 54 min. 37 sec. E., 178.53 feet from the Southeast corner of a 1.26 acres tract of land as described in a Warranty deed from Bertha M. Hensley and Hensley Aviation, Inc. to V.F.B. Family Limited Partnership, dated July 25, 1995 and being recorded in Volume 1026, Page 119 of the Real Property Records of Rockwall County, Texas, and in the West line of Lot 1, ROCKWALL MUNICIPAL AIRPORT ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet B, Slide 47 of the Plat Records of Rockwall County, Texas;

THENCE S. 06 deg. 54 min. 37 sec. E. along the West line of said Lot 1 and the East line of said tract, a distance of 180.60 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE S. 88 deg. 07 min. 03 sec. W. a distance of 133.33 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the corner;

THENCE N. 06 deg. 37 min. 22 sec. W. a distance of 180.82 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 88 deg. 07 min. 03 sec. E. a distance of 135.66 feet to the POINT OF BEGINNING and containing 25,000 square feet or 0.57 acres of land.

SURVEY ALLEGED BY:

_____ DATE _____

_____ DATE _____

R.S.C.I.
ROCKWALL SURVEYING CO., INC. LAND SURVEYING
1944 S. FM 551 ROYSE CITY, TX 75189 972-771-6464 PHONE 972-771-6448 FAX

SURVEY DATE JANUARY 31, 2006
SCALE 1" = 40' FILE 2005184N-B
CLIENT DYE I, II OF 1 JOHNS

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Exhibit "C"
List of Equipment to be leased to FBO

City will provide the following equipment:

1. Avgas fuel truck – 1966 Ford F350
2. Jet fuel truck – 1989 Chevrolet
3. 1952 Ford 8N Tractor
4. In-ground fuel tank and above-ground pump.
5. Radio Base station

FBO will provide the following equipment:

1. Bench grinder
2. Arbor press
3. Panel racks
4. Nitrogen cart
5. Telephone set
6. Shop crane
7. Drill press
8. Tow bar
9. Oxygen cart
10. Air compressor
11. Bead blaster
12. Tug
13. Miscellaneous tools and equipment

Airport Operations Report

For Month of April 2014

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	1,200.00	
Av-Gas Sales	2,500.00	
TOTAL FUEL SALES	**3,700.00**	**$0.00**

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$2,700.00
Terminal Office Rental Revenue	$250.00
Closed Hangar Rental Revenue	$600.00
TOTAL HANGAR RENTALS	**$3,550.00**

HANGAR OCCUPANCY RATES

	QTY AVAILABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	10	5	50%
Terminal Office Rentals	1	1	100%
Closed Hangar Rentals	1	1	100%
TOTAL HANGAR OCCUPANCY	**12**	**7**	**58%**

AIRCRAFT OPERATIONS

ESTIMATED FLIGHT OPERATIONS	SINGLE ENGINE RECIP	SINGLE ENGINE TURBINE	MULTI-ENGINE RECIP	MULTI-ENGINE TURBINE
In-Bound Based Aircraft				
Inbound Transient Aircraft				
Outbound Based Aircraft				
Outbound Transient Aircraft				
TOTAL FLIGHT OPERATIONS	**0**	**0**	**0**	**0**

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10		$370.00	$370.00
City Owned Hangar Rentals	5.00%	$177.50		$0.00
TOTAL FEES DUE		**$177.50**	**$370.00**	**$547.50**

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

Todd Parks
Managing Director - Texas Air Center, LLC

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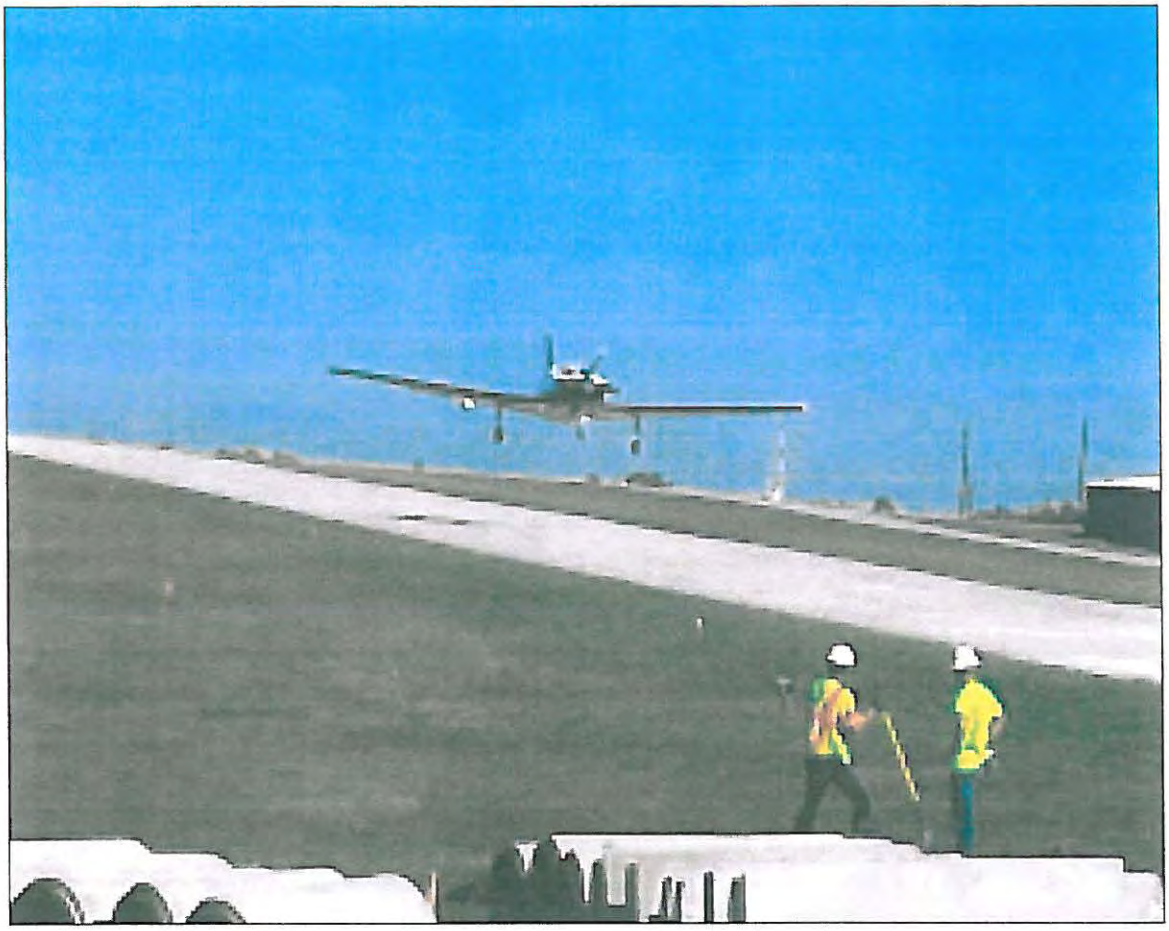
Exhibit "E"
FBO's RFP and Financial Information



Rockwall Municipal Airport

FIXED BASED OPERATOR PROPOSAL

Prepared for:Lea Ann Ewing Purchasing Agent

Prepared by Todd Parks, Managing Partner

November 26, 2013

EXECUTIVE SUMMARY

Candidate Information

Todd Parks has been directly involved in the aviation industry and specifically the General Aviation industry since 1976. Mr. Parks began his career in the United States Air Force where he served as a hydraulic and flight systems specialist on F-4 and F-15 fighter aircraft. Following four years of service and an honorable discharge Mr. Parks attended Texas State Technical Institute in Amarillo, Texas where he earned an applied science degree in1981. During his coursework at TSTI Mr Parks worked as a line service technician as a line service technician servicing small general aviation aircraft as well as a broad range of corporate and military jets and turbo-props. Following graduation from TSTI Mr. Parks completed FAA testing requirements and obtained his Airframe and Powerplant license. Mr Parks then worked for maintenance facilities as an aircraft technician for several years before earning a bachelors degree in Marketing from Texas Tech University. Mr parks continued work as an A & P technician for several years before joining his wife Denise in her State Farm Agency for two years followed by approximately ten years in the aircraft parts manufacturing and distribution business. Mr. Parks's recent experience includes work with one of the largest FBO chains in the country (Cutter Aviation) serving as a parts expeditor, parts department manager and finally as the new aircraft warranty administrator for the Dallas and San Antonio maintenance facilities. In 2011 Mr Parks was hired by Lake Texoma Jet Center as parts manager for the Sherman/Denison area maintenance facility and ultimately general manager of the company with responsibility for the maintenance shop, line service and administrative functions of the company. In January of 2012 the business was scaled back at Mr. Parks' recommendation to a line service facility after which Mr. Parks left the company to pursue other interests.

Goals

Mr. Parks would provide fixed base operator and maintenance services to aircraft owners currently based at the Rockwall Municipal Airport and surrounding areas. Our goal is to provide outstanding maintenance and FBO services in a manner that insures the safety of the flying public while providing outstanding customer service. We intend to operate the business in partnership with the city with the expectation of assisting with the management of the airport in the interest of the citizens of Rockwall. Mr. Parks is fully aware of industry trends regarding the operation of aircraft service facilities by municipalities and if chosen will structure the business accordingly. There are a number of issues facing city management and elected officials regarding airport growth and the airport's role in the economic growth of our community. We are proposing an agreement that recognizes these challenges and provides for some flexibility for the city as the airport grows. Our goal is to be a partner with the city in providing airport services that will enhance the appeal of the city to prospective businesses looking to relocate to the area.

General Information

1. Operating company to be formed as Texas Air Center, LLC pending selection.

2. Managing partners include Todd L. Parks and Denise Parks. Mr. and Mrs. Parks have lived in McClendon Chisholm, Texas and more recently Heath, Texas since 1995. They are currently living in Rowlett, Texas awaiting completion of a home in Rockwall (Chandler's Landing). Mrs Parks is a twenty five year State Farm agent operating in Rockwall since 1998 and is an active member of the Rockwall Noon Rotary, a current board member of Rockwall County Helping Hands and a member of the Rockwall Chamber of Commerce.

3. Vendor acknowledges receipt of Request for Proposal Addendum 1 and 2

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FINANCIAL FITNESS

Capital Contributions

As sole managing partners, funding of the proposed FBO will be provided by Todd & Denise Parks. Given the proposed structure of the business it is estimated that the business will require an initial investment of $50,000.00. This capital contribution will be deposited in the LLC account upon Texas Secretary of State approval of the LLC. While additional capital would be available from LLC members it is anticipated that working capital requirements under the proposed business structure would be met from cash generated from FBO operations.

OPERATIONS PLAN

Aircraft Services

Texas Air Center, LLC will provide aircraft services to tenant and transient aircraft operating in and out of the Rockwall Municipal airport. Aircraft services typically include aircraft refueling, servicing of aircraft fluids and gases as well as tie down and hanger storage when available. We would also propose to provide aircraft repositioning services to tenant aircraft at a cost to be determined by and at the discretion of FBO management utilizing an aircraft towing tractor to be purchased at the FBO's expense. Texas Air Center will also agree to provide a courtesy car to transient aircraft owners or passengers. FBO management reserves the right to charge a reasonable fee for this service at managements discretion.

Fueling of aircraft will be performed only by personnel trained in the proper operation of fueling equipment and with a working knowledge of safety measures associated with refueling operations. All aircraft fueling operations will comply with applicable National Fire Prevention Association 407 Standards for Aircraft Fuel Servicing, FAA Advisory Circular 150/5230-4B, Federal, State and local environmental regulations and the City of Rockwall Fire Prevention Codes. Deviations from these standards may be approved by city management.

Current aircraft fuel storage consists of one 2200 gallon Jet-A truck owned by the current operator, one 600 gallon Av-Gas truck and one 12,000 gallon underground Av-Gas tank owned by the city. Given the city of Rockwall's retention of rights to operate any and all FBO functions as well as the relatively low volume of fuel sold at the airport we propose that the city purchase a Jet-A fuel truck for use by the FBO. The city of Rockwall will be responsible for the cost of repairs and maintenance of all aircraft fueling and fuel storage equipment. The FBO would assume responsibility for routine servicing of fueling equipment including the cost of fuel to operate the vehicles.

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The FBO will provide a monthly report, due on the 5th of the month following the reporting period, of all aircraft fuel sales. This report will detail type of fuel sold, gallons sold and sell price.

Flight Training

While Texas Air Center, LLC has no current interest in operating a flight school we do appreciate the benefit such a venture provides the airport. Given that Rockwall FliteCenter currently operates a flight school out of the terminal we would propose that they be allowed to operate out of the existing space they occupy as a paid tenant, operating under their own FAA certificate and independent of Texas Air Center. If agreed to, Texas Air Center will provide appropriate fuel discounts necessary to insure the viability of the flight school. Rental of flight school facilities would be collected and retained by Texas Air Center.

Aircraft Maintenance Services

Texas Air Center will operate a maintenance facility in the hanger adjacent to the terminal offices. Given the limited shop space we would anticipate and have budgeted for, a small maintenance operation geared toward single and multiengine reciprocating aircraft. Our experience tells us that maintenance shop revenues will be limited by the restricted space available as well as intense competition from around the area. We anticipate offering a shop labor rate of $65.00 per hour with this figure subject to adjustments to reflect market conditions. A large percentage of the capital contributions mentioned in the financial fitness section will be used for purchases of shop equipment deemed appropriate for a shop of this size. Mr. Parks is certified as an A & P Mechanic but has not yet tested for an inspection authorization. Agreements for IA services are in place to meet the certification requirements outlined in the request for proposals. Mr. Parks anticipates obtaining an inspection authorization within one year of operation.

It should be noted that Texas Air Center views the maintenance of turbine aircraft as essential to our long term success. We are working on the hope that current airport improvements will be approved and that this will allow the operation of substantially more turbine aircraft off of the airport. Our growth is dependent on the growth of the airport and city.

Finally, we would propose that the current FBO be allowed to operate a maintenance shop out of the north maintenance hangar they have occupied for some time. We have no interest in seeing a family business displaced If they can compete fairly, pay rent, and operate under the same insurance requirements. If approved, we would like to offer the facility under a scheduled increase agreement over a six month period starting at $500.00 per month and ending at $1500.00 per month. These rents would be payable to Texas Air Center, LLC.

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Parts Sales

Texas Air Center intends to provide over the counter aircraft parts sales to local and area aircraft owners. Inventory will consist of consumable items such as oil, filters, brake pads, and other items appropriate for the location.

CUSTOMER SERVICE

The aircraft service business has changed drastically since the late nineteen seventies. There are many reasons for the change but the end result has been a reduced number of hours flown and a decrease in the number of flying customers. As a result, great customer service has never been more important to the success of an aircraft business. With that said, it is also true that providing great customer service is just as easy as it has ever been. It is all about understanding the needs of your customers and more importantly developing great relationships with each of them. We intend to offer our tenants and visitors the best possible service because it not only insures the success of our business it is also represents what may be a first and lasting impression of our community to the flying public.

It really is as simple as doing your best to have aircraft fueled as requested, maintenance done correctly and delivered on time or maybe just having hot coffee every morning in the terminal. We have the experience to meet the needs of the Rockwall flying community. Given the opportunity we will also make sure that we have the equipment and personnel to meet our customer expectations.

MANAGEMENT

Management of the FBO will be the responsibility of Todd Parks. The aircraft is small and in our opinion could be operated with a manager and one to two line service personnel. It is our understanding that the current FBO employs a line attendant and we would anticipate interviewing him with the intention of offering employment on a full time basis. Additional line service personnel will be added at the discretion of the FBO manager.

The maintenance shop will operate at a level consistent with the financial goals of the FBO. It appears unlikely that the shop would support more than one full time mechanic in the near term. Todd Parks will perform most aircraft maintenance functions. If the work load dictates agreements are in place with other technicians to provide contract labor as needed.

MARKETING

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Marketing of aircraft services will consist of direct contact with aircraft owners at industry gatherings and events, internet advertising such as web site development, email campaigns and publication of fuel prices on web sites such as AirNav, Foreflight and other flight planning service providers. As the aircraft grows Texas Air Center will play an active role in assisting the Rockwall Economic Development Board with marketing plans related to the airport and it capabilities and operations. We look forward to being an active partner in the city's efforts to promote the city.

FINANCIAL STATEMENTS

As requested we have attached Pro-Forma financial statements detailing estimated revenues and expenses related to FBO operations. While every effort has been made to represent projected financial amounts it should be understood that these are based on estimates by Mr. Parks. You will note that these figures do not include the purchase of fuel stocks. We would propose that the FBO and City of Rockwall negotiate a price for both the existing Av-Gas and Jet-A fuel inventory on hand and that figure be used as the purchase price of these inventories from the city.

Pro-Forma Profit & Loss
Texas Air Center, LLC (Proposed)
November 27, 2013

Account Name	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12
Operating Income												
Maintenance Operations												
Shop Labor Revenue	$ 4224.68	$ 4224.68	$ 4224.68	$ 4224.68	$ 4224.68	$ 4224.68	$ 4224.68	$ 4224.68	$ 4224.68	$ 4224.68	$ 4224.68	$ 4224.68
Parts Sales	$ 1267.40	$ 1267.40	$ 1267.40	$ 1267.40	$ 1267.40	$ 1267.40	$ 1267.40	$ 1267.40	$ 1267.40	$ 1267.40	$ 1267.40	$ 1267.40
Supplies - Shop	$ 211.23	$ 211.23	$ 211.23	$ 211.23	$ 211.23	$ 211.23	$ 211.23	$ 211.23	$ 211.23	$ 211.23	$ 211.23	$ 211.23
Oxygen/Nitrogen Service	$ 245.03	$ 245.03	$ 245.03	$ 245.03	$ 245.03	$ 245.03	$ 245.03	$ 245.03	$ 245.03	$ 245.03	$ 245.03	$ 245.03
Total Maintenance Operations Income	$ 5948.34	$ 5948.34	$ 5948.34	$ 5948.34	$ 5948.34	$ 5948.34	$ 5948.34	$ 5948.34	$ 5948.34	$ 5948.34	$ 5948.34	$ 5948.34
Fuel & Oil Sales												
Jet-A	$ 1568.63	$ 1335.00	$ 1335.00	$ 2202.75	$ 2002.50	$ 2202.75	$ 2670.00	$ 2336.25	$ 2269.50	$ 2670.00	$ 2336.25	$ 2002.50
Av-Gas	$ 9787.75	$ 7497.00	$ 8330.00	$ 13744.50	$ 12495.00	$ 13744.50	$ 16660.00	$ 14577.50	$ 14161.00	$ 16660.00	$ 14577.50	$ 12495.00
Oil Sales	$ 195.76	$ 149.94	$ 166.60	$ 274.89	$ 249.90	$ 274.89	$ 333.20	$ 291.55	$ 283.22	$ 333.20	$ 291.55	$ 249.90
Total Fuel & Oil Sales	$ 11552.13	$ 8981.94	$ 9831.60	$ 16222.14	$ 14747.40	$ 16222.14	$ 19663.20	$ 17205.30	$ 16713.72	$ 19663.20	$ 17205.30	$ 14747.40
Hangar & Tie Down Rental												
Tie Down Fees	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00
Hangar Rentals	$ 2625.00	$ 2625.00	$ 2625.00	$ 2875.00	$ 2875.00	$ 2875.00	$ 3375.00	$ 3375.00	$ 3375.00	$ 3625.00	$ 3625.00	$ 3625.00
Total Hangar & Tie Down Rentals	$ 2875.00	$ 2875.00	$ 2875.00	$ 3125.00	$ 3125.00	$ 3125.00	$ 3625.00	$ 3625.00	$ 3625.00	$ 3875.00	$ 3875.00	$ 3875.00
Total Operating Income	$ 20375.47	$ 17805.28	$ 18654.94	$ 25295.48	$ 23820.74	$ 25295.48	$ 29236.54	$ 26778.64	$ 26287.06	$ 29486.54	$ 27028.64	$ 24570.74
Cost of Goods Sold												
Cost of Goods Sold - Maintenance												
Cost of Goods Sold - Parts	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55
Cost of Goods Sold - Shop Supplies	$ 105.62	$ 105.62	$ 105.62	$ 105.62	$ 105.62	$ 105.62	$ 105.62	$ 105.62	$ 105.62	$ 105.62	$ 105.62	$ 105.62
Cost of Goods Sold - O2 & N2	$ 49.01	$ 49.01	$ 49.01	$ 49.01	$ 49.01	$ 49.01	$ 49.01	$ 49.01	$ 49.01	$ 49.01	$ 49.01	$ 49.01
Total Cost of Goods Sold - Maintenance	$ 1105.17	$ 1105.17	$ 1105.17	$ 1105.17	$ 1105.17	$ 1105.17	$ 1105.17	$ 1105.17	$ 1105.17	$ 1105.17	$ 1105.17	$ 1105.17
Cost Of Goods Sold - Fuel & Oil												
Av-Gas	$ 6991.25	$ 5355.00	$ 5950.00	$ 9817.50	$ 8925.00	$ 9817.50	$ 11900.00	$ 10412.50	$ 10115.00	$ 11900.00	$ 10412.50	$ 8925.00
Jet-A	$ 1075.13	$ 915.00	$ 915.00	$ 1509.75	$ 1372.50	$ 1509.75	$ 1830.00	$ 1601.25	$ 1555.50	$ 1830.00	$ 1601.25	$ 1372.50

Account Name	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12
Oil	$ 127.24	$ 97.46	$ 108.29	$ 178.68	$ 162.44	$ 178.68	$ 216.58	$ 189.51	$ 184.09	$ 216.58	$ 189.51	$ 162.44
Total Cost of Goods Sold - Fuel & Oil	$ 8193.62	$ 6367.46	$ 6973.29	$ 11505.93	$ 10459.94	$ 11505.93	$ 13946.58	$ 12203.26	$ 11854.59	$ 13946.58	$ 12203.26	$ 10459.94
Cost Of Goods Sold - Parts	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55
Total Cost of Goods Sold	$ 10249.34	$ 8423.19	$ 9029.02	$ 13561.66	$ 12515.66	$ 13561.66	$ 16002.31	$ 14258.98	$ 13910.32	$ 16002.31	$ 14258.98	$ 12515.66
Gross Operating Profit	$ 10126.13	$ 9382.09	$ 9625.93	$ 11733.83	$ 11305.08	$ 11733.83	$ 13234.24	$ 12519.66	$ 12376.74	$ 13464.24	$ 12769.66	$ 12055.08
Operating Expenses												
Salaries & Wages	$ 6619.76	$ 6619.76	$ 6619.76	$ 6619.76	$ 6619.76	$ 6619.76	$ 6619.76	$ 6619.76	$ 6619.76	$ 6619.76	$ 6619.76	$ 6619.76
Payroll Taxes	$ 794.37	$ 794.37	$ 794.37	$ 794.37	$ 794.37	$ 794.37	$ 794.37	$ 794.37	$ 794.37	$ 794.37	$ 794.37	$ 794.37
Maintenance - Line Equipment	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00
Training & Education	$ 1000.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Advertising Expense	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00
Company Vehicle Expense	$ 248.63	$ 248.63	$ 248.63	$ 248.63	$ 248.63	$ 248.63	$ 248.63	$ 248.63	$ 248.63	$ 248.63	$ 248.63	$ 248.63
Dues & Subscriptions	$ 76.17	$ 76.17	$ 76.17	$ 76.17	$ 76.17	$ 76.17	$ 76.17	$ 76.17	$ 76.17	$ 76.17	$ 76.17	$ 76.17
Utilities	$ 425.00	$ 425.00	$ 425.00	$ 425.00	$ 425.00	$ 425.00	$ 425.00	$ 425.00	$ 425.00	$ 425.00	$ 425.00	$ 425.00
Telephone & Internet Expense	$ 120.00	$ 120.00	$ 120.00	$ 120.00	$ 120.00	$ 120.00	$ 120.00	$ 120.00	$ 120.00	$ 120.00	$ 120.00	$ 120.00
Office Supplies Expense	$ 150.00	$ 65.00	$ 65.00	$ 65.00	$ 65.00	$ 65.00	$ 65.00	$ 65.00	$ 65.00	$ 65.00	$ 65.00	$ 65.00
Bank Service Charge	$ 18.00	$ 18.00	$ 18.00	$ 18.00	$ 18.00	$ 18.00	$ 18.00	$ 18.00	$ 18.00	$ 18.00	$ 18.00	$ 18.00
Credit Card Fees Expense	$ 611.26	$ 534.16	$ 559.65	$ 758.86	$ 714.62	$ 758.86	$ 877.10	$ 803.36	$ 788.61	$ 884.60	$ 810.86	$ 737.12
Insurance												
Products & Completed Operations Liabi	$ 363.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Premises Liability	$ 1390.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Hangar Keeper Liability	$ 680.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Insurance-Worker Comp	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Insurance-Auto	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00
Total Insurance Expense	$ 2653.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00
Total Operating Expenses	$ 13216.19	$ 9601.09	$ 9626.58	$ 9825.79	$ 9781.55	$ 9825.79	$ 9944.02	$ 9870.29	$ 9855.54	$ 9951.52	$ 9877.79	$ 9804.05
Net Profit Before Taxes	$ (3090.06)	$ (218.99)	$ (0.65)	$ 1908.03	$ 1523.53	$ 1908.03	$ 3290.21	$ 2649.37	$ 2521.20	$ 3532.71	$ 2891.87	$ 2251.03

Pro-Forma Balance Sheet
Texas Air Center, LLC (Proposed)
November 27, 2013

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12
Assets												
Current Assets												
Cash On Hand	$1200.00	$1200.00	$1200.00	$1200.00	$1200.00	$1200.00	$1200.00	$1200.00	$1200.00	$1200.00	$1200.00	$1200.00
Cash In Bank	$2649.94	$2430.95	$2430.30	$4338.33	$5861.86	$7769.90	$11060.11	$13709.48	$16230.68	$19763.39	$22655.26	$24906.30
Jet-A Inventory	$7260.00	$7260.00	$7260.00	$7260.00	$7260.00	$7260.00	$7260.00	$7260.00	$7260.00	$7260.00	$7260.00	$7260.00
Av-Gas Inventory	$14800.00	$14800.00	$14800.00	$14800.00	$14800.00	$14800.00	$14800.00	$14800.00	$14800.00	$14800.00	$14800.00	$14800.00
Parts Inventory	$4000.00	$4000.00	$4000.00	$4000.00	$4000.00	$4000.00	$4000.00	$4000.00	$4000.00	$4000.00	$4000.00	$4000.00
Total Current Assets	$29909.94	$29690.95	$29690.30	$31598.33	$33121.86	$35029.90	$38320.11	$40969.48	$43490.68	$47023.39	$49915.26	$52166.30
Fixed Assets												
Shop Equipment	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00
Total Fixed Assets	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00
Total Assets	$46909.94	$46690.95	$46690.30	$48598.33	$50121.86	$52029.90	$55320.11	$57969.48	$60490.68	$64023.39	$66915.26	$69166.30
Liabilities												
Current Liabilities	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
Long Term Liabilities	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
Total Liabilities	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
Equity												
Capital Contributions	$50000.00	$50000.00	$50000.00	$50000.00	$50000.00	$50000.00	$50000.00	$50000.00	$50000.00	$50000.00	$50000.00	$50000.00
Retained Earnings	-$3090.06	-$3309.05	-$3309.70	-$1401.67	$121.86	$2029.90	$5320.11	$7969.48	$10490.68	$14023.39	$16915.26	$19166.29
Total Equity	$46909.94	$46690.95	$46690.30	$48598.33	$50121.86	$52029.90	$55320.11	$57969.48	$60490.68	$64023.39	$66915.26	$69166.29
Check Figure	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00

AVIATION GENERAL LIABILITY PROPOSAL

Prepared for:

Texas Air Center, LLC

Rockwall, TX





Presented by:

Steve Bruss
Aviation Insurance Broker

wings INSURANCE
GLOBAL SOLUTIONS

Wings Insurance
14871 Pioneer Trail
Eden Prairie, Minnesota 55347
www.wingsinsurance.aero

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AVIATION GENERAL LIABILITY PROPOSAL

Named Insured: Texas Air Center, LLC

Effective Date TBA
Insurance Company: U.S. Specialty Aviation
Annual Premium: $2,453
Broker: Steve Bruss

INSURED PREMISES:

F46 - ROCKWALL MUNI airport, ROCKWALL TX

COVERAGES:

Coverage	Deductible	Premium
Premises Liability: $1,000,000 Each Occurrence / $2,000,000 Aggregate		$1,390
Products & Completed Operations Liability: $1,000,000 Each Occurrence $1,000,000 Aggregate		$383
Hangarkeepers Liability: $50,000 Each Aircraft / $100,000 Each Occurrence	$2,500 Each aircraft	$680
Medical Payments: $1,000 Per Person / $5,000 Each Occurrence		Included
	Total Annual Premium:	**$2,453**

ADDITIONAL INTERESTS:

Additional Insured: City of Rockwall

All policy terms, conditions, and exclusions shall apply in accordance with the policy form in use by the company upon the date of binding. This quotation shall be valid for no longer than a period of 30 days from the date shown above. Coverages have not been bound at this time; however, we would be pleased to bind coverages after receipt of the signed and dated Binding Instructions.

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Interview Notes for FBO Services at
Ralph M. Hall / Rockwall Municipal Airport

Interview Notes for Todd Parks

- Has lived in the Rockwall area for 18 years
- Has a website and marketing business that works with FBO's to market aviation services and airports
- Is a pilot
- Former military – Air Force
- Is a certified mechanic and is getting an IA certification
- His initial anticipated startup is $30-$50K
- Will be the primary maintenance department and run the day-to-day operations of the airport
- Will be the face of the organization and customers will deal with him directly
- He will buy the city's fuel inventory and assume purchasing both avgas and jet fuel as part of his FBO operation
- Would like the city to continue mowing, utilities, etc. everything it currently does
- He will provide ice, catering if necessary, oxygen/nitrogen to customers
- He will provide a courtesy car for local use
- Will purchase his own tug and other ground equipment
- Will open at least 12 hours / day, 7 days / week
- No tie-down fees if customers purchase fuel
- Believes customers should always be met on the ramp, marshalled in and out
- Would do normal repairs on facilities, but would need City's help with major repairs over $1,000
- Will offer opportunity to current FBO to subcontract for the flight school
- Will offer opportunity to current FBO to lease the northern box hangar to keep his repair shop / believes in fair competition / understands there are current customers loyal to Eddie

References for Todd Parks

Reference: Dave Larsen

- Known him for 12 years
- Has hired him for web services
- Very focused on serving customers and solving problems (better than most)
- Very high level of character and integrity
- Very motivated, even temperament, difficult to get under his skin
- Best attribute is dealing with people in an adverse situation

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Reference: Steve Seitz

- Known him for 15 years
- Todd also did website work for him
- General comments are that he's a good guy, very honest and reliable
- Former military, so he's disciplined
- Mr. Seitz's daughter worked for Todd, treats employees very good
- Very organized, treats people with kindness, very fair, great with customers
- Great family, Todd's wife handles his personal and professional insurance.
- His greatest strength is building and fostering personal and professional relationships
- Soft spoken, but very sharp.

Reference: Martin Sisk

- Known him for 8 years
- Worked with Todd at Cutter Aviation, works very well with others on maintenance issues and problem resolution
- Later worked with Todd at Texoma Jet Center when he was General Manager and Mr. Sisk was Director of Maintenance
- General comments are that Todd is very knowledgeable about aviation since he is a pilot, mechanic, has been a general manager
- Was very involved in all aspects of FBO operations – maintenance, fueling, etc.
- Very good dealing with customers – gives people an option – works with them instead of giving them a hard "yes" or "no", explains things to customers
- He's never rigid or abrupt when dealing with anyone
- Greatest strength is communication with customers and personnel and he's an innovative thinker.
- Very committed to his endeavors – both financially and personally – takes a hands on approach

Reference: Tom Chesna

- Known him for 15 years
- Todd has worked on his airplane and is very knowledgeable
- Knows a lot of people in the airport business
- Exceptional integrity, very honest
- Best strengths are that he is straight forward, keeps his word
- Very organized, very computer savvy

Reference: George Schuler

- Gives Todd his endorsement
- Todd knows the business, Worked for George and for Cutter Aviation
- Good guy

Boyd, Joey

From: Todd Parks
Sent: Tuesday, December 10, 2013 10:26 PM
To: Boyd, Joey
Subject: Re: RFP for FBO Services - Additional Information

Joey;

I have not finished the revised budget but did want to get a list of references to you with their contact information;

George Schuler 214.244.5678

Worked for George at Lake Texoma Jet Center

Tom Chesna 972.771.8651 No E-Mail

Tom owns an aircraft and bases it at Rockwall airport. He has built two houses for us and has been a friend since 1996

Dave Larsen 214.535.9415

Dave is a good friend. Lives in Heath and owns an architecture firm in Dallas.

Steve Seitz 972.772-9006

Steve is a good friend and also lives in Heath. Has architecture firm in Rockwall

Martin Sisk 214.235.2727

Marty is a good friend. Worked with him at Cutter Aviation for several years where he ran the shop and was Director of Maintenance.

Please let me know if I can provide further information on these references.

TP

Boyd, Joey

From: Todd Parks
Sent: Friday, December 13, 2013 1:42 PM
To: Boyd, Joey
Subject: Re: RFP for FBO Services - Additional Information

Good afternoon Joey;

I have reviewed the financial projections presented last week. These projections did not include the purchase of fuel trucks, just the purchase of estimated fuel stock at the time we begin operations. The quantities used were 2200 gallons of Jet-A and 600 gallons of Av-Gas. These will of course need to be adjusted to the actual quantities on hand and calculated based on last cost. Aside from that nothing has changed.

We discussed maintenance of buildings, maintenance of fuel equipment and rental of the other maintenance facility and office space for the flight school should Eddie decide to take advantage of that offer.

Maintenance of the terminal building and attached shop area will be the FBO's responsibility. Repairs to the facility in excess of $1000.00 would be submitted to the city for payment. FBO will be responsible for improvements to the facility supporting FBO operations.

Routine maintenance of fuel equipment and fuel trucks would be the responsibility of the FBO. Repairs to equipment and fuel trucks would be submitted to the city for payment.

We would propose rental of the north maintenance hanger currently occupied by the existing FBO to the current FBO based on the following schedule. Rental beyond the first twelve months would stabilize to the 12th month rate and governed under any existing rental agreements. The FBO would retain these rental revenues.

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12
North Maintenance Hangar	$500.00	$500.00	$500.00	$750.00	$750.00	$750.00	$1250.00	$1250.00	$1250.00	$1500.00	$1500.00	$1500.00
Flite School Facility	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00
	$750.00	$750.00	$750.00	$1000.00	$1000.00	$1000.00	$1500.00	$1500.00	$1500.00	$1750.00	$1750.00	$1750.00

I am willing to work out an agreement regarding mowing of the airport and support facilities. I will need to have a closer look but if we can purchase a mower (tractor and shredder) this might be advantageous to both parties.

All buildings constructed after the execution of an FBO agreement will be managed by the FBO. A management fee of 10% of the rental rate for each building will be billed each month regardless of the building's rental status.

There are probably things to discuss but hopefully we can come to some agreement after discussing these issues further. Please let me know if you have additional questions or need further clarification on points presented.

Best Regards,

Todd Parks

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Hold work session to hear report from Mr. John Polster of Innovative Transportation Solutions,Inc., Rockwall County's Project Manager, regarding the proposed FM 552 Roadway Improvement Project from SH 205 to SH 66, and taken any action necessary.

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- TxDOT Public Meeting Notice 13
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Hold work session to discuss open space dedication options as part of the development process, and take any action necessary.

- Memo, background info 15
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Mary Claire Weible Memory Master Day

- Proclamation 32
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Child Abuse Prevention & Awareness Month

- Proclamation 34
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Consider approval of the minutes from the March 17, 2014 regular city council meeting, and take any action necessary.

- 03-17-14 CC mtg. mintes 36
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Consider authorizing the City Manager to execute a Cooperative Purchasing Agreement through state contract for the acquisition of a police vehicle for use by the Chief of Police in the amount of $28,756 with an additional cooperative purchasing administrative cost of $400, to be funded out of general fund reserves, and take any action necessary.

- Memo to City Council re Police Vehicle Acquisition 48
- Blank Page 49

Consider authorizing the Mayor to execute a tax resale deed for property located at lot 7, block A Heritage Heights, and take any action necessary.

- staff memo 50
- resale deed 51
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Consider approval of the award of the Lake Rockwall Estates Water Connections project construction contract to Four Star Excavating, in the amount of $186,658.50 to be funded by 2008 water and sewer revenue bonds, and take any action necessary.

- City Manager Memo 62
- Bid Tabulation 63
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Consider approval of the award of the Central Water and Sewer Improvements project construction contract to Barson Utilities, in the amount of $786,973.00 to be funded by 2008 Water and Sewer Revenue Bonds, and take any action necessary.

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Consider approval of the award of the Miscellaneous Water System Improvements project construction contract to Four Star Excavating, in the amount of $429,936.30 to be funded by 2012 Water and Sewer Funds, and taken any action necessary.

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P2014-009 - Consider a request by Cameron Slown of FC Cuny Corporation on behalf of Brian Berry of Horizon GSL 1, LLC for the approval of a replat of Lots 2-7, Block 1, Alliance Addition, Phase 2, creating three (3) non-residential lots identified as Lots 12, 13 & 14, Block 1, Alliance Addition, Phase 2, being 2.768-acres of land situated in the W. W. Ford Survey, Abstract No. 80, Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57), located southeast of the intersection of H. Wallace Lane and Jeff Boyd Drive, and take any action necessary.

Staff Report . . . 75
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P2014-010 - Consider a request by Barney M. Barnhill for the approval of a replat of Lots 1 & 2, Block E, Sanger Brothers Addition, creating two (2) non-residential lots identified as Lots 1 & 2, Block A, Goliad Dental Addition, being 0.56-acres of land situated in the B. F. Boydstun Survey, Abstract No. 14, Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, located at the southeast corner of the intersection of E. Boydstun Avenue and S. Goliad Street (SH-205), and take any action necessary.

Staff Report . . . 80
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Consider approval of an ordinance declaring unopposed candidates for city council Places 2, 4 and 6 and cancelling the 2014 General Election, and take any action necessary. (2nd reading)

Ordinance . . . 87
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Z2014-005 - Consider approval of an ordinance for a request by Ron Ramirez of Wier & Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of a zoning change from an Agriculture (AG) District to a Light Industrial (LI) District for a 2.006-acre tract of land identified as a portion of Tract 2-7 of the David Harr Survey, Abstract No. 102, Rockwall, Rockwall County, Texas, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of Airport Road, and take any action necessary (2nd Reading).

Ord_2nd reading 96

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Z2014-006 - Consider approval of an ordinance for a request by the Cabana's at Chandler's Landing Homeowner's Association on behalf of the residents of the Cabana's at Chandler's Landing to amend the density and dimensional requirements stipulated by Planned Development District 8 (PD-8) for a 1.131 -acre portion of a parcel of land identified as the Cabanas at Chandler's Landing, zoned Planned Development District 8 (PD -8) for multi-family or condominium uses as established in Ordinance 73-48 & 84-04, generally located south of Yacht Club Drive and west of Harbor View Drive, and take any action necessary (2nd Reading).

Ord_2nd Reading 102

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Appointment with Rockwall County Judge Hogan and representative(s) of the Commissioner's Court to hear proposal related to the interoperability radio system and joint dispatch facility, and take any action necessary.

Letter and background info 108

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Appointment with Scott Self of Sail with Scott, LLC to hear and consider request regarding temporary relocation of his boat dock at The Harbor, and take any action necessary.

SWS Memo 114

Dock diagram 115

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Appointment with Raymond Jowers to discuss his request to extend his Specific Use Permit for 2260 East IH-30, and take any action necessary.

Staff Report 117

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Appointment with Mike Peoples to discuss approval of a temporary waiver to the requirement for sanitary sewer connection in conjunction with the future development of a 7.42-acre tract of land identified as a portion of Tract 4-01, M.B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, located east the of the intersection of John King Boulevard and SH-66, and take any action necessary.

City Manager Memo 124

Sanitary Sewer Variance Request Maps 125

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Appointment with Dorothy Spradlin, representing AMBUCS to request permission to use city property for an upcoming scrap metal collection fundraiser, and take any action necessary.
request . . . 128
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Z2014-004 - Hold a public hearing and consider approval of an ordinance for a city-initiated request to amend the Unified Development Code (Ordinance No. 04-38), specifically Article II, Authority and Administrative Procedures, Section 6.1, Notice of Public Hearing, and take any action necessary (1st Reading).
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MIS2014-002 - Discuss and consider a request by Fritz McKinstry for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, General Residential District Standards, of Article V, District Development Standards, of the Unified Development Code, for a 0.17-acre parcel of land identified as Lot 23, Block E, Chandler's Landing, Phase 16, zoned Planned Development District 8 (PD-8), located at 257 Victory Lane, Rockwall, Rockwall County, Texas, and take any action necessary.
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Discuss and consider hotel tax subcommittee funding recommendations for supplemental funding for the Soroptomists, Dodies, and The Rockwall News events, and take any action necessary.
staff memo . . . 156
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Discuss and consider approval of an ordinance amending the Code of Ordinances in Chapter 44. Utilities, Article V. Water, Division 7. Drought Contingency and Water Emergency Response Plan to keep the city in compliance with Texas Commission on Environmental Quality requirements, and take any action necessary. (1st reading)
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Discuss and consider approval of an ordinance amending the city's Water Conservation Plan to keep the city in compliance with Texas Commission on Environmental Quality (TCEQ) requirements, and take any action necessary. (1st reading)
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Discuss and consider recent action taken by North TX Municipal Water District (NTMWD) board of directors related to water conservation, and take any action necessary.
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Discuss and consider possible amendment to the City's ordinance regulating solicitors, and take any action necessary.
Amendment to Solicitor's Ordinance . . . 307
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Discuss and consider amending the 2013-2014 Recreation Development Fund Budget to reconstruct the parking lot at Lofland Park, and take any action necessary.
Memo re Lofland Resurfacing . . . 312
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Discuss and consider an appointment to the city's Historic Preservation Advisory Board (HPAB), and take any action necessary.
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AGENDA
ROCKWALL CITY COUNCIL
Monday, April 07, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. (4:00 P.M.) WORK SESSION

p.12 **1.** Hold work session to hear report from Mr. John Polster of Innovative Transportation Solutions, Inc., Rockwall County's Project Manager, regarding the proposed FM 552 Roadway Improvement Project from SH 205 to SH 66, and taken any action necessary.

p.15 **2.** Hold work session to discuss open space dedication options as part of the development process, and take any action necessary.

III. (4:15 P.M.) EXECUTIVE SESSION.

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

1. Discussion regarding Economic Development incentives, procedures, prospects and possible projects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding possible claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding the following legal claims: Jennifer A. Turner v. City of Rockwall and Beverly A. Young v. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
5. Discussion regarding land lease/acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section 551.072 (Real Property).
6. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).
7. Discussion regarding Economic Development prospect (Hawaiian Falls) pursuant to Section 551.087 (Economic Development)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, April 07, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER PRUITT

VIII. PROCLAMATIONS / AWARDS

p.32 **1.** Mary Claire Weible Memory Master Day
p.34 **2.** Child Abuse Prevention & Awareness Month

IX. OPEN FORUM

X. CONSENT AGENDA

p.36 **1.** Consider approval of the minutes from the March 17, 2014 regular city council meeting, and take any action necessary.

p.48 **2.** Consider authorizing the City Manager to execute a Cooperative Purchasing Agreement through state contract for the acquisition of a police vehicle for use by the Chief of Police in the amount of $28,756, with an additional cooperative purchasing administrative cost of $400, to be funded out of general fund reserves, and take any action necessary.

p.50 **3.** Consider authorizing the Mayor to execute a tax resale deed for property located at lot 7, block A Heritage Heights, and take any action necessary.

p.62 **4.** Consider approval of the award of the Lake Rockwall Estates Water Connections project construction contract to Four Star Excavating, in the amount of $186,658.50 to be funded by 2008 water and sewer revenue bonds, and take any action necessary.

p.66 **5.** Consider approval of the award of the Central Water and Sewer Improvements project construction contract to Barson Utilities, in the amount of $786,973.00 to be funded by 2008 Water and Sewer Revenue Bonds, and take any action necessary.

p.71 **6.** Consider approval of the award of the Miscellaneous Water System Improvements project construction contract to Four Star Excavating, in the amount of $429,936.30 to be funded by 2012 Water and Sewer Funds, and taken any action necessary.

p.75 **7.** **P2014-009** - Consider a request by Cameron Slown of FC Cuny Corporation on behalf of Brian Berry of Horizon GSL 1, LLC for the approval of a replat of Lots 2-7, Block 1, Alliance Addition, Phase 2, creating three (3) non-residential lots identified as Lots 12, 13 & 14, Block 1, Alliance Addition, Phase 2, being 2.768-acres of land situated in the W.

W. Ford Survey, Abstract No. 80, Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57), located southeast of the intersection of H. Wallace Lane and Jeff Boyd Drive, and take any action necessary.

p.80 **8.** P2014-010 - Consider a request by Barney M. Barnhill for the approval of a replat of Lots 1 & 2, Block E, Sanger Brothers Addition, creating two (2) non-residential lots identified as Lots 1 & 2, Block A, Goliad Dental Addition, being 0.56-acres of land situated in the B. F. Boydstun Survey, Abstract No. 14, Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, located at the southeast corner of the intersection of E. Boydstun Avenue and S. Goliad Street (SH-205), and take any action necessary.

p.87 **9.** Consider approval of an **ordinance** declaring unopposed candidates for city council Places 2, 4 and 6 and cancelling the 2014 General Election, and take any action necessary. **(2nd reading)**

p.96 **10.** **Z2014-005** - Consider approval of an **ordinance** for a request by Ron Ramirez of Wier & Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of a zoning change from an Agriculture (AG) District to a Light Industrial (LI) District for a 2.006-acre tract of land identified as a portion of Tract 2-7 of the David Harr Survey, Abstract No. 102, Rockwall, Rockwall County, Texas, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of Airport Road, and take any action necessary **(2nd Reading)**.

p.102 **11.** **Z2014-006** - Consider approval of an **ordinance** for a request by the Cabana's at Chandler's Landing Homeowner's Association on behalf of the residents of the Cabana's at Chandler's Landing to amend the density and dimensional requirements stipulated by Planned Development District 8 (PD-8) for a 1.131-acre portion of a parcel of land identified as the Cabanas at Chandler's Landing, zoned Planned Development District 8 (PD-8) for multi-family or condominium uses as established in Ordinance 73-48 & 84-04, generally located south of Yacht Club Drive and west of Harbor View Drive, and take any action necessary **(2nd Reading)**.

XI. APPOINTMENTS

p.108 **1.** Appointment with Rockwall County Judge Hogan and representative(s) of the Commissioner's Court to hear proposal related to the interoperability radio system and joint dispatch facility, and take any action necessary.

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

p.114 **3.** Appointment with Scott Self of Sail with Scott, LLC to hear and consider request regarding temporary relocation of his boat dock at The Harbor, and take any action necessary.

p.117 **4.** Appointment with Raymond Jowers to discuss his request to extend his Specific Use Permit for 2260 East IH-30, and take any action necessary.

p.124 **5.** Appointment with Mike Peoples to discuss approval of a temporary waiver to the requirement for sanitary sewer connection in conjunction with the future development of a 7.42-acre tract of land identified as a portion of Tract 4-01, M.B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, located east the of the intersection of John King Boulevard and SH-66, and take any action necessary.

p.128 **6.** Appointment with Dorothy Spradlin, representing AMBUCS to request permission to use city property for an upcoming scrap metal collection fundraiser, and take any action necessary.

XII. PUBLIC HEARING ITEMS

p.130 **1.** **Z2014-004** - Hold a public hearing and consider approval of an **ordinance** for a city-initiated request to amend the Unified Development Code (Ordinance No. 04-38), specifically Article II, Authority and Administrative Procedures, Section 6.1, Notice of Public Hearing, and take any action necessary **(1st Reading)**.

XIII. ACTION ITEMS

p.150 **1.** **MIS2014-002** - Discuss and consider a request by Fritz McKinstry for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, General Residential District Standards, of Article V, District Development Standards, of the Unified Development Code, for a 0.17-acre parcel of land identified as Lot 23, Block E, Chandler's Landing, Phase 16, zoned Planned Development District 8 (PD-8), located at 257 Victory Lane, Rockwall, Rockwall County, Texas, and take any action necessary.

p.156 **2.** Discuss and consider hotel tax subcommittee funding recommendations for supplemental funding for the Soroptomists, Dodies, and The Rockwall News events, and take any action necessary.

p.180 **3.** Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 44. Utilities, Article V. Water, Division 7. Drought Contingency and Water Emergency Response Plan to keep the city in compliance with Texas Commission on Environmental Quality requirements, and take any action necessary. **(1st reading)**

p.210 **4.** Discuss and consider approval of an **ordinance** amending the city's Water Conservation Plan to keep the city in compliance with Texas Commission on Environmental Quality (TCEQ) requirements, and take any action necessary. **(1st reading)**

p.302 **5.** Discuss and consider recent action taken by North TX Municipal Water District (NTMWD) board of directors related to water conservation, and take any action necessary.

p.307 **6.** Discuss and consider possible amendment to the City's ordinance regulating solicitors, and take any action necessary.

p.312 **7.** Discuss and consider amending the 2013-2014 Recreation Development Fund Budget to reconstruct the parking lot at Lofland Park, and take any action necessary.

p.314 **8.** Discuss and consider an appointment to the city's Historic Preservation Advisory Board (HPAB), and take any action necessary.

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

1. Departmental Reports
Building Inspections Monthly Report - February 2014 p.316
Fire Department Monthly Report - February 2014 p.327
Harbor PD Monthly Report - February 2014 p.351
Internal Operations Department Monthly Report - February 2014 p.353
Police Department Monthly Report - February 2014 p.355
Recreation Monthly Report - February 2014 p.358
Rockwall Animal Adoption Center Monthly Report - February 2014 p.360
Rockwall County Committee on Aging Quarterly Report p.362

2. City Manager's Report

XV. EXECUTIVE SESSION

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

1. Discussion regarding Economic Development incentives, procedures, prospects and possible projects pursuant to Section 551.087 (Economic Development)

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

3. Discussion regarding the following legal claims: Jennifer A. Turner v. City of Rockwall and Beverly A. Young v. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)

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

5. Discussion regarding land lease/acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section 551.072 (Real Property).

6. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

7. Discussion regarding Economic Development prospect (Hawaiian Falls) pursuant to Section 551.087 (Economic Development)

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

XVII. ADJOURNMENT

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

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

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 4th day of April, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

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

DATE: April 2, 2014

SUBJECT: FM 552 (SH 205 to SH 66)

FM 552 from SH 205 to SH 66 is an existing two lane asphalt roadway. This roadway was included in the Rockwall County Bond Program and is a Partnership project between Rockwall County and the Texas Department of Transportation (TxDOT). Rockwall County has taken the lead to get the project designed prior to turning it over to TxDOT for construction. As a part of the early phase of project development, the engineering design process will require approval of an Environmental Assessment along with a Roadway Schematic Drawing. TxDOT and Rockwall County will conduct a Public Meeting on Thursday, April 10, 2014 for the proposed improvements for FM 552.

The purpose of the Public Meeting is to present the proposed roadway improvements within this 5.2 mile long section of FM 552. This project is needed to address an expected increase in traffic, to conform to local planning efforts and to provide safer geometric/operation conditions. The roadway would be expanded to three lanes in each direction to include a minimum of a 14 foot shared lane for bicycle use.

The Public Meeting will be an open house format held at the Williams Middle School from 5:00 to 7:00P.M. TxDOT staff will be present to answer questions during the meeting.

Staff has requested Mr. John Polster, IPS, Rockwall County's Project Manager, to present information regarding this project to City Council at the April 7, 2014 Work Session. If you have any questions, please advise.

TMT:em

Attachment

Cc:
Mary Smith, Assistant City Manager
File

Texas Department of Transportation
4777 US Highway 80 East • Mesquite, Texas 75150-6643 • (214) 320-6100

TxDOT NOTICE OF PUBLIC MEETING
FM 552 - ROCKWALL COUNTY
CSJ: 1017-01-015

The Texas Department of Transportation (TxDOT) and Rockwall County will conduct a Public Meeting on **Thursday, April 10, 2014** for the proposed improvements to Farm-to-Market (FM) 552 in Rockwall County, Texas. The project limits extend from State Highway (SH) 205 to SH 66.

The purpose of the Public Meeting is to present proposed roadway improvements within this 5.2-mile long section of FM 552. The Public Meeting will be an "open house" format and will be held on Thursday, April 10, 2014 at **Williams Middle School, 625 E. FM 552, Rockwall, Texas 75087** from **5 p.m. to 7 p.m.** TxDOT staff and its consulting engineers will be available in an informal setting to answer questions during the meeting.

The proposed project is needed to address an expected increase in traffic, to conform to local planning efforts, and to provide safer geometric and operating conditions. Upon completion, FM 552 would accommodate two 11 to 12 foot wide inside lanes and one 14-foot-wide outside shared use lane in each direction, an 18-foot-wide median with 1-foot to 2-foot curb offsets, a 6-foot to 10-foot-wide sidewalk with minimum of 9-foot offset from face of curb. Dedicated left and right turn lanes are provided along FM 552 at major intersections with SH 205, John King Blvd, FM 1141, and FM 3549. At various cross streets, a 10-foot-wide left-turn bay would be provided in the median. The horizontal and vertical alignment has been improved to satisfy a 40 mile-per-hour (mph) design for an urban arterial facility along FM 552. Major cross street connection design speeds vary between 40 mph and 45 mph. Drainage improvements include replacing the existing side ditches with a curb and gutter section. Approximately 52 acres of additional right-of-way (ROW) and easements would be needed to accommodate the proposed roadway and drainage improvements. One residential property displacement would be required. No commercial property displacements or relocations would be required.

The maps and drawings reflecting the project's location and geometric design will be displayed at the Public Meeting. This and other information about the proposed project are available for public inspection and duplication at the TxDOT Dallas District Office located at 4777 E. Highway 80, Mesquite, Texas 75150, the TxDOT Rockwall/Kaufman County Area Office located at 2750 S. Washington, Kaufman, Texas 75142, and on-line at www.keepitmovingdallas.com under Upcoming Public Meeting.

All interested persons are invited to attend this meeting to obtain information about the project and to express their views. Persons requiring special communication or accommodation needs should contact the TxDOT Dallas District public information officer at (214) 320-6100 at least two (2) working days prior to the Public Meeting. Because the Public Meeting will be conducted in English, any request for language interpreters or other special communication needs should also be made at least two (2) working days prior to the Public Meeting. Every reasonable effort to accommodate these needs will be made.

Written comments from the public regarding the proposed project may be presented at the Public Meeting. Comments may be presented for a period of 10 days after the meeting. Written comments can be submitted to:

Ms. Nancy Peron, P.E.TxDOT Dallas District Project Manager
4777 E. US Highway 80 Mesquite, TX 75150-6643

Written comments submitted after the Public Meeting must be hand-delivered or postmarked on or before **Monday, April 21, 2014**, in order to be included in the public record. For additional information please contact Nancy Peron, P.E., TxDOT Dallas District, via phone (214) 320-6245, or e-mail: Nancy.Peron@TxDOT.gov.

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14

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **April 3, 2014**

SUBJECT: **Open Space Roll Back Taxes**

At the March 3 Council meeting during the work session, we discussed the matter of open space dedication to the City of Rockwall with Home Owner Associations being responsible for maintenance of these open space areas. Staff believed that it would prefer that the open space not be accepted as a dedication so the long term maintenance could not be deferred to the City. This was a change in our practices and although this may have a positive impact due to the receipt of roll back taxes, the tax benefits to the developers may have an adverse impact on someone's ability to develop their land. The long term financial impacts would be much greater than the loss of the one time roll back tax revenue.

The City's practice prior to the most recent small phase associated with the Stone Creek Development had been to accept dedication of the open space area to the City. Because of experiences that we had years after several developments were completed, this most recent Stone Creek plat indicated that the property would be dedicated to the Home Owners Association and, therefore, would have resulted in the developer owing about $35,000 in roll back taxes to the City.

Roll back taxes are due when an established use changes from an agricultural tax exemption status to a non-agricultural use. The back taxes due to all entities assessing Ad Valorem tax are due at that point for the prior five years plus 7% annual interest. All roll back taxes are due for the entire property that changes use at that time of the change.

In the case of Stone Creek, the developer had accounted for the payment of back taxes on all of the +/- 800 acre tract as development proceeded. As a part of the development agreement and lawsuit settlement, the new developer, Skorburg (who was not a party to the lawsuit except as a potential buyer and developer of the property) proposed development plans for Stone Creek and Breezy Hill that were acceptable to the City which were a big factor in the City's approval of the final lawsuit settlement. The Stone Creek development plan included reserving 26.7% of the development as open space and Breezy Hill contained 29.6% open space which were considerably more than the

typical 20% open space dedication for Planned Developments. While Skorburg included roll back taxes on the remainder of the development in the financial planning for the property's development, assuming that the open space would be dedicated to the City, he did not factor roll back taxes into the financial planning for the required 20% open space reservation.

In fact, the first several phases of Stone Creek did involve dedication of the required open space to the City. During the platting of the most recent phase of Stone Creek/Breezy Hill, fresh from experiencing some expenses in other areas of the City, the change was made such that the open space would be dedicated to the Home Owners Association, the entity that, without question has the legal responsibility for open space maintenance in Stone Creek and Breezy Hill. If this change is applied to the entirety of the remaining development, the developer has estimated that this will result in a cost of about $958,000 to the development – a cost for which he did not account in his financial planning.

While, I would like to discuss the matter of open space dedication for NEW developments and the most appropriate policy for the City to take in the future at our upcoming June retreat, based on the unanticipated costs for Stone Creek and the City's action to accept dedication of open space in earlier phases, I think, at this point, that it is reasonable and fair that we, contrary to our earlier discussions, continue to accept open space dedications to the City in Stone Creek and Breezy Hill.

We will be prepared to discuss this matter briefly in a workshop setting on Monday night. I have attached information provided by Skorburg. Please let me know if you have any questions in the meantime.

Breezy Hill 405, Ltd. / Stone Creek SF, Ltd / Stone Creek Balance, Ltd
By Breezy Hill 405 GP Corporation / Stone Creek SF GP Corporation / Stone Creek Balance GP Corporation
8214 Westchester Drive, Suite 710
Dallas, Texas 75225

March 13, 2014

City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

Attention:
Mr. Robert LaCroix, Director of Planning
Mr. Ryan Miller, Planning Manager

Re: Breezy Hill and Stone Creek Estates property taxes & rollback tax implications for future open space land dedication

Dear Mr. LaCroix and Mr. Miller:

In follow up to our letter to you dated February 24, 2014, this letter is to provide more information on the hardship that would be burdened on our partnerships were the City to change its policy and not allow us to dedicate future planned open space to the City (to be maintained by our HOAs) in Breezy Hill Estates and Stone Creek Estates.

When we bought and financed the collective +/- 800 acres of land between the two master-planned communities, we did do based on financial projections and made commitments to banks and equity partners. Integral to our decision to purchase the land at the price we paid for it was the fact that the City would be accepting open space dedications.

During the zoning of the property, the City wanted to the communities to set aside an extraordinary amount of open space land – roughly 150 acres. Unless a 3rd party landowner is willing to give their land away (which is not reality), it would be unrealistic and uneconomical for a developer to purchase land at fair value and still make the numbers work.

The ONLY way to incorporate extraordinary open space into master planned communities is for the City to accept the open space as a gift to the City. Without the tax benefits (rollback tax, regular property tax, and tax deduction benefits), such open space would not be economically feasible.

You may recall when we bought the property from the previous landowner in April 2007, the City was involved in a nasty, costly and protracted lawsuit involving the other prospective buyer. The prospective buyer wanted tiny lots and a "gridded" subdivision. In addition to helping the parties come to a peaceful resolution, we agreed in our zoning to provide a mix of large lots and to provide generous open space that would be dedicated to the City and maintained by the HOAs. The history of the first

Phone 214-888-8843 abuczek@skorburgcompany.com Fax 214-522-7244

Breezy Hill 405, Ltd. / Stone Creek SF, Ltd / Stone Creek Balance, Ltd
By Breezy Hill 405 GP Corporation / Stone Creek SF GP Corporation / Stone Creek Balance GP Corporation
8214 Westchester Drive, Suite 710
Dallas, Texas 75225

couple of phases of Stone Creek followed that commitment – we dedicated the adjacent open spaces to the City as requested and they are being maintained by the HOA and that obligation was specified on the plats.

In our letter to you dated February 24, 2014, we quantified the economic damage that would be inflicted on our partnerships if the City were to disallow our partnerships to dedicate future open space to be maintained by our HOAs. We included with those letters supporting tax statements that we recently were forced to suddenly pay due to the sudden change in policy with the most recent phases of Stone Creek Estates. Based on an extrapolation of the taxes paid per acre and lost tax deduction benefit, the impact was estimated as follows:

Stone Creek SF / Balance, Ltd	$389,000
Breezy Hill 405, Ltd	$569,000
Total estimated economic loss	**$958,000**

The HOA's of these communities have the financial wherewithal to support the cost of ongoing maintenance for their respective open spaces. For instance, the Stone Creek Estates HOA is already in a positive cash flow position despite being only half built out. Breezy Hill Estates will soon be in a similar position as there are currently five phases of lot development in various phases of construction / predevelopment stages.

We understand that the City has had some "old and cold" subdivisions try to impose the financial obligation of maintaining their open space on the City due to poor documentation of whose obligation it should be to maintain such open space. However, Stone Creek Estates and Breezy Hill Estates are not in that position. They are large scale master-plans that have clearly put the obligation of maintaining their open space on their respective HOAs in perpetuity, and such obligation has been stated on the plats. These communities were well-planned, and have plenty of residential lots to support the ongoing cost of maintenance. We should not be punished due to errors that were made long ago involving "old and cold" subdivisions in which such details were not properly documented.

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Breezy Hill 405, Ltd. / Stone Creek SF, Ltd / Stone Creek Balance, Ltd
By Breezy Hill 405 GP Corporation / Stone Creek SF GP Corporation / Stone Creek Balance GP Corporation
8214 Westchester Drive, Suite 710
Dallas, Texas 75225

Going forward, we ask that the City honor the original plan upon which we relied in good faith when we agreed to commit the open space dedications and purchased the property at the price that was required and relying upon the associated tax benefits to make our economics work.

Please do not hesitate to contact our office should you have any questions.

Sincerely,

Breezy Hill 405, Ltd., a Texas limited partnership
By: Breezy Hill 405 GP Corporation, a Texas corporation, its general partner

By: _____
Richard M. Skorburg, President

Stone Creek SF, Ltd., a Texas limited partnership
By: Stone Creek SF GP Corporation, a Texas corporation, its general partner

By: _____
Richard M. Skorburg, President

Stone Creek Balance, Ltd., a Texas limited partnership
By: Stone Creek Balance GP Corporation, a Texas corporation, its general partner

By: _____
Richard M. Skorburg, President

Phone 214-888-8843 abuczek@skorburgcompany.com Fax 214-522-7244

Breezy Hill 405, Ltd.
By Breezy Hill 405 GP Corporation
8214 Westchester Drive, Suite 710
Dallas, Texas 75225

February 24, 2014

City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

Attention:
Mr. Robert LaCroix, Director of Planning
Mr. Ryan Miller, Planning Manager

Re: Breezy Hill Estates property taxes & rollback taxes for future open space land

Dear Mr. LaCroix and Mr. Miller:

In follow up to our discussions and meetings with Mr. Helm of the Rockwall Central Appraisal District ("RCAD"), and as requested, this letter summarizes the unforeseen economic burden that our partnership will experience in the event the City does not accept the dedication of the planned open space areas within Stone Creek subdivision.

As of the date of this letter, there is currently a total of +/- 52.98 acres of open space land that is planned to be dedicated within Breezy Hill Estates.

When the City informed us that they would not accept the open space dedication of the +/- 12.12 acres with the Phase IV final plat of our Stone Creek Estates community, we realized we need to request the City to reconsider the position as disallowing the dedications will also have a material impact on our Breezy Hill Estates master plan.

"Exhibit A" of this letter contains the rollback tax bill for Phase I of Breezy Hill Estates, which amounted to $42,935 on 21.857 acres, or $1,964 per acre.

Estimated financial impact of rollback taxes going forward on Breezy Hill Estates

Based on 52.98 acres remaining of open space in Breezy Hill Estates and on a $1,964 per acre rollback assessment, and unless the City agrees to allow us to dedicate the open spaces to the City with our plats, we extrapolate that we will incur unforeseen rollback taxes of approximately $104,000.

Phone 214-888-8843 abuczek@skorburgcompany.com Fax 214-522-7244

Breezy Hill 405, Ltd.
By Breezy Hill 405 GP Corporation
8214 Westchester Drive, Suite 710
Dallas, Texas 75225

Estimated financial impact of loss of tax deduction as a result of not being allowed to dedicate open space land to the City of Rockwall

If we are unable to dedicate open space land to the City, our banks and partners who have lent and invested in our partnership will no longer be able to receive a tax deduction for the open space land dedications. The current estimated impact to our partnership based on the remaining +/- 52.98 acres of open space land is approximately $465,000.

Between both items, the total estimated unforeseen financial impact to Breezy Hill Estates (if the City will not accept dedications of open space) is approximately $569,000.

We understand the City is concerned about the ongoing maintenance of the open space areas; however, we will continue to include the exact language on the final plats of each phase that will make it the HOA's obligation to maintain the open space areas at its expense as directed by the City.

Please do not hesitate to contact our office should you have any questions.

Sincerely,

Breezy Hill 405, Ltd., a Texas limited partnership
By: Breezy Hill 405 GP Corporation, a Texas corporation, its general partner

By: _____
Adam J. Buczek, Director

Phone 214-888-8843 abuczek@skorburgcompany.com Fax 214-522-7244

Property ID: 84386

Exhibit "A"

Owner: (1059085) BH PHASE I SF LTD
8214 WESTCHESTER DRIVE
SUITE 710
DALLAS, TX 75225

Geographic ID:

Legal Acres:

Legal Description:

Pct Ownership: 100.0000000000

Year	Stmnt ID	Taxing Unit	Taxable Value	Tax Rate	Base Tax	Total Due If Paid In May 2013	June 2013	July 2013
2008	42614	ROCKWALL ISD	309,167.00	1.470000	$5,997.71	$5,997.71	$5,997.71	$5,997.71
2008	42614	ROCKWALL COUNTY	309,167.00	0.375000	$1,530.03	$1,530.03	$1,530.03	$1,530.03
2008	42614	CITY OF ROCKWALL	309,167.00	0.503100	$2,052.69	$2,052.69	$2,052.69	$2,052.69
2009	42614	ROCKWALL ISD	309,167.00	1.470000	$5,679.58	$5,679.58	$5,679.58	$5,679.58
2009	42614	ROCKWALL COUNTY	309,167.00	0.375000	$1,448.87	$1,448.87	$1,448.87	$1,448.87
2009	42614	CITY OF ROCKWALL	309,167.00	0.503100	$1,943.81	$1,943.81	$1,943.81	$1,943.81
2010	42614	ROCKWALL ISD	309,167.00	1.470000	$5,361.44	$5,361.44	$5,361.44	$5,361.44
2010	42614	ROCKWALL COUNTY	309,167.00	0.386400	$1,409.30	$1,409.30	$1,409.30	$1,409.30
2010	42614	CITY OF ROCKWALL	309,167.00	0.503100	$1,834.92	$1,834.92	$1,834.92	$1,834.92
2011	42614	ROCKWALL ISD	309,167.00	1.470000	$5,043.31	$5,043.31	$5,043.31	$5,043.31
2011	42614	ROCKWALL COUNTY	309,167.00	0.386400	$1,325.67	$1,325.67	$1,325.67	$1,325.67
2011	42614	CITY OF ROCKWALL	309,167.00	0.503100	$1,726.05	$1,726.05	$1,726.05	$1,726.05
2012	42614	ROCKWALL ISD	309,167.00	1.470000	$4,725.18	$4,725.18	$4,725.18	$4,725.18
2012	42614	ROCKWALL COUNTY	309,167.00	0.386400	$1,242.05	$1,242.05	$1,242.05	$1,242.05
2012	42614	CITY OF ROCKWALL	309,167.00	0.502500	$1,615.24	$1,615.24	$1,615.24	$1,615.24
				Total:	42,935.85	$42,935.85	$42,935.85	$42,935.85

Rollback on 21,857

IF YOU ARE 65 YEARS OF AGE OR OLDER OR ARE DISABLED AND YOU OCCUPY THE PROPERTY DESCRIBED IN THIS DOCUMENT AS YOUR RESIDENCE HOMESTEAD, YOU SHOULD CONTACT THE APPRAISAL DISTRICT REGARDING ANY ENTITLEMENT YOU MAY HAVE TO A POSTPONEMENT IN THE PAYMENT OF THESE TAXES.

DALLAS, TX 75225

ROCKWALL, TX 75087
Phone: 972-771-2034
972-635-9351

Exhibit A - p.s. 2 of 4

Legal: A0187 J STRICKLAND, A0190 J SIMMONS, A0030TR BAILEY TRACT 7-02, ACRES

Prop ID: 84386

GEO ID: 0187-0000-0007-02-0R

Ref ID 2: R12297

Change of Use Date: 05/01/2013

Statement Date: 10/05/2012

Formula1: (Market Value per acre - Ag Value per acre) * Acres = Rollback Taxable
Formula2: (Rollback Taxable * Tax Rate * Interest Rate) = Rollback Tax

Rollback Type: 1-D-1 Status: C - Completed
Entity: (CRW) CITY OF ROCKWALL

Year	Market Value	Ag Value	Acres	Rollback Taxable	Tax Rate	Interest Rate	Rollback
2012	$14250.00	$105.00	21.8570	$309,167.27	0.5025	1.0397	$1,615
2011	$14250.00	$105.00	21.8570	$309,167.27	0.5031	1.1097	$1,726
2010	$14250.00	$105.00	21.8570	$309,167.27	0.5031	1.1797	$1,834
2009	$14250.00	$105.00	21.8570	$309,167.27	0.5031	1.2497	$1,943
2008	$14250.00	$105.00	21.8570	$309,167.27	0.5031	1.3197	$2,052
						Rollback Tax Total:	$9,17

Rollback Type: 1-D-1 Status: C - Completed
Entity: (GRW) ROCKWALL COUNTY

Year	Market Value	Ag Value	Acres	Rollback Taxable	Tax Rate	Interest Rate	Rollback
2012	$14250.00	$105.00	21.8570	$309,167.27	0.3864	1.0397	$1,242
2011	$14250.00	$105.00	21.8570	$309,167.27	0.3864	1.1097	$1,325
2010	$14250.00	$105.00	21.8570	$309,167.27	0.3864	1.1797	$1,409
2009	$14250.00	$105.00	21.8570	$309,167.27	0.3750	1.2497	$1,448
2008	$14250.00	$105.00	21.8570	$309,167.27	0.3750	1.3197	$1,530
						Rollback Tax Total:	$6,95

Rollback Type: 1-D-1 Status: C - Completed
Entity: (SRW) ROCKWALL ISD

Year	Market Value	Ag Value	Acres	Rollback Taxable	Tax Rate	Interest Rate	Rollback
2012	$14250.00	$105.00	21.8570	$309,167.27	1.4700	1.0397	$4,725
2011	$14250.00	$105.00	21.8570	$309,167.27	1.4700	1.1097	$5,043
2010	$14250.00	$105.00	21.8570	$309,167.27	1.4700	1.1797	$5,361
2009	$14250.00	$105.00	21.8570	$309,167.27	1.4700	1.2497	$5,679
2008	$14250.00	$105.00	21.8570	$309,167.27	1.4700	1.3197	$5,997
						Rollback Tax Total:	$26,80

Rockwall Central Appraisal District

Ray E. Helm Chief Appraiser
841 Justin Road
Rockwall, Texas 75087
972-771-2034/972-635-9351
Fax 972-771-6871

Exhibit A - pg. 306 4

DATE: May 15, 2013

PROPERTY OWNER: BH PHASE I SF LTD
8214 WESTCHESTER DR SUITE 710
DALLAS TX 75225

LEGAL: A0187J STRICKLAND A0190J SIMMONS A0030TR BAILEY TR7-02

ACCOUNT #: R84386

The Chief Appraiser of the Rockwall Central Appraisal District has determined that your property is not being used for agricultural purposes. An additional tax is imposed on the land as provided by Sec.23.55 of the State Property Tax Code. This tax is due and becomes delinquent as of **02/01/2014**.

If you have any questions, please call (972) 771-2034.

Sincerely,

PATTI JONES
Director of Collections

13

Exhibit "A" - pg. 4 of 4

BH PHASE I SF LTD / BY BH PHASE I SF GP CORPORATION

0590

Rockwall Central Appraisal District

12/17/2013

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
12/17/2013	Bill	84386	42,935.85	42,935.85		42,935.85
					Check Amount	42,935.85

Operating - Vista 42,935.85

Stone Creek Balance, Ltd.
By Stone Creek Balance GP Corporation
8214 Westchester Drive, Suite 710
Dallas, Texas 75225

February 24, 2014

City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

Attention:
Mr. Robert LaCroix, Director of Planning
Mr. Ryan Miller, Planning Manager

Re: Stone Creek Balance, Ltd. property taxes & rollback taxes for future open space land

Dear Mr. LaCroix and Mr. Miller:

In follow up to our discussions and meetings with Mr. Helm of the Rockwall Central Appraisal District ("RCAD"), and as requested, this letter summarizes the unforeseen economic burden that our partnership will experience in the event the City does not accept the dedication of the planned open space areas within Stone Creek subdivision.

As of the date of this letter, there is currently a total of +/- 36.8 acres of open space planned within the future phases of Stone Creek Estates.

When the City informed us that they would not accept the dedication of the +/- 12.12 acres of open space that was contiguous with and part of the Phase IV final plat (which we had planned to dedicate to the City of Rockwall (the "City") to be maintained by the Stone Creek HOA as we had done for open spaces in prior phases), RCAD sent us a rollback tax bill of $34,374.27, or $2,836 per acre. The supporting documentation of this charge (which we have paid) is attached with this letter as **"Exhibit A."**

When the City informed us they would no longer accept open space dedications, we learned we would be charged with rollback taxes and lose the tax deduction on such open space acreage. These items are of a material financial amount, and thus, we are hopeful that the City will reconsider this issue and allow us to continue to dedicate open space to the City and stipulate on the plats that such open space is to be maintained by the HOA.

Phone 214-888-8843 abuczek@skorburgcompany.com Fax 214-522-7244

Stone Creek Balance, Ltd.
By Stone Creek Balance GP Corporation
8214 Westchester Drive, Suite 710
Dallas, Texas 75225

Estimated financial impact of rollback taxes going forward on Stone Creek

Based on 36.8 acres remaining of open space in Stone Creek Estates, unless the City agrees to allow us to dedicate open spaces to the City with our plats, we extrapolate (based on what we were charged in Phase IV) that we will incur unforeseen rollback taxes on the remaining phases of Stone Creek in the amount of approximately $104,000.

Estimated financial impact of loss of tax deduction as a result of not being allowed to dedicate open space land to the City of Rockwall

If we are unable to dedicate open space land to the City, our banks and partners who have lent and invested in our partnership will no longer be able to receive a tax deduction for the open space land dedications. The current estimated impact to our partnership based on the remaining +/- 36.8 acres of open space land is approximately $285,000.

Between both items, the total estimated unforeseen financial impact to Stone Creek Balance, Ltd if the City will not accept dedications of open space is approximately $389,000.

We understand the City is concerned about the ongoing maintenance of the open space areas; however, we will continue to include the exact language on the final plats of each phase that will make it the HOA's obligation to maintain the open space areas at its expense.

Please do not hesitate to contact our office should you have any questions.

Sincerely,

Stone Creek Balance, Ltd., a Texas limited partnership
By: Stone Creek Balance GP Corporation, a Texas corporation, its general partner

By: _____
Adam J. Buczek, Director

Phone 214-888-8843 abuczek@skorburgcompany.com Fax 214-522-7244

(Exhibit "A") – page 16 3

NOTICE OF CHANGE OF USE DETERMINATION (1-d-1)

CENTRAL APPRAISAL DISTRICT OF ROCKWALL COUNTY
841 JUSTIN ROCKWALL, TX 75087
(972) 771-2034 OR (972) 635-9351

09/24/13

STONE CREEK SF LTD
8214 WESTCHESTER DR
STE 710
DALLAS TX 75225-6133

A0131, S KING, TRACT 3, 12.128 ACRES

Prop ID: 11323

The chief appraiser has determined that the 1-d-1 qualified property described above is not used for agriculture or the production of timber so the property no longer qualifies for the 1-d-1 appraisal. The property will be taxed on its market value beginning with the 2013 tax year.

You may protest this change of use determination to the Appraisal Review Board (ARB) by filing a written notice of protest not later than 30 days after the receipt of this letter. If you have questions about the determination or the procedure for filing a protest, you may wish to consult your appraisal district's staff. You may also consult the State Comptroller's Manual for the Appraisal of Agricultural Land.

If you do not protest or if the ARB determines that the use of the property has changed, the property is subject to an additional tax (rollback tax) equal to the tax savings you realized for the five years before the year of this determination, plus interest. A tax lien for the amount of the additional tax and interest attaches to the land on the date the change occurs. The assessor for each taxing unit taxing the property will assess the additional tax. If you have any questions about the amount or calculation of this additional tax, please contact me at the appraisal office or consult the State Comptroller's Manual for the Appraisal of Agricultural Land.

Sincerely,

Cody Sanderson
Deputy Chief Appraiser

Ag Rollback Tax Report

Roll back Estimate

Exhibit "1" - pg. 283

Name & Address: STONE CREEK SF LTD
8214 WESTCHESTER DR
STE 710
DALLAS, TX 75225-6133

ROCKWALL CENTRAL APPRAISAL DI
841 JUSTIN ROAD
ROCKWALL, TX 75087
Phone: 972-771-2034
972-635-9351

Legal: A0131, S KING, TRACT 3, 192.123 ACRES

Prop ID: 11323
GEO ID: 0131-0000-0003-00-0R
Prof ID 2: R11323

Change of Use Date: 09/24/2013
Statement Date: 10/01/2012

Formula1: (Market Value per acre - Ag Value per acre) * Acres = Rollback Taxable
Formula2: (Rollback Taxable * Tax Rate * Interest Rate) = Rollback Tax

Rollback Type: 1-D-1 Status: C - Completed
Entity: (CRW) CITY OF ROCKWALL

Year	Market Value	Ag Value	Acres	Rollback Taxable	Tax Rate	Interest Rate	Rollback Tax
2012	$20800.00	$105.00	12.1280	$250,988.96	0.5025	1.0685	$1,347.57
2011	$20800.00	$105.00	12.1280	$250,988.96	0.5031	1.1385	$1,437.57
2010	$20800.00	$105.00	12.1280	$250,988.96	0.5031	1.2085	$1,525.96
2009	$20800.00	$105.00	12.1280	$250,988.96	0.5031	1.2785	$1,614.35
2008	$17331.00	$105.00	12.1280	$208,916.93	0.5031	1.3485	$1,417.32
						Rollback Tax Total:	$7,342.77

Rollback Type: 1-D-1 Status: C - Completed
Entity: (GRW) ROCKWALL COUNTY

Year	Market Value	Ag Value	Acres	Rollback Taxable	Tax Rate	Interest Rate	Rollback Tax
2012	$20800.00	$105.00	12.1280	$250,988.96	0.3864	1.0685	$1,036.23
2011	$20800.00	$105.00	12.1280	$250,988.96	0.3864	1.1385	$1,104.11
2010	$20800.00	$105.00	12.1280	$250,988.96	0.3864	1.2085	$1,171.99
2009	$20800.00	$105.00	12.1280	$250,988.96	0.3750	1.2785	$1,203.31
2008	$17331.00	$105.00	12.1280	$208,916.93	0.3750	1.3485	$1,056.44
						Rollback Tax Total:	$5,572.08

Rollback Type: 1-D-1 Status: C - Completed
Entity: (SRW) ROCKWALL ISD

Year	Market Value	Ag Value	Acres	Rollback Taxable	Tax Rate	Interest Rate	Rollback Tax
2012	$20800.00	$105.00	12.1280	$250,988.96	1.4700	1.0685	$3,942.14
2011	$20800.00	$105.00	12.1280	$250,988.96	1.4700	1.1385	$4,200.41
2010	$20800.00	$105.00	12.1280	$250,988.96	1.4700	1.2085	$4,458.68
2009	$20800.00	$105.00	12.1280	$250,988.96	1.4700	1.2785	$4,716.95
2008	$17331.00	$105.00	12.1280	$208,916.93	1.4700	1.3485	$4,141.24
						Rollback Tax Total:	$21,459.42

$34,374.27

Exhibit "A" - pg. 303

STONE CREEK SF LTD / OPERATING ACCOUNT

4403

Rockwall Central Appraisal District

Date	Type	Reference	Original Amt.	Balance Due	1/28/2014 Discount	Payment
1/27/2014	Bill	Rollback Tax-'08-'12	34,374.27	34,374.27		34,374.27
					Check Amount	34,374.27

Southwest Bank-Oper A0131 TRACT3 12.128 ACRS 34,374.27

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31

Proclamation

Rockwall, Texas

Whereas, for the past three years Mary Claire Weible has been involved in an optional home-school program known as "Classical Conversations Memory Masters;" and

Whereas, throughout "Memory Masters," Mary Claire has memorized an astonishing amount of information, including over twelve-hundred facts; and

Whereas, among the facts she memorized were geography and history from Ancient through modern time, including historical empires, peoples, countries and the Ten Commandments; numerous facts about science such as elements of the periodic table, parts of 8 body systems, planets, classifications of living things, and laws of motion; detailed timelines from Creation to Modern America, including the list of presidents, the Preamble to the Constitution and the Bill of Rights; countless English grammar facts; Latin noun and verb endings and Bible verses in Latin; math multiplication tables up to 15x15 as well as conversions, geometric formulas, and algebraic laws; and

Whereas, for three years Mary Claire has been able to cite facts from all of the abovementioned categories, and more, with no prompting or hints; and

Whereas, through this program, Mary Claire has achieved some very impressive and noteworthy accomplishments.

Now, Therefore, I, David Sweet, Mayor, and David White, Mayor Pro Tem of the City of Rockwall do hereby proclaim **April 7, 2014** as

MARY CLAIRE WEIBLE MEMORY MASTER DAY

in the City of Rockwall Texas, and encourage all citizens to applaud this young lady for the time and effort she has invested towards achieving this high honor.

In Witness Whereof, I hereunto set my hand and official seal this 7th day of April, 2014.

David Sweet

David Sweet, Mayor

David White, Mayor Pro Tem

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33

Proclamation

Rockwall, Texas

Whereas, child abuse is an international epidemic that plagues our nation, all fifty states and thousands of cities, victimizing the most innocent among us; and

Whereas, according to a 2012 report entitled, "Child Maltreatment" published by the U.S. Department of Health and Human Services, since 2008, overall rates of children who received a CPS response increased by 4.7 percent, resulting in an estimated 3,184,000 children receiving a CPS response in 2012 compared to 3,077,000 in 2008; and

Whereas, nationally, in 2012, 78.3 percent of child victims were found to have been neglected, 18.3 percent were physically abused, 9.3 percent were sexually abused, and 8.5 percent were psychologically maltreated; and

Whereas, also in 2012, an estimated 1,640 children died of abuse and neglect in the United States.; and

Whereas, numerous child advocacy organizations exist both nationally and statewide, each focusing on a common cause – to end child abuse and protect our most helpless citizens, our children; and

Whereas, each year, April serves as a month during which child advocacy groups come together to educate the public about child abuse;

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim the month of **April, 2014** as

Child Abuse Prevention & Awareness Month

in the City of Rockwall and encourage all citizens to support efforts aimed at educating the public about child abuse, to always report child abuse when circumstances are suspect, and to applaud the organizations and individuals who tirelessly work to eradicate these senseless, horrific crimes.

In Witness Whereof, I hereunto set my hand and official seal this 7th day of April, 2014.

_____

David Sweet, Mayor

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35

MINUTES
ROCKWALL CITY COUNCIL
Monday, March 17, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

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

II. (4:00 P.M.) WORK SESSION

1. HOLD WORK SESSION TO DISCUSS AND CONSIDER GRADING AND FLOODPLAIN DEVELOPMENT PERMITS AND THE ASSOCIATED PROCESS, AND TAKE ANY ACTION NECESSARY.

City Engineer, Tim Tumulty, discussed the current erosion control process for new developments. He explained the issue of maintaining the erosion control features during the course of construction. He indicated the removal of these features at the end of the project creates issues for staff. This new permit would charge developers a deposit based on the developed acreage ($500.00 for the first acre and $100.00 for the remaining acreage). This permit would allow the developer to start grading prior to engineering plans being approved and would require the developer to maintain and remove the erosion control features at the end of the project. Mr. Tumulty explained that if the developer met these requirements throughout the job, the entire deposit would be refunded once the grass has been established.

Council directed staff to discuss this with developers and then proceed with submitting the permit back to council for consideration in the form of an ordinance.

III. (4:15 P.M.) EXECUTIVE SESSION.

Mayor Sweet read the below listed discussion items into the public record before recessing the meeting into Executive Session. All council members except Councilman Jim Pruitt were in attendance.

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

1. Discussion regarding land lease/acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section 551.072 (Real Property).

2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section

551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

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

4. Discussion regarding claim filed by Ryan Frost pursuant to Section 551.071 (Consultation with Attorney)

5. Discussion regarding the city's Fixed Based Operator airport agreement pursuant to Section 551.071 (Consultation with Attorney)

6. Discussion regarding appointments to city regulatory boards, commissions, and committees including the North TX Municipal Water District Board pursuant to Section 551.074 (personnel matters)

7. Discussion regarding the appointment, evaluation and possible replacement for a member of a City Board pursuant to Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters).

IV. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:43 p.m.

MINUTES
ROCKWALL CITY COUNCIL
Monday, March 17, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

Mayor Sweet reconvened the public meeting at 6:00 p.m. All council members except Jim Pruitt were present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem White made a motion to terminate the contract with the city's current FBO provider. Councilmember Lewis seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

Mayor Pro Tem White made a motion to appoint Larry Denny to replace Denise Smith on the city's Park Board. Councilmember Townsend seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

Mayor Pro Tem White made a motion to reappoint Larry Parks to serve an additional term on the North Texas Municipal Water District Board. Councilmember Lewis seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER LEWIS

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

VIII. PROCLAMATIONS / AWARDS

1. Proclamation recognition - Future City Design Competition

Mayor Sweet called for Kyle Fletcher, Faith Mitchell and Nicole Bruner to come forth. These local home schooled students briefly described the details of the Future City Design Competition. They explained the project they created, a model of a 'future city,' for which they won several awards. Mayor Sweet then read and presented each student with a proclamation to recognize them for their impressive achievements.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the March 3, 2014 regular city council meeting, and take any action necessary.

2. Consider ratifying the expenditure to Utilitex Construction, LLP for emergency repairs performed on the 16 inch diameter water line along IH 30 at a cost of $42,200.66, which was funded out of Utilities Operations budget, and take any action necessary.

3. Consider authorizing the City Manager to execute a contract extension for one year with 3-D Mowing for tractor mowing services in the amount of

$40,291.60 funded in the General Fund, Parks Operations, Grounds Maintenance and take any action necessary.

4. Consider approval of an **ordinance** declaring unopposed candidates for city council Places 2, 4 and 6 and cancelling the 2014 General Election, and take any action necessary. **(1st reading)**

5. **Z2014-001** - Consider approval of an **ordinance** for a request by Tommy Pulliam on behalf of Rayburn Electric Cooperation, Inc. for the approval of a zoning change from Agricultural (Ag) District to a Heavy Commercial (HC) District for a 6.057-acre tract land identified as a portion of Tract 3-06 of the W. H. Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Agricultural (Ag) District, located on the south side of Sids Road west of S. Goliad Street (SH-205), and take any action necessary. **(2nd Reading)**

6. **P2014-008** - Consider a request by Ron Ramirez of Wier & Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of a final plat for Lot 1, Block A & Lot 1, Block B, Channel Subdivision and for the dedication of Justin Road right-of-way being a 37.828-acre tract of land located within the Archibald Hanna Survey, Abstract No. 99, the N. Butler Survey, Abstract No. 20 and the David Harr Survey, Abstract No. 102, Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) and Agriculture (AG) District, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located in between John King Boulevard and Industrial Boulevard north of Interstate Highway 30 (IH-30), and take any action necessary.

7. Consider approval of the award of the Evans Road Drainage Improvements construction contract to Lone Star Utilities in the amount of $67,357.00 to be funded out of the 2005 drainage bonds, and take any action necessary.

8. Consider approval of the award of the Northshore Lift Station Improvements construction contract to RAMA Enterprises, in the amount of $417,962.00 to be funded out of the 2008 sewer revenue bonds, and take any action necessary.

Councilmember Milder pulled item #8 for further discussion. Mayor Pro Tem White made a motion to approve the remaining items. Councilmember Townsend seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF CITY COUNCILMEMBER PLACE 2, CITY COUNCILMEMBER PLACE 4, AND CITY COUNCILMEMBER PLACE 6 AS ELECTED; PROVIDING THAT THE MAY 10, 2014, GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO

THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 14-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A HEAVY COMMERCIAL (HC) DISTRICT FOR A 6.057-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 3-06 OF THE W.H. BARNES SURVEY, ABSTRACT NO. 26, CITY AND COUNTY OF ROCKWALL, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

Regarding Consent Agenda item #8, Councilmember Milder asked if the site work portion of the work is considered essential or non-essential. Mr. Hendricks and Mr. Hickey from Birkhoff, Hendricks and Carter, came forth and briefly addressed this topic. Councilmember Milder then made a motion to approve Consent Agenda item #8. Councilmember Lewis seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

X. APPOINTMENTS

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

Mr. Craig Renfro, chair of the Planning & Zoning Commission, came forth and provided a brief update to the city council regarding recommendations of the Commission relative to planning-related items on tonight's city council agenda. The council took no action related to this agenda item.

2. Appointment with Kim Bowen to discuss and consider handicap usage of city parks, and take any action necessary.

Mr. Devon Colbert, a twenty-two year resident of Rockwall, came forth and provided comments related to the need for a handicap accessible park in our community. Mr. Colbert explained he had an accident in December of 2012, and after that time, he realized that movement around in local parks was not very easy. Mr. Colbert explained that access ramps with wider play decks and smooth services (rather than wood chips) would better accommodate mobility. He then shared a brief list of other cities in the Dallas / Fort Worth area that have truly handicap accessible parks. He explained that these other parks went beyond normal ADA accessibility codes in order to make mobility feasible for handicap residents. Mr. Colbert indicated that he is considered a quadriplegic, so gravel, inclines and wood chips in park areas make it extremely difficult for him to interact with his kids while playing in the park.

The Mayor and staff then briefly discussed some of the other cities that have invested in one particular park in their community to make it very handicap accessible to the public.

Councilmember Milder asked staff if they can look into an accessibility study for our parks to see how much it would cost in order to retrofit one, if not two, of our city parks.

Mayor Sweet then made a motion to instruct staff to conduct an accessibility study for our current playgrounds and to prepare cost estimates to potentially retrofit one to two existing playgrounds to make them accessible. Councilmember Lewis seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

Mrs. Bowen stated she would appreciate staff and council also evaluating handicap accessibility in the restrooms at city parks. She pointed out that even if there are separate male and female accessibility restrooms, it is problematic if the person of that gender needs a person of the opposite gender to go with him/her into the restroom to assist. Therefore, a unisex or 'family' type bathroom stall would be most helpful.

3. Appointment with Mark Spencer of MHS Planning and Design to discuss and consider authorizing Phelps Lake park improvements, and take any action necessary.

Mr. Spencer of MHS Planning & Design came forth and briefed the council on design work and planned improvements at Phelps Lake Park.

Councilmember Milder made a motion to approve the plan as presented. Mayor Pro Tem White seconded the motion. Mr. Griggs indicated that pro rata equipment fees paid by the developer will cover the cost of the park improvements. Mr. Spencer indicated that about 30-45 days are needed to finish design, and then the construction work could begin and possibly be finished by about August. After brief comments, the motion passed by a vote of 6 ayes to 1 absent (Pruitt).

XI. PUBLIC HEARING ITEMS

1. **Z2014-005** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Ron Ramirez of Wier & Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of a zoning change from an Agriculture (AG) District to a Light Industrial (LI) District for a 2.006-acre tract of land identified as a portion of Tract 2-7 of the David Harr Survey, Abstract No. 102, Rockwall, Rockwall County, Texas, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of Airport Road, and take any action necessary **(1st Reading)**.

Planning Director Robert LaCroix provided brief background information related to this agenda item. He indicated that the plan for this property is future development. Seven notices were sent out in the area in accordance with the law. No notices were received back by staff.

Mayor Sweet opened the public hearing and called the applicant forth.

Mrs. Sheri Franza, President and CEO of the REDC (2610 Observation Trail), came forth and exchanged brief words with the council. She indicated that this property was deeded over to the REDC. She explained that a really nice commercial development is slated to go in at this location, and that business will bring about 200 new jobs. The company has agreed to hire about 85% of their engineers from Texas A&M, so they are really passionate about keeping things local. After Mrs. Franza spoke, and there being no one else in the audience wishing to come forth and speak, Mayor Sweet then closed the public hearing.

Councilmember Milder asked if this new building will have nice curb appeal along John King. Mrs. Franza showed some photos, indicating that the curb appeal will be very nice.

Mayor Pro Tem White made a motion to approve Z2014-005. Councilmember Lewis seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURE (AG) DISTRICT TO A LIGHT INDUSTRIAL (LI) DISTRICT FOR A 2.006-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 2-7 OF THE DAVID HARR SURVEY, ABSTRACT NO. 102, ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

2. **Z2014-006** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by the Cabana's at Chandler's Landing Homeowner's Association on behalf of the residents of the Cabana's at Chandler's Landing to amend the density and dimensional requirements stipulated by Planned Development District 8 (PD-8) for a 1.131-acre portion of a parcel of land identified as the Cabanas at Chandler's Landing, zoned Planned Development District 8 (PD-8) for multi-family or condominium uses as established in Ordinance 73-48 & 84-04, generally located south of Yacht Club Drive and west of Harbor View Drive, and take any action necessary **(1st Reading)**.

Planning Director Robert LaCroix provided background information related to this agenda item. Notices were mailed out to thirty-eight adjacent property owners. Up until today, no notices had been received back; however, today, staff did receive one notice of opposition back. It seems, though, that the resident who submitted the opposition may have misunderstood, believing that the Cabana's was completely going away, which is not the case.

Mayor Sweet opened the public hearing and called the applicant forth.

Janet Gibson
President of the HOA
548 Yacht Club Drive

Mrs. Gibson introduced herself and indicated she did not have anything further to add.

Mayor Pro Tem White made a motion to approve Z2014-006. Councilmember Townsend seconded the motion. After some clarifying comments, the ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) [*ORDINANCE NO. 73-48 & 84-04*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE DENSITY AND DIMENSIONAL REQUIREMENTS STIPULATED BY PLANNED DEVELOPMENT DISTRICT 8 (PD-8) FOR A 1.131-ACRE PORTION OF A PARCEL OF LAND IDENTIFIED AS THE CABANAS AT CHANDLER'S LANDING, ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

XII. SITE PLANS / PLATS

1. **SP2014-003** - Discuss and consider a request by Kevin Patel of Triangle Engineering, LLC on behalf of Ketan Parekh of A. J. Squared, LLC for the approval of a variance in association with an approved site plan for a medical office building on a 1.463-acre parcel of land identified as Lot 2, Block A, Rockwall Assisted Living Facility Addition, zoned Planned Development District 18 (PD-18) for office and retail uses, situated within the Scenic Overlay (SOV) District, located on the west side of Ridge Road [FM-740] south of Cemetery Road, and take any action necessary.

Mr. LaCroix indicated that this is a medical office facility. Regarding the twenty-foot landscape buffer in front, the applicant would like to, in part, park within this area. The applicant wants to use an alternate type of material in lieu of stone, and they are willing to do an eight foot (rather than a 6 foot) fence. The Planning & Zoning Commission has recommended approval of the site plan as well the two variance requests. Councilmember Lewis asked some clarifying questions regarding the type of material that this really is and how it compares to concrete or pre-cast stone.

A representative of the applicant came forward, indicating he is filling in for Mr. Patel. He showed the council a rendering (drawing) of the proposed medical office building. He also shared some details about the proposed fencing material, explaining it basically has a lifetime guarantee, won't crumble and is graffiti proof as well.

Mayor Pro Tem White made a motion to approve SP2014-003. Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

2. **SP2014-004** - Discuss and consider a request by Bill Thomas of Engineering Concepts and Designs on behalf of Tommy Pulliam of the Rayburn Electric Cooperation, Inc. for the approval of a variance in association with an approved site plan for an office building on a 6.057-acre tract of land identified as a portion of Tract 3-06 of the W. H. Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, located on the south side of Sids Road west of S. Goliad Street [SH-205], and take any action necessary.

Mr. LaCroix provided brief background information related to this agenda item, indicating the Planning & Zoning Commission has recommended approval of this site plan. Mayor Pro Tem White made a motion to approve SP2014-004. Councilmember Lewis seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

3. **P2014-005** - Discuss and consider a request by Kelcey Barnes for the approval of a final plat for a six (6) acre portion of a larger 36.61-acre tract of land identified as Tract 13-03 of the W. W. Ford Survey, Abstract No. 80, Rockwall County, Texas, being situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally being a portion of a 20-acre tract of land identified as 636 Hanby Lane, and take any action necessary.

Mr. LaCroix provided brief background information related to this agenda item, indicating that this is located within the city's ETJ. The family wants to convey to another family member part of the land in order to build a house. The applicant will meet the technical standards as far as engineering standards are concerned, and all the fire-related requirements will be adhered to as well.

Mayor Pro Tem White made a motion to approve P2014-005. Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

XIII. ACTION ITEMS

1. Discuss and consider recommendation of the Hotel / Motel tax subcommittee regarding funding requests from Rockwall Chamber of Commerce, Rockwall Rubber Duck Regatta and The Rockwall News for 2014 events, and take any action necessary.

Assistant City Manager Mary Smith provided background information related to this agenda item, offering details related to the organizations requesting funding and what the funds are proposed to be used for related to the organization's various events.

Mayor Pro Tem White indicated that the Rockwall News' application and associated funding request was denied for various reasons. For example, it is a brand new event that has no historical record of success. Also, it is proposed to be held on a Sunday

night for one hour from 8:00 to 9:00 p.m. Furthermore, the application listed that "dozens of people" may come into the city to attend the event, and this does not lead him to believe that it will put 'heads in beds' at local hotels, which is a requirement, by law. Hotel / motel tax fund dollars must be utilized to put individuals in overnight stays at local hotels.

Mr. JJ Smith of the Rockwall News indicated that this event, for which the funding is not being recommended for approval, is being held to show appreciation for the military and veterans. He indicated that $13,000 was requested, and he would like the council to consider, at a minimum, at least waiving the Harbor-related fees (about $2,000). He would also appreciate the council considering paying for the A/V fees, which will be about $1,000.

Councilmember Milder made a motion to at least waive the Harbor related fees ($1,920) for this event, indicating that he and his wife will stay at The Hilton that night, following the event, in order to meet the requirement of there being 'heads in beds.' Mayor Pro Tem White seconded the motion.

Mayor Pro Tem White suggested that Mr. Smith go and work out some package deals with local hotels, using a reservation code, in order to encourage 'heads in beds' for this Memorial Day concert event. Such reservation code will allow 'trackable' numbers of how many heads in beds occurred so that any funding request next year would be potentially justifiable.

The motion on the floor was withdrawn at the advice of City Attorney Frank Garza because it does not meet the Open Meetings Act, as it is not a properly posted item up for consideration on tonight's public meeting agenda (waiver of the Harbor related fees).

Mayor Sweet made a motion to approve each of the funding recommendations of the sub-committee. Mayor Pro Tem White seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

Mr. Smith was advised by council to consider re-approaching the council at a later date with a modified request. Mayor Pro Tem White encouraged Mr. Smith to do some pre-work, in consultation with local hotels, in order to make it a lot easier for the city council to say 'yes' to approving hotel / motel tax funding for this event should Mr. Smith come back to the council with a subsequent request for consideration.

2. Discuss and consider authorizing the City Manager to enter into a contract with Texas Air Center, LLC for Fixed Base Operator (FBO) Services at the Ralph M. Hall / Rockwall Municipal Airport and take any action necessary.

Mayor Pro Tem White made a motion to approve the City Manager entering into a contract with Texas Air Center, LLC for FBO services at the airport. Councilmember Daniels seconded the motion. After brief comments, the motion passed by a vote of 6 ayes with 1 absent (Pruitt).

The public meeting was adjourned at 7:47 p.m.

XIV. EXECUTIVE SESSION

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

1. Discussion regarding land lease/acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section 551.072 (Real Property).
2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).
3. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding claim filed by Ryan Frost pursuant to Section 551.071 (Consultation with Attorney)
5. Discussion regarding the city's Fixed Based Operator airport agreement pursuant to Section 551.071 (Consultation with Attorney)
6. Discussion regarding appointments to city regulatory boards, commissions, and committees including the North TX Municipal Water District Board pursuant to Section 551.074 (personnel matters)
7. Discussion regarding the appointment, evaluation and possible replacement for a member of a City Board pursuant to Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters).

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

The City Council did not reconvene into Executive Session following the close of the public meeting.

XVI. ADJOURNMENT

The public meeting was adjourned at 7:47 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 7th day of April, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **April 4, 2014**

SUBJECT: **Police Vehicle Acquisition**

During the 2014 budget discussions, the Council suggested the addition of a second Fire Department command vehicle that would be driven by the Fire Chief and available for emergency response. That vehicle was added and has been approved for acquisition through state contract or HGAC cooperative purchasing agreements. At the time we discussed the addition of that vehicle, I indicated to the Council that the addition of the command vehicle in the budget would indicate that I would need some time to evaluate the need to add a vehicle for use by the Chief of Police. I have completed the review of this matter and request approval of the acquisition of a standard Chevrolet Tahoe for use by the Chief of Police. The cost of the vehicle will be $28, 756 with an additional cooperative purchasing administrative cost of $400.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **April 3, 2014**

SUBJECT: **Tax Resale Deed – Lot 7, Block A, Heritage Heights Addition**

Several years ago, the residence at 7106 O'Dell was set on fire and suffered significant damage. The property was uninhabitable and the family declined to rebuild. Due to family issues, they also declined to demolish the property. Ultimately, the City demolished the home and swimming pool and filed a lien against the property for $18,001.

The property taxes were unpaid for a period before the fire and after. The Rockwall Central Appraisal District followed procedures and the property was offered at Sheriff's sale in July 2012. The amount to clear the outstanding taxes and fees was $16,043. Potential buyers were made aware of the City's liens that would have to be paid to get clear title.

The property did not sell that day and was struck from the tax rolls. Generally when this happens, RISD as the entity with the most outstanding taxes is named as the trustee and signs off on a sale whenever it occurs. In this case, due to our demolition lien, the RCAD named the City as trustee.

In recent weeks, a buyer has come forward and has paid the property tax obligations as well as the demolition lien. The RCAD asks the Council to grant approval for the Mayor to execute the tax resale deed, a copy of which is attached for Council's review.

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your social security number or your driver's license number.

TAX RESALE DEED

STATE OF TEXAS X

X **KNOW ALL MEN BY THESE PRESENTS**

COUNTY OF ROCKWALL X

That **City of Rockwall, Trustee**, acting through the presiding officer of its governing body, hereunto duly authorized by resolution and order of said governing body which is duly recorded in its official Minutes, hereinafter called grantor, for and in consideration of the sum of $16,036.43 cash in hand paid by

Richard Wylie
948 Equestrian Drive
Rockwall, TX 75032

hereinafter called grantee(s), the receipt of which is acknowledged and confessed, has quitclaimed and by these presents does quitclaim unto said grantee(s) all of the right, title and interest of grantor and all other taxing units interested in the tax foreclosure judgment against the property herein described, acquired by tax foreclosure sale heretofore held under **Suit No. 3-10-151**, in the district court of said county, said property being located in Rockwall County, Texas, and described as follows:

Lot 7, Block 'A', Heritage Heights Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the map or plat thereof, recorded in Cabinet 'A', Slide 112, Plat Records of Rockwall County, Texas. (17035)

TO HAVE AND TO HOLD the said premises, together with all and singular the rights, privileges, and appurtenances thereto in any manner belonging unto the said grantee(s), their heirs and assigns forever, so that neither the grantor, nor any other taxing unit interested in said tax foreclosure judgment, nor any person claiming under it and them, shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

Taxes for the present year are to be paid by grantee(s) herein.

This deed is given expressly subject to any existing right of redemption remaining in the former owner of the property under the provisions of law and also subject to any recorded restrictive covenants running with the land, and valid easements of record as of the date of this sale, if such covenants or easements were recorded prior to January 1 of the year the tax lien(s) arose.

IN TESTIMONY WHEREOF CITY OF ROCKWALL has caused these presents to be executed this _____ day of _____, 20____.

BY: _____
David Sweet
Mayor
CITY OF ROCKWALL

STATE OF TEXAS **X**

COUNTY OF ROCKWALL **X**

This instrument was acknowledged before me on this _____ day of _____, 2014, by David Sweet, Mayor, of CITY OF ROCKWALL.

_____
Printed Name: _____
Notary Public, State of Texas
My Commission Expires: _____

After recording return to:

Linebarger Goggan Blair & Sampson, LLP
Attorneys at Law
771 Justin Road
Suite 100
Rockwall, TX 75087
Main: (972) 961-0086
Fax: (903) 874-5007

LINEBARGER GOGGAN BLAIR & SAMPSON, LLP
ATTORNEYS AT LAW
1501 NORTHWOOD BOULEVARD
P.O. BOX 1916
CORSICANA, TEXAS 75151

(972) 961-0086
FAX: (903) 874-5007

Suit Number 3-10-151; Rockwall Independent School District, et al vs. Michelle Brakes, et al

Publication Fees	$629.50
Court Costs	$1,223.00
Sheriff Fees	$2,074.31
Total Costs:	**$3,926.81**

Judgment: May 02, 2012

Property Description:

Lot 7, Block "A", Heritage Heights Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the map or plat thereof, recorded in Cabinet "A", Slide 112, Plat Records of Rockwall County, Texas. (17035)

Judgment Taxes:

City of Rockwall	$2,672.44
Rockwall Independent School District	$7,430.15
Rockwall County	$2,007.03
Total Due:	**$12,109.62**

Tax Sale: August 07, 2012

Required Opening Bid:	$16,036.43
Value at Judgment:	$42,950.00

No Bidders - Struck off to City of Rockwall "In Trust"

Bid of $16,036.43 received by:

Richard Wylie
948 Equestrain Drive
Rockwall, TX. 75032

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ROCKWALL CENTRAL APPRAISAL DISTRICT

PROPERTY **17035** R

Legal Description
HERITAGE HEIGHTS, BLOCK A, LOT 7

OWNER ID
1059636

OWNERSHIP
100.00%

PROPERTY APPRAISAL INFORMATION 2014
CITY OF ROCKWALL TRUSTEE
841 JUSTIN ROAD
ROCKWALL, TX 75087

Entities	
CAD	100%
CRW	100%
GRW	100%
SRW	100%

Values		
IMPROVEMENTS		3,550
LAND MARKET	+	34,000
MARKET VALUE	=	37,550
PRODUCTIVITY LOSS	-	0
APPRAISED VALUE	=	37,550
HS CAP LOSS	-	0
ASSESSED VALUE	=	37,550

Ref ID2: R17035
3860-000A-0007-00-0R Map ID 2-1

ACRES:
EFF. ACRES:

SITUS 7106 ODELL AVE TX

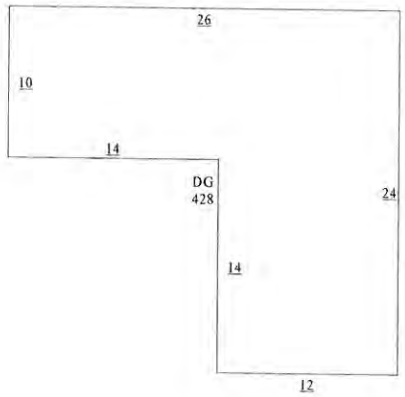
APPR VAL METHOD: Cost

GENERAL

UTILITIES	R	LAST APPR.	GL
TOPOGRAPHY		LAST APPR. YR	2014
ROAD ACCESS	P	LAST INSP. DATE	09/09/2013
ZONING		NEXT INSP. DATE	
NEXT REASON			

REMARKS DEL POOL GONE FOR 2013 PER GL/N/C
2010-GL; HOUSE BURNED IN APRIL 2009

SKETCH for Improvement #1 (MISC IMP)



EXEMPTIONS

EX-XV Other Exemptions (including

PICTURE



BUILDING PERMITS

ISSUE DT	PERMIT TYPE	PERMIT AREA	ST	PERMIT VAL

SALE DT	PRICE	GRANTOR	DEED INFO
08/07/2012	*****	BRAKE MICHELLE &	SF DE / 6900 / 287
04/06/2004	*****	RICH RONALD R &	WD / 3466 / 234
06/14/2001	*****	SHEPHERD PLACE H	WD / 2175 / 204

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IMPROVEMENT INFORMATION

SUBD: S3860 100.00% NBHD:N3816 100.00%

I#	TYPE	DESCRIPTION	MTHD	CLASS/SUBCL	AREA	UNIT PRICE	UNITS	BUILT	EFF YR	COND.	VALUE	DEPR	PHYS	ECON	FUNC	COMP	ADJ	ADJ VALUE
	DG	DETACHED GAR	I	DG10/	428.0	10.00	1	2005	2005	*	4,280	83%	100%	100%	100%	100%	0.83	3,550
1.	DET GARAGE		STCD: A1		**428.0**	Homesite: Y (100%)					**4,280**							**3,550**

CHG FROM SP TO COST FOR 2013 PER GL/CHG DEPR FROM 100 TO 90% FOR 2011-GL

IMPROVEMENT FEATURES

SUBD: S3860 100.00% NBHD:N3816 100.00%

LAND INFORMATION

IRR Wells: 0 Capacity: 0 IRR Acres: 0 Oil Wells: 0

L#	DESCRIPTION	CLS	TABLE	SC	HS	METH	DIMENSIONS	UNIT PRICE	GROSS VALUE	ADJ	MASS ADJ	VAL SRC	MKT VAL	AG APPLY	AG CLASS	AG TABLE	AG UNIT PRC	AG VALUE
1.	RES SFR NON WF		S3860	A1	Y (100%)	LOT	0.3990 AC	34,000.00	34,000	1.00	1.00	A	34,000	NO			0.00	0
Comment: LT													**34,000**					**0**

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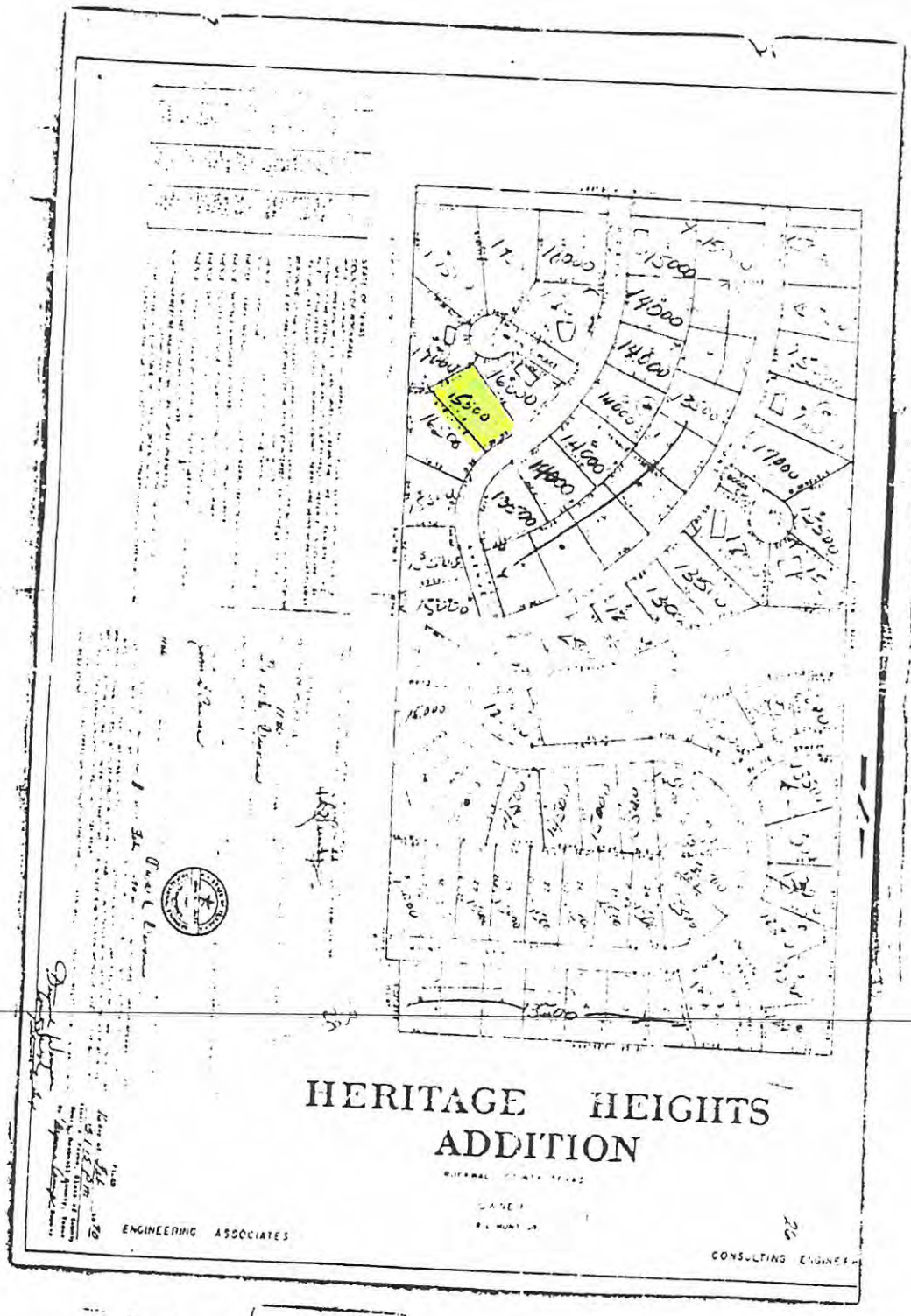
Effective Date of Appraisal: January 1 Date Printed: 01/23/2014 12:09:42PM by DHELM

True Automation, Inc.


HERITAGE HEIGHTS
ADDITION
ENGINEERING ASSOCIATES
CONSULTING ENGINEERS

BID

Property located in: City of Rockwall, Rockwall ISD and Rockwall County

I hereby submit my bid for the purchase of Suit No. **3-10-151 Rockwall ISD, Et Al vs Michelle Brake, Et Al** being more particularly described as **Lot 7, Block 'A', Heritage Heights Addition, an addition to the City of Rockwall, Rockwall County, Texas (acct 17035)** (Description) and have included a cashier's check or money order for the bid amount.

Bid Amount $ 16,036.43

General Conditions for Bids
Read Carefully

The land and/or improvements described above shall hereinafter be referred to as "the property".

The Deeds to these properties will contain an acknowledgment that the property is subject to the prior owners' right of redemption, if any, and that property is being purchased "as is" and "with all faults" and "The Taxing Entities" have no responsibility for the condition of the property and all sales are made without warranty, expressed or implied.

"The Taxing Entities" assume no responsibility as to the accuracy of any fact relating to the property for sale. The data reflected in the advertisement is for information only. All sales are "as is" to the successful Bidder on a **"Buyer Beware"** basis.

It is understood and agreed that my bid will be returned if my bid is not accepted. "The Taxing Entities" responsibility to return my bid to me shall extend only to depositing same in the U. S. mail on or before 30 days from the date my bid is rejected.

"The Taxing Entities" reserve the right to reject any and all Bids.

"The Taxing Entities" will not provide a title policy.

"The Taxing Entities" make no representations of any nature regarding the property, and this agreement represents the sole responsibility of the Entities regarding this property.

If my bid is accepted, "The Taxing Entities" accept no responsibility for any misrepresentations, failures of disclosure, errors or other negligent or wrongful acts occurring in the context of or pertaining to the closing of this transaction.

"The Taxing Entities", by advertising this property, makes no warranty concerning zoning or as to whether or not the property so advertised can be utilized for any purpose. It will, therefore, be the responsibility of the bidder to examine all applicable building codes and ordinances to determine that the property in question can be used for the purposes desired.

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By entering into this agreement, I hereby waive any rights I may have either now or in the future, to undertake any legal action against "The Taxing Entities" for failure of the "The Taxing Entities" to properly advertise or notice the sale of the property or to properly conduct the sale of this property.

I certify that I have no outstanding tax judgments or tax delinquencies in Rockwall County.

SIGNATURE Richard Wylie

PRINT NAME Richard Wylie

ADDRESS 948 Equestrian Drive

CITY Rockwall STATE TX ZIP 75032

TELEPHONE (972) 523-1027

Social Security # 462-33-9355

Please print name (s) to appear on deed if different than above: _____

ALL BIDS MUST BE SIGNED BY HAND.

For additional information call:
Dee Helm- Linebarger Goggan Blair & Sampson, LLP (972) 961-0086
Denise Wilt- Linebarger Goggan Blair & Sampson, LLP (972) 961-0086

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Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your social security number or your driver's license number.

SHERIFF'S TAX DEED

STATE OF TEXAS X

X KNOW ALL MEN BY THESE PRESENTS

COUNTY OF ROCKWALL X

That, whereas, by virtue of an Order of Sale issued by the Clerk of the County Court at Law in and for Rockwall County, dated July 9, 2012 on a certain judgment rendered in said Court on 2nd day of May, 2012, in a certain suit **NUMBER 3-10-151, Rockwall Independent School District, Et Al vs. Michelle Brake, Et Al,** I, Sheriff Harold Eavenson, Sheriff of said County, did upon July 9, 2012, levy upon and advertise the said premises as described in said Order of Sale, by giving public notice of the time and place of said sale by an advertisement in the English language, published once a week for three (3) consecutive weeks preceding such sale, the first publication appearing not less than twenty (20) days immediately preceding the day of sale, beginning on Friday, July 13, 2012, in the ROCKWALL COUNTY NEWS, a newspaper published in the County of Rockwall, stating in said advertisement the authority by virtue of which such sale was to be made, the time of levy, the time and place of sale, a brief description of the property to be sold, the number of acres, the original survey, its locality in the County, and the name by which the land is generally known, and by delivering a similar notice to each of the named Defendants, and on the first Tuesday in August, 2012, beginning at 10:00 AM sold said hereinafter described land or lots at public venue, at the Front Steps of the Courthouse of said County, at which sale the premises hereinafter described were struck off to:

CITY OF ROCKWALL, TRUSTEE
841 JUSTIN RD
ROCKWALL, TX 75087

for the use and benefit of itself and ROCKWALL INDEPENDENT SCHOOL DISTRICT and ROCKWALL COUNTY, there being no bid, other than the bid on behalf of the trustee taxing unit, for as much as the adjudged value of the said property or the amount of the taxes, interest, penalties and costs.

NOW, THEREFORE, I, Sheriff Harold Eavenson, Sheriff aforesaid, by virtue of the authority vested in me by law have Granted, Sold, and Conveyed, and by these presents do Grant, Sell, and Convey unto the said City of Rockwall, in trust, for the use and benefit of itself and ROCKWALL INDEPENDENT SCHOOL DISTRICT and ROCKWALL COUNTY and their assigns all of the estate, right, title and interest which the Defendants in such suit had on the date said judgment was rendered or at any time afterwards, in and to the following described land and premises, as described in the Order of Sale, viz:

PROPERTY DESCRIPTION

Lot 7, Block 'A', Heritage Heights Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the map or plat thereof, recorded in Cabinet 'A', Slide 112, Plat Records of Rockwall County, Texas. (17035)

TO HAVE AND TO HOLD the above described premises unto the said City of Rockwall, as trustee, its successors and assigns forever, as fully and absolute as I, as Sheriff aforesaid, can convey by virtue of said Order of Sale;

Subject, however to the owner's right to redeem the same in the manner and within the time prescribed by Section 34.21 of the Property Tax Code of the State of Texas.

This conveyance is made expressly subject to recorded restrictive covenants running with the land, and valid easements of record as of the date of this sale, if such covenants or easements were recorded prior to January 1 of the year the tax lien(s) arose.

IN TESTIMONY WHEREOF, I have hereunto set my hand this the 7 day of August, 2012.

#507

Deputy Sheriff
Rockwall County, Texas

STATE OF TEXAS X

COUNTY OF ROCKWALL X

Before me, the undersigned authority, on this day personally appeared Daniel Otto, Deputy Sheriff of Rockwall County, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes, consideration, and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 7th DAY OF August, 2012.

Patti Lynn Jones

Printed Name: Patti Lynn Jones
Notary Public, State of Texas
My Commission Expires: _____

After recording return to:

LINEBARGER GOGGAN
BLAIR & SAMPSON, LLP
P.O. Box 1916
Corsicana, Texas 75151-1916
(903) 872-3096
FAX (903) 874-5007

Inst # 00472863

Filed for Record in: Rockwall County
On: Aug 16,2012 at 02:00P

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

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

DATE: **April 2, 2014**

SUBJECT: **Construction Contract Award – Lake Rockwall Estates Water Connections**

Background:
The Lake Rockwall Estates Water Connections project is designed to provide additional connections between Lake Rockwall Estates and the City of Rockwall water distribution system. The project includes 560 linear feet of 8-inch waterline, 370 linear feet of 12-inch waterline and 4 fire hydrants. The design was completed by Binkley & Barfield.

The City received and opened bids on March 27, 2014 and are as follows:

1. Four Star Excavating $186,658.50
2. Saber Development $192,460.00
3. Atkins Construction $246,980.00
4. Jim Bowman Construction $258,245.00

The experience and references provided with the low bid demonstrate Four Star Excavating has the resources to suitably complete this water project.

Financial Implications:
Funding for this project is available from 2008 water and sewer revenue bonds.

Action Desired/Recommendation:
Staff requests City Council consideration to approve the award of the Lake Rockwall Estates Water Connections project construction contract to Four Star Excavating, in the amount of $186,658.50 and funded by 2008 water and sewer revenue bonds.

TMT: km
Attachments

Cc: **Mary Smith, Assistant City Manager**
Rick Sherer, Water/Wastewater Manager
Amy Williams, Assistant City Engineer
Kathleen Moreno, Civil Engineer
File, CIP2013-013

CITY OF ROCKWALL
LAKE ROCKWALL ESTATES WATER LINE CONNECTIONS
CIP 2013-013
Bid Tabulation - March 27, 2014

Item	Description	Units	Bid Quantity	Four Star Excavating		Saber		Atkins		Jim Bowman Const.	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	8" C900 PVC CLASS 200 (DR 14) WATERLINE INCLUDING CONNECTIONS, FITTINGS, EMBEDMENT, BACKFILL & WATERMAIN LOWERING	LF	560	$52.00	$29,120.00	$50.00	$28,000.00	$91.00	$50,960.00	$56.50	$31,640.00
2	6" C900 PVC CLASS 200 (DR 14) WATERLINE INCLUDING CONNECTIONS, FITTINGS, EMBEDMENT, BACKFILL & WATERMAIN LOWERING	LF	20	$65.00	$1,300.00	$65.00	$1,300.00	$81.00	$1,620.00	$88.50	$1,770.00
3	12" C900 PVC CLASS 200 (DR 14) WATERLINE (BY OTHER THAN OPEN CUT)	LF	98	$216.00	$21,168.00	$200.00	$19,600.00	$110.00	$10,780.00	$235.00	$23,030.00
4	12" C900 PVC CLASS 200 (DR 14) WATERLINE INCLUDING CONNECTIONS, FITTINGS, EMBEDMENT, BACKFILL & WATERMAIN LOWERING	LF	370	$84.00	$31,080.00	$85.00	$31,450.00	$115.00	$42,550.00	$100.00	$37,000.00
5	18" STEEL ENCASEMENT PIPE	LF	98	$93.00	$9,114.00	$75.00	$7,350.00	$250.00	$24,500.00	$75.00	$7,350.00
6	12" GATE VALVE	EA	7	$2,100.00	$14,700.00	$1,950.00	$13,650.00	$2,500.00	$17,500.00	$3,000.00	$21,000.00
7	8" GATE VALVE	EA	5	$1,300.00	$6,500.00	$1,125.00	$5,625.00	$1,400.00	$7,000.00	$1,950.00	$9,750.00
8	6" GATE VALVE	EA	4	$900.00	$3,600.00	$875.00	$3,500.00	$900.00	$3,600.00	$1,350.00	$5,400.00
9	16" X 12" TAPPING SLEEVE & VALVE	EA	2	$4,800.00	$9,600.00	$4,200.00	$8,400.00	$3,900.00	$7,800.00	$12,000.00	$24,000.00
10	16" X 8" TAPPING SLEEVE & VALVE	EA	1	$3,500.00	$3,500.00	$3,050.00	$3,050.00	$3,700.00	$3,700.00	$9,000.00	$9,000.00
11	12" X 12" TAPPING SLEEVE & VALVE	EA	1	$5,000.00	$5,000.00	$3,750.00	$3,750.00	$3,200.00	$3,200.00	$6,200.00	$6,200.00
12	6" X 6" TAPPING SLEEVE & VALVE	EA	1	$2,200.00	$2,200.00	$2,000.00	$2,000.00	$1,700.00	$1,700.00	$2,850.00	$2,850.00
13	FIRE HYDRANT w/ 6" LEAD	EA	4	$2,500.00	$10,000.00	$2,750.00	$11,000.00	$3,500.00	$14,000.00	$3,350.00	$13,400.00
14	PLUG WATER LINE	EA	3	$300.00	$900.00	$350.00	$1,050.00	$600.00	$1,800.00	$500.00	$1,500.00
15	CONNECT TO EXISTING 12" WATER LINE	EA	1	$800.00	$800.00	$2,750.00	$2,750.00	$2,500.00	$2,500.00	$350.00	$350.00
16	CONNECT TO EXISTING 6" WATER LINE	EA	3	$500.00	$1,500.00	$2,000.00	$6,000.00	$1,500.00	$4,500.00	$350.00	$1,050.00
17	CONNECT TO EXISTING 4" WATER LINE	EA	2	$500.00	$1,000.00	$1,800.00	$3,600.00	$1,400.00	$2,800.00	$250.00	$500.00
18	REMOVE EXISTING VALVE	EA	1	$100.00	$100.00	$100.00	$100.00	$100.00	$100.00	$200.00	$200.00
19	REMOVE EXIST. STREET PAVEMENT (CONCRETE)	SY	110	$8.00	$880.00	$3.00	$330.00	$17.00	$1,870.00	$20.00	$2,200.00
20	REMOVE EXIST STREET PAVEMENT (ASPHALT)	SY	100	$8.00	$800.00	$3.00	$300.00	$16.00	$1,600.00	$25.00	$2,500.00
21	REMOVE CONCRETE DRIVEWAY	SY	30	$8.00	$240.00	$3.00	$90.00	$17.00	$510.00	$20.00	$600.00
22	REMOVE CONCRETE SIDEWALK	SY	50	$8.00	$400.00	$3.00	$150.00	$17.00	$850.00	$15.00	$750.00
23	CONSTRUCT 4" CONCRETE SIDEWALK	SY	36	$42.00	$1,512.00	$45.00	$1,620.00	$40.00	$1,440.00	$50.00	$1,800.00
24	CONSTRUCT 6" CONCRETE DRIVEWAY	SY	30	$47.00	$1,410.00	$65.00	$1,950.00	$60.00	$1,800.00	$75.00	$2,250.00
25	CONSTRUCT 2" HMAC SURFACE TREATMENT TYPE 'D'	SY	100	$21.00	$2,100.00	$8.00	$800.00	$50.00	$5,000.00	$20.00	$2,000.00
26	CONSTRUCT 6" HMAC BASE	SY	100	$43.00	$4,300.00	$65.00	$6,500.00	$30.00	$3,000.00	$50.00	$5,000.00
27	CONSTRUCT 8" CONCRETE PAVEMENT W/ MONO CURB	SY	110	$55.00	$6,050.00	$78.00	$8,580.00	$75.00	$8,250.00	$90.00	$9,900.00
28	SAWCUT	LF	370	$2.00	$740.00	$7.00	$2,590.00	$2.00	$740.00	$3.50	$1,295.00
29	CONSTRUCT CURB RAMP (TYPE 5)	EA	2	$1,300.00	$2,600.00	$1,500.00	$3,000.00	$3,000.00	$6,000.00	$2,000.00	$4,000.00
30	SODDING OF DISTURBED AREAS	SY	485	$3.70	$1,794.50	$5.00	$2,425.00	$6.00	$2,910.00	$6.00	$2,910.00
31	TRENCH SAFETY DESIGN	LS	1	$500.00	$500.00	$750.00	$750.00	$950.00	$950.00	$750.00	$750.00
32	TRENCH SAFETY	LF	950	$1.00	$950.00	$0.63	$600.00	$1.00	$950.00	$2.00	$1,900.00
33	SWPPP PREPATATION, IMPLEMENTATION & MAINTENANCE	LS	1	$1,500.00	$1,500.00	$800.00	$800.00	$2,000.00	$2,000.00	$2,000.00	$2,000.00
34	IRRIGATION SYSTEM REPAIR	LS	1	$800.00	$800.00	$300.00	$300.00	$2,500.00	$2,500.00	$2,000.00	$2,000.00
35	BARRICADES, TRAFFIC CONTROL, & WARNING SIGNS	LS	1	$3,100.00	$3,100.00	$2,500.00	$2,500.00	$2,500.00	$2,500.00	$3,900.00	$3,900.00
36	MOBILIZATION	LS	1	$5,800.00	$5,800.00	$7,000.00	$7,000.00	$3,500.00	$3,500.00	$16,500.00	$16,500.00
TOTAL BID					**$186,658.50**		**$192,460.00**		**$246,980.00**		**$258,245.00**

Denotes Bid Correction

Binkley & Barfield | C&P
consulting engineers

April 1, 2014

Kathleen Moreno, P.E.
Civil Engineer
City of Rockwall
385 S. Goliad
Rockwall, Texas 75087

RE: Lake Rockwall Estates Water line Connections
CIP 2013-013

Dear Ms. Moreno:

On March 27, 2014 the City of Rockwall received four (4) bids for the above mentioned project. Based on my review of the Bidder's qualification information, the tabulated low bid of $186,658.50 and phone interviews I have conducted with other municipalities of other similar projects constructed by the contractor, it is my recommendation that the City of Rockwall award the contract to Four Star Excavating.

In checking project references, I communicated with three different references listed in their bidder qualification information, including City of Frisco, City of McKinney and City of Lewisville. Each contact provided good recommendations and stated the contractor is very cooperative, the contractor responds to issues and that they would have no hesitations using the contractor again.

It should be noted that the contractor's financial statements for review were not available from their accountant yet and were not considered as part of this recommendation.

If you have any questions or concerns, please call me at 972-644-2800.

Sincerely,

Binkley & Barfield – C&P, Inc.
Consulting Engineers

Jeff R. Smith, P.E.
Project Manager

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

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

DATE: **April 2, 2014**

SUBJECT: **Construction Contract Award – Central Water & Sewer Improvements**

Background:
The Central Water and Sewer Improvements project consists of approximately 5,640 linear feet of 8-inch waterline on Lake Meadows Drive and Forest Trace Road and 10 rehabilitated manholes on North Goliad Street. The project also includes 140 cubic yards of retaining wall for slope stabilization due to potential wash out of an existing sewer line in the creek behind the Rockwall Memorial Cemetery. The design was completed by Teague Nall & Perkins.

The City received and opened bids on March 20, 2014 and are as follows, including the alternate retaining wall:

1.	Barson Utilities	$786,973.00
2.	Muniz Construction	$861,675.00
3.	Camino Construction	$970,337.30
4.	Jim Bowman Construction	$971,441.00
5.	Utilitex Construction	$1,045,560.75

The experience and references provided with the low bid demonstrate Barson Utilities has a record of satisfactorily completing similar projects.

Financial Implications:
Funding for this project is available in 2008 water and sewer revenue bonds.

Action Desired/Recommendation:
Staff requests City Council consideration to approve the award of the Central Water and Sewer Improvements project construction contract to Barson Utilities, in the amount of $786,973.00.

TMT: km
Attachments

Cc: **Mary Smith, Assistant City Manager**
Rick Sherer, Water/Wastewater Manager
Amy Williams, Assistant City Engineer
Kathleen Moreno, Civil Engineer
File, CIP2013-004

City of Rockwall - Central Water & Sewer Improvements Bid Tabulation				Engineer's Estimate		Barson Utilities, Inc.			Muniz Construction, Inc.		
Pay Item	Description	Unit	Quant	COST	TOTAL	COST	TOTAL	Discrepency	COST	TOTAL	Discrepency
1	Remove & Replace 8" Reinforced Concrete Pavement	SY	2460	$50.00	$123,000.00	$50.00	$123,000.00		$60.00	$147,600.00	
2	Remove and Replace Sidewalk	SY	20	$40.00	$800.00	$38.00	$760.00		$45.00	$900.00	
3	Replace 6" Curb and Gutter	LF	661	$15.00	$9,915.00	$25.00	$16,525.00		$20.00	$13,220.00	
4	Traffic Control	LS	1	$7,000.00	$7,000.00	$20,000.00	$20,000.00		$2,500.00	$2,500.00	
5	Erosion Control	LS	1	$5,000.00	$5,000.00	$3,000.00	$3,000.00		$3,100.00	$3,100.00	
6	Block Sodding	SY	120	$5.00	$600.00	$3.00	$360.00		$10.00	$1,200.00	
7	6" PVC Water Line	LF	262	$30.00	$7,860.00	$46.50	$12,183.00		$42.00	$11,004.00	
8	8" PVC Water Line	LF	5377	$40.00	$215,080.00	$49.00	$263,473.00		$44.00	$236,588.00	
9	8" x 8" Tapping Sleeve w/ 8" Valve	EA	3	$4,200.00	$12,600.00	$2,740.00	$8,220.00		$2,350.00	$7,050.00	
10	1" Poly SDR9 Water Service (Various Lengths) by Bore	EA	56	$1,500.00	$84,000.00	$720.00	$40,320.00		$800.00	$44,800.00	
11	2" Poly SDR9 Water Service (Various Lengths) by Bore	EA	7	$1,800.00	$12,600.00	$1,128.00	$7,896.00		$2,320.00	$16,240.00	
12	Remove and Relocate Exist. Water Meter, Meter Can, and Setter	EA	63	$300.00	$18,900.00	$447.00	$28,161.00		$550.00	$34,650.00	
13	6" Gate Valve	EA	25	$1,000.00	$25,000.00	$1,030.00	$25,750.00		$850.00	$21,250.00	
14	8" Gate Valve	EA	36	$1,500.00	$54,000.00	$1,433.00	$51,588.00		$1,075.00	$38,700.00	
15	Connect to Existing Water Line	EA	11	$1,800.00	$19,800.00	$482.00	$5,302.00		$950.00	$10,450.00	
16	Abandon Existing Water Lines and Valves	LS	1	$2,000.00	$2,000.00	$1,124.00	$1,124.00		$4,500.00	$4,500.00	
17	Fire Hydrant Assembly	EA	18	$3,000.00	$54,000.00	$2,710.00	$48,780.00		$2,350.00	$42,300.00	
18	Remove and Salvage Existing Fire Hydrant	EA	3	$300.00	$900.00	$75.00	$225.00		$450.00	$1,350.00	
19	Trench Safety (Water Line)	LF	5639	$1.00	$5,639.00	$1.00	$5,639.00		$1.00	$5,639.00	
20	Sanitary Sewer Manhole Rehabilitation	VF	76	$400.00	$30,400.00	$254.00	$20,066.00	762	$320.00	$24,320.00	
21	Unclassified Excavation	CY	2500	$10.00	$25,000.00	$3.50	$8,750.00		$10.00	$25,000.00	
22	18" Gabion Mattress	CY	15	$350.00	$5,250.00	$363.00	$5,445.00		$350.00	$5,250.00	
23	Remove & Dispose of Existing Tree	EA	5	$500.00	$2,500.00	$700.00	$700.00	2800	$890.00	$4,450.00	
24	Reinforced Vegetative Matting	SY	486	$10.00	$4,860.00	$2.00	$972.00		$60.00	$29,160.00	
25	Hydromulch Seeding	SY	422	$1.00	$422.00	$5.50	$2,321.00		$7.00	$2,954.00	
26	Asphalt Pulverization, Compaction, & 2" Overlay	SY	1000	$22.50	$22,500.00	$17.00	$17,000.00		$50.00	$50,000.00	
				Base Total	$749,626.00	Base Total	$717,560.00	719,598.00	Base Total	$784,175.00	
Alternate 1											
27	Gabion Retaining Wall	CY	140	$350.00	$49,000.00	$286.00	$40,040.00		$325.00	$45,500.00	
				GRAND TOTAL WITH ALTERNATE 1	$798,626.00	GRAND TOTAL	$757,600.00	759,638.00	GRAND TOTAL	$829,675.00	
Alternate 2											
28	Redirock Retaining Wall	FF	1250	$50.00	$62,500.00	$53.90	$67,375.00		$62.00	$77,500.00	
				GRAND TOTAL WITH ALTERNATE 2	$812,126.00	GRAND TOTAL	$784,935.00	786,973.00	GRAND TOTAL	$861,675.00	

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City of Rockwall - Central Water & Sewer Improvements Bid Tabulation				Camino Construction LP			Jim Bowman Construction Company , L.P.			Utilitex Construction, LLP		
Pay Item	Description	Unit	Quant	COST	TOTAL	Discrepency	COST	TOTAL	Discrepency	COST	TOTAL	Discrepency
1	Remove & Replace 8" Reinforced Concrete Pavement	SY	2460	$74.00	$182,040.00		$74.50	$183,270.00		$72.50	$178,350.00	
2	Remove and Replace Sidewalk	SY	20	$60.00	$1,200.00		$50.00	$1,000.00		$67.00	$1,340.00	
3	Replace 6" Curb and Gutter	LF	661	$3.00	$1,983.00		$5.00	$3,305.00		$25.00	$16,525.00	
4	Traffic Control	LS	1	$31,709.00	$31,709.00		$51,700.00	$51,700.00		$35,000.00	$35,000.00	
5	Erosion Control	LS	1	$6,000.00	$6,000.00		$3,000.00	$3,000.00		$3,500.00	$3,500.00	
6	Block Sodding	SY	120	$6.00	$720.00		$8.50	$1,020.00		$8.00	$960.00	
7	6" PVC Water Line	LF	262	$44.00	$11,528.00		$43.00	$11,266.00		$60.00	$15,720.00	
8	8" PVC Water Line	LF	5377	$45.00	$241,965.00		$50.50	$271,538.50		$63.00	$338,751.00	
9	8" x 8" Tapping Sleeve w/ 8" Valve	EA	3	$3,400.00	$10,200.00		$3,300.00	$9,900.00		$3,250.00	$9,750.00	
10	1" Poly SDR9 Water Service (Various Lengths) by Bore	EA	56	$900.00	$50,400.00		$900.00	$50,400.00		$1,250.00	$70,000.00	
11	2" Poly SDR9 Water Service (Various Lengths) by Bore	EA	7	$2,200.00	$15,400.00		$1,875.00	$13,125.00		$1,600.00	$11,200.00	
12	Remove and Relocate Exist. Water Meter, Meter Can, and Setter	EA	63	$300.00	$18,900.00		$150.00	$9,450.00		$200.00	$12,600.00	
13	6" Gate Valve	EA	25	$1,200.00	$30,000.00		$725.00	$18,125.00		$1,250.00	$31,250.00	
14	8" Gate Valve	EA	36	$1,600.00	$57,600.00		$1,450.00	$52,200.00		$1,625.00	$58,500.00	
15	Connect to Existing Water Line	EA	11	$1,300.00	$14,300.00		$850.00	$9,350.00		$600.00	$6,600.00	
16	Abandon Existing Water Lines and Valves	LS	1	$2,000.00	$2,000.00		$3,600.00	$3,600.00		$3,500.00	$3,500.00	
17	Fire Hydrant Assembly	EA	18	$2,800.00	$50,400.00		$3,050.00	$54,900.00		$3,300.00	$59,400.00	
18	Remove and Salvage Existing Fire Hydrant	EA	3	$300.00	$900.00		$300.00	$900.00		$200.00	$600.00	
19	Trench Safety (Water Line)	LF	5639	$0.50	$2,819.50		$0.50	$2,819.50		$1.25	$7,048.75	
20	Sanitary Sewer Manhole Rehabilitation	VF	76	$539.00	$40,964.00		$235.00	$17,860.00		$288.00	$21,888.00	
21	Unclassified Excavation	CY	2500	$14.40	$36,000.00		$20.00	$50,000.00		$6.50	$16,250.00	
22	18" Gabion Mattress	CY	15	$312.00	$4,680.00		$350.00	$5,250.00		$500.00	$7,500.00	
23	Remove & Dispose of Existing Tree	EA	5	$1,440.00	$7,200.00		$750.00	$3,750.00		$300.00	$1,500.00	
24	Reinforced Vegetative Matting	SY	486	$6.00	$2,916.00		$5.00	$2,430.00		$9.00	$4,374.00	
25	Hydromulch Seeding	SY	422	$2.40	$1,012.80		$6.00	$2,532.00		$7.00	$2,954.00	
26	Asphalt Pulverization, Compaction, & 2" Overlay	SY	1000	$50.00	$50,000.00		$43.75	$43,750.00		$53.00	$53,000.00	
				Base Total	**$872,837.30**		**Base Total**	**$876,441.00**		**Base Total**	**$968,060.75**	
27	Gabion Retaining Wall	CY	140	$648.00	$90,720.00		$400.00	$56,000.00		$325.00	$45,500.00	
				GRAND TOTAL	**$963,557.30**		**GRAND TOTAL**	**$932,441.00**		**GRAND TOTAL**	**$1,013,560.75**	
28	Redirock Retaining Wall	FF	1250	$78.00	$97,500.00		$76.00	$95,000.00		$62.00	$77,500.00	
				GRAND TOTAL	**$970,337.30**		**GRAND TOTAL**	**$971,441.00**		**GRAND TOTAL**	**$1,045,560.75**	

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teague nall & perkins www.tnpinc.com
engineers
surveyors
landscape architects

April 2, 2014

Kathleen Moreno, P.E.
City of Rockwall
385 S. Goliad
Rockwall, TX 75087

RE: CENTRAL WATER AND SEWER IMPROVEMENTS
Contract Recommendation
TNP Job No: RWL13076

Dear Mrs. Moreno,

On Thursday, March 20th, 2014, at 3:00 p.m., bids were received at the City of Rockwall for the Central Water and Sewer Improvements project. Please note the attached Bid Tabulation Report.

The low bidder was Barson Utilities, Inc. with a base bid of $719,598.00. As you are aware, this project included alternatives for the proposed Lake Meadows Channel Improvements.

- This alterative included this use of a block or Redi-Rock retaining wall. The bid for this alternate was $67,375.00, resulting in a bid total of $786,973.00.

After our recent meeting with you, representatives from Barons Utilites, and other staff members it is our understanding that the City of Rockwall would like to proceed with the Redi Rock retaining wall for the Lake Meadows Channel Improvements.

After viewing the bid and references we recommend that the City of Rockwall award a contract in the amount of $786,973.00 to Barson Utilities, Inc.

Thank you for the opportunity to work with the City of Rockwall on this project and please do not hesitate to call if you need any additional information.

Sincerely,

TEAGUE NALL AND PERKINS INC.

Chris Schmitt, P.E.

Attachment: Bid Tab
Cc: TNP file

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

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

DATE: **April 2, 2014**

SUBJECT: **Construction Contract Award – Miscellaneous Water System Improvements**

Background:
The Miscellaneous Water System Improvements project consists of approximately 4,568 linear feet of 8-inch waterline, 10 fire hydrants, and associated services in various locations – Lakeview Drive, Cullins Road, Damascus Road, and I-30 service road, east of Ridge Road. The design was completed by Kimley-Horn and Associates,Inc.

The City received and opened bids on March 27, 2014 and are as follows:

1.	Four Star Excavating	$429,936.30
2.	War Horse Enterprises	$465,625.31
3.	Utilitex Construction	$494,571.50
4.	Saber Development	$499,431.50
5.	Canary Construction	$549,037.00
6.	Jim Bowman Construction	$593,360.00

The experience and references provided with the low bid demonstrate Four Star Excavating has the resources to suitably complete this water rehabilitation project.

Financial Implications:
Funding for this project is available in 2008 water and sewer revenue bonds.

Action Desired/Recommendation:
Staff requests City Council consideration to approve the award of the Miscellaneous Water System Improvements project construction contract to Four Star Excavating, in the amount of $429,936.30.

TMT: km
Attachments

Cc: **Mary Smith, Assistant City Manager**
Rick Sherer, Water/Wastewater Manager
Amy Williams, Assistant City Engineer
Kathleen Moreno, Civil Engineer
File, CIP2013-005

City of Rockwall, Texas
Itemized Bid Tabulation

Bid for Water Distribution System Improvements **Project No. 064420904**
Bid Opening: March 27, 2014 @ 3:00PM

ITEM NO.	DESCRIPTION	UNIT	QTY	Four Star Excavating 6825 Leveland Road, Suite 2B Dallas, Texas 75252		War Horse Enterprises 7960 Highway 66 West Royse City, Texas 75189		Utilitex Construction 2300 Peachtree Road Balch Springs, Texas 75180		Saber Development Corp. P.O. Box 540186 Dallas, Texas 75354		Canary Construction, Inc. 523 Greenwich Lane Coppell, Texas 75019		Jim Bowman Construction 2716 South Rigsbee Drive Plano, Texas 75074	
				UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
1	Furnish and Install 1-Inch HDPE DR 9 Water Service by Open Cut Including Transferring Service	LF	63	$ 146.00	$ 9,198.00	$ 143.45	$ 9,037.35	$ 125.00	$ 7,875.00	$ 104.50	$ 6,583.50	$ 35.00	$ 2,205.00	$ 250.00	$ 15,750.00
2	Furnish and Install 1-Inch HDPE DR 9 Water Service by Other Than Open Cut Including Transferring Service	LF	267	$ 68.00	$ 18,156.00	$ 38.07	$ 10,164.69	$ 43.00	$ 11,481.00	$ 36.00	$ 9,612.00	$ 35.00	$ 9,345.00	$ 60.00	$ 16,020.00
3	Furnish and Install 2-Inch HDPE DR 9 Water Service by Open Cut	LF	233	$ 49.00	$ 11,417.00	$ 49.37	$ 11,503.21	$ 46.00	$ 10,718.00	$ 33.10	$ 7,712.30	$ 40.00	$ 9,320.00	$ 85.00	$ 19,805.00
4	Furnish and Install 2-Inch HDPE DR 9 Water Service by Open Cut Including Transferring Water Service (626 Cullins Road)	LF	8	$ 137.00	$ 1,096.00	$ 198.07	$ 1,584.56	$ 125.00	$ 1,000.00	$ 150.00	$ 1,200.00	$ 40.00	$ 320.00	$ 195.00	$ 1,560.00
5	Furnish and Install 6-Inch PVC (AWWA C900, DR 14, Green) Sanitary Sewer Pressure Pipe with Class B-3 Embedment by Open Cut	LF	18	$ 46.00	$ 828.00	$ 33.40	$ 601.20	$ 47.00	$ 846.00	$ 65.00	$ 1,170.00	$ 75.00	$ 1,350.00	$ 95.00	$ 1,710.00
6	Furnish and Install 6-Inch PVC (AWWA C900, DR 14) Water Line with Class B-3 Embedment by Open Cut, Including Fittings	LF	12	$ 126.00	$ 1,512.00	$ 117.63	$ 1,411.56	$ 147.00	$ 1,764.00	$ 125.00	$ 1,500.00	$ 55.00	$ 660.00	$ 250.00	$ 3,000.00
7	Furnish and Install 8-Inch PVC (AWWA C900, DR 14) Water Line with Class B-3 Embedment by Open Cut, Including Fittings	LF	4,451	$ 37.00	$ 164,687.00	$ 42.44	$ 188,900.44	$ 45.00	$ 200,295.00	$ 50.00	$ 222,550.00	$ 58.00	$ 258,158.00	$ 59.00	$ 262,609.00
8	Furnish and Install 8-Inch PVC (AWWA C900, DR 14) Water Line with Class G Embedment and Cement Stabilized Sand Backfill by Open Cut, Including Fittings	LF	21	$ 55.00	$ 1,155.00	$ 75.08	$ 1,576.68	$ 110.00	$ 2,310.00	$ 90.00	$ 1,890.00	$ 185.00	$ 3,885.00	$ 75.00	$ 1,575.00
9	Furnish and Install 8-Inch PVC (AWWA C900, DR 14) Water Line Open Other Than Open Cut, Including Fittings	LF	96	$ 157.00	$ 15,072.00	$ 94.18	$ 9,041.28	$ 85.00	$ 8,160.00	$ 120.00	$ 11,520.00	$ 130.00	$ 12,480.00	$ 100.00	$ 9,600.00
10	Furnish and Install 6-Inch Gate Valve	EA	2	$ 950.00	$ 1,900.00	$ 771.52	$ 1,543.04	$ 1,150.00	$ 2,300.00	$ 925.00	$ 1,850.00	$ 1,000.00	$ 2,000.00	$ 1,200.00	$ 2,400.00
11	Furnish and Install 8-Inch Gate Valve	EA	14	$ 1,300.00	$ 18,200.00	$ 1,087.41	$ 15,223.74	$ 1,650.00	$ 23,100.00	$ 1,250.00	$ 17,500.00	$ 1,300.00	$ 18,200.00	$ 2,025.00	$ 28,350.00
12	Furnish and Install Fire Hydrant Assembly, Including Tee, 6-Inch Gate Valve, Fittings and 6-Inch Lead	EA	10	$ 3,600.00	$ 36,000.00	$ 3,679.69	$ 36,796.90	$ 4,625.00	$ 46,250.00	$ 3,900.00	$ 39,000.00	$ 3,800.00	$ 38,000.00	$ 4,500.00	$ 45,000.00
13	Furnish and Install Extra Ductile Iron Fittings (as Directed by the City if Needed)	LBS	6,600	$ 2.00	$ 13,200.00	$ 4.19	$ 27,654.00	$ 3.25	$ 21,450.00	$ 3.00	$ 19,800.00	$ 1.00	$ 6,600.00	$ 5.00	$ 33,000.00
14	Furnish and Install Trench Safety	LF	4,806	$ 1.00	$ 4,806.00	$ 0.35	$ 1,682.10	$ 1.00	$ 4,806.00	$ 1.00	$ 4,806.00	$ 1.00	$ 4,806.00	$ 0.50	$ 2,403.00
15	Furnish and Install Solid Block Sodding	SY	957	$ 3.70	$ 3,540.90	$ 6.00	$ 5,742.00	$ 8.00	$ 7,656.00	$ 5.00	$ 4,785.00	$ 6.00	$ 5,742.00	$ 4.50	$ 4,306.50
16	Furnish and Install Hydromulch Seeding	SY	1,202	$ 0.70	$ 841.40	$ 1.85	$ 2,223.70	$ 1.25	$ 1,502.50	$ 0.85	$ 1,021.70	$ 3.00	$ 3,606.00	$ 2.50	$ 3,005.00
17	Furnish, Install and Maintain Erosion Control	1	1	$ 7,900.00	$ 7,900.00	$ 5,127.50	$ 5,127.50	$ 1,500.00	$ 1,500.00	$ 5,000.00	$ 5,000.00	$ 3,000.00	$ 3,000.00	$ 10,000.00	$ 10,000.00
18	Connect to Existing 6-Inch Water Line	3	3	$ 600.00	$ 1,800.00	$ 1,186.72	$ 3,560.16	$ 1,000.00	$ 3,000.00	$ 2,200.00	$ 6,600.00	$ 1,800.00	$ 5,400.00	$ 1,100.00	$ 3,300.00
19	Connect to Existing 8-Inch Water Line	8	8	$ 1,000.00	$ 8,000.00	$ 1,459.16	$ 11,673.28	$ 950.00	$ 7,600.00	$ 2,300.00	$ 18,400.00	$ 2,200.00	$ 17,600.00	$ 1,250.00	$ 10,000.00
20	Remove and Replace Gravel Driveway	8	8	$ 41.00	$ 328.00	$ 32.00	$ 256.00	$ 21.00	$ 168.00	$ 10.00	$ 80.00	$ 25.00	$ 200.00	$ 50.00	$ 400.00
21	Remove and Replace Reinforced Concrete Driveway	SY	30	$ 64.00	$ 1,920.00	$ 58.02	$ 1,740.60	$ 65.00	$ 1,950.00	$ 65.00	$ 1,950.00	$ 85.00	$ 2,550.00	$ 80.00	$ 2,400.00
22	Remove and Replace HMAC Pavement	SY	1,127	$ 43.00	$ 48,461.00	$ 38.60	$ 43,502.20	$ 40.00	$ 45,080.00	$ 43.00	$ 48,461.00	$ 65.00	$ 73,255.00	$ 41.50	$ 46,770.50
23	Remove and Replace Reinforced Concrete Pavement Including Curb, Gutter and HMAC Diverter	SY	773	$ 72.00	$ 55,656.00	$ 88.00	$ 68,024.00	$ 100.00	$ 77,300.00	$ 80.00	$ 61,840.00	$ 85.00	$ 65,705.00	$ 82.00	$ 63,386.00
24	Remove and Replace Brick Sidewalk	SY	3	$ 100.00	$ 300.00	$ 50.00	$ 150.00	$ 150.00	$ 450.00	$ 80.00	$ 240.00	$ 185.00	$ 555.00	$ 150.00	$ 450.00
25	Remove and Replace Reinforced Concrete Sidewalk	SY	6	$ 47.00	$ 282.00	$ 56.02	$ 336.12	$ 60.00	$ 360.00	$ 55.00	$ 330.00	$ 185.00	$ 1,110.00	$ 75.00	$ 450.00
26	Remove Existing Fire Hydrant	EA	1	$ 300.00	$ 300.00	$ 500.00	$ 500.00	$ 175.00	$ 175.00	$ 250.00	$ 250.00	$ 500.00	$ 500.00	$ 500.00	$ 500.00
27	Remove Existing 6-Inch Sanitary Sewer	LF	18	$ 10.00	$ 180.00	$ 20.50	$ 369.00	$ 25.00	$ 450.00	$ 10.00	$ 180.00	$ 50.00	$ 900.00	$ 10.00	$ 180.00
28	Remove Existing Concrete Thrust Blocking and Plug	EA	5	$ 200.00	$ 1,000.00	$ 600.00	$ 3,000.00	$ 300.00	$ 1,500.00	$ 500.00	$ 2,500.00	$ 60.00	$ 300.00	$ 250.00	$ 1,250.00
29	Abandon Existing 2-Inch Water Service, Including Fittings	LS	1	$ 400.00	$ 400.00	$ 500.00	$ 500.00	$ 25.00	$ 25.00	$ 250.00	$ 250.00	$ 85.00	$ 85.00	$ 500.00	$ 500.00
30	Abandon Existing 6-Inch Water Line, Including Ductile Iron Fittings	LS	1	$ 800.00	$ 800.00	$ 900.00	$ 900.00	$ 1,625.00	$ 1,625.00	$ 350.00	$ 350.00	$ 600.00	$ 600.00	$ 1,680.00	$ 1,680.00
31	Abandon Existing 8-Inch Water Line, Including Ductile Iron Fittings	LS	1	$ 1,000.00	$ 1,000.00	$ 1,300.00	$ 1,300.00	$ 1,875.00	$ 1,875.00	$ 500.00	$ 500.00	$ 600.00	$ 600.00	$ 2,000.00	$ 2,000.00
	TOTAL BID:				**$ 429,936.30**		**$ 465,625.31**		**$ 494,571.50**		**$ 499,431.50**		**$ 549,037.00**		**$ 593,360.00**

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Kimley-Horn
and Associates, Inc.

March 31, 2014

Kathleen Moreno, P.E.
Project Manager
City of Rockwall Engineering Department
385 S. Goliad Street
Rockwall, Texas 75087

12750 Merit Drive
Suite 1000
Dallas, Texas
75251

Re: Water Distribution System Improvements
KHA No. 064420904

Dear Ms. Moreno:

On Thursday, March 27, 2014, the City of Rockwall received bids for the construction of the Water Distribution System Improvements project. The project consists of the construction of approximately 4,568 linear feet of 8-inch water line.

Four Star Excavating of Dallas, Texas submitted the low bid in the amount of $429,936.30. We have reviewed the experience and references provided with their bid and it is our opinion Four Star Excavating has the resources to properly pursue a project of this type. Accordingly, we recommend the City of Rockwall award Four Star Excavating a contract in the amount to $429,936.30 for the Water Distribution System Improvements project.

We are enclosing the bid summary, itemized bid tabulation and bid packages for your use. We are available to discuss this project further at your convenience.

Best Regards,

KIMLEY-HORN AND ASSOCIATES, INC.

Paul A. Carline, P.E.

TEL 972 770 1300
FAX 972 239 3820

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 4/07/2014

APPLICANT: Cameron Slown

AGENDA ITEM: **P2014-009**; Alliance Addition Phase II

Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Brian Berry of Horizon GSL 1, LLC for the approval of a replat of Lots 2-7, Block 1, Alliance Addition, Phase 2, creating three (3) non-residential lots identified as Lots 12, 13 & 14, Block 1, Alliance Addition, Phase 2, being 2.768-acres of land situated in the W. W. Ford Survey, Abstract No. 80, Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57), located southeast of the intersection of H. Wallace Lane and Jeff Boyd Drive, and take any action necessary.

BACKGROUND INFORMATION:

* The purpose of the replat is to combine six (6) lots into three (3) separate lots for future development and to dedicate firelane, access, utility, drainage, and sidewalk easements for the site. The three (3) lots combine for a total of 2.768-acres and are zoned (PD-57) Planned Development No. 57 with an underlying zoning of (C) Commercial District. The newly created lots will be identified as Lots 12, 13, and 14, Block 1 of the Alliance Addition, Ph 2.

* An SUP (Ord. 13-47) to allow for an Assisted Living Facility and a Site Plan (SP2013-028) for a 7,727-sf single story structure with 16 beds was approved in December 2013 for the proposed Lot 12.

* This plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required prior to the recordation with the County.

* Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the Recommendation section below.

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

RECOMMENDATIONS:

Should the request be approved, Staff would offer the following conditions:

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

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

PLANNING AND ZONING RECOMMENDATION:

On March 25, 2014, the Planning and Zoning Commission recommended approval of the request with staff conditions by a vote of 4 to 0 (Conley, Minth, and Neilsen - absent).

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City of Rockwall

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

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

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OWNERS CERTIFICATE

STATE OF TEXAS}
COUNTY OF ROCKWALL}
WHEREAS, ROCKWALL RENTAL PROPERTIES, being the owner of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

Part of the W. W. Ford Survey, Abstract No. 80, situated in the City of Rockwall, Rockwall County, Texas, being all of lots 2, 3, 4, 5, 6, and 7 of Alliance Addition Phase 2, an addition to the City of Rockwall, as recorded in the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with cap stamped 'R.P.L.S. 5430" found on the south west right-of-way line of Jeff Boyd Drive, (a variable width right-of-way), said point also being the north corner of said lot 2;

THENCE South 44 degrees 28 minutes 29 seconds East, along the northeast line of said Alliance Addition Phase 2, and the southwest line of said Jeff Boyd Drive, a distance of 566.46 feet to a 5/8 inch iron rod with cap stamped 'R.P.L.S. 5430" found for the east corner of said lot 4, same being the north corner of Alliance Addition, an addition to the City of Rockwall, as recorded in the Plat Records of Rockwall County, Texas;

THENCE South 45 degrees 37 minutes 36 seconds West, along a southeast line of said Alliance Addition Phase 2, and the northwest line of said Alliance Addition, a distance of 211.22 feet to a 5/8 inch iron rod with cap stamped 'R.P.L.S. 5430" found for the south corner of said lot 7;

THENCE North 44 degrees 28 minutes 29 seconds West, along the northeast line of a fire lane, access, and utility easement as shown in said Alliance Addition Phase 2, passing the north corner of said easement, same being the beginning of the northeast line of Alliance Drive, (a 60 feet wide right-of-way), and continuing for a distance of 434.44 feet to the beginning of a curve to the left having a radius of 330.00 feet, a central angle of 23 degrees 13 minutes 58 seconds, and a chord that bears North 55 degrees 41 minutes 31 seconds West, 132.90 feet;

THENCE along said curve to the left an arc distance of 133.81 feet to a 5/8 inch iron rod with cap stamped 'R.P.L.S. 5430" found on the aforementioned northeast line of Alliance Drive and for the west corner of said lot 5;

THENCE North 45 degrees 12 minutes 49 seconds East, a distance of 237.08 feet to the PLACE OF BEGINNING, and containing 120,574 square feet or 2.768 acres of land.

SURVEYORS CERTIFICATE

I, HEREBY CERTIFY, THAT I PREPARED THIS SURVEY PLAT SHOWN HEREON FROM AN ACTUAL SURVEY ON THE GROUND BY ME AND THAT ALL CORNERS ARE MARKED, AND THAT ALL DIMENSIONS SHOWN THEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND FURTHERMORE THERE ARE NO ENCROACHMENTS, PROTRUSIONS, IMPROVEMENTS, EASEMENTS, RIGHT-OF- WAY, OR 100 YEAR FLOOD PLAIN AFFECTING THE PROPERTY EXCEPT AS SHOWN THEREON.

WITNESS UNDER MY HAND THIS THE _____ DAY OF _____, 2014.

_____
BRIAN J. MADDOX, R.P.L.S. NO. 5430

STATE OF TEXAS:
COUNTY OF KAUFMAN:

EASEMENT CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	20.00	90°00'00"	31.42	S 00°31'31" W	28.28
C2	20.00	90°00'00"	31.42	S 89°28'29" E	28.28
C3	44.00	90°00'00"	69.12	S 89°28'29" E	62.23
C4	44.00	90°00'00"	69.12	S 00°31'31" W	62.23
C5	10.00	49°26'23"	8.63	S 58°23'03" E	8.36
C6	5.00	19°04'54"	1.67	N 43°12'19" W	1.66

BASIS OF BEARINGS FOR THIS SURVEY IS THE FINAL PLAT OF ALLIANCE ADDITION PHASE 2, RECORDED IN CABINET C, SLIDE 301, P.R.R.C.T.

THE REASON FOR THIS REPLAT IS TO CHANGE THE CONFIGURATION OF LOTS 2, 3, 4, 5, 6, & 7 BLOCK 1 ALLIANCE ADDITION PHASE 2 AMENDED RECORDED IN CABINET C, SLIDE 301, P.R.R.C.T.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

We, Rockwall Rental Properties, the owners of the land shown on this plat, and designated herein as Lots 2, 3, 4, 5, 6, and 7 Block 1 – Alliance Addition Phase 2 subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in Lots 2, 3, 4, 5, 6, and 7 Block 1 – Alliance Addition Phase 2 have been notified and signed this plat.

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

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

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

Rockwall Rental Properties

_____
Representative

STATE OF TEXAS
COUNTY OF ROCKWALL
Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

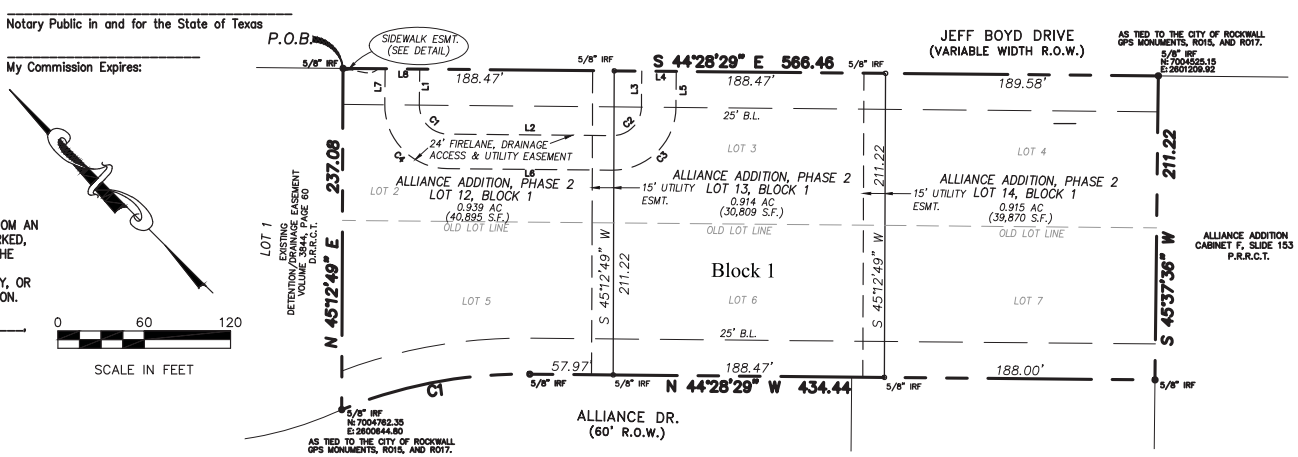
Given upon my hand and seal of office this _____day of _____, 2014.

_____
Notary Public in and for the State of Texas

_____
My Commission Expires:

BOUNDARY CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	330.00	23°13'58"	133.81	N 55°41'31" W	132.90

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 45°31'31" E	25.00
L2	N 44°28'29" W	114.29
L3	S 45°31'31" W	25.00
L4	S 44°28'29" E	24.00
L5	S 45°31'31" W	25.00
L6	N 44°28'29" W	114.29
L7	N 45°31'31" E	25.00
L8	S 44°28'29" E	24.00
L9	N 44°28'29" W	24.58
L10	S 83°06'15" E	1.34
L11	S 33°39'51" E	9.58
L12	S 52°44'46" E	4.38
L13	S 45°12'49" W	1.64



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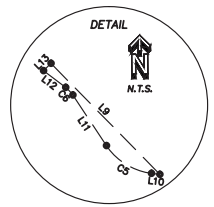
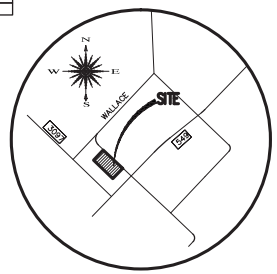
SCALE IN FEET



SIDEWALK EASEMENT DETAIL



VICINITY MAP
N.T.S.

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Chairman, Planning & Zoning Commission *Date*

I hereby certify that the above and foregoing plat of Alliance Addition Ph. 2 to the City of Rockwall, Texas was approved by the City Council of Rockwall on the _____ day of _____, 2014.

This approval shall be invalid unless the approved Plat for such Addition is recorded in the office of the County Clerk of Rockwall County, Texas, within 180 days from said date of final approval.

Said Addition shall be subject to all the requirements of the Subdivision Regulation of the City of Rockwall.

Witness my hand this the _____ day of _____, 2014.

_____ _____ _____ _____
Mayor, City of Rockwall *Date* *City Secretary, City of Rockwall* *Date*

_____ _____
City Engineer, City of Rockwall *Date*

REPLAT

Lots 12, 13 & 14 Block 1
Alliance Addition Phase 2

BEING A REPLAT OF AND COMBINING LOTS 2 AND 5, BLOCK 1, LOTS 3 AND 6, BLOCK 1, LOTS 4 AND 7, BLOCK 1, ALLIANCE ADDITION PHASE 2 RECORDED IN CABINET G, SLIDE 301 PLAT RECORDS ROCKWALL COUNTY, TEXAS TO LOTS 12, 13 & 14 BLOCK 1 BEING 2.768 ACRES SITUATED IN THE W.W. FORD SURVEY, ABST. NO. 80 IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner:
HORIZON GSL 1, LLC
Contact: Brian Berry
2 Essex Court
Heath, Texas 75032
(469) 583-5976
March 24, 2014

Surveyor:
MADDOX SURVEYING
P.O. Box 2109
Forney, Texas 75126
(972) 564-4416
1"=60'

Engineer:
F.C. CUNY CORP.
#2 Horizon Ct.
Heath, Texas 75032
(469) 402-7700

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Sheet 1 of 1

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 04/07/2014

APPLICANT: Barney Barnhill

AGENDA ITEM: **P2014-010**; *Lots 1 & 2, Block A, Goliad Dental Addition*

SUMMARY:

Discuss and consider a request by Barney M. Barnhill for the approval of a replat of Lots 1 & 2, Block E, Sanger Brothers Addition, creating two (2) non-residential lots identified as Lots 1 & 2, Block A, Goliad Dental Addition, being 0.56-acres of land situated in the B. F. Boydstun Survey, Abstract No. 14, Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, located at the southeast corner of the intersection of E. Boydstun Avenue and S. Goliad Street (SH-205), and take any action necessary.

COMMENTS:

- ✓ The objective of this request is to replat a portion of two (2) existing non-residential lots on 0.56-acres into two (2) non-residential lots [*Lot 1: 10,276 SF; Lot 2: 14,142 SF*] and to provide a cross access easement on Lot 2 extending from S. Goliad Street (SH-205) to Throckmorton Street.

- ✓ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for replats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

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

RECOMMENDATIONS:

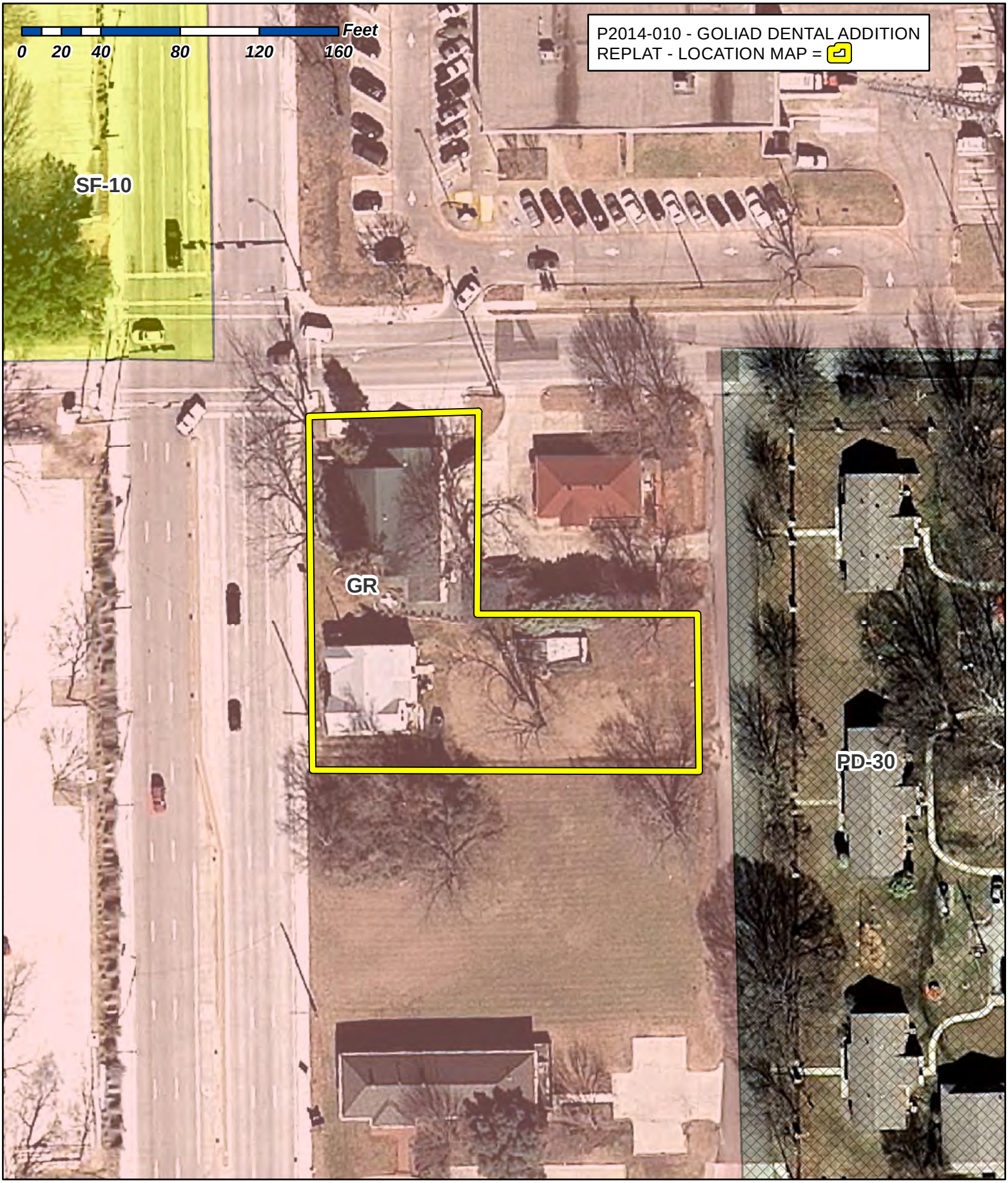
Staff recommends approval of the replat for *Lots 1 & 2, Block A, Goliad Dental Addition* in conformance with the following conditions of approval:

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

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

PLANNING AND ZONING COMMISSION

On March 25, 2014, the Planning and Zoning Commission recommended approval of the replat by a vote of 4-0, with Commissioners Nielsen, Conley and Minth absent.



City of Rockwall

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

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

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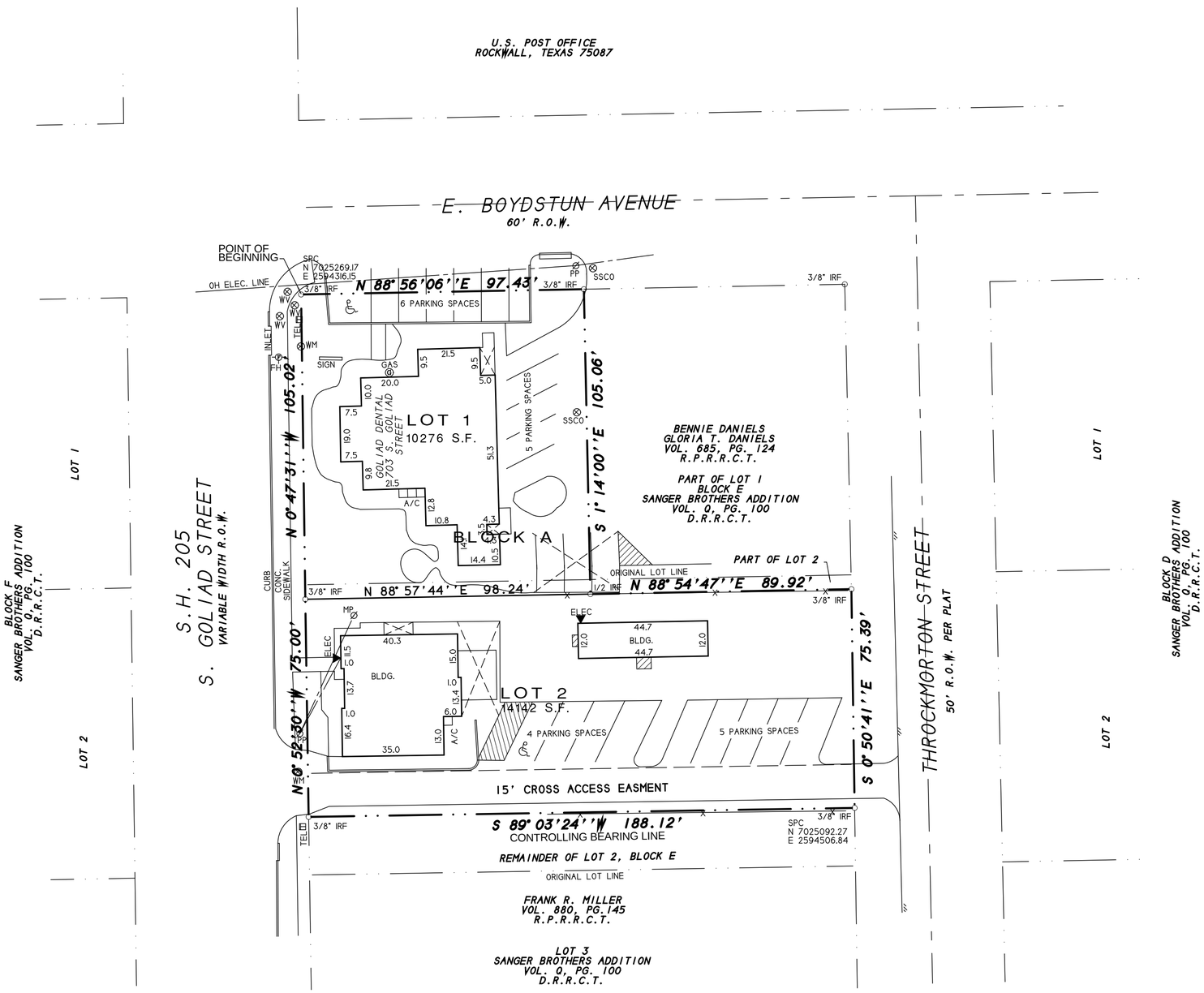
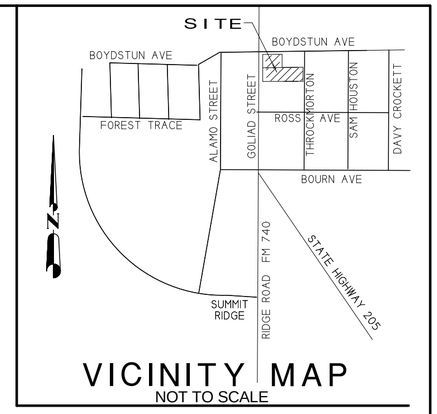
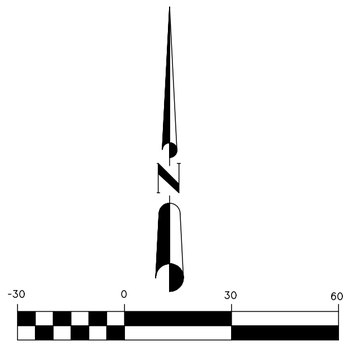




VICINITY MAP
NOT TO SCALE



GRAPHIC SCALE 1" = 30'

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0030L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

FINAL PLAT

GOLIAD DENTAL ADDITION

BEING A REPLAT OF
PART OF LOTS 1 & 2, BLOCK E
SANGER BROTHERS ADDITION
0.56 ACRES OR 24,418 S.F.
(2 LOTS)
B.F. BOYDSTUN SURVEY, A-14
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
BARNEY M. BARNHILL
202 DARTBROOK
ROCKWALL, TEXAS 75087
972-771-9131

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND 1 CORNER
FENCE	EASEMENT LINE / PROPERTY LINES	A/C AIR COND. UNIT	PROPANE TANK	

SURVEY DATE MARCH 12, 2014
SCALE 1" = 20' FILE # 20140079
CLIENT BARNHILL

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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U.S. POST OFFICE
ROCKWALL, TEXAS 75087

E. BOYDSTUN AVENUE
60' R.O.W.

POINT OF BEGINNING
SPC
N 7025269.17
E 2594316.15

3/8" IRF

N 88° 56'06''E 97.43'

3/8" IRF

3/8" IRF

N 0° 47'31''W 105.02'

S 1° 14'00''E 105.06'

LOT 1
10276 S.F.

BENNIE DANIELS
GLORIA T. DANIELS
VOL. 685, PG. 124
R.P.R.R.C.T.

PART OF LOT 1
BLOCK E
SANGER BROTHERS ADDITION
VOL. Q, PG. 100
D.R.R.C.T.

BLOCK A

PART OF LOT 2

ORIGINAL LOT LINE

3/8" IRF

N 88° 57'44''E 98.24'

1/2 IRF

N 88° 54'47''E 89.92'

3/8" IRF

N 0° 52'30''W 75.00'

S 0° 50'41''E 75.39'

LOT 2
14142 S.F.

15' CROSS ACCESS EASMENT

3/8" IRF

S 89° 03'24''W 188.12'
CONTROLLING BEARING LINE

SPC
N 7025092.27
E 2594506.84

3/8" IRF

REMAINDER OF LOT 2, BLOCK E

ORIGINAL LOT LINE

FRANK R. MILLER
VOL. 880, PG.145
R.P.R.R.C.T.

LOT 3
SANGER BROTHERS ADDITION
VOL. Q, PG. 100
D.R.R.C.T.

LOT 1

BLOCK F
SANGER BROTHERS ADDITION
VOL. Q, PG. 100
D.R.R.C.T.

S.H. 205
S. GOLIAD STREET
VARIABLE WIDTH R.O.W.

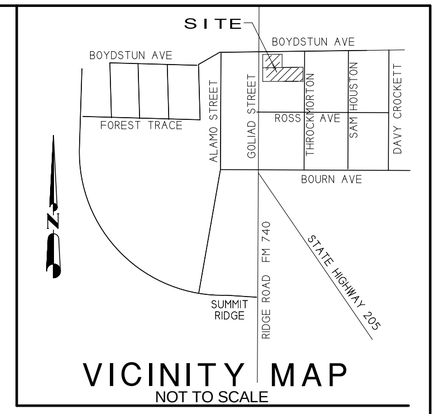
LOT 2

THROCKMORTON STREET
50' R.O.W. PER PLAT

LOT 1

BLOCK D
SANGER BROTHERS ADDITION
VOL. Q, PG. 100
D.R.R.C.T.

LOT 2



VICINITY MAP
NOT TO SCALE

N

-30 0 30 60

GRAPHIC SCALE 1" = 30'

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0030L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

FINAL PLAT

GOLIAD DENTAL ADDITION

BEING A REPLAT OF
PART OF LOTS 1 & 2, BLOCK E
SANGER BROTHERS ADDITION
0.56 ACRES OR 24,418 S.F.
(2 LOTS)
B.F. BOYDSTUN SURVEY, A-14
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
BARNEY M. BARNHILL
202 DARTBROOK
ROCKWALL, TEXAS 75087
972-771-9131

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IDS IRON ROD FOUND (1" CORNER)
FENCE	EASEMENT LINE / PROPERTY LINES		A/C AIR COND. UNIT	LPG PROPANE TANK

SURVEY DATE MARCH 12, 2014
SCALE 1" = 20' FILE # 20140079
CLIENT BARNHILL

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE
(Public Dedication)

WHEREAS, BARNEY M. BARNHILL, BEING the Owner of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a part of Lot 1 and part of Lot 2, Block E, SANGER BROTHERS ADDITION, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Volume Q, Page 100, of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod found for corner at the intersection of the south right-of-way line of E. Boydstun Avenue, a 60 foot right-of-way, and the east right-of-way line of SH 205 Goliad Street, a variable width right-of-way, said point being at the northwest corner of said Lot 1, Block E;

THENCE N. 88 deg. 56 min. 06 sec. E. along the south right-of-way line of E. Boydstun Avenue, a distance of 97.43 feet to a 3/8" iron rod found for corner at the northwest corner of a tract of land as described in a Warranty deed to Bennie Daniels and Gloria Daniels, as recorded in Volume 685, Page 124 of the Real Property Records of Rockwall County, Texas;

THENCE S. 01 deg. 14 min. 00 sec. E. along the west line of said Daniels tract, a distance of 105.06 feet to a 1/2" iron rod found for corner at the southwest corner of same;

THENCE N. 88 deg. 54 min. 47 sec. E. along the south line of said Daniels tract, a distance of 89.92 feet to a 3/8" iron rod found for corner in the west right-of-way line of Throckmorton Street, a 50 foot right-of-way;

THENCE S. 00 deg. 50 min. 41 sec. E. along said right-of-way line, a distance of 75.39 feet to a 3/8" iron rod found for corner;

THENCE S. 89 deg. 03 min. 24 sec. W. a distance of 188.12 feet to a 3/8" iron rod found for corner in the east right-of-way line of SH 205 Goliad Street;

THENCE N. 00 deg. 52 min. 30 sec. W. along said right-of-way line, a distance of 75.00 feet to a 3/8" iron rod found for corner;

THENCE N. 00 deg. 47 min. 31 sec. W. along said right-of-way line, a distance of 102.02 feet to the POINT OF BEGINNING and containing 24,418 square feet or 0.56 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as GOLIAD DENTAL ADDITION, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

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

We also understand the following;

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

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

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

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

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

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

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

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

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

_____
BARNEY M. BARNHILL

STATE OF TEXAS
COUNTY OF ROCKWALL

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

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

_____
Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

STATE OF TEXAS · REGISTERED · HAROLD D. FETTY III · 5034 · PROFESSIONAL LAND SURVEYOR

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

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

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

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

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

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

_____ _____
City Engineer Date

FINAL PLAT

GOLIAD DENTAL ADDITION

BEING A REPLAT OF
PART OF LOTS 1 & 2, BLOCK E
SANGER BROTHERS ADDITION
0.56 ACRES OR 24,418 S.F.
(2 LOTS)
B.F. BOYDSTUN SURVEY, A-14
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER:
BARNEY M. BARNHILL
202 DARTBROOK
ROCKWALL, TEXAS 75087
972-771-9131

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WV WATER METER	LP LIGHT POLE	I.R.F. IRF IRON ROD FOUND | CORNER
FENCE	EASEMENT LINE PROPERTY LINES		A/C AIR COND. UNIT	PROPANE TANK

SURVEY DATE MARCH 12, 2014
SCALE 1" = 20' FILE # 20140079
CLIENT BARNHILL

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF CITY COUNCILMEMBER PLACE 2, CITY COUNCILMEMBER PLACE 4, AND CITY COUNCILMEMBER PLACE 6 AS ELECTED; PROVIDING THAT THE MAY 10, 2014, GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas, adopted Resolution No. 14-03 on February 3, 2014, attached hereto as Exhibit 'A', ordering a general election to be held on May 10, 2014, for the purpose of electing three officials of the City, to wit: City Councilmember Place 2, City Councilmember Place 4, and City Councilmember Place 6; and

WHEREAS, pursuant to Sections 143.007 and 146.054, Texas Election Code, the deadline for filing applications for a place on the ballot and declaration of write-in candidacy for the City's general election have expired; and

WHEREAS, the City Secretary, in accordance with Section 2.052, Texas Election code, has certified in writing, attached hereto as Exhibit 'B', to the city council that Jim Pruitt is unopposed for election to the office of Councilmember Place 2, Jim Pruitt is unopposed for election to the office of Councilmember Place 2, Dennis Lewis is unopposed for election to the office of Councilmember Place 4, and Mike Townsend is unopposed for election to the office of Councilmember Place 6; and

WHEREAS, the City Council herby finds and determines that the candidates whose names are to appear on the ballot in said election are unopposed, there are no declared write-in candidates, and no propositions to appear on the ballot for said election;

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

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. In accordance with Section 2.053(a), Texas Election Code, the following unopposed candidates are hereby declared duly elected to the respective offices for a term of two years, and shall be issued a certificate of election following the date on which the general election for Councilmembers was to have been held:

Jim Pruitt, Place 2
Dennis Lewis, Place 4
Mike Townsend, Place 6

Section 3. Pursuant to Section 2.053(b), Texas Election code, the regular municipal election for Councilmember Place 2, Councilmember Place 4, and Councilmember Place 6 called and ordered by Resolution No. 14-03, for May 10, 2014, shall not be held and is hereby canceled.

Section 4. The City Secretary is hereby directed to cause a copy of this Ordinance to be posted on Election Day, same being May 10, 2014, at all posting places that would have been used in such election.

Section 5. Term of office for the unopposed Councilmembers shall commence on May 19, 2014 after the Oath of office has been administered and executed.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 7. The Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

Section 8. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

Section 9. It is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

Section 10. This Ordinance shall take effect immediately upon its second reading as required by the City Charter, Section 3.11.

PRESENTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 7th DAY OF APRIL, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, Interim City Attorney

1ST Reading: March 17, 2014

2nd Reading: April 7, 2014

EXHIBIT 'A'

Resolution No. 14-03

EXHIBIT 'B'

Certification of Unopposed Status

"Exhibit A"

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 14-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, CALLING A GENERAL ELECTION TO BE HELD JOINTLY WITH THE ROCKWALL INDEPENDENT SCHOOL DISTRICT AND ADMINISTERED BY THE ROCKWALL COUNTY ELECTIONS ADMINISTRATOR ON SATURDAY, MAY 10, 2014 FOR THE PURPOSE OF ELECTING THREE (3) COUNCIL MEMBERS, ONE (1) FOR PLACE 2, ONE (1) FOR PLACE 4, AND ONE (1) FOR PLACE 6, EACH FOR TWO (2) YEAR TERMS; DESIGNATING THE ENTIRE CITY AS ONE ELECTION PRECINCT; DESIGNATING THE POLLING PLACE; DESIGNATING FILING DEADLINES: ORDERING NOTICES OF ELECTION TO BE POSTED AND PUBLISHED AS PRESCRIBED BY LAW IN CONNECTION WITH SAID ELECTION; PROVIDNG A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 41.001 of the Texas Election Code, as amended (the "Code") specifies that the second Saturday in May shall be a "uniform election date" and that a general election of a city may be held on such day; and

WHEREAS, the City Council of the City of Rockwall, Texas (hereinafter referred to as the "City"), in accordance with its City Charter, Section 5.01, has determined that the City shall conduct general municipal elections on the second Saturday in May 2014; and

WHEREAS, by this Resolution, it is the intention of the City Council to: (i) call for said election to be held on said date, (ii) designate the entire City as one election precinct, (iii) designate Utley Middle School as the polling place for the election and (iv) establish and set forth procedures for conducting said election.

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

Section 1. Incorporation of Premises. That all of the above premises are found to be true and correct and are incorporated into the body of this Resolution as if copied in their entirety.

Section 2. Election Date, Purpose of Election, Officers and Terms of Office. That a general election is hereby ordered to be held jointly with the Rockwall Independent School District in and throughout the City on Saturday, May 10, 2014, for the purpose of electing three (3) Council Members, one (1) for Place 2, one (1) for Place 4, and one (1) for Place 6, each for two (2) year terms.

Section 3. Eligibility for Candidacy. That in accordance with Section 22.032 of the Texas Local Government Code and Section 5.02 of the City Charter of the City of Rockwall, no person shall be eligible for the office of Council Member, unless he/she is a registered voter who

shall have resided within the corporate limits of the City, or recently annexed territory, for at least twelve (12) months prior to the filing deadline, shall be twenty-one years old and not be in arrears in payment of taxes or other liabilities due the City. In accordance with Section 5.04 of the City Charter, a plurality vote is required to be elected and declared the winner.

Section 4. Application for a Place on the Ballot. That in accordance with Section 143.007 of the Code, any eligible and qualified person may have his/her name printed upon the official ballot as a candidate for the offices herein before set forth by filing his/her sworn application with the City Secretary not earlier than 8:00 a.m., January 29, 2014 and not later than 5:00 p.m., February 28, 2014. Each such application shall be on a form as prescribed by Section 141.031 of the Code. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary as provided by Section 52.094 of the Code. Notice of the time and place for such drawing shall be given in accordance with the Code.

Section 5. Election Precinct, Polling Place, and Election Hours. That the entire City of Rockwall, Texas shall constitute one (1) election precinct for the election, and the polling place is hereby designated to be located at Utley Middle School, 1201 T.L. Townsend, Rockwall, Texas 75087. In accordance with and pursuant to the requirements of the Code, said polling place shall be open from 7:00 a.m. until 7:00 p.m. on the date of the election.

Section 6. Early Voting. That early voting by personal appearance shall be conducted at the Rockwall County Elections Office, 107 E. Kaufman, Rockwall, Texas 75087 on the following dates at the specified times with the exception of Saturday, Sunday and State holidays:

Monday, April 28 through Saturday, May 3, 2014 - 8:00 a.m. until 5:00 p.m.
Monday, May 5 and Tuesday, May 6, 2014 - 7:00 a.m. until 7:00 p.m.

Applications for ballot by mail shall be requested from and mailed to the Rockwall County Election Administrator, Attn: Glenda Denton, 107 E. Kaufman, Rockwall, TX 75087. Applications for ballots by mail must be received no later than the close of business on Thursday, May 1, 2014.

Section 7. Method of Voting. That Direct Record Electronic (DRE) voting machines and Optical Scan ballots shall be used for early voting by personal appearance and for Election Day voting. Optical scan ballots shall be used for early voting by mail. The City Secretary, acting as chief elections officer, shall provide at least one (1) E. S. & S. Ivotronic "ADA" approved voting machine at the polling place as required by Section 61.012, of the Texas Election Code.

Section 8. Governing Law and Qualified Voters. That the election shall be held in accordance with the constitution of the State of Texas and the Code, and all resident, qualified electors of the city, shall be eligible to vote at the election.

Section 9. Publication and Posting of the Notice. That notice of the election in English and Spanish shall be given by posting a notice of election on the City Hall bulletin board used for posting notices of the meetings of the City Council not less than twenty-one (21) days prior to the date upon which the election is to be held, and by publication of said notice at least once in a newspaper of general circulation within the city, the date of said publication to be not less than ten (10) days and not more than thirty (30) days prior to the date set for the election.

Section 10. That the Rockwall Elections Administrator shall serve as the Administrator of the election. The Elections Administrator shall appoint a sufficient number of judges and clerks in accordance with Chapter 32 Texas Elections Code to assist in the proper conduct of the election.

Section 11. Delivery of Returns: Preservation of Election Records. That in accordance with the Code and the City's contract with the Rockwall County Elections Administrator, immediately after the closing of the poll on the day of the election, the election officers shall make and deliver the returns of the election in triplicate as follows: one copy shall be retained by the Presiding Election Judge and by the Presiding Election Judge of the Early Ballot Board, one copy shall be delivered to the Mayor of the City, and one copy of the returns, together with the ballot boxes and all election supplies, shall be delivered to the Rockwall County Elections Administrator. All election records and supplies shall be preserved in accordance with the Code.

Section 12. Representatives. That the following slate of officials and other designated persons are hereby authorized to be present to observe the election counting process:

a. The Mayor and members of the City Council of the City of Rockwall;
b. Candidates for Mayor and City Council of the City of Rockwall;
c. The Rockwall City Secretary or her designated representative.

Section 13. Canvassing of Returns. That the City Council of the City shall convene between May 13, 2014 to May 21, 2014 to canvass the returns of the election in accordance with the Texas Election Code.

Section 14. Necessary Action. That the Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

Section 15. Severability. That should any part, section, subsection, paragraph, sentence, clause or phrase contained in this resolution be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this resolution, but in all respects said remaining portion shall be and remain in full force and effect.

Section 16. Effective Date. That this Resolution shall be in force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of February, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

CITY OF ROCKWALL TEXAS
SEAL

"Exhibit B"

Certification
of
City Secretary

I, Kristy Ashberry, hereby certify that I am the City Secretary of the City of Rockwall, Texas and the authority responsible for having the official ballot prepared for the general election of May 10, 2014. I further herby certify, pursuant to Section 2.052, Texas Election Code, that the candidates are unopposed for election to the offices to be on the ballot in the May 10, 2014, regular general municipal election, as follows:

Jim Pruitt is *unopposed* for election to the office of Councilmember, Place 2.

Dennis Lewis is *unopposed* for election to the office of Councilmember, Place 4.

Mike Townsend is *unopposed* for election to the office of Councilmember, Place 6.

I further certify that no candidate names are to be placed on lists of write-in candidates for the positions of City Councilmember Place 2, City Councilmember Place 4, or City Councilmember Place 6 to appear on the ballot in the May 10, 2014, general election, and that there are no propositions to appear on the ballot in said election.

TO CERTIFY WHICH, I WITNESS MY HAND AND SEAL OF THE CITY OF ROCKWALL, TEXAS, THIS 7th DAY OF March, 2014.

CITY OF ROCKWALL TEXAS
SEAL

(Seal)

Kristy Ashberry

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL

ORDINANCE NO. 14-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURE (AG) DISTRICT TO A LIGHT INDUSTRIAL (LI) DISTRICT FOR A 2.006-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 2-7 OF THE DAVID HARR SURVEY, ABSTRACT NO. 102, ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Ron Ramirez of Wier & Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from an Agriculture (AG) District to a Light Industrial (LI) District for a 2.006-acre tract of land situated identified as a portion of Tract 2-7 of the David Harr Survey, Abstract No. 102, Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agriculture (AG) District to a Light Industrial (LI) District; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a Light Industrial (LI) District in *Section 1.1, "Use of Land and Buildings,"* of *Article IV, "Permissible Uses"* and *Section 5.3, "Light Industrial (LI) District",* of *Article V, "District Development Standards",* of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

zoning described herein.

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 7TH DAY OF APRIL, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *March 17, 2014*

2nd Reading: *April 7, 2014*

Exhibit 'A':
Legal Description

* FIELD NOTES *

BEING A TRACT OF LAND LOCATED IN THE DAVID HARR SURVEY, ABSTRACT No. 102, ROCKWALL COUNTY, TEXAS, BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO THE CITY OF ROCKWALL, RECORDED IN VOLUME 5418, PAGE 54, DEED RECORDS, ROCKWALL COUNTY TEXAS (D.R.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH A CAP STAMPED "CSC 4252", SAID IRON ROD BEING THE SOUTHWEST CORNER OF SAID CITY OF ROCKWALL TRACT AND IN THE EAST LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO ROCKWALL ECONOMIC DEVELOPMENT CORPORATION, RECORDED IN VOLUME 4168, PAGE 317, D.R.R.C.T.;

THENCE N 00°38'16" W, ALONG THE WEST LINE OF SAID CITY OF ROCKWALL TRACT AND THE EAST LINE OF SAID ROCKWALL ECONOMIC DEVELOPMENT TRACT, 713.31 FEET TO A POINT, BEING THE NORTHWEST CORNER OF SAID CITY OF ROCKWALL TRACT, THE NORTHEAST CORNER OF SAID ROCKWALL ECONOMIC DEVELOPMENT TRACT AND IN THE SOUTH LINE OF THE M. K. & T. RAILROAD RIGHT-OF-WAY (A CALLED 100 FOOT RIGHT-OF-WAY);

THENCE N 88°16'13" E, ALONG THE NORTH LINE OF SAID CITY OF ROCKWALL TRACT AND THE SOUTH LINE OF SAID M. K. & T. RAILROAD RIGHT-OF-WAY, 16.20 FEET TO A POINT IN THE WEST RIGHT-OF-WAY LINE OF JOHN KING BOULEVARD (STATE HIGHWAY 205 BYPASS) (AN UNRECORDED 120 FOOT WIDE RIGHT-OF-WAY);

THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID JOHN KING BOULEVARD AS FOLLOWS:

(1) S 13°13'35" E, 112.68 FEET TO A POINT AT THE BEGINNING OF A CURVE TO THE LEFT;

(2) SOUTHEASTERLY, AN ARC LENGTH OF 540.49 FEET ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1,810.00 FEET, A DELTA ANGLE OF 17°06'33", AND A CHORD BEARING OF S 21°54'26" E, 538.48 FEET TO A POINT;

(3) S 30°27'42" E, 46.15 FEET TO A POINT IN THE PROPOSED NORTH RIGHT-OF-WAY LINE OF JUSTIN ROAD (A PROPOSED VARIABLE WIDTH RIGHT-OF-WAY), SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

THENCE ALONG THE PROPOSED NORTH RIGHT-OF-WAY LINE OF SAID JUSTIN ROAD AS FOLLOWS:

(1) SOUTHWESTERLY, AN ARC LENGTH OF 43.46 FEET ALONG SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 29.50 FEET, A DELTA ANGLE OF 84°24'20", AND A CHORD BEARING OF S 37°35'03" W, 39.63 FEET TO A POINT;

(2) S 79°47'13" W, 186.65 FEET TO A POINT;

Exhibit 'A':
Legal Description

(3) N 55°12'47"W, 12.40 FEET TO A POINT;

(4) S 79°47'13" W, 40.94 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.006 ACRES (87,396 SQUARE FEET) OF LAND, MORE OR LESS.

Exhibit 'B':
Zoning Exhibit



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CITY OF ROCKWALL

ORDINANCE NO. 14-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) [*ORDINANCE NO. 73-48 & 84-04*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE DENSITY AND DIMENSIONAL REQUIREMENTS STIPULATED BY PLANNED DEVELOPMENT DISTRICT 8 (PD-8) FOR A 1.131-ACRE PORTION OF A PARCEL OF LAND IDENTIFIED AS THE CABANAS AT CHANDLER'S LANDING, ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the Cabana's at Chandler's Landing Homeowner's Association on behalf of the residents of the Cabana's at Chandler's Landing, for an amendment to the density and development standards contained within Planned Development District 8 (PD-8) [specifically contained within *Ordinance No. 73-48 & 84-04*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall to allow for a lot layout similar to the lot layout depicted in *Exhibit 'B'* of this ordinance, which herein after shall be referred to as the *Zoning Exhibit* and incorporated by reference herein, for a 1.131-acre portion of a parcel of land identified as the Cabanas at Chandler's Landing, Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 8 [*Ordinance No. 73-48 & 84-04*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by Planned Development District 8 (PD-8) [*Ordinance No. 73-48 & 84-04*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 2. That the subdivision of the *Subject Property* shall generally be in accordance with the *Zoning Exhibit*, described in *Exhibit 'B'* of this ordinance, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 3. That the development or redevelopment of the *Subject Property* shall generally be in accordance with the *PD Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 4. The *Official Zoning Map* of the City of Rockwall, Texas shall be amended to reflect the change in zoning for the *Subject Property* as described in this ordinance;

Section 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF APRIL, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *March 17, 2014*

2nd Reading: *April 7, 2014*

Exhibit 'A':
Legal Description

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BEING a tract or parcel of land situated in the E. Teal Survey, Abstract No. 207, Rockwall County, Texas, and being a part of the Cabanas at Chandlers Landing, an addition to the city of Rockwall, recorded in Slide B, Page 3 & 4, Plat Records Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod at the North corner of said Cabanas at Chandlers Landing, said iron rod bears North 6° 20' 10" West, a distance of 950.39 feet from City of Dallas Take Line monument for Lake Ray Hubbard marked T-13-1 and T-11-6, said iron rod being on a circular curve to the left having a central angle of 24° 27' 31", a radius of 168.23 feet, and a chord that bears South 56° 35' 00" East, a distance of 71.27 feet;

THENCE: Along said curve and with the Northeast line of said Cabanas at Chandlers Landing an arc distance of 71.82 feet to an iron rod at the point of tangency of said curve;

THENCE: South 68° 48' 46" East a distance of 17.62 feet continuing along said Northeast line to an iron rod at the point of curvature of a circular curve to the right having a central angle of 15° 29' 42" and a radius of 114.09 feet;

THENCE: Along said curve and along said Northeast line an arc distance of 30.86 feet to an iron rod at the point of tangency of said curve;

THENCE: South 53° 19' 04" East, a distance of 103.07 feet continuing along said Northeast line to an iron rod at the point of curvature of a circular curve to the right having a central angle of 80° 42' 31" and a radius of 112.00 feet;

THENCE: Along said curve and continuing along said Northeast and then the East line an arc distance of 157.77 feet to an iron rod for a corner;

THENCE: Leaving said East line and traversing said Addition as follows: North 68° 48' 11" West, a distance of 33.74 feet to an iron rod for a corner, South 74° 46' 05" West a distance of 20.00 feet to an iron rod for a corner, North 15° 13' 55" West, a distance of 18.00 feet to an iron rod for a corner, South 74° 46' 05" West, a distance of 160.58 feet to an iron rod for a corner, on a Westerly line of said Addition;

THENCE: North 13° 40' 35" East, a distance of 114.76 feet with said Westerly line to an iron rod for a corner;

THENCE: Along the most Northerly South lines of said Addition as follows:
North 76° 19' 25" West, a distance of 36.34 feet to an iron rod for a corner, North 69° 07' 25" West, a distance of 28.00 feet to an iron rod for a corner, and North 61° 59' 55" west, a distance of 79.50 feet to an iron rod for a corner at the most Northerly West corner of said Addition;

THENCE: North 20° 52' 35" East, a distance of 79.84 feet along the most Northerly Northwest line of said Addition to an iron rod for a corner; said iron rod being on a circular curve to the left having a central angle of 18° 44' 09", a radius of 234.00 feet, and a chord that bears North 60° 29' 27" East, a distance of 76.18 feet;

THENCE: Along said curve an arc distance of 76.52 feet to an iron rod at the point of compound curvature of a circular curve to the left having a central angle of 0° 32' 08" and a radius of 300.00 feet;

THENCE: Along said curve an arc distance of 2.80 feet to the Point of Beginning and containing 49,268 square feet or 1.131 Acres of Land.

FILED: 5th DAY OF: Oct. 1982@ 9:20A M.
RECORDED 7th DAY OF Oct. 1982@ 3:00P M.
JUNE WIMPEE, COUNTY CLERK, ROCKWALL COUNTY, TEXAS
BY: Ina Davis DEPUTY

Exhibit 'B':
Zoning Exhibit

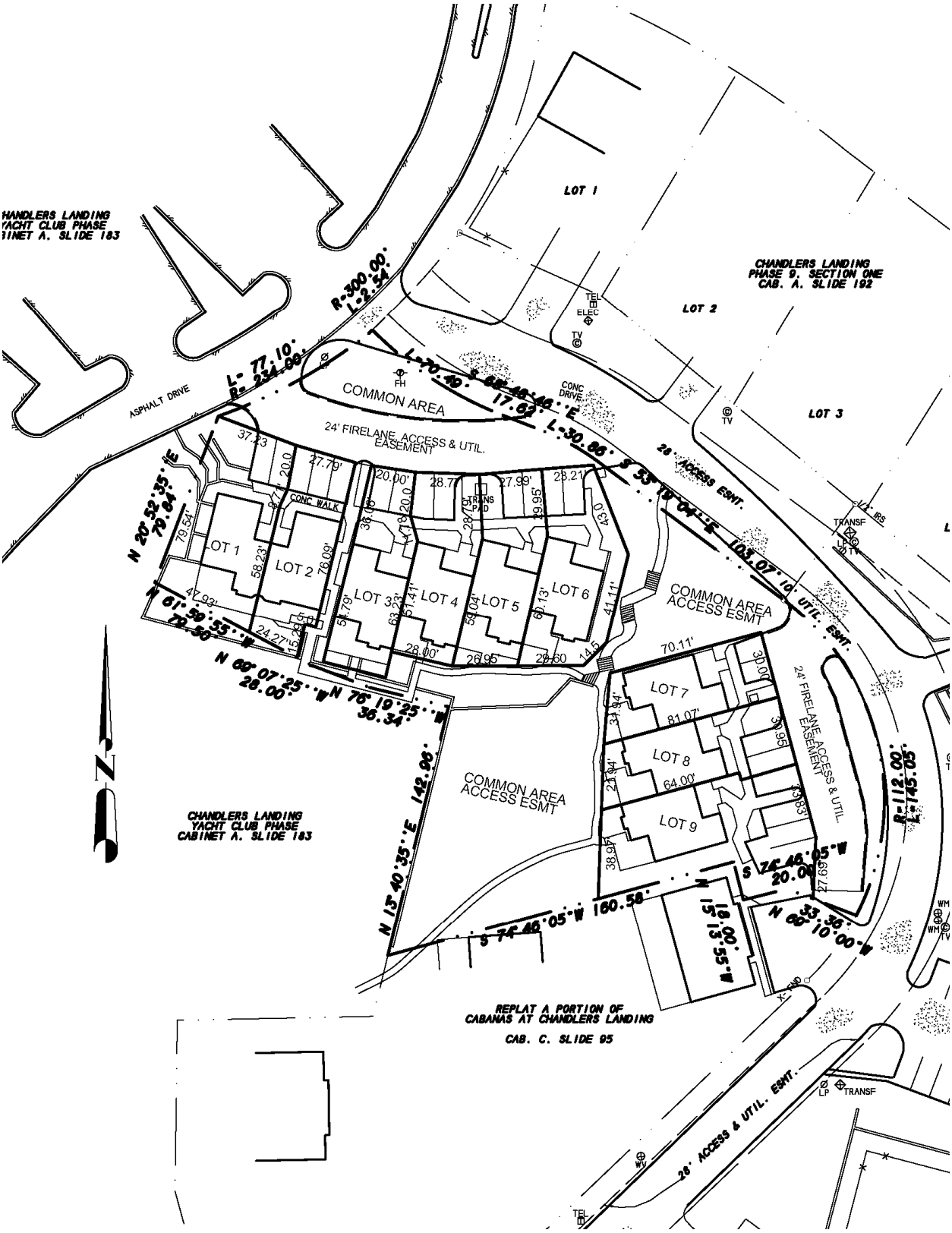

Exhibit 'C':
PD Development Standards

PD Development Standards.

1. *Purpose.* It is the intent of this zoning ordinance to maintain the current conditions of the subject property, while permitting property owners to physically subdivide their properties into lots to delineate the open space that will be dedicated to the *Chandler's Landing Homeowner's Association*.

2. *Allowed Uses*. The following are the only permitted land uses that shall be established on the *Subject Property*:

    a. *Permitted Uses.* Uses permitted *by right* or by *Specific Use Permit (SUP)* in Planned Development District 8 (PD-8) [*Ordinance No. 73-48 & 84-04*]. Uses subject to the approval of a *Specific Use Permit (SUP)* shall be required to follow the procedure for requesting an *SUP* as set forth in Article XI, *Zoning-Related Applications*, of the Unified Development Code.

    b. *Townhomes.* A single family dwelling unit constructed in a series, or group of units that share common walls, and are situated on an individual or separate lot.

    NOTE: All development of the Subject Property should conform to the Zoning Exhibit in Exhibit 'B'.

3. *Maximum Number of Units*. The *Subject Property* may contain no more than nine (9) townhomes that conform to the *Zoning Exhibit* in *Exhibit 'B'*.

4. *Area Requirements.*

    i. *Minimum Lot Area:* 2,200 Square Feet

    ii. *Minimum Lot Width:* 20 Feet

    iii. *Minimum Lot Depth:* 40 Feet

    iv. *Maximum Number of Dwelling Units per Lot:* One

    v. *Minimum Front Yard Building Setback:* 0 Feet

    vi. *Minimum Rear Yard Setback:* 0 Feet

    vii. *Minimum Side Yard Setback:*

        a. *Internal Side Yard Setback:* 0 Feet [*subject to all building code requirements*]

        b. *Side Yard Abutting a Structure:* 0 Feet [*required to be separated by a fire retardant wall*]

    viii. *Maximum Lot Coverage:* 100% [*as a percentage of lot area*]

    ix. *Maximum Height:* 30 Feet

    x. *Minimum Number of Paved Parking Spaces per Lot:* Two (2) Off-Street Spaces

5. *Additional Restrictions.* No fences or any other type of barricade shall be permitted on any property depicted in the *Zoning Exhibit* in *Exhibit 'B'*.

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JERRY H. HOGAN
ROCKWALL COUNTY JUDGE

March 26th, 2014

Dear Mayor Sweet:

As you are aware, Rockwall County has been working on a proposal to provide total interoperability for the radio systems in the County as well as providing a consolidated Dispatch Center. The Dispatch Center was recommended by a citizen Strategic Planning Group back in the 2011 time frame and the interoperability capability proposal came from observations and personal experiences.

The proposal being presented by the County is briefly included in the attached Letter of Intent. In essence the County will fund the replacement of all existing radios in the various organizations in the County as well as building and equipping the Consolidated Dispatch Center. This will be done at no expense to the cities.

A respected telecommunications consultant organization, RCC Consultants, has been hired to work with the cities and the County in the analysis of the proposed radio solution as well to assist in the implementation of both the radio network and the Consolidated Dispatch Center. Meetings have been held with your technical people so that the consultant can fully understand your requirements.

On March 25, 2014, the Rockwall County Commissioners Court voted to send the attached letter to each City in the County. We ask that you provide copies of the letter to your council members so they will be totally familiar with the proposal. Commissioner Dennis Bailey or I will address your council on the proposal and the letter at your convenience. Please let me know when we could do this.

The Letter is needed so we can judge the interest by the cities in this proposal and so we can start the analysis to develop some definitive costs. While the Letter does not bind you as an Inter local agreement would, it does express your desire, at this point in time, to be included. Without full acceptance of all the cities in the County, we will not proceed with the implementation.

We would like to brief your council within the next thirty days and then have your signed Letter of Intent within the next thirty days.

Thank you for your consideration and I look forward to a date when Dennis or I can brief your council.

Jerry H. Hogan

Cc: Rick Crowley

Historic Courthouse • 101 E. Rusk, Room 202 • Rockwall, Texas 75087 • Office 972.204.6001 • Cell 214.394.4033

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[City Letterhead]

March 19, 2014

The Honorable Jerry Hogan
County Judge, Rockwall County
101 E. Rusk St.
Rockwall, Texas 75087

RE: Letter of Intent

Dear Judge Hogan:

On behalf of the City of _____, Texas, acting by and through its City Council (the "City"), this Letter of Intent (the "Letter of Intent") sets forth the agreement of the City and Rockwall County, Texas, acting by and through its Commissioners Court (the "County"), to negotiate and enter into an Interlocal Agreement (as described herein) for the participation in the Rockwall County Interoperability Radio Network (the "IRN") for the purposes of creating a county-wide consolidated radio and dispatch service (the "Project") as more specifically provided herein. The City and the County are collectively referred to herein as the "Parties," and individually as a "Party."

I. Purpose

The purpose of the development of the Project is to consolidate the communication and dispatch services throughout all of Rockwall County. In doing so, not only will radio communication ameliorate, but the result will also be an enhancement of public and first responder safety and provide a more efficient and complete level of interoperability for all public safety agencies in Rockwall County. The Project will serve a legitimate public purpose of Rockwall County and will be governed by adequate controls, contractual or otherwise, to ensure that the public purpose is accomplished.

II. The Project

At this time, the County and the City contemplate that the Project would generally consist of the following:

a) The County through its independent consultant will perform a needs assessment for the operation of a county-wide consolidated radio and dispatch service and aid the County in executing a formal agreement with an appropriate vendor for the planning, development, procurement, implementation, construction, testing and acceptance of a new P25 radio system and the various systems needed to receive and dispatch calls for service including, but not limited to radio dispatch consoles, a Next Generation 9-1-1 calling system, a computer aided dispatch (CAD) system, a records management system (RMS), a logging and instant-recall recording system, mobile data system connectivity, and video display walls.

b) The County will provide to the City the new radio equipment to be utilized with the IRN on a one to one replacement basis as determined by the City's current operable radio equipment inventory. Additional radio equipment and ongoing maintenance and replacement costs will be the responsibility of the City. The City will receive operational training for the equipment received through the Project. The City can choose how to dispose of their current radio inventory.

c) The County will be responsible for the funding, construction and operation of the Consolidated Dispatch Center to be located on county property adjacent to the Rockwall County Jail Facility. Dispatch operators and other relevant staff to the Project will be considered county employees and will serve at the will of the Rockwall County Sheriff.

d) An Advisory Board consisting of the Police Chief, Fire Chief and one additional municipal representative of each participating municipality, County Sheriff, and County Judge will be created to direct the operations of the IRN through discussions and recommendations to the County.

e) The County will fund and operate the Consolidated Dispatch Center in full for the first two (2) years of operation. Following this period, the City will be responsible for funding a proportionate share of its service to be based on the City's number of dispatch calls for service from the previous year. This percentage will be re-evaluated on an annual basis and provided to the City during its budgeting process.

f) The City will respond to and be financially responsible for all calls for fire service in its respective fire service area as designated by the City and its fire administration in cooperation with the other municipalities in the county.

III. Consideration

The County will, as set forth above, provide funding for the development, purchase, construction, and operation of the Project including the P25 radio system, other various systems, and the Consolidated Dispatch Center. The City will be responsible for a proportionate share of operational costs of the Consolidated Dispatch Center following the first two years of its operation. The City will also accept the financial responsibility for responding to all fire service calls within its respective fire service area.

IV. IRN Interlocal Agreement

The Parties will cooperate in good faith and use reasonable efforts to negotiate, prepare, execute, and deliver an agreement (the "IRN Interlocal Agreement") prior to the commencement of the Project, setting forth in detail the terms, provisions, and conditions for the purchase, development, and operation of the Project, including such terms, representations, warranties, covenants, and conditions as may be agreed to by the Parties.

The Parties anticipate that the IRN Interlocal Agreement would (a) contain conditions to performance in favor of all parties to that agreement as may be agreed to by those parties; (b) be subject to approval by the governing bodies of all parties to that agreement; and (c) be binding and will continue in effect for so long as may be agreed to by the parties to that agreement.

The Parties acknowledge and agree that neither Party shall be under any obligation to enter into the IRN Interlocal Agreement or any other agreement. If an IRN Interlocal Agreement is not executed pursuant to this Letter of Intent prior to the commencement of the Project, then this Letter of Intent and the understandings expressed herein shall automatically terminate.

The development of the Project is contingent upon the participation of each law enforcement agency in the County, excluding the Cities of Rowlett, Wylie, Dallas and Mobile City. Should any of the remaining cities choose not to execute the IRN Interlocal Agreement, this Letter of Intent and the understandings expressed herein shall automatically terminate for all participating cities.

V. Other Written Agreements

The County and the City may at any time during the course of their discussions and evaluations enter into one or more written agreements defining specific obligations of each in relation to their continued evaluations and/or the development of the Project.

VI. Confidentiality Agreement

No document or other information provided by either Party to the other shall be considered confidential unless the County and the City first enter into a written confidentiality agreement that specifically applies to such document or other information. This section shall not be construed as a waiver of either Party's right to oppose disclosure of documents or other information related to this Letter of Intent, or the Party's right to request a ruling from the Office of the Attorney General regarding Public Information Requests related to this Letter of Intent.

The County and the City desire to cooperate with each other in the preparation of public information and material with respect to this Letter of Intent and their discussions and evaluations of the Project. Each will designate a contact person to be kept informed about matters related to any such public information and public requests for such information.

VII. Written Communications/Contact Person

Any written communication between the County and the City will, to the extent practicable, be delivered by hand, sent by fax, or mailed by U.S. Mail, postage prepaid, to each of the following:

To the County:
Rockwall County
Attn: County Judge
101 E. Rusk St.
Rockwall, Texas 75087
Tel: (972) 204-6000
Fax: (972) 204-6009

If this Letter of Intent accurately reflects your understanding of our agreement, please confirm your acceptance of the same, including the reference to the consideration extended, by signing below.

Sincerely,

City of _____

By: _____
Printed Name

Confirmed:

ROCKWALL COUNTY, A POLITICAL SUBDIVISION OF THE STATE, ACTING BY AND THROUGH ITS COMMISSIONERS COURT, voted to approve this Letter of Intent at an open and public, duly-noticed meeting on the ____ day of _____, 2014.

By: _____
Jerry Hogan, County Judge

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

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

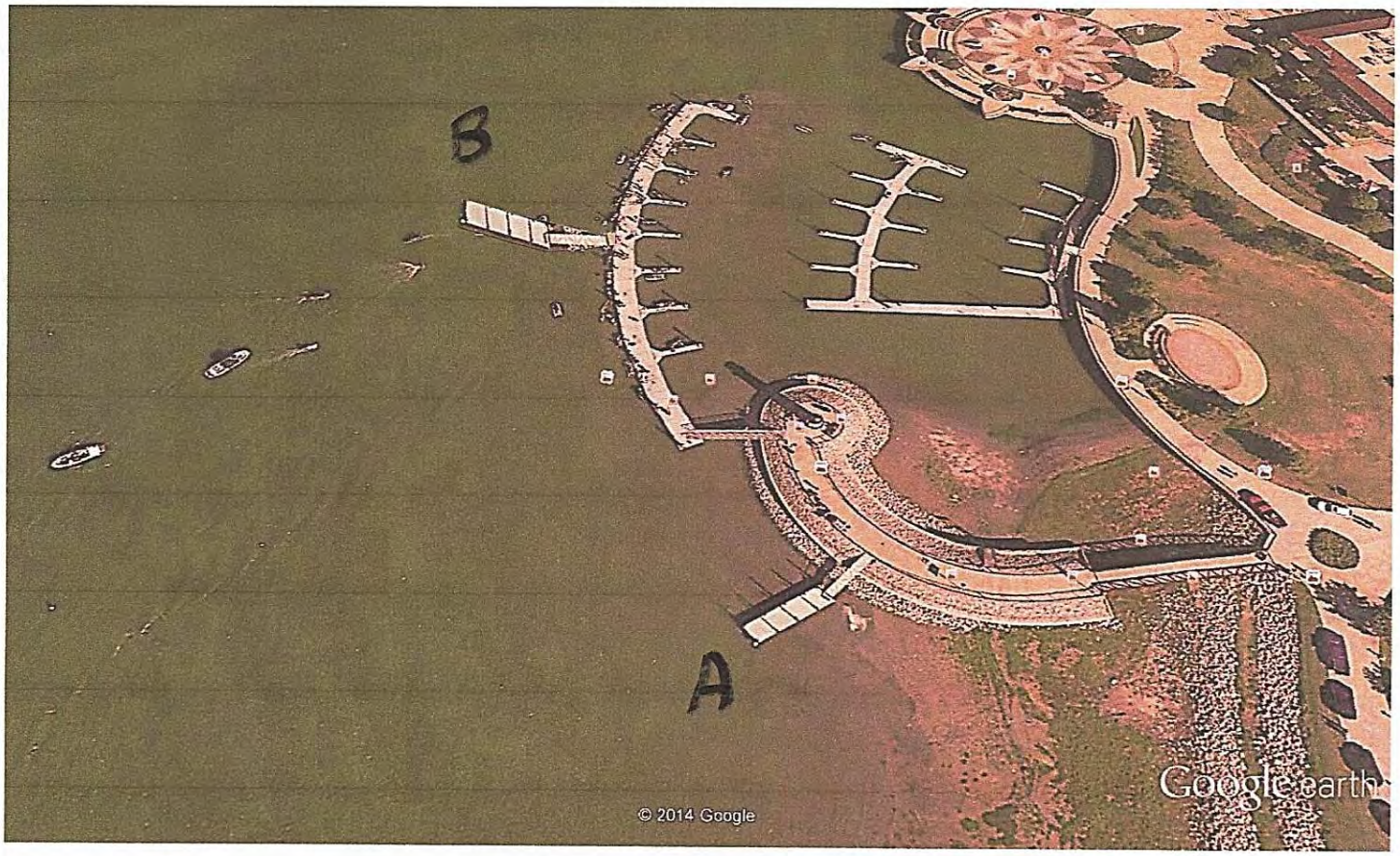
FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **April 2, 2014**

SUBJECT: **APPOINTMENT WITH SCOTT SELF TO REQUEST DOCK RELOCATION**

Sail With Scott LLC was previously approved by Council to install a floating dock and ramp located on the south side of the jetty at The Harbor to accommodate both the Sea Wolf and Harbor Lights loading and unloading of passengers. Due to the low lake levels, Scott Self would like to request permission to temporarily relocate the dock from the south side of the jetty to the west side of the break-wall. Mr. Self has provided a diagram that is attached showing the existing and proposed location.

Mr. Self also understands that relocation of the dock must be approved by the City of Dallas as well. Moving the dock will be at his expense and will be returned to its original location once the lake levels are back to an elevation that he can safely operate his boats. Mr. Self will be available at the Council meeting to present his request and answer any questions.



Google earth feet 200 meters 70

Request permission to Move Sailwithscott Dock Current position "A" to position "B" until Lake fills back up

Scott Self

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City of Rockwall
The New Horizon

MEMORANDUM

TO: CITY COUNCIL

FROM: Robert LaCroix, Director of Planning

DATE: April 1, 2014

SUBJECT: Z2008-014 SUP Extension (Big Tex Trailers, 2260 E. I-30)

In August of 2008 the City Council approved a Specific Use Permit to allow for "Recreational Vehicle (RV) Sales and Service" within the Light Industrial zoning district at 2260 E. I-30. The SUP was approved to be valid for a maximum of three (3) years from the time of Certificate of Occupancy issuance with a condition that allowed the owner to petition the City Council for an extension to the three (3) year time limit. The SUP also required that the petition for extension to the time limit be submitted at least 90-days prior to the expiration of the SUP.

A Certificate of Occupancy (CO) was issued on September 17, 2008, to Walkabout RV for a Recreation Vehicle Sales and Service establishment to be located at 2260 E. I-30. The business operation changed to the Big Tex Trailers sales facility during the first period of the SUP and has been in business for the last several years having received a renewal in September of 2011. The current SUP is set to expire on September 17, 2014.

In an effort to extend the time limit of the SUP the property owner, Raymond Jowers, has submitted a requested dated March 10, 2014, for consideration by the City Council. The request for extension was received by the City of Rockwall before the 90-day required date (June 19, 2014). Mr. Jowers is making the request in an effort to allow his current tenant, Big Texas Trailers, to continue their operation of the sales and service of Recreational Vehicles and trailers at their current location (2260 E. I-30).

The SUP ordinance states that City Council may determine than an extension of the SUP is warranted based on the status of the FM 3549 and I-30 overpass construction and/or development activity in the area.

Staff has included in your packet a copy of the SUP ordinance (08-38) and the request by Mr. Jowers.

March 10, 2014

Rockwall City Council
Planning and Zoning Department
City of Rockwall
385 South Goliad Street
Rockwall, TX 75087-3737

RE: Request for 3-Year Extension to Existing Occupancy Permit
Z2008-014, RV Dealership Extension (Big Tex Trailers)
Project Type: ZONING (SUP)

To City Council:

Please be advised that the above referenced Specific Use Permit (SUP) extension for the existing Occupancy Permit located at 2260 E. I-30, Rockwall, Texas (Z2008-014) is set to expire on September 17, 2014. As the owner of the property, I am requesting an extension of the SUP and seeking an appointment with the City Council for Big Tex Trailers. I am requesting that an acknowledgment of the scheduled appointment be sent to Big Tex Trailers and a copy be sent to me.

Matthew Hall is the representative for Big Tex Trailers and he may be reached at 214-336-8375.

Respectfully,

VP

Raymond Jowers
Jowers, Inc.
P.O. Box 1870
Rockwall, Texas 75087

c: Big Tex Trailers - Corporate Office
Attn: Legal Administrative Dept.
950 I-30 East,
Mt. Pleasant, TX 75455-7711

CITY OF ROCKWALL

ORDINANCE NO. 08-38

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR "RECREATIONAL VEHICLE (RV) SALES AND SERVICE" WITHIN THE (LI) LIGHT INDUSTRIAL DISTRICT, ON A 4.5-ACRE TRACT KNOWN AS TRACT 22-1, ABSTRACT 120, R. IRVINE SURVEY AND LOCATED AT 2260 E IH-30; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Specific Use Permit (SUP) to allow for "Recreational Vehicle (RV) Sales and Service" within the (LI) Light Industrial District, has been requested by Raymond Jowers, to be located on a 4.5-acre tract known as Tract 22-1, Abstract 120, R. Irvine Survey and located at 2260 E IH-30, City and County of Rockwall, Texas; and

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

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

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended by the approval of a Specific Use Permit to allow for "Recreational Vehicle (RV) Sales and Service" within the (LI) Light Industrial District on a 4.5-acre tract known as Tract 22-1, Abstract 120, R. Irvine Survey and located at 2260 E IH-30, City and County of Rockwall, Texas; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in ***Article V, Section 5.3, (LI) Light Industrial District*** of the City of

Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended and as may be amended in the future, and shall be subject to the additional following additions:

1. The Specific Use Permit (SUP) shall be valid for a maximum of three (3) years from the time of Certificate of Occupancy issuance. If an extension to the 3-year time limit is desired by the owner, he/she shall petition the City Council for such extension at least 90 days prior to the expiration of the SUP, at which time the City Council shall review the SUP and may determine that an extension of time is warranted based on the status of the FM 549 and IH-30 overpass construction and/or development activity in the area.

2. The outside display of new recreational vehicles and boats shall strictly adhere to the approved site plan attached hereto as Exhibit "A."

3. No outside storage of privately owned RVs shall be allowed, except as indicated for the "service" area indicated on the attached site plan.

4. Any additional exterior lighting shall be reviewed by City staff prior to issuance of a building permit or Certificate of Occupancy.

5. City Council approval of this SUP includes the temporary waiver to certain engineering and fire department standards, including but not limited to, concrete paving requirements and the extension of a 12-inch water line from FM 549. However, future development upon the expiration of this SUP and/or other redevelopment of the property will be subject to the engineering and fire department standards in effect at that time.

6. Hold Harmless Agreement to be signed for insufficient fire hydrant coverage, water supply requirements, and/or other fire department requirements.

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

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

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

Section 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code No. 04-38 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 4th day of August, 2008.

William R. Cecil

William R. Cecil, Mayor

ATTEST:

Kristy Ashberry

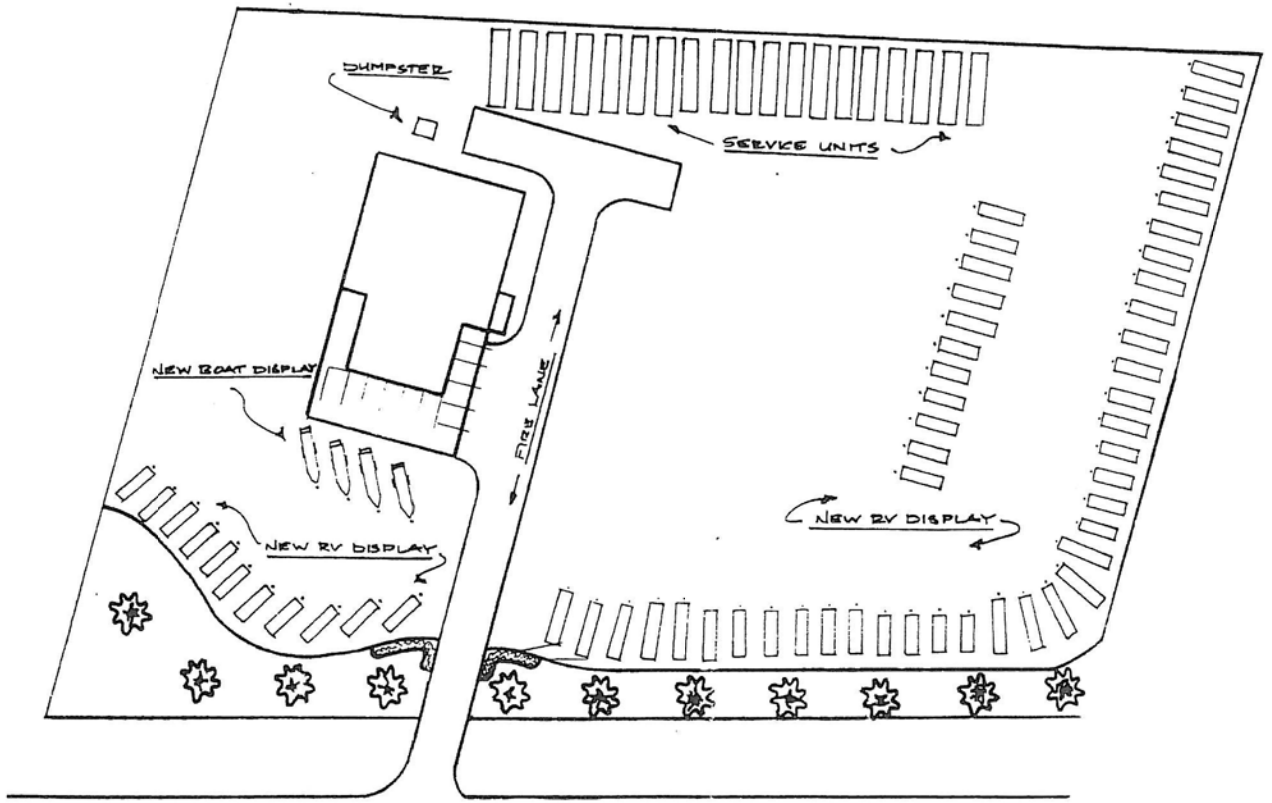
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Pete Eckert, City Attorney

CITY OF ROCKWALL TEXAS
SEAL

1st Reading: 07-21-08
2nd Reading: 08-04-08



WALKABOUT RV

FILE COPY
RECEIVED
JUN 16 2008
By

Z 2008 014

TOWER 2260 E I-30		
	APPROVED BY	DRAWN BY
		REVISED
972-771-1522		DRAWING NUMBER

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

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

DATE: April 4, 2014

SUBJECT: Appointment for a Sanitary Sewer Variance Request

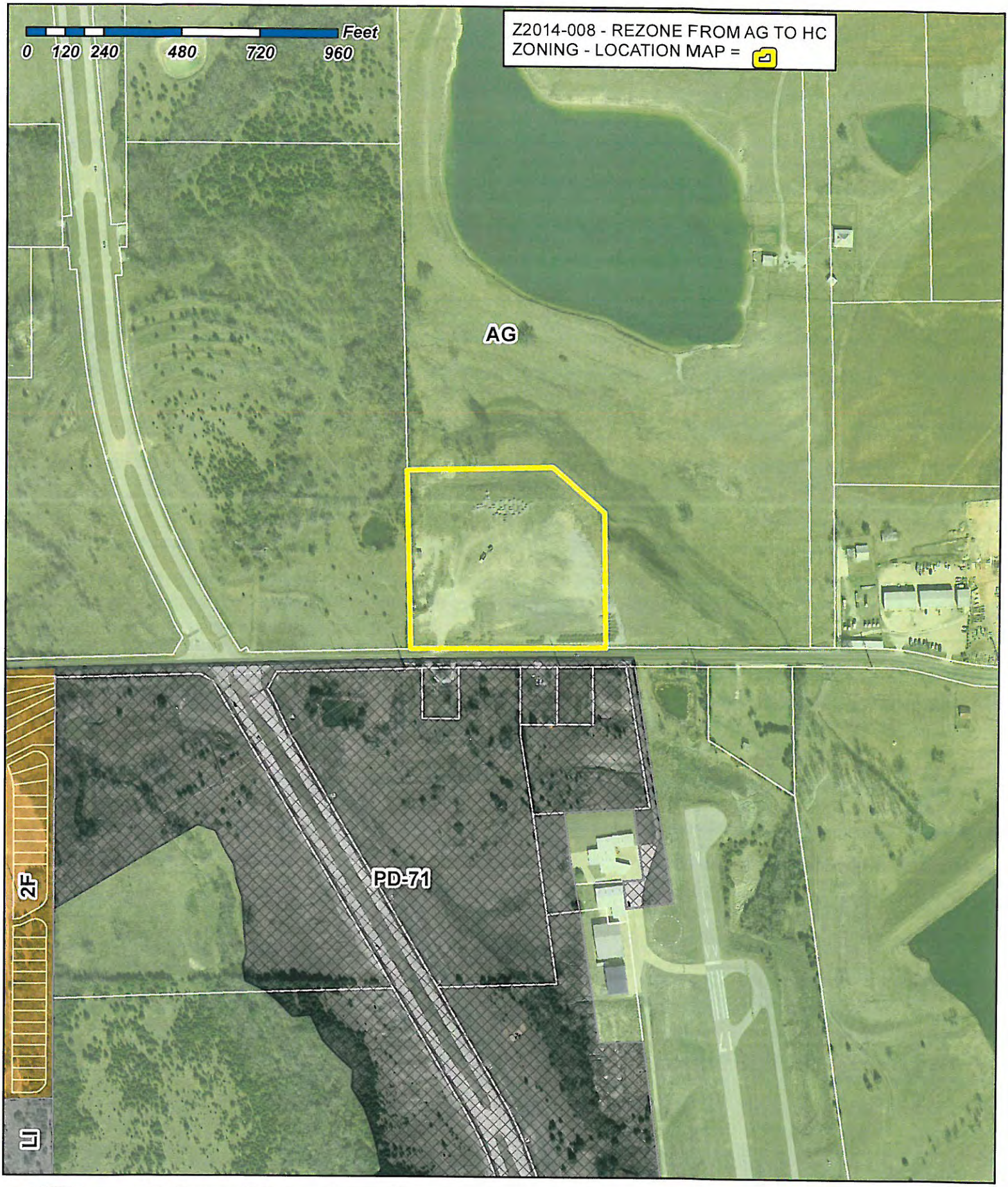
Mr. Mike Peoples is the property owner and developer of the 7.42 acre tract of land identified as a portion of the Tract 4-01, M.B. Jones Survey, Abstract No. 122 located east of the intersection of John King Boulevard and SH 66. The existing sewer main system that would eventually serve this area currently terminates at the intersection of FM 1141 and Waters Edge Drive (approximately 2800 feet from the proposed site). Mr. Peoples is proposing to build a commercial building on his site and needs sanitary sewer service for the building. Since the existing sanitary sewer service is one-half of a mile downstream from the site, he is requesting a variance to allow temporary on-site sanitary sewer septic system.

Mr. People is requesting an appointment with City Council to hear his request. If you have any questions, please advise.

TMT:em

Attachment

Cc:
Mary Smith, Assistant City Manager
File



City of Rockwall

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

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

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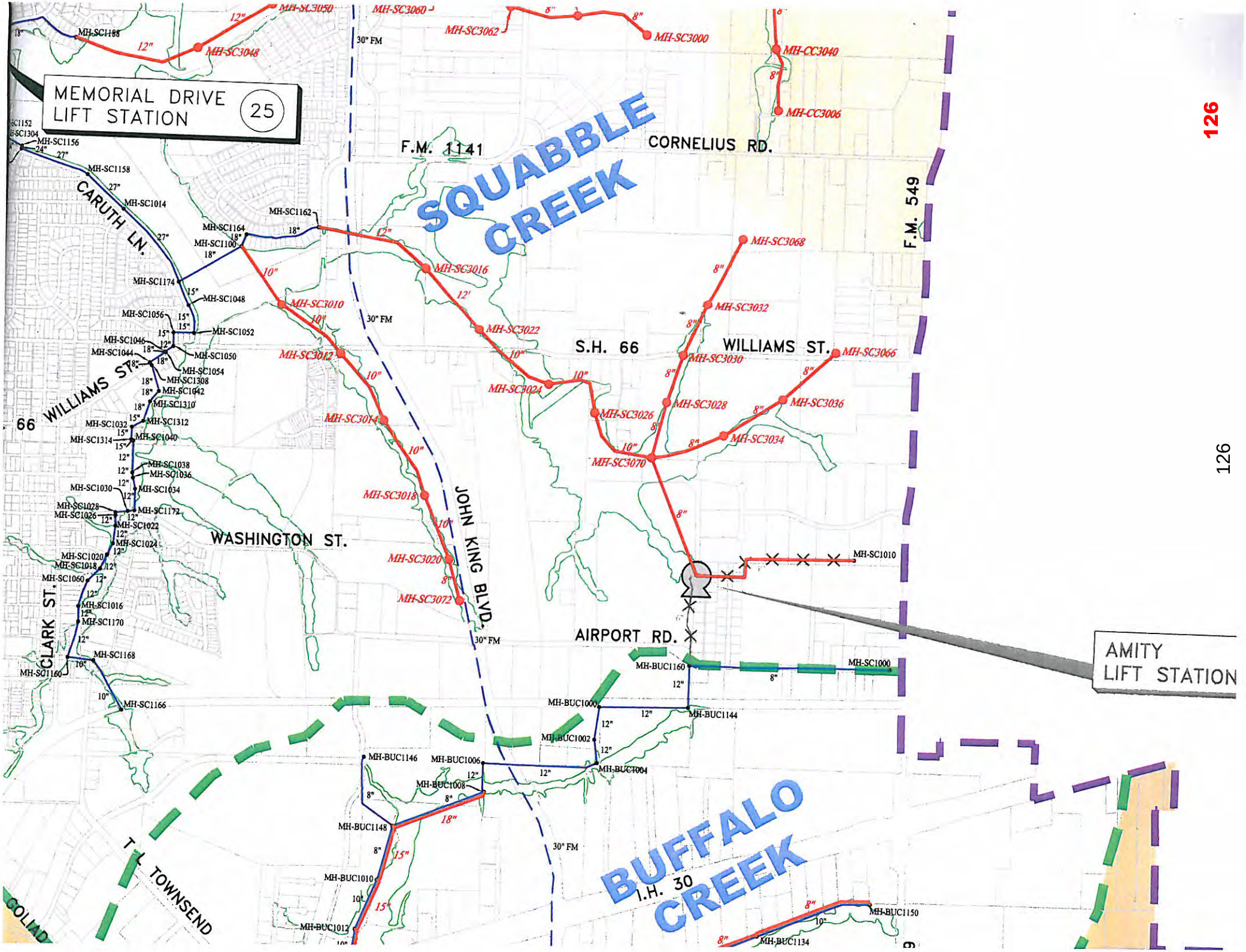
1:4,544


MEMORIAL DRIVE LIFT STATION 25
SQUABBLE CREEK
BUFFALO CREEK
F.M. 1141
CORNELIUS RD.
F.M. 549
S.H. 66
WILLIAMS ST.
CARUTH LN.
WASHINGTON ST.
JOHN KING BLVD.
CLARK ST.
T L TOWNSEND
I.H. 30
AIRPORT RD.
AMITY LIFT STATION
30" FM
126
MH-SC1188
MH-SC3050
MH-SC3048
MH-SC3060
MH-SC3062
MH-SC3000
MH-CC3040
MH-CC3006
MH-SC1156
MH-SC1158
MH-SC1014
MH-SC1162
MH-SC1164
MH-SC1100
MH-SC3016
MH-SC3010
MH-SC3022
MH-SC3012
MH-SC3024
MH-SC3014
MH-SC3018
MH-SC3020
MH-SC3072
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MH-SC1042
MH-SC1310
MH-SC1032
MH-SC1312
MH-SC1314
MH-SC1040
MH-SC1038
MH-SC1036
MH-SC1030
MH-SC1034
MH-SC1028
MH-SC1026
MH-SC1172
MH-SC1022
MH-SC1024
MH-SC1020
MH-SC1018
MH-SC1060
MH-SC1016
MH-SC1170
MH-SC1168
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MH-SC3028
MH-SC3036
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MH-SC3070
MH-SC1010
MH-BUC1160
MH-SC1000
MH-BUC1000
MH-BUC1144
MH-BUC1002
MH-BUC1004
MH-BUC1146
MH-BUC1006
MH-BUC1008
MH-BUC1148
MH-BUC1010
MH-BUC1012
MH-BUC1150
MH-BUC1134

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Smith, Mary

To: Spradlin, Dorothy
Subject: RE: scrap metal day

From: Spradlin, Dorothy [mailto:DSpradlin@BBandT.com]
Sent: Wednesday, April 02, 2014 4:35 PM
To: Smith, Mary
Subject: RE: scrap metal day

I would be happy to discuss this in a short presentation for the council. Mike Carl who owns and operates New Phoenix Metals in Greenville is heading up the fundraiser and he and I are working together on this to make it successful and efficient.

The City would not need to worry about manpower or staffing. I really appreciate you and your help with this project. ☺

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: City Council

FROM: Ryan Miller, *Planning Manager*

CC: Robert LaCroix, *Director of Planning*
Rick Crowley, *City Manager*

DATE: April 7, 2014

SUBJECT: Z2014-004: Public Hearing Notice Amendment

On January 21st the City Council made a motion to direct staff to amend Section 6.1, *Notice of Public Hearings*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC). In accordance with the UDC staff has taken the City Council's motion to the Planning and Zoning Commission for its recommendation, and at their March 25th meeting the Commission approved a motion to recommend the following changes to the proposed amendment:

1) The property owner notification buffer area should be increased from 200 feet to 300 feet,
2) All notices of public hearing should be sent via first class mail with the outside of the envelope being stamped in red with the wording "Zoning Change Requested,"
3) Staff should mail a notification to all known HOA representatives within 1,500' of the zoning change request,
4) Staff should mail notifications to all property owners listed on the most current and approved city tax rolls and to the actual notification property address if the property owner does not reside at the physical address
5) For Multi-Family properties, staff should mail notifications to the property owner and the leasing office of the apartment or housing complex.
6) A four (4) foot by four (4) foot, doubled sided sign with a distinctive color indicating what type of zoning change is being requested, should be posted on the subject property.

The motion was approved by the Planning and Zoning Commission by a vote of 4-0, with Commissioners Nielson, Conely and Minth absent. Pending the City Council's final action on this case, staff shall prepare an ordinance containing all approved text amendments for the City Council's review and ultimate approval. The first reading of this ordinance is projected for the April 21st City Council meeting. It is important for staff to note that the Texas Local Government Code requires a two-thirds (2/3) majority vote by the approving body to pass any action that prescribes or changes the notification requirements [*TLGC §211.006(c)*].

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Robert LaCroix – Director of Planning and Zoning**

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

DATE: **March 13, 2014**

SUBJECT: **Zoning Notification Procedures**

After listening to the last two P & Z meetings, I want to pass along to you and the Commission the reasons behind the City Council's recommendation to amend the notification procedures regarding pending zoning changes. It is imperative that the staff provide reasoning behind the recommendation. The City Council was very strong in their belief that the City of Rockwall, with a keen interest in maintaining an open and transparent government, intentionally reach beyond the State minimum requirements to solicit input for zoning changes.

As you know, the City Council recommended that we expand the radius from 200' to 500', notify each property owner and resident by registered mail and increase the size and configuration of the sign placed on the property. Consideration should be given to the following.

- Registered Mail: The City staff and Council have been, on more than one occasion, have been accused of not sending a notification notice on a zoning change. By sending each notification via registered mail, we have a notice of delivery for each property owner. This is protection for the process, the protection of the staff and Council and protection for the property owners within the notification area.
- Notification Area: Expanding the notification area from the State required minimum 200' to 500' is, plain and simply put, in the interest of allowing the public to participate in the processes that involve their property values and may be of interest to them. Governments are being called upon to become more transparent and open. This ensures we are going beyond the minimum and this is in the best interest of our City.
- Cost: From my last conversation with you regarding cost, it is estimated that the annual cost for replacing regular mail with registered mail and expanding the notification area was $7,500 annually. If the Council ultimately adopts these proposed notification requirements, they will also make any necessary adjustments in the budget to account for this expense going forward. The Mayor's motion stated that all increases in costs should be passed along to the applicant and if that is the final recommendation, the City would have no additional expenses.

- Signage: The sign design appears to be satisfactory and not an issue.

The Commission will evaluate the recommendation for themselves but it is necessary that they understand what the City Council is trying to accomplish with these changes as they consider their recommendation to the Council. Previous Councils have raised these issues but were not successful in getting the necessary votes to move it forward for consideration through the process. The City Council voted 7-0 to make this recommendation and have a strong desire to see this amendment approved.

As indicated above, the Planning and Zoning Commission will and should evaluate the proposed amendments based on their knowledge and experience with the zoning process. It is, however, of great importance that the staff transmit to the Commission the Council's stated reasons for initiating the consideration of the proposed changes.

Please include a copy of this memorandum in the next P & Z packet related to this issue and your full and unwavering support of these amendments is appreciated.

CC: Rick Crowley – City Manager

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Planning and Zoning Commission

FROM: Ryan Miller, *Planning Manager*

DATE: March 25, 2014

SUBJECT: Public Hearing Notice Amendments

On January 21, 2014 the City Council made a motion to direct staff to amend Section 6.1, *Notice of Public Hearings*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC). The approved motion included the following recommendations:

1) The property owner notification area shall be changed from 200-feet to 500-feet,
2) The notice of public hearing shall be sent to both the property owner listed on the tax rolls and to the physical property address,
3) All notice of public hearing shall be sent via certified mail,
4) Any additional cost incurred by the certified notices shall be passed along to the applicant of the public hearing case, and
5) A sign measuring four (4) feet by four (4) feet that is double sided (*i.e. contains the same information on the front and back*), that clearly indicates the proposed zoning change in a "*TO*" to "*FROM*" format, shall be posted on the subject property.

In response to this motion staff has amended Section 6.1 of Article II to include the requested revisions (see *Exhibit 'A'*). Staff has also prepared an example of signage that meets the criteria requested by the City Council (see *Exhibit 'B'*). According to the UDC, the Planning and Zoning Commission "shall approve, deny or modify the amendment and forward its report and recommendation to the City Council." Additionally, Section 211.006(c) of the Texas Local Government Code states that a two-thirds (2/3) majority vote by the City Council is required to pass any action that prescribes or changes the notification requirements.

As requested by the Planning and Zoning Commission at the Work Session Meeting (*February 25, 2014*) staff has surveyed comparable city's notification requirements (see *Exhibit 'C'*) and gathered historical information concerning the number of zoning cases submitted in the last five (5) years (see *Exhibit 'D'*). For clarification purposes staff has provided three (3) examples of cases from previous years that show the proposed changes to the buffer requirements (*i.e. 200-foot to 500-foot*) and have summarized the projected cost differences using current postage rates (see *Exhibit 'E'*). Finally, for general reference staff has also included a summary of the current notification procedures along with all current state and local requirements and departmental procedures (see *Exhibits 'F' – 'I'*).

Update (03/25/2014): Also included in the packet is a memorandum provided by the Assistant City Manager expressing the intent of the City Council's motion.

Exhibit 'A'
Proposed Amendment

Key:
Italicized, Bold & Highlighted *= Proposed Additions*
~~Italicized, Bold, Highlighted & Strikeout~~ *= Proposed Deletions*

Article II, Authority and Administrative Procedures, of the Unified Development Code

Section 6.1. Notice of Public Hearing.

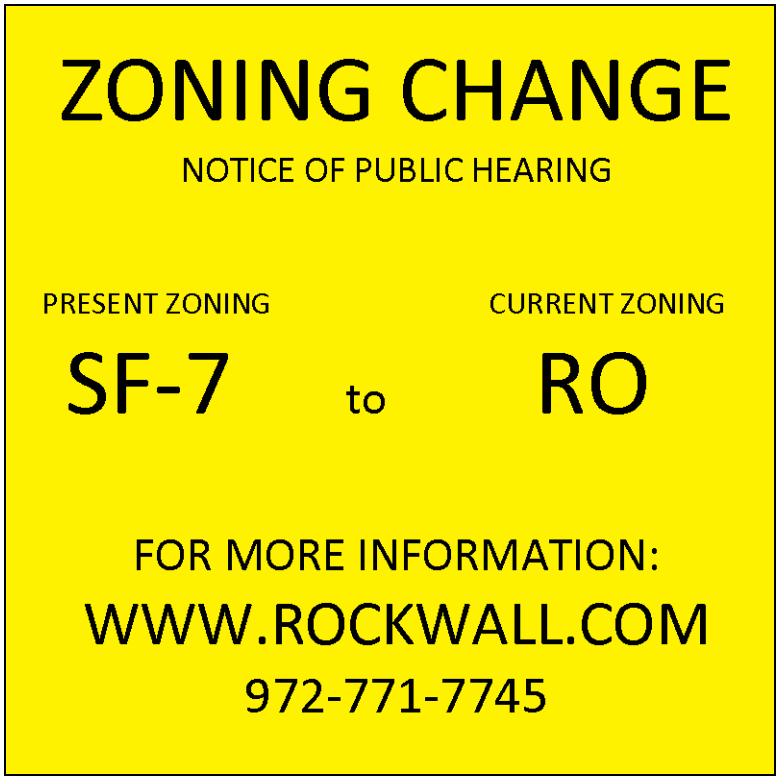
Written notice of all public hearings on proposed changes in district boundaries shall be sent to all owners of property within a distance of at least ***~~200~~ 500*** feet from the boundaries of the subject property at least ten days prior to the hearing date. Such notice shall be ***certified mail without a return receipt*** served by using the last known address as listed on the last approved city tax roll and depositing the notice postage paid in the United States mail. ***Additionally, a written notice shall be sent by certified mail without a return receipt to the property address within the notification area if the current owner does not reside at the property address.***

In addition, notice of such hearing shall be published one time in a newspaper of general circulation in the city, not less than ten days prior to the date of such hearing, and signs giving notice of a proposed zone change shall be placed on the subject property at least ten days prior to the public hearing.

Notice of hearings on proposed changes in the text of this Unified Development Code shall be accomplished by one publication not less than 15 days prior to the hearing, in the official newspaper of the city.

(Ordinance No. 10-14, § 1, July 6, 2010)

Exhibit 'B'
Example Signage





The above are example illustrations of notification signs that meet the criteria described in the motion on January 21, 2014. The signs would be a minimum of four (4) feet by four (4) feet (or 16 square feet), utilize a florescent yellow that is typical of street signage, and be double sided for better visibility. Additionally, they would include a description of the zoning change. Per previous request by the City Council separate signage for Specific Use Permits (SUP) and zoning changes would be used (as depicted above).

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Exhibit 'C'
Survey of Comparable City's Notification Requirements

Survey Date: February 26, 2014

- ✓ *South Lake, TX*
  Contact: Holly Blake
  Phone: (817) 748-8621
  PON Buffer: 200 Feet
  PON: Property Owner
  Note: Standard state requirements for notifications only.

- ✓ *McKinney, TX*
  Contact: Kathy Wright
  Phone: (972) 547-7409
  PON Buffer: 200 Feet
  PON: Property Owner
  Note: The applicant is required to post a zoning sign that is verified by staff.

- ✓ *Rowlett, TX*
  Contact: Garrett Langford
  Phone: (972) 412-6166
  PON Buffer: 200 Feet
  PON: Property Owner
  Note: The applicant is responsible for placing a sign on the property (the ordinance contains specific signage requirements).

- ✓ *Richardson, TX*
  Contact: Chris Shacklett
  Phone: (972) 744-4240
  PON Buffer: 200 Feet
  PON: Property Owner
  Note: Standard state requirements plus a department policy (not in ordinance) to post a sign on the property.

- ✓ *Frisco, TX*
  Contact: John Webb, AICP
  Phone: (972) 292-5350
  PON Buffer: 200 Feet
  PON: Property Owner
  Note: Standard state requirements with additional departmental policy. As a policy the city will email notification of the zoning case to all HOA presidents within 1,500-feet of the subject property as part of their HOA notification program. Additionally, they require the applicant to obtain and post a sign on the site prior to the public hearing. If the sign is not posted within the required time period the case is postpone/tabled/continued until compliance.

- ✓ *Allen, TX*
  Contact: Patrick Blaydes
  Phone: (214) 509-4100
  PON Buffer: 200 Feet
  PON: Property Owner
  Note: Standard state requirements plus a city policy of posting a 6' x 6' sign on the applicant's property (Parks Department is responsible for posting the sign).

- ✓ *Wylie, TX*
  Contact: Mary Bradley
  Phone: (972) 516-6320
  PON Buffer: 200 Feet
  PON: Property Owner
  Note: The city provides a sign to the applicant to post of the property and takes a refundable administrative fee to cover the cost of the sign. The fee is returned when the sign is returned.

- ✓ *Garland, TX*
  Contact: Kelly Frazier
  Phone: (972) 205-2445
  PON Buffer: 400 Feet
  PON: Property Owner
  Note: The city provides and post signs on the property.

- ✓ *Plano, TX*
  Contact: Dee Sarver
  Phone: (972) 941-7151
  PON Buffer: 200 Feet
  PON: Property Owner
  Note: The will notify all HOA's within 1,500-Feet of the subject property. If the case is an SUP the city supplies the applicant with a sign to be posted on the subject property. If the case is a zoning case the city recommends that the applicant posts a sign on the property but does not require one.

Exhibit 'D'
Zoning Cases

January 1, 2012 – February 26, 2014

- ☑ *January 1, 2014 – Present: 5 Cases*
  4 Zoning and 1 SUP

- ☑ *January 1, 2013 – December 31, 2013:* 21 *Cases*
  9 Zoning and 12 SUP

- ☑ *January 1, 2012 – December 31, 2012: 17 Cases*
  7 Zoning and 10 SUP

- ☑ *January 1, 2011 – December 31, 2011: 22 Cases*
  10 Zoning and 12 SUP

- ☑ *January 1, 2010 – December 31, 2010: 23 Cases*
  8 Zoning and 15 SUP

Exhibit 'E
Estimated Cost Scenarios

Post Office Rates

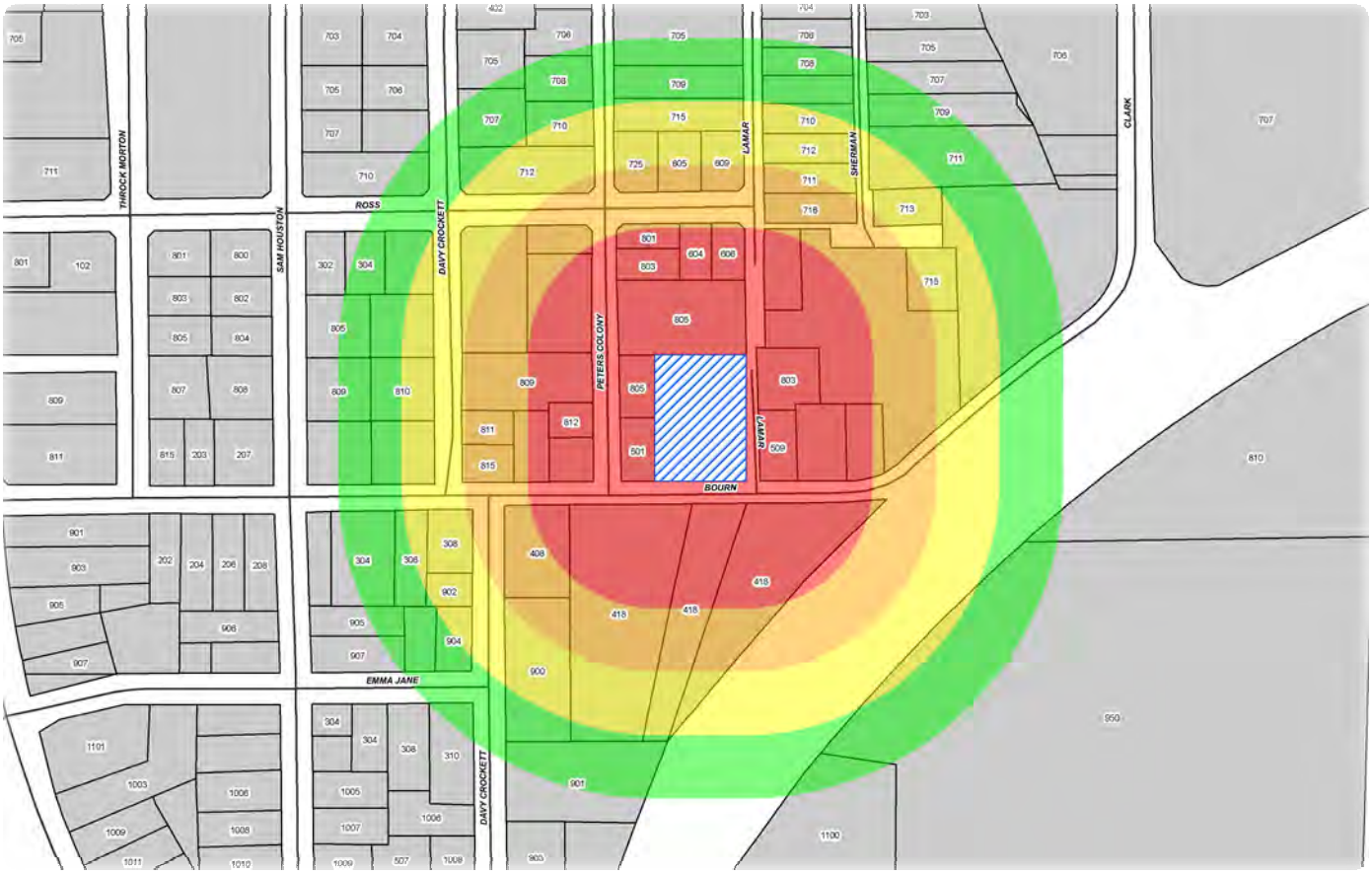
Prepared: February 26, 2014

Regular Mail: $0.49/Notice
Certified Mail (w/out Return Receipt): $3.78/Notice
Certified Mail (with E-Receipt): $4.51/Notice
Certified Mail (with Mailed Receipt): $6.48/Notice

Estimated Cost Scenarios

Note: Scenarios only include notices sent to the property owner and does not calculate the additional notices required for absentee ownership.

Scenario #1 (Case Number Z2013-035)

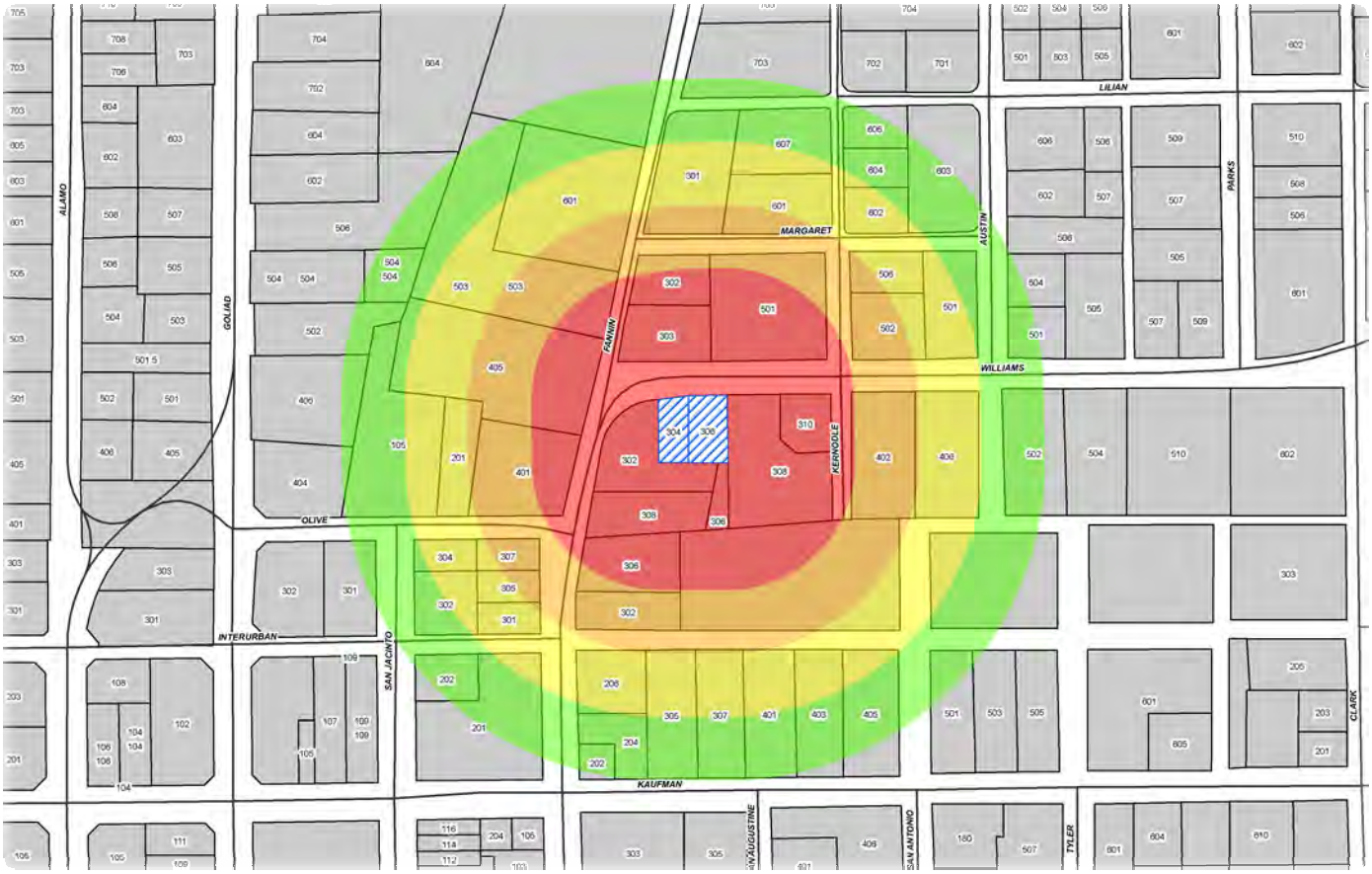


Regular Mail
200-Foot Buffer: 24 Notices @ $0.49 = $11.76
300-Foot Buffer: 37 Notices @ $0.49 = $18.13
400-Foot Buffer: 54 Notices @ $0.49 = $26.46
500-Foot Buffer: 79 Notices @ $0.49 = $38.71

Certified Mail (w/out Return Receipt)
200-Foot Buffer: 24 Notices @ $3.78 = $90.72
300-Foot Buffer: 37 Notices @ $3.78 = $139.86
400-Foot Buffer: 54 Notices @ $3.78 = $204.12
500-Foot Buffer: 79 Notices @ $3.78 = $298.62

Exhibit 'E
Estimated Cost Scenarios

Scenario #2 (Case Number Z2013-023)



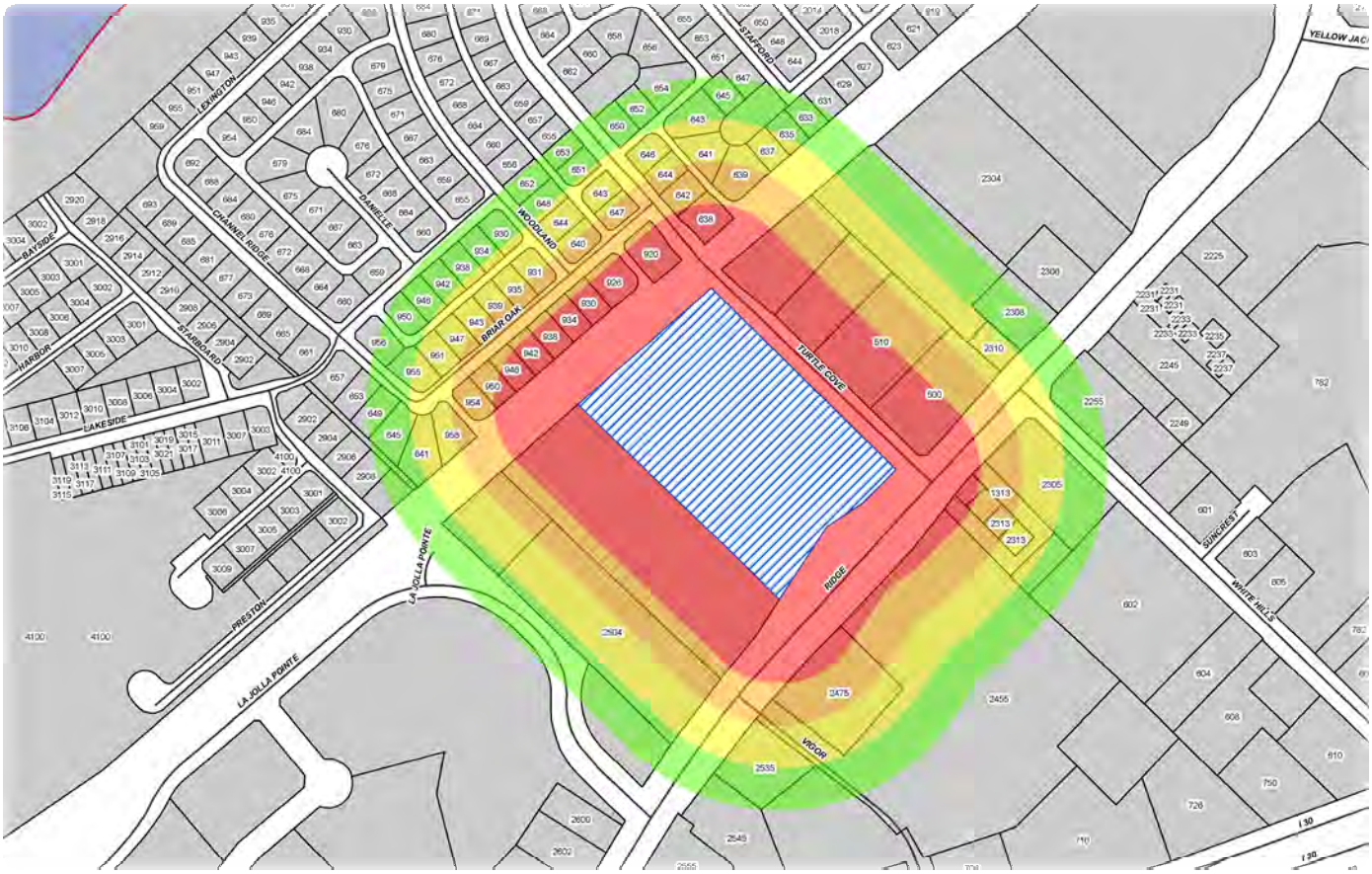
Regular Mail
200-Foot Buffer: 17 Notices @ $0.49 = $8.33
300-Foot Buffer: 32 Notices @ $0.49 = $15.68
400-Foot Buffer: 46 Notices @ $0.49 = $22.54
500-Foot Buffer: 65 Notices @ $0.49 = $31.85

Certified Mail (w/out Return Receipt)
200-Foot Buffer: 17 Notices @ $3.78 = $64.26
300-Foot Buffer: 32 Notices @ $3.78 = $120.96
400-Foot Buffer: 46 Notices @ $3.78 = $173.88
500-Foot Buffer: 65 Notices @ $3.78 = $245.70

Continue to Next Page …

Exhibit 'E
Estimated Cost Scenarios

Scenario #3 (Case Number Z2013-031)



Regular Mail
200-Foot Buffer: 21 Notices @ $0.49 = $10.29
300-Foot Buffer: 39 Notices @ $0.49 = $19.11
400-Foot Buffer: 60 Notices @ $0.49 = $29.40
500-Foot Buffer: 85 Notices @ $0.49 = $41.65

Certified Mail (w/out Return Receipt)
200-Foot Buffer: 21 Notices @ $3.78 = $79.38
300-Foot Buffer: 39 Notices @ $3.78 = $147.42
400-Foot Buffer: 60 Notices @ $3.78 = $226.80
500-Foot Buffer: 85 Notices @ $3.78 = $321.30

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Exhibit 'F'
Current Notification of Public Hearing Procedures

The following is a summary of all practices performed by staff concerning the notification of property owners concerning a public hearing as required by state and local law and departmental policy.

State Requirements

According to Section 211, *Municipal Zoning Authority*, of the Texas Local Government Code in order for a municipality to exercise zoning authority through a public hearing proper notification must be provided. Proper notification in this case consists of:

1) a newspaper notice which is published in a newspaper of general circulation within the municipality ten (10) days prior to the public hearing,
2) a notification indicating the proposed change in zoning and the date of the public hearing sent to all real property owners, as indicated by the most recent municipal tax roll, within 200-feet of the subject property,
3) a copy of the meeting agenda is posted on a bulletin board at the entrance to City Hall, and
4) a copy of the meeting agenda is posted on the City's website (see *Exhibit 'G'*).

§211.007 & §551.050 of the Texas Local Government Code.

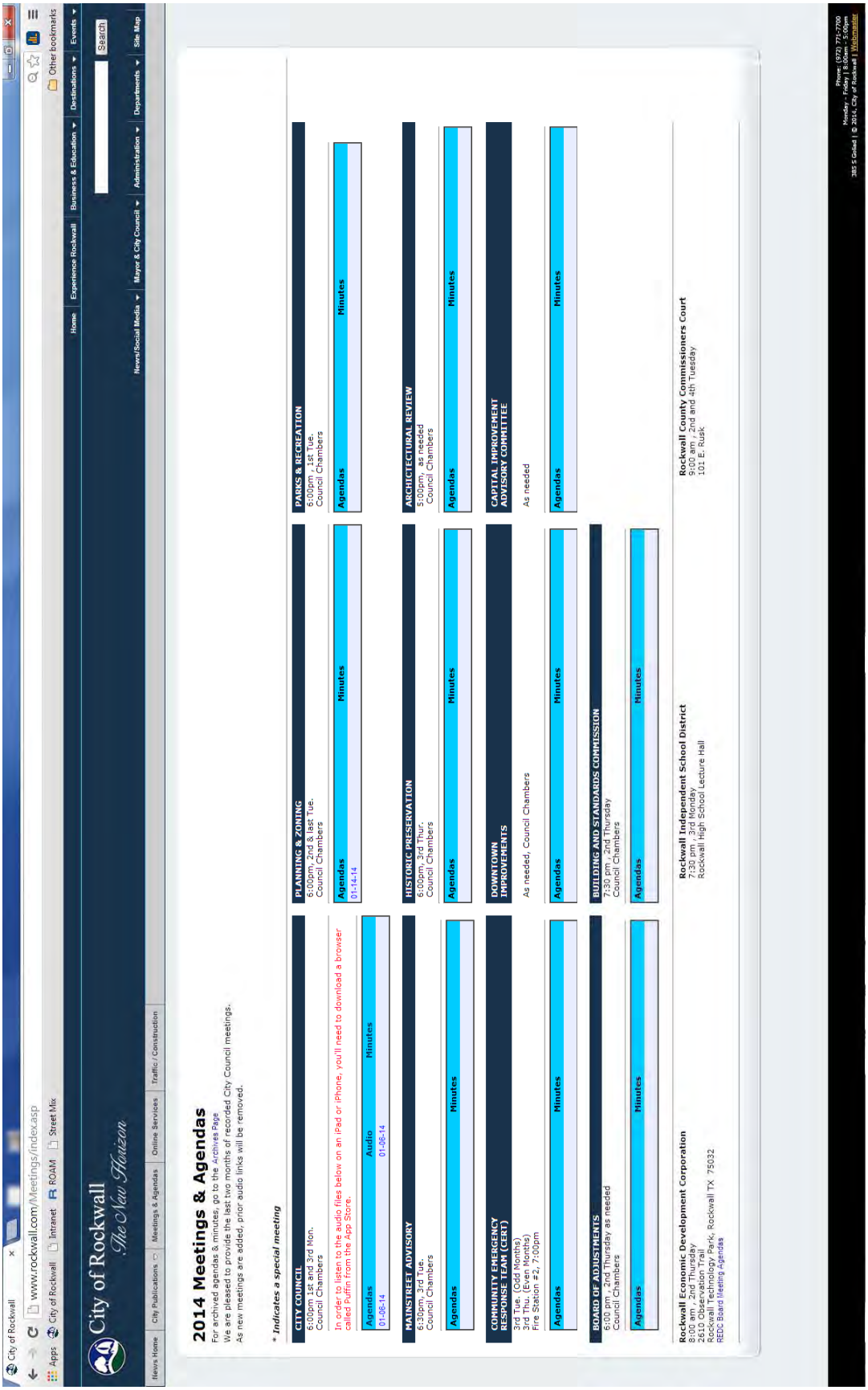
City Requirements

Section 6.1 of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) stipulates that staff shall post a sign advertising the zoning change on the subject property ten (10) days prior to the public hearing date (see *Exhibit 'H*).

Planning and Zoning Department Policy

In addition to maintaining compliance with all current state and local laws, staff also posts all current development cases (*i.e. Plats, Site Plans, Specific Use Permits, Zoning Changes, etc.*) on the Planning & Zoning Department's webpage located on the city's website and adds the locations of the subject properties to the interactive map (which is also available on the City's website) (see *Exhibit 'I*). These courtesy notifications on the website generally include links to the location map and/or the development documents (*i.e. the Plat, Site Plan, Zoning Exhibit, etc.*). Additionally, the locations of the development cases are generally input into the online map within a week of receiving the applications (*i.e. 18-19 days prior to the Planning & Zoning Commission Meeting*), and are generally advertised on the Planning & Zoning Department's webpage 15 days prior to the Planning & Zoning Meeting.

Exhibit 'G'
Meetings and Agendas Webpage on the City's Website







The following are illustrations of the signs used to advertise development cases to meet the requirements of Article II, *Authority and Administrative Procedures*, of the Unified Development Code. The signs used by staff are either 1½-feet by two (2) feet (or 3 SF) or four (4) feet by five (5) feet (or 20 SF), and are double sided.

Exhibit 'I'
Screen Shots from the Planning and Zoning Departments Webpage on the City's Website

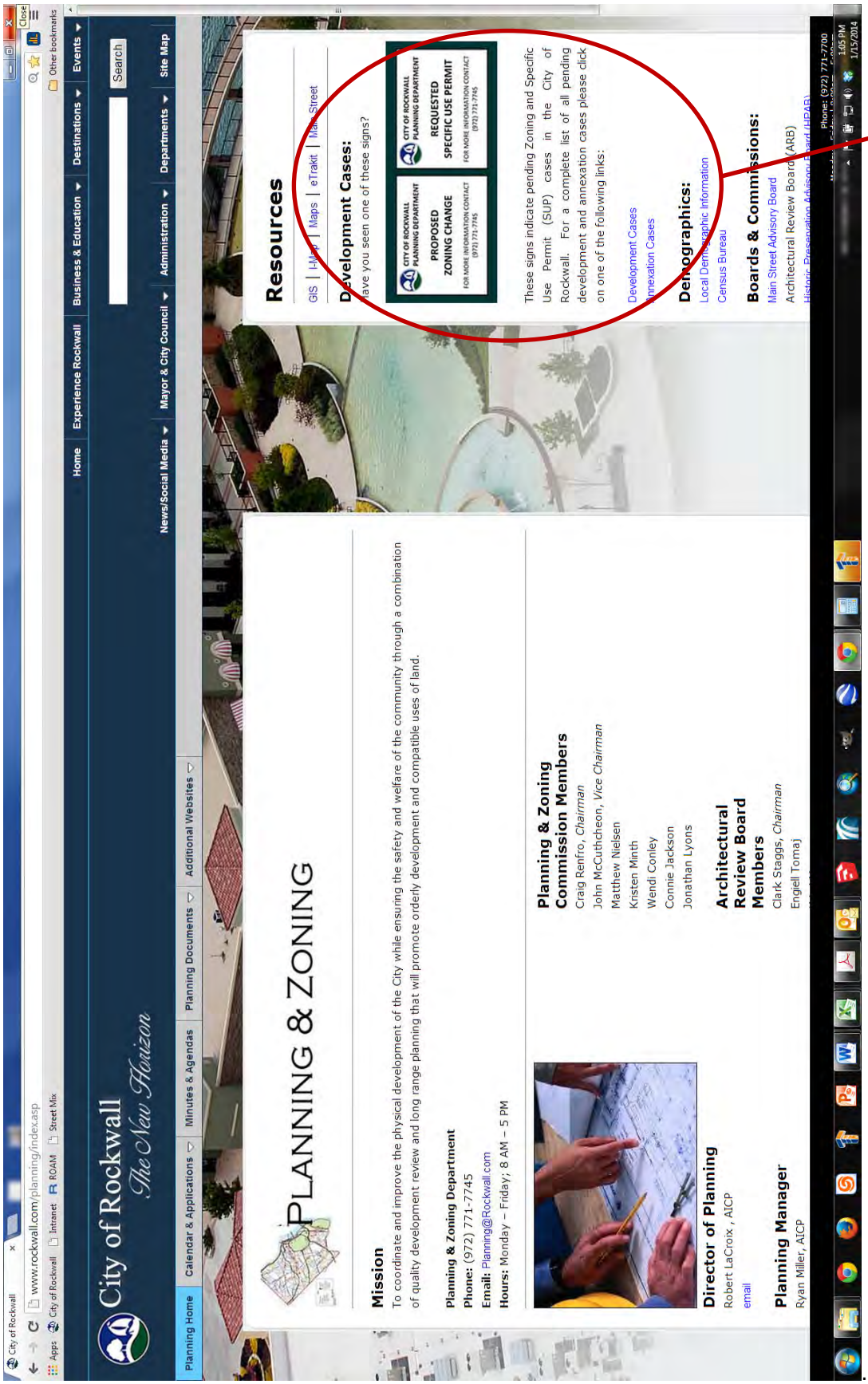


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Exhibit 'I'
Screen Shots from the Planning and Zoning Departments Webpage on the City's Website

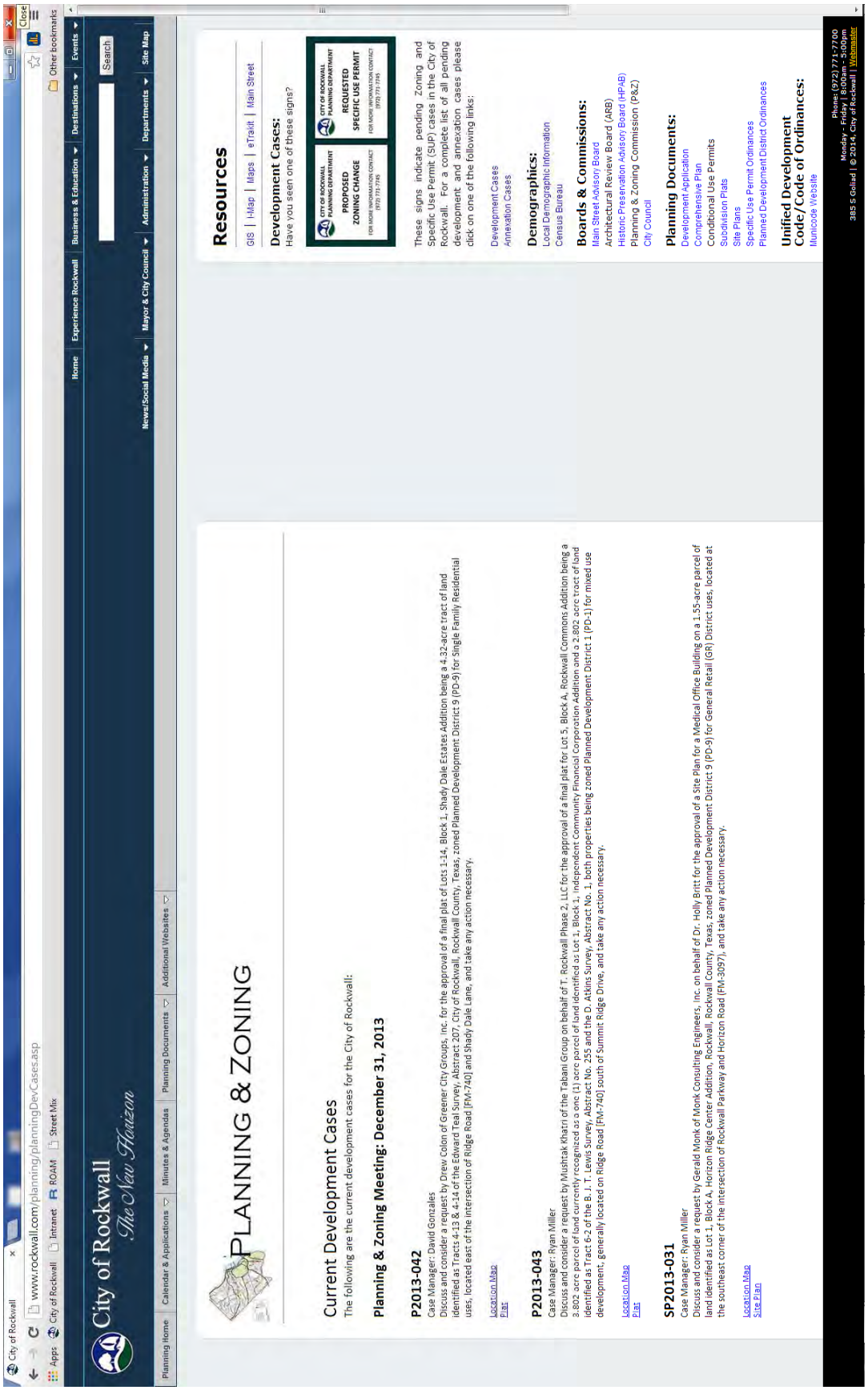

Exhibit 'I'
Screen Shots from the Planning and Zoning Departments Webpage on the City's Website

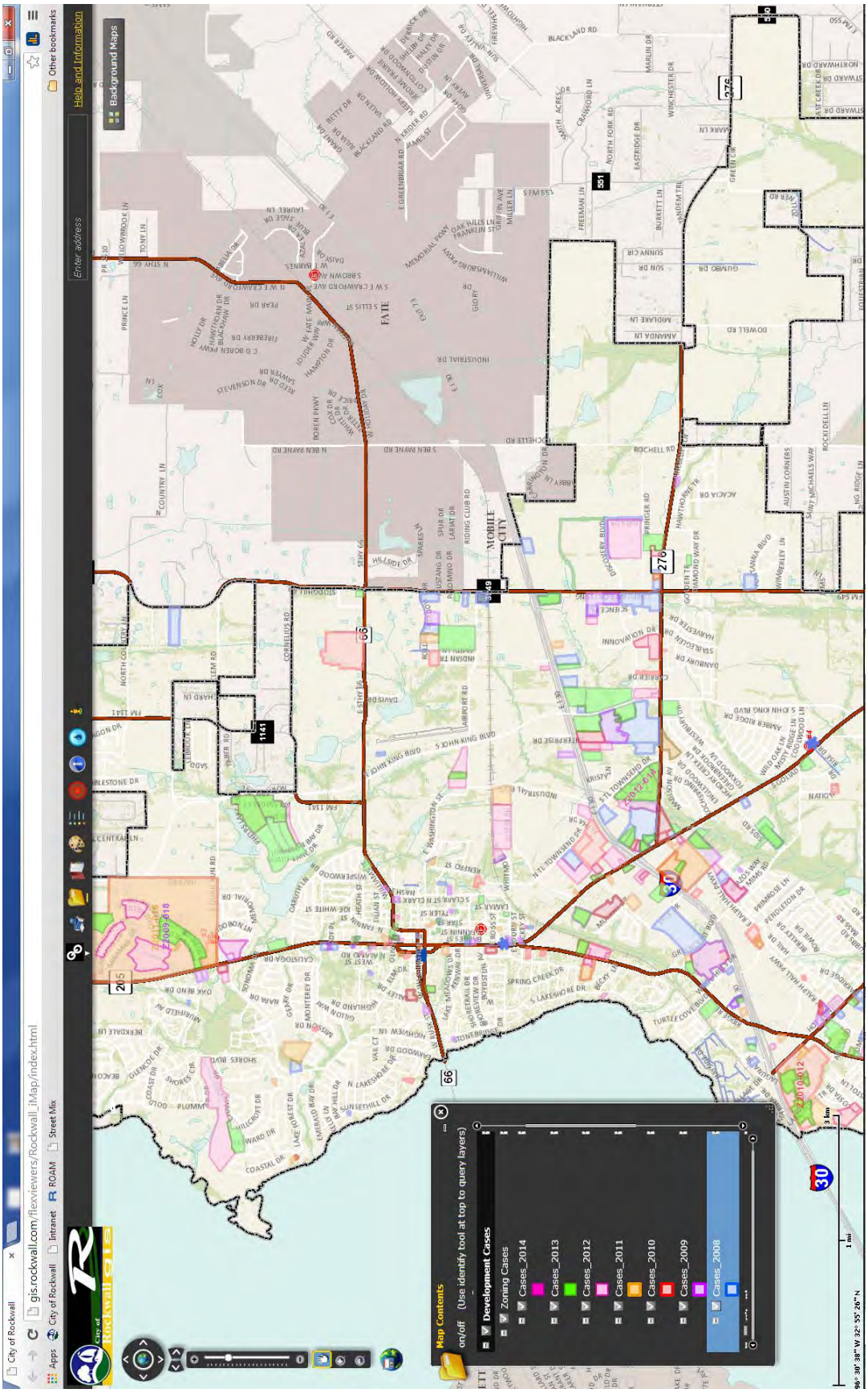

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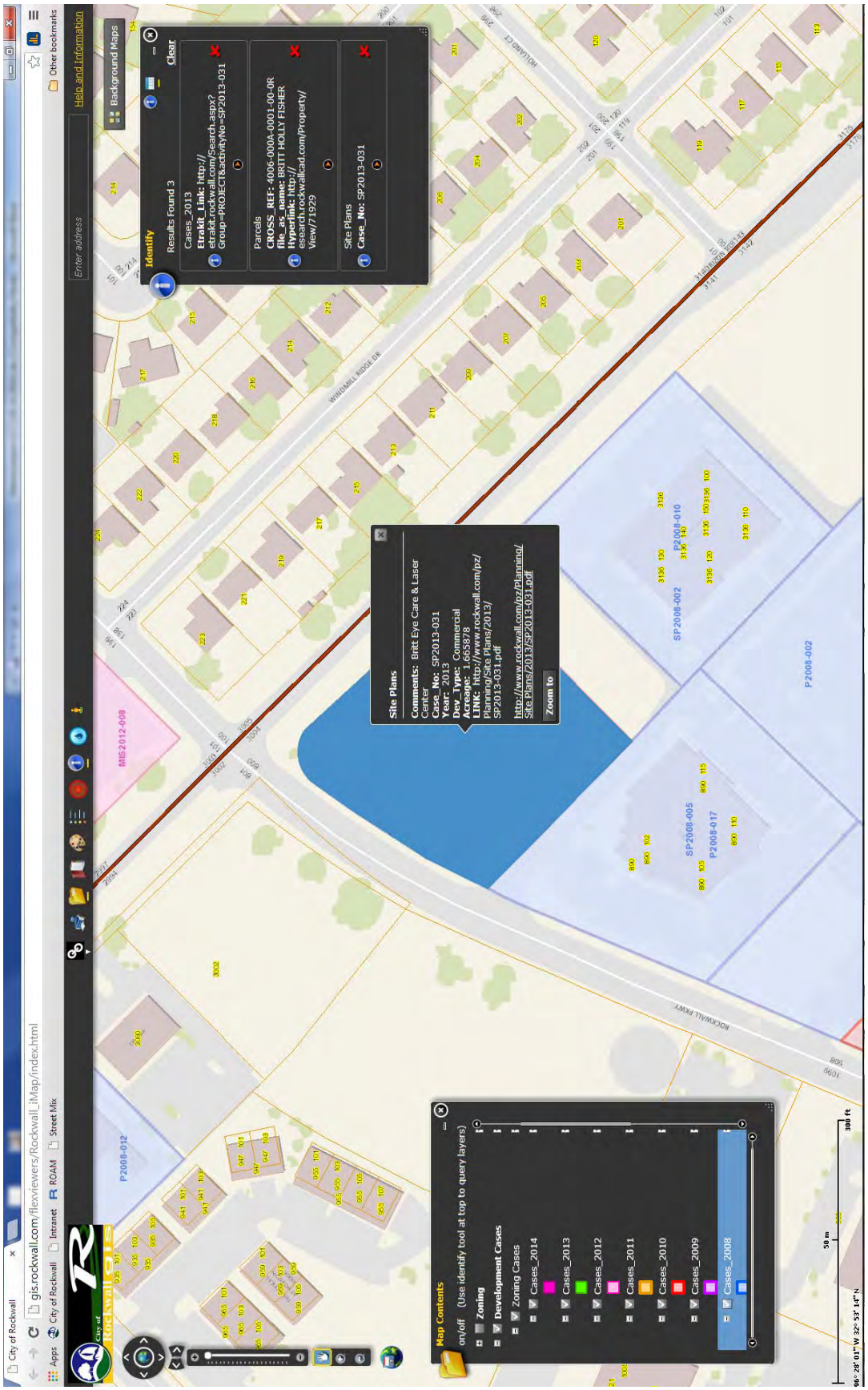
Exhibit 'I'
Screen Shots from the Planning and Zoning Departments Webpage on the City's Website



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 4/7/2014

APPLICANT: Tallison Construction Company

AGENDA ITEM: **MIS2014-002;** Chandlers Landing Phase 16, Lt 23, Blk E

SUMMARY:

Discuss and consider a request by Fritz McKinstry for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, General Residential District Standards, of Article V, District Development Standards, of the Unified Development Code, for a 0.17-acre parcel of land identified as Lot 23, Block E, Chandler's Landing, Phase 16, zoned Planned Development District 8 (PD-8), located at 257 Victory Lane, Rockwall, Rockwall County, Texas, and take any action necessary.

BACKGROUND INFORMATION:

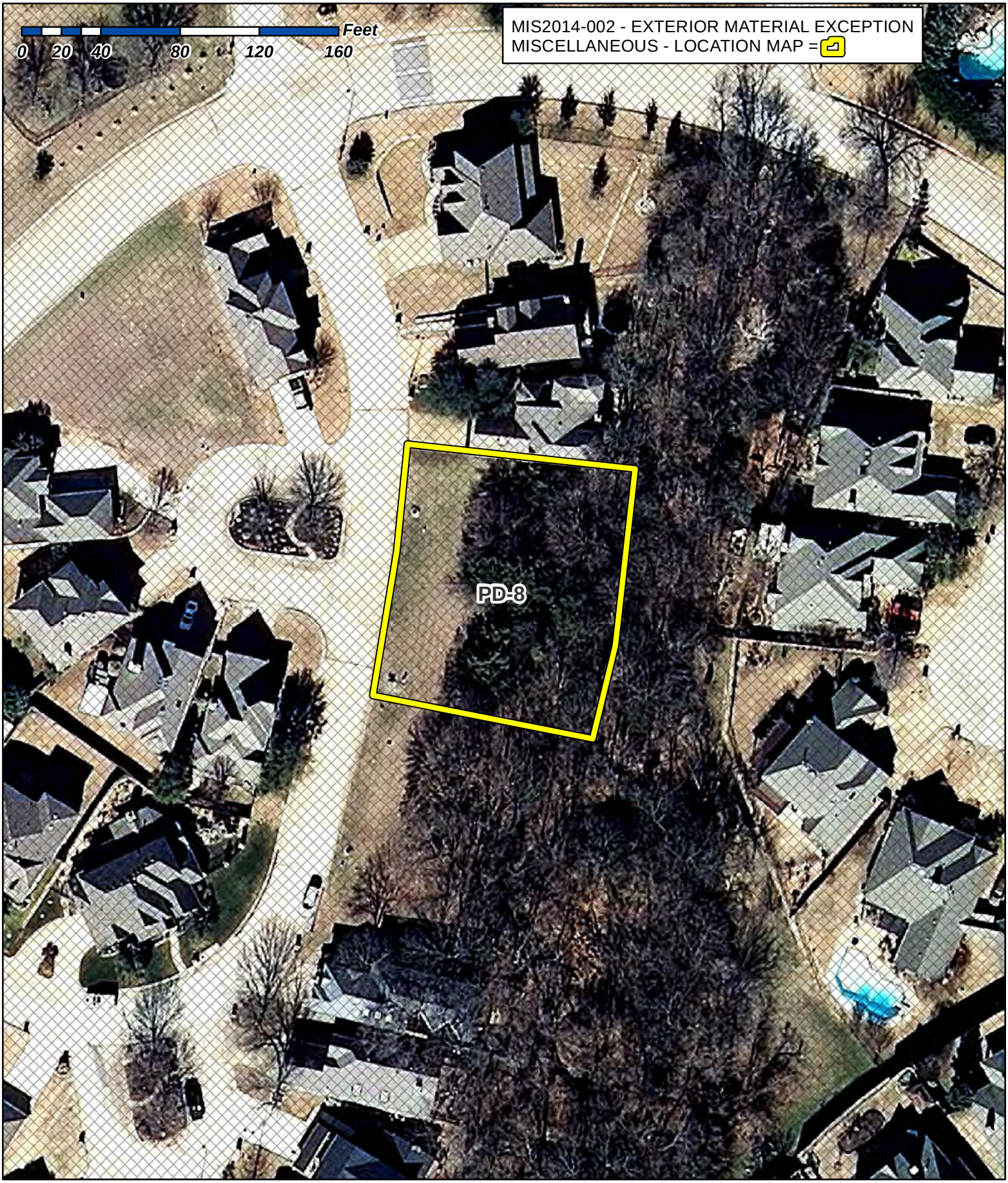
The applicant, Fritz McKinstry, is requesting a waiver to Section 3.1(A)(1) of the Unified Development Code. The above referenced section states "Hardy Plank or similar cementaceous material may be used for up to 50% of the masonry requirement" of a residential home. The section does allow the Planning and Zoning Commission to approve a waiver for proposals not meeting the requirements of said section.

The applicant is proposing a 4,125 square foot home with exterior cladding being comprised of 100% stucco with precast concrete accents. The subject site is a 14,757 square foot tract being Lot 23, Chandlers Landing Phase 16, located at 257 Victory Lane.

The applicant has provided a letter from the Chandlers Landing Community Association indicating their approval of the house plans as submitted.

PLANNING & ZONING COMMISSION:

On March 25, 2014, the Planning & Zoning Commission approved the exception by a vote of 4 to 0, with Commissioners Conley, Minth, and Nielsen absent.



City of Rockwall

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

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

N

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1:750

March 12, 2014

City of Rockwall

To whom it may concern,

I am requesting a variance to install masonry stucco and cast stone on the exterior of our new home at 257 Victory Lane. The house is designed in a southwestern style similar to homes in the Santa Fe, New Mexico area. The house has been approved by the Chandlers Landing Community Association, per attached letter.

Thank you,

Fritz McKinstry

CHANDLERS LANDING

Chandlers Landing Community Association

February 6, 2014

Frederick McKinstry
438 Columbia
Rockwall, TX 75032

Re: House Plans for 257 Victory, Chandlers Landing

Dear Mr. McKinstry:

This is written confirmation of the Environmental Committee's approval of your house plans for Lot 23, Block E, Phase 16, in Chandlers Landing. Plans are approved as submitted per remark and subject to the following:

SETBACKS:
A minimum front setback of 20 feet shall be maintained.
A minimum rear setback of 20 feet shall be maintained.
Minimum side setbacks as determined by the City of Rockwall shall be maintained.

EXTERIOR:
Automatic garage door openers are required.
A mailbox utilizing the same brick as the exterior is encouraged.
All City of Rockwall ordinances and requirements shall be observed.
All external mechanical units shall be screened and service entrance is not permitted on the front elevation.
Exterior surface samples shall be submitted prior to installation.
Silt fencing is required in areas with a down hill slope that allows drainage to other lots or to the street.
A landscaping plan must be submitted for approval.
Construction, including landscaping must be completed within twelve months of approval.
The maximum roof elevation shall not exceed 535' measured in U.S.G.S. datum.
A clean worksite free of trash and building debris shall be maintained at all times.
A trash receptacle is required on the construction site and must be emptied as needed.
Construction hours are 7:00 AM – 6:00 PM Monday – Friday and 9:00AM - 5:00PM on Saturday. No construction is allowed on Sundays or Holidays.

1. Any exterior material or structural changes from the approved plans must be approved in advance by CLCA.
2. A forms board survey including top of form elevations is required before the foundation is poured.
3. In the event that you fail to maintain the worksite free of trash and building debris, you consent and give your authorization to CLCA to enter the property and perform your duties and you further agree to pay all costs incurred by CLCA to maintain the worksite.
4. If you agree to the terms and conditions stated herein, please date and sign this letter and return with the fees indicated below.

New construction fees have been paid.

Sincerely,

Kama Roux

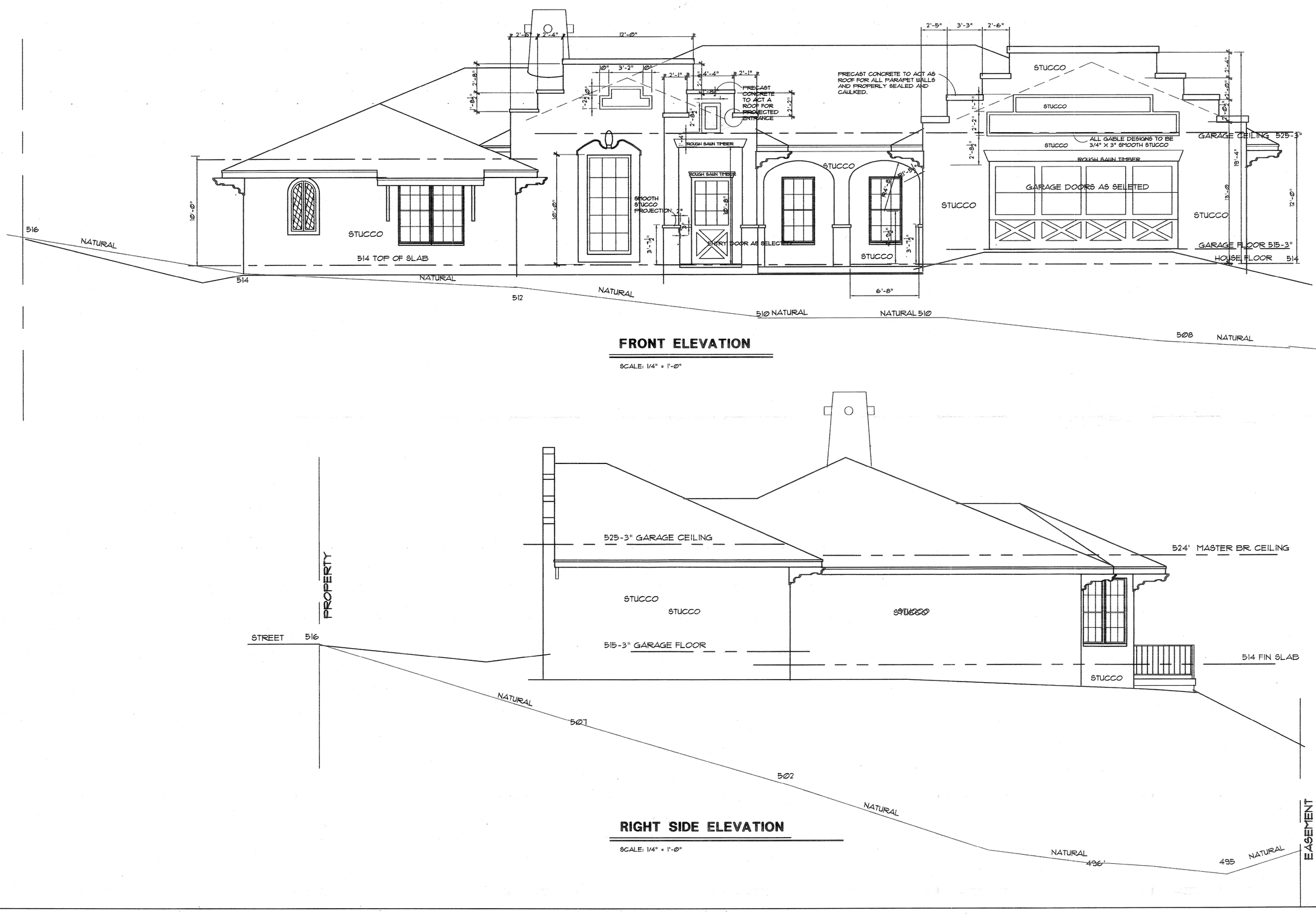
FOR THE ENVIRONMENTAL COMMITTEE
Kama Roux, CMCA, AMS, PCAM
Senior Community Manager

ACCEPTED and AGREED:

Owner or Builder for Owner — Date 2/6/14

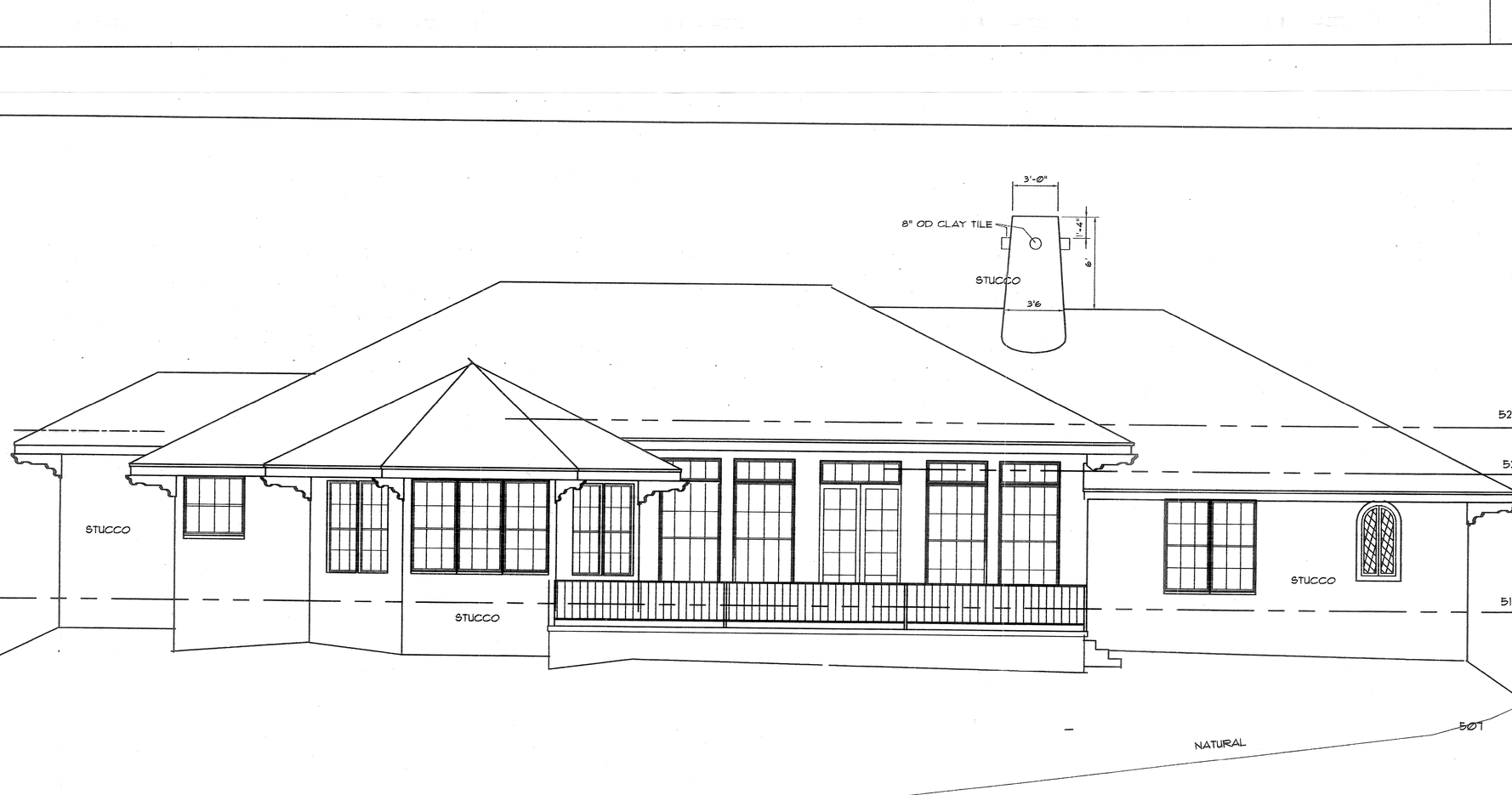
An approval by the Environmental Committee (EC) in no way supersedes the restrictions or requirements of the City of Rockwall or any other governmental authority having jurisdiction over the property for approvals and permits.

P.O. Box 638 Rockwall, TX 75087
Office: 972-771-1593 Fax: 972-771-1634
www.chandlerslanding.org



FRONT ELEVATION

SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

LEFT ELEVATION

A NEW HOME PLAN FOR THE
Steve & Christi Gretz Family
Chandler's Landing Rockwall, Texas

A-1 HOME PLANS by George
DALLAS 214 327-2858
www. A-1homeplans.com

DATE 03 05 14
PLAN 3360
JOB 1402

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **April 4, 2014**

SUBJECT: **Hotel Tax Funding Requests**

The Hotel / Motel sub-committee of City Council will consider the attached funding requests included in the Council meeting packet Monday afternoon prior to the Council worksession. A report with the sub-committee's recommendations will be presented at the Council meeting.

City of Rockwall
The New Horizon

MEMORANDUM

TO: Hotel / Motel Sub-committee Members

FROM: Mary Smith, Assistant City Manager

DATE: April 2, 2014

SUBJECT: Request for Funding Allocation – Soroptomist and Rockwall News

The City has received supplemental funding requests for hotel occupancy tax revenues. The requests are attached for Council's consideration and are summarized as follows:

Organization	Event	Amount	Subcommittee Recommendation
Soroptomist Intl of Rockwall	County Fair	$10,000	
The Rockwall News	Rockwall News Memorial Day Concert	$ 13,160	
Dodie's at the Harbor	Crawfish Fest	$3,000	

Copies of the Funding Request Questionnaires and supporting documentation are attached for the Subcommittee's review and recommendation to the full Council.

Summary of each application:

The local Soroptomist Chapter is planning a new event – a County Fair on Saturday June 14. The event is being held in the Rockwall Technology Park on vacant land near the A&M Commerce building and will run from 4pm to 11pm. The organization is requesting $10,000 for the event, $2,000 of which is slated for promotion.

JJ Smith of The Rockwall News has provided updated information for the subcommittee. He has approached all of the area hotels and worked out packages on a number of rooms to be held in a block for this event. He has also extended the concert from 1 to 1.5 hours on Sunday evening of the Memorial Day weekend. A marketing plan is attached for review. He requests the subcommittee reconsider his application. His application includes $1,920 for the rental of the Harbor for the event.

Dodie's at the Harbor is requesting funding for promotion of their annual Crawfish fest day on April 27. The event runs from noon to 5pm and will feature all you can eat crawfish and a band. This is the second year for the event with an estimated 300 guests last year. Discount packages have been worked out with the Hilton to promote hotel stays. All proceeds from ticket sales will be donated to the Rockwall YMCA. They are asking for $3,000 with a promotion budget of $5,000.

At the present, the Hotel/Motel Occupancy Tax budget is as follows:

Fund Balance carried forward	**$ 126,619**
Revenues budgeted	**275,000**
Allocated Funding	**(351,295)**
Projected Fund Balance	**$ 50,324**

Total supplemental requests - $26,160

Total subcommittee recommendations – to be determined

City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2014

Application

MUST BE TYPED or PRINTED

DELIVER TO:

City of Rockwall Finance Office
Attn: Lea Ann Ewing
385 S. Goliad St., Rockwall, TX 75087
972-771-7700 lewing@rockwall.com

Organization Name:	**Soroptimist International of Rockwall**
Name of Event:	**Rockwall Country Fair**
Date of Event:	**June 14, 2014**
Funding Request $:	**10,000.00**
Website Address:	
Mailing Address:	**P. O. Box 372, Rockwall, Texas 75087**
Physical Address:	
Telephone:	Fax:
Primary Contact Name: (Project Director)	**Erin Kincaid**
Mailing Address:	**412 Highview Circle, Royse City, Texas 75189**
Email Address:	**LSMDallas@gmail.com**
Telephone:	**972-834-9322** Fax:
Secondary Contact Name: (President/Board Chairman)	**Karen Coughlin**
Mailing Address:	**2999 Oak Drive, Rockwall, Texas 75032**
Email Address:	**karencoughlin@ebby.com**
Telephone:	**972-567-6316** Fax:

- ► COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS
- ► INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE

1. Mark an "X" next to the category or categories that your organization is requesting funds in the attached budget request.

   X **Advertising/Tourism** **Requested funding amount $ 10,000**
   Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

   ☐ **Arts** **Requested funding amount $**
   Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

   ☐ **Historical** **Requested funding amount $**
   Providing historical restoration, preservation, programs and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. Briefly state the purpose of your organization/mission statement:
   Soroptimist improves the lives of women and girls through programs leading to social and economic empowerment.

3. Does your organization have paid staff?
   No

4. Does your organization use volunteers?
   Yes Approximately how many? **50**

5. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?
   No Name location: **Rockwall Technology Park**

   If you are holding your event in/on city-owned property, the City may, in lieu of funds, donate the cost of the facility/property rental for that event.

6. Will your event be held in *"The Downtown"* or adjacent to *Lake Ray Hubbard*?
   No

7. Will your organization provide special event insurance coverage for the event/program if held on City property?
   N/A

8. List all other sources of funding your organization receives for this event. Include event budget (use the required budget form attached).
   Seed money from Soroptimist Operating Account $2,000

9. List the programs, activities, exhibits, or event for the upcoming fiscal year (Oct. 1, 2013-Sept. 30, 2014) that the requested Hotel funding will support partially or in full.
   Rockwall Country Fair

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10. Provide 3 years attendance history for the above listed programs, activities, exhibits or event in #9 above.

****First Year for event/No prior years available****

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms

11. How do the requested budget expenditures meet the definition of the categories marked in #1? Advertising/Tourism

We hope to bring people to Rockwall from all over the Metroplex and the state. They would stay at Rockwall hotels and eat at Rockwall restaurants, and bring their families back to other events.

12. What specific market will you target with the event/program's marketing plan? Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C).
Our targeted audience is the family.

13. Describe in detail how your event/program will promote tourism and the hotel industry in Rockwall.
As mentioned in #11, the fair would bring people to Rockwall for the weekend. They would take advantage of our motels, restaurants, Harbor and Downtown areas.

14. Describe the organization's long-term plan (3-5 year) in regard to the program/ event that funds are being requested.
We hope to grow this event by 100 - 200 people every years. Our projected attendance for this year is 400 - 600.

15. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.
    a) Separate checking account without combining with any other revenues or maintained in any other bank account or
    b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

Will the organization be able to segregate the accounting process in either a) or b) above? **Yes**

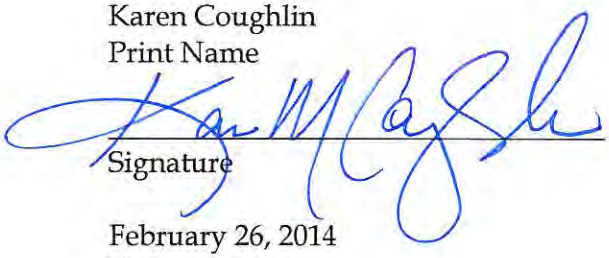
16. Provide all of the following documentation with this application and label each as outlined below.

Exhibit A	Proposed budget for each event/program using attached form
Exhibit B	Letter of determination certifying federal tax exempt 501(c)(3) status
Exhibit C	Examples and evidence of marketing area and readership (limit 3)
Exhibit D	List members of the governing body including name, position, mailing address and phone number

We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a result of this application will be used for the purpose set for herein and the program guidelines.

President/Board Chairman:

Karen Coughlin
Print Name

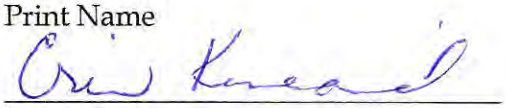


Signature

February 26, 2014
Date

Event/Program Director:

Erin Kincaid
Print Name



Signature

February 26, 2014
Date

Both signatures are required for application to be considered complete.

EXHIBIT A

Hotel Occupancy Tax Funding Request
Event/Program Budget - Program Year 2014

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request.

Organization Name: Soroptimist International of Rockwall
Event/Program Name: Rockwall Country Fair
Requested Funding: $ 10,000.00

Expenses (for this project only)		Funding Request a	Cash from all other sources b	In-Kind, no cash Paid (value of volunteered services or goods c	Total a + b + c = d
1. Personnel					
Administrative				2,000	2,000
Artistic				1,000	1,000
Technical				3,000	3,000
Other personnel				3,000	3,000
2. Fees for outside professional service					
Administrative					
Artistic		1,050		2,000	3,050
Technical					
3. Space Rental				5,000	5,000
4. Equipment Rental		11,500		2,000	13,500
5. Travel/Transportation		500			500
6. Promotion/Printing		2,000			2,000
7. Costumes/Royalties					
8. Other (supplies, postage etc.)		5,150			5,150
9. Sub -Totals		20,200		18,000	38,200
10. Total Expenses					35,000

Revenues (for this project only)					
1. Total Amount of funding request		10,000			
2. Admissions (ticket and concessions)		10,000			
3. Donations					
4. Organizational funds budgeted		2,000			
5. Grants (State)					
6. Other (list):					
7. Other (list):					
8. Other (list):					
9. Other (list):					
10. Total income and contributions		22,000	22,000		
11. Total In-Kind				18,000	
12. Total Revenues					35,000

Financial Information (for this project only)					
Fiscal Year		2010	2011	2012	2013
Total Revenues		NO NUMBERS	AS FIRT YEAR	FOR EVENT	
Total Expenses					
Total Prior Year Hotel funds awarded					

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MARKETING AREA AND READERSHIP

Dallas Morning News listed on Guide Live Event Page	1m readership
Signs, Posters, Flyers throughout Rockwall County	83,000 population
ABC, NBC CBS Dallas Affiliates Community Calendars	5 m
Rockwall City Calendar, Herald Banner, Blue Ribbon News	100,000 readership
Lakeside Living Magazine	20,000 readership

OFFICERS OF SOROPTIMIST INTERNATIONAL OF ROCKWALL

Karen Coughlin, President

2999 Oak Drive

Rockwall, Texas 75032

972-567-6316

Frances Egan, Director

2811 Rochell

Rockwall, Texas 75032

214-546-6458

Erin Atkins, President Elect

1695 Ashburne Drive

Rockwall, Texas 75087

214-975-1827

Gail Ferguson

1110 Squaw Valley

Rockwall, Texas 75087

972-771-4960

Judy Canterbury, Treasurer

929 Grand Cypress Lane

Fairview, Texas 75069760-419-5224

Candice Banks, Secretary

1409 Lakebreeze

Garland, Texas 75043

214-728-6086

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City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2014

Application

MUST BE TYPED or PRINTED

DELIVER TO:

City of Rockwall Finance Office
Attn: Lea Ann Ewing
385 S. Goliad St., Rockwall, TX 75087 972-771-7728
972-771-7700 lewing@rockwall.com

COMPLETED APPLICATIONS ARE DUE JUNE 28, 2013 BY 5:00 PM – NO EXCEPTIONS

Organization Name:
Name of Event: DODIE CRAWFISHFEST/BENIFITING YMCA ANGEL CAMP
Date of Event: 04/27/2014
Funding Request $: 3000 –
Website Address: DODIESATTHEHARBOR.COM
Mailing Address: BOX 961 Rockwall 75087
Physical Address: 2067 Summer Lee
Telephone: 214-929-5283 Fax: 972-318-9732

Primary Contact Name: Richard Redig
(Project Director)
Mailing Address: Box 961 Rockwall, TX 75087

Email Address: RichardR@BRNMedia.com
Telephone: 214-342-8000 EXT 1121 Fax: 214-318-9732

Secondary Contact Name:
(President/Board Chairman)
Mailing Address:

Email Address:
Telephone: Fax:

- COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS
- INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE

1. Mark an "X" next to the category or categories that your organization is requesting funds in the attached budget request.

☑ **Advertising/Tourism** **Requested funding amount $**
Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

☐ **Arts** **Requested funding amount $**
Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

☐ **Historical** **Requested funding amount $**
Providing historical restoration, preservation, programs and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. Briefly state the purpose of your organization/mission statement:
TO LET KIDS w/special needs enjoy camp like NORMAL KIDS.

3. Does your organization have paid staff?
Yes 10# Full-Time # Part-Time

4. Does your organization use volunteers?
Yes Approximately how many? VARIOUS.

5. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?
~~Yes~~, Name location: THE HARBOR (Retail District)
NO
If you are holding your event in/on city-owned property, the City may, in lieu of funds, donate the cost of the facility/property rental for that event.

6. Will your event be held in "*The Downtown*" or adjacent to *Lake Ray Hubbard*?
Yes Name location: THE HARBOR - Retail District

7. Will your organization provide special event insurance coverage for the event/program if held on City property?
Yes Name of Insurance Company:
NA

8. List all other sources of funding your organization receives for this event. Include event budget (use the required budget form attached).

9. List the programs, activities, exhibits, or event for the upcoming fiscal year (Oct. 1, 2013-Sept. 30, 2014) that the requested Hotel funding will support partially or in full.
CRAWFISH FEST BENIFITING. YMCA ANGEL CAMP

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10. Provide 3 years attendance history for the above listed programs, activities, exhibits or event in #9 above.

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms
CRAWFISH FEST (INAUGURAL)	2012	1	300	UNKNOWN
80% OF ATTENDEES were FROM OUTSIDE the Rockwall County				

11. How do the requested budget expenditures meet the definition of the categories marked in #1? Advertising/Tourism, Arts, Historical

12. What specific market will you target with the event/program's marketing plan? Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C).

13. Describe in detail how your event/program will promote tourism and the hotel industry in Rockwall.
WE WILL OFFER EACH OR 15% DISCOUNT ON Hotel STAYS FOR the event AND GIVE THEM a return COUPON FOR THE SAME

14. Describe the organization's long-term plan (3-5 year) in regard to the program/ event that funds are being requested.
Continue each year to grow attendance.

15. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.
   a) Separate checking account without combining with any other revenues or maintained in any other bank account or
   b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

Will the organization be able to segregate the accounting process in either a) or b) above? Yes

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16. Provide all of the following documentation with this application and label each as outlined below.

Exhibit A	Proposed budget for each event/program using attached form
Exhibit B	Letter of determination certifying federal tax exempt 501(c)(3) status
Exhibit C	Examples and evidence of marketing area and readership (limit 3)
Exhibit D	List members of the governing body including name, position, mailing address and phone number

We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a result of this application will be used for the purpose set for herein and the program guidelines.

President/Board Chairman:

Print Name

Signature

Date

Event/Program Director:

Print Name Richard Redy

Signature

Date 4/3/2014

Both signatures are required for application to be considered complete.

EXHIBIT A

Hotel Occupancy Tax Funding Request
Event/Program Budget - Program Year 2014

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request.

Organization Name: DODIES
Event/Program Name: CRAWFISH FEST BENEFITTING YMCA
Requested Funding: $ 3000 —

Expenses (for this project only)		Funding Request a	Cash from all other sources b	In-Kind, no cash Paid (value of volunteered services or goods c	Total a + b + c = d
1. Personnel					
Administrative					
Artistic					
Technical					
Other personnel		3000 —			
2. Fees for outside professional service		—			
Administrative					
Artistic		~~12500~~ 3000 —			
Technical					
3. Space Rental		—			
4. Equipment Rental		1500 —			
5. Travel/Transportation		—			
6. Promotion/Printing		5000			
7. Costumes/Royalties					
8. Other (supplies, postage etc.)					
9. Sub -Totals					
10. Total Expenses					12,500 —

Revenues (for this project only)					
1. Total Amount of funding request		3000 —			
2. Admissions (ticket and concessions)		7500 —		(Projected Sales).	
3. Donations		—			
4. Organizational funds budgeted		—			
5. Grants (State)		—			
6. Other (list):		—			
7. Other (list):		—			
8. Other (list):		—			
9. Other (list):		—			
10. Total income and contributions		10 500 —	10,500 —		
11. Total In-Kind				0	
12. Total Revenues		10,500 —			10,500 —

Financial Information (for this project only)					
Fiscal Year		2010	2011	2012	2013
Total Revenues					
Total Expenses					
Total Prior Year Hotel funds awarded					

Ewing, Lea Ann

From: White, David
Sent: Tuesday, March 11, 2014 1:02 PM
To: Ewing, Lea Ann; Smith, Mary
Cc: Lewis, Dennis; Townsend, Mike
Subject: Fwd: HOT REQUEST

I told Richard we'd briefly discuss this this afternoon. He also said he would contact city about applying.

Told him he'd have to find some way to justify the heads in beds and so he's thinking of someway to create a weekend package.

Told him without that it's very unlikely he'd qualify for funding.

Begin forwarded message:

> **From:** Marketing Dodies at The Harbor <marketing@DodiesAtTheHarbor.com>
> **Date:** March 11, 2014 at 12:57:30 PM CDT
> **To:** "White, David" <DavidWhite@rockwall.com>
> **Cc:** 'Richard Redig Blue Ribbon News' <RichardRedig@BlueRibbonNews.com>, 'Dawn Redig Blue Ribbon News' <DawnRedig@BlueRibbonNews.com>
> **Subject: HOT REQUEST**
>
> David,
>
> Dodie's All-You-Can-Eat Crawfish Fest at The Harbor is an annual event used to raise money for a local charity. Last year, the Rockwall Rotary Club was the beneficiary. This year , all proceeds from ticket sales will go to the JER Chilton YMCA's Angel Camp program for kids with special needs. This family-friendly event is scheduled for Sunday, April 27 from noon to 5pm, and will feature live music from The Big Daddy Band. In 2013, this popular event served up more than 1,200 pounds of crawfish and brought in more than 300 people - and of those 300, 210 were from zip codes beyond Rockwall, Heath and Royce City. We are requesting $3,000 to supplement the cost of advertising in expectation of drawing an even bigger crowd this year. I am sure the city will enjoy great exposure. We will have a special hotel packages offered on the website and in our advertising, marketing and social media efforts promoting this event.
> Thank you for your consideration and help with this.
>
> Thanks for the help.
>
> Richard Redig
> 214-929-5283

www.myrockwallnews.com

May 25, 2014 Rockwall News Memorial Day Concert

Discounted Hotel Packages

The Rockwall News has reserved blocks of rooms with all of the hotels/motels in Rockwall for our May 25 Concert. Concert attendees can book these rooms for the following special prices by mentioning the code of "Memorial Day Concert" to the reservationist. Only the Hilton requires a cut-off date of April 25. Following are the agreements we have in place in writing:

1. Hilton Dallas/Rockwall Lakefront – 10 rooms reserved for a special Memorial Day weekend price of $199 per room

2. Hampton Inn - 10 rooms reserved for a special Memorial Day weekend price of $95 per room for 5 king standard rooms and 5 double queen bed rooms

3. Best Western – 10 rooms reserved for a special Memorial Day weekend price of $75 for 5 king standard bed rooms and $80 for 5 double bed rooms

4. La Quinta Inn – 10 rooms reserved for a special Memorial Day weekend price of $97 for 5 king bed rooms and 5 double bed rooms

5. Super 8 Motel - 10 rooms reserved for a special Memorial Day weekend price of $56 for 5 king bed rooms and $60 for 5 double bed rooms

www.Myrockwallnews.com

The Rockwall News Memorial Day Concert

Advertising plan/budget

Ads to run April 21 – May 23, in addition to news stories, radio interviews, social media, emails

I. Targeting:

1) Conservative Adults 35+ - including veterans and adults most likely to want to thank the military

2) Adults 25+ - to attract active-duty military & families

3) Teens, Adults 18-34 - to attract Jason Castro fans

II. Media most likely to reach these targets for best value:

1) DFW news media websites – dallasnews.com, wfaa.com & myfoxdfw.com to reach all 3 demographics

2) Facebook.com ads to reach all 3 demographics

3) AM stations with conservative talk programs, such as Rush Limbaugh, Sean Hannity & Mark Davis

4) Country music stations to reach veterans, active-duty military & families - 96.3 FM and/or 99.5 FM

5) Pop music radio stations to reach teens & young adults - 106.1 FM and/or 93.3 FM

III. Best media to buy for $10,000+ budget

1) Dallas Morning News website – dallasnews.com	$3,000
2) WFAA TV 8 news website – wfaa.com	$3,000
3) Facebook.com	$4,000

City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2014

Application

MUST BE TYPED or PRINTED

DELIVER TO:

City of Rockwall Finance Office
Attn: Lea Ann Ewing
385 S. Goliad St., Rockwall, TX 75087
972-771-7700 lewing@rockwall.com

Organization Name: The Rockwall News
Name of Event: Rockwall News Memorial Day Concert
Date of Event: May 25, 8-9 pm (Sunday night)
Funding Request $: MS ~~$10,000~~ $13,160
Website Address: myrockwallnews.com
Mailing Address: 436 Yacht Club Dr. Unit F
Physical Address: Rockwall TX 75032
Telephone: 214-317-1718 Fax:

Primary Contact Name: J.J. Smith
(Project Director)
Mailing Address: 436 Yacht Club Dr. Unit F
Rockwall TX 75032
Email Address: jj@myrockwallnews.com
Telephone: 214-317-1718 Fax:

Secondary Contact Name: Roxana Smith
(President/Board Chairman)
Mailing Address: same

Email Address: csta19@yahoo.com
Telephone: 469-338-7366 Fax:

- **COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS**
- **INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE**

1. Mark an "X" next to the category or categories that your organization is requesting funds in the attached budget request.

☒ **Advertising/Tourism** **Requested funding amount $** ~~20,000~~ 13,160 NIS
Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

☒ **Arts** **Requested funding amount $**
Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

☐ **Historical** **Requested funding amount $**
Providing historical restoration, preservation, programs and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. Briefly state the purpose of your organization/mission statement:
To honor our veterans, active-duty military, those who have lost their lives defending our great nation, and their families

3. Does your organization have paid staff?
Yes # Full-Time 1 # Part-Time

4. Does your organization use volunteers?
Yes Approximately how many? We will have 20-30 for this event

5. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?
Yes Name location: The Harbor Amphitheater

If you are holding your event in/on city-owned property, the City may, in lieu of funds, donate the cost of the facility/property rental for that event.

6. Will your event be held in "*The Downtown*" or adjacent to *Lake Ray Hubbard*?
Yes Name location: The Harbor Amphitheater

7. Will your organization provide special event insurance coverage for the event/program if held on City property? If needed
Yes Name of Insurance Company:

8. List all other sources of funding your organization receives for this event. Include event budget (use the required budget form attached).
Business sponsors - selling now

9. List the programs, activities, exhibits, or event for the upcoming fiscal year (Oct. 1, 2013-Sept. 30, 2014) that the requested Hotel funding will support partially or in full.
Rockwall News Memorial Day Concert

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10. Provide 3 years attendance history for the above listed programs, activities, exhibits or event in #9 above. N/A

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms

11. How do the requested budget expenditures meet the definition of the categories marked in #1? Advertising/Tourism, Arts, Historical

All expenditures will help attract thousands of visitors to Rockwall and dozens to spend at least one night in local hotels

12. What specific market will you target with the event/program's marketing plan? Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C). Will target DFW veterans and military and families via ads & news publicity on Facebook, TV, radio & print/web news & social media

13. Describe in detail how your event/program will promote tourism and the hotel industry in Rockwall. The only event of its kind will attract thousands of veterans & active-duty military to spend night and eat and shop in Rockwall

14. Describe the organization's long-term plan (3-5 year) in regard to the program/event that funds are being requested. We intend to make this event bigger & better each year, eventually bringing in big name performers & dignitaries

15. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.

a) Separate checking account without combining with any other revenues or maintained in any other bank account or

b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

Will the organization be able to segregate the accounting process in either a) or b) above? Either (Yes) Likely separate

16. Provide all of the following documentation with this application and label each as outlined below.

Exhibit A	Proposed budget for each event/program using attached form
Exhibit B	Letter of determination certifying federal tax exempt 501(c)(3) status
Exhibit C	Examples and evidence of marketing area and readership (limit 3)
Exhibit D	List members of the governing body including name, position, mailing address and phone number

We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a result of this application will be used for the purpose set for herein and the program guidelines.

President/Board Chairman:

Print Name J.J. Smith

Signature J.J. Smith

Date 2/3/14

Event/Program Director:

Print Name J. J. Smith

Signature JJ Smith

Date 2/3/14

Both signatures are required for application to be considered complete.

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EXHIBIT A

Hotel Occupancy Tax Funding Request
Event/Program Budget - Program Year 2014

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request.

Organization Name: The Rockwall News
Event/Program Name: Memorial Day Concert
Requested Funding: $ 13,160

Expenses (for this project only)		Funding Request a	Cash from all other sources b	In-Kind, no cash Paid (value of volunteered services or goods c	Total a + b + c = d
1. Personnel					
Administrative					
Artistic			~~2000~~		~~2000~~
Technical					
Other personnel City Staff		240			240
2. Fees for outside professional service					
Administrative					
Artistic			2,000		2,000
Technical Sound & Lighting		1,000			1,000
3. Space Rental		1,920			1,920
4. Equipment Rental screens, projectors			1,000		1,000
5. Travel/Transportation					
6. Promotion/Printing Advertising		10,000	10,000		20,000
7. Costumes/Royalties					
8. Other (supplies, postage etc.)			500		500
9. Sub -Totals		13,160	13,500		26,660
10. Total Expenses					26,660

Revenues (for this project only)					
1. Total Amount of funding request		13,160			
2. Admissions (ticket and concessions)					
3. Donations					
4. Organizational funds budgeted					
5. Grants (State)					
6. Other (list): Co-Sponsorships			13,500		
7. Other (list):					
8. Other (list):					
9. Other (list):					
10. Total income and contributions			13,500		
11. Total In-Kind					
12. Total Revenues					26,660

Financial Information (for this project only)					
Fiscal Year		2010	2011	2012	2014 ~~2013~~
Total Revenues					26,660
Total Expenses					26,660
Total Prior Year Hotel funds awarded					—

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

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

DATE: **April 4, 2014**

SUBJECT: **Water Conservation/Drought Contingency Plan**

The Texas Commission on Environmental Quality requires every water provider to revise and submit their water conservation and drought contingency plan every five years. Our existing Drought Contingency/Water Emergency Response Plan and the Water Conservation Plan was adopted by City Council on August 3, 2009 and July 6, 2009 respectively. The staff has made minor revisions to our current plans and will submit these documents to the TCEQ by May 1, 2014 after City Council approves the ordinance.

Staff recommends City Council consideration to approve the revised Drought Contingency/Water Emergency Response Plan and Water Conservation Plan to keep the City in compliance with Texas Commission on Environmental Quality requirements.

TMT:em

Cc:

Mary Smith, Assistant City Manager
Rick Sherer, Manager of Water and Wastewater
File

CITY OF ROCKWALL

ORDINANCE NO. 14-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 7. DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN, TO PROVIDE FOR CERTAIN DELETIONS AND CHANGES TO ITS PROVISIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR AN EFFECTVE DATE.

WHEREAS, the City Council previously adopted Ordinance # 09-29 which established a Drought Contingency and Water Emergency Response Plan; and

WHEREAS, the City Council has determined the need to implement certain modifications to the Drought Contingency and Water Emergency Response Plan in accordance with Section 288.20 of the Texas Administrative Code.

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

SECTION 1. That portions of Sec. 44-436 of Chapter 44. Utilities, Article V. Water, Division 7. Drought Contingency and Emergency Response Plan are hereby amended to henceforth read as follows:

Sec. 44-436 Stages and measures

(b) (7) Requires notification to Texas Commission on Environmental Quality (TCEQ):

a. Limit landscape watering with sprinklers or irrigation systems to no more than two days per week. An exception is allowed for landscape associated with new construction that may be watered as necessary for 30 days from the date of the certificate of occupancy. ~~An exemption is also allowed for registered and properly functioning ET/Smart irrigation systems and drip irrigation systems, which do not have restrictions to the number of days per week of operation.~~

(c) (8) Requires notification to Texas Commission on Environmental Quality (TCEQ). Limit landscape watering with sprinklers or irrigation systems at each service address to ~~twice~~ **once** every seven days ~~or as described in the table contained in subsection (8)a of this section depending on the city manager's assessment of the extent of the need for emergency conservation~~. in accordance with the current schedule based on customer service address as developed and implemented by the city manager.

a. ~~If the city manager determines the need for limiting watering with sprinkler or irrigation systems to twice every seven days, the following schedule based on customer service addresses shall apply:~~

~~Address Ends In~~	~~Designated Watering Days~~
~~1~~	~~Monday and Friday~~
~~2~~	~~Monday and Friday~~
~~3~~	~~Monday and Friday~~
~~4~~	~~Tuesday and Saturday~~
~~5~~	~~Tuesday and Saturday~~
~~6~~	~~Wednesday and Sunday~~
~~7~~	~~Wednesday and Sunday~~
~~8~~	~~Wednesday and Sunday~~
~~9~~	~~Monday and Thursday~~
~~0~~	~~Monday and Thursday~~

b. If the city manager determines the need for limiting watering with sprinklers or irrigation systems to ~~once~~ one day every seven days, or any other emergency schedules mandated by the circumstance, an alternative schedule based on customer service address may be developed and implemented by the city manager.

c. ~~(5) Registered and properly functioning ET/Smart irrigation systems and drip irrigation systems may irrigate without restrictions.~~

SECTION 2. That the remainder of Chapter 44, Utilities, Article V, Water Division 7 of the City Code of Ordinances remains unchanged.

SECTION 3. That the City Manager or his designee is hereby directed to file a copy of the Plan and this Ordinance with the Texas Commission on Environmental Quality in accordance with Title 30, Chapter 288 of the Texas Administrative Code;

SECTION 4. That if any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared void;

SECTION 5. That all ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed, and the balance of such ordinance is hereby saved from repeal;

SECTION 6. That the City Council does hereby find and declare that sufficient written notice of the date, hour, place and subject of the meeting adopting this Ordinance was posted at a designated place convenient to the public for the time required by law preceding the meeting, that such place of posting was readily accessible at all times to the general public, and that all of the foregoing was done as required by law at all times during which this Ordinance and the

subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the posting thereof.

SECTION 7. That any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty of a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense and each day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 8. That the ordinance shall be effective immediately following its second reading and publication in accordance with the City Charter.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of April, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 04-07-14

2nd Reading: 04-21-14

DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN



MAY 2014

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KNOWLEDGEMENTS

This Model Drought Contingency and Water Emergency Response Plan was prepared by Freese and Nichols for the North Texas Municipal Water District (NTMWD). It is intended to be used by NTMWD Member Cities and Customers as a guide as they develop their own drought contingency and water emergency response plans. This plan was prepared pursuant to Texas Commission on Environmental Quality rules. Some material is based on the existing drought contingency plans listed in Appendix A. To develop a regional approach, the emergency water management (drought contingency) plans for the City of Fort Worth and the City of Dallas were consulted.

Questions regarding this drought contingency and water emergency response plan should be addressed to the following:

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APPENDICES

APPENDIX A **List of References**

APPENDIX B **Texas Commission on Environmental Quality Rules on Drought Contingency Plans**

- Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter B, Rule §288.20 – Drought Contingency Plans for Municipal Uses by Public Water Suppliers

APPENDIX C **Letter to Texas Commission of Environmental Quality**

Model Drought Contingency and Water Emergency Response Plan for

North Texas Municipal Water District Member Cities and Customers

MAY 2014

1. INTRODUCTION AND OBJECTIVES

This document has been prepared as a model drought contingency and water emergency response plan, intended to be available for use by North Texas Municipal Water District (NTMWD) Member Cities and Customer Cities as they develop their own plans. This model plan addresses all of the current TCEQ requirements for a drought contingency plan. [1] This plan will replace the plans dated August 2004, April 2006 and March 2008.

The measures included in this model drought contingency and water emergency response plan are intended to provide short-term water savings during drought or emergency conditions. Water savings associated with ongoing, long-term strategies are discussed in the *Model Water Conservation Plan for North Texas Municipal Water District Member Cities and Customer Cities*. [2]

The purpose of this model drought contingency and water emergency response plan is as follows:

- To conserve the available water supply in times of drought and emergency
- To maintain supplies for domestic water use, sanitation, and fire protection
- To protect and preserve public health, welfare, and safety
- To minimize the adverse impacts of water supply shortages
- To minimize the adverse impacts of emergency water supply conditions

The NTMWD supplies treated water to its Member Cities and Customer Cities. This model plan was developed by NTMWD in consultation with its Member Cities. In order to adopt this model plan, each NTMWD Member City and Customer City will need to adopt ordinance(s) or regulation(s) implementing the plan, including the determination of fines and enforcement procedures. The model plan calls for Member Cities and Customer Cities to adopt drought stages initiated by NTMWD during a drought or water supply emergency. Member Cities and Customer Cities may also adopt more stringent drought or water emergency response stages than NTMWD if conditions warrant.

A drought is defined as an extended period of time when an area receives insufficient amounts of rainfall to replenish the water supply, causing water supply sources, in this

[1] Superscripted numbers match references listed in Appendix A.

case reservoirs, to be depleted. In the absence of drought response measures, water demands tend to increase during a drought due to the need for additional outdoor irrigation. The severity of a drought depends on the degree of depletion of supplies and on the relationship of demand to available supplies. The NTMWD considers a drought to end when all of its supply reservoirs refill to the conservation storage pool.

2. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES

The TCEQ rules governing development of drought contingency plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.20 of the Texas Administrative Code, a current copy of which is included in Appendix B. For the purpose of these rules, a drought contingency plan is defined as "a strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies."[1]

Minimum Requirements

TCEQ's minimum requirements for drought contingency plans are addressed in the following subsections of this report:

- 288.20(a)(1)(A) – Provisions to Inform the Public and Provide Opportunity for Public Input – Section 3.1
- 288.20(a)(1)(B) – Provisions for Continuing Public Education and Information – Section 3.2
- 288.20(a)(1)(C) – Coordination with the Regional Water Planning Group – Section 3.7
- 288.20(a)(1)(D) – Criteria for Initiation and Termination of Drought Stages – Section 3.3
- 288.20(a)(1)(E) – Drought and Emergency Response Stages – Section 3.4
- 288.20(a)(1)(F) – Specific, Quantified Targets for Water Use Reductions – Section 3.4
- 288.20(a)(1)(G) – Water Supply and Demand Management Measures for Each Stage – Section 3.4
- 288.20(a)(1)(H) – Procedures for Initiation and Termination of Drought Stages – Section 3.3
- 288.20(a)(1)(I) - Procedures for Granting Variances – Section 3.5
- 288.20(a)(1)(J) - Procedures for Enforcement of Mandatory Restrictions – Section 3.6
- 288.20(a)(3) – Consultation with Wholesale Supplier – Sections 1, 3.3, and 3.4
- 288.20(b) – Notification of Implementation of Mandatory Measures – Section 3.3
- 288.20(c) – Review and Update of Plan – Section 3.8

3. DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN

3.1 Provisions to Inform the Public and Opportunity for Public Input

The City of Rockwall will provide opportunity for public input in the development of this drought contingency and water emergency response plan by the following means:

- Providing written notice of the proposed plan and the opportunity to comment on the plan by newspaper, posted notice, and notice on the supplier's web site (if available)
- Making the draft plan available on the supplier's web site (if available)
- Providing the draft plan to anyone requesting a copy
- Holding a public meeting

3.2 Provisions for Continuing Public Education and Information

The City of Rockwall will inform and educate the public about the drought contingency and water emergency response plan by the following means:

- Preparing a bulletin describing the plan and making it available at City Hall and other appropriate locations.
- Making the plan available to the public through the supplier's web site (if available).
- Including information about the drought contingency and water emergency response plan on the supplier's web site (if available).
- Notifying local organizations, schools, and civic groups that staff are available to make presentations on the drought contingency and water emergency response plan (usually in conjunction with presentations on water conservation programs).

At any time that the drought contingency and water emergency response plan is activated or the drought stage or water emergency response stage changes, Member Cities and Customer Cities will notify local media of the issues, the drought response stage or water emergency response stage (if applicable), and the specific actions required of the public. The information will also be publicized on the supplier's web site (if available). Billing inserts will also be used as appropriate.

3.3 Initiation and Termination of Drought or Water Emergency Response Stages

Initiation of a Drought or Water Emergency Response Stage

The City Manager or official designee may order the implementation of a drought or water emergency response stage when one or more of the trigger conditions for that stage is met. The following actions will be taken when a drought or water emergency response stage is initiated:

- The public will be notified through local media and the supplier's web site (if available) as described in Section 3.2.

- Wholesale customers (if any) and the NTMWD will be notified by e-mail with a follow-up letter or fax that provides details of the reasons for initiation of the drought/water emergency response stage.
- If any mandatory provisions of the drought contingency and water emergency response plan are activated, Member Cities and Customer Cities will notify the Executive Director of the TCEQ and the Executive Director of the NTMWD within 5 business days.

Drought contingency and water emergency response stages imposed by NTMWD action must be initiated by Member Cities and Customer Cities. For other trigger conditions internal to a city or water supply entity, the City Manager or official designee may decide not to order the implementation of a drought response stage or water emergency even though one or more of the trigger criteria for the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, the anticipation of replenished water supplies, or the anticipation that additional facilities will become available to meet needs. The reason for this decision should be documented.

Termination of a Drought or Water Emergency Response Stage

The City Manager or official designee may order the termination of a drought or water emergency response stage when the conditions for termination are met or at their discretion. The following actions will be taken when a drought or emergency response stage is terminated:

- The public will be notified through local media and the supplier's web site (if available) as described in Section 3.2.
- Wholesale customers (if any) and the NTMWD will be notified by e-mail with a follow-up letter or fax.
- If any mandatory provisions of the drought contingency and water emergency response plan that have been activated are terminated, Member Cities and Customer Cities will notify the Executive Director of the TCEQ and the Executive Director of the NTMWD within 5 business days.

The City Manager or official designee may decide not to order the termination of a drought or water emergency response stage even though the conditions for termination of the stage are met. Factors which could influence such a decision include, but are not limited to, the time of year, weather conditions, or the anticipation of potential changed conditions that warrant the continuation of the drought stage. The reason for this decision should be documented.

Drought Contingency and Water Emergency Response Stages and Measures

Stage 1

Initiation and Termination Conditions for Stage 1

- The NTMWD has initiated Stage 1, which may be initiated due to one or more of the following:
  - The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 1
  - Water demand is projected to approach the limit of the permitted supply
  - The storage in Lavon Lake is less than 65 percent of the total conservation pool capacity
  - NTMWD's storage in Jim Chapman Lake is less than 65 percent of NTMWD's total conservation pool capacity
  - The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Mild drought
  - NTMWD has concern that Lake Texoma, the East Fork Raw Water Supply Project or some other NTMWD source may be limited in availability in the next 6 months
  - NTMWD water demand exceeds 90 percent of the amount that can be delivered to customers for three consecutive days
  - Water demand for all or part of NTMWD's delivery system approaches delivery capacity because delivery capacity is inadequate
  - NTMWD's supply source becomes contaminated
  - NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components
- Supplier's water demand exceeds 90 percent of the amount that can be delivered to customers for three consecutive days
- Supplier's water demand for all or part of the delivery system approaches delivery capacity because delivery capacity is inadequate
- Supply source becomes contaminated
- Supplier's water supply system is unable to deliver water due to the failure or damage of major water system components
- Supplier's individual plan may be implemented if other criteria dictate

Stage 1 may terminate when NTMWD terminates its Stage 1 condition or when the circumstances that caused the initiation of Stage 1 no longer prevail.

Goal for Use Reduction and Actions Available under Stage 1

Stage 1 is intended to raise public awareness of potential drought or water emergency problems. The goal for water use reduction under Stage 1 is a two percent reduction in the amount of water obtained by NTMWD. The City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary:

- Request voluntary reductions in water use by the public and by wholesale customers
- Notify wholesale customers of actions being taken and request implementation of similar procedures
- Increase public education efforts on ways to reduce water use
- Review the problems that caused the initiation of Stage 1
- Intensify efforts on leak detection and repair
- Reduce non-essential city government water use:

  (Examples: street cleaning, vehicle washing, operation of ornamental fountains, etc.)
- Notify major water users and work with them to achieve voluntary water use reductions
- Reduce city government water use for landscape irrigation
- Ask the public to follow voluntary landscape watering schedules

Stage 2

Initiation and Termination Conditions for Stage 2

- The NTMWD has initiated Stage 2, which may be initiated due to one or more of the following:
  - The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 2
  - Water demand is projected to approach the limit of the permitted supply
  - The storage in Lavon Lake is less than 55 percent of the total conservation pool capacity
  - NTMWD's storage in Jim Chapman Lake is less than 55 percent of NTMWD's total conservation pool capacity
  - The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Mild drought.
  - NTMWD is concerned that Lake Texoma, the East Fork Raw Water Supply Project, or some other NTMWD source may be limited in availability in the next 3 months
  - NTMWD water demand exceeds 95 percent of the amount that can be delivered to customers for three consecutive days

  - NTMWD water demand for all or part of the delivery system equals delivery capacity because delivery capacity is inadequate
  - NTMWD's supply source becomes contaminated
  - NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components
- Supplier's water demand exceeds 95 percent of the amount that can be delivered to customers for three consecutive days
- Supplier's water demand for all or part of the delivery system equals delivery capacity because delivery capacity is inadequate
- Supply source becomes contaminated
- Supplier's water supply system is unable to deliver water due to the failure or damage of major water system components
- Supplier's individual plan may be implemented if other criteria dictate

Stage 2 may terminate when NTMWD terminates its Stage 2 condition or when the circumstances that caused the initiation of Stage 2 no longer exist.

Goal for Use Reduction and Actions Available under Stage 2

The goal for water use reduction under Stage 2 is a five percent reduction in the amount of water obtained by NTMWD. If circumstances warrant or if required by NTMWD the City Manager or official designee can set a goal for greater water use reduction. The City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary. Measures described as "requires notification to TCEQ" impose mandatory requirements on customers. The supplier must notify TCEQ and NTMWD within five business days if these measures are implemented:

- Continue or initiate any actions available under Stage 1
- Notify wholesale customers of actions being taken and request them to implement similar procedures
- Initiate engineering studies to evaluate alternatives should conditions worsen
- Further accelerate public education efforts on ways to reduce water use
- Halt non-essential city government water use:

  (Examples: street cleaning, vehicle washing, operation of ornamental fountains, etc.)
- Encourage the public to wait until the current drought or emergency situation has passed before establishing new landscaping

Requires Notification to TCEQ:

  - Limit landscape watering with sprinklers or irrigation systems to no more than two days per week. An exception is allowed for landscape associated with new construction that may be watered as necessary for 30 days from the date of the

certificate of occupancy. Restrict landscape and lawn irrigation from 10 AM to 6 PM beginning April 1 through October 31 of each year

- Prohibit planting of cool season grasses (such as rye grass or other similar grasses) that intensify cool season water requirements

Stage 3

Initiation and Termination Conditions for Stage 3

- The NTMWD has initiated Stage 3, which may be initiated due to one or more of the following:
  - The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 3
  - Water demand is projected to approach or exceed the limit of the permitted supply
  - The storage in Lavon Lake is less than 45 percent of the total conservation pool capacity
  - NTMWD's storage in Jim Chapman Lake is less than 45 percent of NTMWD's total conservation pool capacity
  - The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Moderate drought (Measures required by SRA under a Moderate drought designation are similar to those under NTMWD's Stage 3)
  - The supply from Lake Texoma, the East Fork Raw Water Supply Project, or some other NTMWD source has become limited in availability.
  - NTMWD water demand exceeds 98 percent of the amount that can be delivered to customers for three consecutive days
  - NTMWD water demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate
  - NTMWD's supply source becomes contaminated
  - NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components
- Supplier's water demand exceeds 98 percent of the amount that can be delivered to customers for three consecutive days
- Supplier's water demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate.
- Supply source becomes contaminated
- Supplier's water supply system is unable to deliver water due to the failure or damage of major water system components
- Supplier's individual plan may be implemented if other criteria dictate

Stage 3 may terminate when NTMWD terminates its Stage 3 condition or when the circumstances that caused the initiation of Stage 3 no longer exist.

Goals for Use Reduction and Actions Available under Stage 3

The goal for water use reduction under Stage 3 is a reduction of ten percent in the amount of water obtained from NTMWD. If circumstances warrant or if required by NTMWD, the City Manager or official designee can set a goal for greater water use reduction.

The City Manager or official designee must implement any action(s) required by NTMWD. In addition, the City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary. Measures described as "requires notification to TCEQ" impose mandatory requirements on customers. The supplier must notify TCEQ and NTMWD within five business days if these measures are implemented:

- Continue or initiate any actions available under Stages 1 and 2
- Notify wholesale customers of actions being taken and request them to implement similar procedures
- Implement viable alternative water supply strategies
- **Requires Notification to TCEQ** – Initiate mandatory water use restrictions as follows:
  - Prohibit hosing of paved areas, buildings or windows. (Pressure washing of impervious surfaces is allowed)
  - Prohibit operation of all ornamental fountains or other amenity impoundments to the extent they use treated water
  - Prohibit washing or rinsing of vehicles by hose except with a hose end cutoff nozzle
  - Prohibit using water in such a manner as to allow runoff or other waste
  - Prohibit outdoor watering with sprinklers between 10:00am and 6:00 pm. year round
- **Requires Notification to TCEQ** – Limit landscape watering with sprinklers or irrigation systems at each service address to once every seven days or as described below depending on the City Manager's assessment of the extent of the need for emergency conservation.

  If the City Manager determines the need for limiting watering with sprinklers or irrigation systems to one day every other week, or any other emergency schedules mandated by the circumstance, an alternative schedule based on customer service address may be developed and implemented by the City Manager.

  Unless otherwise determined by the City Manager due to emergency circumstance the following exceptions shall apply:

  - Foundations, new landscaping, new planting of shrubs and trees (first year), may be watered for up to 2 hours on any day by a hand-held hose, a soaker hose, or a dedicated zone using a drip irrigation system.
  - Golf courses may water greens and tee boxes without restrictions.
  - Public athletic fields used for competition may be watered twice per week.

- Locations using other sources of water supply for irrigation may irrigate without restrictions.
- Restrictions do not apply to locations using treated wastewater effluent for irrigation or the legal use of water pumped from Lake Ray Hubbard as may be regulated by the City of Dallas.

Requires Notification to TCEQ :

- Limit landscape watering with sprinklers or irrigation systems between November 1 and March 31 to once every two weeks. An exception is allowed for landscape associated with new construction that may be watered as necessary for 30 days from the date of the certificate of occupancy, temporary certificate of occupancy, or certificate of completion.
- Prohibit hydroseeding, hydromulching and sprigging.
- Existing swimming pools may not be drained and refilled (except to replace normal water loss.)
- Initiate a rate surcharge as requested by NTMWD.
- Initiate a rate surcharge for all water use over a certain level.
- If NTMWD has imposed a reduction in water available to Member Cities and Customers Cities impose the same percent reduction on wholesale customers.
- Prohibit watering of golf courses using treated water, except as needed to keep greens and tee boxes alive.

Stage 4

Initiation and Termination Conditions for Stage 4

- The NTMWD has initiated Stage 4, which may be initiated due to one or more of the following:
  - The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 4
  - Water demand is projected to approach or exceed the limit of the permitted supply
  - The storage in Lavon Lake is less than 35 percent of the total conservation pool capacity
  - NTMWD's storage in Jim Chapman Lake is less than 35 percent of NTMWD's total conservation pool capacity
  - The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Severe drought or Emergency
  - The supply from Lake Texoma, the East Fork Raw Water Supply Project, or some other NTMWD source has become severely limited in availability
  - NTMWD water demand exceeds the amount that can be delivered to customers

  - NTMWD water demand for all or part of the delivery system seriously exceeds delivery capacity because the delivery capacity is inadequate.
  - NTMWD's supply source becomes contaminated
  - NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components
- Supplier's water demand exceeds the amount that can be delivered to customers
- Supplier's water demand for all or part of the delivery system seriously exceeds delivery capacity because the delivery capacity is inadequate
- Supply source becomes contaminated
- Supplier's water supply system is unable to deliver water due to the failure or damage of major water system components
- Supplier's individual plan may be implemented if other criteria dictate

Stage 4 may terminate when NTMWD terminates its Stage 4 condition or when the circumstances that caused the initiation of Stage 4 no longer exist.

Goals for Use Reduction and Actions Available under Stage 4

The goal for water use reduction under Stage 4 is a reduction of whatever amount is necessary in the amount of water obtained from NTMWD. If circumstances warrant or if required by NTMWD, the City Manager or official designee can set a goal for a greater water use reduction.

The City Manager or official designee must implement any action(s) required by NTMWD. In addition, the City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary. Measures described as "requires notification to TCEQ" impose mandatory requirements on Member Cities and Customer Cities. The supplier must notify TCEQ and NTMWD within five business days if these measures are implemented:

- Continue or initiate any actions available under Stages 1, 2, and 3 and such other actions as may be necessary to accomplish the required water reductions.
- Notify wholesale customers of actions being taken and request them to implement similar procedures.
- Implement viable alternative water supply strategies.

Requires Notification to TCEQ:

  - Prohibit the irrigation of new landscaping using treated water
  - Prohibit washing of vehicles except as necessary for health, sanitation, or safety reasons
  - Prohibit commercial and residential landscape watering, except that foundations and trees may be watered for 2 hours on any day with a hand-held hose, a soaker hose, or a dedicated zone using a drip irrigation system. ET/Smart controllers and drip irrigation systems are not exempt from this requirement.

- Prohibit golf course watering with treated water except for greens and tee boxes
- Prohibit the permitting of private pools. Pools already permitted may be completed and filled with water. Existing private and public pools may add water to maintain pool levels but may not be drained and refilled.
- Require all commercial water users to reduce water use by a percentage established by the City Manager or official designee.
- If NTMWD has imposed a reduction in water available to Member Cities and Customer Cities, impose the same percent reduction on wholesale customers.
- Initiate a rate surcharge for all water use over normal rates for all water use.

3.4 Procedures for Granting Variances to the Plan

The City Manager or official designee may grant temporary variances for existing water uses otherwise prohibited under this drought contingency and water emergency response plan if one or more of the following conditions are met:

- Failure to grant such a variance would cause an emergency condition adversely affecting health, sanitation, or fire safety for the public or the person or entity requesting the variance
- Compliance with this plan cannot be accomplished due to technical or other limitations
- Alternative methods that achieve the same level of reduction in water use can be implemented

Variances shall be granted or denied at the discretion of the City Manager or official designee. All petitions for variances should be in writing and should include the following information:

- Name and address of the petitioners
- Purpose of water use
- Specific provisions from which relief is requested
- Detailed statement of the adverse effect of the provision from which relief is requested
- Description of the relief requested
- Period of time for which the variance is sought
- Alternative measures that will be taken to reduce water use
- Other pertinent information

3.5 Procedures for Enforcing Mandatory Water Use Restrictions

Mandatory water use restrictions may be imposed in Stage 2, Stage 3 and Stage 4 drought contingency and water emergency response stages. The penalties associated with the mandatory water use restrictions will be determined by each entity.

Appendix D contains potential ordinances, resolutions and orders that may be adopted by the city council, board, or governing body approving the drought contingency plan and water response plan, including enforcement of same.

3.6 Coordination with the Regional Water Planning Group and NTMWD

Appendix C includes a copy of a letter sent to the Chair of the Region C water planning group with this model drought contingency and water emergency response plan.

The suppliers will send a draft of its ordinance(s) or other regulation(s) implementing this plan to NTMWD for their review and comment. The supplier will also send the final ordinance(s) or other regulation(s) to NTMWD.

3.7 Review and Update of Drought Contingency and Water Emergency Response Plan

As required by TCEQ rules, Member Cities and Customer Cites must review the drought contingency and water emergency response plan every five years. The plan will be updated as appropriate based on new or updated information.

APPENDIX A

LIST OF REFERENCES

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Appendix A
List of References

(1) Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter B, Rule 288.20, downloaded from http://www.tnrcc.state.tx.us/oprd/rules/pdflib/288a.pdf, July 2007.

(2) Freese and Nichols, Inc.: *North Texas Municipal Water District Water Conservation and Drought Contingency and Water Emergency Response Plan*, prepared for the North Texas Municipal Water District, Fort Worth, March 2008.

The following conservation and drought contingency plans and related documents were reviewed in the development of this plan. References marked with a * were used heavily in the development of this plan.

(3) City of Austin Water Conservation Division: "City of Austin Water Drought Contingency Plan, Developed to Meet Senate Bill 1 Regulatory Requirements," Austin, August 1999.

(4) City of Austin Water Conservation Division: "City of Austin Water Conservation Plan, Developed to Meet Senate Bill 1 Regulatory Requirements," Austin, August 1999.

(5) Upper Trinity Regional Water District: "Water Conservation Plan and Emergency Water Demand Management Plan," adopted by the Board of Directors, Lewisville, August 5, 1999.

(6) Upper Trinity Regional Water District: "Water Conservation Plan and Emergency Water Demand Management Plan (2002 Amended)," adopted by the Board of Directors, Lewisville, February 2002.

(7) *City of Dallas Water Utilities Department: "City of Dallas Water Management Plan," adopted by the City Council, Dallas, September 1999.

(8) Updates to City of Dallas Water Management Plan found at http://www.dallascityhall.com in September 2003.

(9) *City of Dallas Water Utilities Department: "City of Dallas Water Conservation Plan," adopted by the City Council, Dallas, September 1999.

(10) *City of Fort Worth: "Water Conservation plan for the City of Fort Worth," Fort Worth, August 1999.

(11) Updates to the City of Fort Worth water conservation plan found at http://ci./fort-worth.tx.us in September 2003.

(12) *City of Fort Worth: "Emergency Water Management Plan for the City of Fort Worth," Fort Worth, August 19, 2003.

(13) HDR Engineering, Inc.: "Water Conservation and Emergency Demand Management Plan," prepared for the Tarrant Regional Water District, Austin, February 2000.

(14) Freese and Nichols, Inc.: "Water Conservation and Drought Contingency Plan," prepared for Brown County Water Improvement District No. 1, Fort Worth, August 1999.

(15) Freese and Nichols, Inc.: "Water Conservation and Drought Contingency Plan," prepared for the Sabine River Authority of Texas, Fort Worth, September 1994.

(16) HDR Engineering, Inc.: "Water Conservation and Emergency Demand Management Plan," prepared for the Tarrant Regional Water District, Austin, June 1998.

(17) HDR Engineering, Inc.: "Water Conservation Plan for the City of Corpus Christi," adopted by the City of Corpus Christi City Council, August 24, 1999.

(18) City of Houston's water conservation plan downloaded September 2003 from http://www.cityofhouston.gov

(19) City of Houston: "Ordinance N. 2001-753, Amending Chapter 47 of the Code of Ordinances Relating to Water Emergencies," Houston, August 2001.

(20) City of Houston: "Ordinance No. 98-764, Relating to Water Conservation," Houston, September 1998.

(21) City of Houston: "Water Conservation Plan," 1998.

(22) City of Houston: "Water Emergency Response Plan," Houston, July 15, 1998.

(23) City of Lubbock: "Water Conservation Plan," ordinance number 10177 adopted by the City Council in August 1999.

(24) City of El Paso Water Conservation Ordinance downloaded August 14, 2003 from http://www.epwu.org/ordinance.html

(25) San Antonio Water System: "Water Conservation and Reuse Plan," San Antonio, November 1998 with June 2002 updates.

(26) North Texas Municipal Water District: "District Policy No. 24 Water Conservation Plan Containing Drought Contingency Plan," adopted August 1999.

(27) GDS Associates, Inc.: "Water Conservation Study," prepared for the Texas Water Development Board, Fort Worth, 2002.

(28) A & N Technical Services, Inc.: "BMP Costs & Savings Study: A Guide to Data and Methods for Cost-Effectiveness Analysis of Urban Water Conservation Best Management Practices," prepared for The California Urban Water Conservation Council, Santa Monica, California, July 2000.

(29) *City of Dallas: "City of Dallas Ordinances, Chapter 49, Section 21.1," Dallas, October 1, 2001.

APPENDIX B

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES ON DROUGHT CONTINGENCY PLANS

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APPENDIX B
Texas Commission on Environmental Quality Rules on Drought Contingency Plans

Texas Administrative Code

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER B	DROUGHT CONTINGENCY PLANS
RULE §288.20	**Drought Contingency Plans for Municipal Uses by Public Water Suppliers**

(a) A drought contingency plan for a retail public water supplier, where applicable, must include the following minimum elements.

(1) Minimum requirements. Drought contingency plans must include the following minimum elements.

(A) Preparation of the plan shall include provisions to actively inform the public and affirmatively provide opportunity for public input. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the public and providing written notice to the public concerning the proposed plan and meeting.

(B) Provisions shall be made for a program of continuing public education and information regarding the drought contingency plan.

(C) The drought contingency plan must document coordination with the regional water planning groups for the service area of the retail public water supplier to ensure consistency with the appropriate approved regional water plans.

(D) The drought contingency plan must include a description of the information to be monitored by the water supplier, and specific criteria for the initiation and termination of drought response stages, accompanied by an explanation of the rationale or basis for such triggering criteria.

(E) The drought contingency plan must include drought or emergency response stages providing for the implementation of measures in response to at least the following situations:

(i) reduction in available water supply up to a repeat of the drought of record;

(ii) water production or distribution system limitations;

(iii) supply source contamination; or

(iv) system outage due to the failure or damage of major water system components (e.g., pumps).

(F) The drought contingency plan must include the specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The goals established by the entity under this subparagraph are not enforceable.

(G) The drought contingency plan must include the specific water supply or water demand management measures to be implemented during each stage of the plan including, but not limited to, the following:

(i) curtailment of non-essential water uses; and

(ii) utilization of alternative water sources and/or alternative delivery mechanisms with the prior approval of the executive director as appropriate (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).

(H) The drought contingency plan must include the procedures to be followed for the initiation or termination of each drought response stage, including procedures for notification of the public.

(I) The drought contingency plan must include procedures for granting variances to the plan.

(J) The drought contingency plan must include procedures for the enforcement of any mandatory water use restrictions, including specification of penalties (e.g., fines, water rate surcharges, discontinuation of service) for violations of such restrictions.

(2) Privately-owned water utilities. Privately-owned water utilities shall prepare a drought contingency plan in accordance with this section and incorporate such plan into their tariff.

(3) Wholesale water customers. Any water supplier that receives all or a portion of its water supply from another water supplier shall consult with that supplier and shall include in the drought contingency plan appropriate provisions for responding to reductions in that water supply.

(b) A wholesale or retail water supplier shall notify the executive director within five business days of the implementation of any mandatory provisions of the drought contingency plan.

(c) The retail public water supplier shall review and update, as appropriate, the drought contingency plan, at least every five years, based on new or updated information, such as the adoption or revision of the regional water plan.

Source Note: The provisions of this §288.20 adopted to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384.

APPENDIX C

LETTERS TO TEXAS COMMISION ON ENVIRONMENTAL QUALITY
WATER PLANNING GROUP

206

City of Rockwall
The New Horizon

Date: April 22, 2014

Region C Water Planning Group
c/o North Texas Municipal Water District
P.O. Box 2408
Wylie, TX 75098

Dear Sir:

Enclosed please find a copy of the updated Drought Contingency and Water Emergency Response Plan for the City of Rockwall of the North Texas Municipal Water District. I am submitting a copy of this plan to the Region C Water Planning Group in accordance with the Texas Water Development Board and Texas Commission on Environmental Quality rules. The City of Rockwall adopted the Drought Contingency and Water Emergency Response Plan on April 21, 2014.

Sincerely,

Rick Crowley
City Manager

City of Rockwall
The New Horizon

Date: April 22, 2014

Mr. Brett McCoy
Chair, Region D Water Planning Group
700 CR3347
Omaha, TX 75571

Dear Mr. McCoy:

Enclosed please find a copy of the updated Drought Contingency and Water Emergency Response Plan for the City of Rockwall of the North Texas Municipal Water District. I am submitting a copy of this plan to the Region C Water Planning Group in accordance with the Texas Water Development Board and Texas Commission on Environmental Quality rules. The City of Rockwall adopted the Drought Contingency and Water Emergency Response Plan on April 21, 2014.

Sincerely,

Rick Crowley
City Manager

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

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

DATE: **April 4, 2014**

SUBJECT: **Water Conservation/Drought Contingency Plan**

The Texas Commission on Environmental Quality requires every water provider to revise and submit their water conservation and drought contingency plan every five years. Our existing Drought Contingency/Water Emergency Response Plan and the Water Conservation Plan was adopted by City Council on August 3, 2009 and July 6, 2009 respectively. The staff has made minor revisions to our current plans and will submit these documents to the TCEQ by May 1, 2014 after City Council approves the ordinance.

Staff recommends City Council consideration to approve the revised Drought Contingency/Water Emergency Response Plan and Water Conservation Plan to keep the City in compliance with Texas Commission on Environmental Quality requirements.

TMT:em

Cc:

Mary Smith, Assistant City Manager
Rick Sherer, Manager of Water and Wastewater
File

CITY OF ROCKWALL

ORDINANCE NO. 14-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING ORDINANCE # 09-25 TO REPLACE "EXHIBIT A" (WATER CONSERVATION PLAN) WITH A NEW "EXHIBIT A," ATTACHED HERETO, PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR AN EFFECTVE DATE.

WHEREAS, the City Council previously adopted Ordinance # 09-25 which established a Water Conservation Plan; and

WHEREAS, the City Council has determined the need to implement certain modifications to "Exhibit A," the Water Conservation Plan, of Ordinance # 09-25 in accordance with Section 288.2 of the Texas Administrative Code.

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

SECTION 1. That "Exhibit A" of Ordinance #09-25, the City of Rockwall Water Conservation Plan, adopted by the City Council of the City of Rockwall on July 6, 2009, is hereby repealed in its entirety and a new "Exhibit A," attached hereto, is hereby adopted in its place and shall henceforth be in full force and effect;

SECTION 2. That the City Manager or his designee is hereby directed to file a copy of the Plan and this Ordinance with the Texas Commission on Environmental Quality in accordance with Title 30, Chapter 288 of the Texas Administrative Code, and said Plan meets all the requirements of Section 288.2 of the Texas Administrative Code;

SECTION 3. That if any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared void;

SECTION 4. That all ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed, and the balance of such ordinance is hereby saved from repeal;

SECTION 5. That the City Council does hereby find and declare that sufficient written notice of the date, hour, place and subject of the meeting adopting this Ordinance was posted at a designated place convenient to the public for the time required by law preceding the meeting, that such place of posting was readily accessible at all times to the general public, and that all of the foregoing was done as required by law at all times during which this Ordinance and the

subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the posting thereof.

SECTION 6. That any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty of a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense and each day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 7. That the ordinance shall be effective immediately following its second reading and publication in accordance with the City Charter.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of April, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 04-07-14

2nd Reading: 04-21-14

"EXHIBIT A"

WATER CONSERVATION PLAN

City of Rockwall

The New Horizon

MAY 2014

EXHIBIT A

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APPENDICES

APPENDIX A **List of References**

APPENDIX B **Texas Commission on Environmental Quality Rules on Municipal Water Conservation Plans**

- Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter A, Rule §288.1 – Definitions (Page B-1)
- Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter A, Rule §288.2 – Water Conservation Plans for Municipal Uses by Public Water Suppliers (Page B-4)

APPENDIX C **TCEQ Water Utility Profile**

APPENDIX D **NTMWD Member City and Customer Annual Water Conservation Report**

APPENDIX E **Irrigation Regulations**

APPENDIX F **Letters to Region D Water Planning Groups**

APPENDIX G **Service Regulation**

- Ordinance Pertaining to Illegal Water Connections and Theft of Water

APPENDIX H **TCEQ Water Conservation Implementation Report**

Water Conservation Plan for the City of Rockwall, Texas

May 2014

1. INTRODUCTION AND OBJECTIVES

Water supply has always been a key issue in the development of Texas. In recent years, the growing population and economic development of North Central Texas has led to increasing demands for water supplies. At the same time, local and less expensive sources of water supply are largely developed. Additional supplies to meet higher demands will be expensive and difficult to develop. It is therefore important that NTMWD and its Member Cities and Customer Cities make the most efficient use of existing supplies. This will delay the need for new supplies, minimize the environmental impacts associated with developing new supplies and delay the high cost of additional water supply development.

Recognizing the need for efficient use of existing water supplies, the Texas Commission on Environmental Quality (TCEQ) has developed guidelines and requirements governing the development of water conservation plans for public water suppliers. TCEQ guidelines and requirements are included in Appendix B. The best management practices established by the Water Conservation Implementation Task Force, established pursuant to SB1094 by the 78th Legislature, were also considered in the development of water conservation measures. This water conservation plan was developed following TCEQ guidelines and requirements.

This water conservation plan includes measures that are intended to result in ongoing, long-term water savings.

The objectives of this water conservation plan are as follows:

- To reduce water consumption from the levels that would prevail without conservation efforts
- To reduce the loss and waste of water
- To improve efficiency in the use of water
- To document the level of recycling and reuse in the water supply
- To extend the life of current water supplies by reducing the rate of growth and demand

This Water Conservation Plan for the City of Rockwall, Texas applies to all use of the City of Rockwall's water supply.

This plan includes all of the elements required by TCEQ.

2. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES

The TCEQ rules governing development of water conservation plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 of the Texas Administrative Code, which is included in Appendix B. For the purpose of these rules, a water conservation plan is defined as "A strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water and for preventing the pollution of water." The elements in the TCEQ water conservation rules covered in this Conservation Plan are listed below.

Minimum Conservation Plan Requirements

The minimum requirements in the Texas Administrative Code for Water Conservation Plans for Public Water Suppliers are covered in this report as follows:

- 288.2(a)(1)(A) – Utility Profile – Section 3 and Appendix C
- 288.2(a)(1)(B) – Specification of Goals – Section 4
- 288.2(a)(1)(C) – Specific, Quantified Goals – Section 4
- 288.2(a)(1)(D) – Accurate Metering – Sections 5.1 and 5.2
- 288.2(a)(1)(E) – Universal Metering – Section 5.2
- 288.2(a)(1)(F) – Determination and Control of Unaccounted Water – Section 5.4
- 288.2(a)(1)(G) – Public Education and Information Program – Section 6
- 288.2(a)(1)(H) – Non-Promotional Water Rate Structure – Section 7
- 288.2(a)(1)(I) – Reservoir System Operation Plan – Section 8.1
- 288.2(a)(1)(J) – Means of Implementation and Enforcement – Section 9
- 288.2(a)(1)(K) – Coordination with Regional Water Planning Group – Section 8.7 and Appendix F
- 288.2(c) – Review and Update of Plan – Section 10

Conservation Plan Additional Requirements (Population over 5,000)

The Texas Administrative Code includes additional requirements for water conservation plans for drinking water supplies serving a population over 5,000:

- 288.2(a)(2)(A) – Leak Detection, Repair and Water Loss Accounting – Sections 5.4, 5.5, and 5.6
- 288.2(a)(2)(B) – Record Management System – Section 5.3

- 288.2(a)(2)(C) – Requirement for Water Conservation Plans by Wholesale Customers – Section 8.6

Additional Conservation Strategies

The TCEQ requires that a water conservation implementation report be completed and submitted on an annual basis. This report is included in Appendix H.

In addition to the TCEQ required water conservation strategies, NTMWD also requires the following strategy to be included in Member City and Customer City plans:

- 288.2(a)(3)(F) – Irrigation Ordinance – Section 8.4 and Appendix E

TCEQ rules also include optional, not required, conservation strategies, which may be adopted by suppliers. The NTMWD recommends that the following strategies be included in the Member City and Customer City plans:

- 288.2(a)(3)(A) – Conservation Oriented Water Rates – Section 7
- 288.2(a)(3)(B) – Ordinances, Plumbing Codes or Rules on Water-Conserving Fixtures – Section 8.3
- 288.2(a)(3)(C) – Replacement or Retrofit of Water-Conserving Plumbing Fixtures – Section 8.5
- 288.2(a)(3)(D) – Reuse and Recycling of Wastewater – Section 8.2
- 288.2(a)(3)(F) – Irrigation Ordinance – Section 8.5 and Appendix E
- 288.2(a)(3)(G) – Monitoring Method – Section 5.6
- 288.2(a)(3)(H) – Additional Conservation Ordinance Provisions – Section 8.5

3. WATER UTILITY PROFILE

Appendix C to this Water Conservation Plan is a sample water utility profile based on the format recommended by TCEQ. In adopting this Water Conservation Plan, the City of Rockwall will provide a draft water utility profile to NTMWD for review and comment. A final water utility profile will be provided to NTMWD.

4. SPECIFICATIONS OF WATER CONSERVATION GOALS

The goals for this Water Conservation Plan include the following:

- Maintain the per capita municipal water use below the specified amount in gallons per capita per day in a dry year, as shown in Table 4.1.
- Maintain the level (gpcd) of unaccounted water in the system below 12 percent annually in 2009 and subsequent years, as discussed in Section 5.4. The 12 percent goal for unaccounted water is recommended, but is not required.
- Implement and maintain a program of universal metering and meter replacement and repair, as discussed in Section 5.2.
- Increase efficient water usage through a water conservation ordinance, as discussed in Section 8.4 and Appendix E. This ordinance is required by NTMWD.
- Decrease waste in lawn irrigation by implementation and enforcement of landscape water management regulations, as discussed in Section 8.5.
- Raise public awareness of water conservation and encourage responsible public behavior through a public education and information program, as discussed in Section 6.
- Develop a system specific strategy to conserve water during peak demands, thereby reducing the peak use.

Table 4.1
Five-Year and Ten-Year Municipal Per Capita Water Use Goals (gpcd)

Description	Current Average (gpcd)	5-Year Goal (gpcd)	10-Year Goal (gpcd)
Current 5-Year Average Total Per Capita Use with Credit for Reuse	166	160	157
Current 5-Year Average Residential Per Capita Use	110	105	102
Water Loss (GPCD)1	6	8	9
Water Loss (Percentage)2	3.8	5	6
Expected Reduction due to Low-Flow Plumbing Fixtures	———	3	5
Projected Reduction Due to Elements in this Plan	———	2	4
Water Conservation Goals (with credit for reuse)	———	163	157

5. METERING, WATER USE RECORDS, CONTROL OF UNACCOUNTED WATER AND LEAK DETECTION AND REPAIR

One of the key elements of water conservation is tracking water use and controlling loss through illegal diversions and leaks. It is important to carefully meter water use, detect and repair leaks in the distribution system and provide regular monitoring of unaccounted water.

5.1 Accurate Metering of Treated Water Deliveries from NTMWD

Water deliveries from NTMWD are metered by NTMWD using meters with accuracy of ±2%. These meters are calibrated on a monthly basis by NTMWD to maintain the required accuracy.

5.2 Metering of Customer and Public Uses and Meter Testing, Repair and Replacement

The provision of water to all customers, including public and governmental users, will continue to be metered by the City of Rockwall. The City of Rockwall will test and replace their residential customers' meters on a regular basis. Additionally, large meters will be regularly tested and either repaired or replaced when their flow is more than a 3 percent difference from actual flow.

5.3 Record Management System

As required by TAC Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2(a)(2)(B), a record management system should allow for the separation of water sales and uses into residential, commercial, public/institutional, and industrial categories. This information will be included in an annual water conservation report, as described in Section 5.6.

5.4 Determination and Control of Unaccounted Water

Unaccounted water is the difference between water delivered to Rockwall from NTMWD and metered water sales to customers plus authorized but unmetered uses. Authorized but unmetered uses would include use for fire fighting, releases for flushing of lines, uses associated with new construction, etc. Unaccounted water can include several categories:

- Inaccuracies in customer meters. Customer meters tend to run slower as they age and under-report actual use.
- Meters which are being used but have not yet been added to the billing system.
- Losses due to water main breaks and leaks in the water distribution system.
- Losses due to illegal connections and theft. (Included in Appendix G.)

Measures to control unaccounted water should be part of the routine operations of the City of Rockwall. Maintenance crews and personnel will look for and report evidence of leaks in the water distribution system. A leak detection and repair program is described in Section

5.5 below. Meter readers will watch for and report signs of illegal connections, so they can be quickly addressed.

Unaccounted water will be calculated in accordance with the provisions in Appendix C. With the measures described in this plan, Rockwall will maintain unaccounted water below 12 percent in 2009 and subsequent years. If unaccounted water exceeds this goal, the City of Rockwall will implement a more intensive audit to determine the source(s) of and reduce the unaccounted water. The annual conservation report described in Section 5.6 is the primary tool that will be used to monitor unaccounted water.

5.5 Leak Detection and Repair

As described above, city crews and personnel will look for and report evidence of leaks in the water distribution systems. Areas of the water distribution system, in which numerous leaks and line breaks occur, will be targeted for replacement as funds are available.

5.6 Monitoring of Effectiveness and Efficiency - Annual Water Conservation Report

Appendix D is the form that will be used in the development of an annual water conservation report by the City of Rockwall. This form will be completed by March 31 of the following year and used to monitor the effectiveness and efficiency of the water conservation program and to plan conservation-related activities for the next year. The form records the water use by category, per capita municipal use and unaccounted water for the current year and compares them to historical values. The annual water conservation report will be sent to NTMWD, which will monitor NTMWD Member Cities' and Customers Cities' water conservation trends.

5.7 Water Conservation Implementation Report

Appendix H includes the TCEQ-required water conservation implementation report. The report is due to the TCEQ by May 1 of every year, starting in the year 2010. This report will list the various water conservation strategies that have been implemented, including the date the strategy was implemented. The report also calls for the five-year and ten-year per capita water use goals from the previous water conservation plan. The city will answer whether or not these goals have been met and, if not, why not. The amount of water saved is also requested.

6. CONTINUING PUBLIC EDUCATION AND INFORMATION CAMPAIGN

The continuing public education and information campaign on water conservation includes the following elements:

- Utilize the "Water IQ: Know Your Water" and other public education materials produced by NTMWD.
- Insert water conservation information with water bills. Inserts will include material developed by the City of Rockwall and material obtained from the TWDB, the TCEQ and other sources.
- Encourage local media coverage of water conservation issues and the importance of water conservation.
- Notify local organizations, schools and civic groups that the City of Rockwall staff and staff of the NTMWD are available to make presentations on the importance of water conservation and ways to save water.
- Promote the *Texas Smartscape* web site (www.txsmartscape.com) and provide water conservation brochures and other water conservation materials available to the public at City Hall and other public places.
- Make information on water conservation available on the City's website and include links to the "Water IQ: Know Your Water" website, *Texas Smartscape* website and the TWDB and TCEQ web sites.

7. WATER RATE STRUCTURE

The City of Rockwall will continue to bill customers using an increasing block rate water structure that is intended to encourage water conservation and discourage excessive use and waste of water.

The following monthly rates are hereby established and shall be collected for water and wastewater services billed by the City:

	Meter Size	Water Rates	Wastewater Rates
Monthly Minimum Bills:			
Residential	0.75	$ 12.16	$ 13.35
	1.00	12.16	13.35
	1.50	12.16	13.35
	2.00	12.16	13.35
Non-residential:	0.75	$ 13.35	$ 13.35
	1.00	15.62	15.62
	1.50	18.15	18.15
	2.00	22.89	22.89
	3.00	32.45	32.45
	4.00	41.95	41.95
	6.00	51.45	51.45
Irrigation Meters:	0.75	$ 13.35	$ N/A
	1.00	15.62	N/A
	1.50	18.15	N/A
	2.00	22.89	N/A
	3.00	32.45	N/A
	4.00	41.95	N/A
	6.00	51.45	N/A
Rate per TH Gallons – Water:	Residential 2,001- 12,000 gallons	$ 3.07	$ N/A
	Residential over 12,000 gallons	5.37	N/A
	Irrigation over 2,000 gallons	5.37	N/A
	Non-residential over 2,000 gallons	4.61	N/A
	Wholesale Contract Rate	3.38	N/A
Rate per TH Gallons – Wastewater		N/A	2.32

8. OTHER WATER CONSERVATION MEASURES

8.1 NTMWD System Operation Plan

Member Cities and Customers of NTMWD purchase treated water from NTMWD and do not have surface water supplies for which to implement a system operation plan. NTMWD's permits do allow some coordinated operation of its water supply sources, and NTMWD is seeking additional water rights for coordinated operation to optimize its available water supplies.

8.2 Reuse and Recycling of Wastewater

Most Member Cities and Customer Cities do not own and operate their own wastewater treatment plants. Their wastewater is treated by NTMWD. NTMWD currently has the largest wastewater reuse program in the state. NTMWD has water rights allowing reuse of up to 71,882 acre-feet per year of this treated wastewater through Lake Lavon for municipal purposes. In addition, NTMWD has also developed the East Fork Raw Water Supply Project which can divert up to 157,393 acre-feet per year based on treated wastewater discharges by NTMWD. When fully developed, these two reuse projects will provide up to 44 percent of NTMWD's currently permitted water supplies. NTMWD also provides treated effluent from its wastewater treatment plants available for direct reuse for landscape irrigation and industrial use.

The City of Rockwall has a contract agreement with NTMWD to operate the wastewater treatment plants. NTMWD selects reuse arrangements for recycled wastewater effluent.

8.3 Ordinances, Plumbing Codes, or Rules on Water-Conserving Fixtures

The state has required water-conserving fixtures in new construction and renovations since 1992. The state standards call for flows of no more than 2.5 gallons per minute (gpm) for faucets, 3.0 gpm for showerheads, and 1.6 gallons per flush for toilets. Similar standards are now required nationally under federal law. These state and federal standards assure that all new construction and renovations will use water-conserving fixtures.

8.4 Landscape Water Management Measures (Required)

The following landscape water management measures are adopted by the City of Rockwall.

- Time of day restrictions prohibiting lawn irrigation watering from 10 AM to 6 PM beginning April 1st and ending October 31st of each year.
- Prohibition of watering of impervious surfaces, as provided by the Irrigation Ordinance 09-13, Article 14, Section 6 of the Code of Ordinances. Wind driven water drift will be taken into consideration.
- Prohibition of outdoor watering during rain or freeze events.
- Lawn and landscape irrigation limited to twice per week, except for irrigation systems installed with an evapo-transpiration controller or the use of a water hose

with a shut-off nozzle, and for establishment of new lawn and landscaping for a period of 30 days or as approved in writing by the City of Rockwall.

- Rain and freeze sensors and/or evapo-transpiration controllers must be maintained to function properly.
- At home and fundraising car washing can be done only when using a water hose with a shut-off nozzle.

8.5 Additional Water Conservation Measures (Not Required)

In addition, the City of Rockwall recommends the following measures:

- Retrofit existing irrigation systems with rain and freeze sensors or evapo-transpiration capable of multiple programming.
- Prohibition planting or watering areas that have been overseeded with cool season grasses (such as rye grass or other similar grasses), except for golf courses and public athletic fields.
- Rehabilitate poorly maintained irrigation systems that waste water to comply with the current Irrigation Ordinance.
- Install separate zones for areas adjacent to athletic fields.
- Plant only native, drought tolerant or adaptive plants.
- Install drip irrigation systems, when applicable.
- Water audits should be performed to find ways in which water can be used more efficiently at a specific location.

8.6 Requirement for Water Conservation Plans by Wholesale Customers

Every contract for the wholesale sale of water by the City of Rockwall that is entered into, renewed or extended after the adoption of this water conservation plan will include a requirement that the wholesale customer and any wholesale customers of that wholesale customer develop and implement a water conservation plan meeting the requirements of Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 of the Texas Administrative Code.

8.7 Coordination with Regional Water Planning Group and NTMWD

Appendix F includes a letter to be sent to the Chair of the Region C Water Planning Group with this Water Conservation Plan. Rockwall will send a copy of their draft ordinance implementing the plan and their water utility profile to NTMWD for review and comment. The adopted ordinance and the adopted water utility profile will be sent to the Chair of the Region C Water Planning Group and to NTMWD.

9. IMPLEMENTATION AND ENFORCEMENT OF THE WATER CONSERVATION PLAN

Appendix E contains a copy of the Irrigation Ordinance, which includes information about enforcement. Appendix G includes a copy of the ordinance that has been adopted related to illegal connections and water theft.

10. REVIEW AND UPDATE OF WATER CONSERVATION PLAN

TCEQ requires that the water conservation plans be updated every five years or as required and appropriate based on new or updated information.

Appendix A
List of References

(1) Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter A, Rules 288.1 and 288.2, downloaded from http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=288, July 2007.

(2) Water Conservation Implementation Task Force: "Texas Water Development Board Report 362, Water Conservation Best Management Practices Guide," prepared for the Texas Water Development Board, Austin, November 2004.

(3) Freese and Nichols, Inc.: *North Texas Municipal Water District Water Conservation and Drought Contingency/Water Emergency Response Plan*, prepared for the North Texas Municipal Water District, Fort Worth, March 2008.

The following conservation and drought contingency plans and related documents were reviewed in the development of this plan. References marked with a * were used heavily in the development of this plan.

(4) Edward Motley, Marisa Vergara, Tom Gooch, and Stephanie Griffin: Memorandum to File on "Region C Municipal Water Use Projections Adopted on August 18, 2003," Fort Worth, August 21, 2003.

(5) City of Austin Water Conservation Division: "City of Austin Water Drought Contingency Plan, Developed to Meet Senate Bill 1 Regulatory Requirements," Austin, August 1999.

(6) City of Austin Water Conservation Division: "City of Austin Water Conservation Plan, Developed to Meet Senate Bill 1 Regulatory Requirements," Austin, August 1999.

(7) Upper Trinity Regional Water District: "Water Conservation Plan and Emergency Water Demand Management Plan," adopted by the Board of Directors, Lewisville, August 5, 1999.

(8) Upper Trinity Regional Water District: "Water Conservation Plan and Emergency Water Demand Management Plan (2002 Amended)," adopted by the Board of Directors, Lewisville, February 2002.

(9) *City of Dallas Water Utilities Department: "City of Dallas Water Management Plan," adopted by the City Council, Dallas, September 1999.

(10) Updates to City of Dallas Water Management Plan found at http://www.dallascityhall.com in September 2003.

(11) *City of Dallas Water Utilities Department: "City of Dallas Water Conservation Plan," adopted by the City Council, Dallas, September 1999.

(12) *City of Fort Worth: "Water Conservation plan for the City of Fort Worth," Fort Worth, August 1999.

(13) Updates to the City of Fort Worth water conservation plan found at http://ci./fort-worth.tx.us in September 2003.

(14) *City of Fort Worth: "Emergency Water Management Plan for the City of Fort Worth," Fort Worth, August 19, 2003.

(15) HDR Engineering, Inc.: "Water Conservation and Emergency Demand Management Plan," prepared for the Tarrant Regional Water District, Austin, February 2000.

(16) Freese and Nichols, Inc.: "Water Conservation and Drought Contingency Plan," prepared for Brown County Water Improvement District No. 1, Fort Worth, August 1999.

(17) Freese and Nichols, Inc.: "Water Conservation and Drought Contingency Plan," prepared for the Sabine River Authority of Texas, Fort Worth, September 1994.

(18) HDR Engineering, Inc.: "Water Conservation and Emergency Demand Management Plan," prepared for the Tarrant Regional Water District, Austin, June 1998.

(19) HDR Engineering, Inc.: "Water Conservation Plan for the City of Corpus Christi," adopted by the City of Corpus Christi City Council, August 24, 1999.

(20) City of Houston's water conservation plan downloaded September 2003 from http://www.cityofhouston.gov

(21) City of Houston: "Ordinance N. 2001-753, Amending Chapter 47 of the Code of Ordinances Relating to Water Emergencies," Houston, August 2001.

(22) City of Houston: "Ordinance No. 98-764, Relating to Water Conservation," Houston, September 1998.

(23) City of Houston: "Water Conservation Plan," 1998.

(24) City of Houston: "Water Emergency Response Plan," Houston, July 15, 1998.

(25) City of Lubbock: "Water Conservation Plan," ordinance number 10177 adopted by the City Council in August 1999.

(26) City of El Paso Water Conservation Ordinance downloaded August 14, 2003 from http://www.epwu.org/ordinance.html

(27) San Antonio Water System: "Water Conservation and Reuse Plan," San Antonio, November 1998 with June 2002 updates.

(28) North Texas Municipal Water District: "District Policy No. 24 Water Conservation Plan Containing Drought Contingency Plan," adopted August 1999.

(29) GDS Associates, Inc.: "Water Conservation Study," prepared for the Texas Water Development Board, Fort Worth, 2002.

(30) A & N Technical Services, Inc.: "BMP Costs & Savings Study: A Guide to Data and Methods for Cost-Effectiveness Analysis of Urban Water Conservation Best Management Practices," prepared for The California Urban Water Conservation Council, Santa Monica, California, July 2000.

(31) *City of Dallas: “City of Dallas Ordinances, Chapter 49, Section 21.1,” Dallas, October 1, 2001.

APPENDIX B
Texas Commission on Environmental Quality Rules
on Municipal Water Conservation Plans

Texas Administrative Code

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER A	WATER CONSERVATION PLANS
RULE §288.1	**Definitions**

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Agricultural or Agriculture--Any of the following activities:

(A) cultivating the soil to produce crops for human food, animal feed, or planting seed or for the production of fibers;

(B) the practice of floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or non-soil media by a nursery grower;

(C) raising, feeding, or keeping animals for breeding purposes or for the production of food or fiber, leather, pelts, or other tangible products having a commercial value;

(D) raising or keeping equine animals;

(E) wildlife management; and

(F) planting cover crops, including cover crops cultivated for transplantation, or leaving land idle for the purpose of participating in any governmental program or normal crop or livestock rotation procedure.

(2) Agricultural use--Any use or activity involving agriculture, including irrigation.

(3) Conservation--Those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or increase the recycling and reuse of water so that a water supply is made available for future or alternative uses.

(4) Drought contingency plan--A strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies. A drought contingency plan may be a separate document identified as such or may be contained within another water management document(s).

(5) Industrial use--The use of water in processes designed to convert materials of a lower

order of value into forms having greater usability and commercial value, commercial fish production, and the development of power by means other than hydroelectric, but does not include agricultural use.

(6) Irrigation--The agricultural use of water for the irrigation of crops, trees, and pastureland, including, but not limited to, golf courses and parks which do not receive water through a municipal distribution system.

(7) Irrigation water use efficiency--The percentage of that amount of irrigation water which is beneficially used by agriculture crops or other vegetation relative to the amount of water diverted from the source(s) of supply. Beneficial uses of water for irrigation purposes include, but are not limited to, evapotranspiration needs for vegetative maintenance and growth, salinity management, and leaching requirements associated with irrigation.

(8) Mining use--The use of water for mining processes including hydraulic use, drilling, washing sand and gravel, and oil field repressuring.

(9) Municipal per capita water use--The sum total of water diverted into a water supply system for residential, commercial, and public and institutional uses divided by actual population served.

(10) Municipal use--The use of potable water within or outside a municipality and its environs whether supplied by a person, privately owned utility, political subdivision, or other entity as well as the use of sewage effluent for certain purposes, including the use of treated water for domestic purposes, fighting fires, sprinkling streets, flushing sewers and drains, watering parks and parkways, and recreational purposes, including public and private swimming pools, the use of potable water in industrial and commercial enterprises supplied by a municipal distribution system without special construction to meet its demands, and for the watering of lawns and family gardens.

(11) Municipal use in gallons per capita per day--The total average daily amount of water diverted or pumped for treatment for potable use by a public water supply system. The calculation is made by dividing the water diverted or pumped for treatment for potable use by population served. Indirect reuse volumes shall be credited against total diversion volumes for the purpose of calculating gallons per capita per day for targets and goals.

(12) Nursery grower--A person engaged in the practice of floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or nonsoil media, who grows more than 50% of the products that the person either sells or leases, regardless of the variety sold, leased, or grown. For the purpose of this definition, grow means the actual cultivation or propagation of the product beyond the mere holding or maintaining of the item prior to sale or lease, and typically includes activities associated with the production or multiplying of stock such as the development of new plants from cuttings, grafts, plugs, or seedlings.

(13) Pollution--The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property, or to the

public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

(14) Public water supplier--An individual or entity that supplies water to the public for human consumption.

(15) Regional water planning group--A group established by the Texas Water Development Board to prepare a regional water plan under Texas Water Code, §16.053.

(16) Retail public water supplier--An individual or entity that for compensation supplies water to the public for human consumption. The term does not include an individual or entity that supplies water to itself or its employees or tenants when that water is not resold to or used by others.

(17) Reuse--The authorized use for one or more beneficial purposes of use of water that remains unconsumed after the water is used for the original purpose of use and before that water is either disposed of or discharged or otherwise allowed to flow into a watercourse, lake, or other body of state-owned water.

(18) Water conservation plan--A strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water. A water conservation plan may be a separate document identified as such or may be contained within another water management document(s).

(19) Wholesale public water supplier--An individual or entity that for compensation supplies water to another for resale to the public for human consumption. The term does not include an individual or entity that supplies water to itself or its employees or tenants as an incident of that employee service or tenancy when that water is not resold to or used by others, or an individual or entity that conveys water to another individual or entity, but does not own the right to the water which is conveyed, whether or not for a delivery fee.

Source Note: The provisions of this §288.1 adopted to be effective May 3, 1993, 18 TexReg 2558; amended to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective August 15, 2002, 27 TexReg 7146, amended to be effective October 7, 2004, 29 TexReg 9384.

Texas Administrative Code

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER A	WATER CONSERVATION PLANS
RULE §288.2	**Water Conservation Plans for Municipal Uses by Public Water Suppliers**

(a) A water conservation plan for municipal water use by public water suppliers shall provide information in response to the following. If the plan does not provide information for each requirement, the public water supplier shall include in the plan an explanation of why the requirement is not applicable.

(1) Minimum requirements. All water conservation plans for municipal uses by public drinking water suppliers must include the following elements:

(A) a utility profile including, but not limited to, information regarding population and customer data, water use data, water supply system data, and wastewater system data;

(B) until May 1, 2005, specification of conservation goals including, but not limited to, municipal per capita water use goals, the basis for the development of such goals, and a time frame for achieving the specified goals;

(C) beginning May 1, 2005, specific, quantified five-year and ten-year targets for water savings to include goals for water loss programs and goals for municipal use, in gallons per capita per day. The goals established by a public water supplier under this subparagraph are not enforceable;

(D) metering device(s), within an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the source of supply;

(E) a program for universal metering of both customer and public uses of water, for meter testing and repair, and for periodic meter replacement;

(F) measures to determine and control unaccounted-for uses of water (for example, periodic visual inspections along distribution lines; annual or monthly audit of the water system to determine illegal connections; abandoned services; etc.);

(G) a program of continuing public education and information regarding water conservation;

(H) a water rate structure which is not "promotional," i.e., a rate structure which is cost-based and which does not encourage the excessive use of water;

(I) a reservoir systems operations plan, if applicable, providing for the

coordinated operation of reservoirs owned by the applicant within a common watershed or river basin in order to optimize available water supplies; and

(J) a means of implementation and enforcement which shall be evidenced by:

(i) a copy of the ordinance, resolution, or tariff, indicating official adoption of the water conservation plan by the water supplier; and

(ii) a description of the authority by which the water supplier will implement and enforce the conservation plan; and

(K) documentation of coordination with the regional water planning groups for the service area of the public water supplier in order to ensure consistency with the appropriate approved regional water plans.

(2) Additional content requirements. Water conservation plans for municipal uses by public drinking water suppliers serving a current population of 5,000 or more and/or a projected population of 5,000 or more within the next ten years subsequent to the effective date of the plan must include the following elements:

(A) a program of leak detection, repair, and water loss accounting for the water transmission, delivery, and distribution system in order to control unaccounted-for uses of water;

(B) a record management system to record water pumped, water deliveries, water sales, and water losses which allows for the desegregation of water sales and uses into the following user classes:

(i) residential;

(ii) commercial;

(iii) public and institutional; and

(iv) industrial;

(C) a requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan (by either ordinance, resolution, or tariff), and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell the water, then the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of this chapter.

(3) Additional conservation strategies. Any combination of the following strategies shall be selected by the water supplier, in addition to the minimum requirements in paragraphs (1) and (2) of this subsection, if they are necessary to achieve the stated water conservation goals of the plan. The commission may require that any of the following strategies be implemented by the water supplier if the commission determines that the strategy is necessary to achieve the goals of the

water conservation plan:

(A) conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;

(B) adoption of ordinances, plumbing codes, and/or rules requiring water-conserving plumbing fixtures to be installed in new structures and existing structures undergoing substantial modification or addition;

(C) a program for the replacement or retrofit of water-conserving plumbing fixtures in existing structures;

(D) reuse and/or recycling of wastewater and/or graywater;

(E) a program for pressure control and/or reduction in the distribution system and/or for customer connections;

(F) a program and/or ordinance(s) for landscape water management;

(G) a method for monitoring the effectiveness and efficiency of the water conservation plan; and

(H) any other water conservation practice, method, or technique which the water supplier shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

(b) A water conservation plan prepared in accordance with 31 TAC §363.15 (relating to Required Water Conservation Plan) of the Texas Water Development Board and substantially meeting the requirements of this section and other applicable commission rules may be submitted to meet application requirements in accordance with a memorandum of understanding between the commission and the Texas Water Development Board.

(c) Beginning May 1, 2005, a public water supplier for municipal use shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information. The public water supplier for municipal use shall review and update the next revision of its water conservation plan not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group.

Source Note: The provisions of this §288.2 adopted to be effective May 3, 1993, 18 TexReg 2558; amended to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384.

APPENDIX C

TCEQ WATER UTILITY PROFILE

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Texas Commission on Environmental Quality

UTILITY PROFILE AND WATER CONSERVATION PLAN REQUIREMENTS FOR MUNICIPAL WATER USE BY RETAIL PUBLIC WATER SUPPLIERS

This form is provided to assist retail public water suppliers in water conservation plan development. If you need assistance in completing this form or in developing your plan, please contact the conservation staff of the Resource Protection Team in the Water Availability Division at (512) 239-4691.

Name:	City of Rockwall	
Address:	385 S. Goliad Street, Rockwall, TX 75087	
Telephone Number:	(972) 771-7736	Fax: (972) 771-7728
Water Right No.(s):	NA	
Regional Water Planning Group:	Region C	
Form Completed by:	Kay Roberson, Utility Billing Supervisor	
	Rick Sherer, Water/Wastewater Manager	
Person responsible for implementing conservation program:	Rick Crowley	Phone: (972) 771-7700
Signature:		Date:

NOTE: If the plan does not provide information for each requirement, include an explanation of why the requirement is not applicable.

UTILITY PROFILE

I. POPULATION AND CUSTOMER DATA

A. *Population and Service Area Data*

1. Attach a copy of your service-area map and, if applicable, a copy of your Certificate of Convenience and Necessity (CCN). <attached>

2. Service area size (in square miles): 20.91

   (Please attach a copy of service-area map) <attached>

3. Current population of service area: 39,714 (entire Rockwall 40,448)

4. Current population served for:

   a. Water 39,714

   b. Wastewater 39,231

5. Population served for previous five years:

Year	*Population*
2009	31,369
2010	34,316
2011	36,756
2012	37,556
2013	39,714

6. Projected population for service area in the following decades:

Year	*Population*
2020	52,947
2030	61,169
2040	69,267
2050	69,267
2060	69,267

7. List source or method for the calculation of current and projected population size.

   The population counts were derived from roof-top counts, local permitting records, and verified multi-family occupancies; the study was performed in 2013 by the City of Rockwall Planning and GIS Departments. It was an assumption based on model. GIS data sources were from the City of Rockwall and TCEQ GIS data.

B. *Customers Data*

Senate Bill 181 requires that uniform consistent methodologies for calculating water use and conservation be developed and available to retail water providers and certain other water use sectors as a guide for preparation of water use reports, water conservation plans, and reports on water conservation efforts. A water system must provide the most detailed level of customer and water use data available to it, however, any new billing system purchased must be capable of reporting data for each of the sectors listed below. http://www.tceq.texas.gov/assets/public/permitting/watersupply/water_rights/sb181_guidance.pdf

1. Current number of active connections. Check whether multi-family service is counted as ☒ Residential or ☐ Commercial?

Treated Water Users	*Metered*	*Non-Metered*	**Totals**
Residential	13,302	0	13,302
Single-Family	13,159	0	13,159
Multi-Family	143	0	143
Commercial	1,106	0	1.106
Industrial/Mining	15	0	15
Institutional	225	0	225
Agriculture	0	0	0
Other/Wholesale	3	3	3

2. List the number of new connections per year for most recent three years.

Year	2013	2012	2011
Treated Water Users			
Residential	1,095	309	192
Single-Family	1,095	309	192
Multi-Family	0	N/A	N/A
Commercial	42	115	50
Industrial/Mining	0	1	0
Institutional	16	4	4
Agriculture	0	0	0
Other/Wholesale	0	0	0

3. List of annual water use for the five highest volume customers.

	Customer	*Use (1,000 gal/year)*	*Treated or Raw Water*
1.	City of Rockwall	49,645/2013	Treated
2.	Rockwall ISD	40,376/2013	Treated
3.	Mansions of Rockwall	28,801/2013	Treated
4.	D.W.C./Highlife Properties	16,359/2013	Treated
5.	Walden Residential Properties	12,444/2013	Treated

II. WATER USE DATA FOR SERVICE AREA

A. *Water Accounting Data*

1. List the amount of water use for the previous five years (in 1,000 gallons). Indicate whether this is ☐ diverted or ☒ treated water.

Year	2013	2012	2011	2010	2009
Month					
January	109,732	88,755	106,345	110,314	115,534
February	124,696	80,356	94,477	89,391	123,450
March	117,578	85,300	105,987	83,729	113,371
April	124,390	121,520	186,279	136,117	128,654
May	186,570	135,717	153,206	154,857	258,878
June	154,091	213,783	267,459	229,645	180,798
July	245,528	224,833	288,849	291,491	260,502
August	220,315	274,981	367,451	317,154	267,976
September	238,196	291,542	450,693	316,769	215,366
October	197,972	188,469	239,975	221,198	150,971
November	169,855	168,339	152,837	148,226	137,522
December	110,696	172,958	114,826	148,184	98,680
Totals	1,999,586	2,046,560	2,528,388	2,247,080	2,051,705

Describe how the above figures were determine (e.g, from a master meter located at the point of a diversion from the source, or located at a point where raw water enters the treatment plant, or from water sales).

Water Sales

2. Amount of water (in 1,000 gallons) delivered/sold as recorded by the following account types for the past five years.

Year	2013	2012	2011	2010	2009
Account Types					
Residential	1,513,709	1,449,279	1,733,086	1,580,082	1,460,752
Single-Family	1,412,770	1,449,279	1,733,086	1,580,082	1,460,752
Multi-Family	100,939				
Commercial	413,679	450,346	659,015	549,483	493,762
Industrial/Mining	3,835	5,644	7,380	6,676	5,370
Institutional	68,361	89,958	128,906	110,837	91,820
Agriculture					
Other/Wholesale	806,750	975,049	1,162,375	1,006,669	876,786

3. List the previous records for water loss for the past five years (the difference between water diverted or treated and water delivered or sold).

Year	*Amount (gallons)*	*Percent %*
2013	88,885	3%
2012	209,042	6%
2011	38,264	1%
2010	174,825	5%
2009	21,670	1%

B. Projected Water Demands

Tables 1 and 2 below show projected population and demands for Rockwall and its customers from the Region C Water Planning group from the current round of regional water planning (to be used in the *2016 Region C Water Plan*). Interpolating between projected 2020 and 2030 demands, the projected 2024 (ten year) demand for Rockwall and its customers would be 15,732 acre-feet per year.

Table 1 – Projected Region C Population for Rockwall and Customers

	Population					
	2020	**2030**	**2040**	**2050**	**2060**	**2070**
Rockwall	47,474	59,732	73,669	87,768	103,514	120,202
Heath	12,107	24,300	24,300	24,300	24,300	24,300
Rockwall County Other (75%)	2,645	2,645	2,645	2,645	9,000	15,000
TOTAL	62,226	86,677	100,614	114,713	136,814	159,502

Table 2 – Projected Region C Demands for Rockwall and Customers

	Demand in Acre-Feet					
	2020	**2030**	**2040**	**2050**	**2060**	**2070**
Rockwall	8,914	11,049	13,526	16,057	18,911	21,947
Heath	3,945	7,839	7,826	7,818	7,816	7,815
Rockwall County-Other (75%)	426	423	422	420	1,415	2,354
Rockwall County Manufacturing (100%)	35	40	45	50	55	61
Total	**13,320**	**19,351**	**21,819**	**24,345**	**28,197**	**32,177**

III. WATER SUPPLY SYSTEM DATA

A. Water Supply Sources

List all current water supply sources and the amounts authorized (in acre feet) with each.

Water Type	*Source*	*Amount Authorized*
Surface Water	North Texas Municipal Water District	33.4 MGD
Groundwater		
Contracts		
Other		

B. Treatment and Distribution System

1. Design daily capacity of system (MGD): Distribution system 14.6 MGD

2. Storage capacity (MGD):

   a. Elevated 5 MGD

   b. Ground 7 MGD

3. If surface water, do you recycle filter backwash to the head of the plant?

   ☐ Yes ☐ No If yes, approximate amount (MGD): The City of Rockwall purchases water from North Texas Municipal water district.

IV. WASTEWATER SYSTEM DATA

A. Wastewater System Data (if applicable)

1. Design capacity of wastewater treatment plant(s) (MGD):

   - Buffalo Creek WWTP – 2.25 MGD
   - Squabble Creek WWTP – 1.20 MGD
   - *South Mesquite Regional WWTP – 33.0 MGD

     * Only a portion of Rockwall's wastewater is diverted to the South Mesquite Regional WWTP for treatment

2. Treated effluent is used for ☐ on-site irrigation, ☒ off-site irrigation, for ☒ plant wash-down, and/or for ☒ chlorination/dechlorination.

   If yes, approximate amount (in gallons per month): 5,200,000 gallons

3. Briefly describe the wastewater system(s) of the area serviced by the water utility. Describe how treated wastewater is disposed. Where applicable, identify treatment plant(s) with the TCEQ name and number, the operator, owner, and the receiving stream if wastewater is discharged.

- **Buffalo Creek WWTP** - TCEQ ID – WQ12047-001 – NTMWD – Owner/Operator: The solids generated from the treatment process are collected and disposed at NTMWD's 121 Landfill in Melissa, Texas. The Treated effluent is discharged into Buffalo Creek a tributary of the East Fork of the Trinity River.

- **Squabble Creek WWTP** - TCEQ ID – WQ10262-001– NTMWD – Owner/Operator: The solids generated from the treatment process are collected and disposed at NTMWD's 121 Landfill in Melissa, Texas. The Treated effluent is discharged into Squabble Creek a tributary of Lake Ray Hubbard.

- **South Mesquite Creek WWTP -** TCEQ ID – WQ10221-001 – NTMWD – Owner/Operator: The solids generated from the treatment process are collected and disposed at Skyline Landfill in Ferris, Texas. The Treated effluent is discharged into South Mesquite Creek a tributary of the East Fork Of the Trinity River

B. Wastewater Data for Service Area (if applicable)

1. Percent of water service area served by wastewater system: 80 %

2. Monthly volume treated for previous five years (in 1,000 gallons):

Year	2013	2012	2011	2010	2009
Month					
January	115,851	123,250	96,321	131,654	98,808
February	94,174	102,648	91,925	138,085	88,625
March	103,391	124,950	86,514	129,350	118,881
April	114,939	101,474	96,791	94,487	116,306
May	121,577	108,362	112,066	89,655	139,017
June	112,760	111,854	89,409	86,194	100,772
July	108,918	100,318	88,316	94,048	105,859
August	106,223	120,309	87,213	87,361	101,930
September	105,955	100,499	80,032	97,391	118,658
October	119,854	103,331	86,857	85,368	168,414
November	114,446	90,546	83,068	96,294	118,778
December	123,159	100,932	115,600	89,048	126,004
Totals	1,341,247	1,288,473	1,114,112	1,218,935	1,402,052

V. ADDITIONAL REQUIRED INFORMATION

In addition to the utility profile, please attach the following as required by Title 30, Texas Administrative Code, §288.2. Note: If the water conservation plan does not provide information for each requirement, an explanation must be included as to why the requirement is not applicable.

A. *Specific, Quantified 5 & 10-Year Targets*

The water conservation plan must include specific, quantified five-year and ten-year targets for water savings to include goals for water loss programs and goals for municipal use in gallons per capita per day. Note that the goals established by a public water supplier under this subparagraph are not enforceable

B. *Metering Devices*

The water conservation plan must include a statement about the water suppliers metering device(s), within an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the source of supply.

C. *Universal Metering*

The water conservation plan must include and a program for universal metering of both customer and public uses of water, for meter testing and repair, and for periodic meter replacement.

D. *Unaccounted- For Water Use*

The water conservation plan must include measures to determine and control unaccounted-for uses of water (for example, periodic visual inspections along distribution lines; annual or monthly audit of the water system to determine illegal connections; abandoned services; etc.).

E. *Continuing Public Education & Information*

The water conservation plan must include a description of the program of continuing public education and information regarding water conservation by the water supplier.

F. *Non-Promotional Water Rate Structure*

The water supplier must have a water rate structure which is not "promotional," i.e., a rate structure which is cost-based and which does not encourage the excessive use of water. This rate structure must be listed in the water conservation plan.

G. *Reservoir Systems Operations Plan*

The water conservation plan must include a reservoir systems operations plan, if applicable, providing for the coordinated operation of reservoirs owned by the applicant within a common watershed or river basin. The reservoir systems operations plan shall include optimization of water supplies as one of the significant goals of the plan.

H. *Enforcement Procedure and Plan Adoption*

The water conservation plan must include a means for implementation and enforcement, which shall be evidenced by a copy of the ordinance, rule, resolution, or tariff, indicating official adoption of the water conservation plan by the water supplier; and a description of the authority by which the water supplier will implement and enforce the conservation plan.

I. Coordination with the Regional Water Planning Group(s)

The water conservation plan must include documentation of coordination with the regional water planning groups for the service area of the wholesale water supplier in order to ensure consistency with the appropriate approved regional water plans.

J. Plan Review and Update

A public water supplier for municipal use shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information. The public water supplier for municipal use shall review and update the next revision of its water conservation plan not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group. The revised plan must also include an implementation report.

VI. ADDITIONAL REQUIREMENTS FOR LARGE SUPPLIERS

Required of suppliers serving population of 5,000 or more or a projected population of 5,000 or more within ten years

A. Leak Detection and Repair

The plan must include a description of the program of leak detection, repair, and water loss accounting for the water transmission, delivery, and distribution system in order to control unaccounted for uses of water.

B. Contract Requirements

A requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan (by either ordinance, resolution, or tariff), and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of this chapter.

VII. ADDITIONAL CONSERVATION STRATEGIES

A. Conservation Strategies

Any combination of the following strategies shall be selected by the water supplier, in addition to the minimum requirements of this chapter, if they are necessary in order to achieve the stated water conservation goals of the plan. The commission may require by commission order that any of the following strategies be implemented by the water supplier if the commission determines that the strategies are necessary in order for the conservation plan to be achieved:

1. Conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;

2. Adoption of ordinances, plumbing codes, and/or rules requiring water conserving plumbing fixtures to be installed in new structures and existing structures undergoing substantial modification or addition;

3. A program for the replacement or retrofit of water-conserving plumbing fixtures in existing structures;

4. A program for reuse and/or recycling of wastewater and/or graywater;

5. A program for pressure control and/or reduction in the distribution system and/or for customer connections;

6. A program and/or ordinance(s) for landscape water management;

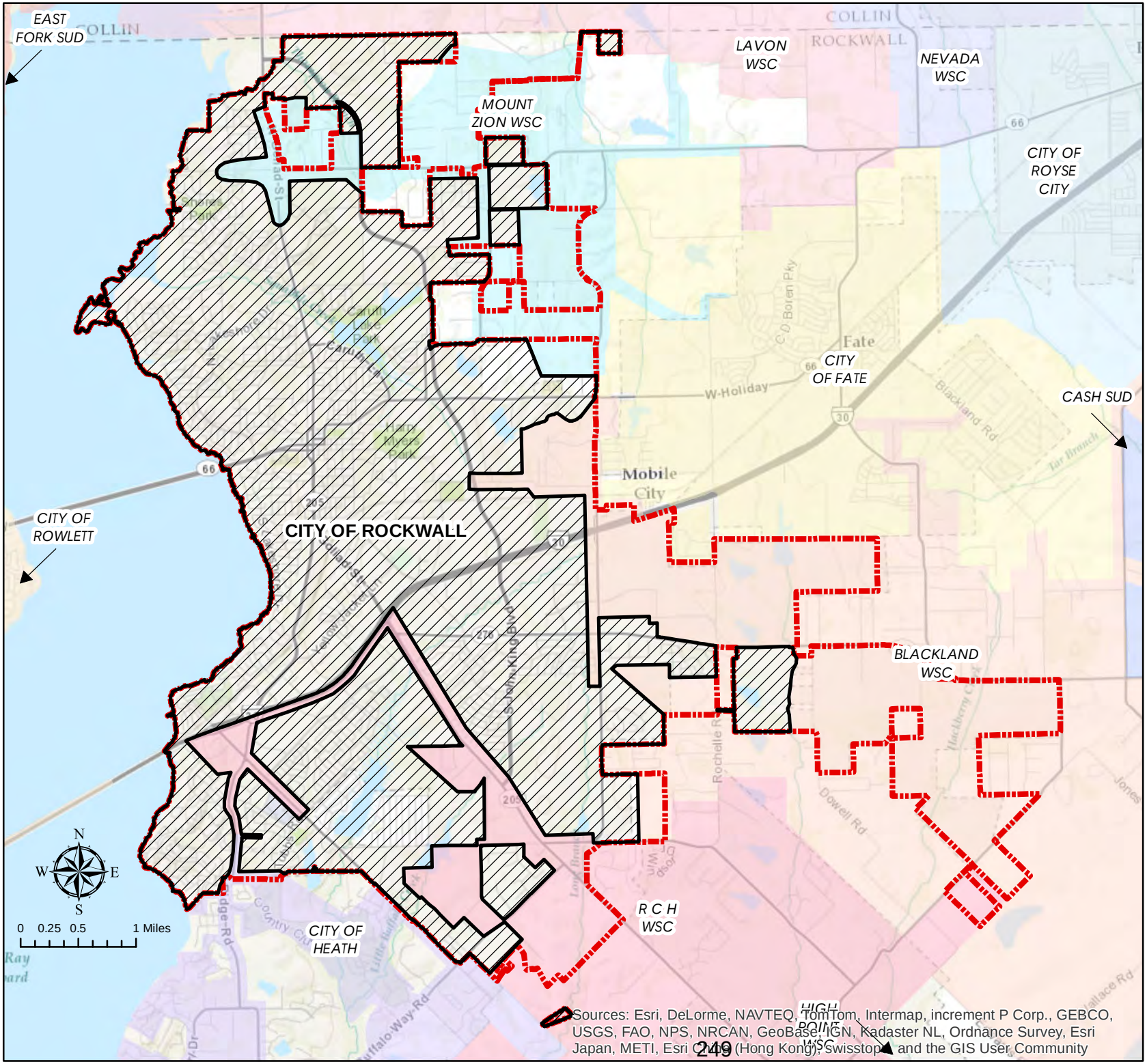
7. A method for monitoring the effectiveness and efficiency of the water conservation plan; and

8. Any other water conservation practice, method, or technique which the water supplier shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

Best Management Practices

The Texas Water Developmental Board's (TWDB) Report 362 is the Water Conservation Best Management Practices (BMP) guide. The BMP Guide is a voluntary list of management practices that water users may implement in addition to the required components of Title 30, Texas Administrative Code, Chapter 288. The Best Management Practices Guide broken out by sector, including Agriculture, Commercial, and Institutional, Industrial, Municipal and Wholesale along with any new or revised BMP's can be found at the following link on the Texas Water Developments Board's website: http://www.twdb.state.tx.us/conservation/bmps/index.asp

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact 512-239-3282.



City of Rockwall

SERVICE AREA

Date: 3/21/2014

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user.
The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

Legend

- City of Rockwall Service Area
- Rockwall City Limits

Area CCN / WSC / Cities

- BLACKLAND WSC
- CASH SUD
- CITY OF FATE
- CITY OF HEATH
- CITY OF ROWLETT
- CITY OF ROYSE CITY
- CITY OF WYLIE
- EAST FORK SUD
- HIGH POINT WSC
- LAVON WSC
- MOUNT ZION WSC
- NEVADA WSC
- R C H WSC

Sources: Esri, DeLorme, NAVTEQ, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, and the GIS User Community

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APPENDIX D

ANNUAL WATER CONSERVATION REPORT

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APPENDIX D
NTMWD MEMBER CITY AND CUSTOMER WATER CONSERVATION REPORT
Due: March 31 of every year

Entity Reporting:	**CITY OF ROCKWALL**
Filled Out By:	**Kay Roberson**
Date Completed:	**2/20/2014**
Year Covered:	**2013**
# of Connections	**14648**

Recorded Deliveries and Sales by Month (in Million Gallons):

Month	Deliveries from NTMWD	City of Rockwall Discharge	Sales by Category						
			Residential	Commercial	Public/ Institutional	Industrial	Wholesale	Multi-Family	Total
January	138.656	185.253	76.290	22.972	3.153	0.227	44.945	7.0896	154.678
February	130.384	147.323	83.615	29.827	3.673	0.281	39.831	7.264	164.490
March	187.218	206.611	80.999	27.217	2.545	0.161	57.808	6.6561	175.387
April	190.618	209.770	84.557	28.239	3.594	0.195	58.337	7.806	182.727
May	253.72	226.020	132.169	38.465	6.626	0.367	69.389	8.9442	255.960
June	246.74	276.086	104.112	34.066	8.131	0.189	88.023	7.5927	242.114
July	308.4	337.741	182.998	44.953	6.615	0.272	107.541	10.6896	353.070
August	367.738	386.713	162.615	40.492	6.988	0.259	105.974	8.1785	324.505
September	344.819	333.453	178.329	40.667	8.898	0.874	87.986	9.4288	326.183
October	215.771	227.993	137.352	43.339	7.307	0.461	59.070	9.5144	257.043
November	158.592	180.478	112.625	39.783	7.419	0.326	44.326	9.7024	214.181
December	135.421	177.748	77.111	23.659	3.414	0.223	43.519	6.2898	154.216
TOTAL	**2678.077**	**2895.191**	**1412.771**	**413.679**	**68.362**	**3.836**	**806.750**	**99.1561**	**2804.553**

Peak Day Usage

Peak Day (MG)	386.713	Total peak day use (Peak day delivery from NTMWD + other supplies)
Average Day (MG)	15.269	Average day use (Annual deliveries from NTMWD + other supplies / 365 days)
Peak/Average Day Ratio	25.326	Total peak day use/average day use

Unaccounted Water (Million Gallons):

NTMWD Deliveries	2678.077	from Table above
Other Supplies	0.000	from Table above
Total Supplies	2678.077	from Table above
Total Sales	2804.55314	from Table above
Estimated Fire Use		estimated from best available data
Estimated Line Flushing Use	4.04475	estimated from best available data
Unaccounted Water	86.59	
% Unaccounted	3.00%	
Goal for % Unaccounted		

Per Capita Use (Gallons per person per day)

Total Use (MG)	2,088.441	from Table above (NTMWD deliveries+ other supplies - wholesale)
Municipal Use (MG)	1,985.449	from Table above (NTMWD deliveries+ other supplies - industrial sales - wholesale - other sales)
Residential Use (MG)	1,503.408	from Table above
Estimated Population	40,800	Source:
Total Per Capita Use (gpcd)	140.24	
Municipal Per Capita Use (gpcd)	133.32	
Residential Per Capita Use (gpcd)	100.95	
5-year Per Capita Goal (___)	171.7	
10-year Per Capita Goal (___)	162.7	

Recorded Wholesale Sales by Month (in Million Gallons):

Month	BLACKLAND	RCH	HEATH	Sales to _____	Sales to _____	Sales to _____	Sales to _____	Total Wholesale Sales
January	9.58546	8.818	26.54189					45
February	8.0938	7.885	23.85175					39.83055
March	10.1151	11.828	35.86529					57.80839
April	11.22781	11.765	35.34406					58.33687
May	13.63042	17.895	37.86373					69.38915
June	14.46175	21.849	51.71248					88.02323
July	22.75042	29.839	54.952					107.54142
August	23.55282	34.135	48.286					105.97382
September	21.84281	27.953	38.19					87.98581
October	13.50589	15.826	29.738					59.06989
November	11.12213	10.853	22.351					44.32613
December	10.39543	10.142	22.982					43.51943
TOTAL	**170.28384**	**208.788**	**427.6782**	**0**	**0**	**0**	**0**	**806.75004**

Information on Wholesale Customers:

Customer	Estimated Population
Blackland Water	3,970
RCH Water	3,720
City of Heath Water	7,500

Unusual Circumstances (use additional sheets if necessary):

The numbers above under delivery from North Texas Muncipal Water are the City of Rockwall Total Discharge #'s not NTMWD #'s

Progress in Implementation of Conservation Plan (use additional sheets if necessary):

This year the Conservation plan is being revised. A summary letter of our new water conservation ordinance will be posted on the City website and will be published in the local newspapers. The City website has a conservation site dedicated to water-saving tips, facts and conservation links. The City offers free water inspections to its top users. The City continues with conservation programs and explores all areas of conservation. Each month a water conservation tip or useful fact is published on the back of each utility bill. The City of rockwall amended the irrigation ordinance to save water and meet current codes. The fire department irrigates using water from the large fire trucks that must be replaced often to prevent corrosion of storage tanks.

Conservation measures planned for next year (use additional sheets if necessary):

Continue with measures implemented in past years. Conservation employees are certified water auditors and offer audits to the top water users.

Assistance requested from North Texas Municipal Water District (use additional sheets if necessary):

North Texas Municipal Water District requested that all Member Cities reduce consumption by ten percent (10%) due to continuing drought conditions and Lake Texoma (28% of our water supply) being off line since 2009.

Other (use additional sheets if necessary):

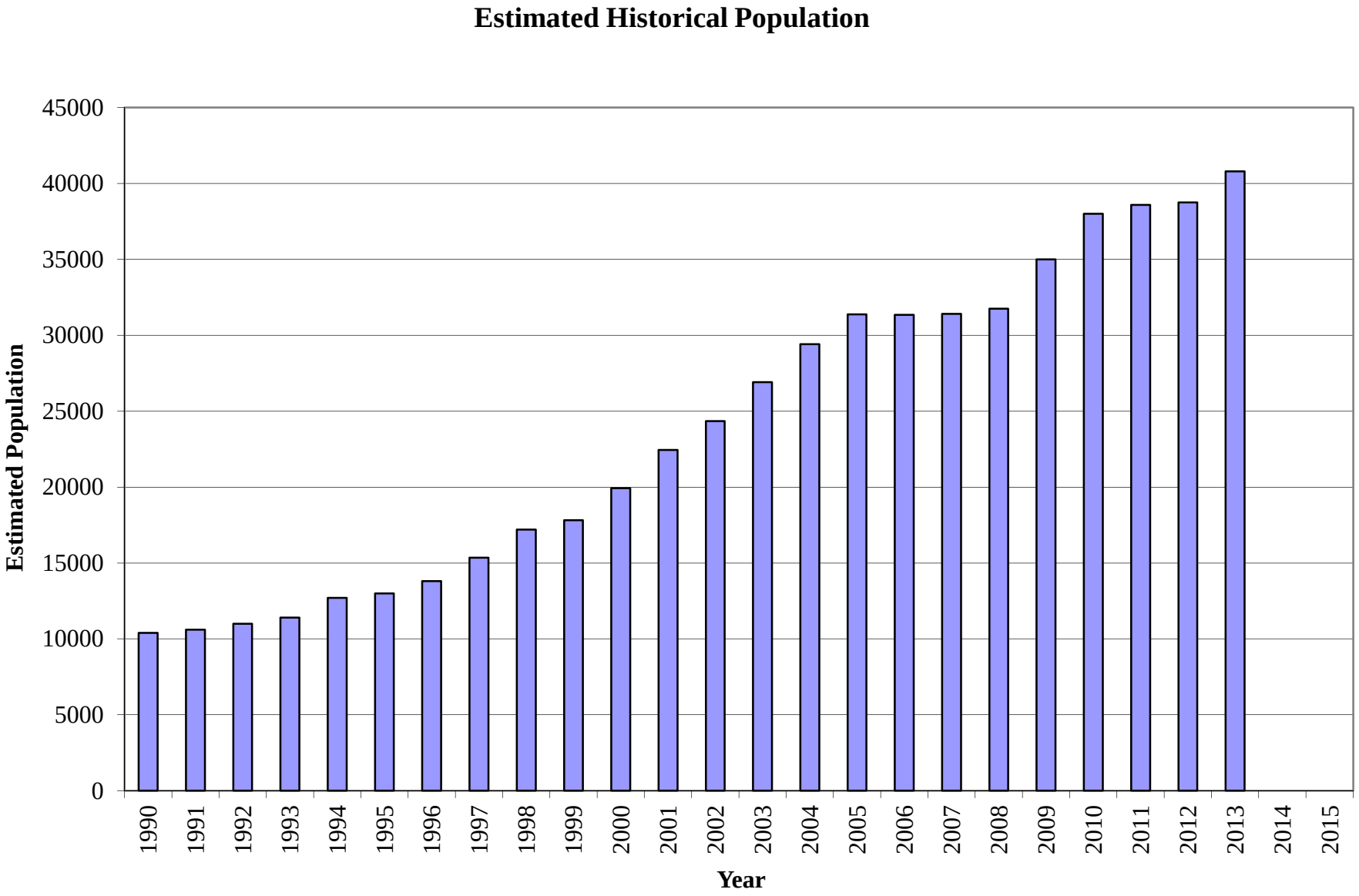
None

Historical Water Use Data for City of Rockwall

Year	Connections	Estimated Population	Deliveries from NTMWD (MG)	Other Supplies (MG)	Metered Sales by Category (Million Gallons)						
					Residential	Commercial	Public/ Institutional	Industrial	Wholesale	Other	Total
1990	4221	10400	902.432	0	950.317				255.321		1205.638
1991	4332	10600	987.689	0	1051.226				269.712		1320.938
1992	4489	11000	833.959	0	1014.171				278.518		1292.689
1993	4530	11400	1144.061	0	1161.265				340.064		1501.329
1994	4680	12700	1136.135	0	1118.425				330.286		1448.711
1995	4966	13000	1247.129	0	1190.459				383.525		1573.984
1996	5233	13800	1360.142	0	1394.795				380.747		1775.542
1997	5582	15350	1262.888	0	1279.674				441.247		1720.921
1998	6256	17204	1623.211	0	1721.409				502.321		2223.73
1999	6482	17825	1818.284	0	1098.358				558.344		1656.702
2000	7249	19934	1908.231	0	1508.466				680.538		2189.004
2001	8162	22445	2009.967	0	1392.028				710.046		2102.074
2002	8855	24351	2013.413	0	1395.774				704.744		2100.518
2003	9788	26917	2294.706	0	1659.894				786.258		2446.152
2004	10694	29408	2218.042	0	1583.611				755.124		2338.735
2005	11413	31385	3000.645	0	1480.685				1097.7457		2578.4307
2006	12054	31348	3022.235	0	1639.347				1176.8909		2816.2379
2007	12280	31407	2333.101	0	1624.156				862.8042		2486.9602
2008	12336	31748	2819.378	0	1517.92885	471.252853	114.8688	6.5989	981.865232		3092.51463
2009	12598	35000	2961.157	0	1450.9344	480.04	91.82099	5.3701	876.78605		2904.95154
2010	12916	38000	3471.775	0	1580.08342	549.48368	110.8577	6.6768	1006.66982		3253.77142
2011	13161	38586	3462.982	0	1733.08649	632.74131	128.9066	7.3801	1162.37599		3664.49049
2012	13495	38755	2929.682	0	1500.6107	450.3461	89.9586	5.6449	975.76949	26.2257	3048.55549
2013	14648	40800	2895.191	0	1412.771	413.679	68.362	3.836	806.75	99.1561	2804.5541
2014											0
2015											0

Historical Per Capita Use Data and Unaccounted Water for City of Rockwall

Year	Estimated Population	In-City Municipal Use (MG)	Per Capita Municipal Use (gpcd)	Deliveries from NTMWD (MG)	Other Supplies (MG)	Total Metered Sales (MG)	Estimated Fire Use (MG)	Estimated Line Flushing (MG)	Unaccounted Water (MG)	% Unaccounted
1990	10400	647.111	170	902.432	0	1205.638			-303.206	-34.00%
1991	10600	717.977	186	987.689	0	1320.938			-333.249	-34.00%
1992	11000	555.441	138	833.959	0	1292.689			-458.73	-55.00%
1993	11400	803.997	193	1144.061	0	1501.329			-357.268	-31.00%
1994	12700	805.849	174	1136.135	0	1448.711			-312.576	-28.00%
1995	13000	863.604	182	1247.129	0	1573.984			-326.855	-26.00%
1996	13800	979.395	194	1360.142	0	1775.542			-415.4	-31.00%
1997	15350	821.641	147	1262.888	0	1720.921			-458.033	-36.00%
1998	17204	1120.89	179	1623.211	0	2223.73			-600.519	-37.00%
1999	17825	1259.94	194	1818.284	0	1656.702			161.582	9.00%
2000	19934	1227.693	169	1908.231	0	2189.004			-280.773	-15.00%
2001	22445	1299.921	159	2009.967	0	2102.074			-92.107	-5.00%
2002	24351	1308.669	147	2013.413	0	2100.518			-87.105	-4.00%
2003	26917	1508.448	154	2294.706	0	2446.152			-151.446	-7.00%
2004	29408	1462.918	136	2218.042	0	2338.735			-120.693	-5.00%
2005	31385	1902.8993	166	3000.645	0	2578.4307			422.2143	14.00%
2006	31348	1845.3441	161	3022.235	0	2816.2379			205.9971	7.00%
2007	31407	1470.2968	128	2333.101	0	2486.9602			-153.8592	-7.00%
2008	31748	1830.9139	158	2819.378	0	3092.5146		12.5	-285.636632	-10.00%
2009	35000	2079.0009	163	2961.157	0	2904.9515		8.95051	47.25495	2.00%
2010	38000	2458.4284	177	3471.775	0	3253.7714		17.783189	200.220391	6.00%
2011	38586	2293.2259	163	3462.982	0	3664.4905		24.455008	-225.963498	-7.00%
2012	38755	1922.0419	136	2929.682	0	3048.5555		10.083188	-128.956678	-4.00%
2013	40800	1985.4487	133	2895.1908	0	2804.5541		4.04475	86.591917	3.00%
2014	0	0	#DIV/0!	0	0	0			0	#DIV/0!
2015	0	0	#DIV/0!	0	0	0			0	#DIV/0!


Estimated Historical Population
Estimated Population
45000
40000
35000
30000
25000
20000
15000
10000
5000
0
1990
1991
1992
1993
1994
1995
1996
1997
1998
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2005
2006
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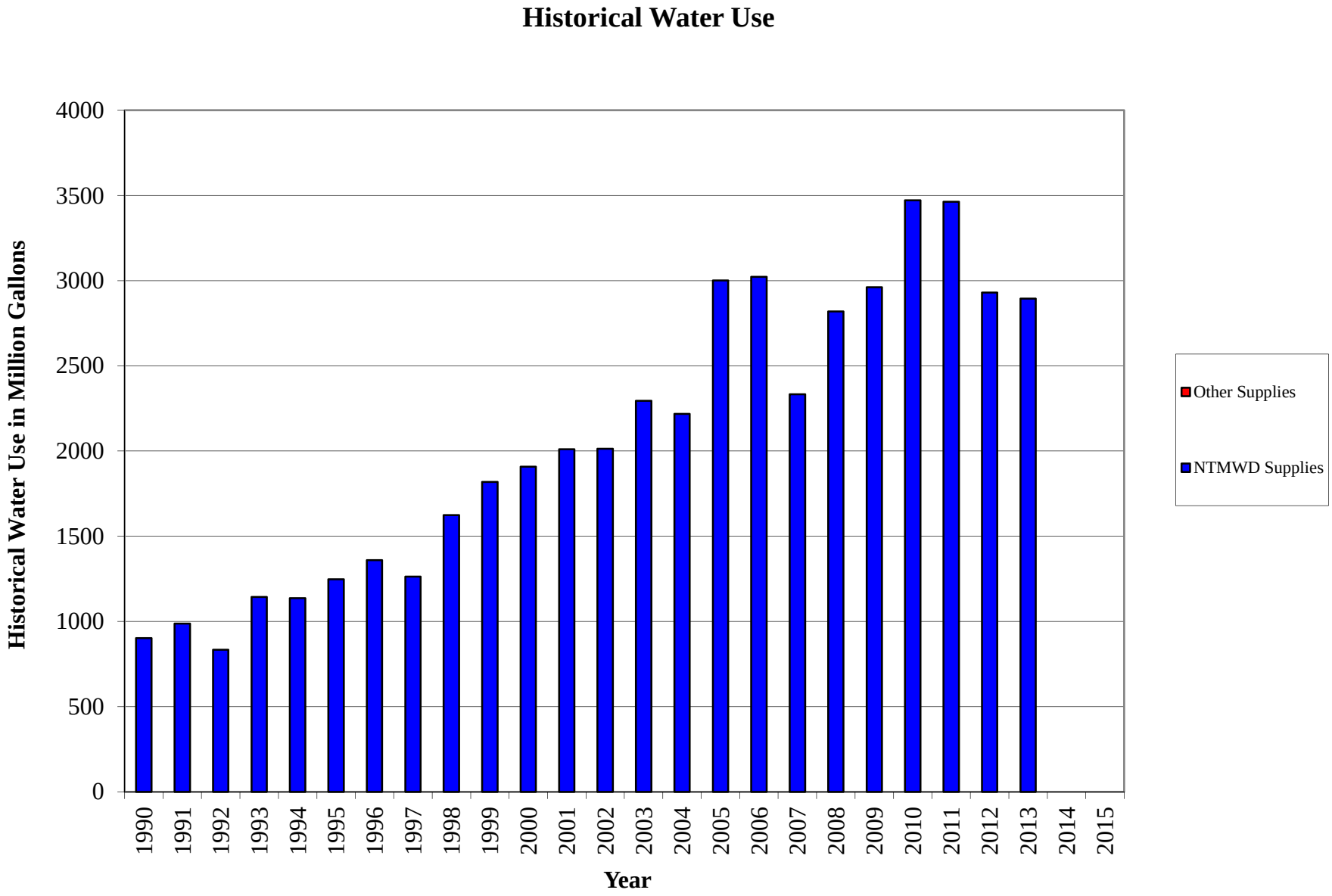
2010
2011
2012
2013
2014
2015
Year


Historical Water Use
Historical Water Use in Million Gallons
4000
3500
3000
2500
2000
1500
1000
500
0
1990
1991
1992
1993
1994
1995
1996
1997
1998
1999
2000
2001
2002
2003
2004
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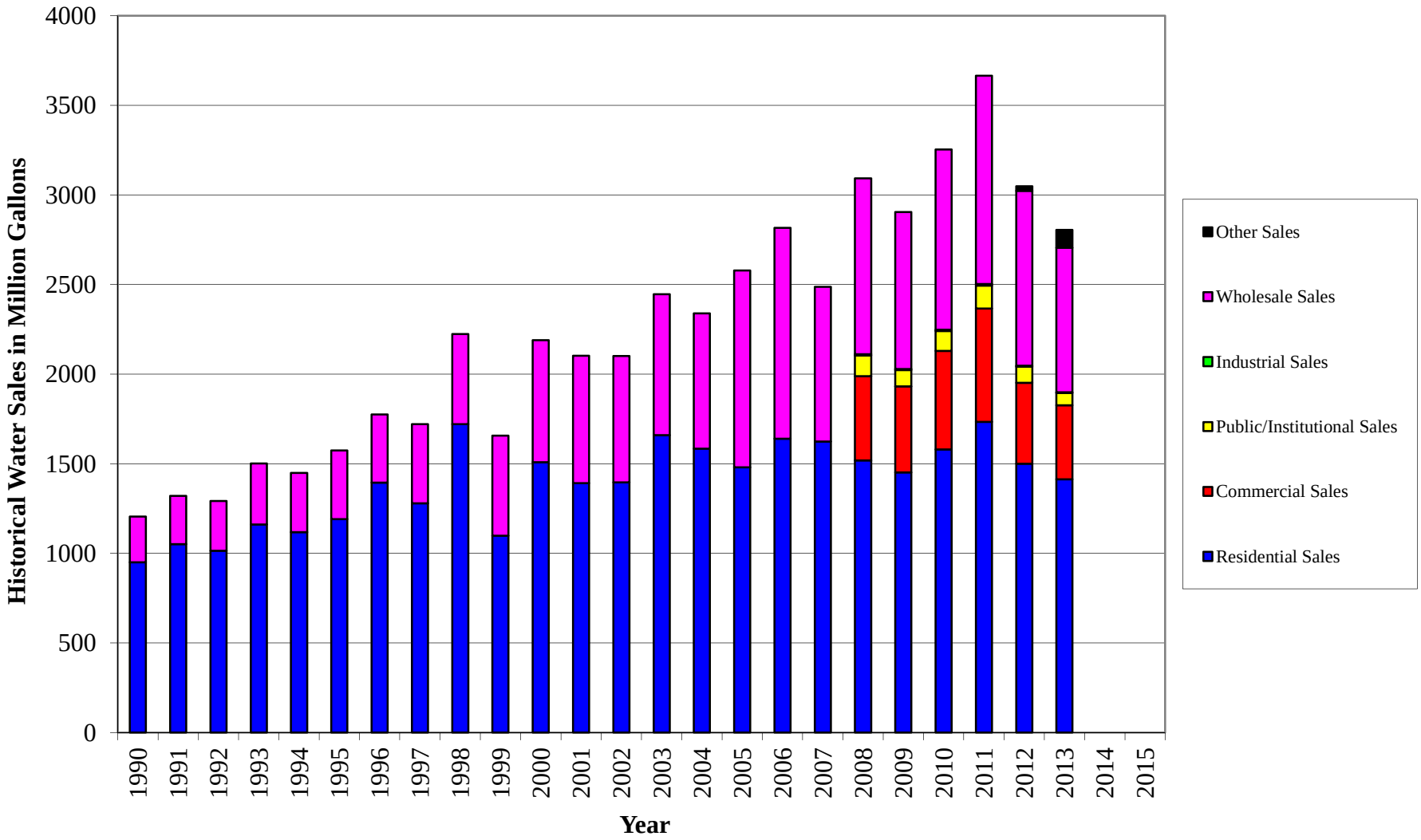
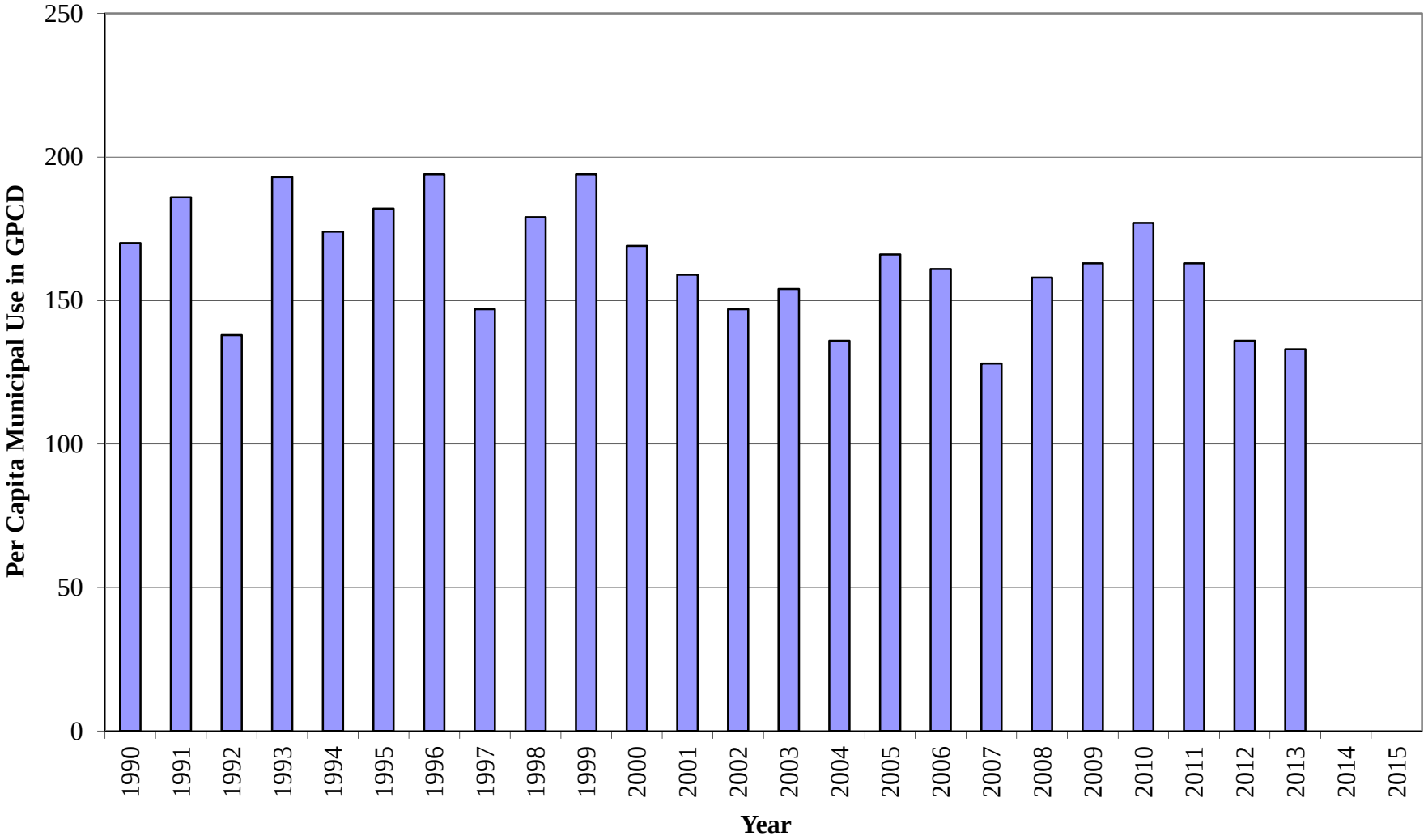
2008
2009
2010
2011
2012
2013
2014
2015
Year
Other Supplies
NTMWD Supplies

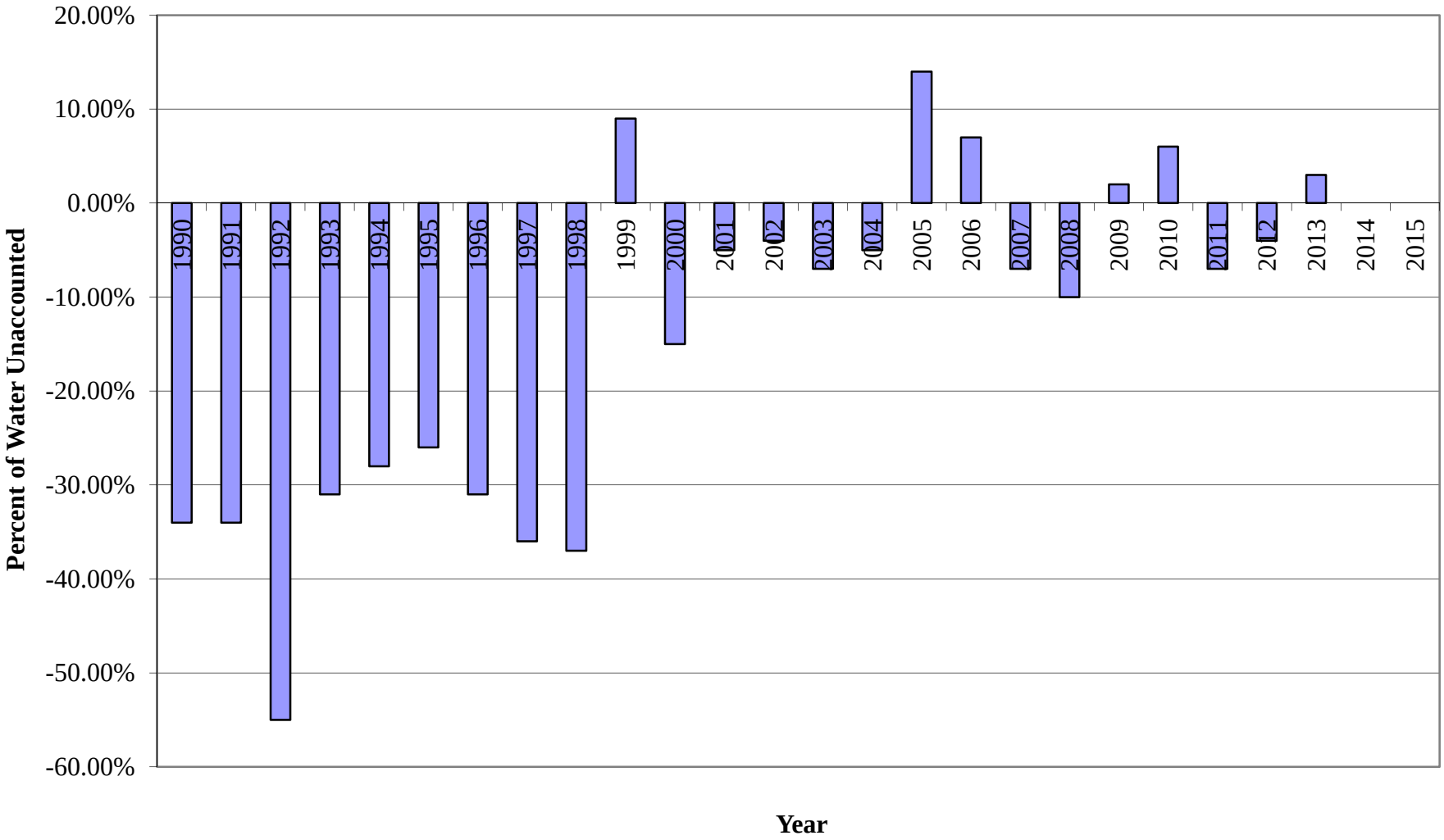
Historical Water Sales by Classification



Historical Per Capita Municipal Use



Historical Percent Unaccounted Water



APPENDIX E

IRRIGATION REGULATIONS

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CITY OF ROCKWALL

ORDINANCE NO. 09-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS PROVIDING FOR ARTICLE XIV, IRRIGATION CODE, IN CHAPTER 6 OF THE ROCKWALL CODE OF ORDINANCES IN ORDER TO ESTABLISH THE MINIMUM STANDARDS FOR INSTALLATION OF IRRIGATION SYSTEMS WITHIN THE CORPORATE LIMITS OF THE CITY OF ROCKWALL; PROVIDING FOR A CRIMINAL PENALTY, CLASS C MISDEMEANOR WITH A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall has determined that water conservation and environmental protection are important issues and concerns affecting the city; and

WHEREAS, properly-installed irrigation systems will conserve water, help avoid wasteful use, and improve the overall quality of life for the citizens of Rockwall; and

WHEREAS, during the 2007 legislative session, the Texas Legislature adopted House Bill 1656; and

WHEREAS, House Bill 1656 amended Chapter 401 of the Texas Local Government Code to require a city with a population of 20,000 or more to regulate the installation of irrigation systems within the corporate limits; and

WHEREAS, the provisions herein are necessary to promote and protect the health, safety, and welfare of the public by creating an urban environment that is protective of the city's water supply and provides an enhanced quality of life for the citizens of the City of Rockwall.

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

SECTION 1. That the code of ordinances shall be and is hereby amended by repealing section P2902.5.3 of the Residential Code and section 608.16.5 of the Plumbing Code and providing for Article XIV to Chapter 6 to read as follows:

ARTICLE XIV
IRRIGATION CODE

Sec. 6-231. Definitions.

The following words and terms, when used in this ordinance, have the following meanings, unless the context clearly indicates otherwise.

(1) **Air gap**--A complete physical separation between the free flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel.

(2) **Atmospheric Vacuum Breaker**--An assembly containing an air inlet valve, a check seat, and an air inlet port. The flow of water into the body causes the air inlet valve to close the air inlet port. When the flow of water stops the air inlet valve falls and forms a check against back-siphonage. At the same time it opens the air inlet port allowing air to enter and satisfy the vacuum. Also known as an Atmospheric Vacuum Breaker Back-Siphonage Prevention Assembly.

(3) **Backflow prevention**--The mechanical prevention of reverse flow, or back siphonage, of nonpotable water from an irrigation system into the potable water source.

(4) **Backflow prevention assembly**--Any assembly used to prevent backflow into a potable water system. The type of assembly used is based on the existing or potential degree of health hazard and backflow condition.

(5) **Completion of irrigation system installation**--When the landscape irrigation system has been installed, all minimum standards met, all tests performed, and the irrigator is satisfied that the system is operating correctly.

(6) **Consulting**--The act of providing advice, guidance, review or recommendations related to landscape irrigation systems.

(7) **Cross-connection**--An actual or potential connection between a potable water source and an irrigation system that may contain contaminates or pollutants or any source of water that has been treated to a lesser degree in the treatment process.

(8) **Design**--The act of determining the various elements of a landscape irrigation system that will include, but not be limited to, elements such as collecting site specific information, defining the scope of the project, defining plant watering needs, selecting and laying out emission devices, locating system components, conducting hydraulics calculations, identifying any local regulatory requirements, or scheduling irrigation work at a site. Completion of the various components will result in an irrigation plan.

(9) **Design pressure**--The pressure that is required for an emission device to operate properly. Design pressure is calculated by adding the operating pressure necessary at an emission device to the total of all pressure losses accumulated from an emission device to the water source.

(10) **Double Check Valve**--An assembly that is composed of two independently acting, approved check valves, including tightly closed resilient seated shutoff valves attached at each end of the assembly and fitted with properly located resilient seated test cocks. Also known as a Double Check Valve Backflow Prevention Assembly.

(11) **Emission device**--Any device that is contained within an irrigation system and that is used to apply water. Common emission devices in an irrigation system include, but are not limited to, spray and rotary sprinkler heads, and drip irrigation emitters.

(12) **Employed**--Engaged or hired to provide consulting services or perform any activity relating to the sale, design, installation, maintenance, alteration, repair, or service to irrigation systems. A person is employed if that person is in an employer-employee relationship as defined by Internal Revenue Code, 26 United States Code Service, §3212(d) based on the behavioral control, financial control, and the type of relationship involved in performing employment related tasks.

(13) **Head-to-head spacing**--The spacing of spray or rotary heads equal to the manufacturer's published radius of the head.

(14) **Health hazard**--A cross-connection or potential cross-connection with an irrigation system that involves any substance that may, if introduced into the potable water supply, cause death or illness, spread disease, or have a high probability of causing such effects.

(15) **Hydraulics**--The science of dynamic and static water; the mathematical computation of determining pressure losses and pressure requirements of an irrigation system.

(16) **Inspector**--A licensed plumbing inspector, water district operator, other governmental entity, or irrigation inspector who inspects irrigation systems and performs other enforcement duties for a municipality or water district as an employee or as a contractor.

(17) **Installer**--A person who actually connects an irrigation system to a private or public raw or potable water supply system or any water supply, who is licensed according to Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations).

(18) **Irrigation inspector**--A person who inspects irrigation systems and performs other enforcement duties for a municipality or water district as an employee or as a contractor and is required to be licensed under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations).

(19) **Irrigation plan**--A scaled drawing of a landscape irrigation system which lists required information, the scope of the project, and represents the changes made in the installation of the irrigation system.

(20) **Irrigation services--**Selling, designing, installing, maintaining, altering, repairing, servicing, permitting, providing consulting services regarding, or connecting an irrigation system to a water supply.

(21) **Irrigation system**--An assembly of component parts that is permanently installed for the controlled distribution and conservation of water to irrigate any type of landscape vegetation in any location, and/or to reduce dust or control erosion. This term does not include a system that is used on or by an agricultural operation as defined by Texas Agricultural Code, §251.002.

(22) **Irrigation technician**--A person who works under the supervision of a licensed irrigator to install, maintain, alter, repair, service or supervise installation of an irrigation system, including the connection of such system in or to a private or public, raw or potable water supply system or any water supply, and who is required to be licensed under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations).

(23) **Irrigation zone**--A subdivision of an irrigation system with a matched precipitation rate based on plant material type (such as turf, shrubs, or trees), microclimate factors (such as sun/shade ratio), topographic features (such as slope) and soil conditions (such as sand, loam, clay, or combination) or for hydrological control.

(24) **Irrigator**--A person who sells, designs, offers consultations regarding, installs, maintains, alters, repairs, services or supervises the installation of an irrigation system, including the connection of such system to a private or public, raw or potable water supply system or any water supply, and who is required to be licensed under Title 30, Texas Administrative Code, Chapter 30.

(25) **Irrigator-in-Charge**--The irrigator responsible for all irrigation work performed by an exempt business owner, including, but not limited to obtaining permits, developing design plans, supervising the work of other irrigators or irrigation technicians, and installing, selling, maintaining, altering, repairing, or servicing a landscape irrigation system.

(26) **Landscape irrigation**--The science of applying the necessary amount of water to promote or sustain healthy growth of plant material or turf.

(27) **License**--An occupational license that is issued by the Texas Commission on Environmental Quality under Title 30, Texas Administrative Code, Chapter 30 to an individual that authorizes the individual to engage in an activity that is covered by Title 30, Texas Administrative Code, Chapter 30.

(28) **Mainline**--A pipe within an irrigation system that delivers water from the water source to the individual zone valves.

(29) **Maintenance checklist**--A document made available to the irrigation system's owner or owner's representative that contains information regarding the operation and maintenance of the irrigation system, including, but not limited to: checking and repairing the irrigation system, setting the automatic controller, checking the rain or moisture sensor, cleaning filters, pruning grass and plants away from irrigation emitters, using and operating the irrigation system, the precipitation rates of each irrigation zone within the system, any water conservation measures currently in effect from the water purveyor, the name of the water purveyor, a suggested seasonal or monthly watering schedule based on current evapotranspiration data for the geographic region, and the minimum water requirements for the plant material in each zone based on the soil type and plant material where the system is installed.

(30) **Major maintenance, alteration, repair, or service**--Any activity that involves opening to the atmosphere the irrigation main line at any point prior to the discharge side of any irrigation zone control valve. This includes, but is not limited to, repairing or connecting into a main supply pipe, replacing a zone control valve, or repairing a zone control valve in a manner that opens the system to the atmosphere.

(31) **Master valve**--A remote control valve located after the backflow prevention device that controls the flow of water to the irrigation system mainline.

(32) **Matched precipitation rate**--The condition in which all sprinkler heads within an irrigation zone apply water at the same rate.

(33) **New installation**--An irrigation system installed at a location where one did not previously exist.

(34) **Pass-through contract**--A written contract between a contractor or builder and a licensed irrigator or exempt business owner to perform part or all of the irrigation services relating to an irrigation system.

(35) **Potable water**--Water that is suitable for human consumption.

(36) **Pressure Vacuum Breaker**--An assembly containing an independently operating internally loaded check valve and an independently operating loaded air inlet valve located on the discharge side of the check valve. Also known as a Pressure Vacuum Breaker Back-siphonage Prevention Assembly.

(37) **Reclaimed water**--Domestic or municipal wastewater which has been treated to a quality suitable for beneficial use, such as landscape irrigation.

(38) **Records of landscape irrigation activities**—The irrigation plans, contracts, warranty information, invoices, copies of permits, and other documents that relate to the installation, maintenance, alteration, repair, or service of a landscape irrigation system.

(39) **Reduced Pressure Principle Backflow Prevention Assembly**--An assembly containing two independently acting approved check valves together with a hydraulically operating mechanically independent pressure differential relief valve located between the two check valves and below the first check valve.

(40) **Static water pressure**--The pressure of water when it is not moving.

(41) **Supervision**--The on-the-job oversight and direction by a licensed irrigator who is fulfilling his or her professional responsibility to the client and/or employer in compliance with local or state requirements. Also a licensed installer working under the direction of a licensed irrigator or beginning January 1, 2009, an irrigation technician who is working under the direction of a licensed irrigator to install, maintain, alter, repair or service an irrigation system.

(42) **Water conservation**--The design, installation, service, and operation of an irrigation system in a manner that prevents the waste of water, promotes the most efficient use of water, and applies the least amount of water that is required to maintain healthy individual plant material or turf, reduce dust, and control erosion.

(43) **Zone flow**--A measurement, in gallons per minute or gallons per hour, of the actual flow of water through a zone valve, calculated by individually opening each zone valve and obtaining a valid reading after the pressure has stabilized. For design purposes, the zone flow is the total flow of all nozzles in the zone at a specific pressure.

(44) **Zone valve**--An automatic valve that controls a single zone of a landscape irrigation system.

Sec. 6-232. Valid License Required.

Any person who connects an irrigation system to the water supply within the City of Rockwall, must hold a valid license, as defined by Title 30, Texas Administrative Code, Chapter 30 and required by Chapter 1903 of the Texas Occupations Code, or as defined by Chapter 365, Title 22 of the Texas Administrative Code and required by Chapter 1301 of the Texas Occupations Code.

Exemptions

A property owner is not required to be licensed in accordance with Texas Occupations Code, Title 12, §1903.002(c)(1) if he or she is performing irrigation work in a building or on a premises owned or occupied by the person as the person's home. Home or property owner's property must have a current homestead exemption. A home or property owner who installs an irrigation system must meet the standards contained in Title 30, Texas

Administrative Code, Chapter 344 regarding spacing, water pressure, spraying water over impervious materials, rain or moisture shut-off devices or other technology, backflow prevention and isolation valves. The city may, at any point, adopt more stringent requirements for a home or property owner who installs an irrigation system. See Texas Occupations Code §1903.002 for other exemptions to the licensing requirement.

Sec. 6-233. Permit Required.

Any person installing an irrigation system within the City of Rockwall is required to obtain a permit from the city. Any plan approved for a permit must be in compliance with the requirements of this chapter.

Exemptions

(1) An irrigation system that is that an on-site sewage disposal system, as defined by Section 355.002, Health and Safety Code; or

(2) An irrigation system used on or by an agricultural operation as defined by Section 251.002, Agriculture Code; or

(3) An irrigation system connected to a groundwater well used by the property owner for domestic use.

Sec. 6-234. Backflow Prevention Methods and Devices.

(a) Any irrigation system that is connected to the potable water supply must be connected through a backflow prevention method approved by the Texas Commission on Environmental Quality (TCEQ). The backflow prevention device must comply with the 2006 International Plumbing Code and must be certified by the American Society of Sanitary Engineers (ASSE); or the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California; or the International Code Council - Evaluation Service (ICC-ES); or the International Association of Plumbing and Mechanical Code Officials – Research and Testing (IAPMO R&T); or any other certifying agencies that has equivalent capabilities for both the laboratory and field evaluation of backflow prevention assemblies.

(b) If conditions that present a health hazard exist, one of the following methods must be used to prevent backflow;

(1) An air gap may be used if:

(A) there is an unobstructed physical separation; and

(B) the distance from the lowest point of the water supply outlet to the flood rim of the fixture or assembly into which the outlet discharges is at least one inch or twice the diameter of the water supply outlet, whichever is greater.

(2) Reduced pressure principle backflow prevention assemblies may be used if:

(A) the device is installed at a minimum of 12 inches above ground in a location that will ensure that the assembly will not be submerged; and

B) drainage is provided for any water that may be discharged through the assembly relief valve.

(3) Pressure vacuum breakers may be used if:

(A) no back-pressure condition will occur; and

(B) the device is installed at a minimum of 12 inches above any downstream piping and the highest downstream opening. Pop-up sprinklers are measured from the retracted position from the top of the sprinkler.

(4) Atmospheric vacuum breakers may be used if:

(A) no back-pressure will be present;

(B) there are no shutoff valves downstream from the atmospheric vacuum breaker;

(C) the device is installed at a minimum of six inches above any downstream piping and the highest downstream opening. Pop-up sprinklers are measured from the retracted position from the top of the sprinkler;

(D) there is no continuous pressure on the supply side of the atmospheric vacuum breaker for more than 12 hours in any 24-hour period; and

(E) a separate atmospheric vacuum breaker is installed on the discharge side of each irrigation control valve, between the valve and all the emission devices that the valve controls.

(c) Backflow prevention devices used in applications designated as health hazards must be tested upon installation and annually thereafter.

(d) If there are no conditions that present a health hazard, double check valve backflow prevention assemblies may be used to prevent backflow if the device is tested upon installation and test cocks are used for testing only.

(e) If a double check valve is installed below ground:

(1) test cocks must be plugged, except when the double check valve is being tested;

(2) test cock plugs must be threaded, water-tight, and made of non-ferrous material;

(3) a y-type strainer is installed on the inlet side of the double check valve;

(4) there must be a bed of pea gravel a minimum of 4" deep under the double check valve with a minimum of 6" clearance from the bottom of the double check valve to the bed of gravel

(5) there must be a minimum of 6" clearance around the double check valve for testing.

(f) All irrigation systems found to be without backflow prevention protection that are connected to the potable water supply, must be connected to the potable water supply through an approved, properly installed backflow prevention assembly, before any major maintenance, alteration, repair, or service is performed.

(g) If an irrigation system is connected to a potable water supply through a double check valve, pressure vacuum breaker, or reduced pressure principle backflow assembly and includes an automatic master valve on the system, the automatic master valve must be installed on the discharge side of the backflow prevention assembly.

(h) The irrigator shall ensure the backflow prevention device is tested by a licensed Backflow Prevention Assembly Tester prior to being placed in service and the test results provided to the City of Rockwall and the irrigation system's owner or owner's representative within ten business days of testing of the backflow prevention device. Test results must be submitted on an approved Backflow Prevention Assembly Test and Maintenance Report form.

Sec. 6-235. Specific Conditions and Cross-Connection Control.

(a) Before any chemical is added to an irrigation system connected to the potable water supply, the irrigation system must be connected through a reduced pressure principle backflow prevention assembly or air gap.

(b) Connection of any additional water source to an irrigation system that is connected to the potable water supply can only be done if the irrigation system is connected to the potable water supply through a reduced-pressure principle backflow prevention assembly or an air gap.
(c) Irrigation system components with chemical additives induced by aspiration, injection, or emission system connected to any potable water supply must be connected through a reduced pressure principle backflow device.
(d) If an irrigation system is designed or installed on a property that is served by an on-site sewage facility, as defined in Title 30, Texas Administrative Code, Chapter 285, then:

(1) all irrigation piping and valves must meet the separation distances from the On-Site Sewage Facilities system as required for a private water line in Title 30, Texas Administrative Code, Section 285.91(10);

(2) any connections using a private or public potable water source that is not the city's potable water system must be connected to the water source through a reduced pressure principle backflow prevention assembly as defined in Title 30, Texas Administrative Code, Section 344.50; and

(3) any water from the irrigation system that is applied to the surface of the area utilized by the On-Site Sewage Facility system must be controlled on a separate irrigation zone or zones so as to allow complete control of any irrigation to that area so that there will not be excess water that would prevent the On-Site Sewage Facilities system from operating effectively.

Sec. 6-236. Water Conservation.

All irrigation systems shall be designed, installed, maintained, altered, repaired, serviced, and operated in a manner that will promote water conservation as defined in the Definitions section of this ordinance.

Sec. 6-237. Irrigation Plan Design: Minimum Standards.

(a) An irrigator shall prepare an irrigation plan for each site where a new irrigation system will be installed. A paper or electronic copy of the irrigation plan must be on the job site at all times during the installation of the irrigation system. A drawing showing the actual installation of the system is due to each irrigation system owner after all new irrigation system installations. During the installation of the irrigation system, variances from the original plan may be authorized by the licensed irrigator if the variance from the plan does not:

(1) diminish the operational integrity of the irrigation system;

(2) violate any requirements of this ordinance; and

(3) go unnoted in red on the irrigation plan.

(b) The irrigation plan must include complete coverage of the area to be irrigated. If a system does not provide complete coverage of the area to be irrigated, it must be noted on the irrigation plan.

(c) All irrigation plans used for construction must be drawn to scale. The plan must include, at a minimum, the following information:

(1) the irrigator's seal, signature, and date of signing;

(2) all major physical features and the boundaries of the areas to be watered;

(3) a North arrow;

(4) a legend;

(5) the zone flow measurement for each zone;

(6) location and type of each:

(A) controller; and

(B) sensor (for example, but not limited to, rain, moisture, wind, flow, or freeze);

(7) location, type, and size of each:

(A) water source, such as, but not limited to a water meter and point(s) of connection;

(B) backflow prevention device;

(C) water emission device, including, but not limited to, spray heads, rotary sprinkler heads, quick-couplers, bubblers, drip, or micro-sprays;

(D) valve, including but not limited to, zone valves, master valves, and isolation valves;

(E) pressure regulation component; and

(F) main line and lateral piping.

(8) the scale used; and

(9) the design pressure.

Sec. 6-238. Design and Installation: Minimum Requirements.

(a) No irrigation design or installation shall require the use of any component, including the water meter, in a way which exceeds the manufacturer's published performance limitations for the component.

(b) Spacing.

(1) The maximum spacing between emission devices must not exceed the manufacturer's published radius or spacing of the device(s). The radius or spacing is determined by referring to the manufacturer's published specifications for a specific emission device at a specific operating pressure.

(2) New irrigation systems shall not utilize above-ground spray emission devices in landscapes that are less than 48 inches not including the impervious surfaces in either length or width and which contain impervious pedestrian or vehicular traffic surfaces along two or more perimeters. If pop-up sprays or rotary sprinkler heads are used in a new irrigation system, the sprinkler heads must direct flow away from any adjacent surface and shall not be installed closer than four inches from a hardscape, such as, but not limited to, a building foundation, fence, concrete, asphalt, pavers, or stones set with mortar.

(3) Narrow paved walkways, jogging paths, golf cart paths or other small areas located in cemeteries, parks, golf courses or other public areas may be exempted from this requirement if the runoff drains into a landscaped area.

(c) Water pressure. Emission devices must be installed to operate at the minimum and not above the maximum sprinkler head pressure as published by the manufacturer for the nozzle and head spacing that is used. Methods to achieve the water pressure requirements include, but are not limited to, flow control valves, a pressure regulator, or pressure compensating spray heads.

(d) Piping. Piping in irrigation systems must be designed and installed so that the flow of water in the pipe will not exceed a velocity of five feet per second for polyvinyl chloride (PVC) pipe.

(e) Irrigation Zones. Irrigation systems shall have separate zones based on plant material type, microclimate factors, topographic features, soil conditions, and hydrological requirements.

(f) Matched precipitation rate. Zones must be designed and installed so that all of the emission devices in that zone irrigate at the same precipitation rate.

(g) Irrigation systems shall not spray water over surfaces made of concrete, asphalt, brick, wood, stones set with mortar, or any other impervious material, such as, but not limited to, walls, fences, sidewalks, streets, etc.

(h) Master valve. When provided, a master valve shall be installed on the discharge side of the backflow prevention device on all new installations.

(i) PVC pipe primer solvent. All new irrigation systems that are installed using PVC pipe and fittings shall be primed with a colored primer prior to applying the PVC cement in accordance with the International Plumbing Code (Section 605.22.2).

(j) Rain or moisture shut-off devices or other technology. All new automatically controlled irrigation systems must include sensors or other technology designed to inhibit or interrupt operation of the irrigation system during periods of moisture or rainfall. Rain or moisture shut-off technology must be installed according to the manufacturer's published recommendations. Repairs to existing automatic irrigation systems that require replacement of an existing controller must include a sensor or other technology designed to inhibit or interrupt operation of the irrigation system during periods of moisture or rainfall.

(k) Isolation valve. All new irrigation systems must include an isolation valve between the water meter and the backflow prevention device. The isolation valve must be a ball valve and be equipped with a stainless steel handle. The ball valve must be installed within a plastic valve or meter box large enough as not to hamper operation or repair.

(l) Depth coverage of piping. Piping in all irrigation systems must be installed according to the manufacturer's published specifications for depth coverage of piping.

(1) If the manufacturer has not published specifications for depth coverage of piping, the piping must be installed to provide minimum depth coverage of six inches of select backfill, between the top of the pipe and the natural grade of the topsoil. All portions of the irrigation

system that fail to meet this standard must be noted on the irrigation plan. If the area being irrigated has rock at a depth of six inches or less, select backfill may be mounded over the pipe. Mounding must be noted on the irrigation plan and discussed with the irrigation system owner or owner's representative to address any safety issues.

(2) If a utility, man-made structure, or roots create an unavoidable obstacle, which makes the six-inch depth coverage requirement impractical, the piping shall be installed to provide a minimum of two inches of select backfill between the top of the pipe and the natural grade of the topsoil.

(3) All trenches and holes created during installation of an irrigation system must be backfilled and compacted to the original grade.

(m) Wiring irrigation systems.

(1) Underground electrical wiring used to connect an automatic controller to any electrical component of the irrigation system must be listed by Underwriters Laboratories as acceptable for burial underground.

(2) Electrical wiring that connects any electrical components of an irrigation system must be sized according to the manufacturer's recommendation.

(3) Electrical wire splices which may be exposed to moisture must be waterproof as certified by the wire splice manufacturer.

(4) Underground electrical wiring that connects an automatic controller to any electrical component of the irrigation system must be buried with a minimum of six inches of select backfill.

(n) Water contained within the piping of an irrigation system is deemed to be non-potable. No drinking or domestic water usage, such as, but not limited to, filling swimming pools or decorative fountains, shall be connected to an irrigation system. If a hose bib (an outdoor water faucet that has hose threads on the spout) is connected to an irrigation system for the purpose of providing supplemental water to an area, the hose bib must be installed using a quick coupler key on a quick coupler installed in a covered purple valve box and the hose bib and any hoses connected to the bib must be labeled "non potable, not safe for drinking." An isolation valve must be installed upstream of a quick coupler connecting a hose bib to an irrigation system.

(o) Beginning January 1, 2010, either a licensed irrigator or a licensed irrigation technician shall be on-site at all times while the landscape irrigation system is being installed. When an irrigator is not onsite, the irrigator shall be responsible for ensuring that a licensed irrigation technician is on-site to supervise the installation of the irrigation system.

(p) All new automatically controlled irrigation systems must include sensors or other technology designed to inhibit or interrupt operation of the irrigation system during periods of freezing weather.

Sec. 6-239. Completion of Irrigation System Installation.

Upon completion of the irrigation system, the irrigator or irrigation technician who provided supervision for the on-site installation shall be required to complete four items:

(1) a final "walk through" with the irrigation system's owner or the owner's representative to explain the operation of the system;

(2) The maintenance checklist on which the irrigator or irrigation technician shall obtain the signature of the irrigation system's owner or owner's representative and shall sign, date, and seal the checklist. If the irrigation system's owner or owner's representative is unwilling or unable to sign the maintenance checklist, the irrigator shall note the time and date of the refusal on the irrigation system's owner or owner's representative's signature line. The irrigation system owner or owner's representative will be given the original maintenance checklist and a duplicate copy of the maintenance checklist shall be maintained by the irrigator. The items on the maintenance checklist shall include but are not limited to:

(A) the manufacturer's manual for the automatic controller, if the system is automatic;

(B) a seasonal (spring, summer, fall, winter) watering schedule based on either current/real time evapotranspiration or monthly historical reference evapotranspiration (historical ET) data, monthly effective rainfall estimates, plant landscape coefficient factors, and site factors;

(C) a list of components, such as the nozzle, or pump filters, and other such components; that require maintenance and the recommended frequency for the service; and

(D) the statement, "This irrigation system has been installed in accordance with all applicable state and local laws, ordinances, rules, regulations or orders. I have tested the system and determined that it has been installed according to the Irrigation Plan and is properly adjusted for the most efficient application of water at this time."

(3) A permanent sticker which contains the irrigator's name, license number, company name, telephone number and the dates of the warranty period shall be affixed to each automatic controller installed by the irrigator or irrigation technician. If the irrigation system is manual, the sticker shall be affixed to the original maintenance checklist. The information contained on the sticker must be printed with waterproof ink and include:

(4) The irrigation plan indicating the actual installation of the system must be provided to the irrigation system's owner or owner representative.

Sec. 6-240. Maintenance, Alteration, Repair, or Service of Irrigation Systems.

(a) The licensed irrigator is responsible for all work that the irrigator performed during the maintenance, alteration, repair, or service of an irrigation system during the warranty period. The irrigator or business owner is not responsible for the professional negligence of any other irrigator who subsequently conducts any irrigation service on the same irrigation system.

(b) All trenches and holes created during the maintenance, alteration, repair, or service of an irrigation system must be returned to the original grade with compacted select backfill.

(c) Colored PVC pipe primer solvent must be used on all pipes and fittings used in the maintenance, alteration, repair, or service of an irrigation system in accordance with the International Plumbing Code (Section 605.22.2).

(d) When maintenance, alteration, repair or service of an irrigation system involves excavation work at the water meter or backflow prevention device, an isolation valve shall be installed, if an isolation valve is not present.

Sec. 6-241. Reclaimed Water.

Reclaimed water may be utilized in landscape irrigation systems if:
(1) there is no direct contact with edible crops, unless the crop is pasteurized before consumption;
(2) the irrigation system does not spray water across property lines that do not belong to the irrigation system's owner;
(3) the irrigation system is installed using purple components;
(4) the domestic potable water line is connected using an air gap or a reduced pressure principle backflow prevention device, in accordance with Title 30, Texas Administrative Code, Section 290.47(i) (relating to Appendices);
(5) a minimum of an eight inch by eight inch sign, in English and Spanish, is prominently posted on/in the area that is being irrigated, that reads, "RECLAIMED WATER – DO NOT DRINK" and "AGUA DE RECUPERACIÓN – NO BEBER"; and
(6) backflow prevention on the reclaimed water supply line shall be in accordance with the regulations of the city's water provider.

Sec. 6-242. Advertisement Requirements.

(a) All vehicles used in the performance of irrigation installation, maintenance, alteration, repair, or service must display the irrigator's license number in the form of "LI_____" in a contrasting color of block letters at least two inches high, on both sides of the vehicle.

(b) All forms of written and electronic advertisements for irrigation services must display the irrigator's license number in the form of "LI_____." Any form of advertisement, including business cards, and estimates which displays an entity's or individual's name other than that of the licensed irrigator must also display the name of the licensed irrigator and the licensed irrigator's license number. Trailers that advertise irrigation services must display the irrigator's license number.

(c) The name, mailing address, and telephone number of the commission must be prominently displayed on a legible sign and displayed in plain view for the purpose of addressing complaints at the permanent structure where irrigation business is primarily conducted and irrigation records are kept.

Sec. 6-243. Contracts.

(a) All contracts to install an irrigation system must be in writing and signed by each party and must specify the irrigator's name, license number, business address, current business

telephone numbers, the date that each party signed the agreement, the total agreed price, and must contain the statement, "Irrigation in Texas is regulated by the Texas Commission on Environmental Quality (TCEQ), MC-178, P.O. Box 13087, Austin, Texas 78711-3087. TCEQ's website is: www. tceq.state.tx.us." All contracts must include the irrigator's seal, signature, and date.

(b) All written estimates, proposals, bids, and invoices relating to the installation or repair of an irrigation system(s) must include the irrigator's name, license number, business address, current business telephone number(s), and the statement: "Irrigation in Texas is regulated by the Texas Commission On Environmental Quality (TCEQ) (MC-178), P.O. Box 13087, Austin, Texas 78711-3087. TCEQ's web site is: www.tceq.state.tx.us."

(c) An individual who agrees by contract to provide irrigation services as defined in Title 30, Texas Administrative Code, Section 344.30 (relating to License Required) shall hold an irrigator license issued under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations) unless the contract is a pass-through contract as defined in Title 30, Texas Administrative Code, Section 344.1(36) (relating to Definitions). If a pass-through contract includes irrigation services, then the irrigation portion of the contract can only be performed by a licensed irrigator. If an irrigator installs a system pursuant to a pass-through contract, the irrigator shall still be responsible for providing the irrigation system's owner or through contract; the irrigator shall still be responsible for providing the irrigation system's owner or owner's representative a copy of the warranty and all other documents required under this chapter. A pass-through contract must identify by name and license number the irrigator that will perform the work and must provide a mechanism for contacting the irrigator for irrigation system warranty work.

(d) The contract must include the dates that the warranty is valid.

Sec. 6-244. Warranties for Systems.

(a) On all installations of new irrigation systems, an irrigator shall present the irrigation system's owner or owner's representative with a written warranty covering materials and labor furnished in the new installation of the irrigation system. The irrigator shall be responsible for adhering to terms of the warranty. If the irrigator's warranty is less than the manufacturer's warranty for the system components, then the irrigator shall provide the irrigation system's owner or the owner's representative with applicable information regarding the manufacturer's warranty period. The warranty must include the irrigator's seal, signature, and date. If the warranty is part of an irrigator's contract, a separate warranty document is not required.

(b) An irrigator's written warranty on new irrigation systems must specify the irrigator's name, business address, and business telephone number(s), must contain the signature of the irrigation system's owner or owner's representative confirming receipt of the warranty and must include the statement: "Irrigation in Texas is regulated by the Texas Commission on Environmental Quality (TCEQ), MC-178, P.O. Box 130897, Austin, Texas 78711-3087. TCEQ's website is: www.tceq.state.tx.us."

(c) On all maintenance, alterations, repairs, or service to existing irrigation systems, an irrigator shall present the irrigation system's owner or owner's representative a written document that identifies the materials furnished in the maintenance, alteration, repair, or service. If a warranty is provided, the irrigator shall abide by the terms. The warranty document must include the irrigator's name and business contact information.

Sec. 6-245. Duties and Responsibilities of City Irrigation Inspectors.

A licensed irrigation inspector shall enforce the ordinance of the city, and shall be responsible for:
(1) verifying that the appropriate permits have been obtained for an irrigation system and that the irrigator and installer or irrigation technician, if applicable, are licensed;
(2) inspecting the irrigation system;
(3) determining that the irrigation system complies with the requirements of this chapter;
(4) determining that the appropriate backflow prevention device was installed, tested, and test results provided to the city;
(5) investigating complaints related to irrigation system installation, maintenance, alteration, repairs, or service of an irrigation system and advertisement of irrigation services; and
(6) maintaining records according to this chapter.

Sec. 6-246. Items not covered by this ordinance.

Any item not covered by their ordinance and required by law shall be governed by the Texas Occupations Code, the Texas Water Code, Title 30 of the Texas Administrative Code, and any other applicable state statute or Texas Commission on Environmental Quality rule.

Sec. 6-247. Fees.

Building permit fees shall be established by resolution of the city council.

Sec. 6-248. Irrigation systems within the public right of way.

The city shall not be held liable for any damage of any system, which results from the installation or repair of, or improvement of any street or utility. Any homeowner or irrigator who installs a lawn sprinkler system between the curb and sidewalk or elsewhere within the public right of way shall likewise hold the city harmless against any claim or injury to persons or damage to property that any member of the public may suffer by reason of installation of said lawn sprinkling system between said curb and sidewalk or within the public right of way.

Sec. 6-249. Enforcement.

(a) The city shall have the power to administer and enforce the provisions of this chapter as may be required by governing law. Any person, firm, corporation or agent who shall violate a provision of this code, or fails to comply therewith, or with any of the requirements thereof, is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of the ordinance codified in this chapter is declared to be a nuisance.

(b) Any person violating any provision of chapter shall, upon conviction, be fined a sum not exceeding $2000.00. Each day that a provision of this chapter is violated shall constitute a separate offense. An offense under this chapter is a Class C misdemeanor, punishable by a fine of up to $2000.00.

(c) Nothing in this chapter shall be construed as a waiver of the city's right to bring a civil action

to enforce the provisions of this chapter and to seek remedies as allowed by law, including, but not limited to the following:

(1) Injunctive relief to prevent specific conduct that violates the ordinance or to require specific conduct that is necessary for compliance with the ordinance; and

(2) Other available relief.

Secs. 6-250----6-254 Reserved.

SECTION 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

SECTION 3. Any person, firm or corporation violating any of the provisions of this ordinance shall upon conviction be subject to a fine in accordance with the general provisions of the Code of Ordianances.

SECTION 4. That this ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED this16th day of March, 2009.

William R. Cecil

William R. Cecil, Mayor

ATTEST:

Kristy Ashberry

Kristy Ashberry, City Secretary

CITY OF ROCKWALL TEXAS SEAL

APPROVED AS TO FORM:

Pete Eckert, City Attorney

1st reading: 03-02-09
2nd reading: 03-16-09

APPENDIX F

LETTERS TO REGIONAL WATER PLANNING GROUPS

280

City of Rockwall
The New Horizon

Date: April 22, 2014

Region C Water Planning Group
c/o North Texas Municipal Water District
P.O. Box 2408
Wylie, TX 75098

Dear Sir:

Enclosed please find a copy of the updated Drought Contingency and Water Emergency Response Plan for the City of Rockwall of the North Texas Municipal Water District. I am submitting a copy of this plan to the Region C Water Planning Group in accordance with the Texas Water Development Board and Texas Commission on Environmental Quality rules. The City of Rockwall adopted the Drought Contingency and Water Emergency Response Plan on April 21, 2014.

Sincerely,

Rick Crowley
City Manager

City of Rockwall
The New Horizon

Date: April 22, 2014

Mr. Brett McCoy
Chair, Region D Water Planning Group
700 CR3347
Omaha, TX 75571

Dear Mr. McCoy:

Enclosed please find a copy of the updated Drought Contingency and Water Emergency Response Plan for the City of Rockwall of the North Texas Municipal Water District. I am submitting a copy of this plan to the Region C Water Planning Group in accordance with the Texas Water Development Board and Texas Commission on Environmental Quality rules. The City of Rockwall adopted the Drought Contingency and Water Emergency Response Plan on April 21, 2014.

Sincerely,

Rick Crowley
City Manager

APPENDIX G

SERVICE REGULATIONS

283

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 09-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL IN CHAPTER 26, ARTICLE V, DIVISION 2, SERVICE REGULATIONS; PROVIDING FOR A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2000.00) FOR EACH OFFENSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall recognizes that the amount of water available to its water customers is limited; and

WHEREAS, pursuant to Chapter 54 of the Local Government Code, the City is authorized to adopt such policies necessary to preserve and conserve available water supplies; and

WHEREAS, the City seeks to adopt an ordinance pertaining to illegal water connections and theft of water.

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

SECTION 1. That the Code of Ordinances shall be amended in Chapter 26, Article V, Division 2, which shall hereinafter read in the entirety as set forth in Exhibit "A" attached hereto made a part hereof for all purposes.

SECTION 2. That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

SECTION 3. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction, be subject to a fine in accordance with Section 1-7 of the General Provision of the Code of Ordinances.

SECTION 4. That this ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS this **18th** day of **May, 2009**.

William R. Cecil

William R. Cecil, Mayor

ATTEST:

Kristy Ashberry

Kristy Ashberry, City Secretary

CITY OF ROCKWALL TEXAS
SEAL

APPROVED AS TO FORM:

Pete Eckert, City Attorney

1st reading: 05-04-09

2nd reading: 05-18-09

"EXHIBIT A"

CHAPTER 26

ARTICLE V. WATER

DIVISION 2

SERVICE REGULATIONS

Sec. 26-131. Application for service required; who may apply; responsibility for bill.

(a) Each consumer desiring water from the City of Rockwall's water supply system shall make application. The application shall contain the purpose for which the water is desired, and shall agree to the terms and conditions upon which water will be furnished and to the rules, regulations and ordinances of the City. Upon such application being filed with the City, the applicant is authorized the use of water from the City's water system for specified purposes.

(b) No application for the use of water shall be filed by any person other than the owner, renter or duly authorized agent, and such owner, renter or authorized agent when making application, shall be liable for the fees charged for the use of water.

Sec. 26-132. Permits to be approved by the City before water is turned on.
All applications for water from the City's water system, when a new service has been installed, shall be approved by the City after inspection, before the water will be turned on.

Sec. 26-133. Permit required for taps, etc.
No new tap or new service or addition, extension or alteration of any tap or service, shall be made or caused to be made by any consumer, except through a licensed plumber or utility contractor and after obtaining a permit from the City.

Sec. 26-134. Connection permits.
Applications for permits to connect water service pipes or mains with the distribution mains shall be made to the City, together with a fee as specified in Article II of this chapter and Chapter 24, Subdivision Regulations, Article III, paid in advance to the City for inserting the service pipe or main and conveying it to the curb line. Such permit shall be the plumber or utility contractors authority for making the connection with the street service, laying pipes and doing all work necessary to make the service complete. Any application for a second permit to the same premises will be charged an equal fee for inserting the service pipe and conveying it to the curb line.

Sec. 26-135. Permit applications to be made by a licensed plumber or utility contractor.
All applications for permits required by this article shall be made only by a licensed plumber or utility contractor working for the property owner or his authorized agent.

Sec. 26-136. Turn-on of water restricted.
No person may knowingly cause, suffer or allow the initiation or restoration of water service to the property after termination of service(s) without the written consent of the City. For purposes of this section, it shall be assumed that the owner, occupant, or person in control of the property caused, suffered, or allowed the unlawful initiation or restoration of service(s).

Sec. 26-137. Maintenance and conservation requirements of consumer.
All consumers of water from the City's water system shall keep their service pipes and all fixtures connected in good condition and repair to prevent unnecessary waste of water.

Sec. 26-138. Shutoff of water for waste.
Where water is wasted by reason of the water fixtures and service pipe being out of order, through neglect of the consumer, agents or tenants, after notice thereof from the City, if the consumer refuses to repair such fixtures or pipe, the water shall be immediately turned off and withheld from such premises until repairs have been made.

Sec. 26-139. Consumers not to permit others to use water; penalty.
No consumer of City water shall permit any other person to use water from their tap, hydrant, faucet or other device to provide water to an additional property, except when authorized by the City. In the case of a violation of this section, the water shall be immediately turned off in addition to any other penalty otherwise provided.

Sec. 26-140. Use of water from public connections restricted.
No consumer or other person shall take water for private use from any public fire hydrant, hydrant, fountain or similar public water source without the consent of the City.

Sec. 26-141. Interference with system apparatus.
A person may not knowingly tamper, connect to, or alter any component of the City's water system including, but not limited to: valves, meters, meter boxes, lids, hydrants, lines, pump stations, ground storage tanks, and elevated tanks. This shall include direct or indirect efforts to initiate or restore water service without the approval of the City.

APPENDIX H

TCEQ WATER CONSERVATION IMPLIMINTATION REPORT

288

Texas Commission on Environmental Quality

Water Conservation Implementation Report
Public Water Supplier

This five year report must be completed by entities that are required to submit a water conservation plan to the TCEQ in accordance with Title 30 Texas Administrative Code, Chapter 288. Please complete this report and submit it to the TCEQ. If you need assistance in completing this form, please contact the Resource Protection Team in the Water Availability Division at (512) 239-4691.

CONTACT INFORMATION

Name of Entity: City of Rockwall

Public Water Supply Identification Number (PWS ID):1990001
CCN numbers:
Water Right Permit numbers: N/A
Wastewater ID numbers: Buffalo Creek WWTP WQ12047001
Squabble Creek WWTP WQ10262001
Check all that apply:
- ☒ Retail Public Water Supplier
- ☒ Wholesale Public Water Supplier

Address: 385 S. Goliad City: Rockwall Zip Code: 75087

Email: ihatcher@rockwall.com Telephone Number: 972-771-7730

Regional Water Planning Group: C

Groundwater Conservation District: N/A

Form Completed By: Irene Hatcher Title: Conservation / Public Works Coordinator

Signature: _____ Date: Click here to enter a date.

Contact information for the person or department responsible for implementing the water conservation plan:

Name: Rick Crowley Phone: 972-771-7700 Email: rcrowley@rockwall.com

Report Completed on Date: Click here to enter a date.

Reporting Period (**check only one**):

☐ Fiscal Period Begin:Click here to enter a date. Period End: Click here to enter a date.

☒ Calendar Period Begin: January 2009 Period End: December 2013

Please check all of the following that apply to your entity:

☐ A surface water right holder of 1,000 acre-feet/year or more for non-irrigation uses
☐ A surface water right holder of 10,000 acre-feet/year or more for irrigation uses

Important

If your entity meets the following description, please skip page 3 and go directly to page 4.

Your entity is a Wholesale Public Water Supplier that ONLY provides wholesale water services for public consumption. For example, you only provide wholesale water to other municipalities or water districts.

Water Use Accounting

Retail Water Sold: *All retail water sold for public use and human consumption.*

Helpful Hints: There are two options available for you to provide the requested information. Both options ask the same information; however, the level of detail and break down of information differs between the two options. Please select just one option that works best for your entity and fill in the fields as completely as possible.

For the five-year reporting period, enter the gallons of **RETAIL water sold** in each major water use category. Use **only one** of the following options.

Option 1

Water Use Category*	**Gallons Sold**
Single Family Residential	
Multi-Family Residential	
TOTAL Residential Use[1]	0
Industrial	
Commercial	
Institutional	
TOTAL Retail Water Sold[2]	0

1. [SF Res +MF Res = Residential Use]
2. [Res +Ind +Com +Ins = Retail Water Sold]

Option 2

Water Use Category *	**Thousand Gallons Sold**
Residential Select all of the sectors that your account for as "Residential". ☒Single Family ☒ Multi-Family	7,788,242
Commercial Please select all of the sectors that your account for as "Commercial". ☒ Commercial ☐ Multi-Family ☐ Industrial ☐ Institutional	2,566,286
Industrial Please select all of the sectors that your account for as "Industrial". ☒Industrial ☐ Commercial ☐ Institutional	28,907
Other Please select all of the sectors that your account for as "Other". ☐Commercial ☐Multi-Family ☐ Industrial ☒ Institutional	489,885
TOTAL Retail Water Sold[1]	10,873,321

1. [Res +Com +Ind + Other = Retail Water Sold]

Wholesale Water Exported: *Wholesale water sold or transferred out of the distribution system.*

For the five-year reporting period, enter the gallons of **WHOLESALE water exported** to each major water use category.

Water Use Category*	**Gallons of Exported Wholesale Water**
Municipal Customers	4,827,630
Agricultural Customers	
Industrial Customers	
Commercial Customers	
Institutional Customers	
TOTAL Wholesale Water Exported [1]	**4,827,630**

1. [Mun +Agr +Ind +Com +Ins = Wholesale Water Exported]

System Data

	Total Gallons During the Five-Year Reporting Period
Water Produced: Volume produced from own sources	0
Wholesale Water Imported : Purchased wholesale water imported from other sources into the distribution system	16,150,727
Wholesale Water Exported: Wholesale water sold or transferred out of the distribution system (Insert Total Volume calculated on Page 4)	4,827,630
TOTAL System Input : Total water supplied to the infrastructure	11,323,097 [Produced + Imported – Exported = System Input]
Retail Water Sold : All retail water sold for public use and human consumption (Insert Total Residential Use from Option 1 or Option 2 calculated on Page 3)	10,873,321
Other Consumption Authorized for Use but not Sold: - back flushing water - line flushing - storage tank cleaning - golf courses - fire department use - parks - municipal government offices	19,258
TOTAL Authorized Water Use: All water that has been authorized for use or consumption.	10,892,579 [Retail Water Sold + Other Consumption = Total Authorized]
Apparent Losses – Water that has been consumed but not properly measured (Includes customer meter accuracy, systematic data discrepancy, un- authorized consumption such as theft)	77,882
Real Losses – Physical losses from the distribution system prior to reaching the customer destination (Includes physical losses from system or mains, reported breaks and leaks, storage overflow)	11,428
Unidentified Water Losses	341,208 [System Input- Total Authorized - Apparent Losses - Real Losses = Unidentified Water Losses]
TOTAL Water Loss	430,518.00 [Apparent + Real + Unidentified = Total Water Loss]

Targets and Goals

In the table below, please provide the **specific and quantified five and ten-year targets for water savings** listed in your water conservation plan.

Date	Target for: Total GPCD	Target for: Water Loss (expressed in GPCD)	Target for: Water Loss Percentage (expressed in Percentage)
Five-year target date: 7/6/2014	171.7	9	5%
Ten-year target date: 7/6/2019	162.7	18	11%

Are targets in the water conservation plan being met? Yes ☒ No ☐

If these targets are not being met, provide an explanation as to why, including any progress on these targets: Click here to enter text.

Gallons per Capita per Day (GPCD) and Water Loss

Compare your current gpcd and water loss to the above targets and goals set in your previous water conservation plan.

Total System Input in Gallons	Permanent Population	Current GPCD
11,323,097,000 [Produced + Imported – Exported = System Input]	39,714	156 [(System Input ÷ Permanent Population) /5/ 365]

Permanent Population is the total permanent population of the service area. This includes single family, multi-family, and group quarter populations.

Total Residential Use	Permanent Population	Residential GPCD
7,788,242,000	38,747	110 [(Residential Use ÷ Residential Population) / 5/ 365]

1. Residential Population is the total residential population of the service area including single & multi-family population.

Total Water Loss	Total System Input in Gallons	Permanent Population	Water Loss calculated in	
			GPCD [1]	Percent [2]
430,518,000 [Apparent + Real + Unidentified = Total Water Loss]	11,323,097,000 [Water Produced + Wholesale Imported - Wholesale Exported]	39,714	6	3.8

1. [Total Water Loss ÷ Permanent Population] / 5/ 365 = Water Loss GPCD]
2. [Total Water Loss ÷ Total System Input] x 100 = Water Loss Percentage]

Water Conservation Programs and Activities

As you complete this section, please review your water conservation plan to see if you are making progress towards meeting your stated goals.

1. Water Conservation Plan

What year did your entity adopt, or revise, their most recent water conservation plan: 2009

Does the plan incorporate Best Management Practices? Yes ☒ No ☐

2. Water Conservation Programs

For the reporting period, please select the types of activities and programs that have been actively administered, and estimate the expense and savings that incurred in implementing the conservation activities and programs for the past five years. Leave the field blank if unknown:

Program or Activity	Estimated Expenses	Estimated Gallons Saved
Conservation Analysis & Planning		
☒ Conservation Coordinator		
☐ Water Survey for Single-Family and Multi-Family Customers		
Financial		
☐ Wholesale Agency Assistance Programs		
☐ Water Conservation Pricing/ Rate Structures		
System Operations		
☐ Water Loss Audits		
☒ Leak Detection		
☐ Universal Metering and Metering Repair		
Landscaping		

☐ Landscape Irrigation Conservation and Incentives		
☐ Athletic Fields Conservation		
☒ Golf Course Conservation		
☒ Park Conservation		
Education & Public Awareness		
☐ School Education		
☒ Public Information		
Rebate, Retrofit, and Incentive Programs		
☐ Conservation Programs for ICI Accounts		
☐ Residential Clothes Washer Incentive Program		
☐ Water Wise Landscape Design and Conversion Programs		
☐ Showerhead, Aerator, and Toilet Flapper Retrofit		
☐ Residential Toilet Replacement Programs		
☐ Rainwater Harvesting Incentive Program		
☐ ICI Incentive Programs		
Conservation Technology		
☒ Recycling and Reuse Programs (Water or Wastewater Effluent)		
☐ Rainwater Harvesting and Condensate Reuse Programs		
Regulatory and Enforcement		
☒ Prohibition on Wasting Water		
TOTAL	$ 0.00	0

3. Reuse (Water or Wastewater Effluent)

For the reporting period, please provide the following data regarding the types of direct and indirect reuse activities that were administered for the past five years:

Reuse Activity	Estimated Volume (in gallons)
On-site irrigation	
Plant wash down	
Chlorination/de-chlorination	
Industrial	
Landscape irrigation (parks, golf courses)	311,951,000
Agricultural	
Other, please describe:	
Estimated Volume of Recycled or Reuse	311,951,000

4. Water Savings

For the five-year reporting period, estimate the total savings that resulted from your overall water conservation activities and programs?

Estimated Gallons Saved (Total from Conservation Programs Table)	**Estimated Gallons Recycled or Reused** (Total from Reuse Table)	**Total Volume of Water Saved** [1]	**Dollar Value of Water Saved** [2]
		311,951,000	

1. [Estimated Gallons Saved + Estimated Gallons Recycled or Reused = Total Volume Saved]
2. Estimate this value by taking into account water savings, the cost of treatment or purchase of your water, and any deferred capital costs due to conservation.

5. Conservation Pricing / Conservation Rate Structures

During the five-year reporting period, have your rates or rate structure changed? Yes ☒ No ☐

Please indicate the type of rate pricing structures that you use:

☒ Uniform rates	☐ Water Budget Based rates	☐ Surcharge - seasonal
☐ Flat rates	☐ Excess Use Rates	☐ Surcharge - drought
☐ Inclining/ Inverted Block	☐ Drought Demand rates	☐ Surcharge - usage demand
☐ Declining Block rates	☐ Tailored rates	
☐ Seasonal rates		

6. Public Awareness and Education Program

For the five-year reporting period, please check the appropriate boxes regarding any public awareness and educational activities that your entity has provided:

	Implemented	Number/Unit
Example: Brochures Distributed	☐	*10,000/year*
Example: Educational School Programs	☐	*50 students/month*
Brochures Distributed	☒	24,092/year
Messages Provided on Utility Bills	☒	12/year
Press Releases	☒	7/year
TV Public Service Announcements	☐	
Radio Public Service Announcements	☐	
Educational School Programs	☒	3/year
Displays, Exhibits, and Presentations	☒	2/year
Community Events	☒	2/year
Social Media campaigns	☒	7/year
Facility Tours	☐	
Other :	☐	

7. Leak Detection

During the five-year reporting period, how many leaks were repaired in the system or at service connections: CURTIS

Please check the appropriate boxes regarding the main cause of water loss in your system during the reporting period:

☒ Leaks and breaks

☐ Un-metered utility or city uses

☐ Master meter problems

☐ Customer meter problems

☐ Record and data problems

☐ Other: Click here to enter text.

☐ Other: Click here to enter text.

8. Universal Metering and Meter Repair

For the five-year reporting period, please provide the following information regarding meter repair:

	Total Number	Total Tested	Total Repaired	Total
Production Meters	9	9	2	20
Meters larger than 1 ½"	6	6	1	13
Meters 1 ½ or smaller				

Does your system have automated meter reading? Yes ☒ No ☐

9. Conservation Communication Effectiveness

In your opinion, how would you rank the effectiveness of your conservation activities in reaching the following types of customers for the past five years?

	Do not have activities or programs that target this type customer.	Less Than Effective	Somewhat Effective	Highly Effective
Residential Customers	☐	☐	☒	☐
Industrial Customers	☒	☐	☐	☐
Institutional Customers	☐	☐	☒	☐
Commercial Customers	☐	☐	☒	☐
Agricultural Customers	☒	☐	☐	☐

10. Drought Contingency and Emergency Water Demand Management

During the five-year reporting period, did you implement your Drought Contingency Plan?

Yes ☒ No ☐

If yes, indicate the number of days that your water use restrictions were in effect: 888

If yes, please check all the appropriate reasons for your drought contingency efforts going into effect.

☒ Water Supply Shortage	☐ Equipment Failure
☒ High Seasonal Demand	☐ Impaired Infrastructure
☐ Capacity Issues	☐ Other:

If you have any questions on how to fill out this form or about the Water Conservation program, please contact us at 512/239-4691.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512-239-3282.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **April 4, 2014**

SUBJECT: **Drought**

There are two drought related items to be discussed at the Council meeting on Monday. The first item, related to the NTMWD Board recommendation IS material to the current water conservation program and has immediate impact on the City and our customers. The state mandated changes to the Water Conservation Plan is important to accomplish, but does not have the same potential for immediate impact. (Both NTMWD and at least several of the NTMWD area member cities have taken the approach that the modifications to the plan will actually be effective upon resolution of the issues related to the current drought currently at hand.) I will discuss the first item, and Tim Tumulty will discuss the second item with the Council.

The NTMWD Board has taken action to recommend extension of the "once every two weeks" watering restrictions (along with the other aspects currently in place) for an additional month beginning April 1. The Board anticipates that, from this point forward, they will review the situation monthly and make any recommended changes that are warranted until the drought has concluded. Although the City's ordinance clearly provides that the City Manager is authorized to make a change, such as extending this conservation measure for the additional month that has been recommended, my practice has been to fully advise and discuss these matters with the Council prior to actually signing the implementation document (which is attached). So, I have not executed the document pending our discussion Monday night. Neither have we indicated to our customers that there has been policy change in this matter. In fact, the Board's recommendation would extend our current policy for one month but not change it.

Practically, our customers have achieved the conservation goals without the need for expensive neighborhood patrol and issuance of citations which is good because the practical challenges of administering a "once every two weeks" watering schedule through patrol and citation issuance are many. Even so, it is clear that compliance has

been far less than perfect. So, the fact that I have not executed the document has essentially not changed the City's "program". Frankly, we continue to rely on our customers' personal observation of lake levels and the public information urging then to conserve water as the means for achieving the best compliance possible at this point.

The Water Department has surveyed member cities to collect information as to what the various responses to the NTMWD Board action has been or will be. A summary of that brief survey is attached. You will note general compliance with the Board's recommendation with the exception of the cities of McKinney and Frisco. I cannot speculate as to the circumstances in these two cities that have lead them to adopt the policies that they have adopted with any more accuracy than, I'm sure, another city could accurately speculate on our decision not to include drought monitor patrol and issuance of citations to enforce the program that the City of Rockwall now has in place.

Even though there are variances in the actions taken by member cities, it is my thought that we should extend the current "once every two weeks" program in Rockwall as has been recommended by the Board. This program and the drought in general causes us to continue asking our customers to sacrifice the levels of outdoor watering that many of them would prefer and continues to reduce revenue to the water and sewer fund, but a look at lake levels makes it difficult to take action to the contrary. Upon conclusion of the discussion Monday evening, execution of the implementation document will occur in accordance with the outcome of Monday's discussions.

As we have also discussed on several occasions, to my knowledge no North Texas city has discontinued development or construction as a result of the drought. Some, as we have done, have allowed delay by developers and builders in actual installation of required landscaping. We will bringing back to the Council a recommendation requesting that a process for this delay be adopted more formally so that the Council and the Staff can continue to approach these situations in a reasonable way. This will likely be on the agenda for the next Council meeting.

MEMBER CITIES STAGE 3 ENFORCEMENT

EVERY OTHER WEEK

- **Plano** - We are enforcing once every other week watering.
- **Allen** - Once every 2 week watering. Our city attorney said since our plan stated once per week in April, we could only give warnings, not citations for wrong day watering.
- **Garland** - Garland is 'encouraging' its customers to follow NTMWD's recommended 'once every other week'. No citations for non-compliance will be issued.
- **Wylie** – Once every two weeks
- **Princeton** – Every other week
- **Farmersville –** restricting landscape watering to once every two weeks during the month of April. We will receive month to month extensions based on any changes to the drought conditions.
- **Forney** - **once every two weeks**.

TWICE PER MONTH

- **Mesquite** - We are enforcing twice per month.
- **Richardson** - Richardson is enforcing twice per month for residents and commercial properties.
- **Royce City** - Royse City is enforcing twice a month watering.

ONCE PER WEEK

***McKinney** – Once per week on trash day

***Frisco** – Once per week

City of Rockwall

Implementation of Enhanced Stage 3 of the
Drought Contingency and Water Emergency Response Plan

Due to conditions related to the current reservoir levels, long term weather forecasts, and ongoing drought, the provisions of the City of Rockwall's *Drought Contingency and Emergency Response Plan, Stage 3* are hereby enacted. The goal for water use reduction under Stage 3 is ten percent (10%) of the amount of water obtained from North Texas Municipal Water District.

The provisions of the plan (including those associated with Stages 1 & 2) that are applicable on the effective date of April 1, 2014 are as follows:

- Limit landscape watering with sprinklers or irrigation systems to once every two weeks.
- Notify wholesale customers of actions taken and request similar implementation.
- Implement viable alternative water strategies.
- Prohibit watering with sprinklers or irrigation systems between the hours of 10:00 a.m., and 6:00 p.m. from April 1st to October 31st.
- Foundations, new landscaping, new plantings (first year shrubs and trees) may be watered for up to two hours on any day by a hand-held hose, a soaker hose, or a dedicated zone using a drip irrigation system.
- Further accelerate public education efforts to reduce water usage (Stage 3).
- Prohibit using water in such a manner as to allow runoff or other waste.
- Public athletic fields used for competition may be watered twice per week, as needed.
- Golf courses may water greens and tee boxes without any restrictions.
- Locations using other sources of water supply for irrigation may irrigate without restrictions with signage of water source placed in plain view.
- ET/Smart irrigation systems are <u>not</u> exempt from Stage 3 water restrictions.
- Restrictions do not apply to locations using treated wastewater effluent for irrigation or the legal use of water pumped from Lake Ray Hubbard as regulated by the City of Dallas.

_____ _____

Rick Crowley
City Manager

Date

_____ _____

Attest
Kristy Ashberry, City Secretary

Date

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **April 3, 2014**

SUBJECT: **Amendment to Solicitors Ordinance**

Please find the attached memorandum from Chief Moeller recommending amendments to the City's ordinance regulating solicitors. The number of complaints received by our citizens about solicitors caused the department to take a look at several other cities and their experiences with solicitors. As indicated, a number of cities have strengthened their local ordinances. In those cities the number of complaints from citizens has been reduced.

If the Council is in agreement with the amendments suggested, it would be appropriate to direct the City Attorney to prepare an ordinance amendment for consideration by the Council at the next meeting.

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mark Moeller, Chief of Police**

DATE: **March 31, 2014**

SUBJECT: **Additions to the Solicitor's Ordinance**

The City of Rockwall regulates the sale of merchandise and services by home solicitors and itinerant peddlers. Solicitors are required to obtain a permit to conduct such business within the city limits. The Police Department is responsible for approving and issuing these permits.

Over the past several years there has been a steady increase in aggressive solicitation. Many of our citizens have called regarding the rude and disorderly conduct of these solicitors, as reflected in calls for police service in the table below. They have stated this has contributed to an increased sense of anxiety and tension in their neighborhoods.

Year	# of Complaints	% Increase/ Decrease	Permits Issued
2009	50	n/a	n/a
2010	74	+48%	n/a
2011	131	+77%	71
2012	161	+23%	62
2013	149	- 7%	87
2014 (thru 3/12)	51	TBD	23

These calls for service only include the solicitor call type. Citizens who called regarding suspicious activity or person are not included, since this would require a manual review of the comments of each of these calls to determine if it involved a solicitor.

A check of our market cities was conducted to compare solicitor permit regulations (attached document). We found that every city had strengthened their ordinance requirements, thereby creating an overall enhancement of the professionalism of the solicitors who were granted permits. They also realized a significant reduction in citizen complaints.

While the police department recognizes the constitutional rights of persons to conduct solicitation and peddling activity in a peaceful and nonthreatening manner, there is a definite need to balance those rights with a reasonable level of regulation.

I believe the following additions to the current registration requirements in:

Article III. PEDDLERS, SOLICITORS AND ITINERANT VENDORS

Section 12-54. Contents of application; fee; term; renewal

would assist in addressing the safety and welfare concerns of our citizens, as well as bringing the ordinance up to date with current practices in other cities.

(a) A non-refundable $65.00 fee paid per person.
(b) A criminal history check by the service H.R. uses for applicants. This cost would be covered by the administration fee.
(c) Include a ten business day waiting period to process the application.

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SOLICITOR GUIDELINE COMPARISON

City	Cost	Expiration	Process Time	Background Required
ROCKWALL	$10.00 per permit	1 year	Same Day	✓ Local Warrant Check ✓ State Warrant Check
ALLEN	$50.00 Application Fee $10.00 per permit	90 days	10 Business Days	✓ Criminal History*
BURLESON	Surety Bond required $75.00 ea for 1st five permits $10.00 ea for 5 or more permits	30 days	1-3 Business Days	✓ Criminal History*
COPPELL	$25.00 per permit	1 year	10 Business Days	✓ None
GRAPEVINE	$65.00 Background Check Fee $50.00 – 1st permit $20.00 each additional permit	1 year	30 Days from date of application	✓ Criminal History*
LEWISVILLE	$40.00 – 1st permit $10.00 each additional	6 months	10 Business Days	✓ Local Warrant Check ✓ State Warrant Check
RICHARDSON	$35.00 Administrative Fee $10.00 per permit	6 months	10 Business Days	✓ Criminal History*
ROWLETT	$50.00 Administrative Fee $1.00 per permit	1 year	10 Business Days	✓ Criminal History*
WYLIE	$75.00 per permit	6 months	10 Business Days	✓ None

*** Criminal History checks vary by department. Most departments use outside agencies to perform checks with the exception of Richardson, who does CCH in-house.**

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

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

DATE: **April 2, 2014**

SUBJECT: **Lofland Park Parking Lot Maintenance**

Councilmember Daniels and Mayor Sweet requested that staff look at the parking lot at Lofland Park and determine if there is a need to have the parking lot resurfaced. The right of way for Austin Street makes up the majority of the entry drive and parking lot at the park. The parking lot needs to be milled, leveled and have a new asphalt parking surface installed. The cost to replace the parking lot is $18,050. Contingent on Council approval, staff recommends that $8,300 be paid from the Recreation Development Fund and the balance of $9,750 be paid from the General Fund Street Materials line item. The breakdown of the cost is based on the portion of the parking which is in right of way and the portion that is within the park. The funds paid from the Recreation Development Fund will require a budget amendment.

There are other park related capital items that will be discussed at the Council retreat. These include the resurfacing of the parking lot at Leon Tuttle Park and the addition of a new rest room facility at Leon Tuttle Park and at Gloria Williams Pool. Staff will be available to answer any questions related to this request.

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City of Rockwall
The New Horizon

MEMORANDUM

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

FROM: **Kristy Ashberry, City Secretary**

DATE: **April 4, 2014**

SUBJECT: **Appointment to Historic Preservation Advisory Board (HPAB)**

Councilmember Daniels would like to recommend that the Council consider appointing **Glen Turbyfill** to the city's **Historic Preservation Advisory Board** to replace former member, Dr. David Waller, for a partial term to expire in August of 2015. The applicant information Mr. Turbyfill submitted is as follows:

Glen Turbyfill
1455 Memorial Dr.
Rockwall, TX 75087

I am retired from the computer business in sales, management, and long- range planning. My business degree was acquired at McMurray College. I spent a short while in accounting before joining the computer industry in 1964 and retired in 1990. Since then I have spent my time traveling, acrylic painting, designing and building scale model buildings, and volunteer work. I have worked with the Rockwall Historic Foundation, Friends of the Library, and my church. My plans this year call for further volunteer work with helping hands and Meals on Wheels. I have a great interest in historic preservation as witnessed by the two scale models I built for the historical museum and preservation (through a scale model) of the first farm house built in Rockwall County. I hope that I can be a part of the success of Rockwall's historic preservation.

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City of Rockwall

The New Horizon

Building Inspections Department

Monthly Report

February 2014

Permits

Total Permits Issued: 215

Building Permits 34 Contractor Permits 181

Total Permit Values: $ 10,292,778.75

Building Permits $ 8,635,642 Contractor Permits $ 1,657,136.75

Total Fees Collected: $ 153,458.98

Building Permits $ 123,079.82 Contractor Permits $ 30,379.16

Board of Adjustment

Board of Adjustment Cases 0

City of Rockwall

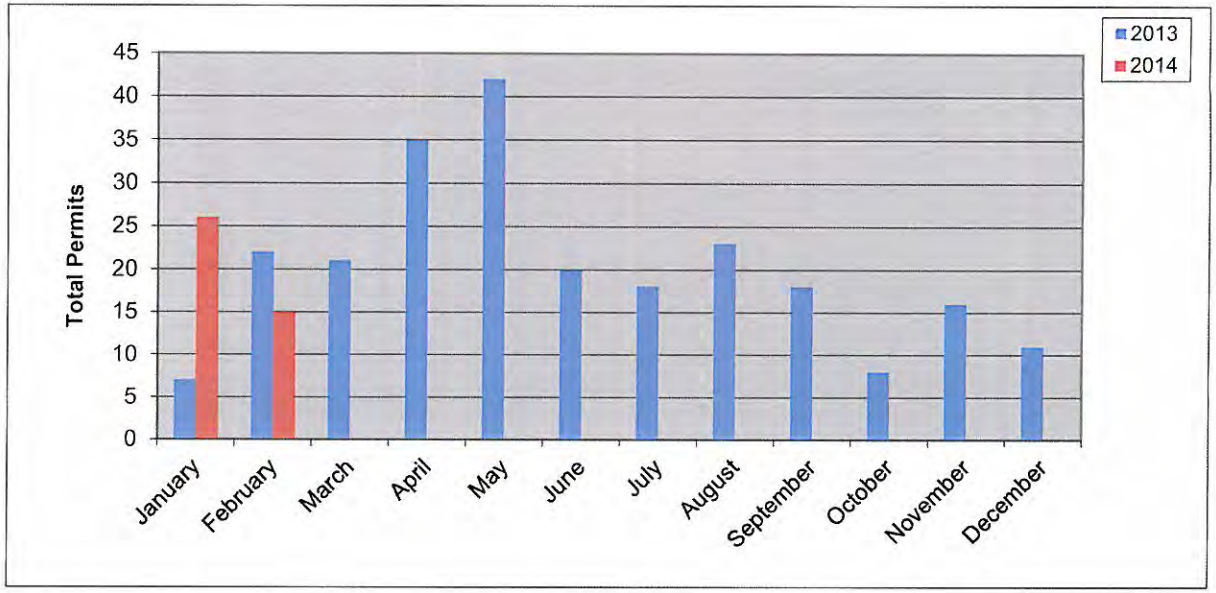
PERMITS ISSUED - Summary by Type and Subtype

For the Period 2/1/2014 thru 2/28/2014

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	7	$0.00	$353.00
30 DAY BANNER	5	$0.00	$253.00
COMING SOON	2	$0.00	$100.00
CLEAN SHOW	1	$0.00	$75.00
	1	$0.00	$75.00
CO	15	$0.00	$1,131.00
BUSINESS	13	$0.00	$979.50
NEW CONSTRUCTION	2	$0.00	$151.50
COMM	22	$4,520,355.00	$61,485.08
ACC BLDG	1	$130,000.00	$1,173.25
ADDITION	1	$785,000.00	$6,611.41
CONCRETE	1	$550,000.00	$3,482.75
ELECTRICAL	6	$131,955.00	$1,953.26
FENCE	2	$2,000.00	$70.00
INTERIOR COMP	5	$2,050,400.00	$13,210.67
IRRIGATION	1	$5,000.00	$35.00
MECHANICAL	1	$7,500.00	$164.00
NEW	1	$850,000.00	$34,531.99
PLUMBING	3	$8,500.00	$252.75
SIGNAGE	17	$40,000.00	$1,555.50
CANOPY	1	$0.00	$76.50
DEVELOPMENT	2	$0.00	$150.00
MONUMENT	2	$0.00	$279.00
TEMP REAL ESTATE	1	$0.00	$75.00
WALL	11	$40,000.00	$975.00
SINGLE FAMILY	148	$5,732,423.75	$88,799.40
ACC BLDG	4	$5,000.00	$246.82
ADDITION	4	$412,300.00	$5,042.52
ALTERATION	1	$20,000.00	$332.75
CONCRETE	4	$17,265.00	$452.12
DECK	1	$150.00	$36.50
ELECTRICAL	5	$9,512.00	$353.43
FENCE	32	$82,814.55	$1,158.70
IRRIGATION	8	$17,500.00	$280.00
MECHANICAL	8	$64,880.00	$1,381.38
NEW	15	$4,353,427.00	$74,329.11
PATIO COVER	6	$29,365.00	$775.47
PLUMBING	34	$28,569.27	$1,605.40
ROOF	10	$94,126.11	$356.00
SWIM POOL	13	$561,985.00	$2,343.50
WINDOWS	3	$35,529.82	$105.70
SPECIAL EVENT	5	$0.00	$60.00
	5	$0.00	$60.00
Totals:	215	$10,292,778.75	$153,458.98

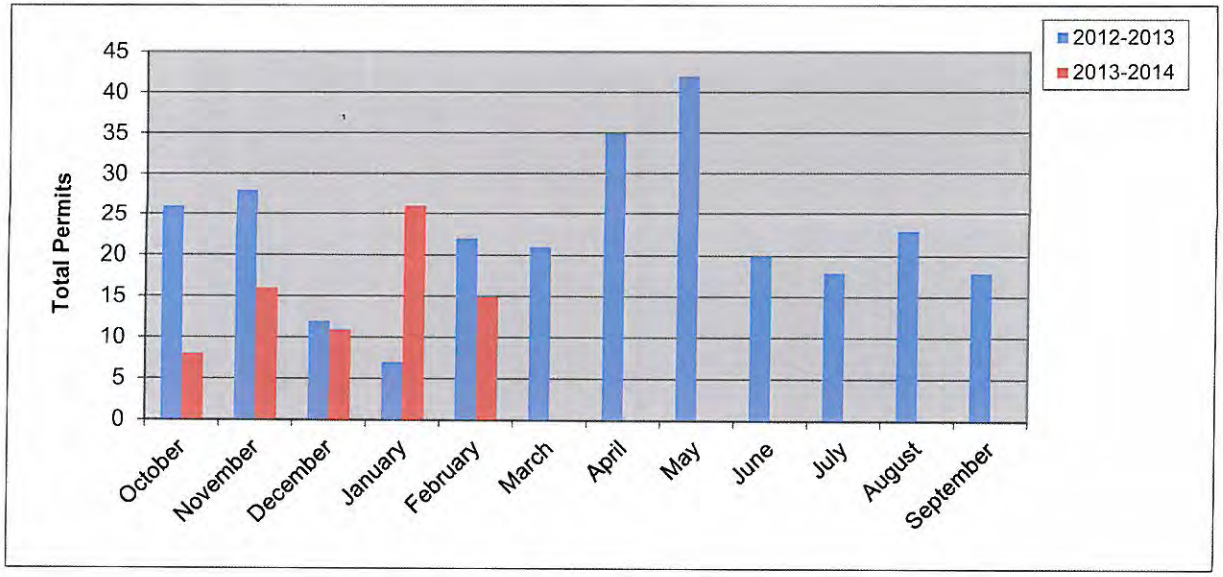
New Residential Permits Calendar Year

	Year	
	2013	2014
January	7	26
February	22	15
March	21	
April	35	
May	42	
June	20	
July	18	
August	23	
September	18	
October	8	
November	16	
December	11	
Totals	**241**	41



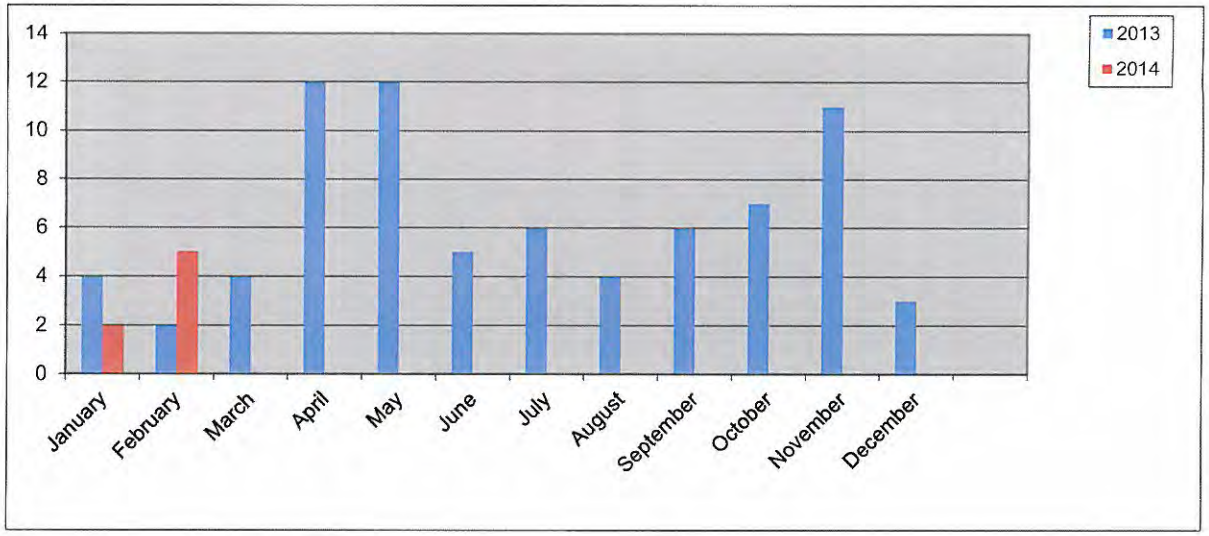
New Residential Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	26	8
November	28	16
December	12	11
January	7	26
February	22	15
March	21	
April	35	
May	42	
June	20	
July	18	
August	23	
September	18	
Totals	**272**	76



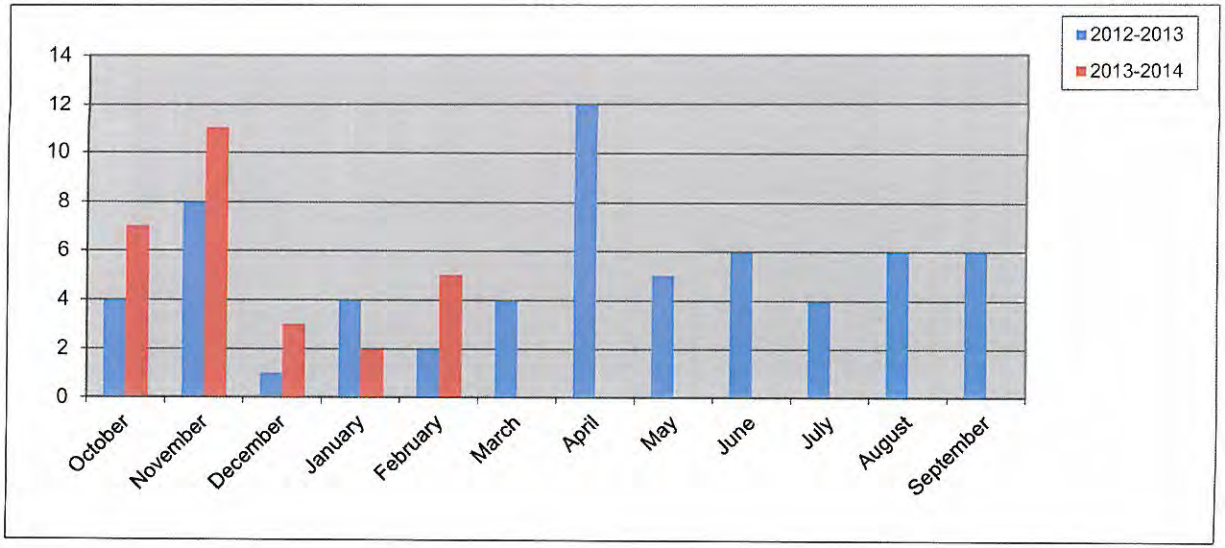
Residential Remodel Permits Calendar Year

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



Residential Remodel Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	4	7
November	8	11
December	1	3
January	4	2
February	2	5
March	4	
April	12	
May	5	
June	6	
July	4	
August	6	
September	6	
Totals	**62**	**28**



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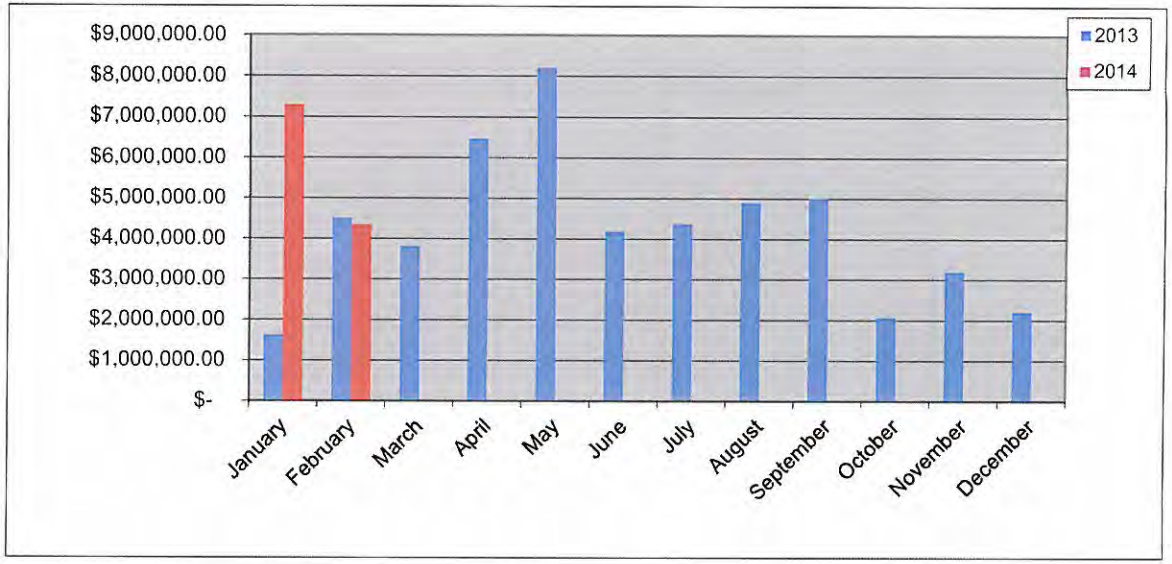
New Residential Value Calendar Year

Year	2013	2014
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	
April	$ 6,469,868.00	
May	$ 8,193,211.00	
June	$ 4,185,842.00	
July	$ 4,382,866.00	
August	$ 4,906,203.00	
September	$ 5,018,954.00	
October	$ 2,078,584.00	
November	$ 3,202,067.00	
December	$ 2,215,924.00	
Totals	**$50,608,931.00**	**$ 11,641,427.00**



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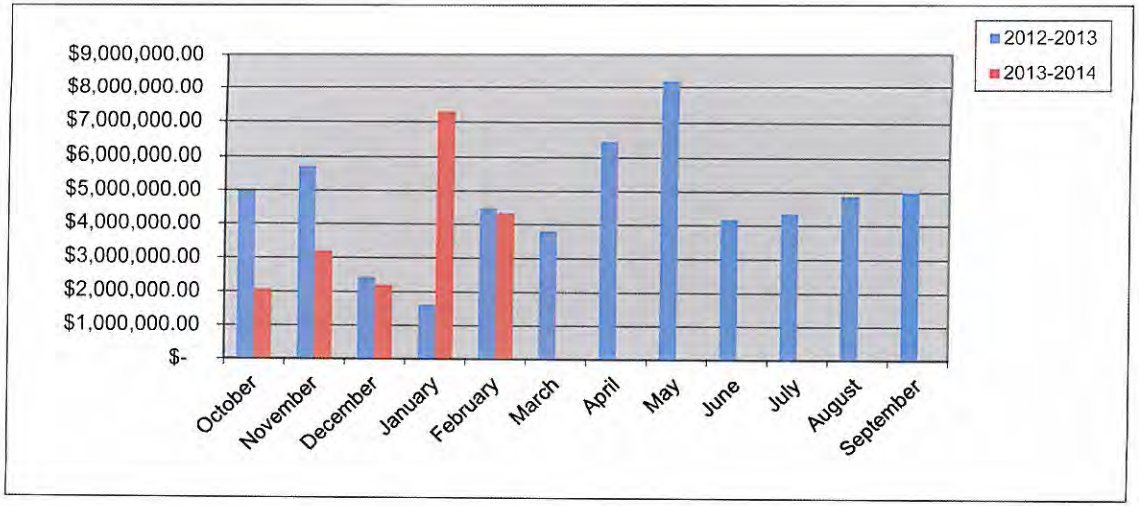
New Residential Value Fiscal Year

Year	2012-2013	2013-2014
October	$ 4,993,587.00	$ 2,078,584.00
November	$ 5,718,696.00	$ 3,202,067.00
December	$ 2,441,748.00	$ 2,215,924.00
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	
April	$ 6,469,868.00	
May	$ 8,193,211.00	
June	$ 4,185,842.00	
July	$ 4,382,866.00	
August	$ 4,906,203.00	
September	$ 5,018,954.00	
Totals	**$56,266,387.00**	**$ 19,138,002.00**



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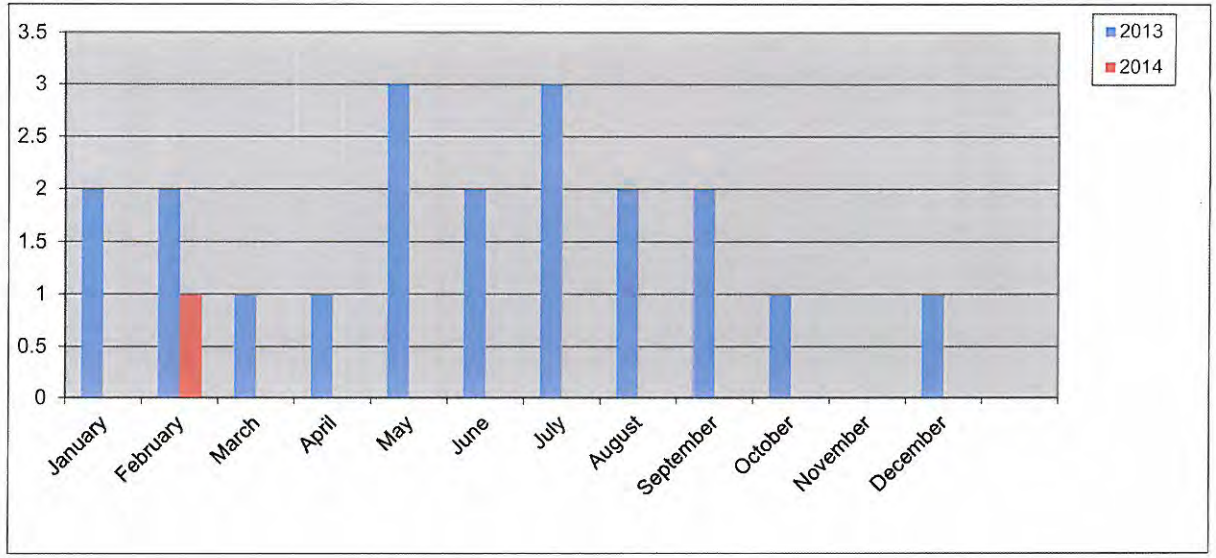
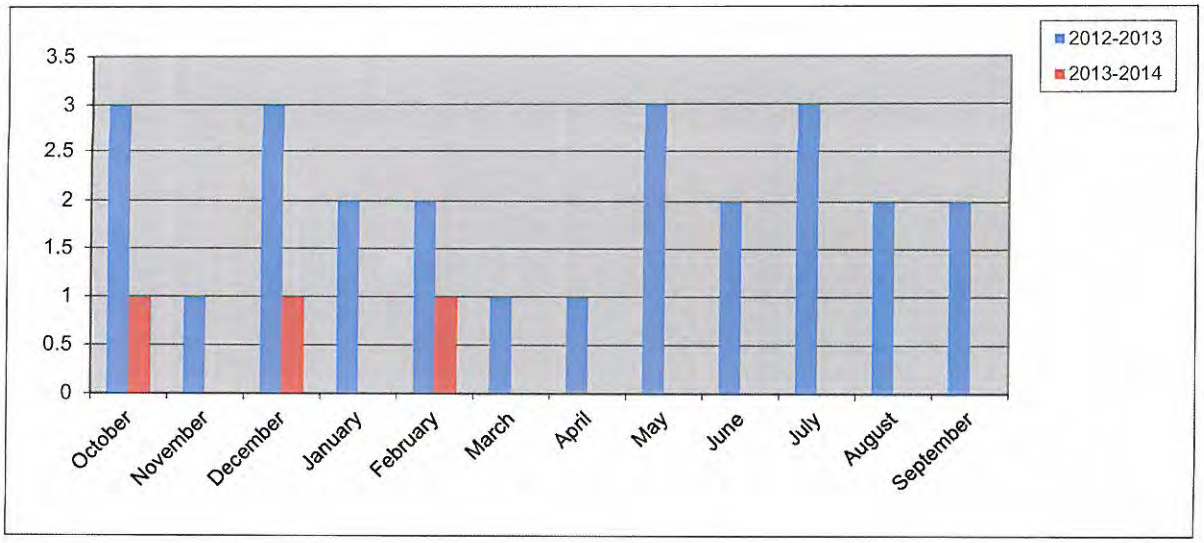
New Commercial Permits Calendar Year

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



New Commercial Permits Fiscal Year

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



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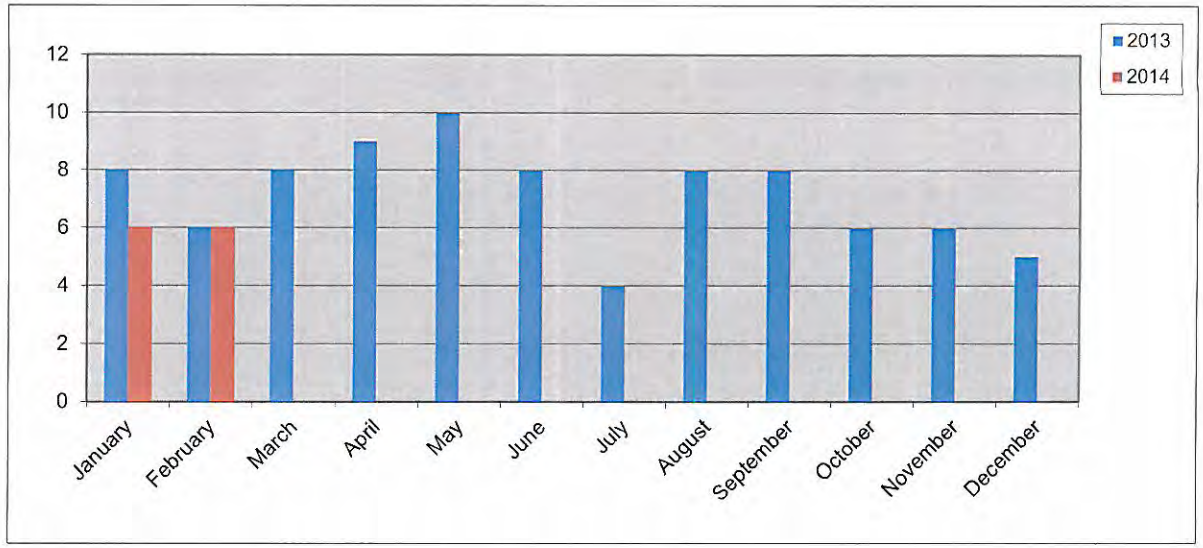
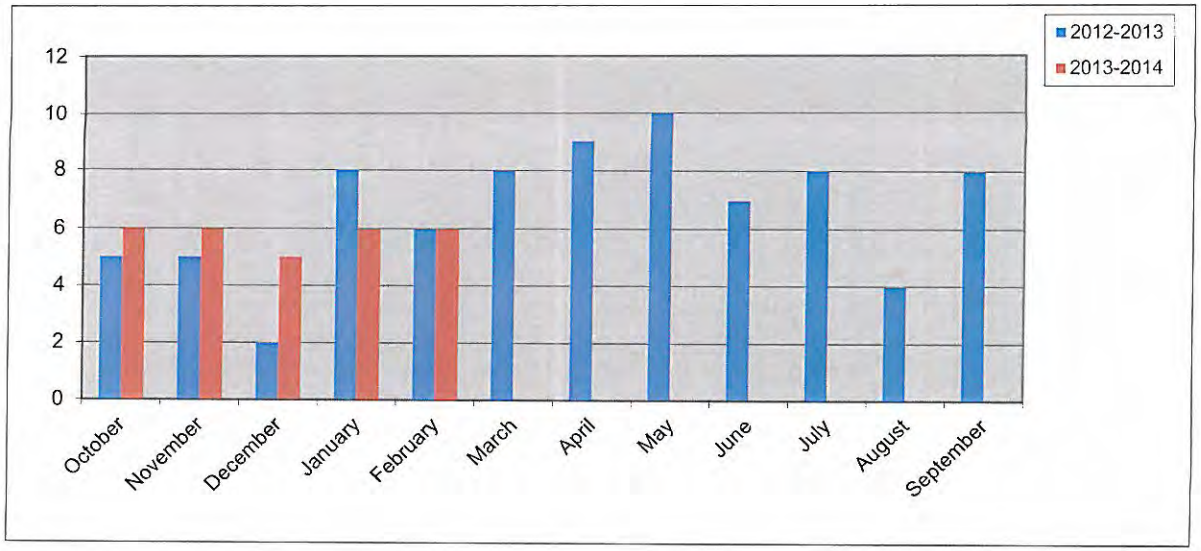
Commercial Remodel Permits Calendar Year

	Year	
	2013	2014
January	8	6
February	6	6
March	8	
April	9	
May	10	
June	8	
July	4	
August	8	
September	8	
October	6	
November	6	
December	5	
Totals	**86**	**12**



Commercial Remodel Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	5	6
November	5	6
December	2	5
January	8	6
February	6	**6**
March	8	
April	9	
May	10	
June	7	
July	8	
August	4	
September	8	
Totals	**80**	**29**



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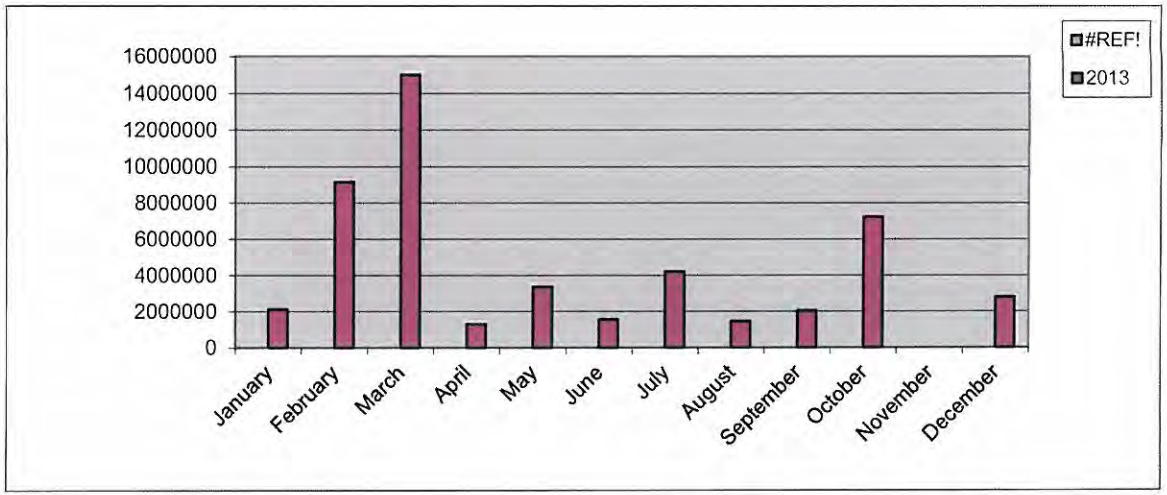
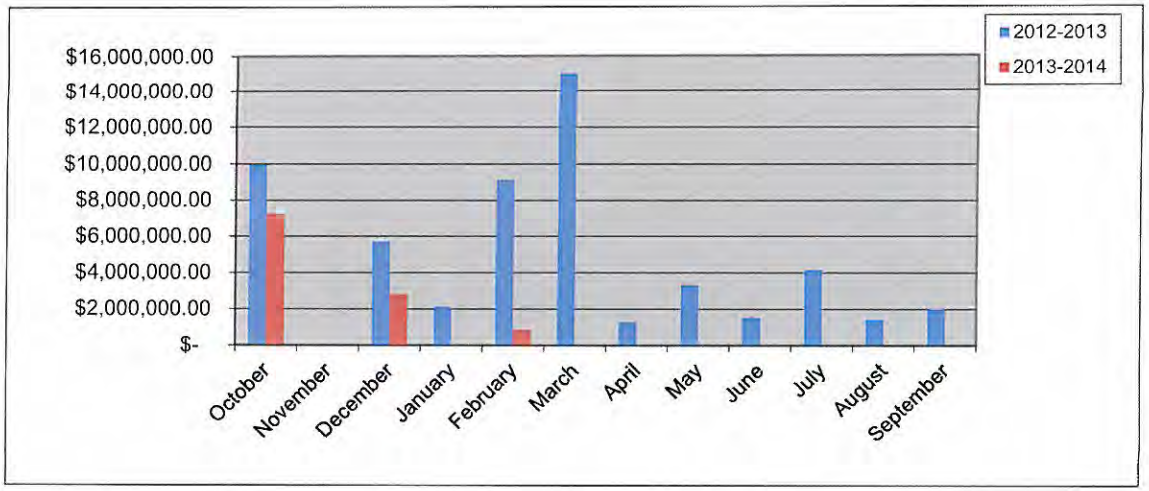
New Commercial Value Calendar Year

Year	2013	2014
January	$ 2,125,000.00	0
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	
April	$ 1,300,000.00	
May	$ 3,372,000.00	
June	$ 1,575,000.00	
July	$ 4,200,000.00	
August	$ 1,454,000.00	
September	$ 2,040,000.00	
October	$ 7,225,000.00	
November	$ -	
December	$ 2,800,000.00	
Totals	**$ 50,241,000.00**	**$ 850,000.00**



New Commercial Value Fiscal Year

Year	2012-2013	2013-2014
October	$ 10,000,000.00	$ 7,225,000.00
November	$ 5,000.00	$ -
December	$ 5,700,000.00	$ 2,800,000.00
January	$ 2,125,000.00	0
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	
April	$ 1,300,000.00	
May	$ 3,372,000.00	
June	$ 1,575,000.00	
July	$ 4,200,000.00	
August	$ 1,454,000.00	
September	$ 2,040,000.00	
Totals	**$ 55,921,000.00**	**$ 10,875,000.00**



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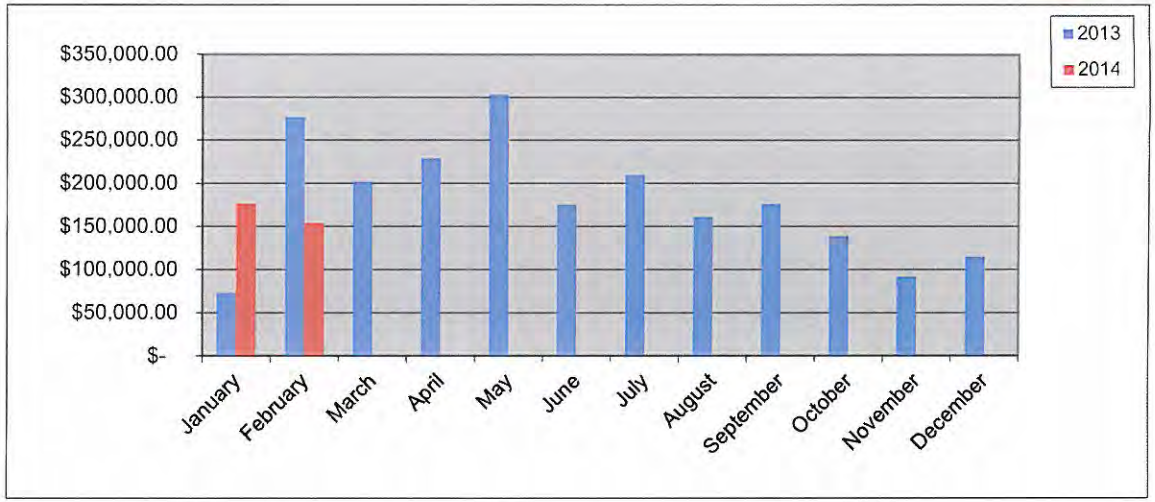
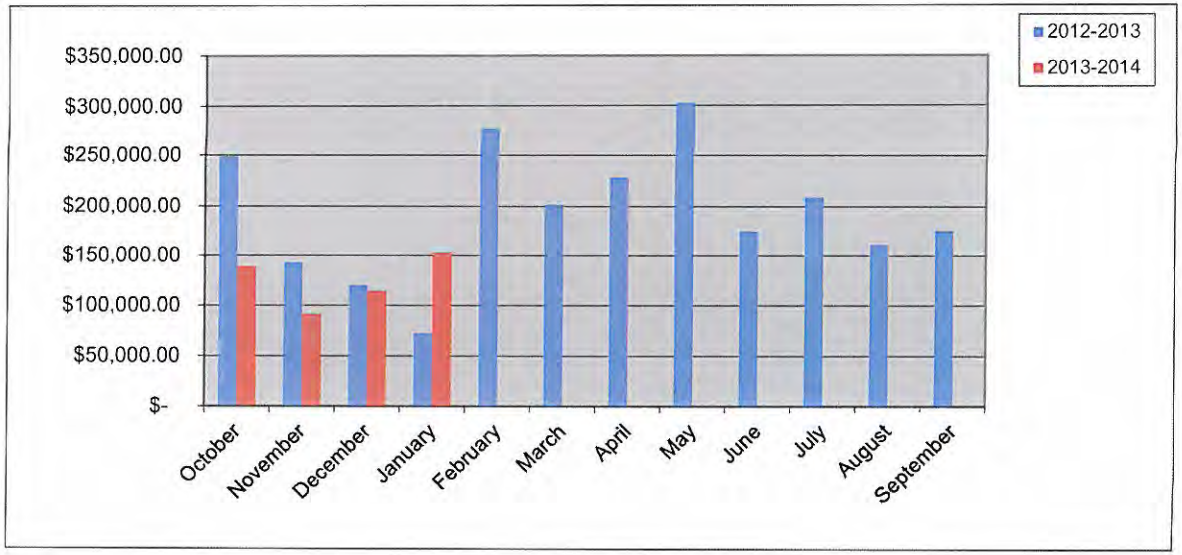
Total Fees Collected Calendar Year

Year	2013	2014
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	
April	$ 228,621.67	
May	$ 302,928.73	
June	$ 174,872.41	
July	$ 209,566.63	
August	$ 161,080.17	
September	$ 175,835.03	
October	$ 138,771.53	
November	$ 91,778.83	
December	$ 114,645.28	
Totals	**$ 2,148,877.79**	**$ 329,621.61**



Total Fees Collected Fiscal Year

Year	2012-2013	2013-2014
October	$ 248,932.46	$ 138,771.53
November	$ 142,356.98	$ 91,778.83
December	$ 119,604.19	$ 114,645.28
January	$ 72,345.98	$ 153,458.98
February	$ 276,902.10	
March	$ 201,529.43	
April	$ 228,621.67	
May	$ 302,928.73	
June	$ 174,872.41	
July	$ 209,566.63	
August	$ 161,080.17	
September	$ 175,835.03	
Totals	**$ 2,314,575.78**	**$ 498,654.62**



City of Rockwall
PERMITS ISSUED
For the Period 2/1/2014 thru 2/28/2014

Subtype: BUSINESS

Permit No / Date Issued	Type of Permit / Status	Address / Parcel Number	Owner / Contractor	Valuation / Description	Total Fees	Fees Paid
CO2013-0129 2/14/2014	CO ACTIVE	493 IH 30 3245-0000-0003-00-0R	BENT, TREE REALTY CO	$ 0.00 Tea Harmony	$ 75.00	$ 75.00
CO2013-0142 2/27/2014	CO Active	401 Washington St. W 5229-000A-0003-0R-0R	SAMI N EBRAHIM	$ 0.00 DFW Oil Inc.	$ 76.50	$ 76.50
CO2013-0153 2/6/2014	CO ACTIVE	2927 Ridge Rd. 112 4009-000A-0019-00-0R	REGENCY, CENTERS LP	$ 0.00 Fire House	$ 75.00	$ 75.00
CO2013-0159 2/5/2014	CO ACTIVE	811 Yellow Jacket 116 4830-0000-0001-C0-0R	LANDLOW, LLC	$ 0.00 AAA I Repairs	$ 75.00	$ 75.00
CO2014-0002 2/10/2014	CO ACTIVE	2346 Greencrest 5226-000A-0001-00-0R	JLIU, ASSET MANAGEMENT LT Imburgia Construction	$ 0.00 Anytime Fitness	$ 75.00	$ 75.00
CO2014-0007 2/26/2014	CO ACTIVE	4450 Tubbs Rd 4703-000A-0007-00-0R	ROCKWALL, REGIONAL HOSPI Structures and Interiors	$ 0.00 Lakeside Surgery, P.A.	$ 76.50	$ 76.50
CO2014-0009 2/26/2014	CO ACTIVE	1401 IH 30 103 4843-0000-0001-00-0R	MCCALLUM, V LTD	ROCKWALL ANTIQUE EMPORIUM	$ 75.00	$ 75.00
CO2014-0013 2/5/2014	CO ACTIVE	955 Ralph Hall Pkwy 105 & 107 4009-000B-0006-08-0R	MILLER, ROLAND MORRIS III Spruill Remodel	$ 0.00 Sharp Insulation	$ 75.00	$ 75.00
CO2014-0018 2/3/2014	CO ACTIVE	2233 Ridge Rd 101 & 102 4300-000A-0001-00-0R		$ 0.00 Commercial Construction Group	$ 75.00	$ 75.00
CO2014-0021 2/10/2014	CO ACTIVE	1300 Ralph Hall Pkwy E 110 4832-000B-0001-00-0R	DALLAS, EAST	$ 0.00 Rockwall Phone Repair	$ 75.00	$ 75.00
CO2014-0025 2/19/2014	CO ACTIVE	102 E Ross St. C 4900-000L-0001-A0-0R	JUDY CLARK	$ 0.00 Law Offices of David Rohlf	$ 75.00	$ 75.00
CO2014-0030 2/19/2014	CO Active	1063 IH 30 E 105 4831-0000-0011-00-0R	EXCEL, ROCKWALL LLC IBT/Design build concepts REG	$ 0.00 America's Best Contacts & Eyeglasses	$ 75.00	$ 75.00
CO2014-0031 2/24/2014	CO ACTIVE	2006 Goliad St 212 4834-000A-0002-00-0R	ROCKWALL, CENTRAL SHOP/C	$ 0.00 All Sports Etc	$ 76.50	$ 76.50
13 Permit(s) Issued with Subtype: BUSINESS				**$0.00**	**$979.50**	**$979.50**

Subtype: NEW CONSTRUCTION

Permit No / Date Issued	Type of Permit / Status	Address / Parcel Number	Owner / Contractor	Valuation / Description	Total Fees	Fees Paid
CO2013-0155 2/21/2014	CO ACTIVE	1154 IH 30 4797-0001-0002-00-0R	CPI, MORTGAGE INVESTORS L Messer Group Texas, Inc.	$ 0.00 La-Z-Boy Furniture	$ 76.50	$ 76.50
CO2014-0026 2/24/2014	CO ACTIVE	695 W Rusk St. 3140-086B-0000-B0-0R	Ricki Rose Children's Park	$ 0.00 Children's Park North	$ 75.00	$ 75.00
2 Permit(s) Issued with Subtype: NEW CONSTRUCTION				**$0.00**	**$151.50**	**$151.50**
				$0.00	**$1,131.00**	**$1,131.00**

15 Total Permit(s) Issued

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CALLS BY TYPE
FEBRUARY 2014

City of Rockwall
The New Horizon

CITY CALLS Situation Type	February #
Public service - Non paged	9
No incident found on arrival	2
Authorized controlled burning	2
Dispatched & canceled enroute	3
Public service	4
Police matter	1
Assist police or oth gov agncy	11
Arcing, shorted elect equip	1
Power line down	1
Overheated motor	2
Heat from short circuit wiring	1
Carbon monoxide detector act	1
Alarm sys act, no fire Uninten	4
Detector act, no fire -uni	1
Smoke detector activate, no fi	6
Extinguishing system act.	1
Sprinkler activate, no fire -	4
CO detector act due to malf	2
Alarm system sounded malfun	1
Smoke detector act. malf.	2
Sprinkler action due to malf	1
HazMat release investigation	1
Smoke from BBQ, tar kettle	1
Steam, vapor, fog or dust thou	2
Smoke scare, odor of smoke	5
Dumpster or oth outside trash	2
Grass fire	2
Passenger vehicle fire	1
Cooking Fire Contained	1
Gas leak natural gas or LPG	2
Gasoline or oth flammable liqu	1
Totals:	78

MUTUAL AID Situation Type	February
ROCKWALL COUNTY	
Grass Fire	1
FATE / MUTUAL AID	
Dispatched & canceled enroute	1
Grass Fire	1
TOTAL	3

CITY RESPONSE
FEBRUARY 2014

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %	85.30%	CRITERIA MET %	100.00%
CRITERIA -ACHIEVE RESPONSE TIME	29 OF 34	CRITERIA -ACHIEVE RESPONSE TIME	1 OF 1
90% OF TIME IN BOXES WITH	CRITERIA NOT MET	60% OF TIME IN BOXES WITH	CRITERIA MET
STATIONS		STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	100.00%	CRITERIA MET %	100.00%
CRITERIA -ACHIEVE RESPONSE TIME	34 OF 34	CRITERIA -ACHIEVE RESPONSE TIME	1 OF 1
90% OF TIME IN BOXES WITH	CRITERIA MET	60% OF TIME IN BOXES WITH	CRITERIA MET
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES		0-7 1/2 MINUTES	
CRITERIA MET%	100.00%	CRITERIA MET%	100.00%
CRITERIA -ACHIEVE RESPONSE TIME	34 OF 34	CRITERIA -ACHIEVE RESPONSE TIME	1 OF 1 %
90% OF TIME IN BOXES WITH	CRITERIA MET	60% OF TIME IN BOXES WITH	CRITERIA MET
STATIONS		STATIONS	

COUNTY AND MUTUAL AID
RESPONSE
FEBRUARY 2014

COUNTY	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	100.00%
CRITERIA -ACHIEVE RESPONSE TIME	2 of 2
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	100.00%
CRITERIA -ACHIEVE RESPONSE TIME	2 of 2
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	100.00%
CRITERIA -ACHIEVE RESPONSE TIME	2 of 2
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	

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PAGED TO ENROUTE OVERAGES
CITY CALLS
FEBRUARY 2014

Venue Name	Alarm Date	Alarm Time	Enroute time	Paged to Enroute	Inc. Number	Fire Incident Station	Lights and Sirens	Apparatus	reason for overage
Rockwall	02/13/2014	14:00:18	14:02:00	0:01:42	2014-00000172	Rockwall 1	Code 3	E1	CAD times don't match radio times
Rockwall	02/23/2014	12:35:41	12:37:34	0:01:53	2014-00000208	Rockwall 1	Code 3	E3	CAD times don't match radio times
Rockwall	02/23/2014	17:24:35	17:26:07	0:01:32	2014-00000210	Rockwall 1	Code 3	LAD1	unknown call type and didn't know which apparatus to take
Rockwall	02/26/2014	21:16:47	21:18:25	0:01:38	2014-00000218	Rockwall 4	Code 3	E5	CAD times don't match radio times
Rockwall	02/27/2014	18:21:34	18:24:21	0:02:47	2014-00000222	Rockwall 4	Code 3	E5	CAD times don't match radio times

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COUNTY OVERAGES
FEBRUARY 2014

Venue Name	Alarm Date	Alarm Time	Enroute Date	Arrival time	Enroute to Arrival	Inc. Number	Fire Incident Station	Lights and Sirens	Apparatus	REASON FOR OVERAGES
Fate	02/13/2014	16:06:56	16:07:01	16:19:35	0:12:34	2014-00000173	Rockwall 4	Code 3	843	DRIVE TIME TO FATE

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Total Dollar Losses

February 2014

City of Rockwall
The New Horizon

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$0.00	$500.00	$5,000.00	$500.00	$7,300.00
Total Content Loss:	$1,000.00	$0.00	$0.00	$1,000.00	$600.00
Total Property Pre-Incident Value:	$0.00	$0.00	$7,500.00	$0.00	$282,500.00
Total Contents Pre-Incident Value	$0.00	$0.00	$0.00	$0.00	$170,000.00
Total Losses:	$1,000.00	$500.00	$5,000.00	$1,500.00	$1,000.00
Total Value:	$.00	$.00	$7,500.00	$.00	$452,500.00

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Inspection Totals Per Inspector

February 2014

Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Inspection Number	Fire Inspection Status
TX504	744 - Patrick	Annual	2087	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2013-0158	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0026	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0009	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0030	Finaled
TX504	744 - Patrick	Construction Final	2083	Finaled
TX504	744 - Patrick	Construction Final	2014	Finaled
TX504	744 - Patrick	Construction Final	2014	Pending
TX504	744 - Patrick	Construction Final	2083	Pending
TX504	744 - Patrick	Construction Final	2083	Pending
TX504	744 - Patrick	Courtesy	2082	Finaled
TX504	744 - Patrick	Courtesy	2070	Finaled
TX504	744 - Patrick	Courtesy	2069	Finaled
TX504	744 - Patrick	Courtesy	2068	Finaled
TX504	744 - Patrick	Courtesy	2095	Finaled
TX504	744 - Patrick	Fire Alarm System	1983	Finaled
TX504	744 - Patrick	Fire Alarm System	1983	Pending
TX504	744 - Patrick	Fire Alarm System	1983	Pending
TX504	744 - Patrick	Fire Spinkler System	2084	Finaled
TX504	744 - Patrick	Fire Spinkler System	1978	Pending
TX504	744 - Patrick	Fire Spinkler System	1928	Finaled
TX504	744 - Patrick	Fire Spinkler System	1978	Finaled
TX504	744 - Patrick	Follow Up	2080	Finaled

TX504	744 - Patrick	Follow Up	2074	Finaled
TX504	744 - Patrick	Follow Up	2026	Finaled
TX504	744 - Patrick	Knox Box	2094	Finaled
TX504	744 - Patrick	Preplan	2098	Finaled
TX504	744 - Patrick	Preplan	2086	Finaled
Total Per Inspector: 28				
TX504	836 - Ayres	Annual	2065	Pending
TX504	836 - Ayres	Annual	2060	Pending
TX504	836 - Ayres	Annual	2071	Finaled
TX504	836 - Ayres	Annual	2057	Pending
TX504	836 - Ayres	Annual	2072	Finaled
TX504	836 - Ayres	Annual	2089	Finaled
TX504	836 - Ayres	Annual	2067	Finaled
TX504	836 - Ayres	Annual	2071	Pending
TX504	836 - Ayres	Annual	2060	Pending
TX504	836 - Ayres	Annual	2072	Pending
TX504	836 - Ayres	Annual	2071	Pending
TX504	836 - Ayres	Annual	2067	Pending
TX504	836 - Ayres	Annual	2065	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0018	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0018	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2013-0146	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0020	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0010	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0002	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0025	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0014	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0027	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0025	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0028	Pending

TX504	836 - Ayres	Certificate of Occupancy	CO2014-0034	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2013-0146	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0031	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0020	Pending
TX504	836 - Ayres	Construction Final	2023	Finaled
TX504	836 - Ayres	Construction Final	2056	Pending
TX504	836 - Ayres	Construction Final	2056	Finaled
TX504	836 - Ayres	Construction Final	2056	Pending
TX504	836 - Ayres	Construction Final	2054	Finaled
TX504	836 - Ayres	Construction Final	2054	Pending
TX504	836 - Ayres	Courtesy	2097	Pending
TX504	836 - Ayres	Fire Spinkler System	2055	Finaled
TX504	836 - Ayres	Flow Test	2103	Finaled
TX504	836 - Ayres	Follow Up	2102	Pending
TX504	836 - Ayres	Follow Up	2096	Finaled
TX504	836 - Ayres	Follow Up	2064	Pending
TX504	836 - Ayres	Follow Up	2064	Pending
TX504	836 - Ayres	Follow Up	2064	Pending
TX504	836 - Ayres	Underground Fire Line	2058	Pending
TX504	836 - Ayres	Underground Fire Line	2058	Finaled
TX504	836 - Ayres	Underground Fire Line	2058	Pending
Total Per Inspector: 45				
TX504	843 - Clark	Annual	2093	Pending
TX504	843 - Clark	Annual	2092	Pending
TX504	843 - Clark	Annual	2091	Finaled
TX504	843 - Clark	Annual	2073	Pending
TX504	843 - Clark	Annual	2090	Finaled
TX504	843 - Clark	Annual	2073	Finaled
TX504	843 - Clark	Annual	2101	Pending
TX504	843 - Clark	Annual	2073	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0019	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0021	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0021	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0007	Pending

TX504	843 - Clark	Certificate of Occupancy	CO2014-0007	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2013-0161	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0013	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0019	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2013-0147	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2013-0155	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0029	Pending
TX504	843 - Clark	Construction Final	2053	Pending
TX504	843 - Clark	Construction Final	2062	Finaled
TX504	843 - Clark	Construction Final	2006	Finaled
TX504	843 - Clark	Construction Final	2077	Pending
TX504	843 - Clark	Construction Final	5th floor - garage	Pending
TX504	843 - Clark	Construction Final	7th floor - tenant	Pending
TX504	843 - Clark	Construction Final	2077	Finaled
TX504	843 - Clark	Construction Final	5th floor - garage	Pending
TX504	843 - Clark	Construction Final	3rd floor - garage	Pending
TX504	843 - Clark	Construction Final	1st floor - garage	Pending
TX504	843 - Clark	Construction Final	7th floor - core	Pending
TX504	843 - Clark	Construction Final	6th floor - core	Pending
TX504	843 - Clark	Construction Final	5th floor - core	Pending
TX504	843 - Clark	Construction Final	4th floor - core	Pending
TX504	843 - Clark	Construction Final	3rd floor - core	Pending
TX504	843 - Clark	Construction Final	2053	Pending
TX504	843 - Clark	Construction Final	2nd floor - core	Pending
TX504	843 - Clark	Construction Final	1st floor - core	Pending
TX504	843 - Clark	Construction Final	2062	Pending
TX504	843 - Clark	Construction Final	2085	Finaled
TX504	843 - Clark	Construction Final	2077	Pending
TX504	843 - Clark	Construction Final	7th floor - tenant	Pending
TX504	843 - Clark	Construction Final	2035	Finaled
TX504	843 - Clark	Construction Final	2035	Pending
TX504	843 - Clark	Fire Alarm System	2005	Pending
TX504	843 - Clark	Fire Alarm System	2099	Pending
TX504	843 - Clark	Fire Alarm System	2005	Finaled
TX504	843 - Clark	Fire Spinkler System	2100	Pending
TX504	843 - Clark	Follow Up	2104	Finaled
TX504	843 - Clark	Follow Up	2063	Pending

TX504	843 - Clark	Follow Up	2063	Pending
TX504	843 - Clark	Other	2081	Finaled
TX504	843 - Clark	Other	2088	Finaled
TX504	843 - Clark	Standpipes	2032	Pending

Total Per Inspector:
53

Department Total:
126

3/4/2014 10:26:03 AM

Fire Alarms

February 2014

Date	Address	Common Name	Dispostion Code	CFS Number	Call Type	Incident Number	Incident ORI
02/05/2014 11:33:31	609 SUNSET HILL DR		FA	683	FD - Fire Alarm Residential	2014-00000140	TX504
	: 1						
02/06/2014 05:26:43	115 PIATT CT		FA	812	FD - Fire Alarm Residential	2014-00000088	TX301
02/06/2014 08:46:38	106 INDUSTRIAL DR	Amtec Welding Products, BC Incentives, Recognition Awards, The MATL, LLC	FA	831	FD - Fire Alarm Commercial	2014-00000089	TX301
	: 2						
02/06/2014 08:46:38	106 INDUSTRIAL DR	Amtec Welding Products, BC Incentives, Recognition Awards, The MATL, LLC	FA	831	FD - Fire Alarm Commercial	2014-00000144	TX504
02/06/2014 09:13:50	1389 RIDGE RD	Commons, The, Rockwall Commons, The Commons	FA	841	FD - Fire Alarm Commercial	2014-00000145	TX504
02/06/2014 18:35:46	2800 WILD OAK LN		FA	997	FD - Fire Alarm Residential	2014-00000151	TX504
02/07/2014 13:57:20	1411 FOXWOOD LN		FA	1076	FD - Fire Alarm Residential	2014-00000152	TX504
02/07/2014 14:29:15	720 E RALPH HALL PKWY		FA	1082	FD - Fire Alarm Commercial	2014-00000154	TX504
02/08/2014 17:52:18	701 E INTERSTATE 30		FA	1283	FD - Fire Alarm Commercial	2014-00000159	TX504
02/09/2014 08:55:19	2055 SUMMER LEE DR	Hilton, Hilton Hotel	FA	1385	FD - Fire Alarm Commercial	2014-00000163	TX504
	: 7						
02/12/2014 00:49:37	524 WILLOW SPRINGS DR		FA	1774	FD - Fire Alarm Residential	2014-00000053	TX402
	: 1						
02/14/2014 04:46:23	963 E INTERSTATE 30		FA	2179	FD - Fire Alarm Commercial	2014-00000175	TX504
	: 1						
					FD - Fire		

02/14/2014 09:41:40	224 SMIRL DR : 1	First Baptist Church Heath	FA	2208	Alarm Commercial	2014-00000054	TX402
02/14/2014 12:54:29	2951 RIDGE RD	Dickeys BBQ, Kroger Retail Strip Building 1	FA	2249	FD - Fire Alarm Commercial	2014-00000176	TX504
02/14/2014 13:53:53	1309 RIDGE RD		FA	2263	FD - Fire Alarm Commercial	2014-00000179	TX504
02/21/2014 08:31:20	1513 RICHFIELD CT		FA	3513	FD - Fire Alarm Residential	2014-00000198	TX504
02/23/2014 12:34:39	612 CHRISTAN CT : 4		FA	3932	FD - Fire Alarm Residential	2014-00000208	TX504
02/24/2014 11:55:25	1680 LAKE BROOK CIR : 1		FA	4111	FD - Fire Alarm Residential	2014-00006084	TX1990100
02/24/2014 11:55:25	1680 LAKE BROOK CIR		FA	4111	FD - Fire Alarm Residential	2014-00000213	TX504
02/28/2014 11:28:14	1210 N GOLIAD ST : 2	YMCA	FA	4792	FD - Fire Alarm Commercial	2014-00000229	TX504

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 2/1/2014 thru 2/28/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2013-192	12/19/13	76	2935 Ridge Rd.	KROGER, TEXAS LP	Bryan Patrick	FIRE 972-772-6431	COMMENTS NEEDED	02/03/14	02/13/14	02/03/14
	COMM		Kroger - Remodel / alteration							
BLD2014-007	01/16/14	48	2245 Goliad St S	CPI, MORTGAGE INVESTORS LP	Bryan Patrick	FIRE 972-772-6431	COMMENTS NEEDED	02/03/14	02/13/14	02/03/14
	COMM		Rosa's Cafe							
BLD2014-012	02/03/14	30	705 S GOLIAD	BARNHILL, BARNEY	Ariana Hargrove	FIRE 972-772-6431	APPROVED	02/03/14	02/13/14	02/04/14
	COMM		Barney Barnhill - adding to parking lot							
CO2014-0019	02/03/14	30	890 Rockwall Pkwy 102	ROCKWALL, MEDICAL PROPERTIES LP	Ariana Hargrove	FIRE CO	APPROVED	02/03/14	02/06/14	02/04/14
	CO		Texas Health Resources- Presbyterian Heart & Vascular Center							
BLD2013-192	12/19/13	76	3013 Ridge Rd.	PS5, PROPERTIES LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	02/05/14	02/15/14	02/05/14
	COMM		Medical Bldg, New Construction (McClintock)							
BLD2013-193	12/24/13	71	3021 Ridge Rd.	PS5, PROPERTIES LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	02/05/14	02/15/14	02/05/14
	COMM		McClintock New Construction Ridge Rd							
CO2014-0020	02/05/14	28	2003 Goliad St S	RACETRAC, PETROLEUM INC	Ariana Hargrove	FIRE CO	APPROVED	02/05/14	02/08/14	02/06/14
	CO		Raceway							
PLB2014-004	02/05/14	28	782 IH 30	WAL-MART, REAL ESTATE	Ariana Hargrove	FIRE 972-772-6431		02/05/14	02/15/14	
	COMM		INSTALL RPZ - REPLACE PVB IN IRRIGATION WEST SIDE							
BLD2014-014	02/06/14	27	2380 Goliad St S	CNLRS, ROCKWALL LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	02/06/14	02/16/14	02/13/14
	COMM		Dr Hurst Shell bldg and tenant finishout							
CO2014-0021	02/06/14	27	1300 Ralph Hall Pkwy E 110	DALLAS, EAST	Ariana Hargrove	FIRE CO	APPROVED	02/06/14	02/09/14	02/06/14
	CO		Rockwall Phone Repair							
CO2014-0022	02/06/14	27	886 Rusk St W	SMYRNA, LAND CO LTD	Ariana Hargrove	FIRE CO	APPROVED	02/06/14	02/09/14	02/06/14
	CO		Sushi Go							
ELE2014-000	02/06/14	27	3150 horizon Rd.	ROCKWALL, REGIONAL HOSPITAL LLP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	02/06/14	02/16/14	02/06/14
	COMM		Presby Hospital - Elec. for light pole in new parking area							
ELE2014-000	02/07/14	26	1210 N GOLIAD	YMCA, OF DALLAS	Ariana Hargrove	FIRE 972-772-6431		02/07/14	02/17/14	
	COMM		NEW ELECTRICAL SERVICE							
BLD2014-014	02/10/14	23	1210 Goliad St. N.	YMCA, OF DALLAS	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	02/10/14	02/20/14	02/20/14
	COMM		YMCA Demo / Addition							
CO2014-0023	02/12/14	21	304 San Jacinto N	CULLINS, KENNETH L & HEATHER D	Ariana Hargrove	FIRE CO	APPROVED	02/12/14	02/15/14	02/12/14
	CO		Hazel and Olive Inc.							
CO2014-0024	02/13/14	20	671 BRYN MAHR LN	FIRST, TEXAS HOMES INC	Ariana Hargrove	FIRE CO		02/13/14	02/16/14	
	CO									
BLD2014-007	01/16/14	48	2245 Goliad St S	CPI, MORTGAGE INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	02/14/14	02/24/14	02/14/14
	COMM		Rosa's Cafe							
BLD2014-017	02/14/14	19	695 W RUSK	ROSE, RICKI & GAYLA	Bryan Patrick	FIRE 972-772-6431	APPROVED	02/14/14	02/24/14	02/14/14
	COMM		6' WROUGHT IRON FENCE							

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CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 2/1/2014 thru 2/28/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2014-0025	02/14/14	19	102 E Ross St. C	JUDY CLARK	Ariana Hargrove	FIRE CO	APPROVED	02/14/14	02/17/14	02/17/14
	CO		Law Offices of David Rohlf							
CO2014-0026	02/14/14	19	695 W Rusk St.	Ricki Rose	Ariana Hargrove	FIRE CO	APPROVED	02/14/14	02/17/14	02/17/14
	CO		Children's Park North							
CO2014-0027	02/14/14	19	577 E IH 30	BENT, TREE REALTY CO	Ariana Hargrove	FIRE CO	APPROVED	02/14/14	02/17/14	02/17/14
	CO		THE BRONZE ROOM							
CO2014-0028	02/14/14	19	216 E Rusk St.	OH, SOO WHEE & KYUNG	Ariana Hargrove	FIRE CO	APPROVED	02/14/14	02/17/14	02/17/14
	CO		Donut & Coffee							
CO2014-0029	02/14/14	19	2951 RIDGE 119	REGENCY, CENTERS LP	Ariana Hargrove	FIRE CO	APPROVED	02/14/14	02/17/14	02/17/14
	CO		DICKEY'S BAR-BE-QUE							
PLB2014-006	02/18/14	15	886 RUSK	SMYRNA, LAND CO LTD	Ariana Hargrove	FIRE 972-772-6431		02/18/14	02/28/14	
	COMM		3 compartment sink, & hand sink							
CO2014-0030	02/19/14	14	1063 IH 30 E 105	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE CO	APPROVED	02/19/14	02/22/14	02/19/14
	CO		America's Best Contacts & Eyeglasses							
ELE2014-000	02/14/14	19	1530 IH 30 E	GORDON, ROCKWALL INVESTMENTS LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	02/19/14	03/01/14	02/19/14
	COMM		SITE LIGHTING FOR ROCKWALL HYUNDAI							
PLB2014-006	02/19/14	14	2578 SH 276	SHARP, RICK	Ariana Hargrove	FIRE 972-772-6431		02/19/14	03/01/14	
	COMM		CONVERT PROPANE TO NATURAL GAS							
CO2014-0031	02/20/14	13	2006 Goliad St 212	ROCKWALL, CENTRAL SHOP/CNTR JV	Ariana Hargrove	FIRE CO	APPROVED	02/20/14	02/23/14	02/20/14
	CO		All Sports Etc							
CO2014-0032	02/20/14	13	105 ALAMO N	AFJ, ENTERPRISES LLC	Ariana Hargrove	FIRE CO	APPROVED	02/20/14	02/23/14	02/21/14
	CO		P. Kent Birdsong, P.C.							
ELE2014-001	02/20/14	13	285 BOYDSTUN	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431	APPROVED	02/20/14	03/02/14	02/21/14
	COMM		Install new H frame, ug elec. & conduit							
BLD2014-014	02/06/14	27	2380 Goliad St S	CNLRS, ROCKWALL LP	Bryan Patrick	FIRE 972-772-6431	APPROVED	02/21/14	03/03/14	02/21/14
	COMM		Dr Hurst Shell bldg and tenant finishout							
BLD2014-019	02/21/14	12	2500 SH 66	REST, HAVEN FUNERAL HOMES INC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	02/21/14	03/03/14	02/21/14
	COMM		Pet crematory Addition - altration existing space							
CO2014-0033	02/21/14	12	1407 Ridge Rd.	RPSC, ROCKWALL PROPERTIES LLC	Ariana Hargrove	FIRE CO	APPROVED	02/21/14	02/24/14	02/21/14
	CO		Regional Plastic Surgery Center							
CO2014-0034	02/24/14	9	109 E Bourn Ave	EDWARDS, JASON	Ariana Hargrove	FIRE CO	APPROVED	02/24/14	02/27/14	02/25/14
	CO		Vogue Hair Gallery Salon & Spa							
CO2014-0035	02/24/14	9	2578 SH 276	Scott Clover	Ariana Hargrove	FIRE CO	APPROVED	02/24/14	02/27/14	02/25/14
	CO		Vac Parts Warehouse							
CO2014-0036	02/25/14	8	2555 Ridge Rd 150	CBAX, PROPERTIES LLC	Ariana Hargrove	FIRE CO	APPROVED	02/25/14	02/28/14	02/25/14
	CO		Rockwall Pro Health Chiropractic							
ELE2014-001	02/25/14	8	886 Rusk St W	SMYRNA, LAND CO LTD	Ariana Hargrove	FIRE 972-772-6431		02/25/14	03/07/14	
	COMM		Sushi Go - adding quads & replacing plugs & lighting							

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City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 2/1/2014 thru 2/28/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
MEC2014-001	02/25/14	8	411 Chris	CARMONA, JOSE ROBERTO	Ariana Hargrove	FIRE 972-772-6431		02/25/14	03/07/14	
	COMM		Installing vent-a-hood Carmona's							
SPEC2014-00	02/26/14	7	2074 SUMMER LEE DR		Ariana Hargrove	FIRE 972-772-6431	APPROVED	02/27/14	03/09/14	03/03/14
	SPECIAL EVENT		OUTDOOR LIVING EXPO							
SPEC2014-00	02/26/14	7	2074 SUMMER LEE DR		Ariana Hargrove	FIRE 972-772-6431	APPROVED	02/27/14	03/09/14	03/03/14
	SPECIAL EVENT		HARBOR FREEDOM FEST							
BLD2014-022	02/28/14	5	990 IH 30	ROCKWALL, LAND COMPANY LTD	Ariana Hargrove	FIRE 972-772-6431		02/28/14	03/10/14	
	COMM		Rockwall Ford - renovation							
DEM2014-006	02/28/14	5	210 - 230 Washington St E	City of Rockwall	Ariana Hargrove	FIRE 972-772-6431		02/28/14	03/10/14	
	COMM		Demolition of 210-230 E. Washington St.							

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 2/1/2014 thru 2/28/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
CIP2011-003	03/03/2011		CAPITAL IMPROVEMENT	1,098	Amy Williams	COMMENTS
					ASSISTANT CITY ENC	2/11/2014
CIP2011-003	03/03/2011		CAPITAL IMPROVEMENT	1,098	Amy Williams	APPROVED
					Assistant City Engineer	2/17/2014
CIP2013-003	02/20/2013		CAPITAL IMPROVEMENT	378	Bruce Hanby	COMMENTS
					ENGINEERING	2/13/2014
CIP2013-003	02/20/2013		CAPITAL IMPROVEMENT	378	Amy Williams	APPROVED
					ENGINEERING	2/13/2014
CIP2013-003	02/20/2013		CAPITAL IMPROVEMENT	378	Kathleen Moreno	COMMENTS
					ENGINEERING	2/17/2014
CIP2013-004	02/20/2013		CAPITAL IMPROVEMENT	378	Bruce Hanby	APPROVED
					Engineering Department	2/17/2014
CIP2013-004	02/20/2013		CAPITAL IMPROVEMENT	378	Amy Williams	APPROVED
					Engineering Department	2/13/2014
CIP2013-004	02/20/2013		CAPITAL IMPROVEMENT	378	Kathleen Moreno	APPROVED
					Engineering Department	2/17/2014
CIP2013-005	02/20/2013		CAPITAL IMPROVEMENT	378	Amy Williams	APPROVED
					Assistant City Engineer	2/28/2014
CIP2013-013	08/27/2013		CAPITAL IMPROVEMENT	190	Amy Williams	COMMENTS
					Assistant City Engineer	2/28/2014
CIP2013-017	10/10/2013		CAPITAL IMPROVEMENT	146	Amy Williams	APPROVED
					Assistant City Engineer	2/21/2014
CIP2013-018	11/12/2013		CAPITAL IMPROVEMENT	113	Bruce Hanby	COMMENTS
					ENG-TECH	2/12/2014
CIP2013-018	11/12/2013		CAPITAL IMPROVEMENT	113	Amy Williams	APPROVED
					Assistant City Engineer	2/27/2014
CIP2013-018	11/12/2013		CAPITAL IMPROVEMENT	113	Bruce Hanby	APPROVED
					Engineering: Technician	2/27/2014

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 2/1/2014 thru 2/28/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
CIP2013-018	11/12/2013		CAPITAL IMPROVEMENT	113	Amy Williams ASSISTANT CITY ENC	COMMENTS 2/10/2014
CIP2013-018	11/12/2013		CAPITAL IMPROVEMENT	113	Kathleen Moreno ENG-ENGINEER	APPROVED 2/11/2014
CIP2014-002	02/24/2014		CAPITAL IMPROVEMENT	9		
CIP2014-002	02/24/2014		CAPITAL IMPROVEMENT	9	ENG-TECH Amy Williams ASSISTANT CITY ENC	
CIP2014-002	02/24/2014		CAPITAL IMPROVEMENT	9	Tim Tumulty CITY ENGINEER	
CIP2014-002	02/24/2014		CAPITAL IMPROVEMENT	9		
CIP2014-002	02/24/2014		CAPITAL IMPROVEMENT	9	ENG-ENGINEER Billy Chaffin STREET DEPARTMEN	
CIP2014-002	02/24/2014		CAPITAL IMPROVEMENT	9	Steve Clawson SEWER DEPARTMEN	
CIP2014-002	02/24/2014		CAPITAL IMPROVEMENT	9	Curtis McAden WATER DEPARTMEN	
CIP2014-002	02/24/2014		CAPITAL IMPROVEMENT	9		
E2013-034	11/21/2013		ENGINEERING 1210 N GOLIAD	104	ENG - FIRE Amy Williams ASSISTANT CITY ENC	APPROVED 2/7/2014
E2013-034	11/21/2013		ENGINEERING 1210 N GOLIAD	104	Ariana Hargrove ENG - Fire	APPROVED 2/13/2014
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	92	Kathleen Moreno Engineering: Engineer	APPROVED 2/17/2014
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	92	Ariana Hargrove ENG - Fire	APPROVED 2/13/2014
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	92	Steve Clawson Sewer Department	COMMENTS 2/11/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 2/1/2014 thru 2/28/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	92	Bruce Hanby Engineering: Technician	COMMENTS 2/12/2014
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	92	Amy Williams Assistant City Engineer	COMMENTS 2/10/2014
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	92	Tim Tumulty City Engineer	COMMENTS 2/11/2014
E2013-036	12/20/2013		ENGINEERING RALPH HALL PKWY	75	Bruce Hanby Engineering: Technician	APPROVED 2/18/2014
E2013-036	12/20/2013		ENGINEERING RALPH HALL PKWY	75	Brian Patrick ENG - Fire	COMMENTS 2/6/2014
E2013-036	12/20/2013		ENGINEERING RALPH HALL PKWY	75	Ariana Hargrove Engineering: Fire	APPROVED 2/20/2014
E2013-036	12/20/2013		ENGINEERING RALPH HALL PKWY	75	Amy Williams ASSISTANT CITY ENC	COMMENTS 2/10/2014
E2013-036	12/20/2013		ENGINEERING RALPH HALL PKWY	75	Kathleen Moreno ENG-ENGINEER	APPROVED 2/6/2014
E2013-036	12/20/2013		ENGINEERING RALPH HALL PKWY	75	Bruce Hanby ENG-TECH	COMMENTS 2/6/2014
E2013-036	12/20/2013		ENGINEERING RALPH HALL PKWY	75	Amy Williams Assistant City Engineer	APPROVED 2/18/2014
E2014-004	01/30/2014		ENGINEERING	34	John Shannon ASSISTANT CITY ENC	APPROVED 2/10/2014
E2014-006	02/03/2014		ENGINEERING 937 WILLIAMS ST	30	Bruce Hanby ENG-TECH	COMMENTS 2/4/2014
E2014-006	02/03/2014		ENGINEERING 937 WILLIAMS ST	30	Curtis McAden WATER DEPARTMEN	APPROVED 2/4/2014
E2014-006	02/03/2014		ENGINEERING 937 WILLIAMS ST	30	Billy Chaffin STREET DEPARTMEN	APPROVED 2/11/2014
E2014-006	02/03/2014		ENGINEERING 937 WILLIAMS ST	30	Kathleen Moreno ENG-ENGINEER	COMMENTS 2/6/2014

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 2/1/2014 thru 2/28/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-006	02/03/2014		ENGINEERING 937 WILLIAMS ST	30	Ariana Hargrove ENG - FIRE	COMMENTS 2/4/2014
E2014-006	02/03/2014		ENGINEERING 937 WILLIAMS ST	30	Amy Williams ASSISTANT CITY ENC	COMMENTS 2/5/2014
E2014-006	02/03/2014		ENGINEERING 937 WILLIAMS ST	30	Tim Tumulty CITY ENGINEER	COMMENTS 2/11/2014
E2014-006	02/03/2014		ENGINEERING 937 WILLIAMS ST	30	Steve Clawson SEWER DEPARTMEN	COMMENTS 2/11/2014
E2014-007	02/11/2014		ENGINEERING 904 N GOLIAD	22	Amy Williams ASSISTANT CITY ENC	APPROVED 2/11/2014
P2014-004	02/03/2014		PLAT	30	Ryan Miller PLANNING	COMMENTS 2/6/2014
P2014-004	02/03/2014		PLAT	30	Ariana Hargrove FIRE	COMMENTS 2/6/2014
P2014-004	02/03/2014		PLAT	30	Amy Williams ENGINEERING	COMMENTS 2/4/2014
P2014-004	02/03/2014		PLAT	30	John Shannon BUILDING	APPROVED 2/4/2014
P2014-005	02/17/2014		PLAT	16	Ariana Hargrove FIRE	APPROVED 2/21/2014
P2014-005	02/17/2014		PLAT	16	Lance Singleton GIS	COMMENTS 2/20/2014
P2014-005	02/17/2014		PLAT	16	Amy Williams ENGINEERING	COMMENTS 2/21/2014
P2014-005	02/17/2014		PLAT	16	JoDee Sanford PLANNING	COMMENTS 2/20/2014
P2014-005	02/17/2014		PLAT	16	John Shannon BUILDING	APPROVED 2/19/2014
P2014-006	02/17/2014		PLAT 809 DAVY CROCKETT	16	Amy Williams ENGINEERING	COMMENTS 2/21/2014

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 2/1/2014 thru 2/28/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
P2014-006	02/17/2014		PLAT 809 DAVY CROCKETT	16	John Shannon BUILDING	APPROVED 2/18/2014
P2014-006	02/17/2014		PLAT 809 DAVY CROCKETT	16	Ariana Hargrove FIRE	APPROVED 2/21/2014
P2014-006	02/17/2014		PLAT 809 DAVY CROCKETT	16	JoDee Sanford PLANNING	COMMENTS 2/20/2014
P2014-006	02/17/2014		PLAT 809 DAVY CROCKETT	16	Lance Singleton GIS	APPROVED 2/20/2014
P2014-007	02/17/2014		PLAT	16	John Shannon BUILDING	
P2014-007	02/17/2014		PLAT	16	Ryan Miller PLANNING	
P2014-007	02/17/2014		PLAT	16	Amy Williams ENGINEERING	
P2014-007	02/17/2014		PLAT	16	Ariana Hargrove FIRE	
P2014-007	02/17/2014		PLAT	16	Lance Singleton GIS	
P2014-008	02/27/2014		PLAT	6	Ariana Hargrove FIRE	APPROVED 3/3/2014
P2014-008	02/27/2014		PLAT	6	John Shannon BUILDING	APPROVED 2/27/2014
P2014-008	02/27/2014		PLAT	6	Ryan Miller PLANNING	APPROVED W/ 3/3/2014
P2014-008	02/27/2014		PLAT	6	Amy Williams ENGINEERING	COMMENTS 2/28/2014
P2014-008	02/27/2014		PLAT	6	Lance Singleton GIS	APPROVED 3/3/2014
SP2014-001	01/14/2014		SITE PLAN 904 N GOLIAD	50	JoDee Sanford PLANNING	APPROVED W/ 2/4/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 2/1/2014 thru 2/28/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
SP2014-001	01/14/2014		SITE PLAN 904 N GOLIAD	50	Amy Williams ENGINEERING	APPROVED 2/4/2014
SP2014-002	01/21/2014		SITE PLAN 1830 I30	43	Ariana Hargrove FIRE	APPROVED 2/12/2014
SP2014-002	01/21/2014		SITE PLAN 1830 I30	43	John Shannon BUILDING	APPROVED 2/11/2014
SP2014-003	02/17/2014		SITE PLAN 3018 RIDGE RD	16	David Gonzales PLANNING	COMMENTS 3/4/2014
SP2014-003	02/17/2014		SITE PLAN 3018 RIDGE RD	16	Lance Singleton GIS	COMMENTS 2/20/2014
SP2014-003	02/17/2014		SITE PLAN 3018 RIDGE RD	16	Ariana Hargrove FIRE	COMMENTS 2/21/2014
SP2014-003	02/17/2014		SITE PLAN 3018 RIDGE RD	16	Amy Williams ENGINEERING	COMMENTS 2/18/2014
SP2014-003	02/17/2014		SITE PLAN 3018 RIDGE RD	16	John Shannon BUILDING	APPROVED 2/18/2014
SP2014-004	02/17/2014		SITE PLAN 950 SIDS RD	16	JoDee Sanford PLANNING	APPROVED W/
SP2014-004	02/17/2014		SITE PLAN 950 SIDS RD	16	John Shannon BUILDING	APPROVED 2/18/2014
SP2014-004	02/17/2014		SITE PLAN 950 SIDS RD	16	Amy Williams ENGINEERING	COMMENTS 2/21/2014
SP2014-004	02/17/2014		SITE PLAN 950 SIDS RD	16	Ariana Hargrove FIRE	COMMENTS 2/21/2014
SP2014-004	02/17/2014		SITE PLAN 950 SIDS RD	16	Lance Singleton GIS	COMMENTS 2/20/2014
Z2014-004	02/04/2014		ZONING	29	David Gonzales PLANNING	
Z2014-004	02/04/2014		ZONING	29	Amy Williams ENGINEERING	

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 2/1/2014 thru 2/28/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
Z2014-004	02/04/2014		ZONING	29	Ariana Hargrove FIRE	
Z2014-005	02/17/2014		ZONING AIRPORT RD	16	Ariana Hargrove FIRE	APPROVED 2/21/2014
Z2014-005	02/17/2014		ZONING AIRPORT RD	16	Ryan Miller PLANNING	APPROVED 2/18/2014
Z2014-005	02/17/2014		ZONING AIRPORT RD	16	Amy Williams ENGINEERING	APPROVED 2/21/2014
Z2014-006	02/17/2014		ZONING	16	Amy Williams ENGINEERING	
Z2014-006	02/17/2014		ZONING	16	Ryan Miller PLANNING	APPROVED W/ 2/18/2014
Z2014-006	02/17/2014		ZONING	16	Ariana Hargrove FIRE	

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Rockwall Police Department

Harbor District Calls For Service

February 2014

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2014-00003401	02/01/2014	00:27:16	The Harbor	Intoxicated	No Report
2014-00003517	02/02/2014	02:37:10	The Harbor	Reckless Driver	No Report
2014-00003888	02/06/2014	08:28:22	Cinemark	Alarm-BUSN	False Alarm
2014-00004160	02/08/2014	14:36:21	Cinemark	Accident - Minor	Report
2014-00004924	02/15/2014	00:30:00	The Harbor	Intoxicated	Unable to Locate
2014-00005026	02/15/2014	19:37:08	The Harbor	Investigation	No Report
2014-00005065	02/15/2014	23:19:03	Hilton	Intoxicated	No Report
2014-00005068	02/15/2014	23:33:16	Cinemark	Investigation	No Report
2014-00005641	02/20/2014	20:11:00	The Harbor	Disorderly Conduct	No Report
2014-00006110	02/24/2014	17:23:35	The Harbor	Investigation	No Report
2014-00006314	02/26/2014	11:49:06	Agave	Harrassment	No Report
2014-00006374	02/26/2014	23:31:07	The Harbor	Theft	Report
2014-00006442	02/27/2014	18:20:04	Cinemark	Fraud	Report
2014-00006587	02/28/2014	20:40:08	The Harbor	Criminal Mischief	Unable to Locate
			Common Name		
			The Harbor	8	
			Cinemark	4	
			Hilton	1	
			Agave	1	
			Total	**14**	

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

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	4	4	0	100%
ADMINISTRATIVE SERVICES	7	7	0	100%
AIRPORT	2	2	0	100%
ANIMAL SERVICES	4	4	0	100%
BUILDING INSPECTIONS / CODE ENFORCEMENT	0	0	0	0%
ENGINEERING	3	2	1	66%
FINANCE	7	7	0	100%
FIRE DEPARTMENT	19	19	0	100%
INTERNAL OPERATIONS	97	96	1	99%
MUNICIPAL COURT	9	8	1	89%
PARKS & RECREATION	20	19	1	95%
PLANNING & ZONING	6	6	0	100%
POLICE DEPARTMENT	19	18	1	95%
PUBLIC WORKS	8	8	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	205	200	5	98%

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Rockwall Police Department

Monthly Activity Report
February-2014

ACTIVITY	CURRENT MONTH FEBRUARY	PREVIOUS MONTH JANUARY	YTD 2014	YTD 2013	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	1	**-100.00%**
Sexual Assault	0		0		
Robbery	0	0	0	0	**0.00%**
Aggravated Assault	0	3	3	2	**50.00%**
Burglary	5	6	11	16	**-31.25%**
Larceny	37	70	107	97	**10.31%**
Motor Vehicle Theft	4	4	8	9	**-11.11%**
TOTAL PART I	**46**	**83**	**129**	**125**	**3.20%**
TOTAL PART II	**120**	**134**	**254**	**222**	**14.41%**
TOTAL OFFENSES	**166**	**217**	**383**	**347**	**10.37%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	13	15	28	23	**21.74%**
D.W.I.	18	21	39	31	**25.81%**
TEEN CURFEW	1	1	2	2	**0.00%**
ARRESTS					
FELONY	15	20	35	21	**66.67%**
MISDEMEANOR	71	65	136	166	**-18.07%**
WARRANT ARREST	29	33	62	50	**24.00%**
JUVENILE	8	9	17	12	**41.67%**
TOTAL ARRESTS	**123**	**127**	**250**	**249**	**0.40%**
DISPATCH					
CALLS FOR SERVICE	1272	1354	2626	2503	**4.91%**
ACCIDENTS					
INJURY	11	11	22	19	**15.79%**
(INJURIES)	14	19	33	22	**50.00%**
NON-INJURY	43	49	92	75	**22.67%**
FATALITY	0	0	0	0	**0.00%**
(FATALITIES)	0	0	0	0	**0.00%**
TOTAL	**54**	**60**	**114**	**94**	**21.28%**
FALSE ALARMS					
RESIDENT ALARMS	57	55	112	122	**-8.20%**
BUSINESS ALARMS	94	128	222	208	**6.73%**
TOTAL FALSE ALARMS	**151**	**183**	**334**	**330**	**1.21%**
Estimated Lost Hours	**99.66**	**120.78**	**220.44**	**217.8**	**1.21%**
Estimated Cost	**$2,370.70**	**$2,873.10**	**$5,243.80**	**$5,181.00**	**1.21%**

ROCKWALL NARCOTICS UNIT

Number of Cases	5
Arrests	3
Arrest Warrants	0
Search Warrants	1
Seized	
1	Nissan Pick-up

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Rockwall Police Department
Dispatch and Response Times
February 2014

Police Department

	Average Response Time	
Priority 1		Number of Calls **78**
Call to Dispatch	0:00:24	
Call to Arrival	0:04:35	
% over 7 minutes	18%	

	Average Response Time	
Priority 2		Number of Calls **189**
Call to Dispatch	0:00:43	
Call to Arrival	0:06:26	
% over 7 minutes	36%	

	Average Response Time	
Priority 3		Number of Calls **7**
Call to Dispatch	0:00:49	
Call to Arrival	0:06:54	
% over 7 minutes	43%	

***Priority 4** Number of Calls **998**

****Priority 5** Number of Calls **0**

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

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

Fire Department

	Average Response Time	
Call to Dispatch	0:00:12	Number of Calls **81**
Call to Arrival	0:05:38	

Overages

Call Date	Incident Number	Call Time	Call Log User	Call Type	Arrival Time	Dispatch Time	Response Time	Reason
2/6/2014	2014-00000145	9:15:00	CMinckler	FD - Fire Alarm Commercial	9:20:10	9:16:26	0:01:26	Dispatcher in Training
2/23/2014	2014-00000209	13:44:19	TMarks	FD - Grass Fire	13:54:19	13:46:15	0:01:56	No exact loc/no recommended units in the CAD

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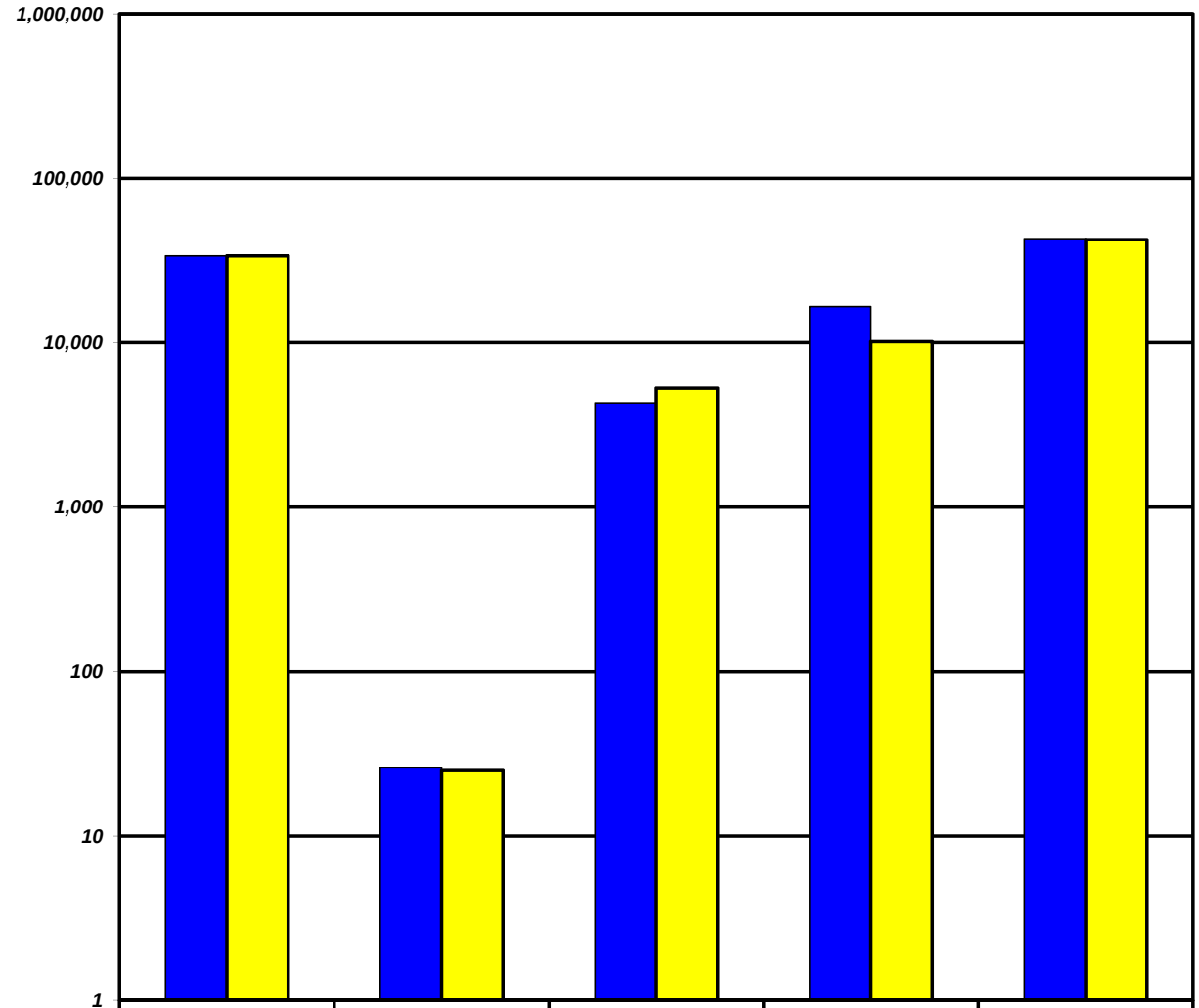
City of Rockwall
Parks and Recreation Department
FY14 February Report



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY14 YTD	33,650	26	4,288	$16,578	$42,862
FY13 YTD	33,627	25	5,284	$10,141	$42,298

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

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
February 2014

DISPOSITION REPORT

	February
Intakes	164
1045	0
Adopted	96
Returned to Owner	11
Rescued	40
Euthanized	7
Live Outcome %	**95%**
Number of Animals in Foster	2

FINANCIAL REPORT

Income	**February**
City of Rockwall	$0
Adoption Fee Income	$8,303
Impound Fee Income	$385
Owner Surrender	$895
General Donations	$3,512
Medical	$400
Total Income	**$13,525**

Expenses	**February**
Administrative Expenses (Payroll, etc)	$30,455
Shelter Expenses (Microchips, Drugs, etc)	$5,927
Veterinary Expenses	$8,251
Professional Services	$390
Total Expenses	**$45,023**
Balance	**-$31,498**

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2013/14 City of Rockwall In kind values /Meals 2nd Quarter
Meals On Wheels Senior Services

Jan-14 — 22 Days served

ROUTES	MILES	$
A	308	$172.48
B	220	$123.20
C	748	$418.88
E	682	$381.92
F & K	440	$246.40
H	276	$154.56
I&J	1320	$739.20
RM & R	332	$185.92
	4326	$2,422.56

	HOURS	$
A	22	$262.02
B	33	$393.03
C	22	$262.02
E	22	$262.02
F &K	43	$512.13
H	22	$262.02
I&J	33	$393.03
RM & R	33	$393.03
	230	$2,739.30

$ Value in kind volunteer services $5,161.86

Total January inkind value $5,122.47

ROCKWALL PROGRAM MEALS by classification
2,056 Home Delivered and Disabled
475 Congregate Centers

Total purchased Meals 2,531

Feb-14 — 19 Days served

ROUTES	MILES	$
A	266	$148.96
B	190	$106.40
C	646	$361.76
E	589	$329.84
F& K	380	$212.80
H	238	$133.28
I&J	1140	$638.40
RM & R	286.72	$160.56
	3735.72	$2,092.00

	HOURS	$
A	19	$226.29
B	30	$357.30
C	19	$226.29
E	19	$226.29
F & K	40	$476.40
H	19	$226.29
I&J	30	$357.30
RM & R	30	$357.30
	206	$2,453.46

$ Value in kind volunteer services $4,545.46

Total February inkind value $4,545.46

ROCKWALL PROGRAM MEALS
1,773 Home Delivered and Disabled
371 Congregate Centers

Total purchased Meals 2,144

Mar-14 — 20 Days served

ROUTES	MILES	$
A	100	$56.00
B	200	$112.00
C	680	$380.80
E	620	$347.20
F& K	400	$224.00
H	250	$140.00
I&J	1200	$672.00
RM & R	301	$168.56
	3751	$2,100.56

	HOURS	$
A	20	$238.20
B	30	$357.30
C	20	$238.20
E	20	$238.20
F & K	42	$500.22
H	20	$238.20
I&J	25	$297.75
RM & R	30	$357.30
	215	$2,465.37

$ Value in kind volunteer services $4,565.93

Total March inkind value $4,542.11

ROCKWALL PROGRAM MEALS
1,797 Home Delivered and Disabled
394 Congregate Centers

Total Purchased Meals 2,191

THANK YOU
FOR YOUR
SUPPORT

Sincerely, Margie VerHagen E.D.

Total meals Program Purchased	VALUE Donated 2nd Quarter 2013/14
6,866	$5,122.47 Jan. Total $ 14,210.04
	$4,545.46 Feb.
	$4,542.11 March

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AGENDA
ROCKWALL CITY COUNCIL
Monday, April 14, 2014
6:00 p.m. City Council Work Session
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

II. WORK SESSION

1. Hold work session to discuss and consider proposal related to a countywide interoperability radio system and joint dispatch facility, including proposed letter of intent, and take any action necessary.

2. Hold work session to discuss open space dedication options as part of the development process, and take any action necessary.

III. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.
The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)
I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 11th day of April, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____
Kristy Ashberry, City Secretary Date Removed

Jacky Casey, Assistant Secretary

Table of Contents

Agenda 3

Consider approval of the minutes from the April 7, 2014 regular city council meeting, and take any action necessary.

04-07-14 CC mtg Minutes 7

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Consider approval of the minutes from the April 14, 2014 city council work session, and take any action necessary.

04-14-14 CC Mtg. Minutes 23

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Consider approval of an ordinance amending the Code of Ordinances in Chapter 44. Utilities, Article V. Water, Division 7. Drought Contingency and Water Emergency Response Plan to keep the city in compliance with Texas Commission on Environmental Quality requirements, and take any action necessary. (2nd reading)

Ord_2nd reading 27

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Consider approval of an ordinance amending the city's Water Conservation Plan to keep the city in compliance with Texas Commission on Environmental Quality (TCEQ) requirements, and take any action necessary. (2nd reading)

Ord_2nd reading 31

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Z2014-007 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Darren Cain of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan and allow for changes to the development standards contained in Exhibit ‘C’ of Ordinance 12-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary. (1st Reading)

Staff Report 122

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Z2014-008 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Mike Peoples for the approval of a zoning change from an Agriculture (AG) District to a Heavy Commercial (HC) District for a 7.42-acre tract of land identified as a portion of Tract 4-01 of the M. B. Jones Survey, Abstract No. 122, Rockwall, Rockwall County, Texas, situated within the East SH 66 Corridor Overlay (E-SH 66 OV) District, located east of the intersection of John King Boulevard and SH-66, and take any action necessary. (1st reading)(3/4 majority vote)

Staff Report 178

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Hold a Show Cause Hearing to discuss and consider demolition of a dangerous building located at 410 Yvonne, and take any action necessary.

Staff report 202

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Z2014-004 – Discuss and consider approval of an ordinance for a city-initiated request to amend the Unified Development Code (Ordinance No. 04-38), specifically Article II, Authority and Administrative Procedures, Section 6.1, Notice of Public Hearing, and take any action necessary (1st Reading).

Staff Memo 210

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Discuss and consider Founders Day Festival update including consideration of an ordinance amendment related to “Regulated Activities in City Parks," and take any action necessary. (1st reading)

Memo 216

Ordinance 218

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Discuss and consider communications with business owners regarding alcohol related arrests that arise from these establishments and take any action necessary.

Pruitt Request 221

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AGENDA
ROCKWALL CITY COUNCIL
Monday, April 21, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

1. **HOLD WORK SESSION TO DISCUSS AND CONSIDER PROPOSAL RELATED TO A COUNTYWIDE INTEROPERABILITY RADIO SYSTEM AND JOINT DISPATCH FACILITY, INCLUDING PROPOSED LETTER OF INTENT, AND TAKE ANY ACTION NECESSARY.**

III. EXECUTIVE SESSION. (4:15 p.m.)

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

1. Discussion regarding board composition and duties of Airport Zoning Board pursuant to Section 551.071 (Consultation with Attorney) and 551.074 (Personnel).
2. Discussion regarding potential city-initiated zoning for property currently used for commercial purposes pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding land acquisition in the vicinity of FM-740 and IH-30 for municipal purposes pursuant to Section 551.072 (Real Property).
4. Discussion regarding possible claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
5. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, April 21, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TOWNSEND

VIII. CONSENT AGENDA

p.7 **1.** Consider approval of the minutes from the April 7, 2014 regular city council meeting, and take any action necessary.

p.23 **2.** Consider approval of the minutes from the April 14, 2014 city council work session, and take any action necessary.

p.27 **3.** Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 44. Utilities, Article V. Water, Division 7. Drought Contingency and Water Emergency Response Plan to keep the city in compliance with Texas Commission on Environmental Quality requirements, and take any action necessary. **(2nd reading)**

p.31 **4.** Consider approval of an **ordinance** amending the city's Water Conservation Plan to keep the city in compliance with Texas Commission on Environmental Quality (TCEQ) requirements, and take any action necessary. **(2nd reading)**

IX. APPOINTMENTS

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

2. Appointment with Lewis Crain of Rutledge, Crain & Company,PC to present the city's Fiscal Year 2013 Comprehensive Annual Financial Report, and take any action necessary.

X. PUBLIC HEARING ITEMS

p.122 **1.** **Z2014-007** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Darren Cain of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan and allow for changes to the development standards contained in Exhibit 'C' of Ordinance 12-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary. **(1st Reading)**

p.178 **2.** **Z2014-008** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Mike Peoples for the approval of a zoning change from an Agriculture (AG) District to a Heavy Commercial (HC) District for a 7.42-acre tract of land identified as a portion of Tract 4-01 of the M. B. Jones Survey, Abstract No. 122, Rockwall, Rockwall County, Texas, situated within the East SH 66 Corridor Overlay (E-SH 66 OV) District, located east of the intersection of John King Boulevard and SH-66, and take any action necessary. **(1st reading) (3/4 majority vote required)**

XI. ACTION ITEMS

p.202 **1.** Hold a Show Cause Hearing to discuss and consider demolition of a dangerous building located at 410 Yvonne, and take any action necessary.

p.210 **2.** **Z2014-004** – Discuss and consider approval of an **ordinance** for a city-initiated request to amend the Unified Development Code (Ordinance No. 04-38), specifically Article II, Authority and Administrative Procedures, Section 6.1, Notice of Public Hearing, and take any action necessary **(1st Reading).**

p.216 **3.** Discuss and consider Founders Day Festival update including consideration of an **ordinance** amendment related to “Regulated Activities in City Parks," and take any action necessary. **(1st reading)**

p.221 **4.** Discuss and consider communications with business owners regarding alcohol related arrests that arise from these establishments and take any action necessary.

XII. EXECUTIVE SESSION

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

1. Discussion regarding board composition and duties of Airport Zoning Board pursuant to Section 551.071 (Consultation with Attorney) and 551.074 (Personnel).
2. Discussion regarding potential city-initiated zoning for property currently used for commercial purposes pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding land acquisition in the vicinity of FM-740 and IH-30 for municipal purposes pursuant to Section 551.072 (Real Property).
4. Discussion regarding possible claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
5. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

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

XIV. ADJOURNMENT

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

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

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 18th day of April, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

MINUTES
ROCKWALL CITY COUNCIL
Monday, April 07, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

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

II. (4:00 P.M.) WORK SESSION

1. Hold work session to hear report from Mr. John Polster of Innovative Transportation Solutions, Inc., Rockwall County's Project Manager, regarding the proposed FM 552 Roadway Improvement Project from SH 205 to SH 66, and taken any action necessary.

City Engineer, Tim Tumulty, provided a brief introduction. Mr. John Polster with Innovative Transportation Solutions (address: 2701 Valley View Lane, Farmers Branch, TX) then came forth to address the city council regarding this roadway improvement project. He indicated that a public meeting is being held on April 10 in order to seek out and receive input from the public related to this project, and a public hearing (which he explained is different) will be held later on. He indicated that FM-552 is being widened to a six lane divided urban roadway with curb and gutter. This project is currently estimated at $50 million. It will likely have to be a phased project that is completed in sections over time. Mr. Polster explained a bit about the countywide traffic / road consortium and how he works with that body of elected officials in order to prioritize countywide road projects and maximize and manage allocation of assets in order to get the projects completed in the most cost effective manner over time. He indicated that Rockwall County is used as a model throughout the Dallas district and the metropolitan planning area because of the harmony, trust, common vision and overall positive working relationships that exist among the countywide elected and appointed officials. He then explained what steps will take place, as far as the process is concerned, following the public meeting.

The council took no action related to this agenda item.

2. Hold work session to discuss open space dedication options as part of the development process, and take any action necessary.

City Manager Rick Crowley provided background information related to this agenda item indicating that council previously asked staff to further evaluate how this issue would affect developers. He explained that this issue has to do with whether or not the city should accept and allow developers to dedicate land (open space) to the city and require that the homeowners association (HOA) or developer to perpetually maintain that open space. The other option is to not accept dedication of these open spaces but instead have the developer dedicate such land directly to the HOA and have the HOA be

responsible for its maintenance. He explained that the Breezy Hill and Stone Creek developments are being done in several phases, with several already taking place under the scenario that the city would accept dedication of open space from the developer and require the HOA to maintain that land. If the city is to make a change, regarding the unfinished additional phases in these subdivisions, the developer would experience a significant cost implication (about $900,000). Mr. Crowley suggested that the council may consider going ahead and continuing to accept these open space dedications for Breezy Hill and Stone Creek, but it may wish to further evaluate this matter with regards to any future, new developments.

Discussion took place related to if this type of dedicated open space is of value or if it serves any sort of purpose to the city (i.e. for park land development). Mr. Crowley indicated that this type of land serves the purpose of being open and not having anything be developed on it; however, the city would not be building anything on such land. Councilmember Pruitt stressed that, prior to land being developed, the property owners were receiving major tax breaks through agricultural tax exemptions for years. He expressed that it makes the most sense for roll back taxes to be collected, and this issue also has a major impact on the school district and county's tax revenue.

Adam Buczeck with the Skorburgh Company came forth and indicated that when the original financial planning took place for the developments in question, it was done so with the assumption that Skorburgh would be dedicating the required open space to the city rather than to the HOA. He offered that, within Stonecreek and Breezy Hill's CC&Rs, he is willing to add some additional language to stipulate that the HOAs will maintain the open space in perpetuity even though the land will have been dedicated to the city. He indicated that the HOAs at Breezy Hill and Stonecreek will continue to both maintain and own the areas where the pools are located.

The council took no action related to this discussion item.

At 4:28 p.m., Mayor Sweet read the below listed items into the public record before recessing the public meeting into Executive Session.

III. (4:15 P.M.) EXECUTIVE SESSION.

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

1. Discussion regarding Economic Development incentives, procedures, prospects and possible projects pursuant to Section 551.087 (Economic Development)

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

3. Discussion regarding the following legal claims: Jennifer A. Turner v. City of Rockwall and Beverly A. Young v. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)

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

5. Discussion regarding land lease/acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section 551.072 (Real Property).

6. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

7. Discussion regarding Economic Development prospect (Hawaiian Falls) pursuant to Section 551.087 (Economic Development)

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:56 p.m.

MINUTES
ROCKWALL CITY COUNCIL
Monday, April 07, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

Mayor Sweet reconvened the public meeting at 6:00 p.m. All seven council members were present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem White made a motion to not pursue a public / private partnership with Hawaiian Falls. Councilmember Daniels seconded the motion. Councilmember Milder mentioned that this proposal came with a very costly price tag for the city, and it would come with an incredible amount of debt. After these brief comments, the motion passed by a vote of 7 ayes with 0 nays.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER PRUITT

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

VIII. PROCLAMATIONS / AWARDS

1. Mary Claire Weible Memory Master Day

Mayor Sweet and Mayor Pro Tem White called Miss Weible forward to recognize her for these recent academic-based achievements. Miss Weible recited the preamble to the U.S. Constitution, and Mayor Sweet then read and presented her with the proclamation.

2. Child Abuse Prevention & Awareness Month

Mayor Sweet read this proclamation into the public record.

IX. OPEN FORUM

Mayor Sweet explained how Open Forum is conducted and then asked if anyone in the audience would like to come forth to address the council at this time.

Richard Langley
2401 Sandstone Court
Rockwall, TX

Mr. Langley came forth and expressed concern related to solicitors who knock on doors in neighborhoods. He explained that some have been threatening to residents, and he is gravely concerned about these types of individuals who 'solicit' in Rockwall. He explained that a lot of the solicitors do not follow regulations that the city has in place. He urged the council to put a stop to solicitors or put tighter regulations in place to slow them down. Mr. Langley explained that when solicitors show up at his home and cannot

provide proper identification or are suspicious, he and / or his wife do call the Rockwall Police Department to report them, and the police do come out and respond. Sometimes the police escort such individuals out of the neighborhood. He encouraged the council to consider banning solicitors except for church related groups.

Ben Weible
215 Trout
Rockwall, TX

Mr. Weible came forth and thanked the council for not entering into a public / private partnership with Hawaiian Falls. He expressed concern about solicitors, generally indicating he has problems with potentially singling out certain individuals because of what they look like or other for other reasons.

X. CONSENT AGENDA

1. Consider approval of the minutes from the March 17, 2014 regular city council meeting, and take any action necessary.

2. Consider authorizing the City Manager to execute a Cooperative Purchasing Agreement through state contract for the acquisition of a police vehicle for use by the Chief of Police in the amount of $28,756, with an additional cooperative purchasing administrative cost of $400, to be funded out of general fund reserves, and take any action necessary.

Following Appointment item #1, the Council addressed this item. Councilmember Pruitt indicated that he is not in favor of taking money out of reserves in order to purchase this item. He would prefer that the purchase be delayed at this time until the next, upcoming budget cycle. Councilmember Milder expressed agreement and would prefer this be addressed during the budget process as well.

Mayor Sweet made a motion to approve the purchase of this police vehicle. Councilmember Daniels seconded the motion.

Councilmember Pruitt indicated that he feels the difference between the fire chief vehicle that was approved and this one is for the police chief is that the fire vehicle was going to be outfitted as a command vehicle so that it could be utilized on fire scenes to run incident command. He expressed that if this police vehicle is just going to be utilized by the Chief of Police to drive around town doing city business, he does not see why this cannot wait until budget time to be addressed.

Mr. Crowley indicated he believes this vehicle would be driven for about five years.

The motion passed by a vote of 5 in favor with 2 against (Pruitt, Milder).

Appointment item #2 (P&Z Chairman) was next addressed by council.

3. Consider authorizing the Mayor to execute a tax resale deed for property located at lot 7, block A Heritage Heights, and take any action necessary.

4. Consider approval of the award of the Lake Rockwall Estates Water Connections project construction contract to Four Star Excavating, in the

amount of $186,658.50 to be funded by 2008 water and sewer revenue bonds, and take any action necessary.

5. Consider approval of the award of the Central Water and Sewer Improvements project construction contract to Barson Utilities, in the amount of $786,973.00 to be funded by 2008 Water and Sewer Revenue Bonds, and take any action necessary.

6. Consider approval of the award of the Miscellaneous Water System Improvements project construction contract to Four Star Excavating, in the amount of $429,936.30 to be funded by 2012 Water and Sewer Funds, and taken any action necessary.

7. **P2014-009** - Consider a request by Cameron Slown of FC Cuny Corporation on behalf of Brian Berry of Horizon GSL 1, LLC for the approval of a replat of Lots 2-7, Block 1, Alliance Addition, Phase 2, creating three (3) non-residential lots identified as Lots 12, 13 & 14, Block 1, Alliance Addition, Phase 2, being 2.768-acres of land situated in the W. W. Ford Survey, Abstract No. 80, Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57), located southeast of the intersection of H. Wallace Lane and Jeff Boyd Drive, and take any action necessary.

8. P2014-010 - Consider a request by Barney M. Barnhill for the approval of a replat of Lots 1 & 2, Block E, Sanger Brothers Addition, creating two (2) non-residential lots identified as Lots 1 & 2, Block A, Goliad Dental Addition, being 0.56-acres of land situated in the B. F. Boydstun Survey, Abstract No. 14, Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, located at the southeast corner of the intersection of E. Boydstun Avenue and S. Goliad Street (SH-205), and take any action necessary.

9. Consider approval of an **ordinance** declaring unopposed candidates for city council Places 2, 4 and 6 and cancelling the 2014 General Election, and take any action necessary. **(2nd reading)**

10. **Z2014-005** - Consider approval of an **ordinance** for a request by Ron Ramirez of Wier & Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of a zoning change from an Agriculture (AG) District to a Light Industrial (LI) District for a 2.006-acre tract of land identified as a portion of Tract 2-7 of the David Harr Survey, Abstract No. 102, Rockwall, Rockwall County, Texas, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of Airport Road, and take any action necessary **(2nd Reading)**.

11. **Z2014-006** - Consider approval of an **ordinance** for a request by the Cabana's at Chandler's Landing Homeowner's Association on behalf of the residents of the Cabana's at Chandler's Landing to amend the density and dimensional requirements stipulated by Planned Development District 8 (PD-8) for a 1.131-acre portion of a parcel of land identified as the Cabanas at Chandler's Landing, zoned Planned Development District 8 (PD-8) for multi-family or condominium uses as established in Ordinance 73-48 & 84-04, generally located south of Yacht Club Drive

and west of Harbor View Drive, and take any action necessary **(2nd Reading)**.

Councilmember Pruitt pulled item #2 for discussion following one of the appointment items later in tonight's agenda.

Councilmember Milder made a motion to approve the remaining Consent Agenda items (#1, 3, 4, 5, 6, 7, 8, 9, 10 and 11). Mayor Pro Tem White seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF CITY COUNCILMEMBER PLACE 2, CITY COUNCILMEMBER PLACE 4, AND CITY COUNCILMEMBER PLACE 6 AS ELECTED; PROVIDING THAT THE MAY 10, 2014, GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 14-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURE (AG) DISTRICT TO A LIGHT INDUSTRIAL (LI) DISTRICT FOR A 2.006-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 2-7 OF THE DAVID HARR SURVEY, ABSTRACT NO. 102, ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 14-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) [*ORDINANCE NO. 73-48 & 84-04*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE DENSITY AND DIMENSIONAL REQUIREMENTS STIPULATED BY PLANNED DEVELOPMENT DISTRICT 8 (PD-8) FOR A 1.131-ACRE PORTION OF A PARCEL OF LAND IDENTIFIED AS THE CABANAS AT CHANDLER'S LANDING, ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE

SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

XI. APPOINTMENTS

1. Appointment with Rockwall County Judge Hogan and representative(s) of the Commissioner's Court to hear proposal related to the interoperability radio system and joint dispatch facility, and take any action necessary.

Judge Hogan came forth and introduced himself. He then provided an extensive explanation of countywide interoperability and dispatch challenges and needs as he understands them. He explained that the county will cover the cost of the proposed new radio system, including supplying the city with all of the radios. The county would also bear the cost of establishing a consolidated dispatch center and would pay for the cost to run the dispatch center for the first two years. Thereafter, each city would collaboratively pay for the cost of the dispatch center on a per call basis. Judge Hogan requested that the Rockwall City Council consider signing a proposed 'letter of intent,' which he explained is not binding but would allow the county to move forward with a study to more closely nail down cost. He explained that it would probably take about a year for a consolidated dispatch center to be bought and established. He explained that the Sheriff would run the dispatch center under the guidance of a pre-established board that would be made up of each city's police chief, fire chief and one additional representative from each city as well as a county commissioner.

Mr. Crowley explained that holding a work session to discuss this matter may be a desirable option for the council. He stated that the County would like to receive a response on the proposed 'letter of intent' within the next thirty or so days.

Councilmember Daniels expressed a desire to hold a work session to get some more questions answered and receive more information before moving forward with signing the letter of intent that the county has proposed. Mr. Crowley indicated this could likely be held in the next week or so, potentially on an 'off' council meeting Monday.

Judge Hogan explained that the dispatch center would be located to the left of the existing jail (as you look at it).

It was decided that a work session will be held next Monday, April 14 at 6:00 p.m. to discuss this matter further. No action was taken at this time.

Consent Agenda item #2 was next addressed by council.

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

Chairman of the Planning and Zoning Commission, Craig Renfro, came forth and provided a briefing to council regarding recommendations of the Commission relative to items on tonight's meeting agenda. Lengthy discussion took place related to the Planning & Zoning Commission's recommendations regarding zoning change notification modifications (Z2014-004) (i.e. size of the on-site sign; notification circumferences; method for notifying residence in abutting neighborhoods (i.e. notify the HOAs up to within 1,500 feet from the subject property).

The council took no action related to this agenda item.

3. Appointment with Scott Self of Sail with Scott, LLC to hear and consider request regarding temporary relocation of his boat dock at The Harbor, and take any action necessary.

Scott Self
319 Harbor View Drive
Rockwall, TX

Mr. Self came forth and indicated that this request is being made due to lake levels being more than seven-and-a-half feet down at this time. After Mr. Self's brief request, Mr. Griggs, Assistant City Manager, indicated that Mr. Self must first obtain permission from our city (Rockwall) before approaching the City of Dallas for approval, which he will need to do hereafter.

Mayor Pro Tem White made a motion to approve this request as presented. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

4. Appointment with Raymond Jowers to discuss his request to extend his Specific Use Permit for 2260 East IH-30, and take any action necessary.

Mr. Jowers came forth and explained that Big Tex Trailers is the current tenant and he believes they will continue to be the tenant at this location for the foreseeable future.

Councilmember Milder made a motion to extend the SUP for a period of 3 years. Councilmember Townsend seconded the motion, which passed by a vote of 7 ayes to 0 nays.

5. Appointment with Mike Peoples to discuss approval of a temporary waiver to the requirement for sanitary sewer connection in conjunction with the future development of a 7.42-acre tract of land identified as a portion of Tract 4-01, M.B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, located east the of the intersection of John King Boulevard and SH-66, and take any action necessary.

Mr. Peoples came forth and offered brief comments related to his request.

Mr. LaCroix explained that should this temporary waiver be approved, Mr. Peoples will be coming forth in the future with a zoning change request and possible variance requests (related to the building).

Brief discussion took place related to height restrictions and the "airport safety zone" regarding commercial properties in and around the airport.

Mayor Pro Tem White made a motion to approve the temporary waiver. Councilmember Townsend seconded the motion, which passed by a vote of 7 ayes to 0 nays.

6. Appointment with Dorothy Spradlin, representing AMBUCS to request permission to use city property for an upcoming scrap metal collection fundraiser, and take any action necessary.

Ms. Spradlin came forth and explained that AMBUCs is a local, non-profit organization that raises money and builds trikes for kids who have special needs and mobility issues. She explained the nature of her request, indicating that AMBUCS will be partnering with Mike Carl, who owns a metals company out of Greenville, TX. She explained that he has agreed to provide all the manpower, equipment and containers necessary in order to do this event on Saturday, April 26 from 8:00 a.m. to 2:00 p.m. She explained that they would like to hold this event on the city-owned property near the countywide gun range (1825 Airport Road). At the close of the event, they will ensure the property is left in the same condition as it was found.

After brief discussion, Councilmember Pruitt made a motion to approve this request as presented. Councilmember Townsend seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Sweet called for a brief, ten minute break following this item.

XII. PUBLIC HEARING ITEMS

1. **Z2014-004** - Hold a public hearing and consider approval of an **ordinance** for a city-initiated request to amend the Unified Development Code (Ordinance No. 04-38), specifically Article II, Authority and Administrative Procedures, Section 6.1, Notice of Public Hearing, and take any action necessary **(1st Reading)**.

Mayor Sweet called the public meeting back to order at 7:46 p.m. He clarified that this item does not in fact have an ordinance to be read this evening (contrary to what is shown on the agenda). It was clarified that after tonight's discussion, based on the direction given by council, an ordinance will be drafted and brought back to council for consideration at a later date.

Planning Director Robert LaCroix provided background information related to this agenda item, indicating that the Planning and Zoning Commission has made the following recommendations related to the city's zoning change notification process:

(1) The property owner notification buffer area should be increased from 200 feet to 300 feet,
(2) All notices of public hearing should be sent via first class mail with the outside of the envelope being stamped in red with the wording "Zoning Change Requested,"
(3) Staff should mail a notification to all known HOA representatives within 1,500' of the zoning change request,
(4) Staff should mail notifications to all property owners listed on the most current and approved city tax rolls and to the actual notification property address if the property owner does not reside at the physical address
(5) For Multi-Family properties, staff should mail notifications to the property owner and the leasing office of the apartment or housing complex.

(6) A four (4) foot by four (4) foot, doubled sided sign with a distinctive color indicating what type of zoning change is being requested, should be posted on the subject property.

Mayor Sweet opened the public hearing. There being no one wishing to come forth and speak, Mayor Sweet then closed the public hearing.

Mayor Sweet made a motion to move forward with the abovementioned, recommended changes from the Planning and Zoning Commission as presented. Councilmember Milder seconded the motion. After additional discussion, Mayor Pro Tem White made an amendment to his motion to expand the circumference to 500 feet. Councilmember Milder seconded the amended motion. The motion passed unanimously (7 ayes to 0 nays).

XIII. ACTION ITEMS

1. **MIS2014-002** - Discuss and consider a request by Fritz McKinstry for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, General Residential District Standards, of Article V, District Development Standards, of the Unified Development Code, for a 0.17-acre parcel of land identified as Lot 23, Block E, Chandler's Landing, Phase 16, zoned Planned Development District 8 (PD-8), located at 257 Victory Lane, Rockwall, Rockwall County, Texas, and take any action necessary.

Mr. LaCroix provided background information related to this agenda item, indicating that the Planning and Zoning Commission has recommended approval of this item. Mayor Pro Tem White made a motion to approve MIS2014-002. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

2. Discuss and consider hotel tax subcommittee funding recommendations for supplemental funding for the Soroptomists, Dodies, and The Rockwall News events, and take any action necessary.

Assistant City Manager Mary Smith briefed the council on the three funding requests. Councilmember Lewis made a motion to approve the funding requests as recommended by the sub-committee and as presented ($2,000 to Soroptomist for the Country Fair; $1,920 to the Rockwall News for its Memorial Day Concert; $1,000 to Dodie's for its Crawfish Fest) Mayor Pro Tem White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 44. Utilities, Article V. Water, Division 7. Drought Contingency and Water Emergency Response Plan to keep the city in compliance with Texas Commission on Environmental Quality requirements, and take any action necessary. **(1st reading)**

City Engineer, Tim Tumulty, provided brief comments related to this agenda item. Councilmember Daniels made a motion to approve the ordinance. Mayor Pro Tem White seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 7. DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN, TO PROVIDE FOR CERTAIN DELETIONS AND CHANGES TO ITS PROVISIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR AN EFFECTVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

4. Discuss and consider approval of an **ordinance** amending the city's Water Conservation Plan to keep the city in compliance with Texas Commission on Environmental Quality (TCEQ) requirements, and take any action necessary. **(1st reading)**

City Engineer, Tim Tumulty, provided brief comments related to this agenda item. Councilmember Lewis made a motion to approve the ordinance to amend the city's Water Conservation Plan. Mayor Pro Tem White seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING ORDINANCE # 09-25 TO REPLACE "EXHIBIT A" (WATER CONSERVATION PLAN) WITH A NEW "EXHIBIT A," ATTACHED HERETO, PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR AN EFFECTVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

5. Discuss and consider recent action taken by North TX Municipal Water District (NTMWD) board of directors related to water conservation, and take any action necessary.

City Manager, Rick Crowley, explained that lake levels continue to be very low at this time. The NTMWD board had previously, and then again recently, recommended a once every other week watering schedule for the public. He indicated that he is recommending the council consider continuing the once-every-other-week watering schedule that the city has already had in place throughout the winter months for an additional month. Brief discussion took place related to new landscaping. Councilmember Pruitt suggested the city may consider putting a moratorium on requiring a commercial business to replace dead landscaping or trees. Mr. Crowley indicated that staff will be looking at these ordinance regulations and will bring back an ordinance for the council to review at a later time.

Councilmember Milder asked staff to put a 'button' on the city's homepage on the website to very clearly point a resident to current water restrictions and schedules.

The council took no formal action related to this agenda item.

6. Discuss and consider possible amendment to the City's ordinance regulating solicitors, and take any action necessary.

Mayor Pro Tem White asked how many citations have been issued for violation of the city's current solicitors regulations. Mr. Crowley indicated he will find this out and get back to the council with this information.

Councilmember Pruitt suggested that some additional provisions be added to the ordinance regulations related to what happens if / when a background check shows something bad for someone who wishes to obtain a solicitor's permit.

Mr. Garza cautioned that any ordinance changes cannot be based on 'content.' The city can only regulate 'time, place and manner.' He suggested that a more comprehensive ordinance be developed and brought back to the council for consideration at a future meeting. Mr. Garza stated he has seen some cities pass ordinances that regulate solicitors but exempt non-profit organizations.

Councilmember Daniels indicated he lives in a gated community, and he is wondering if solicitors are or are not allowed. Mr. Garza stated that a gated community can have proper signage in place to completely prohibit solicitors in gated neighborhoods. Then, if a violator comes knocking on his door, he can call the police, and they can take enforcement measures.

Lieutenant Valliant, Rockwall PD, indicated that the majority of complaints received related to solicitors are related to the aggressive selling tactics being utilized by solicitors.

Councilmember Pruitt made a motion to instruct the city attorney to review the entirety of the city's current solicitors regulations to add clear penalty provisions for people who violate the ordinance, to add a section explaining what happens if a background check shows a person is not in good standing and the city would like to not issue them a permit, and add some "teeth" to the violation provisions. Mayor Pro Tem White stated he will support this motion just because he would like to see what is brought back to the council for review. Mayor Sweet seconded the motion, which passed by a vote of 7 ayes to 0 nays.

7. Discuss and consider amending the 2013-2014 Recreation Development Fund Budget to reconstruct the parking lot at Lofland Park, and take any action necessary.

Mr. Griggs, Assistant City Manager, provided brief background information related to this agenda item. He indicated that the total cost of the project is estimated to be $18,050. Mr. Crowley indicated that he is recommending the council consider funding a portion of this project (the part located in right-of-way) out of the General Fund budget with the remainder being funded out of the city's Recreational Development Fund.

Mayor Pro Tem White made a motion to approve this item as presented. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

8. Discuss and consider an appointment to the city's Historic Preservation Advisory Board (HPAB), and take any action necessary.

Councilmember Daniels made a motion to appoint Glen Turbyfill to the Historic Preservation Advisory Board to replace former member, Dr. David Waller, for an initial (partial) term to expire in August of 2015. Mayor Pro Tem White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

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

1. Departmental Reports
Building Inspections Monthly Report - February 2014
Fire Department Monthly Report - February 2014
Harbor PD Monthly Report - February 2014
Internal Operations Department Monthly Report - February 2014
Police Department Monthly Report - February 2014
Recreation Monthly Report - February 2014
Rockwall Animal Adoption Center Monthly Report - February 2014
Rockwall County Committee on Aging Quarterly Report

2. City Manager's Report

Joey Boyd, Director of Internal Operations, indicated that the transition from the old Fixed Based Operator (FBO) at the airport to the new FBO is going well, and it took place on April 1. Mr. Crowley indicated that all retailers in the city who sell vapor products were notified of the city's recent ordinance that passed which regulates the sale of these products to minors, and no violations of the ordinance have been reported by the Police Department to date. Regarding the ongoing drought conditions, he does not believe the city will be able to operate its spray grounds again this summer. He reported that the date for the council staff retreat has been set for June 12-14 in Kaufman. Staff welcomes any agenda topics for discussion on the upcoming retreat. Mr. Crowley reported that Police Chief Mark Moeller is currently attending Secret Service training (at the Secret Service's expense) that deals with hosting dignitaries in our city.

At 8:45 p.m., Mayor Sweet then read Executive Session discussion items # 2 and #5 (see below) into the public record before recessing the public meeting into Executive Session.

XV. EXECUTIVE SESSION

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

1. Discussion regarding Economic Development incentives, procedures, prospects and possible projects pursuant to Section 551.087 (Economic Development)

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

3. Discussion regarding the following legal claims: Jennifer A. Turner v. City of Rockwall and Beverly A. Young v. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)

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

5. Discussion regarding land lease/acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section 551.072 (Real Property).

6. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

7. Discussion regarding Economic Development prospect (Hawaiian Falls) pursuant to Section 551.087 (Economic Development)

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

Mayor Pro Tem White made a motion to enter into a lease agreement for property located on the southwest corner of San Jacinto and Interurban in the downtown area for parking purposes as directed in Executive Session. Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XVII. ADJOURNMENT

The meeting was adjourned at 8:58 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of April, 2014.

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ATTEST: **David Sweet, Mayor**

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Kristy Ashberry, City Secretary

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MINUTES
ROCKWALL CITY COUNCIL
Monday, April 14, 2014
6:00 p.m. City Council Work Session
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL TO ORDER

Mayor Sweet called the meeting to order at 6:00 p.m. Present were Mayor David Sweet, Mayor Pro Tem David White and Council Members Jim Pruitt, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley and Assistant City Managers Mary Smith and Brad Griggs.

II. WORK SESSION

1. Hold work session to discuss and consider proposal related to a countywide interoperability radio system and joint dispatch facility, including proposed letter of intent, and take any action necessary.

City Manager Rick Crowley provided background information related to this agenda item, indicating that initial debt for the existing radio system was issued about ten years ago and has already been paid off. Since that time, additional debt was issued to enhance the system to address coverage concerns, in part, in the area of The Harbor. That debt will be paid off by 2019, which is the expected end of the lifespan of the current, existing radio system. Mr. Crowley then briefly outlined the county's proposals for a joint, countywide radio system and dispatch center.

Councilmember Lewis and Councilmember Daniels indicated that they have a lot of unanswered questions and outstanding concerns regarding this potential partnership. They both expressed grave concern about the county judge previously indicating that he would like to see one, joint, countywide police force in Rockwall County someday.

Councilmember Pruitt asked if the City of Rockwall could consider, for example, expressing interest in only the radio system but not the joint dispatch center. Mr. Crowley indicated he is unsure as to if this is a possibility, as the county has currently only offered these projects in the form of a joint proposal.

Councilmember Milder expressed concern about being involved with the county on any project that would involve construction of a physical building (new facility).

Rockwall Fire Chief Mark Poindexter indicated that the year 2015 is about the right time to being evaluating a future, new radio system since the life of the city's current system will expire in 2019, and the planning process is typically quite lengthy. He expressed strong support for having one, countywide radio system throughout Rockwall County. However, he explained concerns about the need to keep some of the UHF and VHF equipment in place in order to be able to communicate with Hunt County and the City of Dallas during mutual aid situations. He would like this equipment to still be able to be utilized under any new system. Regarding a joint dispatch center, he does believe and agree that there should be a board that is representative of all participating entities;

however, he does not believe the board (of elected officials) should oversee the employees in the dispatch center. He believes a department director should oversee the employees in the dispatch center and report to the board.

Police Chief Mark Moeller indicated he believes these issues are two, separate issues – (1) the radio system and (2) a joint dispatch center. He believes the main focus should be on the radio system for now, and the idea of a joint dispatch center could be dealt with separately, later on. He expressed that a joint CAD (computer aided dispatch) center is needed. He does agree that a board would need to be in place to oversee any potential joint dispatch center with a manager (staff person) managing the staff. He expressed that handling these two issues as one, large project is 'too much, too soon.'

Councilmember Milder left the meeting at this point (6:49 p.m.).

Councilmember Daniels expressed that he does see value in the city drafting a letter expressing the city's position; however, he is not comfortable signing the letter of intent that the county has provided for consideration. Councilmember Pruitt suggested that an item be placed on the next regular city council meeting agenda for the council to discuss what exactly it would like to say when writing a response letter to be submitted to the County.

No action was taken related to this discussion item.

1. Hold work session to discuss open space dedication options as part of the development process, and take any action necessary.

City Manager Rick Crowley provided brief background information related to this agenda item, indicating that this item represents a continuation of a previous discussion which was held at the last, regular council meeting. He explained that the city had traditionally accepted land dedications of open space from developers, and that is what had been previously done with the first phases of the Stonecreek and Breezy Hill subdivisions. However, with the most recent plat that was approved, the city departed from that practice and required that the developer make the land dedications to the HOA instead. This, according to the developer, resulted in a large, increased cost for him.

After brief discussion, Mayor Sweet made a motion to allow the open space dedication for the remaining phases of the Stone Creek and Breezy Hill developments and to direct staff to place this discussion item on the upcoming council retreat agenda for further consideration (related to future developments). Councilmember Daniels seconded the motion.

General discussion took place related to how this action of the city council may or may not affect the school district and the county. Also, the city manager indicated that there are no other ongoing developments in our city that would be affected at this time should a change in this policy be formally made. Only this particular developer (Skorburgh) has been affected by the change. Mayor Sweet clarified that his motion will have no net affect at all on the school district.

Adam Buczeck with the Skorburgh Company (the developer) then came forth and indicated that his company did not submit a formal protest to the taxing authority because they did not know about the city's change to the land dedication policy until

later on, so they just paid the tax bill, which was about $40,000 (+) dollars. If they had not paid it, they would have received a seven percent penalty for non-payment. Brief discussion took place regarding the past timeline associated with the developer attempting to dedicate the open space (associated with the most recent plat) to the city and the city's subsequent rejection of said land dedication. Mr. Buczeck indicated that they have money set aside for the HOA to maintain the dedicated open space areas, as it is a very financially sound HOA, and they have always been maintaining those areas and will continue to maintain those areas. He indicated he is willing to add some additional language into the 'covenants' in order to stipulate that the HOA will maintain those areas and will reimburse the city for any incurred insurance expenses.

Mr. Crowley explained that the dedication of open space to the city (or not) is not currently written in a city policy. It is handled at the time the city accepts the plat, and with the most recent plat, the city did not accept the land dedication (as it previously had with prior plat approvals submitted by this developer).

Mayor Sweet clarified that, as part of his motion on the floor, the developer is to add to the subdivision's 'covenants' the stipulation that the HOA will pay for and maintain the open space areas in perpetuity.

Councilmember Townsend expressed some concern regarding the motion on the floor. Mayor Sweet explained that this action would be related only to the Breezy Hill and Stonecreek subdivisions. Others in the future may be handled differently.

Councilmember Pruitt asked for clarification regarding why staff did not handle this matter administratively. Mr. Crowley indicated that he is getting the council involved on this now because the council previously accepted the plat, which had included the rejection, on the part of the city, of the land dedication. So he feels it necessary to have the council involved in these discussions at this time. He again clarified that this is the only developer that has encountered this issue to date.

Following additional discussion, the motion passed by a vote of 6 ayes with 1 absent (Milder).

III. ADJOURNMENT

The meeting was adjourned at 7:17 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of April, 2014.

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ATTEST: **David Sweet, Mayor**

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Kristy Ashberry, City Secretary

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CITY OF ROCKWALL

ORDINANCE NO. 14-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 7. DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN, TO PROVIDE FOR CERTAIN DELETIONS AND CHANGES TO ITS PROVISIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR AN EFFECTVE DATE.

WHEREAS, the City Council previously adopted Ordinance # 09-29 which established a Drought Contingency and Water Emergency Response Plan; and

WHEREAS, the City Council has determined the need to implement certain modifications to the Drought Contingency and Water Emergency Response Plan in accordance with Section 288.20 of the Texas Administrative Code.

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

SECTION 1. That portions of Sec. 44-436 of Chapter 44. Utilities, Article V. Water, Division 7. Drought Contingency and Emergency Response Plan are hereby amended to henceforth read as follows:

Sec. 44-436 Stages and measures

(b) (7) Requires notification to Texas Commission on Environmental Quality (TCEQ):

a. Limit landscape watering with sprinklers or irrigation systems to no more than two days per week. An exception is allowed for landscape associated with new construction that may be watered as necessary for 30 days from the date of the certificate of occupancy. ~~An exemption is also allowed for registered and properly functioning ET/Smart irrigation systems and drip irrigation systems, which do not have restrictions to the number of days per week of operation.~~

(c) (8) Requires notification to Texas Commission on Environmental Quality (TCEQ). Limit landscape watering with sprinklers or irrigation systems at each service address to ~~twice~~ **once** every seven days ~~or as described in the table contained in subsection (8)a of this section depending on the city manager's assessment of the extent of the need for emergency conservation~~. in accordance with the current schedule based on customer service address as developed and implemented by the city manager.

a. ~~If the city manager determines the need for limiting watering with sprinkler or irrigation systems to twice every seven days, the following schedule based on customer service addresses shall apply:~~

~~Address Ends In~~	~~Designated Watering Days~~
~~1~~	~~Monday and Friday~~
~~2~~	~~Monday and Friday~~
~~3~~	~~Monday and Friday~~
~~4~~	~~Tuesday and Saturday~~
~~5~~	~~Tuesday and Saturday~~
~~6~~	~~Wednesday and Sunday~~
~~7~~	~~Wednesday and Sunday~~
~~8~~	~~Wednesday and Sunday~~
~~9~~	~~Monday and Thursday~~
~~0~~	~~Monday and Thursday~~

b. If the city manager determines the need for limiting watering with sprinklers or irrigation systems to ~~once~~ one day every seven days, or any other emergency schedules mandated by the circumstance, an alternative schedule based on customer service address may be developed and implemented by the city manager.

c. ~~(5) Registered and properly functioning ET/Smart irrigation systems and drip irrigation systems may irrigate without restrictions.~~

SECTION 2. That the remainder of Chapter 44, Utilities, Article V, Water Division 7 of the City Code of Ordinances remains unchanged.

SECTION 3. That the City Manager or his designee is hereby directed to file a copy of the Plan and this Ordinance with the Texas Commission on Environmental Quality in accordance with Title 30, Chapter 288 of the Texas Administrative Code;

SECTION 4. That if any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared void;

SECTION 5. That all ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed, and the balance of such ordinance is hereby saved from repeal;

SECTION 6. That the City Council does hereby find and declare that sufficient written notice of the date, hour, place and subject of the meeting adopting this Ordinance was posted at a designated place convenient to the public for the time required by law preceding the meeting, that such place of posting was readily accessible at all times to the general public, and that all of the foregoing was done as required by law at all times during which this Ordinance and the

subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the posting thereof.

SECTION 7. That any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty of a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense and each day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 8. That the ordinance shall be effective immediately following its second reading and publication in accordance with the City Charter.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of April, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 04-07-14

2nd Reading: 04-21-14

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CITY OF ROCKWALL

ORDINANCE NO. 14-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING ORDINANCE # 09-25 TO REPLACE "EXHIBIT A" (WATER CONSERVATION PLAN) WITH A NEW "EXHIBIT A," ATTACHED HERETO, PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR AN EFFECTVE DATE.

WHEREAS, the City Council previously adopted Ordinance # 09-25 which established a Water Conservation Plan; and

WHEREAS, the City Council has determined the need to implement certain modifications to "Exhibit A," the Water Conservation Plan, of Ordinance # 09-25 in accordance with Section 288.2 of the Texas Administrative Code.

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

SECTION 1. That "Exhibit A" of Ordinance #09-25, the City of Rockwall Water Conservation Plan, adopted by the City Council of the City of Rockwall on July 6, 2009, is hereby repealed in its entirety and a new "Exhibit A," attached hereto, is hereby adopted in its place and shall henceforth be in full force and effect;

SECTION 2. That the City Manager or his designee is hereby directed to file a copy of the Plan and this Ordinance with the Texas Commission on Environmental Quality in accordance with Title 30, Chapter 288 of the Texas Administrative Code, and said Plan meets all the requirements of Section 288.2 of the Texas Administrative Code;

SECTION 3. That if any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared void;

SECTION 4. That all ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed, and the balance of such ordinance is hereby saved from repeal;

SECTION 5. That the City Council does hereby find and declare that sufficient written notice of the date, hour, place and subject of the meeting adopting this Ordinance was posted at a designated place convenient to the public for the time required by law preceding the meeting, that such place of posting was readily accessible at all times to the general public, and that all of the foregoing was done as required by law at all times during which this Ordinance and the

subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the posting thereof.

SECTION 6. That any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty of a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense and each day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 7. That the ordinance shall be effective immediately following its second reading and publication in accordance with the City Charter.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of April, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 04-07-14

2nd Reading: 04-21-14

"EXHIBIT A"

WATER CONSERVATION PLAN

City of Rockwall

The New Horizon

MAY 2014

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EXHIBIT A

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Water Conservation Plan for the City of Rockwall, Texas

May 2014

1. INTRODUCTION AND OBJECTIVES

Water supply has always been a key issue in the development of Texas. In recent years, the growing population and economic development of North Central Texas has led to increasing demands for water supplies. At the same time, local and less expensive sources of water supply are largely developed. Additional supplies to meet higher demands will be expensive and difficult to develop. It is therefore important that NTMWD and its Member Cities and Customer Cities make the most efficient use of existing supplies. This will delay the need for new supplies, minimize the environmental impacts associated with developing new supplies and delay the high cost of additional water supply development.

Recognizing the need for efficient use of existing water supplies, the Texas Commission on Environmental Quality (TCEQ) has developed guidelines and requirements governing the development of water conservation plans for public water suppliers. TCEQ guidelines and requirements are included in Appendix B. The best management practices established by the Water Conservation Implementation Task Force, established pursuant to SB1094 by the 78th Legislature, were also considered in the development of water conservation measures. This water conservation plan was developed following TCEQ guidelines and requirements.

This water conservation plan includes measures that are intended to result in ongoing, long-term water savings.

The objectives of this water conservation plan are as follows:

- To reduce water consumption from the levels that would prevail without conservation efforts
- To reduce the loss and waste of water
- To improve efficiency in the use of water
- To document the level of recycling and reuse in the water supply
- To extend the life of current water supplies by reducing the rate of growth and demand

This Water Conservation Plan for the City of Rockwall, Texas applies to all use of the City of Rockwall's water supply.

This plan includes all of the elements required by TCEQ.

2. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES

The TCEQ rules governing development of water conservation plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 of the Texas Administrative Code, which is included in Appendix B. For the purpose of these rules, a water conservation plan is defined as "A strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water and for preventing the pollution of water." The elements in the TCEQ water conservation rules covered in this Conservation Plan are listed below.

Minimum Conservation Plan Requirements

The minimum requirements in the Texas Administrative Code for Water Conservation Plans for Public Water Suppliers are covered in this report as follows:

- 288.2(a)(1)(A) – Utility Profile – Section 3 and Appendix C
- 288.2(a)(1)(B) – Specification of Goals – Section 4
- 288.2(a)(1)(C) – Specific, Quantified Goals – Section 4
- 288.2(a)(1)(D) – Accurate Metering – Sections 5.1 and 5.2
- 288.2(a)(1)(E) – Universal Metering – Section 5.2
- 288.2(a)(1)(F) – Determination and Control of Unaccounted Water – Section 5.4
- 288.2(a)(1)(G) – Public Education and Information Program – Section 6
- 288.2(a)(1)(H) – Non-Promotional Water Rate Structure – Section 7
- 288.2(a)(1)(I) – Reservoir System Operation Plan – Section 8.1
- 288.2(a)(1)(J) – Means of Implementation and Enforcement – Section 9
- 288.2(a)(1)(K) – Coordination with Regional Water Planning Group – Section 8.7 and Appendix F
- 288.2(c) – Review and Update of Plan – Section 10

Conservation Plan Additional Requirements (Population over 5,000)

The Texas Administrative Code includes additional requirements for water conservation plans for drinking water supplies serving a population over 5,000:

- 288.2(a)(2)(A) – Leak Detection, Repair and Water Loss Accounting – Sections 5.4, 5.5, and 5.6
- 288.2(a)(2)(B) – Record Management System – Section 5.3

- 288.2(a)(2)(C) – Requirement for Water Conservation Plans by Wholesale Customers – Section 8.6

Additional Conservation Strategies

The TCEQ requires that a water conservation implementation report be completed and submitted on an annual basis. This report is included in Appendix H.

In addition to the TCEQ required water conservation strategies, NTMWD also requires the following strategy to be included in Member City and Customer City plans:

- 288.2(a)(3)(F) – Irrigation Ordinance – Section 8.4 and Appendix E

TCEQ rules also include optional, not required, conservation strategies, which may be adopted by suppliers. The NTMWD recommends that the following strategies be included in the Member City and Customer City plans:

- 288.2(a)(3)(A) – Conservation Oriented Water Rates – Section 7
- 288.2(a)(3)(B) – Ordinances, Plumbing Codes or Rules on Water-Conserving Fixtures – Section 8.3
- 288.2(a)(3)(C) – Replacement or Retrofit of Water-Conserving Plumbing Fixtures – Section 8.5
- 288.2(a)(3)(D) – Reuse and Recycling of Wastewater – Section 8.2
- 288.2(a)(3)(F) – Irrigation Ordinance – Section 8.5 and Appendix E
- 288.2(a)(3)(G) – Monitoring Method – Section 5.6
- 288.2(a)(3)(H) – Additional Conservation Ordinance Provisions – Section 8.5

3. WATER UTILITY PROFILE

Appendix C to this Water Conservation Plan is a sample water utility profile based on the format recommended by TCEQ. In adopting this Water Conservation Plan, the City of Rockwall will provide a draft water utility profile to NTMWD for review and comment. A final water utility profile will be provided to NTMWD.

4. SPECIFICATIONS OF WATER CONSERVATION GOALS

The goals for this Water Conservation Plan include the following:

- Maintain the per capita municipal water use below the specified amount in gallons per capita per day in a dry year, as shown in Table 4.1.
- Maintain the level (gpcd) of unaccounted water in the system below 12 percent annually in 2009 and subsequent years, as discussed in Section 5.4. The 12 percent goal for unaccounted water is recommended, but is not required.
- Implement and maintain a program of universal metering and meter replacement and repair, as discussed in Section 5.2.
- Increase efficient water usage through a water conservation ordinance, as discussed in Section 8.4 and Appendix E. This ordinance is required by NTMWD.
- Decrease waste in lawn irrigation by implementation and enforcement of landscape water management regulations, as discussed in Section 8.5.
- Raise public awareness of water conservation and encourage responsible public behavior through a public education and information program, as discussed in Section 6.
- Develop a system specific strategy to conserve water during peak demands, thereby reducing the peak use.

Table 4.1
Five-Year and Ten-Year Municipal Per Capita Water Use Goals (gpcd)

Description	Current Average (gpcd)	5-Year Goal (gpcd)	10-Year Goal (gpcd)
Current 5-Year Average Total Per Capita Use with Credit for Reuse	166	160	157
Current 5-Year Average Residential Per Capita Use	110	105	102
Water Loss (GPCD)1	6	8	9
Water Loss (Percentage)2	3.8	5	6
Expected Reduction due to Low-Flow Plumbing Fixtures	———	3	5
Projected Reduction Due to Elements in this Plan	———	2	4
Water Conservation Goals (with credit for reuse)	———	163	157

5. METERING, WATER USE RECORDS, CONTROL OF UNACCOUNTED WATER AND LEAK DETECTION AND REPAIR

One of the key elements of water conservation is tracking water use and controlling loss through illegal diversions and leaks. It is important to carefully meter water use, detect and repair leaks in the distribution system and provide regular monitoring of unaccounted water.

5.1 Accurate Metering of Treated Water Deliveries from NTMWD

Water deliveries from NTMWD are metered by NTMWD using meters with accuracy of ±2%. These meters are calibrated on a monthly basis by NTMWD to maintain the required accuracy.

5.2 Metering of Customer and Public Uses and Meter Testing, Repair and Replacement

The provision of water to all customers, including public and governmental users, will continue to be metered by the City of Rockwall. The City of Rockwall will test and replace their residential customers' meters on a regular basis. Additionally, large meters will be regularly tested and either repaired or replaced when their flow is more than a 3 percent difference from actual flow.

5.3 Record Management System

As required by TAC Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2(a)(2)(B), a record management system should allow for the separation of water sales and uses into residential, commercial, public/institutional, and industrial categories. This information will be included in an annual water conservation report, as described in Section 5.6.

5.4 Determination and Control of Unaccounted Water

Unaccounted water is the difference between water delivered to Rockwall from NTMWD and metered water sales to customers plus authorized but unmetered uses. Authorized but unmetered uses would include use for fire fighting, releases for flushing of lines, uses associated with new construction, etc. Unaccounted water can include several categories:

- Inaccuracies in customer meters. Customer meters tend to run slower as they age and under-report actual use.
- Meters which are being used but have not yet been added to the billing system.
- Losses due to water main breaks and leaks in the water distribution system.
- Losses due to illegal connections and theft. (Included in Appendix G.)

Measures to control unaccounted water should be part of the routine operations of the City of Rockwall. Maintenance crews and personnel will look for and report evidence of leaks in the water distribution system. A leak detection and repair program is described in Section

5.5 below. Meter readers will watch for and report signs of illegal connections, so they can be quickly addressed.

Unaccounted water will be calculated in accordance with the provisions in Appendix C. With the measures described in this plan, Rockwall will maintain unaccounted water below 12 percent in 2009 and subsequent years. If unaccounted water exceeds this goal, the City of Rockwall will implement a more intensive audit to determine the source(s) of and reduce the unaccounted water. The annual conservation report described in Section 5.6 is the primary tool that will be used to monitor unaccounted water.

5.5 Leak Detection and Repair

As described above, city crews and personnel will look for and report evidence of leaks in the water distribution systems. Areas of the water distribution system, in which numerous leaks and line breaks occur, will be targeted for replacement as funds are available.

5.6 Monitoring of Effectiveness and Efficiency - Annual Water Conservation Report

Appendix D is the form that will be used in the development of an annual water conservation report by the City of Rockwall. This form will be completed by March 31 of the following year and used to monitor the effectiveness and efficiency of the water conservation program and to plan conservation-related activities for the next year. The form records the water use by category, per capita municipal use and unaccounted water for the current year and compares them to historical values. The annual water conservation report will be sent to NTMWD, which will monitor NTMWD Member Cities' and Customers Cities' water conservation trends.

5.7 Water Conservation Implementation Report

Appendix H includes the TCEQ-required water conservation implementation report. The report is due to the TCEQ by May 1 of every year, starting in the year 2010. This report will list the various water conservation strategies that have been implemented, including the date the strategy was implemented. The report also calls for the five-year and ten-year per capita water use goals from the previous water conservation plan. The city will answer whether or not these goals have been met and, if not, why not. The amount of water saved is also requested.

6. CONTINUING PUBLIC EDUCATION AND INFORMATION CAMPAIGN

The continuing public education and information campaign on water conservation includes the following elements:

- Utilize the "Water IQ: Know Your Water" and other public education materials produced by NTMWD.
- Insert water conservation information with water bills. Inserts will include material developed by the City of Rockwall and material obtained from the TWDB, the TCEQ and other sources.
- Encourage local media coverage of water conservation issues and the importance of water conservation.
- Notify local organizations, schools and civic groups that the City of Rockwall staff and staff of the NTMWD are available to make presentations on the importance of water conservation and ways to save water.
- Promote the *Texas Smartscape* web site (www.txsmartscape.com) and provide water conservation brochures and other water conservation materials available to the public at City Hall and other public places.
- Make information on water conservation available on the City's website and include links to the "Water IQ: Know Your Water" website, *Texas Smartscape* website and the TWDB and TCEQ web sites.

7. WATER RATE STRUCTURE

The City of Rockwall will continue to bill customers using an increasing block rate water structure that is intended to encourage water conservation and discourage excessive use and waste of water.

The following monthly rates are hereby established and shall be collected for water and wastewater services billed by the City:

	Meter Size	Water Rates	Wastewater Rates
Monthly Minimum Bills:			
Residential	0.75	$ 12.16	$ 13.35
	1.00	12.16	13.35
	1.50	12.16	13.35
	2.00	12.16	13.35
Non-residential:	0.75	$ 13.35	$ 13.35
	1.00	15.62	15.62
	1.50	18.15	18.15
	2.00	22.89	22.89
	3.00	32.45	32.45
	4.00	41.95	41.95
	6.00	51.45	51.45
Irrigation Meters:	0.75	$ 13.35	$ N/A
	1.00	15.62	N/A
	1.50	18.15	N/A
	2.00	22.89	N/A
	3.00	32.45	N/A
	4.00	41.95	N/A
	6.00	51.45	N/A
Rate per TH Gallons – Water:	Residential 2,001- 12,000 gallons	$ 3.07	$ N/A
	Residential over 12,000 gallons	5.37	N/A
	Irrigation over 2,000 gallons	5.37	N/A
	Non-residential over 2,000 gallons	4.61	N/A
	Wholesale Contract Rate	3.38	N/A
Rate per TH Gallons – Wastewater		N/A	2.32

8. OTHER WATER CONSERVATION MEASURES

8.1 NTMWD System Operation Plan

Member Cities and Customers of NTMWD purchase treated water from NTMWD and do not have surface water supplies for which to implement a system operation plan. NTMWD's permits do allow some coordinated operation of its water supply sources, and NTMWD is seeking additional water rights for coordinated operation to optimize its available water supplies.

8.2 Reuse and Recycling of Wastewater

Most Member Cities and Customer Cities do not own and operate their own wastewater treatment plants. Their wastewater is treated by NTMWD. NTMWD currently has the largest wastewater reuse program in the state. NTMWD has water rights allowing reuse of up to 71,882 acre-feet per year of this treated wastewater through Lake Lavon for municipal purposes. In addition, NTMWD has also developed the East Fork Raw Water Supply Project which can divert up to 157,393 acre-feet per year based on treated wastewater discharges by NTMWD. When fully developed, these two reuse projects will provide up to 44 percent of NTMWD's currently permitted water supplies. NTMWD also provides treated effluent from its wastewater treatment plants available for direct reuse for landscape irrigation and industrial use.

The City of Rockwall has a contract agreement with NTMWD to operate the wastewater treatment plants. NTMWD selects reuse arrangements for recycled wastewater effluent.

8.3 Ordinances, Plumbing Codes, or Rules on Water-Conserving Fixtures

The state has required water-conserving fixtures in new construction and renovations since 1992. The state standards call for flows of no more than 2.5 gallons per minute (gpm) for faucets, 3.0 gpm for showerheads, and 1.6 gallons per flush for toilets. Similar standards are now required nationally under federal law. These state and federal standards assure that all new construction and renovations will use water-conserving fixtures.

8.4 Landscape Water Management Measures (Required)

The following landscape water management measures are adopted by the City of Rockwall.

- Time of day restrictions prohibiting lawn irrigation watering from 10 AM to 6 PM beginning April 1st and ending October 31st of each year.
- Prohibition of watering of impervious surfaces, as provided by the Irrigation Ordinance 09-13, Article 14, Section 6 of the Code of Ordinances. Wind driven water drift will be taken into consideration.
- Prohibition of outdoor watering during rain or freeze events.
- Lawn and landscape irrigation limited to twice per week, except for irrigation systems installed with an evapo-transpiration controller or the use of a water hose

with a shut-off nozzle, and for establishment of new lawn and landscaping for a period of 30 days or as approved in writing by the City of Rockwall.

- Rain and freeze sensors and/or evapo-transpiration controllers must be maintained to function properly.
- At home and fundraising car washing can be done only when using a water hose with a shut-off nozzle.

8.5 Additional Water Conservation Measures (Not Required)

In addition, the City of Rockwall recommends the following measures:

- Retrofit existing irrigation systems with rain and freeze sensors or evapo-transpiration capable of multiple programming.
- Prohibition planting or watering areas that have been overseeded with cool season grasses (such as rye grass or other similar grasses), except for golf courses and public athletic fields.
- Rehabilitate poorly maintained irrigation systems that waste water to comply with the current Irrigation Ordinance.
- Install separate zones for areas adjacent to athletic fields.
- Plant only native, drought tolerant or adaptive plants.
- Install drip irrigation systems, when applicable.
- Water audits should be performed to find ways in which water can be used more efficiently at a specific location.

8.6 Requirement for Water Conservation Plans by Wholesale Customers

Every contract for the wholesale sale of water by the City of Rockwall that is entered into, renewed or extended after the adoption of this water conservation plan will include a requirement that the wholesale customer and any wholesale customers of that wholesale customer develop and implement a water conservation plan meeting the requirements of Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 of the Texas Administrative Code.

8.7 Coordination with Regional Water Planning Group and NTMWD

Appendix F includes a letter to be sent to the Chair of the Region C Water Planning Group with this Water Conservation Plan. Rockwall will send a copy of their draft ordinance implementing the plan and their water utility profile to NTMWD for review and comment. The adopted ordinance and the adopted water utility profile will be sent to the Chair of the Region C Water Planning Group and to NTMWD.

9. IMPLEMENTATION AND ENFORCEMENT OF THE WATER CONSERVATION PLAN

Appendix E contains a copy of the Irrigation Ordinance, which includes information about enforcement. Appendix G includes a copy of the ordinance that has been adopted related to illegal connections and water theft.

10. REVIEW AND UPDATE OF WATER CONSERVATION PLAN

TCEQ requires that the water conservation plans be updated every five years or as required and appropriate based on new or updated information.

Appendix A
List of References

(1) Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter A, Rules 288.1 and 288.2, downloaded from http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=288, July 2007.

(2) Water Conservation Implementation Task Force: "Texas Water Development Board Report 362, Water Conservation Best Management Practices Guide," prepared for the Texas Water Development Board, Austin, November 2004.

(3) Freese and Nichols, Inc.: *North Texas Municipal Water District Water Conservation and Drought Contingency/Water Emergency Response Plan*, prepared for the North Texas Municipal Water District, Fort Worth, March 2008.

The following conservation and drought contingency plans and related documents were reviewed in the development of this plan. References marked with a * were used heavily in the development of this plan.

(4) Edward Motley, Marisa Vergara, Tom Gooch, and Stephanie Griffin: Memorandum to File on "Region C Municipal Water Use Projections Adopted on August 18, 2003," Fort Worth, August 21, 2003.

(5) City of Austin Water Conservation Division: "City of Austin Water Drought Contingency Plan, Developed to Meet Senate Bill 1 Regulatory Requirements," Austin, August 1999.

(6) City of Austin Water Conservation Division: "City of Austin Water Conservation Plan, Developed to Meet Senate Bill 1 Regulatory Requirements," Austin, August 1999.

(7) Upper Trinity Regional Water District: "Water Conservation Plan and Emergency Water Demand Management Plan," adopted by the Board of Directors, Lewisville, August 5, 1999.

(8) Upper Trinity Regional Water District: "Water Conservation Plan and Emergency Water Demand Management Plan (2002 Amended)," adopted by the Board of Directors, Lewisville, February 2002.

(9) *City of Dallas Water Utilities Department: "City of Dallas Water Management Plan," adopted by the City Council, Dallas, September 1999.

(10) Updates to City of Dallas Water Management Plan found at http://www.dallascityhall.com in September 2003.

(11) *City of Dallas Water Utilities Department: "City of Dallas Water Conservation Plan," adopted by the City Council, Dallas, September 1999.

(12) *City of Fort Worth: "Water Conservation plan for the City of Fort Worth," Fort Worth, August 1999.

(13) Updates to the City of Fort Worth water conservation plan found at http://ci./fort-worth.tx.us in September 2003.

(14) *City of Fort Worth: "Emergency Water Management Plan for the City of Fort Worth," Fort Worth, August 19, 2003.

(15) HDR Engineering, Inc.: "Water Conservation and Emergency Demand Management Plan," prepared for the Tarrant Regional Water District, Austin, February 2000.

(16) Freese and Nichols, Inc.: "Water Conservation and Drought Contingency Plan," prepared for Brown County Water Improvement District No. 1, Fort Worth, August 1999.

(17) Freese and Nichols, Inc.: "Water Conservation and Drought Contingency Plan," prepared for the Sabine River Authority of Texas, Fort Worth, September 1994.

(18) HDR Engineering, Inc.: "Water Conservation and Emergency Demand Management Plan," prepared for the Tarrant Regional Water District, Austin, June 1998.

(19) HDR Engineering, Inc.: "Water Conservation Plan for the City of Corpus Christi," adopted by the City of Corpus Christi City Council, August 24, 1999.

(20) City of Houston's water conservation plan downloaded September 2003 from http://www.cityofhouston.gov

(21) City of Houston: "Ordinance N. 2001-753, Amending Chapter 47 of the Code of Ordinances Relating to Water Emergencies," Houston, August 2001.

(22) City of Houston: "Ordinance No. 98-764, Relating to Water Conservation," Houston, September 1998.

(23) City of Houston: "Water Conservation Plan," 1998.

(24) City of Houston: "Water Emergency Response Plan," Houston, July 15, 1998.

(25) City of Lubbock: "Water Conservation Plan," ordinance number 10177 adopted by the City Council in August 1999.

(26) City of El Paso Water Conservation Ordinance downloaded August 14, 2003 from http://www.epwu.org/ordinance.html

(27) San Antonio Water System: "Water Conservation and Reuse Plan," San Antonio, November 1998 with June 2002 updates.

(28) North Texas Municipal Water District: "District Policy No. 24 Water Conservation Plan Containing Drought Contingency Plan," adopted August 1999.

(29) GDS Associates, Inc.: "Water Conservation Study," prepared for the Texas Water Development Board, Fort Worth, 2002.

(30) A & N Technical Services, Inc.: "BMP Costs & Savings Study: A Guide to Data and Methods for Cost-Effectiveness Analysis of Urban Water Conservation Best Management Practices," prepared for The California Urban Water Conservation Council, Santa Monica, California, July 2000.

(31) *City of Dallas: “City of Dallas Ordinances, Chapter 49, Section 21.1,” Dallas, October 1, 2001.

APPENDIX B
Texas Commission on Environmental Quality Rules
on Municipal Water Conservation Plans

Texas Administrative Code

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER A	WATER CONSERVATION PLANS
RULE §288.1	**Definitions**

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Agricultural or Agriculture--Any of the following activities:

(A) cultivating the soil to produce crops for human food, animal feed, or planting seed or for the production of fibers;

(B) the practice of floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or non-soil media by a nursery grower;

(C) raising, feeding, or keeping animals for breeding purposes or for the production of food or fiber, leather, pelts, or other tangible products having a commercial value;

(D) raising or keeping equine animals;

(E) wildlife management; and

(F) planting cover crops, including cover crops cultivated for transplantation, or leaving land idle for the purpose of participating in any governmental program or normal crop or livestock rotation procedure.

(2) Agricultural use--Any use or activity involving agriculture, including irrigation.

(3) Conservation--Those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or increase the recycling and reuse of water so that a water supply is made available for future or alternative uses.

(4) Drought contingency plan--A strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies. A drought contingency plan may be a separate document identified as such or may be contained within another water management document(s).

(5) Industrial use--The use of water in processes designed to convert materials of a lower

order of value into forms having greater usability and commercial value, commercial fish production, and the development of power by means other than hydroelectric, but does not include agricultural use.

(6) Irrigation--The agricultural use of water for the irrigation of crops, trees, and pastureland, including, but not limited to, golf courses and parks which do not receive water through a municipal distribution system.

(7) Irrigation water use efficiency--The percentage of that amount of irrigation water which is beneficially used by agriculture crops or other vegetation relative to the amount of water diverted from the source(s) of supply. Beneficial uses of water for irrigation purposes include, but are not limited to, evapotranspiration needs for vegetative maintenance and growth, salinity management, and leaching requirements associated with irrigation.

(8) Mining use--The use of water for mining processes including hydraulic use, drilling, washing sand and gravel, and oil field repressuring.

(9) Municipal per capita water use--The sum total of water diverted into a water supply system for residential, commercial, and public and institutional uses divided by actual population served.

(10) Municipal use--The use of potable water within or outside a municipality and its environs whether supplied by a person, privately owned utility, political subdivision, or other entity as well as the use of sewage effluent for certain purposes, including the use of treated water for domestic purposes, fighting fires, sprinkling streets, flushing sewers and drains, watering parks and parkways, and recreational purposes, including public and private swimming pools, the use of potable water in industrial and commercial enterprises supplied by a municipal distribution system without special construction to meet its demands, and for the watering of lawns and family gardens.

(11) Municipal use in gallons per capita per day--The total average daily amount of water diverted or pumped for treatment for potable use by a public water supply system. The calculation is made by dividing the water diverted or pumped for treatment for potable use by population served. Indirect reuse volumes shall be credited against total diversion volumes for the purpose of calculating gallons per capita per day for targets and goals.

(12) Nursery grower--A person engaged in the practice of floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or nonsoil media, who grows more than 50% of the products that the person either sells or leases, regardless of the variety sold, leased, or grown. For the purpose of this definition, grow means the actual cultivation or propagation of the product beyond the mere holding or maintaining of the item prior to sale or lease, and typically includes activities associated with the production or multiplying of stock such as the development of new plants from cuttings, grafts, plugs, or seedlings.

(13) Pollution--The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property, or to the

public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

(14) Public water supplier--An individual or entity that supplies water to the public for human consumption.

(15) Regional water planning group--A group established by the Texas Water Development Board to prepare a regional water plan under Texas Water Code, §16.053.

(16) Retail public water supplier--An individual or entity that for compensation supplies water to the public for human consumption. The term does not include an individual or entity that supplies water to itself or its employees or tenants when that water is not resold to or used by others.

(17) Reuse--The authorized use for one or more beneficial purposes of use of water that remains unconsumed after the water is used for the original purpose of use and before that water is either disposed of or discharged or otherwise allowed to flow into a watercourse, lake, or other body of state-owned water.

(18) Water conservation plan--A strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water. A water conservation plan may be a separate document identified as such or may be contained within another water management document(s).

(19) Wholesale public water supplier--An individual or entity that for compensation supplies water to another for resale to the public for human consumption. The term does not include an individual or entity that supplies water to itself or its employees or tenants as an incident of that employee service or tenancy when that water is not resold to or used by others, or an individual or entity that conveys water to another individual or entity, but does not own the right to the water which is conveyed, whether or not for a delivery fee.

Source Note: The provisions of this §288.1 adopted to be effective May 3, 1993, 18 TexReg 2558; amended to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective August 15, 2002, 27 TexReg 7146, amended to be effective October 7, 2004, 29 TexReg 9384.

Texas Administrative Code

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER A	WATER CONSERVATION PLANS
RULE §288.2	**Water Conservation Plans for Municipal Uses by Public Water Suppliers**

(a) A water conservation plan for municipal water use by public water suppliers shall provide information in response to the following. If the plan does not provide information for each requirement, the public water supplier shall include in the plan an explanation of why the requirement is not applicable.

(1) Minimum requirements. All water conservation plans for municipal uses by public drinking water suppliers must include the following elements:

(A) a utility profile including, but not limited to, information regarding population and customer data, water use data, water supply system data, and wastewater system data;

(B) until May 1, 2005, specification of conservation goals including, but not limited to, municipal per capita water use goals, the basis for the development of such goals, and a time frame for achieving the specified goals;

(C) beginning May 1, 2005, specific, quantified five-year and ten-year targets for water savings to include goals for water loss programs and goals for municipal use, in gallons per capita per day. The goals established by a public water supplier under this subparagraph are not enforceable;

(D) metering device(s), within an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the source of supply;

(E) a program for universal metering of both customer and public uses of water, for meter testing and repair, and for periodic meter replacement;

(F) measures to determine and control unaccounted-for uses of water (for example, periodic visual inspections along distribution lines; annual or monthly audit of the water system to determine illegal connections; abandoned services; etc.);

(G) a program of continuing public education and information regarding water conservation;

(H) a water rate structure which is not "promotional," i.e., a rate structure which is cost-based and which does not encourage the excessive use of water;

(I) a reservoir systems operations plan, if applicable, providing for the

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coordinated operation of reservoirs owned by the applicant within a common watershed or river basin in order to optimize available water supplies; and

(J) a means of implementation and enforcement which shall be evidenced by:

(i) a copy of the ordinance, resolution, or tariff, indicating official adoption of the water conservation plan by the water supplier; and

(ii) a description of the authority by which the water supplier will implement and enforce the conservation plan; and

(K) documentation of coordination with the regional water planning groups for the service area of the public water supplier in order to ensure consistency with the appropriate approved regional water plans.

(2) Additional content requirements. Water conservation plans for municipal uses by public drinking water suppliers serving a current population of 5,000 or more and/or a projected population of 5,000 or more within the next ten years subsequent to the effective date of the plan must include the following elements:

(A) a program of leak detection, repair, and water loss accounting for the water transmission, delivery, and distribution system in order to control unaccounted-for uses of water;

(B) a record management system to record water pumped, water deliveries, water sales, and water losses which allows for the desegregation of water sales and uses into the following user classes:

(i) residential;

(ii) commercial;

(iii) public and institutional; and

(iv) industrial;

(C) a requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan (by either ordinance, resolution, or tariff), and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell the water, then the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of this chapter.

(3) Additional conservation strategies. Any combination of the following strategies shall be selected by the water supplier, in addition to the minimum requirements in paragraphs (1) and (2) of this subsection, if they are necessary to achieve the stated water conservation goals of the plan. The commission may require that any of the following strategies be implemented by the water supplier if the commission determines that the strategy is necessary to achieve the goals of the

water conservation plan:

(A) conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;

(B) adoption of ordinances, plumbing codes, and/or rules requiring water-conserving plumbing fixtures to be installed in new structures and existing structures undergoing substantial modification or addition;

(C) a program for the replacement or retrofit of water-conserving plumbing fixtures in existing structures;

(D) reuse and/or recycling of wastewater and/or graywater;

(E) a program for pressure control and/or reduction in the distribution system and/or for customer connections;

(F) a program and/or ordinance(s) for landscape water management;

(G) a method for monitoring the effectiveness and efficiency of the water conservation plan; and

(H) any other water conservation practice, method, or technique which the water supplier shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

(b) A water conservation plan prepared in accordance with 31 TAC §363.15 (relating to Required Water Conservation Plan) of the Texas Water Development Board and substantially meeting the requirements of this section and other applicable commission rules may be submitted to meet application requirements in accordance with a memorandum of understanding between the commission and the Texas Water Development Board.

(c) Beginning May 1, 2005, a public water supplier for municipal use shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information. The public water supplier for municipal use shall review and update the next revision of its water conservation plan not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group.

Source Note: The provisions of this §288.2 adopted to be effective May 3, 1993, 18 TexReg 2558; amended to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384.

APPENDIX C

TCEQ WATER UTILITY PROFILE

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Texas Commission on Environmental Quality

UTILITY PROFILE AND WATER CONSERVATION PLAN REQUIREMENTS FOR MUNICIPAL WATER USE BY RETAIL PUBLIC WATER SUPPLIERS

This form is provided to assist retail public water suppliers in water conservation plan development. If you need assistance in completing this form or in developing your plan, please contact the conservation staff of the Resource Protection Team in the Water Availability Division at (512) 239-4691.

Name:	City of Rockwall	
Address:	385 S. Goliad Street, Rockwall, TX 75087	
Telephone Number:	(972) 771-7736	Fax: (972) 771-7728
Water Right No.(s):	NA	
Regional Water Planning Group:	Region C	
Form Completed by:	Kay Roberson, Utility Billing Supervisor	
	Rick Sherer, Water/Wastewater Manager	
Person responsible for implementing conservation program:	Rick Crowley	Phone: (972) 771-7700
Signature:		Date:

NOTE: If the plan does not provide information for each requirement, include an explanation of why the requirement is not applicable.

UTILITY PROFILE

I. POPULATION AND CUSTOMER DATA

A. *Population and Service Area Data*

1. Attach a copy of your service-area map and, if applicable, a copy of your Certificate of Convenience and Necessity (CCN). <attached>

2. Service area size (in square miles): 20.91

   (Please attach a copy of service-area map) <attached>

3. Current population of service area: 39,714 (entire Rockwall 40,448)

4. Current population served for:

   a. Water 39,714

   b. Wastewater 39,231

5. Population served for previous five years:

Year	*Population*
2009	31,369
2010	34,316
2011	36,756
2012	37,556
2013	39,714

6. Projected population for service area in the following decades:

Year	*Population*
2020	52,947
2030	61,169
2040	69,267
2050	69,267
2060	69,267

7. List source or method for the calculation of current and projected population size.

   The population counts were derived from roof-top counts, local permitting records, and verified multi-family occupancies; the study was performed in 2013 by the City of Rockwall Planning and GIS Departments. It was an assumption based on model. GIS data sources were from the City of Rockwall and TCEQ GIS data.

B. *Customers Data*

Senate Bill 181 requires that uniform consistent methodologies for calculating water use and conservation be developed and available to retail water providers and certain other water use sectors as a guide for preparation of water use reports, water conservation plans, and reports on water conservation efforts. A water system must provide the most detailed level of customer and water use data available to it, however, any new billing system purchased must be capable of reporting data for each of the sectors listed below. http://www.tceq.texas.gov/assets/public/permitting/watersupply/water_rights/sb181_guidance.pdf

1. Current number of active connections. Check whether multi-family service is counted as ☒ Residential or ☐ Commercial?

Treated Water Users	*Metered*	*Non-Metered*	**Totals**
Residential	13,302	0	13,302
Single-Family	13,159	0	13,159
Multi-Family	143	0	143
Commercial	1,106	0	1.106
Industrial/Mining	15	0	15
Institutional	225	0	225
Agriculture	0	0	0
Other/Wholesale	3	3	3

2. List the number of new connections per year for most recent three years.

Year	2013	2012	2011
Treated Water Users			
Residential	1,095	309	192
Single-Family	1,095	309	192
Multi-Family	0	N/A	N/A
Commercial	42	115	50
Industrial/Mining	0	1	0
Institutional	16	4	4
Agriculture	0	0	0
Other/Wholesale	0	0	0

3. List of annual water use for the five highest volume customers.

	Customer	*Use (1,000 gal/year)*	*Treated or Raw Water*
1.	City of Rockwall	49,645/2013	Treated
2.	Rockwall ISD	40,376/2013	Treated
3.	Mansions of Rockwall	28,801/2013	Treated
4.	D.W.C./Highlife Properties	16,359/2013	Treated
5.	Walden Residential Properties	12,444/2013	Treated

II. WATER USE DATA FOR SERVICE AREA

A. *Water Accounting Data*

1. List the amount of water use for the previous five years (in 1,000 gallons). Indicate whether this is ☐ diverted or ☒ treated water.

Year	2013	2012	2011	2010	2009
Month					
January	109,732	88,755	106,345	110,314	115,534
February	124,696	80,356	94,477	89,391	123,450
March	117,578	85,300	105,987	83,729	113,371
April	124,390	121,520	186,279	136,117	128,654
May	186,570	135,717	153,206	154,857	258,878
June	154,091	213,783	267,459	229,645	180,798
July	245,528	224,833	288,849	291,491	260,502
August	220,315	274,981	367,451	317,154	267,976
September	238,196	291,542	450,693	316,769	215,366
October	197,972	188,469	239,975	221,198	150,971
November	169,855	168,339	152,837	148,226	137,522
December	110,696	172,958	114,826	148,184	98,680
Totals	1,999,586	2,046,560	2,528,388	2,247,080	2,051,705

Describe how the above figures were determine (e.g, from a master meter located at the point of a diversion from the source, or located at a point where raw water enters the treatment plant, or from water sales).

Water Sales

2. Amount of water (in 1,000 gallons) delivered/sold as recorded by the following account types for the past five years.

Year	2013	2012	2011	2010	2009
Account Types					
Residential	1,513,709	1,449,279	1,733,086	1,580,082	1,460,752
Single-Family	1,412,770	1,449,279	1,733,086	1,580,082	1,460,752
Multi-Family	100,939				
Commercial	413,679	450,346	659,015	549,483	493,762
Industrial/Mining	3,835	5,644	7,380	6,676	5,370
Institutional	68,361	89,958	128,906	110,837	91,820
Agriculture					
Other/Wholesale	806,750	975,049	1,162,375	1,006,669	876,786

3. List the previous records for water loss for the past five years (the difference between water diverted or treated and water delivered or sold).

Year	*Amount (gallons)*	*Percent %*
2013	88,885	3%
2012	209,042	6%
2011	38,264	1%
2010	174,825	5%
2009	21,670	1%

B. Projected Water Demands

Tables 1 and 2 below show projected population and demands for Rockwall and its customers from the Region C Water Planning group from the current round of regional water planning (to be used in the *2016 Region C Water Plan*). Interpolating between projected 2020 and 2030 demands, the projected 2024 (ten year) demand for Rockwall and its customers would be 15,732 acre-feet per year.

Table 1 – Projected Region C Population for Rockwall and Customers

	Population					
	2020	**2030**	**2040**	**2050**	**2060**	**2070**
Rockwall	47,474	59,732	73,669	87,768	103,514	120,202
Heath	12,107	24,300	24,300	24,300	24,300	24,300
Rockwall County Other (75%)	2,645	2,645	2,645	2,645	9,000	15,000
TOTAL	62,226	86,677	100,614	114,713	136,814	159,502

Table 2 – Projected Region C Demands for Rockwall and Customers

	Demand in Acre-Feet					
	2020	**2030**	**2040**	**2050**	**2060**	**2070**
Rockwall	8,914	11,049	13,526	16,057	18,911	21,947
Heath	3,945	7,839	7,826	7,818	7,816	7,815
Rockwall County-Other (75%)	426	423	422	420	1,415	2,354
Rockwall County Manufacturing (100%)	35	40	45	50	55	61
Total	**13,320**	**19,351**	**21,819**	**24,345**	**28,197**	**32,177**

III. WATER SUPPLY SYSTEM DATA

A. Water Supply Sources

List all current water supply sources and the amounts authorized (in acre feet) with each.

Water Type	*Source*	*Amount Authorized*
Surface Water	North Texas Municipal Water District	33.4 MGD
Groundwater		
Contracts		
Other		

B. Treatment and Distribution System

1. Design daily capacity of system (MGD): Distribution system 14.6 MGD

2. Storage capacity (MGD):

   a. Elevated 5 MGD

   b. Ground 7 MGD

3. If surface water, do you recycle filter backwash to the head of the plant?

   ☐ Yes ☐ No If yes, approximate amount (MGD): The City of Rockwall purchases water from North Texas Municipal water district.

IV. WASTEWATER SYSTEM DATA

A. Wastewater System Data (if applicable)

1. Design capacity of wastewater treatment plant(s) (MGD):

   - Buffalo Creek WWTP – 2.25 MGD
   - Squabble Creek WWTP – 1.20 MGD
   - *South Mesquite Regional WWTP – 33.0 MGD

     * Only a portion of Rockwall's wastewater is diverted to the South Mesquite Regional WWTP for treatment

2. Treated effluent is used for ☐ on-site irrigation, ☒ off-site irrigation, for ☒ plant wash-down, and/or for ☒ chlorination/dechlorination.

   If yes, approximate amount (in gallons per month): 5,200,000 gallons

3. Briefly describe the wastewater system(s) of the area serviced by the water utility. Describe how treated wastewater is disposed. Where applicable, identify treatment plant(s) with the TCEQ name and number, the operator, owner, and the receiving stream if wastewater is discharged.

- **Buffalo Creek WWTP** - TCEQ ID – WQ12047-001 – NTMWD – Owner/Operator: The solids generated from the treatment process are collected and disposed at NTMWD's 121 Landfill in Melissa, Texas. The Treated effluent is discharged into Buffalo Creek a tributary of the East Fork of the Trinity River.

- **Squabble Creek WWTP** - TCEQ ID – WQ10262-001– NTMWD – Owner/Operator: The solids generated from the treatment process are collected and disposed at NTMWD's 121 Landfill in Melissa, Texas. The Treated effluent is discharged into Squabble Creek a tributary of Lake Ray Hubbard.

- **South Mesquite Creek WWTP -** TCEQ ID – WQ10221-001 – NTMWD – Owner/Operator: The solids generated from the treatment process are collected and disposed at Skyline Landfill in Ferris, Texas. The Treated effluent is discharged into South Mesquite Creek a tributary of the East Fork Of the Trinity River

B. Wastewater Data for Service Area (if applicable)

1. Percent of water service area served by wastewater system: 80 %

2. Monthly volume treated for previous five years (in 1,000 gallons):

Year	2013	2012	2011	2010	2009
Month					
January	115,851	123,250	96,321	131,654	98,808
February	94,174	102,648	91,925	138,085	88,625
March	103,391	124,950	86,514	129,350	118,881
April	114,939	101,474	96,791	94,487	116,306
May	121,577	108,362	112,066	89,655	139,017
June	112,760	111,854	89,409	86,194	100,772
July	108,918	100,318	88,316	94,048	105,859
August	106,223	120,309	87,213	87,361	101,930
September	105,955	100,499	80,032	97,391	118,658
October	119,854	103,331	86,857	85,368	168,414
November	114,446	90,546	83,068	96,294	118,778
December	123,159	100,932	115,600	89,048	126,004
Totals	1,341,247	1,288,473	1,114,112	1,218,935	1,402,052

V. ADDITIONAL REQUIRED INFORMATION

In addition to the utility profile, please attach the following as required by Title 30, Texas Administrative Code, §288.2. Note: If the water conservation plan does not provide information for each requirement, an explanation must be included as to why the requirement is not applicable.

A. *Specific, Quantified 5 & 10-Year Targets*

The water conservation plan must include specific, quantified five-year and ten-year targets for water savings to include goals for water loss programs and goals for municipal use in gallons per capita per day. Note that the goals established by a public water supplier under this subparagraph are not enforceable

B. *Metering Devices*

The water conservation plan must include a statement about the water suppliers metering device(s), within an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the source of supply.

C. *Universal Metering*

The water conservation plan must include and a program for universal metering of both customer and public uses of water, for meter testing and repair, and for periodic meter replacement.

D. *Unaccounted- For Water Use*

The water conservation plan must include measures to determine and control unaccounted-for uses of water (for example, periodic visual inspections along distribution lines; annual or monthly audit of the water system to determine illegal connections; abandoned services; etc.).

E. *Continuing Public Education & Information*

The water conservation plan must include a description of the program of continuing public education and information regarding water conservation by the water supplier.

F. *Non-Promotional Water Rate Structure*

The water supplier must have a water rate structure which is not "promotional," i.e., a rate structure which is cost-based and which does not encourage the excessive use of water. This rate structure must be listed in the water conservation plan.

G. *Reservoir Systems Operations Plan*

The water conservation plan must include a reservoir systems operations plan, if applicable, providing for the coordinated operation of reservoirs owned by the applicant within a common watershed or river basin. The reservoir systems operations plan shall include optimization of water supplies as one of the significant goals of the plan.

H. *Enforcement Procedure and Plan Adoption*

The water conservation plan must include a means for implementation and enforcement, which shall be evidenced by a copy of the ordinance, rule, resolution, or tariff, indicating official adoption of the water conservation plan by the water supplier; and a description of the authority by which the water supplier will implement and enforce the conservation plan.

I. Coordination with the Regional Water Planning Group(s)

The water conservation plan must include documentation of coordination with the regional water planning groups for the service area of the wholesale water supplier in order to ensure consistency with the appropriate approved regional water plans.

J. Plan Review and Update

A public water supplier for municipal use shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information. The public water supplier for municipal use shall review and update the next revision of its water conservation plan not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group. The revised plan must also include an implementation report.

VI. ADDITIONAL REQUIREMENTS FOR LARGE SUPPLIERS

Required of suppliers serving population of 5,000 or more or a projected population of 5,000 or more within ten years

A. Leak Detection and Repair

The plan must include a description of the program of leak detection, repair, and water loss accounting for the water transmission, delivery, and distribution system in order to control unaccounted for uses of water.

B. Contract Requirements

A requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan (by either ordinance, resolution, or tariff), and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of this chapter.

VII. ADDITIONAL CONSERVATION STRATEGIES

A. Conservation Strategies

Any combination of the following strategies shall be selected by the water supplier, in addition to the minimum requirements of this chapter, if they are necessary in order to achieve the stated water conservation goals of the plan. The commission may require by commission order that any of the following strategies be implemented by the water supplier if the commission determines that the strategies are necessary in order for the conservation plan to be achieved:

1. Conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;

2. Adoption of ordinances, plumbing codes, and/or rules requiring water conserving plumbing fixtures to be installed in new structures and existing structures undergoing substantial modification or addition;

3. A program for the replacement or retrofit of water-conserving plumbing fixtures in existing structures;

4. A program for reuse and/or recycling of wastewater and/or graywater;

5. A program for pressure control and/or reduction in the distribution system and/or for customer connections;

6. A program and/or ordinance(s) for landscape water management;

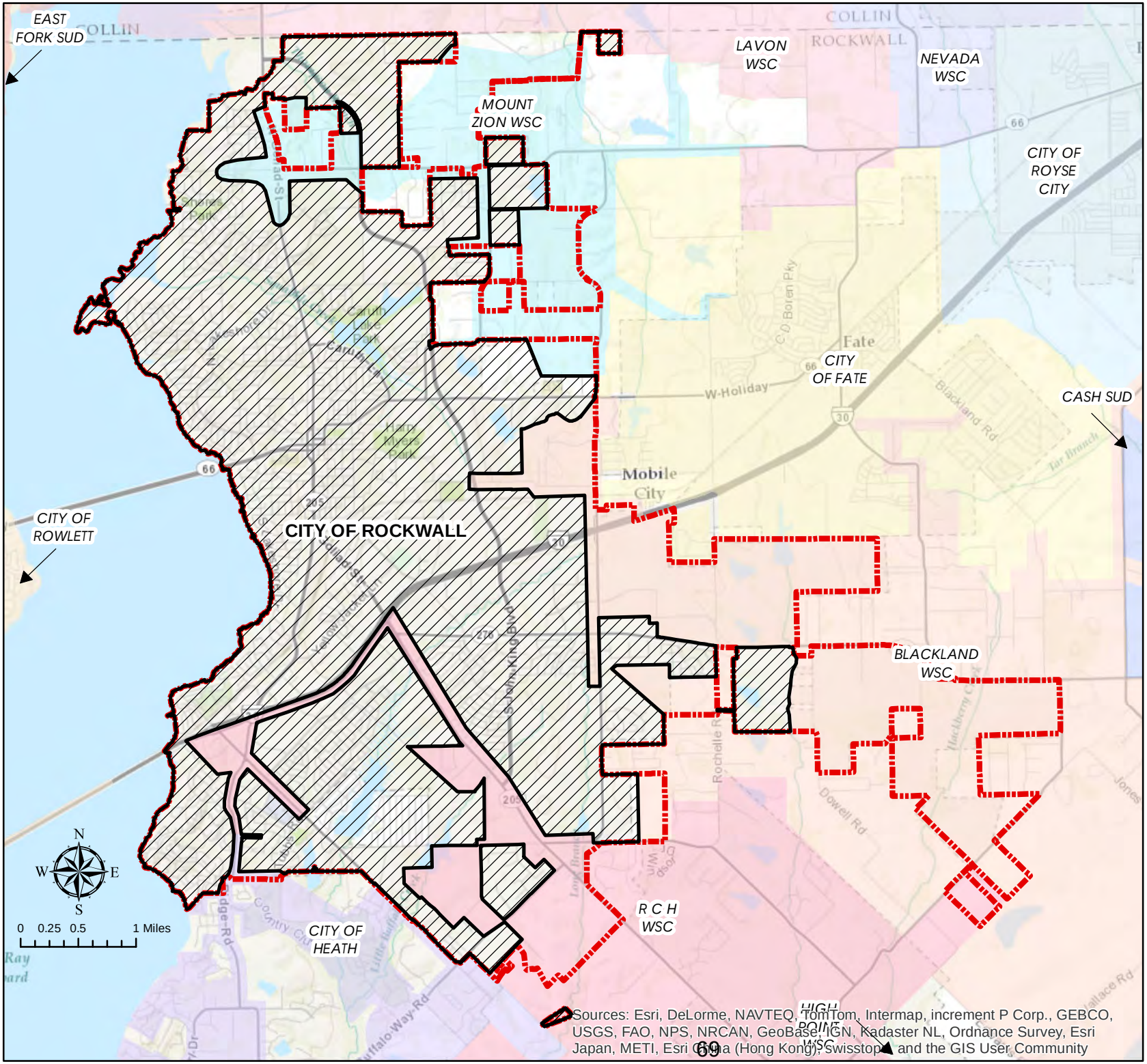
7. A method for monitoring the effectiveness and efficiency of the water conservation plan; and

8. Any other water conservation practice, method, or technique which the water supplier shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

Best Management Practices

The Texas Water Developmental Board's (TWDB) Report 362 is the Water Conservation Best Management Practices (BMP) guide. The BMP Guide is a voluntary list of management practices that water users may implement in addition to the required components of Title 30, Texas Administrative Code, Chapter 288. The Best Management Practices Guide broken out by sector, including Agriculture, Commercial, and Institutional, Industrial, Municipal and Wholesale along with any new or revised BMP's can be found at the following link on the Texas Water Developments Board's website: http://www.twdb.state.tx.us/conservation/bmps/index.asp

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact 512-239-3282.



Sources: Esri, DeLorme, NAVTEQ, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, and the GIS User Community

City of Rockwall

SERVICE AREA

Date: 3/21/2014

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user.
The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

Legend

- City of Rockwall Service Area
- Rockwall City Limits

Area CCN / WSC / Cities

- BLACKLAND WSC
- CASH SUD
- CITY OF FATE
- CITY OF HEATH
- CITY OF ROWLETT
- CITY OF ROYSE CITY
- CITY OF WYLIE
- EAST FORK SUD
- HIGH POINT WSC
- LAVON WSC
- MOUNT ZION WSC
- NEVADA WSC
- R C H WSC

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APPENDIX D

ANNUAL WATER CONSERVATION REPORT

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APPENDIX D
NTMWD MEMBER CITY AND CUSTOMER WATER CONSERVATION REPORT
Due: March 31 of every year

Entity Reporting:	**CITY OF ROCKWALL**
Filled Out By:	**Kay Roberson**
Date Completed:	**2/20/2014**
Year Covered:	**2013**
# of Connections	**14648**

Recorded Deliveries and Sales by Month (in Million Gallons):

Month	Deliveries from NTMWD	City of Rockwall Discharge	Sales by Category						
			Residential	Commercial	Public/ Institutional	Industrial	Wholesale	Multi-Family	Total
January	138.656	185.253	76.290	22.972	3.153	0.227	44.945	7.0896	154.678
February	130.384	147.323	83.615	29.827	3.673	0.281	39.831	7.264	164.490
March	187.218	206.611	80.999	27.217	2.545	0.161	57.808	6.6561	175.387
April	190.618	209.770	84.557	28.239	3.594	0.195	58.337	7.806	182.727
May	253.72	226.020	132.169	38.465	6.626	0.367	69.389	8.9442	255.960
June	246.74	276.086	104.112	34.066	8.131	0.189	88.023	7.5927	242.114
July	308.4	337.741	182.998	44.953	6.615	0.272	107.541	10.6896	353.070
August	367.738	386.713	162.615	40.492	6.988	0.259	105.974	8.1785	324.505
September	344.819	333.453	178.329	40.667	8.898	0.874	87.986	9.4288	326.183
October	215.771	227.993	137.352	43.339	7.307	0.461	59.070	9.5144	257.043
November	158.592	180.478	112.625	39.783	7.419	0.326	44.326	9.7024	214.181
December	135.421	177.748	77.111	23.659	3.414	0.223	43.519	6.2898	154.216
TOTAL	**2678.077**	**2895.191**	**1412.771**	**413.679**	**68.362**	**3.836**	**806.750**	**99.1561**	**2804.553**

Peak Day Usage

Peak Day (MG)	386.713	Total peak day use (Peak day delivery from NTMWD + other supplies)
Average Day (MG)	15.269	Average day use (Annual deliveries from NTMWD + other supplies / 365 days)
Peak/Average Day Ratio	25.326	Total peak day use/average day use

Unaccounted Water (Million Gallons):

NTMWD Deliveries	2678.077	from Table above
Other Supplies	0.000	from Table above
Total Supplies	2678.077	from Table above
Total Sales	2804.55314	from Table above
Estimated Fire Use		estimated from best available data
Estimated Line Flushing Use	4.04475	estimated from best available data
Unaccounted Water	86.59	
% Unaccounted	3.00%	
Goal for % Unaccounted		

Per Capita Use (Gallons per person per day)

Total Use (MG)	2,088.441	from Table above (NTMWD deliveries+ other supplies - wholesale)
Municipal Use (MG)	1,985.449	from Table above (NTMWD deliveries+ other supplies - industrial sales - wholesale - other sales)
Residential Use (MG)	1,503.408	from Table above
Estimated Population	40,800	Source:
Total Per Capita Use (gpcd)	140.24	
Municipal Per Capita Use (gpcd)	133.32	
Residential Per Capita Use (gpcd)	100.95	
5-year Per Capita Goal (___)	171.7	
10-year Per Capita Goal (___)	162.7	

Recorded Wholesale Sales by Month (in Million Gallons):

Month	BLACKLAND	RCH	HEATH	Sales to _____	Sales to _____	Sales to _____	Sales to _____	Total Wholesale Sales
January	9.58546	8.818	26.54189					45
February	8.0938	7.885	23.85175					39.83055
March	10.1151	11.828	35.86529					57.80839
April	11.22781	11.765	35.34406					58.33687
May	13.63042	17.895	37.86373					69.38915
June	14.46175	21.849	51.71248					88.02323
July	22.75042	29.839	54.952					107.54142
August	23.55282	34.135	48.286					105.97382
September	21.84281	27.953	38.19					87.98581
October	13.50589	15.826	29.738					59.06989
November	11.12213	10.853	22.351					44.32613
December	10.39543	10.142	22.982					43.51943
TOTAL	**170.28384**	**208.788**	**427.6782**	**0**	**0**	**0**	**0**	**806.75004**

Information on Wholesale Customers:

Customer	Estimated Population
Blackland Water	3,970
RCH Water	3,720
City of Heath Water	7,500

Unusual Circumstances (use additional sheets if necessary):

The numbers above under delivery from North Texas Muncipal Water are the City of Rockwall Total Discharge #'s not NTMWD #'s

Progress in Implementation of Conservation Plan (use additional sheets if necessary):

This year the Conservation plan is being revised. A summary letter of our new water conservation ordinance will be posted on the City website and will be published in the local newspapers. The City website has a conservation site dedicated to water-saving tips, facts and conservation links. The City offers free water inspections to its top users. The City continues with conservation programs and explores all areas of conservation. Each month a water conservation tip or useful fact is published on the back of each utility bill. The City of rockwall amended the irrigation ordinance to save water and meet current codes. The fire department irrigates using water from the large fire trucks that must be replaced often to prevent corrosion of storage tanks.

Conservation measures planned for next year (use additional sheets if necessary):

Continue with measures implemented in past years. Conservation employees are certified water auditors and offer audits to the top water users.

Assistance requested from North Texas Municipal Water District (use additional sheets if necessary):

North Texas Municipal Water District requested that all Member Cities reduce consumption by ten percent (10%) due to continuing drought conditions and Lake Texoma (28% of our water supply) being off line since 2009.

Other (use additional sheets if necessary):

None

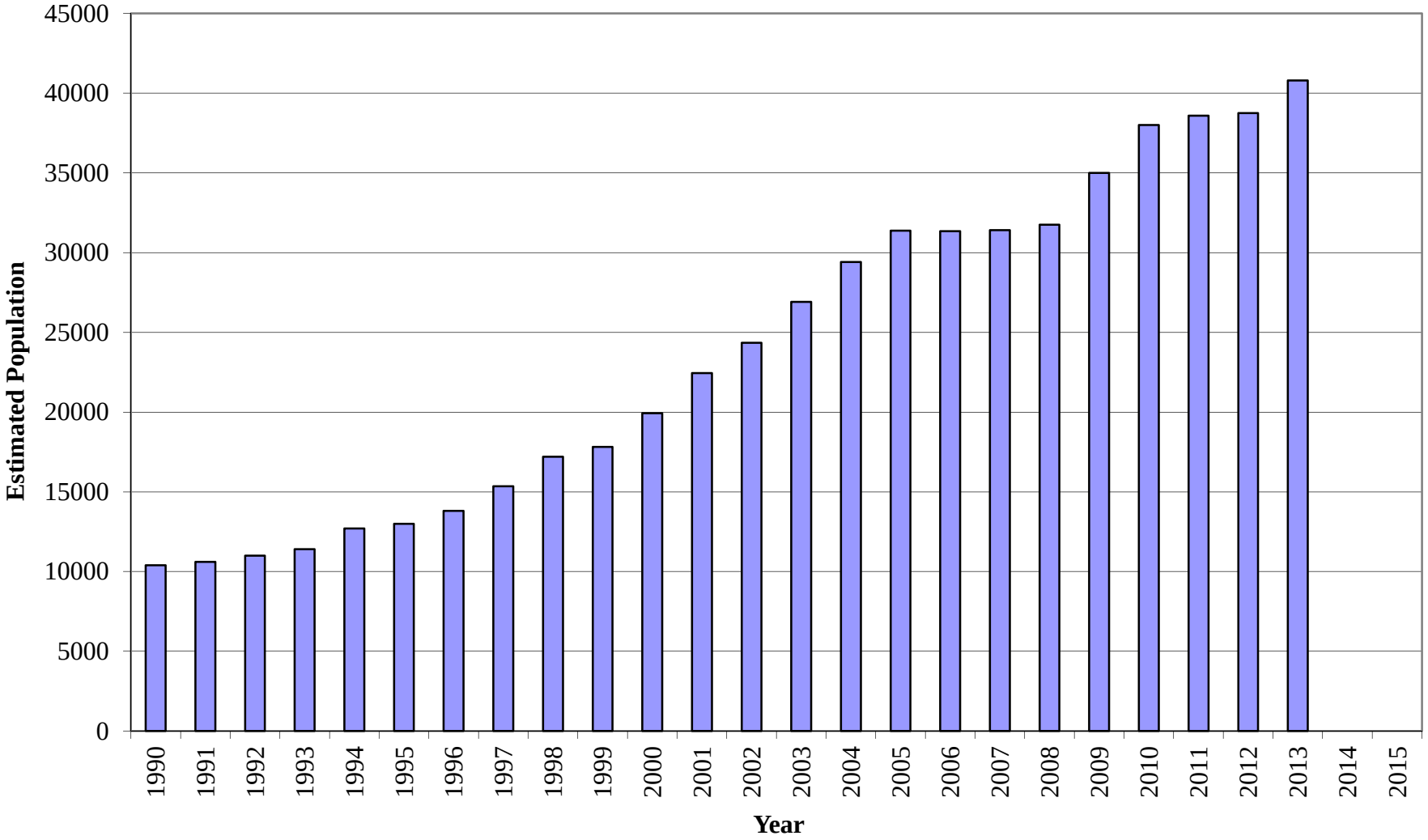
Historical Water Use Data for City of Rockwall

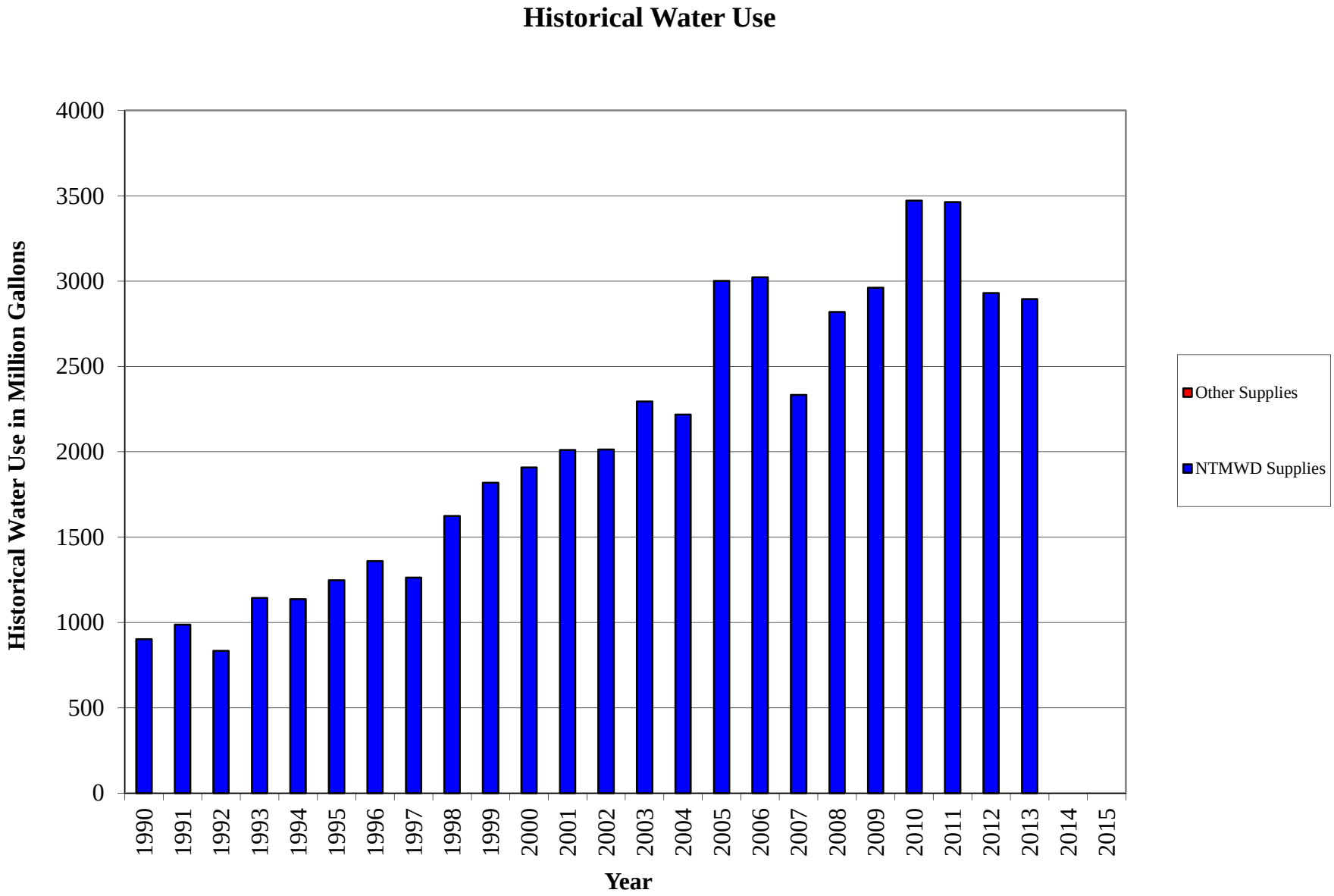
Year	Connections	Estimated Population	Deliveries from NTMWD (MG)	Other Supplies (MG)	Metered Sales by Category (Million Gallons)						
					Residential	Commercial	Public/ Institutional	Industrial	Wholesale	Other	Total
1990	4221	10400	902.432	0	950.317				255.321		1205.638
1991	4332	10600	987.689	0	1051.226				269.712		1320.938
1992	4489	11000	833.959	0	1014.171				278.518		1292.689
1993	4530	11400	1144.061	0	1161.265				340.064		1501.329
1994	4680	12700	1136.135	0	1118.425				330.286		1448.711
1995	4966	13000	1247.129	0	1190.459				383.525		1573.984
1996	5233	13800	1360.142	0	1394.795				380.747		1775.542
1997	5582	15350	1262.888	0	1279.674				441.247		1720.921
1998	6256	17204	1623.211	0	1721.409				502.321		2223.73
1999	6482	17825	1818.284	0	1098.358				558.344		1656.702
2000	7249	19934	1908.231	0	1508.466				680.538		2189.004
2001	8162	22445	2009.967	0	1392.028				710.046		2102.074
2002	8855	24351	2013.413	0	1395.774				704.744		2100.518
2003	9788	26917	2294.706	0	1659.894				786.258		2446.152
2004	10694	29408	2218.042	0	1583.611				755.124		2338.735
2005	11413	31385	3000.645	0	1480.685				1097.7457		2578.4307
2006	12054	31348	3022.235	0	1639.347				1176.8909		2816.2379
2007	12280	31407	2333.101	0	1624.156				862.8042		2486.9602
2008	12336	31748	2819.378	0	1517.92885	471.252853	114.8688	6.5989	981.865232		3092.51463
2009	12598	35000	2961.157	0	1450.9344	480.04	91.82099	5.3701	876.78605		2904.95154
2010	12916	38000	3471.775	0	1580.08342	549.48368	110.8577	6.6768	1006.66982		3253.77142
2011	13161	38586	3462.982	0	1733.08649	632.74131	128.9066	7.3801	1162.37599		3664.49049
2012	13495	38755	2929.682	0	1500.6107	450.3461	89.9586	5.6449	975.76949	26.2257	3048.55549
2013	14648	40800	2895.191	0	1412.771	413.679	68.362	3.836	806.75	99.1561	2804.5541
2014											0
2015											0

Historical Per Capita Use Data and Unaccounted Water for City of Rockwall

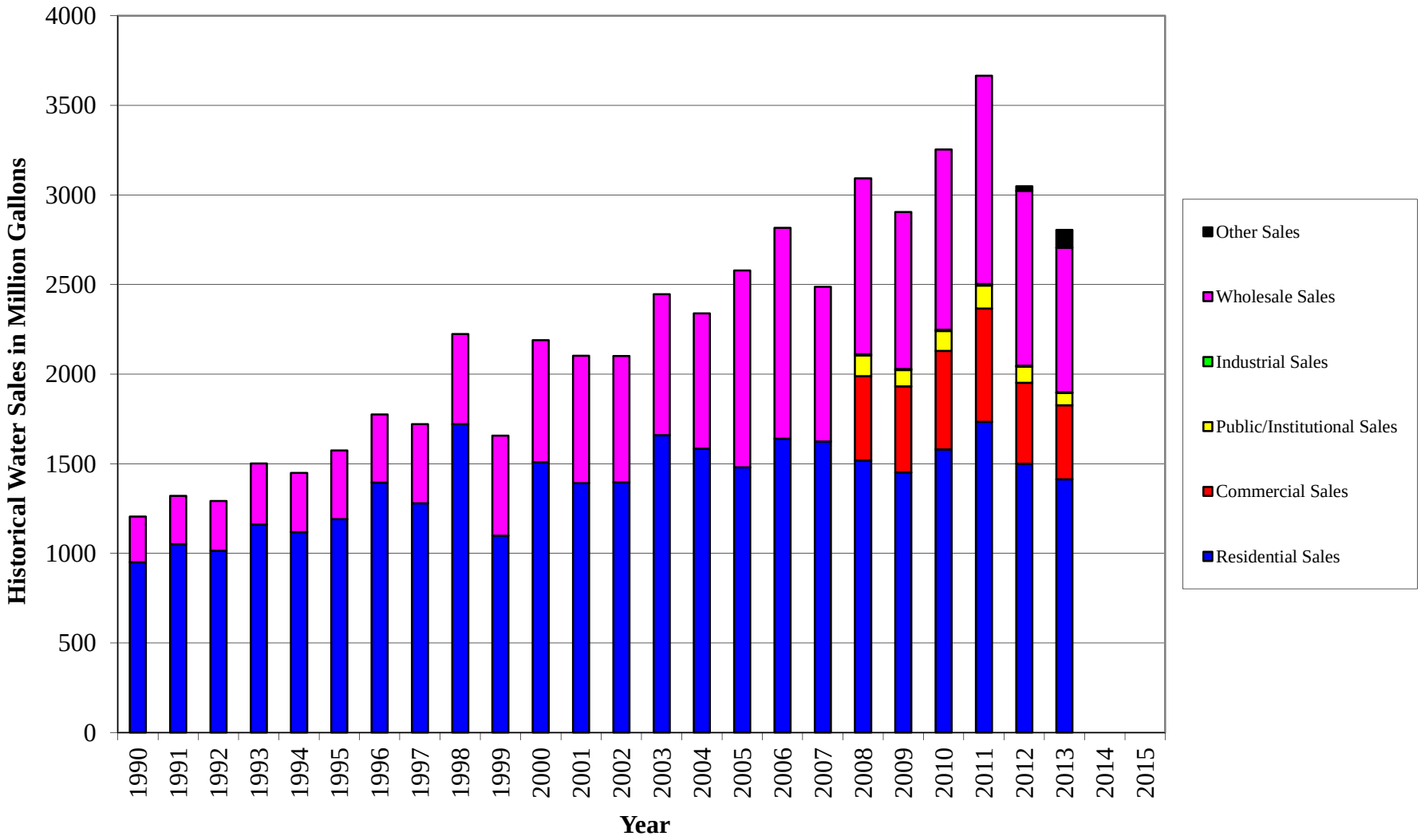
Year	Estimated Population	In-City Municipal Use (MG)	Per Capita Municipal Use (gpcd)	Deliveries from NTMWD (MG)	Other Supplies (MG)	Total Metered Sales (MG)	Estimated Fire Use (MG)	Estimated Line Flushing (MG)	Unaccounted Water (MG)	% Unaccounted
1990	10400	647.111	170	902.432	0	1205.638			-303.206	-34.00%
1991	10600	717.977	186	987.689	0	1320.938			-333.249	-34.00%
1992	11000	555.441	138	833.959	0	1292.689			-458.73	-55.00%
1993	11400	803.997	193	1144.061	0	1501.329			-357.268	-31.00%
1994	12700	805.849	174	1136.135	0	1448.711			-312.576	-28.00%
1995	13000	863.604	182	1247.129	0	1573.984			-326.855	-26.00%
1996	13800	979.395	194	1360.142	0	1775.542			-415.4	-31.00%
1997	15350	821.641	147	1262.888	0	1720.921			-458.033	-36.00%
1998	17204	1120.89	179	1623.211	0	2223.73			-600.519	-37.00%
1999	17825	1259.94	194	1818.284	0	1656.702			161.582	9.00%
2000	19934	1227.693	169	1908.231	0	2189.004			-280.773	-15.00%
2001	22445	1299.921	159	2009.967	0	2102.074			-92.107	-5.00%
2002	24351	1308.669	147	2013.413	0	2100.518			-87.105	-4.00%
2003	26917	1508.448	154	2294.706	0	2446.152			-151.446	-7.00%
2004	29408	1462.918	136	2218.042	0	2338.735			-120.693	-5.00%
2005	31385	1902.8993	166	3000.645	0	2578.4307			422.2143	14.00%
2006	31348	1845.3441	161	3022.235	0	2816.2379			205.9971	7.00%
2007	31407	1470.2968	128	2333.101	0	2486.9602			-153.8592	-7.00%
2008	31748	1830.9139	158	2819.378	0	3092.5146		12.5	-285.636632	-10.00%
2009	35000	2079.0009	163	2961.157	0	2904.9515		8.95051	47.25495	2.00%
2010	38000	2458.4284	177	3471.775	0	3253.7714		17.783189	200.220391	6.00%
2011	38586	2293.2259	163	3462.982	0	3664.4905		24.455008	-225.963498	-7.00%
2012	38755	1922.0419	136	2929.682	0	3048.5555		10.083188	-128.956678	-4.00%
2013	40800	1985.4487	133	2895.1908	0	2804.5541		4.04475	86.591917	3.00%
2014	0	0	#DIV/0!	0	0	0			0	#DIV/0!
2015	0	0	#DIV/0!	0	0	0			0	#DIV/0!

Estimated Historical Population

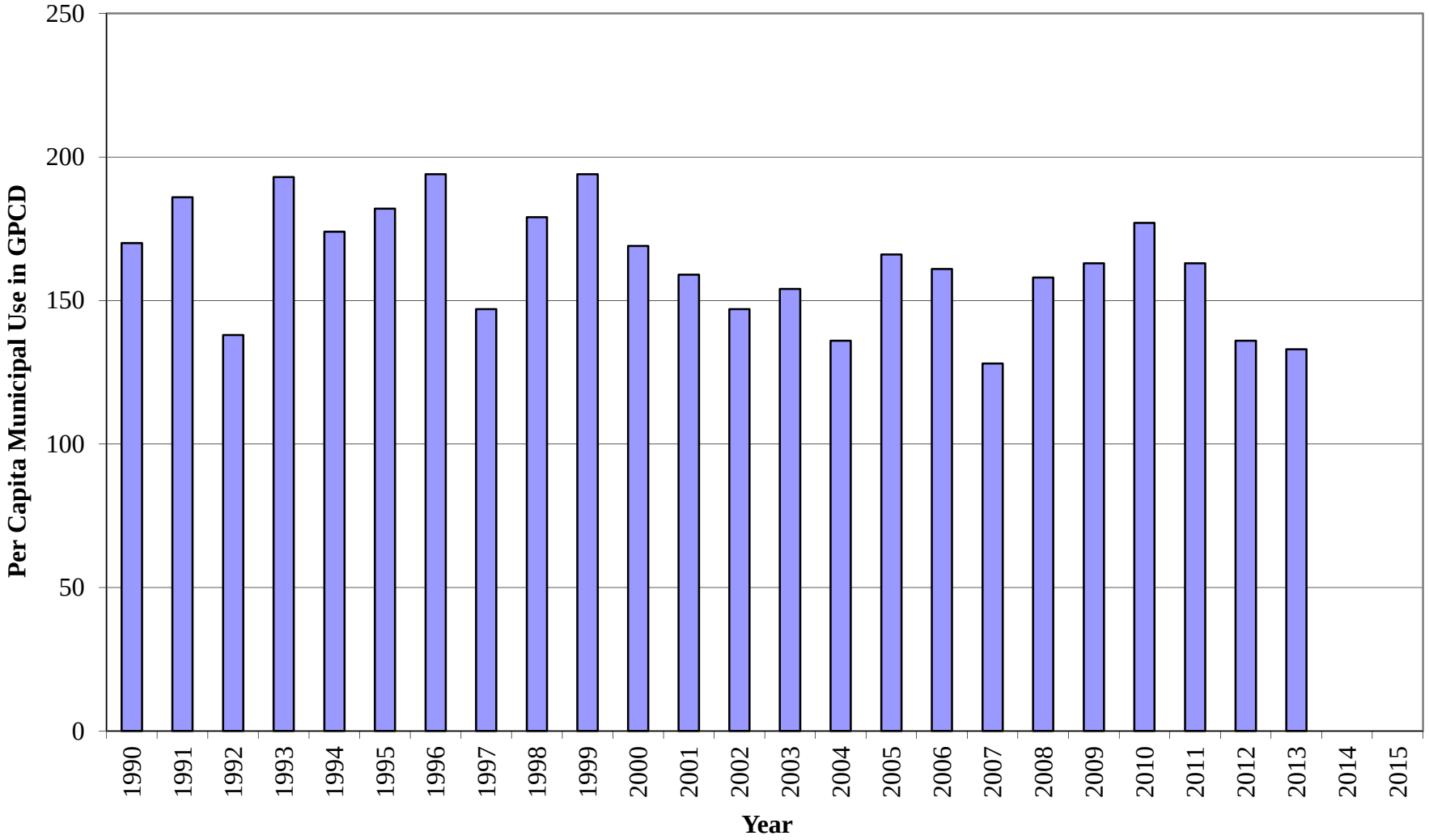


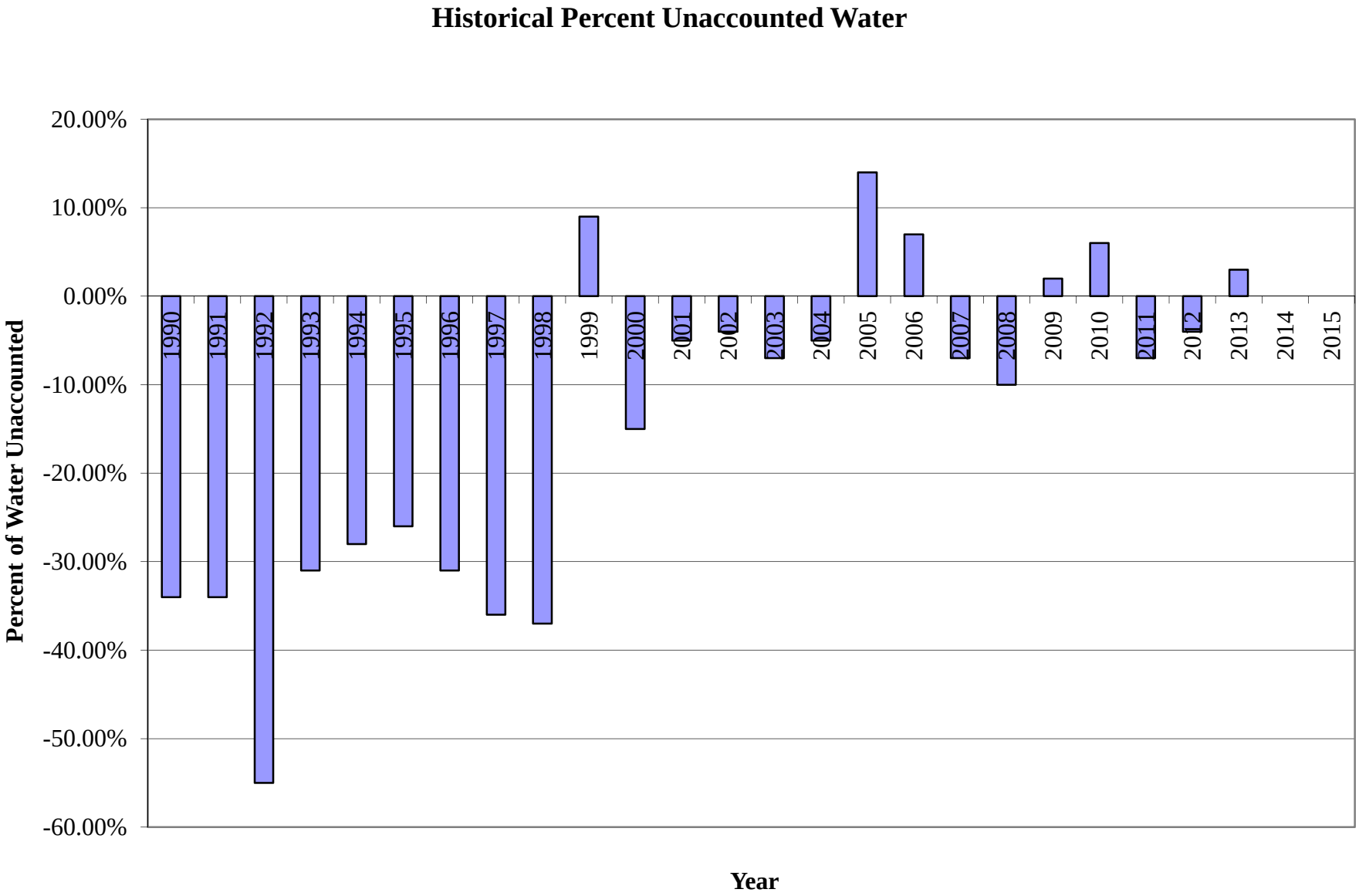

Historical Water Use
Historical Water Use in Million Gallons
4000
3500
3000
2500
2000
1500
1000
500
0
1990
1991
1992
1993
1994
1995
1996
1997
1998
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014
2015
Year
Other Supplies
NTMWD Supplies

Historical Water Sales by Classification



Historical Per Capita Municipal Use




Historical Percent Unaccounted Water
20.00%
10.00%
0.00%
-10.00%
-20.00%
-30.00%
-40.00%
-50.00%
-60.00%
Percent of Water Unaccounted
1990
1991
1992
1993
1994
1995
1996
1997
1998
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014
2015
Year

APPENDIX E

IRRIGATION REGULATIONS

82

CITY OF ROCKWALL

ORDINANCE NO. 09-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS PROVIDING FOR ARTICLE XIV, IRRIGATION CODE, IN CHAPTER 6 OF THE ROCKWALL CODE OF ORDINANCES IN ORDER TO ESTABLISH THE MINIMUM STANDARDS FOR INSTALLATION OF IRRIGATION SYSTEMS WITHIN THE CORPORATE LIMITS OF THE CITY OF ROCKWALL; PROVIDING FOR A CRIMINAL PENALTY, CLASS C MISDEMEANOR WITH A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall has determined that water conservation and environmental protection are important issues and concerns affecting the city; and

WHEREAS, properly-installed irrigation systems will conserve water, help avoid wasteful use, and improve the overall quality of life for the citizens of Rockwall; and

WHEREAS, during the 2007 legislative session, the Texas Legislature adopted House Bill 1656; and

WHEREAS, House Bill 1656 amended Chapter 401 of the Texas Local Government Code to require a city with a population of 20,000 or more to regulate the installation of irrigation systems within the corporate limits; and

WHEREAS, the provisions herein are necessary to promote and protect the health, safety, and welfare of the public by creating an urban environment that is protective of the city's water supply and provides an enhanced quality of life for the citizens of the City of Rockwall.

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

SECTION 1. That the code of ordinances shall be and is hereby amended by repealing section P2902.5.3 of the Residential Code and section 608.16.5 of the Plumbing Code and providing for Article XIV to Chapter 6 to read as follows:

ARTICLE XIV
IRRIGATION CODE

Sec. 6-231. Definitions.

The following words and terms, when used in this ordinance, have the following meanings, unless the context clearly indicates otherwise.

(1) **Air gap**--A complete physical separation between the free flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel.

(2) **Atmospheric Vacuum Breaker**--An assembly containing an air inlet valve, a check seat, and an air inlet port. The flow of water into the body causes the air inlet valve to close the air inlet port. When the flow of water stops the air inlet valve falls and forms a check against back-siphonage. At the same time it opens the air inlet port allowing air to enter and satisfy the vacuum. Also known as an Atmospheric Vacuum Breaker Back-Siphonage Prevention Assembly.

(3) **Backflow prevention**--The mechanical prevention of reverse flow, or back siphonage, of nonpotable water from an irrigation system into the potable water source.

(4) **Backflow prevention assembly**--Any assembly used to prevent backflow into a potable water system. The type of assembly used is based on the existing or potential degree of health hazard and backflow condition.

(5) **Completion of irrigation system installation**--When the landscape irrigation system has been installed, all minimum standards met, all tests performed, and the irrigator is satisfied that the system is operating correctly.

(6) **Consulting**--The act of providing advice, guidance, review or recommendations related to landscape irrigation systems.

(7) **Cross-connection**--An actual or potential connection between a potable water source and an irrigation system that may contain contaminates or pollutants or any source of water that has been treated to a lesser degree in the treatment process.

(8) **Design**--The act of determining the various elements of a landscape irrigation system that will include, but not be limited to, elements such as collecting site specific information, defining the scope of the project, defining plant watering needs, selecting and laying out emission devices, locating system components, conducting hydraulics calculations, identifying any local regulatory requirements, or scheduling irrigation work at a site. Completion of the various components will result in an irrigation plan.

(9) **Design pressure**--The pressure that is required for an emission device to operate properly. Design pressure is calculated by adding the operating pressure necessary at an emission device to the total of all pressure losses accumulated from an emission device to the water source.

(10) **Double Check Valve**--An assembly that is composed of two independently acting, approved check valves, including tightly closed resilient seated shutoff valves attached at each end of the assembly and fitted with properly located resilient seated test cocks. Also known as a Double Check Valve Backflow Prevention Assembly.

(11) **Emission device**--Any device that is contained within an irrigation system and that is used to apply water. Common emission devices in an irrigation system include, but are not limited to, spray and rotary sprinkler heads, and drip irrigation emitters.

(12) **Employed**--Engaged or hired to provide consulting services or perform any activity relating to the sale, design, installation, maintenance, alteration, repair, or service to irrigation systems. A person is employed if that person is in an employer-employee relationship as defined by Internal Revenue Code, 26 United States Code Service, §3212(d) based on the behavioral control, financial control, and the type of relationship involved in performing employment related tasks.

(13) **Head-to-head spacing**--The spacing of spray or rotary heads equal to the manufacturer's published radius of the head.

(14) **Health hazard**--A cross-connection or potential cross-connection with an irrigation system that involves any substance that may, if introduced into the potable water supply, cause death or illness, spread disease, or have a high probability of causing such effects.

(15) **Hydraulics**--The science of dynamic and static water; the mathematical computation of determining pressure losses and pressure requirements of an irrigation system.

(16) **Inspector**--A licensed plumbing inspector, water district operator, other governmental entity, or irrigation inspector who inspects irrigation systems and performs other enforcement duties for a municipality or water district as an employee or as a contractor.

(17) **Installer**--A person who actually connects an irrigation system to a private or public raw or potable water supply system or any water supply, who is licensed according to Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations).

(18) **Irrigation inspector**--A person who inspects irrigation systems and performs other enforcement duties for a municipality or water district as an employee or as a contractor and is required to be licensed under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations).

(19) **Irrigation plan**--A scaled drawing of a landscape irrigation system which lists required information, the scope of the project, and represents the changes made in the installation of the irrigation system.

(20) **Irrigation services--**Selling, designing, installing, maintaining, altering, repairing, servicing, permitting, providing consulting services regarding, or connecting an irrigation system to a water supply.

(21) **Irrigation system**--An assembly of component parts that is permanently installed for the controlled distribution and conservation of water to irrigate any type of landscape vegetation in any location, and/or to reduce dust or control erosion. This term does not include a system that is used on or by an agricultural operation as defined by Texas Agricultural Code, §251.002.

(22) **Irrigation technician**--A person who works under the supervision of a licensed irrigator to install, maintain, alter, repair, service or supervise installation of an irrigation system, including the connection of such system in or to a private or public, raw or potable water supply system or any water supply, and who is required to be licensed under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations).

(23) **Irrigation zone**--A subdivision of an irrigation system with a matched precipitation rate based on plant material type (such as turf, shrubs, or trees), microclimate factors (such as sun/shade ratio), topographic features (such as slope) and soil conditions (such as sand, loam, clay, or combination) or for hydrological control.

(24) **Irrigator**--A person who sells, designs, offers consultations regarding, installs, maintains, alters, repairs, services or supervises the installation of an irrigation system, including the connection of such system to a private or public, raw or potable water supply system or any water supply, and who is required to be licensed under Title 30, Texas Administrative Code, Chapter 30.

(25) **Irrigator-in-Charge**--The irrigator responsible for all irrigation work performed by an exempt business owner, including, but not limited to obtaining permits, developing design plans, supervising the work of other irrigators or irrigation technicians, and installing, selling, maintaining, altering, repairing, or servicing a landscape irrigation system.

(26) **Landscape irrigation**--The science of applying the necessary amount of water to promote or sustain healthy growth of plant material or turf.

(27) **License**--An occupational license that is issued by the Texas Commission on Environmental Quality under Title 30, Texas Administrative Code, Chapter 30 to an individual that authorizes the individual to engage in an activity that is covered by Title 30, Texas Administrative Code, Chapter 30.

(28) **Mainline**--A pipe within an irrigation system that delivers water from the water source to the individual zone valves.

(29) **Maintenance checklist**--A document made available to the irrigation system's owner or owner's representative that contains information regarding the operation and maintenance of the irrigation system, including, but not limited to: checking and repairing the irrigation system, setting the automatic controller, checking the rain or moisture sensor, cleaning filters, pruning grass and plants away from irrigation emitters, using and operating the irrigation system, the precipitation rates of each irrigation zone within the system, any water conservation measures currently in effect from the water purveyor, the name of the water purveyor, a suggested seasonal or monthly watering schedule based on current evapotranspiration data for the geographic region, and the minimum water requirements for the plant material in each zone based on the soil type and plant material where the system is installed.

(30) **Major maintenance, alteration, repair, or service**--Any activity that involves opening to the atmosphere the irrigation main line at any point prior to the discharge side of any irrigation zone control valve. This includes, but is not limited to, repairing or connecting into a main supply pipe, replacing a zone control valve, or repairing a zone control valve in a manner that opens the system to the atmosphere.

(31) **Master valve**--A remote control valve located after the backflow prevention device that controls the flow of water to the irrigation system mainline.

(32) **Matched precipitation rate**--The condition in which all sprinkler heads within an irrigation zone apply water at the same rate.

(33) **New installation**--An irrigation system installed at a location where one did not previously exist.

(34) **Pass-through contract**--A written contract between a contractor or builder and a licensed irrigator or exempt business owner to perform part or all of the irrigation services relating to an irrigation system.

(35) **Potable water**--Water that is suitable for human consumption.

(36) **Pressure Vacuum Breaker**--An assembly containing an independently operating internally loaded check valve and an independently operating loaded air inlet valve located on the discharge side of the check valve. Also known as a Pressure Vacuum Breaker Back-siphonage Prevention Assembly.

(37) **Reclaimed water**--Domestic or municipal wastewater which has been treated to a quality suitable for beneficial use, such as landscape irrigation.

(38) **Records of landscape irrigation activities**—The irrigation plans, contracts, warranty information, invoices, copies of permits, and other documents that relate to the installation, maintenance, alteration, repair, or service of a landscape irrigation system.

(39) **Reduced Pressure Principle Backflow Prevention Assembly**--An assembly containing two independently acting approved check valves together with a hydraulically operating mechanically independent pressure differential relief valve located between the two check valves and below the first check valve.

(40) **Static water pressure**--The pressure of water when it is not moving.

(41) **Supervision**--The on-the-job oversight and direction by a licensed irrigator who is fulfilling his or her professional responsibility to the client and/or employer in compliance with local or state requirements. Also a licensed installer working under the direction of a licensed irrigator or beginning January 1, 2009, an irrigation technician who is working under the direction of a licensed irrigator to install, maintain, alter, repair or service an irrigation system.

(42) **Water conservation**--The design, installation, service, and operation of an irrigation system in a manner that prevents the waste of water, promotes the most efficient use of water, and applies the least amount of water that is required to maintain healthy individual plant material or turf, reduce dust, and control erosion.

(43) **Zone flow**--A measurement, in gallons per minute or gallons per hour, of the actual flow of water through a zone valve, calculated by individually opening each zone valve and obtaining a valid reading after the pressure has stabilized. For design purposes, the zone flow is the total flow of all nozzles in the zone at a specific pressure.

(44) **Zone valve**--An automatic valve that controls a single zone of a landscape irrigation system.

Sec. 6-232. Valid License Required.

Any person who connects an irrigation system to the water supply within the City of Rockwall, must hold a valid license, as defined by Title 30, Texas Administrative Code, Chapter 30 and required by Chapter 1903 of the Texas Occupations Code, or as defined by Chapter 365, Title 22 of the Texas Administrative Code and required by Chapter 1301 of the Texas Occupations Code.

Exemptions

A property owner is not required to be licensed in accordance with Texas Occupations Code, Title 12, §1903.002(c)(1) if he or she is performing irrigation work in a building or on a premises owned or occupied by the person as the person's home. Home or property owner's property must have a current homestead exemption. A home or property owner who installs an irrigation system must meet the standards contained in Title 30, Texas

Administrative Code, Chapter 344 regarding spacing, water pressure, spraying water over impervious materials, rain or moisture shut-off devices or other technology, backflow prevention and isolation valves. The city may, at any point, adopt more stringent requirements for a home or property owner who installs an irrigation system. See Texas Occupations Code §1903.002 for other exemptions to the licensing requirement.

Sec. 6-233. Permit Required.

Any person installing an irrigation system within the City of Rockwall is required to obtain a permit from the city. Any plan approved for a permit must be in compliance with the requirements of this chapter.

Exemptions

(1) An irrigation system that is that an on-site sewage disposal system, as defined by Section 355.002, Health and Safety Code; or

(2) An irrigation system used on or by an agricultural operation as defined by Section 251.002, Agriculture Code; or

(3) An irrigation system connected to a groundwater well used by the property owner for domestic use.

Sec. 6-234. Backflow Prevention Methods and Devices.

(a) Any irrigation system that is connected to the potable water supply must be connected through a backflow prevention method approved by the Texas Commission on Environmental Quality (TCEQ). The backflow prevention device must comply with the 2006 International Plumbing Code and must be certified by the American Society of Sanitary Engineers (ASSE); or the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California; or the International Code Council - Evaluation Service (ICC-ES); or the International Association of Plumbing and Mechanical Code Officials – Research and Testing (IAPMO R&T); or any other certifying agencies that has equivalent capabilities for both the laboratory and field evaluation of backflow prevention assemblies.

(b) If conditions that present a health hazard exist, one of the following methods must be used to prevent backflow;

(1) An air gap may be used if:

(A) there is an unobstructed physical separation; and

(B) the distance from the lowest point of the water supply outlet to the flood rim of the fixture or assembly into which the outlet discharges is at least one inch or twice the diameter of the water supply outlet, whichever is greater.

(2) Reduced pressure principle backflow prevention assemblies may be used if:

(A) the device is installed at a minimum of 12 inches above ground in a location that will ensure that the assembly will not be submerged; and

B) drainage is provided for any water that may be discharged through the assembly relief valve.

(3) Pressure vacuum breakers may be used if:

(A) no back-pressure condition will occur; and

(B) the device is installed at a minimum of 12 inches above any downstream piping and the highest downstream opening. Pop-up sprinklers are measured from the retracted position from the top of the sprinkler.

(4) Atmospheric vacuum breakers may be used if:

(A) no back-pressure will be present;

(B) there are no shutoff valves downstream from the atmospheric vacuum breaker;

(C) the device is installed at a minimum of six inches above any downstream piping and the highest downstream opening. Pop-up sprinklers are measured from the retracted position from the top of the sprinkler;

(D) there is no continuous pressure on the supply side of the atmospheric vacuum breaker for more than 12 hours in any 24-hour period; and

(E) a separate atmospheric vacuum breaker is installed on the discharge side of each irrigation control valve, between the valve and all the emission devices that the valve controls.

(c) Backflow prevention devices used in applications designated as health hazards must be tested upon installation and annually thereafter.

(d) If there are no conditions that present a health hazard, double check valve backflow prevention assemblies may be used to prevent backflow if the device is tested upon installation and test cocks are used for testing only.

(e) If a double check valve is installed below ground:

(1) test cocks must be plugged, except when the double check valve is being tested;

(2) test cock plugs must be threaded, water-tight, and made of non-ferrous material;

(3) a y-type strainer is installed on the inlet side of the double check valve;

(4) there must be a bed of pea gravel a minimum of 4" deep under the double check valve with a minimum of 6" clearance from the bottom of the double check valve to the bed of gravel

(5) there must be a minimum of 6" clearance around the double check valve for testing.

(f) All irrigation systems found to be without backflow prevention protection that are connected to the potable water supply, must be connected to the potable water supply through an approved, properly installed backflow prevention assembly, before any major maintenance, alteration, repair, or service is performed.

(g) If an irrigation system is connected to a potable water supply through a double check valve, pressure vacuum breaker, or reduced pressure principle backflow assembly and includes an automatic master valve on the system, the automatic master valve must be installed on the discharge side of the backflow prevention assembly.

(h) The irrigator shall ensure the backflow prevention device is tested by a licensed Backflow Prevention Assembly Tester prior to being placed in service and the test results provided to the City of Rockwall and the irrigation system's owner or owner's representative within ten business days of testing of the backflow prevention device. Test results must be submitted on an approved Backflow Prevention Assembly Test and Maintenance Report form.

Sec. 6-235. Specific Conditions and Cross-Connection Control.

(a) Before any chemical is added to an irrigation system connected to the potable water supply, the irrigation system must be connected through a reduced pressure principle backflow prevention assembly or air gap.

(b) Connection of any additional water source to an irrigation system that is connected to the potable water supply can only be done if the irrigation system is connected to the potable water supply through a reduced-pressure principle backflow prevention assembly or an air gap.
(c) Irrigation system components with chemical additives induced by aspiration, injection, or emission system connected to any potable water supply must be connected through a reduced pressure principle backflow device.
(d) If an irrigation system is designed or installed on a property that is served by an on-site sewage facility, as defined in Title 30, Texas Administrative Code, Chapter 285, then:

(1) all irrigation piping and valves must meet the separation distances from the On-Site Sewage Facilities system as required for a private water line in Title 30, Texas Administrative Code, Section 285.91(10);

(2) any connections using a private or public potable water source that is not the city's potable water system must be connected to the water source through a reduced pressure principle backflow prevention assembly as defined in Title 30, Texas Administrative Code, Section 344.50; and

(3) any water from the irrigation system that is applied to the surface of the area utilized by the On-Site Sewage Facility system must be controlled on a separate irrigation zone or zones so as to allow complete control of any irrigation to that area so that there will not be excess water that would prevent the On-Site Sewage Facilities system from operating effectively.

Sec. 6-236. Water Conservation.

All irrigation systems shall be designed, installed, maintained, altered, repaired, serviced, and operated in a manner that will promote water conservation as defined in the Definitions section of this ordinance.

Sec. 6-237. Irrigation Plan Design: Minimum Standards.

(a) An irrigator shall prepare an irrigation plan for each site where a new irrigation system will be installed. A paper or electronic copy of the irrigation plan must be on the job site at all times during the installation of the irrigation system. A drawing showing the actual installation of the system is due to each irrigation system owner after all new irrigation system installations. During the installation of the irrigation system, variances from the original plan may be authorized by the licensed irrigator if the variance from the plan does not:

(1) diminish the operational integrity of the irrigation system;

(2) violate any requirements of this ordinance; and

(3) go unnoted in red on the irrigation plan.

(b) The irrigation plan must include complete coverage of the area to be irrigated. If a system does not provide complete coverage of the area to be irrigated, it must be noted on the irrigation plan.

(c) All irrigation plans used for construction must be drawn to scale. The plan must include, at a minimum, the following information:

(1) the irrigator's seal, signature, and date of signing;
(2) all major physical features and the boundaries of the areas to be watered;
(3) a North arrow;
(4) a legend;
(5) the zone flow measurement for each zone;

(6) location and type of each:
  (A) controller; and
  (B) sensor (for example, but not limited to, rain, moisture, wind, flow, or freeze);
(7) location, type, and size of each:
  (A) water source, such as, but not limited to a water meter and point(s) of connection;
  (B) backflow prevention device;
  (C) water emission device, including, but not limited to, spray heads, rotary sprinkler heads, quick-couplers, bubblers, drip, or micro-sprays;
  (D) valve, including but not limited to, zone valves, master valves, and isolation valves;
  (E) pressure regulation component; and
  (F) main line and lateral piping.
(8) the scale used; and
(9) the design pressure.

Sec. 6-238. Design and Installation: Minimum Requirements.

(a) No irrigation design or installation shall require the use of any component, including the water meter, in a way which exceeds the manufacturer's published performance limitations for the component.

(b) Spacing.

(1) The maximum spacing between emission devices must not exceed the manufacturer's published radius or spacing of the device(s). The radius or spacing is determined by referring to the manufacturer's published specifications for a specific emission device at a specific operating pressure.

(2) New irrigation systems shall not utilize above-ground spray emission devices in landscapes that are less than 48 inches not including the impervious surfaces in either length or width and which contain impervious pedestrian or vehicular traffic surfaces along two or more perimeters. If pop-up sprays or rotary sprinkler heads are used in a new irrigation system, the sprinkler heads must direct flow away from any adjacent surface and shall not be installed closer than four inches from a hardscape, such as, but not limited to, a building foundation, fence, concrete, asphalt, pavers, or stones set with mortar.

(3) Narrow paved walkways, jogging paths, golf cart paths or other small areas located in cemeteries, parks, golf courses or other public areas may be exempted from this requirement if the runoff drains into a landscaped area.

(c) Water pressure. Emission devices must be installed to operate at the minimum and not above the maximum sprinkler head pressure as published by the manufacturer for the nozzle and head spacing that is used. Methods to achieve the water pressure requirements include, but are not limited to, flow control valves, a pressure regulator, or pressure compensating spray heads.

(d) Piping. Piping in irrigation systems must be designed and installed so that the flow of water in the pipe will not exceed a velocity of five feet per second for polyvinyl chloride (PVC) pipe.

(e) Irrigation Zones. Irrigation systems shall have separate zones based on plant material type, microclimate factors, topographic features, soil conditions, and hydrological requirements.

(f) Matched precipitation rate. Zones must be designed and installed so that all of the emission devices in that zone irrigate at the same precipitation rate.

(g) Irrigation systems shall not spray water over surfaces made of concrete, asphalt, brick, wood, stones set with mortar, or any other impervious material, such as, but not limited to, walls, fences, sidewalks, streets, etc.

(h) Master valve. When provided, a master valve shall be installed on the discharge side of the backflow prevention device on all new installations.

(i) PVC pipe primer solvent. All new irrigation systems that are installed using PVC pipe and fittings shall be primed with a colored primer prior to applying the PVC cement in accordance with the International Plumbing Code (Section 605.22.2).

(j) Rain or moisture shut-off devices or other technology. All new automatically controlled irrigation systems must include sensors or other technology designed to inhibit or interrupt operation of the irrigation system during periods of moisture or rainfall. Rain or moisture shut-off technology must be installed according to the manufacturer's published recommendations. Repairs to existing automatic irrigation systems that require replacement of an existing controller must include a sensor or other technology designed to inhibit or interrupt operation of the irrigation system during periods of moisture or rainfall.

(k) Isolation valve. All new irrigation systems must include an isolation valve between the water meter and the backflow prevention device. The isolation valve must be a ball valve and be equipped with a stainless steel handle. The ball valve must be installed within a plastic valve or meter box large enough as not to hamper operation or repair.

(l) Depth coverage of piping. Piping in all irrigation systems must be installed according to the manufacturer's published specifications for depth coverage of piping.

(1) If the manufacturer has not published specifications for depth coverage of piping, the piping must be installed to provide minimum depth coverage of six inches of select backfill, between the top of the pipe and the natural grade of the topsoil. All portions of the irrigation

system that fail to meet this standard must be noted on the irrigation plan. If the area being irrigated has rock at a depth of six inches or less, select backfill may be mounded over the pipe. Mounding must be noted on the irrigation plan and discussed with the irrigation system owner or owner's representative to address any safety issues.

(2) If a utility, man-made structure, or roots create an unavoidable obstacle, which makes the six-inch depth coverage requirement impractical, the piping shall be installed to provide a minimum of two inches of select backfill between the top of the pipe and the natural grade of the topsoil.

(3) All trenches and holes created during installation of an irrigation system must be backfilled and compacted to the original grade.

(m) Wiring irrigation systems.

(1) Underground electrical wiring used to connect an automatic controller to any electrical component of the irrigation system must be listed by Underwriters Laboratories as acceptable for burial underground.

(2) Electrical wiring that connects any electrical components of an irrigation system must be sized according to the manufacturer's recommendation.

(3) Electrical wire splices which may be exposed to moisture must be waterproof as certified by the wire splice manufacturer.

(4) Underground electrical wiring that connects an automatic controller to any electrical component of the irrigation system must be buried with a minimum of six inches of select backfill.

(n) Water contained within the piping of an irrigation system is deemed to be non-potable. No drinking or domestic water usage, such as, but not limited to, filling swimming pools or decorative fountains, shall be connected to an irrigation system. If a hose bib (an outdoor water faucet that has hose threads on the spout) is connected to an irrigation system for the purpose of providing supplemental water to an area, the hose bib must be installed using a quick coupler key on a quick coupler installed in a covered purple valve box and the hose bib and any hoses connected to the bib must be labeled "non potable, not safe for drinking." An isolation valve must be installed upstream of a quick coupler connecting a hose bib to an irrigation system.

(o) Beginning January 1, 2010, either a licensed irrigator or a licensed irrigation technician shall be on-site at all times while the landscape irrigation system is being installed. When an irrigator is not onsite, the irrigator shall be responsible for ensuring that a licensed irrigation technician is on-site to supervise the installation of the irrigation system.

(p) All new automatically controlled irrigation systems must include sensors or other technology designed to inhibit or interrupt operation of the irrigation system during periods of freezing weather.

Sec. 6-239. Completion of Irrigation System Installation.

Upon completion of the irrigation system, the irrigator or irrigation technician who provided supervision for the on-site installation shall be required to complete four items:

(1) a final "walk through" with the irrigation system's owner or the owner's representative to explain the operation of the system;

(2) The maintenance checklist on which the irrigator or irrigation technician shall obtain the signature of the irrigation system's owner or owner's representative and shall sign, date, and seal the checklist. If the irrigation system's owner or owner's representative is unwilling or unable to sign the maintenance checklist, the irrigator shall note the time and date of the refusal on the irrigation system's owner or owner's representative's signature line. The irrigation system owner or owner's representative will be given the original maintenance checklist and a duplicate copy of the maintenance checklist shall be maintained by the irrigator. The items on the maintenance checklist shall include but are not limited to:

(A) the manufacturer's manual for the automatic controller, if the system is automatic;

(B) a seasonal (spring, summer, fall, winter) watering schedule based on either current/real time evapotranspiration or monthly historical reference evapotranspiration (historical ET) data, monthly effective rainfall estimates, plant landscape coefficient factors, and site factors;

(C) a list of components, such as the nozzle, or pump filters, and other such components; that require maintenance and the recommended frequency for the service; and

(D) the statement, "This irrigation system has been installed in accordance with all applicable state and local laws, ordinances, rules, regulations or orders. I have tested the system and determined that it has been installed according to the Irrigation Plan and is properly adjusted for the most efficient application of water at this time."

(3) A permanent sticker which contains the irrigator's name, license number, company name, telephone number and the dates of the warranty period shall be affixed to each automatic controller installed by the irrigator or irrigation technician. If the irrigation system is manual, the sticker shall be affixed to the original maintenance checklist. The information contained on the sticker must be printed with waterproof ink and include:

(4) The irrigation plan indicating the actual installation of the system must be provided to the irrigation system's owner or owner representative.

Sec. 6-240. Maintenance, Alteration, Repair, or Service of Irrigation Systems.

(a) The licensed irrigator is responsible for all work that the irrigator performed during the maintenance, alteration, repair, or service of an irrigation system during the warranty period. The irrigator or business owner is not responsible for the professional negligence of any other irrigator who subsequently conducts any irrigation service on the same irrigation system.

(b) All trenches and holes created during the maintenance, alteration, repair, or service of an irrigation system must be returned to the original grade with compacted select backfill.

(c) Colored PVC pipe primer solvent must be used on all pipes and fittings used in the maintenance, alteration, repair, or service of an irrigation system in accordance with the International Plumbing Code (Section 605.22.2).

(d) When maintenance, alteration, repair or service of an irrigation system involves excavation work at the water meter or backflow prevention device, an isolation valve shall be installed, if an isolation valve is not present.

Sec. 6-241. Reclaimed Water.

Reclaimed water may be utilized in landscape irrigation systems if:
(1) there is no direct contact with edible crops, unless the crop is pasteurized before consumption;
(2) the irrigation system does not spray water across property lines that do not belong to the irrigation system's owner;
(3) the irrigation system is installed using purple components;
(4) the domestic potable water line is connected using an air gap or a reduced pressure principle backflow prevention device, in accordance with Title 30, Texas Administrative Code, Section 290.47(i) (relating to Appendices);
(5) a minimum of an eight inch by eight inch sign, in English and Spanish, is prominently posted on/in the area that is being irrigated, that reads, "RECLAIMED WATER – DO NOT DRINK" and "AGUA DE RECUPERACIÓN – NO BEBER"; and
(6) backflow prevention on the reclaimed water supply line shall be in accordance with the regulations of the city's water provider.

Sec. 6-242. Advertisement Requirements.

(a) All vehicles used in the performance of irrigation installation, maintenance, alteration, repair, or service must display the irrigator's license number in the form of "LI_____" in a contrasting color of block letters at least two inches high, on both sides of the vehicle.

(b) All forms of written and electronic advertisements for irrigation services must display the irrigator's license number in the form of "LI_____." Any form of advertisement, including business cards, and estimates which displays an entity's or individual's name other than that of the licensed irrigator must also display the name of the licensed irrigator and the licensed irrigator's license number. Trailers that advertise irrigation services must display the irrigator's license number.

(c) The name, mailing address, and telephone number of the commission must be prominently displayed on a legible sign and displayed in plain view for the purpose of addressing complaints at the permanent structure where irrigation business is primarily conducted and irrigation records are kept.

Sec. 6-243. Contracts.

(a) All contracts to install an irrigation system must be in writing and signed by each party and must specify the irrigator's name, license number, business address, current business

telephone numbers, the date that each party signed the agreement, the total agreed price, and must contain the statement, "Irrigation in Texas is regulated by the Texas Commission on Environmental Quality (TCEQ), MC-178, P.O. Box 13087, Austin, Texas 78711-3087. TCEQ's website is: www. tceq.state.tx.us." All contracts must include the irrigator's seal, signature, and date.

(b) All written estimates, proposals, bids, and invoices relating to the installation or repair of an irrigation system(s) must include the irrigator's name, license number, business address, current business telephone number(s), and the statement: "Irrigation in Texas is regulated by the Texas Commission On Environmental Quality (TCEQ) (MC-178), P.O. Box 13087, Austin, Texas 78711-3087. TCEQ's web site is: www.tceq.state.tx.us."

(c) An individual who agrees by contract to provide irrigation services as defined in Title 30, Texas Administrative Code, Section 344.30 (relating to License Required) shall hold an irrigator license issued under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations) unless the contract is a pass-through contract as defined in Title 30, Texas Administrative Code, Section 344.1(36) (relating to Definitions). If a pass-through contract includes irrigation services, then the irrigation portion of the contract can only be performed by a licensed irrigator. If an irrigator installs a system pursuant to a pass-through contract, the irrigator shall still be responsible for providing the irrigation system's owner or through contract; the irrigator shall still be responsible for providing the irrigation system's owner or owner's representative a copy of the warranty and all other documents required under this chapter. A pass-through contract must identify by name and license number the irrigator that will perform the work and must provide a mechanism for contacting the irrigator for irrigation system warranty work.

(d) The contract must include the dates that the warranty is valid.

Sec. 6-244. Warranties for Systems.

(a) On all installations of new irrigation systems, an irrigator shall present the irrigation system's owner or owner's representative with a written warranty covering materials and labor furnished in the new installation of the irrigation system. The irrigator shall be responsible for adhering to terms of the warranty. If the irrigator's warranty is less than the manufacturer's warranty for the system components, then the irrigator shall provide the irrigation system's owner or the owner's representative with applicable information regarding the manufacturer's warranty period. The warranty must include the irrigator's seal, signature, and date. If the warranty is part of an irrigator's contract, a separate warranty document is not required.

(b) An irrigator's written warranty on new irrigation systems must specify the irrigator's name, business address, and business telephone number(s), must contain the signature of the irrigation system's owner or owner's representative confirming receipt of the warranty and must include the statement: "Irrigation in Texas is regulated by the Texas Commission on Environmental Quality (TCEQ), MC-178, P.O. Box 130897, Austin, Texas 78711-3087. TCEQ's website is: www.tceq.state.tx.us."

(c) On all maintenance, alterations, repairs, or service to existing irrigation systems, an irrigator shall present the irrigation system's owner or owner's representative a written document that identifies the materials furnished in the maintenance, alteration, repair, or service. If a warranty is provided, the irrigator shall abide by the terms. The warranty document must include the irrigator's name and business contact information.

Sec. 6-245. Duties and Responsibilities of City Irrigation Inspectors.

A licensed irrigation inspector shall enforce the ordinance of the city, and shall be responsible for:
(1) verifying that the appropriate permits have been obtained for an irrigation system and that the irrigator and installer or irrigation technician, if applicable, are licensed;
(2) inspecting the irrigation system;
(3) determining that the irrigation system complies with the requirements of this chapter;
(4) determining that the appropriate backflow prevention device was installed, tested, and test results provided to the city;
(5) investigating complaints related to irrigation system installation, maintenance, alteration, repairs, or service of an irrigation system and advertisement of irrigation services; and
(6) maintaining records according to this chapter.

Sec. 6-246. Items not covered by this ordinance.

Any item not covered by their ordinance and required by law shall be governed by the Texas Occupations Code, the Texas Water Code, Title 30 of the Texas Administrative Code, and any other applicable state statute or Texas Commission on Environmental Quality rule.

Sec. 6-247. Fees.

Building permit fees shall be established by resolution of the city council.

Sec. 6-248. Irrigation systems within the public right of way.

The city shall not be held liable for any damage of any system, which results from the installation or repair of, or improvement of any street or utility. Any homeowner or irrigator who installs a lawn sprinkler system between the curb and sidewalk or elsewhere within the public right of way shall likewise hold the city harmless against any claim or injury to persons or damage to property that any member of the public may suffer by reason of installation of said lawn sprinkling system between said curb and sidewalk or within the public right of way.

Sec. 6-249. Enforcement.

(a) The city shall have the power to administer and enforce the provisions of this chapter as may be required by governing law. Any person, firm, corporation or agent who shall violate a provision of this code, or fails to comply therewith, or with any of the requirements thereof, is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of the ordinance codified in this chapter is declared to be a nuisance.

(b) Any person violating any provision of chapter shall, upon conviction, be fined a sum not exceeding $2000.00. Each day that a provision of this chapter is violated shall constitute a separate offense. An offense under this chapter is a Class C misdemeanor, punishable by a fine of up to $2000.00.

(c) Nothing in this chapter shall be construed as a waiver of the city's right to bring a civil action

to enforce the provisions of this chapter and to seek remedies as allowed by law, including, but not limited to the following:

(1) Injunctive relief to prevent specific conduct that violates the ordinance or to require specific conduct that is necessary for compliance with the ordinance; and

(2) Other available relief.

Secs. 6-250----6-254 Reserved.

SECTION 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

SECTION 3. Any person, firm or corporation violating any of the provisions of this ordinance shall upon conviction be subject to a fine in accordance with the general provisions of the Code of Ordianances.

SECTION 4. That this ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED this16th day of March, 2009.

William R. Cecil

William R. Cecil, Mayor

ATTEST:

Kristy Ashberry

Kristy Ashberry, City Secretary

CITY OF ROCKWALL TEXAS SEAL

APPROVED AS TO FORM:

Pete Eckert, City Attorney

1st reading: 03-02-09
2nd reading: 03-16-09

APPENDIX F

LETTERS TO REGIONAL WATER PLANNING GROUPS

100

City of Rockwall
The New Horizon

Date: April 22, 2014

Region C Water Planning Group
c/o North Texas Municipal Water District
P.O. Box 2408
Wylie, TX 75098

Dear Sir:

Enclosed please find a copy of the updated Drought Contingency and Water Emergency Response Plan for the City of Rockwall of the North Texas Municipal Water District. I am submitting a copy of this plan to the Region C Water Planning Group in accordance with the Texas Water Development Board and Texas Commission on Environmental Quality rules. The City of Rockwall adopted the Drought Contingency and Water Emergency Response Plan on April 21, 2014.

Sincerely,

Rick Crowley
City Manager

City of Rockwall
The New Horizon

Date: April 22, 2014

Mr. Brett McCoy
Chair, Region D Water Planning Group
700 CR3347
Omaha, TX 75571

Dear Mr. McCoy:

Enclosed please find a copy of the updated Drought Contingency and Water Emergency Response Plan for the City of Rockwall of the North Texas Municipal Water District. I am submitting a copy of this plan to the Region C Water Planning Group in accordance with the Texas Water Development Board and Texas Commission on Environmental Quality rules. The City of Rockwall adopted the Drought Contingency and Water Emergency Response Plan on April 21, 2014.

Sincerely,

Rick Crowley
City Manager

APPENDIX G

SERVICE REGULATIONS

103

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 09-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL IN CHAPTER 26, ARTICLE V, DIVISION 2, SERVICE REGULATIONS; PROVIDING FOR A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2000.00) FOR EACH OFFENSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall recognizes that the amount of water available to its water customers is limited; and

WHEREAS, pursuant to Chapter 54 of the Local Government Code, the City is authorized to adopt such policies necessary to preserve and conserve available water supplies; and

WHEREAS, the City seeks to adopt an ordinance pertaining to illegal water connections and theft of water.

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

SECTION 1. That the Code of Ordinances shall be amended in Chapter 26, Article V, Division 2, which shall hereinafter read in the entirety as set forth in Exhibit "A" attached hereto made a part hereof for all purposes.

SECTION 2. That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

SECTION 3. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction, be subject to a fine in accordance with Section 1-7 of the General Provision of the Code of Ordinances.

SECTION 4. That this ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS this **18th** day of **May, 2009**.

William R. Cecil

William R. Cecil, Mayor

ATTEST:

Kristy Ashberry

Kristy Ashberry, City Secretary

CITY OF ROCKWALL TEXAS
SEAL

APPROVED AS TO FORM:

Pete Eckert, City Attorney

1st reading: 05-04-09

2nd reading: 05-18-09

"EXHIBIT A"

CHAPTER 26

ARTICLE V. WATER

DIVISION 2

SERVICE REGULATIONS

Sec. 26-131. Application for service required; who may apply; responsibility for bill.

(a) Each consumer desiring water from the City of Rockwall's water supply system shall make application. The application shall contain the purpose for which the water is desired, and shall agree to the terms and conditions upon which water will be furnished and to the rules, regulations and ordinances of the City. Upon such application being filed with the City, the applicant is authorized the use of water from the City's water system for specified purposes.

(b) No application for the use of water shall be filed by any person other than the owner, renter or duly authorized agent, and such owner, renter or authorized agent when making application, shall be liable for the fees charged for the use of water.

Sec. 26-132. Permits to be approved by the City before water is turned on.
All applications for water from the City's water system, when a new service has been installed, shall be approved by the City after inspection, before the water will be turned on.

Sec. 26-133. Permit required for taps, etc.
No new tap or new service or addition, extension or alteration of any tap or service, shall be made or caused to be made by any consumer, except through a licensed plumber or utility contractor and after obtaining a permit from the City.

Sec. 26-134. Connection permits.
Applications for permits to connect water service pipes or mains with the distribution mains shall be made to the City, together with a fee as specified in Article II of this chapter and Chapter 24, Subdivision Regulations, Article III, paid in advance to the City for inserting the service pipe or main and conveying it to the curb line. Such permit shall be the plumber or utility contractors authority for making the connection with the street service, laying pipes and doing all work necessary to make the service complete. Any application for a second permit to the same premises will be charged an equal fee for inserting the service pipe and conveying it to the curb line.

Sec. 26-135. Permit applications to be made by a licensed plumber or utility contractor.
All applications for permits required by this article shall be made only by a licensed plumber or utility contractor working for the property owner or his authorized agent.

Sec. 26-136. Turn-on of water restricted.
No person may knowingly cause, suffer or allow the initiation or restoration of water service to the property after termination of service(s) without the written consent of the City. For purposes of this section, it shall be assumed that the owner, occupant, or person in control of the property caused, suffered, or allowed the unlawful initiation or restoration of service(s).

Sec. 26-137. Maintenance and conservation requirements of consumer.
All consumers of water from the City's water system shall keep their service pipes and all fixtures connected in good condition and repair to prevent unnecessary waste of water.

Sec. 26-138. Shutoff of water for waste.
Where water is wasted by reason of the water fixtures and service pipe being out of order, through neglect of the consumer, agents or tenants, after notice thereof from the City, if the consumer refuses to repair such fixtures or pipe, the water shall be immediately turned off and withheld from such premises until repairs have been made.

Sec. 26-139. Consumers not to permit others to use water; penalty.
No consumer of City water shall permit any other person to use water from their tap, hydrant, faucet or other device to provide water to an additional property, except when authorized by the City. In the case of a violation of this section, the water shall be immediately turned off in addition to any other penalty otherwise provided.

Sec. 26-140. Use of water from public connections restricted.
No consumer or other person shall take water for private use from any public fire hydrant, hydrant, fountain or similar public water source without the consent of the City.

Sec. 26-141. Interference with system apparatus.
A person may not knowingly tamper, connect to, or alter any component of the City's water system including, but not limited to: valves, meters, meter boxes, lids, hydrants, lines, pump stations, ground storage tanks, and elevated tanks. This shall include direct or indirect efforts to initiate or restore water service without the approval of the City.

APPENDIX H

TCEQ WATER CONSERVATION IMPLIMINTATION REPORT

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Texas Commission on Environmental Quality

Water Conservation Implementation Report
Public Water Supplier

This five year report must be completed by entities that are required to submit a water conservation plan to the TCEQ in accordance with Title 30 Texas Administrative Code, Chapter 288. Please complete this report and submit it to the TCEQ. If you need assistance in completing this form, please contact the Resource Protection Team in the Water Availability Division at (512) 239-4691.

CONTACT INFORMATION

Name of Entity: City of Rockwall

Public Water Supply Identification Number (PWS ID):1990001
CCN numbers:
Water Right Permit numbers: N/A
Wastewater ID numbers: Buffalo Creek WWTP WQ12047001
Squabble Creek WWTP WQ10262001
Check all that apply:
- ☒ Retail Public Water Supplier
- ☒ Wholesale Public Water Supplier

Address: 385 S. Goliad City: Rockwall Zip Code: 75087

Email: ihatcher@rockwall.com Telephone Number: 972-771-7730

Regional Water Planning Group: C

Groundwater Conservation District: N/A

Form Completed By: Irene Hatcher Title: Conservation / Public Works Coordinator

Signature: _____ Date: Click here to enter a date.

Contact information for the person or department responsible for implementing the water conservation plan:

Name: Rick Crowley Phone: 972-771-7700 Email: rcrowley@rockwall.com

Report Completed on Date: Click here to enter a date.

Reporting Period (**check only one**):

☐ Fiscal Period Begin:Click here to enter a date. Period End: Click here to enter a date.

☒ Calendar Period Begin: January 2009 Period End: December 2013

Please check all of the following that apply to your entity:

☐ A surface water right holder of 1,000 acre-feet/year or more for non-irrigation uses
☐ A surface water right holder of 10,000 acre-feet/year or more for irrigation uses

Important

If your entity meets the following description, please skip page 3 and go directly to page 4.

Your entity is a Wholesale Public Water Supplier that ONLY provides wholesale water services for public consumption. For example, you only provide wholesale water to other municipalities or water districts.

Water Use Accounting

Retail Water Sold: *All retail water sold for public use and human consumption.*

Helpful Hints: There are two options available for you to provide the requested information. Both options ask the same information; however, the level of detail and break down of information differs between the two options. Please select just one option that works best for your entity and fill in the fields as completely as possible.

For the five-year reporting period, enter the gallons of **RETAIL water sold** in each major water use category. Use **only one** of the following options.

Option 1

Water Use Category*	**Gallons Sold**
Single Family Residential	
Multi-Family Residential	
TOTAL Residential Use[1]	0
Industrial	
Commercial	
Institutional	
TOTAL Retail Water Sold[2]	0

1. [SF Res +MF Res = Residential Use]
2. [Res +Ind +Com +Ins = Retail Water Sold]

Option 2

Water Use Category *	**Thousand Gallons Sold**
Residential Select all of the sectors that your account for as "Residential". ☒Single Family ☒ Multi-Family	7,788,242
Commercial Please select all of the sectors that your account for as "Commercial". ☒ Commercial ☐ Multi-Family ☐ Industrial ☐ Institutional	2,566,286
Industrial Please select all of the sectors that your account for as "Industrial". ☒Industrial ☐ Commercial ☐ Institutional	28,907
Other Please select all of the sectors that your account for as "Other". ☐Commercial ☐Multi-Family ☐ Industrial ☒ Institutional	489,885
TOTAL Retail Water Sold[1]	10,873,321

1. [Res +Com +Ind + Other = Retail Water Sold]

Wholesale Water Exported: *Wholesale water sold or transferred out of the distribution system.*

For the five-year reporting period, enter the gallons of **WHOLESALE water exported** to each major water use category.

Water Use Category*	**Gallons of Exported Wholesale Water**
Municipal Customers	4,827,630
Agricultural Customers	
Industrial Customers	
Commercial Customers	
Institutional Customers	
TOTAL Wholesale Water Exported [1]	**4,827,630**

1. [Mun +Agr +Ind +Com +Ins = Wholesale Water Exported]

System Data

	Total Gallons During the Five-Year Reporting Period
Water Produced: Volume produced from own sources	0
Wholesale Water Imported : Purchased wholesale water imported from other sources into the distribution system	16,150,727
Wholesale Water Exported: Wholesale water sold or transferred out of the distribution system (Insert Total Volume calculated on Page 4)	4,827,630
TOTAL System Input : Total water supplied to the infrastructure	11,323,097 [Produced + Imported – Exported = System Input]
Retail Water Sold : All retail water sold for public use and human consumption (Insert Total Residential Use from Option 1 or Option 2 calculated on Page 3)	10,873,321
Other Consumption Authorized for Use but not Sold: - back flushing water - line flushing - storage tank cleaning - golf courses - fire department use - parks - municipal government offices	19,258
TOTAL Authorized Water Use: All water that has been authorized for use or consumption.	10,892,579 [Retail Water Sold + Other Consumption = Total Authorized]
Apparent Losses – Water that has been consumed but not properly measured (Includes customer meter accuracy, systematic data discrepancy, un- authorized consumption such as theft)	77,882
Real Losses – Physical losses from the distribution system prior to reaching the customer destination (Includes physical losses from system or mains, reported breaks and leaks, storage overflow)	11,428
Unidentified Water Losses	341,208 [System Input- Total Authorized - Apparent Losses - Real Losses = Unidentified Water Losses]
TOTAL Water Loss	430,518.00 [Apparent + Real + Unidentified = Total Water Loss]

Targets and Goals

In the table below, please provide the **specific and quantified five and ten-year targets for water savings** listed in your water conservation plan.

Date	Target for: Total GPCD	Target for: Water Loss (expressed in GPCD)	Target for: Water Loss Percentage (expressed in Percentage)
Five-year target date: 7/6/2014	171.7	9	5%
Ten-year target date: 7/6/2019	162.7	18	11%

Are targets in the water conservation plan being met? Yes ☒ No ☐

If these targets are not being met, provide an explanation as to why, including any progress on these targets: Click here to enter text.

Gallons per Capita per Day (GPCD) and Water Loss

Compare your current gpcd and water loss to the above targets and goals set in your previous water conservation plan.

Total System Input in Gallons	Permanent Population	Current GPCD
11,323,097,000 [Produced + Imported – Exported = System Input]	39,714	156 [(System Input ÷ Permanent Population) /5/ 365]

Permanent Population is the total permanent population of the service area. This includes single family, multi-family, and group quarter populations.

Total Residential Use	Permanent Population	Residential GPCD
7,788,242,000	38,747	110 [(Residential Use ÷ Residential Population) / 5/ 365]

1. Residential Population is the total residential population of the service area including single & multi-family population.

Total Water Loss	Total System Input in Gallons	Permanent Population	Water Loss calculated in	
			GPCD [1]	Percent [2]
430,518,000 [Apparent + Real + Unidentified = Total Water Loss]	11,323,097,000 [Water Produced + Wholesale Imported - Wholesale Exported]	39,714	6	3.8

1. [Total Water Loss ÷ Permanent Population] / 5/ 365 = Water Loss GPCD]
2. [Total Water Loss ÷ Total System Input] x 100 = Water Loss Percentage]

Water Conservation Programs and Activities

As you complete this section, please review your water conservation plan to see if you are making progress towards meeting your stated goals.

1. Water Conservation Plan

What year did your entity adopt, or revise, their most recent water conservation plan: 2009

Does the plan incorporate Best Management Practices? Yes ☒ No ☐

2. Water Conservation Programs

For the reporting period, please select the types of activities and programs that have been actively administered, and estimate the expense and savings that incurred in implementing the conservation activities and programs for the past five years. Leave the field blank if unknown:

Program or Activity	Estimated Expenses	Estimated Gallons Saved
Conservation Analysis & Planning		
☒ Conservation Coordinator		
☐ Water Survey for Single-Family and Multi-Family Customers		
Financial		
☐ Wholesale Agency Assistance Programs		
☐ Water Conservation Pricing/ Rate Structures		
System Operations		
☐ Water Loss Audits		
☒ Leak Detection		
☐ Universal Metering and Metering Repair		
Landscaping		

☐ Landscape Irrigation Conservation and Incentives		
☐ Athletic Fields Conservation		
☒ Golf Course Conservation		
☒ Park Conservation		
Education & Public Awareness		
☐ School Education		
☒ Public Information		
Rebate, Retrofit, and Incentive Programs		
☐ Conservation Programs for ICI Accounts		
☐ Residential Clothes Washer Incentive Program		
☐ Water Wise Landscape Design and Conversion Programs		
☐ Showerhead, Aerator, and Toilet Flapper Retrofit		
☐ Residential Toilet Replacement Programs		
☐ Rainwater Harvesting Incentive Program		
☐ ICI Incentive Programs		
Conservation Technology		
☒ Recycling and Reuse Programs (Water or Wastewater Effluent)		
☐ Rainwater Harvesting and Condensate Reuse Programs		
Regulatory and Enforcement		
☒ Prohibition on Wasting Water		
TOTAL	$ 0.00	0

3. Reuse (Water or Wastewater Effluent)

For the reporting period, please provide the following data regarding the types of direct and indirect reuse activities that were administered for the past five years:

Reuse Activity	Estimated Volume (in gallons)
On-site irrigation	
Plant wash down	
Chlorination/de-chlorination	
Industrial	
Landscape irrigation (parks, golf courses)	311,951,000
Agricultural	
Other, please describe:	
Estimated Volume of Recycled or Reuse	311,951,000

4. Water Savings

For the five-year reporting period, estimate the total savings that resulted from your overall water conservation activities and programs?

Estimated Gallons Saved (Total from Conservation Programs Table)	**Estimated Gallons Recycled or Reused** (Total from Reuse Table)	**Total Volume of Water Saved** [1]	**Dollar Value of Water Saved** [2]
		311,951,000	

1. [Estimated Gallons Saved + Estimated Gallons Recycled or Reused = Total Volume Saved]
2. Estimate this value by taking into account water savings, the cost of treatment or purchase of your water, and any deferred capital costs due to conservation.

5. Conservation Pricing / Conservation Rate Structures

During the five-year reporting period, have your rates or rate structure changed? Yes ☒ No ☐

Please indicate the type of rate pricing structures that you use:

☒ Uniform rates	☐ Water Budget Based rates	☐ Surcharge - seasonal
☐ Flat rates	☐ Excess Use Rates	☐ Surcharge - drought
☐ Inclining/ Inverted Block	☐ Drought Demand rates	☐ Surcharge - usage demand
☐ Declining Block rates	☐ Tailored rates	
☐ Seasonal rates		

6. Public Awareness and Education Program

For the five-year reporting period, please check the appropriate boxes regarding any public awareness and educational activities that your entity has provided:

	Implemented	Number/Unit
Example: Brochures Distributed	☐	*10,000/year*
Example: Educational School Programs	☐	*50 students/month*
Brochures Distributed	☒	24,092/year
Messages Provided on Utility Bills	☒	12/year
Press Releases	☒	7/year
TV Public Service Announcements	☐	
Radio Public Service Announcements	☐	
Educational School Programs	☒	3/year
Displays, Exhibits, and Presentations	☒	2/year
Community Events	☒	2/year
Social Media campaigns	☒	7/year
Facility Tours	☐	
Other :	☐	

7. Leak Detection

During the five-year reporting period, how many leaks were repaired in the system or at service connections: CURTIS

Please check the appropriate boxes regarding the main cause of water loss in your system during the reporting period:

☒ Leaks and breaks

☐ Un-metered utility or city uses

☐ Master meter problems

☐ Customer meter problems

☐ Record and data problems

☐ Other: Click here to enter text.

☐ Other: Click here to enter text.

8. Universal Metering and Meter Repair

For the five-year reporting period, please provide the following information regarding meter repair:

	Total Number	Total Tested	Total Repaired	Total
Production Meters	9	9	2	20
Meters larger than 1 ½"	6	6	1	13
Meters 1 ½ or smaller				

Does your system have automated meter reading? Yes ☒ No ☐

9. Conservation Communication Effectiveness

In your opinion, how would you rank the effectiveness of your conservation activities in reaching the following types of customers for the past five years?

	Do not have activities or programs that target this type customer.	Less Than Effective	Somewhat Effective	Highly Effective
Residential Customers	☐	☐	☒	☐
Industrial Customers	☒	☐	☐	☐
Institutional Customers	☐	☐	☒	☐
Commercial Customers	☐	☐	☒	☐
Agricultural Customers	☒	☐	☐	☐

10. Drought Contingency and Emergency Water Demand Management

During the five-year reporting period, did you implement your Drought Contingency Plan?

Yes ☒ No ☐

If yes, indicate the number of days that your water use restrictions were in effect: 888

If yes, please check all the appropriate reasons for your drought contingency efforts going into effect.

☒ Water Supply Shortage	☐ Equipment Failure
☒ High Seasonal Demand	☐ Impaired Infrastructure
☐ Capacity Issues	☐ Other:

If you have any questions on how to fill out this form or about the Water Conservation program, please contact us at 512/239-4691.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512-239-3282.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 04/21/2014

APPLICANT: Darren Cain, *Skorburg Company*

AGENDA ITEM: **Z2014-007**; Breezy Hill Amendments (PD-74)

SUMMARY:

Hold a public hearing to discuss and consider a request by Darren Cain of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan and allow for changes to the development standards contained in *Exhibit 'C'* of *Ordinance 12-26* for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary.

BACKGROUND:

The property was annexed in 2008 after three (3) years of litigation that lead to the execution of a Chapter 212 Development Agreement. In accordance with this agreement, the property was zoned to Planned Development District 74 (PD-74) on April 20, 2009 with the intention of being a master planned residential community that offered tracts of land designated for retail/office, residential, and institutional land uses. The approval of this zoning change altered the existing 212 Development Agreement -- which originally permitted 810 single family residential lots and did not contain any retail acreage -- to include 658 single family residential lots and a 59-acre tract of land designated for general retail land uses. The retail tract of land is located at the northeast corner of the intersection of FM-552 and John King Boulevard (see *Exhibit 'A'* to view the original *PD Concept Plan*).

On October 1, 2012 the City Council approved an amendment to Planned Development District 74 (PD-74) modifying the concept plan to remove the school sites that were originally required by the *Facilities Agreement* and adjusting the lot mix accordingly [*i.e. increasing the number of lots from 658 to 691*] (see *Figure 1* for the adjusted lot mix). As part of this zoning amendment the applicant requested and was granted relief with respect to the construction of Breezy Hill Road. Originally, the developer was required to dedicate the mandatory right-of-way and construct one-half of the roadway adjacent to the entire development. With the zoning change this requirement was modified within the *Facilities Agreement* to include only the portion of the roadway adjacent to the retail acreage (see *Exhibit 'B'* to view the current *PD Concept Plan*; see *Exhibit 'C'* to view an excerpt from the current *Facilities Agreement* with regard to Breezy Hill Road).

Figure 1: Current Lot Mix

Lot Types	*A*	*B*	*C*	*D*
Typical Lot Frontage *(Feet)*	60	70	80	100
Typical Lot Depth *(Feet)*	120	120	125	200
Minimum Lot Size *(Sq. Ft.)*	7,200	8,400	10,000	20,000
Number of Units	134	133	326	98
Dwelling Unit %	19.4%	19.2%	47.2%	14.2%

PURPOSE:

On March 14, 2014 the applicant submitted an alternate concept plan depicting a reduction in the number of acres designated for retail land uses from 59-acres to 26.4-acres for the purpose of amending Planned Development District 74 (PD-74). Additionally, the applicant has submitted changes to the development standards that include a modified lot mix that incorporates a new lot type, *Lot Type 'E'* (*i.e. 50-foot by 120-foot lots*).

The proposed PD Concept Plan is depicted in Exhibit 'D' and a copy of the proposed changes to the development standards is contained in Exhibit 'E'.

CHARACTERISTICS OF THE REQUEST:

The 32.6-acres of land that the applicant is proposing to remove from the retail acreage will establish a new phase of the Breezy Hill Subdivision that will contain 111 single-family homes. These new homes will be constructed on a minimum 50-foot by 120-foot lots that will be a minimum of 6,000 square feet in size. The development standards for this new lot type (identified below in *Figure 2* as *Lot Type 'E'*) are taken directly from the zoning ordinance that regulates the Stone Creek Subdivision (*i.e. Planned Development District 70 [PD-70]*) and are similar to the remaining lot types in Planned Development District 74 (PD-74) with respect to the development standards. The only major difference in this lot type will be the forward facing garages. This is due to the difficulty of incorporating a 'J' swing driveway into a 50-foot lot.

Figure 2: Proposed Lot Mix

Lot Types	*A*	*B*	*C*	*D*	*E*
Typical Lot Frontage *(Feet)*	60	70	80	100	50
Typical Lot Depth *(Feet)*	120	120	125	200	120
Minimum Lot Size *(Sq. Ft.)*	7,200	8,400	10,000	20,000	6,000
Number of Units	107	107	326	98	111
Dwelling Unit %	14.29%	14.29%	43.52%	13.08%	14.82%

With the proposed addition of the new lot type and the proposed changes to the lot mix the total number of single family lots will be increased from 691 to 749. This proposed change would alter the existing residential housing density from 1.99 (*i.e. 691 lots on ~346-acres*) to 2.0 (*i.e. 749 lots on ~379-acres*). With the exception of the proposed changes to the lot mix tables and subsequent changes to accommodate the new lot type, the applicant is not requesting any additional changes to Planned Development District 74 (PD-74).

STAFF ANALYSIS:

The current *Facilities Agreement* states that the "(d)eveloper shall construct Breezy Hill Road in conjunction with the retail tract that is final platted adjacent to Breezy Hill Road." It is important to point out that the concept plan eliminates the adjacency of the retail acreage to Breezy Hill Road and would relieve the developer of this responsibility; however, the developer would continue to be responsible for the dedication of right-of-way and the subsequent improvements to the drainage areas adjacent to the roadway.

In the previous two (2) zoning cases the developer has stated that no direct access will be provided to or from the residential or retail portions of Breezy Hill Road. The proposed concept plan does not change this condition and further clarifies the position by depicting a lot layout that does not take access from the roadway. Additionally, the minutes also indicate that the purpose behind this stipulation was to mitigate the concerns of the property owners (the majority of which are situated within the unincorporated areas of the City's extraterritorial jurisdiction) in regards to

the retail land area. These concerns were further alleviated when the developer proposed to incorporate a 50-foot landscape buffer adjacent to the area designated for retail next to Breezy Hill Road. By removing this adjacency the applicant has further mitigated the concerns that were expressed by residents in previous cases.

With regard to the proposed increase in the number of lots from 691 to 749, it is important to note that the original Chapter 212 Development Agreement permitted the applicant 810 single-family lots, and that the proposed concept plan has a lot count that is less than this number.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Map contained within the Comprehensive Plan designates the subject property for *Commercial* land uses. If the zoning case is approved the Future Land Use Map will be required to be amended with the next Comprehensive Plan update to reflect the proposed land use change.

NOTIFICATION:

On March 28, 2014, staff mailed eight (8) notices to property owners within 200 feet of the subject property. Additionally, staff posted a zoning sign at the intersection of FM-552 and SH-205 as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

RECOMMENDATIONS:

If the City Council approves the applicant's request to amend Planned Development District 74 (PD-74) then staff would propose the following conditions of approval:

1) The proposed development shall be prohibited from providing access to Breezy Hill Road,

2) Prior to accepting a Preliminary Plat for the proposed phase (i.e. depicted in pink of the *PD Concept* Plan in *Exhibit 'D'*) the applicant shall submit a replat of Phase IIB to incorporate the proposed roadway connecting the two phases,

3) Prior to accepting a Preliminary Plat and/or a Planned Development Site Plan for the remaining area designated as *retail* on the *PD Concept Plan*, a *PD Development Plan* must be approved by City Council, and

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

PLANNING AND ZONING COMMISSION:

On April 9, 2014 the Planning and Zoning Commission recommended approval of the amendments to Planned Development District 74 (PD-74) by a vote of 4-2, with Commissioners Jackson and Nielson dissenting and Commissioner Minth absent.

SKORBURG
COMPANY
Skorburg Company
8214 Westchester, Ste 710
Dallas, TX 75224
Phone: 214/522-4945
Fax: 214/522-7244

March 7, 2014

Mr. Robert LaCroix, AICP
Director of Planning
City of Rockwall, TX
385 S. Goliad Street
Rockwall, TX 75087

Re: Explanation Letter to Amend Planned Development No. 12-26

Mr. LaCroix,

We are requesting to amend Planned Development No. 12-26 ("Breezy Hill"). The primary revision as part of this amendment is the addition of 111 50' x 120' lots. This pod of lots will be located at the south end of the development and will replace approximately 26.3 acres of commercial land. The remaining commercial tract will now be a total of 29.1 acres.

Development standards for the new 50 foot lots are modeled on the standards adopted by the 50 foot lots in the Stone Creek development. An additional point of egress has been added along FM 552 to access the new section. One 'Type A' (60' x 120') lot in Breezy Hill II has been deleted in order to allow for street connectivity between the new pod of 50' lots and Phase II-A.

We will not develop more than the allowed number of residential lots (740). We propose to let the market dictate which lots we develop. To compensate for the new pod of 111 50 foot lots, one proposal is to retract lots from Phase VII-A located at the north end of the development. This area can be used as additional open space.

Other phases in the development that have not been developed or platted include:

- Phase V
- Phase VI
- Phase VII-A and VII-B
- Phase VIII-A, Phase VIII-B, and Phase VIII-C

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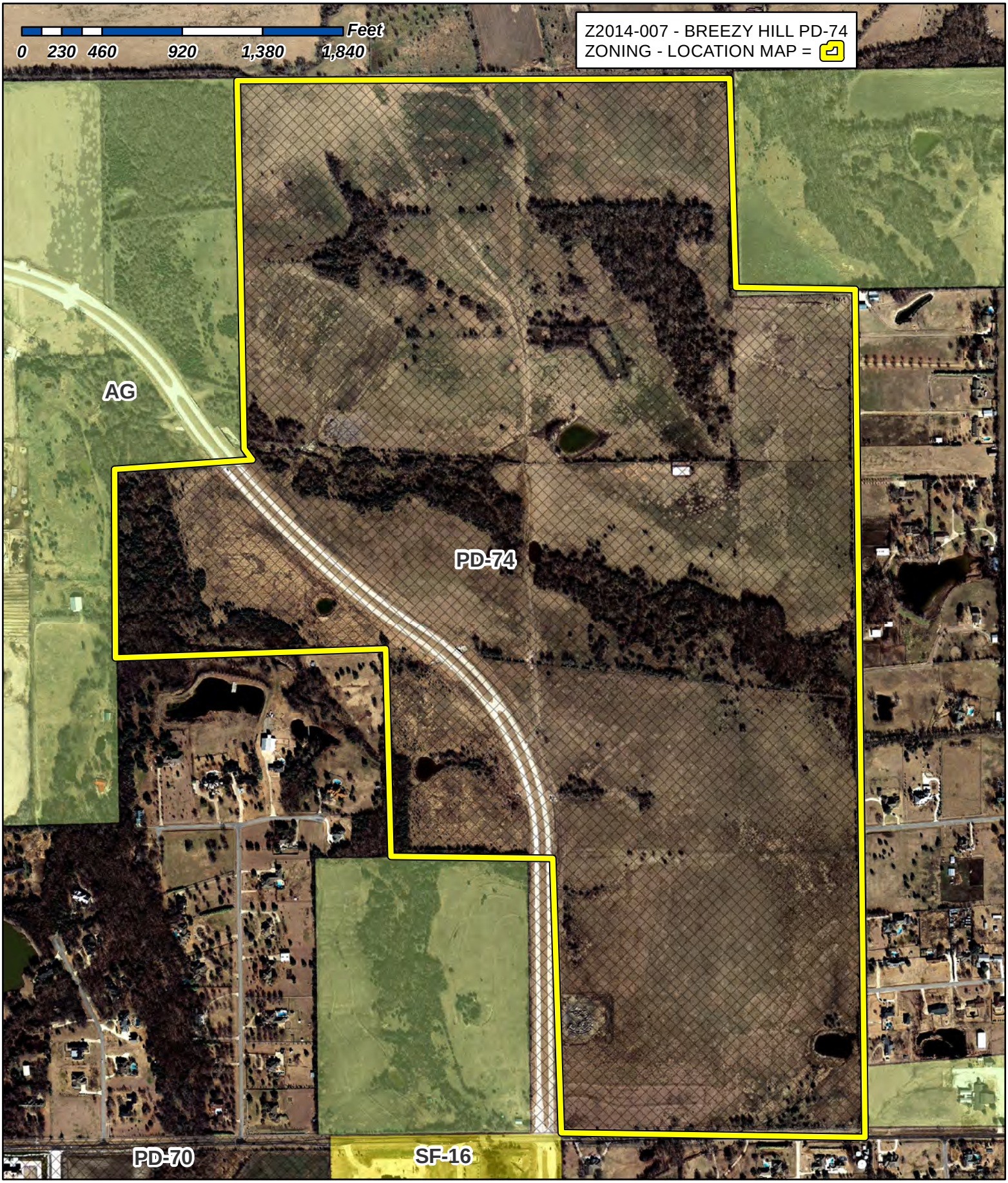
SKORBURG
COMPANY
Skorburg Company
8214 Westchester, Ste 710
Dallas, TX 75224
Phone: 214/522-4945
Fax: 214/522-7244

The remainder of the allowed number of lots developed will come from these phases, and will be dictated by market demand.

Sincerely,

Darren Cain
Land Acquisition and Development Associate
Skorburg Company
8214 Westchester Drive, Ste 710
Dallas, TX 75225



City of Rockwall

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

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

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1:8,500

City of Rockwall

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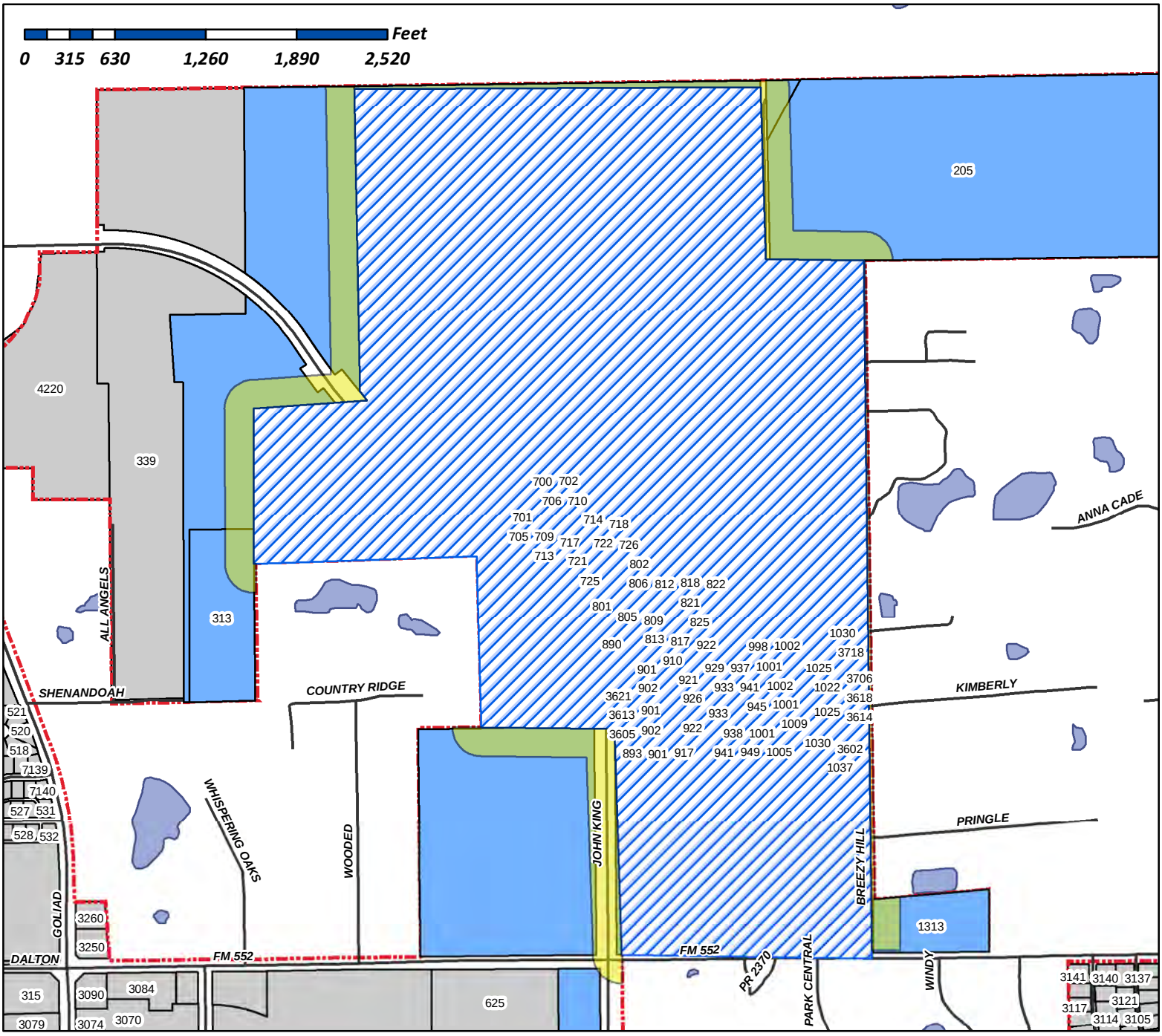
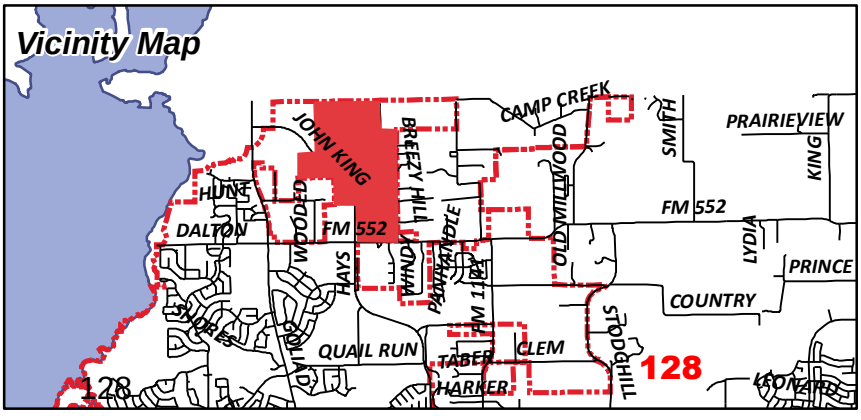


Case Number: Z2014-007
Case Name: PD Amendment
Case Type: Zoning
Zoning: PD-74
Case Address: Breezy Hill Subdivision

Date Created: *03/19/2014*
For Questions on this Case Call (972) 771-7745



Account Number	Owner Name	Acreage	Legal Description	Site Address			Owner Address			
0030-0000-0003-00-0R	HANCE LARRY	47.00	A0030 T R BAILEY, TRACT 3, ACRES 47.0		FM552		6306 GLENHOLLOW CT	DALLAS	TX	75248
0187-0000-0007-00-0R	BREEZY HILL 405 LTD	308.95	A0187 J STRICKLAND, A0190 J SIMMONS, A0030TR BAILEY TRACT 7, ACRES 308.945		BREEZY HILLS	RD	8214 WESTCHESTER DR STE 710	DALLAS	TX	75225
0187-0000-0033-00-0R	RIGGS WILLIAM AUDY SR ESTATE	97.01	A0187 J STRICKLAND, TRACT 33, MH SERIAL # 12312533, ACRES 97.010	205	ROCKHOUSE	LN	105 E KAUFMAN ST	ROCKWALL	TX	75087
0187-0000-0033-01-0R	KANG DONG WON	1.42	A0187 J STRICKLAND, TRACT 33-1, ACRES 1.42, (PT OF 260 AC TR), (REMAINING ACRES IN COLLIN COUNTY)		BREEZY HILL	DR	8917 S MAPLEWOOD AVE	TULSA	OK	74137
0187-0000-0015-00-0R	CLARK BRUCE A	11.52	A0187 J STRICKLAND, TRACT 15, ACRES 11.517 (PT OF 36.297 AC TR)	313	SHENNENDOAH		PO BOX 1473	ROCKWALL	TX	75087
0187-0000-0015-02-0R	CLARK BRUCE A & ROSE R	24.78	A0187 J STRICKLAND, TRACT 15-02, ACRES 24.78, (PT OF 36.297 AC TR)		JOHN KING BLVD		313 SHENNENDOAH LN	ROCKWALL	TX	75087
0187-0000-0015-01-0R	LIFE SPRING CHURCH	31.01	A0187 J STRICKLAND, TRACT 15-01, ACRES 31.012		JOHN KING	BLVD	P O BOX 886	ROCKWALL	TX	75087
4862-0001-0002-00-0R	CITY OF ROCKWALL	12.36	ROCKWALL MIDDLE SCHOOL #4 ADDN, BLOCK 1, LOT 2, ACRES 12.362		FM552					
4990-0000-0028-00-0R	RIDGEVIEW CHURCH	7.05	SKYVIEW COUNTRY EST #3, LOT 28, ACRES 7.052, (REPLAT 2013), EXEMPT	1313	FM552		1362 E FM 522	ROCKWALL	TX	75087

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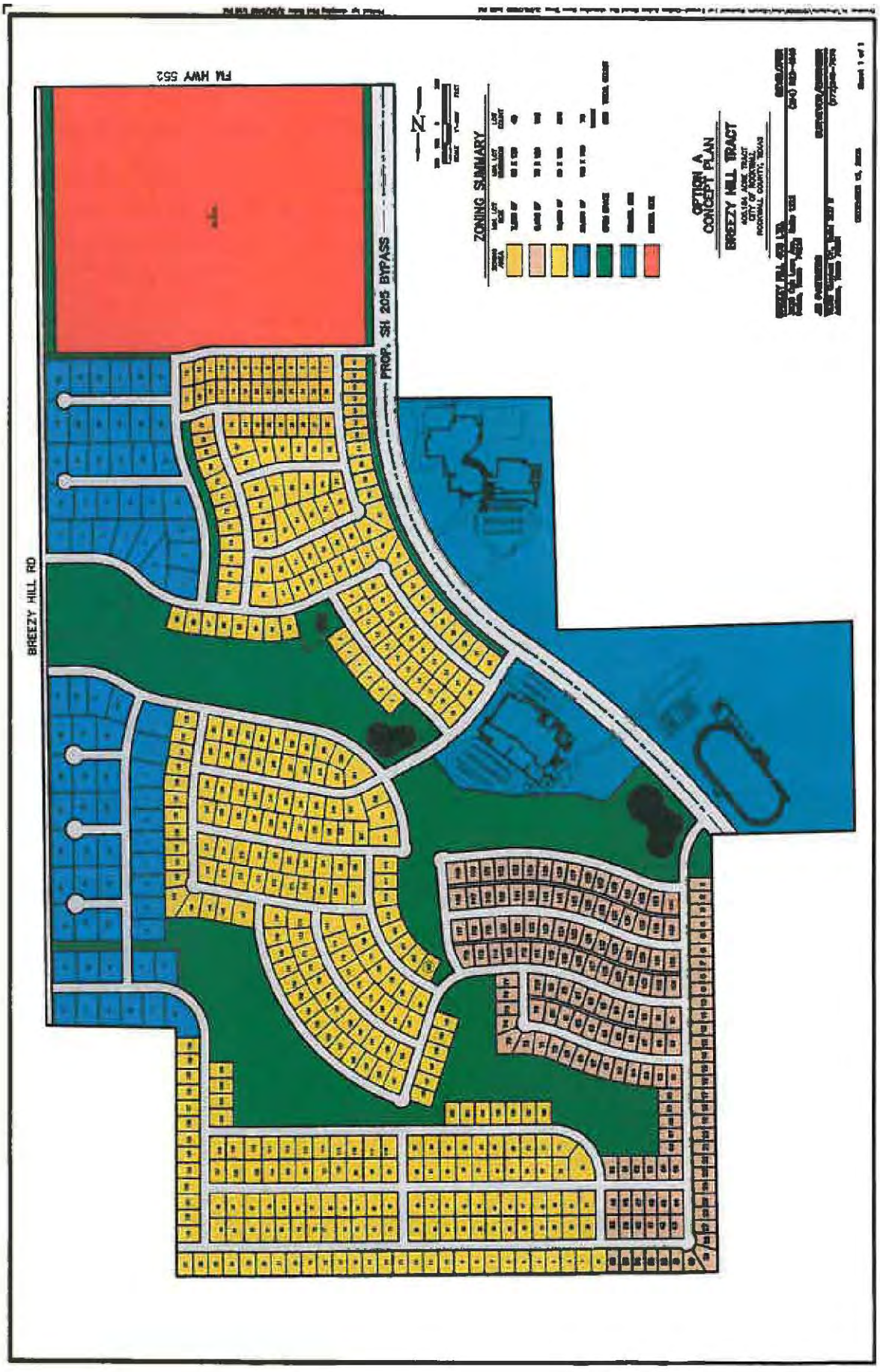
Exhibit 'A': PD Concept Plan (Approved April 20, 2009) [Superseded]



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BREEZY HILL
J. STRICKLAND SURVEY, ABSTRACT NO. 187
T.R. BAILEY SURVEY, ABSTRACT NO. 30
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
OWNERS
BREEZY HILL 405, LTD.
PREPARED BY
CORWIN ENGINEERING, INC.
LEGEND
TYPICAL LOT SIZES
TYPE A - 65' X 120' - 134 LOTS
TYPE B - 70 X 120' - 135 LOTS
TYPE C - 80' X 125 - 326 LOTS
TYPE D - 100' X 200 - 98 LOTS
PUBLIC OPEN SPACE/ LANDSCAPE BUFFER
RURAL STREET SECTION
TYPICAL PAVEMENT SECTION - LAYDOWN CURB
LOCATION MAP
PROJECT LOCATION
RESIDENTIAL OPEN SPACE
Number
Acres
OPEN SPACE CREDITS
Comments
TOTAL
85.3 AC.
TOTAL ACRES 405.184
RETAIL TRACT 58.4 ac.
RESIDENTIAL TRACT 345.8 ac.
TOTAL RESIDENTIAL LOTS 691
RESIDENTIAL DENSITY 1.99
ZONED: PLANNED DEVELOPMENT DISTRICT 74 (PD-74)
BREEZY HILL ROAD
JOHN KING BOULEVARD
FM 552
DONG WON KING VOL. 4703, PG. 1402
Infrastructure Statement
Drainage Facilities
Water Facilities
Roadway Facilities

the City's master plan for water facilities and constructed in accordance with the phasing schedule approved in conjunction with the Developer's master plat application. The Developer shall be eligible for City participation in the costs of over-sizing water distribution mains or appurtenances that serve other land in addition to the Property, in accordance with the City's standard policies, or for collection of pro-rata fees for such facilities. Developer also shall be eligible for credits against, water impact fees otherwise due for construction of improvements identified and included in the City's water improvements plan for impact fees, in accordance with the City's then existing impact fee regulations. Provisions for City participation in oversize costs, rebate of pro rata fees or provision of impact fee credits shall be set forth in a facilities and reimbursement agreement between the' Developer and the City.

c. *Payment of Impact Fees.* Water impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations.

4. *Road Improvements.* The Developer shall make the following road improvements.

a. *John King Boulevard (Highway 205 Bypass).* The Developer shall have no obligation with respect to construction of John King Blvd. other than as outlined herein regarding payment of road impact fees.

b. *FM-552 Improvements.* The Developer shall dedicate rights-of-way for and construct turn lanes and acceleration/deceleration lanes concurrent with construction of any road on the Property that intersects FM 552, in accordance with City and TXDOT standards and specifications at the time of development of adjoining property.

c. *Breezy Hill Road Improvements.* The Developer shall dedicate a minimum of twenty-five feet (25') of right-of-way or such right-of-way as is needed to construct a twenty-four foot (24') concrete rural section of Breezy Hill Road and appurtenances adjacent to the Property, together with a two-foot (2') asphalt or concrete shoulder on either side of the concrete section, the total not to exceed twenty-eight feet (28') in width, from the northern point of Breezy Hill Road adjacent to the Property, to FM-552, as shown on the Development Plan. The Developer also shall dedicate and improve a minimum landscape buffer of ten feet (10') for the residential tract and fifty feet (50') for the retail tract, adjacent to the right-of-way for Breezy Hill Road, designed in accordance with the requirements of a PD District then in effect for a rural collector. The bar ditch that abuts the buffer strip, designed to a maximum slope of 3: 1, shall not encroach into the required ten-foot or fifty-foot buffer area, except to the extent that the buffers exceed ten feet (10') in width. The Developer shall dedicate right-of-way for Breezy Hill Road and the landscape buffer at the time of final plat approval for any lot abutting Breezy Hill Road. Developer shall construct Breezy Hill Road in conjunction with the retail tract that is final platted adjacent to Breezy Hill Road. Breezy Hill Road will be constructed from the northernmost intersection created by any portion of the retail tract being platted, south to FM-552. Developer shall install any

BLS

needed expansion of existing culverts created by such construction or the development, of such retail tract.

d. *Payment of Roadway Impact Fees.* Roadway impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations. Construction costs incurred by Developer for roadway improvements in this Agreement that are included in the City's roadway improvements plan for impact fees shall be credited against roadway impact fees otherwise due, in accordance with the City's impact fee regulations.

5. *Drainage Improvements.* Dedication of rights-of-way for and construction of drainage improvements shall be provided as specified in conditions imposed with approval of the master plat for development within the PD District and in accordance with City standards and specifications.

6. *Parks and Open Space.*

a. The Developer or a property owners association shall maintain public parklands and improvements within the development for a period of three (3) months from the completion and acceptance of the improvements. Thereafter, the City shall assume responsibilities for maintenance. All open space and improvements which are not dedicated as parkland to the City shall be maintained as common areas in perpetuity by the property owners association for the PD District. Additionally, the property owners association shall maintain Developer-installed landscaping areas in public rights-of-way and public drainage ways internal to and adjacent to the Property.

III. GENERAL PROVISIONS

1. Notice on Sale. The Developer shall provide the City with notice of the sale of any tract or parcel within the District that has not been platted at the following address:

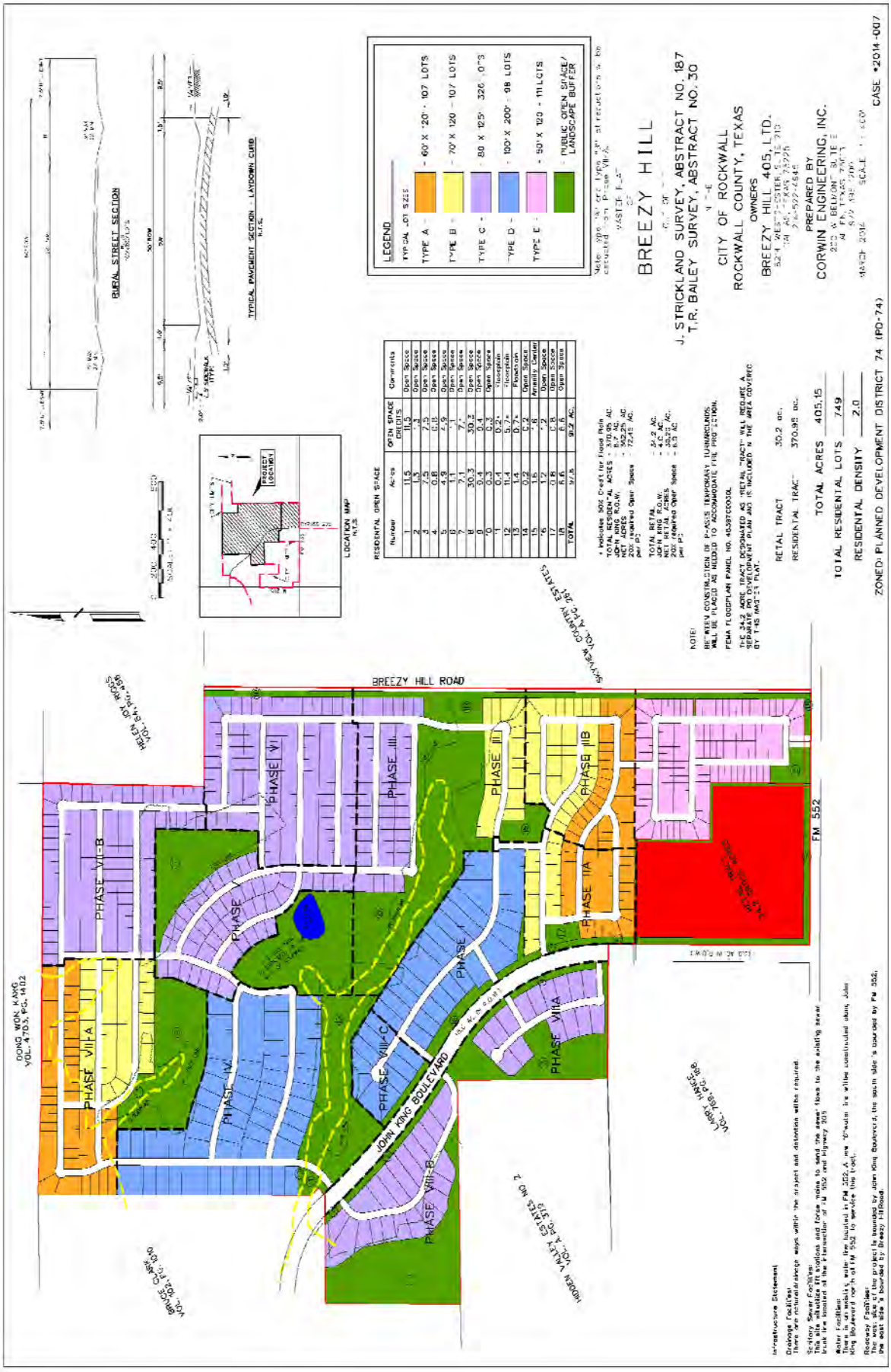
Rockwall City Manager
Rockwall City Hall
385 S. Goliad Street
Rockwall, TX 75087

2. *Recording.* This Agreement is intended to run with the land, and shall be recorded in the Real Property Records, Rockwall County, Texas.

3. *Term of Agreement.* This Agreement shall terminate two (2) years following the City's acceptance of the dedication and construction of the public improvements described herein serving the last phase of development within the PD District, after which the City agrees, upon the request of the Developer to execute a termination of this Agreement in recordable form. Any reimbursements for payment of impact fees shall not expire.

4. *Effective Date.* This Agreement shall take effect upon the date of its execution by the last of the Parties to the Agreement; provided, however, that Breezy shall execute this Agreement no later than five (5) business days following the

Exhibit 'D': PD Concept Plan [Proposed]



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A. GENERAL REQUIREMENTS

1. *Uses Allowed.* The following uses are permitted for the Property.

   a. *Residential uses*. Uses permitted of right or by special use permit for the (SF-10) Single Family Residential District, as set forth in Article IV, Permissible Uses, of the City of Rockwall Unified Development Code, shall be allowed for areas designated as Single-Family on the Concept Plan, subject to approval of a Special Use Permit if required by the SF-10 District Regulations.

   b. *Non-residential uses*. Non-residential uses shall be allowed only within the area designated as Retail on the approved Concept Plan for the District, and are limited to those uses permitted of right or by special use permit for the (GR) General Retail District subject to approval of a PD Development Plan and PD Site Plan in accordance with the Planned Development District regulations, Article X, Section 2 of the Unified Development Code, and subject to approval of a Special Use Permit if required by the GR District Regulations; provided, however, that the following uses are expressly prohibited:

      - ✓ Animal Hospital, Clinic
      - ✓ Convent or Monastery
      - ✓ Hotel or Motel
      - ✓ Hotel, Residence
      - ✓ Cemetery/Mausoleum
      - ✓ Mortuary of Funeral Chapel
      - ✓ Social Service Provider
      - ✓ Billiard Parlor or Pool Hall
      - ✓ Carnival, Circus, or Amusement Ride
      - ✓ Commercial Amusement/Recreation (Outside)
      - ✓ Gun Club, Skeet or Target Range (indoor)
      - ✓ Astrologer, Hypnotist, or Psychic Art and Science
      - ✓ Garden Supply/Plant Nursery
      - ✓ Night Club, Discotheque, or Dance Hall
      - ✓ Secondhand Dealer
      - ✓ Car Wash, Self Service*
      - ✓ Service Station*
      - ✓ Mining and Extraction (Sand, Gravel, Oil & other)
      - ✓ Helipad
      - ✓ Railroad Yard or Shop
      - ✓ Transit Passenger Facility

      * *Not including a convenience store with an accessory car wash use or more than four (4) gas pumps, which accessory uses are permitted by SUP.*

      The following additional use shall be permitted of right in the PD District:

      - ✓ Grocery Store with a maximum building area of one hundred and thirty thousand (130,000) square feet.

   c. *Design of non-residential uses.* The retail area shall be designed to be pedestrian-oriented and easily accessible to adjacent residential neighborhoods. Additionally, the retail area shall be designed and constructed to be integrated with adjacent uses,

not separated from them by screening walls or other physical barriers. This will be accomplished by creating paths from adjacent development into the retail area and through the use of landscaping buffers, building design and other urban design elements to create compatibility with the surrounding residential neighborhood.

d. *Density and lot composition*. If the retail develops in accordance with the attached Concept Plan, no more than ***~~691~~ 749*** single-family residential dwelling units may be constructed within the Property. Except as provided in subsection (e), single-family residential units shall be allocated by product type in accordance with the following table:

Table 1: Lot Composition

LOT TYPE	**LOT SIZE** (MINIMUM)	**LOT SQ. FT.** (MINIMUM) (TOTAL)	**Driveway Access**	**Units** (TOTAL)	**Total Dwelling Units %**
A	60' x 120'	7,200	Front	***~~134~~ 107***	***~~19.4~~ 14.29%***
B	70' x 120'	8,400	Front	***~~133~~ 107***	***~~19.2~~ 14.29%***
C	80' x 125'	10,000	Front	326	***~~47.2~~ 43.52%***
D	100' x 200'	20,000	Front	98	***~~14.2~~ 13.08%***
E	***50' x 120'***	***6,000***	***Front***	***111***	***14.82%***
Average Lot Size		10,000			
MAXIMUM ALLOWED TOTAL UNITS				***~~691~~ 749***	100%

e. *Variation in lot composition.* The allocation of single-family dwellings among lot types may deviate from that in subsection (d), provided that the maximum allowed total dwelling units does not exceed ***~~691~~ 749*** units, the average lot size for the development is not less than 10,000 sq. ft., and the following rules are met:

(1) Lot types "A & B" may increase not more than 5% in aggregate number.
(2) Lot type "C" shall not be decreased below ***~~45%~~ 40%*** of the total ***~~691~~ 749*** lots.
(3) Lot Type "D" shall not be decreased below 98 of the total lots.
(4) Lot Type "E" shall not increase above 111 of the total lots.

2. Development Standards Applicable. Except as may be modified by these Development Standards, residential uses shall be subject to the development standards for a (SF-10) Single Family Residential District, as set forth in Article V, District Development Standards for Section 3.4 of the City of Rockwall Unified Development Code; to the development standards in the 205 Bypass Overlay District; and to all supplemental standards contained in the Unified Development Code, including but not limited to the tree preservation regulations in the Unified Development Code.

B. SPECIAL DEVELOPMENT STANDARDS

1. Dimensional Standards for Residential Uses

Table 2: Lot Type Matrix

Lot Types	**A**	**B**	**C**	**D**	***E***
Maximum Building Height	36'	36'	36'	36'	***36'***
Air Conditioned Square Footage (Minimum)	2,200	2,400	2,600[2]	3,000	***1,800***
Minimum Building Setback: Front Yard	20'	20'	20'	40' [3]	***15'***
Front porch may encroach to within 10' of front property line.	X				***X***
Rear Yard	10'	10'	15'	15'	***10'***
Interior Side Yard	5'	5'	6'	7'	***5'***
Corner (Side) Yard	15'	15'	15'	15'	***15'***
Minimum Distance of driveway from prop. line. (applicable to front entry only)	20'	20'	20'	40'	***20'***
Minimum Lot Area (Square Feet)	7,200	8,400	10,000	20,000	***6,000***
Minimum Lot Frontage[1]	60'	70'	80'	100'	***50'***

Notes:

[1]: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by twenty percent (20%) in lot width measured at the front property line provided that the lot width will be met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to 10 percent (10%) but shall meet the minimum lot size for each lot type as referenced within Table 1.

[2]: A maximum of 20% of the lots may have homes not less than 2,500 sq. ft.

[3]: The Director of Planning or his designee may grant a reduction in the required 40-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 40-foot front yard building setback would create an undue hardship on the property.

2. Development Standards for Residential Uses by Lot (Product) Type

a. Detached Single Family Lot Type A

Minimum Lot Size:	7,200 SF
Minimum Lot Width: @ Front Bldg. Line	60'
Minimum Lot Depth:	110'
Minimum Corner Lot Width:	65'
Side Yard Setback:	5'
Front / Rear Bldg. Line:	20'/10'
Minimum House Size:	2,200 air conditioned sq. ft.
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drive. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'A' lots shall have 3-car garages.
Maximum Lot Coverage:	65%

b. Detached Single Family Lot Type B

Minimum Lot Size:	8,400 SF
Minimum Lot Width: @ Front Bldg. Line	70'
Minimum Lot Depth:	120'
Minimum Corner Lot Width:	75'
Side Yard Setback:	5'
Front / Rear Bldg. Line:	20'/10'
Minimum House Size:	2,400 air conditioned sq. ft.
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drives. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'B' lots shall have 3 car garages.
Maximum Lot Coverage:	65%

c. Detached Single Family Lot Type C

Minimum Lot Size:	10,000 SF
Minimum Lot Width: @ Front Bldg. Line	80'
Minimum Lot Depth:	125'
Minimum Corner Lot Width:	85'
Side Yard Setback:	6'
Front / Rear Bldg. Line:	20'/15'
Minimum House Size:	2600 air conditioned sq. ft.[1]
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Traditional "swing" or "J" drive required. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 80% of Type 'C' lots shall have 3 car garages.
Maximum Lot Coverage:	65%

Notes:

1. A maximum of 20% of the lots may have homes not less than 2,500 sq. ft.

d. Detached Single Family Lot Type D

Minimum Lot Size:	20,000 SF
Minimum Lot Width: @ Front Bldg. Line	100'
Minimum Lot Depth:	175'
Minimum Corner Lot Width:	100'
Side Yard Setback:	7'
Front / Rear Bldg. Line:	40' [1]/15'
Minimum House Size:	3,000 air conditioned sq. ft.
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Traditional "swing" or "J" drive required. Single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. 80% of Type D lots shall have a minimum of 3 car garages.
Maximum Lot Coverage:	70%

Notes:
[1]: The Director of Planning or his designee may grant a reduction in the required 40-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 40-foot front yard building setback would create an undue hardship on the property.

e. Detached Single Family Lot Type E

Minimum Lot Size:	***6,000 SF***
Minimum Lot Width: ***@ Front Bldg. Line***	***50'***
Minimum Lot Depth:	***110'***
Minimum Corner Lot Width:	***55'***
Side Yard Setback:	***5'***
Front / Rear Bldg. Line:	***15'/10'***
Minimum House Size:	***1,800 air conditioned sq. ft.***
Minimum Roof Pitch:	***8:12 except for 4:12 on porch roofs***
Masonry Requirement:	***80% (brick, stone, cultured stone, 3-part stucco)***
Garage Orientation:	***Garages will be allowed to be accessed from the street; however a minimum driveway length of 20-ft must be provided***
Maximum Lot Coverage:	***75%***

3. *Fencing.* All individual residential fencing for lots less than 20,000 square feet shall be cedar standard fencing material (minimum ½" thickness) or better (spruce fencing will not be allowed). All cedar pickets shall be placed on the "public side" facing the street, alley or neighboring property. Lots containing 20,000 sq. ft., lots located along perimeter roadways, and lots abutting open spaces, greenbelts and parks shall be required to install tubular steel fencing. Corner lot fencing (adjacent to the street) shall provide masonry columns at forty-five feet (45') off center spacing that begins at the rear property line corner and terminates ten feet (10') behind the front yard building setback line. A maximum six (6') foot solid board on board "panel" cedar fencing shall be allowed between the masonry columns along the side and/or rear yard lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five feet (5'). The property owner shall maintain that portion of the property outside the fence.
4. *Anti-Monotony Features.* Lot types shall incorporate the following elevation features.

Table 3 : Anti-Monotony Matrix

Lot Type	Lot Size (Approx.)	Elevation Features
A	60' x 120'	***i.,*** ii, iii, ~~***iv***~~
B	70' x 120'	***i.,*** ii, iii, ~~***iv***~~
C	80' x 125'	***i.,*** ii, iii, ~~***iv***~~
D	100' x 200'	***i.,*** ii, iii, ~~***iv***~~
E	***50' 120'***	***i, ii***

i. Exterior facade must be composed of eighty percent (80%) masonry (brick, stone, cultured stone, or three-part stucco). Identical brick blends may not occur to adjacent (side-by-side) properties. Elevations shall not repeat along the fronting or siding streetscape without at least four (4) intervening homes of sufficient dissimilarity (to be determined by the ARC) on the same side of the street and (2) intervening homes on the opposite side of the street). The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least two (2) intervening homes of sufficient dissimilarity (to be determined by the ARC). Masonry (brick, stone, cultured stone, or three-part stucco) chimneys shall be required on all homes.
ii. Minimum of 8:12 roof pitch, except for 4:12 roof pitches on porches. For each phase, a maximum of four compatible roof colors may be used. Dimensional shingles shall be used. Crown molding will be installed in all living and family rooms, unless vaulted or pop-up ceilings are utilized. No Formica counters in kitchens and bathrooms, no blown acoustic ceilings. No vinyl flooring will be used in kitchens.
iii. For front entry driveway access a traditional "swing" or "J" drive will be used. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only.

5. *Streetscape Landscape.* Prior to issuance of a Certificate of Occupancy, yards for all single-family lots in the District shall be landscaped with large canopy trees.

(1) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.
(2) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two additional trees of same caliper shall be planted in the side yard facing the street.
(3) For purposes of this section only, the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

6. *Master Design Guidelines.* Additional design guidelines specific to each phase of development that shall apply to all single-family dwellings units within that phase of development, shall be submitted to the City prior to issuance of any building permits for that portion of the development.

C. STANDARDS FOR DISTRICT DESIGN AND CONNECTIVITY

1. *Streetscape Standards for Collectors & Non-Fronting Thoroughfares.* All streets, excluding drives, fire lanes and private parking areas, shall be built according to City of Rockwall street standards. Sidewalks and Hike / Bike trails are to be placed according to city requirements and as set forth in the Open Space Master Plan for the District.

    a. *Buffer-Strip* and Sidewalks (John King Boulevard Overlay District). The landscape buffer strip along John King Blvd shall be as described in the City of Rockwall Unified Development Code, Article V (District Development Standards), Section 6.10 E (Landscape Standards) and be a minimum width of fifty (50) feet as shown on the Planned Development Concept Plan in Exhibit 'B'. Additionally, the developer shall construct a minimum of a ten (10) foot sidewalk, on both sides of John King Boulevard, within the fifty (50) foot landscape buffer strip as recommended by the John King Boulevard Design Concept Plan located in the Comprehensive Plan of the City of Rockwall.
    b. *Buffer-Strip (FM 552).* A landscape buffer strip with a minimum width of fifteen (15) feet shall be provided along the frontage of FM 552, and shall be landscaped with at least one canopy tree per 30-ft and a combination of berms and shrubbery to be reviewed with the PD Site Plan(s) for the retail tract.
    ~~c.~~ *Buffer-Strip (Breezy Hill) Retail.* The minimum buffer width between the proposed retail area and Breezy Hill Rd shall be fifty (50) feet, and shall include a berm with a minimum height of five (5) feet with at least three (3) canopy trees and four (4) accent trees per 100-ft of frontage. A detail of this landscape buffer shall be approved by the Planning and Zoning Commission and City Council at the time of PD Development Plan for the retail tract.
    d. *Buffer-Strip (Breezy Hill) Residential.* A landscape buffer strip with a minimum width of ten (10) feet shall be provided between any residential area and Breezy Hill Rd.
    e. *Irrigation.* Any irrigation installed in landscape areas and public parks must be designed by a Texas licensed irrigator or landscape architect.
    f. *Fencing.* The Association will maintain all common area and perimeter fencing surrounding the Property. Such perimeter fencing shall be composed of six foot (6') tall tubular steel fencing with masonry entry features or such other fencing as may be approved by the City at the time of platting. Perimeter screening may also be accomplished by earthen berms landscaped with living screening. Property owners will maintain all fences constructed on private property.
    g. *Curvilinear Walks.* Walks are to be a minimum of five feet (5') wide to six feet (6') maximum width (hike and bike trail) consistent with the approved Open Space Master Plan. "Collector streets" with or without center medians may incorporate sidewalks six feet (6') in width adjacent to or within "front yard" landscape easements. Walks may meander within parkway and common area; however, edge of walk shall be no closer than four feet (4') from back-of-curb.
    h. *Medians.* Any proposed median openings shall meet the City standards at the time of PD site plan approval.

2. *Lighting.* Light poles shall not exceed twenty feet (20') in height. All light fixtures shall direct light downward and be contained to the site.

3. *Sidewalks.* At a minimum, sidewalks located on lay down curb section streets shall begin four feet (4') behind the back of curb and be five feet (5') in overall width. Sidewalks will not be required on rural street sections.
4. Curbing. Within certain lot types "A, B, & C" "roll up, lay down curbing" may be incorporated in an effort to minimize frequent curb cuts and maximize streetscape continuity, as approved by the City of Rockwall (Engineering Department) with approval of the final plat application.
5. *Buried Utilities.* New distribution power-lines required to serve the Property shall be placed underground, whether such lines are located internally or along the perimeter of the Property, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (3 phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the Property, except along the 205 Bypass. Additionally, if such above ground lines are installed along the perimeter of the property and adjacent to non-residential use, then the lines shall be installed behind the non-residential buildings where the installation is possible. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the Property. Temporary power-lines constructed across undeveloped portions of the Property to facilitate development phasing and looping may be allowed above ground, but shall not be considered "existing lines" at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph.
6. *Parks and Open Space.*
    a. Residential and retail acreages (net of right-of-way dedication) shall contain no less than 20% open space and.
    b. Allowable open space may include but is not limited to 50% of floodplain, amenity center, public or private parks, trails, natural areas, buffers, traffic circle medians, entry features, common areas (including any Association recreation center or similar facilities) and other features depicted on the Development Plan, as set forth in the Open Space Master Plan prepared in accordance with subparagraph (c) below. Street right of way will not be included as open space. At least 80% of the single-family dwellings within the development shall be located within eight hundred feet (800') of public or private open space. In order to qualify, such open space must be at least one (1) continuous acre in area, not including roadway buffers less than fifty (50') feet in width.
    c. The Developer shall prepare the Open Space Master Plan to be consistent with the approved Development Plan. The purpose of an Open Space Master Plan is to supplement the Development Plan by providing an additional level of detail for public and private open space areas. The Open Space Master Plan shall identify the locations of and improvements to public parks, and other public and private open space or common areas and shall illustrate an integral system of trail improvements that, together with intervening land held by other property owners or the City, is designed to connect residential areas, schools and retail areas within the District to parks and open space within the District and that provides for continuation and connection of the trail system to off-site parks and open space, in accordance with the City's Master Park and Recreation Plan. The Open Space Master Plan shall clearly differentiate public parks from private facilities and common lands to be maintained by the Association. The locations of public parks, school sites and other public and private open space or common areas shown on the Open Space Master Plan shall be in conformance with the Development Plan. The Open Space Master Plan shall include a phasing plan for construction of all trails, parks, common open space and facilities. The Open Space Master Plan shall be considered for approval if

it complies with this section, the applicable City regulations, the Development Plan, and generally accepted park-planning practices.

d. The District shall contain not less than eleven (11) acres of land to be used as public or private parkland. A minimum of eleven (11) contiguous acres shall be dedicated to the City in accordance with the City's Neighborhood Parkland Dedication Ordinance on approval of the final plats for those phases adjacent to or abutting the proposed parkland dedication and will provide access to said parkland area. The remaining parkland area will be retained as a private park within the District. Park improvements shall be constructed in accordance with the approved Open Space Master Plan. The site plan incorporating the design of park improvements and hike/bike trail improvements shall be considered for approval with the final plat for the phase of the development containing such improvements. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's Neighborhood Parkland Dedication Ordinance regarding land dedication. At the time of recordation of final plats for each phase, the Developer shall pay park improvement fees to the City. These fees shall be held in an escrow account until the parkland is dedicated to the City, at which time the Developer shall inform the City if the Developer wishes to use the escrowed fees as well as future fees to construct park improvements. Prior to construction, said improvements shall be approved by Parks Director, approval not to be unreasonably withheld, and invoices for improvements shall be submitted to Parks Director for approval. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's Neighborhood Parkland Dedication Ordinance regarding park development fees, provided that park improvements are installed at a value equal or exceeding the value of park improvement fees for the entire District applicable at that time, or improvement fees are paid. Thereafter, the Developer shall not be responsible for additional parkland dedication or park development fees associated with the Property, except as otherwise may be provided in a capital facilities agreement approved by the City.

7. Developer shall provide a minimum of one (1) retention pond in the District with hard edges and fountain features. The exact configuration and location of the ponds will be determined at development. All retention pond hardedges shall be similar to the hardedge shown on Figure 1 (below).



Figure 1: *Retention Pond with Hardedge.*

8. *Signage.* Permanent subdivision identification signage shall be permitted at all major entry points, in general conformance to the signage shown in Figure 2 & 3 (below). Final design of entry features to be determined with the Planned Development Site Plan.

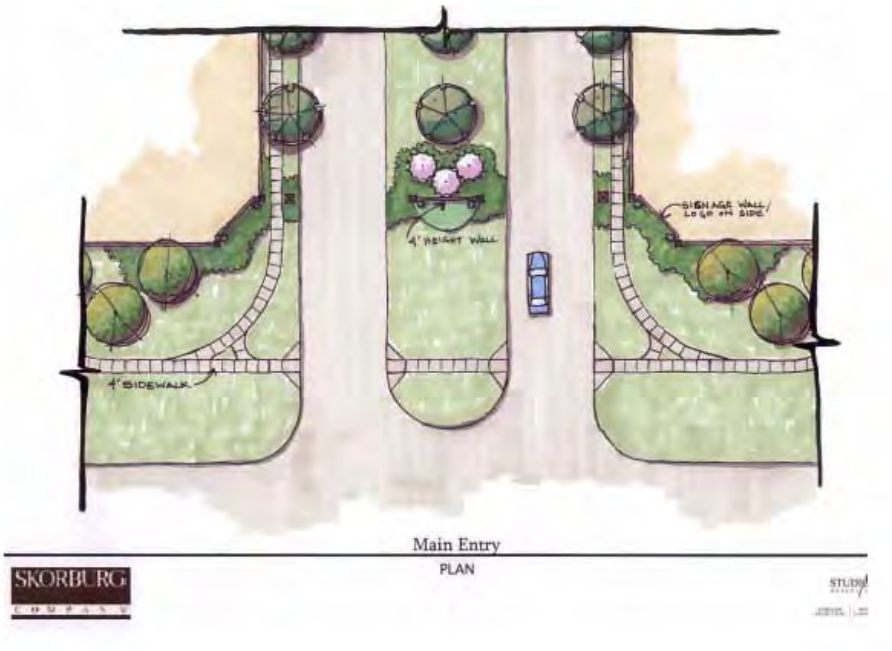

Figure 2: *Example of Subdivision Signage Locations*

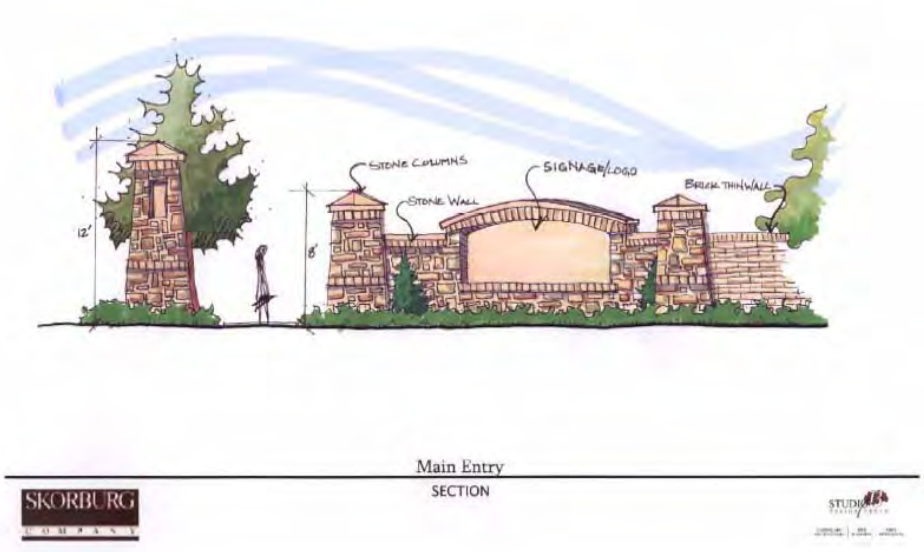

Figure 3: *Example of Subdivision Signage Design Standard*

9. *Variances.* The variance procedures and standards for approval set forth in the Unified Development Code shall apply to any application for variances to this ordinance.
10. *Amenity Center.* Site plan, landscape plan and building elevations for the Amenity Center shall be approved by the Planning and Zoning Commission prior to construction.

11. *Trees.* All trees planted within the District shall be a minimum three (3) inch caliper measured six (6) inches above the root ball.

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 74 (PD-74) [*ORDINANCE NO. 12-26*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE PLANNED DEVELOPMENT CONCEPT PLAN AND THE DEVELOPMENT STANDARDS APPROVED WITH ORDINANCE NO. 12-26, BEING A 405.184-ACRE TRACT OF LAND SITUATED IN THE J. STRICKLAND SURVEY, ABSTRACT NO. 187, T. R. BAILEY SURVEY, ABSTRACT NO. 30 AND THE J. SIMMONS SURVEY, ABSTRACT NO. 190, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE..

WHEREAS, the City has received a request by the Darren Cain of the Skorburg Company on behalf of Breezy Hill 405, LTD for an amendment to the Planned Development Concept Plan and Development Standards contained within Planned Development District 74 (PD-74) [specifically contained within *Ordinance No. 12-26*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, for a 405.184-acre tract of land situated in the J. Strickland Survey, Abstract No. 187, T. R. Bailey Survey, Abstract No. 30 and the J. Simmons Survey, Abstract No. 190, Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 74 [*Ordinance No. 12-26*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by Planned Development District 74 (PD-74) [*Ordinance No. 12-26*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 2. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 4. That a master parks and open space plan for the Property, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan*, (*Open Space Master Plan*) shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

Section 5.

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(f) below*), shall be the exclusive procedures applicable to the subdivision and platting of the Property.

(b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in Section 212.009 of the Texas Local Government Code.

1. Open Space Master Plan
2. Master plat
3. PD development plans (*required for retail areas only*)
4. PD site plans
5. Preliminary plats
6. Final plats

(c) A master plat application covering all of the Property, other than the area designated on the *Planned Development Concept Plan* as *Retail*, shall be submitted and shall identify each phase of development. No master plat application shall be approved until the *Open Space Master Plan* for all of the Property has been approved; however, the *Open Space Master Plan* may be processed by the City concurrently with the master plat application.

(d) A *PD Development Plan* must be approved for the area designated on the Concept Plan as *Retail* prior to submittal of a *PD Site Plan* application and/or a preliminary plat application. No master plat is required for the area designated on the Concept Plan as *Retail*. A traffic impact analysis for the retail tract shall be submitted with the *PD Development Plan* to determine the extent and timing of any recommended facilities and/or improvements to the surrounding roadway network. The traffic impact analysis may be updated with each *PD Site Plan* for the retail tract.

(e) A preliminary plat application shall be submitted for each phase of residential development. A *PD Site* Plan application, including a site plan application for improvements for parkland or trails, may be processed by the City concurrently with a preliminary plat application for that phase of the development.

(f) A *Capital Facilities Agreement* in the form of *Exhibit 'D',* attached hereto and incorporated herein by reference as *Exhibit 'D',* shall be executed by Developer providing for delivery of adequate public facilities and services within the District.

Section 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 9. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 5TH DAY OF MAY, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *April 21, 2014*

2nd Reading: *May 5, 2014*

Exhibit 'A':
Legal Description

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN PARTS OF THE J. STRICKLAND SURVEY, ABSTRACT NUMBER 187, T. R. BAILEY SURVEY, ABSTRACT NUMBER 30 AND THE J. SIMMONS SURVEY, ABSTRACT NUMBER 190 OF ROCKWALL COUNTY, AND BEING THAT TRACT OF LAND CONVEYED TO W.W. CARUTH, JR. ACCORDING TO THE DOCUMENT FILED OF RECORD IN VOLUME 66, PAGE 493, DEED RECORDS OF ROCKWALL COUNTY, TEXAS (D.R.R.C.T.) ALSO A PORTION OF THE J. STRICKLAND SURVEY, ABSTRACT 794•3 LYING IN COLLIN COUNTY, TEXAS, THAT TRACT OF LAND CONVEYED TO MABEL CARUTH ACCORDING TO THE FILE OF RECORD IN COUNTY CLERK FILE NUMBER 92-0054539 OF COLLIN COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND AT THE BASE OF A CORNER POST, SAID IRON ROD BEING THE SOUTHWEST CORNER OF A 1RACT OF LAND DESCRIBED IN DEED TO DONG WON KANG RECORDED IN VOLUME 4703, PAGE 1402, D.R.R.C.T., AND SAME (BEING THE SOUTHEAST CORNER OF SAID TRACT "ONE" AS SHOWN HEREON;

THENCE NORTH 89°21'28" EAST, A DISTANCE OF 2077.92 FEET TO A 1/2" IRON ROD FOUND FOR A CORNER OF THIS TRACT;

THENCE SOUTH 00°01'37" EAST, GENERALLY ALONG THE CENTER OF A GRAVEL ROAD, A DISTANCE OF 1274.60 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH 89°19'07" EAST, GENERALLY ALONG THE CENTER OF A GRAVEL ROAD, A DISTANCE OF 686.18 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH 00'42'37" EAST, ALONG THE CENTER OF BREEZY HILLS ROAD, A DISTANCE OF 4777.93 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER IN THE NORTH LINE OF F.M. HIGHWAY 552, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 89°20'36" WEST, ALONG THE NORTH LINE OF SAID F.M. HIGHWAY, A DISTANCE OF 1887.13 FEET, TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER IN A ENTRYWAY OF A RANCH ROAD, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 00°31'43" WEST, GENERALLY ALONG THE CENTER OF SAID RANCH ROAD, PASSING AT A DISTANCE OF 10.00 FEET A 1/2" IRON ROD FOUND ON THE WEST LINE OF THIS TRACT AND CONTINUING A TOTAL DISTANCE OF J593.55 FEET TO A S/S" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH S9°15'47" WEST, A DISTANCE OF S03.29 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 01"31'06" WEST, A DISTANCE OF 1189.10 FEET TO A 5/8" IRON ROD FOUND AT THE BASE OF A CORNER POST, FOR A CORNER OF THIS TRACT;

THENCE SOUTH 88°05'58" WEST, A DISTANCE OF 1546.66 FEET TO A 3/8" IRON ROD

FOUND FOR A CORNER OF THIS TRACT;

THENCE NORTH 00°47'14" WEST, A DISTANCE OF 1067.53 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 88°33'50" E, A DISTANCE OF 748.00 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 00°45'11" W, A DISTANCE OF 2243.67 FEET TO A 5/S" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 89°21'28" E, A DISTANCE OF 754.93 FEET TO THE POINT OF BEGINNING, AND CONTAINING 405.184 ACRES OF LAND, MORE OR LESS.

Exhibit 'B':
Concept Plan

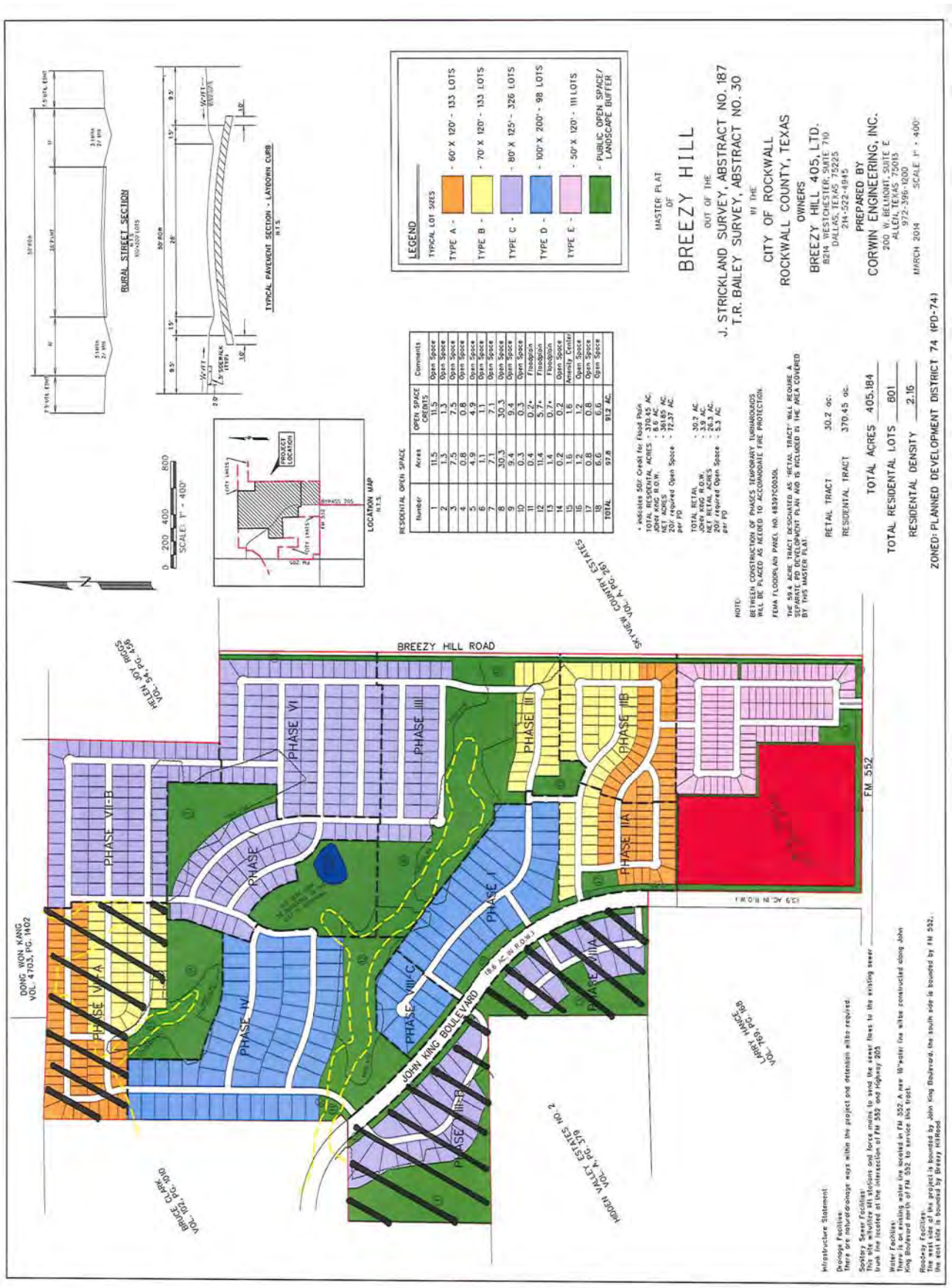

Exhibit 'C':
PD Development Standards

A. GENERAL REQUIREMENTS

1. *Uses Allowed.* The following uses are permitted for the Property.

   a. *Residential uses*. Uses permitted of right or by special use permit for the (SF-10) Single Family Residential District, as set forth in Article IV, Permissible Uses, of the City of Rockwall Unified Development Code, shall be allowed for areas designated as Single-Family on the Concept Plan, subject to approval of a Special Use Permit if required by the SF-10 District Regulations.

   b. *Non-residential uses*. Non-residential uses shall be allowed only within the area designated as Retail on the approved Concept Plan for the District, and are limited to those uses permitted of right or by special use permit for the (GR) General Retail District subject to approval of a PD Development Plan and PD Site Plan in accordance with the Planned Development District regulations, Article X, Section 2 of the Unified Development Code, and subject to approval of a Special Use Permit if required by the GR District Regulations; provided, however, that the following uses are expressly prohibited:

   - ✓ Animal Hospital, Clinic
   - ✓ Convent or Monastery
   - ✓ Hotel or Motel
   - ✓ Hotel, Residence
   - ✓ Cemetery/Mausoleum
   - ✓ Mortuary of Funeral Chapel
   - ✓ Social Service Provider
   - ✓ Billiard Parlor or Pool Hall
   - ✓ Carnival, Circus, or Amusement Ride
   - ✓ Commercial Amusement/Recreation (Outside)
   - ✓ Gun Club, Skeet or Target Range (indoor)
   - ✓ Astrologer, Hypnotist, or Psychic Art and Science
   - ✓ Garden Supply/Plant Nursery
   - ✓ Night Club, Discotheque, or Dance Hall
   - ✓ Secondhand Dealer
   - ✓ Car Wash, Self Service*
   - ✓ Service Station*
   - ✓ Mining and Extraction (Sand, Gravel, Oil & other)
   - ✓ Helipad
   - ✓ Railroad Yard or Shop
   - ✓ Transit Passenger Facility

   * *Not including a convenience store with an accessory car wash use or more than four (4) gas pumps, which accessory uses are permitted by SUP.*

   The following additional use shall be permitted of right in the PD District:

   - ✓ Grocery Store with a maximum building area of one hundred and thirty thousand (130,000) square feet.

   c. *Design of non-residential uses.* The retail area shall be designed to be pedestrian-oriented and easily accessible to adjacent residential neighborhoods. Additionally, the

retail area shall be designed and constructed to be integrated with adjacent uses, not separated from them by screening walls or other physical barriers. This will be accomplished by creating paths from adjacent development into the retail area and through the use of landscaping buffers, building design and other urban design elements to create compatibility with the surrounding residential neighborhood.

d. *Density and lot composition*. If the retail develops in accordance with the attached Concept Plan, no more than ~~***691***~~ ***749*** single-family residential dwelling units may be constructed within the Property. Except as provided in subsection (e), single-family residential units shall be allocated by product type in accordance with the following table:

Table 1: Lot Composition

LOT TYPE	**LOT SIZE** (MINIMUM)	**LOT SQ. FT.** (MINIMUM) (TOTAL)	**Driveway Access**	**Units** (TOTAL)	**Total Dwelling Units %**
A	60' x 120'	7,200	Front	~~***134***~~ ***107***	~~***19.4***~~ ***14.29%***
B	70' x 120'	8,400	Front	~~***133***~~ ***107***	~~***19.2***~~ ***14.29%***
C	80' x 125'	10,000	Front	326	~~***47.2***~~ ***43.52%***
D	100' x 200'	20,000	Front	98	~~***14.2***~~ ***13.08%***
E	***50' x 120'***	***6,000***	***Front***	***111***	***14.82%***
Average Lot Size		10,000			
MAXIMUM ALLOWED TOTAL UNITS				~~***691***~~ ***749***	100%

e. *Variation in lot composition.* The allocation of single-family dwellings among lot types may deviate from that in subsection (d), provided that the maximum allowed total dwelling units does not exceed ~~***691***~~ ***749*** units, the average lot size for the development is not less than 10,000 sq. ft., and the following rules are met:

(1) Lot types "A & B" may increase not more than 5% in aggregate number.
(2) Lot type "C" shall not be decreased below ~~***45%***~~ ***40%*** of the total ~~***691***~~ ***749*** lots.
(3) Lot Type "D" shall not be decreased below 98 of the total lots.
(4) Lot Type "E" shall not increase above 111 of the total lots.

2. Development Standards Applicable. Except as may be modified by these Development Standards, residential uses shall be subject to the development standards for a (SF-10) Single Family Residential District, as set forth in Article V, District Development Standards for Section 3.4 of the City of Rockwall Unified Development Code; to the development standards in the 205 Bypass Overlay District; and to all supplemental standards contained in the Unified Development Code, including but not limited to the tree preservation regulations in the Unified Development Code.

B. SPECIAL DEVELOPMENT STANDARDS

1. Dimensional Standards for Residential Uses

Table 2: Lot Type Matrix

Lot Types	A	B	C	D	E
Maximum Building Height	36'	36'	36'	36'	**36'**
Air Conditioned Square Footage (Minimum)	2,200	2,400	2,600***	3,000	**1,800**
Minimum Building Setback: Front Yard	20'	20'	20'	40' [3]	**15'**
Front porch may encroach to within 10' of front property line.	X				**X**
Rear Yard	10'	10'	15'	15'	**10'**
Interior Side Yard	5'	5'	6'	7'	**5'**
Corner (Side) Yard	15'	15'	15'	15'	**15'**
Minimum Distance of driveway from prop. line. (applicable to front entry only)	20'	20'	20'	40'	**20'**
Minimum Lot Area (Square Feet)	7,200	8,400	10,000	20,000	**6,000**
Minimum Lot Frontage[1]	60'	70'	80'	100'	**50'**

Notes:

[1]: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by twenty percent (20%) in lot width measured at the front property line provided that the lot width will be met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to 10 percent (10%) but shall meet the minimum lot size for each lot type as referenced within Table 1.

[2]: A maximum of 20% of the lots may have homes not less than 2,500 sq. ft.

[3]: The Director of Planning or his designee may grant a reduction in the required 40-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 40-foot front yard building setback would create an undue hardship on the property.

2. Development Standards for Residential Uses by Lot (Product) Type

a. Detached Single Family Lot Type A

Minimum Lot Size:	7,200 SF
Minimum Lot Width: @ Front Bldg. Line	60'
Minimum Lot Depth:	110'
Minimum Corner Lot Width:	65'
Side Yard Setback:	5'
Front / Rear Bldg. Line:	20'/10'
Minimum House Size:	2,200 air conditioned sq. ft.
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drive. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'A' lots shall have 3-car garages.
Maximum Lot Coverage:	65%

b. Detached Single Family Lot Type B

Minimum Lot Size:	8,400 SF
Minimum Lot Width: @ Front Bldg. Line	70'
Minimum Lot Depth:	120'
Minimum Corner Lot Width:	75'
Side Yard Setback:	5'
Front / Rear Bldg. Line:	20'/10'
Minimum House Size:	2,400 air conditioned sq. ft.
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drives. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'B' lots shall have 3 car garages.
Maximum Lot Coverage:	65%

c. Detached Single Family Lot Type C

Minimum Lot Size:	10,000 SF
Minimum Lot Width: @ Front Bldg. Line	80'
Minimum Lot Depth:	125'
Minimum Corner Lot Width:	85'
Side Yard Setback:	6'
Front / Rear Bldg. Line:	20'/15'
Minimum House Size:	2600 air conditioned sq. ft.[1]
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Traditional "swing" or "J" drive required. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 80% of Type 'C' lots shall have 3 car garages.
Maximum Lot Coverage:	65%

Notes:
[1]: A maximum of 20% of the lots may have homes not less than 2,500 sq. ft.

d. Detached Single Family Lot Type D

Minimum Lot Size:	20,000 SF
Minimum Lot Width: @ Front Bldg. Line	100'
Minimum Lot Depth:	175'
Minimum Corner Lot Width:	100'
Side Yard Setback:	7'
Front / Rear Bldg. Line:	40' [1]/15'
Minimum House Size:	3,000 air conditioned sq. ft.
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Traditional "swing" or "J" drive required. Single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. 80% of Type D lots shall have a minimum of 3 car garages.
Maximum Lot Coverage:	70%

Notes:
[3]: The Director of Planning or his designee may grant a reduction in the required 40-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 40-foot front yard building setback would create an undue hardship on the property.

e. ***Detached Single Family Lot Type E***

Minimum Lot Size: 6,000 SF

Minimum Lot Width:
@ Front Bldg. Line 50'

Minimum Lot Depth: 110'

Minimum Corner Lot Width: 55'

Side Yard Setback: 5'

Front / Rear Bldg. Line: 15'/10'

Minimum House Size: 1,800 air conditioned sq. ft.

Minimum Roof Pitch: 8:12 except for 4:12 on porch roofs

Masonry Requirement: 80% (brick, stone, cultured stone, 3-part stucco)

Garage Orientation: Garages will be allowed to be accessed from the street; however a minimum driveway length of 20-ft must be provided

Maximum Lot Coverage: 75%

3. *Fencing.* All individual residential fencing for lots less than 20,000 square feet shall be cedar standard fencing material (minimum ½" thickness) or better (spruce fencing will not be allowed). All cedar pickets shall be placed on the "public side" facing the street, alley or neighboring property. Lots containing 20,000 sq. ft., lots located along perimeter roadways, and lots abutting open spaces, greenbelts and parks shall be required to install tubular steel fencing. Corner lot fencing (adjacent to the street) shall provide masonry columns at forty-five feet (45') off center spacing that begins at the rear property line corner and terminates ten feet (10') behind the front yard building setback line. A maximum six (6') foot solid board on board "panel" cedar fencing shall be allowed between the masonry columns along the side and/or rear yard lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five feet (5'). The property owner shall maintain that portion of the property outside the fence.
4. *Anti-Monotony Features.* Lot types shall incorporate the following elevation features.

Table 3 : Anti-Monotony Matrix

Lot Type	Lot Size (Approx.)	Elevation Features
A	60' x 120'	***i.,*** ii, iii, ~~***iv***~~
B	70' x 120'	***i.,*** ii, iii, ~~***iv***~~
C	80' x 125'	***i.,*** ii, iii, ~~***iv***~~
D	100' x 200'	***i.,*** ii, iii, ~~***iv***~~
E	***50' 120'***	***ii, iii***

i. Exterior facade must be composed of eighty percent (80%) masonry (brick, stone, cultured stone, or three-part stucco). Identical brick blends may not occur to adjacent (side-by-side) properties. Elevations shall not repeat along the fronting or siding streetscape without at least four (4) intervening homes of sufficient dissimilarity (to be determined by the ARC) on the same side of the street and (2) intervening homes on the opposite side of the street). The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least two (2) intervening homes of sufficient dissimilarity (to be determined by the ARC). Masonry (brick, stone, cultured stone, or three-part stucco) chimneys shall be required on all homes.

ii. Minimum of 8:12 roof pitch, except for 4:12 roof pitches on porches. For each phase, a maximum of four compatible roof colors may be used. Dimensional shingles shall be used. Crown molding will be installed in all living and family rooms, unless vaulted or pop-up ceilings are utilized. No Formica counters in kitchens and bathrooms, no blown acoustic ceilings. No vinyl flooring will be used in kitchens.

iii. For front entry driveway access a traditional "swing" or "J" drive will be used. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only.

5. *Streetscape Landscape.* Prior to issuance of a Certificate of Occupancy, yards for all single-family lots in the District shall be landscaped with large canopy trees.

(1) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.

(2) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two additional trees of same caliper shall be planted in the side yard facing the street.

(3) For purposes of this section only, the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

6. *Master Design Guidelines.* Additional design guidelines specific to each phase of development that shall apply to all single-family dwellings units within that phase of development, shall be submitted to the City prior to issuance of any building permits for that portion of the development.

C. STANDARDS FOR DISTRICT DESIGN AND CONNECTIVITY

1. *Streetscape Standards for Collectors & Non-Fronting Thoroughfares.* All streets, excluding drives, fire lanes and private parking areas, shall be built according to City of Rockwall street standards. Sidewalks and Hike / Bike trails are to be placed according to city requirements and as set forth in the Open Space Master Plan for the District.

   a. *Buffer-Strip* and Sidewalks (John King Boulevard Overlay District). The landscape buffer strip along John King Blvd shall be as described in the City of Rockwall Unified Development Code, Article V (District Development Standards), Section 6.10 E (Landscape Standards) and be a minimum width of fifty (50) feet as shown on the Planned Development Concept Plan in Exhibit 'B'. Additionally, the developer shall construct a minimum of a ten (10) foot sidewalk, on both sides of John King Boulevard, within the fifty (50) foot landscape buffer strip as recommended by the John King Boulevard Design Concept Plan located in the Comprehensive Plan of the City of Rockwall.

   b. *Buffer-Strip (FM 552).* A landscape buffer strip with a minimum width of fifteen (15) feet shall be provided along the frontage of FM 552, and shall be landscaped with at least one canopy tree per 30-ft and a combination of berms and shrubbery to be reviewed with the PD Site Plan(s) for the retail tract.

   ~~c.~~ *Buffer-Strip (Breezy Hill) Retail.* The minimum buffer width between the proposed retail area and Breezy Hill Rd shall be fifty (50) feet, and shall include a berm with a minimum height of five (5) feet with at least three (3) canopy trees and four (4) accent trees per 100-ft of frontage. A detail of this landscape buffer shall be approved by the Planning and Zoning Commission and City Council at the time of PD Development Plan for the retail tract.

   d. *Buffer-Strip (Breezy Hill) Residential.* A landscape buffer strip with a minimum width of ten (10) feet shall be provided between any residential area and Breezy Hill Rd.

   e. *Irrigation.* Any irrigation installed in landscape areas and public parks must be designed by a Texas licensed irrigator or landscape architect.

   f. *Fencing.* The Association will maintain all common area and perimeter fencing surrounding the Property. Such perimeter fencing shall be composed of six foot (6') tall tubular steel fencing with masonry entry features or such other fencing as may be approved by the City at the time of platting. Perimeter screening may also be accomplished by earthen berms landscaped with living screening. Property owners will maintain all fences constructed on private property.

   g. *Curvilinear Walks.* Walks are to be a minimum of five feet (5') wide to six feet (6') maximum width (hike and bike trail) consistent with the approved Open Space Master Plan. "Collector streets" with or without center medians may incorporate sidewalks six feet (6') in width adjacent to or within "front yard" landscape easements. Walks may meander within parkway and common area; however, edge of walk shall be no closer than four feet (4') from back-of-curb.

   h. *Medians.* Any proposed median openings shall meet the City standards at the time of PD site plan approval.

2. *Lighting.* Light poles shall not exceed twenty feet (20') in height. All light fixtures shall direct light downward and be contained to the site.
3. *Sidewalks.* At a minimum, sidewalks located on lay down curb section streets shall begin four feet (4') behind the back of curb and be five feet (5') in overall width. Sidewalks will not be required on rural street sections.
4. Curbing. Within certain lot types "A, B, & C" "roll up, lay down curbing" may be incorporated in an effort to minimize frequent curb cuts and maximize streetscape continuity, as approved by the City of Rockwall (Engineering Department) with approval of the final plat application.
5. *Buried Utilities.* New distribution power-lines required to serve the Property shall be placed underground, whether such lines are located internally or along the perimeter of the Property, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (3 phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the Property, except along the 205 Bypass. Additionally, if such above ground lines are installed along the perimeter of the property and adjacent to non-residential use, then the lines shall be installed behind the non-residential buildings where the installation is possible. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the Property. Temporary power-lines constructed across undeveloped portions of the Property to facilitate development phasing and looping may be allowed above ground, but shall not be considered "existing lines" at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph.
6. *Parks and Open Space.*
    a. Residential and retail acreages (net of right-of-way dedication) shall contain no less than 20% open space and.
    b. Allowable open space may include but is not limited to 50% of floodplain, amenity center, public or private parks, trails, natural areas, buffers, traffic circle medians, entry features, common areas (including any Association recreation center or similar facilities) and other features depicted on the Development Plan, as set forth in the Open Space Master Plan prepared in accordance with subparagraph (c) below. Street right of way will not be included as open space. At least 80% of the single-family dwellings within the development shall be located within eight hundred feet (800') of public or private open space. In order to qualify, such open space must be at least one (1) continuous acre in area, not including roadway buffers less than fifty (50') feet in width.
    c. The Developer shall prepare the Open Space Master Plan to be consistent with the approved Development Plan. The purpose of an Open Space Master Plan is to supplement the Development Plan by providing an additional level of detail for public and private open space areas. The Open Space Master Plan shall identify the locations of and improvements to public parks, and other public and private open space or common areas and shall illustrate an integral system of trail improvements that, together with intervening land held by other property owners or the City, is designed to connect residential areas, schools and retail areas within the District to parks and open space within the District and that provides for continuation and connection of the trail system to off-site parks and open space, in accordance with the City's Master Park and Recreation Plan. The Open Space Master Plan shall clearly differentiate public parks from private facilities and common lands to be maintained by the Association. The locations of public parks, school sites and other public and private open space or common areas shown on the Open Space Master Plan shall be in conformance with the Development Plan. The Open Space Master Plan shall include a phasing plan for construction of all trails, parks, common open space and facilities. The Open Space

Master Plan shall be considered for approval if it complies with this section, the applicable City regulations, the Development Plan, and generally accepted park-planning practices.

d. The District shall contain not less than eleven (11) acres of land to be used as public or private parkland. A minimum of eleven (11) contiguous acres shall be dedicated to the City in accordance with the City's Neighborhood Parkland Dedication Ordinance on approval of the final plats for those phases adjacent to or abutting the proposed parkland dedication and will provide access to said parkland area. The remaining parkland area will be retained as a private park within the District. Park improvements shall be constructed in accordance with the approved Open Space Master Plan. The site plan incorporating the design of park improvements and hike/bike trail improvements shall be considered for approval with the final plat for the phase of the development containing such improvements. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's Neighborhood Parkland Dedication Ordinance regarding land dedication. At the time of recordation of final plats for each phase, the Developer shall pay park improvement fees to the City. These fees shall be held in an escrow account until the parkland is dedicated to the City, at which time the Developer shall inform the City if the Developer wishes to use the escrowed fees as well as future fees to construct park improvements. Prior to construction, said improvements shall be approved by Parks Director, approval not to be unreasonably withheld, and invoices for improvements shall be submitted to Parks Director for approval. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's Neighborhood Parkland Dedication Ordinance regarding park development fees, provided that park improvements are installed at a value equal or exceeding the value of park improvement fees for the entire District applicable at that time, or improvement fees are paid. Thereafter, the Developer shall not be responsible for additional parkland dedication or park development fees associated with the Property, except as otherwise may be provided in a capital facilities agreement approved by the City.

7. Developer shall provide a minimum of one (1) retention pond in the District with hard edges and fountain features. The exact configuration and location of the ponds will be determined at development. All retention pond hardedges shall be similar to the hardedge shown on Figure 1 (below).



Figure 1: *Retention Pond with Hardedge.*

8. *Signage.* Permanent subdivision identification signage shall be permitted at all major entry points, in general conformance to the signage shown in Figure 2 & 3 (below). Final design of entry features to be determined with the Planned Development Site Plan.

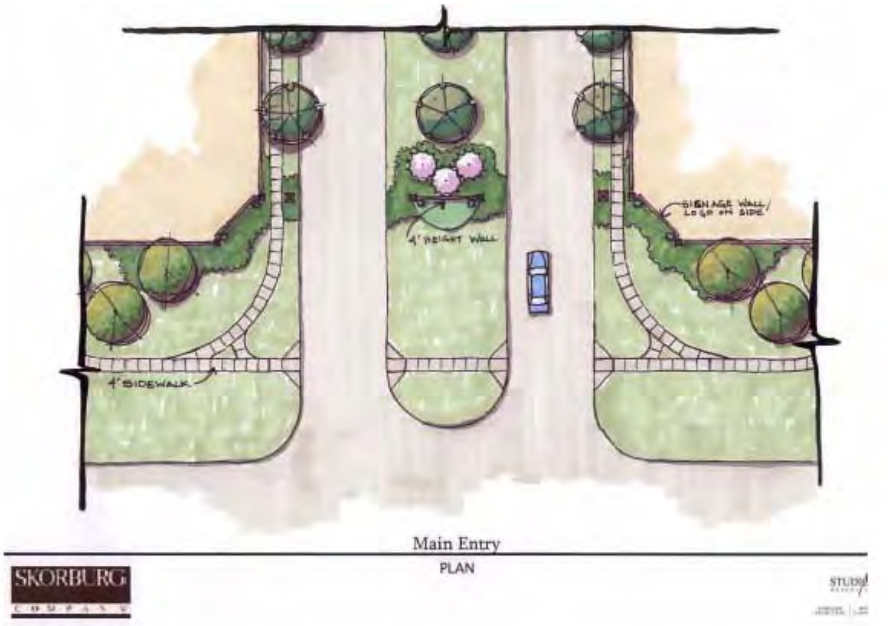

Figure 2: *Example of Subdivision Signage Locations*

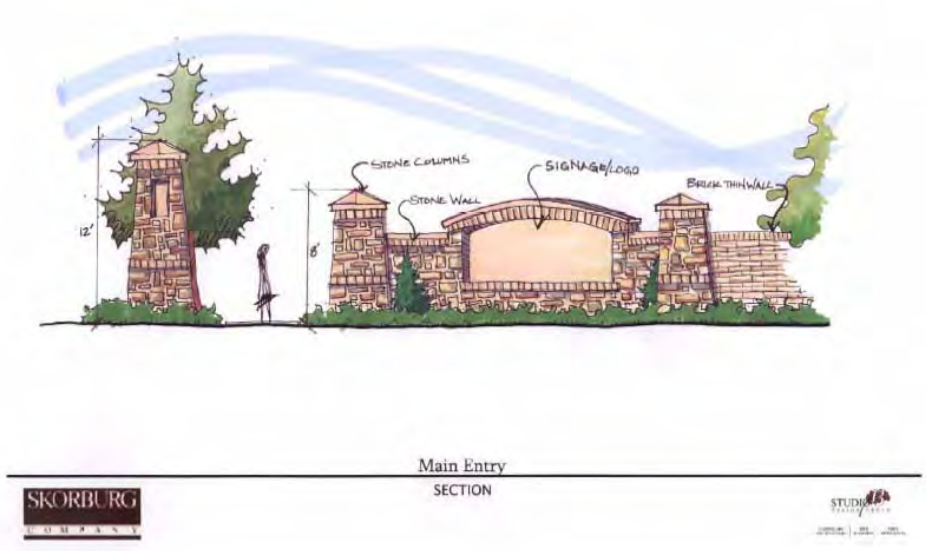

Figure 3: *Example of Subdivision Signage Design Standard*

9. *Variances.* The variance procedures and standards for approval set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

10. *Amenity Center.* Site plan, landscape plan and building elevations for the Amenity Center shall be approved by the Planning and Zoning Commission prior to construction.
11. *Trees.* All trees planted within the District shall be a minimum three (3) inch caliper measured six (6) inches above the root ball.

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

THIS CAPITAL FACILITIES AGREEMENT (the "Agreement") is by and among the Breezy Hill 405, Ltd, ("Breezy" or "Developer") and the City of Rockwall, Texas ("City" or "Rockwall "),

I. RECITALS

1. Breezy seeks to rezone and subdivide the Property for single-family residential use and certain commercial uses. Breezy shall submit an application to rezone the 405 acres north of FM-552 (the "Property") as a planned development (PD) district for a development currently known as Breezy Hill (the "PD District"),

   NOW, THEREFORE, in consideration of the foregoing recitals and mutual covenants contained herein, the Parties hereto agree as follows:

II. ADEQUATE PUBLIC FACILITIES

1. *General Provisions.*

   a. *Adequacy Required.* Development of the Property shall be supported with adequate levels of public facilities and services, Adequate facilities and services are those that (i) comply with the applicable City regulations, including this Agreement, and (ii) are consistent with generally accepted engineering and planning practices for similar developments, The Parties agree that the dedication and construction of public improvements, or the contribution of proportionate development fees, required to support development of the Property shall precede or be concurrent with the construction of private improvements to the land, in accordance with the phasing provisions incorporated within this section, or as otherwise may be provided through approval of a master plat.

   b. *Proportionality.* The Parties agree that the dedication or construction of public improvements, or the contributions of development fees, provided for in this Agreement are roughly proportional to the nature and extent of the proposed development of the Property on the City's public facilities systems. Breezy hereby covenants not to sue the City for any claim, or otherwise consent to participate in any action against the City arising from any claim by such party or by its affiliates, alleging that application of the adequate facilities requirements set forth in this Part II of the Agreement to the development of the Property, or the imposition of conditions to a plat application for a portion of the Property that are consistent with the requirements of this section, are not roughly proportional to the impacts of the development depicted in the Concept Plan, including but not limited to any action premised upon Tex. Loc. Gov't Code sec. 212.904 or successor statute. Such covenant not to sue touches and concerns the Property, and is a covenant running with the land such that it binds successors-in-interest and assigns of Breezy. Should any successor-in-interest or assign of Breezy other than an affiliate of Breezy assert any of the foregoing claims in a court of competent jurisdiction, in violation of this Subsection 1 (b), with respect to the development of any portion of the Property, the Parties agree that, with respect to such portion of the Property or all of the Property, at the City's option, this Agreement thereupon shall become null and void and any rights that may otherwise have

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vested under then existing state law shall be waived upon such event. Breezy further agrees that the City may expressly rely upon the provisions of this paragraph in any certification under section 212.904 and that a court in determining rough proportionality may consider all of the Property. Should Breezy or an affiliate of Breezy violate the covenant not to sue contained in this paragraph, the City may either enforce the covenant or pursue the remedies provided for herein that are applicable to successors or assigns, other than affiliates. As used in this Agreement, the term "affiliate" means any person, corporation, partnership, or other entity controlled by, controlling, or under common control with Breezy.

c. *No Waiver.* The requirements in this Part II shall be considered additional standards and conditions applicable to development within the PD District. Except in the event of a conflict between the standards in this Agreement and other standards applicable within the District, nothing in this Agreement shall be construed as superseding any requirement or standard in the City's subdivision or utility regulations relating to provision of adequate public facilities and services.

2. *Wastewater Services.*

a. *City as Provider.* The City shall be the supplier of wastewater services to the Property.

b. *Line Extensions.* The Developer shall extend wastewater mains sufficient to serve each phase of development within the PD District, sized in accordance with the City's master plan for wastewater facilities and constructed in accordance with the phasing schedule approved in conjunction with the Developer's master plat application. The Developer shall design and construct a lift station in order to serve the development within the PD District. The Developer shall be entitled to pro-rata fees for the costs of over-sizing the lift station from other future developments using the lift station, calculated on a per acreage basis. Developer also shall be eligible for credits against, wastewater impact fees otherwise due for construction of improvements identified and included in the City's wastewater improvements plan for impact fees, in accordance with the City's then existing impact fee regulations. Provisions for City participation in oversize costs, rebate of pro-rata fees or provision of impact fee credits shall be set forth in a facilities and reimbursement agreement between the Developer and the City.

c. *Payment of Impact Fees.* Wastewater impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations.

3. *Water Services*

a. *City as provider.* The City shall be the supplier of water services to the Property. The City represents that it has sufficient capacity to serve the Property.

b. *Line Extensions.* The Developer shall extend water mains sufficient to serve each phase of development within the PD District, sized in accordance with

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the City's master plan for water facilities and constructed in accordance with the phasing schedule approved in conjunction with the Developer's master plat application. The Developer shall be eligible for City participation in the costs of over-sizing water distribution mains or appurtenances that serve other land in addition to the Property, in accordance with the City's standard policies, or for collection of pro-rata fees for such facilities. Developer also shall be eligible for credits against, water impact fees otherwise due for construction of improvements identified and included in the City's water improvements plan for impact fees, in accordance with the City's then existing impact fee regulations. Provisions for City participation in oversize costs, rebate of pro rata fees or provision of impact fee credits shall be set forth in a facilities and reimbursement agreement between the' Developer and the City.

c. *Payment of Impact Fees.* Water impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations.

4. *Road Improvements.* The Developer shall make the following road improvements.

a. *John King Boulevard (Highway 205 Bypass).* The Developer shall have no obligation with respect to construction of John King Blvd. other than as outlined herein regarding payment of road impact fees.

b. *FM-552 Improvements.* The Developer shall dedicate rights-of-way for and construct turn lanes and acceleration/deceleration lanes concurrent with construction of any road on the Property that intersects FM 552, in accordance with City and TXDOT standards and specifications at the time of development of adjoining property.

c. *Breezy Hill Road Improvements.* The Developer shall dedicate a minimum of twenty-five feet (25') of right-of-way or such right-of-way as is needed to construct a twenty-four foot (24') concrete rural section of Breezy Hill Road and appurtenances adjacent to the Property, together with a two-foot (2') asphalt or concrete shoulder on either side of the concrete section, the total not to exceed twenty-eight feet (28') in width, from the northern point of Breezy Hill Road adjacent to the Property, to FM-552, as shown on the Development Plan. The Developer also shall dedicate and improve a minimum landscape buffer of ten feet (10') for the residential tract and fifty feet (50') for the retail tract, adjacent to the right-of-way for Breezy Hill Road, designed in accordance with the requirements of a PD District then in effect for a rural collector. The bar ditch that abuts the buffer strip, designed to a maximum slope of 3: 1, shall not encroach into the required ten-foot or fifty-foot buffer area, except to the extent that the buffers exceed ten feet (10') in width. The Developer shall dedicate right-of-way for Breezy Hill Road and the landscape buffer at the time of final plat approval for any lot abutting Breezy Hill Road. Developer shall construct Breezy Hill Road in conjunction with the retail tract that is final platted adjacent to Breezy Hill Road. Breezy Hill Road will be constructed from the northernmost intersection created by any portion of the retail tract being platted, south to FM-552. Developer shall install any

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needed expansion of existing culverts created by such construction or the development, of such retail tract.

d. *Payment of Roadway Impact Fees.* Roadway impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations. Construction costs incurred by Developer for roadway improvements in this Agreement that are included in the City's roadway improvements plan for impact fees shall be credited against roadway impact fees otherwise due, in accordance with the City's impact fee regulations.

5. *Drainage Improvements.* Dedication of rights-of-way for and construction of drainage improvements shall be provided as specified in conditions imposed with approval of the master plat for development within the PD District and in accordance with City standards and specifications.

6. *Parks and Open Space.*

a. The Developer or a property owners association shall maintain public parklands and improvements within the development for a period of three (3) months from the completion and acceptance of the improvements. Thereafter, the City shall assume responsibilities for maintenance. All open space and improvements which are not dedicated as parkland to the City shall be maintained as common areas in perpetuity by the property owners association for the PD District. Additionally, the property owners association shall maintain Developer-installed landscaping areas in public rights-of-way and public drainage ways internal to and adjacent to the Property.

III. GENERAL PROVISIONS

1. Notice on Sale. The Developer shall provide the City with notice of the sale of any tract or parcel within the District that has not been platted at the following address:

Rockwall City Manager
Rockwall City Hall
385 S. Goliad Street
Rockwall, TX 75087

2. *Recording.* This Agreement is intended to run with the land, and shall be recorded in the Real Property Records, Rockwall County, Texas.

3. *Term of Agreement.* This Agreement shall terminate two (2) years following the City's acceptance of the dedication and construction of the public improvements described herein serving the last phase of development within the PD District, after which the City agrees, upon the request of the Developer to execute a termination of this Agreement in recordable form. Any reimbursements for payment of impact fees shall not expire.

4. *Effective Date.* This Agreement shall take effect upon the date of its execution by the last of the Parties to the Agreement; provided, however, that Breezy shall execute this Agreement no later than five (5) business days following the

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

effective date of the PD zoning ordinance for the Property. If Breezy fails to execute this Agreement within such period, this Agreement shall become null and void, and unless a subsequent agreement, acceptable to the City and the Developer, is agreed to, the City may thereafter deny any PD site plan, master plat or other plat application on grounds that the application is not supported by adequate public facilities and services.

5. *Severability.* Invalidation of any provision of this Agreement by judgment or court order shall not invalidate any of the remaining provisions which shall remain in full force and effect, unless such remaining provisions are an integral part of the invalid provisions or the invalid provision is necessary to give effect to the remaining provisions.

6. *Enforcement.* This Agreement may be enforced by the Parties by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter.

7. *Venue.* Venue for this Agreement shall be in Rockwall County, Texas.

8. *Execution.* This Agreement may be separately executed in individual counterparts, and upon execution, shall constitute one and the same instrument.

9. *Amendment.* This Agreement may only be amended in writing upon mutual consent of the City and the Developer.

10. *Joint preparation.* This Agreement shall be deemed to have been jointly prepared by all Parties hereto, and no ambiguity of this Agreement shall be construed against any party based upon the identity of the author of this Agreement or any portion thereof.

11. *Recitals Incorporated.* Statements and representations contained herein are to be considered contractual in nature and not merely recitations of fact. The Recitals contained in Part I of this Agreement hereby are expressly incorporated into this Agreement by reference.

12. *Construction.* All references herein in the singular shall be construed to include the plural where applicable, the masculine to include the feminine and neuter genders.

13. *Authority.* Each of the signatories to this Agreement represents and warrants that he is authorized to execute this Agreement and bind his principals to the terms and provisions hereof. Each Party warrants that any action required to be taken in order for this Agreement to be binding on it has been duly and properly taken prior to the execution of this Agreement.

14. *Conflicts.* In the event of a conflict between this Agreement and any provision of the Unified Development Code, the City Code, or any City ordinance, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this Agreement, the standards in this Agreement shall control.

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

15. *No Waiver*. Developer retains the right to challenge the application of any City impact fee regulations to the Property solely on the basis that such regulations fail to comply with Chapter 395 of the Texas Local Government Code, as amended. If Developer prevails in such a claim, impact fees shall be applied to the development of the Property and paid by the Developer, as applicable, in accordance with the court order.

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

PARTIES TO THE AGREEMENT

CITY OF ROCKWALL

CITY OF ROCKWALL TEXAS
SEAL

By: _____

Name: DAVID SWEET

Title: MAYOR

STATE OF TEXAS §
§
COUNTY OF ROCKWALL §

SWORN AND SUBSCRIBED TO BEFORE ME, by said DAVID SWEET, who in their capacity as MAYOR for the City of Rockwall, acknowledges that he was authorized to execute the foregoing document this 2nd day of October 2012, certify witness my hand and seal of office.

Kristy Ashberry
Notary Public in and for the State of Texas

NOTARY PUBLIC STATE OF TEXAS
KRISTY ASHBERRY
Notary Public
State of Texas
My Comm. Exp. 05-01-2016

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

PARTIES TO THE AGREEMENT

BREEZY HILL 405, LTD, A TEXAS (LIMITED) PARTNERSHIP
BREEZY HILL 405 GP CORPORATION, A TEXAS CORPORATION, ITS GENERAL PARTNER

By: _____

Name: RICHARD M. SKORBURG

Title: PRESIDENT

STATE OF TEXAS §
§
COUNTY OF ROCKWALL §

SWORN AND SUBSCRIBED TO BEFORE ME, by said RICHARD M. SKORBURG, who in their capacity as PRESIDENT for the Breezy Hill 405, LTD, acknowledges that he was authorized to execute the foregoing document this 1st day of OCTOBER 2012, certify witness my hand and seal of office.

_____
Notary Public in and for the State of Texas

NOTARY PUBLIC STATE OF TEXAS
Kellie Lee Patch
Notary Public, State of Texas
My Comm. Expires 05/12/2015

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 04/21/2014

APPLICANT: Mike Peoples

AGENDA ITEM: **Z2014-008**; Rezone (AG to HC)

SUMMARY:

Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a zoning change from an Agriculture (AG) District to a Heavy Commercial (HC) District for a 7.42-acre tract of land identified as a portion of Tract 4-01 of the M. B. Jones Survey, Abstract No. 122, Rockwall, Rockwall County, Texas, situated within the East SH 66 Corridor Overlay (E-SH 66 OV) District, located east of the intersection of John King Boulevard and SH-66, and take any action necessary.

BACKGROUND INFORMATION:

The subject property is identified as a 7.42-acre portion of an approximately 65-acre tract of land located in the M. B. Jones Survey, Abstract No. 122. The property is currently zoned Agricultural (AG) District and is used for grazing cattle. The City's Comprehensive Plan in association with the Future Land Use Map indicates the property as "low density residential." However, the adjacent property to the east, also owned by the applicant, represents non-conforming commercial businesses that have higher intensity type uses that are subject to larger volumes of traffic, noise, vibration, and odor. Although this particular property is zoned AG, the Future Land Use Map indicates this tract to be HC based on the existing uses.

Also to consider is the 55-acre vacant tract of land [Planned Development No. 71 (PD-71)] south of this location that borders SH 66 and John King Blvd. PD-71 has an underlying zoning of Commercial (C) for future development and coupled with the existing businesses along SH 66, would establish a transitional zone between the residential properties that are west of John King Blvd and the future development along the SH 66 corridor. Furthermore, caddie-corner from the proposed location is the municipal airport which may expand in the future. Based on this, a single family residential development could be viewed as not being suitable for the proposed property.

The purpose of the request is to change the zoning from an Agricultural (AG) District to a Heavy Commercial (HC) District in order to develop the property as a construction machinery & equipment rental and service facility. This particular use is permitted by right within the HC District which also allows for outside storage. Under *Article V – Permissible Uses*, *Sec. 4.7 – Heavy Commercial (HC) District*, *C. Development Standards*, *17. Outside Storage*, the *Unified Development Code (UDC)* reads as follows:

> *a. All outside storage shall be placed behind the front façade of the main structure. This does not apply to uses that allow incidental display, in which case only the amount of goods necessary for display purposes shall be exempt from this requirement.*
> *b. All outside storage shall be screened from streets and public areas.*

If approved, the applicant has stated this site will be home to Sunbelt Rentals, a nationally recognized brand for this industry. The property is located within the E SH 66 OV district and would require the development to meet these standards for construction and design.

In your packet is a request to for the zoning change, the standards for the HC district, a legal description and boundary survey indicating the area to be zoned for your review and consideration.

ADJACENT PROPERTIES ZONZING DISTRICTS:

The zoning adjacent to the subject property is as follows:

North: The zoning directly north of the subject property is (AG) Agricultural District.

South: The zoning directly south of the subject property is (PD-71) Planned Development No. 71.

East: The zoning directly east of the subject property is (AG) Agricultural District.

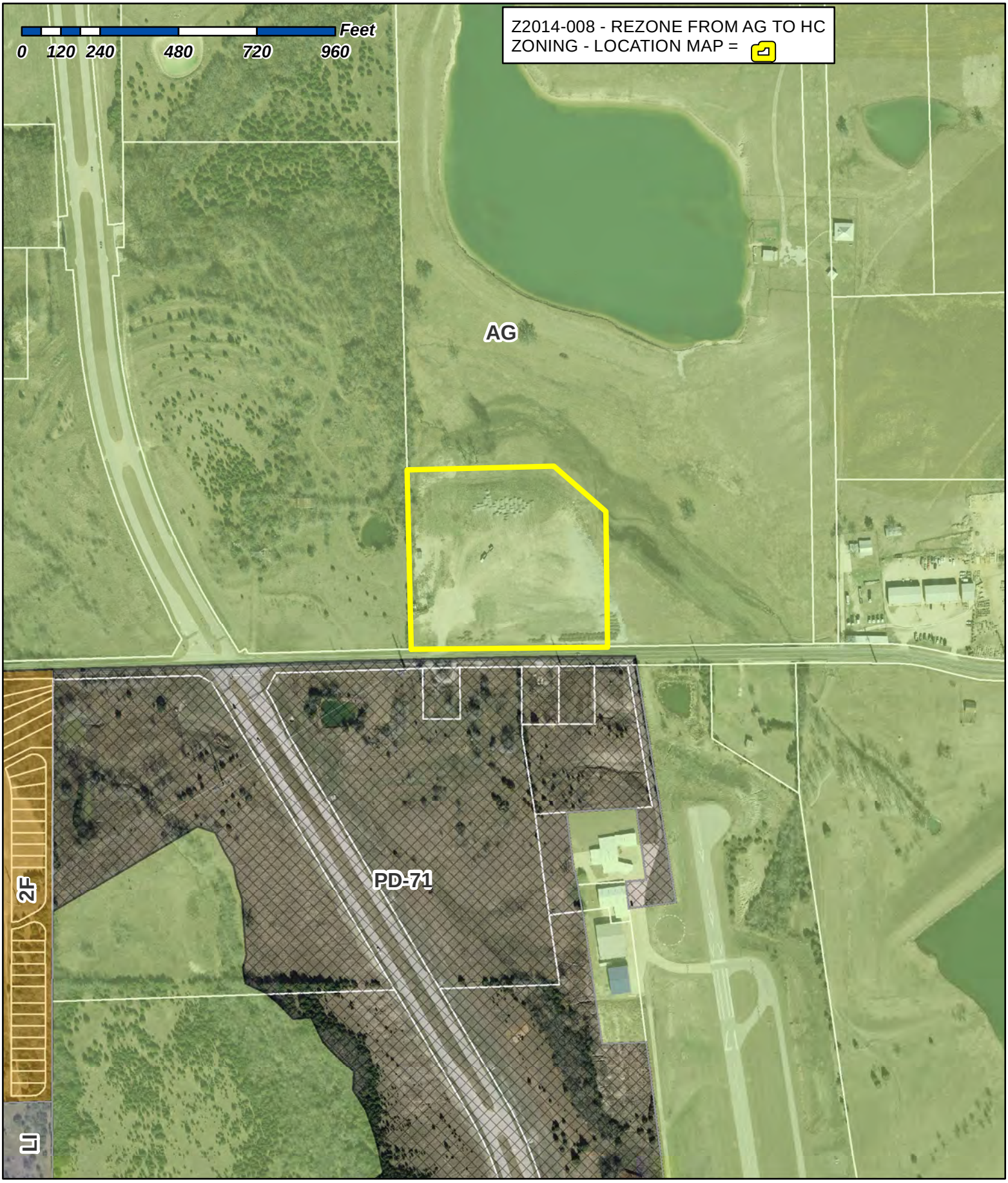
West: The zoning directly west of the subject property is (AG) Agricultural District.

NOTIFICATION:

On March 28, 2014 staff mailed four (4) notices to property owners within 200 feet of the subject property. Additionally, staff posted signage along street frontage adjacent to the subject property, as required by the UDC. At the time this case memo, staff has received one (1) notice "in favor of" and two (2) notices "opposed to" the request. The two notices opposed to the request represents 28.6% of the properties within the 200-ft notice area which constitutes more than 20% of the property owners within this buffer that oppose the request, therefore a vote of three-fourths (3/4) of the City Council will be required for approval of the request.

PLANNING AND ZONING RECOMMENDATION:

On April 08, 2014, the Planning and Zoning Commission recommended to deny the zoning change request by a vote of 6 to 0 (Minth - absent). A recommendation of denial forwarded to the City Council by the Planning and Zoning Commission requires approval of a super majority vote (3/4 majority) of the Council members present in order to approve the zoning change request.



City of Rockwall

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

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1:4,544

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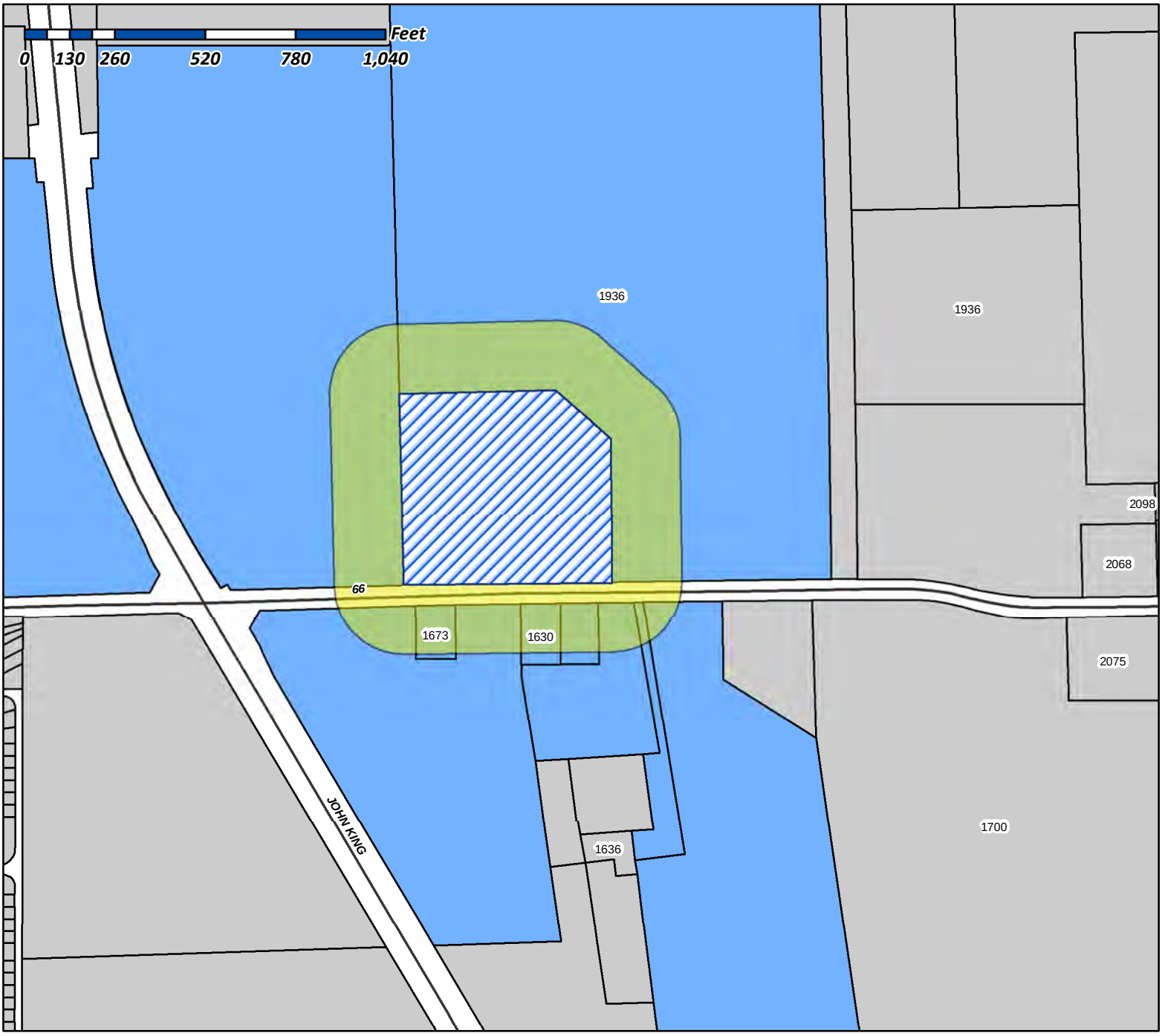
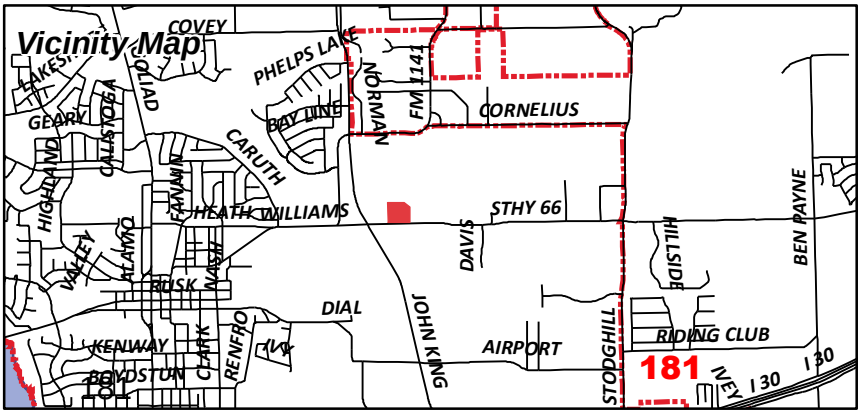


Case Number: Z2014-008
Case Name: AG to HC
Case Type: Zoning
Zoning: AG
Case Address: John King Blvd/SH-66

Date Created: ***03/19/2014***

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



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

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

To Whom It May Concern:

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

Case No. Z2014-008: Rezone 7.42 ac tr from AG to HC

Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a zoning change from an Agriculture (AG) District to a Heavy Commercial (HC) District for a 7.42-acre tract of land identified as a portion of Tract 4-01 of the M. B. Jones Survey, Abstract No. 122, Rockwall, Rockwall County, Texas, situated within the East SH 66 Corridor Overlay (E-SH 66 OV) District, located east of the intersection of John King Boulevard and SH-66, and take any action necessary.

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David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-008: Rezone 7.42 ac tr from AG to HC

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

CROSS_REF	file_as_na	legal_desc	addr_line1	addr_line2	addr_line3	addr_city	addr_state	zip
0183-0000-0001-04-0R	ROCKWALL PROPERTY CORPORATION	A0183 G W REDLIN, TRACT 1-04, ACRES 0.402, (PT OF 96.635 AC TR	ATTN BILL BRICKER	305 PARK PLACE BLVD		ROCKWALL	TX	75087
0183-0000-0001-02-0R	ROCKWALL PROPERTY CORPORATION	A0183, G W REDLIN, TRACT 1-2, 0.41 ACRES, (PT OF 96.635 AC TR	ATTN BILL BRICKER	305 PARK PLACE BLVD		ROCKWALL	TX	75087
0183-0000-0001-07-0R	ROCKWALL PROPERTY CORPORATION	A0183 G W REDLIN, TRACT 1-7, ACRES 0.398, (PT OF 96.635 AC TR	ATTN BILL BRICKER	305 PARK PLACE BLVD		ROCKWALL	TX	75087
0183-0000-0001-00-0R	ROCKWALL PROPERTY CORP	A0183, G W REDLIN, TRACT 1, 28.8836 ACRES, (PT OF 96.635 AC TR	ATTN:BILL BRICKER	305 PARK PLACE BLVD		ROCKWALL	TX	75087
0183-0000-0001-00-0R	ROCKWALL PROPERTY CORP	A0183, G W REDLIN, TRACT 1, 28.8836 ACRES, (PT OF 96.635 AC TR	ATTN:BILL BRICKER	305 PARK PLACE BLVD		ROCKWALL	TX	75087
0183-0000-0001-05-0R	ROCKWALL PROPERTY CORP	A0183 G W REDLIN, TRACT 1-05, ACRES 2.67, (PT OF 96.635 AC TR	ATTN:BILL BRICKER	305 PARK PLACE BLVD		ROCKWALL	TX	75087
0183-0000-0001-15-0R	DAVIS WILLIAM PAUL JR	A0183 G W REDLIN, TRACT 1-15, ACRES .890, (PT OF 1.973 AC TR		510 TURTLE COVE BLVD	STE 200	ROCKWALL	TX	75087
0122-0000-0005-00-0R	CULLINS JANE	A0122, M B JONES, TRACT 5, 37.932 ACRES, (PT OF 55.704 AC TR		775 JEFF BOYD RD		ROCKWALL	TX	75032
4845-0000-0001-00-0R	CITY OF ROCKWALL	ROCKWALL MUNICIPAL AIRPORT, LOT 1, ACRES 47.89, EXEMPT						0
0122-0000-0004-01-0R	PEOPLES MIKE L	A0122 M B JONES, TRACT 4-01, ACRES 65.274, (PT OF 148.825 AC TR		PO BOX 41		ROCKWALL	TX	75087

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

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

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Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

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Case No. Z2014-008: Rezone 7.42 ac tr from AG to HC

Please place a check mark on the appropriate line below:

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

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

Name: Mike Peoples

Address: 1850 FM 1141 Rockwall Tx 75087

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

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

The allowed uses under HC zoning could let activities occur that are not conducive to the Commercial/Retail activity on Columbia property on the south of RT 660. We have 55 acres for retail in PD-71 and activity on the proposed HC property could adversely affect our vested interest.

Name: CW Bricker, President, Rockwall Property

Address: 305 Park Place Blvd., Rockwall, TX 75087

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Case No. Z2014-008: Rezone 7.42 ac tr from AG to HC

Please place a check mark on the appropriate line below:

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

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

Because this project will devalue our property and disrupt our community with heavy truck traffic.

Name: Jane Collins Davis Glen E. Davis

Address: 775 Jeff Boyd Rd - Rockwall, Tx

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

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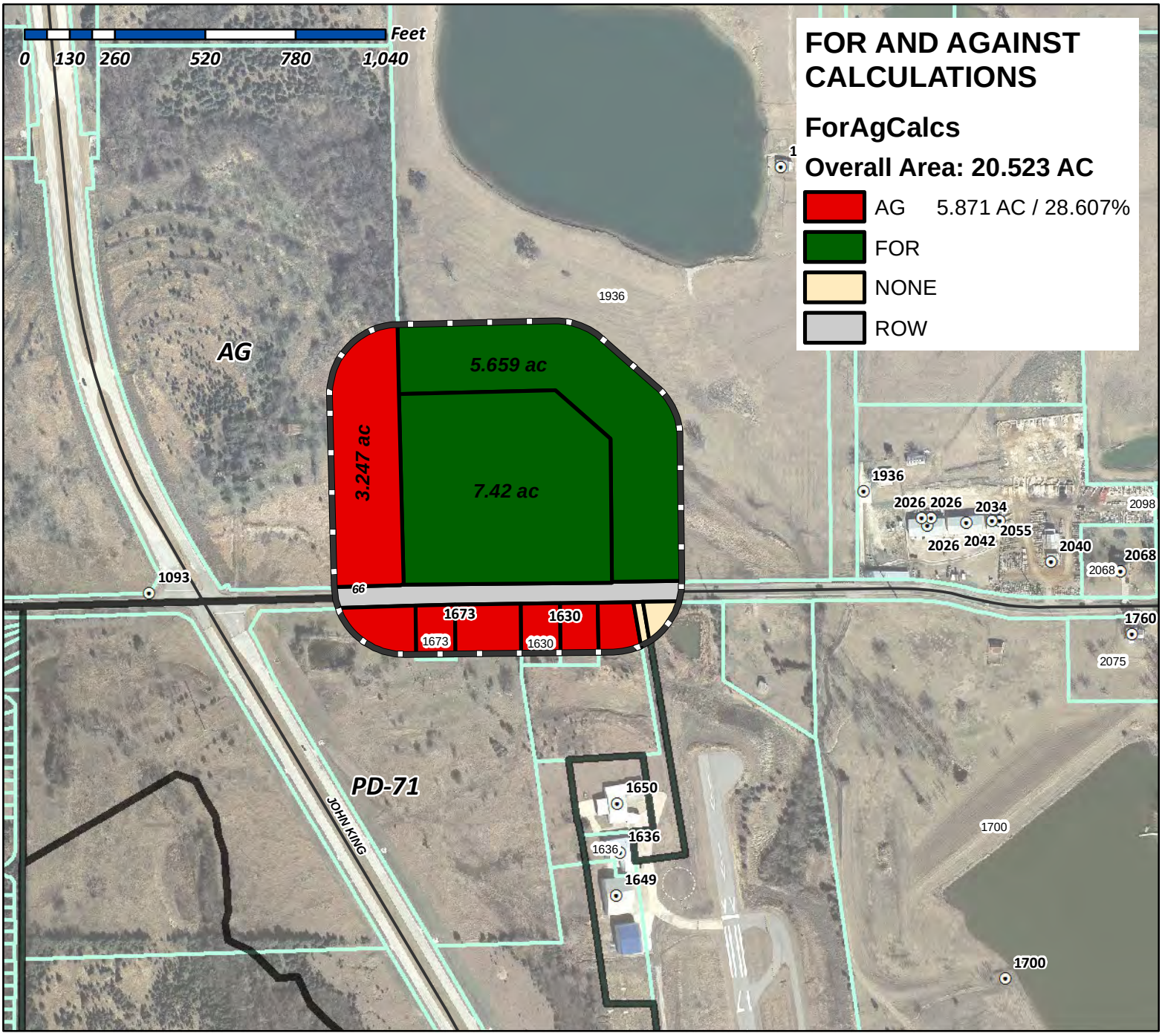
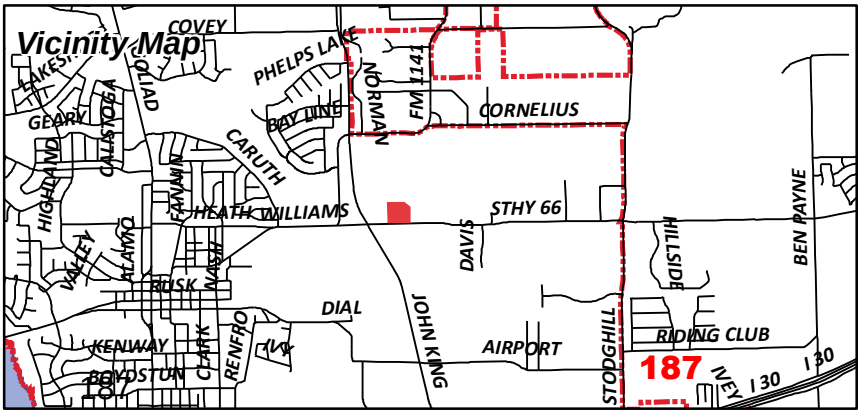


Case Number: Z2014-008
Case Name: AG to HC
Case Type: Zoning
Zoning: AG
Case Address: John King Blvd/SH-66

Date Created: *04/10/2014*
For Questions on this Case Call (972) 771-7745



Notice Against - Outside Notice Area

Gonzales, David

From: Sanford, JoDee on behalf of Planning
Sent: Tuesday, April 01, 2014 8:18 AM
To: Gonzales, David
Subject: FW: Re-Zoning Request

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | http://www.rockwall.com

-----Original Message-----
From: Randy Howard [mailto:iRandy@howardrp.us]
Sent: Sunday, March 30, 2014 12:13 PM
To: Planning
Subject: Re-Zoning Request

I'm writing this regarding the proposed re-zoning request for a parcel of land, part of CAD parcel #11245 adjacent to John King Blvd (Hwy 205 Bypass) near Hwy 66 and 1141 intersection, to Heavy Commercial use. As a homeowner in the nearby Caruth Lakes subdivision, I strongly oppose this request.

Per official definition, "The Heavy Commercial District ... may involve uses that would be objectionable in the other commercial districts or adjacent to residential districts." It would ... "involve large volumes of truck traffic, outside operations and storage of materials and equipment, either for sale or as part of the business, excessive noise from heavy service operations, or any other possibly adverse influences".

Also part of the definition, "The noise, traffic, litter, late night hours, outside storage of materials and equipment, and other influences that could be harmful to residential areas require adequate buffering from residential areas, and the traffic from such uses should not pass through residential areas at all, if possible. These areas should not be located in close proximity to residential areas of any type."

Heavy Commercial districts "should not be zoned to this use unless they are located on or close to arterials capable of carrying commercial and truck traffic. They should be located close to major truck routes."

CAD parcel 11245 is way too close to residential neighborhoods to consider such a re-zoning. Hwy 66 is certainly not constructed in such a manner as to support heavy truck traffic. The impact to John King Blvd would be horrible. Instead of a major road relieving Hwy 205 of heavy traffic through town, it would itself become clogged with large, slow, heavy truck traffic, which would discourage people from taking that alternate route!

Please consider my request that you oppose this re-zoning. Thank you for your time.

--- Randy Howard

Gonzales, David

From: mike peoples <mprockwall@yahoo.com>
Sent: Wednesday, March 19, 2014 10:00 PM
To: Gonzales, David
Subject: Ag Re-zoning request - Peoples

Hello Mr. Gonzales,

I am requesting through Planning and Zoning of the City of Rockwall, as well as Rockwall City Council, the re-zoning of 7.44 acres along State Highway 66 from agricultural to heavy commercial. This will allow for the planning and development of the Sunbelt Rentals site.

Sincerely,

Mike Peoples
(214) 957-0807

Sec. 4.7. - Heavy Commercial (HC) District.

A. *Purpose.*

1. The Heavy Commercial District is established to provide adequate space and site diversification for commercial establishments may involve uses that would be objectionable in the other commercial districts or adjacent to residential districts. Included in this district are commercial uses that involve large volumes of truck traffic, outside operations and storage of materials and equipment, either for sale or as part of the business, excessive noise from heavy service operations, or any other possibly adverse influences.
2. This district is commercial in nature, but has some aspects that are similar to industrial uses. The noise, traffic, litter, late night hours, outside storage of materials and equipment, and other influences that could be harmful to residential areas require adequate buffering from residential areas, and the traffic from such uses should not pass through residential areas at all, if possible. These areas should not be located in close proximity to residential areas of any type.
3. Areas should not be zoned to this use unless they are located on or close to arterials capable of carrying commercial and truck traffic. They should be located close to major truck routes. Internal streets in such developments should be sized and strengthened to accommodate truck traffic. Fire protection should be adequate for large warehouse type operations, and the water, wastewater, and drainage systems should have enough existing capacity to support such development.

B. *Permitted uses.* In general, commercial uses that may involve large volumes of truck traffic, outside operations and storage of materials and equipment may be allowed. However, no building or land may be used, unless in accordance with the use tables and requirements in article IV, Permissible Uses.

C. *Development standards.*

1. Minimum site size: 12,500 square feet; one-acre when adjacent to Interstate 30.
2. Minimum site frontage on a public street: 100 feet; 200 feet when adjacent to Interstate 30.
3. Minimum site depth: 125 feet; 200 feet when adjacent to Interstate 30.
4. Minimum depth of front yard setback: 25 feet from the future rights-of-way as shown on the adopted thoroughfare plan or as actually exists, whichever is greater.
5. Minimum width of side yard setback:

(Ord. No. 06-14, 4-17-2006)

   a. Without fire retardant wall: 15 feet plus one-half of the building height over 36 feet.
   b. With fire retardant wall: zero feet plus one-half of the building height over 36 feet.
   c. Abutting residentially zoned property: 20 feet plus one-half the building height over 36 feet.
   d. In no case shall more than a 50 foot setback be required.

6. Minimum depth of rear yard setback:
   a. Abutting nonresidentially zoned property, with fire retardant wall and alley separating: zero feet plus one-half the building height over 36 feet.

b. Without fire retardant wall, or alley: 20 feet.
c. Abutting residentially zoned property: 20 feet plus one-half the building height over 36 feet.
d. In no case shall more than a 50 foot setback be required.

7. Minimum distance between detached buildings on the same lot or parcel of land:
   a. Without fire retardant wall: 15 feet plus one-half the building height over 36 feet.
   b. With fire retardant wall: zero feet plus one-half the building height over 36 feet.
   c. In no case shall more than a 50 foot setback be required.
8. Maximum building coverage as a percentage of lot area: 60 percent.
9. Maximum amount of impervious coverage as a percentage of lot area: 90 to 95 percent. See article VIII.5.12, Required Landscaping.
10. Minimum amount of landscaped area: all development shall comply with article VIII, Landscape Standards.
11. Maximum floor area ratio (FAR): 4:1 (FAR).
12. Maximum building height: 240 feet. Any structure over 60 feet shall require a specific use permit.
13. Minimum number of paved off-street parking spaces required: see article VI, Parking and Loading.
14. Maximum number of entrances and/or exits:
   a. Arterial streets: one per each 200 feet of street frontage per site, or as approved by the city council.
   b. Collector streets: one per each 100 feet of street frontage per site, or as approved by the city council.
   c. Local streets: one per each 50 feet of street frontage per site, or as approved by the city council.
15. Residential adjacency. Lots with nonresidential uses that have a side or rear contiguous or separated only by an alley, or easement or street, from any residential district must be separated from such residential district by a buffer as defined in article VIII, Landscape Standards, or as approved by the city council.
16. Building code. The building code may impose more restrictive development standards depending on the size, use and construction of the structures.
17. Outside storage.
   a. All outside storage shall be placed behind the front facade of the main structure. This does not apply to uses that allow incidental display, in which case only the amount of goods necessary for display purposes shall be exempt from this requirement.
   b. All outside storage shall be screened from streets and public areas.

Permitted Land Uses in a Heavy Commercial (HC) District

Date: March 17, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements

Rural & Animal-Related	
Agricultural Uses on Un-Platted Land	P
Animal Boarding/Kennel without Outside Pens	P
Animal Clinic for small animals, no outdoor pens [1]	P
Animal Hospital, Clinic	P

Residential & Lodging	
Accessory Building [1]	P
Caretakers Quarters/Domestic or Security Unit	P
Garage	A

Institutional & Community Service	
Blood Plasma Donor Center	P
Cemetery/ Mausoleum	P
Church/House of Worship [1]	P
College, University, or Seminary	P
Convalescent Care Facility/Nursing Home [1]	P
Day Care (7 or More Children) [1]	P
Emergency Ambulance Services, Ground	P
Government Facility	P
Hospice	P
Hospital	P
Library, Art Gallery or Museum (Public)	P
Mortuary or Funeral Chapel	P
Post Office, Local Service	P
Post Office, Regional	P
Prison/Custodial Institution	P
Public or Private School, Primary [1]	P
Public or Private School, Secondary [1]	P
Public or Private School Temporary Education Building [1]	S
Rescue Mission or Shelter for the Homeless	S
Social Service Provider, except Rescue Mission or Homeless Shelter	P

Office & Professional	
Financial Institution with Drive-Through [1]	P
Financial Institution without Drive-Through	P
Office, General	P
Office Building, less than 5,000 Sq. Ft.	P
Office Building, 5,000 Sq. Ft. or more	P

Recreation, Entertainment & Amusement	
Billiard Parlor or Pool Hall [1]	P
Carnival, Circus, or Amusement Ride, Temporary [1]	P
Commercial Amusement/ Recreation (Inside) [1]	P
Commercial Amusement/ Recreation (Outside)	P
Community or Recreation Club, Public or Private (Accessory)	P
Country Club, Private	P
Golf Driving Range	P
Fund Raising Events by Non-Profit, Indoor or Outdoor, Temporary [1]	P
Gun Club, Skeet or Target Range (Indoor)	P
Health Club	P
Private Club, Lodge or Fraternal Organization	P

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Private Sports Arena, Stadium or Track	P
Public Park or Playground	P
Tennis Courts (Not accessory to a public or private club)	P
Theater	P

Retail & Personal Services	
Restaurant, Less than 2000 Sq. Ft., w/ Drive-Thru or Drive-in [1]	S
Restaurant, Less than 2000 Sq. Ft., w/o Drive-Thru or Drive-in	P
Restaurant, 2000 Sq. Ft. or more, w/ Drive-Thru or Drive-in [1]	P
Restaurant, 2000 Sq. Ft. or more, w/o Drive-Thru or Drive-in	P
Restaurant with accessory Private Club or Brew Pub [1]	P
Retail store with gasoline product sales limited to 2 dispensers and 4 vehicles	P
Retail store with more than 2 dispensers	P
Secondhand Dealer	P
Studio - Art, Photography or Music	P
Tailor, Clothing or Apparel Shop	P
Tattoo, Body Piercing	P
Taxidermist Shop	P

Commercial & Business Services	
Bail Bond Service	P
Building & Landscape Material with Limited Outside Storage [1]	P
Building Maintenance, Service & Sales without Outside Storage	P
Cemetery or Mortuary	S
Cleaners, Commercial	S
Commercial, Other than Listed	P
Custom & Craft Work	P
Electrical, Watch, Clock, Jewelry & Similar Repair	P
Feed Store, Ranch Supply	P
Food Processing	S
Furniture or Cabinet Repair	P
Furniture Upholstery, Refinishing or Resale	P
Gunsmith Repair and Sales	P
Heavy Machinery & Equipment (Rental, Sales & Service)	P
Locksmith	P
Machine Shop	P
Medical or Scientific Research Lab	P
Mobile Home/Trailer Sales Lot	S
Research & Technology / Light Assembly	P
Shoe and Boot Repair and Sales	P
Trade School	P
Temporary On-site Construction Office [1]	P

Auto & Marine-Related	
Auto Repair Garage, Major [1]	P
Auto Repair Garage, Minor [1]	P
Automobile Rental	P
Boat & Trailer Dealership (New and Used) [1]	P
Car Wash/Auto Detail [1]	P
Car Wash, Self Service	P
Motor Vehicle Dealership, New (Cars and Light Trucks) [1]	P
Motor Vehicle Dealership, Used (Cars and Light Trucks) [1]	P

Permitted Land Uses in a Heavy Commercial (HC) District

Date: March 17, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements

Parking, Commercial	P
Parking Lot, non-commercial	P
Recreational Vehicle (RV) Sales and Service	P
Service Station [1]	P
Towing & Impound Yard	S
Towing Service, No Storage	P
Truck Rental	P
Truck Stop with Fuel and Accessory Services [1]	S

Industrial & Manufacturing	
Asphalt or Concrete Batch Plant, Temporary [1]	P
Carpet and Rug Cleaning	S
Environmentally Hazardous Materials [1]	S
Food Processing (No Slaughtering)	S
Light Assembly & Fabrication	P
Manufacturing, Heavy	S
Manufacturing, Light	P
Mining and Extraction (Sand, Gravel Oil & other) [1]	S
Monument Works, Stone and Metal	S
Printing & Publishing	P
Salvage or Reclamation of Products (Indoors)	S
Sheet Metal Shop	P
Welding Repair	P

Wholesale, Distribution & Storage	
Cold Storage Plant	P
Heavy Construction Trade Yard	S
Mini-warehouse [1]	P
Outside Storage [1]	P
Recycling Collection Center	S
Warehouse/ Distribution Center	P
Wholesale Showroom Facility	P

Utilities, Communications & Transportation	
Airport, Heliport or Landing Field	S
Antenna, Accessory [1]	P
Antenna, Commercial [1]	S
Antenna, Dish [1]	P
Antenna, Commercial, Free-Standing [1]	S
Antenna, Commercial, Mounted [1]	S
Bus Charter Service & Service Facility	P
Helipad	S
Utilities (Non-Municipally owned or Controlled), including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	S
Municipally Owned or Controlled Facilities, Utilities and Uses	P
Private Streets	S
Radio Broadcasting	P
Railroad Yard or Shop	S
Recording Studio	P
Satellite Dish [1]	P
Transit Passenger Facility	S
Trucking Company	P

Permitted Land Uses in a Heavy Commercial (HC) District

Date: March 17, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements

TV Broadcasting & Other Communication Service	P
Utilities Holding a Franchise from City of Rockwall	P
Utility Installation, Other than Listed	S
Utility/ Transmission Lines	S
Wireless Communication Tower	S

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A HEAVY COMMERCIAL (HC) DISTRICT FOR A 7.42-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 4-01 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE AND AS DEPICTED IN EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Mike Peoples (property owner), for an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from an Agricultural (Ag) District to a Heavy Commercial (HC) District for a 7.42-acre tract of land identified as a portion of Tract 4-01 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' of this ordinance and as depicted in Exhibit 'B', which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from an Agricultural (Ag) District to a Heavy Commercial (HC) District for the *Subject Property*; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for in *Section 4.7, "Heavy Commercial (HC) District", Article V, "District Development Standards", of the Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE ____ DAY OF _____, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading:
2nd Reading

Exhibit 'A'

BEING all that certain lot, tract or parcel of land situated in the M.B. JONES SURVEY, ABSTRACT NO. 122, City of Rockwall, Rockwall County, Texas, and being a part of a 73.274 acres tract of land as described in a Warranty deed from Frank Greene, et al to Mike L. Peoples, dated November 24, 1993 and being recorded in Volume 850, Page 15 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½" iron rod found for corner in the north right-of-way line of State Highway 66, at the southwest corner of said 73.274 acres tract of land and being the southeast corner of a 55.704 acres tract of land as described in a Deed recorded in Volume 5428, Page 241 of the Official Public Records of Rockwall County, Texas;

THENCE N. 00 deg. 00 min. 27 sec. W. along the west line of said 73.274 acres tract, a distance of 550.00 feet to a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

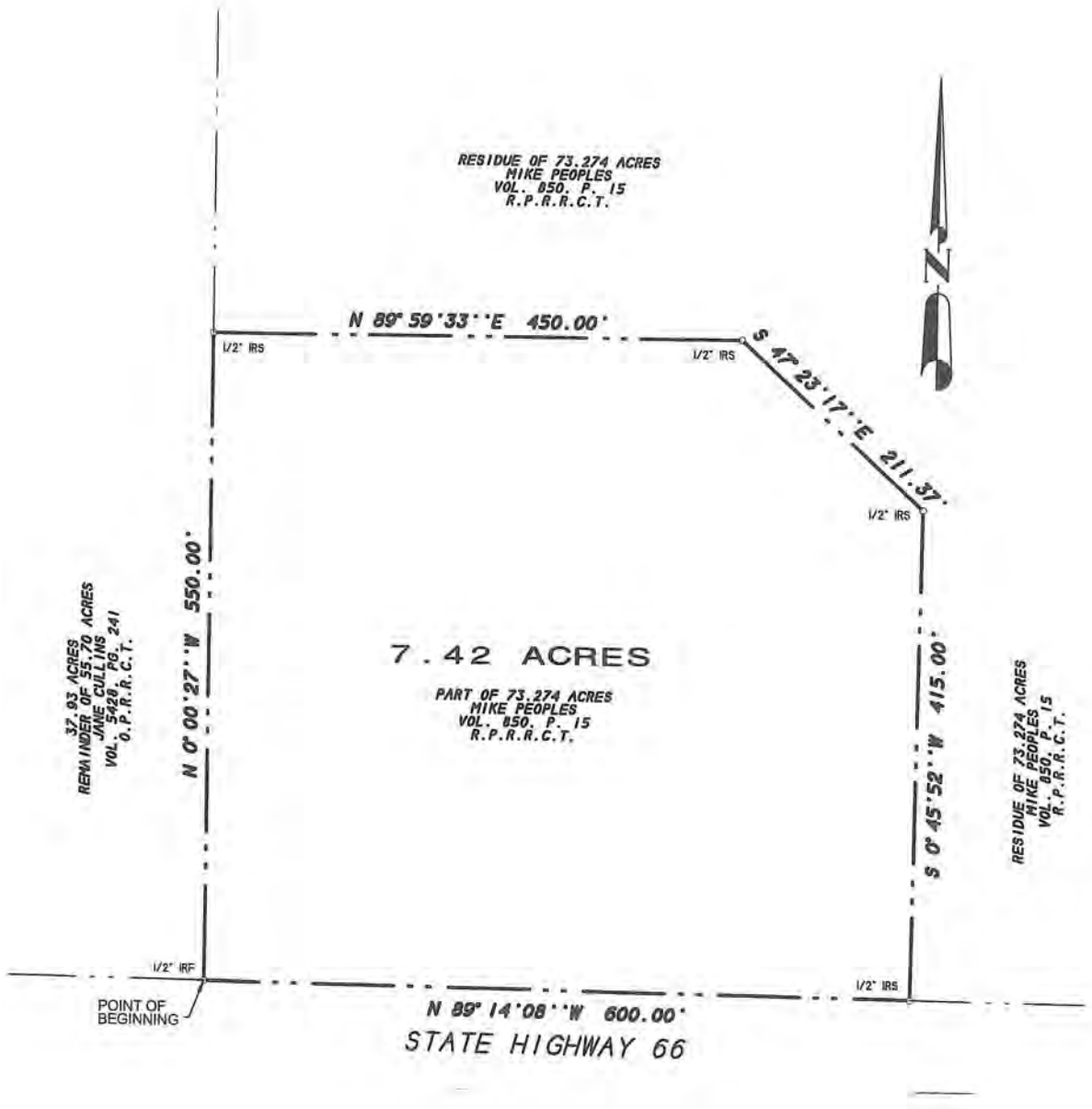
THENCE N. 89 deg. 59 min. 33 sec. E. a distance of 450.00 feet to a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE S. 47 deg. 23 min. 17 sec. E. a distance of 211.37 feet to a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE S. 00 deg. 45 min. 52 sec. W. a distance of 415.00 feet to a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the north right-of-way line of State Highway 66 and in the south line of said 73.274 acres tract;

THENCE N. 89 deg. 14 min. 08 sec. W. along said right-of-way line, a distance of 600.00 feet to the POINT OF BEGINNING and containing 7.42 acres of land.

Exhibit 'B'


RESIDUE OF 73.274 ACRES
MIKE PEOPLES
VOL. 850, P. 15
R.P.R.R.C.T.
N 89° 59' 33" E 450.00'
1/2" IRS
1/2" IRS
S 47° 23' 17" E 211.37'
1/2" IRS
N
37.93 ACRES
REMAINDER OF 55.70 ACRES
JANE CULLINS
VOL. 5428, PG. 241
O.P.R.R.C.T.
N 0° 00' 27" W 550.00'
7.42 ACRES
PART OF 73.274 ACRES
MIKE PEOPLES
VOL. 850, P. 15
R.P.R.R.C.T.
S 0° 45' 52" W 415.00'
RESIDUE OF 73.274 ACRES
MIKE PEOPLES
VOL. 850, P. 15
R.P.R.R.C.T.
1/2" IRF
1/2" IRS
POINT OF BEGINNING
N 89° 14' 08" W 600.00'
STATE HIGHWAY 66

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **04/21/2014**

SUBJECT: **Show Cause Hearing – 410 Yvonne**

We have ordered the property owners of the structure located at 410 Yvonne to appear before the City Council to show cause, if any there is, why the structure should not be demolished. It is the City's opinion that the mobile home is a dilapidated and dangerous structure that needs to be demolished, removed or repaired.

This mobile home is currently vacant and unsecured. Neighbors have complained to us that they have seen vagrants in and out of the structure and they also suspect that drug use is taking place in the vacant structure. Our department obtained an administrative warrant on January 23, 2014 to inspect the interior of the structure. We found it to be in dilapidated condition. We have attached pictures taken during the inspection.

The registered property owners are Jose Cruz and Adrianna Guerrero, with a last known address in Balch Springs, TX. The title search showed that Mr. Cruz and Ms. Guerrero own the property outright and there are no outstanding liens or mortgages on the property. On March 26, 2014 we posted a notice of the Show Cause Hearing on the mobile home. On March 27, 2014 we mailed a notice of Show Cause Hearing via certified mail. A notice of show cause hearing was also published in the Rockwall County News. We are content that we have satisfied all state requirements in the notification processes.

On March 28, 2014 Ms. Guerrero met with us at City Hall to discuss the Show Cause Hearing. During our meeting, Ms. Guerrero gave us a letter indicating that she is in favor of demolishing the mobile home and understands that the City will move forward with the demolition approximately 30 days after the Show Cause Hearing and would follow up by filing a lien on the property for the cost of the demolition.

Ms. Guerrero would be willing to sign a demo contract to allow us to demolish the structure without having to go through the Show Cause Hearing process, but her husband's name is also on the deed. He is currently in Mexico and is unable to provide us with a notarized and signed demolition contract. Due to the fact that we are unable to obtain his signature, we had to move forward with a Show Cause Hearing. If the Council votes to condemn the property, we will demolish the structure on or after May 21, 2014.

Staff requests that the Council order the mobile home to be removed or demolished. The winning demo bid was $4500.00 to remove the structure, dead tree and existing concrete. We have funds in the budget to cover this expense.

City of Rockwall
The New Horizon

NOTICE OF SHOW CAUSE HEARING

3/26/2014

JOSE CRUZ AND ADRIANA GUERRERO
12223 QUAIL DRIVE NO 325
BALCH SPRINGS TX 75180

Re: Notice to owner to repair, demolish or remove the structure located at 410 Yvonne.

Reference City Ordinance: Chapter 10 - BUILDINGS AND BUILDING REGULATIONS ARTICLE XIII. - DANGEROUS BUILDINGS SECTION 10-537

According to the Rockwall County Appraisal District, you are the registered owner of the property known as ROCKWALL LAKE EST #2 LOT 1088 MH SERIAL # 12011978 LABEL # TEX0251898 REDMAN, located at 410 YVONNE, in Rockwall, Texas 75087. This lot contains a vacated structure and has been declared dangerous by the Building Official of the City of Rockwall.

You are hereby ordered to appear before the City Council on **April 21, 2014** at 6:00 P.M., to show cause, if any you have, why the building or structure, or any part thereof, should not be repaired, demolished or removed. At the conclusion of the hearing, the City Council may order the structures repaired, demolished, or removed as the Council deems necessary.

Tony Scorcio
Code Enforcement Officer
EMAIL: tscorcio@rockwall.com

03/28/2014

To Whom It May Concern:

My name is Adriana Guerrero and I am a co-owner the property located at 410 & 416 Yvonne, otherwise known as ROCKWALL LAKE EST #2 LOT 1088 MH SERIAL # 12011978 LABEL # TEX0251898 REDMAN, in Rockwall, TX 75032.

I am in agreement that the mobile home at 410 Yvonne needs to be demolished. My husband is out of the country and cannot sign a demolition contract, so I understand that the City has to hold a show cause hearing to have the mobile home condemned and demolished. I also understand that the City will file a lien in the amount of $4,650.00 for the demolition of the mobile home.

I plan to repair and live in the mobile home located at 416 Yvonne.

Signature: Elsa A. Guerrero

{THE STATE OF TEXAS} {COUNTY OF ROCKWALL} Before me, the undersigned authority, a Notary Public in and for the State and County aforesaid, on this day personally appeared Adriana Guerrero, Property Owner of 410 & 416 Yvonne, Rockwall, TX 75032, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of this office this, the 28th day of March, 2014.

Anna Ankrum Notary Public in and for the State of Texas

Anna Ankrum

My Commission expires: 03-21-2017.

ANNA M. ANKRUM
Notary Public, State of Texas
My Comm. Exp. 03-21-2017

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10-Dec-2013 1650 UTC | 32.884762, -96.448196
410-416 Yvonne Drive, Rockwall, TX 75032, USA



23-Jan-2014 2028 UTC | 32.884563, -96.448288
Rockwall, TX 75032, USA



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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: City Council

FROM: Ryan Miller, *Planning Manager*

CC: Robert LaCroix, *Director of Planning*
Rick Crowley, *City Manager*

DATE: April 21, 2014

SUBJECT: Z2014-004: Public Hearing Notice Amendment

At the April 7, 2014 City Council meeting a motion was made and approved to direct staff to prepare an ordinance amending Section 6.1, *Notice of Public Hearings*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) to include the following procedural changes to the public hearing notification requirements:

1) The property owner notification buffer area should be increased from 200 feet to 500 feet,
2) All notices of public hearing should be sent via first class mail with the outside of the envelope being stamped in red with the wording “Zoning Change Requested,”
3) Staff should mail a notification to all known HOA representatives within 1,500’ of the zoning change request,
4) Staff should mail notifications to all property owners listed on the most current and approved city tax rolls and to the actual notification property address if the property owner does not reside at the physical address
5) For Multi-Family properties, staff should mail notifications to the property owner and the leasing office of the apartment or housing complex.
6) A four (4) foot by four (4) foot, doubled sided sign with a distinctive color indicating what type of zoning change is being requested, should be posted on the subject property.

Attached to this memorandum is the updated ordinance. It is important for staff to note that the Texas Local Government Code requires a two-thirds (2/3) majority vote by the approving body to pass any action that prescribes or changes the notification requirements [*TLGC §211.006(c)*].

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 6.1, *NOTICE OF PUBLIC HEARINGS*, OF ARTICLE II, *AUTHORITY AND ADMINISTRATIVE PROCEDURES*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Section 6.1, *Notice of Public Hearings*, of Article II, *Authority and Administrative Procedures*; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That Section 6.1, *Notice of Public Hearings*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'A' & 'B'*.

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

Section 3. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 4. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 5TH DAY OF MAY, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *April 21, 2014*

2nd Reading: *May 5, 2014*

Exhibit 'A':
Marked Up Copy of the Amendment

Italicized, Bold & Highlighted *= Proposed Additions*
~~***Italicized, Bold, Highlighted & Strikeout***~~ *= Proposed Deletions*

Article II, Authority and Administrative Procedures, of the Unified Development Code

Section 6.1. Notice of Public Hearing.

Written notice of all public hearings on proposed changes in district boundaries shall be sent to all ***property*** owners ***listed on the most current and approved city tax rolls, and to the actual property address if the property owner does not reside at the physical address, for properties*** ~~***of property***~~ within a distance of at least ~~***200***~~ ***500*** feet from the boundaries of the subject property at least ten ***(10)*** days prior to the ***public*** hearing date. ***In addition, written notice shall also be mailed to all known Homeowners Association (HOA) representative(s) within 1,500 feet of the subject property at least ten (10) days prior to the public hearing date.*** Such notice shall be ***sent via first class mail and display a stamp on the outside of the envelope with the wording "Zoning Change Requested"*** ~~***served by using the last known address as listed on the last approved city tax roll and depositing the notice postage paid in the United States mail.***~~ ***In cases that require notices to be sent to a Multi-Family property written notice shall be sent to the property owner and the leasing office of the housing complex or apartment building.***

In addition, notice of such ***public*** hearing shall be published one ***(1)*** time in a newspaper of general circulation in the city, not less than ten ***(10)*** days prior to the date of such hearing, and ***a four (4) foot by four (4) foot double sided sign*** ~~***signs***~~ giving notice of a proposed ~~***zone***~~ ***zoning*** change shall be placed on the subject property at least ten ***(10)*** days prior to the public hearing.

Notice of hearings on proposed changes in the text of this Unified Development Code shall be accomplished by one ***(1)*** publication not less than 15 days prior to the ***public*** hearing, in the official newspaper of the city.

(Ordinance No. 10-14, § 1, July 6, 2010)

Exhibit 'B':
Clean Copy of the Amendment

Article II, Authority and Administrative Procedures, of the Unified Development Code

Section 6.1. Notice of Public Hearing.

Written notice of all public hearings on proposed changes in district boundaries shall be sent to all property owners listed on the most current and approved city tax rolls, and to the actual property address if the property owner does not reside at the physical address, for properties within a distance of at least 500 feet from the boundaries of the subject property at least ten (10) days prior to the public hearing date. In addition, written notice shall also be mailed to all known Homeowners Association (HOA) representative(s) within 1,500 feet of the subject property at least ten (10) days prior to the public hearing date. Such notice shall be sent via first class mail and display a stamp on the outside of the envelope with the wording "*Zoning Change Requested*". In cases that require notices to be sent to a Multi-Family property written notice shall be sent to the property owner and the leasing office of the housing complex or apartment building.

In addition, notice of such public hearing shall be published one (1) time in a newspaper of general circulation in the city, not less than ten (10) days prior to the date of such hearing, and a four (4) foot by four (4) foot double sided sign giving notice of a proposed zoning change shall be placed on the subject property at least ten (10) days prior to the public hearing.

Notice of hearings on proposed changes in the text of this Unified Development Code shall be accomplished by one (1) publication not less than 15 days prior to the public hearing, in the official newspaper of the city.

(Ordinance No. 10-14, § 1, July 6, 2010)

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

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

DATE: **April 16, 2014**

SUBJECT: **2014 Founders Day Festival Update and Ordinance Amendment**

The 2014 Founders Day Festival will be held at Harry Myers Park on Saturday, May 17. This will be the first time the festival has been held at the park since the inaugural event in 2004. Since 2005, the event has been held on the Square but with the downtown project underway, the festival will return to the park while construction is in progress. The 2014 event will be a celebration of the City of Rockwall's 160th birthday.

The event will be similar to past events with minor adjustments based on visitor and vendor feedback. The festival is scheduled to open to the public at 10:00am. Vendor move-in will begin Friday evening and continue on Saturday morning up until 9:00am. As of right now, there are 60 vendors registered and that number is expected to increase to around 100. Food service will be provided by a selection of gourmet food trucks and typical fair type food vendors.

Entertainment during the day will take place on a smaller stage on the south side of Pickens Lake. The day lineup includes regional bands that will perform a variety of music including Texas Country, Adult Alternative, Classic Rock and Jazz/Dance Music. The Dave Whiteman Band will perform prior to the headline act.

The headline act will be the Charlie Daniels Band. They will play a 75 minute set beginning at 7:00pm on the Myers Park Amphitheater. The Charlie Daniels Band was formed in 1970 and continues to produce new music today. Their most recent release is a tribute album to Bob Dylan and was released within the last three weeks.

Our current ordinance does not permit the possession or consumption of any type of alcoholic beverage in any City park. In 2006, the City Council amended our "Open Container" ordinance to permit the possession and consumption of alcoholic beverages at the public side of the Harbor, the Town Square and the city building complex south of the Square consisting of the Center and City Hall. These changes were made in part to facilitate events such as the Founders Day Festival, the Concert at the Lake Series, the Rib Rub, rentals at the Center, etc.

With the Founders Day Festival being relocated back to Harry Myers Park and the event being labeled as “cooler friendly” for the past eight years, the staff has prepared an amendment to the Code of Ordinances, Section 30-2 titled “Regulated Activities in Parks” for City Council consideration. Contingent on Council approval, the amendment would permit the possession and consumption of alcoholic beverages in Harry Myers Park during designated City sponsored events. The “designation” of these events would be left to the City Council and may be considered when funding is requested. City Attorney Frank Garza has prepared a draft amendment for consideration. The proposed change, if adopted, would only allow alcohol at Harry Myers Park during designated, City sponsored events. Contingent on the construction schedule of the Downtown Project, we expect the 2015 Founders Day Festival being moved back to the Town Square.

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 30 PARKS AND RECREATION, ARTICLE I IN GENERAL, SECTION 30-2. REGULATED ACTIVITIES IN PARKS TO AMEND THE POSSESSION AND CONSUMPTION OF ALCOHOL AT HARRY MYERS PARK; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the Rockwall City Council deems the public interest to be best served by the adoption of certain rules and regulations regarding Regulated activities in parks as set forth herein;

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

SECTION 1. That the Code of Ordinances in Chapter 30. Parks and Recreation, Article I. In General, Section 30-2 Regulated activities in parks is hereby repealed in its entirety and is replaced with a new Sec. 30-2 which shall hereby read in its entirety as follows:

Sec. 30-2. Regulated activities in parks.

(a) *Camping.* It shall be unlawful for any person to camp in any public park in the city, except in designated authorized areas.

(b) *Littering.* It shall be unlawful for any person to throw, dump or deposit any litter, garbage, refuse or rubbish upon property in any public park in the city except in receptacles providing therefor.

(c) *Fires.* It shall be unlawful for any person to start, maintain or permit an open fire upon property in any park in the city except in designated authorized areas.

(d) *Parking, driving motor vehicles.* It shall be unlawful for any person to park or drive a motor vehicle upon any property other than a public street in any public park in the city except in designated authorized areas.

(e) *Hours of operation.* Neighborhood parks shall be open to the public from 5:00 a.m. until 10:00 p.m. Myers Park and Tuttle Park shall be open to the public from 5:00 a.m. until 11:00 p.m. All parks other than Myers Park and Tuttle Park are deemed neighborhood parks for purposes of this provision. Each city park shall have the hours in which it is open and closed to the public posted at the entrance to the park. It shall be unlawful for any person to be in a city park at any time except during the hours designated in this provision except by special permission of the city manager.

(f) *Possession and consumption of alcohol is prohibited at any city park except for Harry Myers Park as designated by the City Council for city-sponsored events in designated areas.*

(Code 1982, § 19-3; Ord. No. 81-12, §§ 1—4, 5-4-1981; Ord. No. 85-10, §§ 1, 2, 3-4-1985; Ord. No. 00-11, § 1, 5-1-2000)

SECTION 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 3. That the Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. That it is hereby found and determined that the meeting at which this ordinance was passes was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

SECTION 6. That this Ordinance shall take effect immediately upon its second reading and newspaper publication as required by the City Charter, Section 3.11.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 5th day of May, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 04-21-2014

2nd Reading: 05-05-2014

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Ashberry, Kristy

From: Crowley, Rick
Sent: Thursday, April 17, 2014 8:47 AM
To: Pruitt, Jim
Cc: Smith, Mary; Ashberry, Kristy
Subject: Re: Agenda Item

Sure.

Sent from my iPhone

On Apr 17, 2014, at 8:12 AM, "Pruitt, Jim" <JimPruitt@rockwall.com> wrote:

> I would like an agenda item concerning discussions with business owners about alcohol related arrests that arise from their establishments. We need to educate these businesses to police themselves and their customers so our police do not have to.
> Jim
>
> Sent from my iPad

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Recognition of graduating Rockwall Youth Advisory Council (YAC) seniors

Memo 12

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Consider approval of the minutes from the April 21, 2014 regular city council meeting, and take any action necessary.

04-21-14 CC mtg. mins 14

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Consider approval of an ordinance amendment related to “Regulated Activities in City Parks," and take any action necessary. (2nd reading)

Ord._2nd Reading 25

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Z2014-004 – Consider approval of an ordinance for a city-initiated request to amend the Unified Development Code (Ordinance No. 04-38), specifically Article II, Authority and Administrative Procedures, Section 6.1, Notice of Public Hearing, and take any action necessary (2nd Reading).

Ord_2nd Reading 28

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Appointment with representative(s) of the Rockwall Youth Advisory Council (YAC) to hear year-end report and to discuss and consider approval of a resolution amending the YAC bylaws, and take any action necessary.

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Z2014-009 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Gregory D. Ollom for the approval of a change in zoning from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 7.969-acre tract of land situated in the William Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, being located at 941 Cornelius Road and take any action necessary. (1st Reading)

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Discuss and consider action as a member of the Atmos Cities Steering Committee on a resolution denying a rate increase request by Atmos Energy Corporation, Mid-Tex Division under the second annual Rate Review Mechanism, and take any action necessary.

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Discuss and consider approval of a letter of intent related to radio systems and joint dispatch center, and take any action necessary.

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Discuss and consider an ordinance authorizing the issuance of City of Rockwall, Texas, General Obligation Refunding Bond, Series 2014; levying an annual ad valorem tax and providing for the security for and payment of said bond; providing an effective date; enacting other provisions relating to the subject. (first reading) No action will be taken

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Discuss and consider a proposed franchise agreement between the City of Rockwall and Leo Rodriguez for the purposes of installing and operating batting cages at Leon Tuttle Athletic Complex, and take any action necessary.

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Discuss and consider authorizing the city manager to execute an Automatic Aid Assistance Agreement between City of Rockwall and City of Dallas, and take any action necessary.

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AGENDA
ROCKWALL CITY COUNCIL
Monday, May 05, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION (4:00 p.m.)

pg.8 **1. HOLD A WORK SESSION TO PRESENT THE PROPOSED SCHEMATIC LAYOUT OF SH 276 FROM SH 205 TO FM 549 TO CITY COUNCIL FOR THEIR INFORMATION, AND TAKE ANY ACTION NECESSARY.**

2. HOLD WORK SESSION TO HEAR UPDATE REGARDING PARK ACCESSIBILITY ASSESSMENT, AND TAKE ANY ACTION NECESSARY.

III. EXECUTIVE SESSION (4:15 p.m.)

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

1. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).

2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, May 05, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM WHITE

VIII. PROCLAMATIONS / AWARDS

pg.10 **1.** Rockwall-Heath Highsteppers Day

pg. 12 **2.** Recognition of graduating Rockwall Youth Advisory Council (YAC) seniors

IX. OPEN FORUM

X. CONSENT AGENDA

pg.14 **1.** Consider approval of the minutes from the April 21, 2014 regular city council meeting, and take any action necessary.

pg.25 **2.** Consider approval of an **ordinance** amendment related to "Regulated Activities in City Parks," and take any action necessary. **(2nd reading)**

pg.28 **3.** Z2014-004 – Consider approval of an **ordinance** for a city-initiated request to amend the Unified Development Code (Ordinance No. 04-38), specifically Article II, Authority and Administrative Procedures, Section 6.1, Notice of Public Hearing, and take any action necessary **(2nd Reading).**

XI. APPOINTMENTS

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

pg.33 **2.** Appointment with Russell Phillips to discuss and consider a variance to the requirements for signage in conjunction with PD 32, and specifically wall signage for the Trend Tower/parking garage and take any action necessary.

pg.37 **3.** Appointment with representative(s) of the Rockwall Youth Advisory Council (YAC) to hear year-end report and to discuss and consider approval of a resolution amending the YAC bylaws, and take any action necessary.

XII. PUBLIC HEARING ITEMS

pg. 43 **1.** **Z2014-009** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Gregory D. Ollom for the approval of a change in zoning from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 7.969-acre tract of land situated in the William Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, being located at 941 Cornelius Road and take any action necessary. **(1st Reading)**

XIII. ACTION ITEMS

pg.61 **1.** Discuss and consider approval of an **ordinance** amending Chapter 12, Article III, Section 12-51 through 12-66, of the Code of Ordinances, regulating peddler activities in the city, and take any action necessary. **(1st reading)**

pg.71 **2.** Discuss and consider action as a member of the Atmos Cities Steering Committee on a resolution denying a rate increase request by Atmos Energy Corporation, Mid-Tex Division under the second annual Rate Review Mechanism, and take any action necessary.

pg.80 **3.** Discuss and consider approval of a letter of intent related to radio systems and joint dispatch center, and take any action necessary.

4. Discuss and consider a request by Councilmember Pruitt regarding the naming of a city facility, and take any action necessary.

pg.87 **5.** Discuss and consider an **ordinance** authorizing the issuance of City of Rockwall, Texas, General Obligation Refunding Bond, Series 2014; levying an annual ad valorem tax and providing for the security for and payment of said bond; providing an effective date; enacting other provisions relating to the subject. **(1st reading)** No action will be taken

pg.111 **6.** Discuss and consider a proposed franchise agreement between the City of Rockwall and Leo Rodriguez for the purposes of installing and operating batting cages at Leon Tuttle Athletic Complex, and take any action necessary.

pg.119 **7.** Discuss and consider authorizing the city manager to execute an Automatic Aid Assistance Agreement between City of Rockwall and City of Dallas, and take any action necessary.

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

1. Departmental Reports

p.125 Rockwall Animal Adoption Center - March 2014

Building Inspections Monthly Report - March 2014 p.127

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p.176 Police Department Monthly Report - March 2014

2. City Manager's Report

XV. EXECUTIVE SESSION

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

1. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).

2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

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

XVII. ADJOURNMENT

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

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

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 2nd day of May, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

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

DATE: April 28, 2014

SUBJECT: SH 276 from SH 205 to FM 549

Rockwall County and the Texas Department of Transportation (TxDOT) are partnering to design and re-construct SH 276 from SH 205 to FM 549. The roadway is currently a two lane asphaltic roadway with bar ditches and maintained by TxDOT forces. The proposed section is a six lane divided reinforced concrete roadway. The first phase will probably construct four of the six lanes and construct the remaining lanes when future traffic volumes require expansion.

TxDOT's design engineer is preparing the roadway schematic for comments at an upcoming public hearing. The target bid date is late Summer of 2015 if TxDOT funding is available.

Staff will present the proposed schematic layout to City Council at the May 5, 2014 Council meeting for their input and comment.

TMT:em

Cc:

Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
Billy Chaffin, Superintendent of Streets & Drainage
file

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Proclamation

Rockwall, Texas

Whereas, on March 1, 2014, the Rockwall-Heath High School Highsteppers won the Grand Champion Title at the HTE Texas State Dance Team Championships; and

Whereas, on March 28, 2014, the Rockwall-Heath High School Highsteppers team then went on to win the National Championship and the Highstepper Officers won the National Champion Title at the American Dance and Drill Team National/International Contest; and

Whereas, the Highsteppers continue to proudly represent Rockwall-Heath High School and their entire community favorably through award-winning performances, personal development, and philanthropic endeavors; and

Whereas, the City of Rockwall is extremely proud of the Rockwall-Heath High School Highsteppers and of their rich tradition of excellence on the football field, on the dance floor, and in the classroom;

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim May 5, 2014 as



ROCKWALL-HEATH HIGHSTEPPERS DAY

in the City of Rockwall in honor and appreciation of the hard work and effort of all the Heath Highstepper students, faculty, support staff and parents.

In Witness Whereof, I hereunto set my hand and official seal this 5th day of May, 2014.

_____

David Sweet, Mayor

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City of Rockwall
The New Horizon

MEMORANDUM

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

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

DATE: **May 5, 2014**

SUBJECT: **Youth Advisory Council (YAC) student recognitions**

Members of the Rockwall YAC will be present at Monday's city council meeting, which will mark the last official YAC event of this school year. Mayor Sweet and Mayor Pro Tem White will be presenting recognition certificates to each graduating senior, which includes the following students:

- Eric Jones (Chair, 2013-2014)
- Doug Yancy
- Michael Dawe
- Sharon Maguire
- Aylana Alvarez
- Kennedy Burge
- Samantha Lopez
- Ali Stricklin
- CJ Chidozie

A total of about nine local students typically serve on YAC annually. However, as the council may recall, YAC was 'heavy stacked' with seniors this school year in order to have additional help planning and executing the YAC Summit which was hosted in Rockwall this past February.

Those who are not graduating and, therefore, may be considered by the city council for possible reappointment to the YAC next school year include:

- Heath Terry
- Aaron Stubbs
- Sam Strahan
- Beth Naylor
- Isabella Burzair
- Baldwin Bakkal
- Derek Avenetti

This means at least 2 vacancies will need to be filled by the Council at the start of the school year in fall.

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MINUTES
ROCKWALL CITY COUNCIL
Monday, April 21, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

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

II. WORK SESSION

1. HOLD WORK SESSION TO DISCUSS AND CONSIDER PROPOSAL RELATED TO A COUNTYWIDE INTEROPERABILITY RADIO SYSTEM AND JOINT DISPATCH FACILITY, INCLUDING PROPOSED LETTER OF INTENT, AND TAKE ANY ACTION NECESSARY.

Assistant City Manager Brad Griggs provided a brief summary of the status of this discussion.

Councilmember Daniels indicated that he has concerns about "control" and oversight of the proposed, joint dispatch center. Councilmember Pruitt indicated he spoke with Judge Hogan and expressed that all Rockwall council members have concern about 'control' with regards to the idea of a joint dispatch center. He stated that Judge Hogan explained that a board would be appointed by the various city councils and would be made up of the sheriff and police chiefs. The board would oversee the dispatch center and would be a voting, authoritative board rather than only advisory in nature. Mayor Sweet indicated he spoke at the commissioner's court meeting last week and generalized that he has and expressed the most concerns about cost and control. In addition to these concerns, he also indicated he did mention to the county commissioner's court Chief Poindexter's concerns related to a continued ability to communicate with Hunt County and Dallas under any new radio system. He is also concerned that service will need to be greater than or at least equal to the level of dispatch service that the City of Rockwall is already providing to the public.

Councilmember Lewis asked if there have been any conversations related to the countywide Emergency Services Corporation Board taking over any future, joint dispatch center. Mayor Sweet indicated that he has heard no talk about this possibility.

Councilmember Townsend agreed that a letter of intent should be sent, but he wants to include the caveat that the board should be a governing board, not just advisory. He also thinks it is prudent to split out the two projects (dispatch center separate from radio system).

Mayor Pro Tem White asked Mr. Crowley what the disadvantages are if the City of Rockwall does not pursue these joint, collaborative projects being proposed. Mr. Crowley indicated that the city's radio system that was installed about ten years ago and was new at that time did not come about at a time when other entities within the county were in a position to buy into that new radio system. So, an opportunity for interoperability did not come to fruition at that time with the new radio system, and that same kind of opportunity would potentially

be lost for a number of years with this proposed, new system if all entities do not agree to join in and participate in it. Mayor Pro Tem White asked what the citizens of the City of Rockwall gain or lose with regards to being a part of this new, proposed system or not. Mr. Crowley indicated that if the city does not partner on this proposed, new system, city residents would pay one hundred percent of the cost of a new radio system when the time comes to replace our existing system. Regarding an advantage, Mr. Crowley explained that if the city does choose to partner with other entities on something like what is being proposed, the ability for emergency responders to effectively communicate with one another will be enhanced.

Mayor Sweet asked where the funding for these projects would be coming from within the county's budget. Mr. Crowley indicated he does not know the answer to this question. Mayor Pro Tem White pointed out that, regardless, Rockwall citizens still pay taxes to both the city and the county.

Mr. Crowley expressed a need to evaluate what the cost would be to the city if it partnered on the new radio system but continued to maintain separate dispatch facilities. The cost of upgrades to equipment in the city's dispatch center, for example, is not known at this time and may not be known until further along in the planning process.

After additional discussion, Mayor Sweet made a motion to direct staff to prepare a modified letter of intent to be brought back to the council for consideration and that addresses the Rockwall City Council's concerns, including:

- **More accurate costs**
- **Long term impact of costs associated with the City of Rockwall on both aspects of the proposal**
- **Coverage aspects**
- **Command**

Mayor Pro Tem White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Sweet then read the below listed discussion items into the record before recessing the public meeting into Executive Session.

III. EXECUTIVE SESSION. (4:15 P.M.)

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

1. Discussion regarding board composition and duties of Airport Zoning Board pursuant to Section 551.071 (Consultation with Attorney) and 551.074 (Personnel).
2. Discussion regarding potential city-initiated zoning for property currently used for commercial purposes pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding land acquisition in the vicinity of FM-740 and IH-30 for municipal purposes pursuant to Section 551.072 (Real Property).
4. Discussion regarding possible claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)

5. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

6. **From Public Mtg. agenda (Public Hearing item #2 below) - Z2014-008** - Hold a public hearing to discuss and consider approval of an ordinance for a request by Mike Peoples for the approval of a zoning change from an Agriculture (AG) District to a Heavy Commercial (HC) District for a 7.42-acre tract of land identified as a portion of Tract 4-01 of the M. B. Jones Survey, Abstract No. 122, Rockwall, Rockwall County, Texas, situated within the East SH 66 Corridor Overlay (E-SH 66 OV) District, located east of the intersection of John King Boulevard and SH-66, and take any action necessary. (1st reading) (3/4 majority vote required)

IV. ADJOURN EXECUTIVE SESSION

Executive Session adjourned at 5:12 p.m.

MINUTES
ROCKWALL CITY COUNCIL
Monday, April 21, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

Mayor Sweet reconvened the public meeting. All seven council members and members of city management were present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem White made a motion to direct staff to draft a resolution appointing the Planning and Zoning Commission as the Airport Zoning Board. Councilmember Lewis seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

Mayor Pro Tem White made a motion to not pursue purchase of land or object to adjacent land owner purchasing said land located in the vicinity of FM-740 and IH-30 as discussed in Executive Session. Councilmember Milder seconded the motion, which passed unanimously (7 ayes to 0 nays).

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TOWNSEND

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

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the April 7, 2014 regular city council meeting, and take any action necessary.

2. Consider approval of the minutes from the April 14, 2014 city council work session, and take any action necessary.

3. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 44. Utilities, Article V. Water, Division 7. Drought Contingency and Water Emergency Response Plan to keep the city in compliance with Texas Commission on Environmental Quality requirements, and take any action necessary. **(2nd reading)**

4. Consider approval of an **ordinance** amending the city's Water Conservation Plan to keep the city in compliance with Texas Commission on Environmental Quality (TCEQ) requirements, and take any action necessary. **(2nd reading)**

Councilmember Pruitt pulled item #3 for further discussion. Mayor Pro Tem made a motion to approve the remainder of the Consent Agenda (#1, 2, and 4). Councilmember Townsend seconded the motion. The motion passed by a vote of 7 ayes to 0 nays.

Regarding Consent Agenda item #3, Councilmember Pruitt made a motion to allow residents thirty days for watering new plantings, lawns and landscaping until the plants get established and can then be watered once every two weeks. He questioned why the city would permanently change this ordinance to stipulate that watering should take place once every two weeks because, when the drought ends, citizens should then be allowed and encouraged to water as often as they would like.

Councilmember Pruitt made a motion to adopt the ordinance (Consent #3) with the caveat that, as far as new plantings of landscaping are concerned, residents will be able to water those for up to thirty days after they are planted. Councilmember Townsend seconded the motion. After brief discussion, the ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 7. DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN, TO PROVIDE FOR CERTAIN DELETIONS AND CHANGES TO ITS PROVISIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR AN EFFECTVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

IX. APPOINTMENTS

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

Chair of the Planning and Zoning Commission, Craig Renfro, came forth and provided a briefing to the council relative to planning-related items on tonight's agenda. The council took no action related to this agenda item.

2. Appointment with Lewis Crain of Rutledge, Crain & Company,PC to present the city's Fiscal Year 2013 Comprehensive Annual Financial Report, and take any action necessary.

Mr. Crain came forth and provided brief comments to the council, generally indicating that the city's finances are in a stable, favorable condition, including a healthy reserve fund balance. He indicated that this is the last year his company will be auditing the City of Rockwall. He offered several compliments, including to the City of Rockwall, the city's Finance Director and the City Manager.

Councilmember Pruitt questioned Mr. Crain's indication that "things are good because ad valorem taxes are up." Mr. Crain stated that the reason why ad valorem taxes are up is because of growth, and that is a good thing. Councilmember Pruitt asked Mr. Crain for clarification as far as city debt is concerned, indicating the city owes about $144 million, which equates to roughly $3,000 for every man, woman and child that lives in the City of Rockwall. Mr. Crain concurred with this rough estimate.

X. PUBLIC HEARING ITEMS

1. **Z2014-007** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Darren Cain of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan and allow for changes to the development standards contained in Exhibit 'C' of Ordinance 12-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix provided background information related to this agenda item. He explained that the density is now proposed to be 749 single family, residential homes. The Planning and Zoning Commission has recommended approval of this item by a vote of 4 ayes to 2 nays. Notices were mailed out to adjacent property owners, and no notices have been received back by staff at this time. Mr. LaCroix went on to explain a history of how the property has evolved over time as far as its proposed development is concerned and the past 212 development agreement. It was indicated that 810 residential lots were reflected in the original 212 agreement, and two school lots were included. Then, when the property was zoned, the developer asked for a portion of it to be retail. The city council at that time wanted 59 acres of it to be 'retail,' and the number of lots were proposed at 658. Currently, the school district has backed out of the two lots, the retail portion is being reduced, and the developer is proposing 749 residential lots.

Mayor Pro Tem White asked if notices were sent to any property owners located east of Breezy Hill, and Mr. LaCroix indicated that no notices were sent to that area. Discussion took place related to density and lot size.

Mayor Sweet opened the public hearing and called the applicant forth to speak.

Adam Buzceck
Skorburg Company
8214 Westchester Drive, Ste. 710
Dallas, TX 75225

Mr. Buzceck clarified that this current proposal does not change the overall density. It increases the number of lots, but the density on residential acreage remains 2.0. Essentially, he is proposing to swap about twenty-five acres of land currently zoned retail for twenty-five acres of residential, which is about fifty more residential lots. Mr. Buczeck provided details related to the structure of the Skorburgh company, including the builders who build within their neighborhoods in Rockwall, the price points of homes within these communities, and the proposed lot sizes.

In response to the Mayor's questions regarding the fifty foot lots, Mr. Buzceck indicated the homes in these areas would be about 1,800 to 3,600 square feet with a price point of about $240,000's to $320,000's. He indicated that they are currently building these types of lots in Rockwall's Stonecreek and in McKinney right now. He explained that this product has been very successful, and it has smaller yards to maintain. Mr. Muczeck explained that they are asking to reduce the number of lots originally proposed to be 60' and 70' lots and instead create a new category of 50' lots (transition the 60' and 70' lots over to 50' lots instead).

Councilmember Lewis asked when the development may begin in this area if council approves what is being proposed this evening. Mr. Buczeck indicated that it would likely be in May. Councilmember Lewis generally expressed concern about adding smaller residential lots and smaller homes and cutting way back on the originally proposed amount of retail. He indicated that there is no way they could absorb approximately 60 acres of retail at this location, as the market does not dictate that at this time.

Councilmember Daniels expressed concern about allowing fifty additional homes, above what was proposed before, to go in at this location. He is concerned about the drought and current water shortages with regards to potentially approving these fifty additional residential homes.

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

Councilmember Pruitt made a motion to deny this requested zoning change. Councilmember Daniels seconded the motion. The motion to deny passed by a vote of 6 ayes with 1 against (White).

2. **Z2014-008** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Mike Peoples for the approval of a zoning change from an Agriculture (AG) District to a Heavy Commercial (HC) District for a 7.42-acre tract of land identified as a portion of Tract 4-01 of the M. B. Jones Survey, Abstract No. 122, Rockwall, Rockwall County, Texas, situated within the East SH 66 Corridor Overlay (E-SH 66 OV) District, located east of the intersection of John King Boulevard and SH-66, and take any action necessary. **(1st reading) (3/4 majority vote required)**

Mr. LaCroix provided background information related to this agenda item, explaining that Mr. Peoples has a potential tenant that is interested in this location. He explained that it is heavy machinery, construction rental company called Sunbelt Rentals. Notices were sent out to adjacent property owners regarding this public hearing, and staff did receive three notices back in opposition of this proposed zoning change. The Planning and Zoning Commission recommended denial of this item by a majority vote. Mr. LaCroix indicated that this item will require a ¾ majority vote of the council to be approved.

Mayor Sweet opened the public hearing and called the applicant forward.

Mr. Peoples came forth and indicated that he owns about 200 acres next to Mr. Cain's property. He explained that this company, Sunbelt, runs a daytime only type of business and rents equipment, such as chainsaws. He indicated that he believes there is no "heavy commercial" zoning elsewhere in Rockwall and stated that any traffic concerns associated with his proposed business tenant would be very minimal.

Bill Bricker
505 Westway
Rockwall, TX

Mr. Bricker came forth, indicating he represents Columbia Development and Rockwall Property Corporation. He stated that he submitted documentation in opposition of the proposed HC zoning. He would prefer the council consider allowing a Planned Development (PD) instead with the underlying zoning being 'Commercial' and an allowable use included so that Mr. Peoples can still have his rental business locate there. He is hoping for something such as a small grocer there instead. He expressed concern about traffic. He believes the highest, best use for this property would be 'commercial' rather than 'heavy commercial.'

Harry Green
1235 Waters Edge Drive
Rockwall, TX

Mr. Green pointed out that this areas is located in the SH 66 Corridor Overlay District. He expressed that the proposed 'heavy commercial' zoning does not fit into what the city itself has outlined for this particular overlay district. He is further concerned it would not fit into the Overlay District because of nearby residential areas, and it would increase traffic. He expressed that he objects to this particular function and the request by Mr. Peoples. He suggested that this proposal does not meet the city's own, defined standards, and it is not conducive to heavy trucks and associated traffic.

Donna Doorman
Resident of Caruth Lakes (no address provided)

Mrs. Doorman came forth and expressed general opposition for this zoning request. She has concerns about noise, litter and traffic associated with heavy machinery and trucks that may be associated with a 'heavy commercial' zoning. She believes large trucks will make SH-66 even less safe for pedestrians to walk in this area. She is concerned about diesel trucks and the potential for pollutants to accidentally make their way into the nearby waterway. Overall, she expressed objection to this zoning.

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

Councilmember Daniels made a motion to deny this item. Councilmember Milder seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XI. ACTION ITEMS

1. Hold a Show Cause Hearing to discuss and consider demolition of a dangerous building located at 410 Yvonne, and take any action necessary.

Building Official Jeffrey Widmer indicated that the applicant, in this case, is in favor of this demolition. However, her husband is out of the country, so he is unable to sign the documentation needed. After brief discussion, Councilmember Lewis made a motion to order the demolition. Councilmember Daniels seconded the motion. There being no indication that the owner of the property was present in the audience, Mayor Sweet called for the vote. The motion passed by a vote of 7 ayes to 0 nays.

2. **Z2014-004** – Discuss and consider approval of an **ordinance** for a city-initiated request to amend the Unified Development Code (Ordinance No. 04-38), specifically Article II, Authority and Administrative Procedures, Section 6.1, Notice of Public Hearing, and take any action necessary **(1st Reading).**

Councilmember Pruitt made a motion to approve the ordinance for Z2014-004. Mayor Pro Tem White seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 6.1, *NOTICE OF PUBLIC HEARINGS*, OF ARTICLE II, *AUTHORITY AND ADMINISTRATIVE PROCEDURES*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider Founders Day Festival update including consideration of an **ordinance** amendment related to “Regulated Activities in City Parks," and take any action necessary. **(1st reading)**

Assistant City Manager Brad Griggs indicated that Founder’s Day is being moved to its inaugural location, Harry Myers Park, due to construction currently taking place in the downtown area. He shared details about the vendors, the entertainment lineup and a brief description of where the activities, vendors and entertainers will be located. The Charlie Daniels Band will be the main, headline act and will perform at the amphitheater on the north side of the lake. Parking will be at Dobbs, Myers, Columbia and the RISD administration building. Mr. Griggs explained the nature of the proposed ordinance amendment. This allowing of alcohol in Harry Myers Park through passage of this ordinance would be only for city sponsored events and only for this particular, city-sponsored event (Founder’s Day 2014).

Mayor Sweet made a motion to approve the ordinance as recommended by staff. Councilmember Lewis seconded the motion. Councilmember Daniels expressed that he is generally opposed to open coolers and open consumption of alcohol on city property.

The ordinance was read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 30 PARKS AND RECREATION, ARTICLE I IN GENERAL, SECTION 30-2. REGULATED ACTIVITIES IN PARKS TO AMEND THE POSSESSION AND CONSUMPTION OF ALCOHOL AT HARRY MYERS PARK; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

Mayor Sweet asked about policing at this event. Chief Moeller indicated that his police officers will be on-site, on duty policing at the event.

The ordinance passed by a vote of 5 in favor with 2 against (Pruitt and Daniels).

4. Discuss and consider communications with business owners regarding alcohol related arrests that arise from these establishments and take any action necessary.

Councilmember Pruitt explained that he placed this item on the agenda for discussion. He explained that if there is a pattern of arrests coming out of certain business establishments, this is an indication to the city that the business is over serving alcohol to patrons. In these circumstances, he would like the city to speak with the businesses to make them aware.

Mayor Sweet suggested that the City Manager include this topic as part of the ongoing conversations he has with local business owners.

Police Chief Mark Moeller indicated that this has occasionally been done by the city's Police Department on a case-by-case, informal basis. He indicated that he would be happy to speak to local business about these sorts of concerning patterns if they develop.

Councilmember Pruitt made a motion to have staff set up some type of policy by which, when the PD is aware that certain business are over serving patrons, the city manager's office will have a conversation with those business owners to make them aware of arrests and other alcohol-related activities associated with patrons leaving their establishments. Mayor Sweet seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XII. EXECUTIVE SESSION

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

1. Discussion regarding board composition and duties of Airport Zoning Board pursuant to Section 551.071 (Consultation with Attorney) and 551.074 (Personnel).

2. Discussion regarding potential city-initiated zoning for property currently used for commercial purposes pursuant to Section 551.071 (Consultation with Attorney)

3. Discussion regarding land acquisition in the vicinity of FM-740 and IH-30 for municipal purposes pursuant to Section 551.072 (Real Property).

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

5. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

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

The Council did not reconvene in Executive Session following the close of the public meeting agenda.

XIV. ADJOURNMENT

The meeting was adjourned at 7:51 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 5th day of May, 2014.

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 30 PARKS AND RECREATION, ARTICLE I IN GENERAL, SECTION 30-2. REGULATED ACTIVITIES IN PARKS TO AMEND THE POSSESSION AND CONSUMPTION OF ALCOHOL AT HARRY MYERS PARK; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the Rockwall City Council deems the public interest to be best served by the adoption of certain rules and regulations regarding Regulated activities in parks as set forth herein;

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

SECTION 1. That the Code of Ordinances in Chapter 30. Parks and Recreation, Article I. In General, Section 30-2 Regulated activities in parks is hereby repealed in its entirety and is replaced with a new Sec. 30-2 which shall hereby read in its entirety as follows:

Sec. 30-2. Regulated activities in parks.

(a) *Camping.* It shall be unlawful for any person to camp in any public park in the city, except in designated authorized areas.

(b) *Littering.* It shall be unlawful for any person to throw, dump or deposit any litter, garbage, refuse or rubbish upon property in any public park in the city except in receptacles providing therefor.

(c) *Fires.* It shall be unlawful for any person to start, maintain or permit an open fire upon property in any park in the city except in designated authorized areas.

(d) *Parking, driving motor vehicles.* It shall be unlawful for any person to park or drive a motor vehicle upon any property other than a public street in any public park in the city except in designated authorized areas.

(e) *Hours of operation.* Neighborhood parks shall be open to the public from 5:00 a.m. until 10:00 p.m. Myers Park and Tuttle Park shall be open to the public from 5:00 a.m. until 11:00 p.m. All parks other than Myers Park and Tuttle Park are deemed neighborhood parks for purposes of this provision. Each city park shall have the hours in which it is open and closed to the public posted at the entrance to the park. It shall be unlawful for any person to be in a city park at any time except during the hours designated in this provision except by special permission of the city manager.

(f) *Possession and consumption of alcohol is prohibited at any city park except for Harry Myers Park as designated by the City Council for city-sponsored events in designated areas.*

(Code 1982, § 19-3; Ord. No. 81-12, §§ 1—4, 5-4-1981; Ord. No. 85-10, §§ 1, 2, 3-4-1985; Ord. No. 00-11, § 1, 5-1-2000)

SECTION 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 3. That the Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. That it is hereby found and determined that the meeting at which this ordinance was passes was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

SECTION 6. That this Ordinance shall take effect immediately upon its second reading and newspaper publication as required by the City Charter, Section 3.11.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 5th day of May, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 04-21-2014

2nd Reading: 05-05-2014

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CITY OF ROCKWALL

ORDINANCE NO. 14-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 6.1, *NOTICE OF PUBLIC HEARINGS*, OF ARTICLE II, *AUTHORITY AND ADMINISTRATIVE PROCEDURES*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Section 6.1, *Notice of Public Hearings*, of Article II, *Authority and Administrative Procedures*; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That Section 6.1, *Notice of Public Hearings*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'A' & 'B'*.

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

Section 3. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 4. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 5TH DAY OF MAY, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: April 21, 2014

2nd Reading: May 5, 2014

Exhibit 'A':
Marked Up Copy of the Amendment

Italicized, Bold & Highlighted *= Proposed Additions*
~~***Italicized, Bold, Highlighted & Strikeout***~~ *= Proposed Deletions*

Article II, Authority and Administrative Procedures, of the Unified Development Code

Section 6.1. Notice of Public Hearing.

Written notice of all public hearings on proposed changes in district boundaries shall be sent to all ***property*** owners ***listed on the most current and approved city tax rolls, and to the actual property address if the property owner does not reside at the physical address, for properties*** ~~***of property***~~ within a distance of at least ~~***200***~~ ***500*** feet from the boundaries of the subject property at least ten ***(10)*** days prior to the ***public*** hearing date. ***In addition, written notice shall also be mailed to all known Homeowners Association (HOA) representative(s) within 1,500 feet of the subject property at least ten (10) days prior to the public hearing date.*** Such notice shall be ***sent via first class mail and display a stamp on the outside of the envelope with the wording "Zoning Change Requested"*** ~~***served by using the last known address as listed on the last approved city tax roll and depositing the notice postage paid in the United States mail.***~~ ***In cases that require notices to be sent to a Multi-Family property written notice shall be sent to the property owner and the leasing office of the housing complex or apartment building.***

In addition, notice of such ***public*** hearing shall be published one ***(1)*** time in a newspaper of general circulation in the city, not less than ten ***(10)*** days prior to the date of such hearing, and ***a four (4) foot by four (4) foot double sided sign*** ~~***signs***~~ giving notice of a proposed ~~***zone***~~ ***zoning*** change shall be placed on the subject property at least ten ***(10)*** days prior to the public hearing.

Notice of hearings on proposed changes in the text of this Unified Development Code shall be accomplished by one ***(1)*** publication not less than 15 days prior to the ***public*** hearing, in the official newspaper of the city.

(Ordinance No. 10-14, § 1, July 6, 2010)

Exhibit 'B':
Clean Copy of the Amendment

Article II, Authority and Administrative Procedures, of the Unified Development Code

Section 6.1. Notice of Public Hearing.

Written notice of all public hearings on proposed changes in district boundaries shall be sent to all property owners listed on the most current and approved city tax rolls, and to the actual property address if the property owner does not reside at the physical address, for properties within a distance of at least 500 feet from the boundaries of the subject property at least ten (10) days prior to the public hearing date. In addition, written notice shall also be mailed to all known Homeowners Association (HOA) representative(s) within 1,500 feet of the subject property at least ten (10) days prior to the public hearing date. Such notice shall be sent via first class mail and display a stamp on the outside of the envelope with the wording "*Zoning Change Requested*". In cases that require notices to be sent to a Multi-Family property written notice shall be sent to the property owner and the leasing office of the housing complex or apartment building.

In addition, notice of such public hearing shall be published one (1) time in a newspaper of general circulation in the city, not less than ten (10) days prior to the date of such hearing, and a four (4) foot by four (4) foot double sided sign giving notice of a proposed zoning change shall be placed on the subject property at least ten (10) days prior to the public hearing.

Notice of hearings on proposed changes in the text of this Unified Development Code shall be accomplished by one (1) publication not less than 15 days prior to the public hearing, in the official newspaper of the city.

(Ordinance No. 10-14, § 1, July 6, 2010)

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **March 5, 2014**

SUBJECT: **Sign variance request for wall signage for Trend Tower/parking garage.**

Mr. Russell Phillips recently contacted our Building Inspections Department, in an effort to obtain permits for some new signage for the Trend Tower parking garage building. After review of the submitted plans, it was determined that two of the proposed signs are not permitted by our sign ordinance. Our ordinance requires that a building tenant's signage be located on or adjacent to their respected lease spaces within a building. The requested sign locations are for signs that do not meet that standard.

Our PD32 district development standards contain provisions for an applicant/developer to ask the City Council for variances to the sign ordinance, for signage within the approved development where unique or extraordinary conditions exist or where strict adherence to the sign ordinance provisions would create a hardship. Approval of such a variance would require a three-quarter majority vote.

Mr. Phillips has submitted exhibits which show the proposed locations and overall sign sizes that he is requesting. I would like to point out that the overall size of the proposed signs, do not exceed the maximum allowable wall sign size. I have circled the two proposed signs, which would require a variance approval in order for them to be permitted.

TREND TOWER SIGN EXHIBIT
NORTH ELEVATION

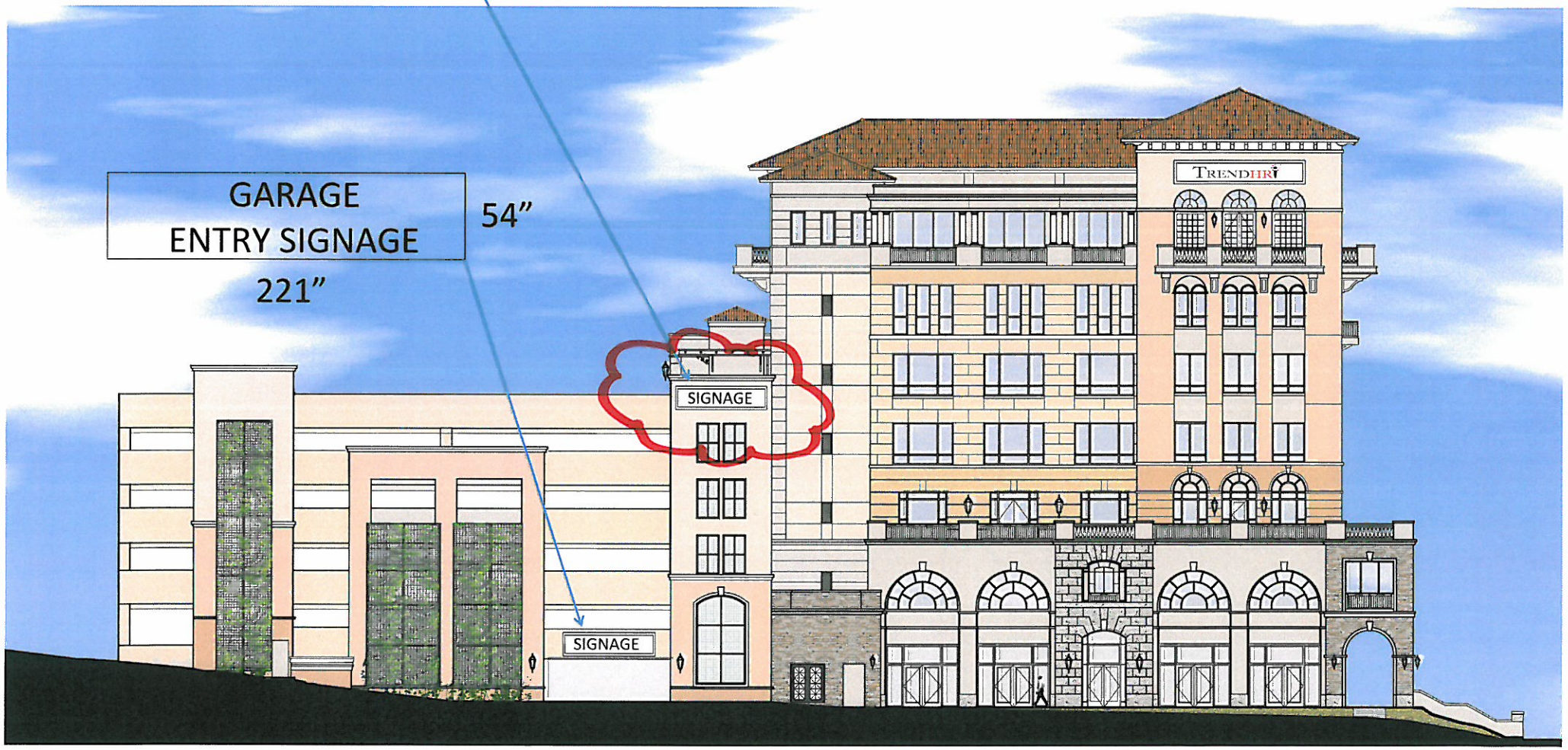
LOGO 45”

FUTURE TENANT SIGNAGE 54”

221”

GARAGE ENTRY SIGNAGE 54”

221”



34

45"

45"

54"

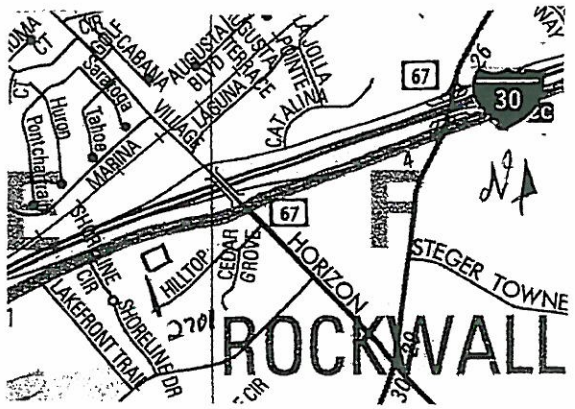
19" copy

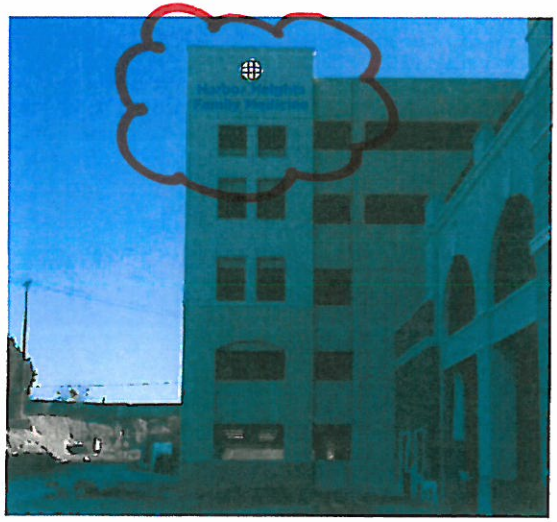
Harbor Heights Family Medicine

" overall

221"

Individual lighted channel letters mounted to raceway. Installed to fascia with masonry anchors.



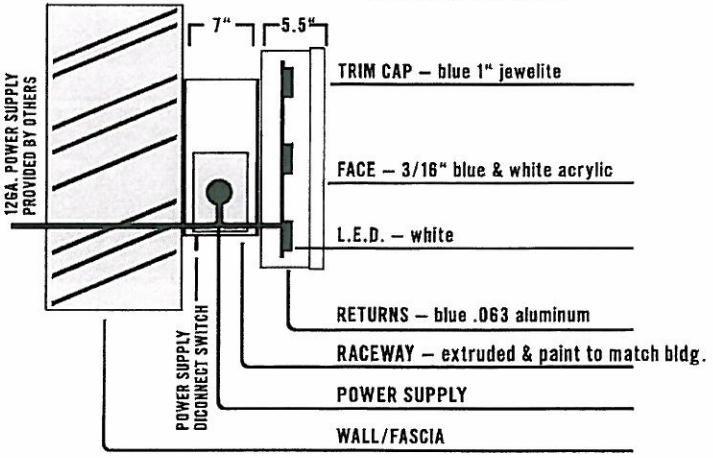


sign location



CROSS SECTION

CIRCUIT CAPACITY=277 VOLT/20AMP
SIGN VOLTAGE=3.8AMPS



West elevation

FINAL ELECTRICAL CONNECTION BY CUSTOMER

THIS SIGN IS INTENDED TO BE MANUFACTURED IN ACCORDANCE WITH ARTICLES 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING & BONDING OF THE SIGN. SIGN WILL BEAR UL LABEL.

Please sign for approval

Project: 2701 Sunset Ridge Suite 200

Hightech Signs
2850 Ridge Rd. Rockwall, TX 75032
972.771.5599 Fax: 972.771.5749 ht-signs.com

Designed by: Chad Perry Date: 4/25/14

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City of Rockwall
The New Horizon

MEMORANDUM

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

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

DATE: **May 2, 2014**

SUBJECT: **YAC at May 5th city council meeting**

As you know, members of the Rockwall Youth Advisory Council will be present at the Monday, May 5th city council meeting. They will join the council for dinner between 5:00 and 6:00 p.m. Towards the beginning of the meeting, the mayor and mayor pro tem will recognize outgoing seniors during "Proclamations & Awards," and the YAC will have an appointment item on the meeting agenda as well. During the appointment item, YAC will provide a year-end report to the Council and propose certain changes to the YAC bylaws for council consideration. This proposed resolution is being put forth in an effort to clean up some language and to propose additional language regarding attendance expectations and associated accountability. A draft of the proposed bylaws, which reflects deletions and additions in red font, is included in your meeting packets for review. I will be available to answer any questions you may have.

CITY OF ROCKWALL

RESOLUTION NO. 14-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, REPEALING RESOLUTION NO. 11-32 IN ITS ENTIRETY AND ESTABLISHING UPDATED, REVISED BYLAWS FOR THE YOUTH ADVISORY COUNCIL (YAC) OF THE CITY OF ROCKWALL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas finds that modifications to the existing bylaws of the Youth Advisory Council are in the best interest of students participating in the program;

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

Section 1. That the City Council of the City of Rockwall hereby repeals Resolution No. 11-32 in its entirety, which established revised bylaws for the City of Rockwall Youth Advisory Council (YAC).

Section 2. That a new set of revised bylaws are heretofore adopted as set forth below:

I. CREATION

There will be an established Youth Advisory Council (YAC) for the City of Rockwall, which shall be sponsored by the City of Rockwall.

II. APPOINTMENT OF MEMBERS & ADULT ADVISORS / LIAISONS

The Youth Advisory Council shall consist of no less than nine (9) youth members and no less than two (2) adult advisors. Adult advisors shall be faculty for any school serving students living in the City of Rockwall. The schools shall appoint adult advisors and notify the City of their appointments.

The city council shall designate one of its members to serve as a liaison to the YAC. The City Secretary of Rockwall or his / her designee shall serve as an advisor and staff liaison to the Youth Advisory Council.

All Youth Advisory Council Members shall be selected via an open application process. Applications must be submitted through the City Secretary's Office. A deadline for submitting applications shall be established ~~yearly~~ by the City Secretary's Office. To be eligible for membership potential candidates must be at least freshman level students residing in the City of Rockwall. The Rockwall City Secretary, City Council (or designated member(s) of the Council) and the City Manager and/or her designee shall interview applicants wishing to serve on the Youth Advisory Council.

Selection will be based on the following: (1) residency requirements - they must reside within the corporate city limits of the City of Rockwall or be financially sponsored by either the government of the jurisdiction in which they live, by an individual or by a group; (2) strength of the candidate's application and letter(s) of recommendation; (3) schedule and availability of the candidate; (4) candidate's willingness to commit the time and effort required to participate in the program; and (5) the candidate's performance in the interview process. Preference will be given to those students residing within the City of Rockwall. Once the interview panel has made its selections, it will present the recommended candidates to the full City Council for consideration. The Rockwall City Council will make final selection decisions regarding candidates. Appointments to the YAC shall be made by the City Council whenever vacancies exist.

III TERMS & OFFICERS

Youth Advisory Council members shall be reappointed annually until which time as they either graduate from high school or are no longer willing or able to remain actively involved in serving on the YAC. All Youth Advisory Council members shall serve at the pleasure of the Rockwall City Council. The Youth Advisory Council shall include a chair, vice-chair, secretary and historian ~~treasurer~~, all of whom shall be selected annually by members of the Youth Advisory Council.

IV. ATTENDANCE

~~Absence from two consecutive meetings of the Youth Advisory Council shall operate to vacate a seat of a member, unless such absence is excused by an adult advisor.~~

Members of the Rockwall Youth Advisory Council are expected to take their appointment to the YAC seriously through display of leadership, courtesy, punctuality, and consistent attendance. YAC members are asked to attend all regularly-scheduled, monthly YAC meetings as well as any additional YAC-related events which may be scheduled throughout the school year. Absence from **more than two scheduled YAC meetings or events** during a school year may operate to vacate a member's seat, unless such absences are excused by an adult advisor at least seventy-two hours (72 hours) in advance of said, scheduled meeting or event. Should absenteeism become excessive ("excessive" here is defined as missing more than two YAC meetings or events during the course of a school year), the YAC member in question may be called before his or her fellow YAC members to give an account for his / her absenteeism. It shall then be up to the discretion of the remaining YAC members to determine, through deliberation and majority vote, if the YAC member shall remain in his / her position on the YAC or be recommended for removal from YAC for the remainder of the school year. Recommendations from the YAC regarding removal of a fellow member due to excessive absenteeism shall be submitted to the Rockwall City Council for final determination and disposition.

V. OBJECTIVE AND DUTIES

It shall be the purpose of the Rockwall Youth Advisory Council to educate youth about local government, to provide participation by local youth in municipal government and to routinely report thereon to the Rockwall City Council. The Youth Advisory Council shall be consultative in nature and shall be charged with evaluating issues relevant to youth and submitting recommendations to the Rockwall City Council and other pertinent parties for advisement or consideration.

Specifically, the Rockwall Youth Advisory Council shall be responsible for the following:

A. Promoting participation in and understanding of local government by youth.

B. Working, as necessary, with certain special events, projects, and fundraisers.

C. Periodically attending Rockwall City Council and other Board and Commission meetings to better understand local government operations.

D. "Shadowing" Rockwall City Councilmembers and certain City staff in order to better understand their roles in serving citizens and setting policy.

E. Conducting "pseudo" city council meetings ~~on at least an annual basis~~ on an 'as needed' basis to obtain feedback from youth in the community related to issues of concern to them or related to Council assigned projects.

F. Monitoring municipal programs and Boards/Commissions Agenda topics in regard to their bearing on youth in the Rockwall community.

G. Making recommendations to the Rockwall City Council relative to programs and activities affecting youth in the community.

H. Providing access for comment and input from the youth of the Rockwall community.

I. Performing other duties as assigned by the Rockwall City Council, designated council liaison, City Manager, or staff liaison.

VI. EVALUATION

The Staff liaison for the YAC shall on an annual basis conduct a short survey of YAC members to obtain feedback related to the program. The results of this survey along with a summary of the YAC's yearly events and accomplishments shall be presented to the City Council for review during the summer months. Any recommendations

related to the program may be discussed and considered by Council and Staff at this time each year.

Section 2. That this Resolution shall become effective immediately upon passage and approval and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 5th day of May, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 5/05/2014

APPLICANT: Gregory D. Ollom

AGENDA ITEM: **Z2014-009;** Ag to SFE-4.0 Single-Family Estate

---

SUMMARY:

Hold a public hearing to discuss and consider a request by Gregory D. Ollom for the approval of a change in zoning from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 7.969-acre tract of land situated in the William Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas being located at 941 Cornelius Road and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Mr. Gregory D. Ollom, is requesting to rezone his property from Agricultural (AG) District to Single Family Estate 4.0 (SFE-4.0) District. The property was annexed in January 2010 along with other properties along the south side of Cornelius Road. This annexed area generally has single family home sites on the properties that remain agriculturally zoned. The property along the north side of Cornelius Road is not within the city limits, but is within the City's extraterritorial jurisdiction and generally has single family homes.

Prior to annexation, a home on this lot was destroyed by fire, and subsequently the applicant is requesting to rebuild a home on this site. However, the AG zoning district requires single family dwellings to be on more than 10 acres to be permitted for construction. The property is less than 10 acres, therefore does not meet the minimum standards established by the AG district to allow for the construction of a single family home. Mr. Ollom is requesting the zoning change for the purpose of constructing a home on his property.

The zoning request is in conformance with the City's Comprehensive Plan and Future Land Use Map.

NOTIFICATION:

A notice was published on April 17, 2014 in the Rockwall County News, on the City's website, and six (6) notices were mailed to property owners of record within 200-ft of the subject property. At the time of this report, staff has received one (1) notice "in favor of" and none "opposed to" the request.

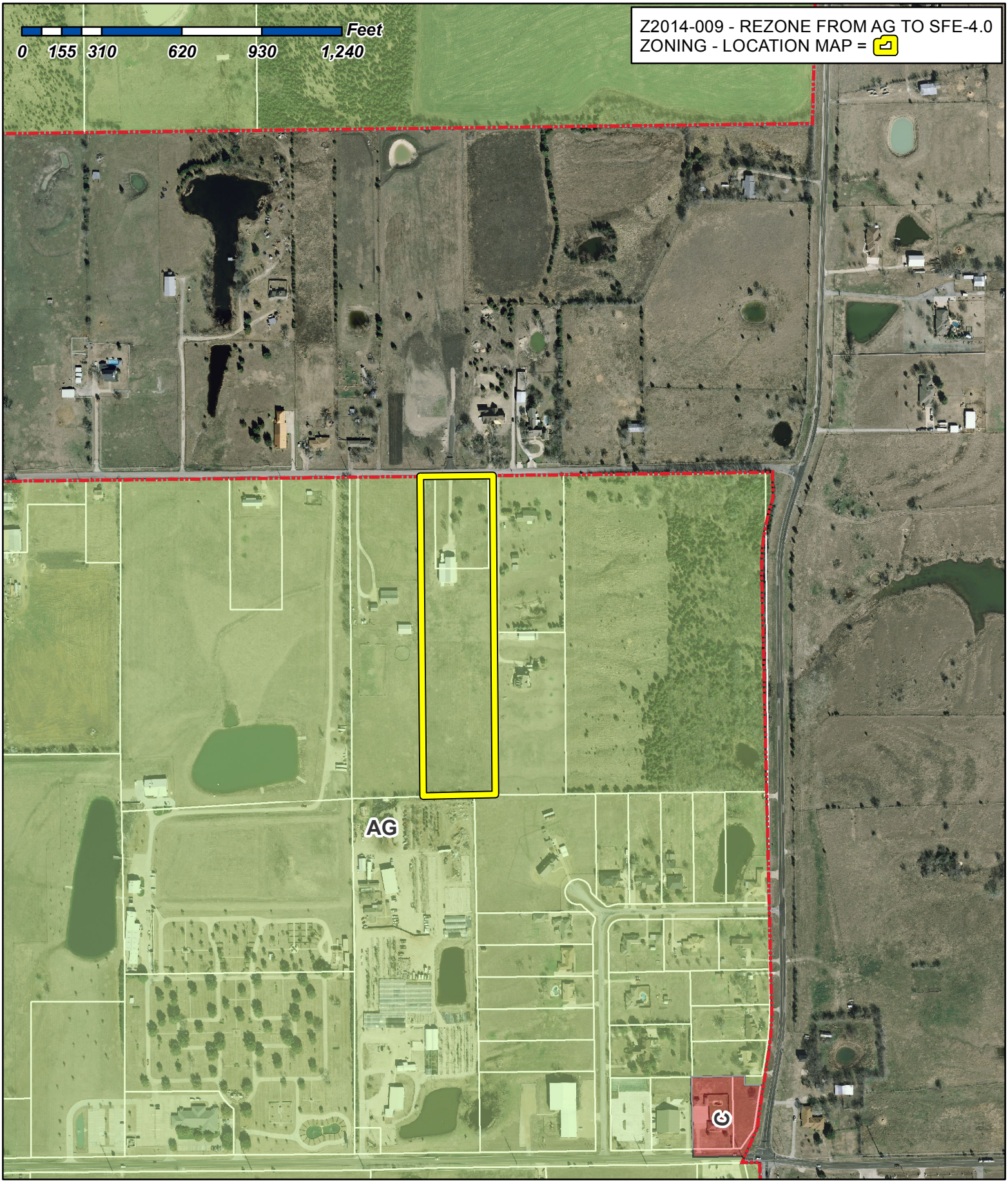
RECOMMENDATIONS:

The applicant's request is in conformance with the Future Land Use map, the Comprehensive Plan, and all applicable local, state and federal requirements. Should the Planning and Zoning Commission recommend approval of the change in zoning from an Agricultural (AG) District to a Single Family Estate 4.0 (SFE-4.0) District for the subject property, staff does not offer any additional recommendations for this request.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On May 29, 2014, the Planning and Zoning Commission recommended approval of the zoning change request from Agricultural (AG) District to Single-Family Estate 4.0 (SFE-4.0) District by a vote of 6 to 0 (Lyons - absent).

44



City of Rockwall

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

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

45 1:5,750

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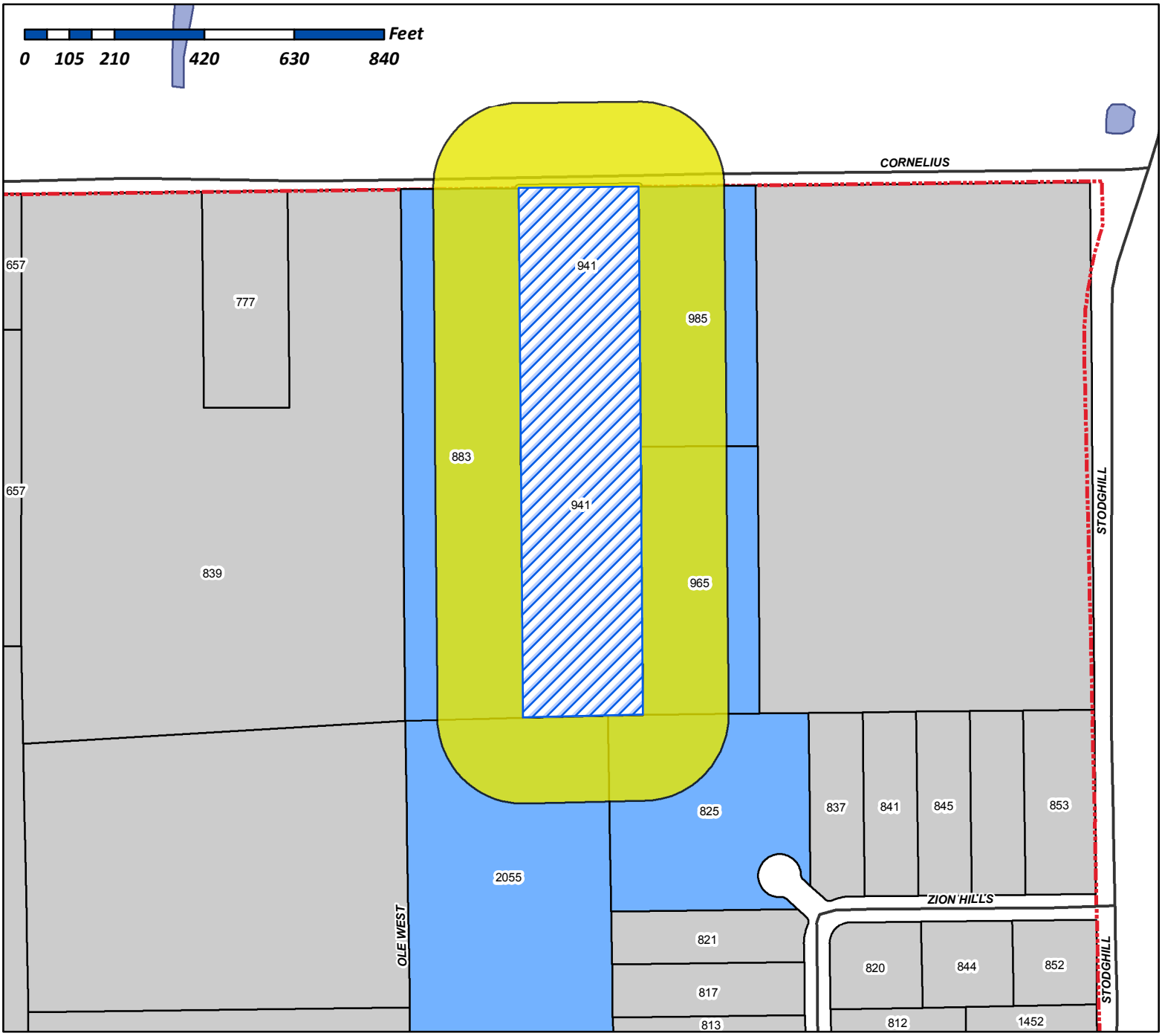
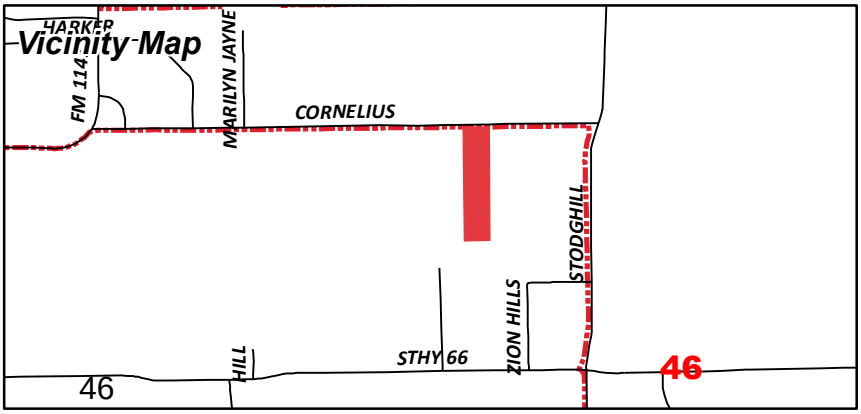


Case Number: Z2014-009
Case Name: AG to SFE-4.0
Case Type: Zoning
Zoning: AG
Case Address: 941 Cornelius Road

Date Created: *04/11/2014*
For Questions on this Case Call (972) 771-7745



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

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

To Whom It May Concern:

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

Case No. Z2014-009: Zoning Change (AG to SFE-4)

Hold a public hearing to discuss and consider a request by Gregory D. Ollom for the approval of a change in zoning from an Agricultural (Ag) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 7.969-acre tract of land situated in the William Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas being located at 941 Cornelius Road and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 4/29/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 5/5/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **5/5/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-009: Zoning Change (AG to SFE-4)

Please place a check mark on the appropriate line below:

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

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

Name:	
Address:	

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

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

Reference	Name	Legal Description	Address 1	Address 2	City	State	Zip
5360-000A-0005-00-0R	HARLE REUBIN E	ZION, BLOCK A, LOT 5R, ACRES 4.632, (REPLAT-93) (FKA R24141,R24143,R24144)		PO BOX 912	ROCKWALL	TX	75087
0072-0000-0016-05-0R	BRIZENDINE MICHAEL LEE	A0072 WM DALTON, TRACT 16-05, ACRES 4		965 CORNELIUS ROAD	ROCKWALL	TX	75087
0072-0000-0019-00-0R	BRIMELOW TIM	A0072 WM DALTON, TRACT 19, ACRES 14.848, (PT OF 14.96 AC TR)		2055 WILLIAMS ST	ROCKWALL	TX	75087
0072-0000-0016-03-0R	OLLOM GREG FAMILY	A0072 WM DALTON, TRACT 16-03, ACRES 1 (PT OF 7.969 AC TR)	FIRST LTD PARTNERSHIP	251 HARKER TRL	ROCKWALL	TX	75087
0072-0000-0016-02-0R	OLLOM GREG FAMILY	A0072 WM DALTON, TRACT 16-02, ACRES 6.969, (PT OF A 7.969 AC TR)	FIRST LTD PARTNERSHIP	251 HARKER TRL	ROCKWALL	TX	75087
0072-0000-0016-00-0R	HAMMOND SCOTT H SR & DEBORAH	A0072 WM DALTON, TRACT 16, ACRES 7.768		883 CORNELIUS RD	ROCKWALL	TX	75087
0072-0000-0016-04-0R	BEARDSLEE WILLIAM & NORA A	A0072 WM DALTON, TRACT 16-04, ACRES 3.793		985 CORNELIUS RD	ROCKWALL	TX	75087

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PLEASE RETURN THE BELOW FORM

Case No. Z2014-009: Zoning Change (AG to SFE-4)

Please place a check mark on the appropriate line below:

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

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

This property was a residence until the house burned; then a shop building was used until the new house building was begun. Therefore it has been a single family for a long time

Name: Michael Brizendine

Address: 965 Cornelius Road Rockwall 75087

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

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

4/4/14

To the Zoning Comittee,

I am the property owner of 941 Cornelius, Rockwall TX 75087. I am requesting the proporpty to be rezoned. It is currently zoned Ag. I want to build a residential structure so I am requesting it be rezoned to SF4 residential.

Thanks,

50

Rockwall County
Shelli Miller
Rockwall County Clerk
Rockwall, Texas 75087 (972) 204-6300

70 2013 00494327

Instrument Number: 2013-00494327

As

Recorded On: August 12, 2013 **Recordings**

Parties: GREG OLLOM FAMILY FIRST LIMITED PARTNERSHIP **Billable Pages: 5**

To OLLOM GREGORY D **Number of Pages: 5**

Comment: WD

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

Recordings	28.00
Total Recording:	**28.00**

********** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT **********

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2013-00494327
Receipt Number: 307053
Recorded Date/Time: August 12, 2013 09:03:07A
Book-Vol/Pg: BK-OR VL-7346 PG-153
User / Station: F H - Cashier Station 1

Record and Return To:

GREGORY D OLLOM
251 HARKER TRAIL
Rockwall TX 75087

ROCKWALL COUNTY, TEXAS COUNTY CLERK

I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Volume and Page of the named records in Rockwall County, Texas

Shelli Miller
Rockwall County Clerk

PREPARED WITHOUT TITLE EVIDENCE OR EXAMINATION

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

THE STATE OF TEXAS §
§ **KNOW ALL BY THESE PRESENTS:**
COUNTY OF ROCKWALL §

Effective Date: June 18th, 2013 (the "Effective Date")

GRANTOR: GREG OLLOM FAMILY FIRST LIMITED PARTNERSHIP, a Texas Limited Partnership, ("GRANTOR").

GRANTOR's Address: 251 Harker Trail, Rockwall, Rockwall County, Texas 75087

GRANTEE: GREGORY D. OLLOM, individually ("GRANTEE").

GRANTEE's Address: 251 Harker Trail, Rockwall, Rockwall County, Texas 75087

Consideration: As a distribution to Grantee, a limited partner of Grantor.

Property (including any improvements): All of Grantor's interest in and to the following described land and improvements in the County of Rockwall, State of Texas, to-wit:

> Being situated in the WILLIAM DALTON SURVEY, ABSTRACT NO. 72, Rockwall County, Texas, and being more particularly described on Exhibit A attached hereto and made a part hereof for all purposes (the "Property").

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is expressly made subject to (i) any and all easements, restrictions and encumbrances of record, to the extent same are valid, existing and affect the Property [EXCLUDING THEREFROM ANY RESTRICTION WHICH VIOLATES 42 USC 3604(C) BY INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN]; and (ii) standby fees, taxes and assessments by any taxing authority for the year 2012 and subsequent years (the matters described in (i) and (ii) above being, collectively, the "Permitted Encumbrances").

Conveyance

GRANTOR, for the Consideration set forth herein and subject to the Permitted Encumbrances, has GRANTED, TRANSFERRED AND CONVEYED, and by these presents does hereby GRANT, TRANSFER AND CONVEY unto GRANTEE the Property, together with all and singular the rights and appurtenances thereto in any way belonging, TO HAVE AND TO HOLD the Property, subject to the Permitted Encumbrances, unto GRANTEE and GRANTEE's legal and personal representatives, heirs, successors and assigns FOREVER, and GRANTOR does hereby bind GRANTOR and GRANTOR's legal representatives, successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property as hereinabove described unto GRANTEE and GRANTEE's legal and personal representatives, heirs, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from and Exceptions to Conveyance and Warranty.

To the knowledge of the GRANTOR, any ad valorem taxes attributable to the property for periods up to and including the year 2012 have been paid by Grantor. Ad valorem taxes attributable to the Property from and after January 1, 2013, and any special or general assessments hereafter payable, shall be the responsibility of GRANTEE.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED on this 18th day of June, 2013 to be effective as of the Effective Date.

GRANTOR:

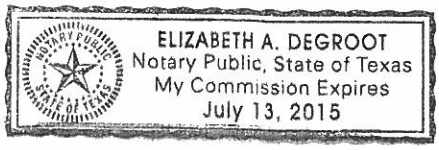
GREG OLLOM FAMILY FIRST LIMITED PARTNERSHIP, a Texas Limited Partnership

By: _____
Gregory D. Ollom

Its: Managing Member of Greg Ollom Management, L.L.C., the sole General Partner of Greg Ollom Family First Limited Partnership

THE STATE OF TEXAS §
§
COUNTY OF ROCKWALL §

This instrument was acknowledged before me on June 18th, 2013, by Gregory D. Ollom, in his capacity as Managing Member of Greg Ollom Management, L.L.C., the sole General Partner of Greg Ollom Family First Limited Partnership, a Texas Limited Partnership.



Notary Public in and for the State of Texas
My Commission Expires: 7-13-15

AFTER RECORDING, PLEASE RETURN TO:

Gregory D. Ollom
251 Harker Trail
Rockwall, Texas 75087

Exhibit A

GP-Number 06R05318

BEING all that certain lot, tract or parcel of land situated in the WILLIAM DALTON SURVEY, ABSTRACT NO. 72, Rockwall County, Texas, and being all of that 7.969 acres tract of land as described in a Warranty deed from Janne L. Rohrbacker and Henry L. Rohrbacker to Timothy Bray and wife, Kelly Bray, dated September 30, 2003 and being recorded in Volume 3251, Page 262 of the Real Property Records, of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the Southwest corner of said 7,969 acres tract and being in the South line of a tract of land as described in a Warranty deed to Dean W. Henry, Sr. as recorded in Volume 111, Page 1005 of the Deed Records of Rockwall County, Texas, said point being N. 89 degrees 32 minutes 30 seconds E. 272.84 feet from the Southwest corner of same;

THENCE N. 00 degrees 21 minutes 45 seconds E. a distance of 1238.01 feet to a 3/8" iron rod found for corner in the South right-of-way line of Cornelius Road;

THENCE S. 89 degrees 35 minutes 37 seconds E. along the South line of Cornelius Road, a distance of 281.66 feet to a 3/8" iron rod found for corner;

THENCE S. 00 degrees 22 minutes 21 seconds W. (Controlling bearing line) a distance of 1233.12 feet to a 3/8" iron rod found for corner in the South line of said Henry tract at the Southeast corner of said 7.969 acres tract;

THENCE S. 89 degrees 05 minutes 17 seconds W. a distance of 80.31 feet to a 1/2" iron rod found for corner;

THENCE S. 89 degrees 32 minutes 30 seconds W. a distance of 201.18 feet to the POINT OF BEGINNING and containing 7.99 acres of land.

Inst # 00494327

Filed for Record in: Rockwall County
On: Aug 12,2013 at 09:03A

55

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO SINGLE FAMILY ESTATE (SF-E/4.0) DISTRICT FOR A 7.969-ACRE TRACT OF LAND SITUATED IN THE WILLIAM DALTON SURVEY, ABSTRACT NO. 72, AND LOCATED AT 941 CORNELIUS ROAD, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Gregory D. Ollom for an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from an Agricultural (AG) District to a Single Family Estate (SF-E/4.0) District for a 7.969-acre tract of land situated in the William Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, and located at 941 Cornelius Road, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from an Agricultural (AG) District to a Single Family Estate (SF-E/4.0) District for the *Subject Property*; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for in *Section 3.2, "Single Family Estate (SF-E) District", Article V, "District Development Standards", of the Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE ____ DAY OF _____, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading:
2nd Reading:

06R 05318 RW2

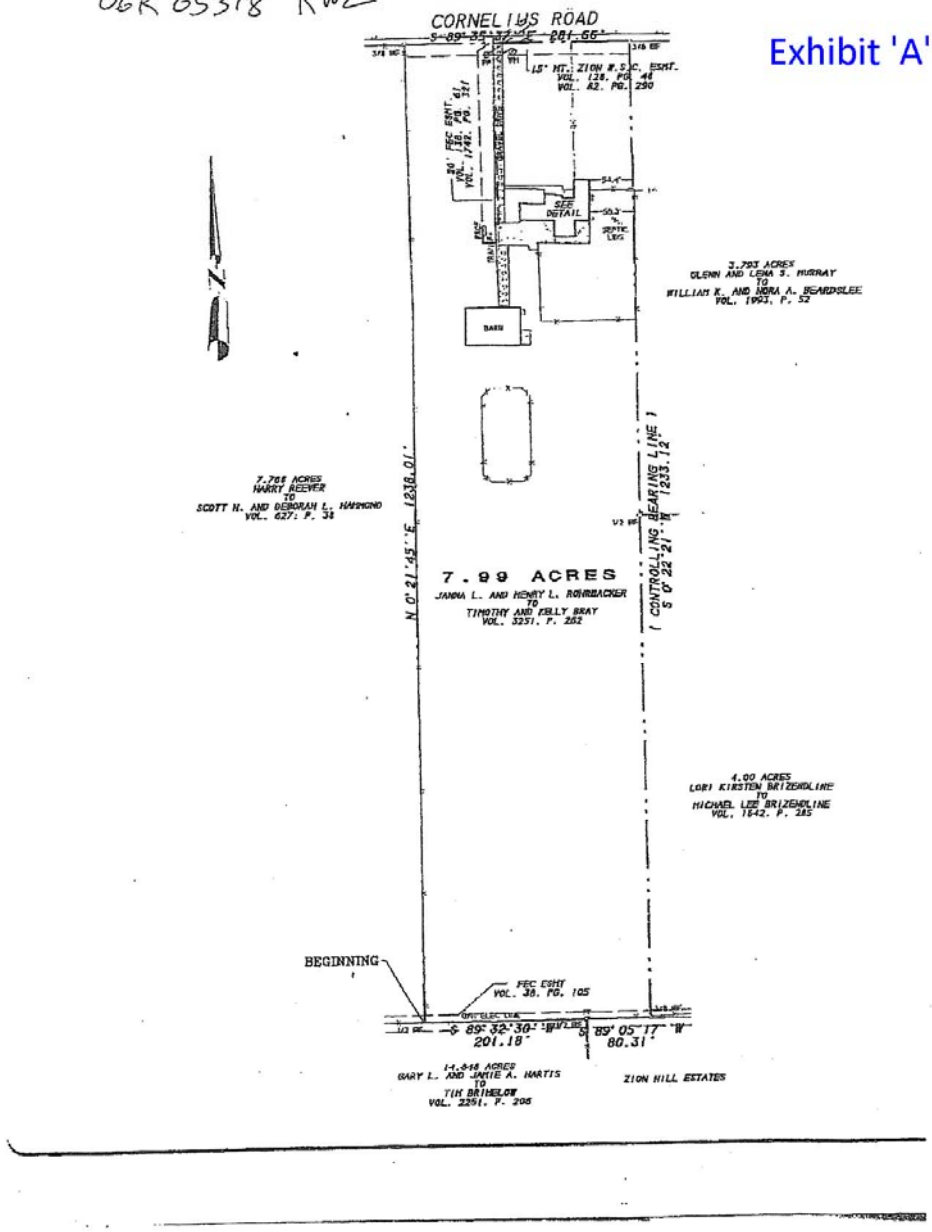
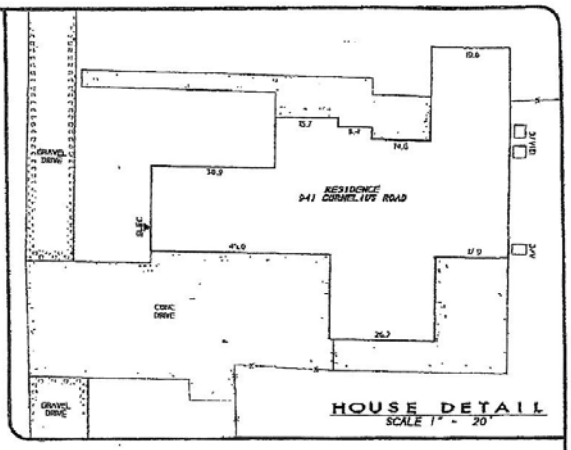


Exhibit 'A' (cont.)



DESCRIPTION

All that certain lot, tract or parcel of land situated in the WILLIAM DALTON SURVEY, ABSTRACT NO. 72, Rockwall County, Texas, and being all of that 7.969 acres tract of land as described in a Warranty deed from Janice L. Rohrbacker and Henry L. Rohrbacker to Timothy Bray and wife, Kelly Bray, dated September 30, 2003 and being recorded in Volume 3251, Page 262 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the Southwest corner of said 7.969 acres tract and being in the South line of a tract of land as described in a Warranty deed to Reach W. Henry, Sr. as recorded in Volume 111, Page 1005 of the Deed Records of Rockwall County, Texas, said point being N. 89 deg. 32 min. 30 sec. E., 272.64 feet from the Southwest corner of same;

THENCE N. 00 deg. 21 min. 45 sec. E. a distance of 1238.01 feet to a 3/8" iron rod found for corner in the South right-of-way line of Cornelius Road;

THENCE S. 89 deg. 35 min. 37 sec. E. along the South line of Cornelius Road, a distance of 281.66 feet to a 3/8" iron rod found for corner;

THENCE S. 00 deg. 22 min. 21 sec. W. (Controlling bearing line) a distance of 1233.12 feet to a 3/8" iron rod found for corner in the South line of said Henry tract at the Southeast corner of said 7.969 acres tract;

THENCE S. 89 deg. 05 min. 17 sec. W. a distance of 80.31 feet to a 1/2" iron rod found for corner;

THENCE S. 89 deg. 32 min. 30 sec. W. a distance of 201.18 feet to the POINT OF BEGINNING and containing 7.99 acres of land.

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 480543 0035 B dated Sept. 17, 1980, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: RECORDED DEED IN VOL. 3251, PG. 262, R.P.R.R.C.T.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for HERITAGE TITLE COMPANY, LONG BEACH MORTGAGE, and TIMOTHY AND KELLY BRAY at 941 CORNELIUS ROAD, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 24th day of October, 2005.

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

R.S.C.I.

ROCKWALL SURVEYING CO., INC. LAND SURVEYING

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mark Moeller, Chief of Police**

DATE: **April 30, 2014**

SUBJECT: **Additions to the Solicitor's Ordinance, 2.0**

At the April 7, 2014, City Council meeting we submitted changes to the requirements in the application section of our Solicitor's Ordinance, as listed:

Article III. PEDDLERS, SOLICITORS AND ITINERANT VENDORS

Section 12-54. Contents of application; fee; term; renewal

(a) A non-refundable $65.00 fee paid per person.
(b) A criminal history check by the service H.R. uses for applicants. This cost would be covered by the administration fee.
(c) Include a ten business day waiting period to process the application.

During council discussion two additional changes were required. These additions included:
a). the specific criteria for rejecting an applicant for a permit and
b). the specific reasons for revoking an issued permit.

City Attorney Frank Garza has rewritten the ordinance and has addressed those issues. He has also outlined an appeal process when an applicant is denied a permit and when a valid permit is revoked.

We recommend adoption of the ordinance as Mr. Garza has written, except for the non-refundable charged fees which we believe should be $65.00 per applicant.

CITY OF ROCKWALL

ORDINANCE NO. 14-xx

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 12, ARTICLE III, SECTION 12-51 THROUGH 12-66, OF THE CODE OF ORDINANCES, REGULATING PEDDLER ACTIVITIES IN THE CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Rockwall (the "City"), a Home Rule City and by State law and City Charter is permitted to establish ordinances to protect the health, safety and general welfare of its residents; and

WHEREAS, requiring solicitors and peddlers to register may deter inappropriate and or criminal conduct; and

WHEREAS, the City has no desire to interfere with free speech, open dialogue and exchange of opinion;

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

SECTION 1 FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. **AMENDMENT.** Chapter 12, Article III, Section 12-51 through 12-66 of the City of Rockwall Code of Ordinances shall be amended in its entirety as follows:

ARTICLE III. PEDDLERS, SOLICITORS AND ITINERANT VENDORS

Sec. 12-51 Purpose

The primary purpose of the public streets, sidewalks, and other public way is for use by vehicular and pedestrian traffic. Vending on such public ways promotes the public interest by contributing to an active and attractive pedestrian environment. Reasonable regulation of vending on public right of way and in public places is necessary to protect the public health, safety and welfare. To protect local residents against trespassing by Peddlers, Solicitors, and Vendors upon the private property of such residents if they have given reasonable notice that they do not wish to be solicited by such persons or do not desire to receive merchandise or services. The regulations contained in this ordinance are not intended in any way to prohibit or hamper speech that is protected by the constitution of both the United States and the State of Texas but merely to regulate specific activities, which are commercial in nature. This entire ordinance is and shall be deemed an exercise of the police power of the State of Texas and of the City of Rockwall for the process set forth above.

Sec. 12-52 Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Canvasser. Any person who attempts to make contact with a resident at their residence without prior specific invitation or appointment from the resident, for the primary purpose of:

(1) Attempting to enlist support for or against a particular religion, philosophy, ideology, political party, issue, or candidate, even if incidental to such purpose the canvasser accepts the donation of money for or against such cause; or

(2) Distributing a handbill or flyer advertising a non-commercial event or service.

Door-to-door selling means going to one or more residence within the City in person or by the agent for the purpose of peddling, soliciting, or vending, who engages in a business of selling or offering for sale, food, beverages, goods, services, wares and merchandise or engages in soliciting orders for the sale of goods, services, wares and merchandise for future delivery

Nonprofit organization means an organization that can provide a 501(c) 3 letter from the IRS or state documentation indicating its status, and whereby all the proceeds raised during the event will benefit the sponsoring agency.

Peddler means any person who engages in commercial activities within city limits by carrying goods or merchandise and selling or offering for sale for immediate delivery such goods or merchandise from door-to-door, business-to-business, or upon public property.

Person means any natural individual, group, organization, corporation, partnership, or similar association.

Public area means an outdoor area to which the public has access and includes, but is not limited to, a sidewalk, street, highway, park, parking lot, alleyway, pedestrian way, or the common area of a school, hospital, apartment house, office building, transport facility, or shop.

Solicitor means any person who solicits or attempts to solicit, from house-to-house, business-to-business, or upon public property, funds or orders for services, commercial goods, wares, merchandise, subscriptions or publications to be delivered at a future date or time, or who passively begs by standing or sitting with a sign or other indication that a donation or service is being sought, without any vocal request other than in response to an inquiry to another person.

Transient Merchant means a person who temporarily sets up business out of a vehicle, trailer, boxcar, tent, other portable shelter, or empty store front for the purpose of selling goods. Individuals may not remain in one location for more than fourteen (14) consecutive days.

Sec. 12-53 Exceptions to Definitions

For the purpose of this chapter, the terms ***PEDDLER, SOLICITOR*** and ***TRANSIENT MERCHANT*** shall not apply to:

(A) Non-commercial door-to-door advocates. Nothing within this ordinance shall be interpreted to prohibit or restrict non-commercial door-to-door advocates, including, without limitation, religious and charitable organizations, schools, and other non-profit organizations. Persons engaging in door-to-door advocacy shall not be required to register as a solicitor under Section 12-55.

(B) Any person who makes initial contacts with other people for the purpose of establishing or trying to establish a regular customer delivery route for the delivery of perishable food and dairy products, such as baked goods or milk.

(C) Any person making deliveries of perishable food and dairy products to the customers on his or her established delivery route.

(D) Any person making deliveries of newspapers, newsletters, or other similar publications on an established customer delivery route, when attempting to establish a regular delivery route, or when publications are delivered to the community at large.

(E) Any person conducting the type of sale commonly known as garage sales, rummage sales, or estate sales. Provided, as set forth below, nothing herein shall exempt such sales from complying with other sections of the Code of Ordinances which regulate such sales.

(F) Any person participating in an organized multi-person bazaar or flea market.

(G) Any person conducting an auction as a properly licensed auctioneer.

(H) Any officer of the court conducting a court-ordered sale.

Exemption from these definitions shall not, for the scope of this chapter, excuse any person from complying with any other applicable statutory provision or requirements of this Code of Ordinances.

Sec. 12-54 License Required.

It shall be unlawful for any peddler, solicitor or transient merchant to engage in the business of selling, displaying, or offering for sale any food, beverage, goods, services or merchandise at any public area within the City without first obtaining a license from the Chief of Police or his duly authorized representative.

Sec. 12-55 Contents of application; term; renewal.

(A) Application for a license required by section 12-54 shall be made upon forms furnished by the chief of police and shall contain such information as deemed necessary by the chief of police to properly identify the applicant, the nature of his business, and the business entity by which he is employed. The information shall include, but not be limited to, the following:

(1) The name;
(2) The date of birth;
(3) Home and business addresses;
(4) The supervisor's name, address and telephone number;
(5) The applicant's driver's license number and state, if applicable;
(6) The applicant's right thumbprint;
(7) The full legal name, telephone number and address of commercial organization;
(8) Full and complete list of goods to be sold and services to be delivered;
(9) The specific location, if any, in which the vendor/peddler intends to conduct business; and
(10) If the applicant is peddling or making solicitations from private property, a written statement from the property owner consenting to applicant's use of his/her property for the sales activities indicated in the permit application.

(B) Not later than ten (10) days after the filing of a completed permit application the applicant shall be notified by the City of the decision on the issuance or denial of the license.

Sec. 12-56 Fees.

Permit fees shall be accompanied with the permit application. All peddlers and solicitors not exempted by section 12-57 shall be required to pay the permit fee:

(A) $65.00 per individual
(B) $100.00 per group 10 or less
(C) $500.00 per group more than 10

Sec. 12-57 Exemptions

(A) Permit application is not required but notification to the City shall be required for the following individuals or groups:
1) Newspaper carriers
2) Political Groups
3) Canvassers
4) Government Affiliates
5) Deliveries on regular routes
6) Wholesalers making direct sales to retail establishments
7) Sales made pursuant to an invitation by an owner or legal occupant

8) A seller or exhibitor in a firearms collection show involving two or more sellers or exhibitors

(B) Permit application is required but fees may be waived by the City for the following individuals or groups:
1) Farmers who sell agricultural products that were raised or grown by them.
2) Non-profit Organizations.

(C) Permit application is not required for any person or entity exempted by state law in obtaining a permit. However, hours of operation outlined in Section 12-64 still are applicable to all vendors.

Sec. 12-58 Denial

A copy of the application for permit will be referred to the police department who will undertake an investigation of the applicant's record and background, such as shall be reasonably necessary to protect the public. An application for permit under this chapter may be denied where:

(1) Required application information is incomplete or incorrect;
(2) Applicant or any individual involved in the peddling or solicitation campaign is currently wanted on a warrant for arrest, under indictment or has a pending Class B Misdemeanor or above;
(3) The applicant is a person against whom a judgment, conviction or deferred adjudication has been entered within five years preceding the date of application, based upon fraud, deceit or misrepresentation;
(4) The applicant or an employee of an applicant has been convicted of a felony;
(5) The applicant provided no proof of authority to serve as agent for the principal;
(6) The applicant has been denied a permit under this article within the immediate past year, unless the applicant can and does show to the satisfaction of the Chief of Police that the reason for such earlier denial no longer exists;
(7) A permit fee has not been paid; or

Should an applicant be denied a permit, they may appeal that action to the City Manager by submitting a letter within ten days of the denial or revocation. Upon receipt of the letter, the City Manager will review the appeal and render a decision within seven (7) days to reject the action complained of and order that the permit be granted or reinstated or uphold the denial or revocation. The decision of the City Manager on the appeal shall be final and binding on all parties concerned.

Sec. 12-59 Issuance, duration.

(A) If the application for permit is approved, the permit shall be issued. The permit shall be the original application with an official stamp indicating approval. Permit provided for in this Article shall continue so long as the permittee is conducting business in the city, but in no event shall it continue for more twelve (12) months from date of issue.
(B) The permittee is required to update any new or changed information required under the original permit.

(C) The City of Rockwall will retain one copy of the approved permit for official records. The permit may not be represented as an endorsement or approval by the city of the purposes of a solicitation or a product offered by the permittee.

(D) Only those peddlers or solicitors whose names are listed on the approved application may conduct business under the issued permit. If any new peddlers or solicitors join the campaign after the original permit is issued, they must supply the police department with the information required in this Chapter. It shall be unlawful for any peddler or solicitor to intimidate or aggressively solicit or beg a person into giving money, goods or services.

Sec. 12-60 Display

Each peddler or solicitor will carry his or her permit at all times while engaging in business in the city. Upon request or demand, the peddler or solicitor will exhibit the permit to indicate compliance with all of the relevant requirements of this chapter.

Sec. 12-61 Not Transferable

Permits issued under the provisions of this chapter are not transferable in any situation and will be clearly marked "Not transferable."

Sec. 12-62 Suspension

(A) The Chief of Police or the chief's designee may, upon documented complaint, violation of this article or violation of law, suspend and confiscate a permit issued under this article.

(B) Peddlers and solicitors whose licenses are suspended have three (3) business days during which to request an administrative review of the suspension. If request for administrative review is not made within three (3) working days, the permit is revoked.

Sec. 12-63 Revocation

(A) Upon permittee's request, the police department shall provide the permittee with written notice containing particulars of any and all complaints, and the time, date and place for an administrative review of the suspension.

(B) The Chief of Police or his duly authorized representative will conduct an administrative review to determine whether the permit shall be restored or revoked.

(C) After notice and review, the Chief of Police may revoke any permit issued under this article including but not limited to the following reasons:

1) Fraudulent statements, omissions on permit application or in conduct of permitted business;
2) Any violation of federal or state statute, or city ordinance;
3) Endangerment of public welfare, health or safety;
4) The permittee is a registered sex offender;
5) The permittee continues efforts to sell to or solicit from an individual once that individual informs the vendor or solicitor that he does not wish to give anything to or to buy anything from that vendor or solicitor;
6) The permittee misrepresented the purpose of the solicitation or offer to sell;
7) The permittee misrepresented the affiliation of the vendor or solicitor.

(D) If the Chief of Police revokes a permit, applicant may appeal this decision in writing to the City Manager, which may affirm, modify, or reverse the decision of the Chief of Police.

(E) Revocation of any permit shall bar the permittee from eligibility for any person under this article for a period of one year from the date of revocation.

Sec. 12-64 Hours of operation

No peddling or solicitation may occur except between the hours of 8:00 a.m. and 6:00 p.m. local time in Rockwall, Texas.

Sec. 12-65 No solicitor signs

(A) It shall be unlawful for any person to distribute or cause to be distributed, deposited, placed, thrown, scattered or cast any handbill upon any private property if requested by anyone thereon not to do so, or if there is placed on such premises in a conspicuous place upon or near the main entrance to the premises, a weatherproof card, bearing the words "**no solicitation**," "**no advertisements**," "**no handbills**," or any similar notice indicating in any manner that the occupants of such premises do not desire to have any such handbills left upon their premises. The letters on such cards shall be not less than two-thirds (2/3) of an inch in height.

(B) This section does not apply to any department, branch or agency of federal, state, or municipal government and any permitted religious, political or charitable advertisements or handbills.

Sec. 12-66 Violation/penalty

Any person violating the provisions of this article is guilty of a class C misdemeanor and upon conviction shall be subject to a penalty not to exceed five hundred dollars ($500.00) Each and every act constituting a violation hereof and each failure or refusal to comply with any provision shall be a separate offense and shall be punished as such.

SECTION 3 REPEALING ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4 SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 5 SAVINGS CLAUSE.

All ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 6. EFFECTIVE DATE. The Ordinance shall be effective immediately following its publication in the local newspaper as required by the Texas Local Government Code.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of April, 2014.

_____

David Sweet, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____

Frank Garza, City Attorney

1st Reading: 05-08-14

2nd Reading: 05-22-14

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Director of Internal Operations

DATE: April 30, 2014

SUBJECT: Resolution Denying Rate Increase Under Second Annual RRM

The City, along with approximately 164 other cities served by Atmos Energy Mid-Tex Division ("Atmos Mid-Tex" or "Company"), is a member of the Atmos Cities Steering Committee ("ACSC"). On or about February 28, 2014, Atmos Mid-Tex filed with the City an application to increase natural gas rates pursuant to the Rate Review Mechanism ("RRM") tariff renewed by the City in 2013 as a continuation and refinement of the previous RRM rate review process. This is the second annual RRM filing under the renewed RRM tariff.

The Atmos Mid-Tex RRM filing sought a $45.7 million rate increase system-wide based on an alleged test-year cost of service revenue deficiency of $49 million. Of the total amount requested, almost $37 million is attributable to the affected cities. The City worked with ACSC to analyze the schedules and evidence offered by Atmos Mid-Tex to support its request to increase rates. Although a good faith attempt was made by ACSC to reach a compromise with Atmos Mid-Tex, an agreement was not reached. In the absence of an agreement, the ACSC Executive Committee and ACSC's legal counsel have advised that ACSC members adopt the attached Resolution denying the rate increase request.

The RRM tariff was adopted by the City as an alternative to the Gas Reliability Infrastructure Program ("GRIP"), the statutory provision that allows Atmos to bypass the City's rate regulatory authority to increase its rates annually to recover capital investments. In past years, cities have been able to reach a compromise with Atmos to reduce the rate impact from the requested RRM increases, and these compromises have also been lower than the rates that Atmos would have been entitled to under the GRIP filing. In this case, the Company would have been entitled to an increase from GRIP of no more than $31.5 million. The magnitude of the requested increase under the 2014 RRM filing, and the wide differences between it and the ACSC consultants' recommendations made a compromise much more difficult and ultimately impossible. The Company demanded more than it would be entitled to if it had filed a GRIP case. For this reason, the ACSC Executive Committee and ACSC legal counsel advise that all ACSC Cities adopt the Resolution denying the requested rate change.

RRM Background:

The RRM tariff was originally approved by ACSC Cities as part of the settlement agreement to resolve the Atmos Mid-Tex 2007 system-wide rate filing at the Railroad Commission. In early 2013, the City adopted a renewed RRM tariff for an additional five years. This is the second RRM filing under the renewed tariff. This filing was made by agreement less than one year after the first filing in order for the RRM rate-setting process to hereafter use a calendar year as the test period.

The RRM tariff and the process implementing that tariff were created collaboratively by ACSC and Atmos Mid-Tex as an alternative to the legislatively-authorized GRIP surcharge process. ACSC has opposed GRIP because it constitutes piecemeal ratemaking, does not allow any review of the reasonableness of Atmos' expenditures, and does not allow participation by cities or recovery of cities' rate case expenses. In contrast, the RRM process has allowed for a more comprehensive rate review and annual adjustment as a substitute for GRIP filings. ACSC's consultants have calculated that had Atmos filed under the GRIP provisions, it would have received additional revenues from ratepayers of approximately $31.5 million.

Purpose of the Resolution:

Rates cannot change without the adoption of rate ordinances by cities. No related matter is pending at the Railroad Commission. The purpose of the Resolution is to deny the rate increase requested by Atmos. Under the RRM tariff, Atmos may appeal the rate decision of the cities to the Railroad Commission; such appeal must be filed within thirty (30) days of the City action.

The RRM tariff also allows Atmos to implement its requested rates effective June 1 while any appeal at the Commission is pending, subject to refunds based upon the outcome of the appeal. This would represent a monthly increase of approximately $2.02 for the average residential customer, subject to any refund if the Commission reduces the rates implemented by Atmos. The actual impact will be slightly less than $2.02 for most residential customers because the Company has indicated it will not appeal and thus concedes several of the issues raised by Cities. The Resolution also authorizes the City to participate as a party to the appeal in conjunction with the ACSC, and requires the Company to reimburse the City for its rate case expenses associated with the City's review of the RRM filing, and with the appeal of the City's denial of the rate increase.

Rate Impact of Appeal by Atmos Effective June 1:

The RRM tariff constrains the annual increase in the residential customer charge to no more than $0.50. The current $17.70 customer charge will be increased to $18.22 per month with the addition of an energy conservation program surcharge of $0.02. The current $17.70 customer charge for unincorporated area customers will become $20.32 per month because all of the increase associated with a GRIP filing, which is applicable to all customers not covered by a RRM tariff, is placed on the customer charge. However, the commodity charge for unincorporated residential service will be less than one-half of the commodity charge for residents of incorporated areas—$0.04172 per Ccf vs. $0.08998 per Ccf.

A comparison of rates and rate impact of what Atmos initially proposed in its RRM filing is reflected in the following chart:

Customer Class	Current Bill	New Bill	Difference	New Customer Charge	New Commodity Charge	Base Rate Increase
Residential	48.09	50.11	2.02	$ 18.22	$0.08998 Ccf	9.41%
Commercial	254.85	260.91	6.06	$ 38.85	$0.07678 Ccf	9.59%
Industrial	4,680.30	4,837.10	156.80	$675.00	declining block	9.70%
Transportation	2,836.84	2,993.64	156.80	$675.00	declining block	9.70%

However, Atmos has indicated that it will not appeal all issues raised by Cities and thus the impact should be slightly less than what is reflected in the above chart. A precise impact statement cannot be presented until after the Company's appeal is filed.

Reasons Justifying Approval of the Resolution:

Consultants working on behalf of ACSC Cities have investigated the Company's requested rate increase. While the evidence does not support the $45.7 million increase requested by the Company, ACSC's consultants agree that the Company can justify an increase in revenues of a much lesser amount—namely, an increase of only $19 million. The Executive Committee authorized a settlement value considerably above the consultants' recommendation but it was insufficient to meet the Company's expectation. The Company and ACSC Cities were too far apart in their positions to reach a compromise, and rather than granting a partial increase that the Company will not accept, the option remaining is to deny the rate increase request in its entirety, and participate in the Company's appeal of this decision at the Railroad Commission.

Explanation of "Be It Resolved" Paragraphs:

1. This paragraph approves all findings in the Resolution.

2. This section denies the requested rate increase, finds the proposed rates to be unreasonable and not in the public interest, and finds the existing rates to be just and reasonable.

3. This section requires the Company to reimburse ACSC Cities for reasonable ratemaking costs associated with reviewing and processing the RRM application.

4. This section authorizes participation by the City in conjunction with ACSC in any appeal filed by the Company at the Railroad Commission, and authorizes ACSC and its counsel to act on behalf of the City. This section also requires the Company to reimburse ACSC Cities for reasonable ratemaking costs associated with any appeal filed by the Company to the City's resolution.

5. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

6. This section is a savings clause, which provides that if any section(s) is later found to be unconstitutional or invalid, that finding shall not affect, impair, or invalidate the remaining provisions of this Resolution. This section further directs that the remaining provisions of the Resolution are to be interpreted as if the offending section or clause never existed.

7. This paragraph directs that a copy of the signed Resolution be sent to a representative of the Company and legal counsel for ACSC.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, DENYING THE RATE INCREASE REQUESTED BY ATMOS ENERGY CORP., MID-TEX DIVISION UNDER THE COMPANY'S 2014 ANNUAL RATE REVIEW MECHANISM FILING IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES PERTAINING TO REVIEW OF THE RRM; AUTHORIZING THE CITY'S PARTICIPATION WITH ATMOS CITIES STEERING COMMITTEE IN ANY APPEAL FILED AT THE RAILROAD COMMISSION OF TEXAS BY THE COMPANY; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES IN ANY SUCH APPEAL TO THE RAILROAD COMMISSION; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE STEERING COMMITTEE'S LEGAL COUNSEL.

WHEREAS, the City of Rockwall, Texas ("City") is a gas utility customer of Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company"), and a regulatory authority with an interest in the rates and charges of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee ("ACSC"), a coalition of approximately 164 similarly situated cities served by Atmos Mid-Tex that have joined together to facilitate the review of and response to natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, pursuant to the terms of the agreement settling the Company's 2007 Statement of Intent to increase rates, ACSC Cities and the Company worked collaboratively to develop a Rate Review Mechanism ("RRM") tariff that allows for an expedited rate review

process controlled in a three-year experiment by ACSC Cities as a substitute to the current Gas Reliability Infrastructure Program ("GRIP") process instituted by the Legislature; and

WHEREAS, the City took action in 2008 to approve a Settlement Agreement with Atmos Mid-Tex resolving the Company's 2007 rate case and authorizing the RRM tariff; and

WHEREAS, in 2013, ACSC and the Company negotiated a renewal of the RRM tariff process for an additional five years; and

WHEREAS, the City passed an ordinance renewing the RRM tariff process for the City for an additional five years; and

WHEREAS, the RRM renewal tariff contemplates reimbursement of ACSC Cities' reasonable expenses associated with RRM applications; and

WHEREAS, on or about February 28, 2014, the Company filed with the City its second annual RRM filing under the renewed RRM tariff, requesting to increase natural gas base rates by $45.7 million; and

WHEREAS, ACSC coordinated its review of Atmos Mid-Tex's RRM filing through its Executive Committee, assisted by ACSC attorneys and consultants, to investigate issues identified by ACSC in the Company's RRM filing; and

WHEREAS, ACSC attorneys and consultants have concluded that the Company is unable to justify a rate increase of the magnitude requested in the RRM filing; and

WHEREAS, ACSC's consultants determined the Company is only entitled to a $19 million increase, approximately 42% of the Company's request under the 2014 RRM filing; and

WHEREAS, the Company would only be entitled to approximately $31 million if it had a GRIP case; and

WHEREAS, the Company's levels of operating and maintenance expense have dramatically risen without sufficient justification; and

WHEREAS, the Company has awarded its executives and upper management increasing and unreasonable levels of incentives and bonuses, expenses which should be borne by shareholders who received a 23% total return on investment in 2013; and

WHEREAS, the Company requested a drastically high level of medical expense that is unreasonable and speculatively based upon estimates; and

WHEREAS, ACSC and the Company were unable to reach a compromise on the amount of additional revenues that the Company should recover under the 2014 RRM filing; and

WHEREAS, the ACSC Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities deny the requested rate increase; and

WHEREAS, the Company's current rates are determined to be just, reasonable, and in the public interest.

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

Section 1. That the findings set forth in this Resolution are hereby in all things approved.

Section 2. That the City Council finds that Atmos Mid-Tex was unable to justify the appropriateness or the need for the increased revenues requested in the 2014 RRM filing, and that existing rates for natural gas service provided by Atmos Mid-Tex are just and reasonable.

Section 3. That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC Cities in processing the Company's RRM application.

Section 4. That in the event the Company files an appeal of this denial of rate increase to the Railroad Commission of Texas, the City is hereby authorized to intervene in such appeal, and

shall participate in such appeal in conjunction with the ACSC membership. Further, in such event Atmos Mid-Tex shall reimburse the reasonable expenses of the ACSC Cities in participating in the appeal of this and other ACSC City rate actions resulting from the 2014 RRM filing.

Section 5. That the meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 6. That if any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

Section 7. That a copy of this Resolution shall be sent to Atmos Mid-Tex, care of Chris Felan, Manager of Rates and Regulatory Affairs, at Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

RESOLVED this _____ day of _____, 2014.

_____
Mayor

ATTEST:

_____
City Secretary

APPROVED AS TO FORM:

_____
City Attorney

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **May 2, 2014**

SUBJECT: **Radio Communication Joint Dispatch Letter of Intent**

At the last Council meeting the staff was directed to prepare a Letter of Intent which would signify the City's positive interest in continuing to evaluate and pursue the interoperable radio system and consolidated dispatch center, but, which also indicates several concerns related to costs and control of the systems. A draft Letter of Intent addressing these matters and addressing several technical issues (about which more information is needed by the City) is attached.

Frank Garza will be reviewing the draft today and will likely also provide comment.

City of Rockwall
The New Horizon

May 2, 2014

The Honorable Jerry Hogan
County Judge, Rockwall County
101 E. Rusk Street
Rockwall, Texas 75087

RE: Letter of Intent

Dear Judge Hogan:

On behalf of the City of Rockwall, Texas, acting by and through its City Council (the "City"), this Letter of Intent (the "Letter of Intent"), sets forth the agreement of the City and Rockwall County, Texas, acting by and through its Commissioners Court (the "County"), to negotiate and enter into an Interlocal Agreement (as described herein) for the participation in the Rockwall County Interoperability Radio Network (the "IRN"). The components of said IRN include a county-wide consolidated radio system (the “Radio Project”) and a county-wide Consolidated Dispatch Center (the “Dispatch Project”). Collectively, the components of the IRN are herein referred to as the “Project.” The aforementioned agreement of the City and the County to negotiate and enter into an Interlocal Agreement or Interlocal Agreements includes the consideration by the Parties for participation in the IRN or consideration by the Parties for participation in the Radio Project.

I. Purpose

The purpose of the development of the IRN, (one or both of its component parts) is to consolidate the radio communication, or the radio communication and dispatch services, throughout all of Rockwall County. In doing so, not only will communication ameliorate, but the result will also be an enhancement of public and first responder safety and provide a more efficient and complete level of interoperability for all public safety agencies in Rockwall County. The Radio Project, or the Radio Project and the Dispatch Project, will serve a legitimate public purpose of Rockwall County and will be governed by adequate controls, contractual or otherwise, to ensure that the public purpose is accomplished.

II. The Project

At this time, the County and the City contemplate that the project would generally consist of the following:

a) The County through its independent consultant will perform and furnish a written needs assessment for the operation of a county-wide consolidated radio and dispatch service and aid the county in executing a formal agreement with an appropriate vendor for the planning, development, procurement, implementation, construction, testing and acceptance of a new P25, Phase II plus radio system and the various systems needed to receive and dispatch calls for service including, but not limited to, radio dispatch consoles, a Next-Generation 911 calling system, a computer aided dispatch (CAD) system acceptable to the City and to the County, a records management system (RMS) acceptable to the City and the County, a logging and instant recall recording system, mobile data system connectivity, and video display walls. Said needs assessment shall incorporate use of equipment that includes all features and capabilities that are equal to, or better than the radio communications system and equipment currently used by the City. The County shall provide to the City, its written consultant's report which shall include, but not necessarily be limited to, a description of each system component, the cost of each system component and the anticipated annual maintenance and operating costs of each component during the warranty period and beyond the warranty period for five years. The City Manager's designee(s) shall have sufficient opportunity to meet with the County consultant for the purpose of evaluating the technical and operational capabilities of each component.

b) The County will provide to the City the new radio equipment to be utilized by the City on a one to one replacement basis as determined by the City's current operable radio equipment inventory at the time of system implementation. Additional radio equipment and ongoing maintenance and replacement costs for user equipment will be the responsibility of the City. The City will receive operational training on the equipment received from the County. The City can choose how to dispose of their current radio inventory. The County will be responsible for funding and building the Radio Project and for its continued operation and maintenance.

c) The County will be responsible for funding construction and operation of a Consolidated Dispatch Center (should agreement be reached on the Dispatch Project) to be located on County property adjacent to the Rockwall County Jail facility. Negotiations will include consideration of the employment status of dispatch operators and other relevant staff to Dispatch Project.

d) A governing board (consisting of the Police Chief, Fire Chief and the City Manager or his designee of each participating municipality, the County Sheriff and County Judge) will be created to direct the operations of the communications systems

that result from the Interlocal Agreement and Interlocal Agreements approved by the County and the municipalities. The governing board shall direct the operations of said systems in accordance with policies and procedures mutually agreed upon by the county and the participating municipalities. The legal structure of this board will be determined during negotiations of the Interlocal Agreement.

e) The County will fund and operate the Consolidated Dispatch Center, if the parties execute an Interlocal Agreement for the dispatch component, for the first two years of its operation. The City and the County will include consideration of the funding for said operations thereafter in the negotiation of the Interlocal Agreement after the cost of operation of the Consolidated Dispatch Center have been more fully identified.

f) The City will respond to all calls for fire service in the City's respective fire service area as designated by the City and its Fire Administration in cooperation with the other municipalities in the county. The funding for providing this service may be negotiated in the Interlocal Agreement.

g) The City, having provided a comprehensive list of Concerns, Issues and Questions, will review the county consultant's report to ensure the City's concerns, issues and questions are addressed.

III. Consideration

The County will, as set forth above, provide funding for the development, purchase, construction, and operation and maintenance of the Radio Project as described herein and in the Interlocal Agreement. The county will, as set forth herein, provide funding for the development, purchase, construction, operation and maintenance of the Consolidated Dispatch Center for the first two years of its operation if an agreement between the Parties on the Dispatch Project is reached. Funding for operation and maintenance of the Consolidated Dispatch Center after the initial two years will be determined in negotiation of the Interlocal Agreement.

IV. IRN Interlocal Agreement

The Parties will cooperate in good faith and use reasonable efforts to negotiate, prepare, execute, and deliver an Interlocal Agreement or Interlocal Agreements prior to the commencement of any project contemplated by this Letter of Intent, setting forth in detail the terms, provisions, and conditions for the purchase, development, and operation and maintenance of the interoperable radio system or the interoperable radio system and Consolidated Dispatch Center including such terms, representations, warranties, covenants, and conditions as may be agreed to by the Parties.

The Parties anticipate that the Interlocal Agreement or Interlocal Agreements would (a) contain conditions to performance in favor of all parties to that agreement as may be

agreed to by the Parties; (b) be subject to approval by the governing bodies of all Parties to that agreement; and (c) be binding and will continue in effect for so long as may be agreed by the Parties to that agreement.

The Parties acknowledge and agree that neither Party shall be under any obligation to enter into an Interlocal Agreement or any other agreement. If an Interlocal Agreement is not executed pursuant to this Letter of Intent prior to the commencement of the Radio Project or the Dispatch Project, then this Letter of Intent and the understandings expressed herein shall automatically terminate.

The development of any project contemplated by this Letter of Intent is contingent upon the participation of each law enforcement agency in the county, excluding the cities of Rowlett, Wylie, Dallas and Mobile City. Should any of the remaining cities choose not to execute the Interlocal Agreement, this Letter of Intent and the understandings expressed herein shall automatically terminate for all participating cities.

V. Other Written Agreements

The County and the City may at any time during the course of their discussion and evaluations enter into one or more written agreements defining specific obligations of each in relation to their continued evaluations and/or the development of any project contemplated by this Letter of Intent.

VI. Confidentiality Agreement

No document or other information provided by either party to the other shall be considered confidential unless the County and the City first enter into a written confidentiality agreement that specifically applies to such document or other information. This section shall not be construed as a waiver of either Party's right to oppose disclosure of documents or other information related to this Letter of Intent or the Party's rights to request a ruling from the Office of the Attorney General regarding public information requests related to this Letter of Intent.

The County and the City desire to cooperate with each other in the preparation of public information and material with respect to this Letter of Intent in their discussions and evaluations of the project. Each will designate a contact person to keep informed about matters related to any public information and public request for such information.

VII. Written Communications/Contact Person

Any written communication between the County and the City will, to the extent practicable, be delivered by hand, sent by fax, or mailed by U.S. Mail, postage prepaid, to each of the following:

To the County:	Rockwall County Attn. County Judge 101 E. Rusk St. Rockwall, Texas 75087 Tel: (972) 204-6000 Fax: (972) 204-6009	To the City:	City of Rockwall Attn. City Manager 385 S. Goliad Rockwall, Texas 75087 Tel: (972) 771-7700 Fax: (972) 771-7727

If this Letter of Intent accurately reflects your understanding of our agreement, please confirm your acceptance of the same, including the reference to the consideration extended, by signing below.

Sincerely,

City of _____

By: _____
Printed Name:

Confirmed:

ROCKWALL COUNTY, A POLITCAL SUBDIVSION OF THE STATE, ACTING BY AND THROUGH ITS COMMISSIONERS COURT, voted to approve this Letter of Intent at an open and public, duly-noticed meeting on the _____ day of _____, 2014.

By: _____
Jerry Hogan, County Judge

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **May 2, 2014**

SUBJECT: **Intent to Refund/Refinance Debt – First Reading – No Action to be Taken**

The bond market now is such that the City can refund (refinance) approximately $9,820,000 of general obligation debt issued in 2005 in order to save $1,047,000 in interest over the remaining life of the bonds. Interest rates at the time were in the 4.0 – 4.5% range and are significantly lower now. The issuance will be accomplished as "bank qualified" which results in savings of issuance costs as well. The debt will be repaid in the same length of time but at a lower interest rate of 2.28%. This refinancing will generate no new dollars.

David Medanich, First Southwest Company, has evaluated the issuance of the bonds and the savings potential. He was able to work with American National Bank to achieve the 2.28% rate. This negates the market risk of the interest rate fluctuation of a sale several weeks in the future and allows the City to avoid underwriter's fees and rating agency fees on this issue.

Adoption of Ordinances

Section 3.11 of the City's Charter provides that ordinances shall be read at two meetings. In past years, a bond ordinance would be considered at two meetings, with the sale and final adoption of the bond ordinance occurring at the second meeting. However, Section 1201.028, Texas Government Code provides that a public security authorization (which by definition includes adoption of an ordinance authorizing the issuance of general obligation or other bonds) becomes effective immediately upon adoption. This section was added to the Code during the legislative session in 2001, became effective September 1, 2001, and specifically provides that it supersede a charter provision to the contrary.

Therefore if the City follows the procedure as outlined in the charter, it is the opinion of Bond Counsel that voting on the first reading of the ordinance on May 5th would cause it to become effective, prior to the actual sale date. In keeping with our practice the last several years, staff will discuss the bonds and the elements of the sale, the caption will be read, but the vote on the actual ordinance will not occur at this meeting, to comply with the State Statute.

CITY OF ROCKWALL

ORDINANCE NO. _____

ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF ROCKWALL, TEXAS, GENERAL OBLIGATION REFUNDING BOND, SERIES 2014; LEVYING AN ANNUAL AD VALOREM TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID BOND; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

WHEREAS, there are presently the outstanding obligations of the City of Rockwall, Texas (the "Issuer") described in Schedule I attached hereto, collectively, the "Refunded Obligations";

WHEREAS, Chapter 1207, Texas Government Code ("Chapter 1207"), authorizes the Issuer to issue refunding bonds and to deposit the proceeds from the sale thereof, and any other available funds or resources, directly with a place of payment (paying agent) for the Refunded Obligations, and such deposit, if made before such payment dates, shall constitute the making of firm banking and financial arrangements for the discharge and final payment of the Refunded Obligations;

WHEREAS, Chapter 1207, Texas Government Code, authorizes the Issuer to issue refunding bonds and to deposit the proceeds from the sale thereof together with any other available funds or resources directly with a paying agent for the Refunded Obligations or a trust company or commercial bank that does not act as a depository for the Issuer and such deposit, if made before the payment dates of the Refunded Obligations, shall constitute the making of firm banking and financial arrangements for the discharge and final payment of the Refunded Obligations;

WHEREAS, Chapter 1207, Texas Government Code, further authorizes the Issuer to enter into an escrow or similar agreement with any such paying agent or trust company or commercial bank with respect to the safekeeping, investment, reinvestment, administration and disposition of any such deposit, upon such terms and conditions as the Issuer and such paying agent or trust company or commercial bank may agree;

WHEREAS, the City Council hereby finds and declares a public purpose and it is in the best interests of the Issuer to refund the Refunded Obligations in order to achieve a debt service savings and to restructure the Issuer's outstanding debt service, and that such refunding will result in a present value debt service savings of approximately $_____ and an actual debt service savings of approximately $_____ to the Issuer;

WHEREAS, all the Refunded Obligations mature or are subject to redemption prior to maturity within 20 years of the date of the bond hereinafter authorized;

WHEREAS, the bond hereafter authorized is being issued and delivered pursuant to said Chapter 1207, Texas Government Code; and

WHEREAS, It is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by the applicable provisions of Texas Government Code, Chapter 551; Now, Therefore

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

Section 1. RECITALS, AMOUNT AND PURPOSE OF THE BOND. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section. The bond of the City of Rockwall, Texas (the "Issuer") is hereby authorized to be issued and delivered in the aggregate principal amount of $9,820,000 for the public purpose of refunding the Refunded Obligations, and to pay the costs incurred in connection with the issuance of the Bond.

Section 2. DESIGNATION, DATE, DENOMINATION, NUMBER, AND MATURITY AND INTEREST RATE OF BOND. Each bond issued pursuant to this Ordinance shall be designated: "CITY OF ROCKWALL, TEXAS, GENERAL OBLIGATION REFUNDING BOND, SERIES 2014," and there shall be issued, sold, and delivered hereunder one fully registered bond, without interest coupons, dated May 5, 2014, in the denomination and principal amount of $9,820,000, numbered R-1, with any bond issued in replacement thereof being in the denomination of the full principal amount of the series of which the bond is issued and numbered consecutively from R-2 upward, payable in installments to the registered owner thereof, or to the registered assignee of said bond (in each case, the "Registered Owner"). Principal of said Bond shall mature and be payable in installments on the dates and in the amounts stated in the FORM OF BOND set forth in Exhibit A to this Ordinance. The Bond shall bear interest on the unpaid balance of the principal amount thereof from the date of delivery to the scheduled due date of the principal installments of the Bond at the rate of interest stated in the FORM OF BOND set forth in Exhibit A to this Ordinance. Said interest shall be payable in the manner provided and on the dates stated in the FORM OF BOND set forth in Exhibit A to this Ordinance.

The term "Bond" as used in this Ordinance shall mean and include collectively the bond initially issued and delivered pursuant to this Ordinance and any substitute bond exchanged therefor, as well as any other substitute or replacement bond issued pursuant hereto, and the term "Bond" shall mean any such bond.

Section 3. CHARACTERISTICS OF THE BOND.

(a) Appointment of Paying Agent/Registrar. The Issuer hereby appoints The American National Bank of Texas, Rockwall, Texas, to serve as paying agent and registrar for the Bond (the "Paying Agent/Registrar"). The Mayor or City Manager is authorized and directed to execute and deliver in the name on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar in substantially the form presented at this meeting.

(b) Registration, Transfer and Exchange. The Issuer shall keep or cause to be kept at the corporate trust office of the Paying Agent/Registrar books or records for the registration of the transfer and exchange of the Bond (the "Registration Books"), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers and exchanges under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers and exchanges as herein provided within three days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the Registered Owner of each Bond to which payments with respect to the Bond shall be mailed, as herein provided; but it shall be the duty of the Registered Owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer exchange and delivery of a substitute Bond. Registration

of assignments, transfers and exchanges of a Bonds shall be made in the manner provided and with the effect stated in the FORM OF BOND attached as Exhibit A to this Ordinance. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond.

(c) Authentication. Except as provided in subsection (h) of this section, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, date and manually sign said Bond, and no such Bond shall be deemed to be issued or outstanding unless such Bond is so executed. The Paying Agent/Registrar promptly shall cancel any paid Bond and any Bond surrendered for exchange. No additional ordinances, orders or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing exchange of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution and delivery of the substitute Bond in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, the duty of exchange of a Bond as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Bond, the exchanged Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bond which initially was issued and delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(d) Payment of Principal and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Bond, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Bond, and of any exchange of a Bond, and any replacement of a Bond, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of the Registered Owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(e) Payment to Registered Owner. Notwithstanding any other provision of this Ordinance to the contrary, the Issuer and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Registration Books as the absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Bond only to or upon the order of the Registered Owner, as shown in the Registration Books as provided in this Ordinance, or its respective attorney duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to payment of principal of and interest on the Bond to the extent of the sum or sums so paid. No person other than a Registered Owner, as shown in the Registration Books, shall receive a Bond certificate evidencing the obligation of the Issuer to make payments of principal and interest pursuant to this Ordinance.

(f) Paying Agent/Registrar. The Issuer covenants with the Registered Owner of the Bond that at all times while the Bond is outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution or other agency to act as and perform the services of Paying Agent/Registrar for the Bond under this Ordinance, and that the Paying Agent/Registrar will be one entity. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(g) Substitute Paying Agent/Registrar. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 120 days written notice to the Paying Agent/Registrar, to be effective not later than 60 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Bond, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to the Registered Owner of the Bond, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar.

(h) General Characteristics of the Bond. The Bond (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Bond to be payable only to the Registered Owner thereof, (ii) may and shall be redeemed prior to their scheduled maturities, (iii) may be transferred and assigned, (iii) may be transferred and assigned, (iv) may be exchanged for other Bond, (v) shall have the characteristics, (vi) shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Bond shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Bond, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF BOND set forth as Exhibit A to this Ordinance. The Bond initially issued and delivered pursuant to this Ordinance is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Bond issued in exchange for any Bond issued under this Ordinance the Paying Agent/Registrar shall execute the Paying Agent/registrar's Authentication Bond, in the FORM OF BOND set forth in this Ordinance.

(i) Delivery of Initial Bond. On the closing date, one initial Bond representing the entire principal amount of the Bond, payable in stated installments to the purchaser designated in Section 10 or its designee, executed by manual or facsimile signature of the Mayor and City Secretary of the Issuer, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State of Texas, and with the date of delivery inserted thereon by the Paying Agent/Registrar, will be delivered to such purchaser or its designee.

Section 4. FORM OF BOND. The form of the Bond, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Bond initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as shown in Exhibit A, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance.

Section 5. INTEREST AND SINKING FUND.

(a) A special "Interest and Sinking Fund" is hereby created and shall be established and maintained by the Issuer at an official depository bank of said Issuer. Said Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of said Issuer, and shall be used only for paying the interest on and principal of said Bond. All ad valorem taxes levied and collected for and on account of said Bond shall be deposited, as collected, to the credit of said Interest and Sinking Fund. During each year while any of said Bond is outstanding and unpaid, the governing body of said Issuer shall compute and ascertain a rate and amount of ad valorem tax that will be sufficient to raise and produce the money required to pay the interest on said Bond as such interest comes due, and to provide and maintain a sinking fund adequate to pay

the principal of said Bond as such principal matures (but never less than 2% of the original amount of said Bond as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of said Issuer, with full allowances being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in said Issuer, for each year while said Bond are outstanding and unpaid, and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of said Bond, as such interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law. If lawfully available moneys of the Issuer are actually on deposit in the Interest and Sinking Fund in advance of the time when ad valorem taxes are scheduled to be levied for any year, then the amount of taxes that otherwise would have been required to be levied pursuant to this Section may be reduced to the extent and by the amount of the lawfully available funds then on deposit in the Interest and Sinking Fund.

(b) Article 1208, Government Code, applies to the issuance of the Bond and the pledge of the taxes granted by the Issuer under this Section, and is therefore valid, effective, and perfected. Should Texas law be amended at any time while the Bond is outstanding and unpaid, the result of such amendment being that the pledge of the taxes granted by the Issuer under this Section is to be subject to the filing requirements of Chapter 9, Business & Commerce Code, in order to preserve to the Registered Owner of the Bond a security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code and enable a filing of a security interest in said pledge to occur.

Section 6. DEFEASANCE OF BOND.

(a) Any Bond and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Bond") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Bond, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until the Defeased Bond shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Bond and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of a Defeased Bond may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in subsection 6(a)(i) or (ii). All income from such Defeasance Securities received by the Paying Agent/Registrar which

is not required for the payment of the Defeased Bond, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) The term "Defeasance Securities" means any securities and obligations now or hereafter authorized by State law that are eligible to refund, retire or otherwise discharge obligations such as the Bond.

(d) Until the Defeased Bond shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bond the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Ordinance.

Section 7. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED BOND.

(a) Replacement Bond. In the event any outstanding Bond is damaged, mutilated, lost, stolen or destroyed, the Paying Agent/Registrar shall cause to be printed, executed and delivered, a new Bond of the same principal amount, maturity and interest rate, as the damaged, mutilated, lost, stolen or destroyed Bond, in replacement for such Bond in the manner hereinafter provided.

(b) Application for Replacement Bond. Application for replacement of a damaged, mutilated, lost, stolen or destroyed Bond shall be made by the Registered Owner thereof to the Paying Agent/Registrar. In every case of loss, theft or destruction of a Bond, the Registered Owner applying for a replacement Bond shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft or destruction of a Bond, the Registered Owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft or destruction of such Bond, as the case may be. In every case of damage or mutilation of a Bond, the Registered Owner shall surrender to the Paying Agent/Registrar for cancellation the Bond so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Section, in the event any such Bond shall have matured, and no default has occurred that is then continuing in the payment of the principal of or interest on the Bond, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Bond) instead of issuing a replacement Bond, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Bond. Prior to the issuance of any replacement Bond, the Paying Agent/Registrar shall charge the Registered Owner of such Bond with all legal, printing, and other expenses in connection therewith. Every replacement Bond issued pursuant to the provisions of this Section by virtue of the fact that any Bond is lost, stolen or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen or destroyed Bond shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance.

(e) Authority for Issuing Replacement Bond. In accordance with Sec. 1206.022, Government Code, this Section 7 of this Ordinance shall constitute authority for the issuance of any such replacement Bond without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such Bond is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Bond in the form and manner and with the effect, as provided in Section 3(a) of this Ordinance for a Bond issued in exchange for another Bond.

Section 8. CUSTODY, APPROVAL, AND REGISTRATION OF BOND; BOND COUNSEL'S OPINION; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED; ENGAGEMENT OF BOND COUNSEL.

(a) The Mayor of the Issuer is hereby authorized to have control of the Bond initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Bond pending its delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Bond said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Bond, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Bond. The approving legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers (if obtained) may, at the option of the Issuer, be printed on the Bond issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the Registered Owner of the Bond. In addition, if bond insurance is obtained, the Bond may bear an appropriate legend as provided by the insurer.

(b) The obligation of the initial purchaser to accept delivery of the Bond is subject to the initial purchaser being furnished with the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Issuer, which opinion shall be dated as of and delivered on the date of initial delivery of the Bond to the initial purchaser. The engagement of such firm as bond counsel to the Issuer in connection with issuance, sale and delivery of the Bond is hereby approved and confirmed. The execution and delivery of an engagement letter between the Issuer and such firm, with respect to such services as bond counsel, is hereby authorized in such form as may be approved by the Mayor, and the Mayor is hereby authorized to execute such engagement letter.

Section 9. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE BOND.

(a) Covenants. The Issuer covenants to take any action necessary to assure, or refrain from any action that would adversely affect, the treatment of the Bond as an obligation described in section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

(1) to take any action to assure that no more than 10 percent of the proceeds of the Bond (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds or the projects financed therewith are so used, such amounts, whether or not received by the Issuer, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Bond, in contravention of section 141(b)(2) of the Code;

(2) to take any action to assure that in the event that the "private business use" described in subsection (1) hereof exceeds 5 percent of the proceeds of the Bond or the projects financed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" that is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(3) to take any action to assure that no amount that is greater than the lesser of $5,000,000, or 5 percent of the proceeds of the Bond (less amounts deposited into a reserve fund, if any) is

directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(4) to refrain from taking any action that would otherwise result in the Bond being treated as a "private activity bond" within the meaning of section 141(b) of the Code;

(5) to refrain from taking any action that would result in the Bond being "federally guaranteed" within the meaning of section 149(b) of the Code;

(6) to refrain from using any portion of the proceeds of the Bond, directly or indirectly, to acquire or to replace funds that were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) that produces a materially higher yield over the term of the Bond, other than investment property acquired with –

(A) proceeds of the Bond invested for a reasonable temporary period of 3 years or less or, in the case of an advance refunding bond, for a period of 30 days or less until such proceeds are needed for the purpose for which the Bond is issued, and in the case of a current refunding bond, for a period of 90 days or less,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Bond;

(7) to otherwise restrict the use of the proceeds of the Bond or amounts treated as proceeds of the Bond, as may be necessary, so that the Bond does not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage) and, to the extent applicable, section 149(d) of the Code (relating to advance refundings); and

(8) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Bond) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Bond has been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code.

(b) Rebate Fund. In order to facilitate compliance with the above covenant (a)(8), a "Rebate Fund" is hereby established by the Issuer for the sole benefit of the United States of America, and such Fund shall not be subject to the claim of any other person, including without limitation the Registered Owner. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Use of Proceeds. The Issuer understands that the term "proceeds" includes "disposition proceeds" as defined in the Treasury Regulations (hereinafter defined) and, in the case of refunding bonds, transferred proceeds (if any) and proceeds of the refunded bonds expended prior to the date of issuance of the Bond. It is the understanding of the Issuer that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto (the "Treasury Regulations"). In the event that regulations or rulings are hereafter promulgated that modify or expand provisions of the Code, as applicable to the Bond, the Issuer will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on

the Bond under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated that impose additional requirements applicable to the Bond, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Bond under section 103 of the Code. In furtherance of such intention, the Issuer hereby authorizes and directs the Mayor, the City Manager and the Assistant City Manager to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Issuer, that may be permitted by the Code as are consistent with the purpose for the issuance of the Bond.

(d) Disposition of Projects. The Issuer covenants that the projects funded with the proceeds of the Refunded Obligations will not be sold or otherwise disposed in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless the Issuer obtains an opinion of nationally-recognized bond counsel that such sale or other disposition will not adversely affect the tax-exempt status of the Bond. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains a legal opinion that such failure to comply will not adversely affect the excludability for federal income tax proposes from gross income of the interest.

(e) Designation as a Qualified Tax-Exempt Obligation. The Issuer hereby designates the Bond as a "qualified tax-exempt obligation" as defined in section 265(b)(3) of the Code. In furtherance of such designation, the Issuer represents, covenants and warrants the following: (a) that during the calendar year in which the Bond is issued, the Issuer (including any subordinate entities) has not designated nor will designate obligations that when aggregated with the Bond, will result in more than $10,000,000 of "qualified tax-exempt bonds" being issued; (b) that the Issuer reasonably anticipates that the amount of tax-exempt obligations issued, during the calendar year in which the Bond is issued, by the Issuer (or any subordinate entities) will not exceed $10,000,000; and, (c) that the Issuer will take such action or refrain from such action as necessary, and as more particularly set forth in this Section, hereof, in order that the Bond will not be considered a "private activity bond" within the meaning of section 141 of the Code.

Section 10. SALE OF BOND. The Bond is hereby initially sold and shall be delivered to The American National Bank of Texas (the "Purchaser") in Terrell, Texas, for cash for the par value thereof, pursuant to the Purchase Agreement dated the date of the final passage of this Ordinance which the Mayor is hereby authorized to execute and deliver. The Bond shall initially be registered in the name of the Purchaser. It is hereby officially found, determined, and declared that the terms of this sale are the most advantageous reasonably obtainable.

Section 11. FURTHER PROCEDURES. The Mayor, the City Manager, the Assistant City Manager and the City Secretary, and each of them, shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and on behalf of the Issuer such certificates, documents and other instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Bond and the sale of the Bond. In case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 12. NO RULE 15c2-12 UNDERTAKING. The Issuer has not made an undertaking in accordance with Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") in connection with

the issuance of the Bond. The Issuer is not, therefore, obligated pursuant to the Rule to provide any on-going disclosure relating to the Issuer or the Bond in connection with the issuance of the Bond.

Section 13. METHOD OF AMENDMENT. The Issuer hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The Issuer may from time to time, without the consent of the Registered Owner, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance in order to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the holders, (ii) grant additional rights or security for the benefit of the holders, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the holders, (iv) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, or (v) make such other provisions in regard to matters or questions arising under this Ordinance as shall not be inconsistent with the provisions of this Ordinance and that shall not in the opinion of the Issuer's Bond Counsel materially adversely affect the interests of the holders.

(b) Except as provided in paragraph (a) above, the Registered Owner shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the Issuer; provided, however, that without the consent of the Registered Owner, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or in the Bond so as to (i) make any change in the maturity of the Bond; (ii) reduce the rate of interest borne by the Bond; (iii) reduce the amount of the principal of payable on the Bond; (iv) modify the terms of payment of principal or of interest on the Bond or impose any condition with respect to such payment; or (v) change the requirement with respect to Registered Owner consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Ordinance under this Section, the Issuer shall send by U.S. mail to the Registered Owner of the Bond a copy of the proposed amendment.

(d) Whenever at any time within one year from the date of mailing of such notice the Issuer shall receive an instrument or instruments executed by the Registered Owner of the Bond, which instrument or instruments shall refer to the proposed amendment and that shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and the respective rights, duties, and obligations of the Issuer and the Registered Owner of the Bond shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the Registered Owner of the Bond pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of the mailing of the notice provided for in this Section, and shall be conclusive and binding upon all future holders of the same Bond during such period. Such consent may be revoked at any time after six months from the date of the mailing of said notice by the Registered Owner, or by a successor in title, by filing notice with the Issuer.

(g) For the purposes of establishing ownership of the Bond, the Issuer shall rely solely upon the registration of the ownership of such Bond on the registration books kept by the Paying Agent/Registrar.

Section 14. DEFAULT AND REMEDIES

(a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on the Bond when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the Registered Owner of the Bond, including, but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of 60 days after notice of such default is given by the Registered Owner to the Issuer.

(b) Remedies for Default. Upon the happening of any Event of Default, then and in every case, the Registered Owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the Issuer for the purpose of protecting and enforcing the rights of the Registered Owner under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Registered Owner hereunder or any combination of such remedies.

(c) Remedies Not Exclusive.

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Bond or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Bond shall not be available as a remedy under this Ordinance.

(ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

(iii) By accepting the delivery of a Bond authorized under this Ordinance, the Registered Owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers, employees or trustees of the Issuer or the City Council.

Section 15. APPROVAL OF ESCROW AGREEMENT AND TRANSFER OF FUNDS. The Mayor or City Manager of the Issuer is hereby authorized and directed to execute and deliver an escrow or similar agreement with The Bank of New York Mellon Trust Company, N.A., in substantially the form presented at this meeting. In addition, the Mayor or other officer of the Issuer is authorized to purchase such securities, to execute subscriptions for the purchase of U. S. Treasury Securities, State and Local Government Series, and to authorize such contributions, as may be necessary for the Escrow Fund.

Section 16. REDEMPTION OF REFUNDED OBLIGATIONS.

(a) The Issuer hereby directs that the Refunded Obligations be called for redemption on the dates set forth on Schedule I. Such Refunded Obligations shall be redeemed at the redemption price of par plus accrued interest. The Mayor of the Issuer is hereby authorized to issue or cause to be issued the Notice of

Redemption of the Refunded Obligations, in the forms set forth in Exhibit B attached hereto, to the paying agent/registrar for the Refunded Obligations.

(b) In addition, the paying agent/registrar for the Refunded Obligations is hereby directed to provide notice of redemption to the registered owners of the Refunded Obligations and is hereby directed to make appropriate arrangements so that the Refunded Obligations may be redeemed on their respective redemption dates. The Refunded Obligations shall be presented for redemption at the paying agent/registrar therefor, and shall not bear interest after the date fixed for redemption.

(c) The source of funds for payment of the principal of and interest on the Refunded Obligations on their redemption date shall be from the funds deposited with the Escrow Agent, pursuant to the Escrow Agreement approved in Section 15 of this Ordinance.

Section 17. APPROPRIATION. To pay the debt service coming due on the Bond prior to receipt of the taxes levied to pay such debt service, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.

Section 18. SEVERABILITY. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, despite such invalidity, which remaining portions shall remain in full force and effect.

Section 19. EFFECTIVE DATE. In accordance with the provisions of Texas Government Code, Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

(Execution Page Follows)

PASSED, APPROVED AND EFFECTIVE this _____, 2014.

ATTEST:

_____
Mayor, City of Rockwall, Texas

_____
City Secretary, City of Rockwall, Texas

[CITY SEAL]

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SCHEDULE I

SCHEDULE OF REFUNDED OBLIGATIONS

Description	Maturities	Principal Amount Outstanding	Principal Amount Refunded
Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2005	8/1/2019	$ 795,000	$ 795,000
	8/1/2020	830,000	830,000
	8/1/2021	865,000	865,000
	8/1/2022	900,000	900,000
	8/1/2023	940,000	940,000
	8/1/2024	985,000	985,000
	8/1/2025	1,025,000	1,025,000
Total		$ 6,340,000	$ 6,340,000

Called for redemption on August 1, 2015, at par plus accrued interest.

Description	Maturities	Principal Amount Outstanding	Principal Amount Refunded
General Obligation Refunding and Improvement Bonds, Series 2005	8/1/2020	$ 420,000	$ 420,000
	8/1/2021	440,000	440,000
	8/1/2022	460,000	460,000
	8/1/2023	480,000	480,000
	8/1/2024	500,000	500,000
	8/1/2025	520,000	520,000
Total		$ 2,820,000	$ 2,820,000

Called for redemption on August 1, 2015, at par plus accrued interest.

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EXHIBIT A

FORM OF BOND

A. The form of the Bond, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Bond initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance.

NO. R-

UNITED STATES OF AMERICA
STATE OF TEXAS

PRINCIPAL AMOUNT
$9,820,000

CITY OF ROCKWALL, TEXAS
GENERAL OBLIGATION REFUNDING BOND
SERIES 2014

Interest Rate	Delivery Date
As shown below	_____

REGISTERED OWNER: THE AMERICAN NATIONAL BANK OF TEXAS

PRINCIPAL AMOUNT: NINE MILLION EIGHT HUNDRED TWENTY THOUSAND DOLLARS

The City of Rockwall, Texas (the "Issuer"), being a political subdivision of the State of Texas located in Rockwall County, Texas, for value received, promises to pay, from the sources described herein, to the registered owner specified above, or registered assign (hereinafter called the "Registered Owner"), the principal amount specified above, and to pay interest thereon, from the Delivery Date set forth above, on the balance of said principal amount from time to time remaining unpaid, at the rates per annum set forth in the table below, calculated on the basis of a 360-day year of twelve 30-day months. The unpaid principal of this Bond shall mature and shall be paid in installments on the dates and in the amounts set forth in the table below:

Payment Date	Principal Installment	Interest Rate
August 1, 2014	$ 160,000	2.280%
August 1, 2015	80,000	2.280%
August 1, 2016	85,000	2.280%
August 1, 2017	85,000	2.280%
August 1, 2018	85,000	2.280%
August 1, 2019	885,000	2.280%
August 1, 2020	1,330,000	2.280%
August 1, 2021	1,360,000	2.280%
August 1, 2022	1,390,000	2.280%
August 1, 2023	1,420,000	2.280%
August 1, 2024	1,455,000	2.280%
August 1, 2025	1,485,000	2.280%

THE PRINCIPAL OF AND INTEREST ON THIS BOND are payable in lawful money of the United States of America, without exchange or collection charges. The Issuer shall pay interest on this Bond on August 1, 2014, and on each February 1 and August 1 thereafter to the date of maturity or redemption prior to maturity. The last principal installment of this Bond shall be paid to the Registered Owner hereof upon presentation and surrender of this Bond at maturity, or upon the date fixed for its redemption prior to maturity, at the principal office of The American National Bank of Texas in Rockwall, Texas, which is the "Paying Agent/Registrar" for this Bond. The payment of all other principal installments of and interest on this Bond shall be made by the Paying Agent/Registrar to the Registered Owner hereof on each principal and interest payment date by check or draft, dated as of such principal and interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the Bond Ordinance to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the Registered Owner hereof, at its address as it appeared on the fifteenth day of the month next preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In addition, principal and interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Registered Owner.

ANY ACCRUED INTEREST due in connection with the final installment of principal of this Bond or upon redemption of this Bond in whole at the option of the Issuer prior to maturity as provided herein shall be paid to the Registered Owner upon presentation and surrender of this Bond for payment at the principal corporate trust office of the Paying Agent/Registrar. The Issuer covenants with the Registered Owner of this Bond that on or before each principal payment date and interest payment date for this Bond it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Bond Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Bond, when due.

IF THE DATE for the payment of the principal of or interest on this Bond shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day that is not such a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS BOND is dated May 5, 2014, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of $9,820,000 for the public purpose of refunding certain outstanding obligations of the Issuer, and to pay the costs incurred in connection with the issuance of the Bond.

ON FEBRUARY 1, 2022, or any date thereafter, the principal installments of this Bond may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular principal installments or portions thereof, to be redeemed shall be selected and designated by the Issuer, at a redemption price equal to the principal amount to be redeemed plus accrued interest to the date fixed for redemption.

AT LEAST 20 days prior to the date fixed for any optional redemption of the Bond or portions thereof prior to maturity a written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, to the Registered Owner of the Bond at its address as it appeared on the Registration Books on the day such notice of redemption is mailed; provided, however, that the failure of the Registered Owner to receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of this Bond. By

the date fixed for any such redemption, due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Bond or portions thereof which are to be so redeemed. If such written notice of redemption is sent and if due provision for such payment is made, all as provided above, the Bond or portions thereof which are to be so redeemed thereby automatically shall be treated as redeemed prior to its scheduled maturity, and shall not bear interest after the date fixed for redemption, and shall not be regarded as being outstanding except for the right of the Registered Owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment.

IF AT THE TIME OF MAILING of notice of optional redemption there shall not have either been deposited with the Paying Agent/Registrar or legally authorized escrow agent immediately available funds sufficient to redeem the Bond called for redemption, such notice must state that it is conditional, and is subject to the deposit of the redemption moneys with the Paying Agent/Registrar or legally authorized escrow agent at or prior to the redemption date, and such notice shall be of no effect unless such moneys are so deposited on or prior to the redemption date.

UPON THE PAYMENT of principal on this Bond, or partial redemption of this Bond, the Paying Agent/Registrar, shall note in the Payment Record appearing on this Bond the amount of such prepayment, the date said payment was made and the remaining unpaid principal balance of this Bond and shall then have said entry signed by an authorized official of the Paying Agent/Registrar. The Paying Agent/Registrar shall also record such information in the Bond Registration Books, and the Paying Agent/Registrar shall also record in the Bond Registration Books all payments of principal installments on such Bond when made on their respective due dates.

THIS BOND IS ISSUABLE IN THE FORM of one fully-registered Bond without coupons in the denomination of $9,820,000. This Bond may be transferred or exchanged as provided in the Bond Ordinance, only upon the registration books kept for that purpose at the above-mentioned office of the Paying Agent/Registrar upon surrender of this Bond together with a written instrument of transfer or authorization for exchange satisfactory to the Paying Agent/Registrar and duly executed by the Registered Owner or his duly authorized attorney, and thereupon a new Bond of the same maturity and in the same aggregate principal amount shall be issued by the Paying Agent/Registrar to the transferee in exchange therefor as provided in the Bond Ordinance, and upon payment of the charges therein prescribed. The Issuer and the Paying Agent/Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes. The Paying Agent/Registrar shall not be required to make any such transfer or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) within 30 days prior to a redemption date.

IN THE EVENT any Paying Agent/Registrar for this Bond is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Bond Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the Registered Owner of the Bond.

THIS BOND shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance until the Certificate of Authentication shall have been executed by the Paying Agent/Registrar or the Comptroller's Registration Certificate hereon shall have been executed by the Texas Comptroller of Public Accounts.

IT IS HEREBY certified, recited and covenanted that this Bond has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done

precedent to or in the authorization, issuance and delivery of this Bond have been performed, existed and been done in accordance with law; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said Issuer, and have been pledged for such payment, within the limit prescribed by law.

THE ISSUER HAS RESERVED THE RIGHT to amend the Bond Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the Registered Owner of the Bond.

BY BECOMING the Registered Owner of this Bond, the Registered Owner thereby acknowledges all of the terms and provisions of the Bond Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Bond Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Bond and the Bond Ordinance constitute a contract between each Registered Owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be signed with the manual or facsimile signature of the Mayor of the Issuer and countersigned with the manual or facsimile signature of the City Secretary of said Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Bond.

(signature) City Secretary	(signature) Mayor

(SEAL)

B. Form of Payment Record

PAYMENT RECORD

Date of Payment	Principal Payment (amount and installment(s) to which payment is applied)	Remaining Principal Balance	Name and Title of Authorized Officer making Entry	Signature of Authorized Officer

C. Form of Paying Agent/Registrar's Authentication Certificate

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE
(To be executed if this Bond is not accompanied by an executed Registration Certificate of the Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Bond has been issued under the provisions of the Bond Ordinance described in the text of this Bond; and that this Bond has been issued in replacement of, or in exchange for, a Bond that originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: _____.

THE AMERICAN NATIONAL BANK OF TEXAS
Rockwall, Texas
Paying Agent/Registrar

By:_____
Authorized Representative

D. Form of Assignment

ASSIGNMENT
(Please print or type clearly)

For value received, the undersigned hereby sells, assigns and transfers unto: _____

_____

Transferee's Social Security or Taxpayer Identification Number:_____

Transferee's name and address, including zip code:_____

_____

the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to register the transfer of the within Certificate on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____.

Signature Guaranteed:

_____
NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program.

_____
NOTICE: The signature above must correspond with the name of the registered owner as it appears upon the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.

E. Form of Registration Certificate of the Comptroller of Public Accounts

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that this Bond has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this _____.

_____

Comptroller of Public Accounts of the State of Texas

(COMPTROLLER'S SEAL)

EXHIBIT B

NOTICE OF REDEMPTION

CITY OF ROCKWALL, TEXAS
CUSIP Prefix No. 77428

NOTICE IS HEREBY GIVEN that the City of Rockwall, Texas, has called for redemption the outstanding Bonds and Certificates of the City (collectively, the Redeemed Obligations") described as follows:

City of Rockwall, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2005, dated August 1, 2005, maturing August 1, 2019 through August 1, 2025, in the aggregate principal amount of $6,340,000 as shown below (the "Series 2005 Redeemed Certificates"), to the call date of the Series 2005 Redeemed Certificates so called for redemption at The Bank of New York Mellon Trust Company, N.A.. Call date: August 1, 2015.

Maturities	Principal Amount Outstanding	Principal Amount Refunded	CUSIP Suffix
8/1/2019	$ 795,000	$ 795,000	SQ 5
8/1/2020	830,000	830,000	SR 3
8/1/2021	865,000	865,000	SS 1
8/1/2022	900,000	900,000	ST 9
8/1/2023	940,000	940,000	SU 6
8/1/2024	985,000	985,000	SV 4
8/1/2025	1,025,000	1,025,000	SW 2
	$ 6,340,000	$ 6,340,000	

On August 1, 2015 interest on the Series 2005 Redeemed Certificates shall cease to accrue and be payable.

City of Rockwall, Texas General Obligation Refunding and Improvement Bonds, Series 2005, dated August 1, 2005, maturing August 1, 2020 through August 1, 2025, in the aggregate principal amount of $2,820,000 as shown below (the "Series 2005 Redeemed Bonds") , to the call date of the Series 2005 Redeemed Bonds so called for redemption at The Bank of New York Mellon Trust Company, N.A.. Call date: August 1, 2015.

Maturities	Principal Amount Outstanding	Principal Amount Refunded	CUSIP Suffix
8/1/2020	$ 420,000	$ 420,000	TM 3
8/1/2021	440,000	440,000	TN 1
8/1/2022	460,000	460,000	T9 6
8/1/2023	480,000	480,000	TQ 4
8/1/2024	500,000	500,000	TR 2

8/1/2025	520,000	520,000	TS 0
	$ 2,820,000	$ 2,820,000	

On August 1, 2015 interest on the Series 2005 Redeemed Bonds shall cease to accrue and be payable.

THE REDEEMED OBLIGATIONS shall be redeemed at The Bank of New York Mellon Trust Company, N.A., as the Paying Agent/Registrar for said Redeemed Obligations. Upon presentation of the Redeemed Obligations at the Paying Agent/Registrar on the aforementioned redemption date, the holder thereof shall be entitled to receive the redemption price equal to the principal amount called for redemption plus accrued interest thereon to the redemption date.

NOTICE IS GIVEN that due and proper arrangements have been made for providing the place of payment of said Redeemed Obligations called for redemption with funds sufficient to pay the principal amount of said Redeemed Obligations and the interest thereon to the redemption date. In the event said Redeemed Obligations, or any of them are not presented for redemption by the date fixed for their redemption, they shall not thereafter bear interest.

UNDER THE PROVISIONS of Section 3406 of the Internal Revenue Code of 1986, as amended, paying agents making payments of interest and principal on municipal securities may be obligated to withhold a tax from remittance to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Registered holders who wish to avoid the imposition of the tax should submit certified taxpayer identification numbers (via form W-9) when presenting the Series 2001 Redeemed Bonds for payment.

THIS NOTICE is issued and given pursuant to the redemption provisions in the proceedings authorizing the issuance of the aforementioned Redeemed Obligations and in accordance with the recitals and provisions of said Redeemed Obligations.

NOTICE IS FURTHER GIVEN that the Redeemed Obligations should be submitted to either of the following addresses:

First Class/Registered/ Certified Mail	Express Delivery	Hand Delivery
The Bank of New York Mellon Trust Company, N.A. Global Corporate Trust P.O. Box 396 East Syracuse, New York 13057	The Bank of New York Mellon Trust Company, N.A. Global Corporate Trust 111 Sanders Creek Parkway East Syracuse, New York 13057	The Bank of New York Mellon Trust Company, N.A. Global Corporate Trust Corporate Trust Window 101 Barclay Street 1ST Floor East New York, New York 10286

CITY OF ROCKWALL, TEXAS

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

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

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

DATE: **April 16, 2014**

SUBJECT: **BATTING CAGE FRANCHISE AGREEMENT**

At the April Park Board meeting, Leo Rodriguez of Legends Batting Cages presented a proposal to install and operate three batting cages located within Leon Tuttle Athletic Complex. Mr. Rodriguez currently has a contract with the City to operate the concession services at Tuttle Athletic Complex.

The facility would consist of three batting cages 60' long by 14' wide side-by-side on a concrete pad located on the southeast end of Tuttle Athletic Complex between fields #6 and #4 (a location map is included in your packet).

Mr. Rodriguez estimates the cost of the improvements to be approximately $45,000. That cost includes $12,000 for the concrete pad and $33,000 for netting, poles, signage, lighting, and three baseball pitching machines. One of the pitching machines will be available to be adapted for softball use. The cost of all equipment and improvements would be the responsibility of Mr. Rodriguez.

According to Mr. Rodriguez approximately $33,000 of the funding will be provided by the Rockwall Baseball Association (RBA). The RBA has pledged to provide the funding with the caveat that the equipment stay in Rockwall to be available for the benefit of Rockwall kids. The balance of the funding for the concrete pad will be provided through fund raising efforts and in-kind donations.

All maintenance of equipment and supplies would be the responsibility of Mr. Rodriguez. Any changes to fees, operating hours or alterations to the batting cages would first require approval by the City.

The batting cages are proposed to be used primarily by reservation only. Rockwall Baseball Softball League (RBSL) will receive free warm up time on game nights and a reduced hourly rental fee. The proposed fees and hours of operation are as follows:

Fees:

$35/hr for RBSL teams; $55/hr for non-RBSL teams

Hours of operation:

Monday – Thursday

4:00 to 5:00 pm Free for RBSL team warm ups
5:00 – 8:00 pm

Friday

5:00 to 8:00 pm

Saturday

10:00 am – 6:00 pm

Sunday

12:00 – 6:00 pm

The Park Board voted unanimously to recommend to City Council to authorize the City Manager to negotiate a Franchise Agreement with Legends Batting Cages to operate three batting cages at Leon Tuttle Athletic Complex. The draft agreement is included in your packet and has been reviewed by the City Attorney. Also included in the packet is a copy of the Park Board minutes. Staff will be available to answer any questions.

STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

FRANCHISE AGREEMENT

THIS FRANCHISE AGREEMENT ("Agreement") is made and entered into by and between **Legends Batting Cages** ("Service Provider"), and the City of Rockwall, Texas ("City").

WHEREAS, the City, subject to the terms and conditions set forth herein, desires to grant to the Service Provider the non-exclusive franchise, license and privilege to provide, install, maintain and operate three (3) batting cages with pitching machines.

NOW THEREFORE, in consideration of the premises and the mutual promises, covenants and agreements set forth herein, the Service Provider and the City hereby agree as follows:

Section 1. Award of Concession Agreement. The City hereby grants to the Service Provider the non-exclusive franchise, license and privilege to provide, install, maintain and operate three (3) batting cages with pitching machines located at Leon Tuttle Athletic Complex 1550 Airport Rd. The layout and location of the batting cages must be approved by the City and may not be installed until the City has given written approval.

Section 2. Insurance. The Service Provider shall carry and maintain at all times during the term of this Agreement, or any extensions thereof, at a minimum, comprehensive liability insurance for bodily injury, including death, and property damage in the amounts of $2,000,000 per person, and $500,000 per occurrence, with the City being named as an additional insured. Such certificates of insurance shall be submitted annually to the Director of Parks and Recreation or his/her designee. Before commencement of services hereunder, the Service Provider agrees to furnish the City certificates of insurance or other evidence satisfactory to the City to the effect that such insurance has been procured and is in force. Such certificates of insurance shall be filed with the Parks and Recreation Director for its records. The City its officers, servants, and employees shall be named as additional insureds during the initial term and any renewals. The certificates shall contain the following express obligation:

> "This is to certify that the policies of insurance described herein have been issued to the insured for whom this certificate is executed and are in force at this time. In the event of cancellation or material change in a policy affecting the certificate holder, thirty (30) days prior written notice will be given to the City of Rockwall certificate holder."

Section 3. Maintenance. The Service Provider is solely responsible for maintenance of the batting cages, pitching machines and all improvements including but not limited to structures, supplies, equipment, signage, lighting, netting and support poles. All pitching machines shall be maintained and operated according to manufacturers recommendations.

Section 4. Operating hours and Fees charged. The Service Provider shall provide to the City's Park and Recreation Department a schedule of fees to be charged for the use of the batting cages. Service provider must give thirty (30) days written notice of any proposed

increase in fees from those established as of the date of this Agreement and such increase shall first be approved by the City's Park and Recreation Director and Park Board, whose approval shall not be unreasonably withheld. In addition, a schedule of the hours of operation shall be approved by the City's Parks and Recreation Department. Any signage advertising the cages shall be in conformance with the City's sign ordinance. Any time the batting cages are not being used on a rental or fee basis during normal park hours, the Service Provider shall make the batting cages available to the public to use as manual pitching tunnels without use of the Service Provider's pitching machines unless the pitching machines are under repair or maintenance. The City shall not be liable or responsible for any loss of revenue because of suspension or inability to provide the service due to causes beyond the reasonable control of either the City or Service Provider. Such causes shall include, but not be limited to, acts of God, acts of war, accident, explosion, fire, flood, riot, sabotage, or unusually severe weather conditions

Section 5. Concession Fee. The Service Provider agrees to remit to the City, on a monthly basis, a concession fee of 30% of all fees collected from patrons using the batting cage services. The Service Provider shall maintain at his respective place of business adequate books and records relating to the fees collected for batting cage rental or use. Such books and records shall be available at any time during normal business hours for inspection review and possible audit by the City, at the City's expense, upon reasonable advance notice.

Section 6. Modifications. The Service Provider and the City agree that should any additions, modification or alteration of the batting cages, signage, lighting, netting or other equipment be necessary to accommodate the service provided herein, such modification or alteration shall be done at the sole expense of the Service Provider, contingent upon the plans and specifications being reviewed and approved by the City. Any modification or alteration of the batting cages shall be ADA compliant.

Section 7. Terms. The term for this Agreement shall be for a period of two (2) years from the date hereof, with the ability to automatically renew annually for one (1) year periods for a maximum of three (3) additional years. Any failure by the Service Provider, or his successors and assigns, to observe the terms and conditions of this Agreement shall, if continuing or persisting without remedy for more than thirty (30) days after the receipt of due written notice from the City, constitute grounds for forfeiture and immediate termination of all the Service Provider's rights under this Agreement, and all such rights shall become null and void.

In the event of contract termination, The Service Provider shall remove all equipment and improvements and return the site to its original condition at the Service Provider's expense within 30 days of termination or give the City first rights of refusal to take possession of all equipment and improvements with mutually agreed upon terms.

Section 8. The Service Provider shall not deny employment to any person on the basis of race, creed, gender, or religion, and will insure that all federal and state laws pertaining to salaries, wages and operating requirements are met or exceeded.

Section 9. **THE SERVICE PROVIDER ASSUMES ALL RISKS OF LOSS OR INJURY TO PROPERTY OR PERSONS CAUSED BY ITS PERFORMANCE OF THE SERVICES. THE SERVICE PROVIDER AGREES TO INDEMNIFY AND HOLD HARMLESS THE CITY AND ITS AGENTS, DIRECTORS, EMPLOYEES, OFFICERS AND SERVANTS FROM AND AGAINST ANY AND ALL SUITS, ACTIONS, LEGAL PROCEEDINGS, CLAIMS, DEMANDS, DAMAGES, COSTS, LIABILITIES, LOSSES OR EXPENSES (INCLUDING, BUT NOT LIMITED TO, REASONABLE ATTORNEYS' FEES) INCIDENT TO**

ITS PERFORMANCE OF THE SERVICES CAUSED BY A WILLFUL OR NEGLIGENT ACT OR OMISSION OF THE SERVICE PROVIDER, ITS OFFICERS AND EMPLOYEES.

Section 11. Notices under this Agreement shall be deemed sufficient if sent to the following:

Service Provider:	City of Rockwall:
Legends Batting Cages 801 E. Interstate 30 Rockwall, TX 75087	Rick Crowley, City Manager 385 S. Goliad Rockwall, Texas 75087

Section 12. This Agreement shall be governed by the laws of the State of Texas, and venue for this Agreement shall be in Rockwall County, Texas.

Section 13. The City shall not be liable or responsible for any loss of revenue because of suspension or inability to provide the service at the docking area due to causes beyond the reasonable control of either the City or Service Provider. Such causes shall include, but not be limited to, acts of God, acts of war, accident, explosion, fire, flood, riot, sabotage, or unusually severe weather conditions.

Section 14: This **FRANCHISE AGREEMENT** is not assignable or transferable to any other party.

Section 15. Severability – If any section, sentence, clause, or paragraph of this ordinance is for any reason held to be illegal or invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance.

This Agreement shall be effective as of the last date signed by either party below.

Legends Batting Cages

By: _____
Leo Rodriguez
Title: _____
Its Authorized Representative
Date: _____

CITY OF ROCKWALL

By: _____
Rick Crowley, City Manager
Date: _____

ATTEST:

_____
Kristy Ashberry, City Secretary

ACKNOWLEDGEMENTS

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

BEFORE ME, a notary public in and for said county and state, personally appeared Leo Rodriguez, of Legends Batting Cages, and acknowledged to me that he executed the within and foregoing document as his free and voluntary act and deed; and the free and voluntary act deed of Legends Batting Cages, for the uses and purposes set forth therein.

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

_____
Notary Public in and for the State of Texas

My Commission Expires:

_____
[S E A L]

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

BEFORE ME, a notary public in and for said county and state, personally appeared Julie Couch, City Manager of the City of Rockwall, and acknowledged to me that she executed the within and foregoing document as her free and voluntary act and deed, and the free and voluntary act deed of the City of Rockwall, for the uses and purposes set forth therein.

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

_____
Notary Public in and for the State of Texas

My Commission Expires:

_____
[S E A L]

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CITY OF ROCKWALL, TEXAS
FIRE DEPARTMENT
MEMORANDUM

DATE: April 21, 2014

TO: Mayor & City Council

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

FROM: Mark Poindexter, Fire Chief

SUBJECT: Automatic Aid Agreement

Attached you will find an agreement for Automatic Aid Assistance between City of Rockwall and City of Dallas. The Rockwall Fire Department has been working with Dallas Fire & Rescue for over nine months to formalize a written Automatic Aid Agreement. This agreement will allow the Fire Chiefs of both Cities' to create and execute a Memorandum of Understanding (MOU) in reference to emergency calls / rescue response on Lake Ray Hubbard and on the causeways over the lake. The agreement has been reviewed and approved in form by Frank Garza. I would ask for the Mayor and Council to approve this agreement and authorize Rick Crowley to execute the agreement. If you have any questions I would be glad to answer them.

AGREEMENT FOR AUTOMATIC ASSISTANCE
BETWEEN THE CITY OF DALLAS AND THE CITY OF ROCKWALL

THIS AGREEMENT FOR AUTOMATIC ASSISTANCE (this "Agreement") is entered into this _____ day of _____, 2014, by and between the Cities of Dallas and Rockwall, hereinafter referred to as "Dallas" and "Rockwall," (respectively, or, collectively the "cities"), both of which are Texas municipal corporations; and each acting herein through their duly authorized officials.

WITNESSETH:

WHEREAS, this Agreement serves to maximize cooperation between the cities and promote a stronger homeland security effort through regionalism as promulgated by the Department of Homeland Security; and

WHEREAS, the governing officials of the cities, political subdivisions of the State of Texas and the United States of America, desire to secure for each such entity the benefits of automatic assistance in the protection of life and property from fire and other disasters;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. In consideration for each party's automatic assistance to the other upon the occurrence of an emergency condition in any portion of the designated area where this Agreement for Automatic Assistance is in effect, a predetermined number and amount of water rescue equipment and personnel, fire fighting equipment and/or emergency medical equipment or personnel of both parties shall be dispatched, to such point where the emergency condition exists in order to assist in the protection of life and property subject to the conditions hereinafter stated. For the purposes of this Agreement, "emergency condition" shall include any condition requiring water rescue or fire protection. Details as to amounts and types of assistance to be dispatched, methods of dispatching and communications, training programs and procedures and areas to be assisted will be developed by the Chief of the Dallas Fire-Rescue Department and the Chief of the Rockwall Fire Department. These details will be stipulated in a Memorandum of Understanding and signed by the Chiefs of both departments. Said Memorandum of Understanding may be revised or amended at any time by mutual agreement of the Fire Chiefs as conditions may warrant.

2. Any dispatch of equipment and personnel pursuant to this Agreement is subject to the following conditions:

a. The predetermined amount of aid, type of equipment and number of personnel shall be sent, unless such amount of assistance is unavailable due to emergency conditions confronting either party's forces at the time of need for assistance under this Agreement.

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b. In fulfilling their obligations provided for in this Agreement, both parties shall comply with the procedures set forth in the Memorandum of Understanding, to be attached hereto and made part hereof for all purposes upon its completion and execution by the Chiefs.

3. Each party to this Agreement waives all claims against the other party for compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance of this Agreement. THE ASSIGNMENT OF LIABILITY UNDER THIS AGREEMENT IS INTENDED TO BE DIFFERENT THAN LIABILITY OTHERWISE ASSIGNED UNDER TEXAS GOVERNMENT CODE SECTION 791.006, SUBSECTION (a). INSTEAD, LIABILITY, IF ANY, SHALL BE AS SET OUT IN THIS AGREEMENT, AS PROVIDED BY TEXAS GOVERNMENT CODE SECTION 791.006, SUBSECTION (a1). EACH PARTY SHALL BE RESPONSIBLE FOR ANY LIABILITY RESULTING FROM ITS ACTIONS OR OMISSIONS REGARDLESS OF WHICH PARTY WOULD HAVE BEEN RESPONSIBLE, IN THE ABSENCE OF THIS AGREEMENT, FOR FURNISHING THE SERVICES PROVIDED. THIS PROVISION IS FOR THE BENEFIT OF THE PARTIES AND IS NOT INTENDED TO CREATE A THIRD-PARTY CAUSE OF ACTION OR WAIVE ANY IMMUNITIES OR DEFENSES AVAILABLE TO THE PARTIES.

4. Neither party shall be reimbursed by the other for costs incurred pursuant to this Agreement. It is understood and agreed that both parties have heretofore entered into an "Agreement for Mutual Aid in Disaster Assistance." Costs incurred pursuant to the Agreement for Mutual Aid in Disaster Assistance shall be governed under the terms of that agreement. Personnel who are assigned, designated or ordered by their governing body to perform duties, pursuant to this Agreement, shall receive the same wage, salary, pension, and all other compensation and rights for the performance of such duties, including injury or death benefits, and Workmen's Compensation benefits, as though the service had been rendered within the limits of entity where he or she is regularly employed. Moreover, all medical expenses, wage and disability payments, except for those payments each party is required to pay under the Interlocal Cooperation Act cited above, pension payments, damage to equipment and clothing, and expenses of travel, food, and lodging shall be paid by the entity in which the employee in question is regularly employed.

5. All equipment used by each party's fire department in carrying out this Agreement will, during the time response services are being performed, be owned by it; and all personnel acting for the party's fire department under this Agreement will, during the time response services are required, be paid firefighters of the fire department of the party where they are regularly employed or members of an organized volunteer fire department which normally renders firefighting services of the party which sends the forces of equipment.

6. At all times while equipment and personnel of either party's fire department are traveling to, from, or within the geographical limits of the other party in accordance with the terms of this Agreement, such personnel and equipment shall be deemed to be employed or used by the party which regularly employs such personnel and equipment. Further, such equipment and personnel shall be deemed to be engaged in a governmental function of its governmental entity.

7. In the event that any individual performing duties subject to this Agreement shall be cited as a defendant party to any state or federal civil lawsuit, arising out of his or her official acts while performing duties pursuant to the terms of the Agreement, such individual shall be entitled to the same benefits that he or she would be entitled to receive had such civil action arisen out of an official act within the course and scope of his or her duties as a member of the department where regularly employed and occurred within the jurisdiction of the governmental entity where regularly employed. The benefits described in this paragraph shall be supplied by the party where the individual is regularly employed. However, in situations where the other party may be liable, in whole or in part, for the payment of damages, then the other party may intervene in such cause of action to protect its interests.

8. It is agreed by and between the parties hereto that any party hereto shall have the right to terminate this Agreement upon ninety (90) days written notice to the other parties hereto.

9. It is understood and agreed that both parties have heretofore entered into an "Agreement for Mutual Aid in Disaster Assistance". However, as to any mutual assistance between the parties arising out of the occurrence of an emergency condition in the areas described in the Memorandum of Understanding, the conditions and obligations of this Agreement shall take precedence over the conditions and obligations of all other agreements. For the purposes of the Agreement for Mutual Aid in Disaster Assistance, the resources necessary for parties to meet obligations under this Agreement are unavailable.

10. Each party agrees that if legal action is brought under this Agreement, exclusive venue shall lie in the county where the emergency condition occurred.

11. In case one or more of the provisions contained in this Agreement shall be for any reason held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

12. This Agreement is made for each respective fire department as automatic assistance pursuant to the Texas Government Code, chapter 418, commonly referred to as the Disaster Act of 1975;

and nothing in this Agreement is intended to limit the availability of benefits to each party's personnel under Texas Government Code Chapter 615, as amended, and as it may be amended in the future.

13. Effective date of this Agreement shall be on the last date of the signature of any party hereto. Any prior Agreement for Automatic Assistance between the parties shall be terminated and superseded on the effective date of this Agreement

EXECUTED by the Cities of Dallas and Rockwall each respective governmental entity acting by and through its City Manager or other duly authorized official in the manner required by each respective City's Charter, or otherwise as required by law, on the date herein below specified.

CITY OF ROCKWALL
CITY MANAGER

_____

DATE: _____

APPROVED AS TO FORM:

_____
City Attorney

_____

CITY OF DALLAS
A. C. GONZALEZ
City Manager

BY _____
Assistant City Manager

DATE: _____

APPROVED AS TO FORM:
WARREN M. S. ERNST.
City Attorney

BY _____
Assistant City Attorney

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
March 2014

DISPOSITION REPORT

	March
Intakes	202
1045	1
Adopted	119
Citizen Returned to Owner	0
Returned to Owner	27
Rescued	25
Euthanized	8
Live Outcome %	**95%**
Number of Animals in Foster	9

FINANCIAL REPORT

Income	**March**
City of Rockwall	$0
Adoption Fee Income	$11,865
Impound Fee Income	$545
Owner Surrender	$1,130
General Donations	$3,871
Merchandise Sales	$0
Medical	$440
Quarantine Fee	$70
Other Income	$0
Total Income	**$17,921**

Expenses	**March**
Administrative Expenses (Payroll, etc)	$31,593
Shelter Expenses (Microchips, Drugs, etc)	$4,441
Veterinary Expenses	$5,666
Professional Services	$0
Insurance	$0
Income Tax	$0
Total Expenses	**$41,701**
Balance	**-$23,780**

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City of Rockwall

The New Horizon

Building Inspections Department

Monthly Report

March 2014

Permits

Total Permits Issued: 265

Building Permits 43 Contractor Permits 222

Total Permit Values: $ 6,095,623.77

Building Permits $ 4,628,938.74 Contractor Permits $ 1,466,685.03

Total Fees Collected: $ 160,530.91

Building Permits $ 145,378.39 Contractor Permits $ 15,152.52

Board of Adjustment

Board of Adjustment Cases 2

City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

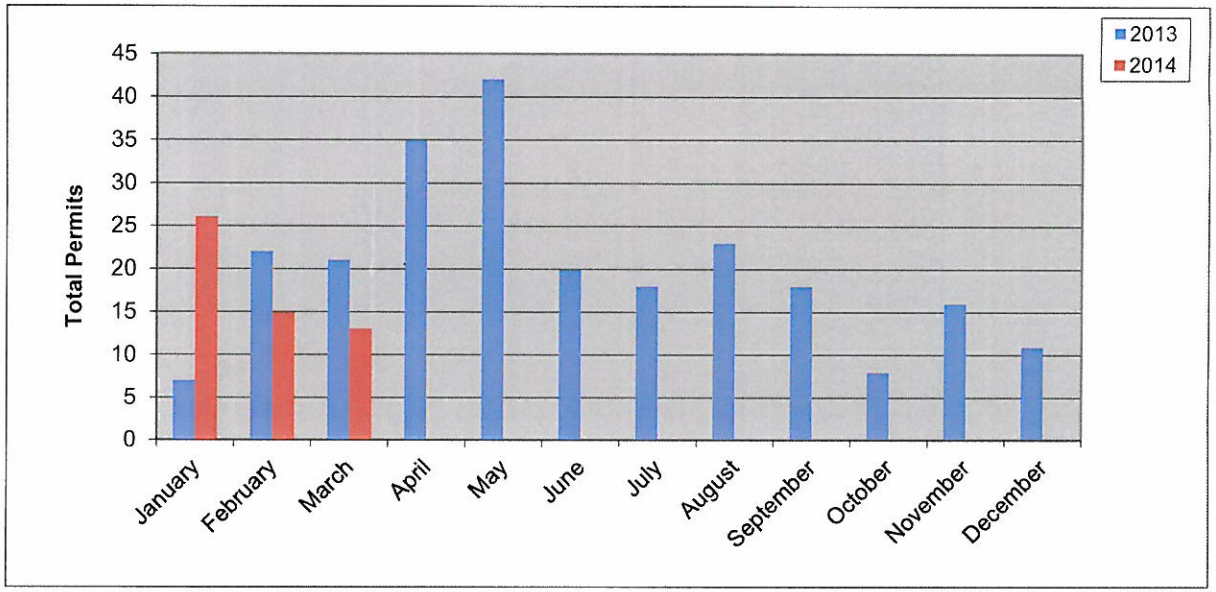
For the Period 3/1/2014 thru 3/31/2014

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	5	$0.00	$254.50
30 DAY BANNER	4	$0.00	$203.00
GRAND OPENING	1	$0.00	$51.50
CO	8	$0.00	$603.00
BUSINESS	7	$0.00	$528.00
INTERIOR COMP	1	$0.00	$75.00
COMM	21	$2,002,899.00	$73,354.85
ADDITION	2	$6,500.00	$188.25
CONCRETE	1	$3,000.00	$94.75
DEMO	1	$350,000.00	$50.00
ELECTRICAL	4	$29,200.00	$631.00
FENCE	1	$6,100.00	$35.70
INTERIOR COMP	1	$100,000.00	$1,005.25
IRRIGATION	1	$15,000.00	$35.00
MECHANICAL	2	$20,200.00	$380.51
MISCELLANEOUS	1	$2,800.00	$35.00
NEW	3	$1,185,000.00	$70,565.39
PLUMBING	2	$1,780.00	$50.25
REMODEL	1	$13,779.00	$248.75
ROOF	1	$269,540.00	$35.00
NONPROFIT SIGN PERMI	1	$0.00	$0.00
	1	$0.00	$0.00
SIGNAGE	7	$75,000.00	$600.50
MONUMENT	1	$0.00	$75.00
POLE	1	$75,000.00	$75.00
WALL	5	$0.00	$450.50
SINGLE FAMILY	205	$4,017,724.77	$85,263.56
ACC BLDG	7	$19,978.00	$620.90
ADDITION	2	$38,000.00	$625.80
ALTERATION	2	$85,000.00	$990.00
CONCRETE	4	$11,300.00	$363.65
DECK	2	$41,528.00	$654.50
ELECTRICAL	5	$19,800.00	$508.29
FENCE	70	$166,865.99	$2,470.00
IRRIGATION	32	$49,650.00	$1,124.20
MECHANICAL	15	$127,873.20	$2,654.50
NEW	13	$3,094,927.74	$69,659.43
PATIO COVER	8	$59,734.00	$1,301.07
PERGOLA	1	$800.00	$44.15
PLUMBING	23	$40,338.00	$3,085.57
REPAIR	3	$25,220.00	$129.40
RETAINING WALL	3	$24,000.00	$107.20
ROOF	10	$78,152.00	$355.90
SWIM POOL	4	$130,379.00	$532.50
WINDOWS	1	$4,178.84	$36.50
SPECIAL EVENT	18	$0.00	$454.50
	18	$0.00	$454.50
Totals:	**265**	**$6,095,623.77**	**$160,530.91**

CRW SYSTEMS

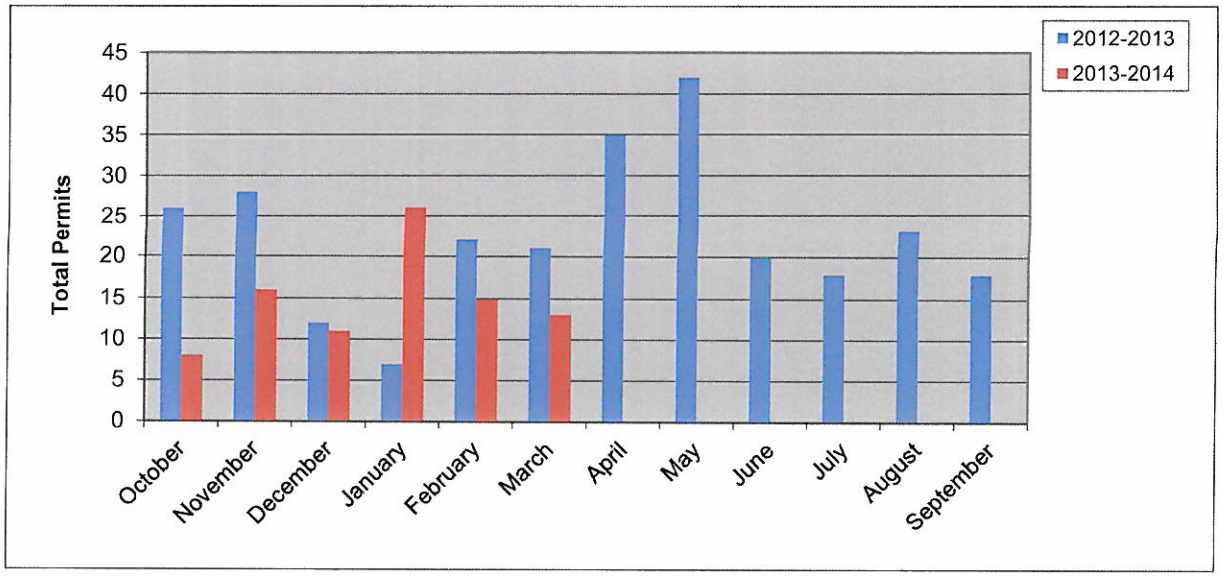
New Residential Permits Calendar Year

	Year	
	2013	2014
January	7	26
February	22	15
March	21	13
April	35	
May	42	
June	20	
July	18	
August	23	
September	18	
October	8	
November	16	
December	11	
Totals	**241**	54



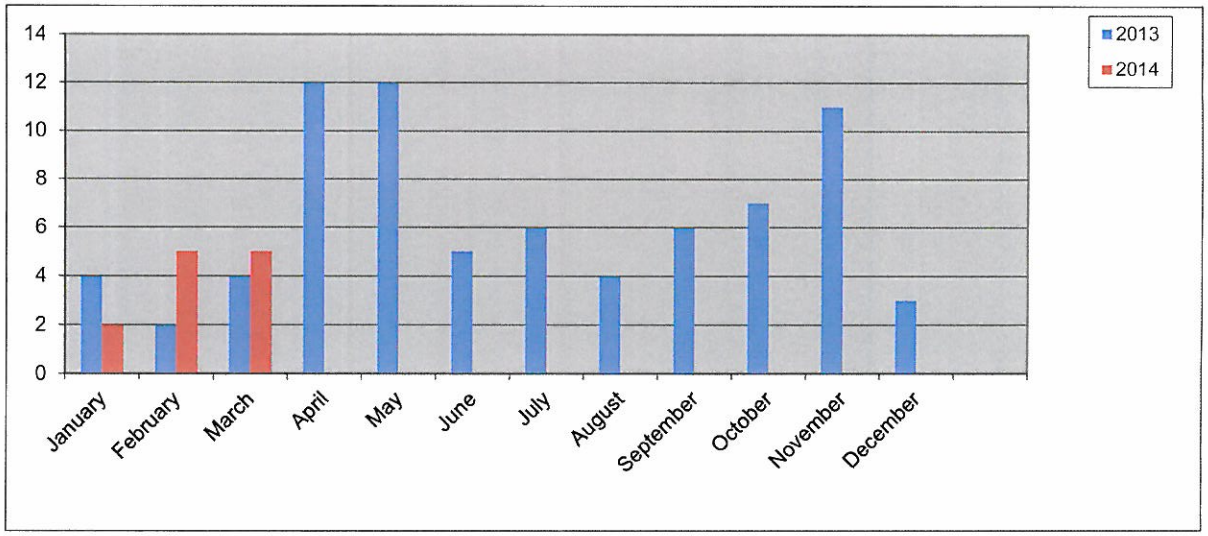
New Residential Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	26	8
November	28	16
December	12	11
January	7	26
February	22	15
March	21	13
April	35	
May	42	
June	20	
July	18	
August	23	
September	18	
Totals	**272**	89



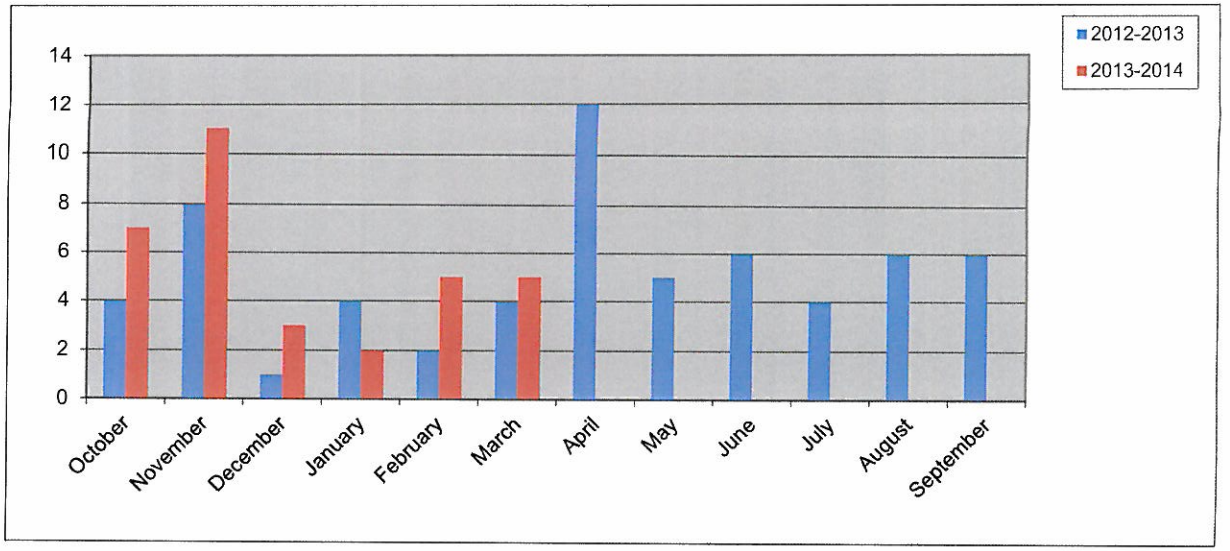
Residential Remodel Permits Calendar Year

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



Residential Remodel Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	4	7
November	8	11
December	1	3
January	4	2
February	2	5
March	4	5
April	12	
May	5	
June	6	
July	4	
August	6	
September	6	
Totals	**62**	**33**



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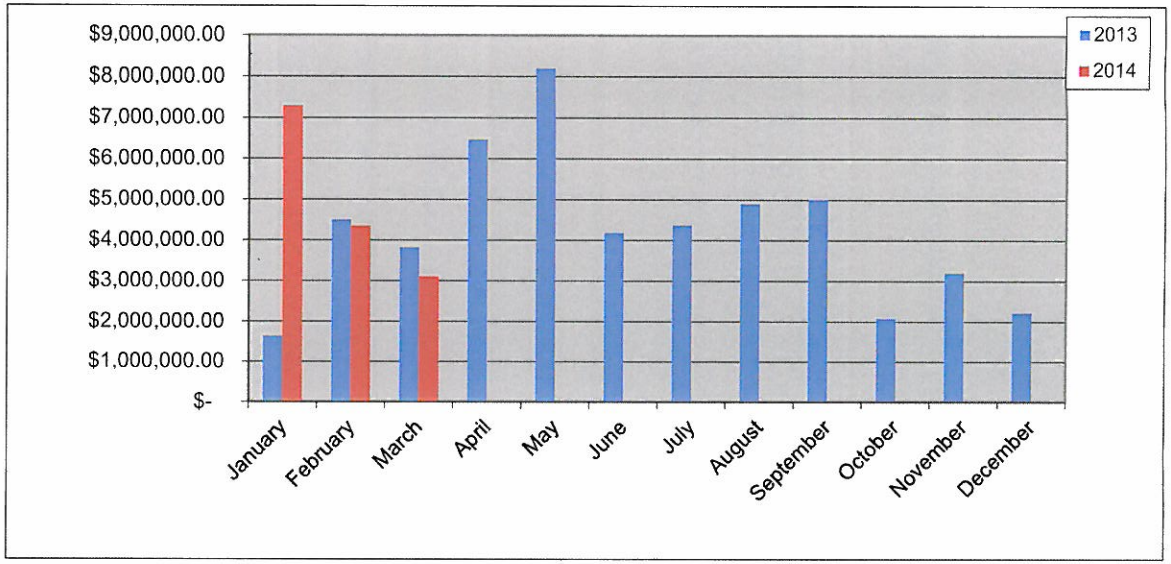
New Residential Value Calendar Year

Year	2013	2014
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	
May	$ 8,193,211.00	
June	$ 4,185,842.00	
July	$ 4,382,866.00	
August	$ 4,906,203.00	
September	$ 5,018,954.00	
October	$ 2,078,584.00	
November	$ 3,202,067.00	
December	$ 2,215,924.00	
Totals	**$50,608,931.00**	**$ 14,736,354.74**



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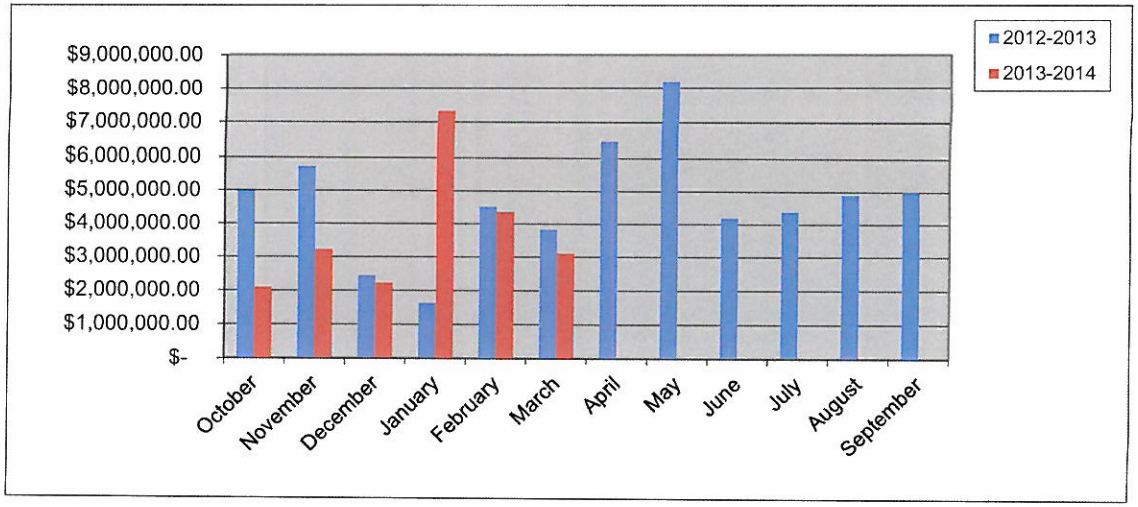
New Residential Value Fiscal Year

Year	2012-2013	2013-2014
October	$ 4,993,587.00	$ 2,078,584.00
November	$ 5,718,696.00	$ 3,202,067.00
December	$ 2,441,748.00	$ 2,215,924.00
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	
May	$ 8,193,211.00	
June	$ 4,185,842.00	
July	$ 4,382,866.00	
August	$ 4,906,203.00	
September	$ 5,018,954.00	
Totals	**$56,266,387.00**	**$ 22,232,929.74**



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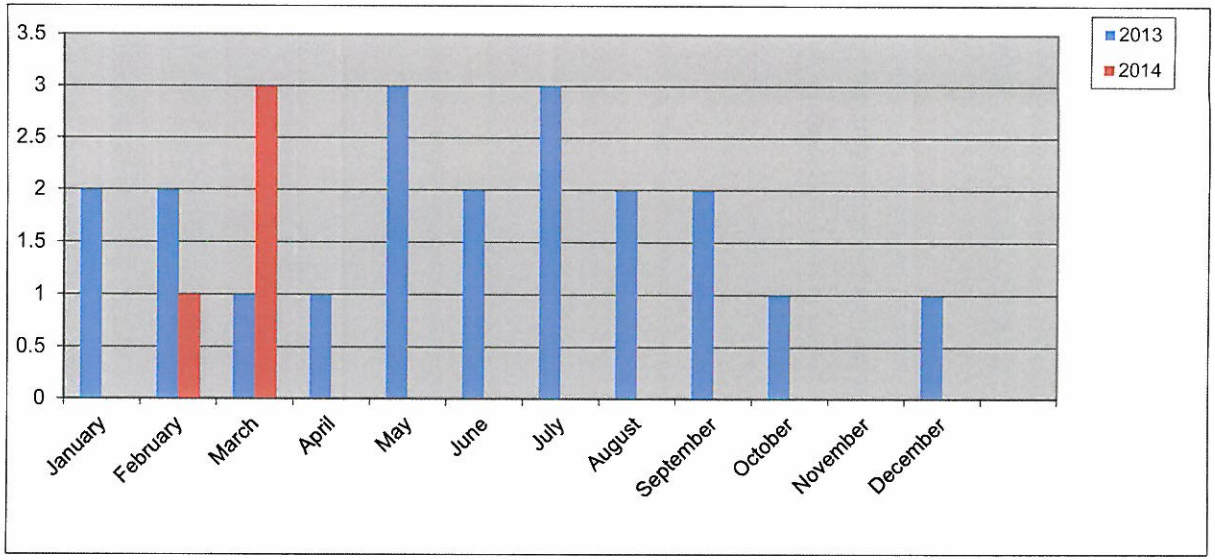
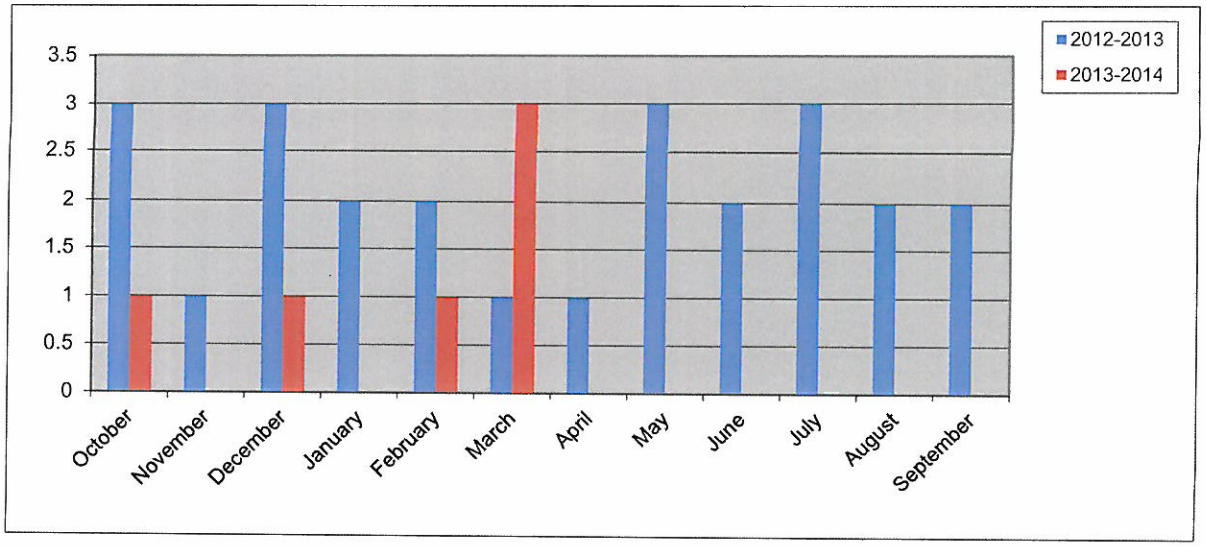
New Commercial Permits Calendar Year

Year		
	2013	2014
January	2	0
February	2	1
March	1	3
April	1	
May	3	
June	2	
July	3	
August	2	
September	2	
October	1	
November	0	
December	1	
Totals	**20**	**4**



New Commercial Permits Fiscal Year

Year		
	2012-2013	2013-2014
October	3	1
November	1	0
December	3	1
January	2	0
February	2	1
March	1	3
April	1	
May	3	
June	2	
July	3	
August	2	
September	2	
Totals	**25**	**6**



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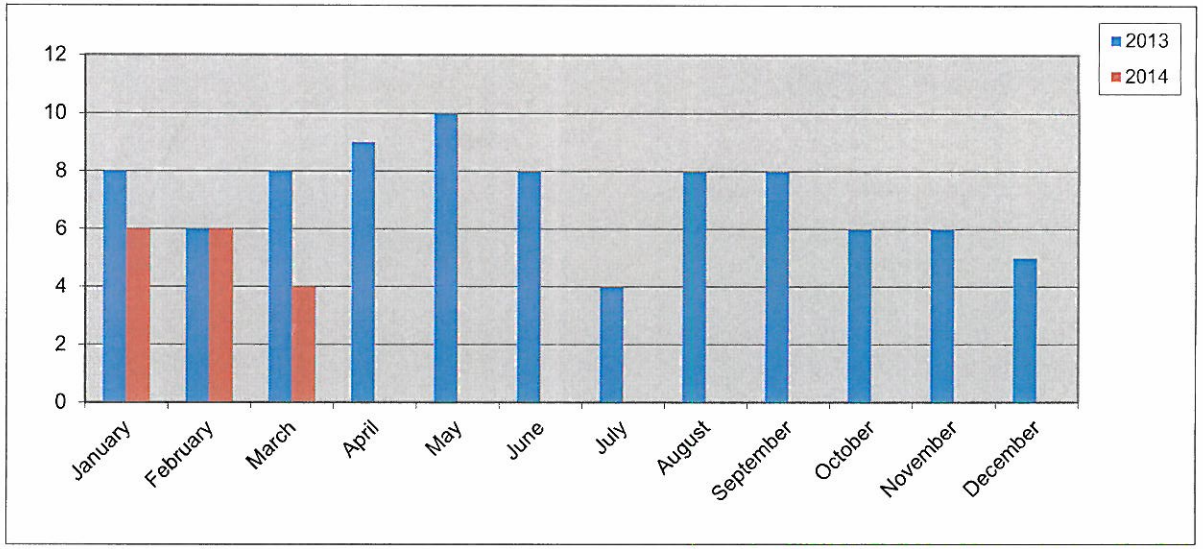
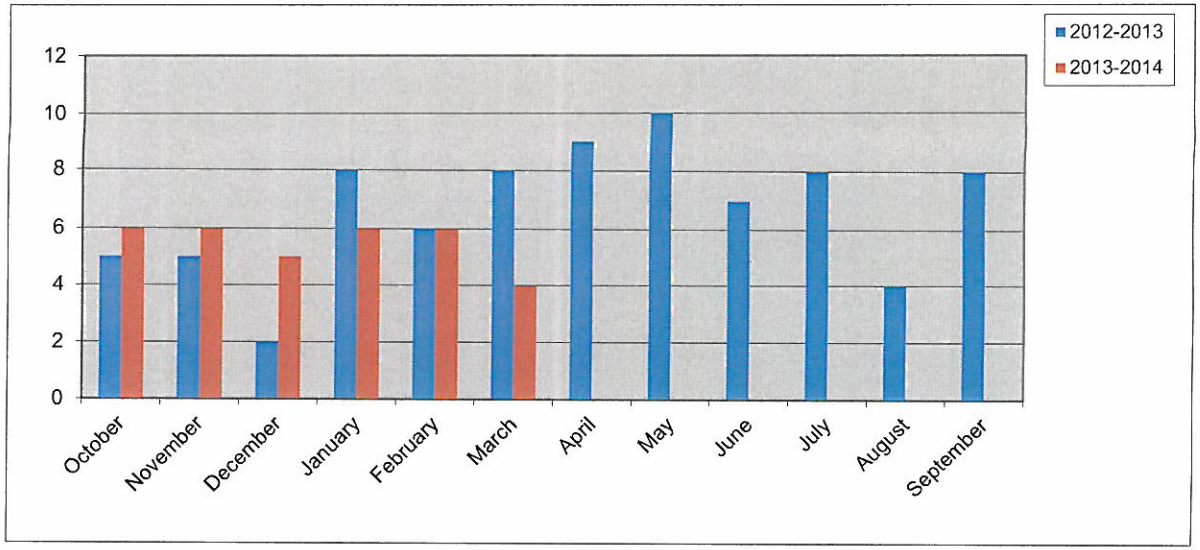
Commercial Remodel Permits Calendar Year

	Year	
	2013	2014
January	8	6
February	6	6
March	8	4
April	9	
May	10	
June	8	
July	4	
August	8	
September	8	
October	6	
November	6	
December	5	
Totals	**86**	**16**



Commercial Remodel Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	5	6
November	5	6
December	2	5
January	8	6
February	6	6
March	8	4
April	9	
May	10	
June	7	
July	8	
August	4	
September	8	
Totals	**80**	**33**



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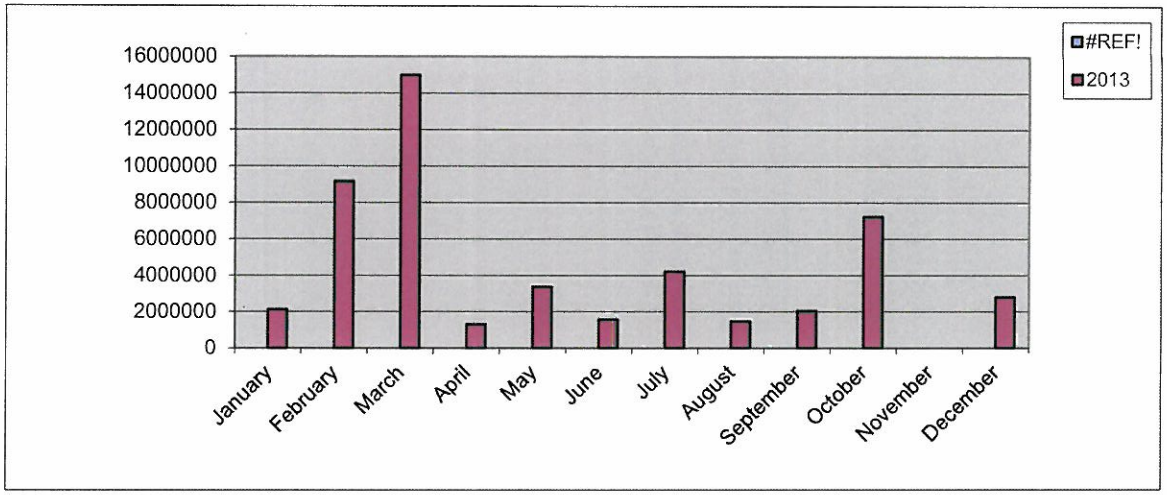
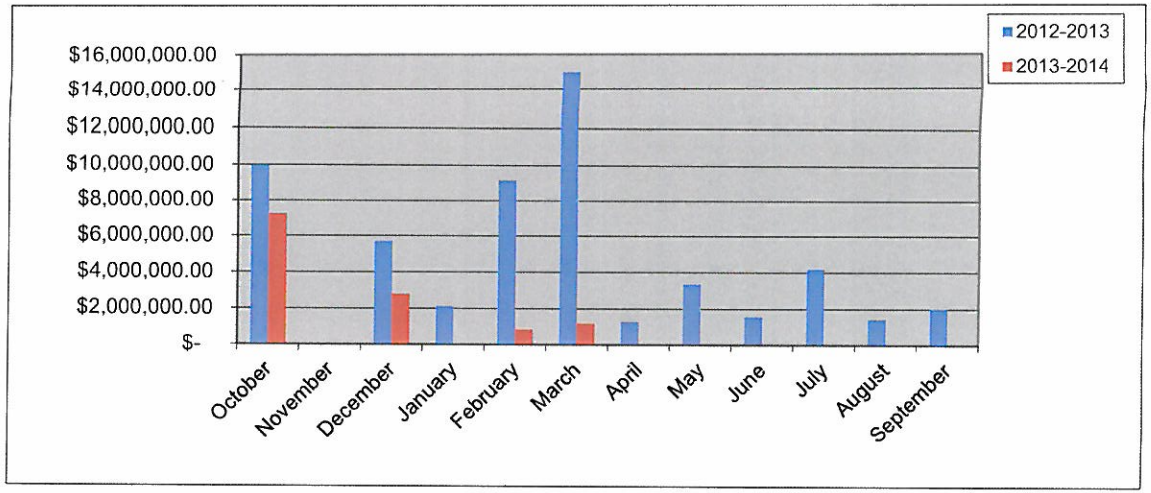
New Commercial Value Calendar Year

Year	2013	2014
January	$ 2,125,000.00	$ -
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	$ 1,185,000.00
April	$ 1,300,000.00	
May	$ 3,372,000.00	
June	$ 1,575,000.00	
July	$ 4,200,000.00	
August	$ 1,454,000.00	
September	$ 2,040,000.00	
October	$ 7,225,000.00	
November	$ -	
December	$ 2,800,000.00	
Totals	**$ 50,241,000.00**	**$ 2,035,000.00**



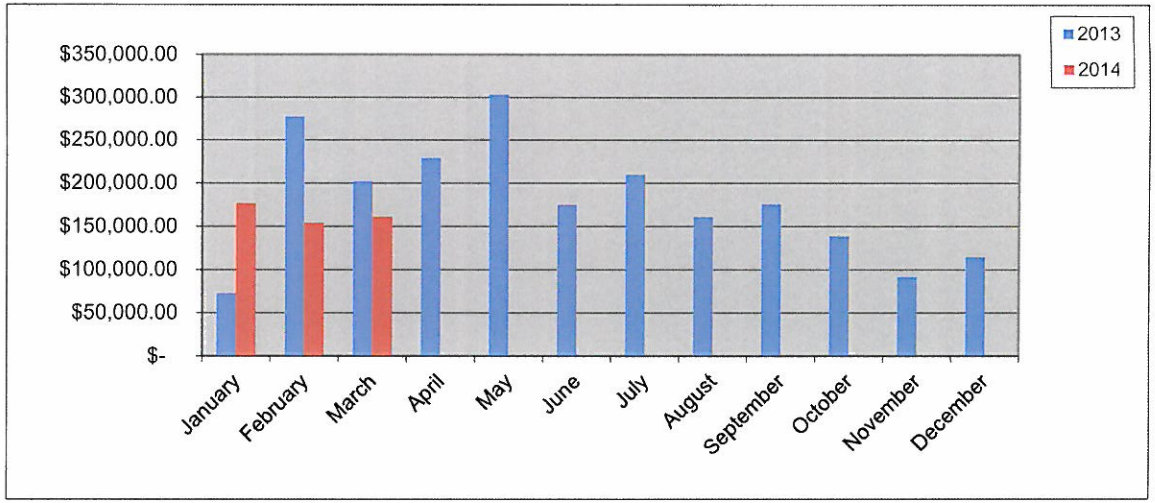
New Commercial Value Fiscal Year

Year	2012-2013	2013-2014
October	$ 10,000,000.00	$ 7,225,000.00
November	$ 5,000.00	$ -
December	$ 5,700,000.00	$ 2,800,000.00
January	$ 2,125,000.00	$ -
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	$ 1,185,000.00
April	$ 1,300,000.00	
May	$ 3,372,000.00	
June	$ 1,575,000.00	
July	$ 4,200,000.00	
August	$ 1,454,000.00	
September	$ 2,040,000.00	
Totals	**$ 55,921,000.00**	**$ 12,060,000.00**



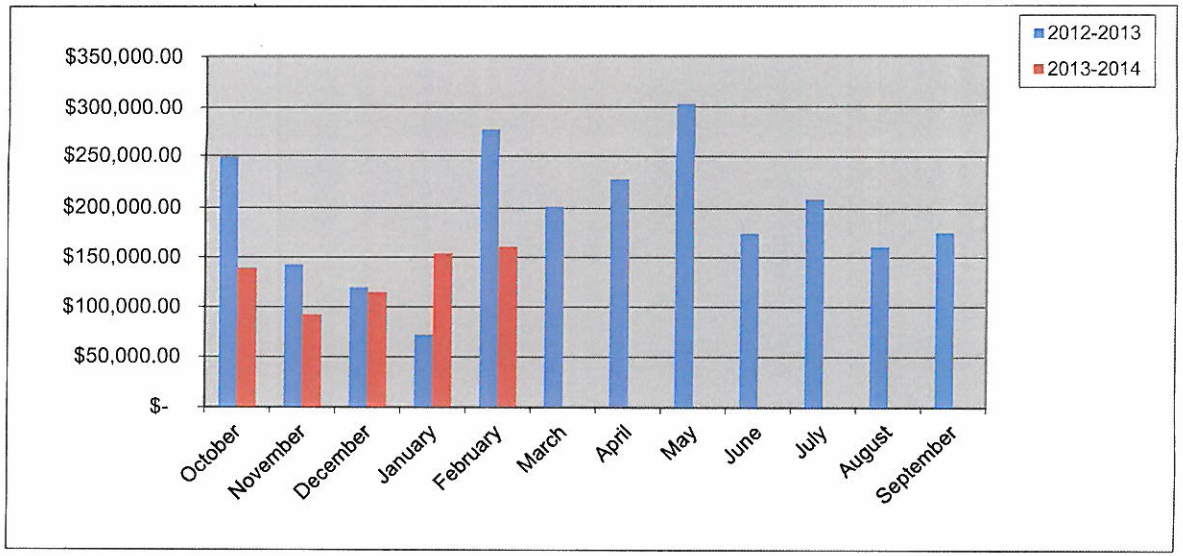
Total Fees Collected Calendar Year

	Year	
	2013	2014
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	
May	$ 302,928.73	
June	$ 174,872.41	
July	$ 209,566.63	
August	$ 161,080.17	
September	$ 175,835.03	
October	$ 138,771.53	
November	$ 91,778.83	
December	$ 114,645.28	
Totals	**$ 2,148,877.79**	**$ 490,152.52**



Total Fees Collected Fiscal Year

	Year	
	2012-2013	2013-2014
October	$ 248,932.46	$ 138,771.53
November	$ 142,356.98	$ 91,778.83
December	$ 119,604.19	$ 114,645.28
January	$ 72,345.98	$ 153,458.98
February	$ 276,902.10	$ 160,530.91
March	$ 201,529.43	
April	$ 228,621.67	
May	$ 302,928.73	
June	$ 174,872.41	
July	$ 209,566.63	
August	$ 161,080.17	
September	$ 175,835.03	
Totals	**$ 2,314,575.78**	**$ 659,185.53**



City of Rockwall

PERMITS ISSUED

For the Period 3/1/2014 thru 3/31/2014

Permit Number	Permit Type	Site Address			
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Subdivision Name	Plan Number	Valuation	Total Fees / Total SQFT / Fees Paid
CO2013-0147	CO	919 IH 30 107		0.00	$ 75.00 / 3,183 / $ 75.00
11/15/2013	INTERIOR COMP	ROCKWALL CROSSING			
3/4/2014	ACTIVE	Prime Communications			

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	WOODMONT MANAGEMENT	2100 W 7TH ST.	FORT WORTH	TX	76107	(817) 377-7775
APPLICANT	FRR Texas	9739 Burleson Dr.	Dallas	TX	75243	(214) 215-9319
CONTRACTOR	FRR Texas	9739 Burleson Dr.	Dallas	TX	75243	(214) 215-9319
BUSINESS	PRIME COMMUNICATIONS	919 IH 30, STE 107	ROCKWALL	TX	75087	(281) 275-6841
BUS OWNER	Blenning & Prime Communicatio	12550 Reed Rd. #100	Sugar Land	TX	77478	(281) 275-6841

CO2013-0158	CO	3045 Goliad St N 111	0.00	$ 75.00	$ 75.00
12/20/2013	BUSINESS	SHOPS AT RIDGE CREEK		0	
3/5/2014	ACTIVE	Andy's Pizza			

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	PCB, PROPERTIES LLC		DALLAS	TX	75206	
APPLICANT	Nahid Ganibegovic	5840 Spring Valley Rd, #304	Dallas	TX	75254	(214) 205-4615
BUS OWNER	Nahid Ganibegovic	3045 N. Goliad St., #111	Rockwall	TX	75087	(214) 205-4615
BUSINESS	Andy's Pizza					

CO2013-0161	CO	3125 Ridge Rd.	0.00	$ 75.00	$ 75.00
12/24/2013	BUSINESS	BUFFALO CREEK SHOPPING VILLAGE NO 2		0	
3/12/2014	ACTIVE	Regal Realtors			

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	HOLLAND, & CLARK RIDGE R		ROCKWALL	TX	75032	
BUS OWNER	Heath Pinkham/Justin Holland	3125 Ridge Rd.	Rockwall	TX	75032	(972) -77-1-69
BUSINESS	Regal Realtors					

CO2014-0001	CO	939 IH 30	0.00	$ 76.50	$ 76.50
1/3/2014	BUSINESS	ROCKWALL CROSSING		0	
3/11/2014	ACTIVE	Rockwall Cycling			

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	ROCKWALL, CROSSING LTD		FORT WORTH	TX	76107	
APPLICANT	Jason Ross	2203 Kings Pass	Rockwall	TX	75032	(214) 636-7404
BUS OWNER	Jason Ross	939 IH 30	Rockwall	TX	75087	(214) 636-7404
BUSINESS	Rockwall Cycling					

CO2014-0022	CO	886 Rusk St W	0.00	$ 75.00	$ 75.00
2/6/2014	BUSINESS	WAL-MART ROCKWALL		0	
3/10/2014	ACTIVE	Sushi Go			

Contact Type	Contact Name	Contact Address	Phone Number

City of Rockwall
PERMITS ISSUED
For the Period 3/1/2014 thru 3/31/2014

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number			Valuation	Total Fees / Total SQFT	Fees Paid
OWNER	SMYRNA, LAND CO LTD	C/O GRACE DEV INC	NASHVILLE	TN	37203-100		
APPLICANT	Hyung Choi	201 Timber court, #604	Terrell	TX	75160		(214) 801-2532
BUS OWNER	Hyung Choi	886 Rusk St W	Rockwall	TX	75087		(214) 801-2532
BUSINESS	Sushi Go						
CO2014-0032 2/20/2014 3/12/2014	CO BUSINESS ACTIVE	105 ALAMO N ROCKWALL ORIGINAL TOWN P. Kent Birdsong, P.C.			0.00	$ 75.00 0	$ 75.00
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	AFJ, ENTERPRISES LLC		ROCKWALL	TX	75087		
CO2014-0035 2/24/2014 3/6/2014	CO BUSINESS ACTIVE	2578 SH 276 Vac Parts Warehouse			0.00	$ 75.00 0	$ 75.00
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	Scott Clover	1348 Mims Rd	Rockwall	TX	75032		(866) 243-2721
APPLICANT	Scott Clover	1348 Mims Rd	Rockwall	TX	75032		(866) 243-2721
BUS OWNER	Scott Clover & Tim Wiener	1348 Mims Rd	Rockwall	TX	75032		(866) 243-2721
BUSINESS	Vac Parts Warehouse						
CO2014-0036 2/25/2014 3/13/2014	CO BUSINESS ACTIVE	2555 Ridge Rd 150 ROCKWALL TOWNE CENTER PH 1 Rockwall Pro Health Chiropractic			0.00	$ 76.50 0	$ 76.50
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	CBAX, PROPERTIES LLC	2105 WATERVIEW	Richardson	TX	75080		
APPLICANT	Keeston Waters	650 sharpley Dr.	Rockwall	TX	75087		(972) 771-7200
BUS OWNER	Keeston Waters	2555 Ridge Rd, 150	Rockwall	TX	75087		(972) 771-7200
BUSINESS	Rockwall Pro Health Chiropractic						

8 **Permits Issued from: 3/1/2014** **Thru: 3/31/2014**

Total Valuation: $ 0.00
Total Fees: $ 603.00
Total Fees Paid: $ 603.00

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CALLS BY TYPE MARCH 2014

City of Rockwall
The New Horizon

CITY Situation Type	March #
Public service - Non paged	3
No incident found on arrival	1
Dispatched & canceled enroute	5
Public service	1
Assist police or oth gov agncy	7
Smoke or odor removal	1
Arcing, shorted elect equip	1
Power line down	2
Alarm sys act, no fire Uninten	3
Detector act, no fire -uni	1
Smoke detector activate, no fi	3
Sprinkler activate, no fire -	2
Unintentional trans. of alarm	3
CO detector act due to malf	2
Alarm system sounded malfun	1
Smoke detector act. malf.	3
Sprinkler action due to malf	3
HazMat release investigation	7
Steam, vapor, fog or dust thou	1
Smoke scare, odor of smoke	2
Medical assist,assist EMS crew	1
Dumpster or oth outside trash	2
Outside rubbish, trash ,waste	1
OTHER Outside rubbish fire	1
Road freight transprt veh fire	1
Passenger vehicle fire	1
Gas leak natural gas or LPG	2
Gasoline or oth flammable liqu	1
Reml of vic(s) stalled elev	2
EMS call excluding vehicle acc	1
Carbon monoxide detector act	2
Authorized controlled burning	1
Building fire	3
TOTAL	71

COUNTY Situation Type	March #
No incident found on arrival	1
Motor vehicle acc with no	1
Authorized controlled burning	1
Dispatched & canceled enroute	2
Assist police or oth gov agncy	1
Smoke scare, odor of smoke	1
Totals:	7

FATE Situation Type	March #
Assist police or oth gov agncy	1
Totals:	1

HEATH Situation Type	March #
Assist police or oth gov agncy	2
Totals:	2

MCCLENDON CHISHOLM Situation Type	March #
Grass fire	1
Totals	1

ALL MUTUTAL AID/AUTOMATIC AID	11

Page: 1 of 1

To: Chief Poindexter
From: BC Merritt
Re: March 2014 Structure Fire Report.
Date: April 17, 2014

313 StoneCrest

We responded to a report of a fire at 301 StoneCrest on March 03, 2014. The first unit on scene arrived and reported light smoke showing from the front of the residential structure. Upon investigation firefighters located a fire in the dishwasher that was producing moderately heavy smoke. The fire was quickly extinguished. There was minimal damage to the structure. No firefighter injuries were reported on this incident.

Dispatch time: 21:55.01
Enroute time: 21:55.47
On scene time: 21:59.56
Clear time: 00:00.55

8 men on scene 22:07

We had a total of 5 on duty Firefighters on scene, 4 Volunteers, 1 Chief and 3 apparatus.

657 Cornelius

We responded to a report of a structure fire on March 07, 2014 at 657 Cornelius. The first unit arrived on scene and reported heavy smoke and fire showing from a residential structure. The structure ended up being a total loss. No injuries were reported on this incident.

Dispatch Time: 21:27.27
Enroute Time: 21:28.36
On Scene Time: 21:33.38
Clear Time: 01:17.08

8 men on scene 21:21.45

We had a total of 5 0n duty firefighters, 1 off duty, 11 volunteer firefighters, 1 Chief, 2 investigators and 3 apparatus on scene.

3686 Juniper Hills

We responded to a report of a structure fire at 3686 Juniper Hills on March 10, 2014. The first unit arrived on scene and reported heavy smoke and fire coming from the residential structure. Despite great efforts by firefighters the complete structure was

140

heavily damaged but no damage was done to neighboring structures. No firefighter injuries were reported on this incident

Dispatch time: 02:16.07
Enroute time: 02:16.09
On scene time: 02:23.20
Clear time: 05:40.16

6 men on scene 02:27.11

We had a total of 5 on duty Firefighters on scene, 2 off duty, 2 Chiefs, 6 Volunteers, 3 Investigators and 3 apparatus on scene.

March 2014
City Enroute Overages

VENUE	Alarm Date	Alarm Time	Apparatus	Enroute Time	paged to Enroute	Inc. Number	Fire Incident Station	Lights and Sirens	reason for overages
Rockwall	03/10/2014	02:10:15	810	02:12:21	0:02:06	2014-00000260	Rockwall 4	Code 3	E2 enroute before 810/not noted in CAD
Rockwall	03/31/2014	13:16:49	BT4	13:18:28	0:01:39	2014-00000317	Rockwall 4	Code 3	St. 4 had radio issues
Rockwall	03/15/2014	18:12:04	E4	18:13:38	0:01:34	2014-00000273	Rockwall 1	Code 3	CAD time does not match radio times

March 2013
Enroute to Arrival Overages
City Calls

VENUE	Enroute Time	Arrival Time	Enroute to Arrived	Inc. Number	Fire Incident Station	Lights and Sirens	Apparatus	reason for overages
Rockwall	02:12:21	02:20:00	0:07:39	2014-00000260	Rockwall 4	Code 3	810	response to Quad. 7 / area without station

March 2014
Paged to Arrival/Response overages
City Calls

VENUE	Alarm Date	Alarm Time	Apparatus	Arrival Time	Enroute to Arrived	Response/Paged to Arrival	Inc. Number	Fire Incident Station	Lights and Sirens	reason for overages
Rockwall	03/10/2014	02:10:15	810	02:20:00	0:07:39	0:09:45	2014-00000260	Rockwall 4	Code 3	Response to Quad 7, area without station

COUNTY and MUTUAL AID OVERAGES
MARCH 2013

enroute overages - County

Veue	Alarm Date	Alarm Time	Enroute Time	paged to Enroute	Inc. Number	Fire Incident Station	Lights and Sirens	Apparatus	reason for overages
Rockwall County	03/07/2014	05:46:56	05:50:46	0:03:50	2014-00000252	Rockwall 1	Code 3	E5	CAD times don't match radio times

arrival overages - County & Mutual Aid

Veue	Alarm Date	Enroute Time	Arrival Time	Enroute to Arrived	Inc. Number	Fire Incident Station	Lights and Sirens	Apparatus	reason for overages
Rockwall County	03/07/2014	05:50:46	06:03:38	0:12:52	2014-00000252	Rockwall 1	Code 3	E5	Response to County/Area without stations
McLendon-Chisholm	03/18/2014	14:33:00	14:48:27	0:15:27	2014-00000280	Rockwall 3	Code 3	842	Response to McClendon-Chisholm, area without station

Response overages - County and Mutual Aid

Veue	Alarm Date	Alarm Time	Arrival Time	Response/Paged to Arrival	Inc. Number	Fire Incident Station	Lights and Sirens	Apparatus	reason for overages
Rockwall County	03/07/2014	05:46:56	06:03:38	0:16:42	2014-00000252	Rockwall 1	Code 3	E5	Response to County/Area without station
McLendon-Chisholm	03/18/2014	14:32:40	14:48:27	0:15:27	2014-00000280	Rockwall 3	Code 3	842	Response to McClendon-Chisholm, area without station

145

CITY RESPONSE
MARCH 2014

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %	92%	CRITERIA MET %	67%
CRITERIA -ACHIEVE RESPONSE TIME	23 of 25	CRITERIA -ACHIEVE RESPONSE TIME	2 of 3
90% OF TIME IN BOXES WITH STATIONS	Criteria Met	60% OF TIME IN BOXES WITH STATIONS	Criteria Met
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	100%	CRITERIA MET %	67%
CRITERIA -ACHIEVE RESPONSE TIME	25 of 25	CRITERIA -ACHIEVE RESPONSE TIME	2 of 3
90% OF TIME IN BOXES WITH STATIONS	Criteria Met	60% OF TIME IN BOXES WITH STATIONS	Criteria Met
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES		0-7 1/2 MINUTES	
CRITERIA MET%	100%	CRITERIA MET%	67%
CRITERIA -ACHIEVE RESPONSE TIME	25 of 25	CRITERIA -ACHIEVE RESPONSE TIME	2 of 3
90% OF TIME IN BOXES WITH STATIONS	Criteria Met	60% OF TIME IN BOXES WITH STATIONS	Criteria Met

COUNTY AND MUTUAL AID
RESPONSE
MARCH 2014

COUNTY	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	67% 2 of 3 Criteria Met
CRITERIA MET %	
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	33% 1 of 3 Criteira not met
CRITERIA MET %	
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	33% 1 of 3 Criteria not met
CRITERIA MET%	
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	

Total Dollar Losses

March 2014

City of Rockwall
The New Horizon

CITY
CALLS

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$153,060.00	$0.00	$168,564.90	$153,560.00	$176,364.90
Total Content Loss:	$12,000.00	$1,000.00	$99,038.94	$13,000.00	$99,638.94
Total Property Pre-Incident Value:	$152,910.00	$0.00	$412,077.00	$152,910.00	$860,047.00
Total Contents Pre-Incident Value	$90,252.00	$0.00	$241,484.20	$90,252.00	$510,766.20
Total Losses:	$165,060.00	$1,000.00	$267,603.84	$166,560.00	$165,060.00
Total Value:	$243,162.00	$.00	$653,561.20	$243,162.00	$1,370,813.20

Fire Alarms

MARCH 2014

Date	Address	Common Name	Dispostion Code	CFS Number	Call Type	Incident Number	Incident ORI
03/03/2014 02:56:59	2 WIMBLEDON CT		FA	354	FD - Fire Alarm Residential	2014-00000071	TX402
	: 1						
03/03/2014 11:04:49	1650 S JOHN KING BLVD	Mansion Family	FA	381	FD - Fire Alarm Commercial	2014-00000240	TX504
03/03/2014 14:32:55	920 STEGER TOWNE DR	Nations Bank - Albertsons, Sports Authority	FA	400	FD - Fire Alarm Commercial	2014-00000241	TX504
03/04/2014 01:55:35	1210 N GOLIAD ST	YMCA	FA	518	FD - Fire Alarm Commercial	2014-00000244	TX504
03/04/2014 18:25:06	701 E INTERSTATE 30		FA	630	FD - Fire Alarm Commercial	2014-00000247	TX504
	: 4						
03/07/2014 18:58:44	1325 PETALUMA DR	Grace Hartman Elem, Hartman Elementary	FA	1224	FD - Fire Alarm Commercial	2014-00007405	TX1990100
	: 1						
03/07/2014 18:58:44	1325 PETALUMA DR	Grace Hartman Elem, Hartman Elementary	FA	1224	FD - Fire Alarm Commercial	2014-00000256	TX504
03/08/2014 03:02:41	112 E RUSK ST	Fatted Calf	FA	1328	FD - Fire Alarm Commercial	2014-00000258	TX504
03/11/2014 10:24:20	2455 RIDGE RD		FA	1982	FD - Fire Alarm Commercial	2014-00000263	TX504
03/11/2014 12:39:23	2161 PORTOFINO CIR		FA	2016	FD - Fire Alarm Commercial	2014-00000264	TX504
03/14/2014 07:08:30	325 E INTERSTATE 30		FA	2563	FD - Fire Alarm Commercial	2014-00000269	TX504
	: 5						
03/14/2014 10:10:12	1508 BAY VALLEY CIR		FA	2589	FD - Fire Alarm Residential		
	: 1						
03/20/2014 12:50:22	1305 DAMASCUS RD	Our Lady of the Lake	FA	3700	FD - Fire Alarm Commercial	2014-00000291	TX504
03/26/2014 14:52:33	2927 RIDGE RD	Rockwall Town Center (Pizza Hut)	FA	4856	FD - Fire Alarm Commercial	2014-00000300	TX504

03/27/2014 21:18:39	504 WHITTLE WAY	FA	5081	FD - Fire Alarm Residential	2014-00000301	TX504
03/29/2014 10:01:22	202 N CLARK ST	FA	5368	FD - Fire Alarm Residential	2014-00000307	TX504
03/31/2014 08:51:27	996 E INTERSTATE 30	FA	5735	FD - Fire Alarm Commercial	2014-00000314	TX504
	: 5					

4/24/2014 10:56:27 AM

Inspection Totals Per Inspector

MARCH 2014

Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Inspection Number	Fire Inspection Status
TX504	744 - Patrick	Annual	2108	Finaled
TX504	744 - Patrick	Annual	2101	Finaled
TX504	744 - Patrick	Annual	2087	Finaled
TX504	744 - Patrick	Annual	2108	Pending
TX504	744 - Patrick	Courtesy	2111	Finaled
TX504	744 - Patrick	Courtesy	2110	
TX504	744 - Patrick	Courtesy	2126	Finaled
TX504	744 - Patrick	Fire Alarm System	2127	Pending
TX504	744 - Patrick	Flow Test	2109	Finaled
TX504	744 - Patrick	Kitchen Hood Suppression	2112	Pending
Total Per Inspector: 10				
TX504	836 - Ayres	Access Control Gates	2119	Finaled
TX504	836 - Ayres	Annual	2123	Pending
TX504	836 - Ayres	Annual	2128	Pending
TX504	836 - Ayres	Annual	2118	Pending
TX504	836 - Ayres	Annual	2065	Finaled
TX504	836 - Ayres	Annual	2060	Finaled
TX504	836 - Ayres	Annual	2057	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0027	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0022	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0032	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0022	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0023	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0036	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0022	Finaled
TX504	836 - Ayres	Certificate of	CO2014-0028	Pending

		Occupancy		
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0032	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0036	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0039	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0028	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0040	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0042	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0023	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0028	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0027	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0028	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0034	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2013-0146	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0028	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0040	Finaled
TX504	836 - Ayres	Construction Final	1987	Pending
TX504	836 - Ayres	Construction Final	2105	Finaled
TX504	836 - Ayres	Courtesy	2097	Pending
TX504	836 - Ayres	FDC	2117	Pending
TX504	836 - Ayres	Fire Alarm System	2099	Pending
TX504	836 - Ayres	Fire Alarm System	2099	Pending
TX504	836 - Ayres	Fire Spinkler System	2100	Finaled
TX504	836 - Ayres	Follow Up	2106	Finaled
TX504	836 - Ayres	Follow Up	2106	Pending
TX504	836 - Ayres	Follow Up	2064	Pending
TX504	836 - Ayres	Other	2120	Finaled
TX504	836 - Ayres	Underground Fire Line	2116	Pending
Total Per Inspector: 41				
TX504	843 - Clark	Annual	2115	Pending
TX504	843 - Clark	Annual	2115	Finaled
TX504	843 - Clark	Annual	2093	Pending
TX504	843 - Clark	Annual	2092	Finaled

TX504	843 - Clark	Annual	2093	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0001	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0001	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0029	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0035	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0038	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0029	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0038	Finaled
TX504	843 - Clark	Construction Final	1st floor - core	Pending
TX504	843 - Clark	Construction Final	7th floor - core	Pending
TX504	843 - Clark	Construction Final	6th floor - core	Pending
TX504	843 - Clark	Construction Final	5th floor - core	Pending
TX504	843 - Clark	Construction Final	4th floor - core	Pending
TX504	843 - Clark	Construction Final	3rd floor - core	Pending
TX504	843 - Clark	Construction Final	2nd floor - core	Pending
TX504	843 - Clark	Construction Final	1st floor - core	Pending
TX504	843 - Clark	Construction Final	7th floor - core	Pending
TX504	843 - Clark	Construction Final	6th floor - core	Pending
TX504	843 - Clark	Construction Final	5th floor - core	Pending
TX504	843 - Clark	Construction Final	4th floor - core	Pending
TX504	843 - Clark	Construction Final	3rd floor - core	Pending
TX504	843 - Clark	Construction Final	2nd floor - core	Pending
TX504	843 - Clark	Construction Final	1st floor - core	Pending
TX504	843 - Clark	Construction Final	7th floor - core	Pending
TX504	843 - Clark	Construction Final	7th floor - core	Pending
TX504	843 - Clark	Construction Final	6th floor - core	Pending
TX504	843 - Clark	Construction Final	5th floor - core	Pending
TX504	843 - Clark	Construction Final	6th floor - core	Pending
TX504	843 - Clark	Construction Final	5th floor - core	Pending
TX504	843 - Clark	Construction Final	4th floor - core	Pending
TX504	843 - Clark	Construction Final	3rd floor - core	Pending
TX504	843 - Clark	Construction Final	2nd floor - core	Pending
TX504	843 - Clark	Construction Final	1st floor - core	Pending
TX504	843 - Clark	Construction Final	2053	Finaled
TX504	843 - Clark	Construction Final	2105	Pending
TX504	843 - Clark	Construction Final	7th floor - core	Pending
TX504	843 - Clark	Construction Final	6th floor - core	Pending

TX504	843 - Clark	Construction Final	5th floor - core	Pending
TX504	843 - Clark	Construction Final	4th floor - core	Pending
TX504	843 - Clark	Construction Final	3rd floor - core	Pending
TX504	843 - Clark	Construction Final	2107	Pending
TX504	843 - Clark	Construction Final	2105	Pending
TX504	843 - Clark	Construction Final	3rd floor - core	Pending
TX504	843 - Clark	Elevator	2124	Finaled
TX504	843 - Clark	Elevator	2124	Pending
TX504	843 - Clark	Fire Alarm System	2099	Pending
TX504	843 - Clark	Fire Alarm System	2099	Pending
TX504	843 - Clark	Fire Alarm System	2099	Pending
TX504	843 - Clark	Fire Pump	2113	Finaled
TX504	843 - Clark	Fire Pump	2113	Pending
TX504	843 - Clark	Fire Spinkler System	1995	Pending
TX504	843 - Clark	Fire Spinkler System	1995	Pending
TX504	843 - Clark	Fire Spinkler System	1995	Pending
TX504	843 - Clark	Follow Up	2114	Pending
TX504	843 - Clark	Follow Up	2114	Finaled
TX504	843 - Clark	Follow Up	2114	Pending
TX504	843 - Clark	Follow Up	2063	Finaled
TX504	843 - Clark	Kitchen Hood Suppression	2122	Pending
TX504	843 - Clark	Other	2121	Pending
TX504	843 - Clark	Other	Stairs	Pending
TX504	843 - Clark	Standpipes	2032	Pending
TX504	843 - Clark	Standpipes	2032	Pending
TX504	843 - Clark	Standpipes	2032	Pending
TX504	843 - Clark	Standpipes	2032	Pending
TX504	843 - Clark	Underground Fire Line	2125	Pending

Total Per Inspector:
69

Department Total:
120

4/3/2014 11:32:23 AM

Fire Alarms

MARCH 2014

Date	Address	Common Name	Dispostion Code	CFS Number	Call Type	Incident Number	Incident ORI
03/03/2014 02:56:59	2 WIMBLEDON CT		FA	354	FD - Fire Alarm Residential	2014-00000071	TX402
	: 1						
03/03/2014 11:04:49	1650 S JOHN KING BLVD	Mansion Family	FA	381	FD - Fire Alarm Commercial	2014-00000240	TX504
03/03/2014 14:32:55	920 STEGER TOWNE DR	Nations Bank - Albertsons, Sports Authority	FA	400	FD - Fire Alarm Commercial	2014-00000241	TX504
03/04/2014 01:55:35	1210 N GOLIAD ST	YMCA	FA	518	FD - Fire Alarm Commercial	2014-00000244	TX504
03/04/2014 18:25:06	701 E INTERSTATE 30		FA	630	FD - Fire Alarm Commercial	2014-00000247	TX504
	: 4						
03/07/2014 18:58:44	1325 PETALUMA DR	Grace Hartman Elem, Hartman Elementary	FA	1224	FD - Fire Alarm Commercial	2014-00007405	TX1990100
	: 1						
03/07/2014 18:58:44	1325 PETALUMA DR	Grace Hartman Elem, Hartman Elementary	FA	1224	FD - Fire Alarm Commercial	2014-00000256	TX504
03/08/2014 03:02:41	112 E RUSK ST	Fatted Calf	FA	1328	FD - Fire Alarm Commercial	2014-00000258	TX504
03/11/2014 10:24:20	2455 RIDGE RD		FA	1982	FD - Fire Alarm Commercial	2014-00000263	TX504
03/11/2014 12:39:23	2161 PORTOFINO CIR		FA	2016	FD - Fire Alarm Commercial	2014-00000264	TX504
03/14/2014 07:08:30	325 E INTERSTATE 30		FA	2563	FD - Fire Alarm Commercial	2014-00000269	TX504
	: 5						
03/14/2014 10:10:12	1508 BAY VALLEY CIR		FA	2589	FD - Fire Alarm Residential		
	: 1						
03/20/2014 12:50:22	1305 DAMASCUS RD	Our Lady of the Lake	FA	3700	FD - Fire Alarm Commercial	2014-00000291	TX504
03/26/2014 14:52:33	2927 RIDGE RD	Rockwall Town Center (Pizza Hut)	FA	4856	FD - Fire Alarm Commercial	2014-00000300	TX504

03/27/2014 21:18:39	504 WHITTLE WAY	FA	5081	FD - Fire Alarm Residential	2014-00000301	TX504
03/29/2014 10:01:22	202 N CLARK ST	FA	5368	FD - Fire Alarm Residential	2014-00000307	TX504
03/31/2014 08:51:27	996 E INTERSTATE 30	FA	5735	FD - Fire Alarm Commercial	2014-00000314	TX504

: 5

4/3/2014 11:33:13 AM

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 3/1/2014 thru 3/31/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2014-0037	03/03/14	31	105 Kenway	NBN, COMMERCIAL GROUP LLC	Ariana Hargrove	FIRE CO	APPROVED	03/03/14	03/06/14	03/03/14
	CO		La Cocina Del Tio Mon							
BLD2014-023	03/04/14	30	2701 Sunset Ridge 109	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/04/14	03/14/14	03/13/14
	COMM		Keller Williams - Interior Completion							
CO2014-0038	03/04/14	30	3520 Horizon Rd.	MURPHY, ROAD LTD	Ariana Hargrove	FIRE CO	APPROVED	03/04/14	03/07/14	03/05/14
	CO		7-Eleven Store #34353							
PLB2014-007	03/04/14	30	901 Rockwall	MRP, INVESTMENTS INC	Ariana Hargrove	FIRE 972-772-6431		03/04/14	03/14/14	
	COMM		The OB-GYN Place - Replace RPZ in office attic space & Water							
BLD2013-192	12/19/13	105	3013 Ridge Rd.	PS5, PROPERTIES LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/05/14	03/15/14	03/05/14
	COMM		Medical Bldg, New Construction (McClintock)							
BLD2013-193	12/24/13	100	3021 Ridge Rd.	PS5, PROPERTIES LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/05/14	03/15/14	03/05/14
	COMM		McClintock New Construction Ridge Rd							
BLD2014-024	03/05/14	29	1 HARBORVIEW	SUNTEX MARIANA	Ariana Hargrove	FIRE 972-772-6431		03/05/14	03/15/14	
	COMM		SEA WALL CAP							
CO2014-0039	03/05/14	29	2951 Ridge Rd 101	REGENCY, CENTERS LP	Ariana Hargrove	FIRE CO	APPROVED	03/05/14	03/08/14	03/05/14
	CO		Massage Envy							
PLB2014-007	03/05/14	29	755 & 781 Hail Dr.	ROCKWALL, HOUSING DEV CORP	Ariana Hargrove	FIRE 972-772-6431		03/05/14	03/15/14	
	COMM		Replace 2 water heaters							
BLD2013-154	09/27/13	188	3035 RIDGE RD.	TEMUNOVIC, PARTNERSHIP LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/06/14	03/16/14	03/13/14
	COMM		DUNKIN DONUT - SHELL ONLY							
BLD2014-027	03/10/14	24	1 HARBORVIEW DR.	SWC OPERATING CC III	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/10/14	03/20/14	03/13/14
	COMM		CHANDLERS MARINA 11 x 7 ADDITION TO STORE							
MEC2014-00	03/10/14	24	2002 GOLIAD ST. S	ROCKWALL, CENTRAL SHOP/CNTR JV	Ariana Hargrove	FIRE 972-772-6431		03/10/14	03/20/14	
	COMM		REPLACE 3 ROOF TOP UNITS LUIGIS RESTAURANT							
BLD2014-030	03/12/14	22	2265 N LAKESHORE DR	KDC, ROCKWALL INVESTMENTS I LP	Ariana Hargrove	FIRE 972-772-6431		03/12/14	03/22/14	
	COMM		35' FLAG POLE INSTALLATION							
BLD2014-030	03/12/14	22	2701 Sunset Ridge 702	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/12/14	03/22/14	03/21/14
	COMM		KAG HOLDINGS INTERIOR FINISH OUT							
BLD2014-023	03/04/14	30	2701 Sunset Ridge 401	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/13/14		03/13/14
	COMM		Keller Williams - Interior Completion							
CO2014-0040	03/13/14	21	1551 IH 30 300	AM, ROCKWALL INVESTMENTS LP	Ariana Hargrove	FIRE CO	APPROVED	03/13/14	03/16/14	03/17/14
	CO		ELLIOTT SPAS							
PLB2014-009	03/13/14	21	904 GOLIAD ST. N	HOLLIMAN, ANDREA	Ariana Hargrove	FIRE 972-772-6431		03/13/14	03/23/14	
	COMM		PROVIDE WATER AND SEWER TO BUILDING							

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 3/1/2014 thru 3/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
CIP2013-005	02/20/2013		CAPITAL IMPROVEMENT	407	Ariana Hargrove FIRE	APPROVED 3/3/2014
CIP2013-005	02/20/2013		CAPITAL IMPROVEMENT	407	Kathleen Moreno Engineering Department	APPROVED 3/3/2014
CIP2013-013	08/27/2013		CAPITAL IMPROVEMENT	219	Kathleen Moreno Engineering Department	APPROVED 3/3/2014
CIP2014-003	03/25/2014		CAPITAL IMPROVEMENT	9	Amy Williams ASSISTANT CITY ENC	
CIP2014-003	03/25/2014		CAPITAL IMPROVEMENT	9	Tim Tumulty CITY ENGINEER	
CIP2014-003	03/25/2014		CAPITAL IMPROVEMENT	9	ENG - FIRE	
CIP2014-003	03/25/2014		CAPITAL IMPROVEMENT	9	ENG-ENGINEER	
CIP2014-003	03/25/2014		CAPITAL IMPROVEMENT	9	ENG-TECH	
CIP2014-003	03/25/2014		CAPITAL IMPROVEMENT	9	Billy Chaffin STREET DEPARTMEN	
CIP2014-003	03/25/2014		CAPITAL IMPROVEMENT	9	Steve Clawson SEWER DEPARTMEN	
CIP2014-003	03/25/2014		CAPITAL IMPROVEMENT	9	Curtis McAden WATER DEPARTMEN	
CIP2014-004	03/27/2014		CAPITAL IMPROVEMENT	7	Amy Williams ASSISTANT CITY ENC	
CIP2014-004	03/27/2014		CAPITAL IMPROVEMENT	7	Billy Chaffin STREET DEPARTMEN	
CIP2014-004	03/27/2014		CAPITAL IMPROVEMENT	7	ENG-TECH	

CIBV SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
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Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
CIP2014-004	03/27/2014		CAPITAL IMPROVEMENT	7	ENG - FIRE	
CIP2014-004	03/27/2014		CAPITAL IMPROVEMENT	7	ENG-ENGINEER	
CIP2014-004	03/27/2014		CAPITAL IMPROVEMENT	7	Curtis McAden	
CIP2014-004	03/27/2014		CAPITAL IMPROVEMENT	7	WATER DEPARTMEN	
CIP2014-004	03/27/2014		CAPITAL IMPROVEMENT	7	Steve Clawson	
E2013-017	04/25/2013		ENGINEERING	343	SEWER DEPARTMEN	
E2013-032	11/12/2013		ENGINEERING	142	Tim Tumulty	
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	121	CITY ENGINEER	
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	121	Amy Williams	COMMENTS
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	121	Assistant City Engineer	3/24/2014
E2014-005	01/31/2014		ENGINEERING JEFF BOYD CIR	62	Amy Williams	APPROVED
E2014-005	01/31/2014		ENGINEERING JEFF BOYD CIR	62	Assistant City Engineer	3/19/2014
E2014-005	01/31/2014		ENGINEERING JEFF BOYD CIR	62	Bruce Hanby	APPROVED W/
E2014-005	01/31/2014		ENGINEERING JEFF BOYD CIR	62	Engineering: Technician	3/17/2014
					Amy Williams	APPROVED
					Assistant City Engineer	3/18/2014
					Steve Clawson	APPROVED
					Sewer Department	3/13/2014
					Kathleen Moreno	APPROVED
					Engineering: Engineer	3/10/2014
					Billy Chaffin	APPROVED
					Street Department	3/11/2014
					Bruce Hanby	APPROVED
					Engineering: Technician	3/7/2014
					Amy Williams	COMMENTS
					Assistant City Engineer	3/7/2014
					Ariana Hargrove	APPROVED
					Engineering: Fire	3/11/2014

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Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-006	02/03/2014		ENGINEERING 937 WILLIAMS ST	59	Kathleen Moreno Engineering: Engineer	COMMENTS 3/19/2014
E2014-006	02/03/2014		ENGINEERING 937 WILLIAMS ST	59	Tim Tumulty City Engineer	APPROVED 3/21/2014
E2014-006	02/03/2014		ENGINEERING 937 WILLIAMS ST	59	Bruce Hanby Engineering: Technician	COMMENTS 3/11/2014
E2014-006	02/03/2014		ENGINEERING 937 WILLIAMS ST	59	Amy Williams Assistant City Engineer	COMMENTS 3/17/2014
E2014-006	02/03/2014		ENGINEERING 937 WILLIAMS ST	59	Ariana Hargrove Engineering: Fire	COMMENTS 3/13/2014
E2014-006	02/03/2014		ENGINEERING 937 WILLIAMS ST	59	Steve Clawson Sewer Department	COMMENTS 3/13/2014
E2014-008	03/11/2014		ENGINEERING 980 SIDS RD	23	Billy Chaffin STREET DEPARTMEN	APPROVED 3/24/2014
E2014-008	03/11/2014		ENGINEERING 980 SIDS RD	23	Bruce Hanby ENG-TECH	COMMENTS 3/11/2014
E2014-008	03/11/2014		ENGINEERING 980 SIDS RD	23	Kathleen Moreno ENG-ENGINEER	COMMENTS 3/18/2014
E2014-008	03/11/2014		ENGINEERING 980 SIDS RD	23	Steve Clawson SEWER DEPARTMEN	COMMENTS 3/19/2014
E2014-008	03/11/2014		ENGINEERING 980 SIDS RD	23	Steve Clawson Sewer Department	APPROVED 4/1/2014
E2014-008	03/11/2014		ENGINEERING 980 SIDS RD	23	Curtis McAden WATER DEPARTMEN	COMMENTS 3/13/2014
E2014-008	03/11/2014		ENGINEERING 980 SIDS RD	23	Ariana Hargrove ENG - FIRE	APPROVED 3/13/2014
E2014-008	03/11/2014		ENGINEERING 980 SIDS RD	23	Amy Williams ASSISTANT CITY ENC	COMMENTS 3/17/2014
E2014-008	03/11/2014		ENGINEERING 980 SIDS RD	23	Curtis McAden Water Department	COMMENTS 3/31/2014

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For the Period 3/1/2014 thru 3/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-008	03/11/2014		ENGINEERING 980 SIDS RD	23	Bruce Hanby Engineering: Technician	APPROVED 4/1/2014
E2014-008	03/11/2014		ENGINEERING 980 SIDS RD	23	Kathleen Moreno Engineering: Engineer	APPROVED 3/31/2014
E2014-008	03/11/2014		ENGINEERING 980 SIDS RD	23	Amy Williams Assistant City Engineer	COMMENTS 3/31/2014
E2014-008	03/11/2014		ENGINEERING 980 SIDS RD	23	Tim Tumulty CITY ENGINEER	APPROVED 3/21/2014
E2014-009	03/19/2014		ENGINEERING SHADYDALE LN	15	Amy Williams Assistant City Engineer	APPROVED 3/21/2014
E2014-009	03/19/2014		ENGINEERING SHADYDALE LN	15	Amy Williams ASSISTANT CITY ENC	COMMENTS 3/20/2014
E2014-010	03/24/2014		ENGINEERING 980 SIDS RD	10	ENG-TECH	
E2014-010	03/24/2014		ENGINEERING 980 SIDS RD	10	ENG-ENGINEER Tim Tumulty CITY ENGINEER	
E2014-010	03/24/2014		ENGINEERING 980 SIDS RD	10	Curtis McAden WATER DEPARTMEN	
E2014-010	03/24/2014		ENGINEERING 980 SIDS RD	10		APPROVED
E2014-010	03/24/2014		ENGINEERING 980 SIDS RD	10	ENG - FIRE Amy Williams ASSISTANT CITY ENC	3/31/2014
E2014-010	03/24/2014		ENGINEERING 980 SIDS RD	10	Billy Chaffin STREET DEPARTMEN	
E2014-010	03/24/2014		ENGINEERING 980 SIDS RD	10	Steve Clawson SEWER DEPARTMEN	
E2014-011	03/31/2014		ENGINEERING	3	ENG-TECH	

City of Rockwall
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Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-011	03/31/2014		ENGINEERING	3		
					ENG-ENGINEER	
E2014-011	03/31/2014		ENGINEERING	3	Steve Clawson	
					SEWER DEPARTMEN	
E2014-011	03/31/2014		ENGINEERING	3	Curtis McAden	
					WATER DEPARTMEN	
E2014-011	03/31/2014		ENGINEERING	3		
					ENG - FIRE	
E2014-011	03/31/2014		ENGINEERING	3	Amy Williams	
					ASSISTANT CITY ENC	
E2014-011	03/31/2014		ENGINEERING	3	Billy Chaffin	
					STREET DEPARTMEN	
E2014-011	03/31/2014		ENGINEERING	3	Tim Tumulty	
					CITY ENGINEER	
P2013-040	12/05/2013		PLAT	119	Lance Singleton	APPROVED W/
			2650 Champions Cir		GIS	
P2013-040	12/05/2013		PLAT	119	Amy Williams	COMMENTS
			2650 Champions Cir		Assistant City Engineer	3/19/2014
P2014-008	02/27/2014		PLAT	35	Amy Williams	APPROVED
					Assistant City Engineer	3/17/2014
P2014-009	03/13/2014		PLAT	21	Ariana Hargrove	APPROVED
			182 JEFF BOYD RD		FIRE	3/28/2014
P2014-009	03/13/2014		PLAT	21	John Shannon	APPROVED
			182 JEFF BOYD RD		BUILDING	3/17/2014
P2014-009	03/13/2014		PLAT	21	David Gonzales	COMMENTS
			182 JEFF BOYD RD		PLANNING	3/19/2014
P2014-009	03/13/2014		PLAT	21	Ariana Hargrove	APPROVED
			182 JEFF BOYD RD		FIRE	3/17/2014
P2014-009	03/13/2014		PLAT	21	Amy Williams	APPROVED
			182 JEFF BOYD RD		Assistant City Engineer	3/26/2014

City of Rockwall
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Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
P2014-009	03/13/2014		PLAT 182 JEFF BOYD RD	21	Lance Singleton GIS	APPROVED 3/19/2014
P2014-009	03/13/2014		PLAT 182 JEFF BOYD RD	21	Amy Williams Assistant City Engineer	APPROVED 3/24/2014
P2014-009	03/13/2014		PLAT 182 JEFF BOYD RD	21	Amy Williams ENGINEERING	COMMENTS 3/18/2014
P2014-009	03/13/2014		PLAT 182 JEFF BOYD RD	21	John Shannon BUILDING	APPROVED 3/26/2014
P2014-010	03/14/2014		PLAT 705 S GOLIAD	20	Ariana Hargrove FIRE	APPROVED 3/17/2014
P2014-010	03/14/2014		PLAT 705 S GOLIAD	20	John Shannon BUILDING	APPROVED 3/17/2014
P2014-010	03/14/2014		PLAT 705 S GOLIAD	20	Ryan Miller PLANNING	APPROVED W/ 3/19/2014
P2014-010	03/14/2014		PLAT 705 S GOLIAD	20	Amy Williams ENGINEERING	APPROVED 3/18/2014
P2014-010	03/14/2014		PLAT 705 S GOLIAD	20	Lance Singleton GIS	APPROVED 3/19/2014
SP2013-023	08/16/2013		SITE PLAN 2922 S HWY205	230	JoDee Sanford Planning Department	COMMENTS 3/19/2014
SP2013-023	08/16/2013		SITE PLAN 2922 S HWY205	230	Ariana Hargrove Fire Department	APPROVED 3/20/2014
SP2013-023	08/16/2013		SITE PLAN 2922 S HWY205	230	John Shannon Building Inspections Dep	APPROVED 3/20/2014
SP2013-023	08/16/2013		SITE PLAN 2922 S HWY205	230	Amy Williams Engineering Department	COMMENTS 3/20/2014
SP2014-003	02/17/2014		SITE PLAN 3018 RIDGE RD	45	Ariana Hargrove FIRE	APPROVED 3/6/2014
SP2014-003	02/17/2014		SITE PLAN 3018 RIDGE RD	45	John Shannon Building Inspections Dep	APPROVED 3/4/2014

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For the Period 3/1/2014 thru 3/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
SP2014-003	02/17/2014		SITE PLAN 3018 RIDGE RD	45	Amy Williams ENGINEERING	APPROVED 3/3/2014
SP2014-004	02/17/2014		SITE PLAN 950 SIDS RD	45	Ariana Hargrove FIRE	APPROVED 3/6/2014
SP2014-004	02/17/2014		SITE PLAN 950 SIDS RD	45	John Shannon Building Inspections Dep	APPROVED 3/10/2014
SP2014-004	02/17/2014		SITE PLAN 950 SIDS RD	45	Amy Williams Assistant City Engineer	APPROVED 3/5/2014
SP2014-005	03/21/2014		SITE PLAN 2850 SHORELINE TRAIL	13	Ryan Miller PLANNING	COMMENTS 3/24/2014
SP2014-005	03/21/2014		SITE PLAN 2850 SHORELINE TRAIL	13	Lance Singleton GIS	APPROVED 3/24/2014
SP2014-005	03/21/2014		SITE PLAN 2850 SHORELINE TRAIL	13	Ariana Hargrove FIRE	COMMENTS 3/25/2014
SP2014-005	03/21/2014		SITE PLAN 2850 SHORELINE TRAIL	13	John Shannon BUILDING	APPROVED 3/24/2014
SP2014-005	03/21/2014		SITE PLAN 2850 SHORELINE TRAIL	13	Amy Williams ENGINEERING	COMMENTS 3/24/2014
Z2014-007	03/17/2014		ZONING BREEZY HILLS RD	17	Amy Williams ENGINEERING	APPROVED W/
Z2014-007	03/17/2014		ZONING BREEZY HILLS RD	17	Ryan Miller PLANNING	APPROVED W/ 3/19/2014
Z2014-007	03/17/2014		ZONING BREEZY HILLS RD	17	Ariana Hargrove FIRE	APPROVED 3/19/2014
Z2014-008	03/19/2014		ZONING HWY 66	15	Amy Williams ENGINEERING	APPROVED W/ 3/20/2014
Z2014-008	03/19/2014		ZONING HWY 66	15	Ariana Hargrove FIRE	APPROVED 3/20/2014
Z2014-008	03/19/2014		ZONING HWY 66	15	John Shannon BUILDING	APPROVED 3/20/2014

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 3/1/2014 thru 3/31/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2014-031	03/14/14	20	101 FANNIN ST. S	RDT, ENTERPRISES INC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/14/14	03/24/14	03/17/14
	COMM		OUTSIDE 32X18 SHADE DINING AREA FOR 66 BAR-B-QUE							
CO2014-0041	03/14/14	20	2931 RIDGE 105	REGENCY, CENTERS LP	Ariana Hargrove	FIRE CO		03/14/14	03/17/14	
	CO		LOTUS & JAPANESE GRILL							
CO2014-0042	03/14/14	20	295 RANCH TRAIL	CHERYL HODGE	Ariana Hargrove	FIRE CO	APPROVED	03/14/14	03/17/14	03/17/14
	CO		DAVID CROSS							
BLD2014-033	03/17/14	17	2135 RIDGE RD. 109	IN, KYUNG H &	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/17/14	03/27/14	03/25/14
	COMM		LITTLE CAESAR'S TAKE OUT INTERIOR COMPLETION							
PLB2014-009	03/18/14	16	815 WASHINGTON ST E	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431		03/18/14	03/28/14	
	COMM		REPAIR GAS LINE FOR THE CITY OF ROCKWALL HARRY MEYERS PARK							
BLD2014-034	03/19/14	15	823 IH 30	KOHLS, ILLNOIS INC	Ariana Hargrove	FIRE 972-772-6431		03/19/14	03/29/14	
	COMM		Kohl's - No Structural Change -just re-roof							
ELE2014-001	03/19/14	15	730 IH 30	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/19/14	03/29/14	03/25/14
	COMM		Sprint - Replacing Antenna & Equipment							
BLD2014-028	03/11/14	23	182 JEFF BOYD RD.	ALIANCE ADDITION	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/20/14	03/30/14	03/20/14
	COMM		NEW GROOMS SENIOR LIVING FACILITY							
BLD2014-031	03/14/14	20	101 FANNIN ST. S	RDT, ENTERPRISES INC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/20/14	03/30/14	03/20/14
	COMM		OUTSIDE 32X18 SHADE DINING AREA FOR 66 BAR-B-QUE							
BLD2014-036	03/21/14	13	1525 Airport Rd	ROCKWALL, PROPERTY CORPORATION	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/21/14	03/31/14	03/25/14
	COMM		MHMR- 6' wrought Iron fence							
ELE2014-002	03/21/14	13	204 FANNIN ST. N	FALLS, J R	Ariana Hargrove	FIRE 972-772-6431		03/21/14	03/31/14	
	COMM		RE-WIRING BUILDING							
BLD2014-038	03/24/14	10	2255 Goliad St S	TOTAL, PETROLEUM INC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/24/14	04/03/14	03/25/14
	COMM		Soulman's BBQ							
DEM2014-00(	03/24/14	10	2935 Ridge Rd.	KROGER, TEXAS LP	Ariana Hargrove	FIRE 972-772-6431		03/24/14	04/03/14	
	COMM		Demo of part of Bldg next to Kroger							
ELE2014-002	03/24/14	10	2951 RIDGE RD 105	REGENCY, CENTERS LP	Ariana Hargrove	FIRE 972-772-6431		03/24/14	04/03/14	
	COMM		400 A ELECTRICAL SERVICE							
BLD2013-190	12/12/13	112	2650 Champions	SHORES, COUNTRY CLUB LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/25/14	04/04/14	03/25/14
	COMM		Shores Country Club adding a new bldg							
BLD2014-014	02/10/14	52	1210 Goliad St. N.	YMCA, OF DALLAS	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/25/14	04/04/14	03/25/14
	COMM		YMCA Demo / Addition							
BLD2014-038	03/25/14	9	108 Goliad St S	KLUTTS, B A	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/25/14	04/04/14	03/31/14
	COMM		Oscar Delta Texas Kitchen							
SPEC2014-00	03/25/14	9	2610 OBSERVATION TRL	JBC, LAND & CATTLE COMPANY LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/25/14	04/01/14	03/25/14
	SPECIAL EVENT		ANNUAL PARTY IN THE PARK							

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 3/1/2014 thru 3/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
Z2014-008	03/19/2014		ZONING HWY 66	15	David Gonzales PLANNING	COMMENTS 3/19/2014

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 3/1/2014 thru 3/31/2014

Permit #	Appl. Date	Aging	Address		Plan Review Detail					
	Permit Type		Description	Owner Name	Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2014-022	02/28/14	34	990 IH 30	ROCKWALL, LAND COMPANY LTD	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/26/14	04/05/14	03/26/14
	COMM		Rockwall Ford - renovation							
BLD2014-040	03/26/14	8	4109 Cabana	LAKESIDE, VILLAGE H O ASSOC	Ariana Hargrove	FIRE 972-772-6431		03/26/14	04/05/14	
	COMM		Lakeside Village - replacing 4' fence w/ 6' wrought iron							
ELE2014-002	03/26/14	8	1200 HORIZON RD	SONG, CORPORATION	Ariana Hargrove	FIRE 972-772-6431		03/26/14	04/05/14	
	COMM		Replacing existing prkg lot light pole that was knocked down							
BLD2014-041	03/27/14	7	257 VICTORY LN	FRITZ MCKINSTRY	Ariana Hargrove	FIRE 972-772-6431		03/27/14	04/06/14	
	COMM		Retaining wall							
CO2014-0043	03/27/14	7	175 County Line Rd.	BUFFALO, CREEK BUSINESS PARK LTD	Ariana Hargrove	FIRE CO	APPROVED	03/27/14	03/30/14	03/28/14
	CO		WOLFPACK MMA							
ELE2014-002	03/27/14	7	980 Sids	RAYBURN, COUNTRY ELECTRIC CORP INC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/27/14	04/06/14	03/31/14
	COMM		Sprint - Replacing Existing Antenna & equipment							
SPEC2014-00	03/27/14	7	SUMMER LEE	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/27/14	04/04/14	03/28/14
	SPECIAL EVENT		Cars for Casa Car Show							
BLD2013-192	12/19/13	105	2935 Ridge Rd.	KROGER, TEXAS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/28/14	04/07/14	03/28/14
	COMM		Kroger - Remodel / alteration							
CO2014-0044	03/28/14	6	206 FANNIN ST N	BAESA, MICHAEL H & PAIGE	Ariana Hargrove	FIRE CO	APPROVED	03/28/14	03/31/14	03/28/14
	CO		ROCKWALL YELLOW ROSE INC.							
BLD2014-014	02/10/14	52	1210 Goliad St. N.	YMCA, OF DALLAS	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/31/14	04/10/14	03/31/14
	COMM		YMCA Demo / Addition							
BLD2014-019	02/21/14	41	2750 SH 66	REST, HAVEN FUNERAL HOMES INC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/31/14	04/10/14	03/31/14
	COMM		Pet crematory Addition - altration existing space							
BLD2014-043	03/31/14	3	1119 RIDGE RD.	BENBROOKE, RIDGE PARTNERS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/31/14	04/10/14	04/02/14
	COMM		DANCE FORCE REMODEL - BUILD A WALL							
ELE2014-002	03/31/14	3	507 National	RACK, PARTNERS LTD	Ariana Hargrove	FIRE 972-772-6431		03/31/14	04/10/14	
	COMM		install 125amp free standing service on Const lot							

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Rockwall Police Department
Harbor District Calls For Service
March 2014

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2014-00006617	03/01/2014	00:11:57	Agave	Investigation	Citation
2014-00009678	03/26/2014	06:22:28	Cinemark	Alarm-BUSN	False Alarm
2014-00007831	03/10/2014	21:37:44	Cinemark	Disturbance	No Report
2014-00007828	03/10/2014	20:43:12	Cinemark	Reckless Driver	No Report
2014-00007917	03/11/2014	11:27:41	Cinemark	Reckless Driver	Unable to Locate
2014-00009806	03/27/2014	14:36:27	Cinemark	Suspicious Activity	No Report
2014-00009631	03/25/2014	16:26:21	Cinemark	Theft	Report
2014-00009482	03/24/2014	08:37:01	Hilton	Investigation	No Report
2014-00009984	03/28/2014	22:43:29	Hilton	Investigation	No Report
2014-00008544	03/16/2014	05:56:00	Hilton	Missing Person	No Report
2014-00010101	03/29/2014	20:39:00	Luna De Noche	Theft	No Report
2014-00009208	03/21/2014	23:13:00	The Harbor	Accident - Minor	Report
2014-00009862	03/27/2014	22:48:38	The Harbor	Investigation	Unable to Locate
2014-00009862	03/27/2014	22:48:38	The Harbor	Investigation	No Report
2014-00007054	03/04/2014	22:46:21	The Harbor	Suspicious Activity	No Report
			Common Name		
			Cinemark	6	
			The Harbor	4	
			Hilton	3	
			Agave	1	
			Luna De Noche	1	
			Total	15	

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

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	3	3	0	100%
ADMINISTRATIVE SERVICES	1	1	0	100%
AIRPORT	0	0	0	0%
ANIMAL SERVICES	4	4	0	100%
BUILDING INSPECTIONS / CODE ENFORCEMENT	3	3	0	100%
ENGINEERING	6	5	1	83%
FINANCE	6	6	0	100%
FIRE DEPARTMENT	26	24	2	92%
INTERNAL OPERATIONS	113	113	0	100%
MUNICIPAL COURT	10	10	0	100%
PARKS & RECREATION	18	18	0	100%
PLANNING & ZONING	1	1	0	100%
POLICE DEPARTMENT	31	30	1	97%
PUBLIC WORKS	7	7	0	100%
UTILITY BILLING	2	2	0	100%
TOTAL	231	227	4	98%

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

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME	COMMENTS
ANIMAL SERVICES	0	0	0	100%	
CODE ENFORCEMENT	0	0	0	100%	
FIRE DEPARTMENT	6	6	0	100%	
EMS	0	0	0	100%	
INTERNAL OPERATIONS	1	1	0	100%	
PARKS & RECREATION	0	0	0	100%	
POLICE DEPARTMENT	11	11	0	100%	
PUBLIC WORKS	1	1	0	100%	
UTILITY BILLING	0	0	0	100%	
HEATH DEPT. PUBLIC SAFETY	2	2	0	100%	
HOSPITAL CONTROL STATIONS	0	0	0	100%	
SYSTEM	12	12	0	100%	Involves discussion and meetings about new system as well.
TOTAL	33	33	0	100%	

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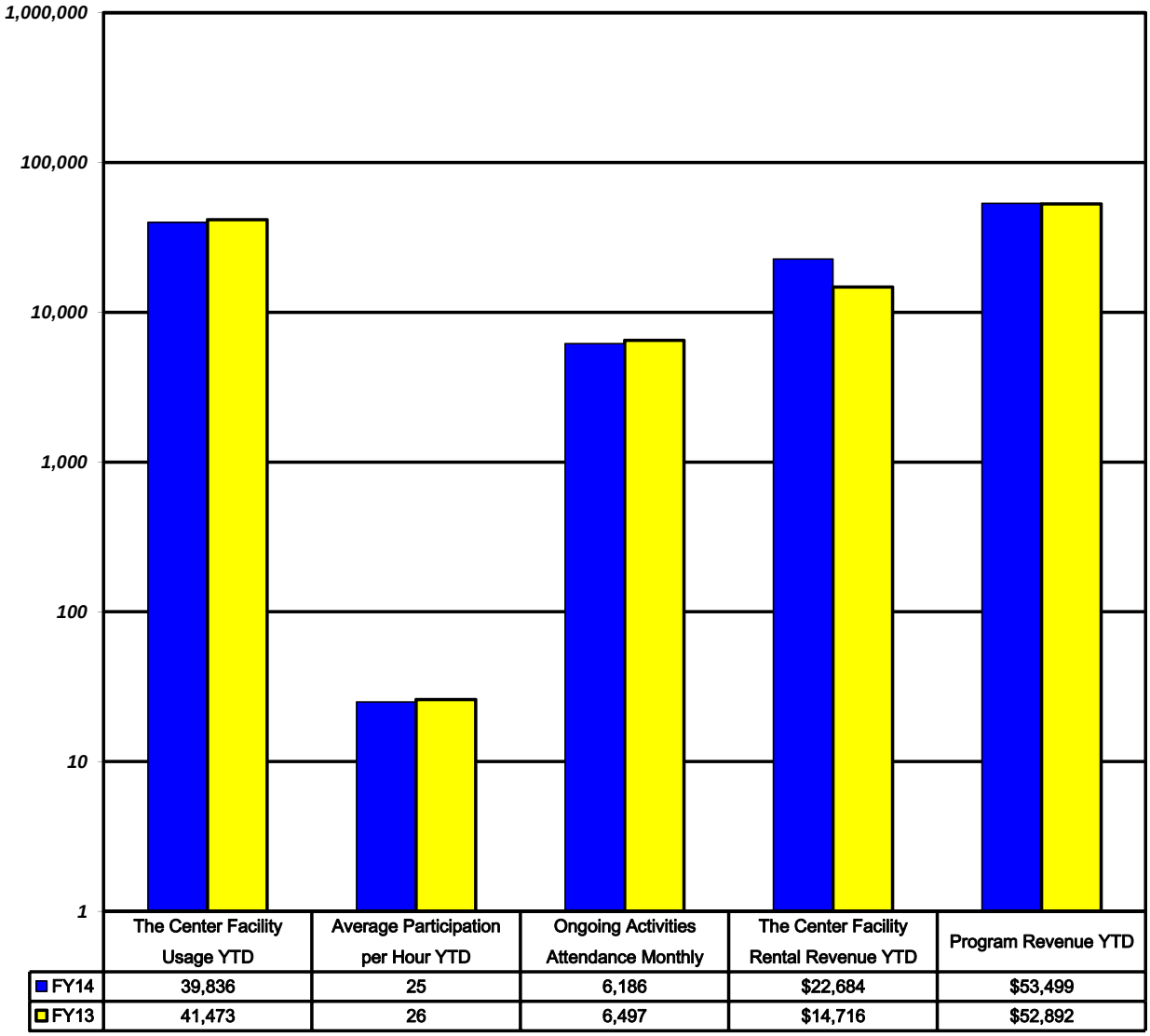
City of Rockwall
Parks and Recreation Department
FY14 March 2014



	The Center Facility Usage YTD	Average Participation per Hour YTD	Ongoing Activities Attendance Monthly	The Center Facility Rental Revenue YTD	Program Revenue YTD
FY14	39,836	25	6,186	$22,684	$53,499
FY13	41,473	26	6,497	$14,716	$52,892

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

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W.W. "Bill" Caruth III and Minnie Arnold Caruth

North Texas Crime Commission - Law Enforcement Liaison Committee

Texoma HIDTA

and

Rockwall Police Department

PRESENT

LTC David Grossman, U.S. Army (Ret.)

"**The Bulletproof Mind: Mental Preparation for Combat.**" Col. Grossman is one of the nation's leading law enforcement trainers. He is the author of the Pulitzer-nominated book, *On Killing*. He has served as a trainer and keynote speaker for all major national and international law enforcement training organizations (including: FLETC, IALEFI, ASLET, NTOA and PPCT) and he has taught the representatives of literally thousands of federal, state, county and local agencies in the US, Canada, New Zealand, and Australia.

The Colonel also speaks to the mindset of violence in youth, domestic and international terrorism, soft targets like schools and churches and preparedness for law enforcement. He has written many books on the subject and is an international speaker. Col. Grossman is a former Army Ranger, West Point psychology professor, Professor of Military Science.

8 TCOLE HOURS

When: **April 29, 2014**
Where: **Lake Pointe Church – Rockwall, TX**
701 E. Interstate 30
Rockwall, TX 75087
(Cross Streets: Between 67C and Market Center Dr.)
Time: **8:30am-4:30pm**
Cost: **$0 – Including a catered Barnhill Bros. BBQ Luncheon with all the fixings**

To register for this one day training, please go to the Texoma HIDTA Web Site: http://texoma.hidta.org/?AspxAutoDetectCookieSupport=1

Note: ***If you attended this presentation on October 5, 2013, please do not re-register for this training. This will allow other officers who were on a long waiting list to attend***.
Attendees who are registered, and do not show up the day of the training will be billed $18 for the lunch and beverages that will be provided along with this *"tuition free"* training.

Rockwall Police Department

Monthly Activity Report
March-2014

ACTIVITY	CURRENT MONTH MARCH	PREVIOUS MONTH FEBRUARY	YTD 2014	YTD 2013	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	1	-100.00%
Sexual Assault	0		0		
Robbery	0	0	0	1	-100.00%
Aggravated Assault	4	0	7	3	133.33%
Burglary	5	5	16	23	-30.43%
Larceny	49	37	156	152	2.63%
Motor Vehicle Theft	3	4	11	13	-15.38%
TOTAL PART I	**61**	**46**	**190**	**194**	**-2.06%**
TOTAL PART II	**133**	**120**	**387**	**340**	**13.82%**
TOTAL OFFENSES	**194**	**166**	**577**	**534**	**8.05%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	11	13	39	29	34.48%
D.W.I.	10	18	49	54	-9.26%
TEEN CURFEW	1	1	3	2	50.00%
ARRESTS					
FELONY	11	15	46	35	31.43%
MISDEMEANOR	69	71	205	252	-18.65%
WARRANT ARREST	28	29	90	68	32.35%
JUVENILE	4	8	21	19	10.53%
TOTAL ARRESTS	**112**	**123**	**362**	**374**	**-3.21%**
DISPATCH					
CALLS FOR SERVICE	1436	1272	4062	3839	5.81%
ACCIDENTS					
INJURY	7	11	29	31	-6.45%
(INJURIES)	7	14	40	37	8.11%
NON-INJURY	34	43	126	104	21.15%
FATALITY	0	0	0	0	0.00%
(FATALITIES)	0	0	0	0	0.00%
TOTAL	**41**	**54**	**155**	**135**	**14.81%**
FALSE ALARMS					
RESIDENT ALARMS	77	57	189	191	-1.05%
BUSINESS ALARMS	121	94	343	301	13.95%
TOTAL FALSE ALARMS	**198**	**151**	**532**	**492**	**8.13%**
Estimated Lost Hours	**130.68**	**99.66**	**351.12**	**324.72**	**8.13%**
Estimated Cost	**$3,108.60**	**$2,370.70**	**$8,352.40**	**$7,724.40**	**8.13%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**2**
Arrests	**23**
Arrest Warrants	**0**
Search Warrants	**0**
Seized	
Money	$12,200
Methamphetamine	5 pounds 8.25 ounces
Xanax	14 pills
Vehicles	2
Firearms	5

Rockwall Police Department

Quarterly Crime Report

1st Quarter - 2014

Violent Crimes			
Month	**Total Violent Crimes**	**Population Estimate**	**Crime Index / 1000 population**
January-14	3	39,842	0.08
February-14	0	39,842	0.00
March-14	4	39,842	0.10
Average	**2.3**	**39,842**	**0.06**

Property Crimes			
Month	**Total Property Crimes**	**Population Estimate**	**Crime Index / 1000 population**
January-14	93	39,842	2.33
February-14	52	39,842	1.31
March-14	76	39,842	1.91
Average	**73.7**	**39,842**	**1.85**

Crime Index per 1,000 population			
Month	**Total Part I Crimes**	**Population Estimate**	**Crime Index**
January-14	83	39,842	2.1
February-14	46	39,842	1.2
March-14	61	39,842	1.5
Average	**63.3**	**39,842**	**1.6**

The City of Rockwall Crime Index is calculated by taking the UCR Part I crimes and comparing them with the City of Rockwall's estimated population.

Rockwall Police Department
Dispatch and Response Times
March 2014

Police Department

	Average Response Time	
Priority 1		Number of Calls **105**
Call to Dispatch	0:00:36	
Call to Arrival	0:04:57	
% over 7 minutes	21%	

	Average Response Time	
Priority 2		Number of Calls **177**
Call to Dispatch	0:01:40	
Call to Arrival	0:07:41	
% over 7 minutes	31%	

	Average Response Time	
Priority 3		Number of Calls **7**
Call to Dispatch	0:01:16	
Call to Arrival	0:06:54	
% over 7 minutes	14%	

***Priority 4** Number of Calls **1146**

****Priority 5** Number of Calls **1**

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

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

Fire Department

Average Response Time		
Call to Dispatch	0:00:17	Number of Calls **84**
Call to Arrival	0:06:42	

Overages

Incident No.	Date	Time Rec'd	Call Type	Time Disp	Resp Time	Reason
2014-274	3/15/2014	18:46:28	Smoke Investigation	18:50:26	0:03:58	County M/A-desregarded twice

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Table of Contents

Agenda 4

Discussion regarding appointment of Mayor Pro-Tem, County of Rockwall Emergency Services Corporation board members (2), Regional Transportation Council's Surface Transportation Technical Committee members, and city council subcommittees pursuant to Section, § 551.074 (Personnel Matters)

Council Subcommittees 9

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Motorcycle Safety and Awareness Month

Proclamation 11

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Consider approval of the minutes from the May 5, 2014 regular city council meeting, and take any action necessary.

05/05/14 CC Minutes 13

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Z2014-009 - Consider approval of an ordinance for a request by Gregory D. Ollom for the approval of a change in zoning from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 7.969-acre tract of land situated in the William Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, being located at 941 Cornelius Road and take any action necessary. (2nd Reading)

Ord_2nd Reading 24

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Consider approval of an ordinance amending Chapter 12, Article III, Section 12-51 through 12-66, of the Code of Ordinances, regulating peddler activities in the city, and take any action necessary. (2nd reading)

Ord_2nd reading 29

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Consider an ordinance authorizing the issuance of City of Rockwall, Texas, General Obligation Refunding Bond, Series 2014; levying an annual ad valorem tax and providing for the security for and payment of said bond; providing an effective date; enacting other provisions relating to the subject. (2nd reading)

2nd Reading 38

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Consider approval of a resolution setting a public hearing date to consider the updated land use assumptions for establishing updated water/wastewater impact fees, a capital improvements plan and the adoption of water/wastewater impact fees, and take any action necessary.

City Manager Memo 61

Resolution For Water/Wastewater Impact Fee Public Hearing 62

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Z2014-011 - Hold a public hearing to discuss and consider approval of ordinance for a request by Dewayne Cain, on behalf of the Cain Family Revocable Trust, for the approval of a zoning change from a Single Family 10 (SF-10) District to Planned Development District 53 (PD-53) for Residential-Office (RO) District uses and to amend the boundaries of Planned Development District 53 (PD-53) [Ordinance No. 02-33] for a 0.651-acre parcel of land identified as Lot 3, Block A, Lee Rhoades Subdivision, City of Rockwall, Rockwall County, Texas, addressed as 1002 Ridge Road, and take any action necessary (1st Reading).

Z2014-011 65

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Z2014-012 - Hold a public hearing to discuss and consider approval of ordinance for a request by Master Plan, on behalf of Rockwall SH-205 Venture, LLC, for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger 5.549-acre tract of land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall County, Texas, generally located south of the intersection of the IH-30 frontage road and Townsend Drive, and take any action necessary. (Postponement Requested)

Z2014-012 91

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Z2014-013 - Hold a public hearing to discuss and consider approval of ordinance for a request by Dean Cathey, on behalf of ASCDT Investments, LLC, for the approval of a zoning change from a Zero Lot Line (ZL-5) District to a Planned Development District for single-family attached uses for a 1.25-acre subdivision of land identified as Lots 4, 5, 6 & 7 of the Integrity Addition Phase 2, City of Rockwall, Rockwall County, Texas, addressed as 617, 619, 621 & 623 Boydstun Avenue, and take any action necessary. (1st Reading)

Z2014-013 94

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Z2014-014 - Hold a public hearing to discuss and consider approval of ordinance for a request by Brad Fenton of Fenton Motor Group, on behalf of Cambridge Companies Inc., for approval of a Specific Use Permit (SUP) to allow for a new car dealership being a 4.08-acre tract of land located in the J. LOCKHART SURVEY, Abstract No.134, being a portion of that certain tract of land described in deed to the Cambridge Companies, Inc. as recorded in Volume 101, Page 795 of the Deed Records of Rockwall County, Texas and zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the 205 By-Pass Corridor Overlay (205 BY-OV) District and generally located on the southeast corner of John King Boulevard and IH-30, City of Rockwall, Rockwall County, Texas, and take any action necessary. (1st Reading)

Z2014-014 110

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SP2014-007 - Discuss and consider a request by Stephen Seitz Architects, Inc. on behalf of the owner of the property for the approval of variances to the building material and screening requirements stipulated for buildings located within a General Retail (GR) District with residential adjacency for a 0.75-acre tract of land identified as Lot E, Block 117 & Lot D, Block 117 of B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, located at the northeast corner of the intersection of SH-205 [S. Goliad Street] and St. Mary's Street, and take any action necessary.

SP2014-007 142

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MIS2014-004 - Discuss and consider approval of a special request for the purpose of permitting the construction of a carport that does not conform to the setback and material requirements as stipulated by Section 2.1.2(1) [Carports] of Article IV, Permissible Uses, of the Unified Development Code, for a 0.12-acre property that is identified as Lot 877, Block E of Rockwall Lake Estates #1 Addition, City of Rockwall, Rockwall County, Texas, is zoned Planned Development District 75 (PD-75), is generally located at 486 Perch Road, and take any action necessary.

MIS2014-004 150

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Discuss and consider a request by Jay and Alison Odom for the approval of a structure preservation tax exemption application seeking to have the assessed value for ad valorem taxation fixed for a period of seven (7) years on the subject property at 405 N. Fannin Street, further identified as Lot B-1, Block 122 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located within the Old Town Rockwall (OTR) Historic District, and take any action necessary.

Memorandum 158

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AGENDA
ROCKWALL CITY COUNCIL
Monday, May 19, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

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

1. Discussion regarding securing legal representation from Scott Doggett of Burford and Ryburn, LLP for legal services associated with Condemnation/Acquisitions/Related Municipal Improvements pursuant to Tex. Gov't. Code, § 551.071 (Consultation with Attorney).
2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).
3. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).
4. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
5. Discussion regarding appointment of Mayor Pro-Tem, County of Rockwall Emergency Services Corporation board members (2), Regional Transportation Council's Surface Transportation Technical Committee members, and city council subcommittees pursuant to Section, § 551.074 (Personnel Matters)
6. Discussion regarding the terms and conditions of contract with Collin County Humane Society to operate the City's animal adoption center pursuant to Section 551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, May 19, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR SWEET

VII. PROCLAMATIONS / AWARDS

p.11 **1.** Motorcycle Safety and Awareness Month

2. Swearing in of newly elected city council members

VIII. CONSENT AGENDA

p.13 **1.** Consider approval of the minutes from the May 5, 2014 regular city council meeting, and take any action necessary.

p.24 **2.** **Z2014-009** - Consider approval of an **ordinance** for a request by Gregory D. Ollom for the approval of a change in zoning from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 7.969-acre tract of land situated in the William Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, being located at 941 Cornelius Road and take any action necessary. **(2nd Reading)**

p.29 **3.** Consider approval of an **ordinance** amending Chapter 12, Article III, Section 12-51 through 12-66, of the Code of Ordinances, regulating peddler activities in the city, and take any action necessary. **(2nd reading)**

p.38 **4.** Consider an **ordinance** authorizing the issuance of City of Rockwall, Texas, General Obligation Refunding Bond, Series 2014; levying an annual ad valorem tax and providing for the security for and payment of said bond; providing an effective date; enacting other provisions relating to the subject. **(2nd reading)**

p.61 **5.** Consider approval of a resolution setting a public hearing date to consider the updated land use assumptions for establishing updated water/wastewater impact fees, a capital improvements plan and the adoption of water/wastewater impact fees, and take any action necessary.

IX. APPOINTMENTS

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

X. PUBLIC HEARING ITEMS

p.65 **1.** **Z2014-011** - Hold a public hearing to discuss and consider approval of **ordinance** for a request by Dewayne Cain, on behalf of the Cain Family Revocable Trust, for the approval of a zoning change from a Single Family 10 (SF-10) District to Planned Development District 53 (PD-53) for Residential-Office (RO) District uses and to amend the boundaries of Planned Development District 53 (PD-53) [Ordinance No. 02-33] for a 0.651-acre parcel of land identified as Lot 3, Block A, Lee Rhoades Subdivision, City of Rockwall, Rockwall County, Texas, addressed as 1002 Ridge Road, and take any action necessary **(1st Reading)**.

p.91 ***2.*** **Z2014-012** - Hold a public hearing to discuss and consider approval of **ordinance** for a request by Master Plan, on behalf of Rockwall SH-205 Venture, LLC, for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger 5.549-acre tract of land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall County, Texas, generally located south of the intersection of the IH-30 frontage road and Townsend Drive, and take any action necessary. ***(Postponement Requested)***

p.94 **3.** **Z2014-013** - Hold a public hearing to discuss and consider approval of **ordinance** for a request by Dean Cathey, on behalf of ASCDT Investments, LLC, for the approval of a zoning change from a Zero Lot Line (ZL-5) District to a Planned Development District for single-family attached uses for a 1.25-acre subdivision of land identified as Lots 4, 5, 6 & 7 of the Integrity Addition Phase 2, City of Rockwall, Rockwall County, Texas, addressed as 617, 619, 621 & 623 Boydstun Avenue, and take any action necessary. **(1st Reading)**

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XI. SITE PLANS / PLATS

p.142 **1.** **SP2014-007** - Discuss and consider a request by Stephen Seitz Architects, Inc. on behalf of the owner of the property for the approval of variances to the building material and screening requirements stipulated for buildings located within a General Retail (GR) District with residential adjacency for a 0.75-acre tract of land identified as Lot E, Block 117 & Lot D, Block 117 of B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, located at the northeast corner of the intersection of SH-205 [S. Goliad Street] and St. Mary's Street, and take any action necessary.

XII. ACTION ITEMS

p.150 **1.** **MIS2014-004** - Discuss and consider approval of a special request for the purpose of permitting the construction of a carport that does not conform to the setback and material requirements as stipulated by Section 2.1.2(1) [Carports] of Article IV, Permissible Uses, of the Unified Development Code, for a 0.12-acre property that is identified as Lot 877, Block E of Rockwall Lake Estates #1 Addition, City of Rockwall, Rockwall County, Texas, is zoned Planned Development District 75 (PD-75), is generally located at 486 Perch Road, and take any action necessary.

p.158 **2.** Discuss and consider a request by Jay and Alison Odom for the approval of a structure preservation tax exemption application seeking to have the assessed value for ad valorem taxation fixed for a period of seven (7) years on the subject property at 405 N. Fannin Street, further identified as Lot B-1, Block 122 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located within the Old Town Rockwall (OTR) Historic District, and take any action necessary.

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6. Discussion regarding the terms and conditions of contract with Collin County Humane Society to operate the City's animal adoption center pursuant to Section 551.071 (Consultation with Attorney)

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

XV. ADJOURNMENT

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

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

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 16th day of May, 2013 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

SUBCOMMITTEE	Standing (S) / Adhoc (A)	Sweet	White	Pruitt	Daniels	Lewis	Milder	Townsend
Airport	S		1	1				1
Finance/Audit	S		1			1	1	
Hotel/Motel	S		1			1		1
Naming & Citizen Awards	S			1	1		1	
REDC liaison	S				1			
Housing Authority/Senior Activity	S	1						
Youth Advisory Council (YAC)	S		1					
Emergency Services Corp	S	1				1		
Alliance for the Arts	S			1				
Fireman Pension Board	S				1			
RISD Liaison	S	1						
Youth Sports	A	1					1	1
TOTALS		4	4	3	3	3	3	3
								as of July, 2013

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Proclamation

Rockwall, Texas

Whereas, today's society finds more citizens involved in motorcycling on the roads of our country; and

Whereas, motorcyclists are roughly unprotected and are much more likely to be injured or killed in a crash than other vehicle drivers; and

Whereas, campaigns have helped inform riders and motorists alike on motorcycle safety issues to reduce motorcycle related risks, injuries, and most of all fatalities, through a comprehensive approach to motorcycle safety; and

Whereas, it is the responsibility of all who put themselves behind the wheel to become aware of motorcyclists and to regard them with the same respect as any other vehicle traveling the highways of this country; and

Whereas, we urge our community to be aware of the inherent dangers involved in operating a motorcycle and for drivers to give motorcyclists the respect on the road they deserve;

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim **May 2014** as:

MOTORCYCLE SAFETY & AWARENESS MONTH

In the City of Rockwall and urge all citizens to do their part to increase safety and awareness of motorcyclists in and around our community.

In Witness Whereof, I hereby affix my official hand and seal this 19th day of May, 2014.

David Sweet, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, May 05, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

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

II. WORK SESSION (4:00 P.M.)

1. HOLD A WORK SESSION TO PRESENT THE PROPOSED SCHEMATIC LAYOUT OF SH 276 FROM SH 205 TO FM 549 TO CITY COUNCIL FOR THEIR INFORMATION, AND TAKE ANY ACTION NECESSARY.

City Manager Rick Crowley provided a brief introduction related to this item, indicating this item covers the schematic layout of SH-276, which is a project of the countywide road consortium and is being worked on by TXDOT and its consultant. City Engineer Tim Tumulty gave a short briefing to council related to the project. He explained that, on March 9, a public meeting was held by TXDOT, and about twelve people attended. He generally indicated that this roadway will be a six land roadway (instead of the current two lanes). Mr. Tumulty explained that an alignment study was conducted in close consultation with TXDOT and that the Rockwall Economic Development Corporation (REDC) provided input as well since this roadway is located near the Tech Park. The goal is to have this project ready to go to bid in July of next year (2015), but its start is contingent on TXDOT receiving funding for it. Mayor Sweet clarified that SH-276 will be under reconstruction at the same time that FM-549 will be under construction. Mr. Tumulty generally indicated that the ramp reversals at the IH-30 exit will help, and two lanes will always remain open during construction. It is anticipated that this will be a two year project. Mr. Crowley explained that, while funding is not yet available for this project, the consultant who works with the countywide road consortium is working to have the project proposal finished, waiting and ready to go when funding does become available. Discussion ensued related to signalization of intersections on state roadways, with Mr. Crowley explaining that TXDOT installs signals in a reactive manner once traffic warrants installation (rather than proactively, ahead of time). The Council took no action related to this agenda item.

2. HOLD WORK SESSION TO HEAR UPDATE REGARDING PARK ACCESSIBILITY ASSESSMENT, AND TAKE ANY ACTION NECESSARY.

Parks Manager, Andy Hesser, came forth and briefed the council on a recently conducted park accessibility assessment which was performed at the request of the City Council at its March 17 meeting. Mr. Hesser explained the various accessibility standards at both the state and federal levels. He further explained "fall zones" and materials such as "Fibar" (engineered, shredded, wood fiber) and "poured in place rubber surfacing" (rubber and epoxy that is poured in a similar manner as concrete). Mr. Hesser shared that two individuals on the Parks staff are Certified Playground Safety Inspectors, and they helped with this study. Furthermore, Registered Accessibility Specialists were also utilized during

the study, helping to perform the detailed accessibility inspections. The city's nineteen playgrounds were assessed (on sixteen or seventeen different pieces of property). He explained that accessibility of equipment, routes and fall zone surfacing. He indicated that route improvements could be considered in six of the city's older playgrounds, a couple of which were built by developers and then dedicated to the city. However, most all of them meet accessibility standards by various methods. Mr. Hesser mentioned that four parks in the city do have 'poured in place' rubber surfacing, which Mr. Crowley explained is easier for a wheel chair to navigate on. Mr. Hesser mentioned Casey's Clubhouse, a 15,000 square foot playground that is considered one of the premier playscapes in North Texas. It has very specific handicap elements, with about $600,000 being spent on equipment and about $215,000 on surfacing and about. He mentioned it was an older park that the city renovated with the help of a great deal of private donations.

Several alternatives were discussed with council if it were decided to make modifications to some parks to make them even more accessible. Mr. Crowley mentioned that funding for any such modifications would either be budgeted out of the general fund or be taken out of the city's Recreational Development Fund. Mrs. Smith indicated that over $200,000 is currently in the city's Recreation Development Fund.

Mayor Sweet acknowledged that he understands most city parks meet accessibility standards; however, he also understands the reality of not very easily being able to maneuver around in a wheelchair on the ground level at playgrounds.

Mayor Sweet made a motion to instruct staff to evaluate and bring back costs associated with making surface modifications at Myers Park Kid Zone (on the north side) and Fox Chase (on the south side) to make these parks more handicapped accessible. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

At 4:50 p.m., Mayor Sweet read the below-listed discussion items into the public record before recessing into Executive Session.

III. EXECUTIVE SESSION (4:15 P.M.)

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

1. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).

2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

Mayor Sweet recessed Executive Session to allow Russell Phillips to make a short presentation showing plans for PD-32 and the needs for extending the Property Exchange Agreement with Harbor Heights. Once the presentation was completed, Mayor Sweet reconvened Executive Session.

IV. ADJOURN EXECUTIVE SESSION

Executive Session adjourned at 5:55 p.m.

AGENDA
ROCKWALL CITY COUNCIL
Monday, May 05, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

Mayor Sweet reconvened the public meeting at 6:00 p.m. All seven council members were present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM WHITE

Mayor Pro Tem White delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS / AWARDS

1. Rockwall-Heath Highsteppers Day

Mayor Sweet called forth members of the Rockwall-Heath Highsteppers drill team. After their representative said a few words, Mayor Sweet then read and presented them with a proclamation to recognize their championship accomplishments.

2. Recognition of graduating Rockwall Youth Advisory Council (YAC) seniors

Mayor Sweet and Mayor Pro Tem White recognized the outgoing, graduating seniors by thanking and giving each one a certificate.

IX. OPEN FORUM

Mayor Sweet explained how Open Forum is conducted and asked if anyone in the audience would like to come forth and speak. There being no one wishing to come forth, Mayor Sweet then closed Open Forum.

X. CONSENT AGENDA

1. Consider approval of the minutes from the April 21, 2014 regular city council meeting, and take any action necessary.

2. Consider approval of an **ordinance** amendment related to "Regulated Activities in City Parks," and take any action necessary. **(2nd reading)**

3. Z2014-004 – Consider approval of an **ordinance** for a city-initiated request to amend the Unified Development Code (Ordinance No. 04-38), specifically Article II, Authority and Administrative Procedures, Section 6.1, Notice of Public Hearing, and take any action necessary **(2nd Reading).**

Mayor Pro Tem White made a motion to approve the remainder of the Consent Agenda (#1 and #3.) Councilmember Lewis seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 6.1, *NOTICE OF PUBLIC HEARINGS*, OF ARTICLE II, *AUTHORITY AND ADMINISTRATIVE PROCEDURES*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The ordinance passed by a vote of 7 ayes to 0 nays.

Councilmember Daniels pulled item #2, indicating he is opposed to the city allowing or promoting the consumption of alcohol on any city owned property. Mayor Pro Tem White made a motion to approve Consent Agenda item #2. Councilmember Townsend seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 30 PARKS AND RECREATION, ARTICLE I IN GENERAL, SECTION 30-2. REGULATED ACTIVITIES IN PARKS TO AMEND THE POSSESSION AND CONSUMPTION OF ALCOHOL AT HARRY MYERS PARK; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

The motion passed by a vote of 5 ayes with 2 opposed (Daniels and Pruitt).

Mayor Sweet addressed Action Item #2 next.

XI. APPOINTMENTS

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

Mr. LaCroix indicated that the chairman is caught up in traffic and will be unable to make the meeting. No discussion took place and no action was taken regarding this item.

2. Appointment with Russell Phillips to discuss and consider a variance to the requirements for signage in conjunction with PD 32, and specifically wall signage for the Trend Tower/parking garage and take any action necessary.

Russell Phillips came forth and briefed the council on his request. Councilmember Pruitt then made a motion to approve the signage-related variance request related to the wall

signage on Trend Tower, including a caveat that the City of Rockwall will be able to put up a sign at the back of the garage letting the public know that free public, Harbor parking is located there. Councilmember Milder seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Appointment with representative(s) of the Rockwall Youth Advisory Council (YAC) to hear year-end report and to discuss and consider approval of a resolution amending the YAC bylaws, and take any action necessary.

CJ Chidozie and Gunner Avenetti of the Rockwall YAC came forth and briefed the council on the various YAC-related activities the group completed throughout this school year. Following CJ and Gunner's presentation, Beth Naylor and Isabella Burzair of the YAC came forth and explained details of the proposed YAC bylaw changes. After brief discussion, Councilmember Pruitt made a motion to approve the resolution amending the bylaws. Mayor Pro Tem White seconded the motion. Mayor Pro Tem White indicated that the YAC students themselves debated for about forty-five minutes at a recent meeting regarding attendance concerns and proposed language changes to the bylaws. After these brief comments, the motion passed by a vote of 7 ayes to 0 nays.

XII. PUBLIC HEARING ITEMS

1. **Z2014-009** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Gregory D. Ollom for the approval of a change in zoning from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 7.969-acre tract of land situated in the William Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, being located at 941 Cornelius Road and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix provided brief background information related to this agenda item. He indicated that notices were sent out to property owners located within two hundred feet, and staff received one reply back in favor. The Planning & Zoning Commission has recommended approval of this zoning change request.

Mayor Sweet opened the public hearing. There being no one in the audience wishing to come forth and speak, including the applicant, Mayor Sweet then closed the public hearing.

Mayor Pro Tem White made a motion to approve Z2014-009. Councilmember Lewis seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO SINGLE FAMILY ESTATE (SF-E/4.0) DISTRICT FOR A 7.969-ACRE TRACT OF LAND SITUATED IN THE WILLIAM DALTON SURVEY, ABSTRACT NO. 72, AND LOCATED AT 941 CORNELIUS ROAD, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

XIII. ACTION ITEMS

1. Discuss and consider approval of an **ordinance** amending Chapter 12, Article III, Section 12-51 through 12-66, of the Code of Ordinances, regulating peddler activities in the city, and take any action necessary. **(1st reading)**

City Attorney Frank Garza provided introductory comments to the council related to this proposed ordinance. He explained he believes this ordinance protects our citizens, but, at the same time, protects constitutional freedom of speech as well. All commercial businesses would have to obtain a permit from the Chief of Police at a fee of $65.00 per individual, which would cover the cost of doing a background check, and the permit would be good for one year. He explained that this ordinance contains clearly identified definitions and those who would be exempt from obtaining a permit. He explained that under state law, security alarm companies and life insurance companies are exempt and do not have to obtain a permit from a local entity. He explained that there is an appellate process defined within the ordinance in cases where the applicant is denied a permit or the permit is revoked. Mr. Garza indicated that residents may place notice on their personal property stating "no solicitation, no handbills, or no trespassing," and then individuals would not be allowed to go onto that resident's property, even with a city issued permit. Hours of operation under permits issued would be 8AM until 6PM.

Councilmember Pruitt thanked staff for the work on this ordinance. He indicated he is in disagreement with a portion of the provisions, specifically contained within Section 12-57 (exemptions) of the proposed ordinance. Councilmember Pruitt made a motion to approve the ordinance, but with the caveat that only (a) of 12-56 would be retained and (b) and (c) would be deleted out. Also, regarding 12-57, he would like to omit the stated requirement regarding notification to the city on the part of those individuals who are exempt from obtaining a permit from the city. Mayor Pro Tem White seconded the motion, indicating he agrees with the changes proposed within the motion made by Councilmember Pruitt. After several questions and answers were addressed, the ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-____

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 12, ARTICLE III, SECTION 12-51 THROUGH 12-66, OF THE CODE OF ORDINANCES, REGULATING PEDDLER ACTIVITIES IN THE CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RELATED MATTERS.

The motion passed by a vote of 7 ayes to 0 nays.

2. Discuss and consider action as a member of the Atmos Cities Steering Committee on a resolution denying a rate increase request by Atmos Energy Corporation, Mid-Tex Division under the second annual Rate Review Mechanism, and take any action necessary.

Mr. Boyd, Director of Internal Operations, explained the nature of this resolution, explaining that approval of this resolution would deny Atmos' proposed rate increase. Councilmember

Daniels made a motion to deny the Atmos request through approval of the resolution. Councilmember Milder seconded the motion. Councilmember Pruitt indicated that he has never received information from the lawyer that represents the Atmos Cities Steering Committee regarding how much his law firm got paid as a result of last year's approved rate increase, even though the gentleman said he would submit said information to the city council when he was here last year.

City Attorney Frank Garza clarified that the intended motion is to deny Atmos' proposed rate increase.

Mr. Garza indicated that he will personally contact Lloyd Gosselink (attorney) to get information that Councilmember Pruitt and our council sought last year (regarding money earned).

Councilmember Daniels clarified that his motion is to approve the resolution denying Atmos' proposed rate increase. The motion passed unanimously (7 ayes to 0 nays).

Mayor Sweet then reordered the agenda to address Appointment Item #3 on the agenda.

3. Discuss and consider approval of a letter of intent related to radio systems and joint dispatch center, and take any action necessary.

Mr. Crowley indicated that staff has drafted this letter of intent at the request of the city council as a result of discussions at the last council meeting. Mr. Crowley touched on details contained within the letter. Councilmember Pruitt made a motion to approve the letter of intent and have it forwarded to the County. Councilmember Townsend seconded the motion. Mayor Pro Tem White clarified that the city sending this letter of intent in no way commits the city to follow through, in any way, with future participation in either of the proposed, joint projects. Mr. Garza agreed that this letter does not bind the city in any way, explaining that a proposed interlocal agreement would have to come before the council for action for anything to be binding in the future. Mayor Sweet indicated that cost, control / command and coverage are the three issues that each one of the cities he has spoken with has expressed. After brief comments, the motion passed by a vote of 7 ayes to 0 nays.

4. Discuss and consider a request by Councilmember Pruitt regarding the naming of a city facility, and take any action necessary.

Councilmember Pruitt asked Mayor Sweet to recuse himself from this discussion, but asked that he listen in on it. Mr. Pruitt explained that Mayor Sweet will soon be leaving to take office as County Judge. He explained that he and Mayor Pro Tem White have evaluated ways to properly honor Mayor Sweet and his contributions to the city. They have decided to propose naming a 'mobile monument' after Mayor Sweet (the city's portable restroom facilities trailer).

Councilmember Pruitt made a motion to name this mobile monument after Mayor Sweet. Mayor Pro Tem White seconded the motion. After much laughter, the motion failed by a vote of two in favor (Pruitt, White), four against (Townsend, Milder, Daniels, Lewis) and one abstention (Sweet).

5. Discuss and consider an **ordinance** authorizing the issuance of City of Rockwall, Texas, General Obligation Refunding Bond, Series 2014; levying an annual ad valorem tax and providing for the security for and payment of said bond; providing an effective date; enacting other provisions relating to the subject. **(1st reading)** No action will be taken

Assistant City Manager Mary Smith provided background information related to this agenda item, generally indicating that this proposed refinancing is related to GO bonds originally issued in 2005 ($9.82 million worth) at an interest rate of about four to four-and-a-half percent. American National Bank is now offering a refinance interest rate of 2.28%, which will save the city just over $1,047,000.00 for the remaining life of the original term (the term will remain the same and will not be extended). Overall, she explained that this refinancing will result in a much better rate and significant savings to the city. After the comments, the following ordinance caption was read into the record:

CITY OF ROCKWALL

ORDINANCE NO. 14-___

ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF ROCKWALL, TEXAS, GENERAL OBLIGATION REFUNDING BOND, SERIES 2014; LEVYING AN ANNUAL AD VALOREM TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID BOND; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

No action was taken by the council related to this agenda item at this time.

6. Discuss and consider a proposed franchise agreement between the City of Rockwall and Leo Rodriguez for the purposes of installing and operating batting cages at Leon Tuttle Athletic Complex, and take any action necessary.

Assistant City Manager Brad Griggs provided brief background information related to this agenda item. Parks Manager Andy Hesser came forth and showed a map of the proposed location of these batting cages. He explained that the cages would be 60' x 14', and there would be a total of three (3) cages. He explained that one of the three would be outfitted with an interchangeable "arm" that would allow for fast pitch practice. Thirty percent of all gross revenue would go to the city as part of the concessions agreement. A substantial discount would be offered to RBSL teams and players.

After brief comments, Mayor Sweet made a motion to approve the proposed franchise agreement. Councilmember Lewis seconded the motion.

Brief discussion took place related to RBSA teams and players having scheduling preference for use of the batting cages as well as access to the batting cages "after hours" when city staff is not present at Tuttle Field. Mr. Hesser indicated that staff will work with the owner of the cages to coordinate locking and unlocking of the city gates at Tuttle. Mr. Hesser indicated that only about two to three lights are needed to illuminate the cages, and they can be metered separately.

It was clarified by Mr. Garza for Councilmember Daniels that there is no annual cap on the insurance coverages expressed in the agreement (since it remains silent on this point).

Councilmember Milder asked how this particular space was decided on. Mr. Hesser indicated that the proposed location is best because it offers the most room and will pose the least interference with utilized warm up areas.

The motion passed by a vote of 7 ayes to 0 nays.

7. Discuss and consider authorizing the city manager to execute an Automatic Aid Assistance Agreement between City of Rockwall and City of Dallas, and take any action necessary.

Mr. Crowley provided brief, introductory comments. Fire Chief Mark Poindexter indicated that this agreement has been in negotiation for quite a while, and it will focus mainly on the Rockwall Fire Department's rescue boat.

Mayor Pro Tem White made a motion to authorize the city manager to execute the automatic aid assistance agreement with the City of Dallas. Councilmember Milder seconded the motion. After brief comments, the motion passed by a vote of 7 ayes to 0 nays.

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

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

2. City Manager's Report

Mr. Crowley indicated that quite a few upcoming events will be taking place. Work continues in the downtown area, and several public works projects will be in process in the next few weeks.

Director of Internal Operations, Joey Boyd, shared that representatives of the city will be visiting guests this Wednesday, May 7 in the studios of the Good Morning Texas television show in Victory Park Plaza in Dallas. Mayor Sweet mentioned that he will be there, in part, promoting the city's upcoming Founder's Day Festival on May 17.

Police Chief Mark Moeller briefed the council on a recent police-related training event that took place related to how the city can better protect its children and students. Councilmember Milder gave kudos to our police department and our school district officials for their proactive participation in this great training event.

No action was taken regarding this agenda item.

The public meeting was adjourned at 8:16 p.m.

XV. EXECUTIVE SESSION

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

1. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).

2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real

property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

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

Council did not reconvene into Executive Session following the public meeting agenda.

XVII. ADJOURNMENT

Mayor Sweet adjourned the meeting at 8:16 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 19th day of May, 2014.

ATTEST: _____

David Sweet, Mayor

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL

ORDINANCE NO. 14-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO SINGLE FAMILY ESTATE (SF-E/4.0) DISTRICT FOR A 7.969-ACRE TRACT OF LAND SITUATED IN THE WILLIAM DALTON SURVEY, ABSTRACT NO. 72, AND LOCATED AT 941 CORNELIUS ROAD, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Gregory D. Ollom for an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from an Agricultural (AG) District to a Single Family Estate (SF-E/4.0) District for a 7.969-acre tract of land situated in the William Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, and located at 941 Cornelius Road, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from an Agricultural (AG) District to a Single Family Estate (SF-E/4.0) District for the *Subject Property*; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for in *Section 3.2, "Single Family Estate (SF-E) District", Article V, "District Development Standards", of the Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 19th DAY OF May, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 05-05-14

2nd Reading: 05-19-14

06R 05318 RW2

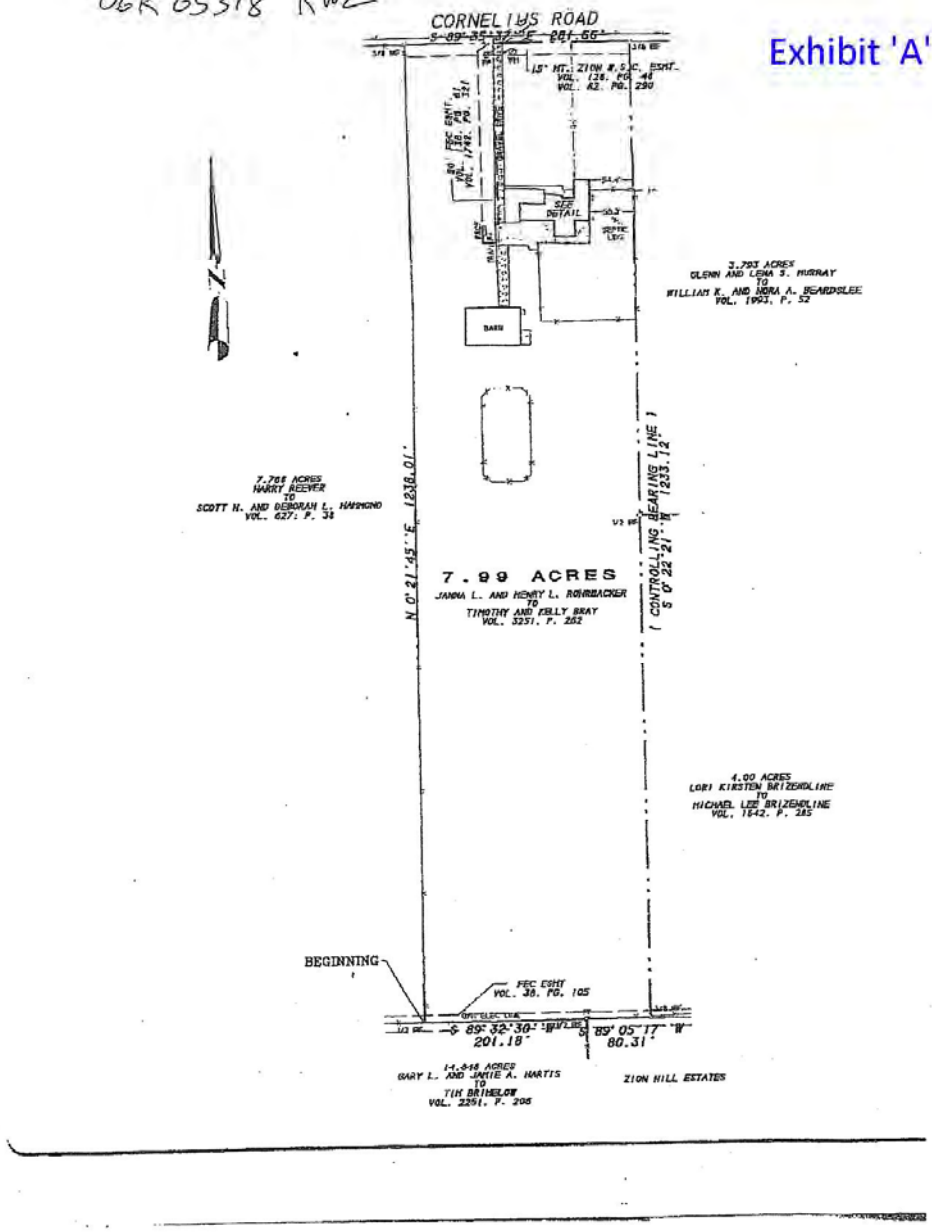
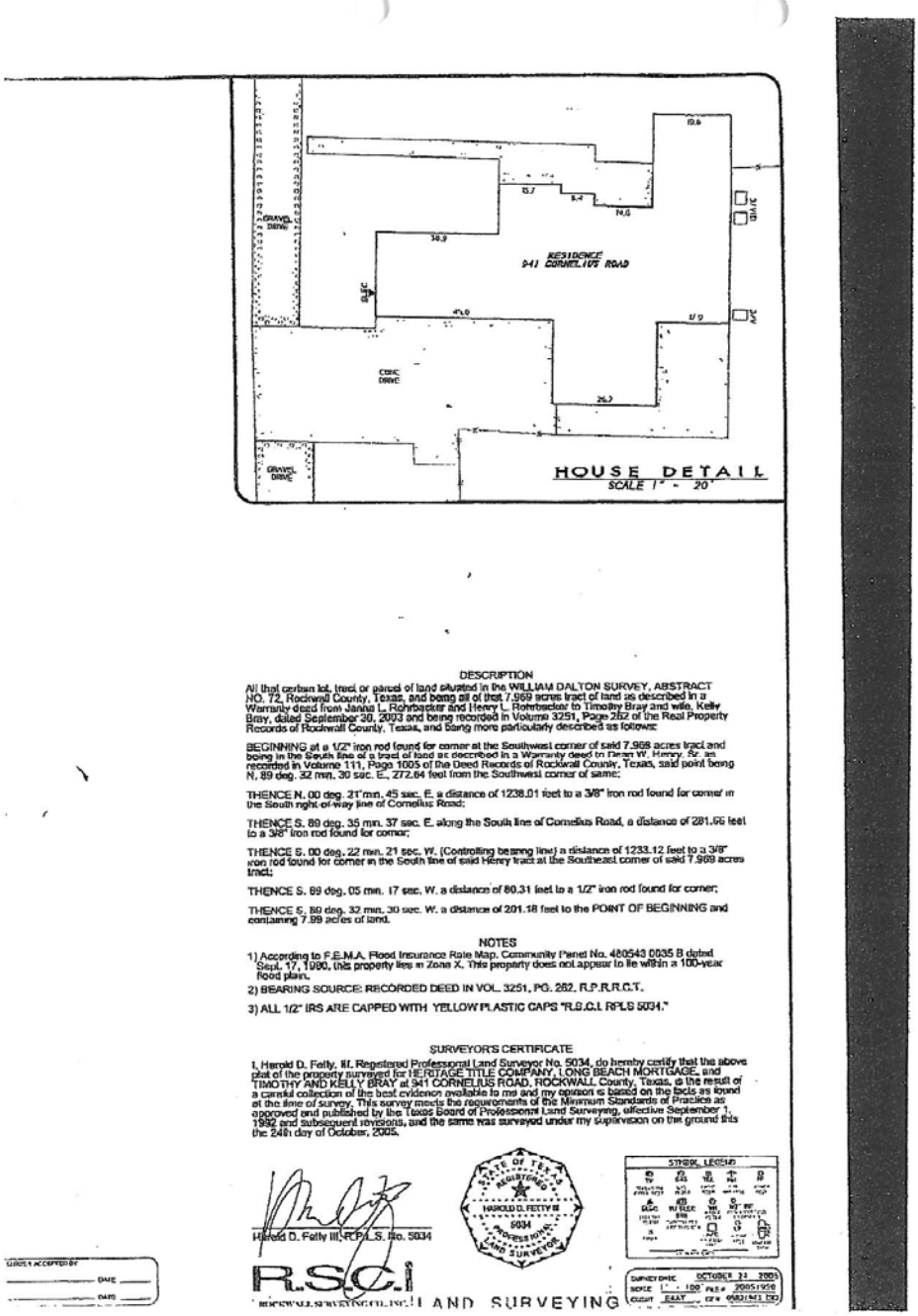


Exhibit 'A' (cont.)



HOUSE DETAIL
SCALE 1" = 20'

DESCRIPTION

All that certain lot, tract or parcel of land situated in the WILLIAM DALTON SURVEY, ABSTRACT NO. 72, Rockwall County, Texas, and being all of that 7.969 acres tract of land as described in a Warranty deed from Janisa L. Rohrbacker and Henry L. Rohrbacker to Timothy Bray and wife, Kelly Bray, dated September 30, 2003 and being recorded in Volume 3251, Page 262 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the Southwest corner of said 7.969 acres tract and being in the South line of a tract of land as described in a Warranty deed to Deran W. Henry, Sr. as recorded in Volume 111, Page 1005 of the Deed Records of Rockwall County, Texas, said point being N. 89 deg. 32 min. 30 sec. E., 272.64 feet from the Southwest corner of same;

THENCE N. 00 deg. 21 min. 45 sec. E. a distance of 1238.01 feet to a 3/8" iron rod found for corner in the South right-of-way line of Cornelius Road;

THENCE S. 89 deg. 35 min. 37 sec. E. along the South line of Cornelius Road, a distance of 281.66 feet to a 3/8" iron rod found for corner;

THENCE S. 00 deg. 22 min. 21 sec. W. (Controlling bearing line) a distance of 1233.12 feet to a 3/8" iron rod found for corner in the South line of said Henry tract at the Southeast corner of said 7.969 acres tract;

THENCE S. 89 deg. 05 min. 17 sec. W. a distance of 80.31 feet to a 1/2" iron rod found for corner;

THENCE S. 89 deg. 32 min. 30 sec. W. a distance of 201.18 feet to the POINT OF BEGINNING and containing 7.99 acres of land.

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 480543 0035 B dated Sept. 17, 1980, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: RECORDED DEED IN VOL. 3251, PG. 262, R.P.R.R.C.T.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for HERITAGE TITLE COMPANY, LONG BEACH MORTGAGE, and TIMOTHY AND KELLY BRAY at 941 CORNELIUS ROAD, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 24th day of October, 2005.

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

R.S.C.I
ROCKWALL SURVEYING, INC. LAND SURVEYING

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CITY OF ROCKWALL

ORDINANCE NO. 14-20

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 12, ARTICLE III, SECTION 12-51 THROUGH 12-66, OF THE CODE OF ORDINANCES, REGULATING PEDDLER ACTIVITIES IN THE CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Rockwall (the "City"), a Home Rule City and by State law and City Charter is permitted to establish ordinances to protect the health, safety and general welfare of its residents; and

WHEREAS, requiring solicitors and peddlers to register may deter inappropriate and or criminal conduct; and

WHEREAS, the City has no desire to interfere with free speech, open dialogue and exchange of opinion;

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

SECTION 1 FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. **AMENDMENT.** Chapter 12, Article III, Section 12-51 through 12-66 of the City of Rockwall Code of Ordinances shall be amended in its entirety as follows:

ARTICLE III. PEDDLERS, SOLICITORS AND ITINERANT VENDORS

Sec. 12-51 Purpose

The primary purpose of the public streets, sidewalks, and other public way is for use by vehicular and pedestrian traffic. Vending on such public ways promotes the public interest by contributing to an active and attractive pedestrian environment. Reasonable regulation of vending on public right of way and in public places is necessary to protect the public health, safety and welfare. To protect local residents against trespassing by Peddlers, Solicitors, and Vendors upon the private property of such residents if they have given reasonable notice that they do not wish to be solicited by such persons or do not desire to receive merchandise or services. The regulations contained in this ordinance are not intended in any way to prohibit or hamper speech that is protected by the constitution of both the United States and the State of Texas but merely to regulate specific activities, which are commercial in nature. This entire ordinance is and shall be

deemed an exercise of the police power of the State of Texas and of the City of Rockwall for the process set forth above.

Sec. 12-52 Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Canvasser. Any person who attempts to make contact with a resident at their residence without prior specific invitation or appointment from the resident, for the primary purpose of:

(1) Attempting to enlist support for or against a particular religion, philosophy, ideology, political party, issue, or candidate, even if incidental to such purpose the canvasser accepts the donation of money for or against such cause; or

(2) Distributing a handbill or flyer advertising a non-commercial event or service.

Door-to-door selling means going to one or more residence within the City in person or by the agent for the purpose of peddling, soliciting, or vending, who engages in a business of selling or offering for sale, food, beverages, goods, services, wares and merchandise or engages in soliciting orders for the sale of goods, services, wares and merchandise for future delivery

Nonprofit organization means an organization that can provide a 501(c) 3 letter from the IRS or state documentation indicating its status, and whereby all the proceeds raised during the event will benefit the sponsoring agency.

Peddler means any person who engages in commercial activities within city limits by carrying goods or merchandise and selling or offering for sale for immediate delivery such goods or merchandise from door-to-door, business-to-business, or upon public property.

Person means any natural individual, group, organization, corporation, partnership, or similar association.

Public area means an outdoor area to which the public has access and includes, but is not limited to, a sidewalk, street, highway, park, parking lot, alleyway, pedestrian way, or the common area of a school, hospital, apartment house, office building, transport facility, or shop.

Solicitor means any person who solicits or attempts to solicit, from house-to-house, business-to-business, or upon public property, funds or orders for services, commercial goods, wares, merchandise, subscriptions or publications to be delivered at a future date or time, or who passively begs by standing or sitting with a sign or other indication that a donation or service is being sought, without any vocal request other than in response to an inquiry to another person.

Transient Merchant means a person who temporarily sets up business out of a vehicle, trailer, boxcar, tent, other portable shelter, or empty store front for the purpose of selling goods. Individuals may not remain in one location for more than fourteen (14) consecutive days.

Sec. 12-53 Exceptions to Definitions

For the purpose of this chapter, the terms ***PEDDLER, SOLICITOR*** and ***TRANSIENT MERCHANT*** shall not apply to:

(A) Non-commercial door-to-door advocates. Nothing within this ordinance shall be interpreted to prohibit or restrict non-commercial door-to-door advocates, including, without limitation, religious and charitable organizations, schools, and other non-profit organizations. Persons engaging in door-to-door advocacy shall not be required to register as a solicitor under Section 12-55.

(B) Any person who makes initial contacts with other people for the purpose of establishing or trying to establish a regular customer delivery route for the delivery of perishable food and dairy products, such as baked goods or milk.

(C) Any person making deliveries of perishable food and dairy products to the customers on his or her established delivery route.

(D) Any person making deliveries of newspapers, newsletters, or other similar publications on an established customer delivery route, when attempting to establish a regular delivery route, or when publications are delivered to the community at large.

(E) Any person conducting the type of sale commonly known as garage sales, rummage sales, or estate sales. Provided, as set forth below, nothing herein shall exempt such sales from complying with other sections of the Code of Ordinances which regulate such sales.

(F) Any person participating in an organized multi-person bazaar or flea market.

(G) Any person conducting an auction as a properly licensed auctioneer.

(H) Any officer of the court conducting a court-ordered sale.

Exemption from these definitions shall not, for the scope of this chapter, excuse any person from complying with any other applicable statutory provision or requirements of this Code of Ordinances.

Sec. 12-54 License Required.

It shall be unlawful for any peddler, solicitor or transient merchant to engage in the business of selling, displaying, or offering for sale any food, beverage, goods, services or merchandise at any public area within the City without first obtaining a license from the Chief of Police or his duly authorized representative.

Sec. 12-55 Contents of application; term; renewal.

(A) Application for a license required by section 12-54 shall be made upon forms furnished by the chief of police and shall contain such information as deemed necessary by the chief of police to properly identify the applicant, the nature of his business, and the business entity by which he is employed. The information shall include, but not be limited to, the following:

(1) The name;
(2) The date of birth;
(3) Home and business addresses;
(4) The supervisor's name, address and telephone number;
(5) The applicant's driver's license number and state, if applicable;
(6) The applicant's right thumbprint;
(7) The full legal name, telephone number and address of commercial organization;
(8) Full and complete list of goods to be sold and services to be delivered;
(9) The specific location, if any, in which the vendor/peddler intends to conduct business; and
(10) If the applicant is peddling or making solicitations from private property, a written statement from the property owner consenting to applicant's use of his/her property for the sales activities indicated in the permit application.

(B) Not later than ten (10) days after the filing of a completed permit application the applicant shall be notified by the City of the decision on the issuance or denial of the license.

Sec. 12-56 Fees.

Permit fees shall be accompanied with the permit application. All peddlers and solicitors not exempted by section 12-57 shall be required to pay the permit fee of:

$65.00 per individual

Sec. 12-57 Exemptions

(A) Permit application is not required for the following individuals or groups:
1) Newspaper carriers
2) Political Groups
3) Canvassers
4) Government Affiliates
5) Deliveries on regular routes
6) Wholesalers making direct sales to retail establishments
7) Sales made pursuant to an invitation by an owner or legal occupant
8) A seller or exhibitor in a firearms collection show involving two or more sellers or exhibitors

(B) Permit application is required but fees may be waived by the City for the following individuals or groups:
1) Farmers who sell agricultural products that were raised or grown by them.
2) Non-profit Organizations.

(C) Permit application is not required for any person or entity exempted by state law in obtaining a permit. However, hours of operation outlined in Section 12-64 still are applicable to all vendors.

Sec. 12-58 Denial; Appeal

A copy of the application for permit will be referred to the police department who will undertake an investigation of the applicant's record and background, such as shall be reasonably necessary to protect the public. An application for permit under this chapter may be denied where:

(1) Required application information is incomplete or incorrect;
(2) Applicant or any individual involved in the peddling or solicitation campaign is currently wanted on a warrant for arrest, under indictment or has a pending Class B Misdemeanor or above;
(3) The applicant is a person against whom a judgment, conviction or deferred adjudication has been entered within five years preceding the date of application, based upon fraud, deceit or misrepresentation;
(4) The applicant or an employee of an applicant has been convicted of a felony;
(5) The applicant provided no proof of authority to serve as agent for the principal;
(6) The applicant has been denied a permit under this article within the immediate past year, unless the applicant can and does show to the satisfaction of the Chief of Police that the reason for such earlier denial no longer exists; or
(7) A permit fee has not been paid.

Should an applicant be denied a permit, they may appeal that action to the City Manager by submitting a letter within ten days of the denial or revocation. Upon receipt of the letter, the City Manager will review the appeal and render a decision within seven (7) days to reject the action complained of and order that the permit be granted or reinstated or uphold the denial or revocation. The decision of the City Manager on the appeal shall be final and binding on all parties concerned.

Sec. 12-59 Issuance, duration.

(A) If the application for permit is approved, the permit shall be issued. The permit shall be the original application with an official stamp indicating approval. Permit provided for in this Article shall continue so long as the permittee is conducting business in the city, but in no event shall it continue for more twelve (12) months from date of issue.
(B) The permittee is required to update any new or changed information required under the original permit.
(C) The City of Rockwall will retain one copy of the approved permit for official records. The permit may not be represented as an endorsement or approval by the city of the purposes of a solicitation or a product offered by the permittee.

(D) Only those peddlers or solicitors whose names are listed on the approved application may conduct business under the issued permit. If any new peddlers or solicitors join the campaign after the original permit is issued, they must supply the police department with the information required in this Chapter. It shall be unlawful for any peddler or solicitor to intimidate or aggressively solicit or beg a person into giving money, goods or services.

Sec. 12-60 Display

Each peddler or solicitor will carry his or her permit at all times while engaging in business in the city. Upon request or demand, the peddler or solicitor will exhibit the permit to indicate compliance with all of the relevant requirements of this chapter.

Sec. 12-61 Not Transferable

Permits issued under the provisions of this chapter are not transferable in any situation and will be clearly marked "Not transferable."

Sec. 12-62 Suspension

(A) The Chief of Police or the chief's designee may, upon documented complaint, violation of this article or violation of law, suspend and confiscate a permit issued under this article.

(B) Peddlers and solicitors whose licenses are suspended have three (3) business days during which to request an administrative review of the suspension. If request for administrative review is not made within three (3) working days, the permit is revoked.

Sec. 12-63 Revocation

(A) Upon permittee's request, the police department shall provide the permittee with written notice containing particulars of any and all complaints, and the time, date and place for an administrative review of the suspension.

(B) The Chief of Police or his duly authorized representative will conduct an administrative review to determine whether the permit shall be restored or revoked.

(C) After notice and review, the Chief of Police may revoke any permit issued under this article including but not limited to the following reasons:

1) Fraudulent statements, omissions on permit application or in conduct of permitted business;
2) Any violation of federal or state statute, or city ordinance;
3) Endangerment of public welfare, health or safety;
4) The permittee is a registered sex offender;
5) The permittee continues efforts to sell to or solicit from an individual once that individual informs the vendor or solicitor that he does not wish to give anything to or to buy anything from that vendor or solicitor;
6) The permittee misrepresented the purpose of the solicitation or offer to sell;
7) The permittee misrepresented the affiliation of the vendor or solicitor.

(D) If the Chief of Police revokes a permit, applicant may appeal this decision in writing to the City Manager, which may affirm, modify, or reverse the decision of the Chief of Police.

(E) Revocation of any permit shall bar the permittee from eligibility for any person under this article for a period of one year from the date of revocation.

Sec. 12-64 Hours of operation

No peddling or solicitation may occur except between the hours of 8:00 a.m. and 6:00 p.m. local time in Rockwall, Texas.

Sec. 12-65 No solicitor signs

(A) It shall be unlawful for any person to distribute or cause to be distributed, deposited, placed, thrown, scattered or cast any handbill upon any private property if requested by anyone thereon not to do so, or if there is placed on such premises in a conspicuous place upon or near the main entrance to the premises, a weatherproof card, bearing the words "**no solicitation**," "**no advertisements**," "**no handbills**," or any similar notice indicating in any manner that the occupants of such premises do not desire to have any such handbills left upon their premises. The letters on such cards shall be not less than two-thirds (2/3) of an inch in height.

(B) This section does not apply to any department, branch or agency of federal, state, or municipal government and any permitted religious, political or charitable advertisements or handbills.

Sec. 12-66 Violation/penalty

Any person violating the provisions of this article is guilty of a class C misdemeanor and upon conviction shall be subject to a penalty not to exceed five hundred dollars ($500.00) Each and every act constituting a violation hereof and each failure or refusal to comply with any provision shall be a separate offense and shall be punished as such.

SECTION 3 REPEALING ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4 SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 5 SAVINGS CLAUSE.

All ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 6. EFFECTIVE DATE. The Ordinance shall be effective immediately following its publication in the local newspaper as required by the Texas Local Government Code.

PASSED AND APPROVED BY THE CITY COUNCIL OF ROCKWALL TEXAS, this 19th day of May, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 05-05-14

2nd Reading: 05-19-14

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CITY OF ROCKWALL

ORDINANCE NO. 14-22

ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF ROCKWALL, TEXAS, GENERAL OBLIGATION REFUNDING BOND, SERIES 2014; LEVYING AN ANNUAL AD VALOREM TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID BOND; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

WHEREAS, there are presently the outstanding obligations of the City of Rockwall, Texas (the "Issuer") described in Schedule I attached hereto, collectively, the "Refunded Obligations";

WHEREAS, Chapter 1207, Texas Government Code ("Chapter 1207"), authorizes the Issuer to issue refunding bonds and to deposit the proceeds from the sale thereof, and any other available funds or resources, directly with a place of payment (paying agent) for the Refunded Obligations, and such deposit, if made before such payment dates, shall constitute the making of firm banking and financial arrangements for the discharge and final payment of the Refunded Obligations;

WHEREAS, Chapter 1207, Texas Government Code, authorizes the Issuer to issue refunding bonds and to deposit the proceeds from the sale thereof together with any other available funds or resources directly with a paying agent for the Refunded Obligations or a trust company or commercial bank that does not act as a depository for the Issuer and such deposit, if made before the payment dates of the Refunded Obligations, shall constitute the making of firm banking and financial arrangements for the discharge and final payment of the Refunded Obligations;

WHEREAS, Chapter 1207, Texas Government Code, further authorizes the Issuer to enter into an escrow or similar agreement with any such paying agent or trust company or commercial bank with respect to the safekeeping, investment, reinvestment, administration and disposition of any such deposit, upon such terms and conditions as the Issuer and such paying agent or trust company or commercial bank may agree;

WHEREAS, the City Council hereby finds and declares a public purpose and it is in the best interests of the Issuer to refund the Refunded Obligations in order to achieve a debt service savings and to restructure the Issuer's outstanding debt service, and that such refunding will result in a present value debt service savings of approximately $_____ and an actual debt service savings of approximately $_____ to the Issuer;

WHEREAS, all the Refunded Obligations mature or are subject to redemption prior to maturity within 20 years of the date of the bond hereinafter authorized;

WHEREAS, the bond hereafter authorized is being issued and delivered pursuant to said Chapter 1207, Texas Government Code; and

WHEREAS, It is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by the applicable provisions of Texas Government Code, Chapter 551; Now, Therefore

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

Section 1. RECITALS, AMOUNT AND PURPOSE OF THE BOND. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section. The bond of the City of Rockwall, Texas (the "Issuer") is hereby authorized to be issued and delivered in the aggregate principal amount of $9,820,000 for the public purpose of refunding the Refunded Obligations, and to pay the costs incurred in connection with the issuance of the Bond.

Section 2. DESIGNATION, DATE, DENOMINATION, NUMBER, AND MATURITY AND INTEREST RATE OF BOND. Each bond issued pursuant to this Ordinance shall be designated: "CITY OF ROCKWALL, TEXAS, GENERAL OBLIGATION REFUNDING BOND, SERIES 2014," and there shall be issued, sold, and delivered hereunder one fully registered bond, without interest coupons, dated May 5, 2014, in the denomination and principal amount of $9,820,000, numbered R-1, with any bond issued in replacement thereof being in the denomination of the full principal amount of the series of which the bond is issued and numbered consecutively from R-2 upward, payable in installments to the registered owner thereof, or to the registered assignee of said bond (in each case, the "Registered Owner"). Principal of said Bond shall mature and be payable in installments on the dates and in the amounts stated in the FORM OF BOND set forth in Exhibit A to this Ordinance. The Bond shall bear interest on the unpaid balance of the principal amount thereof from the date of delivery to the scheduled due date of the principal installments of the Bond at the rate of interest stated in the FORM OF BOND set forth in Exhibit A to this Ordinance. Said interest shall be payable in the manner provided and on the dates stated in the FORM OF BOND set forth in Exhibit A to this Ordinance.

The term "Bond" as used in this Ordinance shall mean and include collectively the bond initially issued and delivered pursuant to this Ordinance and any substitute bond exchanged therefor, as well as any other substitute or replacement bond issued pursuant hereto, and the term "Bond" shall mean any such bond.

Section 3. CHARACTERISTICS OF THE BOND.

(a) Appointment of Paying Agent/Registrar. The Issuer hereby appoints The American National Bank of Texas, Rockwall, Texas, to serve as paying agent and registrar for the Bond (the "Paying Agent/Registrar"). The Mayor or City Manager is authorized and directed to execute and deliver in the name on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar in substantially the form presented at this meeting.

(b) Registration, Transfer and Exchange. The Issuer shall keep or cause to be kept at the corporate trust office of the Paying Agent/Registrar books or records for the registration of the transfer and exchange of the Bond (the "Registration Books"), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers and exchanges under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers and exchanges as herein provided within three days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the Registered Owner of each Bond to which payments with respect to the Bond shall be mailed, as herein provided; but it shall be the duty of the Registered Owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer exchange and delivery of a substitute Bond. Registration

of assignments, transfers and exchanges of a Bonds shall be made in the manner provided and with the effect stated in the FORM OF BOND attached as Exhibit A to this Ordinance. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond.

(c) Authentication. Except as provided in subsection (h) of this section, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, date and manually sign said Bond, and no such Bond shall be deemed to be issued or outstanding unless such Bond is so executed. The Paying Agent/Registrar promptly shall cancel any paid Bond and any Bond surrendered for exchange. No additional ordinances, orders or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing exchange of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution and delivery of the substitute Bond in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, the duty of exchange of a Bond as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Bond, the exchanged Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bond which initially was issued and delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(d) Payment of Principal and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Bond, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Bond, and of any exchange of a Bond, and any replacement of a Bond, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of the Registered Owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(e) Payment to Registered Owner. Notwithstanding any other provision of this Ordinance to the contrary, the Issuer and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Registration Books as the absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Bond only to or upon the order of the Registered Owner, as shown in the Registration Books as provided in this Ordinance, or its respective attorney duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to payment of principal of and interest on the Bond to the extent of the sum or sums so paid. No person other than a Registered Owner, as shown in the Registration Books, shall receive a Bond certificate evidencing the obligation of the Issuer to make payments of principal and interest pursuant to this Ordinance.

(f) Paying Agent/Registrar. The Issuer covenants with the Registered Owner of the Bond that at all times while the Bond is outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution or other agency to act as and perform the services of Paying Agent/Registrar for the Bond under this Ordinance, and that the Paying Agent/Registrar will be one entity. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(g) Substitute Paying Agent/Registrar. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 120 days written notice to the Paying Agent/Registrar, to be effective not later than 60 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Bond, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to the Registered Owner of the Bond, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar.

(h) General Characteristics of the Bond. The Bond (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Bond to be payable only to the Registered Owner thereof, (ii) may and shall be redeemed prior to their scheduled maturities, (iii) may be transferred and assigned, (iii) may be transferred and assigned, (iv) may be exchanged for other Bond, (v) shall have the characteristics, (vi) shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Bond shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Bond, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF BOND set forth as Exhibit A to this Ordinance. The Bond initially issued and delivered pursuant to this Ordinance is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Bond issued in exchange for any Bond issued under this Ordinance the Paying Agent/Registrar shall execute the Paying Agent/registrar's Authentication Bond, in the FORM OF BOND set forth in this Ordinance.

(i) Delivery of Initial Bond. On the closing date, one initial Bond representing the entire principal amount of the Bond, payable in stated installments to the purchaser designated in Section 10 or its designee, executed by manual or facsimile signature of the Mayor and City Secretary of the Issuer, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State of Texas, and with the date of delivery inserted thereon by the Paying Agent/Registrar, will be delivered to such purchaser or its designee.

Section 4. FORM OF BOND. The form of the Bond, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Bond initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as shown in Exhibit A, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance.

Section 5. INTEREST AND SINKING FUND.

(a) A special "Interest and Sinking Fund" is hereby created and shall be established and maintained by the Issuer at an official depository bank of said Issuer. Said Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of said Issuer, and shall be used only for paying the interest on and principal of said Bond. All ad valorem taxes levied and collected for and on account of said Bond shall be deposited, as collected, to the credit of said Interest and Sinking Fund. During each year while any of said Bond is outstanding and unpaid, the governing body of said Issuer shall compute and ascertain a rate and amount of ad valorem tax that will be sufficient to raise and produce the money required to pay the interest on said Bond as such interest comes due, and to provide and maintain a sinking fund adequate to pay

the principal of said Bond as such principal matures (but never less than 2% of the original amount of said Bond as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of said Issuer, with full allowances being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in said Issuer, for each year while said Bond are outstanding and unpaid, and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of said Bond, as such interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law. If lawfully available moneys of the Issuer are actually on deposit in the Interest and Sinking Fund in advance of the time when ad valorem taxes are scheduled to be levied for any year, then the amount of taxes that otherwise would have been required to be levied pursuant to this Section may be reduced to the extent and by the amount of the lawfully available funds then on deposit in the Interest and Sinking Fund.

(b) Article 1208, Government Code, applies to the issuance of the Bond and the pledge of the taxes granted by the Issuer under this Section, and is therefore valid, effective, and perfected. Should Texas law be amended at any time while the Bond is outstanding and unpaid, the result of such amendment being that the pledge of the taxes granted by the Issuer under this Section is to be subject to the filing requirements of Chapter 9, Business & Commerce Code, in order to preserve to the Registered Owner of the Bond a security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code and enable a filing of a security interest in said pledge to occur.

Section 6. DEFEASANCE OF BOND.

(a) Any Bond and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Bond") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Bond, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until the Defeased Bond shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Bond and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of a Defeased Bond may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in subsection 6(a)(i) or (ii). All income from such Defeasance Securities received by the Paying Agent/Registrar which

is not required for the payment of the Defeased Bond, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) The term "Defeasance Securities" means any securities and obligations now or hereafter authorized by State law that are eligible to refund, retire or otherwise discharge obligations such as the Bond.

(d) Until the Defeased Bond shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bond the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Ordinance.

Section 7. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED BOND.

(a) Replacement Bond. In the event any outstanding Bond is damaged, mutilated, lost, stolen or destroyed, the Paying Agent/Registrar shall cause to be printed, executed and delivered, a new Bond of the same principal amount, maturity and interest rate, as the damaged, mutilated, lost, stolen or destroyed Bond, in replacement for such Bond in the manner hereinafter provided.

(b) Application for Replacement Bond. Application for replacement of a damaged, mutilated, lost, stolen or destroyed Bond shall be made by the Registered Owner thereof to the Paying Agent/Registrar. In every case of loss, theft or destruction of a Bond, the Registered Owner applying for a replacement Bond shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft or destruction of a Bond, the Registered Owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft or destruction of such Bond, as the case may be. In every case of damage or mutilation of a Bond, the Registered Owner shall surrender to the Paying Agent/Registrar for cancellation the Bond so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Section, in the event any such Bond shall have matured, and no default has occurred that is then continuing in the payment of the principal of or interest on the Bond, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Bond) instead of issuing a replacement Bond, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Bond. Prior to the issuance of any replacement Bond, the Paying Agent/Registrar shall charge the Registered Owner of such Bond with all legal, printing, and other expenses in connection therewith. Every replacement Bond issued pursuant to the provisions of this Section by virtue of the fact that any Bond is lost, stolen or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen or destroyed Bond shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance.

(e) Authority for Issuing Replacement Bond. In accordance with Sec. 1206.022, Government Code, this Section 7 of this Ordinance shall constitute authority for the issuance of any such replacement Bond without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such Bond is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Bond in the form and manner and with the effect, as provided in Section 3(a) of this Ordinance for a Bond issued in exchange for another Bond.

Section 8. CUSTODY, APPROVAL, AND REGISTRATION OF BOND; BOND COUNSEL'S OPINION; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED; ENGAGEMENT OF BOND COUNSEL.

(a) The Mayor of the Issuer is hereby authorized to have control of the Bond initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Bond pending its delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Bond said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Bond, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Bond. The approving legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers (if obtained) may, at the option of the Issuer, be printed on the Bond issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the Registered Owner of the Bond. In addition, if bond insurance is obtained, the Bond may bear an appropriate legend as provided by the insurer.

(b) The obligation of the initial purchaser to accept delivery of the Bond is subject to the initial purchaser being furnished with the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Issuer, which opinion shall be dated as of and delivered on the date of initial delivery of the Bond to the initial purchaser. The engagement of such firm as bond counsel to the Issuer in connection with issuance, sale and delivery of the Bond is hereby approved and confirmed. The execution and delivery of an engagement letter between the Issuer and such firm, with respect to such services as bond counsel, is hereby authorized in such form as may be approved by the Mayor, and the Mayor is hereby authorized to execute such engagement letter.

Section 9. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE BOND.

(a) Covenants. The Issuer covenants to take any action necessary to assure, or refrain from any action that would adversely affect, the treatment of the Bond as an obligation described in section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

(1) to take any action to assure that no more than 10 percent of the proceeds of the Bond (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds or the projects financed therewith are so used, such amounts, whether or not received by the Issuer, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Bond, in contravention of section 141(b)(2) of the Code;

(2) to take any action to assure that in the event that the "private business use" described in subsection (1) hereof exceeds 5 percent of the proceeds of the Bond or the projects financed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" that is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(3) to take any action to assure that no amount that is greater than the lesser of $5,000,000, or 5 percent of the proceeds of the Bond (less amounts deposited into a reserve fund, if any) is

directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(4) to refrain from taking any action that would otherwise result in the Bond being treated as a "private activity bond" within the meaning of section 141(b) of the Code;

(5) to refrain from taking any action that would result in the Bond being "federally guaranteed" within the meaning of section 149(b) of the Code;

(6) to refrain from using any portion of the proceeds of the Bond, directly or indirectly, to acquire or to replace funds that were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) that produces a materially higher yield over the term of the Bond, other than investment property acquired with –

(A) proceeds of the Bond invested for a reasonable temporary period of 3 years or less or, in the case of an advance refunding bond, for a period of 30 days or less until such proceeds are needed for the purpose for which the Bond is issued, and in the case of a current refunding bond, for a period of 90 days or less,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Bond;

(7) to otherwise restrict the use of the proceeds of the Bond or amounts treated as proceeds of the Bond, as may be necessary, so that the Bond does not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage) and, to the extent applicable, section 149(d) of the Code (relating to advance refundings); and

(8) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Bond) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Bond has been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code.

(b) Rebate Fund. In order to facilitate compliance with the above covenant (a)(8), a "Rebate Fund" is hereby established by the Issuer for the sole benefit of the United States of America, and such Fund shall not be subject to the claim of any other person, including without limitation the Registered Owner. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Use of Proceeds. The Issuer understands that the term "proceeds" includes "disposition proceeds" as defined in the Treasury Regulations (hereinafter defined) and, in the case of refunding bonds, transferred proceeds (if any) and proceeds of the refunded bonds expended prior to the date of issuance of the Bond. It is the understanding of the Issuer that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto (the "Treasury Regulations"). In the event that regulations or rulings are hereafter promulgated that modify or expand provisions of the Code, as applicable to the Bond, the Issuer will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on

the Bond under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated that impose additional requirements applicable to the Bond, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Bond under section 103 of the Code. In furtherance of such intention, the Issuer hereby authorizes and directs the Mayor, the City Manager and the Assistant City Manager to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Issuer, that may be permitted by the Code as are consistent with the purpose for the issuance of the Bond.

(d) Disposition of Projects. The Issuer covenants that the projects funded with the proceeds of the Refunded Obligations will not be sold or otherwise disposed in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless the Issuer obtains an opinion of nationally-recognized bond counsel that such sale or other disposition will not adversely affect the tax-exempt status of the Bond. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains a legal opinion that such failure to comply will not adversely affect the excludability for federal income tax proposes from gross income of the interest.

(e) Designation as a Qualified Tax-Exempt Obligation. The Issuer hereby designates the Bond as a "qualified tax-exempt obligation" as defined in section 265(b)(3) of the Code. In furtherance of such designation, the Issuer represents, covenants and warrants the following: (a) that during the calendar year in which the Bond is issued, the Issuer (including any subordinate entities) has not designated nor will designate obligations that when aggregated with the Bond, will result in more than $10,000,000 of "qualified tax-exempt bonds" being issued; (b) that the Issuer reasonably anticipates that the amount of tax-exempt obligations issued, during the calendar year in which the Bond is issued, by the Issuer (or any subordinate entities) will not exceed $10,000,000; and, (c) that the Issuer will take such action or refrain from such action as necessary, and as more particularly set forth in this Section, hereof, in order that the Bond will not be considered a "private activity bond" within the meaning of section 141 of the Code.

Section 10. SALE OF BOND. The Bond is hereby initially sold and shall be delivered to The American National Bank of Texas (the "Purchaser") in Terrell, Texas, for cash for the par value thereof, pursuant to the Purchase Agreement dated the date of the final passage of this Ordinance which the Mayor is hereby authorized to execute and deliver. The Bond shall initially be registered in the name of the Purchaser. It is hereby officially found, determined, and declared that the terms of this sale are the most advantageous reasonably obtainable.

Section 11. FURTHER PROCEDURES. The Mayor, the City Manager, the Assistant City Manager and the City Secretary, and each of them, shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and on behalf of the Issuer such certificates, documents and other instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Bond and the sale of the Bond. In case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 12. NO RULE 15c2-12 UNDERTAKING. The Issuer has not made an undertaking in accordance with Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") in connection with

the issuance of the Bond. The Issuer is not, therefore, obligated pursuant to the Rule to provide any on-going disclosure relating to the Issuer or the Bond in connection with the issuance of the Bond.

Section 13. METHOD OF AMENDMENT. The Issuer hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The Issuer may from time to time, without the consent of the Registered Owner, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance in order to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the holders, (ii) grant additional rights or security for the benefit of the holders, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the holders, (iv) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, or (v) make such other provisions in regard to matters or questions arising under this Ordinance as shall not be inconsistent with the provisions of this Ordinance and that shall not in the opinion of the Issuer's Bond Counsel materially adversely affect the interests of the holders.

(b) Except as provided in paragraph (a) above, the Registered Owner shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the Issuer; provided, however, that without the consent of the Registered Owner, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or in the Bond so as to (i) make any change in the maturity of the Bond; (ii) reduce the rate of interest borne by the Bond; (iii) reduce the amount of the principal of payable on the Bond; (iv) modify the terms of payment of principal or of interest on the Bond or impose any condition with respect to such payment; or (v) change the requirement with respect to Registered Owner consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Ordinance under this Section, the Issuer shall send by U.S. mail to the Registered Owner of the Bond a copy of the proposed amendment.

(d) Whenever at any time within one year from the date of mailing of such notice the Issuer shall receive an instrument or instruments executed by the Registered Owner of the Bond, which instrument or instruments shall refer to the proposed amendment and that shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and the respective rights, duties, and obligations of the Issuer and the Registered Owner of the Bond shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the Registered Owner of the Bond pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of the mailing of the notice provided for in this Section, and shall be conclusive and binding upon all future holders of the same Bond during such period. Such consent may be revoked at any time after six months from the date of the mailing of said notice by the Registered Owner, or by a successor in title, by filing notice with the Issuer.

(g) For the purposes of establishing ownership of the Bond, the Issuer shall rely solely upon the registration of the ownership of such Bond on the registration books kept by the Paying Agent/Registrar.

Section 14. DEFAULT AND REMEDIES

(a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on the Bond when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the Registered Owner of the Bond, including, but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of 60 days after notice of such default is given by the Registered Owner to the Issuer.

(b) Remedies for Default. Upon the happening of any Event of Default, then and in every case, the Registered Owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the Issuer for the purpose of protecting and enforcing the rights of the Registered Owner under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Registered Owner hereunder or any combination of such remedies.

(c) Remedies Not Exclusive.

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Bond or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Bond shall not be available as a remedy under this Ordinance.

(ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

(iii) By accepting the delivery of a Bond authorized under this Ordinance, the Registered Owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers, employees or trustees of the Issuer or the City Council.

Section 15. APPROVAL OF ESCROW AGREEMENT AND TRANSFER OF FUNDS. The Mayor or City Manager of the Issuer is hereby authorized and directed to execute and deliver an escrow or similar agreement with The Bank of New York Mellon Trust Company, N.A., in substantially the form presented at this meeting. In addition, the Mayor or other officer of the Issuer is authorized to purchase such securities, to execute subscriptions for the purchase of U. S. Treasury Securities, State and Local Government Series, and to authorize such contributions, as may be necessary for the Escrow Fund.

Section 16. REDEMPTION OF REFUNDED OBLIGATIONS.

(a) The Issuer hereby directs that the Refunded Obligations be called for redemption on the dates set forth on Schedule I. Such Refunded Obligations shall be redeemed at the redemption price of par plus accrued interest. The Mayor of the Issuer is hereby authorized to issue or cause to be issued the Notice of

Redemption of the Refunded Obligations, in the forms set forth in Exhibit B attached hereto, to the paying agent/registrar for the Refunded Obligations.

(b) In addition, the paying agent/registrar for the Refunded Obligations is hereby directed to provide notice of redemption to the registered owners of the Refunded Obligations and is hereby directed to make appropriate arrangements so that the Refunded Obligations may be redeemed on their respective redemption dates. The Refunded Obligations shall be presented for redemption at the paying agent/registrar therefor, and shall not bear interest after the date fixed for redemption.

(c) The source of funds for payment of the principal of and interest on the Refunded Obligations on their redemption date shall be from the funds deposited with the Escrow Agent, pursuant to the Escrow Agreement approved in Section 15 of this Ordinance.

Section 17. APPROPRIATION. To pay the debt service coming due on the Bond prior to receipt of the taxes levied to pay such debt service, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.

Section 18. SEVERABILITY. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, despite such invalidity, which remaining portions shall remain in full force and effect.

Section 19. EFFECTIVE DATE. In accordance with the provisions of Texas Government Code, Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

(Execution Page Follows)

PASSED, APPROVED AND EFFECTIVE this 19th day of May, 2014.

ATTEST:

Mayor, City of Rockwall, Texas
David Sweet

City Secretary, City of Rockwall, Texas
Kristy Ashberry

[CITY SEAL]

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SCHEDULE I

SCHEDULE OF REFUNDED OBLIGATIONS

Description	Maturities	Principal Amount Outstanding	Principal Amount Refunded
Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2005	8/1/2019	$ 795,000	$ 795,000
	8/1/2020	830,000	830,000
	8/1/2021	865,000	865,000
	8/1/2022	900,000	900,000
	8/1/2023	940,000	940,000
	8/1/2024	985,000	985,000
	8/1/2025	1,025,000	1,025,000
Total		$ 6,340,000	$ 6,340,000

Called for redemption on August 1, 2015, at par plus accrued interest.

Description	Maturities	Principal Amount Outstanding	Principal Amount Refunded
General Obligation Refunding and Improvement Bonds, Series 2005	8/1/2020	$ 420,000	$ 420,000
	8/1/2021	440,000	440,000
	8/1/2022	460,000	460,000
	8/1/2023	480,000	480,000
	8/1/2024	500,000	500,000
	8/1/2025	520,000	520,000
Total		$ 2,820,000	$ 2,820,000

Called for redemption on August 1, 2015, at par plus accrued interest.

EXHIBIT A

FORM OF BOND

A. The form of the Bond, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Bond initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance.

NO. R-

UNITED STATES OF AMERICA
STATE OF TEXAS

PRINCIPAL AMOUNT
$9,820,000

CITY OF ROCKWALL, TEXAS
GENERAL OBLIGATION REFUNDING BOND
SERIES 2014

Interest Rate	Delivery Date
As shown below	_____

REGISTERED OWNER: THE AMERICAN NATIONAL BANK OF TEXAS

PRINCIPAL AMOUNT: NINE MILLION EIGHT HUNDRED TWENTY THOUSAND DOLLARS

The City of Rockwall, Texas (the "Issuer"), being a political subdivision of the State of Texas located in Rockwall County, Texas, for value received, promises to pay, from the sources described herein, to the registered owner specified above, or registered assign (hereinafter called the "Registered Owner"), the principal amount specified above, and to pay interest thereon, from the Delivery Date set forth above, on the balance of said principal amount from time to time remaining unpaid, at the rates per annum set forth in the table below, calculated on the basis of a 360-day year of twelve 30-day months. The unpaid principal of this Bond shall mature and shall be paid in installments on the dates and in the amounts set forth in the table below:

Payment Date	Principal Installment	Interest Rate
August 1, 2014	$ 160,000	2.280%
August 1, 2015	80,000	2.280%
August 1, 2016	85,000	2.280%
August 1, 2017	85,000	2.280%
August 1, 2018	85,000	2.280%
August 1, 2019	885,000	2.280%
August 1, 2020	1,330,000	2.280%
August 1, 2021	1,360,000	2.280%
August 1, 2022	1,390,000	2.280%
August 1, 2023	1,420,000	2.280%
August 1, 2024	1,455,000	2.280%
August 1, 2025	1,485,000	2.280%

THE PRINCIPAL OF AND INTEREST ON THIS BOND are payable in lawful money of the United States of America, without exchange or collection charges. The Issuer shall pay interest on this Bond on August 1, 2014, and on each February 1 and August 1 thereafter to the date of maturity or redemption prior to maturity. The last principal installment of this Bond shall be paid to the Registered Owner hereof upon presentation and surrender of this Bond at maturity, or upon the date fixed for its redemption prior to maturity, at the principal office of The American National Bank of Texas in Rockwall, Texas, which is the "Paying Agent/Registrar" for this Bond. The payment of all other principal installments of and interest on this Bond shall be made by the Paying Agent/Registrar to the Registered Owner hereof on each principal and interest payment date by check or draft, dated as of such principal and interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the Bond Ordinance to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the Registered Owner hereof, at its address as it appeared on the fifteenth day of the month next preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In addition, principal and interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Registered Owner.

ANY ACCRUED INTEREST due in connection with the final installment of principal of this Bond or upon redemption of this Bond in whole at the option of the Issuer prior to maturity as provided herein shall be paid to the Registered Owner upon presentation and surrender of this Bond for payment at the principal corporate trust office of the Paying Agent/Registrar. The Issuer covenants with the Registered Owner of this Bond that on or before each principal payment date and interest payment date for this Bond it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Bond Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Bond, when due.

IF THE DATE for the payment of the principal of or interest on this Bond shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day that is not such a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS BOND is dated May 5, 2014, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of $9,820,000 for the public purpose of refunding certain outstanding obligations of the Issuer, and to pay the costs incurred in connection with the issuance of the Bond.

ON FEBRUARY 1, 2022, or any date thereafter, the principal installments of this Bond may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular principal installments or portions thereof, to be redeemed shall be selected and designated by the Issuer, at a redemption price equal to the principal amount to be redeemed plus accrued interest to the date fixed for redemption.

AT LEAST 20 days prior to the date fixed for any optional redemption of the Bond or portions thereof prior to maturity a written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, to the Registered Owner of the Bond at its address as it appeared on the Registration Books on the day such notice of redemption is mailed; provided, however, that the failure of the Registered Owner to receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of this Bond. By

the date fixed for any such redemption, due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Bond or portions thereof which are to be so redeemed. If such written notice of redemption is sent and if due provision for such payment is made, all as provided above, the Bond or portions thereof which are to be so redeemed thereby automatically shall be treated as redeemed prior to its scheduled maturity, and shall not bear interest after the date fixed for redemption, and shall not be regarded as being outstanding except for the right of the Registered Owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment.

IF AT THE TIME OF MAILING of notice of optional redemption there shall not have either been deposited with the Paying Agent/Registrar or legally authorized escrow agent immediately available funds sufficient to redeem the Bond called for redemption, such notice must state that it is conditional, and is subject to the deposit of the redemption moneys with the Paying Agent/Registrar or legally authorized escrow agent at or prior to the redemption date, and such notice shall be of no effect unless such moneys are so deposited on or prior to the redemption date.

UPON THE PAYMENT of principal on this Bond, or partial redemption of this Bond, the Paying Agent/Registrar, shall note in the Payment Record appearing on this Bond the amount of such prepayment, the date said payment was made and the remaining unpaid principal balance of this Bond and shall then have said entry signed by an authorized official of the Paying Agent/Registrar. The Paying Agent/Registrar shall also record such information in the Bond Registration Books, and the Paying Agent/Registrar shall also record in the Bond Registration Books all payments of principal installments on such Bond when made on their respective due dates.

THIS BOND IS ISSUABLE IN THE FORM of one fully-registered Bond without coupons in the denomination of $9,820,000. This Bond may be transferred or exchanged as provided in the Bond Ordinance, only upon the registration books kept for that purpose at the above-mentioned office of the Paying Agent/Registrar upon surrender of this Bond together with a written instrument of transfer or authorization for exchange satisfactory to the Paying Agent/Registrar and duly executed by the Registered Owner or his duly authorized attorney, and thereupon a new Bond of the same maturity and in the same aggregate principal amount shall be issued by the Paying Agent/Registrar to the transferee in exchange therefor as provided in the Bond Ordinance, and upon payment of the charges therein prescribed. The Issuer and the Paying Agent/Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes. The Paying Agent/Registrar shall not be required to make any such transfer or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) within 30 days prior to a redemption date.

IN THE EVENT any Paying Agent/Registrar for this Bond is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Bond Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the Registered Owner of the Bond.

THIS BOND shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance until the Certificate of Authentication shall have been executed by the Paying Agent/Registrar or the Comptroller's Registration Certificate hereon shall have been executed by the Texas Comptroller of Public Accounts.

IT IS HEREBY certified, recited and covenanted that this Bond has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done

precedent to or in the authorization, issuance and delivery of this Bond have been performed, existed and been done in accordance with law; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said Issuer, and have been pledged for such payment, within the limit prescribed by law.

THE ISSUER HAS RESERVED THE RIGHT to amend the Bond Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the Registered Owner of the Bond.

BY BECOMING the Registered Owner of this Bond, the Registered Owner thereby acknowledges all of the terms and provisions of the Bond Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Bond Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Bond and the Bond Ordinance constitute a contract between each Registered Owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be signed with the manual or facsimile signature of the Mayor of the Issuer and countersigned with the manual or facsimile signature of the City Secretary of said Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Bond.

(signature) City Secretary	(signature) Mayor

(SEAL)

B. Form of Payment Record

PAYMENT RECORD

Date of Payment	Principal Payment (amount and installment(s) to which payment is applied)	Remaining Principal Balance	Name and Title of Authorized Officer making Entry	Signature of Authorized Officer

C. Form of Paying Agent/Registrar's Authentication Certificate

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE
(To be executed if this Bond is not accompanied by an executed Registration Certificate of the Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Bond has been issued under the provisions of the Bond Ordinance described in the text of this Bond; and that this Bond has been issued in replacement of, or in exchange for, a Bond that originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: _____.

THE AMERICAN NATIONAL BANK OF TEXAS
Rockwall, Texas
Paying Agent/Registrar

By:_____
Authorized Representative

D. Form of Assignment

ASSIGNMENT
(Please print or type clearly)

For value received, the undersigned hereby sells, assigns and transfers unto: _____

_____

Transferee's Social Security or Taxpayer Identification Number:_____

Transferee's name and address, including zip code:_____

_____

the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to register the transfer of the within Certificate on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____.

Signature Guaranteed:

_____
NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program.

_____
NOTICE: The signature above must correspond with the name of the registered owner as it appears upon the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.

E. Form of Registration Certificate of the Comptroller of Public Accounts

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that this Bond has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this _____.

_____

Comptroller of Public Accounts of the State of Texas

(COMPTROLLER'S SEAL)

EXHIBIT B

NOTICE OF REDEMPTION

CITY OF ROCKWALL, TEXAS
CUSIP Prefix No. 77428

NOTICE IS HEREBY GIVEN that the City of Rockwall, Texas, has called for redemption the outstanding Bonds and Certificates of the City (collectively, the Redeemed Obligations") described as follows:

City of Rockwall, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2005, dated August 1, 2005, maturing August 1, 2019 through August 1, 2025, in the aggregate principal amount of $6,340,000 as shown below (the "Series 2005 Redeemed Certificates"), to the call date of the Series 2005 Redeemed Certificates so called for redemption at The Bank of New York Mellon Trust Company, N.A.. Call date: August 1, 2015.

Maturities	Principal Amount Outstanding	Principal Amount Refunded	CUSIP Suffix
8/1/2019	$ 795,000	$ 795,000	SQ 5
8/1/2020	830,000	830,000	SR 3
8/1/2021	865,000	865,000	SS 1
8/1/2022	900,000	900,000	ST 9
8/1/2023	940,000	940,000	SU 6
8/1/2024	985,000	985,000	SV 4
8/1/2025	1,025,000	1,025,000	SW 2
	$ 6,340,000	$ 6,340,000	

On August 1, 2015 interest on the Series 2005 Redeemed Certificates shall cease to accrue and be payable.

City of Rockwall, Texas General Obligation Refunding and Improvement Bonds, Series 2005, dated August 1, 2005, maturing August 1, 2020 through August 1, 2025, in the aggregate principal amount of $2,820,000 as shown below (the "Series 2005 Redeemed Bonds") , to the call date of the Series 2005 Redeemed Bonds so called for redemption at The Bank of New York Mellon Trust Company, N.A.. Call date: August 1, 2015.

Maturities	Principal Amount Outstanding	Principal Amount Refunded	CUSIP Suffix
8/1/2020	$ 420,000	$ 420,000	TM 3
8/1/2021	440,000	440,000	TN 1
8/1/2022	460,000	460,000	T9 6
8/1/2023	480,000	480,000	TQ 4
8/1/2024	500,000	500,000	TR 2

8/1/2025	520,000	520,000	TS 0
	$ 2,820,000	$ 2,820,000	

On August 1, 2015 interest on the Series 2005 Redeemed Bonds shall cease to accrue and be payable.

THE REDEEMED OBLIGATIONS shall be redeemed at The Bank of New York Mellon Trust Company, N.A., as the Paying Agent/Registrar for said Redeemed Obligations. Upon presentation of the Redeemed Obligations at the Paying Agent/Registrar on the aforementioned redemption date, the holder thereof shall be entitled to receive the redemption price equal to the principal amount called for redemption plus accrued interest thereon to the redemption date.

NOTICE IS GIVEN that due and proper arrangements have been made for providing the place of payment of said Redeemed Obligations called for redemption with funds sufficient to pay the principal amount of said Redeemed Obligations and the interest thereon to the redemption date. In the event said Redeemed Obligations, or any of them are not presented for redemption by the date fixed for their redemption, they shall not thereafter bear interest.

UNDER THE PROVISIONS of Section 3406 of the Internal Revenue Code of 1986, as amended, paying agents making payments of interest and principal on municipal securities may be obligated to withhold a tax from remittance to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Registered holders who wish to avoid the imposition of the tax should submit certified taxpayer identification numbers (via form W-9) when presenting the Series 2001 Redeemed Bonds for payment.

THIS NOTICE is issued and given pursuant to the redemption provisions in the proceedings authorizing the issuance of the aforementioned Redeemed Obligations and in accordance with the recitals and provisions of said Redeemed Obligations.

NOTICE IS FURTHER GIVEN that the Redeemed Obligations should be submitted to either of the following addresses:

First Class/Registered/ Certified Mail	Express Delivery	Hand Delivery
The Bank of New York Mellon Trust Company, N.A. Global Corporate Trust P.O. Box 396 East Syracuse, New York 13057	The Bank of New York Mellon Trust Company, N.A. Global Corporate Trust 111 Sanders Creek Parkway East Syracuse, New York 13057	The Bank of New York Mellon Trust Company, N.A. Global Corporate Trust Corporate Trust Window 101 Barclay Street 1ST Floor East New York, New York 10286

CITY OF ROCKWALL, TEXAS

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

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

DATE: May 14, 2014

SUBJECT: Notice of Water/Wastewater Impact Fee Update

In accordance with Section 395.047, *Hearing on Impact Fee*, of Chapter 395 of the Texas Local Government Code, attached is a proposed resolution that would set the required public hearing date for the consideration of the Water/Wastewater Impact Fee Program on Monday, July 7, 2014. As part of this consideration the City Council will be required to adopt the Land Use Assumptions and Capital Improvements Plan for water and wastewater facilities.

The City's consultant, Birkhoff, Hendricks and Carter, L.L.P. will continue to work with staff and the Capital Improvements Advisory Committee (CIAC) on finalizing the water/wastewater impact fee report that will be delivered to City Council on June 2, 2014.

CITY OF ROCKWALL

RESOLUTION NO. 14-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ESTABLISHING A PUBLIC HEARING DATE TO CONSIDER APPROVAL OF UPDATED LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLANS AND IMPACT FEES FOR THE 2014 WATER/WASTEWATER IMPACT FEE UPDATE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of Rockwall has authorized an impact fee study to determine whether to adopt updated land use assumptions, capital improvement plans, and impact fees for water and wastewater infrastructure in accordance with Texas Local Government Code Chapter 385; and

WHEREAS, Chapter 395 requires the City Council to set a public hearing to consider whether to adopt updated land use assumptions, capital improvement plans and impact fees for water and wastewater infrastructure;

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

Section 1. That the above recitals are found to be true and correct and they are incorporated herein as findings of the City Council for all purposes.

Section 2. That a public hearing of the City Council shall be held on July 7, 2014 at 6:00 p.m. at City Hall 385 S. Goliad Street, Rockwall, Texas for the purpose of considering amendments to the land use assumptions, capital improvements plans and impact fees for water and wastewater infrastructure.

Section 3. That notice of the hearing shall be published in one or newspapers of general circulation in Rockwall County before the 30th day before the date set for the hearing.

Section 4. This resolution takes effect immediately from and after its adoption, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 19th day of May, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 05/19/2014

APPLICANT: Dewayne Cain

AGENDA ITEM: **Z2014-011**; 1002 Ridge Road (SF-10 to PD-53)

SUMMARY:

Hold a public hearing to discuss and consider a request by Dewayne Cain, on behalf of the Cain Family Revocable Trust, for the approval of a zoning change from a Single Family 10 (SF-10) District to Planned Development District 53 (PD-53) for Residential-Office (RO) District uses and to amend the boundaries of Planned Development District 53 (PD-53) [Ordinance No. 02-33] for a 0.651-acre parcel of land identified as Lot 3, Block A, Lee Rhoades Subdivision, City of Rockwall, Rockwall County, Texas, addressed as 1002 Ridge Road, and take any action necessary.

BACKGROUND AND PURPOSE OF THE REQUEST:

On July 1, 2003 the City Council adopted Planned Development District 53 (PD-53) [*Ordinance No. 02-33; Case No. PZ2002-33*], which granted uses permitted within the Residential-Office (RO) District to nine (9) properties adjacent to Ridge Road (FM-740) [*i.e. 1004, 1008, 1010, 1012, 1014, 1018, 1020, 1022 & 1024 Ridge Road*]. This was in response to the expansion of Ridge Road, which required the Texas Department of Transportation (TXDOT) to acquire substantial portions of several of the properties adjacent to the west side of the thoroughfare. This acquisition essentially removed the front yards of these properties, and created a condition that was less desirable for residential uses and more conducive to non-residential uses. It was the intent of the planned development district to provide additional options to the owners of the nine (9) properties that were affected by the acquisition of right-of-way, and to create a "transitional" buffer between Ridge Road and the remaining residential properties located west of the subject properties. Originally, the proposed zoning case included 15 properties [*i.e. 1104, 1026 & 1002 Ridge Road and 101 & 102 Glen Road*] (*four [4] of which were city initiated*); however, six (6) of the properties were removed from the request by the Planning & Zoning Commission due to concerns voiced by adjacent property owners. The subject property was a part of this original request and was one of the removed properties.

The subject property is a 0.651-acre parcel of land located directly north of the nine (9) properties that currently make up Planned Development District 53 (PD-53), and is addressed as 1002 Ridge Road. Currently, there is an existing home situated on the subject property that is vacant. The owner, Dewayne Cain, is requesting to change the zoning of the property from Single Family 10 (SF-10) District to Planned Development District 53 (PD-53) for the purpose of establishing a future office use on the property. According to a letter submitted by Mr. Cain the purpose of the zoning change is because "…residential is no longer the best and highest use for the property; nor is it consistent with other properties in the area."

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is ten (10) feet of alley right-of-way followed by several properties developed with single-family homes. These properties are a part of the L&W Subdivision and are zoned Single Family 10 (SF-10) District.

South: Directly south of the subject property is Summit Ridge Drive (80-feet of right-of-way) followed by several properties zoned Planned Development District 53 (PD-53) for Residential-Office (RO) District uses.

East: Directly east of the subject property is Ridge Road (variable width of right-of-way) followed by a property zoned Commercial (C) District and developed with a gas station and convenience store. Beyond this property is TXDOT right-of-way followed by SH-205 (*S. Goliad Street*).

West: Directly west of the subject property is a single family home owned by the applicant and zoned Single Family 10 (SF-10) District. Beyond this structure are several single-family homes situated within the Ridge Road Village Subdivision and zoned Single Family 10 (SF-10) District.

ANALYSIS AND CONFORMANCE WITH THE UDC/COMPREHENSIVE PLAN:

The underlying zoning of Planned Development District 53 (PD-53) is Residential-Office (RO) District, which according to the Unified Development Code is a zoning district that is reserved for "…area(s) of transition between residential and high-intensity non-residential uses or busy arterial thoroughfares." In this case, the subject property has an existing house that is situated 15-feet from the right-of-way of Ridge Road. Ridge Road or FM-740 is classified as an M4D (*Minor Arterial, Four [4] Lane, Divided Roadway*) and accommodates a moderate level of traffic. According to the Texas Department of Transportation's (TXDOT's) 2012 District Traffic Maps, Ridge Road currently accommodates between 17,800 to 25,000 trips per day between the SH-205/FM-740 split and IH-30. The average residential street accommodates less than 1,000 trips per day. Additionally, the property's orientation and set backs are similar to the existing properties within the planned development district (as opposed to properties north of the subject property).

The Future Land Use Map contained within the Comprehensive Plan designates the subject property for *Medium Density Single-Family Residential* land uses. If the zoning case is approved the Future Land Use Map will be required to be amended with the next Comprehensive Plan update to reflect the proposed change in land use from *Medium Density Single-Family Residential* to a *Commercial* designation.

NOTIFICATION:

On May 2, 2014, staff mailed 21 notices to property owners within 200 feet of the subject property. Additionally, staff posted a sign adjacent to Ridge Road in front of the existing single family home as required by the Unified Development Code (UDC). At the time this case memo was drafted staff had received three (3) notifications in favor of the applicant's request.

RECOMMENDATIONS:

If the City Council approves the applicant's request to change the zoning of the subject property from Single Family 10 (SF-10) District to Planned Development District 53 (PD-53) then staff would propose the following conditions of approval:

1) The *Subject Property* shall comply with all the requirements specified by Section 6.8, *Scenic Overlay (SOV) District*, of Article IV, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*],

2) In addition to the uses permitted in the Residential Office (RO) District that the *Subject Property* shall be permitted to be used as a single-family residence; however, only one (1) single family dwelling unit shall be permitted on each lot,

3) All parking provided on the *Subject Property* shall be located behind the primary structure and no parking may be provided adjacent to or visible from Ridge Road. For the purposes of the draft ordinance parking maybe visible, accessible and adjacent to Summit Ridge Drive on the *Subject Property*,

4) The parking requirement for the *Subject Property* shall be one (1) parking space per 500 square feet of floor area for an office and/or professional use. All other uses shall comply with the parking requirements stipulated in Article VI, *Parking and Loading Standards*, of the Unified Development Code [*Ordinance 04-38*],

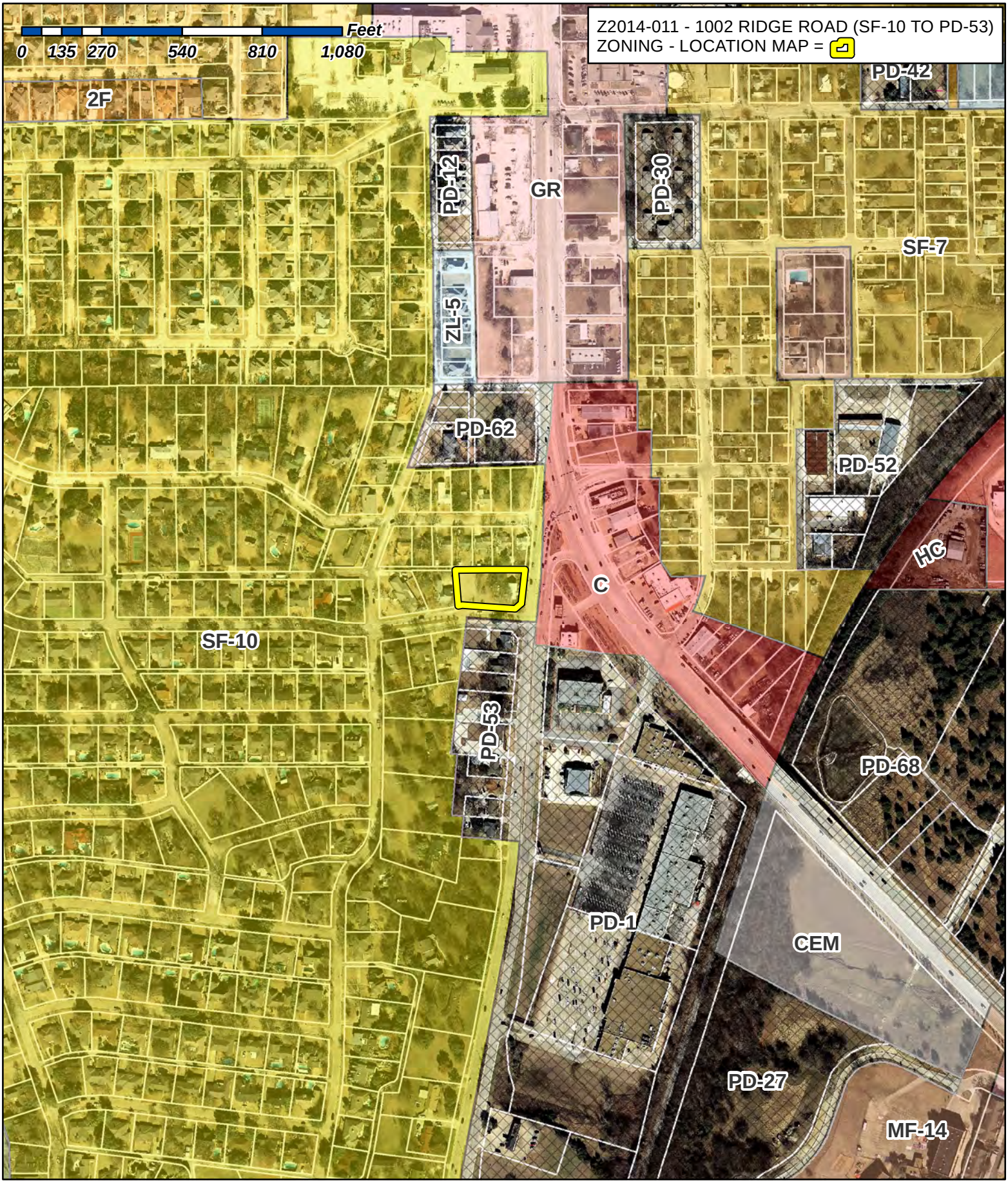
5) A six (6) foot, wood fence constructed to a residential standard is required adjacent to all single family residential adjacencies (i.e. the northern and western property lines) for the purpose of screening the parking area,

6) Prior to the *Subject Property* being utilized for any use other than a single family residential dwelling a site plan must be submitted, reviewed and approved by the Director of Planning or his designee, and

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

PLANNING AND ZONING COMMISSION:

On May 13, 2014, the Planning and Zoning Commission recommended approval of the applicant's request to change the zoning of the subject property from Single Family 10 (SF-10) District to Planned Development District 53 (PD-53) by a vote of 7-0.



City of Rockwall

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

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

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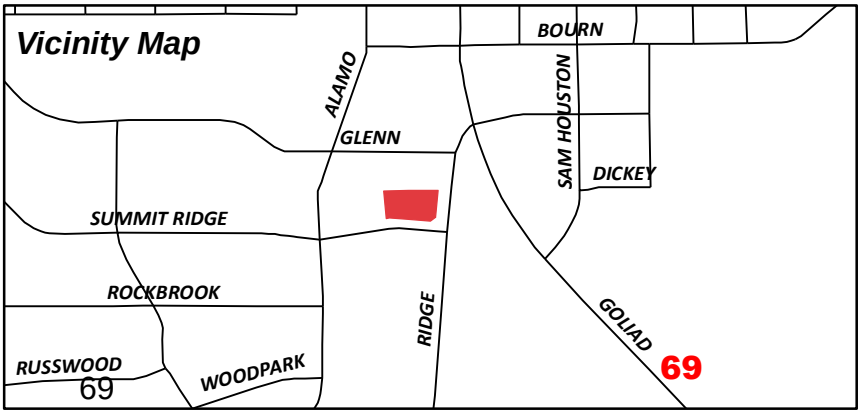
Case Number: Z2014-011
Case Name: 1002 Ridge Road
Case Type: Zoning
Zoning: SF-10 TO PD-53
Case Address: 1002 Ridge Road

Date Created: *04/24/2014*
For Questions on this Case Call (972) 771-7745



RCAD Property ID	Property Owner	Legal Description	Address	City	State	Zip
4330-0002-0001-00-0R	CONFIDENTIAL	L & W, BLOCK 2, LOT 1, 113 GLENN	113 GLENN AVE	ROCKWALL	TX	75087
4330-0001-0005-00-0R	RUPPERT WILLIAM ET UX	L & W, BLOCK 1, LOT 5	9531 RIVERTON ROAD	DALLAS	TX	75218
4330-0001-0002-00-0R	HOOVER JERRY H	L & W, BLOCK 1, LOT 2	110 GLENN AVE	ROCKWALL	TX	75087
4330-0001-0003-00-0R	RADNEY JAMES C	L & W, BLOCK 1, LOT 3	710 RIDGEVIEW DR	ROCKWALL	TX	75087
4330-0001-0004-00-0R	SCOTT BILLIE JEAN	L & W, BLOCK 1, LOT 4	106 GLENN AVE	ROCKWALL	TX	75087
4330-0002-0003-00-0R	COMPTON EARL D & SU ELLEN	L & W, BLOCK 2, LOT 3	5 HALFORD DR	HEATH	TX	75032
4330-0002-0002-00-0R	CAWTHON RICK	L & W, BLOCK 2, LOT 2	2000 E INTERSTATE 30	ROCKWALL	TX	75087
4330-0002-0004-00-0R	PFENNING BARBARA JANE	L & W, BLOCK 2, LOT 4	210 WILLOWCREEK ROAD	CHICKASHA	OK	73018
4330-0002-0005-00-0R	MCFARLIN HULEN D ET UX	L & W, BLOCK 2, LOT 5	105 GLENN AVE	ROCKWALL	TX	75087
4330-0002-0006-00-0R	BRIGGS STEPHEN A & BREANNA L	L & W, BLOCK 2, LOT 6, 103 GLENN AVE	103 GLENN AVE	ROCKWALL	TX	75087
4790-000D-0002-00-0R	HART ROBERT N & HOPE C	RIDGE ROAD VILLAGE, BLOCK D, LOT 2	218 CARRIAGE HILL LN	HEATH	TX	75032
4790-000D-0003-00-0R	BENNETT FAMILY LIVING TRUST	RIDGE ROAD VILLAGE, BLOCK D, LOT 3	754 HUNTERS GLN	ROCKWALL	TX	75032
3180-0000-0ALL-00-0R	7-ELEVEN	BURGAMY, LOT ALL ATTN JEFF TARLTON	400 GALLERIA PARKWAY SE,	ATLANTA	GA	30339
0255-0000-0023-00-0R	TALLEY C W & PAULA J	A0255 B J T LEWIS, TRACT 23, ACRES 0.330	703 RIDGEVIEW DR	ROCKWALL	TX	75087
3753-000A-0001-00-0R	GOODMAN MICHAEL & CARLA	GOODMAN ADDITION, BLOCK A, LOT 1	1008 RIDGE RD	ROCKWALL	TX	75087
3570-0484-A002-00-0R	RIDGE ROAD PARTNERS LP	EASTRIDGE CENTER, ACRES 2, GOVERNMENT CENTER	106 EAST RUSK STREET, SUI	ROCKWALL	TX	75087
4330-0002-0007-00-0R	GEHRING W ROBERT & CAROLYN S	L & W, BLOCK 2, LOT 7	1745 LAKE BREEZE DR	ROCKWALL	TX	75087
4330-0001-0006-00-0R	ROJAS MARY ANN	L & W, BLOCK 1, LOT 6	10521 TRAYMORE DR	FORT WORTH	TX	76244
4745-000A-0001-00-0R	TEMUNOVIC PETAR & CVIJETA	LEE RHOADES SUBDIVISION, BLOCK A, LOT 2, ACRES 0.37, (REPLAT 2012)	201 LAURENCE DR, PMB 410	HEATH	TX	75032
0255-0000-0040-00-0R	MILLER CHRISTINE LOUISE	A0255 B J T LEWIS, TRACT 40, ACRES .498	PO BOX 824	ROCKWALL	TX	75087
4745-000A-0001-01-0R	CAIN FAMILY REVOCABLE TRUST	LEE RHOADES SUBDIVISION, BLOCK A, LOT 3, ACRES 0.651, (REPLAT 2012)	PO BOX 1119	ROCKWALL	TX	75087

70

PLEASE RETURN THE BELOW FORM

Case No. Z2014-011: Zoning Change (SF-10 to PD-53)

Please place a check mark on the appropriate line below:

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

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

PROPERTY ENHANCEMENT UPDATED BUILDING
PROPERTY APPEARANCE STREET APPEAL

Name: Mr. Thomas Bennett

Address: 109 SUMMIT RIDGE OWNER

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

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

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

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

To Whom It May Concern:

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

Case No. Z2014-011: Zoning Change (SF-10 to PD-53)

Hold a public hearing to discuss and consider a request by Dewayne Cain, on behalf of the Cain Family Revocable Trust, for the approval of a zoning change from a Single Family 10 (SF-10) District to Planned Development District 53 (PD-53) for Residential-Office (RO) District uses and to amend the boundaries of Planned Development District 53 (PD-53) [Ordinance No. 02-33] for a 0.651-acre parcel of land identified as Lot 3, Block A, Lee Rhoades Subdivision, City of Rockwall, Rockwall County, Texas, addressed as 1002 Ridge Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 5/13/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 5/19/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **5/19/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-011: Zoning Change (SF-10 to PD-53)

Please place a check mark on the appropriate line below:

[X] I am in favor of the request for the reasons listed below.

[ ] I am opposed to the request for the reasons listed below.

This should include property from Glenn Ave forward. It's time!

Name: Mary Ann Rojas

Address: 102 Glenn Ave
Rockwall, TX 75087

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

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

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

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

To Whom It May Concern:

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

Case No. Z2014-011: Zoning Change (SF-10 to PD-53)

Hold a public hearing to discuss and consider a request by Dewayne Cain, on behalf of the Cain Family Revocable Trust, for the approval of a zoning change from a Single Family 10 (SF-10) District to Planned Development District 53 (PD-53) for Residential-Office (RO) District uses and to amend the boundaries of Planned Development District 53 (PD-53) [Ordinance No. 02-33] for a 0.651-acre parcel of land identified as Lot 3, Block A, Lee Rhoades Subdivision, City of Rockwall, Rockwall County, Texas, addressed as 1002 Ridge Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 5/13/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 5/19/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

Your comments must be received by **5/19/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-011: Zoning Change (SF-10 to PD-53)

Please place a check mark on the appropriate line below:

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

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

Will make the zoning consistent with the other properties in the area that face Ridge Road

Name: Dewayne Cain
Address: Rockwall, TX.

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

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

Rest Haven

FUNERAL HOMES • CEMETERY • CREMATORY • FflorIST

April 16, 2014

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

To Whom It May Concern:

We request that the City of Rockwall amend and extend the current PD 53 zoning to include our property located at the corner of Ridge Road and Summit Ridge Drive.

Currently, the property is zoned for residential use. However, because of its location, residential is no longer the best and highest use for the property; nor is it consistent with other properties in the area.

Enclosed please find:

- a check made payable to the City of Rockwall for the Zoning Change Application Fee;
- a Pre-Application Meeting Request;
- the completed Zoning Change Application Submittal Requirements;
- the Notarized Development Application;
- a Detailed Legal Description of the property;
- an Amended Plat of the Lee Rhodes Subdivision, and:
- pictures of the current structure on the property.

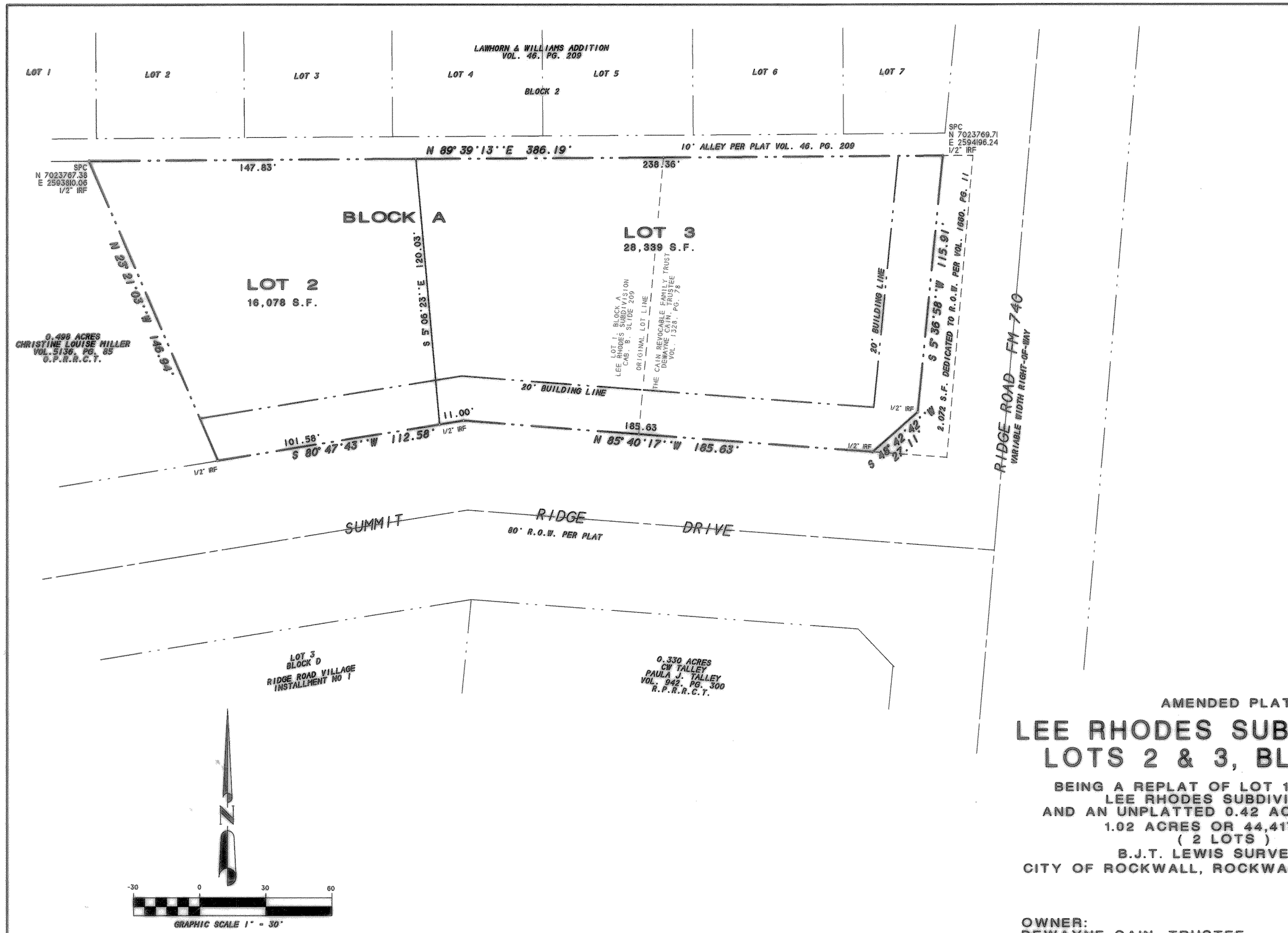
If you have any questions, or need any further information, please do not hesitate to contact me.

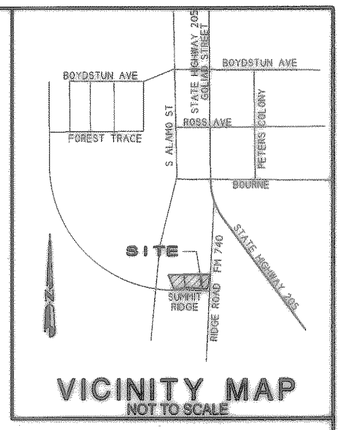
Sincerely,

Dewayne Cain

Dewayne Cain, Trustee
Cain Family Revocable Trust

DC:slc





VICINITY MAP
NOT TO SCALE

AMENDED PLAT

LEE RHODES SUBDIVISION
LOTS 2 & 3, BLOCK A

BEING A REPLAT OF LOT 1, BLOCK A
LEE RHODES SUBDIVISION
AND AN UNPLATTED 0.42 ACRES TRACT
1.02 ACRES OR 44,417 S.F.
(2 LOTS)
B.J.T. LEWIS SURVEY, A-255
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER:
DEWAYNE CAIN, TRUSTEE
P.O. BOX 1119
ROCKWALL, TEXAS 75087

OWNER:
CAROLYN KAY MALONE
200 SUMMIT RIDGE DRIVE
ROCKWALL, TEXAS 75087

SHEET 1 OF 2

SYMBOL LEGEND

SURVEY DATE SEPTEMBER 20, 2010
SCALE 1" = 30' FILE # 20100347P
CLIENT CAIN

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE 972-635-9979 FAX

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0030L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.
3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

FILED FOR RECORD
ROCKWALL CO., TEXAS
11 MAR -4 AM 9:03
SHELLI MILLER
ROCKWALL COUNTY CLERK
BY _____ DEPUTY

H-151

Description of Lot 3, Block "A"
Amended Plat of the Lee Rhodes Subdivision

BEING all of Lot 3, Block A, AMENDED PLAT LEE RHODES SUBDIVISION, LOT 2 & 3, BLOCK A, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet H, Slide 151, of the Plat Records of Rockwall County, Texas, and also the residue of a tract of land as described as Tract 3 in a Warranty deed from Ted Cain and Maurine Cain to The Cain Revocable Family Trust, dated January 28, 1998 and being recorded in Volume 1328, Page 78 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the north right-of-way line of Summit Ridge Drive, a 80 foot right-of-way, said point being at the southwest corner of said Lot 3, Block A;

THENCE N. 05 deg. 06 min. 23 sec. W. along the west line of Lot 3, a distance of 120.03 feet to a 1/2" iron rod found for corner at the northwest corner of Lot 3 and in the south line of a 10 foot alley per plat of Lawhorn and Williams Addition, as recorded in Volume 47, Page 209 of the Deed Records of Rockwall County, Texas;

THENCE N. 89 deg. 39 min. 13 sec. E. along the north line of Lot 3 and the south line of said alley, a distance of 238.36 feet to a 1/2" iron rod found for corner in the west right-of-way line of Ridge Road FM 740;

THENCE S. 05 deg. 36 min. 58 sec. W. along said right-of-way line, a distance of 115.91 feet to a 1/2" iron rod found for corner;

THENCE S. 48 deg. 42 min. 42 sec. W. along said right-of-way line, a distance of 27.11 feet to a 1/2" iron rod found for corner at the intersection of said right-of-way line with the north right-of-way line of Summit Ridge Drive;

THENCE N. 85 deg. 40 min. 17 sec. W. along the north right-of-way line of Summit Ridge Drive, a distance of 185.63 feet to a 1/2" iron rod found for corner;

THENCE S. 80 deg. 47 min. 43 sec. W. along said right-of-way line, a distance of 11.00 feet to the POINT OF BEGINNING and containing 28,339 square feet or 0.65 acres of land.

76







79



PLANNED DEVELOPMENT DISTRICT 53 (PD-53)

CITY OF ROCKWALL

ORDINANCE NO. 02-33

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO CHANGE THE ZONING ON A TRACT OF LAND LOCATED ON THE WEST SIDE OF FM 740 SOUTH OF SUMMIT RIDGE, D. ATKINS ABSTRACT NO. 1, TRACTS 23, 20, 21, 29, 30, 12, 25, 13 AND 16, WHICH IS MORE FULLY DESCRIBED HEREIN, FROM "SF-10" SINGLE FAMILY RESIDENTIAL TO "PD", PLANNED DEVELOPMENT DISTRICT NO.53; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

Section 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning on a tract of land which is more fully described herein as Exhibit "A" from "SF-10", Single Family Residential to "PD", Planned Development District No. 53, and;

Section 2. That the property described herein shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future and subject to the following additional conditions:

1. That the Planned Development be subject to the requirements and uses listed in the "R-O", Residential Office District and all uses, site and building plans shall comply with the requirements as specified in Article III of the Comprehensive Zoning Ordinance and the Scenic Overlay District development guidelines.

2. That joint or shared driveways and access to rear parking be required on all adjoining lots as one of the properties is used for office purposes or any of the uses listed in the "R-O", Residential Office District.

3. That a single family residential use be allowed in addition to any of the uses listed in the "R-O", Residential Office District, one single family residential unit per property.

4. That parking in the front yard area of any property within this Planned Development

District is prohibited and all parking for those uses listed in the "R-O", Residential Office District be located behind the front facade of the main building structure.

5. That the parking requirement for office and professional buildings comply with Section 5.5 of the Comprehensive Zoning Ordinance (Ord. No. 83-23).

7. That all properties within the Planned Development District shall be subject to site plan review if changing to other than residential use and all requirements related to redevelopment as per the City of Rockwall.

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

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation, or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 1st day of July, 2002.

Ken Jones, Mayor

ATTEST:

Dorothy Brooks, City Secretary

CITY OF ROCKWALL TEXAS
SEAL

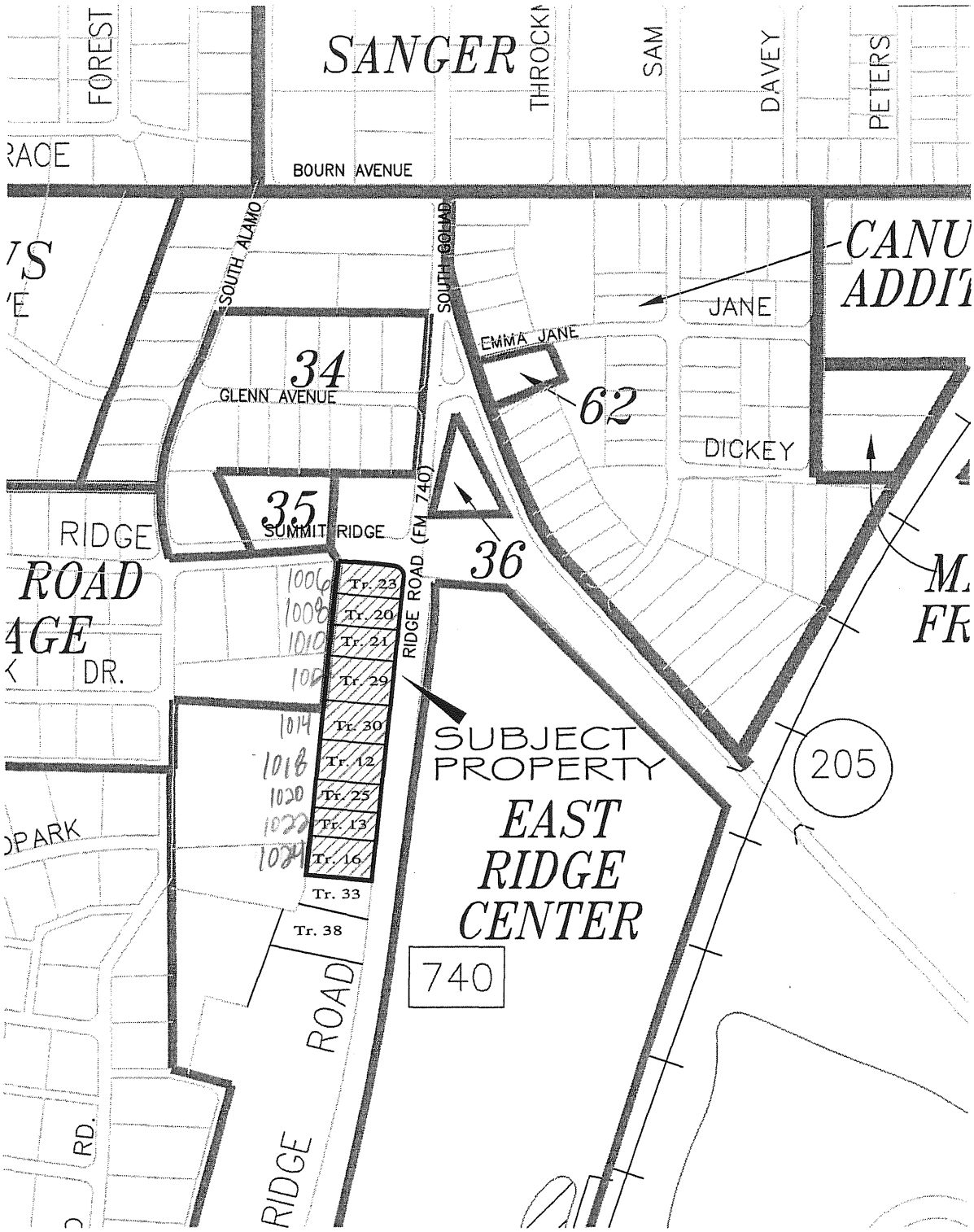
APPROVED AS TO FORM:

Pete Eckert, City Attorney

1st Reading: June 17, 2003

2nd Reading: July 1, 2003

EXHIBIT "A"



2002-33 – zoning change
"SF-10" to Planned Development No. 53 –
"PD-53" – Vines

(1 OF 1)

EXHIBIT "A"

Ord. 02-33

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS

COUNTY OF DALLAS

Before me, a Notary Public in and for Dallas County, this day personally appeared Lewis Cline, Sales Assistant for the DALLAS MORNING NEWS being duly sworn by oath, states the attached advertisement of:

CITY OF ROCKWALL (CPN 1104)

as published in THE ROCKWALL MORNING NEWS on: July 19, 2002

Lewis Cline

(C. Lewis Cline)

Sworn to and subscribed before me this July 19, 2002, A.D

Lisa Battenfield

(Lisa Battenfield)

LISA BATTENFIELD
Notary Public, State of Texas
My Commission Expires
JUNE 1, 2003

Legal Notices Legal Notices

CITY OF ROCKWALL
ORDINANCE NO. 02-33

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO CHANGE THE ZONING ON A TRACT OF LAND LOCATED ON THE WEST SIDE OF FM 740 SOUTH OF SUMMIT RIDGE, D. ATKINS ABSTRACT NO. 1, TRACTS 23, 20, 21, 29, 30, 12, 25, 13 AND 16, WHICH IS MORE FULLY DESCRIBED HEREIN, FROM SF-10 SINGLE FAMILY RESIDENTIAL TO PD6, PLANNED DEVELOPMENT DISTRICT NO. 53; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved: /s/ Ken Jones, Mayor
Attest:/s/ Dorothy Brooks, City Secretary
1st Reading: 06/17/02 -- 2nd Reading: 07/01/02

CPN: 1104
PUB: 07/19/02

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CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 53 (PD-53) [*ORDINANCE NO. 02-33*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM A SINGLE FAMILY 10 (SF-10) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 53 (PD-53) AND TO AMEND THE BOUNDARIES OF PLANNED DEVELOPMENT DISTRICT 53 (PD-53) AS ESTABLISHED IN ORDINANCE 02-33 TO INCLUDE A 0.651-ACRE PARCEL OF LAND IDENTIFIED AS LOT 3, BLOCK A, LEE RHOADES SUBDIVISION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS [*1002 RIDGE ROAD*] AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Dewayne Cain on behalf of the Cain Family Revocable Trust for the approval of an amendment to Planned Development District 53 (PD-53) [*Ordinance No. 02*-33] and the Unified Development Code [*Ordinance No. 04*-38] of the City of Rockwall to adopt a zoning change from a Single Family 10 (SF-10) District to Planned Development District (PD-53) and to amend the boundaries of Planned Development District 53 (PD-53) as established in *Ordinance No. 02-33* to include a 0.651-acre parcel of land addressed as 1002 Ridge Road, further identified as Lot 3, Block A, Lee Rhoades Subdivision, City of Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 53 [*Ordinance No. 02-33*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That Planned Development District 53 (PD-53) [*Ordinance No. 02-33*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, Rockwall County, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from a Single Family 10 (SF-10) District to Planned Development District 53 (PD-53);

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a property located within a Residential Office (RO) District as stipulated by *Section 1.1,*

"Use of Land and Buildings," of *Article IV, "Permissible Uses"* and *Section 4.2, "Residential Office (RO) District",* of *Article V, "District Development Standards",* of the *Unified Development Code* [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

Section 3. That in addition to the requirements stipulated in the Unified Development Code [*Ordinance No. 04*-38] the *Subject Property* shall be subject to the following additional conditions:

1. That the *Subject Property* shall comply with all the requirements specified by *Section 6.8, Scenic Overlay (SOV) District,* of *Article IV, District Development Standards*, of the *Unified Development Code* [*Ordinance No. 04*-38],

2. That in addition to the uses permitted in the Residential Office (RO) District that the *Subject Property* be permitted to be used as a single-family residence. Only one (1) single family dwelling unit shall be permitted on each lot.

3. That all parking provided on the *Subject Property* shall be located behind the primary structure and no parking may be provided adjacent to or visible from Ridge Road. For the purposes of this ordinance parking maybe visible, accessible and adjacent to Summit Ridge Drive on the *Subject Property*.

4. That the parking requirement for the Subject Property shall be one (1) parking space per 500 square feet of floor area for an office and/or professional use. All other uses shall comply with the parking requirements stipulated in *Article VI, Parking and Loading Standards,* of the *Unified development Code* [*Ordinance 04-38*].

5. That prior to the *Subject Property* being utilized for any use other than single family residential a site plan must be submitted, reviewed and approved by the Director of Planning or his designee.

Section 4. The *Official Zoning Map* of the City of Rockwall, Texas shall be amended to reflect the change in zoning for the *Subject Property* as described in this ordinance;

Section 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those

in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2ND DAY OF JUNE, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *May 19, 2014*
2nd Reading: *June 2, 2014*

Exhibit 'A':
Legal Description

Description of Lot 3, Block "A"
Amended Plat of the Lee Rhodes Subdivision

BEING all of Lot 3, Block A, AMENDED PLAT LEE RHODES SUBDIVISION, LOT 2 & 3, BLOCK A, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet H, Slide 151, of the Plat Records of Rockwall County, Texas, and also the residue of a tract of land as described as Tract 3 in a Warranty deed from Ted Cain and Maurine Cain to The Cain Revocable Family Trust, dated January 28, 1998 and being recorded in Volume 1328, Page 78 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the north right-of-way line of Summit Ridge Drive, a 80 foot right-of-way, said point being at the southwest corner of said Lot 3, Block A;

THENCE N. 05 deg. 06 min. 23 sec. W. along the west line of Lot 3, a distance of 120.03 feet to a 1/2" iron rod found for corner at the northwest corner of Lot 3 and in the south line of a 10 foot alley per plat of Lawhorn and Williams Addition, as recorded in Volume 47, Page 209 of the Deed Records of Rockwall County, Texas;

THENCE N. 89 deg. 39 min. 13 sec. E. along the north line of Lot 3 and the south line of said alley, a distance of 238.36 feet to a 1/2" iron rod found for corner in the west right-of-way line of Ridge Road FM 740;

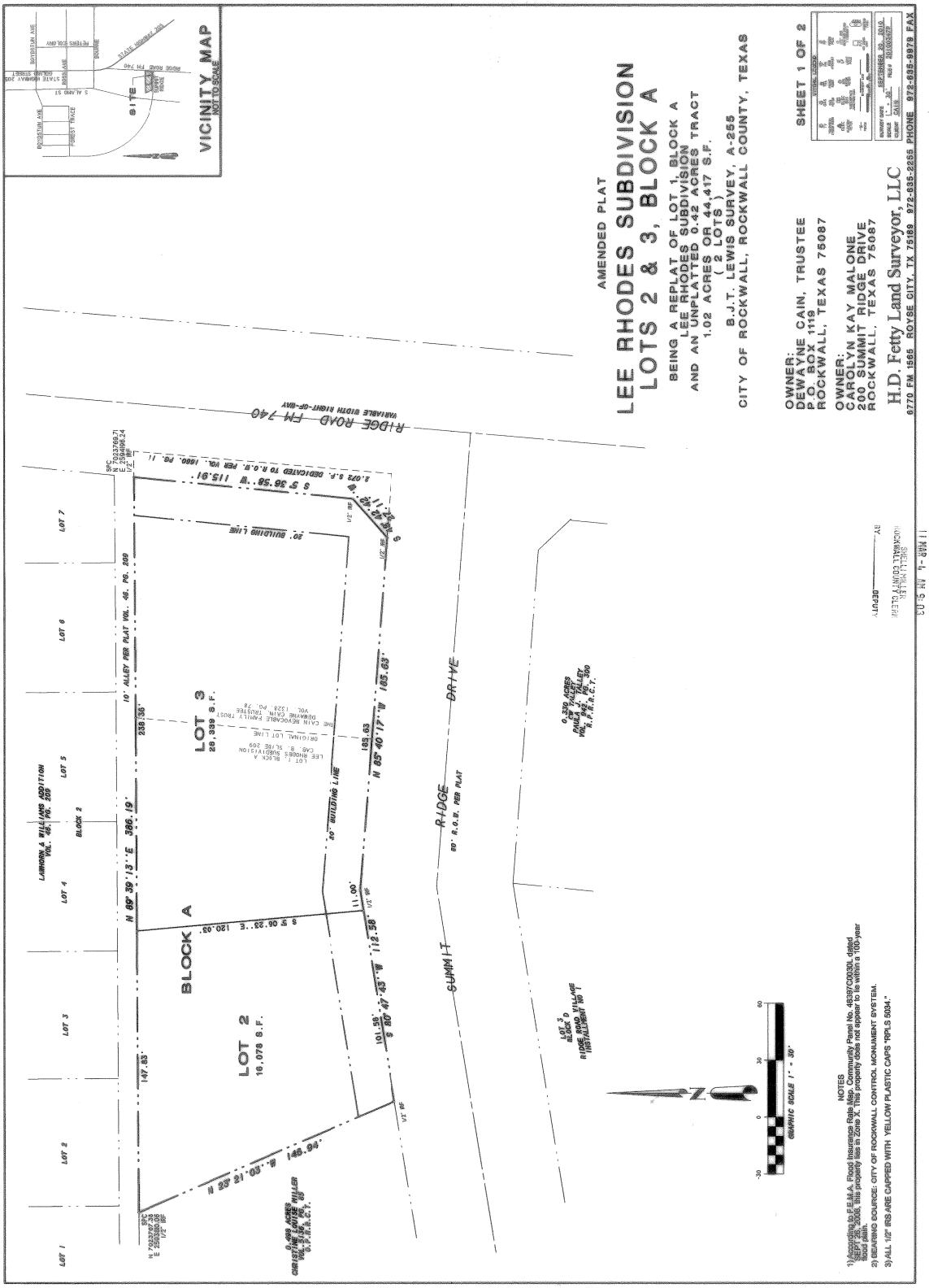
THENCE S. 05 deg. 36 min. 58 sec. W. along said right-of-way line, a distance of 115.91 feet to a 1/2" iron rod found for corner;

THENCE S. 48 deg. 42 min. 42 sec. W. along said right-of-way line, a distance of 27.11 feet to a 1/2" iron rod found for corner at the intersection of said right-of-way line with the north right-of-way line of Summit Ridge Drive;

THENCE N. 85 deg. 40 min. 17 sec. W. along the north right-of-way line of Summit Ridge Drive, a distance of 185.63 feet to a 1/2" iron rod found for corner;

THENCE S. 80 deg. 47 min. 43 sec. W. along said right-of-way line, a distance of 11.00 feet to the POINT OF BEGINNING and containing 28,339 square feet or 0.65 acres of land.

Exhibit 'B':
Zoning Exhibit



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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

FROM: Ryan Miller, *Planning Manager*

DATE: May 19, 2014

SUBJECT: Request to Postpone Case No. Z2014-012

On May 6, 2014, the applicant, Dallas Cothrum of *Masterplan Consulting*, submitted an email to staff requesting to postpone the public hearing for *Case No. Z2014-012* from May 13, 2014 to May 27, 2014. According to the email, the applicant is requesting the postponement in order to prepare a line of sight study and take photographs of the site using a skylift for the purpose of better addressing the questions posed by the Planning and Zoning Commission at the April 27, 2014 work session meeting. The new meeting dates for this case are as follows:

Planning & Zoning Public Hearing: May 27, 2014
City Council [1st Reading]: June 2, 2014
City Council [2nd Reading]: June 16, 2014

The postponement and new public hearing dates will need to be announced and read into the record to satisfy the notification requirements stipulated by the Unified Development Code (*§6.2, Article II, UDC*).

Miller, Ryan

To: Dallas Cothrum
Cc: 'Maxwell Fisher'
Subject: RE: Z2014-012: Mini-Warehouse

From: Dallas Cothrum [redacted]
Sent: Tuesday, May 06, 2014 6:23 PM
To: Miller, Ryan
Cc: 'Maxwell Fisher'
Subject: RE: Z2014-012: Mini-Warehouse

We are working on the site line study; it is a little unclear how long it will take. We also are going to get a skylift out to the site and have it go up 50ft and get pics. This should help provide another reference for commission.

As such, I think it's in the best interest to request a delay. Thanks for your assistance and please do not hesitate to contact either of us should you have any questions.

Dallas

From: Miller, Ryan [redacted]
Sent: Friday, May 02, 2014 1:38 PM
To: 'Dallas Cothrum [redacted]
Cc: 'Maxwell Fisher [redacted]
Subject: Z2014-012: Mini-Warehouse

Dallas,

If you choose to request a postponement staff would need to know prior to this coming Wednesday (May 7th) in order to prepare a memorandum to the P&Z. The case will remain on both the P&Z and City Council agendas so that a new meeting time can be announced to avoid additional advertising fees. The postponement would mean that the new meeting dates would be as follows:

P&Z: May 27th
City Council (1st Reading): June 2nd
City Council (2nd Reading): June 16th

Please let me know how you wish to proceed. Thanks.

RYAN C. MILLER, AICP
PLANNING MANAGER • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | MAIN STREET DIVISION

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 05/19/2014

APPLICANT: Dean Cathey

AGENDA ITEM: **Z2014-013**; Zoning Change from ZL-5 to PD

SUMMARY:

Hold a public hearing to discuss and consider a request by Dean Cathey, on behalf of ASCOT Investments, LLC, for the approval of a zoning change from a Zero Lot Line (ZL-5) District to a Planned Development District for single-family attached uses for a 1.25-acre subdivision of land identified as Lots 4, 5, 6 & 7 of the Integrity Addition Phase 2, City of Rockwall, Rockwall County, Texas, addressed as 617, 619, 621 & 623 Boydstun Avenue, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Dean Cathey, on behalf of ASCOT Investments, LLC, has submitted an application to rezone a 1.25-acre subdivision, identified as the Integrity Addition Phase 2, from a Zero Lot Line Residential (ZL-5) District to a Planned Development District for the purpose of constructing eight (8) single-family "attached" homes. The subdivision is located at the northwest corner of Boydstun Avenue and Clark Street. Currently, the zoning ordinance permits the development of single-family homes on the four (4) lots meeting the ZL-5 zoning requirements.

The PD Concept Plan indicates the 1.25-acre (four parcels) addition as being sub-divided into eight (8) individual lots with the intent of constructing a single-family "attached" home on each lot. Each home site will have one (1) common wall between two (2) individual homes, and the ordinance establishes a 5-ft setback for the non-zero lot line in order to prevent the appearance of townhomes. The ordinance establishes a minimum lot size of 25-ft X 120-ft with a minimum lot area of 3500 sq. ft.; however, the minimum lot size proposed by the applicant is 4750 sq. ft.

Mr. Cathey has informed staff that he intends to build a 2400 sq.-ft. home (minimum) on each lot. The concept rendering provides a perspective of an attached 2-story home site with a pitched roof system and gabled elements, an articulated covered patio entry feature extending beyond the side property's façade, and a one car garage for each unit. The overall minimum masonry requirement for this development will be 80%; however, stucco may not be used as a primary material. Each home will be constructed using a cementaceous lap siding material (e.g. Hardi Plank, Cemplank, etc.) in order to ensure consistency with the surrounding and adjacent developments and may incorporate a stone or brick wainscot, matching the concept rendering.

ANALYSIS & CONFORMANCE WITH THE COMPREHENSIVE PLAN:

West of and adjacent to the Integrity Addition is Planned Development No. 42 (PD-42) which allows for professional offices. Planned Development No. 52 (PD-52) allows for (HC) Heavy Commercial, (C) Commercial, (2F) Duplex Residential, and (SF-7) Single-Family Residential

uses, and is located adjacent to the north, south and east portions of the Integrity Addition. Due to the existing non-residential and residential uses, this area is viewed as a transitional zone. According to the Comprehensive Plan, "(h)igh density residential (uses) should be used as a transitional use from commercial (or existing retail) use, or where it will serve as a logical extension of an existing high density development." With the non-residential land uses and nearby duplexes, this area is a logical extension of the higher intensity use and will create a transition of land uses from the higher intensity to the single-family.

NOTIFICATION:

On May 1, 2014, staff mailed sixteen (16) notices to property owners within 200 feet of the subject property. Additionally, staff posted a sign along Boydstun adjacent to the subject property as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received one (1) notice "opposed to" the zoning change requested.

RECOMMENDATIONS:

Should the Planning & Zoning Commission and City Council approve the applicant's request, staff recommends the following conditions of approval:

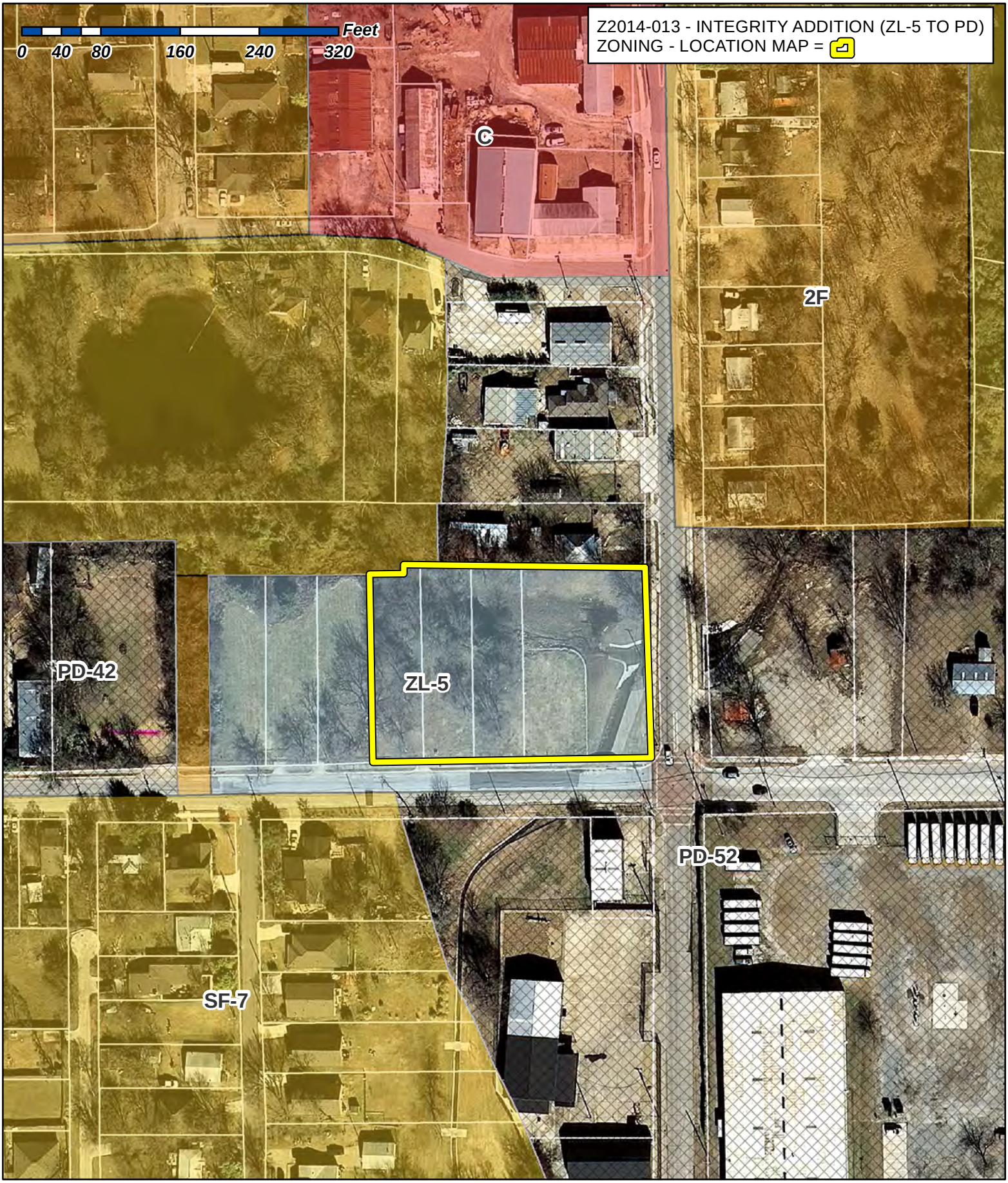
1) That a replat of the proposed eight (8) lots be required prior to the issuance of a building permit;

2) Development of the proposed eight (8) lots shall generally conform with the intent of the PD Development Standards, PD Concept Plan, and the PD Concept Rendering as depicted and attached to the PD Ordinance;

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

Planning and Zoning Recommendation:

On May 13, 2014, the Planning and Zoning Commission recommended denial of the request for a zoning change from ZL-5 to PD by a vote of 7 to 0. A recommendation of denial forwarded to the City Council by the Planning and Zoning Commission requires approval of a super majority vote (3/4 majority) of the Council members present in order to approve the zoning change request.



City of Rockwall

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

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

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City of Rockwall

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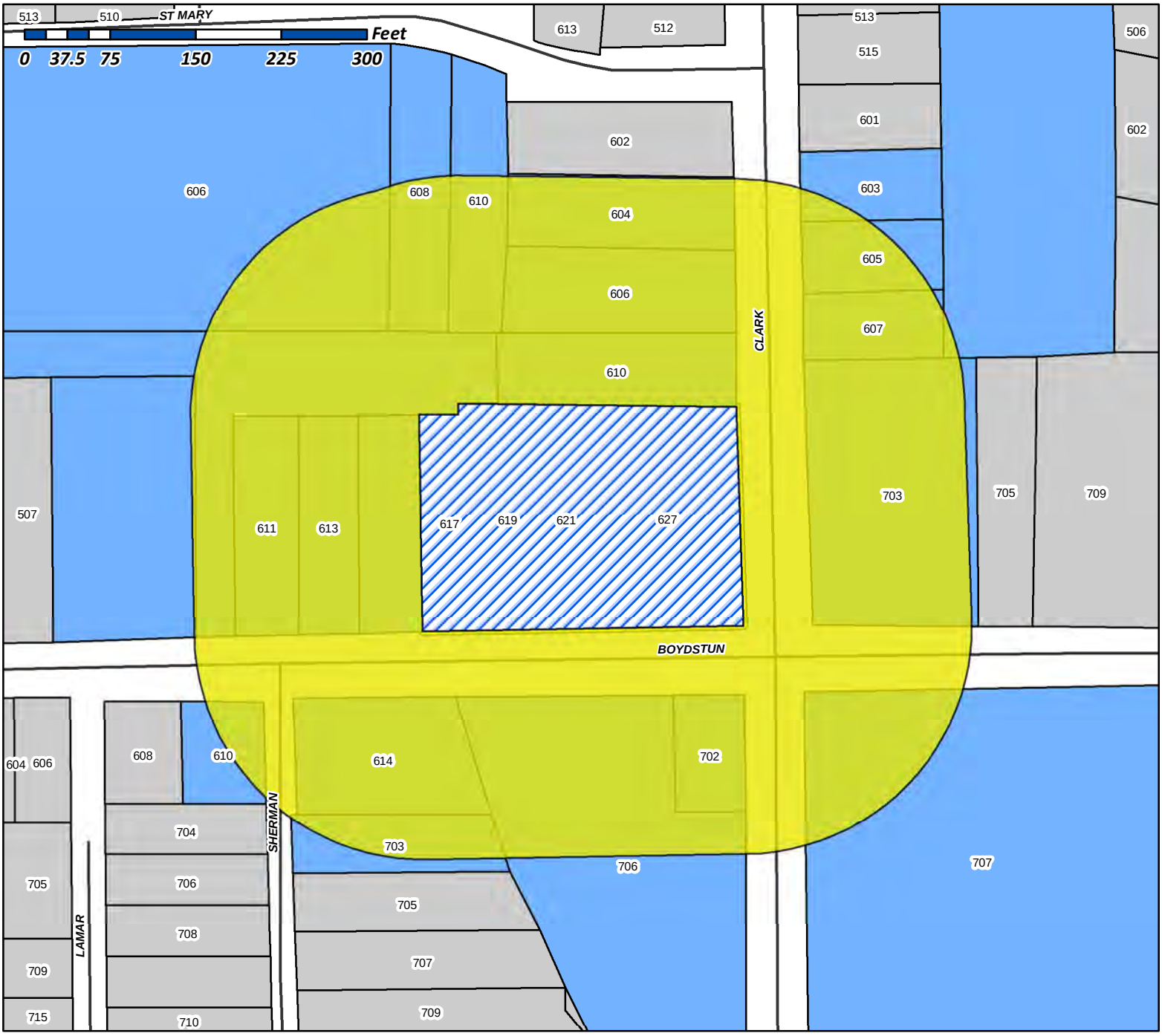
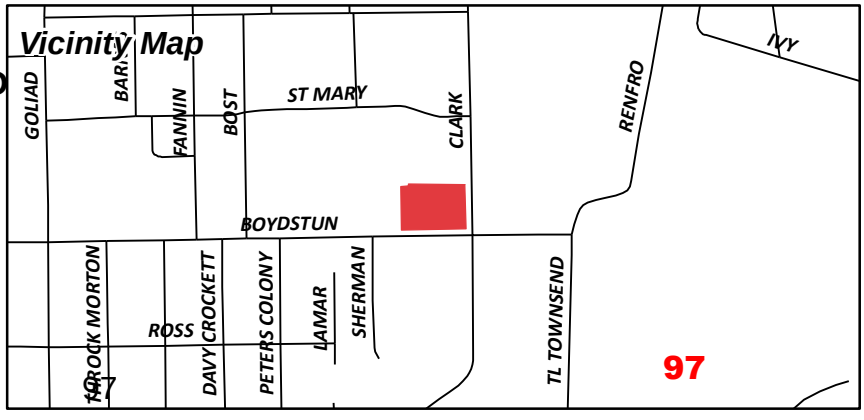


Case Number: Z2014-013
Case Name: Zoning Change ZL-5 to PD
Case Type: Zoning
Zoning: ZL-5
Case Address: 617, 619, 621 & 623 Boydstun Avenue

Date Created: *05/01/2014*

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



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

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

To Whom It May Concern:

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

Case No. Z2014-013: Rezone from ZL-5 to PD

Hold a public hearing to discuss and consider a request by Dean Cathey on behalf of ASCDT Investments, LLC for the approval of a zoning change from a Zero Lot Line (ZLL-5) District to a Planned Development District for single-family attached uses for a 1.25-acre subdivision of land identified as Lots 4, 5, 6 & 7 of the Integrity Addition, Phase 2, City of Rockwall, Rockwall County, Texas, addressed as 617, 619, 621 & 623 Boydstun Avenue, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 5/13/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 5/19/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **5/19/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-013: Rezone from ZL-5 to PD

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

MOORE JAMES L
606 S CLARK ST
ROCKWALL, TX 75087

FARRELL MARY ANN
608 SAINT MARY ST
ROCKWALL, TX 75087

MYRELI LLC A TEXAS LIMITED LIABILITY CO
C/O DOUGLAS KAUFMANN
446 FARM LN
ROCKWALL, TX 75087

ROSS LESLIE
703 SHERMAN ST
ROCKWALL, TX 75087

WILKERSON CLAUDE JR
606 SAINT MARY ST
ROCKWALL, TX 75087

SCHUMANN LAURIE A
610 E BOYDSTUN AVE
ROCKWALL, TX 75087

KAUFMANN PROPERTIES LLC
627 SORITA CIR
HEATH, TX 75032

KAUFMANN PROPERTIES LLC
% DOUGLAS A KAUFMANN
627 SORITA CIR
HEATH, TX 75032

GAMEZ DAVID
614 E BOYDSTUN AVE
ROCKWALL, TX 75087

ROCKWALL INDEPENDENT SCHOOL
DISTRICT PUBLIC FACILITY CORP
801 E WASHINGTON ST
ROCKWALL, TX 75087

GLASS JO KAY
301 MEADOWDALE DR
ROCKWALL, TX 75087

HARRIS JESSIE EARL JR
C/O LINDA HARRIS
307 GREENHILL
ROCKWALL, TX 75087

HARRIS J E
C/O JO KAY HARRIS GLASS
301 MEADOWDALE DR
ROCKWALL, TX 75087

HOGUE ALLEN
513 RIDGEVIEW DR
ROCKWALL, TX 75087

FARRELL KIMBERLY A
610 SAINT MARY ST
ROCKWALL, TX 75087

INTEGRITY CONCEPTS LLC
PO BOX 871902
MESQUITE, TX 75187

99

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

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

To Whom It May Concern:

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Case No. Z2014-013: Rezone from ZL-5 to PD

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Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2014-013: Rezone from ZL-5 to PD

Please place a check mark on the appropriate line below:

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

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

When there is a storm the water from the creek between Boydstun & St Mary drain to the corner of Clark & Boydstun. My concern is for whatever changes they make in the rezone doesn't cause this water to back up into my backyard at 610 St. Mary St.

Name: Kimberly Farrell

Address: 610 St. Mary St, Rockwall, Tx 75087

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

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



City of Rockwall Planning and Zoning 4/21/14
Ryan Miller, Senior Planner

On behalf of Ascot Investments LLC we are requesting a zoning change for 617,619 ~~621~~ and ~~623~~ Boydstun from single home to townhome. Our target demographic is a senior who would like to downsize to a smaller home and yard. We would like to have 2400-3200 total sq. ft. of living space, 2 car garages and some covered Patio per lot. We will need to have front entry garages and 2-story construction. I have attached some concept front elevations of what we would like them to look like.

Thank you for your consideration.
Dean Cathey
DEAN CATHEY CUSTOM HOMES INC.
3066 Rochelle Rd. Rockwall TX.
972-571-1630

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CITY OF ROCKWALL

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS PREVIOULSY AMENDED, SO AS TO GRANT A CHANGE IN ZONING FROM ZERO LOT LINE RESIDENTIAL (ZL-5) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT, TO ALLOW FOR A SINGLE FAMILY–ATTACHED RESIDENTIAL (SF-A) DISTRICT AND ESTABLISH DEVELOPMENT STANDARDS FOR SUCH USE AS SHOWN IN EXHIBIT 'B' OF THIS ORDINANCE, BEING A 1.25-ACRE SUBDIVISION OF LAND IDENTIFED AS LOTS 4, 5, 6 & 7 OF THE INTEGRITY ADDITION PHASE 2 AS DESCRIBED IN EXHIBIT 'A', CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE FULLY DEPICTED IN THE CONCEPT PLAN ATTACHED HERETO AS EXHIBIT 'C'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Dean Cathey, on behalf of ASCOT Investments, LLC (hereinafter, together with its successors and assigns, shall be referred to as the "Developer"), to grant a change in zoning from a Zero Lot Line Residential (ZL-5) District to a Planned Development District to allow for a Single Family-Attached Residential (SF-A) District and establish development standards for such use as shown in Exhibit 'B' of this ordinance, being a 1.25-acre subdivision of land identified as Lots, 4, 5, 6, & 7 of the Integrity Addition Phase 2 as described in Exhibit 'A', City of Rockwall, Rockwall County, Texas, and more fully depicted in the concept plan attached hereto as Exhibit 'C' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from a Zero Lot Line Residential (ZL-5) District to a Planned Development District for the *Subject Property*; and

Section 2. That development of the *Subject Property* shall generally be in accordance with the Planned Development Districts Development Standards, attached hereto and incorporated herein by reference as *Exhibit 'B'*, and the Planned Development Concept Plan, attached hereto and incorporated herein by reference as *Exhibit 'C'*, and the Planned Development Conceptual Rendering, attached hereto and incorporated herein by reference as *Exhibit 'D'*, each of which is

deemed hereby to be a condition of approval of the change in zoning classification for the *Subject Property*;

Section 3. The official zoning map of the City of Rockwall, Texas be corrected to reflect the changes in zoning described in this ordinance.

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

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

Section 6. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the "Unified Development Code"), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this___day of_____, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

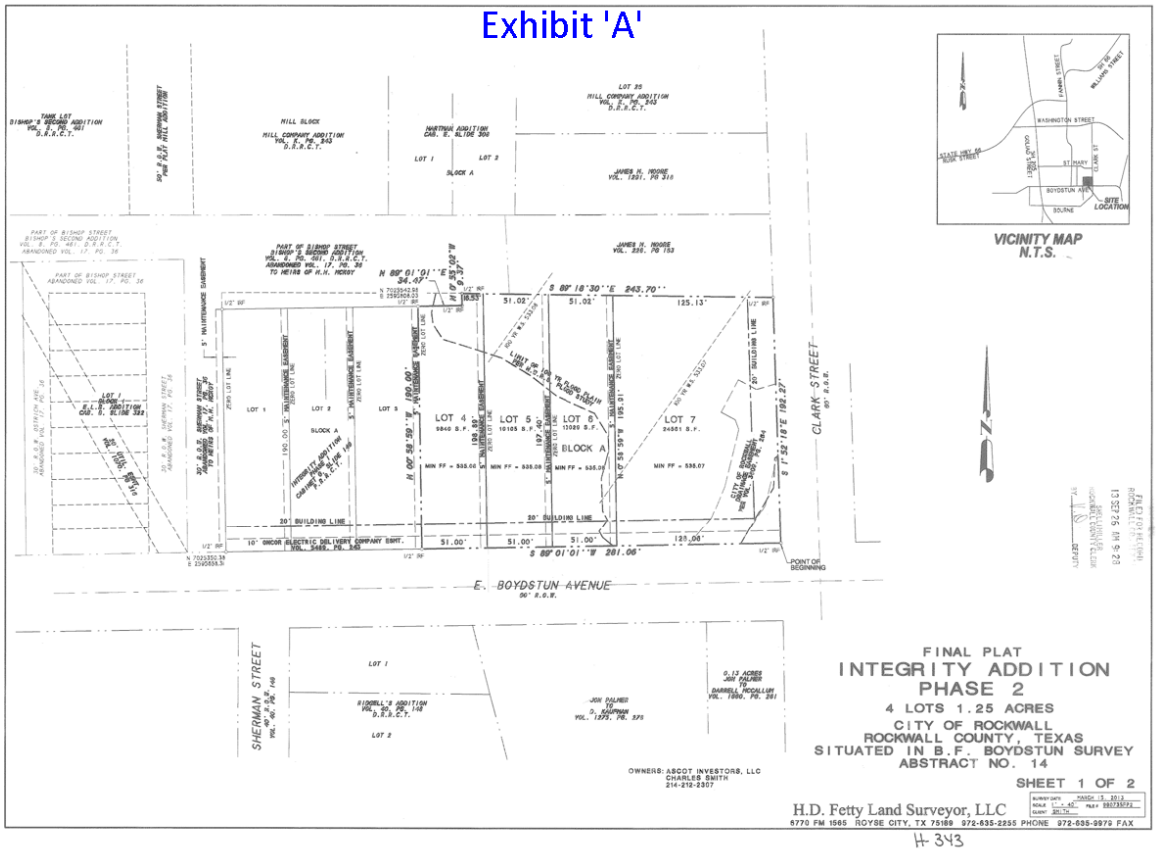
APPROVED AS TO FORM:

_____
Frank Garza, City Attorney

1st Reading:_____

2nd Reading:_____

Exhibit 'A'



H-343

Exhibit 'B'

INTEGRITY ADDITION PHASE II
P.D. ZONING DEVELOPMENT STANDARDS

Single Family - Attached (SF-A) Residential District

1. Minimum lot area – 3,500 square feet
2. Maximum number of single family units per lot – one
3. Minimum square footage per dwelling unit – 1200 square feet
4. Minimum lot frontage on a public street – 25 feet
5. Minimum lot depth – 120 feet
6. Minimum depth of front setback – 20 feet
7. Minimum depth of rear setback – 10 feet
8. Minimum width of side setback:
    a) Abutting structures separated by fire retardant walls – zero feet
    b) Internal lot – 5 feet*
    c) Side yard abutting arterial – 20 feet

*Single Family units separated by firewall meeting the requirements of the building code may build to the property line where such structures abut; however, the minimum internal side yard setback (i.e. 5 feet) will be required on the non-zero lot line.

9. Minimum distance between buildings on the same lot or parcel of ground – ten feet
10. Minimum length and width of driveway pavement from public right-of-way – 20 feet (depth) by 12 feet (width)
11. Maximum building coverage as percent of lot area – 75 percent
12. Maximum height of structures – 36 feet
13. Maximum number of paved parking spaces – one off street space plus one garage parking space for each dwelling unit.
14. Masonry requirements - Buildings shall be constructed of a minimum of 80% masonry materials, excluding windows and doors, as defined in article XII, Definitions. The use of a cementaceous product (e.g. Hardy Plank, Cemplank, etc.) may be used up to 100 percent of the building's exterior; however, stucco may not be used as a primary masonry material. Generally, any development shall conform to the PD Conceptual Rendering provided in Exhibit 'C.'
15. Dwelling Unit Orientation – All Single Family dwelling units shall face a public street.


Integrity Addition Phase II - Concept Plan
Exhibit 'C'
25'-6" TYPICAL
LOT 4
LOT 5
LOT 6
LOT 7
LOT 8
LOT 9
LOT 10
LOT 11
LOT 1
LOT 2
LOT 3
BLOCK A
CLARK STREET
60' R.O.W.
E. BOYDSTUN AVENUE
60' R.O.W.

Integrity Addition Phase II - PD Conceptual Rendering

Exhibit 'D'



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 05/19/2014

APPLICANT: Brad Fenton, Fenton Motor Group, LLC

AGENDA ITEM: **Z2014-014**; SUP for New Car Dealership

Hold a public hearing to discuss and consider a request by Brad Fenton of Fenton Motor Group, on behalf of Cambridge Companies Inc., for approval of a Specific Use Permit (SUP) to allow for a new car dealership being a 4.08-acre tract of land located in the J. LOCKHART SURVEY, Abstract No.134, being a portion of that certain tract of land described in deed to the Cambridge Companies, Inc. as recorded in Volume 101, Page 795 of the Deed Records of Rockwall County, Texas and zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the 205 By-Pass Corridor Overlay (205 BY-OV) District and generally located on the southeast corner of John King Boulevard and IH-30, City of Rockwall, Rockwall County, Texas, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Brad Fenton of Fenton Motor Group, LLC and on behalf of Cambridge Companies Inc., has submitted an application for a Specific Use Permit to allow for new car dealership on a 4.08-acre tract of land located on the southeast corner of John Kind Boulevard and IH-30. This site is zoned Commercial (C) District and is also located within the IH-30 Overlay (IH-30 OV) and 205 By-Pass Overlay (205 BY-OV) Districts. The overlay districts include additional standards intended to provide a visual as well as an architectural impact for the development. The proposed dealership will be situated on the aforementioned 4.08-acre tract and will adjoin the 11.568-acre tract east of this location that has an approved SUP (Ord. 13-36, SUP No. 111) for a new car dealership that was approved in October 2013.

The applicant has provided a conceptual site plan indicating the proposed layout of the project for this development that incorporates the areas of both SUP's (15.648-acres) should this request be approved. The new car dealership will be home to Fenton Nissan of Rockwall and will feature an approximately 50,000 square foot facility and separate service building. A pre-owned car facility will also be housed as an accessory use to the new car dealership. If approved, the project requires a full site plan review (including building elevations, landscape, treescape, and photometric plans), review and recommendation of the Architectural Review Board, Engineering review and submittal, and platting approval of the property prior to issuance of a building permit.

The applicant has submitted a corner enhancement detail for a gateway identifying freestanding wall element in an effort to compliment the corridor. The John King Blvd Design Guidelines Concept Plan introduces an opportunity for a developer to provide enhancements along this corridor with key features that will serve as an image of the City of Rockwall. The freestanding wall element for this location provides an opportunity to be the first gateway identifying element for the John King Blvd corridor. This corner will feature a decorative wall element that will incorporate limestone with cast stone caps. The area surrounding the wall will be decorated with accent trees, ornamental shrubbery, including seasonal colors, and ground cover to soften

the appearance. If approved, staff would recommend tying the details of the corner enhancement to the SUP. The freestanding wall element will also incorporate a 10-ft walkway/trail along John King Blvd adjacent to the property and will eventually tie-in to the City's trail system for pedestrians and cyclists.

Provided in your packet is a letter of authorization, a legal description, an exhibit indicating the proposed boundary for the SUP, the gateway identify freestanding wall conceptual plan, and a conceptual site plan adjoining the proposed 4.08-acre site with the 11.568-acre site. The applicant has also provided a letter of intent to construct the gateway identity corner enhancement (i.e. freestanding wall element) as well as a ten (10) foot walkway/trail along John King Blvd for your review.

NOTIFICATION:

A public notice has been published in the Rockwall County News, on the City's web-site, and a sign has been posted on the property. Also, notices have been mailed to three (3) property owners within 200-ft of the subject property as required by law. At time of this report, staff has received three (3) response "in favor of" and none "opposed to" the request.

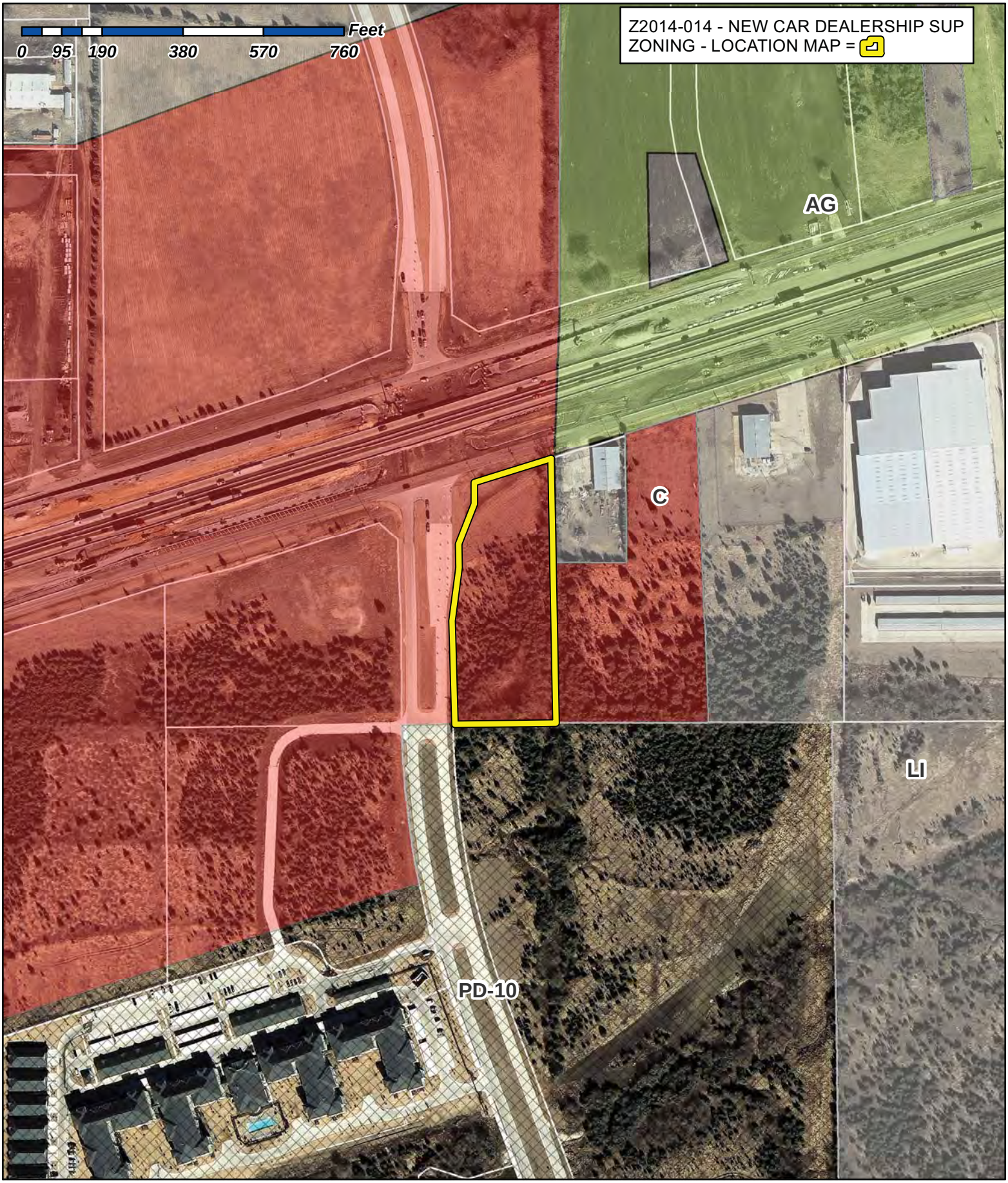
RECOMMENDATIONS:

Should the request be approved, staff would offer the following conditions:

1. The SUP is for the proposed land use only (i.e. "Motor Vehicle Dealership, New").
2. Future site plan submittal and approval shall be required. Since the project is located within the IH-30 OV and the 205 BY-OV districts, a review from the Architectural Review Board is required with its recommendation forwarded to the Planning and Zoning Commission.
3. Any variance to the IH-30 OV or 205 BY- OV Districts or any other section of the Unified Development Code shall be considered at the time of site plan approval.
4. Submittal and approval of engineering plans and final plat shall be completed prior to the issuance of a building permit.
5. That the corner enhancement details (i.e. freestanding wall element) for John King Blvd be contained within a pedestrian access easement.
6. That the corner enhancement details (i.e. freestanding wall element) for John King Blvd be attached to the SUP as a requirement to the new car dealership.
7. The SUP shall expire if development has not commenced within three (3) years from the approval date of the SUP ordinance.

On May 13, 2014, the Planning and Zoning Commission recommended approval of the SUP requested with staff conditions and to include that the SUP be tied to SUP No. 111 (Ord. 13-36) for the purpose of establishing one (1) development of a new car dealership totaling approximately 15-acres as per the boundary established in the concept site plan submitted by a vote of 7 to 0.

111



City of Rockwall

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

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

112

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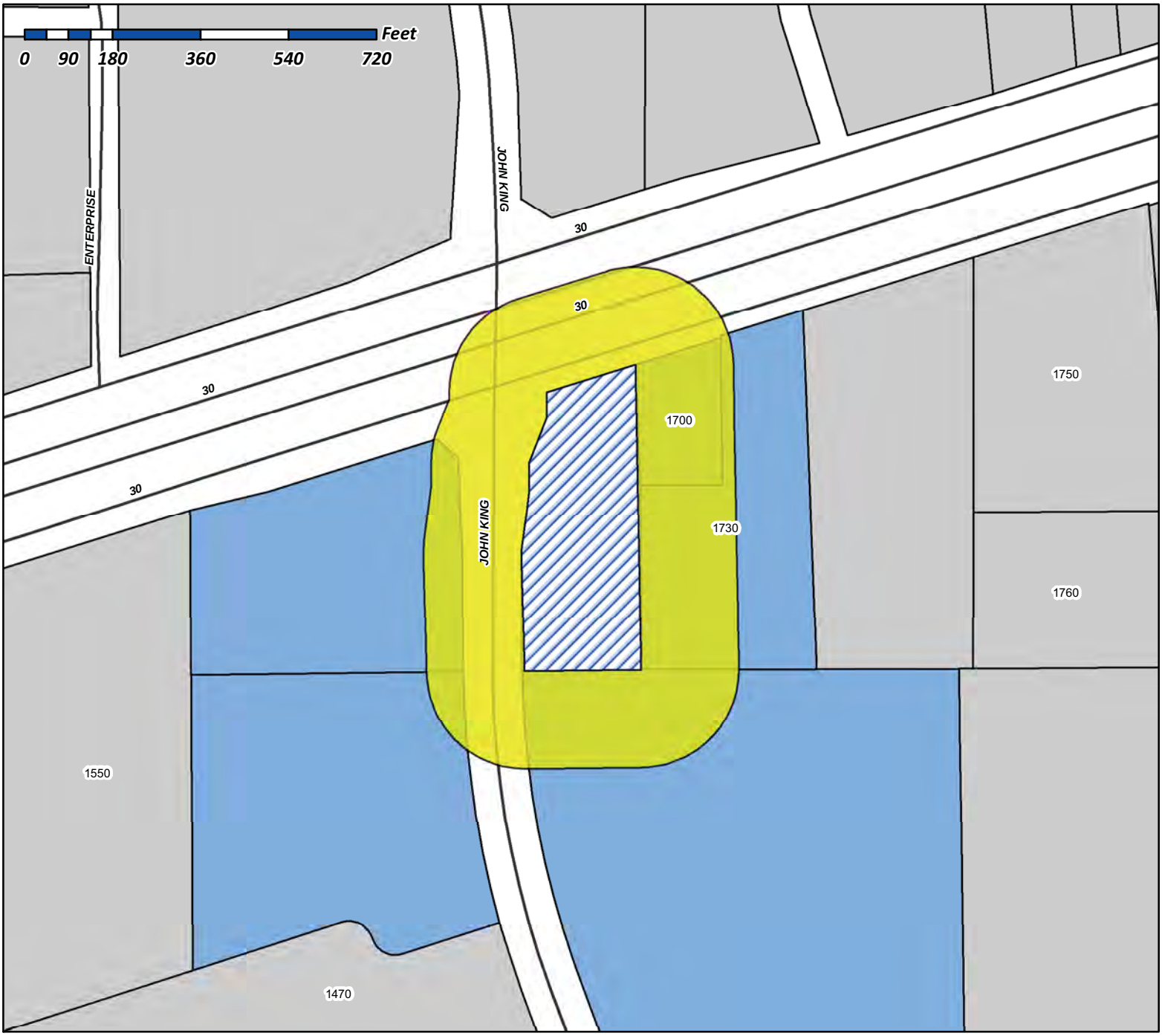
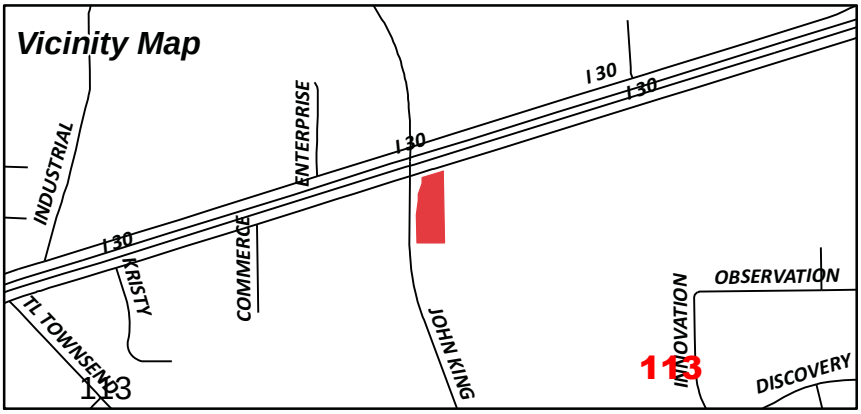


Case Number: Z2014-014
Case Name: New Car Dealership
Case Type: Specific Use Permit
Zoning: Commercial (C) District
Case Address: IH-30 & John King

Date Created: *05/01/2014*
For Questions on this Case Call (972) 771-7745



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

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

To Whom It May Concern:

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

Case No. Z2014-014: New Car Dealership SUP

Hold a public hearing to discuss and consider a request by Brad Fenton of Fenton Motor Group, on behalf of Cambridge Companies Inc., for approval of a Specific Use Permit (SUP) to allow for a new car dealership being a 4.08-acre tract of land located in the J. LOCKHART SURVEY, Abstract No.134, being a portion of that certain tract of land described in deed to the Cambridge Companies, Inc. as recorded in Volume 101, Page 795 of the Deed Records of Rockwall County, Texas and zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the 205 By-Pass Corridor Overlay (205 BY-OV) District and generally located on the southeast corner of John King Boulevard and IH-30, City of Rockwall, Rockwall County, Texas, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 5/13/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 5/19/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **5/19/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-014: New Car Dealership SUP

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

LAFON CECILIA M TRUSTEE
LAFON FAMILY/SURVIVORS TRUST
17264 COUNTY ROAD 603
FARMERSVILLE, TX 75442

CAMBRIDGE COMPANIES
8235 DOUGLAS AVE
DALLAS, TX 75225

CAMBRIDGE PROPERTIES INC
C/O GARRETT POINDEXTER
8235 DOUGLAS AVE
DALLAS, TX 75225

115

Case No. Z2014-014: New Car Dealership SUP

Please place a check mark on the appropriate line below:

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

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

Property Owner



116

Name: Cecilia La Fon

Address: 17264 CR 603 Farmersville, Tx 75442

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

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

116

NOTICE OF PUBLIC HEARING
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PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

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Robert LaCroix, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2014-014: New Car Dealership SUP

Please place a check mark on the appropriate line below:

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

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

Name: Brad Fenton Fenton Motor Group (Applicant)
Address: 2601 Network Blvd., Suite 202, Frisco, Texas 75034

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

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

To Whom It May Concern:

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David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

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Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-014: New Car Dealership SUP

Please place a check mark on the appropriate line below:

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

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

Name: Pinnacle Racing, LLC (owner of 1.06 acres contiguous to the east)
Address: 1307 Dominion Plaza Tyler, Texas 75703

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

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

Letter of Authorization

This letter hereby authorizes John Spiars with Spiars Engineering and/or Gary Halbrooks with Venue Properties, Inc. to represent the Owner (The Cambridge Companies, Inc., Trustee on behalf of Webb Rhoades Associates, Ltd.) and/or Buyer (Security Holdings, Inc.) in any and all zoning matters as it relates to the property as shown on Exhibit "A" attached hereto.

OWNER:

THE CAMBRIDGE COMPANIES, INC., TRUSTEE
ON BEHALF OF WEBB RHOADES ASSOCIATES, LTD.

By: _____
James J. Melino, Vice President

THE STATE OF TEXAS §
§
COUNTY OF DALLAS §

This instrument was acknowledged before me on April 29, 2014, by James J. Melino, Vice President of The Cambridge Companies, Inc., a Texas corporation, on behalf thereof as Trustee on behalf of Webb Rhoades Associates, Ltd.

_____
Notary Public, State of Texas

E. STRICKLAND
MY COMMISSION EXPIRES
November 28, 2014

BUYER:

SECURITY HOLDINGS, INC.

By: _____
Name: Brad Fenton
Title: President

THE STATE OF TEXAS §
§
COUNTY OF DALLAS §

This instrument was acknowledged before me on April 28, 2014, by Brad Fenton, President of Securities Holdings, Inc., a Texas corporation, on behalf thereof.

LINDSAY PERRY
Notary Public, State of Texas
My Commission Expires
August 07, 2017

_____
Notary Public, State of Texas

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Gonzales, David

From: Jeff Ball <jeff@bwaarchitects.com>
Sent: Thursday, May 08, 2014 10:58 AM
To: Gonzales, David
Cc: Gary Halbrooks; Lance Fenton; Bill Lavin; Raul Hernandez
Subject: D13049 - Fenton Nissan of Rockwall - Concept Plans
Attachments: D13049-14.05.08-Rockwall Gateway Concept.pdf; D13049-14.05.08-ROCKWALL NISSAN PROPOSED SITE CONCEPT PLAN.pdf

David,

Attached is the latest concept site plan for the above-mentioned project. As per our conversation earlier today, regarding the gateway elements at the NW corner of the site, our intentions are to propose a design that would be very similar to the one previously submitted for the site at the SW corner of John King Blvd and I-30, however, we would not be providing the pylon element. We are currently working on a proposed gateway concept sketch of this corner. For the time being, I have included a copy of the previously-submitted gateway concept sketch for the previous site, with the pylon elements omitted.

If you have any questions, or wish to discuss, please do not hesitate to call.

Thank you.

Jeff Ball, AIA
Senior Vice President

Boynton Williams & Associates
3010 LBJ Freeway I Suite 110
Dallas, TX 75234

P 972.661.5461
F 972.661.5449
C 214.244.4809

bwaarchitects.com



Fenton Motor Group
2601 Network Boulevard Suite 202
Frisco, Texas 75034

VIA EMAIL

May 8, 2014

Mr. David Gonzales
City of Rockwall, Texas

RE: SUP Application for Fenton Motor Group, LLC
IH-30 and John King Blvd
Rockwall, Texas

Dear David:

Please let this letter serve as notice that Fenton Motor Group, LLC (Fenton) hereby commits to construct at its expense the attached Gateway Freestanding Wall Element and an ten (10) foot wide sidewalk (collectively referred to as Design Elements) as called for in the John King Blvd. Design Concept Plan dated September 2009 as part of its application for a Special Use Permit (SUP). Construction of the Gateway Freestanding Wall Element and ten (10) foot wide sidewalk will be subject to the approval of the SUP, as well as all other governmental approvals required for the construction of the automobile dealership and service facility, and will be constructed when the automobile dealership and service facility are constructed.

Please let me know if you have any questions.

Sincerely,

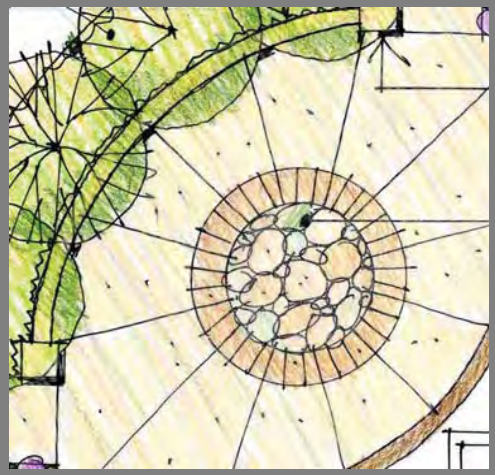
Brad Fenton
President
Fenton Motor Group, LLC

121

ROCKWALL

JOHN KING BLVD. DESIGN CONCEPT PLAN



City of Rockwall, Texas

September 2009

TOWNSCAPE, Inc.

JOHN KING BLVD. DESIGN CONCEPT PLAN

1. BACKGROUND & INTRODUCTION

John King Blvd. is a City initiated, funded and constructed roadway. Named for an exceptional City leader, statesman and former Councilman, it was conceived to provide by-pass traffic relief to Texas highway 205 which penetrates downtown, and to provide access and structure for developing properties on the east side of the City.

The design concept for this corridor is intended to evoke and enhance an image of the City of Rockwall that has evolved through the Comprehensive Plan, development standards and development approvals over recent years.

From the outset, it was determined that this concept would provide the City with a "kit of parts" and clear direction on how they could be applied to this specific corridor. A side benefit is that elements of this design concept are flexible enough to be used to meet identity and enhancement needs throughout the City – along other roadway corridors, entries, hike and bike trails and such.

It is anticipated that the elements for John King Blvd. would be detailed by a landscape architect for each specific application. The quality of construction of the physical elements is paramount. They will provide a timeless legacy to the community – aging with grace and beauty for all to enjoy.



1

2. ISSUES AND OPPORTUNITIES

OBSERVATIONS

The strongest enhancement concepts for John King Boulevard should build on the existing landscape character, both natural and manmade, that the roadway traverses. It must also recognize the likely character of future land uses, and build upon existing branding efforts throughout the city so that a cohesive community character continues to emerge and strengthen through these efforts. Townscape's field observations and analysis of aerial photos and planning documents recognized the following attributes as significant cues and inspiration for enhancement concepts.

Several wooded creeks and drainage ways cross the boulevard at fairly regular intervals. These wooded bottoms are the most dramatic landscape feature of the corridor. Their visual impact can be heightened and the corridor made more interesting extending the character of these woods into the boulevard parkways and medians at the crossings, reinforcing the character of the creeks and creating a visual rhythm for the roadway traveler.

Prairie uplands with broad, rolling slopes and long views occur between the wooded bottoms. The dominant visual character here is of prairie grasses sparsely studded with lower-growing tree species.

Gateway identity opportunities exist where John King Boulevard begins at North Goliad, at South Goliad, and on both sides of Interstate 30.

Key intersections offer opportunities to create "pulse points" along the driver's path with enhanced paving and plantings, and to provide seating and shade for trail users.

Future land uses, as presently zoned or called for in the Comprehensive Plan, can cue related design treatments. For example, more structured, formal plantings and material finishes would be appropriate at commercial and mixed-use intersections, while more naturalistic arrangements might be used in rural/future residential areas that have yet to be developed.

Existing community icons and branding efforts, including the Rockwall County Courthouse, existing limestone "gateway" walls, and the Rockwall Technology Park entrances all share a consistent look of native limestone, the classic Times Roman font and drought tolerant plantings that are appropriate to carry forward into new designs. Newer additions such as the Harbor Place development and the newest murals at I-30 and 205 have introduced a pale yellow color into the townscape that can enhance plain concrete abutments along the roadway.





JOHN KING BOULEVARD CONCEPT

CITY OF ROCKWALL TEXAS

TOWNSCAPE, INC.

3. DESIGN CONCEPT AND PALETTE

John King Boulevard provides opportunities for enhancement and placemaking that can be a strong reflection of Rockwall's history, culture, natural landscape and values, and an important investment in furthering the city's position as a first-tier home and business location. To realize this potential, these impressions must be translated into usable architectural terms, and guided by overarching concepts that tie the individual parts together into a perceivable and pleasing whole.

GUIDING CONCEPTS

Build on the Strengths of the Existing Landscape. Heighten the visual impact of the wooded bottoms and prairie uplands by emulating and enhancing those landscape types in the medians and parkways.

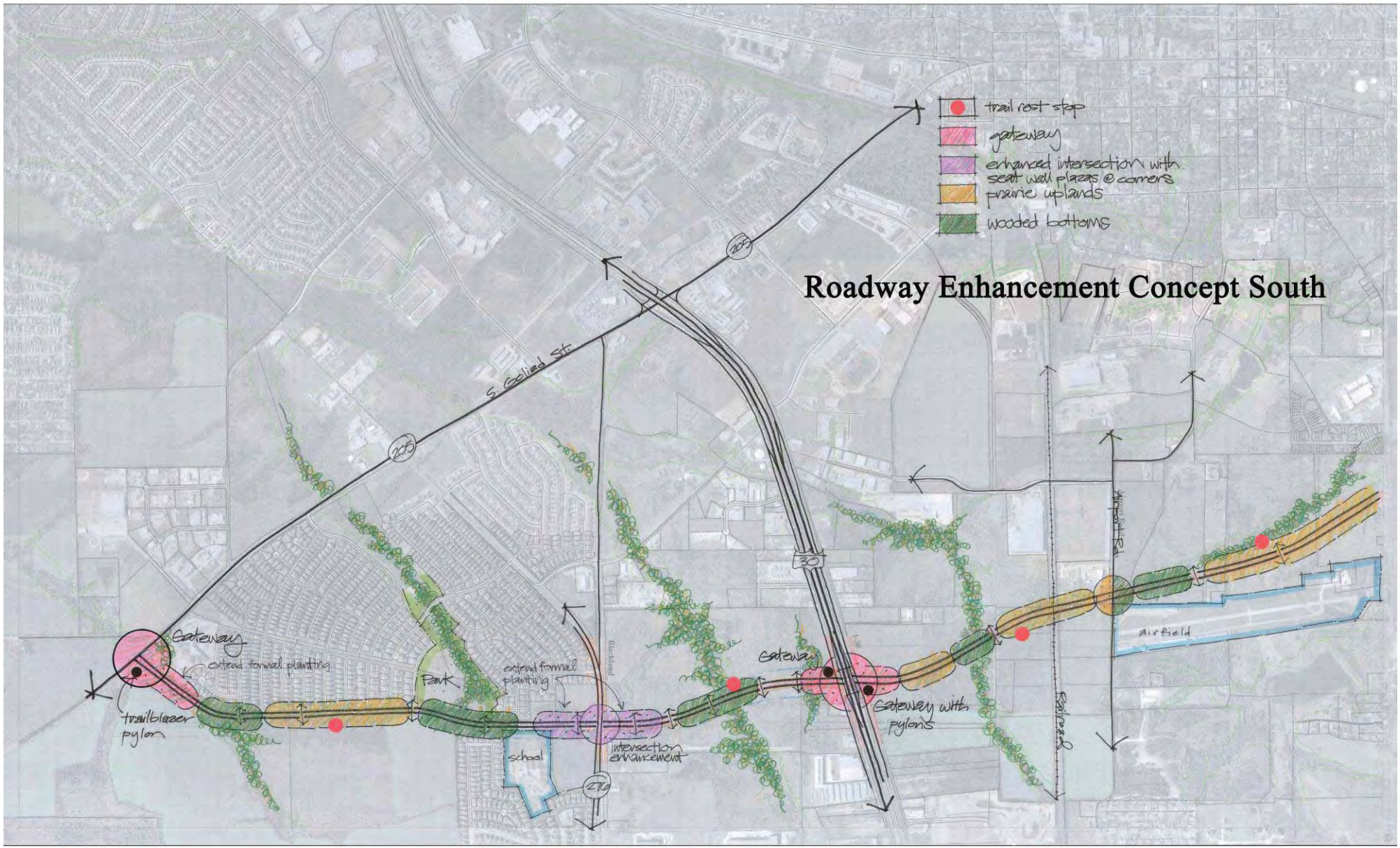
Unity with Variety. Consistent architectural and planting materials, colors, sign fonts, and related elements will lend overall unity to the road corridors. While unity is desirable, "sameness" is not. Varying configurations to fit the unique characteristics of individual sites will allow this consistent palette to be interpreted in slightly different yet complementary designs, providing variety within a unified whole.

Pulse Points. The "wooded bottoms" crossings and major intersection enhancements will act as "pulse points" in the driving experience, punctuating the boulevard corridor with sophisticated design forms and eye-catching detail at regular intervals, producing a pleasing and predictable visual rhythm in the driving experience.

Quality and Timelessness. The design forms for John King Boulevard should be rooted in Rockwall's strong landscape and heritage, while coexisting comfortably with new development, never looking "dated." High quality of materials and construction should be a defining characteristic of new enhancement projects.

PALETTE OF FORMS AND MATERIALS

- Austin limestone block
- Native fossil limestone
- Cast stone
- Times Roman font
- Pale cream/yellow concrete stain
- Native and drought-tolerant trees, shrubs and grasses in bold, rhythmic patterns
- Freestanding horizontal limestone walls
- Vertical landmarks and focal points
- Sailboat icon or city logo repeated in architectural elements
- Pure geometries; timeless classic forms



JOHN KING BOULEVARD CONCEPT

CITY OF ROCKWALL TEXAS

TOWNSCAPE, INC.
Rockwall Comprehensive Plan 2011
Appendix "C"
127

4. DESIGN ELEMENTS

ROADWAY ENHANCEMENT CONCEPT DIAGRAM

The Roadway Enhancements Concept diagrams identify locations for the boulevard "character zones," and key architectural and landscape architectural elements, which collectively comprise a "family" of related design treatments to lend character and a distinct Rockwall image to the boulevard corridor.

DESIGN ELEMENTS

MEDIANS AND PARKWAYS

The median and parkway design concepts reflect the "character zones" in which they are located:

The Wooded Bottoms: These areas are intended to appear as extensions of the vegetation in the natural wooded creeks and drainage ways that are spanned by the boulevard. Accordingly, planting arrangements should be tight, informally grouped masses of native and adapted riparian canopy and understory trees designed to emulate the character of the creek vegetation. These tree masses are to be set in native ornamental grasses to minimize the need for maintenance.

The Prairie Uplands: In these areas lower growing tree species native (or adapted and of similar character to the natives) to the rolling hills of eastern Rockwall County would be arranged to emulate the sparser tree cover of the surrounding uplands. These informal tree groupings would also be set in masses of native ornamental grasses, minimizing maintenance needs.

The concepts illustrated reflect accurate roadway dimensions and indicate that trees should not be planted in the median areas where future roadway expansion is likely to occur. The illustrated plant materials and their design arrangements are indicative of the size and character appropriate for the character zones in which they occur; subsequent detailed planting plans will make specific plant species recommendations that take into account site-specific horticultural conditions and established project budgets.

KEY ENHANCED INTERSECTIONS

Special intersection enhancements are proposed for three key intersections (shown in purple on the Enhancements diagram). The adjacent boulevard medians would be planted with three or more formal groupings of matching canopy trees set in beds of ornamental grasses. The three or more tree groupings should be separated by conventional turf, such as Bermuda to create a visual pattern and rhythm that signals the intersection for the approaching motorist. As the median narrows to accommodate its turn lane, the median plantings would transition to ornamental grasses and drought-tolerant shrubs.

Small paved "plaza" areas with seat-height limestone walls would anchor each corner of the intersection, providing visual interest for motorists as well as informal seating and shade for trail users and other pedestrians and cyclists.

GATEWAY IDENTITY

Due to the wide variation in site size and configuration at potential gateway sites, the "kit of parts" approach, utilizing a combination of limestone walls, the vertical "trailblazer" monument pylon, canopy or ornamental trees and broad masses of drought tolerant shrubs and grasses can be used to great effect. This will result in a "family" of gateway designs comprised of the same key elements, but arranged in unique compositions

to best fit their particular site configuration and topography.

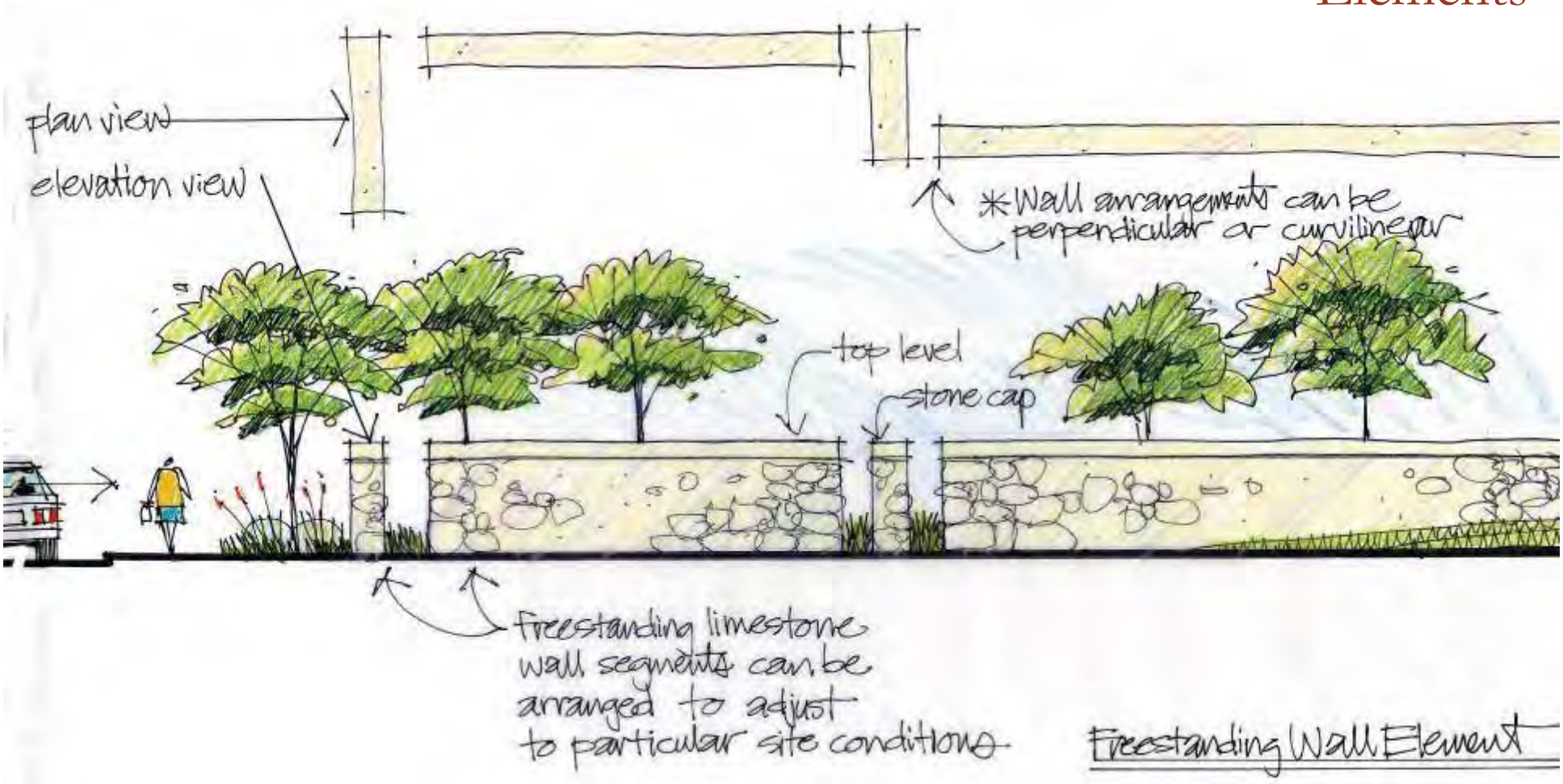
TRAIL REST STOPS

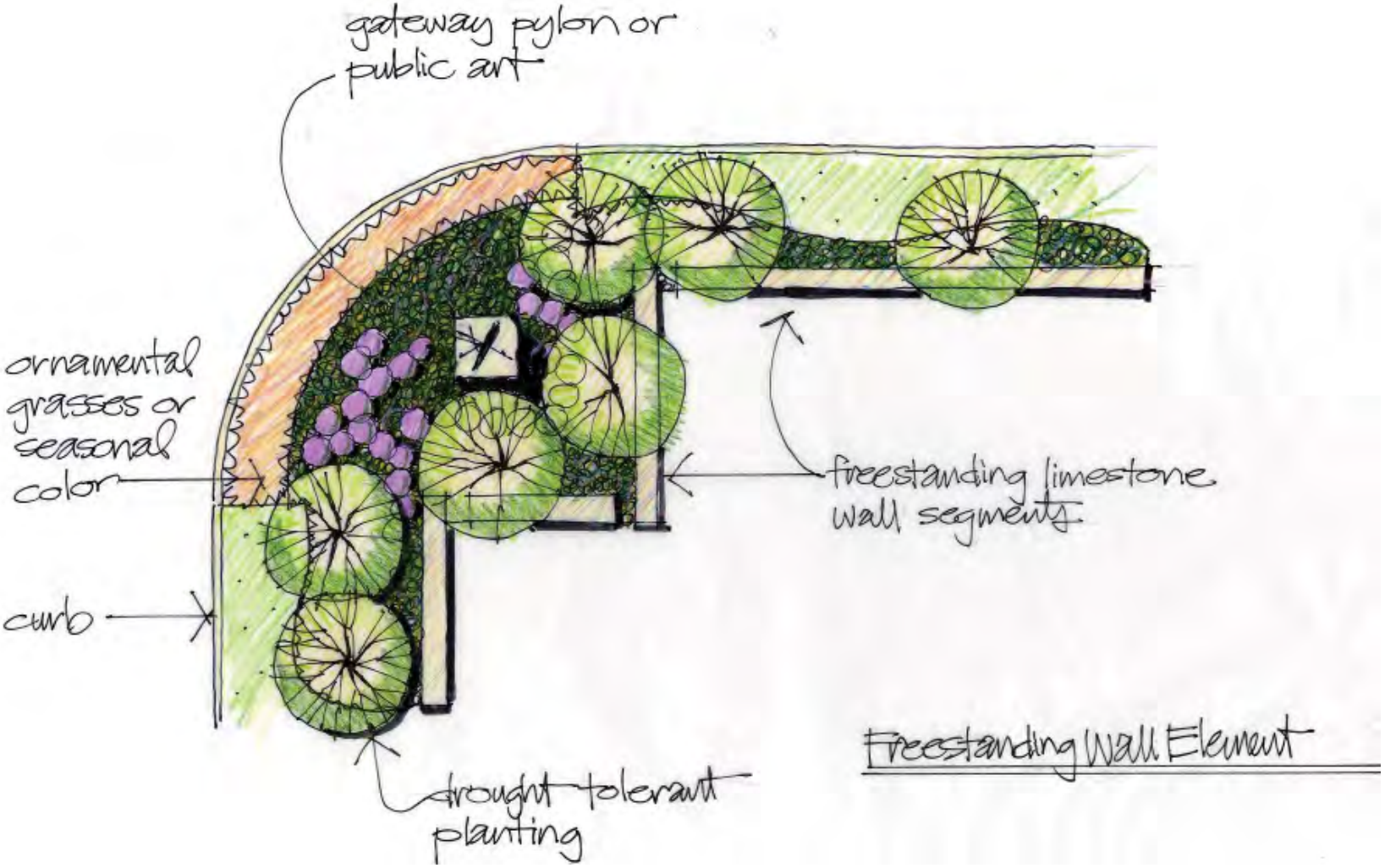
Shaded "rest areas" are shown in preliminary locations on the Enhancements diagram, spaced roughly one mile apart on both sides of the boulevard. This results in a rest area along the boulevard about every half mile. The key design elements shown in the prototype design consist of a shaded shelter of limestone and architectural metal, a seat-height wall for informal seating, a waste receptacle and a drinking fountain with dog dish. The edges should be enhanced with boulders and drought tolerant plantings as shown.

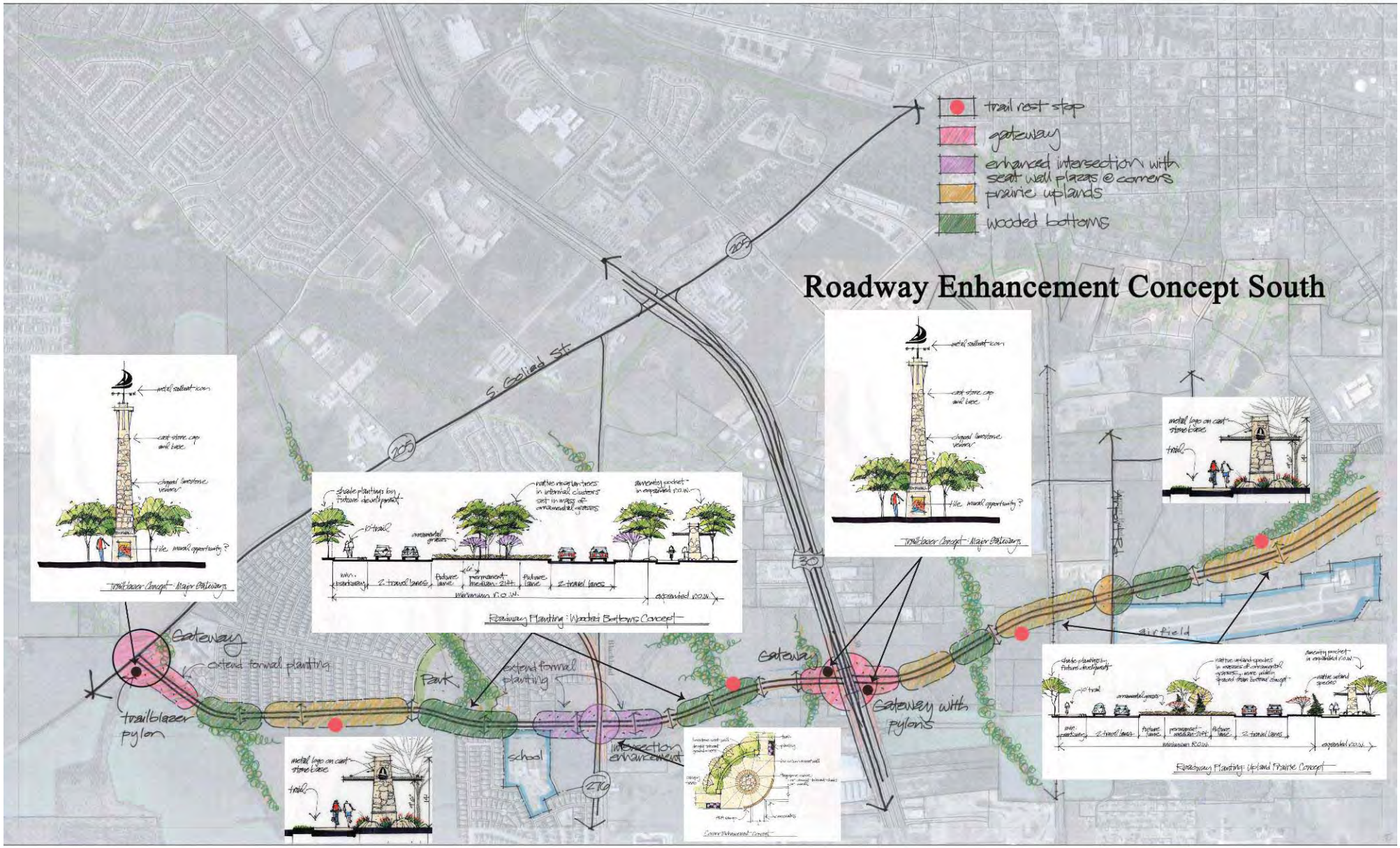
EXPOSED CONCRETE WALLS

Low exposed concrete headwalls visible from the travel lanes of the boulevard should be colored with the same pale yellow concrete stain utilized for the new John King Boulevard bridge spanning Phelps Branch. This subtle color change will be helpful in tying disparate elements of the corridor together and giving the boulevard design a "finished" appearance.

Placemaking Elements




gateway pylon or public art
ornamental grasses or seasonal color
curb
drought tolerant planting
freestanding limestone wall segments
Freestanding Wall Element



JOHN KING BOULEVARD CONCEPT

CITY OF ROCKWALL TEXAS

132

6. IMPLEMENTATION

This concept design represents a long term vision for enhancement of the corridor. It will not likely be built within a short time horizon.

INCORPORATE TRAIL SYSTEM INTO THE THOROUGHFARE PLAN

Nationally as well as within the Metroplex region, communities are realizing that multi-modal access such as bicycle and pedestrian trails are an important ingredient to becoming sustainable. This is reflected in the new LEED-ND (Neighborhood Development) standards. The trail system should therefore be added to the Thoroughfare Plan in order to ensure continuity of the system.

ADOPT PLAN AS DESIGN GUIDELINES FOR THE OVERLAY DISTRICT

Adopt this John King Boulevard Plan as guidelines and standards for the 205 By-Pass Overlay District.

COST SHARING OF ENHANCEMENTS

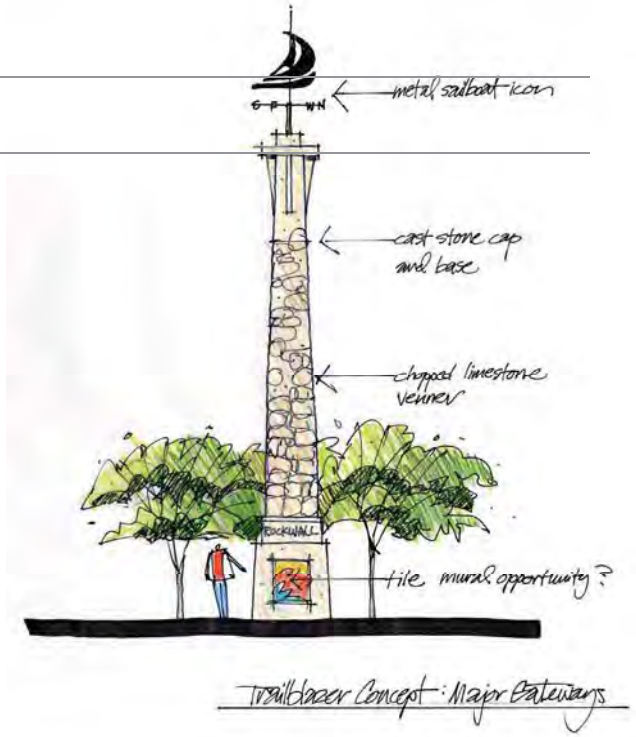
As a general rule, developments make improvements to the curb line which would include sidewalk/trails and landscaping elements of this plan. Notable exceptions would be Landmark Pylons and trailhead washroom facilities. The City should provide landscaping within the median except when development requires additional median cuts in accordance with the City adopted standards.

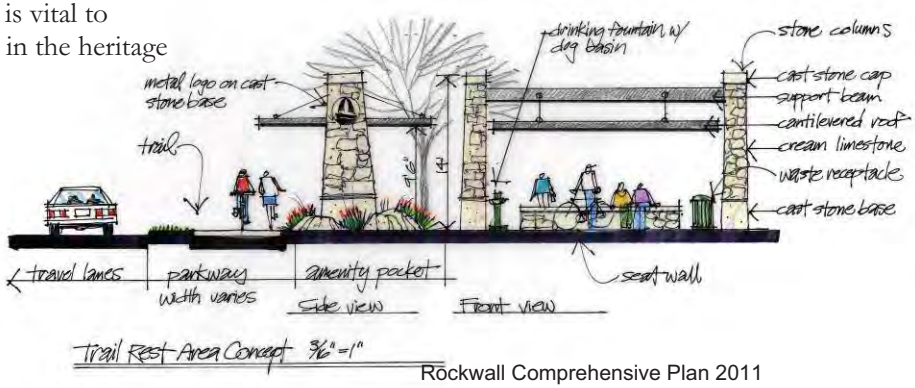
CITY ENHANCEMENT PRIORITIES

The highest visual impact improvement would be landscaping the medians in the "Wooded Bottoms" area as a first priority. This could be followed by additional landscaping of medians and the introduction of gateway pylons.

QUALITY STRUCTURAL FEATURES

A qualified landscape architect should be engaged to provide final design and detailed specifications for all structural elements including wall, pylons, corner plazas and amenity pockets. The quality of design and construction of these elements is vital to building upon an image rooted in the heritage of the community.





CITY OF ROCKWALL

ORDINANCE NO. 14-___

SUP NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "MOTOR VEHICLE DEALERSHIP, NEW" ON A 4.08-ACRE TRACT OF LAND LOCATED IN THE J. LOCKHART SURVEY, ABSTRACT NO. 134 AND BEING THAT CERTAIN TRACT OF LAND DESCRIBED IN A DEED TO THE CAMBRIDGE COMPANIES, INC. AS RECORDED IN VOLUME 101, PAGE 795 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Specific Use Permit (SUP) for a "Motor Vehicle Dealership, New" within the Commercial (C) District has been requested by Brad Fenton of Fenton Motor Group, LLC and on behalf of Cambridge Companies, Inc., on a 4.08-acre tract of land known as the J. Lockhart Survey, Abstract 134, and being that certain tract of land described in a deed to the Cambridge Companies, Inc. as recorded in Volume 101, Page 795 of the deed records of Rockwall County, TX, and more specifically described in Exhibit "A" of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit for a "Motor Vehicle Dealership, New" within the Commercial (C) District for the *Subject Property*; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in ***Article V, Section 4.5, Commercial District*** of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended and as may be amended in the future, and shall be subject to the additional following additions:

1. The SUP is for the proposed land use only (i.e. "Motor Vehicle Dealership, New"); and

2. The proposed conceptual site plan shall be attached to the SUP Ordinance for the purpose of establishing a boundary that will incorporate said SUP Ordinance with SUP No. 111 (Ord. No. 13-36) for the purpose of developing a "Motor Vehicle Dealership, New" on a 15.658-acre tract of land as depicted in Exhibit "B"; and

3. A development for a "Motor Vehicle Dealership, New" shall provide, and maintain in a pedestrian access easement, a corner enhancement Gateway Freestanding Wall Element as conceptually rendered or of similar quality as per the John King Blvd Design Guidelines Concept Plan located in the City's 2011 Comprehensive Plan; and as attached hereto as Exhibit 'C' and Exhibit 'D'; and

4. Future site plan submittal and approval shall be required, including Architectural Review and adherence to all standards specified in the IH-30 Overlay and 205 By-Pass Corridor Overlay districts and other applicable sections of the Unified Development Code; and

5. Submittal and approval of engineering plans and final plat prior to the issuance of a building permit; and

6. Any variance to the IH-30 Overlay and/or 205 By-Pass Corridor Overlay districts or other sections of the Unified Development shall be considered at the time of site plan approval; and

7. The SUP shall expire if development has not commenced within three (3) years from the approval date of the SUP ordinance.

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

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

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

Section 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code No. 04-38 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this ___ day of _____, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank Garza, City Attorney

1st Reading: _____

2nd Reading: _____

Exhibit 'A'

FIELD NOTES
ZONING TRACT "J"
EXHIBIT "A"

BEING 4.08 Acres of land located in the J. LOCKHART SURVEY, Abstract No. 134, Rockwall County, Texas, being a portion of that certain tract of land described in deed to the Cambridge Companies, Inc. as recorded in Volume 101, Page 795 of the Deed Records of Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point at the Northeast corner of said Cambridge tract, lying in the South right-of-way line of I.H. No. 30 (a variable width right-of-way);

THENCE S 00°13'35"E along the East line of said Cambridge tract, 635.87 feet to a point;

THENCE S 89°32'57"W, 300.62 feet to a point in the centerline of S.H. No. 205 Bypass (a 120 foot right-of-way), saod point being the beginning of a Non-Tangent Curve to the Right;

THENCE along the centerline of said S.H. No. 205 Bypass as follows:

NORTHWESTERLY, 16.72 feet along said Curve to the Right, having a radius of 1,950.00 feet, a central angle of 00°29'28" and a chord bearing N 00°35'02"W, 16.72 feet to a point at the end of said Non-Tangent Curve to the Right;

N 00°20'18"W, 528.35 feet to a point in the North line of said Cambridge tract and the South right-of-way line of said I.H. No. 30;

THENCE N 72°49'16"E along the North line of said Cambridge tract and the South right-of-way line of said I.H. No. 30, 315.46 feet to the PLACE OF BEGINNING containing 4.08 Acres of land.

SAVE AND EXCEPT the portion thereof platted for right of way purposes for the SH 205 Bypass, believed to be approximately 0.94 acres of land.

Page 1 of 1

W&A No. 04141
May 7, 2007

Exhibit 'B'

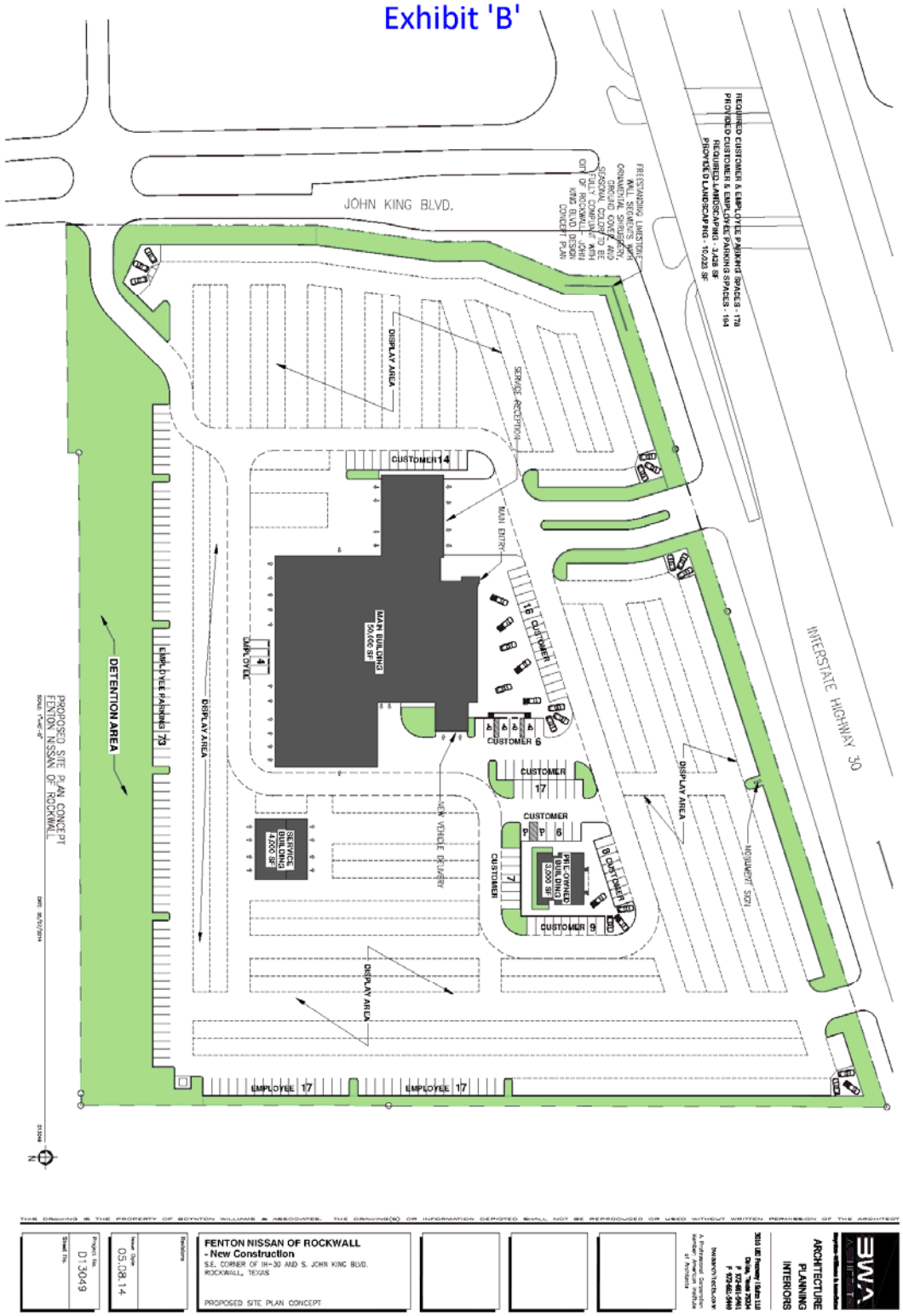

JOHN KING BLVD.
INTERSTATE HIGHWAY 30
DISPLAY AREA
SERVICE RECEPTION
MAIN ENTRY
CUSTOMER 14
MAIN BUILDING 50,000 SF
16 CUSTOMER
CUSTOMER 6
CUSTOMER 17
CUSTOMER 6
PRE-OWNED BUILDING 3,000 SF
8 CUSTOMER
CUSTOMER 9
CUSTOMER 7
SERVICE BUILDING 4,000 SF
NEW VEHICLE DELIVERY
MONUMENT SIGN
DETENTION AREA
EMPLOYEE PARKING 73
EMPLOYEE 4
EMPLOYEE 17
EMPLOYEE 17
PROPOSED SITE PLAN CONCEPT
FENTON NISSAN OF ROCKWALL
FENTON NISSAN OF ROCKWALL
- New Construction
S.E. CORNER OF IH-30 AND S. JOHN KING BLVD.
ROCKWALL, TEXAS
PROPOSED SITE PLAN CONCEPT
ARCHITECTURE
PLANNING
INTERIORS
D13049
05.08.14

Exhibit 'C'

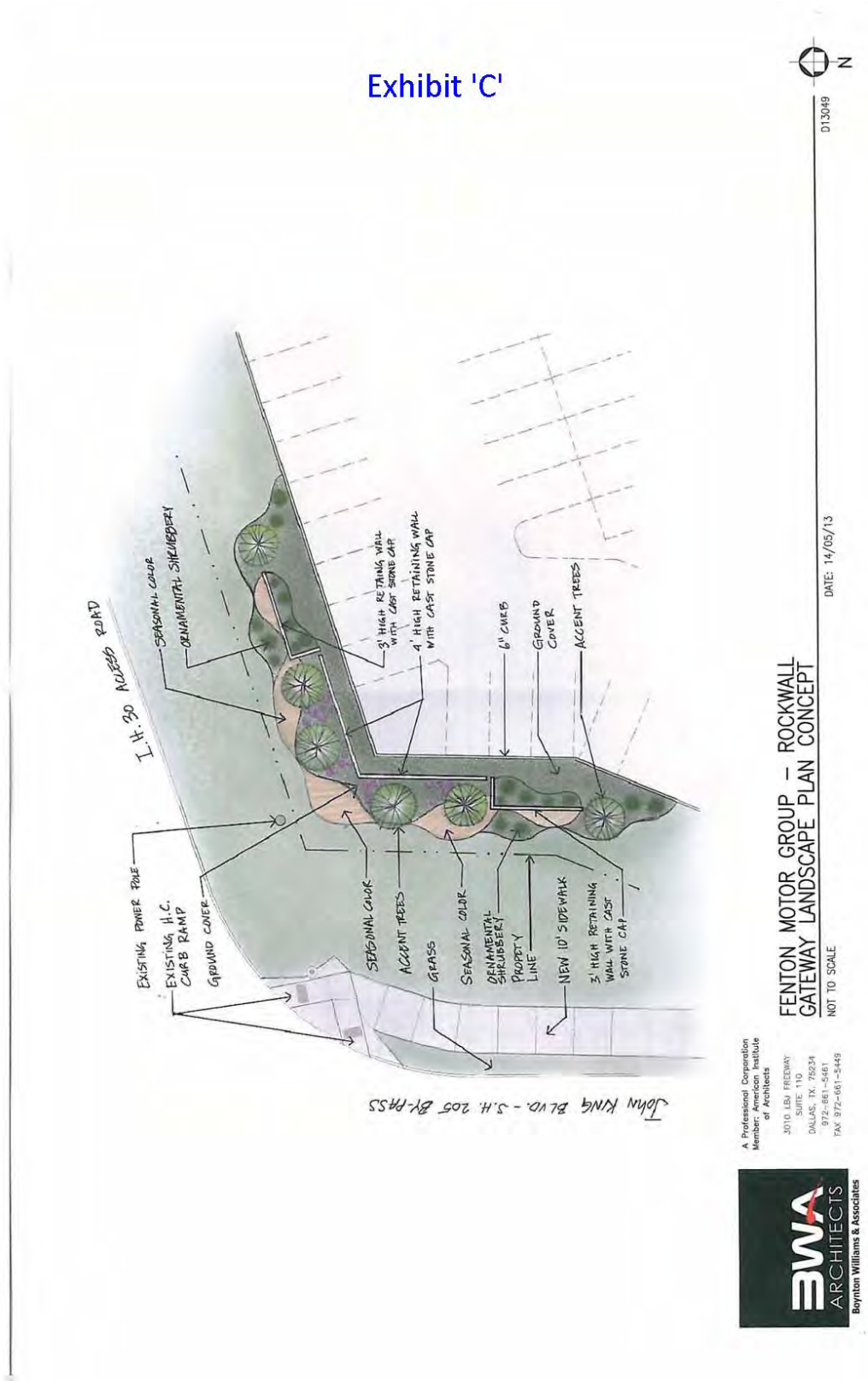

I. H. 30 ACCESS ROAD
SEASONAL COLOR
ORNAMENTAL SHRUBBERY
3' HIGH RETAINING WALL WITH CAST STONE CAP
4' HIGH RETAINING WALL WITH CAST STONE CAP
6" CURB
GROUND COVER
ACCENT TREES
EXISTING POWER POLE
EXISTING H.C. CURB RAMP
GROUND COVER
SEASONAL COLOR
ACCENT TREES
GRASS
SEASONAL COLOR
ORNAMENTAL SHRUBBERY
PROPERTY LINE
NEW 10' SIDEWALK
3' HIGH RETAINING WALL WITH CAST STONE CAP
John King Blvd. - S.H. 205 By-Pass
FENTON MOTOR GROUP – ROCKWALL
GATEWAY LANDSCAPE PLAN CONCEPT
NOT TO SCALE
DATE: 14/05/13
D13049
N
A Professional Corporation
Member: American Institute of Architects
3010 LBJ FREEWAY
SUITE 110
DALLAS, TX. 75234
972-861-5461
FAX 972-661-5449
BWA ARCHITECTS
Boynton Williams & Associates

Exhibit 'D'

4' HIGH LIMESTONE RETAINING WALL WITH CAST STONE CAP
ACCENT TREES
GROUND COVER
SEASONAL COLOR
3' HIGH LIMESTONE RETAINING WALL WITH CAST STONE CAP
GROUND COVER
SEASONAL COLOR
GROUND COVER
FENTON MOTOR GROUP – ROCKWALL
GATEWAY ELEVATION CONCEPT
NOT TO SCALE
DATE: 14/05/13
D13049
A Professional Corporation
Member: American Institute of Architects
3010 LBJ FREEWAY
SUITE 110
DALLAS, TX. 75234
972-661-5461
FAX 972-661-5449
BWA ARCHITECTS
Boynton Williams & Associates

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 5/19/2014

APPLICANT: Seitz Architects, Inc.

AGENDA ITEM: **SP2014-007**; St. Marys Office Building

SUMMARY:

Discuss and consider a request by Stephen Seitz Architects, Inc. on behalf of the owner of the property for the approval of variances to the building material and screening requirements stipulated for buildings located within a General Retail (GR) District with residential adjacency for a 0.75-acre tract of land identified as Lot E, Block 117 & Lot D, Block 117 of B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, located at the northeast corner of the intersection of SH-205 [S. Goliad Street] and St. Mary's Street, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Stephen Seitz of Seitz Architects, Inc., is requesting approval of a site plan to allow for the construction of a new office building located at 105 St. Mary's Street. The subject property is identified as a portion of Tract II of the B.F. Boydstun Survey, Abstract No. 14, Rockwall, Texas, which is zoned General Retail (GR) District. The property is located on the northeast corner of S. Goliad and St. Mary's Street.

VARIANCE REQUEST(S):

According to Section 4.1, General Commercial District Standards, of Article V, District Development Standards, of the UDC:

"Each exterior wall shall consist of 90 percent masonry materials … excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20% stone. All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metals, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first eight [8] feet above grade on a façade visible from a street or public area."

The applicant is requesting variances to the material requirements stipulated for properties located within a General Retail (GR) District. Specifically, the applicant is requesting to exceed the 50% cementaceous stucco allowance on the south and east elevations. The elevations currently show a total stucco percentage of approximately 53% on the south side and 70% on the east side of the building. Additionally, stucco is shown as being located within the first eight feet above grade, which also requires approval of a variance.

One additional variance to the residential adjacency standards is being requested. According to Section 5.6, Screening from Residential Uses, of Article VIII, Landscape Standards, of the UDC:

“Any commercial or industrial use or parking lot that has side or rear contiguous to any residential district…shall be screened with a masonry fence (excluding tilt wall or concrete block unless approved by the city council), six feet in height, unless otherwise approved by the city council.”

The applicant is requesting to utilize a natural landscape screening in lieu of a masonry fence adjacent to the residential property.

RECOMMENDATIONS:

Should the request be approved, staff offers the following conditions:

1) Adherence to all Planning, Engineering and Fire Department standards;

2) Any construction or building necessary to complete this Site Plan request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

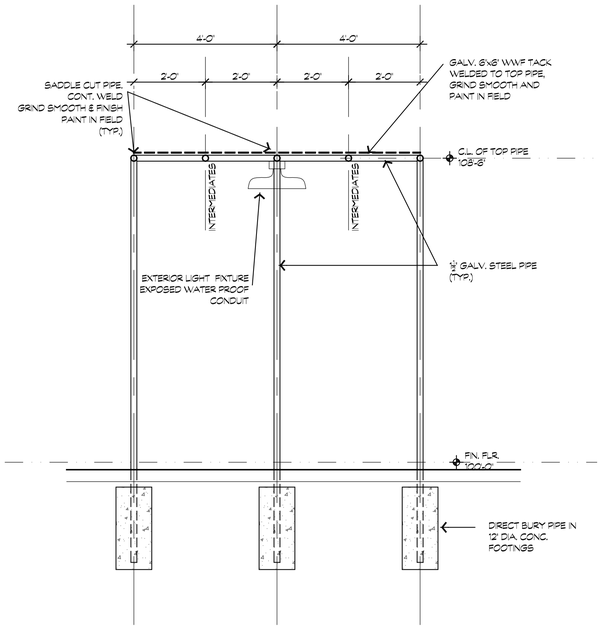
PLANNING AND ZONING COMMISSION:

On May 13, 2014, the Planning and Zoning Commission approved the site plan and made a motion to recommended approval of variances to the building material and screening requirements. The motion was approved by a vote of 7-0.



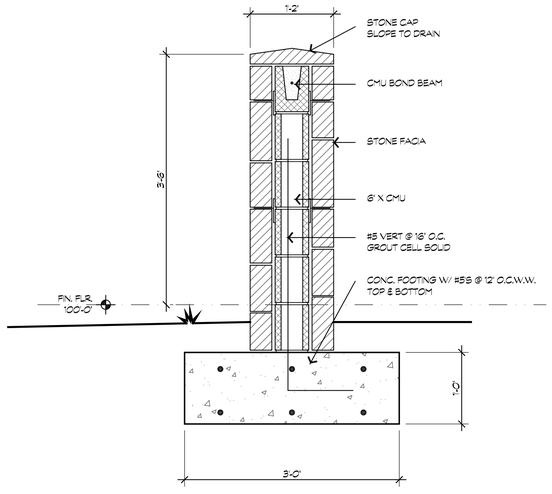
City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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



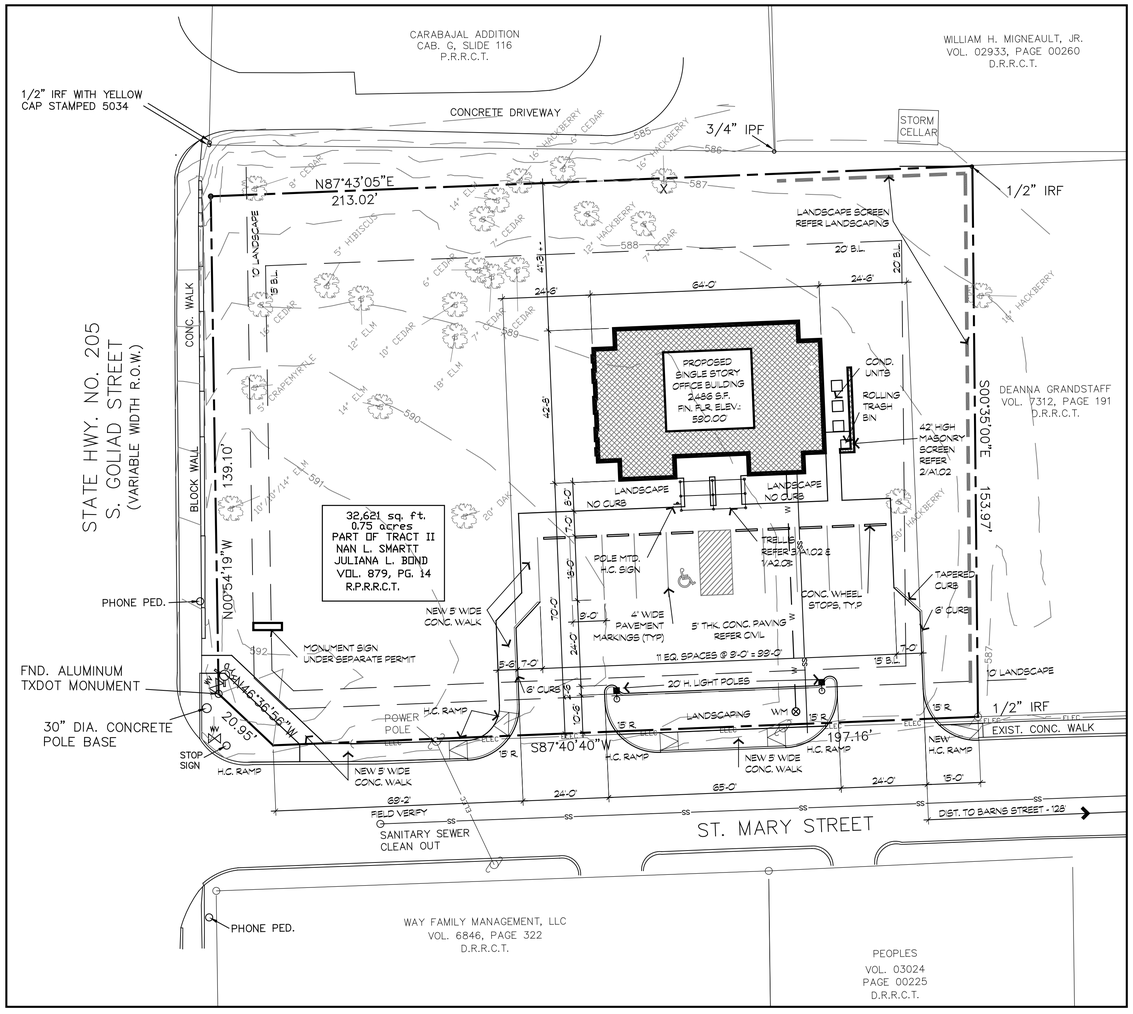
3 A1.02 **Trellis Section**

Scale: 1/2" = 1'-0"



2 A1.02 **Screen Wall Section**

Scale: 1" = 1'-0"



N Actual 1 A1.02 **Architectural Site Plan**

Scale: 1" = 20'-0"

20 10 0 20 40

Site Notes

1. CONTRACTOR TO FIELD VERIFY ALL EXISTING CONDITIONS, GRADES, UTILITY LOCATIONS, AND DIMENSIONS PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY OWNER/ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES.

2. EXACT LOCATIONS OF EXISTING UTILITIES SHALL BE DETERMINED BY THE CONTRACTOR. ROUTING TO NEW CONSTRUCTION SHALL ALLOW FOR THE MOST ECONOMICAL INSTALLATION. ALL LOCATIONS SHALL BE VERIFIED BY THE OWNER.

3. THE CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES TO DETERMINE EXACT POINT OF SERVICE CONNECTION AT EXISTING UTILITY.

4. DIMENSIONS SHOWN ARE TO THE FACE OF WALL, FACE OF PAVING, CURB, AND/OR PROPERTY LINES.

Owner / Developer

OWNER:

Albright Hill Properties LLC
Jennifer Hill
12160 Abrams Rd, Dallas, TX 75243
(972) 270-5452

Jurisdiction of Project

REGULATORY AUTHORITIES:

City of Rockwall, Texas
385 South Goliad Street
Rockwall, Texas 75087
(972) 771-7700

Texas Department of Licensing and Regulation
Elimination of Architectural Barriers
E.O. Thompson State OfficeBuilding
920 Colorado
Austin, Texas 78701
(512) 463-3211
(512) 475-2886 (FAX)

BUILDING DESIGN CODE:
2009 INTERNATIONAL BUILDING CODE
2009 INTERNATIONAL MECHANICAL CODE
2009 INTERNATIONAL PLUMBING CODE
2009 INTERNATIONAL FIRE CODE
2009 INTERNATIONAL ENERGY CONSERVATION CODE
2009 NATIONAL ELECTRIC CODE

Local Amendments & NCTCOG Amendments

Property Information

Address:
105 St. Mary Street
Rockwall, Texas 75087

LEGAL DESCRIPTION:
All that certain lot, tract or parcel of land situated in the B.F. BOYDSTUN SURVEY, ABSTRACT NO. 14, City of Rockwall, Rockwall County, Texas, and being a part of a tract of land described as Tract I in a Warranty deed from Nan L. Smartt, Executor of the Estates of Joe B. Smartt to Nan L. Smartt and Juliana L. Bond, dated February 8, 1994 and being recorded in Volume 879, Page 14, of the Real Property Records of Rockwall County, Texas.

Property to be platted in this project work.

LOT AREA:
0.75 Acres
32,623 square feet

ZONING: GR - GENERAL RETAIL

PROPOSED LAND USE:
Office Building, less than 5,000 s.f.

Building Information

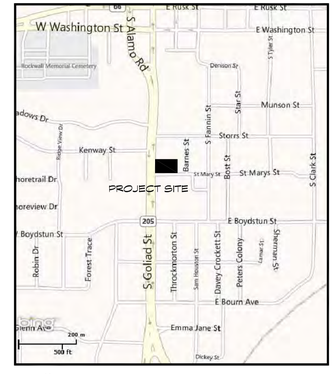
OCCUPANCY:
BUSINESS GROUP B

SINGLE STORY
BUILDING AREA: 2,488 S.F.

Parking Requirements

LAND USE:
OFFICE, GENERAL
REQUIREMENT: 1 FOR 300 S.F.

2,488 / 300 = 8 SPACES REQUIRE & PROVIDED



N **Vicinity Map**

No Scale

Rockwall Case # SP2014-007

Seitz Architects, Inc.
2231 Ridge Road, Suite 201, Rockwall, Texas 75087
972.772.9006 Fax: 972.722.7002 www.seitzarchitects.com

REGISTERED ARCHITECT JOHN THOMAS SEITZ 21157 STATE OF TEXAS

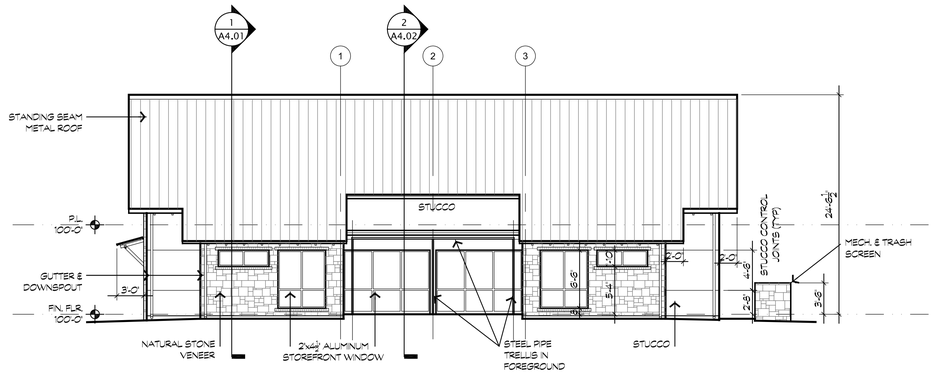
14 April 2014

New Professional Office Building
Albright, Hill & Sumpter, PC
St. Mary's Street and South Goliad Street
Rockwall, Texas

file # 13-018 Site
project # 13-018
date 6 May 2014
revisions

sheet
A1.02

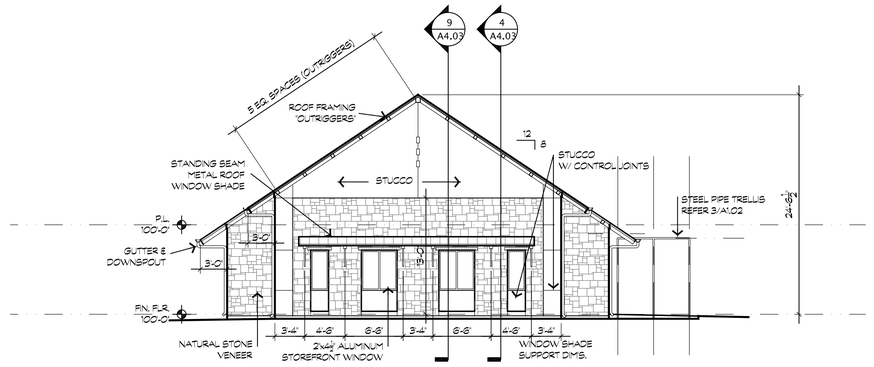
145



1 A3.01 South Elevation (St. Mary)

Scale: 1/8"=1'-0"

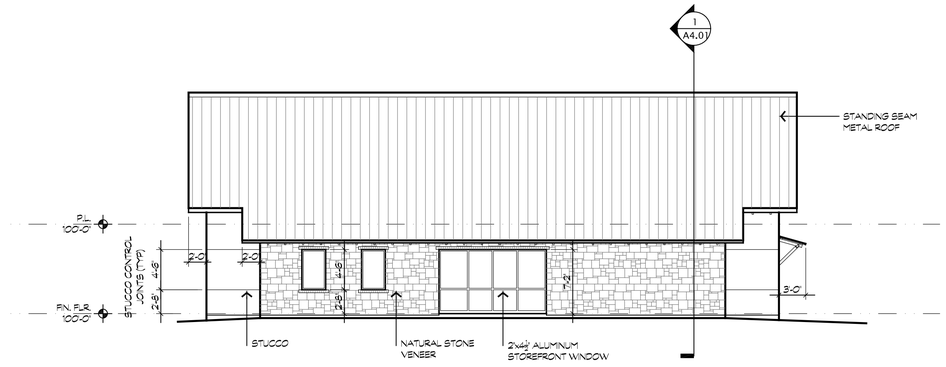
TOTAL BUILDING FACADE AREA: 723 S.F.
LESS GLASS AND FRAME: 230 S.F.
TOTAL MASONRY AREA: 484 S.F.
MATERIALS:
STONE: 233 S.F. = 47%
CEMENTITIOUS STUCCO: 260 S.F. = 53%



3 A3.01 West Elevation (Goliad)

Scale: 1/8"=1'-0"

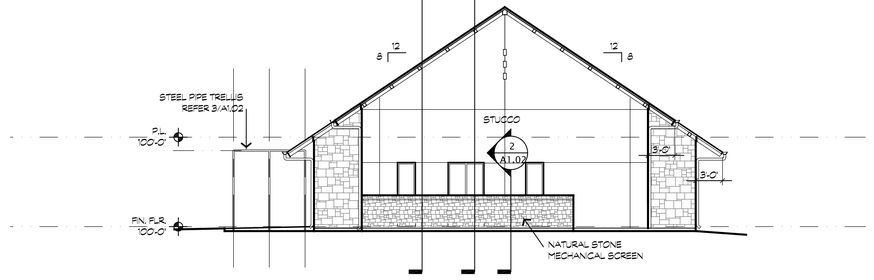
TOTAL BUILDING FACADE AREA: 740 S.F.
LESS GLASS AND FRAME: 54 S.F.
TOTAL MASONRY AREA: 686 S.F.
MATERIALS:
STONE: 409 S.F. = 59%
CEMENTITIOUS STUCCO: 277 S.F. = 41%



2 A3.01 North Elevation

Scale: 1/8"=1'-0"

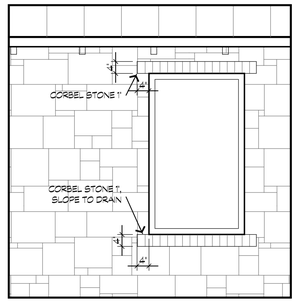
TOTAL BULDING FACADE AREA: 723 S.F.
LESS GLASS AND FRAME: 170 S.F.
TOTAL MASONRY AREA: 613 S.F.
MATERIALS:
STONE: 471 S.F. = 76%
CEMENTITIOUS STUCCO: 142 S.F. = 24%



4 A3.01 East Elevation

Scale: 1/8"=1'-0"

TOTAL BULDING FACADE AREA: 740 S.F.
LESS GLASS AND FRAME: 54 S.F.
TOTAL MASONRY AREA: 708 S.F.
MATERIALS:
STONE: 218 S.F. = 30%
CEMENTITIOUS STUCCO: 488 S.F. = 70%



6 A3.01 Typ. Stone Detail

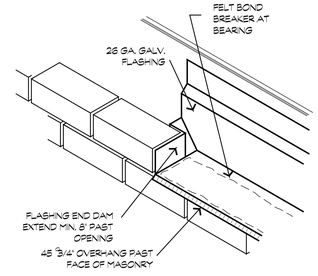
Scale: 1 1/2"=1'-0"

Steel Lintel Schedule

CLEAR SPAN	SIZE	MIN. BEARING LENGTH
UP TO 4'-0"	L 3 1/2" X 3 1/2" X 1/4"	8"
TO 6'-0"	L 4" X 3 1/2" X 1/4"	8"
TO 6'-6"	L 4" X 3 1/2" X 5/16"	8"
TO 8'-0"	L 5" X 3 1/2" X 5/16"	8"
TO 12'-0"	W 8 X 10	8"

STEEL LINTEL NOTES:

1. PLACE ANGLES WITH LONG LEG VERTICAL



7 A3.01 Typ. Masonry Head Flashing

Scale: 1 1/2"=1'-0"

Rockwall Case # SP2014-007

Seitz Architects, Inc.
2231 Ridge Road, Suite 201, Rockwall, Texas 75087
972.772.9006 Fax: 972.722.7002 www.seitzarchitects.com

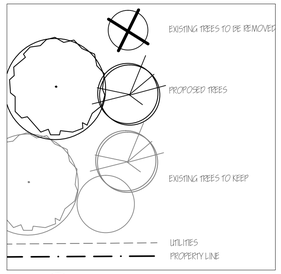
REGISTERED ARCHITECT JOHN THOMAS SEITZ 12157 STATE OF TEXAS

14 April 2014

New Professional Office Building
Albright, Hill & Sumpter, PC
St. Mary's Street and South Goliad Street
Rockwall, Texas

file # 13-016 Elevations
project # 13-016
date 6 May 2014
revisions

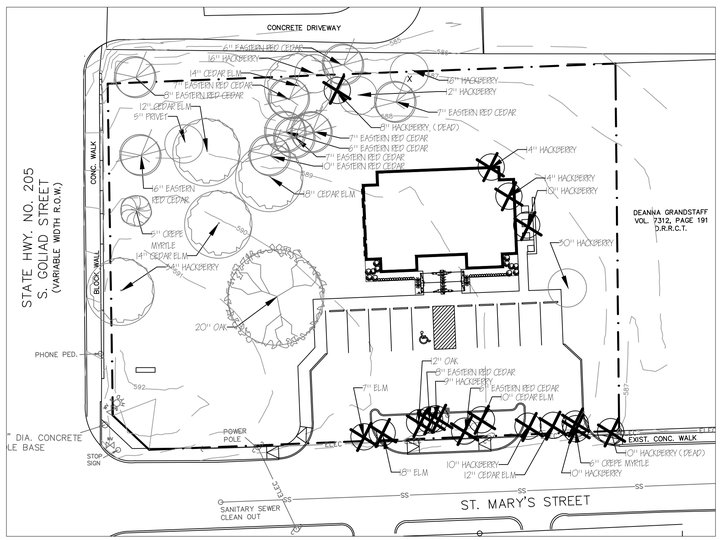
sheet
A3.01



DRAWING KEY

Common Name	Size	Remove/Keep	Protected	Replacement inches required
Cedar Elm	7"	Remove	Protected	7"
Cedar Elm	18"	Remove	Protected	18"
Oak	12"	Remove	Protected	12"
Eastern Red Cedar	8"	Remove	Not protected	
Hackberry	9"	Remove	Not protected	
Eastern Red Cedar	6"	Remove	Not protected	
Cedar Elm	10"	Remove	Protected	10"
Hackberry	10"	Remove	Not protected	
Cedar Elm	12"	Remove	Protected	12"
Hackberry	10"	Remove	Not protected	
Crepe Myrtle	6"	Remove	Not protected	
Hackberry	10"	Remove (dead)	Not protected	
Hackberry	30"	Keep	Protected	
Hackberry	10"	Remove	Not protected	
Hackberry	14"	Remove	Protected	7"
Hackberry	14"	Remove	Protected	7"
Hackberry	16"	Keep	Protected	
Eastern Red Cedar	7"	Keep	Not protected	
Hackberry	12"	Keep	Protected	
Hackberry	16"	Keep	Protected	
Hackberry	8"	Remove (dead)	Not protected	
Eastern Red Cedar	6"	Keep	Not protected	
Hackberry	16"	Keep	Protected	
Cedar Elm	14"	Keep	Protected	
Eastern Red Cedar	7"	Keep	Not protected	
Eastern Red Cedar	7"	Keep	Not protected	
Eastern Red Cedar	6"	Keep	Not protected	
Eastern Red Cedar	7"	Keep	Not protected	
Eastern Red Cedar	10"	Keep	Not protected	
Cedar Elm	18"	Keep	Protected	
Cedar Elm	12"	Keep	Protected	
Viburnum	5"	Keep	Not protected	
Eastern Red Cedar	8"	Keep	Not protected	
Eastern Red Cedar	16"	Keep	Protected	
Crepe Myrtle	5"	Keep	Not protected	
Hackberry	34"	Keep	Protected	
Oak	20"	Keep	Protected	
Total replacement inches required				73"

EXISTING TREE LIST

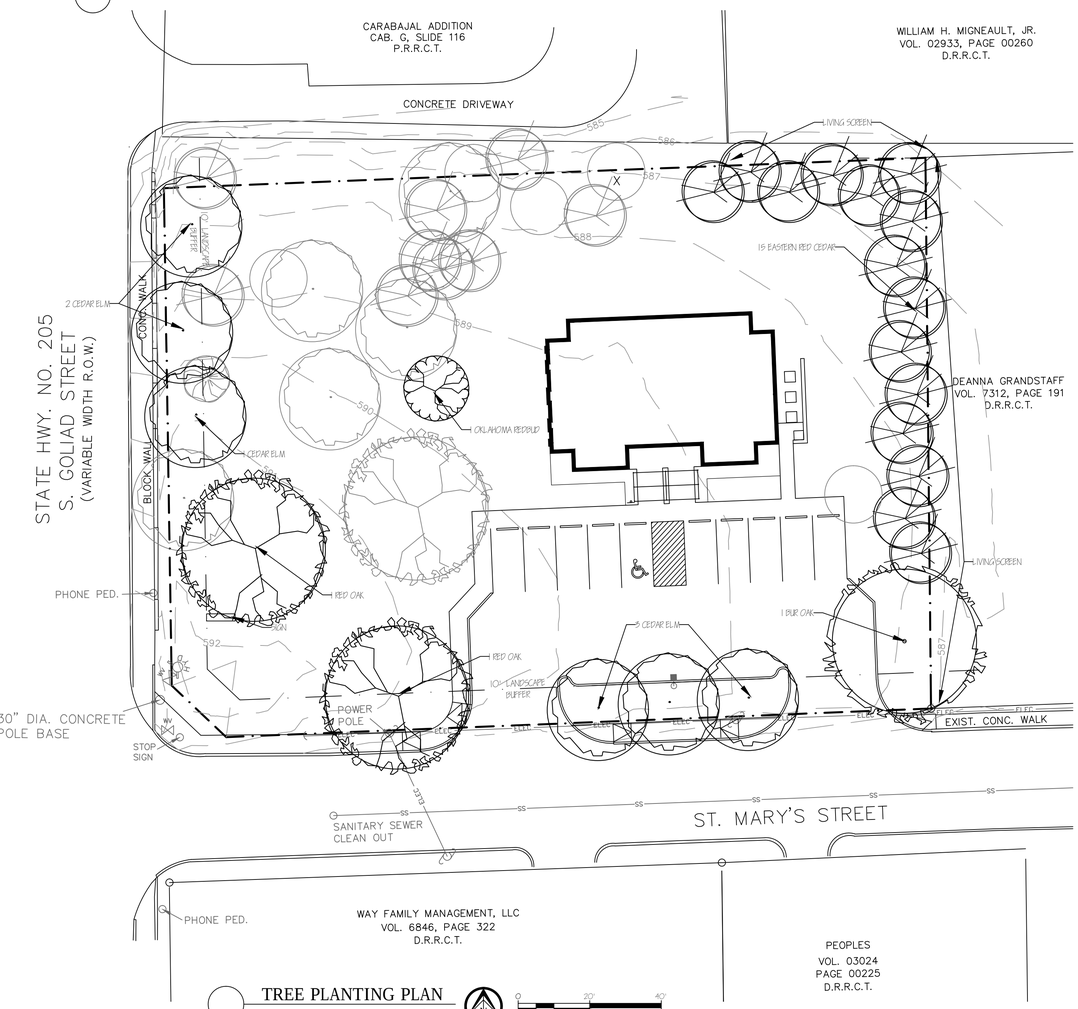


TREE REMOVAL DRAWING

Scale: 1" = 30'

Common Name	Botanical Name		Texas Native	Size	Qty	Notes	Replacement inches
Trees							
Bur Oak	*Quercus macrocarpa*	Tree	Yes	65 gal	1	3" cal min	3
Cedar Elm	*Ulmus crassifolia*	Tree	Yes	65 gal	6	3" cal min	18
Eastern Red Cedar	*Juniperus virginiana*	Tree	Yes	6-7	15	3" cal min	45
Redbud 'Oklahoma'	*Cercis canadensis var. texensis 'Oklahoma'*	Small tree	Yes	30 gal	1	2" cal min	0
Shumard Red Oak	*Quercus shumardii*	Tree	Yes	65 gal	2	3.5" cal mi	7
			Total replacement inch credit				73

TREE PLANTING LIST



TREE PLANTING PLAN

Scale: 1" = 20'

Sec. 9.1. Tree protection.
A. Prior to any construction or land development, the developer shall mark with an aluminum tag which indicates its relationship to the treescape plan and clearly flag with bright fluorescent red vinyl tape all protected trees. The red tape should be wrapped around the main trunk of the protected tree at a height of approximately five feet so that the tape is clearly visible during construction. In those instances where a protected tree is so close to the construction area that construction equipment could possibly damage the tree, a protective fence shall be required. The protective fence must be maintained during all construction phases until the project is finished.
B. Property owner shall be responsible for protecting feature trees including the use of an arborist, as necessary.

Sec. 9.2. Material and equipment storage. The developer or contractor shall not store any material or equipment under the canopy of any protected tree. During the construction stage of the development no cleaning or storage of equipment or material shall be allowed within the drip line of a protected tree. Those materials include, but are not limited to, oils, solvents, mortar, asphalt and concrete.

Sec. 9.3. Signs. No signs, wire or other attachments shall be attached to the protected trees.

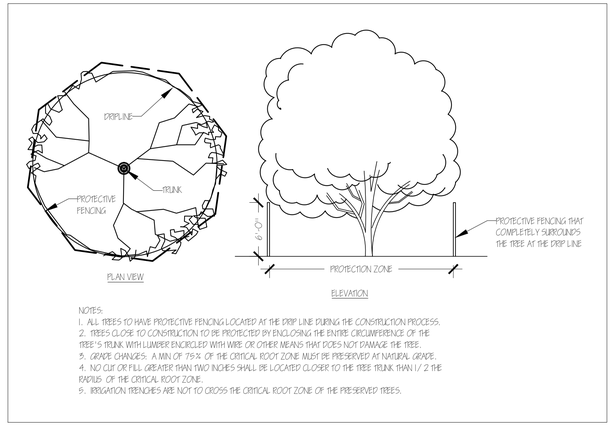
Sec. 9.4. Traffic. No vehicular traffic, construction equipment traffic or parking shall take place within the drip line of a protected tree other than on an existing street pavement. This restriction does not apply to single incident access for purposes of clearing underbrush, establishing the building pad and associated lot grading, vehicular traffic necessary for routine utility maintenance or emergency restoration of utility service or routine mowing operations.

Sec. 9.5. Grade. No grade change in excess of two inches shall be allowed within the drip line of any protected tree unless adequate construction methods are approved beforehand. If approved, major grade changes (i.e., two inches or greater) within the critical root zone of a protected tree will require additional measures to maintain proper oxygen and water exchange with the roots. Root pruning will be required when disturbance will result in root exposure.

Sec. 9.6. Tree flagging. At the time of submittal of the treescape plan all protected trees should be marked with an aluminum tag which indicates its relationship to the treescape plan and clearly flagged with bright fluorescent red vinyl tape. The red tape should be wrapped around the main trunk of the protected tree at a height of approximately four feet so that the tape is clearly visible.

Sec. 9.7. Boring. Boring of utilities under protected trees shall be required in those circumstances where it is not possible to trench around the critical root zone of a protected tree. When required, the length of the bore shall be the width of the critical root zone plus two feet on either side of the critical root zone and shall be at a minimum depth of 48 inches.

Sec. 9.8. Damage. Any physical damage to a tree preserved for credit that is considered to place the survival of the tree in doubt shall be eliminated as a credited tree and will require additional trees to planted in its place at the required ratio. A certified arborist shall be consulted to determine whether physical damage to a tree places the survival of the tree in doubt.



NOTES:
1. ALL TREES TO HAVE PROTECTIVE FENCING LOCATED AT THE DRIP LINE DURING THE CONSTRUCTION PROCESS.
2. TREES CLOSE TO CONSTRUCTION TO BE PROTECTED BY ENCLOSING THE ENTIRE CIRCUMFERENCE OF THE TREE'S TRUNK WITH LUMBER ENCIRCLED WITH WIRE OR OTHER MEANS THAT DOES NOT DAMAGE THE TREE.
3. GRADE CHANGES: A MIN OF 75% OF THE CRITICAL ROOT ZONE MUST BE PRESERVED AT NATURAL GRADE.
4. NO CUT OR FILL GREATER THAN TWO INCHES SHALL BE LOCATED CLOSER TO THE TREE TRUNK THAN 1/2 THE RADIUS OF THE CRITICAL ROOT ZONE.
5. IRRIGATION TRENCHES ARE NOT TO CROSS THE CRITICAL ROOT ZONE OF THE PRESERVED TREES.

Jurisdiction of Project

REGULATORY AUTHORITIES:

CITY OF ROCKWALL PLANNING & ZONING
385 S. GOLIAD ST.
ROCKWALL, TEXAS 75087
972.771.7745

TEXAS DEPARTMENT OF LICENSING AND REGULATION
ELIMINATION OF ARCHITECTURAL BARRIERS
E.O. THOMPSON STATE OFFICE BUILDING
920 COLORADO
AUSTIN, TEXAS 78701
(512) 463-3211
(512) 475-2886 (FAX)

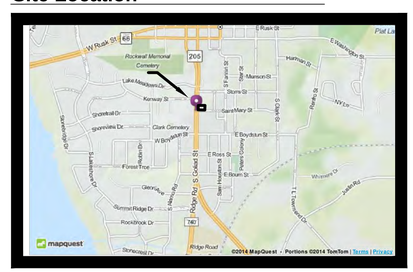
Tree Preservation Requirements

CITY OF ROCKWALL TREE PRESERVATION LANDSCAPE ORDINANCE
ARTICLE IX

1.2 NO PERSON, DIRECTLY OR INDIRECTLY, SHALL CUT DOWN, DESTROY, REMOVE OR MOVE OR EFFECTIVELY DESTROY THROUGH DAMAGING, ANY PROTECTED OR FEATURE TREE SITUATED ON A PROPERTY REGULATED BY THIS ORDINANCE WITHOUT FIRST SUBMITTING AND RECEIVING APPROVAL OF A TREESCAPE PLAN UNLESS OTHERWISE SPECIFIED IN THIS ORDINANCE.

1.3 ALL BUILDERS/CONTRACTORS SHOULD VERIFY IF THERE IS A TREESCAPE PLAN APPROVED ON A PARCEL OF LAND BEFORE WORK BEGINS. ALL BUILDERS /CONTRACTORS WHO HAVE NO SUBMITTED A REQUEST FOR A BUILDING PERMIT AS OF THE EFFECTIVE DATE OF THE ORDINANCE ARE SUBJECT TO THE REQUIREMENTS WITHIN.

Site Location



Owner & Professionals Information

OWNER
ALBRIGHT PROPERTIES LLC
JENNIFER HILL
12160 ABRAMS RD., DALLAS, TEXAS 75234
972 270-5452

LANDSCAPE ARCHITECT
CAROL FELDMAN
FELDMAN DESIGN STUDIOS
P.O. BOX 832346
RICHARDSON, TEXAS 75083
972.980.1730

TREESCAPE PLAN

FELDMAN DESIGN STUDIOS
P.O. Box 832346, Richardson, Texas 75083
Phone: 972 980-1750 Fax: 972 980-1740
info@feldmandesign.com

NO.	ITEM DESCRIPTION	DATE:
1.	SITE PLAN SUBMITTAL	4/9/14
2.	REVISED TREE REPLACEMENT	5/6/14
3.		
4.		
5.		
6.		
7.		

STATE OF TEXAS
CAROL FELDMAN
2080
REGISTERED LANDSCAPE ARCHITECT

These documents have been prepared under the supervision of Carol Feldman, Registered Landscape Architect #2080, Licensed Irrigator LI #20245

LANDSCAPE PLAN
ALBRIGHT, HILL & SUMPTER, PC
ST. MARY'S ST. AND SO. GOLIAD STREET
ROCKWALL, TEXAS

SHEET NO.
L1.01

147

SECTION 02910 – SOIL PREPARATION
PART 1 – GENERAL
A. DESCRIPTION
1. PROVIDE COMPLETE GRADING AND SOIL PREPARATION, INCLUDING AMENDMENTS, AS SPECIFIED HEREIN.
B. EXAMINATION
1. EXAMINE SITE TO VERIFY REQUIRED ROUGH GRADING HAS BEEN COMPLETED CORRECTLY PRIOR TO BED PREPARATION WORK.
2. EXAMINE SITE TO VERIFY THAT ALL INVASIVE PLANTS AND THEIR ROOTS HAVE BEEN REMOVED PRIOR TO BED REPARATION WORK.
C. APPROVALS
1. ALL 'APPROVED EQUAL' MATERIALS MUST BE APPROVED BY LANDSCAPE ARCHITECT.

PART 2 – PRODUCTS
A. MATERIALS
1. COMPOST:
1.1. COTTON BUR COMPOST
1.2. SHALL BE SUPPLIED BY: GREENSENSE COMPOST, GARLAND, TX. OR, CLEAR FORK MATERIALS, ALEDO, TX, OR APPROVED EQUAL.
2. FERTILIZERS AND SUPPLEMENTS:
2.1. A 6–2–4 GRANULAR FERTILIZER WITH A WATER SOLUBLE SLOW RELEASE ORGANIC BASE SUCH AS GREENSENSE, OR SUSTANE. OR APPROVED EQUAL.
3. MULCH
3.1. SHALL BE SHREDDED HARDWOOD MULCH, SHREDDED CEDAR MULCH, SHREDDED NATIVE MULCH, OR APPROVED EQUAL.

PART 3 – EXECUTION
A. BED PREPARATION AND PREPARATION FOR SOD INSTALLATION
1. GENERAL
1.1. INSPECT ALL EXISTING CONDITIONS AND OTHER ITEMS OF WORK PREVIOUSLY COMPLETED. DO NOT PROCEED UNTIL DEFECTS ARE CORRECTED.
1.2. INSPECT THAT ALL INVASIVE PLANTS AND THEIR ROOTS HAVE BEEN REMOVED COMPLETELY.
1.3. ALL AREAS TO BE PREPARED WITH ORGANIC TECHNIQUES ONLY.
2. SHRUB BEDS:
2.1. BREAK UP AND TILL EXISTING SOIL TO A DEPTH OF 6 INCHES,
2.2. ADD A 3 INCH LAYER OF COMPOST TO THE BEDS,
2.3. TILL EXISTING SOIL AND COMPOST TOGETHER TO A TOTAL OVERALL DEPTH OF 8 INCHES.
2.4. RAKE OUT ROCKS AND CLODS AND FINE GRADE THE BEDS TO DRAIN IN APPROPRIATE DIRECTIONS.
2.5. TOP–DRESS BED WITH A 3 INCH LAYER OF MULCH AFTER PLANTING.
3. SOD AND SEED AREAS
3.1. LIGHTLY CULTIVATE COMPACTED SOIL AND RAKE THE SOIL SMOOTH.
3.2. ADD ½ INCH COMPOST TO ALL AREAS.
3.3. FINE GRADE TO DRAIN IN APPROPRIATE DIRECTIONS.

END OF SECTION 02910

NOTES
GENERAL LANDSCAPE

1. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND STRUCTURES WHETHER OR NOT SHOWN ON THE PLANS, AND SHALL BE RESPONSIBLE FOR DAMAGE TO SAID UTILITIES OR STRUCTURES CAUSED BY HIS/HER CREW AND SUBCONTRACTORS.

2. NO PLANTING TO TAKE PLACE UNTIL OWNER HAS INSPECTED AND APPROVED THE BED PREPARATION.

3. NO PLANTING TO TAKE PLACE UNTIL OWNER HAS INSPECTED AND APPROVED ALL PLANT MATERIAL AND ALL PLANT PLACEMENT. FIELD ADJUSTMENTS OF PLANT LOCATIONS TO BE COORDINATED WITH OWNER.

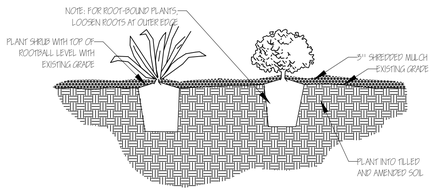
4. ALL CANOPY AND ORNAMENTAL TREES TO BE STAKED (SEE DETAIL.)

SECTION 02915 – LANDSCAPE PLANTING
PART 1 – GENERAL
A. SPECIAL CONDITIONS
1. COMPLY WITH APPLICABLE FEDERAL, STATE, COUNTY AND LOCAL REGULATIONS GOVERNING LANDSCAPE MATERIALS AND WORK.
2. EMPLOY ONLY EXPERIENCE PERSONNEL FAMILIAR WITH REQUIRED WORK. PROVIDE ADEQUATE SUPERVISION BY A QUALIFIED FOREMAN WITH A MINIMUM OF TEN(10) YEARS EXPERIENCE WITH PROJECTS OF SIMILAR COMPLEXITY.
3. DO NOT MAKE SUBSTITUTIONS OF TREE, SHRUB AND GRASS MATERIALS. IF REQUIRED MATERIAL IS NOT OBTAINABLE, SUBMIT PROOF OF NON–AVAILABILITY TO OWNER'S REPRESENTATIVE.
4. PROVIDE QUANTITY, SIZE, GENUS, SPECIES AND VARIETY OF TREES AND SHRUBS INDICATED AND SCHEDULED FOR LANDSCAPE WORK WHICH COMPLY WITH APPLICABLE REQUIREMENTS OF ANSI Z60.1 AMERICAN STANDARD FOR NURSERY STOCK , AND ANY APPLICABLE STATE AND FEDERAL LAWS CONCERNING DISEASE AND INSECT INFESTATION.
B. REFERENCE STANDARDS
1. AMERICAN STANDARD FOR NURSERY STOCK, APPROVED NOV. 6, 1996 BY AMERICAN NATIONAL STANDARDS INSTITUTE, INC.
2. SHINNERS & MAHLER'S, ILLUSTRATED FLORA OF NORTH CENTRAL TEXAS, BOTANICAL RESEARCH INSTITUTE OF TEXAS (BRIT), FORT WORTH, TEXAS, 1999.
3. HORTUS THIRD, CORNELL UNIVERSITY, 1967.
C. PREPARATION
4. COORDINATION WITH BUILDING AND ENGINEERING PROJECT ACTIVITIES.
5. COORDINATE THE WORK OF THIS SECTION WITH THAT OF REGULAR AND EMERGENCY WATER UTILITY ACTIVITIES ON THE SITE.
6. COORDINATION WITH IRRIGATION SYSTEM:
6.1. THE UNDERGROUND IRRIGATION SYSTEM MUST BE INSTALLED PRIOR TO COMMENCEMENT OF THE PLANTING OPERATIONS.
6.2. THE IRRIGATION SYSTEM SHALL BE OPERATIONAL AT THE TIME THAT PLANTING OPERATIONS COMMENCE.
6.3. COORDINATE WORK WITH THE IRRIGATION CONTRACTOR TO PREVENT DAMAGE TO THE IRRIGATION SYSTEM.
D. ALL PLANT MATERIALS FOR THIS PROJECT SHALL BE NURSERY–GROWN, INCLUDING TREES.
1. CONTAINER GROWN PLANTS SHALL HAVE BEEN STEPPED–UP AS NECESSARY TO PREVENT ROOT GIRDLING.
2. CONTAINER GROWN PLANTS SHALL HAVE BEEN IN THE CONTAINER FOR A MINIMUM OF SIX (6) MONTHS PRIOR TO DELIVERY TO THE SITE TO ENSURE ADEQUATE ROOT DEVELOPMENT.
3. THE 'ROOT FLARE' OF ALL TREES AND SHRUBS SHALL NOT BE COVERED WITH SOIL.
E. THE FOLLOWING TREE CARE PROCEDURES SHALL BE ADHERED TO:
1. DO NOT MAKE FLUSH CUTS OR LEAVE STUBS WHEN PRUNING. LEAVE THE BRANCH COLLAR INTACT.
2. DO NOT USE ANY TYPE OF PRUNING PAINT ON WOUNDS.
3. DO NOT USE ANY TYPE OF TREE WRAP, EXCEPT, TRUNKS MAY BE WRAPPED WITH BURLAP DURING PLANTING OPERATIONS ONLY.
4. DO NOT STAKE OR GUY ANY TREES. IN SPECIAL CASES, TREE STAKING MAY BE NECESSARY TO PRESERVE A TREE THAT CONTINUES TO BLOW OVER. THE CONTRACTOR WILL BE RESPONSIBLE FOR ANY TREES THAT NEED STAKING FOR A PERIOD OF ONE YEAR.
5. DO NOT HANDLE ANY TREE BY ITS TRUNK. ANY TREE HANDLED IN SUCH A MANNER SHOULD BE REJECTED.

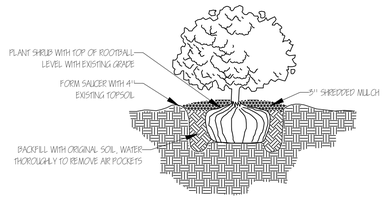
F. WARRANTEE
1. UNCONDITIONALLY WARRANT ALL PLANTS FOR A PERIOD OF ONE (1) YEAR AFTER THE DATE OF INSTALLATION INITIAL ACCEPTANCE. REPLACE MATERIALS NOT IN VIGOROUS, THRIVING CONDITION AS SOON AS WEATHER PERMITS AFTER NOTIFICATION BY OWNERS THAT THE PLANTS HAVE DIED OR ARE OTHER WISE NOT ACCEPTABLE. GUARANTEE REPLACEMENT PLANTS FOR ONE YEAR, STARTING FROM THE DATE REPLACEMENT IS MADE.
2. WARRANTY EXCLUDES REPLACEMENT OF PLANTS BECAUSE OF INJURY BY STORM, NATURAL DROUGHT, DROWNING, HAIL FOR FREEZING, IF REASONABLE CARE WAS TAKEN TO ADEQUATELY PROTECT THE MATERIAL, AND IN THE OPINION OF THE OWNER'S REPRESENTATIVE THAT THE PROBLEM OCCURRED AFTER THE DATE OF INITIAL ACCEPTANCE.

PART 3 – EXECUTION
A. PREPARATION FOR PLANT MATERIAL INSTALLATION
1. EXAMINE THE SUB–GRADE UPON WHICH THE WORK IS TO BE PERFORMED, VERIFY GRADE ELEVATIONS AND VERIFY THAT BEDS HAVE BEEN LEFT LOW BY OTHER TRADES. OBSERVE THE CONDITIONS UNDER WHICH THE WORK IS TO BE PERFORMED AND CONFIRM THAT UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED PRIOR TO PROCEEDING.
B. TIME OF PLANTING
1. CARE IS TO BE TAKEN SO THAT NO PLANTS SIT IN POTS IN THE SUMMER HEAT FOR MORE THAN 1 HOUR. IF PLANTING DURING HOT SEASONS (NOT PREFERRED) PLANTING IS TO BE DONE IN SMALL SECTIONS WITH STOCKPILED PLANTS TO BE PROTECTED FROM THE SUMMER HEAT (SHADE AREAS).
C. TREE PLANTING
1. STAKE LOCATIONS FOR TREES PRIOR TO DIGGING HOLES.
2. DIG PITS WITH ROUGH SIDES AND WHICH HAVE TAPERED WALLS, A MINIMUM OF TWICE THE WIDTH OF THE TREE BALL. A PEDESTAL SHOULD BE LEFT IN THE CENTER OF THE HOLE AND THE TREE BALL SET UPON THAT PEDESTAL.
3. SET PLANTS IN THE CENTER OF THE HOLE AND ON THE PEDESTAL, PLUM AND VERTICAL, AND AT SUCH A DEPTH THAT THE CROWN OF THE TREE BALL WILL BE LEVEL WITH THE SURROUNDING GRADE.
4. ALL PLANTS SHALL BE SET TO MEET THE SAME RELATIONSHIP TO THE FINISHED GRADE OF THE SURROUNDING SOIL THAT THEY BORE TO PREVIOUS EXISTING GRADE OF SOIL.
5. BACKFILL WITH EXISTING TOPSOIL AND WATER IMMEDIATELY.
6. FORM A SHALLOW BASIN SLIGHTLY LARGER THAN THE PIT TO FACILITATE WATERING. REMOVE PRIOR TO MULCHING.
7. COVER ALL TREE BALLS WITH A MINIMUM OF 3 OF SPECIFIED MULCH. EXTEND MULCH OUT TO THE EDGE OF THE TREE PIT, BUT KEEP AWAY FROM TRUNKS.
8. ALL EXCAVATED MATERIAL UNACCEPTABLE FOR REUSE SHALL BE DISPOSED OF OFF SITE, OR AS DIRECTED BY THE OWNER.
D. SHRUBS, TALL GRASSES AND PERENNIAL PLANTING.
1. REMOVE CONTAINER AND SET PLANT MATERIAL AT SUCH A LEVEL THAT AFTER SETTLEMENT, THE CROWN OF THE BALL WILL BE AT FINISHED GRADE.
2. GENTLY CUT OUTER ROOTS OF ANY ROOTBALLS THAT HAVE POT–BOUND PRIOR TO INSTALLATION.
3. COVER PLANTING BEDS WITH A MINIMUM 3 LAYER OF SPECIFIED MULCH.
E. SOD PLANTING
1. LAY SOD IN AN ORDERLY MANNER TO COVER ALL BARE SOIL AREAS.
2. WATER ALL AREAS OF THE SOD UNTIL THOROUGHLY WET.
3. ROLL SOD WITH A SOD ROLLER AFTER 24 HOURS AFTER LAYING AND WATERING SOD TO OBTAIN A UNIFORM, SMOOTH FINISH.
4. FILL JOINTS WITH COMPOST IF NECESSARY TO FORM A UNIFORM GRASS LAYER.
5. KEEP SOD ADEQUATELY WATERED UNTIL SOD MAKES A FIRM CONNECTION TO THE SOIL.

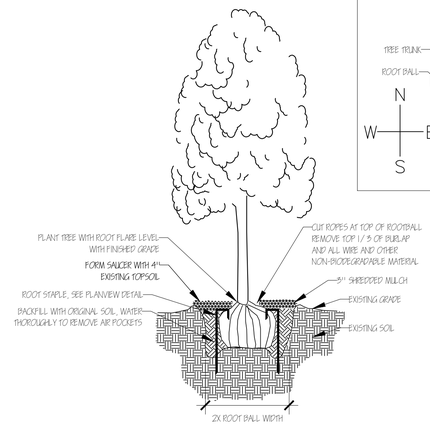
END OF SECTION 02915



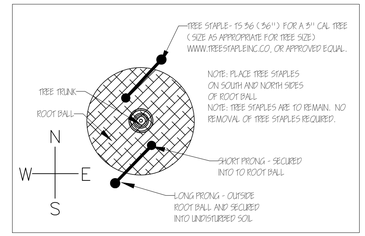
PERENNIAL PLANTING DETAIL
NOT TO SCALE



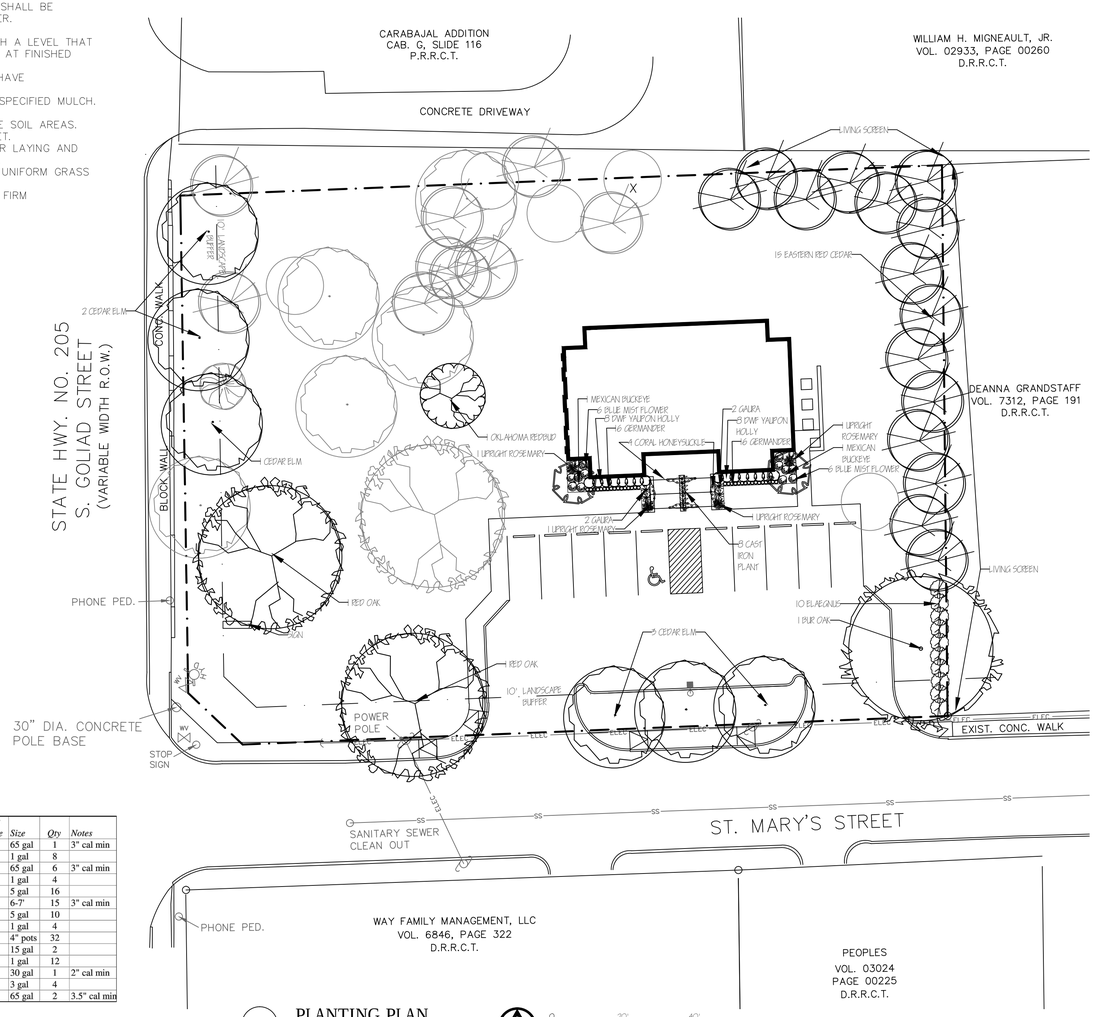
SHRUB & ORNAMENTAL GRASS PLANTING DETAIL
NOT TO SCALE



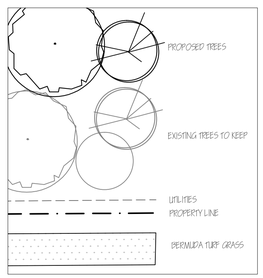
TREE PLANTING
NOT TO SCALE



TREE STAKING
Scale: 1/2" = 1'



PLANTING PLAN
Scale: 1" = 20'



DRAWING KEY

Common Name	*Botanical Name*		*Texas Native*	*Size*	*Qty*	*Notes*
Bur Oak	*Quercus macrocarpa*	Tree	Yes	65 gal	1	3" cal min
Cast Iron Plant (Aspisistra)	*Aspidistra elatior*	Groundcove	No	1 gal	8	
Cedar Elm	*Ulmus crassifolia*	Tree	Yes	65 gal	6	3" cal min
Coral Honeysuckle	*Lonicera sempervirens*	Vine	Yes	1 gal	4	
Dwarf Yaupon Holly	*Ilex vomitoria 'Nana'*	Shrub	Yes	5 gal	16	
Eastern Red Cedar	*Juniperus virginiana*	Tree	Yes	6-7'	15	3" cal min
Elaeagnus	*Elaeagnus x ebbingei*	Shrub	No	5 gal	10	
Gaura 'Whirling Butterflies'	*Gaura lindheimeri 'Whirling Butterflies'*	Perennial	No	1 gal	4	
Germander	*Teucrium chamaedrys*	Perennial	No	4" pots	32	
Mexican Buckeye	*Ungnadia speciosa*	Small tree	Yes	15 gal	2	
Mistflower, Blue	*Chromolaena greggii (Eupatorium)*	Perennial	Yes	1 gal	12	
Oklahoma Redbud	*Cercis canadensis var. texensis 'Oklahoma'*	Small tree	Yes	30 gal	1	2" cal min
Rosemary	*Rosimarinus officinalis*	Perennial	No	3 gal	4	
Shumard Red Oak	*Quercus shumardii*	Tree	Yes	65 gal	2	3.5" cal min

PLANT LIST

Jurisdiction of Project

REGULATORY AUTHORITIES:

CITY OF ROCKWALL PLANNING & ZONING
385 S. GOLIAD ST.
ROCKWALL, TEXAS 75087
972.771.7745

TEXAS DEPARTMENT OF LICENSING AND REGULATION
ELIMINATION OF ARCHITECTURAL BARRIERS
E.O. THOMPSON STATE OFFICE BUILDING
920 COLORADO
AUSTIN, TEXAS 78701
(512) 463-3211
(512) 475-2886 (FAX)

Landscaping Requirements

CITY OF ROCKWALL TREE PRESERVATION LANDSCAPE ORDINANCE
ARTICLE VIII LANDSCAPE STANDARDS

5.1 LANDSCAPE BUFFER STRIP --- 10' BUFFER STRIP PROVIDED

5.2 SCREENING OF OFF-STREET LOADING DOCKS --- N/A

5.7 STREET LANDSCAPING --- 10' LANDSCAPE BUFFER WITH 1 TREE PER 50 FT OF STREET FRONTAGE
GOLIAD STREET (139 LIN FT) - 3 TREES PROVIDED
ST MARY'S STREET (194 LIN FT) - 4 TREES PROVIDED

5.9 PARKING LOT LANDSCAPING
A. MIN LANDSCAPING --- N/A
B. PARKING LOT TREES FOR SPACES EXCEEDING 20,000 SF --- N/A

5.11 REQUIRED LANDSCAPING
A. AMOUNT OF LANDSCAPING
15% OF TOTAL SITE - COMMERCIAL
TOTAL SITE: 32,623 SF
REQUIRED: 4,893 SF PROVIDED: 23,743 SF

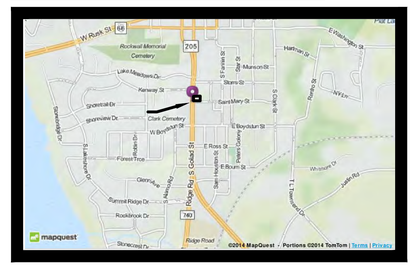
B. 50% OF LANDSCAPING REQUIREMENTS TO BE LOCATED IN FRONT (STREET SIDE)
PROVIDED

SECTION 8
8.1 LANDSCAPE DOES NOT OBSTRUCT TRAFFIC VISIBILITY.

Irrigation Requirements

UNDERGROUND AUTOMATIC SPRINKLING SYSTEM PROVIDED.
SYSTEM DESIGNED AND INSTALLED ACCORDING TO TCEQ LAWS AND REGULATIONS PROVIDING FOR 100% COVERAGE ON ALL LANDSCAPE AND TURF.
THE SYSTEM SHALL INCLUDE A FREEZE-RAIN SENSOR.

Site Location



Owner & Professionals Information

OWNER
ALBRIGHT PROPERTIES LLC
JENNIFER HILL
12160 ABRAMS RD., DALLAS, TEXAS 75234
972 270-5452

LANDSCAPE ARCHITECT
CAROL FELDMAN
FELDMAN DESIGN STUDIOS
P.O. BOX 832346
RICHARDSON, TEXAS 75083
972.980.1730

LANDSCAPE PLAN

FELDMAN DESIGN STUDIOS
P.O. Box 832346, Richardson, Texas 75083
Phone: 972 980-1740 Fax: 972 980-1740
info@feldmandesign.com

NO.	ITEM DESCRIPTION	DATE:
1.	SITE PLAN SUBMITTAL	4/9/14
2.	REVISED TREE REPLACEMENT	5/6/14
3.		
4.		
5.		
6.		
7.		

STATE OF TEXAS
CAROL FELDMAN
2080
REGISTERED LANDSCAPE ARCHITECT

These documents have been prepared under the supervision of Carol Feldman, Registered Landscape Architect #2080, Licensed Irrigator LI #20245

LANDSCAPE PLAN
ALBRIGHT, HILL & SUMPTER, PC
ST. MARY'S ST. AND SO. GOLIAD STREET
ROCKWALL, TEXAS

SHEET NO.
L1.02

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 05/19/2014

APPLICANT: Froylan H. Torres

AGENDA ITEM: **MIS2013-004**; Carport & Material Exception (486 Perch Road)

SUMMARY:

Discuss and consider a request for the approval of a special request for the purpose of permitting the construction of a carport that does not conform to the setback and material requirements as stipulated by Section 2.1.2(1) [*Carports*] of Article IV, *Permissible Uses*, of the Unified Development Code, for a 0.12-acre property that is identified as Lot 877, Block E of Rockwall Lake Estates #1 Addition, City of Rockwall, Rockwall County, Texas, is zoned Planned Development District 75 (PD-75), is generally located at 486 Perch Road, and take any action necessary.

CHARACTERISTICS OF REQUEST:

The applicant, Froylan H. Torres, is requesting a special exception to the requirements stipulated by Section 2.1.2(1) [*Carports*] of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) for the purpose of constructing a carport, adjacent to the front façade of an existing single family home. According to the information provided by the applicant the carport will be situated adjacent to the front façade of the existing garage and be contiguous with the front (eastern) property line. The structure will consist of four (4) (4" x 4", 11 gauge) metal post anchored to a metal plate bolted into concrete of the driveway. The posts will support a 20-foot x 20-foot (or 400 square foot) tin roof, which will be pitched to allow for storm water runoff. The carport will encroach into the 20-foot front yard building setback, but will not encroach into any other established building setbacks or easements located on the subject property. Additionally, the carport should not create a sight obstruction to motorist as there is approximately 15-feet of right-of-way between the edge of pavement of Perch Road and the front property line of the subject property.

Planned Development District 75 (PD-75) states that properties within *Area '1',* such as the subject property, are subject to the land use standards and density and dimensional requirements stipulated for properties located within the Single Family 7 (SF-7) District. According to Article IV of the UDC, carports are allowed by right in a Single Family-7 (SF-7) District pending they meet the requirements stipulated in the Section 2.1.2 of Article IV. Section 2.1.2(1) [*Carports*] of Article IV states that carports are required to be setback a minimum of 20 feet from the front building façade. As mentioned above the proposed carport will be located in front of the garage and extend to the front property line. The applicant has stated that the purpose for the proposed position of the carport is to accommodate the existing garage, which restricts the ability of the carport to conform to the required 20-foot setback requirement. Section 2.1.2(2) [*Carports*] of Article IV states that carports that are visible from a public right-of-way should be constructed of materials that match the primary residence. In this case the

applicant is proposing to use a metal construction. The primary structure's exterior façade is composed of 100% stucco.

Generally, this request would require a Specific Use Permit (SUP) in conformance with Section 2.1.2(3) [*Carports*] of Article IV for not meeting the requirements stipulated in Section 2.1.2(1) of Article IV; however, the subject property is located within Planned Development District 75 (PD-75), which allows City Council to consider special requests on a case-by-case basis pending a recommendation by the Planning & Zoning Commission. The approval of any special request shall preempt any other underlying zoning restrictions stipulated by the zoning ordinance. Staff would like to acknowledge that the applicant's design appears to be consistent with existing designs in the neighborhood, and the approval of the request would not alter the essential character of the planned development district.

RECOMMENDATIONS:

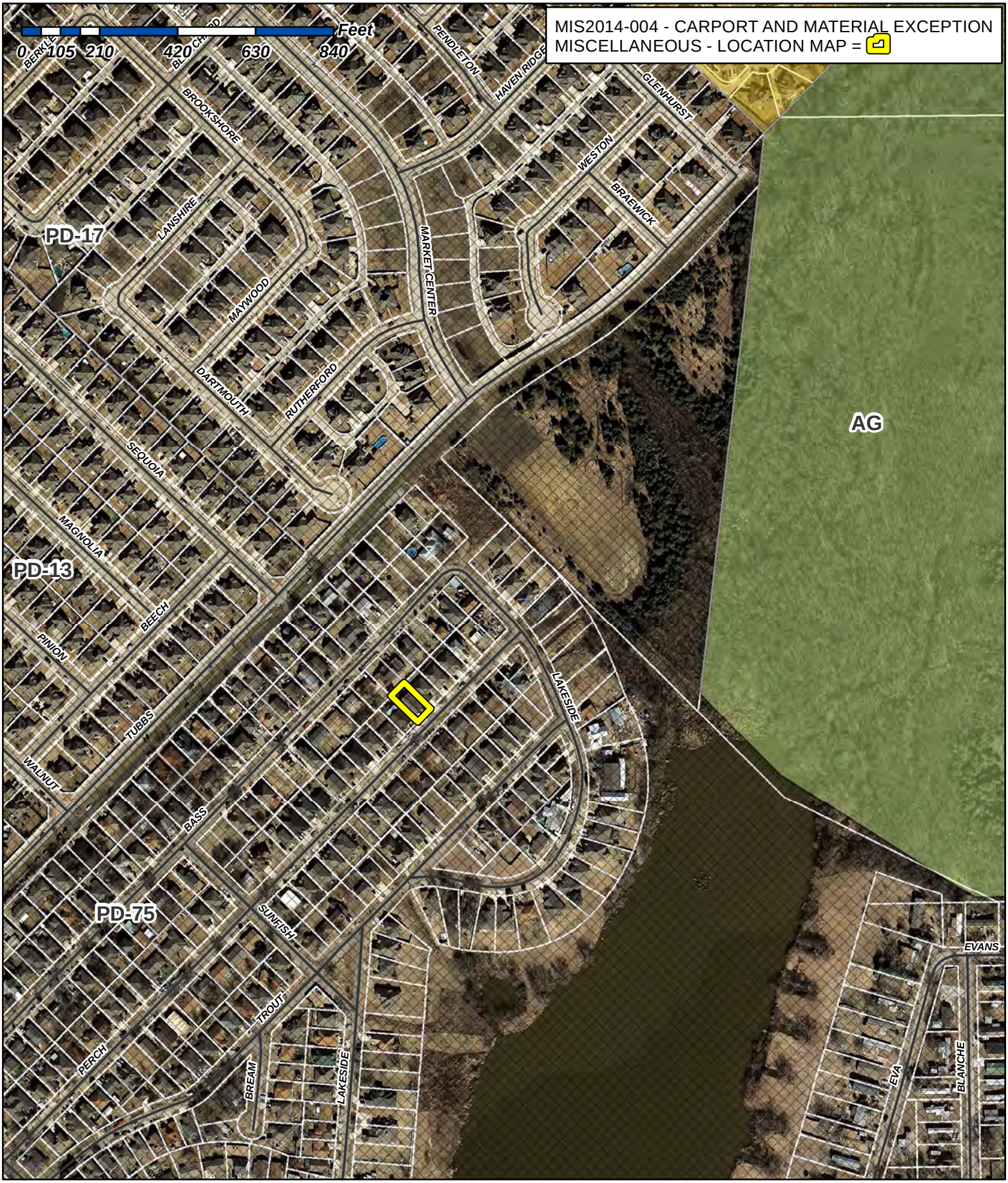
If the City Council chooses to approve the applicant's request for a waiver to the carport requirements staff recommends the following conditions:

1) Prior to the construction of the carport the applicant will need to apply for a Building Permit from the Building Inspections Division,

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

PLANNING AND ZONING COMMISSION:

On May 13, 2014, the Planning and Zoning Commission recommended to approve the applicant's request by a vote of 7-0.



City of Rockwall

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

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1:3,999

May 6, 2014

To whom it may concern:

I, Froylan Horacio Torres, am writing to obtain approval from the City of Rockwall, Texas to build a carport in my house property located at the address below. This will be built to cover and protect my vehicles from weather damage (e.g. rain, heat, hail etc.). The measurements, drawings and detailed information will be provided to the City of Rockwall for review and approval. I ask that you please consider my request and I would be more than happy to answer any questions you may have. Feel free to contact me at anytime.

Address: Mr. & Mrs. Froylan H. Torres
486 Perch Rd.
Rockwall, TX 75032

Phone Number: 214-797-6269

Sincerely,

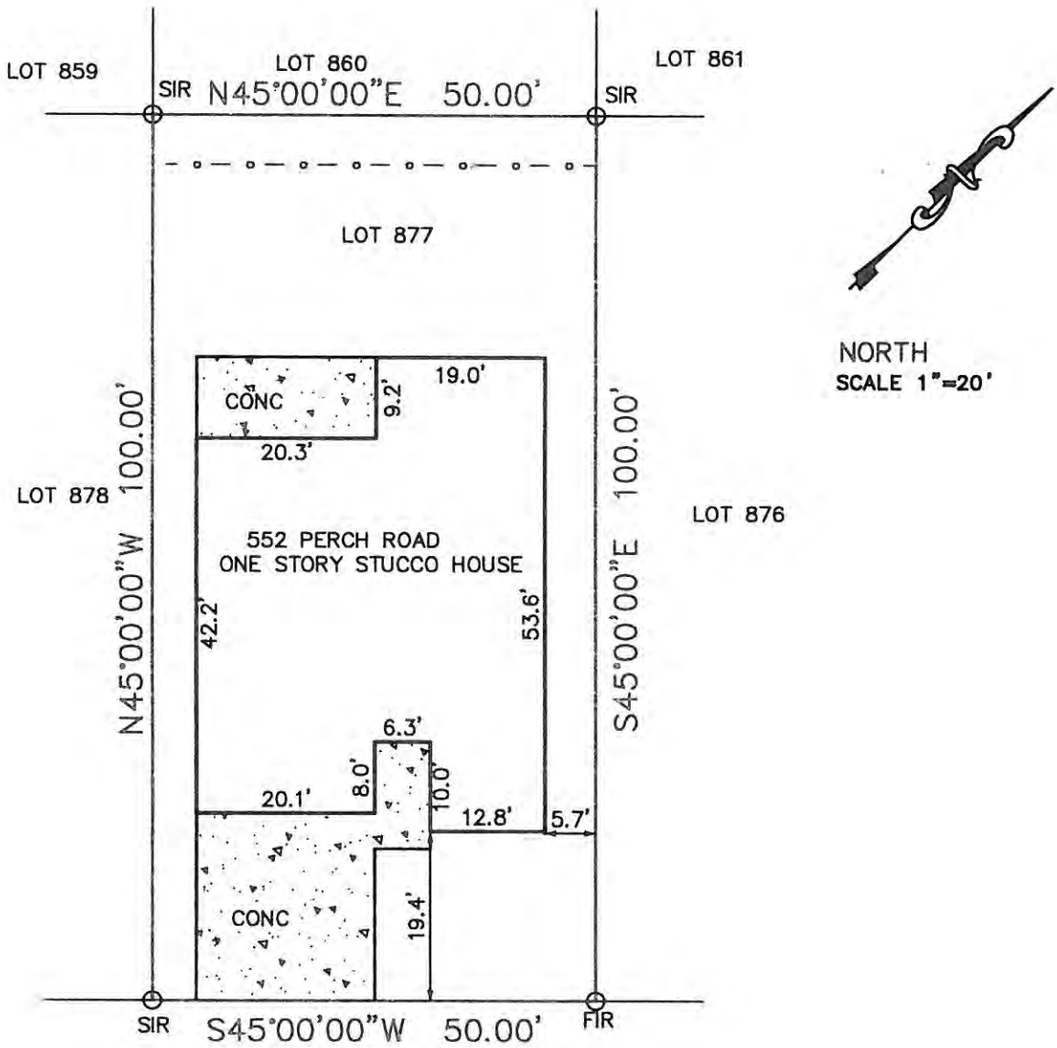
Froylan H Torres

Mr. Froylan H. Torres

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:
THIS IS TO CERTIFY THAT I HAVE THIS DATE MADE A CAREFUL AND ACCURATE SURVEY ON THE GROUND OF PROPERTY LOCATED AT 552 PERCH ROAD IN THE CITY OF ROCKWALL, TEXAS, HEREIN DESCRIBED AS FOLLOWS:

BEING TRACT 1, LOT 877, IN BLOCK E, OF ROCKWALL LAKE SUBDIVISION, FORMERLY LAKE ECHO SUBDIVISION, IN ROCKWALL COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 1&2, AND REVISED PLAT RECORDED IN VOLUME 1, PAGE 29, OF THE PLAT RECORDS OF ROCKWALL COUNTY, TEXAS.



NOTES:
FIP – FOUND IRON PIPE
FIR – FOUND IRON ROD
CONC – CONCRETE
B/L – BUILDING SET BACK LINE

FENCE LEGEND
-x-x-x- GENERAL FENCE
-//-//-//- WOOD FENCE
-o-o-o- CHAIN LINK FENCE

THIS LOT IS SUBJECT TO VOLUME 97, PAGE 153, VOLUME 138, PAGE 224, VOLUME 157, PAGE 760, VOLUME 158, PAGE 955, VOLUME 232, PAGE 517, VOLUME 250, PAGE 434, AND VOLUME 264, PAGE 947, DRRCT.

TO FIDELITY NATIONAL TITLE AGENCY
THE PLAT HEREON IS A TRUE, CORRECT AND ACCURATE REPRESENTATION OF THE PROPERTY AS DETERMINED BY SURVEY, THE LINES AND DIMENSIONS OF SAID PROPERTY BEING, AS INDICATED BY THE PLAT; THE SIZE, LOCATION AND TYPE OF BUILDING, AND IMPROVEMENTS, ARE SHOWN, ALL IMPROVEMENTS BEING WITHIN THE BOUNDARIES OF THE PROPERTY SETBACK FROM THE PROPERTY LINES THE DISTANCES INDICATED, AS SHOWN ON SAID PLAT.

THERE ARE NO VISIBLE PROTRUSIONS EXCEPT AS SHOWN.

STATE OF TEXAS
REGISTERED
XAVIER CHAPA
2568
PROFESSIONAL
LAND SURVEYOR

PROPOSED BORROWER:
FROYLAN H. TORRES

MORTGAGE COMPANY:
BANCO POPULAR NORTH AMERICA

SCALE 1"=20'

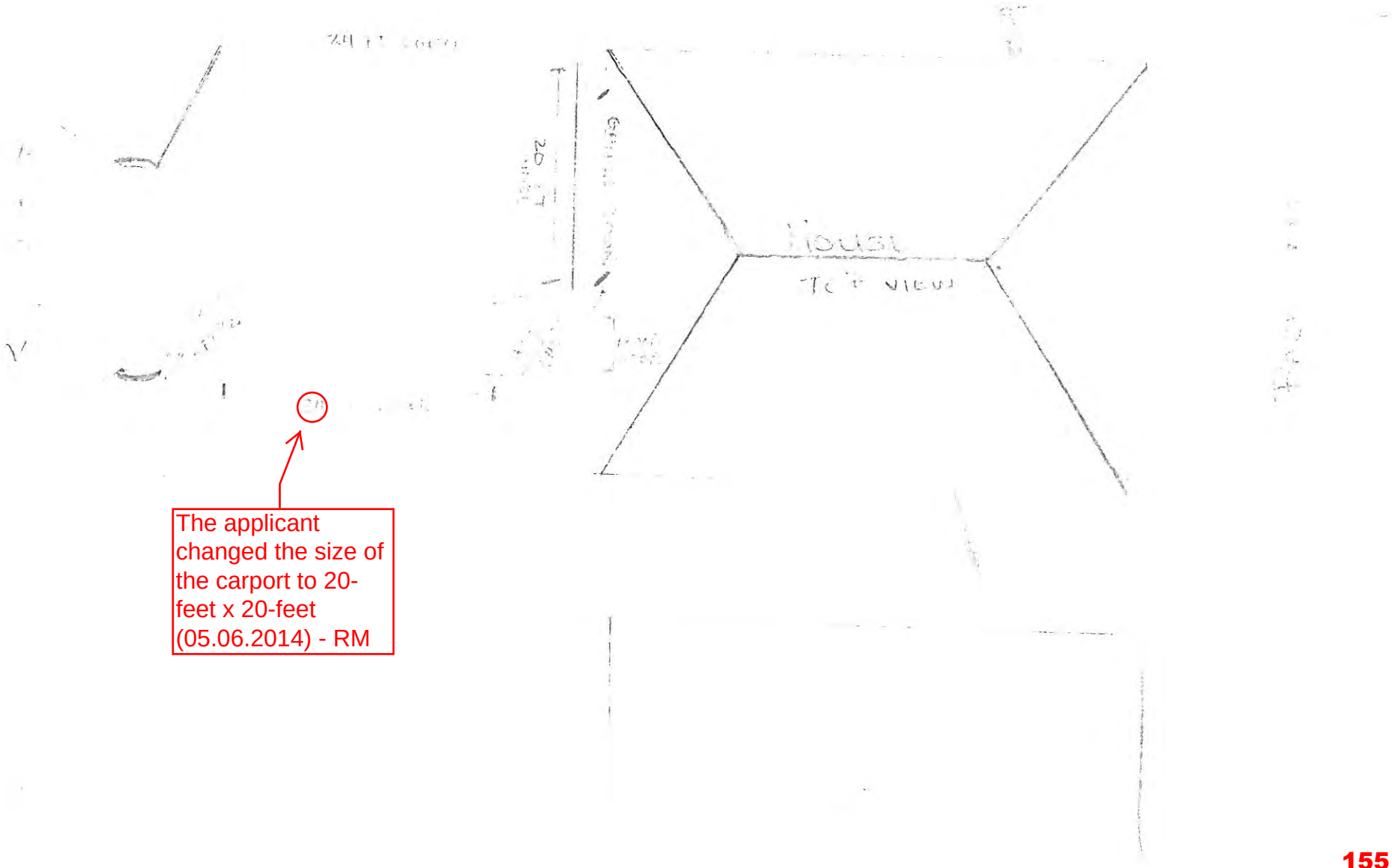
DATE OF SURVEY: 12-12-02

GF NO. 370915-R-0023

JOB NUMBER 223732D

THIS PROPERTY IS LOCATED IN AN AREA WITHIN ZONE X, OUTSIDE THE 100-YEAR FLOOD PLAIN, ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR THE CITY OF ROCKWALL, MAP NUMBER 48113C0240 J, DATED 8/25/01.

XCES
Xavier Chapa Engineering/surveying
P.O. Box 153126
Irving, Texas 75015



The applicant changed the size of the carport to 20-feet x 20-feet (05.06.2014) - RM

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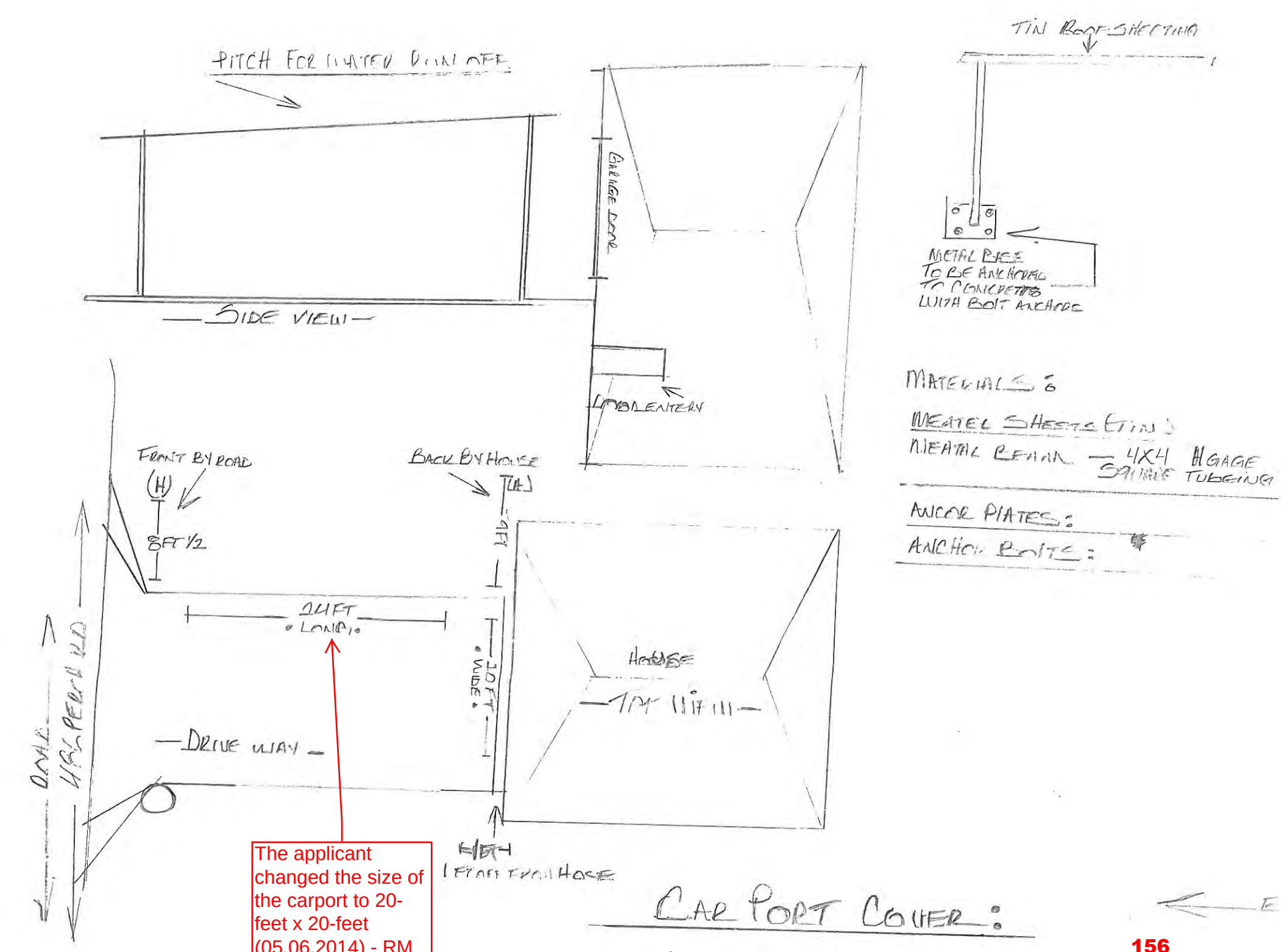

The applicant changed the size of the carport to 20-feet x 20-feet (05.06.2014) - RM

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

FROM: Ryan Miller, *Planning Manager*

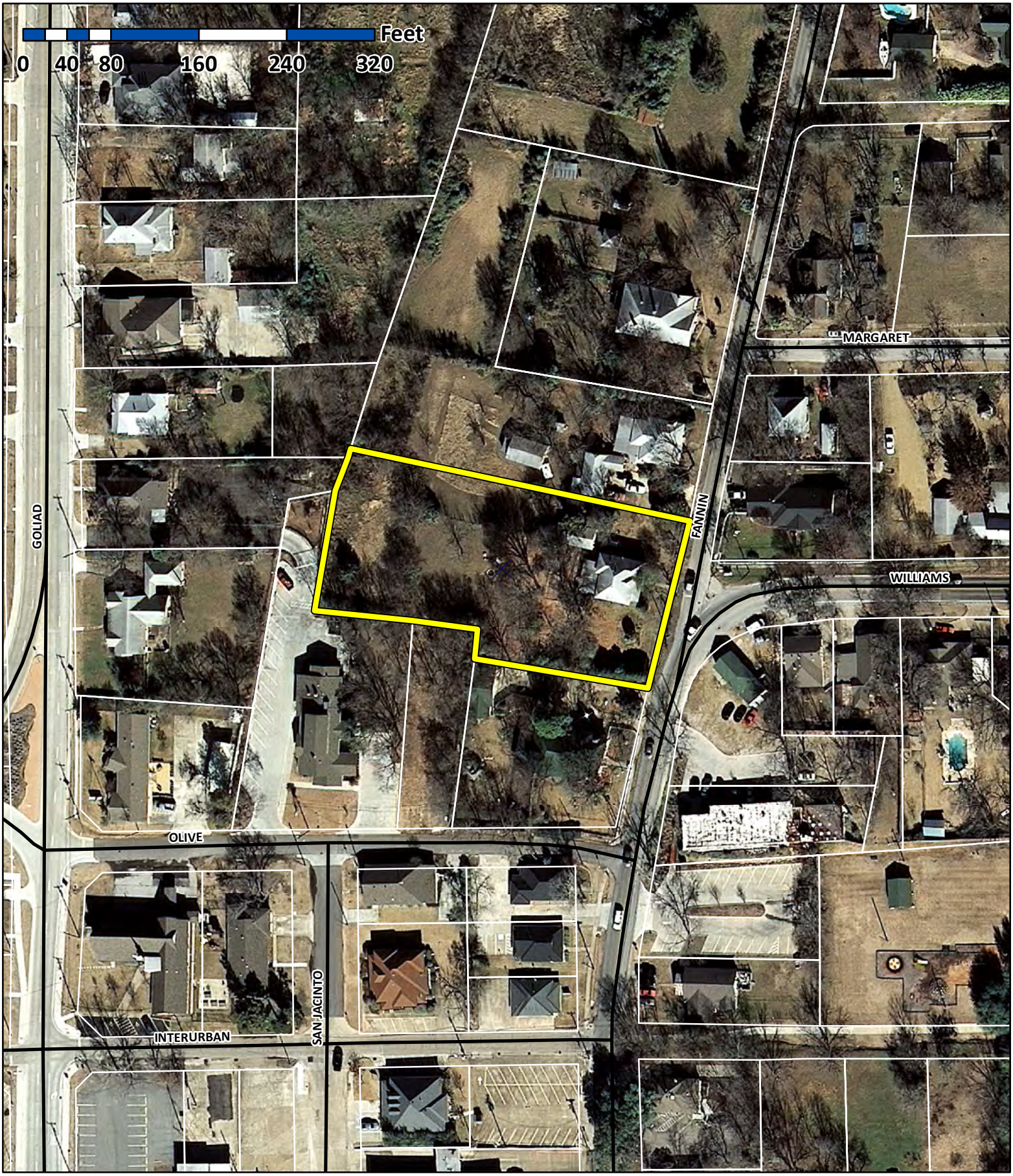
DATE: May 19, 2014

SUBJECT: Structure Preservation Tax Exemption

Ordinance No. 03-28 was drafted in 2003 with the intent of providing an incentive program for redevelopment within the *"Old Town" Rockwall (OTR) Historic District*, *Southside Residential Neighborhood Overlay (SRO) District* and designated *Landmark* properties. In accordance with this ordinance the applicant's, Jay and Alison Odom, are requesting to have the assessed value for ad valorem taxation "frozen" for a period of seven (7) years on the subject property at 405 N. Fannin Street for the purpose of rehabilitating and enlarging an existing single family home. Specifically, the applicants are investing an estimated $100,000.00 into the property in order to make the following improvements: 1) repair the foundation, 2) replace the existing siding, 3) replace the roof, 4) replace the windows, and 5) construct a 600 square foot addition to the rear of the home (*a complete set of plans has been provided in the attached packet*). On August 15, 2013, the applicants received approval from the Historic Preservation Advisory Board (HPAB) for a Certificate of Appropriateness (COA) [*Case No. H2013-009*] for the proposed rehabilitation and expansion of the home. The board approved the request finding that the proposed scope of work did not have an adverse impact on the essential character of the neighborhood, nor would it have a negative impact on the historic nature of the subject property or its adjacent properties.

According to Ordinance No. 03-28 a tax abatement of seven (7) years can be approved, "…if the amount of the increment project is equal to or exceeds 25% of the assessed value of the improvement on January 1st of the year the increment project was completed." In this case, the current taxable value of the subject property is $125,000.00 for which the proposed investment represents 80% of this value. If the City Council chooses to approve the applicants' request then the effective tax rate for the subject property would be fixed at $125,000.00 for a period of seven (7) years. The applicants have provided all required supporting information stipulated by the ordinance including a legal description, proof of title, an owner's affidavit, and a tax certificate verifying that all current taxes have been paid. Should the request be approved the applicant would be required to submit a sworn statement of completion, at the conclusion of the proposed work, acknowledging that the property has been restored in compliance with the plans submitted to staff. Additionally, the applicant shall be required to provide staff with documentation verifying the total cost of all improvements. All information will be verified prior to staff notifying the Rockwall County Central Appraisal District's (RCAD's) Chief Appraiser of the applicable ad valorem tax exemption, and the applicant will be required to fill out and sign a "Repay Certificate" in the event of default.

Should the City Council have any questions concerning the scope of work the applicant will be present at the meeting. Staff will also be available to answer any technical questions concerning the request.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
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STRUCTURE PRESERVATION TAX EXEMPTION

PLANNING AND ZONING DEPARTMENT
CITY OR ROCKWALL, TEXAS
385 S. GOLIAD STREET
ROCKWALL, TEXAS 75087
PHONE: (972) 771-7748

STAFF USE ONLY
RCM 04.24.14
SF-7
Robert Lahoz

1.1 PROPERTY OWNER INFORMATION [PLEASE PRINT]

OWNER(S) NAME: Jay Odom and Alison Odom
ADDRESS: 405 N Fannin St
Rockwall, TX 75087
PHONE: 214-202-4226
E-MAIL ADDRESS: alisonodom@me.com

1.2 ADDRESS OF PROPERTY BEING CONSIDERED [PLEASE PRINT]

ADDRESS: 405 N Fannin St
Rockwall, TX 75087

1.3 HISTORIC DISTRICT

- [x] OLD TOWN ROCKWALL HISTORIC DISTRICT
- [ ] SOUTHSIDE OVERLAY DISTRICT
- [ ] DESIGNATED LANDMARKED PROPERTY

1.4 STATEMENT OF COST

TOTAL COST FOR THE RESTORATION OR REHABILITATION WORK: $ 100,000

NOTE: DOCUMENTATION OF COST SHALL BE SUBMITTED WITH THE SWORN COMPLETION.

1.5 SUBMITTAL CRITERIA CHECKLIST

- [x] LEGAL DESCRIPTION
- [x] PROOF OF TITLE
- [x] TAX CERTIFICATE
- [x] CONSTRUCTION PLANS
- [ ] OWNER'S AFFIDAVIT *

* FOR MORE INFORMATION ON THE OWNER'S AFFIDAVIT PLEASE REFER TO THE BACK OF THIS APPLICATION.

1.6 STATEMENT OF TIME FOR THE RESTORATION OR REHABILITATION

CONSTRUCTION WILL BEGIN ON: 11/15/2013

CONSTRUCTION WILL BE COMPLETED ON (ESTIMATED): 6/1/2014

1.7 SCOPE OF WORK

IF THE PROPERTY WILL BE USED FOR COMMERCIAL, USES PROVIDE A DETAILED STATEMENT OF THE PROPOSED USE FOR THE PROPERTY. OTHERWISE, INDICATE THAT THE PROPERTY WILL BE USED FOR RESIDENTIAL, SINGLE FAMILY USES. IN ADDITION PLEASE PROVIDE ANY ADDITIONAL INFORMATION THAT MAYBE HELPFUL TO STAFF IN EVALUATING THIS REQUEST.

Property will be used for residential, single family residence. Repairs include complete foundation repair, removal of a bad addition that was falling in, re-siding and overall repair/straightening out of the exterior in the same historic fashion, new roof to replace old leaky hole-filled roof, a new addition to replace the old including a new usable kitchen and bedrooms. All new windows were added to replace old, drafty windows. Historical accuracy taken into account for window selection. The project was done with historically accurate materials and energy consciousness.

1.8 OWNER'S ACKNOWLEDGEMENTS [INITIAL AND SIGN BELOW]

JO AO — I AUTHORIZE REPRESENTATIVES OF THE CITY OF ROCKWALL TO VISIT AND INSPECT THE PROPERTY AND THE RECORDS AND BOOKS OF THE OWNER AS NECESSARY TO CERTIFY THAT THE PROPERTY IN QUESTION IS IN SUBSTANTIAL NEED OF RESTORATION OR REHABILITATION.

JO AO — I ACKNOWLEDGE MY FUTURE OBLIGATION TO NOTIFY THE DIRECTOR OF PLANNING & ZONING UPON THE COMPLETION OF THE PROPOSED PROJECT, AND PROVIDE A SWORN STATEMENT OF COMPLETION. THIS WILL BEGIN THE VERIFICATION PROCESS NOTED IN SECTION 25.4 OF ORDINANCE 03-28, WHICH IS STATED ON THE BACK OF THIS APPLICATION.

I HEREBY ATTEST THAT THE INFORMATION THAT I HAVE PROVIDED IS, TO THE BEST OF MY KNOWLEDGE, CORRECT AND TRUE, AND THAT I OWN THE PROPERTY DESCRIBED ABOVE OR THAT I AM LEGALLY THE AUTHORITY IN CHARGE OF THE PROPERTY. I ALSO UNDERSTAND THAT, IF THE REQUESTED EXEMPTION IS GRANTED, I HAVE ENTERED INTO A COVENANT WITH THE CITY OF ROCKWALL IN WHICH I MUST AGREE TO MAINTAIN THE CHARACTER OF THE PROPERTY AND THE QUALIFYING IMPROVEMENTS FOR THE TERM OF THE EXEMPTION.

OWNER'S SIGNATURE: Jay Odom Alison Odom DATE: 4/7/14

May 13, 2014

Re: Jay and Alison Odom
405 N Fannin St
Rockwall, TX 75087
214-202-4226

Affidavit of Eligibility for Tax Exemption

To Whom It May Concern:

We, Jay Odom and Alison Odom, are respectfully requesting consideration for tax exemption for our property at 405 N Fannin St, Rockwall, TX 75087, B F BOYDSTON, BLOCK 122, LOT B-1, ACRES 1.05 . Our property lies within the historic district and was in great need of repair and rehabilitation. We began a large construction project to remove a bad addition and add square footage in the form of additional bedrooms and updated kitchen and bathrooms. The project will cost a minimum of $100,000.

The completion date is tentatively scheduled for approximately June 15th. We will be informing the City of Rockwall upon completion and will turn in a signed completion affidavit.

Upon completion of the project, we will be using this property as our primary residence with no intention of selling or moving.

Thank you for your consideration. Please let us know if there are any questions we can answer or clarify.

Sincerely,

Jay Odom

LISA MARIE MALDONADO
Notary Public, State of Texas
My Comm. Exp. 04-27-2017

Alison Odom

LISA MARIE MALDONADO
Notary Public, State of Texas
My Comm. Exp. 04-27-2017

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COMMITMENT FOR TITLE INSURANCE

Issued By

Westcor Land Title Insurance Company

SCHEDULE A

Effective Date: **August 15, 2013, 07:30 am** GF No. **13080560RW**

Commitment No. _____, issued **August 21, 2013, 07:30 am**

1. The policy or policies to be issued are:

   (a) OWNER'S POLICY OF TITLE INSURANCE (Form T-1)
   (Not applicable for improved one-to-four family residential real estate)
   Policy Amount:
   PROPOSED INSURED:

   (b) TEXAS RESIDENTIAL OWNER'S POLICY OF TITLE INSURANCE
   - ONE-TO-FOUR FAMILY RESIDENCES (Form T-1R)
   Policy Amount:
   PROPOSED INSURED:

   (c) LOAN POLICY OF TITLE INSURANCE (Form T-2)
   Policy Amount: **$250,000.00**
   PROPOSED INSURED: **Community Bank**
   Proposed Borrower: **Jay L. Odom**

   (d) TEXAS SHORT FORM RESIDENTIAL LOAN POLICY OF TITLE INSURANCE (Form T-2R)
   Policy Amount:
   PROPOSED INSURED:
   Proposed Borrower:

   (e) LOAN TITLE POLICY BINDER ON INTERIM CONSTRUCTION LOAN (Form T-13)
   Binder Amount:
   PROPOSED INSURED:
   Proposed Borrower:

   (f) OTHER
   Policy Amount:
   PROPOSED INSURED:

2. The interest in the land covered by this Commitment is: **Fee Simple**

3. Record title to the land on the Effective Date appears to be vested in:
JAY ODOM AND ALISON ODOM, HUSBAND AND WIFE

4. Legal description of the land:
All that certain lot, tract or parcel of land situated in the B.F. BOYDSTUN SURVEY ABSTRACT NO. 14, City of Rockwall, Rockwall County, Texas, and being all of a tract of land as described in a Warranty Deed from Edwin McCoy to Cede Rakich and Julia Rakich, dated July 8, 1993 and being recorded in Volume 804, Page 43 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a TXDOT brass disk monument found for corner in the West right-of-way line of N. Fannin Street, said point being at the southeast corner of said Rakich tract and at the northeast corner of a tract of land as described in a Warranty Deed from Ronald D. Austin to Cynthia Wallace, as recorded in Volume 5007, Page 8 of the Official Public Records of Rockwall County, Texas;

THENCE N. 86 deg. 50 min. 34 sec. W. along the north boundary line of said Wallace tract, a distance of 161.46 feet to a 1/2" iron rod found for corner;

THENCE N. 06 deg. 42 min 32 sec. E. a distance of 32.67 feet to a 1/2" iron rod found for corner;

THENCE N. 84 deg. 00 min. 00 sec. W. a distance of 150.00 feet to a 1/2" iron rod found for corner;

THENCE N. 10 deg. 32 min. 07 sec. E. a distance of 108.67 feet to a 1/2" iron rod found for corner;

THENCE N. 19 deg. 00 min. 00 sec. E. a distance of 42.00 feet to a 1/2" iron rod found for corner;

THENCE S. 78 deg. 00 min. 00 sec. E. a distance of 130.00 feet to a 1/2" iron rod found for corner;

THENCE S. 79 deg. 22 min. 00 sec. E. a distance of 182.00 feet to a 1/2" iron rod found for corner in the West right-of-way line of N. Fannin Street;

THENCE S. 13 deg. 00 min. 00 sec. W. along said right-of-way line, a distance of 146.72 feet to the POINT OF BEGINNING and containing 1.05 acres of land.

The Company is prohibited from insuring the area or quantity of the land herein described. Therefore, the Company does not represent that the acreage or square footage calculations are correct. References to quantity are for informational purposes only.

COMMITMENT FOR TITLE INSURANCE

Issued By

Westcor Land Title Insurance Company

SCHEDULE B

EXCEPTIONS FROM COVERAGE

In addition to the Exclusions and Conditions and Stipulations, your Policy will not cover loss, costs, attorneys' fees, and expenses resulting from:

1. The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception):

   This Item Intentionally deleted.

2. Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements.

3. Homestead or community property or survivorship rights, if any, of any spouse of any insured. (Applies to the Owner's Policy only.)

4. Any titles or rights asserted by anyone, including, but not limited to, persons, the public, corporations, governments or other entities,

   a. to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or

   b. to lands beyond the line of harbor or bulkhead lines as established or changed by any government, or

   c. to filled-in lands, or artificial islands, or

   d. to statutory water rights, including riparian rights, or

   e. to the area extending from the line of mean low tide to the line of vegetation, or the rights of access to that area or easement along and across that area.

   (Applies to the Owner's Policy only.)

5. Standby fees, taxes and assessments by any taxing authority for the year **2013**, and subsequent years; and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership, but not those taxes or assessments for prior years because of an exemption granted to a previous owner of the property under Section 11.13, *Texas Tax Code*, or because of improvements not assessed for a previous tax year. (If Texas Short Form Residential Loan Policy (T-2R) is issued, that policy will substitute "which become due and payable subsequent to Date of Policy" in lieu of "for the year _____ and subsequent years.")

6. The terms and conditions of the documents creating your interest in the land.

7. Materials furnished or labor performed in connection with planned construction before signing and delivering the lien document described in Schedule A, if the land is part of the homestead of the owner. (Applies to the Loan Title Policy Binder on Interim Construction Loan only, and may be deleted if satisfactory evidence is furnished to us before a binder is issued.)

8. Liens and leases that affect the title to the land, but that are subordinate to the lien of the insured mortgage. (Applies to Loan Policy (T-2) only.)

9. The Exceptions from Coverage and Express Insurance in Schedule B of the Texas Short Form Residential Loan Policy (T-2R). (Applies to Texas Short Form Residential Loan Policy (T-2R) only. Separate exceptions 1 through 8 of this Schedule B do not apply to the Texas Short Form Residential Loan Policy (T-2R).

10. The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception.):

a. **Rights of parties in possession.**

b. **Intentionally deleted.**

c. **All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.**

d. **Easement dated January 24, 2002, executed by City of Rockwall, to Texas Power & Light Company, recorded in Volume 2423, Page 80, Deed Records, Rockwall County, Texas.**

e. **No liability is assumed by reason of the following as shown on survey dated November 14, 2012, prepared by Harold D. Fetty III, RPLS No. 5034:**

Fences over and across property lines;
Overhead electric crossing property lines;
Gravel drive over property line.

COMMITMENT FOR TITLE INSURANCE

Issued By

Westcor Land Title Insurance Company

SCHEDULE C

Your Policy will not cover loss, costs, attorneys' fees, and expenses resulting from the following requirements that will appear as Exceptions in Schedule B of the Policy, unless you dispose of these matters to our satisfaction, before the date the Policy is issued:

1. Documents creating your title or interest must be approved by us and must be signed, notarized and filed for record.

2. Satisfactory evidence must be provided that:

   a. no person occupying the land claims any interest in that land against the persons named in paragraph 3 of Schedule A,

   b. all standby fees, taxes, assessments and charges against the property have been paid,

   c. all improvements or repairs to the property are completed and accepted by the owner, and that all contractors, subcontractors, laborers and suppliers have been fully paid, and that no mechanic's, laborer's or materialmen's liens have attached to the property,

   d. there is legal right of access to and from the land,

   e. (on a Loan Policy only) restrictions have not been and will not be violated that affect the validity and priority of the insured mortgage.

3. You must pay the seller or borrower the agreed amount for your property or interest.

4. Any defect, lien or other matter that may affect title to the land or interest insured, that arises or is filed after the effective date of this Commitment.

5. **Vendor's Lien retained in Deed dated April 8, 2013, executed by Cedo Rakich and Julia Rakich, husband and wife to Jay Odom and Alison Odom, husband and wife, filed for record in Clerk's File No. 2013-2486792, of the Official Public Records, Rockwall County, Texas, securing Cedo Rakich and Julia Rakich; in the payment of one note of even date in the principal sum of $120,000.00, due and payable and bearing interest as therein provided, said Note being additionally secured by a Deed of Trust of even date therewith to Hudson Henley Trustee, filed on April 16, 2013, in Clerk's File No. 2013-486793, Official Public Records, Rockwall County, Texas.**

6. **"If the loan to be insured is a Home Equity Mortgage made pursuant to Section 50(a)(6), Article XVI of the Texas Constitution, then the policy to be issued will include and be subject to the terms of the Equity Loan Mortgage Endorsement (T-42), and issuance of our policy, and said endorsement is subject to the compliance with our requirements, including the following:**

   A. The land must be the homestead of the owners;
   B. All owners (and their spouses) of the insured property must execute the lien instrument; and
   C. Company must be provided satisfactory evidence that the land is not designated for agriculture use or open space use by applicable Texas statutes and the Texas Constitution; and
   D. The release of any prior liens as required by Section 50(a)(6), Article XVI of the Texas Constitution; and
   E. There must have been NO Home Equity Loans made within 12 months of the date of the loan to be insured;
   F. Execution of the insured mortgage and the promissory note secured thereby must occur at the office of the company (underwriter) or of its agent which issued this commitment; (if the mortgage and note are executed at a place other than that required herein, then said policy may still be issued, provided that said loan documents are executed at the office of the lender or at the office of an attorney. However, the coverage in the endorsement related to the place of closing of the loan will NOT be provided.);
   G. The mortgage to be insured must contain a disclosure that the extension of credit is the type of credit defined by Section 50(a)(6), Article XVI, of the Texas Constitution."

7. On the policy to be issued, the following will be added as an exception in Schedule B: (This policy is issued with and must have attached to it a Equity Loan Mortgage Endorsement T-42).

8. NOTICE: Notwithstanding any provisions of the Closing Instructions or other written requirements, the title company is not making a determination of compliance with, nor providing information on the Texas constitutional requirements for creating a valid extension of credit lien (Section 50(a)(6)). These determinations are the responsibility of the lender. The title policy will only cover the items specifically stated therein.

9. When amending the "area and boundary" exception in the mortgagee policy, the Company may rely upon a copy of a prior survey and affidavit by the borrower on residential real property if the borrower executes an acceptable affidavit. The Company may except to matters shown on the survey or the affidavit.

10. Article 9.39A of the Texas Insurance Code requires certified checks, cashier's checks, cash or wire transfers for all transactions that involve the payment of $1500.00 or more. Title Company must require compliance with Article 9.39A (Procedural Rule 27).

11. NOTE: The following is for informational purposes only:
The following deed(s) affecting the subject property were recorded within the last 24 month period prior to the effective date of this commitment:

2013-48692, 2013-48693.

Adobe Title, LLC - Rockwall

By: _____

COMMITMENT FOR TITLE INSURANCE

SCHEDULE D

GF No. **13080560RW** Effective Date: **August 15, 2013, 07:30 am**

Pursuant to the requirements of Rule P-21, Basic Manual of Rules, Rates and Forms for the writing of Title Insurance in the State of Texas, the following disclosures are made:

1. The following individuals are directors and/or officers, as indicated, of the Title Insurance Company issuing this Commitment

UNDERWRITER: Westcor Land Title Insurance Company, a California corporation.
Shareholders of 10% or more of Westcor Land Title Insurance Company: NTC Global Holding Group and Mother Lode Holding Company.
Individuals/Entities owning 10% or more of the above cited Entities: NTC Global Holding Group- Terrance L. Wright, Mother Lode Holding Company- French Family 1993 Irrevocable Trust, and French Family Trust dated 4/13/87.

DIRECTORS OF WESTCOR LAND TITLE INSURANCE COMPANY:
Terrence L. Wright, David Philipp, Mary O'Donnell, Roy W. Lassiter and Robbie D. Graham

OFFICERS OF WESTCOR LAND TITLE INSURANCE COMPANY:
Mary O'Donnell, President/Chief Executive Officer, Michael Schefstad, Chief Financial Officer/Treasurer and Patricia W. Bower, Secretary/General Counsel

2. **ADOBE TITLE, LLC**

OWNERS
Hudson Henley
Geoffrey Henley

OFFICERS

Hudson Henley	President
Geoffrey Henley	Secretary/Treasurer
Kelly Hodgkins	Vice President Title Operations

3. You are entitled to receive advance disclosure of settlement charges in connection with the proposed transaction to which this commitment relates. Upon your request, such disclosure will be made to you. Additionally, the name of any person, firm or corporation receiving a portion of the premium from the settlement of this transaction will be disclosed on the closing or settlement statement.

You are further advised that the estimated title premium* is:

Owner's Policy	**$0.00**
Loan Policy	**$0.00**
Endorsement Charges	**$0.00**
Other	**$0.00**
Total	**$0.00**

Of this total amount: 15% will be paid to the policy issuing Title Insurance Company: 85% will be retained by the issuing Title Insurance Agent; and the remainder of the estimated premium will be paid to other parties as follows:

Amount	To Whom	For Services

" *The estimated premium is based upon information furnished to us as of the date of this Commitment for Title Insurance. Final determination of the amount of the premium will be made at closing in accordance with the Rules and Regulations adopted by the Commissioner of Insurance."

Through Tax Year
2013

TAX CERTIFICATE

Certificate #
1880

Issued By:
ROCKWALL CENTRAL APPRAISAL DISTRICT
841 JUSTIN RD
ROCKWALL, TX 75087

Property Information

Property ID: 14399 Geo ID: 3140-0122-000B-01-0R
Legal Acres: 1.0500
Legal Desc: B F BOYDSTON, BLOCK 122, LOT B-1, ACRES 1.05
Situs: 405 N FANNIN ST
DBA:
Exemptions:

Owner ID: 1062465 100.00%
ODOM JAY & ALISON
405 N FANNIN STREET
ROCKWALL, TX 75087

For Entities

CITY OF ROCKWALL
ROCKWALL COUNTY
ROCKWALL ISD

Value Information

Improvement HS:	43,730
Improvement NHS:	0
Land HS:	81,270
Land NHS:	0
Productivity Market:	0
Productivity Use:	0
Assessed Value	125,000

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year	Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
Totals:			0.00	0.00	0.00	0.00

Outstanding Litigation Fees

Fee Date	Fee Description	Amount Due
05/13/2014	TAX CERTIFICATE	10.00
	Total Fees Due:	10.00

Effective Date: 05/13/2014

Total Due if paid by: 05/31/2014 10.00

Tax Certificate Issued for:	Taxes Paid in 2013
CITY OF ROCKWALL	628.13
ROCKWALL COUNTY	494.88
ROCKWALL ISD	1,825.00

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

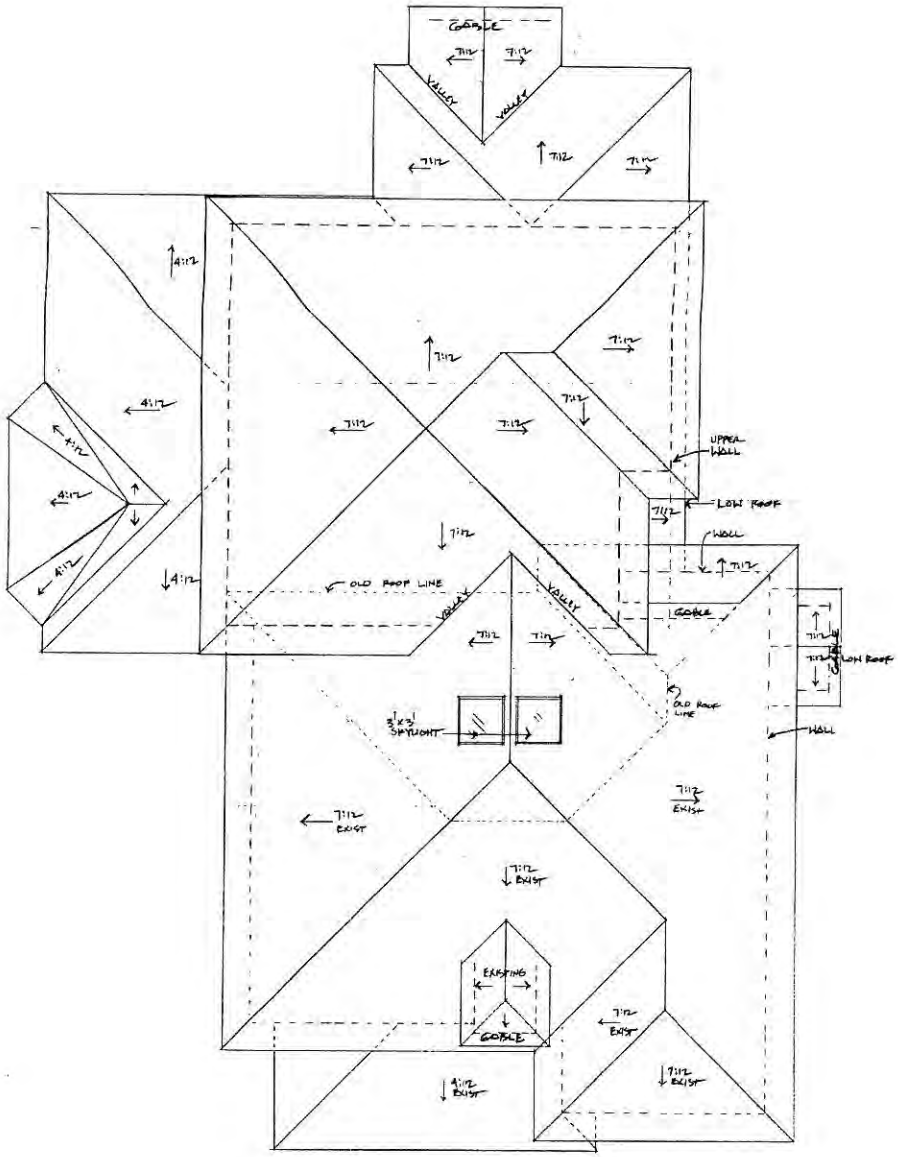
A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

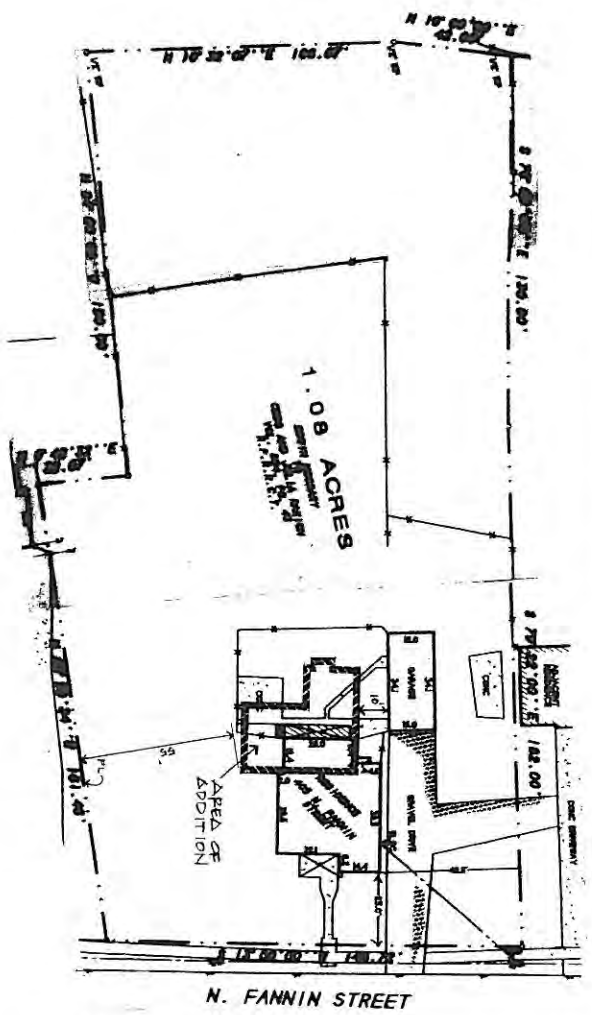
May Be Subject to Court Costs if Suit is Pending

Linda Raffin
Signature of Authorized Officer of Collecting Office

Date of Issue: 05/13/2014
Requested By: ODOM JAY L & ALISON N
Fee Amount: 10.00
Reference #:



ROOF PLAN (ALL 40 YR COMPOSITION SHINGLE ROOFING)
1/4"=1'-0"



SITE PLAN
1"=20'-0"

LEGAL: BF BOYDSTON SURVEY, ABSTRACT NO. 14, CITY OF ROCKWALL, ROCKWALL COUNTY, TX. DESCRIBED AS WARRANTY DEED FROM EDWIN MCCREAM TO CEDO AND JULIA RAKICH JULY 8, 1993 VOL 804, P43 KNOW AS 405 N. FANNIN ST., ROCKWALL, TX.

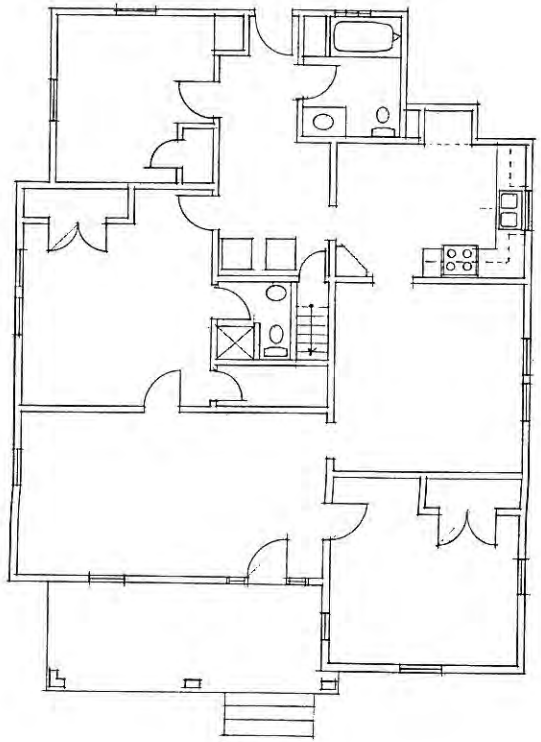
REVISIONS	BY
9-29-13	BP

BRIAN T. PORTER, ARCHITECT
Residential and Remodel Architecture

ADDITION AND RENOVATION TO:
THE ODOM RESIDENCE
405 N. FANNIN ST. ~ ROCKWALL, TX.

Date 9-29-2013
Scale
Drawn
Job
Sheet A1
Of 7 Sheets

170



AS BUILT
FLOOR PLAN
1/4" = 1'-0"

REVISIONS	BY
9.29.13	BP

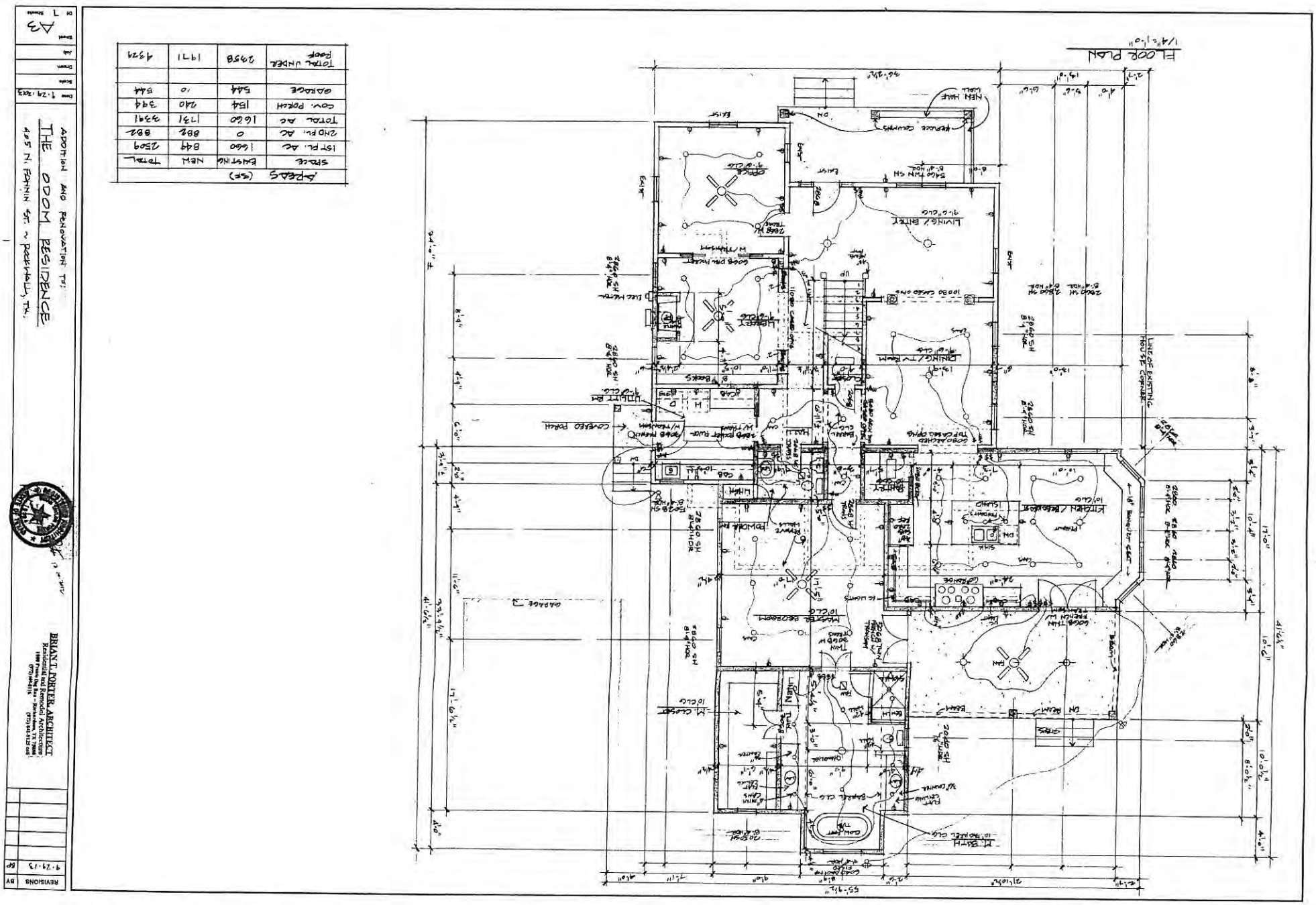
BRIAN T. PORTER, ARCHITECT
Residential and Remodel Architecture
1800 Prairie Dog Run - Richardson, TX 75080
(972) 669-8116 (972) 841-9125 cell

REGISTERED ARCHITECT BRIAN T. PORTER STATE OF TEXAS

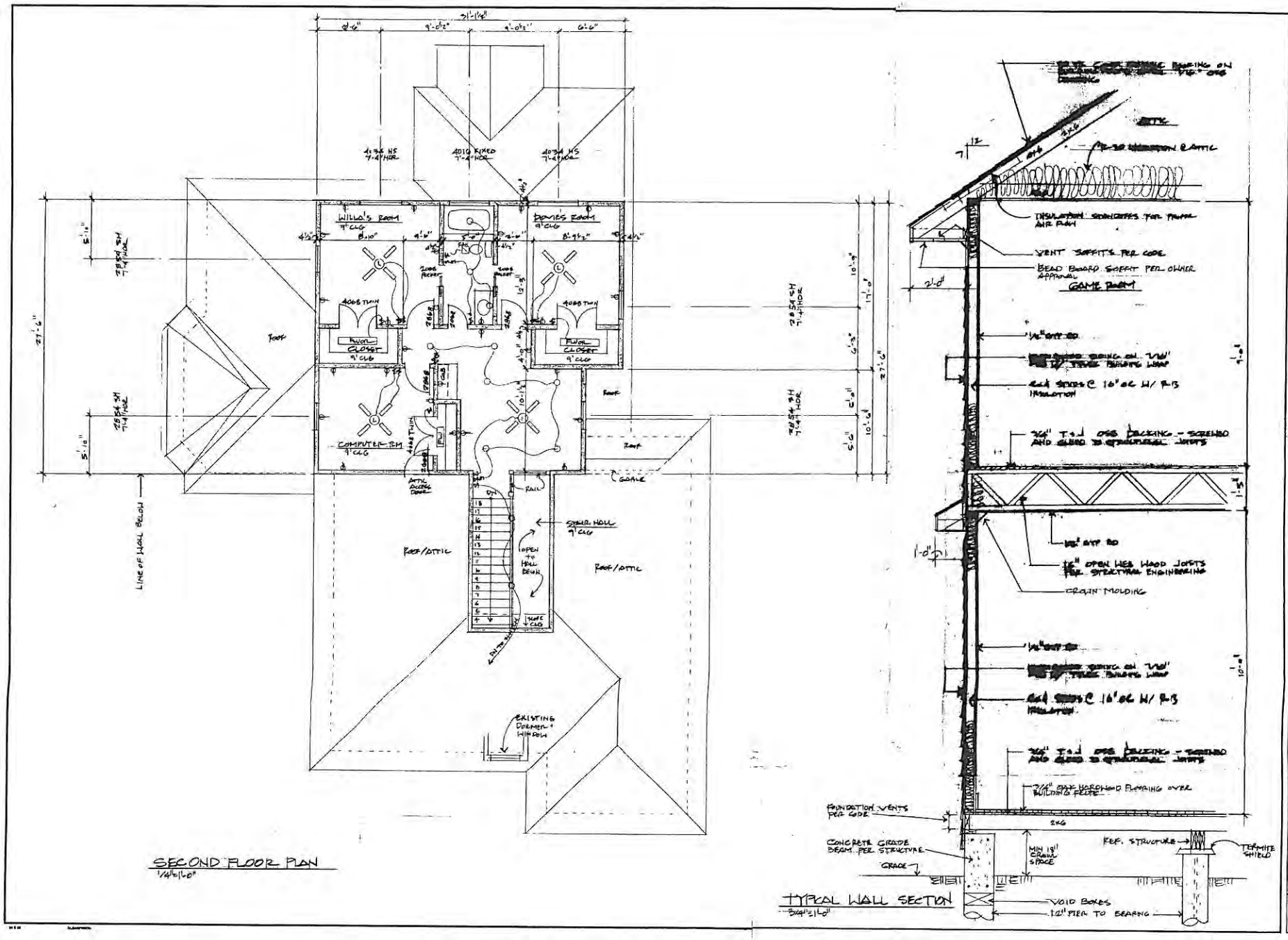
12.10.2012

ADDITION AND RENOVATION TO:
THE ODOM RESIDENCE
405 N. FANNIN ST. ~ ROCKWALL, TX.

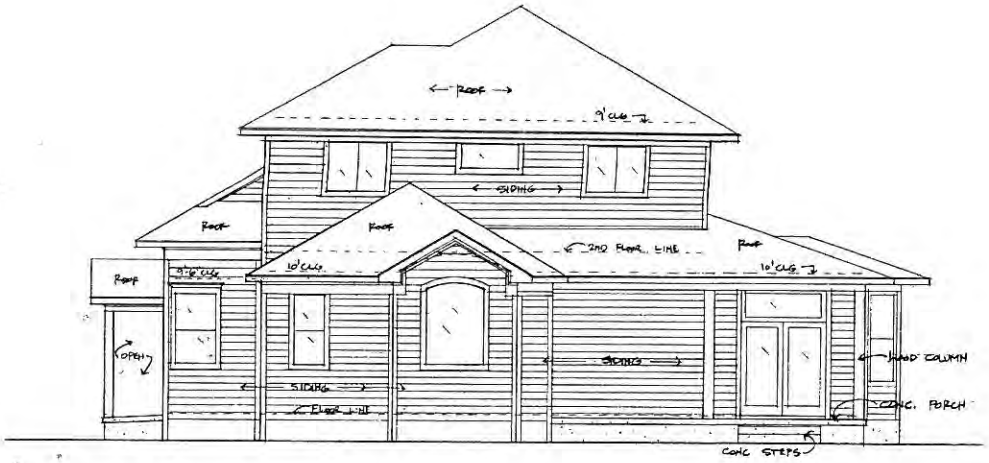
Date 9.29.2013
Scale
Drawn
Job
Sheet A2
Of 7 Sheets


FLOOR PLAN
1/4"=1'-0"
AREAS (SF)
SPACE | EXISTING | NEW | TOTAL
1ST FL. AC | 1660 | 849 | 2509
2ND FL. AC | 0 | 882 | 882
TOTAL AC | 1660 | 1731 | 3391
COV. PORCH | 154 | 240 | 394
GARAGE | 544 | 0 | 544
TOTAL UNDER ROOF | 2358 | 1971 | 4329
ADDITION AND RENOVATION TO:
THE ODOM RESIDENCE
405 N. FANNIN ST. ~ ROCKWALL, TX.
BRIAN T. PORTER, ARCHITECT
Residential and Remodel Architecture
REVISIONS
9-29-13
A3

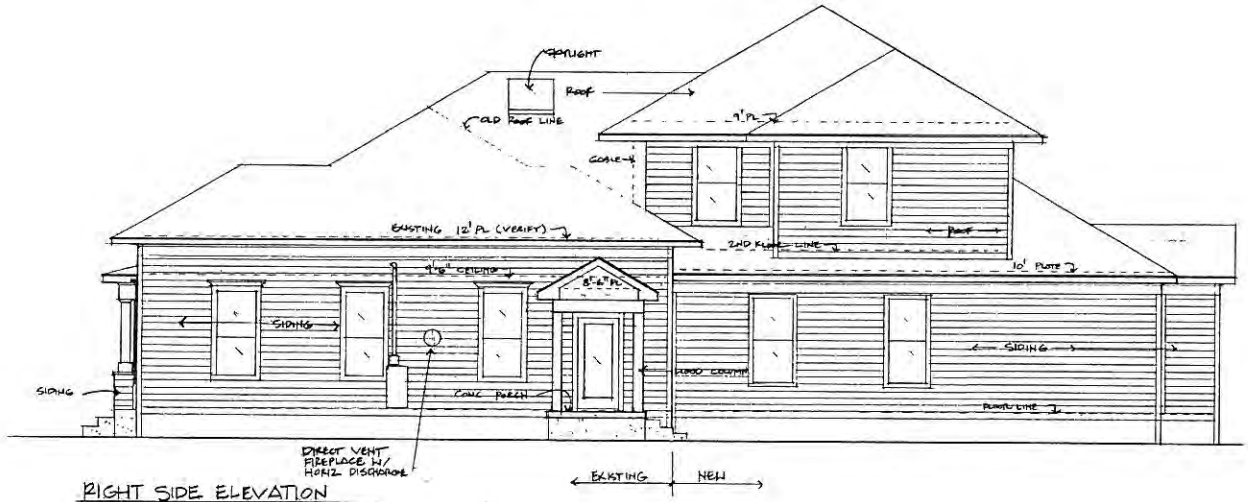
172


SECOND FLOOR PLAN
1/4"=1'-0"
TYPICAL WALL SECTION
3/4"=1'-0"
WILLA'S ROOM
DOVIES ROOM
COMPUTER RM
FLOOR CLOSET
ROOF/ATTIC
STAIR HALL
LINE OF WALL BELOW
EXISTING DORMER + WINDOW
GAME ROOM
VENT SOFFITS PER CODE
BEAD BOARD SOFFIT PER OWNER APPROVAL
CROWN MOLDING
FOUNDATION VENTS PER CODE
CONCRETE GRADE BEAM PER STRUCTURE
GRADE
MIN 18" CRAWL SPACE
REF. STRUCTURE
TERMITE SHIELD
VOID BOXES
12" PIER TO BEARING
REVISIONS
BY
9.29.13
BRIAN T. PORTER, ARCHITECT
Residential and Remodel Architecture
ADDITION AND RENOVATION TO:
THE ODOM RESIDENCE
405 N. FANNIN ST ~ ROCKWALL, TX.
Date 9.29.2013
Scale
Drawn
Job
Sheet A4
Of 7 Sheets

173



REAR ELEVATION
1/4"=1'-0"



RIGHT SIDE ELEVATION
1/4"=1'-0"

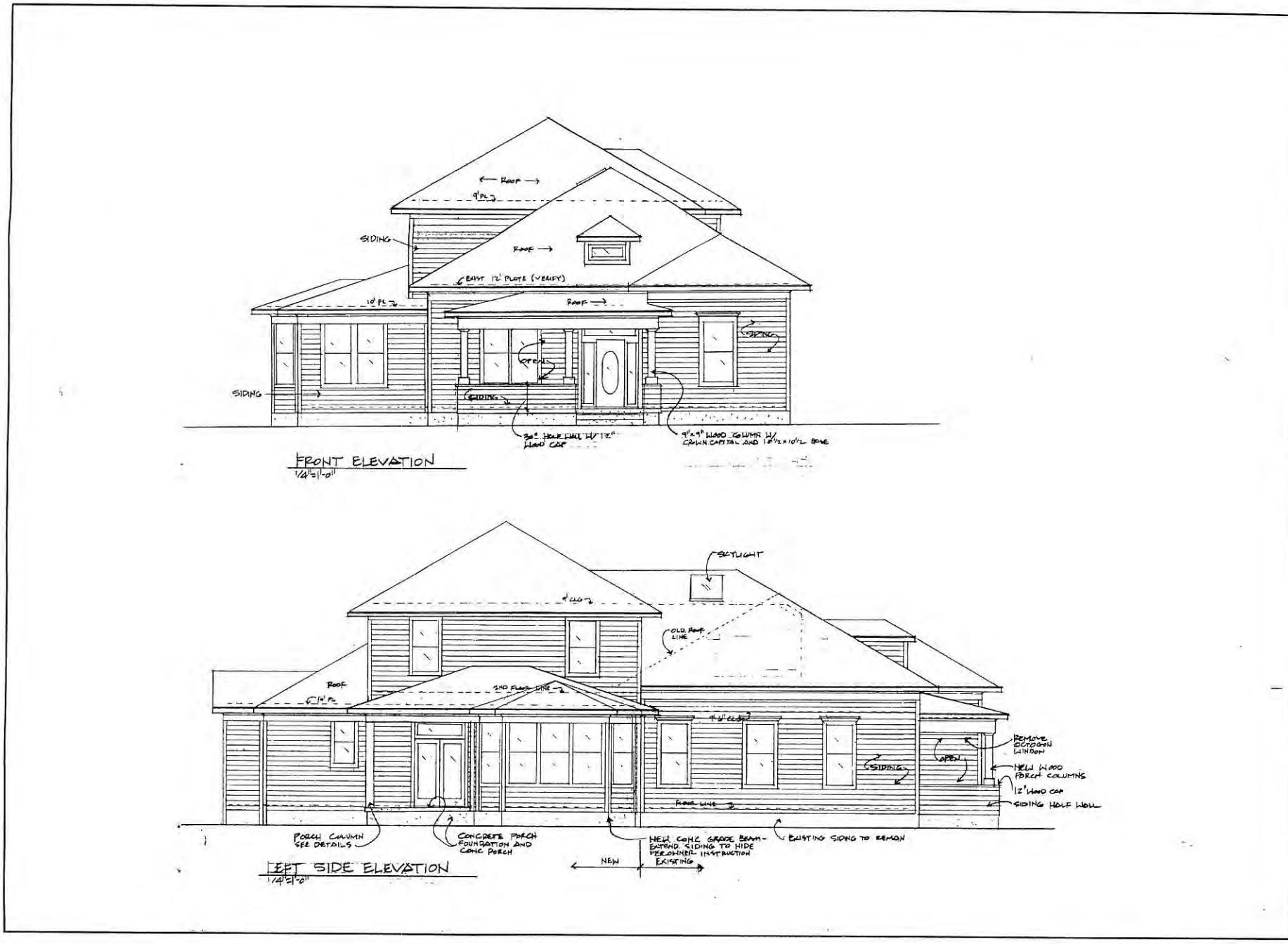
REVISIONS	BY
9-29-13	BP

BRIAN T. PORTER, ARCHITECT
Residential and Remodel Architecture
1800 Prairie Dog Run • Rockwall, TX 75087
(972) 660-8214 (972) 841-9125 cell

ADDITION AND RENOVATION FOR:
THE ODOM RESIDENCE
405 N. FANNIN ST. ~ ROCKWALL, TX.

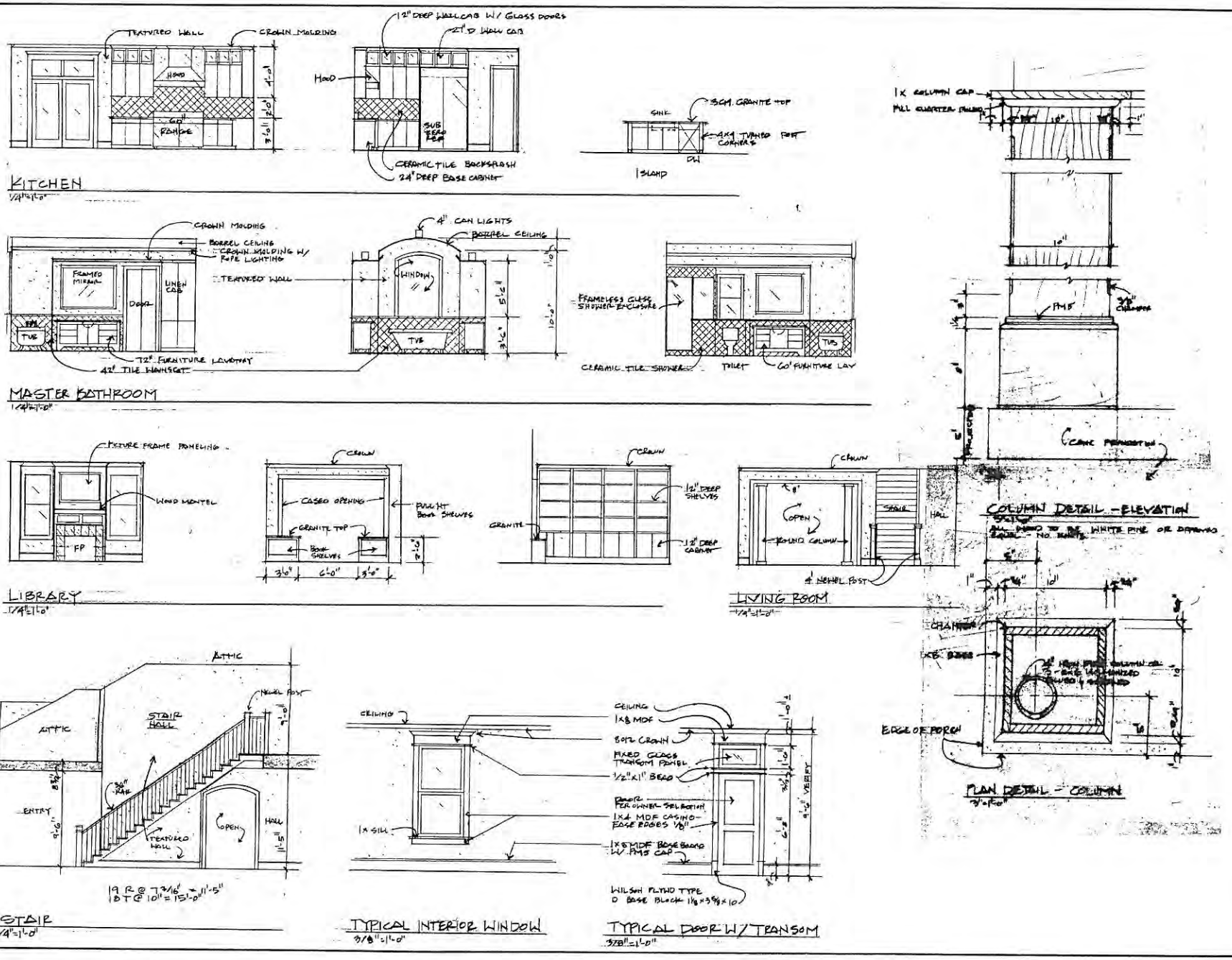
Date 9.29.2013
Scale
Drawn
Job
Sheet A5
Of 7 Sheets

174



ROOF
9' PL
SIDING
ROOF
EXIST 12' PLATE (VERIFY)
10' PL
ROOF
SIDING
OPEN
SIDING
SIDING
30" HALF WALL W/ 12" WOOD CAP
9"x9" WOOD COLUMN W/ CROWN CAPITAL AND 18½x10½ BASE
FRONT ELEVATION
1/4"=1'-0"
SKYLIGHT
9' CLG
OLD ROOF LINE
ROOF
14' PL
2ND FLOOR LINE
9' CLG
REMOVE OCTOGON WINDOW
OPEN
SIDING
NEW WOOD PORCH COLUMNS
12" WOOD CAP
SIDING HALF WALL
FLOOR LINE
PORCH COLUMN SEE DETAILS
CONCRETE PORCH FOUNDATION AND CONC PORCH
NEW CONC GRADE BEAM - EXTEND SIDING TO HIDE PER OWNER INSTRUCTION
EXISTING SIDING TO REMAIN
NEW
EXISTING
LEFT SIDE ELEVATION
1/4"=1'-0"
REVISIONS
BY
9.29.13
BP
BRIAN T. PORTER, ARCHITECT
Residential and Remodel Architecture
ADDITION AND RENOVATION TO:
THE ODOM RESIDENCE
405 N. FANNIN ST. ~ ROCKWALL, TX.
Date 9.29.2013
Scale
Drawn
Job
Sheet
A6
Of 7 Sheets

175


KITCHEN
1/4"=1'-0"
MASTER BATHROOM
1/4"=1'-0"
LIBRARY
1/4"=1'-0"
LIVING ROOM
1/4"=1'-0"
COLUMN DETAIL - ELEVATION
PLAN DETAIL - COLUMN
STAIR
1/4"=1'-0"
TYPICAL INTERIOR WINDOW
3/8"=1'-0"
TYPICAL DOOR W/ TRANSOM
3/8"=1'-0"
REVISIONS
9.29.13
BRIAN T. PORTER ARCHITECT
ADDITION AND RENOVATION TO:
THE ODOM RESIDENCE
405 N. PANNIN ST. - MARSHALL, TX
Date 9.29.2013
A7

176

CITY OF ROCKWALL

ORDINANCE NO. 03-28

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS AMENDING THE ROCKWALL CODE OF ORDINANCES TO PROVIDE AN AD VALOREM TAX EXEMPTION FOR STRUCTURES IN NEED OF TAX RELIEF TO ENCOURAGE THEIR ENHANCEMENT AS HEREIN DEFINED; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING A PENALTY OF A FINE OF $500.00 FOR EACH OFFENSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the 65th Legislature in June 1977 passed S.B. 595 amending Title 122, Revised Civil Statues of Texas (1925), by adding Article 7150i authorizing the governing body of a political subdivision to exempt historic sites from certain property taxation; and

WHEREAS, Article 7150i was made effective upon adoption of Section 1-f to Article VIII of the Texas Constitution which authorized the State Legislature to allow political subdivisions to exempt historical sites from certain property taxation; and

WHEREAS, Texas voters on November 7, 1977, amended Article VIII of the Texas Constitution by adding Section 1-f; and

WHEREAS, effective January 1, 1980, the 66th Legislature codified Section 7150i as Section 11.24 of the Property Tax Code (1979); and

WHEREAS, there has been adopted in the City of Rockwall certain historic overlay districts which are in need of tax relief to encourage enhancement of structures as herein defined;

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

Section 1. Chapter 25 of the Code of Ordinances is amended to add a new Article III to read as follows:

"ARTICLE III

EXEMPTION FOR HISTORICALLY SIGNIFICANT SITES

SECTION 25 - 38: DEFINITIONS

As used in this Article, the following terms shall have the meanings described herein:

A. "Assessed Value Prior to Preservation" means the value assessed by the Rockwall County Appraisal District for the tax year of verification.

B. "Certification" means the attestation by the Director of Community Development that the structure in question is a

structure located in the boundaries of the Old Town Rockwall Historic District or a Landmark Property as defined herein, in need of tax relief to encourage enhancement of structures and that the plans submitted will meet the definition of enhancement of a structure as defined herein.

C. "Enhancement of a Structure" means the completion of a building project to improve a structure and the certifiable expenditure of at least $5,000 for that project which has occurred after the adoption of this ordinance.

D. "Historic District" includes the Old Town Rockwall Historic District, the Southside Overlay District, designated Landmark Properties, and such historic districts that may be adopted by the City in the future.

E. "Increment Project" shall mean the monetary amount invested by the property owner in enhancing the subject structure (i.e. improvement) located within an official Historic Overlay District, which shall include the Old Town Rockwall Historic District, Southside Overlay District, designated Landmark Properties, and such historic districts that may be adopted by the City subsequent to the adoption of this ordinance.

F. "The Improvement" shall mean the monetary value of the property minus the value of the land upon which property taxes are levied by the City.

G. "Landmark Property" shall mean a property or structure(s), not contiguous to or part of an existing historic district, that is deemed worthy of preserving.

H. "Property in need of tax relief to encourage enhancement of a structure" shall mean any structure located in the Old Town Rockwall Historic District, Southside Overlay District, designated Landmark Properties, and any such historic districts that may be adopted by the City subsequent to the adoption of this ordinance.

I. "Property" shall mean the monetary value of the land plus the value of the improvement.

J. "Structure" is defined herein as a building located in an official historic district, which shall include the Old Town Rockwall Historic District, Southside Overlay District, designated Landmark Properties, and such historic districts that may be adopted by the City subsequent to the adoption of this ordinance within the City of Rockwall.

SECTION 25 - 39: STRUCTURE PRESERVATION TAX EXEMPTION

A residential building or designated landmark property which meets the requirements of this ordinance shall be certified by the Director of Community Development to have the assessed value for ad valorem taxation "frozen" as described and listed below in order to qualify for ad valorem tax exemption. The assessed value shall be frozen at the value for the tax year in which the increment project was completed. The assessed value of the improvement shall be so "frozen" in accordance with the schedule below:

The period of the tax abatement shall be five (5) years if the amount of the increment project is $5,000 or greater; or

The period of the tax abatement shall be seven (7) years if the amount of the increment project is equal to or exceeds 25% of the assessed value of the improvement on January 1st of the year the increment project was completed.

Furthermore, this exemption shall begin on the first day of the next tax year after verification of completion of the preservation required for certification; provided that: The building shall comply with the applicable zoning regulations for its use and location; and

SECTION 25 - 40: APPLICATION PROCESS

Applications for an ad valorem tax exemption pursuant to this ordinance are to be filed with the Community Development Department. Each application shall be signed and sworn to by the owner of the property and shall:

A. State the legal description of the property proposed for certification;

B. Provide proof of title in the applicant to the property proposed for certification;

C. Include an affidavit by the owner describing the structure in need of tax relief and its compliance with the requirements of Section 25 - 39 herein;

D. Provide proof that taxes or other assessments are not delinquent on the property;

E. Include a final complete set of plans for the structure's enhancement as required to secure a building permit;

F. Include a statement of costs for the restoration or rehabilitation work;

G. Include a projection of the estimated construction time and predicted completion date of the restoration or rehabilitation;

H. Authorize representatives of the City of Rockwall to visit and inspect the property and the records and books of the owner as necessary to certify that the property in question is in substantial need of restoration or rehabilitation;

I. Include a detailed statement of the proposed use for the property; and

J. Provide any additional information that the owner deems relevant.

K. Provide such other information as may be required by the Director of Community Development to properly consider certification of the project.

L. Provide a written acknowledgement by the property owner acknowledging the owners future obligation to notify the Director of Community Development upon completion of the increment project. This will begin the verification process noted in Section 25 - 42 below.

Each application shall contain documentation confirming or supporting the information submitted.

SECTION 25 - 41: CERTIFICATION PROCESS

Within 30 days after receipt of the properly completed application, the City shall make an investigation of the property and shall certify the facts to the Director of Community Development along with the documentation and recommendation for approval or disapproval.

Upon receipt of a recommendation, the Director of Community Development shall immediately forward the application to the Rockwall City Council and, within thirty (30) days, the Council shall consider approval or disapproval eligibility of the property for tax relief pursuant to this ordinance. In determining eligibility, the City Council shall first determine that all the requirements of this ordinance have been met and that only the structure is to be provided favorable tax relief as provided in Section II herein. Written notice of the determination shall be sent to the applicant.

SECTION 25 - 42: VERIFICATION PROCESS

Upon completion of the enhancement of a structure, the certified applicant shall submit a sworn statement of completion acknowledging that the property has been substantially rehabilitated or restored. Within (30) days after receipt of the sworn statement of completion, the Director of Community Development shall make an investigation of the property and shall determine if the enhancement has been completed as required for certification. If the enhancement is deemed incomplete, the applicant shall be required to complete the enhancement in order to secure the tax exemption. If the enhancement is determined to be complete, the Director of Community Development shall notify the Chief Appraiser of the

Rockwall County Central Appraisal District in writing that the applicable ad valorem tax exemption shall apply.

Thereafter, the Chief Appraiser of the Rockwall County Central Appraisal District shall provide the property with the tax exemption provided in Section 25 - 39 herein."

Section 2. That any person who violates any provision of this ordinance shall, upon conviction, be subject to a fine in accordance with the general provisions of the Code of Ordinances, and that each day in violation shall constitute a separate offence.

Section 3. The provisions of this ordinance are severable. If any provision of this ordinance or the application thereof to any person or circumstances shall be held to be invalid or unconstitutional, the remainder of this ordinance shall nevertheless be valid.

Section 4. That all ordinances or part of ordinances in conflict herewith are repealed to the extent of the conflict only.

Section 5. This ordinance shall become effective from and after its adoption, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of September, 2003.

Ken Jones, Mayor

ATTEST:

Dorothy Brooks, City Secretary

CITY OF ROCKWALL TEXAS
SEAL

APPROVED AS TO FORM:

Pete Eckert, City Attorney

1st Reading: August 18, 2003

2nd Reading: September 2, 2003

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Rockwall Homeschool Water Polo Team Day

Proclamation 13

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Consider approval of the minutes from the May 19, 2014 regular city council meeting, and take any action necessary.

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Z2014-011 - Consider approval of ordinance for a request by Dewayne Cain, on behalf of the Cain Family Revocable Trust, for the approval of a zoning change from a Single Family 10 (SF -10) District to Planned Development District 53 (PD-53) for Residential-Office (RO) District uses and to amend the boundaries of Planned Development District 53 (PD-53) [Ordinance No. 02-33] for a 0.651-acre parcel of land identified as Lot 3, Block A, Lee Rhoades Subdivision, City of Rockwall, Rockwall County, Texas, addressed as 1002 Ridge Road, and take any action necessary (2nd Reading).

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P2014-012 - Consider a request by Terrence Rowe of Double T. Ventures, LLC for the approval of a replat for Lot 1, Block A, Double T. Ventures Addition being one (1) lot currently identified as a portion of Lot 24, Amick Addition, zoned Planned Development District 50 (PD-50), located at 807 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

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Consider approval of a resolution allowing a temporary, partial closure of FM 740 from Summer Lee Drive to the south City limits to facilitate the U.S. Open Triathlon on Sunday, October 12, 2014 from 7:00 AM to 1:00 PM, and take any action necessary.

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Appointment with Rob Dixon of Hill & Wilkinson, General Contractors to hear and discuss a progress update of the Downtown Rockwall Improvement Project, and take any action necessary.

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Z2014-014 - Discuss and consider approval of ordinance for a request by Brad Fenton of Fenton Motor Group, on behalf of Cambridge Companies Inc., for approval of a Specific Use Permit (SUP) to allow for a new car dealership being a 4.08-acre tract of land located in the J. LOCKHART SURVEY, Abstract No.134, being a portion of that certain tract of land described in deed to the Cambridge Companies, Inc. as recorded in Volume 101, Page 795 of the Deed Records of Rockwall County, Texas and zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the 205 By-Pass Corridor Overlay (205 BY-OV) District and generally located on the southeast corner of John King Boulevard and IH-30, City of Rockwall, Rockwall County, Texas, and take any action necessary. (2nd Reading)

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MIS2014-007 - Discuss and consider a request by Josh Houser for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, General Residential District Standards, of Article V, District Development Standards, of the Unified Development Code, for a 0.24-acre parcel of land identified as Lot 11, Block A, Chandler's Landing, Phase 19, zoned Planned Development District 8 (PD-8), located at 105 Weatherly Circle, City of Rockwall, Rockwall County, Texas, and take any action necessary.

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Discuss and consider water conservation program, and take any action necessary.

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AGENDA
ROCKWALL CITY COUNCIL
Monday, June 02, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. (4:00 P.M.) WORK SESSION

p.8 **1. HOLD WORK SESSION TO DISCUSS AND CONSIDER WATER CONSERVATION PROGRAM, AND TAKE ANY ACTION NECESSARY.**

III. (4:15 P.M.) EXECUTIVE SESSION.

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

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).
3. Discussion regarding the terms and conditions of contract with Collin County Humane Society to operate the City's animal adoption center pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
5. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, June 02, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MILDER

VIII. PROCLAMATIONS / AWARDS

p.11 **1.** Rockwall High School Academic Decathlon Champs Day
p.13 **2.** Rockwall Homeschool Water Polo Team Day

IX. OPEN FORUM

X. CONSENT AGENDA

p.15 **1.** Consider approval of the minutes from the May 19, 2014 regular city council meeting, and take any action necessary.

p.25 **2.** **Z2014-011** - Consider approval of **ordinance** for a request by Dewayne Cain, on behalf of the Cain Family Revocable Trust, for the approval of a zoning change from a Single Family 10 (SF-10) District to Planned Development District 53 (PD-53) for Residential-Office (RO) District uses and to amend the boundaries of Planned Development District 53 (PD-53) [Ordinance No. 02-33] for a 0.651-acre parcel of land identified as Lot 3, Block A, Lee Rhoades Subdivision, City of Rockwall, Rockwall County, Texas, addressed as 1002 Ridge Road, and take any action necessary **(2nd Reading)**.

p.31 **3.** **P2014-012** - Consider a request by Terrence Rowe of Double T. Ventures, LLC for the approval of a replat for Lot 1, Block A, Double T. Ventures Addition being one (1) lot currently identified as a portion of Lot 24, Amick Addition, zoned Planned Development District 50 (PD-50), located at 807 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

p.36 **4.** Consider approval of a resolution allowing a temporary, partial closure of FM 740 from Summer Lee Drive to the south City limits to facilitate the U.S. Open Triathlon on Sunday, October 12, 2014 from 7:00 AM to 1:00 PM, and take any action necessary.

XI. APPOINTMENTS

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

p.40 **2.** Appointment with Rob Dixon of Hill & Wilkinson, General Contractors to hear and discuss a progress update of the Downtown Rockwall Improvement Project, and take any action necessary.

XII. ACTION ITEMS

p.42 **1.** **Z2014-014** - Discuss and consider approval of **ordinance** for a request by Brad Fenton of Fenton Motor Group, on behalf of Cambridge Companies Inc., for approval of a Specific Use Permit (SUP) to allow for a new car dealership being a 4.08-acre tract of land located in the J. LOCKHART SURVEY, Abstract No.134, being a portion of that certain tract of land described in deed to the Cambridge Companies, Inc. as recorded in Volume 101, Page 795 of the Deed Records of Rockwall County, Texas and zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the 205 By-Pass Corridor Overlay (205 BY-OV) District and generally located on the southeast corner of John King Boulevard and IH-30, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(2nd Reading)**

p.50 **2.** **MIS2014-007** - Discuss and consider a request by the Josh Houser for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, General Residential District Standards, of Article V, District Development Standards, of the Unified Development Code, for a 0.24-acre parcel of land identified as Lot 11, Block A, Chandler's Landing, Phase 19, zoned Planned Development District 8 (PD-8), located at 105 Weatherly Circle, City of Rockwall, Rockwall County, Texas, and take any action necessary.

p.57 **3.** Discuss and consider water conservation program, and take any action necessary.

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

1. Departmental Reports

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2. City Manager's Report

XIV. EXECUTIVE SESSION

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

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).
3. Discussion regarding the terms and conditions of contract with Collin County Humane Society to operate the City's animal adoption center pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
5. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

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

XVI. ADJOURNMENT

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

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

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 30th day of May, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **May 30, 2014**

SUBJECT: **Conservation Program**

The NTMWD Board voted to extend Stage 3 conservation measures calling for once every two week watering to continue through the month of September and for member and customer cities to achieve a minimum 10% consumption reduction goal. District staff updates cities monthly on our progress toward this cumulative annual goal.

Through April, our residents and businesses have achieved an additional 17% savings over our minimum goal. This achievement came through the voluntary cooperation of our customers and the advantage of a few good rains. Our goals will be increasingly difficult to achieve as we move forward through the hot summer months and we know that the appearance of landscaping will suffer. Staff would suggest the following actions in order to continue to reinforce the need for cooperation and good results.

1st Tier – month of June and beyond if goals are being achieved

- Increase education efforts emphasizing the need for continued conservation and encourage customers to turn off automatic sprinkler systems
- Continue to monitor the success of conservation efforts and be prepared to assign "watering days" based on address numbers to facilitate enhanced enforcement if needed.
- Meet with RISD and apartment complexes – (top 10 users)
- Notify wholesale customers
- Monitor area cities conservation measures and results
- Use existing staff to monitor compliance on a limited hours basis with emphasis on curbing waste

2nd Tier – if goals are not achieved

- Assign watering days based on address for all customers
- Step up monitoring / enforcement efforts
- Discontinue watering city medians and city facility lawns
- Meet with RISD to encourage discontinuing watering school lawns
- Prohibit car washing at home and charity car washes
- Further enhance education efforts

A number of questions will need to be answered as we move forward:

- Continue any new plantings exception?
- Continue allowing fountains and not using spraygrounds?
- Continue athletic field exceptions?
- Discourage or prohibit new shrubs, sod – city or private or both?
- Definition of acceptable runoff/waste for enforcement purposes?

Financial Outlook

The continued restriction of once every two weeks will further erode the water/wastewater fund's financial position. Our policy recommends 60 days working capital (fund balance). With last year's decreased sales, we ended fiscal year 2013 with approximately 18 days of working capital. Rates were increased by 10% in January but very successful conservation by our customers has held our total revenue increase to 5.5%. Council may recall NTMWD increased their rate for treated water by 10% for this year. We have attempted to estimate the impact of continuing to achieve our goals for the remainder of the summer and believe we may miss sales projections by as much as $1.3 million. Utility staff has been on a spending freeze most of this budget year. No capital purchases have been completed, several staff openings have been held for many months and purchases are limited to those considered essential to keep our systems running.

NTMWD staff has advised they will be presenting an 11% increase in rates for their next budget year. Recent communication from the district has indicated a need to achieve greater than 10% reduction citing a need for 15 – 20% reductions this year. Member cities must pay for water under the take or pay system with a rebate at year's end to reflect costs saved by the district for water they did not treat or pump. This has typically amounted to about 50 cents per thousand gallons less than the minimum take. The City would likely have sold this water for closer to $5.00 per thousand gallons. The district staff has discussed not paying the rebate to any cities not meeting goal although the board has not considered this policy yet.

We believe the member cities should press for more opportunity to review the district's budget proposals and urge district staff and board members to look for innovative ways to forestall the next proposed rate increase to assist member cities in recovering from diminished sales as we successfully meet conservation goals.

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Proclamation

Rockwall, Texas

Whereas, Academic Decathlon is a national school competition consisting of seven multiple choice tests in art, economics, language and literature, math, music, science and social science, a speech, an interview and an essay, for a total of 10 events; and

Whereas, the Rockwall High School AcDec team has been the top team in its state division since 2010, the top overall team in Texas for three, straight years and has posted the 3rd highest total score in the history of Texas' Academic Decathlon; and

Whereas, only the top 2 teams from each state advance to the national competition, with teams having to include students from multiple GPA brackets; and

Whereas, this year, Rockwall's AcDec team finished third in the nation for the third, straight year in a row and achieved second place in the Super Quiz competition; and

Whereas, competing team members Hope Wallace, Ryan Rock, Rebecca Voth, Evan Cedor, Miguel Pacheco, Drew Troxler, Enrico Trevisani, Sarah Jester and Grant Workings, along with their supporting team members, Jessie Hall, Amber Adams and Same Warren, all rallied together to make this year's team a huge success once again.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim Monday, June 2, 2014 as

Rockwall High School Academic Decathlon Champs Day

in the City of Rockwall, Texas and urge all citizens to applaud and congratulate these young students for their noteworthy accomplishments and hard work towards achieving these high honors.

David Sweet, Mayor

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Proclamation

Rockwall, Texas

Whereas, a charter water polo team comprised of Rockwall homeschool students, the majority of whom had never before played water polo, recently made history; and

Whereas, despite the challenges of learning a new game, building endurance for a water sport, and periodically desiring to quit, this team of athletes persevered to the end of the season and beyond; and

Whereas, as a result of its dedicated efforts, this group became the first homeschool team in the nation to compete at the high school level and the first homeschool high school team to compete in Texas in the Texas Interscholastic Swimming Coaches Association (TISCA); and

Whereas, through hard work and determination, this water polo team has made Rockwall proud, ending the season with a 4 and 4 record and placing 9th in the first year of competition; and

Whereas, the experiences of this charter homeschooled water polo team have taught each of these young athletes the value of playing well together, supporting one another in spite of challenges, and the importance of displaying Christian sportsmanship.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim Monday, June 2, 2014 as

Rockwall Homeschool Water Polo Team Day

in the City of Rockwall, Texas and urge all citizens to applaud and congratulate these young students for their athleticism and accomplishments and to spur them on to achieve even greater things in the years to come.

David Sweet, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, May 19, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 4:00 p.m. Present were Mayor David Sweet, Mayor Pro Tem David White, and Council Members Jim Pruitt, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs, City Attorney Frank Garza, and outside Counsel Lyndon Bittle.

At 4:00 p.m., Mayor Sweet read the below-listed discussion items into the public record before recessing into Executive Session.

II. EXECUTIVE SESSION

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

1. Discussion regarding securing legal representation from Scott Doggett of Burford and Ryburn, LLP for legal services associated with Condemnation/Acquisitions/Related Municipal Improvements pursuant to Tex. Gov't. Code, § 551.071 (Consultation with Attorney).
2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).
3. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).
4. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney).
5. Discussion regarding appointment of Mayor Pro-Tem, County of Rockwall Emergency Services Corporation board members (2), Regional Transportation Council's Surface Transportation Technical Committee members, and city council subcommittees pursuant to Section, § 551.074 (Personnel Matters).
6. Discussion regarding the terms and conditions of contract with Collin County Humane Society to operate the City's animal adoption center pursuant to Section 551.071 (Consultation with Attorney).

III. ADJOURN EXECUTIVE SESSION

Executive Session adjourned at 5:55 p.m.

MINUTES
ROCKWALL CITY COUNCIL
Monday, May 19, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

Mayor Sweet reconvened the public meeting at 6:00 p.m. All seven council members were present.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem White made a motion to secure legal representation from Scott Doggett of Buford & Ryburn, LLP for legal services associated with Condemnation, Acquisitions, and Related Municipal Improvements. Councilmember Townsend seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR SWEET

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

VII. PROCLAMATIONS / AWARDS

1. Motorcycle Safety and Awareness Month

Mayor Sweet called forth members of the Wolverine MC, and the Blacksheep MC. Representatives accepting the proclamation were Richard Goff and Curtis Henderson. After each representative said a few words, Mayor Sweet then read and presented them with a proclamation.

2. Swearing in of newly elected city council members

Assistant City Secretary Jacky Casey came forth to administer the Oaths of Office to Councilmembers Jim Pruitt, Dennis Lewis and Mike Townsend. Each newly elected member of council introduced their family members and accepted a Certificate of Appointment.

Mayor Sweet read a proclamation and presented a service award to City Manager, Rick Crowley, thanking him on behalf of the Council for his 30 years of service in various roles throughout his career at the City of Rockwall.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the May 5, 2014 regular city council meeting, and take any action necessary.

2. **Z2014-009** - Consider approval of an **ordinance** for a request by Gregory D. Ollom for the approval of a change in zoning from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 7.969-acre tract of land situated in the William Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, being located at 941 Cornelius Road and take any action necessary. **(2nd Reading)**

3. Consider approval of an **ordinance** amending Chapter 12, Article III, Section 12-51 through 12-66, of the Code of Ordinances, regulating peddler activities in the city, and take any action necessary. **(2nd reading)**

4. Consider an **ordinance** authorizing the issuance of City of Rockwall, Texas, General Obligation Refunding Bond, Series 2014; levying an annual ad valorem tax and providing for the security for and payment of said bond; providing an effective date; enacting other provisions relating to the subject. **(2nd reading)**

5. Consider approval of a resolution setting a public hearing date to consider the updated land use assumptions for establishing updated water/wastewater impact fees, a capital improvements plan and the adoption of water/wastewater impact fees, and take any action necessary.

Mayor Pro Tem White made a motion to approve all consent items. Councilmember Milder seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-20

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 12, ARTICLE III, SECTION 12-51 THROUGH 12-66, OF THE CODE OF ORDINANCES, REGULATING PEDDLER ACTIVITIES IN THE CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RELATED MATTERS.

CITY OF ROCKWALL
ORDINANCE NO. 14-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO SINGLE FAMILY ESTATE (SF-E/4.0) DISTRICT FOR A 7.969-ACRE TRACT OF LAND SITUATED IN THE WILLIAM DALTON SURVEY, ABSTRACT NO. 72, AND LOCATED AT 941 CORNELIUS ROAD, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 14-22

ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF ROCKWALL, TEXAS, GENERAL OBLIGATION REFUNDING BOND, SERIES 2014; LEVYING AN ANNUAL AD VALOREM TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID BOND; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT.

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

IX. APPOINTMENTS

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

Mr. Craig Renfro, chairman of the Planning & Zoning Commission, came forth and provided a brief update to the city council regarding recommendations of the Commission relative to planning-related items on tonight's city council agenda.

X. PUBLIC HEARING ITEMS

1. **Z2014-011** - Hold a public hearing to discuss and consider approval of **ordinance** for a request by Dewayne Cain, on behalf of the Cain Family Revocable Trust, for the approval of a zoning change from a Single Family 10 (SF-10) District to Planned Development District 53 (PD-53) for Residential-Office (RO) District uses and to amend the boundaries of Planned Development District 53 (PD-53) [Ordinance No. 02-33] for a 0.651-acre parcel of land identified as Lot 3, Block A, Lee Rhoades Subdivision, City of Rockwall, Rockwall County, Texas, addressed as 1002 Ridge Road, and take any action necessary **(1st Reading)**.

Mr. LaCroix, Planning Director, gave brief background information related to this piece of property. Notices were mailed out to adjacent property owners, three responses were received back in favor of the request and one was received in opposition. The Planning & Zoning Commission did recommend approval of this item.

Mayor Sweet opened the public hearing, and he called the applicant forth to speak if he wished. Applicant Dewayne Cain came forth and explained he would like to make this property consistent with all the others, and it would also give him the opportunity to tear down the current eye sore that is there. There being no one else wishing to come forth and speak, Mayor Sweet then closed the public hearing.

Councilmember Milder asked for brief clarification from Mr. Cain that he would maintain the current Residential-Office zoning. Dewayne Cain advised that he would in fact be maintaining this zoning status.

Councilmember Jim Pruitt made a motion to approve this agenda item (Z2014-011). Mayor Pro Tem White seconded the motion.

Councilmember Daniels asked for clarification regarding the screening fence requirements of a wooden fence and why there are other masonry requirements in other locations. Robert LaCroix explained that in there were already wooden fences up due to the fact that it's in a residential location at said time of zoning. After brief comments from Councilmember Lewis regarding the location of the entry, the ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 53 (PD-53) [*ORDINANCE NO. 02-33*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM A SINGLE FAMILY 10 (SF-10) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 53 (PD-53) AND TO AMEND

THE BOUNDARIES OF PLANNED DEVELOPMENT DISTRICT 53 (PD-53) AS ESTABLISHED IN ORDINANCE 02-33 TO INCLUDE A 0.651-ACRE PARCEL OF LAND IDENTIFIED AS LOT 3, BLOCK A, LEE RHOADES SUBDIVISION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS [*1002 RIDGE ROAD*] AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

2. **Z2014-012** - Hold a public hearing to discuss and consider approval of **ordinance** for a request by Master Plan, on behalf of Rockwall SH-205 Venture, LLC, for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger 5.549-acre tract of land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall County, Texas, generally located south of the intersection of the IH-30 frontage road and Townsend Drive, and take any action necessary. ***(Postponement Requested)***

Mayor David Sweet read the public hearing into record and advised that it would be postponed until the June 16th Council Meeting. No action was taken.

3. **Z2014-013** - Hold a public hearing to discuss and consider approval of **ordinance** for a request by Dean Cathey, on behalf of ASCDT Investments, LLC, for the approval of a zoning change from a Zero Lot Line (ZL-5) District to a Planned Development District for single-family attached uses for a 1.25-acre subdivision of land identified as Lots 4, 5, 6 & 7 of the Integrity Addition Phase 2, City of Rockwall, Rockwall County, Texas, addressed as 617, 619, 621 & 623 Boydstun Avenue, and take any action necessary. **(1st Reading)**

This item was withdrawn by the applicant. No discussion took place.

4. **Z2014-014** - Hold a public hearing to discuss and consider approval of **ordinance** for a request by Brad Fenton of Fenton Motor Group, on behalf of Cambridge Companies Inc., for approval of a Specific Use Permit (SUP) to allow for a new car dealership being a 4.08-acre tract of land located in the J. LOCKHART SURVEY, Abstract No.134, being a portion of that certain tract of land described in deed to the Cambridge Companies, Inc. as recorded in Volume 101, Page 795 of the Deed Records of Rockwall County, Texas and zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the 205 By-Pass Corridor Overlay (205 BY-OV) District and generally located on the southeast corner of John King Boulevard and IH-30, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(1st Reading)**

Mr. LaCroix, Planning Director, gave brief background information related to this piece of property. Notices were mailed out to adjacent property owners, and three responses were received back in favor of the request. The Planning & Zoning Commission recommended approval of this item, with the condition that only one dealership would be on all fifteen acres of land.

Mayor Sweet indicated this is a public hearing. He opened it and called the applicant forth to speak if he wished. The applicant, Brad Fenton, came forth to make a quick

statement that this facility would not only be an asset to the community, but that it would create about 350 jobs with a payroll of about 35 million dollars over the next ten years. This dealership will provide regular maintenance as well as safety recalls to the surrounding Nissan owners in Rockwall County. Mr. Fenton explained that Nissan will be making this dealership the newest of its kind. He then thanked the City Manager and staff for working with them during the process. There being no one else wishing to come forth and speak, Mayor Sweet then closed the public hearing.

Mayor Pro Tem White made a motion to approve this agenda item (Z2014-014). Councilmember Lewis seconded the motion.

Councilmember Pruitt expressed concern regarding advertising on the main corners of the dealership. Brad Fenton explained that Nissan has specific requirements and standards for advertising, and none of the dealerships that he is familiar with currently use things like car lifts to showcase their vehicles. They also do not use paint on windows for marketing. After brief discussion, the ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-XX; SUP 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "MOTOR VEHICLE DEALERSHIP, NEW" ON A 4.08-ACRE TRACT OF LAND LOCATED IN THE J. LOCKHART SURVEY, ABSTRACT NO. 134 AND BEING THAT CERTAIN TRACT OF LAND DESCRIBED IN A DEED TO THE CAMBRIDGE COMPANIES, INC. AS RECORDED IN VOLUME 101, PAGE 795 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes and 1 nay by Councilmember Milder.

XI. SITE PLANS / PLATS

1. **SP2014-007** - Discuss and consider a request by Stephen Seitz Architects, Inc. on behalf of the owner of the property for the approval of variances to the building material and screening requirements stipulated for buildings located within a General Retail (GR) District with residential adjacency for a 0.75-acre tract of land identified as Lot E, Block 117 & Lot D, Block 117 of B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, located at the northeast corner of the intersection of SH-205 [S. Goliad Street] and St. Mary's Street, and take any action necessary.

Planning Director, Robert LaCroix gave brief history regarding said location. This is a site plan approved by the Planning & Zoning Commission, and this matter concerns variances for building materials. There requirement is to not go over 50 percent of the used building material, and the applicant is slightly over that requirement. The other part of the request is regarding a screen fence requirement that is next to a historical home, and the applicant is requesting to use landscaping instead of putting up a masonry wall.

Applicant Matthew Mulliken came forth as the contractor working on this property and further explained the reasons for these requests.

Councilmember Daniels asked for clarification regarding the requirement for the live screening and whether the city has approved these types of fence variances in the past. He expressed concerns regarding maintaining a live fence and would like for this option to be taken out of the request and would prefer a wooden or masonry fence be put up instead.

Councilmember Pruitt made a motion to approve the stucco requirement as is. Mayor Pro Tem seconded the motion. The vote passed by a vote of 6 ayes and 1 nay by Councilmember Milder.

Councilmember Pruitt made a motion to deny the live screening variance request, and require the masonry fence. Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes and 1 nay by Mayor Pro Tem White.

XII. ACTION ITEMS

1. **MIS2014-004** - Discuss and consider approval of a special request for the purpose of permitting the construction of a carport that does not conform to the setback and material requirements as stipulated by Section 2.1.2(1) [Carports] of Article IV, Permissible Uses, of the Unified Development Code, for a 0.12-acre property that is identified as Lot 877, Block E of Rockwall Lake Estates #1 Addition, City of Rockwall, Rockwall County, Texas, is zoned Planned Development District 75 (PD-75), is generally located at 486 Perch Road, and take any action necessary.

Planning Director, Robert LaCroix gave brief details regarding this request and indicated the Planning and Zoning Commission did approve this request.

The applicant, **Mr. Torres, came forth and explained that he would like to install the carport for additional parking and to shield his vehicles from inclement weather. He further explained that he would be using tin material for the structure and 4X4 square tubing anchored down to the concrete; open on all sides.**

Councilmember Bennie Daniels made a motion to approve this item (MIS2014-004). Mayor Pro Tem White seconded the motion, which passed unanimously of council present (7 ayes / 0 nays).

2. Discuss and consider a request by Jay and Alison Odom for the approval of a structure preservation tax exemption application seeking to have the assessed value for ad valorem taxation fixed for a period of seven (7) years on the subject property at 405 N. Fannin Street, further identified as Lot B-1, Block 122 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located within the Old Town Rockwall (OTR) Historic District, and take any action necessary.

Planning Director, Robert LaCroix gave brief details regarding this request, indicating the Historic Preservation Board did approve this request.

Councilmember Scott Milder made a motion to approve this item. Councilmember Dennis Lewis seconded the motion. The vote passed by a vote of 6 ayes and 1 nay by Councilmember Jim Pruitt.

At 7:11 p.m., Mayor Sweet then read Executive Session discussion items # 2 and #5 (see below) into the public record before recessing the public meeting into Executive Session.

XIII. EXECUTIVE SESSION

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

1. Discussion regarding securing legal representation from Scott Doggett of Burford and Ryburn, LLP for legal services associated with Condemnation/Acquisitions/Related Municipal Improvements pursuant to Tex. Gov't. Code, § 551.071 (Consultation with Attorney).
2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).
3. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).
4. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
5. Discussion regarding appointment of Mayor Pro-Tem, County of Rockwall Emergency Services Corporation board members (2), Regional Transportation Council's Surface Transportation Technical Committee members, and city council subcommittees pursuant to Section, § 551.074 (Personnel Matters)
6. Discussion regarding the terms and conditions of contract with Collin County Humane Society to operate the City's animal adoption center pursuant to Section 551.071 (Consultation with Attorney)

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

Mayor Pro Tem White made a motion to extend the construction of a parking garage by 6 months if JBR2, LLC submits a new plan acceptable to the city within the next 30 days as directed in Executive Session. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Pro Tem White made a motion to appoint Councilmember Jim Pruitt as the new Mayor Pro Tem as directed in Executive Session. Mayor David Sweet seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Pro Tem White made a motion to appoint Tim Tumulty, City Engineer, as representative to the Surface Transportation Technical Committee as directed in Executive Session. Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Pro Tem White made a motion to appoint Councilmember Lewis and Mayor Sweet to the board of the County of Rockwall Emergency Services Corporation as directed in

Executive Session. Councilmember Jim Pruitt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XV. ADJOURNMENT

The meeting was adjourned at 8:15 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of June, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Jacky Casey, Assistant City Secretary

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CITY OF ROCKWALL

ORDINANCE NO. 14-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 53 (PD-53) [*ORDINANCE NO. 02-33*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM A SINGLE FAMILY 10 (SF-10) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 53 (PD-53) AND TO AMEND THE BOUNDARIES OF PLANNED DEVELOPMENT DISTRICT 53 (PD-53) AS ESTABLISHED IN ORDINANCE 02-33 TO INCLUDE A 0.651-ACRE PARCEL OF LAND IDENTIFIED AS LOT 3, BLOCK A, LEE RHOADES SUBDIVISION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS [*1002 RIDGE ROAD*] AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Dewayne Cain on behalf of the Cain Family Revocable Trust for the approval of an amendment to Planned Development District 53 (PD-53) [*Ordinance No. 02*-33] and the Unified Development Code [*Ordinance No. 04*-38] of the City of Rockwall to adopt a zoning change from a Single Family 10 (SF-10) District to Planned Development District (PD-53) and to amend the boundaries of Planned Development District 53 (PD-53) as established in *Ordinance No. 02-33* to include a 0.651-acre parcel of land addressed as 1002 Ridge Road, further identified as Lot 3, Block A, Lee Rhoades Subdivision, City of Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 53 [*Ordinance No. 02-33*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That Planned Development District 53 (PD-53) [*Ordinance No. 02-33*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, Rockwall County, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from a Single Family 10 (SF-10) District to Planned Development District 53 (PD-53);

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a property located within a Residential Office (RO) District as stipulated by *Section 1.1,*

"Use of Land and Buildings," of *Article IV, "Permissible Uses"* and *Section 4.2, "Residential Office (RO) District",* of *Article V, "District Development Standards",* of the *Unified Development Code* [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

Section 3. That in addition to the requirements stipulated in the Unified Development Code [*Ordinance No. 04*-38] the *Subject Property* shall be subject to the following additional conditions:

1. The *Subject Property* shall comply with all the requirements specified by Section 6.8, *Scenic Overlay (SOV) District*, of Article IV, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*],

2. In addition to the uses permitted in the Residential Office (RO) District that the *Subject Property* shall be permitted to be used as a single-family residence; however, only one (1) single family dwelling unit shall be permitted on each lot,

3. All parking provided on the *Subject Property* shall be located behind the primary structure and no parking may be provided adjacent to or visible from Ridge Road. For the purposes of the draft ordinance parking maybe visible, accessible and adjacent to Summit Ridge Drive on the Subject Property,

4. The parking requirement for the *Subject Property* shall be one (1) parking space per 500 square feet of floor area for an office and/or professional use. All other uses shall comply with the parking requirements stipulated in Article VI, *Parking and Loading Standards*, of the Unified Development Code [*Ordinance 04-38*],

5. A six (6) foot, wood fence constructed to a residential standard is required adjacent to all single family residential adjacencies (*i.e. the northern and western property lines*) for the purpose of screening the parking area,

6. Prior to the *Subject Property* being utilized for any use other than a single family residential dwelling a site plan must be submitted, reviewed and approved by the Director of Planning or his designee, and

Section 4. The *Official Zoning Map* of the City of Rockwall, Texas shall be amended to reflect the change in zoning for the *Subject Property* as described in this ordinance;

Section 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code,

ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2ND DAY OF JUNE, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: May 19, 2014

2nd Reading: June 2, 2014

Exhibit 'A':
Legal Description

Description of Lot 3, Block "A"
Amended Plat of the Lee Rhodes Subdivision

BEING all of Lot 3, Block A, AMENDED PLAT LEE RHODES SUBDIVISION, LOT 2 & 3, BLOCK A, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet H, Slide 151, of the Plat Records of Rockwall County, Texas, and also the residue of a tract of land as described as Tract 3 in a Warranty deed from Ted Cain and Maurine Cain to The Cain Revocable Family Trust, dated January 28, 1998 and being recorded in Volume 1328, Page 78 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the north right-of-way line of Summit Ridge Drive, a 80 foot right-of-way, said point being at the southwest corner of said Lot 3, Block A;

THENCE N. 05 deg. 06 min. 23 sec. W. along the west line of Lot 3, a distance of 120.03 feet to a 1/2" iron rod found for corner at the northwest corner of Lot 3 and in the south line of a 10 foot alley per plat of Lawhorn and Williams Addition, as recorded in Volume 47, Page 209 of the Deed Records of Rockwall County, Texas;

THENCE N. 89 deg. 39 min. 13 sec. E. along the north line of Lot 3 and the south line of said alley, a distance of 238.36 feet to a 1/2" iron rod found for corner in the west right-of-way line of Ridge Road FM 740;

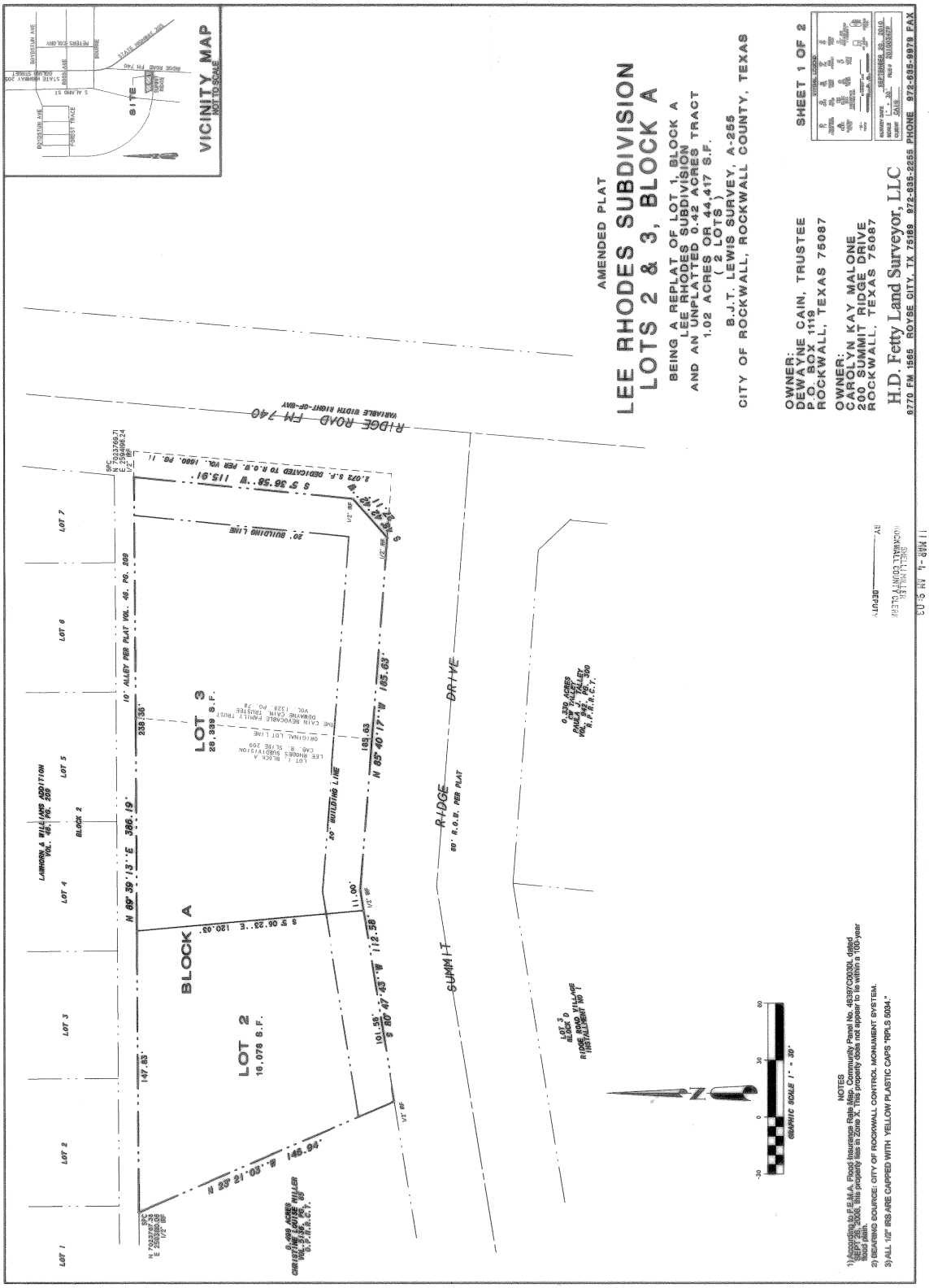
THENCE S. 05 deg. 36 min. 58 sec. W. along said right-of-way line, a distance of 115.91 feet to a 1/2" iron rod found for corner;

THENCE S. 48 deg. 42 min. 42 sec. W. along said right-of-way line, a distance of 27.11 feet to a 1/2" iron rod found for corner at the intersection of said right-of-way line with the north right-of-way line of Summit Ridge Drive;

THENCE N. 85 deg. 40 min. 17 sec. W. along the north right-of-way line of Summit Ridge Drive, a distance of 185.63 feet to a 1/2" iron rod found for corner;

THENCE S. 80 deg. 47 min. 43 sec. W. along said right-of-way line, a distance of 11.00 feet to the POINT OF BEGINNING and containing 28,339 square feet or 0.65 acres of land.

Exhibit 'B':
Zoning Exhibit



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 6/2/2014

APPLICANT: Terrence Rowe

AGENDA ITEM: **P2014-012;** Double T Ventures Addition, Lt 1, Blk A

SUMMARY:

Discuss and consider a request by Terrence Rowe of Double T. Ventures, LLC for the approval of a replat for Lot 1, Block A, Double T. Ventures Addition being one (1) lot currently identified as a portion of Lot 24, Amick Addition, zoned Planned Development District 50 (PD-50), located at 807 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

COMMENTS:

- The purpose of this plat is to dedicate a 12' public access easement on the north side of the property and a 24' public access easement at the back of the property.

- The Engineer has completed the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

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

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

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the final plat for Lot 1, Block A, Double T Ventures Addition, the following conditions of approval are offered:

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

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

PLANNING AND ZONING COMMISSION:

On May 27, 2014, the Planning and Zoning Commission recommended approval of the final plat by a vote of 5-0, with Commissioners Renfro and Minth absent.



City of Rockwall

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

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

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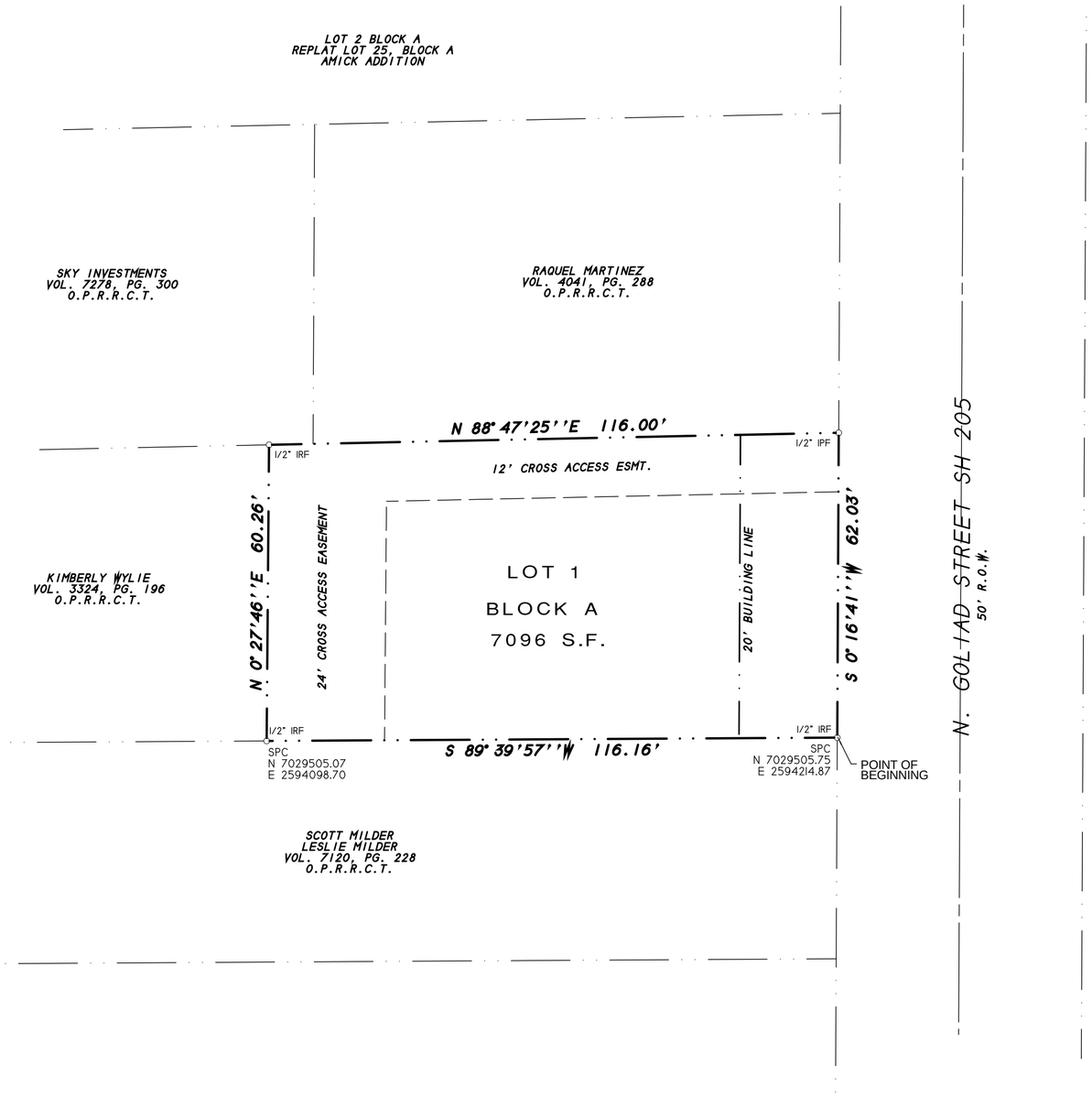
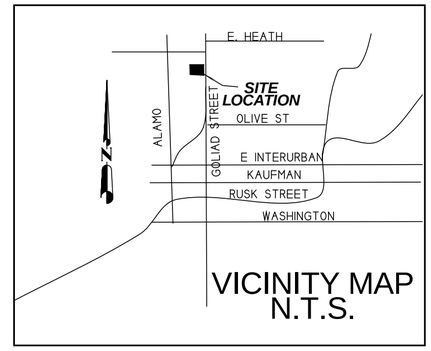
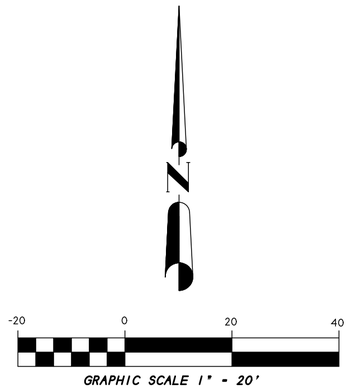






NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0030L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

FINAL PLAT

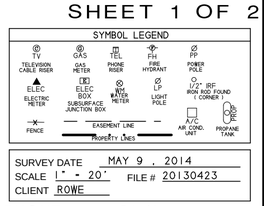
DOUBLE T VENTURES ADDITION

BEING A REPLAT OF
PART OF LOT 24
AMICK ADDITION

0.16 ACRES OR 7,096 S.F.
(1 LOT)
B.F. BOYDSTUN SURVEY, A-14
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
DOUBLE T VENTURES, LLC
TERRY ROWE
1500 S. KREYMER LANE
WYLIE, TEXAS 75098
972-567-1800



SURVEY DATE MAY 9 , 2014
SCALE 1" = 20' FILE # 20130423
CLIENT ROWE

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE
(Public Dedication)

WHEREAS, DOUBLE T VENTURES, LLC, BEING the Owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the B.F. BOYDSTUN SURVEY, ABSTRACT NO. 14, City of Rockwall, Rockwall County, Texas, and being a part of Lot 24, AMICK ADDITION, and being all of that tract of land as described in a Warranty deed from Sarah Spafford to Double T. Ventures, LLC, dated August 8, 2013 and being recorded in Volume 7379, Page 283 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the west right-of-way line of N. Goliad Street SH 205, a 50 foot right-of-way, at the northeast corner of said Double T. Ventures, LLC tract and at the northeast corner of a tract of land as described in a Warranty deed to Scott Milder and Leslie Milder, as recorded in Volume 7120, Page 228 of the Official Public Records of Rockwall County, Texas;

THENCE S. 89 deg. 39 min. 57 sec. W. a distance of 116.16 feet to a 1/2" iron rod found for corner at the southeast corner of a tract of land as described in a Warranty deed to Kimberly Wylie, as recorded in Volume 3324, Page 196 of the Official Public Records of Rockwall County, Texas;

THENCE N. 00 deg. 27 min. 46 sec. E. a distance of 60.26 feet to a 1/2" iron rod found for corner at a fence corner post at the northeast corner of said Wylie tract;;

THENCE N. 88 deg. 47 min. 25 sec. E. a distance of 116.00 feet to a 1/2" iron pipe found for corner in the west right-of-way line of N. Goliad Street SH 205;

THENCE S. 00 deg. 16 min. 41 sec. W. along said right-of-way line, a distance of 62.03 feet to the POINT OF BEGINNING and containing 7,096 square feet or 0.16 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner of the land shown on this plat, and designated herein as DOUBLE T VENTURES ADDITION, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

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

We also understand the following;

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

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

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

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

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

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

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

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

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

_____
TERRY ROWE
FOR DOUBLE T VENTURES, LLC

STATE OF TEXAS
COUNTY OF ROCKWALL

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

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

STATE OF TEXAS · REGISTERED · HAROLD D. FETTY III · 5034 · PROFESSIONAL · LAND SURVEYOR

_____
Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of DOUBLE T VENTURES ADDITION an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of_____ ,_____.

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

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

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

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

_____ _____
City Engineer Date

FINAL PLAT

DOUBLE T VENTURES ADDITION

BEING A REPLAT OF
PART OF LOT 24
AMICK ADDITION

0.16 ACRES OR 7,096 S.F.
(1 LOT)
B.F. BOYDSTUN SURVEY, A-14
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER:
DOUBLE T VENTURES, LLC
TERRY ROWE
1500 S. KREYMER LANE
WYLIE, TEXAS 75098
972-567-1800

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (CORNER)
FENCE	EASEMENT LINE	PROPERTY LINES	A/C AIR COND. UNIT	PROPANE TANK

SURVEY DATE MAY 9 , 2014
SCALE 1" = 20' FILE # 20130423
CLIENT ROWE

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

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

DATE: **May 20, 2014**

SUBJECT: **U.S. Open Triathlon – City Council Resolution**

The U.S. Open Triathlon is scheduled for Sunday, October 12, 2014 from 7:00 AM to 1:00 PM. This is the fifth year for this event to be held in the City of Rockwall. A portion of the triathlon course will utilize a section of FM 740 from Summer Lee Drive to the South City limits. The Rockwall Police Department will assist in the partial closure of various lanes of FM 740 as well as furnish traffic control at other intersections along the race route. The Texas Department of Transportation (TxDOT) will require a City Council resolution supporting a request to allow the partial closure of FM 740 from Summer Lee Drive to the City of Rockwall south City limits.

Staff request City Council consideration to approve the attached resolution allowing a temporary partial closure of FM 740 from Summer Lee Drive to the south City limits to facilitate the U.S. Open Triathlon on Sunday, October 12, 2014 from 7:00 AM to 1:00 PM.

TMT:em

Attachments

Cc:

Mary Smith, Assistant City Manager
Brad Griggs, Assistant City Manager
Amy Williams, Assistant City Engineer
Billy Chaffin, Superintendent of Streets & Drainage
File

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 14-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,TEXAS, FINDING THAT A NECESSITY EXISTS TO TEMPORARILY CLOSE A PORTION OF A CERTAIN STATE ROADWAYS TO FACILITATE THE US OPEN TRIATHLON; HEREBY REQUESTING THAT THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) GRANT PERMISSION TO THE CITY OF ROCKWALL FOR SAID EVENT AND AUTHORIZE THE CITY OF ROCKWALL TO PARTIALLY CLOSE FM 740 FROM SUMMER LEE DRIVE TO THE SOUTH CITY LIMITS BETWEEN THE HOURS OF 7:00 A.M. AND 1:00 P.M. ON SUNDAY, OCTOBER 12, 2014 PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Rockwall City Council recognizes the value of physical fitness and the benefits of a healthy community; and

WHEREAS, the Rockwall City Council wants to promote healthy lifestyles in our community by providing fitness opportunities and encouraging athletes to compete in the US Open Triathlon in Rockwall, Texas; and

WHEREAS, the Rockwall City Council hereby finds that necessity exists to temporarily partially close FM 740 from Summer Lee Drive to the South City limits, for the US Open Triathlon; and

WHEREAS, the Rockwall City Council supports submission of a temporary partial closure request for State maintained roadways, for FM 740 from Summer Lee Drive to the South City limits, to the Texas Department of Transportation to facilitate the US Open Triathlon on Sunday, October 12, 2014 between the hours of 7:00 a.m. and 1:00 p.m.; and

WHEREAS, the Rockwall City Council hereby agrees to support said request by providing traffic control for the event; and

WHEREAS, the temporary partial closing of this section of FM 740 will create a safer environment for event participants and spectators;

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

Section 1. That a formal request is hereby made to TXDOT to approve the request of the Rockwall City Council to temporarily partial close the aforementioned section of FM 740 at the above stated date and time; and

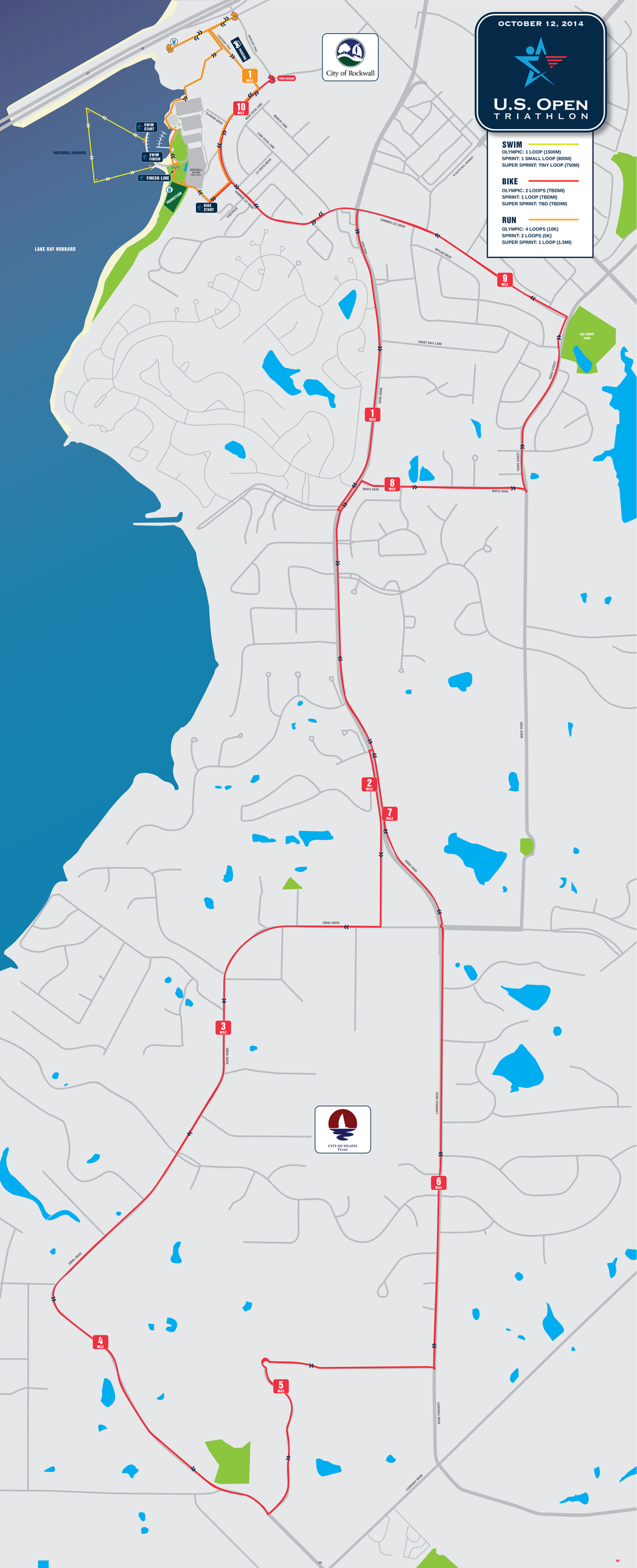
Section 2. That this resolution shall be in full force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of June 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary


OCTOBER 12, 2014
U.S. OPEN TRIATHLON
SWIM
OLYMPIC: 1 LOOP (1500M)
SPRINT: 1 SMALL LOOP (800M)
SUPER SPRINT: TINY LOOP (750M)
BIKE
OLYMPIC: 2 LOOPS (TBDMI)
SPRINT: 1 LOOP (TBDMI)
SUPER SPRINT: TBD (TBDMI)
RUN
OLYMPIC: 4 LOOPS (10K)
SPRINT: 2 LOOPS (5K)
SUPER SPRINT: 1 LOOP (1.5MI)
City of Rockwall
CITY OF HEATH
Texas
ROCKWALL HARBOR
LAKE RAY HUBBARD
SWIM START
SWIM FINISH
FINISH LINE
TRANSITION
BIKE START
TURN AROUND
1 MILE
10 MILE
9 MILE
8 MILE
7 MILE
6 MILE
5 MILE
4 MILE
3 MILE
2 MILE
1 MILE
FOX CHASE PARK
SUMMER LEE DRIVE
SHADY DALE LANE
WHITE ROAD
SMIRL DRIVE
LAWRENCE DRIVE
LAWRENCE DRIVE

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

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

DATE: **May 29, 2014**

SUBJECT: **Downtown Rockwall Improvement - Project Status**

Hill & Wilkinson, General Contractors was hired by the City to function as the Construction Manager At-Risk for the engineering design and construction of the Downtown Rockwall Improvement Project. The Guaranteed Maximum Price was approved in the amount of $8,625,000.00. Rob Dixon with Hill & Wilkinson, General Contractors, will discuss an update of the progress of the Downtown Rockwall Improvement Project at the June 2, 2014 City Council meeting.

TMT:em

Attachments:

Cc:

Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
file

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CITY OF ROCKWALL
ORDINANCE NO. 14-24
SUP NO. 120

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "MOTOR VEHICLE DEALERSHIP, NEW" ON A 4.08-ACRE TRACT OF LAND LOCATED IN THE J. LOCKHART SURVEY, ABSTRACT NO. 134 AND BEING THAT CERTAIN TRACT OF LAND DESCRIBED IN A DEED TO THE CAMBRIDGE COMPANIES, INC. AS RECORDED IN VOLUME 101, PAGE 795 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Specific Use Permit (SUP) for a "Motor Vehicle Dealership, New" within the Commercial (C) District has been requested by Brad Fenton of Fenton Motor Group, LLC and on behalf of Cambridge Companies, Inc., on a 4.08-acre tract of land known as the J. Lockhart Survey, Abstract 134, and being that certain tract of land described in a deed to the Cambridge Companies, Inc. as recorded in Volume 101, Page 795 of the deed records of Rockwall County, TX, and more specifically described in Exhibit "A" of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit for a "Motor Vehicle Dealership, New" within the Commercial (C) District for the *Subject Property*; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in ***Article V, Section 4.5, Commercial District*** of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended and as may be amended in the future, and shall be subject to the additional following additions:

1. The SUP is for the proposed land use only (i.e. "Motor Vehicle Dealership, New"); and

2. The proposed conceptual site plan shall be attached to the SUP Ordinance for the purpose of establishing a boundary that will incorporate said SUP Ordinance with SUP No. 111 (Ord. No. 13-36) for the purpose of developing a "Motor Vehicle Dealership, New" on a 15.658-acre tract of land as depicted in Exhibit "B"; and

3. A development for a "Motor Vehicle Dealership, New" shall provide, and maintain in a pedestrian access easement, a corner enhancement Gateway Freestanding Wall Element as conceptually rendered or of similar quality as per the John King Blvd Design Guidelines Concept Plan located in the City's 2011 Comprehensive Plan; and as attached hereto as Exhibit 'C' and Exhibit 'D'; and

4. Future site plan submittal and approval shall be required, including Architectural Review and adherence to all standards specified in the IH-30 Overlay and 205 By-Pass Corridor Overlay districts and other applicable sections of the Unified Development Code; and

5. Submittal and approval of engineering plans and final plat prior to the issuance of a building permit; and

6. Any variance to the IH-30 Overlay and/or 205 By-Pass Corridor Overlay districts or other sections of the Unified Development shall be considered at the time of site plan approval; and

7. The SUP shall expire if development has not commenced within three (3) years from the approval date of the SUP ordinance.

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

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

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

Section 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code No. 04-38 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

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

and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of June, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 05-19-14

2nd Reading: 06-02-14

Exhibit 'A'

FIELD NOTES
ZONING TRACT "J"
EXHIBIT "A"

BEING 4.08 Acres of land located in the J. LOCKHART SURVEY, Abstract No. 134, Rockwall County, Texas, being a portion of that certain tract of land described in deed to the Cambridge Companies, Inc. as recorded in Volume 101, Page 795 of the Deed Records of Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point at the Northeast corner of said Cambridge tract, lying in the South right-of-way line of I.H. No. 30 (a variable width right-of-way);

THENCE S 00°13'35"E along the East line of said Cambridge tract, 635.87 feet to a point;

THENCE S 89°32'57"W, 300.62 feet to a point in the centerline of S.H. No. 205 Bypass (a 120 foot right-of-way), saod point being the beginning of a Non-Tangent Curve to the Right;

THENCE along the centerline of said S.H. No. 205 Bypass as follows:

NORTHWESTERLY, 16.72 feet along said Curve to the Right, having a radius of 1,950.00 feet, a central angle of 00°29'28" and a chord bearing N 00°35'02"W, 16.72 feet to a point at the end of said Non-Tangent Curve to the Right;

N 00°20'18"W, 528.35 feet to a point in the North line of said Cambridge tract and the South right-of-way line of said I.H. No. 30;

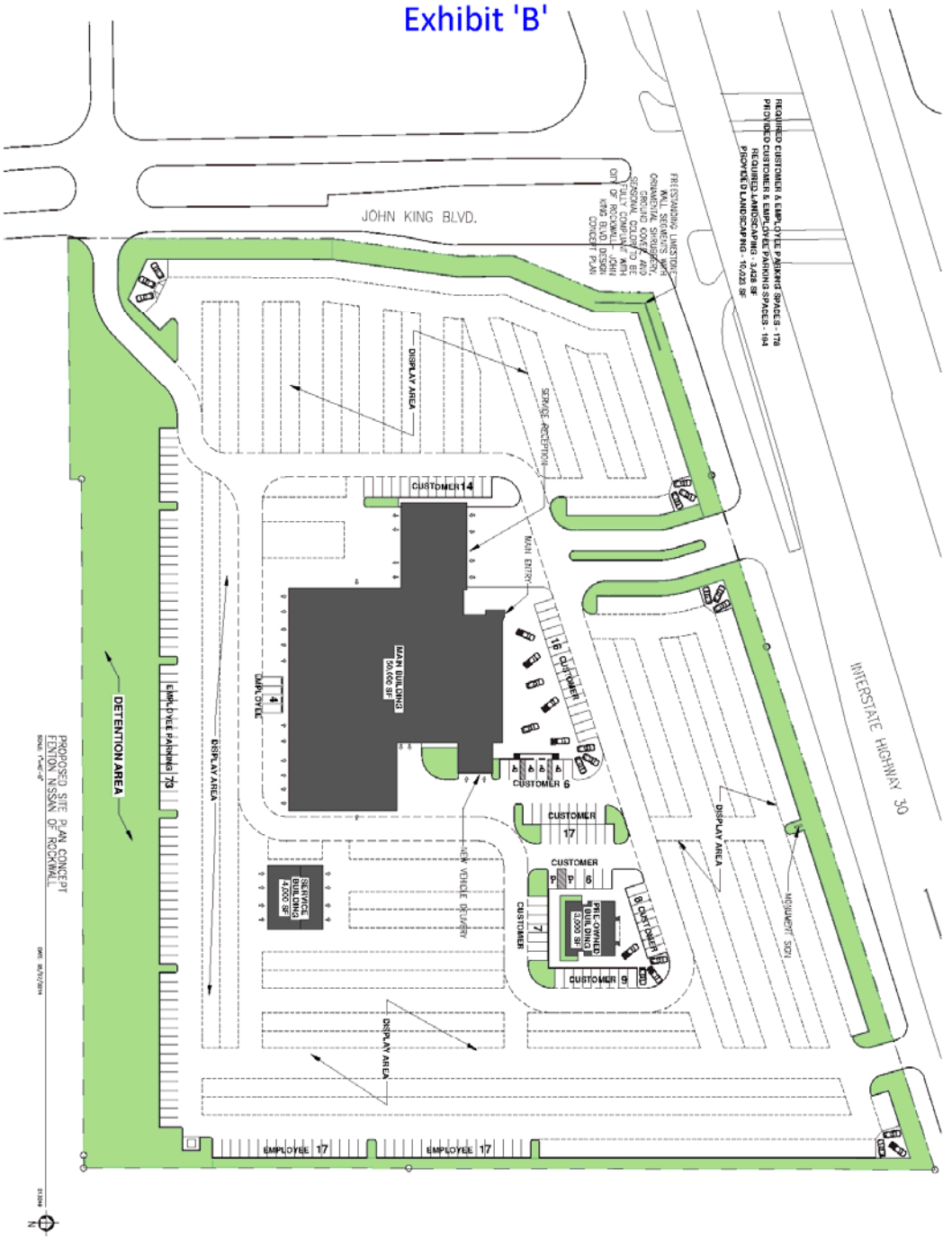
THENCE N 72°49'16"E along the North line of said Cambridge tract and the South right-of-way line of said I.H. No. 30, 315.46 feet to the PLACE OF BEGINNING containing 4.08 Acres of land.

SAVE AND EXCEPT the portion thereof platted for right of way purposes for the SH 205 Bypass, believed to be approximately 0.94 acres of land.

Page 1 of 1

W&A No. 04141
May 7, 2007

Exhibit 'B'



THIS DRAWING IS THE PROPERTY OF BOYNTON WILLIAMS & ASSOCIATES. THE DRAWING(S) OR INFORMATION DEPICTED SHALL NOT BE REPRODUCED OR USED WITHOUT WRITTEN PERMISSION OF THE ARCHITECT

FENTON NISSAN OF ROCKWALL
- New Construction
S.E. CORNER OF IH-30 AND S. JOHN KING BLVD.
ROCKWALL, TEXAS

PROPOSED SITE PLAN CONCEPT

Project No. D13049
Issue Date 05.08.14
Revisions

ARCHITECTURE
PLANNING
INTERIORS

3030 LBJ Freeway | Suite 110
Dallas, Texas 75234
P 972.661.9961
F 972.661.9969
boyntonwilliams.com
A Professional Corporation
Member of the American Institute of Architects

Exhibit 'C'

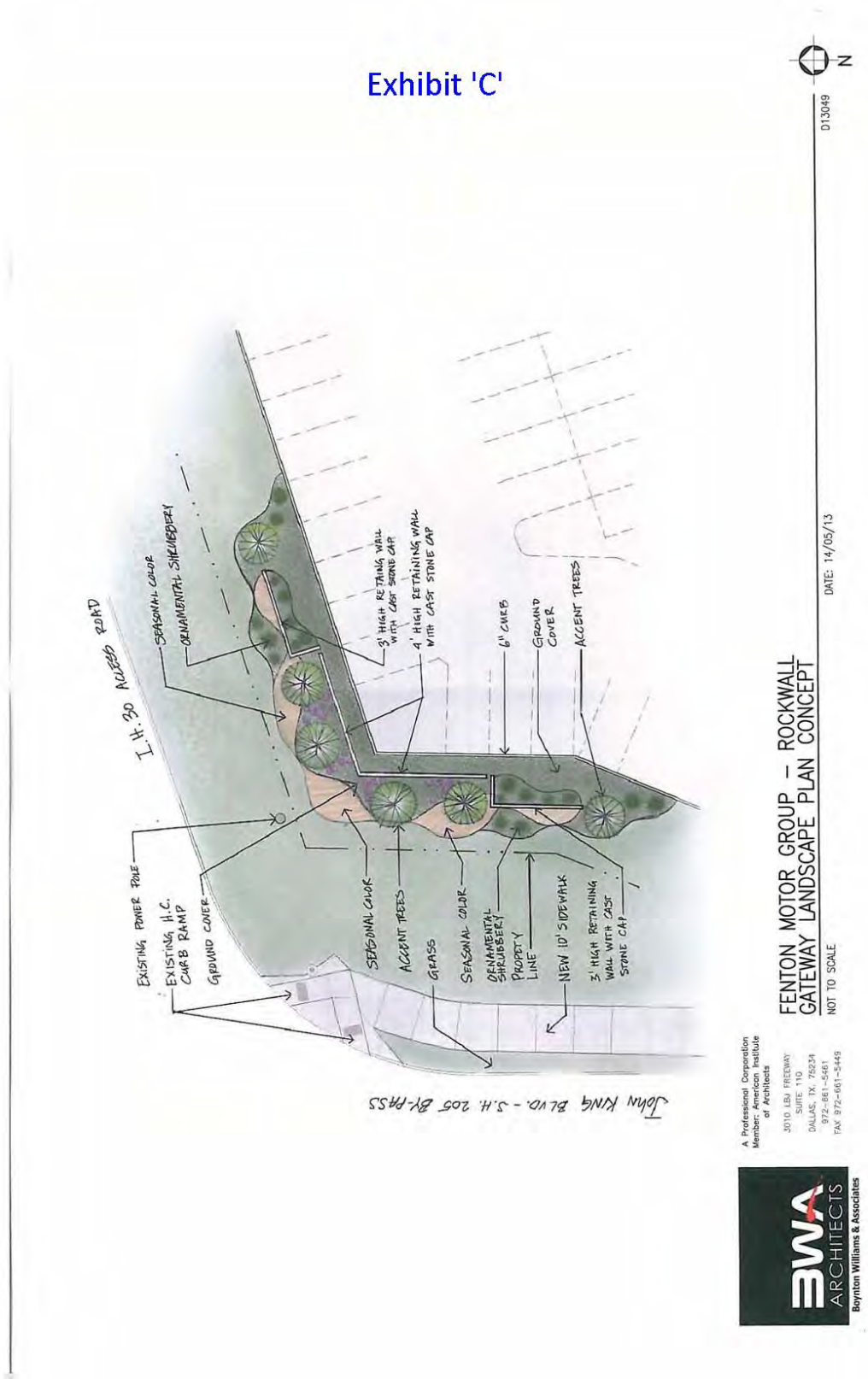

I. H. 30 ACCESS ROAD
SEASONAL COLOR
ORNAMENTAL SHRUBBERY
3' HIGH RETAINING WALL WITH CAST STONE CAP
4' HIGH RETAINING WALL WITH CAST STONE CAP
6" CURB
GROUND COVER
ACCENT TREES
EXISTING POWER POLE
EXISTING H.C. CURB RAMP
GROUND COVER
SEASONAL COLOR
ACCENT TREES
GRASS
SEASONAL COLOR
ORNAMENTAL SHRUBBERY
PROPERTY LINE
NEW 10' SIDEWALK
3' HIGH RETAINING WALL WITH CAST STONE CAP
John King Blvd. - S.H. 205 By-Pass
FENTON MOTOR GROUP – ROCKWALL
GATEWAY LANDSCAPE PLAN CONCEPT
NOT TO SCALE
DATE: 14/05/13
D13049
N
A Professional Corporation
Member: American Institute of Architects
3010 LBJ FREEWAY
SUITE 110
DALLAS, TX. 75234
972-861-5461
FAX 972-661-5449
BWA ARCHITECTS
Boynton Williams & Associates

Exhibit 'D'

FENTON MOTOR GROUP – ROCKWALL
GATEWAY ELEVATION CONCEPT

NOT TO SCALE

DATE: 14/05/13

D13049

A Professional Corporation
Member: American Institute of Architects
3010 LBJ FREEWAY
SUITE 110
DALLAS, TX. 75234
972-661-5481
FAX 972-661-5449

BWA ARCHITECTS
Boynton Williams & Associates

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 6/2/2014

APPLICANT: Josh Houser

AGENDA ITEM: **MIS2014-007;** Exterior Materials Exception

SUMMARY:

Discuss and consider a request by the Josh Houser for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, General Residential District Standards, of Article V, District Development Standards, of the Unified Development Code, for a 0.24-acre parcel of land identified as Lot 11, Block A, Chandler's Landing, Phase 19, zoned Planned Development District 8 (PD-8), located at 105 Weatherly Circle, City of Rockwall, Rockwall County, Texas, and take any action necessary.

BACKGROUND INFORMATION:

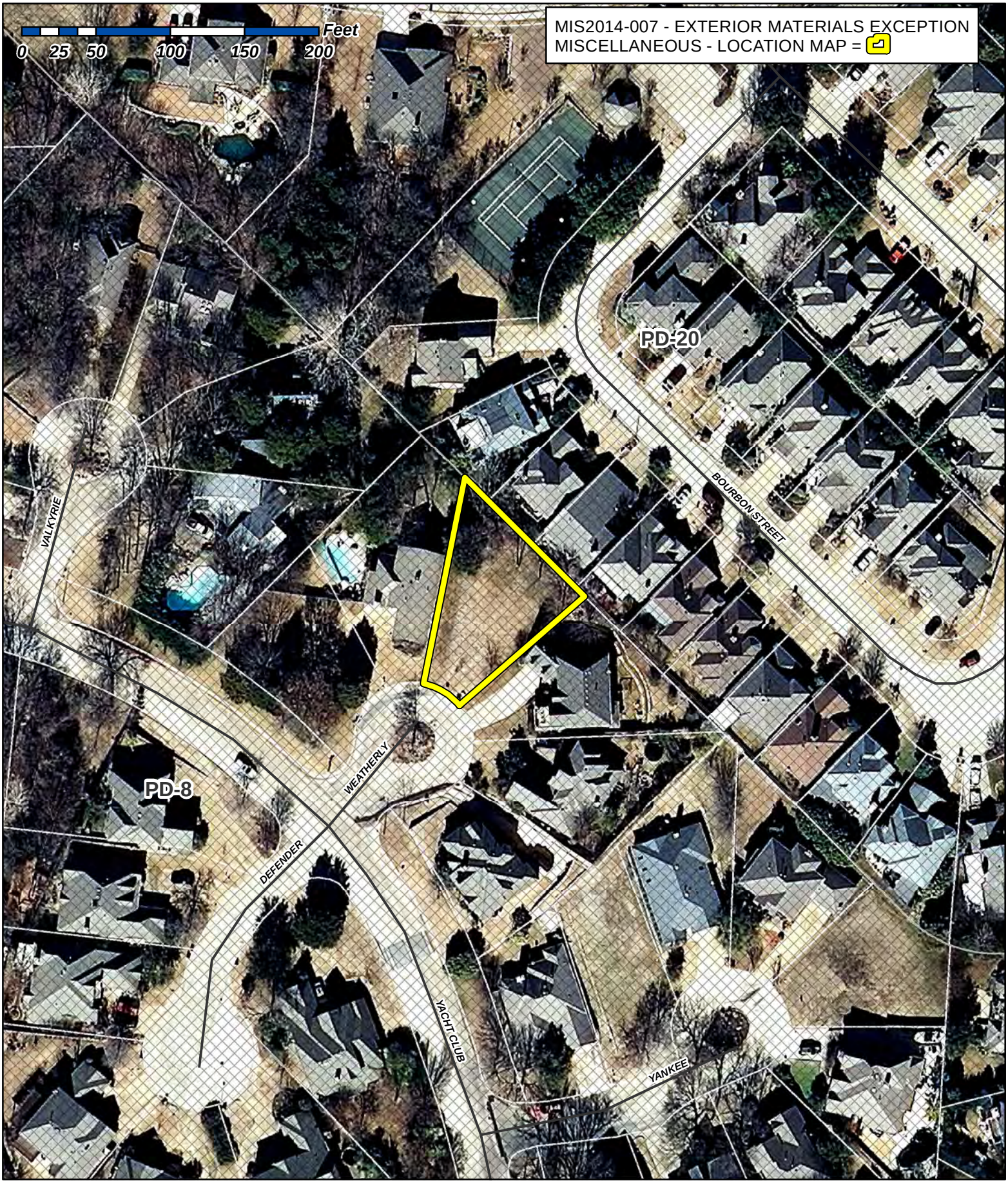
The applicant, Josh Houser, is requesting a waiver to Section 3.1(A)(1) of the Unified Development Code. The above referenced section states "Hardy Plank or similar cementaceous material may be used for up to 50% of the masonry requirement" of a residential home. The section does allow the Planning and Zoning Commission to approve a waiver for proposals not meeting the requirements of said section.

The applicant is proposing a 3,880 square foot home with exterior cladding being comprised of approximately 62% stucco and 38% stone veneer. The subject site is an 8,043 square foot tract being Lot 11, Block A, Chandlers Landing Phase 19, located at 105 Weatherly Circle.

The applicant has provided a letter from the Chandlers Landing Community Association indicating their approval of the house plans as submitted.

PLANNING & ZONING COMMISSION:

On May 27, 2014, the Planning & Zoning Commission recommended approval of the exception by a vote of 5 to 0, with Commissioners Renfro and Minth absent.



City of Rockwall

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

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

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1:1,000

Gonzales, David

From: Josh Houser [redacted]
Sent: Thursday, May 15, 2014 6:22 AM
To: Gonzales, David
Subject: New residence at 105 Weatherly Cir.

Dear Mr. Gonzales,

We are the owners of 105 Weatherly Cir. in Chandlers Landing here in Rockwall, Texas. We understand that the city ordinances call for a minimum of 40% unitized masonry on a residential home. We would like however, to request a variance from this 40% in order to replace a portion of the required masonry with stucco. We will still have a great deal of stone on the house, we are only requesting that we are not required to fulfill the entire 40% as it would change the look of our house. The removal of approximately 500 ft.^{2} would be from the back of the house as it is currently drawn.

We do not feel like this slight variance will detract from the appearance of our house inside of Chandlers Landing as there are already several homes that do not appear to meet the 40% requirement based on our best judgment from looking at these houses. A couple of examples are 432 Columbia Dr. and 291 Victory Ln. Please let us know of any further questions that you may have and please let us also thank you in advance for your attention in this matter.

Thank You,

Josh Houser
817.988.7842

Sent from my iPhone

CHANDLERS LANDING

Chandlers Landing Community Association

March 6, 2014

Josh Houser dba Houser Construction
105 Weatherly
Rockwall, TX 75032

Re: House Plans for 105 Weatherly, Chandlers Landing

Dear Mr. Houser:

This is written confirmation of the Environmental Committee's approval of your house plans for Lot 11, Block A, Phase 19, in Chandlers Landing. Plans are approved as submitted per remark and subject to the following:

SETBACKS:
A minimum front setback of 30 feet shall be maintained.
A minimum rear setback of 15 feet shall be maintained.
Minimum side setbacks as determined by the City of Rockwall shall be maintained.

EXTERIOR:
Automatic garage door openers are required.
A mailbox utilizing the same brick as the exterior is encouraged.
All City of Rockwall ordinances and requirements shall be observed.
All external mechanical units shall be screened and service entrance is not permitted on the front elevation.
Exterior surface samples shall be submitted prior to installation.
Silt fencing is required in areas with a down hill slope that allows drainage to other lots or to the street.
A landscaping plan must be submitted for approval.
Construction, including landscaping must be completed within twelve months of approval.
The maximum roof elevation shall not exceed 569.0' measured in U.S.G.S. datum.
A clean worksite free of trash and building debris shall be maintained at all times.
A trash receptacle is required on the construction site and must be emptied as needed.
Construction hours are 7:00 AM – 6:00 PM Monday – Friday and 9:00AM - 5:00PM on Saturday. No construction is allowed on Sundays or Holidays.

1. Any exterior material or structural changes from the approved plans must be approved in advance by CLCA.
2. A forms board survey including top of form elevations is required before the foundation is poured.
3. In the event that you fail to maintain the worksite free of trash and building debris, you consent and give your authorization to CLCA to enter the property and perform your duties and you further agree to pay all costs incurred by CLCA to maintain the worksite.
4. If you agree to the terms and conditions stated herein, please date and sign this letter and return with the fees indicated below.

New construction fees have not been paid.

Sincerely,

Kama Roux

FOR THE ENVIRONMENTAL COMMITTEE
Kama Roux, CMCA, AMS, PCAM
Senior Community Manager

ACCEPTED and AGREED:

Owner or Builder for Owner

03/17/14
Date

An approval by the Environmental Committee (EC) in no way supersedes the restrictions or requirements of the City of Rockwall or any other governmental authority having jurisdiction over the property for approvals and permits.

P.O. Box 638 Rockwall, TX 75087
Office: 972-771-1593 Fax: 972-771-1634
www.chandlerslanding.org

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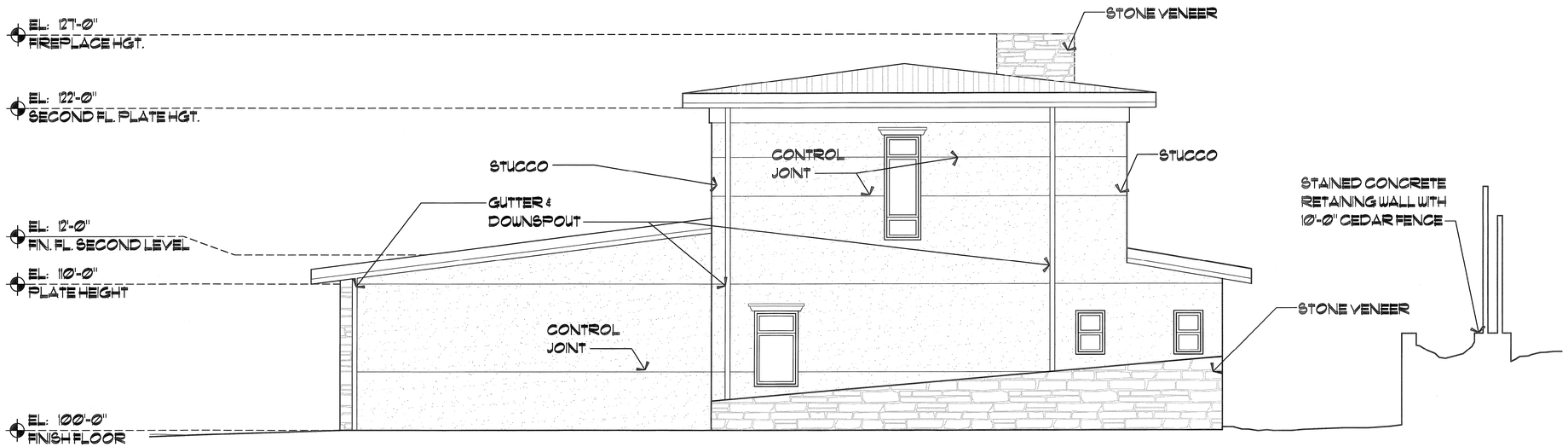

2 SIDE WALL ELEVATION
SCALE: 1/4"=1'-0"



1 FRONT ELEVATION
SCALE: 1/4"=1'-0"

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PROJECT INFORMATION:
A NEW RESIDENCE

MR. & MRS. HOUSER

105 WEATHERLY
ROCKWALL, TEXAS
75032

PROJECT NUMBER: 13-38
ISSUE DATE: APRIL 10, 2014
REVISIONS: -

SHEET NAME:
EXTERIOR ELEVATIONS

SHEET NUMBER:
A401

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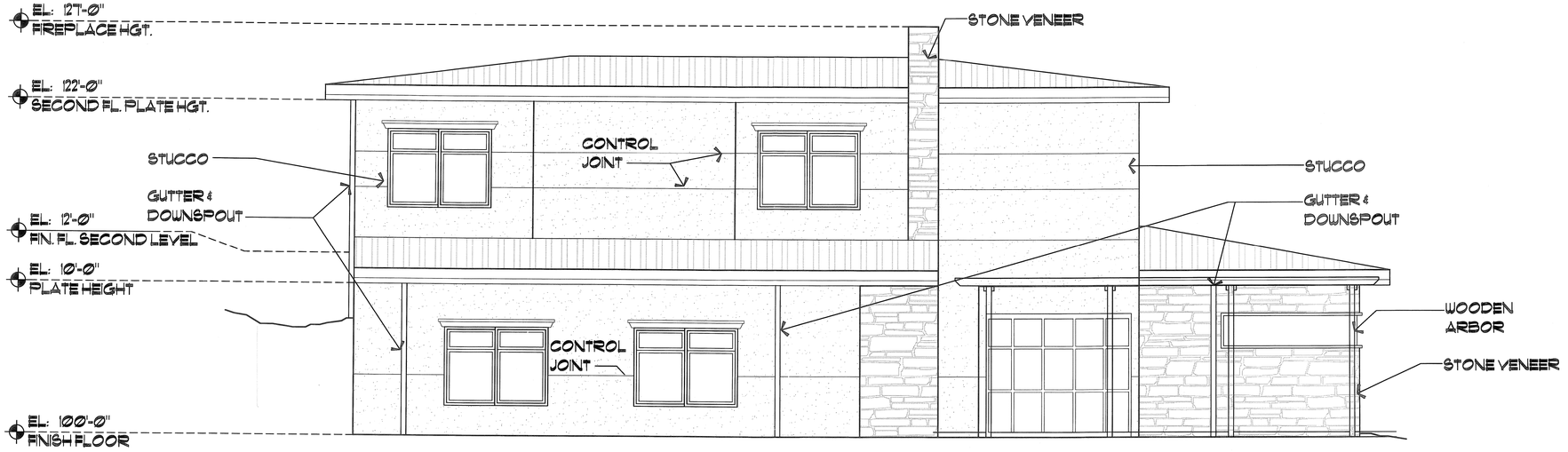
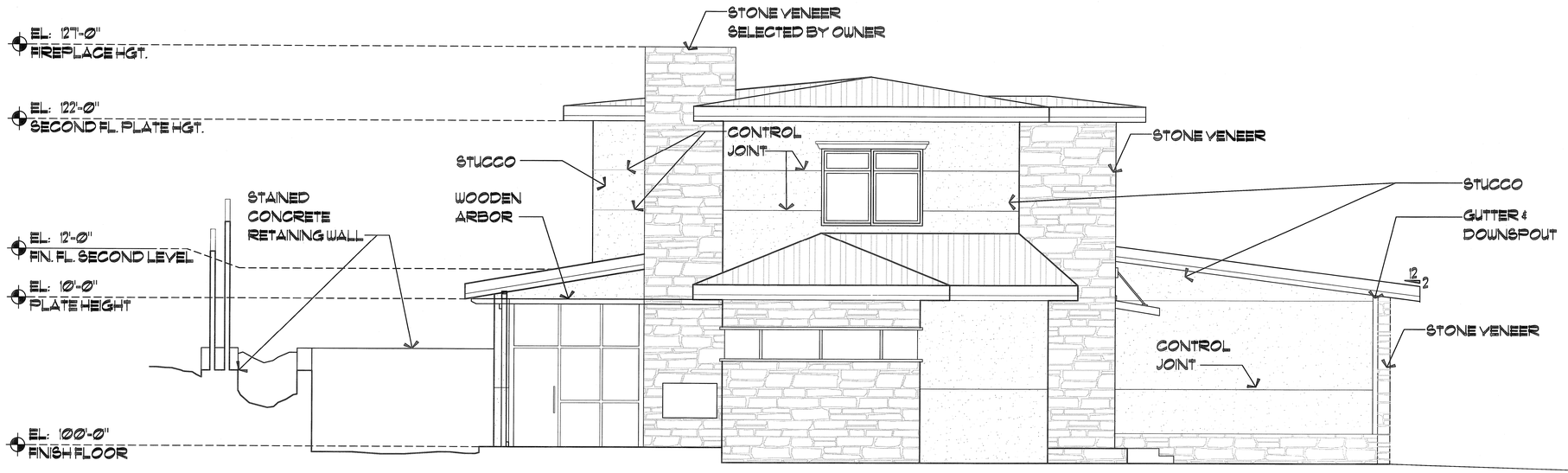


2 BACK ELEVATION
SCALE: 1/4" = 1'-0"



1 MASTER ELEVATION
SCALE: 1/4" = 1'-0"

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tel: 817.842.0212

PROJECT INFORMATION:
A NEW RESIDENCE

MR. & MRS. HOUSER

105 WEATHERLY
ROCKWALL, TEXAS
75032

PROJECT NUMBER: 13-38
ISSUE DATE: APRIL 10, 2014
REVISIONS: -

SHEET NAME:
EXTERIOR ELEVATIONS

SHEET NUMBER:
A402

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **May 30, 2014**

SUBJECT: **Conservation Program**

The NTMWD Board voted to extend Stage 3 conservation measures calling for once every two week watering to continue through the month of September and for member and customer cities to achieve a minimum 10% consumption reduction goal. District staff updates cities monthly on our progress toward this cumulative annual goal.

Through April, our residents and businesses have achieved an additional 17% savings over our minimum goal. This achievement came through the voluntary cooperation of our customers and the advantage of a few good rains. Our goals will be increasingly difficult to achieve as we move forward through the hot summer months and we know that the appearance of landscaping will suffer. Staff would suggest the following actions in order to continue to reinforce the need for cooperation and good results.

1st Tier – month of June and beyond if goals are being achieved

- Increase education efforts emphasizing the need for continued conservation and encourage customers to turn off automatic sprinkler systems
- Continue to monitor the success of conservation efforts and be prepared to assign "watering days" based on address numbers to facilitate enhanced enforcement if needed.
- Meet with RISD and apartment complexes – (top 10 users)
- Notify wholesale customers
- Monitor area cities conservation measures and results
- Use existing staff to monitor compliance on a limited hours basis with emphasis on curbing waste

2nd Tier – if goals are not achieved

- Assign watering days based on address for all customers
- Step up monitoring / enforcement efforts
- Discontinue watering city medians and city facility lawns
- Meet with RISD to encourage discontinuing watering school lawns
- Prohibit car washing at home and charity car washes
- Further enhance education efforts

A number of questions will need to be answered as we move forward:

- Continue any new plantings exception?
- Continue allowing fountains and not using spraygrounds?
- Continue athletic field exceptions?
- Discourage or prohibit new shrubs, sod – city or private or both?
- Definition of acceptable runoff/waste for enforcement purposes?

Financial Outlook

The continued restriction of once every two weeks will further erode the water/wastewater fund's financial position. Our policy recommends 60 days working capital (fund balance). With last year's decreased sales, we ended fiscal year 2013 with approximately 18 days of working capital. Rates were increased by 10% in January but very successful conservation by our customers has held our total revenue increase to 5.5%. Council may recall NTMWD increased their rate for treated water by 10% for this year. We have attempted to estimate the impact of continuing to achieve our goals for the remainder of the summer and believe we may miss sales projections by as much as $1.3 million. Utility staff has been on a spending freeze most of this budget year. No capital purchases have been completed, several staff openings have been held for many months and purchases are limited to those considered essential to keep our systems running.

NTMWD staff has advised they will be presenting an 11% increase in rates for their next budget year. Recent communication from the district has indicated a need to achieve greater than 10% reduction citing a need for 15 – 20% reductions this year. Member cities must pay for water under the take or pay system with a rebate at year's end to reflect costs saved by the district for water they did not treat or pump. This has typically amounted to about 50 cents per thousand gallons less than the minimum take. The City would likely have sold this water for closer to $5.00 per thousand gallons. The district staff has discussed not paying the rebate to any cities not meeting goal although the board has not considered this policy yet.

We believe the member cities should press for more opportunity to review the district's budget proposals and urge district staff and board members to look for innovative ways to forestall the next proposed rate increase to assist member cities in recovering from diminished sales as we successfully meet conservation goals.

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City of Rockwall

The New Horizon

Building Inspections Department
Monthly Report

April 2014

Permits

Total Permits Issued: 345

Building Permits 96 Contractor Permits 249

Total Permit Values: $ 22,220,764.95

Building Permits $ 21,118,825.34 Contractor Permits $ 1,101,939.61

Total Fees Collected: $ 425,003.86

Building Permits $ 409,769.11 Contractor Permits $ 15,234.75

Board of Adjustment

Board of Adjustment Cases 0

City of Rockwall

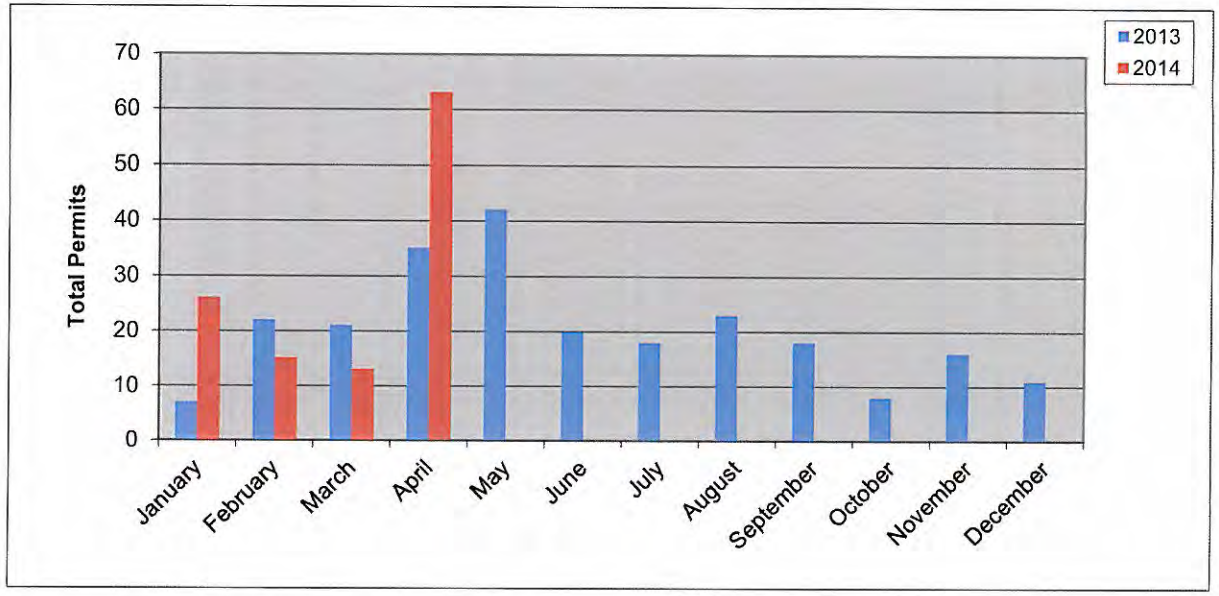
PERMITS ISSUED - Summary by Type and Subtype

For the Period 4/1/2014 thru 4/30/2014

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	8	$0.00	$401.50
30 DAY BANNER	8	$0.00	$401.50
CLEAN SHOW	2	$0.00	$151.50
	1	$0.00	$75.00
BUSINESS	1	$0.00	$76.50
COMM	26	$8,826,808.00	$90,817.18
ALTERATION	2	$7,200,000.00	$39,664.21
DEMO	2	$6,861.00	$50.00
ELECTRICAL	8	$43,750.00	$697.00
FENCE	1	$7,000.00	$35.00
INTERIOR COMP	3	$400,700.00	$3,607.95
MISCELLANEOUS	1	$2,500.00	$36.50
NEW	1	$1,000,000.00	$44,539.80
PLUMBING	5	$10,997.00	$431.92
REMODEL	2	$132,500.00	$1,719.80
RETAINING WALL	1	$22,500.00	$35.00
NONPROFIT SIGN	2	$0.00	$0.00
	2	$0.00	$0.00
NONPROFIT SIGN PERMI	1	$0.00	$0.00
	1	$0.00	$0.00
SIGNAGE	14	$0.00	$1,428.00
DEVELOPMENT	4	$0.00	$300.00
MONUMENT	2	$0.00	$150.00
WALL	8	$0.00	$978.00
SINGLE FAMILY	243	$13,393,956.95	$330,321.18
ACC BLDG	10	$31,389.01	$974.34
ADDITION	2	$48,800.00	$772.00
CONCRETE	3	$7,355.00	$266.90
CONST TRAILER	1	$0.00	$3,774.74
DECK	2	$1,800.00	$94.00
ELECTRICAL	1	$0.00	$0.00
FENCE	48	$147,505.15	$1,727.00
IRRIGATION	19	$37,500.00	$668.00
MECHANICAL	23	$157,541.65	$3,500.78
MISCELLANEOUS	3	$2,099.00	$120.20
NEW	63	$12,228,936.33	$312,671.39
PATIO COVER	4	$30,100.00	$667.32
PERGOLA	2	$5,300.00	$191.40
PLUMBING	28	$32,247.00	$1,514.55
REMODEL	2	$72,000.00	$960.51
REPAIR	2	$2,700.00	$131.65
RETAINING WALL	4	$20,000.00	$140.00
ROOF	9	$72,468.00	$319.40
SWIM POOL	11	$481,500.00	$1,614.00
WINDOWS	6	$14,715.81	$213.00
SPECIAL EVENT	49	$0.00	$1,884.50
	49	$0.00	$1,884.50
Totals:	345	$22,220,764.95	$425,003.86

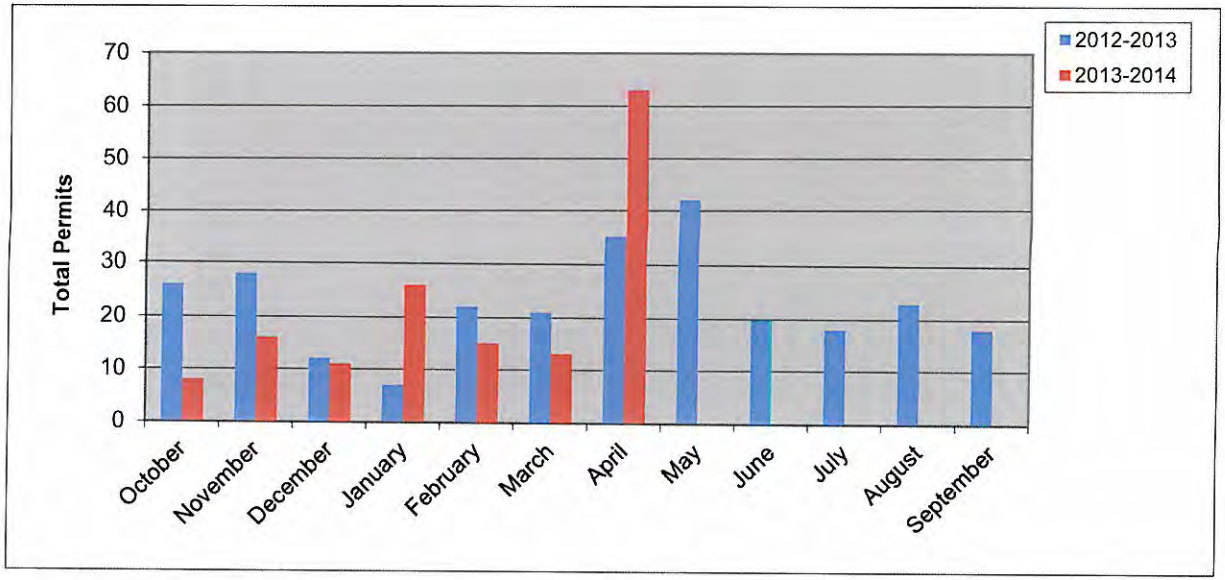
New Residential Permits Calendar Year

	Year	
	2013	2014
January	7	26
February	22	15
March	21	13
April	35	63
May	42	
June	20	
July	18	
August	23	
September	18	
October	8	
November	16	
December	11	
Totals	**241**	117



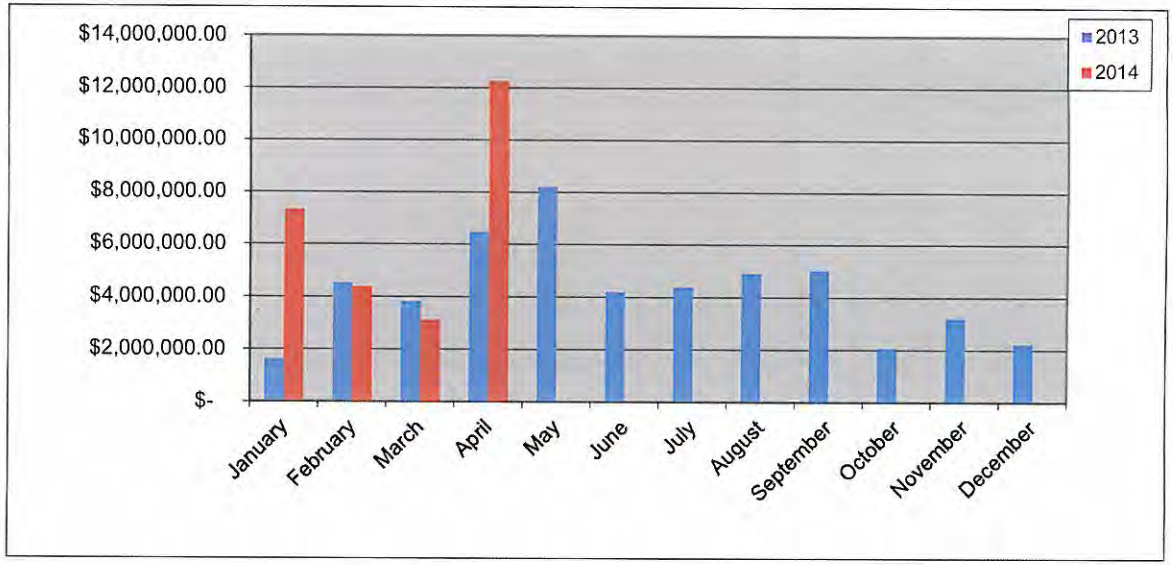
New Residential Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	26	8
November	28	16
December	12	11
January	7	26
February	22	15
March	21	13
April	35	63
May	42	
June	20	
July	18	
August	23	
September	18	
Totals	**272**	152



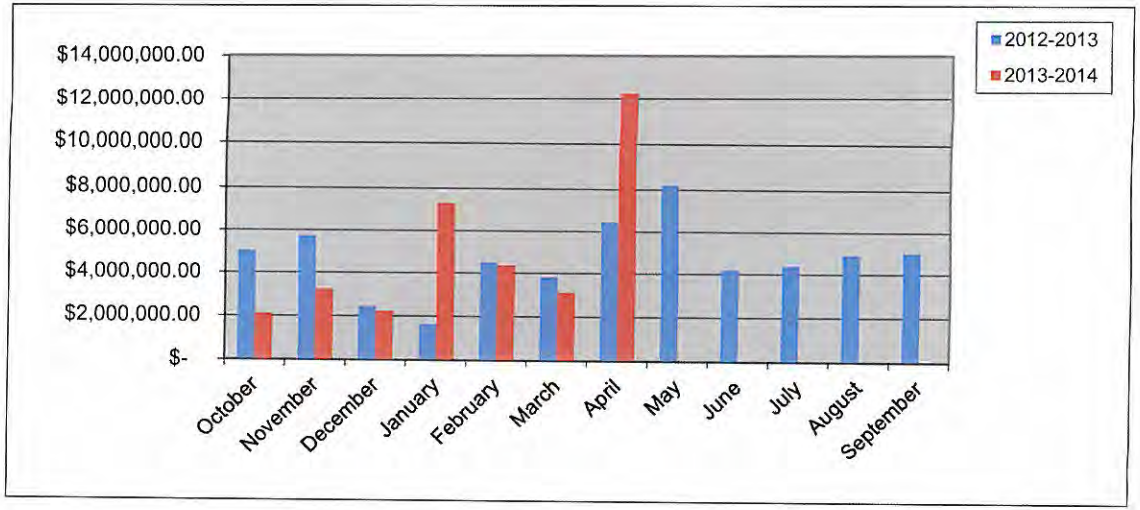
New Residential Value Calendar Year

Year	2013	2014
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	$ 12,228,936.33
May	$ 8,193,211.00	
June	$ 4,185,842.00	
July	$ 4,382,866.00	
August	$ 4,906,203.00	
September	$ 5,018,954.00	
October	$ 2,078,584.00	
November	$ 3,202,067.00	
December	$ 2,215,924.00	
Totals	**$50,608,931.00**	**$ 26,965,291.07**



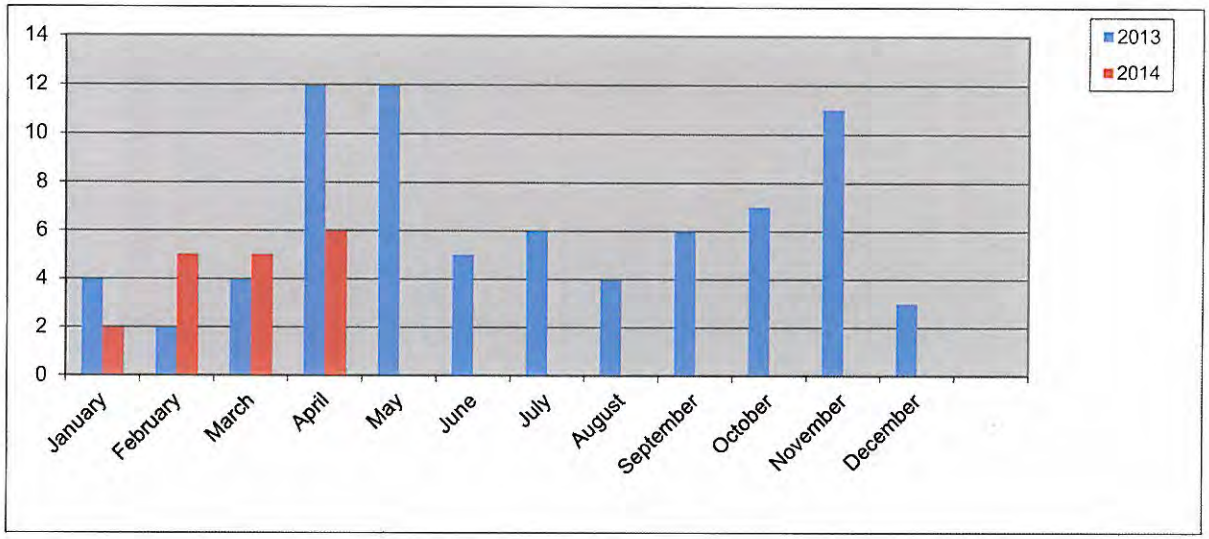
New Residential Value Fiscal Year

Year	2012-2013	2013-2014
October	$ 4,993,587.00	$ 2,078,584.00
November	$ 5,718,696.00	$ 3,202,067.00
December	$ 2,441,748.00	$ 2,215,924.00
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	$ 12,228,936.33
May	$ 8,193,211.00	
June	$ 4,185,842.00	
July	$ 4,382,866.00	
August	$ 4,906,203.00	
September	$ 5,018,954.00	
Totals	**$56,266,387.00**	**$ 34,461,866.07**



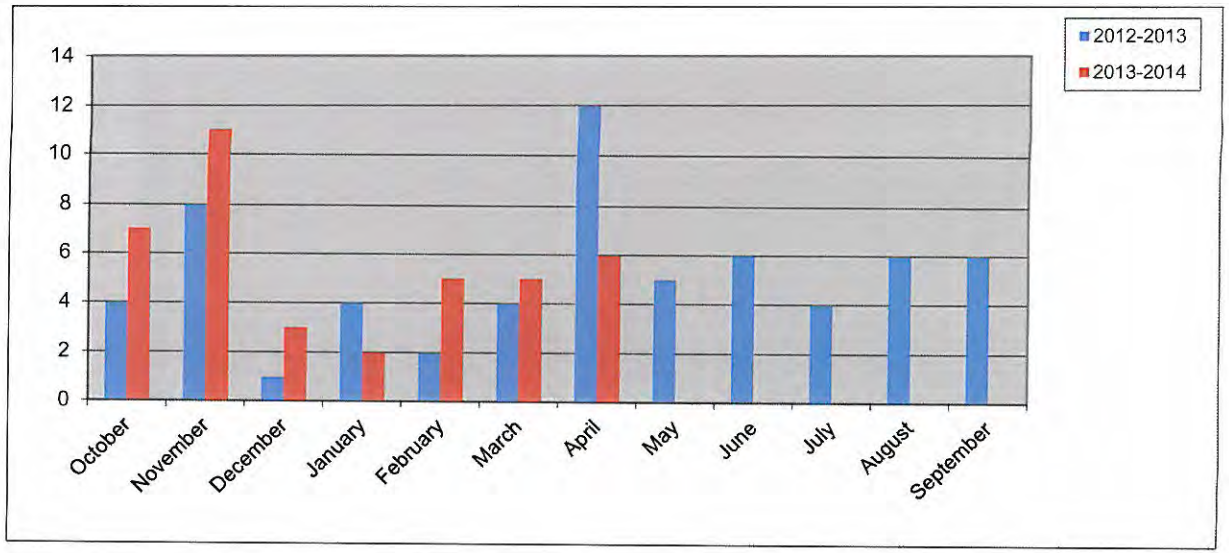
Residential Remodel Permits Calendar Year

	Year	
	2013	2014
January	4	2
February	2	5
March	4	5
April	12	6
May	12	
June	5	
July	6	
August	4	
September	6	
October	7	
November	11	
December	3	
Totals	**76**	18



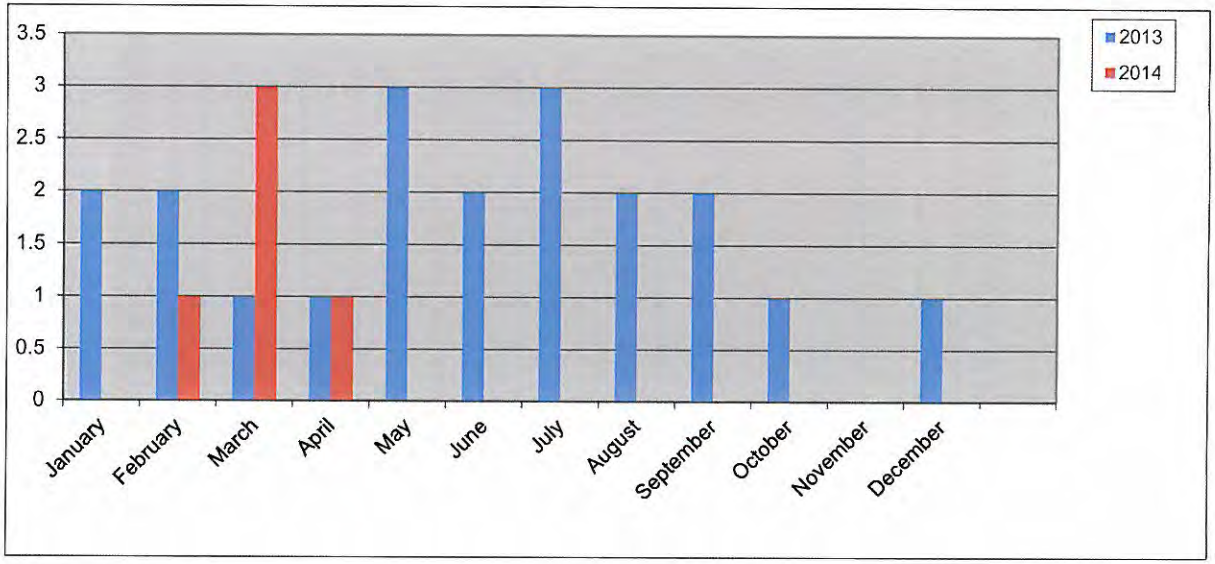
Residential Remodel Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	4	7
November	8	11
December	1	3
January	4	2
February	2	5
March	4	5
April	12	6
May	5	
June	6	
July	4	
August	6	
September	6	
Totals	**62**	**39**



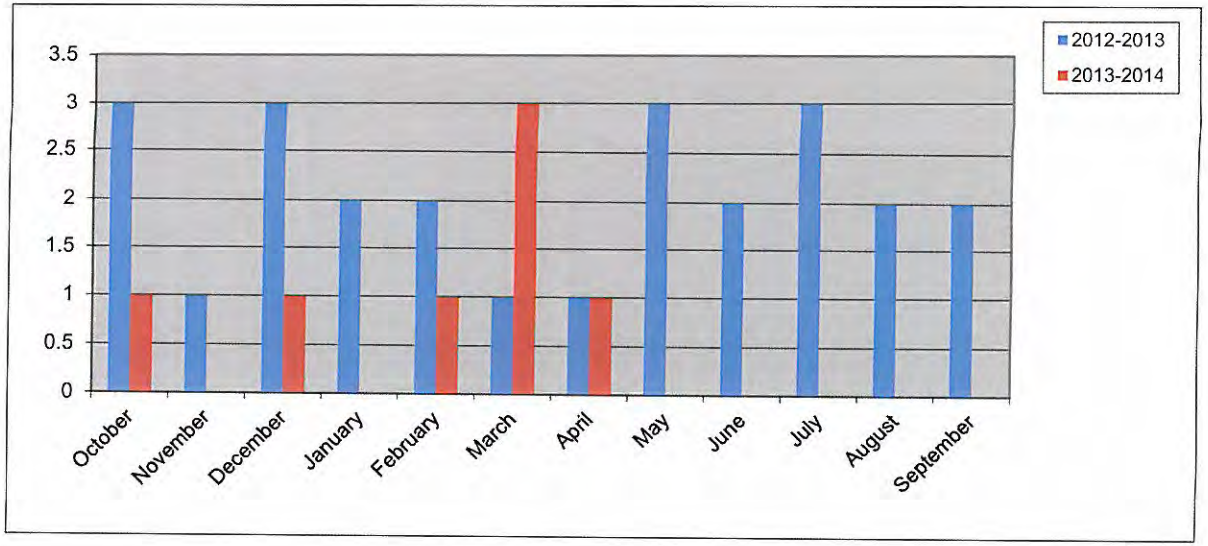
New Commercial Permits Calendar Year

	Year	
	2013	2014
January	2	0
February	2	1
March	1	3
April	1	1
May	3	
June	2	
July	3	
August	2	
September	2	
October	1	
November	0	
December	1	
Totals	**20**	**5**



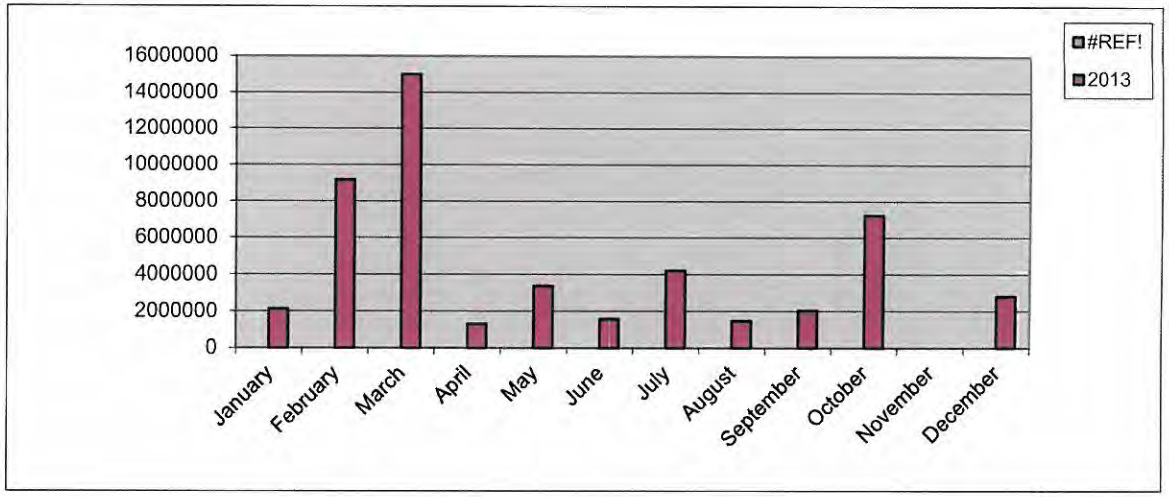
New Commercial Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	3	1
November	1	0
December	3	1
January	2	0
February	2	1
March	1	3
April	1	1
May	3	
June	2	
July	3	
August	2	
September	2	
Totals	**25**	**7**



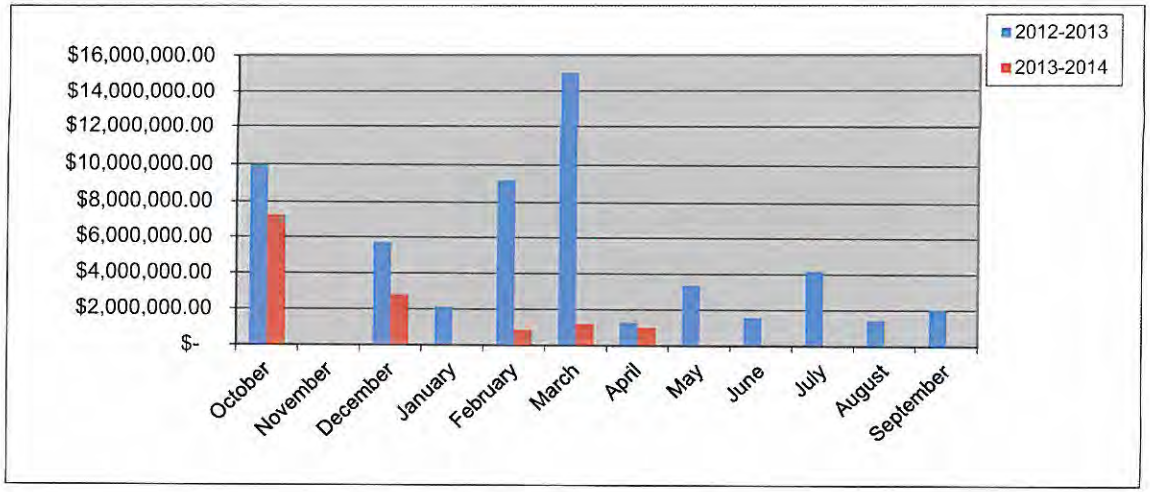
New Commercial Value Calendar Year

Year	2013	2014
January	$ 2,125,000.00	$ -
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	$ 1,185,000.00
April	$ 1,300,000.00	$ 1,000,000.00
May	$ 3,372,000.00	
June	$ 1,575,000.00	
July	$ 4,200,000.00	
August	$ 1,454,000.00	
September	$ 2,040,000.00	
October	$ 7,225,000.00	
November	$ -	
December	$ 2,800,000.00	
Totals	**$ 50,241,000.00**	**$ 3,035,000.00**



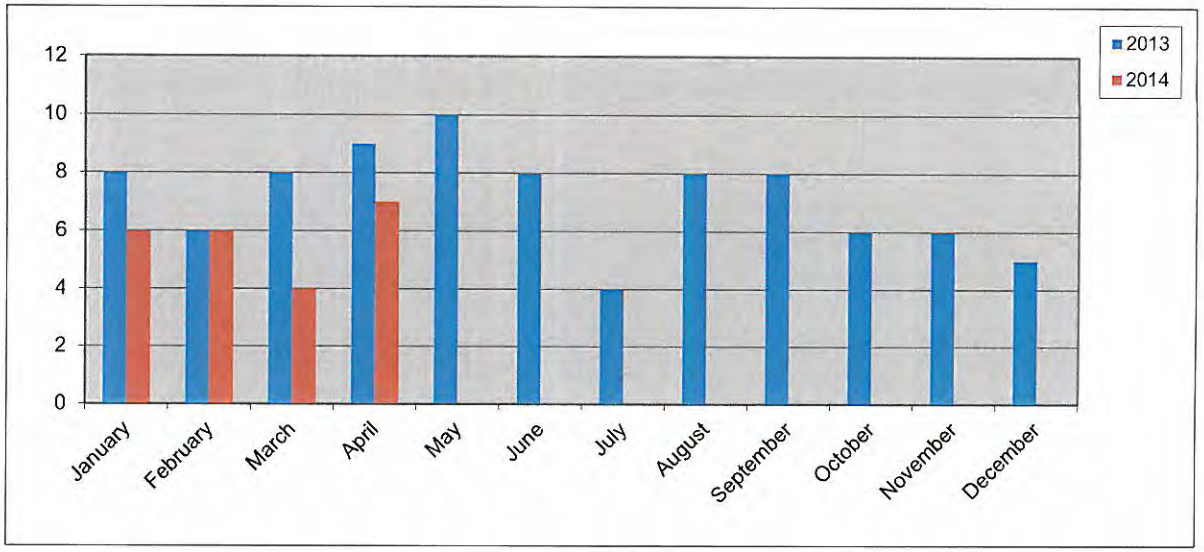
New Commercial Value Fiscal Year

Year	2012-2013	2013-2014
October	$ 10,000,000.00	$ 7,225,000.00
November	$ 5,000.00	$ -
December	$ 5,700,000.00	$ 2,800,000.00
January	$ 2,125,000.00	$ -
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	$ 1,185,000.00
April	$ 1,300,000.00	$ 1,000,000.00
May	$ 3,372,000.00	
June	$ 1,575,000.00	
July	$ 4,200,000.00	
August	$ 1,454,000.00	
September	$ 2,040,000.00	
Totals	**$ 55,921,000.00**	**$ 13,060,000.00**



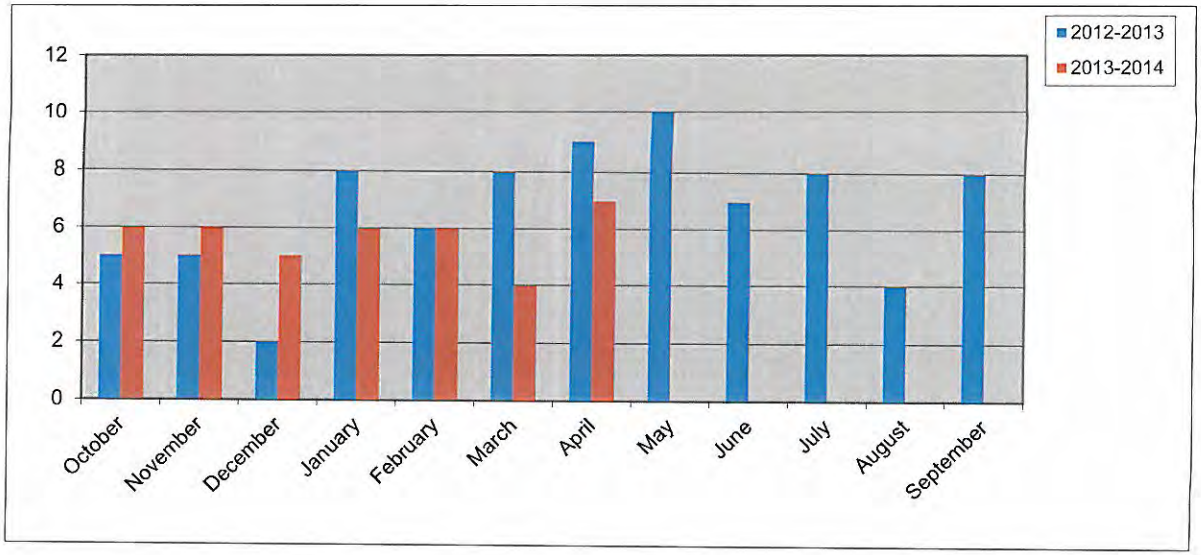
Commercial Remodel Permits Calendar Year

	Year	
	2013	2014
January	8	6
February	6	6
March	8	4
April	9	7
May	10	
June	8	
July	4	
August	8	
September	8	
October	6	
November	6	
December	5	
Totals	**86**	**23**



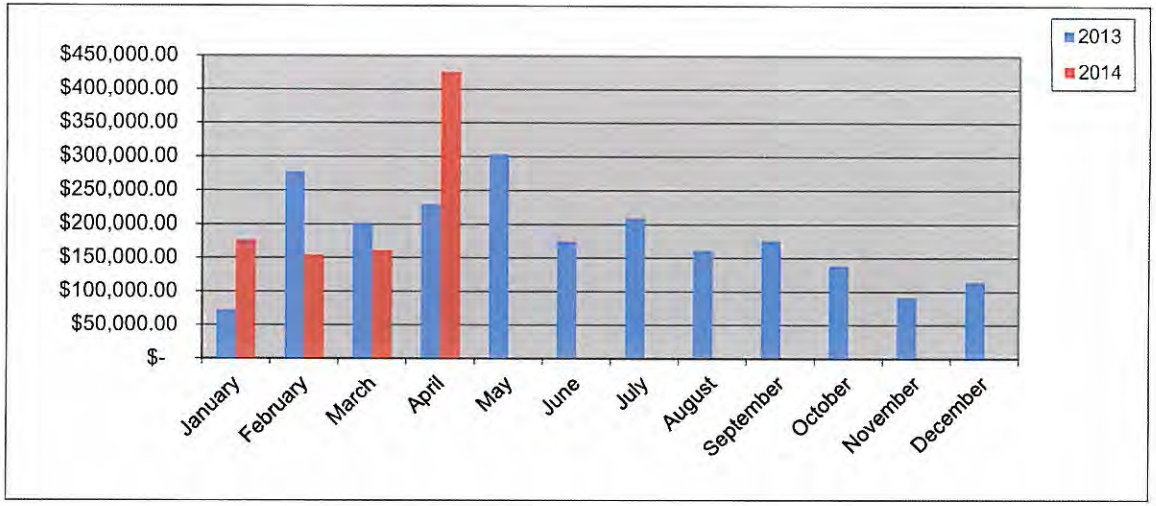
Commercial Remodel Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	5	6
November	5	6
December	2	5
January	8	6
February	6	**6**
March	8	4
April	9	7
May	10	
June	7	
July	8	
August	4	
September	8	
Totals	**80**	**40**



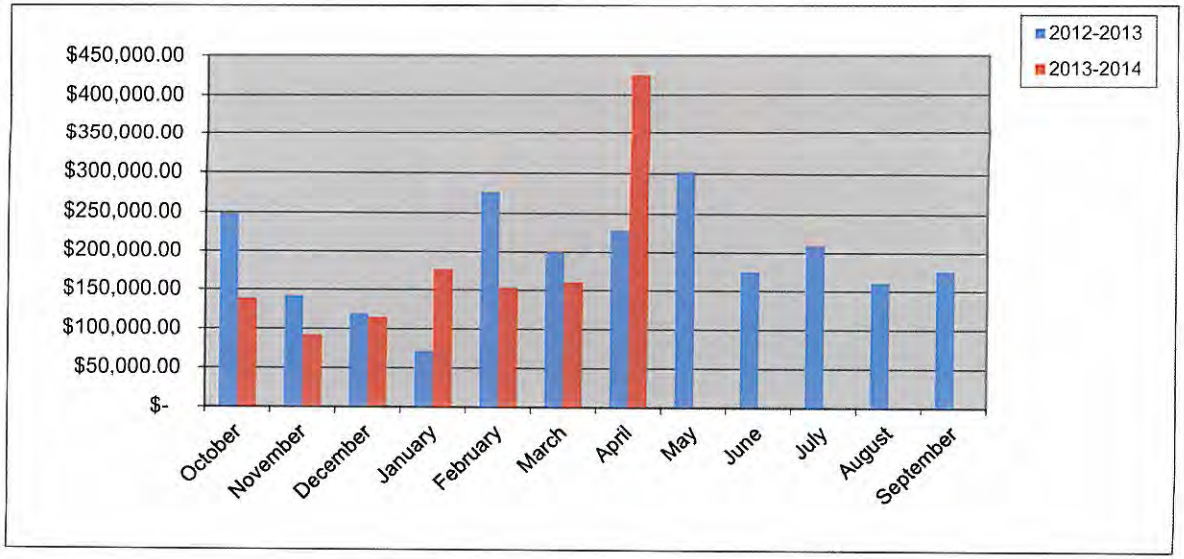
Total Fees Collected Calendar Year

Year	2013	2014
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	$ 425,003.86
May	$ 302,928.73	
June	$ 174,872.41	
July	$ 209,566.63	
August	$ 161,080.17	
September	$ 175,835.03	
October	$ 138,771.53	
November	$ 91,778.83	
December	$ 114,645.28	
Totals	**$ 2,148,877.79**	**$ 915,156.38**



Total Fees Collected Fiscal Year

Year	2012-2013	2013-2014
October	$ 248,932.46	$ 138,771.53
November	$ 142,356.98	$ 91,778.83
December	$ 119,604.19	$ 114,645.28
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	$ 425,003.86
May	$ 302,928.73	
June	$ 174,872.41	
July	$ 209,566.63	
August	$ 161,080.17	
September	$ 175,835.03	
Totals	**$ 2,314,575.78**	**$ 1,260,352.02**



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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **May 30, 2014**

SUBJECT: **April 2014 Budget Report**

The following analysis is offered for the period ended April 30, 2014 budget report. The budget is established in broad categories with line item estimates. In each category actual expenses as a whole should be considered rather than at the line item level. The budget threshold for this period is 58%.

General Fund Revenues

- All revenues are coming in at or above expected levels.
- Sales tax decreased by 25.35% for the month of April (February sales) as compared to the prior year, same month. This is due to significant audit and one-time construction related sales tax payments received in the prior year, which we did not expect to be repeated this year and budgeted accordingly.
- Franchise revenues for electric, gas and cable have been stronger than anticipated. Atmos fees were 24% higher than budgeted.

General Fund Expenditures

- Administration Contractual – legal fees will exceed budget projections due to recently finalized litigation.
- Internal Operations Contractual – all of the annual maintenance agreements were paid.
- Fire Operations Contractual – Engine 4 has required unanticipated transmission and frame repairs this budget year.
- Fire Marshal Contractual – division's pickup truck required significant repairs this budget year.
- Police Communications Contractual – annual lease payment and maintenance agreement for CAD package were paid.
- Police Community Services Contractual – annual CAM payment and lease
- Inspections Contractual – annual maintenance agreement on department software was paid
- Inspections Operations – annual training and associated training is held early in the budget year.
- Parks Supplies – the department undertakes facility and equipment repair projects ahead of the busy summer parks use.

Water / Sewer Revenues

- Water sales – sales are up 5.5% when compared to the prior year. This is a reflection of increased rates while our customers continue to conserve, as we have required them to do.
- All other revenues are in line with projections – the majority of sales to wholesale customers takes place June – September but will be affected by continued conservation measures.

Water / Sewer Expenditures

- Sewer Operations Contractual – NTMWD requires payments in advance for the sewer treatment plants in order to fund their operating expenses.
- All other accounts are within thresholds.

CITY OF ROCKWALL
REPORT OF REVENUES
FOR THE PERIOD ENDED APRIL 30, 2014
WITH COMPARATIVE TOTALS FROM PRIOR YEAR

GENERAL FUND

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	YTD %
Current Taxes	8,776,000	8,700,994	99.15%	8,267,100	8,253,569	99.84%
Delinquent Taxes	60,000	45,889	76.48%	60,000	45,941	76.57%
Penalty & Interest	60,000	29,033	48.39%	60,000	29,509	49.18%
Total Property Taxes	8,896,000	8,775,916	98.65%	8,387,100	8,329,020	99.31%
General Sales Tax	13,258,200	7,820,041	58.98%	12,998,000	7,566,733	58.21%
Beverage Tax	160,000	122,881	76.80%	160,000	153,827	96.14%
Total Sales Tax	13,418,200	7,942,922	59.20%	13,158,000	7,720,560	58.68%
Electrical Franchise	1,580,000	906,360	57.36%	1,620,000	964,992	59.57%
Telephone Franchise	150,000	76,545	51.03%	150,000	75,318	50.21%
Gas Franchise	313,600	313,625	100.01%	325,000	402,594	123.88%
Cable T.V. Franchise	420,000	227,887	54.26%	470,000	208,605	44.38%
Garbage Franchise	185,000	131,147	70.89%	190,000	122,772	64.62%
Total Franchise Fees	2,648,600	1,655,564	62.51%	2,755,000	1,774,281	64.40%
Park & Recreation Fees	33,000	16,278	49.33%	35,000	17,762	50.75%
Municipal Pool Fees	15,000	-	0.00%	-	-	0.00%
Center Rentals	32,000	19,567	61.15%	32,000	28,298	88.43%
Harbor Rental	2,000	875	43.75%	10,000	6,152	61.52%
Tax Certificate Fees	400	296	74.10%	100	127	126.54%
Code Enforcement Fees	24,000	17,796	74.15%	5,000	33,022	660.44%
Beverage Permits	10,000	3,775	37.75%	10,000	5,240	52.40%
Planning & Zoning Fees	35,000	22,109	63.17%	35,000	20,396	58.28%
Construction Fees	120,000	68,838	57.36%	140,000	84,097	60.07%
Fire Plan Fees	19,000	14,385	75.71%	10,000	11,185	111.85%
Total Misc. Fees	290,400	163,918	56.45%	277,100	206,279	74.44%
Building Permits	782,000	462,749	59.18%	670,000	460,621	68.75%
Fence Permits	20,000	11,130	55.65%	20,000	11,302	56.51%
Electrical Permits	20,000	13,021	65.10%	20,000	20,867	104.33%
Plumbing Permits	30,000	21,198	70.66%	30,000	22,952	76.51%
Mechanical Permits	35,000	18,356	52.45%	35,000	18,583	53.09%
Daycare Center Permits	2,000	1,400	70.00%	2,000	700	35.00%
Health Permits	80,000	76,552	95.69%	80,000	75,295	94.12%
Sign Permits	22,000	13,350	60.68%	22,000	16,010	72.77%
Miscellaneous Permits	50,000	28,459	56.92%	50,000	23,512	47.02%
Total Permits	1,041,000	646,214	62.08%	929,000	649,842	69.95%

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DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Court Fines	500,000	279,110	55.82%	500,000	274,853	54.97%
Court Fees	165,000	104,552	63.37%	165,000	100,424	60.86%
Warrant Fees	65,000	41,877	64.43%	65,000	43,045	66.22%
Court Deferral Fees	277,000	164,525	59.40%	260,000	170,997	65.77%
Animal Control Fees	7,000	4,845	69.21%	7,000	4,132	59.03%
Alarm Fees and Fines	45,000	28,436	63.19%	45,000	24,284	53.96%
Total Municipal Court	1,059,000	623,346	58.86%	1,042,000	617,736	59.28%
Interest Earnings	40,000	22,890	57.22%	40,000	18,267	45.67%
Sale of Supplies	500	221	44.20%	500	655	131.05%
Auction/Scrap	20,000	18,394	91.97%	20,000	11,056	55.28%
Other	75,000	77,461	103.28%	75,000	43,302	57.74%
Total Miscellaneous	135,500	118,966	87.80%	135,500	73,280	54.08%
Grant Proceeds	-	-	0.00%	-	-	0.00%
School Patrol	205,750	151,931	73.84%	289,350	253,657	87.66%
County Contracts	3,000	1,640	54.67%	3,000	320	10.67%
City Contracts	185,000	107,916	58.33%	256,400	141,680	55.26%
Total Intergovernmental	393,750	261,487	66.41%	548,750	395,657	72.10%
Transfer In - Water & Sewer	602,100	-	0.00%	602,100	-	0.00%
Transfer In - Court Fees	39,000	-	0.00%	25,000	-	0.00%
Transfer In - Recreation Dev.	50,000	-	0.00%	110,000	-	0.00%
Total Transfers In	691,100	-	0.00%	737,100	-	0.00%
Total General Fund Revenues	**28,573,550**	**20,188,331**	**70.65%**	**27,969,550**	**19,766,655**	**70.67%**

CITY OF ROCKWALL
REPORT OF EXPENDITURES
FOR THE PERIOD ENDED APRIL 30, 2014
WITH COMPARATIVE TOTALS FROM PRIOR YEAR

GENERAL FUND

	PRIOR YEAR			CURRENT YEAR		
DESCRIPTION	**BUDGET**	**ACTUAL**	**YTD %**	**BUDGET**	**ACTUAL**	**YTD %**
Mayor and Council						
Contractual	46,200	29,123	63.04%	43,350	21,506	49.61%
Supplies	400	12	3.00%	400	-	0.00%
Operational	72,000	36,565	50.78%	72,000	35,159	48.83%
Total	118,600	65,699	55.40%	115,750	56,665	48.95%
Administration						
Personnel Costs	769,700	293,910	38.19%	801,800	484,332	60.41%
Contractual	734,000	412,379	56.18%	676,000	508,874	75.28%
Supplies	21,350	9,713	45.49%	16,850	7,868	46.69%
Operational	51,750	29,831	57.64%	51,750	30,676	59.28%
Utilities	5,100	1,583	31.03%	5,100	1,210	23.72%
Capital	271,000	-	0.00%	-	-	0.00%
Total	1,852,900	747,416	40.34%	1,551,500	1,032,959	66.58%
Administrative Services						
Personnel Costs	475,800	270,343	56.82%	468,600	263,817	56.30%
Contractual	46,400	11,140	24.01%	9,000	2,315	25.72%
Supplies	2,500	252	10.08%	2,500	276	11.03%
Operational	51,100	22,926	44.87%	52,600	22,988	43.70%
Utilities	2,100	346	16.47%	2,100	586	27.90%
Total	577,900	305,006	52.78%	534,800	289,982	54.22%
Internal Operations						
Personnel Costs	818,600	314,871	38.46%	842,400	498,860	59.22%
Contractual	267,050	119,613	44.79%	300,350	185,160	61.65%
Supplies	84,400	34,801	41.23%	88,700	45,621	51.43%
Operational	2,750	21	0.77%	3,550	119	3.36%
Utilities	331,600	157,089	47.37%	320,700	161,551	50.37%
Capital	57,000	7,142	12.53%	354,700	187,992	53.00%
Total	1,561,400	633,538	40.57%	1,910,400	1,079,302	56.50%
Finance						
Personnel Costs	367,100	406,461	110.72%	374,700	213,169	56.89%
Contractual	213,200	193,329	90.68%	231,500	135,898	58.70%
Supplies	70,750	42,309	59.80%	73,750	26,659	36.15%
Operational	9,000	6,281	69.79%	9,000	1,226	13.63%
Utilities	-	-	0.00%	-	-	0.00%
Total	660,050	648,380	98.23%	688,950	376,952	54.71%

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Municipal Court						
Personnel Costs	269,300	155,584	57.77%	272,600	162,839	59.74%
Contractual	75,200	36,731	48.84%	77,700	41,869	53.89%
Supplies	9,250	5,053	54.62%	9,250	2,830	30.59%
Operational	5,000	1,611	32.22%	5,000	2,701	54.02%
Capital	-	-	0.00%	-	-	0.00%
Total	358,750	198,979	55.46%	364,550	210,239	57.67%
Fire Department						
Personnel Costs	1,727,850	875,042	50.64%	2,148,500	1,063,780	49.51%
Contractual	175,400	84,053	47.92%	186,300	128,817	69.15%
Supplies	97,400	28,668	29.43%	101,400	34,095	33.62%
Operational	49,900	25,532	51.17%	57,500	8,209	14.28%
Utilities	2,800	1,332	47.56%	2,800	1,430	51.08%
Capital	94,200	848	0.90%	100,650	2,472	2.46%
Total	2,147,550	1,015,476	47.29%	2,597,150	1,238,804	47.70%
Fire Marshal						
Personnel Costs	366,950	209,094	56.98%	354,700	190,366	53.67%
Contractual	14,900	6,597	44.28%	12,400	10,296	83.03%
Supplies	41,300	21,630	52.37%	43,000	18,467	42.95%
Operational	18,750	3,569	19.03%	18,500	7,076	38.25%
Utilities	3,800	1,257	33.09%	3,800	314	8.27%
Capital	15,400	4,183	27.16%	94,750	90,700	95.73%
Total	461,100	246,330	53.42%	527,150	317,220	60.18%
Police Administration						
Personnel Costs	909,850	504,918	55.49%	962,500	565,190	58.72%
Contractual	76,050	44,022	57.89%	81,350	39,948	49.11%
Supplies	14,600	7,360	50.41%	14,600	6,055	41.47%
Operational	17,650	9,121	51.68%	19,650	8,422	42.86%
Utilities	6,800	2,606	38.32%	6,800	2,566	37.74%
Capital	5,000	3,229	64.59%	0	0	0.00%
Total	1,029,950	571,256	55.46%	1,084,900	622,181	57.35%
Communications						
Personnel Costs	682,150	376,799	55.24%	793,500	477,717	60.20%
Contractual	150,500	153,371	101.91%	156,950	136,034	86.67%
Supplies	4,500	832	18.49%	5,700	1,871	32.82%
Operational	9,800	2,419	24.69%	9,800	1,261	12.87%
Utilities	1,000	540	54.00%	1,000	540	54.00%
Capital	-	-	0.00%	-	-	0.00%
Total	847,950	533,961	62.97%	966,950	617,422	63.85%

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DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Police Patrol						
Personnel Costs	4,370,400	2,456,073	56.20%	4,413,300	2,580,309	58.47%
Contractual	75,000	43,751	58.33%	78,800	43,852	55.65%
Supplies	298,550	152,374	51.04%	328,550	150,249	45.73%
Operational	22,650	13,183	58.20%	30,050	8,294	27.60%
Utilities	5,100	2,051	40.22%	5,100	1,658	32.52%
Capital	8,900	-	0.00%	469,250	285,767	60.90%
Total	4,780,600	2,667,432	55.80%	5,325,050	3,070,128	57.65%
Criminal Investigation						
Personnel Costs	911,100	523,134	57.42%	907,000	535,582	59.05%
Contractual	15,300	9,685	63.30%	13,300	4,501	33.84%
Supplies	48,000	27,721	57.75%	42,000	19,048	45.35%
Operational	8,700	2,438	28.02%	8,700	4,417	50.77%
Utilities	8,500	4,792	56.38%	8,500	5,024	59.10%
Capital	-	-	0.00%	-	-	0.00%
Total	991,600	567,770	57.26%	979,500	568,572	58.05%
Community Services						
Personnel Costs	508,900	284,486	55.90%	645,100	397,111	61.56%
Contractual	24,250	21,940	90.48%	25,750	15,126	58.74%
Supplies	19,800	8,786	44.37%	29,900	16,872	56.43%
Operational	6,500	4,233	65.12%	10,400	1,831	17.61%
Utilities	1,950	419.94	21.54%	1,950	490	25.12%
Capital	-	-	0.00%	15,900	12,054	75.81%
Total	561,400	319,865	56.98%	729,000	443,483	60.83%
Warrant Officer						
Personnel Costs	170,600	100,294	58.79%	178,800	103,712	58.00%
Contractual	2,600	1,449	55.74%	2,600	795	30.57%
Supplies	4,150	1,765	42.53%	3,450	1,560	45.22%
Operational	-	-	0.00%	-	-	0.00%
Utilities	900	341	37.85%	900	-	0.00%
Capital	-	-	0.00%	-		0.00%
Total	178,250	103,849	58.26%	185,750	106,067	57.10%
Records						
Personnel Costs	306,900	185,645	60.49%	313,400	184,136	58.75%
Contractual	2,050	1,585	77.32%	750	-	0.00%
Supplies	1,700	826	48.59%	1,700	756	44.49%
Operational	2,100	2,324	110.68%	4,900	2,429	49.58%
Utilities	1,100	148	13.48%	1,100	-	0.00%
Capital	-	-	0.00%	-	-	0.00%
Total	313,850	190,529	60.71%	321,850	187,322	58.20%

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Planning						
Personnel Costs	567,700	331,658	58.42%	597,500	323,076	54.07%
Contractual	32,100	14,940	46.54%	50,600	29,981	59.25%
Supplies	2,950	1,126	38.18%	2,950	720	24.39%
Operational	19,350	11,842	61.20%	19,250	5,634	29.27%
Utilities	1,100	746	67.83%	1,250	693	55.48%
Capital	-	-	0.00%	-	-	0.00%
Total	623,200	360,313	57.82%	671,550	360,104	53.62%
Neighborhood Improvement Services						
Personnel Costs	363,000	202,150	55.69%	375,400	211,044	56.22%
Contractual	117,950	46,964	39.82%	112,350	42,536	37.86%
Supplies	27,950	17,283	61.83%	24,050	9,256	38.49%
Operational	10,150	5,711	56.27%	9,650	5,331	55.24%
Utilities	2,800	1,776	63.43%	2,800	1,027	36.67%
Capital	-	-	0.00%	-	-	0.00%
Total	521,850	273,884	52.48%	524,250	269,194	51.35%
Inspections						
Personnel Costs	568,000	319,741	56.29%	596,700	358,459	60.07%
Contractual	33,600	34,730	103.36%	41,800	30,713	73.48%
Supplies	12,950	4,124	31.85%	13,450	5,254	39.07%
Operational	9,750	3,838	39.37%	9,750	8,232	84.43%
Utilities	4,000	1,696	42.39%	4,500	1,594	35.43%
Capital	-	-	0.00%	-	-	0.00%
Total	628,300	364,128	57.95%	666,200	404,252	60.68%
Parks						
Personnel Costs	908,000	513,591	56.56%	939,100	552,382	58.82%
Contractual	347,500	132,685	38.18%	360,750	137,740	38.18%
Supplies	219,300	139,358	63.55%	217,050	140,733	64.84%
Operational	11,500	2,305	20.04%	11,500	6,555	57.00%
Utilities	176,900	94,871	53.63%	191,900	61,297	31.94%
Capital	-	-	0.00%	83,600	80,960	96.84%
Total	1,663,200	882,809	53.08%	1,803,900	979,668	54.31%

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Harbor						
Personnel Costs	95,600	55,733	58.30%	99,800	58,009	58.12%
Contractual	299,500	54,239	18.11%	164,000	79,318	48.36%
Supplies	46,800	15,978	34.14%	46,800	18,001	38.46%
Operational	5,700	575	10.08%	5,500	-	0.00%
Utilities	146,500	48,967	33.42%	146,500	49,086	33.51%
Capital	-	-	0.00%	10,550	7,580	71.85%
Total	594,100	175,491	29.54%	473,150	211,994	44.80%
Recreation						
Personnel Costs	470,200	328,530	69.87%	508,100	276,082	54.34%
Contractual	27,950	7,887	28.22%	21,750	4,883	22.45%
Supplies	55,100	20,577	37.35%	55,100	11,740	21.31%
Operational	55,000	35,369	64.31%	58,650	35,183	59.99%
Utilities	75,700	25,524	33.72%	75,700	28,966	38.26%
Capital	-	-	0.00%	-	-	0.00%
Total	683,950	417,887	61.10%	719,300	356,854	49.61%
Animal Services						
Personnel Costs	183,000	104,631	57.18%	185,400	111,140	59.95%
Contractual	414,250	295,393	71.31%	414,500	206,390	49.79%
Supplies	19,750	7,655	38.76%	18,500	6,897	37.28%
Operational	2,550	1,152	45.19%	2,550	1,122	43.99%
Utilities	4,000	1,721	43.02%	4,000	1,682	42.04%
Capital	-	-	0.00%	-	-	0.00%
Total	623,550	410,552	65.84%	624,950	327,229	52.36%
Engineering						
Personnel Costs	795,800	414,207	52.05%	907,400	534,074	58.86%
Contractual	152,800	101,005	66.10%	84,700	50,333	59.43%
Supplies	19,050	9,694	50.89%	20,150	9,674	48.01%
Operational	24,900	4,999	20.08%	24,900	14,777	59.35%
Utilities	5,500	3,182	57.85%	8,000	4,734	59.18%
Capital	-	-	0.00%	27,400	26,687	97.40%
Total	998,050	533,087	53.41%	1,072,550	640,279	59.70%
Streets						
Personnel Costs	595,900	356,908	59.89%	611,000	356,323	58.32%
Contractual	88,100	32,574	36.97%	102,000	39,874	39.09%
Supplies	913,200	139,604	15.29%	1,095,400	207,871	18.98%
Operational	2,700	662	24.52%	2,500	1,573	62.92%
Utilities	403,900	193,348	47.87%	418,900	188,629	45.03%
Capital	15,600	13,409	85.96%	15,500	15,295	98.68%
Total	2,019,400	736,505	36.47%	2,245,300	809,565	36.06%
Operating Transfers Out						
Trsf Out - Radio Sys	150,000	-	0.00%	175,000	-	0.00%
Trsf Out - Employee Benefits	2,100,000	2,050,000	97.62%	2,300,000	2,260,000	98.26%
Trsf Out - Airport	25,000	-	0.00%	11,000	-	0.00%
Trsf Out - Capital Projects	30,000	-	0.00%	350,000	-	0.00%
Trsf Out - Harbor	1,244,000	-	0.00%	-	-	0.00%
Trsf Out - Equipment Replacement	129,700	-	0.00%	157,000	-	0.00%
Total	3,678,700	2,050,000	55.73%	2,993,000	2,260,000	75.51%
TOTAL GENERAL FUND:	**28,476,150**	**15,020,141**	52.75%	**29,677,400**	**16,836,437**	56.73%

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WATER AND SEWER FUND

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Operating Revenues:						
Retail Water Sales	8,913,000	3,971,701	44.56%	9,694,000	4,237,343	43.71%
Sewer Charges	4,258,000	2,321,437	54.52%	4,684,000	2,883,389	61.56%
Pretreatment Charges	16,700	5,429	32.51%	27,000	5,429	20.11%
HHW Fee	93,000	55,296	59.46%	97,000	50,672	52.24%
Penalties	185,000	107,715	58.22%	150,000	128,939	85.96%
Total Utility Sales	13,465,700	6,461,578	47.99%	14,652,000	7,305,771	49.86%
RCH Water Sales	832,500	427,818	51.39%	874,200	381,421	43.63%
Blackland Water Sales	573,000	256,370	44.74%	601,650	287,280	47.75%
City of Heath	930,000	497,846	53.53%	900,800	386,112	42.86%
Total Contract Sales	2,335,500	1,182,034	50.61%	2,376,650	1,054,813	44.38%
Water Taps	79,000	47,206	59.75%	75,000	49,012	65.35%
Sewer Taps	13,000	6,800	52.31%	12,000	10,974	91.45%
Total Other Receipts	92,000	54,006	58.70%	87,000	59,986	68.95%
Meter Rental Fees	14,200	8,650	60.92%	10,000	13,500	135.00%
Total Other Fees	14,200	8,650	60.92%	10,000	13,500	135.00%
Total Operating Revenues	15,907,400	7,706,268	48.44%	17,125,650	8,434,070	49.25%
Non-Operating Revenues:						
Interest Earnings	20,000	9,293	46.46%	20,000	7,408	37.04%
Auction/Scrap Proceeds	6,000	5,287	88.11%	10,000	3,571	35.71%
Other	24,000	70,535	293.90%	24,000	12,946	53.94%
Cell Tower Leases	90,000	6,609	-	90,000	72,565	80.63%
Impact Fees	1,000,000	373,788	37.38%	500,000	431,602	86.32%
Total Non-Operating Revenues	1,140,000	465,512	40.83%	644,000	528,092	82.00%
Total Water & Sewer Revenues	**17,047,400**	**8,171,780**	**47.94%**	**17,769,650**	**8,962,162**	**50.44%**

WATER & SEWER FUND

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Long Term Debt						
Total	3,932,450	1,134,215	28.84%	4,143,150	923,345	22.29%
Utility Billing						
Personnel Costs	379,600	222,863	58.71%	386,400	222,425	57.56%
Contractual	293,500	152,657	52.01%	302,600	122,814	40.59%
Supplies	91,800	46,935	51.13%	91,800	54,432	59.29%
Operational	130,100	1,513	1.16%	133,800	1,562	1.17%
Capital	-	-	0.00%	-	-	0.00%
Total	895,000	423,968	47.37%	914,600	401,232	43.87%
Water Operations						
Personnel Costs	810,000	464,102	57.30%	840,500	502,265	59.76%
Contractual	6,103,200	3,934,090	64.46%	6,673,700	3,761,904	56.37%
Supplies	300,550	178,966	59.55%	404,400	234,053	57.88%
Operational	19,000	5,982	31.48%	19,000	1,754	9.23%
Utilities	252,900	107,095	42.35%	252,900	106,078	41.94%
Capital	3,509,000	50,000	1.42%	62,550	-	0.00%
Total	10,994,650	4,740,235	43.11%	8,253,050	4,606,054	55.81%
Sewer Operations						
Personnel Costs	678,900	386,654	56.95%	687,300	421,144	61.28%
Contractual	3,329,850	1,666,053	50.03%	3,481,100	2,421,200	69.55%
Supplies	126,050	56,731	45.01%	149,600	56,727	37.92%
Operational	12,900	2,717	21.06%	13,100	2,016	15.39%
Utilities	123,450	62,788	50.86%	123,450	60,458	48.97%
Capital	8,500	2,603	30.63%	80,700	-	0.00%
Total	4,279,650	2,177,546	50.88%	4,535,250	2,961,546	65.30%
Operating Transfers Out						
Trsf Out - General	602,100	-	0.00%	602,100	-	0.00%
Trsf Out - Employee Benefits	1,025,000	985,000	96.10%	1,095,000	700,000	63.93%
Trsf Out - Workers' Comp.	30,000	-	0.00%	30,000	-	0.00%
Trsf Out - Equipment	11,950	-	0.00%	11,950	-	0.00%
Total	1,669,050	985,000	59.02%	1,739,050	700,000	40.25%
TOTAL WATER/SEWER FUND:	**21,770,800**	**9,460,964**	**43.46%**	**19,585,100**	**9,592,176**	**48.98%**

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CALLS BY TYPE

CITY CALLS Situation Type	April #
111 Building fire	1
143 Grass fire	1
311 Medical assist, assist EMS crew	1
411 Gasoline or other flammable liquid spill	1
412 Gas leak (natural gas or LPG)	2
444 Power line down	4
551 Assist police or other governmental agency	7
553 Public service	5
556 Public service - Non paged	3
611 Dispatched & canceled en route	2
622 No incident found on arrival at dispatch address	6
631 Authorized controlled burning	1
651 Smoke scare, odor of smoke	2
671 HazMat release investigation w/no HazMat	3
700 False alarm or false call, other	2
732 Extinguishing system malfunction (activation)	1
733 Smoke detector activation due to malfunction	2
735 Alarm system sounded due to malfunction	1
736 CO detector activation due to malfunction	1
743 Smoke detector activation, no fire - unintentional	1
744 Detector activation, no fire - unintentional	1
745 Alarm system activation, no fire - unintentional	5
Totals:	53

COUNTY Situation Type	April #
551 Assist police or other governmental agency	1
651 Smoke scare, odor of smoke	2
Totals:	3
Fate	0
Heath	0
Mclendon Chisholm	0
Mobile City	0
Royse City	0

To: Chief Poindexter
From: BC Merritt
Re: April 2014 Structure Fire Report.
Date: May 21, 2014

2995 Horizon

We responded to a report of a fire alarm at 2995 Horizon Road on April 29, 2014. The first unit on scene arrived and reported nothing showing from the outside of the structure. Upon making entry the firefighters discovered heavy smoke inside of the building. The call was immediately upgraded to a structure fire. Upon investigation firefighters discovered a sprinkler that was flowing water due to a commercial dryer that had been on fire. The sprinkler system was immediately shut down to minimize water damage. The sprinkler system extinguished the fire. There was minimal damage to the structure from the fire, smoke and water from the sprinkler system. No firefighter injuries were reported on this incident.

Dispatch time: 22:41
Enroute time: 22:42
On scene time: 22:44
Clear time: 00:34

4 men on scene 22:48
8 men on scene 22:58
12 men not achieved

We had a total of 5 on duty Firefighters on scene, 4 Volunteers, 2 Chiefs, 2 Investigators and 3 apparatus.

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CITY RESPONSE
APRIL 2014

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %	19 of 23	CRITERIA MET %	2 of 2
CRITERIA -ACHIEVE RESPONSE TIME	82.61%	CRITERIA -ACHIEVE RESPONSE TIME	100%
90% OF TIME IN BOXES WITH	Criteria Not Met	60% OF TIME IN BOXES WITH	Criteria Met
STATIONS		STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	23 of 23	CRITERIA MET %	2 of 2
CRITERIA -ACHIEVE RESPONSE TIME	100.00%	CRITERIA -ACHIEVE RESPONSE TIME	100%
90% OF TIME IN BOXES WITH	Criteria Met	60% OF TIME IN BOXES WITH	Criteria Met
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES		0-7 1/2 MINUTES	
CRITERIA MET%	23 of 23	CRITERIA MET%	2 of 2
CRITERIA -ACHIEVE RESPONSE TIME	100.00%	CRITERIA -ACHIEVE RESPONSE TIME	100%
90% OF TIME IN BOXES WITH	Criteria Met	60% OF TIME IN BOXES WITH	Criteria Met
STATIONS		STATIONS	

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CITY ALLS
ENROUTE OVERAGES

Venue	Alarm Date	Alarm Time	Enroute Time	Paged to Enroute	Inc. Number	Station	Lights and Sirens	Apparatus	REASON FOR OVEAGES
Rockwall	04/25/2014	04:09:34	04:12:17	0:02:43	2014-00000369	Rockwall 2	Code 3	E2	no excuse, just slow response
Rockwall	04/17/2014	20:32:45	20:34:49	0:02:04	2014-00000360	Rockwall 2	Code 3	E4	E-2 had radio problem when checking enroute
Rockwall	04/29/2014	16:35:06	16:37:05	0:01:59	2014-00000380	Rockwall 2	Code 3	E2	confusion with exact address to respond to delayed response
Rockwall	04/11/2014	21:40:23	21:41:56	0:01:33	2014-00000346	Rockwall 2	Code 3	E2	CAD times don't match radio times

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COUNTY AND MUTUAL AID
RESPONSE
APRIL 2014

COUNTY	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	2 of 3
CRITERIA -ACHIEVE RESPONSE TIME	66.67%
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	1 of 3
CRITERIA -ACHIEVE RESPONSE TIME	33.00%
60% OF TIME IN BOXES WITH	Criteria Not Met
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	1 of 3
CRITERIA -ACHIEVE RESPONSE TIME	33.00%
60% OF TIME IN BOXES WITH	Criteria Not Met
STATIONS	

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COUNTY OVERAGES
APRIL 2014

COUNTY CALLS									
ENROUTE OVERAGES									
Venue	Alarm Date	Alarm Time	Enroute Time	Paged to Enroute	Inc. Number	Station	Lights and Sirens	Apparatus	reason for overage
Rockwall County	04/10/2014	03:58:55	04:01:08	0:02:13	2014-00000341	Rockwall 4	Code 3	E4	middle of night
ARRIVAL OVERAGES									
Venue	Alarm Date	Enroute Time	Arrival Time	Enroute to Arrival	Inc. Number	Station	Lights and Sirens	Apparatus	REASON FOR OVEAGES
Rockwall County	04/07/2014	16:31:29	16:43:24	0:11:55	2014-00000331	Rockwall 3	Code 3	E3	Drive time St. 3 to County
Rockwall County	04/10/2014	04:01:08	4:11:15	0:10:07	2014-00000341	Rockwall 4	Code 3	E4	Drive time St. 4 to County
Venue	Alarm Date	Alarm Time	Arrival Time	Response Time	Inc. Number	Station	Lights and Sirens	Apparatus	REASON FOR OVEAGES
RESPONSE OVERAGES									
Rockwall County	04/07/2014	16:30:33	16:43:24	0:12:51	2014-00000331	Rockwall 3	Code 3	E3	Drive Time St. 3 to County
Rockwall County	04/10/2014	03:58:55	4:11:15	0:10:07	2014-00000341	Rockwall 4	Code 3	E4	Drive Time St. 4 to County

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Total Dollar Losses

April 2014

City of Rockwall
The Next Horizon

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$3,000.00	$153,060.00	$1,200.00	$156,560.00	$177,564.90
Total Content Loss:	$0.00	$12,000.00	$0.00	$13,000.00	$99,638.94
Total Property Pre-Incident Value:	$0.00	$152,910.00	$12,000.00	$152,910.00	$872,047.00
Total Contents Pre-Incident Value	$0.00	$90,252.00	$0.00	$90,252.00	$510,766.20
Total Losses:	$3,000.00	$165,060.00	$1,200.00	$169,560.00	$3,000.00
Total Value:	$.00	$243,162.00	$12,000.00	$243,162.00	$1,382,813.20

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Fire Alarms

APRIL 2014

Date	Address	Common Name	Dispostion Code	CFS Number	Call Type	Incident Number	Incident ORI
04/01/2014 17:13:39	1133 MORNING STAR		FA	94	FD - Fire Alarm Residential	2014-00000319	TX504
04/02/2014 11:20:07	106 N SAN JACINTO ST	Christian, Rockwall, Rockwall Christian	FA	235	FD - Fire Alarm Commercial	2014-00000320	TX504
04/04/2014 09:48:53	1371 RIVERSIDE OAKS DR		FA	604	FD - Fire Alarm Residential	2014-00000324	TX504
04/05/2014 13:49:41	1835 T L TOWNSEND DR	Galaxy Ranch Private School	FA	844	FD - Fire Alarm Commercial	2014-00000325	TX504
04/08/2014 08:47:47	1525 AIRPORT RD		FA	1282	FD - Fire Alarm Commercial	2014-00000333	TX504
04/09/2014 22:54:56	819 E INTERSTATE 30		FA	1553	FD - Fire Alarm Commercial	2014-00000340	TX504
04/10/2014 18:17:06	625 E FM 552		FA	1712	FD - Fire Alarm Commercial	2014-00000342	TX504
04/11/2014 21:38:25	2071 SUMMER LEE DR		FA	1922	FD - Fire Alarm Commercial	2014-00000346	TX504
04/13/2014 11:07:11	2651 EAGANRIDGE LN		FA	2237	FD - Fire Alarm Residential	2014-00000351	TX504
04/21/2014 19:04:30	3066 N GOLIAD ST	McDonalds (North)	FA	3574	FD - Fire Alarm Commercial	2014-00000365	TX504
04/25/2014 11:06:37	851 STEGER TOWNE DR	Lowes	FA	4194	FD - Fire Alarm Commercial	2014-00000370	TX504
04/26/2014 16:00:04	219 CRESTBROOK DR		FA	4416	FD - Fire Alarm Residential	2014-00000373	TX504
04/29/2014 16:27:00	672 FEATHERSTONE DR		FA	4925	FD - Fire Alarm Residential	2014-00000379	TX504
	: 13						

5/5/2014 11:27:43 AM

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 4/1/2014 thru 4/30/2014

Permit #	Appl Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
SPEC2014-00	04/01/14 SPECIAL EVENT	34	1197 T L TOWNSEND DR Aspasians Art Fair	ROCKWALL, I S D	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/01/14	04/04/14	04/01/14
SPEC2014-00	04/01/14 SPECIAL EVENT	34	2830 RIDGE RD INWOOD NATIONAL BANK GRAND OPENING	INWOOD, NATIONAL BANK	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/01/14	04/11/14	04/01/14
BLD2014-036	03/21/14 COMM	45	1525 Airport Rd MHMR- 6' wrought Iron fence	ROCKWALL, PROPERTY CORPORATION	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/02/14	04/12/14	04/02/14
BLD2014-045	04/03/14 ABOVE GROUND STORAGE	32	3090 N GOLIAD	METROPLEX, ACQUISITION FUND LP	Ariana Hargrove	FIRE 972-772-6431		04/03/14	04/13/14	
CO2014-0045	04/03/14 CO	32	3164 HORIZON RD. # 200 Pathology Associates	LONE, STAR LAND & PROPERTIES LP	Ariana Hargrove	FIRE CO	APPROVED	04/03/14	04/06/14	04/03/14
BLD2013-153	09/24/13 COMM	223	112 RUSK ST. E FATTED CALF REMODEL/ADDITION	CURANOVIC, PETER ESTATE	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/07/14	04/17/14	04/07/14
BLD2014-038	03/24/14 COMM	42	2255 Goliad St S Soulman's BBQ	TOTAL, PETROLEUM INC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/07/14	04/17/14	04/07/14
BLD2014-038	03/25/14 COMM	41	108 Goliad St S Oscar Delta Texas Kitchen	KLUTTS, B A	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/07/14	04/17/14	04/07/14
BLD2014-047	04/08/14 COMM	27	2701 Sunset Ridge Retaining wall at trend tower area	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/08/14	04/18/14	04/11/14
TCO2014-000	04/08/14 TCO	27	901 Goliad The Ice Train		Ariana Hargrove	FIRE CO	APPROVED	04/08/14	04/11/14	04/09/14
PLB2014-012	04/09/14 COMM	26	204 Fannin N. Moving toilet flange to meet ada	FALLS, J R	Ariana Hargrove	FIRE 972-772-6431		04/09/14	04/19/14	
CO2014-0046	04/10/14 CO	25	550 IH 30 Mellow Mushroom	ROCKWALL, SUMMIT PARTNERS LLC	Ariana Hargrove	FIRE CO	APPROVED	04/10/14	04/13/14	04/11/14
DEM2014-00(	04/10/14 COMM	25	2600 CHAMPIONS DR DEMO -THE SHORES POOL HOUSE	SHORES, COUNTRY CLUB LLC	Ariana Hargrove	FIRE 972-772-6431		04/10/14	04/20/14	
CO2014-0047	04/11/14 CO	24	1 HARBORVIEW DR CHANDLER LANDING DOCKS EE & G	SUNTER MARINAS	Ariana Hargrove	FIRE CO	APPROVED	04/11/14	04/14/14	04/11/14
BLD2013-190	12/12/13 COMM	144	2650 Champions Shores HOA Clubhouse	SHORES, COUNTRY CLUB LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/14/14	04/24/14	04/14/14
BLD2014-023	03/04/14 COMM	62	2701 Sunset Ridge 109 Keller Williams - Interior Completion	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/14/14	04/24/14	04/14/14
BLD2014-033	03/17/14 COMM	49	2135 RIDGE RD. 109 LITTLE CAESAR'S TAKE OUT INTERIIOR COMPLETION	IN, KYUNG H &	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/14/14	04/24/14	04/14/14
CO2014-0048	04/14/14 CO	21	118 National Dr. Scott Free Investments	Scott Tharp	Ariana Hargrove	FIRE CO	APPROVED	04/14/14	04/17/14	04/15/14

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 4/1/2014 thru 4/30/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail: Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2014-0049	04/15/14 CO	20			Ariana Hargrove	FIRE CO		04/15/14	04/18/14	
ELE2014-002	04/15/14 COMM	20	385 Goliad St S Installation of Parking lot lights & security cameras	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431		04/15/14	04/25/14	
PLB2014-013	04/15/14 COMM	20	2105 S GOLIAD TA replacing 3' of water line from meter to bldg.	HPT, TA PROPERTIES TR	Ariana Hargrove	FIRE 972-772-6431		04/15/14	04/25/14	
ELE2014-002	04/16/14 COMM	19	1520 TL Townsend Elec. to Entrance of Sub-division	CTMGT, ROCKWALL 38 LLC	Ariana Hargrove	FIRE 972-772-6431		04/16/14	04/26/14	
BLD2014-052	04/17/14 COMM	18	315 RANCH TRAIL Rockwall Landscape - Renovation of Existing bldg.	WILLIAMS, RONNIE L & KIM A	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	04/17/14	04/27/14	04/22/14
BLD2014-052	04/17/14 COMM	18	980 SIDS RD Rayburn project - Const. Railer	RAYBURN, COUNTRY ELECTRIC CORP INC	Ariana Hargrove	FIRE 972-772-6431		04/17/14	04/27/14	
BLD2014-022	02/28/14 COMM	66	990 IH 30 Rockwall Ford - renovation	ROCKWALL, LAND COMPANY LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/18/14	04/28/14	04/18/14
BLD2014-053	04/18/14 CHURCH	17	306 RUSK E 6' wrought iron fence & gate	TRINITY, HARBOR CHURCH	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/18/14	04/28/14	04/21/14
BLD2014-053	04/18/14 COMM	17	1606 TL Townsend 1606 TL Townsend	ROCKWALL, SH205 VENTURE LLC	Ariana Hargrove	FIRE 972-772-6431		04/18/14	04/28/14	
BLD2014-054	04/21/14 COMM	14	2800 Discovery Blvd. L-3 Communications - Remodel	TREADWELL, FAMILY TRUST &	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	04/21/14	05/01/14	04/28/14
MISC2014-00	04/21/14 COMM	14	1 Harborview Dr. A-17 courtesy elec. insp Boat slip# A-17	Suntex Marinas	Ariana Hargrove	FIRE 972-772-6431		04/21/14	05/01/14	
BLD2014-055	04/22/14 SINGLE FAMILY	13	1821 HAINSWORTH CONSTRUCTION TRAILER	Drees Custom Homes	Ariana Hargrove	FIRE 972-772-6431		04/22/14	05/02/14	
CO2014-0050	04/23/14 CO	12	308 FANNIN ST. N The Londoner	PANNELL, SMITH PROPERTY MANAGEMENT LLC	Bryan Patrick	FIRE CO	APPROVED	04/23/14	04/26/14	04/24/14
BLD2014-060	04/24/14 COMM	11	1520 IH 30 200 Interior remodel	ROCKWALL, CREDIT SERVICES LC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	04/24/14	05/04/14	04/28/14
BLD2014-060	04/24/14 COMM	11	2922 Goliad St S The Rise - Bldg Cover for Ice vending machine	J, & S EXPO LIMITED	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/24/14	05/04/14	04/28/14
TCO2014-000	04/24/14 TCO	11	2002 GOLIAD B Tropical Sno		Ariana Hargrove	FIRE CO	APPROVED	04/24/14	04/27/14	04/28/14
CO2014-0051	04/25/14 CO	10	3045 Goliad St N Shell CO	PCB, PROPERTIES LLC	Ariana Hargrove	FIRE CO	APPROVED	04/25/14	04/28/14	04/28/14
PLB2014-014	04/25/14 COMM	10	108 N SAN JACINTO INSTALL DOUBLE CHECK ON MAIN WATER LINE	WELCOME NEW NEIGHBOR	Ariana Hargrove	FIRE 972-772-6431		04/25/14	05/05/14	

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 4/1/2014 thru 4/30/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2014-062	04/28/14	7	3021 Ridge Rd. 103	PS5, PROPERTIES LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	04/28/14	05/08/14	04/30/14
	COMM		Rockwall Super Drugs - Interior Completion							
CO2014-0052	04/28/14	7	102 Rusk St E	HENDRICKS, BARBARA S	Ariana Hargrove	FIRE CO	APPROVED	04/28/14	05/01/14	04/28/14
	CO		Southern Roots							
CO2014-0053	04/28/14	7	539 IH 30 E	BENT, TREE REALTY CO	Ariana Hargrove	FIRE CO	APPROVED	04/28/14	05/01/14	04/28/14
	CO		ROCKWALL RUNNING CENTER							
PLB2014-014	04/28/14	7	1700 QUAIL RUN	PARKER, CEMETERY	Ariana Hargrove	FIRE 972-772-6431		04/28/14	05/08/14	
	COMM		install yard hydrant							
BLD2014-063	04/29/14	6	2600 CHAMPIONS CIR	SHORES, COUNTRY CLUB LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	04/29/14	05/09/14	04/30/14
	COMM		SHORES COUNTRY CLUB SWIMMING POOL							
SPEC2014-00	04/28/14	7	2935 RIDGE RD	KROGER, TEXAS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/29/14	05/02/14	04/29/14
	SPECIAL EVENT		MOTHERS DAY							
SPEC2014-00	04/29/14	6	2610 OBSERVATION TRL	JBC, LAND & CATTLE COMPANY LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	04/29/14	05/09/14	04/29/14
	SPECIAL EVENT		ROCKWALL COUNTRY FAIR-SOROPTIMIST							
PLB2014-014	04/30/14	5	2995 HORIZON RD.	HASTINGS, CLAIMS SERVICE INC	Ariana Hargrove	FIRE 972-772-6431		04/30/14	05/10/14	
	COMM		GAS TEST							
SPEC2014-00	04/30/14	5	960 W RALPH HALL PKWY	CHRISMER, LANE LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/30/14	05/02/14	04/30/14
	SPECIAL EVENT		PINNACLE PARKING LOT PARTY							
TCO2014-000	04/30/14	5	2701 SUNSET RIDGE		Ariana Hargrove	FIRE CO	APPROVED	04/30/14	05/03/14	05/01/14
	TCO		TREND TOWERS - TCO							

Inspection Totals Per Inspector

APRIL 2014

Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Inspection Number	Fire Inspection Status
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0048	Pending
TX504	744 - Patrick	Construction Final	1987	Finaled
TX504	744 - Patrick	Courtesy	2160	Finaled
TX504	744 - Patrick	Courtesy	2170	Finaled
TX504	744 - Patrick	FDC	2117	Pending
TX504	744 - Patrick	Fire Alarm System	2049	Pending
TX504	744 - Patrick	Fire Alarm System	2127	Pending
TX504	744 - Patrick	Fire Alarm System	2049	Pending
TX504	744 - Patrick	Fire Alarm System	2185	Pending
TX504	744 - Patrick	Fire Spinkler System	1968	Pending
TX504	744 - Patrick	Fire Spinkler System	2158	Pending
TX504	744 - Patrick	Fire Spinkler System	2178	Pending
TX504	744 - Patrick	Fire Spinkler System	1968	Pending
TX504	744 - Patrick	Flow Test	2132	Finaled
TX504	744 - Patrick	Flow Test	2132	Finaled
TX504	744 - Patrick	Follow Up	2163	Pending
TX504	744 - Patrick	Follow Up	2161	Finaled
TX504	744 - Patrick	Follow Up	2163	Pending
TX504	744 - Patrick	Follow Up	2187	Finaled
TX504	744 - Patrick	Follow Up	2186	Finaled
TX504	744 - Patrick	Follow Up	2163	Pending
TX504	744 - Patrick	Kitchen Hood Suppression	2112	Finaled
TX504	744 - Patrick	Knox Lock	1787	Finaled

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TX504	744 - Patrick	Knox Lock	2169	Finaled
TX504	744 - Patrick	Underground Fire Line	2190	Pending
TX504	744 - Patrick	Underground Fire Line	2116	Finaled
Total Per Inspector: 26				
TX504	836 - Ayres	Annual	2123	Pending
TX504	836 - Ayres	Annual	2140	Finaled
TX504	836 - Ayres	Annual	2176	Pending
TX504	836 - Ayres	Annual	2175	Finaled
TX504	836 - Ayres	Annual	2175	Pending
TX504	836 - Ayres	Annual	2174	Pending
TX504	836 - Ayres	Annual	2172	Finaled
TX504	836 - Ayres	Annual	2152	Pending
TX504	836 - Ayres	Annual	2139	Pending
TX504	836 - Ayres	Annual	2152	Pending
TX504	836 - Ayres	Annual	2118	Finaled
TX504	836 - Ayres	Annual	2118	Pending
TX504	836 - Ayres	Annual	2128	Finaled
TX504	836 - Ayres	Annual	2155	Finaled
TX504	836 - Ayres	Annual	2153	Pending
TX504	836 - Ayres	Annual	2152	Pending
TX504	836 - Ayres	Annual	2118	Pending
TX504	836 - Ayres	Annual	2149	Finaled
TX504	836 - Ayres	Annual	2144	Pending
TX504	836 - Ayres	Annual	2140	Pending
TX504	836 - Ayres	Annual	2118	Pending
TX504	836 - Ayres	Annual	2139	Pending
TX504	836 - Ayres	Annual	2123	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2013-0146	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0034	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0042	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0037	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0044	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0034	Pending
TX504	836 - Ayres	Certificate of Occupancy	TCO2014-0001	Finaled

TX504	836 - Ayres	Certificate of Occupancy	CO2013-0146	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0044	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0037	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0042	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0050	Finaled
TX504	836 - Ayres	Construction Final	1987	Pending
TX504	836 - Ayres	Courtesy	2142	Finaled
TX504	836 - Ayres	Courtesy	2141	Finaled
TX504	836 - Ayres	Courtesy	2181	Pending
TX504	836 - Ayres	Fire Spinkler System	2136	Pending
TX504	836 - Ayres	Fire Spinkler System	2154	Pending
TX504	836 - Ayres	Follow Up	2064	Finaled
TX504	836 - Ayres	Follow Up	2191	Pending
TX504	836 - Ayres	Follow Up	2166	Finaled
TX504	836 - Ayres	Follow Up	2166	Pending
TX504	836 - Ayres	Knox Box	2159	Finaled
TX504	836 - Ayres	Open Burn	1677	Finaled
TX504	836 - Ayres	Other	2121	Finaled
TX504	836 - Ayres	Other	2182	Pending
TX504	836 - Ayres	Tanks-TEMP	2135	Finaled
TX504	836 - Ayres	Tanks-TEMP	2135	Pending
TX504	836 - Ayres	Tanks-UST	2147	Pending
TX504	836 - Ayres	Underground Fire Line	2173	Pending
TX504	836 - Ayres	Underground Fire Line	2173	Pending
Total Per Inspector: 54				
TX504	843 - Clark	Annual	2177	Pending
TX504	843 - Clark	Annual	2164	Pending
TX504	843 - Clark	Annual	2188	Pending
TX504	843 - Clark	Annual	2167	Finaled
TX504	843 - Clark	Annual	2179	Pending
TX504	843 - Clark	Annual	2167	Pending
TX504	843 - Clark	Certificate of Occupancy	2014-0047	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0045	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0045	Pending
TX504	843 - Clark	Construction Final	2151	Pending
TX504	843 - Clark	Construction Final	2151	Pending

TX504	843 - Clark	Construction Final	2nd floor - core	Pending
TX504	843 - Clark	Construction Final	2184	Pending
TX504	843 - Clark	Construction Final	2183	Pending
TX504	843 - Clark	Construction Final	1st floor - tenant	Finaled
TX504	843 - Clark	Construction Final	2nd floor - tenant	Finaled
TX504	843 - Clark	Construction Final	3rd floor - tenant	Finaled
TX504	843 - Clark	Construction Final	4th floor - tenant	Finaled
TX504	843 - Clark	Construction Final	7th floor - tenant	Finaled
TX504	843 - Clark	Construction Final	5th floor - tenant	Finaled
TX504	843 - Clark	Construction Final	6th floor - tenant	Finaled
TX504	843 - Clark	Construction Final	2nd floor - garage	Finaled
TX504	843 - Clark	Construction Final	4th floor - garage	Finaled
TX504	843 - Clark	Construction Final	3rd floor - garage	Finaled
TX504	843 - Clark	Construction Final	5th floor - garage	Finaled
TX504	843 - Clark	Construction Final	1st floor - garage	Finaled
TX504	843 - Clark	Construction Final	1st floor - core	Pending
TX504	843 - Clark	Construction Final	2151	Finaled
TX504	843 - Clark	Fire Alarm System	2157	Finaled
TX504	843 - Clark	Fire Alarm System	2156	Finaled
TX504	843 - Clark	Fire Alarm System	2150	Finaled
TX504	843 - Clark	Fire Alarm System	2156	Pending
TX504	843 - Clark	Fire Spinkler System	1995	Finaled
TX504	843 - Clark	Fire Spinkler System	2138	Pending
TX504	843 - Clark	Fire Spinkler System	2133	Pending
TX504	843 - Clark	Fire Spinkler System	2134	Pending
TX504	843 - Clark	Fire Spinkler System	2143	Pending
TX504	843 - Clark	Fire Spinkler System	2143	Finaled
TX504	843 - Clark	Fire Spinkler System	2134	Pending
TX504	843 - Clark	Fire Spinkler System	2143	Pending
TX504	843 - Clark	Fire Spinkler System	2143	Pending
TX504	843 - Clark	Fire Spinkler System	2134	Pending
TX504	843 - Clark	Fire Spinkler System	2133	Pending
TX504	843 - Clark	Fire Spinkler System	2138	Pending
TX504	843 - Clark	Fire Spinkler System	2134	Pending
TX504	843 - Clark	Follow Up	2171	Finaled
TX504	843 - Clark	Follow Up	2168	Pending
TX504	843 - Clark	Kitchen Hood Suppression	2145	Finaled
TX504	843 - Clark	Kitchen Hood Suppression	2122	Finaled
TX504	843 - Clark	Knox Box	2165	Finaled
TX504	843 - Clark	Knox Box	2041	Finaled
TX504	843 - Clark	Other	2180	Pending

TX504	843 - Clark	Other	Stairs	Pending
TX504	843 - Clark	Other	2146	Finaled
TX504	843 - Clark	Other	Stairs	Pending
TX504	843 - Clark	Other	Fire Command Room	Finaled
TX504	843 - Clark	Other	2148	Finaled
TX504	843 - Clark	Standpipes	2032	Finaled
TX504	843 - Clark	Tanks-TEMP	2162	Finaled
TX504	843 - Clark	Underground Fire Line	2137	Finaled
TX504	843 - Clark	Underground Fire Line	2125	Finaled
TX504	843 - Clark	Underground Fire Line	2137	Pending

Total Per Inspector:
62

Department Total:
142

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 4/1/2014 thru 4/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	153	Amy Williams Assistant City Engineer	COMMENTS 4/11/2014
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	153	Amy Williams Assistant City Engineer	APPROVED 4/28/2014
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	153	Ariana Hargrove FIRE	COMMENTS 4/11/2014
E2013-035	12/03/2013		ENGINEERING 2600 CHAMPIONS	153	Ariana Hargrove Engineering: Fire	APPROVED 4/29/2014
E2014-005	01/31/2014		ENGINEERING JEFF BOYD CIR	94	Amy Williams Assistant City Engineer	APPROVED 4/10/2014
E2014-008	03/11/2014		ENGINEERING 980 SIDS RD	55	Amy Williams Assistant City Engineer	APPROVED 4/4/2014
E2014-008	03/11/2014		ENGINEERING 980 SIDS RD	55	John Shannon Engineering: Fire	APPROVED 4/7/2014
E2014-008	03/11/2014		ENGINEERING 980 SIDS RD	55	Curtis McAden Water Department	APPROVED 4/4/2014
E2014-010	03/24/2014		ENGINEERING 980 SIDS RD	42	Amy Williams Assistant City Engineer	COMMENTS 4/21/2014
E2014-010	03/24/2014		ENGINEERING 980 SIDS RD	42	Curtis McAden Water Department	APPROVED 4/17/2014
E2014-010	03/24/2014		ENGINEERING 980 SIDS RD	42	Steve Clawson Sewer Department	APPROVED 4/23/2014
E2014-010	03/24/2014		ENGINEERING 980 SIDS RD	42	Kathleen Moreno Engineering: Engineer	APPROVED W/ 4/24/2014
E2014-010	03/24/2014		ENGINEERING 980 SIDS RD	42	Amy Williams Assistant City Engineer	APPROVED 5/1/2014
E2014-012	04/03/2014		ENGINEERING 3018 RIDGE RD	32	Bruce Hanby ENG-TECH	COMMENTS 4/4/2014

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CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 4/1/2014 thru 4/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-012	04/03/2014		ENGINEERING 3018 RIDGE RD	32	Billy Chaffin STREET DEPARTMEN	
E2014-012	04/03/2014		ENGINEERING 3018 RIDGE RD	32	Curtis McAden WATER DEPARTMEN	COMMENTS 4/11/2014
E2014-012	04/03/2014		ENGINEERING 3018 RIDGE RD	32	Tim Tumulty CITY ENGINEER	COMMENTS 4/18/2014
E2014-012	04/03/2014		ENGINEERING 3018 RIDGE RD	32	Ariana Hargrove ENG - FIRE	COMMENTS 4/11/2014
E2014-012	04/03/2014		ENGINEERING 3018 RIDGE RD	32	Amy Williams ASSISTANT CITY ENC	COMMENTS 4/7/2014
E2014-012	04/03/2014		ENGINEERING 3018 RIDGE RD	32	Steve Clawson SEWER DEPARTMEN	APPROVED 4/10/2014
E2014-012	04/03/2014		ENGINEERING 3018 RIDGE RD	32	Kathleen Moreno ENG-ENGINEER	COMMENTS 4/8/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	21	 ENG-TECH	
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	21	Curtis McAden WATER DEPARTMEN	
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	21	Billy Chaffin STREET DEPARTMEN	
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	21	 ENG-ENGINEER	
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	21	Ariana Hargrove ENG - FIRE	COMMENTS 4/17/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	21	Amy Williams ASSISTANT CITY ENC	COMMENTS 4/18/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	21	Tim Tumulty CITY ENGINEER	
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	21	Steve Clawson SEWER DEPARTMEN	

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 4/1/2014 thru 4/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	21	Curtis McAden WATER DEPARTMEN	
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	21	Tim Tumulty CITY ENGINEER	
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	21	Amy Williams ASSISTANT CITY ENC	COMMENTS 4/18/2014
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	21	Ariana Hargrove ENG - FIRE	COMMENTS 4/17/2014
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	21	ENG-ENGINEER	
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	21	Steve Clawson SEWER DEPARTMEN	
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	21	Billy Chaffin STREET DEPARTMEN	
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	21	ENG-TECH	
E2014-015	04/15/2014		ENGINEERING 204 N FANNIN ST	20	Amy Williams ASSISTANT CITY ENC	COMMENTS 4/17/2014
P2014-011	04/08/2014		PLAT 2994 S FM549	27	John Shannon BUILDING	APPROVED 4/8/2014
P2014-011	04/08/2014		PLAT 2994 S FM549	27	JoDee Sanford PLANNING	COMMENTS 4/15/2014
P2014-011	04/08/2014		PLAT 2994 S FM549	27	Amy Williams ENGINEERING	COMMENTS 4/8/2014
P2014-011	04/08/2014		PLAT 2994 S FM549	27	Ariana Hargrove FIRE	APPROVED 4/11/2014
P2014-011	04/08/2014		PLAT 2994 S FM549	27	Lance Singleton GIS	COMMENTS 4/15/2014
SP2014-005	03/21/2014		SITE PLAN 2850 SHORELINE TRAIL	45	Ryan Miller Planning Department	APPROVED 4/3/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 4/1/2014 thru 4/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
SP2014-005	03/21/2014		SITE PLAN 2850 SHORELINE TRAIL	45	Amy Williams Assistant City Engineer	APPROVED W/ 4/3/2014
SP2014-006	04/21/2014		SITE PLAN 1861 SH276	14	Ariana Hargrove FIRE	COMMENTS 4/24/2014
SP2014-006	04/21/2014		SITE PLAN 1861 SH276	14	Lance Singleton GIS	APPROVED 4/24/2014
SP2014-006	04/21/2014		SITE PLAN 1861 SH276	14	Amy Williams ENGINEERING	COMMENTS 4/22/2014
SP2014-006	04/21/2014		SITE PLAN 1861 SH276	14	JoDee Sanford PLANNING	COMMENTS 4/24/2014
SP2014-006	04/21/2014		SITE PLAN 1861 SH276	14	John Shannon BUILDING	APPROVED 4/24/2014
SP2014-007	04/21/2014		SITE PLAN 105 ST MARYS ST	14	Lance Singleton GIS	APPROVED 4/24/2014
SP2014-007	04/21/2014		SITE PLAN 105 ST MARYS ST	14	John Shannon BUILDING	APPROVED 4/21/2014
SP2014-007	04/21/2014		SITE PLAN 105 ST MARYS ST	14	Amy Williams ENGINEERING	COMMENTS 4/22/2014
SP2014-007	04/21/2014		SITE PLAN 105 ST MARYS ST	14	Ariana Hargrove FIRE	COMMENTS 4/24/2014
SP2014-007	04/21/2014		SITE PLAN 105 ST MARYS ST	14	JoDee Sanford PLANNING	COMMENTS 4/24/2014
Z2014-009	04/08/2014		ZONING 941 CORNELIUS RD	27	John Shannon Building Inspections Dep	APPROVED 4/11/2014
Z2014-009	04/08/2014		ZONING 941 CORNELIUS RD	27	David Gonzales PLANNING	
Z2014-009	04/08/2014		ZONING 941 CORNELIUS RD	27	Ariana Hargrove FIRE	APPROVED 4/11/2014
Z2014-009	04/08/2014		ZONING 941 CORNELIUS RD	27	Amy Williams ENGINEERING	APPROVED 4/10/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 4/1/2014 thru 4/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
Z2014-010	04/21/2014		ZONING 1700 E I30	14	John Shannon BUILDING	APPROVED 4/21/2014
Z2014-010	04/21/2014		ZONING 1700 E I30	14	David Gonzales PLANNING	APPROVED 4/25/2014
Z2014-010	04/21/2014		ZONING 1700 E I30	14	Amy Williams ENGINEERING	APPROVED 4/22/2014
Z2014-010	04/21/2014		ZONING 1700 E I30	14	Ariana Hargrove FIRE	APPROVED 4/22/2014
Z2014-011	04/21/2014		ZONING 1002 RIDGE RD	14	Ryan Miller PLANNING	COMMENTS 4/24/2014
Z2014-011	04/21/2014		ZONING 1002 RIDGE RD	14	Tim Tumulty ENGINEERING	COMMENTS 4/25/2014
Z2014-011	04/21/2014		ZONING 1002 RIDGE RD	14	Ariana Hargrove FIRE	COMMENTS 4/24/2014
Z2014-012	04/21/2014		ZONING TOWNSEND DR	14	Amy Williams ENGINEERING	COMMENTS 4/22/2014
Z2014-012	04/21/2014		ZONING TOWNSEND DR	14	Ariana Hargrove FIRE	COMMENTS 4/24/2014
Z2014-012	04/21/2014		ZONING TOWNSEND DR	14	John Shannon BUILDING	APPROVED 4/22/2014
Z2014-013	04/23/2014		ZONING 617 E. BOYDSTUN	12	Ryan Miller PLANNING	COMMENTS 4/24/2014
Z2014-013	04/23/2014		ZONING 617 E. BOYDSTUN	12	David Gonzales PLANNING	COMMENTS 4/24/2014
Z2014-013	04/23/2014		ZONING 617 E. BOYDSTUN	12	Amy Williams ENGINEERING	APPROVED W/
Z2014-013	04/23/2014		ZONING 617 E. BOYDSTUN	12	Ariana Hargrove FIRE	APPROVED W/ 4/24/2014
					John Shannon Building Inspections Dep	APPROVED 4/23/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 4/1/2014 thru 4/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
Z2014-014	04/29/2014		ZONING I30 SOUTH SERVICE RD	6	David Gonzales PLANNING	
Z2014-014	04/29/2014		ZONING I30 SOUTH SERVICE RD	6	Amy Williams ENGINEERING	
Z2014-014	04/29/2014		ZONING I30 SOUTH SERVICE RD	6	Ariana Hargrove FIRE	
Z2014-014	04/29/2014		ZONING I30 SOUTH SERVICE RD	6	John Shannon BUILDING	

City of Rockwall
Inspection Totals Completed by Inspector
For the Period 4/1/2014 thru 4/30/2014

Kevin Clark

CO - FIRE	2
TOTAL INSPECTIONS for Kevin Clark:	**2**

TOTAL INSPECTIONS COMPLETED:	**2**

Total Dollar Losses

April 2014

City of Rockwall
The New Horizon

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$3,000.00	$153,060.00	$1,200.00	$156,560.00	$177,564.90
Total Content Loss:	$0.00	$12,000.00	$0.00	$13,000.00	$99,638.94
Total Property Pre-Incident Value:	$0.00	$152,910.00	$12,000.00	$152,910.00	$872,047.00
Total Contents Pre-Incident Value	$0.00	$90,252.00	$0.00	$90,252.00	$510,766.20
Total Losses:	$3,000.00	$165,060.00	$1,200.00	$169,560.00	$3,000.00
Total Value:	$.00	$243,162.00	$12,000.00	$243,162.00	$1,382,813.20

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Rockwall Police Department

Harbor District Calls For Service

April 2014

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2014-00012495	04/19/2014	08:53:42	Agave	Alarm-BUSN	False Alarm
2014-00010865	04/04/2014	22:38:21	Agave	Disorderly Conduct	Arrest
2014-00012445	04/18/2014	21:10:57	Cinemark	Disturbance	No Report
2014-00011270	04/08/2014	21:41:10	Cinemark	Investigation	No Report
2014-00013307	04/26/2014	20:32:00	Cinemark	Meet Complainant	No Report
2014-00013658	04/29/2014	19:51:33	Cinemark	Suspicious Activity	No Report
2014-00012270	04/17/2014	11:04:49	En Fuego	Fraud	No Report
2014-00013152	04/25/2014	13:38:22	En Fuego	Theft	Report
2014-00010974	04/05/2014	21:57:00	Hilton	BMV	Report
2014-00011811	04/13/2014	01:11:18	Hilton	Intoxicated	No Report
2014-00013351	04/26/2014	23:52:28	Hilton	Investigation	No Report
2014-00012485	04/19/2014	02:17:08	Hilton	Motor Vehicle Theft	Report
2014-00012675	04/21/2014	10:30:02	Hilton	Property	Report
2014-00013476	04/28/2014	01:39:51	Hilton	Suspicious Activity	No Report
2014-00010515	04/02/2014	12:04:05	Ruby Tuesday	Theft	Report
2014-00011254	04/08/2014	18:20:43	The Harbor	BMV	Report
2014-00012469	04/18/2014	23:31:15	The Harbor	Disturbance	No Report
2014-00011495	04/10/2014	20:49:33	The Harbor	Disturbance	No Report
2014-00013333	04/26/2014	22:41:25	The Harbor	General Complaint	No Report
2014-00010987	04/05/2014	23:18:00	The Harbor	Suspicious Activity	No Report
2014-00010994	04/05/2014	23:58:00	The Harbor	Suspicious Activity	Arrest
2014-00013315	04/26/2014	21:30:00	The Harbor	Welfare Concern	No Report
			Common Name		
			The Harbor	7	
			Hilton	6	
			Cinemark	4	
			Agave	2	
			En Fuego	2	
			Ruby Tuesday	1	
			Total	**22**	

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

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	5	5	0	100%
ADMINISTRATIVE SERVICES	2	1	1	50%
AIRPORT	2	2	0	100%
ANIMAL SERVICES	0	0	0	0%
BUILDING INSPECTIONS / CODE ENFORCEMENT	1	1	0	100%
ENGINEERING	3	3	0	100%
FINANCE	4	4	0	100%
FIRE DEPARTMENT	28	27	1	96%
INTERNAL OPERATIONS	139	139	0	100%
MUNICIPAL COURT	14	14	0	100%
PARKS & RECREATION	43	43	0	100%
PLANNING & ZONING	0	0	0	0%
POLICE DEPARTMENT	19	18	1	95%
PUBLIC WORKS	4	4	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	264	261	3	99%

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

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT	0	0	0	100%
FIRE DEPARTMENT	8	8	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	1	1	0	100%
PARKS & RECREATION	1	1	0	100%
POLICE DEPARTMENT	13	13	0	100%
PUBLIC WORKS	0	0	0	100%
UTILITY BILLING	0	0	0	100%
HEATH DEPT. PUBLIC SAFETY	2	2	0	100%
HOSPITAL CONTROL STATIONS	0	0	0	100%
SYSTEM ISSUES	3	3	0	100%
TOTAL	28	28	0	100%

Airport Operations Report

For Month of April 2014

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	445.00	$1,913.50
Av-Gas Sales	2,686.60	$12,873.99
TOTAL FUEL SALES	3,131.60	$14,787.49

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$2,030.00
Terminal Office Rental Revenue	$250.00
Closed Hangar Rental Revenue	$120.00
North Maintenance Hangar Rental Revenue	$500.00
TOTAL HANGAR RENTALS	$2,900.00

HANGAR OCCUPANCY RATES

	QTY AVAILABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	30	66.67%
Terminal Office Rentals	1	1	100%
Closed Hangar Rentals	1	1	100%
Open Hangar Cap Rentals	1	1	100%
TOTAL HANGAR OCCUPANCY	48	33	69%

AIRCRAFT OPERATIONS

ESTIMATED FLIGHT OPERATIONS	SINGLE ENGINE RECIP	SINGLE ENGINE TURBINE	MULTI-ENGINE RECIP	MULTI-ENGINE TURBINE
In-Bound Based Aircraft				3
Inbound Transient Aircraft				
Outbound Based Aircraft				
Outbound Transient Aircraft				
TOTAL FLIGHT OPERATIONS	0	0	0	3

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$313.16	$313.16
City Owned Hangar Rentals	5.00%	$145.00		$0.00
TOTAL FEES DUE		$145.00	$313.16	$458.16

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

Todd Parks
Managing Director - Texas Air Center, LLC

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Rockwall Police Department

Monthly Activity Report
April-2014

ACTIVITY	CURRENT MONTH APRIL	PREVIOUS MONTH MARCH	YTD 2014	YTD 2013	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	1	**-100.00%**
Sexual Assault	0		0		
Robbery	1	0	1	2	**-50.00%**
Aggravated Assault	2	4	9	5	**80.00%**
Burglary	8	5	24	33	**-27.27%**
Larceny	61	49	217	186	**16.67%**
Motor Vehicle Theft	3	3	14	16	**-12.50%**
TOTAL PART I	**75**	**61**	**265**	**245**	**8.16%**
TOTAL PART II	**142**	**133**	**529**	**473**	**11.84%**
TOTAL OFFENSES	**217**	**194**	**794**	**718**	**10.58%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	13	11	52	43	**20.93%**
D.W.I.	21	10	70	70	**0.00%**
TEEN CURFEW	1	1	4	2	**100.00%**
ARRESTS					
FELONY	21	11	67	64	**4.69%**
MISDEMEANOR	89	69	294	307	**-4.23%**
WARRANT ARREST	27	28	117	85	**37.65%**
JUVENILE	9	4	30	25	**20.00%**
TOTAL ARRESTS	**146**	**112**	**508**	**481**	**5.61%**
DISPATCH					
CALLS FOR SERVICE	1331	1436	5393	5302	**1.72%**
ACCIDENTS					
INJURY	13	7	42	43	**-2.33%**
(INJURIES)	15	7	55	59	**-6.78%**
NON-INJURY	47	34	173	148	**16.89%**
FATALITY	0	0	0	1	**-100.00%**
(FATALITIES)	0	0	0	1	**-100.00%**
TOTAL	**60**	**41**	**215**	**192**	**11.98%**
FALSE ALARMS					
RESIDENT ALARMS	48	77	237	267	**-11.24%**
BUSINESS ALARMS	99	121	442	367	**20.44%**
TOTAL FALSE ALARMS	**147**	**198**	**679**	**634**	**7.10%**
Estimated Lost Hours	**97.02**	**130.68**	**448.14**	**418.44**	**7.10%**
Estimated Cost	**$2,307.90**	**$3,108.60**	**$10,660.30**	**$9,953.80**	**7.10%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**3**
Arrests	**1**
Arrest Warrants	**0**
Search Warrants	**1**
Seized	
Heroin	54.8 g
Marijuana	2 oz
Tools	68

Rockwall Police Department
Dispatch and Response Times
April 2014

Police Department

	Average Response Time	
Priority 1		Number of Calls **96**
Call to Dispatch	0:00:25	
Call to Arrival	0:04:31	
% over 7 minutes	20%	

	Average Response Time	
Priority 2		Number of Calls **162**
Call to Dispatch	0:01:00	
Call to Arrival	0:07:14	
% over 7 minutes	39%	

	Average Response Time	
Priority 3		Number of Calls **7**
Call to Dispatch	0:00:11	
Call to Arrival	0:05:38	
% over 7 minutes	29%	

***Priority 4**	Number of Calls **1066**
****Priority 5**	Number of Calls

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

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

Fire Department

No FD dispatch overages

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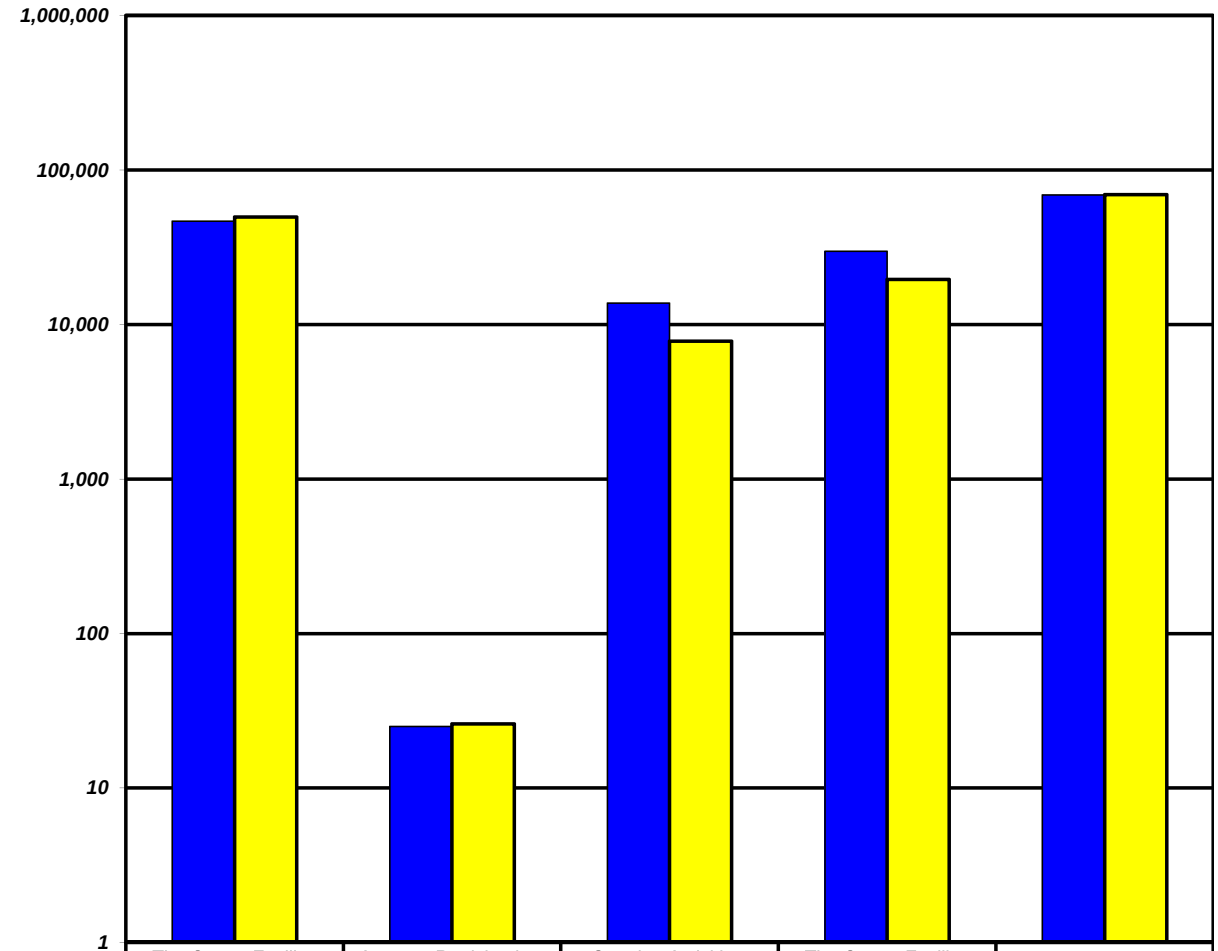
City of Rockwall
Parks and Recreation Department
FY14 April 2014



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY14 YTD	46,648	25	13,762	$29,778	$68,846
FY13 YTD	49,620	26	7,793	$19,627	$69,303

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

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
April 2014

DISPOSITION REPORT

	April
Intakes	182
1045	0
Adopted	82
Citizen Returned to Owner	0
Returned to Owner	52
Rescued	28
Euthanized	8
Live Outcome %	**95%**
Number of Animals in Foster	8

FINANCIAL REPORT

Income	**April**
City of Rockwall	$0
Adoption Fee Income	$7,625
Impound Fee Income	$1,420
Owner Surrender	$1,300
General Donations	$3,126
Merchandise Sales	$0
Medical	$312
Quarantine Fee	$400
Other Income	$0
Total Income	**$14,183**

Expenses	**April**
Administrative Expenses (Payroll, etc)	$31,186
Shelter Expenses (Microchips, Drugs, etc)	$6,960
Veterinary Expenses	$5,639
Professional Services	$0
Insurance	$0
Income Tax	$0
Total Expenses	**$43,785**
Balance	**-$29,602**

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City of Rockwall
The New Horizon

ROCKWALL CITY COUNCIL
ANNUAL RETREAT

June 12-14, 2014
Star Brand Ranch
1182 Star Brand Drive
Kaufman, Texas 75142

Thursday, June 12, 2014	
4:30 p.m.	Arrival / Appetizers
6:00 p.m.	Dinner
7:00 p.m.	Discussion regarding Detention / Retention

Friday, June 13, 2014 8:00 a.m.	**Saturday, June 14, 2014 8:30 a.m.**
Topics for Discussion	**Topics for Discussion**
Star Transit	Star Transit
PD-32 and The Harbor	PD-32 and The Harbor
Land / Open Space Dedication	Land / Open Space Dedication
Main Street / Downtown Plan	Main Street / Downtown Plan
City Charter, Rate Cases, Regulated Businesses	City Charter, Rate Cases, Regulated Businesses
Land Use / Comprehensive Plan	Land Use / Comprehensive Plan
Strategic Planning, Branding, and Citizen Survey	Strategic Planning, Branding, and Citizen Survey
Water (North TX Municipal Water District)	Water (North TX Municipal Water District)
Budget Priorities	Budget Priorities
Capital Improvement Projects and Planning	Capital Improvement Projects and Planning
City Manager's Work Plan	City Manager's Work Plan

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 9th day of June, 2014, at 5:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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

_____
Kristy Ashberry, City Secretary

_____
Date Notice Was Removed

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Emma Santoro, Life Saving Hero

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Juneteenth

- Proclamation 10
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Consider approval of the minutes from the June 2, 2014 city council meeting, and take any action necessary.

- 06/02/14 CC Mtg. Mins 12
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Consider approval of the award of the North Lakeshore Left Turn Lane construction contract to Bowman Construction in the amount of $64,295.50 to be funded from the Streets Division Operations Budget, and take any action necessary.

- City Manager Memo 22
- Bid Tabulations 23
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Appointment with Michael Turner to discuss and consider proposed changes to the city's Recreational Vehicle (RV) ordinance regulations, and take any action necessary.

- Turner Request 25
- Staff memo re Turner boat 29
- Boat Photo 31
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Z2014-012 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Master Plan, on behalf of Rockwall SH-205 Venture, LLC, for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger 5.549-acre tract of land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall County, Texas, generally located south of the intersection of the IH-30 frontage road and Townsend Drive, and take any action necessary. (1st Reading)

- Z2014-012 35
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Z2014-015 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Dennis D. Alsup for the approval of a Specific Use Permit (SUP) for an accessory building that does not conform to the size requirements as specified by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a property in a Single-Family 10 (SF-10) District on a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, zoned Single-Family 10 (SF-10) District, situated within the North Goliad Overlay (NGC OV) District, located at 921 Alamo Road, City of Rockwall, Rockwall County, Texas, and take any action necessary. (1st Reading) [Postponement Requested by Applicant]

Z2014-015 68

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Z2014-016 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Scott W. Blackwood for the approval of a zoning change from Agricultural (AG) District to a Planned Development District for limited commercial/retail land uses on a 12.493-acre tract of land identified as Tract 17-14 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, located west of the intersection of SH-205 [S. Goliad Street] and S. FM-549, and take any action necessary. (1st Reading) [Requires a 3/4 Majority Vote by the City Council for Approval]

Z2014-016 101

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Z2014-017 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Dick Skorburg of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan to allow for additional single-family residential lots and allow for changes to the development standards contained in Exhibit ‘C’ of Ordinance 12-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary. (1st Reading)

Z2014-017 127

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SP2014-008 - Discuss and consider a request by Ken Hill of NADC Architects, LLC on behalf of Heritage Buick, Pontiac, GMC, for the approval of a variance to the material requirements stipulated by Section 6.6, IH-30 Overlay (IH-30) District, of Article V, District Development Standards, of the Unified Development Code for a 5.285-acre parcel of land identified as Lot 1, Block 1, Heritage BPG Addition, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located at 930 E. IH-30, City of Rockwall, Rockwall County, Texas, and take any action necessary. [Requires a 3/4 Majority Vote by the City Council for Approval]

SP2014-008 182

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SP2014-009 - Discuss and consider a request by Lori Stevens of Patriot PAWS for the approval of an exception to the exterior material requirements as stipulated by Section 4.1, General Commercial District Standards, of Article V, District Development Standards, of the Unified Development Code to allow for an addition to an existing facility, which is located on a 1.5304-acre parcel of land, being identified as Lot 4, Block A, Maverick Ranch Addition, zoned Commercial (C) District, and located at 254 Ranch Trail, City of Rockwall, Rockwall County, Texas, and take any action necessary.

SP2014-009 . . . 193

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Discuss and consider approval of an ordinance at the recommendation of the Airport Subcommittee to transfer the administrative and enforcement authority of zoning regulations for the Ralph M. Hall/Rockwall Municipal Airport from the Joint Airport Board to the Planning and Zoning Commission, and take any action necessary. (1st reading)

Memorandum . . . 200

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Discuss and consider a recommendation by the Airport Subcommittee to direct staff to forward the consideration of design guidelines and land use criteria for an Airport Overlay District (AP OV) District to the Planning and Zoning Commission, and take any action necessary.

Memorandum . . . 204

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AGENDA
ROCKWALL CITY COUNCIL
Monday, June 16, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

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

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).
3. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, June 16, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

VII. PROCLAMATIONS / AWARDS

p.8 **1.** Emma Santoro, Life Saving Hero
p.10 **2.** Juneteenth

VIII. CONSENT AGENDA

p.12 **1.** Consider approval of the minutes from the June 2, 2014 city council meeting, and take any action necessary.

p.22 **2.** Consider approval of the award of the North Lakeshore Left Turn Lane construction contract to Bowman Construction in the amount of $64,295.50 to be funded from the Streets Division Operations Budget, and take any action necessary.

IX. APPOINTMENTS

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

p.25 **2.** Appointment with Michael Turner to discuss and consider proposed changes to the city's Recreational Vehicle (RV) ordinance regulations, and take any action necessary.

X. PUBLIC HEARING ITEMS

p.35 **1.** **Z2014-012** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Master Plan, on behalf of Rockwall SH-205 Venture, LLC, for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger 5.549-acre tract of land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall County, Texas, generally located south of the intersection of the IH-30 frontage road and Townsend Drive, and take any action necessary. **(1st Reading)**

p.68 **2.** **Z2014-015** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Dennis D. Alsup for the approval of a Specific Use Permit (SUP) for an accessory building that does not conform to the size requirements as specified by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a property in a Single-Family 10 (SF-10) District on a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, zoned Single-Family 10 (SF-10) District, situated within the North Goliad Overlay (NGC OV) District, located at 921 Alamo Road, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(1st Reading) (Postponement requested by applicant)**

p.101 **3.** **Z2014-016** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Scott W. Blackwood for the approval of a zoning change from Agricultural (AG) District to a Planned Development District for limited commercial/retail land uses on a 12.493-acre tract of land identified as Tract 17-14 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, located west of the intersection of SH-205 [S. Goliad Street] and S. FM-549, and take any action necessary. **(1st Reading) [Requires a 3/4 Majority Vote by the City Council for Approval]**

p.127 **4.** **Z2014-017** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Dick Skorburg of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan to allow for additional single-family residential lots and allow for changes to the development standards contained in Exhibit 'C' of Ordinance 12-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary. **(1st Reading)**

XI. SITE PLANS / PLATS

p.182 **1.** **SP2014-008** - Discuss and consider a request by Ken Hill of NADC Architects, LLC on behalf of Heritage Buick, Pontiac, GMC, for the approval of a variance to the material requirements stipulated by Section 6.6, IH-30 Overlay (IH-30) District, of Article V, District Development Standards, of the Unified Development Code for a 5.285-acre parcel of land identified as Lot 1, Block 1, Heritage BPG Addition, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located at 930 E. IH-30, City of Rockwall, Rockwall County, Texas, and take any action necessary. [Requires a 3/4 Majority Vote by the City Council for Approval]

p.193 **2.** **SP2014-009** - Discuss and consider a request by Lori Stevens of Patriot PAWS for the approval of an exception to the exterior material requirements as stipulated by Section 4.1, General Commercial District Standards, of Article V, District Development Standards, of the Unified Development Code to allow for an addition to an existing facility, which is located on a 1.5304-acre parcel of land, being identified as Lot 4, Block A, Maverick Ranch Addition, zoned Commercial (C) District, and located at 254 Ranch Trail, City of Rockwall, Rockwall County, Texas, and take any action necessary.

XII. ACTION ITEMS

p.200 **1.** Discuss and consider approval of an **ordinance** at the recommendation of the Airport Subcommittee to transfer the administrative and enforcement authority of zoning regulations for the Ralph M. Hall/Rockwall Municipal Airport from the Joint Airport Board to the Planning and Zoning Commission, and take any action necessary. **(1st reading)**

p.204 **2.** Discuss and consider a recommendation by the Airport Subcommittee to direct staff to forward the consideration of design guidelines and land use criteria for an Airport Overlay District (AP OV) District to the Planning and Zoning Commission, and take any action necessary.

XIII. EXECUTIVE SESSION

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

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3. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).

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

XV. ADJOURNMENT

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

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

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 11th day of June, 2014 at 5:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

Rockwall, Texas

Proclamation

Whereas, on June 1, 2014, Emma Santoro, who is eight, and her brothers, Noah, who is six years old and Ethan, who is eighteen months, were home with a babysitter and were playing in the backyard of their Rockwall home; and

Whereas, while the babysitter momentarily stepped inside the house, Ethan wandered over to the family swimming pool and fell in; and

Whereas, after hearing the water splash, big sister, Emma, immediately told Noah to go get the babysitter, and she jumped in to save her brother who was face down in the pool; and

Whereas, Emma demonstrated extraordinary courage and composure while rescuing her little brother; and

Whereas, to recognize her selfless act of bravery, the Rockwall Fire Department is awarding Emma the Civilian Medal of Honor Lifesaving Award, an honor presented to a civilian who, at great personal risk, is instrumental in saving another person through quick thinking and courage in an emergency.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim **EMMA SANTORO** as a **LIFESAVING HERO** in the City of Rockwall and encourage all citizens to recognize and applaud Emma for her extreme bravery and swift action which led to saving the life of her little brother, Ethan.

In Witness Whereof, I hereunto set my hand and official seal this 16th day of June, 2014.

David Sweet, Mayor

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Proclamation

Rockwall, Texas

Whereas, on June 19, 1865, Major General Gordon Granger landed at Galveston and issued a general order declaring the emancipation of slaves in Texas; and

Whereas, this date signifies the end of slavery in Texas and is a date different from the emancipation celebrations in other states; and

Whereas, celebrations commemorating this historic date have occurred since 1866 in the State of Texas; and

Whereas, African-American's cheerful celebrations reflect a rich and enduring culture, a benevolence for life, and a true understanding of liberty; and

Now, therefore I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim June 19, 2014, as

Juneteenth

in the City of Rockwall and encourage all citizens to recognize the significance of this day and join in the jubilation and celebration of this great event.

In Witness Whereof, I hereunto set my hand and seal this 16th day of June, 2014.

David Sweet, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, June 02, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 4:00 p.m. Present were Mayor David Sweet, Mayor Pro Tem Jim Pruitt, and Council Members David White, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Manager Mary Smith and City Attorney Frank Garza.

II. (4:00 P.M.) WORK SESSION

1. HOLD WORK SESSION TO DISCUSS AND CONSIDER WATER CONSERVATION PROGRAM, AND TAKE ANY ACTION NECESSARY.

City Manager Rick Crowley began discussion of this item, indicating that the North Texas Municipal Water District (NTMWD) has asked its member cities to institute once every two week watering. The City of Frisco will likely not go to once every two week watering like other NTMWD member cities plan to do, as Frisco continues to meet its conservation goals with utilizing once per week watering. We in Rockwall are achieving not only the 10% reduction goal, but also an additional 17-18% reduction in water usage compared to the baseline year utilized by NTMWD. Rockwall will continue with its a once every two week watering schedule and will educate residents on this schedule, including the need to turn off "automatic" settings on irrigation systems and to instead operate them manually. In the future, the city may educate residents on an assigned watering day (once every two weeks). The NTMWD is proposing an upcoming ten percent increase in water rates, a cost that will be charged to the member cities. Mr. Crowley spoke briefly about the top ten water users in the city, indicating that the city itself is the top user, and the school district and a local apartment complex are among the top ten. He indicated that the city and school district athletic fields are exempt from water conservation measures. Mr. Crowley indicated that during second tier conservation, as a user, the city would eliminate watering of medians and grass at city facilities. He stated that the City of Heath, Blackland Water Supply Corporation and the RCH Water Supply Corporation are all wholesale water customers of the City of Rockwall.

Mayor Pro Tem Pruitt is concerned about the NTMWD having increased water rates by thirty-one percent in the last three years and will be proposing an additional 10% cost increase. He is concerned they are using the recent Texoma project as a justification for continuing to increase their rates by 10-11% each year. In addition, he remains concerned about how these increases affect our city and our residents, as they are paying more for water but are not being able to use the water anyway. He does not feel it is fair for our city and our residents to be doing over and above what other member cities are doing regarding conservation while some of those other cities continue to do whatever they want to do. He would like the NTMWD to put some sort of enforcement mechanism(s) in place instead of making conservation 'voluntary' for member cities.

Mr. Crowley indicated that Plano is down by about 25-30% in water consumption, and lowered water usage and sales will be affecting many other cities' budgets as well. Plano, Richardson, and Garland will be designating days. Mesquite will allow customers to pick their watering day. Wylie will likely designate watering days. McKinney indicates on its website that it has made no changes from once per week watering on garbage pick-up days; however, perhaps they have not yet updated their website. Frisco is more than achieving its goal of ten percent reduction; however, it continues to allow once per week (instead of once every other week) watering.

Mr. Crowley generally indicated that the NTMWD is limited and does not have a lot of clout in instituting or enforcing penalty provisions for non-compliance associated with conservation; however, they could go to stage 4, which would mean no outside watering for anyone other than watering foundations. They could also go to an 'allocation' type system if member cities all refused to voluntarily comply with conservation measures ascribed by the District. That would mean our city would be allocated a certain amount of water daily, and once it ran out, there would be no more.

Councilmember Lewis expressed concern about compliance being voluntary with the NTMWD having no penalty or enforcement in place for member cities that choose to not comply. He suggested that we engage in some thinking outside the box. For example, perhaps have half the city water once per week for one month during the summer and have the other half of the city water once every other week during the same month, and then flip the schedule the next month.

Assistant City Manager Mary Smith indicated that the city down $1.3 million this year with regards to its water budget, in part due to an inability to sell water, which means we are not "going in the hole" - we are already "in the hole," so to speak. She went on to express that the city has continued to not fill empty staff positions and continues to make no non-critical enhancements or maintenance to the water system infrastructure.

Mr. Crowley indicated that our city is experiencing a great deal of hurt and financial burden due to the grim water / drought circumstances and outlook. He explained that our city will be meeting with representatives of the NTMWD next week, and expressed that we want to feel as though the NTMWD is joining us in this financial burden and hurt. Furthermore, if there are things they can do to avoid the potential cost hike in the coming year, we want them to do so; however, at the same time, we don't want them to do anything that it would inhibit their ability to produce water needed in the coming year.

At 4:25 p.m., Mayor Sweet read the below listed discussion items into the public record before recessing the public meeting into Executive Session.

III. (4:15 P.M.) EXECUTIVE SESSION.

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

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)

2. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).

3. Discussion regarding the terms and conditions of contract with Collin County Humane Society to operate the City's animal adoption center pursuant to Section 551.071 (Consultation with Attorney)

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

5. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:58 p.m.

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

Mayor Sweet reconvened the public meeting at 6:00 p.m. with all seven council members present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

The Council took no action as a result of Executive Session at this time.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MILDER

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

VIII. PROCLAMATIONS / AWARDS

1. Rockwall High School Academic Decathlon Champs Day

Mayor Sweet called the team forward to be recognized. After brief comments, Mayor Sweet read and presented a proclamation to the team sponsor and students to recognize them for achieving third place in the recent national championship competition.

2. Rockwall Homeschool Water Polo Team Day

Mayor Sweet called forth members of the water polo team. He then read and presented them with a proclamation, recognizing them for their accomplishments during the year.

IX. OPEN FORUM

Mayor Sweet explained how Open Forum is conducted and asked if anyone in the audience would like to come forth and speak during this time. There being no one indicating a desire to do so, Mayor Sweet then closed Open Forum.

Next, Mayor Sweet recessed the public meeting into Executives Session (at 6:12 p.m.) to discuss the following matter as authorized by Chapter 551 of the Texas Government Code:

> ***Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).***

Mayor Sweet called the meeting back to order at 6:25 p.m.

X. CONSENT AGENDA

1. Consider approval of the minutes from the May 19, 2014 regular city council meeting, and take any action necessary.

2. **Z2014-011** - Consider approval of **ordinance** for a request by Dewayne Cain, on behalf of the Cain Family Revocable Trust, for the approval of a zoning change from a Single Family 10 (SF-10) District to Planned Development District 53 (PD-53) for Residential-Office (RO) District uses and to amend the boundaries of Planned Development District 53 (PD-53) [Ordinance No. 02-33] for a 0.651-acre parcel of land identified as Lot 3, Block A, Lee Rhoades Subdivision, City of Rockwall, Rockwall County, Texas, addressed as 1002 Ridge Road, and take any action necessary **(2nd Reading)**.

3. **P2014-012** - Consider a request by Terrence Rowe of Double T. Ventures, LLC for the approval of a replat for Lot 1, Block A, Double T. Ventures Addition being one (1) lot currently identified as a portion of Lot 24, Amick Addition, zoned Planned Development District 50 (PD-50), located at 807 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

4. Consider approval of a resolution allowing a temporary, partial closure of FM 740 from Summer Lee Drive to the south City limits to facilitate the U.S. Open Triathlon on Sunday, October 12, 2014 from 7:00 AM to 1:00 PM, and take any action necessary.

Mayor Pro Tem Pruitt pulled item #1. Councilmember Daniels pulled item #4.

Councilmember White made a motion to approve the remaining Consent Agenda items (# 2 and #3). Councilmember Daniels seconded the motion. The ordinance for #2 was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 53 (PD-53) [*ORDINANCE NO. 02-33*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM A SINGLE FAMILY 10 (SF-10) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 53 (PD-53) AND TO AMEND THE

BOUNDARIES OF PLANNED DEVELOPMENT DISTRICT 53 (PD-53) AS ESTABLISHED IN ORDINANCE 02-33 TO INCLUDE A 0.651-ACRE PARCEL OF LAND IDENTIFIED AS LOT 3, BLOCK A, LEE RHOADES SUBDIVISION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS [*1002 RIDGE ROAD*] AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

After the ordinance was read, the motion passed by a vote of 7 ayes to 0 nays.

Mayor Pro Tem Pruitt made a motion to approve the May 19, 2014 minutes contingent upon them reflecting the actual wording of the approved motion that was made pertaining to the Harbor Heights Planned Development amendment. Councilmember White seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

Councilmember Daniels pulled item #4, indicating he supports this effort. However, he would like staff to briefly explain the difference between the upcoming triathlon and the one last year, and he would like some assurances that staff will have proper control and monitoring of the event. Tim Tumulty, City Engineer, briefly explained some differences related to the route, explaining that a portion of the route will go into the City of Heath this year. Also, it will be held the second weekend in October (10/12/14), versus the first weekend in October. Mr. Tumulty went on to explain that this resolution is necessary to seek permission from TXDOT regarding necessary, temporary lane closures. Assistant Chief Riggs of the Rockwall PD indicated that police staff will be able to be reduced to 75 (versus 120 in past years), staff will be meeting with the City of Heath, and the PD is overall satisfied with this proposed route, believing it will be a better route for our staff and our citizens. Councilmember Daniels urged staff to ensure that advanced communication with the public regarding the event takes place and is sufficient.

Councilmember Daniels made a motion to approve Consent Agenda item #4. Councilmember Milder seconded the motion, which passed unanimously.

Mayor Sweet then reordered the agenda, asking if there was any action to be taken as a result of Executive Session. Mayor Pro Tem Pruitt made a motion that JBR2, by June 18, 2014, shall submit a plan of a new realignment of the location of the garage or a design that the current alignment is workable and, if such plan is acceptable to the city council, then JBR2 shall be granted an extension for the commencement of construction of the garage until June 18, 2015. Councilmember Milder seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

XI. APPOINTMENTS

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

Mr. John McCutcheon of the Planning & Zoning Commission came forth and briefed the council on MIS2014-007, indicating that the P&Z Commission unanimously recommended approval of this item. No action was taken.

2. Appointment with Rob Dixon of Hill & Wilkinson, General Contractors to hear and discuss a progress update of the Downtown Rockwall Improvement Project, and take any action necessary.

Mr. Dixon came forth and briefed the council on the progress of the downtown improvements project. Mr. Dixon indicated that Phase I is almost complete, and Phase II is expected to begin in the next couple of weeks. He estimated that July to September of 2015 should be the overall completion date for the project (about a year-and-a-half). Also, they will plan to be out of the immediate downtown area during the 2014 holiday shopping season. Mr. Crowley indicated that the County Commissioners Court has tentatively agreed to place funding in the upcoming budget to cover costs associated with redoing their sidewalk and their parking area as the city has requested. After brief discussion, no action was taken related to this agenda item.

XII. ACTION ITEMS

1. **Z2014-014** - Discuss and consider approval of **ordinance** for a request by Brad Fenton of Fenton Motor Group, on behalf of Cambridge Companies Inc., for approval of a Specific Use Permit (SUP) to allow for a new car dealership being a 4.08-acre tract of land located in the J. LOCKHART SURVEY, Abstract No.134, being a portion of that certain tract of land described in deed to the Cambridge Companies, Inc. as recorded in Volume 101, Page 795 of the Deed Records of Rockwall County, Texas and zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the 205 By-Pass Corridor Overlay (205 BY-OV) District and generally located on the southeast corner of John King Boulevard and IH-30, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(2nd Reading)**

Councilmember White made a motion to approve Z2014-014. Councilmember Lewis seconded the motion. Councilmember Townsend affirmed with staff that there will in fact be pre-owned car sales at this "new" Nissan dealership. Councilmember Milder expressed general concern about prime IH-30 corridor real estate being occupied by numerous car dealerships. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-24
SUP NO. 120

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "MOTOR VEHICLE DEALERSHIP, NEW" ON A 4.08-ACRE TRACT OF LAND LOCATED IN THE J. LOCKHART SURVEY, ABSTRACT NO. 134 AND BEING THAT CERTAIN TRACT OF LAND DESCRIBED IN A DEED TO THE CAMBRIDGE COMPANIES, INC. AS RECORDED IN VOLUME 101, PAGE 795 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 in favor with one against (Milder).

2. **MIS2014-007** - Discuss and consider a request by the Josh Houser for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, General Residential District Standards, of Article V, District Development Standards, of the Unified Development Code, for a 0.24-acre parcel of land identified as Lot 11, Block A, Chandler's Landing, Phase 19, zoned Planned Development District 8 (PD-8), located at 105 Weatherly Circle, City of Rockwall, Rockwall County, Texas, and take any action necessary.

Mr. Ryan Miller, Planning Manager, indicated that the applicant is wanting to utilize up to 62% stucco (as opposed to the allowable amount, which is up to 50%), and would like to have the remainder be stone veneer. The Planning & Zoning Commission did recommend approval of this item by a vote of 5 to 0, and the Chandler's Landing HOA submitted a letter stating they have no opposition to the request. Councilmember Lewis made a motion to approve MIS2014-007. Councilmember White seconded the motion.

Councilmember Milder expressed concern about so many variances coming before the city council related to the Unified Development Code. He generally questioned why we have a code if we are not adhering to it. He suggested that the Architectural Review Board may be able to be involved in the process related to such variances.

After brief comments, the motion passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider water conservation program, and take any action necessary.

City Manager Rick Crowley indicated that the board of directors of the North TX Municipal Water District (NTMWD) has extended its recommendation through the end of the summer for once every other week watering for its member cities and their residents. Despite recent rains in the last month or so, the water surface elevations in water supply reservoirs have only changed by a number of inches, rather than feet. Lavon, our city's water source, remains 'down' in excess of eleven feet. Rockwall has achieved its ten percent water reduction plus an additional seventeen percent reduction beyond that. The NTMWD is hoping its member cities will achieve an additional fifteen to twenty percent reduction in water usage throughout this summer. The city will be communicating with our citizens in the month of June to educate them and encourage them to conserve even more, including asking them to turn off automatic sprinkler systems and operate them manually instead. The city will visit with its top ten water users to educate them on the importance of water conservation and see if there are additional steps that can be taken towards achieving more conservation. There may be a need to assign watering days in the future if doing so becomes necessary to achieve conservation goals. Mr. Crowley indicated that existing staff will be monitoring things like water running down sidewalks and streets. He mentioned that the city itself, as well as the school district, is among the top ten water users. Regarding shrubs and new plantings, residents and businesses currently have thirty days to water these; however, depending on the water situation, council may be asked to revisit this issue.

Mrs. Smith commented that reduced water sales on the part of the City have resulted in negative impacts to the city's fund balance in the water and sewer fund. Raising rates by ten percent this past January did have somewhat of an impact on the revenue stream; however, residents have done a tremendous job conserving water. An additional rate

increase is expected to be proposed by the NTMWD board next year as well. We expect that with the conservation our residents have done, the city will miss sales projections by about $1.3 million dollars, which will exhaust the fund and any reserves. The Water and Sewer Fund will need to be supplemented with some assistance from the General Fund. We have frozen some positions and have proceeded to not make any "non-critical" or major system repairs, but some assistance from General Fund reserves is anticipated in the future.

Mayor Pro Tem Pruitt indicated that in the last three years, NTMWD has increased rates by over 30%, and these increases have been passed along to and realized by our Rockwall residents and customers. We have a "can't take but will pay" contract with the District. Until which time as the District implements 'punishment provisions' for other member cities who do not 'voluntarily' comply with the conservation measures suggested by NTMWD, he does not feel inclined to have our city customers comply. He further indicated that our citizens are funding the other cities who continue to not choose to. Councilmember Lewis indicated general agreement with Mayor Pro Tem Pruitt's sentiments regarding our city not complying if other member cities are not made to comply.

Mr. Crowley indicated that two member cities have not adopted the once-every-two week watering schedule as recommended by the NTMWD board. One of those two cities is in compliance with the ten percent reduction goal, but the other city is not in compliance.

Councilmember White suggested that he does not agree with the City of Rockwall not complying with the conservation plan because, if every city chose to not adhere to the plan, there would be no water. He does believe Rockwall should send a letter to the NTMWD board to encourage them to implement strong penalty provisions for member cities that do not follow the conservation plan requested by the NTMWD.

Councilmember Milder suggested he believes we should remain in compliance with the requested ten percent water reduction; however, he does not feel our city should be an "over achiever" with regards to reduction in water usage.

No action was taken related to this agenda item at this time.

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

1. Departmental Reports
Building Inspections Monthly Report - April 2014
Finance Department Monthly Report - April 2014
Fire Department Monthly Report - April 2014
Harbor PD Monthly Report - April 2014
Internal Operations Department Monthly Report for April 2014
Police Department Monthly Report - April 2014
Recreation Monthly Report - April 2014
Rockwall Animal Adoption Center Monthly Report - April 2014

2. City Manager's Report

Mr. Crowley indicated that a draft agenda for the upcoming Council / Staff retreat will be provided to council in the next day or so.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).
3. Discussion regarding the terms and conditions of contract with Collin County Humane Society to operate the City's animal adoption center pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
5. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The Council did not reconvene in Executive Session following the close of the public meeting. See line 231 for action taken as a result of earlier Executive Session.

XVI. ADJOURNMENT

The meeting was adjourned at 7:06 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 16th day of June, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **June 6, 2014**

SUBJECT: **Construction Contract Award – N Lakeshore Left Turn Lane**

Background:
North Lakeshore Drive at East Fork Drive has been identified for improvements because the existing turn lane layout does not allow for a left turn on to East Fork Drive. The project will improve traffic flow patterns on North Lakeshore Drive by allowing access to and from East Fork Drive. The project consists of 389 square yards of 10" concrete pavement and 2 concrete median noses.

The City received and opened bids on April 10, 2014 and are as follows:

1.	Bowman Construction	$64,295.50
2.	Camino Construction	$74,502.00
3.	Quality Excavation	$89,161.00
4.	XIT Paving	$91,154.00
5.	Pavecon	$95,609.50

Bowman Construction has experience on projects within the City and demonstrates the resources to adequately complete a roadway modification project.

Financial Implications:
Funding for this project is available in the Street Maintenance General Operating Fund.

Action Desired/Recommendation:
Staff recommends Council consideration to approve the award of the North Lakeshore Left Turn Lane construction contract to Bowman Construction, in the amount of $64,295.50.

TMT: km
Attachments

Cc: **Mary Smith, Assistant City Manager**
Billy Chaffin, Streets and Drainage Department Superintendent
Amy Williams, Assistant City Engineer
Kathleen Moreno, Civil Engineer
File, CIP2013-021

TABULATION OF BIDS

Date: April 10, 2014

Project: North Lakeshore Left Turn Lane

CIP2013-021

City of Rockwall

Item No.	Approximate Quantities	Unit	Description	BID OF Jim Bowman Construction 2716 S Rigsbee Dr Plano, TX 75074		BID OF Camino Construction 1208 Metro Park Lewisville, TX 75057		BID OF Quality Excavation 5700 Hwy 377 Aubrey, TX 76227		BID OF XIT Paving 3934 S Hwy 287 Waxahachie, TX 75165		BID OF Pavecon PO Box 535457 Grand Prairie, TX 75053	
				Unit Bid Price	Extension	Unit Bid Price	Extension	Unit Bid Price	Extension	Unit Bid Price	Extension	Unit Bid Price	Extension
100	155	C.Y.	Unclassified Street Excavation	$15.00	$ 2,325.00	$25.00	$ 3,875.00	$45.00	$ 6,975.00	$25.00	$ 3,875.00	$59.00	$ 9,145.00
101	436	L.F.	Full Depth Sawcut	$2.00	$ 872.00	$5.00	$ 2,180.00	$3.00	$ 1,308.00	$3.00	$ 1,308.00	$3.00	$ 1,308.00
102	430	L.F.	Remove Existing Curb & Gutter	$7.00	$ 3,010.00	$8.00	$ 3,440.00	$6.50	$ 2,795.00	$12.00	$ 5,160.00	$7.85	$ 3,375.50
103	72	S.Y.	Remove & Salvage Existing Median Pavers	$25.00	$ 1,800.00	$28.00	$ 2,016.00	$30.00	$ 2,160.00	$15.00	$ 1,080.00	$56.00	$ 4,032.00
104	389	S.Y.	Construct 10" (4,200 PSI) Concrete Pavement w/Mono. Curb	$70.50	$ 27,424.50	$85.00	$ 33,065.00	$78.00	$ 30,342.00	$75.00	$ 29,175.00	$96.00	$ 37,344.00
105	1	Ea.	Construct Monolithic Median Nose	$1,200.00	$ 1,200.00	$1,500.00	$ 1,500.00	$3,000.00	$ 3,000.00	$2,200.00	$ 2,200.00	$500.00	$ 500.00
106	1	Ea.	Construct Median Nose	$2,800.00	$ 2,800.00	$1,500.00	$ 1,500.00	$4,000.00	$ 4,000.00	$2,500.00	$ 2,500.00	$2,800.00	$ 2,800.00
107	163	S.Y.	Construct Median Brick Pavers on 6" Concrete Base	$90.00	$ 14,670.00	$90.00	$ 14,670.00	$140.00	$ 22,820.00	$92.00	$ 14,996.00	$132.00	$ 21,516.00
108	436	L.F.	Install Longitudinal Butt Joint	$4.00	$ 1,744.00	$6.00	$ 2,616.00	$7.25	$ 3,161.00	$10.00	$ 4,360.00	$10.25	$ 4,469.00
109	20	S.Y.	Install Block Sodding	$10.00	$ 200.00	$7.00	$ 140.00	$25.00	$ 500.00	$25.00	$ 500.00	$26.00	$ 520.00
110	1	L.S.	Install and Maintain Traffic Control	$8,000.00	$ 8,000.00	$5,000.00	$ 5,000.00	$3,000.00	$ 3,000.00	$10,000.00	$ 10,000.00	$3,100.00	$ 3,100.00
111	1	L.S.	Preparation of ROW	$250.00	$ 250.00	$4,500.00	$ 4,500.00	$9,100.00	$ 9,100.00	$16,000.00	$ 16,000.00	$7,500.00	$ 7,500.00
			TOTAL AMOUNT BID (Items 100 Through 111)		$ 64,295.50		$ 74,502.00		$ 89,161.00		$ 91,154.00		$ 95,609.50

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Ashberry, Kristy

From: on behalf of Michael Turner
Sent: Wednesday, June 11, 2014 12:44 AM
To: Ashberry, Kristy
Subject: Request for Placement on Agenda Next City Council Meeting

Although Code Enforcement has been extremely flexible in this regard, there seems to be some ambiguity with a "common sense" approach on whether or not to issue a citation when dealing with loading and unloading of a recreational vehicle such as a boat or RV. The ordinance as it stands, does not allow for any parking of such vehicle longer than " a. The oversized vehicle or utility trailer is being used in the loading or delivery of passengers or goods within a residential zone and only for **such period of time as is actually necessary to accomplish such loading or delivery;"**

The issue is two fold, a property owners perception of what is actually necessary, their neighbors, and code enforcements are all subject to one anothers perceptions, there are no guidelines here that clearly dictate a length of time that is put forth clearly and in black and white. This is an issue when a neighbor calls because an hour is too long for them, code enforcement may think four hours is enough, however as a boat or RV owner we deal with storage issues and other pertinent details that do not always allow us a safe place to immediately store a boat or RV. This is exasperated when boats are frequently used during the weekends. Here is a scenario that is extremely likely and difficult to overcome:

Boat is removed from storage by property owner, boat is temporarily placed at home on a Friday, then said boat is used for the weekend. However most storage units have scheduled times or days they may be closed. Therefore you are forced to find a temporary place or drastically shorten your recreation period in order to meet open and closings that our out of your control. Boat returns, unloaded, cleaned, and then ready to return on the next available opened day for storage. Boats also require water sources and electric for other common upkeep of a boat, typically not offered by a boat and rv storage facility.

To myself, as the property owner, my perception says this is reasonable, however this may go against a homeowner who never has owned a boat and RV and lacks the knowledge of what it entails. Where is the line drawn?

Rockwall City ordinances have drawn a line in **Sec. 4.1. - Lots less than five acres.**
Please refer to the bold areas....

C. Storage of vehicles. On lots less than five acres, motor homes, camper cabins, non-street legal motorcycles (including all-terrain vehicles, dirt or motocross bikes, or similar type vehicles) boats, farm machinery, or similar equipment, excluding golf carts, shall not be parked or stored on any residential or agricultural lot or the adjacent street except when in conformance with the following provisions:
1. Such equipment shall be located beside or behind the primary structure and back from the nearest corner of the front facade of the house a minimum of ten feet, (if such equipment is six feet or less in height, the ten-foot minimum setback shall not apply); and
2. On lots less than 1.5 acres, such equipment shall be screened from view of public street rights-of-way with a minimum six-foot solid fence or equivalent landscaping; and

3. On lots less than 1.5 acres, equipment taller than eight feet above grade shall respect a three-foot setback from all side and rear property lines; and
4. If located on a lot which is less than 1.5 acres, it shall be parked on an approved surface of concrete, asphalt or stabilized gravel.
5. Property owners with recreational vehicles over eight feet in height who were in compliance with the City of Rockwall zoning ordinance (Ord. No. 83-23) prior to the adoption of this Unified Development Code (Ord. No. 04-38) on June 7, 2004, and who file an affidavit with the building official no later than April 1, 2005, shall register their property for "exception status" to the storage requirements for recreational vehicles over eight feet in height. However, no recreational vehicle of any height shall be allowed to be stored in front of any portion of the facade of the primary residential structure, including lots with two frontages, and shall not encroach into the minimum three-foot setback from all side and rear property lines, as required in this section.
(Ord. No. 05-06, 2-7-2005; Ord. No. 08-23, 5-5-2008)
D. Loading and unloading. Notwithstanding other requirements of this section, such equipment may be parked anywhere on a residential, agricultural or commercial premises not to exceed 48 hours for the purpose of loading and unloading only.
E. Living or sleeping. No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on any lot not approved for such purposes.

However, even though I may pay the same property taxes as another resident, that resident may enjoy a bigger lot, or maybe an easier entry way that allows for temporary storage of a boat on their property. I do not have this luxury, as any storage of a boat on my property would be a great eye sore in the community. However, you will notice that Rockwall City has created a precedence in previous ordinances by essentially claiming that 48 hours is understandable for loading and unloading purposes only. Surely the spirit of the law was to allow residents the opportunity to load and unload their vehicles and this meets the common sense test.

If loading and unloading is already deemed acceptable and the line has been drawn at 48 hours, why can't the same be done for boats temporarily parked on the street for loading and unloading purposes. This allows for an appropriate amount of time for property owners to return their vehicles to storage, and allows all parties involved to have a clear line drawn on when a violation occurs. Frivolous complaints can be rebutted as so, property owners will alleviate themselves of the discomfort of knowing exactly at what time a violation can occur and not worry that its possible a city representative may not see eye to eye, this eliminates the clouding of the complaint system and calls for code enforcement, and clears up code enforcements interpretation and they can be comfortable when making a citation that its clearly a violation.

Rockwall boast itself as a city that prides itself in recreational activities. We live on a lake, it is a big part of this community and is attractive to homeowners like myself, however this particular ordinance seems to go against the core values of the city and really makes it unfriendly for recreational vehicle usage.

I have not been cited for these instances to date, however I am in constant fear that I could at any time be considered a target and my entire defense would be my reality against a code enforcement officers. And this seems extremely unfair. I am proposing that the 48 hour rule be expanded to recreational vehicle parking in residential areas, in the vicinity of the property owners residence. This will draw a clear line of when a violation occurs, and settle a vague calculation for everyone involved.

I would like to be placed on the agenda at the next city council meeting for the following:

I am proposing that the 48 hour rule be expanded to recreational vehicle parking in residential areas, in the vicinity of the property owners residence. This will draw a clear line of when a violation occurs, and settle a vague calculation for everyone involved.

Sec. 26-507. Parking oversized and recreational vehicles in residential areas.

(a)

Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Oversized vehicle.

(1) The term "oversized vehicle" means a tow truck (wrecker), truck tractor, road tractor, semitrailer (whether or not attached to a truck tractor or a road tractor), dump truck, bus, and passenger motor vehicle designed to carry more than 16 persons (including the driver), any vehicle greater than 23 feet in length, or any truck with a rated capacity in excess on 1½ tons, according to the manufacturer's classification.

(2) The term "oversized vehicle" does not include any motor vehicle owned or operated by a governmental entity.

Residential zone means any property zoned single-family, duplex, multifamily or planned development for single-family, duplex or multifamily uses. The term "residential zone" includes both private and public property within such zoning districts.

Utility trailer means an enclosed or open cargo trailer designed for the transportation of a variety of products, goods, equipment, livestock or vehicles.

Vehicle for recreational use means a motor vehicle designed as temporary living quarters for recreational travel or vacation use, a boat or personal watercraft, and a motorcycle or all-terrain vehicle designed or equipped only for off-road use. The term "vehicle for recreational use" includes a travel trailer, camping trailer, truck camper, motor home, trailers used to carry boats, personal watercraft, motorcycles and all-terrain vehicles.

(b) *Penalty.* Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction be subject to a fine in accordance with general provision section 1-13.

(c) *Parking oversized vehicles and utility trailers in residential zones.*

(1) A person commits an offense if the person parks or stands or allows the parking or standing of an oversized vehicle at any place within a residential zone.

(2) A person commits an offense if the person parks or stands or allows the parking or standing of a utility trailer at any place within a residential zone, unless it meets the following screening requirements:

a. Such equipment shall be located beside or behind the primary structure and back from the nearest corner of the front facade of the house a minimum of ten feet (if such equipment is six feet or less in height, the ten-foot minimum setback shall not apply);

b. On lots less than 1½ acres; it shall be screened from view of public street rights-of-way with a minimum six-foot solid fence or equivalent landscaping; and

c. If located on a lot which is less than 1½ acres, it shall be parked on an approved surface of concrete, asphalt or stabilized gravel.

(3) It shall be an affirmative defense to prosecution under this section that, at the time of the offense:

a. The oversized vehicle or utility trailer is being used in the loading or delivery of passengers or goods within a residential zone and only for such period of time as is actually necessary to accomplish such loading or delivery;

b. The oversized vehicle or utility trailer is being used in the repair or construction of a public utility or for construction activities; or

c. The oversized vehicle is associated with a service person performing work at a residence, other than the service person's residence.

(d) ***Parking recreational vehicles on public property in residential zones.*** **A person commits an offense if the person parks or stands or allows the parking or standing of a recreational vehicle on public property within a residential zone FOR OVER 48 HOURS.**

Thanks, and please confirm receipt and scheduling of request.

miketurner
chief**executive**

www.theavenue.co

AVENUE REALTY
2919 Commerce Street | Suite 300 | Dallas | Texas | 75226
A Boutique Real Estate Firm

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Cliff Griffin, Neighborhood Improvement Services Supervisor**

DATE: **06/16/2014**

SUBJECT: **Council appointment with Michael Turner concerning parking boats on public streets.**

Mr. Michael Turner, who resides at 925 Mont Cascades in The Shores, has requested an appointment with the City Council to request the Council to amend the ordinance regarding the parking of residential vehicles on public property within a residential zone. Mr. Turner wants to ask for an amendment that will allow a time limit for a recreational vehicle to be parked on the public street.

I issued a citation to Mr. Turner on Tuesday, June 10, 2014 for having a pontoon boat parked on the street in the 900 block of Mont Cascades. I received a complaint at 2:00 PM on Monday that the pontoon boat was parked in the street and causing visibility problems. This was not the first complaint we have received on this particular boat. I drove by there on Monday afternoon and saw the boat, but did not take any action at that time. I planned to wait until Tuesday morning to see if it might possibly be gone, but when I drove by there at 10:30 AM on Tuesday, it was still there. While I was parked behind the boat, 4 different residents from the neighborhood walked over to my car and voiced their concerns about the boat always being parked there on the street. One of them told me they were considering placing their house for sale because the boat has been parked there on numerous occasions.

After I finished talking to the neighbors, Mr. Turner walked outside and came over to where I was standing. I let him know this was not the first time we had addressed the boat being parked on the street, and that I had received 4 additional complaints while I was sitting there in my car. He told me the truck that they hauled the boat with had broken down and they could not get it moved until the truck was fixed. I explained to him that due to the previous complaints we received about the boat being parked on the street and the fact the Code Officer Laura Morales had previously spoke to him concerning the violation, I was going to go ahead and issue him a citation. Once I informed him of my intent to issue a citation, he claimed the boat was not his, but that he knew the owner. I told him I needed to issue the citation anyway and I asked him for his drivers license. He told me he did not have a drivers license, so I told him I needed to see some other kind of identification. He refused to give me anything. I informed him

that I was going to have to call the police for assistance in getting him to produce an ID for me. I told him I was going to get my phone from the car and call the Police Department.

As I reached in the car to get my phone to call Police Dispatch, he got in his car and drove away. Since he did not furnish identification to me, I used LexisNexis to obtain his date of birth and drivers license number to use on the citation. I left the citation attached to the boat with a zip tie cord. Later that morning he sent me an email and accused me of wrongdoing by issuing him a citation for a boat that was not his. I then received an email and phone call from the “owner” of the boat, whose name is also not yet on the boat registration, and who happens to be an employee of Mr. Turner. He said he would claim full responsibility for the boat and that the ticket should be issued to him. Because of this action by Mr. Sams, I agreed to void the citation for Mr. Turner, which I did, since I had not turned it in to Municipal Court yet.

Mr. Sams then told me that he and Mr. Turner had already discussed approaching the Council with Mr. Turner’s wife, who according to Mr. Sams, is a member of the District Attorney’s office. They planned to ask the Council to establish some kind of time frame for a recreational vehicle to be legally parked in the street.

Currently, the ordinance states that it is a violation to park a recreational vehicle on public property anywhere within a residential zone. Our department practice is to exercise discretion with this ordinance and work with residents as much as possible. When it gets to a point where there is a continual violation, that is when we may issue a citation. I have included a picture of the pontoon boat and the appropriate section of the Code of Ordinances.



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Sec. 26-507. Parking oversized and recreational vehicles in residential areas.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Oversized vehicle.

(1) The term "oversized vehicle" means a tow truck (wrecker), truck tractor, road tractor, semitrailer (whether or not attached to a truck tractor or a road tractor), dump truck, bus, and passenger motor vehicle designed to carry more than 16 persons (including the driver), any vehicle greater than 23 feet in length, or any truck with a rated capacity in excess on 1½ tons, according to the manufacturer's classification.

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(b) *Penalty.* Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction be subject to a fine in accordance with general provision section 1-13.

(c) *Parking oversized vehicles and utility trailers in residential zones.*

(1) A person commits an offense if the person parks or stands or allows the parking or standing of an oversized vehicle at any place within a residential zone.

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b. On lots less than 1½ acres; it shall be screened from view of public street rights-of-way with a minimum six-foot solid fence or equivalent landscaping; and

c. If located on a lot which is less than 1½ acres, it shall be parked on an approved surface of concrete, asphalt or stabilized gravel.

(3) It shall be an affirmative defense to prosecution under this section that, at the time of the offense:

a. The oversized vehicle or utility trailer is being used in the loading or delivery of passengers or goods within a residential zone and only for such period of time as is actually necessary to accomplish such loading or delivery;

b. The oversized vehicle or utility trailer is being used in the repair or construction of a public utility or for construction activities; or

c. The oversized vehicle is associated with a service person performing work at a residence, other than the service person's residence.

(d) *Parking recreational vehicles on public property in residential zones.* A person commits an offense if the person parks or stands or allows the parking or standing of a recreational vehicle on public property within a residential zone.

(Code 1982, § 16-230; Ord. of 4-1-1968, § II; Ord. No. 08-17, §§ 1, 2, 3-3-2008)

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 06/16/2014

APPLICANT: Maxwell Fisher; *Masterplan Consulting*

AGENDA ITEM: **Z2014-012**; Platinum Self-Storage (SUP)

SUMMARY:

Hold a public hearing to discuss and consider a request by Masterplan Consulting, on behalf of Rockwall SH-205 Venture, LLC, for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger 5.549-acre tract of land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall County, Texas, generally located south of the intersection of the IH-30 frontage road and Townsend Drive, and take any action necessary.

PURPOSE OF REQUEST:

According to the *Permissible Use Charts* located in Article 4, *Permissible Uses*, of the Unified Development Code (UDC) a mini-warehouse facility requires a Specific Use Permit (SUP) within a Commercial (C) District. In conformance with this requirement the applicant, *Masterplan Consulting*, submitted an application on April 18, 2014 requesting an SUP on a 2.857-acre portion of a larger 5.549-acre tract of vacant land zoned Commercial (C) District. The subject property is located behind Shenaniganz Entertainment Center and Toyota of Rockwall, and is south of the intersection of IH-30 and T. L. Townsend Drive.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is the remainder of the 5.549-acre tract of land (*i.e. 2.692-acre tract of land*) followed by a three (3) acre tract of land containing a City of Rockwall water storage facility, Shenaniganz Entertainment Center (*five [5] acres*), and Toyota of Rockwall (*11.26-acres*). Both Shenaniganz and Toyota of Rockwall are zoned Light Industrial (LI) District and the remainder of the properties are zoned Commercial (C) District.

South: Directly south of the subject property is a 20.29-acre parcel of land, zoned Commercial (C) District, and developed with a Costco Wholesale Center. Beyond this use is SH-276.

East: Directly east of the subject property is a tributary of Buffalo Creek containing several acres of 100-year floodplain and a conservation and drainage easement. East of this is the Townsend Village Subdivision, which contains 77 residential lots on 27.689-acres of land and is zoned Planned Development District 10 (PD-10).

West: Directly west of the subject property is the remainder of the Toyota of Rockwall property, which is zoned Light Industrial (LI) District. Beyond this is Interstate Highway 30 (IH-30).

CHARACTERISTICS OF REQUEST:

The applicant has submitted a conceptual site plan, building elevations and landscape plans detailing the anticipated layout of the proposed mini-warehouse facility. According to the conceptual site plan the proposed facility will be composed of one (1) building with a capacity of 579 storage units and be situated on a 2.857-acre tract of land. The subject property is located between three (3) large developments (*i.e. CostCo Wholesale Center, Shenaniganz and Toyota of Rockwall*) along the northern and western property lines and adjacent to floodplain containing dense vegetation protected by a conservation easement along the eastern property line. The site is visibly shielded from all public rights-of-way and will not have frontage on to a public street. The site is accessible by two cross access easements that [1] extend from T. L. Townsend Drive on to the City of Rockwall's water storage facility's' property and [2] from SH-276 onto CostCo Wholesale Center's property. If this Specific Use Permit (SUP) request is approved the applicant will be required to connect the two (2) cross access easements as generally shown on the concept site plan. Additionally, if approved the City Council will in effect be granting a variance to the minimum lot frontage on a public right-of-way stipulated by the Commercial (C) District standards (*§4.5.C.2, Article V, UDC*) [*see Conditions of Approval*].

The facility being proposed by the applicant will have the appearance of a four (4) story office building and will not have any units facing to the exterior of the building. The facility will be gated and further screened by a six (6) foot masonry fence that will completely enclose the proposed building, parking areas and outside storage areas. As stated above visibility of the site is impaired by adjacent development and floodplain with dense vegetation. Additionally, the building itself will be situated on a lower grade than the adjacent development, and all parking and outside storage areas will be further screened by the proposed masonry wall and adjacent landscaping. *The applicant is preparing a line of site study and will be taking pictures of the property from a sky-crane to address the concerns the Planning and Zoning Commission raised in the work session meeting on April 27, 2014.*

Section 2.1.10 of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) details the specific land use requirements for a *Mini-Warehouse Facility*. The following is a summary of the applicant's proposal and its compliance to these land use requirements:

Code Requirement	*Proposed Plan*	*Compliance*
The maximum site area shall not exceed five (5) acres.	2.857-Acres	In Compliance
The maximum number of storage units shall not exceed 125 units per acre.	A maximum of 579 units is permitted by the SUP Ordinance.	*Not In Conformance*
The maximum height shall not exceed one (1) story.	The building is constructed to emulate an office building and is not comparable to the standard mini-warehouse design. The design is permitted by the SUP Ordinance.	*Not In Conformance*
The minimum number of parking spaces required is two (2). Parking requirement is three (3) spaces plus one (1) per 100 units.	Nine (9) parking spaces are and nine (9) parking spaces are provided.	In Conformance
No direct access from FM740, SH205, SH66, SH276, FM3097, FM552, FM549 or John King Boulevard.	The site does not have direct access from any roadway and is only accessible via Costco or the City's Water Storage Facility.	In Conformance
Overhead doors shall not face adjacent streets.	The buildings is not visible from any adjacent streets or roadways.	In Conformance
All exterior walls facing the front, side and rear property lines shall be 100% brick construction.	All exterior walls will incorporate brick and stone.	In Conformance

The front, side and rear building setback areas shall incorporate clustered landscaping.	The Concept Landscape Plan provided shows clustered landscaping along the front and sides of the facility; however, due to the visibility of the subject property the proposed facility is incompliance with the intent of this requirement.	Landscaping Plan (Site Plan); Concept Landscape Plan (In Conformance)
Gates shall be incorporated limiting access to the facility.	Wrought iron gates are being proposed.	In Conformance
Screening fences shall be wrought iron or masonry.	Landscape screening and wrought Iron fencing as well as an eight (8) foot masonry face are shown on the site plan.	In Conformance
Concrete shall be used for all paving.	All future paving will be concrete.	In Conformance
Roof shall have a minimum roof pitch of 1:3 and be constructed with metal standing seam.	The building is constructed to emulate an office building and will incorporate a parapet wall and flat roof to achieve this look. The design is permitted by the SUP Ordinance.	*Not In Conformance*
Lighting standards shall be limited to a maximum of 20-feet in height.	Will be handled at the time of site plan submittal on the Photometric Plan. The SUP Ordinance include this requirement under the Operational Conditions.	Photometric Plan (Site Plan)
A single residential unit not exceeding 1,600 SF in size is permitted.	Single Residential Unit (1,200 SF)	In Conformance
Outside Storage shall be prohibited.	The site will include limited outside storage of boats, recreation vehicles, vehicles and/or similar motor/self-propelled vehicles.	*Not In Conformance*

It is important to note that the requirements contained within Section 2.1.10 of the UDC (listed above) were prepared with the intent of regulating campus style facilities that incorporate several buildings, generally being one (1) story in height, and that have storage units that are accessible from the exterior of the building. The facility being proposed by the applicant is more comparable or similar to an office or retail building. As a result the proposed building is not in compliance with several of the standards that are intended to regulate a typical mini-warehouse building. Specifically, the structure exceeds one (1) story in height and incorporates a flat roof with a parapet (more typical of an office or commercial development) as opposed to a pitched roof, which is required by the code. In addition, the applicant is requesting to incorporate outside storage on the grounds that the site has limited visibility from adjacent properties and a six (6) foot masonry fence will be incorporated surrounding the site and parking areas. Finally, the applicant is requesting a maximum of 579 units, which represents 207 units per acre as opposed to the permitted 125 units per acre. If approved the SUP ordinance will limit the number of units to a maximum of 579 units. With the exception of these items, the applicant's proposal meets all the requirements stipulated by the UDC.

In order to insure that the plan, submitted by the applicant, for the Specific Use Permit will conform to the future site plan submittal, staff has incorporated both the conceptual site plan and building elevations into the SUP ordinance, as well as, the operational conditions listed in the *Recommendations* section below.

NOTIFICATION:

On May 2, 2014, staff mailed 21 notices to property owners within 200 feet of the subject property. Additionally, staff posted a sign adjacent to the closest roadway (i.e. Townsend Drive) as required by the Unified Development Code (UDC). At the time this case memo was drafted staff had received one (1) notification in favor of the applicant's request.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the applicant's request for a Specific Use Permit (SUP) for a *Mini-Warehouse Facility* on the subject property then staff would recommend the following conditions of approval:

1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the approved SUP ordinance and summarized as follows:

    a) Prior to the issuance of a building permit a site plan conforming to the requirements stipulated by the Unified Development Code [*Ordinance No. 04*-38] shall be submitted and approved by the Planning & Zoning Commission, and if necessary City Council.

    b) All construction and operations on this property shall generally conform to the Concept Plan depicted in *Exhibit 'B'* of this ordinance.

    c) The building elevations submitted with the site plan shall strictly adhere to the Concept Building Elevations depicted in *Exhibit 'C'* of this ordinance, unless required to be modified to conform to the recommendations of the Planning & Zoning Commission and/or City Council.

    d) The maximum number of storage units provided shall not exceed 579 units for the facility.

    e) All transparent fences shall be wrought iron or similar, and when necessary incorporate landscaping/living screening to screen the interior of the facility. Chain-link fencing shall be prohibited.

    f) The height of the building shall not exceed four (4) stories or 60-feet in total height.

    g) Outside storage shall be limited to the areas depicted on the Concept Plan in Exhibit 'A' and shall be screened from adjacent properties using a minimum of an eight (8) foot masonry fence. No outside storage of any kind shall be permitted outside of the areas depicted on the Concept Plan. Outside storage shall be limited to the storage of boats, recreational vehicles, and motor or self-propelled vehicles.

    h) Businesses shall not be allowed to operate within individual storage units.

    i) The commercial operation of rental trucks and trailers shall be prohibited.

    j) All signage shall be required to conform to the requirements stipulated by the Code of Ordinances. Additionally, pole signage shall be prohibited on this site.

    k) All light poles shall be limited to a maximum height of 20-feet and all light fixture proposed for the site shall comply with the requirements of Article VII, *Environmental Performance*, of the Unified Development Code.

2) In conformance with the requirements of Section 2.2 of Article XI, *Zoning-Related Applications*, of the UDC the applicant shall be required to submit a site plan prior to the issuance of a building permit;

3) Unless specifically addressed within this case memo the site plan, landscape plan, building elevations and photometric plan shall comply with the land use requirements for the *Mini-Warehouse* land use stipulated by Section 2.1.10, *Wholesale, Distribution and Storage*, of Article IV, *Permissible Uses*, of the UDC;

4) Prior to the issuance of a building permit the applicant will be required to certify that the driveway existing on the City's water storage facility property will meet current city standard for fire lane. If the driveway does not meet the City's current requirements for fire lane the applicant will be required to upgrade the driveway to ensure the subject property has proper fire protection;

5) A final plat shall be required for the subject property prior to the issuance of a building permit. Additionally, through the approval of the Specific Use Permit a variance to the minimum lot frontage on a public right-of-way stipulated by the Commercial (C) District shall be considered to be approved for the purpose of platting the property;

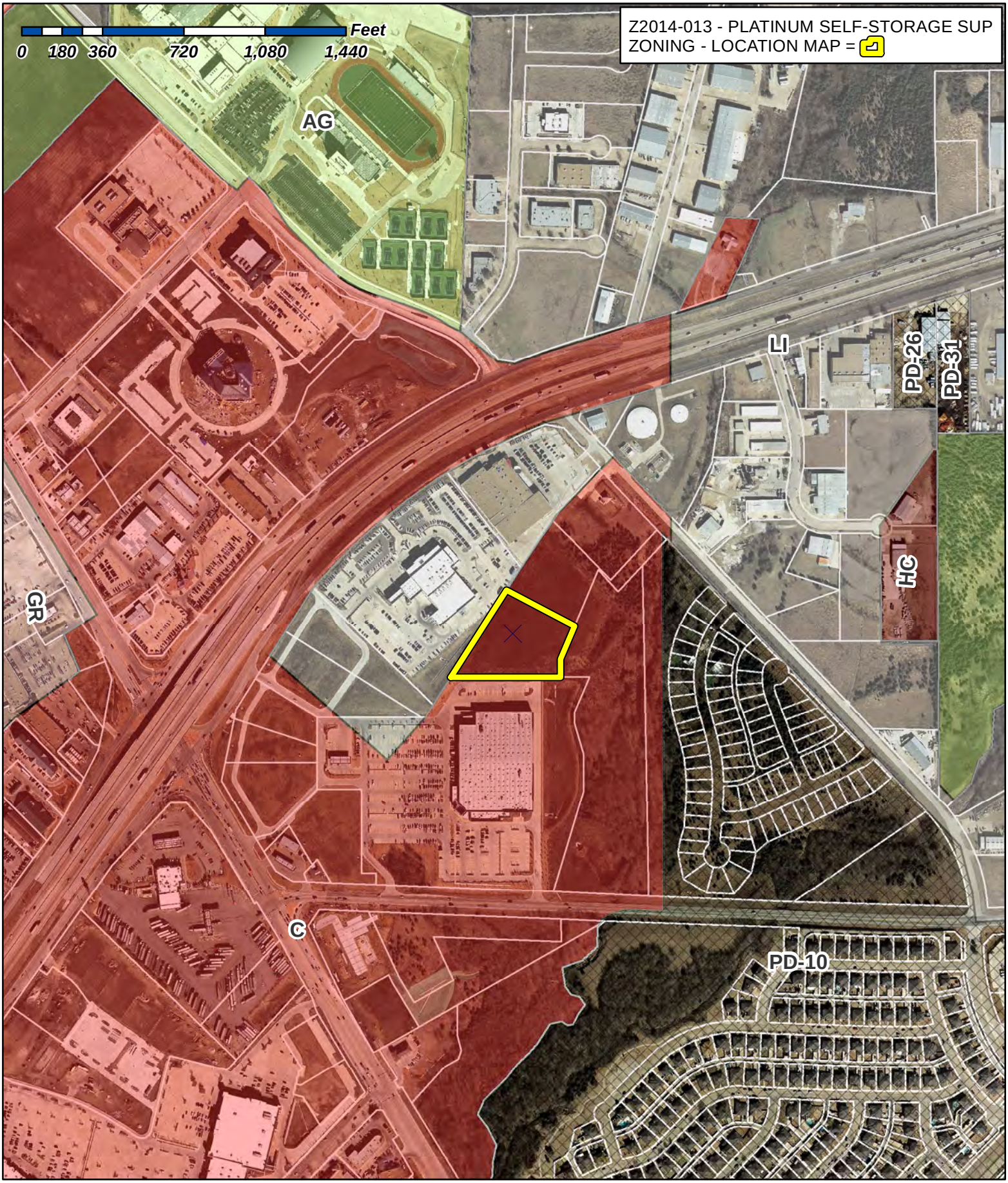
6) The applicant shall submit a revised legal description and address all Planning, Engineering and Fire comments prior to the approval of the Specific Use Permit (SUP);

7) The City Council reserves the right to review this SUP request [*Case No. Z2014-012*] one (1) year after the approval and adoption of the SUP ordinance; and

8) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On June 10, 2014 the Planning and Zoning Commission made a motion to approve the applicant's request for a Specific Use Permit (SUP) for a mini-warehouse facility per staff's recommendations with the caveat that all outside storage of boats, recreational vehicles and/or motor vehicles be limited to eight (8) feet in total height. The motion passed by a vote of 6-0, with Commissioner Minth absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

40 1:6,590

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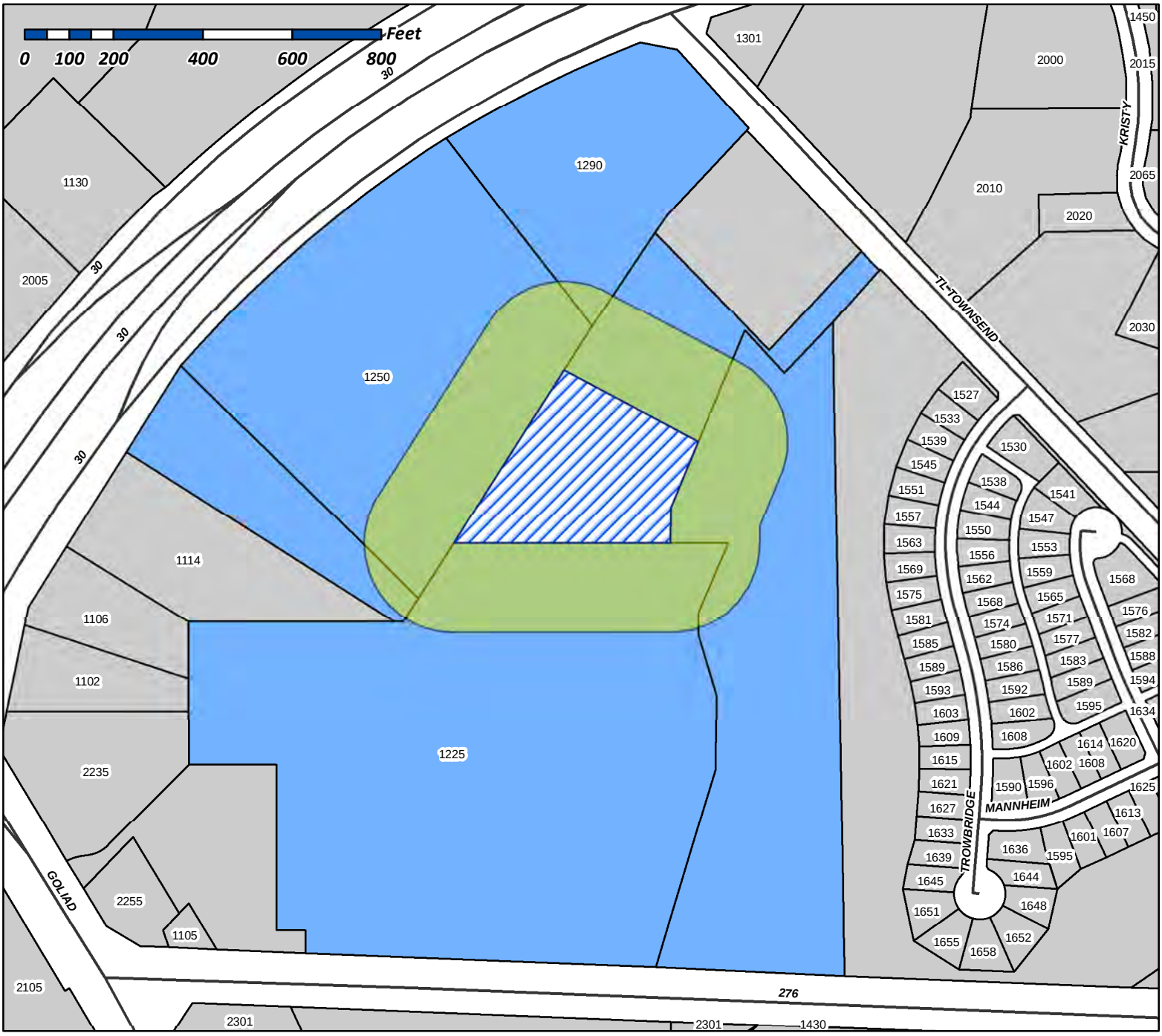
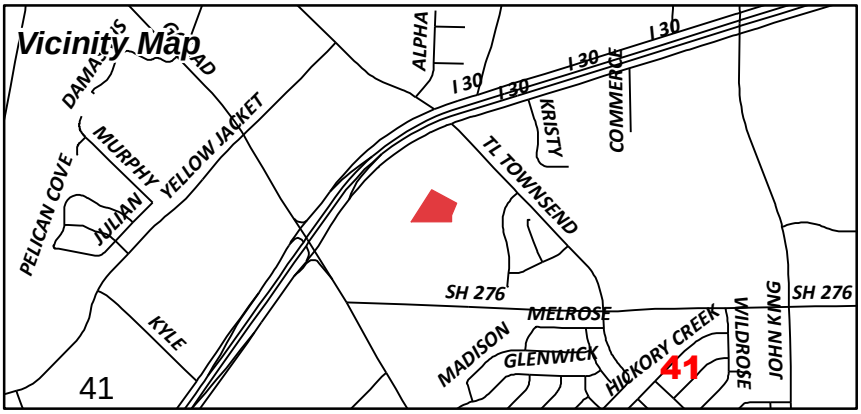


Case Number: Z2014-013
Case Name: Platinum Self-Storage
Case Type: Specific Use Permit
Zoning: Commercial (C) District
Case Address: N/A

Date Created: *04/24/2014*
For Questions on this Case Call (972) 771-7745



RCAD Account No.	Owner	Legal Description	Address	City	State	Zip
4797-0001-0002-00-0R	POTOMAC ROCKWALL PARTNERSHIP LP	ROCKWALL CENTRE CORNERS ADDITION, BLOCK 1, LOT 2, ACRES 2.519	10676 KING WILLIAM	DALLAS	TX	75220
4619-000A-0002-00-0R	CTE PHASE I LP	PARK PLACE BUSINESS CENTRE, BLOCK A, LOT 2, ACRES 5, (REPLAT 2009)	2266 LAFAYETTE LNDG	ROCKWALL	TX	75032
5196-0001-0001-00-0R	JACKSON AUTOMOTIVE REAL ESTATE INV LLC	TOYOTA OF ROCKWALL, BLOCK 1, LOT 1, ACRES 11.2560	1250 E INTERSTATE 30	ROCKWALL	TX	75087
4797-0001-0008-00-0R	COSTCO WHOLESALE CORP	ROCKWALL CENTRE CORNERS ADDITION, BLOCK 1, LOT 1R, ACRES 20.2904, (REPLAT 2009), (REPLAT 2010)	999 LAKE DR	ISSAQUAH	WA	98027
0065-0000-0002-00-0R	ROCKWALL SH205 VENTURE LLC	A0065, J CADLE, TRACT PT 2, ACRES 5.549	312 FOXWOOD LANE	WYLIE	TX	75098
0065-0000-0002-00-0R	ROCKWALL SH205 VENTURE LLC	A0065, J CADLE, TRACT PT 2, ACRES 5.549	312 FOXWOOD LANE	WYLIE	TX	75098
0065-0000-0002-00-0R	ROCKWALL SH205 VENTURE LLC	A0065, J CADLE, TRACT PT 2, ACRES 5.549	312 FOXWOOD LANE	WYLIE	TX	75098
0065-0000-0002-00-0R	ROCKWALL SH205 VENTURE LLC	A0065, J CADLE, TRACT PT 2, ACRES 5.549	312 FOXWOOD LANE	WYLIE	TX	75098

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PLEASE RETURN THE BELOW FORM

Case No. Z2014-012: Platinum Self-Storage SUP

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name: Rick Justiss

Address: 312 Foxwood Ln Wylie TX 75098

214-335-4006

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Masterplan

Explanation of Request

South and east of IH30, south and west of Townsend Road

Site:

The 2.8-acre SUP site is part of an undeveloped 5.5-acre parcel located north of Costco and southeast of the Toyota dealership. The site is removed from public rights-of-way; and as such, it has limited visibility and circuitous access, making retail development infeasible. The site also sits lower than the properties to the north so this grade differential and the existing building infrastructure further limit view from nearby public rights-of-way. Access to the site would be provided via access easements across the Costco site and across the property northeast to Townsend Road.

Specific Use Permit:

The request is for approval of a specific use permit to construct a 4-story, 118,800-square foot mini-warehouse. The facility would include a 1,200-square foot caretaker's quarters as well as a 900-square foot office. Nearly all the units would be accessed from interior corridors.

Although this is a storage facility, the exterior elevations will include complimentary masonry materials along with glazing akin to an office development. It will look and feel like an office without the office traffic. The elevations also include wall and roof articulation for additional visual appeal.

This would be an upscale facility offering a temperature controlled wine cellar, safety deposit boxes for jewelry and other valuable items, and a small ancillary component of boat and RV storage. Although the site is removed from public streets and its visibility is limited, there would be a minimum 8-foot tall masonry screen wall surrounding the entire perimeter. Robust landscaping is planned around the perimeter to enhance site aesthetics from adjacent properties, in compliance with city landscaping standards.

Exceptions:

The proposal includes waiver of the storage unit density parameter of 125 units per acre. This facility would include up to 579 units on 2.8 acres, yielding a density of 207 units per acre. In order for this type of facility to have the visibility necessary to be successful, it must be 4 stories tall and have a density that supports, and is commensurate with the invested infrastructure. If the entire 5.5 acres were developed with a conventional one-story storage facility, it could yield up to 687 storage units.

900 Jackson St. Suite 640, Dallas, TX 75202 ▶ tel 214 761 9197 fax 214 748 7211 ▶ masterplancommunities.com

Likewise, the proposal also includes an exception to the one-story building height parameter for mini-warehouses. We believe the one-story height parameter is intended to regulate the height of conventional storage facilities with exterior accessed units. The additional height is required to accommodate this particular style of storage facility that relies on visibility from the highway. Furthermore, this type of storage facility, as opposed to a conventional one, would be superior from a visual standpoint. Other factors that mitigate the height of the building include the aforementioned grade differential as well as its shear distance to major streets.

We request an exception of the pitched roof requirement. We believe this requirement is geared toward a conventional one-story facility whereas a flat roof with parapet better suits the taller, office looking facility. Likewise, a pitched roof would be better suited in a traditional residential setting.

The proposal also includes an ancillary component of outside RV/boat storage limited to the area shown on the preliminary site plan. There is demand for storage of recreational vehicles. The convenient location will allow those in the community a convenient storage option, which deters homeowners from storing recreational vehicles illegally at home or on the street in conventional neighborhoods where they can have functional and aesthetic impacts.

We see this as a great site to allow limited RV/boat storage. View of the storage area would be obstructed by the building, the 8-foot perimeter walls and the site's distance and grade differential from its surroundings. It gives another storage option with no little to any impact on the area.

900 Jackson St. Suite 640 Dallas, TX 75202 ▶ tel 214 761 9197 fax 214 748 7114 ▶ masterplanconsultants.com

BEING a 2.857 acre tract of land, being a portion of a 5.549 acres tract of land recorded in instrument No. 2013-480420, situated in the JOSEPTH CADLE SURVEY, ABST#65 and the N.M. BALLARD SURVEY ABST. #48, in the City of Rockwall, Rockwall County, Texas, and being a portion of a 65.96 tract of land recorded in Volume 4663, page 281 of the Official Public Records of Rockwall County, Texas and being all and being more particularly described as follows:

BEGINNING at 5/8 inch iron rod set for the northerly northwest corner of Lot 1, Block 1 of Rockwall Centre Corners Addition according to the plat recorded in Cabinet G, Slide 299 of the Plat Records of Rockwall County, Texas and being located in the southeasterly line of Lot 1, Block 1 of Toyota of Rockwall according to the plat recorded in Cabinet G, Slide 153-155 Plat Records of Rockwall County, Texas;

THENCE along the southeasterly line of said Toyota of Rockwall Addition, NORTH 33°54'52" EAST a distance of 460.20 feet to a 5/8 inch iron rod to be set in the southeasterly line of Lot 1, Block 1 of Toyota of Rockwall according to the plat recorded in Cabinet G, Slide 153-155 Plat Records of Rockwall County, Texas and being the west corner of a 2.692 acre tract being a portion of a 5.549 acre tract of land recoded in instrument No. 2013-480420 Rockwall SH205 Venture, LLC of the Official Public Records of Rockwall County, Texas;

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THENCE departing the southwest corner of said 2.692 acre tract of land and traveling through said 65.96 acre tract of land the following course and distances:

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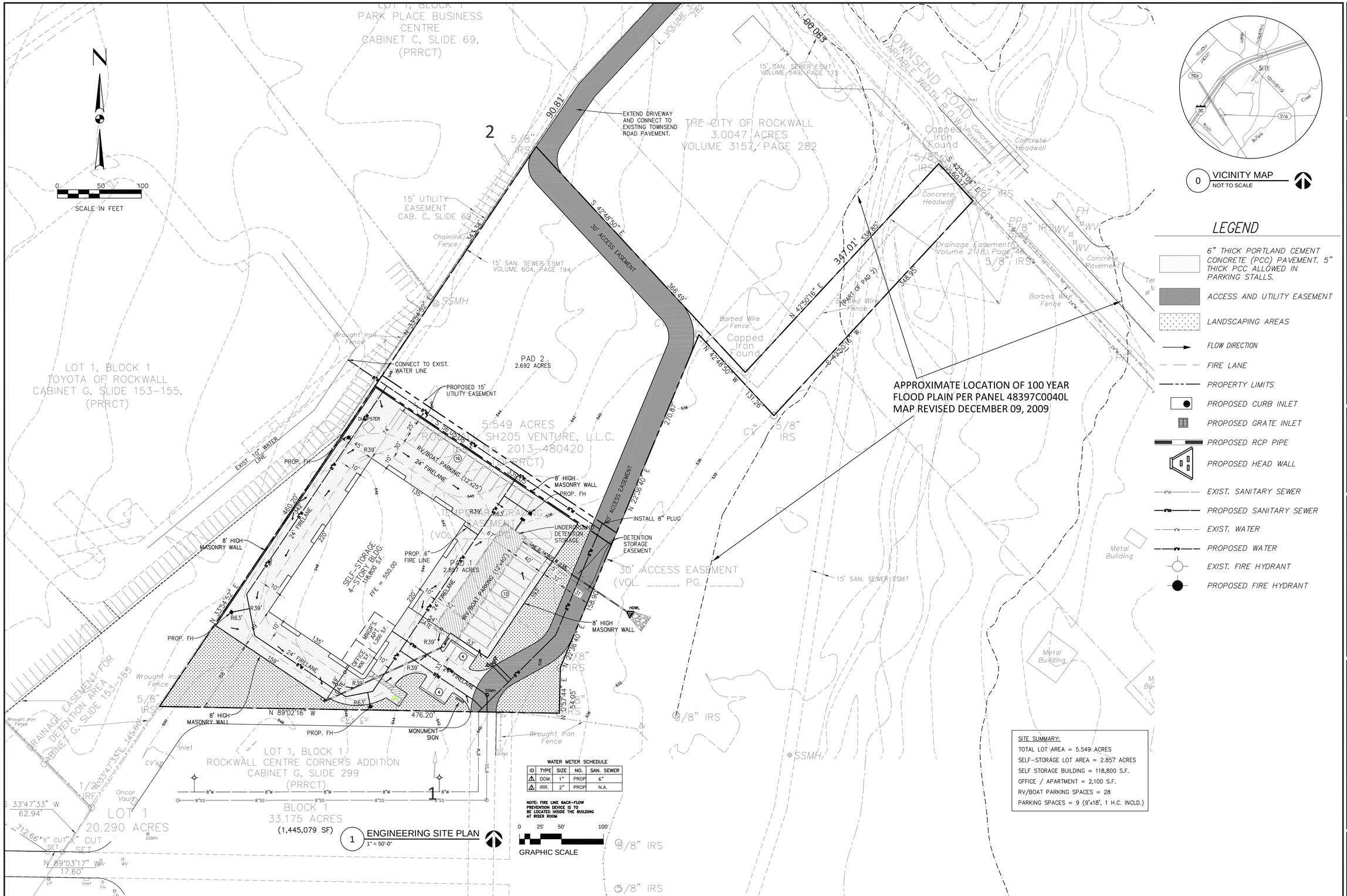
SOUTH 00°57'44" WEST a distance of 54.05 feet to a 5/8 inch iron rod set in the north line of said Lot 1 of Rockwall Centre Corners Addition;

THENCE along said north line, NORTH 89°02'16" WEST a distance of 476.20 feet to the POINT OF BEGINNING;

46



REVISIONS

PROPOSED NEW FACILITY:

PLATINUM SELF-STORAGE

LOT 1, BLOCK 1, ROCKWALL CENTRE CORNERS ADDITION
TOWNSEND ROAD
ROCKWALL, TEXAS

STATE OF TEXAS
WALTER ALVAREZ
94832
LICENSED PROFESSIONAL ENGINEER
06-02-14

ade, inc.
achto design & engineering, inc.
1418 Westwood Dr.
Lewisville, Texas 75067
T. 214.306.6575 F. 866.767.4602
Firm Registration: F-13268

DRAWING TITLE:
ENGINEERING SITE PLAN

THIS DOCUMENT REPRESENTS THE DESIGN EFFORT OF ADE, INC., AND IS NOT TO BE USED IN WHOLE OR PART FOR ANY OTHER PROJECT WITHOUT THE EXPRESS WRITTEN PERMISSION OF ADE, INC. RETAINS TITLE AND OWNERSHIP OF THIS DOCUMENT WHETHER THE PROJECT FOR WHICH IT WAS PREPARED IS EXECUTED OR NOT. IT SHALL NOT BE ALTERED OR EXHIBITED IN WHOLE OR PART FOR ANY OTHER PURPOSE, OR USED ON OTHER PROJECTS OR EXTENSIONS TO THIS PROJECTS, UNLESS AUTHORIZED IN WRITING BY ADE, INC.

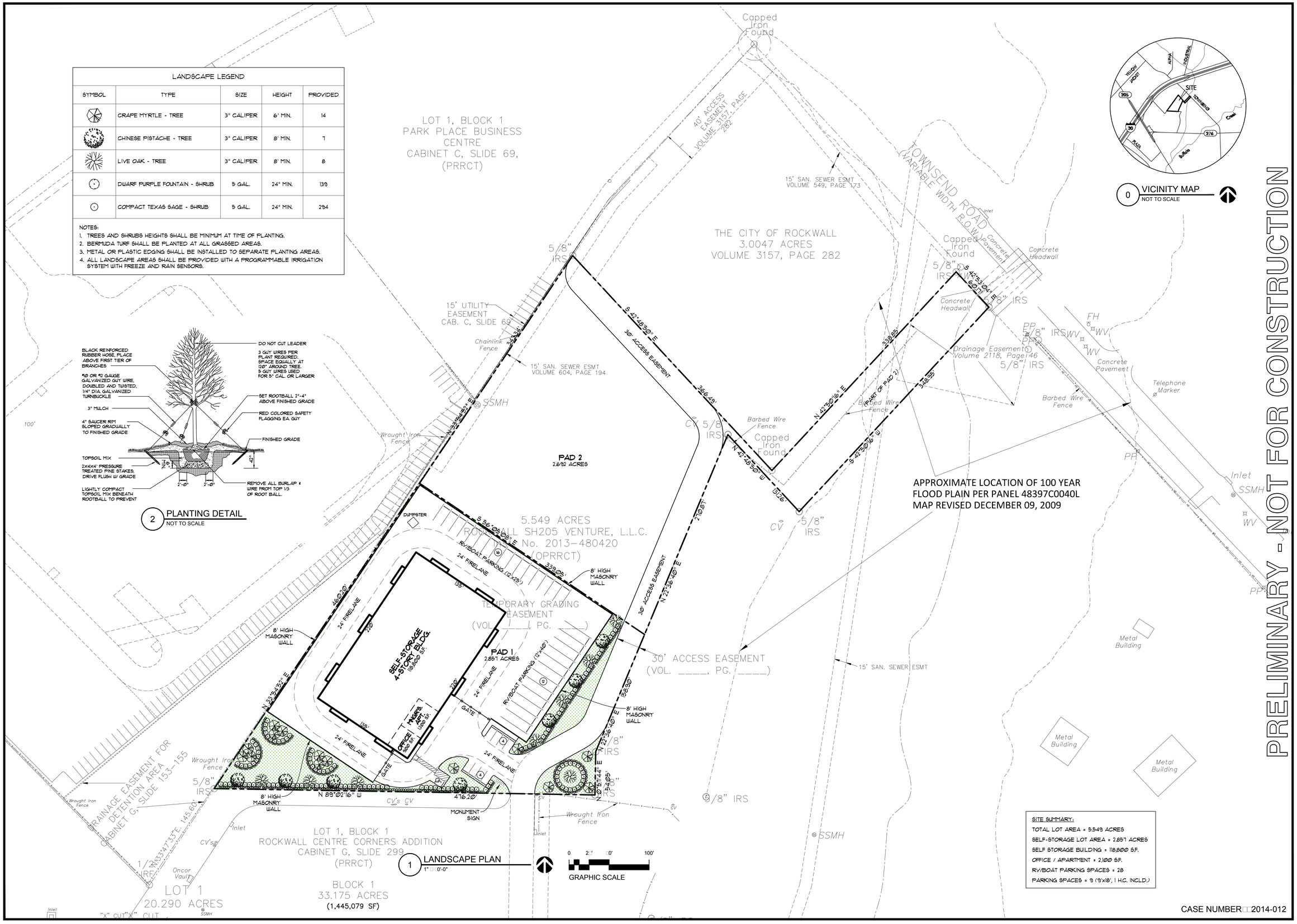
DRAWN BY: WA
APPROVED BY: WA
DATE: APRIL 18, 2014
SCALE: AS SHOWN
JOB NUMBER: 14-035
DRAWING NUMBER: C-1.0

PROJECT No. Z2014-012

LANDSCAPE LEGEND				
SYMBOL	TYPE	SIZE	HEIGHT	PROVIDED
	CRAPE MYRTLE - TREE	3" CALIPER	6' MIN.	14
	CHINESE PISTACHE - TREE	3" CALIPER	8' MIN.	7
	LIVE OAK - TREE	3" CALIPER	8' MIN.	8
	DWARF PURPLE FOUNTAIN - SHRUB	5 GAL.	24" MIN.	139
	COMPACT TEXAS SAGE - SHRUB	5 GAL.	24" MIN.	294

NOTES:
1. TREES AND SHRUBS HEIGHTS SHALL BE MINIMUM AT TIME OF PLANTING.
2. BERMUDA TURF SHALL BE PLANTED AT ALL GRASSED AREAS.
3. METAL OR PLASTIC EDGING SHALL BE INSTALLED TO SEPARATE PLANTING AREAS.
4. ALL LANDSCAPE AREAS SHALL BE PROVIDED WITH A PROGRAMMABLE IRRIGATION SYSTEM WITH FREEZE AND RAIN SENSORS.

2 PLANTING DETAIL
NOT TO SCALE



1 LANDSCAPE PLAN
1" = 0'-0"

0 VICINITY MAP
NOT TO SCALE

SITE SUMMARY:
TOTAL LOT AREA = 5.549 ACRES
SELF-STORAGE LOT AREA = 2.857 ACRES
SELF STORAGE BUILDING = 118,800 S.F.
OFFICE / APARTMENT = 2,100 S.F.
RV/BOAT PARKING SPACES = 28
PARKING SPACES = 9 (9'x18', 1 H.C. INCLD.)

CASE NUMBER 2014-012

PRELIMINARY - NOT FOR CONSTRUCTION

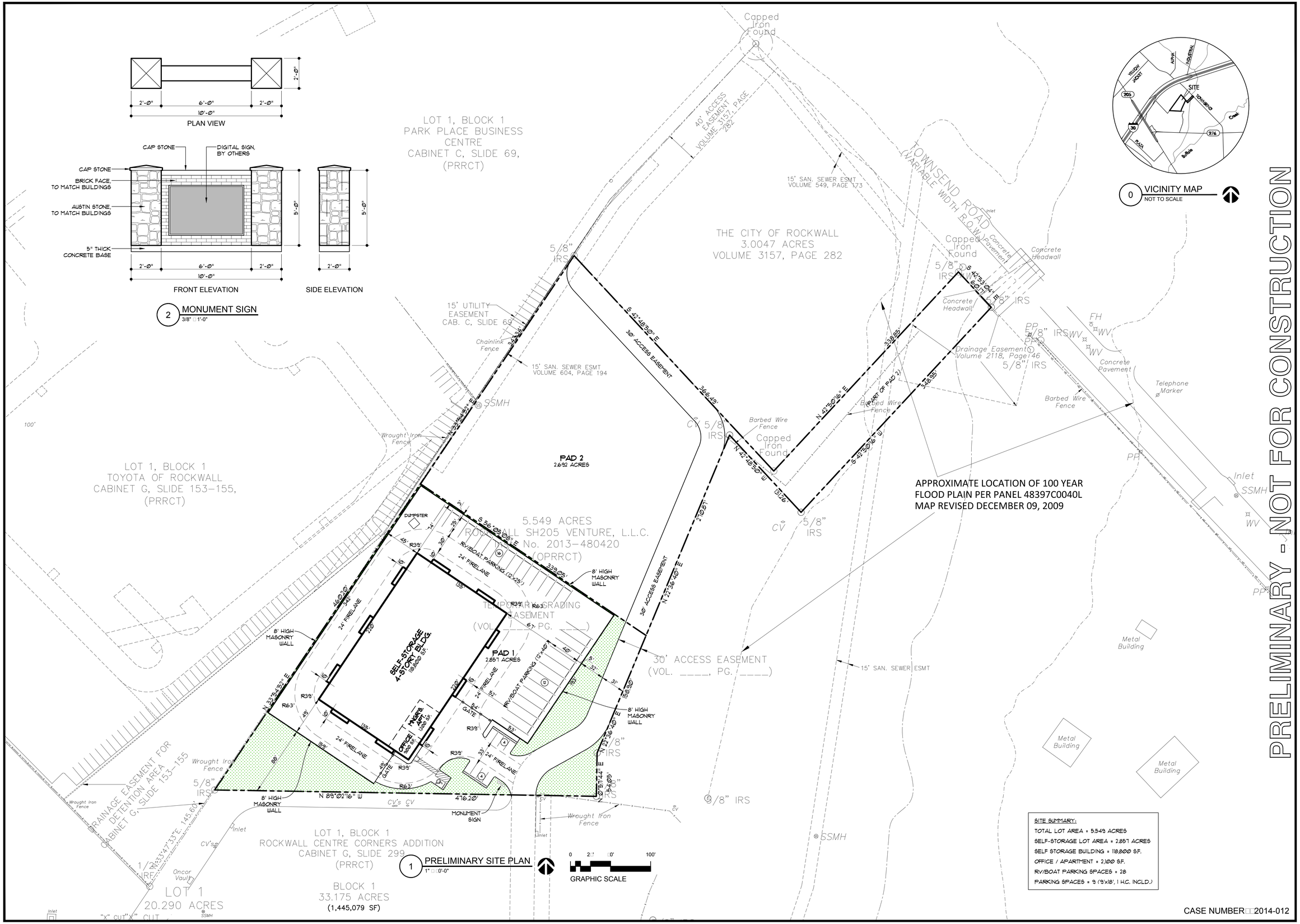
REVISION	NO.

PROPOSED NEW FACILITY
SELF-STORAGE
TOWNSEND ROAD
ROCKWALL, TEXAS

4700 KEMBLE ST.
FORT WORTH, TX 76103
PH: 817-534-6579
FAX: 817-386-5365
WWW.JLBUILDSYS.COM
JL BUILDING SYSTEMS, LLC

LANDSCAPE PLAN

D	06-03-2014
S	A N d
Dr	JLL
J	14014
S	L1



0 VICINITY MAP
NOT TO SCALE

PRELIMINARY - NOT FOR CONSTRUCTION

REVISION	NO.

PROPOSED NEW FACILITY
SELF-STORAGE
TOWNSEND ROAD
ROCKWALL, TEXAS

4700 KEMBLE ST.
FORT WORTH, TX 76103
PH: 817-534-6579
FAX: 817-386-5365
WWW.JLBUILDSYS.COM
JL BUILDING SYSTEMS, LLC

PRELIMINARY SITE PLAN

D	06-03-2014
S	A N d
Dr	JLL
J	14014
S	A1



1 NORTH ELEVATION
1/8" = 1'-0"



2 SOUTH ELEVATION
1/8" = 1'-0"

PRELIMINARY - NOT FOR CONSTRUCTION

REVISION	NO.

PROPOSED NEW FACILITY
SELF-STORAGE
TOWNSEND ROAD
ROCKWALL, TEXAS

4700 Kimble St.
Fort Worth, TX 76103
Ph: 817-534-6579
Fax: 817-386-5365
www.jlbuildsys.com
JL BUILDING SYSTEMS, LLC

ELEVATIONS

D:	06-03-2014
S:	A N d
Dr:	JLL
J:	14014
S:	A2

CASE NUMBER 2014-012



1 EAST ELEVATION
1/8" = 1'-0"



2 WEST ELEVATION
1/8" = 1'-0"

PRELIMINARY - NOT FOR CONSTRUCTION

CASE NUMBER 2014-012

REVISION	NO.

PROPOSED NEW FACILITY
SELF-STORAGE
TOWNSEND ROAD
ROCKWALL, TEXAS

4700 Kimble St.
Fort Worth, TX 76103
Ph: 817-534-6579
Fax: 817-386-5365
www.jlbuildsys.com
JL BUILDING SYSTEMS, LLC

ELEVATIONS

D	06-03-2014
S	A N d
Dr	JLL
J	14014
S	A3



1 EAST ELEVATION
NOT TO SCALE



2 SOUTH ELEVATION
NOT TO SCALE



3 PERSPECTIVE VIEW
NOT TO SCALE

PRELIMINARY - NOT FOR CONSTRUCTION

CASE NUMBER 2014-012

REVISION	NO.

PROPOSED NEW FACILITY
SELF-STORAGE
TOWNSEND ROAD
ROCKWALL, TEXAS

4700 Kemble St.
Fort Worth, TX 76103
Ph: 817-534-6579
Fax: 817-386-5365
www.jlbuildsys.com

JL
Building Systems, LLC

CONCEPTUAL ELEVATIONS

D	06-03-2014
S	A N d
Dr	JLL
J	14014
S	A4



53



54



55


LA Z BOY
HOME FURNISHINGS & DÉCOR
1154
Sofas
SALE
FIRE LANE
NO PARKING

56



57



58

From Townsend Village Facing Towards the Site



59

From Townsend Village Facing Towards the Site



60

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A SPECIFIC USE PERMIT (SUP) TO ALLOW A MINI-WAREHOUSE FACILITY WITHIN A COMMERCIAL (C) DISTRICT AS SPECIFIED WITHIN ARTICLE IV, *PERMISSIBLE USES*, OF THE UNIFIED DEVELOPMENT CODE, FOR A 2.857-ACRE TRACT OF LAND, BEING A PORTION OF A LARGER 5.549-ACRE TRACT OF LAND IDENTIFIED AS PART OF TRACT 2 OF THE J. CADLE SURVEY, ABSTRACT NO. 65, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Master Plan, on behalf of Rockwall SH-205 Venture, LLC for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger 5.549-acre tract land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall County, Texas, which is generally located south of the intersection of the IH-30 Frontage Road and Townsend Drive, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code [*Ordinance No. 04-*38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the construction of a mini-warehouse facility within a Commercial (C) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and set forth in Section 2.1.10, *Wholesale,*

Distribution and Storage, of Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of a mini-warehouse facility on the *Subject Property*, and conformance to these operational conditions are required for continued operations:

1) Prior to the issuance of a building permit a site plan conforming to the requirements stipulated by the Unified Development Code [*Ordinance No. 04*-38] shall be submitted and approved by the Planning & Zoning Commission, and if necessary City Council.

2) All construction and operations on this property shall generally conform to the Concept Plan depicted in *Exhibit 'B'* of this ordinance.

3) The building elevations submitted with the site plan shall strictly adhere to the Concept Building Elevations depicted in *Exhibit 'C'* of this ordinance, unless required to be modified to conform to the recommendations of the Planning & Zoning Commission and/or City Council.

4) The maximum number of storage units provided shall not exceed 579 units for the facility.

5) All transparent fences shall be wrought iron or similar, and when necessary incorporate landscaping/living screening to screen the interior of the facility. Chain-link fencing shall be prohibited.

6) The height of the building shall not exceed four (4) stories or 60-feet in total height.

7) Outside storage shall be limited to the areas depicted on the Concept Plan in Exhibit 'A', shall not exceed be eight (8) feet in total height, and shall be screened from adjacent properties using a minimum of an eight (8) foot masonry fence. No outside storage of any kind shall be permitted outside of the areas depicted on the Concept Plan. Outside storage shall be limited to the storage of boats, recreational vehicles, and motor or self-propelled vehicles.

8) Businesses shall not be allowed to operate within individual storage units.

9) The commercial operation of rental trucks and trailers shall be prohibited.

10) All signage shall be required to conform to the requirements stipulated by the Code of Ordinances. Additionally, pole signage shall be prohibited on this site.

11) All light poles shall be limited to a maximum height of 20-feet and all light fixture proposed for the site shall comply with the requirements of Article VII, *Environmental Performance*, of the Unified Development Code.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2ND DAY OF JUNE, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *May 19, 2014*

2nd Reading: *June 2, 2014*

BEING a 2.857 acre tract of land, being a portion of a 5.549 acres tract of land recorded in instrument No. 2013-480420, situated in the JOSEPTH CADLE SURVEY, ABST#65 and the N.M. BALLARD SURVEY ABST. #48, in the City of Rockwall, Rockwall County, Texas, and being a portion of a 65.96 tract of land recorded in Volume 4663, page 281 of the Official Public Records of Rockwall County, Texas and being all and being more particularly described as follows:

BEGINNING at 5/8 inch iron rod set for the northerly northwest corner of Lot 1, Block 1 of Rockwall Centre Corners Addition according to the plat recorded in Cabinet G, Slide 299 of the Plat Records of Rockwall County, Texas and being located in the southeasterly line of Lot 1, Block 1 of Toyota of Rockwall according to the plat recorded in Cabinet G, Slide 153-155 Plat Records of Rockwall County, Texas;

THENCE along the southeasterly line of said Toyota of Rockwall Addition, NORTH 33°54'52" EAST a distance of 460.20 feet to a 5/8 inch iron rod to be set in the southeasterly line of Lot 1, Block 1 of Toyota of Rockwall according to the plat recorded in Cabinet G, Slide 153-155 Plat Records of Rockwall County, Texas and being the west corner of a 2.692 acre tract being a portion of a 5.549 acre tract of land recoded in instrument No. 2013-480420 Rockwall SH205 Venture, LLC of the Official Public Records of Rockwall County, Texas;

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SOUTH 00°57'44" WEST a distance of 54.05 feet to a 5/8 inch iron rod set in the north line of said Lot 1 of Rockwall Centre Corners Addition;

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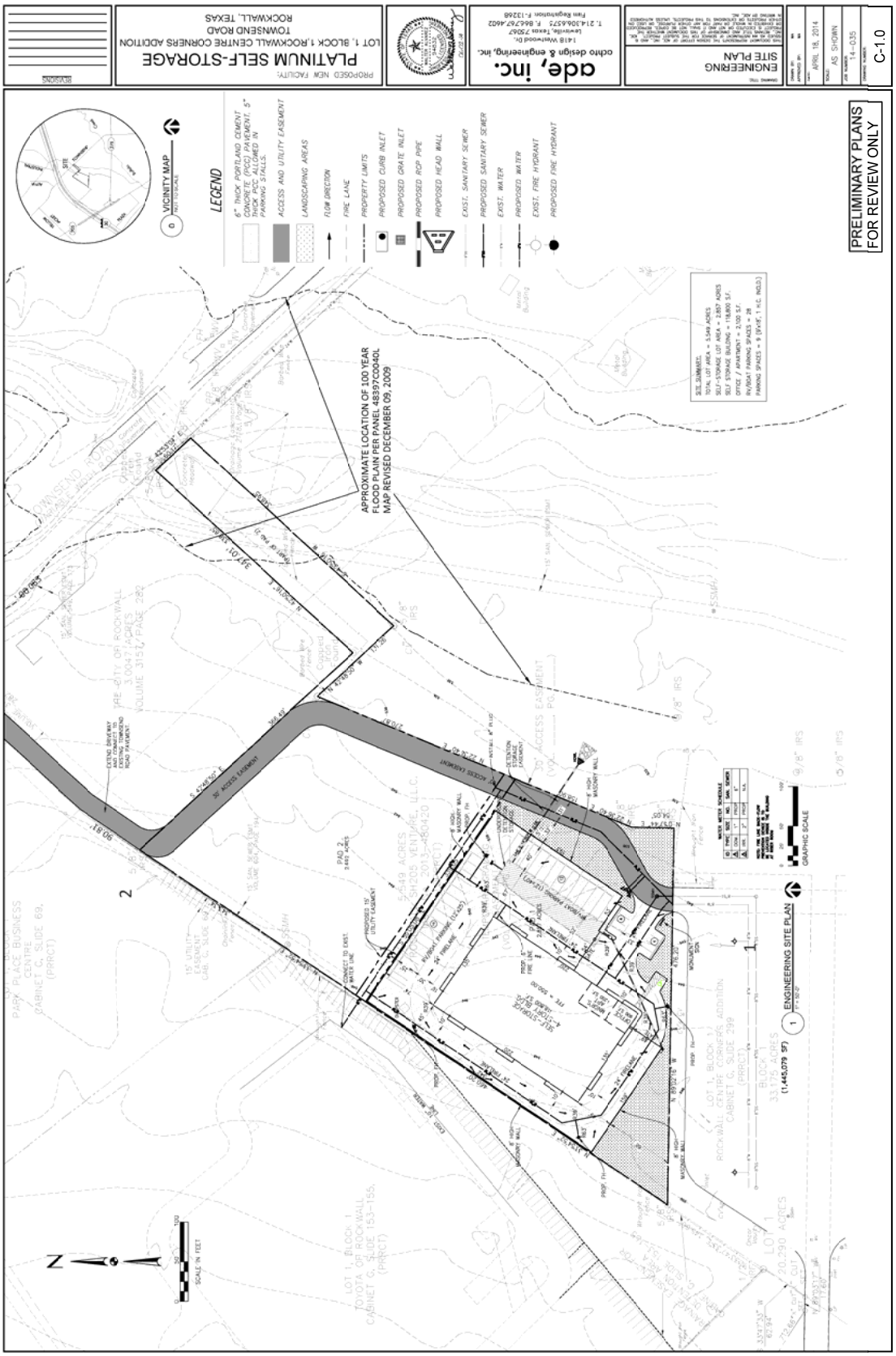
PRELIMINARY PLANS
FOR REVIEW ONLY
LEGEND
VICINITY MAP
APPROXIMATE LOCATION OF 100 YEAR FLOOD PLAIN PER PANEL 48397C0040L MAP REVISED DECEMBER 09, 2009
ENGINEERING SITE PLAN
GRAPHIC SCALE
SCALE IN FEET
PLATINUM SELF-STORAGE
LOT 1, BLOCK 1, ROCKWALL CENTRE CORNERS ADDITION
TOWNSEND ROAD
ROCKWALL, TEXAS
ENGINEERING SITE PLAN
APRIL 18, 2014
AS SHOWN
14-035
C-1.0
adé, inc.
civil engineering
1418 Westwood Dr.
Lewisville, Texas 75067
t. 214.306.6575 f. 866.479.4402
Firm Registration # F-13268
PROJECT No. Z2014-012


PROPOSED NEW FACILITY:
SELF-STORAGE
TOWNSEND ROAD
ROCKWALL, TEXAS
CONCEPTUAL ELEVATIONS
A4
PRELIMINARY - NOT FOR CONSTRUCTION
CASE NUMBER: Z2014-012
EAST ELEVATION
SOUTH ELEVATION
PERSPECTIVE VIEW
SELF STORAGE

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67

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

FROM: David Gonzales, *Planner*

DATE: June 16, 2014

SUBJECT: Request to Postpone Case No. Z2014-015

On May 29, 2014, the applicant, Dennis D. Alsup, submitted an email to staff requesting to postpone the public hearing for *Case No. Z2014-015* from June 10, 2014 to June 24, 2014. According to the email, the applicant is requesting the postponement due to an annual vacation scheduled during the middle two weeks of June. The new meeting dates for this case are as follows:

Planning & Zoning Public Hearing: June 24, 2014
City Council [1st Reading]: July 7, 2014
City Council [2nd Reading]: July 21, 2014

The postponement and new public hearing dates will need to be announced and read into the record to satisfy the notification requirements stipulated by the Unified Development Code (*§6.2, Article II, UDC*).

Gonzales, David

From: Dennis Alsup <Dennis.Alsup@lamb-star.com>
Sent: Thursday, May 29, 2014 9:20 AM
To: Gonzales, David
Subject: Alsup Accessory Building SUP

Mr. Gonzales, it is with much regret that I must request that the Public Hearing for my SUP for the addition of an Accessory Building on my property be continued to the June 24th P&Z Meeting.

As I have we have discussed, I have my annual vacation scheduled for the middle two weeks in June and I will not be available to attend the first meeting in June.

Please pass my apologizes to the Commissioners.

Thanks again for all of you assistance.

Dennis D. Alsup CCM
Construction Manager
Lamb-Star Engineering, L.P.
Sent from my iPad

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 6/16/2014

APPLICANT: Dennis D. Alsup

AGENDA ITEM: **Z2014-015**; Accessory Building - SUP

Hold a public hearing to discuss and consider a request by Dennis D. Alsup for the approval of a Specific Use Permit (SUP) for an accessory building that does not conform to the size requirements as specified by Section 2.1.2, *Residential and Lodging Use Conditions*, of Article IV, *Permissible Uses*, of the Unified Development Code for a property in a Single-Family 10 (SF-10) District on a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, zoned Single-Family 10 (SF-10) District, situated within the North Goliad Overlay (NGC OV) District, located at 921 Alamo Road, City of Rockwall, Rockwall County, Texas, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Mr. Dennis D. Alsup, is requesting a Specific Use Permit (SUP) to allow for a 240 sq. ft. accessory building exceeding the size requirements of the Single-Family 10 (SF-10) Residential District standards by 15 sq. ft. Under the use standards of the Unified Development Code, the accessory building shall be accessory to a residential use and located on the same lot. By right, in the SF-10 district, no more than two (2) accessory buildings shall be allowed which are up to 225 sq-ft (each) and are 15 ft or less in height, provided the exterior cladding contains only materials found on the main structure. Accessory buildings not meeting these standards shall require approval of an SUP.

The proposed accessory building is a 20' X 12' (240 sq. ft.) wooden structure, matching the materials of the primary structure and will be used for storage purposes. Mr. Alsup has provided a color prospective that indicates his intent of painting the building to match that of their existing home. The roof will be composed of galvalume (metal roof) and the building will have an overall height of 13-ft 6-in. and does not exceed the height requirement established in the UDC. Included in your packet is a survey depicting the accessory building(s) location which exceeds the minimum rear and side yard set-backs as well as the separation requirements from another structure. The accessory building meets or exceeds the minimum standards established by the UDC for a property with the exception of the additional 15 sq. ft. in area requested.

Based on certain findings, a requisition for a zoning change is considered a discretionary act by the Planning and Zoning Commission and City Council. The applicant has provided a letter requesting the SUP, a survey indicating the location of the proposed building (and existing structures), detailed photos and a color prospective for your consideration.

NOTIFICATION:

On May 30, 2014, staff mailed 55 notices to property owners and residents within 500 feet of the subject property. Staff also sent notices to the Lake View Summit and Caruth Lakes Homeowner's Associations (HOA) which are located within 1,500 feet of the subject property. Additionally, staff posted a sign adjacent to the subject property on Alamo Dr. as required by the Unified Development Code (UDC). A public notice has been published in the Rockwall County News meeting state statutes and has been posted on the City's web-site. At the time this case memo was drafted, staff has received one (1) notice "in favor" of and none "opposed" to the request.

RECOMMENDATIONS:

Should the request for an SUP be approved, staff offers the following conditions:

1. That the structure must meet all Building Inspections, Engineering, and Fire Department standards.
2. Submittal and approval of a building permit is required prior to the construction of the accessory building.
3. The accessory building shall comply with the approved site plan and building elevations.
4. The accessory building shall not exceed 240 sq. ft. in area.
5. The accessory building shall not exceed a maximum height of 15 ft. (measured at the midpoint of the pitched roof).
6. The accessory building is subject to administrative review in the event that the subject property is sold to another party, conveyed in any manner to another party, subdivided, or re-platted.
7. The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof.
8. Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Recommendation:

On June 10, 2014, the Planning and Zoning Commission accepted the applicants request to postpone the public hearing until the June 24, 2014 Planning and Zoning meeting.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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1:1,200

May 15, 2014

City of Rockwall
Planning and Zoning Department
385 S. Goliad
Rockwall, TX 75087

RE: SUP for 240 S.F. Accessory Building at 921 N. Alamo Rd., Rockwall, TX

To Whom It May Concern:

My wife and I would like to place a 12'x20' Shed on the property that we are in the process of purchasing from Mr. Paul Wilcoxson at 921 N. Alamo Rd. in Rockwall.

We have a lot of 0.51 Acres in size.

This building matches the current exterior of our home, which is wood siding and will be painted to match.

We believe that this will be an asset to our home and property value and will in no way adversely affect any of our neighbors, or the value of their property and respectfully ask for approval of this Special Use Permit.

Repectfully,

Dennis and Angie Alsup
921 N. Alamo Rd.
Rockwall, TX 75087

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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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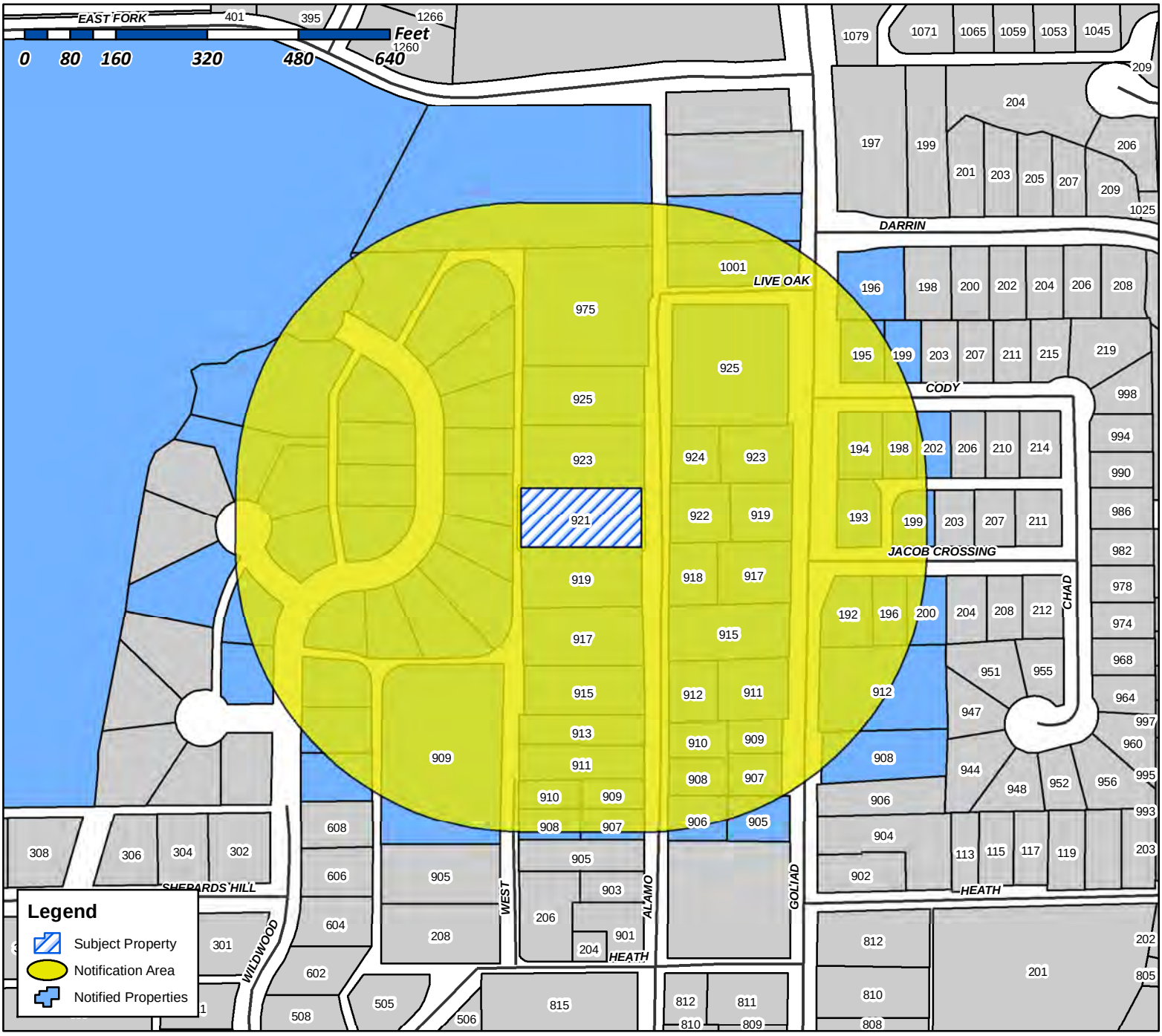
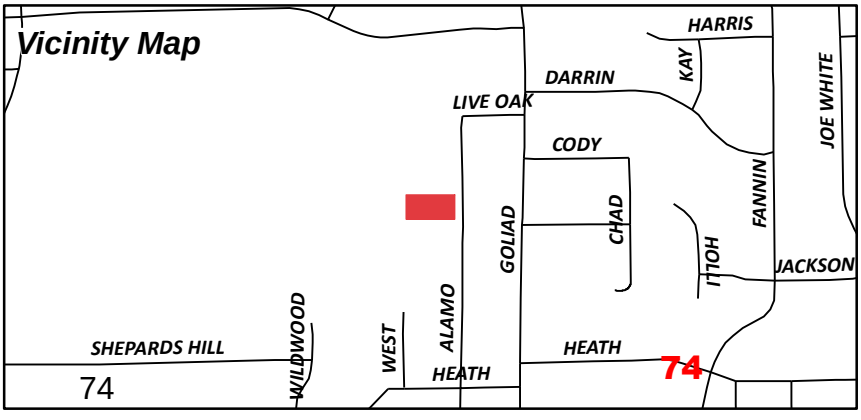


Case Number: Z2014-015
Case Name: Accessory Building SUP
Case Type: Specific Use Permit
Zoning: SF-10
Case Address: 921 N. Alamo Road



Date Created: 05/19/2014

For Questions on this Case Call (972) 771-7745

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-015: Accessory Building SUP

Hold a public hearing to discuss and consider a request by Dennis D. Alsup for the approval of a Specific Use Permit (SUP) for an accessory building that does not conform to the size requirements as specified by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a property in a Single-Family 10 (SF-10) District on a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, zoned Single-Family 10 (SF-10) District, situated within the North Goliad Overlay (NGC OV) District, located at 921 Alamo Road, City of Rockwall, Rockwall County, Texas, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 6/10/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 6/16/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **6/16/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-015: Accessory Building SUP

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Non-resident Owner
Undeveloped Land
Property Resident
~~Duplicate/No address (Not mailed)~~

Reference No.		Name	Legal Description	Address 1	Address 2	Address 3	City	State	Zip
0124-0000-0005-00-0R		CURANOVIC JOHN	A0124 J H B JONES, TRACT 5, ACRES 2.760		361 WILLOWCREST		ROCKWALL	TX	75032
0124-0000-0006-00-0R		CRAWFORD JUANITA LIFE ESTATE AND	A0124 J H B JONES, TRACT 6, ACRES .50	MICHAEL CRAWFORD	925 N ALAMO		ROCKWALL	TX	75087
0124-0000-0012-00-0R		CRAWFORD MICHAEL & MARY	A0124 J H B JONES, TRACT 12, ACRES .885		975 N ALAMO RD		ROCKWALL	TX	75087
0124-0000-0026-01-0R		MASTER DEVELOPERS SNB LLC	A0124 J H B JONES, TRACT 26-1, ACRES 40.093	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
0124-0000-0034-00-0R		CANTRELL PAIGE	A0124 J H B JONES, TRACT 34, ACRES 0.5		923 N ALAMO RD		ROCKWALL	TX	75087
0146-0000-0030-00-0R		Resident	A0146 S S MCCURRY, TRACT 30, ACRES 0.5, N GOLIAD & LIVE OAK (PT OF 1.61 AC TR)		1001 N GOLIAD		Rockwall	TX	75087
0146-0000-0030-00-0R		DONAHOE JOHN M & KATHRINE E	A0146 S S MCCURRY, TRACT 30, ACRES 0.5, N GOLIAD & LIVE OAK (PT OF 1.61 AC TR)		925 N GOLIAD ST		ROCKWALL	TX	75087
~~0146-0000-0032-01-0R~~		~~DONAHOE JOHN M & KATHRINE E~~	~~A0146 S S MCCURRY, TRACT 32-1, ACRES 0.73, (PT OF 1.61 AC TR)~~		~~925 N GOLIAD ST~~		~~ROCKWALL~~	~~TX~~	~~75087~~
3005-000A-0001-00-0R		HILL LES & SHARON ANN	ADAMS ADDN, BLOCK A, LOT 1		911 N GOLIAD ST		ROCKWALL	TX	75087
3005-000A-0002-00-0R		JONES PAMELA J	ADAMS ADDN, BLOCK A, LOT 2		912 N ALAMO RD		ROCKWALL	TX	75087
3070-0160-0001-00-0R		STACEY MARY A	AUSTIN, LOT 3, ACRES .745		912 N GOLIAD ST		ROCKWALL	TX	75087
3070-0160-0002-00-0R		HEAVENLY HANDS BIRTHING CENTER PLLC	AUSTIN, LOT 2-R, (REPLAT 2006)		908 N GOLIAD STREET		ROCKWALL	TX	75087
3730-0004-0000-A0-0R		WILCOXSON PAUL E	GARNER, BLOCK PART 4		921 N ALAMO RD		ROCKWALL	TX	75087
3730-0004-0000-B0-0R		SYFERD STACI ANN	GARNER, BLOCK PART 4		917 N ALAMO RD		ROCKWALL	TX	75087
3730-0005-0001-00-0R		HARRIS JAMES SCOTT &	GARNER, BLOCK 5, LOT 1, GRAEM SUBD	ANNETTE JANE NABORS	907 N ALAMO		ROCKWALL	TX	75087
3730-0005-0002-00-0R		HAYNES GREGORY & AMANDA	GARNER, BLOCK 5, LOT 2		909 N ALAMO		ROCKWALL	TX	75087
3730-0005-0003-00-0R		HOLLOWAY LESLIE D	GARNER, BLOCK 5, LOT 3		911 N ALAMO RD		ROCKWALL	TX	75087
3730-0005-0004-A0-0R		WHITE TIMOTHY E	GARNER, BLOCK PART 5, LOT 4, GRAEM SUBD		9104 PRIVATE ROAD 2325		TERRELL	TX	75160
3730-0005-0004-A0-0R		Resident	GARNER, BLOCK PART 5, LOT 4, GRAEM SUBD		913 N ALAMO RD		Rockwall	TX	75087
3730-0005-0004-B0-0R		PEOPLES DERYL W	GARNER, BLOCK PART 5, LOT 4		5268 COUNTY ROAD 2648		ROYSE CITY	TX	75189
3730-0005-0004-B0-0R		Resident	GARNER, BLOCK PART 5, LOT 4		915 N ALAMO		Rockwall	TX	75087
3730-0005-0005-00-0R		MARTINKUS NICOLE	GARNER, BLOCK 5, LOT 5		908 N WEST ST		ROCKWALL	TX	75087
3730-0005-0006-00-0R		PERRY RUBY DELL	GARNER, BLOCK 5, LOT 6, GRAEM SUBD		910 N WEST ST		ROCKWALL	TX	75087
3730-0027-0000-A0-0R		Resident	GARNER, BLOCK PART 27	PATRICIA LWILLIAMS WILKERSON	905 N GOLIAD		Rockwall	TX	75087
3730-0027-0000-A0-0R		WILLIAMS ALEX RAY &	GARNER, BLOCK PART 27	PATRICIA LWILLIAMS WILKERSON	906 N ALAMO RD		ROCKWALL	TX	75087
3730-0027-0000-C0-0R		PIERCE CAROLYN GREEN	GARNER, BLOCK PART 27		908 N ALAMO RD		ROCKWALL	TX	75087
3730-0029-0000-A0-0R		UDSTUEN STEVE	GARNER, BLOCK PART 29		502 COLUMBIA DR		ROCKWALL	TX	75032
3730-0029-0000-A0-0R		Resident	GARNER, BLOCK PART 29		917 N GOLIAD		Rockwall	TX	75087
3730-0029-0000-B0-0R		MEDLIN ELTON LAKE	GARNER, BLOCK PART 29		1222 MIDDLEBROOK PL		DALLAS	TX	75208
3730-0029-0000-B0-0R		Resident	GARNER, BLOCK PART 29		918 N ALAMO		Rockwall	TX	75087
3730-0029-0000-C0-0R	CHILDRENS LEARNING CENTER	ADAMS JAMES & DEBBIE	GARNER, BLOCK PART 29, ACRES .497		208 SUMMIT RIDGE DR		ROCKWALL	TX	75087
3730-0029-0000-C0-0R		Resident	GARNER, BLOCK PART 29, ACRES .497		915 N GOLIAD		Rockwall	TX	75087
3730-0032-0000-B0-0R		CHAVEZ ENRIQUE	GARNER, BLOCK PART 32		923 N GOLIAD ST		ROCKWALL	TX	75087
3730-0032-0000-C0-0R		MONK MARCELLE A LAZARE & PAUL	GARNER, BLOCK PART 32		924 N ALAMO RD		ROCKWALL	TX	75087
3730-027B-0ALL-00-0R		ZAVALA VICTOR V	GARNER, BLOCK ALL 27B		910 N ALAMO RD		ROCKWALL	TX	75087
3828-000B-0042-00-0R		STEWART DEBORAH LYNN	HARRIS HEIGHTS #4, BLOCK B, LOT 42, (REPLAT)		196 DARRIN DR		ROCKWALL	TX	75087
3856-0001-0001-00-0R		DOUBLE T VENTURES LLC	HENRY ADDITION, BLOCK 1, LOT 1		1500 S KREYMER LN		WYLIE	TX	75098
3856-0001-0001-00-0R		Resident	HENRY ADDITION, BLOCK 1, LOT 1		907 N GOLIAD ST		Rockwall	TX	75087
~~4048-000A-0001-00-0R~~		~~DONAHOE JOHN M & KATHRINE E~~	~~ISAAC PENA ADDITION, BLOCK A, LOT 1, ACRES 1.0~~		~~925 N GOLIAD ST~~		~~ROCKWALL~~	~~TX~~	~~75087~~
4049-000A-0001-00-0R		JAMESON DANIEL R	JAMESON ADDITION, BLOCK A, LOT 1, ACRES 1.495		909 N WEST ST		ROCKWALL	TX	75087
4050-0870-A001-00-0R		FARMER BARBARA A	JAYROE ADDN		919 N ALAMO RD		ROCKWALL	TX	75087
~~4436-0001-0001-00-0R~~		~~DOUBLE T VENTURES LLC~~	~~MISTY ADDITION, BLOCK 1, LOT 1~~		~~1500 S KREYMER LN~~		~~WYLIE~~	~~TX~~	~~75098~~
4436-0001-0001-00-0R		Resident	MISTY ADDITION, BLOCK 1, LOT 1		909 N GOLIAD		Rockwall	TX	75087
4509-000A-0001-00-0R		CROY DANNY L	NORTH TOWNE ADDITION, BLOCK A, LOT 1		195 CODY PL		ROCKWALL	TX	75087
4509-000A-0002-00-0R		YOUNG BARBARA NEUMANN	NORTH TOWNE ADDITION, BLOCK A, LOT 2		199 CODY PLACE		ROCKWALL	TX	75087
~~4509-000A-0028-00-0R~~		~~DURRANI NOOR U~~	~~NORTH TOWNE ADDITION, BLOCK A, LOT 28~~		~~(MR)~~	~~MAIL RETURNED~~		~~TX~~	
4509-000A-0028-00-0R		Resident	NORTH TOWNE ADDITION, BLOCK A, LOT 28		200 JACOB CROSSING		Rockwall	TX	75087
4509-000A-0029-00-0R		DRISCOLL SEAN & SARAH	NORTH TOWNE ADDITION, BLOCK A, LOT 29		196 JACOB XING		ROCKWALL	TX	75087
4509-000A-0030-00-0R		CARLON WILLIAM ANDREW	NORTH TOWNE ADDITION, BLOCK A, LOT 30		192 JACOB CROSSING		ROCKWALL	TX	75087
4509-000B-0001-00-0R		HOWETH GARY L & CAROL A	NORTH TOWNE ADDITION, BLOCK B, LOT 1		194 CODY PLACE		ROCKWALL	TX	75087
4509-000B-0002-00-0R		RAYMOND TIFFANY M	NORTH TOWNE ADDITION, BLOCK B, LOT 2		198 CODY PLACE		ROCKWALL	TX	75087
4509-000B-0003-00-0R		CRAWFORD KELLI	NORTH TOWNE ADDITION, BLOCK B, LOT 3		202 CODY PL		ROCKWALL	TX	75087
4509-000B-0010-00-0R		Resident	NORTH TOWNE ADDITION, BLOCK B, LOT 10		199 JACOB CROSSING		Rockwall	TX	75087
4509-000B-0010-00-0R		DEAN GREG	NORTH TOWNE ADDITION, BLOCK B, LOT 10		505 SUNSET HILL DR		ROCKWALL	TX	75087
4509-000B-0011-00-0R		Resident	NORTH TOWNE ADDITION, BLOCK B, LOT 11		193 JACOB CROSSING		Rockwall	TX	75087
4509-000B-0011-00-0R		ARIE SARA F & WILLIAM DOUGLAS	NORTH TOWNE ADDITION, BLOCK B, LOT 11		320 W HIGH ST		OVIEDO	FL	32765
~~4580-000R-0009-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 9~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0010-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 10~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0011-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 11~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0014-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 14~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0015-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 15~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0016-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 16~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0017-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 17~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0018-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 18~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0019-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 19~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0020-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 20~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0021-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 21~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000S-0020-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK S, LOT 20~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000S-0021-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK S, LOT 21~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000S-0022-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK S, LOT 22~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000S-0023-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK S, LOT 23~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000S-0024-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK S, LOT 24~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000S-0025-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK S, LOT 25~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~

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4580-000S-0026-00-0R		MASTER DEVELOPERS SNB LLC	NORTHSHORE #3, BLOCK S, LOT 26	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
4580-000S-0027-00-0R		MASTER DEVELOPERS SNB LLC	NORTHSHORE #3, BLOCK S, LOT 27	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
4580-000S-0028-00-0R		MASTER DEVELOPERS SNB LLC	NORTHSHORE #3, BLOCK S, LOT 28	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
4580-000S-0029-00-0R		MASTER DEVELOPERS SNB LLC	NORTHSHORE #3, BLOCK S, LOT 29	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
4580-000S-0030-00-0R		MASTER DEVELOPERS SNB LLC	NORTHSHORE #3, BLOCK S, LOT 30	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
4580-000S-0031-00-0R		MASTER DEVELOPERS SNB LLC	NORTHSHORE #3, BLOCK S, LOT 31	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
4580-000S-0032-00-0R		MASTER DEVELOPERS SNB LLC	NORTHSHORE #3, BLOCK S, LOT 32	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
4580-000S-0033-00-0R		MASTER DEVELOPERS SNB LLC	NORTHSHORE #3, BLOCK S, LOT 33	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
4721-000A-0001-00-0R		WILLIAMS LESLIE A	RAKICH ADDITION, BLOCK A, LOT 1, ACRES .252		922 N ALAMO RD		ROCKWALL	TX	75087
4721-000A-0002-00-0R		Resident	RAKICH ADDITION, BLOCK A, LOT 2, ACRES .257	BILLY PEOPLES JR & J PHILIP PEOPLES	919 N GOLIAD		Rockwall	TX	75087
4721-000A-0002-00-0R		PEOPLES BILLY &	RAKICH ADDITION, BLOCK A, LOT 2, ACRES .257	BILLY PEOPLES JR & J PHILIP PEOPLES	PO BOX 35		ROCKWALL	TX	75087
5260-0000-0001-00-0R		WILLIAMS ALEX R	WILLIAMS, LOT 1		906 N ALAMO RD		ROCKWALL	TX	75087

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CURANOVIC JOHN
361 WILLOWCREST
ROCKWALL, TX 75032

CRAWFORD JUANITA LIFE ESTATE AND
MICHAEL CRAWFORD
925 N ALAMO
ROCKWALL, TX 75087

CRAWFORD MICHAEL & MARY
975 N ALAMO RD
ROCKWALL, TX 75087

MASTER DEVELOPERS SNB LLC
ATTN LORI WOLFE
2400 DALLAS PARKWAY SUITE 510
PLANO, TX 75093

CANTRELL PAIGE
923 N ALAMO RD
ROCKWALL, TX 75087

DONAHOE JOHN M & KATHRINE E
925 N GOLIAD ST
ROCKWALL, TX 75087

DONAHOE JOHN M & KATHRINE E
1001 N GOLIAD
Rockwall, TX 75087

HILL LES & SHARON ANN
911 N GOLIAD ST
ROCKWALL, TX 75087

JONES PAMELA J
912 N ALAMO RD
ROCKWALL, TX 75087

STACEY MARY A
912 N GOLIAD ST
ROCKWALL, TX 75087

HEAVENLY HANDS BIRTHING CENTER PLLC
908 N GOLIAD STREET
ROCKWALL, TX 75087

WILCOXSON PAUL E
921 N ALAMO RD
ROCKWALL, TX 75087

SYFERD STACI ANN
917 N ALAMO RD
ROCKWALL, TX 75087

HARRIS JAMES SCOTT &
ANNETTE JANE NABORS
907 N ALAMO
ROCKWALL, TX 75087

HAYNES GREGORY & AMANDA
909 N ALAMO
ROCKWALL, TX 75087

HOLLOWAY LESLIE D
911 N ALAMO RD
ROCKWALL, TX 75087

WHITE TIMOTHY E
9104 PRIVATE ROAD 2325
TERRELL, TX 75160

WHITE TIMOTHY E
913 N ALAMO RD
Rockwall, TX 75087

PEOPLES DERYL W
5268 COUNTY ROAD 2648
ROYSE CITY, TX 75189

PEOPLES DERYL W
915 N ALAMO
Rockwall, TX 75087

MARTINKUS NICOLE
908 N WEST ST
ROCKWALL, TX 75087

PERRY RUBY DELL
910 N WEST ST
ROCKWALL, TX 75087

WILLIAMS ALEX RAY &
PATRICIA LWILLIAMS WILKERSON
906 N ALAMO RD
ROCKWALL, TX 75087

WILLIAMS ALEX RAY &
PATRICIA LWILLIAMS WILKERSON
905 N GOLIAD
Rockwall, TX 75087

PIERCE CAROLYN GREEN
908 N ALAMO RD
ROCKWALL, TX 75087

UDSTUEN STEVE
502 COLUMBIA DR
ROCKWALL, TX 75032

UDSTUEN STEVE
917 N GOLIAD
Rockwall, TX 75087

MEDLIN ELTON LAKE
1222 MIDDLEBROOK PL
DALLAS, TX 75208

MEDLIN ELTON LAKE
918 N ALAMO
Rockwall, TX 75087

ADAMS JAMES & DEBBIE
208 SUMMIT RIDGE DR
ROCKWALL, TX 75087

ADAMS JAMES & DEBBIE
915 N GOLIAD
Rockwall, TX 75087

CHAVEZ ENRIQUE
923 N GOLIAD ST
ROCKWALL, TX 75087

MONK MARCELLE A LAZARE & PAUL
924 N ALAMO RD
ROCKWALL, TX 75087

ZAVALA VICTOR V
910 N ALAMO RD
ROCKWALL, TX 75087

STEWART DEBORAH LYNN
196 DARRIN DR
ROCKWALL, TX 75087

DOUBLE T VENTURES LLC
1500 S KREYMER LN
WYLIE, TX 75098

DOUBLE T VENTURES LLC
907 N GOLIAD ST
Rockwall, TX 75087

JAMESON DANIEL R
909 N WEST ST
ROCKWALL, TX 75087

FARMER BARBARA A
919 N ALAMO RD
ROCKWALL, TX 75087

DOUBLE T VENTURES LLC
909 N GOLIAD
Rockwall, TX 75087

CROY DANNY L
195 CODY PL
ROCKWALL, TX 75087

YOUNG BARBARA NEUMANN
199 CODY PLACE
ROCKWALL, TX 75087

DURRANI NOOR U
200 JACOB CROSSING
Rockwall, TX 75087

DRISCOLL SEAN & SARAH
196 JACOB XING
ROCKWALL, TX 75087

CARLON WILLIAM ANDREW
192 JACOB CROSSING
ROCKWALL, TX 75087

HOWETH GARY L & CAROL A
194 CODY PLACE
ROCKWALL, TX 75087

RAYMOND TIFFANY M
198 CODY PLACE
ROCKWALL, TX 75087

CRAWFORD KELLI
202 CODY PL
ROCKWALL, TX 75087

DEAN GREG
505 SUNSET HILL DR
ROCKWALL, TX 75087

DEAN GREG
199 JACOB CROSSING
Rockwall, TX 75087

ARIE SARA F & WILLIAM DOUGLAS
320 W HIGH ST
OVIEDO, FL 32765

ARIE SARA F & WILLIAM DOUGLAS
193 JACOB CROSSING
Rockwall, TX 75087

WILLIAMS LESLIE A
922 N ALAMO RD
ROCKWALL, TX 75087

PEOPLES BILLY &
BILLY PEOPLES JR & J PHILIP PEOPLES
PO BOX 35
ROCKWALL, TX 75087

PEOPLES BILLY &
BILLY PEOPLES JR & J PHILIP PEOPLES
919 N GOLIAD
Rockwall, TX 75087

WILLIAMS ALEX R
906 N ALAMO RD
ROCKWALL, TX 75087

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In Notice Area - For

Gonzales, David

From: Sanford, JoDee on behalf of Planning
Sent: Tuesday, June 10, 2014 11:39 AM
To: Gonzales, David
Subject: FW: Case # Z2014-015: Accessory Building SUP

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | http://www.rockwall.com

From: Nick Titlow [mailto:natitlow@yahoo.com]
Sent: Tuesday, June 10, 2014 10:22 AM
To: Planning
Subject: Case # Z2014-015: Accessory Building SUP

Robert LaCroix,
David Gonzalez,

We are the neighbors of Dennis and his wife who live at 921 N. Alamo, we live at 923 N. Alamo Rd. In regards to the new building that Dennis is wanting to put on his property, we ***do not*** have an issue with it.

If having the new building on his property helps him to accomplish the things he wants to or needs to as a home owner then nobody should stop him from achieving his goals. If the building helps to increase his property value, which we all know it will, then let him improve the value of it. If we, as his immediate neighbors, who will see the building everyday do not have a problem with the building, let him build it.

As far as the other people in the area that can not see his property, house, let alone a building behind his house that have a say, who cares. His new building and property have no effect on them. In working for a local Law Enforcement Agency I understand the reason why rules, regulations, and documentation is so important. However, I feel that sometimes common sense goes out the window. But as we hope nobody interferes with the wants/needs in this case, we also hope that if somebody does have an issue with new building that you take into account the opinion of the people the building will have a direct impact on (property that immediately adjoins 921 N. Alamo Rd.) and that it carries more weight, than those who are down the street or can not see his property.

Having grown up in Rockwall and even working for the city in Parks and Rec. while in high school, I know why this city is in such high demand. That is why I recently moved back with my wife and look forward to starting my family here. All we ask is that you include this letter to City Council and take into account the opinions of the neighbors who will be in direct contact with the property at 921 N. Alamo Rd. Unfortunately, as neither of us can make the public hearings due to our work schedules, we ask that this letter be our voice in the matter of case Z2014-015. Thank you for your time and have a blessed day.

Sincerely,

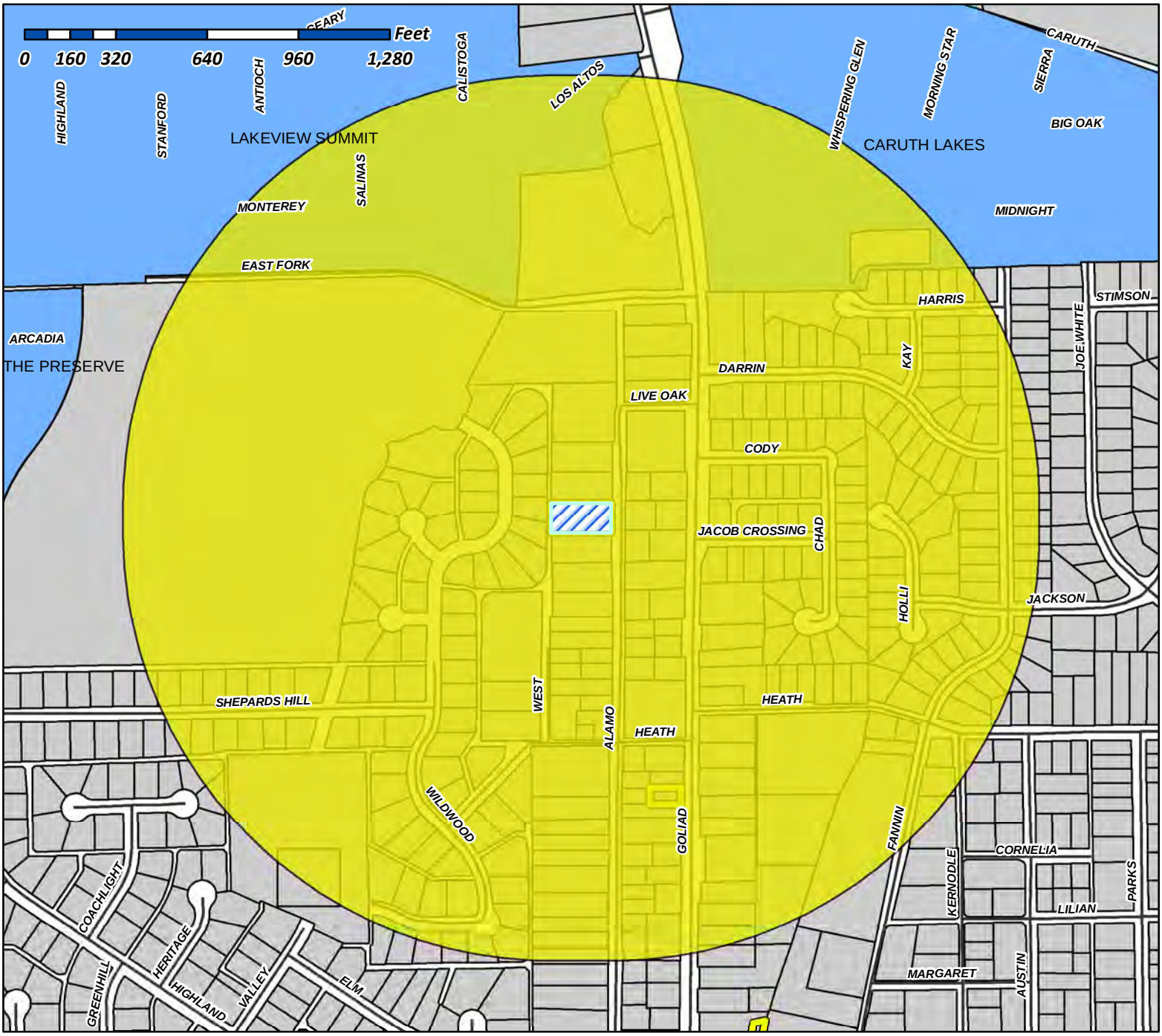
Nick & Alyssa Titlow

p.s. We were just married and we do not know if the records have been updated in your files to verify that we are the home owners. If you have any questions feel free to contact Nick on his cell phone (972) 768-9401.

City of Rockwall

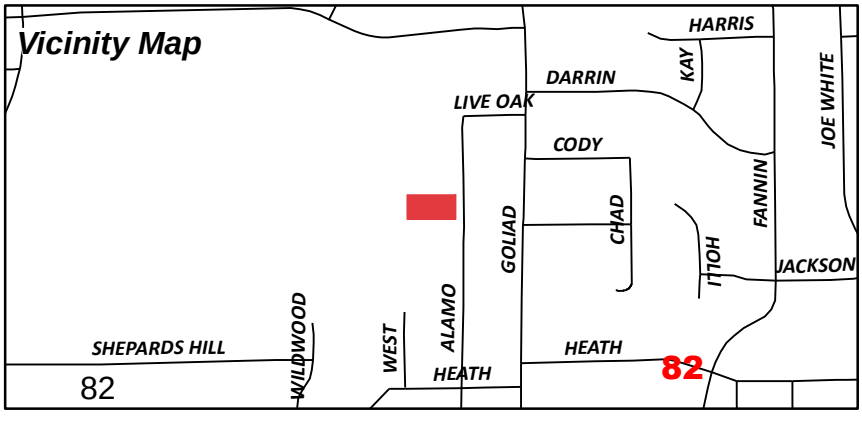
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

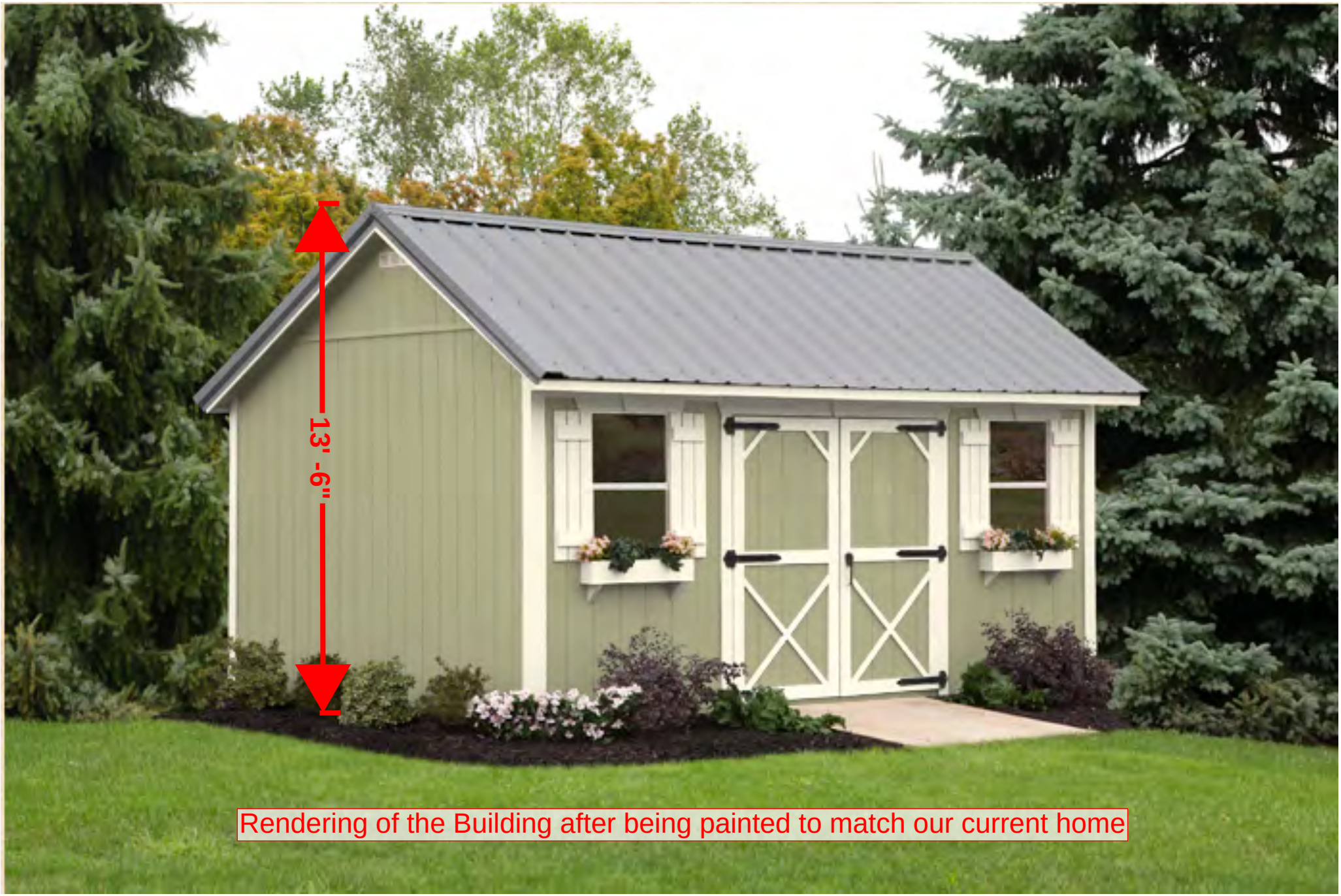
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Case Number: Z2014-015
Case Name: Accessory Building SUP
Case Type: Specific Use Permit
Zoning: SF-10
Case Address: 921 N. Alamo Road

Date Created: *05/19/2014*
For Questions on this Case Call (972) 771-7745





Rendering of the Building after being painted to match our current home

83

Search | Cart | Email | Share | Tweet

Property ID: 16651 For Year 2014

View Map | Print

Map

DISCLAIMER



Property Details

Account	
Property ID:	16651
Legal Description:	GARNER, BLOCK PART 4
Geographic ID:	3730-0004-0000-A0-0R
Agent Code:	
Type:	Real
Location	
Address:	921 N ALAMO
Map ID:	2-3
Neighborhood CD:	N3730
Owner	
Owner ID:	15612
Name:	WILCOXSON PAUL E
Mailing Address:	921 N ALAMO RD ROCKWALL, TX 75087-2255
% Ownership:	100.0%
Exemptions:	HS - Homestead OV65 - Over 65

Property Values

Improvement Homesite Value:	N\A
Improvement Non-Homesite Value:	N\A
Land Homesite Value:	N\A
Land Non-Homesite Value:	N\A
Agricultural Market Valuation:	N\A
Market Value:	N\A
Ag Use Value Reduction:	N\A
Appraised Value:	N\A
HS Cap:	N\A
Assessed Value:	N\A

DISCLAIMER: Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

84


20619
11283
Proposed Building Location
211'-0"
20618
16651
House
104'-0"
Alamo Rd.
Future Alley
20617
Existing Building
Small Metal Building
to be removed
18276
16668
20616
85


Existing Neighbor's Building

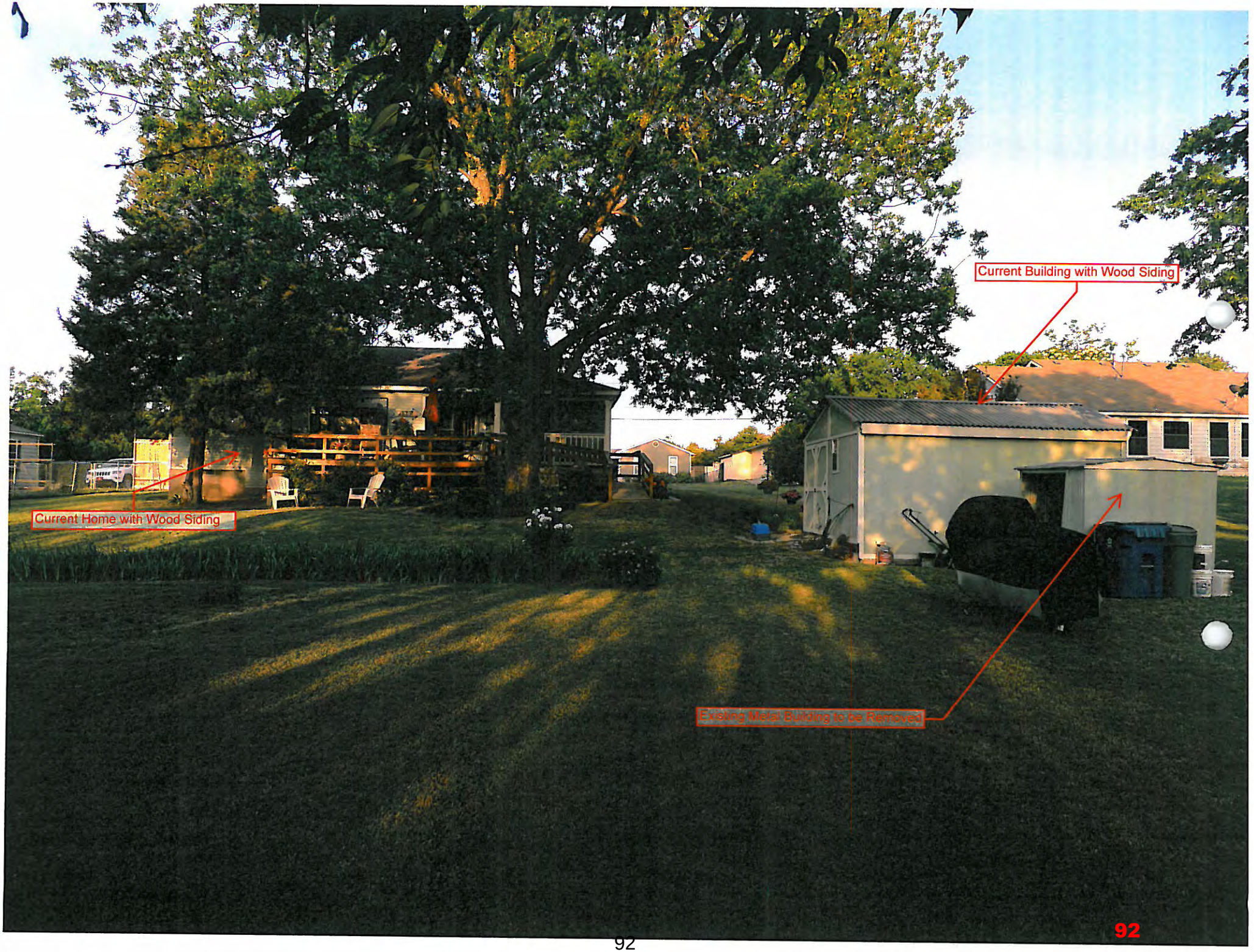

Existing Neighbor's Building
87


Current Home with Wood Siding
Current Building with Wood Siding
88


Proposed Building Location
89


North (side) Property Line
West (back) Property Line
Proposed Building Location
90


Proposed Building Location
91


Current Building with Wood Siding
Current Home with Wood Siding
Existing Metal Building to be Removed
92


North West Property Corner Flagged
from Survey of lot to the North.
93


Existing Metal Building to be Removed
94

CITY OF ROCKWALL

ORDINANCE NO. 14-___

SUP NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN THE SINGLE-FAMILY RESIDENTIAL (SF-10) DISTRICT ALLOWING FOR AN ACCESSORY BUILDING EXCEEDING THE SIZE REQUIREMENTS, ON THE PROPERTY LOCATED AT 921 ALAMO ROAD, BEING A 0.74-ACRE PARCEL OF LAND IDENTIFED AS A PORTION OF BLOCK 4, GARNER ADDITION, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A'; CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Dennis D. Alsup for a Specific Use Permit allowing for an accessory building exceeding the size requirements within the Single-Family Residential (SF-10) District, on the property located at 921 Alamo Road, being a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for an accessory building exceeding the size requirements within the Single-Family Residential (SF-10) District for the *Subject Property*; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in ***Article IV, Section 2.1.2, Residential and Lodging Use Conditions,*** of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended and as may be amended in the future, and shall be subject to the additional following additions:

1) The accessory building must conform to all Engineering and Fire Department standards; and

2) Submittal and approval of a building permit is required prior to the construction of the

accessory building; and

3) The accessory building must conform to the approved site plan (survey) and building elevations (photo) depicted in Exhibits 'A' & 'B' of this ordinance; and

4) The accessory building shall not exceed 240 square feet in area; and

5) The accessory building shall not exceed a maximum height of 15 feet; and

6) The accessory building is subject to administrative review in the event that the subject property is sold or conveyed in any manner to another party, subdivided, or re-platted; and

7) The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof; and

8) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE ____ DAY OF _____, 2014.

_____
David Sweet, *Mayor*

ATTEST:

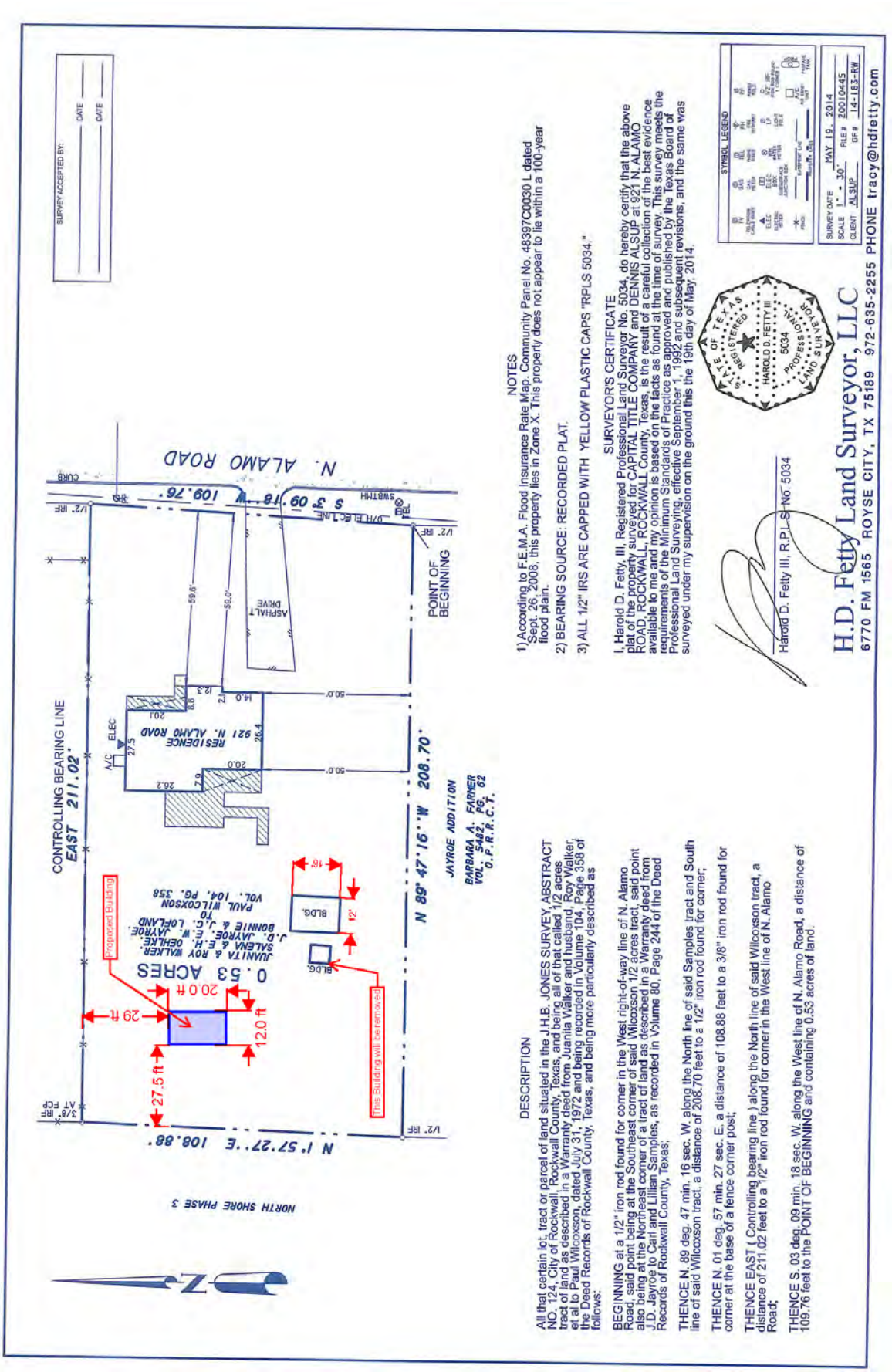
_____

Kristy Ashberry, *City Secretary*
APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: _____

2nd Reading: _____



NOTES

1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: RECORDED PLAT.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

DESCRIPTION

All that certain lot, tract or parcel of land situated in the J.H.B. JONES SURVEY, ABSTRACT NO. 124, City of Rockwall, Rockwall County, Texas, and being all of that called 1/2 acres tract of land as described in a Warranty deed from Juanita Walker and husband, Roy Walker, et al to Paul Wilcoxson, dated July 31, 1972 and being recorded in Volume 104, Page 358 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the West right-of-way line of N. Alamo Road, said point being at the Southeast corner of said Wilcoxson 1/2 acres tract, said point also being at the Northeast corner of a tract of land as described in a Warranty deed from J.D. Jayroe to Carl and Lillian Samples, as recorded in Volume 80, Page 244 of the Deed Records of Rockwall County, Texas;

THENCE N. 89 deg. 47 min. 16 sec. W. along the North line of said Samples tract and South line of said Wilcoxson tract, a distance of 208.70 feet to a 1/2" iron rod found for corner;

THENCE N. 01 deg. 57 min. 27 sec. E. a distance of 108.88 feet to a 3/8" iron rod found for corner at the base of a fence corner post;

THENCE EAST (Controlling bearing line) along the North line of said Wilcoxson tract, a distance of 211.02 feet to a 1/2" iron rod found for corner in the West line of N. Alamo Road;

THENCE S. 03 deg. 09 min. 18 sec. W. along the West line of N. Alamo Road, a distance of 109.76 feet to the POINT OF BEGINNING and containing 0.53 acres of land.

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for CAPITAL TITLE COMPANY and DENNIS ALSUP at 921 N. ALAMO ROAD, ROCKWALL, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 19th day of May, 2014.

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

Harold D. Fetty III, R.P.L.S. No. 5034

SYMBOL LEGEND

SURVEY DATE MAY 19, 2014
SCALE 1" = 30' FILE # 20010445
CLIENT AL SUP DF # 14-183-RW

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

Exhibit B: Elevations



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100

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 06/16/2014

APPLICANT: Scott W. Blackwood

AGENDA ITEM: **Z2014-016**; Zoning Change (AG to PD)

SUMMARY:

Hold a public hearing to discuss and consider a request by Scott W. Blackwood for the approval of a zoning change from Agricultural (AG) District to a Planned Development District for limited commercial/retail land uses on a 12.493-acre tract of land identified as Tract 17-14 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, located west of the intersection of SH-205 [S. Goliad Street] and S. FM-549, and take any action necessary.

BACKGROUND INFORMATION AND PURPOSE:

On January 21, 2014, the subject property was annexed under *Case No. A2013-001* (*Ordinance No. 14-04*) and issued an Agricultural (AG) District zoning designation. The intent of the applicant's request is to change the zoning designation of the subject property from an Agricultural (AG) District to a Planned Development District for limited commercial/retail land uses to facilitate the sale of the property. According to a letter provided by the owner of the property the reason the Planned Development District is being requested is to limit the potential uses and provide transition between the commercial property to the north and the residential property to the south. Currently, the 12.493-acre tract of land is being utilized for residential land uses and has an existing single family home situated on it.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a 7.32-acre tract of land zoned Commercial (C) District that has a residential structure being utilized as an office building. To the northeast of the subject property is a residential home situated on a 6.0-acre tract of land. Beyond these uses are S. Goliad Street [*SH-205*] and S. FM-549.

South: Directly south of the subject property is a residential home situated on a 12.5-acre tract of land. Beyond this is a 134.33-acre tract of vacant land that is a portion of a larger 254.082-acre tract of land. Both properties are zoned Agricultural (AG) District.

East: Directly east of the subject property is remainder of the 134.33-acre tract of vacant land that is a portion of a larger 254.082-acre tract of land zoned Agricultural (AG) District. Beyond this property is S. Goliad Street [*SH-205*].

West: Directly west of the subject property is S. FM-549 followed by the Oaks of Buffalo Way, which is a 109.57-acre development containing 58 single-family homes that are zoned Single Family Estate 1.5 (SFE-1.5) District.

ANALYSIS:

The UDC indicates that Commercial (C) Districts are general in nature and contain development standards that are less stringent than the development standards required for the Residential-Office (RO), Neighborhood Services (NS) and General Retail (GR) Districts (*§4.5.4; Art. V; UDC*). Additionally, it states that Commercial (C) Districts are generally developed with intensive commercial uses that carry large volumes of traffic and should be adjacent to arterials or major collectors that can absorb the added capacity (*§4.5.2; Art. V; UDC*). The subject property is approximately 650-feet from the intersection of SH-205 and FM-549, which is currently a 'T' intersection. On the north side of the intersection is a 43.812-acre tract of land that was rezoned to a Commercial (C) District designation on March 4, 2013 [*Case No. Z2013-002; Ordinance No. 13-03*]. The City's current Thoroughfare Plan, contained within the Comprehensive Plan, indicates that this 43.812-acre tract of land will eventually be divided by the realignment of FM-549, which will connect into the existing 'T' intersection. In addition, the 7.32-acre tract of land located at the southern corner of the intersection was rezoned to a Commercial (C) District designation on April 4, 2010 [*Case No. Z2010-021; Ordinance No. 11-12*]. The approval of this zoning case would increase the commercial acreage offered at this intersection from 51.132-acres to 63.625-acres. It is also important to note that the 7.130-acre property on the west side of the intersection is currently zoned Agricultural (AG) District; however, due to the adjacent land uses and the size and location of the property it would best be served by a Commercial (C) District (*or comparable*) zoning designation. Additionally, it is designated for *Commercial* land uses on the Future Land Use Map.

Directly northwest of the subject is the Oaks of Buffalo Way subdivision (zoned SFE-1.5), which contains 58 single-family lots on 109.57-acres of land. Addressing adjacency issues the Comprehensive Plan states that commercial "(z)oning should only be allowed where the [a] commercial use is eminent and where it would be planned and integrated with the adjacent residential neighborhoods." The applicant has stated that the purpose of the zoning request is to facilitate the sale of the property and that no end user has been identified. Through the Planned Development District the applicant has attempted to mitigate potential uses, which could be viewed as undesirable to the adjacent residential neighborhood. Additionally, staff has included a condition that the heights of buildings be further regulated to require a Specific Use Permit (SUP) if they exceed 36-feet in height with a maximum permissible height of 60-feet (the maximum permissible height in a SFE-1.5 zoning district is 36-feet) [*see the #2 in the Recommendations section below*]. Currently the Commercial (C) District allows for a maximum permissible height of 240-feet, requiring an SUP after exceeding 60-feet.

In approving a Planned Development District the City Council is asked to consider the plans conformance to the comprehensive plan, the proposed land uses and there potential impact on adjacent land uses, and if the proposed plan furthers the public health, safety and general welfare of the community (*§2.1.I; Art. X; UDC*). In this case the applicant intends to rezone the property to facilitate the sale of said property, and is requesting the Planned Development District zoning designation for the purpose of limiting the uses permitted in a Commercial (C) District to lessen the potential impact on the adjacent residential properties. Should the request be approved a PD Development Plan and PD Site Plan would be required prior to the development of the property.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Map, adopted with the Comprehensive Plan, designates the subject property for *Low Density Residential* land uses. Should the City Council approve the applicant's request, the Future Land Use Map will be required to be amended with the next Comprehensive

Plan update to reflect the proposed change in land use from *Low Density Residential* to a *Commercial* designation.

NOTIFICATION:

On May 30, 2014, staff mailed 17 notices to property owners and residents within 500 feet of the subject property. Staff also sent a notice to the Oaks of Buffalo Way Homeowner's Associations (HOA), which is the only HOA located within 1,500 feet of the subject property. Additionally, staff posted a sign along FM-549, which is the only street frontage adjacent to the subject property as required by the Unified Development Code (UDC). At the time this case memo was drafted staff had received one (1) in favor of the request and two (2) notices in opposition to the request.

According to Section 8.4, *Protest of Proposed Change in Zoning*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code in the event that written and signed protest is received by owners representing 20% or more of the area of the lots or land within 200-feet of the subject property in such zoning change the request shall require a favorable vote of three-fourths (¾) of all eligible member of the City Council. In this case, the two (2) notices received in opposition represent ~30.04% of the land area within 200-feet of the subject property. This case will require a three-fourths (¾) majority vote to be approved by the City Council.

RECOMMENDATIONS:

If the City Council approves the applicant's request to change the zoning of the subject property from an Agricultural (AG) District to a Planned Development District for limited commercial/retail uses then staff would propose the following conditions of approval:

1) The *Subject Property* shall comply with all the requirements specified by Section 4.1, *General Commercial District Standards*, and Section 4.5, *Commercial (C) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] unless specifically stated within the draft ordinance,

2) Any structure exceeding 36-feet in height shall require a Specific Use Permit (SUP) with the maximum permissible building height on the *Subject Property* being limited to 60-feet,

3) The *Subject Property* shall be used only in accordance with the uses stipulated by the attached list of *Permissible Uses*,

4) Prior to the acceptance of a preliminary plat and/or site plan for the *Subject Property* a PD Development Plan shall be required to be submitted and reviewed by the Planning and Zoning Commission, and upon recommendation by the Planning and Zoning Commission, acted on by the City Council,

5) Prior to the acceptance of a preliminary plat for the *Subject Property* a PD Site Plan shall be required to be considered by the Planning and Zoning Commission, and if applicable acted on by the City Council, and

6) Any construction resulting from the approval of this *zoning change* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire

codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On June 10, 2014, the Planning and Zoning Commission recommended denial of the applicants request by a vote of 5-1, with Commissioner Lyons dissenting and Commissioner Minth absent.

ADDENDUM (06/11/2014):

Based on the concerns raised by the Planning and Zoning Commission at their meeting on June 10, 2014 the applicant has requested to remove the following uses from the draft ordinance:

- ☑ Pawn Shop
- ☑ Private Club
- ☑ Restaurant, Less than 2,000 Sq. Ft., with Drive-Through or Drive-in
- ☑ Restaurant, 2,000 Sq. Ft., with Drive-Through or Drive-in
- ☑ Restaurant with Accessory Private Club or Brew Pub

If the City Council chooses to approve the applicant's request with these changes a motion will need to be made specifically addressing the exclusion of these uses.

Miller, Ryan

From: Scott Blackwood <glentech@netportusa.com>
Sent: Wednesday, June 11, 2014 2:51 PM
To: Miller, Ryan
Subject: Fwd: Scott & Glenita Blackwood Zoning Application Changes

Mr. Miller,

First of all, as I pointed out to Scott, I was thoroughly impressed with your presentation and how you represented an unbiased view for all involved. I admire and appreciate your professionalism and applaud you!

Here is a list of planned zoning changes we wish to address and remove for all to be comfortable and our desire is to find a fair platform for all parties involved with our proposed planning zone change.

Please remove the following uses made below:

Pawn Shop
Private Club
Restaurant, Less than 2000 Sq. Ft., w/Drive-Thru or Drive-in
Restaurant, 2000 Sq. Ft. or more, w/ Drive-Thru or Drive-in
Restaurant with accessory Private Club or Brew Pub

Thank you for including us in next week's City Council Agenda.

Glenita Blackwood
5205 South FM 549
Rockwall, Texas 75032
Scott cell 972-768-4835
Glenita cell 214-769-8333



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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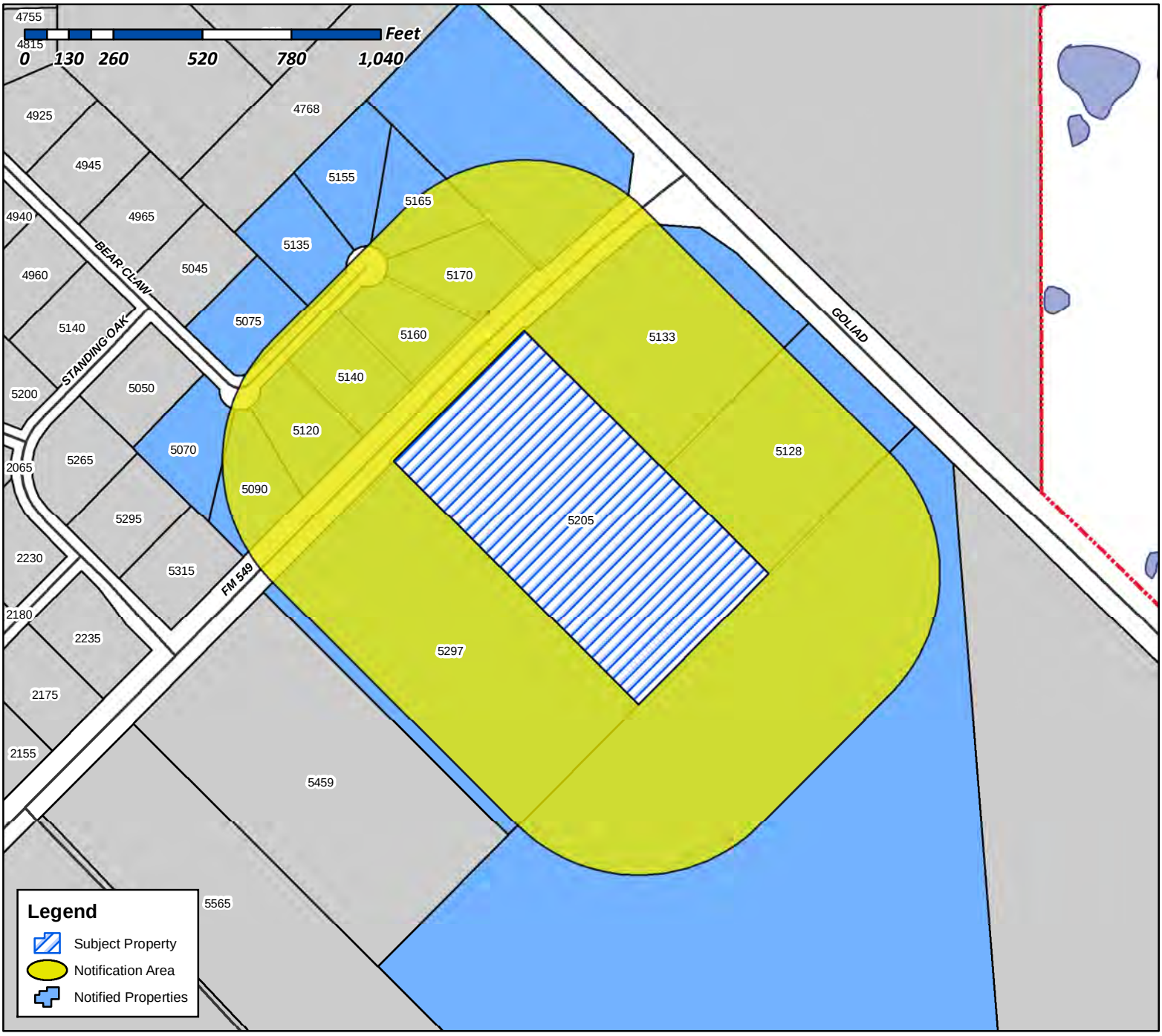
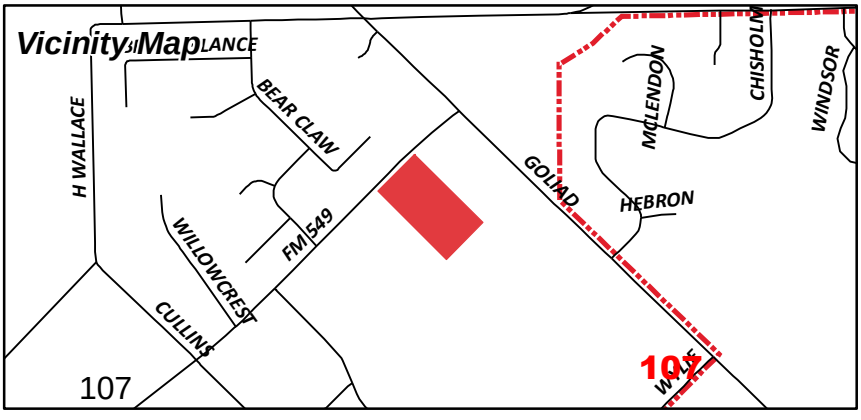


Case Number: Z2014-016
Case Name: Zoning Change AG to PD
Case Type: Zoning
Zoning: AG
Case Address: 5205 S. FM 549



Date Created: 5/19/2014
For Questions on this Case Call (972) 771-7745

Reference No.	Name	Legal Description	Address 1	Address 2	City	State	Zip
0080-0000-0010-01-0R	HOME BOY ENTERPRISES INC	A0080 W W FORD, TRACT 10-1, ACRES 7.130		460 LAWRENCE DR	HEATH	TX	75032
0080-0000-0017-08-0R	ZEB MOHIUDIN DR &	A0080 W W FORD, TRACT 17-8, ACRES 6.00	NASREEN ZEB	5128 S STATE HIGHWAY 205	ROCKWALL	TX	75032
0080-0000-0017-10-0R	FARIS GREG W & AMY E	A0080 W W FORD, TRACT 17-10, ACRES 12.500		5297 S FM 549	ROCKWALL	TX	75032
0080-0000-0017-12-0R	J BR2 LLC	A0080 W W FORD, TRACT 17-12, ACRES 7.32		5133 S FM 549	ROCKWALL	TX	75032
0080-0000-0017-14-0R	BLACKWOOD SCOTT W & GLENITA G	A0080 W W FORD, TRACT 17-14, ACRES 12.493		5205 S FM 549	ROCKWALL	TX	75032
0080-0000-0017-15-0R	ROCKWALL HIGHGATE LTD	A0080, W W FORD, TRACT 17-15, 134.33 ACRES, (PT OF 254.082 AC TR)	C/O SCOTT ASBURY	6210 PRESTON CREEK DR	DALLAS	TX	75240
4603-000C-0008-00-0R	PREAS GREGORY A & THERESE M	OAKS OF BUFFALO WAY, BLOCK C, LOT 8		5075 BEAR CLAW LN	ROCKWALL	TX	75032
4603-000C-0009-00-0R	BALEY ROBIN E	OAKS OF BUFFALO WAY, BLOCK C, LOT 9		5135 BEAR CLAW LANE	ROCKWALL	TX	75032
4603-000C-0010-00-0R	Resident	OAKS OF BUFFALO WAY, BLOCK C, LOT 10		5155 Bear Claw Lane	ROCKWALL	TX	75032
4603-000C-0010-00-0R	GROOM ROGER	OAKS OF BUFFALO WAY, BLOCK C, LOT 10		PO BOX 1150	MABANK	TX	75147
4603-000C-0011-00-0R	YOUNG BRIAN E & PATTI D	OAKS OF BUFFALO WAY, BLOCK C, LOT 11		5165 BEAR CLAW LANE	ROCKWALL	TX	75032
4603-000C-0012-00-0R	THURMOND KATHRYN	OAKS OF BUFFALO WAY, BLOCK C, LOT 12		5170 BEAR CLAW	ROCKWALL	TX	75032
4603-000C-0013-00-0R	PHILIP MOHAN AND	OAKS OF BUFFALO WAY, BLOCK C, LOT 13	J KURIAN AKA JANET KURIAN	5160 BEAR CLAW LANE	ROCKWALL	TX	75032
4603-000C-0014-00-0R	USMAN ASIM & HUMA RASHID	OAKS OF BUFFALO WAY, BLOCK C, LOT 14		5140 BEAR CLAW LN	ROCKWALL	TX	75032
4603-000C-0015-00-0R	COX ANTHONY S & DANNAI M	OAKS OF BUFFALO WAY, BLOCK C, LOT 15		5120 BEAR CLAW LN	ROCKWALL	TX	75032
4603-000C-0016-00-0R	JONAH NELSON O	OAKS OF BUFFALO WAY, BLOCK C, LOT 16		5090 BEAR CLAW LN	ROCKWALL	TX	75032
4603-000C-0017-00-0R	AMYX LEIF AND TERRY LORENZ	OAKS OF BUFFALO WAY, BLOCK C, LOT 17		5070 BEAR CLAW LN	ROCKWALL	TX	75032
Non-resident Owner							
Undeveloped Land							
Property Resident							
~~Duplicate/No address (Not Mailed)~~							

City of Rockwall

Planning & Zoning Department
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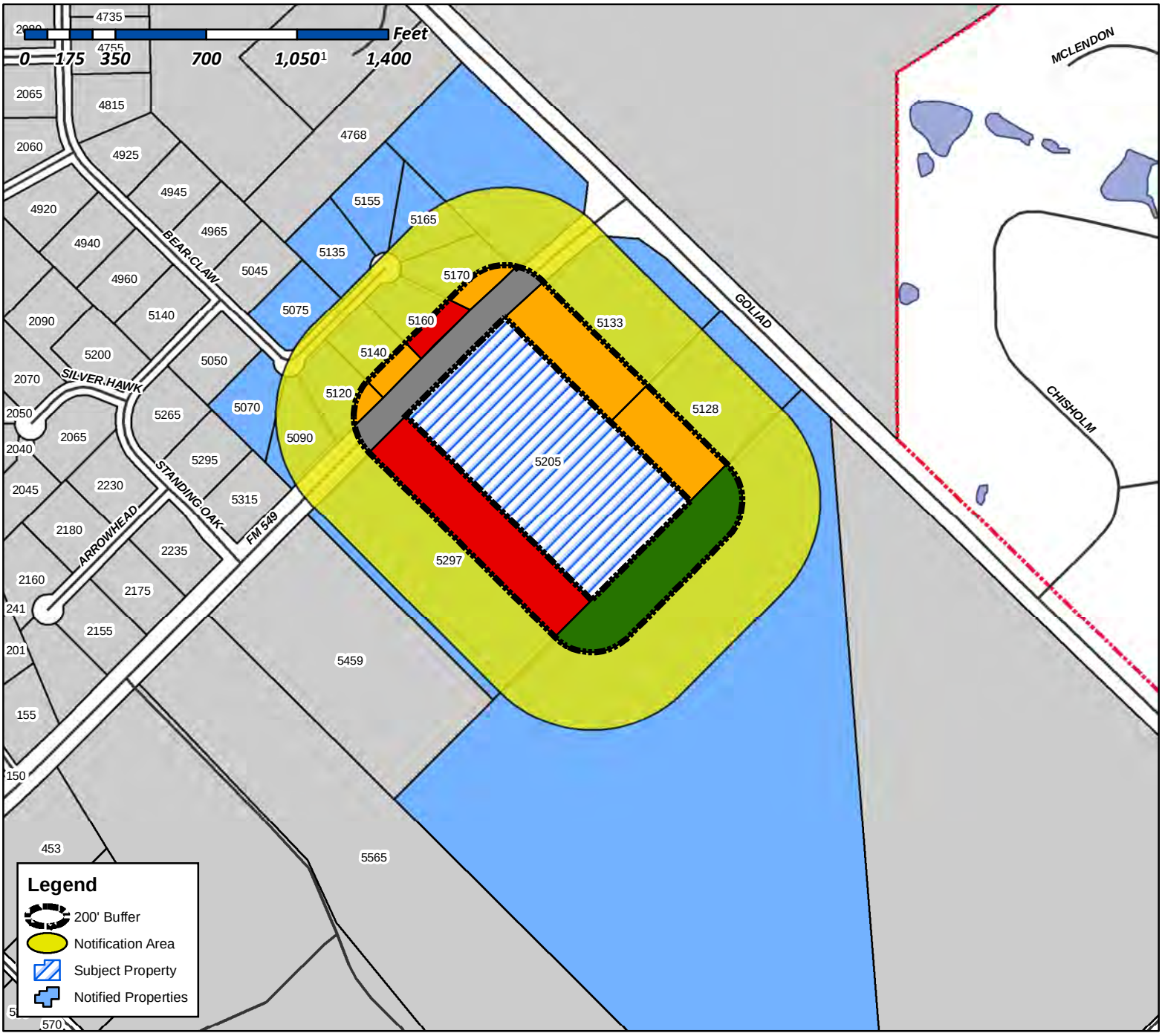
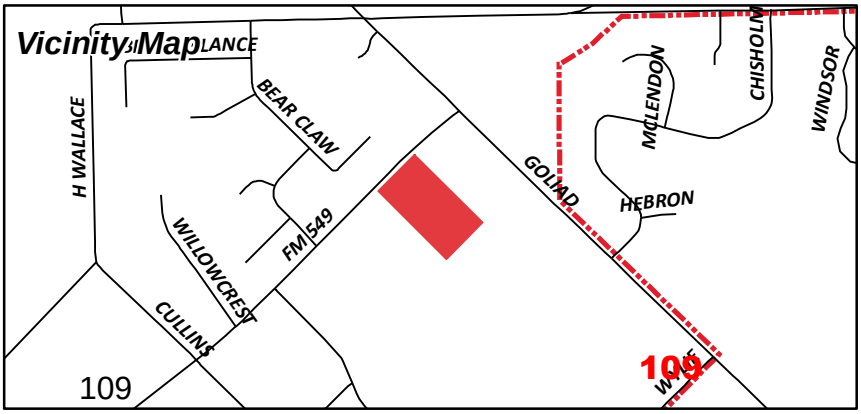


For and Against Map:

- Against (30.04%)
- For (22.95%)
- No Response (33.18%)
- Right-of-Way (13.83%)

Date Created: 06/10/2014

For Questions on this Case Call (972) 771-7745



Miller, Ryan

From: Sanford, JoDee on behalf of Planning
Sent: Tuesday, June 10, 2014 11:40 AM
To: Miller, Ryan
Subject: FW: Zoning Case # Z2014-16. In Favor of Change.

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | http://www.rockwall.com

From: Scott Asbury [mailto:SAsbury@3LRealtyGroup.com]
Sent: Tuesday, June 10, 2014 11:02 AM
To: Planning
Subject: Zoning Case # Z2014-16. In Favor of Change.

Mr. Lacroix,

RE: Zoning Case # Z2014-016

We own the 264 acres adjacent to the subject property. Rockwall HighGate LP. The physical address is 5565 FM 549.

We support the zoning change for this parcel to commercial and other parcels around the future 4 way intersection at 205 & 549. There is no doubt that commercial is the highest and best use for this corner, and we believe that this intersection will someday be a significant commercial intersection and will help support future residential and commercial development in the area. This development area will add a significant amount to the Rockwall tax base. Additionally, we believe that Rockwall must continue to promote growth in order to attract world class companies and people to the area.

Sincerely,

Scott Asbury
Managing Member, Rockwall HighGate LP

Greg Faris
5297 S. FM 549
Rockwall, TX 75032

June 5, 2014

Robert LaCroix
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

Ryan,

I am writing to voice my concerns regarding case Z2014-016 for a proposed zoning change. Rezoning the property in question to commercial would drastically affect the homeowners at Oaks of Buffalo Way, my family (the adjoining property) and the homeowner abutting this property on 205. We have all invested a lot of time and money in our homes and certainly don't want to be faced with having an Exxon or worse literally in our neighborhood. This is not what Rockwall was built on and not what Rockwall is known for.

The current zoning is the correct zoning and this should not be taken lightly. A few years ago Rockwall was ranked as the number one place to raise a family and everyone was proud of that. Changing the zoning of this property will affect the quality of life for so many families that built here with the intentions of living a quiet, peaceful life away from the trappings of the city.

The Mission Statement for the City Rockwall states:

The purpose of the government of the City of Rockwall is to provide responsible leadership and the services and infrastructure necessary for a safe environment and a high quality of life for our citizens.

Please do not approve this zoning change request as it does not protect the high quality of life for the citizens in our neighborhood that is mentioned in the mission statement.

Sincerely,

Greg Faris

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PLEASE RETURN THE BELOW FORM

Case No. Z2014-016: Zoning Change (AG to PD)

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

It affects property value and could potentially affect the security of our home. It also increases traffic in the area which is already very bad.

Name: PHILIP LIVING TRUST, MOHAN PHILIP

Address: 5160 BEAR CLAW LN, ROCKWALL, TX- 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

City of Rockwall

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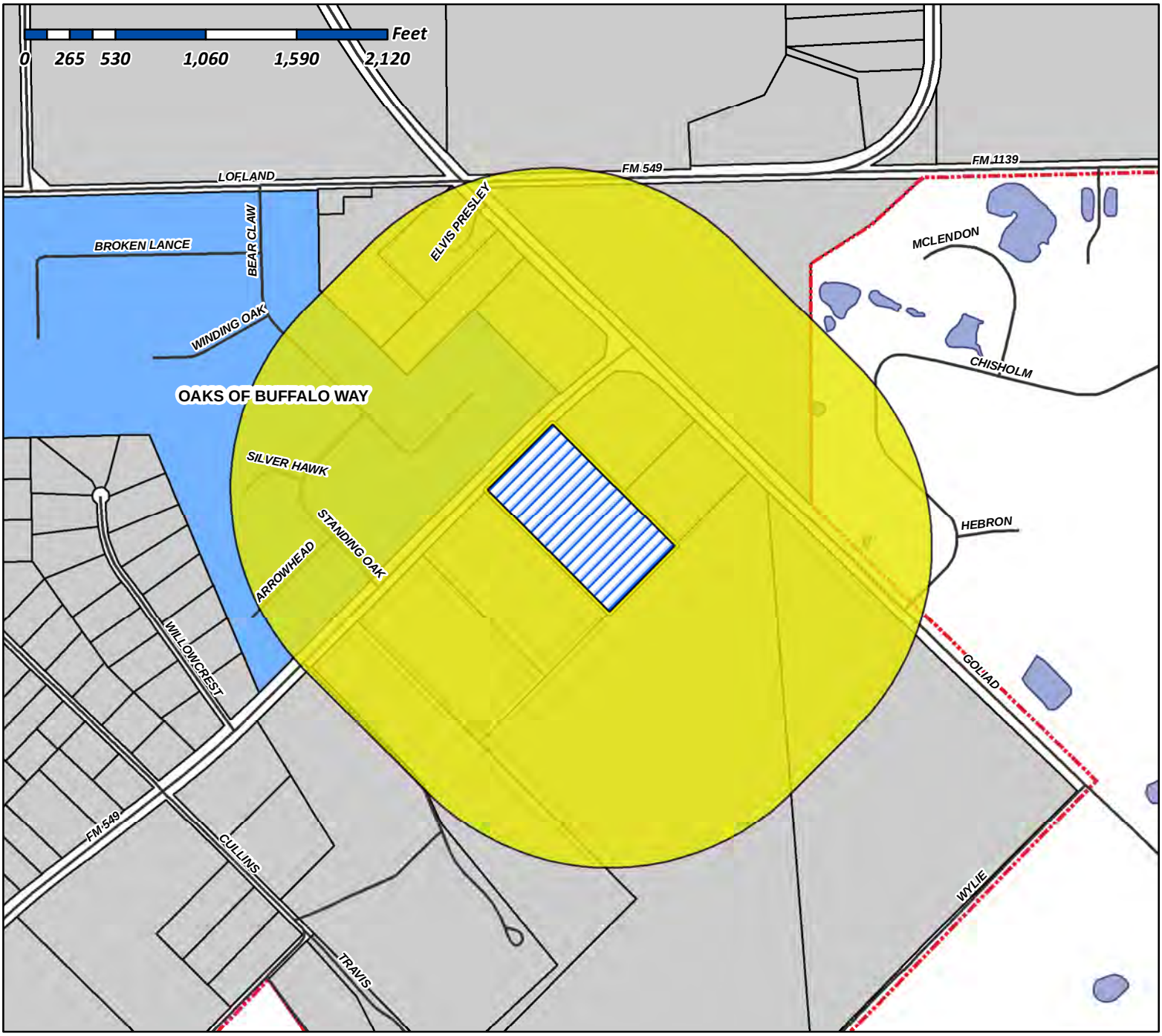
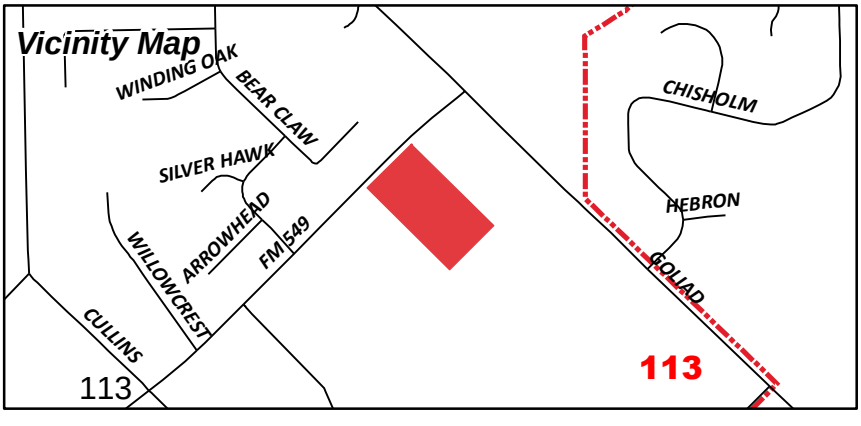


Case Number: Z2014-016
Case Name: Zoning Change AG to PD
Case Type: Zoning
Zoning: AG
Case Address: 5205 S. FM 549

Date Created: *5/19/2014*
For Questions on this Case Call (972) 771-7745



May 15, 2014

Mr. & Mrs. Scott W. Blackwood
5205 South FM 549
Rockwall, Texas 75032

RE: ZONING CHANGE REQUEST
A0080 TRACT 17-14, ACREAGE: 12.493
5205 SOUTH FM 549
ROCKWALL, TX 75032

Rockwall City Council
Goliad Street
Rockwall, Texas 75087

Dear Sirs:

On the advice of our real estate agent, Stephen Straughan, we are making a formal request for a zoning change to Planned Development. With the adjacent property to the east with commercial zoning being offered for sale and the undeveloped land to the south, we believe that the best zoning for our land is a Planned Development.

My wife and I are selling our residence and are requesting the Planned Development to limit potential uses.

Within this request are the uses that we would like to have included within the Planned Development, either as a permitted use or a use with a Special Use Permit.

Residential Care Facility	SUP
Assisted Living Facility	SUP
Convalescent Care Facility/Nursing Home	P
Congregate Care Facility/Elderly Housing	SUP
Day Care (7 or More Children)	P
Financial Institution With Drive-Through	P
Financial Institution Without Drive-Through	P
Office Building(s), Less Than 5,000 sq. ft.	P
Office Building(s), 5,000 sq. ft. or more	P
Community or Recreation Club, Public or Private	SUP
Health Club	P
Tennis Courts (Not Accessory To A Public or Private Club)	SUP
Antique or Collectible Store	P
Banquet Facility	P
Business School	P
Garden Supply/Plant Nursery	P
General Personal Service	P
General Retail Store	P
Hair Salon, Manicurist	P
Laundry, Drop Off/Pick Up	P

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Laundry, Self-Service	P
Massage Therapist	P
Museum or Art Gallery (private)	P
Pawn Shop	SUP
Pet Shop	P
Private Club	P
Real Estate Sales Office, On-Site, Temporary +	P
Restaurant, Less Than 2,000 sq.ft., w/drive-thru or drive-in	SUP
Restaurant, Less Than 2,000 sq.ft., w/o drive-thru or drive-in	P
Restaurant, 2,000 sq.ft. or more, w/drive-thru or drive-in	P
Restaurant, 2,000 sq.ft. or more, w/o drive-thru or drive-in	P
Restaurant With Accessory Private Club or Brew Pub +	P
Studio - Art, Photography, or Music	P
Tailor, Clothing or Apparel Shop	P
Building & Landscape Material, With Limited Outside Stg.	SUP
Electrical, Watch, Clock, Jewelry, and Similar Repair	P
Locksmith	P
Shoe & Boot Repair and Sales	P
Temporary On-Site Construction Office +	P
Private Streets	SUP
Satellite Dish +	P
Solar Energy Collector Panels & Systems	P
Wireless Communication Tower	SUP

It is our purpose to provide a development that compliments this area and is with the vision of the city's future land use.

Thank you for your consideration and we are looking forward to presenting this Planned Development .

Sincerely,



Scott & Glenita Blackwood
(972) 768-4835

EXHIBIT "A"

BEING 12.498 acres of land situated in the W.W. FORD SURVEY, ABSTRACT No. 80 and being a part of a tract of land described in a deed to Mark Lanning as recorded in Volume 903, Page 114, Real Estate Records, ROCKWALL County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found on the Southeast right of way line of F.M. Road No. 549, said iron rod being the North corner of a tract of land described a deed to C. Van Walker et ux Carol Miller Walker as recorded in Volume 1202, Page 202 of said Real Estate Records;

THENCE North 44 deg 47 min 35 sec East, along the Southeast right of way line of F.M. Road No. 549, a distance of 322.90 feet to a 1/2 inch iron rod found for corner, said iron rod being the beginning of a curve to the right having a central angle of 01 deg 57 min 18 sec, radius 6337.94 feet, and chord bearing North 45 deg 52 min 08 sec East, 216.26 feet;

THENCE continuing along the Southeast right of way line of said F.M. Road No. 549, an arc distance of 216.26 feet to a 1/2 inch iron rod found, said iron rod being the West corner of a tract of land described in a deed to Kenneth M. Urban and wife, Patricia Urban as recorded in Volume 1252, Page 300 of said Real Estate Records;

THENCE South 45 deg 12 min 25 sec East, along the Southwest line of said Urban's tract, and the Southwest line of a tract of land described in a deed to Dr. Mohiudin Zeb and Nasreen Zeb as recorded in Volume 1059, Page 14, of said Real Estate Records,k a distance of 1005.94 feet to a 1/2 inch iron rod found for corner, said iron rod being the South corner of said Zeb's tract;

THENCE South 44 deg 47 min 35 sec West, a distance of 539.11 feet to a 1/2 inch iron rod found for corner, said iron rod being the East corner of aforesaid Walker's tract;

THENCE North 45 deg 12 min 25 sec West, along the Northeast line of said Walker's tract a distance of 1010.00 feet to the POINT OF BEGINNING and containing 12.493 acres.

Permitted Land Uses in a Commercial (C) District

Date: May 20, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements; ~~Strike Out~~: Uses Removed by the Proposed Planned Development; RED: Staff Recommended Uses; ~~HIGHLIGHTED~~: Additional Uses to be Removed 06/11/14

Rural & Animal-Related	
Agricultural Uses on Un-Platted Land	P
~~Animal Boarding/Kennel without Outside Pens~~	~~P~~
~~Animal Clinic for small animals, no outdoor pens [1]~~	~~P~~
~~Animal Hospital, Clinic~~	~~S~~

Residential & Lodging	
Accessory Building [1]	P
~~Caretakers Quarters/Domestic or Security Unit~~	~~P~~
~~Convent or Monastery~~	~~P~~
Garage	A
~~Hotel or Motel~~	~~P~~
~~Hotel, Residence~~	~~P~~
Residential Care Facility	S

Institutional & Community Service	
Assisted Living Facility [1]	S
~~Blood Plasma Donor Center~~	~~P~~
~~Cemetery/ Mausoleum~~	~~P~~
Church/House of Worship [1]	P
~~College, University, or Seminary~~	~~S~~
Convalescent Care Facility/Nursing Home [1]	P
Congregate Care Facility/Nursing Home [1]	S
Day Care (7 or More Children) [1]	P
~~Emergency Ambulance Services, Ground~~	~~P~~
Government Facility	P
~~Hospice~~	~~P~~
~~Hospital~~	~~P~~
Library, Art Gallery or Museum (Public)	P
~~Mortuary or Funeral Chapel~~	~~P~~
Post Office, Local Service	P
Public or Private School, Primary [1]	P
Public or Private School, Secondary [1]	P
Public or Private School Temporary Education Building [1]	S

Office & Professional	
Financial Institution with Drive-Through [1]	P
Financial Institution without Drive-Through	P
Office, General	P
Office Building, less than 5,000 Sq. Ft.	P
Office Building, 5,000 Sq. Ft. or more	P

Recreation, Entertainment & Amusement	
~~Billiard Parlor or Pool Hall [1]~~	~~S~~
~~Carnival, Circus, or Amusement Ride, Temporary [1]~~	~~P~~
~~Commercial Amusement/ Recreation (Inside) [1]~~	~~P~~
~~Commercial Amusement/ Recreation (Outside)~~	~~P~~
Community or Recreation Club, Public or Private (Accessory)	S
~~Country Club, Private~~	~~S~~
~~Golf Driving Range~~	~~S~~

Permitted Land Uses in a Commercial (C) District

Date: May 20, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements; ~~Strike Out~~: Uses Removed by the Proposed Planned Development; RED: Staff Recommended Uses; ~~HIGHLIGHTED~~: Additional Uses to be Removed 06/11/14

Recreation, Entertainment & Amusement	
~~Fund Raising Events by Non-Profit, Indoor or Outdoor, Temporary~~ [1]	~~P~~
~~Gun Club, Skeet or Target Range (Indoor)~~	~~P~~
Health Club	P
~~Private Club, Lodge or Fraternal Organization~~	~~P~~
~~Private Sports Arena, Stadium or Track~~	~~S~~
Public Park or Playground	P
Tennis Courts (Not accessory to a public or private club)	S
~~Theater~~	~~P~~

Retail & Personal Services	
Antique/Collectible Store	P
~~Astrologer, Hypnotist, or Psychic Art and Science~~	~~P~~
Banquet Facility	P
~~Beverage Service Facility, Portable~~ [1]	~~S~~
Business School	P
~~Catering Service~~	~~P~~
~~Christmas Tree Sales Lot & Similar Uses, Temporary~~ [1]	~~P~~
Copy Center	P
Display, Incidental [1]	P
Garden Supply/Plant Nursery	P
General Personal Service	P
General Retail Store	P
Hair Salon, Manicurist	P
Laundry, Drop-off/Pickup	P
Laundry, Self Service	P
Massage Therapist	P
Museum or Art Gallery (Private)	P
~~Night Club, Discoteque, or Dance Hall~~	~~P~~
~~Pawn Shop~~	~~S~~
Pet Shop	P
~~Private Club~~ [1]	~~P~~
Real Estate Sales Office, On-site, Temporary [1]	P
~~Rental Store, w/o Outside Storage and Display~~	~~P~~
~~Restaurant, Less than 2000 Sq. Ft., w/ Drive-Thru or Drive-in~~ [1]	~~S~~
Restaurant, Less than 2000 Sq. Ft., w/o Drive-Thru or Drive-in	P
~~Restaurant, 2000 Sq. Ft. or more, w/ Drive-Thru or Drive-in~~ [1]	~~P~~
Restaurant, 2000 Sq. Ft. or more, w/o Drive-Thru or Drive-in	P
~~Restaurant with accessory Private Club or Brew Pub~~ [1]	~~P~~
~~Retail store with gasoline product sales limited to 2 dispensers and 4 vehicles~~	~~P~~
~~Retail store with more than 2 dispensers~~	~~P~~
~~Secondhand Dealer~~	~~P~~
Studio - Art, Photography or Music	P
Tailor, Clothing or Apparel Shop	P
~~Bail Bond Service~~	~~S~~
Building & Landscape Material with Limited Outside Storage [1]	S
~~Building Maintenance, Service & Sales without Outside Storage~~	~~P~~
Electrical, Watch, Clock, Jewelry & Similar Repair	P
~~Research & Technology / Light Assembly~~	~~S~~
Shoe and Boot Repair and Sales	P
~~Trade School~~	~~P~~
Temporary On-site Construction Office [1]	P

Permitted Land Uses in a Commercial (C) District

Date: May 20, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements; ~~Strike Out~~: Uses Removed by the Proposed Planned Development; RED: Staff Recommended Uses; ~~HIGHLIGHTED~~: Additional Uses to be Removed 06/11/14

Utilities, Communications & Transportation	
Antenna, Accessory [1]	P
Antenna, Commercial [1]	S
Antenna, Amateur Radio [1]	P
Antenna, Dish [1]	P
Antenna, Commercial, Free-Standing [1]	S
Antenna, Commercial, Mounted [1]	S
~~Helipad~~	~~S~~
Utilities (Non-Municipally owned or Controlled), including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	S
Municipally Owned or Controlled Facilities, Utilities and Uses	P
Private Streets	S
~~Radio Broadcasting~~	~~P~~
~~Railroad Yard or Shop~~	~~S~~
~~Recording Studio~~	~~P~~
Satellite Dish [1]	P
Solar Energy Collector Panels	P
Transit Passenger Facility	S
~~TV Broadcasting & Other Communication Service~~	~~S~~
Utilities Holding a Franchise from City of Rockwall	S
Utility Installation, Other than Listed	S
Utility/ Transmission Lines	S
Wireless Communication Tower	S

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT FOR LIMITED COMMERCIAL (C) DISTRICT LAND USES ON A 12.493-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17-14 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN EXHIBITS 'A' & 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Scott W. Blackwood for a change in zoning from an Agricultural (AG) District to a Planned Development District for limited Commercial (C) District land uses on a 12.493-acre tract of land identified as Tract 17-14 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A' & 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Planned Development District.

Section 2. In accordance with *Section 1.3(B), "PD Development Plan*," of *Article X, "Planned Development Regulations,"* of the *Unified Development Code* of the City of Rockwall, prior to the acceptance of an application for preliminary plat and/or site plan for the *Subject Property* a PD Development Plan shall be required to be submitted and reviewed by the Planning and Zoning Commission, and upon recommendation by the Planning and Zoning Commission, acted on by City Council.

Section 3. In accordance with *Section 1.3(C), "PD Site Plan*," of *Article X, "Planned Development Regulations,"* of the *Unified Development Code* of the City of Rockwall, prior to or concurrently with the acceptance of an application for preliminary plat for the *Subject Property* a PD Site Plan shall be required to be considered by the Planning and Zoning Commission, and if

applicable acted on by the City Council.

Section 4. That the *Subject Property* shall be developed only in the manner and for the purposes provided for a Commercial (C) District as stipulated in *Section 4.1, "General Commercial District Standards,"* and *Section 4.5, "Commercial (C) District",* of *Article V, "District Development Standards",* of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future, with the exception of the following requirements:

☑ *Maximum Building Height.* Any structure exceeding 36-feet in height shall require a Specific Use Permit (SUP) with the maximum permissible building height being limited to 60-feet.

Section 5. That the *Subject Property* shall be used only in accordance with the following permitted uses and that all other applicable requirements that control land use shall conform to the Commercial (C) District requirements as stipulated in *Section 1.1, "Use of Land and Buildings,"* of *Article IV, "Permissible Uses,"* of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future.

Permitted Land Uses

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements per the UDC;

Residential & Lodging	
Residential Care Facility	S

Institutional & Community Service	
Assisted Living Facility [1]	S
Convalescent Care Facility/Nursing Home [1]	P
Congregate Care Facility/Nursing Home [1]	S
Day Care (7 or More Children) [1]	P

Office & Professional	
Financial Institution with Drive-Through [1]	P
Financial Institution without Drive-Through	P
Office, General	P
Office Building, less than 5,000 Sq. Ft.	P
Office Building, 5,000 Sq. Ft. or more	P

Recreation, Entertainment & Amusement	
Community or Recreation Club, Public or Private (Accessory)	S
Health Club	P
Tennis Courts (Not accessory to a public or private club)	S

Retail & Personal Services	
Antique/Collectible Store	P
Banquet Facility	P
Business School	P
Garden Supply/Plant Nursery	P
General Personal Service	P
General Retail Store	P
Hair Salon, Manicurist	P
Laundry, Drop-off/Pickup	P
Laundry, Self Service	P
Massage Therapist	P
Museum or Art Gallery (Private)	P
Pawn Shop	S
Pet Shop	P
Private Club [1]	P
Real Estate Sales Office, On-site, Temporary [1]	P
Restaurant, Less than 2000 Sq. Ft., w/ Drive-Thru or Drive-in [1]	S
Restaurant, Less than 2000 Sq. Ft., w/o Drive-Thru or Drive-in	P

Restaurant, 2000 Sq. Ft. or more, w/ Drive-Thru or Drive-in [1]	P
Restaurant, 2000 Sq. Ft. or more, w/o Drive-Thru or Drive-in	P
Restaurant with accessory Private Club or Brew Pub [1]	P
Studio - Art, Photography or Music	P
Tailor, Clothing or Apparel Shop	P
Building & Landscape Material with Limited Outside Storage [1]	S

Utilities, Communications & Transportation

Private Streets	S
Satellite Dish [1]	P
Solar Energy Collector Panels	P
Wireless Communication Tower	S

Section 6. The *Official Zoning Map* of the City of Rockwall, Texas shall be amended to reflect the change in zoning for the *Subject Property* as described in this ordinance.

Section 7. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 8. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 9. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas.

Section 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF JULY, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *June 16, 2014*

2nd Reading: *July 7, 2014*

Exhibit 'A':
Legal Description

BEING 12.498 acres of land situated in the W.W. FORD SURVEY, ABSTRACT No. 80 and being a part of a tract of land described in a deed to Mark Lanning as recorded in Volume 903, Page 114, Real Estate Records, ROCKWALL County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found on the Southeast right of way line of F.M. Road No. 549, said iron rod being the North corner of a tract of land described a deed to C. Van Walker et ux Carol Miller Walker as recorded in Volume 1202, Page 202 of said Real Estate Records;

THENCE North 44 deg 47 min 35 sec East, along the Southeast right of way line of F.M. Road No. 549, a distance of 322.90 feet to a 1/2 inch iron rod found for corner, said iron rod being the beginning of a curve to the right having a central angle of 01 deg 57 min 18 sec, radius 6337.94 feet, and chord bearing North 45 deg 52 min 08 sec East, 216.26 feet;

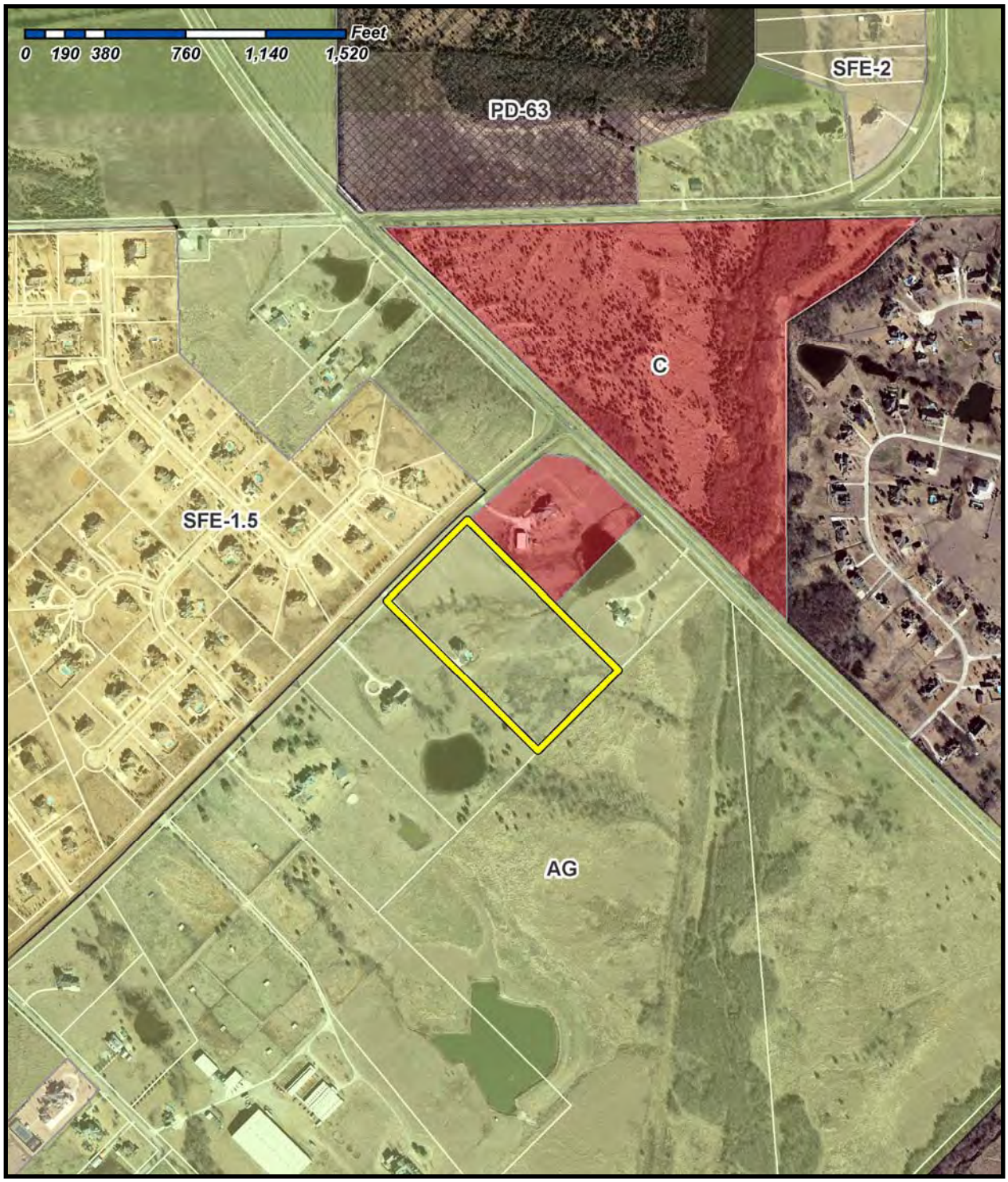
THENCE continuing along the Southeast right of way line of said F.M. Road No. 549, an arc distance of 216.26 feet to a 1/2 inch iron rod found, said iron rod being the West corner of a tract of land described in a deed to Kenneth M. Urban and wife, Patricia Urban as recorded in Volume 1252, Page 300 of said Real Estate Records;

THENCE South 45 deg 12 min 25 sec East, along the Southwest line of said Urban's tract, and the Southwest line of a tract of land described in a deed to Dr. Mohiudin Zeb and Nasreen Zeb as recorded in Volume 1059, Page 14, of said Real Estate Records,k a distance of 1005.94 feet to a 1/2 inch iron rod found for corner, said iron rod being the South corner of said Zeb's tract;

THENCE South 44 deg 47 min 35 sec West, a distance of 539.11 feet to a 1/2 inch iron rod found for corner, said iron rod being the East corner of aforesaid Walker's tract;

THENCE North 45 deg 12 min 25 sec West, along the Northeast line of said Walker's tract a distance of 1010.00 feet to the POINT OF BEGINNING and containing 12.493 acres.

Exhibit 'B':
Zoning Exhibit



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 06/16/2014

APPLICANT: Dick Skorburg, *Skorburg Company*

AGENDA ITEM: **Z2014-017**; Breezy Hill Amendments (PD-74)

SUMMARY:

Hold a public hearing to discuss and consider a request by Dick Skorburg of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan to allow for additional single-family residential lots and allow for changes to the development standards contained in Exhibit 'C' of Ordinance 12-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary.

BACKGROUND:

The property was annexed in 2008 after three (3) years of litigation that lead to the execution of a Chapter 212 Development Agreement. In accordance with this agreement, the property was zoned to Planned Development District 74 (PD-74) on April 20, 2009 with the intention of being a master planned residential community that offered tracts of land designated for retail/office, residential, and institutional land uses. The approval of this zoning change altered the existing 212 Development Agreement -- which originally permitted 810 single family residential lots and did not contain any retail acreage -- to include 658 single family residential lots and a 59-acre tract of land designated for general retail land uses. The retail tract of land is located at the northeast corner of the intersection of FM-552 and John King Boulevard (see *Exhibit 'A'* to view the original *PD Concept Plan*).

On October 1, 2012 the City Council approved an amendment to Planned Development District 74 (PD-74) modifying the concept plan to remove the school sites that were originally required by the *Facilities Agreement* and adjusting the lot mix accordingly [*i.e. increasing the number of lots from 658 to 691*] (see *Figure 1* for the adjusted lot mix). As part of this zoning amendment, the applicant requested and was granted relief with respect to the construction of Breezy Hill Road. Originally, the developer was required to dedicate the mandatory right-of-way and construct one-half of the roadway adjacent to the entire development. With the zoning change this requirement was modified within the *Facilities Agreement* to include only the portion of the roadway adjacent to the retail acreage (see *Exhibit 'B'* to view the current *PD Concept Plan*; see *Exhibit 'C'* to view an excerpt from the current *Facilities Agreement* with regard to Breezy Hill Road).

Figure 1: Current Lot Mix

Lot Types	*A*	*B*	*C*	*D*
Typical Lot Frontage *(Feet)*	60	70	80	100
Typical Lot Depth *(Feet)*	120	120	125	200
Minimum Lot Size *(Sq. Ft.)*	7,200	8,400	10,000	20,000
Number of Units	134	133	326	98
Dwelling Unit %	19.4%	19.2%	47.2%	14.2%

On March 14, 2014 the applicant submitted an alternate concept plan depicting a reduction in the number of acres designated for retail land uses from 59-acres to 26.4-acres for the purpose

of incorporating a new phase of 111, 50' x 120' lots into Planned Development District 74 (PD-74). City Council denied this request on April 21, 2014 and since the request was denied without an indication of prejudice the action was considered to be a *denial with prejudice* (*§8.3.B; Article II, UDC*). This motion restricts the applicant's ability to submit a zoning application for any portion of the subject property -- unless the application is for a more restrictive, less intense use or development *(§8.3.B; Article II, UDC*) -- for a period of one (1) year from the date of denial.

In accordance with Section 8.3.D, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code the applicant submitted a written request to the Director of Planning on May 2, 2014 seeking approval from the Planning and Zoning Commission to refile a zoning amendment to Planned Development District 74 (PD-74). As part of the written request the applicant included a concept plan showing 55, 50' x 120' lots and 47, 60' x 120' lots (*total of 102 lots*), which represented a decrease of nine (9) lots from the original application. The Planning and Zoning Commission denied this request on May 13, 2014 on the grounds that the proposed changes did not represent a substantial change from the original request.

In response to this denial, the applicant further amended the proposed zoning concept plan to incorporate 92, 60' x 120' lots, which represented a 17% reduction from the original zoning amendment. Additionally, the applicant also included increased open space and a five (5) foot trail running east to west in order to increase the connectivity of the retail areas to the proposed single-family acreage. This request was resubmitted on May 21, 2014 and on May 27, 2014 the Planning and Zoning Commission ruled that the submitted plan represented enough of a substantial change to allow the applicant to resubmit a zoning application.

PURPOSE AND CHARACTERISTICS OF THE REQUEST:

The applicant has submitted an alternate concept plan depicting a reduction in the number of acres designated for retail land uses from 59-acres to 33.7-acres for the purpose of amending Planned Development District 74 (PD-74). The reduction in the retail acreage is to accommodate a new phase of the Breezy Hill Subdivision (*identified as Phase IX on the PD Concept Plan*) that will incorporate 92, 60' x 120' lots, or *Type 'A'* lots. As part of this change the applicant has included adjustments to the lot percentages contained in the PD Ordinance; however, this does not change the number of large lots (*i.e. Type 'C' & 'D' lots*) being proposed. *The proposed PD Concept Plan is depicted in Exhibit 'D' and a copy of the proposed changes to the development standards is contained in Exhibit 'E'.*

The new lot mix is as follows:

Figure 2: Proposed Lot Mix

Lot Types	*A*	*B*	*C*	*D*
Typical Lot Frontage *(Feet)*	60	70	80	100
Typical Lot Depth *(Feet)*	120	120	125	200
Minimum Lot Size *(Sq. Ft.)*	7,200	8,400	10,000	20,000
Number of Units	206	112	326	98
Dwelling Unit %	27.80%	15.10%	43.90%	13.20%

STAFF ANALYSIS:

The current *Facilities Agreement* states that the "(d)eveloper shall construct Breezy Hill Road in conjunction with the retail tract that is final platted adjacent to Breezy Hill Road." It is important to point out that the concept plan eliminates the adjacency of the retail acreage to Breezy Hill Road and would relieve the developer of this responsibility; however, the developer would

continue to be responsible for the dedication of right-of-way and the subsequent improvements to the drainage areas adjacent to the roadway.

In the previous three (3) zoning cases the developer has stated that no direct access will be provided to Breezy Hill Road from the residential or retail portions of the development. The proposed concept plan does not change this condition and further clarifies the position by depicting a lot layout that does not access the roadway. Additionally, the minutes from the previous meetings indicate that the purpose behind this stipulation was to mitigate the concerns of the property owners (the majority of which are situated within the unincorporated areas of the City's extraterritorial jurisdiction) in regard to the retail land area. By removing this retail use adjacency the applicant has further mitigated the concerns expressed by residents in the previous cases.

With regard to the proposed increase in the number of lots from 691 to 742, it is important to note that the original Chapter 212 Development Agreement permitted the applicant 810 single-family lots, and that the proposed concept plan has a lot count that is substantially less.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Map contained within the Comprehensive Plan designates the subject property for *Commercial* land uses. If the zoning case is approved the Future Land Use Map will be required to be amended with the next Comprehensive Plan update to reflect the proposed land use change.

NOTIFICATION:

On May 30, 2014, staff mailed 16 notices to property owners and residents within 500 feet of the subject property. Staff also sent notices to the Stoney Hollow and Stone Creek Homeowner's Associations (HOA), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign at the northwest corner of the intersection of FM-552 and John King Boulevard as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

RECOMMENDATIONS:

If the Planning and Zoning Commission recommends approval of the applicant's request to amend Planned Development District 74 (PD-74) then staff would propose the following conditions of approval:

1) The proposed development shall be prohibited from providing access to Breezy Hill Road,

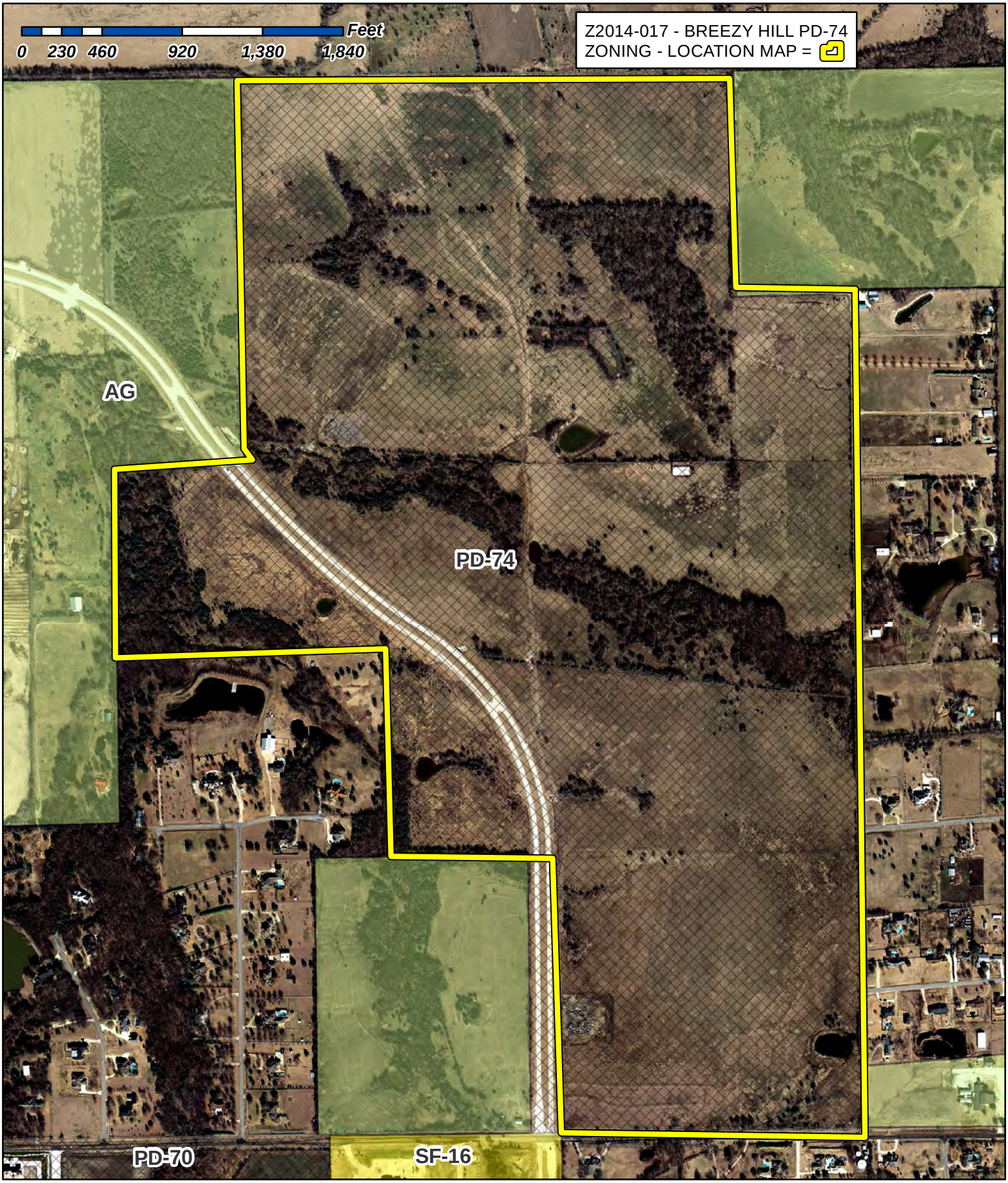
2) Prior to accepting a Preliminary Plat for the proposed phase (i.e. depicted in pink of the *PD Concept* Plan in *Exhibit 'D'*) the applicant shall submit a replat of Phase IIB to incorporate the proposed roadway connecting the two phases,

3) Prior to accepting a Preliminary Plat and/or a Planned Development Site Plan for the remaining area designated as *retail* on the *PD Concept Plan*, a *PD Development Plan* must be approved by City Council, and

4) Any construction resulting from the approval of this *zoning amendment* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On June 10, 2014, the Planning and Zoning Commission recommended approval of the applicant's request to amend Planned Development District 74 (PD-74) by a vote of 5-1, with Commissioner Nielson dissenting and Commissioner Minth absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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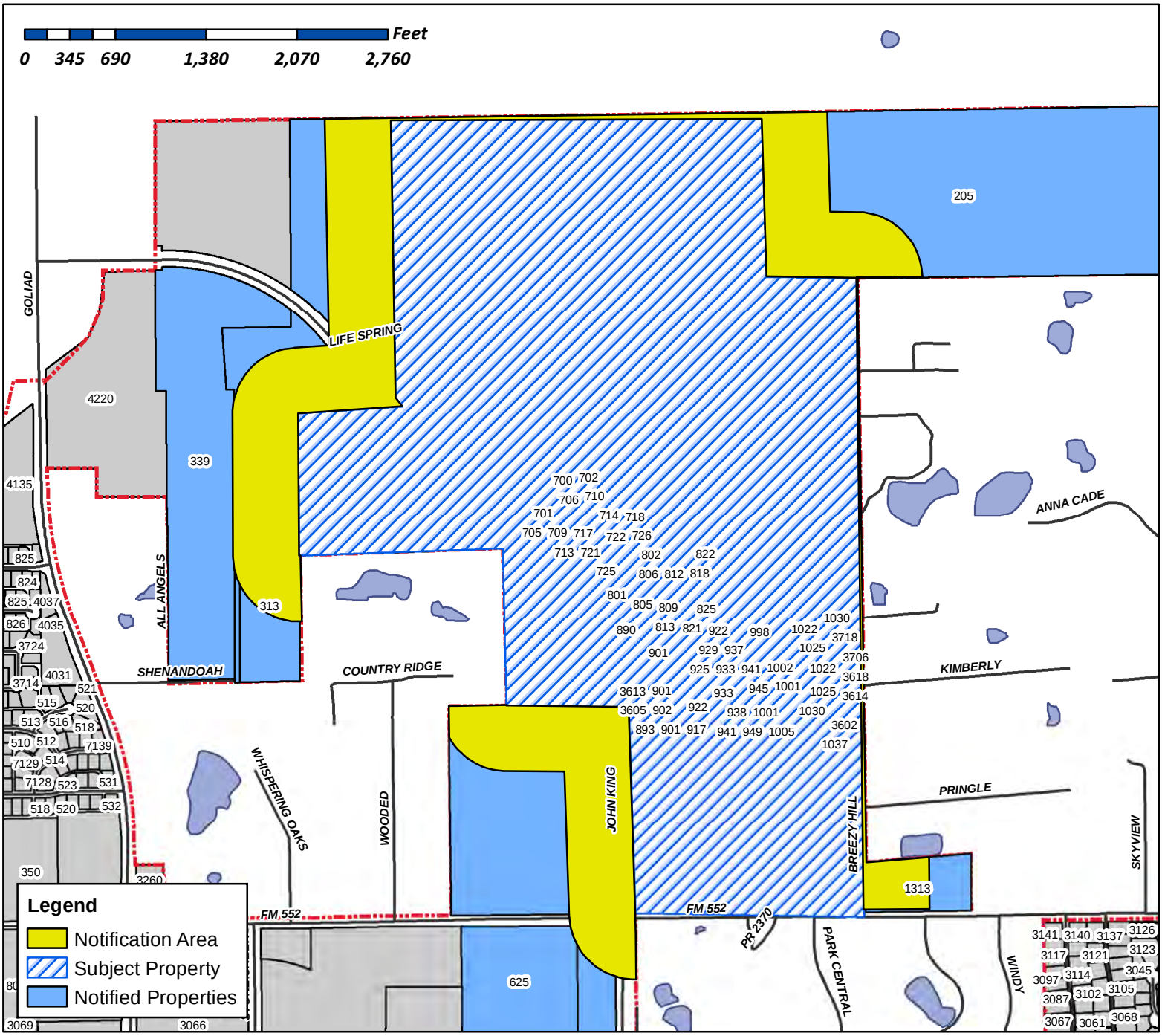
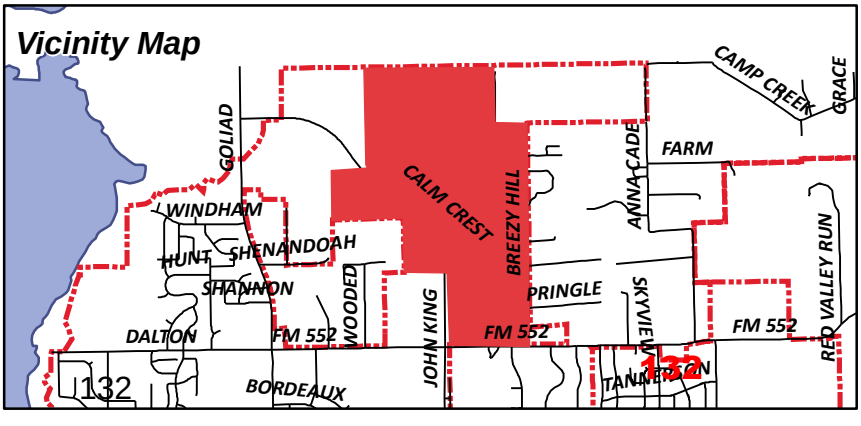


Case Number: Z2014-017
Case Name: PD Amendment
Case Type: Zoning
Zoning: PD-74
Case Address: John King Blvd. & FM552

Date Created: *5/29/2014*
For Questions on this Case Call (972) 771-7745



HOME BOY ENTERPRISES INC
460 LAWRENCE DR
HEATH, TX 75032

ZEB MOHIUDIN DR &
NASREEN ZEB
5128 S STATE HIGHWAY 205
ROCKWALL, TX 75032

FARIS GREG W & AMY E
5297 S FM 549
ROCKWALL, TX 75032

J BR2 LLC
5133 S FM 549
ROCKWALL, TX 75032

BLACKWOOD SCOTT W & GLENITA G
5205 S FM 549
ROCKWALL, TX 75032

ROCKWALL HIGHGATE LTD
C/O SCOTT ASBURY
6210 PRESTON CREEK DR
DALLAS, TX 75240

PREAS GREGORY A & THERESE M
5075 BEAR CLAW LN
ROCKWALL, TX 75032

BALEY ROBIN E
5135 BEAR CLAW LANE
ROCKWALL, TX 75032

Resident
5155 Bear Claw Lane
ROCKWALL, TX 75032

GROOM ROGER
PO BOX 1150
MABANK, TX 75147

YOUNG BRIAN E & PATTI D
5165 BEAR CLAW LANE
ROCKWALL, TX 75032

THURMOND KATHRYN
5170 BEAR CLAW
ROCKWALL, TX 75032

PHILIP MOHAN AND
J KURIAN AKA JANET KURIAN
5160 BEAR CLAW LANE
ROCKWALL, TX 75032

USMAN ASIM & HUMA RASHID
5140 BEAR CLAW LN
ROCKWALL, TX 75032

COX ANTHONY S & DANNAI M
5120 BEAR CLAW LN
ROCKWALL, TX 75032

JONAH NELSON O
5090 BEAR CLAW LN
ROCKWALL, TX 75032

AMYX LEIF AND TERRY LORENZ
5070 BEAR CLAW LN
ROCKWALL, TX 75032

Opposition Located w/in the County and NOT the City Limits.

Miller, Ryan

From: Engle Claudia <cfengle@gmail.com>
Sent: Sunday, June 08, 2014 11:38 AM
To: Miller, Ryan; Planning
Subject: 2014-017

Mr. Miller-
I have been trying to get information regarding yet another 'Proposed Zoning Change" sign at the NE corner of John King/FM 552. I've visited the website but the details of the request are not available. I noticed there is a public hearing on June 10th but, again, there are no specific details regarding the zoning change request.

I have lived in Rockwall for 29 years and live across the street from this massive new development. I have watched with interest the developer's manipulations of the original plan and the subsequent approval of your committee almost every step of the way, of all the proposed amendments. While I admittedly do not know what the zoning request entails, I strongly suspect it is not for larger lots. So, given this assumption I would like to share a few points.

The Rockwall Comprehensive Plan 2012 adopts very specific recommendations for the development of Rockwall. The Breezy Hill 405 is zoned low density housing to protect the "rural feel" of NE Rockwall county. While I understand the definition of low density, living in the adjacent neighborhood, the building of 691 homes and a retail center doesn't appear to be low density to us. That being said, I would like to share with you a few of the Comprehensive Plan items:

Existing surrounding conditions such as lot size, house styles and existing development patterns should be considered in conjunction with the current comprehensive plan to determine appropriate zoning. I point this out because all the neighboring homes are on 1.5 acre minimums.

But in addition to the above, the plan also sites: **"Utilizing a "housing tree" as areas are developed, whereby the largest lots and homes are located on the main entry or perimeter streets, and smaller lots and homes are located internal to the neighborhood."** The initial development plan of the PD-074 certainly was designed this way, but the subsequent revisions (Exhibit B) show the majority of the homes along the perimeter are the *smaller* lot size and all the *larger* lot sizes along the greenbelt and inner areas.

Again, this is in direct opposition to the Comprehensive Plan which also states:"**Encourage large master planned neighborhoods within neighborhoods, smaller residential lots or *more dense residential units should be located in the closest proximity to the parks and open spaces provided* – this will maximize the value of those lots and areas, and the parks and open spaces off-set smaller lot sizes.**

The developer, no doubt, feels he will have difficulty selling homes next to a retail center and has asked for smaller lot sizes, even smaller than originally zoned. Thanks to the City Council, that request was not approved. I ask you to please adhere to the development standards in sections d and e, on page 27 of the PD-074. This states, in brief:

(MINIMUM) Access	(TOTAL) Units	% (MINIMUM) (TOTAL)	
A 60' x 120' 7,200 Front	134	19.4%	
B 70' x 120' 8,400 Front	133		19.2%
C 80' x 125' 10,000 Front	326		47.2%
D 100' x 200' 20,000 Front	98		14.2%
Average Lot Size 10,000			

As the developer requests additional residential lots, should you not require the same percentages of types of housing in the new acreage that you did in the original request? I urge you to do so and honor the signatures on the Comprehensive Plan as well as the Facilities Agreement for Breezy Hill 405.

I am unable to attend the public hearing and appreciate having my voice heard via this e mail. I was unable to locate email addresses of any of the commission members, perhaps this can be shared via your department.

Thank you for your consideration-

--Claudia Engle
341 Breezy Hill Lane
Rockwall, TX 75087
972-771-8786

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
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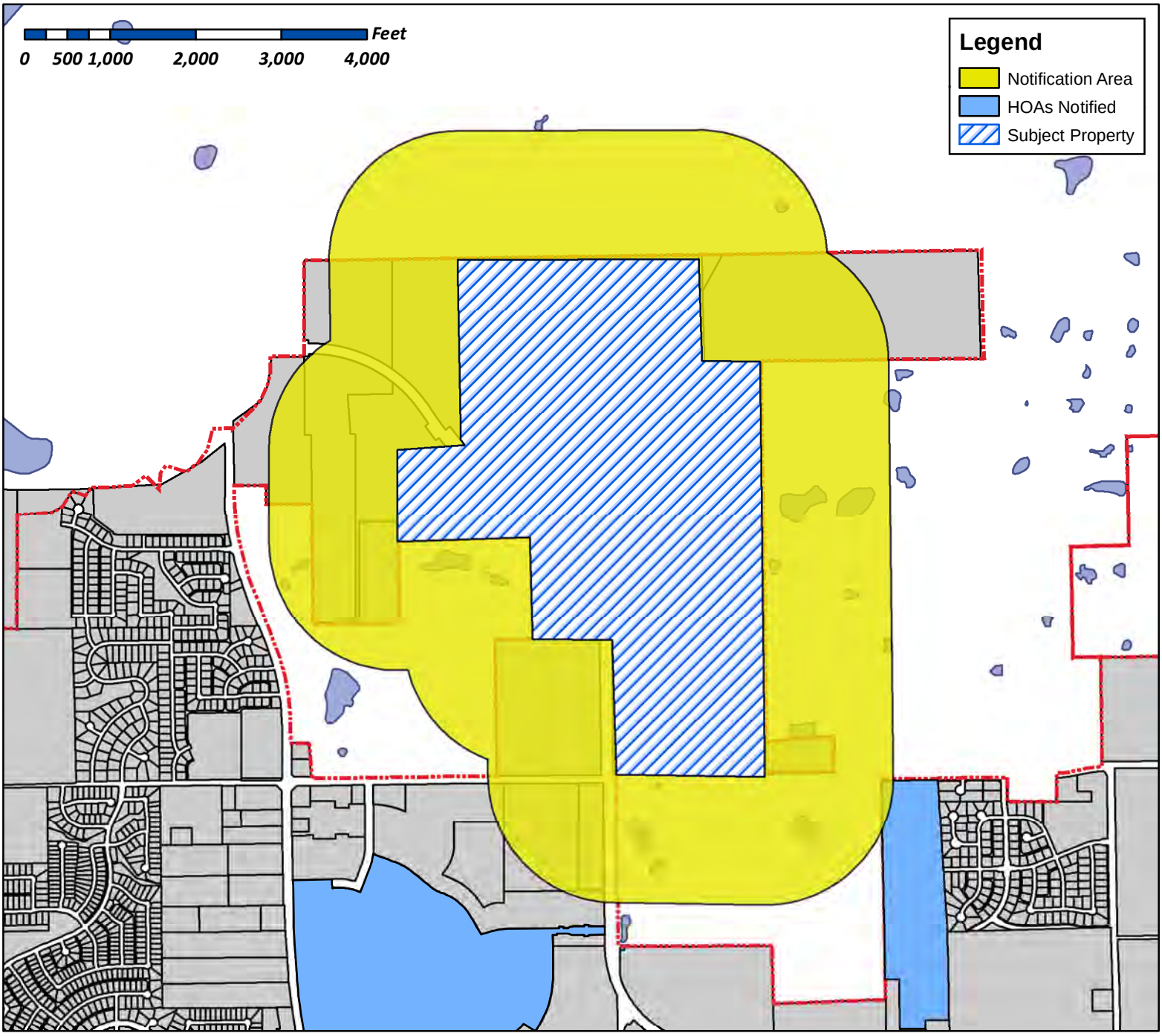

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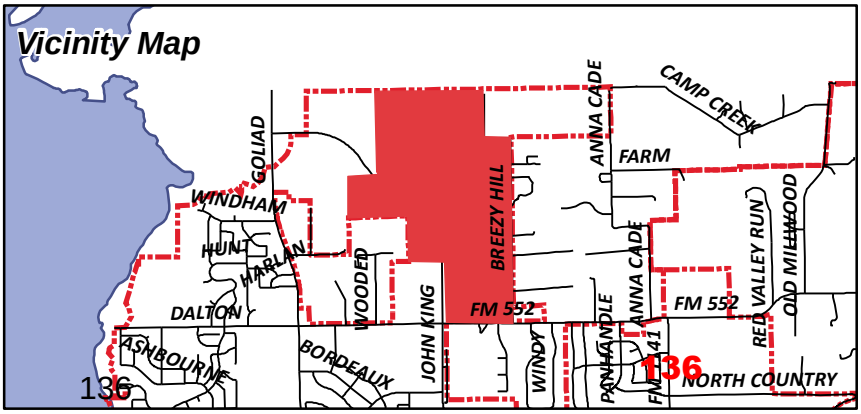
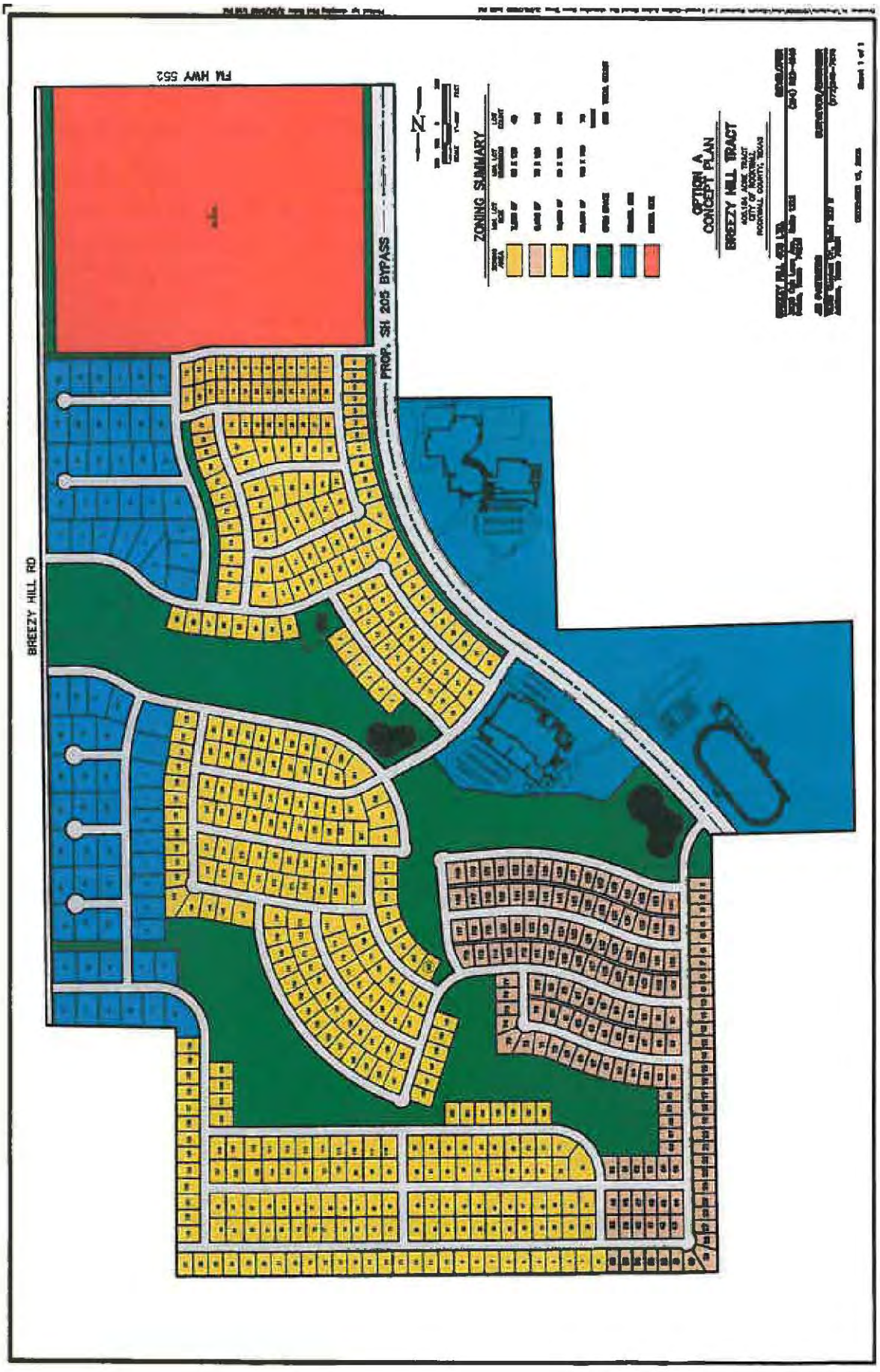


Exhibit 'A': PD Concept Plan (Approved April 20, 2009) [Superseded]



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BREEZY HILL
J. STRICKLAND SURVEY, ABSTRACT NO. 187
T.R. BAILEY SURVEY, ABSTRACT NO. 30
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
OWNERS
BREEZY HILL 405, LTD.
PREPARED BY
CORWIN ENGINEERING, INC.
LEGEND
TYPICAL LOT SIZES
TYPE A - 65' X 120' - 134 LOTS
TYPE B - 70 X 120' - 135 LOTS
TYPE C - 80' X 125 - 326 LOTS
TYPE D - 100' X 200 - 98 LOTS
- PUBLIC OPEN SPACE/ LANDSCAPE BUFFER
RETAIL TRACT 58.4 ac.
RESIDENTIAL TRACT 345.8 ac.
TOTAL ACRES 405.184
TOTAL RESIDENTIAL LOTS 691
RESIDENTIAL DENSITY 1.99
ZONED: PLANNED DEVELOPMENT DISTRICT 74 (PD-74)
BREEZY HILL ROAD
JOHN KING BOULEVARD
FM 552
RURAL STREET SECTION
TYPICAL PAVEMENT SECTION - LAYDOWN CURB
LOCATION MAP
PROJECT LOCATION
Infrastructure Statement
Drainage Facilities
Water Facilities
Roadway Facilities

the City's master plan for water facilities and constructed in accordance with the phasing schedule approved in conjunction with the Developer's master plat application. The Developer shall be eligible for City participation in the costs of over-sizing water distribution mains or appurtenances that serve other land in addition to the Property, in accordance with the City's standard policies, or for collection of pro-rata fees for such facilities. Developer also shall be eligible for credits against, water impact fees otherwise due for construction of improvements identified and included in the City's water improvements plan for impact fees, in accordance with the City's then existing impact fee regulations. Provisions for City participation in oversize costs, rebate of pro rata fees or provision of impact fee credits shall be set forth in a facilities and reimbursement agreement between the' Developer and the City.

c. *Payment of Impact Fees.* Water impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations.

4. *Road Improvements.* The Developer shall make the following road improvements.

a. *John King Boulevard (Highway 205 Bypass).* The Developer shall have no obligation with respect to construction of John King Blvd. other than as outlined herein regarding payment of road impact fees.

b. *FM-552 Improvements.* The Developer shall dedicate rights-of-way for and construct turn lanes and acceleration/deceleration lanes concurrent with construction of any road on the Property that intersects FM 552, in accordance with City and TXDOT standards and specifications at the time of development of adjoining property.

c. *Breezy Hill Road Improvements.* The Developer shall dedicate a minimum of twenty-five feet (25') of right-of-way or such right-of-way as is needed to construct a twenty-four foot (24') concrete rural section of Breezy Hill Road and appurtenances adjacent to the Property, together with a two-foot (2') asphalt or concrete shoulder on either side of the concrete section, the total not to exceed twenty-eight feet (28') in width, from the northern point of Breezy Hill Road adjacent to the Property, to FM-552, as shown on the Development Plan. The Developer also shall dedicate and improve a minimum landscape buffer of ten feet (10') for the residential tract and fifty feet (50') for the retail tract, adjacent to the right-of-way for Breezy Hill Road, designed in accordance with the requirements of a PD District then in effect for a rural collector. The bar ditch that abuts the buffer strip, designed to a maximum slope of 3: 1, shall not encroach into the required ten-foot or fifty-foot buffer area, except to the extent that the buffers exceed ten feet (10') in width. The Developer shall dedicate right-of-way for Breezy Hill Road and the landscape buffer at the time of final plat approval for any lot abutting Breezy Hill Road. Developer shall construct Breezy Hill Road in conjunction with the retail tract that is final platted adjacent to Breezy Hill Road. Breezy Hill Road will be constructed from the northernmost intersection created by any portion of the retail tract being platted, south to FM-552. Developer shall install any

BLS

needed expansion of existing culverts created by such construction or the development, of such retail tract.

d. *Payment of Roadway Impact Fees.* Roadway impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations. Construction costs incurred by Developer for roadway improvements in this Agreement that are included in the City's roadway improvements plan for impact fees shall be credited against roadway impact fees otherwise due, in accordance with the City's impact fee regulations.

5. *Drainage Improvements.* Dedication of rights-of-way for and construction of drainage improvements shall be provided as specified in conditions imposed with approval of the master plat for development within the PD District and in accordance with City standards and specifications.

6. *Parks and Open Space.*

a. The Developer or a property owners association shall maintain public parklands and improvements within the development for a period of three (3) months from the completion and acceptance of the improvements. Thereafter, the City shall assume responsibilities for maintenance. All open space and improvements which are not dedicated as parkland to the City shall be maintained as common areas in perpetuity by the property owners association for the PD District. Additionally, the property owners association shall maintain Developer-installed landscaping areas in public rights-of-way and public drainage ways internal to and adjacent to the Property.

III. GENERAL PROVISIONS

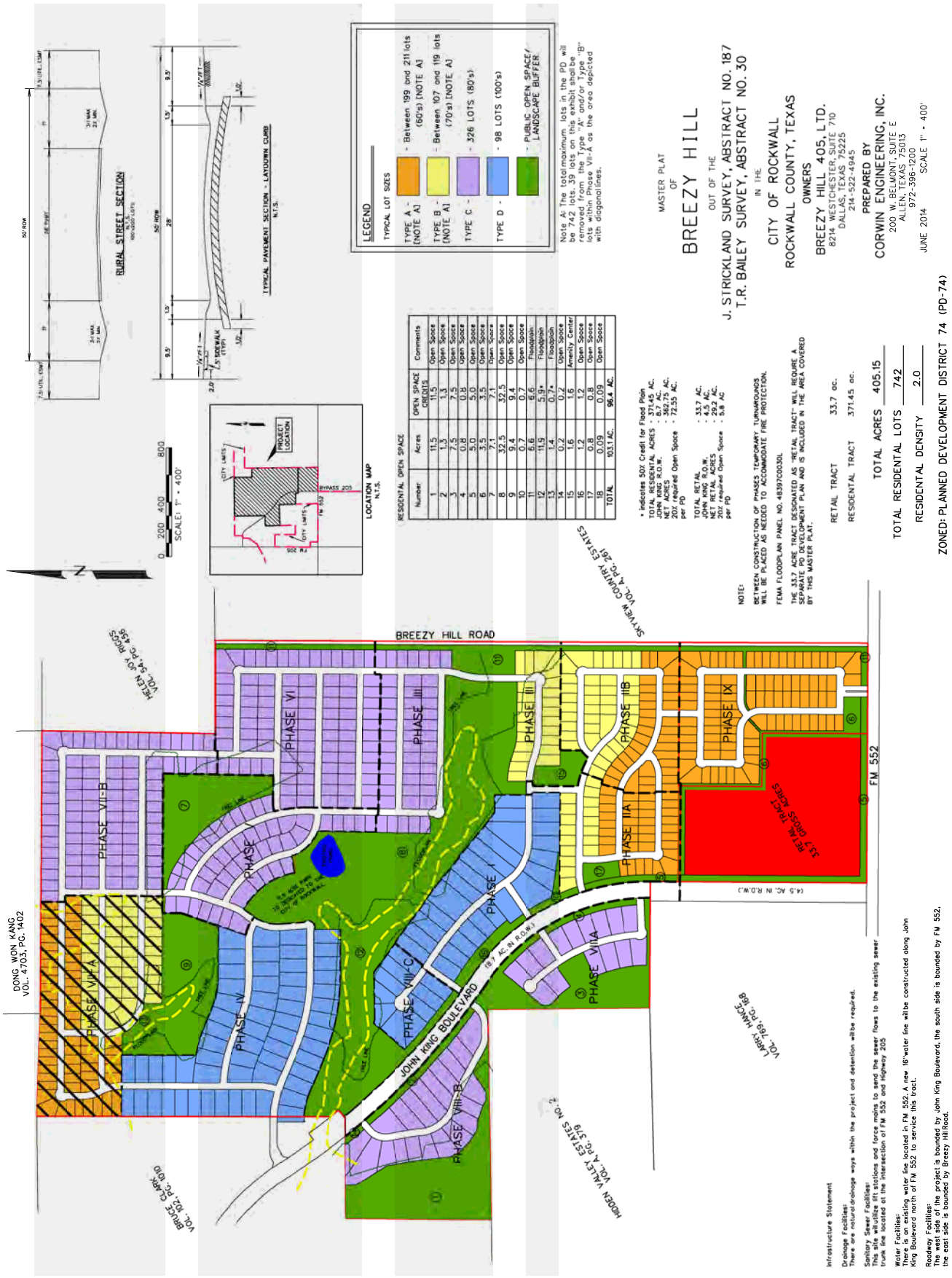
1. Notice on Sale. The Developer shall provide the City with notice of the sale of any tract or parcel within the District that has not been platted at the following address:

Rockwall City Manager
Rockwall City Hall
385 S. Goliad Street
Rockwall, TX 75087

2. *Recording.* This Agreement is intended to run with the land, and shall be recorded in the Real Property Records, Rockwall County, Texas.

3. *Term of Agreement.* This Agreement shall terminate two (2) years following the City's acceptance of the dedication and construction of the public improvements described herein serving the last phase of development within the PD District, after which the City agrees, upon the request of the Developer to execute a termination of this Agreement in recordable form. Any reimbursements for payment of impact fees shall not expire.

4. *Effective Date.* This Agreement shall take effect upon the date of its execution by the last of the Parties to the Agreement; provided, however, that Breezy shall execute this Agreement no later than five (5) business days following the


MASTER PLAT
OF
BREEZY HILL
OUT OF THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
T.R. BAILEY SURVEY, ABSTRACT NO. 30
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
OWNERS
BREEZY HILL 405, LTD.
8214 WESTCHESTER, SUITE 710
DALLAS, TEXAS 75225
214-522-4945
PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200
JUNE 2014 SCALE 1" = 400'
LEGEND
TYPICAL LOT SIZES
TYPE A - [NOTE A] - Between 199 and 211 lots (60's) [NOTE A]
TYPE B - [NOTE A] - Between 107 and 119 lots (70's) [NOTE A]
TYPE C - 326 LOTS (80's)
TYPE D - 98 LOTS (100's)
PUBLIC OPEN SPACE / LANDSCAPE BUFFER
Note A: The total maximum lots in the PD will be 742 lots. 39 lots on this exhibit shall be removed from the Type "A" and/or Type "B" lots within Phase VII-A as the area depicted with diagonallines.
TOTAL ACRES 405.15
TOTAL RESIDENTIAL LOTS 742
RESIDENTIAL DENSITY 2.0
RETAIL TRACT 33.7 ac.
RESIDENTAL TRACT 371.45 ac.
ZONED: PLANNED DEVELOPMENT DISTRICT 74 (PD-74)
NOTE:
BETWEEN CONSTRUCTION OF PHASES TEMPORARY TURNAROUNDS WILL BE PLACED AS NEEDED TO ACCOMMODATE FIRE PROTECTION.
FEMA FLOODPLAIN PANEL NO. 48397C0030L
THE 33.7 ACRE TRACT DESIGNATED AS "RETAIL TRACT" WILL REQUIRE A SEPARATE PD DEVELOPMENT PLAN AND IS INCLUDED IN THE AREA COVERED BY THIS MASTER PLAT.
TOTAL RETAIL - 33.7 AC.
JOHN KING R.O.W. - 4.5 AC.
NET RETAIL ACRES - 29.2 AC.
20% required Open Space per PD - 5.8 AC
* indicates 50% Credit for Flood Plain
TOTAL RESIDENTAL ACRES - 371.45 AC.
JOHN KING R.O.W. - 67.45 AC.
NET ACRES - 362.75 AC.
20% required Open Space per PD - 72.55 AC.
RESIDENTIAL OPEN SPACE
Number | Acres | OPEN SPACE CREDITS | Comments
1 | 11.5 | 11.5 | Open Space
2 | 11.5 | 11.5 | Open Space
3 | 7.5 | 7.5 | Open Space
4 | 0.8 | 0.8 | Open Space
5 | 5.0 | 5.0 | Open Space
6 | 3.5 | 3.5 | Open Space
7 | 7.1 | 7.1 | Open Space
8 | 32.5 | 32.5 | Open Space
9 | 9.4 | 9.4 | Open Space
10 | 0.7 | 0.7 | Open Space
11 | 6.6 | 6.6 | Floodplain
12 | 11.9 | 5.9* | Floodplain
13 | 1.4 | 0.7* | Floodplain
14 | 0.2 | 0.2 | Open Space
15 | 1.6 | 1.6 | Amenity Center
16 | 1.2 | 1.2 | Open Space
17 | 0.8 | 0.8 | Open Space
18 | 0.09 | 0.09 | Open Space
TOTAL | 103.1 AC. | 96.4 AC.
LOCATION MAP
N.T.S.
PROJECT LOCATION
BYPASS 205
FM 552
CITY LIMITS
RURAL STREET SECTION
N.T.S.
TYPICAL PAVEMENT SECTION - LAYDOWN CURB
N.T.S.
SCALE: 1" = 400'
0 200 400 800
N
BREEZY HILL ROAD
JOHN KING BOULEVARD
FM 552
PHASE I
PHASE II
PHASE IIA
PHASE IIB
PHASE III
PHASE IV
PHASE V
PHASE VI
PHASE VII-A
PHASE VII-B
PHASE VIII-A
PHASE VIII-B
PHASE VIII-C
PHASE IX
PHASE VIIA
53.7 GROSS ACRES
RETAIL TRACT
(4.5 AC. IN R.O.W.)
19.7 AC. IN R.O.W.
DONG WON KANG
VOL. 4703, PG. 1402
HELEN JOY ROGGS
VOL. 54, PG. 458
SKYVIEW COUNTRY ESTATES
VOL. A, PG. 261
BRUCE CLARK
VOL. 102, PG. 610
HIDDEN VALLEY ESTATES NO. 2
VOL. A, PG. 379
LARRY MANCE
VOL. 769, PG. 68
Infrastructure Statement
Drainage Facilities:
There are natural drainage ways within the project and detention will be required.
Sanitary Sewer Facilities:
This site will utilize lift stations and force mains to send the sewer flows to the existing sewer trunk line located at the intersection of FM 552 and Highway 205
Water Facilities:
There is an existing water line located in FM 552. A new 16" water line will be constructed along John King Boulevard north of FM 552 to service this tract.
Roadway Facilities:
The west side of the project is bounded by John King Boulevard, the south side is bounded by FM 552, the east side is bounded by Breezy Hill Road.

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A. GENERAL REQUIREMENTS

1. *Uses Allowed.* The following uses are permitted for the Property.

   a. *Residential uses*. Uses permitted of right or by special use permit for the (SF-10) Single Family Residential District, as set forth in Article IV, Permissible Uses, of the City of Rockwall Unified Development Code, shall be allowed for areas designated as Single-Family on the Concept Plan, subject to approval of a Special Use Permit if required by the SF-10 District Regulations.

   b. *Non-residential uses*. Non-residential uses shall be allowed only within the area designated as Retail on the approved Concept Plan for the District, and are limited to those uses permitted of right or by special use permit for the (GR) General Retail District subject to approval of a PD Development Plan and PD Site Plan in accordance with the Planned Development District regulations, Article X, Section 2 of the Unified Development Code, and subject to approval of a Special Use Permit if required by the GR District Regulations; provided, however, that the following uses are expressly prohibited:

      - ✓ Animal Hospital, Clinic
      - ✓ Convent or Monastery
      - ✓ Hotel or Motel
      - ✓ Hotel, Residence
      - ✓ Cemetery/Mausoleum
      - ✓ Mortuary of Funeral Chapel
      - ✓ Social Service Provider
      - ✓ Billiard Parlor or Pool Hall
      - ✓ Carnival, Circus, or Amusement Ride
      - ✓ Commercial Amusement/Recreation (Outside)
      - ✓ Gun Club, Skeet or Target Range (indoor)
      - ✓ Astrologer, Hypnotist, or Psychic Art and Science
      - ✓ Garden Supply/Plant Nursery
      - ✓ Night Club, Discotheque, or Dance Hall
      - ✓ Secondhand Dealer
      - ✓ Car Wash, Self Service*
      - ✓ Service Station*
      - ✓ Mining and Extraction (Sand, Gravel, Oil & other)
      - ✓ Helipad
      - ✓ Railroad Yard or Shop
      - ✓ Transit Passenger Facility

      * *Not including a convenience store with an accessory car wash use or more than four (4) gas pumps, which accessory uses are permitted by SUP.*

      The following additional use shall be permitted of right in the PD District:

      - ✓ Grocery Store with a maximum building area of one hundred and thirty thousand (130,000) square feet.

   c. *Design of non-residential uses.* The retail area shall be designed to be pedestrian-oriented and easily accessible to adjacent residential neighborhoods. Additionally, the retail area shall be designed and constructed to be integrated with adjacent uses,

not separated from them by screening walls or other physical barriers. This will be accomplished by creating paths from adjacent development into the retail area and through the use of landscaping buffers, building design and other urban design elements to create compatibility with the surrounding residential neighborhood.

d. *Density and lot composition*. If the retail develops in accordance with the attached Concept Plan, no more than ~~***691***~~ ***742*** single-family residential dwelling units may be constructed within the Property. Except as provided in subsection (e), single-family residential units shall be allocated by product type in accordance with the following table:

Table 1: Lot Composition

LOT TYPE	**LOT SIZE** (MINIMUM)	**LOT SQ. FT.** (MINIMUM) (TOTAL)	**Driveway Access**	**Units** (TOTAL)	**Total Dwelling Units %**
A	60' x 120'	7,200	Front	~~***134***~~ ***206***	~~***19.4***~~ ***27.80%***
B	70' x 120'	8,400	Front	~~***133***~~ ***112***	~~***19.2***~~ ***15.10%***
C	80' x 125'	10,000	Front	326	~~***47.2***~~ ***43.90%***
D	100' x 200'	20,000	Front	98	~~***14.2***~~ ***13.20%***
Average Lot Size		10,000			
MAXIMUM ALLOWED TOTAL UNITS				~~***691***~~ ***742***	100%

e. *Variation in lot composition.* The allocation of single-family dwellings among lot types may deviate from that in subsection (d), provided that the maximum allowed total dwelling units does not exceed ~~***691***~~ ***742*** units, the average lot size for the development is not less than 10,000 sq. ft., and the following rules are met:

(1) Lot types "A & B" may increase not more than 5% in aggregate number.
(2) Lot type "C" shall not be decreased below ~~***45%***~~ ***42%*** of the total ~~***691***~~ ***742*** lots.
(3) Lot Type "D" shall not be decreased below 98 of the total lots.

2. Development Standards Applicable. Except as may be modified by these Development Standards, residential uses shall be subject to the development standards for a (SF-10) Single Family Residential District, as set forth in Article V, District Development Standards for Section 3.4 of the City of Rockwall Unified Development Code; to the development standards in the 205 Bypass Overlay District; and to all supplemental standards contained in the Unified Development Code, including but not limited to the tree preservation regulations in the Unified Development Code.

B. SPECIAL DEVELOPMENT STANDARDS

1. Dimensional Standards for Residential Uses

Table 2: Lot Type Matrix

Lot Types	**A**	**B**	**C**	**D**
Maximum Building Height	36'	36'	36'	36'
Air Conditioned Square Footage (Minimum)	2,200	2,400	2,600 [2]	3,000
Minimum Building Setback: Front Yard *Front porch may encroach to within 10' of front property line.*	20'	20'	20'	40' [3]
	X			
Rear Yard	10'	10'	15'	15'
Interior Side Yard	5'	5'	6'	7'
Corner (Side) Yard	15'	15'	15'	15'
Minimum Distance of driveway from prop. line. (applicable to front entry only)	20'	20'	20'	40'
Minimum Lot Area (Square Feet)	7,200	8,400	10,000	20,000
Minimum Lot Frontage [1]	60'	70'	80'	100'

Notes:

[1]: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by twenty percent (20%) in lot width measured at the front property line provided that the lot width will be met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to 10 percent (10%) but shall meet the minimum lot size for each lot type as referenced within Table 1.

[2]: A maximum of 20% of the lots may have homes not less than 2,500 sq. ft.

[3]: The Director of Planning or his designee may grant a reduction in the required 40-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 40-foot front yard building setback would create an undue hardship on the property.

2. Development Standards for Residential Uses by Lot (Product) Type

   a. Detached Single Family Lot Type A

Minimum Lot Size:	7,200 SF
Minimum Lot Width: @ Front Bldg. Line	60'
Minimum Lot Depth:	110'
Minimum Corner Lot Width:	65'
Side Yard Setback:	5'
Front / Rear Bldg. Line:	20'/10'
Minimum House Size:	2,200 air conditioned sq. ft.
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drive. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'A' lots shall have 3-car garages.
Maximum Lot Coverage:	65%

b. Detached Single Family Lot Type B

Minimum Lot Size:	8,400 SF
Minimum Lot Width: @ Front Bldg. Line	70'
Minimum Lot Depth:	120'
Minimum Corner Lot Width:	75'
Side Yard Setback:	5'
Front / Rear Bldg. Line:	20'/10'
Minimum House Size:	2,400 air conditioned sq. ft.
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drives. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'B' lots shall have 3 car garages.
Maximum Lot Coverage:	65%

c. Detached Single Family Lot Type C

Minimum Lot Size:	10,000 SF
Minimum Lot Width: @ Front Bldg. Line	80'
Minimum Lot Depth:	125'
Minimum Corner Lot Width:	85'
Side Yard Setback:	6'
Front / Rear Bldg. Line:	20'/15'
Minimum House Size:	2600 air conditioned sq. ft. [1]
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Traditional "swing" or "J" drive required. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 80% of Type 'C' lots shall have 3 car garages.
Maximum Lot Coverage:	65%

Notes:

[1]: A maximum of 20% of the lots may have homes not less than 2,500 sq. ft.

d. Detached Single Family Lot Type D

Minimum Lot Size:	20,000 SF
Minimum Lot Width: @ Front Bldg. Line	100'
Minimum Lot Depth:	175'
Minimum Corner Lot Width:	100'
Side Yard Setback:	7'
Front / Rear Bldg. Line:	40' [1]/15'
Minimum House Size:	3,000 air conditioned sq. ft.
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Traditional "swing" or "J" drive required. Single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. 80% of Type D lots shall have a minimum of 3 car garages.
Maximum Lot Coverage:	70%

Notes:

[1]: The Director of Planning or his designee may grant a reduction in the required 40-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 40-foot front yard building setback would create an undue hardship on the property.

Fencing. All individual residential fencing for lots less than 20,000 square feet shall be cedar standard fencing material (minimum ½" thickness) or better (spruce fencing will not be allowed). All cedar pickets shall be placed on the "public side" facing the street, alley or neighboring property. Lots containing 20,000 sq. ft., lots located along perimeter roadways, and lots abutting open spaces, greenbelts and parks shall be required to install tubular steel fencing. Corner lot fencing (adjacent to the street) shall provide masonry columns at forty-five feet (45') off center spacing that begins at the rear property line corner and terminates ten feet (10') behind the front yard building setback line. A maximum six (6') foot solid board on board "panel" cedar fencing shall be allowed between the masonry columns along the side and/or rear yard lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five feet (5'). The property owner shall maintain that portion of the property outside the fence.

3. *Anti-Monotony Features.* Lot types shall incorporate the following elevation features.

Table 3 : Anti-Monotony Matrix

Lot Type	Lot Size (Approx.)	Elevation Features
A	60' x 120'	***i.,*** ii, iii, ~~***iv***~~
B	70' x 120'	***i.,*** ii, iii, ~~***iv***~~
C	80' x 125'	***i.,*** ii, iii, ~~***iv***~~
D	100' x 200'	***i.,*** ii, iii, ~~***iv***~~
E	***50' 120'***	***i, ii***

i. Exterior facade must be composed of eighty percent (80%) masonry (brick, stone, cultured stone, or three-part stucco). Identical brick blends may not occur to adjacent (side-by-side) properties. Elevations shall not repeat along the fronting or siding streetscape without at least four (4) intervening homes of sufficient dissimilarity (to be determined by the ARC) on the same side of the street and (2) intervening homes on the opposite side of the street). The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least two (2) intervening homes of sufficient dissimilarity (to be determined by the ARC). Masonry (brick, stone, cultured stone, or three-part stucco) chimneys shall be required on all homes.

ii. Minimum of 8:12 roof pitch, except for 4:12 roof pitches on porches. For each phase, a maximum of four compatible roof colors may be used. Dimensional shingles shall be used. Crown molding will be installed in all living and family rooms, unless vaulted or pop-up ceilings are utilized. No Formica counters in kitchens and bathrooms, no blown acoustic ceilings. No vinyl flooring will be used in kitchens.

iii. For front entry driveway access a traditional "swing" or "J" drive will be used. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only.

4. Streetscape Landscape. Prior to issuance of a Certificate of Occupancy, yards for all single-family lots in the District shall be landscaped with large canopy trees.

(1) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.

(2) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two additional trees of same caliper shall be planted in the side yard facing the street.

(3) For purposes of this section only, the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

5. *Master Design Guidelines.* Additional design guidelines specific to each phase of development that shall apply to all single-family dwellings units within that phase of development, shall be submitted to the City prior to issuance of any building permits for that portion of the development.

C. STANDARDS FOR DISTRICT DESIGN AND CONNECTIVITY

1. *Streetscape Standards for Collectors & Non-Fronting Thoroughfares.* All streets, excluding drives, fire lanes and private parking areas, shall be built according to City of Rockwall street standards. Sidewalks and Hike / Bike trails are to be placed according to city requirements and as set forth in the Open Space Master Plan for the District.

    a. *Buffer-Strip* and Sidewalks (John King Boulevard Overlay District). The landscape buffer strip along John King Blvd shall be as described in the City of Rockwall Unified Development Code, Article V (District Development Standards), Section 6.10 E (Landscape Standards) and be a minimum width of fifty (50) feet as shown on the Planned Development Concept Plan in Exhibit 'B'. Additionally, the developer shall construct a minimum of a ten (10) foot sidewalk, on both sides of John King Boulevard, within the fifty (50) foot landscape buffer strip as recommended by the John King Boulevard Design Concept Plan located in the Comprehensive Plan of the City of Rockwall.
    b. *Buffer-Strip (FM 552).* A landscape buffer strip with a minimum width of fifteen (15) feet shall be provided along the frontage of FM 552, and shall be landscaped with at least one canopy tree per 30-ft and a combination of berms and shrubbery to be reviewed with the PD Site Plan(s) for the retail tract.
    ~~c.~~ *Buffer-Strip (Breezy Hill) Retail.* The minimum buffer width between the proposed retail area and Breezy Hill Rd shall be fifty (50) feet, and shall include a berm with a minimum height of five (5) feet with at least three (3) canopy trees and four (4) accent trees per 100-ft of frontage. A detail of this landscape buffer shall be approved by the Planning and Zoning Commission and City Council at the time of PD Development Plan for the retail tract.
    d. *Buffer-Strip (Breezy Hill) Residential.* A landscape buffer strip with a minimum width of ten (10) feet shall be provided between any residential area and Breezy Hill Rd.
    e. *Irrigation.* Any irrigation installed in landscape areas and public parks must be designed by a Texas licensed irrigator or landscape architect.
    f. *Fencing.* The Association will maintain all common area and perimeter fencing surrounding the Property. Such perimeter fencing shall be composed of six foot (6') tall tubular steel fencing with masonry entry features or such other fencing as may be approved by the City at the time of platting. Perimeter screening may also be accomplished by earthen berms landscaped with living screening. Property owners will maintain all fences constructed on private property.
    g. *Curvilinear Walks.* Walks are to be a minimum of five feet (5') wide to six feet (6') maximum width (hike and bike trail) consistent with the approved Open Space Master Plan. "Collector streets" with or without center medians may incorporate sidewalks six feet (6') in width adjacent to or within "front yard" landscape easements. Walks may meander within parkway and common area; however, edge of walk shall be no closer than four feet (4') from back-of-curb.
    h. *Medians.* Any proposed median openings shall meet the City standards at the time of PD site plan approval.

2. *Lighting.* Light poles shall not exceed twenty feet (20') in height. All light fixtures shall direct light downward and be contained to the site.

3. *Sidewalks.* At a minimum, sidewalks located on lay down curb section streets shall begin four feet (4') behind the back of curb and be five feet (5') in overall width. Sidewalks will not be required on rural street sections.
4. Curbing. Within certain lot types "A, B, & C" "roll up, lay down curbing" may be incorporated in an effort to minimize frequent curb cuts and maximize streetscape continuity, as approved by the City of Rockwall (Engineering Department) with approval of the final plat application.
5. *Buried Utilities.* New distribution power-lines required to serve the Property shall be placed underground, whether such lines are located internally or along the perimeter of the Property, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (3 phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the Property, except along the 205 Bypass. Additionally, if such above ground lines are installed along the perimeter of the property and adjacent to non-residential use, then the lines shall be installed behind the non-residential buildings where the installation is possible. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the Property. Temporary power-lines constructed across undeveloped portions of the Property to facilitate development phasing and looping may be allowed above ground, but shall not be considered "existing lines" at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph.
6. *Parks and Open Space.*
    a. Residential and retail acreages (net of right-of-way dedication) shall contain no less than 20% open space and.
    b. Allowable open space may include but is not limited to 50% of floodplain, amenity center, public or private parks, trails, natural areas, buffers, traffic circle medians, entry features, common areas (including any Association recreation center or similar facilities) and other features depicted on the Development Plan, as set forth in the Open Space Master Plan prepared in accordance with subparagraph (c) below. Street right of way will not be included as open space. At least 80% of the single-family dwellings within the development shall be located within eight hundred feet (800') of public or private open space. In order to qualify, such open space must be at least one (1) continuous acre in area, not including roadway buffers less than fifty (50') feet in width.
    c. The Developer shall prepare the Open Space Master Plan to be consistent with the approved Development Plan. The purpose of an Open Space Master Plan is to supplement the Development Plan by providing an additional level of detail for public and private open space areas. The Open Space Master Plan shall identify the locations of and improvements to public parks, and other public and private open space or common areas and shall illustrate an integral system of trail improvements that, together with intervening land held by other property owners or the City, is designed to connect residential areas, schools and retail areas within the District to parks and open space within the District and that provides for continuation and connection of the trail system to off-site parks and open space, in accordance with the City's Master Park and Recreation Plan. The Open Space Master Plan shall clearly differentiate public parks from private facilities and common lands to be maintained by the Association. The locations of public parks, school sites and other public and private open space or common areas shown on the Open Space Master Plan shall be in conformance with the Development Plan. The Open Space Master Plan shall include a phasing plan for construction of all trails, parks, common open space and facilities. The Open Space Master Plan shall be considered for approval if

it complies with this section, the applicable City regulations, the Development Plan, and generally accepted park-planning practices.

d. The District shall contain not less than eleven (11) acres of land to be used as public or private parkland. A minimum of eleven (11) contiguous acres shall be dedicated to the City in accordance with the City's Neighborhood Parkland Dedication Ordinance on approval of the final plats for those phases adjacent to or abutting the proposed parkland dedication and will provide access to said parkland area. The remaining parkland area will be retained as a private park within the District. Park improvements shall be constructed in accordance with the approved Open Space Master Plan. The site plan incorporating the design of park improvements and hike/bike trail improvements shall be considered for approval with the final plat for the phase of the development containing such improvements. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's Neighborhood Parkland Dedication Ordinance regarding land dedication. At the time of recordation of final plats for each phase, the Developer shall pay park improvement fees to the City. These fees shall be held in an escrow account until the parkland is dedicated to the City, at which time the Developer shall inform the City if the Developer wishes to use the escrowed fees as well as future fees to construct park improvements. Prior to construction, said improvements shall be approved by Parks Director, approval not to be unreasonably withheld, and invoices for improvements shall be submitted to Parks Director for approval. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's Neighborhood Parkland Dedication Ordinance regarding park development fees, provided that park improvements are installed at a value equal or exceeding the value of park improvement fees for the entire District applicable at that time, or improvement fees are paid. Thereafter, the Developer shall not be responsible for additional parkland dedication or park development fees associated with the Property, except as otherwise may be provided in a capital facilities agreement approved by the City.

7. Developer shall provide a minimum of one (1) retention pond in the District with hard edges and fountain features. The exact configuration and location of the ponds will be determined at development. All retention pond hardedges shall be similar to the hardedge shown on Figure 1 (below).



Figure 1: *Retention Pond with Hardedge.*

8. *Signage.* Permanent subdivision identification signage shall be permitted at all major entry points, in general conformance to the signage shown in Figure 2 & 3 (below). Final design of entry features to be determined with the Planned Development Site Plan.

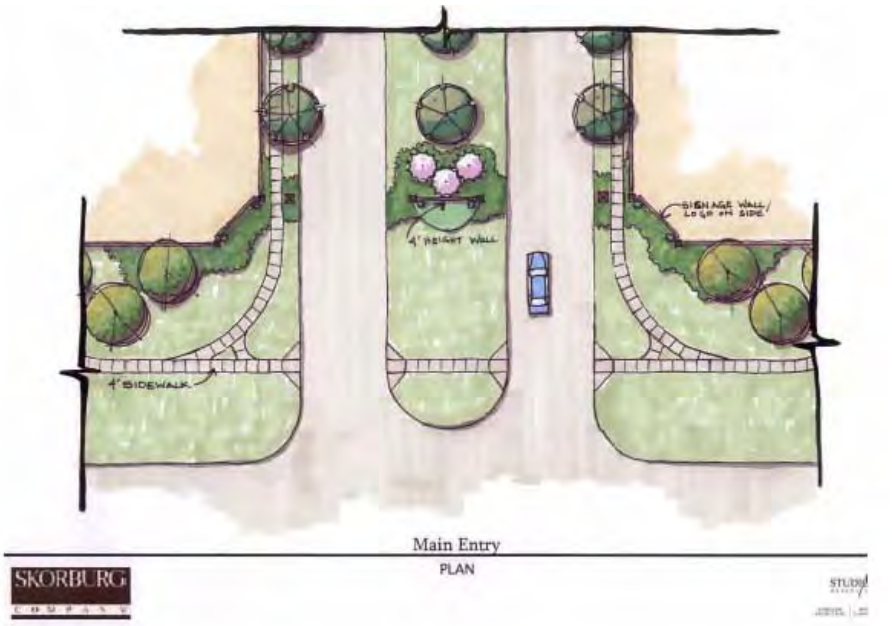

Figure 2: *Example of Subdivision Signage Locations*

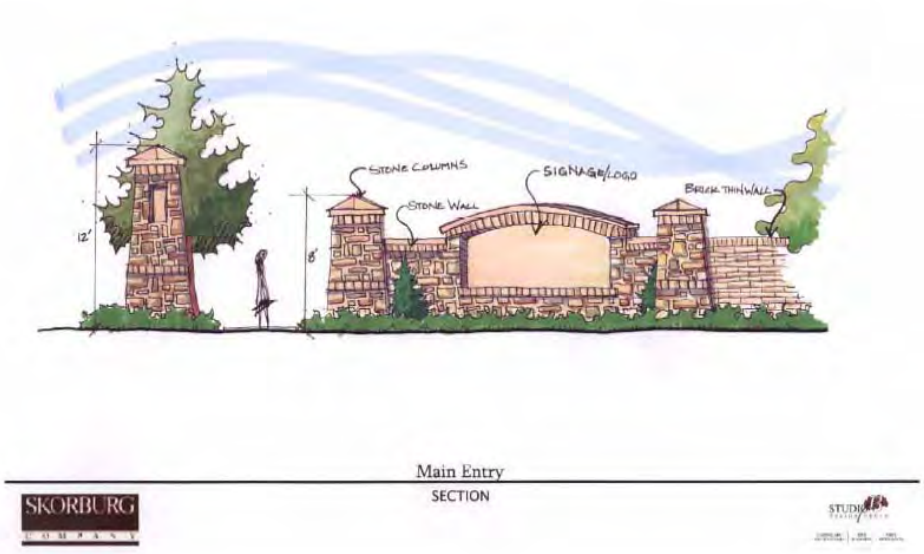

Figure 3: *Example of Subdivision Signage Design Standard*

9. *Variances.* The variance procedures and standards for approval set forth in the Unified Development Code shall apply to any application for variances to this ordinance.
10. *Amenity Center.* Site plan, landscape plan and building elevations for the Amenity Center shall be approved by the Planning and Zoning Commission prior to construction.
11. *Trees.* All trees planted within the District shall be a minimum three (3) inch caliper measured six (6) inches above the root ball.

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 74 (PD-74) [*ORDINANCE NO. 12-26*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE PLANNED DEVELOPMENT CONCEPT PLAN AND THE DEVELOPMENT STANDARDS APPROVED WITH ORDINANCE NO. 12-26, BEING A 405.184-ACRE TRACT OF LAND SITUATED IN THE J. STRICKLAND SURVEY, ABSTRACT NO. 187, T. R. BAILEY SURVEY, ABSTRACT NO. 30 AND THE J. SIMMONS SURVEY, ABSTRACT NO. 190, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE..

WHEREAS, the City has received a request by the Darren Cain of the Skorburg Company on behalf of Breezy Hill 405, LTD for an amendment to the Planned Development Concept Plan and Development Standards contained within Planned Development District 74 (PD-74) [specifically contained within *Ordinance No. 12-26*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, for a 405.184-acre tract of land situated in the J. Strickland Survey, Abstract No. 187, T. R. Bailey Survey, Abstract No. 30 and the J. Simmons Survey, Abstract No. 190, Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 74 [*Ordinance No. 12-26*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by Planned Development District 74 (PD-74) [*Ordinance No. 12-26*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 2. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 4. That a master parks and open space plan for the Property, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan*, (*Open Space Master Plan*) shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

Section 5.

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(f) below*), shall be the exclusive procedures applicable to the subdivision and platting of the Property.

(b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in Section 212.009 of the Texas Local Government Code.

1. Open Space Master Plan
2. Master plat
3. PD development plans (*required for retail areas only*)
4. PD site plans
5. Preliminary plats
6. Final plats

(c) A master plat application covering all of the Property, other than the area designated on the *Planned Development Concept Plan* as *Retail*, shall be submitted and shall identify each phase of development. No master plat application shall be approved until the *Open Space Master Plan* for all of the Property has been approved; however, the *Open Space Master Plan* may be processed by the City concurrently with the master plat application.

(d) A *PD Development Plan* must be approved for the area designated on the Concept Plan as *Retail* prior to submittal of a *PD Site Plan* application and/or a preliminary plat application. No master plat is required for the area designated on the Concept Plan as *Retail*. A traffic impact analysis for the retail tract shall be submitted with the *PD Development Plan* to determine the extent and timing of any recommended facilities and/or improvements to the surrounding roadway network. The traffic impact analysis may be updated with each *PD Site Plan* for the retail tract.

(e) A preliminary plat application shall be submitted for each phase of residential development. A *PD Site* Plan application, including a site plan application for improvements for parkland or trails, may be processed by the City concurrently with a preliminary plat application for that phase of the development.

(f) A *Capital Facilities Agreement* in the form of *Exhibit 'D',* attached hereto and incorporated herein by reference as *Exhibit 'D',* shall be executed by Developer providing for delivery of adequate public facilities and services within the District.

Section 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 9. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 16TH DAY OF JUNE, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *June 16, 2014*

2nd Reading: *July 7, 2014*

Exhibit 'A':
Legal Description

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN PARTS OF THE J. STRICKLAND SURVEY, ABSTRACT NUMBER 187, T. R. BAILEY SURVEY, ABSTRACT NUMBER 30 AND THE J. SIMMONS SURVEY, ABSTRACT NUMBER 190 OF ROCKWALL COUNTY, AND BEING THAT TRACT OF LAND CONVEYED TO W.W. CARUTH, JR. ACCORDING TO THE DOCUMENT FILED OF RECORD IN VOLUME 66, PAGE 493, DEED RECORDS OF ROCKWALL COUNTY, TEXAS (D.R.R.C.T.) ALSO A PORTION OF THE J. STRICKLAND SURVEY, ABSTRACT 794•3 LYING IN COLLIN COUNTY, TEXAS, THAT TRACT OF LAND CONVEYED TO MABEL CARUTH ACCORDING TO THE FILE OF RECORD IN COUNTY CLERK FILE NUMBER 92-0054539 OF COLLIN COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND AT THE BASE OF A CORNER POST, SAID IRON ROD BEING THE SOUTHWEST CORNER OF A 1RACT OF LAND DESCRIBED IN DEED TO DONG WON KANG RECORDED IN VOLUME 4703, PAGE 1402, D.R.R.C.T., AND SAME (BEING THE SOUTHEAST CORNER OF SAID TRACT "ONE" AS SHOWN HEREON;

THENCE NORTH 89°21'28" EAST, A DISTANCE OF 2077.92 FEET TO A 1/2" IRON ROD FOUND FOR A CORNER OF THIS TRACT;

THENCE SOUTH 00°01'37" EAST, GENERALLY ALONG THE CENTER OF A GRAVEL ROAD, A DISTANCE OF 1274.60 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH 89°19'07" EAST, GENERALLY ALONG THE CENTER OF A GRAVEL ROAD, A DISTANCE OF 686.18 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH 00'42'37" EAST, ALONG THE CENTER OF BREEZY HILLS ROAD, A DISTANCE OF 4777.93 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER IN THE NORTH LINE OF F.M. HIGHWAY 552, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 89°20'36" WEST, ALONG THE NORTH LINE OF SAID F.M. HIGHWAY, A DISTANCE OF 1887.13 FEET, TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER IN A ENTRYWAY OF A RANCH ROAD, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 00°31'43" WEST, GENERALLY ALONG THE CENTER OF SAID RANCH ROAD, PASSING AT A DISTANCE OF 10.00 FEET A 1/2" IRON ROD FOUND ON THE WEST LINE OF THIS TRACT AND CONTINUING A TOTAL DISTANCE OF J593.55 FEET TO A S/S" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH S9°15'47" WEST, A DISTANCE OF S03.29 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 01"31'06" WEST, A DISTANCE OF 1189.10 FEET TO A 5/8" IRON ROD FOUND AT THE BASE OF A CORNER POST, FOR A CORNER OF THIS TRACT;

THENCE SOUTH 88°05'58" WEST, A DISTANCE OF 1546.66 FEET TO A 3/8" IRON ROD

FOUND FOR A CORNER OF THIS TRACT;

THENCE NORTH 00°47'14" WEST, A DISTANCE OF 1067.53 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 88°33'50" E, A DISTANCE OF 748.00 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 00°45'11" W, A DISTANCE OF 2243.67 FEET TO A 5/S" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 89°21'28" E, A DISTANCE OF 754.93 FEET TO THE POINT OF BEGINNING, AND CONTAINING 405.184 ACRES OF LAND, MORE OR LESS.

Exhibit 'B':
Concept Plan

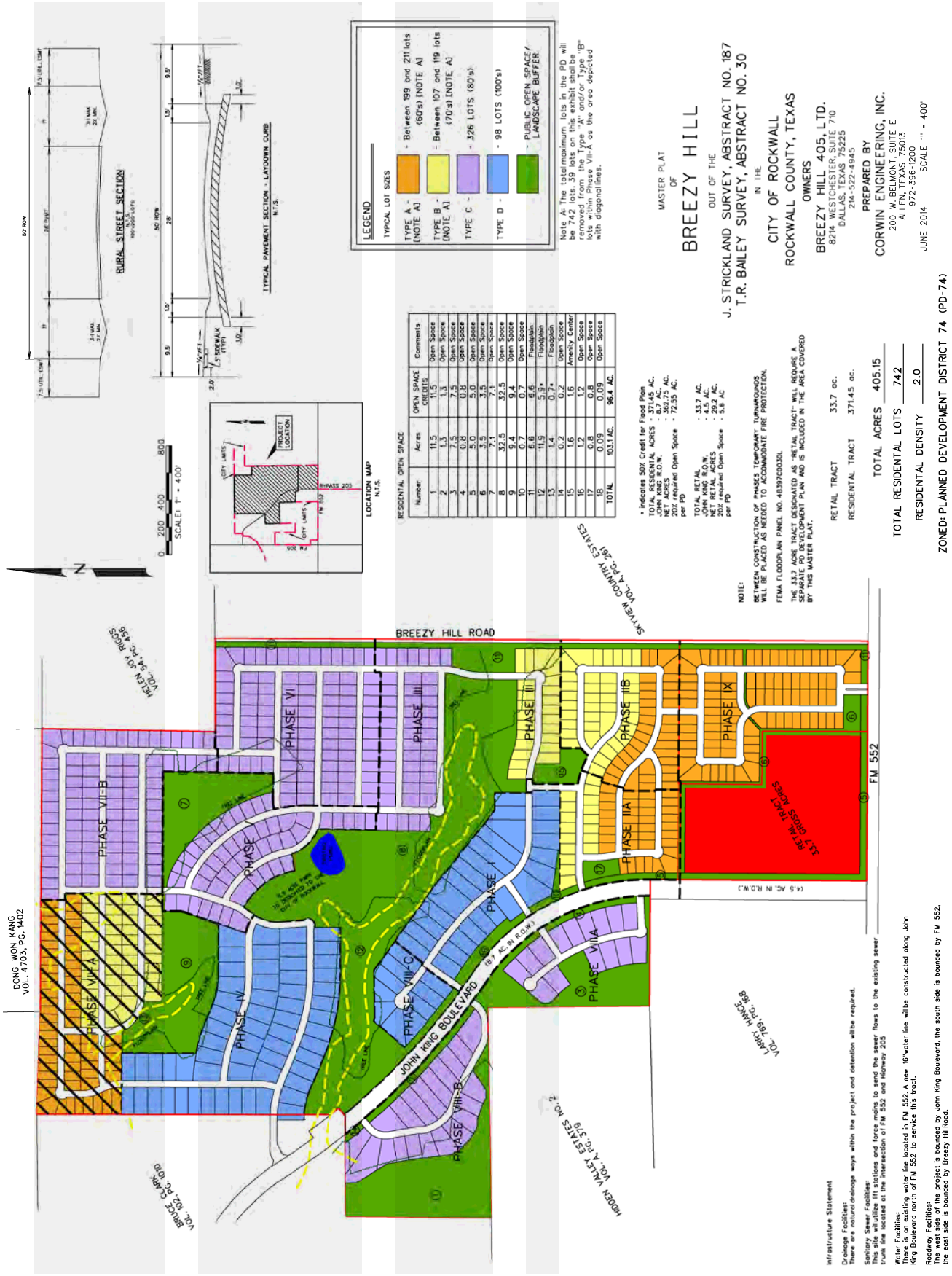

Exhibit 'C':
PD Development Standards

A. GENERAL REQUIREMENTS

1. *Uses Allowed.* The following uses are permitted for the Property.

   a. *Residential uses*. Uses permitted of right or by special use permit for the (SF-10) Single Family Residential District, as set forth in Article IV, Permissible Uses, of the City of Rockwall Unified Development Code, shall be allowed for areas designated as Single-Family on the Concept Plan, subject to approval of a Special Use Permit if required by the SF-10 District Regulations.

   b. *Non-residential uses*. Non-residential uses shall be allowed only within the area designated as Retail on the approved Concept Plan for the District, and are limited to those uses permitted of right or by special use permit for the (GR) General Retail District subject to approval of a PD Development Plan and PD Site Plan in accordance with the Planned Development District regulations, Article X, Section 2 of the Unified Development Code, and subject to approval of a Special Use Permit if required by the GR District Regulations; provided, however, that the following uses are expressly prohibited:

   - ✓ Animal Hospital, Clinic
   - ✓ Convent or Monastery
   - ✓ Hotel or Motel
   - ✓ Hotel, Residence
   - ✓ Cemetery/Mausoleum
   - ✓ Mortuary of Funeral Chapel
   - ✓ Social Service Provider
   - ✓ Billiard Parlor or Pool Hall
   - ✓ Carnival, Circus, or Amusement Ride
   - ✓ Commercial Amusement/Recreation (Outside)
   - ✓ Gun Club, Skeet or Target Range (indoor)
   - ✓ Astrologer, Hypnotist, or Psychic Art and Science
   - ✓ Garden Supply/Plant Nursery
   - ✓ Night Club, Discotheque, or Dance Hall
   - ✓ Secondhand Dealer
   - ✓ Car Wash, Self Service*
   - ✓ Service Station*
   - ✓ Mining and Extraction (Sand, Gravel, Oil & other)
   - ✓ Helipad
   - ✓ Railroad Yard or Shop
   - ✓ Transit Passenger Facility

   * *Not including a convenience store with an accessory car wash use or more than four (4) gas pumps, which accessory uses are permitted by SUP.*

   The following additional use shall be permitted of right in the PD District:

   - ✓ Grocery Store with a maximum building area of one hundred and thirty thousand (130,000) square feet.

   c. *Design of non-residential uses.* The retail area shall be designed to be pedestrian-oriented and easily accessible to adjacent residential neighborhoods. Additionally, the

retail area shall be designed and constructed to be integrated with adjacent uses, not separated from them by screening walls or other physical barriers. This will be accomplished by creating paths from adjacent development into the retail area and through the use of landscaping buffers, building design and other urban design elements to create compatibility with the surrounding residential neighborhood.

d. *Density and lot composition*. If the retail develops in accordance with the attached Concept Plan, no more than ~~***691***~~ ***742*** single-family residential dwelling units may be constructed within the Property. Except as provided in subsection (e), single-family residential units shall be allocated by product type in accordance with the following table:

Table 1: Lot Composition

LOT TYPE	**LOT SIZE** (MINIMUM)	**LOT SQ. FT.** (MINIMUM) (TOTAL)	**Driveway Access**	**Units** (TOTAL)	**Total Dwelling Units %**
A	60' x 120'	7,200	Front	~~***134***~~ ***206***	~~***19.4***~~ ***27.80%***
B	70' x 120'	8,400	Front	~~***133***~~ ***112***	~~***19.2***~~ ***15.10%***
C	80' x 125'	10,000	Front	326	~~***47.2***~~ ***43.90%***
D	100' x 200'	20,000	Front	98	~~***14.2***~~ ***13.20%***
Average Lot Size		10,000			
MAXIMUM ALLOWED TOTAL UNITS				~~***691***~~ ***742***	100%

e. *Variation in lot composition.* The allocation of single-family dwellings among lot types may deviate from that in subsection (d), provided that the maximum allowed total dwelling units does not exceed ~~***691***~~ ***742*** units, the average lot size for the development is not less than 10,000 sq. ft., and the following rules are met:

(1) Lot types "A & B" may increase not more than 5% in aggregate number.
(2) Lot type "C" shall not be decreased below ~~***45%***~~ ***42%*** of the total ~~***691***~~ ***742*** lots.
(3) Lot Type "D" shall not be decreased below 98 of the total lots.

2. Development Standards Applicable. Except as may be modified by these Development Standards, residential uses shall be subject to the development standards for a (SF-10) Single Family Residential District, as set forth in Article V, District Development Standards for Section 3.4 of the City of Rockwall Unified Development Code; to the development standards in the 205 Bypass Overlay District; and to all supplemental standards contained in the Unified Development Code, including but not limited to the tree preservation regulations in the Unified Development Code.

B. SPECIAL DEVELOPMENT STANDARDS

1. Dimensional Standards for Residential Uses

Table 2: Lot Type Matrix

Lot Types	A	B	C	D
Maximum Building Height	36'	36'	36'	36'
Air Conditioned Square Footage (Minimum)	2,200	2,400	2,600***	3,000
Minimum Building Setback: Front Yard *Front porch may encroach to within 10' of front property line.*	20'	20'	20'	40' [3]
	X			
Rear Yard	10'	10'	15'	15'
Interior Side Yard	5'	5'	6'	7'
Corner (Side) Yard	15'	15'	15'	15'
Minimum Distance of driveway from prop. line. (applicable to front entry only)	20'	20'	20'	40'
Minimum Lot Area (Square Feet)	7,200	8,400	10,000	20,000
Minimum Lot Frontage [1]	60'	70'	80'	100'

Notes:

[1]: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by twenty percent (20%) in lot width measured at the front property line provided that the lot width will be met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to 10 percent (10%) but shall meet the minimum lot size for each lot type as referenced within Table 1.

[2]: A maximum of 20% of the lots may have homes not less than 2,500 sq. ft.

[3]: The Director of Planning or his designee may grant a reduction in the required 40-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 40-foot front yard building setback would create an undue hardship on the property.

2. Development Standards for Residential Uses by Lot (Product) Type

a. Detached Single Family Lot Type A

Minimum Lot Size:	7,200 SF
Minimum Lot Width: @ Front Bldg. Line	60'
Minimum Lot Depth:	110'
Minimum Corner Lot Width:	65'
Side Yard Setback:	5'
Front / Rear Bldg. Line:	20'/10'
Minimum House Size:	2,200 air conditioned sq. ft.
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drive. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'A' lots shall have 3-car garages.
Maximum Lot Coverage:	65%

b. Detached Single Family Lot Type B

Minimum Lot Size:	8,400 SF
Minimum Lot Width: @ Front Bldg. Line	70'
Minimum Lot Depth:	120'
Minimum Corner Lot Width:	75'
Side Yard Setback:	5'
Front / Rear Bldg. Line:	20'/10'
Minimum House Size:	2,400 air conditioned sq. ft.
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drives. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'B' lots shall have 3 car garages.
Maximum Lot Coverage:	65%

c. Detached Single Family Lot Type C

Minimum Lot Size:	10,000 SF
Minimum Lot Width: @ Front Bldg. Line	80'
Minimum Lot Depth:	125'
Minimum Corner Lot Width:	85'
Side Yard Setback:	6'
Front / Rear Bldg. Line:	20'/15'
Minimum House Size:	2600 air conditioned sq. ft.[1]
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Traditional "swing" or "J" drive required. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 80% of Type 'C' lots shall have 3 car garages.
Maximum Lot Coverage:	65%

Notes:
[1]: A maximum of 20% of the lots may have homes not less than 2,500 sq. ft.

d. Detached Single Family Lot Type D

Minimum Lot Size:	20,000 SF
Minimum Lot Width: @ Front Bldg. Line	100'
Minimum Lot Depth:	175'
Minimum Corner Lot Width:	100'
Side Yard Setback:	7'
Front / Rear Bldg. Line:	40' [1]/15'
Minimum House Size:	3,000 air conditioned sq. ft.
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Traditional "swing" or "J" drive required. Single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. 80% of Type D lots shall have a minimum of 3 car garages.
Maximum Lot Coverage:	70%

Notes:
[1]: The Director of Planning or his designee may grant a reduction in the required 40-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 40-foot front yard building setback would create an undue hardship on the property.

3. *Fencing.* All individual residential fencing for lots less than 20,000 square feet shall be cedar standard fencing material (minimum ½" thickness) or better (spruce fencing will not be allowed). All cedar pickets shall be placed on the "public side" facing the street, alley or neighboring property. Lots containing 20,000 sq. ft., lots located along perimeter roadways, and lots abutting open spaces, greenbelts and parks shall be required to install tubular steel fencing. Corner lot fencing (adjacent to the street) shall provide masonry columns at forty-five feet (45') off center spacing that begins at the rear property line corner and terminates ten feet (10') behind the front yard building setback line. A maximum six (6') foot solid board on board "panel" cedar fencing shall be allowed between the masonry columns along the side and/or rear yard lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five feet (5'). The property owner shall maintain that portion of the property outside the fence.
4. *Anti-Monotony Features.* Lot types shall incorporate the following elevation features.

Table 3 : Anti-Monotony Matrix

Lot Type	Lot Size (Approx.)	Elevation Features
A	60' x 120'	***i.,*** ii, iii, ~~***iv***~~
B	70' x 120'	***i.,*** ii, iii, ~~***iv***~~
C	80' x 125'	***i.,*** ii, iii, ~~***iv***~~
D	100' x 200'	***i.,*** ii, iii, ~~***iv***~~

i. Exterior facade must be composed of eighty percent (80%) masonry (brick, stone, cultured stone, or three-part stucco). Identical brick blends may not occur to adjacent (side-by-side) properties. Elevations shall not repeat along the fronting or siding streetscape without at least four (4) intervening homes of sufficient dissimilarity (to be determined by the ARC) on the same side of the street and (2) intervening homes on the opposite side of the street). The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least two (2) intervening homes of sufficient dissimilarity (to be determined by the ARC). Masonry (brick, stone, cultured stone, or three-part stucco) chimneys shall be required on all homes.
ii. Minimum of 8:12 roof pitch, except for 4:12 roof pitches on porches. For each phase, a maximum of four compatible roof colors may be used. Dimensional shingles shall be used. Crown molding will be installed in all living and family rooms, unless vaulted or pop-up ceilings are utilized. No Formica counters in kitchens and bathrooms, no blown acoustic ceilings. No vinyl flooring will be used in kitchens.
iii. For front entry driveway access a traditional "swing" or "J" drive will be used. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only.

5. *Streetscape Landscape.* Prior to issuance of a Certificate of Occupancy, yards for all single-family lots in the District shall be landscaped with large canopy trees.

(1) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.
(2) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two additional trees of same caliper shall be planted in the side yard facing the street.
(3) For purposes of this section only, the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

6. *Master Design Guidelines.* Additional design guidelines specific to each phase of development that shall apply to all single-family dwellings units within that phase of development, shall be submitted to the City prior to issuance of any building permits for that portion of the development.

C. STANDARDS FOR DISTRICT DESIGN AND CONNECTIVITY

1. *Streetscape Standards for Collectors & Non-Fronting Thoroughfares.* All streets, excluding drives, fire lanes and private parking areas, shall be built according to City of Rockwall street standards. Sidewalks and Hike / Bike trails are to be placed according to city requirements and as set forth in the Open Space Master Plan for the District.

    a. *Buffer-Strip* and Sidewalks (John King Boulevard Overlay District). The landscape buffer strip along John King Blvd shall be as described in the City of Rockwall Unified Development Code, Article V (District Development Standards), Section 6.10 E (Landscape Standards) and be a minimum width of fifty (50) feet as shown on the Planned Development Concept Plan in Exhibit 'B'. Additionally, the developer shall construct a minimum of a ten (10) foot sidewalk, on both sides of John King Boulevard, within the fifty (50) foot landscape buffer strip as recommended by the John King Boulevard Design Concept Plan located in the Comprehensive Plan of the City of Rockwall.

    b. *Buffer-Strip (FM 552).* A landscape buffer strip with a minimum width of fifteen (15) feet shall be provided along the frontage of FM 552, and shall be landscaped with at least one canopy tree per 30-ft and a combination of berms and shrubbery to be reviewed with the PD Site Plan(s) for the retail tract.

    ~~c.~~ *Buffer-Strip (Breezy Hill) Retail.* The minimum buffer width between the proposed retail area and Breezy Hill Rd shall be fifty (50) feet, and shall include a berm with a minimum height of five (5) feet with at least three (3) canopy trees and four (4) accent trees per 100-ft of frontage. A detail of this landscape buffer shall be approved by the Planning and Zoning Commission and City Council at the time of PD Development Plan for the retail tract.

    d. *Buffer-Strip (Breezy Hill) Residential.* A landscape buffer strip with a minimum width of ten (10) feet shall be provided between any residential area and Breezy Hill Rd.

    e. *Irrigation.* Any irrigation installed in landscape areas and public parks must be designed by a Texas licensed irrigator or landscape architect.

    f. *Fencing.* The Association will maintain all common area and perimeter fencing surrounding the Property. Such perimeter fencing shall be composed of six foot (6') tall tubular steel fencing with masonry entry features or such other fencing as may be approved by the City at the time of platting. Perimeter screening may also be accomplished by earthen berms landscaped with living screening. Property owners will maintain all fences constructed on private property.

    g. *Curvilinear Walks.* Walks are to be a minimum of five feet (5') wide to six feet (6') maximum width (hike and bike trail) consistent with the approved Open Space Master Plan. "Collector streets" with or without center medians may incorporate sidewalks six feet (6') in width adjacent to or within "front yard" landscape easements. Walks may meander within parkway and common area; however, edge of walk shall be no closer than four feet (4') from back-of-curb.

    h. *Medians.* Any proposed median openings shall meet the City standards at the time of PD site plan approval.

2. *Lighting.* Light poles shall not exceed twenty feet (20') in height. All light fixtures shall direct light downward and be contained to the site.
3. *Sidewalks.* At a minimum, sidewalks located on lay down curb section streets shall begin four feet (4') behind the back of curb and be five feet (5') in overall width. Sidewalks will not be required on rural street sections.
4. Curbing. Within certain lot types "A, B, & C" "roll up, lay down curbing" may be incorporated in an effort to minimize frequent curb cuts and maximize streetscape continuity, as approved by the City of Rockwall (Engineering Department) with approval of the final plat application.
5. *Buried Utilities.* New distribution power-lines required to serve the Property shall be placed underground, whether such lines are located internally or along the perimeter of the Property, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (3 phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the Property, except along the 205 Bypass. Additionally, if such above ground lines are installed along the perimeter of the property and adjacent to non-residential use, then the lines shall be installed behind the non-residential buildings where the installation is possible. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the Property. Temporary power-lines constructed across undeveloped portions of the Property to facilitate development phasing and looping may be allowed above ground, but shall not be considered "existing lines" at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph.
6. *Parks and Open Space.*
    a. Residential and retail acreages (net of right-of-way dedication) shall contain no less than 20% open space and.
    b. Allowable open space may include but is not limited to 50% of floodplain, amenity center, public or private parks, trails, natural areas, buffers, traffic circle medians, entry features, common areas (including any Association recreation center or similar facilities) and other features depicted on the Development Plan, as set forth in the Open Space Master Plan prepared in accordance with subparagraph (c) below. Street right of way will not be included as open space. At least 80% of the single-family dwellings within the development shall be located within eight hundred feet (800') of public or private open space. In order to qualify, such open space must be at least one (1) continuous acre in area, not including roadway buffers less than fifty (50') feet in width.
    c. The Developer shall prepare the Open Space Master Plan to be consistent with the approved Development Plan. The purpose of an Open Space Master Plan is to supplement the Development Plan by providing an additional level of detail for public and private open space areas. The Open Space Master Plan shall identify the locations of and improvements to public parks, and other public and private open space or common areas and shall illustrate an integral system of trail improvements that, together with intervening land held by other property owners or the City, is designed to connect residential areas, schools and retail areas within the District to parks and open space within the District and that provides for continuation and connection of the trail system to off-site parks and open space, in accordance with the City's Master Park and Recreation Plan. The Open Space Master Plan shall clearly differentiate public parks from private facilities and common lands to be maintained by the Association. The locations of public parks, school sites and other public and private open space or common areas shown on the Open Space Master Plan shall be in conformance with the Development Plan. The Open Space Master Plan shall include a phasing plan for construction of all trails, parks, common open space and facilities. The Open Space

Master Plan shall be considered for approval if it complies with this section, the applicable City regulations, the Development Plan, and generally accepted park-planning practices.

d. The District shall contain not less than eleven (11) acres of land to be used as public or private parkland. A minimum of eleven (11) contiguous acres shall be dedicated to the City in accordance with the City's Neighborhood Parkland Dedication Ordinance on approval of the final plats for those phases adjacent to or abutting the proposed parkland dedication and will provide access to said parkland area. The remaining parkland area will be retained as a private park within the District. Park improvements shall be constructed in accordance with the approved Open Space Master Plan. The site plan incorporating the design of park improvements and hike/bike trail improvements shall be considered for approval with the final plat for the phase of the development containing such improvements. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's Neighborhood Parkland Dedication Ordinance regarding land dedication. At the time of recordation of final plats for each phase, the Developer shall pay park improvement fees to the City. These fees shall be held in an escrow account until the parkland is dedicated to the City, at which time the Developer shall inform the City if the Developer wishes to use the escrowed fees as well as future fees to construct park improvements. Prior to construction, said improvements shall be approved by Parks Director, approval not to be unreasonably withheld, and invoices for improvements shall be submitted to Parks Director for approval. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's Neighborhood Parkland Dedication Ordinance regarding park development fees, provided that park improvements are installed at a value equal or exceeding the value of park improvement fees for the entire District applicable at that time, or improvement fees are paid. Thereafter, the Developer shall not be responsible for additional parkland dedication or park development fees associated with the Property, except as otherwise may be provided in a capital facilities agreement approved by the City.

7. Developer shall provide a minimum of one (1) retention pond in the District with hard edges and fountain features. The exact configuration and location of the ponds will be determined at development. All retention pond hardedges shall be similar to the hardedge shown on Figure 1 (below).



Figure 1: *Retention Pond with Hardedge.*

8. *Signage.* Permanent subdivision identification signage shall be permitted at all major entry points, in general conformance to the signage shown in Figure 2 & 3 (below). Final design of entry features to be determined with the Planned Development Site Plan.

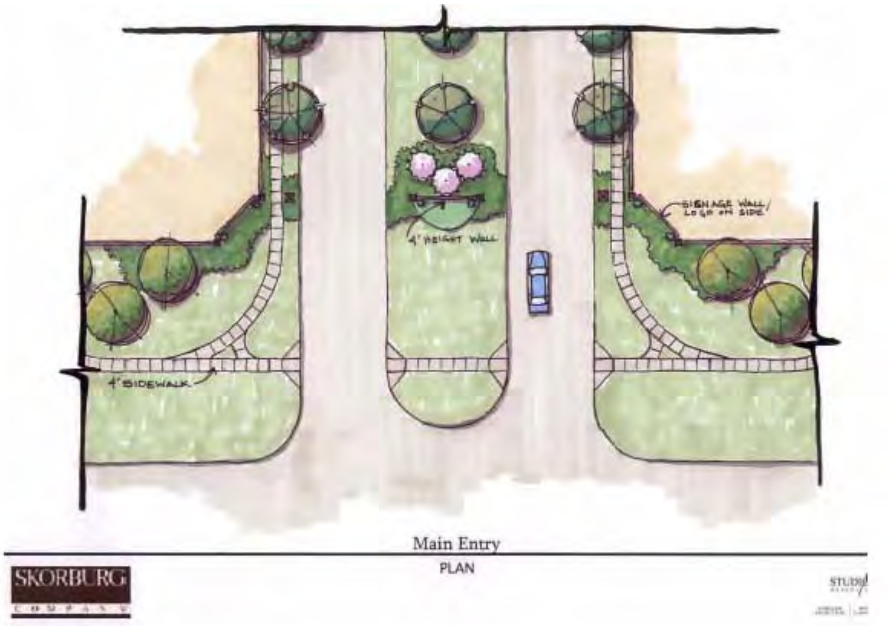

Figure 2: *Example of Subdivision Signage Locations*

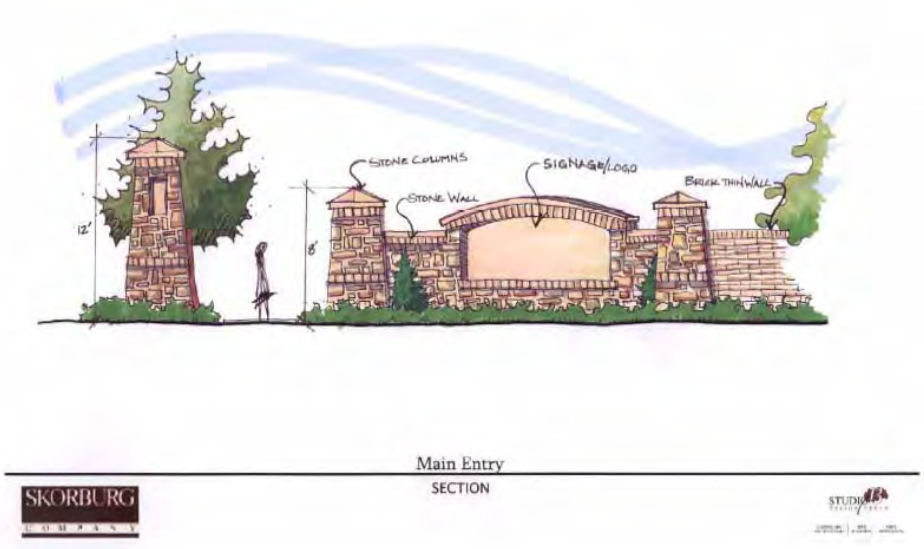

Figure 3: *Example of Subdivision Signage Design Standard*

9. *Variances.* The variance procedures and standards for approval set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

10. *Amenity Center.* Site plan, landscape plan and building elevations for the Amenity Center shall be approved by the Planning and Zoning Commission prior to construction.
11. *Trees.* All trees planted within the District shall be a minimum three (3) inch caliper measured six (6) inches above the root ball.

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

THIS CAPITAL FACILITIES AGREEMENT (the "Agreement") is by and among the Breezy Hill 405, Ltd, ("Breezy" or "Developer") and the City of Rockwall, Texas ("City" or "Rockwall "),

I. RECITALS

1. Breezy seeks to rezone and subdivide the Property for single-family residential use and certain commercial uses. Breezy shall submit an application to rezone the 405 acres north of FM-552 (the "Property") as a planned development (PD) district for a development currently known as Breezy Hill (the "PD District"),

   NOW, THEREFORE, in consideration of the foregoing recitals and mutual covenants contained herein, the Parties hereto agree as follows:

II. ADEQUATE PUBLIC FACILITIES

1. *General Provisions.*

   a. *Adequacy Required.* Development of the Property shall be supported with adequate levels of public facilities and services, Adequate facilities and services are those that (i) comply with the applicable City regulations, including this Agreement, and (ii) are consistent with generally accepted engineering and planning practices for similar developments, The Parties agree that the dedication and construction of public improvements, or the contribution of proportionate development fees, required to support development of the Property shall precede or be concurrent with the construction of private improvements to the land, in accordance with the phasing provisions incorporated within this section, or as otherwise may be provided through approval of a master plat.

   b. *Proportionality.* The Parties agree that the dedication or construction of public improvements, or the contributions of development fees, provided for in this Agreement are roughly proportional to the nature and extent of the proposed development of the Property on the City's public facilities systems. Breezy hereby covenants not to sue the City for any claim, or otherwise consent to participate in any action against the City arising from any claim by such party or by its affiliates, alleging that application of the adequate facilities requirements set forth in this Part II of the Agreement to the development of the Property, or the imposition of conditions to a plat application for a portion of the Property that are consistent with the requirements of this section, are not roughly proportional to the impacts of the development depicted in the Concept Plan, including but not limited to any action premised upon Tex. Loc. Gov't Code sec. 212.904 or successor statute. Such covenant not to sue touches and concerns the Property, and is a covenant running with the land such that it binds successors-in-interest and assigns of Breezy. Should any successor-in-interest or assign of Breezy other than an affiliate of Breezy assert any of the foregoing claims in a court of competent jurisdiction, in violation of this Subsection 1 (b), with respect to the development of any portion of the Property, the Parties agree that, with respect to such portion of the Property or all of the Property, at the City's option, this Agreement thereupon shall become null and void and any rights that may otherwise have

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vested under then existing state law shall be waived upon such event. Breezy further agrees that the City may expressly rely upon the provisions of this paragraph in any certification under section 212.904 and that a court in determining rough proportionality may consider all of the Property. Should Breezy or an affiliate of Breezy violate the covenant not to sue contained in this paragraph, the City may either enforce the covenant or pursue the remedies provided for herein that are applicable to successors or assigns, other than affiliates. As used in this Agreement, the term "affiliate" means any person, corporation, partnership, or other entity controlled by, controlling, or under common control with Breezy.

c. *No Waiver.* The requirements in this Part II shall be considered additional standards and conditions applicable to development within the PD District. Except in the event of a conflict between the standards in this Agreement and other standards applicable within the District, nothing in this Agreement shall be construed as superseding any requirement or standard in the City's subdivision or utility regulations relating to provision of adequate public facilities and services.

2. *Wastewater Services.*

a. *City as Provider.* The City shall be the supplier of wastewater services to the Property.

b. *Line Extensions.* The Developer shall extend wastewater mains sufficient to serve each phase of development within the PD District, sized in accordance with the City's master plan for wastewater facilities and constructed in accordance with the phasing schedule approved in conjunction with the Developer's master plat application. The Developer shall design and construct a lift station in order to serve the development within the PD District. The Developer shall be entitled to pro-rata fees for the costs of over-sizing the lift station from other future developments using the lift station, calculated on a per acreage basis. Developer also shall be eligible for credits against, wastewater impact fees otherwise due for construction of improvements identified and included in the City's wastewater improvements plan for impact fees, in accordance with the City's then existing impact fee regulations. Provisions for City participation in oversize costs, rebate of pro-rata fees or provision of impact fee credits shall be set forth in a facilities and reimbursement agreement between the Developer and the City.

c. *Payment of Impact Fees.* Wastewater impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations.

3. *Water Services*

a. *City as provider.* The City shall be the supplier of water services to the Property. The City represents that it has sufficient capacity to serve the Property.

b. *Line Extensions.* The Developer shall extend water mains sufficient to serve each phase of development within the PD District, sized in accordance with

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the City's master plan for water facilities and constructed in accordance with the phasing schedule approved in conjunction with the Developer's master plat application. The Developer shall be eligible for City participation in the costs of over-sizing water distribution mains or appurtenances that serve other land in addition to the Property, in accordance with the City's standard policies, or for collection of pro-rata fees for such facilities. Developer also shall be eligible for credits against, water impact fees otherwise due for construction of improvements identified and included in the City's water improvements plan for impact fees, in accordance with the City's then existing impact fee regulations. Provisions for City participation in oversize costs, rebate of pro rata fees or provision of impact fee credits shall be set forth in a facilities and reimbursement agreement between the' Developer and the City.

c. *Payment of Impact Fees.* Water impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations.

4. *Road Improvements.* The Developer shall make the following road improvements.

a. *John King Boulevard (Highway 205 Bypass).* The Developer shall have no obligation with respect to construction of John King Blvd. other than as outlined herein regarding payment of road impact fees.

b. *FM-552 Improvements.* The Developer shall dedicate rights-of-way for and construct turn lanes and acceleration/deceleration lanes concurrent with construction of any road on the Property that intersects FM 552, in accordance with City and TXDOT standards and specifications at the time of development of adjoining property.

c. *Breezy Hill Road Improvements.* The Developer shall dedicate a minimum of twenty-five feet (25') of right-of-way or such right-of-way as is needed to construct a twenty-four foot (24') concrete rural section of Breezy Hill Road and appurtenances adjacent to the Property, together with a two-foot (2') asphalt or concrete shoulder on either side of the concrete section, the total not to exceed twenty-eight feet (28') in width, from the northern point of Breezy Hill Road adjacent to the Property, to FM-552, as shown on the Development Plan. The Developer also shall dedicate and improve a minimum landscape buffer of ten feet (10') for the residential tract and fifty feet (50') for the retail tract, adjacent to the right-of-way for Breezy Hill Road, designed in accordance with the requirements of a PD District then in effect for a rural collector. The bar ditch that abuts the buffer strip, designed to a maximum slope of 3: 1, shall not encroach into the required ten-foot or fifty-foot buffer area, except to the extent that the buffers exceed ten feet (10') in width. The Developer shall dedicate right-of-way for Breezy Hill Road and the landscape buffer at the time of final plat approval for any lot abutting Breezy Hill Road. Developer shall construct Breezy Hill Road in conjunction with the retail tract that is final platted adjacent to Breezy Hill Road. Breezy Hill Road will be constructed from the northernmost intersection created by any portion of the retail tract being platted, south to FM-552. Developer shall install any

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needed expansion of existing culverts created by such construction or the development, of such retail tract.

d. *Payment of Roadway Impact Fees.* Roadway impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations. Construction costs incurred by Developer for roadway improvements in this Agreement that are included in the City's roadway improvements plan for impact fees shall be credited against roadway impact fees otherwise due, in accordance with the City's impact fee regulations.

5. *Drainage Improvements.* Dedication of rights-of-way for and construction of drainage improvements shall be provided as specified in conditions imposed with approval of the master plat for development within the PD District and in accordance with City standards and specifications.

6. *Parks and Open Space.*

a. The Developer or a property owners association shall maintain public parklands and improvements within the development for a period of three (3) months from the completion and acceptance of the improvements. Thereafter, the City shall assume responsibilities for maintenance. All open space and improvements which are not dedicated as parkland to the City shall be maintained as common areas in perpetuity by the property owners association for the PD District. Additionally, the property owners association shall maintain Developer-installed landscaping areas in public rights-of-way and public drainage ways internal to and adjacent to the Property.

III. GENERAL PROVISIONS

1. Notice on Sale. The Developer shall provide the City with notice of the sale of any tract or parcel within the District that has not been platted at the following address:

Rockwall City Manager
Rockwall City Hall
385 S. Goliad Street
Rockwall, TX 75087

2. *Recording.* This Agreement is intended to run with the land, and shall be recorded in the Real Property Records, Rockwall County, Texas.

3. *Term of Agreement.* This Agreement shall terminate two (2) years following the City's acceptance of the dedication and construction of the public improvements described herein serving the last phase of development within the PD District, after which the City agrees, upon the request of the Developer to execute a termination of this Agreement in recordable form. Any reimbursements for payment of impact fees shall not expire.

4. *Effective Date.* This Agreement shall take effect upon the date of its execution by the last of the Parties to the Agreement; provided, however, that Breezy shall execute this Agreement no later than five (5) business days following the

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

effective date of the PD zoning ordinance for the Property. If Breezy fails to execute this Agreement within such period, this Agreement shall become null and void, and unless a subsequent agreement, acceptable to the City and the Developer, is agreed to, the City may thereafter deny any PD site plan, master plat or other plat application on grounds that the application is not supported by adequate public facilities and services.

5. *Severability.* Invalidation of any provision of this Agreement by judgment or court order shall not invalidate any of the remaining provisions which shall remain in full force and effect, unless such remaining provisions are an integral part of the invalid provisions or the invalid provision is necessary to give effect to the remaining provisions.

6. *Enforcement.* This Agreement may be enforced by the Parties by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter.

7. *Venue.* Venue for this Agreement shall be in Rockwall County, Texas.

8. *Execution.* This Agreement may be separately executed in individual counterparts, and upon execution, shall constitute one and the same instrument.

9. *Amendment.* This Agreement may only be amended in writing upon mutual consent of the City and the Developer.

10. *Joint preparation.* This Agreement shall be deemed to have been jointly prepared by all Parties hereto, and no ambiguity of this Agreement shall be construed against any party based upon the identity of the author of this Agreement or any portion thereof.

11. *Recitals Incorporated.* Statements and representations contained herein are to be considered contractual in nature and not merely recitations of fact. The Recitals contained in Part I of this Agreement hereby are expressly incorporated into this Agreement by reference.

12. *Construction.* All references herein in the singular shall be construed to include the plural where applicable, the masculine to include the feminine and neuter genders.

13. *Authority.* Each of the signatories to this Agreement represents and warrants that he is authorized to execute this Agreement and bind his principals to the terms and provisions hereof. Each Party warrants that any action required to be taken in order for this Agreement to be binding on it has been duly and properly taken prior to the execution of this Agreement.

14. *Conflicts.* In the event of a conflict between this Agreement and any provision of the Unified Development Code, the City Code, or any City ordinance, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this Agreement, the standards in this Agreement shall control.

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

15. *No Waiver*. Developer retains the right to challenge the application of any City impact fee regulations to the Property solely on the basis that such regulations fail to comply with Chapter 395 of the Texas Local Government Code, as amended. If Developer prevails in such a claim, impact fees shall be applied to the development of the Property and paid by the Developer, as applicable, in accordance with the court order.

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

PARTIES TO THE AGREEMENT

CITY OF ROCKWALL

CITY OF ROCKWALL TEXAS
SEAL

By: _____

Name: DAVID SWEET

Title: MAYOR

STATE OF TEXAS §
§
COUNTY OF ROCKWALL §

SWORN AND SUBSCRIBED TO BEFORE ME, by said DAVID SWEET, who in their capacity as MAYOR for the City of Rockwall, acknowledges that he was authorized to execute the foregoing document this 2nd day of October 2012, certify witness my hand and seal of office.

Kristy Ashberry
Notary Public in and for the State of Texas

NOTARY PUBLIC STATE OF TEXAS
KRISTY ASHBERRY
Notary Public
State of Texas
My Comm. Exp. 05-01-2016

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

PARTIES TO THE AGREEMENT

BREEZY HILL 405, LTD, A TEXAS LIMITED PARTNERSHIP
BREEZY HILL 405 GP CORPORATION, A TEXAS CORPORATION, ITS GENERAL PARTNER

By: _____

Name: RICHARD M. SKORBURG

Title: PRESIDENT

STATE OF TEXAS §
§
COUNTY OF ROCKWALL §

SWORN AND SUBSCRIBED TO BEFORE ME, by said RICHARD M. SKORBURG, who in their capacity as PRESIDENT for the Breezy Hill 405, LTD, acknowledges that he was authorized to execute the foregoing document this 1st day of OCTOBER 2012, certify witness my hand and seal of office.

_____
Notary Public in and for the State of Texas

NOTARY PUBLIC STATE OF TEXAS
Kellie Lee Patch
Notary Public, State of Texas
My Comm. Expires 05/12/2015

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 06/16/2014

APPLICANT: NADC Architects, LLC

AGENDA ITEM: **SP2014-008**; Heritage Buick Pontiac GMC Amended Elevations

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SUMMARY:

Discuss and consider a request by Ken Hill of NADC Architects, LLC on behalf of Heritage Buick, Pontiac, GMC, for the approval of a variance to the material requirements stipulated by Section 6.6, IH-30 Overlay (IH-30) District, of Article V, District Development Standards, of the Unified Development Code for a 5.285-acre parcel of land identified as Lot 1, Block 1, Heritage BPG Addition, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located at 930 E. IH-30, City of Rockwall, Rockwall County, Texas, and take any action necessary.

BACKGROUND INFORMATION:

On January 18, 2000, the City Council approved a Conditional Use Permit (CUP) [*Case No. PZ1999-101-01*] to allow a Chrysler Dealership on the 5.285-acre subject property; however, this dealership was never constructed. In 2006, the current owner of the property, Robert Bobo, submitted a site plan application proposing the construction of a Buick, Pontiac, and GMC dealership. This site plan request was approved on November 14, 2006 by the Planning and Zoning Commission upon a positive recommendation by the Architectural Review Board (ARB). At the time of approval the site plan conformed to all requirements stipulated by the CUP ordinance (*i.e. Ordinance No. 00-01*) and the IH-30 Overlay (IH-30 OV) and Commercial (C) Districts as stated in the Unified Development Code (UDC). The only variance requested by the applicant was to the cross access requirements, which was approved by the City Council on November 20, 2006. This was approved on the grounds that other new car dealerships along IH-30 had been granted similar relief in previous cases.

PURPOSE:

The purpose of this site plan amendment is to revise the existing building elevations to allow for the use of Aluminum Composite Material (ACM) on the majority of the exterior façade. According to a letter submitted by the applicant the automobile manufacturer (*i.e. General Motors*), *and not the owner of the property*, has requested that the building conform to the branding scheme adopted for all Buick/GMC Dealerships.

BUILDING ELEVATIONS:

According to Section 6.6, *IH-30 Overlay (IH-30 OV) District*, of Article V, *District Development Standards*, of the UDC the masonry requirements for properties located within this corridor are 90% masonry (*excluding windows and doors*) with a minimum of 20% of the masonry requirement being a natural or quarried stone. Currently, the existing building conforms to these standards and incorporates a blend of natural/native stone, split faced concrete masonry units (CMU), glazed CMU tile, EIFS, and architectural aluminum.

The elevations submitted with this request show that the building will be entirely re-clad in an ACM or *Sandwich Board*, which is a product that incorporates a composite material sandwiched in between two (2) sheets of aluminum sheeting. The areas that will remain CMU will be repainted a white color to match the ACM panels. Currently, the UDC allows ACM to be used as a secondary material or non-masonry material (*i.e. allowed to be incorporated on up to ten [10%] percent of the building's façade*).

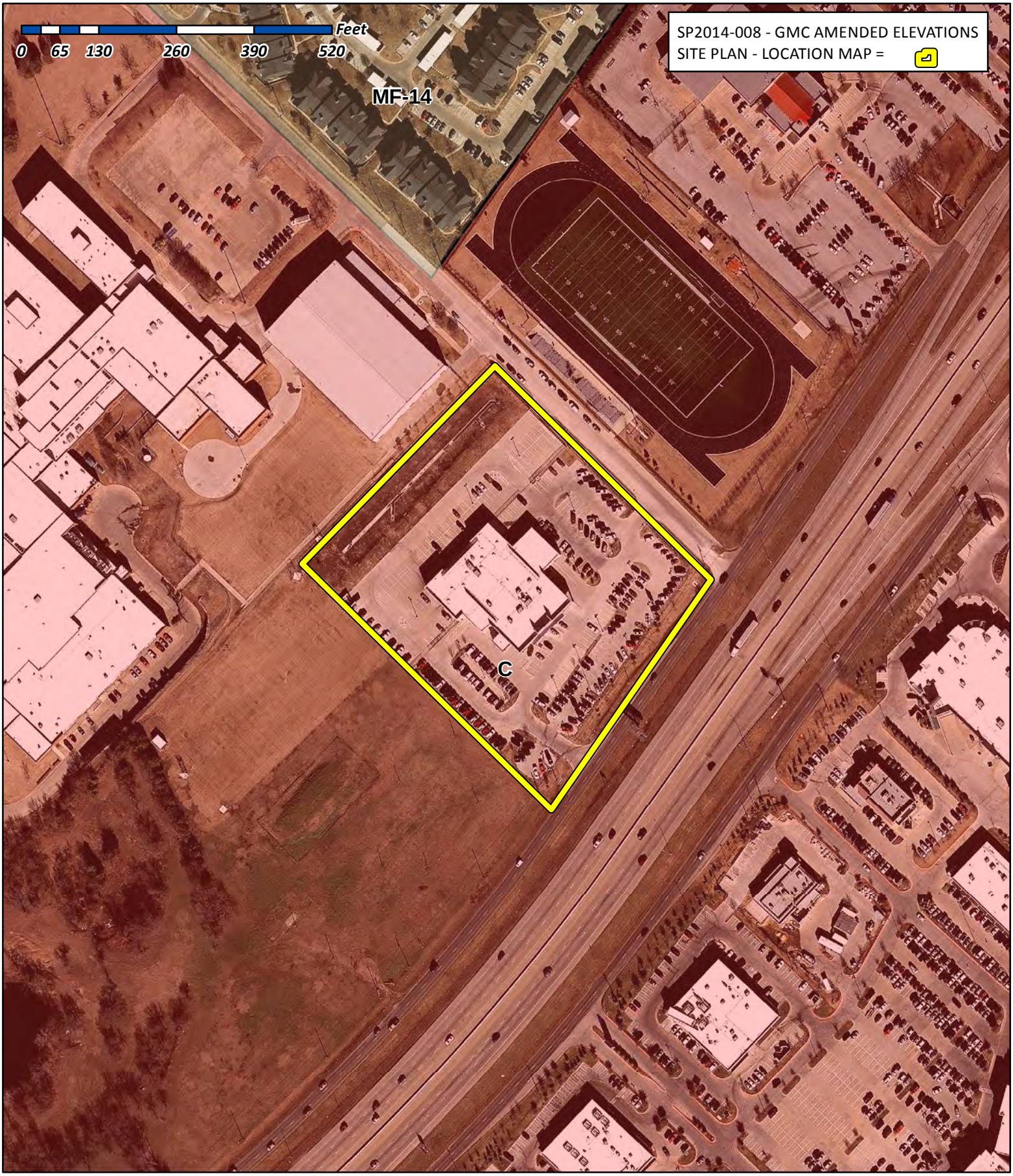
According to Subsection G, *Variances*, of Section 6.6, *IH-30 Overlay (IH-30 OV) District*, of Article V, *District Development Standards*, of the UDC the City Council may grant variances to the provision contained within the overlay district requirements in cases where "unique or extraordinary conditions exist or where strict adherence to any provision of this section would create a hardship." A variance request must be approved by a *minimum of three-fourths (3/4's)* [*i.e. a minimum of four (4) affirmative votes*] of all City Council members present.

ARCHITECTURAL REVIEW BOARD (ARB):

On May 27, 2014 the Architectural Review Board (ARB) reviewed the request and recommended that the building maintain conformance to the masonry requirements stated in Section 6.6, *IH-30 Overlay (IH-30 OV) District*, of Article V, *District Development Standards*, of the UDC. Specifically, the ARB recommended that if used the ACM should not exceed ten (10%) percent of the building's façade.

PLANNING AND ZONING COMMISSION:

On June 10, 2014, the Planning and Zoning Commission recommended denial of the applicant's request by a vote of 6-0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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NADC ARCHITECTS, LLC
ARCHITECTURE + INTERIORS + ENGINEERING + MASTERPLANNING
206 South Bois D' Arc P.O. Box 908 Forney, Texas 75126
Voice: 469-689-0050 Fax: 469-689-0055

May 16, 2014

City of Rockwall
Planning and Zoning Department
(Hand Delivered)

RE: Requested Site Plan Amendment-Heritage Buick-GMC-Cover Letter

Please refer to attached executed form, drawings, and other documentation with the following explanation:

Overview:
The requested change is to partially re-clad the exterior wall faces of an existing Automobile Dealership building on I-30 at Kyle Drive. The existing building was designed and approved according to the prevailing material requirements for the City of Rockwall, including the I-30 overlay restrictions.

Purpose for Amendment:
The automobile manufacturer, (General Motors, NOT the local dealership franchise owner) has requested that the building be re-clad with Aluminum Composite Material (ACM) according to the submitted material. The purpose for this change by General Motors is so that the building will adopt the identical image of all other Buick-GMC dealerships throughout the nation. Ironically, the Architect of Record, NADC Architects, LLC, and the local Franchise owner, Heritage Motors, do not favor this change. Together we feel that changes shown will destroy the character of the existing building. Whereas other existing dealerships in the Rockwall area may have been upgraded and enhanced by requested General Motors changes, we feel the requested change to Heritage Motors will degrade the facility.

Scope of change:

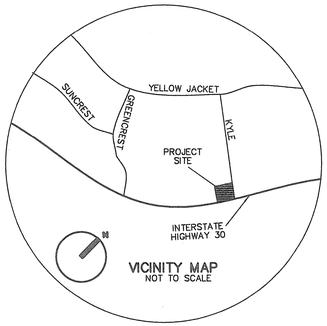
There are no requested changes to the site, the building, or any other aspect of the project other than the re-cladding of the entire south façade, and the partial re-cladding of the east and west exterior walls with ACM. This re-cladding would cover the existing stone columns, much of the existing stone veneer, and all of the existing tile faced CMU. Additionally, General Motors has requested that the integrally colored CMU veneer on all parts of the building not being re-clad be painted a stark white color to match the white ACM panels.

Conclusions:

We ask that the following be considered when the City of Rockwall staff and Boards evaluate this request:

1. The Architect of Record and the local dealership franchise owner do NOT favor this change of appearance to the existing building. However, as a course of business we must "officially" seek the change from the City of Rockwall.
2. That the staff, the Architectural Review Board, and any other City Board involved in the review of this requested change carefully consider the quality of the appearance of existing building and the change of appearance which will occur if the re-cladding is done.\
3. That if the City of Rockwall does not feel the change is appropriate, a written rejection be issued with reasons stated for the rejection.

End of Cover letter



GENERAL NOTES

1. SITE ADDRESS: Interstate Highway 30 & Kyle Drive
2. All construction shall be in compliance with the 2000 edition of the International Building Code & Local Amendments and shall comply with all codes, ordinances, and requirements set forth by the city of Rockwall and Rockwall County.
3. Zoning District: 'C' Commercial Zoning District / IH-30 Overlay
4. Occupancy Type: Storage Group S-1 (Parts Storage, Service bays) & Business Group B (Showroom & Offices, Service Reception)
5. Construction Type: IIB
6. Provide a fully supervised sprinkle system for the entire building. Unless otherwise approved by the authority having jurisdiction, the design of the sprinkler system shall comply with a classification of Ordinary Hazard Occupancy (Group 3) at the Service Shop and a classification of Ordinary Hazard Occupancy (Group 2) at all other areas as indicated in NFPA 13 Standard for the Installation of Sprinkler Systems.
7. It is the responsibility of the general contractor to become aware of the location of all underground utilities on the site before any drilling or excavation begins.
8. All dimensions are to be field verified for correctness. If any variances occur, the Architect shall be contacted for verification. Written dimensions on these drawings shall have precedence over scaled dimensions. All interior dimensions are to be to face of gypsum board partition walls unless otherwise noted. All exterior dimensions are to be to face of (finish) (stud) for clear opening unless otherwise noted.
9. All signage to be placed on this site is subject to approval by the City of Rockwall, Tx. All signage is not in contract. Refer to electrical drawings for conduits and wiring included as part of the contract.
10. Saw cut concrete shown with ¼" wide chamfer blade as shown. Clean and fill all joints with sealant of color by Architect.

EXTERIOR MATERIALS LEGEND

REFER TO SAMPLE MATERIALS SUBMITTED WITH PLANS FOR PHYSICAL PROPERTIES OF FINISHES.

FINISH	DESCRIPTION
NATURAL STONE	CHOPPED OR CUT AUSTIN WHITE LIMESTONE
GLAZED CMU	'TRENWYTH' ASTRA-GLAZE CMU (TILE ON CMU)
	WHITE = 'WHITMAN WHITE'
	BLACK = 'EBONY'
SPLIT FACE CMU	SUPERLITE SPLITFACE - 'BONE'
ALUMINUM PANEL SYSTEM	ALPOLIC COMPOSIT ALUMINUM PANEL
	ACM-1 = TBL BLACK
	ACM-2 = HAIRLINE ALUMINUM
	ACM-4 = HIGH POLISHED
E.I.F.S.	'DRYVIT' - BRITE WHITE

MATERIALS PER CENTAGE CALCULATIONS

ELEVATION	PRIMARY	SECONDARY
SOUTH (FACING STREET) - 1/SHT. A3.1		
MASONRY, (GLAZED CMU, CMU, NATURAL STONE)	90.28%	
NATURAL STONE = 21.2% OF MASONRY		
COMPOSITE ALUMINUM PANEL		9.72%
EAST (FACING STREET) - 2/SHT. A3.1		
MASONRY, (GLAZED CMU, CMU, NATURAL STONE)	97.4%	
NATURAL STONE = 20.2% OF MASONRY		
COMPOSITE ALUMINUM PANEL		2.6%
NORTH (NON FACING STREET) - 3/SHT. A3.1		
MASONRY, (CMU, NATURAL STONE)	100.0%	
NATURAL STONE (NOT REQUIRED) = 7.26% OF MASONRY		
COMPOSITE ALUMINUM PANEL		0.0%
WEST (NON FACING STREET) - 4/SHT. A3.1		
MASONRY, (GLAZED CMU, CMU, NATURAL STONE)	97.4%	
NATURAL STONE (NOT REQUIRED) = 13.5% OF MASONRY		
COMPOSITE ALUMINUM PANEL		2.6%

SITE / BUILDING DATA

SITE DATA

LAND AREA GROSS =	5.66 ac.
DETENTION AREA TAKE-OUT =	0.375 ac.
TOTAL DEVELOPED =	5.285 ac. = 230,215 sq. ft.

BUILDING DATA

	1st FLOOR	OCCUPANT LOAD
SHOWROOM	3,397 s.f.	34 @ 100
OFFICE / COMMON	6,114 s.f.	61 @ 100
SERVICE SHOP & MANAGER	12,081 s.f.	20 (ACTUAL)
SERVICE RECEPTION	2,892 s.f.	14 @ 200
PARTS STOR, OFFICE, & SALES	3,385 s.f.	7 @ 500
~~MEZZ. PARTS STORAGE~~	~~* (3,200 s.f.)~~	
SUB-TOTAL	27,869 s.f.	136
COVERED AREA **	2,431 s.f.	0
TOTAL	30,300 s.f.	136

DELETED

(* = APPROX. S.F. OF FUTURE STOR. ON MET. GRATING NOT INDICATED IN TOTAL S.F.)
(** = FOOTPRINT OF GM ENTRANCE PORTAL IS INCLUDED IN THIS NUMBER)

PARKING DATA

PARKING PROVIDED

NEW CAR DISPLAY	113 spaces
NEW CAR INVENTORY	48 spaces
PRE-OWNED DISPLAY	89 spaces
CUSTOMER	20 spaces
EMPLOYEE	38 spaces
SERVICE	14 spaces
RENT	22 spaces
TOTAL Provided	344 spaces

(5 SPACES IN SHOWROOM AND APPROX. 40 SPACES AT SERVICE DRIVE AND AT SHOP INTERIOR ARE NOT INCLUDED IN PARKING TOTAL)

PARKING REQUIRED

OFFICE (1/300 s.f.)	42 spaces
AUTO PARTS (1/250 s.f.)	14 spaces
AUTO REPAIR (2/bay)	38 spaces
TOTAL Required	94 spaces

LOADING DATA

LOADING BERTHS PROVIDED	1 SPACE
LOADING BERTHS REQUIRED	1 SPACE

LANDSCAPING DATA

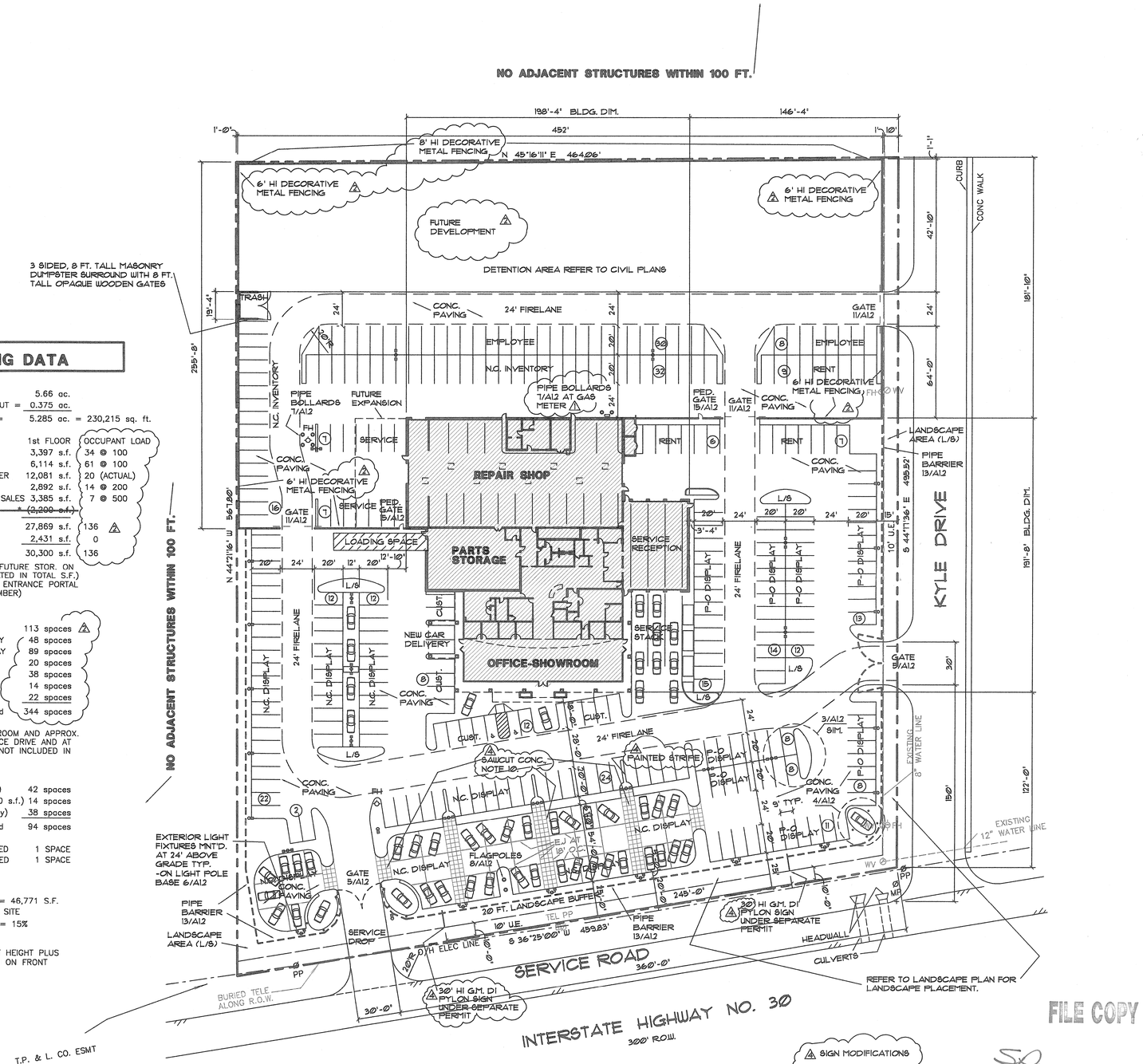
LANDSCAPING PROVIDED = 46,771 S.F.
OR 20.3% OF THE TOTAL SITE
LANDSCAPING REQUIRED = 15%

HEIGHT OF STRUCTURE

28'-6" TYPICAL PARAPET HEIGHT PLUS 7'-4" VERT. PROJECTION ON FRONT

NO ADJACENT STRUCTURES WITHIN 100 FT.

3 SIDED, 8 FT. TALL MASONRY DUMPSTER SURROUND WITH 8 FT. TALL OPAQUE WOODEN GATES



1 SCHEMATIC SITE PLAN
Scale: 1" = 40'-0"
0 20 40 80 120

SIGN MODIFICATIONS

N
MAG. NORTH

FILE COPY
SP 2014 008

RECEIVED
MAY 19 2014
BY:

1-40SHT
plot scale: 1" = 40'

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1 05/15/14 / APPLICATION
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THIS DRAWING INDICATES THE GENERAL SCOPE OF THE PROJECT IN TERMS OF THE ARCHITECTURAL DESIGN CONCEPT, THE DIMENSIONS OF THE BUILDING, THE MAJOR ARCHITECTURAL ELEMENTS AND THE TYPE OF STRUCTURAL, MECHANICAL, AND ELECTRICAL SYSTEMS. AS SCOPE DOCUMENTS, THE DRAWINGS DO NOT NECESSARILY INDICATE OR DESCRIBE ALL WORK REQUIRED FOR FULL PERFORMANCE AND COMPLETION OF THE REQUIREMENTS OF THE CONTRACT DOCUMENTS ON THE BASIS OF THE SCOPE INDICATED OR DESCRIBED. THE CONTRACTOR SHALL FURNISH ALL ITEMS FOR THE PROPER EXECUTION OF THE WORK.

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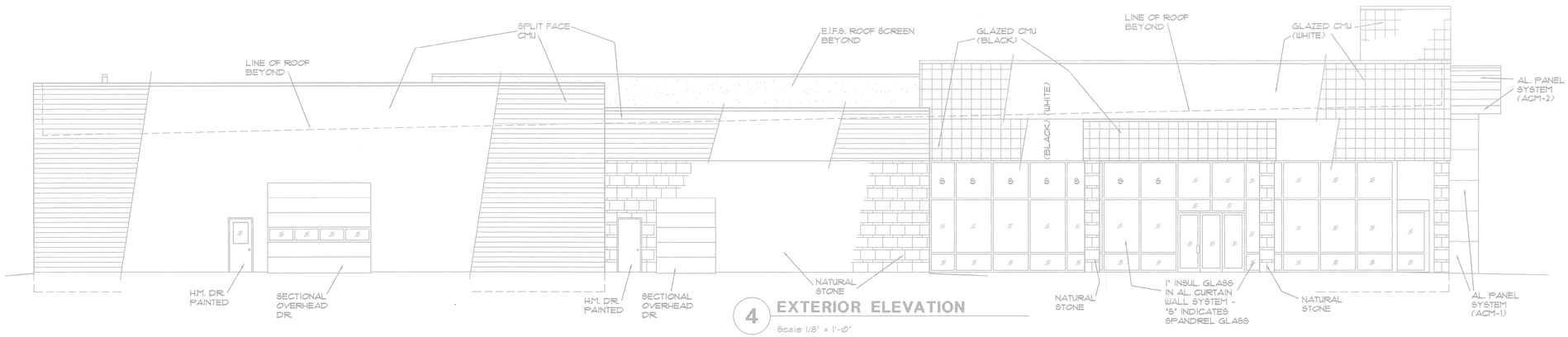
P.O. Box 908
Fax: 469 689-0055

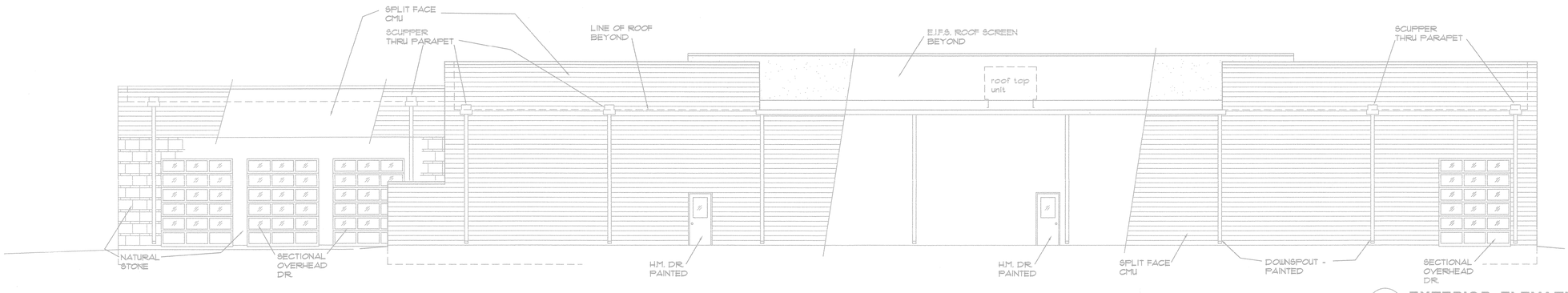
PROPOSED FACADE CHANGE
HERITAGE BUICK-GMC
ROCKWELL, TEXAS

PROJECT NO.
2013-09

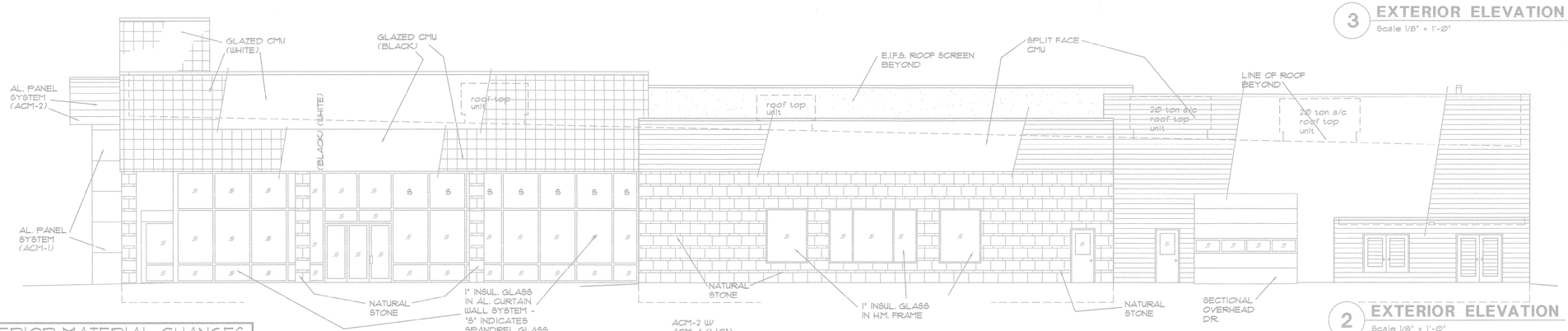
A1.1



4 EXTERIOR ELEVATION
Scale 1/8" = 1'-0"

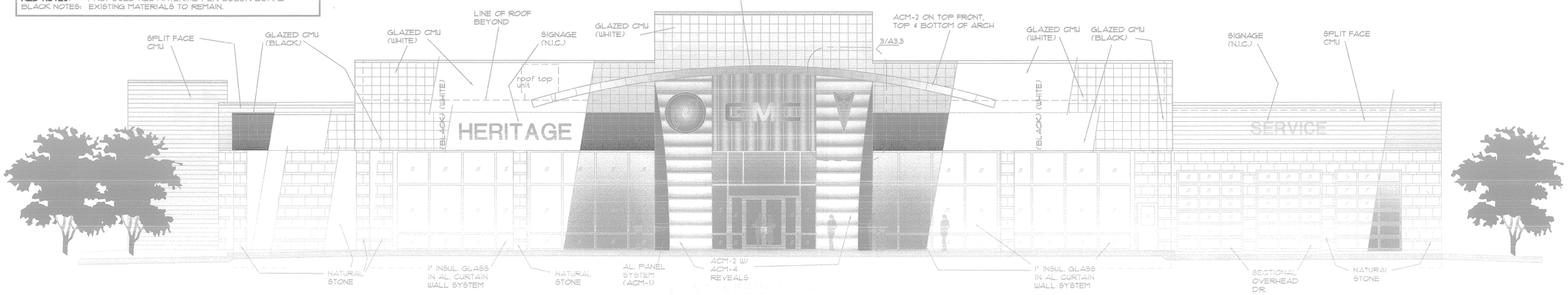


3 EXTERIOR ELEVATION
Scale 1/8" = 1'-0"



2 EXTERIOR ELEVATION
Scale 1/8" = 1'-0"

NEW EXTERIOR MATERIAL CHANGES
RED NOTES: PROPOSED NEW MATERIAL PER COLOR BOARD
BLACK NOTES: EXISTING MATERIALS TO REMAIN.



REGISTERED ARCHITECT KENNETH G. HILL STATE OF TEXAS

ISSUED

1 05/15/14 / APPLICATION
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PROPOSED FACADE CHANGE
HERITAGE BUICK-GMC
ROCKWALL, TEXAS

2013-09

A3.1

Heritage B-GMC

Rockwall, Texas

Artists Rendering



NADC Architects LLC

AUTOMOTIVE RETAIL FACILITY DESIGN

P.O. Box 908 + 206 S Bois D Arc + Forney, TX 75126

Voice: 469-689-0050 fax: 469-689-0055 www.nadc.net

WE SPECIALIZE IN THE NATIONWIDE DESIGN AND CONSTRUCTION MANAGEMENT OF QUALITY AUTOMOBILE SALES AND SERVICE FACILITIES

Heritage B-GMC
Rockwall, Texas

EXTERIOR MATERIALS LEGEND-(EXISTING)

REFER TO ELEVATION DRAWINGS AND RENDERING FOR LOCATIONS OF EXISTING MATERIALS

FINISH	DESCRIPTION
NATURAL STONE	CHOPPED OR CUT AUSTIN WHITE LIMESTONE
GLAZED CMU	"TRENWYTH" ASTRA-GLAZE CMU (TILE ON CMU) WHITE = "WHITMAN WHITE" BLACK = "EBONY"
SPLIT FACE CMU	SUPERLITE SPLITFACE - "BONE"
ALUMINUM PANEL SYSTEM	ALPOLIC COMPOSIT ALUMINUM PANEL ACM-1 = TBL BLACK ACM-2 = HAIRLINE ALUMINUM ACM-4 = HIGH POLISHED
E.I.F.S.	"DRYVIT" - BRITE WHITE

EXTERIOR MATERIALS LEGEND-(PROPOSED)

REFER TO ELEVATION DRAWINGS FOR LOCATION OF PROPOSED NEW ACM PANEL CLADDING MATERIALS (WEST, SOUTH, AND EAST FACADE). (CLADDING CHANGES IN BOLD TYPE BELOW).

FINISH	DESCRIPTION
NATURAL STONE	CHOPPED OR CUT AUSTIN WHITE LIMESTONE
GLAZED CMU	"TRENWYTH" ASTRA-GLAZE CMU (TILE ON CMU) WHITE = "WHITMAN WHITE" BLACK = "EBONY"
SPLIT FACE CMU	SUPERLITE SPLITFACE - "BONE"
ALUMINUM PANEL SYSTEM (PROPOSED)	**ALPOLIC COMPOSIT ALUMINUM PANEL** **WHITE ACM (SOUTH FACADE)** **BLACK ACM (SOUTH FACADE)**
E.I.F.S.	"DRYVIT" - BRITE WHITE

MATERIALS PER CENTAGE (EXISTING)

ELEVATION	PRIMARY	SECONDARY
SOUTH (FACING STREET) MASONRY, (GLAZED CMU, CMU, NATURAL STONE)	90.28%	
NATURAL STONE = 21.2% OF MASONRY		
COMPOSITE ALUMINUM PANEL		9.72%
EAST (FACING STREET) MASONRY, (GLAZED CMU, CMU, NATURAL STONE)	97.4%	
NATURAL STONE = 20.2% OF MASONRY		
COMPOSITE ALUMINUM PANEL		2.6%
NORTH (NON FACING STREET) MASONRY, (CMU, NATURAL STONE)	100.0%	
NATURAL STONE (NOT REQUIRED) = 7.26% OF MASONRY		
COMPOSITE ALUMINUM PANEL		0.0%
WEST (NON FACING STREET) MASONRY, (GLAZED CMU, CMU, NATURAL STONE)	97.4%	
NATURAL STONE (NOT REQUIRED) = 13.5% OF MASONRY		
COMPOSITE ALUMINUM PANEL		2.6%

MATERIALS PER CENTAGE (PROPOSED)

ELEVATION	PRIMARY	SECONDARY
SOUTH (FACING STREET) **MASONRY, (GLAZED CMU, CMU, NATURAL STONE)**	**[illegible]**	
NATURAL STONE = 21.2% OF MASONRY		
COMPOSITE ALUMINUM PANEL		**[illegible]**
EAST (FACING STREET) **MASONRY, (GLAZED CMU, CMU, NATURAL STONE)**	**[illegible]**	
NATURAL STONE = 21.0% OF MASONRY		
COMPOSITE ALUMINUM PANEL		**[illegible]**
NORTH (NON FACING STREET) MASONRY, (CMU, NATURAL STONE)	100.0%	
NATURAL STONE (NOT REQUIRED) = 7.26% OF MASONRY		
COMPOSITE ALUMINUM PANEL		0.0%
EAST (NON FACING STREET) **MASONRY, (GLAZED CMU, CMU, NATURAL STONE)**	**[illegible]**	
NATURAL STONE (NOT REQUIRED) = [illegible] OF MASONRY		
COMPOSITE ALUMINUM PANEL		**[illegible]**

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Material Percentages

Heritage B-GMC
Rockwall, Texas

Product Board



Black ACM Panel



White ACM Panel

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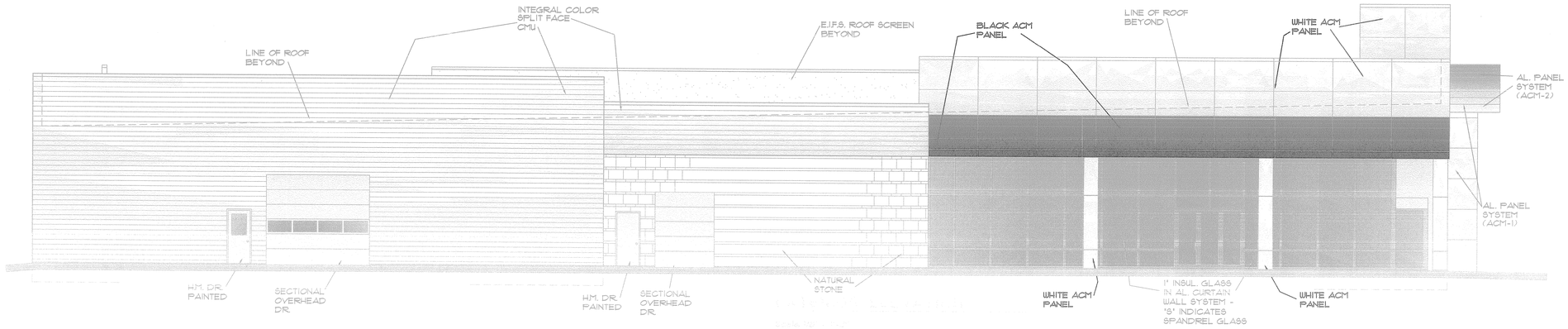

NEW EXTERIOR MATERIAL CHANGES

RED NOTES: PROPOSED NEW MATERIAL PER COLOR BOARD
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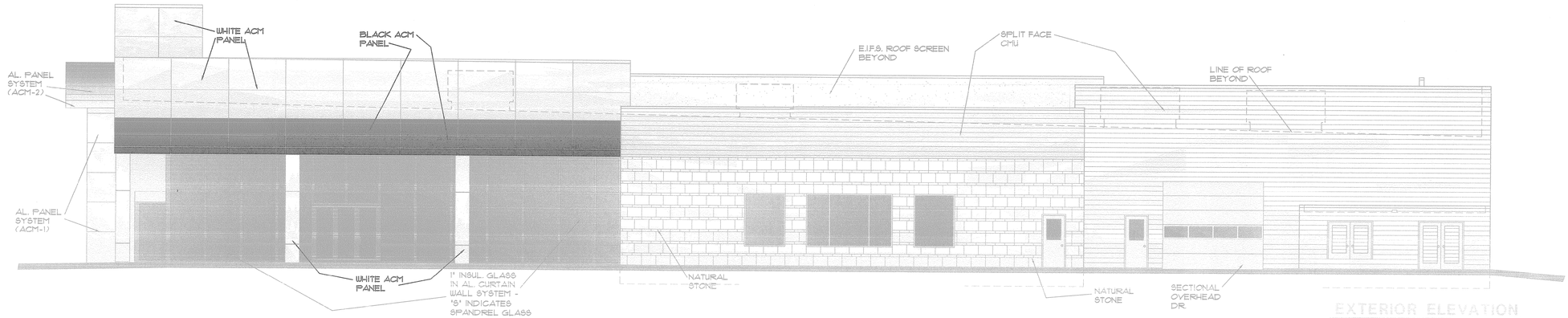
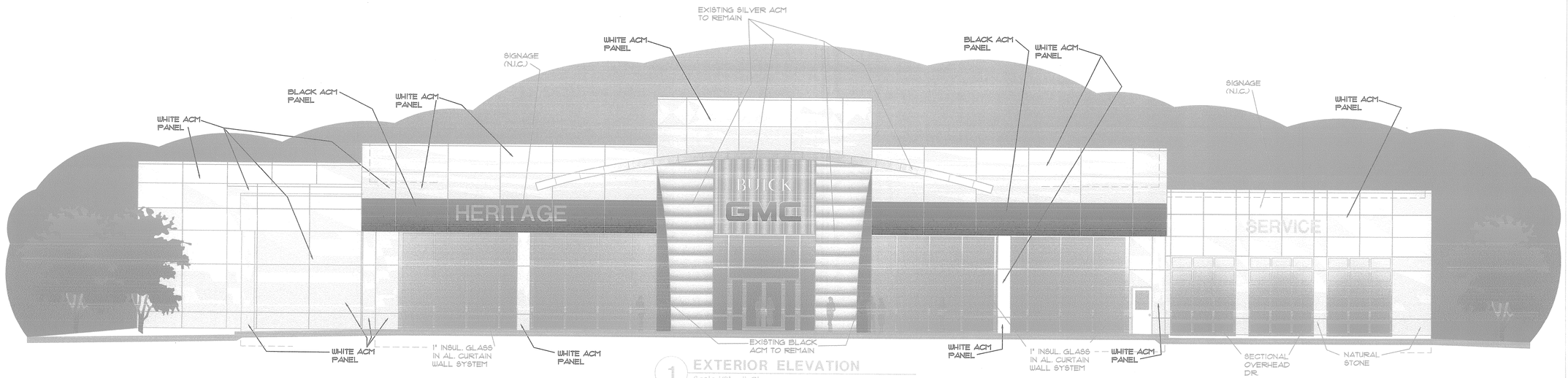


EXTERIOR ELEVATION
Scale 1/8" = 1'-0"



1 EXTERIOR ELEVATION
Scale 1/8" = 1'-0"

REGISTERED ARCHITECT
KENNETH C. HAU
STATE OF TEXAS

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1 05/13/14 / APPLICATION
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P.O. Box 908
Fax: 469 689-0055

PROPOSED FACADE CHANGE

HERITAGE BUICK-GMC

ROCKWALL, TEXAS

PROJECT NO.
2013-09

A3.1

sht-A3.1
plot scale: 1" = 8'

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 06/16/2014

APPLICANT: Lori Stevens

AGENDA ITEM: **SP2014-009**; Patriot PAWS

SUMMARY:

Discuss and consider a request by Lori Stevens of Patriot PAWS for the approval of an exception to the exterior material requirements as stipulated by Section 4.1, General Commercial District Standards, of Article V, District Development Standards, of the Unified Development Code to allow for an addition to an existing facility, which is located on a 1.5304-acre parcel of land, being identified as Lot 4, Block A, Maverick Ranch Addition, zoned Commercial (C) District, and located at 254 Ranch Trail, City of Rockwall, Rockwall County, Texas, and take any action necessary.

BACKGROUND INFORMATION:

Lori Stevens of Patriot PAWS (a non-profit organization) has submitted an application for site plan approval for an additional facility to their existing operations in order to meet demand for their services. The proposed 4,000 sq. ft. training facility (with indoor kennels) will be located behind the two existing metal buildings located at 254 Ranch Trail. Due to the limited visibility from Ranch Trail, the applicant will be seeking an exterior materials exception to allow for less than a 90% masonry exterior for the south, east & west elevations. Please see the attached color renderings.

EXCEPTION REQUESTED:

Based on the standards established for the commercial district and the general location of the 4,000 sq. ft. training facility, the applicant is requesting an exception to the exterior materials requirements. The requested exception is to allow for:

> *Not meeting the minimum 90% masonry requirement for the south, east and west exterior elevations and allowing exposed pre-engineered metal finished panels for these particular elevations.*
>
> ***Under Sec. 4.1. General commercial district standards.***
> *A. Construction materials.*
>
> *1. Exterior walls. Each exterior wall shall consist of 90 percent masonry materials as defined in article XIII, Definitions, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20 percent stone. All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials…**Exceptions to this requirement may be permitted on a case by case basis by the council upon submission and approval of elevation drawings…***

Staff would point out that the majority of the existing commercial buildings along Ranch Trail are metal buildings, many of which were built during the annexation process in 2004. Given the

limited visibility, the proposed 4,000 sq. ft. metal building will generally be screened from the view of public rights-of-way; however, the majority of the building will contain a masonry product, but this remains a discretionary action for the Planning and Zoning Commission and City Council.

RECOMMENDATIONS:

If approved, staff would offer the following conditions:

1. Adherence to all engineering and fire department standards.
2. Submittal and approval of a building permit.
3. Submittal and approval of replat.
4. Approval of an exception to the exterior material requirements to allow for a metal building by the City Council.

Site Plan:

The plan meets the intent of the Unified Development Code as submitted.

Landscape Plan:

The plan meets the intent of the Unified Development Code as submitted.

Building Elevations:

1. Other than the exception requested, the proposed building meets the intent of the Unified Development Code.

Photometric Plan:

The plan meets the intent of the Unified Development Code as submitted.

Planning and Zoning Recommendation:

On June 10, 2014, the Planning and Zoning Commission approved the Site Plan request that includes a recommendation of approval for an exception to allow less than 90% masonry for the south, east, and west elevations by a vote of 6 to 0 (Minth - absent).



City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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quorum

Design. Spaces. People.

May 22, 2014

City of Rockwall
David Gonzales
385 S. Goliad
Rockwall, Texas 75087

RE: Patriot PAWS – 254 Ranch Trail – Masonry/Articulation Variance

Dear David,

We understand that new buildings are required to have 90% of masonry on the exterior of the buildings; however, since our new building is behind two existing metal buildings, we propose to clad the existing buildings in a masonry wainscot as presented, and then treat the new building in the back of the existing structures in the same manner. We believe that this will better address the intent of the ordinance by making the areas that are visible to the public have masonry on them. The new building requires 2,977 s.f. of masonry to meet the 90% masonry requirements. We are proposing 1,968 s.f. or 72% for the new building and an additional 1,912 s.f. to the existing buildings for a total of 3,880 s.f. of masonry with much of the masonry on areas visible to the public.

The new 4,000 s.f. building will have additional articulation with the set back of the kennels by use of masonry wainscot and articulation. We are proposing to add articulation to the existing buildings with a matching wainscot as the new building, as well as new masonry columns at the entry canopy. (see attached rendering).

Sincerely,

Kim Dowdy
Project Manager
Quorum Architects, Inc.



EXTERIOR ELEVATION - EAST - EXISTING BUILDING 1



EXTERIOR ELEVATION - WEST - EXISTING BUILDING 2



EXTERIOR ELEVATION - WEST
NEW BUILDING 3



EXTERIOR ELEVATION - SOUTH
NEW BUILDING 4



EXTERIOR ELEVATION - EAST
NEW BUILDING 5



EXTERIOR ELEVATION - NORTH
NEW BUILDING 6

quorum
Design. Spaces. People

Architecture Interior Design
707 W. Vickery Blvd. #101
Fort Worth, Texas 76104
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DAVID G. DUMAN
#4306
STATE OF TEXAS

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MAY 27, 2014
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PERMITTING, CONSTRUCTION OR
FABRICATION PURPOSES

PROJECT NO. 1103
DATE: 05/27/2014
FILE NAME:

PATRIOT PAWS
261 RANCH TRAIL
ROCKWALL, TEXAS

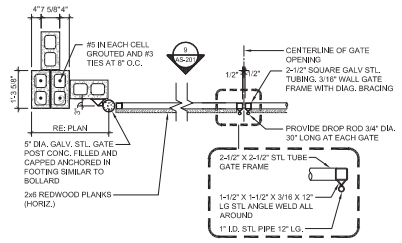
REVISIONS:

CASE NUMBER
SP2014-009

SHEET TITLE:
EXTERIOR ELEVATIONS

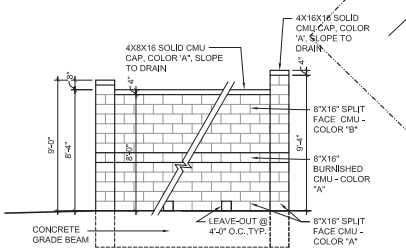
A-200

197



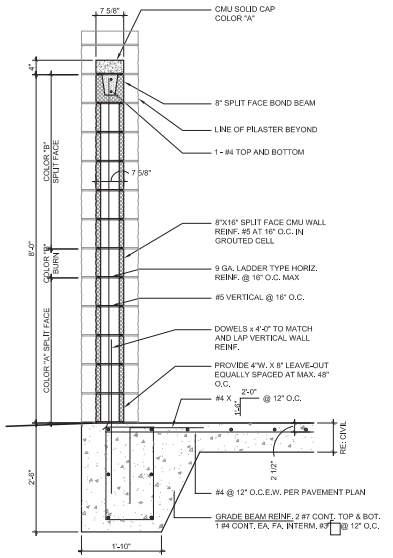
DUMPSTER ENCLOSURE GATE 4

SCALE: 1/2" = 1'-0"



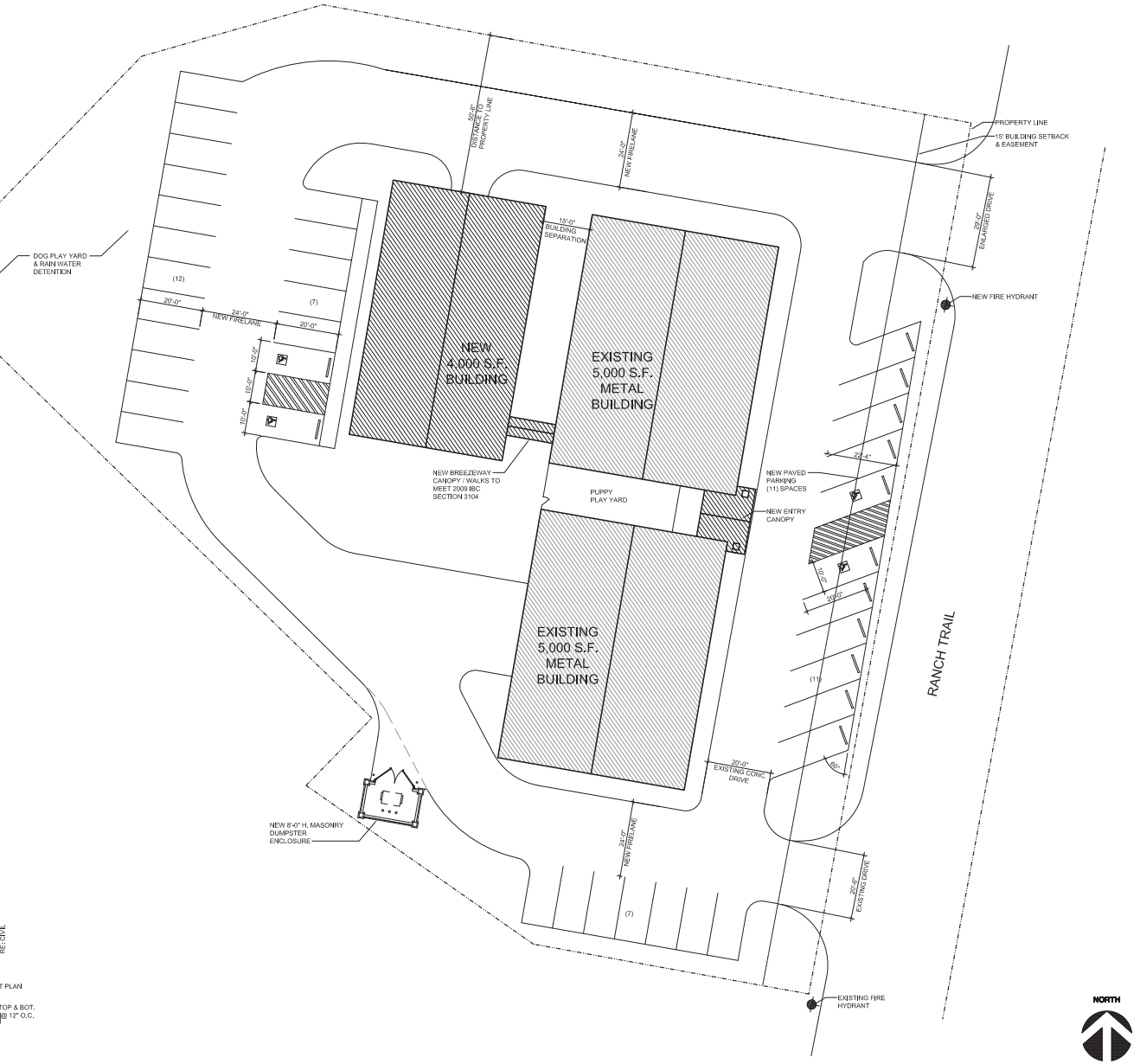
DUMPSTER ENCLOSURE ELEV. 3

SCALE: 1/4" = 1'-0"



DUMPSTER ENCLOSURE SECT. 2

SCALE: 3/4" = 1'-0"



SITE PLAN 1

SCALE: 1/16" = 1'-0"

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REGISTERED ARCHITECT DAVID G. DUMAN 14305 STATE OF TEXAS

THIS DOCUMENT ISSUED JUNE 3, 2014 IS FOR REGULATORY APPROVAL ONLY UNDER THE AUTHORITY OF DAVID DUMAN, AIA TEXAS REGISTRATION #14305. IT IS NOT TO BE USED FOR PERMITTING, CONSTRUCTION OR FABRICATION PURPOSES

PROJECT NO. 11031
DATE: 05/27/2014
FILE NAME:

PATRIOT PAWS
264 RANCH TRAIL
ROCKWALL, TEXAS

REVISIONS:

CASE NUMBER:
SP2014-009

SHEET TITLE:
SITE PLAN

AS-101

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council
Rick Crowley, *City Manager*

FROM: Robert LaCroix, *Director of Planning and Zoning*

DATE: June 16, 2014

SUBJECT: Administrative and Enforcement Authority for the Ralph M. Hall/Municipal Airport

As directed by the Airport Subcommittee staff has prepared an ordinance that transfers the administrative and enforcement authority of the Ralph M. Hall/Rockwall Municipal Airport zoning regulations from the Joint Airport Zoning Board to the Planning and Zoning Commission as authorized by the Texas Local Government Code (*§241.012*).

CITY OF ROCKWALL

ORDINANCE NO. 14-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, DESIGNATING THE CITY OF ROCKWALL PLANNING AND ZONING COMMISSION AS THE ADMINISTRATIVE AGENCY FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ROCKWALL MUNICIPAL AIRPORT ZONING REGULATIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall did establish a Joint Airport Zoning Board on December 2, 1963, and investing it with the powers such Boards are authorized to exercise under the provisions of Chapter 391 of the Acts of the Regular Session of the 50th Legislature, 1947, and

WHEREAS, the Rockwall Municipal Airport lies entirely within the corporate city limits of the City of Rockwall and may, as authorized under Texas Local Government Code, Chapter 241, Municipal and County Zoning Authority around Airports, Section 241.012 Airport Compatible Land Use Zoning Regulations, adopt, administer, and enforce, under its police power, airport compatible land use zoning regulations for the part of a controlled compatible land use area located within the political subdivision if the airport is used in the interest of the public to the benefit of the political subdivision, and

WHEREAS, the City Council of the City of Rockwall, as authorized under Texas Local Government Code, Chapter 241, Municipal and County Zoning Authority around Airports and more specifically Subchapter C. Administrative Agency and Board of Adjustment, Section 241.031 Administrative Agency, seeks to provide an administrative agency to provide for administration and enforcement of the Rockwall Municipal Airport zoning regulations, and

WHEREAS, the City Council of the City of Rockwall hereby designates the Rockwall Planning and Zoning Commission as the administrative agency for the administration and enforcement of the Rockwall Municipal Airport zoning regulations, and

WHEREAS, the designation of the Rockwall Planning and Zoning Commission as the administrative agency for the administrative and enforcement of the Rockwall Municipal Airport zoning regulations, supersedes and repeals the act creating the Joint Airport Zoning Board established on December 2, 1963.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas:

Section 1. That the Rockwall Planning and Zoning Commission shall be designated as the administrative agency for the administrative and enforcement of the Rockwall Municipal Airport zoning regulations.

Section 2. That in interpreting and applying the provisions of this Ordinance, they shall be held to be minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity and general welfare. It is not intended

by this ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties, or any statute, local ordinance or regulations, except that if this ordinance imposes a greater restriction, or higher standard, this ordinance shall control.

Section 3. That all other ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed.

Section 4. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this ____ day of _____, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank Garza, City Attorney

1st Reading: _____
2nd Reading: _____

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council
Rick Crowley, *City Manager*

FROM: Robert LaCroix, *Director of Planning and Zoning*

DATE: June 16, 2014

SUBJECT: Airport Overlay (AP OV) District

On June 2, 2014, the Airport Subcommittee reviewed a draft copy of the design requirements and land use criteria for a proposed Airport Overlay (AP OV) District. As part of this meeting, the subcommittee made a recommendation to forward this document to the Planning and Zoning Commission for their consideration. Approval of this action item will enable the Planning and Zoning Commission to consider the creation of an Airport Overlay (AP OV) District.

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(4:00 p.m.) Hold work session to discuss proposed residential development by Arcadia Realty (Bill Gietema).

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Hold work session to hear update regarding playground surfacing

Memo_verbal at mtg 14

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"Texas Sport" Champions Day

Proclamation 16

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Soroptimist Recognition Day

Soroptimist Proclamation 18

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Consider approval of the minutes from the June 12-14 annual city council retreat, and take any action necessary.

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Consider approval of the minutes from the June 16, 2014 regular city council meeting, and take any action necessary.

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Consider authorizing the City Manager to engage Fox, Byrd & Company P.C. as the firm to conduct the City's audit for the fiscal year ending September 30, 2014 and take any action necessary.

staff memo 35

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Consider approval of an ordinance amending the Code of Ordinances in Chapter 38. Subdivisions to create a new Article, Article V. related to grading, excavation, earthwork and erosion control for developments, and taking any action necessary. (1st reading)

City Manager Memo Grading 37

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Consider approval of Change Order No. 1 to City Contract CIP2013-004, Central Water and Sewer Improvements with Barson Utilities, Inc. in the amount of $107,766.25 for additional pavement repairs and related appurtenances with funding from 2008 revenue bonds and take any action necessary.

City Manager Memo Change Order. 52

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Consider approval of a resolution allowing a temporary partial closure of northbound shoulder of SH 205 from the YMCA facilty to Memorial Drive to facilitate the Dirty Rocks Triathlon on Sunday, July 20, 2014 from 7:00 AM to 12:00 PM, and take any action necessary.
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Consider approval of an ordinance amending the Code of Ordinances in Chapter 22. Miscellaneous Offenses, Article II. Offenses Regarding Minors, Division 5. Sex Offender Residency to modify provisions specifying victims' age, to add a section regarding notice to residents of registered sex offenders, and take any action necessary. (1st reading)
Memo - Chief Moeller 71
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P2014-007 - Consider a request by the Cabana's at Chandler's Landing Homeowner's Association on behalf of the residents of the Cabana's at Chandler's Landing for the approval of a replat of Lots 1-10, Block A, The Cabanas at Chandler's Landing, City of Rockwall, Rockwall County, Texas, for a 1.13-acre portion of a parcel of land identified as the Cabanas at Chandler's Landing, zoned Planned Development District 8 (PD-8) for multi -family or condominium uses as established in Ordinance 73-48 & 84-04, generally located south of Yacht Club Drive and west of Harbor View Drive, and take any action necessary.
Staff Report 76
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P2014-013 - Consider a request by Tommy Pulliam of Pulliam Construction Management Inc. on behalf of Rayburn Electric Cooperation, Inc. for the approval of a final plat for Lots 1-3, Block A, Rayburn Country Addition being 11.407-acres of land situated in the W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District and Agricultural (AG) District, located on the south side of Sids Road west of S. Goliad Street [SH-205], and take any action necessary.
Staff Report 82
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P2014-014 - Consider a request by Rich Houston on behalf of R. Fifty Green Homes, LLC for the approval of a final plat for Lots 1-6, Block A, Solar Village Addition, containing six (6) single family lots on a 2.055-acre tract of land situated within the Rueben Ballard Survey, Abstract No. 29, Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located directly west of the intersection of Williams Street (SH-66) and Caruth Lane, and take any action necessary.
Staff Report 87

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Consider approval of the bid award for the FM 3097 Utility Relocation Project contract to War Horse Enterprises, Inc. in the amount of $135,872.72 to be funded from 2008 revenue bonds, and take any action necessary.
City Manager Memo 93
Engineer Recommendation Letter 94
Bid Tabulation 95
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Z2014-012 - Consider approval of an ordinance for a request by Master Plan, on behalf of Rockwall SH-205 Venture, LLC, for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger 5.549-acre tract of land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall County, Texas, generally located south of the intersection of the IH-30 frontage road and Townsend Drive, and take any action necessary. (2nd Reading)
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Consider approval of an ordinance amending the Code of Ordinances in Chapter 12, Article III, Section 12 to add Sections 12-66 to 12-68, regulating peddler activities to occupants of vehicles on public roadways in the city and solicitation in a public areas, and take any action necessary. (1st reading)
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Consider approval of an ordinance (re)establishing prohibition regarding temporary habitation in a public place in Chapter 22. Miscellaneous Offenses, Article I. In General, Section 22-4, and take any action necessary. (1st reading)
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Z2014-015 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Dennis D. Alsup for the approval of a Specific Use Permit (SUP) for an accessory building that does not conform to the size requirements as specified by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a property in a Single-Family 10 (SF-10) District on a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, zoned Single-Family 10 (SF-10) District, situated within the North Goliad Overlay (NGC OV) District, located at 921 Alamo Road, City of Rockwall, Rockwall County, Texas, and take any action necessary. (1st Reading)
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Hold a public hearing to discuss and consider approval of the Land Use Assumptions and Water and Wastewater Capital Improvement Plan related to updating Water and Wastewater Impact Fees, and take any action necessary.

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Z2014-017 - Discuss and consider approval of an ordinance for a request by Dick Skorburg of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan to allow for additional single-family residential lots and allow for changes to the development standards contained in Exhibit 'C' of Ordinance 12-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary. (2nd Reading)

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Z2014-016 - Discuss and consider approval of an ordinance for a request by Scott W. Blackwood for the approval of a zoning change from Agricultural (AG) District to a Planned Development District for limited commercial/retail land uses on a 12.493-acre tract of land identified as Tract 17-14 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, located west of the intersection of SH-205 [S. Goliad Street] and S. FM-549, and take any action necessary. (1st Reading)(3/4 majority vote required)

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Discuss and consider requesting the Planning and Zoning Commission initiate a review of specific aspects of the City's Comprehensive Land Use Plan and take any action necessary

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Discuss and consider approval of an ordinance at the recommendation of the Airport Subcommittee to designate the Planning and Zoning Commission as the Airport Zoning Commission for the Ralph M. Hall/Rockwall Municipal Airport, and take any action necessary. (1st reading)

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Discuss and consider a recommendation by the Airport Subcommittee to direct staff to forward the consideration of design guidelines and land use criteria for an Airport Overlay District (AP OV) District to the Planning and Zoning Commission, and take any action necessary.
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Discuss and consider a Park Board recommendation regarding a possible amendment to the Code of Ordinances which would prohibit swimming in ponds and lakes in city parks, and take any action necessary.
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Discuss and consider establishing procedures for communications with TF-Harbor and other related matters, and take any action necessary.
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AGENDA
ROCKWALL CITY COUNCIL
Monday, July 07, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. (4:00 P.M.) WORK SESSION

pg. 12 **1. HOLD WORK SESSION TO DISCUSS PROPOSED RESIDENTIAL DEVELOPMENT BY ARCADIA REALTY (BILL GIETEMA).**

pg.14 **2. HOLD WORK SESSION TO HEAR UPDATE REGARDING PLAYGROUND SURFACING**

III. (4:30 P.M.) EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations).
2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).
3. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, July 07, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER LEWIS

VIII. PROCLAMATIONS / AWARDS

pg.16 **1.** "Texas Sport" Champions Day
pg.18 **2.** Soroptimist Recognition Day

IX. OPEN FORUM

X. CONSENT AGENDA

pg.20 **1.** Consider approval of the minutes from the June 12-14 annual city council retreat, and take any action necessary.

pg.25 **2.** Consider approval of the minutes from the June 16, 2014 regular city council meeting, and take any action necessary.

pg.35 **3.** Consider authorizing the City Manager to engage Fox, Byrd & Company P.C. as the firm to conduct the City's audit for the fiscal year ending September 30, 2014 and take any action necessary.

pg.37 **4.** Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 38. Subdivisions to create a new Article, Article V. related to grading, excavation, earthwork and erosion control for developments, and taking any action necessary. **(1st reading)**

pg.52 **5.** Consider approval of Change Order No. 1 to City Contract CIP2013-004, Central Water and Sewer Improvements with Barson Utilities, Inc. in the amount of $107,766.25 for additional pavement repairs and related appurtenances with funding from 2008 revenue bonds and take any action necessary.

pg.56 **6.** Consider approval of a resolution allowing a temporary partial closure of northbound shoulder of SH 205 from the YMCA facility to Memorial Drive to facilitate the Dirty Rocks Triathlon on Sunday, July 20, 2014 from 7:00 AM to 12:00 PM, and take any action necessary.

pg.71 **7.** Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 22. Miscellaneous Offenses, Article II. Offenses Regarding Minors, Division 5. Sex Offender Residency to modify provisions specifying victims' age, to add a section regarding notice to residents of registered sex offenders, and take any action necessary. **(1st reading)**

pg.76 **8.** **P2014-007** - Consider a request by the Cabana's at Chandler's Landing Homeowner's Association on behalf of the residents of the Cabana's at Chandler's Landing for the approval of a replat of Lots 1-10, Block A, The Cabanas at Chandler's Landing, City of Rockwall, Rockwall County, Texas, for a 1.13-acre portion of a parcel of land identified as the Cabanas at Chandler's Landing, zoned Planned Development District 8 (PD-8) for multi-family or condominium uses as established in Ordinance 73-48 & 84-04, generally located south of Yacht Club Drive and west of Harbor View Drive, and take any action necessary.

pg.82 **9.** **P2014-013** - Consider a request by Tommy Pulliam of Pulliam Construction Management Inc. on behalf of Rayburn Electric Cooperation, Inc. for the approval of a final plat for Lots 1-3, Block A, Rayburn Country Addition being 11.407-acres of land situated in the W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District and Agricultural (AG) District, located on the south side of Sids Road west of S. Goliad Street [SH-205], and take any action necessary.

pg.87 **10.** **P2014-014** - Consider a request by Rich Houston on behalf of R. Fifty Green Homes, LLC for the approval of a final plat for Lots 1-6, Block A, Solar Village Addition, containing six (6) single family lots on a 2.055-acre tract of land situated within the Rueben Ballard Survey, Abstract No. 29, Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located directly west of the intersection of Williams Street (SH-66) and Caruth Lane, and take any action necessary.

pg.93 **11.** Consider approval of the bid award for the FM 3097 Utility Relocation Project contract to War Horse Enterprises, Inc. in the amount of $135,872.72 to be funded from 2008 revenue bonds, and take any action necessary.

pg.97 **12.** **Z2014-012** - Consider approval of an **ordinance** for a request by Master Plan, on behalf of Rockwall SH-205 Venture, LLC, for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger 5.549-acre tract of land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall County, Texas, generally located south of the intersection of the IH-30 frontage road and Townsend Drive, and take any action necessary. **(2nd Reading)**

pg.104 **13.** Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 12, Article III, Section 12 to add Sections 12-66 to 12-68, regulating peddler activities to occupants of vehicles on public roadways in the city and solicitation in public areas, and take any action necessary. **(1st reading)**

pg.110 **14.** Consider approval of an **ordinance** (re)establishing prohibition regarding temporary habitation in a public place in Chapter 22. Miscellaneous Offenses, Article I. In General, Section 22-4, and take any action necessary. **(1st reading)**

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

XII. PUBLIC HEARING ITEMS

pg.114 **1.** **Z2014-015** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Dennis D. Alsup for the approval of a Specific Use Permit (SUP) for an accessory building that does not conform to the size requirements as specified by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a property in a Single-Family 10 (SF-10) District on a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, zoned Single-Family 10 (SF-10) District, situated within the North Goliad Overlay (NGC OV) District, located at 921 Alamo Road, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(1st Reading)**

pg.146 **2.** Hold a public hearing to discuss and consider approval of the Land Use Assumptions and Water and Wastewater Capital Improvement Plan related to updating Water and Wastewater Impact Fees, and take any action necessary.

XIII. ACTION ITEMS

pg.180 **1.** **Z2014-017** - Discuss and consider approval of an **ordinance** for a request by Dick Skorburg of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan to allow for additional single-family residential lots and allow for changes to the development standards contained in Exhibit 'C' of Ordinance 12-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary. **(2nd Reading)**

pg.208 ***2.*** **Z2014-016** - Discuss and consider approval of an **ordinance** for a request by Scott W. Blackwood for the approval of a zoning change from Agricultural (AG) District to a Planned Development District for limited commercial/retail land uses on a 12.493-acre tract of land identified as Tract 17-14 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, located west of the intersection of SH-205 [S. Goliad Street] and S. FM-549, and take any action necessary**. (1st Reading)** ***(3/4 majority vote required)***

pg.245 **3.** Discuss and consider requesting the Planning and Zoning Commission initiate a review of specific aspects of the City's Comprehensive Land Use Plan and take any action necessary

pg.253 **4.** Discuss and consider approval of an **ordinance** at the recommendation of the Airport Subcommittee to designate the Planning and Zoning Commission as the Airport Zoning Commission for the Ralph M. Hall/Rockwall Municipal Airport, and take any action necessary. **(1st reading)**

pg.257 **5.** Discuss and consider a recommendation by the Airport Subcommittee to direct staff to forward the consideration of design guidelines and land use criteria for an Airport Overlay District (AP OV) District to the Planning and Zoning Commission, and take any action necessary.

pg.259 **6.** Discuss and consider a Park Board recommendation regarding a possible amendment to the Code of Ordinances which would prohibit swimming in ponds and lakes in city parks, and take any action necessary.

pg.262 **7.** Discuss and consider establishing procedures for communications with TF-Harbor and other related matters, and take any action necessary.

XIV. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

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Internal Operations Department Monthly Report - May 2014 pg.303

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Rockwall Animal Adoption Center Monthly Report - May 2014 pg.314

pg.316 Rockwall County Committee on Aging Quarterly Report

2. City Manager's Report

XV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations).

2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

3. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

4. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (personnel matters)

XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 3rd day of July, 2014 at 4:30 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary**

SUBJECT: **Agenda item – verbal discussion (no documentation)**

Please know that this agenda item has no documentation associated with it in the meeting packet. It will be verbally discussed at the city council meeting.

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13

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary**

SUBJECT: **Agenda item – verbal discussion (no documentation)**

Please know that this agenda item has no documentation associated with it in the meeting packet. It will be verbally discussed at the city council meeting.

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15

Proclamation

Rockwall, Texas

Whereas, 2013-2014 marked the inaugural season of the Rockwall Baseball Softball League (RBSL); and

Whereas, "Texas Sports," an 8U division, boy's baseball team, finished the season undefeated; and

Whereas, the team had an impressive 132 run differential; and

Whereas, the Rockwall City Council would like to recognize this team for its success in this, the inaugural season of the RBSL.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby designate July 7, 2014 as

TEXAS SPORT CHAMPIONS DAY

in the City of Rockwall and encourage all citizens to recognize and applaud these young baseball players for a successful, first season.

In Witness Whereof, I hereunto set my hand and official seal this 3rd day of July, 2014.

David Sweet, Mayor

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Proclamation

Rockwall, Texas

Whereas, Soroptimist, which means "best for women," is a global women's organization whose members volunteer to improve the lives of women and girls through programs leading to social and economic empowerment; and

Whereas, more than 80,000 Soroptimists in about 120 countries and territories support community–based and global projects benefiting women and girls, particularly providing access to education, as this is the most effective path to self-determination; and

Whereas, in 2014, Soroptimist International of Rockwall proudly celebrates its 30th anniversary; and

Whereas, Soroptimist Rockwall's service projects include programs such as STARS, which provides financial assistance for low income seniors; "We Expect Respect," a high school and middle school curriculum taught free of charge about dating violence; Eloise's Closet, which provides free clothes and accessories to women in need; and Helping Hands Clinic assistance, which focuses on diagnostic testing for women and children; and

Whereas, Soroptimist provides scholarships to mature women through its Women's Opportunity Award as well as scholarships to high school seniors through the Violet Richardson Award and the Susan Faulkner Scholarships; and

Whereas, the Soroptimist Ruby Award honors women who have worked to improve the lives of women and girls through their professional and/or volunteer work.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim July 7, 2014 as

Rockwall Soroptimist Appreciation Day

in the City of Rockwall and encourage all citizens to recognize and applaud this organization for its philanthropic endeavors which benefit our community and beyond.

In Witness Whereof, I hereunto set my hand and official seal this 7th day of July, 2014.

_____

David Sweet, Mayor

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19

MINUTES
ROCKWALL CITY COUNCIL
ANNUAL RETREAT
June 12-14, 2014
Star Brand Ranch
1182 Star Brand Drive
Kaufman, Texas 75142

Thursday, June 12, 2014

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 7:00 p.m. Present were Mayor David Sweet, Mayor Pro Tem Jim Pruitt, and Council Members David White, Mike Townsend, Scott Milder, and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs, City Attorney Frank Garza, and all department directors. Councilmember Bennie Daniels was absent from the meeting Thursday evening.

City Engineer Tim Tumulty briefed the city council on retention and detention. The council took no action related to this item.

Mayor Sweet adjourned the meeting at 7:35 p.m.

Friday, June 13, 2014

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 8:00 a.m. Present were Mayor David Sweet, Mayor Pro Tem Jim Pruitt, and Council Members David White, Mike Townsend, Scott Milder, Bennie Daniels, and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs, City Attorney Frank Garza, and all department directors.

II. STAR TRANSIT

Omega Hawkins of STAR Transit was present and gave the city council an overview of funding sources for the STAR transportation system as well as the 2013 needs assessment. She indicated the City of Mesquite has been evaluating the possibility of contracting with STAR. Discussion took place related to ridership and user costs versus subsidies paid by entities in Rockwall County. Mrs. Hawkins indicated that riders under sixty years of age are charged $2 each way for rides, and senior citizens (those beyond age 60) are charged $1 each way to ride. Mrs. Hawkins explained that STAR is in the process of increasing board members, but they currently only have four board members. Mrs. Hawkins indicated that she will provide the bylaws of the organization to the Rockwall council members for review. It was indicated that in Texas, counties are the entities who designate the countywide transit service provider. The council took no action related to this item.

III. PD 32 / The Harbor

Planning Director Robert LaCroix briefed the council on the current PD 32 plan. Discussion took place related to the council's comfort level and satisfaction with various aspects of the plan including lot sizes and density. The council generally indicated that they are mainly concerned about the number of multifamily residential units (1161). After brief discussion related to zoning and the plan, the council took no action related to this item.

IV. Land / Open Space Dedication

City Manager Rick Crowley led this discussion, suggesting the council consider continuing on with having park land dedicated to the city with all other types of land being dedicated to homeowners associations (HOAs). The council may wish to move forward with formal adoption of this policy at an upcoming, regular city council meeting. The council took no action related to this discussion item.

V. Main Street / Downtown Plan

Mr. LaCroix provided a history of the development of the downtown plan, and he explained each of its elements. Bethany Golden, the city's Main Street Manager, came forth and provided some statistics which showed positive increases in both sales tax revenues and property values in the downtown area since 2009. Mr. Crowley suggested the council may wish to consider formulating some downtown-related volunteer opportunities in addition to the two year advisory board appointments. The council may also consider some improved and added marketing of our city, including the downtown area. City council members generally indicated they do not desire to make changes to the downtown plan at this time. No action was taken regarding this discussion item.

VI. Regulated businesses / City Charter / Rate Cases

Regarding the city charter, Mayor Pro Tem Pruitt indicated that he believes a lawyer, rather than a clerk, needs to serve as the judge. Discussion took place related to the last time a Charter Review Commission was established. Council gave indication they would like to move forward with appointing a Charter Review Commission to evaluate and make recommendations regarding ballot propositions for the May 2015 election. Brief discussion took place related to public utilities, such as Atmos, proposing rate increases. Thereafter, the council discussed how to encourage large homes on large estate lots within the City of Rockwall as well as diversification of the overall housing products in the city. The council took no formal action regarding these discussions.

VII. Land Use / Comprehensive Plan

The city manager and council members briefly discussed the "Blacklands Corridor Toll Road," a project that is currently being evaluated by a private company called "Public Works." Discussion also took place related to the city's comprehensive plan. No action was taken by council regarding this item.

VIII. STRATEGIC PLANNING, BRANDING, AND CITIZEN SURVEY

Mr. Crowley briefed the council on past strategic planning and branding as well as the last citizen survey. The council took no action related to this discussion item.

IX. ADJOURNMENT

Friday's meeting was adjourned at 4:35 p.m.

Saturday, June 14, 2014

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 8:30 a.m. Present were Mayor David Sweet, Mayor Pro Tem Jim Pruitt, and Council Members David White, Mike Townsend, Scott Milder, Bennie Daniels, and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs, City Attorney Frank Garza, and all department directors on staff.

II. WATER (NORTH TX MUNICIPAL WATER DISTRICT)

Mike Rickman, Deputy Director of the North TX Municipal Water District, as well as Rockwall's NTMWD board members, Bill Lofland and Larry Parks, were present for this discussion item. Mr. Rickman gave an in-depth presentation related to the drought, including past, present and future effects and plans to try and address water-related concerns. The council took no action related to this discussion item.

III. BUDGET PRIORITIES

City Manager Rick Crowley and Assistant City Manager Mary Smith spoke about the upcoming fiscal year 2015 budget. Indication was given that all department directors have submitted their requests at this time; however, city management has not yet reviewed these proposals. Emphasis was placed on the negative impact that the current drought has had on the city's water/sewer revenue fund. Indication was given that this revenue shortage will be a large topic during the upcoming budget meetings, and revenue from the general fund is expected to have to be transferred in order to make up for the shortage. Discussion took place regarding possible meeting dates/times for the budget work session and public hearings related to the budget. The council took no action related to this item.

IV. CAPITAL IMPROVEMENT PROJECTS AND PLANNING (CIP)

Tim Tumulty, City Engineer, provided a presentation regarding roadway-related capital improvement projects in the City. Regarding police and fire related CIP, Mr. Crowley indicated that a short work session may be scheduled with the city council prior to one of its regularly scheduled 1st and 3rd Monday council meetings. The council took no action related to this item.

V. CITY MANAGER'S WORK PLAN

This item was not discussed, and no action was taken.

VI. ADJOURNMENT

Mayor Sweet adjourned the meeting at 11:45 a.m. on Saturday, June 14, 2014.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 7th day of July, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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24

MINUTES
ROCKWALL CITY COUNCIL
Monday, June 16, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 4:00 p.m. Present were Mayor David Sweet, Mayor Pro Tem Jim Pruitt, and Council Members David White, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza.

Mayor Sweet read the below listed items into the record before recessing the public meeting into Executive Session:

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).
3. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).

III. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 4:26 p.m.

MINUTES
ROCKWALL CITY COUNCIL
Monday, June 16, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

Mayor Sweet reconvened the public meeting at 6:00 p.m. with all seven council members present.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

Councilmember Daniels delivered the invocation and led the Pledge of Allegiance.

VII. PROCLAMATIONS / AWARDS

1. Emma Santoro, Life Saving Hero

Mayor Sweet called Fire Chief Mark Poindexter forward as well as Miss Emma Santoro, her mother and father and her little brother. It was explained that Emma saved her little brother from drowning when she jumped in and pulled him out of the family swimming pool after he fell in. Mayor Sweet read and presented Emma with a proclamation, and Chief Poindexter gave her the Civilian Medal of Honor Lifesaving Award.

2. Juneteenth

Mayor Sweet read a proclamation into the record to commemorate Juneteenth.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the June 2, 2014 city council meeting, and take any action necessary.

2. Consider approval of the award of the North Lakeshore Left Turn Lane construction contract to Bowman Construction in the amount of $64,295.50 to be funded from the Streets Division Operations Budget, and take any action necessary.

City Manager Rick Crowley stepped out of the room during the time Consent Agenda was addressed by the Council. Councilmember White made a motion to approve both items on the Consent Agenda. Councilmember Townsend seconded the motion, which passed unanimously of council present (7 ayes to 0 nays).

IX. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Mr. Craig Renfro, Chairman of the Planning & Zoning Commission, came forth and briefed the council on recommendations of the Commission relative to planning-related items on tonight's meeting agenda. The council took no action related to this agenda item.

2. Appointment with Michael Turner to discuss and consider proposed changes to the city's Recreational Vehicle (RV) ordinance regulations, and take any action necessary.

Michael Turner
925 Mont Cascades
Rockwall, TX 75087

Mr. Turner came forth and explained that he has concerns related to the city's ordinance regulating parking of boats in neighborhoods for loading and unloading purposes. He explained that he would like some clarity in the ordinance regulations related to the definition of "loading and unloading." He explained that he feels harassed by neighbors who constantly call the city to complain about his boat or utility trailer being parked for "loading and unloading" in front of his home. After brief comments, the council took no action related to this agenda item.

X. PUBLIC HEARING ITEMS

1. **Z2014-012** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Master Plan, on behalf of Rockwall SH-205 Venture, LLC, for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger 5.549-acre tract of land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall County, Texas, generally located south of the intersection of the IH-30 frontage road and Townsend Drive, and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix provided background information related to this item, indicating notices were mailed out to twenty-one adjacent property owners located within two hundred feet of the property with one notice being returned in favor. He explained the Planning & Zoning commission did recommend approval of this facility with the caveat that any and all storage would be limited to a maximum height of eight feet and would be fully screened behind the 8' masonry wall.

Mayor Sweet opened the public hearing and called the applicant forth.

Maxwell Fisher
Master Plan

Mr. Fisher came forth and provided a presentation to council, detailing the characteristics of this proposed mini-warehouse facility. He explained that the product his company builds is not like traditional storage facilities. Instead, the buildings look more like very nice office buildings. He showed renderings / drawings as well as pictures of facilities like this proposed one that have been built in other cities.

Councilmember White made a motion to approve Z2014-012. Councilmember Milder seconded the motion. Mayor Pro Tem Pruitt asked for clarification regarding if the motion does or does not include the stipulation of requiring an eight foot fence. Councilmember White amended his motion to clarify approval of the item, indicating a requirement that the applicant must install an 8' masonry fence in addition to planting Leland Cypress trees to screen anything above the 8' screening fence. Councilmember Milder seconded the amended motion.

Councilmember Daniels asked if the facility would have twenty-four hour access for renters. Mr. Fisher indicated that access will be from 6:00 a.m. until 9:00 p.m., but there will be 24/7 surveillance.

The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-XX
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A SPECIFIC USE PERMIT (SUP) TO ALLOW A MINI-WAREHOUSE FACILITY WITHIN A COMMERCIAL (C) DISTRICT AS SPECIFIED WITHIN ARTICLE IV, *PERMISSIBLE USES*, OF THE UNIFIED DEVELOPMENT CODE, FOR A 2.857-ACRE TRACT OF LAND, BEING A PORTION OF A LARGER 5.549-ACRE TRACT OF LAND IDENTIFIED AS PART OF TRACT 2 OF THE J. CADLE SURVEY, ABSTRACT NO. 65, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

2. **Z2014-015** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Dennis D. Alsup for the approval of a Specific Use Permit (SUP) for an accessory building that does not conform to the size requirements as specified by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a property in a Single-Family 10 (SF-10) District on a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, zoned Single-Family 10 (SF-10) District, situated within the North Goliad Overlay (NGC OV) District, located at 921 Alamo Road, City

of Rockwall, Rockwall County, Texas, and take any action necessary. **(1st Reading) (Postponement requested by applicant)**

Mayor Sweet acknowledged the requested postponement and announced that the public hearing for this case will be held on July 7, 2014. No action was taken at this time.

3. **Z2014-016** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Scott W. Blackwood for the approval of a zoning change from Agricultural (AG) District to a Planned Development District for limited commercial/retail land uses on a 12.493-acre tract of land identified as Tract 17-14 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, located west of the intersection of SH-205 [S. Goliad Street] and S. FM-549, and take any action necessary. **(1st Reading) [Requires a 3/4 Majority Vote by the City Council for Approval]**

Mr. LaCroix provided brief background information related to this agenda item. He indicated that the Planning & Zoning Commission had some concerns about this property transitioning to Commercial at this time. However, since the time the Planning & Zoning Commission review took place, the applicant has since informed staff that he is willing to make some modifications to his original proposal. Seventeen notices were mailed out to property owners located within five hundred feet of the subject property, and nearby homeowners associations were informed as well. Two notices of oppositions were received back by staff. Mr. LaCroix explained that these two oppositions triggered at least thirty percent opposition, which has led to the need for a ¾ majority vote of the Council in order to be approved.

Mayor Sweet opened the public hearing and called the applicant forth to address the council.

Scott Blackwood
5205 S. FM-549
Rockwall, TX

Stephen Straughan
5802 Constellation Circle
Rockwall, TX

Mr. Blackwood read a letter, explaining his reasons for requesting this zoning change and urging the city council to approve this request.

Mr. Straughan indicated that Mr. Blackwood has been trying to sell his home for nearly five years. So, with his appraisal experience, he recommended to Mr. Blackwood that he may wish to consider a zoning change request as an option. He explained that he understands it may be difficult for the city council to approve this request without a concept plan being provided by the applicant. He asked the council to consider approving this zoning change, but, if the council denies it, he asked that it do so without prejudice.

Mayor Sweet asked if anyone else would like to come forth and speak at this time. There being no one else in the audience wishing to come forth and speak, Mayor Sweet then closed the public hearing.

Mayor Pro Tem Pruitt made a motion to send this item back to the Planning & Zoning Commission for further review and consideration, and he tabled this item until further input from the Planning & Zoning Commission is received. Councilmember Daniels seconded the motion, which, after brief comments, passed unanimously of Council (7 ayes to 0 nays).

4. **Z2014-017** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Dick Skorburg of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan to allow for additional single-family residential lots and allow for changes to the development standards contained in Exhibit 'C' of Ordinance 12-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary. **(1st Reading)**

Mr. LaCroix provided background information related to this agenda item, indicating that sixteen notices were sent out to adjacent property owners. No notices were received back by any property owner located within the city limits. However, one notice of opposition was received back, but it was submitted by a property owner located in the county. The Planning & Zoning Commission did recommend approval of this item.

Mayor Sweet opened the public hearing and called the applicant forth.

Mr. Dick Skorburgh
8214 Westchester Drive

Mr. Skorburgh came forth and provided extensive background information related to his company, housing products that his company has built both in Rockwall and elsewhere in the Metroplex, and the nature of this particular request being considered this evening. He generally asked council for approval of this item.

Mayor Sweet asked if anyone would like to come forth and speak. There being no one else expressing such, Mayor Sweet then closed the public hearing.

Councilmember White made a motion to approve Z2014-017. Councilmember Lewis seconded the motion.

After extensive discussion regarding lot sizes and maximum number of lots, the ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 74 (PD-74) [*ORDINANCE NO. 12-26*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE PLANNED DEVELOPMENT CONCEPT PLAN AND THE DEVELOPMENT STANDARDS APPROVED WITH ORDINANCE NO. 12-26, BEING A 405.184-ACRE TRACT OF LAND

SITUATED IN THE J. STRICKLAND SURVEY, ABSTRACT NO. 187, T. R. BAILEY SURVEY, ABSTRACT NO. 30 AND THE J. SIMMONS SURVEY, ABSTRACT NO. 190, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion to approve passed by a vote of 6 in favor with one against (Sweet).

XI. SITE PLANS / PLATS

1. **SP2014-008** - Discuss and consider a request by Ken Hill of NADC Architects, LLC on behalf of Heritage Buick, Pontiac, GMC, for the approval of a variance to the material requirements stipulated by Section 6.6, IH-30 Overlay (IH-30) District, of Article V, District Development Standards, of the Unified Development Code for a 5.285-acre parcel of land identified as Lot 1, Block 1, Heritage BPG Addition, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located at 930 E. IH-30, City of Rockwall, Rockwall County, Texas, and take any action necessary. [Requires a 3/4 Majority Vote by the City Council for Approval]

Mr. LaCroix provided background information related to this agenda item, generally indicating that the applicant would actually prefer that the city deny this request.

Ken Hill
NADC Architects, LLC
206 South Bois D' Arc
Forney, TX 75126

Mr. Hill came forth and indicated that the umbrella company for this car dealership desires for the exterior façade of all their dealerships, nationwide, to be uniform. However, he explained that doing so, in this case, would be a 'down grade' as far as materials and aesthetics are concerned. He therefore asked the council to deny this request.

Mayor Pro Tem Pruitt made a motion to deny this request. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

2. **SP2014-009** - Discuss and consider a request by Lori Stevens of Patriot PAWS for the approval of an exception to the exterior material requirements as stipulated by Section 4.1, General Commercial District Standards, of Article V, District Development Standards, of the Unified Development Code to allow for an addition to an existing facility, which is located on a 1.5304-acre parcel of land, being identified as Lot 4, Block A, Maverick Ranch Addition, zoned Commercial (C) District, and located at 254 Ranch Trail, City of Rockwall, Rockwall County, Texas, and take any action necessary.

Mr. LaCroix explained that Patriot Paws purchased this property, and they would like to build an additional building at the rear of the property. This building would be screened from the public view.

The applicant(s) came forth, introduced themselves and respectfully asked the council to approve this exception.

Mayor Pro Tem Pruitt made a motion to approve the request. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XII. ACTION ITEMS

1. Discuss and consider approval of an **ordinance** at the recommendation of the Airport Subcommittee to transfer the administrative and enforcement authority of zoning regulations for the Ralph M. Hall/Rockwall Municipal Airport from the Joint Airport Board to the Planning and Zoning Commission, and take any action necessary. **(1st reading)**

Mayor Pro Tem Pruitt made a motion to table this item until the next council meeting. Councilmember Townsend seconded the motion, which passed by a vote of 7 ayes to 0 nays.

2. Discuss and consider a recommendation by the Airport Subcommittee to direct staff to forward the consideration of design guidelines and land use criteria for an Airport Overlay District (AP OV) District to the Planning and Zoning Commission, and take any action necessary.

Councilmember Townsend made a motion to table this item until the next council meeting. Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Sweet indicated that there is no need to reconvene in Executive Session at this time.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

3. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The council did not reconvene in Executive Session following the close of the 6:00 p.m. public meeting.

XV. ADJOURNMENT

The meeting was adjourned at 7:39 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 7th day of July, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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34

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Julie Couch, City Manager**

FROM: **Mary Smith, Director of Finance**

DATE: **July 2, 2014**

SUBJECT: **Select Audit Firm**

The City Charter requires an audit be performed at the end of each fiscal year, with the audit firm to be rotated every 5 years.

City staff requested proposals for audit services in May 2014. Proposal packages were sent to all audit firms in the Metroplex who conduct government audits, as well as to the national level firms, with offices in the area. In addition, all Rockwall CPA's were sent a proposal package. Lists of audit firms in the Metroplex were garnered from the Dallas Chapter of the Texas Society of Certified Public Accountants.

Five proposals for audit services were received from firms including Fox, Byrd & Company, Patillo, Hill & Brown, Brooks Cardiel PLLC, Conway Company CPAs, and Weaver.

Fox, Byrd were the City's auditors from 2004 – 2008, while Rutledge Crain audited the City from 1998 – 2003 and 2009-2013. All of the submitting firms are qualified to conduct the annual audit of the City's financial statements and prepare the Comprehensive Annual Financial Report (CAFR) and all have a long established presence in the area. All firms propose to provide staff that are registered with the State Board of Public Accountancy and offer a significant number of individual years of experience in the audit of local governments.

The proposals are very close on the cost of service to be provided as well. Evaluating fees over the five-year engagement, a total of $17,000 separates the least and most expensive, therefore all are competitive on price as well. The fee proposed by Fox, Byrd of $49,000 per year reflects a 4% decrease over the prior year's expense.

After interviews and extensive review of references, staff proposes the City Council authorize the City Manager to engage the firm of Fox, Byrd & Company, PC to conduct the audit of the City's financial statements for the year ended September 30, 2014. The firm will prepare the City's CAFR and meet with the Finance Sub-committee prior to their presentation to the full Council in the month of March 2015.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **July 2, 2014**

SUBJECT: **Grading Permit Ordinance**

All developments within our City limits are required to provide erosion control measures to prohibit soil from washing out into the streets or a nearby storm sewer system. These erosion control features are installed prior to the beginning of site construction and should be removed after the completion of a project provided grass has been established on all dirt surfaces.

Recently Engineering staff was notified of existing erosion control devices that were left in place years after the completion of a residential subdivision. When this occurs, City forces are utilized to remove the devices.

Staff has developed a Grading and Floodplain Development Permit very similar to one used in another Metroplex community. This permit has several positive features for the city and the development. For the City, it requires the development to erect all erosion control devises prior to beginning of construction, to maintain the erosion control devices throughout construction and remove them after project completion. For the development, it allows excavation work to begin prior to approval of engineering design plans for construction with a caveat that plans must be approved and any permanent work that occurs prior to approval is done at the developments risk.

This proposed permit would charge a monetary deposit based on acreage within the development to assure the City that these devices will be erected and maintained throughout the project and removed at completion. If the development maintains and removes these erosion control devices, their entire deposit would be returned to them once the City accepts the development and final cover has been established. If the development fails to maintain or remove the devices, the City can hire a contractor to perform these services and use the deposit as payment.

This matter was discussed with City Council at the March 17, 2014 Work Session. Per City Council direction to City Staff, the proposed grading permit was provided to D.R. Horton and Skorburg Company for review and comment. Staff received positive responses from both companies. Their main concern was receiving proper notice when repairs are needed.

Staff requests City Council consider approval of the attached ordinance adding Sections 38-433 through Section 38-439 of the Chapter 38 (Subdivisions) Article 5; and taken any action necessary.

CITY OF ROCKWALL

OWNER'S STATEMENT OF PERMISSION AND RESPONSIBILITY

I, _____, being the Owner and/or Officer of

_____,

The Company/Individual/Partnership (*circle one*) that owns the property described in the attached Grading Permit and being fully authorized to execute this statement for the purposes stated herein, do hereby give permission to

_____,

contractor, to fill, grade, excavate, or otherwise disturb the described property. Further, I acknowledge and understand all of the responsibilities and obligations of the Property Owner described in Sections 38-443 to 38-439 of the *Code of the City of Rockwall*, *Texas* and all of the provisions of such Sections including the right of the City of Rockwall to go upon the property to perform any requirements unfulfilled by the Owner.

SIGNED this _____ day of _____, _____.

By: _____
Signature

_____
Printed Name

_____
Texas Drivers License No.

_____
Title

_____
Company Name

_____
Mailing Address

_____
Mailing Address

_____
Telephone & Fax Numbers

DEPOSIT REQUIRED:

$_____; 1ST Acre $500 + $100 for each additional Acre (round up)

$_____ TOTAL AMOUNT DUE

State of Texas §
§
County of_____ §

Before me, the undersigned authority, on this day personally appeared the person whose name is subscribed to the forgoing *Owner's Statement of Permission and Responsibility* and acknowledged to me that he/she has the authority to execute the same for the Company named therein.

GIVEN under my hand and official seal this _____ day of _____, _____.

_____
Notary in and for the State of Texas

City of Rockwall – Engineering Department

ALLOWABLE FILL MATERIALS

(Per Section 38-436 of the City Code of Rockwall)

FILL IN AREAS ZONED FOR COMMERCIAL USE (excluding ROW or Easements):

- Clean soil, clay, shale, gravel or sands.
- Broken concrete pavement, if the maximum particle size is 4" in diameter and all reinforcing steel is removed.
- All fill on commercial lots shall be compacted to minimum **95% of standard proctor** (ASTM D-698) under building pad.

*****Note: Consult with the Building Inspection Department for Compacting Requirements.

FILL IN AREAS ZONED FOR RESIDENTIAL DEVELOPMENT (excluding ROW Easements):

- Clean soil, clay, shale, gravel or sands.

All fill on residential lots and pads shall be compacted to a minimum **95% of standard proctor** (ASTM D-698) with optimum moisture content of 0% to +6%. Compaction shall be placed with a maximum of 8" loose lifts and shall be compacted with sheep's foot vibratory roller.

FILL IN AREAS THAT ARE OR MAY BECOME CITY RIGHT-OF-WAY OR EASEMENT:

- Clean soil, clay, shale, gravel or sands.

All fill within City right-of-way or easements shall be compacted to a minimum **95% of standard proctor** (ASTM D-698) within optimum moisture content of 0% to +6%. Compaction shall be placed with a maximum of 8" loose lifts and shall be compacted with sheep's foot vibratory roller.

MATERIALS UNSUITABLE FOR FILL:

The following materials are unsuitable for fill due to their high potential for settlement, decomposition, or other unsatisfactory engineering properties:

- Trash or debris of any kind.
- Any soil or debris that has a high organic content, such as pond silt, topsoil with roots, wood chips, brush or tree limbs, etc… Topsoil may be used in landscaping areas when there is an approved site plan that details the location of future paving and structures and landscape areas.
- Broken concrete pavement, if the particle size is greater than 4" in diameter or if there is any reinforcing steel.
- Reinforcing steel or other steel products.
- Asphaltic materials.

NOTE: Per the Texas Administrative Code, Title 30 Environmental Quality, Chapter 330 "Municipal Solid Waste" – the use of asphaltic materials and concrete containing reinforcing steel for fill is not permitted.

ARTICLE IV. – GRADING, EXCAVATION, EARTHWORK, AND EROSION CONTROL

Sec. 38-433 – Applicability of article.
Sec. 38-434 – Grading permit required for filling, grading, excavation, etc.
Sec. 38-435 – Duty of property owner to prevent dirt, mud, etc., from washing onto public streets, alleys, etc.
Sec. 38-436 – Requirements for filling, grading, excavation, etc.
Sec. 38-437 – Issuance of permits; criteria.
Sec. 38-438 – Exceptions to the permit, permit fee and deposit.
Sec. 38-439 – Owner's responsibility.

Sec. 38-433. – Applicability of article.

The provisions of this article shall apply to all property owners, persons or their agents filling, grading, excavating or otherwise disturbing the surface of real property within the city, whether they be contractors, subcontractors, supervisors, inspectors, managers, agents, employees or otherwise. Failure to comply with the requirements of this article shall constitute an offense, and each day such failure continues shall constitute a separate offense.

Sec. 38-434. – Grading permit required for filling, grading, excavation, etc.

No person shall fill, grade, excavate or otherwise disturb the surface of real property within the City without first having secured a grading permit from the City Engineer. No owner of real property shall knowingly permit another person to fill, grade, excavate or otherwise disturb the surface of real property within the city without first having secured a permit from the City Engineer. In addition, if the property to be filled, graded, excavated or otherwise disturbed is within flood hazard area, a development permit must be secured from the City Engineer as required in Chapter 38 of this Code.

Sec. 38-435. – Duty of property owner to prevent dirt, mud, etc., from washing onto public streets, alleys, etc.

It shall be unlawful and an offense and shall constitute a nuisance for any person owning or having control of real property within the city to suffer or permit soil, mud, rock, pollutants or debris to wash, slide, erode or otherwise be moved from said real property onto streets, alleys, utility facilities, drainage facilities, rights-of-way or easements. It shall be the duty of each property owner or party in control thereof to prevent soil, mud, rock, pollutants or debris from such real property being deposited or otherwise transported onto the streets, alleys, utility facilities, rights-of-way or easements of the City and to inspect such property and acquaint themselves with the conditions existing and to remedy any conditions likely or calculated to allow soil, mud, rock or debris to wash, slide, erode or otherwise be transported onto the streets, alleys, utility facilities, rights-of-way or easements and failure to do so shall be deemed criminal negligence for the purpose of the offense described herein.

Sec. 38-436. – Requirements for filling, grading, excavation, etc.

The City Engineer shall prepare a list of allowable fill materials and minimum required compaction requirements. All filling shall use only the materials listed for fill. All fill placed on a site and visible from a public thoroughfare shall be leveled and have a final cover of topsoil, six (6) inches minimum depth, that will support vigorous plant growth, immediately following completion of filling operations. Intermediate leveling and cover shall be required at intervals not to exceed thirty (30) days for filling operations that will exceed thirty (30) days in duration. In areas where fill is being placed to control erosion, the City Engineer may substitute an alternate cover that is resistant to erosion for the requirement to cover fill with topsoil.

Sec. 38-437. – Issuance of permits; criteria.

(a) The City Engineer's office shall issue permits for the grading, filling, excavating or otherwise disturbing the surface of real property upon satisfaction of the following criteria:

(1) Applicant provides adequate assurance that the City will be reimbursed for any expense of cleaning or removal of dirt, rock, debris or other pollutants from city streets, alleys, utility facilities, rights-of-way and easements or the barricading thereof by the posting of a deposit of cash with the city to guarantee same.

(2) The amount of such deposit shall be established by the City Council from time to time and is hereby established as follows:

Area	Amount
One (1) acre or less	$500.00 minimum
From one (1) acre up	$100.00 for each additional acre

(3) The applicant provides a notarized statement from the property owner giving permission for the applicant to fill, grade, excavate or otherwise disturb the property and acknowledgment by property owner of the responsibilities of the property owner as described in section 38-30 of this Code.

(4) Submission by the applicant of a Storm Water Pollution Prevention Plan (SWP3) for all work disturbing one (1) acre of land or more. This Storm Water Pollution Prevention Plan (SWP3) must be prepared by a licensed professional engineer in accordance with applicable Environmental Protection Agency (EPA) and Texas Commission on Environmental Quality (TCEQ) regulations and approved by the City Engineer prior to issuing the grading permit.

(5) Submission by the applicant of a copy of Notice of Intent (NOI) and or a Construction Site Notice (CSN) as required by the Texas Commission on Environmental Quality (TCEQ) regulations for all work disturbing one (1) acre of land or more.

(6) The City Engineer may exclude that portion of tracts in excess of ten (10) acres that he/she determines to be so situated as to not contribute to erosion due to location and topography.

(b) If removal by the City of soil, rock, mud and debris from its streets, alleys, utility facilities, rights-of-way or easements is required by reason of work performed on property for which a deposit has been made pursuant to subsection (a), reasonable charges shall be billed to the applicant and subtracted from balance of the applicant's deposit. The City will attempt to notify applicant to clean the affected area unless deemed an emergency requiring immediate attention.

(c) Upon written request by the applicant to the City Engineer, the unused portion of the applicant's deposit shall be refunded if the following criteria is met:

(1) The site for which the deposit exists has been stabilized against erosion; and permanent ground cover has been established.

(2) No further hazard of erosion is present at the site;

(3) All temporary erosion control structures have been removed;

(4) Permanent erosion control facilities are in place and functioning properly as designed; and

(5) The City Engineer or his designee has given written acceptance of public improvements.

(d) An applicant who has submitted a written request for return of their deposit who meets the requirements of subsection (c) shall be refunded all funds not used to reimburse the City for the removal of soil, rock, mud, debris and pollutants from its streets, alleys, utility facilities, drainage facilities, rights-of-way or easements. Should an applicant fail to meet all requirements for a refund, the applicant's request will be rejected until such time as they are met. When the requirements have been met, the funds subject to refund will be sent via first class mail to the address on the applicant's grading permit application or if such address has been updated pursuant to application instructions to the applicant's updated address. If the refund mailed to the applicant is returned by the United States Postal Service as undeliverable, the funds shall be forfeited to the City and placed in the general fund if City Council is unable to determine the legal address.

(e) If a written request for return of a deposit is not made within two (2) years of the date the project on the property for which the deposit has been made receives written acceptance from the City Engineer or his designee of the public improvements, the unused portion of the applicant's deposit shall be forfeited to the City and placed in the general fund after the City notifies the applicant.

(f) Grading permits shall be valid for two-years after date of issuance by the City. Grading permits may be extended for one additional year (for a total of three years) upon written request by the applicant to the City Engineer. The City Engineer will have the site inspected to verify compliance with the permit conditions and the provisions of the submitted SWP3 before making the permit extension. Failure of the applicant to maintain compliance with the permit conditions and the provisions of the submitted SWP3 shall be adequate cause to deny a request for grading permit extension.

Sec. 38-438. – Exceptions to the permit, permit fee and deposit.

Construction, grading, filling or excavation undertaken by the City of Rockwall, franchised utility companies and existing individual single-family lots with existing residences under one acre in size shall be exempt from the permit, deposit and permit fee as required by this article.

Sec. 38-439. – Owner's responsibility.

The property owner shall be responsible for implementation and operation of a Storm Water Pollution Prevention Plan (SWP3) in accordance with applicable Environmental Protection Agency (EPA) and Texas Commission on Environmental Quality (TCEQ) regulations and all cleanup operations incidental to the grading, filling, excavation, construction or other disturbance of the surface of real property including leveling, establishment of ground cover, erosion and sediment control and removal of all trash, debris or other materials not suitable for fill including those deposited on streets, alleys, utility facilities, rights-of way or easements.

In addition, the property owner shall be responsible for compliance with the approved grading plan.

If the property owner fails in any respect to fulfill the requirement of this article, the City may go upon the owner's property and perform such work as may be necessary to fulfill such requirements and may level, establish ground cover, construct erosion control, remove all soil, rock, debris and other

materials not suitable for fill including those deposited on streets, alleys, utility facilities, rights-of-way or easements, at the property owner's expense and charge same against the deposit of the applicant unless deemed and emergency requiring immediate attention, the City will first contact applicant to address the matter.

If a deposit has not been made with the City, or if the cost incurred by the City exceeds the amount of the deposit, the City shall bill the property owner for the unpaid expenses and if the owner fails to pay the City for such expenses within thirty (30) days of being billed for same, the City shall have the right to place a lien on the owner's property which shall be filed with the county clerk as in the case of paving assessment liens for all amounts expended by the City in excess of the deposit plus interest at the current lawful rate. If the property owner fails to fulfill the requirement of this article the City may revoke the grading permit, issue citations or take other legal remedies as may be necessary to enforce compliance with this article.

GRADING & FLOODPLAIN DEVELOPMENT

City of Rockwall

Permit No. _____

This permit allows the owner to fill, grade, excavate, or otherwise disturb the surface of property described below, in accordance with Rockwall City Code, Section 38-443 to 38-439.

PROJECT NAME: _____

PLAT NAME: _____

PROPERTY OWNER: _____

DEPOSIT REQUIRED **$ 0.00 (Disturbed land area-acreage)**
TOTAL: **$ 0.00**

Requirements and conditions of this permit:

- ☐ Grading plans have been submitted and approved by the City.
- ☐ Submission of a notarized statement from the property owner giving permission to the Contractor to fill, grade, excavate, or otherwise disturb the property and acknowledgement by property owner of his responsibilities as described in section 38-439 of the Rockwall City Code.
- ☐ For projects disturbing 1 acre or more of land, submission of a Storm Water Pollution Prevention Plan (SWP3) in accordance with City, TCEQ and EPA regulations and requirements.
- ☐ For projects disturbing 5 acres or more of land submit a copy of the Notice of Intent (NOI) from all site "Operators".
- ☐ When applicable, submit copy of Planning Department Approval of the tree preservation plan to the City Engineer.
- ☐ When applicable (floodplain encroachment), provide a copy of a Conditional Letter of Map Revision (CLOMR) from FEMA.
- ☐ Special Conditions -

The Developer, Contractor and Engineer is hereby notified that issuance of this permit does not indicate approval of the engineering plans and that grade revisions can and will be made if determined necessary after a complete review of the final plans.

At any time the City determines that the project is in non-compliance with this permit or any other applicable permits and/or letters of permission, this permit shall be revoked and a stop order shall be issued to the Developer and/or Contractor.

If it is necessary for the City to remove soil, rock, mud or debris from its streets, alleys, utility facilities, rights of way or easements, or construct erosion devices on the permit site to prevent erosion in connection with this permit, after notification to permittee and/or under an emergency, the cost of such will be charged to the holder of this permit and subtracted from the balance of the deposit required herein. To be reimbursed for deposited funds NOT used to reimburse the City for construction or removal of soil, rock, mud and debris, a written request must be made to the City Engineer from the depositor named below within two (2) years of written project acceptance by the City Engineer, and the following conditions must be met. Failure to request funds within the prescribed time will result in forfeiture of such funds to the City's General Fund.

1. All disturbed areas on and off site are vegetated with a 70% coverage of grass or other ground cover.
2. Temporary erosion control devices are no longer required and have been removed.
3. Permanent erosion control devices are in place on the site and working properly and do further hazard of erosion is present on the site.
4. Where applicable, a copy of the TCEQ Notice of Termination (NOT) for the project has been submitted to the City.
5. The City Engineer has given written acceptance of the project.

The Depositor must notify the City of Rockwall, Attn: Engineering Department in writing of all address changes.

Deposited By:

Name:

Address:

Phone:

Permit Issued By:

Name:

Title:

Date:

Cc: Construction File
Property Owner
Construction Contractor
Grading Permit File

CITY OF ROCKWALL, TEXAS
ORDINANCE # 14-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 38. SUBDIVISIONS TO ADD ARTICLE V. REGARDING GRADING, EXCAVATION, EARTHWORK AND EROSION CONTROL; PROVIDING FOR SEVERABILITY AND SAVINGS CLAUSES; PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the City Council of the City of Rockwall values development and recognizes the need for erosion control provisions, including appropriate devices, to be in place in order to minimize the impacts of new development; and

Whereas, the development of land causes large quantities of soil to be displaced and transported to downstream locations which can create significant soil erosion and sedimentation problems and may result in potentially destructive consequences; and

Whereas, a build-up of sediment degrades water quality, destroys valuable environmental resources and obstructs watercourses and storm drains which can cause flooding, thereby damaging public and private lands and property; and

Whereas, the City Council believes it to be in the best interest of the public and the environment to adopt the regulations set forth below to govern erosion control to provide and maintain a safe, efficient and effective drainage system within the City and to require a permit for grading and floodplain development in order to ensure soil does not wash out into streets or nearby storm sewers.

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. The findings set forth in the preamble above are adopted in their entirety.

SECTION 2. **Purpose**: During the construction process, soil is highly vulnerable to erosion by wind and water. Eroded soil endangers water resources by reducing water quality and causing the siltation of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair of sewers and ditches and the dredging of lakes. In addition, clearing and grading during construction cause the loss of native vegetation necessary for terrestrial and aquatic habitat. The purpose of this ordinance is to safeguard persons, protect property, and prevent damage to the environment. This ordinance also promotes the public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any development or other activity that disturbs or breaks the topsoil or results in the movement of earth on land

SECTION 3. Article V is hereby added to Chapter 38. Subdivisions and shall henceforth read in its entirety as follows:

ARTICLE V. – GRADING, EXCAVATION, EARTHWORK, AND EROSION CONTROL

Sec. 38-430 – Definitions
Sec. 38-431-432 - Reserved
Sec. 38-433 – Applicability of article.
Sec. 38-434 – Grading permit required for filling, grading, excavation, etc.
Sec. 38-435 – Duty of property owner to prevent dirt, mud, etc., from washing onto public streets, alleys, etc.
Sec. 38-436 – Requirements for filling, grading, excavation, etc.
Sec. 38-437 – Issuance of permits; criteria.
Sec. 38-438 – Exceptions to the permit, permit fee and deposit.
Sec. 38-439 – Owner's responsibility.

Sec. 38-430. – Definitions.

CITY ENGINEER. The City Engineer of the City of Rockwall or the Engineer's authorized representative.

EROSION CONTROL. A measure that prevents erosion.

GRADING. Any stripping, cutting, filling, stockpiling or combination thereof which modifies the existing land surface contour.

SEDIMENT CONTROL. Measures that prevent eroded sediment from leaving the site.

Sec. 38-431 - 432. – Reserved.

Sec. 38-433. – Applicability of article.

The provisions of this article shall apply to all property owners, persons or their agents filling, grading, excavating or otherwise disturbing the surface of real property within the city, whether they be contractors, subcontractors, supervisors, inspectors, managers, agents, employees or otherwise. Failure to comply with the requirements of this article shall constitute an offense, and each day such failure continues shall constitute a separate offense.

Sec. 38-434. – Grading permit required for filling, grading, excavation, etc.

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Sec. 38-435. – Duty of property owner to prevent dirt, mud, etc., from washing onto public streets, alleys, etc.

It shall be unlawful and an offense and shall constitute a nuisance for any person owning or having control of real property within the city to suffer or permit soil, mud, rock, pollutants or debris to wash, slide, erode or otherwise be moved from said real property onto streets, alleys, utility facilities, drainage facilities, rights-of-way or easements. It shall be the duty of each

property owner or party in control thereof to prevent soil, mud, rock, pollutants or debris from such real property being deposited or otherwise transported onto the streets, alleys, utility facilities, rights-of-way or easements of the City and to inspect such property and acquaint themselves with the conditions existing and to remedy any conditions likely or calculated to allow soil, mud, rock or debris to wash, slide, erode or otherwise be transported onto the streets, alleys, utility facilities, rights-of-way or easements and failure to do so shall be deemed criminal negligence for the purpose of the offense described herein.

Sec. 38-436. – Requirements for filling, grading, excavation, etc.

The City Engineer shall prepare a list of allowable fill materials and minimum required compaction requirements. All filling shall use only the materials listed for fill. All fill placed on a site and visible from a public thoroughfare shall be leveled and have a final cover of topsoil, six (6) inches minimum depth, that will support vigorous plant growth, immediately following completion of filling operations. Intermediate leveling and cover shall be required at intervals not to exceed thirty (30) days for filling operations that will exceed thirty (30) days in duration. In areas where fill is being placed to control erosion, the City Engineer may substitute an alternate cover that is resistant to erosion for the requirement to cover fill with topsoil.

Sec. 38-437. – Issuance of permits; criteria.

(a) The City Engineer's office shall issue permits for the grading, filling, excavating or otherwise disturbing the surface of real property upon satisfaction of the following criteria:

(1) Applicant provides adequate assurance that the City will be reimbursed for any expense of cleaning or removal of dirt, rock, debris or other pollutants from city streets, alleys, utility facilities, rights-of-way and easements or the barricading thereof by the posting of a deposit of cash with the city to guarantee same.

(2) The amount of such deposit shall be established by the City Council from time to time and is hereby established as follows:

Area	Amount
One (1) acre or less	$500.00 minimum
From one (1) acre up	$100.00 for each additional acre

(3) The applicant provides a notarized statement from the property owner giving permission for the applicant to fill, grade, excavate or otherwise disturb the property and acknowledgment by property owner of the responsibilities of the property owner as described in section 38-30 of this Code.

(4) Submission by the applicant of a Storm Water Pollution Prevention Plan (SWP3) for all work disturbing one (1) acre of land or more. This Storm Water Pollution Prevention Plan (SWP3) must be prepared by a licensed professional engineer in accordance with applicable Environmental Protection Agency (EPA) and Texas Commission on Environmental Quality (TCEQ) regulations and approved by the City Engineer prior to issuing the grading permit.

(5) Submission by the applicant of a copy of Notice of Intent (NOI) and or a Construction Site Notice (CSN) as required by the Texas Commission on Environmental Quality (TCEQ) regulations for all work disturbing one (1) acre of land or more.

(6) The City Engineer may exclude that portion of tracts in excess of ten (10) acres that he/she determines to be so situated as to not contribute to erosion due to location and topography.

(b) If removal by the City of soil, rock, mud and debris from its streets, alleys, utility facilities, rights-of-way or easements is required by reason of work performed on property for which a deposit has been made pursuant to subsection (a), reasonable charges shall be billed to the applicant and subtracted from balance of the applicant's deposit. The City will attempt to notify applicant to clean the affected area unless deemed an emergency requiring immediate attention.

(c) Upon written request by the applicant to the City Engineer, the unused portion of the applicant's deposit shall be refunded if the following criteria is met:

(1) The site for which the deposit exists has been stabilized against erosion; and permanent ground cover has been established.

(2) No further hazard of erosion is present at the site;

(3) All temporary erosion control structures have been removed;

(4) Permanent erosion control facilities are in place and functioning properly as designed; and

(5) The City Engineer or his designee has given written acceptance of public improvements.

(d) An applicant who has submitted a written request for return of their deposit who meets the requirements of subsection (c) shall be refunded all funds not used to reimburse the City for the removal of soil, rock, mud, debris and pollutants from its streets, alleys, utility facilities, drainage facilities, rights-of-way or easements. Should an applicant fail to meet all requirements for a refund, the applicant's request will be rejected until such time as they are met. When the requirements have been met, the funds subject to refund will be sent via first class mail to the address on the applicant's grading permit application or if such address has been updated pursuant to application instructions to the applicant's updated address. If the refund mailed to the applicant is returned by the United States Postal Service as undeliverable, the funds shall be forfeited to the City and placed in the general fund if City Council is unable to determine the legal address.

(e) If a written request for return of a deposit is not made within two (2) years of the date the project on the property for which the deposit has been made receives written acceptance from the City Engineer or his designee of the public improvements, the unused portion of the applicant's deposit shall be forfeited to the City and placed in the general fund after the City notifies the applicant.

(f) Grading permits shall be valid for two-years after date of issuance by the City. Grading permits may be extended for one additional year (for a total of three years) upon written request by the applicant to the City Engineer. The City Engineer will have the site inspected to verify compliance with the permit conditions and the provisions of the submitted SWP3 before making the permit extension. Failure of the applicant to maintain compliance with the permit conditions and the provisions of the submitted SWP3 shall be adequate cause to deny a request for grading permit extension.

Sec. 38-438. – Exceptions to the permit, permit fee and deposit.

Construction, grading, filling or excavation undertaken by the City of Rockwall, franchised utility companies and existing individual single-family lots with existing residences under one acre in size shall be exempt from the permit, deposit and permit fee as required by this article.

Sec. 38-439. – Owner's responsibility.

The property owner shall be responsible for implementation and operation of a Storm Water Pollution Prevention Plan (SWP3) in accordance with applicable Environmental Protection Agency (EPA) and Texas Commission on Environmental Quality (TCEQ) regulations and all cleanup operations incidental to the grading, filling, excavation, construction or other disturbance of the surface of real property including leveling, establishment of ground cover, erosion and sediment control and removal of all trash, debris or other materials not suitable for fill including those deposited on streets, alleys, utility facilities, rights-of way or easements.

In addition, the property owner shall be responsible for compliance with the approved grading plan.

If the property owner fails in any respect to fulfill the requirement of this article, the City may go upon the owner's property and perform such work as may be necessary to fulfill such requirements and may level, establish ground cover, construct erosion control, remove all soil, rock, debris and other materials not suitable for fill including those deposited on streets, alleys, utility facilities, rights-of-way or easements, at the property owner's expense and charge same against the deposit of the applicant unless deemed and emergency requiring immediate attention, the City will first contact applicant to address the matter.

If a deposit has not been made with the City, or if the cost incurred by the City exceeds the amount of the deposit, the City shall bill the property owner for the unpaid expenses and if the owner fails to pay the City for such expenses within thirty (30) days of being billed for same, the City shall have the right to place a lien on the owner's property which shall be filed with the county clerk as in the case of paving assessment liens for all amounts expended by the City in excess of the deposit plus interest at the current lawful rate. If the property owner fails to fulfill the requirement of this article the City may revoke the grading permit, issue citations or take other legal remedies as may be necessary to enforce compliance with this article.

SECTION 4. SEVERABILITY. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 5. SAVINGS CLAUSE. That all ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 6. EFFECTIVE DATE. That the Ordinance shall be effective immediately following its second reading and publication in accordance with the City Charter.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 07-07-14

2nd Reading: 07-21-14

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **July 1, 2014**

SUBJECT: **Central Water and Sewer Improvements Project- Change Order No. 1**

Background:
City Council awarded a contract to Barson Utilities, Inc. on April 7, 2014 to construct new water lines on Forest Trace and Lake Meadows Drive and to build a retaining wall in the creek running between the Rockwall Memorial Cemetery and Lake Meadows Drive.

Attached is Change Order No. 1 which is for additional pavement repairs (portions of the existing concrete roadways are in poor condition and cannot be matched and tied into the pavement installed over the newly constructed water lines), an added 6" gate valve and modifications to the original design of the retaining wall. The attached change order provides further details of the additional work.

Financial Implications:
The original contract amount for the project is $786,973.00 and is funded from the 2008 water and sewer revenue bonds. The cost for Change Order No. 1 is $107,766.25, with an adjusted contract amount of $864,739.25. The cost is within the contingency on the project; therefore, no additional funding is needed as a result of Change Order No. 1.

Action Desired/Recommendation:
Staff requests City Council consider approval of Change Order No. 1 to City Contract CIP2013-004, Central Water and Sewer Improvements with Barson Utilities, Inc. in the amount of $107,766.25.

CENTRAL WATER AND SEWER IMPROVEMENTS PROJECT

City Contract No. CIP2013-004

Change Order No. 1

July 1, 2014

Description and Reason for Proposed Change:

Item No. 1:
Additional pavement repair is needed on Forest Trace and Lake Meadows Drive due to the water line construction. Portions of the existing concrete roads are in poor condition and cannot be matched and tied into the pavement installed over the newly constructed water lines.

Item No. 7 to CO-2:
The existing valve at Ridgeview Drive and W. Boydstun Avenue would not close and required replacement so the contractor could isolate the existing water line and make the tie in with the new water line installed on Forest Trace.

Item No. CO-3 to CO-5:
The geotechnical analysis and structural design completed for the Redi-rock retaining wall specified additional items not included in the original scope and bid of the project: additional rock backfill, a pipe drain system and a toe wall on the leveling pad.

Itemized Additional Quantities:

Item No.	Additional Quantity		Item Description	Unit Price	Extension
1	1949	SY	Remove & Replace 8" Concrete Pavement	$ 50.00	$ 97,450.00
7	6	LF	6" PVC Waterline	$ 46.50	$ 279.00
13	1	EA	6" Gate Valve	$ 1,030.00	$ 1,030.00
CO1-1	2	EA	Transition Coupling	$ 419.00	$ 838.00
CO1-2	2	EA	Mega Lugs	$ 96.00	$ 192.00
CO1-3	60	CY	Stone Backfill	$ 33.75	$ 2,025.00
CO1-4	145	LF	Drain Pipe System	$ 8.80	$ 1,276.00
CO1-5	145	LF	Toe at Leveling Pad	$ 32.25	$ 4,676.25
Total Change Order No. 1					**$ 107,766.25**

Extension of Contract Time:

No change

Approvals:

CITY OF ROCKWALL

_____
Mary Smith
Assistant City Manager

Date: _____

BARSON UTILITIES, INC.

Signature: _____

Title: _____

Date: _____

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: July 2, 2014

SUBJECT: Dirty Rock Triathlon – City Council Resolution

The Dirty Rock Triathlon sponsored by the YMCA is scheduled for Sunday, July 20, 2014 from 7:00 AM to 12:00 PM. This is the fifth year for this event to be held in the City of Rockwall. This event is a fundraiser for the YMCA and offers exposure to people who want to get healthy to the multisport lifestyle. A portion of the triathlon course will utilize a section of the shoulder of northbound SH 205 from the YMCA facility to Memorial Drive. The Rockwall Police Department will assist in the partial closure of the shoulder of SH 205 as well as furnish traffic control at other intersections along the race route. The Texas Department of Transportation (TxDOT) will require a City Council resolution supporting a request to allow the partial closure of SH 205 from the YMCA facility to Memorial Drive.

Staff request City Council consideration to approve the attached resolution allowing a temporary partial closure of northbound shoulder of SH 205 from the YMCA facilty to Memorial Drive to facilitate the Dirty Rocks Triathlon on Sunday, July 20, 2014 from 7:00 AM to 12:00 PM.

TMT:em

Attachments

Cc:
Mary Smith, Assistant City Manager
Brad Griggs, Assistant City Manager
Amy Williams, Assistant City Engineer
Billy Chaffin, Superintendent of Streets & Drainage
File

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 14-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,TEXAS, FINDING THAT A NECESSITY EXISTS TO TEMPORARILY CLOSE A PORTION OF A CERTAIN STATE ROADWAYS TO FACILITATE THE DIRTY ROCK TRIATHLON; HEREBY REQUESTING THAT THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) GRANT PERMISSION TO THE CITY OF ROCKWALL FOR SAID EVENT AND AUTHORIZE THE CITY OF ROCKWALL TO PARTIALLY CLOSE THE NORTHBOUND SHOULDER OF SH205 FROM THE YMCA FACILITY AT 1210 N. GOLIAD STREET TO MEMORIAL DRIVE BETWEEN THE HOURS OF 7:00 A.M. AND 12:00 P.M. ON SUNDAY, JULY 20, 2014 PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Rockwall City Council recognizes the value of physical fitness and the benefits of a healthy community; and

WHEREAS, the Rockwall City Council wants to promote healthy lifestyles in our community by providing fitness opportunities and encouraging athletes to compete in the Dirty Rock Triathlon in Rockwall, Texas; and

WHEREAS, the Rockwall City Council hereby finds that necessity exists to temporarily partially close the northbound shoulder of SH205 from the YMCA Facility at 1210 N. Goliad Street to Memorial Drive, for the Dirty Rock Triathlon; and

WHEREAS, the Rockwall City Council supports submission of a temporary partial closure request for State maintained roadways, for the northbound shoulder of SH205 from the YMCA Facility at 1210 N. Goliad Street to Memorial Drive, to the Texas Department of Transportation to facilitate the Dirty Rock Triathlon on Sunday, July 20, 2014 between the hours of 7:00 a.m. and 12:00 p.m.; and

WHEREAS, the Rockwall City Council hereby agrees to support said request by providing traffic control for the event; and

WHEREAS, the temporary partial closing of this section of SH205 will create a safer environment for event participants and spectators;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That a formal request is hereby made to TXDOT to approve the request of the Rockwall City Council to temporarily partial close the aforementioned section of SH205 at the above stated date and time; and

Section 2. That this resolution shall be in full force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 7th day of July 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

STATE OF TEXAS §

COUNTY OF TRAVIS §

AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT OF WAY

THIS AGREEMENT is made by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the "State," and the City of Rockwall, a municipal corporation, acting by and through its duly authorized officers, hereinafter called the "local government."

W I T N E S S E T H

WHEREAS, the State owns and operates a system of highways for public use and benefit, including SH 205, in THE City of Rockwall, Rockwall County; and

WHEREAS, the local government has requested the temporary closure of northbound shoulder of SH 205 from the YMCA Facility at 1210 N. Goliad Street to Memorial Drive for the purpose of Dirty Rocks Triathlon sponsored by the YMCA on July20, 2014, from 7:00 A.M. to 12:00 P.M. as described in the attached "Exhibit A," hereinafter identified as the "Event;" and

WHEREAS, the Event will be located within the local government's incorporated area; and

WHEREAS, the State, in recognition of the public purpose of the Event, wishes to cooperate with the City so long as the safety and convenience of the traveling public is ensured and that the closure of the State's right of way will be performed within the State's requirements; and

WHEREAS, on the 7th day of July, 2014, the Rockwall City Council passed Resolution No. 14-__, attached hereto and identified as "Exhibit B," establishing that the Event serves a public purpose and authorizing the local government to enter into this agreement with the State; and

WHEREAS, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of a segment of the State highway system; and

WHEREAS, this agreement has been developed in accordance with the rules and procedures of 43 TAC, Section 22.12;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

A G R E E M E N T

Article 1. CONTRACT PERIOD
This agreement becomes effective upon final execution by the State and shall terminate upon completion of the Event or unless terminated or modified as hereinafter provided.

Article 2. EVENT DESCRIPTION
The physical description of the limits of the Event, including county names and highway numbers, the number of lanes the highway has and the number of lanes to be used, the proposed schedule of start and stop times and dates at each location, a brief description of the proposed activities involved, approximate number of people attending the Event, the number and types of animals and equipment, planned physical modifications of any man-made or natural features in or adjacent to the right of way involved shall be attached hereto along with a location map and identified as "Exhibit C."

Article 3. OPERATIONS OF THE EVENT
A. The local government shall assume all costs for the operations associated with the Event, to include but not limited to, plan development, materials, labor, public notification, providing protective barriers and barricades, protection of highway traffic and highway facilities, and all traffic control and temporary signing.
B. The local government shall submit to the State for review and approval the construction plans, if construction or modifications to the State's right of way is required, the traffic control and signing plans, traffic enforcement plans, and all other plans deemed necessary by the State. The State may require that any traffic control plans of sufficient complexity be signed, sealed and dated by a registered professional engineer. The traffic control plan shall be in accordance with the latest edition of the Texas Manual on Uniform Traffic Control Devices. All temporary traffic control devices used on state highway right of way must be included in the State's Compliant Work Zone Traffic Control Devices List. The State reserves the right to inspect the implementation of the traffic control plan and if it is found to be inadequate, the local government will bring the traffic control into compliance with the originally submitted plan, upon written notice from the State noting the required changes, prior to the event. The State may request changes to the traffic control plan in order to ensure public safety due to changing or unforeseen circumstances regarding the closure.
C. The local government will ensure that the appropriate law enforcement agency has reviewed the traffic control for the closures and that the agency has deemed them to be adequate. If the law enforcement agency is unsure as to the adequacy of the traffic control, it will contact the State for consultation no less than 10 workdays prior to the closure.
D. The local government will complete all revisions to the traffic control plan as requested by the State within the required timeframe or that the agreement will be terminated upon written notice from the State to the local government. The local government hereby agrees that any failure to cooperate with the State may constitute reckless endangerment of the public and that the Texas Department of Public Safety may be notified of the situation as soon as possible for the appropriate action, and failing to follow the traffic control plan or State instructions may result in a denial of future use of the right of way for three years.

E. The local government will not initiate closure prior to 24 hours before the scheduled Event and all barriers and barricades will be removed and the highway reopened to traffic within 24 hours after the completion of the Event.
F. The local government will provide adequate enforcement personnel to prevent vehicles from stopping and parking along the main lanes of highway right of way and otherwise prevent interference with the main lane traffic by both vehicles and pedestrians. The local government will prepare a traffic enforcement plan, to be approved by the State in writing at least 48 hours prior to the scheduled Event. Additionally, the local government shall provide to the State a letter of certification from the law enforcement agency that will be providing traffic control for the Event, certifying that they agree with the enforcement plan and will be able to meet its requirements.
G. The local government hereby assures the State that there will be appropriate passage allowance for emergency vehicle travel and adequate access for abutting property owners during construction and closure of the highway facility. These allowances and accesses will be included in the local government's traffic control plan.
H. The local government will avoid or minimize damage, and will, at its own expense, restore or repair damage occurring outside the State's right of way and restore or repair the State's right of way, including, but not limited to, roadway and drainage structures, signs, overhead signs, pavement markings, traffic signals, power poles and pavement, etc. to a condition equal to that existing before the closure, and, to the extent practicable, restore the natural and cultural environment in accordance with federal and state law, including landscape and historical features.

Article 4. OWNERSHIP OF DOCUMENTS
Upon completion or termination of this agreement, all documents prepared by the local government will remain the property of the local government. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

Article 5. TERMINATION
A. This agreement may be terminated by any of the following conditions:
(1) By mutual written agreement and consent of both parties.
(2) By the State upon determination that use of the State's right of way is not feasible or is not in the best interest of the State and the traveling public.
(3) By either party, upon the failure of the other party to fulfill the obligations as set forth herein.
(4) By satisfactory completion of all services and obligations as set forth herein.
B. The termination of this agreement shall extinguish all rights, duties, obligations, and liabilities of the State and local government under this agreement. If the potential termination of this agreement is due to the failure of the local government to fulfill its contractual obligations as set forth herein, the State will notify the local government that possible breach of contract has occurred. The local government must remedy the breach as outlined by the State within ten (10) days from receipt of the State's notification. In the event the local government does not remedy the breach to the

satisfaction of the State, the local government shall be liable to the State for the costs of remedying the breach and any additional costs occasioned by the State.

Article 6. DISPUTES
Should disputes arise as to the parties' responsibilities or additional work under this agreement, the State's decision shall be final and binding.

Article 7. RESPONSIBILITIES OF THE PARTIES
The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

Article 8. INSURANCE
A. Prior to beginning any work upon the State's right of way, the local government and/or its contractors shall furnish to the State a completed "Certificate of Insurance" (TxDOT Form 1560, latest edition) and shall maintain the insurance in full force and effect during the period that the local government and/or its contractors are encroaching upon the State right of way.
B. In the event the local government is a self-insured entity, the local government shall provide the State proof of its self-insurance. The local government agrees to pay any and all claims and damages that may occur during the period of this closing of the highway in accordance with the terms of this agreement.

Article 9. AMENDMENTS
Any changes in the time frame, character, agreement provisions or obligations of the parties hereto shall be enacted by written amendment executed by both the local government and the State.

Article 10. COMPLIANCE WITH LAWS
The local government shall comply with all applicable federal, state and local environmental laws, regulations, ordinances and any conditions or restrictions required by the State to protect the natural environment and cultural resources of the State's right of way.

Article 11. LEGAL CONSTRUCTION
In case one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

Article 12. NOTICES
All notices to either party by the other required under this agreement shall be delivered personally or sent by certified U.S. mail, postage prepaid, addressed to such party at the following respective addresses:

Local Government:	State:
City of Rockwall 385 S. Goliad Rockwall, Texas 75087 Attn: City Manager	Texas Department of Transportation 4777 U.S. Highway 80 East Mesquite, TX 75150-6643 Attn: William L. Hale, P.E.

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided herein. Either party hereto may change the above address by sending written notice of such change to the other in the manner provided herein.

Article 13. SOLE AGREEMENT
This agreement constitutes the sole and only agreement between the parties hereto and supersedes any prior understandings or written or oral agreements respecting the within subject matter.

IN TESTIMONY WHEREOF, the parties hereto have caused these presents to be executed in duplicate counterparts.

THE CITY OF ROCKWALL
Executed on behalf of the local government by:

By_____ Date_____
City Official

Typed or Printed Name and Title Rick Crowley_____
City Manager_____

THE STATE OF TEXAS
Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By_____ Date_____
District Engineer

Exhibit A

Exhibit B

Exhibit C

Dirty Rock Triathlon

Event name: Dirty Rock Triathlon

Event Coordinator: YMCA
Staci Brode
Phone # 214-405-5092
Email staci@playtri.com

When: Sunday July 20, 2014; 7:00 AM to 12:00 PM

Number of participants: approximately 300

Location: Event starts at YMCA Facility at 1210 N. Goliad Street with a 150 yard swim at the YMCA Facility, then proceeds to a 2 mile run, the race ends back at its starting point with a Squabble Creek Trail bike ride.

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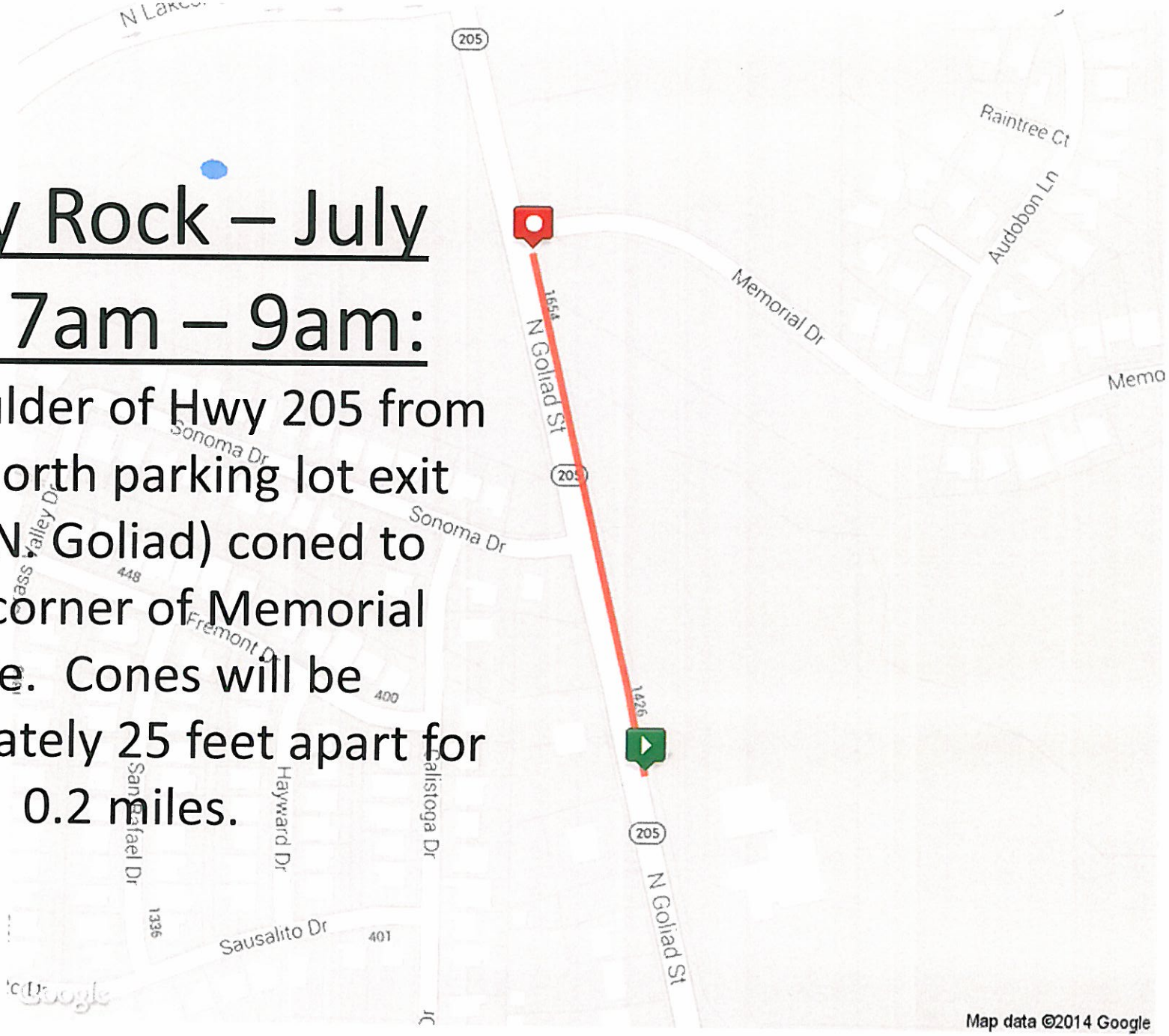
Dirty Rock – July 20th 7am – 9am:

East Shoulder of Hwy 205 from YMCA north parking lot exit (1210 N. Goliad) coned to south corner of Memorial Drive. Cones will be approximately 25 feet apart for 0.2 miles.



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- Leave the YMCA and ride on the shoulder up to Memorial Dr. (cones)
- Turn right on Memorial Dr and make a hard right onto the hike/bike path going under Hwy 205 (cones/volunteer/sign)
- Enter Squabble Creek trail by turning right and complete Loops 1- 6 (volunteer to stop incoming bikes for exiting bikes to enter path as trail starts on left (cones/volunteer/signs)
- Volunteers at - Loop 3-4 Bypass; Left turn heading to 5 (by dip / bypass); Divider at 5 under 205
- Leave trail heading back down Lakeshore along the hike/bike concrete path (not on road)
- Go under Lakeshore and Hwy 205 and continue on the path along Memorial. Follow path to Dam (cones/signs)
- Travel along the Dam and through the fields back to the YMCA (3 Vol/Cones/Flags/Signs)

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mark Moeller, Chief of Police**

DATE: **June 24, 2014**

SUBJECT: **Sex Offender – Child Safety Zones**

It has recently come to our attention that we have a minor discrepancy in the section of our ordinance which limits an area where a sex offender may reside if their case involved a juvenile victim who was sixteen years of age.

State Law defines a juvenile as a person younger than seventeen (17) years of age.

Our ordinance

Chapter 22
MISCELLANEOUS OFFENSES
Article II. OFFENSES REGARDING MINORS
Division 5. Sex Offender Residency

Section 22-136. Limitation.

Prohibits a violator, where the case involved a victim who was less than 16 years of age, from residing within 1,000 feet of any premises where children commonly gather. This language omits those juvenile victims who are 16 years of age and therefore allows an offender whose victim was 16 years of age to reside within the 1,000 foot Child Safety Zone.

We recommend a change in the wording of our ordinance to state, **less than 17 years of age.** This change will include all juvenile victims as it relates to residency limitations. We are also recommending Resolution No. 05-33 which addresses "Publication of Notice of Information on Registered Sex Offenders" be included in the Sex Offender Residency ordinance instead of being a separate document.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 22. MISCELLANEOUS OFFENSES, ARTICLE II. OFFENSES REGARDING MINORS, DIVISION 5. SEX OFFENDER RESIDENCY, SECTIONS 22-136 AND 22-137 TO MODIFY PROVISIONS SPECIFYING VICTIMS AGE; ADDING A SECTION REGARDING NOTICE TO RESIDENTS OF REGISTERED SEX OFFENDERS; PROVIDING FOR SEVERABILITY AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, upon original passage of these ordinance provisions, the age for juvenile victims for certain provisions was incorrect and created confusion; and

WHEREAS, amendments to sections of the Code specified herein are necessary in order to ensure said victims are covered under the provisions of these regulations; and

WHEREAS, notice to the citizens of Rockwall should be provided regarding any person who moves into the City of Rockwall who is required to register as a Sex Offender under Article 62.02 of the Texas Code of Criminal Procedure.

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That the Code of Ordinances in Chapter 22. Miscellaneous Offenses; Article II. Offenses Regarding Minors; Division 5. Sex Offender Residency; Sections 22-136 and 22-137 is hereby amended to reflect the following changes regarding victims' age and Section 22-138 is hereby added to read as follows:.

Sec. 22-136. Limitations

For each person required to register on the Texas Department of Public Safety's Sex Offender Database (the "database") because of a violation involving a victim who was less than 17 years of age, it is unlawful for that person to establish a permanent residence or temporary residence within 1,000 feet of any premises where children commonly gather, which, for purposes of this division, shall be a private or public park, private or public playground, private or public school or day care center, public or private youth center, public swimming pool or video arcade facility, as such terms are defined in the city's Unified Development Code, as it exists or may be amended, homeowners association swimming pools or commercial pools located in residential subdivisions. For the purposes of defining a premises, any portion of a property, on which a residence is established, that

adjoins or is located within 1,000 feet shall be included in these regulations. If any term used in this division is not defined in the city's Unified Development Code, the terms shall have the meaning ascribed by V.T.C.A., Health and Safety Code § 581.134, as it exists or may be amended. For the purposes of this division, the premises stated in this section are depicted on a map of the city which is attached to the ordinance from which this section is derived and labeled "Exhibit A." In addition, planted street medians shall not be considered as public parks.

Sec. 22-137. Evidentiary Matters, Measurements

(a) It shall be prima facie evidence that this division applies to such a person if that person's record appears on the database and the database indicates that the victim was less than 17 years of age.

Sec. 22-138. Notice

(a) The Police Department will notify the residents of the City the information of all persons required to register as a Sex Offender under Article 62.02 of the Texas Code of Criminal Procedure anytime an offender moves into or within the City of Rockwall.
(b) Within fifteen (15) business days of receiving notice of moving from a registered sex offender, the Police Department will send written notice providing the same information to all City of Rockwall residential addresses within one thousand five hundred (1,500) feet of the registrant's new home address.

SECTION 2. The remainder of Chapter 22, Miscellaneous Offenses; Article II. Offenses Regarding Minors; Division 5. Sex Offender Residency of the City Code of Ordinances remains unchanged.

SECTION 3. SEVERABILITY. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 4. SAVINGS CLAUSE. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 5. EFFECTIVE DATE. That the Ordinance shall be effective immediately following its second reading and publication in accordance with the City Charter.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 07-07-14

2nd Reading: 07-21-14

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 7/7/2014

APPLICANT: Jeanette Gibson

AGENDA ITEM: **P2014-007;** Chandler's Landing Cabanas

SUMMARY:

Discuss and consider a request by the Cabana's at Chandler's Landing Homeowner's Association on behalf of the residents of the Cabana's at Chandler's Landing for the approval of a replat of Lots 1-10, Block A, The Cabanas at Chandler's Landing, City of Rockwall, Rockwall County, Texas, for a 1.13-acre portion of a parcel of land identified as the Cabanas at Chandler's Landing, zoned Planned Development District 8 (PD-8) for multi-family or condominium uses as established in Ordinance 73-48 & 84-04, generally located south of Yacht Club Drive and west of Harbor View Drive, and take any action necessary.

COMMENTS:

- The purpose of this plat is to create separate lots for each townhome, separate the ownership of the lots, and to dedicate open space to be maintained by the Chandler's Landing Homeowner's Association.

- The Engineer has completed the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the Recommendation section below.

With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the final plat for Lots 1 - 10, Block A, The Cabanas at Chandler's Landing, the following conditions of approval are offered:

1) All the technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat; and

2) Any construction resulting from the approval of this replat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On June 24, 2014, the Planning and Zoning Commission recommended approval of the replat by a vote of 5-0, with Commissioners Conley and Jackson absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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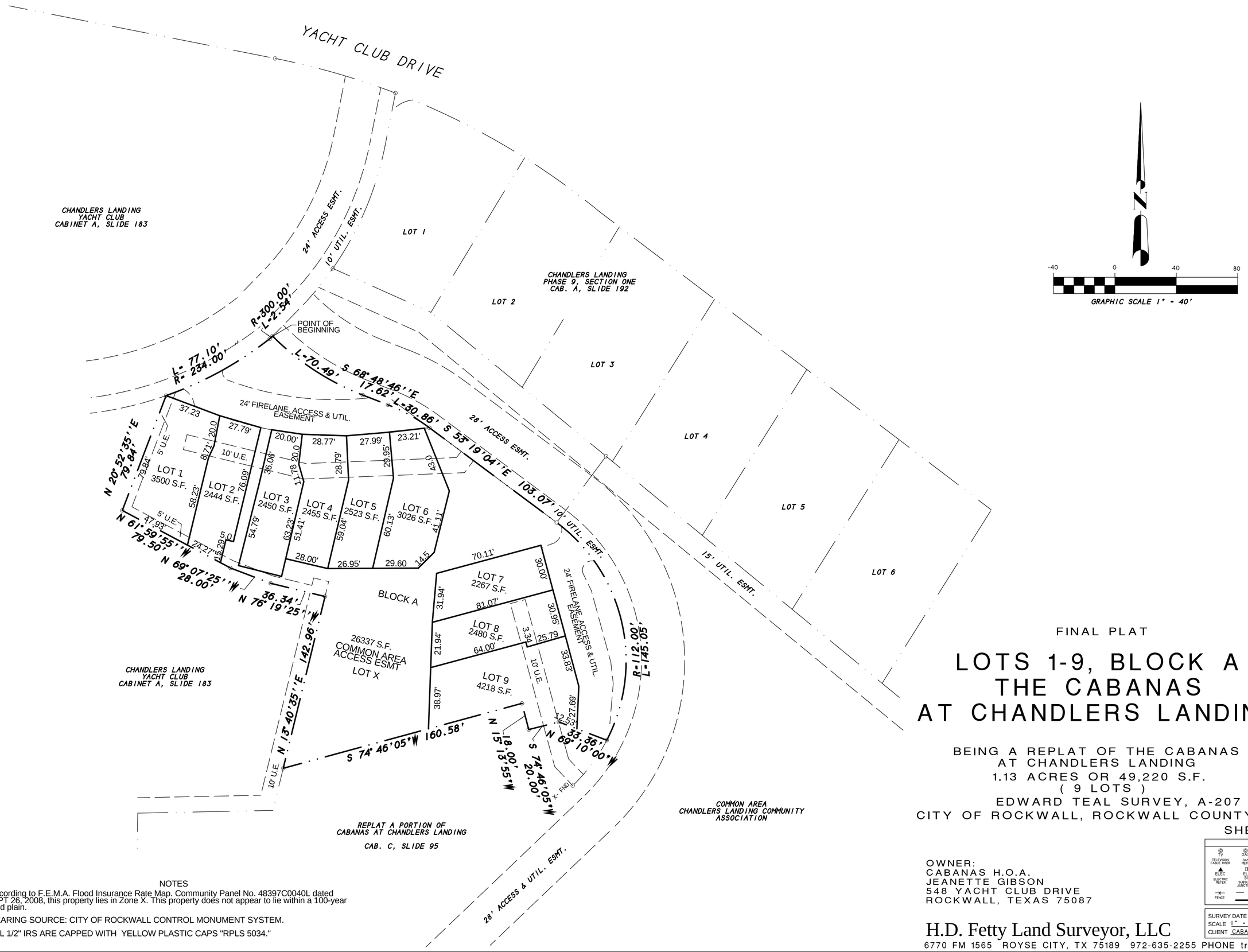

FINAL PLAT

LOTS 1-9, BLOCK A
THE CABANAS
AT CHANDLERS LANDING

BEING A REPLAT OF THE CABANAS
AT CHANDLERS LANDING
1.13 ACRES OR 49,220 S.F.
(9 LOTS)
EDWARD TEAL SURVEY, A-207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0040L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	½" IRF IRON ROD FOUND 1 CORNER 1
FENCE	EASEMENT LINE / PROPERTY LINES		A/C AIR COND. UNIT	PROPANE TANK

OWNER:
CABANAS H.O.A.
JEANETTE GIBSON
548 YACHT CLUB DRIVE
ROCKWALL, TEXAS 75087

SURVEY DATE JUNE 13, 2014
SCALE 1" = 40' FILE # CABANAS-RP
CLIENT CABANAS

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, CABANAS HOME OWNERS ASSOCIATION, BEING the Owners of a tract of land in the EDWARD TEAL SURVEY, ABSTRACT NO. 207, County of Rockwall, State of Texas, said tract being described as follows:

BEING a part of THE CABANAS AT CHANDLERS LANDING, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 3, of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the north corner of said addition, said point bears N. 06 deg. 20 min. 10 sec. W., a distance of 950.39 feet from City of Dallas Water Department monument for Lake Ray Hubbard stamped "T-13-1 and T-11-6", and being in a curve;

THENCE in a southeasterly direction along a curve to the left having a central angle of 24 deg. 00 min. 26 sec., a radius of 168.23 feet, a tangent of 35.77 feet, a chord of S. 56 deg. 48 min. 33 sec. E., 69.97 feet, along said curve, an arc distance of 70.49 feet to a 1/2" iron rod found for corner;

THENCE S. 68 deg. 48 min. 46 sec. E. along said addition, a distance of 17.62 feet to a 1/2" iron rod found for corner;

THENCE in a southeasterly direction along a curve to the right having a central angle of 15 deg. 29 min. 52 sec., a radius of 114.09 feet, a tangent of 15.52 feet, a chord of S. 61 deg. 04 min. 00 sec. E., 30.77 feet, along said addition, an arc distance of 30.86 feet to a 1/2" iron found for corner;

THENCE S. 53 deg. 19 min. 04 sec. E. along said addition, a distance of 103.07 feet to a 1/2" iron rod found for corner;

THENCE in a southeasterly direction along a curve to the left having a central angle of 80 deg. 42 min. 37 sec., a radius of 112.00 feet, a tangent of 95.17 feet, a chord of S. 12 deg. 57 min. 48 sec. E., 145.05 feet, along said addition, an arc distance of 157.77 feet to a 1/2" iron rod found for corner at the east most corner of REPLAT OF PORTION OF THE CABANAS AT CHANDLERS LANDING, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet C, Slide 95 of the Plat Records of Rockwall County, Texas;

THENCE along said Replat of said Addition as follows:
N. 69 deg. 10 min,. 00 sec. W., 33.36 feet; S. 74 deg. 46 min. 05 sec. W., 20.00 feet; N. 15 deg. 13 min. 55 sec. W., 18.00 feet; S. 74 deg. 46 min. 05 sec. W., 160.58 feet to a 1/2" iron rod found for corner at the northwest corner of said Replat of The Cabanas at Chandlers Landing;

THENCE along the westerly boundary line of The Cabanas at Chandlers Landing as follows:
N. 13 deg. 40 min. 35 sec. E., 114.77 feet; N. 76 deg. 19 min. 25 sec. W., 36.34 feet; N. 69 deg. 07 min. 25 sec. W. 28.00 feet; N. 61 deg. 59 min. 55 sec. W., 79.50 feet; N. 20 deg. 52 min. 35 sec. E., 79.84 feet to a 1/2" iron rod found for corner;

THENCE in a northeasterly direction along a curve to the left having a central angle of 18 deg. 52 min. 39 sec., a radius of 234.00 feet, a tangent of 38.90 feet, a chord of N. 61 deg. 14 min. 33 sec. E., 76.75 feet along said Addition, an arc distance of 76.75 feet to a 1/2" iron rod found for corner;

THENCE in a northeasterly direction along a curve to the left having a central angle of 00 deg. 29 min. 04 sec., a radius of 300.00 feet, a tangent of 1.27 feet, a chord of N. 46 deg. 10 min. 04 sec. E., 2.54 feet along said Addition, an arc distance of 2.54 feet to the POINT OF BEGINNING and containing 49,220 square feet or 1.13 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner of the land shown on this plat, and designated herein as LOTS 1-9, BLOCK A, THE CABANAS AT CHANDLERS LANDING, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th eir respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exaction's made herein.

_____
JEANETTE GIBSON
for CABANAS HOME OWNERS ASSOCIATION

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared JEANETTE GIBSON known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

STATE OF TEXAS · REGISTERED · HAROLD D. FETTY III · 5034 · PROFESSIONAL · LAND SURVEYOR

_____
Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of LOTS 1-9, BLOCK A, THE CABANAS AT CHANDLERS LANDING an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of_____ ,_____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____ ,_____.

_____ _____
Mayor, City of Rockwall City Secretary City of Rockwall

_____ _____
City Engineer Date

FINAL PLAT

LOTS 1-9, BLOCK A
THE CABANAS
AT CHANDLERS LANDING

BEING A REPLAT OF THE CABANAS
AT CHANDLERS LANDING
1.13 ACRES OR 49,220 S.F.
(9 LOTS)
EDWARD TEAL SURVEY, A-207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER:
CABANAS H.O.A.
JEANETTE GIBSON
548 YACHT CLUB DRIVE
ROCKWALL, TEXAS 75087

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (CORNER)
FENCE	EASEMENT LINE PROPERTY LINES		A/C AIR COND. UNIT	PROPANE TANK

SURVEY DATE JUNE 13, 2014
SCALE 1" = 40' FILE # CABANAS-RP
CLIENT CABANAS

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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CHANDLERS LANDING

Chandlers Landing Community Association

June 9, 2014

CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT

RE: CABANAS CONDOMINIUM REGIME TERMINATION & RE-PLAT

TO WHOM IT MAY CONCERN:

At their board meeting on April 16, 2014, the Chandlers Landing Community Association Board of Directors passed a motion to accept the Cabanas Common Area as re-platted upon termination of their Condominium Regime and subject to any other legal requirements.

Sincerely,

FOR THE BOARD OF DIRECTORS

Nancy C. Mitchell

Nancy C. Mitchell
Board President

P.O. Box 638 Rockwall, TX 75087
Office: 972-771-1593 Fax: 972-771-1634
www.chandlerslanding.org

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 7/7/2014

APPLICANT: Pulliam Construction Mgmt Inc

AGENDA ITEM: **P2014-013;** Rayburn Country Addition

SUMMARY:

Discuss and consider a request by Tommy Pulliam of Pulliam Construction Management Inc. on behalf of Rayburn Electric Cooperation, Inc. for the approval of a Final Plat for Lots 1-3, Block A, Rayburn Country Addition being 11.407-acres of land situated in the W. H. Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District and Agricultural (AG) District, located on the south side of Sids Road west of S. Goliad Street [SH-205], and take any action necessary.

COMMENTS:

- The purpose of this request is to final plat an 11.407-acre tract of land for the purpose of constructing a 15,300 square foot commercial office building.

- The Engineer has completed the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the Recommendation section below.

With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

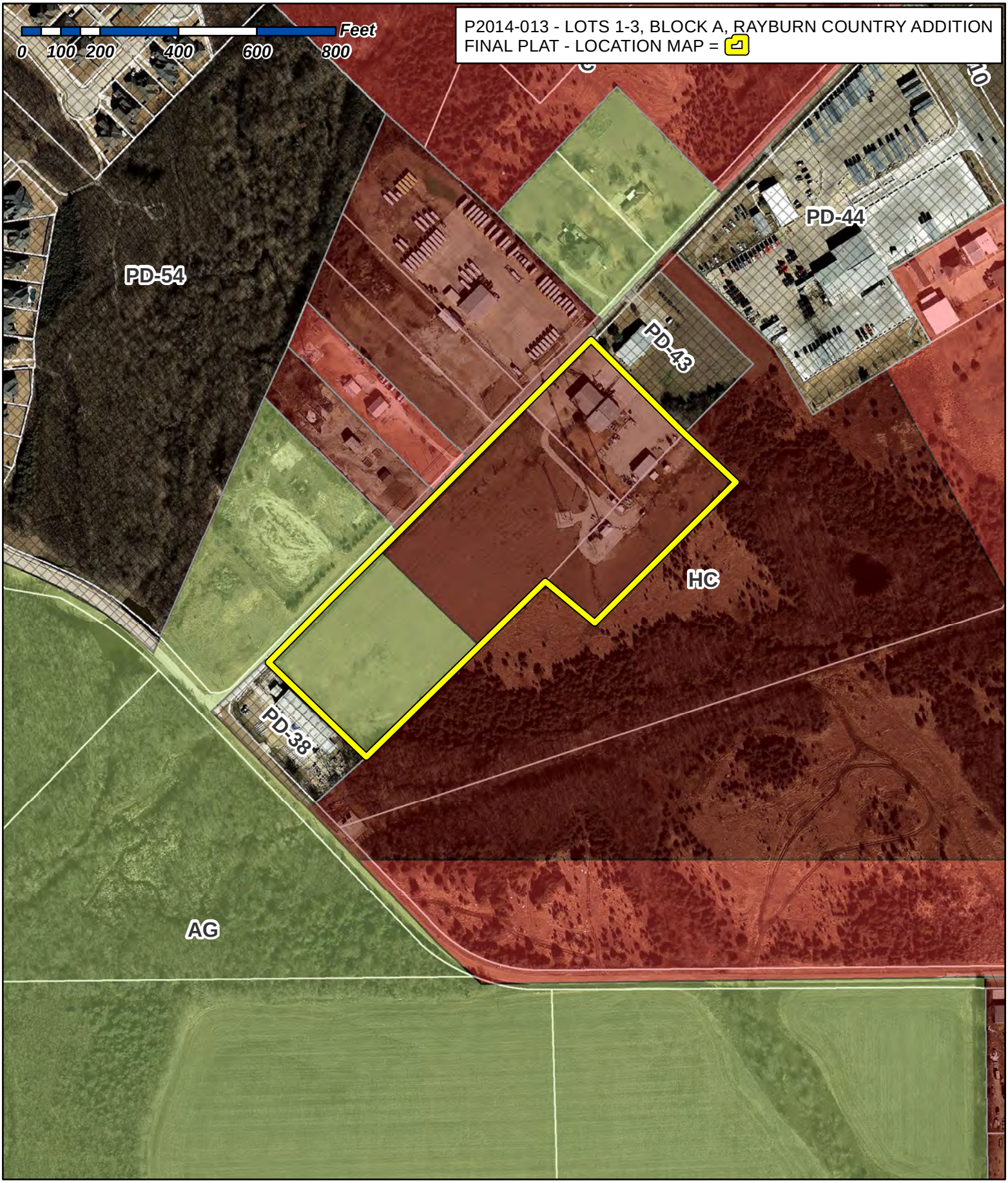
If the Planning & Zoning Commission and City Council choose to approve the final plat for Lots 1-3, Block A, Rayburn Country Addition, the following conditions of approval are offered:

1) All the technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat; and

2) Any construction resulting from the approval of this replat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On June 24, 2014, the Planning and Zoning Commission recommended approval of the final plat by a vote of 5-0, with Commissioners Conley and Jackson absent.

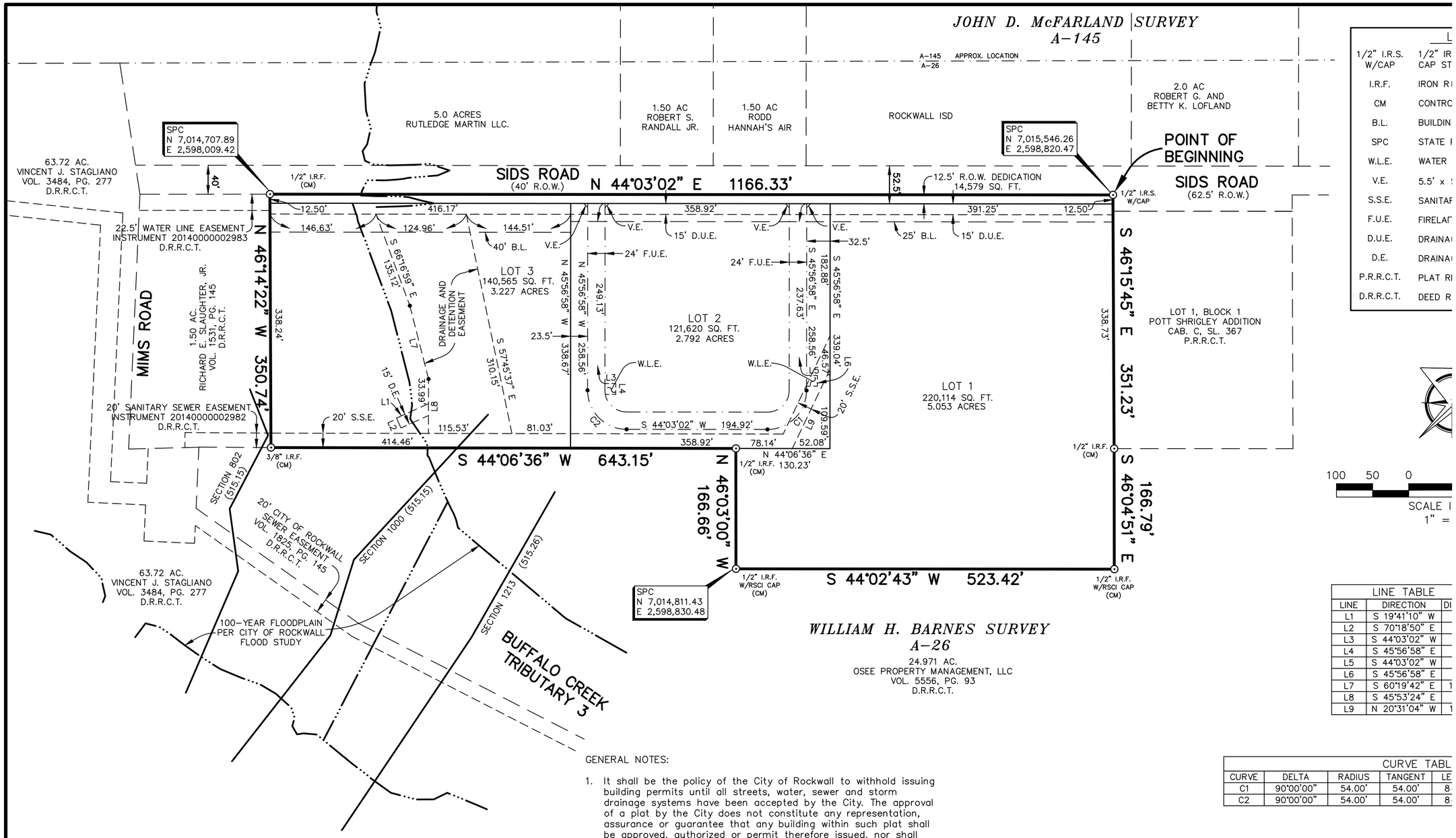


City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

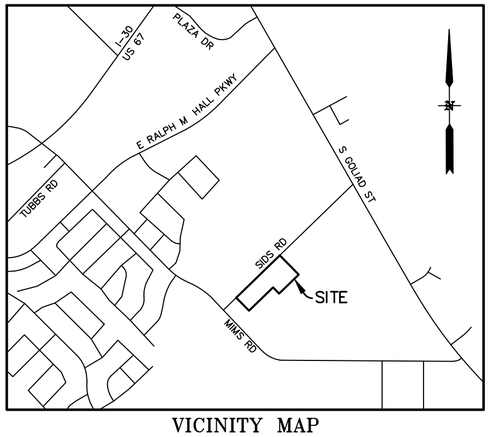
1:3,786



1/2" I.R.S. W/CAP	1/2" IR CAP ST
I.R.F.	IRON R
CM	CONTRC
B.L.	BUILDIN
SPC	STATE
W.L.E.	WATER
V.E.	5.5' x
S.S.E.	SANITAF
F.U.E.	FIRELAI
D.U.E.	DRAINAI
D.E.	DRAINAI
P.R.R.C.T.	PLAT R
D.R.R.C.T.	DEED R

LINE TABLE		
LINE	DIRECTION	DI
L1	S 19°41'10" W	
L2	S 70°18'50" E	
L3	S 44°03'02" W	
L4	S 45°56'58" E	
L5	S 44°03'02" W	
L6	S 45°56'58" E	
L7	S 60°19'42" E	1
L8	S 45°53'24" E	
L9	N 20°31'04" W	1

CURVE TABL				
CURVE	DELTA	RADIUS	TANGENT	LE
C1	90°00'00"	54.00'	54.00'	8
C2	90°00'00"	54.00'	54.00'	8



VICINITY MAP
N.T.S.

GENERAL NOTES:

1. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83 -]54.

2. Bearings are based on Texas State Plane Coordinates. Projection: State Plane NAD83 Texas North Central Zone 4202, Lambert Conformal Conic, Feet (TX83-NCF).

3. By graphical plotting, part of the parcel described hereon lies within a Special Flood Hazard Area (SPHA) Zone "AE" as delineated on the Rockwall County, Texas and Incorporated Areas, Flood Insurance Rate Map, Map Number 4839C0040L, dated September 26, 2008, as published by the Federal Emergency Management Agency. The Surveyor utilized the above referenced floodplain information for this determination and the Surveyor does not certify that revised floodplain information has or has not been published by the Federal Emergency Management Agency or some other source. This statement shall not create liability on the part of the surveyor.

4. A 1/2" Iron Rod with a yellow cap stamped RPLS Number 3963 will be set at all lot corners and R.O.W. points located on natural ground after construction of subdivision is completed, wherever possible. An "X" will be substituted for any lot corner located on a smooth concrete surface such as sidewalks, pavement, and retaining walls, whenever possible. A PK nail or 60D nail will be substituted for lot corners located on any surface on which a 1/2 "Iron Rod or an "X" cannot be set.

5. The floodplain section elevations and locations shown on this plat were provided by the City of Rockwall.

OWNER/DEVELOPER
RAYBURN COUNTRY ELECTRIC COOP.
980 SIDS ROAD
ROCKWALL, TX 75087
(469) 402-2100
FAX (469) 402-2020

LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
3400 OXFORD DRIVE
ROWLETT, TX 75088
(214) 532-0636
FAX (972) 412-4875
EMAIL: rcmsurveying@gmail.com
JOB NO. 207

FINAL P

RAYBURN COUNT
LOTS 1-3,

BEING

11.407 A

SITUATED IN

WILLIAM H. BARNES S
CITY OF RO
ROCKWALL COUI

ENGINEERING CONCEP
ENGINEERING/PROJECT MANAGEMEN
TEXAS FIRM REG. I
201 WINDCO CIRCLE, SUITE 20
(972) 941-8400 FAX

DATE: JUNE 2, 2014 CASE NUMBER: P

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OWNER'S CERTIFICATE AND DEDICATION

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC., BEING THE OWNER OF A TRACT of land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING AN 11.407 acre tract of land situated in the William H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas and being all of a 2.00 acre tract of land described in deed to Rayburn Country Electric Cooperative, Inc., as recorded in Volume 829, Page 111, Deed Records, Rockwall County, Texas, all of a 2.00 acre tract of land described in deed to Rayburn Country Electric Cooperative, Inc., as recorded in Volume 428, Page 214 of said Deed Records and all of a 7.403 acre tract of land described in deed to Rayburn Country Electric Cooperative, Inc., as recorded in Volume 731, Page 263 of said Deed Records, said 11.407 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2–inch iron rod with yellow cap stamped "RPLS 3963" set for the north corner of said 2.00 acre tract (Vol. 428, Pg. 214), said corner being in the southeast right–of–way line of Sids Road, a 62.5' right–of–way at this point;

THENCE South 46 degrees 15 minute 45 seconds East, with the northeast boundary line of said 2.00 acre tract (Vol. 428, Pg. 214), passing the west corner of Lot 1, Block 1, Pott Shrigley Addition, an addition to the City of Rockwall, as recorded in Cabinet C, Slide 367, Plat Records, Rockwall County, Texas and continuing with the common boundary line of said Lot 1 and said 2.00 acre tract (Vol. 428, Pg. 214) a total distance of 351.23 feet to a 1/2–inch iron rod found for the south corner of said Lot 1, the east corner of said 2.00 acre tract (Vol. 428, Pg. 214), the north corner of said 2.00 acre tract (Vol. 829, Pg. 111) and an exterior ell corner of a 24.971 acre tract of land described in deed to OSEE Property Management, LLC, as recorded in Volume 5556, Page 93 of said Deed Records;

THENCE, with the common boundary lines of said 24.971 acre tract and said 2.00 acre tract (Vol. 829, Pg. 111), the following courses:

South 46 degrees 04 minute 51 seconds East, a distance of 166.79 feet to a 1/2–inch iron rod with cap stamped "RSCI" found for the east corner of said 2.00 acre tract and an interior ell corner of said 24.971 acre tract;

South 44 degrees 02 minute 43 seconds West, a distance of 523.42 feet to a 1/2–inch iron rod with cap stamped "RSCI" found for the south corner of said 2.00 acre tract and an interior ell corner of said 24.971 acre tract;

North 46 degrees 03 minute 00 seconds West, a distance of 166.66 feet to a 1/2–inch iron rod found for an exterior ell corner of said 24.971 acre tract and the west corner of said 2.00 acre tract, said corner being in the southeast boundary line of said 7.403 acre tract;

THENCE South 44 degrees 06 minutes 36 seconds West, with the common boundary line of said 24.971 acre tract and said 7.403 acre tract, a distance of 643.15 feet to a 3/8–inch iron rod found for the south corner of said 7.403 acre tract and the east corner of a 1.50 acre tract of land described in deed to Richard E. Slaughter, Jr., as recorded in Volume 1531, Page 145 of said Deed Records;

THENCE North 46 degrees 14 minutes 22 seconds West, with the common boundary line of said 1.50 acre tract and said 7.403 acre tract, a distance of 350.74 feet to a 1/2–inch iron rod found for the north corner of said 1.50 acre tract and the west corner of said 7.403 acre tract, said corner being in the southeast right–of–way line of said Sids Road, a 40 ft. right–of–way at this point;

THENCE North 44 degrees 03 minutes 02 seconds East, with the common boundary line of said Sids Road, said 7.403 acre tract and said 2.00 acre tract (Vol. 428, Pg. 214), a distance of 1166.33 feet to the POINT OF BEGINNING AND CONTAINING 496,877 square feet or 11.407 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

I (we) the undersigned owner(s) of the land shown on this plat, and designated herein as the RAYBURN COUNTRY ADDITION to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the RAYBURN COUNTRY ADDITION have been notified and signed this plat. I (we) understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I (we) further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I (we), my (our) successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of exactions made herein.

FOR: RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC.

_____
BY:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given under my hand and seal of office this ____ day of _____ , 2014.

_____
Notary Public in and for the State of Texas
My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That I, Robert C. Myers, do hereby certify that this plat was prepared under my supervision, from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

GIVEN UNDER MY SEAL OF OFFICE THIS THE ___ DAY OF _____, 2014.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

_____
ROBERT C. MYERS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 3963

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, on this date personally appeared Robert C. Myers, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ___ DAY OF _____, 2014.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES: 02/14/2015

STANDARD CITY SIGNATURE BLOCK

_____ _____
Planning & Zoning Commission, Chairman Date

APPROVED:
I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 2014.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this ____ day of _____ , 2014.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

OWNER/DEVELOPER
RAYBURN COUNTRY ELECTRIC COOP.
980 SIDS ROAD
ROCKWALL, TX 75087
(469) 402–2100
FAX (469) 402–2020

LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
3400 OXFORD DRIVE
ROWLETT, TX 75088
(214) 532–0636
FAX (972) 412–4875
EMAIL: rcmsurveying@gmail.com
JOB NO. 207

FINAL PLAT

RAYBURN COUNTRY ADDITION
LOTS 1–3, BLOCK A

BEING

11.407 ACRES

SITUATED IN THE

WILLIAM H. BARNES SURVEY, A–26
CITY OF ROCKWALL,
ROCKWALL COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE TEXAS 75098
(972) 941–8400 FAX (972) 941–8401

DATE: JUNE 2, 2014 CASE NUMBER: P2014–013 SHEET 2 OF 2

03551\DWG\3551 Final Plat.dwg

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 07/07/2014

APPLICANT: R. Fifty Green Homes, LLC [*Rich Houston*]

AGENDA ITEM: **P2014-014**; Lots 1-6, Block A, Solar Village Addition

---

SUMMARY:

Discuss and consider a request by Rich Houston on behalf of R. Fifty Green Homes, LLC for the approval of a final plat for Lots 1-6, Block A, Solar Village Addition, containing six (6) single family lots on a 2.055-acre tract of land situated within the Rueben Ballard Survey, Abstract No. 29, Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located directly west of the intersection of Williams Street (SH-66) and Caruth Lane, and take any action necessary.

FINAL PLAT COMMENTS:

☑ The purpose of the applicant's request is to final plat six (6) single family, residential lots on a 2.055-acre tract of land for the construction of a single-family subdivision. It is the applicant's intent for this subdivision to provide modern homes that are designed to be energy neutral or net-zero housing. This shall be achieved by incorporating solar panels, a rain collection system and a design that utilizes a passive cooling/heating system. Additionally, the homes will be between 2,000 – 3,000 SF in size and will be constructed facing onto a pedestrian/common space that extends from Heath Street.

☑ The subject property is zoned Single Family 7 (SF-7) District. The development standards for a property within a Single Family 7 (SF-7) District are as follows:

	Ordinance Requirements
Minimum Lot Area	7,000 SF
Maximum Number of Dwellings Per Lot	1
Minimum SF Per Dwelling Unit	1,100
Lot Frontage on a Public Street	60'
Minimum Lot Depth	100'
Minimum Front Yard Setback	20'
Minimum Rear Yard Setback	10'
Minimum Internal Side Yard Setback	6'
Minimum Distance Between Buildings	10'
Maximum Lot Coverage	45%
Maximum Building Height	32'

☑ On November 5, 2013 the Parks Board reviewed the applicant's request with the preliminary plat and recommended the following:

1. The developer pay the pro-rata equipment fees required for Parks District No. 9 in the amount of $2,064.00 [*i.e. 6 lots @ $344.00 per lot*].

2. The developer pay the cash-in-lieu of land fees in the amount of $1,212.00 [*i.e. 6 lots @ $202.00 per lot*].

☑ On November 4, 2013, the City Council approved a masonry exception that allows the applicant to deviate from the required 80% masonry requirement for the purpose of allowing a combination of lime plaster [75%] (which is similar in nature to stucco) and natural wood slats as siding [25%]. The natural wood slats will be a combination of Ipe, a fire resistant Brazilian Walnut that is resilient to mildew and decay, and Cedar.

☑ On November 12, 2013, the City Council approved a waiver to the requirements stipulated within the Section 2.11, *Alleys and Alley Widths*, of the *Standards of Design Construction Manual* [*Public Works Department*], requiring all residential properties to be accessible by an alleyway.

☑ The Treescape Plan provided by the applicant at the time of preliminary plat shows that there are 24 hackberry trees, one (1) pecan tree, one (1) redbud tree and two (2) white ash trees existing on the site. According to the applicant's mitigation plan five (5) trees, consisting of a total of 69 caliper inches of tree and requiring 63.5 caliper inches of total mitigation, will be removed and 35 trees (consisting of live oak, pecan and redbud trees) for a total of 105 caliper inches will be planted on the site. The applicant has stated that the remaining 23 existing trees will be inspected by an arborist to ensure that they are in a healthy growing condition.

☑ The Engineer has completed the majority of the technical revisions requested by staff, and this plat, conforming with the preliminary plat approved by the City Council on November 12, 2013 by Case No. P2013-032, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the Recommendation section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the City Council chooses to approve the final plat for *Lots 1-6, Block A, Solar Village Addition* then staff would recommend the following conditions of approval:

1) All the technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

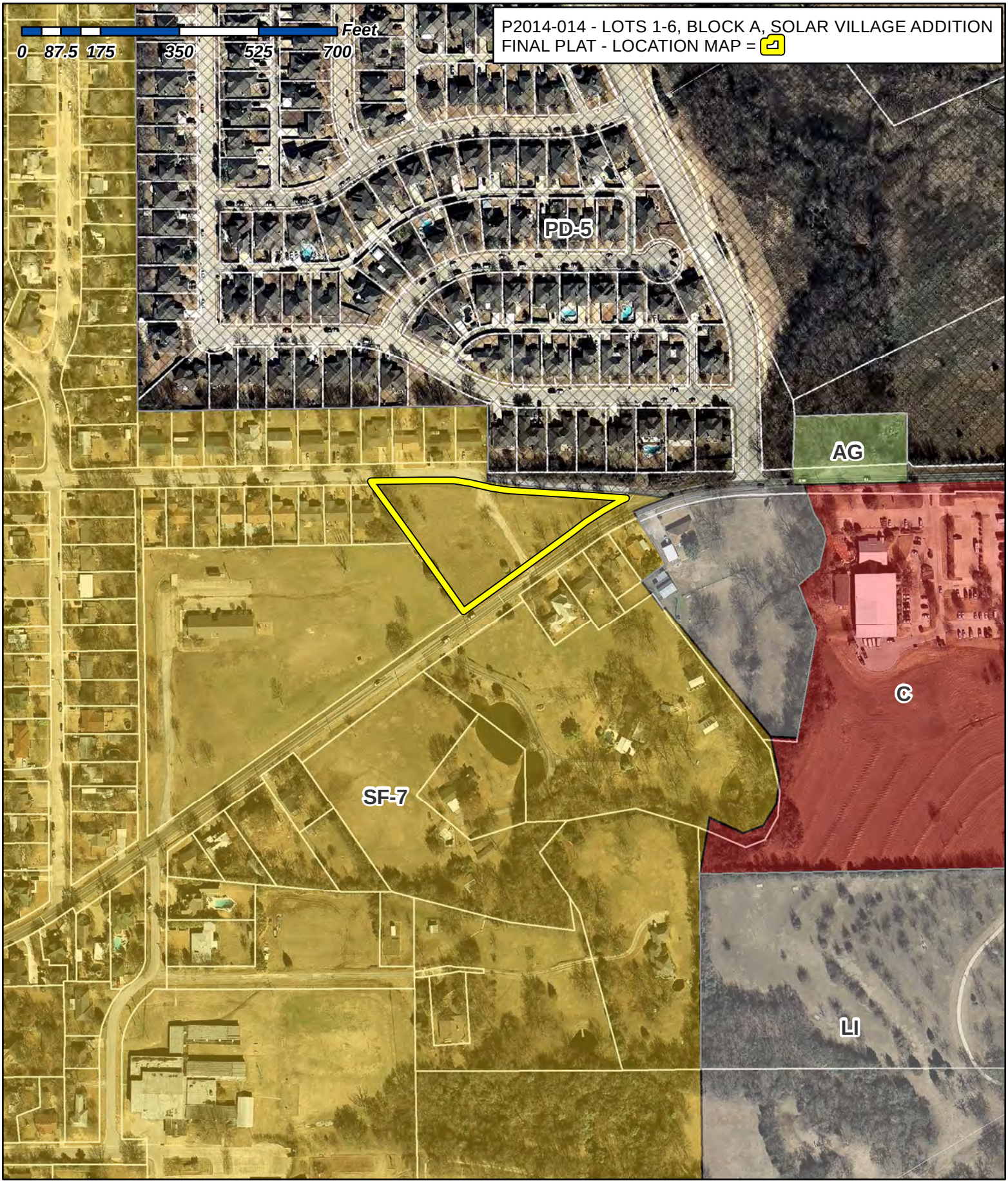
2) The applicant shall adhere to the tree mitigation plan approved with the preliminary plat;

3) The applicant shall adhere to the recommendations made by the Parks Board and approved as conditions of approval with the preliminary plat; and,

4) Any construction resulting from the approval of this *final plat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On June 24, 2014, the Planning and Zoning Commission recommended approval of the final plat by a vote of 4-0, with Commissioners Jackson and Conley absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

1:3,292

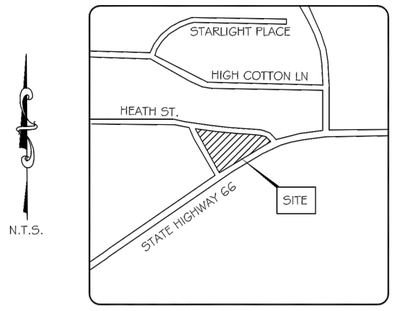
FLOODPLAIN STATEMENT:

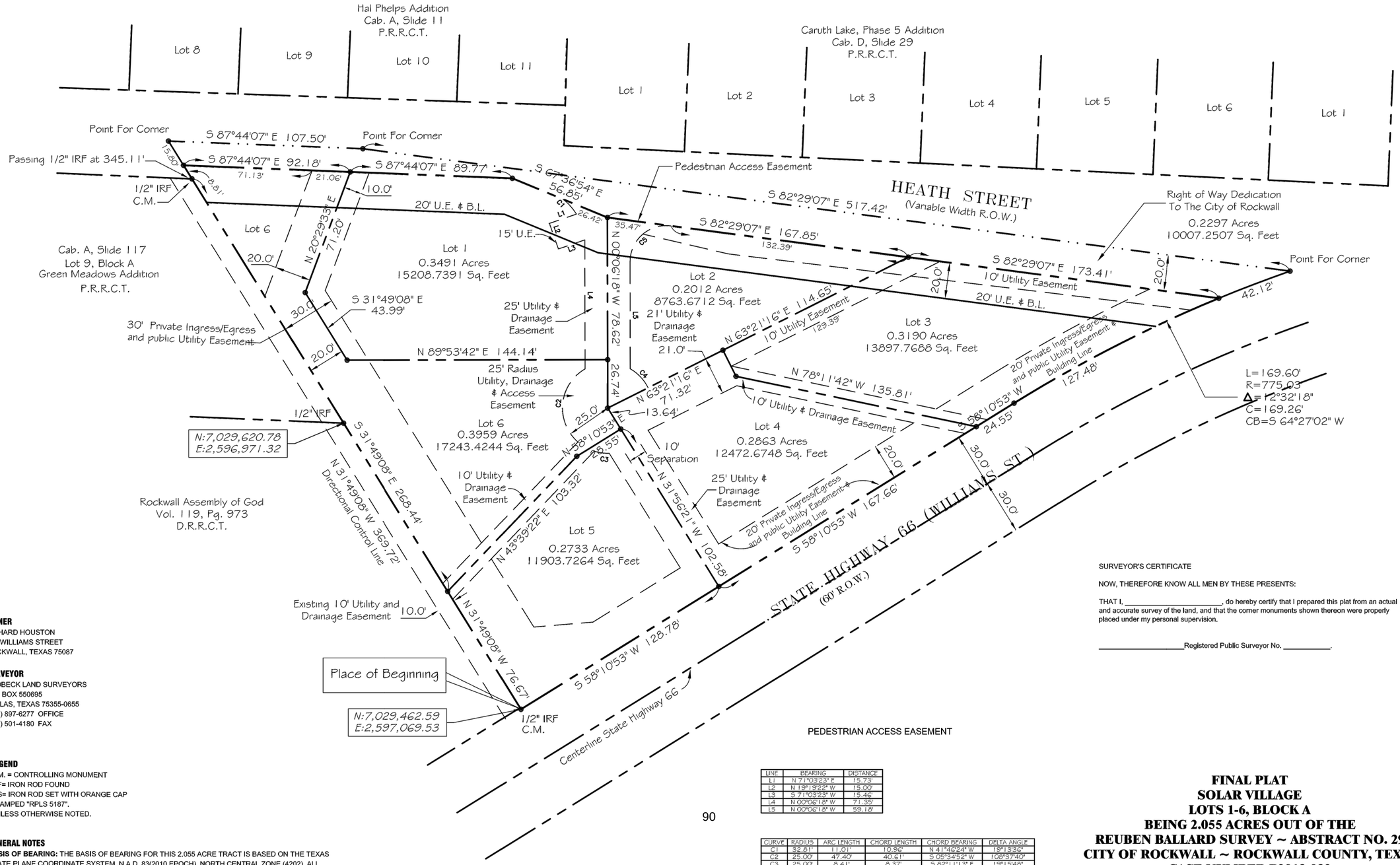
The property shown hereon is located in Zone "X", which is not in a flood hazard area according to Map No. 48397C0040L, dated September 26, 2008, of the National Insurance.

Rate Map Prepared by the Federal Emergency Management Agency (FEMA)

0' 40' 80' 120'

VICINITY MAP





OWNER
RICHARD HOUSTON
505 WILLIAMS STREET
ROCKWALL, TEXAS 75087

SURVEYOR
PROBECK LAND SURVEYORS
P.O. BOX 550695
DALLAS, TEXAS 75355-0655
(972) 897-6277 OFFICE
(214) 501-4180 FAX

LEGEND
- C.M. = CONTROLLING MONUMENT
- IRF= IRON ROD FOUND
- IRS= IRON ROD SET WITH ORANGE CAP STAMPED "RPLS 5187". UNLESS OTHERWISE NOTED.

GENERAL NOTES
BASIS OF BEARING: THE BASIS OF BEARING FOR THIS 2.055 ACRE TRACT IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, N.A.D. 83(2010 EPOCH), NORTH CENTRAL ZONE (4202). ALL COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE CONVERSION FACTOR OF 1.000146135.

PEDESTRIAN ACCESS EASEMENT

LINE	BEARING	DISTANCE
L1	N 71°03'23" E	15.73'
L2	N 19°13'22" W	15.00'
L3	S 71°03'23" W	15.46'
L4	N 00°06'18" W	71.35'
L5	N 00°06'18" W	59.18'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	32.81'	11.01'	10.96'	N 41°46'24" W	19°13'36"
C2	25.00'	47.40'	40.61'	S 05°34'52" W	108°37'40"
C3	25.00'	8.41'	8.37'	S 82°11'13" E	19°15'48"
C4	25.00'	14.60'	14.39'	N 43°22'31" W	33°27'34"
C5	20.00'	34.08'	30.10'	S 48°42'17" W	97°37'11"

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, _____, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

_____Registered Public Surveyor No. _____.

FINAL PLAT
SOLAR VILLAGE
LOTS 1-6, BLOCK A
BEING 2.055 ACRES OUT OF THE REUBEN BALLARD SURVEY ~ ABSTRACT NO. 29
CITY OF ROCKWALL ~ ROCKWALL COUNTY, TEXAS
CASE NUMBER P2013-032

PROBECK LAND SURVEYORS
P.O. BOX 550695 ~ DALLAS, TEXAS 75355-0655
OFFICE (972) 897-6277 ~ FAX (214) 501-4180

FINAL PLAT
2.055 ACRES OUT OF THE
REUBEN BALLARD SURVEY, ABSTRACT NO. 29
ROCKWALL COUNTY, TEXAS

DATE: 06-04-14
FIELD DATE: 10-15-13
JOB NO.: 13-0001
DRAWING: 13-0001
PARTY CHIEF: GP
SCALE: 1" = 40'
GF #: N/A
TITLE CO.: N/A
LENDER: N/A
OWNER:
R FIFTY GREEN HOMES
REVISIONS:

SHEET 1 OF 2

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OWNER'S CERTIFICATE
(PublicDedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS R FIFTY GREEN HOMES, BEING THE OWNER OF A TRACT of land in the County of Rockwall, State of Texas, said tract being described as follows:

WHEREAS R FIFTY GREEN HOMES is the owner of all that certain lot, tract, or parcel of land lying and being situated in the Reuben Ballard Survey, Abstract Number 29, having a Patent date of February 23, 1854, Patent Number 112, Patent Volume 9, Certificate Number 889, File Number 001573, City of Rockwall, Rockwall County, Texas, and being all of a 2.055 acre tract of land conveyed by Douglas D. Morris To Douglas and Lynda Morris 2010 Revocable Trust by Warranty Deed dated July 15, 2011, as recorded in Volume 6502, Page 189, of the Deed Records of Rockwall, Rockwall County, Texas, and being that certain tract of land conveyed by Douglas Dwight Morris, as Trustee of the Douglas and Lynda Morris Revocabel Trust and Billy Peoples, individually, to R Fifty Green Homes by General Warranty Deed dated October 24, 2013, as recorded in the Official Public Records of Rockwall, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for the southwest corner of the said R Fifty Green Homes tract and being the southeast corner of a called 6.300 acre tract of land conveyed to Rockwall Assembly of God as recorded in Volume 119, Page 973, of the Deed Records of Rockwall, Rockwall County, Texas, said 1/2" iron rod also being in the northwesterly right of way line of Williams Street, a.k.a. State Highway 66, being a (60' Foot Right of Way);

THENCE NORTH 31° 49' 08" WEST, leaving the northwesterly right of way line of said State Highway 66, with the southwesterly line of the said R Fifty Green Homes tract and with the northeasterly line of the said Rockwall Assembly of God tract, passing at a distance of 345.11 feet, a 1/2" iron rod found for the northeast corner of Lot 9, Block A, of Green Meadows Addition, an addition to the City of Rockwall according to the Map or Plat thereof recorded in Cabinet A, Slide 117, of the Plat Records of Rockwall, Rockwall County, Texas, and continuing a total distance of 369.72 feet, to a point for the northwest corner fo the said R Fifty Green Homes tract, said point being in the centerline of Heath Street (Variable Width Right of Way);

THENCE NORTH 87° 44' 07" EAST, with the north line of the said R Fifty Green Homes tract , with the centerline of said Heath Street, a distance of 107.50 feet to a point for corner;

THENCE SOUTH 82° 29' 07" EAST, continuing with the north line of said R Fifty Green Homes tract and the centerline of said Heath Street, a distance of 517.42 feet, to a point for the northeast corner of the said R Fifty Green Homes tract, said point being the northwesterly right of way line of said State Highway 66, said point being the beginning of a non-tangent curve to the left, having a radius of 775.01 feet, a chord bearing of South 64° 27' 02" West, and a chord distance of 169.26 feet;

THENCE Southwesterly, with said curve to the left, with the southeasterly line of the said R Fifty Green Homes tract, and with the northwesterly right of way line of said State Highway 66, through a centeral angle of 12° 32' 18", an arc distance of 169.60 feet, to a 5/8" iron rod with an orange plastic cap stamped "PROBECK 5187" set for the corner;

THENCE SOUTH 58° 10' 53" WEST, continuing with the southwesterly line of the said R Fifty Green Homes tract, with the northwesterly right of way line of said State Highway 66, a distance of 321.00 feet, to the PLACE OF BEGINNING, and containing approximately 89,497 square feet, or 2.055 acres of land, there being 10,007 square feeet or 0.229 acres within the roadway of Heath Street, leaving a net of 79,460 square feet or 1.824 acres or land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as the SOLAR VILLAGE subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the SOLAR VILLAGE subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by th establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City o Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exactions made herein.

_____
Owner: Richard Houston
R-Fifty Green Homes

_____

RECOMMENDED FOR FINAL APPROVAL

_____ .
Planning and Zoning Commission

_____
Date.

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, _____.

_____
Mayor, City of Rockwall

_____
City Secretary

_____
City Engineer

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, _____, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

_____Registered Public Surveyor No. _____.

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ Day of _____, _____

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_____
Notary Public in and for the State of Texas

_____
My Commission Expires:

_____
Signature of Party with Mortgage or Lien Interest

FINAL PLAT
SOLAR VILLAGE
LOTS 1-6, BLOCK A
BEING 2.055 ACRES OUT OF THE
REUBEN BALLARD SURVEY ~ ABSTRACT NO. 29
CITY OF ROCKWALL ~ ROCKWALL COUNTY, TEXAS
CASE NUMBER P2013-032

PROBECK LAND SURVEYORS
P.O. BOX 550695 ~ DALLAS, TEXAS 75355-0655
OFFICE (972) 897-6277 ~ FAX (214) 501-4180

FINAL PLAT
2.055 ACRES OUT OF THE
REUBEN BALLARD SURVEY, ABSTRACT NO. 29
ROCKWALL COUNTY, TEXAS

DATE: 06-04-14
FIELD DATE: 10-15-13
JOB NO.: 13-0001
DRAWING: 13-0001
PARTY CHIEF: GP
SCALE: 1" = 40'
GF #: N/A
TITLE CO.: N/A
LENDER: N/A
OWNER:
R FIFTY GREEN HOMES
REVISIONS:

SHEET 2 OF 2

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **June 23, 2014**

SUBJECT: **Construction Contract Award –** FM 3097 Utility Relocation Project

Background:
The Texas Department of Transportation (TxDOT) has completed the engineering design for FM 3097 from FM 740 to Tubbs Road. The proposed roadway will be a four lane divided concrete roadway with an enclosed storm sewer system. As part of the Local Project Advanced Funding Agreement, the City is responsible for relocating our water and sanitary sewer to prevent conflicts with the new improvements. There are two water lines that must be relocated for this project that bids in July 2014. The City hired a consultant to prepare the engineering plans for the relocations.

The City received and opened bids on June 19, 2014. The results are as follows:

1. War Horse Enterprises, Inc. $135,872.27
2. Double R Utilities, Inc. $176,071.00

War Horse Enterprises, Inc. has experience on projects within the City and demonstrates the resources to adequately complete this utility project in State Right-of-Way.

Financial Implications:
Funding for this project is available from the 2008 Water and Sewer Revenue Bonds.

Action Desired/Recommendation:
Staff asks Council to consider approving the award of the FM 3097 Utility Relocation Project contract to War Horse Enterprises, Inc. in the amount of $135,872.72.

VERDUNITY
A better future, by design.

June 20, 2014

Amy Williams, P.E.
Assistant City Engineer
City of Rockwall
385 S. Goliad
Rockwall, Texas 75087

Reference: BID EVALUATION AND RECOMMENDATION FOR AWARD
FM 3097 Utility Relocation, Rockwall TX

Dear Ms. Williams:

Bids for the above referenced project were submitted Thursday, June 19th. Two bids were received from the following contractors:

Bidder	Total Base Bid (Submitted)	Total Base Bid (Checked/Corrected)
Double R Utilities, Inc.	$171,191.00	$176,071.00
War Horse Enterprises, Inc.	$133,092.02	$135,872.27

We have reviewed all of the bids for accuracy and completeness, and prepared a bid tabulation spreadsheet showing the unit prices and total bids for our engineer's estimate and the bidders (attached). Both bids received had a few minor mathematical errors. The submitted bids have been updated to correct those errors, which resulted in a small increase for both bids. **The low bidder is War Horse Enterprises, Inc. with a total base bid of $135,872.27.**

War Horse Enterprises, Inc. (WHE) has completed numerous projects for the City in the past, and in good standing with city staff and inspectors. Based on their good standing with the city, prior experience on similar projects, and their low bid, **VERDUNITY would recommend that the City proceed with awarding the construction contract for this project to War Horse Enterprises, Inc**.

If you have any questions regarding this recommendation, please do not hesitate to call me at (214) 425-6720 or email me at kevin@verdunity.com. We look forward to beginning construction soon.

Respectfully Submitted,

VERDUNITY, Inc.
Texas Registered Engineering Firm F-13496

Kevin Shepherd, P.E., ENV-SP
Principal/Project Manager

© Verdunity 2014

BID TABULATION
FM 3097 Utility Relocation

BID OPENING: June 20, 2014

				Engineer's Estimate					
				Verdunity, Inc.		Double R Utilties		War Horse	
ITEM	DESCRIPTION	UNIT	BID QTY	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
100	Mobilization	LS	1	$5,000.00	$5,000.00	$4,500.00	$4,500.00	$3,300.00	$3,300.00
101	Remove and replace concrete driveway pavement	SY	17	$70.00	$1,190.00	$300.00	$5,100.00	$84.00	$1,428.00
102	Remove and replace sidewalk	SY	2	$40.00	$80.00	$350.00	$700.00	$67.00	$134.00
103	Furnish and install 8-inch waterline (PVC) by open cut	LF	64	$50.00	$3,200.00	$218.00	$13,952.00	$86.77	$5,553.28
104	Furnish and install 8-inch waterline with 16-inch steel casing by bore	LF	74	$110.00	$8,140.00	$308.00	$22,792.00	$274.87	$20,340.38
105	Furnish and install 8-inch waterline with 16-inch steel casing by open cut	LF	35	$90.00	$3,150.00	$258.00	$9,030.00	$107.00	$3,745.00
106	Furnish and install 12-inch waterline (PVC) by open cut	LF	34	$60.00	$2,040.00	$256.00	$8,704.00	$131.64	$4,475.76
107	Furnish and install 12-inch waterline with 21-inch steel casing by bore	LF	87	$120.00	$10,440.00	$336.00	$29,232.00	$380.42	$33,096.54
108	Furnish and install 12-inch waterline with 21-inch steel casing by open cut	LF	10	$100.00	$1,000.00	$296.00	$2,960.00	$180.93	$1,809.30
109	Furnish and install 6-inch waterline (PVC) by open cut	LF	4	$40.00	$160.00	$200.00	$800.00	$61.94	$247.76
110	Furnish and install 8"X8" tapping sleeve and valve	EA	2	$2,500.00	$5,000.00	$3,800.00	$7,600.00	$2,908.39	$5,816.78
111	Furnish and install 12"X8" tapping sleeve and valve	EA	1	$3,500.00	$3,500.00	$5,250.00	$5,250.00	$3,415.90	$3,415.90
112	Furnish and install 12"X12" tapping sleeve and valve	EA	2	$5,000.00	$10,000.00	$6,800.00	$13,600.00	$4,990.25	$9,980.50
113	Furnish and install 12-inch resilient seated gate valve	EA	2	$2,250.00	$4,500.00	$2,800.00	$5,600.00	$2,064.42	$4,128.84
114	Furnish and install 8-inch resilient seated gate valve	EA	1	$1,500.00	$1,500.00	$1,590.00	$1,590.00	$1,205.64	$1,205.64
115	Furnish and install 6-inch resilient seated gate valve	EA	1	$1,250.00	$1,250.00	$1,400.00	$1,400.00	$751.81	$751.81
116	Furnish and install standard fire hydrant assembly	EA	1	$3,500.00	$3,500.00	$4,744.00	$4,744.00	$3,171.83	$3,171.83
117	Connect to existing 12-inch waterline	EA	2	$1,000.00	$2,000.00	$2,990.00	$5,980.00	$2,490.88	$4,981.76
118	Connect to existing 8-inch waterline	EA	3	$500.00	$1,500.00	$2,440.00	$7,320.00	$2,040.88	$6,122.64
119	Cut and plug existing waterline	EA	2	$400.00	$800.00	$1,440.00	$2,880.00	$1,016.36	$2,032.72
120	For water testing and chlorination	LF	307	$2.00	$614.00	$7.00	$2,149.00	$6.94	$2,130.58
121	Abandon existing waterline (grout fill)	LF	205	$2.00	$410.00	$8.00	$1,640.00	$16.25	$3,331.25
122	Salvage existing fire hydrant	EA	1	$500.00	$500.00	$1,800.00	$1,800.00	$450.00	$450.00
123	Furnish and install block sodding	SY	170	$4.00	$680.00	$25.00	$4,250.00	$7.00	$1,190.00
124	For trench safety system	LF	143	$1.00	$143.00	$20.00	$2,860.00	$24.00	$3,432.00
125	Prepare SWPPP	LS	1	$500.00	$500.00	$2,800.00	$2,800.00	$2,050.00	$2,050.00
126	For traffic control and temporary detours	LS	1	$1,500.00	$1,500.00	$2,220.00	$2,220.00	$3,600.00	$3,600.00
127	For construction staking and surveying	LS	1	$500.00	$500.00	$2,388.00	$2,388.00	$1,550.00	$1,550.00
128	Furnish and install erosion control measures	LS	1	$500.00	$500.00	$2,230.00	$2,230.00	$2,400.00	$2,400.00
			TOTAL		$73,297.00		$176,071.00		$135,872.27

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CITY OF ROCKWALL

ORDINANCE NO. 14-25

SPECIFIC USE PERMIT NO. S-121

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A SPECIFIC USE PERMIT (SUP) TO ALLOW A MINI-WAREHOUSE FACILITY WITHIN A COMMERCIAL (C) DISTRICT AS SPECIFIED WITHIN ARTICLE IV, *PERMISSIBLE USES*, OF THE UNIFIED DEVELOPMENT CODE, FOR A 2.857-ACRE TRACT OF LAND, BEING A PORTION OF A LARGER 5.549-ACRE TRACT OF LAND IDENTIFIED AS PART OF TRACT 2 OF THE J. CADLE SURVEY, ABSTRACT NO. 65, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Master Plan, on behalf of Rockwall SH-205 Venture, LLC for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger 5.549-acre tract land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall County, Texas, which is generally located south of the intersection of the IH-30 Frontage Road and Townsend Drive, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code [*Ordinance No. 04*-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the construction of a mini-warehouse facility within a Commercial (C) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and set forth in Section 2.1.10,

Wholesale, Distribution and Storage, of Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of a mini-warehouse facility on the *Subject Property*, and conformance to these operational conditions are required for continued operations:

1) Prior to the issuance of a building permit a site plan conforming to the requirements stipulated by the Unified Development Code [*Ordinance No. 04*-38] shall be submitted and approved by the Planning & Zoning Commission, and if necessary City Council.

2) All construction and operations on this property shall generally conform to the Concept Plan depicted in *Exhibit 'B'* of this ordinance.

3) The building elevations submitted with the site plan shall strictly adhere to the Concept Building Elevations depicted in *Exhibit 'C'* of this ordinance, unless required to be modified to conform to the recommendations of the Planning & Zoning Commission and/or City Council.

4) The maximum number of storage units provided shall not exceed 579 units for the facility.

5) All transparent fences shall be wrought iron or similar, and when necessary incorporate landscaping/living screening to screen the interior of the facility. Chain-link fencing shall be prohibited.

6) The height of the building shall not exceed four (4) stories or 60-feet in total height.

7) Outside storage shall be limited to the areas depicted on the Concept Plan in Exhibit 'A', shall not exceed be eight (8) feet in total height, and shall be screened from adjacent properties using a minimum of an eight (8) foot masonry fence. No outside storage of any kind shall be permitted outside of the areas depicted on the Concept Plan. Outside storage shall be limited to the storage of boats, recreational vehicles, and motor or self-propelled vehicles.

8) Businesses shall not be allowed to operate within individual storage units.

9) The commercial operation of rental trucks and trailers shall be prohibited.

10) All signage shall be required to conform to the requirements stipulated by the Code of Ordinances. Additionally, pole signage shall be prohibited on this site.

11) All light poles shall be limited to a maximum height of 20-feet and all light fixture proposed for the site shall comply with the requirements of Article VII, *Environmental Performance*, of the Unified Development Code.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF JULY, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: June 16, 2014

2nd Reading: July 7, 2014

BEING a 2.857 acre tract of land, being a portion of a 5.549 acres tract of land recorded in instrument No. 2013-480420, situated in the JOSEPTH CADLE SURVEY, ABST#65 and the N.M. BALLARD SURVEY ABST. #48, in the City of Rockwall, Rockwall County, Texas, and being a portion of a 65.96 tract of land recorded in Volume 4663, page 281 of the Official Public Records of Rockwall County, Texas and being all and being more particularly described as follows:

BEGINNING at 5/8 inch iron rod set for the northerly northwest corner of Lot 1, Block 1 of Rockwall Centre Corners Addition according to the plat recorded in Cabinet G, Slide 299 of the Plat Records of Rockwall County, Texas and being located in the southeasterly line of Lot 1, Block 1 of Toyota of Rockwall according to the plat recorded in Cabinet G, Slide 153-155 Plat Records of Rockwall County, Texas;

THENCE along the southeasterly line of said Toyota of Rockwall Addition, NORTH 33°54'52" EAST a distance of 460.20 feet to a 5/8 inch iron rod to be set in the southeasterly line of Lot 1, Block 1 of Toyota of Rockwall according to the plat recorded in Cabinet G, Slide 153-155 Plat Records of Rockwall County, Texas and being the west corner of a 2.692 acre tract being a portion of a 5.549 acre tract of land recoded in instrument No. 2013-480420 Rockwall SH205 Venture, LLC of the Official Public Records of Rockwall County, Texas;

THENCE departing the southeasterly line of said Lot 1, Block 1, SOUTH 56°05'08" EAST a distance of 339.05 feet to a 5/8 inch iron road to be set in the southwest line of said 65.96 acre tract of land being the southeast corner of a 2.692 acre tract being a portion of a 5.549 acre tract of land recoded in instrument No. 2013-480420 Rockwall SH205 Venture, LLC of the Official Public Records of Rockwall County, Texas;

THENCE departing the southwest corner of said 2.692 acre tract of land and traveling through said 65.96 acre tract of land the following course and distances:

SOUTH 22°36'40" WEST a distance of 158.90 feet to a 5/8 inch iron rod set;

SOUTH 00°57'44" WEST a distance of 54.05 feet to a 5/8 inch iron rod set in the north line of said Lot 1 of Rockwall Centre Corners Addition;

THENCE along said north line, NORTH 89°02'16" WEST a distance of 476.20 feet to the POINT OF BEGINNING;

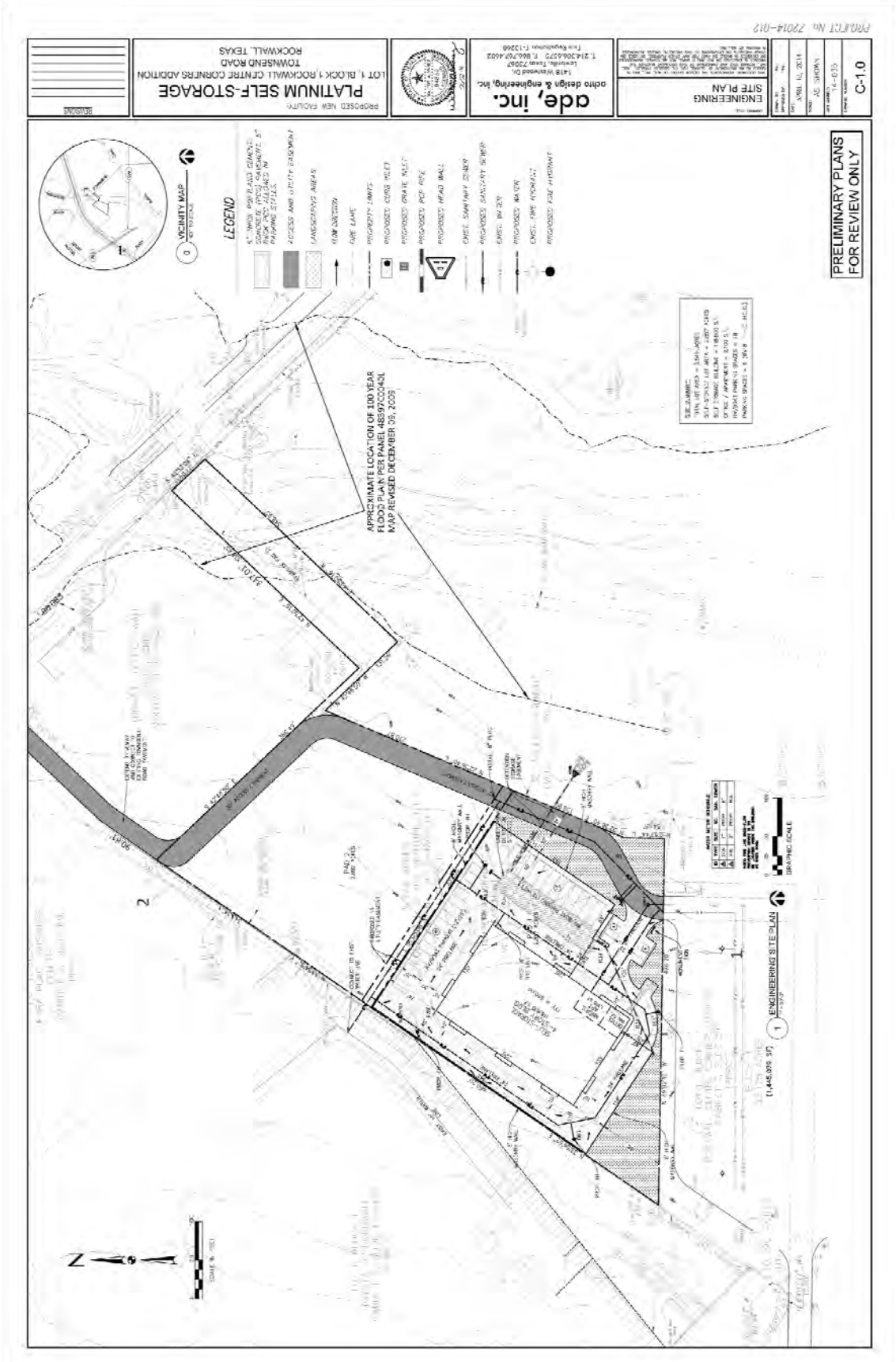
PRELIMINARY PLANS
FOR REVIEW ONLY
LEGEND
VICINITY MAP
APPROXIMATE LOCATION OF 100 YEAR
FLOOD PLAIN PER PANEL 48397C0040L
MAP REVISED DECEMBER 09, 2009
ENGINEERING SITE PLAN
PLATINUM SELF-STORAGE
LOT 1, BLOCK 1 ROCKWALL CENTRE CORNERS ADDITION
TOWNSEND ROAD
ROCKWALL, TEXAS
adé, inc.
ortho design & engineering, inc.
C-1.0

Exhibit C: Concept Building Elevations



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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mark Moeller, Chief of Police**

DATE: **June 25, 2014**

SUBJECT: **Revisions to the Solicitor's Ordinance**

In May, changes to the requirements in the application section of our Solicitor's Ordinance were presented and approved by the City Council.

In that process, sections regulating Solicitations to Occupants of Vehicles on Public Roadways, Solicitation by Coercion and Solicitation on Public Area Prohibited were inadvertently omitted. City Attorney Frank Garza has drafted an ordinance amending the Code to add these provisions back in.

The section dealing with Temporary Habitation in Public Places has been moved to Chapter 22, Miscellaneous Offenses. This chapter is a more appropriate location for this violation, which has no connection to solicitors or peddlers.

CITY OF ROCKWALL

ORDINANCE NO. 14-___

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 12, ARTICLE III, SECTION 12 BY ADDING SECTION 12-66 TO 12-68 OF THE CODE OF ORDINANCES, REGULATING PEDDLER ACTIVITIES TO OCCUPANTS OF VEHICLES ON PUBLIC ROADWAYS IN THE CITY AND SOLICITATION IN A PUBLIC AREA; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Rockwall (the "City"), a Home Rule City and by State law and City Charter is permitted to establish ordinances to protect the health, safety and general welfare of its residents; and

WHEREAS, on May 22, 2014 the City Council adopted a new Ordinance regulating peddler activities and after careful review, additional amendments are necessary because of the health and safety concerns in soliciting occupants in vehicles and in public areas, the Council is amending the ordinance regulating such activity; and

WHEREAS, the amended ordinance will not interfere with free speech, open dialogue and exchange of opinion;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THAT;

SECTION 1 FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. **AMENDMENT.** Chapter 12, Article III, Sections 12-66 to 12-68 are hereby added to Chapter 12 and should read as follows:

ARTICLE III. PEDDLERS, SOLICITORS AND ITINERANT VENDORS

Sec. 12-66. Solicitations to occupants of vehicles on public roadways prohibited.

(A) The following words, terms and phrases, when used in this section shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Goods means property of every kind.

Public area means an outdoor area to which the public has access and includes, but is not limited to, a sidewalk, street, highway, park, parking lot, alleyway, pedestrian way, or the common area of a school, hospital, apartment house, office building, transport facility, or shop.

Roadway has the meaning given that term in V.T.C.A., Transportation Code Chapter. 541.

Services means any work done for the benefit of another person.

Solicitation means any conduct or act where by a person:

(1) Either orally, or in writing, asks, begs, or pleads for a ride, employment, goods, services, financial aid, monetary gifts, or any article representing monetary value, for any purpose;
(2) Either orally, or in writing, sells or offers for sale goods, services, or publications;
(3) Distributes without remuneration goods, services, or publications; or
(4) Solicits signatures on a petition or opinions for a survey.

Vehicle has the meaning given that term in V.T.C.A., Transportation Code Chapter 541.

(B) A person commits an offense if, while occupying any public area adjacent to any public roadway in the city, he knowingly conducts or attempts to conduct a solicitation directed to, or intended to attract the attention of, the occupant of any vehicle stopped or traveling on the roadway. An offense occurs when the solicitation is made, whether or not an actual employment relationship is created, a transaction is completed, or an exchange of money, goods, or services takes place. Evidence of an attempted solicitation shall include, but not be limited to, the display of any sign requesting donations of money, food, or clothing.

(C) It shall be unlawful for a person to knowingly cause a child sixteen (16) years of age or younger to stand on a traffic median, shoulder, improved shoulder or sidewalk and solicit, or attempt to solicit, employment, business or charitable contributions from the occupants of any vehicle on a roadway. For purposes of this section, the term "cause" shall mean aid, direct, hire, encourage, permit, or allow.

(D) It is a defense to prosecution under subsection (b) of this section that the person summoning aid or requesting assistance is in an emergency situation.

Sec. 12-67. Solicitation by coercion and solicitation on public area prohibited.

(A) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Coercion means:

(1) To approach or speak to a person in such a manner as would cause a reasonable person to believe that the person is being threatened with:
   a. Imminent bodily injury; or
   b. The commission of a criminal act upon the person or another person, or upon property in the person's immediate possession;

(2) To persist in a solicitation after the person solicited has given a negative response;

(3) To block, either individually or as part of a group of persons, the passage of a solicited person; or

(4) To engage in conduct that would reasonably be construed as intended to compel or force a solicited person to accede to demands.

(B) A person commits an offense if he conducts a solicitation by coercion or conducts a solicitation in any public area in the city at any time on any day of the week.

(C) It is a defense to prosecution under subsection (b) of this section if the solicitation:

(1) Consisted exclusively of passive, nonverbal acts; or

(2) Was being conducted on private property with the advance written permission of the owner, manager, or other person in control of the property.

(D) The provisions of section 12-57 regarding exemptions shall apply to this section.

Sec. 12-68 Violation/penalty

Any person violating the provisions of this article is guilty of a class C misdemeanor and upon conviction shall be subject to a penalty not to exceed five hundred dollars ($500.00) Each and every act constituting a violation hereof and each failure or refusal to comply with any provision shall be a separate offense and shall be punished as such.

SECTION 3 REPEALING ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4 SEVERABILITY.
If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 5 SAVINGS CLAUSE.
All ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 6. EFFECTIVE DATE. The Ordinance shall be effective immediately following its publication in the local newspaper as required by the Texas Local Government Code.

PASSED AND APPROVED BY THE CITY COUNCIL OF ROCKWALL TEXAS, this ___ _____ day of _____, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 07-07-14
2nd Reading: 07-21-14

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Kristy Ashberry, City Secretary**

DATE: **June 25, 2014**

SUBJECT: **Ordinance reestablishing prohibition on temp. habitation in public places**

Recently in May, the City Council passed an ordinance making certain changes to requirements associated with application provisions within the city's Solicitor's / Peddlers regulations.

At that time, sections regulating "Temporary Habitation in Public Places" were removed from the adopting ordinance. The city attorney has advised that proper placement of said regulations should be in an entirely different Chapter of the Code, separate from regulations regarding peddlers/solicitors. As such, the ordinance being presented to council for consideration at the July 7, 2014 meeting reestablishes this prohibition by moving the provisions to Chapter 22, Miscellaneous Offenses. This chapter is a more appropriate location for this type of violation.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ESTABLISHING A PROHIBITION REGARDING TEMPORARY HABITATION IN PUBLIC PLACES IN CHAPTER 22. MISCELLANEOUS OFFENSES. ARTICLE I. IN GENERAL, SECTION 22-4; PROVIDING FOR SEVERABILITY AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas recently amended Chapter 12, Article III, Section 12-51 through 12-66 of the City of Rockwall Code of Ordinances regulating peddler activities in the City; and

WHEREAS, in the revision of Chapter 12, Article III, Section 12-51 through 12-66, the City deleted a provision prohibiting temporary habitation in a public place because the provision was not compatible with the regulations regarding peddlers; and

WHEREAS, the City Council of the City of Rockwall, Texas believes that the regulation prohibiting temporary habitation in a public place is more appropriate in Chapter 22, Miscellaneous Offenses; and

WHEREAS, the City Council of the City of Rockwall, Texas believes it to be in the best interest of the public to promote public safety and welfare through prohibiting temporary habitation in public places;

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That Chapter 22. Miscellaneous Offenses; Article I. In General; Section 22-4. Temporary Habitation in a Public Place Prohibited is hereby established and shall henceforth read in its entirety as follows:

Sec. 22-4. Temporary habitation in a public place prohibited.

(a) It shall be unlawful for any person to lodge, to live in for a time, or to take temporary habitation in any portion of a public park, culvert, or drainage way, or underneath a viaduct or bridge over any public roadway within the city. Evidence of lodging or temporary habitation shall include, but not be limited to, bedrolls, mattresses, blankets, cooking utensils, clothing, or any other personal belongings.

(b) It is a defense to prosecution under this section that the person is seeking temporary shelter during a verified tornado.

SECTION 2. SEVERABILITY. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 3. SAVINGS CLAUSE. All ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 4. EFFECTIVE DATE. That the Ordinance shall be effective immediately following its second reading and publication in accordance with the City Charter.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 07-07-14

2nd Reading: 07-21-14

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 7/07/2014

APPLICANT: Dennis D. Alsup

AGENDA ITEM: **Z2014-015**; Accessory Building - SUP

Hold a public hearing to discuss and consider a request by Dennis D. Alsup for the approval of a Specific Use Permit (SUP) for an accessory building that does not conform to the size requirements as specified by Section 2.1.2, *Residential and Lodging Use Conditions*, of Article IV, *Permissible Uses*, of the Unified Development Code for a property in a Single-Family 10 (SF-10) District on a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, zoned Single-Family 10 (SF-10) District, situated within the North Goliad Overlay (NGC OV) District, located at 921 Alamo Road, City of Rockwall, Rockwall County, Texas, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Mr. Dennis D. Alsup, is requesting a Specific Use Permit (SUP) to allow for a 240 sq. ft. accessory building exceeding the size requirements of the Single-Family 10 (SF-10) Residential District standards by 15 sq. ft. Under the use standards of the Unified Development Code, the accessory building shall be accessory to a residential use and located on the same lot. By right, in the SF-10 district, no more than two (2) accessory buildings shall be allowed which are up to 225 sq-ft (each) and are 15 ft or less in height, provided the exterior cladding contains only materials found on the main structure. Accessory buildings not meeting these standards shall require approval of an SUP.

The proposed accessory building is a 20' X 12' (240 sq. ft.) wooden structure, matching the materials of the primary structure and will be used for storage purposes. Mr. Alsup has provided a color prospective that indicates his intent of painting the building to match that of their existing home. The roof will be composed of galvalume (metal roof) and the building will have an overall height of 13-ft 6-in. and does not exceed the height requirement established in the UDC. Included in your packet is a survey depicting the accessory building(s) location which exceeds the minimum rear and side yard set-backs as well as the separation requirements from another structure. The accessory building meets or exceeds the minimum standards established by the UDC for a property with the exception of the additional 15 sq. ft. in area requested.

Based on certain findings, a requisition for a zoning change is considered a discretionary act by the Planning and Zoning Commission and City Council. The applicant has provided a letter requesting the SUP, a survey indicating the location of the proposed building (and existing structures), detailed photos and a color prospective for your consideration.

NOTIFICATION:

On May 30, 2014, staff mailed 55 notices to property owners and residents within 500 feet of the subject property. Staff also sent notices to the Lake View Summit and Caruth Lakes Homeowner's Associations (HOA) which are located within 1,500 feet of the subject property. Additionally, staff posted a sign adjacent to the subject property on Alamo Dr. as required by the Unified Development Code (UDC). A public notice has been published in the Rockwall County News meeting state statutes and has been posted on the City's web-site. At the time this case memo was drafted, staff has received two (2) notices "in favor" of and none "opposed" to the request.

RECOMMENDATIONS:

Should the request for an SUP be approved, staff offers the following conditions:

1. That the structure must meet all Building Inspections, Engineering, and Fire Department standards.
2. Submittal and approval of a building permit is required prior to the construction of the accessory building.
3. The accessory building shall comply with the approved site plan and building elevations.
4. The accessory building shall not exceed 240 sq. ft. in area.
5. The accessory building shall not exceed a maximum height of 15 ft. (measured at the midpoint of the pitched roof).
6. The accessory building is subject to administrative review in the event that the subject property is sold to another party, conveyed in any manner to another party, subdivided, or re-platted.
7. The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof.
8. Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning:

On June 10, 2014, the Planning and Zoning Commission accepted the applicants request to postpone the public hearing until the June 24, 2014 Planning and Zoning meeting.

City Council:

On June 16, 2014, the City Council announced the applicant's intent to postpone the City Council public hearing to July 7, 2014.

Planning and Zoning Recommendation:

On June 24, 2014, the Planning and Zoning Commission recommended approval of the SUP with staff conditions by a vote of 5 to 0 (Jackson and Conley – absent).



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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1:1,200

May 15, 2014

City of Rockwall
Planning and Zoning Department
385 S. Goliad
Rockwall, TX 75087

RE: SUP for 240 S.F. Accessory Building at 921 N. Alamo Rd., Rockwall, TX

To Whom It May Concern:

My wife and I would like to place a 12'x20' Shed on the property that we are in the process of purchasing from Mr. Paul Wilcoxson at 921 N. Alamo Rd. in Rockwall.

We have a lot of 0.51 Acres in size.

This building matches the current exterior of our home, which is wood siding and will be painted to match.

We believe that this will be an asset to our home and property value and will in no way adversely affect any of our neighbors, or the value of their property and respectfully ask for approval of this Special Use Permit.

Repectfully,

Dennis and Angie Alsup
921 N. Alamo Rd.
Rockwall, TX 75087

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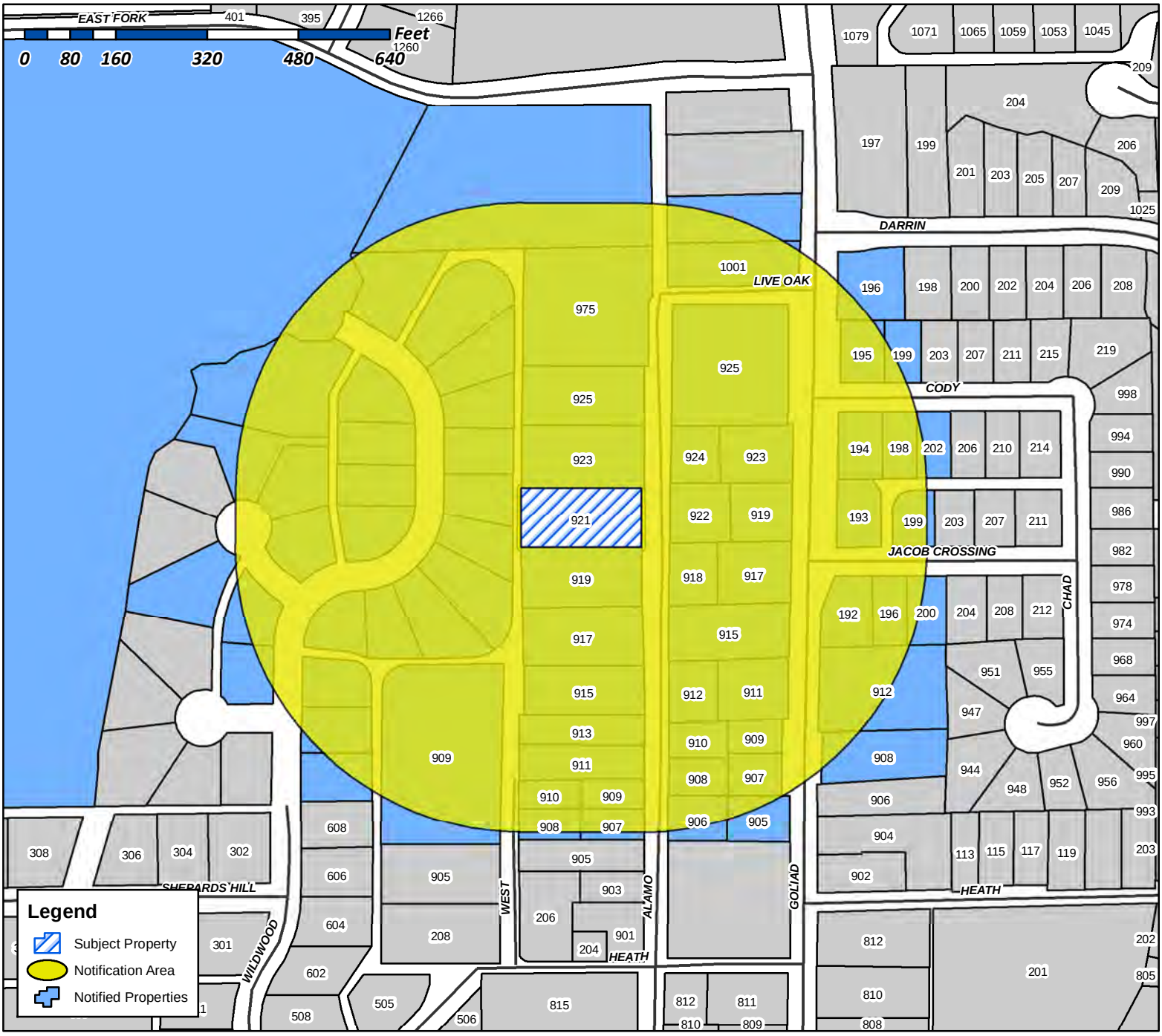
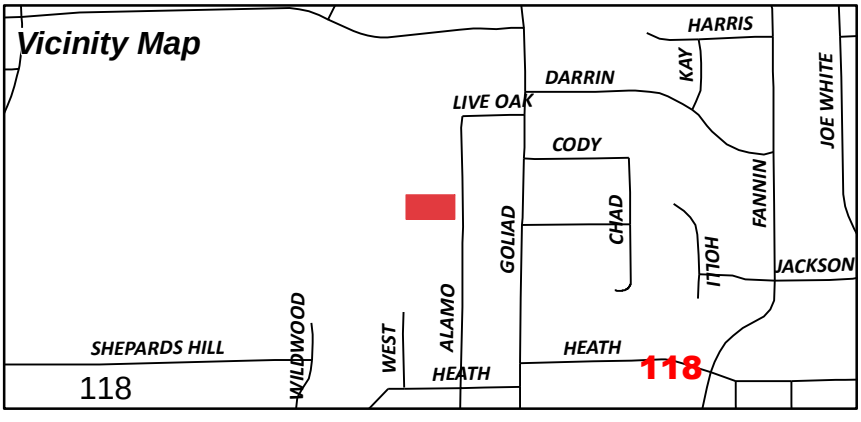
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Case Number: Z2014-015
Case Name: Accessory Building SUP
Case Type: Specific Use Permit
Zoning: SF-10
Case Address: 921 N. Alamo Road



Date Created: 05/19/2014
For Questions on this Case Call (972) 771-7745

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-015: Accessory Building SUP

Hold a public hearing to discuss and consider a request by Dennis D. Alsup for the approval of a Specific Use Permit (SUP) for an accessory building that does not conform to the size requirements as specified by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a property in a Single-Family 10 (SF-10) District on a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, zoned Single-Family 10 (SF-10) District, situated within the North Goliad Overlay (NGC OV) District, located at 921 Alamo Road, City of Rockwall, Rockwall County, Texas, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 6/10/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 6/16/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **6/16/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-015: Accessory Building SUP

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Non-resident Owner
Undeveloped Land
Property Resident
~~Duplicate/No address (Not mailed)~~

Reference No.		Name	Legal Description	Address 1	Address 2	Address 3	City	State	Zip
0124-0000-0005-00-0R		CURANOVIC JOHN	A0124 J H B JONES, TRACT 5, ACRES 2.760		361 WILLOWCREST		ROCKWALL	TX	75032
0124-0000-0006-00-0R		CRAWFORD JUANITA LIFE ESTATE AND	A0124 J H B JONES, TRACT 6, ACRES .50	MICHAEL CRAWFORD	925 N ALAMO		ROCKWALL	TX	75087
0124-0000-0012-00-0R		CRAWFORD MICHAEL & MARY	A0124 J H B JONES, TRACT 12, ACRES .885		975 N ALAMO RD		ROCKWALL	TX	75087
0124-0000-0026-01-0R		MASTER DEVELOPERS SNB LLC	A0124 J H B JONES, TRACT 26-1, ACRES 40.093	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
0124-0000-0034-00-0R		CANTRELL PAIGE	A0124 J H B JONES, TRACT 34, ACRES 0.5		923 N ALAMO RD		ROCKWALL	TX	75087
0146-0000-0030-00-0R		Resident	A0146 S S MCCURRY, TRACT 30, ACRES 0.5, N GOLIAD & LIVE OAK (PT OF 1.61 AC TR)		1001 N GOLIAD		Rockwall	TX	75087
0146-0000-0030-00-0R		DONAHOE JOHN M & KATHRINE E	A0146 S S MCCURRY, TRACT 30, ACRES 0.5, N GOLIAD & LIVE OAK (PT OF 1.61 AC TR)		925 N GOLIAD ST		ROCKWALL	TX	75087
~~0146-0000-0032-01-0R~~		~~DONAHOE JOHN M & KATHRINE E~~	~~A0146 S S MCCURRY, TRACT 32-1, ACRES 0.73, (PT OF 1.61 AC TR)~~		~~925 N GOLIAD ST~~		~~ROCKWALL~~	~~TX~~	~~75087~~
3005-000A-0001-00-0R		HILL LES & SHARON ANN	ADAMS ADDN, BLOCK A, LOT 1		911 N GOLIAD ST		ROCKWALL	TX	75087
3005-000A-0002-00-0R		JONES PAMELA J	ADAMS ADDN, BLOCK A, LOT 2		912 N ALAMO RD		ROCKWALL	TX	75087
3070-0160-0001-00-0R		STACEY MARY A	AUSTIN, LOT 3, ACRES .745		912 N GOLIAD ST		ROCKWALL	TX	75087
3070-0160-0002-00-0R		HEAVENLY HANDS BIRTHING CENTER PLLC	AUSTIN, LOT 2-R, (REPLAT 2006)		908 N GOLIAD STREET		ROCKWALL	TX	75087
3730-0004-0000-A0-0R		WILCOXSON PAUL E	GARNER, BLOCK PART 4		921 N ALAMO RD		ROCKWALL	TX	75087
3730-0004-0000-B0-0R		SYFERD STACI ANN	GARNER, BLOCK PART 4		917 N ALAMO RD		ROCKWALL	TX	75087
3730-0005-0001-00-0R		HARRIS JAMES SCOTT &	GARNER, BLOCK 5, LOT 1, GRAEM SUBD	ANNETTE JANE NABORS	907 N ALAMO		ROCKWALL	TX	75087
3730-0005-0002-00-0R		HAYNES GREGORY & AMANDA	GARNER, BLOCK 5, LOT 2		909 N ALAMO		ROCKWALL	TX	75087
3730-0005-0003-00-0R		HOLLOWAY LESLIE D	GARNER, BLOCK 5, LOT 3		911 N ALAMO RD		ROCKWALL	TX	75087
3730-0005-0004-A0-0R		WHITE TIMOTHY E	GARNER, BLOCK PART 5, LOT 4, GRAEM SUBD		9104 PRIVATE ROAD 2325		TERRELL	TX	75160
3730-0005-0004-A0-0R		Resident	GARNER, BLOCK PART 5, LOT 4, GRAEM SUBD		913 N ALAMO RD		Rockwall	TX	75087
3730-0005-0004-B0-0R		PEOPLES DERYL W	GARNER, BLOCK PART 5, LOT 4		5268 COUNTY ROAD 2648		ROYSE CITY	TX	75189
3730-0005-0004-B0-0R		Resident	GARNER, BLOCK PART 5, LOT 4		915 N ALAMO		Rockwall	TX	75087
3730-0005-0005-00-0R		MARTINKUS NICOLE	GARNER, BLOCK 5, LOT 5		908 N WEST ST		ROCKWALL	TX	75087
3730-0005-0006-00-0R		PERRY RUBY DELL	GARNER, BLOCK 5, LOT 6, GRAEM SUBD		910 N WEST ST		ROCKWALL	TX	75087
3730-0027-0000-A0-0R		Resident	GARNER, BLOCK PART 27	PATRICIA LWILLIAMS WILKERSON	905 N GOLIAD		Rockwall	TX	75087
3730-0027-0000-A0-0R		WILLIAMS ALEX RAY &	GARNER, BLOCK PART 27	PATRICIA LWILLIAMS WILKERSON	906 N ALAMO RD		ROCKWALL	TX	75087
3730-0027-0000-C0-0R		PIERCE CAROLYN GREEN	GARNER, BLOCK PART 27		908 N ALAMO RD		ROCKWALL	TX	75087
3730-0029-0000-A0-0R		UDSTUEN STEVE	GARNER, BLOCK PART 29		502 COLUMBIA DR		ROCKWALL	TX	75032
3730-0029-0000-A0-0R		Resident	GARNER, BLOCK PART 29		917 N GOLIAD		Rockwall	TX	75087
3730-0029-0000-B0-0R		MEDLIN ELTON LAKE	GARNER, BLOCK PART 29		1222 MIDDLEBROOK PL		DALLAS	TX	75208
3730-0029-0000-B0-0R		Resident	GARNER, BLOCK PART 29		918 N ALAMO		Rockwall	TX	75087
3730-0029-0000-C0-0R	CHILDRENS LEARNING CENTER	ADAMS JAMES & DEBBIE	GARNER, BLOCK PART 29, ACRES .497		208 SUMMIT RIDGE DR		ROCKWALL	TX	75087
3730-0029-0000-C0-0R		Resident	GARNER, BLOCK PART 29, ACRES .497		915 N GOLIAD		Rockwall	TX	75087
3730-0032-0000-B0-0R		CHAVEZ ENRIQUE	GARNER, BLOCK PART 32		923 N GOLIAD ST		ROCKWALL	TX	75087
3730-0032-0000-C0-0R		MONK MARCELLE A LAZARE & PAUL	GARNER, BLOCK PART 32		924 N ALAMO RD		ROCKWALL	TX	75087
3730-027B-0ALL-00-0R		ZAVALA VICTOR V	GARNER, BLOCK ALL 27B		910 N ALAMO RD		ROCKWALL	TX	75087
3828-000B-0042-00-0R		STEWART DEBORAH LYNN	HARRIS HEIGHTS #4, BLOCK B, LOT 42, (REPLAT)		196 DARRIN DR		ROCKWALL	TX	75087
3856-0001-0001-00-0R		DOUBLE T VENTURES LLC	HENRY ADDITION, BLOCK 1, LOT 1		1500 S KREYMER LN		WYLIE	TX	75098
3856-0001-0001-00-0R		Resident	HENRY ADDITION, BLOCK 1, LOT 1		907 N GOLIAD ST		Rockwall	TX	75087
~~4048-000A-0001-00-0R~~		~~DONAHOE JOHN M & KATHRINE E~~	~~ISAAC PENA ADDITION, BLOCK A, LOT 1, ACRES 1.0~~		~~925 N GOLIAD ST~~		~~ROCKWALL~~	~~TX~~	~~75087~~
4049-000A-0001-00-0R		JAMESON DANIEL R	JAMESON ADDITION, BLOCK A, LOT 1, ACRES 1.495		909 N WEST ST		ROCKWALL	TX	75087
4050-0870-A001-00-0R		FARMER BARBARA A	JAYROE ADDN		919 N ALAMO RD		ROCKWALL	TX	75087
~~4436-0001-0001-00-0R~~		~~DOUBLE T VENTURES LLC~~	~~MISTY ADDITION, BLOCK 1, LOT 1~~		~~1500 S KREYMER LN~~		~~WYLIE~~	~~TX~~	~~75098~~
4436-0001-0001-00-0R		Resident	MISTY ADDITION, BLOCK 1, LOT 1		909 N GOLIAD		Rockwall	TX	75087
4509-000A-0001-00-0R		CROY DANNY L	NORTH TOWNE ADDITION, BLOCK A, LOT 1		195 CODY PL		ROCKWALL	TX	75087
4509-000A-0002-00-0R		YOUNG BARBARA NEUMANN	NORTH TOWNE ADDITION, BLOCK A, LOT 2		199 CODY PLACE		ROCKWALL	TX	75087
~~4509-000A-0028-00-0R~~		~~DURRANI NOOR U~~	~~NORTH TOWNE ADDITION, BLOCK A, LOT 28~~		~~(MR)~~	~~MAIL RETURNED~~		~~TX~~	
4509-000A-0028-00-0R		Resident	NORTH TOWNE ADDITION, BLOCK A, LOT 28		200 JACOB CROSSING		Rockwall	TX	75087
4509-000A-0029-00-0R		DRISCOLL SEAN & SARAH	NORTH TOWNE ADDITION, BLOCK A, LOT 29		196 JACOB XING		ROCKWALL	TX	75087
4509-000A-0030-00-0R		CARLON WILLIAM ANDREW	NORTH TOWNE ADDITION, BLOCK A, LOT 30		192 JACOB CROSSING		ROCKWALL	TX	75087
4509-000B-0001-00-0R		HOWETH GARY L & CAROL A	NORTH TOWNE ADDITION, BLOCK B, LOT 1		194 CODY PLACE		ROCKWALL	TX	75087
4509-000B-0002-00-0R		RAYMOND TIFFANY M	NORTH TOWNE ADDITION, BLOCK B, LOT 2		198 CODY PLACE		ROCKWALL	TX	75087
4509-000B-0003-00-0R		CRAWFORD KELLI	NORTH TOWNE ADDITION, BLOCK B, LOT 3		202 CODY PL		ROCKWALL	TX	75087
4509-000B-0010-00-0R		Resident	NORTH TOWNE ADDITION, BLOCK B, LOT 10		199 JACOB CROSSING		Rockwall	TX	75087
4509-000B-0010-00-0R		DEAN GREG	NORTH TOWNE ADDITION, BLOCK B, LOT 10		505 SUNSET HILL DR		ROCKWALL	TX	75087
4509-000B-0011-00-0R		Resident	NORTH TOWNE ADDITION, BLOCK B, LOT 11		193 JACOB CROSSING		Rockwall	TX	75087
4509-000B-0011-00-0R		ARIE SARA F & WILLIAM DOUGLAS	NORTH TOWNE ADDITION, BLOCK B, LOT 11		320 W HIGH ST		OVIEDO	FL	32765
~~4580-000R-0009-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 9~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0010-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 10~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0011-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 11~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0014-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 14~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0015-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 15~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0016-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 16~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0017-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 17~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0018-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 18~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0019-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 19~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0020-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 20~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000R-0021-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK R, LOT 21~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000S-0020-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK S, LOT 20~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000S-0021-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK S, LOT 21~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000S-0022-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK S, LOT 22~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000S-0023-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK S, LOT 23~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000S-0024-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK S, LOT 24~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~
~~4580-000S-0025-00-0R~~		~~MASTER DEVELOPERS SNB LLC~~	~~NORTHSHORE #3, BLOCK S, LOT 25~~	~~ATTN LORI WOLFE~~	~~2400 DALLAS PARKWAY~~	~~SUITE 510~~	~~PLANO~~	~~TX~~	~~75093~~

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4580-000S-0026-00-0R		MASTER DEVELOPERS SNB LLC	NORTHSHORE #3, BLOCK S, LOT 26	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
4580-000S-0027-00-0R		MASTER DEVELOPERS SNB LLC	NORTHSHORE #3, BLOCK S, LOT 27	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
4580-000S-0028-00-0R		MASTER DEVELOPERS SNB LLC	NORTHSHORE #3, BLOCK S, LOT 28	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
4580-000S-0029-00-0R		MASTER DEVELOPERS SNB LLC	NORTHSHORE #3, BLOCK S, LOT 29	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
4580-000S-0030-00-0R		MASTER DEVELOPERS SNB LLC	NORTHSHORE #3, BLOCK S, LOT 30	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
4580-000S-0031-00-0R		MASTER DEVELOPERS SNB LLC	NORTHSHORE #3, BLOCK S, LOT 31	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
4580-000S-0032-00-0R		MASTER DEVELOPERS SNB LLC	NORTHSHORE #3, BLOCK S, LOT 32	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
4580-000S-0033-00-0R		MASTER DEVELOPERS SNB LLC	NORTHSHORE #3, BLOCK S, LOT 33	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
4721-000A-0001-00-0R		WILLIAMS LESLIE A	RAKICH ADDITION, BLOCK A, LOT 1, ACRES .252		922 N ALAMO RD		ROCKWALL	TX	75087
4721-000A-0002-00-0R		Resident	RAKICH ADDITION, BLOCK A, LOT 2, ACRES .257	BILLY PEOPLES JR & J PHILIP PEOPLES	919 N GOLIAD		Rockwall	TX	75087
4721-000A-0002-00-0R		PEOPLES BILLY &	RAKICH ADDITION, BLOCK A, LOT 2, ACRES .257	BILLY PEOPLES JR & J PHILIP PEOPLES	PO BOX 35		ROCKWALL	TX	75087
5260-0000-0001-00-0R		WILLIAMS ALEX R	WILLIAMS, LOT 1		906 N ALAMO RD		ROCKWALL	TX	75087

121

CURANOVIC JOHN
361 WILLOWCREST
ROCKWALL, TX 75032

CRAWFORD JUANITA LIFE ESTATE AND
MICHAEL CRAWFORD
925 N ALAMO
ROCKWALL, TX 75087

CRAWFORD MICHAEL & MARY
975 N ALAMO RD
ROCKWALL, TX 75087

MASTER DEVELOPERS SNB LLC
ATTN LORI WOLFE
2400 DALLAS PARKWAY SUITE 510
PLANO, TX 75093

CANTRELL PAIGE
923 N ALAMO RD
ROCKWALL, TX 75087

DONAHOE JOHN M & KATHRINE E
925 N GOLIAD ST
ROCKWALL, TX 75087

DONAHOE JOHN M & KATHRINE E
1001 N GOLIAD
Rockwall, TX 75087

HILL LES & SHARON ANN
911 N GOLIAD ST
ROCKWALL, TX 75087

JONES PAMELA J
912 N ALAMO RD
ROCKWALL, TX 75087

STACEY MARY A
912 N GOLIAD ST
ROCKWALL, TX 75087

HEAVENLY HANDS BIRTHING CENTER PLLC
908 N GOLIAD STREET
ROCKWALL, TX 75087

WILCOXSON PAUL E
921 N ALAMO RD
ROCKWALL, TX 75087

SYFERD STACI ANN
917 N ALAMO RD
ROCKWALL, TX 75087

HARRIS JAMES SCOTT &
ANNETTE JANE NABORS
907 N ALAMO
ROCKWALL, TX 75087

HAYNES GREGORY & AMANDA
909 N ALAMO
ROCKWALL, TX 75087

HOLLOWAY LESLIE D
911 N ALAMO RD
ROCKWALL, TX 75087

WHITE TIMOTHY E
9104 PRIVATE ROAD 2325
TERRELL, TX 75160

WHITE TIMOTHY E
913 N ALAMO RD
Rockwall, TX 75087

PEOPLES DERYL W
5268 COUNTY ROAD 2648
ROYSE CITY, TX 75189

PEOPLES DERYL W
915 N ALAMO
Rockwall, TX 75087

MARTINKUS NICOLE
908 N WEST ST
ROCKWALL, TX 75087

PERRY RUBY DELL
910 N WEST ST
ROCKWALL, TX 75087

WILLIAMS ALEX RAY &
PATRICIA LWILLIAMS WILKERSON
906 N ALAMO RD
ROCKWALL, TX 75087

WILLIAMS ALEX RAY &
PATRICIA LWILLIAMS WILKERSON
905 N GOLIAD
Rockwall, TX 75087

PIERCE CAROLYN GREEN
908 N ALAMO RD
ROCKWALL, TX 75087

UDSTUEN STEVE
502 COLUMBIA DR
ROCKWALL, TX 75032

UDSTUEN STEVE
917 N GOLIAD
Rockwall, TX 75087

MEDLIN ELTON LAKE
1222 MIDDLEBROOK PL
DALLAS, TX 75208

MEDLIN ELTON LAKE
918 N ALAMO
Rockwall, TX 75087

ADAMS JAMES & DEBBIE
208 SUMMIT RIDGE DR
ROCKWALL, TX 75087

ADAMS JAMES & DEBBIE
915 N GOLIAD
Rockwall, TX 75087

CHAVEZ ENRIQUE
923 N GOLIAD ST
ROCKWALL, TX 75087

MONK MARCELLE A LAZARE & PAUL
924 N ALAMO RD
ROCKWALL, TX 75087

ZAVALA VICTOR V
910 N ALAMO RD
ROCKWALL, TX 75087

STEWART DEBORAH LYNN
196 DARRIN DR
ROCKWALL, TX 75087

DOUBLE T VENTURES LLC
1500 S KREYMER LN
WYLIE, TX 75098

DOUBLE T VENTURES LLC
907 N GOLIAD ST
Rockwall, TX 75087

JAMESON DANIEL R
909 N WEST ST
ROCKWALL, TX 75087

FARMER BARBARA A
919 N ALAMO RD
ROCKWALL, TX 75087

DOUBLE T VENTURES LLC
909 N GOLIAD
Rockwall, TX 75087

CROY DANNY L
195 CODY PL
ROCKWALL, TX 75087

YOUNG BARBARA NEUMANN
199 CODY PLACE
ROCKWALL, TX 75087

DURRANI NOOR U
200 JACOB CROSSING
Rockwall, TX 75087

DRISCOLL SEAN & SARAH
196 JACOB XING
ROCKWALL, TX 75087

CARLON WILLIAM ANDREW
192 JACOB CROSSING
ROCKWALL, TX 75087

HOWETH GARY L & CAROL A
194 CODY PLACE
ROCKWALL, TX 75087

RAYMOND TIFFANY M
198 CODY PLACE
ROCKWALL, TX 75087

CRAWFORD KELLI
202 CODY PL
ROCKWALL, TX 75087

DEAN GREG
505 SUNSET HILL DR
ROCKWALL, TX 75087

DEAN GREG
199 JACOB CROSSING
Rockwall, TX 75087

ARIE SARA F & WILLIAM DOUGLAS
320 W HIGH ST
OVIEDO, FL 32765

ARIE SARA F & WILLIAM DOUGLAS
193 JACOB CROSSING
Rockwall, TX 75087

WILLIAMS LESLIE A
922 N ALAMO RD
ROCKWALL, TX 75087

PEOPLES BILLY &
BILLY PEOPLES JR & J PHILIP PEOPLES
PO BOX 35
ROCKWALL, TX 75087

PEOPLES BILLY &
BILLY PEOPLES JR & J PHILIP PEOPLES
919 N GOLIAD
Rockwall, TX 75087

WILLIAMS ALEX R
906 N ALAMO RD
ROCKWALL, TX 75087

123

In Notice Area - For

Gonzales, David

From: Sanford, JoDee on behalf of Planning
Sent: Tuesday, June 10, 2014 11:39 AM
To: Gonzales, David
Subject: FW: Case # Z2014-015: Accessory Building SUP

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | http://www.rockwall.com

From: Nick Titlow [redacted]
Sent: Tuesday, June 10, 2014 10:22 AM
To: Planning
Subject: Case # Z2014-015: Accessory Building SUP

Robert LaCroix,
David Gonzalez,

We are the neighbors of Dennis and his wife who live at 921 N. Alamo, we live at 923 N. Alamo Rd. In regards to the new building that Dennis is wanting to put on his property, we ***do not*** have an issue with it.

If having the new building on his property helps him to accomplish the things he wants to or needs to as a home owner then nobody should stop him from achieving his goals. If the building helps to increase his property value, which we all know it will, then let him improve the value of it. If we, as his immediate neighbors, who will see the building everyday do not have a problem with the building, let him build it.

As far as the other people in the area that can not see his property, house, let alone a building behind his house that have a say, who cares. His new building and property have no effect on them. In working for a local Law Enforcement Agency I understand the reason why rules, regulations, and documentation is so important. However, I feel that sometimes common sense goes out the window. But as we hope nobody interferes with the wants/needs in this case, we also hope that if somebody does have an issue with new building that you take into account the opinion of the people the building will have a direct impact on (property that immediately adjoins 921 N. Alamo Rd.) and that it carries more weight, than those who are down the street or can not see his property.

Having grown up in Rockwall and even working for the city in Parks and Rec. while in high school, I know why this city is in such high demand. That is why I recently moved back with my wife and look forward to starting my family here. All we ask is that you include this letter to City Council and take into account the opinions of the neighbors who will be in direct contact with the property at 921 N. Alamo Rd. Unfortunately, as neither of us can make the public hearings due to our work schedules, we ask that this letter be our voice in the matter of case Z2014-015. Thank you for your time and have a blessed day.

Sincerely,

Nick & Alyssa Titlow

p.s. We were just married and we do not know if the records have been updated in your files to verify that we are the home owners. If you have any questions feel free to contact Nick on his cell phone (972) 768-9401.

PLEASE RETURN THE BELOW FORM

Case No. Z2014-015: Accessory Building SUP

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.



Let the man do what he wants on his own property. The city or no one else should be able to tell him what he can or can't do on his own property.

Name: Timothy E. White

Address: 9104 CR. 2325, Terrell, Texas 75160 - Owner of 913 N. Alamo Rockwall, TX property

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

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In Notice Area - For

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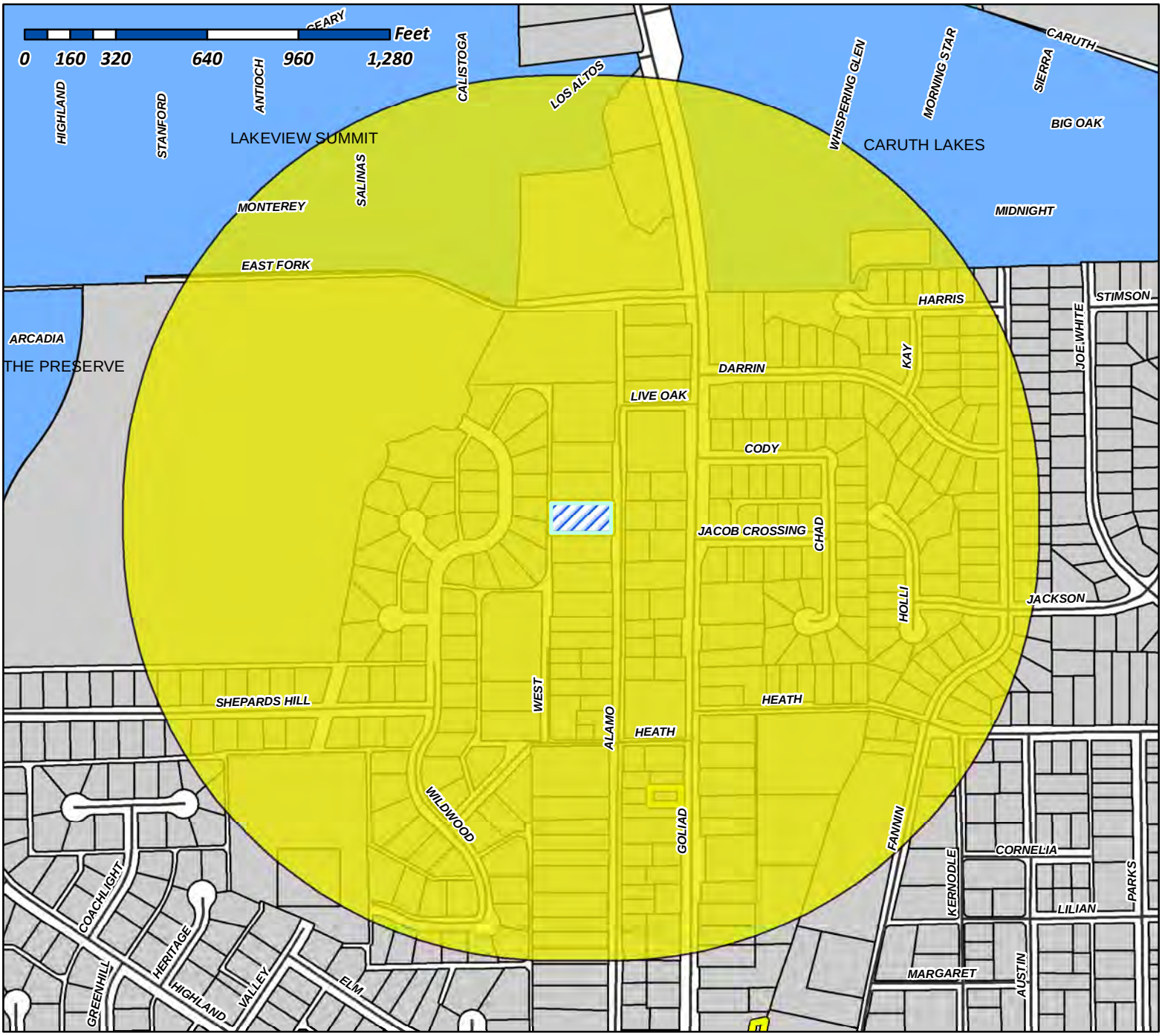
City of Rockwall

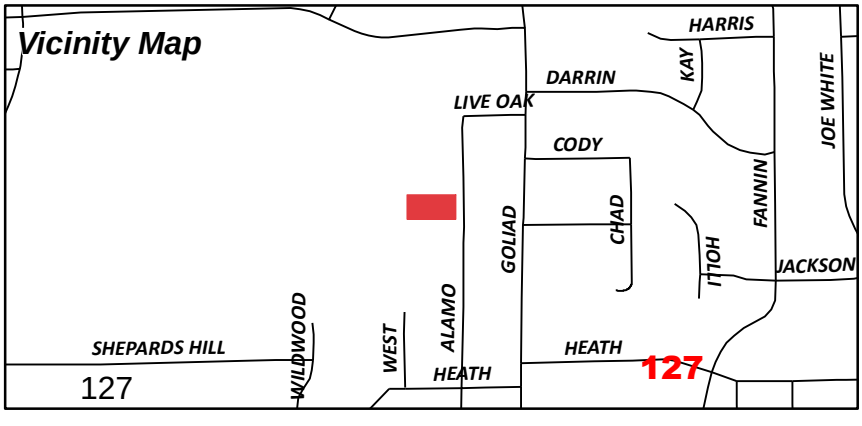
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

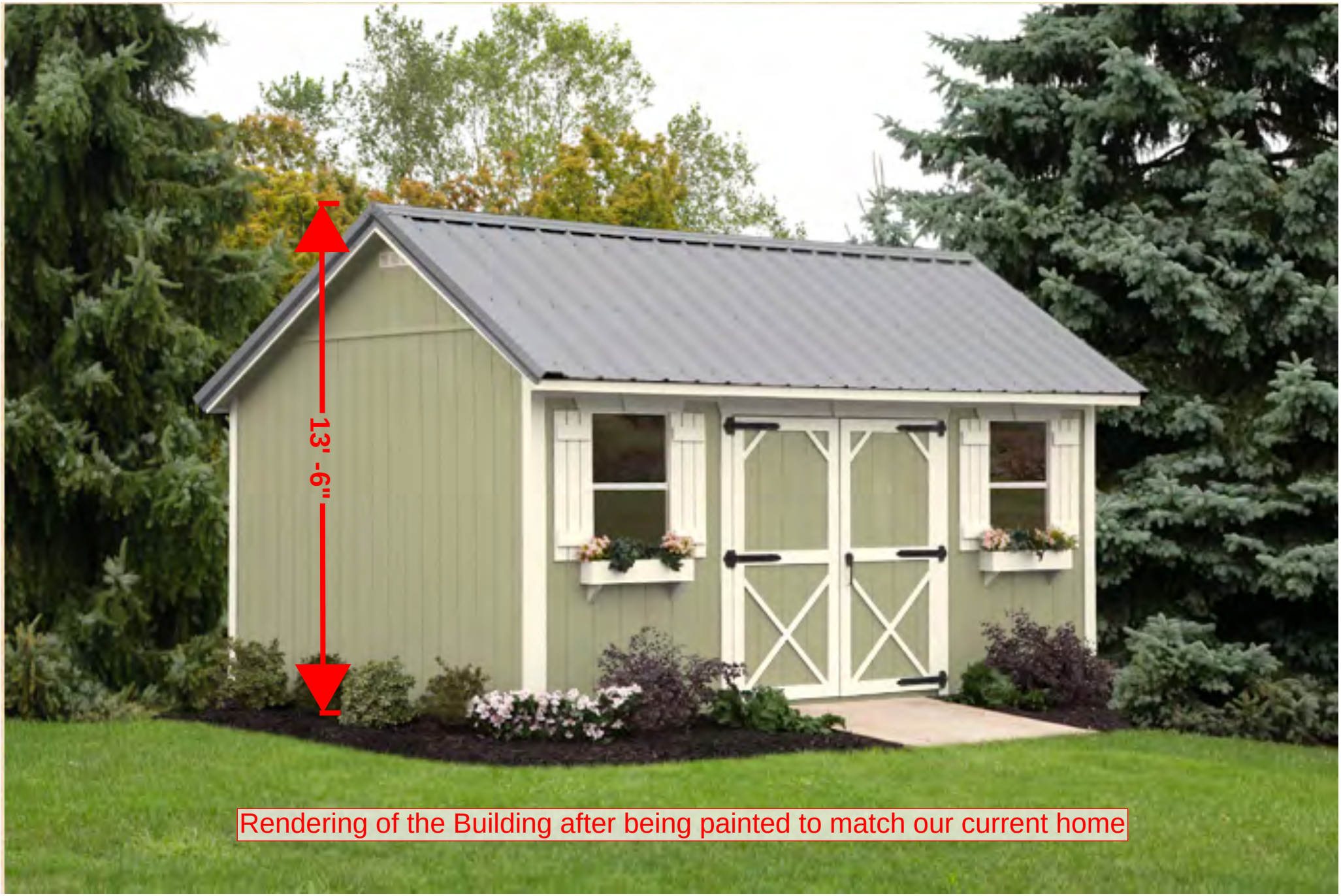
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Case Number: Z2014-015
Case Name: Accessory Building SUP
Case Type: Specific Use Permit
Zoning: SF-10
Case Address: 921 N. Alamo Road

Date Created: *05/19/2014*
For Questions on this Case Call (972) 771-7745





Rendering of the Building after being painted to match our current home

128

Search | Cart | Email | Share | Tweet

Property ID: 16651 For Year 2014

View Map | Print

Map

DISCLAIMER



Property Details

Account	
Property ID:	16651
Legal Description:	GARNER, BLOCK PART 4
Geographic ID:	3730-0004-0000-A0-0R
Agent Code:	
Type:	Real
Location	
Address:	921 N ALAMO
Map ID:	2-3
Neighborhood CD:	N3730
Owner	
Owner ID:	15612
Name:	WILCOXSON PAUL E
Mailing Address:	921 N ALAMO RD ROCKWALL, TX 75087-2255
% Ownership:	100.0%
Exemptions:	HS - Homestead OV65 - Over 65

Property Values

Improvement Homesite Value:	N\A
Improvement Non-Homesite Value:	N\A
Land Homesite Value:	N\A
Land Non-Homesite Value:	N\A
Agricultural Market Valuation:	N\A
Market Value:	N\A
Ag Use Value Reduction:	N\A
Appraised Value:	N\A
HS Cap:	N\A
Assessed Value:	N\A

DISCLAIMER: Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

129


20619
11283
Proposed Building Location
211'-0"
20618
16651
House
104'-0"
Alamo Rd.
Future Alley
20617
Existing Building
Small Metal Building
to be removed
18276
16668
20616
130


Existing Neighbor's Building
131

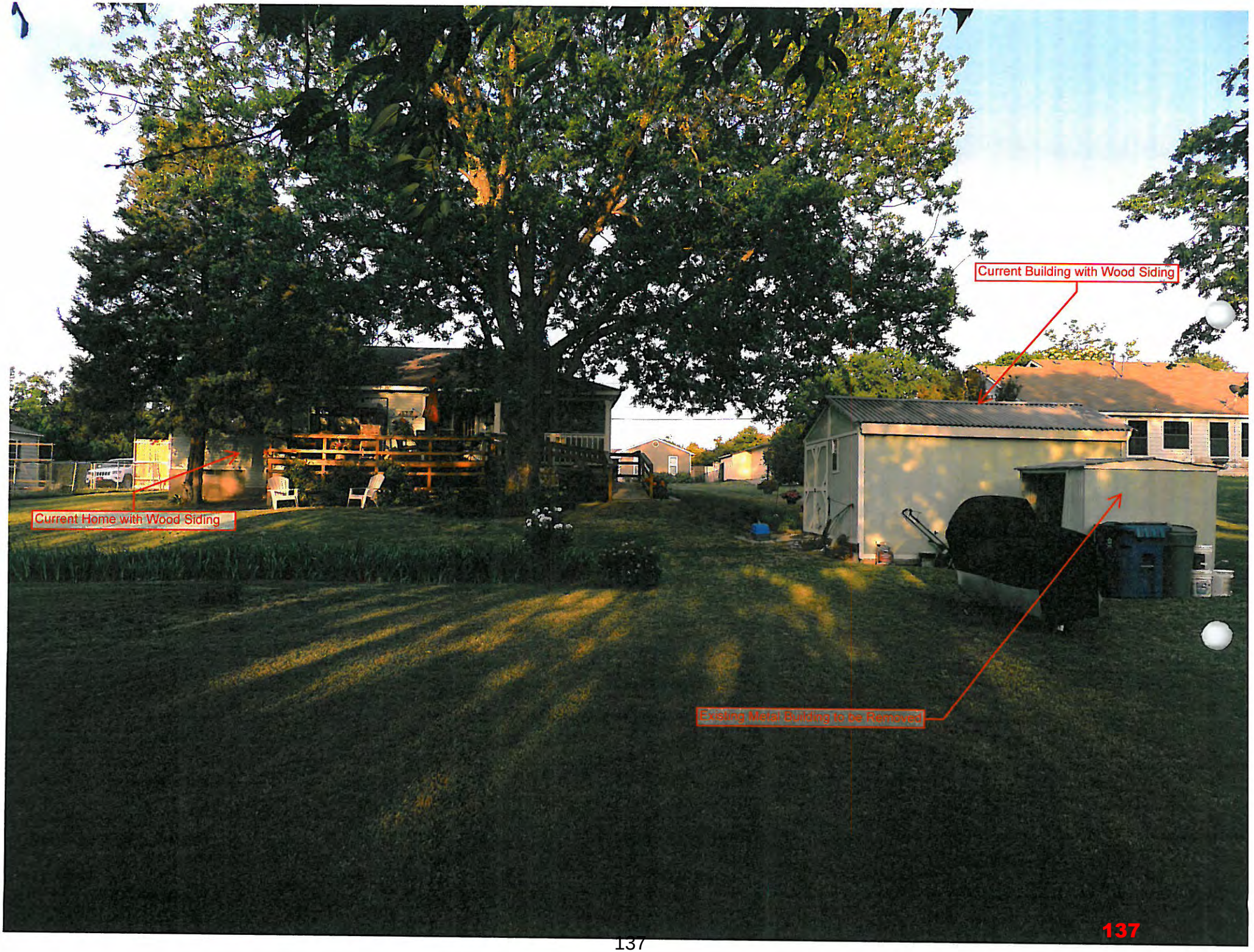

Existing Neighbor's Building
132


Current Home with Wood Siding
Current Building with Wood Siding
133


Proposed Building Location
134


North (side) Property Line
West (back) Property Line
Proposed Building Location
135


Proposed Building Location
136


Current Building with Wood Siding
Current Home with Wood Siding
Existing Metal Building to be Removed
137


North West Property Corner Flagged
from Survey of lot to the North.
138


Existing Metal Building to be Removed
139

CITY OF ROCKWALL

ORDINANCE NO. 14-___

SUP NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN THE SINGLE-FAMILY RESIDENTIAL (SF-10) DISTRICT ALLOWING FOR AN ACCESSORY BUILDING EXCEEDING THE SIZE REQUIREMENTS, ON THE PROPERTY LOCATED AT 921 ALAMO ROAD, BEING A 0.74-ACRE PARCEL OF LAND IDENTIFED AS A PORTION OF BLOCK 4, GARNER ADDITION, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A'; CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Dennis D. Alsup for a Specific Use Permit allowing for an accessory building exceeding the size requirements within the Single-Family Residential (SF-10) District, on the property located at 921 Alamo Road, being a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for an accessory building exceeding the size requirements within the Single-Family Residential (SF-10) District for the *Subject Property*; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in ***Article IV, Section 2.1.2, Residential and Lodging Use Conditions,*** of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended and as may be amended in the future, and shall be subject to the additional following additions:

1) The accessory building must conform to all Engineering and Fire Department standards; and

2) Submittal and approval of a building permit is required prior to the construction of the

accessory building; and

3) The accessory building must conform to the approved site plan (survey) and building elevations (photo) depicted in Exhibits 'A' & 'B' of this ordinance; and

4) The accessory building shall not exceed 240 square feet in area; and

5) The accessory building shall not exceed a maximum height of 15 feet; and

6) The accessory building is subject to administrative review in the event that the subject property is sold or conveyed in any manner to another party, subdivided, or re-platted; and

7) The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof; and

8) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE ____ DAY OF _____, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____

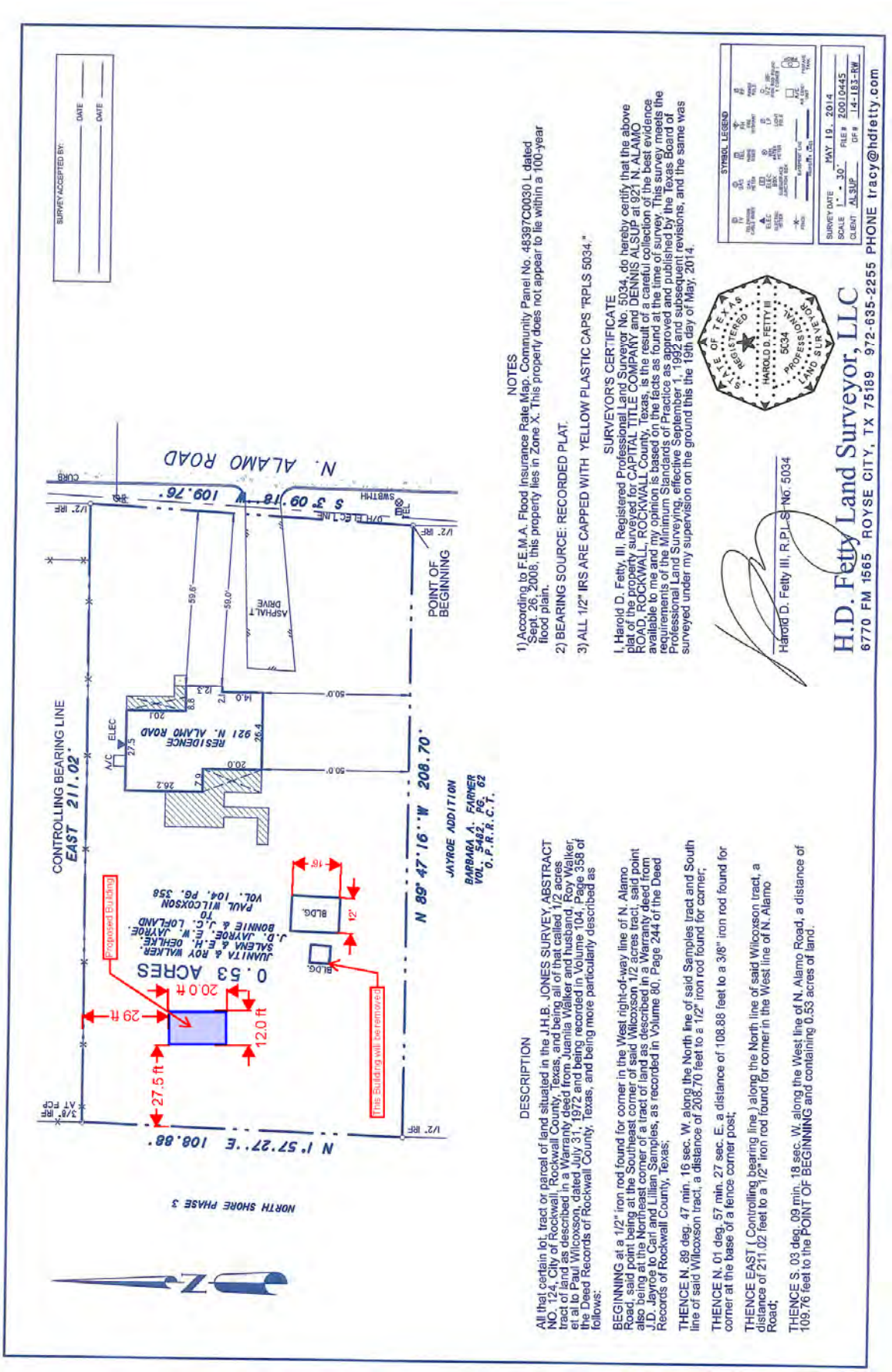
Kristy Ashberry, *City Secretary*
APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: _____

2nd Reading: _____

Exhibit A:



SURVEY ACCEPTED BY:
DATE
DATE
N. ALAMO ROAD
S 3° 09' 18" W 109.76'
POINT OF BEGINNING
CONTROLLING BEARING LINE
EAST 211.02'
RESIDENCE
921 N. ALAMO ROAD
ASPHALT DRIVE
N 89° 47' 16" W 208.70'
JAYROE ADDITION
BARBARA A. FARMER
VOL. 5482, PG. 62
O.P.R.R.C.T.
0.53 ACRES
JUANITA & ROY WALKER, SALENA & E.H. OEHLKE, J.D. JAYROE, E.W. JAYROE, BONNIE & J.C. LOFLAND TO PAUL WILCOXSON VOL. 104, PG. 358
Proposed Building
This Building will be removed
29 ft
20.0 ft
12.0 ft
27.5 ft
BLDG.
N 1° 57' 27" E 108.88'
NORTH SHORE PHASE 3
NOTES
1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
2) BEARING SOURCE: RECORDED PLAT.
3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
SURVEYOR'S CERTIFICATE
I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for CAPITAL TITLE COMPANY and DENNIS ALSUP at 921 N. ALAMO ROAD, ROCKWALL, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 19th day of May, 2014.
STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR
Harold D. Fetty III, R.P.L.S. No. 5034
H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com
SYMBOL LEGEND
SURVEY DATE MAY 19, 2014
SCALE 1" = 30'
FILE # 20010445
CLIENT ALSUP
DF # 14-183-RW
DESCRIPTION
All that certain lot, tract or parcel of land situated in the J.H.B. JONES SURVEY, ABSTRACT NO. 124, City of Rockwall, Rockwall County, Texas, and being all of that called 1/2 acres tract of land as described in a Warranty deed from Juanita Walker and husband, Roy Walker, et al to Paul Wilcoxson, dated July 31, 1972 and being recorded in Volume 104, Page 358 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:
BEGINNING at a 1/2" iron rod found for corner in the West right-of-way line of N. Alamo Road, said point being at the Southeast corner of said Wilcoxson 1/2 acres tract, said point also being at the Northeast corner of a tract of land as described in a Warranty deed from J.D. Jayroe to Carl and Lillian Samples, as recorded in Volume 80, Page 244 of the Deed Records of Rockwall County, Texas;
THENCE N. 89 deg. 47 min. 16 sec. W. along the North line of said Samples tract and South line of said Wilcoxson tract, a distance of 208.70 feet to a 1/2" iron rod found for corner;
THENCE N. 01 deg. 57 min. 27 sec. E. a distance of 108.88 feet to a 3/8" iron rod found for corner at the base of a fence corner post;
THENCE EAST (Controlling bearing line) along the North line of said Wilcoxson tract, a distance of 211.02 feet to a 1/2" iron rod found for corner in the West line of N. Alamo Road;
THENCE S. 03 deg. 09 min. 18 sec. W. along the West line of N. Alamo Road, a distance of 109.76 feet to the POINT OF BEGINNING and containing 0.53 acres of land.

Exhibit B: Elevations



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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **July 3, 2014**

SUBJECT: **Public Hearing for Land Use Assumptions and Capital Improvement Plan for Water/Wastewater Impact Fees**

In accordance with Chapter 395 of the Texas Local Government Code, the City Council is scheduled to hold a public hearing on July 7, 2014 to consider the approval of the Land Use Assumptions and Capital Improvement Program for the Water & Wastewater Impact Fees. Staff completed the Land Use Assumption for the Impact Fees, submitted the document to the Capital Improvement Advisory Committee (CIAC) and received their approval. The final report includes population and employment projections for the City's corporate boundaries and its Extraterritorial Jurisdiction (ETJ) and a forecast of the ultimate (build out) population and employment projections. These projections were included in the development of a Capital Improvement Plan for Water and Wastewater infrastructure to meet the ten year planning timeframe (2013-2023) as well as the build out scenario. Attached is a memorandum from the CIAC Chairman supporting the Land Use Assumptions and the Water and Wastewater Capital Improvement Plan.

Staff requests City Council hold a public hearing to allow comments regarding the Land Use Assumptions and the Water and Wastewater Capital Improvement Plan followed by adoption of these two documents.

Attachments:

TMT:em

Cc:
Mary Smith, Assistant City Manager
File



Land Use Assumptions For Impact Fees

2013 ROADWAY & WATER/WASTEWATER FEE UPDATE

MAY 13, 2014

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ACKNOWLEDGEMENTS

CITY COUNCIL

David Sweet, Mayor
David White, Mayor Pro-Tem
Jim Pruitt
Bennie Daniels
Dennis Lewis
Scott Milder
Mike Townsend

CAPITAL IMPROVEMENT ADVISORY COMMITTEE
(PLANNING & ZONING COMMISSION)

ROADWAY IMPACT FEES
Phillip Herbst, Chairman
Connie Jackson
John McCutcheon
Craig Renfro
Matthew Nielsen
Wendy Conley
Kristen Minth

WATER/WASTEWATER IMPACT FEES
Craig Renfro, Chairman
Connie Jackson
John McCutcheon
Matthew Nielsen
Wendy Conley
Kristen Minth
Johnny Lyons

STAFF MEMBERS

Robert LaCroix AICP, Director of Planning & Zoning
Ryan Miller AICP, Planning Manager
David Gonzales, Planner
JoDee Sanford, Planning Technician

Lance Singleton, GIS Supervisor
Lonnie Hill, GIS Technician

Tim Tumulty PE, City Engineer
Amy Williams PE, Assistant City Engineer
Kathleen Moreno PE, Civil Engineer
Bruce Hanby, Senior Engineering Technician

Jeffery Widmer, Chief Building Official
John Ankrum, Plans Examiner

ADDITIONAL ACKNOWLEDGEMENTS

Birkhoff, Hendricks & Carter, LLP
Freese & Nichols, Inc.
Lance Estep, AICP

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FORWARD

IMPACT FEES are charges imposed against new development to generate revenue for or recoup the cost of capital facilities (or infrastructure) necessitated by and attributed to new development. These fees are generally implemented to reduce the economic burden of a municipality when addressing the need for adequate capital improvements to accommodate growth.

PURPOSE

Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code outlines the process for adopting and updating impact fees for political subdivisions. On April 21, 2008 the City of Rockwall adopted roadway and water/wastewater impact fees per Ordinance No. 08-21. According to the statutory requirements stipulated by the Texas Local Government Code impact fees are required to be updated a minimum of every five (5) years [*§395.052*].

In approaching an update to existing impact fees it is important for a city to assess its growth and employment potential and establish land use assumptions that will guide development for a ten (10) year planning period (i.e. 2013-2023) [*§395.001(5)*]. These land use assumptions form the basis for the preparation of the *Impact Fee Capital Improvement Plan* for water, wastewater and roadway facilities.

In order to determine the need and timing of capital improvements to serve future development, a rational estimate of future growth is required. The purpose of this report is to formulate growth and employment projections based upon assumptions pertaining to the type, location, quantity and timing of future development within the city, and to establish and document the methodology used for preparing these land use assumptions.

ELEMENTS OF THE LAND USE ASSUMPTIONS REPORT

This report contains the following components:

- ☑ *Methodology*: This component of the report contains the systematic and theoretical analysis of the methods and principals used to prepare the projections and land use assumptions contain within this report.
- ☑ *Service Areas and Data Collection Zones*: This component provides an explanation of the data collection zones (i.e. Traffic Survey Zones [TSZ]) and the Roadway, Water and Wastewater Impact Fee Service Areas for capital facilities.
- ☑ *Base Year Data*: This component provides information on population, housing and employment in the City of Rockwall as of 2013 for each capital facility service area.
- ☑ *Ten-Year Growth Assumptions*: This component provides assumptions with respect to the population, housing and employment for the City of Rockwall in ten (10) years (i.e. 2023). This information is broken out by capital facility service area.
- ☑ *Build Out Assumptions:* This component provides projections for population, housing and employment under the assumption that the City and its Extraterritorial Jurisdiction (ETJ) are completely developed, or *Built Out*.
- ☑ *Summary*: This component provides a synopsis of the land use assumptions contained within this report.
- ☑ *Appendix:* This component contains information that was important in deriving the population, housing and employment projections for 2013-2023.

METHODOLOGY

Based upon the growth assumptions and the capital improvements needed to support growth, it is possible to develop an impact fee structure which fairly allocates improvement costs to growth areas in relationship to their impact upon the entire infrastructure system. The data in this report has been formulated using reasonable and generally accepted planning principles.

These land use assumptions and future growth projections take into consideration several factors influencing development patterns. These factors include:

- ☑ The character, type, density and quantity of existing development.
- ☑ The current zoning patterns and anticipated future land uses as established in the Comprehensive Plan (i.e. the City's *Future Land Use Plan Map*).
- ☑ The availability of land to support future expansion of development.
- ☑ The current and historical growth trends of both population and employment within the City.
- ☑ The location and configuration of vacant parcels of land and their ability to support development.
- ☑ The growth of employment utilizing previously established and generally accepted data (i.e. North Central Texas Council of Governments [*NCTCOG*] 2010 & 2015 Employment Projections).
- ☑ Local knowledge concerning future development projects or anticipated development within the city.

LAND USE ASSUMPTIONS REPORT ELEMENTS

The following is the general methodology that was used for the preparation of this report:

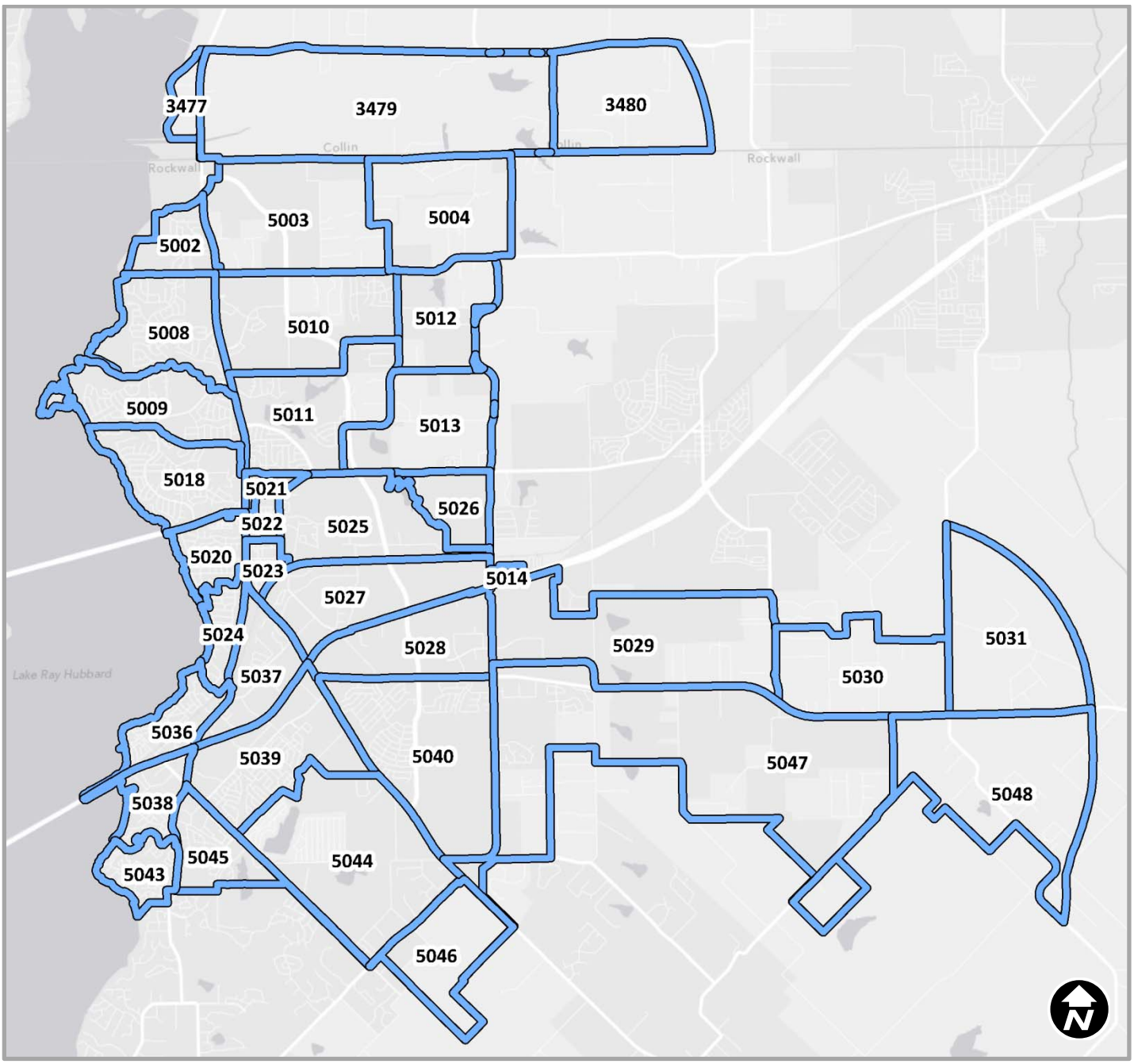
1. Population, housing and employment data was collected from the United States Census Bureau, North Central Texas Council of Governments (*NCTCOG*), the City of Rockwall Geographical Information Systems (GIS) Department, the City of Rockwall Building Inspection Department and other acceptable sources. This information was then analyzed and used to provide base information for all service areas from which projections could be extrapolated [see *Service Areas and Data Collection Zones*].
2. The base year (i.e. 2013) estimates for housing, population and employment were calculated based on the information collected [see *Base Year Data*].
3. From the base year and the information gathered from various sources a growth rate was established by examining recent building permit information, past growth trends and anticipated development over the next ten (10) years. This growth rate was then applied to each of the impact fee service areas to project the base year data over the ten (10) year planning period (i.e. 2013-2023) [see *Ten Year Growth Assumptions*].
4. After the projections for housing, population and employment were prepared for the ten (10) year planning period city staff made adjustments to account for known or anticipated development activity within the planning periods. In making these adjustments city staff took into consideration the recommendations made within the 2012 Rockwall Comprehensive Plan Update, existing public works data, economic information provided by the Rockwall Economic Development Corporation (REDC) and demographic information provided by the GIS and Building Inspections Departments.
5. Finally, the City's *Build Out* projections for housing, population and employment were calculated by establishing the City's carrying capacity in terms of developable acres and projecting population forward using the previously established Compound Annual Growth Rate (CAGR) to establish a *Build Out Year*. The housing and employment information were then projected to the *Build Out Year* [see *Build Out Projections*].

DATA COLLECTION ZONES AND SERVICE AREAS

DATA COLLECTION ZONES

The *Data Collection Zones* used for this study were the North Central Texas Council of Government's (NCTOG's) Traffic Survey Zones (TSZs). A TSZ is a small geographic area developed by the NCTOG to serve as the basis for the regional TransCAD travel demand model and for the purpose of performing various other regional planning activities. TSZ's were originally formulated on the basis of homogeneity and traffic generation potential using major arterials, creeks, railroad lines and other physical boundaries for delineation. It should be noted that several TSZ's were adjusted in the calculations because portions include areas outside of the City limits.

FIGURE 1: TRAFFIC SURVEY ZONES (TSZs)
Note: The TSZs below have been clipped to the Extraterritorial Jurisdiction (ETJ)



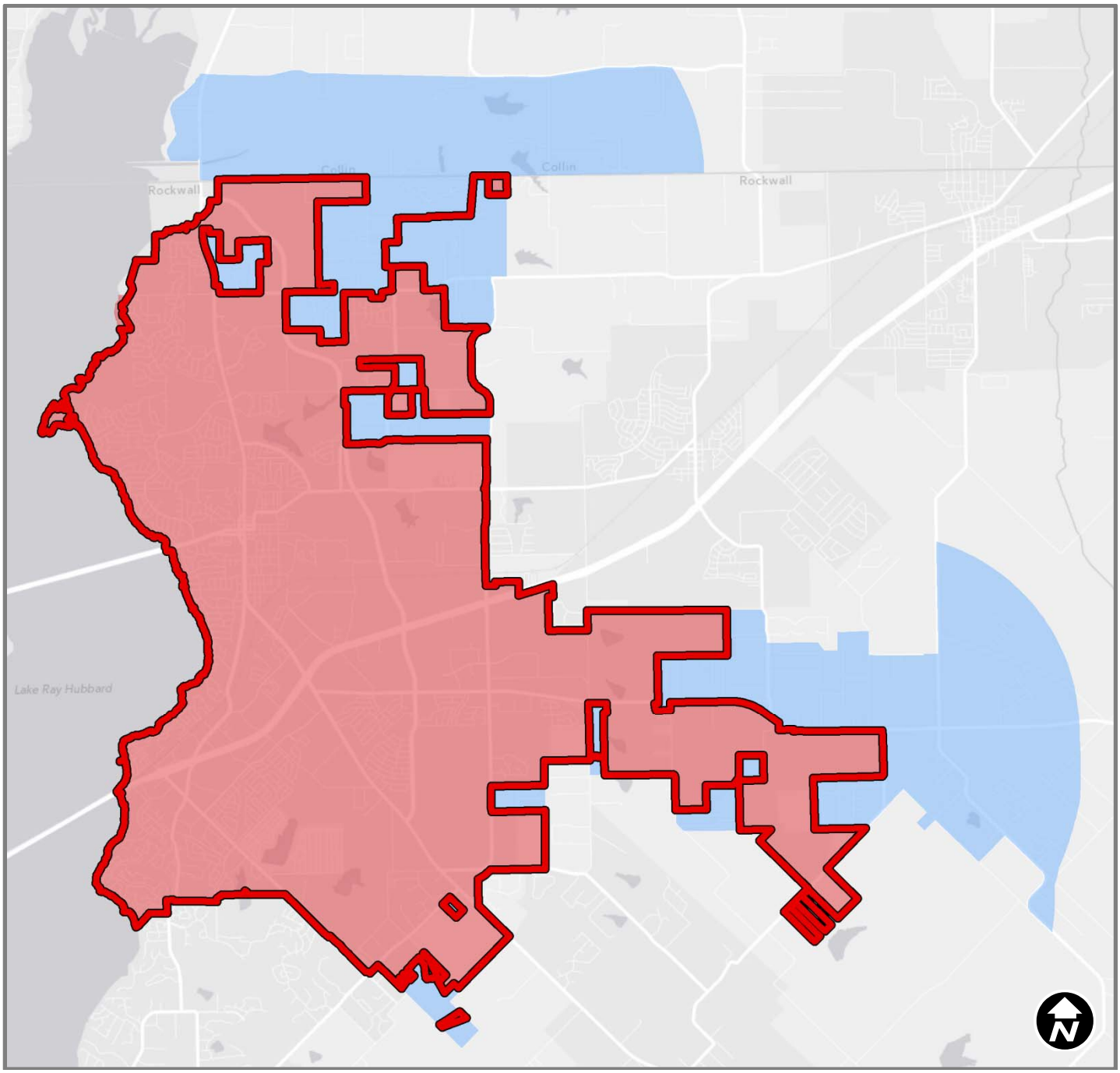
SERVICE AREAS

The Texas Local Government Code (TLGC) requires that services areas be established within the corporate boundaries of a political subdivision for the purpose of ensuring that the capital improvements service the areas generating need. The boundaries for impact fees are defined as follows:

Roadway Impact Fees refers to a service area that is limited to the corporate boundaries of a political subdivision or city, and cannot extend into the Extraterritorial Jurisdiction (ETJ) or for a distance exceeding more than six (6) miles. The City of Rockwall is divided into four (4) service areas that are depicted in *Figure 3* on *Page 5*.

Water and Wastewater Impact Fees refers to a service area that includes a city's corporate boundaries and Extraterritorial Jurisdiction (ETJ). This service area is depicted in *Figure 4* on *Page 6*.

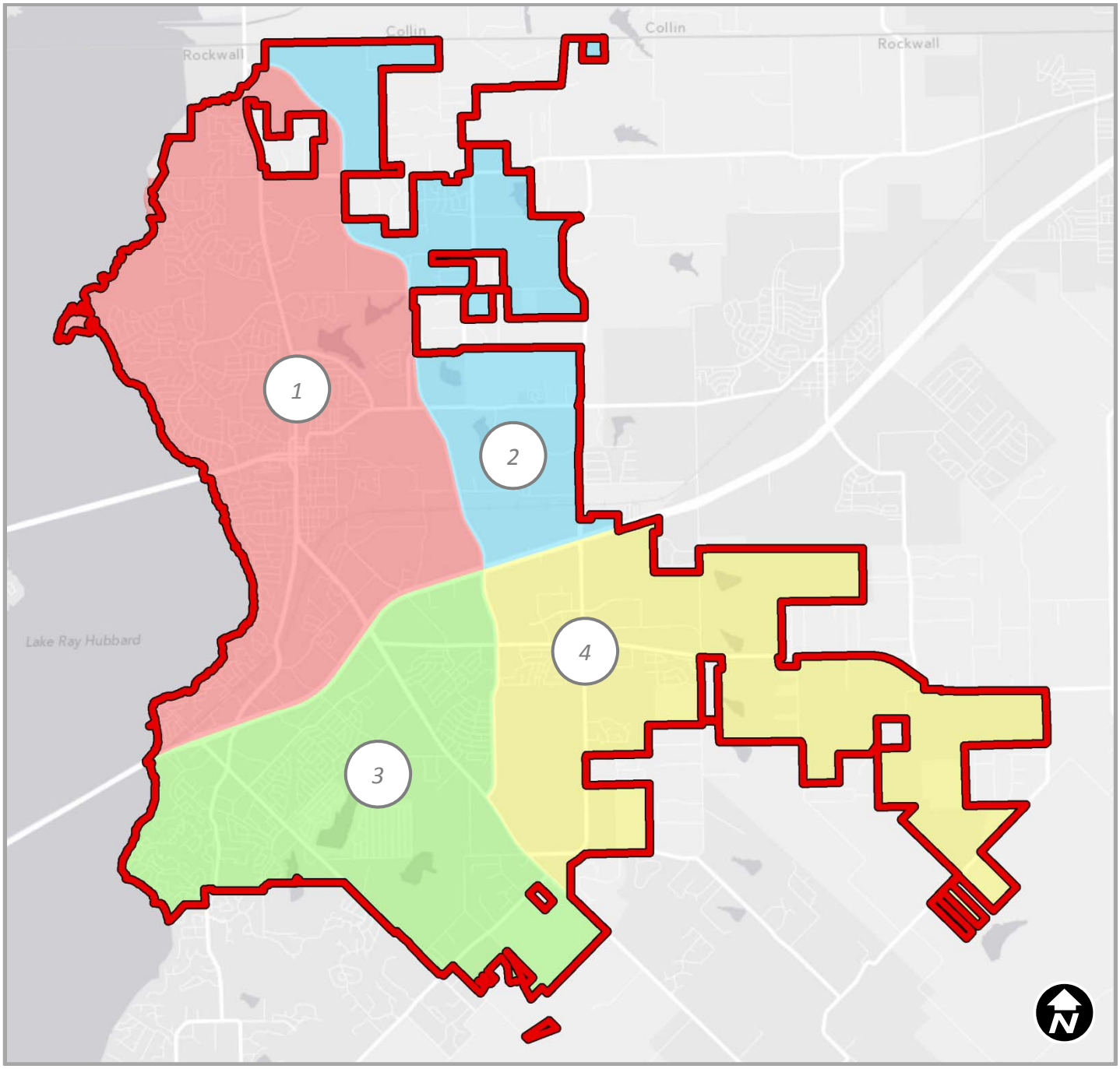
FIGURE 2: CITY OF ROCKWALL CITY LIMITS AND EXTRATERRITORIAL JURISDICTION (ETJ)
Note: The City Limits of Rockwall are depicted in RED. The Extraterritorial Jurisdiction (ETJ) is depicted in BLUE.



ROADWAY SERVICE AREAS

FIGURE 3: ROADWAY SERVICE AREAS

This is the derived service area structure for roadway facilities. These service areas conform to the current city limits of the City of Rockwall and are divided by John King Boulevard and Interstate Highway 30.



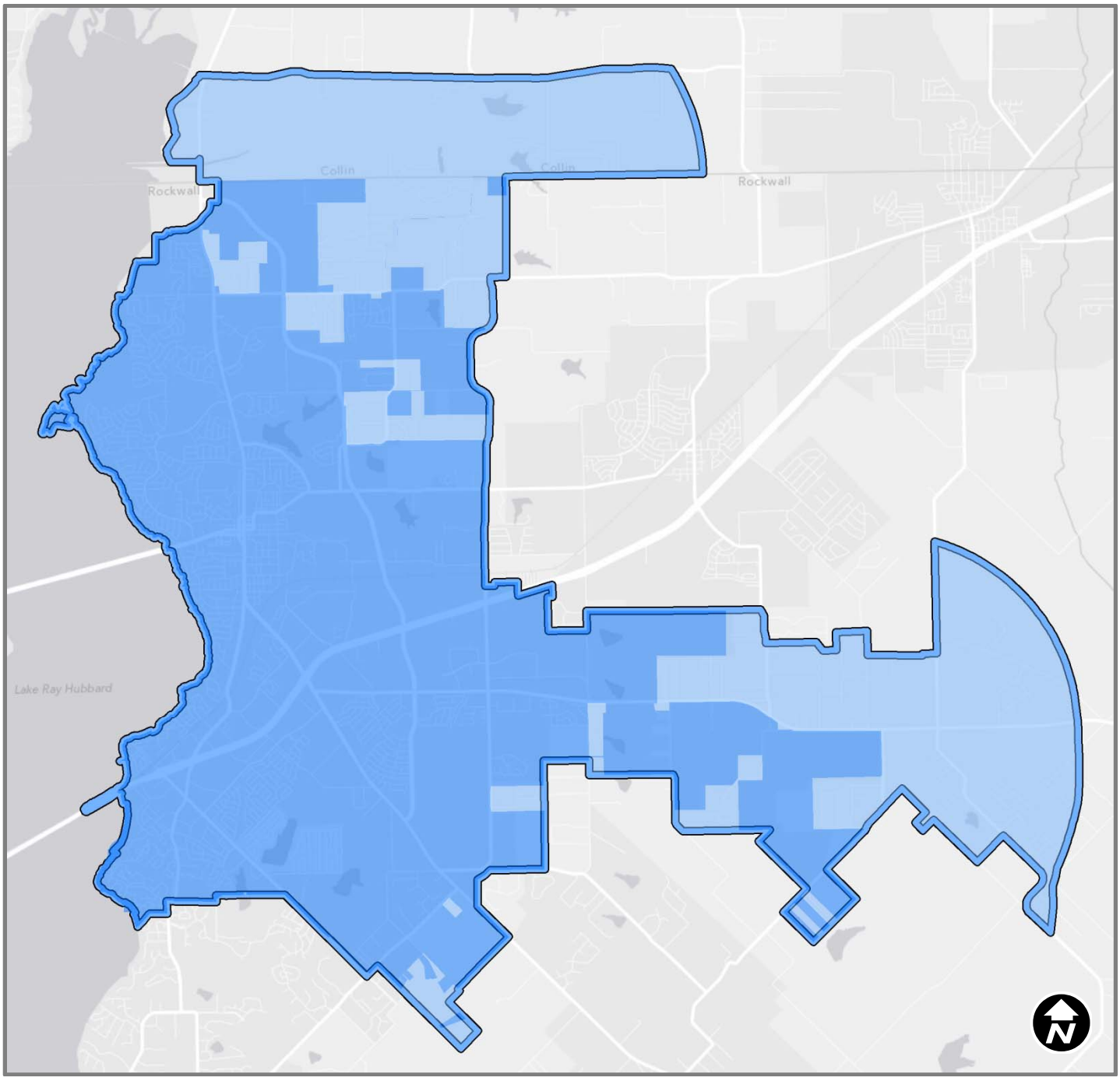
MAP KEY

RED: Service Area 1
BLUE: Service Area 2
GREEN: Service Area 3
YELLOW: Service Area 4

WATER/WASTEWATER SERVICE AREA

FIGURE 4: WATER/WASTEWATER SERVICE AREA

This is the derived service area structure for water and waste facilities. This service area conforms to the current city limits of the City of Rockwall and its Extraterritorial Jurisdiction (ETJ).



MAP KEY

BLUE: Service Area

SUMMARY OF DATA

The current database and the database prepared in 2007, along with all future projections, were drafted utilizing the following geographic areas:

- ☑ *Service Area.* The Service Area correlates to the Water, Wastewater and Roadway Service Areas identified in *Figures 3 & 4*. As previously state the corporate boundaries of the City of Rockwall serve as the limits for the Roadway Service Areas and the Water and Waste Water Service Areas include the corporate boundaries and the Extraterritorial Jurisdiction (ETJ).
- ☑ *Traffic Survey Zone (TSZ).* A Traffic Survey Zone or *TSZ* are geographic areas established by the North Central Texas Council of Governments (NCTCOG), which are used for data collection purposes.

Additionally, all databases and projections utilized the following variables:

- ☑ *Households (2013).* Household data includes living units (i.e. *single-family, duplex, multi-family, group home/quarters, etc.*) existing at the end of the calendar year 2012 (*January 1, 2013 to December 31, 2012*). This number was derived using 2010 United States Census data relating to households, residential building permits obtained from the Rockwall Building Inspections Department, and address point data obtained from the Rockwall Geographic Information Systems Department (GIS).
- ☑ *Households (2023).* This is the projected household data by service area for the year 2023, which represents a ten (10) year growth projection. This information was derived by staff using proper projection techniques.
- ☑ *Population (2013)*. This is the existing population for the base year (i.e. *2013*). This information was calculated utilizing the number of households existing at the end of the calendar year 2012, the occupancy rate and average household size as established by the United State Census Bureau, and the population of all group quarters (i.e. *[# of Households – Vacancy Rate] x Household Size + Group Quarters Population = Population*).
- ☑ *Population (2023)*. The projected population by service area for the year 2023, which represents a ten (10) year growth projection. This information was derived by staff using proper projection techniques.
- ☑ *Employment (2013).* Employment data was aggregated to three (3) employment sectors, which include *Basic*, *Retail* and *Service* as provided by the North Central Texas Council of Governments (NCTCOG). These service sectors serve as the basis for non-residential trip generation. The following is a summary of these employment sectors followed by corresponding North American Industry Classification System (NAICS) code:

  - ➢ *Basic.* Land use activities that produce goods and services such as those that are exported outside the local economy. These include manufacturing, construction, transportation, wholesale trade, warehousing and other industrial uses (NAICS Code: *#210000 - #422999*).
  - ➢ *Retail.* Land use activities which provide for the retail sale of goods that primarily serve households and whose location choice is oriented toward the household sector. These include uses such as grocery stores, restaurants, etc. (NAICS Code: *#440000 - #454390*).
  - ➢ *Service.* Land use activities which provide personal and professional services. These include such uses as financial, insurance, government, and other professional and administrative offices (NAICS Code *#520000 - #928199*).

- ☑ *Employment (2023).* The projected employment data was aggregated to three (3) employment sectors, which include *Basic*, *Retail* and *Service* as provided by the North Central Texas Council of Governments (NCTCOG). These service sectors were then projected by service area to the year 2023, which represents a ten (10) year growth projection. This information was derived by staff using proper projection techniques.

BASE YEAR DATA

This section documents the methods used to derive the base year data for the City of Rockwall as of January 1, 2013. This *benchmark* information provides a starting point in which to extrapolate the ten (10) year growth assumptions that are presented in the following section (see *Ten-Year Growth Assumptions*).

POPULATION GROWTH

One method of predicting future growth is to examine past growth trends. The City of Rockwall and Rockwall County have experienced robust growth over the past decade (see *Figure 5*). Past growth trends from the United States Census Bureau and the North Central Texas Council of Governments (NCTCOG) were examined in conjunction with building permit data provided from the City of Rockwall Building Inspections Department (this information is summarized in *Figure 6*). The following formula lays out the methodology used to calculate the 2013 population estimate:

POP = (NH x OR) x AHS + GQP
[POP = (14,831 x 0.947) x 2.81 + 325, or POP = 39,817]

WHERE,
POP = 2013 Population
NH = Number of Households [14,831 per City of Rockwall]
OR = Occupancy Rate [94.7 % per US Census Bureau]
AHS = Average Household Size [2.81185 per US Census Bureau]
GQP = Group Quarter Population [325 per City of Rockwall]

This population (i.e. *39,817*) will serve as the base population for this report.

FIGURE 5: CITY OF ROCKWALL VS. COUNTY OF ROCKWALL [POPULATION]
MAP KEY: BLUE = ROCKWALL COUNTY; RED = CITY OF ROCKWALL

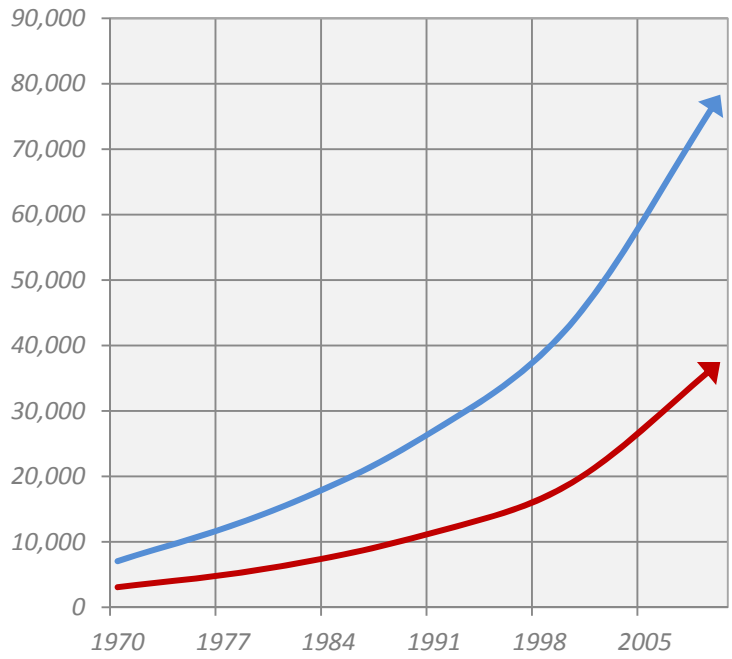
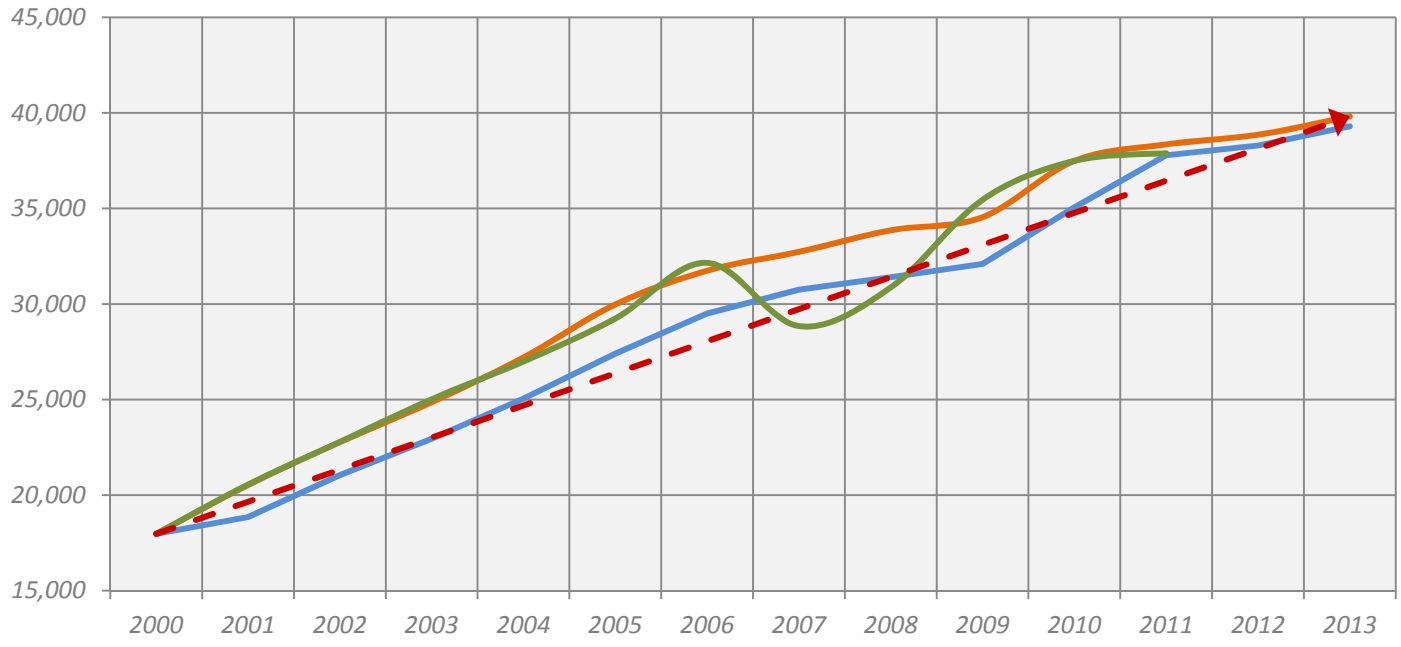


FIGURE 6: POPULATION BY AGENCY 2000 - 2013
MAP KEY: ORANGE = CITY OF ROCKWALL; BLUE = NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG); GREEN = US CENSUS BUREAU; RED = TREND LINE



POPULATION GROWTH RATE

A *Compound Annual Growth Rate (CAGR)* allows for a general assessment of growth when considering periodic increases and decreases in residential population growths that coincide with changing economic conditions. Various sources were used in establishing the past growth rates. These sources indicate rates of growth change between *3.25%* and *4.75%* (see *Table 1*). Based upon this data, an analysis of the ten (10) year forecast, and City staff's judgment, a four (4) percent CAGR was determined to be a sufficient assumption for the ten (10) year projection period. The calculated population numbers for all service areas for the years 2013 & 2023 are depicted in *Appendix 'A' & 'B'* of this document.

TABLE 1: CITY OF ROCKWALL GROWTH RATES

Data Source	Growth Rate (%)
2010 – 2012 US Census [1]	1.81
2007 – 2012 US Census [1]	3.49
2002 – 2012 US Census [1]	5.49
2010 – 2012 Single Family Permits [2]	11.2
2007 – 2012 Single Family Permits [2]	8.0
2002 – 2012 Single Family Permits [2]	-7.5
Texas Water Board 10-Year Growth [3]	4.75
Texas Water Board 20-Year Growth [3]	3.25
FUTURE GROWTH PROJECTION	4.0

NOTES:
[1]: Based on 2002 – 2012 US Census Data
[2]: Information Provided by the City of Rockwall
[3]: Texas Water Board 2011 Region 'C' Water Plan

ADDITIONAL GROWTH INDICATORS

The annual population growth rate has slowed in the city from *10.8%* (2000-2005) to *4.6%* (2005-2010), and finally decreasing to *2.0%* in 2010 (see *Table 1*). The increase/decrease of residential building permits coincides with the fluctuations in growth rates (see *Figure 7*). Recent permit data shows an increase in single-family activity. In fact, in 2013 single family permits (issued from January 1, 2013 to February 28, 2013) were up 70% from the same period in 2012. This recent increase in single family building permits combined with the Texas Water Board's ten (10) year and twenty (20) year County population projections, coupled with an overall sense of market recovery has led the City's staff to comfortably assume that the overall growth for the next ten (10) year period will average four (4) percent. However, it is likely that annual growth will gradually increase from its current two (2) percent rate to a five (5) percent rate near the end of the forecasted period.

FIGURE 7: HISTORIC SINGLE-FAMILY BUILDING PERMITS DATA
** 2013: January 1, 2013 – March 21, 2013*

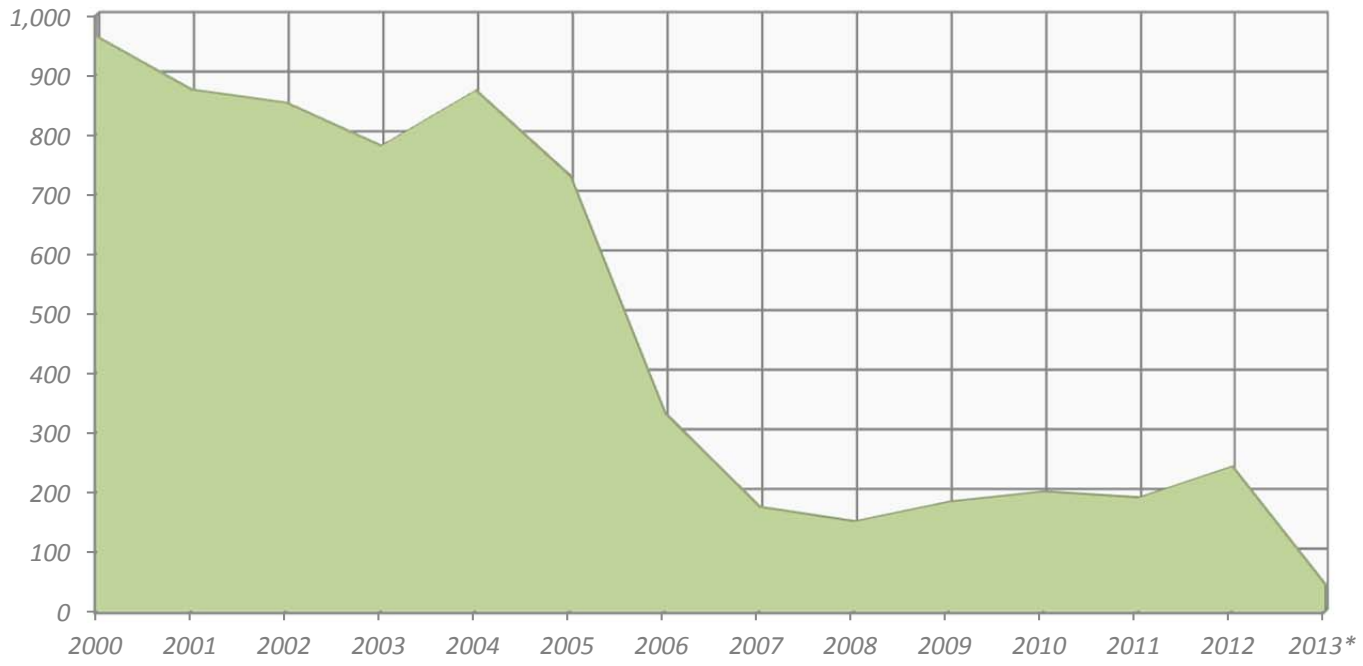


TABLE 2: EXISTING LAND USE ACREAGE

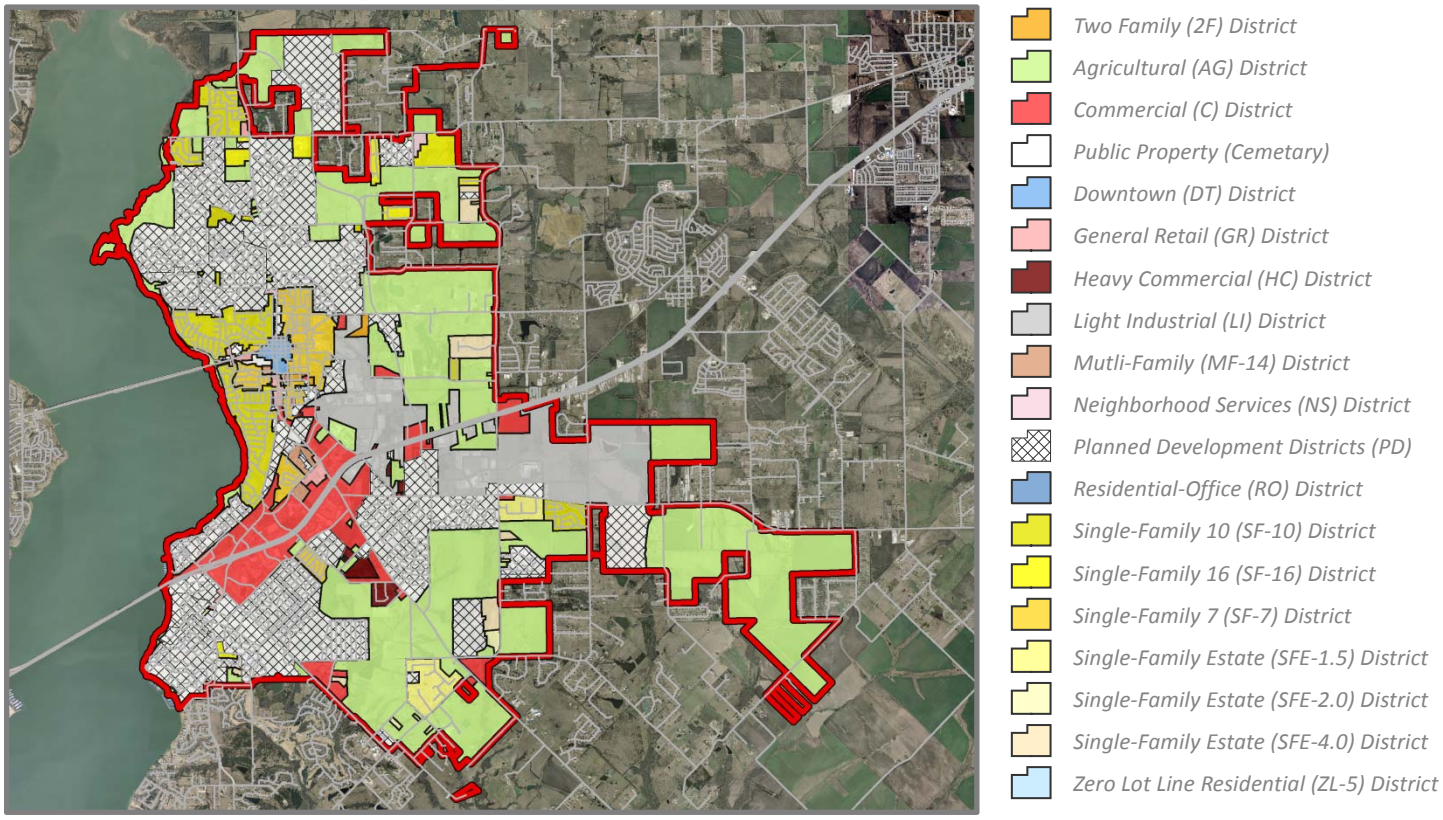
Land Use Category	Acres	% of Total Land	Acres per 100 People
Single Family	6,167	32.4	15.5
Multi-Family	280	1.5	0.7
Manufactured Home	218	1.1	0.5
Parks and Open Space	780	4.1	2.0
Public & Semi-Public	167	0.9	0.4
Office & Retail	617	3.2	1.6
Commercial	1,852	,9.7	4.6
Industrial	1,847	9.7	4.6
Agricultural	7,117	37.4	17.9
TOTAL:	19,045	100%	

NOTES: Based on 2013 estimated population of 39,817.

EXISTING LAND USE

In any evaluation and projection of future land use patterns, a documentation of existing conditions is necessary. An analysis of existing land use patterns was prepared based on a zoning classification inventory of the City (see *Table 2*). This also serves to document the present physical condition of the City with regard to any infrastructure deficiencies that may exist. The City's Comprehensive Plan will serve as an additional basis for future growth projections. Nearly twenty-five (25%) percent of the City's land area is devoted to Planned Development Districts, which are difficult to define in terms of land use since most of them contain allowances for a mixture of land uses. In addition to current zoning classifications *Table 2* also contains estimates of the land use categories permitted within the City's Planned Development Districts.

FIGURE 8: EXISTING LAND USE MAP (ZONING MAP)



EXISTING EMPLOYMENT

The base employment data (*i.e. 2013*) was calculated by Traffic Survey Zone (TSZ) from employment estimates provided by the North Central Texas Council of Governments (NCTCOG). As TSZ's do not conform to the corporate boundaries of a city, staff made allocations based on the locations of existing land uses and the percentage of the TSZ located within the City Limits/Extraterritorial Jurisdiction (ETJ). Additionally, staff reviewed the 2010 and 2015 NCTCOG employment estimates and applied manual adjustments based on local knowledge of the city and proposed/current development. From this employment data staff determined the Compound Annual Growth Rate (CAGR) and applied it using the linear extrapolation method to the 2010 employment data. This resulted in the 2013 employment data depicted in *Appendix 'C' & 'D'* of this report.

TEN-YEAR GROWTH ASSUMPTIONS

In this study growth is characterized by two (2) forms: 1) Population (*i.e. residential land use*), and 2) Employment (*i.e. non-residential land use*). To calculate a reasonable growth rate for population and employment it was necessary for staff to make a series of assumptions on which to base the ten (10) year growth projections. These assumptions are summarized as follows:

- ☑ Future growth identified within this study will conform to the Future Land Use Plan depicted in the Comprehensive Plan.
- ☑ The City will be able to finance the necessary improvements to accommodate future growth.
- ☑ School facilities will sufficiently accommodate any identified increases in the population.
- ☑ Densities will conform to the land classifications identified within the Comprehensive Plan and as depicted on the Future Land Use Plan.

The ten (10) year projections are based on the growth rate which was previously discussed and staff's consideration of past development trends. Tables 3 & 4 detail the ten (10) year projections for households, population and employment for the service areas associated with roadway and water/wastewater impact fees.

TABLE 3: SUMMARY OF TEN-YEAR GROWTH (ALL ROADWAY SERVICE AREAS)

	2013	2023	Increase
Households	14,170	20,989	32.49%
Population	39,817	58,940	32.44%
Total Employment	16,023	23,182	30.88%
Basic	1,521	2,519	39.60%
Service	5,902	8,179	27.84%
Retail	8,600	12,484	31.11%

TABLE 4: SUMMARY OF TEN-YEAR GROWTH (WATER/WASTE WATER SERVICE AREA)

	2013	2023	Increase
Households	15,682	23,171	32.32%
Population	44,066	65,073	32.28%
Total Employment	18,014	25,559	29.52%
Basic	3,148	4,342	27.51%
Service	5,902	8,179	27.84%
Retail	8,964	13,038	31.25%

POPULATION 2023

The City of Rockwall has experienced significant growth since 2000 when the estimated population was 18,000 residents. Today the population is over double the 2000 population at an estimated 39,817. This growth trend is not just evident in the City of Rockwall as the greater Dallas-Fort Worth metropolitan area has become one of the fastest growing regions in the United States both in terms of population and employment. Although local growth has slowed since 2006 all data appears to indicate that this is only a temporary condition as the area's economy continues to recover from the national housing slump that began in 2008. Using the Compound Annual Growth Rate (CAGR) method staff projects that the population for the City will be 58,939 residents by 2023 (see *Figure 9*).

FIGURE 9: TEN-YEAR POPULATION GROWTH @ A 4% COMPOUND ANNUAL GROWTH RATE

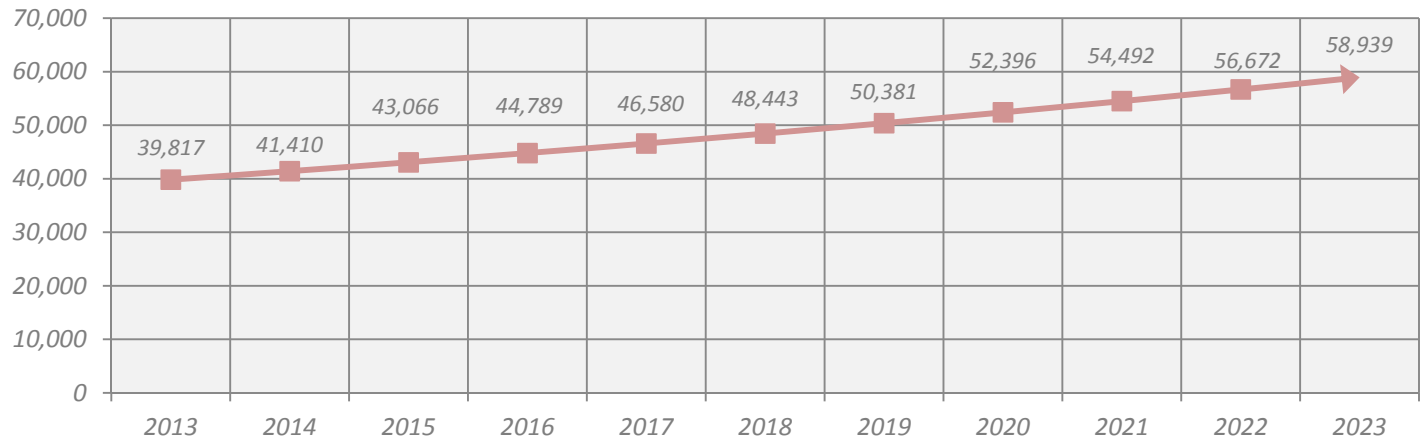
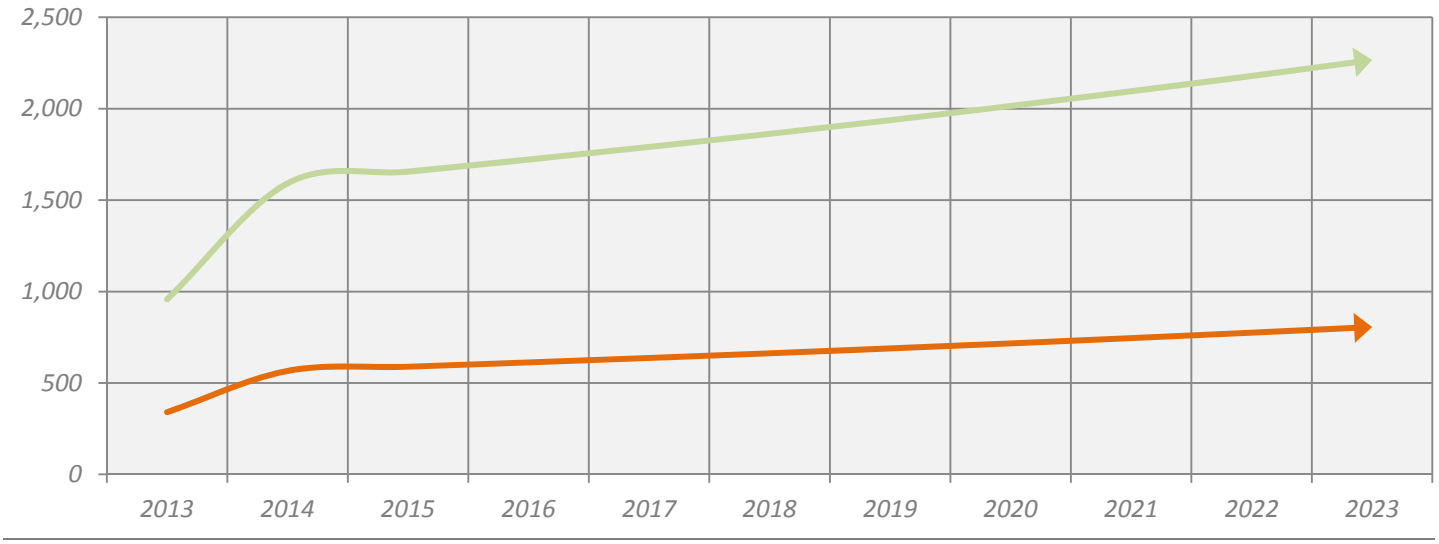


TABLE 5: PROJECTED HOUSEHOLD ESTIMATIONS

Year	Population	New Residents	New Building Permits
2013	39,817	958	360
2014	41,410	1,593	567
2015	43,066	1,656	590
2016	44,789	1,723	613
2017	46,580	1,791	637
2018	48,443	1,863	663
2019	50,381	1,938	690
2020	52,396	2,015	717
2021	54,492	2,096	746
2022	56,672	2,180	776
2023	58,939	2,267	807
Average Number of Annual Permits:			651

In determining this population projection staff utilized residential building permit counts coupled with an assumption that the average people per household was 2.81 (*2010 US Census*). This figure was used to account for a mixture of multi-family and single family households. Additionally, between 2000 and 2012 the City issued an average of 623 building permits per year; with the highest number of permits topping out at 1,033 in 2005, and the lowest number of building permits issued in 2008 at 150 (see *Table 5*). From this information staff estimated that the City will issue an average of 651 residential building permits per year over the next ten (10) year period (see *Table 5* and *Figure 10*). This estimate takes into consideration the type of development likely (i.e. single family or multifamily) to occur in a given area.

FIGURE 10: PROJECTED HOUSEHOLD AND BUILDING PERMIT ESTIMATIONS
MAP KEY: ORANGE = NEW BUILDING PERMITS; GREEN = NEW RESIDENTS



EMPLOYMENT 2023

Employment data for the year 2023 was based upon data provided by the North Central Texas Council of Governments (NCTCOG). NCTCOG has provided employment data by Traffic Survey Zone (TSZ) for 2015 and 2035. After staff's adjustments for TSZ coverage area and anticipated future development were accounted for, a Compound Annual Growth Rate (CAGR) was derived between the 2015 and 2035 staff-adjusted NCTCOG employment numbers. Linear extrapolation of the CAGR produced the 2023 employment estimates by TSZ as listed in the appendices of this document (see *Appendix 'C' & 'D'*).

Staff's assumptions of future growth are confirmed by 2030 data derived from the *North Texas 2050* study published by Vision North Texas. The majority of the city is forecasted to have an employment density of greater than *1.7* units per acre, and upwards of *3.5+* units per acre in areas adjacent Interstate Highway 30 (IH-30) and within Rockwall's Industrial Park (located adjacent to State Highway 276 [SH-276]).

BUILD OUT PROJECTIONS

A *Build Out Projection* for a city (also referred to as the city's *Carrying Capacity*) is an estimate of the location and density of all potential development, employment and population that a city can support within its future corporate boundaries.

TABLE 6: TOTAL ACREAGE

City Limits	*19,046.00*
Built Acres	*8,322.31*
Vacant Acres	*8,610.53*
Right-of-Way	*2,113.37*
Extraterritorial Jurisdiction (ETJ)	*10,521.60*
TOTAL ACRES:	*29,567.60*

TABLE 7: PROJECTED POPULATION
(AT 4% COMPOUND ANNUAL GROWTH)

Year	*Population*	
2023	*58,939*	
2024	*61,296*	
2025	*63,748*	
2026	*66,298*	
2027	*68,950*	
2028	*71,708*	
2029	*74,576*	
2030	*77,560*	
2031	*80,662*	
2032	*83,888*	
2033	*87,244*	
2034	*90,734*	
2035	*94,363*	
2036	*98,138*	
2037	*102,063*	
2038	*106,146*	
2039	*110,391*	
2040	*114,807*	
2041	*119,399*	
2042	*124,175*	
2043	*129,142*	
2044	*134,308*	
2045	*139,680*	*Build Out 139,919*
2046	*145,268*	

ESTABLISHING THE CITY'S POPULATION AT BUILD OUT

In establishing the city's population at build out staff made the following assumptions:

- ☑ All vacant land w/in the City's corporate boundaries will develop with the maximum density permitted for the current zoning per the Unified Development Code.
- ☑ All Agricultural (Ag) District property is assumed to be vacant and will develop at 2.0 units per acre.
- ☑ All property within the Extraterritorial Jurisdiction (ETJ) is assumed to be vacant and will be developed in conformance with the Future Land Use Map at the maximum density permitted by the Comprehensive Plan.
- ☑ The city's ETJ is fixed and will not increase in the future.

Taking these assumptions into consideration, staff utilized Geographical Information Systems (GIS) software to calculate all the undeveloped land within the city's corporate boundaries, including the ETJ (see *Table 6*). Once calculated the acreages were broken down by land use and multiplied by the maximum density permitted for each of the land uses as established within the Unified Development Code and the Comprehensive Plan. These totals were then multiplied by the average people per household [*i.e. 2.81*] (*2010 US Census*) to establish the population at build out (i.e. 139,919). From this point staff projected the population forward using the previously established four (4%) percent Compound Annual Growth Rate (CAGR) [see the *Ten-Year Growth Assumptions* section] until the build out population was reached (see *Table 7*). This established a build out year of 2046. The following formula lays out the methodology used to calculate the numbers:

BO = POP + VPOP + EPOP
[BO = 39,817 + 48,663 + 51,439, or BO = 136,657]

VPOP = Σ [(LU$_1$ x D$_1$) … (LU$_x$ x D$_x$)] x AHS or VPOP = 48,663
EPOP = (LDR x 2.0) + (MDR x 3.0) + (HDR x 5), (i.e. EPOP = 50,123 + 1,316 + 0) or EPOP = 51,439

WHERE,
BO = Build Out Population
POP = 2013 Population (i.e. Current Population)
VPOP = Population of Vacant Land w/in the City Limits
EPOP = Population of Vacant Land w/in ETJ
LU = Vacant Available Land (inside the City Limits) for a Given Land Use
D = Maximum Density Permitted for a Given Land Use [Unified Development Code]
AHS = Average Household Size [2.81185 per US Census Bureau]
LDR = Low Density Residential Acreage Available in the ETJ
MDR = Medium Density Residential Acreage Available in the ETJ
HDR = High Density Residential Acreage Available in the ETJ

SUMMARY

The following is a summary of staff's findings when preparing the Land Use Assumption Report in preparation for updating the Roadway, Water and Wastewater Impact Fees for 2013:

- ☑ The average annual growth rate as calculated by staff is four (4) percent. This growth rate was established based on data from the US Census, Texas Water Commission, North Texas Council of Governments (NCTCOG), the City and County of Rockwall. Using this growth rate staff projected the following population numbers:
  - ➢ The population of the City of Rockwall as of 2013 is 39,817. This is expected to increase by ~32% in the next ten (10) years to an estimated 58,940 by 2023.
  - ➢ The population for the City of Rockwall and its Extraterritorial Jurisdiction (ETJ) as of 2013 is 44,066. This is expected to increase by ~32% in the next ten (10) years to an estimated 65,073 by 2023.
- ☑ The estimated employment for the City of Rockwall as of 2013 is 16,023 jobs, with another 1,991 jobs existing within its ETJ. Staff estimates this number to climb to 23,182 jobs within the city limits, and another 2,377 jobs within the ETJ by 2023.
- ☑ Staff has established that there are currently 8,610.53 undeveloped acres of land within the city limits. This represents ~45% of the current land in the City (see *Table 8*). Additionally, the City of Rockwall has access to another 10,521.60 acres of land within its current ETJ (see *Table 9*). At the bottom of this page is a summary of all vacant land by current land use existing within the city's corporate boundaries and its ETJ (*see Tables 8 & 9*).
- ☑ According to staff estimates the City of Rockwall is expected to be built out in the year 2046, with a total population of 139,919.

TABLE 8: VACANT LAND WITHIN THE CITY LIMITS

ACRES	LAND USE
15.60	= Two Family (2F) District
4,885.31	= Agricultural (AG) District
371.36	= Commercial (C) District
-	= Cemetery
5.62	= Downtown (DT) District
14.11	= General Retail (GR) District
40.01	= Heavy Commercial (HC) District
1,211.71	= Light Industrial (LI) District
0.58	= Multi-Family (MF) District
21.25	= Neighborhood Services (NS) District
1,789.38	= Planned Development Districts (PD)
87.39	= Single Family 10 (SF-10) District
114.60	= Single Family 16 (SF-16) District
40.22	= Single Family 7 (SF-7) District
-	= Single Family Estate 1.5 (SFE-1.5) District
-	= Single Family Estate 2 (SFE-2) District
11.78	= Single Family Estate 4 (SFE-4) District
1.61	= Zero Lot Line 5 (ZL-5) District
8,610.53	*= TOTAL VACANT ACRES*

TABLE 9: ETJ ACREAGES (FUTURE LAND USE MAP)

ACRES	LAND USE
8,918.65	= Low Density Residential
156.13	= Medium Density Residential
0.00	= High Density Residential
-	= Mixed Use
-	= Downtown District
0.11	= Special Commercial Corridor District
-	= Special District
410.71	= Commercial
-	= Commercial/Industrial
0.10	= Technology/Light Industrial
809.73	= Employment Center
55.62	= Parks and Open Space
0.03	= Cemetery
0.87	= Public Uses
0.17	= Quasi-Public Uses
169.49	= Right-of-Way
10,521.60	*= TOTAL ACRES*

NOTE: ALL INFORMATION PROVIDED FROM THE GEOGRAPHICAL INFORMATION SYSTEMS (GIS) DEPARTMENT AND IS VALID AS OF DECEMBER 31, 2013.

APPENDICES

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APPENDIX A

HOUSING, POPULATION & EMPLOYMENT DATA BY ROADWAY FEE SERVICE AREA

KEY: HU = Housing Units; POP = Population; EMP = Employment; RED = Traffic Survey Zone (TSZ) is Split by Roadway Service Area.

SA1	2013 Projections			2023 Projections			Build Out (2046)		
Traffic Survey Zone (2005)	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
5002	214	651	96	364	1,105	159	457	1,332	363
5003	43	108	0	757	1,893	210	421	1,181	156
5008	1,128	3,316	91	1,144	3,363	145	1,212	3,552	313
5009	1,105	3,614	154	1,286	4,206	207	1,348	4,296	469
5010	246	685	238	1,162	3,236	460	1,083	3,062	575
5011	743	2,224	89	1,264	3,783	166	1,311	3,789	245
5018	918	2,367	374	1,384	3,569	412	1,345	3,570	875
5020	602	1,454	342	621	1,499	390	618	1,498	854
5021	120	342	127	125	356	140	172	488	299
5022	141	328	206	144	335	220	158	376	486
5023	172	647	507	172	647	528	235	825	1,182
5024	382	1,005	49	393	1,034	57	439	1,164	118
5025	153	432	301	225	634	304	631	1,776	532
5027	140	326	919	140	326	1,652	394	1,059	2,444
5036	677	1,468	666	712	1,544	1,000	687	1,496	2,137
5037	935	1,732	2,161	1,022	1,996	2,449	1,174	2,403	5,375
SUBTOTAL:	*7,720*	*20,697*	*6,321*	*10,915*	*29,525*	*8,500*	*11,685*	*31,867*	*16,423*

SA2	2013 Projections			2023 Projections			Build Out (2046)		
Traffic Survey Zone (2005)	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
5003	0	0	0	182	497	210	1,003	2,814	372
5004	2	4	0	20	40	6	1,775	4,985	14
5010	87	287	2	87	287	5	592	1,674	314
5011	50	149	0	48	142	0	188	545	35
5012	58	174	0	145	438	250	966	2,725	541
5013	64	130	0	176	357	87	1,145	3,167	177
5014	1	2	0	1	2	0	1	2	0
5025	120	338	3	85	238	71	363	1,022	306
5026	57	172	12	96	292	22	260	743	50
5027	0	0	13	0	0	13	167	448	1,035
SUBTOTAL:	*439*	*1,256*	*29*	*839*	*2,293*	*663*	*6,461*	*18,126*	*2,844*

SA3	2013 Projections			2023 Projections			Build Out (2046)		
Traffic Survey Zone (2005)	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
5028	63	157	1,605	672	1,664	2,209	216	598	2,858
5038	683	1,325	1,130	962	1,984	1,582	1,886	4,706	3,360
5039	1,117	3,257	3,608	1,188	3,465	4,399	1,256	3,647	9,554
5040	1,059	3,747	128	1,059	3,747	261	867	2,739	419
5043	843	1,829	25	901	1,954	25	888	1,955	57
5044	1,014	3,892	720	1,202	4,509	1,247	2,780	8,853	2,783
5045	326	886	1,526	331	900	2,249	347	946	5,076
5046	29	84	0	94	272	0	989	2,781	0
SUBTOTAL:	*5,133*	*15,177*	*8,743*	*6,409*	*18,496*	*11,972*	*9,227*	*26,225*	*24,108*

SA4	2013 Projections			2023 Projections			Build Out (2046)		
Traffic Survey Zone (2005)	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
5028	0	0	649	0	0	893	270	748	3,574
5029	5	16	38	5	16	537	993	2,793	1,200
5040	386	1,173	127	1,796	5,458	260	1,587	5,014	768
5047	487	1,498	116	1,025	3,153	357	5,372	15,223	756
SUBTOTAL:	*878*	*2,687*	*931*	*2,826*	*8,627*	*2,047*	*8,221*	*23,780*	*6,298*
TOTAL:	*14,170*	*39,817*	*16,023*	*20,989*	*58,941*	*23,182*	*35,594*	*99,998*	*49,673*

APPENDIX B

HOUSING, POPULATION & EMPLOYMENT DATA BY WATER/WASTEWATER IMPACT FEE SERVICE AREA

KEY: HU = Housing Units; POP = Population; EMP = Employment; RED = Traffic Survey Zone (TSZ) is Split by City Limits or ETJ Boundaries.

SA	Projections (2013)			Projections (2023)			Build Out (2046)		
Traffic Survey Zone (2005)	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
3477	33	93	-	49	137	-	265	744	-
3479	114	320	365	169	474	554	4,710	13,230	1,264
3480	96	270	-	142	399	-	1,954	5,491	-
5002	214	651	96	364	1,105	159	457	1,332	363
5003	133	360	-	1,072	2,764	420	2,450	6,872	909
5004	96	268	-	159	431	6	1,775	4,985	14
5008	1,128	3,316	91	1,144	3,363	145	1,212	3,552	313
5009	1,105	3,614	154	1,286	4,206	207	1,348	4,296	469
5010	405	1,174	240	1,356	3,822	465	1,996	5,646	1,060
5011	843	2,514	89	1,386	4,132	166	1,809	5,228	339
5012	97	284	-	203	601	250	966	2,725	541
5013	109	257	-	243	545	87	1,145	3,167	177
5014	1	2	-	1	2	-	1	2	-
5018	918	2,367	374	1,384	3,569	412	1,345	3,570	875
5020	602	1,454	342	621	1,499	390	618	1,498	854
5021	120	342	127	125	356	140	172	488	299
5022	141	328	206	144	335	220	158	376	486
5023	172	647	507	172	647	528	235	825	1,182
5024	382	1,005	49	393	1,034	57	439	1,164	118
5025	273	770	304	309	873	374	995	2,798	838
5026	57	172	12	96	292	22	260	743	50
5027	140	326	931	140	326	1,666	561	1,509	3,485
5028	63	157	2,254	672	1,664	3,101	490	1,358	6,485
5029	181	511	38	299	841	537	993	2,793	1,200
5030	135	379	1,286	200	562	1,442	973	2,734	2,927
5031	126	354	243	187	524	272	2,219	6,234	552
5036	677	1,468	666	712	1,544	1,000	687	1,496	2,137
5037	935	1,732	2,161	1,022	1,996	2,449	1,174	2,403	5,375
5038	683	1,325	1,130	962	1,984	1,582	1,886	4,706	3,360
5039	1,117	3,257	3,608	1,188	3,465	4,399	1,256	3,647	9,554
5040	1,445	4,920	256	2,855	9,205	521	2,453	7,754	1,187
5043	843	1,829	25	901	1,954	25	888	1,955	57
5044	1,014	3,892	720	1,202	4,509	1,247	2,780	8,853	2,783
5045	326	886	1,526	331	900	2,249	347	946	5,076
5046	32	92	-	101	291	-	989	2,781	-
5047	745	2,223	116	1,316	3,970	357	5,372	15,223	756
5048	181	509	97	268	753	109	2,418	6,794	221
TOTAL:	*15,682*	*44,066*	*18,014*	*23,171*	*65,073*	*25,559*	*49,794*	*139,920*	*55,305*

APPENDIX C

EMPLOYMENT BREAKDOWN DATA
BY ROADWAY IMPACT FEE SERVICE AREAS

*KEY: **RED** = Traffic Survey Zone (TSZ) is Split by Roadway Service Area.*

SA1	Employment (2013)				Employment (2023)			
Traffic Survey Zone (2005)	Basic	Retail	Service	Total	Basic	Retail	Service	Total
5002	0	0	96	*96*	0	0	159	*159*
5003	0	0	0	*0*	0	105	105	*210*
5008	0	50	41	*91*	0	80	65	*145*
5009	0	11	143	*154*	0	14	193	*207*
5010	0	0	238	*238*	0	0	460	*460*
5011	26	63	0	*89*	48	118	0	*166*
5018	213	22	138	*374*	235	25	152	*412*
5020	45	82	216	*342*	51	93	245	*390*
5021	39	41	47	*127*	44	45	52	*140*
5022	10	56	140	*206*	11	60	150	*220*
5023	61	25	421	*507*	63	26	438	*528*
5024	0	49	0	*49*	0	57	0	*57*
5025	54	6	241	*301*	55	6	243	*304*
5027	643	55	220	*919*	1,157	99	397	*1,652*
5036	7	406	253	*666*	10	610	380	*1,000*
5037	0	800	1,361	*2,161*	0	906	1,543	*2,449*
SUBTOTAL:	*1,098*	*1,666*	*3,557*	*6,321*	*1,673*	*2,245*	*4,582*	*8,500*

SA2	Employment (2013)				Employment (2023)			
Traffic Survey Zone (2005)	Basic	Retail	Service	Total	Basic	Retail	Service	Total
5003	0	0	0	*0*	0	105	105	*210*
5004	0	0	0	*0*	0	0	6	*6*
5010	0	0	2	*2*	0	0	5	*5*
5011	0	0	0	*0*	0	0	0	*0*
5012	0	0	0	*0*	0	125	125	*250*
5013	0	0	0	*0*	87	0	0	*87*
5014	0	0	0	*0*	0	0	0	*0*
5025	0	0	3	*3*	0	0	71	*71*
5026	0	0	12	*12*	0	0	22	*22*
5027	0	0	13	*13*	0	0	13	*13*
SUBTOTAL:	*0*	*0*	*29*	*29*	*87*	*230*	*346*	*663*

SA3	Employment (2013)				Employment (2023)			
Traffic Survey Zone (2005)	Basic	Retail	Service	Total	Basic	Retail	Service	Total
5028	193	1,108	305	*1,605*	265	1,524	420	*2,209*
5038	0	768	362	*1,130*	0	1,076	506	*1,582*
5039	0	1,696	1,912	*3,608*	0	2,068	2,332	*4,399*
5040	0	0	128	*128*	0	0	261	*261*
5043	0	0	25	*25*	0	0	25	*25*
5044	137	0	583	*720*	237	0	1,010	*1,247*
5045	0	153	1,373	*1,526*	0	225	2,024	*2,249*
5046	0	0	0	*0*	0	0	0	*0*
SUBTOTAL:	*329*	*3,724*	*4,689*	*8,743*	*502*	*4,892*	*6,577*	*11,972*

SA4	Employment (2013)				Employment (2023)			
Traffic Survey Zone (2005)	Basic	Retail	Service	Total	Basic	Retail	Service	Total
5028	78	448	123	*649*	107	616	170	*893*
5029	0	0	38	*38*	100	0	437	*537*
5040	0	0	127	*127*	0	0	260	*260*
5047	16	64	36	*116*	50	196	111	*357*
SUBTOTAL:	*94*	*512*	*325*	*931*	*257*	*812*	*978*	*2,047*
TOTAL:	*1,521*	*5,902*	*8,600*	*16,023*	*2,519*	*8,179*	*12,484*	*23,182*

APPENDIX D

EMPLOYMENT BREAKDOWN DATA
BY ROADWAY IMPACT FEE SERVICE AREAS

KEY: RED = Traffic Survey Zone (TSZ) is Split by City Limits or ETJ Boundaries.

SA	Employment (2013)				Employment (2023)			
Traffic Survey Zone (2005)	Basic	Retail	Service	Total	Basic	Retail	Service	Total
3477	-	-	-	-	-	-	-	-
3479	-	-	365	365	-	-	554	554
3480	-	-	-	-	-	-	-	-
5002	-	-	96	96	-	-	159	159
5003	-	-	-	-	-	210	210	420
5004	-	-	-	-	-	-	6	6
5008	-	50	41	91	-	80	65	145
5009	-	11	143	154	-	14	193	207
5010	-	-	240	240	-	-	465	465
5011	26	63	-	89	48	118	-	166
5012	-	-	-	-	-	125	125	250
5013	-	-	-	-	87	-	-	87
5014	-	-	-	-	-	-	-	-
5018	213	22	138	374	235	25	152	412
5020	45	82	216	342	51	93	245	390
5021	39	41	47	127	44	45	52	140
5022	10	56	140	206	11	60	150	220
5023	61	25	421	507	63	26	438	528
5024	-	49	-	49	-	57	-	57
5025	54	6	244	304	55	6	313	374
5026	-	-	12	12	-	-	22	22
5027	643	55	233	931	1,157	99	410	1,666
5028	271	1,555	428	2,254	372	2,140	589	3,101
5029	-	-	38	38	100	-	437	537
5030	1,286	-	-	1,286	1,442	-	-	1,442
5031	243	-	-	243	272	-	-	272
5036	7	406	253	666	10	610	380	1,000
5037	-	800	1,361	2,161	-	906	1,543	2,449
5038	-	768	362	1,130	-	1,076	506	1,582
5039	-	1,696	1,912	3,608	-	2,068	2,332	4,399
5040	-	-	256	256	-	-	521	521
5043	-	-	25	25	-	-	25	25
5044	137	-	583	720	237	-	1,010	1,247
5045	-	153	1,373	1,526	-	225	2,024	2,249
5046	-	-	-	-	-	-	-	-
5047	16	64	36	116	50	196	111	357
5048	97	-	-	97	109	-	-	109
TOTAL:	*3,148*	*5,902*	*8,964*	*18,014*	*4,342*	*8,179*	*13,038*	*25,559*

Table No. 7

10-Year Water System Capital Improvement Plan for Impact Fees

PROPOSED WATER LINES

Year	1=City Participation in Cost Oversize 2=City Initiated and Funded	Service Area	Water Line Projects (X) = Water Line CIP Project ID Number	Length (FT)	Size	Opinion of Construction Cost (A)	Debt Service (B)	Total Project Cost
2018	2	698.75	(1) S.H. 276 / S.H. 205 Water Lines (Pipes 2093, 2117,2135, 2136)	7,017	12", 16"	$ 866,790	$ 455,065	$ 1,321,855
2018	2	780	(2) IH-30 - F.M. 549 Crossing (Pipes 4039, 4124)	1,287	12", 16"	$ 528,350	$ 277,384	$ 805,734
2018	2	780	(3) John King Blvd. 780 Water Lines North (Pipes 4010,4011, 4012,4118,4123)	6,296	12",16"	$ 944,635	$ 495,934	$ 1,440,569
2018	2	780	(4) S.H. 66 - F.M. 549 780 Service Area Loop (Pipes 4007, 4008, 4009)	6,394	12"	$ 728,916	$ 382,681	$ 1,111,597
2019	1	780	(5) S.H. 276 - Rochelle Road 16" Water Lines (Pipe 4071)	1,906	16"	$ 34,308	$ 18,012	$ 52,320
2019	1	780	(6) Springer Ln. 16" Water Line (Pipe 4043)	2,714	16"	$ 48,852	$ 25,647	$ 74,499
2020	2	780	(7) John King Blvd. 780 Water Lines South Loop (Pipes 4024, 4025, 4026)	5,649	12", 16"	$ 727,758	$ 382,073	$ 1,109,831
2020	1	780	(8) John King to F.M. 549 - 780 Southern Loop (Pipes 4029, 4030)	4,079	16"	$ 73,422	$ 38,547	$ 111,969
2020	2	698.75	(9) John King 698.75 Transmission Main (Pipes 2067, 2068)	3,516	16"	$ 464,112	$ 243,659	$ 707,771
2021	2	698.75	(10) Breezy Hill Transmission Main (Pipes 2048, 2049)	6,777	30"	$ 1,870,452	$ 981,987	$ 2,852,439
2021	1	698.75	(11) John King / S.H. 205 Water Line (Pipe 2002, 2009)	5,530	16"	$ 99,540	$ 52,259	$ 151,799
2022	2	698.75	(12) Mims Road / Tubbs Road Looping Water Lines (Pipes 2094, 2096, 2097)	6,403	12", 16"	$ 1,114,119	$ 584,912	$ 1,699,031
2022	1	698.75	(13) Rockwall / Collin County Water Lines (Pipes 2016, 2017, 2018)	4,440	16", 24", 30"	$ 382,356	$ 200,738	$ 583,094
2023	2	780	(14) S.H. 276 Pump Station Transmission Main West (Pipes 4072, 4073, 4122)	3,329	16", 20"	$ 507,318	$ 266,342	$ 773,660
2023	2	780	(15) S.H. 276 Pump Station Trans. Main South (Pipes 4089, 4090, 4125, 4128)	16,377	20", 24"	$ 2,328,084	$ 1,222,244	$ 3,550,328
			Subtotal: Proposed Water Lines			**$ 10,719,012**	**$ 5,627,484**	**$ 16,346,496**

PUMPING AND STORAGE FACILITIES

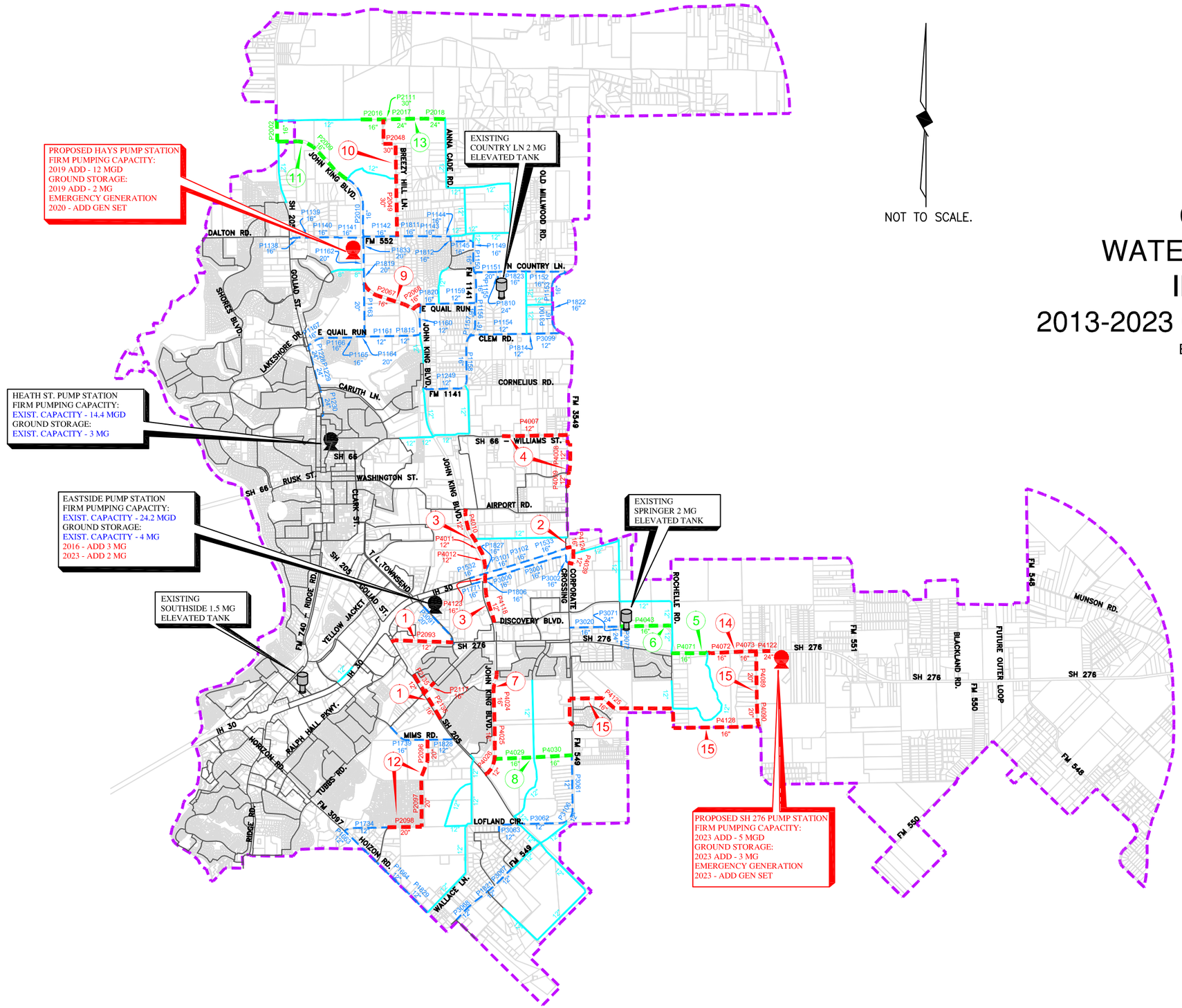
Year	Service Area	Pump Station, Ground Storage & Elevated Storage Project		Capacity	Opinion of Construction Cost (A)	Debt Service (B)	Total Project Cost
2016	698.75/780	Eastside Ground Storage Reservoir No. 3		3 MG	$ 4,125,000	$ 2,165,625	$ 6,290,625
2019	698.75	Hays Pump Station - Phase 1		12 MGD	$ 5,280,000	$ 2,772,000	$ 8,052,000
2019	698.75	Hays Ground Storage Reservoir No. 1		2 MG	$ 1,870,000	$ 981,750	$ 2,851,750
2020	699.75	Hays Pump Station - Standby Emergency Generator			$ 660,000	$ 346,500	$ 1,006,500
2023	698.75/780	Eastside Ground Storage Reservoir No. 4		3 MG	$ 2,750,000	$ 1,443,750	$ 4,193,750
2023	780	S.H. 276 Pump Station - Phase 1		5 MGD	$ 4,675,000	$ 2,454,375	$ 7,129,375
2023	780	S.H. 276 Ground Storage Reservoir No. 1		3 MG	$ 2,805,000	$ 1,472,625	$ 4,277,625
2023	780	S.H. 276 Pump Station - Standby Emergency Generator			$ 550,000	$ 288,750	$ 838,750
		Subtotal: Pumping and Storage Facilities			**$ 22,715,000**	**$ 11,925,375**	**$ 34,640,375**

PLANNING EXPENSES

Year		Pump Station, Ground Storage & Elevated Storage Project			Engineering Services	Debt Service (B)	Total Project Cost
2013		Water & Wastewater System Master Plan & Impact Fee Analysis			$ 115,000		$ 115,000
		Subtotal: Planning Expenses			**$ 115,000**	**$ -**	**$ 115,000**
		GRAND TOTAL: WATER DISTRIBUTION 10-YEAR CIP			**$ 33,549,012**	**$ 17,552,859**	**$ 51,101,871**

(A) Opinion of Cost includes:
a) Engineer's Opinion of Construction Cost
b) Professional Services Fees (Survey, Engineering, Testing, Legal)
c) Cost of Easement or Land Acquisitions

(B) Debt Service Based on 20-Year Simple Interest Bonds at 5%



CITY OF ROCKWALL
WATER DISTRIBUTION SYSTEM
IMPACT FEE UPDATE
2013-2023 CAPITAL IMPROVEMENT PLAN

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
DALLAS, TEXAS
FIRM F-526

JUNE 2014

LEGEND

- EXISTING WATER LINE
- EXISTING WATER LINE (IMPACT FEE)
- PROP. WATER LINE (DEVELOPER CONSTRUCTED 12-INCH UNLESS OTHERWISE NOTED)
- PROP. IMPACT FEE WATER LINE (DEVELOPER INITIATED - CITY OVERSIZE PARTICIPATION)
- PROPOSED IMPACT FEE WATER LINE (CITY INITIATED & CONSTRUCTED)
- PLANNING BOUNDARY
- EXISTING PUMP STATION
- PROPOSED PUMP STATION
- EXISTING ELEVATED STORAGE TANK
- 14 CIP PROJECT ID NUMBER

EXHIBIT 1

Table No. 15

10-Year Wastewater System Capital Improvement Plan for Impact Fees

PROPOSED WASTEWATER LINES

Year	1=City Participation in Cost Oversize 2=City Initiated and Funded (X) = CIP Project ID Number	Project	Size (Diameter)	Opinion of Project Cost (A)	Debt Service (B)	Total Project Cost
2015	2	(1) Signal Ridge Existing Gravity Line - 14" Pipe Burst	14"	$ 147,095	$ 77,225	$ 224,320
2016	1	(2) Proposed Thompson Branch Trunk Sewer	15-21"	$ 330,192	$ 173,352	$ 503,544
2017	1	(3) Proposed Brushy Creek Trunk Sewer	18-21"	$ 203,496	$ 106,835	$ 310,331
2017	2	(4) Proposed Brushy Creek Tributary Trunk Sewer	10"	$ 817,920	$ 429,408	$ 1,247,328
2018	2	(5) Proposed Buffalo Creek East Trunk Sewer	15-21"	$ 3,318,432	$ 1,742,177	$ 5,060,609
2018	2	(6) Buffalo Creek Existing Gravity Sewer - 12" & 14" Pipe Burst	12-14"	$ 756,505	$ 397,164	$ 1,153,669
2020	1	(7) Proposed Little Buffalo Creek Trunk Sewer	15"	$ 52,224	$ 27,418	$ 79,642
		Subtotal: Proposed Wastewater Lines		**$ 5,625,864**	**$ 2,953,579**	**$ 8,579,443**

PROPOSED WASTEWATER FACILITIES

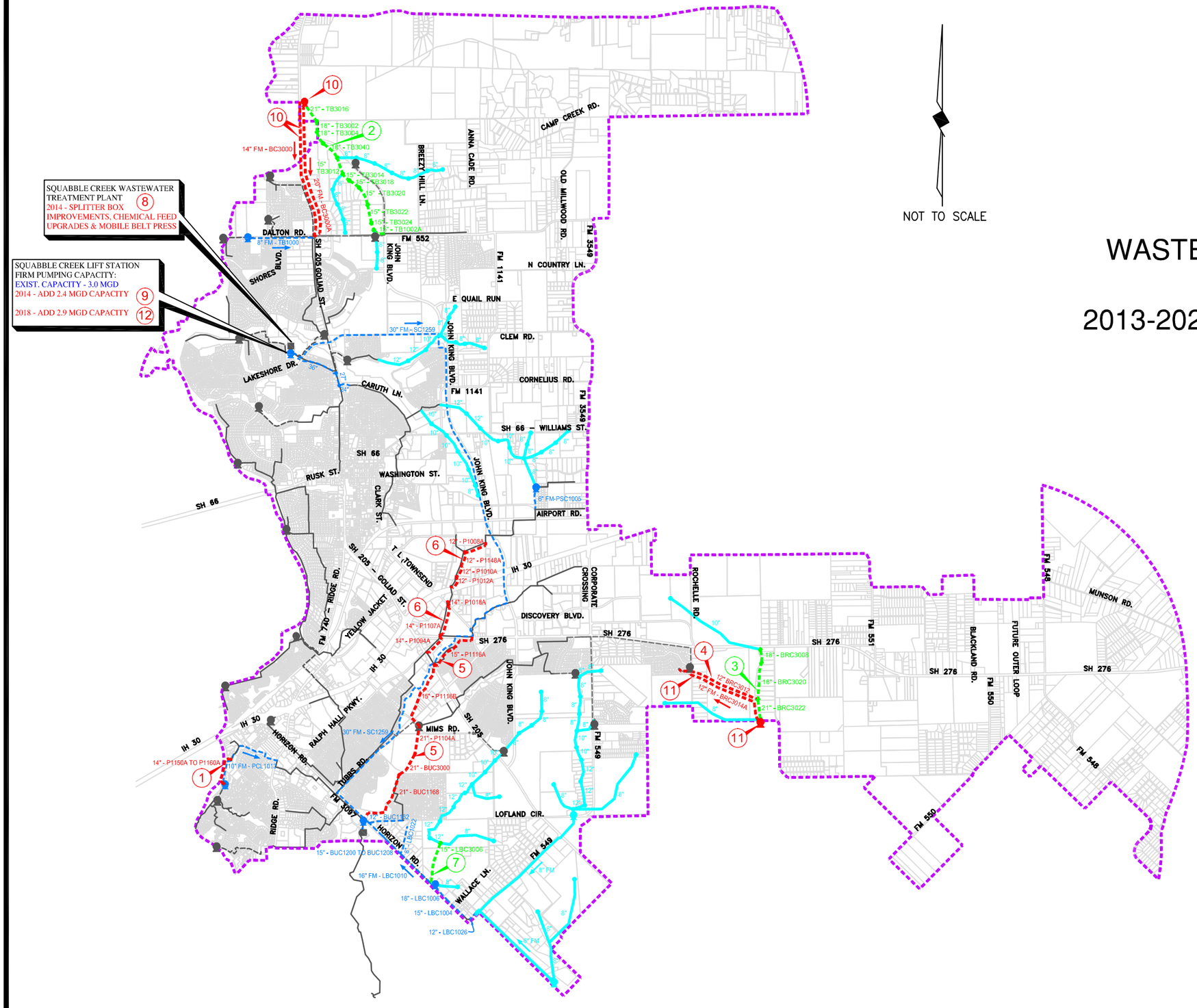
Year	1=City Participation in Cost Oversize 2=City Initiated and Funded (X) = CIP Project ID Number	Project	Capacity (MGD)	Opinion of Project Cost (A)	Debt Service (B)	Total Project Cost
2014	2	(8) Squabble Creek WWTP System Upgrades - Bar Screen, Splitter Box Sluice Gate, etc.	*	$ 1,748,000	$ 917,700	$ 2,665,700
2014	2	(9) Squabble Creek Lift Station Improvements - Add Pump 1 with 160 HP Pump - Add Emergency Generator and ATS	+2.4	$ 1,000,500	$ 525,263	$ 1,525,763
2016	2	(10) Proposed Bluff Creek Lift Station	2.4	$ 1,725,000	$ 905,625	$ 2,630,625
2016	2	(10) Proposed Bluff Creek Lift Station & 14" Force Main (7,360-LF)		$ 1,355,850	$ 711,821	$ 2,067,671
2016	2	(10) Proposed Bluff Creek Lift Station & 20" Force Main (7,360-LF)		$ 1,609,770	$ 845,129	$ 2,454,899
2017	2	(11) Proposed Brushy Creek Lift Station & 12" Force Main	1.5	$ 1,799,750	$ 944,869	$ 2,744,619
2020	2	(12) Squabble Creek Lift Station Improvements - Replace Pumps 2 & 3 with 335 HP Pumps	+2.9	$ 793,500	$ 416,588	$ 1,210,088
		Subtotal: Proposed Wastewater Facilities		**$ 10,032,370**	**$ 5,266,995**	**$ 15,299,365**
		GRAND TOTAL WASTEWATER 10-YEAR CIP:		**$ 15,658,234**	**$ 8,220,574**	**$ 23,878,808**

* *Allows for Expansion and Operation of Squabble Creek Lift Station*

(A) Opinion of Cost includes:

a) Engineer's Opinion of Construction Cost
b) Professional Services Fees (Survey, Engineering, Testing, Legal)
c) Cost of Easement or Land Acquisitions

(B) Debt Service Based on 20-Year Simple Interest Bonds at 5%



NOT TO SCALE

CITY OF ROCKWALL
WASTEWATER COLLECTION SYSTEM
IMPACT FEE UPDATE
2013-2023 CAPITAL IMPROVEMENT PLAN

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
DALLAS, TEXAS
FIRM F-526

JUNE 2014

LEGEND

- EXISTING WASTEWATER LINE
- EXISTING WASTEWATER LINE (IMPACT FEE)
- PROP. WASTEWATER LINE (DEVELOPER CONSTRUCTED)
- PROP. IMPACT FEE WASTEWATER LINE (DEVELOPER INITIATED - CITY OVERSIZE PARTICIPATION)
- PROPOSED IMPACT FEE WASTEWATER LINE (CITY INITIATED & CONSTRUCTED)
- PLANNING BOUNDARY
- EXISTING LIFT STATION
- EXISTING LIFT STATION (IMPACT FEE)
- PROPOSED LIFT STATION (CITY INITIATED & CONSTRUCTED)
- EXISTING WASTEWATER TREATMENT PLANT
- 14 CIP PROJECT ID NUMBER

EXHIBIT 2

May 27, 2014

To: Rockwall City Council, City Manager and Staff

From: Capital Improvement Advisory Committee Chairperson (CIAC), Craig Renfro

Subject Updated Water and Wastewater Impact Fee Recommendation

The Capital Improvement Advisory Committee Chairperson (CIAC) in accordance with Section 395.058 of the Texas Local Government Code has been conducting meetings with staff and the City's consultant, *Birkhoff, Hendricks & Carter, LLP*, for the purpose of reviewing the City's Water and Wastewater Impact Fee program. The periodic review of impact fees are required by the Texas Local Government Code at least every five (5) years.

The CIAC has reviewed the updated Water and Wastewater Impact Fee Land Use Assumptions prepared by city staff and the updated Water and Wastewater Improvement Plan prepared by *Birkhoff, Hendircks & Carter, LLP*.

On behalf of the Advisory Committee, we find the update Impact Fee Land Use Plan to be consistent with the City's Comprehensive Plan, and updated Water and Wastewater Capital Improvement Plan to be consistent with the land use plan. Both are in general conformance with the requirements of Chapter 395 of the Texas Local Government Code.

The CIAC would recommend that the City Council approve the updated Land Use Assumptions and updated Water and Wastewater Capital Improvement Plan as submitted.

Sincerely,

Craig Renfro
Chairman, Capital Improvement Advisory Committee (CIAC)

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CITY OF ROCKWALL

ORDINANCE NO. 14-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 74 (PD-74) [*ORDINANCE NO. 12-26*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE PLANNED DEVELOPMENT CONCEPT PLAN AND THE DEVELOPMENT STANDARDS APPROVED WITH ORDINANCE NO. 12-26, BEING A 405.184-ACRE TRACT OF LAND SITUATED IN THE J. STRICKLAND SURVEY, ABSTRACT NO. 187, T. R. BAILEY SURVEY, ABSTRACT NO. 30 AND THE J. SIMMONS SURVEY, ABSTRACT NO. 190, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the Darren Cain of the Skorburg Company on behalf of Breezy Hill 405, LTD for an amendment to the Planned Development Concept Plan and Development Standards contained within Planned Development District 74 (PD-74) [specifically contained within *Ordinance No. 12-26*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, for a 405.184-acre tract of land situated in the J. Strickland Survey, Abstract No. 187, T. R. Bailey Survey, Abstract No. 30 and the J. Simmons Survey, Abstract No. 190, Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 74 [*Ordinance No. 12-26*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by Planned Development District 74 (PD-74) [*Ordinance No. 12-26*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 2. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 4. That a master parks and open space plan for the Property, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan*, (*Open Space Master Plan*) shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

Section 5.

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(f) below*), shall be the exclusive procedures applicable to the subdivision and platting of the Property.

(b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in Section 212.009 of the Texas Local Government Code.

1. Open Space Master Plan
2. Master plat
3. PD development plans (*required for retail areas only*)
4. PD site plans
5. Preliminary plats
6. Final plats

(c) A master plat application covering all of the Property, other than the area designated on the *Planned Development Concept Plan* as *Retail*, shall be submitted and shall identify each phase of development. No master plat application shall be approved until the *Open Space Master Plan* for all of the Property has been approved; however, the *Open Space Master Plan* may be processed by the City concurrently with the master plat application.

(d) A *PD Development Plan* must be approved for the area designated on the Concept Plan as *Retail* prior to submittal of a *PD Site Plan* application and/or a preliminary plat application. No master plat is required for the area designated on the Concept Plan as *Retail*. A traffic impact analysis for the retail tract shall be submitted with the *PD Development Plan* to determine the extent and timing of any recommended facilities and/or improvements to the surrounding roadway network. The traffic impact analysis may be updated with each *PD Site Plan* for the retail tract.

(e) A preliminary plat application shall be submitted for each phase of residential development. A *PD Site* Plan application, including a site plan application for improvements for parkland or trails, may be processed by the City concurrently with a preliminary plat application for that phase of the development.

(f) A *Capital Facilities Agreement* in the form of *Exhibit 'D',* attached hereto and incorporated herein by reference as *Exhibit 'D',* shall be executed by Developer providing for delivery of adequate public facilities and services within the District.

Section 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 9. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF JULY, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: June 16, 2014

2nd Reading: July 7, 2014

Exhibit 'A':
Legal Description

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN PARTS OF THE J. STRICKLAND SURVEY, ABSTRACT NUMBER 187, T. R. BAILEY SURVEY, ABSTRACT NUMBER 30 AND THE J. SIMMONS SURVEY, ABSTRACT NUMBER 190 OF ROCKWALL COUNTY, AND BEING THAT TRACT OF LAND CONVEYED TO W.W. CARUTH, JR. ACCORDING TO THE DOCUMENT FILED OF RECORD IN VOLUME 66, PAGE 493, DEED RECORDS OF ROCKWALL COUNTY, TEXAS (D.R.R.C.T.) ALSO A PORTION OF THE J. STRICKLAND SURVEY, ABSTRACT 794•3 LYING IN COLLIN COUNTY, TEXAS, THAT TRACT OF LAND CONVEYED TO MABEL CARUTH ACCORDING TO THE FILE OF RECORD IN COUNTY CLERK FILE NUMBER 92-0054539 OF COLLIN COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND AT THE BASE OF A CORNER POST, SAID IRON ROD BEING THE SOUTHWEST CORNER OF A 1RACT OF LAND DESCRIBED IN DEED TO DONG WON KANG RECORDED IN VOLUME 4703, PAGE 1402, D.R.R.C.T., AND SAME (BEING THE SOUTHEAST CORNER OF SAID TRACT "ONE" AS SHOWN HEREON;

THENCE NORTH 89°21'28" EAST, A DISTANCE OF 2077.92 FEET TO A 1/2" IRON ROD FOUND FOR A CORNER OF THIS TRACT;

THENCE SOUTH 00°01'37" EAST, GENERALLY ALONG THE CENTER OF A GRAVEL ROAD, A DISTANCE OF 1274.60 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH 89°19'07" EAST, GENERALLY ALONG THE CENTER OF A GRAVEL ROAD, A DISTANCE OF 686.18 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH 00'42'37" EAST, ALONG THE CENTER OF BREEZY HILLS ROAD, A DISTANCE OF 4777.93 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER IN THE NORTH LINE OF F.M. HIGHWAY 552, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 89°20'36" WEST, ALONG THE NORTH LINE OF SAID F.M. HIGHWAY, A DISTANCE OF 1887.13 FEET, TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER IN A ENTRYWAY OF A RANCH ROAD, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 00°31'43" WEST, GENERALLY ALONG THE CENTER OF SAID RANCH ROAD, PASSING AT A DISTANCE OF 10.00 FEET A 1/2" IRON ROD FOUND ON THE WEST LINE OF THIS TRACT AND CONTINUING A TOTAL DISTANCE OF J593.55 FEET TO A S/S" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH S9°15'47" WEST, A DISTANCE OF S03.29 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 01"31'06" WEST, A DISTANCE OF 1189.10 FEET TO A 5/8" IRON ROD FOUND AT THE BASE OF A CORNER POST, FOR A CORNER OF THIS TRACT;

THENCE SOUTH 88°05'58" WEST, A DISTANCE OF 1546.66 FEET TO A 3/8" IRON ROD

FOUND FOR A CORNER OF THIS TRACT;

THENCE NORTH 00°47'14" WEST, A DISTANCE OF 1067.53 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 88°33'50" E, A DISTANCE OF 748.00 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 00°45'11" W, A DISTANCE OF 2243.67 FEET TO A 5/S" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 89°21'28" E, A DISTANCE OF 754.93 FEET TO THE POINT OF BEGINNING, AND CONTAINING 405.184 ACRES OF LAND, MORE OR LESS.

Exhibit 'B':
Concept Plan

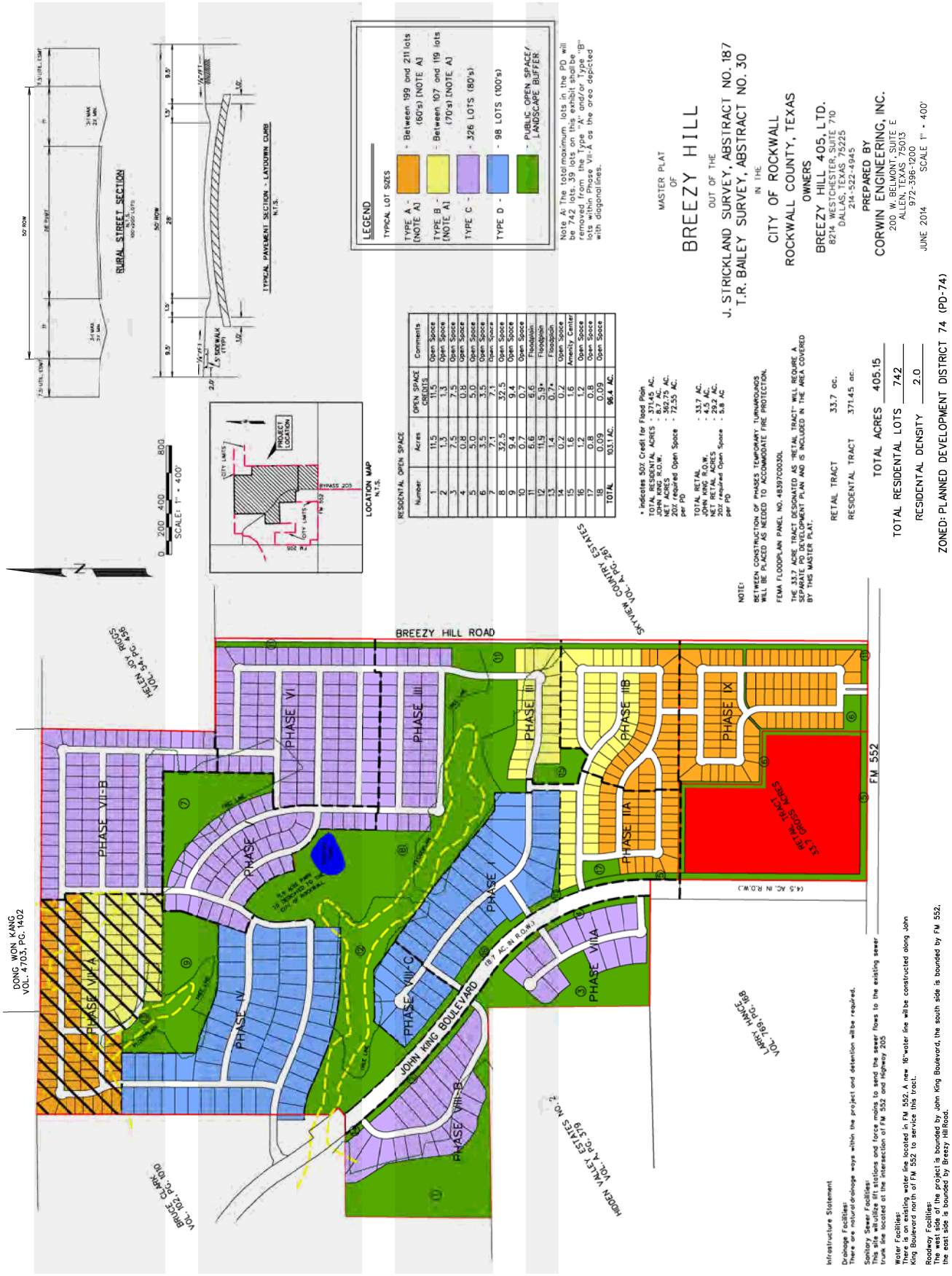

Exhibit 'C':
PD Development Standards

A. GENERAL REQUIREMENTS

1. *Uses Allowed.* The following uses are permitted for the Property.

   a. *Residential uses*. Uses permitted of right or by special use permit for the (SF-10) Single Family Residential District, as set forth in Article IV, Permissible Uses, of the City of Rockwall Unified Development Code, shall be allowed for areas designated as Single-Family on the Concept Plan, subject to approval of a Special Use Permit if required by the SF-10 District Regulations.

   b. *Non-residential uses*. Non-residential uses shall be allowed only within the area designated as Retail on the approved Concept Plan for the District, and are limited to those uses permitted of right or by special use permit for the (GR) General Retail District subject to approval of a PD Development Plan and PD Site Plan in accordance with the Planned Development District regulations, Article X, Section 2 of the Unified Development Code, and subject to approval of a Special Use Permit if required by the GR District Regulations; provided, however, that the following uses are expressly prohibited:

   - ✓ Animal Hospital, Clinic
   - ✓ Convent or Monastery
   - ✓ Hotel or Motel
   - ✓ Hotel, Residence
   - ✓ Cemetery/Mausoleum
   - ✓ Mortuary of Funeral Chapel
   - ✓ Social Service Provider
   - ✓ Billiard Parlor or Pool Hall
   - ✓ Carnival, Circus, or Amusement Ride
   - ✓ Commercial Amusement/Recreation (Outside)
   - ✓ Gun Club, Skeet or Target Range (indoor)
   - ✓ Astrologer, Hypnotist, or Psychic Art and Science
   - ✓ Garden Supply/Plant Nursery
   - ✓ Night Club, Discotheque, or Dance Hall
   - ✓ Secondhand Dealer
   - ✓ Car Wash, Self Service*
   - ✓ Service Station*
   - ✓ Mining and Extraction (Sand, Gravel, Oil & other)
   - ✓ Helipad
   - ✓ Railroad Yard or Shop
   - ✓ Transit Passenger Facility

   * *Not including a convenience store with an accessory car wash use or more than four (4) gas pumps, which accessory uses are permitted by SUP.*

   The following additional use shall be permitted of right in the PD District:

   - ✓ Grocery Store with a maximum building area of one hundred and thirty thousand (130,000) square feet.

   c. *Design of non-residential uses.* The retail area shall be designed to be pedestrian-oriented and easily accessible to adjacent residential neighborhoods. Additionally, the

retail area shall be designed and constructed to be integrated with adjacent uses, not separated from them by screening walls or other physical barriers. This will be accomplished by creating paths from adjacent development into the retail area and through the use of landscaping buffers, building design and other urban design elements to create compatibility with the surrounding residential neighborhood.

d. *Density and lot composition*. If the retail develops in accordance with the attached Concept Plan, no more than 742 single-family residential dwelling units may be constructed within the Property. Except as provided in subsection (e), single-family residential units shall be allocated by product type in accordance with the following table:

Table 1: Lot Composition

LOT TYPE	**LOT SIZE** (MINIMUM)	**LOT SQ. FT.** (MINIMUM) (TOTAL)	**Driveway Access**	**Units** (TOTAL)	**Total Dwelling Units %**
A	60' x 120'	7,200	Front	206	27.80%
B	70' x 120'	8,400	Front	112	15.10%
C	80' x 125'	10,000	Front	326	43.90%
D	100' x 200'	20,000	Front	98	13.20%
Average Lot Size		10,000			
MAXIMUM ALLOWED TOTAL UNITS				742	100%

e. *Variation in lot composition.* The allocation of single-family dwellings among lot types may deviate from that in subsection (d), provided that the maximum allowed total dwelling units does not exceed 742 units, the average lot size for the development is not less than 10,000 sq. ft., and the following rules are met:

(1) Lot types "A & B" may increase not more than 5% in aggregate number.
(2) Lot type "C" shall not be decreased below 42% of the total 742 lots.
(3) Lot Type "D" shall not be decreased below 98 of the total lots.

2. Development Standards Applicable. Except as may be modified by these Development Standards, residential uses shall be subject to the development standards for a (SF-10) Single Family Residential District, as set forth in Article V, District Development Standards for Section 3.4 of the City of Rockwall Unified Development Code; to the development standards in the 205 Bypass Overlay District; and to all supplemental standards contained in the Unified Development Code, including but not limited to the tree preservation regulations in the Unified Development Code.

B. SPECIAL DEVELOPMENT STANDARDS

1. Dimensional Standards for Residential Uses

Table 2: Lot Type Matrix

Lot Types	A	B	C	D
Maximum Building Height	36'	36'	36'	36'
Air Conditioned Square Footage (Minimum)	2,200	2,400	2,600***	3,000
Minimum Building Setback: Front Yard *Front porch may encroach to within 10' of front property line.*	20'	20'	20'	40' [3]
	X			
Rear Yard	10'	10'	15'	15'
Interior Side Yard	5'	5'	6'	7'
Corner (Side) Yard	15'	15'	15'	15'
Minimum Distance of driveway from prop. line. (applicable to front entry only)	20'	20'	20'	40'
Minimum Lot Area (Square Feet)	7,200	8,400	10,000	20,000
Minimum Lot Frontage [1]	60'	70'	80'	100'

Notes:

[1]: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by twenty percent (20%) in lot width measured at the front property line provided that the lot width will be met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to 10 percent (10%) but shall meet the minimum lot size for each lot type as referenced within Table 1.

[2]: A maximum of 20% of the lots may have homes not less than 2,500 sq. ft.

[3]: The Director of Planning or his designee may grant a reduction in the required 40-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 40-foot front yard building setback would create an undue hardship on the property.

2. Development Standards for Residential Uses by Lot (Product) Type

a. Detached Single Family Lot Type A

Minimum Lot Size:	7,200 SF
Minimum Lot Width: @ Front Bldg. Line	60'
Minimum Lot Depth:	110'
Minimum Corner Lot Width:	65'
Side Yard Setback:	5'
Front / Rear Bldg. Line:	20'/10'
Minimum House Size:	2,200 air conditioned sq. ft.
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drive. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'A' lots shall have 3-car garages.
Maximum Lot Coverage:	65%

b. Detached Single Family Lot Type B

Minimum Lot Size:	8,400 SF
Minimum Lot Width: @ Front Bldg. Line	70'
Minimum Lot Depth:	120'
Minimum Corner Lot Width:	75'
Side Yard Setback:	5'
Front / Rear Bldg. Line:	20'/10'
Minimum House Size:	2,400 air conditioned sq. ft.
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drives. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'B' lots shall have 3 car garages.
Maximum Lot Coverage:	65%

c. Detached Single Family Lot Type C

Minimum Lot Size:	10,000 SF
Minimum Lot Width: @ Front Bldg. Line	80'
Minimum Lot Depth:	125'
Minimum Corner Lot Width:	85'
Side Yard Setback:	6'
Front / Rear Bldg. Line:	20'/15'
Minimum House Size:	2600 air conditioned sq. ft.[1]
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Traditional "swing" or "J" drive required. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 80% of Type 'C' lots shall have 3 car garages.
Maximum Lot Coverage:	65%

Notes:
[1]: A maximum of 20% of the lots may have homes not less than 2,500 sq. ft.

d. Detached Single Family Lot Type D

Minimum Lot Size:	20,000 SF
Minimum Lot Width: @ Front Bldg. Line	100'
Minimum Lot Depth:	175'
Minimum Corner Lot Width:	100'
Side Yard Setback:	7'
Front / Rear Bldg. Line:	40' [1]/15'
Minimum House Size:	3,000 air conditioned sq. ft.
Minimum Roof Pitch:	8:12 except for 4:12 on porch roofs
Masonry Requirement:	80% (brick, stone, cultured stone, 3-part stucco)
Garage Orientation:	Traditional "swing" or "J" drive required. Single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. 80% of Type D lots shall have a minimum of 3 car garages.
Maximum Lot Coverage:	70%

Notes:
[1]: The Director of Planning or his designee may grant a reduction in the required 40-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 40-foot front yard building setback would create an undue hardship on the property.

3. *Fencing.* All individual residential fencing for lots less than 20,000 square feet shall be cedar standard fencing material (minimum ½" thickness) or better (spruce fencing will not be allowed). All cedar pickets shall be placed on the "public side" facing the street, alley or neighboring property. Lots containing 20,000 sq. ft., lots located along perimeter roadways, and lots abutting open spaces, greenbelts and parks shall be required to install tubular steel fencing. Corner lot fencing (adjacent to the street) shall provide masonry columns at forty-five feet (45') off center spacing that begins at the rear property line corner and terminates ten feet (10') behind the front yard building setback line. A maximum six (6') foot solid board on board "panel" cedar fencing shall be allowed between the masonry columns along the side and/or rear yard lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five feet (5'). The property owner shall maintain that portion of the property outside the fence.
4. *Anti-Monotony Features.* Lot types shall incorporate the following elevation features.

Table 3 : Anti-Monotony Matrix

Lot Type	Lot Size (Approx.)	Elevation Features
A	60' x 120'	i., ii, iii,
B	70' x 120'	i., ii, iii,
C	80' x 125'	i., ii, iii,
D	100' x 200'	i., ii, iii,

i. Exterior facade must be composed of eighty percent (80%) masonry (brick, stone, cultured stone, or three-part stucco). Identical brick blends may not occur to adjacent (side-by-side) properties. Elevations shall not repeat along the fronting or siding streetscape without at least four (4) intervening homes of sufficient dissimilarity (to be determined by the ARC) on the same side of the street and (2) intervening homes on the opposite side of the street). The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least two (2) intervening homes of sufficient dissimilarity (to be determined by the ARC). Masonry (brick, stone, cultured stone, or three-part stucco) chimneys shall be required on all homes.
ii. Minimum of 8:12 roof pitch, except for 4:12 roof pitches on porches. For each phase, a maximum of four compatible roof colors may be used. Dimensional shingles shall be used. Crown molding will be installed in all living and family rooms, unless vaulted or pop-up ceilings are utilized. No Formica counters in kitchens and bathrooms, no blown acoustic ceilings. No vinyl flooring will be used in kitchens.
iii. For front entry driveway access a traditional "swing" or "J" drive will be used. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only.

5. *Streetscape Landscape.* Prior to issuance of a Certificate of Occupancy, yards for all single-family lots in the District shall be landscaped with large canopy trees.

(1) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.
(2) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two additional trees of same caliper shall be planted in the side yard facing the street.
(3) For purposes of this section only, the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

6. *Master Design Guidelines.* Additional design guidelines specific to each phase of development that shall apply to all single-family dwellings units within that phase of development, shall be submitted to the City prior to issuance of any building permits for that portion of the development.

C. STANDARDS FOR DISTRICT DESIGN AND CONNECTIVITY

1. *Streetscape Standards for Collectors & Non-Fronting Thoroughfares.* All streets, excluding drives, fire lanes and private parking areas, shall be built according to City of Rockwall street standards. Sidewalks and Hike / Bike trails are to be placed according to city requirements and as set forth in the Open Space Master Plan for the District.

    a. *Buffer-Strip* and Sidewalks (John King Boulevard Overlay District). The landscape buffer strip along John King Blvd shall be as described in the City of Rockwall Unified Development Code, Article V (District Development Standards), Section 6.10 E (Landscape Standards) and be a minimum width of fifty (50) feet as shown on the Planned Development Concept Plan in Exhibit 'B'. Additionally, the developer shall construct a minimum of a ten (10) foot sidewalk, on both sides of John King Boulevard, within the fifty (50) foot landscape buffer strip as recommended by the John King Boulevard Design Concept Plan located in the Comprehensive Plan of the City of Rockwall.

    b. *Buffer-Strip (FM 552).* A landscape buffer strip with a minimum width of fifteen (15) feet shall be provided along the frontage of FM 552, and shall be landscaped with at least one canopy tree per 30-ft and a combination of berms and shrubbery to be reviewed with the PD Site Plan(s) for the retail tract.

    ~~c.~~ *Buffer-Strip (Breezy Hill) Retail.* The minimum buffer width between the proposed retail area and Breezy Hill Rd shall be fifty (50) feet, and shall include a berm with a minimum height of five (5) feet with at least three (3) canopy trees and four (4) accent trees per 100-ft of frontage. A detail of this landscape buffer shall be approved by the Planning and Zoning Commission and City Council at the time of PD Development Plan for the retail tract.

    d. *Buffer-Strip (Breezy Hill) Residential.* A landscape buffer strip with a minimum width of ten (10) feet shall be provided between any residential area and Breezy Hill Rd.

    e. *Irrigation.* Any irrigation installed in landscape areas and public parks must be designed by a Texas licensed irrigator or landscape architect.

    f. *Fencing.* The Association will maintain all common area and perimeter fencing surrounding the Property. Such perimeter fencing shall be composed of six foot (6') tall tubular steel fencing with masonry entry features or such other fencing as may be approved by the City at the time of platting. Perimeter screening may also be accomplished by earthen berms landscaped with living screening. Property owners will maintain all fences constructed on private property.

    g. *Curvilinear Walks.* Walks are to be a minimum of five feet (5') wide to six feet (6') maximum width (hike and bike trail) consistent with the approved Open Space Master Plan. "Collector streets" with or without center medians may incorporate sidewalks six feet (6') in width adjacent to or within "front yard" landscape easements. Walks may meander within parkway and common area; however, edge of walk shall be no closer than four feet (4') from back-of-curb.

    h. *Medians.* Any proposed median openings shall meet the City standards at the time of PD site plan approval.

2. *Lighting.* Light poles shall not exceed twenty feet (20') in height. All light fixtures shall direct light downward and be contained to the site.
3. *Sidewalks.* At a minimum, sidewalks located on lay down curb section streets shall begin four feet (4') behind the back of curb and be five feet (5') in overall width. Sidewalks will not be required on rural street sections.
4. Curbing. Within certain lot types "A, B, & C" "roll up, lay down curbing" may be incorporated in an effort to minimize frequent curb cuts and maximize streetscape continuity, as approved by the City of Rockwall (Engineering Department) with approval of the final plat application.
5. *Buried Utilities.* New distribution power-lines required to serve the Property shall be placed underground, whether such lines are located internally or along the perimeter of the Property, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (3 phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the Property, except along the 205 Bypass. Additionally, if such above ground lines are installed along the perimeter of the property and adjacent to non-residential use, then the lines shall be installed behind the non-residential buildings where the installation is possible. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the Property. Temporary power-lines constructed across undeveloped portions of the Property to facilitate development phasing and looping may be allowed above ground, but shall not be considered "existing lines" at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph.
6. *Parks and Open Space.*
    a. Residential and retail acreages (net of right-of-way dedication) shall contain no less than 20% open space and.
    b. Allowable open space may include but is not limited to 50% of floodplain, amenity center, public or private parks, trails, natural areas, buffers, traffic circle medians, entry features, common areas (including any Association recreation center or similar facilities) and other features depicted on the Development Plan, as set forth in the Open Space Master Plan prepared in accordance with subparagraph (c) below. Street right of way will not be included as open space. At least 80% of the single-family dwellings within the development shall be located within eight hundred feet (800') of public or private open space. In order to qualify, such open space must be at least one (1) continuous acre in area, not including roadway buffers less than fifty (50') feet in width.
    c. The Developer shall prepare the Open Space Master Plan to be consistent with the approved Development Plan. The purpose of an Open Space Master Plan is to supplement the Development Plan by providing an additional level of detail for public and private open space areas. The Open Space Master Plan shall identify the locations of and improvements to public parks, and other public and private open space or common areas and shall illustrate an integral system of trail improvements that, together with intervening land held by other property owners or the City, is designed to connect residential areas, schools and retail areas within the District to parks and open space within the District and that provides for continuation and connection of the trail system to off-site parks and open space, in accordance with the City's Master Park and Recreation Plan. The Open Space Master Plan shall clearly differentiate public parks from private facilities and common lands to be maintained by the Association. The locations of public parks, school sites and other public and private open space or common areas shown on the Open Space Master Plan shall be in conformance with the Development Plan. The Open Space Master Plan shall include a phasing plan for construction of all trails, parks, common open space and facilities. The Open Space

Master Plan shall be considered for approval if it complies with this section, the applicable City regulations, the Development Plan, and generally accepted park-planning practices.

d. The District shall contain not less than eleven (11) acres of land to be used as public or private parkland. A minimum of eleven (11) contiguous acres shall be dedicated to the City in accordance with the City's Neighborhood Parkland Dedication Ordinance on approval of the final plats for those phases adjacent to or abutting the proposed parkland dedication and will provide access to said parkland area. The remaining parkland area will be retained as a private park within the District. Park improvements shall be constructed in accordance with the approved Open Space Master Plan. The site plan incorporating the design of park improvements and hike/bike trail improvements shall be considered for approval with the final plat for the phase of the development containing such improvements. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's Neighborhood Parkland Dedication Ordinance regarding land dedication. At the time of recordation of final plats for each phase, the Developer shall pay park improvement fees to the City. These fees shall be held in an escrow account until the parkland is dedicated to the City, at which time the Developer shall inform the City if the Developer wishes to use the escrowed fees as well as future fees to construct park improvements. Prior to construction, said improvements shall be approved by Parks Director, approval not to be unreasonably withheld, and invoices for improvements shall be submitted to Parks Director for approval. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's Neighborhood Parkland Dedication Ordinance regarding park development fees, provided that park improvements are installed at a value equal or exceeding the value of park improvement fees for the entire District applicable at that time, or improvement fees are paid. Thereafter, the Developer shall not be responsible for additional parkland dedication or park development fees associated with the Property, except as otherwise may be provided in a capital facilities agreement approved by the City.

7. Developer shall provide a minimum of one (1) retention pond in the District with hard edges and fountain features. The exact configuration and location of the ponds will be determined at development. All retention pond hardedges shall be similar to the hardedge shown on Figure 1 (below).



Figure 1: *Retention Pond with Hardedge.*

8. *Signage.* Permanent subdivision identification signage shall be permitted at all major entry points, in general conformance to the signage shown in Figure 2 & 3 (below). Final design of entry features to be determined with the Planned Development Site Plan.

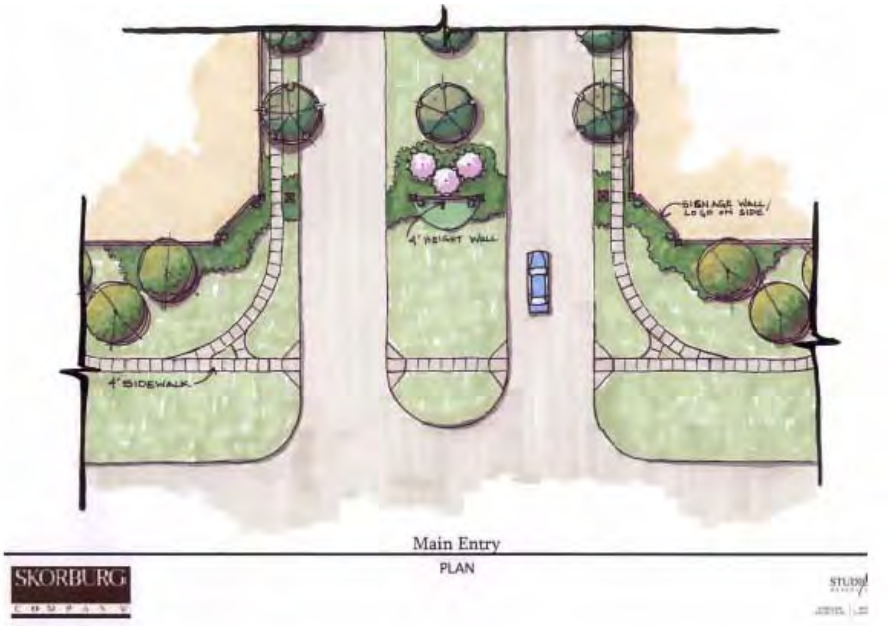

Figure 2: *Example of Subdivision Signage Locations*

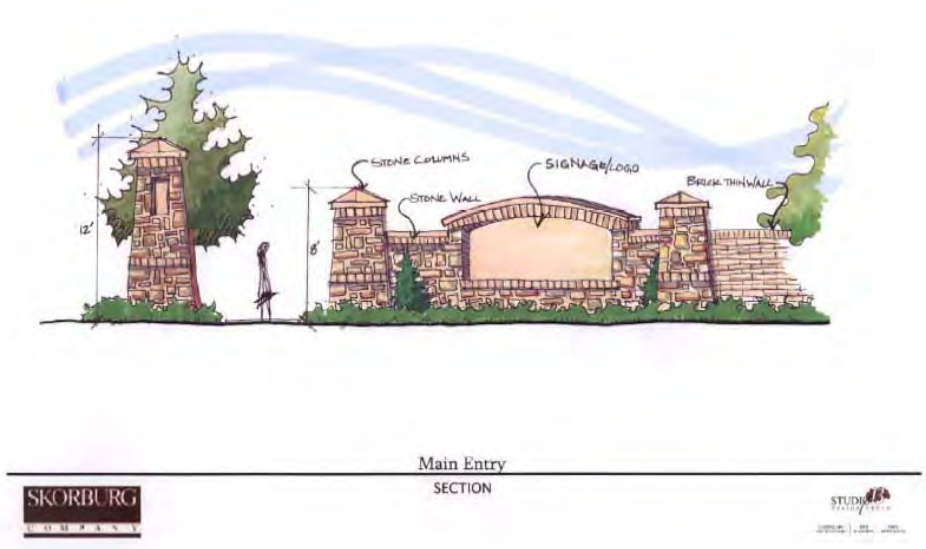

Figure 3: *Example of Subdivision Signage Design Standard*

9. *Variances.* The variance procedures and standards for approval set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

10. *Amenity Center.* Site plan, landscape plan and building elevations for the Amenity Center shall be approved by the Planning and Zoning Commission prior to construction.
11. *Trees.* All trees planted within the District shall be a minimum three (3) inch caliper measured six (6) inches above the root ball.

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

THIS CAPITAL FACILITIES AGREEMENT (the "Agreement") is by and among the Breezy Hill 405, Ltd, ("Breezy" or "Developer") and the City of Rockwall, Texas ("City" or "Rockwall "),

I. RECITALS

1. Breezy seeks to rezone and subdivide the Property for single-family residential use and certain commercial uses. Breezy shall submit an application to rezone the 405 acres north of FM-552 (the "Property") as a planned development (PD) district for a development currently known as Breezy Hill (the "PD District"),

   NOW, THEREFORE, in consideration of the foregoing recitals and mutual covenants contained herein, the Parties hereto agree as follows:

II. ADEQUATE PUBLIC FACILITIES

1. *General Provisions.*

   a. *Adequacy Required.* Development of the Property shall be supported with adequate levels of public facilities and services, Adequate facilities and services are those that (i) comply with the applicable City regulations, including this Agreement, and (ii) are consistent with generally accepted engineering and planning practices for similar developments, The Parties agree that the dedication and construction of public improvements, or the contribution of proportionate development fees, required to support development of the Property shall precede or be concurrent with the construction of private improvements to the land, in accordance with the phasing provisions incorporated within this section, or as otherwise may be provided through approval of a master plat.

   b. *Proportionality.* The Parties agree that the dedication or construction of public improvements, or the contributions of development fees, provided for in this Agreement are roughly proportional to the nature and extent of the proposed development of the Property on the City's public facilities systems. Breezy hereby covenants not to sue the City for any claim, or otherwise consent to participate in any action against the City arising from any claim by such party or by its affiliates, alleging that application of the adequate facilities requirements set forth in this Part II of the Agreement to the development of the Property, or the imposition of conditions to a plat application for a portion of the Property that are consistent with the requirements of this section, are not roughly proportional to the impacts of the development depicted in the Concept Plan, including but not limited to any action premised upon Tex. Loc. Gov't Code sec. 212.904 or successor statute. Such covenant not to sue touches and concerns the Property, and is a covenant running with the land such that it binds successors-in-interest and assigns of Breezy. Should any successor-in-interest or assign of Breezy other than an affiliate of Breezy assert any of the foregoing claims in a court of competent jurisdiction, in violation of this Subsection 1 (b), with respect to the development of any portion of the Property, the Parties agree that, with respect to such portion of the Property or all of the Property, at the City's option, this Agreement thereupon shall become null and void and any rights that may otherwise have

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vested under then existing state law shall be waived upon such event. Breezy further agrees that the City may expressly rely upon the provisions of this paragraph in any certification under section 212.904 and that a court in determining rough proportionality may consider all of the Property. Should Breezy or an affiliate of Breezy violate the covenant not to sue contained in this paragraph, the City may either enforce the covenant or pursue the remedies provided for herein that are applicable to successors or assigns, other than affiliates. As used in this Agreement, the term "affiliate" means any person, corporation, partnership, or other entity controlled by, controlling, or under common control with Breezy.

c. *No Waiver.* The requirements in this Part II shall be considered additional standards and conditions applicable to development within the PD District. Except in the event of a conflict between the standards in this Agreement and other standards applicable within the District, nothing in this Agreement shall be construed as superseding any requirement or standard in the City's subdivision or utility regulations relating to provision of adequate public facilities and services.

2. *Wastewater Services.*

a. *City as Provider.* The City shall be the supplier of wastewater services to the Property.

b. *Line Extensions.* The Developer shall extend wastewater mains sufficient to serve each phase of development within the PD District, sized in accordance with the City's master plan for wastewater facilities and constructed in accordance with the phasing schedule approved in conjunction with the Developer's master plat application. The Developer shall design and construct a lift station in order to serve the development within the PD District. The Developer shall be entitled to pro-rata fees for the costs of over-sizing the lift station from other future developments using the lift station, calculated on a per acreage basis. Developer also shall be eligible for credits against, wastewater impact fees otherwise due for construction of improvements identified and included in the City's wastewater improvements plan for impact fees, in accordance with the City's then existing impact fee regulations. Provisions for City participation in oversize costs, rebate of pro-rata fees or provision of impact fee credits shall be set forth in a facilities and reimbursement agreement between the Developer and the City.

c. *Payment of Impact Fees.* Wastewater impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations.

3. *Water Services*

a. *City as provider.* The City shall be the supplier of water services to the Property. The City represents that it has sufficient capacity to serve the Property.

b. *Line Extensions.* The Developer shall extend water mains sufficient to serve each phase of development within the PD District, sized in accordance with

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

the City's master plan for water facilities and constructed in accordance with the phasing schedule approved in conjunction with the Developer's master plat application. The Developer shall be eligible for City participation in the costs of over-sizing water distribution mains or appurtenances that serve other land in addition to the Property, in accordance with the City's standard policies, or for collection of pro-rata fees for such facilities. Developer also shall be eligible for credits against, water impact fees otherwise due for construction of improvements identified and included in the City's water improvements plan for impact fees, in accordance with the City's then existing impact fee regulations. Provisions for City participation in oversize costs, rebate of pro rata fees or provision of impact fee credits shall be set forth in a facilities and reimbursement agreement between the' Developer and the City.

c. *Payment of Impact Fees.* Water impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations.

4. *Road Improvements.* The Developer shall make the following road improvements.

a. *John King Boulevard (Highway 205 Bypass).* The Developer shall have no obligation with respect to construction of John King Blvd. other than as outlined herein regarding payment of road impact fees.

b. *FM-552 Improvements.* The Developer shall dedicate rights-of-way for and construct turn lanes and acceleration/deceleration lanes concurrent with construction of any road on the Property that intersects FM 552, in accordance with City and TXDOT standards and specifications at the time of development of adjoining property.

c. *Breezy Hill Road Improvements.* The Developer shall dedicate a minimum of twenty-five feet (25') of right-of-way or such right-of-way as is needed to construct a twenty-four foot (24') concrete rural section of Breezy Hill Road and appurtenances adjacent to the Property, together with a two-foot (2') asphalt or concrete shoulder on either side of the concrete section, the total not to exceed twenty-eight feet (28') in width, from the northern point of Breezy Hill Road adjacent to the Property, to FM-552, as shown on the Development Plan. The Developer also shall dedicate and improve a minimum landscape buffer of ten feet (10') for the residential tract and fifty feet (50') for the retail tract, adjacent to the right-of-way for Breezy Hill Road, designed in accordance with the requirements of a PD District then in effect for a rural collector. The bar ditch that abuts the buffer strip, designed to a maximum slope of 3: 1, shall not encroach into the required ten-foot or fifty-foot buffer area, except to the extent that the buffers exceed ten feet (10') in width. The Developer shall dedicate right-of-way for Breezy Hill Road and the landscape buffer at the time of final plat approval for any lot abutting Breezy Hill Road. Developer shall construct Breezy Hill Road in conjunction with the retail tract that is final platted adjacent to Breezy Hill Road. Breezy Hill Road will be constructed from the northernmost intersection created by any portion of the retail tract being platted, south to FM-552. Developer shall install any

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

needed expansion of existing culverts created by such construction or the development, of such retail tract.

d. *Payment of Roadway Impact Fees.* Roadway impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations. Construction costs incurred by Developer for roadway improvements in this Agreement that are included in the City's roadway improvements plan for impact fees shall be credited against roadway impact fees otherwise due, in accordance with the City's impact fee regulations.

5. *Drainage Improvements.* Dedication of rights-of-way for and construction of drainage improvements shall be provided as specified in conditions imposed with approval of the master plat for development within the PD District and in accordance with City standards and specifications.

6. *Parks and Open Space.*

a. The Developer or a property owners association shall maintain public parklands and improvements within the development for a period of three (3) months from the completion and acceptance of the improvements. Thereafter, the City shall assume responsibilities for maintenance. All open space and improvements which are not dedicated as parkland to the City shall be maintained as common areas in perpetuity by the property owners association for the PD District. Additionally, the property owners association shall maintain Developer-installed landscaping areas in public rights-of-way and public drainage ways internal to and adjacent to the Property.

III. GENERAL PROVISIONS

1. Notice on Sale. The Developer shall provide the City with notice of the sale of any tract or parcel within the District that has not been platted at the following address:

Rockwall City Manager
Rockwall City Hall
385 S. Goliad Street
Rockwall, TX 75087

2. *Recording.* This Agreement is intended to run with the land, and shall be recorded in the Real Property Records, Rockwall County, Texas.

3. *Term of Agreement.* This Agreement shall terminate two (2) years following the City's acceptance of the dedication and construction of the public improvements described herein serving the last phase of development within the PD District, after which the City agrees, upon the request of the Developer to execute a termination of this Agreement in recordable form. Any reimbursements for payment of impact fees shall not expire.

4. *Effective Date.* This Agreement shall take effect upon the date of its execution by the last of the Parties to the Agreement; provided, however, that Breezy shall execute this Agreement no later than five (5) business days following the

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effective date of the PD zoning ordinance for the Property. If Breezy fails to execute this Agreement within such period, this Agreement shall become null and void, and unless a subsequent agreement, acceptable to the City and the Developer, is agreed to, the City may thereafter deny any PD site plan, master plat or other plat application on grounds that the application is not supported by adequate public facilities and services.

5. *Severability.* Invalidation of any provision of this Agreement by judgment or court order shall not invalidate any of the remaining provisions which shall remain in full force and effect, unless such remaining provisions are an integral part of the invalid provisions or the invalid provision is necessary to give effect to the remaining provisions.

6. *Enforcement.* This Agreement may be enforced by the Parties by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter.

7. *Venue.* Venue for this Agreement shall be in Rockwall County, Texas.

8. *Execution.* This Agreement may be separately executed in individual counterparts, and upon execution, shall constitute one and the same instrument.

9. *Amendment.* This Agreement may only be amended in writing upon mutual consent of the City and the Developer.

10. *Joint preparation.* This Agreement shall be deemed to have been jointly prepared by all Parties hereto, and no ambiguity of this Agreement shall be construed against any party based upon the identity of the author of this Agreement or any portion thereof.

11. *Recitals Incorporated.* Statements and representations contained herein are to be considered contractual in nature and not merely recitations of fact. The Recitals contained in Part I of this Agreement hereby are expressly incorporated into this Agreement by reference.

12. *Construction.* All references herein in the singular shall be construed to include the plural where applicable, the masculine to include the feminine and neuter genders.

13. *Authority.* Each of the signatories to this Agreement represents and warrants that he is authorized to execute this Agreement and bind his principals to the terms and provisions hereof. Each Party warrants that any action required to be taken in order for this Agreement to be binding on it has been duly and properly taken prior to the execution of this Agreement.

14. *Conflicts.* In the event of a conflict between this Agreement and any provision of the Unified Development Code, the City Code, or any City ordinance, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this Agreement, the standards in this Agreement shall control.

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

15. *No Waiver*. Developer retains the right to challenge the application of any City impact fee regulations to the Property solely on the basis that such regulations fail to comply with Chapter 395 of the Texas Local Government Code, as amended. If Developer prevails in such a claim, impact fees shall be applied to the development of the Property and paid by the Developer, as applicable, in accordance with the court order.

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

PARTIES TO THE AGREEMENT

CITY OF ROCKWALL

CITY OF ROCKWALL TEXAS
SEAL

By: _____

Name: DAVID SWEET

Title: MAYOR

STATE OF TEXAS §
§
COUNTY OF ROCKWALL §

SWORN AND SUBSCRIBED TO BEFORE ME, by said DAVID SWEET, who in their capacity as MAYOR for the City of Rockwall, acknowledges that he was authorized to execute the foregoing document this 2nd day of October 2012, certify witness my hand and seal of office.

Kristy Ashberry
Notary Public in and for the State of Texas

NOTARY PUBLIC STATE OF TEXAS
KRISTY ASHBERRY
Notary Public
State of Texas
My Comm. Exp. 05-01-2016

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

PARTIES TO THE AGREEMENT

BREEZY HILL 405, LTD, A TEXAS LIMITED PARTNERSHIP
BREEZY HILL 405 GP CORPORATION, A TEXAS CORPORATION, ITS GENERAL PARTNER

By: _____

Name: RICHARD M. SKORBURG

Title: PRESIDENT

STATE OF TEXAS §
§
COUNTY OF ROCKWALL §

SWORN AND SUBSCRIBED TO BEFORE ME, by said RICHARD M. SKORBURG, who in their capacity as PRESIDENT for the Breezy Hill 405, LTD, acknowledges that he was authorized to execute the foregoing document this 1st day of OCTOBER 2012, certify witness my hand and seal of office.

_____
Notary Public in and for the State of Texas

NOTARY PUBLIC STATE OF TEXAS
Kellie Lee Patch
Notary Public, State of Texas
My Comm. Expires 05/12/2015

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 07/07/2014

APPLICANT: Scott W. Blackwood

AGENDA ITEM: **Z2014-016**; Zoning Change (AG to PD)

SUMMARY:

Hold a public hearing to discuss and consider a request by Scott W. Blackwood for the approval of a zoning change from Agricultural (AG) District to a Planned Development District for limited commercial/retail land uses on a 12.493-acre tract of land identified as Tract 17-14 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, located west of the intersection of SH-205 [S. Goliad Street] and S. FM-549, and take any action necessary.

BACKGROUND INFORMATION AND PURPOSE:

On January 21, 2014, the subject property was annexed under *Case No. A2013-001* (*Ordinance No. 14-04*) and issued an Agricultural (AG) District zoning designation. The intent of the applicant's request is to change the zoning designation of the subject property from an Agricultural (AG) District to a Planned Development District for limited commercial/retail land uses to facilitate the sale of the property. According to a letter provided by the owner of the property the reason the Planned Development District is being requested is to limit the potential uses and provide transition between the commercial property to the north and the residential property to the south. Currently, the 12.493-acre tract of land is being utilized for residential land uses and has an existing single family home situated on it.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a 7.32-acre tract of land zoned Commercial (C) District that has a residential structure being utilized as an office building. To the northeast of the subject property is a residential home situated on a 6.0-acre tract of land. Beyond these uses are S. Goliad Street [*SH-205*] and S. FM-549.

South: Directly south of the subject property is a residential home situated on a 12.5-acre tract of land. Beyond this is a 134.33-acre tract of vacant land that is a portion of a larger 254.082-acre tract of land. Both properties are zoned Agricultural (AG) District.

East: Directly east of the subject property is remainder of the 134.33-acre tract of vacant land that is a portion of a larger 254.082-acre tract of land zoned Agricultural (AG) District. Beyond this property is S. Goliad Street [*SH-205*].

West: Directly west of the subject property is S. FM-549 followed by the Oaks of Buffalo Way, which is a 109.57-acre development containing 58 single-family homes that are zoned Single Family Estate 1.5 (SFE-1.5) District.

ANALYSIS:

The UDC indicates that Commercial (C) Districts are general in nature and contain development standards that are less stringent than the development standards required for the Residential-Office (RO), Neighborhood Services (NS) and General Retail (GR) Districts (*§4.5.4; Art. V; UDC*). Additionally, it states that Commercial (C) Districts are generally developed with intensive commercial uses that carry large volumes of traffic and should be adjacent to arterials or major collectors that can absorb the added capacity (*§4.5.2; Art. V; UDC*). The subject property is approximately 650-feet from the intersection of SH-205 and FM-549, which is currently a 'T' intersection. On the north side of the intersection is a 43.812-acre tract of land that was rezoned to a Commercial (C) District designation on March 4, 2013 [*Case No. Z2013-002; Ordinance No. 13-03*]. The City's current Thoroughfare Plan, contained within the Comprehensive Plan, indicates that this 43.812-acre tract of land will eventually be divided by the realignment of FM-549, which will connect into the existing 'T' intersection. In addition, the 7.32-acre tract of land located at the southern corner of the intersection was rezoned to a Commercial (C) District designation on April 4, 2010 [*Case No. Z2010-021; Ordinance No. 11-12*]. The approval of this zoning case would increase the commercial acreage offered at this intersection from 51.132-acres to 63.625-acres. It is also important to note that the 7.130-acre property on the west side of the intersection is currently zoned Agricultural (AG) District; however, due to the adjacent land uses and the size and location of the property it would best be served by a Commercial (C) District (*or comparable*) zoning designation. Additionally, it is designated for *Commercial* land uses on the Future Land Use Map.

Directly northwest of the subject is the Oaks of Buffalo Way subdivision (zoned SFE-1.5), which contains 58 single-family lots on 109.57-acres of land. Addressing adjacency issues the Comprehensive Plan states that commercial "(z)oning should only be allowed where the [a] commercial use is eminent and where it would be planned and integrated with the adjacent residential neighborhoods." The applicant has stated that the purpose of the zoning request is to facilitate the sale of the property and that no end user has been identified. Through the Planned Development District the applicant has attempted to mitigate potential uses, which could be viewed as undesirable to the adjacent residential neighborhood. Additionally, staff has included a condition that the heights of buildings be further regulated to require a Specific Use Permit (SUP) if they exceed 36-feet in height with a maximum permissible height of 60-feet (the maximum permissible height in a SFE-1.5 zoning district is 36-feet) [*see the #2 in the Recommendations section below*]. Currently the Commercial (C) District allows for a maximum permissible height of 240-feet, requiring an SUP after exceeding 60-feet.

In approving a Planned Development District the City Council is asked to consider the plans conformance to the comprehensive plan, the proposed land uses and there potential impact on adjacent land uses, and if the proposed plan furthers the public health, safety and general welfare of the community (*§2.1.I; Art. X; UDC*). In this case the applicant intends to rezone the property to facilitate the sale of said property, and is requesting the Planned Development District zoning designation for the purpose of limiting the uses permitted in a Commercial (C) District to lessen the potential impact on the adjacent residential properties. Should the request be approved a PD Development Plan and PD Site Plan would be required prior to the development of the property.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Map, adopted with the Comprehensive Plan, designates the subject property for *Low Density Residential* land uses. Should the City Council approve the applicant's request, the Future Land Use Map will be required to be amended with the next Comprehensive

Plan update to reflect the proposed change in land use from *Low Density Residential* to a *Commercial* designation.

NOTIFICATION:

On May 30, 2014, staff mailed 17 notices to property owners and residents within 500 feet of the subject property. Staff also sent a notice to the Oaks of Buffalo Way Homeowner's Associations (HOA), which is the only HOA located within 1,500 feet of the subject property. Additionally, staff posted a sign along FM-549, which is the only street frontage adjacent to the subject property as required by the Unified Development Code (UDC). At the time this case memo was drafted staff had received one (1) in favor of the request and two (2) notices in opposition to the request.

According to Section 8.4, *Protest of Proposed Change in Zoning*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code in the event that written and signed protest is received by owners representing 20% or more of the area of the lots or land within 200-feet of the subject property in such zoning change the request shall require a favorable vote of three-fourths (¾) of all eligible member of the City Council. In this case, the two (2) notices received in opposition represent ~30.04% of the land area within 200-feet of the subject property. This case will require a three-fourths (¾) majority vote to be approved by the City Council.

RECOMMENDATIONS:

If the City Council approves the applicant's request to change the zoning of the subject property from an Agricultural (AG) District to a Planned Development District for limited commercial/retail uses then staff would propose the following conditions of approval:

1) The *Subject Property* shall comply with all the requirements specified by Section 4.1, *General Commercial District Standards*, and Section 4.5, *Commercial (C) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] unless specifically stated within the draft ordinance,

2) Any structure exceeding 36-feet in height shall require a Specific Use Permit (SUP) with the maximum permissible building height on the *Subject Property* being limited to 60-feet,

3) The *Subject Property* shall be used only in accordance with the uses stipulated by the attached list of *Permissible Uses*,

4) Prior to the acceptance of a preliminary plat and/or site plan for the *Subject Property* a PD Development Plan shall be required to be submitted and reviewed by the Planning and Zoning Commission, and upon recommendation by the Planning and Zoning Commission, acted on by the City Council,

5) Prior to the acceptance of a preliminary plat for the *Subject Property* a PD Site Plan shall be required to be considered by the Planning and Zoning Commission, and if applicable acted on by the City Council, and

6) Any construction resulting from the approval of this *zoning change* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire

codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On June 10, 2014, the Planning and Zoning Commission recommended denial of the applicants request by a vote of 5-1, with Commissioner Lyons dissenting and Commissioner Minth absent.

On June 24, 2014, the Planning and Zoning Commission recommended denial of the applicant's request by a vote of 4-1; with Commissioner Lyons dissenting, and Commissioners Conley and Jackson absent.

ADDENDUM (06/11/2014):

Based on the concerns raised by the Planning and Zoning Commission at their meeting on June 10, 2014 the applicant has requested to remove the following uses from the draft ordinance:

- ☑ Pawn Shop
- ☑ Private Club
- ☑ Restaurant, Less than 2,000 Sq. Ft., with Drive-Through or Drive-in
- ☑ Restaurant, 2,000 Sq. Ft., with Drive-Through or Drive-in
- ☑ Restaurant with Accessory Private Club or Brew Pub

If the City Council chooses to approve the applicant's request with these changes a motion will need to be made specifically addressing the exclusion of these uses.

ADDENDUM (06/24/2014):

Prior to the Planning and Zoning Commission meeting on June 24, 2014 the applicant contacted staff to request a change in the request to a Planned Development District for limited Residential-Office (RO) District uses specifically limited to the following:

Permitted Uses:

- ☑ General Office
- ☑ Office Buildings (Less Than 5,000 Sq. Ft.)
- ☑ Home Occupation
- ☑ Single Family Detached
- ☑ Bed & Breakfast
- ☑ Studio-Art, Photography or Music

Specific Use Permits (SUPs):

- ☑ Assisted Living Facility
- ☑ Residential Care Facility
- ☑ Group/Community Home
- ☑ Office Building (More Than 5,000 Sq. Ft.)
- ☑ General Retail Building (Less Than 5,000 Sq. Ft.)
- ☑ Public or Private School
- ☑ Day Care

Additionally, the new proposal includes limitations concerning parking, cross access, variances, and site plan review. This Planned Development District is similar to other PD's drafted for

Residential-Office (RO) District uses (e.g. PD-69 & PD-50). *Staff has prepared a draft ordinance attached to this case memo for City Council's review.*

Since this request was more restrictive than the original request (*i.e. a Planned Development District for limited Commercial/Retail uses*) the case was permitted to be voted on by the Planning and Zoning Commission. The Planning and Zoning Commission voted 4-1 (with Commissioner Lyons dissenting and Commissioner Conley and Jackson absent) to deny the request based on concerns surrounding how the proposed zoning change could affect adjacent properties and to what the use on the property would be in the future. *Should the City Council choose to approve the applicant's request a ¾ majority vote of the City Council will be required.*

CITY COUNCIL:

On June 16, 2014, the City Council made a motion to remand the applicant's request back to the Planning and Zoning Commission. The motion carried by a vote of 7-0.

Miller, Ryan

From: Scott Blackwood <glentech@netportusa.com>
Sent: Friday, June 20, 2014 10:09 AM
To: Miller, Ryan
Cc: stephen@seniorschoice.net
Subject: Re: Zoning Option

Ryan,

We have discussed your proposed option and would like you to please include, for next week's P&Z meeting, an addendum which would provide for uses in our plan similar to those outlined in your PD69.

I do want to make certain that, if approved, the new zoning will not affect our current and continued use of the property, until sold. My concern lies with the parking restriction and related fines for violation. Does that restriction apply to us as long as we are living here or does it only apply to future owners/users? Please contact me by phone about this concern as I will not have access to email throughout the day today.

The other concern which needs to be addressed is whether or not we continue to keep our current Ag Exemption until the property is sold. Again, our use of the property will remain unchanged as long as we own and occupy it.

Thank you again and we'll see you on Tuesday.
Scott Blackwood
972-768-4835
glentech@netportusa.com

On 6/18/2014 10:43 AM, Miller, Ryan wrote:

> Scott,
>
> Per our conversation this morning the following is another option for you. It is based off of other PD's that are located in areas that are considered to be "transitional" in nature. Again this just represents a more restrictive option for you to consider and there is no guarantee that P&Z and Council will approve these changes. If you have any questions please let me know.
>
> The following is an excerpt from PD-69 and has been modified to your request. A link to PD-69 is as follows: http://www.rockwall.com/pz/Planning/Planned%20Development%20Districts/PD-069.pdf.
>
> PD Development Conditions:
>
> 1. That the Planned Development be subject to the requirements of the Residential-Office (R-O) District as stipulated by the Unified Development Code.
> 2. The Planned Development District be limited to the following permitted uses:
>   a. Permitted "By Right":
>   i. General Office
>   ii. Office Buildings (Less Than 5,000 Sq. Ft.)
>   iii. Home Occupation
>   iv. Single Family Detached
>   v. Bed & Breakfast
>   vi. Studio-Art, Photography or Music
>   b. Permitted by Specific Use Permit (SUP):
>   i. Assisted Living Facility
>   ii. Residential Care Facility
>   iii. Group/Community Home

iv. Office Building (More Than 5,000 Sq. Ft.)
v. General Retail Building (Less Than 5,000 Sq. Ft.)
vi. Public or Private School
vii. Day Care

3. That joint or shared access be required on all adjoining lots if any property used for any of the uses listed above other than Single Family Detached.
4. That parking in the front yard area of any property within this Planned Development District be prohibited and all parking for those uses listed above, other than Single Family Detached, be located behind the rear façade of the main building structure.
5. That all properties within the Planned Development District shall be subject to site plan review if changing to other than residential use.
6. In the event that unique or extraordinary conditions exist on the property such that the applicant feels he/she cannot comply with the strict interpretation of this ordinance, a variance can be requested from the City Council.

Ryan C. Miller, AICP
PlannING MANAGER • Planning & Zoning Division • City of Rockwall
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

helpful links |City of Rockwall Website | Planning & Zoning Division Website |Municipal Code Website
GIS Division Website | City of Rockwall Interactive Maps | MAIN STREET DIVISION

This email contains the thoughts and opinions of the sender and does not reflect official City of Rockwall policies.

Other than the intended recipient, any confidential information contained in this email is prohibited from disclosure or use.

Greg Faris
5297 S. FM 549
Rockwall, TX 75032

June 18, 2014

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

Robert,

I am writing in reference to Planning and Zoning case Z2014-016. It is my understanding that the Planning and Zoning Committee voted unanimously to oppose the initial zoning change request at the meeting on June 10th. I am also aware that substantially more than 20% of the residents in the affected area have voiced their opposition and the plan would now have to be approved by a super majority vote of the City Council. Based on this information, I initially thought it would be very unlikely that City Council would approve the request. I have now learned that the applicant has asked for the zoning change to stipulate use restrictions that would preclude the land from being developed for a Pawn Shop, private club or certain types of eateries.

If the Planning and Zoning Committee will be further reviewing this proposal, I would like to voice my continued opposition. The fact that the land is restricted from being used for a Pawn Shop; in no way protects all the families surrounding this property from having some other disruptive business planted in their neighborhood. We all chose to build or purchase homes in this rural environment because of the surroundings. It is unjust for the applicants desire to make a quick profit to outweigh the concerns of an entire neighborhood.

I understand that the Planning and Zoning Committee will meet again June 24th in a non-public meeting and ultimately may send the request to the City Council in favor of the proposed change – Please do not let that happen. I ask you again to oppose this zoning change request as it does not protect the high quality of life for the citizens in our neighborhood that is mentioned in the Rockwall Mission Statement.

Sincerely,

Greg Faris

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CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT FOR LIMITED RESIDENTIAL-OFFICE (RO) DISTRICT LAND USES ON A 12.493-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17-14 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN EXHIBITS 'A' & 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Scott W. Blackwood for a change in zoning from an Agricultural (AG) District to a Planned Development District for limited Residential-Office (RO) District land uses on a 12.493-acre tract of land identified as Tract 17-14 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A' & 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Planned Development District.

Section 2. In accordance with *Section 1.3(B), "PD Development Plan*," of *Article X, "Planned Development Regulations,"* of the *Unified Development Code* of the City of Rockwall, prior to the acceptance of an application for preliminary plat and/or site plan for the *Subject Property* a PD Development Plan shall be required to be submitted and reviewed by the Planning and Zoning Commission, and upon recommendation by the Planning and Zoning Commission, acted on by City Council.

Section 3. In accordance with *Section 1.3(C), "PD Site Plan*," of *Article X, "Planned Development Regulations,"* of the *Unified Development Code* of the City of Rockwall, prior to or concurrently with the acceptance of an application for preliminary plat for the *Subject Property* a PD

DRAFT ORDINANCE

Site Plan shall be required to be considered by the Planning and Zoning Commission, and if applicable acted on by the City Council.

Section 4. That the *Subject Property* shall be developed only in the manner and for the purposes provided for a Residential-Office (RO) District as stipulated in *Section 4.1, "General Commercial District Standards,"* and *Section 4.2, "Residential-Office (RO) District",* of *Article V, "District Development Standards",* of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future, with the exception of the following requirements:

1. Joint or shared access shall be required to be provided to all adjoining lots if the subject property is used for any of the uses listed below other than Single Family Detached,

2. Parking in the front yard of the subject property shall be prohibited for all uses listed below other than Single Family Detached, and

3. In the event that a unique or extraordinary condition exists on the subject property in which the owner of the feels he/she cannot comply with the strict interpretation of this ordinance the City Council can grant variances upon a finding of a hardship.

Section 5. That the *Subject Property* shall be used only in accordance with the following permitted uses and that all other applicable requirements that control land use shall conform to the Residential-Office (RO) District requirements as stipulated in *Section 1.1, "Use of Land and Buildings,"* of *Article IV, "Permissible Uses,"* of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future.

Permitted Land Uses

P: Permitted by Right; S: Permitted by Specific Use Permit; [1]: Additional Requirements per the UDC;

Assisted Living Facility [1]	S
Bed and Breakfast [1]	P
Day Care [1]	S
General Office	P
General Retail Building (Less Than 5,000 Sq. Ft.)	S
Group or Community Home [1]	P
Home Occupation [1]	P
Office Building (Less Than 5,000 Sq. Ft.)	P
Office Building (More Than 5,000 Sq. Ft.)	S
Public or Private School [1]	S
Residential Care Facility	S
Single Family Detached	P
Studio: Art, Photography or Music	P

Section 6. The *Official Zoning Map* of the City of Rockwall, Texas shall be amended to reflect the change in zoning for the *Subject Property* as described in this ordinance.

Section 7. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 8. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm,

DRAFT ORDINANCE

corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 9. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas.

Section 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 21ST DAY OF JULY, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *July 7, 2014*

2nd Reading: *July 21, 2014*

DRAFT ORDINANCE

Exhibit 'A':
Legal Description

BEING 12.498 acres of land situated in the W.W. FORD SURVEY, ABSTRACT No. 80 and being a part of a tract of land described in a deed to Mark Lanning as recorded in Volume 903, Page 114, Real Estate Records, ROCKWALL County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found on the Southeast right of way line of F.M. Road No. 549, said iron rod being the North corner of a tract of land described a deed to C. Van Walker et ux Carol Miller Walker as recorded in Volume 1202, Page 202 of said Real Estate Records;

THENCE North 44 deg 47 min 35 sec East, along the Southeast right of way line of F.M. Road No. 549, a distance of 322.90 feet to a 1/2 inch iron rod found for corner, said iron rod being the beginning of a curve to the right having a central angle of 01 deg 57 min 18 sec, radius 6337.94 feet, and chord bearing North 45 deg 52 min 08 sec East, 216.26 feet;

THENCE continuing along the Southeast right of way line of said F.M. Road No. 549, an arc distance of 216.26 feet to a 1/2 inch iron rod found, said iron rod being the West corner of a tract of land described in a deed to Kenneth M. Urban and wife, Patricia Urban as recorded in Volume 1252, Page 300 of said Real Estate Records;

THENCE South 45 deg 12 min 25 sec East, along the Southwest line of said Urban's tract, and the Southwest line of a tract of land described in a deed to Dr. Mohiudin Zeb and Nasreen Zeb as recorded in Volume 1059, Page 14, of said Real Estate Records,k a distance of 1005.94 feet to a 1/2 inch iron rod found for corner, said iron rod being the South corner of said Zeb's tract;

THENCE South 44 deg 47 min 35 sec West, a distance of 539.11 feet to a 1/2 inch iron rod found for corner, said iron rod being the East corner of aforesaid Walker's tract;

THENCE North 45 deg 12 min 25 sec West, along the Northeast line of said Walker's tract a distance of 1010.00 feet to the POINT OF BEGINNING and containing 12.493 acres.

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Exhibit 'B':
Zoning Exhibit



DRAFT ORDINANCE

Miller, Ryan

From: Scott Blackwood <glentech@netportusa.com>
Sent: Wednesday, June 11, 2014 2:51 PM
To: Miller, Ryan
Subject: Fwd: Scott & Glenita Blackwood Zoning Application Changes

Mr. Miller,

First of all, as I pointed out to Scott, I was thoroughly impressed with your presentation and how you represented an unbiased view for all involved. I admire and appreciate your professionalism and applaud you!

Here is a list of planned zoning changes we wish to address and remove for all to be comfortable and our desire is to find a fair platform for all parties involved with our proposed planning zone change.

Please remove the following uses made below:

Pawn Shop
Private Club
Restaurant, Less than 2000 Sq. Ft., w/Drive-Thru or Drive-in
Restaurant, 2000 Sq. Ft. or more, w/ Drive-Thru or Drive-in
Restaurant with accessory Private Club or Brew Pub

Thank you for including us in next week's City Council Agenda.

Glenita Blackwood
5205 South FM 549
Rockwall, Texas 75032
Scott cell 972-768-4835
Glenita cell 214-769-8333



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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1:7,000

City of Rockwall

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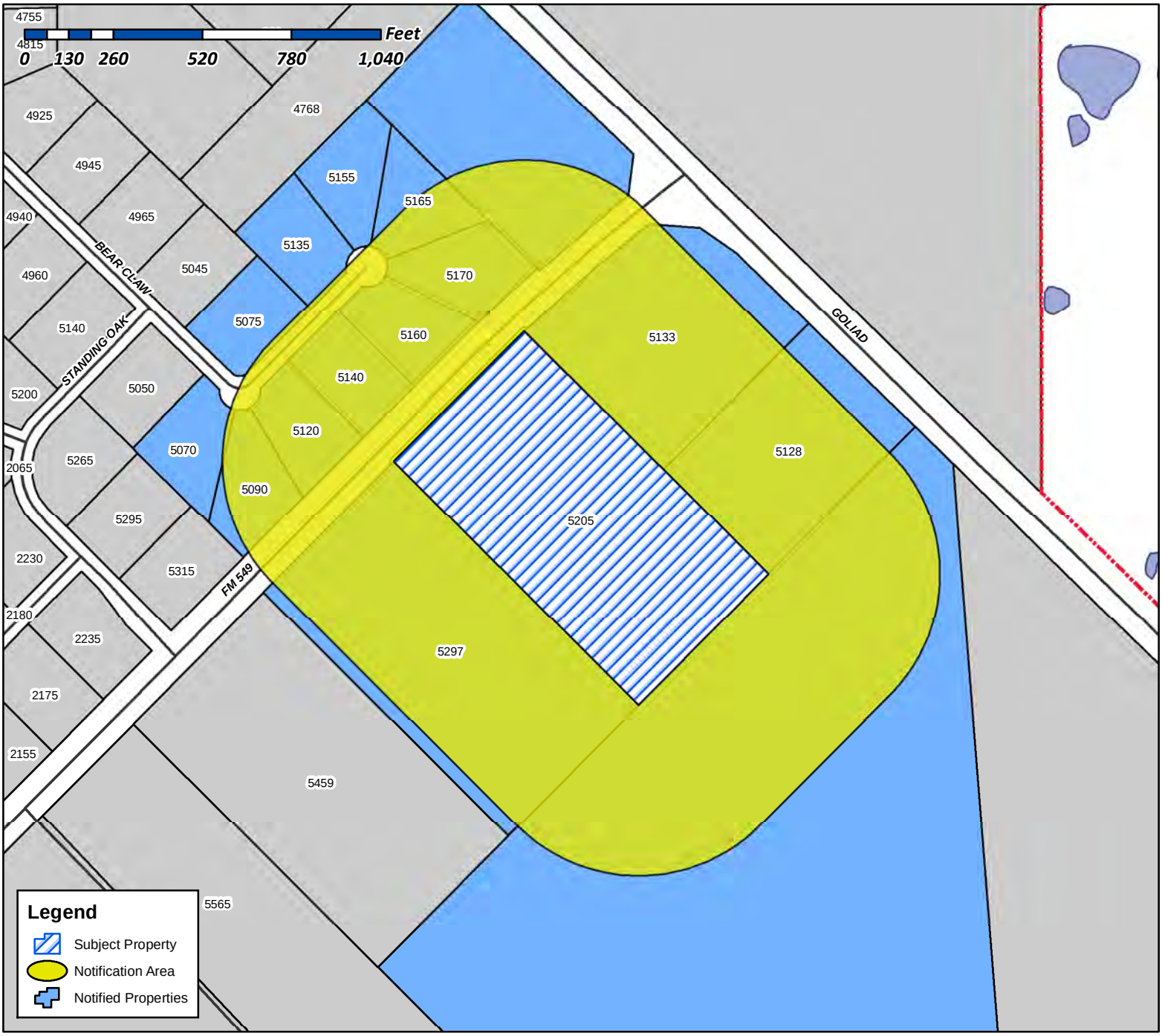
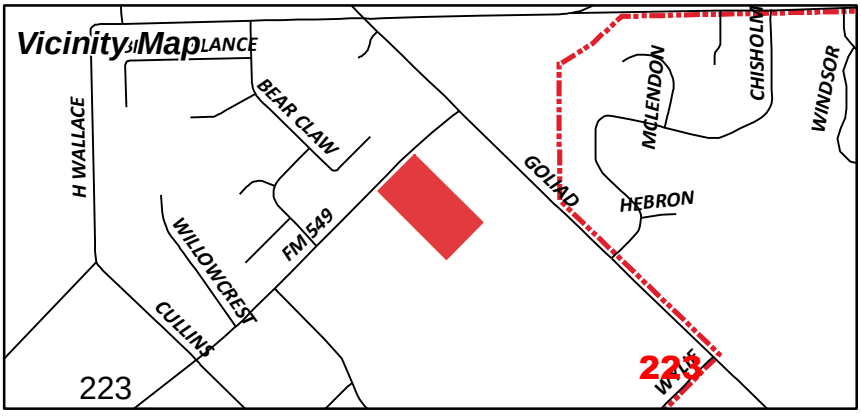


Case Number: Z2014-016
Case Name: Zoning Change AG to PD
Case Type: Zoning
Zoning: AG
Case Address: 5205 S. FM 549



Date Created: 5/19/2014
For Questions on this Case Call (972) 771-7745

Reference No.	Name	Legal Description	Address 1	Address 2	City	State	Zip
0080-0000-0010-01-0R	HOME BOY ENTERPRISES INC	A0080 W W FORD, TRACT 10-1, ACRES 7.130		460 LAWRENCE DR	HEATH	TX	75032
0080-0000-0017-08-0R	ZEB MOHIUDIN DR &	A0080 W W FORD, TRACT 17-8, ACRES 6.00	NASREEN ZEB	5128 S STATE HIGHWAY 205	ROCKWALL	TX	75032
0080-0000-0017-10-0R	FARIS GREG W & AMY E	A0080 W W FORD, TRACT 17-10, ACRES 12.500		5297 S FM 549	ROCKWALL	TX	75032
0080-0000-0017-12-0R	J BR2 LLC	A0080 W W FORD, TRACT 17-12, ACRES 7.32		5133 S FM 549	ROCKWALL	TX	75032
0080-0000-0017-14-0R	BLACKWOOD SCOTT W & GLENITA G	A0080 W W FORD, TRACT 17-14, ACRES 12.493		5205 S FM 549	ROCKWALL	TX	75032
0080-0000-0017-15-0R	ROCKWALL HIGHGATE LTD	A0080, W W FORD, TRACT 17-15, 134.33 ACRES, (PT OF 254.082 AC TR)	C/O SCOTT ASBURY	6210 PRESTON CREEK DR	DALLAS	TX	75240
4603-000C-0008-00-0R	PREAS GREGORY A & THERESE M	OAKS OF BUFFALO WAY, BLOCK C, LOT 8		5075 BEAR CLAW LN	ROCKWALL	TX	75032
4603-000C-0009-00-0R	BALEY ROBIN E	OAKS OF BUFFALO WAY, BLOCK C, LOT 9		5135 BEAR CLAW LANE	ROCKWALL	TX	75032
4603-000C-0010-00-0R	Resident	OAKS OF BUFFALO WAY, BLOCK C, LOT 10		5155 Bear Claw Lane	ROCKWALL	TX	75032
4603-000C-0010-00-0R	GROOM ROGER	OAKS OF BUFFALO WAY, BLOCK C, LOT 10		PO BOX 1150	MABANK	TX	75147
4603-000C-0011-00-0R	YOUNG BRIAN E & PATTI D	OAKS OF BUFFALO WAY, BLOCK C, LOT 11		5165 BEAR CLAW LANE	ROCKWALL	TX	75032
4603-000C-0012-00-0R	THURMOND KATHRYN	OAKS OF BUFFALO WAY, BLOCK C, LOT 12		5170 BEAR CLAW	ROCKWALL	TX	75032
4603-000C-0013-00-0R	PHILIP MOHAN AND	OAKS OF BUFFALO WAY, BLOCK C, LOT 13	J KURIAN AKA JANET KURIAN	5160 BEAR CLAW LANE	ROCKWALL	TX	75032
4603-000C-0014-00-0R	USMAN ASIM & HUMA RASHID	OAKS OF BUFFALO WAY, BLOCK C, LOT 14		5140 BEAR CLAW LN	ROCKWALL	TX	75032
4603-000C-0015-00-0R	COX ANTHONY S & DANNAI M	OAKS OF BUFFALO WAY, BLOCK C, LOT 15		5120 BEAR CLAW LN	ROCKWALL	TX	75032
4603-000C-0016-00-0R	JONAH NELSON O	OAKS OF BUFFALO WAY, BLOCK C, LOT 16		5090 BEAR CLAW LN	ROCKWALL	TX	75032
4603-000C-0017-00-0R	AMYX LEIF AND TERRY LORENZ	OAKS OF BUFFALO WAY, BLOCK C, LOT 17		5070 BEAR CLAW LN	ROCKWALL	TX	75032
Non-resident Owner							
Undeveloped Land							
Property Resident							
~~Duplicate/No address (Not Mailed)~~							

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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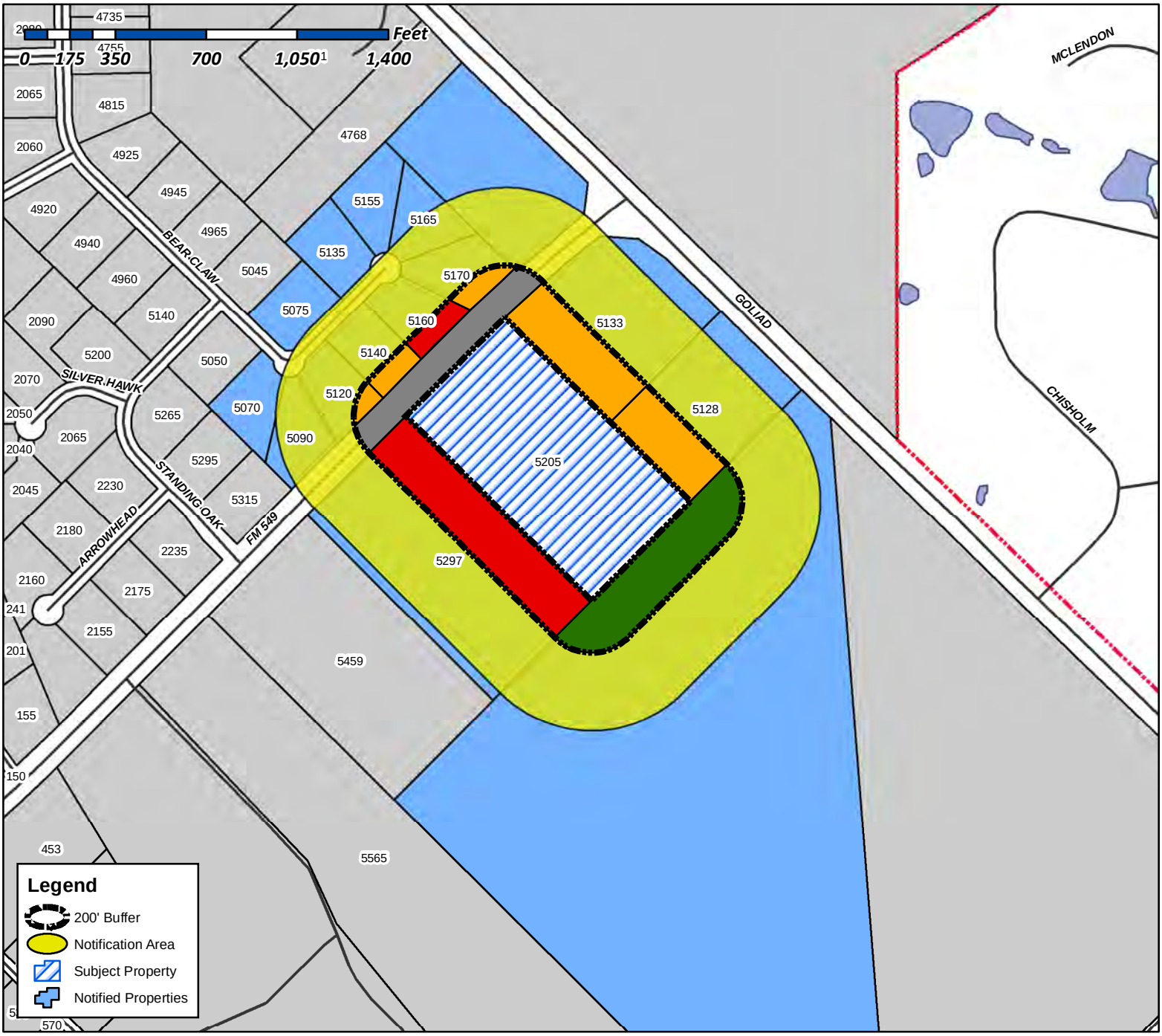
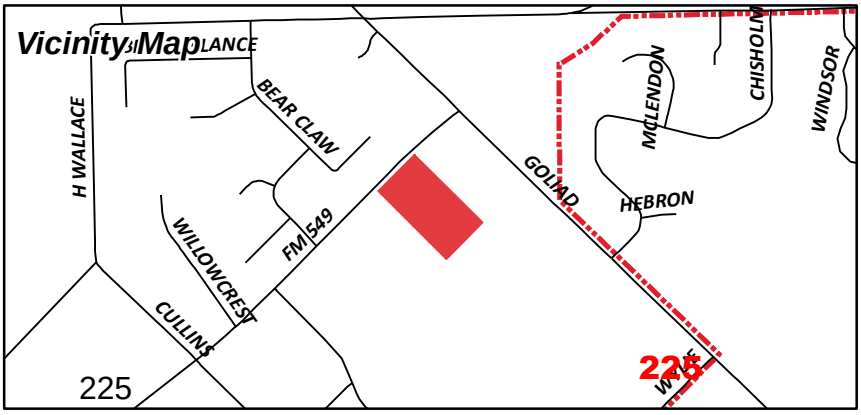


For and Against Map:

- Against (30.04%)
- For (22.95%)
- No Response (33.18%)
- Right-of-Way (13.83%)

Date Created: 06/10/2014

For Questions on this Case Call (972) 771-7745



Miller, Ryan

From: Sanford, JoDee on behalf of Planning
Sent: Tuesday, June 10, 2014 11:40 AM
To: Miller, Ryan
Subject: FW: Zoning Case # Z2014-16. In Favor of Change.

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | http://www.rockwall.com

From: Scott Asbury [mailto:SAsbury@3LRealtyGroup.com]
Sent: Tuesday, June 10, 2014 11:02 AM
To: Planning
Subject: Zoning Case # Z2014-16. In Favor of Change.

Mr. Lacroix,

RE: Zoning Case # Z2014-016

We own the 264 acres adjacent to the subject property. Rockwall HighGate LP. The physical address is 5565 FM 549.

We support the zoning change for this parcel to commercial and other parcels around the future 4 way intersection at 205 & 549. There is no doubt that commercial is the highest and best use for this corner, and we believe that this intersection will someday be a significant commercial intersection and will help support future residential and commercial development in the area. This development area will add a significant amount to the Rockwall tax base. Additionally, we believe that Rockwall must continue to promote growth in order to attract world class companies and people to the area.

Sincerely,

Scott Asbury
Managing Member, Rockwall HighGate LP

Greg Faris
5297 S. FM 549
Rockwall, TX 75032

June 5, 2014

Robert LaCroix
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

Ryan,

I am writing to voice my concerns regarding case Z2014-016 for a proposed zoning change. Rezoning the property in question to commercial would drastically affect the homeowners at Oaks of Buffalo Way, my family (the adjoining property) and the homeowner abutting this property on 205. We have all invested a lot of time and money in our homes and certainly don't want to be faced with having an Exxon or worse literally in our neighborhood. This is not what Rockwall was built on and not what Rockwall is known for.

The current zoning is the correct zoning and this should not be taken lightly. A few years ago Rockwall was ranked as the number one place to raise a family and everyone was proud of that. Changing the zoning of this property will affect the quality of life for so many families that built here with the intentions of living a quiet, peaceful life away from the trappings of the city.

The Mission Statement for the City Rockwall states:

The purpose of the government of the City of Rockwall is to provide responsible leadership and the services and infrastructure necessary for a safe environment and a high quality of life for our citizens.

Please do not approve this zoning change request as it does not protect the high quality of life for the citizens in our neighborhood that is mentioned in the mission statement.

Sincerely,

Greg Faris

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PLEASE RETURN THE BELOW FORM

Case No. Z2014-016: Zoning Change (AG to PD)

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

It affects property value and could potentially affect the security of our home. It also increases traffic in the area which is already very bad.

Name: PHILIP LIVING TRUST, MOHAN PHILIP

Address: 5160 BEAR CLAW LN, ROCKWALL, TX- 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Robin E. Baley

5135 Bear Claw Lane

Rockwall, Texas 75032

(972) 771-1501

June 13, 2014

Z2014-016

Case Manager: Ryan Miller

Hold a public hearing to discuss and consider a request by Scott W. Blackwood for the approval of a zoning change from Agricultural (AG) District to a Planned Development District for limited commercial/retail land uses on a 12.493-acre tract of land identified as Tract 17-14 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, located west of the intersection of SH-205 [S. Goliad Street] and S. FM-549, and take any action necessary.

I feel that the proposed zoning change will have an adverse effect on the residential area of the neighborhood. The negative factors to this zoning change would be noise, loss of privacy in the area, negative impact on the character of the neighborhood, unacceptable density in the area and adverse effects on the traffic and much more.

I am opposed to the request.

Thank you,

Robin E. Baley

229

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-016: Zoning Change (AG to PD)

Hold a public hearing to discuss and consider a request by Scott W. Blackwood for the approval of a zoning change from Agricultural (AG) District to a Planned Development District for limited commercial/retail land uses on a 12.493-acre tract of land identified as Tract 17-14 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, located west of the intersection of SH-205 [S. Goliad Street] and S. FM-549, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 6/10/2014 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 6/16/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **6/16/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-016: Zoning Change (AG to PD)

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Name: Robin Baley
Address: 5135 Bear Claw Ln

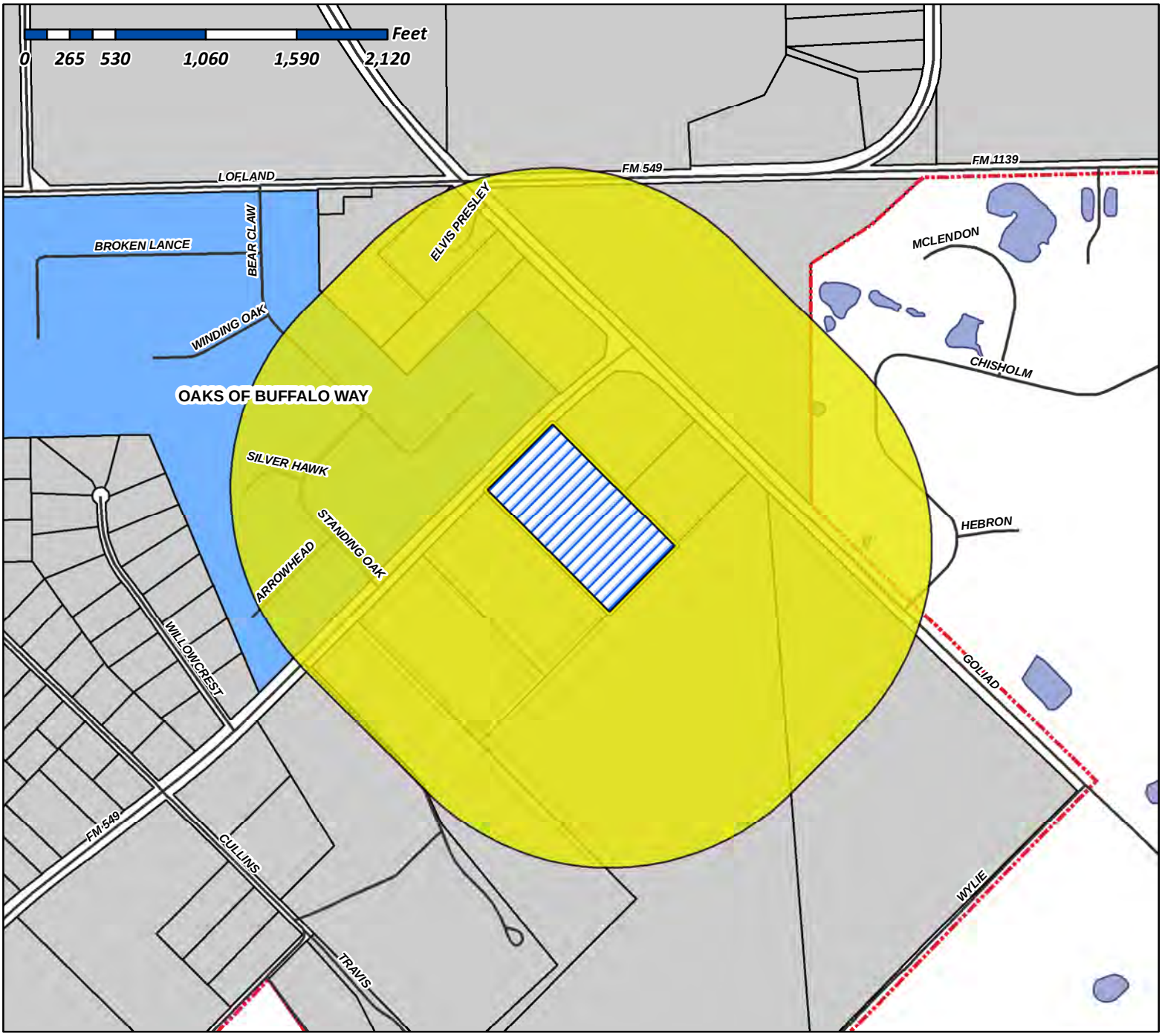
Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

City of Rockwall

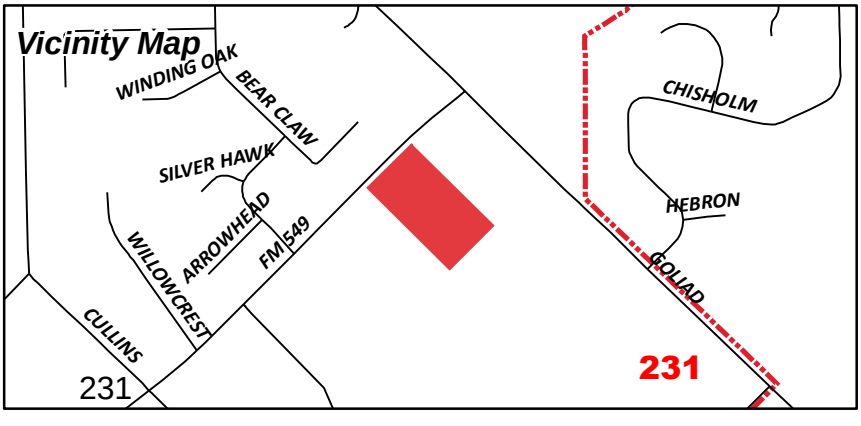
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Case Number: Z2014-016
Case Name: Zoning Change AG to PD
Case Type: Zoning
Zoning: AG
Case Address: 5205 S. FM 549

Date Created: *5/19/2014*
For Questions on this Case Call (972) 771-7745



May 15, 2014

Mr. & Mrs. Scott W. Blackwood
5205 South FM 549
Rockwall, Texas 75032

RE: ZONING CHANGE REQUEST
A0080 TRACT 17-14, ACREAGE: 12.493
5205 SOUTH FM 549
ROCKWALL, TX 75032

Rockwall City Council
Goliad Street
Rockwall, Texas 75087

Dear Sirs:

On the advice of our real estate agent, Stephen Straughan, we are making a formal request for a zoning change to Planned Development. With the adjacent property to the east with commercial zoning being offered for sale and the undeveloped land to the south, we believe that the best zoning for our land is a Planned Development.

My wife and I are selling our residence and are requesting the Planned Development to limit potential uses.

Within this request are the uses that we would like to have included within the Planned Development, either as a permitted use or a use with a Special Use Permit.

Residential Care Facility	SUP
Assisted Living Facility	SUP
Convalescent Care Facility/Nursing Home	P
Congregate Care Facility/Elderly Housing	SUP
Day Care (7 or More Children)	P
Financial Institution With Drive-Through	P
Financial Institution Without Drive-Through	P
Office Building(s), Less Than 5,000 sq. ft.	P
Office Building(s), 5,000 sq. ft. or more	P
Community or Recreation Club, Public or Private	SUP
Health Club	P
Tennis Courts (Not Accessory To A Public or Private Club)	SUP
Antique or Collectible Store	P
Banquet Facility	P
Business School	P
Garden Supply/Plant Nursery	P
General Personal Service	P
General Retail Store	P
Hair Salon, Manicurist	P
Laundry, Drop Off/Pick Up	P

Laundry, Self-Service	P
Massage Therapist	P
Museum or Art Gallery (private)	P
Pawn Shop	SUP
Pet Shop	P
Private Club	P
Real Estate Sales Office, On-Site, Temporary +	P
Restaurant, Less Than 2,000 sq.ft., w/drive-thru or drive-in	SUP
Restaurant, Less Than 2,000 sq.ft., w/o drive-thru or drive-in	P
Restaurant, 2,000 sq.ft. or more, w/drive-thru or drive-in	P
Restaurant, 2,000 sq.ft. or more, w/o drive-thru or drive-in	P
Restaurant With Accessory Private Club or Brew Pub +	P
Studio - Art, Photography, or Music	P
Tailor, Clothing or Apparel Shop	P
Building & Landscape Material, With Limited Outside Stg.	SUP
Electrical, Watch, Clock, Jewelry, and Similar Repair	P
Locksmith	P
Shoe & Boot Repair and Sales	P
Temporary On-Site Construction Office +	P
Private Streets	SUP
Satellite Dish +	P
Solar Energy Collector Panels & Systems	P
Wireless Communication Tower	SUP

It is our purpose to provide a development that compliments this area and is with the vision of the city's future land use.

Thank you for your consideration and we are looking forward to presenting this Planned Development .

Sincerely,

Scott & Glenita Blackwood
(972) 768-4835

00273978

0028840025252

EXHIBIT "A"

BEING 12.498 acres of land situated in the W.W. FORD SURVEY, ABSTRACT No. 80 and being a part of a tract of land described in a deed to Mark Lanning as recorded in Volume 903, Page 114, Real Estate Records, ROCKWALL County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found on the Southeast right of way line of F.M. Road No. 549, said iron rod being the North corner of a tract of land described a deed to C. Van Walker et ux Carol Miller Walker as recorded in Volume 1202, Page 202 of said Real Estate Records;

THENCE North 44 deg 47 min 35 sec East, along the Southeast right of way line of F.M. Road No. 549, a distance of 322.90 feet to a 1/2 inch iron rod found for corner, said iron rod being the beginning of a curve to the right having a central angle of 01 deg 57 min 18 sec, radius 6337.94 feet, and chord bearing North 45 deg 52 min 08 sec East, 216.26 feet;

THENCE continuing along the Southeast right of way line of said F.M. Road No. 549, an arc distance of 216.26 feet to a 1/2 inch iron rod found, said iron rod being the West corner of a tract of land described in a deed to Kenneth M. Urban and wife, Patricia Urban as recorded in Volume 1252, Page 300 of said Real Estate Records;

THENCE South 45 deg 12 min 25 sec East, along the Southwest line of said Urban's tract, and the Southwest line of a tract of land described in a deed to Dr. Mohiudin Zeb and Nasreen Zeb as recorded in Volume 1059, Page 14, of said Real Estate Records,k a distance of 1005.94 feet to a 1/2 inch iron rod found for corner, said iron rod being the South corner of said Zeb's tract;

THENCE South 44 deg 47 min 35 sec West, a distance of 539.11 feet to a 1/2 inch iron rod found for corner, said iron rod being the East corner of aforesaid Walker's tract;

THENCE North 45 deg 12 min 25 sec West, along the Northeast line of said Walker's tract a distance of 1010.00 feet to the POINT OF BEGINNING and containing 12.493 acres.

Permitted Land Uses in a Commercial (C) District

Date: May 20, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements; ~~Strike Out~~: Uses Removed by the Proposed Planned Development; RED: Staff Recommended Uses; ~~HIGHLIGHTED~~: Additional Uses to be Removed 06/11/14

Rural & Animal-Related	
Agricultural Uses on Un-Platted Land	P
~~Animal Boarding/Kennel without Outside Pens~~	~~P~~
~~Animal Clinic for small animals, no outdoor pens [1]~~	~~P~~
~~Animal Hospital, Clinic~~	~~S~~

Residential & Lodging	
Accessory Building [1]	P
~~Caretakers Quarters/Domestic or Security Unit~~	~~P~~
~~Convent or Monastery~~	~~P~~
Garage	A
~~Hotel or Motel~~	~~P~~
~~Hotel, Residence~~	~~P~~
Residential Care Facility	S

Institutional & Community Service	
Assisted Living Facility [1]	S
~~Blood Plasma Donor Center~~	~~P~~
~~Cemetery/ Mausoleum~~	~~P~~
Church/House of Worship [1]	P
~~College, University, or Seminary~~	~~S~~
Convalescent Care Facility/Nursing Home [1]	P
Congregate Care Facility/Nursing Home [1]	S
Day Care (7 or More Children) [1]	P
~~Emergency Ambulance Services, Ground~~	~~P~~
Government Facility	P
~~Hospice~~	~~P~~
~~Hospital~~	~~P~~
Library, Art Gallery or Museum (Public)	P
~~Mortuary or Funeral Chapel~~	~~P~~
Post Office, Local Service	P
Public or Private School, Primary [1]	P
Public or Private School, Secondary [1]	P
Public or Private School Temporary Education Building [1]	S

Office & Professional	
Financial Institution with Drive-Through [1]	P
Financial Institution without Drive-Through	P
Office, General	P
Office Building, less than 5,000 Sq. Ft.	P
Office Building, 5,000 Sq. Ft. or more	P

Recreation, Entertainment & Amusement	
~~Billiard Parlor or Pool Hall [1]~~	~~S~~
~~Carnival, Circus, or Amusement Ride, Temporary [1]~~	~~P~~
~~Commercial Amusement/ Recreation (Inside) [1]~~	~~P~~
~~Commercial Amusement/ Recreation (Outside)~~	~~P~~
Community or Recreation Club, Public or Private (Accessory)	S
~~Country Club, Private~~	~~S~~
~~Golf Driving Range~~	~~S~~

Permitted Land Uses in a Commercial (C) District

Date: May 20, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements; ~~Strike Out~~: Uses Removed by the Proposed Planned Development; RED: Staff Recommended Uses; ~~HIGHLIGHTED~~: Additional Uses to be Removed 06/11/14

Recreation, Entertainment & Amusement	
~~Fund Raising Events by Non-Profit, Indoor or Outdoor, Temporary~~ [1]	~~P~~
~~Gun Club, Skeet or Target Range (Indoor)~~	~~P~~
Health Club	P
~~Private Club, Lodge or Fraternal Organization~~	~~P~~
~~Private Sports Arena, Stadium or Track~~	~~S~~
Public Park or Playground	P
Tennis Courts (Not accessory to a public or private club)	S
~~Theater~~	~~P~~

Retail & Personal Services	
Antique/Collectible Store	P
~~Astrologer, Hypnotist, or Psychic Art and Science~~	~~P~~
Banquet Facility	P
~~Beverage Service Facility, Portable~~ [1]	~~S~~
Business School	P
~~Catering Service~~	~~P~~
~~Christmas Tree Sales Lot & Similar Uses, Temporary~~ [1]	~~P~~
Copy Center	P
Display, Incidental [1]	P
Garden Supply/Plant Nursery	P
General Personal Service	P
General Retail Store	P
Hair Salon, Manicurist	P
Laundry, Drop-off/Pickup	P
Laundry, Self Service	P
Massage Therapist	P
Museum or Art Gallery (Private)	P
~~Night Club, Discoteque, or Dance Hall~~	~~P~~
~~Pawn Shop~~	~~S~~
Pet Shop	P
~~Private Club~~ [1]	~~P~~
Real Estate Sales Office, On-site, Temporary [1]	P
~~Rental Store, w/o Outside Storage and Display~~	~~P~~
~~Restaurant, Less than 2000 Sq. Ft., w/ Drive-Thru or Drive-in~~ [1]	~~S~~
Restaurant, Less than 2000 Sq. Ft., w/o Drive-Thru or Drive-in	P
~~Restaurant, 2000 Sq. Ft. or more, w/ Drive-Thru or Drive-in~~ [1]	~~P~~
Restaurant, 2000 Sq. Ft. or more, w/o Drive-Thru or Drive-in	P
~~Restaurant with accessory Private Club or Brew Pub~~ [1]	~~P~~
~~Retail store with gasoline product sales limited to 2 dispensers and 4 vehicles~~	~~P~~
~~Retail store with more than 2 dispensers~~	~~P~~
~~Secondhand Dealer~~	~~P~~
Studio - Art, Photography or Music	P
Tailor, Clothing or Apparel Shop	P
~~Bail Bond Service~~	~~S~~
Building & Landscape Material with Limited Outside Storage [1]	S
~~Building Maintenance, Service & Sales without Outside Storage~~	~~P~~
Electrical, Watch, Clock, Jewelry & Similar Repair	P
~~Research & Technology / Light Assembly~~	~~S~~
Shoe and Boot Repair and Sales	P
~~Trade School~~	~~P~~
Temporary On-site Construction Office [1]	P

Permitted Land Uses in a Commercial (C) District

Date: May 20, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements; ~~Strike Out~~: Uses Removed by the Proposed Planned Development; RED: Staff Recommended Uses; ~~HIGHLIGHTED~~: Additional Uses to be Removed 06/11/14

Utilities, Communications & Transportation	
Antenna, Accessory [1]	P
Antenna, Commercial [1]	S
Antenna, Amateur Radio [1]	P
Antenna, Dish [1]	P
Antenna, Commercial, Free-Standing [1]	S
Antenna, Commercial, Mounted [1]	S
~~Helipad~~	~~S~~
Utilities (Non-Municipally owned or Controlled), including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	S
Municipally Owned or Controlled Facilities, Utilities and Uses	P
Private Streets	S
~~Radio Broadcasting~~	~~P~~
~~Railroad Yard or Shop~~	~~S~~
~~Recording Studio~~	~~P~~
Satellite Dish [1]	P
Solar Energy Collector Panels	P
Transit Passenger Facility	S
~~TV Broadcasting & Other Communication Service~~	~~S~~
Utilities Holding a Franchise from City of Rockwall	S
Utility Installation, Other than Listed	S
Utility/ Transmission Lines	S
Wireless Communication Tower	S

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT FOR LIMITED COMMERCIAL (C) DISTRICT LAND USES ON A 12.493-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17-14 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN EXHIBITS 'A' & 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Scott W. Blackwood for a change in zoning from an Agricultural (AG) District to a Planned Development District for limited Commercial (C) District land uses on a 12.493-acre tract of land identified as Tract 17-14 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A' & 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Planned Development District.

Section 2. In accordance with *Section 1.3(B), "PD Development Plan*," of *Article X, "Planned Development Regulations,"* of the *Unified Development Code* of the City of Rockwall, prior to the acceptance of an application for preliminary plat and/or site plan for the *Subject Property* a PD Development Plan shall be required to be submitted and reviewed by the Planning and Zoning Commission, and upon recommendation by the Planning and Zoning Commission, acted on by City Council.

Section 3. In accordance with *Section 1.3(C), "PD Site Plan*," of *Article X, "Planned Development Regulations,"* of the *Unified Development Code* of the City of Rockwall, prior to or concurrently with the acceptance of an application for preliminary plat for the *Subject Property* a PD Site Plan shall be required to be considered by the Planning and Zoning Commission, and if

SUPERSEDED

applicable acted on by the City Council.

Section 4. That the *Subject Property* shall be developed only in the manner and for the purposes provided for a Commercial (C) District as stipulated in *Section 4.1, "General Commercial District Standards,"* and *Section 4.5, "Commercial (C) District",* of *Article V, "District Development Standards",* of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future, with the exception of the following requirements:

☑ *Maximum Building Height.* Any structure exceeding 36-feet in height shall require a Specific Use Permit (SUP) with the maximum permissible building height being limited to 60-feet.

Section 5. That the *Subject Property* shall be used only in accordance with the following permitted uses and that all other applicable requirements that control land use shall conform to the Commercial (C) District requirements as stipulated in *Section 1.1, "Use of Land and Buildings,"* of *Article IV, "Permissible Uses,"* of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future.

Permitted Land Uses

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements per the UDC;

Residential & Lodging	
Residential Care Facility	S

Institutional & Community Service	
Assisted Living Facility [1]	S
Convalescent Care Facility/Nursing Home [1]	P
Congregate Care Facility/Nursing Home [1]	S
Day Care (7 or More Children) [1]	P

Office & Professional	
Financial Institution with Drive-Through [1]	P
Financial Institution without Drive-Through	P
Office, General	P
Office Building, less than 5,000 Sq. Ft.	P
Office Building, 5,000 Sq. Ft. or more	P

Recreation, Entertainment & Amusement	
Community or Recreation Club, Public or Private (Accessory)	S
Health Club	P
Tennis Courts (Not accessory to a public or private club)	S

Retail & Personal Services	
Antique/Collectible Store	P
Banquet Facility	P
Business School	P
Garden Supply/Plant Nursery	P
General Personal Service	P
General Retail Store	P
Hair Salon, Manicurist	P
Laundry, Drop-off/Pickup	P
Laundry, Self Service	P
Massage Therapist	P
Museum or Art Gallery (Private)	P
Pawn Shop	S
Pet Shop	P
Private Club [1]	P
Real Estate Sales Office, On-site, Temporary [1]	P
Restaurant, Less than 2000 Sq. Ft., w/ Drive-Thru or Drive-in [1]	S
Restaurant, Less than 2000 Sq. Ft., w/o Drive-Thru or Drive-in	P

SUPERSEDED

Restaurant, 2000 Sq. Ft. or more, w/ Drive-Thru or Drive-in [1]	P
Restaurant, 2000 Sq. Ft. or more, w/o Drive-Thru or Drive-in	P
Restaurant with accessory Private Club or Brew Pub [1]	P
Studio - Art, Photography or Music	P
Tailor, Clothing or Apparel Shop	P
Building & Landscape Material with Limited Outside Storage [1]	S

Utilities, Communications & Transportation

Private Streets	S
Satellite Dish [1]	P
Solar Energy Collector Panels	P
Wireless Communication Tower	S

Section 6. The *Official Zoning Map* of the City of Rockwall, Texas shall be amended to reflect the change in zoning for the *Subject Property* as described in this ordinance.

Section 7. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 8. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 9. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas.

Section 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF JULY, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

SUPERSEDED

1st Reading: *June 16, 2014*

2nd Reading: *July 7, 2014*

SUPERSEDED

Exhibit 'A':
Legal Description

BEING 12.498 acres of land situated in the W.W. FORD SURVEY, ABSTRACT No. 80 and being a part of a tract of land described in a deed to Mark Lanning as recorded in Volume 903, Page 114, Real Estate Records, ROCKWALL County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found on the Southeast right of way line of F.M. Road No. 549, said iron rod being the North corner of a tract of land described a deed to C. Van Walker et ux Carol Miller Walker as recorded in Volume 1202, Page 202 of said Real Estate Records;

THENCE North 44 deg 47 min 35 sec East, along the Southeast right of way line of F.M. Road No. 549, a distance of 322.90 feet to a 1/2 inch iron rod found for corner, said iron rod being the beginning of a curve to the right having a central angle of 01 deg 57 min 18 sec, radius 6337.94 feet, and chord bearing North 45 deg 52 min 08 sec East, 216.26 feet;

THENCE continuing along the Southeast right of way line of said F.M. Road No. 549, an arc distance of 216.26 feet to a 1/2 inch iron rod found, said iron rod being the West corner of a tract of land described in a deed to Kenneth M. Urban and wife, Patricia Urban as recorded in Volume 1252, Page 300 of said Real Estate Records;

THENCE South 45 deg 12 min 25 sec East, along the Southwest line of said Urban's tract, and the Southwest line of a tract of land described in a deed to Dr. Mohiudin Zeb and Nasreen Zeb as recorded in Volume 1059, Page 14, of said Real Estate Records,k a distance of 1005.94 feet to a 1/2 inch iron rod found for corner, said iron rod being the South corner of said Zeb's tract;

THENCE South 44 deg 47 min 35 sec West, a distance of 539.11 feet to a 1/2 inch iron rod found for corner, said iron rod being the East corner of aforesaid Walker's tract;

THENCE North 45 deg 12 min 25 sec West, along the Northeast line of said Walker's tract a distance of 1010.00 feet to the POINT OF BEGINNING and containing 12.493 acres.

SUPERSEDED

Exhibit 'B':
Zoning Exhibit



SUPERSEDED

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **July 2, 2014**

SUBJECT: **Comprehensive Plan**

At the retreat, various planning documents were discussed to determine if there was interest in bringing back significant overall changes in these plans for consideration by the Council. While broad overall changes to the Comp Plan do not appear to be warranted at this time, there are several matters that the Mayor, several Council members, and the Planning Department have suggested might be considered. These include:

- Consideration of a request from the Old Town Neighborhood Association that the Comp Plan designation of several specific lots on Williams Street be changed (See attached).

- Consideration of recognizing the effective plan changes which have resulted by approval of certain zoning cases since the plan adoption (See attached).

The Comprehensive Plan was adopted in 2012. Given that no planning document perfectly anticipates the circumstances that may come before the Council in the form of zoning change requests, there have been a total of six (6) zoning cases that have come before the Council since 2012 that have been approved – with that approval effectively constituting an amendment to the plan.

In the past, the practice has been to formally make these changes to the Comp Plan when the next update of the Comp Plan occurred. This has typically been at a time when a comprehensive review of the document was determined to be warranted, included in the budget, and significant evaluation for potential change were to be considered through that process.

Since, based on our discussions and other budget considerations, there likely be no comprehensive update proposed in the upcoming budget, and since we have received the request noted above from the Old Town Neighborhood Association, the Council may want to consider requesting that the Planning and Zoning Commission consider initiating the Comp Plan update process to consider addressing both the six (6) specific cases and/or the Old Town Neighborhood request.

If the Council chooses to take an action related to review and update of the Comp Plan, among the Council's options for action on Monday night would be:

- Request that the Planning and Zoning Commission initiate the process for review of the Comp Plan as relates to the request made by the Old Town Neighborhood Association.

- Request that the Planning and Zoning Commission initiate the process of review of the Comp Plan as relates to both the request by the Old Town Neighborhood Association and as relates to the specific six (6) approved zoning changes which, by virtue of their approval, have effectively amended the existing Comp Plan.

- Or any combination of the two options.

Should the Council take action to move forward with the request by the Old Town Neighborhood Association, the process does require a public hearing and with public notice; however, it does not appear to require notification to the property owners of the lots that are the subject of the request. The Council should consider including any related motion that these property owners be specifically notified that the process has been initiated.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Brad Griggs, Assistant City Manager

FROM: Robert LaCroix, Director of Planning

DATE: June 20, 2014

SUBJECT: Future Land Use Plan Update

The City has received a request from the Old Town Rockwall Neighborhood Association to change the Future Land Use Map to remove four lots along the south side of Williams Street west of Kernodle Street from being designated as downtown district to medium density residential. These properties include 304, 306, 308 and 310 Williams Street. (see attached request)

Since the 2012 update of the Comprehensive Plan, the City has also approved several zoning changes that essentially have amended the Future Land Use Plan. Those changes include the following: (see attached map)

1. Townsend Village (high density residential to commercial) Townsend @ SH 276
2. Breezy Hills (commercial to medium density residential) John King @ FM 552
3. 7-11 Addition (high density residential to commercial) John King @ SH 276
4. Bricker property (medium density residential to commercial) Airport Road
5. Ranch Trail (medium density residential to commercial) Ranch Trail @ Co. Line Rd
6. Ridge Road (medium density residential to commercial) Cain property

7. Old Town Rockwall Neighborhood request on Williams Street

Historically the City has delayed making amendments to the Future Land Use Plan until the Council feels it needs to update or completely revise the existing Comprehensive Plan. However, the Texas Local Government Code Chapter 213 allows a municipality to adopt or amend its comprehensive plan, and by charter, the municipality may establish procedures for adopting and amending a comprehensive plan. This would include amending the Future Land Use Plan. The following procedures from the City's charter will allow for amending the Future Land Use Plan:

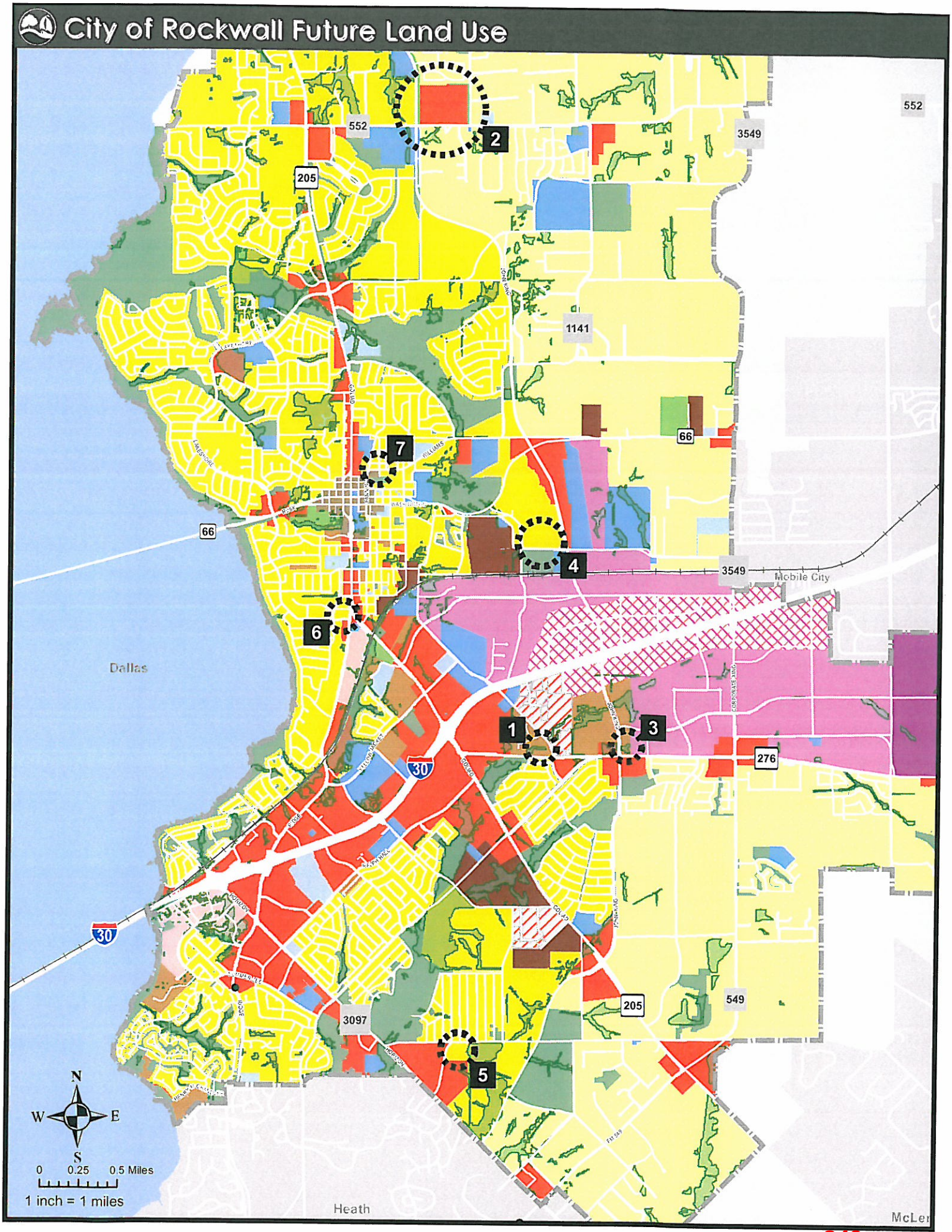
Sec. 9.03. Master Plan.
The existing Master Plan for the physical development of the City contains recommendations for the growth, development and beautification of the City and its extraterritorial jurisdiction. Recommended changes to the Master Plan must be

submitted to the City Manager after the Planning and Zoning Commission holds at least one public hearing on the proposed change.

Sec. 9.04. Procedure for amending Master Plan.
(1) City Manager will submit the proposed changes to the Council, together with any recommendations. The Council, after a public hearing, will adopt or reject such proposed revision or any part thereof as submitted within sixty days following its submission by the City Manager. If the proposed revisions or part thereof should be rejected by the Council, the Planning and Zoning Commission may make modifications and again forward it to the City Manager for submission to the Council.

(2) All rules and regulations adopted by the Planning and Zoning Commission regarding implementation of the Master Plan will be forwarded to the City Manager who will submit them to the Council with his recommendations. The Council may adopt or reject any such rules or regulations. If any rules or regulations should be rejected, the Planning and Zoning Commission may modify them and submit such modified rules and regulations to the City Manager for submission with his recommendations to the Council. (Amended, 1996)

If the Council should choose to move forward to make revisions to the Future Land Use Plan, as directed in part (1) of amending the Master Plan, they would direct the Planning and Zoning Commission to begin the process. The Planning Commission would take up the matter at the work session which occurs the last Tuesday of the month. From that point a public hearing would be scheduled for the regular Planning Commission meeting on the second Tuesday of the month to consider approval of the recommended changes to the Future Land Use Plan. A public hearing would then be scheduled for the next Council meeting being the third Monday of month. An ordinance would be prepared and would require two (2) readings with the second reading occurring 14 days later at the next Council meeting being the first Monday of the month.


City of Rockwall Future Land Use
552
205
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1141
66
Mobile City
Dallas
30
276
549
3097
Heath
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1
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3
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5
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7
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0.25
0.5 Miles
1 inch = 1 miles

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Mr. David Sweet
385 South Goliad
Rockwall, TX 75087

April 23, 2014

Honorable Mayor,

You may remember the Old Town Rockwall Neighborhood Association. We have revitalized the organization and our purpose is to speak as one voice to protect the identity and the integrity of the historic neighborhood of Old Town Rockwall. Membership in the organization includes residents within the area bounded by Heath/Live Oak on the north, Boydston on the south, Alamo on the west, and Renfro on the east. Also included are the following individual properties: 204, 206, 208 W. Heath Street; 908, 910 West Street; 801, 803, 805, 805-A, 805-B, 902, 904, 906 Aluminum Plant Road; 724 E. Washington; and 703 and 707 Townsend.

A few weeks ago, you received a letter from Jeanne Davis as quoted below.

> *"I respectfully request that the Mayor and Council remove residential properties 304, 306, 308, and 310 Williams Street from the designation of Downtown District as shown on the City of Rockwall Future Land Use Map Comprehensive Plan 2011. These addresses are residential properties and the designation should be Medium Density Single Family Residential as the surrounding neighborhood is designated.*
>
> *304 and 306 Williams Street were the subject of a proposed rezoning to permit business/residential use. In September 2013, the Mayor and Council voted against the proposed rezoning. At a Public Hearing concerning the rezoning request, City Staff member, David Gonzalez, stated in response to a question from resident Carol Crow, that the City had 'inadvertently' included these two houses in the Downtown District designation. Perhaps this same error applies to 308 and 310 Williams Street. There is no justification or neighborhood support for these four residential properties to be designated Downtown District.*
>
> *A mapping error is easily corrected. I ask the Mayor and Council to reverse this error and designate 304, 306, 308, and 310 Williams Street as Medium Density Single Family Residential on the City of Rockwall Future Land Use Map Comprehensive Plan 2011."*

As an organization, we ask that you honor Jeanne's request to correct the error and designate 304, 306, 308, and 310 as Medium Density Single Family Residential on the *City of Rockwall Future Land Use Map Comprehensive Plan 2011* and send us documentation that it has indeed been corrected on the map, as well as in any other relevant documents on file at City Hall.

Thank you for supporting all of Rockwall and for recognizing and valuing the unique place our neighborhood has in the identity of our city.

Respectfully,

Sandi Whitley

Sandi Whitley
President, Old Town Rockwall Neighborhood Association
704 Williams St.
Rockwall, TX 75087
214-728-1934

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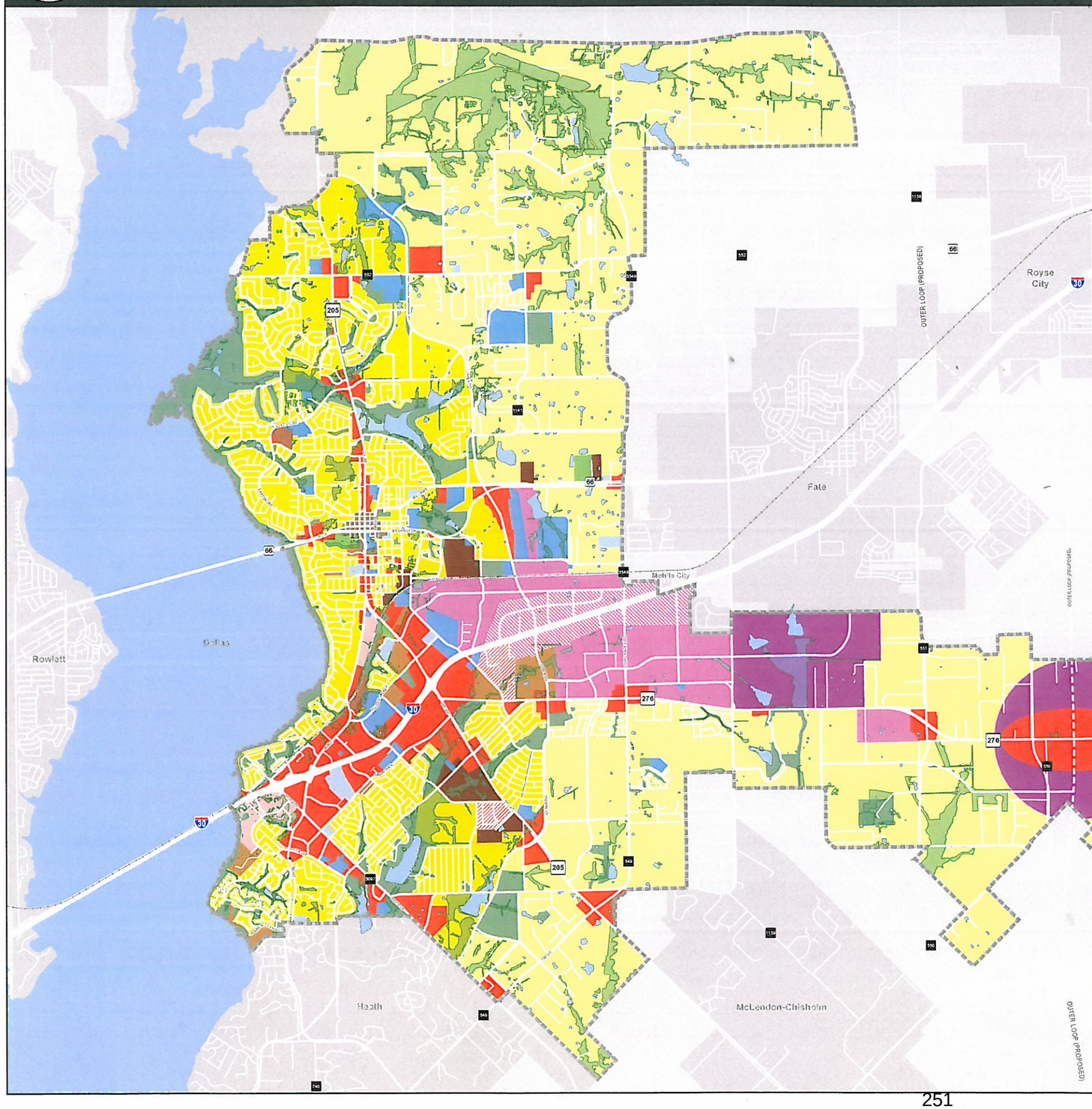
City of Rockwall Future Land Use



RESIDENTIAL LAND USE

- Low Density Residential
- Medium Density Single-Family Residential
- High Density Residential

SPECIAL LAND USE

- Mixed Use
- Downtown District
- Special Commercial Corridor
- Special District

COMMERCIAL/INDUSTRIAL LAND USE

- Commercial
- Commercial/Industrial
- Technology/Light Industrial
- Employment Center

PUBLIC/OTHER LAND USE

- Parks and Open Space
- Cemetery
- Public Uses
- Quasi-Public Uses

MAP LEGEND

- Planning Boundary
- Ponds

N, W, E, S

0 ¼ ½ 1 Miles

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

For more information please visit
http://www.rockwall.com/Planning/
or call (972) 771-7745

RESIDENTIAL LAND USE CATEGORIES

Low Density Resedential Areas
Low density residential is generally defined as less than two (2) units per acre, however, a density up to two and one-half (2.5) units per gross acre may be allowed within a residential Planned Development district that includes the dedication and/or development of additional amenities exceeding the minimum standards for residential Planned Developments including but not limited to: Parks and open space, Golf course, Neighborhood amenity/recreation center, Integration of schools into the community fabric, Development of trails and parks in flood plains, or Development of municipal parks and recreation facilities.

Medium Density Single Family Areas
These areas consist of the single family developments that have typically been built in Rockwall. They may be 2-3 units per acre, but generally about 3 units per acre.

High Density Residential Areas
These areas may consist of single family, duplex, town home, apartments, lofts, condominiums or other forms of housing that exceed 3 units per acre.

COMMERCIAL / INDUSTRIAL LAND USE CATEGORIES

Commercial Areas
In areas where commercial is indicated at the intersection of major roadways, particularly in areas of the city where zoning and development have not occurred, commercial zoning should not necessarily be allowed on all four (4) corners. Zoning should only be allowed where the commercial use is eminent and where it would be planned and integrated with the adjacent residential neighborhoods.

The amount of retail and the size of the area to be designated for commercial or mixed use development may be large or small depending on the service area it will serve and the style and quality of development.

Commercial / Industrial
This area is where more industrial activities may occur. It is largely buffered from residential by roads and open space. Technology / Light Industrial. This is located on both sides of I-30 and may include technology, research and development, office, and light industrial uses which may include light manufacturing and/or light assembly.

Employment Centers
This area is intended to provide a variety of workplaces, including limited light manufacturing uses, research and development activities, corporate facilities, offices, and institutions. Employment centers are also intended to accommodate secondary uses that complement or support the primary workplace uses, such as hotels, restaurants, convenience shopping, and child-care.

SPECIAL LAND USE CATEGORIES

Mixed Use Areas
Vertical mixed use areas include the Downtown, the area of Ridge Road and SH 205, and the Harbor District south of I-30. Development in this category should include a mixture of retail, high density residential, personal service and some limited office uses in a pedestrian oriented area. The development should connect to adjacent development with streets and pedestrian access.

The residential component could include townhouses, living units above the retail, live-work units, and "urban housing". Urban housing is characterized by multiple family or loft style units, but with units facing and having direct access from street fronts, having structured parking in the center of the block, and having recreational amenities. They must also incorporate retail and personal service uses at street level, or be located within a short walking distance to such services.

Downtown District
The Downtown should include a mixture of uses in accordance with the approved Downtown Plan attached hereto as Appendix "B" and the (DT) Downtown district standards and associated regulating plan. The Downtown District includes the "Historic Core" area and several surrounding blocks of vacant and established properties that could be further developed to support the vitality of the overall downtown area.

Special Commercial Corridor
This area is intended to provide for regional commercial activity centers, including shopping, services, recreation, employment, and institutional facilities supported by and serving an entire region. A regional activity center could include a regional shopping area, a number of major employers, restaurant and entertainment facilities, and a large high school or community college. A regional activity center is more diverse in its land use.

Special Districts
Special Districts may need to be created due to an area's uniqueness or specific issues that require additional consideration. In these cases, Small Area Plans or Planned Development Districts will be used to develop the specific plans to address these needs.

PUBLIC / OTHER LAND USE CATEGORIES

Parks and Open Space
Flood plains and major parks comprise the Parks and Public Open Space category in the Land Use Plan. These areas should be preserved as public and neighborhood-oriented open space, and they should incorporate trails and drainage corridors that are left in a naturalistic state.

Public Uses
Public use means a use operated exclusively by a public body having the purpose of serving the public health, safety or general welfare. This includes uses such as public schools, parks, playgrounds, and administrative and service facilities.

Quasi-Public Uses
Quasi-public use means a use operated by a private non-profit educational, religious, recreational, charitable, or medical

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Robert LaCroix, Planning Director

DATE: June 18, 2014

SUBJECT: Designation of the Planning & Zoning Commission as the Airport Zoning Commission

The Rockwall Municipal Airport lies entirely within the corporate city limits of the City of Rockwall. The Texas Local Government Code, Chapter 241, Municipal and County Zoning Authority around Airports, allows for the adoption and enforcement of airport compatible land use zoning regulations. The Code also allows that a political subdivision, i.e. the City, may incorporate an airport zoning regulation in a comprehensive zoning ordinance and administer and enforce it. Before an airport zoning regulation may be adopted, a political subdivision (the City) must appoint an airport zoning commission. If the political subdivision (the City) has a planning commission, or comprehensive zoning commission, that commission may be designated as the airport zoning commission. This commission shall recommend the boundaries of the zones to be established and the regulations for these zones. The commission shall make a preliminary report and hold public hearings on the report before submitting a final report to the governing body of a political subdivision (the City Council) which may then take action on adopting airport zoning regulations. In determining which airport zoning regulations to adopt, the governing body (the City Council) shall consider, among other things: (1) the character of the flying operations expected to be conducted at the airport; (2) the nature of the terrain within the airport hazard area; (3) the character of the neighborhoods; and (4) the current and possible uses of the property to be zoned. The Planning and Zoning Commission would not be involved or make recommendations with regard to the general operations of the airport facility itself. The City Manager or designee would administer and enforce the airport zoning regulations. The City Council would continue to have the authority to appoint an advisory board for consideration of matters involving airport operations, strategic planning and economic development of the airport property, and expansion and/or enhancements to the airport.

CITY OF ROCKWALL

ORDINANCE NO. 14-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, DESIGNATING THE CITY OF ROCKWALL PLANNING AND ZONING COMMISSION AS THE AIRPORT ZONING COMMISSION; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall did establish a Joint Airport Zoning Board on December 2, 1963, and investing it with the powers such Boards are authorized to exercise under the provisions of Chapter 391 of the Acts of the Regular Session of the 50th Legislature, 1947, and

WHEREAS, the Rockwall Municipal Airport lies entirely within the corporate city limits of the City of Rockwall and may, as authorized under Texas Local Government Code, Chapter 241, Municipal and County Zoning Authority around Airports, Section 241.012 Airport Compatible Land Use Zoning Regulations, adopt, administer, and enforce, under its police power, airport compatible land use zoning regulations for the part of a controlled compatible land use area located within the political subdivision if the airport is used in the interest of the public to the benefit of the political subdivision, and

WHEREAS, the City Council of the City of Rockwall, as authorized under Texas Local Government Code, Chapter 241, Municipal and County Zoning Authority around Airports and more specifically Subchapter B. Adoption of Airport Zoning Regulations, Section 241.016 Airport Zoning Commission, seeks to designate the Planning and Zoning Commission as the airport zoning commission, and

WHEREAS, the City Council of the City of Rockwall hereby designates the Rockwall Planning and Zoning Commission as the Airport Zoning Commission, and

WHEREAS, the designation of the Rockwall Planning and Zoning Commission as the Airport Zoning Commission, supersedes and repeals the act creating the Joint Airport Zoning Board established on December 2, 1963.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas:

Section 1. That the Rockwall Planning and Zoning Commission shall be designated as the Airport Zoning Commission.

Section 2. That in interpreting and applying the provisions of this Ordinance, they shall be held to be minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity and general welfare. It is not intended by this ordinance to interfere with or abrogate or annul any easements, covenants or

other agreements between parties, or any statute, local ordinance or regulations, except that if this ordinance imposes a greater restriction, or higher standard, this ordinance shall control.

Section 3. That all other ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed.

Section 4. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this ____ day of _____, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank Garza, City Attorney
1st Reading: _____
2nd Reading: _____

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council
Rick Crowley, *City Manager*

FROM: Robert LaCroix, *Director of Planning and Zoning*

DATE: June 16, 2014

SUBJECT: Airport Overlay (AP OV) District

On June 2, 2014, the Airport Subcommittee reviewed a draft copy of the design requirements and land use criteria for a proposed Airport Overlay (AP OV) District. As part of this meeting, the subcommittee made a recommendation to forward this document to the Planning and Zoning Commission for their consideration. Approval of this action item will enable the Planning and Zoning Commission to consider the creation of an Airport Overlay (AP OV) District.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **July 3, 2014**

SUBJECT: **PROPOSED ORDINANCE AMENDMENT TO PROHIBIT SWIMMING IN PONDS AND LAKES LOCATED WITHIN CITY PARKS**

In light of the unfortunate drowning in a pond located within a City of Balch Springs park, the question was raised of whether or not the City of Rockwall has signs or an ordinance that prohibit swimming or wading in City ponds and lakes. At this time, no ordinance or corresponding signage is in place.

The question was presented to the Park Board at the July 1st meeting. Staff informed the Park Board that according to news reports a lawsuit had been filed against the City of Balch Springs as a result of a drowning in a park.

The lawsuit alleges that a family was walking along a trail reading signs that said "follow me," right to the edge of the pond, which is not visible from the common play areas of the park or the splash pad.

According to a report by NBCDFW news, the family alleges that they didn't know a pond existed. "There were no signs that indicated its existence and no warning signs about not swimming in the pond. The lawsuit alleged gross negligence on the part of Balch Springs, which had ordered warning signs prior to the park opening but hadn't put them up yet."

The Park Board discussed a variety of issues related to prohibiting swimming in park ponds and lakes such as: does the ordinance prohibit wading, kayaking/canoeing or wade-fishing from beyond the pond or lake bank. At this time, these activities are not prohibited in any of the park's 10 lakes or ponds.

The Parks and Recreation Department operates supervised canoeing during special events and programs where lifeguards are on site. Additionally, an approved capital improvement project at Phelps Lake includes a kayak launch amenity.

Park Board expressed concerns about proposed ordinance language inadvertently eliminating valuable recreational activities on lakes or ponds such as kayaking/canoeing and fishing. The Park Board voted unanimously to recommend to City Council that the Code of Ordinances be amended to “prohibit recreational swimming” only.

In consultation with the City Attorney, he advised that it would be prudent to also consider prohibiting wading as well as swimming. The question remains, how the ordinance would address other recreational activities such as wade-fishing or canoeing/kayaking. Staff is seeking Council direction on how to proceed with this issue. If Council recommends moving forward with an ordinance amendment, staff can be prepared to present a draft at the next Council meeting.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary**

SUBJECT: **Agenda item – verbal discussion (no documentation)**

Please know that this agenda item has no documentation associated with it in the meeting packet. It will be verbally discussed at the city council meeting.

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City of Rockwall

The New Horizon

Building Inspections Department
Monthly Report

May 2014

Permits

Total Permits Issued: 285

Building Permits 56 Contractor Permits 229

Total Permit Values: $ 7,506,127.75

Building Permits $ 63,052.51 Contractor Permits $ 7,443,075.24

Total Fees Collected: $ 170,849.07

Building Permits $ 147,739.60 Contractor Permits $ 23,109.47

Board of Adjustment

Board of Adjustment Cases 0

City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

For the Period 5/1/2014 thru 5/31/2014

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	8	$0.00	$404.50
30 DAY BANNER	7	$0.00	$354.50
COMING SOON	1	$0.00	$50.00
CHURCH	1	$8,000.00	$35.00
FENCE	1	$8,000.00	$35.00
CLEAN SHOW	1	$0.00	$75.00
	1	$0.00	$75.00
CO	22	$0.00	$1,659.00
BUSINESS	20	$0.00	$1,507.50
NEW CONSTRUCTION	1	$0.00	$76.50
SHELL	1	$0.00	$75.00
COMM	23	$382,154.00	$9,146.23
ALTERATION	1	$47,300.00	$635.05
CONCRETE	1	$1,500.00	$64.00
CONST TRAILER	1	$0.00	$100.00
FENCE	1	$1,900.00	$35.00
INTERIOR COMP	1	$200,000.00	$1,565.25
IRRIGATION	5	$63,498.00	$5,126.18
NEW	1	$5,000.00	$122.75
PLUMBING	9	$29,956.00	$781.25
REMODEL	2	$33,000.00	$566.75
SWIM POOL	1	$0.00	$150.00
SIGNAGE	11	$0.00	$1,276.50
MONUMENT	1	$0.00	$75.00
WALL	10	$0.00	$1,201.50
SINGLE FAMILY	189	$7,115,973.75	$156,718.34
ACC BLDG	4	$11,441.00	$394.90
ADDITION	8	$180,450.00	$2,721.52
ALTERATION	2	$33,200.00	$581.50
CARPORT	1	$1,500.00	$66.00
CONCRETE	6	$20,400.00	$556.05
DECK	1	$3,000.00	$94.75
ELECTRICAL	6	$27,365.00	$691.07
FENCE	37	$128,926.55	$1,401.40
IRRIGATION	7	$20,600.00	$247.20
MECHANICAL	23	$161,571.76	$3,552.56
NEW	28	$5,960,240.00	$141,614.51
PATIO COVER	7	$21,620.00	$662.87
PERGOLA	1	$1,000.00	$51.75
PLUMBING	35	$44,431.00	$1,855.56
REMODEL	1	$8,500.00	$179.00
RETAINING WALL	4	$15,900.00	$140.70
ROOF	4	$57,854.47	$141.50
SWIM POOL	11	$410,000.00	$1,659.00
WINDOWS	3	$7,973.97	$106.50
SPECIAL EVENT	26	$0.00	$783.00
	26	$0.00	$783.00
TCO	4	$0.00	$751.50
	4	$0.00	$751.50

City of Rockwall

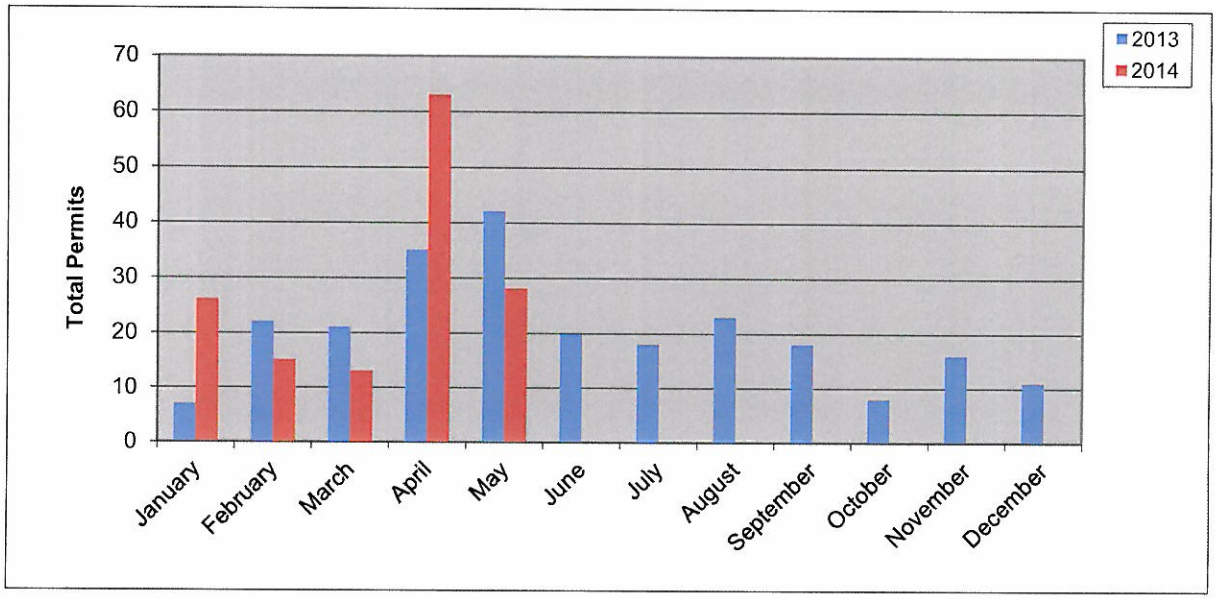
PERMITS ISSUED - Summary by Type and Subtype

For the Period 5/1/2014 thru 5/31/2014

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
Totals:	285	$7,506,127.75	$170,849.07

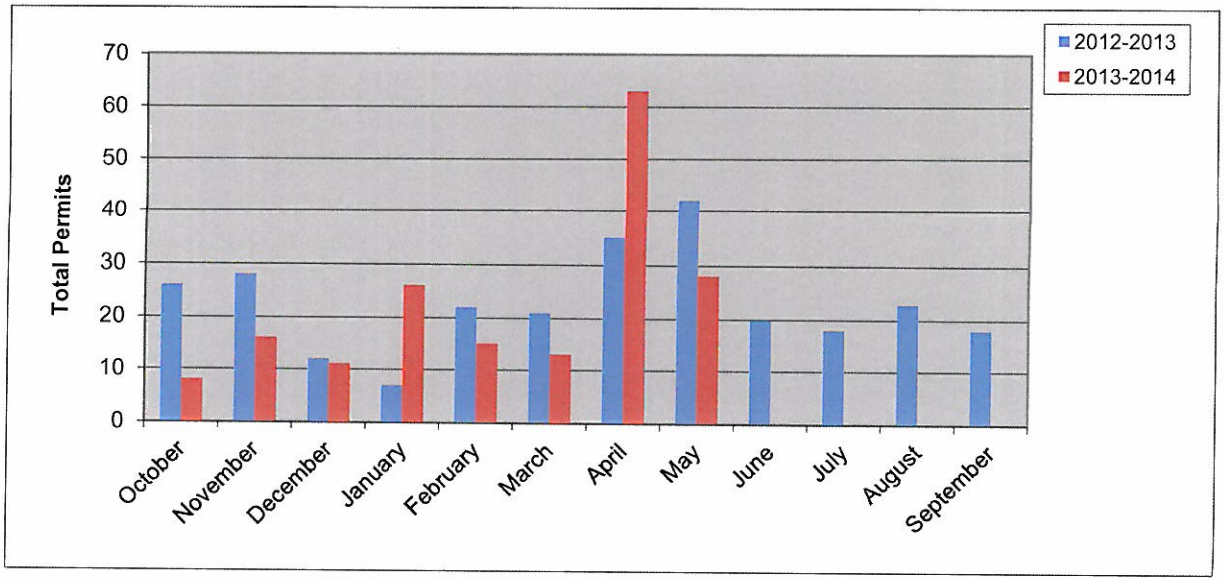
New Residential Permits Calendar Year

	Year	
	2013	2014
January	7	26
February	22	15
March	21	13
April	35	63
May	42	28
June	20	
July	18	
August	23	
September	18	
October	8	
November	16	
December	11	
Totals	**241**	145



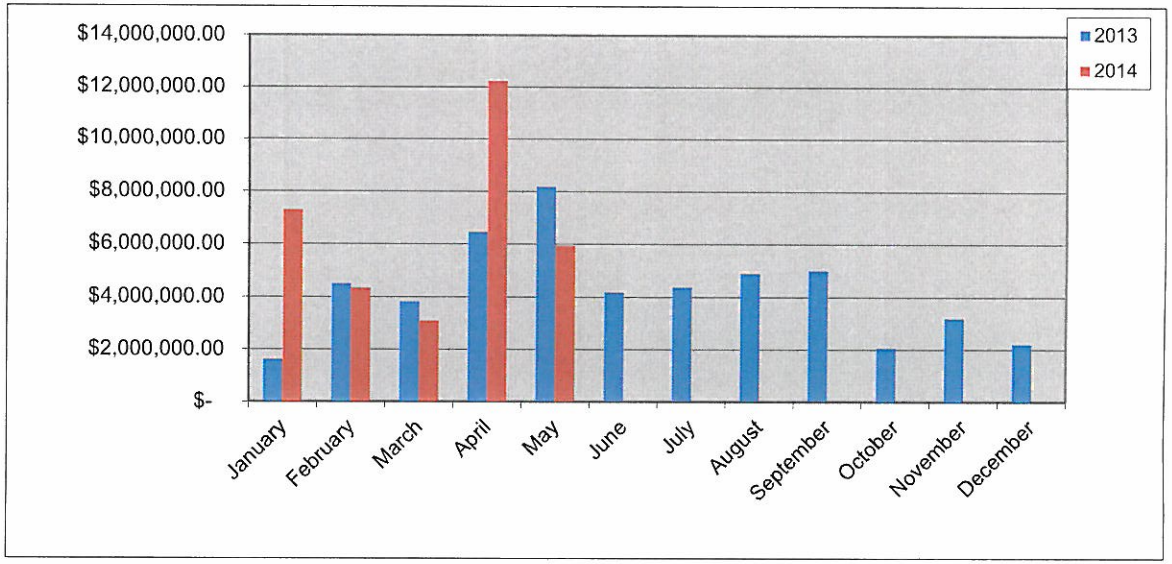
New Residential Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	26	8
November	28	16
December	12	11
January	7	26
February	22	15
March	21	13
April	35	63
May	42	28
June	20	
July	18	
August	23	
September	18	
Totals	**272**	180



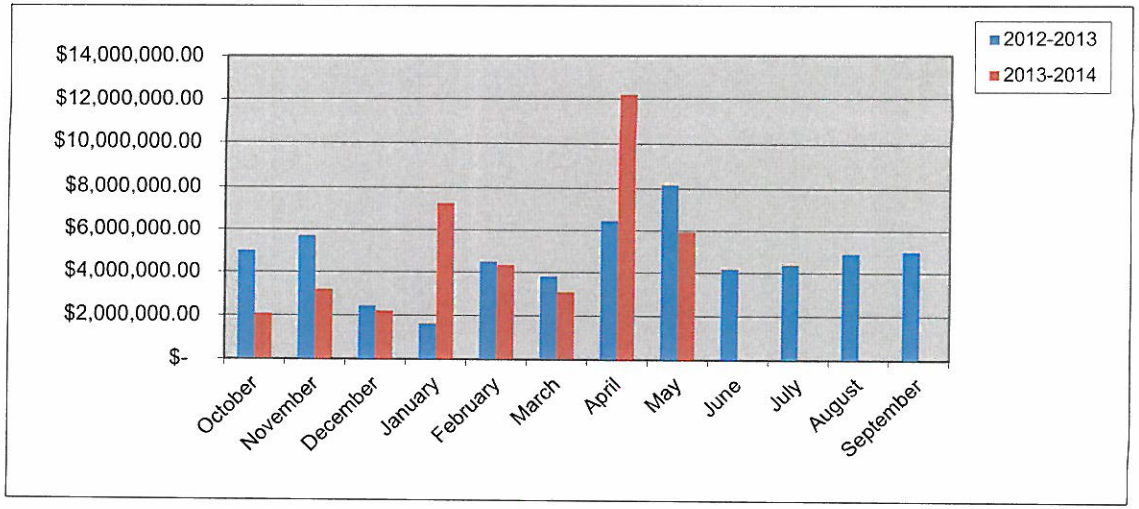
New Residential Value Calendar Year

Year	2013	2014
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	$ 12,228,936.33
May	$ 8,193,211.00	$ 5,960,240.00
June	$ 4,185,842.00	
July	$ 4,382,866.00	
August	$ 4,906,203.00	
September	$ 5,018,954.00	
October	$ 2,078,584.00	
November	$ 3,202,067.00	
December	$ 2,215,924.00	
Totals	**$50,608,931.00**	**$ 32,925,531.07**



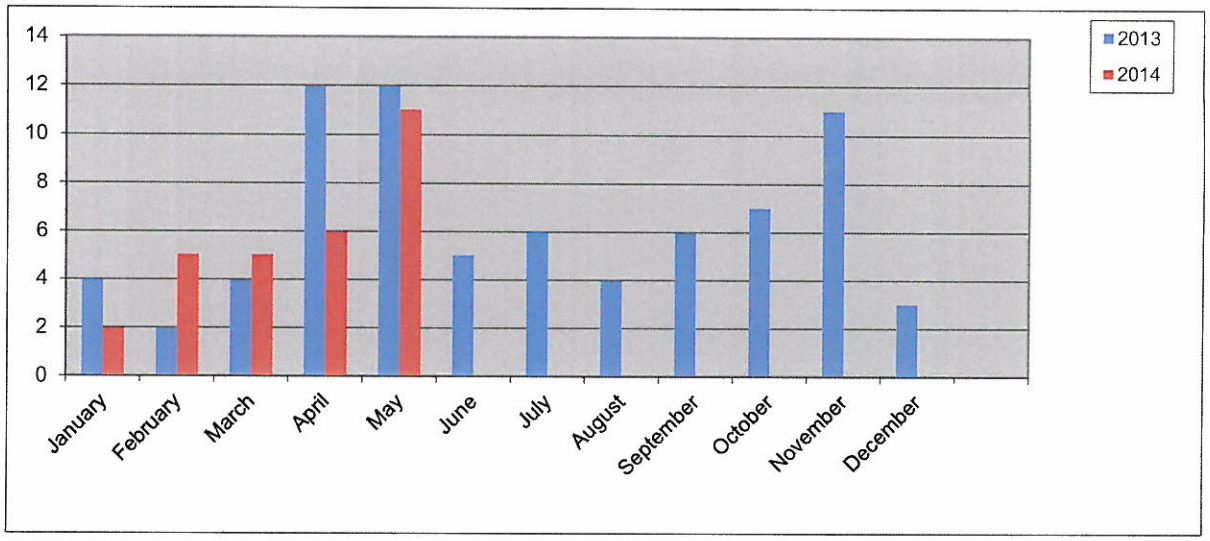
New Residential Value Fiscal Year

Year	2012-2013	2013-2014
October	$ 4,993,587.00	$ 2,078,584.00
November	$ 5,718,696.00	$ 3,202,067.00
December	$ 2,441,748.00	$ 2,215,924.00
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	$ 12,228,936.33
May	$ 8,193,211.00	$ 5,960,240.00
June	$ 4,185,842.00	
July	$ 4,382,866.00	
August	$ 4,906,203.00	
September	$ 5,018,954.00	
Totals	**$56,266,387.00**	**$ 40,422,106.07**



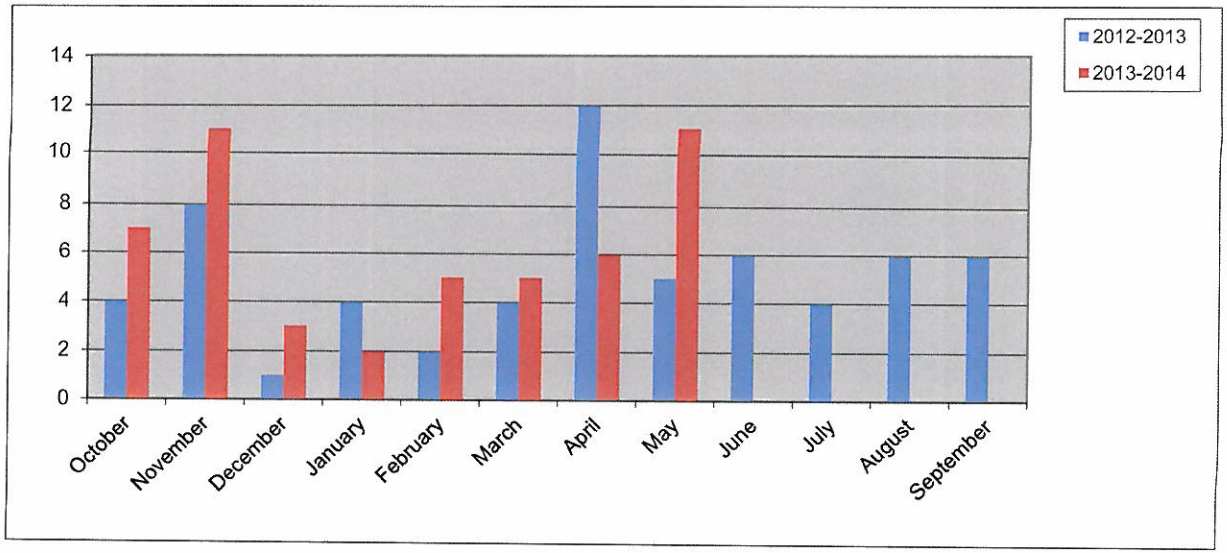
Residential Remodel Permits Calendar Year

	Year	
	2013	2014
January	4	2
February	2	5
March	4	5
April	12	6
May	12	11
June	5	
July	6	
August	4	
September	6	
October	7	
November	11	
December	3	
Totals	**76**	29



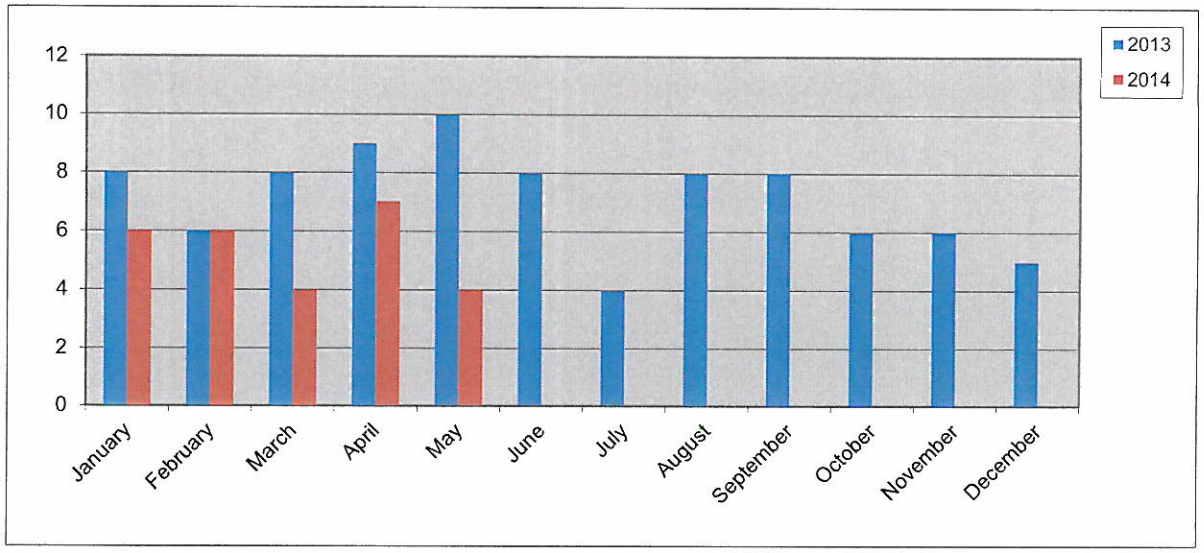
Residential Remodel Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	4	7
November	8	11
December	1	3
January	4	2
February	2	5
March	4	5
April	12	6
May	5	11
June	6	
July	4	
August	6	
September	6	
Totals	**62**	**50**



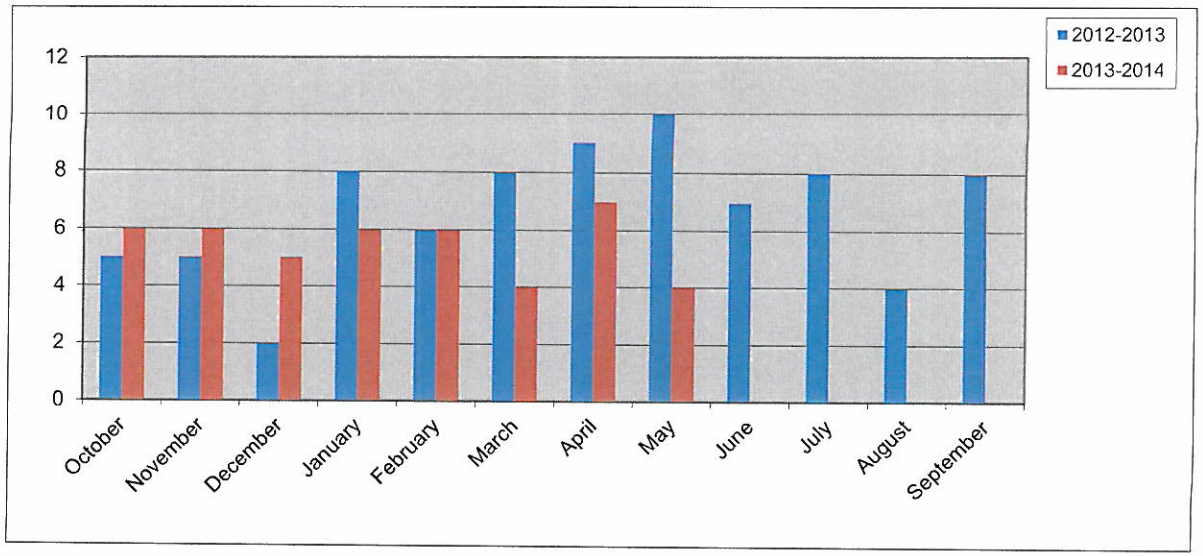
Commercial Remodel Permits Calendar Year

	Year	
	2013	2014
January	8	6
February	6	6
March	8	4
April	9	7
May	10	4
June	8	
July	4	
August	8	
September	8	
October	6	
November	6	
December	5	
Totals	**86**	**27**



Commercial Remodel Permits Fiscal Year

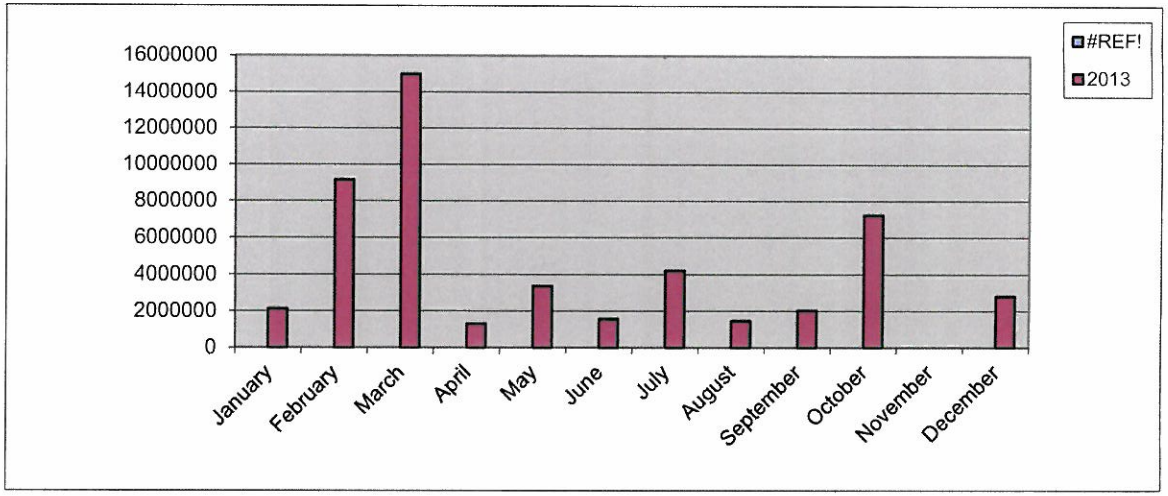
	Year	
	2012-2013	2013-2014
October	5	6
November	5	6
December	2	5
January	8	6
February	6	**6**
March	8	4
April	9	7
May	10	4
June	7	
July	8	
August	4	
September	8	
Totals	**80**	**44**



270

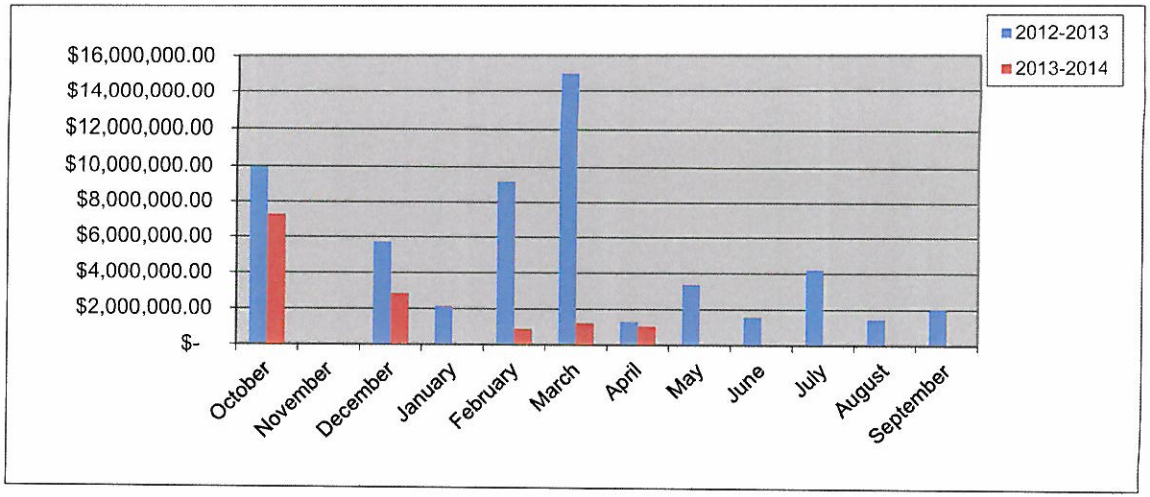
New Commercial Value Calendar Year

Year	2013	2014
January	$ 2,125,000.00	$ -
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	$ 1,185,000.00
April	$ 1,300,000.00	$ 1,000,000.00
May	$ 3,372,000.00	$ 5,000.00
June	$ 1,575,000.00	
July	$ 4,200,000.00	
August	$ 1,454,000.00	
September	$ 2,040,000.00	
October	$ 7,225,000.00	
November	$ -	
December	$ 2,800,000.00	
Totals	**$ 50,241,000.00**	**$ 3,040,000.00**



New Commercial Value Fiscal Year

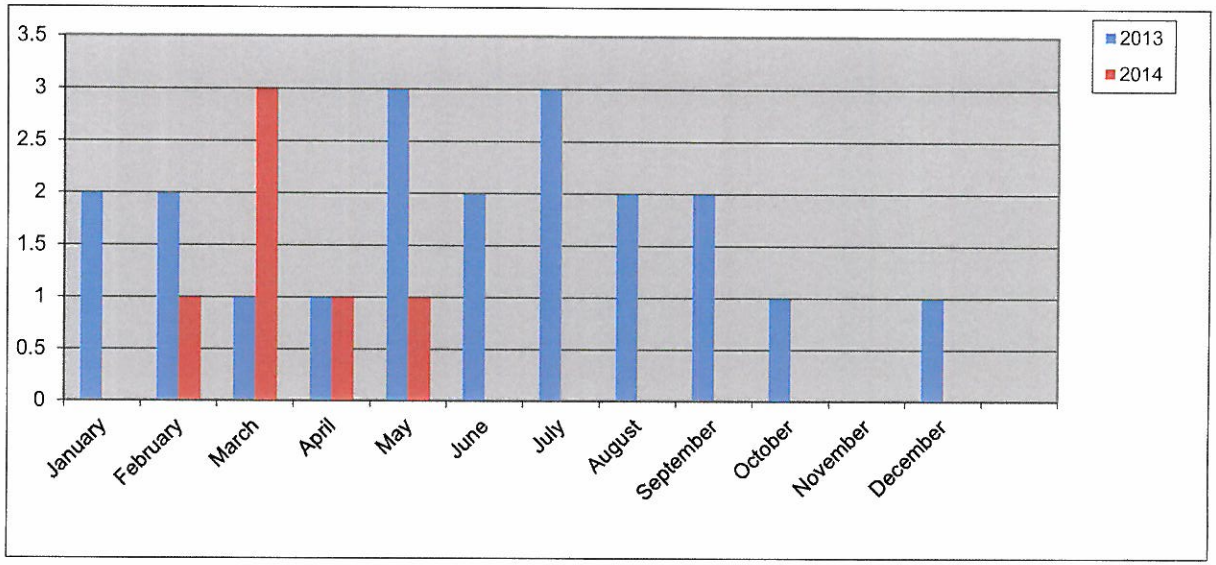
Year	2012-2013	2013-2014
October	$ 10,000,000.00	$ 7,225,000.00
November	$ 5,000.00	$ -
December	$ 5,700,000.00	$ 2,800,000.00
January	$ 2,125,000.00	$ -
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	$ 1,185,000.00
April	$ 1,300,000.00	$ 1,000,000.00
May	$ 3,372,000.00	$ 5,000.00
June	$ 1,575,000.00	
July	$ 4,200,000.00	
August	$ 1,454,000.00	
September	$ 2,040,000.00	
Totals	**$ 55,921,000.00**	**$ 13,065,000.00**



271

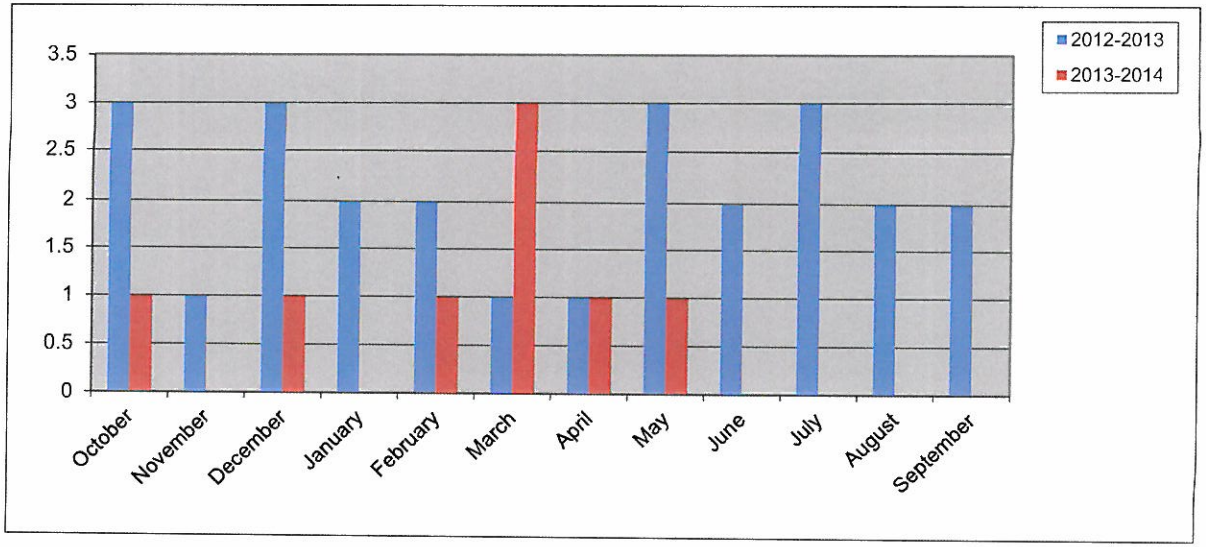
New Commercial Permits Calendar Year

	Year	
	2013	2014
January	2	0
February	2	1
March	1	3
April	1	1
May	3	1
June	2	
July	3	
August	2	
September	2	
October	1	
November	0	
December	1	
Totals	**20**	**6**



New Commercial Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	3	1
November	1	0
December	3	1
January	2	0
February	2	1
March	1	3
April	1	1
May	3	1
June	2	
July	3	
August	2	
September	2	
Totals	**25**	**8**



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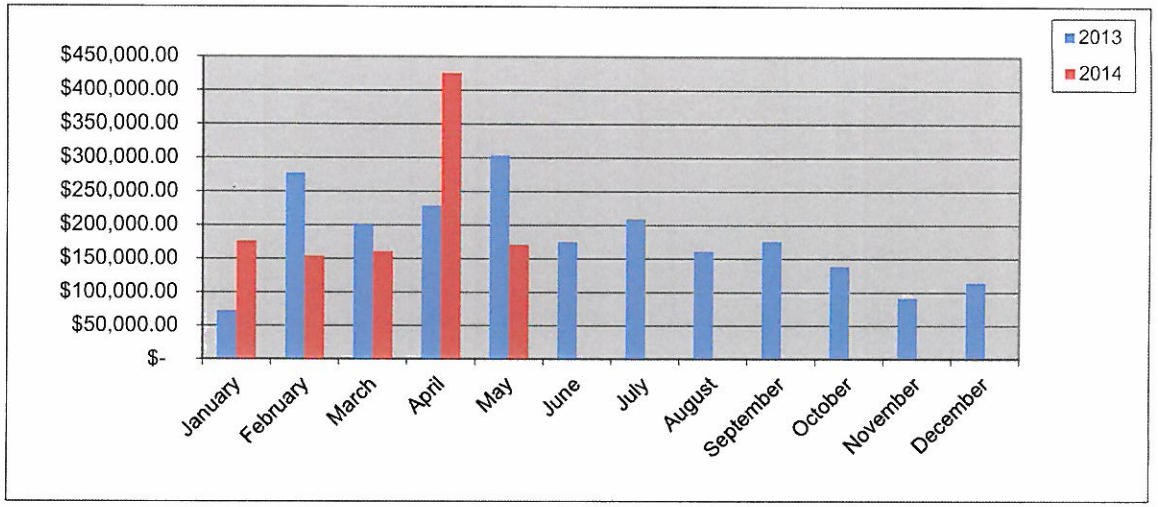
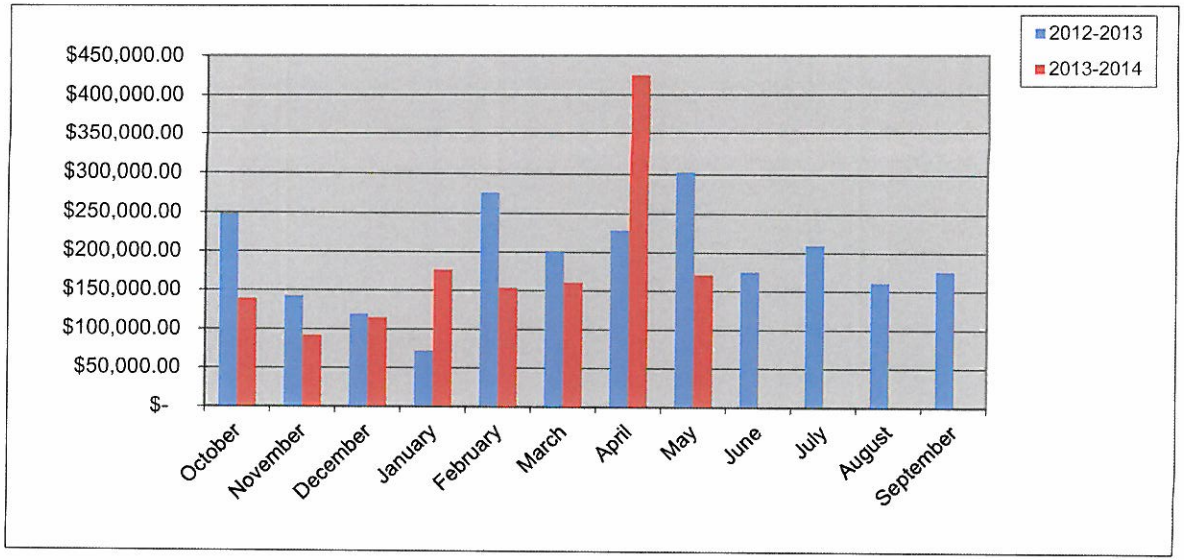
Total Fees Collected Calendar Year

Year	2013	2014
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	$ 425,003.86
May	$ 302,928.73	$ 170,849.07
June	$ 174,872.41	
July	$ 209,566.63	
August	$ 161,080.17	
September	$ 175,835.03	
October	$ 138,771.53	
November	$ 91,778.83	
December	$ 114,645.28	
Totals	**$ 2,148,877.79**	**$ 1,086,005.45**



Total Fees Collected Fiscal Year

Year	2012-2013	2013-2014
October	$ 248,932.46	$ 138,771.53
November	$ 142,356.98	$ 91,778.83
December	$ 119,604.19	$ 114,645.28
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	$ 425,003.86
May	$ 302,928.73	$ 170,849.07
June	$ 174,872.41	
July	$ 209,566.63	
August	$ 161,080.17	
September	$ 175,835.03	
Totals	**$ 2,314,575.78**	**$ 1,431,201.09**



Subtype: BUSINESS

Permit No / Date Issued	Type of Permit / Status	Address / Parcel Number	Owner / Contractor	Valuation / Description	Total Fees	Fees Paid
CO2013-0071 5/7/2014	CO ACTIVE	370 RANCH TRAIL 4720-0000-0013-00-0R	JERRY, KISICK CUSTOM HOME	$ 0.00 BACON PLUMBING	$ 76.50	$ 76.50
CO2013-0098 5/6/2014	CO ACTIVE	3225 SPRINGER S4 0186-0000-0002-03-0R	NBN, COMMERCIAL GROUP LI BEVERLY BURROW	$ 0.00 PRO-GLASS	$ 75.00	$ 75.00
CO2013-0103 5/6/2014	CO Active	1106 RIDGE RD B 3570-0484-A001-A0-0R	BENBROOKE, RIDGE PARTNEF	$ 0.00 MOODY INSURANCE	$ 75.00	$ 75.00
CO2013-0137 5/6/2014	CO Active	2305 Ridge Rd 106 5245-0000-0001-00-0R	DAIKER, PARTNERS LTD.	$ 0.00 Collateral Consultants	$ 75.00	$ 75.00
CO2014-0010 5/6/2014	CO ACTIVE	991 IH 30 105 4831-0000-0006-00-0R	EXCEL, ROCKWALL LLC	$ 0.00 Apple Nails & Spa	$ 75.00	$ 75.00
CO2014-0014 5/5/2014	CO ACTIVE	3090 Goliad St. N 106 5121-000A-0004-00-0R	METROPLEX, ACQUISITION FU	$ 0.00 H2 Orthodontics, PLLC	$ 76.50	$ 76.50
CO2014-0019 5/30/2014	CO Active	890 Rockwall Pkwy 102 4703-000A-0019-00-0R	ROCKWALL, MEDICAL PROPEI	$ 0.00 Presbyterian Heart & Vascular Group	$ 75.00	$ 75.00
CO2014-0023 5/6/2014	CO Active	304 San Jacinto N 4820-000D-0002-00-0R	CULLINS, KENNETH L & HEAT	$ 0.00 Hazel and Olive Inc.	$ 75.00	$ 75.00
CO2014-0027 5/6/2014	CO ACTIVE	577 E IH 30 3245-0000-0003-00-0R	BENT, TREE REALTY CO	$ 0.00 THE BRONZE ROOM	$ 76.50	$ 76.50
CO2014-0029 5/6/2014	CO ACTIVE	2951 RIDGE 119 4009-000A-0017-00-0R	REGENCY, CENTERS LP	$ 0.00 DICKEY'S BAR-BE-QUE	$ 75.00	$ 75.00
CO2014-0033 5/29/2014	CO Active	1407 Ridge Rd. 4866-000A-0003-00-0R	RPSC, ROCKWALL PROPERTIE GL Barron Company, Inc. (reg)	$ 0.00 Regional Plastic Surgery Center	$ 75.00	$ 75.00
CO2014-0038 5/6/2014	CO ACTIVE	3520 Horizon Rd. 4006-000B-0001-00-0R	MURPHY, ROAD LTD	$ 0.00 7-Eleven Store #34353	$ 75.00	$ 75.00
CO2014-0039 5/16/2014	CO Active	2951 Ridge Rd 101 4009-000A-0017-00-0R	REGENCY, CENTERS LP	$ 0.00 Massage Envy	$ 75.00	$ 75.00
CO2014-0040 5/6/2014	CO Active	1551 IH 30 300 0099-0000-0016-00-0R	AM, ROCKWALL INVESTMENT	$ 0.00 ELLIOTT SPAS	$ 75.00	$ 75.00
CO2014-0047 5/12/2014	CO ACTIVE	1 Harborview Dr. 1000-0000-0000-01-0R	SUNTER MARINAS	$ 0.00 Chandlers Landing Marina Dock EE	$ 75.00	$ 75.00
CO2014-0048 5/5/2014	CO ACTIVE	118 National Dr. 0128-0000-0002-23-0R	Scott Tharp	$ 0.00 Scott Free Investments	$ 75.00	$ 75.00
CO2014-0050 5/5/2014	CO ACTIVE	308 FANNIN ST. N 5175-000A-0002-00-0R	PANNELL, SMITH PROPERTY M	$ 0.00 The Londoner	$ 75.00	$ 75.00
CO2014-0052 5/8/2014	CO ACTIVE	102 Rusk St E 4820-000M-0004-00-0R	HENDRICKS, BARBARA S	$ 0.00 Southern Roots	$ 76.50	$ 76.50
CO2014-0053 5/14/2014	CO ACTIVE	539 IH 30 E 3245-0000-0003-00-0R	BENT, TREE REALTY CO	$ 0.00 ROCKWALL RUNNING CENTER	$ 76.50	$ 76.50
CO2014-0057 5/29/2014	CO ACTIVE	2309 S Goliad St 103 4369-000A-0003-00-0R	LEVO, GROUP LLC	$ 0.00 Donut Station #4	$ 75.00	$ 75.00
20 Permit(s) Issued with Subtype: BUSINESS				**$0.00**	**$1,507.50**	**$1,507.50**

Subtype: NEW CONSTRUCTION

Permit No / Date Issued	Type of Permit / Status	Address / Parcel Number	Owner / Contractor	Valuation / Description	Total Fees	Fees Paid
CO2014-0046 5/28/2014	CO ACTIVE	550 IH 30 4119-000A-0015-00-0R	ROCKWALL, SUMMIT PARTNE BH CONSTRUCTION	$ 0.00 Mellow Mushroom	$ 76.50	$ 76.50
1 Permit(s) Issued with Subtype: NEW CONSTRUCTION				**$0.00**	**$76.50**	**$76.50**

Subtype: SHELL

Permit No / Date Issued	Type of Permit / Status	Address / Parcel Number	Owner / Contractor	Valuation / Description	Total Fees	Fees Paid
CO2012-0109 5/7/2014	CO ACTIVE	1101 Ridge Rd. 3570-0484-A002-00-0R	Ridge Road Partners	$ 0.00 Shell CO -Ridge Road Partners, LP	$ 75.00	$ 75.00
1 Permit(s) Issued with Subtype: SHELL				**$0.00**	**$75.00**	**$75.00**
				$0.00	**$1,659.00**	**$1,659.00**

22 Total Permit(s) Issued

CALLS BY TYPE
MAY 2014
ROCKWALL FIRE DEPT.

CITY CALLS	TYPE	NUMBER
Rockwall	Alarm sys act, no fire Uninten	9
Rockwall	Alarm system sounded malfun	6
Rockwall	Assist police or oth gov agncy	6
Rockwall	Building fire	1
Rockwall	Carbon monoxide detector act	1
Rockwall	CO detector act due to malf	1
Rockwall	Dispatched & canceled enroute	1
Rockwall	Electrical wiring/equipment pr	1
Rockwall	Extrication of vict from veh	2
Rockwall	False alarm or false call,othe	3
Rockwall	Gas leak natural gas or LPG	3
Rockwall	Lightning strike (no fire)	1
Rockwall	Motor vehicle acc with no	1
Rockwall	No incident found on arrival	3
Rockwall	OTHER Outside rubbish fire	1
Rockwall	Outside rubbish, trash ,waste	1
Rockwall	Passenger vehicle fire	2
Rockwall	Power line down	2
Rockwall	Public service	10
Rockwall	Public service - Non paged	3
Rockwall	Public service assistance, oth	2
Rockwall	Reml of vic(s) stalled elev	1
Rockwall	Smoke detector act. malf.	2
Rockwall	Smoke detector activate, no fi	3
Rockwall	Smoke scare, odor of smoke	3
Rockwall	Steam, vapor, fog or dust thou	1
Rockwall	Unauthorized burning	1
Rockwall	Unintentional trans. of alarm	3
	TOTAL	74

COUNTY AND MUTUAL AID		
	TYPE	NUMBER
Heath	Building fire	1
	TOTAL	1
Rockwall County	Gas leak natural	1
Rockwall County	Gasoline or oth	1
Rockwall County	Power line down	1
Rockwall County	Unauthorized	1
	TOTAL	6

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To: Chief Poindexter
From: BC Merritt
Re: May 2014 Structure Fire Report.
Date: June 13, 2014

16 Indian Trail

We responded to a report of a Structure fire on May 01. 2014. The first unit on scene arrived and reported heavy fire showing from the garage of the structure. There was one vehicle in the garage totally engulfed and the fire was spreading through the attic of the home. The home and contents were heavily damaged by the fire and water. No firefighter injuries were reported on this incident.

Dispatch time: 02:32
Enroute time: 02:33
On scene time: 02:39
Clear time: 05:06

4 men on scene 02:46
8 men on scene 02:47
12 men on scene 03:19

We had a total of 4 on duty Firefighters on scene, 7 Volunteers, 1 Chief, 2 Investigators and 3 apparatus.

277

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %	23 of 31	CRITERIA MET %	6 of 6
CRITERIA -ACHIEVE RESPONSE TIME	74%	CRITERIA -ACHIEVE RESPONSE TIME	100%
90% OF TIME IN BOXES WITH STATIONS	Criteria not met	60% OF TIME IN BOXES WITH STATIONS	Criteria Met
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	30 of 31	CRITERIA MET %	5 of 6
CRITERIA -ACHIEVE RESPONSE TIME	96%	CRITERIA -ACHIEVE RESPONSE TIME	83%
90% OF TIME IN BOXES WITH STATIONS	Criteria met	60% OF TIME IN BOXES WITH STATIONS	Criteria Met
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES		0-7 1/2 MINUTES	
CRITERIA MET%	29 of 31	CRITERIA MET%	5 of 6
CRITERIA -ACHIEVE RESPONSE TIME	94%	CRITERIA -ACHIEVE RESPONSE TIME	83%
90% OF TIME IN BOXES WITH STATIONS	Criteria met	60% OF TIME IN BOXES WITH STATIONS	Criteria Met

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COUNTY AND MUTUAL AID
RESPONSE
May 2014

COUNTY	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES CRITERIA MET % CRITERIA -ACHIEVE RESPONSE TIME 60% OF TIME IN BOXES WITH STATIONS	1 of 1 100% Criteria Met
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES CRITERIA MET % CRITERIA -ACHIEVE RESPONSE TIME 60% OF TIME IN BOXES WITH STATIONS	0 of 1 0% Criteria Not Met
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES CRITERIA MET% CRITERIA -ACHIEVE RESPONSE TIME 60% OF TIME IN BOXES WITH STATIONS	0 of 1 0% Criteria Not Met

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CITY ENROUTE OVERAGES
MAY 2014

VENUE	ALARM DATE	ALARM TIME	ENROUTE TIME	ALARM TO ENROUTE	APPARATUS	INCIDENT NUMBER	STATION	Lights and Sirens	REASON FOR OVERAGES
Rockwall	05/01/2014	02:31:18	02:33:14	0:01:56	E3	2014-00000387	Rockwall 1	Code 3	CAD Times do not match radio time
Rockwall	05/09/2014	09:40:38	09:42:41	0:02:03	E1	2014-00000417	Rockwall 1	Code 3	CAD Times do not match radio time
Rockwall	05/10/2014	00:32:24	00:34:19	0:01:55	E3	2014-00000418	Rockwall 1	Code 3	CAD Times do not match radio time
Rockwall	05/13/2014	00:19:31	00:21:49	0:02:18	E2	2014-00000428	Rockwall 2	Code 3	CAD Times do not match radio time
Rockwall	05/21/2014	18:52:54	18:55:42	0:02:48	E3	2014-00000445	Rockwall 3	Code 3	CAD Times do not match radio time
Rockwall	05/21/2014	20:26:28	20:27:59	0:01:31	E1	2014-00000446	Rockwall 1	Code 3	CAD Times do not match radio time
Rockwall	05/22/2014	20:24:31	20:26:14	0:01:43	E4	2014-00000451	Rockwall 3	Code 3	CAD Times do not match radio time
Rockwall	05/30/2014	19:36:25	19:38:10	0:01:45	E1	2014-00000471	Rockwall 2	Code 3	CAD Times do not match radio time

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ARRIVAL OVERAGES
CITY CALLS
MAY 2014

VENUE	ALARM DATE	ENROUTE TIME	ARRIVAL TIME	ENROUTE TO ARRIVAL	APPARATUS	INCIDENT NUMBER	STATION	Lights and Sirens	REASON FOR OVERAGES
Rockwall	05/09/2014	09:42:41	09:49:45	0:07:04	E1	2014-00000417	Rockwall 1	Code 3	Response to area without station
Rockwall	05/22/2014	20:01:42	20:09:22	0:07:40	E1	2014-00000450	Rockwall 4	Code 3	Had Trouble Getting Into Gate

281

RESPONSE OVERAGES
MAY 2014

VENUE	ALARM DATE	ALARM TIME	ARRIVAL TIME	ENROUTE TO ARRIVAL	RESPONSE	APPARATUS	INCIDENT NUMBER	STATION	Lights and Sirens	REASON FOR OVERAGES
Rockwall	05/01/2014	02:31:18	02:39:08	0:05:54	0:07:50	E3	2014-00000387	Rockwall 1	Code 3	Response to area without station
Rockwall	05/09/2014	09:40:38	09:49:45	0:07:04	0:09:07	E1	2014-00000417	Rockwall 1	Code 3	difficult locating car fire
Rockwall	05/22/2014	20:00:47	20:09:22	0:07:40	0:08:35	E1	2014-00000450	Rockwall 4	Code 3	had trouble getting in gate

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COUNTY OVERAGES
MAY 2014

VENUE	ALARM DATE	ENROUTE TIME	ARRIVAL TIME	ENROUTE TO ARRIVAL	APPARATUS	INCIDENT NUMBER	STATION	Lights and Sirens	REASON FOR OVERAGES
ARRIVAL OVERAGES									
Rockwall County	05/20/2014	11:23:48	11:25:05	11:31:39	E3	2014-00000441	Rockwall 3	Code 3	Driver Time to County
VENUE	**ALARM DATE**	**ALARM TIME**	**ARRIVAL TIME**	**RESPONSE**	**APPARATUS**	**INCIDENT NUMBER**	**STATION**	**Lights and Sirens**	REASON FOR OVERAGES
RESPONSE OVEREAGES									
Rockwall County	05/20/2014	11:23:48	11:31:39	0:07:51	E3	2014-00000441	Rockwall 3	Code 3	Drive time to County

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Total Dollar Losses

May 2014

City of Rockwall
The New Horizon

CITY CALLS

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$100,000.00	$3,000.00	$7,500.00	$256,560.00	$20,000.00
Total Content Loss:	$48,846.00	$0.00	$2,000.00	$61,846.00	$2,100.00
Total Property Pre-Incident Value:	$162,820.00	$0.00	$581,000.00	$315,730.00	$944,240.00
Total Contents Pre-Incident Value	$97,692.00	$0.00	$304,200.00	$187,944.00	$508,482.00
Total Losses:	$148,846.00	$3,000.00	$9,500.00	$318,406.00	$148,846.00
Total Value:	$260,512.00	$.00	$885,200.00	$503,674.00	$1,452,722.00

City of Rockwall
Inspection Totals Completed by Inspector
For the Period 5/1/2014 thru 5/31/2014

Ariana Hargrove		
	CO - FIRE	1
	TCO	1
TOTAL INSPECTIONS for Ariana Hargrove:		2
Bryan Patrick		
	CO - FIRE	4
	TCO	1
TOTAL INSPECTIONS for Bryan Patrick:		5
Kevin Clark		
	CO - FIRE	1
	TCO	1
TOTAL INSPECTIONS for Kevin Clark:		2
Paul Ayres		
	CO - FIRE	6
TOTAL INSPECTIONS for Paul Ayres:		6
TOTAL INSPECTIONS COMPLETED:		15

Inspection Totals Per Inspector

MAY 2014

Fire Inspection Status	Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Inspection Number
Pending	TX504	744 - Patrick	Annual	2221
Pending	TX504	744 - Patrick	Annual	2220
Pending	TX504	744 - Patrick	Certificate of Occupancy	CO2014-0057
Finaled	TX504	744 - Patrick	Certificate of Occupancy	CO2014-0046
Finaled	TX504	744 - Patrick	Certificate of Occupancy	TCO2014-0002
Pending	TX504	744 - Patrick	Certificate of Occupancy	CO2014-0055
Finaled	TX504	744 - Patrick	Certificate of Occupancy	CO2014-0048
Pending	TX504	744 - Patrick	Construction Final	2200
Finaled	TX504	744 - Patrick	Construction Final	2200
Pending	TX504	744 - Patrick	Construction Final	2200
Pending	TX504	744 - Patrick	Construction Final	2222
Pending	TX504	744 - Patrick	Construction Final	2216
Pending	TX504	744 - Patrick	Construction Final	2226
Pending	TX504	744 - Patrick	Fire Alarm System	2185
Finaled	TX504	744 - Patrick	Fire Alarm System	2127
Pending	TX504	744 - Patrick	Fire Alarm System	2127
Pending	TX504	744 - Patrick	Fire Spinkler System	2178
Finaled	TX504	744 - Patrick	Fire Spinkler System	2178
Pending	TX504	744 - Patrick	Fire Spinkler System	2158
Pending	TX504	744 - Patrick	Fire Spinkler System	2178
Pending	TX504	744 - Patrick	Kitchen Hood Suppression	2225
Finaled	TX504	744 - Patrick	Kitchen Hood Suppression	2201
Finaled	TX504	744 - Patrick	Preplan	2219
Finaled	TX504	744 - Patrick	Tanks-TEMP	2194
Pending	TX504	744 - Patrick	Underground Fire Line	2190
Finaled	TX504	744 - Patrick	Underground Fire Line	2190
	Total Per Inspector: 26			
Pending	TX504	836 - Ayres	Annual	2224
Pending	TX504	836 - Ayres	Annual	2152
Finaled	TX504	836 - Ayres	Annual	2197
Pending	TX504	836 - Ayres	Annual	2174
Finaled	TX504	836 - Ayres	Annual	2176
Pending	TX504	836 - Ayres	Annual	2214
Pending	TX504	836 - Ayres	Annual	2213
Pending	TX504	836 - Ayres	Annual	2153
Finaled	TX504	836 - Ayres	Annual	2139
Pending	TX504	836 - Ayres	Annual	2197
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0052
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0051
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0043
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0042
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0058
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0043
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0061
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0044
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0034

Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0033
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0054
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0037
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2013-0146
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0051
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0037
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0060
Finaled	TX504	836 - Ayres	Construction Final	2211
Pending	TX504	836 - Ayres	Construction Final	2211
Finaled	TX504	836 - Ayres	Fire Alarm System	2212
Pending	TX504	836 - Ayres	Fire Alarm System	2227
Finaled	TX504	836 - Ayres	Fire Spinkler System	2154
Pending	TX504	836 - Ayres	Follow Up	2210
Pending	TX504	836 - Ayres	Follow Up	2191
Finaled	TX504	836 - Ayres	Follow Up	2191
Finaled	TX504	836 - Ayres	Follow Up	2223
Pending	TX504	836 - Ayres	Follow Up	2192
Pending	TX504	836 - Ayres	Follow Up	2217
Pending	TX504	836 - Ayres	Follow Up	2192
Pending	TX504	836 - Ayres	Follow Up	2191
Pending	TX504	836 - Ayres	Follow Up	2198
Finaled	TX504	836 - Ayres	Other	2207
Finaled	TX504	836 - Ayres	Underground Fire Line	2173
Pending	TX504	836 - Ayres	Underground Fire Line	2173
	Total Per Inspector: 43			
Finaled	TX504	843 - Clark	Access Control Doors	2203
Finaled	TX504	843 - Clark	Annual	2164
Finaled	TX504	843 - Clark	Annual	2188
Pending	TX504	843 - Clark	Annual	2179
Finaled	TX504	843 - Clark	Annual	2177
Pending	TX504	843 - Clark	Annual	2239
Finaled	TX504	843 - Clark	Annual	2179
Pending	TX504	843 - Clark	Certificate of Occupancy	CO2014-0059
Pending	TX504	843 - Clark	Certificate of Occupancy	Co2014-0041
Pending	TX504	843 - Clark	Certificate of Occupancy	TCO2014-0002
Pending	TX504	843 - Clark	Certificate of Occupancy	Co2014-0041
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2014-0053
Pending	TX504	843 - Clark	Certificate of Occupancy	CO2014-0053
Finaled	TX504	843 - Clark	Construction Final	2196
Finaled	TX504	843 - Clark	Construction Final	2107
Finaled	TX504	843 - Clark	Construction Final	2202
Pending	TX504	843 - Clark	Construction Final	2196
Pending	TX504	843 - Clark	Construction Final	1st floor - core
Finaled	TX504	843 - Clark	Construction Final	6th floor - core
Finaled	TX504	843 - Clark	Construction Final	7th floor - core
Finaled	TX504	843 - Clark	Construction Final	5th floor - core
Finaled	TX504	843 - Clark	Construction Final	3rd floor - core
Finaled	TX504	843 - Clark	Construction Final	4th floor - core
Finaled	TX504	843 - Clark	Construction Final	2nd floor - core

Finaled	TX504	843 - Clark	Construction Final	1st floor - core
Pending	TX504	843 - Clark	Construction Final	2206
Pending	TX504	843 - Clark	Construction Final	2228
Pending	TX504	843 - Clark	Construction Final	2206
Pending	TX504	843 - Clark	Construction Final	2205
Pending	TX504	843 - Clark	Construction Final	2206
Finaled	TX504	843 - Clark	Courtesy	2142
Finaled	TX504	843 - Clark	Fire Alarm System	2204
Finaled	TX504	843 - Clark	Fire Spinkler System	2138
Finaled	TX504	843 - Clark	Fire Spinkler System	2133
Pending	TX504	843 - Clark	Fire Spinkler System	2133
Pending	TX504	843 - Clark	Fire Spinkler System	2154
Pending	TX504	843 - Clark	Fire Spinkler System	2218
Finaled	TX504	843 - Clark	Fire Spinkler System	2134
Finaled	TX504	843 - Clark	Flow Test	2195
Finaled	TX504	843 - Clark	Follow Up	2168
Finaled	TX504	843 - Clark	Open Burn	2209
Finaled	TX504	843 - Clark	Other	Fire Command Room
Finaled	TX504	843 - Clark	Other	2180
Pending	TX504	843 - Clark	Other	Stairs
Pending	TX504	843 - Clark	Other	Stairs
Finaled	TX504	843 - Clark	Other	Stairs
Finaled	TX504	843 - Clark	Other	2193
Finaled	TX504	843 - Clark	TCO	TCO2014-0003
	Total Per Inspector: 48			
	Department Total: 117			

6/10/2014 10:28:01 AM

Fire Alarms

MAY 2014

Date	Address	Common Name	Dispostion Code	CFS Number	Call Type	Incident Number	Incident ORI
05/01/2014 12:44:59	261 HOLLOWAY LN		FA	54	FD - Fire Alarm Residential	2014-00001956	TX1990300
	: 1						
05/01/2014 12:44:59	261 HOLLOWAY LN		FA	54	FD - Fire Alarm Residential	2014-00000131	TX402
	: 1						
05/02/2014 09:03:50	3025 LIMESTONE HILL LN	Springer Elementary	FA	194	FD - Fire Alarm Commercial	2014-00000391	TX504
05/04/2014 17:10:03	2548 S FM 549		FA	631	FD - Fire Alarm Residential	2014-00000398	TX504
05/05/2014 18:13:40	1529 STEWART DR		FA	825	FD - Fire Alarm Residential	2014-00000402	TX504
05/06/2014 00:53:03	101 E RUSK ST	Rockwall County Courthouse	FA	870	FD - Fire Alarm Commercial	2014-00000403	TX504
05/06/2014 18:33:36	3104 BOURBON STREET CIR		FA	995	FD - Fire Alarm Residential	2014-00000405	TX504
	: 5						
05/06/2014 21:59:07	102 GAINES CT		FA	1021	FD - Fire Alarm Residential	2014-00000230	TX301
	: 1						
05/08/2014 11:11:15	1623 LAURENCE DR	Fulton Academy	FA	1268	FD - Fire Alarm Commercial	2014-00000137	TX402
	: 1						
05/08/2014 11:14:18	500 TURTLE COVE BLVD	Church Ministries, Rockwall Executive Suites, Wallace Homes	FA	1269	FD - Fire Alarm Commercial	2014-00000411	TX504
05/10/2014 10:27:32	2051 TRAIL GLEN DR	Jones Elementary	FA	1625	FD - Fire Alarm Commercial	2014-00000420	TX504
	: 2						
05/11/2014 14:04:01	201 HUBBARD DR		FA	1833	FD - Fire Alarm Residential	2014-00000141	TX402
	: 1						
05/11/2014 22:41:25	1325 S GOLIAD ST		FA	1910	FD - Fire Alarm Residential	2014-00000423	TX504
	: 1						
05/12/2014 12:42:52	201 HUBBARD DR		FA	2002	FD - Fire Alarm Commercial	2014-00000144	TX402
	: 1						
05/13/2014 00:18:07	765 E I 30	Home Depot	FA	2075	FD - Fire Alarm Commercial	2014-00000428	TX504
	: 1						
05/13/2014 08:35:20	801 LAURENCE DR	rhhs, Rockwall Heath High School	FA	2117	FD - Fire Alarm Commercial	2014-00000146	TX402
	: 1						
05/14/2014 13:42:06	765 E INTERSTATE 30		FA	2340	FD - Fire Alarm Commercial	2014-00000431	TX504
	: 1						
05/15/2014 06:10:22	166 YORKSHIRE DR		FA	2445	FD - Fire Alarm Residential	2014-00002162	TX1990300
	: 1						
05/15/2014 06:10:22	166 YORKSHIRE DR		FA	2445	FD - Fire Alarm Residential	2014-00000150	TX402
	: 1						

05/17/2014 15:57:09	225 E RALPH HALL PKWY	Autumn Leaves	FA	2930	FD - Fire Alarm Commercial	2014-00000436	TX504
	: 1						
05/20/2014 12:50:51	107 GRANT DR		FA	3439	FD - Fire Alarm Residential	2014-00003071	TX1990800
	: 1						
05/20/2014 12:50:51	107 GRANT DR		FA	3439	FD - Fire Alarm Residential	2014-00000249	TX301
	: 1						
05/21/2014 00:17:22	112 E RUSK ST	Fatted Calf	FA	3568	FD - Fire Alarm Commercial	2014-00000443	TX504
05/21/2014 18:51:42	1640 AVONLEA DR		FA	3692	FD - Fire Alarm Residential	2014-00000445	TX504
05/22/2014 19:58:58	1650 S JOHN KING BLVD	Mansion Family	FA	3866	FD - Fire Alarm Commercial	2014-00000450	TX504
05/22/2014 20:21:50	963 E I 30	Bed Bath & Beyond 9 (Rockwall Crossing #4)	FA	3872	FD - Fire Alarm Commercial	2014-00000451	TX504
05/24/2014 17:48:39	6 SHADYDALE LN		FA	4239	FD - Fire Alarm Residential	2014-00000457	TX504
05/28/2014 15:19:11	251 VICTORY LN		FA	4912	FD - Fire Alarm Residential	2014-00000462	TX504
05/31/2014 11:04:49	2055 SUMMER LEE DR	Hilton, Hilton Hotel	FA	5470	FD - Fire Alarm Commercial	2014-00000472	TX504
05/31/2014 20:47:43	108 E WASHINGTON ST	Center, The, The Center	FA	5532	FD - Fire Alarm Commercial	2014-00000473	TX504
	: 8						

City of Rockwall

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Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail: Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2014-064	05/01/14 COMM	40	102 N SAN JACINTO HALL BUILDING - BATHROOM	HALL, J BLAKELEY	Ariana Hargrove	FIRE 972-772-6431		05/01/14	05/11/14	
CO2014-0054	05/01/14 CO	40	904 GOLIAD ST. N HOARDSTROMS	HOLLIMAN, ANDREA	Ariana Hargrove	FIRE CO	APPROVED	05/01/14	05/04/14	05/01/14
CO2014-0055	05/01/14 CO	40	1352 MIMS A. R. HOLDINGS	D, & A REAL ESTATE PARTNERS LTD	Ariana Hargrove	FIRE CO	APPROVED	05/01/14	05/04/14	05/01/14
PLB2014-015	05/01/14 COMM	40	118 NATIONAL DR. INSTALL DOUBLE CHECK VALVE AT METER	R, TEX PROPERTIES LP	Ariana Hargrove	FIRE 972-772-6431		05/01/14	05/11/14	
BLD2013-190	12/12/13 COMM	180	2650 Champions Shores HOA Clubhouse	SHORES, COUNTRY CLUB LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	05/02/14	05/12/14	05/02/14
PLB2014-015	05/02/14 COMM	39	2951 RIDGE ROAD 119 INSTALL TANKLESS WATER HEATER	REGENCY, CENTERS LP	Ariana Hargrove	FIRE 972-772-6431		05/02/14	05/12/14	
BLD2014-066	05/06/14 COMM	35	704 Throckmorton S. Barney Barnhill - adding concrete sidewalk / wood walkway	MILLER, FRANK	Ariana Hargrove	FIRE 972-772-6431	APPROVED	05/06/14	05/16/14	05/06/14
BLD2014-066	05/06/14 COMM	35	950 Sids Rd Rayburn Electric - New Construction	RAYBURN, COUNTRY ELECTRIC CORP INC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	05/06/14	05/16/14	05/08/14
BLD2014-067	05/06/14 COMM	35	2083 Summer Lee Dr. En Fuego - fence for patio	MARIAH, BAY DEVELOPMENT INC	Ariana Hargrove	FIRE 972-772-6431		05/06/14	05/16/14	
CO2014-0056	05/06/14 CO	35	102 N SAN JACINTO ST Vintage Home	HALL, J BLAKELEY	Ariana Hargrove	FIRE CO	APPROVED	05/06/14	05/09/14	05/06/14
CO2014-0057	05/08/14 CO	33	2309 S Goliad St 103 Donut Station #4	LEVO, GROUP LLC	Ariana Hargrove	FIRE CO	APPROVED	05/08/14	05/11/14	05/08/14
BLD2014-063	04/29/14 COMM	42	2600 CHAMPIONS CIR SHORES COUNTRY CLUB SWIMMING POOL	SHORES, COUNTRY CLUB LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	05/09/14	05/19/14	05/09/14
BLD2014-069	05/12/14 COMM	29	794 Bordeaux Dr B Stone Creek ph 5 - Irrigation for Common Areas	STONE, CREEK BALANCE LTD	Ariana Hargrove	FIRE 972-772-6431		05/12/14	05/22/14	
PLB2014-016	05/12/14 COMM	29	1043 IH 30 E WATER HEATER INSTALLATION	OLIVE GARDEN	Ariana Hargrove	FIRE 972-772-6431		05/12/14	05/22/14	
BLD2014-054	04/21/14 COMM	50	2800 Discovery Blvd. L-3 Communications - Remodel	TREADWELL, FAMILY TRUST &	Ariana Hargrove	FIRE 972-772-6431	APPROVED	05/13/14	05/23/14	05/13/14
BLD2014-069	05/09/14 COMM	32	2600 Champions Dr. Restroom for Pool area - Shores Country Club	SHORES, COUNTRY CLUB LLC	Ariana Hargrove	FIRE 972-772-6431	DENIED	05/13/14		05/13/14
CO2014-0058	05/13/14 CO	28	621 WHITE HILLS TOP FEET	EVANS, JIMMIE	Ariana Hargrove	FIRE CO	APPROVED	05/13/14	05/16/14	05/16/14
PLB2014-016	05/14/14 COMM	27	3150 Horizon install 2 a.D. smith LW750 Domestic W/H units	ROCKWALL, REGIONAL HOSPITAL LLP	Ariana Hargrove	FIRE 972-772-6431		05/14/14	05/24/14	

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Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
SPEC2014-00	05/14/14	27	782 I30	WAL-MART, REAL ESTATE	Ariana Hargrove	FIRE 972-772-6431	APPROVED	05/14/14	05/21/14	05/15/14
	SPECIAL EVENT		WAL-MART SUMMER GRILLING EVENT							
BLD2014-072	05/15/14	26	2235 Goliad St S	CPI, MORTGAGE INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431		05/15/14	05/25/14	
	COMM		Luby's / Fuddrucker's - Irrigation							
CO2014-0059	05/15/14	26	2901 Village Dr.	EAGLE, SEIKI SALES LTD	Ariana Hargrove	FIRE CO	APPROVED	05/15/14	05/18/14	05/15/14
	CO		Snuffers Restaurant & Bar							
BLD2014-062	04/28/14	43	3021 Ridge Rd. 103	PS5, PROPERTIES LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	05/16/14	05/26/14	05/16/14
	COMM		Rockwall Super Drugs - Interior Completion							
BLD2014-072	05/16/14	25	130 LAKE MEADOWS DR	BENT, CREEK REAL ESTATE PARTNERS LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	05/16/14	05/26/14	05/19/14
	COMM		10 x 12 STORAGE (ATTACHED TO BUIDLING) BUILDING FOR BENT CR							
PLB2014-017	05/16/14	25	1250 IH 30 E	TOYOTO OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431		05/16/14	05/26/14	
	COMM		BACKFLOW DEVICE INSTALL							
CO2014-0060	05/19/14	22	2014 Goliad St S 140	FOLSOM, ROBERT S	Ariana Hargrove	FIRE CO	APPROVED	05/19/14	05/22/14	05/19/14
	CO		India Garden							
CO2014-0061	05/19/14	22	641 White Hills Dr.	EVANS, JIMMIE	Ariana Hargrove	FIRE CO	APPROVED	05/19/14	05/22/14	05/20/14
	CO		Terry Elliott Realtors							
TCO2014-000	05/22/14	19	550 IH 30	ROCKWALL, SUMMIT PARTNERS LLC	Ariana Hargrove	FIRE CO	APPROVED	05/22/14	05/25/14	05/23/14
	TCO		Mellow Mushroom							
BLD2014-066	05/06/14	35	950 Sids Rd	RAYBURN, COUNTRY ELECTRIC CORP INC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	05/23/14	06/02/14	05/28/14
	COMM		Rayburn Electric - New Construction							
BLD2014-073	05/21/14	20	2845 RIDGE RD 215	STEGER, TOWNE CROSSING II LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	05/23/14	06/02/14	05/23/14
	COMM		BUILDING WALLS FOR HAPPY FEET							
PLB2014-018	05/27/14	14	GOLIAD	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431		05/27/14	06/06/14	
	COMM									
PLB2014-018	05/27/14	14	904 GOLIAD ST N	HOLLIMAN, ANDREA	Ariana Hargrove	FIRE 972-772-6431		05/27/14	06/06/14	
	COMM		INSTALL DOUBLE CHECK BY METER AND EXPANSION TANK AT WATER H							
SPEC2014-01	05/22/14	19	561 I30 E	BENT, TREE REALTY CO	Ariana Hargrove	FIRE 972-772-6431	APPROVED	05/27/14	05/30/14	05/27/14
	SPECIAL EVENT		2nd ANNIVERSARY-PIZZA GETTI							
BLD2014-073	05/21/14	20	2845 RIDGE RD 215	STEGER, TOWNE CROSSING II LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	05/28/14	06/07/14	05/28/14
	COMM		BUILDING WALLS FOR HAPPY FEET							
BLD2014-076	05/28/14	13	811 Yellow Jacket Ln 102	LANDLOW, LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	05/28/14	06/07/14	05/29/14
	COMM		Rockfit Nutrition - Interior Remodel							
BLD2014-078	05/29/14	12	670 E I30	MUZNA, REAL ESTATE INC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	05/29/14	06/08/14	06/03/14
	COMM		Denny'sCover Walkway w/ shed roof							
PLB2014-018	05/29/14	12	980 SIDS RD	RAYBURN, COUNTRY ELECTRIC CORP INC	Ariana Hargrove	FIRE 972-772-6431		05/29/14	06/08/14	
	COMM		Replacing D/C Valve							
CO2014-0062	05/30/14	11	2235 Goliad St S 101	CPI, MORTGAGE INVESTORS LP	Ariana Hargrove	FIRE CO	APPROVED	05/30/14	06/02/14	05/30/14
	CO		Luby's							

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Permit Routing Report By Date Sent (then by permit)

For the Period 5/1/2014 thru 5/31/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2014-0063	05/30/14	11	308 E WASHINGTON	Butch Clark	Ariana Hargrove	FIRE CO	APPROVED	05/30/14	06/02/14	05/30/14
	CO		Alphagraphics of Rockwall							

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 5/1/2014 thru 5/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
CIP2009-015	09/01/2009		CAPITAL IMPROVEMENT	1,743	Amy Williams Assistant City Engineer	COMMENTS 5/20/2014
CIP2009-015	09/01/2009		CAPITAL IMPROVEMENT	1,743	Amy Williams Assistant City Engineer	APPROVED 5/22/2014
E2014-003	01/24/2014		ENGINEERING HWY276	137	Kathleen Moreno Engineering: Engineer	COMMENTS 5/19/2014
E2014-003	01/24/2014		ENGINEERING HWY276	137	Curtis McAden Water Department	COMMENTS 5/13/2014
E2014-003	01/24/2014		ENGINEERING HWY276	137	Billy Chaffin Street Department	COMMENTS 5/21/2014
E2014-003	01/24/2014		ENGINEERING HWY276	137	Bruce Hanby Engineering: Technician	COMMENTS 5/12/2014
E2014-003	01/24/2014		ENGINEERING HWY276	137	Tim Tumulty City Engineer	COMMENTS 5/20/2014
E2014-003	01/24/2014		ENGINEERING HWY276	137	Amy Williams Assistant City Engineer	COMMENTS 5/19/2014
E2014-003	01/24/2014		ENGINEERING HWY276	137	Ariana Hargrove Engineering: Fire	COMMENTS 5/16/2014
E2014-003	01/24/2014		ENGINEERING HWY276	137	Steve Clawson Sewer Department	COMMENTS 5/13/2014
E2014-006	02/03/2014		ENGINEERING 937 WILLIAMS ST	127	Ariana Hargrove Engineering: Fire	APPROVED 5/6/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	57	Kathleen Moreno Engineering: Engineer	COMMENTS 5/19/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	57	Ariana Hargrove Engineering: Fire	COMMENTS 5/16/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	57	Bruce Hanby Engineering: Technician	COMMENTS 5/15/2014

City of Rockwall
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Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	57	Steve Clawson Sewer Department	COMMENTS 5/20/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	57	Billy Chaffin Street Department	COMMENTS 5/16/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	57	Amy Williams Assistant City Engineer	COMMENTS 5/15/2014
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	57	Amy Williams Assistant City Engineer	COMMENTS 5/15/2014
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	57	Kathleen Moreno Engineering: Engineer	COMMENTS 5/19/2014
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	57	Bruce Hanby Engineering: Technician	COMMENTS 5/15/2014
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	57	Billy Chaffin Street Department	COMMENTS 5/16/2014
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	57	Steve Clawson Sewer Department	APPROVED 5/20/2014
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	57	Ariana Hargrove Engineering: Fire	COMMENTS 5/16/2014
E2014-016	05/13/2014		ENGINEERING	28	Billy Chaffin STREET DEPARTMEN	COMMENTS 5/21/2014
E2014-016	05/13/2014		ENGINEERING	28	Bruce Hanby ENG-TECH	COMMENTS 5/19/2014
E2014-016	05/13/2014		ENGINEERING	28	Kathleen Moreno ENG-ENGINEER	COMMENTS 5/19/2014
E2014-016	05/13/2014		ENGINEERING	28	Ariana Hargrove ENG - FIRE	APPROVED 5/16/2014
E2014-016	05/13/2014		ENGINEERING	28	Amy Williams ASSISTANT CITY ENC	COMMENTS 5/19/2014
E2014-016	05/13/2014		ENGINEERING	28	Tim Tumulty CITY ENGINEER	COMMENTS 5/14/2014

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 5/1/2014 thru 5/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-016	05/13/2014		ENGINEERING	28	Steve Clawson	COMMENTS
					SEWER DEPARTMEN	5/13/2014
E2014-016	05/13/2014		ENGINEERING	28	Curtis McAden	COMMENTS
					WATER DEPARTMEN	5/13/2014
E2014-017	05/15/2014		ENGINEERING	26	Amy Williams	COMMENTS
			3110 HORIZON RD		ASSISTANT CITY ENC	5/19/2014
E2014-017	05/15/2014		ENGINEERING	26	Ariana Hargrove	COMMENTS
			3110 HORIZON RD		ENG - FIRE	5/23/2014
E2014-017	05/15/2014		ENGINEERING	26	Kathleen Moreno	COMMENTS
			3110 HORIZON RD		ENG-ENGINEER	5/20/2014
E2014-017	05/15/2014		ENGINEERING	26	Curtis McAden	APPROVED
			3110 HORIZON RD		WATER DEPARTMEN	5/29/2014
E2014-017	05/15/2014		ENGINEERING	26	Steve Clawson	APPROVED
			3110 HORIZON RD		SEWER DEPARTMEN	5/20/2014
E2014-017	05/15/2014		ENGINEERING	26	Billy Chaffin	APPROVED
			3110 HORIZON RD		STREET DEPARTMEN	5/21/2014
E2014-017	05/15/2014		ENGINEERING	26	Tim Tumulty	COMMENTS
			3110 HORIZON RD		CITY ENGINEER	5/20/2014
E2014-017	05/15/2014		ENGINEERING	26	Bruce Hanby	COMMENTS
			3110 HORIZON RD		ENG-TECH	5/20/2014
E2014-018	05/27/2014		ENGINEERING	14	Ariana Hargrove	COMMENTS
			1861 SH276		ENG - FIRE	6/2/2014
E2014-018	05/27/2014		ENGINEERING	14	Curtis McAden	APPROVED
			1861 SH276		WATER DEPARTMEN	5/29/2014
E2014-018	05/27/2014		ENGINEERING	14	Steve Clawson	COMMENTS
			1861 SH276		SEWER DEPARTMEN	6/6/2014
E2014-018	05/27/2014		ENGINEERING	14	Billy Chaffin	APPROVED
			1861 SH276		STREET DEPARTMEN	6/9/2014
E2014-018	05/27/2014		ENGINEERING	14	Kathleen Moreno	COMMENTS
			1861 SH276		ENG-ENGINEER	5/30/2014

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 5/1/2014 thru 5/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-018	05/27/2014		ENGINEERING 1861 SH276	14	Amy Williams ASSISTANT CITY ENC	COMMENTS 5/28/2014
E2014-018	05/27/2014		ENGINEERING 1861 SH276	14	Tim Tumulty CITY ENGINEER	COMMENTS 6/4/2014
E2014-018	05/27/2014		ENGINEERING 1861 SH276	14	Bruce Hanby ENG-TECH	COMMENTS 5/28/2014
H2014-002	05/02/2014		HISTORIC 105 OLIVE ST	39	PLANNING	
MIS2014-007	05/16/2014		MISCELLANEOUS 105 WEATHERLY CIR	25	JoDee Sanford Planning Department	
P2014-012	05/16/2014		PLAT 807 N GOLIAD	25	JoDee Sanford PLANNING	
P2014-012	05/16/2014		PLAT 807 N GOLIAD	25	Amy Williams ENGINEERING	COMMENTS 5/20/2014
P2014-012	05/16/2014		PLAT 807 N GOLIAD	25	Ariana Hargrove FIRE	APPROVED 5/21/2014
P2014-012	05/16/2014		PLAT 807 N GOLIAD	25	Lance Singleton GIS	
P2014-012	05/16/2014		PLAT 807 N GOLIAD	25	John Shannon BUILDING	APPROVED 5/20/2014
P2014-013	05/27/2014		PLAT 980 SIDS RD	14	Lance Singleton GIS	APPROVED 5/28/2014
P2014-013	05/27/2014		PLAT 980 SIDS RD	14	Amy Williams ENGINEERING	COMMENTS 5/27/2014
P2014-013	05/27/2014		PLAT 980 SIDS RD	14	Ariana Hargrove FIRE	APPROVED 5/29/2014
P2014-013	05/27/2014		PLAT 980 SIDS RD	14	JoDee Sanford PLANNING	COMMENTS 5/28/2014
P2014-013	05/27/2014		PLAT 980 SIDS RD	14	John Shannon BUILDING	APPROVED 5/27/2014

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 5/1/2014 thru 5/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
SP2014-006	04/21/2014		SITE PLAN 1861 SH276	50	Amy Williams Engineering Department	APPROVED 5/7/2014
SP2014-006	04/21/2014		SITE PLAN 1861 SH276	50	Ariana Hargrove FIRE	APPROVED 5/13/2014
SP2014-006	04/21/2014		SITE PLAN 1861 SH276	50	John Shannon Building Inspections Dep	APPROVED 5/8/2014
SP2014-006	04/21/2014		SITE PLAN 1861 SH276	50	JoDee Sanford Planning Department	
SP2014-007	04/21/2014		SITE PLAN 105 ST MARYS ST	50	John Shannon Building Inspections Dep	APPROVED 5/8/2014
SP2014-007	04/21/2014		SITE PLAN 105 ST MARYS ST	50	Ariana Hargrove FIRE	
SP2014-007	04/21/2014		SITE PLAN 105 ST MARYS ST	50	Amy Williams Engineering Department	COMMENTS 5/7/2014
SP2014-008	05/19/2014		SITE PLAN 930 E I30	22	Lance Singleton GIS	APPROVED 5/21/2014
SP2014-008	05/19/2014		SITE PLAN 930 E I30	22	Ariana Hargrove FIRE	APPROVED 5/21/2014
SP2014-008	05/19/2014		SITE PLAN 930 E I30	22	Amy Williams ENGINEERING	COMMENTS 5/20/2014
SP2014-008	05/19/2014		SITE PLAN 930 E I30	22	Ryan Miller PLANNING	APPROVED W/ 5/21/2014
SP2014-008	05/19/2014		SITE PLAN 930 E I30	22	John Shannon BUILDING	APPROVED 5/20/2014
SP2014-009	05/19/2014		SITE PLAN 254 RANCH TRL	22	John Shannon BUILDING	APPROVED 5/22/2014
SP2014-009	05/19/2014		SITE PLAN 254 RANCH TRL	22	Lance Singleton GIS	
SP2014-009	05/19/2014		SITE PLAN 254 RANCH TRL	22	Amy Williams ENGINEERING	COMMENTS 5/20/2014

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 5/1/2014 thru 5/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	---------- Plan Review Detail ---------- Contact / Review Type	Status / Completed
SP2014-009	05/19/2014		SITE PLAN 254 RANCH TRL	22	David Gonzales PLANNING	COMMENTS 5/21/2014
SP2014-009	05/19/2014		SITE PLAN 254 RANCH TRL	22	Ariana Hargrove FIRE	COMMENTS 5/23/2014
Z2014-015	05/16/2014		ZONING 921 N ALAMO	25	John Shannon BUILDING	
Z2014-015	05/16/2014		ZONING 921 N ALAMO	25	Ariana Hargrove FIRE	
Z2014-015	05/16/2014		ZONING 921 N ALAMO	25	Amy Williams ENGINEERING	
Z2014-015	05/16/2014		ZONING 921 N ALAMO	25	David Gonzales PLANNING	
Z2014-016	05/19/2014		ZONING 5205 S FM549	22	Ariana Hargrove FIRE	APPROVED 5/23/2014
Z2014-016	05/19/2014		ZONING 5205 S FM549	22	Amy Williams ENGINEERING	APPROVED W/ 5/20/2014
Z2014-016	05/19/2014		ZONING 5205 S FM549	22	Ryan Miller PLANNING	APPROVED W/ 5/21/2014
Z2014-016	05/19/2014		ZONING 5205 S FM549	22	John Shannon BUILDING	APPROVED 5/22/2014
Z2014-017	05/27/2014		ZONING	14	Ryan Miller PLANNING	
Z2014-017	05/27/2014		ZONING	14	Amy Williams ENGINEERING	
Z2014-017	05/27/2014		ZONING	14	Ariana Hargrove FIRE	

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Rockwall Police Department
Harbor District Calls For Service
May 2014

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2014-00015068	05/12/2014	09:37:47	Agave	Alarm-BUSN	False Alarm
2014-00013888	05/02/2014	07:01:58	Agave	Alarm-BUSN	False Alarm
2014-00014990	05/11/2014	16:27:00	Agave	Disturbance	No Report
2014-00014343	05/05/2014	21:22:12	Agave	Disturbance	No Report
2014-00015164	05/13/2014	08:54:13	Campisi Pizza	Alarm-BUSN	False Alarm
2014-00015022	05/11/2014	21:59:44	Cinemark	Intoxicated	No Report
2014-00015585	05/16/2014	20:14:55	El Portillo De La Sandia	Suspicious Activity	No Report
2014-00013861	05/01/2014	22:06:16	En Fuego	Disturbance	No Report
2014-00013824	05/01/2014	16:23:26	Glorias Restaurant	Disturbance	No Report
2014-00015467	05/15/2014	18:56:01	Hilton	Investigation	No Report
2014-00015772	05/18/2014	04:13:32	Hilton	Ordinance Violation	No Report
2014-00014593	05/08/2014	03:00:51	Hilton	Suspicious Activity	Unable to Locate
2014-00016093	05/20/2014	19:12:46	Hollywood Nails & Spa	Burglary	Report
2014-00016349	05/22/2014	19:46:54	The Harbor	Meet Complainant	No Report
2014-00002256	05/22/2014	19:46:54	The Harbor	Meet Complainant	No Report
2014-00015478	05/15/2014	21:19:57	The Harbor	Missing Person	No Report
2014-00016624	05/24/2014	22:07:10	The Harbor	Suspicious Activity	Unable to Locate
2014-00014186	05/04/2014	15:05:02	The Harbor	Welfare Concern	No Report
2014-00016240	05/21/2014	20:50:13	Zeus Botique	Alarm-BUSN	No Report
			Common Name		
			The Harbor	5	
			Agave	4	
			Hilton	3	
			Campisi Pizza	1	
			Cinemark	1	
			El Portillo De La Sandia	1	
			En Fuego	1	
			Glorias Restaurant	1	
			Hollywood Nails & Spa	1	
			Zeus Botique	1	
			Total	**19**	

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Airport Operations Report

For Month of May 2014

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	528.00	$2,455.20
Av-Gas Sales	3,503.40	$17,692.38
TOTAL FUEL SALES	4,031.40	$20,147.58

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$1,890.00
Terminal Office Rental Revenue	$250.00
Closed Hangar Rental Revenue	$120.00
North Maintenance Hangar Rental Revenue	$500.00
TOTAL HANGAR RENTALS	$2,760.00

HANGAR OCCUPANCY RATES

	QTY AVAILABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	30	66.67%
Terminal Office Rentals	1	1	100%
Closed Hangar Rentals	1	1	100%
Open Hangar Cap Rentals	1	1	100%
TOTAL HANGAR OCCUPANCY	48	33	69%

AIRCRAFT OPERATIONS

ESTIMATED FLIGHT OPERATIONS	SINGLE ENGINE RECIP	SINGLE ENGINE TURBINE	MULTI-ENGINE RECIP	MULTI-ENGINE TURBINE
In-Bound Based Aircraft				
Inbound Transient Aircraft				
Outbound Based Aircraft				
Outbound Transient Aircraft				
TOTAL FLIGHT OPERATIONS	0	0	0	0

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$403.14	$403.14
City Owned Hangar Rentals	5.00%	$138.00		$0.00
TOTAL FEES DUE		$138.00	$403.14	$541.14

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
MAY 2014

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	9	8	1	89%
ADMINISTRATIVE SERVICES	1	1	0	100%
AIRPORT	14	14	0	100%
ANIMAL SERVICES	1	1	0	100%
BUILDING INSPECTIONS / CODE ENFORCEMENT	1	1	0	100%
ENGINEERING	7	7	0	100%
FINANCE	1	1	0	100%
FIRE DEPARTMENT	35	35	0	100%
INTERNAL OPERATIONS	102	102	0	100%
MUNICIPAL COURT	7	7	0	100%
PARKS & RECREATION	28	24	4	86%
PLANNING & ZONING	0	0	0	0%
POLICE DEPARTMENT	49	46	3	94%
PUBLIC WORKS	4	4	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	259	251	8	97%

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
MAY 2014

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT	0	0	0	100%
FIRE DEPARTMENT	11	11	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	1	1	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	9	9	0	100%
PUBLIC WORKS	0	0	0	100%
UTILITY BILLING	0	0	0	100%
HEATH DEPT. PUBLIC SAFETY	1	1	0	100%
HOSPITAL CONTROL STATIONS	1	1	0	100%
SYSTEM ISSUES	2	2	0	100%
TOTAL	25	25	0	100%

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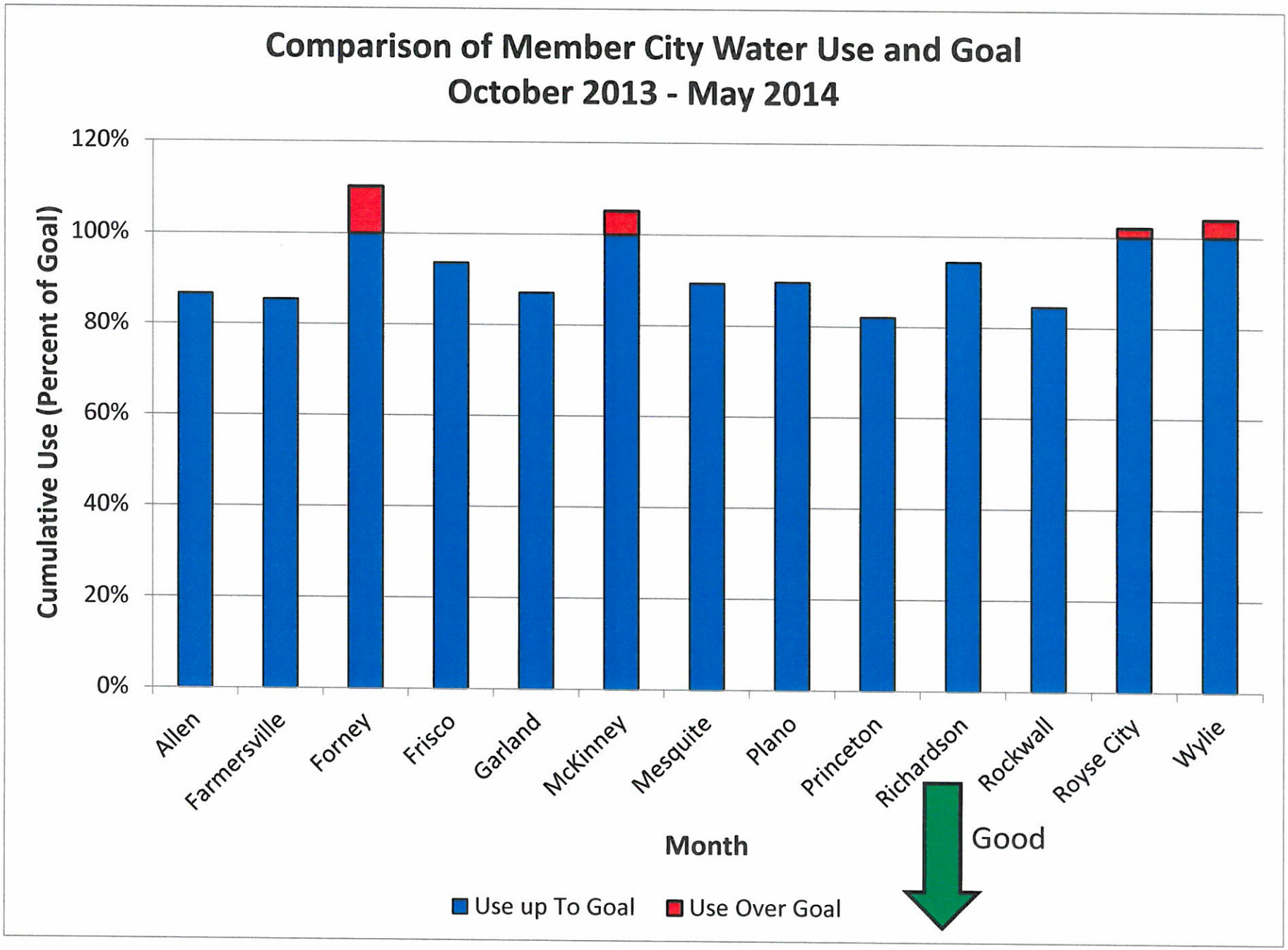
Comparison of Member City Water Use and Goal
October 2013 - May 2014
Cumulative Use (Percent of Goal)
120%
100%
80%
60%
40%
20%
0%
Allen
Farmersville
Forney
Frisco
Garland
McKinney
Mesquite
Plano
Princeton
Richardson
Rockwall
Royse City
Wylie
Month
Good
Use up To Goal
Use Over Goal

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Comparison of Customer City Water Use and Goal
October 2013 - May 2014
Cumulative Use (Percent of Goal)
150%
120%
90%
60%
30%
0%
Ables Springs W.S.C.
Caddo Basin S.U.D.
Cash WSC
College Mound W.S.C.
Copeville S.U.D.
East Fork S.U.D.
Fairview
Fate
Forney Lake W.S.C.
Gastonia Scurry S.U.D.
GTUA
Josephine
Kaufman
Crandall
Lavon W.S.C.
Little Elm
Lucas
Melissa
Milligan W.S.C.
Mount Zion W.S.C.
Murphy
Nevada W.S.C.
North Collin W.S.C.
Parker
Prosper
Rose Hill S.U.D.
Rowlett
Sachse
Seis Lagos U.D.
Sunnyvale
Terrell
Wylie Northeast S.U.D.
Bonham WTP
Direct Customers
Use up To Goal
Use Over Goal
Month
Good

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City of Rockwall
Annual Payment Period 2014 Water Use Goal and Actual Use

Month	Use in 1,000 Gallons										Year to Date Percent Over (Under) Goal
	Actual Use in APP* 2010-11	Reduction for Goal	Reduced Use	Estimated Growth	Goal for Month	APP 2013-14 Year to Date Use Goal	Actual APP 2013-14 Use	Month Percent Over (Under) Goal	Actual APP 2013-14 Year to Date Use	Year to Date Amount Over (Under) Goal	
Oct	298,293	10%	268,464	105.1%	282,129	282,129	215,771	(23.5%)	215,771	(66,358)	(23.5%)
Nov	184,912	10%	166,421	105.1%	174,892	457,021	158,592	(9.3%)	374,363	(82,658)	(18.1%)
Dec	186,856	10%	168,170	105.1%	176,730	633,751	135,421	(23.4%)	509,784	(123,967)	(19.6%)
Jan	173,707	10%	156,336	105.1%	164,293	798,044	145,635	(11.4%)	655,419	(142,625)	(17.9%)
Feb	108,386	10%	97,547	105.1%	102,512	900,556	131,472	28.3%	786,891	(113,665)	(12.6%)
Mar	207,814	10%	187,033	105.1%	196,553	1,097,109	136,045	(30.8%)	922,936	(174,173)	(15.9%)
Apr	231,968	10%	208,771	105.1%	219,397	1,316,506	164,216	(25.2%)	1,087,152	(229,354)	(17.4%)
May	227,332	10%	204,599	105.1%	215,013	1,531,519	208,632	(3.0%)	1,295,784	(235,735)	(15.4%)
Jun	403,087	10%	362,778	105.1%	381,243	1,912,762					
Jul	491,105	10%	441,995	105.1%	464,493	2,377,255					
Aug	576,487	10%	518,838	105.1%	545,247	2,922,502					
Sep	415,402	10%	373,862	105.1%	392,892	3,315,394					

*APP = Annual Payment Period from October 1 to September 30

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Rockwall Police Department

Monthly Activity Report
May-2014

ACTIVITY	CURRENT MONTH MAY	PREVIOUS MONTH APRIL	YTD 2014	YTD 2013	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	1	-100.00%
Sexual Assault	0		0		
Robbery	0	1	1	4	-75.00%
Aggravated Assault	3	2	12	5	140.00%
Burglary	2	8	26	39	-33.33%
Larceny	41	61	258	223	15.70%
Motor Vehicle Theft	6	3	20	21	-4.76%
TOTAL PART I	**52**	**75**	**317**	**297**	**6.73%**
TOTAL PART II	**139**	**142**	**668**	**592**	**12.84%**
TOTAL OFFENSES	**191**	**217**	**985**	**889**	**10.80%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	27	13	79	54	46.30%
D.W.I.	25	21	95	82	15.85%
TEEN CURFEW	3	1	7	3	133.33%
ARRESTS					
FELONY	21	21	88	82	7.32%
MISDEMEANOR	85	89	379	366	3.55%
WARRANT ARREST	25	27	142	107	32.71%
JUVENILE	8	9	38	28	35.71%
TOTAL ARRESTS	**139**	**146**	**647**	**583**	**10.98%**
DISPATCH					
CALLS FOR SERVICE	1492	1331	6885	6750	2.00%
ACCIDENTS					
INJURY	10	13	52	52	0.00%
(INJURIES)	12	15	67	68	-1.47%
NON-INJURY	31	47	204	195	4.62%
FATALITY	0	0	0	1	-100.00%
(FATALITIES)	0	0	0	1	-100.00%
TOTAL	**41**	**60**	**256**	**248**	**3.23%**
FALSE ALARMS					
RESIDENT ALARMS	63	48	300	337	-10.98%
BUSINESS ALARMS	121	99	563	486	15.84%
TOTAL FALSE ALARMS	**184**	**147**	**863**	**823**	**4.86%**
Estimated Lost Hours	**121.44**	**97.02**	**569.58**	**543.18**	**4.86%**
Estimated Cost	**$2,888.80**	**$2,307.90**	**$13,549.10**	**$12,921.10**	**4.86%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**6**
Arrests	**5**
Arrest Warrants	**5**
Search Warrants	
Seized	
Methamphetamine	10.8 grams
Xanax	250 pills
Marijuana	9 ounces
Money	$4,500

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Rockwall Police Department

Dispatch and Response Times

May 2014

Police Department

	Average Response Time	
Priority 1		Number of Calls **119**
Call to Dispatch	0:00:24	
Call to Arrival	0:04:56	
% over 7 minutes	22%	
	Average Response Time	
Priority 2		Number of Calls **193**
Call to Dispatch	0:00:43	
Call to Arrival	0:06:15	
% over 7 minutes	33%	
	Average Response Time	
Priority 3		Number of Calls **7**
Call to Dispatch	0:01:57	
Call to Arrival	0:10:52	
% over 7 minutes	43%	
***Priority 4**		Number of Calls **1171**
****Priority 5**		Number of Calls **2**

*Priority 4 call averages are not given because they are calls that do not require an immediate response by police.
**Priority 5 calls are incidents that officers initiate themselves therefore response times are not calculated.

Average dispatch response time goals are as follows:
Priority 1: 30 Seconds
Priority 2: 45 Seconds
Priority 3: 1 Minute

Fire Department

	Average Response Time	
Call to Dispatch	0:00:13	Number of Calls **81**
Call to Arrival	0:06:15	

Overages

Incident No.	Date	Time Rec'd	Call Type	Time Disp	Resp Time	Reason
2014-466	05/28/2014	20:57:16	Traffic Blocking	20:58:41	0:01:25	PD Accident
2014-415	05/08/2014	16:12:57	Wire Down/Arc Transformer	16:16:20	0:03:23	Address would not verify

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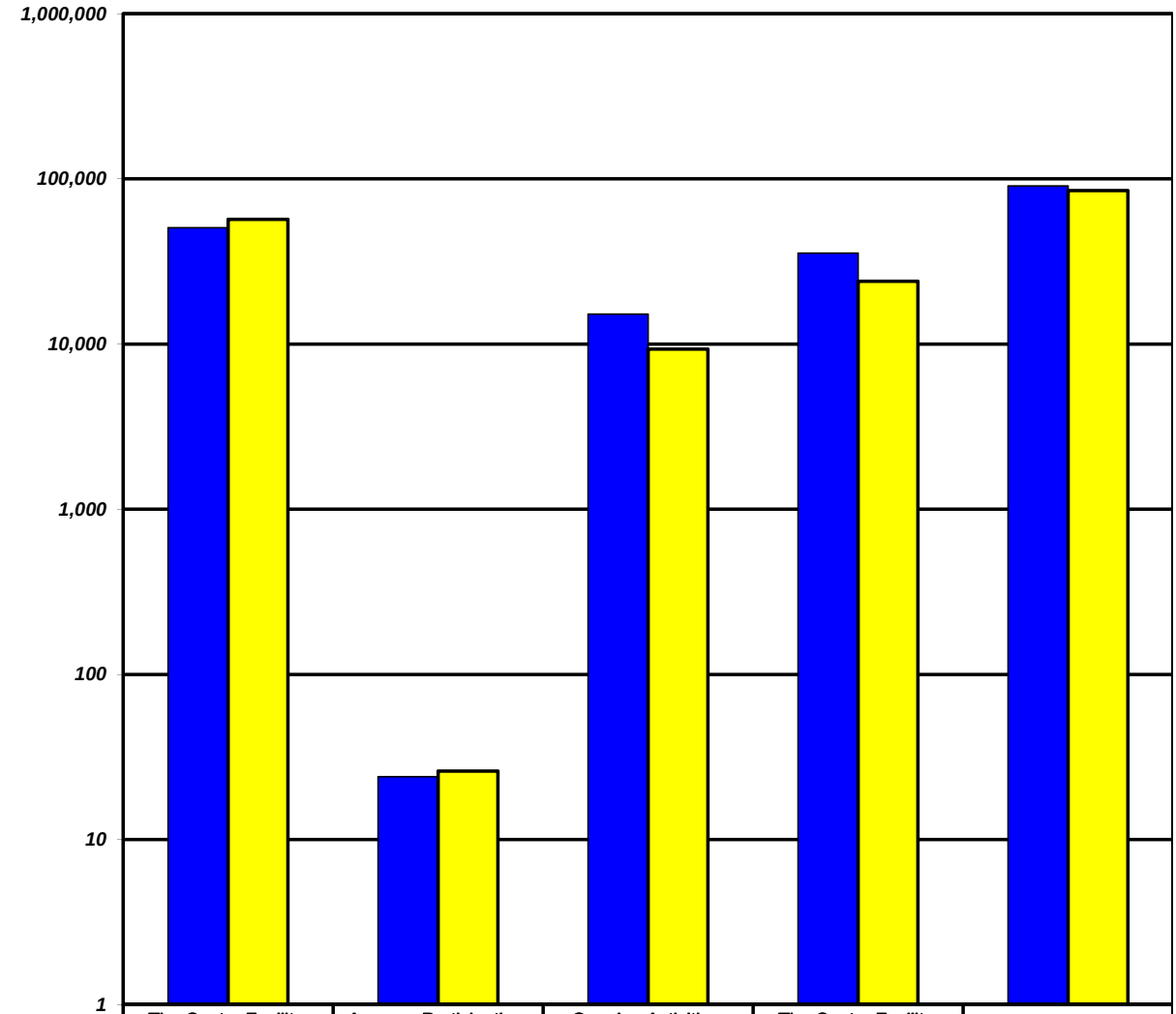
City of Rockwall
Parks and Recreation Department
FY14 May 2014



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY14 YTD	50,544	24	15,197	$35,506	$90,511
FY13 YTD	56,909	26	9,326	$24,002	$85,091

The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.
Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.
Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
May 2014

DISPOSITION REPORT

	May
Intakes	185
1045	2
Adopted	134
Citizen Returned to Owner	0
Returned to Owner	34
Rescued	13
Euthanized	7
Live Outcome %	**95%**
Number of Animals in Foster	3

FINANCIAL REPORT

Income	**May**
City of Rockwall	$102,618
Adoption Fee Income	$10,295
Impound Fee Income	$1,025
Owner Surrender	$1,040
General Donations	$4,689
Merchandise Sales	$0
Medical	$103
Quarantine Fee	$100
Other Income	$0
Total Income	**$119,870**

Expenses	**May**
Administrative Expenses (Payroll, etc)	$36,972
Shelter Expenses (Microchips, Drugs, etc)	$12,386
Veterinary Expenses	$3,925
Professional Services	$390
Insurance	$0
Income Tax	$0
Total Expenses	**$53,673**
Balance	**$66,197**

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2013/14 City of Rockwall In kind values /Meals 3rd Quarter
Meals On Wheels Senior Services

Apr-14		21 Days served
ROUTES	MILES	$
A	266	$148.96
B	190	$106.40
C	646	$361.76
E	589	$329.84
F& K	380	$212.80
H	238	$133.28
I&J	1140	$638.40
RM & R	286.72	$160.56
	3735.72	$2,092.00

	HOURS	$
A	19	$226.29
B	30	$357.30
C	19	$226.29
E	19	$226.29
F & K	40	$476.40
H	19	$226.29
I&J	30	$357.30
RM & R	30	$357.30
	206	$2,453.46

$ Value in kind volunteer services $4,545.46

May-14		21 Days served
ROUTES	MILES	$
A	266	$148.96
B	190	$106.40
C	646	$361.76
E	589	$329.84
F& K	380	$212.80
H	238	$133.28
I&J	1140	$638.40
RM & R	286.72	$160.56
	3735.72	$2,092.00

	HOURS	$
A	19	$226.29
B	30	$357.30
C	19	$226.29
E	19	$226.29
F & K	40	$476.40
H	19	$226.29
I&J	30	$357.30
RM & R	30	$357.30
	206	$2,453.46

$ Value in kind volunteer services $4,545.46

Jun-14		21 Days served
ROUTES	MILES	$
A	266	$148.96
B	190	$106.40
C	646	$361.76
E	589	$329.84
F& K	380	$212.80
H	238	$133.28
I&J	1140	$638.40
RM & R	286.72	$160.56
	3735.72	$2,092.00

	HOURS	$
A	19	$226.29
B	30	$357.30
C	19	$226.29
E	19	$226.29
F & K	40	$476.40
H	19	$226.29
I&J	30	$357.30
RM & R	30	$357.30
	206	$2,453.46

$ Value in kind volunteer services $4,545.46

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Good Friday Holiday Meal/Donated

Jose & Irma Arenallo Sabine Creek	$750.00
Drinks	$50.00
Volunteer Miles & Hrs 165	$225.50
Total April inkind value	**$5,570.96**

Memorial Day Holiday Meal/ Donated
Broadmoor Medical Lodge/ Housewarmers/Royse City

Rehab	$600.00
Drinks	$30.00
Volunteer Miles& Hrs 165	$225.50
Total May inkind value	**$5,400.96**

Total June inkind value $4,545.46

ROCKWALL PROGRAM MEALS by classification
1,904 Home Delivered and Disabled
394 Congregate Centers
Total purchased Meals & Holiday 2,463

ROCKWALL PROGRAM MEALS
1,944 Home Delivered and Disabled
397 Congregate Centers
Total purchased Meals & Holiday 2,506

ROCKWALL PROGRAM MEALS
1,988 Home Delivered and Disabled
356 Congregate Centers
Total Purchased Meals 2,344

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THANK YOU
FOR YOUR
SUPPORT

Sincerely, Margie VerHagen E.D.

Total meals Program Purchased 7,313

VALUE Donated 3rd Quarter 2013/14
$5,570.96 April Total $ 15,517.38
$5,400.96 May
$4,545.46 June

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Table of Contents

Agenda 4

Consider approval of the minutes from the July 7, 2014 regular city council meeting, and take any action necessary.

07-07-14 CC Minutes 9

blank page 22

Consider approval of a resolution authorizing the city manager to execute a Multiple Use Agreement with Texas Department of Transportation for the parking area adjacent to the SH-66 pedestrian lane, and take any action necessary.

memo - mua 23

Resolution MUA 24

MU Agreement 25

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Consider authorizing the city manager to execute a contract with Wall Enterprises for the Phelps Lake Park Improvements Project in the amount of $75,624 to be funded out of the Recreation Development Fund, and take any action necessary.

Memo - Phelps Park 38

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Consider approval of the Engineering Services Agreement with Birkhoff, Hendricks and Carter, L.L.P. to provide various general engineering services for water and wastewater improvements in the City of Rockwall to be paid for from the Water and Sewer Operating Fund, and take any action necessary.

City Manager Memo 40

Engineering Services Agreement 41

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Consider approval of an ordinance amending the Code of Ordinances in Chapter 38. Subdivisions to create a new Article, Article V. related to grading, excavation, earthwork and erosion control for developments, and taking any action necessary. (1st reading)

Erosion Ord_2nd reading 50

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Consider approval of an ordinance (re)establishing prohibition regarding temporary habitation in a public place in Chapter 22. Miscellaneous Offenses, Article I. In General, Section 22-4, and take any action necessary. (2nd reading)

Ord_Temp Habitation_2nd Reading 57

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Z2014-015 - Consider approval of an ordinance for a request by Dennis D. Alsup for the approval of a Specific Use Permit (SUP) for an accessory building that does not conform to the size requirements as specified by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a property in a Single-Family 10 (SF-10) District on a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, zoned Single-Family 10 (SF -10) District, situated within the North Goliad Overlay (NGC OV) District, located at 921 Alamo Road, City of Rockwall, Rockwall County, Texas, and take any action necessary. (2nd Reading)

SUP Ord_2nd Reading 60

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Consider approval of an ordinance at the recommendation of the Airport Subcommittee to designate the Planning and Zoning Commission as the Airport Zoning Commission for the Ralph M. Hall/Rockwall Municipal Airport, and take any action necessary. (2nd reading)

Airport zoning_Ord 2nd reading. 66

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Consider approval of an ordinance amending the Code of Ordinances in Chapter 22. Miscellaneous Offenses, Article II. Offenses Regarding Minors, Division 5. Sex Offender Residency to modify provisions specifying victims' age, to add a section regarding notice to residents of registered sex offenders, and take any action necessary. (2nd reading)

Sex offender Ord_2nd reading 69

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Appointment with Scott Self of Sail with Scott, LLC to discuss and consider approval of a request to extend his commercial boat dock at The Harbor / Lake Ray Hubbard, and take any action necessary.

Dock Extension Request 73

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Appointment with Russell Phelps to discuss retaining wall standards and take any action necessary.

Memo_Phelps Appt Item 76

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Discuss and consider approval of an ordinance amending the Code of Ordinances in Chapter 12, Article III, Section 12 to add Sections 12-66 to 12-68, regulating peddler activities to occupants of vehicles on public roadways in the city and solicitation in public areas, and take any action necessary. (2nd reading)

Ord_Peddlers_2nd reading 78

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Discuss and consider approval of a resolution supporting an application for assistance from the Texas Recreation Parks Account Program through the Texas Parks and Wildlife Department, authorizing the City Manager to enter into a contract with MHS Planning and Design for a grant application submittal, and take any action necessary.

Memo re Stone Creek Grant Application and Resolution 82

MHS Grant Proposal Stone Creek 84
TRPA Resolution Stone Creek 87
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MIS2014-008 - Discuss and consider a request by Marco A. Esparza for a waiver to the Manufactured Home Replacement Minimum Standards as set forth in Exhibit 'C' of Planned Development District 75 (PD-75) [Ordinance No. 09-37] to allow Hardiboard panels in lieu of Hardiboard lap siding for a new manufactured home on a 0.17-acre property identified as Lots 1390, 1391 & 1392, Rockwall Lake Estates #2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District uses, located at 312 Rene Drive, and take any action necessary.

Staff Report 89
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SP2014-011 - Discuss and consider a request by Frank Richardson of Pross Design Group, Inc. on behalf of Channell Commercial Corporation and the Rockwall Economic Development Corporation for the approval of an exception to allow tilt wall as a primary building material and variances to the parking, articulation, building materials, and lighting standards as stipulated by the Unified Development Code for an office and industrial facility on an 18.95-acre tract of land being identified as a 2.006-acre portion of Tract 2-7 of the David Harr Survey, Abstract No. 102 and a 16.944-acre portion of Tract 5 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, being zoned Light Industrial (LI) District, situated within the SH 205 By-Pass Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of Airport Road, and take any action necessary.

Staff Report 98
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SP2014-012 - Discuss and consider a request by Philip Graham, P.E. of Wier & Associates on behalf of the Rockwall Economic Development Corporation and Col-Met Spray Booths for the approval of certain variances to the Unified Development Code for an industrial facility on a 12.0-acre parcel of land identified as a portion of Lot 1, Block B, Rockwall Technology Park, Phase III, City of Rockwall, Rockwall County, Texas, being zoned Light Industrial (LI) District, located east of the intersection of Corporate Crossing (FM-3097) and Discovery Boulevard, and take any action necessary.

Staff Report 134
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Discuss and consider (re)appointments to the city's Historic Preservation Advisory Board, and take any action necessary.

Memo - HPAB 146
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AGENDA
ROCKWALL CITY COUNCIL
Monday, July 21, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations).
2. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (personnel matters)
4. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, July 21, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER WHITE

VII. CONSENT AGENDA

pg9 **1.** Consider approval of the minutes from the July 7, 2014 regular city council meeting, and take any action necessary.

pg23 **2.** Consider approval of a resolution authorizing the city manager to execute a Multiple Use Agreement with Texas Department of Transportation for the parking area adjacent to the SH-66 pedestrian lane, and take any action necessary.

pg38 **3.** Consider authorizing the city manager to execute a contract with Wall Enterprises for the Phelps Lake Park Improvements Project in the amount of $75,624 to be funded out of the Recreation Development Fund, and take any action necessary.

pg40 **4.** Consider approval of the Engineering Services Agreement with Birkhoff, Hendricks and Carter, L.L.P. to provide various general engineering services for water and wastewater improvements in the City of Rockwall to be paid for from the Water and Sewer Operating Fund, and take any action necessary.

pg50 **5.** Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 38. Subdivisions to create a new Article, Article V. related to grading, excavation, earthwork and erosion control for developments, and taking any action necessary. **(1st reading)**

pg57 **6.** Consider approval of an **ordinance** (re)establishing prohibition regarding temporary habitation in a public place in Chapter 22. Miscellaneous Offenses, Article I. In General, Section 22-4, and take any action necessary. **(2nd reading)**

pg60 **7.** **Z2014-015** - Consider approval of an **ordinance** for a request by Dennis D. Alsup for the approval of a Specific Use Permit (SUP) for an accessory building that does not conform to the size requirements as specified by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a property in a Single-Family 10 (SF-10) District on a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, zoned Single-Family 10 (SF-10) District, situated within the North Goliad Overlay (NGC OV) District, located at 921 Alamo Road, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(2nd Reading**)

pg66 **8.** Consider approval of an **ordinance** at the recommendation of the Airport Subcommittee to designate the Planning and Zoning Commission as the Airport Zoning Commission for the Ralph M. Hall/Rockwall Municipal Airport, and take any action necessary. **(2nd reading)**

pg69 **9.** Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 22. Miscellaneous Offenses, Article II. Offenses Regarding Minors, Division 5. Sex Offender Residency to modify provisions specifying victims' age, to add a section regarding notice to residents of registered sex offenders, and take any action necessary. **(2nd reading)**

VIII. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

pg73 **2.** Appointment with Scott Self of Sail with Scott, LLC to discuss and consider approval of a request to extend his commercial boat dock at The Harbor / Lake Ray Hubbard, and take any action necessary.

pg76 **3.** Appointment with Russell Phelps to discuss retaining wall standards and take any action necessary.

IX. ACTION ITEMS

pg78 **1.** Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 12, Article III, Section 12 to add Sections 12-66 to 12-68, regulating peddler activities to occupants of vehicles on public roadways in the city and solicitation in public areas, and take any action necessary. **(2nd reading)**

pg82 **2.** Discuss and consider approval of a resolution supporting an application for assistance from the Texas Recreation Parks Account Program through the Texas Parks and Wildlife Department, authorizing the City Manager to enter into a contract with MHS Planning and Design for a grant application submittal, and take any action necessary.

pg89 **3.** **MIS2014-008** - Discuss and consider a request by Marco A. Esparza for a waiver to the Manufactured Home Replacement Minimum Standards as set forth in Exhibit 'C' of Planned Development District 75 (PD-75) [Ordinance No. 09-37] to allow Hardiboard panels in lieu of Hardiboard lap siding for a new manufactured home on a 0.17-acre property identified as Lots 1390, 1391 & 1392, Rockwall Lake Estates #2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District uses, located at 312 Rene Drive, and take any action necessary.

pg98 **4.** **SP2014-011** - Discuss and consider a request by Frank Richardson of Pross Design Group, Inc. on behalf of Channell Commercial Corporation and the Rockwall Economic Development Corporation for the approval of an exception to allow tilt wall as a primary building material and variances to the parking, articulation, building materials, and lighting standards as stipulated by the Unified Development Code for an office and industrial facility on an 18.95-acre tract of land being identified as a 2.006-acre portion of Tract 2-7 of the David Harr Survey, Abstract No. 102 and a 16.944-acre portion of Tract 5 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, being zoned Light Industrial (LI) District, situated within the SH 205 By-Pass Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of Airport Road, and take any action necessary.

pg134 **5.** **SP2014-012** - Discuss and consider a request by Philip Graham, P.E. of Wier & Associates on behalf of the Rockwall Economic Development Corporation and Col-Met Spray Booths for the approval of certain variances to the Unified Development Code for an industrial facility on a 12.0-acre parcel of land identified as a portion of Lot 1, Block B, Rockwall Technology Park, Phase III, City of Rockwall, Rockwall County, Texas, being zoned Light Industrial (LI) District, located east of the intersection of Corporate Crossing (FM-3097) and Discovery Boulevard, and take any action necessary.

pg146 **6.** Discuss and consider (re)appointments to the city's Historic Preservation Advisory Board, and take any action necessary.

X. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations).
2. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (personnel matters)

4. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).

XI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 18th day of July, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

MINUTES
ROCKWALL CITY COUNCIL
Monday, July 07, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 4:00 p.m. Present were Mayor David Sweet, Mayor Pro Tem Jim Pruitt, and Council Members David White, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza.

II. (4:00 P.M.) WORK SESSION

1. HOLD WORK SESSION TO DISCUSS PROPOSED RESIDENTIAL DEVELOPMENT BY ARCADIA REALTY (BILL GIETEMA).

Mr. Gietema came before Council to present various design options for The Lakes of Summerset located at intersection of 205 and FM 549. General discussion took place and no action was taken at this time.

2. HOLD WORK SESSION TO HEAR UPDATE REGARDING PLAYGROUND SURFACING

Assistant City Manager Brad Griggs gave general update regarding the surface temperatures of playground equipment at the various parks within the city. Mr. Griggs stated that he would bring this item and more information back before Council on a future agenda. No further action was taken.

At 5:01 p.m., Mayor Sweet read the below listed discussion items into the public record before recessing the public meeting into Executive Session.

III. (4:30 P.M.) EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations).
2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

3. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

4. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

Mayor Sweet recessed the Executive Session at 5:28 p.m. to allow Developers JBR2 to explain their proposed alternative plan. Executive Session was then adjourned at 5:54 p.m.

MINUTES
ROCKWALL CITY COUNCIL
Monday, July 07, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

Mayor Sweet reconvened the public meeting at 6:00 p.m. with all seven council members present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER LEWIS

Councilmember Lewis delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS / AWARDS

1. "Texas Sport" Champions Day under 8 years coach pitch baseball team. Mayor Sweet read the proclamation.

Mayor Sweet called forth members of the baseball team. He then read and presented them with a proclamation, recognizing them for their accomplishments during the year.

2. Soroptimist Recognition Day

Mayor Sweet read a proclamation into the record to recognize Soroptimist and their community outreach efforts.

IX. OPEN FORUM

Mayor Sweet explained how Open Forum is conducted and asked if anyone in the audience would like to come forth and speak during this time.

Ruth Peck – 108 Lakedale Drive, Rockwall, Texas
Ms. Peck came forth to discuss Rockwall Music Fest for Labor Day and introduce Michael Manley as the new conductor and further thanked the Council for their continued support.

X. CONSENT AGENDA

1. Consider approval of the minutes from the June 12-14 annual city council retreat, and take any action necessary.

2. Consider approval of the minutes from the June 16, 2014 regular city council meeting, and take any action necessary.

3. Consider authorizing the City Manager to engage Fox, Byrd & Company P.C. as the firm to conduct the City's audit for the fiscal year ending September 30, 2014 and take any action necessary.

4. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 38. Subdivisions to create a new Article, Article V. related to grading, excavation, earthwork and erosion control for developments, and taking any action necessary. **(1st reading)**

5. Consider approval of Change Order No. 1 to City Contract CIP2013-004, Central Water and Sewer Improvements with Barson Utilities, Inc. in the amount of $107,766.25 for additional pavement repairs and related appurtenances with funding from 2008 revenue bonds and take any action necessary.

6. Consider approval of a resolution allowing a temporary partial closure of northbound shoulder of SH 205 from the YMCA facility to Memorial Drive to facilitate the Dirty Rocks Triathlon on Sunday, July 20, 2014 from 7:00 AM to 12:00 PM, and take any action necessary.

7. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 22. Miscellaneous Offenses, Article II. Offenses Regarding Minors, Division 5. Sex Offender Residency to modify provisions specifying victims' age, to add a section regarding notice to residents of registered sex offenders, and take any action necessary. **(1st reading)**

8. **P2014-007** - Consider a request by the Cabana's at Chandler's Landing Homeowner's Association on behalf of the residents of the Cabana's at Chandler's Landing for the approval of a replat of Lots 1-10, Block A, The Cabanas at Chandler's Landing, City of Rockwall, Rockwall County, Texas, for a 1.13-acre portion of a parcel of land identified as the Cabanas at Chandler's Landing, zoned Planned Development District 8 (PD-8) for multi-family or condominium uses as established in Ordinance 73-48 & 84-04, generally located south of Yacht Club Drive and west of Harbor View Drive, and take any action necessary.

9. **P2014-013** - Consider a request by Tommy Pulliam of Pulliam Construction Management Inc. on behalf of Rayburn Electric Cooperation, Inc. for the approval of a final plat for Lots 1-3, Block A, Rayburn Country Addition being 11.407-acres of land situated in the W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District and Agricultural (AG) District, located on the south side of Sids Road west of S. Goliad Street [SH-205], and take any action necessary.

10. **P2014-014** - Consider a request by Rich Houston on behalf of R. Fifty Green Homes, LLC for the approval of a final plat for Lots 1-6, Block A, Solar Village Addition, containing six (6) single family lots on a 2.055-acre tract of land situated within the Rueben Ballard Survey, Abstract No. 29, Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located directly west of the intersection of Williams Street (SH-66) and Caruth Lane, and take any action necessary.

11. Consider approval of the bid award for the FM 3097 Utility Relocation Project contract to War Horse Enterprises, Inc. in the amount of

$135,872.72 to be funded from 2008 revenue bonds, and take any action necessary.

12. **Z2014-012** - Consider approval of an **ordinance** for a request by Master Plan, on behalf of Rockwall SH-205 Venture, LLC, for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger 5.549-acre tract of land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall County, Texas, generally located south of the intersection of the IH-30 frontage road and Townsend Drive, and take any action necessary. **(2nd Reading)**

13. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 12, Article III, Section 12 to add Sections 12-66 to 12-68, regulating peddler activities to occupants of vehicles on public roadways in the city and solicitation in public areas, and take any action necessary. **(1st reading)**

14. Consider approval of an **ordinance** (re)establishing prohibition regarding temporary habitation in a public place in Chapter 22. Miscellaneous Offenses, Article I. In General, Section 22-4, and take any action necessary. **(1st reading)**

Mayor Pro Tem Pruitt pulled items #4, #5 and #13.

Councilmember Lewis made a motion to approve the remaining Consent Agenda items. Councilmember White seconded the motion. The ordinances for #7, #12 and #14 were read as follows:

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 22. MISCELLANEOUS OFFENSES, ARTICLE II. OFFENSES REGARDING MINORS, DIVISION 5. SEX OFFENDER RESIDENCY, SECTIONS 22-136 AND 22-137 TO MODIFY PROVISIONS SPECIFYING VICTIMS AGE; ADDING A SECTION REGARDING NOTICE TO RESIDENTS OF REGISTERED SEX OFFENDERS; PROVIDING FOR SEVERABILITY AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL

ORDINANCE NO. 14-__

SPECIFIC USE PERMIT NO. S-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A SPECIFIC USE PERMIT (SUP) TO ALLOW A MINI-WAREHOUSE FACILITY WITHIN A COMMERCIAL (C) DISTRICT AS SPECIFIED WITHIN ARTICLE IV, *PERMISSIBLE USES*, OF THE UNIFIED DEVELOPMENT CODE, FOR A 2.857-ACRE TRACT OF LAND, BEING A PORTION OF A LARGER 5.549-ACRE TRACT OF LAND IDENTIFIED AS PART OF TRACT 2 OF THE J. CADLE SURVEY, ABSTRACT NO. 65, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY

OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ESTABLISHING A PROHIBITION REGARDING TEMPORARY HABITATION IN PUBLIC PLACES IN CHAPTER 22. MISCELLANEOUS OFFENSES. ARTICLE I. IN GENERAL, SECTION 22-4; PROVIDING FOR SEVERABILITY AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

After the ordinances were read, the motion passed by a vote of 7 ayes to 0 nays.

Mayor Pro Tem Pruitt made a motion to approve Consent Agenda Item #4 contingent upon the proposed ordinance not having an effect on homeowners as it pertains to their yards. Councilmember White seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

Mayor Pro Tem Pruitt pulled item #5 to ask further questions regarding the width of the extension and the delay in repairs. City Engineer Tim Tumulty gave brief history and explanation of the project. Mayor Pro Tem Pruitt made a motion to approve Consent Agenda Item #5. Councilmember Daniels seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

Mayor Pro Tem Pruitt made a motion to approve Consent Agenda Item #13 contingent upon the language of previsions only as it relates to people in private parking lots. Councilmember Daniels seconded the motion. The ordinance for #13 was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 14-___

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 12, ARTICLE III, SECTION 12 BY ADDING SECTION 12-66 TO 12-68 OF THE CODE OF ORDINANCES, REGULATING PEDDLER ACTIVITIES IN THE CITY AND SOLICITATION IN A PUBLIC AREA; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RELATED MATTERS.

After the ordinance was read, the motion passed by a vote of 6 ayes to 1 nays. (White)

XI. APPOINTMENTS

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1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Ms. Kristen Minth of the Planning & Zoning Commission came forth and briefed the council on Z2014-016, indicating that the P&Z Commission denied approval of this item. All other P&Z items passed. No action was taken.

XII. PUBLIC HEARING ITEMS

1. **Z2014-015** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Dennis D. Alsup for the approval of a Specific Use Permit (SUP) for an accessory building that does not conform to the size requirements as specified by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a property in a Single-Family 10 (SF-10) District on a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, zoned Single-Family 10 (SF-10) District, situated within the North Goliad Overlay (NGC OV) District, located at 921 Alamo Road, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix provided background information related to this item, indicating notices were mailed out to sixty-five adjacent property owners located within five hundred feet of the property with two notices being returned in favor. He explained the Planning & Zoning commission did recommend approval of this item.

Mayor Sweet asked if anyone else would like to come forth and speak at this time. There being no one else in the audience wishing to come forth and speak, Mayor Sweet then closed the public hearing.

Councilmember White made a motion to approve Z2014-015. Councilmember Milder seconded the motion. The ordinance for this item was read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-27
SUP NO. 122

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN THE SINGLE-FAMILY RESIDENTIAL (SF-10) DISTRICT ALLOWING FOR AN ACCESSORY BUILDING EXCEEDING THE SIZE REQUIREMENTS, ON THE PROPERTY LOCATED AT 921 ALAMO ROAD, BEING A 0.74-ACRE PARCEL OF LAND IDENTIFED AS A PORTION OF BLOCK 4, GARNER ADDITION, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A'; CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

After the ordinance was read, the motion passed by a vote of 7 ayes to 0 nays.

2. Hold a public hearing to discuss and consider approval of the Land Use Assumptions and Water and Wastewater Capital Improvement Plan related to updating Water and Wastewater Impact Fees, and take any action necessary.

City Engineer Tim Tumulty gave brief background information related to this item, indicating that Matt Hickey with Birkhoff, Hendricks and Carter is present to answer any questions and present their findings regarding the Capital Improvement Plan.

Matt Hickey of Birkhoff, Hendricks and Carter gave a brief presentation regarding the cities Land Use Assumptions and Wastewater Capital Improvement Plan.

Mayor Sweet asked if anyone else would like to come forth and speak at this time. There being no one else in the audience wishing to come forth and speak, Mayor Sweet then closed the public hearing.

Mayor Pro Tem Pruitt made a motion to approve the Land Use Assumption and Wastewater Capital Improvement Plan. Mayor David Sweet seconded the motion. The motion passed unanimously of council, by a vote of 7 ayes to 0 nays.

XIII. ACTION ITEMS

1. **Z2014-017** - Discuss and consider approval of an **ordinance** for a request by Dick Skorburg of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan to allow for additional single-family residential lots and allow for changes to the development standards contained in Exhibit 'C' of Ordinance 12-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary. **(2nd Reading) pass 4 for and 3 against.**

Councilmember White made a motion to approve Z2014-017. Councilmember Lewis seconded the motion. Mayor Pro Tem Pruitt and Councilmember Daniels explained that after further consideration he would not be in favor of lessening the lot size down to sixty feet. The ordinance for this item was read as followed:

CITY OF ROCKWALL
ORDINANCE NO. 14-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 74 (PD-74) [*ORDINANCE NO. 12-26*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE PLANNED DEVELOPMENT CONCEPT PLAN AND THE DEVELOPMENT STANDARDS APPROVED WITH ORDINANCE NO. 12-26, BEING A 405.184-ACRE TRACT OF LAND SITUATED IN THE J. STRICKLAND SURVEY, ABSTRACT NO. 187, T. R. BAILEY SURVEY, ABSTRACT NO. 30 AND THE J. SIMMONS SURVEY, ABSTRACT NO. 190, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

After the ordinance was read, the motion passed by a vote of 4 ayes to 3 nays. (Sweet, Pruitt and Daniels)

2. **Z2014-016** - Discuss and consider approval of an **ordinance** for a request by Scott W. Blackwood for the approval of a zoning change from Agricultural (AG) District to a Planned Development District for limited commercial/retail land uses on a 12.493-acre tract of land identified as Tract 17-14 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, located west of the intersection of SH-205 [S. Goliad Street] and S. FM-549, and take any action necessary**. (1st Reading)** ***(3/4 majority vote required)***

Planning Director Robert LaCroix explained that a Public Hearing for this item has already taken place and was sent back to the Planning and Zoning Commission for further consideration. The applicant revised the zoning, taking out the commercial underlined district and added planned development district with RO zoning.

The applicant(s) came forth, introduced themselves and respectfully asked the council to approve this item without prejudice.

Mayor Pro Tem Pruitt made a motion to deny this request without prejudice. Mayor Sweet seconded the motion. The motion passed by a vote of 6 ayes to 1 nay. (White)

3. Discuss and consider requesting the Planning and Zoning Commission initiate a review of specific aspects of the City's Comprehensive Land Use Plan and take any action necessary.

City Manager Rick Crowley explained that Old Town Neighborhood Association and residents at 304, 306, 308 and 310 Williams Street have requested that their designation in the cities Comprehensive Land Use Plan be changed. Planning Director Robert LaCroix explained the process for approval of this request to go back to the Planning & Zoning Commission for consideration.

Mayor Sweet called forth Sandy Whittley, whom resides at 704 Williams Street and is a representative of the OT Neighborhood Association. Ms. Whittley explained that she was here in support of the council's willingness to work with their association.

After further discussion, Mayor Pro Tem Pruitt made a motion to send this request along with the six other items that were addressed in the memo to council to the Planning and Zoning Commission for consideration. Mayor Sweet seconded the motion. The motion passed by a vote of 7 ayes to 0 nays.

4. Discuss and consider approval of an **ordinance** at the recommendation of the Airport Subcommittee to designate the Planning and Zoning Commission as the Airport Zoning Commission for the Ralph M. Hall/Rockwall Municipal Airport, and take any action necessary. **(1st reading)**

City Manager Rick Crowley explained that this new change would allow for the Planning and Zoning Commission to hear zoning as it relates to the airport, but would have no impact on the operation of the airport. He further explained that this item does require two readings and does not need to go before the Planning and Zoning Commission.

Councilmember White made a motion to approve the ordinance. Councilmember Townsend seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, DESIGNATING THE CITY OF ROCKWALL PLANNING AND ZONING COMMISSION AS THE AIRPORT ZONING COMMISSION; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

5. Discuss and consider a recommendation by the Airport Subcommittee to direct staff to forward the consideration of design guidelines and land use criteria for an Airport Overlay District (AP OV) District to the Planning and Zoning Commission, and take any action necessary.

City Manager Rick Crowley explained that the Airport Subcommittee recommended this item ask P&Z to review and develop land use regulations for an airport zoning overlay district which is more specific toward properties that surrounding the airport for land uses.

Councilmember White made a motion to approve this recommendation. Councilmember Townsend seconded the motion, which passed by a vote of 7 ayes to 0 nays.

6. Discuss and consider a Park Board recommendation regarding a possible amendment to the Code of Ordinances which would prohibit swimming in ponds and lakes in city parks, and take any action necessary.

Assistant City Manager Brad Griggs gave background related to this item explaining that due to a pending drowning lawsuit in another city, the Parks and Recreation Board was asked to consider the proposed ordinance and possible wording as it relates to swimming in ponds. He asked Parks and Recreation Superintendent Andy Hesser to give further details from the PARB meeting. Mr. Hesser explained that the PARB made a unanimous recommendation at the meeting to prohibit recreational swimming only. Much of the discussion and concern was to not reduce the recreational value that the city has at its parks.

City Attorney Frank Garza explained that there are many different ordinances that prohibit such activities such as swimming and wading in lakes and ponds, however, it would be at the council's recommendation as to what the correct wording should be.

After further discussion of council, Mayor Sweet made a motion to move forward with ordering appropriate signage for all the city lakes and ponds that there is no lifeguard on duty. Councilmember White seconded the motion. After comments from Councilmember Lewis that he feels swimming and wading city bodies of water should be prohibited, which passed by a vote of 6 ayes and 1 nay. (Lewis)

7. Discuss and consider establishing procedures for communications with TF-Harbor and other related matters, and take any action necessary.

Mayor David Sweet explained that he would like to encourage leasing at the Harbor in every way possible. However, he would like for representatives of TF Harbor, LLC to come before City Council regarding future special event needs and support provided by the city.

City Manager Rick Crowley further explained the extent of the city's knowledge for the leasing situation at the Harbor and the he has made extensive efforts to gather further information through Senator Ted Cruz's office to better understand the steps that have been made by TF Harbor to get the vacancy issue turned around. Mr. Crowley also mentioned that the city has made investments in the nearby areas surrounding the Harbor.

Council also generally stated they have heard several concerns from citizens regarding the vacant spaces at the Harbor in which they have had to explain that the cities authority is very limited as the Harbor is owned and operated by a private entity.

Mayor Sweet and Mayor Pro Tem Pruitt also explained that the council and staff have made numerous attempts to reach out to TF Harbor regarding these issues and have had no responses on these efforts. Mayor Sweet went on to note that any motion made would not be to stand in the way of the Harbor being leased and also noted that it would not apply to public utilization of said facilities.

Mayor Sweet made a motion that any request relating to TF Harbor hosting any events at the Harbor that are going to require approval of the City of Rockwall, will now come from approval of the City Council. The motion was seconded by Councilmember Milder. The motion passed by a vote of 7 ayes and 0 nays.

XIV. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - May 2014
Fire Department Monthly Reports - May, 2014
Harbor PD Monthly Report - May 2014
Internal Operations Department Monthly Report - May 2014
NTMWD Conservation Monthly Report - May 2014
Police Department Monthly Report - May 2014
Recreation Monthly Report - May 2014
Rockwall Animal Adoption Center Monthly Report - May 2014
Rockwall County Committee on Aging Quarterly Report

2. City Manager's Report

City Manager Rick Crowley gave updates related to water conservation, explaining that the city will continue to be in a once every two week watering schedule and stage 3 water restriction and all conservation goals are within line at this time.

Mr. Crowley also explained that council had previously authorized staff to extend a lease agreement offer on the Cain parking lot property and that these offers have been made as directed by council.

Mr. Crowley explained that the North Texas Council of Governments (NTCOG) has asked if the city would appoint a staff member to the Air Transportation Technical Advisory Committee and recommends that Internal Operations Director Joey Boyd fill that position.

Mayor Sweet asked if council would like to discuss further items under the department or manager's reports. Councilmember Bennie Daniels stated that council asked that an updated NTMWD Conservation Monthly Report be included in the packet, which was

done for this meeting and is appreciated. Councilmember Daniels stated that twenty of the thirty four customer cities are exceeding their target amount and asked if there was anything being done to caution those cities. City Manager Rick Crowley explained that this is an effort and focus by the new executive directior of the NTMWD and that there would be a report sent out in the near future to address those efforts.

XV. EXECUTIVE SESSION

At 8:17 p.m., Mayor Sweet read the below listed discussion items into the public record before recessing the public meeting into Executive Session.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations).pulled for discussion.

2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations). Pulled for discussion.

3. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

4. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (personnel matters) pulled for discussion.

XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Mayor Sweet reconvened the Public Meeting at 8:45 p.m.

Mayor Pro Tem Pruitt made a motion to not extend the agreement with JBR2 with regards to the city owned land in exchange for a parking garage. Councilmember White seconded the motion. The motion passed by a vote of 7 ayes and 0 nays.

XVII. ADJOURNMENT

The meeting was adjourned at 8:49 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of July, 2014.

ATTEST: **David Sweet, Mayor**

Jacky Casey, Assistant City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **July 17, 2014**

SUBJECT: **TxDOT Multiple Use Agreement**

The City has used TxDOT right of way located near the SH 66 boat ramp for parking for many years. At the time, SH 66 was widened and the walking lane was added to the bridge, the City chose to provide an adjacent area for parking. The small gravel lot has served this purpose for several years. In recent months, there have been a number of vehicles broken into while parked in this area. The area is not well lit and staff began the process of getting lights installed. We discovered early in that process that the state had not issued a Multiple Use Agreement (MUA) for this area and we could not install lighting without one in place.

We requested the MUA from TxDOT in December 2013 and have finally received it back. We will not incur any costs related to the agreement but will be required to provide any improvement plans to the state for approval. The state is asking for the split rail fencing in place now to be extended so that vehicles do not pull any closer to the roadway than they already do. This will be at minimal cost for materials and will be installed by city employees. The proposed lighting is estimated to cost $7600 and sufficient funds are available in the General fund street lighting budget to cover this expense.

If the Council approves the execution of this agreement, we will submit plans to the state for the lighting but do not know how long it will take for their approval.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING THE EXECUTION OF THE MULTIPLE USE AGEEMENT FOR THE USE OF STATE HIGHWAY 66 RIGHT-OF-WAY FOR PARKING WITH THE TEXAS DEPARTMENT OF TRANSPORTATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas, wishes to authorize the City Manager to execute the multiple use agreement between the City of Rockwall and the Texas Department of Transportation (TXDOT);

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Rockwall, Texas:

Section 1. That the City manager is authorized to execute the attached multiple use agreement with TXDOT.

Section 2. That this Resolution shall become effective immediately upon approval and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, THIS __ day of _____2014_.

APPROVED:

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

MULTIPLE USE AGREEMENT

STATE OF TEXAS §

COUNTY OF TRAVIS §

THIS AGREEMENT made by the State of Texas by and between the Texas Department of Transportation, hereinafter referred to as "State", party of the first part, and City of Rockwall hereinafter called "City", party of the second part, is to become effective when fully executed by both parties.

WITNESSETH

WHEREAS, on the _____ day of _____, 2014, the governing body for the City, entered into Resolution/Ordinance No. _____, hereinafter identified by reference, authorizing the City's participation in this agreement with the State; and

WHEREAS, the City has requested the State to permit the construction, maintenance and operation of a parking facility on the highway right of way, (ROADWAY SH 66, 0009-04).

(General description of area including either the control number or GPS coordinates.)

The parking facility on SH 66 east of Lake Ray Hubbard in the City of Rockwall, 0009-04, shown graphically by the preliminary conceptual site plan in Exhibit "A" and being more specifically described by metes and bounds of Exhibit "B", which are attached and made a part hereof; and

WHEREAS, the State has indicated its willingness to approve the establishment of such facilities and other uses conditioned that the City will enter into agreements with the state for the purpose of determining the respective responsibilities of the City and the State with reference thereto, and conditioned that such uses are in the public interest and will not damage the highway facilities, impair safety, impede maintenance or in any way restrict the operation of the highway facility, all as determined from engineering and traffic investigations conducted by the state.

AGREEMENT

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

1. DESIGN AND CONSTRUCTION

City will prepare or provide for the construction plans for the facility, and will provide for the construction work as required by said plans at no cost to the State. Said plans shall include the design of the access control, necessary horizontal and vertical clearances for highway structures, adequate landscape treatment, adequate detail to ensure compliance with applicable structural design standards, sufficient traffic control provisions, and general layout. They shall also delineate and define the construction responsibilities of both parties hereto. Completed plans will be submitted to State for review and approval and when approved shall be attached to the agreement and made a part thereof in all respects. Construction shall not commence until plans have been approved by the State. Any future revisions or additions shall be made after prior written approval of the State. Any sidewalks, curb ramps, and other pedestrian elements to be constructed, either on or off site, by the City shall be in accordance with the requirements of Title II of the Americans With Disabilities Act (ADA) and with the Texas Accessibility Standards (TAS). Elements constructed by the City and found not to comply with ADA or TAS shall be corrected at the entire expense of the City.

2. INSPECTION

Ingress and egress shall be allowed at all times to such facility for Federal Highway Administration personnel and State Forces and equipment when highway maintenance operations are necessary, and for inspection purposes; and upon request, all parking or other activities for periods required for such operations will be prohibited.

3. PARKING REGULATIONS

Parking regulations shall be established limiting parking to single unit motor vehicles of size and capacity no greater than prescribed for $1^{1}/_{2}$ ton trucks, such vehicles to conform in size and use to governing laws. Parking shall be permitted only in marked spaces

Parking shall be prohibited when a security threat, as determined by TxDOT, exists.

4. PROHIBITION/SIGNS

Regulations shall be established prohibiting the parking of vehicles transporting flammable or explosive loads and prohibiting use of the area in any manner for peddling, advertising or other purposes not in keeping with the objective of a public facility. The erection of signs other than those required for proper use of the area will be prohibited. All signs shall be approved by the State prior to the actual erection.

5. RESPONSIBILITIES

Timely maintenance, repair and operation of the facility shall be entirely the responsibility of the City. Such responsibility shall not be transferred, assigned or conveyed to a third party without the advanced written approval of the State. These responsibilities expressly include the timely maintenance and repair of any portion of the facility necessary to comply with the Americans with Disabilities Act. Further, such responsibility shall include picking up trash, mowing and otherwise keeping the facility in a clean and sanitary condition, and surveillance by police patrol to eliminate the possible creation of a nuisance or hazard to the public. Hazardous or unreasonably objectionable smoke, fumes, vapor or odors shall not be permitted to rise above the grade line of the highway, nor shall the facility subject the highway to hazardous or unreasonably objectionable dripping, droppings or discharge of any kind, including rain or snow.

If the State determines that City has failed to comply with these responsibilities, it will perform the necessary work and charge City the actual cost of the work.

6. FEES

Any fees levied for use of the facilities in the area shall be nominal and no more than are sufficient to defray the cost of construction, maintenance and operations thereof, and shall be subject to State approval.

A. Retention Period. The City shall maintain all books, documents, papers, accounting records and other evidence pertaining to fees collected and costs (hereinafter called the Records). The City shall make the records available during the term of the Agreement and for four years from the date the Agreement is terminated, until completion of all audits, or until pending litigation has been completely and fully resolved, whichever occurs last.

B. Audit Report. If fees are collected by the City for the use of the facility under this Agreement, the City will provide the State an annual audit report detailing the fees collected for the use of the facility and the costs associated with constructing, maintaining, and operating the facility within the same period. If the report shows more fees collected than expenses for the construction, operation, or maintenance of the facility the City must provide a multiple year plan detailing how the additional revenue will be used for construction, operation, or maintenance of the facility.

C. Availability. The State or any of its duly authorized representatives, the Federal Highway Administration, the United States Department of Transportation, Office of Inspector General, and the Comptroller General shall have access to the City's records that are directly pertinent to this Agreement for the purpose of making audits and examinations.

7. TERMINATION UPON NOTICE

This provision is expressly made subject to the rights herein granted to both parties to terminate this agreement upon written notice, and upon the exercise of any such right by either party, all obligations herein to make improvements to said facility shall immediately cease and terminate and City shall be responsible for the facility's timely removal at no cost to the State. If the State determines that City has failed to timely remove the facility, it will perform the necessary work and charge City the actual cost of the work.

8. MODIFICATION/TERMINATION OF AGREEMENT

If in the sole judgment of the State it is found at any future time that traffic conditions have so changed that the existence or use of the facility is impeding maintenance, damaging the highway facility, impairing safety or that the facility is not being properly operated, that it constitutes a nuisance, is abandoned, or if for any other reason it is the State's judgment that such facility is not in the public interest, this agreement under which the facility was constructed may be: (1) modified if corrective measures acceptable to both parties can be applied to eliminate the objectionable features of the facility; or (2) terminated and the use of the area as proposed herein discontinued.

9. PROHIBITION OF STORAGE OF FLAMMABLE MATERIALS

All structures located or constructed within the area covered by the agreement shall be fire resistant. The storage of flammable, explosive or hazardous materials is prohibited. Operations deemed to be a potential fire hazard shall be subject to regulation by the State.

10. RESTORATION OF AREA

The City shall provide written notification to the State that such facility will be discontinued for the purpose defined herein. The City shall, within thirty (30) days from the date of said notification, clear the area of all facilities that were its construction responsibility under this agreement and restore the area to a condition satisfactory to the State.

11. PREVIOUS AGREEMENTS

It is understood that this agreement in no way modifies or supersedes the terms and provisions of any existing agreements between the parties hereto.

12. NO WAIVER OF GOVERNMENTAL IMMUNITY; NO THIRD-PARTY LIABILITY

No party to this agreement intends to waive, relinquish, limit or condition its general governmental immunity from liability in any way.

Each party agrees and acknowledges that it is not an agent, servant, or employee of the other party and that under this provision each party is responsible only for its own acts and for those of its agents, servants, independent contractors or employees. Such responsibility includes, but is not limited to any claims or amounts arising or recovered under the "Workers Compensation Law," the Texas Tort Claims Act, Chapter 101, Texas Civil Practice and Remedies Code; or any other applicable laws or regulations, all as time to time may be amended.

Nothing in this agreement shall be construed as creating any liability in favor of any third party against the State and the City. Additionally, this agreement shall not ever be construed as relieving any third party from any liability against the State. Furthermore, the City shall become fully subrogated to the State's rights of recovery and shall be entitled to maintain any action over and against any third party who may be liable for damages. The State agrees to execute and deliver instruments and papers and to otherwise do that which is necessary to secure such rights.

13. INSURANCE

The City, shall provide necessary safeguards to protect the public on State maintained highways including adequate insurance for payment of any damages which might result during the construction, maintenance, repair and operation of the facility. City shall include TxDOT as an additional insured by endorsement in City's commercial general liability insurance policy. Prior to beginning work on the State's right of way, the City's construction contractor shall submit to the State a completed insurance form (TxDOT Form No. 1560) or appropriate certificate of self-insurance and shall maintain the required coverage during the construction of the facility.

14. USE OF RIGHT OF WAY

It is understood that the State by execution of this agreement does not impair or relinquish the State's right to use such land for highway purposes when it is required for the construction or re-construction of the traffic facility for which it was acquired, nor shall use of the land under such agreement ever be construed as abandonment by the State of such land acquired for highway purposes, and the State does not purport to grant any interest in the land described herein but merely consents to such use to the extent its authority and title permits.

15. ADDITIONAL CONSENT REQUIRED

The State asserts only that it has sufficient title for highway purposes. The City shall be responsible for obtaining such additional consent, permits or agreement as may be necessary due to this agreement. This includes, but is not limited to, appropriate permits and clearances for environmental, ADA and public utilities.

16. FHWA ADDITIONAL REQUIREMENTS

If the Facility is located on the Federal-Aid Highway System, "ATTACHMENT A", which states additional requirements as set forth in the Federal Highway Administration's Title 23, Code of Federal Regulations, § 710, shall be attached to and become a part of this agreement.

17. CIVIL RIGHTS ASSURANCES

The City, for itself, its personal representatives, successors and interests and assigns, as part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that: (1) no persons, on the grounds of race, color, sex, age, national origin, religion or disabling condition, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facility; (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the ground of race, color, sex, age, national origin, religion or disabling condition, shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination; (3) that the City shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-Assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That if in the event of any breach of the above non-discrimination covenants, the State shall have the right to terminate the agreement and reenter and repossess said land and the facilities thereon, and hold the same as if said agreement had never been made or issued.

18. AMENDMENTS

Any changes in the time frame, character or responsibilities of the parties hereto shall be enacted by a written amendment executed by both parties hereto.

19. LEGAL CONSTRUCTION

In case one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any provision hereof and this agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in this agreement.

20. AUDIT

The State may conduct an audit or investigation of any aspect of this agreement. The City must provide the State with access to any information the State considers relevant to the investigation or audit. The audit can include, but is not limited to, any contract for construction or maintenance of any facility or structure authorized by this agreement or any contract to provide a service to the City if that service is authorized by this agreement.

21. AUTHORITY OF STATE AUDITOR

The state auditor may conduct an audit or investigation of any entity receiving funds from the state directly under the contract or indirectly through a subcontract under the contract. Acceptance of funds directly under the contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

22. NOTICES

All notices required under this agreement shall be mailed or hand delivered to the following respective addresses:

STATE

Texas Department of Transportation
Maintenance Division
125 East 11th Street
Austin, Texas 78701-2483

City of Rockwall
Attn: City Manager
385 S. Goliad
Rockwall, Texas 75087

23. TIMELY PAYMENT

When any provision of this agreement requires a payment to be made to the State, the other party hereto shall within thirty (30) days from receipt of the State's written notification pay the State for the full cost of repairing any damages to the highway facility which may result from the other party's construction, maintenance, repair or operation of the facility.

24. WARRANTS

The signatories to this agreement warrant that each has the authority to enter into this agreement on behalf of the party represented.
List of Attached Exhibits:

Exhibit A - General Layout
Exhibit B - Metes and Bounds Description
Exhibit C - Approved Construction Plans
Exhibit D - Certificate of Insurance (TxDOT Form 1560)
Exhibit E - Attachment A (FHWA Additional Requirements)

IN WITNESS WHEREOF, the parties have hereunto affixed their signature, the _____ _____ on the _____ day of _____, 2014, and the State on the _____ day of _____, 2014.

STATE OF TEXAS
Executed and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, and established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By: _____
Director, Maintenance Division

_____
Printed Name

_____
Date

THE CITY OF ROCKWALL

By: _____

_____
Printed Name and Title

_____
Date

_____

Contact Office and Telephone No.

Approval Recommended:

_____
William L. Hale, P.E.
Dallas District Engineer

_____
Date

ATTACHMENT A

Inasmuch as this project is on the Federal-Aid highway system, the following additional requirements as applicable with the Federal Highway Administration's Title 23, Code of Federal Regulations, § 710.

1. Any significant revision in the design or construction of the facility shall receive prior approval by the Texas Department of Transportation subject to concurrency by the FHWA.

2. Any change in the authorized use of airspace shall receive prior approval by the Texas Department of Transportation subject to concurrence by the FHWA.

3. The airspace shall not be transferred, assigned or conveyed to another party without prior Texas Department of Transportation approval subject to concurrence by the FHWA.

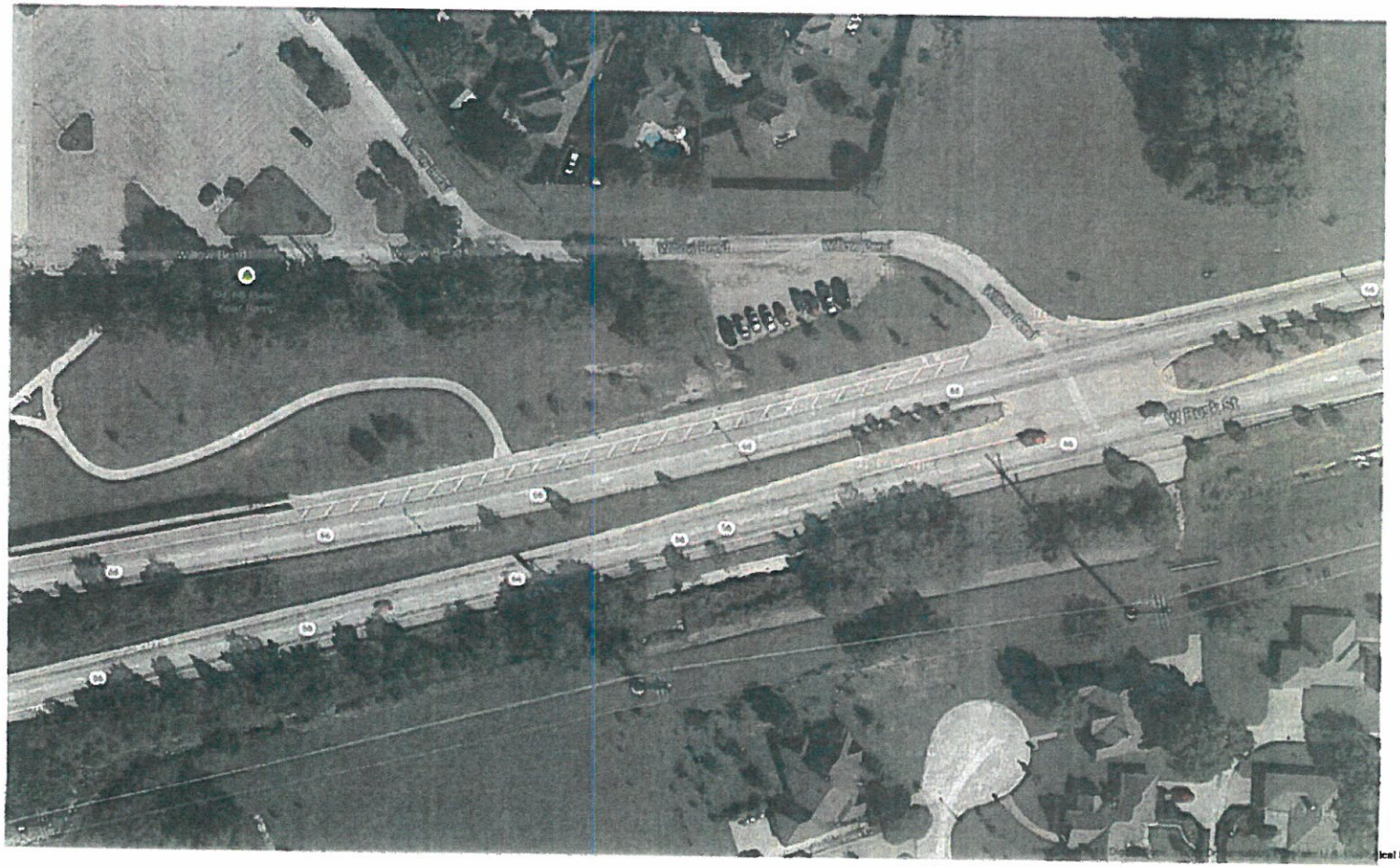
4. This agreement will be revocable in the event that the airspace facility ceases to be used or is abandoned.

EXHIBIT E

Exhibit A

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



ical Survey, Map data ©2014 Google -

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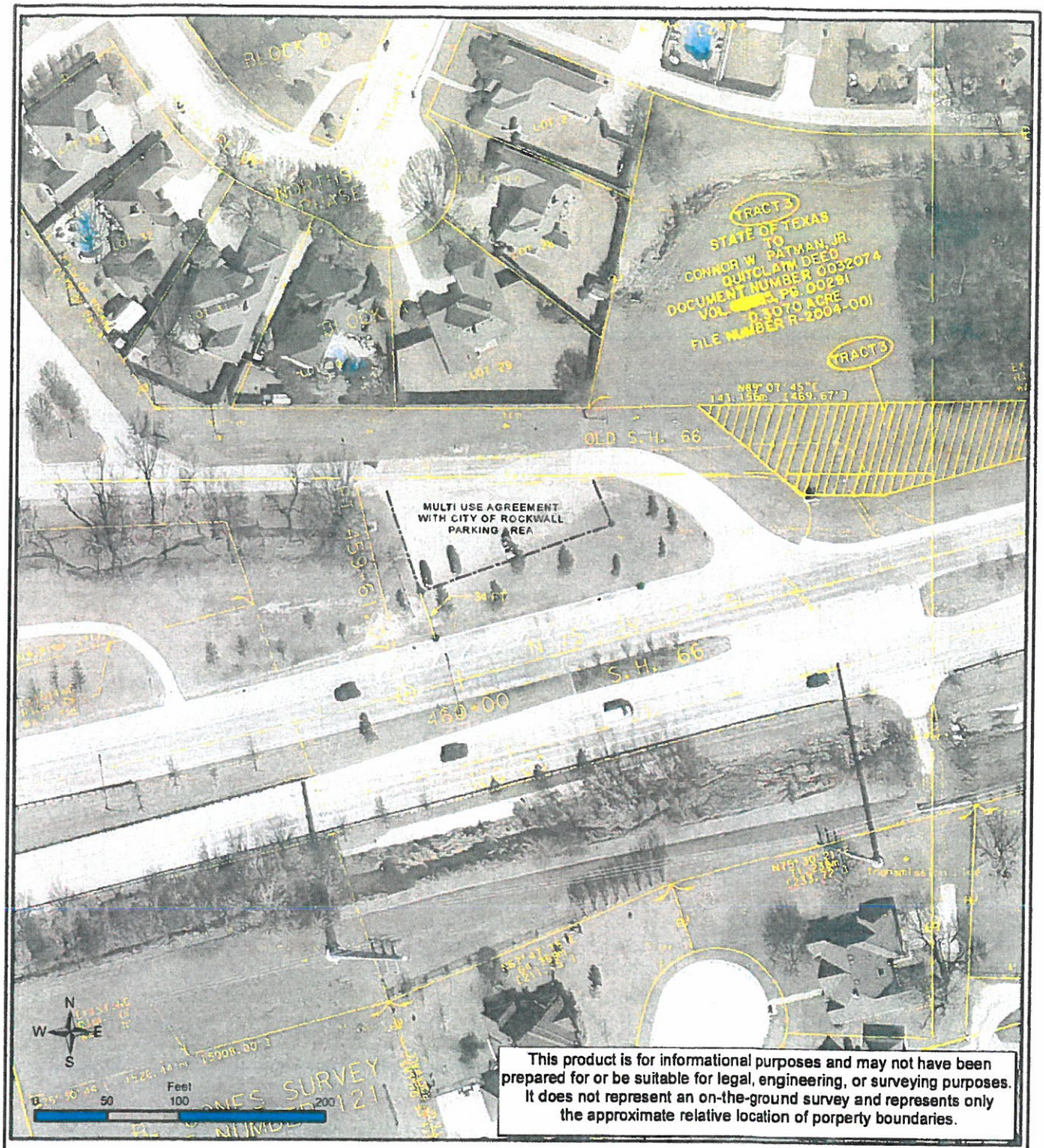
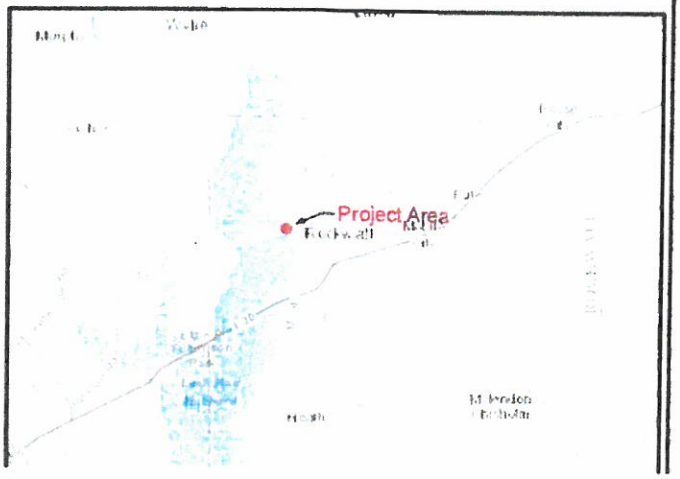


Multi Use Agreement, City of Rockwall
SH 66 Control Section 0009-04

Exhibit B



Aerial Photo 2013 Ortho Rectified TxDOT Dallas District
Right of Way map 0094-04-053 Sheet 7 TxDOT Dallas District
Map Produced July 16, 2014 Dallas District Survey

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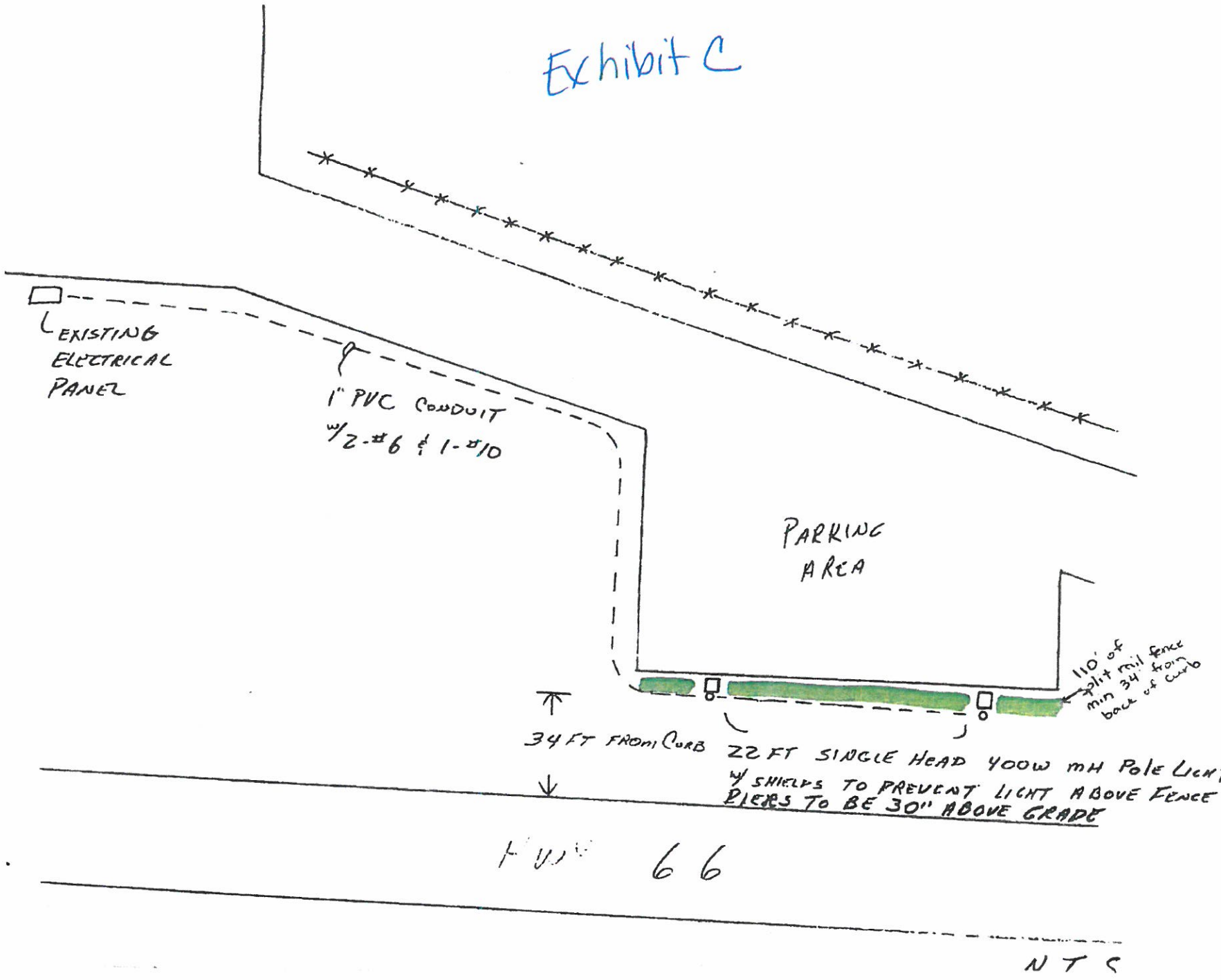
Exhibit C
EXISTING ELECTRICAL PANEL
1" PVC CONDUIT W/ 2-#6 & 1-#10
PARKING AREA
110' of split rail fence min 34' from back of curb
34 FT FROM CURB
22 FT SINGLE HEAD 400W MH POLE LIGHT W/ SHIELDS TO PREVENT LIGHT ABOVE FENCE
PIERS TO BE 30" ABOVE GRADE
HWY 66
NTS

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CITY OF ROCKWALL, TEXAS
BID RECOMMENDATION

To:	**Richard Crowley, City Manager**
CC:	**Brad Griggs, Assistant City Manager**
From:	**Lea Ann Ewing, Purchasing Agent**
Date:	**July 18, 2014**
Bid Date:	**July 17, 2014**
Department:	**Parks**
Project:	**Phelps Lake Park Improvements**
Budget:	**$ 75,000**
Vendor:	**Wall Enterprises**

Approved in the current budget is $75,000 for park improvements at Phelps Lake to include a fishing pier, kayak launch and concrete trail loop. Sealed competitive bids were solicited for these improvements and two qualified bids were received. One bid from Seatech Inc. in the amount of $125,000. The second bid was from Wall Enterprises in the amount of $93,784. Staff negotiated with the apparent low bidder, Wall Enterprises to reach the budgeted amount by reducing the scope of the project. The reduction in scope should not impact the use or recreational value of the project.

The concrete stairs, park bench stations and grass establishment were removed from the project scope. Removing the stairs does not impact the accessibility of the trail, as there is another trail connection already in place. Park maintenance staff can utilize the park benches that will be removed from the square as a result of the downtown improvements, as well as complete the grass establishment of the disturbed areas.

Staff asks City Council to consider authorizing the City Manager to execute a contract with Wall Enterprises for an amount $75,624 for improvements to Phelps Lake Park. Contingent upon approval, construction can begin immediately. The contractor has submitted a completion time frame of 45 days.

Funding source

Recreation Development Fund

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **July 14, 2014**

SUBJECT: **Various General Engineering Service Contract**

The City of Rockwall has hired engineering consultant services for various water and wastewater tasks for the past several years. The City originally hired Shimek, Jacobs & Finklea, L.L.P. to provide these services on an as-needed basis to assist City Staff. The firm changed their name in May 2001 to Birkhoff, Hendricks and Conway, L.L.P. and then to Birkhoff, Hendricks and Carter, L.L.P. in February 2010.

Staff has requested Birkhoff, Hendricks and Carter, L.L.P. to upgrade the existing engineering consultant contract to bring it up to today's standards.

Staff request the City Council consider approval of the Engineering Services Agreement with Birkhoff, Hendricks and Carter, L.L.P. to provide various general engineering services for water and wastewater improvements to the City of Rockwall.

TMT:em

Cc:
Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
File

ENGINEERING SERVICES AGREEMENT

THIS AGREEMENT is made and entered into by and between the **City of Rockwall, Texas**, hereinafter referred to as "City", and **Birkhoff, Hendricks & Carter, L.L.P.**, hereinafter referred to as "Engineer", to be effective from and after the date as provided herein.

W I T N E S S E T H:

WHEREAS, the City desires to engage the services of the Engineer to complete **Various General Engineering Services for the City of Rockwall**, as to be determined from time-to-time by the City, and

WHEREAS, the Engineer desires to render such engineering services for the City under the terms and conditions provided herein.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the covenants contained herein, and for the mutual benefits to be obtained hereby, the parties hereto agree as follows:

I. Services of the Engineer

At the City's request, in the City's sole discretion, the City may engage from time to time the Engineer to perform professional engineering services; Engineer agrees to perform such services in accordance with the terms and conditions of this Agreement and with any Separate Individual Project Agreement. City reserves the right, in its sole discretion, to hire other engineers for any reason and for any project. In performing its professional engineering services hereunder, the Engineer shall follow the degree of professional engineering standards of care and skill exercised by reputable members of the engineering profession practicing in the Rockwall County, Texas area.

The City's relationship with the Engineer shall at all times be that of an owner/independent contractor, and nothing in this Agreement is intended nor shall be construed to create an employer-employee relationship, a joint venture or joint enterprise relationship, or to allow the City to exercise discretion or control over the professional manner in which the Engineer performs the services which are the subject matter of the Agreement; provided always however that the services to be provided by Engineer shall be performed in a manner consistent with applicable standards and regulations governing such services. The method and manner in which Engineer's services hereunder and under any Individual Project Agreement, shall be performed will be determined by the Engineer in his sole

discretion. The employees and agents of, and the methods, equipment and facilities used by the Engineer shall at all times be under the Engineer's exclusive direction and control.

II. Scope of Services

The parties agree that Engineer shall perform general engineering services and other professional services as will be described in individual Project agreements (each such agreement being an "Individual Project Agreement") executed by both parties, which Individual Project Agreements shall be consistent with the terms of this Agreement and set forth the details of each Project. The parties understand and agree that deviations or modifications from the terms of this Agreement may be set forth in an Individual Project Agreement as authorized from time to time by the City. As requested by the City and as agreed to by the Engineer, the Engineer shall provide professional engineering services to the City at various phases of a Project. Each phase of a Project for which such services will be provided shall be set forth in an Individual Project Agreement, which Individual Project Agreement shall describe the services to be performed by the Engineer. Such phases may include, but are not limited to, the study report phase, preliminary design phase, final design phase, bidding phase and the construction phase.

III. Schedule of Work

Upon the execution of an Individual Project Agreement, the Engineer agrees to commence services in accordance with this Agreement and with the Individual Project Agreement, and to proceed diligently with said service.

IV. Compensation and Method of Payment

The parties agree that Engineer shall be compensated for all services provided pursuant to this Agreement in the amount and manner described and set forth in Exhibit "A" or in each Individual Project Agreement. Engineer further agrees that it will prepare and present monthly progress reports and itemized statements. City agrees to pay invoices for work properly performed upon receipt.

V. Information to be Provided by the City

The City agrees to furnish, if available, prior to commencement of services in connection with each Individual Project Agreement, all that information set forth and described in the respective Individual Project Agreement.

VI. Insurance

In connection with this Agreement and with any Individual Project Agreement, Engineer shall provide and maintain in full force and effect during the term of this Agreement and any Individual Project Agreement:

Workers' compensation and employer's liability, insurance for the protection of Engineer's employees, to the extent required by law;

Commercial general liability insurance with limits not less than One Million and No/100 Dollars ($1,000,000.00) each occurrence combined single limit bodily injury and property damage, including contractual liability (covering, but not limited to, the liability assumed under the indemnification provisions of this Agreement), personal injury, broadform property damage, products and completed operations coverage (and if such commercial general liability insurance contains a general aggregate limit, it shall apply separately to the Services under this Agreement and each Individual Project Agreement);

Comprehensive automobile liability insurance with limits not less than One Million and No/100 Dollars ($1,000,000.00) each occurrence combined single limit bodily injury and property damage, including owned, non-owned and hired auto coverage, as applicable; and

Professional Liability Insurance to protect from liability arising out of the performance of professional services under this Agreement and any Individual Project Agreement. Such coverage shall be in the sum of not less than One Million and No/100 Dollars ($1,000,000.00).

VII. Assignment and Subletting

The Engineer shall not, and shall have no power or authority to, assign, transfer, sublet or otherwise convey any or all of its rights, duties, or obligations under this Agreement without the prior written consent of the City. The Engineer further agrees that any such assignment, transfer, subletting or conveyance of any portion or feature of the work or materials required in the performance of this Agreement or any Individual Project Agreement shall not relieve the Engineer from its full obligations to the City as provided by this Agreement and each respective Individual Project Agreement.

VIII. Audits and Records

The Engineer agrees that at any time during normal business hours and as often as City may deem necessary, Engineer shall make available to representatives of the City for examination all of its records with respect to any and all matters covered by this Agreement and each Individual Project Agreement, and will permit such representatives of the City to audit, examine, and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, conditions of employment and other data relating to all matters covered by this Agreement and any Individual Project Agreement, for a period of time to equal to:

One year from the date of final settlement of each Individual Project Agreement; or

That period of time:

(1) as may be required by applicable statute or other lawful requirement; or

(2) any dispute, claim, or lawsuit arising out of or in connection with this Agreement or any Individual Project Agreement is pending, whichever period of time is longer.

IX. Contract Termination

The parties agree that City or the Engineer shall have the right to terminate this Agreement without cause upon thirty (30) days written notice to the other. In the event of such termination without cause, Engineer shall deliver to City all finished or unfinished documents, data, studies, surveys, drawings, maps, models, reports, photographs or other items prepared by Engineer in connection with this Agreement and with any Individual Project Agreement. Engineer shall be entitled to compensation for any and all services completed to the satisfaction of City in accordance with the provisions of this Agreement prior to termination.

X. Engineer's Opinion of Cost

The parties recognize and agree that any and all opinions of cost prepared by Engineer in connection with the Project represent the best judgment of Engineer as a design professional familiar with the construction industry, but that the Engineer does not guarantee that any bids solicited or received in connection with the Project will not vary from the opinion by the Engineer.

XI. Ownership of Documents

All documents, including but not limited to drawings, specifications and data or programs stored electronically, prepared by the Engineer are related exclusively to the services described herein.

They are not intended or represented to be suitable for partial use or reuse by the City or others on extensions of this Project or on any other project. Any modifications made by the City to any of the Engineer's documents, including the partial use of the Engineer's documents, or any reuse without written authorization or adaptation by the Engineer will be at the City's sole risk and without liability or legal exposure to the Engineer. The City shall indemnify, defend and hold the Engineer harmless from all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of or resulting there from. Any such authorization or adaptation will entitle the Engineer to further compensation at rates to be agreed upon by the City and the Engineer.

XII. Dispute Resolution

All claims by the City arising out of this Agreement or its breach shall be submitted first to mediation in accordance with the Construction Industry Mediation Rules of the American Arbitration Association as a condition precedent to litigation. Any mediation or civil action must be commenced within one year of the accrual of the cause of action asserted but in no event later than allowed by applicable statutes.

XIII. Mailing of Notices

Unless instructed otherwise in writing, Engineer agrees that all notices or communications to City permitted or required under this Agreement shall be in writing and addressed to City at the following address:

Director of Public Works / City Engineer
City of Rockwall
385 S. Goliad
Rockwall, Texas 75087

City agrees that all notices or communications to Engineer permitted or required under this Agreement shall be addressed to Engineer at the following address:

Birkhoff, Hendricks & Carter, L.L.P.
11910 Greenville Avenue, Suite 600
Dallas, Texas 75243
Phone: (214) 361-7900

All notices or communications required to be given in writing by one party or the other shall be considered as having been given to the addressee (1) if by hand delivery, and the time of delivery, or (2) if mailed, seventy-two (72) hours after the deposit of same in any United States mail post office box. The addresses and addressees for the purpose hereof may be changed by giving notice of such change in the manner herein provided for giving notice. Unless and until such written notice is

received, the last addresses and addressee stated by written notice, or provided herein if no written notice of change has been sent or received, shall be deemed to continue in effect for all purposes hereunder.

XIV. Contract Amendments

This Agreement may be amended only by the mutual agreement of the parties expressed in writing.

XV. Duration of Agreement

Unless terminated in accordance with the terms hereof, this Agreement shall be effective from the date of execution by both parties until three (3) years after such date. Unless terminated in accordance with this Agreement or with the terms of an Individual Project Agreement, Individual Project Agreements agreed to by both parties within such 3-year period shall be valid and binding until the agreements and promises there under are completed, and the terms of conditions of the Agreement shall remain in effect until all obligations under said Individual Project Agreements are completed. This Agreement may be extended or renewed, with or without changes, by written amendment.

XVI. Miscellaneous Provisions

This Agreement is to be governed by the laws of the State of Texas. This Agreement shall bind, and the benefits thereof shall inure to the respective parties hereto, their legal representatives, executors, administrators, successors and assigns. This Agreement and the attached Exhibits "A" contain the entire and fully integrated agreement between the parties, and supersede all prior and contemporaneous negotiations, representations, agreements or understandings, whether written or oral. Any provision in this Agreement that is prohibited or unenforceable in any jurisdiction shall, as to such jurisdiction, be ineffective to the extent of such prohibition or unenforceability without invalidating the remaining provisions hereof or affecting the validity or enforceability of such provision in any other jurisdiction. Also, the non-enforcement of any provision by either party shall not constitute a waiver of that provision nor shall it affect the enforceability of that provision or of the remainder of this Agreement.

XVII. Effective Date

This Agreement shall be effective from and after execution by both parties hereto.

WITNESS OUR HANDS AND SEALS on the date indicated below.

CITY OF ROCKWALL, TEXAS	**BIRKHOFF, HENDRICKS & CARTER, L.L.P. CONSULTING ENGINEERS**
By: _____	By: Matt Hickey
Rick Crowley City Manager	Matt Hickey, P.E. Partner
Date: _____	Date: 6/4/14
ATTEST: _____	ATTEST: Stacy J Carter
Date: _____	Date 6-4-14

EXHIBIT "A"

COMPENSATION

Compensation for engineering services shall be based on salary cost times a multiplier of 2.4 with expenses times a multiplier of 1.15. Survey Crew shall be at $165 per hour. Milege rate shall be based on current I.R.S. rates at time of billing. Billing shall be posted monthly based on labor and materials expended, with payment due upon receipt of the invoice.

Based on current (June 2014) salaries, overhead and benfits, the following represents approximate billing rates for various categories of staff.

Description	Approximate Billing Rate
Partner in Charge (Project Manager)	$202.26
Senior Project Engineer	$153.54
Engineer In Training (EIT)	$91.59
Senior Technical / CADD Designer	$144.19
Technical / CADD Operator	$84.67
Clerical	$63.58 - $111.84
2-Man Survey Crew	$165.00

The approximate billing rates may very over time due to changes in salary, overhead and benefits.

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CITY OF ROCKWALL, TEXAS
ORDINANCE # 14-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 38. SUBDIVISIONS TO ADD ARTICLE V. REGARDING GRADING, EXCAVATION, EARTHWORK AND EROSION CONTROL; PROVIDING FOR SEVERABILITY AND SAVINGS CLAUSES; PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the City Council of the City of Rockwall values development and recognizes the need for erosion control provisions, including appropriate devices, to be in place in order to minimize the impacts of new development; and

Whereas, the development of land causes large quantities of soil to be displaced and transported to downstream locations which can create significant soil erosion and sedimentation problems and may result in potentially destructive consequences; and

Whereas, a build-up of sediment degrades water quality, destroys valuable environmental resources and obstructs watercourses and storm drains which can cause flooding, thereby damaging public and private lands and property; and

Whereas, the City Council believes it to be in the best interest of the public and the environment to adopt the regulations set forth below to govern erosion control to provide and maintain a safe, efficient and effective drainage system within the City and to require a permit for grading and floodplain development in order to ensure soil does not wash out into streets or nearby storm sewers.

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. The findings set forth in the preamble above are adopted in their entirety.

SECTION 2. **Purpose**: During the construction process, soil is highly vulnerable to erosion by wind and water. Eroded soil endangers water resources by reducing water quality and causing the siltation of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair of sewers and ditches and the dredging of lakes. In addition, clearing and grading during construction cause the loss of native vegetation necessary for terrestrial and aquatic habitat. The purpose of this ordinance is to safeguard persons, protect property, and prevent damage to the environment. This ordinance also promotes the public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any development or other activity that disturbs or breaks the topsoil or results in the movement of earth on land

SECTION 3. Article V is hereby added to Chapter 38. Subdivisions and shall henceforth read in its entirety as follows:

ARTICLE V. – GRADING, EXCAVATION, EARTHWORK, AND EROSION CONTROL

Sec. 38-430 – Definitions
Sec. 38-431-432 - Reserved
Sec. 38-433 – Applicability of article.
Sec. 38-434 – Grading permit required for filling, grading, excavation, etc.
Sec. 38-435 – Duty of property owner to prevent dirt, mud, etc., from washing onto public streets, alleys, etc.
Sec. 38-436 – Requirements for filling, grading, excavation, etc.
Sec. 38-437 – Issuance of permits; criteria.
Sec. 38-438 – Exceptions to the permit, permit fee and deposit.
Sec. 38-439 – Owner's responsibility.
Sec. 38-440 – Exemptions.

Sec. 38-430. – Definitions.

CITY ENGINEER. The City Engineer of the City of Rockwall or the Engineer's authorized representative.

EROSION CONTROL. A measure that prevents erosion.

GRADING. Any stripping, cutting, filling, stockpiling or combination thereof which modifies the existing land surface contour.

SEDIMENT CONTROL. Measures that prevent eroded sediment from leaving the site.

Sec. 38-431 - 432. – Reserved.

Sec. 38-433. – Applicability of article.

The provisions of this article shall apply to property owners, persons or their agents filling, grading, excavating or otherwise disturbing the surface of real property within the city, whether they be contractors, subcontractors, supervisors, inspectors, managers, agents, employees or otherwise. Failure to comply with the requirements of this article shall constitute an offense, and each day such failure continues shall constitute a separate offense.

Sec. 38-434. – Grading permit required for filling, grading, excavation, etc.

No person shall fill, grade, excavate or otherwise disturb the surface of real property within the City without first having secured a grading permit from the City Engineer. No owner of real property shall knowingly permit another person to fill, grade, excavate or otherwise disturb the surface of real property within the city without first having secured a permit from the City Engineer. In addition, if the property to be filled, graded, excavated or otherwise disturbed is within flood hazard area, a development permit must be secured from the City Engineer as required in Chapter 38 of this Code.

Sec. 38-435. – Duty of property owner to prevent dirt, mud, etc., from washing onto public streets, alleys, etc.

It shall be unlawful and an offense and shall constitute a nuisance for any person owning or having control of real property within the city to suffer or permit soil, mud, rock, pollutants or debris to wash, slide, erode or otherwise be moved from said real property onto streets, alleys, utility facilities, drainage facilities, rights-of-way or easements. It shall be the duty of each property owner or party in control thereof to prevent soil, mud, rock, pollutants or debris from such real property being deposited or otherwise transported onto the streets, alleys, utility facilities, rights-of-way or easements of the City and to inspect such property and acquaint themselves with the conditions existing and to remedy any conditions likely or calculated to allow soil, mud, rock or debris to wash, slide, erode or otherwise be transported onto the streets, alleys, utility facilities, rights-of-way or easements and failure to do so shall be deemed criminal negligence for the purpose of the offense described herein.

Sec. 38-436. – Requirements for filling, grading, excavation, etc.

The City Engineer shall prepare a list of allowable fill materials and minimum required compaction requirements. All filling shall use only the materials listed for fill. All fill placed on a site and visible from a public thoroughfare shall be leveled and have a final cover of topsoil, six (6) inches minimum depth, that will support vigorous plant growth, immediately following completion of filling operations. Intermediate leveling and cover shall be required at intervals not to exceed thirty (30) days for filling operations that will exceed thirty (30) days in duration. In areas where fill is being placed to control erosion, the City Engineer may substitute an alternate cover that is resistant to erosion for the requirement to cover fill with topsoil.

Sec. 38-437. – Issuance of permits; criteria.

(a) The City Engineer's office shall issue permits for the grading, filling, excavating or otherwise disturbing the surface of real property upon satisfaction of the following criteria:

(1) Applicant provides adequate assurance that the City will be reimbursed for any expense of cleaning or removal of dirt, rock, debris or other pollutants from city streets, alleys, utility facilities, rights-of-way and easements or the barricading thereof by the posting of a deposit of cash with the city to guarantee same.

(2) The amount of such deposit shall be established by the City Council from time to time and is hereby established as follows:

Area	Amount
One (1) acre or less	$500.00 minimum
From one (1) acre up	$100.00 for each additional acre

(3) The applicant provides a notarized statement from the property owner giving permission for the applicant to fill, grade, excavate or otherwise disturb the property and acknowledgment by property owner of the responsibilities of the property owner as described in section 38-30 of this Code.

(4) Submission by the applicant of a Storm Water Pollution Prevention Plan (SWP3) for all work disturbing one (1) acre of land or more. This Storm Water Pollution Prevention Plan (SWP3) must be prepared by a licensed professional engineer in accordance with applicable Environmental Protection Agency (EPA) and Texas Commission on Environmental Quality (TCEQ) regulations and approved by the City Engineer prior to issuing the grading permit.

(5) Submission by the applicant of a copy of Notice of Intent (NOI) and or a Construction Site Notice (CSN) as required by the Texas Commission on Environmental Quality (TCEQ) regulations for all work disturbing one (1) acre of land or more.

(6) The City Engineer may exclude that portion of tracts in excess of ten (10) acres that he/she determines to be so situated as to not contribute to erosion due to location and topography.

(b) If removal by the City of soil, rock, mud and debris from its streets, alleys, utility facilities, rights-of-way or easements is required by reason of work performed on property for which a deposit has been made pursuant to subsection (a), reasonable charges shall be billed to the applicant and subtracted from balance of the applicant's deposit. The City will attempt to notify applicant to clean the affected area unless deemed an emergency requiring immediate attention.

(c) Upon written request by the applicant to the City Engineer, the unused portion of the applicant's deposit shall be refunded if the following criteria is met:

(1) The site for which the deposit exists has been stabilized against erosion; and permanent ground cover has been established.

(2) No further hazard of erosion is present at the site;

(3) All temporary erosion control structures have been removed;

(4) Permanent erosion control facilities are in place and functioning properly as designed; and

(5) The City Engineer or his designee has given written acceptance of public improvements.

(d) An applicant who has submitted a written request for return of their deposit who meets the requirements of subsection (c) shall be refunded all funds not used to reimburse the City for the removal of soil, rock, mud, debris and pollutants from its streets, alleys, utility facilities, drainage facilities, rights-of-way or easements. Should an applicant fail to meet all requirements for a refund, the applicant's request will be rejected until such time as they are met. When the requirements have been met, the funds subject to refund will be sent via first class mail to the address on the applicant's grading permit application or if such address has been updated pursuant to application instructions to the applicant's updated address. If the refund mailed to the applicant is returned by the United States Postal Service as undeliverable, the funds shall be forfeited to the City and placed in the general fund if City Council is unable to determine the legal address.

(e) If a written request for return of a deposit is not made within two (2) years of the date the project on the property for which the deposit has been made receives written acceptance from the City Engineer or his designee of the public improvements, the unused portion of the applicant's deposit shall be forfeited to the City and placed in the general fund after the City notifies the applicant.

(f) Grading permits shall be valid for two-years after date of issuance by the City. Grading permits may be extended for one additional year (for a total of three years) upon written request by the applicant to the City Engineer. The City Engineer will have the site inspected to verify compliance with the permit conditions and the provisions of the submitted SWP3 before making the permit extension. Failure of the applicant to maintain compliance with the permit conditions and the provisions of the submitted SWP3 shall be adequate cause to deny a request for grading permit extension.

Sec. 38-438. – Exceptions to the permit, permit fee and deposit.

Construction, grading, filling or excavation undertaken by the City of Rockwall, franchised utility companies and existing individual single-family lots with existing residences under one acre in size shall be exempt from the permit, deposit and permit fee as required by this article.

Sec. 38-439. – Owner's responsibility.

The property owner shall be responsible for implementation and operation of a Storm Water Pollution Prevention Plan (SWP3) in accordance with applicable Environmental Protection Agency (EPA) and Texas Commission on Environmental Quality (TCEQ) regulations and all cleanup operations incidental to the grading, filling, excavation, construction or other disturbance of the surface of real property including leveling, establishment of ground cover, erosion and sediment control and removal of all trash, debris or other materials not suitable for fill including those deposited on streets, alleys, utility facilities, rights-of way or easements.

In addition, the property owner shall be responsible for compliance with the approved grading plan.

If the property owner fails in any respect to fulfill the requirement of this article, the City may go upon the owner's property and perform such work as may be necessary to fulfill such requirements and may level, establish ground cover, construct erosion control, remove all soil, rock, debris and other materials not suitable for fill including those deposited on streets, alleys, utility facilities, rights-of-way or easements, at the property owner's expense and charge same against the deposit of the applicant unless deemed and emergency requiring immediate attention, the City will first contact applicant to address the matter.

If a deposit has not been made with the City, or if the cost incurred by the City exceeds the amount of the deposit, the City shall bill the property owner for the unpaid expenses and if the owner fails to pay the City for such expenses within thirty (30) days of being billed for same, the City shall have the right to place a lien on the owner's property which shall be filed with the county clerk as in the case of paving assessment liens for all amounts expended by the City in excess of the deposit plus interest at the current lawful rate. If the property owner fails to fulfill the requirement of this article the City may revoke the grading permit, issue citations or take other legal remedies as may be necessary to enforce compliance with this article.

Sec. 38-440. – Exemptions

A grading permit is not required for the following:

1. Customary and incidental routine grounds maintenance, landscaping, and gardening in any district which does not require platting, replatting, variance request, or building permit and which does not affect stormwater drainage on or through the site;

2. Emergency repairs of a temporary nature made on public or private property which are necessary for the preservation of life, health or property, and which are made under circumstances where it would be impossible or impracticable to obtain a grading permit

SECTION 4. SEVERABILITY. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 5. SAVINGS CLAUSE. That all ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 6. EFFECTIVE DATE. That the Ordinance shall be effective immediately following its second reading and publication in accordance with the City Charter.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 07-07-14

2nd Reading: 07-21-14

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ESTABLISHING A PROHIBITION REGARDING TEMPORARY HABITATION IN PUBLIC PLACES IN CHAPTER 22. MISCELLANEOUS OFFENSES. ARTICLE I. IN GENERAL, SECTION 22-4; PROVIDING FOR SEVERABILITY AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas recently amended Chapter 12, Article III, Section 12-51 through 12-66 of the City of Rockwall Code of Ordinances regulating peddler activities in the City; and

WHEREAS, in the revision of Chapter 12, Article III, Section 12-51 through 12-66, the City deleted a provision prohibiting temporary habitation in a public place because the provision was not compatible with the regulations regarding peddlers; and

WHEREAS, the City Council of the City of Rockwall, Texas believes that the regulation prohibiting temporary habitation in a public place is more appropriate in Chapter 22, Miscellaneous Offenses; and

WHEREAS, the City Council of the City of Rockwall, Texas believes it to be in the best interest of the public to promote public safety and welfare through prohibiting temporary habitation in public places;

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That Chapter 22. Miscellaneous Offenses; Article I. In General; Section 22-4. Temporary Habitation in a Public Place Prohibited is hereby established and shall henceforth read in its entirety as follows:

Sec. 22-4. Temporary habitation in a public place prohibited.

(a) It shall be unlawful for any person to lodge, to live in for a time, or to take temporary habitation in any portion of a public park, culvert, or drainage way, or underneath a viaduct or bridge over any public roadway within the city. Evidence of lodging or temporary habitation shall include, but not be limited to, bedrolls, mattresses, blankets, cooking utensils, clothing, or any other personal belongings.

(b) It is an exception to an offense under section (a) that the person is seeking temporary shelter during a verified tornado.

(c) It is an exception to an offense under section (a) if the temporary habitation in a public park is part of a city sponsored or approved event. (i.e. Family Campout in the Park).

SECTION 2. SEVERABILITY. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 3. SAVINGS CLAUSE. All ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 4. EFFECTIVE DATE. That the Ordinance shall be effective immediately following its second reading and publication in accordance with the City Charter.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 07-07-14

2nd Reading: 07-21-14

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-27

SUP NO. 122

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN THE SINGLE-FAMILY RESIDENTIAL (SF-10) DISTRICT ALLOWING FOR AN ACCESSORY BUILDING EXCEEDING THE SIZE REQUIREMENTS, ON THE PROPERTY LOCATED AT 921 ALAMO ROAD, BEING A 0.74-ACRE PARCEL OF LAND IDENTIFED AS A PORTION OF BLOCK 4, GARNER ADDITION, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A'; CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Dennis D. Alsup for a Specific Use Permit allowing for an accessory building exceeding the size requirements within the Single-Family Residential (SF-10) District, on the property located at 921 Alamo Road, being a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for an accessory building exceeding the size requirements within the Single-Family Residential (SF-10) District for the *Subject Property*; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in ***Article IV, Section 2.1.2, Residential and Lodging Use Conditions,*** of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended and as may be amended in the future, and shall be subject to the additional following additions:

1) The accessory building must conform to all Engineering and Fire Department standards; and

2) Submittal and approval of a building permit is required prior to the construction of the accessory building; and

3) The accessory building must conform to the approved site plan (survey) and building elevations (photo) depicted in Exhibits 'A' & 'B' of this ordinance; and

4) The accessory building shall not exceed 240 square feet in area; and

5) The accessory building shall not exceed a maximum height of 15 feet; and

6) The accessory building is subject to administrative review in the event that the subject property is sold or conveyed in any manner to another party, subdivided, or re-platted; and

7) The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof; and

8) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 21st DAY OF July, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 07-07-14

2nd Reading: 07-21-14

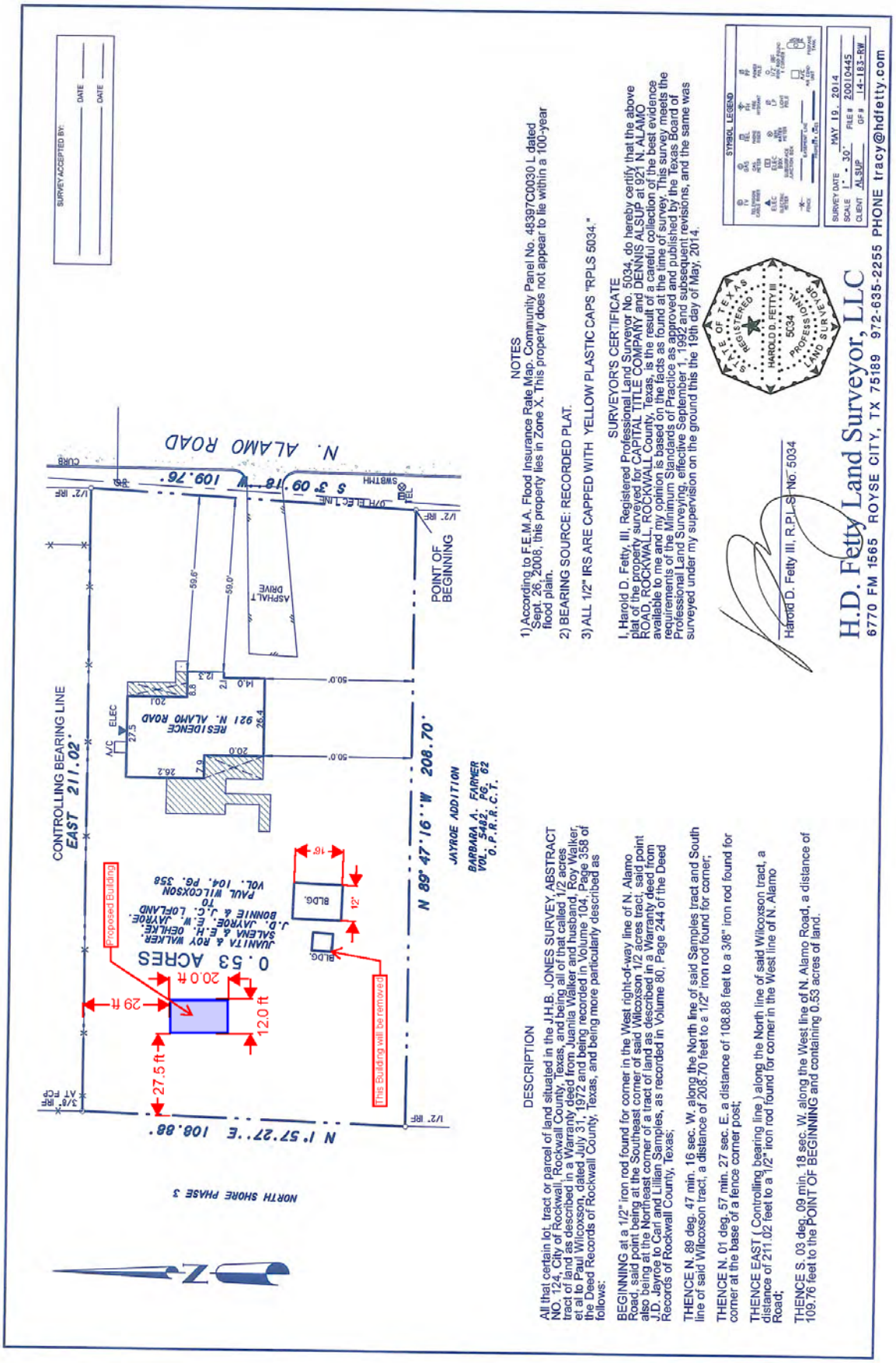
N. ALAMO ROAD
N 89° 47' 16" W 208.70'
CONTROLLING BEARING LINE
EAST 211.02'
POINT OF BEGINNING
JAYROE ADDITION
BARBARA A. FARMER
VOL. 5482, PG. 62
O.P.R.R.C.T.
RESIDENCE
921 N. ALAMO ROAD
ASPHALT DRIVE
BLDG.
Proposed Building
0.53 ACRES
20.0 ft
29 ft
12.0 ft
27.5 ft
This Building will be removed
JUANITA & ROY WALKER, SALEMA & E.H. OEHLKE, J.D. JAYROE, E.W. JAYROE, BONNIE & J.C. LOFLAND TO PAUL WILCOXSON VOL. 104, PG. 358
N 1° 57' 27" E 108.88'
S 3° 09' 18" W 109.76'
NORTH SHORE PHASE 3
SURVEY ACCEPTED BY:
DATE
DATE
NOTES
1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
2) BEARING SOURCE: RECORDED PLAT.
3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
SURVEYOR'S CERTIFICATE
I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for CAPITAL TITLE COMPANY and DENNIS ALSUP at 921 N. ALAMO ROAD, ROCKWALL, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 19th day of May, 2014.
STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL LAND SURVEYOR
Harold D. Fetty III, R.P.L.S. No. 5034
H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com
SYMBOL LEGEND
SURVEY DATE MAY 19, 2014
SCALE 1" = 30' FILE # 20010445
CLIENT AL SUP GF # 14-183-RW
DESCRIPTION
All that certain lot, tract or parcel of land situated in the J.H.B. JONES SURVEY, ABSTRACT NO. 124, City of Rockwall, Rockwall County, Texas, and being all of that called 1/2 acres tract of land as described in a Warranty deed from Juanita Walker and husband, Roy Walker, et al to Paul Wilcoxson, dated July 31, 1972 and being recorded in Volume 104, Page 358 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:
BEGINNING at a 1/2" iron rod found for corner in the West right-of-way line of N. Alamo Road, said point being at the Southeast corner of said Wilcoxson 1/2 acres tract, said point also being at the Northeast corner of a tract of land as described in a Warranty deed from J.D. Jayroe to Carl and Lillian Samples, as recorded in Volume 80, Page 244 of the Deed Records of Rockwall County, Texas;
THENCE N. 89 deg. 47 min. 16 sec. W. along the North line of said Samples tract and South line of said Wilcoxson tract, a distance of 208.70 feet to a 1/2" iron rod found for corner;
THENCE N. 01 deg. 57 min. 27 sec. E. a distance of 108.88 feet to a 3/8" iron rod found for corner at the base of a fence corner post;
THENCE EAST (Controlling bearing line) along the North line of said Wilcoxson tract, a distance of 211.02 feet to a 1/2" iron rod found for corner in the West line of N. Alamo Road;
THENCE S. 03 deg. 09 min. 18 sec. W. along the West line of N. Alamo Road, a distance of 109.76 feet to the POINT OF BEGINNING and containing 0.53 acres of land.

Exhibit B: Elevations



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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, DESIGNATING THE CITY OF ROCKWALL PLANNING AND ZONING COMMISSION AS THE AIRPORT ZONING COMMISSION; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall did establish a Joint Airport Zoning Board on December 2, 1963, and investing it with the powers such Boards are authorized to exercise under the provisions of Chapter 391 of the Acts of the Regular Session of the 50th Legislature, 1947, and

WHEREAS, the Rockwall Municipal Airport lies entirely within the corporate city limits of the City of Rockwall and may, as authorized under Texas Local Government Code, Chapter 241, Municipal and County Zoning Authority around Airports, Section 241.012 Airport Compatible Land Use Zoning Regulations, adopt, administer, and enforce, under its police power, airport compatible land use zoning regulations for the part of a controlled compatible land use area located within the political subdivision if the airport is used in the interest of the public to the benefit of the political subdivision, and

WHEREAS, the City Council of the City of Rockwall, as authorized under Texas Local Government Code, Chapter 241, Municipal and County Zoning Authority around Airports and more specifically Subchapter B. Adoption of Airport Zoning Regulations, Section 241.016 Airport Zoning Commission, seeks to designate the Planning and Zoning Commission as the airport zoning commission, and

WHEREAS, the City Council of the City of Rockwall hereby designates the Rockwall Planning and Zoning Commission as the Airport Zoning Commission, and

WHEREAS, the designation of the Rockwall Planning and Zoning Commission as the Airport Zoning Commission, supersedes and repeals the act creating the Joint Airport Zoning Board established on December 2, 1963.

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the Rockwall Planning and Zoning Commission shall be designated as the Airport Zoning Commission.

Section 2. That in interpreting and applying the provisions of this Ordinance, they shall be held to be minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity and general welfare. It is not intended by this ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties, or any statute, local ordinance or regulations, except that if this ordinance imposes a greater restriction, or higher standard, this ordinance shall control.

Section 3. That all other ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed.

Section 4. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of July, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank Garza, City Attorney

1st Reading: 07-07-14

2nd Reading: 07-21-14

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 22. MISCELLANEOUS OFFENSES, ARTICLE II. OFFENSES REGARDING MINORS, DIVISION 5. SEX OFFENDER RESIDENCY, SECTIONS 22-136 AND 22-137 TO MODIFY PROVISIONS SPECIFYING VICTIMS AGE; ADDING A SECTION REGARDING NOTICE TO RESIDENTS OF REGISTERED SEX OFFENDERS; PROVIDING FOR SEVERABILITY AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, upon original passage of these ordinance provisions, the age for juvenile victims for certain provisions was incorrect and created confusion; and

WHEREAS, amendments to sections of the Code specified herein are necessary in order to ensure said victims are covered under the provisions of these regulations; and

WHEREAS, notice to the citizens of Rockwall should be provided regarding any person who moves into the City of Rockwall who is required to register as a Sex Offender under Article 62.02 of the Texas Code of Criminal Procedure.

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That the Code of Ordinances in Chapter 22. Miscellaneous Offenses; Article II. Offenses Regarding Minors; Division 5. Sex Offender Residency; Sections 22-136 and 22-137 is hereby amended to reflect the following changes regarding victims' age and Section 22-138 is hereby added to read as follows:.

Sec. 22-136. Limitations

For each person required to register on the Texas Department of Public Safety's Sex Offender Database (the "database") because of a violation involving a victim who was less than 17 years of age, it is unlawful for that person to establish a permanent residence or temporary residence within 1,000 feet of any premises where children commonly gather, which, for purposes of this division, shall be a private or public park, private or public playground, private or public school or day care center, public or private youth center, public swimming pool or video arcade facility, as such terms are defined in the city's Unified Development Code, as it exists or may be amended, homeowners association swimming pools or commercial pools located in residential subdivisions. For the purposes of defining a premises, any portion of a property, on which a residence is established, that

adjoins or is located within 1,000 feet shall be included in these regulations. If any term used in this division is not defined in the city's Unified Development Code, the terms shall have the meaning ascribed by V.T.C.A., Health and Safety Code § 581.134, as it exists or may be amended. For the purposes of this division, the premises stated in this section are depicted on a map of the city which is attached to the ordinance from which this section is derived and labeled "Exhibit A." In addition, planted street medians shall not be considered as public parks.

Sec. 22-137. Evidentiary Matters, Measurements

(a) It shall be prima facie evidence that this division applies to such a person if that person's record appears on the database and the database indicates that the victim was less than 17 years of age.

Sec. 22-138. Notice

(a) The Police Department will notify the residents of the City the information of all persons required to register as a Sex Offender under Article 62.02 of the Texas Code of Criminal Procedure anytime an offender moves into or within the City of Rockwall.
(b) Within fifteen (15) business days of receiving notice of moving from a registered sex offender, the Police Department will send written notice providing the same information to all City of Rockwall residential addresses within one thousand five hundred (1,500) feet of the registrant's new home address.

SECTION 2. The remainder of Chapter 22, Miscellaneous Offenses; Article II. Offenses Regarding Minors; Division 5. Sex Offender Residency of the City Code of Ordinances remains unchanged.

SECTION 3. SEVERABILITY. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 4. SAVINGS CLAUSE. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 5. EFFECTIVE DATE. That the Ordinance shall be effective immediately following its second reading and publication in accordance with the City Charter.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 07-07-14

2nd Reading: 07-21-14

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **July 16, 2014**

SUBJECT: **APPOINTMENT WITH SCOTT SELF TO REQUEST DOCK RELOCATION**

Sail With Scott LLC was previously approved by Council to install a floating dock and ramp located on the south side of the jetty at The Harbor to accommodate both the Sea Wolf and Harbor Lights loading and unloading of passengers. Due to the low lake levels, Council approved the relocation of the dock to the west side of the break-wall.

As lake levels receded further, Scott Self requested permission at the April 2nd City Council meeting to extend his dock to reach deeper water in order to operate his boats.

At this time, Mr. Self is requesting to extend the docks another 30'. Current depth at the end of his dock is approximately 14" – 16" inches. According to Mr. Self, if he is permitted to extend it an additional 30', the water depth would be between 4' -6'.

The dock would still be within the "No Wake Zone" buoys set by the City of Dallas. He has also placed solar powered blinking lights at the end of the dock for increased visibility for boaters at night.

Based on the April through June receipts, Sail With Scott revenue is down approximately 35-40% from last year. If current trends continue, the revenue could be nearly 50% less than last year. This revenue is deposited into the Recreational Development Fund.

Mr. Self also understands that relocation of the dock must be approved by the City of Dallas as well. Moving the dock will be at his expense and will be returned to its original location once the lake levels are back to an elevation that he can safely operate his boats.

Mr. Self would also like to request permission to temporarily dock his boats over night at The Harbor in the event that he is unable to access his allocated dock space at Chandler's Landing Marina. Between his docking area and the marina break-wall exit is a sand bar that is not visible from the surface. If a boat becomes beached on that sand bar, he would not be able to enter or exit the dock until the boat is removed from the sand bar. Mr. Self indicated that this has happened recently.

The ability to temporarily dock over night at The Harbor would allow him to continue to operate in the event he is blocked out from Chandler's Marina. In the past, we have permitted visitors or special events to temporarily dock their boats over night subject to them providing us their contact information, insurance, boat registration number and drivers license. We also make them aware that the City is not responsible for the security of their water craft. Mr. Self will be available at the Council meeting to present his request and answer any questions.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary**

DATE: **July 16, 2014**

SUBJECT: **Appointment item request**

Mr. Phelps has requested an appointment item with the city council for the July 21st meeting to discuss retaining wall standards.

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CITY OF ROCKWALL

ORDINANCE NO. 14-30

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 12, ARTICLE III, SECTION 12 BY ADDING SECTION 12-66 TO 12-67 OF THE CODE OF ORDINANCES, REGULATING PEDDLER ACTIVITIES IN THE CITY AND SOLICITATION IN A PUBLIC AREA; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Rockwall (the "City"), a Home Rule City and by State law and City Charter is permitted to establish ordinances to protect the health, safety and general welfare of its residents; and

WHEREAS, on May 22, 2014 the City Council adopted a new Ordinance regulating peddler activities and after careful review, additional amendments are necessary because of the health and safety concerns in soliciting in public areas, the Council is amending the ordinance regulating such activity; and

WHEREAS, the amended ordinance will not interfere with free speech, open dialogue and exchange of opinion;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THAT;

SECTION 1 FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. **AMENDMENT.** Chapter 12, Article III, Sections 12-66 to 12-68 are hereby added to Chapter 12 and should read as follows:

ARTICLE III. PEDDLERS, SOLICITORS AND ITINERANT VENDORS

Sec. 12-66. Solicitation by coercion and solicitation on public area prohibited.

(A) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Coercion means:

(1) To approach or speak to a person in such a manner as would cause a reasonable person to believe that the person is being threatened with:

a. Imminent bodily injury; or
b. The commission of a criminal act upon the person or another person, or upon property in the person's immediate possession;

(2) To persist in a solicitation after the person solicited has given a negative response;
(3) To block, either individually or as part of a group of persons, the passage of a solicited person; or
(4) To engage in conduct that would reasonably be construed as intended to compel or force a solicited person to accede to demands.

(B) A person commits an offense if he conducts a solicitation by coercion or conducts a solicitation in any public area in the city at any time on any day of the week.

(C) It is a defense to prosecution under subsection (b) of this section if the solicitation:

(1) Consisted exclusively of passive, nonverbal acts; or
(2) Was being conducted on private property with the advance written permission of the owner, manager, or other person in control of the property.

(D) The provisions of section 12-57 regarding exemptions shall apply to this section.

Sec. 12-67 Violation/penalty

Any person violating the provisions of this article is guilty of a class C misdemeanor and upon conviction shall be subject to a penalty not to exceed five hundred dollars ($500.00) Each and every act constituting a violation hereof and each failure or refusal to comply with any provision shall be a separate offense and shall be punished as such.

SECTION 3 REPEALING ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4 SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 5 SAVINGS CLAUSE.
All ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 6. EFFECTIVE DATE. The Ordinance shall be effective immediately following its publication in the local newspaper as required by the Texas Local Government Code.

PASSED AND APPROVED BY THE CITY COUNCIL OF ROCKWALL TEXAS, this 21st day of July, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 07-07-14

2nd Reading: 07-21-14

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **July 17, 2014**

SUBJECT: **Stone Creek Park Resolution and Grant Application Contract**

The Stone Creek development agreement requires the developer to dedicate a minimum of eleven acres of land for a neighborhood park and pay equipment fees related to the park. The dedication of the park land will occur with the next phase of development which has been submitted. When the final plat is accepted we will have collected roughly $218,000 in equipment fees to begin the development of the park.

The first phase of the park development would begin with one or more public hearings with residents to receive input on the amenities that should be included in the design. Once the input is received, a Master Plan of the park would be developed based on the input received through the public hearing process. The Park Board would recommend that adoption of the Master Plan to the City Council for adoption. Once the Master Plan has been adopted, a phasing plan for the park would be developed.

We have an opportunity to submit an application for assistance to the Texas Parks and Wildlife Department (TPWD) to develop the park. Based on our current park land dedication ordinance, we expect the cost to develop an 11 acre neighborhood park at $1,100,000. Although the grant program is very competitive, a maximum of $400,000 could be awarded from the State to develop the park site if our application is approved. The source of the grant funds is the sales tax collected from the sale of sporting goods.

Contingent on Council approval, the staff proposes to have MHS Planning and Design prepare an application for assistance to the TPWD for matching funds to develop the neighborhood park located within the Stone Creek development. Our match funding would be the value of the land that is being dedicated for the park and the equipment fees that have been collected to develop the site. The application deadline is August 31 and TPWD will score and award funds in March of 2015.

MHS has proposed a cost of $9,000 plus expenses to prepare the grant application, a letter of retroactivity to allow the use of the land dedication for the City's match and a Site Master Plan for the park. The source of the funding would be the Recreation Development Fund.

If the Council is in agreement with contract with MHS and the application for assistance, the TPWD requires a resolution from the governing body of the applicant. The resolution certifies that funds are available for the matching portion of the project and the dedication of the site for a permanent park and recreation uses. The source of the City's match is what we have received from the developer of Stone Creek, either in land or fees. A resolution is attached for the Council's consideration.

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MHS

PLANNING & DESIGN, LLC

July 17, 2014

Mr. Andy Hesser, Parks & Recreation Manager
City of Rockwall
108 East Washington
Rockwall, Texas 75087

RE: Preparation of a grant application to Texas Parks & Wildlife for acquisition & development of the Park at Stone Creek with Waiver of Retroactivity.

Dear Andy:

It is with great pleasure that I present this proposal to provide assistance with the development of a Texas Recreation and Parks Account grant application for park land acquisition and improvements at the Park at Stone Creek and a Waiver of Retroactivity for the land being acquired.

In addition to preparing the necessary grant forms, I will walk and photograph the site, prepare the grant specific site plan, grant budget, brief environmental assessment, program narrative, environmental checklist, and any other standard items necessary to submit a complete and competitive application.

Although I will be responsible for preparing and coordinating the application, I will need your assistance on several items such as providing me with a plat of the proposed park, including the area to be acquired, letters of commitment from property owners of the land to be acquired and other entities which may be involved, holding a public hearing, and passing a resolution to file the application.

Once the application has been approved by the City and submitted to Texas Parks and Wildlife, I will assist you with any revisions and/or additional information requested by Texas Parks and Wildlife. The grant program is currently highly competitive with about 20% of all submitted projects receiving funding. With this in mind, we will need to prepare an application that addresses every conceivable aspect of the state scoring system in order to be successful.

In addition to the grant, I propose to prepare a Waiver of Retroactivity for the project. Since you may acquire the land prior to the award of the grant you will need to retain the "acquisition status" and apply for a waiver of retroactivity on the land. The waiver will allow the City to acquire the land now and still be eligible for land acquisition/preservation credits under the scoring system.

A waiver of retroactivity requires that four items be submitted to Texas Parks & Wildlife in order to be reviewed. The items required are:

1) Cover letter addressing the scope and urgency of the waiver and an assurance that it is understood that the granting of the waiver in no way commits TP&W to the future funding of a grant project.
2) Location and boundary maps.
3) Proposed conceptual development plan
4) Environmental assessment

For the waiver we will prepare the cover letter, maps, conceptual plan and environmental assessment. I will complete the Texas Recreation and Parks Account grant application and waiver for a lump sum fee of nine thousand dollars ($9,000.00) plus actual travel and reproduction expense incurred in developing the application.

This agreement may be terminated by the City of Rockwall by giving seven days written notice. If this agreement is terminated, the City of Rockwall will pay MHS Planning and Design, LLC, for any and all work completed prior to the time of termination, based on the hourly rate sheet attached. All work prepared and completed prior to termination shall be the property of the City of Rockwall and shall be provided to the City for project completion as the City deems appropriate.

I look forward to working with you on this project and should you have any questions or need additional information, please let me know.

If the agreement meets with your approval, please have signed and return a copy to my office as soon as possible. The completed application must be submitted prior to August 31. 2014.

Sincerely,

Mark H. Spencer

MHS/pg

enclosure

APPROVED AND ACCEPTED THIS
__ DAY OF _____ 2014

_____
Rick Crowley, City Manager
City of Rockwall

MHS
PLANNING & DESIGN, LLC

MHS Planning & Design
Hourly Rates
Effective June 1, 2014

Mark H. Spencer Principal	$ 150.00 per hour
Professional Engineer	$ 130.00 per hour
Planner	$ 90.00 per hour
CADD Drafter	$ 80.00 per hour
Word Processing/Clerical	$ 45.00 per hour
Mileage	$ .56 per mile
Surveying, engineering, architectural, reproduction, aerial photography & all other expenses & contracted services	Cost plus 15%

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 14-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, HEREINAFTER REFERRED TO AS "APPLICANT," AUTHORIZING APPLICATION TO THE TEXAS RECREATION & PARKS ACCOUNT PROGRAM (TRPA); DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE "APPLICANT" IN DEALING WITH THE TEXAS PARKS & WILDLIFE DEPARTMENT, HEREINAFTER REFERRED TO AS "DEPARTMENT," FOR THE PURPOSE OF PARTICIPATING IN THE LOCAL PARK GRANT PROGRAM, HEREINAFTER REFERRED TO AS THE "PROGRAM," CERTIFYING THAT THE "APPLICANT" IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE "APPLICANT'S" MATCHING SHARE IS READILY AVAILABLE; DEDICATING THE PROPOSED SITE FOR PERMANENT PUBLIC PARK AND RECREATION USES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Rockwall City Council supports application to the Texas Recreation and Parks Account Program (TRPA); and

WHEREAS, the "Applicant" is fully eligible to receive assistance under the "Program, and

WHEREAS, the "Applicant" is desirous of authorizing an official to represent and act for the "Applicant" in dealing with the "Department" concerning the "Program."

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the "Applicant" hereby certifies that they are eligible to receive assistance under the "Program;"

SECTION 2: That the "Applicant" hereby certifies that the matching share for this application is readily available at this time;

SECTION 3: That the "Applicant" hereby authorizes and directs its City Manager, Rick Crowley, to act for the "Applicant" in dealing with the "Department" for the purpose of the "Program," and Rick Crowley is hereby officially designated as the representative in this regard.

SECTION 4: That the "Applicant" hereby specifically authorizes the official to make application to the "Department" concerning the site to be known as the Park at Stone Creek in the City of Rockwall for use as a park site and the Park at Stone Creek is hereby dedicated (or will be dedicated upon completion of the proposed acquisition) for public park and recreation purposes in perpetuity.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THE "APPLICANT," this 21st day of July , 2014 .

ATTEST: **David Sweet, Mayor**

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 07/21/2014

APPLICANT: Marco A. Esparza

AGENDA ITEM: **MIS2014-008**; Manufactured Home Replacement (*312 Rene Drive*)

SUMMARY:

Discuss and consider a request by Marco A. Esparza for a waiver to the *Manufactured Home Replacement Minimum Standards* as set forth in *Exhibit 'C'* of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*] to allow Hardiboard panels in lieu of Hardiboard lap siding for a new manufactured home on a 0.17-acre property identified as Lots 1390, 1391 & 1392, Rockwall Lake Estates #2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District uses, located at 312 Rene Drive, and take any action necessary.

CHARACTERISTICS OF REQUEST:

The applicant, Marco A. Esparza, has submitted a special request to the requirements stipulated for *Manufactured Home Replacement Minimum Standards* outline in *Exhibit 'C'* of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*]. According to this section, if an existing property has a manufactured home situated on it then the property owner is eligible for a one (1) time replacement of said manufactured home pending the replacement home meets the following criteria:

1) The replacement manufactured home shall be permanently affixed to a concrete foundation.
2) The replacement manufactured home shall have a minimum of a 3:12 roof pitch.
3) The replacement manufactured home shall be constructed of a minimum of 90% masonry materials on the exterior of the structure (excluding windows and doors; including the skirting material). This includes Hardiboard lap siding, "Cemplank" lap siding, or a similar cementaceous durable lap siding material that has a minimum width of 6¼-inches.
4) The replacement manufactured home shall be a newer manufactured home and contain at least the same living space/square footage as the previous manufactured home.

In this case, the applicant has replaced an existing manufactured home on the subject property at 312 Rene Drive. The new manufactured home meets all the above mentioned criteria for the one (1) time replacement with the exception of the material requirements. The new manufactured home uses Hardiboard panels as opposed to a lap siding material. According to Section C, *Consideration of Special Request*, of *Exhibit 'C'* of PD-75, the City Council may consider special requests on a case-by-case basis for properties located within the Lake Rockwall Estates subdivision pending a recommendation from the Planning and Zoning Commission. The approval of any special request shall preempt any other underlying zoning restrictions stipulated by the zoning ordinance. Staff would like to acknowledge that the proposed Hardiboard panels are consistent with existing materials within the district, and that the applicant's request represents an improvement on the property. Additionally the approval of this request would not alter the essential character of the planned development district.

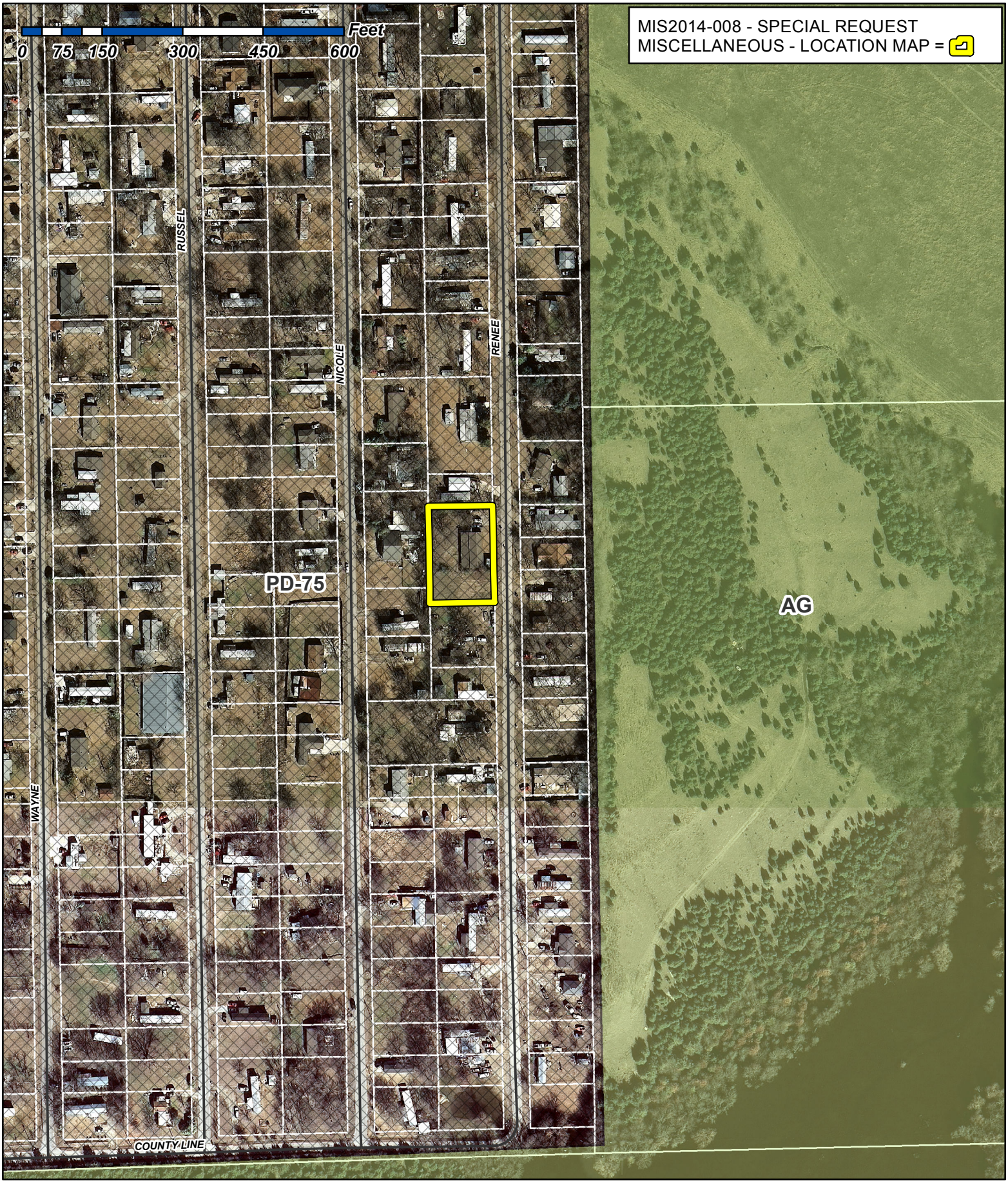
RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the applicant's request for a waiver to the manufactured home replacement standards staff would recommend the following conditions:

1) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On July 8, 2014, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request by a vote of 4-0, with Commissioners Renfro, McCuthcheon and Lyons absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

1:2,766

The material used outside of our house 312 Benee is made of hard panel. The house is 75 ft long and 27 ft wide. The date of manufacture is 5:4.98 And the manufacture series: 15 123 27757 The material is in good conditiong its not cracked and its 100% hardpanel. The house was in the same area all we did was move it to our adress 312 Benee.

Marco A. Esparza

469 569 4392

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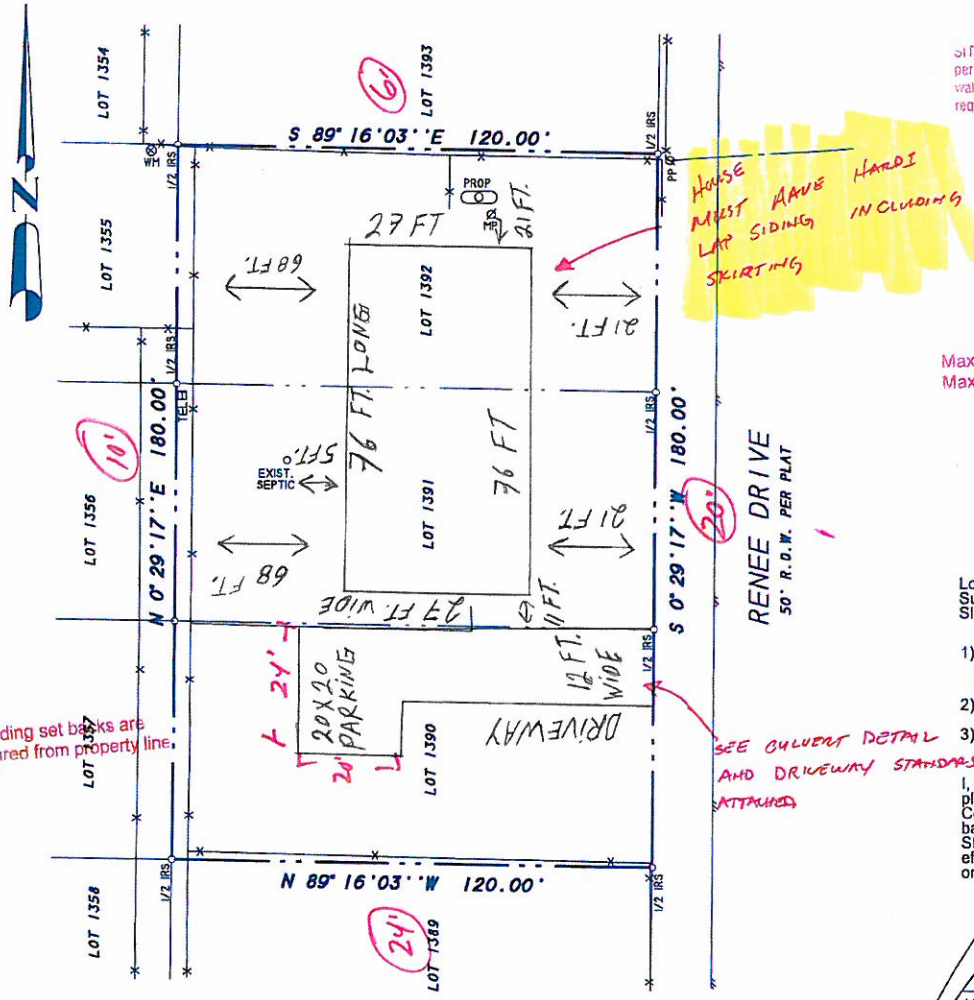
(From Wayne St.)

312 Renee

(Hardie Panel)

07-15 PZ
07-21 CC > Special Request

PLAT OF SURVEY



SITE PLAN - Subject to field inspection per approved drainage gradients. Retaining walls and a final grade survey may be required, prior to receiving a final inspection.

CITY OF ROCKWALL
APPROVED FOR CONSTRUCTION
SUBJECT TO FIELD INSPECTION AND CODE COMPLIANCE
DATE 10-23-13 BY: [signature]

Maximum slope of driveway 10%
Maximum slope of yard 3 to 1

CONSTRUCTION CODES - 2009
International Residential Code & 2008
Electrical Code and local amendments

DESCRIPTION

Lots 1390, 1391 and 1392, of ROCKWALL LAKE PROPERTIES DEVELOPMENT NO. 2, a Land Subdivision in the County of Rockwall, Texas, according to the Plat thereof recorded in Cabinet A, Slide 79-80, Plat Records, Rockwall County, Texas.

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0040 L dated September 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: RECORDED PLAT.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for MARCO ESPARZA at 312 RENEE DRIVE, ROCKWALL, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 10th day of October, 2013.

Harold D. Fetty III, R.P.L.S. No. 5034

STATE OF TEXAS REGISTERED HAROLD D. FETTY III 5034 PROFESSIONAL LAND SURVEYOR

SYMBOL LEGEND

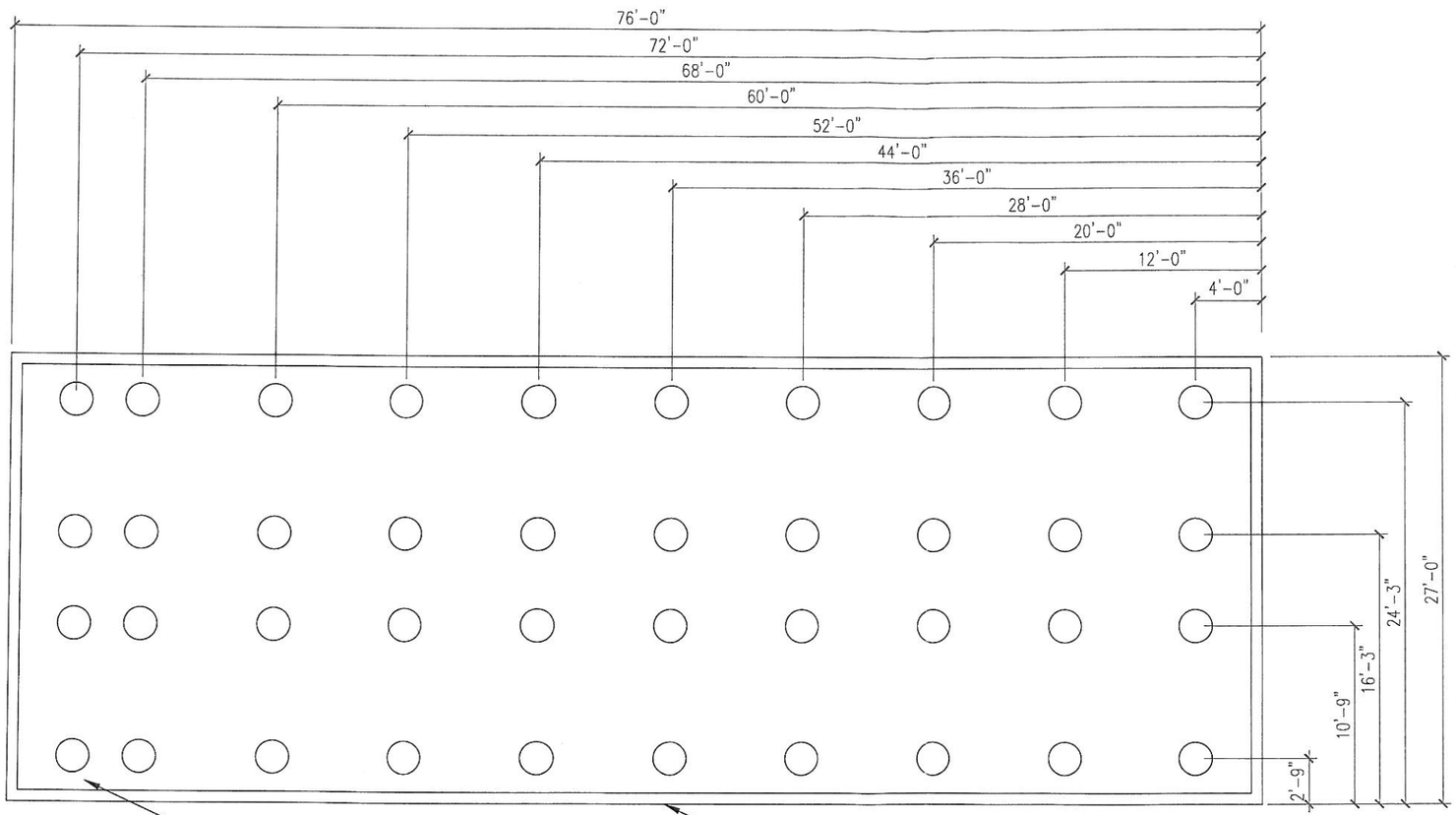
SURVEY DATE OCTOBER 10, 2013
SCALE 1" = 30' FILE # 20130340
CLIENT ESPARZA GF # NONE

SURVEY ACCEPTED BY:
DATE
DATE

CALL 771-7760 FOR INSPECTION

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE 972-635-9979 FAX

DRAWING NUMBER
S1.10



STD 76' x 27' Base
Model: Redman HUD PFS 513143/44
Year: 1998
Area: 2,052 sq.ft.

This foundation design complies with Permanent Foundations Guide for Manufactured Housing (HUD-4930.3G) September, 1996

GENERAL NOTES

1. ALL BAR SHALL BE 50 KSI.
2. WELDED WIRE MESH SHALL BE AS SPECIFIED BY THE ENGINEER.
3. CONCRETE SHALL BE NORMAL WEIGHT, TRANSIT MIXED AND HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI AT 28 DAYS.
4. CONCRETE SHALL BE IN ACCORDANCE WITH ACI-318 ACI-301 AND ASTM C94. SLAB SHOULD BE STRESSED WITHIN 7 TO 10 DAYS AFTER CONCRETE PLACEMENT.
6. WATER CONTENT SHALL BE CONTROLLED AND MINIMIZED IN ACCORDANCE WITH ACI'S BUILDING CODE REQUIREMENTS AS REFERENCED ABOVE.
7. ALL CONVENTIONAL REINFORCING BARS SHALL BE GRADE 50 IN ACCORDANCE WITH ASTM A615.

SITE PREPARATION NOTES

1. IT IS THE CONTRACTORS RESPONSIBILITY TO LOCATE EXISTING UTILITIES PRIOR TO EXCAVATING. THE CONTRACTOR SHALL EXERCISE CAUTION WHILE EXCAVATING TO AVOID CUTTING OR DAMAGING UNDERGROUND UTILITY LINES. THE CONTRACTOR SHALL INFORM UTILITY OWNERS IN ADVANCE TO ENABLE THEM TO IDENTIFY AND LOCATE, REROUTE OR TO MAKE OTHER ADJUSTMENTS IN ORDER FOR WORK TO PROCEED WITH MINIMUM DELAYS.
2. ALL FOUNDATION EXCAVATIONS SHOULD BE PROPERLY MONITORED TO ASSURE THAT UNDESIRABLE (LOOSE) MATERIALS ARE REMOVED.
3. EXPOSED SOILS SHOULD BE PROTECTED AGAINST RAIN AND EXCESSIVE DRYING.
4. SELECT FILL MATERIAL SHALL BE COMPACTED ACCORDING TO THE PROJECTS GEOTECHNICAL INVESTIGATION.

CONSTRUCTION NOTES

1. SITE GRADING AND DRAINAGE AROUND THE FOUNDATION SHALL BE MAINTAINED AT ALL TIMES IN SUCH A MANNER THAT SURFACE OR GROUND WATER WILL NOT COLLECT AROUND THE SLAB. ADEQUATE POSITIVE DRAINAGE SHALL BE PROVIDED SLOPING AWAY FROM THE FOUNDATION WITH A SLOPE OF 2.5% (1/4-5/8 IN-FT) FOR A MINIMUM DISTANCE OF 5'-0" FROM EDGE OF FOUNDATION.
2. FOR FINAL GRADES THERE SHALL BE POSITIVE DRAINAGE SLOPING AWAY FROM THE SLAB. GRADE BEGINS AS BOTTOM OF BRICK LEDGE.
3. PIERS SHALL BE CLEAN PER PLAN. PIER BOTTOMS MUST BE FOUNDED IN AT LEAST 12" OF UNDISTURBED SOIL OR PROPERLY COMPACTED FILL.
8. CONCRETE SHALL BE VIBRATED TO INSURE CONSOLIDATION AROUND BARS AND STIRRUPS.
10. WHERE DISCREPANCIES BETWEEN PIER LOCATIONS AND ARCHITECTURAL PLANS ARE NOTICED THE ARCHITECTURAL PLANS SHALL CONTROL.
11. COORDINATE STRUCTURAL DRAWINGS WITH ARCHITECTURAL DRAWINGS FOR ALL OPENINGS, DROPS INSERTS, SLOPES, AND RELATED ITEMS.
12. IF SOLID ROCK IS ENCOUNTERED DURING PIER DRILLING, PIER DEPTH MUST MAINTAIN A MINIMUM 24" DEPTH.
13. SIDEWALKS AND DRIVES SHALL BE GRADED TO SLOPE AWAY FROM THE FOUNDATION TO ELIMINATE AND PREVENT PONDING OF WATER.
14. TREES AND SHRUBS SHOULD NOT BE LOCATED CLOSER TO THE FOUNDATION THAN A HORIZONTAL DISTANCE EQUAL TO ROUGHLY ONE-HALF OF THE TREE OR SHRUBS MATURE HEIGHT.

LIMITATIONS

1. THE ENGINEER ADVISES THAT A PRE-POUR INSPECTION IS REQUIRED.
2. IN THE EVENT A SOILS REPORT FOR THE SPECIFIC TRACT OF LAND UPON WHICH THE PROPOSED STRUCTURE IS TO BE CONSTRUCTED IS PROVIDED BY THE CLIENT TO THE ENGINEER, THE ENGINEER WILL RELY ON THE INFORMATION CONTAINED IN SUCH SOILS REPORT IN DESIGNING PLANS HOWEVER, THE ENGINEER DOES NOT ASSUME OR TAKE ANY RESPONSIBILITY WHATSOEVER FOR THE ACCURACY OF SAID SOILS REPORT, OR ANY INFORMATION CONTAINED THEREIN WHICH THE ENGINEER MAY HAVE RELIED UPON TO DESIGN THE FOUNDATION FOR THE PROPOSED STRUCTURE.
3. FOR THE FOUNDATION TO PERFORM AS DESIGNED OWNER MUST INSURE THAT THE MOISTURE CONTENT OF THE SOIL IS MAINTAINED AT A CONSTANT LEVEL SURROUNDING THE FOUNDATION. DO NOT ALLOW THE SOIL TO DRY OUT TO A POINT WHERE THE SOIL CRACKS OR PULLS AWAY FROM THE PIERS.
4. TO REDUCE MOVEMENT IN THE FOUNDATION, ADEQUATE POSITIVE DRAINAGE SHALL BE PROVIDED SLOPING AWAY FROM THE FOUNDATION WITH A MINIMUM SLOPE OF 2%.

CONTRACTOR SHALL ENSURE ADEQUATE SOIL MOISTURE IS AVAILABLE TO UNDERLYING SOILS.

PLAN LEGEND
1. ▲ DENOTES CONCRETE CHAIR.
2. ⋰⋱ DENOTES DIMENSION TO BE VERIFIED.
3. DENOTES DIFFERENCE IN FINISH FLOOR ELEVATIONS.

S1.10 Pier Plan
SCALE : 1'=¼"

THIS DRAWING IS THE PROPERTY OF CARR CONSULTING, INC. IT MAY NOT BE REPRODUCED WITHOUT THE WRITTEN CONSENT OF CARR CONSULTING, INC.

Carr Consulting Inc.
Engineers - Scientists - Planners
Reg# F-2231
153 Wandering Drive
Fomey, Texas 75126
Phone: (469) 964-2965
E-Mail: jcarr@carrcs.com

OWNER/DEVELOPER:

Marco A. Esparza Residence
312 Renee Drive
Rockwall, TX 75032

STATE OF TEXAS
JOHN P. CARR
95616
LICENSED
PROFESSIONAL ENGINEER

STATUS
MANAGER
CONTACT
DRAFTSMAN

BY	DATE
JPC	10/18/2013

DRAWING NUMBER
S1.10

94



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 07/21/2014

APPLICANT: Pross Design Group, Inc.

AGENDA ITEM: **SP2014-011**; Channell Commercial Corporation

SUMMARY:

Discuss and consider a request by Frank Richardson of Pross Design Group, Inc. on behalf of Channell Commercial Corporation and the Rockwall Economic Development Corporation for the approval of an exception to allow tilt wall as a primary building material and variances to the parking, articulation, building materials, and lighting standards as stipulated by the Unified Development Code for an office and industrial facility on an 18.95-acre tract of land being identified as a 2.006-acre portion of Tract 2-7 of the David Harr Survey, Abstract No. 102 and a 16.944-acre portion of Tract 5 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, being zoned Light Industrial (LI) District, situated within the SH 205 By-Pass Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of Airport Road, and take any action necessary.

BACKGROUND INFORMATION:

Channell Commercial Corporation is a manufacturing company that provides communication/fibre products to the telecommunications industry. With the help of the Rockwall Economic Development Corporation (REDC) they are moving their corporate headquarters from Temecula, California to the City of Rockwall. The submitted site plan shows the proposed 295,910 SF headquarters being situated on a 18.95-acre parcel of land, zoned Light Industrial (LI) District, and located on the west side of John King Boulevard south of the railroad tracts. The property is currently vacant. Earlier this year the REDC rezoned a 2.006-acre tract of land to a Light Industrial (LI) District with the intention of combining it with the remaining 16.944-acre tract of land in preparation for the Channell development (*Case No. Z2014-005*). Additionally, Justin Road will be extended adjacent to the southern property line of the subject property, connecting it to John King Boulevard.

VARIANCES

Based on the applicant's submittal staff has identified the following variances:

1) *Parking*. According to the site plan the proposed development will be composed of 38,394 SF of office area, 93,758 SF of manufacturing area and 93,758 SF warehouse area, and have a total parking requirement of 410 parking spaces (*i.e. 1/300 SF of office area, 1/500 SF of manufacturing area and 1/1,000 SF of warehouse area*). Currently, the site plan shows 278 parking spaces; however, the applicant has stated that the facility will require less parking than is required based on the maximum proposed employees per shift information provided on the site plan (*i.e. 150 for first shift, 100 for second shift, and 50 for third shift*). Additionally, the site plan indicates future parking, which could be used if the facility was to expand in the future. *A variance to the parking requirements will require a simple majority vote by the City Council for approval.*

2) *Tilt Wall*. According to Section 5.1, *General Industrial District Requirements*, of Article V, *District Development Requirements*, of the UDC all buildings located within an industrial district are required to have an exterior that is a minimum of 90% masonry (*i.e. brick, stone or a cementaceous material [x≤50%]*); however, exceptions to this requirement for the purpose of allowing concrete tilt wall may be permitted on a case-by-case basis by the City Council. The applicant is requesting a variance for the purpose of utilizing 100% concrete tile wall. *A variance to allow tilt wall will require a simple majority vote by the City Council for approval.*

3) *Articulation*. According to Section 5.1, *General Industrial District Requirements*, of Article V, *District Development Requirements*, of the UDC all buildings located within an industrial district are required to incorporate horizontal and vertical offsets in wall planes on façades adjacent to public streets for the purpose of breaking up flat wall planes and creating visual interest in a building's façade. The articulation requirements are based on formulas contained within the UDC. The applicant is requesting variances to both the horizontal and vertical articulation requirements. *A variance to the articulation requirements will require a simple majority vote by the City Council for approval.*

4) *Building Materials.* According to Section 6.10, *By-Pass Corridor Overlay (205 By-OV) District*, of Article V, *District Development Requirements*, of the UDC buildings located within the John King Boulevard corridor are required to be constructed of 90% masonry materials (*i.e. brick, stone or a cementaceous material [x≤50%]*) of which a minimum of 20% shall include natural or quarried stone. In this case, the proposed building will be 100% tilt wall construction, which currently is not an approved masonry building material within the overlay district. *A variance to the masonry/stone requirements of the 205 By-OV District will require a ¾-majority vote by the City Council for approval.*

5) *Light Poles.* According to Section 6.10, *By-Pass Corridor Overlay (205 By-OV) District*, of Article V, *District Development Requirements*, of the UDC all light poles, pole bases or combination thereof shall not exceed 20-feet in total height. In this case, the applicant has indicated that all light poles meet this requirement with the exception of one (1) light pole, which will be 27-feet in height. According to the applicant this light pole is required to sufficiently light the distribution and loading areas, and will be situated behind the building (*i.e. not visible from John King Boulevard*). *A variance to the lighting standards of the 205 By-OV District will require a ¾-majority vote by the City Council for approval.*

With the exception of the variances to the parking and lighting requirements, the majority of the variances pertain to the materials and design of the building. It is also important to note that the building being proposed is nearly identical to the company's building in Temecula, California, and according to the applicant is a part of the company's identity. According to Section 6.10, *By-Pass Corridor Overlay (205 By-Pass OV) District*, of Article V, *District Development Standards*, of the UDC, "corporate identities that conflict with the building design criteria shall be reviewed as a variance as defined in this section [*Section 6.10.J. of Article V, UDC*] and reviewed on a case-by-case basis by the Planning and Zoning Commission and approved by the City Council."

ARCHITECTURAL REVIEW BOARD (ARB):

On June 24, 2014, the Architectural Review Board (ARB) reviewed the proposed site plan and building elevations, and made the following recommendations:

1) The façades adjacent to John King Boulevard and Justin Road should incorporate a form liner that creates a stone pattern underneath the lower set of horizontal reveal lines to create the appearance of conformance with the material requirements of the SH 205 By-Pass Overlay (205 By-Pass OV) District, and

2) At various intervals along the façade adjacent to Justin Road, Italian Cypress trees should be incorporated in the landscape plan and be situated close the building to provide relief in the monochromatic wall surface.

RECOMMENDATIONS:

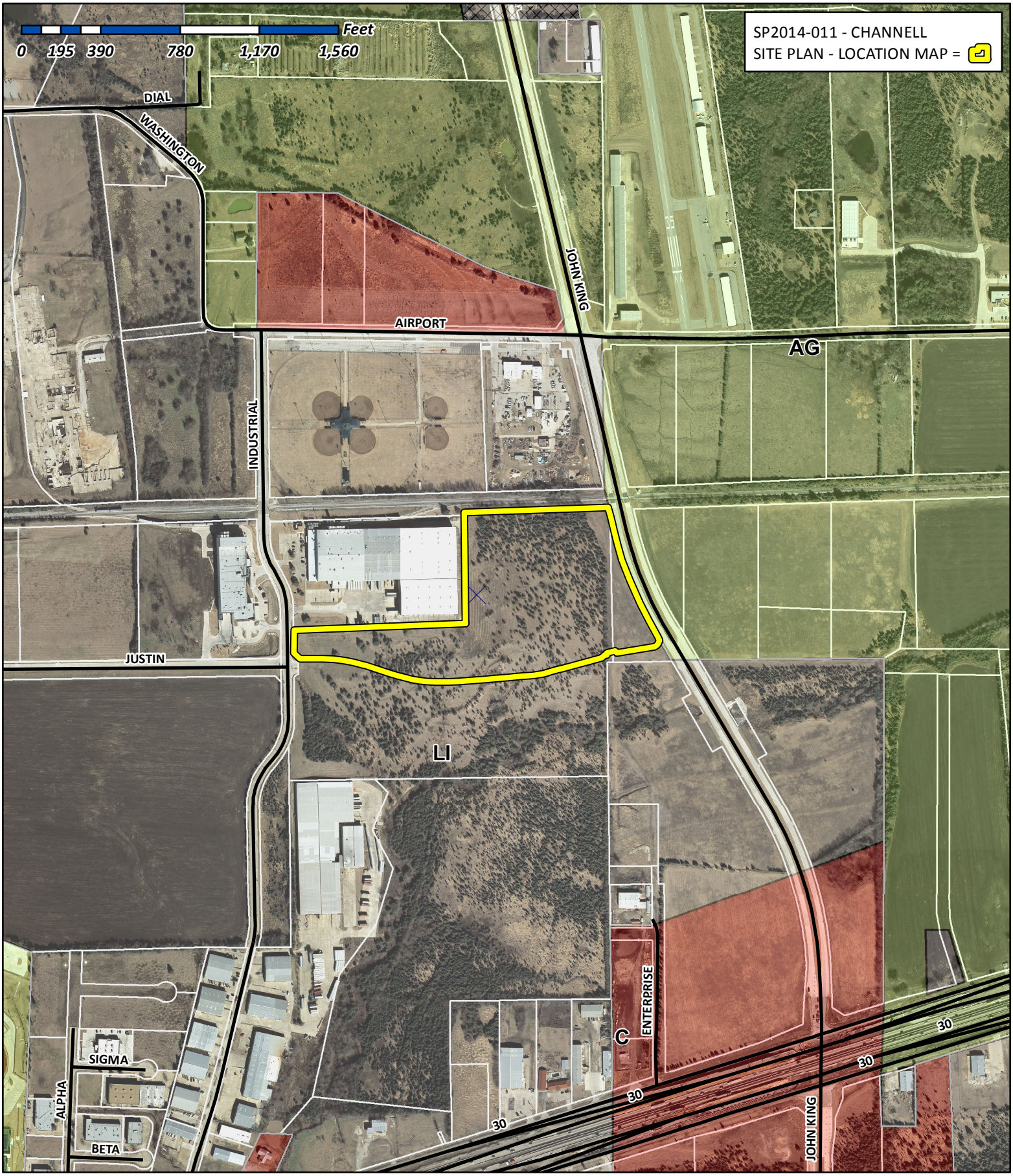
If the City Council chooses to approve the applicant's request then staff would recommend the following conditions of approval:

1) All comments provided by the Planning, Engineering and Fire Department must be addressed prior to the submittal of a building permit;

2) Any construction or building necessary to complete this *Site Plan* request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On July 8, 2014, the Planning and Zoning Commission approved the proposed site plan and made a motion to recommend approval of the applicant's variance/exception requests by a vote of 4-0, with Commissioners Renfro, McCuthcheon and Lyons absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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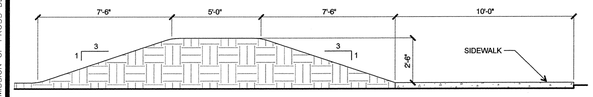
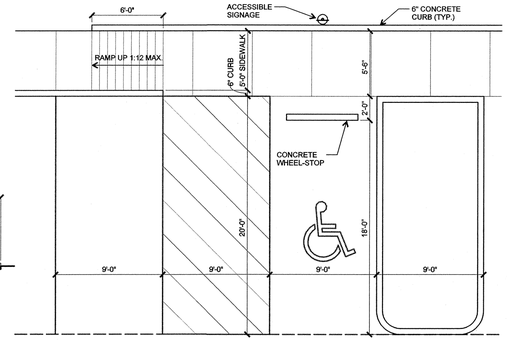
101



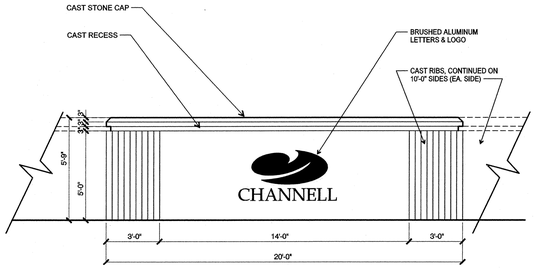
5 BERM SECTION

SCALE: 1/2"=1'-0"



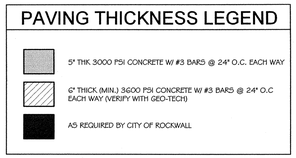
4 TYPICAL PARKING PLAN

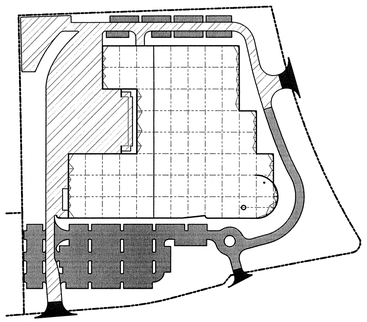
SCALE: 1/4"=1'-0"



3 ELEVATION AT MONUMENT SIGN

SCALE: 1/2"=1'-0"





2 PAVING THICKNESS PLAN

SCALE: 1"=200'-0"

PROJECT LEGEND

CURRENT OWNER

ROCKWALL ECONOMIC DEVELOPMENT CORPORATION
ATTN: SHERI FRANZA
P.O.BOX 968
ROCKWALL, TEXAS 75032
P: 972.772.0025
F: 972.771.8828

PROPOSED OWNER / DEVELOPER

CHANNELL COMMERCIAL CORPORATION
ATTN: EDWARD J. BURKE
P. O. BOX 9022
TEMECULA, CALIFORNIA 92589
P: 951.719.2600
F: 951.296.2322

ARCHITECT

PROSS DESIGN GROUP
ATTN: FRANK RICHARDSON
5310 HARVEST HILL ROAD, SUITE 180
DALLAS, TEXAS 75230
P: 972.759.1400
F: 972.759.1405

CIVIL ENGINEER

PACHECO KOCH
ATTN: STEVEN HEILBRUN
8350 NORTH CENTRAL EXPRESSWAY, SUITE 1000
DALLAS, TEXAS 75206
P: 972.235.3031

LANDSCAPE ARCHITECT

BELLE FIRMA
ATTN: KORI HAUG
4245 NORTH CENTRAL EXPRESSWAY, SUITE 501
DALLAS, TEXAS 75205
P: 214.865.7192

ELECTRICAL ENGINEER / CONTRACTOR

FOX ELECTRIC
ATTN: MIKE SEEBOLD
1104 COLORADO LANE
ARLINGTON, TEXAS 76015
P: 817.461.2571

GENERAL CONTRACTOR

BOB MOORE CONSTRUCTION
ATTN: KYLE WHITESELL
1101 NORTH WATSON ROAD
ARLINGTON, TEXAS 76011
P: 817.640.1200

PROJECT DATA

SITE DATA

LAND AREA	825,439 SF / 18.95 AC
TOTAL IMPERVIOUS AREA (50.87%)	419,872 SF / 9.64 AC
TOTAL LANDSCAPED AREA (49.13%)	405,567 SF / 9.31 AC
BUILDING COVERAGE	27.37%

BUILDING DATA

FIRST FLOOR OFFICE/SUPPORT AREA	18,508 SF
MANUFACTURING AREA	93,758 SF
WAREHOUSE AREA	93,758 SF
SECOND FLOOR OFFICE/SUPPORT AREA	19,886 SF
TOTAL BUILDING AREA	225,910 SF

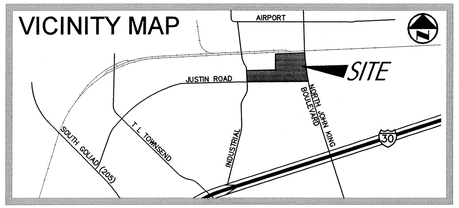
PARKING DATA

REQUIRED OFFICE AREA (1/300SF)	128 SPACES
REQUIRED MANUFACTURING AREA (1/500SF)	188 SPACES
REQUIRED WAREHOUSE AREA (1/1000SF)	94 SPACES
TOTAL PARKING REQUIRED	410 SPACES
TOTAL PARKING PROVIDED	278 SPACES
PROPOSED EMPLOYEE COUNT	
FIRST SHIFT	150 MAX.
SECOND SHIFT	100 MAX.
THIRD SHIFT	50 MAX.
ACCESSIBLE PARKING REQUIRED	7 SPACES
ACCESSIBLE PARKING PROVIDED	7 SPACES
LOADING REQUIRED	4 SPACES
LOADING PROVIDED	6 SPACES

NOTE:
NO STRUCTURES ADJOINING THE PROPERTY WITHIN 100'-0"

LOADING ZONES LOCATED AT OVERHEAD DOORS IN WEST TRUCK COURT

VICINITY MAP



1 SITE PLAN

SCALE: 1" - 60'-0"

CASE NUMBER: SP2014-011

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7/1/2014
s:\draw\1423 Channell - Rockwall\SiteSubmittal\1423exhibit1.sht

drawn: RLP
checked MARK W. PROSS
date 06/30/2014

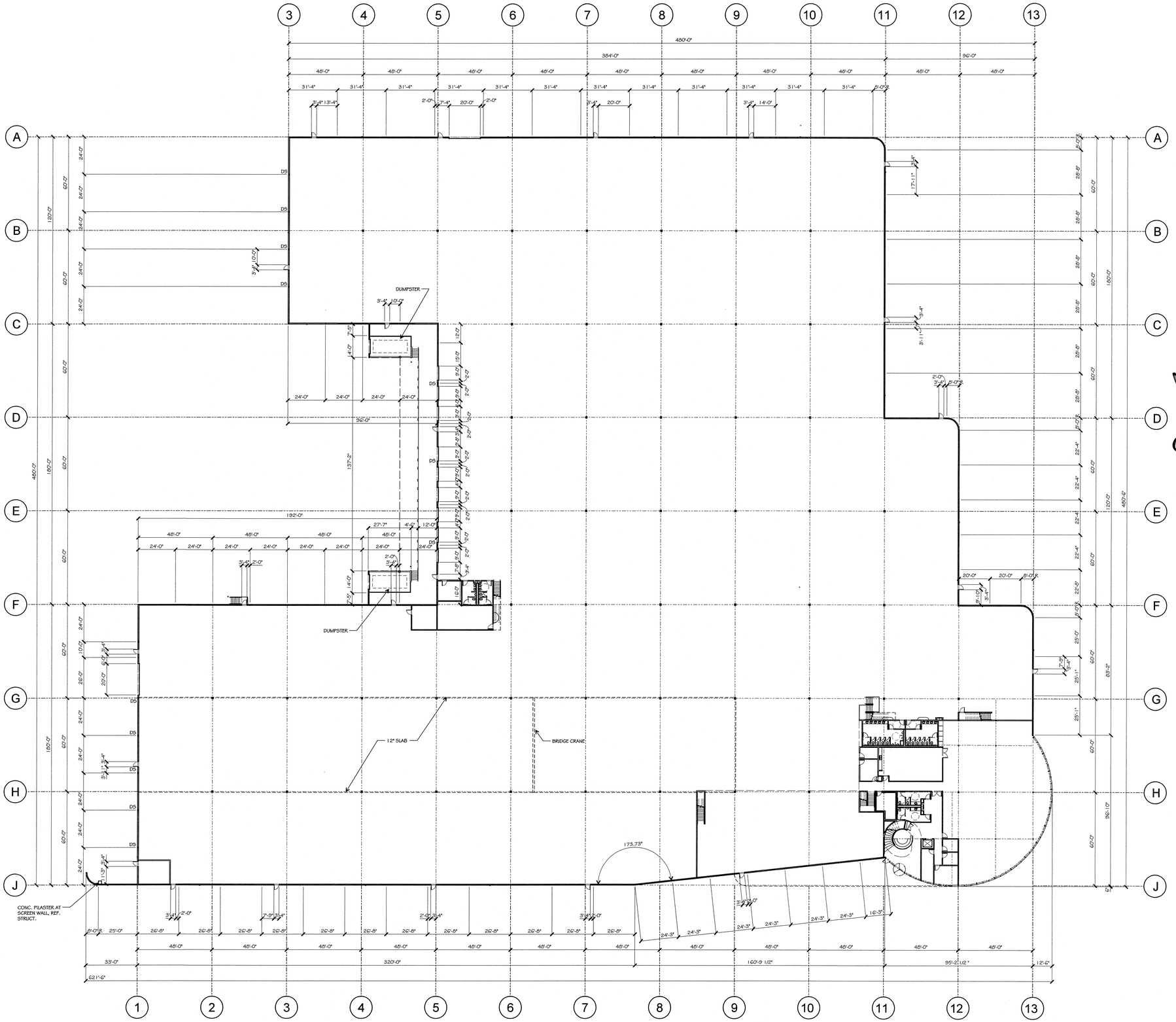
BOB MOORE CONSTRUCTION, INC.
1110 N. WATSON ROAD, ARLINGTON, TEXAS 76011
817.640.1200
WWW.GENERALCONTRACTOR.COM

pdg
pross design group, incorporated
5310 Harvest Hill Road, Suite 180, Dallas, Texas 75230, 972/759-1400

PROJECT:
1700 JUSTIN ROAD
ROCKWALL, TEXAS

CHANNELL COMMERCIAL CORPORATION

job no 1423
sheet A1.0



1 OVERALL FLOOR PLAN

SCALE: 1"=30'-0"

CASE NUMBER: SP2014-011

drawn: DTS
checked MARK W. PROSS
date 6/30/2014

BOB MOORE CONSTRUCTION, INC.
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(817) 640-1200
WWW.GENERALCONTRACTOR.COM

EXPIRES: 06/31/2014

pdg
pross design group, incorporated
5310 Harvest Hill Road, Suite 180, Dallas, Texas 75230, 972/759-1400

PROJECT:
1700 JUSTIN ROAD
ROCKWALL, TEXAS

CHANNELL COMMERCIAL CORPORATION

job no
1423
sheet
A2.0

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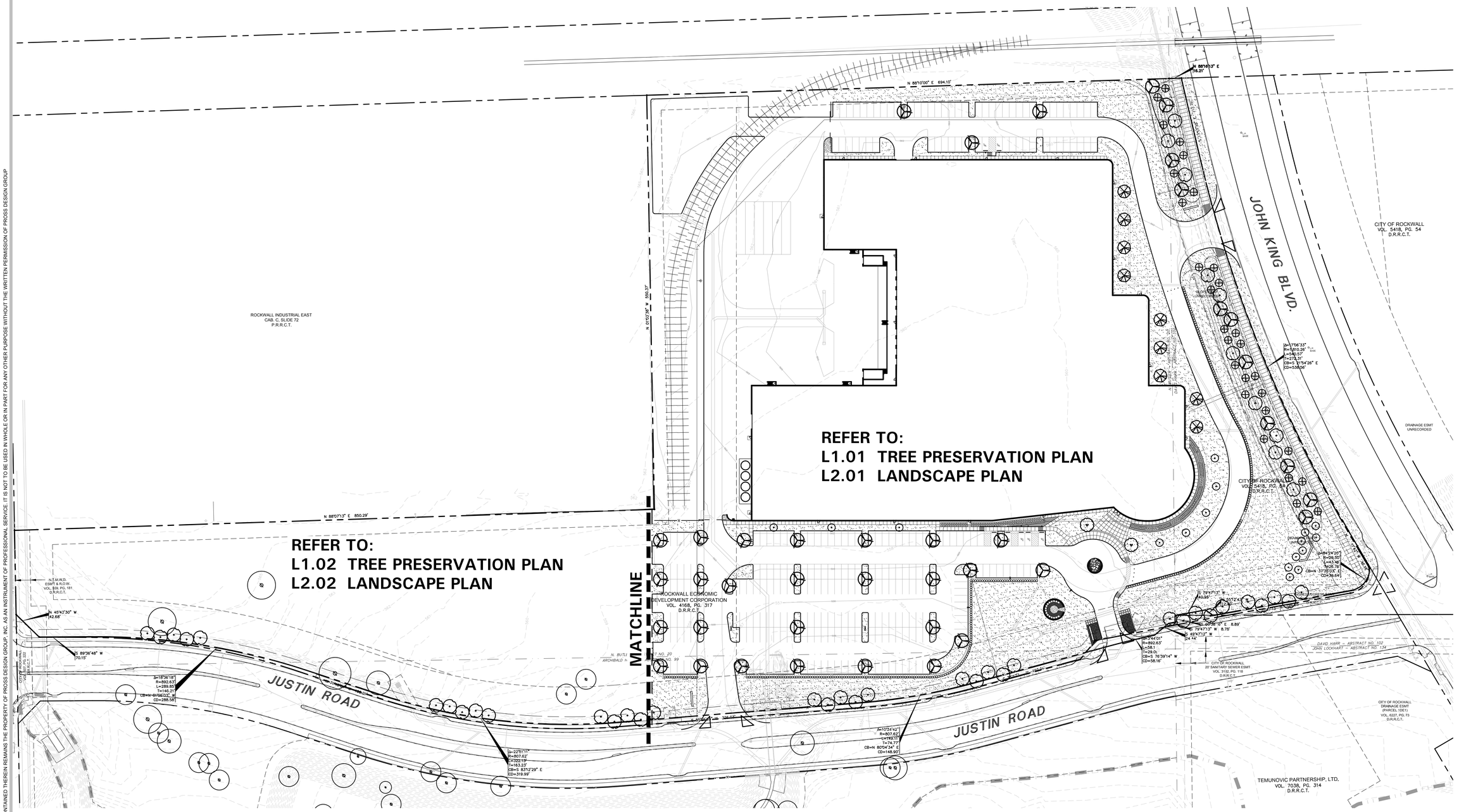

KEY SHEET

SCALE: 1" = 60'-0"

0 30 60 120

BELLE FIRMA

4245 North Central Expy
Suite 501
Dallas, Texas 75205
214.865.7192 office

drawn: APL
checked KAH
date 07/01/2014

BOB MOORE CONSTRUCTION, INC.
1110 N. WATSON ROAD ARLINGTON, TEXAS 78011
(817) 640-1200
WWW.GENERALCONTRACTOR.COM

REGISTERED LANDSCAPE ARCHITECT
DORI ANN HALL
2246
STATE OF TEXAS
07.01.14

pdg
pross design group, incorporated
5310 Harvest Hill Road, Suite 180, Dallas, Texas 75230. 972/759-1400

CHANNELL
BUILD-TO-SUIT
ROCKWALL, TEXAS

job no
1423
sheet
L1.00
104

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MATCHLINE - REFER TO L1.02

N 88°10'00" E 694.10'

N 88°16'13" E 16.21'

N 01°03'38" W 550.37'

S 15°15'55" E 112.70'

2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2378 2309 2327 2328 2329 2330 2331 2332 2333

1932

EXISTING TREE TO BE REMOVED, TYP.

EXISTING TREE TO BE REMOVED, TYP.

JOHN KING BLVD.

CITY OF ROCKWALL
VOL. 5418, PG. 54
D.R.R.C.T.

SLOPE ESMT UNRECORDED

Δ=17°06'33"
R=1810.26'
L=540.57'
T=272.31'
CB=S 21°54'26" E
CD=538.56'

DRAINAGE ESMT UNRECORDED

CITY OF ROCKWALL
VOL. 5418, PG. 54
D.R.R.C.T.

DRAINAGE ESMT UNRECORDED

Δ=84°24'20"
R=29.50'
L=43.46'
T=26.76'
CB=N 37°35'03" E
CD=39.64'

S 79°47'13" W 40.95'

N 55°12'47" W 12.40'

INGRESS/EGRESS ESMT VOL. 87, PG. 126 D.R.R.C.T.

S 79°47'13" W 186.68'

S 00°38'16" E 8.89'

S 79°47'13" W 8.78'

S 49°47'12" W 24.44'

Δ=3°44'01"
R=892.63'
L=58.1
T=29.05'
CB=S 76°39'14" W
CD=58.16'

CITY OF ROCKWALL
20' SANITARY SEWER ESMT
VOL. 3182, PG. 118
D.R.R.C.T.

DAVID HARR – ABSTRACT NO. 102
JOHN LOCKHART – ABSTRACT NO. 134

N. BUTLER – ABSTRACT NO. 20
HIBALD HA – ABSTRACT NO. 99

S 79°47'13" W 192.01'

S 85°01'41" W 326.03'

ROCKWALL ECONOMIC DEVELOPMENT CORPORATION
VOL. 4168, PG. 317
D.R.R.C.T.

Δ=10°34'42"
R=807.62'
L=149.11'
T=74.77'
CB=N 80°04'34" E
CD=148.90'

JUSTIN ROAD

SCALE: 1" = 40'-0"
0 20 40 80

TREE PRESERVATION PLAN

4245 North Central Expy
Suite 501
Dallas, Texas 75205
214.865.7192 office

drawn: APL
checked KAH
date 07/01/2014

BOB MOORE CONSTRUCTION, INC.
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817.640.8400
WWW.GENERALCONTRACTOR.COM

REGISTERED LANDSCAPE ARCHITECT
JOHN ANN HARRIS
2240
STATE OF TEXAS
07.01.14

pross design group, incorporated
5310 Harvest Hill Road Suite 150, Dallas, Texas 75230 972.789.1400

CHANNELL
ROCKWALL, TEXAS
BUILD-TO-SUIT

job no 1423
sheet L1.01
105

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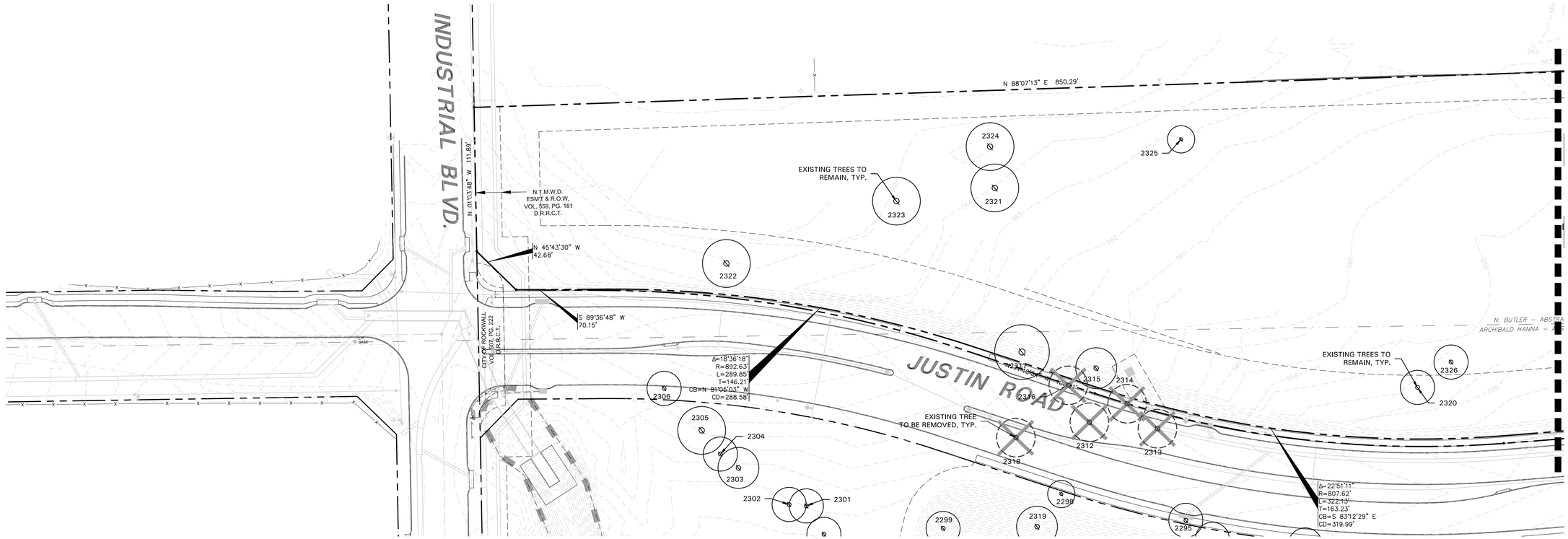
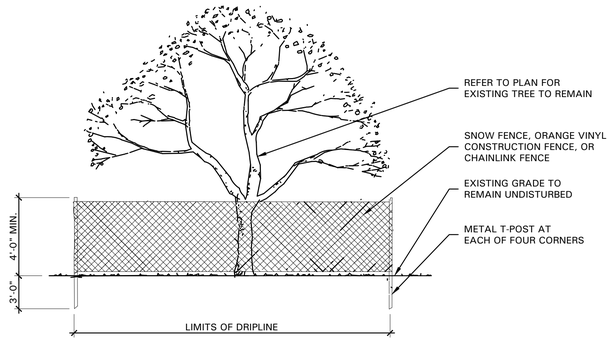


MATCHLINE - REFER TO L1.01



01 TREE PROTECTIVE FENCING
NOT TO SCALE

TREE SURVEY FIELD DATA

No.	Dia. (inches)	Species (common name)	Status	Remarks
1932	13	MULTI-TRUNK CEDAR	TO BE REMOVED	
2309	11	MULTI-TRUNK CEDAR	TO REMAIN	
2312	14	MULTI-TRUNK CEDAR	TO BE REMOVED	FUTURE RIGHT OF WAY
2313	19	MULTI-TRUNK CEDAR	TO BE REMOVED	FUTURE RIGHT OF WAY
2314	16	MULTI-TRUNK CEDAR	TO BE REMOVED	FUTURE RIGHT OF WAY
2315	18	MULTI-TRUNK CEDAR	TO REMAIN	
2316	11	CEDAR	TO BE REMOVED	FUTURE RIGHT OF WAY
2317	20	MULTI-TRUNK CEDAR	TO BE REMOVED	FUTURE RIGHT OF WAY
2320	16	MULTI-TRUNK CEDAR	TO REMAIN	
2321	18	MULTI-TRUNK CEDAR	TO REMAIN	
2322	21	MULTI-TRUNK CEDAR	TO REMAIN	
2323	23	MULTI-TRUNK CEDAR	TO REMAIN	
2324	20	MULTI-TRUNK CEDAR	TO REMAIN	
2325	12	MULTI-TRUNK CEDAR	TO REMAIN	
2326	12	MULTI-TRUNK CEDAR	TO REMAIN	
2327	15	MULTI-TRUNK CEDAR	TO BE REMOVED	
2328	13	MULTI-TRUNK CEDAR	TO BE REMOVED	
2329	11	CEDAR	TO BE REMOVED	
2330	20	MULTI-TRUNK CEDAR	TO BE REMOVED	
2331	20	MULTI-TRUNK CEDAR	TO BE REMOVED	
2332	11	MULTI-TRUNK CEDAR	TO BE REMOVED	
2333	12	MULTI-TRUNK CEDAR	TO BE REMOVED	
2338	14	MULTI-TRUNK CEDAR	TO BE REMOVED	
2339	14	CEDAR	TO BE REMOVED	
2340	14	MULTI-TRUNK CEDAR	TO BE REMOVED	
2341	18	MULTI-TRUNK CEDAR	TO BE REMOVED	
2364	13	CEDAR	TO BE REMOVED	
2365	11	CEDAR	TO BE REMOVED	
2366	11	CEDAR	TO BE REMOVED	
2367	15	MULTI-TRUNK CEDAR	TO BE REMOVED	
2368	13	CEDAR	TO BE REMOVED	
2369	13	MULTI-TRUNK CEDAR	TO BE REMOVED	
2370	11	CEDAR	TO BE REMOVED	
2371	11	MULTI-TRUNK CEDAR	TO BE REMOVED	
2372	12	CEDAR	TO BE REMOVED	
2373	11	HACKBERRY	TO BE REMOVED	
2374	15	MULTI-TRUNK CEDAR	TO BE REMOVED	
2375	12	CEDAR	TO BE REMOVED	
2376	11	CEDAR	TO BE REMOVED	

Total Caliper Inches on Site	**485**
Total Caliper Inches Removed	**334**
Total Mitigation Inches Required	**250.5**
Total Mitigation Inches Provided	**250.5**

TREE PRESERVATION NOTES

1. EXISTING TREES TO REMAIN SHALL BE PROTECTED DURING CONSTRUCTION FROM TREE STRUCTURE DAMAGE AND COMPACTION OF SOIL UNDER AND AROUND DRIP LINE (CANOPY) OF TREE.
2. IF ANY ROOT STRUCTURE IS DAMAGED DURING ADJACENT EXCAVATION / CONSTRUCTION, NOTIFY OWNER'S AUTHORIZED REPRESENTATIVE IMMEDIATELY. IT IS RECOMMENDED THAT A LICENSED ARBORIST BE SECURED FOR THE TREATMENT OF ANY POSSIBLE TREE WOUNDS.
3. NO DISTURBANCE OF THE SOIL GREATER THAN 4" SHALL BE LOCATED CLOSER TO THE TREE TRUNK THAN 1/2 THE DISTANCE OF THE DRIP LINE TO THE TREE TRUNK. A MINIMUM OF 75% OF THE DRIP LINE AND ROOT ZONE SHALL BE PRESERVED AT NATURAL GRADE.
4. ANY FINE GRADING DONE WITHIN THE CRITICAL ROOT ZONES OF THE PROTECTED TREES MUST BE DONE WITH LIGHT MACHINERY SUCH AS A BOBCAT OR LIGHT TRACTOR. NO EARTH MOVING EQUIPMENT WITH TRACKS IS ALLOWED WITHIN THE CRITICAL ROOT ZONE OF THE TREES.
5. NO MATERIALS INTENDED FOR USE IN CONSTRUCTION OR WASTE MATERIALS ACCUMULATED DUE TO EXCAVATION OR DEMOLITION SHALL BE PLACED WITHIN THE LIMITS OF THE DRIP LINE OF ANY TREE.
6. NO EQUIPMENT MAY BE CLEANED OR TOXIC SOLUTIONS, OR OTHER LIQUID CHEMICALS, SHALL BE DEPOSITED WITHIN THE LIMITS OF THE DRIP LINE OF A TREE, INCLUDING BUT NOT LIMITED TO: PAINT, OIL, SOLVENTS, ASPHALT, CONCRETE, MORTAR, PRIMERS, ETC.
7. NO SIGNS, WIRES OR OTHER ATTACHMENTS, OTHER THAN THOSE OF A PROTECTIVE NATURE, SHALL BE ATTACHED TO ANY TREE.
8. NO VEHICULAR / CONSTRUCTION EQUIPMENT TRAFFIC OR PARKING IS ALLOWED WITHIN THE LIMITS OF THE DRIP LINE OF TREES.
9. BORING OF UTILITIES MAY BE PERMITTED UNDER PROTECTED TREES IN CERTAIN CIRCUMSTANCES. THE MINIMUM LENGTH OF THE BORE SHALL BE THE WIDTH OF THE TREE'S CANOPY AND SHALL BE A MINIMUM DEPTH OF FORTY-EIGHT (48") INCHES.
10. IRRIGATION TRENCHING WHICH MUST BE DONE WITHIN THE CRITICAL ROOT ZONE OF A TREE SHALL BE DUG BY HAND AND ENTER THE AREA IN A RADIAL MANNER.
11. ALL TREES TO BE REMOVED FROM THE SITE SHALL BE FLAGGED BY THE CONTRACTOR WITH BRIGHT RED VINYL TAPE (3" WIDTH) WRAPPED AROUND THE MAIN TRUNK AT A HEIGHT OF FOUR (4') FEET ABOVE GRADE. FLAGGING SHALL BE APPROVED BY OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO ANY TREE REMOVAL. CONTRACTOR SHALL CONTACT OWNER'S AUTHORIZED REPRESENTATIVE WITH 72 HOURS NOTICE TO SCHEDULE ON-SITE MEETING.
12. ALL TREES TO REMAIN, AS NOTED ON DRAWINGS, SHALL HAVE PROTECTIVE FENCING LOCATED AT THE TREE'S DRIP LINE. THE PROTECTIVE FENCING MAY BE COMPRISED OF SNOW FENCING, ORANGE VINYL CONSTRUCTION FENCING, CHAIN LINK FENCE OR OTHER SIMILAR FENCING WITH A FOUR (4') FOOT APPROXIMATE HEIGHT. THE PROTECTIVE FENCING SHALL BE LOCATED AS INDICATED ON THE TREE PROTECTION DETAIL.
13. WHEN A LOW HANGING LIMB IS BROKEN DURING THE COURSE OF CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY THE OWNER'S AUTHORIZED REPRESENTATIVE IMMEDIATELY. UNDER NO CIRCUMSTANCE SHALL THE CONTRACTOR PRUNE ANY PORTION OF THE DAMAGED TREE WITHOUT THE PRIOR APPROVAL BY THE OWNER'S AUTHORIZED REPRESENTATIVE.

EXISTING TREE LEGEND

EXISTING TREE TO REMAIN

EXISTING TREE TO BE REMOVED

TREE PROTECTION FENCING TO REMAIN DURING CONSTRUCTION REFER TO 01/L1.02

TREE PRESERVATION PLAN

SCALE: 1" = 40'-0"
0 20 40 80

BELLE FIRMA

4245 North Central Expy
Suite 501
Dallas, Texas 75205
214.865.7192 office

drawn: APL
checked KMH
date 07/01/2014

BOB MOORE CONSTRUCTION, INC.
1110 N. WATSON ROAD ARLINGTON, TEXAS 76011
817.640.8400
WWW.GENERALCONTRACTOR.COM

REGISTERED LANDSCAPE ARCHITECT
KRISTI ANN HANNA
2240
STATE OF TEXAS
07.01.14

pross design group, incorporated
5310 Harvest Hill Road, Suite 160, Dallas, Texas 75230, 972/789-1400

CHANNELL
ROCKWALL, TEXAS
BUILD-TO-SUIT

job no 1423
sheet L1.02
106

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N 88°16'13" E 16.21'

N 88°10'00" E 694.10'

N 01°03'38" W 550.37'

LAWN HYDROMULCH BERMUDAGRASS, TYP.

'COLORADO' RIVER ROCK, 24" WIDTH, 3" DEPTH, WITH WEED BARRIER FABRIC, TYP.

60' LANDSCAPE BUFFER

30" HT. BERM

15' VISIBILITY TRIANGLE

JOHN KING BLVD.

CITY OF ROCKWALL
VOL. 5418, PG. 54
D.R.R.C.T.

SLOPE ESMT UNRECORDED

Δ=17°06'33"
R=1,810.26'
L=540.57'
T=272.31'
CB=S 21°54'26" E
CD=538.56'

DRAINAGE ESMT UNRECORDED

LAWN HYDROMULCH BERMUDAGRASS, TYP.

CITY OF ROCKWALL
VOL. 5418, PG. 54
D.R.R.C.T.

Δ=84°24'20"
R=29.50'
L=43.46'
T=26.76'
CB=N 37°35'03" E
CD=39.64'

30' VISIBILITY TRIANGLE

INGRESS/EGRESS ESMT
INSTRUMENT NO. 20140000001218
D.R.R.C.T.

S 79°47'13" W 40.95'

N 55°12'47" W 12.00'

S 00°38'16" E 8.89'

S 79°47'13" W 8.78'

S 49°47'12" W 24.44'

Δ=3°44'01"
R=892.63'
L=58.1
T=29.01
CB=S 76°39'14" W
CD=58.16'

15' VISIBILITY TRIANGLE

CITY OF ROCKWALL
20' SANITARY SEWER ESMT
VOL. 3132, PG. 118
D.R.R.C.T.

DAVID HARR – ABSTRACT NO. 102
JOHN LOCKHART – ABSTRACT NO. 134

ROCKWALL ECONOMIC DEVELOPMENT CORPORATION
VOL. 4168, PG. 317
D.R.R.C.T.

24" MULCH BED TYP. AT B.O.C.

10' LANDSCAPE BUFFER

S 86°41'14" W 326.03'

15' VISIBILITY TRIANGLE

Δ=10°34'42"
R=807.62'
L=149.11'
T=74.77'
CB=N 80°04'34" E
CD=148.90'

JUSTIN ROAD

2378

MATCHLINE - REFER TO L2.02

PLANT LEGEND	
SYMBOL	COMMON NAME
AB	Dwarf Abelia 'Edward Goucher'
AJ	Asian Jasmine
BC	Bald Cypress
CM	Crepe Myrtle 'Natchez'
DWM	Dwarf Wax Myrtle
GM	Gulf Muhly
KO	Double Knock Out Rose
LIR	Liriope 'Big Blue'
LO	Live Oak
M-LO	Live Oak
RB	Oklahoma Redbud
SC	Seasonal Color
SO	Shumard Red Oak
WM	Wax Myrtle

REFER TO L2.02 FOR PLANT LIST

LANDSCAPE PLAN

SCALE: 1" = 40'-0"

BELLE FIRMA

4245 North Central Expy
Suite 501
Dallas, Texas 75205
214.865.7192 office

drawn: APL
checked KAH
date 07/01/2014

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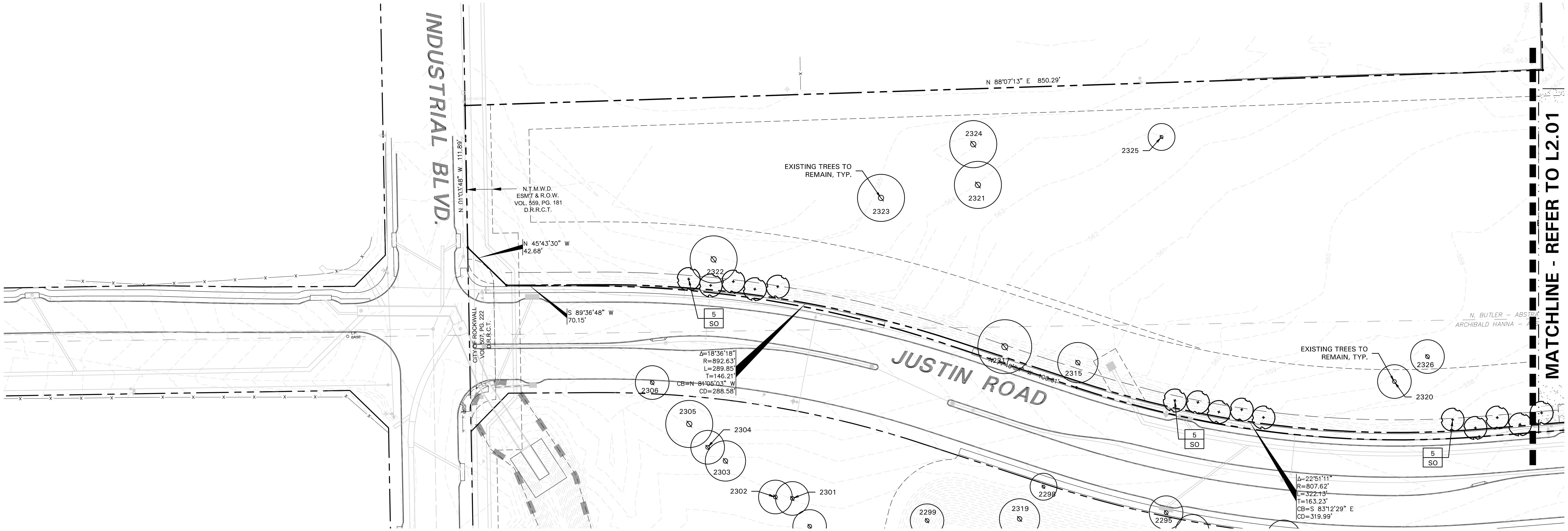
817.640.8888 FAX 817.640.8886
WWW.GENERALCONTRACTOR.COM

REGISTERED LANDSCAPE ARCHITECT
JOHN ANN HARR
2240
STATE OF TEXAS
07.01.14

pross design group, incorporated
5310 Harvest Hill Road, Suite 160, Dallas, Texas 75230 9727799-1400

CHANNELL
ROCKWALL, TEXAS
BUILD-TO-SUIT

job no 1423
sheet L2.01
107



PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
	TREES				
BC	*Taxodium distichum*	Bald Cypress	9	3" cal.	container grown, 12' ht., 4' spread, 4' branching ht., matching
CM	*Lagerstroemia indica 'Natchez'*	Crepe Myrtle 'Natchez'	8	30 gal.	container grown, 3-5 trunk, no cross canes, 8' ht., 4' spread, matching
LO	*Quercus virginiana*	Live Oak	40	3" cal.	container grown, 12' ht., 4' spread, 4' branching ht., matching
M-LO	*Quercus virginiana*	Live Oak	2	3" cal.	container grown, 3-5 trunk, 12' ht., 4' spread, 4' branching ht., matching
RB	*Cercis canadensis 'Oklahoma'*	Oklahoma Redbud	9	30 gal.	container grown, 8' ht., 4' spread min.
SO	*Quercus shumardii*	Shumard Red Oak	45	3" cal.	container grown, 12' ht., 4' spread, 4' branching ht., matching
WM	*Myrica cerifera*	Wax Myrtle	28	6' ht.	container grown, full to base, 3' spread
	SHRUBS/GROUNDCOVER				
AB	*Abelia grandiflora 'Edward Goucher'*	Dwarf Abelia 'Edward Goucher'	134	3 gal.	container full, 18" spread, 24" o.c.
AJ	*Juniperus tobira 'Andorra'*	Andorra Juniper	109	5 gal.	container full, 20" spread, 36" o.c.
DWM	*Myrica pusilla*	Dwarf Wax Myrtle	348	5 gal.	container full, 20" spread, 24" o.c.
GM	*Muhlenbergia capillaris*	Gulf Muhly	117	5 gal.	container full, 36" o.c.
KO	*Rosa hybrida 'Radtko'*	Double Knock Out Rose	36	5 gal.	container full, 20" spread, 36" o.c.
LIR	*Liriope muscari 'Big Blue'*	Liriope 'Big Blue'	1535	4" pots	container full top of container, 12" o.c.
SC		Seasonal Color	230	4" pots	container full, 12" o.c., selection by Owner
	Cynodon dactylon	Common Bermudagrass			refer to notes

NOTE: ALL TREES SHALL HAVE STRAIGHT TRUNKS AND BE MATCHING WITHIN VARIETIES.
PLANT LIST IS AN AID TO BIDDERS ONLY. CONTRACTOR SHALL VERIFY ALL QUANTITIES ON PLAN.
ALL HEIGHTS AND SPREADS ARE MINIMUMS. ALL PLANT MATERIAL SHALL MEET OR EXCEED REMARKS AS INDICATED.

LANDSCAPE NOTES

1. CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
2. CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
3. CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
4. CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
5. ALL PLANTING BEDS AND LAWN AREAS SHALL BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS, OR CURBS. CUT STEEL EDGING AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND CURBS.
6. TOP OF MULCH SHALL BE 1/2" MINIMUM BELOW THE TOP OF WALKS AND CURBS.
7. ALL LAWN AREAS SHALL BE HYDROMULCH BERMUDAGRASS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
8. ALL REQUIRED LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM WITH RAIN AND FREEZE SENSORS AND EVAPOTRANSPIRATION (ET) WEATHER-BASED CONTROLLERS AND SAID IRRIGATION SYSTEM SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED BY A LICENSED IRRIGATOR.
9. CONTRACTOR SHALL PROVIDE BID PROPOSAL LISTING UNIT PRICES FOR ALL MATERIAL PROVIDED.
10. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.

MAINTENANCE NOTES

1. THE OWNER, TENANT AND THEIR AGENT, IF ANY, SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPE.
2. ALL LANDSCAPE SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THIS SHALL INCLUDE MOWING, EDGING, PRUNING, FERTILIZING, WATERING, WEEDING AND OTHER SUCH ACTIVITIES COMMON TO LANDSCAPE MAINTENANCE.
3. ALL LANDSCAPE AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER SUCH MATERIAL OR PLANTS NOT PART OF THIS PLAN.
4. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR.
5. ALL PLANT MATERIAL WHICH DIES SHALL BE REPLACED WITH PLANT MATERIAL OF EQUAL OR BETTER VALUE.
6. CONTRACTOR SHALL PROVIDE SEPARATE BID PROPOSAL FOR ONE YEAR'S MAINTENANCE TO BEGIN AFTER FINAL ACCEPTANCE.

GENERAL LAWN NOTES

1. CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOPSOIL WITH ON-SITE CONSTRUCTION MANAGER.
2. CONTRACTOR SHALL LEAVE LAWN AREAS 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
3. CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED ON CIVIL PLANS. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
4. ALL LAWN AREAS SHALL BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR LANDSCAPE ARCHITECT PRIOR TO LAWN INSTALLATION.
5. CONTRACTOR SHALL REMOVE ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLODS, STICKS, CONCRETE SPOILS, ETC. PRIOR TO PLACING TOPSOIL AND LAWN INSTALLATION.
6. CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO: MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VIGOROUS, HEALTHY CONDITION.
7. CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.

HYDROMULCH NOTES

1. CONTRACTOR SHALL SCARIFY, RIP AND LOOSEN ALL AREAS TO BE HYDROMULCHED TO A MINIMUM DEPTH OF 4" PRIOR TO TOPSOIL AND HYDROMULCH INSTALLATION.
2. BERMUDAGRASS SEED SHALL BE EXTRA HULLED AND TREATED LAWN TYPE, SHALL BE DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AND SHALL MEET STATE LAW REQUIREMENTS.
3. FIBER SHALL BE ONE HUNDRED PERCENT (100%) WOOD CELLULOSE FIBER, DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AS MANUFACTURED BY 'CONWEB' OR EQUAL.
4. FIBER TACK SHALL BE DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AND SHALL BE 'TERRO-TACK ONE', AS MANUFACTURED BY GROWERS, INC. OR EQUAL.
5. HYDROMULCH WITH BERMUDAGRASS SEED AT A RATE OF TWO (2) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.
6. USE A 4'X8' BATTER BOARD AGAINST ALL BED AREAS.
7. IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MAY 1, ALL HYDROMULCH AREAS TO BE WINTER RYEGRASS, AT A RATE OF FOUR (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET. CONTRACTOR SHALL BE REQUIRED TO RE-HYDROMULCH WITH BERMUDAGRASS THE FOLLOWING GROWING SEASON AS PART OF THIS CONTRACT.
8. ALL LAWN AREAS TO BE HYDROMULCHED SHALL HAVE ONE HUNDRED PERCENT (100%) COVERAGE PRIOR TO FINAL ACCEPTANCE.

LANDSCAPE TABULATIONS

THE CITY OF ROCKWALL, TEXAS

SITE SUMMARY
Site Area = 18.95 AC; 825,439 s.f.
Impervious Area = 9.64 AC; 419,872 s.f.
Landscape Area = 9.31 AC; 405,567 s.f.
Building Area = 206,024 s.f.

STREET LANDSCAPING
1. 10' wide landscape buffer with one tree per 50 l.f. along Justin Rd.
2. 50' wide landscape buffer with a built-up berm (30"-40" ht.), shrubs or combination along John Kind Boulevard.
3. 3 canopy trees and 4 accent trees per every 100 l.f. along John King Boulevard.

JUSTIN RD. - 1,833 l.f.

Required	Provided
10' buffer	10' buffer
(37) canopy trees, 4" cal.	(35) trees, 4" cal.
	(2) existing trees

JOHN KING PARKWAY - 700 l.f.

Required	Provided
50' buffer	50' buffer
(21) canopy trees, 4" cal.	(21) canopy trees, 4" cal.
(28) accent trees, 4' ht.	(28) accent trees, 4' ht.

PARKING LOT LANDSCAPING
1. 5% of the interior parking lot shall be landscape.
2. One (1) large tree per 10 spaces
3. No required parking space more than 80' from a tree
4. Screening of parking lot along Justin Rd.

Total interior parking lot area = 107,727 s.f.
Total parking spaces = 277 spaces

Required	Provided
5,386 s.f. (5%)	10,224 s.f. (9%)
(28) trees, 3" cal.	(28) trees, 3" cal.
all spaces within 80' of tree	all spaces within 80' of tree

SITE LANDSCAPING
1. 10% of the total site shall be landscaped for LIGHT INDUSTRIAL.
2. 100% of the total requirements shall be located in the front of and along side buildings for LIGHT INDUSTRIAL.

Total site = 18.95 AC; 825,439 s.f.

Required	Provided
82,543 s.f. (10%)	129,079 s.f. (15%)
82,543 s.f. (100%)	125,052 s.f. (151%)

NO TREES WITHIN 5'-0" OF ANY UTILITIES

IRRIGATION WILL MEET REQUIREMENTS OF UDC

LANDSCAPE PLAN

N

SCALE: 1" = 40'-0"
0 20 40 80

BELLE FIRMA
4245 North Central Expy
Suite 501
Dallas, Texas 75205
214.865.7192 office

drawn:
APL
checked
KAH
date
07/01/2014

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1110 N. WATSON ROAD ARLINGTON, TEXAS 76011
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REGISTERED LANDSCAPE ARCHITECT
LORI ANN HAUG
2246
STATE OF TEXAS
07.01.14

pross design group, incorporated
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CHANNELL
BUILD-TO-SUIT
ROCKWALL, TEXAS

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SECTION 32 9300 - LANDSCAPE

PART 1 - GENERAL

1.1 REFERENCED DOCUMENTS

A. Refer to Landscape Plans, notes, details, bidding requirements, special provisions, and schedules for additional requirements.

1.2 DESCRIPTION OF WORK

A. Work included: Furnish all supervision, labor, materials, services, equipment and appliances required to complete the work covered in conjunction with the landscaping covered in these specifications and landscaping plans, including:

1. Planting (trees, shrubs and grasses)
2. Bed preparation and fertilization
3. Notification of sources
4. Water and maintenance until final acceptance
5. Guarantee

1.3 REFERENCE STANDARDS

A. American Standard for Nursery Stock published by American Association of Nurserymen: 27 October 1980, Edition; by American National Standards Institute, Inc. (Z60.1) – plant material

B. American Joint Committee on Horticultural Nomenclature: 1942 Edition of Standardized Plant Names.

C. Texas Association of Nurserymen, Grades and Standards

D. Hortis Third, 1976 - Cornell University

1.4 NOTIFICATION OF SOURCES AND SUBMITTALS

A. Samples: Provide representative quantities of sandy loam soil, mulch, bed mix material, gravel and crushed stone. Samples shall be approved by Owner's Authorized Representative before use on the project.

1.5 JOB CONDITIONS

A. General Contractor to complete the following punch list: Prior to Landscape Contractor initiating any portion of landscape installation, General Contractor shall leave planting bed areas three (3") inches below final finish grade of sidewalks, drives and curbs as shown on the drawings. All lawn areas to receive solid sod shall be left one (1") inch below the final finish grade of sidewalks, drives and curbs. All construction debris shall be removed prior to Landscape Contractor beginning any work.

B. Storage of materials and equipment at the job site will be at the risk of the Landscape Contractor. The Owner cannot be held responsible for theft or damage.

1.6 MAINTENANCE AND GUARANTEE

A. Maintenance:

1. The Landscape Contractor shall be held responsible for the maintenance of all work from the time of planting until final acceptance by the Owner. No trees, shrubs, groundcover or grass will be accepted unless they show healthy growth and satisfactory foliage conditions.

2. Maintenance shall include watering of trees and plants, cultivation, weeding spraying, edging, pruning of trees, mowing of grass, cleaning up and all other work necessary of maintenance.

3. A written notice requesting final inspection and acceptance should be submitted to the Owner at least seven (7) days prior to completion. An on-site inspection by the Owner's Authorized Representative will be completed prior to written acceptance.

B. Guarantee:

1. Trees, shrubs and groundcover shall be guaranteed for a twelve (12) month period after final acceptance. The Contractor shall replace all dead materials as soon as weather permits and upon notification of the Owner. Plants, including trees, which have partially died so that shape, size, or symmetry have been damaged, shall be considered subject to replacement. In such cases, the opinion of the Owner shall be final.

a. Plants used for replacement shall be of the same size and kind as those originally planted and shall be planted as originally specified. All work, including materials, labor and equipment used in replacements, shall carry a twelve (12) month guarantee. Any damage, including ruts in lawn or bed areas, incurred as a result of making replacements shall be immediately repaired.

b. At the direction of the Owner, plants may be replaced at the start of the next year's planting season. In such cases, dead plants shall be removed from the premises immediately.

c. When plant replacements are made, plants, soil mix, fertilizer and mulch are to be utilized as originally specified and re-inspected for full compliance with the contract requirements. All replacements are to be included under "Work" of this section.

2. The Owner agrees that for the guarantee to be effective, he will water plants at least twice a week during dry periods and cultivate beds once a month after final acceptance.

3. The above guarantee shall not apply where plants die after acceptance because of injury from storms, hail, freeze, insects, diseases, injury by humans, machines or theft.

4. Acceptance for all landscape work shall be given after final inspection by the Owner provided the job is in a complete, undamaged condition and there is a stand of grass in all lawn areas. At that time, the Owner will assume maintenance on the accepted work.

C. Repairs: Any necessary repairs under the Guarantee must be made within ten (10) days after receiving notice, weather permitting. In the event the Landscape Contractor does not make repairs accordingly, the Owner, without further notice to Contractor, may provide materials and men to make such repairs at the expense to the Landscape Contractor.

1.7 QUALITY ASSURANCE

A. General: Comply with applicable federal, state, county and local regulations governing landscape materials and work.

B. Personnel: Employ only experienced personnel who are familiar with the required work. Provide full time supervision by a qualified foreman acceptable to Landscape Architect.

C. Selection of Plant Material:

1. Make contact with suppliers immediately upon obtaining notice of contract acceptance to select and book materials. Develop a program of maintenance (pruning and fertilization) which will ensure the purchased materials will meet and / or exceed project specifications.

2. Substitutions: Do not make plant material substitutions. If the specified landscape material is not obtainable, submit proof of non-availability to Landscape Architect, together with proposal for use of equivalent material. At the time bids are submitted, the Contractor is assumed to have located the materials necessary to complete the job as specified.

3. Landscape Architect will provide a key identifying each tree location on site. Written verification will be required to document material selection, source and delivery schedules to site.

4. Measurements: Measure trees with branches and trunks or canes in their normal position. Do not prune to obtain required sizes. Take caliper measurements six inches above ground for trees up to and including 4" caliper size, and twelve inches above ground for larger sizes. Measure main body of all plant material of height and spread dimensions, do not measure from branch or root tip-to-tip.

5. Owner's Authorized Representative shall inspect all plant material with requirements for genus, species, cultivar / variety size and quality.

6. Owner's Authorized Representative retains the right to further inspect all plant material upon arrival to the site and during installation for size and condition of root balls and root systems, limbs, branching habit, insects, injuries and latent defects.

7. Owner's Authorized Representative may reject unsatisfactory or defective material at any time during the process work. Remove rejected materials immediately from the site and replace with acceptable material at no additional cost to the Owner. Plants damaged in transit or at job site shall be rejected.

1.8 PRODUCT DELIVERY, STORAGE AND HANDLING

A. Preparation:

1. Balled and Burlapped (B&B) Plants: Dig and prepare shipment in a manner that will not damage roots, branches, shape and future development.

2. Container Grown Plants: Deliver plants in rigid container to hold ball shape and protect root mass.

B. Delivery:

1. Deliver packaged materials in sealed containers showing weight, analysis and name of manufacturer. Protect materials from deterioration during delivery and while stored on site.

2. Deliver only plant materials that can be planted in one day unless adequate storage and watering facilities are available on job site.

3. Protect root balls by heeling in with sawdust or other approved moisture retaining material if not planted within 24 hours of delivery.

4. Protect plants during delivery to prevent damage to root balls or desiccation of leaves. Keep plants moist at all times. Cover all materials during transport.
5. Notify Owner's Authorized Representative of delivery schedule 72 hours in advance job site.

6. Remove rejected plant material immediately from job site.

7. To avoid damage or stress, do not lift, move, adjust to plumb, or otherwise manipulate plants by trunk or stems.

PART 2 - PRODUCTS

2.1 PLANTS

A. General: Well-formed No. 1 grade or better nursery grown stock. Listed plant heights are from tops of root balls to nominal tops of plants. Plant spread refers to nominal outer width of the plant, not to the outer leaf tips. Plants will be individually approved by the Owner's Authorized Representative and his decision as to their acceptability shall be final.

B. Quantities: The drawings and specifications are complimentary. Anything called for on one and not the other is as binding as if shown and called for on both. The plant schedule is an aid to bidders only. Confirm all quantities on plan.

C. Quality and size: Plant materials shall conform to the size given on the plan, and shall be healthy, symmetrical, well-shaped, full branched and well rooted. The plants shall be free from injurious insects, diseases, injuries to the bark or roots, broken ranches, objectionable disfigurements, insect eggs and larvae, and are to be of specimen quality.

D. Approval: All plants which are found unsuitable in growth, or are in any unhealthy, badly shaped or undersized condition will be rejected by the Owner's Authorized Representative either before or after planting and shall be removed at the expense of the Landscape Contractor and replaced with acceptable plant as specified at no additional cost to the Owner.

E. Trees shall be healthy, full-branched, well-shaped, and shall meet the minimum trunk and diameter requirements of the plant schedule. Balls shall be firm, neat, slightly tapered and well wrapped in burlap. Any tree loose in the ball or with a broken root ball at time of planting will be rejected. Balls shall be ten (10") inched in diameter for each one (1") inch of trunk diameter, measured six (6") inched above ball. (Nomenclature confirms to the customary nursery usage. For clarification, the term "multi-trunk" defines a plant having three (3) or more trunks of nearly equal diameter.)

F. Pruning: All pruning of trees and shrubs, as directed by the Landscape Architect prior to final acceptance, shall be executed by the Landscape Contractor at no additional cost to the Owner.

2.2 SOIL PREPARATION MATERIALS

A. Sandy Loam:

1. Friable, fertile, dark, loamy soil, free of clay lumps, subsoil, stones and other extraneous material and reasonably free of weeds and foreign grasses. Loam containing Dallasgrass or Nutgrass shall be rejected.

2. Physical properties as follows:
   a. Clay – between 7-27 percent
   b. Silt – between 15-25 percent
   c. Sand – less than 52 percent

3. Organic matter shall be 3%-10% of total dry weight.

4. If requested, Landscape Contractor shall provide a certified soil analysis conducted by an approved soil testing laboratory verifying that sandy loam meets the above requirements.

B. Organic Material: Compost with a mixture of 80% vegetative matter and 20% animal waste. Ingredients should be a mix of course and fine textured material.

C. Premixed Bedding Soil as supplied by Vital Earth Resources, Gladewater, Texas; Professional Bedding Soil as supplied by Living Earth Technology, Dallas, Texas or Acid Gro Municipal Mix as supplied by Soil Building Systems, Dallas, Texas or approved equal.

D. Sharp Sand: Sharp sand must be free of seeds, soil particles and weeds.

E. Mulch: Double Shredded Hardwood Mulch, partially decomposed, dark brown. Living Earth Technologies or approved equal.

F. Organic Fertilizer: Fertilaid, Sustane, or Green Sense or equal as recommended for required applications. Fertilizer shall be delivered to the site in original unopened containers, each bearing the manufacturer's guaranteed statement of analysis.

G. Commercial Fertilizer: 10-20-10 or similar analysis. Nitrogen source to be a minimum 50% slow release organic Nitrogen (SCU or UF) with a minimum 8% sulfur and 4% iron, plus icronutrients.

H. Peat: Commercial sphagnum peat moss or partially decomposed shredded pine bark or other approved organic material.

2.3 MISCELLANEOUS MATERIALS

A. Steel Edging: 3/16" x 4" x 16' - dark green, DURAEDGE® steel landscape edging manufactured by The J.D. Russell Company under its trade name DURAEDGE Heavy Duty Steel.

B. Staking Material for Shade Trees: refer to details.

C. Gravel: Washed native pea gravel, graded 1 inch to 1-1/2 inch.

D. Filter Fabric: 'Mirafi Mirascape' by Mirafi Construction Products available at Lone Star Products, Inc., (469) 523-0444 or approved equal.

E. River Rock: 'Colorado' or native river rock, 2" - 4" dia.

F. Decomposed Granite: Base material shall consist of a natural material mix of granite aggregate not to exceed 1/8" diameter in size and shall be composed of various stages of decomposed earth base.

PART 3 - EXECUTION

3.1 BED PREPARATION & FERTILIZATION

A. Landscape Contractor to inspect all existing conditions and report any deficiencies to the Owner.

B. All planting areas shall be conditioned as follows:

1. Prepare new planting beds by scraping away existing grass and weeds as necessary. Till existing soil to a depth of six (6") inches prior to placing compost and fertilizer. Apply fertilizer as per Manufacturer's recommendations. Add six (6") inches of compost and till into a depth of six (6") inches of the topsoil. Apply organic fertilizer such as Sustane or Green Sense at the rate of twenty (20) pounds per one thousand (1,000) square feet.

2. All planting areas shall receive a two (2") inch layer of specified mulch.

3. Backfill for tree pits shall be as follows: Use existing top soil on site (use imported topsoil as needed) free from large clumps, rocks, debris, caliche, subsoils, etc., placed in nine (9") inch layers and watered in thoroughly.

C. Grass Areas:

1. Blocks of sod should be laid joint to joint (staggered joints) after fertilizing the ground first. Roll grass areas to achieve a smooth, even surface. The joints between the blocks of sod should be filled with topsoil where they are evidently gaped open, then watered thoroughly.

3.2 INSTALLATION

A. Maintenance of plant materials shall begin immediately after each plant is delivered to the site and shall continue until all construction has been satisfactorily accomplished.

B. Plant materials shall be delivered to the site only after the beds are prepared and areas are ready for planting. All shipments of nursery materials shall be thoroughly protected from the drying winds during transit. All plants which cannot be planted at once, after delivery to the site, shall be well protected against the possibility of drying by wind and Balls of earth of B & B plants shall be kept covered with soil or other acceptable material. All plants remain the property of the Contractor until final acceptance.

C. Position the trees and shrubs in their intended location as per plan.

D. Notify the Owner's Authorized Representative for inspection and approval of all positioning of plant materials.

E. Excavate pits with vertical sides and horizontal bottom. Tree pits shall be large enough to permit handling and planting without injury to balls of earth or roots and shall be of such depth that,when planted and settled, the crown of the plant shall bear the same relationship to the finish grade as it did to soil surface in original place of growth.

F. Shrub and tree pits shall be no less than twenty-four (24") inches wider than the lateral dimension of the earth ball and six (6") inches deeper than it's vertical dimension. Remove and haul from site all rocks and stones over three-quarter (3/4") inch in diameter. Plants should be thoroughly moist before removing containers.

G. Dig a wide, rough sided hole exactly the same depth as the height of the ball, especially at the surface of the ground. The sides of the hole should be rough and jagged, never slick or glazed.

H. Percolation Test: Fill the hole with water. If the water level does not percolate within 24 hours, the tree needs to move to another location or have drainage added. Install a PVC stand pipe per tree planting detail as approved by the Landscape Architect if the percolation test fails.

I. Backfill only with 5 parts existing soil or sandy loam and 1 part bed preparation. When the hole is dug in solid rock, topsoil from the same area should not be used. Carefully settle by watering to prevent air pockets. Remove the burlap from the top 1/3 of the ball, as well as all nylon, plastic string and wire. Container trees will usually be root bound, if so follow standard nursery practice of 'root scoring'.

J. Do not wrap trees.

K. Do not over prune.

L. Mulch the top of the ball. Do not plant grass all the way to the trunk of the tree. Leave the area above the top of the ball and mulch with at least two (2") inches of specified mulch.

M. All plant beds and trees to be mulched with a minimum settled thickness of two (2") inches over the entire bed or pit.

N. Obstruction below ground: In the event that rock, or underground construction work or obstructions are encountered in any plant pit excavation work to be done under this section, alternate locations may be selected by the Owner. Where locations cannot be changed, the obstructions shall be removed to a depth of not less than three (3') feet below grade and no less than six (6") inches below the bottom of ball when plant is properly set at the required grade. The work of this section shall include the removal from the site of such rock or underground obstructions encountered at the cost of the Landscape Contractor.

O. Trees and large shrubs shall be staked as site conditions require. Position stakes to secure trees against seasonal prevailing winds.

P. Pruning and Mulching: Pruning shall be directed by the Landscape Architect and shall be pruned in accordance with standard horticultural practice following Fine Pruning, Class I pruning standards provided by the National Arborist Association.

1. Dead wood, suckers, broken and badly bruised branches shall be removed. General tipping of the branches is not permitted. Do not cut terminal branches.

2. Pruning shall be done with clean, sharp tools.

3. Immediately after planting operations are completed, all tree pits shall be covered with a layer of organic material two (2") inches in depth. This limit of the organic material for trees shall be the diameter of the plant pit.

Q. Steel Curbing Installation:

1. Curbing shall be aligned as indicated on plans. Stake out limits of steel curbing and obtain Owners approval prior to installation.

2. All steel curbing shall be free of kinks and abrupt bends.

3. Top of curbing shall be 1/2" maximum height above final finished grade.

4. Stakes are to be installed on the planting bed side of the curbing, as opposed to the grass side.

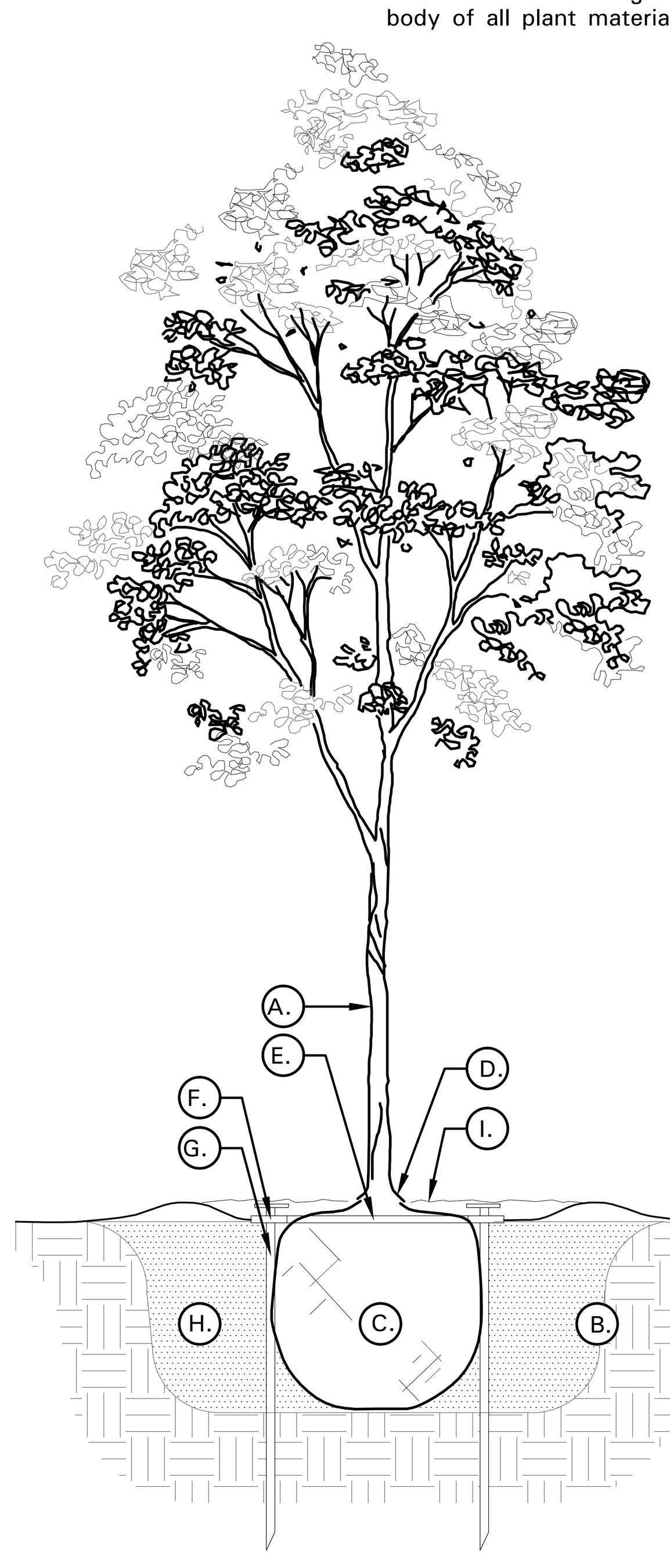
5. Do not install steel edging along sidewalks or curbs.

6. Cut steel edging at 45 degree angle where edging meets sidewalks or curbs.

3.3 CLEANUP AND ACCEPTANCE

A. Cleanup: During the work, the premises shall be kept neat and orderly at all times. Storage areas for all materials shall be so organized so that they, too, are neat and orderly. All trash and debris shall be removed from the site as work progresses. Keep paved areas clean by sweeping or hosing them at end of each work day.

END OF SECTION



01 TREE PLANTING DETAIL
NOT TO SCALE

TREE PLANTING DETAIL LEGEND AND NOTES

A. TREE: TREES SHALL CONFORM WITH LATEST AMERICAN STANDARD FOR NURSERY STOCK. www.anla.org

B. TREE PIT: WIDTH TO BE AT LEAST TWO (2) TIMES THE DIAMETER OF THE ROOT BALL CENTER TREE IN HOLE & REST ROOT BALL ON UNDISTURBED NATIVE SOIL.

C. ROOT BALL: REMOVE TOP 1/3 BURLAP AND ANY OTHER FOREIGN OBJECT; CONTAINER GROWN STOCK TO BE INSPECTED FOR GIRDLING ROOTS.

D. ROOT FLARE: ENSURE THAT ROOT FLARE IS EXPOSED, FREE FROM MULCH, AND AT LEAST TWO INCHES ABOVE GRADE. TREES SHALL BE REJECTED WHEN GIRDLING ROOTS ARE PRESENT & ROOT FLARE IS NOT APPARENT.

E. ROOTBALL ANCHOR RING: REFER TO MANUFACTURER'S GUIDELINES FOR SIZING. PLACE ROOTBALL ANCHOR RING ON BASE OF ROOTBALL, TRUNK SHOULD BE IN THE CENTER OF THE RING.

F. 'U' BRACKET.

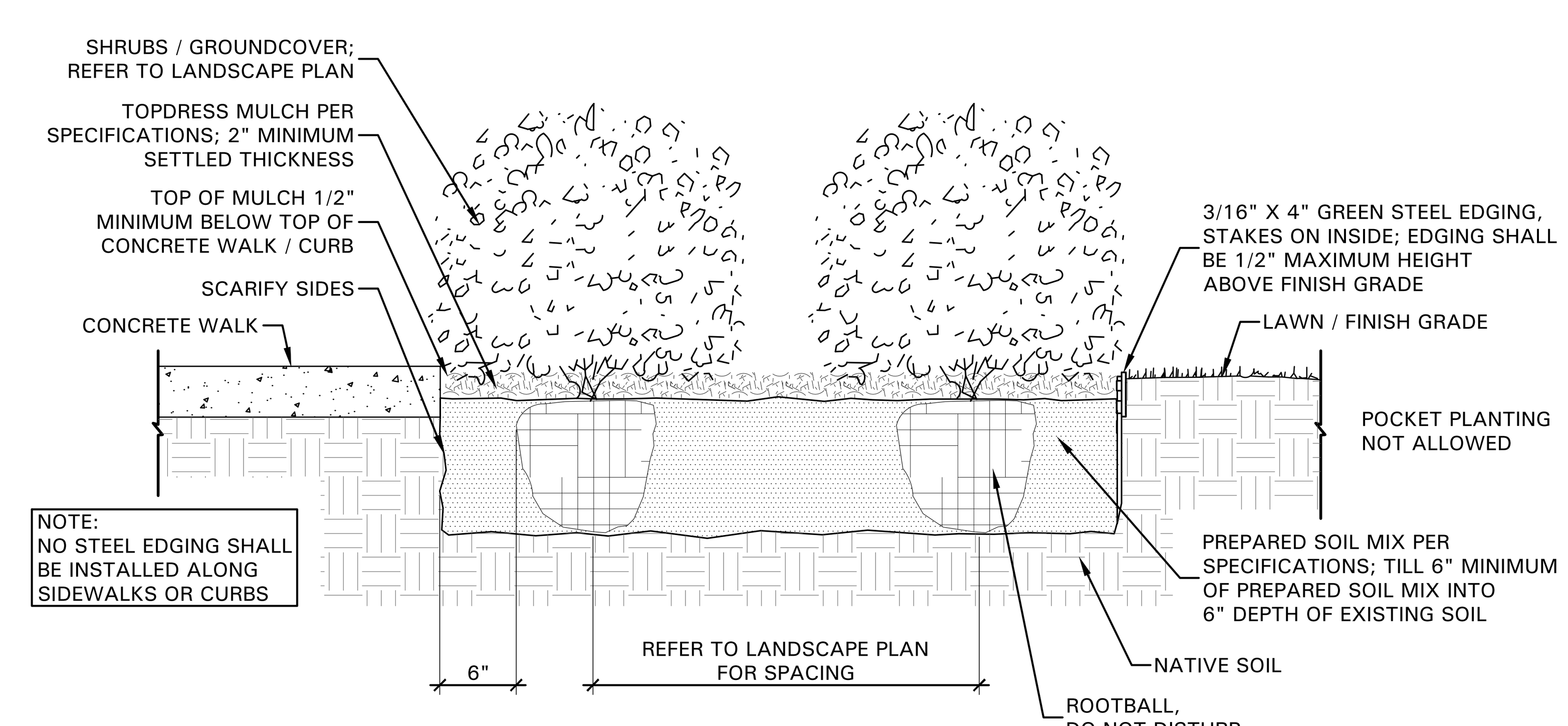
G. NAIL STAKE: REFER TO MANUFACTURER'S GUIDELINES FOR SIZING. INSTALL NAIL STAKES WITH HAMMER OR MALLET FIRMLY INTO UNDISTURBED GROUND. DRIVE NAIL STAKES FLUSH WITH "U" BRACKET ADJACENT TO ROOTBALL (DO NOT DISTURB ROOTBALL).

H. BACKFILL: USE EXISTING NATIVE SOIL (no amendments) WATER THOROUGHLY TO ELIMINATE AIR POCKETS.

I. MULCH: DOUBLE SHREDDED HARDWOOD MULCH 2 INCH SETTLED THICKNESS, WITH 2" HT. WATERING RING; ENSURE THAT ROOT FLARE IS EXPOSED. BELOW GROUND STAKE SHOULD NOT BE VISIBLE.

J. TREE STAKES:
TREE STAKE SOLUTIONS 'SAFETY STAKE' BELOW GROUND MODEL AVAILABLE FROM:
Tree Stake Solutions
ATTN: Jeff Tuley
(903) 676-6143
jeff@treestakesolutions.com
www.treestakesolutions.com

K. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN A COPY OF THE MANUFACTURER'S SPECIFICATIONS PRIOR TO INSTALLATION OF TREE STAKES. CONTRACTOR SHALL ADHERE TO MANUFACTURER'S INSTALLATION GUIDELINES, SPECIFICATIONS, AND OTHER REQUIREMENTS FOR TREE STAKE INSTALLATION.



02 SHRUB / GROUNDCOVER DETAIL
NOT TO SCALE

BELLE FIRMA

LANDSCAPE SPECIFICATIONS AND DETAILS

4245 North Central Expy
Suite 501
Dallas, Texas 75205
214.865.7192 office

drawn: APL
checked KAH
date 07/01/2014

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1110 N. WATSON ROAD ARLINGTON, TEXAS 76011
(817) 640-1200
WWW.GENERALCONTRACTOR.COM

REGISTERED LANDSCAPE ARCHITECT
LORI ANN HAUG
2246
STATE OF TEXAS
07.01.14

pross design group, incorporated
5310 Harvest Hill Road, Suite 180, Dallas, Texas 75230. 972/759-1400

CHANNELL
ROCKWALL, TEXAS
BUILD-TO-SUIT

job no 1423
sheet L2.03
109

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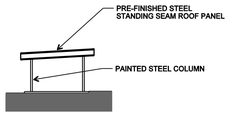
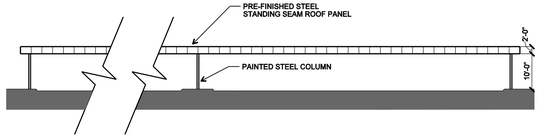
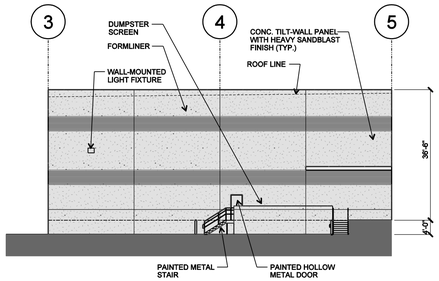




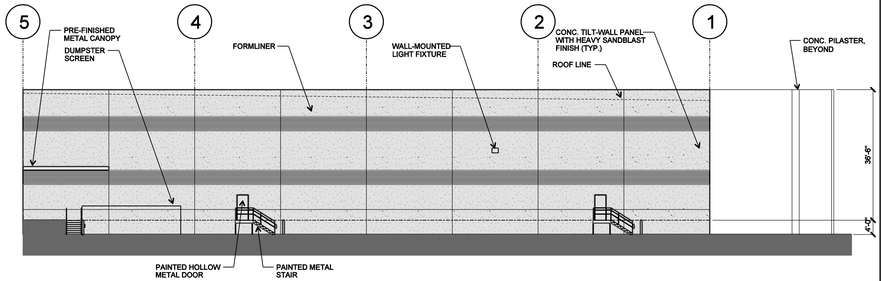
8 PARKING CANOPY SECTION

SCALE: 1"=20'-0"



7 PARKING CANOPY SOUTH ELEVATION

SCALE: 1"=20'-0"



6 TRUCK COURT SOUTH ELEVATION

SCALE: 1"=20'-0"

FACADE COMPOSITION:

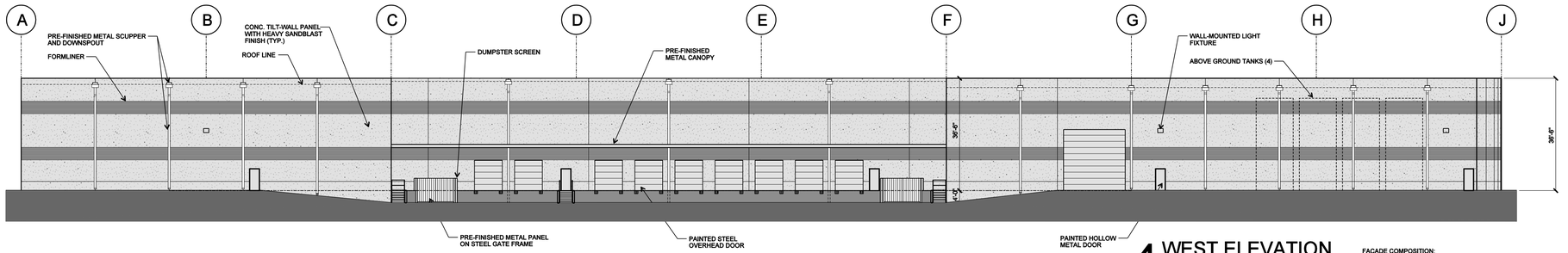
CONCRETE TILT-WALL (SANDBLASTED)	3,072 S.F. (80%)
CONCRETE TILT-WALL (FORMLINER)	768S.F. (20%)
TOTAL:	3,840 S.F.

5 TRUCK COURT NORTH ELEVATION

SCALE: 1"=20'-0"

FACADE COMPOSITION:

CONCRETE TILT-WALL (SANDBLASTED)	6,448 S.F. (83%)
CONCRETE TILT-WALL (FORMLINER)	1,280 S.F. (17%)
TOTAL:	7,728 S.F.

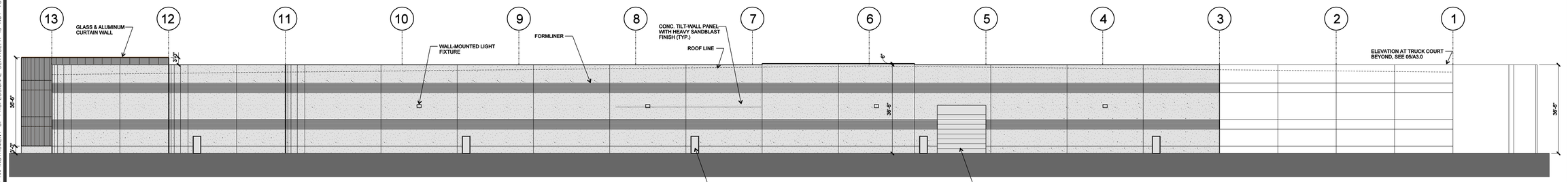


4 WEST ELEVATION

SCALE: 1"=20'-0"

FACADE COMPOSITION:

CONCRETE TILT-WALL (SANDBLASTED)	14,705 S.F. (80%)
CONCRETE TILT-WALL (FORMLINER)	3,751 S.F. (20%)
TOTAL:	18,456 S.F.

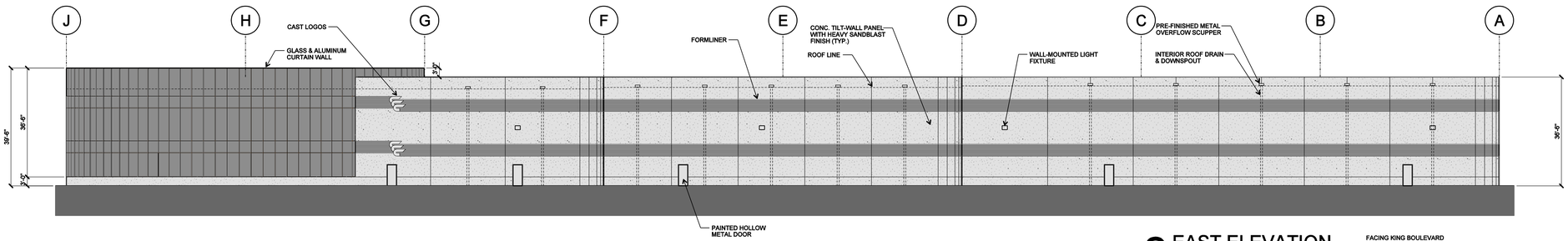


3 NORTH ELEVATION

SCALE: 1"=20'-0"

FACADE COMPOSITION:

CURTAIN WALL	(0%, SEE EAST ELEVATION)
CONCRETE TILT-WALL (SANDBLASTED)	13,596 S.F. (79%)
CONCRETE TILT-WALL (FORMLINER)	3,707 S.F. (21%)
TOTAL:	17,303 S.F.

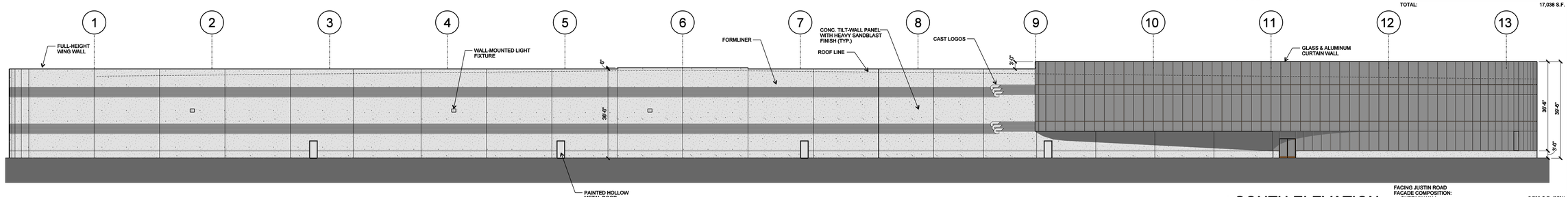


2 EAST ELEVATION

SCALE: 1"=20'-0"

FACING KING BOULEVARD
FACADE COMPOSITION:

CURTAIN WALL	3,026 S.F. (22%)
CONCRETE TILT-WALL (SANDBLASTED)	10,988 S.F. (61%)
CONCRETE TILT-WALL (FORMLINER)	3,024 S.F. (17%)
TOTAL:	17,038 S.F.



20 10 0 20 40FT

1 SOUTH ELEVATION

SCALE: 1"=20'-0"

FACING JUSTIN ROAD
FACADE COMPOSITION:

CURTAIN WALL	5,782 S.F. (25%)
CONCRETE TILT-WALL (SANDBLASTED)	13,713 S.F. (60%)
CONCRETE TILT-WALL (FORMLINER)	3,347 S.F. (15%)
TOTAL:	22,842 S.F.

CASE NUMBER: _____

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$TIME$
$DATE$
$FILE$

drawn: DTS
checked MARK W. PROSS
date 6/12/2014

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pross design group, incorporated
3510 Harvest Hill Road, Suite 180, Dallas, Texas 75230 972/759-1400

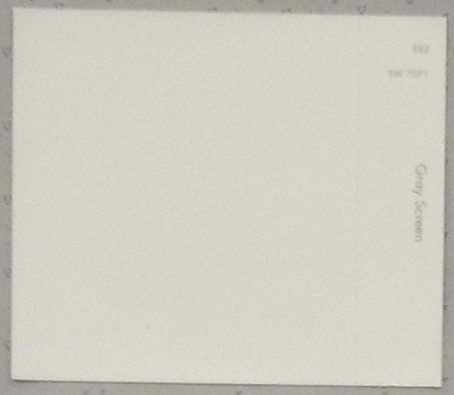
PROJECT:
JUSTIN ROAD AT
JOHN KING BOULEVARD
ROCKWALL, TEXAS

CHANNELL COMMERCIAL CORPORATION

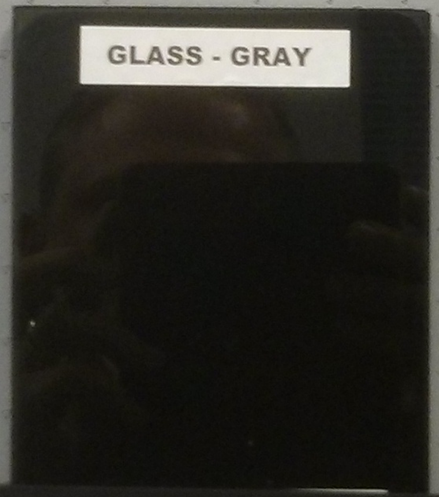
job no 1423
sheet A3.0
110



SANDBLASTED CONCRETE



PAINTED DOORS / FRAMES



GLASS - GRAY

STOREFRONT – DARK BRONZE

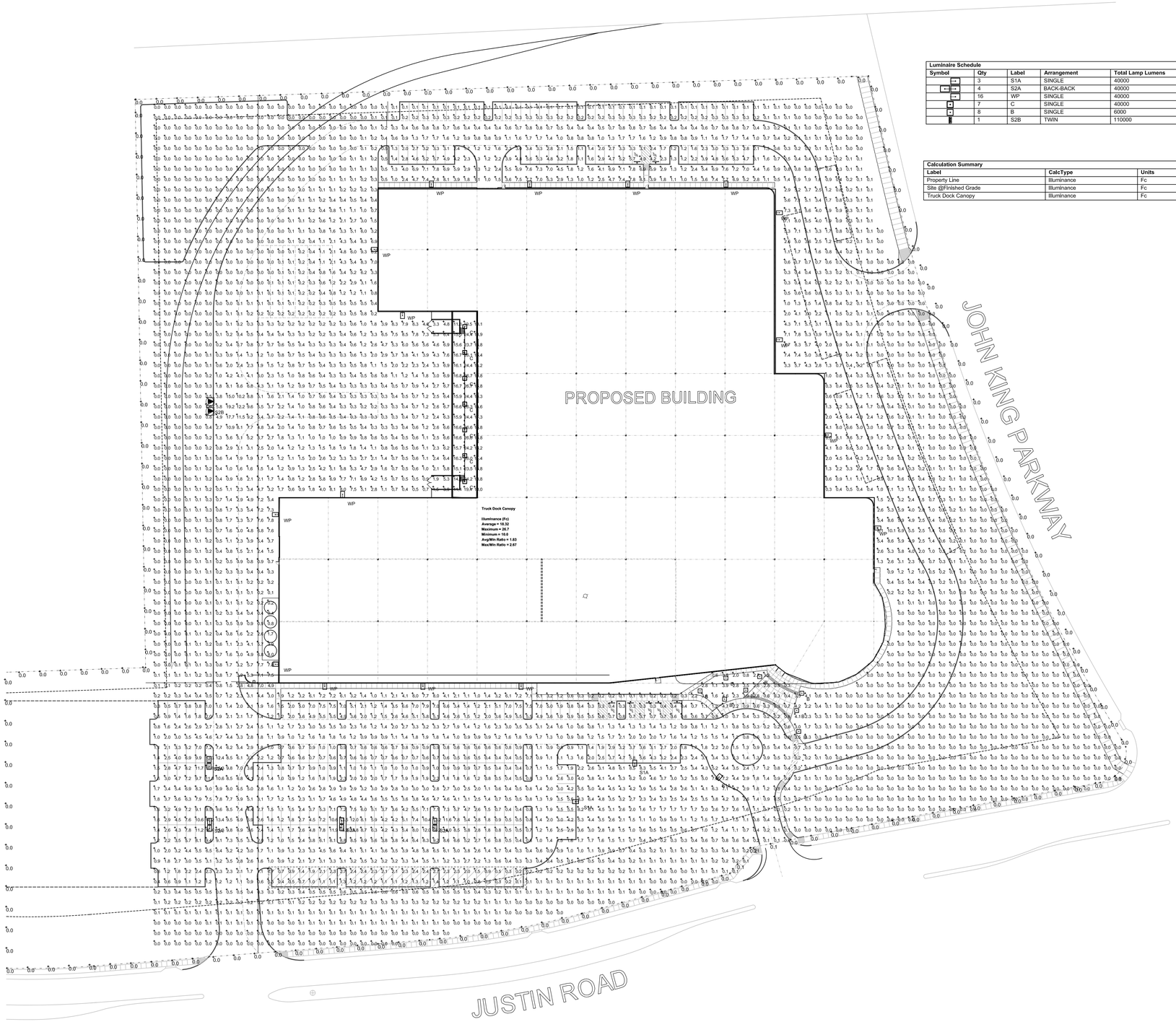


SANDBLASTED CONCRETE

CHANNELL

BUILD-TO-SUIT ROCKWALL, TEXAS

EXTERIOR BUILDING FINISHES



Luminaire Schedule						
Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description
	3	S1A	SINGLE	40000	0.800	MPTR-5S-400
	4	S2A	BACK-BACK	40000	0.800	MPTR-5S-400
	16	WP	SINGLE	40000	0.800	MPTR-SL-400
	7	C	SINGLE	40000	0.800	MPCL-400
	8	B	SINGLE	6000	0.800	BSL-XX-70-MP
	1	S2B	TWIN	110000	0.750	GSM-1000-MH-FT-FG-EHS

Calculation Summary									
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	PtSpcLr	PtSpcTb
Property Line	Illuminance	Fc	0.00	0.2	0.0	N.A.	N.A.	20	N.A.
Site @Finished Grade	Illuminance	Fc	1.66	26.7	0.0	N.A.	N.A.	10	10
Truck Dock Canopy	Illuminance	Fc	18.32	26.7	10.0	1.83	2.67		

Luminaire Location Summary

LumNo	Label	Fixture Height
1	B	3.5
2	B	3.5
3	B	3.5
4	B	3.5
5	B	3.5
6	B	3.5
7	B	3.5
8	B	3.5
9	C	17
10	C	17
11	C	17
12	C	17
13	C	17
14	C	17
15	C	17
16	S1A	20
17	S1A	20
19	S2A	20
20	S2A	20
21	WP	20
22	WP	20
23	WP	20
24	WP	20
25	WP	20
26	WP	20
27	WP	20
28	WP	20
29	WP	20
30	WP	20
31	WP	20
32	WP	20
33	WP	20
34	WP	20
35	WP	20
36	WP	20
39	S2B	27.5
40	S1A	20
41	S2A	20
44	S2A	20

NORTH

1 SITE PLAN
SCALE: 1"=50'-0"

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6/19/2014 1:14:54 PM
$TIME$
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drawn: DMS
checked MIKE SEEBOLD
date 06/12/14

BOB MOORE CONSTRUCTION, INC.
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(817) 640-7200
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FOX ELECTRIC, LTD.
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ARLINGTON, TEXAS 76015
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STATE OF TEXAS
6/21/14
BHUPENDRA P. PATEL
LICENSED
PROFESSIONAL ENGINEER

pdg
pross design group, incorporated
5310 Harvest Hill Road, Suite 180, Dallas, Texas 75230. 972/759-1400

BUILD-TO-SUIT
CHANNELL
ROCKWALL, TEXAS

job no 1423
sheet
E1.01

DESCRIPTION

The McGraw-Edison BSL / BRL Bollard Series, available in heights from 24" to 42", has crisp, clean lines which blend with any architectural setting. Constructed of seamless, heavy-duty aluminum and finished with a tough polyester powder coat finish, the McGraw-Edison Louvered Bollard Series is gasketed to seal out external contaminants. U.L. 1598 listed and CSA certified for wet locations.

Bollards are designed for walkways, entranceways, drives and other small-area lighting applications where low mounting heights are desirable.

		Type
Catalog #		
Project	CHANNELL	
Comments		Date
Prepared by		06/12/2014

SPECIFICATION FEATURES

Construction
TOP: Rugged, minimum 5/32" thick cast aluminum top cap secured via a concealed stainless steel allen screw with twist removal mechanism for lamp access. Flow through ventilation assure cool to the touch top. LOUVERS: Cast Aluminum Louver blades provide sharp cutoff delivering no direct light above 90°. Louvers are secured to the shaft via tamper stainless steel rods and fasteners. LOWER HOUSING: Nominal 1/8" thick aluminum extruded housing. Bollard housing is secured to the base with flathead, counter-sunk screws for smooth, uncluttered appearance. BASE: Rugged cast aluminum. Completely concealed.

Electrical
HID High Power Factor ballast for -20°F starting. CFL Electronic ballast for 0°F starting. Product is factory mounted to the base. Quick disconnects provided between lamp and electrical assembly. Metal Halide and High Pressure Sodium lamp sources up to 100W and up to 42W Compact Fluorescent sources.

Optical
LAMP ENCLOSURE: One piece tempered glass with internal flutes for even disbursement of illumination. Decorative colored glass optional. Globe is fully gasketed via EPDM material. Socket is porcelain, medium-base for HID lamp sources and polycarbonate/PBT GX24q-3/q-4 base for compact fluorescent lamps.

Mounting
Base mounts onto foundation with three (3) 1/2" x 12 1/2" anchor bolts on a 5" Dia. bolt circle (a centrally located 2 7/8" x 3 1/2" wire entrance opening provided).

Finish
Premium fade and abrasion resistant, TGIC Polyester Powder Coat Finish. Standard colors are Black, Grey, Bronze, White, Dark Platinum and Graphite Metallic. Other finish colors available including all RAL matches.



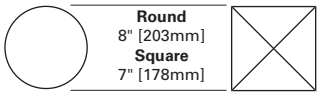
BSL/BRL
BOLLARD

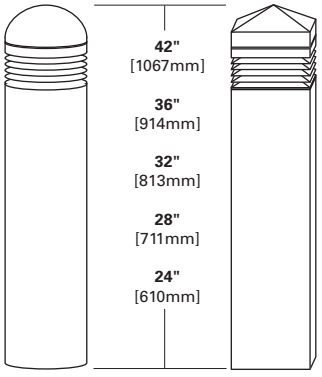
26 - 100W
Pulse Start Metal Halide
High Pressure Sodium
Compact Fluorescent
Incandescent

PATHWAY LUMINAIRE

DARK SKY COMPLIANT CO Cutoff
NOTE: In select finishes only.

DIMENSIONS





WATTAGE TABLE

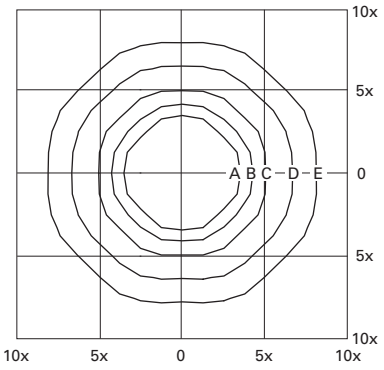
Lamp Type	Wattage
Pulse Start Metal Halide (MP)	50, 70, 100W
High Pressure Sodium (HPS)	35, 50, 70, 100W
Compact Fluorescent (CF)	(1) 26, (1) 32, (1) 42W
Incandescent (IN)	100W

Energy Data
Reactor Ballast Input Watts
35W HPS NPF (46 Watts)

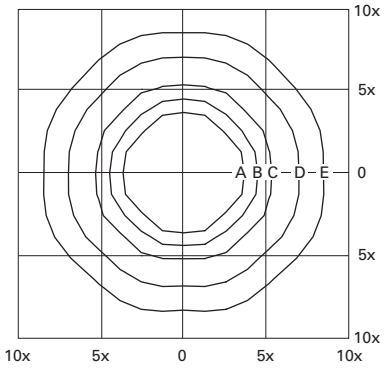
High Reactance Ballast Input Watts
50W HPS HPF (62 Watts)
50W MP HPF (69 Watts)
70W HPS HPF (86 Watts)
70W MP HPF (94 Watts)
100W HPS HPF (115 Watts)
100W MP HPF (129 Watts)
150W HPS HPF (170 Watts)
150W MP HPF (185 Watts)

SHIPPING DATA
Approximate Net Weight:
26 lbs. (12 kgs.)

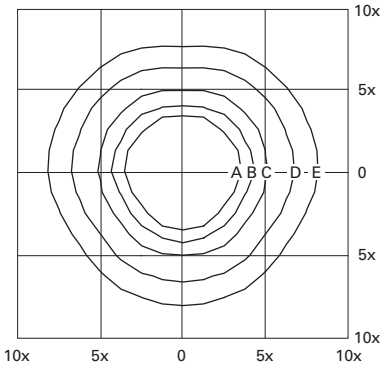
PHOTOMETRICS



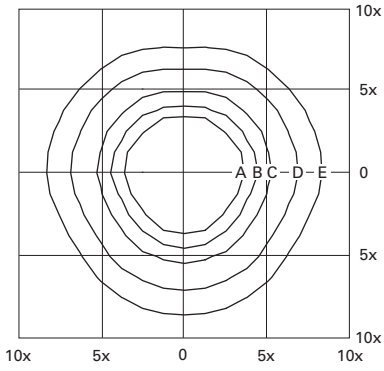
BSL-36-100-MP
100-Watt MP
7,900-Lumen Lamp (Coated ED-17)



BSL-36-100-HPS
100-Watt HPS
8,800-Lumen Lamp (Coated ED-17)



BRL-36-100-MP
100-Watt MP
7,900-Lumen Lamp (Coated ED-17)



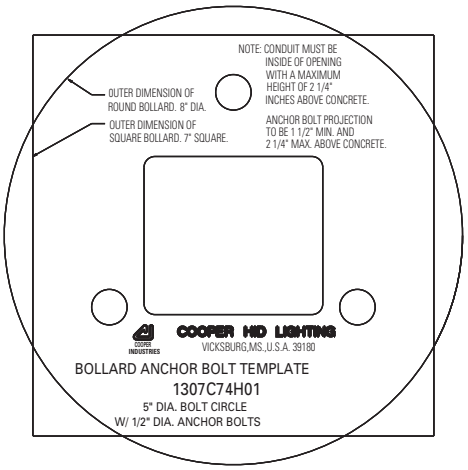
BRL-36-100-HPS
100-Watt HPS
8,800-Lumen Lamp (Coated ED-17)

Footcandle Table

Select mounting height and read across for footcandle values of each isofootcandle line. Distance in units of mounting height.

Mounting Height	Footcandle Values for Isofootcandle Lines				
	A	**B**	**C**	**D**	**E**
42"	1.20	0.60	0.30	0.12	0.06
36"	2.00	1.00	0.50	0.20	0.10
32"	2.40	1.20	0.60	0.24	0.12
28"	3.20	1.60	0.80	0.32	0.16
24"	4.40	2.20	1.10	0.44	0.22

ANCHOR BOLT TEMPLATE (NOT TO SCALE)



ORDERING INFORMATION

BSL-36-70-MP-277-BZ

BSL	36	70	MP	277	BZ	

Product Family
- **BSL**=Square Bollard with Stacked Louvers and Pyramidal Top
- **BRL**=Round Bollard with Stacked Louvers and Dome Top

Fixture Height
- **24**=24"
- **28**=28"
- **32**=32"
- **36**=36"
- **42**=42"

Lamp Wattage [1]

MP
- **50**=50W
- **70**=70W
- **100**=100W

HPS
- **35**=35W[2]
- **50**=50W
- **70**=70W
- **100**=100W

CF
- **26**= (1) 26W
- **32**= (1) 32W
- **42**= (1) 42W

IC
- **100**= 100W

Lamp Type
- **MP**=Pulse Start Metal Halide
- **HPS**=High Pressure Sodium
- **CF**=Compact Fluorescent
- **IC**=Incandescent

Voltage [3]
- **120**=120V
- **208**=208V
- **240**=240V
- **277**=277V
- **347**=347V
- **MT**=Multi-Tap[4]
- **TT**=Triple-Tap[4]
- **UNV**=Universal[5] 120-277V

Color [6]
- **AP**=Grey
- **BZ**=Bronze
- **BK**=Black
- **WH**=White
- **DP**=Dark Platinum
- **GM**=Graphite Metallic

Options [7]
- **F**=Single Fuse (120, 277 or 347V)
- **FF**=Double Fuse (208, 240 or 480V)
- **L**=Lamp Included[8]
- **R1**=Provisional cut for GFI Receptacle[9]
- **R2**=Installed GFI Receptacle[9]
- **CF/EM**=Emergency Battery Pack[10]
- **AB**=Aqua Marine Blue Glass Jar
- **HG**=Hunter Green Glass Jar
- **OR**=Orange Glass Jar
- **RB**=Royal Blue Glass Jar
- **RE**= Red Glass Jar

Notes:
1. HID lamps are medium base. 175W MH is available for non-U.S. markets only.
2. 35W HPS available in 120V only.
3. Products also available in non-US voltages and 50Hz for international markets. Consult factory for availability and ordering information.
4. Multi-Tap ballast is 120/208/240/277V wired 277V. Triple-Tap ballast is 120/277/347V wired 347V.
5. Compact Fluorescent only Electronic ballast universal voltage 120-277V.
6. Other finish colors available, including a full line of RAL color matches. Consult your Cooper Lighting Representative.
7. Add as suffix in the order shown.
8. Coated lamp standard. Must specify clear lamp if desired.
9. Location of R1 and R2 option on housing subject to height of luminaire.
10. CF lamps only, rated minimum operating temperature 32° F (0° C).

COOPER LIGHTING - LUMARK®

energy solutions

DESCRIPTION

The Lumark Tribute is the most versatile, functionally designed, universally adaptable outdoor luminaire available. The Tribute brings outstanding performance to walkways, parking lots, roadways, loading docks, building areas, and any security lighting application. U.L. listed and CSA certified for wet locations.

		Type
Catalog #		
Project	CHANNELL	
Comments		Date
Prepared by		06/12/2014

SPECIFICATION FEATURES

Construction
Rugged one-piece die-cast aluminum housing and door frame. One-piece silicone gasket protects the optical chamber from performance degrading contaminants. One (1) stainless spring latch and two (2) stainless hinges allow toolless opening and removal of door frame.

Reflector
Choice of nine (9) high efficiency optical distributions, including five (5) segmented optical systems constructed of premium 95% reflective odized aluminum sheet. Optical segments are rigidly mounted inside a thick gauge aluminum housing for superior protection. All segment faces are clean of rivet heads, tabs or other means of attachment which may cause streaking in the light distribution. Optical modules are field rotatable in 90° increments and offered standard with mogul base lampholders for High Pressure Sodium and 200-400W Metal Halide assemblies or medium-base lampholders for Metal Halide 150W and below.

Electrical
Ballast and related electrical componentry are hard mounted to die-cast housing for optimal heat transfer and operating efficiency. Optional swing-down galvanized steel power tray with integral handle and quick disconnects allows tray to be completely removed from housing providing ample room for fixture installation and maintenance.

Mounting
Extruded 8" aluminum arm features internal bolt guides for easy positioning of fixture during installation to pole or wall surface.

Standard single carton packaging of housing, square pole arm and round pole adapter allow for consolidated product arrival to site. Optional internal mast arm mount accepts a 1 1/4" to 2 3/8" O.D. horizontal tenon, while a 4-bolt clamping mechanism secures fixture. Cast-in leveling guides provide +/-5° vertical leveling adjustment.

Finish
Housing and arm finished in a 5 stage premium TGIC bronze polyester powder coat paint. Optional colors include black, grey, white, dark platinum and graphite metallic. RAL and custom color matches available.



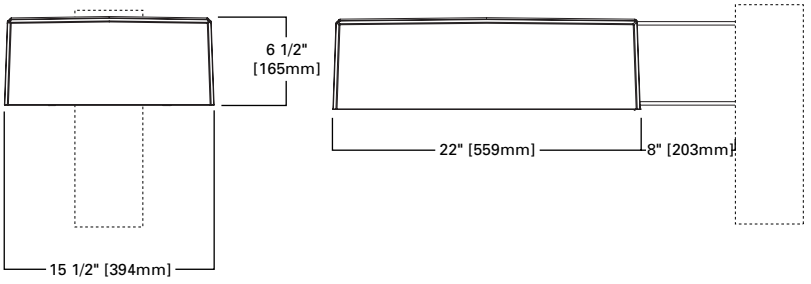
TR
TRIBUTE

70 - 400W
High Pressure Sodium
Pulse Start Metal Halide
Metal Halide

AREA LUMINAIRE

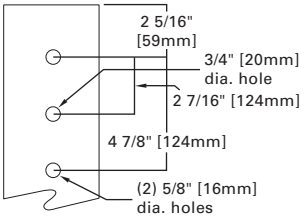
DARK SKY COMPLIANT FCO Full Cutoff

DIMENSIONS

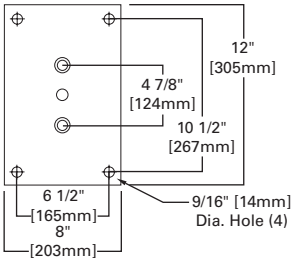


DRILLING PATTERNS

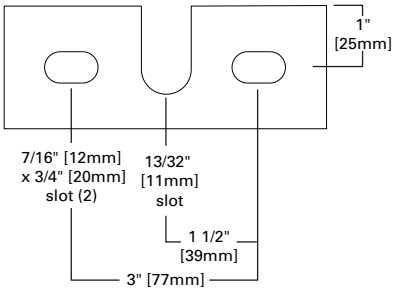
TYPE "M"



WALL MOUNT (MA1219-XX)



TRUNNION MOUNT



TECHNICAL DATA

UL Wet Locations Listed
CSA Certified
EISA Compliant Ⓔ

ENERGY DATA

Hi-Reactance Ballast Input Watts
70W HPS HPF (95 Watts)
100W HPS HPF (130 Watts)
150W HPS HPF (190 Watts)
150W MP HPF (185 Watts)

CWI Ballast Input Watts
250W HPS HPF (300 Watts)

CWA Ballast Input Watts
175W MH HPF (210 Watts)
200W MP HPF (227 Watts) Ⓔ
200W HPS HPF (250 Watts)
250W MH HPF (295 Watts)
250W MP HPF (283 Watts) Ⓔ
320W MP HPF (365 Watts) Ⓔ
350W MP HPF (397 Watts) Ⓔ
400W MP HPF (452 Watts) Ⓔ
400W MH HPF (455 Watts)
400W HPS HPF (465 Watts)

EPA

Effective Projected Area: (Sq. Ft.)
Without Arm: 1.19

SHIPPING DATA

Approximate Net Weight:
39 lbs. (17.73 kgs.)

ISO 9001 CERTIFIED

ORDERING INFORMATION

MPTR-SL-400-480V

MP	TR	SL	400	480V			See Below

Lamp Type
- **MP**=Pulse Start Metal Halide
- **MH**=Metal Halide
- **HP**=High Pressure Sodium

Series [1]
- **TR**= Tribute (Arm Included)

Distribution
- **2F**=Type II Formed
- **2S**=Type II Segmented
- **3F**=Type III Formed
- **3S**= Type III Segmented
- **4F**= Type IV Formed
- **4S**= Type IV Segmented
- **5F**= Type V Formed
- **5S**= Type V Segmented
- **SL**= Spill Light Eliminator

Lamp Wattage [2]

MP
- **70**=70W
- **100**=100W
- **150**=150W
- **200**= 200W
- **250**= 250W
- **320**= 320W
- **350**= 350W
- **400**= 400W[3]

MH
- **175**= 175W[4]
- **250**= 250W[4]
- **400**= 400W[3, 4]

HPS
- **70**= 70W
- **100**= 100W
- **150**= 150W
- **250**= 250W
- **400**= 400W[3]

Voltage [5]
- **120V**=120V
- **208V**=208V
- **240V**=240V
- **277V**=277V
- **347V**=347V[6]
- **480V**=480V
- **DT**=Dual-Tap
- **MT**=Multi-Tap, wired 277V
- **TT**=Triple-Tap, [6] wired 347V
- **5T**=5 Tap Wired [5] 480V

Options
- **F1**=Single Fuse (120, 277 or 347V [7] only)
- **F2**=Double Fuse (208, 240 or 480V [7] only)
- **Q**= Quartz Restrike (Hot Strike Only)[8]
- **EM**= Quartz Restrike with "Delay Relay" (Quartz lamp strikes at both hot and cold starts) [8]
- **EM/SC**= Emergency Separate [8] Circuit
- **LL**= Lamp Included
- **S**= 1 1/4" - 2 3/8" Internal Mast Arm Mount
- **TM**= Trunnion Mount
- **CEC**= California Title 20 Compliant Ballast (Applies to 200-320W and 400W MP only)
- **PT**= Electrical Power Tray
- **PER**= NEMA Twistlock Photocontrol Receptacle
- **PC**= Button Type Photocontrol[9]
- **HS**=House Side Cutoff[10]
- **LA**=Less Arm (Order Mounting Separately)

Standard Color
- __=Bronze (Standard)
- **WH**=White
- **BK**=Black
- **AP**=Grey
- **DP**=Dark Platinum
- **GM**=Graphite Metallic

Accessories [11]
- **MA1201-BZ**=Direct Wall Mount Kit[1]
- **MA1218-BZ**=Direct Mount for Pole[1]
- **MA1219-BZ**=Wall Mounting Plate
- **OA1090-BZ**=Adjustable slipfitter Arm for Tenon Mount 2 3/8" O.D.[1]
- **MA1221-BZ**= External House Side Shield Kit (EPA= 0.38)
- **MA1222**= Internal House Side Shield Kit for 2S/3S
- **MA1223**= Internal House Side Shield Kit 4S
- **MA1224**= Internal House Side Shield Kit for 2F/3F
- **MA1225**= Internal House Side Shield Kit for 4F
- **MA1010-BZ**= SingleTenon Adapter for 3 1/2" O.D. Tenon
- **MA1011-BZ**= 2 @ 180 degrees Tenon Adapter for 3 1/2" O.D.Tenon
- **MA1012-BZ**= 3 @ 120 degrees Tenon Adaptor for 3 1/2" O.D. Tenon
- **MA1013-BZ**= 4 @ 90 degrees Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1014-BZ**= 2 @ 90 degrees Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1015-BZ**= 2 @ 120 degrees Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1016-BZ**= 3 @ 90 degrees Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1017-BZ**= Single Tenon Adapter for 2 3/8 " O.D. Tenon
- **MA1018-BZ**= 2 @ 180 degrees Tenon Adapter for 2 3/8" O.D. Tenon
- **MA1019-BZ**= 3 @ 120 degrees Tenon Adapter for 2 3/8" O.D. Tenon
- **MA1045-BZ**= 4 @ 90 degrees Tenon Adapter for 2 3/8" O.D. Tenon
- **MA1048-BZ**=2 @ 90 degrees Tenon Adapter for 2 3/8" O.D.Tenon
- **MA1049-BZ**=3 @ 90 degrees Tenon Adapter for 2 3/8" O.D. Tenon
- **TR/VS**=Field Installed Vandal Shield[12]
- **OA/RA1013**=Photocontrol Shorting Cap
- **OA/RA1016**=NEMA Photocontrol - Multi-Tap
- **OA/RA1027**=NEMA Photocontrol 480V
- **OA/RA1201**=NEMA Photocontrol 347V

Notes: 1 8 Inch Arm and pole adapter included with fixture. Specify Less Arm "LA" option when mounting accessory is ordered separately. 2 150W and below in Pulse Start Metal Halide are medium base sockets. All other wattages are mogul base. 3 Requires reduced envelope lamp. 4 175W, 250W, and 400W MH available in non-U.S. markets only. 5 Products also available in non-US voltages and 50HZ for international markets. Consult your Cooper Representative for availabiltiy and ordering information. 5T only available in 400W MH. 6 88% efficient EISA Compliant MP fixtures not available in 347V or TT Voltages. 7 Must specify voltage. 8 Quartz options not available with SL optics. 9 Specify 120V, 208V, 240V, or 277V only. 10 House side shield not available on 5S, 5F, or SL optics. 11 Order separately/replace XX with color specification. 12 Not available with SLE or House Side Sheild.

STOCK SAMPLE NUMBER (Lamp Included)

SAMPLE NUMBER: MPTR2340

MP	TR	23	

Lamp Type
- **MP**=Pulse Start Metal Halide
- **HP**=High Pressure Sodium [2]

Series [1]
- **TR**=Tribute

Distribution
- **23**=Type II/III Formed

Lamp Wattage
- **15**=150W
- **25**=250W
- **32**=320W
- **40**=400W

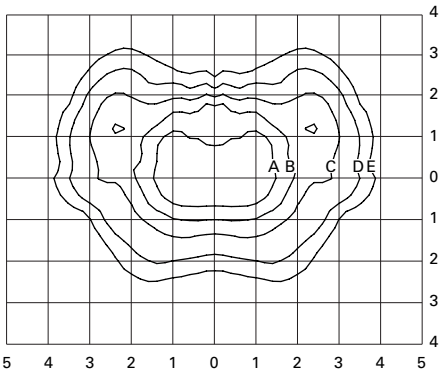
NOTES:

[1] Short logic fixtures are finished bronze include multi-tap ballast, lamp, arm and round pole adapter. Other options not available. Refer to standard ordering logic. [2] Available in 150, 250 and 400 Watt. Refer to In Stock Guide for availability.

VOLTAGE CHART	
DT=Dual-Tap	120/277 (wired 277V)
MT=Multi-Tap	120/208/240/277 (wired 277V)
TT=Triple-Tap	120/277/347 (wired 347V)
5T=5-Tap	120/208/240/277/480 (wired 480V)

LAMP TYPE	WATTAGE
Pulse Start Metal Halide	70, 100, 150, 250, 320, 350, 400W
Metal Halide	175, 250, 400W
High Pressure Sodium	70, 100, 150, 250, 400W

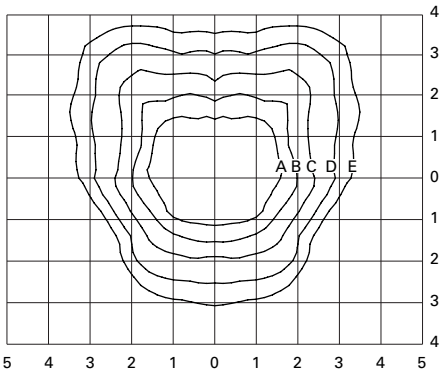
PHOTOMETRICS [Complete IES files available at www.cooperlighting.com]



MPTR-3S-320
320—Watt MP
30,000—Lumen Clear Lamp
Type III Segmented

Footcandle Table
Select mounting height and read across for footcandle values of each isofootcandle line. Distance in units of mounting height.

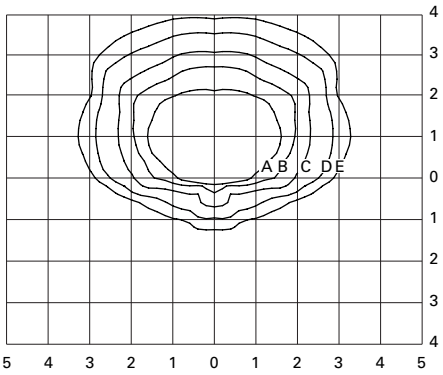
Mounting Height	Footcandle Values for Isofootcandle Lines				
	A	B	C	D	E
20'	3.00	1.50	0.75	0.30	0.15
25'	**2.00**	**1.00**	**0.50**	**0.20**	**0.10**
30'	1.38	0.69	0.34	0.13	0.06



MPTR-4S-400
400—Watt MP
40,000—Lumen Clear Lamp
Type IV Segmented

Footcandle Table
Select mounting height and read across for footcandle values of each isofootcandle line. Distance in units of mounting height.

Mounting Height	Footcandle Values for Isofootcandle Lines				
	A	B	C	D	E
20'	3.00	1.50	0.75	0.30	0.15
25'	**2.00**	**1.00**	**0.50**	**0.20**	**0.10**
30'	1.38	0.69	0.34	0.13	0.06



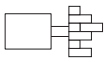
MPTR-SL-400
400—Watt MP
40,000—Lumen Clear Lamp
Spill Light Eliminator

Footcandle Table
Select mounting height and read across for footcandle values of each isofootcandle line. Distance in units of mounting height.

Mounting Height	Footcandle Values for Isofootcandle Lines				
	A	B	C	D	E
20'	3.00	1.50	0.75	0.30	0.15
25'	**2.00**	**1.00**	**0.50**	**0.20**	**0.10**
30'	1.38	0.69	0.34	0.13	0.06

MOUNTING CONFIGURATIONS

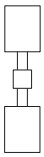
Wall Mount



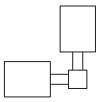
Arm Mount Single
EPA: 1.62



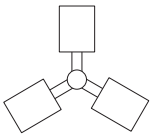
Arm Mount 2 @ 180
EPA: 3.24



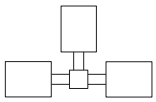
Arm Mount 2 @ 90
EPA: 3.24



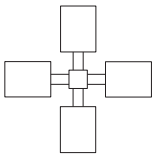
Arm Mount 3 @ 120
(Round Pole Only)
EPA: 4.43



Arm Mount 3 @ 90
EPA: 4.43



Arm Mount 4 @ 90
EPA: 5.03



DESCRIPTION

Galleria's beauty and versatility make it an excellent choice for roadway and general area lighting applications. An aesthetic reveal in the formed aluminum housing gives the Galleria a distinctive look while a variety of mounting options and lamp wattages provide maximum flexibility.

Galleria's superior light distributions makes it the optimum choice for almost any small, medium or large area lighting application.

		Type
Catalog #		
Project	CHANNELL	
Comments		Date
Prepared by		06/12/2014

SPECIFICATION FEATURES

Construction
HOUSING: Formed aluminum housing with stamped reveal has interior-welded seams for structural integrity and is finished in premium TGIC polyester powder coat. U.L. listed and CSA certified for wet locations. DOOR: Formed aluminum door has heavy-duty hinges, captive retaining screws and is finished in premium TGIC polyester powder coat. (Spider mount unit has steel door.)

Electrical
BALLAST TRAY: Ballast tray is hard-mounted to housing interior for cooler operation.

Optical
REFLECTOR: Choice of 14 high efficiency optical systems utilizing horizontal and vertical lamp orientations. Optional high efficiency segmented optical systems constructed of premium 95% reflective anodized aluminum sheet. Optical segments are rigidly mounted inside a thick gauge aluminum housing for superior protection. All segment faces are clean of rivet heads, tabs or other means of attachment which may cause streaking in the light distribution. Standard with mogul-base socket. All optical modules feature quick disconnect wiring plugs and are field rotatable in 90° increments. LENS: Convex tempered glass lens or flat glass.

Mounting
Extruded aluminum arm includes internal bolt guides allowing for easy positioning of fixture during assembly. Specify arm-included mounting for contractor-friendly single carton packaging of housing and arm.



GSS/GSM/GSL GALLERIA SQUARE

70 - 1000W
Pulse Start Metal Halide
High Pressure Sodium
Metal Halide

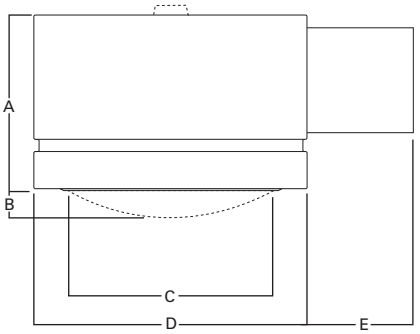
ARCHITECTURAL AREA LUMINAIRE

DARK SKY COMPLIANT FCO Full Cutoff

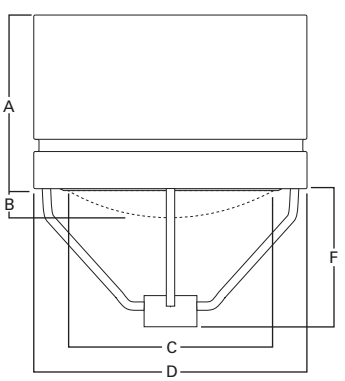
NOTE: In all flat glass configurations only.

DIMENSIONS

Arm Mount



Spider Mount

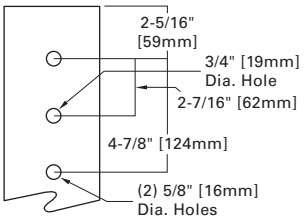


Fixture	A	B	C	D	E	F
GSS	9-1/4" 235mm	1-1/2" 38mm	12-7/8" 327mm	15-5/8" 397mm	6" or 9" 152mm or 229mm	13-1/4" 337mm
GSM	11" 279mm	3-1/2" 89mm	19-1/4" 480mm	21-3/4" 552mm	6" or 14" 152mm or 356mm	15" or 16" 381mm or 406mm
GSL	14-1/2" 368mm	4-1/4" 108mm	25-7/8" 657mm	27" 686mm	6" or 14" 152mm or 356mm	18-3/4" or 19-3/4" 476mm or 502mm

NOTE: Top cap used on GSM with 1000W flat glass vertically lamped optics only.

ARM DRILLING

TYPE "M"



WATTAGE TABLE

Fixture	Lamp Type	Wattage
GSS (Galleria Small)	Pulse Start Metal Halide (MP)	70, 100, 150W
	High Pressure Sodium (HPS)	70, 100, 150W
	Metal Halide (MH)	175W
GSM (Galleria Medium)	Pulse Start Metal Halide (MP)	70, 100, 150, 175, 200, 250, 320, 350, 400, 450, 750, 875, 1000W
	High Pressure Sodium (HPS)	70, 100, 150, 250, 400, 750, 1000W
	Metal Halide (MH)	175, 250, 400, 1000W
GSL (Galleria Large)	Pulse Start Metal Halide (MP)	250, 320, 350, 400, 450, 750, 1000W
	High Pressure Sodium (HPS)	250, 400, 750, 1000W
	Metal Halide (MH)	250, 400, 1000W

ENERGY DATA

CWA Ballast Input Watts
150W MP HPF (185 Watts)
175W MP HPF (198 Watts) Ⓔ
250W MP HPF (283 Watts) Ⓔ
250W HPS HPF (295 Watts)
400W MP HPF (452 Watts) Ⓔ
400W HPS HPF (457 Watts)
750W MP HPF (820 Watts)
1000W MH HPF (1080 Watts)
1000W HPS HPF (1100 Watts)

EPA
Effective Projected Area: (Sq. Ft.)
[Without Arm]
GSS: 1.20 **GSM**: 2.40 **GSL**: 3.90
[Spider Mount]
GSS: 1.53 **GSM**: 2.86 **GSL**: 4.45

SHIPPING DATA

Approximate Net Weight:
36 lbs. (16 kgs.)
79 lbs. (36 kgs.)
88 lbs. (40 kgs.)

MOUNTING CONFIGURATIONS

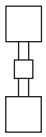
Wall Mount



Arm Mount Single



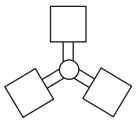
Arm Mount 2 @ 180°



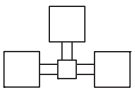
Arm Mount 2 @ 90°



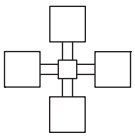
Arm Mount 3 @ 120°
(Round Pole Only)



Arm Mount 3 @ 90°



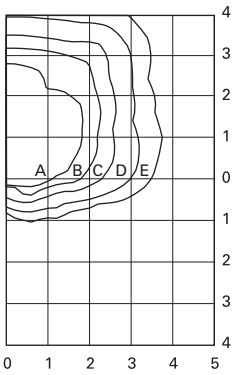
Arm Mount 4 @ 90°



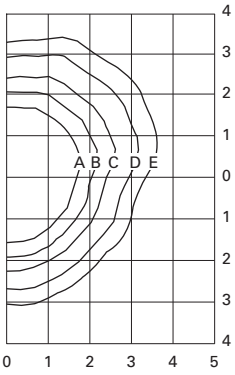
E.P.A. TABLE

	Single [w/arm where applicable]	2 @ 180°	2 @ 90°	3 @ 120°	3 @ 90°	4 @ 90°
GSS	1.7	3.4	3.4	4.6	4.6	5.2
GSM	2.9	5.8	6.8	9.2	9.2	10.4
GSL	4.4	8.8	9.8	13.7	13.7	15.6

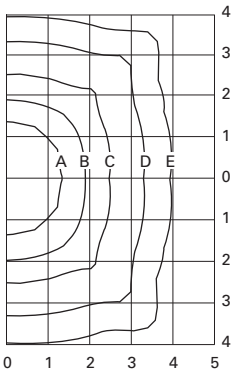
PHOTOMETRICS



GSM-XX-1000-MH-SL-FG
1000-Watt MH
110,000-Lumen Clear Lamp
Spill Light Eliminator
Flat Glass



GSM-XX-1000-MH-3V-FG
1000-Watt MH
110,000-Lumen Clear Lamp
Type III Vertical
Flat Glass



GSM-XX-1000-MH-AS-SG
1000-Watt MH
110,000-Lumen Clear Lamp
Area Square
Flat Glass

Footcandle Table

Select mounting height and read across for footcandle values of each isofootcandle line. Distance in units of mounting height.

Mounting Height	Footcandle Values for Isofootcandle Lines				
	A	B	C	D	E
1000W [SL] / 400W [AR]					
25'	2.88	1.44	0.72	0.29	0.14
30'	**2.00**	**1.00**	**0.50**	**0.20**	**0.10**
35'	1.46	0.73	0.37	0.15	0.07
1000W [3V/AS]					
30'	3.50	2.00	1.00	0.50	0.20
35'	2.60	0.73	0.37	0.18	0.07
40'	**2.00**	**1.00**	**0.50**	**0.20**	**0.10**

ORDERING INFORMATION

GSM-AIS-1000-MP-480-FT-FG-BZ

GSM	AIS	1000	MP	480	FT	FG	BZ		BZ

Product Family
- **GSS**=Galleria Square Small
- **GSM**=Galleria Square Medium
- **GSL**=Galleria Square Large

Mounting Method
- **AM**=Arm Mount[1]
- **AIR**=Arm Included for[2] Round Pole
- **AIS**=Arm Included for[2] Square Pole
- **SM1**=Spider Mount[3] (2 3/8" OD Tenon)
- **SM2**=Spider Mount (3" OD Tenon)
- **SM3**=Spider Mount[4] (3 1/2" OD Tenon)

Lamp Wattage [5]

MP
- **70**=70W
- **100**=100W
- **150**=150W
- **175**=175W
- **200**=200W
- **250**=250W
- **320**=320W
- **350**=350W
- **400**=400W[6]
- **450**=450W
- **750**=750W
- **875**=875W
- **1000**=1000W[7]

HPS
- **70**=70W
- **100**=100W
- **150**=150W
- **250**=250W
- **400**=400W
- **750**=750W
- **1000**=1000W[7]

MH [8]
- **175**=175W
- **250**=250W
- **400**=400W
- **1000**=1000W[7]

Lamp Type
- **MP**=Pulse Start Metal Halide
- **HPS**=High Pressure Sodium
- **MH**=Metal Halide[8]

Voltage [9]
- **120**=120V
- **208**=208V
- **240**=240V
- **277**=277V
- **347**=347V
- **480**=480V
- **MT**=Multi-Tap[10]
- **TT**=Triple-Tap[10]
- **5T**=5-Tap[11]

Distribution

Horizontal Lamp
- **1F**=Type I Formed[12]
- **2F**=Type II Formed
- **2S**=Type II Segmented[13]
- **3F**=Type III Formed
- **3S**=Type III Segmented[13]
- **4S**=Type IV Segmented[13]
- **5S**=Type V Segmented[13]
- **FT**=Forward Throw
- **SL**=Spill Light Eliminator[14]
- **CA**=Cutoff Asymetric with EHS [15]

Vertical Lamp
- **AR**=Area Round
- **AS**=Area Square[15]
- **3V**=Type III Vertical[15]
- **RW**=Rectangular Wide[15, 16]

Lens Type
- **FG**=Flat Glass[17]
- **SG**=Sag Glass

Color [18]
- **AP**=Grey
- **BZ**=Bronze
- **BK**=Black
- **WH**=White
- **DP**=Dark Platinum
- **GM**=Graphite Metallic

Options [19]
- **CEC**=California Title 20 Compliant Ballast (Applies to 175-320W and 400W MP only)
- **F**=Single Fuse (120, 277 or 347V)
- **FF**=Double Fuse (208, 240 or 480V)
- **L**=Lamp Included
- **EM**=Quartz Restrike w/[20] Delay
- **Q**=Quartz Restrike[20]
- **R**=NEMA Twistlock Photocontrol Receptacle
- **EHS**=External Adjustable House Side Shield
- **HS**=House Side Shield[21, 22]
- **VS**=Vandal Shield[23]

Accessories [24]
- **GSM-EXTHS**=External House Side Shield - 2.24 EPA
- **GSL-EXTHS**=External House Side Shield - 2.46 EPA
- **MA1004BZ**=14" Arm for Square Pole. 1.0 EPA[15, 25]
- **MA1005BZ**=6" Arm for Square Pole. 0.5 EPA[15]
- **MA1006BZ**= Direct Mount Kit for Square Pole[15]
- **MA1007BZ**= 14" Arm for Round Pole. 1.0 EPA[15, 25]
- **MA1008BZ**= 6" Arm for Round Pole. 0.5 EPA[15]
- **MA1009BZ**= Direct Mount Kit for Round Pole[15]
- **MA1021BZ**= 6" Arm for Square Pole. 0.5 EPA[3]
- **MA1022BZ**= 6" Arm for Round Pole. 0.5 EPA[3]
- **MA1023BZ**= 9" Arm for Square Pole. 0.5 EPA[3, 25]
- **MA1024BZ**= 9" Arm for Round Pole. 0.5 EPA[3, 25]
- **MA1029BZ**= Wall Mount Bracket with 10" Arm
- **MA1046BZ**= Wall Mount Bracket[3]
- **MA1208BZ**= 11 1/2" Arm and Round Pole Adapter - . 0.8 EPA
- **OA1066BZ**= Mast Arm Adapter
- **MA1010BZ**= Single Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1011BZ**= 2@180° Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1012BZ**=3@120° Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1013BZ**=4@90° Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1014BZ**=2@90° Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1015BZ**=2@120° Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1016BZ**=3@90° Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1017BZ**=Single Tenon Adapter for 2 3/8" O.D. Tenon
- **MA1018BZ**=2@180° Tenon Adapter for 2 3/8" O.D. Tenon
- **MA1019BZ**=3@120° Tenon Adapter for 2 3/8" O.D. Tenon
- **MA1045BZ**=4@90° Tenon Adapter for 2 3/8" O.D. Tenon
- **MA1048BZ**=2@90° Tenon Adapter for 2 3/8" O.D. Tenon
- **MA1049BZ**=3@90° Tenon Adapter for 2 3/8" O.D. Tenon
- **MA1060**=House Side Shield for GSS (Field Installed)[26]
- **MA1061**=House Side Shield for GSM (Field[26] Installed)
- **MA1062**=House Side Shield for GSL (Field Installed)[26]
- **OA/RA1016**=NEMA Twistlock Photocontrol - Multi-Tap
- **OA/RA1027**=NEMA Twistlock Photocontrol - 480V
- **OA/RA1201**=NEMA Twistlock Photocontrol - 347V

Notes:
1. Arm not included. See Accessories.
2. Arm length varies based on housing size: 9" for GSS, 11-1/2" for GSM and 14" for GSL.
3. Available on GSS housing only.
4. Available on GSL housing only.
5. Standard with medium-base sockets in GSS housing. Mogul-base sockets in GSM and GSL housings. Wattage availability varies by housing size - see Wattage Table.
6. Requires reduced envelope ED-28 lamp when used with GSM housing and flat glass vertically lamped optics.
7. Requires reduced envelope BT-37 lamp when used with GSM housing.
8. 175, 250 and 400W MH available for non-US markets only.
9. Products also available in non-US voltages and 50Hz for international markets. Consult factory for availability and ordering information.
10. Multi-Tap ballast is 120/208/240/277V wired 277V. Triple-Tap ballast is 277/347/480V wired 347V.
11. 5-Tap ballast is 120/2008/240/277/480V wired 480V. Only available in 400-1000W.
12. Medium housing fixture only.
13. Maximum wattage on segmented optical distributions is 400W. 400W Metal Halide lamp must use reduced envelope ED-28 lamp. Not available in GSL housing.
14. Must use reduced envelope lamp, not available in GSL housing.
15. Available on GSM and GSL housings only.
16. RW optic not available with flat glass.
17. 1000W GSL with flat glass requires BT-37 lamp and is not available in AS, RW, SL or 3V distributions.
18. Other finish colors available, including a full line of RAL color matches. Consult your Cooper Lighting Representative.
19. Add as suffix in the order shown.
20. Quartz options not available with SL optics.
21. House side shield not available with 5S, RW, AS, AR, SL and CA optics.
22. Not available in 1000W.
23. Arm mount only, 400W Maximum.
24. Order separately, replace XX with color suffix.
25. Use for mounting fixtures at 90 degree increments.
26. Compatible with sag lens vertical optics only.

COOPER LIGHTING - LUMARK®

energy solutions

DESCRIPTION

The Lumark Tribute is the most versatile, functionally designed, universally adaptable outdoor luminaire available. The Tribute brings outstanding performance to walkways, parking lots, roadways, loading docks, building areas, and any security lighting application. U.L. listed and CSA certified for wet locations.

		Type
Catalog #		
Project	CHANNELL	
Comments		Date
Prepared by		06/12/2014

SPECIFICATION FEATURES

Construction
Rugged one-piece die-cast aluminum housing and door frame. One-piece silicone gasket protects the optical chamber from performance degrading contaminants. One (1) stainless spring latch and two (2) stainless hinges allow toolless opening and removal of door frame.

Reflector
Choice of nine (9) high efficiency optical distributions, including five (5) segmented optical systems constructed of premium 95% reflective odized aluminum sheet. Optical segments are rigidly mounted inside a thick gauge aluminum housing for superior protection. All segment faces are clean of rivet heads, tabs or other means of attachment which may cause streaking in the light distribution. Optical modules are field rotatable in 90° increments and offered standard with mogul base lampholders for High Pressure Sodium and 200-400W Metal Halide assemblies or medium-base lampholders for Metal Halide 150W and below.

Electrical
Ballast and related electrical componentry are hard mounted to die-cast housing for optimal heat transfer and operating efficiency. Optional swing-down galvanized steel power tray with integral handle and quick disconnects allows tray to be completely removed from housing providing ample room for fixture installation and maintenance.

Mounting
Extruded 8" aluminum arm features internal bolt guides for easy positioning of fixture during installation to pole or wall surface.

Standard single carton packaging of housing, square pole arm and round pole adapter allow for consolidated product arrival to site. Optional internal mast arm mount accepts a 1 1/4" to 2 3/8" O.D. horizontal tenon, while a 4-bolt clamping mechanism secures fixture. Cast-in leveling guides provide +/-5° vertical leveling adjustment.

Finish
Housing and arm finished in a 5 stage premium TGIC bronze polyester powder coat paint. Optional colors include black, grey, white, dark platinum and graphite metallic. RAL and custom color matches available.



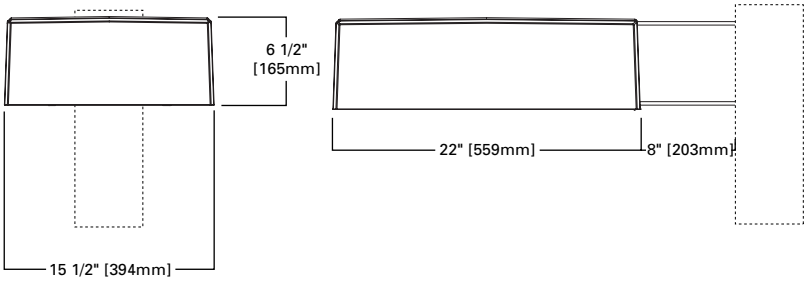
TR
TRIBUTE

70 - 400W
High Pressure Sodium
Pulse Start Metal Halide
Metal Halide

AREA LUMINAIRE

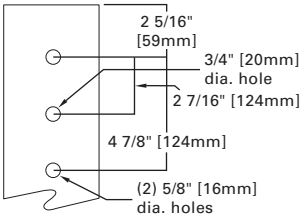
DARK SKY COMPLIANT FCO Full Cutoff

DIMENSIONS

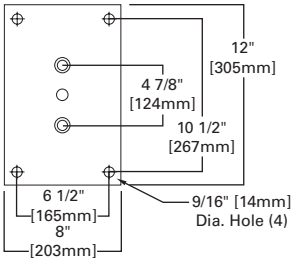


DRILLING PATTERNS

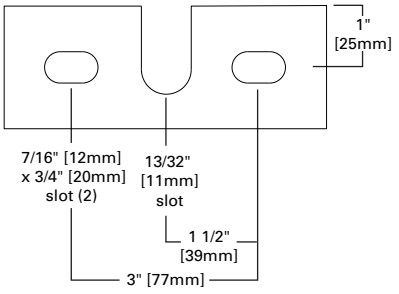
TYPE "M"



WALL MOUNT (MA1219-XX)



TRUNNION MOUNT



TECHNICAL DATA

UL Wet Locations Listed
CSA Certified
EISA Compliant Ⓔ

ENERGY DATA

Hi-Reactance Ballast Input Watts
70W HPS HPF (95 Watts)
100W HPS HPF (130 Watts)
150W HPS HPF (190 Watts)
150W MP HPF (185 Watts)

CWI Ballast Input Watts
250W HPS HPF (300 Watts)

CWA Ballast Input Watts
175W MH HPF (210 Watts)
200W MP HPF (227 Watts) Ⓔ
200W HPS HPF (250 Watts)
250W MH HPF (295 Watts)
250W MP HPF (283 Watts) Ⓔ
320W MP HPF (365 Watts) Ⓔ
350W MP HPF (397 Watts) Ⓔ
400W MP HPF (452 Watts) Ⓔ
400W MH HPF (455 Watts)
400W HPS HPF (465 Watts)

EPA

Effective Projected Area: (Sq. Ft.)
Without Arm: 1.19

SHIPPING DATA

Approximate Net Weight:
39 lbs. (17.73 kgs.)

ISO SYSTEMS CERTIFIED

ORDERING INFORMATION

MPTR-5S-400-480V

MP	TR	5S	400	480V			See Below

Lamp Type
- **MP**=Pulse Start Metal Halide
- **MH**=Metal Halide
- **HP**=High Pressure Sodium

Series [1]
- **TR**= Tribute (Arm Included)

Distribution
- **2F**=Type II Formed
- **2S**=Type II Segmented
- **3F**=Type III Formed
- **3S**= Type III Segmented
- **4F**= Type IV Formed
- **4S**= Type IV Segmented
- **5F**= Type V Formed
- **5S**= Type V Segmented
- **SL**= Spill Light Eliminator

Lamp Wattage [2]

MP
- **70**=70W
- **100**=100W
- **150**=150W
- **200**= 200W
- **250**= 250W
- **320**= 320W
- **350**= 350W
- **400**= 400W[3]

MH
- **175**= 175W[4]
- **250**= 250W[4]
- **400**= 400W[3, 4]

HPS
- **70**= 70W
- **100**= 100W
- **150**= 150W
- **250**= 250W
- **400**= 400W[3]

Voltage [5]
- **120V**=120V
- **208V**=208V
- **240V**=240V
- **277V**=277V
- **347V**=347V[6]
- **480V**=480V
- **DT**=Dual-Tap
- **MT**=Multi-Tap, wired 277V
- **TT**=Triple-Tap, [6] wired 347V
- **5T**=5 Tap Wired [5] 480V

Options
- **F1**=Single Fuse (120, 277 or 347V [7] only)
- **F2**=Double Fuse (208, 240 or 480V [7] only)
- **Q**= Quartz Restrike (Hot Strike Only)[8]
- **EM**= Quartz Restrike with "Delay Relay" (Quartz lamp strikes at both hot and cold starts) [8]
- **EM/SC**= Emergency Separate [8] Circuit
- **LL**= Lamp Included
- **S**= 1 1/4" - 2 3/8" Internal Mast Arm Mount
- **TM**= Trunnion Mount
- **CEC**= California Title 20 Compliant Ballast (Applies to 200-320W and 400W MP only)
- **PT**= Electrical Power Tray
- **PER**= NEMA Twistlock Photocontrol Receptacle
- **PC**= Button Type Photocontrol[9]
- **HS**=House Side Cutoff[10]
- **LA**=Less Arm (Order Mounting Separately)

Standard Color
- __=Bronze (Standard)
- **WH**=White
- **BK**=Black
- **AP**=Grey
- **DP**=Dark Platinum
- **GM**=Graphite Metallic

Accessories [11]
- **MA1201-BZ**=Direct Wall Mount Kit[1]
- **MA1218-BZ**=Direct Mount for Pole[1]
- **MA1219-BZ**=Wall Mounting Plate
- **OA1090-BZ**=Adjustable slipfitter Arm for Tenon Mount 2 3/8" O.D.[1]
- **MA1221-BZ**= External House Side Shield Kit (EPA= 0.38)
- **MA1222**= Internal House Side Shield Kit for 2S/3S
- **MA1223**= Internal House Side Shield Kit 4S
- **MA1224**= Internal House Side Shield Kit for 2F/3F
- **MA1225**= Internal House Side Shield Kit for 4F
- **MA1010-BZ**= SingleTenon Adapter for 3 1/2" O.D. Tenon
- **MA1011-BZ**= 2 @ 180 degrees Tenon Adapter for 3 1/2" O.D.Tenon
- **MA1012-BZ**= 3 @ 120 degrees Tenon Adaptor for 3 1/2" O.D. Tenon
- **MA1013-BZ**= 4 @ 90 degrees Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1014-BZ**= 2 @ 90 degrees Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1015-BZ**= 2 @ 120 degrees Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1016-BZ**= 3 @ 90 degrees Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1017-BZ**= Single Tenon Adapter for 2 3/8 " O.D. Tenon
- **MA1018-BZ**= 2 @ 180 degrees Tenon Adapter for 2 3/8" O.D. Tenon
- **MA1019-BZ**= 3 @ 120 degrees Tenon Adapter for 2 3/8" O.D. Tenon
- **MA1045-BZ**= 4 @ 90 degrees Tenon Adapter for 2 3/8" O.D. Tenon
- **MA1048-BZ**=2 @ 90 degrees Tenon Adapter for 2 3/8" O.D.Tenon
- **MA1049-BZ**=3 @ 90 degrees Tenon Adapter for 2 3/8" O.D. Tenon
- **TR/VS**=Field Installed Vandal Shield[12]
- **OA/RA1013**=Photocontrol Shorting Cap
- **OA/RA1016**=NEMA Photocontrol - Multi-Tap
- **OA/RA1027**=NEMA Photocontrol 480V
- **OA/RA1201**=NEMA Photocontrol 347V

Notes: 1 8 Inch Arm and pole adapter included with fixture. Specify Less Arm "LA" option when mounting accessory is ordered separately. 2 150W and below in Pulse Start Metal Halide are medium base sockets. All other wattages are mogul base. 3 Requires reduced envelope lamp. 4 175W, 250W, and 400W MH available in non-U.S. markets only. 5 Products also available in non-US voltages and 50HZ for international markets. Consult your Cooper Representative for availabiltiy and ordering information. 5T only available in 400W MH. 6 88% efficient EISA Compliant MP fixtures not available in 347V or TT Voltages. 7 Must specify voltage. 8 Quartz options not available with SL optics. 9 Specify 120V, 208V, 240V, or 277V only. 10 House side shield not available on 5S, 5F, or SL optics. 11 Order separately/replace XX with color specification. 12 Not available with SLE or House Side Sheild.

STOCK SAMPLE NUMBER (Lamp Included)

SAMPLE NUMBER: MPTR2340

MP	TR	23	

Lamp Type
- **MP**=Pulse Start Metal Halide
- **HP**=High Pressure Sodium [2]

Series [1]
- **TR**=Tribute

Distribution
- **23**=Type II/III Formed

Lamp Wattage
- **15**=150W
- **25**=250W
- **32**=320W
- **40**=400W

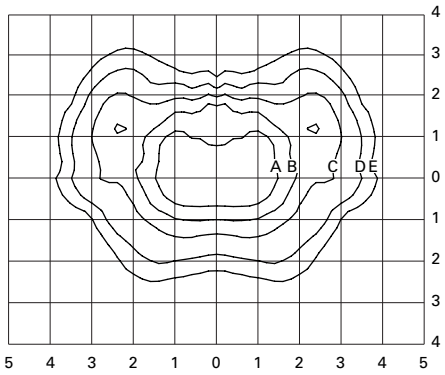
NOTES:

[1] Short logic fixtures are finished bronze include multi-tap ballast, lamp, arm and round pole adapter. Other options not available. Refer to standard ordering logic. [2] Available in 150, 250 and 400 Watt. Refer to In Stock Guide for availability.

VOLTAGE CHART	
DT=Dual-Tap	120/277 (wired 277V)
MT=Multi-Tap	120/208/240/277 (wired 277V)
TT=Triple-Tap	120/277/347 (wired 347V)
5T=5-Tap	120/208/240/277/480 (wired 480V)

LAMP TYPE	WATTAGE
Pulse Start Metal Halide	70, 100, 150, 250, 320, 350, 400W
Metal Halide	175, 250, 400W
High Pressure Sodium	70, 100, 150, 250, 400W

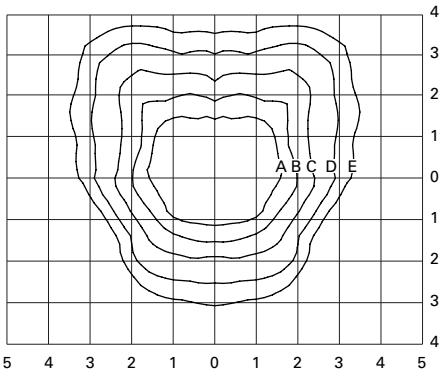
PHOTOMETRICS [Complete IES files available at www.cooperlighting.com]



MPTR-3S-320
320—Watt MP
30,000—Lumen Clear Lamp
Type III Segmented

Footcandle Table
Select mounting height and read across for footcandle values of each isofootcandle line. Distance in units of mounting height.

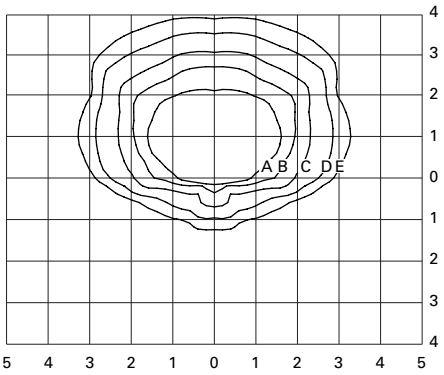
Mounting Height	Footcandle Values for Isofootcandle Lines				
	A	B	C	D	E
20'	3.00	1.50	0.75	0.30	0.15
25'	**2.00**	**1.00**	**0.50**	**0.20**	**0.10**
30'	1.38	0.69	0.34	0.13	0.06



MPTR-4S-400
400—Watt MP
40,000—Lumen Clear Lamp
Type IV Segmented

Footcandle Table
Select mounting height and read across for footcandle values of each isofootcandle line. Distance in units of mounting height.

Mounting Height	Footcandle Values for Isofootcandle Lines				
	A	B	C	D	E
20'	3.00	1.50	0.75	0.30	0.15
25'	**2.00**	**1.00**	**0.50**	**0.20**	**0.10**
30'	1.38	0.69	0.34	0.13	0.06



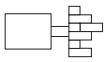
MPTR-SL-400
400—Watt MP
40,000—Lumen Clear Lamp
Spill Light Eliminator

Footcandle Table
Select mounting height and read across for footcandle values of each isofootcandle line. Distance in units of mounting height.

Mounting Height	Footcandle Values for Isofootcandle Lines				
	A	B	C	D	E
20'	3.00	1.50	0.75	0.30	0.15
25'	**2.00**	**1.00**	**0.50**	**0.20**	**0.10**
30'	1.38	0.69	0.34	0.13	0.06

MOUNTING CONFIGURATIONS

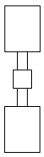
Wall Mount



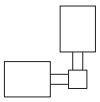
Arm Mount Single
EPA: 1.62



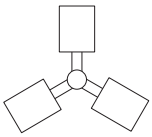
Arm Mount 2 @ 180
EPA: 3.24



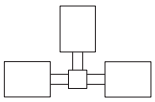
Arm Mount 2 @ 90
EPA: 3.24



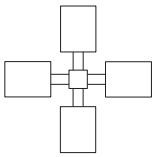
Arm Mount 3 @ 120
(Round Pole Only)
EPA: 4.43



Arm Mount 3 @ 90
EPA: 4.43



Arm Mount 4 @ 90
EPA: 5.03



COOPER LIGHTING - LUMARK®

energy solutions

DESCRIPTION

The Lumark Tribute is the most versatile, functionally designed, universally adaptable outdoor luminaire available. The Tribute brings outstanding performance to walkways, parking lots, roadways, loading docks, building areas, and any security lighting application. U.L. listed and CSA certified for wet locations.

		Type
Catalog #		
Project	CHANNELL	
Comments		Date
Prepared by		06/12/2014

SPECIFICATION FEATURES

Construction
Rugged one-piece die-cast aluminum housing and door frame. One-piece silicone gasket protects the optical chamber from performance degrading contaminants. One (1) stainless spring latch and two (2) stainless hinges allow toolless opening and removal of door frame.

Reflector
Choice of nine (9) high efficiency optical distributions, including five (5) segmented optical systems constructed of premium 95% reflective odized aluminum sheet. Optical segments are rigidly mounted inside a thick gauge aluminum housing for superior protection. All segment faces are clean of rivet heads, tabs or other means of attachment which may cause streaking in the light distribution. Optical modules are field rotatable in 90° increments and offered standard with mogul base lampholders for High Pressure Sodium and 200-400W Metal Halide assemblies or medium-base lampholders for Metal Halide 150W and below.

Electrical
Ballast and related electrical componentry are hard mounted to die-cast housing for optimal heat transfer and operating efficiency. Optional swing-down galvanized steel power tray with integral handle and quick disconnects allows tray to be completely removed from housing providing ample room for fixture installation and maintenance.

Mounting
Extruded 8" aluminum arm features internal bolt guides for easy positioning of fixture during installation to pole or wall surface.

Standard single carton packaging of housing, square pole arm and round pole adapter allow for consolidated product arrival to site. Optional internal mast arm mount accepts a 1 1/4" to 2 3/8" O.D. horizontal tenon, while a 4-bolt clamping mechanism secures fixture. Cast-in leveling guides provide +/-5° vertical leveling adjustment.

Finish
Housing and arm finished in a 5 stage premium TGIC bronze polyester powder coat paint. Optional colors include black, grey, white, dark platinum and graphite metallic. RAL and custom color matches available.



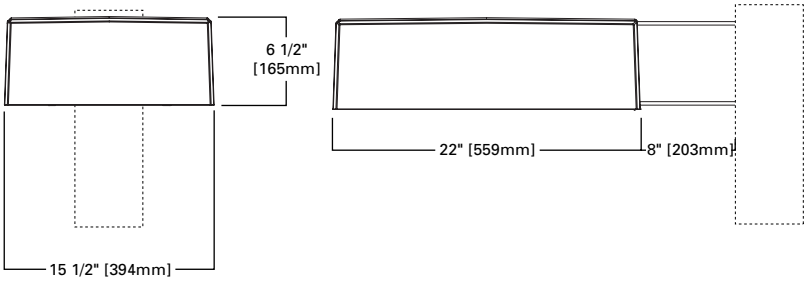
TR
TRIBUTE

70 - 400W
High Pressure Sodium
Pulse Start Metal Halide
Metal Halide

AREA LUMINAIRE

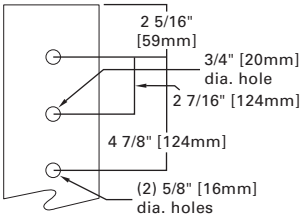
DARK SKY COMPLIANT FCO Full Cutoff

DIMENSIONS

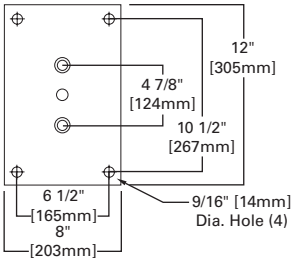


DRILLING PATTERNS

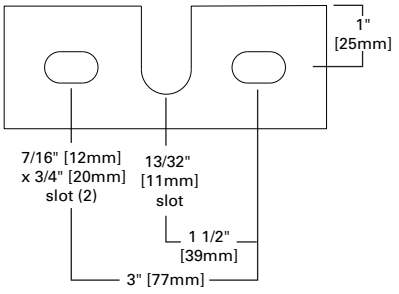
TYPE "M"



WALL MOUNT (MA1219-XX)



TRUNNION MOUNT



TECHNICAL DATA

UL Wet Locations Listed
CSA Certified
EISA Compliant Ⓔ

ENERGY DATA

Hi-Reactance Ballast Input Watts
70W HPS HPF (95 Watts)
100W HPS HPF (130 Watts)
150W HPS HPF (190 Watts)
150W MP HPF (185 Watts)

CWI Ballast Input Watts
250W HPS HPF (300 Watts)

CWA Ballast Input Watts
175W MH HPF (210 Watts)
200W MP HPF (227 Watts) Ⓔ
200W HPS HPF (250 Watts)
250W MH HPF (295 Watts)
250W MP HPF (283 Watts) Ⓔ
320W MP HPF (365 Watts) Ⓔ
350W MP HPF (397 Watts) Ⓔ
400W MP HPF (452 Watts) Ⓔ
400W MH HPF (455 Watts)
400W HPS HPF (465 Watts)

EPA

Effective Projected Area: (Sq. Ft.)
Without Arm: 1.19

SHIPPING DATA

Approximate Net Weight:
39 lbs. (17.73 kgs.)

ISO 9001 CERTIFIED

ORDERING INFORMATION

MPTR-5F-400-480V

MP	TR	5F	400	480V			See Below

Lamp Type
- **MP**=Pulse Start Metal Halide
- **MH**=Metal Halide
- **HP**=High Pressure Sodium

Series [1]
- **TR**= Tribute (Arm Included)

Distribution
- **2F**=Type II Formed
- **2S**=Type II Segmented
- **3F**=Type III Formed
- **3S**= Type III Segmented
- **4F**= Type IV Formed
- **4S**= Type IV Segmented
- **5F**= Type V Formed
- **5S**= Type V Segmented
- **SL**= Spill Light Eliminator

Lamp Wattage [2]

MP
- **70**=70W
- **100**=100W
- **150**=150W
- **200**= 200W
- **250**= 250W
- **320**= 320W
- **350**= 350W
- **400**= 400W[3]

MH
- **175**= 175W[4]
- **250**= 250W[4]
- **400**= 400W[3, 4]

HPS
- **70**= 70W
- **100**= 100W
- **150**= 150W
- **250**= 250W
- **400**= 400W[3]

Voltage [5]
- **120V**=120V
- **208V**=208V
- **240V**=240V
- **277V**=277V
- **347V**=347V[6]
- **480V**=480V
- **DT**=Dual-Tap
- **MT**=Multi-Tap, wired 277V
- **TT**=Triple-Tap, [6] wired 347V
- **5T**=5 Tap Wired [5] 480V

Options
- **F1**=Single Fuse (120, 277 or 347V [7] only)
- **F2**=Double Fuse (208, 240 or 480V [7] only)
- **Q**= Quartz Restrike (Hot Strike Only)[8]
- **EM**= Quartz Restrike with "Delay Relay" (Quartz lamp strikes at both hot and cold starts) [8]
- **EM/SC**= Emergency Separate [8] Circuit
- **LL**= Lamp Included
- **S**= 1 1/4" - 2 3/8" Internal Mast Arm Mount
- **TM**= Trunnion Mount
- **CEC**= California Title 20 Compliant Ballast (Applies to 200-320W and 400W MP only)
- **PT**= Electrical Power Tray
- **PER**= NEMA Twistlock Photocontrol Receptacle
- **PC**= Button Type Photocontrol[9]
- **HS**=House Side Cutoff[10]
- **LA**=Less Arm (Order Mounting Separately)

Standard Color
- __=Bronze (Standard)
- **WH**=White
- **BK**=Black
- **AP**=Grey
- **DP**=Dark Platinum
- **GM**=Graphite Metallic

Accessories [11]
- **MA1201-BZ**=Direct Wall Mount Kit[1]
- **MA1218-BZ**=Direct Mount for Pole[1]
- **MA1219-BZ**=Wall Mounting Plate
- **OA1090-BZ**=Adjustable slipfitter Arm for Tenon Mount 2 3/8" O.D.[1]
- **MA1221-BZ**= External House Side Shield Kit (EPA= 0.38)
- **MA1222**= Internal House Side Shield Kit for 2S/3S
- **MA1223**= Internal House Side Shield Kit 4S
- **MA1224**= Internal House Side Shield Kit for 2F/3F
- **MA1225**= Internal House Side Shield Kit for 4F
- **MA1010-BZ**= SingleTenon Adapter for 3 1/2" O.D. Tenon
- **MA1011-BZ**= 2 @ 180 degrees Tenon Adapter for 3 1/2" O.D.Tenon
- **MA1012-BZ**= 3 @ 120 degrees Tenon Adaptor for 3 1/2" O.D. Tenon
- **MA1013-BZ**= 4 @ 90 degrees Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1014-BZ**= 2 @ 90 degrees Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1015-BZ**= 2 @ 120 degrees Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1016-BZ**= 3 @ 90 degrees Tenon Adapter for 3 1/2" O.D. Tenon
- **MA1017-BZ**= Single Tenon Adapter for 2 3/8 " O.D. Tenon
- **MA1018-BZ**= 2 @ 180 degrees Tenon Adapter for 2 3/8" O.D. Tenon
- **MA1019-BZ**= 3 @ 120 degrees Tenon Adapter for 2 3/8" O.D. Tenon
- **MA1045-BZ**= 4 @ 90 degrees Tenon Adapter for 2 3/8" O.D. Tenon
- **MA1048-BZ**=2 @ 90 degrees Tenon Adapter for 2 3/8" O.D.Tenon
- **MA1049-BZ**=3 @ 90 degrees Tenon Adapter for 2 3/8" O.D. Tenon
- **TR/VS**=Field Installed Vandal Shield[12]
- **OA/RA1013**=Photocontrol Shorting Cap
- **OA/RA1016**=NEMA Photocontrol - Multi-Tap
- **OA/RA1027**=NEMA Photocontrol 480V
- **OA/RA1201**=NEMA Photocontrol 347V

Notes: 1 8 Inch Arm and pole adapter included with fixture. Specify Less Arm "LA" option when mounting accessory is ordered separately. 2 150W and below in Pulse Start Metal Halide are medium base sockets. All other wattages are mogul base. 3 Requires reduced envelope lamp. 4 175W, 250W, and 400W MH available in non-U.S. markets only. 5 Products also available in non-US voltages and 50HZ for international markets. Consult your Cooper Representative for availabiltiy and ordering information. 5T only available in 400W MH. 6 88% efficient EISA Compliant MP fixtures not available in 347V or TT Voltages. 7 Must specify voltage. 8 Quartz options not available with SL optics. 9 Specify 120V, 208V, 240V, or 277V only. 10 House side shield not available on 5S, 5F, or SL optics. 11 Order separately/replace XX with color specification. 12 Not available with SLE or House Side Sheild.

STOCK SAMPLE NUMBER (Lamp Included)

SAMPLE NUMBER: MPTR2340

MP	TR	23	

Lamp Type
- **MP**=Pulse Start Metal Halide
- **HP**=High Pressure Sodium [2]

Series [1]
- **TR**=Tribute

Distribution
- **23**=Type II/III Formed

Lamp Wattage
- **15**=150W
- **25**=250W
- **32**=320W
- **40**=400W

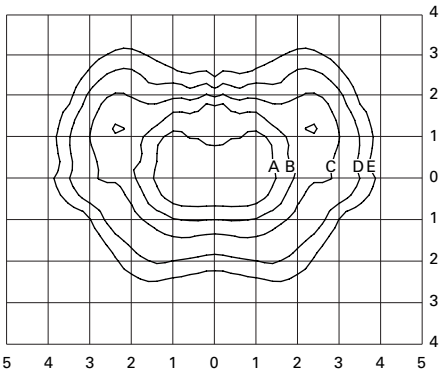
NOTES:

[1] Short logic fixtures are finished bronze include multi-tap ballast, lamp, arm and round pole adapter. Other options not available. Refer to standard ordering logic. [2] Available in 150, 250 and 400 Watt. Refer to In Stock Guide for availability.

VOLTAGE CHART	
DT=Dual-Tap	120/277 (wired 277V)
MT=Multi-Tap	120/208/240/277 (wired 277V)
TT=Triple-Tap	120/277/347 (wired 347V)
5T=5-Tap	120/208/240/277/480 (wired 480V)

LAMP TYPE	WATTAGE
Pulse Start Metal Halide	70, 100, 150, 250, 320, 350, 400W
Metal Halide	175, 250, 400W
High Pressure Sodium	70, 100, 150, 250, 400W

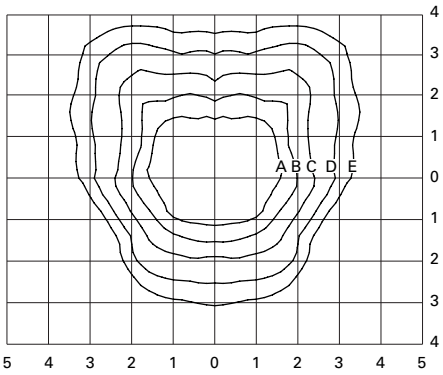
PHOTOMETRICS [Complete IES files available at www.cooperlighting.com]



MPTR-3S-320
320—Watt MP
30,000—Lumen Clear Lamp
Type III Segmented

Footcandle Table
Select mounting height and read across for footcandle values of each isofootcandle line. Distance in units of mounting height.

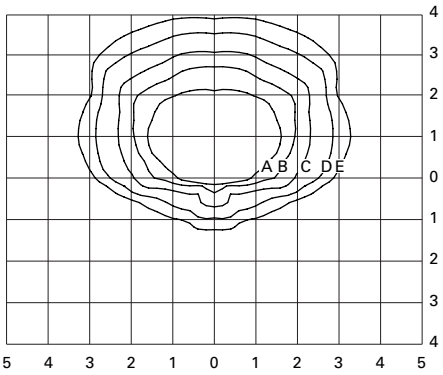
Mounting Height	Footcandle Values for Isofootcandle Lines				
	A	B	C	D	E
20'	3.00	1.50	0.75	0.30	0.15
25'	**2.00**	**1.00**	**0.50**	**0.20**	**0.10**
30'	1.38	0.69	0.34	0.13	0.06



MPTR-4S-400
400—Watt MP
40,000—Lumen Clear Lamp
Type IV Segmented

Footcandle Table
Select mounting height and read across for footcandle values of each isofootcandle line. Distance in units of mounting height.

Mounting Height	Footcandle Values for Isofootcandle Lines				
	A	B	C	D	E
20'	3.00	1.50	0.75	0.30	0.15
25'	**2.00**	**1.00**	**0.50**	**0.20**	**0.10**
30'	1.38	0.69	0.34	0.13	0.06



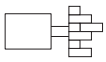
MPTR-SL-400
400—Watt MP
40,000—Lumen Clear Lamp
Spill Light Eliminator

Footcandle Table
Select mounting height and read across for footcandle values of each isofootcandle line. Distance in units of mounting height.

Mounting Height	Footcandle Values for Isofootcandle Lines				
	A	B	C	D	E
20'	3.00	1.50	0.75	0.30	0.15
25'	**2.00**	**1.00**	**0.50**	**0.20**	**0.10**
30'	1.38	0.69	0.34	0.13	0.06

MOUNTING CONFIGURATIONS

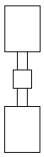
Wall Mount



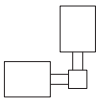
Arm Mount Single
EPA: 1.62



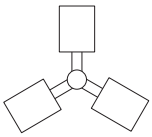
Arm Mount 2 @ 180
EPA: 3.24



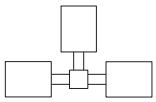
Arm Mount 2 @ 90
EPA: 3.24



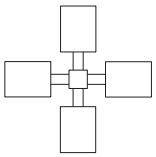
Arm Mount 3 @ 120
(Round Pole Only)
EPA: 4.43



Arm Mount 3 @ 90
EPA: 4.43



Arm Mount 4 @ 90
EPA: 5.03



DESCRIPTION

The Lumark Canopy Light combines lasting durability and excellent photometrics. CSA certified for wet locations. The Canopy Light mounts quickly to a variety of surfaces, making it ideal for covered walkways, convenience store/service station canopies and enclosed parking areas.

Catalog #		Type
Project	CHANNELL	
Comments		Date
Prepared by		06/12/2014

SPECIFICATION FEATURES

Construction
HOUSING: CL housing is constructed of heavy-gauge aluminum. CS housing is constructed of durable steel welded construction. GASKET: Fully gasketed door frame seals out contaminants. DOOR: Hinged door provides easy access for maintenance and relamping and door can be removed to simplify installation.

Electrical
BALLAST: High power factor ballast with class H insulation. CL construction is listed for 40°C ambient environments. CS construction is listed for 25°C ambient environments.

Optics
Optical system features an injection-molded prismatic lens with internal prisms and white highly reflective internal surface.

Finish
Weather- and abrasion-resistant white polyester powder coat finish.

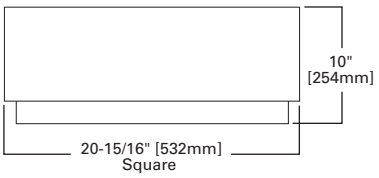


CL/CS
CANOPY LIGHT

100 - 400W
High Pressure Sodium
Pulse Start Metal Halide
Metal Halide

CANOPY LUMINAIRE

DIMENSIONS



LAMP TYPE	WATTAGE
Pulse Start Metal Halide (MP)	100, 150, 200, 250, 320, 350, 400W
Metal Halide (MH)	175, 250, 400W
High Pressure Sodium (HP)	100, 150, 250, 400W

TECHNICAL DATA

UL Wet Location Listed
CSA Certified
EISA Compliant Ⓔ

ENERGY DATA

Reactor Ballast Input Watts
100W HPS HPF (118 Watts)
100W MP HPF (128 Watts)
150W HPS HPF (175 Watts)

High Reactor Ballast Input Watts
150W MP HPF (185 Watts)

CWI Ballast Input Watts
175W MH HPF (223 Watts)
250W HPS HPF (300 Watts)
250W MH HPF (300 Watts)
400W HPS HPF (465 Watts)
400W MH HPF (475 Watts)

CWA Ballast Input Watts
175W MH HPF (210 Watts)
200W HPS HPF (250 Watts)
200W MP HPF (227 Watts) Ⓔ
250W MP HPF (283 Watts) Ⓔ
320W MP HPF (365 Watts) Ⓔ
400W HPS HPF (465 Watts)
400W MH HPF (455 Watts)
400W MP HPF (452 Watt) Ⓔ

SHIPPING DATA

Approximate Net Weight:
44 lbs. (20 kgs.)

ORDERING INFORMATION

MPCS-400-480V-BZ

MP	CS	400	480V	

Lamp Type
- **MP**=Pulse Start Metal Halide[1]
- **MH**=Metal Halide[2]
- **HP**=High Pressure Sodium

Series
- **CL**=Canopy Light (Aluminum Housing)[3]
- **CS**=Canopy Light (Steel Housing)[4]

Lamp Wattage [5]

MP
- **100**=100W
- **150**=150W
- **200**=200W
- **250**=250W
- **320**: 320W
- **350**: 350W
- **400**: 400W

MH
- **175**: 175W[2]
- **250**: 250W[2]
- **400**: 400W[2]

HP
- **100**: 100W
- **150**: 150W
- **250**: 250W
- **400**: 400W

Voltage [6]
- **120V**=120V
- **208V**=208V
- **240V**=240V
- **277V**=277V
- **347V**=347V[7]
- **480V**=480V
- **MT**: Multi-Tap
- **TT**: Triple-Tap, wired 347V[7]

Options
- **F1**=Single Fuse (120, 277 or 347V only)
- **F2**=Double Fuse (208, 240 or 480V only)
- **Q**=Quartz Restrike (Hot Strike Only)
- **EM**: Quartz Restrike with "Delay Relay" (Quartz lamp strikes at both hot and cold starts)
- **C73**: Flat Prismatic Tempered Glass Lens
- **LL**: Lamp Included[8]
- **CEC**: California Title 20 Compliant Ballast (Applies to 200-320W and 400W MP only)
- **POM**: Position Oriented Socket

Notes:
1. 150, 200, 250, 320, 350, 400 and 450W only.
2. 175W, 250W, and 400W MH available in non-U.S. markets only.
3. 40°C Ambient environment, except 400W HPS is 25°C ambient.
4. 25°C Ambient environment.
5. All lamps are mogul-base except 150W Metal Halide and below are medium-base. Lamp not included.
6. Products also available in non-US voltages and 50HZ for international markets.
7. 88% efficient EISA Compliant fixtures not available in 347V or TT Voltages.
8. Lamp is shipped separate from luminaire. Lamp is Cooper designated product based on luminaire requirements. Specified lamps must be ordered as a separate line item.

STOCK SAMPLE NUMBER

SAMPLE NUMBER: MPCL-400H-MT-LL

MP	CL	400	MT	LL
Lamp Type MP	**Series** CL	**Lamp Wattage** 150, 250, 320[1], 400[1]	**Voltage** MT	**Options** LL (Includes lamp)

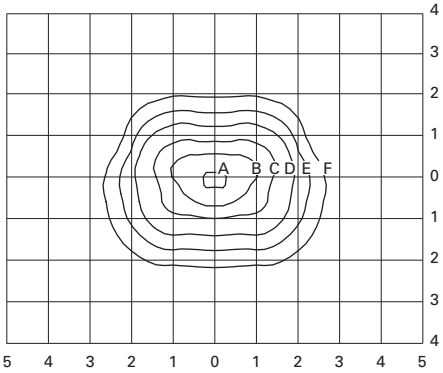
NOTES:

Standard Multi-tap. Refer to In-Stock Guide for availability. Options not available with stock products.
Refer to Standard order information and options.
1 Available without lamp MPCL-320-MT or MPCL-400-MT.

VOLTAGE CHART

MT=Multi-Tap	120/208/240/277 (wired 277V)
TT=Triple-Tap	120/277/347 (wired 347V)

PHOTOMETRICS

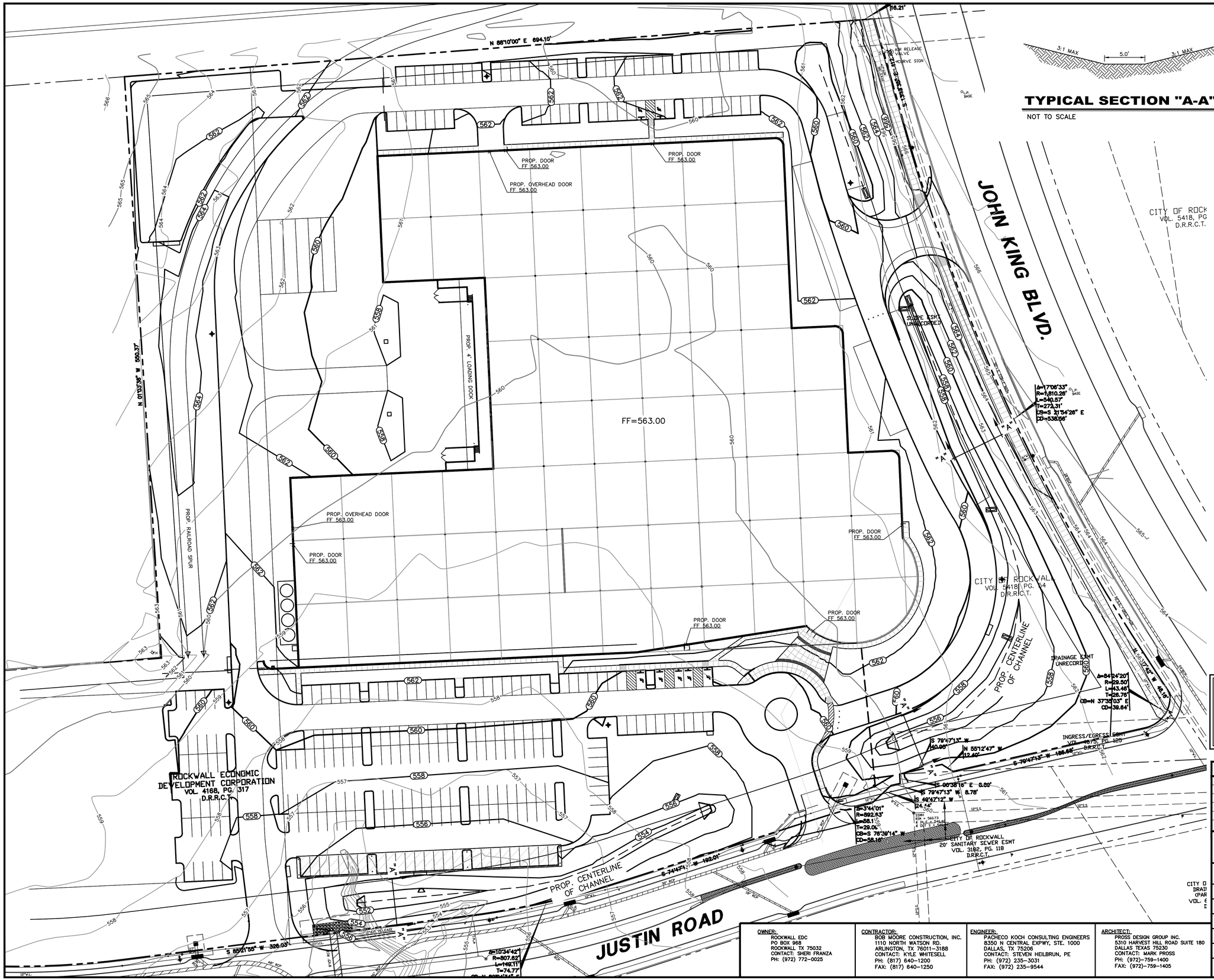


MPCL-320
320-Watt MP
30,000-Lumen Clear Lamp

Footcandle Table

Select mounting height and read across for footcandle values of each isofootcandle line. Distance in units of mounting height.

Mounting Height	Footcandle Values for Isofootcandle Lines					
	A	B	C	D	E	F
15'	**20.00**	**10.00**	**5.00**	**2.00**	**1.00**	**0.50**
20'	11.25	5.63	2.81	1.13	0.56	0.28

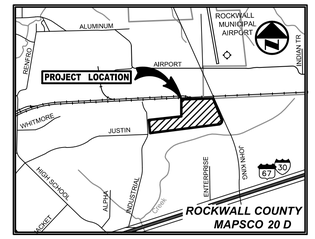


TYPICAL SECTION "A-A"

NOT TO SCALE

0 20 40 80 120

GRAPHIC SCALE IN FEET



VICINITY MAP

(NOT TO SCALE)

LEGEND

B.	BOLLARD
EM	ELECTRIC METER
PP	POWER POLE
LS	LIGHT STANDARD
WM	WATER METER
WV	WATER VALVE
ICV	IRRIGATION CONTROL VALVE
FH	FIRE HYDRANT
CO	CLEANOUT
MH	MANHOLE
TSC	TRAFFIC SIGNAL CONTROL
TSP	TRAFFIC SIGNAL POLE
TELE	TELEPHONE BOX
	FLOOD LIGHT
FP	FLAG POLE
SIGN	TRAFFIC SIGN
IRS	1/2-INCH IRON ROD W/"PACHECO KOCH" CAP SET
(C.M.)	CONTROLLING MONUMENT
	PROPERTY LINE
X	FENCE
OHL	OVERHEAD UTILITY LINE
E	UNDERGROUND ELECTRIC LINE
T	UNDERGROUND TELEPHONE LINE
C	UNDERGROUND CABLE LINE
6"W	UNDERGROUND WATER LINE
6"SS	UNDERGROUND SANITARY SEWER LINE

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PLANS PREPARED UNDER THE DIRECT SUPERVISION OF STEVEN M. HEILBRUN, P.E. TEXAS REGISTRATION NO. 105006 DATE: 06/12/2014

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SUBMISSION DATE: 06/12/2014

NO.	DATE	REVISION

Pacheco Koch
8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-101938-05

GRADING SITE PLAN

CHANNELL BTS

NWC JUSTIN ROAD

AND JOHN KING BOULEVARD

CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
SMH/MG	MG	JUN 2014	1"=40'			SP-1

CHANNELL BTS

OWNER:	CONTRACTOR:	ENGINEER:	ARCHITECT:
ROCKWALL EDC PO BOX 968 ROCKWALL TX 75032 CONTACT: SHERI FRANZA PH: (972) 772-0025	BOB MOORE CONSTRUCTION, INC. 1110 NORTH WATSON RD. ARLINGTON, TX 76011-3188 CONTACT: KYLE WHITESELL PH: (817) 640-1200 FAX: (817) 640-1250	PACHECO KOCH CONSULTING ENGINEERS 8350 N CENTRAL EXPWY, STE. 1000 DALLAS, TX 75206 CONTACT: STEVEN HEILBRUN, PE PH: (972) 235-3031 FAX: (972) 235-9544	PROSS DESIGN GROUP INC. 5310 HARVEST HILL ROAD SUITE 180 DALLAS TEXAS 75230 CONTACT: MARK PROSS PH: (972)-759-1400 FAX: (972)-759-1405

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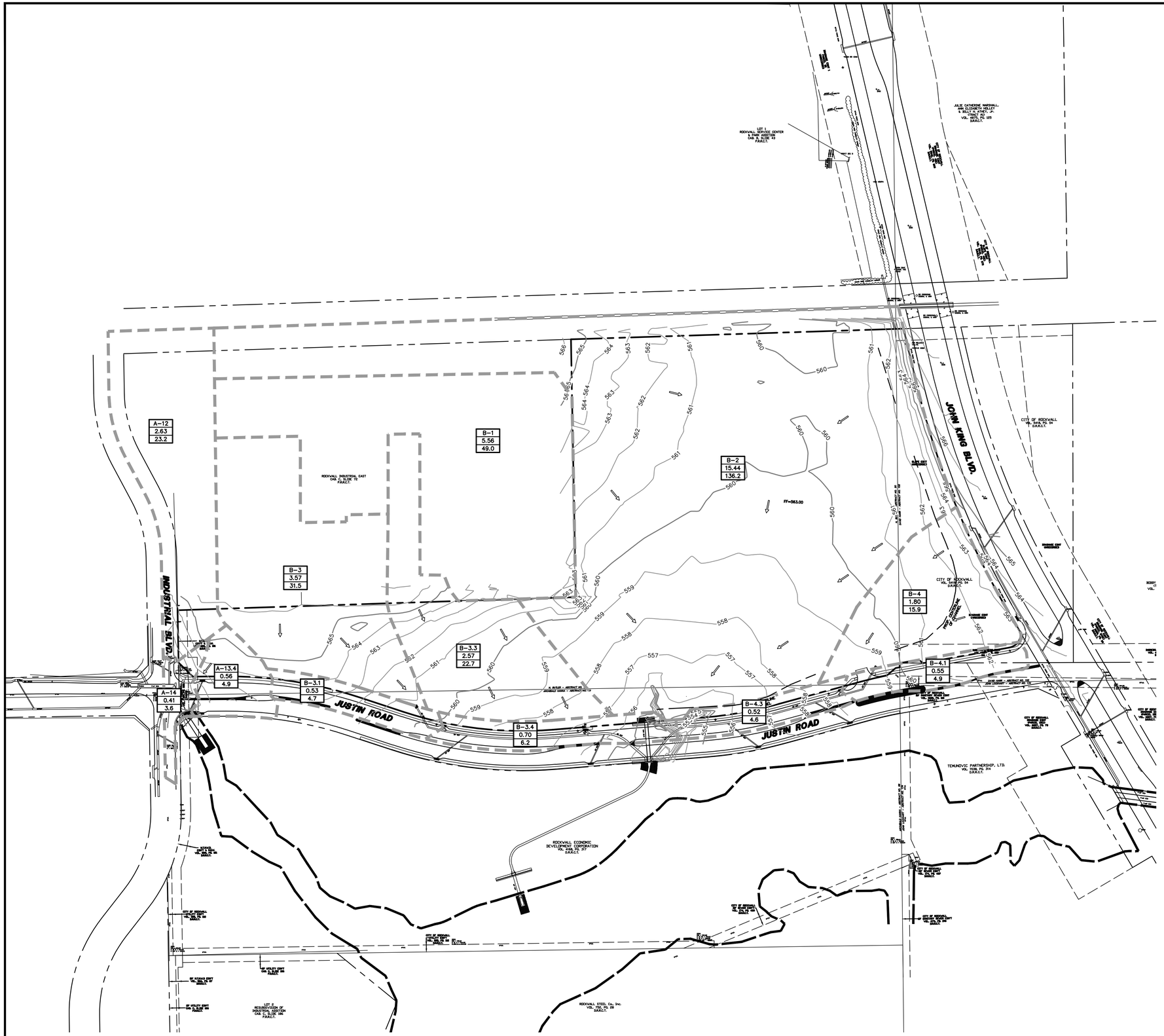

0 50 100 200 300

GRAPHIC SCALE IN FEET

LEGEND

- B. BOLLARD
- EM ELECTRIC METER
- PP POWER POLE
- LS LIGHT STANDARD
- WM WATER METER
- WV WATER VALVE
- ICV IRRIGATION CONTROL VALVE
- FH FIRE HYDRANT
- CO CLEANOUT
- MH MANHOLE
- TSC TRAFFIC SIGNAL CONTROL
- TSP TRAFFIC SIGNAL POLE
- TELE TELEPHONE BOX
- FLOOD LIGHT
- FP FLAG POLE
- SIGN TRAFFIC SIGN

PROPERTY LINE
FENCE
PROPOSED DRAINAGE DIVIDE
571 EXISTING CONTOUR
EXISTING DRAINAGE FLOW DIRECTION
PROPOSED 100–YR FLOODPLAIN LIMITS

DA A
1.09
8.71
EXISTING DRAINAGE AREA ID
AREA IN ACRES
Q_{100} IN CUBIC FEET PER SECOND

EXISTING DRAINAGE CRITERIA:

$Q=(C)(I)(A)$

DRAINAGE AREA TABLE

DRAINAGE AREA ID	AREA (acres)	C	Tc (minutes)	STORM FREQUENCY	I_{100} (inch/hour)	Q_{100} (cfs)
B–1	5.56	0.90	10	100	9.80	49.0
B–2	15.44	0.90	10	100	9.80	136.2
B–3	3.57	0.90	10	100	9.80	31.5
B–3.1	0.53	0.90	10	100	9.80	4.7
B–3.3	2.57	0.90	10	100	9.80	22.7
B–3.4	0.70	0.90	10	100	9.80	6.2
B–4	1.80	0.90	10	100	9.80	15.9
B–4.1	0.55	0.90	10	100	9.80	4.9
B–4.3	0.52	0.90	10	100	9.80	4.6
A–12	2.63	0.90	10	100	9.80	23.2
A–13.4	0.56	0.90	10	100	9.80	4.9
A–14	0.41	0.90	10	100	9.80	3.6

NOTES:
1. DRAINAGE DIVIDES TAKEN FROM DRAINAGE AREA MAP PREPARED FOR "JUSTIN ROAD FROM INDUSTRIAL BOULEVARD TO JOHN KING BOULEVARD, ROCKWALL COUNTY, TEXAS", PREPARED BY WEIR & ASSOCIATES, INC., DATED JAN. 01, 2014.

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NO.	DATE	REVISION

Pacheco Koch
8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F–14439
TX REG. SURVEYING FIRM LS–101938–05

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DATE: 06/12/2014

EXISTING DRAINAGE AREA MAP

CHANNELL BTS
NWC JUSTIN ROAD
AND JOHN KING BOULEVARD
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
SMH/MG	MG	JUN 2014	1"=100'			SP-3

CHANNELL BTS

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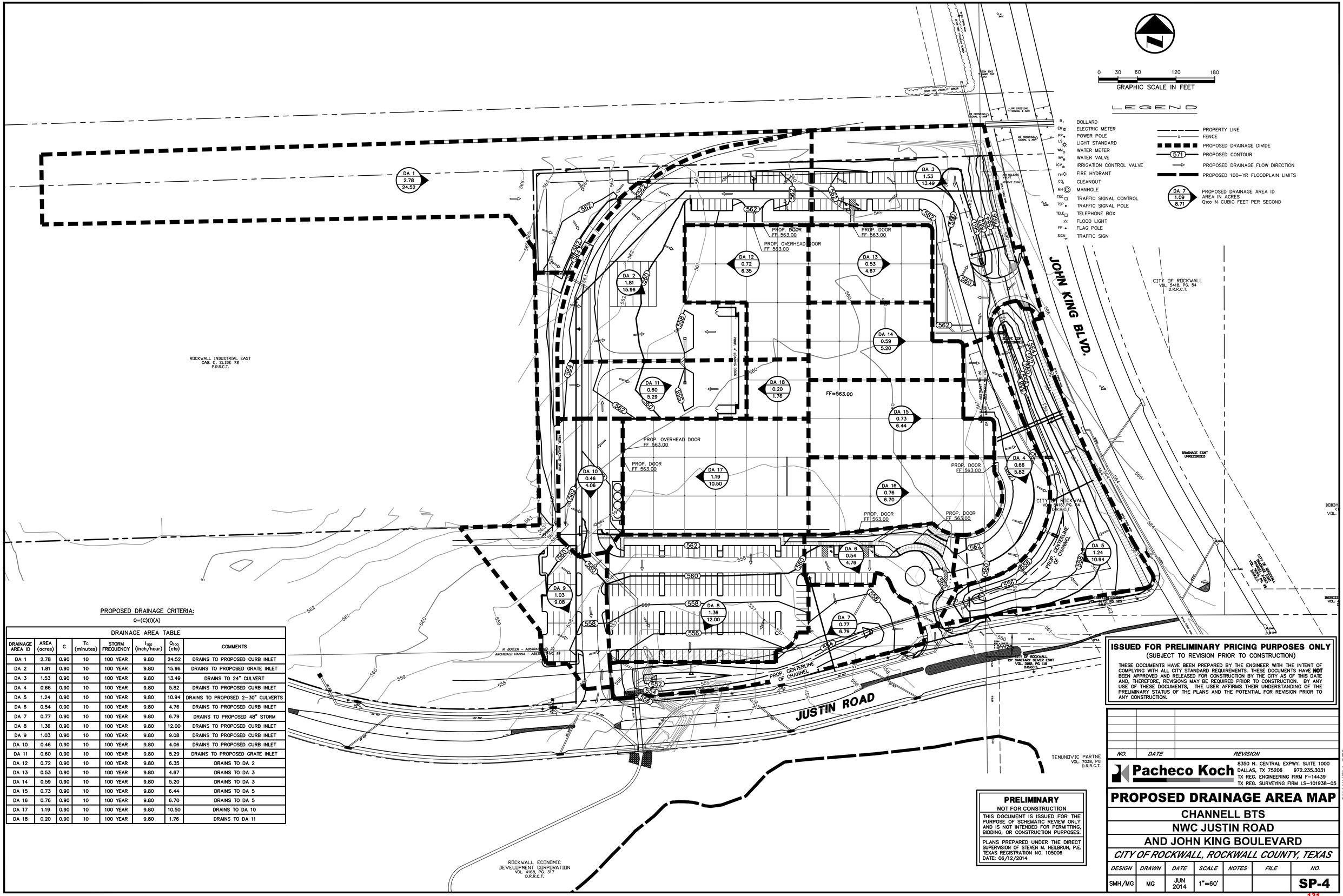

PROPOSED DRAINAGE CRITERIA:

Q=(C)(I)(A)

DRAINAGE AREA TABLE

DRAINAGE AREA ID	AREA (acres)	C	T_C (minutes)	STORM FREQUENCY	I_{100} (inch/hour)	Q_{100} (cfs)	COMMENTS
DA 1	2.78	0.90	10	100 YEAR	9.80	24.52	DRAINS TO PROPOSED CURB INLET
DA 2	1.81	0.90	10	100 YEAR	9.80	15.96	DRAINS TO PROPOSED GRATE INLET
DA 3	1.53	0.90	10	100 YEAR	9.80	13.49	DRAINS TO 24" CULVERT
DA 4	0.66	0.90	10	100 YEAR	9.80	5.82	DRAINS TO PROPOSED CURB INLET
DA 5	1.24	0.90	10	100 YEAR	9.80	10.94	DRAINS TO PROPOSED 2-30" CULVERTS
DA 6	0.54	0.90	10	100 YEAR	9.80	4.76	DRAINS TO PROPOSED CURB INLET
DA 7	0.77	0.90	10	100 YEAR	9.80	6.79	DRAINS TO PROPOSED 48" STORM
DA 8	1.36	0.90	10	100 YEAR	9.80	12.00	DRAINS TO PROPOSED CURB INLET
DA 9	1.03	0.90	10	100 YEAR	9.80	9.08	DRAINS TO PROPOSED CURB INLET
DA 10	0.46	0.90	10	100 YEAR	9.80	4.06	DRAINS TO PROPOSED CURB INLET
DA 11	0.60	0.90	10	100 YEAR	9.80	5.29	DRAINS TO PROPOSED GRATE INLET
DA 12	0.72	0.90	10	100 YEAR	9.80	6.35	DRAINS TO DA 2
DA 13	0.53	0.90	10	100 YEAR	9.80	4.67	DRAINS TO DA 3
DA 14	0.59	0.90	10	100 YEAR	9.80	5.20	DRAINS TO DA 3
DA 15	0.73	0.90	10	100 YEAR	9.80	6.44	DRAINS TO DA 5
DA 16	0.76	0.90	10	100 YEAR	9.80	6.70	DRAINS TO DA 5
DA 17	1.19	0.90	10	100 YEAR	9.80	10.50	DRAINS TO DA 10
DA 18	0.20	0.90	10	100 YEAR	9.80	1.76	DRAINS TO DA 11

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DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-14439
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PLANS PREPARED UNDER THE DIRECT SUPERVISION OF STEVEN M. HEILBRUN, P.E. TEXAS REGISTRATION NO. 105006
DATE: 06/12/2014

PROPOSED DRAINAGE AREA MAP

CHANNELL BTS
NWC JUSTIN ROAD
AND JOHN KING BOULEVARD
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
SMH/MG	MG	JUN 2014	1"=60'			SP-4

CHANNELL BTS

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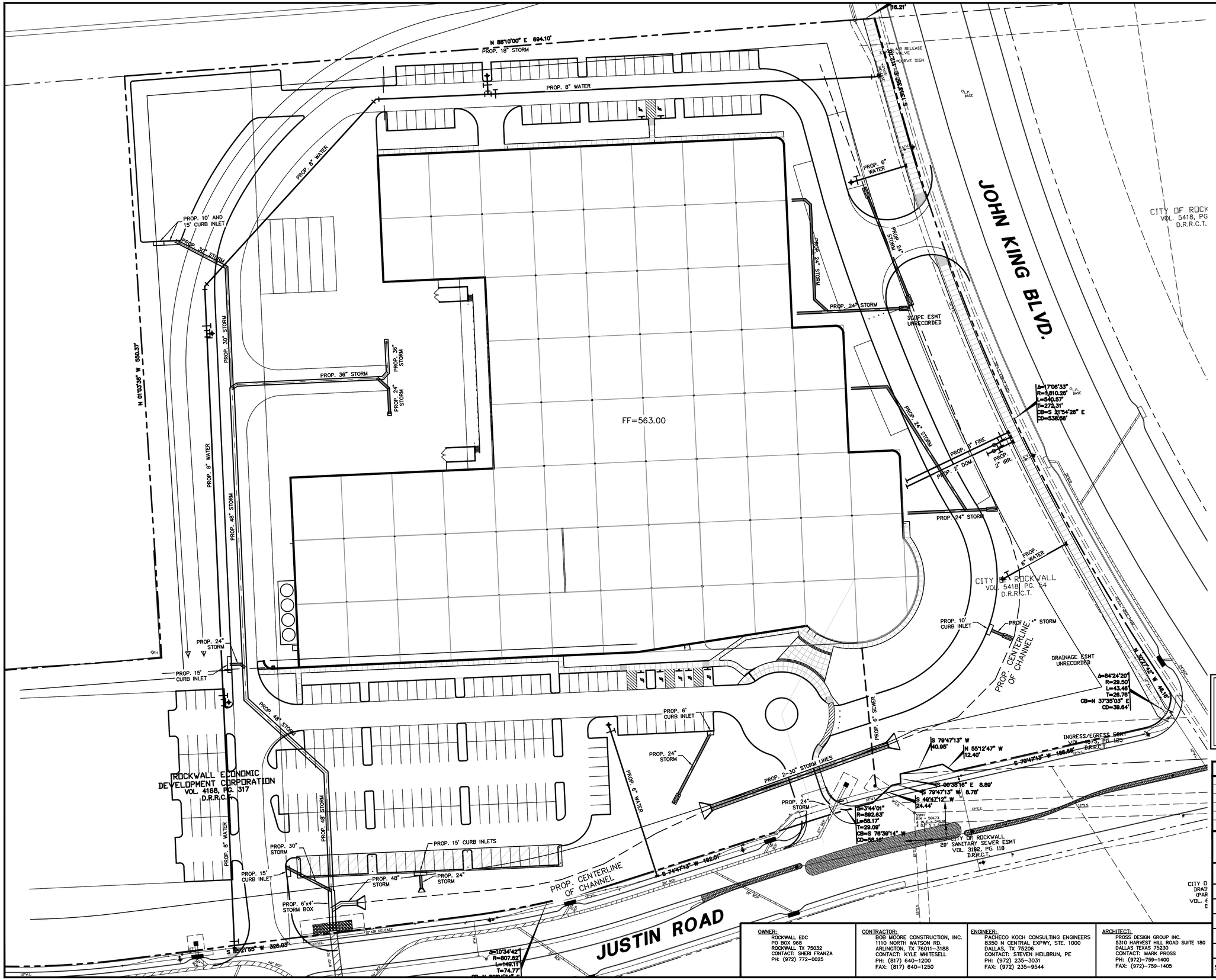

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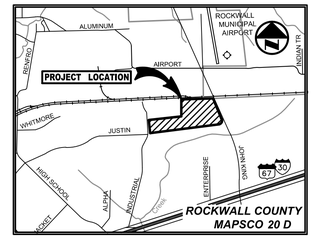
GRAPHIC SCALE IN FEET



VICINITY MAP
(NOT TO SCALE)

LEGEND

B.	BOLLARD
EM	ELECTRIC METER
PP	POWER POLE
LS	LIGHT STANDARD
WM	WATER METER
WV	WATER VALVE
ICV	IRRIGATION CONTROL VALVE
FH	FIRE HYDRANT
CO	CLEANOUT
MH	MANHOLE
TSC	TRAFFIC SIGNAL CONTROL
TSP	TRAFFIC SIGNAL POLE
TELE	TELEPHONE BOX
	FLOOD LIGHT
FP	FLAG POLE
SIGN	TRAFFIC SIGN
IRS	1/2-INCH IRON ROD W/"PACHECO KOCH" CAP SET
(C.M.)	CONTROLLING MONUMENT
	PROPERTY LINE
X	FENCE
OHL	OVERHEAD UTILITY LINE
E	UNDERGROUND ELECTRIC LINE
T	UNDERGROUND TELEPHONE LINE
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DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-101938-05

UTILITY SITE PLAN

CHANNELL BTS
NWC JUSTIN ROAD
AND JOHN KING BOULEVARD
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
SMH/MG	MG	JUN 2014	1"=40'			SP-2

CHANNELL BTS

OWNER:	CONTRACTOR:	ENGINEER:	ARCHITECT:
ROCKWALL EDC PO BOX 968 ROCKWALL TX 75032 CONTACT: SHERI FRANZA PH: (972) 772-0025	BOB MOORE CONSTRUCTION, INC. 1110 NORTH WATSON RD. ARLINGTON, TX 76011-3188 CONTACT: KYLE WHITESELL PH: (817) 640-1200 FAX: (817) 640-1250	PACHECO KOCH CONSULTING ENGINEERS 8350 N CENTRAL EXPWY, STE. 1000 DALLAS, TX 75206 CONTACT: STEVEN HEILBRUN, PE PH: (972) 235-3031 FAX: (972) 235-9544	PROSS DESIGN GROUP INC. 5310 HARVEST HILL ROAD SUITE 180 DALLAS TEXAS 75230 CONTACT: MARK PROSS PH: (972)-759-1400 FAX: (972)-759-1405

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133

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 7/21/2014

APPLICANT: Philip Graham, P.E., Wier & Associates

AGENDA ITEM: **SP2014-012**; Col-Met Spray Booths

SUMMARY:

Discuss and consider a request by Philip Graham, P.E. of Wier & Associates on behalf of the Rockwall Economic Development Corporation and Col-Met Spray Booths for the approval of certain variances to the Unified Development Code for an industrial facility on a 12.0-acre parcel of land identified as a portion of Lot 1, Block B, Rockwall Technology Park, Phase III, City of Rockwall, Rockwall County, Texas, being zoned Light Industrial (LI) District, located east of the intersection of Corporate Crossing (FM-3097) and Discovery Boulevard, and take any action necessary.

BACKGROUND INFORMATION:

Philip Graham, P.E. of Wier & Associates has submitted a request for site plan approval of a 173,000 sq. ft. industrial facility for Col-Met Spray Booths that will be located within the Rockwall Technology Park, Phase III Addition. Col-Met Spray Booths, a leading manufacturer of paint finishing equipment, is relocating their business operations from Innovation Dr., within the Rockwall Technology Park, to a 12.0-acre site that sets between Discovery Blvd. and Springer Road for the purpose of expanding their operations. The facility will be west of and adjacent to Bimbo Bakery and is east of FM 549. The property is zoned Light Industrial (LI) District and is subject to the standards established in the Unified Development Code (UDC) for this district.

EXCEPTION AND VARIANCE REQUESTS:

The applicant is requesting certain exceptions and variances to the City's requirements which include the following:

1. A variance to allow for a reduction in the amount of required parking from 341 spaces to 194 spaces.

2. A variance to the vertical and horizontal articulation requirements for the south elevation facing Springer Road.

3. Exceptions to allow for the construction of a concrete tilt-up wall building, and to the 20% stone requirement by substituting a form-liner pattern for the south, east, and west elevations.

Variance Request 1 (Parking)
The Unified Development Code, Article VI, Parking and Loading, Section 1, Purpose, states that: *"…to protect the environment by promoting trip reduction and efficient land use through an*

analytic process in which the amount of parking may be limited to what is realistically needed for the uses on the site, thus reducing concrete/asphalt areas, heat islands and air pollution."

The provision above allows the Commission and Council to consider a reduction in parking if the use would warrant such a reduction. The required parking for the proposed development is 341 spaces (50 for office, 266 for the production area, and 25 for warehouse). The applicants request is to provide 194 spaces for the site; however, there is sufficient room for additional spaces in the future should they be necessary for the owner (or future owner).

Variance Request 2 (Vertical & Horizontal Articulation)
The Unified Development Code, Article V, Section 5, Industrial Districts, 5.1 General Industrial District Standards under Section C. Building Articulation states the following:

> ***Building articulation****.*
> 1. *Requirements.* Facades which face streets shall meet the following minimum standards for articulation:
>
> > a. *Horizontal articulation.* No building wall shall extend for a distance equal to four times the wall's height without having an offset of 25 percent of the wall's height, and that new plane shall extend for a distance equal to at least 20 percent of the maximum length of the first plane.
> >
> > b. *Vertical articulation.* No horizontal wall shall extend for a distance greater than four times the height of the wall without changing height by a minimum of 25 percent of the wall's height.

The proposed building is meeting the articulation requirements for the north elevation that faces Discovery Blvd., which serves as the primary entrance to the site. However, the applicant is seeking relief for the south elevation that faces Springer Road. It should be noted that the applicant has indicated the south elevation to be involved with the future expansion of the site and may be consider for articulation requirements at that time.

Exception Request 3 (Concrete Tilt-Wall construction, and 20% stone requirement)
The Unified Development Code, Article V, Section 5, Industrial Districts, 5.1 General Industrial District Standards under Section A. Construction Materials states the following:

> ***A. Construction Materials***
>
> Exterior Walls - Each exterior wall shall consist of 90% masonry materials as defined in *Article XIII Definitions - Masonry*, excluding doors and windows, on walls which are visible from a public street or open space, ***including a minimum of 20% stone.***
>
> All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the Building Official) shall be limited to 50% of the buildings exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality

and durability. However, stucco may not be located in the first 8 feet above grade on a façade visible from a street or public area.

Exceptions to this requirement, including allowing concrete tilt-up walls, may be permitted on a case by case basis by the Council upon submission and approval of elevation drawings of the subject structure, and material samples."

Exceptions to the Unified Development Code require a recommendation from the Planning and Zoning Commission and approval of a simple majority vote of Council; however, a approval of a variance requires a super-majority vote of Council members present.

RECOMMENDATIONS:

Should the request be approved, staff would offer the following conditions:

1. Adherence to Engineering and Fire Department standards.

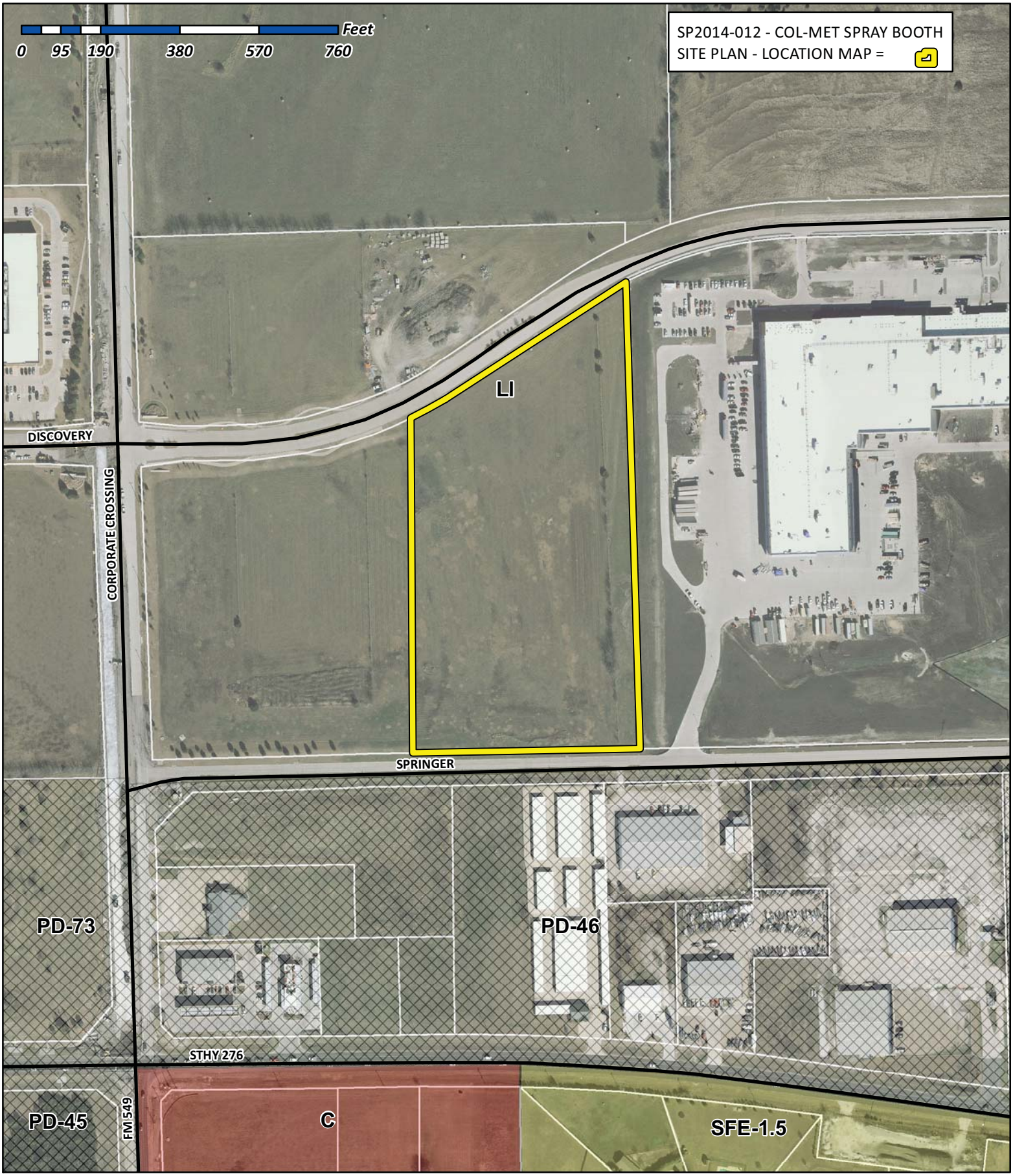
2. Submittal and approval of a replat prior to issuance of a building permit.

3. All signage requires submittal and approval of a separate permit through the Building Inspections Department.

4. Approval by Council of the variances and exceptions requested for a reduction of parking spaces, the use of concrete tilt-up wall construction, not meeting the 20% stone requirement, and the articulation requirements as outlined in staff's report.

Planning and Zoning Recommendation:

On July 8, 2014, the Planning and Zoning Commission approved the Site Plan with staff conditions and recommended approval of the associated variances and exceptions as outlined in staff's report by a vote of 4 to 0 (Renfro, McCutcheon, and Lyons - absent).



City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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COL-MET spray booths

1635 Innovation Drive
Rockwall, Texas 75032
972.772.1919
FAX 972.772.1833
888.452.6684
www.colmetsb.com

June 30, 2014

City of Rockwall
385 S Goliad
Rockwall, TX 75087

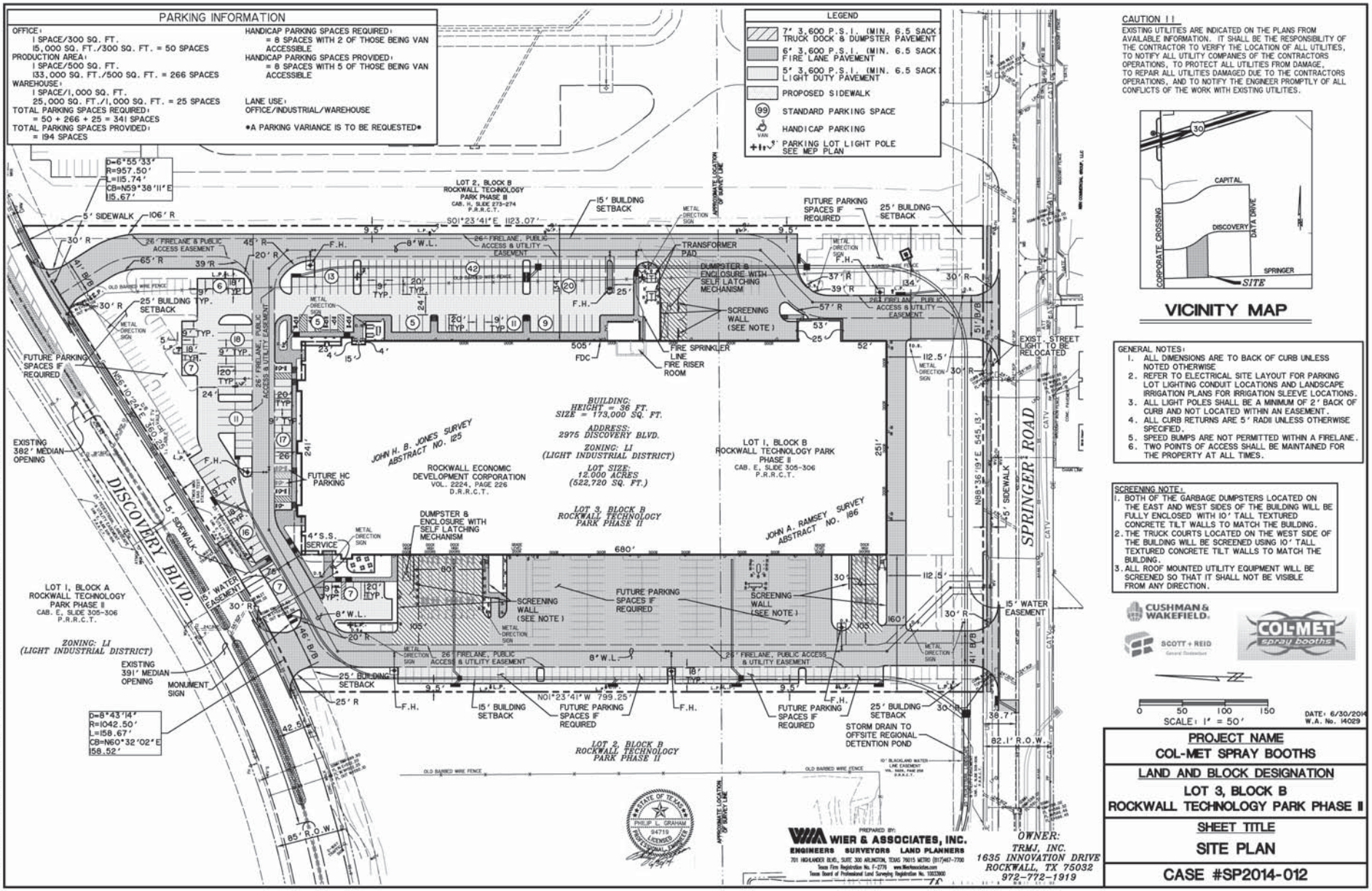
To Whom it May Concern:

Col-Met currently employs approximately one hundred ten (110) employees operating over two shifts with the maximum number of employees present at any one time being approximately ninety (90). This occurs during the normal business hours Monday through Friday.

It is anticipated that growth of the company over the next ten to fifteen years would not precipitate single-shift headcounts in excess of one hundred fifty (150) employees as additional staffing of the second and third shifts would accommodate the growth in production volume. Therefore, should the building be expanded during that timeframe as provided for in the current design, the increase in employee headcount would not result in more than one hundred fifty (150) employees on a single shift.

Sincerely,

Charles W. Brown
Director of Finance
Col-Met Spray Booths


PARKING INFORMATION
OFFICE: 1 SPACE/300 SQ. FT. 15,000 SQ. FT./300 SQ. FT. = 50 SPACES
PRODUCTION AREA: 1 SPACE/500 SQ. FT. 133,000 SQ. FT./500 SQ. FT. = 266 SPACES
WAREHOUSE: 1 SPACE/1,000 SQ. FT. 25,000 SQ. FT./1,000 SQ. FT. = 25 SPACES
TOTAL PARKING SPACES REQUIRED: = 50 + 266 + 25 = 341 SPACES
TOTAL PARKING SPACES PROVIDED: = 194 SPACES
HANDICAP PARKING SPACES REQUIRED: = 8 SPACES WITH 2 OF THOSE BEING VAN ACCESSIBLE
HANDICAP PARKING SPACES PROVIDED: = 8 SPACES WITH 5 OF THOSE BEING VAN ACCESSIBLE
LANE USE: OFFICE/INDUSTRIAL/WAREHOUSE
A PARKING VARIANCE IS TO BE REQUESTED
LEGEND
7" 3,600 P.S.I. (MIN. 6.5 SACK) TRUCK DOCK & DUMPSTER PAVEMENT
6" 3,600 P.S.I. (MIN. 6.5 SACK) FIRE LANE PAVEMENT
5" 3,600 P.S.I. (MIN. 6.5 SACK) LIGHT DUTY PAVEMENT
PROPOSED SIDEWALK
STANDARD PARKING SPACE
HANDICAP PARKING
PARKING LOT LIGHT POLE SEE MEP PLAN
DISCOVERY BLVD.
SPRINGER ROAD
BUILDING: HEIGHT = 36 FT. SIZE = 173,000 SQ. FT.
ADDRESS: 2975 DISCOVERY BLVD.
ZONING: LI (LIGHT INDUSTRIAL DISTRICT)
LOT SIZE: 12.000 ACRES (522,720 SQ. FT.)
ROCKWALL ECONOMIC DEVELOPMENT CORPORATION VOL. 2224, PAGE 226 D.R.R.C.T.
LOT 1, BLOCK B ROCKWALL TECHNOLOGY PARK PHASE II CAB. E, SLIDE 305-306 P.R.R.C.T.
LOT 2, BLOCK B ROCKWALL TECHNOLOGY PARK PHASE II CAB. H, SLIDE 273-274 P.R.R.C.T.
LOT 3, BLOCK B ROCKWALL TECHNOLOGY PARK PHASE II
LOT 1, BLOCK A ROCKWALL TECHNOLOGY PARK PHASE II CAB. E, SLIDE 305-306 P.R.R.C.T.
JOHN H. B. JONES SURVEY ABSTRACT NO. 125
JOHN A. RAMSEY SURVEY ABSTRACT NO. 186
TRANSFORMER PAD
DUMPSTER & ENCLOSURE WITH SELF LATCHING MECHANISM
SCREENING WALL (SEE NOTE)
FIRE SPRINKLER LINE
FIRE RISER ROOM
FDC
FUTURE PARKING SPACES IF REQUIRED
FUTURE HC PARKING
EXISTING 382' MEDIAN OPENING
EXISTING 391' MEDIAN OPENING
MONUMENT SIGN
4' S.S. SERVICE
15' WATER EASEMENT
EXIST. STREET LIGHT TO BE RELOCATED
STORM DRAIN TO OFFSITE REGIONAL DETENTION POND
82.1' R.O.W.
85' R.O.W.
25' BUILDING SETBACK
15' BUILDING SETBACK
26' FIRELANE & PUBLIC ACCESS EASEMENT
25' FIRELANE, PUBLIC ACCESS & UTILITY EASEMENT
5' SIDEWALK
8" W.L.
F.H.
METAL DIRECTION SIGN
OLD BARBED WIRE FENCE
APPROXIMATE LOCATION OF SURVEY LINE
D=6°55'33" R=957.50' L=115.74' CB=N59°38'11"E 115.67'
D=8°43'14" R=1042.50' L=158.67' CB=N60°32'02"E 158.52'
S01°23'41"E 1123.07'
N01°23'41"W 799.25'
N88°36'19"E 545.13'
CAUTION !!
EXISTING UTILITIES ARE INDICATED ON THE PLANS FROM AVAILABLE INFORMATION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATION OF ALL UTILITIES, TO NOTIFY ALL UTILITY COMPANIES OF THE CONTRACTORS OPERATIONS, TO PROTECT ALL UTILITIES FROM DAMAGE, TO REPAIR ALL UTILITIES DAMAGED DUE TO THE CONTRACTORS OPERATIONS, AND TO NOTIFY THE ENGINEER PROMPTLY OF ALL CONFLICTS OF THE WORK WITH EXISTING UTILITIES.
CAPITAL
DISCOVERY
DATA DRIVE
SPRINGER
CORPORATE CROSSING
SITE
VICINITY MAP
GENERAL NOTES:
1. ALL DIMENSIONS ARE TO BACK OF CURB UNLESS NOTED OTHERWISE
2. REFER TO ELECTRICAL SITE LAYOUT FOR PARKING LOT LIGHTING CONDUIT LOCATIONS AND LANDSCAPE IRRIGATION PLANS FOR IRRIGATION SLEEVE LOCATIONS.
3. ALL LIGHT POLES SHALL BE A MINIMUM OF 2' BACK OF CURB AND NOT LOCATED WITHIN AN EASEMENT.
4. ALL CURB RETURNS ARE 5' RADII UNLESS OTHERWISE SPECIFIED.
5. SPEED BUMPS ARE NOT PERMITTED WITHIN A FIRELANE.
6. TWO POINTS OF ACCESS SHALL BE MAINTAINED FOR THE PROPERTY AT ALL TIMES.
SCREENING NOTE:
1. BOTH OF THE GARBAGE DUMPSTERS LOCATED ON THE EAST AND WEST SIDES OF THE BUILDING WILL BE FULLY ENCLOSED WITH 10' TALL TEXTURED CONCRETE TILT WALLS TO MATCH THE BUILDING.
2. THE TRUCK COURTS LOCATED ON THE WEST SIDE OF THE BUILDING WILL BE SCREENED USING 10' TALL TEXTURED CONCRETE TILT WALLS TO MATCH THE BUILDING.
3. ALL ROOF MOUNTED UTILITY EQUIPMENT WILL BE SCREENED SO THAT IT SHALL NOT BE VISIBLE FROM ANY DIRECTION.
CUSHMAN & WAKEFIELD
SCOTT + REID
COL-MET spray booths
0 50 100 150
SCALE: 1" = 50'
DATE: 6/30/2014
W.A. No. 14029
PROJECT NAME
COL-MET SPRAY BOOTHS
LAND AND BLOCK DESIGNATION
LOT 3, BLOCK B
ROCKWALL TECHNOLOGY PARK PHASE II
SHEET TITLE
SITE PLAN
CASE #SP2014-012
PREPARED BY:
WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
701 HIGHLANDER BLVD., SUITE 300 ARLINGTON, TEXAS 76015 METRO (817)467-7300
Texas Fire Registration No. F-2776 www.WierAssociates.com
Texas Board of Professional Land Surveying Registration No. 10023900
OWNER:
TRMJ, INC.
1635 INNOVATION DRIVE
ROCKWALL, TX 75032
972-772-1919
PHILIP L. GRAHAM 94719 LICENSED PROFESSIONAL ENGINEER
STATE OF TEXAS
PRINTED: 6/30/2014 STB FILE: WEIR-PAVING.STB LAST SAVED: 6/30/2014 1:04 PM SAVED BY: PHILIPG FILE: SITE-PLAN-14029.DWG

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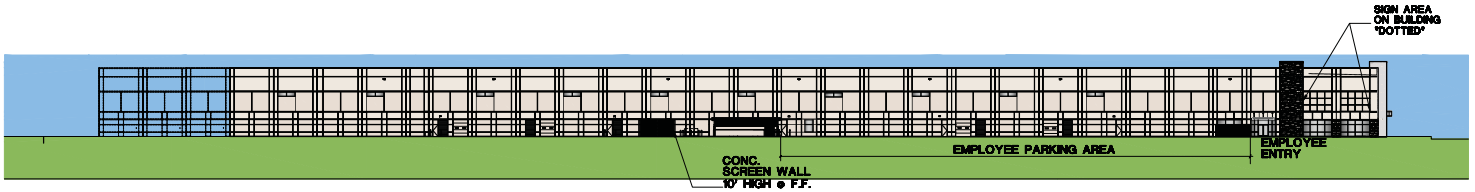
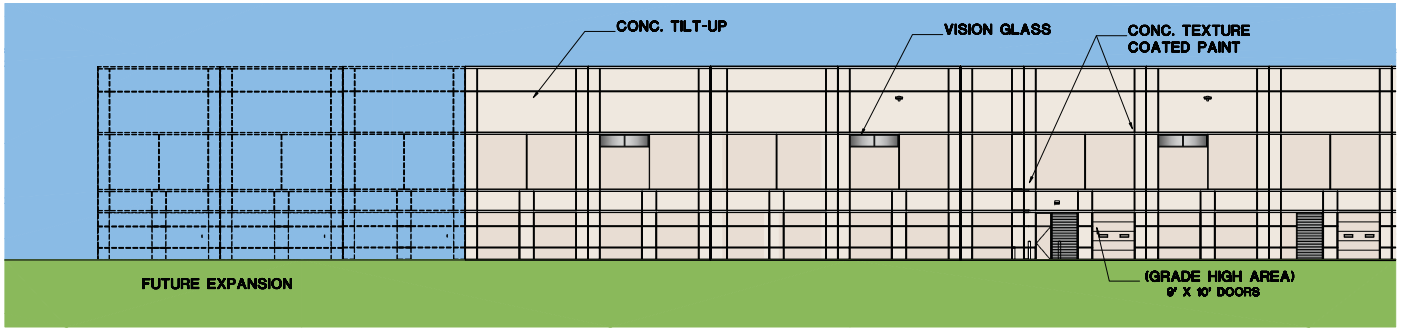
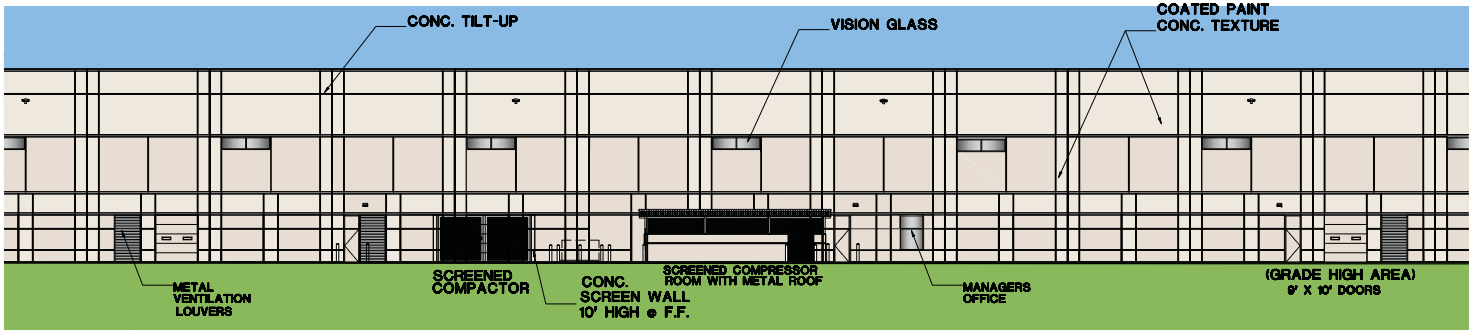


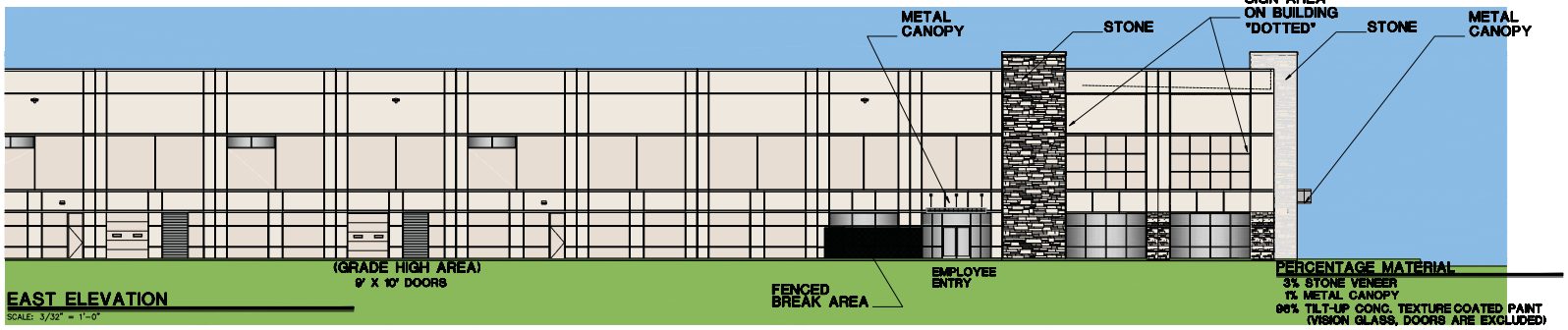
1 EAST ELEVATION
SCALE: 1" = 30'-0"



2 EAST ELEVATION
SCALE: 3/32" = 1'-0"



3 EAST ELEVATION
SCALE: 3/32" = 1'-0"



4 EAST ELEVATION
SCALE: 3/32" = 1'-0"

DRAWING REVIEW
DRAFTSMAN:
PROJECT ARCHITECT:
DESIGN ARCHITECT:
PRODUCTION MGR.:
CHIEF ARCHITECT: JM
SCALE: 1"=1"

HARDY McCULLAH / MLM ARCHITECTS, INC.

REVISIONS

NO.	DATE	DESCRIPTION

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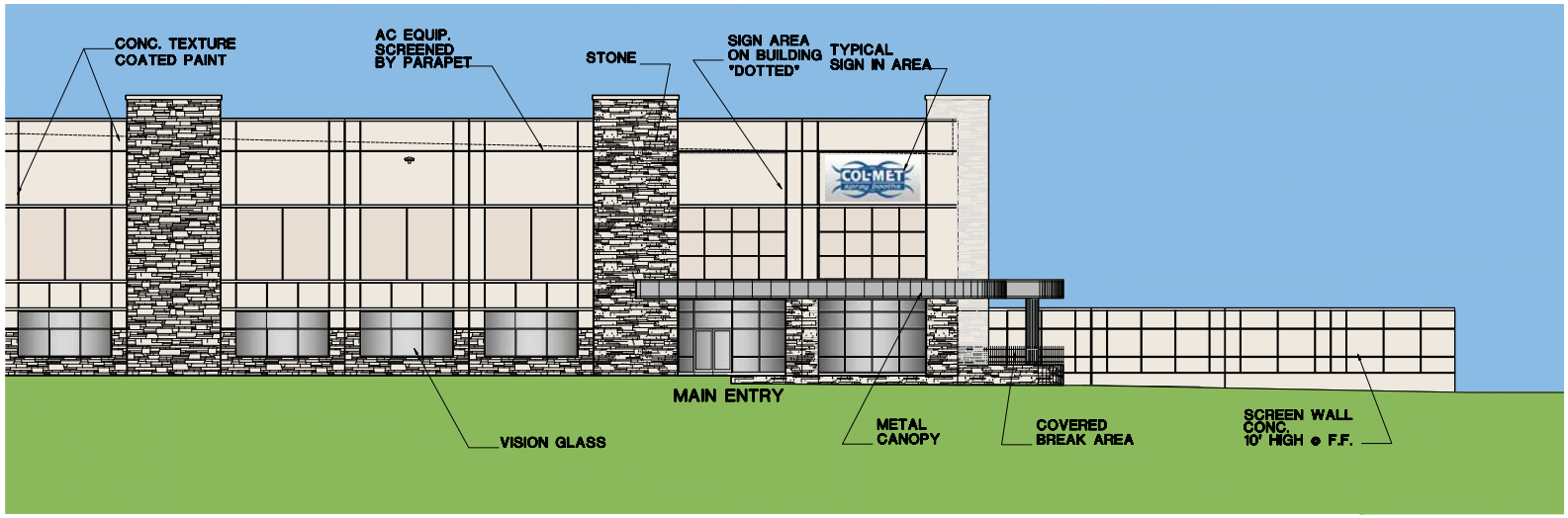
PROJECT NAME
A BUILD TO SUIT PROJECT FOR COL-MET

SHEET TITLE
EXTERIOR BUILDING
EAST ELEVATIONS

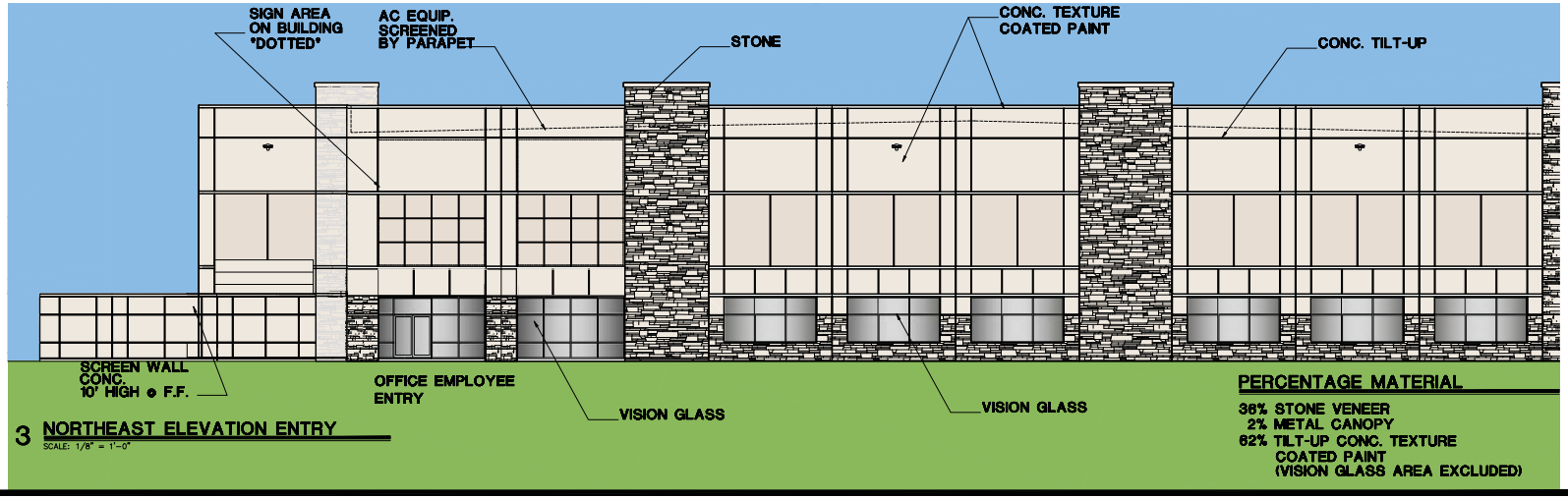
JOB NUMBER 371402
SHEET NUMBER OF SHEETS A-3.0
DATE OF ORIGINAL ISSUE APRIL 29, 2014



1 NORTH ELEVATION
SCALE: 1/16" = 1'-0"



2 NORTHWEST ELEVATION ENTRY
SCALE: 1/8" = 1'-0"



3 NORTHEAST ELEVATION ENTRY
SCALE: 1/8" = 1'-0"

PERCENTAGE MATERIAL

36% STONE VENEER
2% METAL CANOPY
62% TILT-UP CONC. TEXTURE
COATED PAINT
(VISION GLASS AREA EXCLUDED)

DRAWING REVIEW
DRAFTSMAN:
PROJECT ARCHITECT:
DESIGN ARCHITECT:
PRODUCTION MGR.:
CHIEF ARCHITECT: JM
SCALE: 1"=1"

HARDY McCULLAH / MLM ARCHITECTS, INC.

REVISIONS

NO.	DATE	DESCRIPTION

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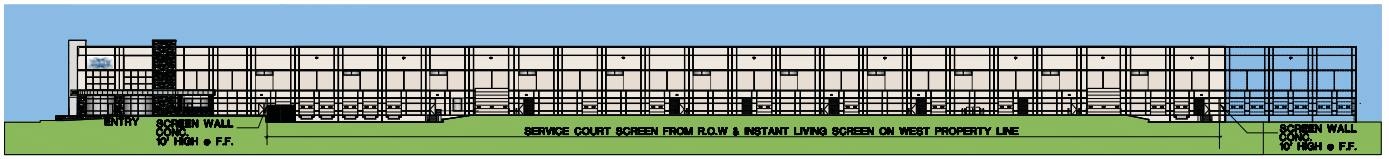
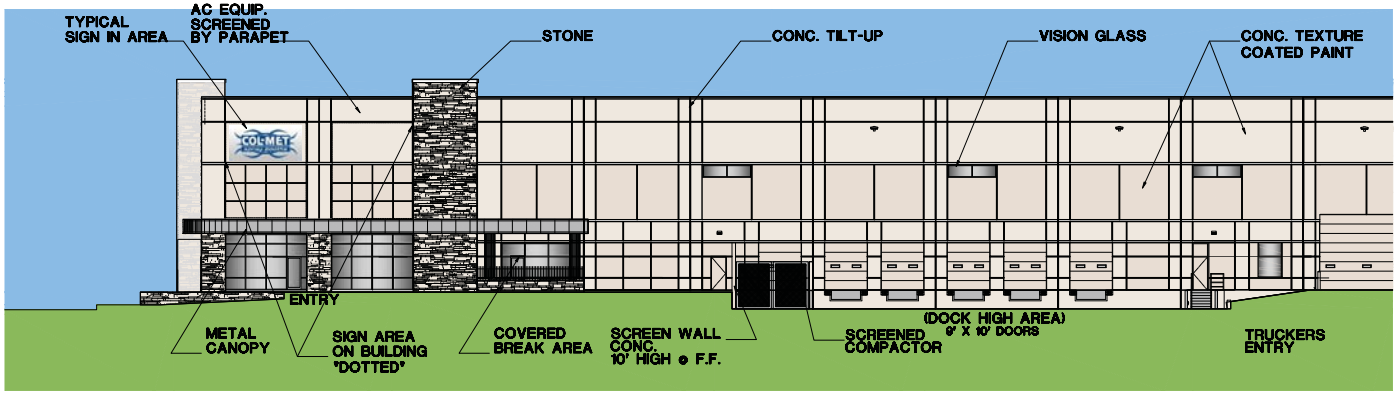
PROJECT NAME
A BUILD TO SUIT
PROJECT
FOR
COL-MET

SHEET TITLE
EXTERIOR BUILDING
NORTH ELEVATIONS

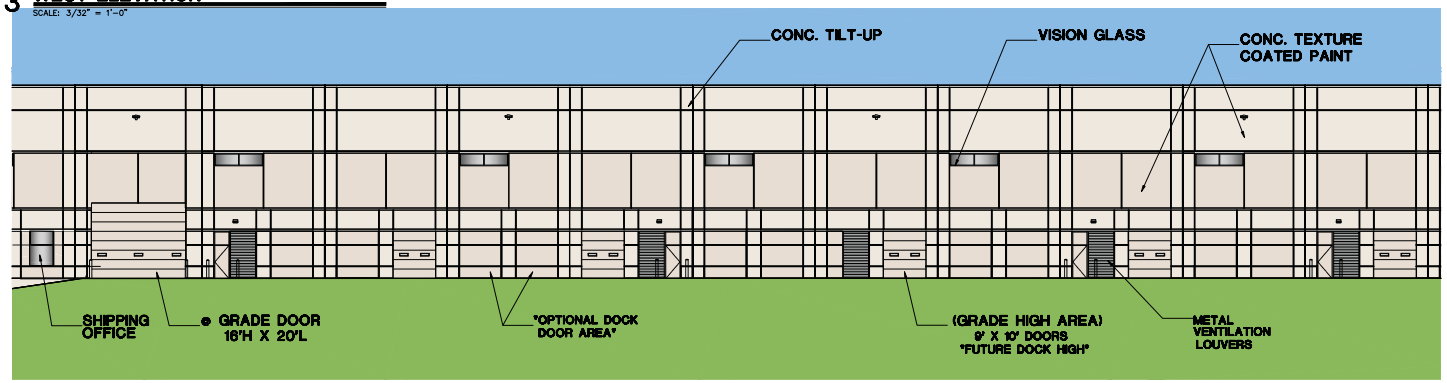
JOB NUMBER 371402
SHEET NUMBER OF SHEETS A-3.1
DATE OF ORIGINAL ISSUE APRIL 29, 2014



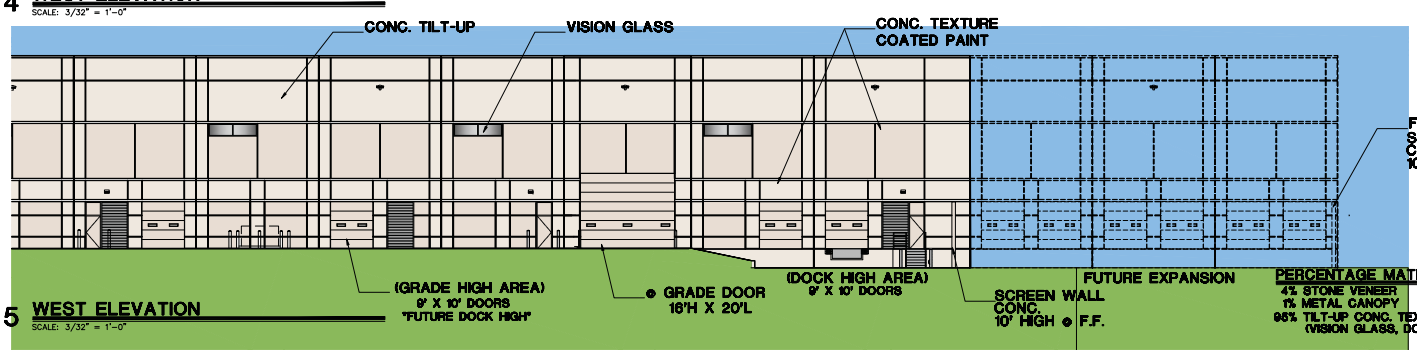
1 WEST ELEVATION
SCALE: 1" = 30'-0"



3 WEST ELEVATION
SCALE: 3/32" = 1'-0"



4 WEST ELEVATION
SCALE: 3/32" = 1'-0"



5 WEST ELEVATION
SCALE: 3/32" = 1'-0"

PERCENTAGE MATERIAL
4% STONE VENEER
1% METAL CANOPY
95% TILT-UP CONC. TEXTURE COATED PAINT (VISION GLASS, DOORS ARE EXCLUDED)

DRAWING REVIEW
DRAFTSMAN:
PROJECT ARCHITECT:
DESIGN ARCHITECT:
PRODUCTION MGR.:
CHIEF ARCHITECT: JM
SCALE: 1"=1"

HARDY McCULLAH / MLM ARCHITECTS, INC

REVISIONS

NO.	DATE	DESCRIPTION

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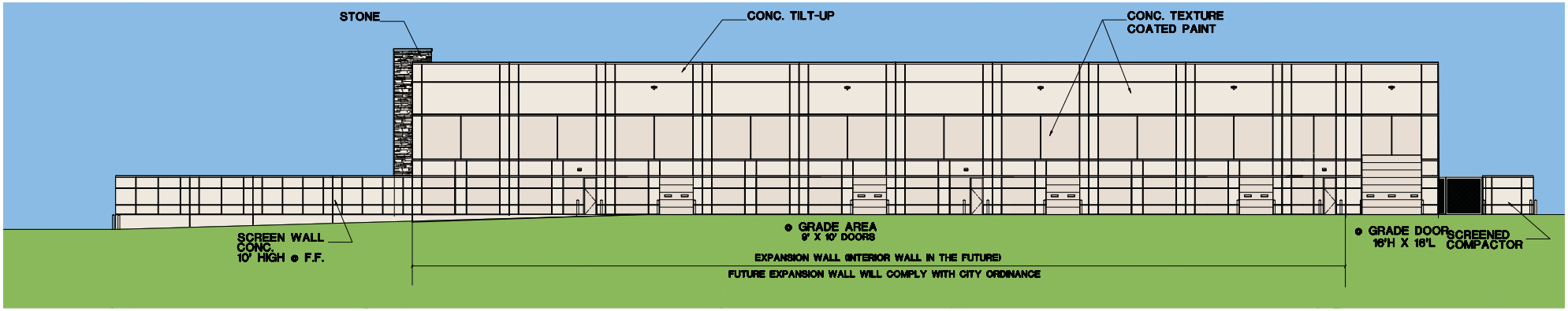
PROJECT NAME
A BUILD TO SUIT PROJECT FOR COL-MET

SHEET TITLE
EXTERIOR BUILDING WEST ELEVATIONS

JOB NUMBER 371402
SHEET NUMBER OF SHEETS A-3.2
DATE OF ORIGINAL ISSUE APRIL 29, 2014



1 **SOUTH ELEVATION**
SCALE: 3/32" = 1'-0"

PERCENTAGE MATERIAL
1% STONE VENEER
99% TILT-UP CONC. TEXTURE COATED PAINT
(VISION GLASS, DOORS ARE EXCLUDED)

COL-MET spray booths

CUSHMAN & WAKEFIELD

SCOTT + REID

DRAWING REVIEW
DRAFTSMAN:
PROJECT MANAGER:
DESIGN ARCHITECT:
PRODUCTION MGR.:
CHIEF ARCHITECT:

HARDY McCULLAH+MLM ARCHITECTS, INC
www.hmmlmarchitects.com

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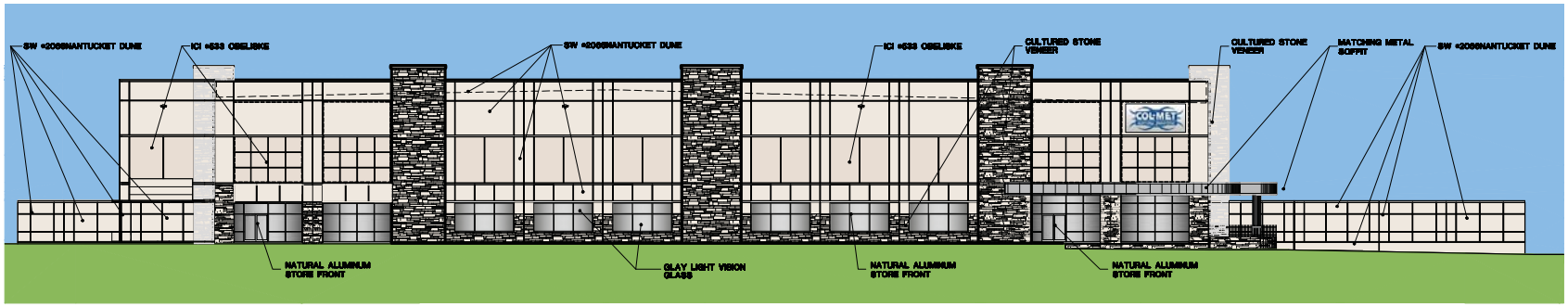
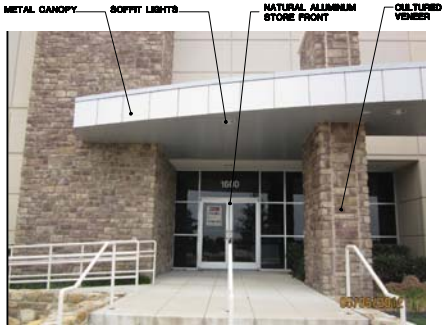


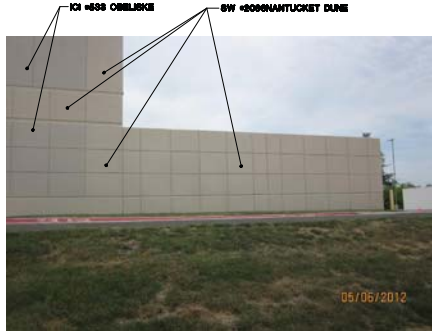
NORTH ELEVATION



OFFICE ENTRY AREA WITH NATURAL ALUMINUM STORE FRONT



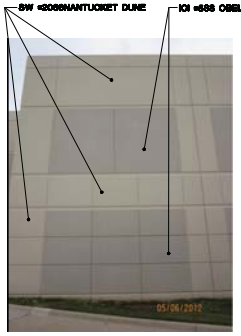
CULTURE STONE VENEER AT OFFICE AREA



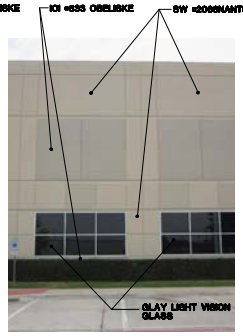
TYPICAL CONC. TILT PANEL SCREEN WALL



METAL CANOPY AT OFFICE ENTRY AREA



TYPICAL CONC. TILT PANEL



TYPICAL CONC. TILT PANEL WITH VISION GLASS

DRAWING REVIEW
DRAFTSMAN: ____
PROJECT MANAGER: ____
DESIGN ARCHITECT: ____
PRODUCTION MGR.: ____
CHIEF ARCHITECT: ____

APPLICANT INFORMATION

KYLE MCCULLAH
HARDY MCCULLAH / MLM ARCHITECTS INC.
12221 MERIT RD. SUITE 280 DALLAS, TX 75251
972-385-1500

OWNER INFORMATION

ERIC JONES
1595 INNOVATION ST, ROCKWALL, TX 75032
COL-MET
972-772-1219

SAMPLE BOARD

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary**

DATE: **July 18, 2014**

SUBJECT: **(Re)Appointments to Historic Preservation Advisory Board**

Councilmember Daniels has requested this item be placed on the July 21st city council meeting agenda.

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Table of Contents

Agenda 5

The Better Vision for Children Foundation

- Better Vision for Children Proclamation 10
- Blank Page 11

Russell Lawrence - 40 Years of Service to the City of Rockwall

- Russell Proclamation 12
- Blank Page 13

Consider approval of the minutes from the July 21, 2014 regular city council meeting, and take any action necessary.

- 07-21-14 CC Mtg. Mins 14
- Blank Page 23

Consider approval of an ordinance amending the Code of Ordinances in Chapter 38. Subdivisions to create a new Article, Article V. related to grading, excavation, earthwork and erosion control for developments, and taking any action necessary. (2nd reading)

- Ord 2nd Reading_Erosion 24
- Blank Page 30

Consider approval of a resolution allowing a temporary, partial closure of FM 552 (John King Boulevard to the Rockwall East City Limits), FM 549 (FM 3097 to SH 205) and SH 205 (FM 549 to South John King Boulevard) for the Hot Rocks Bike Ride on Saturday, August 9, 2014 from 6:30 AM to 3:00 PM, and take any action necessary.

- Hot Rocks Memo 31
- Agreement For Temporary Closure of State Right of Way 32
- Exhibit A Event Description 40
- Exhibit B Council Resolution 41
- Exhibit C Event Course Map 42
- Blank Page 46

P2014-015 - Consider a request by Tracy Fetty on behalf of the owner, Holly Britt, for the approval of a replat for Lot 1, Block A, Eye Care & Laser Management of Rockwall Addition, being a 1.55-acre parcel of land currently identified as Lot 1, Block A, Horizon Ridge Center, Phase 1 Addition, zoned Planned Development District 9 (PD-9) for general retail land uses, located at the southeast corner of Rockwall Parkway and FM-3097 [Horizon Ridge Road], and take any action necessary.

- Staff Report Eye Care Laser Mgmt 47
- Blank Page 51

Z2014-018 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Karri Shojaei-Scott of the Marigold Learning Academy on behalf of the owner, Modern Pyramids, Inc., for the approval of a Specific Use Permit (SUP) to allow for a Day Care Facility on a 0.45-acre parcel of land identified as Lot 3-R, Block A, Washington Place Addition, zoned Downtown (DT) District, situated within the SH 66 Overlay (SH 66 OV) District, and located at 401 W. Washington Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. (1st Reading)

Staff Report Marigold Learning Academy 52

Blank Page 66

Z2014-019 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Shanessa Coburn of American Trooper on behalf of the owner, Scott Milder, for the approval of a Specific Use Permit (SUP) to allow an antiques/collectables and general retail store in Planned Development District 50 (PD-50) for a 0.66-acre lot of land containing two (2) parcels of land identified as a Block 23A (0.43 -acres) and Block 24C (0.23-acres) of the Amick Addition, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 & 805 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. (1st Reading)

Staff Report American Trooper 67

Blank Page 89

Discuss and consider a resolution related to the city's position on the Blackland Corridor Feasibility Study associated with planning for a freeway/tollway, and take any action necessary.

Memo to City Council re Blacklands Corridor Feasiblity Study 90

Blacklands Corridor Newsletter 91

Resolution_Blacklands 95

Blank Page 97

MIS2014-010 - Discuss and consider a request by Randy and Dianne Almon for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, General Residential District Standards, of Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04 -38], for a 0.14-acre parcel of land identified as Block 48B, B. F. Boydston Addition, zoned Single Family 7 (SF-7) District, addressed as 213 Clark Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

Staff Report_Almon 98

Blank Page 112

SP2014-010 - Discuss and consider a request by Matt Callan of Corgan Associates, Inc. on behalf of the owner, Rockwall Regional Hospital, LLP, for the approval of an exception to the exterior materials requirements in association with a site plan for a medical office building on a 1.8907-acre parcel of land identified as Lot 3, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 9 (PD-9), located along Horizon Road [FM-3097] southeast of the intersection of Horizon Road [FM-3097] and Rockwall Parkway, and take any action necessary.

Staff Report Rck Regional Hospital . . . 113
Blank Page . . . 122

Discuss and consider a recommendation from the City Council Naming Subcommittee related to naming of Dickson Lane, and take any action necessary.

Dickson Res . . . 123
Blank Page . . . 126

Discuss and consider correspondence with U.S. Senator John Cornyn related to The Harbor, and take any action necessary.

Memo to City Council re Harbor Letter to Senator Cornyn . . . 127
Senator Cornyn - Harbor Questions . . . 128
Blank Page . . . 130

Discuss and consider approval of a resolution of the City of Rockwall, Texas, declaring a public necessity for the acquisition of fee simple title to and a temporary construction easement on all or portions of properties for the Justin Road Project located in Rockwall County, Texas owned by Temunovic Partnership, LTD and listed as follows: a tract of land containing 0.281 acres (12,247 square feet) and a tract of land containing 1,756 square feet, located off Justin Road between Industrial Boulevard and John King Boulevard in the City of Rockwall, Rockwall County, Texas for the public purpose of construction, operation, reconstruction, improvement, repair and maintenance, of the Justin Road Street Project; authorizing all appropriate action of the City in the institution and prosecution of condemnation proceedings to acquire such properties that cannot be acquired through negotiation; authorizing all other lawful action necessary or incidental to such acquisitions.

Memo_Justin Rd Condemnation . . . 131
Exhibit . . . 132
Resolution_Condemnation Justin . . . 136
Blank Page . . . 141

Discuss and consider prohibiting use of electronic cigarettes and vaping in city buildings, and take any action necessary.

Memo_Milder Request . . . 142
Blank Page . . . 143

Discuss and consider the city's current retaining wall standards and possible amendments to the city's Engineering Standards of Design, and take any action necessary.

Memo_Retaining Walls . . . 144
PowerPoint presentation . . . 145

Blank Page 165
Discuss and consider appointments to city advisory boards and commissions, and take any action necessary.
List of (re)appts needed 166
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Building Inspections Monthly Report - June 2014
June 2014 Monthly Building Report 169
Blank page 182
Fire Dept. Monthly Reports - June 2014
Fire Dept. June 2014 reports 183
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Harbor PD Monthly Report - June 2014
Harbor PD Monthly - June 2014 207
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Internal Operations Department Monthly Report - June 2014.
IO Report 209
Blank Page 212
Police Department Monthly Report - June 2014
Police Department Monthly Report 213
Blank page 215
Recreation Department Monthly Report - June 2014
Recreation Graph - June 2014 216
Blank Page 217
Rockwall Animal Adoption Center Montly Report - June 2014
RAAC-June 2014 218
Blank Page 219

AGENDA
ROCKWALL CITY COUNCIL
Monday, August 04, 2014
4:30 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION. (4:30 P.M.)

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding possible claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations).
3. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
4. Discussion regarding Economic Development prospect pursuant to Section 551.087 (Economic Development)
5. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).
6. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
7. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)
8. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, August 04, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM PRUITT

VII. PROCLAMATIONS / AWARDS

p.10 **1.** The Better Vision for Children Foundation
p.12 **2.** Russell Lawrence - 40 Years of Service to the City of Rockwall

VIII. OPEN FORUM

IX. CONSENT AGENDA

p.14 **1.** Consider approval of the minutes from the July 21, 2014 regular city council meeting, and take any action necessary.

p.24 **2.** Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 38. Subdivisions to create a new Article, Article V. related to grading, excavation, earthwork and erosion control for developments, and taking any action necessary. **(2nd reading)**

p.31 **3.** Consider approval of a resolution allowing a temporary, partial closure of FM 552 (John King Boulevard to the Rockwall East City Limits), FM 549 (FM 3097 to SH 205) and SH 205 (FM 549 to South John King Boulevard) for the Hot Rocks Bike Ride on Saturday, August 9, 2014 from 6:30 AM to 3:00 PM, and take any action necessary.

p.47 **4.** **P2014-015** - Consider a request by Tracy Fetty on behalf of the owner, Holly Britt, for the approval of a replat for Lot 1, Block A, Eye Care & Laser Management of Rockwall Addition, being a 1.55-acre parcel of land currently identified as Lot 1, Block A, Horizon Ridge Center, Phase 1 Addition, zoned Planned Development District 9 (PD-9) for general retail land uses, located at the southeast corner of Rockwall Parkway and FM-3097 [Horizon Ridge Road], and take any action necessary.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

XI. PUBLIC HEARING ITEMS

p.52 **1.** **Z2014-018** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Karri Shojaei-Scott of the Marigold Learning Academy on behalf of the owner, Modern Pyramids, Inc., for the approval of a Specific Use Permit (SUP) to allow for a Day Care Facility on a 0.45-acre parcel of land identified as Lot 3-R, Block A, Washington Place Addition, zoned Downtown (DT) District, situated within the SH 66 Overlay (SH 66 OV) District, and located at 401 W. Washington Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(1st Reading)**

p.67 **2.** **Z2014-019** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Shanessa Coburn of American Trooper on behalf of the owner, Scott Milder, for the approval of a Specific Use Permit (SUP) to allow an antiques/collectables and general retail store in Planned Development District 50 (PD-50) for a 0.66-acre lot of land containing two (2) parcels of land identified as a Block 23A (0.43-acres) and Block 24C (0.23-acres) of the Amick Addition, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 & 805 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(1st Reading)**

XII. ACTION ITEMS

p.90 **1.** Discuss and consider a resolution related to the city's position on the Blackland Corridor Feasibility Study associated with planning for a freeway/tollway, and take any action necessary.

p.98 **2.** **MIS2014-010** - Discuss and consider a request by Randy and Dianne Almon for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, General Residential District Standards, of Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38], for a 0.14-acre parcel of land identified as Block 48B, B. F. Boydston Addition, zoned Single Family 7 (SF-7) District, addressed as 213 Clark Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

p.113 **3.** **SP2014-010** - Discuss and consider a request by Matt Callan of Corgan Associates, Inc. on behalf of the owner, Rockwall Regional Hospital, LLP, for the approval of an exception to the exterior materials requirements in association with a site plan for a medical office building on a 1.8907-acre parcel of land identified as Lot 3, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 9 (PD-9), located along Horizon Road [FM-3097] southeast of the intersection of Horizon Road [FM-3097] and Rockwall Parkway, and take any action necessary.

p.123 **4.** Discuss and consider a recommendation from the City Council Naming Subcommittee related to naming of Dickson Lane, and take any action necessary.

p.127 **5.** Discuss and consider correspondence with U.S. Senator John Cornyn related to The Harbor, and take any action necessary.

p.131 **6.** Discuss and consider approval of a resolution of the City of Rockwall, Texas, declaring a public necessity for the acquisition of fee simple title to and a temporary construction easement on all or portions of properties for the Justin Road Project located in Rockwall County, Texas owned by Temunovic Partnership, LTD and listed as follows: a tract of land containing 0.281 acres (12,247 square feet) and a tract of land containing 1,756 square feet, located off Justin Road between Industrial Boulevard and John King Boulevard in the City of Rockwall, Rockwall County, Texas for the public purpose of construction, operation, reconstruction, improvement, repair and maintenance, of the Justin Road Street Project; authorizing all appropriate action of the City in the institution and prosecution of condemnation proceedings to acquire such properties that cannot be acquired through negotiation; authorizing all other lawful action necessary or incidental to such acquisitions.

p.142 **7.** Discuss and consider prohibiting use of electronic cigarettes and vaping in city buildings, and take any action necessary.

p.144 **8.** Discuss and consider the city's current retaining wall standards and possible amendments to the city's Engineering Standards of Design, and take any action necessary.

p.166 **9.** Discuss and consider appointments to city advisory boards and commissions, and take any action necessary.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
p.169 Building Inspections Monthly Report - June 2014
Fire Dept. Monthly Reports - June 2014 p.183
p.207 Harbor PD Monthly Report - June 2014
Internal Operations Department Monthly Report - June 2014.p.209
p.213 Police Department Monthly Report - June 2014
Recreation Department Monthly Report - June 2014 p.216
p.218 Rockwall Animal Adoption Center Montly Report - June 2014

2. City Manager's Report

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding possible claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)

2. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations).
3. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
4. Discussion regarding Economic Development prospect pursuant to Section 551.087 (Economic Development)
5. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).
6. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
7. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)
8. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 1st day of August, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

Rockwall, Texas

Proclamation

Whereas, the Better Vision For Children Foundation is a non-profit charity organization that for the past twenty-six years has provided free eye screenings for children to prevent and cure partial and total blindness and death resulting from amblyopia (lazy eye) autism, diabetes and eye cancer: and

Whereas, the U.S. Government and other studies have found that 25 – 35 % of American school children start school with undetected vision problems that will negatively affect their learning even though most vision related diseases are curable if detected and treated during the preschool years; and

Whereas, over 80% of the learning process is visual; and

Whereas, Optometric publications refer to this dilemma as "The Children's Vision Crisis"; and

Whereas, a San Diego State University study found that only 3.3% of preschoolers get a professional vision screening; and

Whereas, the most sought after jobs in professions and sports require good vision and hand-eye coordination; and

Whereas, parents, business, academia and sports entities want our children to succeed in their field of dreams; and

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby recognize and applaud

THE BETTER VISION FOR CHILDREN FOUNDATION

for its efforts towards preventing and curing eye diseases in our children and encourage all citizens to support early vision screenings for children in our community.

In Witness Whereof, I hereunto set my hand and official seal this 4th day of August, 2014.

David Sweet, Mayor

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11

Rockwall, Texas

Proclamation

Whereas, Russell Lawrence started his career with the City of Rockwall on August 13, 1974 when he was hired to work in the Streets Department; and

Whereas, four years later, Russell's career progressed when he assumed the role of Parks Superintendent, a position he has held for the past thirty six years; and

Whereas, when Russell began work for the City in 1974, Rockwall's population was less 4,400 compared to just over 40,000 today, and Lofland Park was the only park in town; and

Whereas, during these four decades, Rockwall has grown from a small community with scattered neighborhoods, farmland, and locally-owned stores to a thriving mid-size suburb with over 14,700 residential homes, major retailers, multiple shopping destinations, and business and industry that allow residents to live, work, and play in Rockwall; and

Whereas, Russell's long-tenured service to the City of Rockwall is a testament to his heart for public service and his commitment to the residents of our great city.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby declare Monday, August 4, 2014 as

RUSSELL LAWRENCE

HAPPY 40TH ANNIVERSARY DAY

in the City of Rockwall and encourage all citizens to recognize and applaud Mr. Lawrence for his dedicated service to the City of Rockwall throughout these last forty years.

In Witness Whereof, I hereunto set my hand and official seal this 4th day of August, 2014.

_____

David Sweet, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, July 21, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 4:00 p.m. Present were Mayor David Sweet, Mayor Pro Tem Jim Pruitt, and Council Members David White, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza.

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations).
2. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (personnel matters)
4. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).

III. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:22 p.m.

IV. RECONVENE PUBLIC MEETING

Mayor Sweet reconvened the meeting at 6:02 p.m.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER WHITE

Councilmember White delivered the invocation and led the Pledge of Allegiance.

VII. CONSENT AGENDA

1. Consider approval of the minutes from the July 7, 2014 regular city council meeting, and take any action necessary.

2. Consider approval of a resolution authorizing the city manager to execute a Multiple Use Agreement with Texas Department of Transportation for the parking area adjacent to the SH-66 pedestrian lane, and take any action necessary.

3. Consider authorizing the city manager to execute a contract with Wall Enterprises for the Phelps Lake Park Improvements Project in the amount of $75,624 to be funded out of the Recreation Development Fund, and take any action necessary.

4. Consider approval of the Engineering Services Agreement with Birkhoff, Hendricks and Carter, L.L.P. to provide various general engineering services for water and wastewater improvements in the City of Rockwall to be paid for from the Water and Sewer Operating Fund, and take any action necessary.

5. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 38. Subdivisions to create a new Article, Article V. related to grading, excavation, earthwork and erosion control for developments, and taking any action necessary. **(1st reading)**

6. Consider approval of an **ordinance** (re)establishing prohibition regarding temporary habitation in a public place in Chapter 22. Miscellaneous Offenses, Article I. In General, Section 22-4, and take any action necessary. **(2nd reading)**

7. **Z2014-015** - Consider approval of an **ordinance** for a request by Dennis D. Alsup for the approval of a Specific Use Permit (SUP) for an accessory building that does not conform to the size requirements as specified by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a property in a Single-Family 10 (SF-10) District on a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, zoned Single-Family 10 (SF-10) District, situated within the North Goliad Overlay (NGC OV) District, located at 921 Alamo Road, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(2nd Reading**)

8. Consider approval of an **ordinance** at the recommendation of the Airport Subcommittee to designate the Planning and Zoning Commission as the Airport Zoning Commission for the Ralph M. Hall/Rockwall Municipal Airport, and take any action necessary. **(2nd reading)**

9. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 22. Miscellaneous Offenses, Article II. Offenses Regarding Minors, Division 5. Sex Offender Residency to modify provisions specifying victims' age, to add a section regarding notice to residents of registered sex offenders, and take any action necessary. **(2nd reading)**

Councilmember Townsend pulled item #1 for discussion. Councilmember White made a motion to approve the remaining Consent Agenda items (#2, 3, 4, 5, 6, 7, 8, and 9). Councilmember Townsend seconded the motion.

The ordinances were read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE # 14-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 38. SUBDIVISIONS TO ADD ARTICLE V. REGARDING GRADING, EXCAVATION, EARTHWORK AND EROSION CONTROL; PROVIDING FOR SEVERABILITY AND SAVINGS CLAUSES; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ESTABLISHING A PROHIBITION REGARDING TEMPORARY HABITATION IN PUBLIC PLACES IN CHAPTER 22. MISCELLANEOUS OFFENSES. ARTICLE I. IN GENERAL, SECTION 22-4; PROVIDING FOR SEVERABILITY AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-27
SUP NO. 122

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN THE SINGLE-FAMILY RESIDENTIAL (SF-10) DISTRICT ALLOWING FOR AN ACCESSORY BUILDING EXCEEDING THE SIZE REQUIREMENTS, ON THE PROPERTY LOCATED AT 921 ALAMO ROAD, BEING A 0.74-ACRE PARCEL OF LAND IDENTIFED AS A PORTION OF BLOCK 4, GARNER ADDITION, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A'; CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, DESIGNATING THE CITY OF ROCKWALL PLANNING AND ZONING COMMISSION AS THE AIRPORT ZONING COMMISSION; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 22. MISCELLANEOUS OFFENSES, ARTICLE II. OFFENSES REGARDING MINORS, DIVISION 5. SEX OFFENDER RESIDENCY, SECTIONS 22-136 AND 22-137 TO MODIFY PROVISIONS SPECIFYING VICTIMS AGE; ADDING A SECTION REGARDING NOTICE TO RESIDENTS OF REGISTERED SEX OFFENDERS; PROVIDING FOR SEVERABILITY AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of council (7 ayes to 0 nays).

Regarding Consent Agenda item #1, specifically the discussion reflected in the July 7 meeting minutes related to swimming in ponds/lakes in city parks, Councilmember Townsend made a motion to amend the minutes to reflect that signage will indicate there is water present at any city park that has lakes or ponds. Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

The Council addressed Appointment Item #3 (with Mr. Phelps) next.

VIII. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Planning & Zoning Commissioner Connie Jackson came forth and briefed the council on recommendations of the Commission relative to items on tonight's city council meeting agenda.

Councilmember Lewis thanked Mrs. Jackson for her service on the Planning and Zoning Commission over the years. Mrs. Jackson indicated she has really enjoyed serving the last thirteen years and may hope to sit off one year and potentially serve again thereafter.

After a few, clarifying comments related to items on the agenda, the Council took no action related to this agenda item.

2. Appointment with Scott Self of Sail with Scott, LLC to discuss and consider approval of a request to extend his commercial boat dock at The Harbor / Lake Ray Hubbard, and take any action necessary.

Mr. Self came forth and thanked the city council for its support and for previously allowing him to extend his boat dock out an additional thirty feet (30'). He explained that this current expansion will be well under the 100' "no wake zone." Mr. Self indicated there is a possibility of him not being able to get his boat out of the Chandler's Landing Marina soon due to the drought. He requested that the council consider allowing him to leave his boats parked at the docks at The Harbor overnight on occasion. Mr. Griggs generally indicated that this can be handled administratively through a permit issued by staff.

Councilmember White made a motion to approve the request to extend the commercial boat dock for Mr. Self at The Harbor. Councilmember Lewis seconded the motion.

Councilmember Daniels sought clarification regarding the motion, specifically related to Mr. Self potentially working with city staff if the dock needs to be extended again before the rainy season comes. Councilmember White amended his motion to reflect this. Councilmember Lewis seconded the amended motion. The motion passed by a vote of 7 ayes to 0 nays.

Mr. Self indicated that he has noticed weeds that have been growing in the lake area that is now dry around the shoreline due to the drought. He explained that these weeds will be problematic when lake levels come back up, as the weeds will lead to mosquitoes and other bugs as well as snakes and rodents. He urged the City of Rockwall to try and encourage the City of Dallas to address these weeds now rather than later or never. Mr. Griggs indicated that staff can certainly prepare a resolution to send to the City of Dallas City Council for their consideration.

3. Appointment with Russell Phelps to discuss retaining wall standards and take any action necessary.

Mr. Russell Phelps
214 Alta Vista
Rockwall, TX

Mr. Phelps provided photographs and expressed concerns regarding a specific retaining wall at the Walmart Neighborhood Market property located off of SH-66. He has concerns related to cracks and wear in the wall. He is concerned it is higher than four feet in certain places, it is leaning, and it is in disrepair.

Assistant City Manager Brad Griggs indicated that the Building Inspections Department looked at this particular wall back in 2007 and took photos at that time. The wall was leaning some then, and it looks as though it may be leaning a little more now.

Mayor Pro Tem Pruitt made a motion to instruct staff to evaluate the city's standards on retaining walls in the city that are constructed at less than four feet (4') tall. Councilmember Daniels seconded the motion.

Councilmember Milder is concerned that there should be maintenance and aesthetic standards, in addition to construction standards, on retaining walls in the city. He suggested the city should consider no longer allowing cinder block retaining walls.

Mr. Crowley indicated that staff will look into this matter and will return to the city council at a later date with a proposed policy or standards the council may wish to consider with regards to retaining walls of varying heights in the city.

The motion passed by a vote of 7 ayes to 0 nays.

Council next addressed Appointment Item #1 on the agenda.

IX. ACTION ITEMS

1. Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 12, Article III, Section 12 to add Sections 12-66 to 12-68, regulating peddler activities to occupants of vehicles on public roadways in the city and solicitation in public areas, and take any action necessary. **(2nd reading)**

Councilmember Milder made a motion to approve the ordinance as presented at this time. Mayor Pro Tem Pruitt seconded the motion.

City Attorney Frank Garza briefed the council on the modifications (deletions) that were made to this ordinance at the council's request following first reading approval of the ordinance at the July 7 city council meeting.

The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-30

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 12, ARTICLE III, SECTION 12 BY ADDING SECTION 12-66 TO 12-67 OF THE CODE OF ORDINANCES, REGULATING PEDDLER ACTIVITIES IN THE CITY AND SOLICITATION IN A PUBLIC AREA; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RELATED MATTERS.

The motion passed by a vote of 5 in favor and 2 against (Pruitt and White).

2. Discuss and consider approval of a resolution supporting an application for assistance from the Texas Recreation Parks Account Program through the Texas Parks and Wildlife Department, authorizing the City Manager to enter into a contract with MHS Planning and Design for a grant application submittal, and take any action necessary.

Assistant City Manager Brad Griggs provided the council with background information related to this agenda item.

Mayor Pro Tem Pruitt clarified that staff is requesting the council consider approving paying MHS Planning and Design $9,000.00 to write and submit a grant application on the city's behalf. He is curious why staff cannot prepare and submit the grant application themselves. Mr. Griggs indicated that staff likely could do the grant application; however, staff is not as familiar with specific scoring that is utilized to grade the applications submitted for consideration. He stated that about twenty percent of grants that are submitted end up being funded. Mr. Griggs indicated that a site master plan would be produced as well during this process, and, even if the grant is disapproved, the city would still walk away with a site master plan that would be useful. Mr. Griggs indicated that the city will need to provide matching funds if approved for the grant and will need to agree that the park will remain a public park in perpetuity.

Mr. Crowley indicated that the city has never been unsuccessful in the past when submitting a grant application under this program; however, it really all depends on the applicant pool. He also indicated that the city has been very particular regarding which projects it has submitted for in the past.

Councilmember Milder expressed general support for hiring a consultant who is much more familiar with grant submittals and the scoring process when applying for grants.

Councilmember Townsend made a motion to approve the resolution and to authorize the city manager to enter into the contract. Councilmember Lewis seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

3. **MIS2014-008** - Discuss and consider a request by Marco A. Esparza for a waiver to the Manufactured Home Replacement Minimum Standards as set forth in Exhibit 'C' of Planned Development District 75 (PD-75) [Ordinance No. 09-37] to allow Hardiboard panels in lieu of Hardiboard lap siding for a new manufactured home on a 0.17-acre property identified as Lots 1390, 1391 & 1392, Rockwall Lake Estates #2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District uses, located at 312 Rene Drive, and take any action necessary.

Mr. LaCroix provided background information related to this agenda item. He stated that the Planning & Zoning Commission did recommend approval of this item by a 4 to 0 vote.

Mayor Sweet invited Mr. Esparza to come forth and speak if he would like to; however, he declined

Councilmember White made a motion to approve MIS2014-008. Councilmember Lewis seconded the motion.

Mayor Pro Tem Pruitt asked if the cinder block skirting is permissible under the city's current ordinance. Mr. LaCroix indicated that, yes, they are allowed; however, skirting that is made of the lap siding would typically be required to cover the façade if the cinder blocks are used. Mr. LaCroix explained that if council approves this variance, they would also be allowing the cinder blocks to remain without requiring the lap siding to be extended down to cover the cinder blocks as a façade.

The motion passed by a vote of 6 ayes with 1 nay (Pruitt).

4. **SP2014-011** - Discuss and consider a request by Frank Richardson of Pross Design Group, Inc. on behalf of Channell Commercial Corporation and the Rockwall Economic Development Corporation for the approval of an exception to allow tilt wall as a primary building material and variances to the parking, articulation, building materials, and lighting standards as stipulated by the Unified Development Code for an office and industrial facility on an 18.95-acre tract of land being identified as a 2.006-acre portion of Tract 2-7 of the David Harr Survey, Abstract No. 102 and a 16.944-acre portion of Tract 5 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, being zoned Light Industrial (LI) District, situated within the SH 205 By-Pass Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of Airport Road, and take any action necessary.

Mr. LaCroix indicated that the site plan was approved by the Planning and Zoning Commission; however, several stipulations and variances were also recommended by

the P&Z Commission. He indicated that this is at the corner of John King Boulevard and Justin Road. He explained the variances, including those related to parking, tilt wall construction, articulation, building materials, installation of cypress trees, and light standards.

The applicant, Frank Richardson with Pross Design Group (the architects), came forth and addressed the council, explaining in detail, the nature of each of his variance requests. Mr. Richardson generally indicated that the applicant would like these variances in order to maintain what is considered to be a "corporate identity" and is based on a building they currently have in California.

Councilmember Lewis made a motion to approve SP2014-011. Councilmember White seconded the motion.

Councilmember Milder asked the applicant why they are not able to work with the city to meet our masonry façade standards at least on the side of the building that faces John King Boulevard. Mr. Richardson indicated that Mr. Channell feels as though he would like to model this building after the building that was built in California in 1989 in order to keep in line with what he feels is his company's "corporate identity."

The motion passed by a vote of 6 in favor with 1 against (Milder).

5. **SP2014-012** - Discuss and consider a request by Philip Graham, P.E. of Wier & Associates on behalf of the Rockwall Economic Development Corporation and Col-Met Spray Booths for the approval of certain variances to the Unified Development Code for an industrial facility on a 12.0-acre parcel of land identified as a portion of Lot 1, Block B, Rockwall Technology Park, Phase III, City of Rockwall, Rockwall County, Texas, being zoned Light Industrial (LI) District, located east of the intersection of Corporate Crossing (FM-3097) and Discovery Boulevard, and take any action necessary.

Mr. LaCroix provided background information related to this agenda item, explaining that the applicant already occupies a location within the Rockwall Technology Park; however, they are looking to expand. He then explained the nature of the variances being requested this evening by the applicant.

Kyle McCullah
Hardy MLM Architects
12221 Merit Drive
Dallas, TX

Mr. McCullah indicated they were the original architects on this project back in 2003. He asked the council to consider approving the building variances this evening.

Councilmember Townsend asked if anything has been included as far as landscaping is concerned on the Springer side of the building. Mr. LaCroix explained that landscaping is required as part of the city's development standards.

Councilmember White made a motion to approve SP2014-012. The motion was seconded by Councilmember Lewis. The motion passed by a vote of 7 ayes to 0 nays.

6. Discuss and consider (re)appointments to the city's Historic Preservation Advisory Board, and take any action necessary.

Councilmember Daniels made a motion to reschedule this to the August 4, 2014 council meeting.

Mayor Sweet adjourned the public meeting at 7:10 p.m.

X. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations).
2. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (personnel matters)
4. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).

XI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The Council did not convene in Executive Session following close of the 6:00 p.m. public meeting.

XII. ADJOURNMENT

Mayor Sweet adjourned the meeting at 7:10 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 4th day of August, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL, TEXAS
ORDINANCE # 14-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 38. SUBDIVISIONS TO ADD ARTICLE V. REGARDING GRADING, EXCAVATION, EARTHWORK AND EROSION CONTROL; PROVIDING FOR SEVERABILITY AND SAVINGS CLAUSES; PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the City Council of the City of Rockwall values development and recognizes the need for erosion control provisions, including appropriate devices, to be in place in order to minimize the impacts of new development; and

Whereas, the development of land causes large quantities of soil to be displaced and transported to downstream locations which can create significant soil erosion and sedimentation problems and may result in potentially destructive consequences; and

Whereas, a build-up of sediment degrades water quality, destroys valuable environmental resources and obstructs watercourses and storm drains which can cause flooding, thereby damaging public and private lands and property; and

Whereas, the City Council believes it to be in the best interest of the public and the environment to adopt the regulations set forth below to govern erosion control to provide and maintain a safe, efficient and effective drainage system within the City and to require a permit for grading and floodplain development in order to ensure soil does not wash out into streets or nearby storm sewers.

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. The findings set forth in the preamble above are adopted in their entirety.

SECTION 2. Purpose: During the construction process, soil is highly vulnerable to erosion by wind and water. Eroded soil endangers water resources by reducing water quality and causing the siltation of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair of sewers and ditches and the dredging of lakes. In addition, clearing and grading during construction cause the loss of native vegetation necessary for terrestrial and aquatic habitat. The purpose of this ordinance is to safeguard persons, protect property, and prevent damage to the environment. This ordinance also promotes the public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any development or other activity that disturbs or breaks the topsoil or results in the movement of earth on land

SECTION 3. Article V is hereby added to Chapter 38. Subdivisions and shall henceforth read in its entirety as follows:

ARTICLE V. – GRADING, EXCAVATION, EARTHWORK, AND EROSION CONTROL

Sec. 38-430 – Definitions
Sec. 38-431-432 - Reserved
Sec. 38-433 – Applicability of article.
Sec. 38-434 – Grading permit required for filling, grading, excavation, etc.
Sec. 38-435 – Duty of property owner to prevent dirt, mud, etc., from washing onto public streets, alleys, etc.
Sec. 38-436 – Requirements for filling, grading, excavation, etc.
Sec. 38-437 – Issuance of permits; criteria.
Sec. 38-438 – Exceptions to the permit, permit fee and deposit.
Sec. 38-439 – Owner's responsibility.
Sec. 38-440 – Exemptions.

Sec. 38-430. – Definitions.

CITY ENGINEER. The City Engineer of the City of Rockwall or the Engineer's authorized representative.

EROSION CONTROL. A measure that prevents erosion.

GRADING. Any stripping, cutting, filling, stockpiling or combination thereof which modifies the existing land surface contour.

SEDIMENT CONTROL. Measures that prevent eroded sediment from leaving the site.

Sec. 38-431 - 432. – Reserved.

Sec. 38-433. – Applicability of article.

The provisions of this article shall apply to property owners, persons or their agents filling, grading, excavating or otherwise disturbing the surface of real property within the city, whether they be contractors, subcontractors, supervisors, inspectors, managers, agents, employees or otherwise. Failure to comply with the requirements of this article shall constitute an offense, and each day such failure continues shall constitute a separate offense.

Sec. 38-434. – Grading permit required for filling, grading, excavation, etc.

No person shall fill, grade, excavate or otherwise disturb the surface of real property within the City without first having secured a grading permit from the City Engineer. No owner of real property shall knowingly permit another person to fill, grade, excavate or otherwise disturb the surface of real property within the city without first having secured a permit from the City Engineer. In addition, if the property to be filled, graded, excavated or otherwise disturbed is within flood hazard area, a development permit must be secured from the City Engineer as required in Chapter 38 of this Code.

Sec. 38-435. – Duty of property owner to prevent dirt, mud, etc., from washing onto public streets, alleys, etc.

It shall be unlawful and an offense and shall constitute a nuisance for any person owning or having control of real property within the city to suffer or permit soil, mud, rock, pollutants or debris to wash, slide, erode or otherwise be moved from said real property onto streets, alleys, utility facilities, drainage facilities, rights-of-way or easements. It shall be the duty of each property owner or party in control thereof to prevent soil, mud, rock, pollutants or debris from such real property being deposited or otherwise transported onto the streets, alleys, utility facilities, rights-of-way or easements of the City and to inspect such property and acquaint themselves with the conditions existing and to remedy any conditions likely or calculated to allow soil, mud, rock or debris to wash, slide, erode or otherwise be transported onto the streets, alleys, utility facilities, rights-of-way or easements and failure to do so shall be deemed criminal negligence for the purpose of the offense described herein.

Sec. 38-436. – Requirements for filling, grading, excavation, etc.

The City Engineer shall prepare a list of allowable fill materials and minimum required compaction requirements. All filling shall use only the materials listed for fill. All fill placed on a site and visible from a public thoroughfare shall be leveled and have a final cover of topsoil, six (6) inches minimum depth, that will support vigorous plant growth, immediately following completion of filling operations. Intermediate leveling and cover shall be required at intervals not to exceed thirty (30) days for filling operations that will exceed thirty (30) days in duration. In areas where fill is being placed to control erosion, the City Engineer may substitute an alternate cover that is resistant to erosion for the requirement to cover fill with topsoil.

Sec. 38-437. – Issuance of permits; criteria.

(a) The City Engineer's office shall issue permits for the grading, filling, excavating or otherwise disturbing the surface of real property upon satisfaction of the following criteria:

(1) Applicant provides adequate assurance that the City will be reimbursed for any expense of cleaning or removal of dirt, rock, debris or other pollutants from city streets, alleys, utility facilities, rights-of-way and easements or the barricading thereof by the posting of a deposit of cash with the city to guarantee same.

(2) The amount of such deposit shall be established by the City Council from time to time and is hereby established as follows:

Area	Amount
One (1) acre or less	$500.00 minimum
From one (1) acre up	$100.00 for each additional acre

(3) The applicant provides a notarized statement from the property owner giving permission for the applicant to fill, grade, excavate or otherwise disturb the property and acknowledgment by property owner of the responsibilities of the property owner as described in section 38-30 of this Code.

(4) Submission by the applicant of a Storm Water Pollution Prevention Plan (SWP3) for all work disturbing one (1) acre of land or more. This Storm Water Pollution Prevention Plan (SWP3) must be prepared by a licensed professional engineer in accordance with applicable Environmental Protection Agency (EPA) and Texas Commission on Environmental Quality (TCEQ) regulations and approved by the City Engineer prior to issuing the grading permit.

(5) Submission by the applicant of a copy of Notice of Intent (NOI) and or a Construction Site Notice (CSN) as required by the Texas Commission on Environmental Quality (TCEQ) regulations for all work disturbing one (1) acre of land or more.

(6) The City Engineer may exclude that portion of tracts in excess of ten (10) acres that he/she determines to be so situated as to not contribute to erosion due to location and topography.

(b) If removal by the City of soil, rock, mud and debris from its streets, alleys, utility facilities, rights-of-way or easements is required by reason of work performed on property for which a deposit has been made pursuant to subsection (a), reasonable charges shall be billed to the applicant and subtracted from balance of the applicant's deposit. The City will attempt to notify applicant to clean the affected area unless deemed an emergency requiring immediate attention.

(c) Upon written request by the applicant to the City Engineer, the unused portion of the applicant's deposit shall be refunded if the following criteria is met:

(1) The site for which the deposit exists has been stabilized against erosion; and permanent ground cover has been established.

(2) No further hazard of erosion is present at the site;

(3) All temporary erosion control structures have been removed;

(4) Permanent erosion control facilities are in place and functioning properly as designed; and

(5) The City Engineer or his designee has given written acceptance of public improvements.

(d) An applicant who has submitted a written request for return of their deposit who meets the requirements of subsection (c) shall be refunded all funds not used to reimburse the City for the removal of soil, rock, mud, debris and pollutants from its streets, alleys, utility facilities, drainage facilities, rights-of-way or easements. Should an applicant fail to meet all requirements for a refund, the applicant's request will be rejected until such time as they are met. When the requirements have been met, the funds subject to refund will be sent via first class mail to the address on the applicant's grading permit application or if such address has been updated pursuant to application instructions to the applicant's updated address. If the refund mailed to the applicant is returned by the United States Postal Service as undeliverable, the funds shall be forfeited to the City and placed in the general fund if City Council is unable to determine the legal address.

(e) If a written request for return of a deposit is not made within two (2) years of the date the project on the property for which the deposit has been made receives written acceptance from the City Engineer or his designee of the public improvements, the unused portion of the applicant's deposit shall be forfeited to the City and placed in the general fund after the City notifies the applicant.

(f) Grading permits shall be valid for two-years after date of issuance by the City. Grading permits may be extended for one additional year (for a total of three years) upon written request by the applicant to the City Engineer. The City Engineer will have the site inspected to verify compliance with the permit conditions and the provisions of the submitted SWP3 before making the permit extension. Failure of the applicant to maintain compliance with the permit conditions and the provisions of the submitted SWP3 shall be adequate cause to deny a request for grading permit extension.

Sec. 38-438. – Exceptions to the permit, permit fee and deposit.

Construction, grading, filling or excavation undertaken by the City of Rockwall, franchised utility companies and existing individual single-family lots with existing residences under one acre in size shall be exempt from the permit, deposit and permit fee as required by this article.

Sec. 38-439. – Owner's responsibility.

The property owner shall be responsible for implementation and operation of a Storm Water Pollution Prevention Plan (SWP3) in accordance with applicable Environmental Protection Agency (EPA) and Texas Commission on Environmental Quality (TCEQ) regulations and all cleanup operations incidental to the grading, filling, excavation, construction or other disturbance of the surface of real property including leveling, establishment of ground cover, erosion and sediment control and removal of all trash, debris or other materials not suitable for fill including those deposited on streets, alleys, utility facilities, rights-of way or easements.

In addition, the property owner shall be responsible for compliance with the approved grading plan.

If the property owner fails in any respect to fulfill the requirement of this article, the City may go upon the owner's property and perform such work as may be necessary to fulfill such requirements and may level, establish ground cover, construct erosion control, remove all soil, rock, debris and other materials not suitable for fill including those deposited on streets, alleys, utility facilities, rights-of-way or easements, at the property owner's expense and charge same against the deposit of the applicant unless deemed and emergency requiring immediate attention, the City will first contact applicant to address the matter.

If a deposit has not been made with the City, or if the cost incurred by the City exceeds the amount of the deposit, the City shall bill the property owner for the unpaid expenses and if the owner fails to pay the City for such expenses within thirty (30) days of being billed for same, the City shall have the right to place a lien on the owner's property which shall be filed with the county clerk as in the case of paving assessment liens for all amounts expended by the City in excess of the deposit plus interest at the current lawful rate. If the property owner fails to fulfill the requirement of this article the City may revoke the grading permit, issue citations or take other legal remedies as may be necessary to enforce compliance with this article.

Sec. 38-440. – Exemptions

A grading permit is not required for the following:

1. Customary and incidental routine grounds maintenance, landscaping, and gardening in any district which does not require platting, replatting, variance request, or building permit and which does not affect stormwater drainage on or through the site;

2. Emergency repairs of a temporary nature made on public or private property which are necessary for the preservation of life, health or property, and which are made under circumstances where it would be impossible or impracticable to obtain a grading permit

SECTION 4. SEVERABILITY. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 5. SAVINGS CLAUSE. That all ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 6. EFFECTIVE DATE. That the Ordinance shall be effective immediately following its second reading and publication in accordance with the City Charter.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 07-21-14

2nd Reading: 08-04-14

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: July 17, 2014

SUBJECT: Hot Rocks Bike Ride – City Council Resolution

The Hot Rocks Bike Ride is sponsored by the Rockwall Rotary Club on an annual basis. This year's event is scheduled for Saturday, August 9, 2014 from 6:30 AM to 3:00 PM. A portion of the bike ride course will utilize a few State roadways on the north and south parts of the City. The race will begin and move north on John King Boulevard and turn right on FM 552. They will remain on FM 552 until the reach FM 1138. The bike riders will enter our southern border of the City at FM 549 from FM 3097 to SH 205. At SH 205, they will turn left to the north and travel to John King Boulevard and take it back to the starting point. The Rockwall Police Department will assist in the partial closure of various lanes of these State roadways as well as furnish traffic control at other intersections along the race route within our City. The Texas Department of Transportation (TxDOT) will require a City Council resolution supporting a request to allow the partial closure of these various State roadways.

Staff request City Council consideration to approve the attached resolution allowing a temporary partial closure of FM 552 (John King Boulevard to the Rockwall East City Limits), FM 549 (FM 3097 to SH 205) and SH 205 (FM 549 to South John King Boulevard) for the Hot Rocks Bike Ride on Saturday, August 9, 2014 from 6:30 AM to 3:00 PM.

TMT:em

Attachments

Cc:

Mary Smith, Assistant City Manager
Brad Griggs, Assistant City Manager
Amy Williams, Assistant City Engineer
Billy Chaffin, Superintendent of Streets & Drainage
File

Agreement No._____

STATE OF TEXAS §

COUNTY OF TRAVIS §

AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT OF WAY

THIS AGREEMENT is made by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the "State," and the City of Rockwall, a municipal corporation, acting by and through its duly authorized officers, hereinafter called the "local government."

W I T N E S S E T H

WHEREAS, the State owns and operates a system of highways for public use and benefit, including FM 552, FM 549 and SH 205 in THE City of Rockwall, Rockwall County; and

WHEREAS, the local government has requested the temporary closure of FM 552 from John King Boulevard to the east City limits, FM 549 from FM 3097 to SH 205 and SH 205 from FM 549 to South John King Boulevard for the purpose of Hot Rocks Bike Ride on August 9, 2014, from 6:30 A.M. to 3:00 P.M. as described in the attached "Exhibit A," hereinafter identified as the "Event;" and

WHEREAS, the Event will be located within the local government's incorporated area; and

WHEREAS, the State, in recognition of the public purpose of the Event, wishes to cooperate with the City so long as the safety and convenience of the traveling public is ensured and that the closure of the State's right of way will be performed within the State's requirements; and

WHEREAS, on the 21st day of July, 2014, the Rockwall City Council passed Resolution No. 14-__, attached hereto and identified as "Exhibit B," establishing that the Event serves a public purpose and authorizing the local government to enter into this agreement with the State; and

WHEREAS, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of a segment of the State highway system; and

WHEREAS, this agreement has been developed in accordance with the rules and procedures of 43 TAC, Section 22.12;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

A G R E E M E N T

Article 1. CONTRACT PERIOD

This agreement becomes effective upon final execution by the State and shall terminate upon completion of the Event or unless terminated or modified as hereinafter provided.

Article 2. EVENT DESCRIPTION

The physical description of the limits of the Event, including county names and highway numbers, the number of lanes the highway has and the number of lanes to be used, the proposed schedule of start and stop times and dates at each location, a brief description of the proposed activities involved, approximate number of people attending the Event, the number and types of animals and equipment, planned physical modifications of any man-made or natural features in or adjacent to the right of way involved shall be attached hereto along with a location map and identified as “Exhibit C.”

Article 3. OPERATIONS OF THE EVENT

A. The local government shall assume all costs for the operations associated with the Event, to include but not limited to, plan development, materials, labor, public notification, providing protective barriers and barricades, protection of highway traffic and highway facilities, and all traffic control and temporary signing.

B. The local government shall submit to the State for review and approval the construction plans, if construction or modifications to the State’s right of way is required, the traffic control and signing plans, traffic enforcement plans, and all other plans deemed necessary by the State. The State may require that any traffic control plans of sufficient complexity be signed, sealed and dated by a registered professional engineer. The traffic control plan shall be in accordance with the latest edition of the Texas Manual on Uniform Traffic Control Devices. All temporary traffic control devices used on state highway right of way must be included in the State’s Compliant Work Zone Traffic Control Devices List. The State reserves the right to inspect the implementation of the traffic control plan and if it is found to be inadequate, the local government will bring the traffic control into compliance with the originally submitted plan, upon written notice from the State noting the required changes, prior to the event. The State may request changes to the traffic control plan in order to ensure public safety due to changing or unforeseen circumstances regarding the closure.

C. The local government will ensure that the appropriate law enforcement agency has reviewed the traffic control for the closures and that the agency has deemed them to be adequate. If the law enforcement agency is unsure as to the adequacy of the traffic control, it will contact the State for consultation no less than 10 workdays prior to the closure.

D. The local government will complete all revisions to the traffic control plan as requested by the State within the required timeframe or that the agreement will be terminated upon written notice from the State to the local government. The local government hereby agrees that any failure to cooperate with the State may constitute reckless endangerment of the public and that the Texas Department of Public Safety may be notified of the situation as soon as possible for the appropriate action, and failing to follow the traffic control plan or State instructions may result in a denial of future use of the right of way for three years.

E. The local government will not initiate closure prior to 24 hours before the scheduled Event and all barriers and barricades will be removed and the highway reopened to traffic within 24 hours after the completion of the Event.

F. The local government will provide adequate enforcement personnel to prevent vehicles from stopping and parking along the main lanes of highway right of way and otherwise prevent interference with the main lane traffic by both vehicles and pedestrians. The local government will prepare a traffic enforcement plan, to be approved by the State in writing at least 48 hours prior to the scheduled Event. Additionally, the local government shall provide to the State a letter of certification from the law enforcement agency that will be providing traffic control for the Event, certifying that they agree with the enforcement plan and will be able to meet its requirements.

G. The local government hereby assures the State that there will be appropriate passage

allowance for emergency vehicle travel and adequate access for abutting property owners during construction and closure of the highway facility. These allowances and accesses will be included in the local government's traffic control plan.

H. The local government will avoid or minimize damage, and will, at its own expense, restore or repair damage occurring outside the State's right of way and restore or repair the State's right of way, including, but not limited to, roadway and drainage structures, signs, overhead signs, pavement markings, traffic signals, power poles and pavement, etc. to a condition equal to that existing before the closure, and, to the extent practicable, restore the natural and cultural environment in accordance with federal and state law, including landscape and historical features.

Article 4. OWNERSHIP OF DOCUMENTS

Upon completion or termination of this agreement, all documents prepared by the local government will remain the property of the local government. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

Article 5. TERMINATION

A. This agreement may be terminated by any of the following conditions:

(1) By mutual written agreement and consent of both parties.

(2) By the State upon determination that use of the State's right of way is not feasible or is not in the best interest of the State and the traveling public.

(3) By either party, upon the failure of the other party to fulfill the obligations as set forth herein.

(4) By satisfactory completion of all services and obligations as set forth herein.

B. The termination of this agreement shall extinguish all rights, duties, obligations, and liabilities of the State and local government under this agreement. If the potential termination of this agreement is due to the failure of the local government to fulfill its contractual obligations as set forth herein, the State will notify the local government that possible breach of contract has occurred. The local government must remedy the breach as outlined by the State within ten (10) days from receipt of the State's notification. In the event the local government does not remedy the breach to the satisfaction of the State, the local government shall be liable to the State for the costs of remedying the breach and any additional costs occasioned by the State.

Article 6. DISPUTES

Should disputes arise as to the parties' responsibilities or additional work under this agreement, the State's decision shall be final and binding.

Article 7. RESPONSIBILITIES OF THE PARTIES

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

Article 8. INSURANCE

A. Prior to beginning any work upon the State's right of way, the local government and/or its contractors shall furnish to the State a completed "Certificate of Insurance" (TxDOT Form 1560, latest edition) and shall maintain the insurance in full force and effect during the period

that the local government and/or its contractors are encroaching upon the State right of way.
B. In the event the local government is a self-insured entity, the local government shall provide the State proof of its self-insurance. The local government agrees to pay any and all claims and damages that may occur during the period of this closing of the highway in accordance with the terms of this agreement.

Article 9. AMENDMENTS
Any changes in the time frame, character, agreement provisions or obligations of the parties hereto shall be enacted by written amendment executed by both the local government and the State.

Article 10. COMPLIANCE WITH LAWS
The local government shall comply with all applicable federal, state and local environmental laws, regulations, ordinances and any conditions or restrictions required by the State to protect the natural environment and cultural resources of the State's right of way.

Article 11. LEGAL CONSTRUCTION
In case one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

Article 12. NOTICES
All notices to either party by the other required under this agreement shall be delivered personally or sent by certified U.S. mail, postage prepaid, addressed to such party at the following respective addresses:

Local Government:	**State:**
City of Rockwall 385 S. Goliad Rockwall, Texas 75087 Attn: City Manager	Texas Department of Transportation 4777 U.S. Highway 80 East Mesquite, TX 75150-6643 Attn: William L. Hale, P.E.

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided herein. Either party hereto may change the above address by sending written notice of such change to the other in the manner provided herein.

Article 13. SOLE AGREEMENT
This agreement constitutes the sole and only agreement between the parties hereto and supersedes any prior understandings or written or oral agreements respecting the within subject matter.

IN TESTIMONY WHEREOF, the parties hereto have caused these presents to be executed in duplicate counterparts.

THE CITY OF ROCKWALL
Executed on behalf of the local government by:

By_____ Date_____
City Official

Typed or Printed Name and Title Rick Crowley_____
City Manager_____

THE STATE OF TEXAS
Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By_____ Date_____
District Engineer

Exhibit A

Exhibit B

Exhibit C

“EXHIBIT A”

Hot Rocks Bike Ride

Event name: Hot Rocks Bike Ride (60 Mile and 40 Mile Course)

Event Coordinator: Rockwall Rotary Club
David Watlington
Phone: 214-403-7652
Email: davidwatlington@gmail.com

When: Saturday August 9th, 2014; 6:30 AM to 3:00 PM

Number of participants: approximately 1,500

Location: Event starts and ends at Rockwall ISD Football Stadium at 1201 TL Townsend Drive with a 60 mile and a 40 mile bike ride.

CITY OF ROCKWALL, TEXAS
RESOLUTION NO. 14-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,TEXAS, FINDING THAT A NECESSITY EXISTS TO TEMPORARILY CLOSE A PORTION OF A CERTAIN STATE ROADWAYS TO FACILITATE THE HOT ROCKs BIKE RIDE; HEREBY REQUESTING THAT THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) GRANT PERMISSION TO THE CITY OF ROCKWALL FOR SAID EVENT AND AUTHORIZE THE CITY OF ROCKWALL TO PARTIALLY CLOSE FM 552 (JOHN KING BOULEVARD TO THE EAST CITY LIMITS), FM 549 (FM 3097 TO SH 205) AND SH 205 (FM 549 TO SOUTH JOHN KING BOULEVARD) BETWEEN THE HOURS OF 6:30 A.M. AND 3:00 P.M. ON SATURDAY, AUGUST 9, 2014; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Rockwall City Council recognizes the value of physical fitness and the benefits of a healthy community; and

WHEREAS, the Rockwall City Council wants to promote healthy lifestyles in our community by providing fitness opportunities and encouraging cyclist to participate in either the 40 mile or 60 mile ride in the Hot Rocks Bike Ride in Rockwall, Texas; and

WHEREAS, the Rockwall City Council hereby finds that necessity exists to temporarily partially close FM 552 (John King Boulevard to the East City Limits), FM 549 (FM 3097 to SH 205) and SH 205 (FM 549 to South John King Boulevard) for the Hot Rocks Bike Ride sponsored by the Rockwall Rotary Club; and

WHEREAS, the Rockwall City Council supports submission of a temporary partial closure request for State maintained roadways, for FM 552 (John King Boulevard to the East City Limits), FM 549 (FM 3097 to SH 205) and SH 205 (FM 549 to South John King Boulevard) to the Texas Department of Transportation to facilitate the Hot Rocks Bike Ride on Saturday, August 9, 2014 between the hours of 6:30 a.m. and 3:00 p.m.; and

WHEREAS, the Rockwall City Council hereby agrees to support said request by providing traffic control for the event; and

WHEREAS, the temporary partial closing of these sections of FM 552, FM 549 and SH205 will create a safer environment for event participants and spectators;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That a formal request is hereby made to TXDOT to approve the request of the Rockwall City Council to temporarily partial close the aforementioned sections of FM 552, FM 549 and SH205 at the above stated date and time; and

Section 2. That this resolution shall be in full force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 4th day of August, 2014.

ATTEST: **David Sweet, Mayor**

Kristy Ashberry, City Secretary

"Exhibit C"

60 Mile Route. http://www.trainingpeaks.com/sr/NCRRS76TEFP7XG2VAMOXTIUOQM

TOWNSEND/JUSTIN/INDUSTRIAL/AIRPORT TO KING NORTH

*Recommend not using any cones on John King Northbound between Airport and 552. The cones contributed to at least one very serious accident last year.

JOHN KING NORTH TO 552 EAST (552 surface is much better than before and much better than 66)

552 EAST TO 1138 NORTH

1138 NORTH TO 6 EAST

6 EAST TO FM 1138 NORTH AND TURN LEFT TO GO TO HUBBARD RD (VALERO station)

RIGHT AT VALERO STATION TO GO EAST ON HUBBARD RD TO JOSEPHINE AND RE-JOIN 6 EAST.

*Intersection of Hubbard and Sebastian in Josephine needs to be swept (gravel)

6 EAST TO 1777 SOUTH

1777 SOUTH TO 66 EAST

66 EAST TO FM 2642 SOUTH

2642 SOUTH PAST ROYSE CITY HS

RIGHT ON OLD GREENVILLE ROAD AND MAKE WAY TO 548 SOUTH

*The short connector street between Old Greenville and the 30 service road could use patching.

548 SOUTH TO 276 WEST

*Several large cracks on 548 between 30 and 276.

276 WEST TO 550 SOUTH

*276 shoulder has cracks, drop-offs, and debris.

550 SOUTH/WEST TO 205

CROSS 205 AND CONTINUE 550 TO SOUTH SMITH

LEFT ON SOUTH SMITH AND GO TO CONNIE

*Sweep gravel at intersection of South Smith and 550

RIGHT ON CONNIE

*Sweep gravel at intersection of Connie and South Smith

CONNIE TO CORNSTALK

*Sweep gravel at Connie/Cornstalk intersection

RIGHT ON CORNSTALK TO STEVENS

*Several large cracks on Cornstalk.

RIGHT ON STEVENS TO MCDONALD

LEFT ON MCDONALD AND CONTINUE ON TO RABBIT RIDGE AT 550

*Several large cracks on McDonald.

STAY ON RABBIT RIDGE TO 549

*Several cracks on Rabbit Ridge.

RIGHT ON 549 TO 205 NORTH

205 NORTH TO JOHN KING NORTH

*205 Shoulder needs to be swept of debris

RETURN TO STADIUM VIA AIRPORT/INDUSTRIAL/JUSTIN/TOWNSEND, WITH ADDITIONAL LOOP ON JOHN KING IF NEED MILEAGE.

40 Mile Route. http://www.trainingpeaks.com/sr/JPQJFBKLMBR4DG2VAM0XTIUOQM

SAME ROUTE AS 60 MILE ROUTE UNTIL INTERSECTION OF 1777 AND 66 WHERE 40 MILERS WILL TURN RIGHT ON 66 INSTEAD OF LEFT.

66 WEST TO 552 WEST

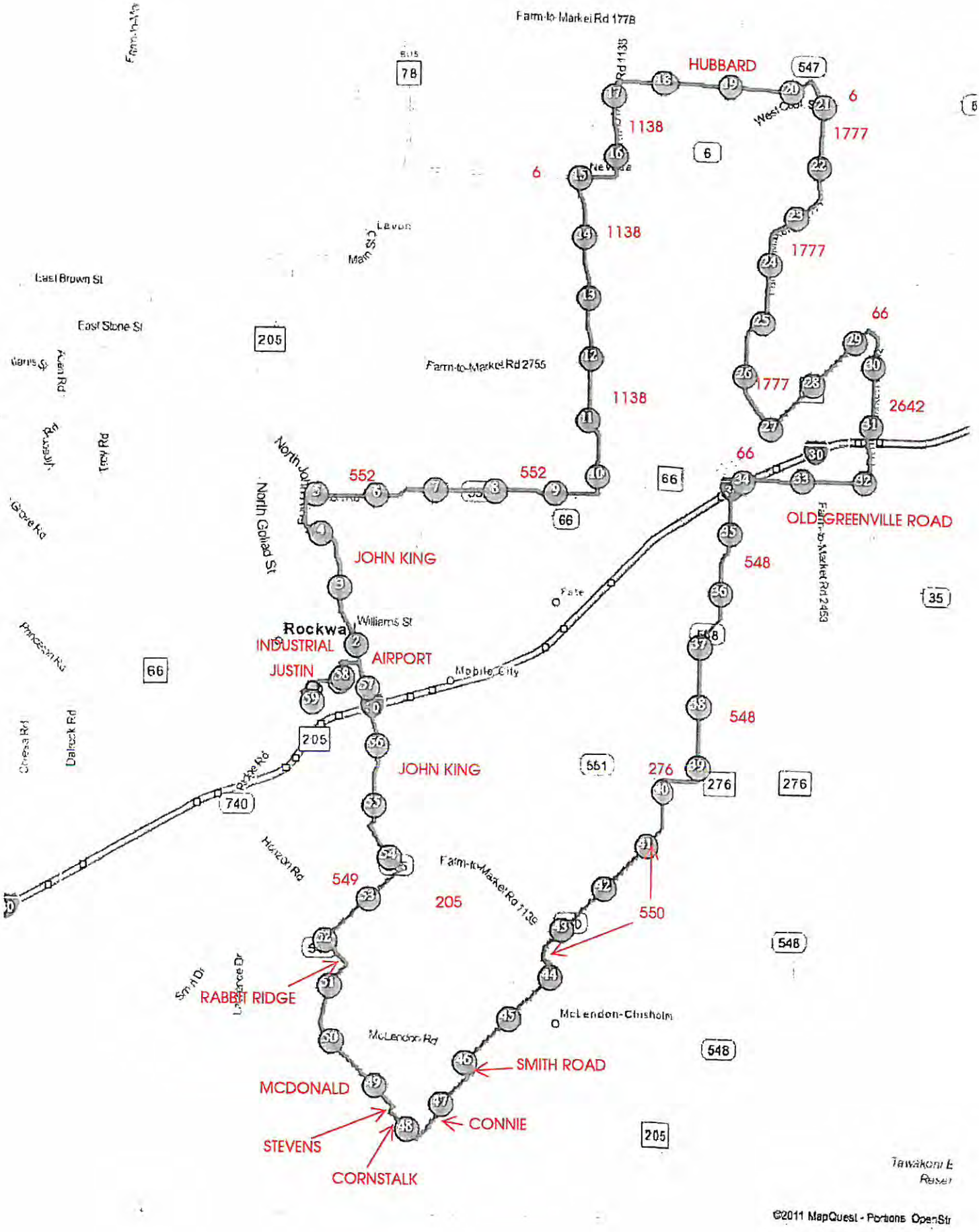
CONTINUE WEST ON 552 AND HEAD TO JOHN KING

LEFT ON JOHN KING SOUTHBOUND AND CONTINUE TO AIRPORT.

*Probably okay to use cones on the southbound stretch of John King for the 10mile and 40mile routes.

RETURN TO STADIUM VIA AIRPORT/INDUSTRIAL/JUSTIN/TOWNSEND.

***Major advantage of this route is that it cuts way down on the number of riders going through Royse City on 548 and completely takes 276 off the route, which is a dangerous road and frustrates cars.



Farm-to-Market Rd 1778
HUBBARD
547
6
1777
1138
6
1138
1777
66
1777
2642
1138
552
552
66
66
OLD GREENVILLE ROAD
548
JOHN KING
Rockwall
Williams St
INDUSTRIAL
AIRPORT
JUSTIN
Mobile City
548
JOHN KING
276
276
276
549
205
550
RABBIT RIDGE
McLendon-Chisholm
McLendon Rd
SMITH ROAD
MCDONALD
CONNIE
STEVENS
CORNSTALK
205
548
548
205
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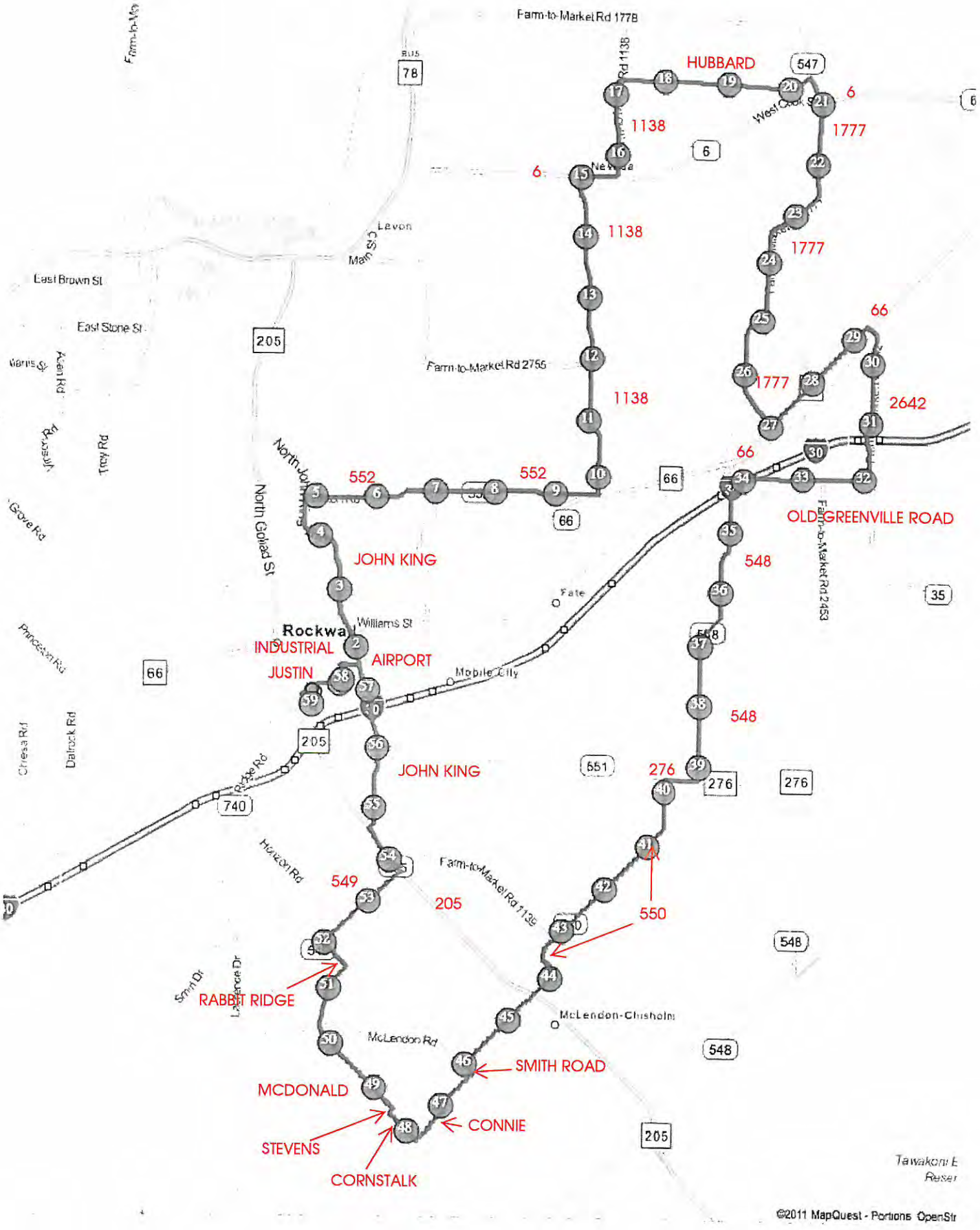
44



Farm-to-Market Rd 1778
HUBBARD
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548
Rockwall
INDUSTRIAL
AIRPORT
JUSTIN
Mobile City
548
JOHN KING
276
549
205
550
RABBIT RIDGE
McLendon-Chisholm
SMITH ROAD
MCDONALD
CONNIE
STEVENS
CORNSTALK
Farm-to-Market Rd 2755
Farm-to-Market Rd 2453
Farm-to-Market Rd 1139
North Goliad St
Williams St
Mobile City
Fate
Levon
East Brown St
East Stone St
Troy Rd
Grove Rd
Princeton Rd
Chesa Rd
Dalrock Rd
Ridge Rd
Honzon Rd
McLendon Rd
Smith Dr
Lawrence Dr
Tawakoni E
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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 08/04/2014

APPLICANT: Holly Britt

AGENDA ITEM: **P2014-015**; Lot 1, Block A, Eye Care & Laser Management of Rockwall

---

SUMMARY:

Discuss and consider a request by Tracy Fetty on behalf of the owner, Holly Britt, for the approval of a replat for Lot 1, Block A, Eye Care & Laser Management of Rockwall Addition, being a 1.55-acre parcel of land currently identified as Lot 1, Block A, Horizon Ridge Center, Phase 1 Addition, zoned Planned Development District 9 (PD-9) for general retail land uses, located at the southeast corner of Rockwall Parkway and FM-3097 [*Horizon Ridge Road*], and take any action necessary.

FINAL PLAT COMMENTS:

☑ The purpose of the applicant's request is to replat one (1) non-residential lot being 1.55-acres for the purpose of constructing a medical office building. A site plan for the proposed medical office building was previously approved on January 14, 2014 under *Case No. SP2013-031*.

☑ The Engineer has completed the majority of the technical revisions requested by staff, and this plat, conforming with the previously approved site plan, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the Recommendation section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the replat for *Lot 1, Block A, Eye Care & Laser Management of Rockwall Addition* then staff would recommend the following conditions of approval:

1) All the technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat; and,

2) Any construction resulting from the approval of this *replat* shall conform to the requirements set forth by the Unified Development Code, the International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On July 29, 2014, the Planning and Zoning Commission recommended approval of the replat by a vote of 5-0, with Commissioners Conley and Minth absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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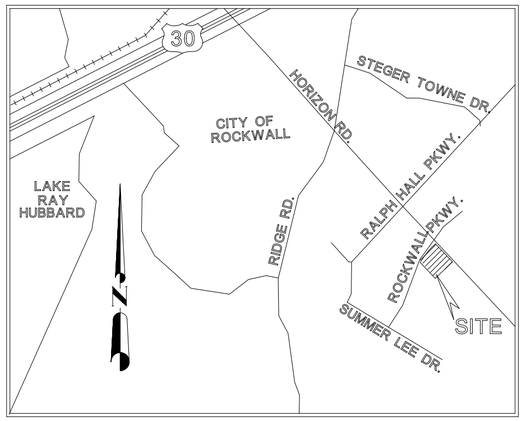
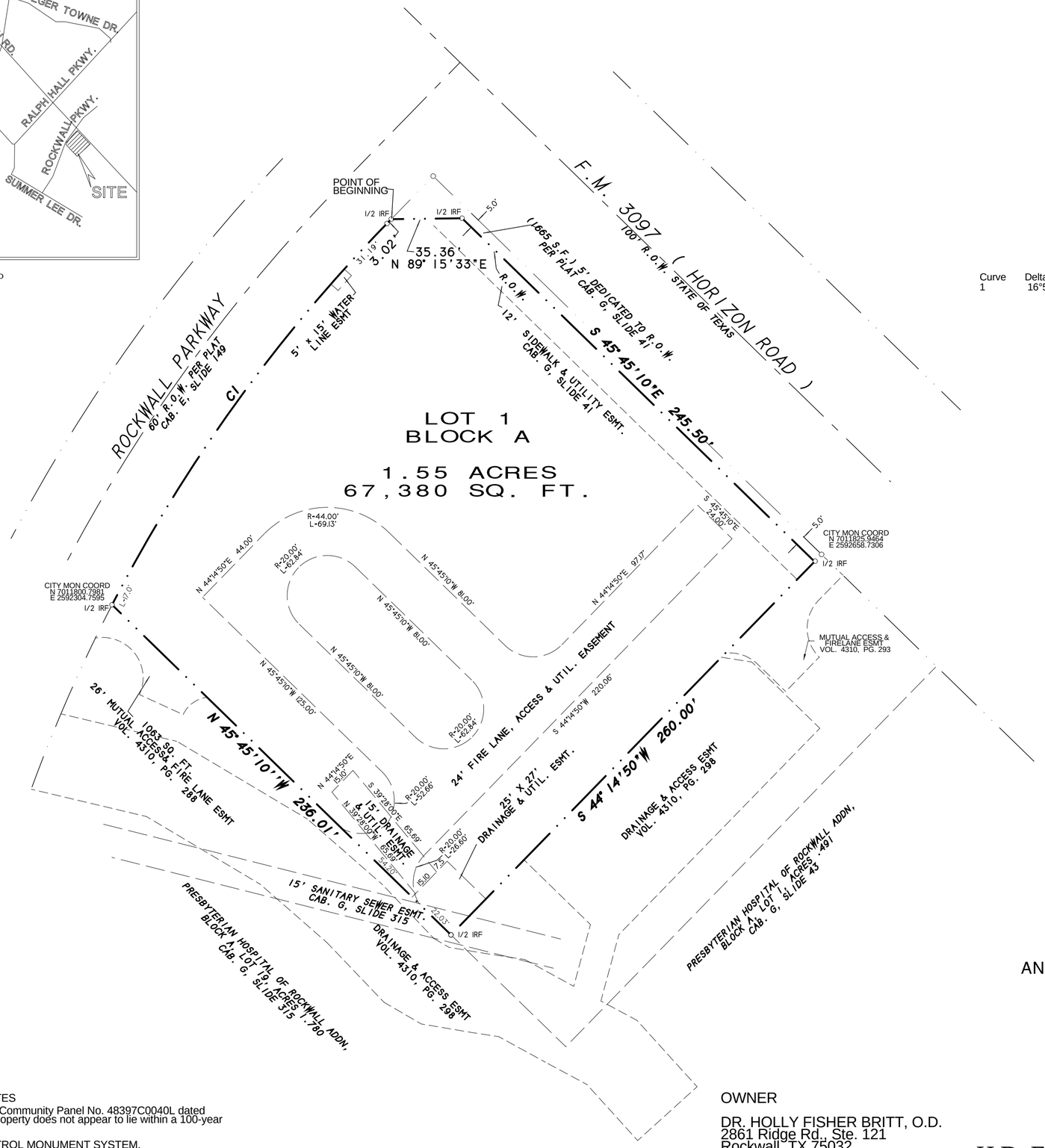
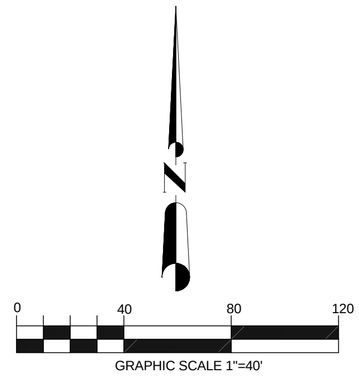
48 1:1,500



LOCATION MAP
(NOT TO SCALE)





CURVE DATA

Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
1	16°57'54"	795.00	235.40	118.57	234.54	N 35°47'19"E

FINAL PLAT

EYE CARE & LASER MANAGEMENT OF ROCKWALL

BEING A REPLAT OF
HORIZON RIDGE CENTER
PHASE 1
LOT 1, BLOCK A
AN ADDITION TO THE CITY OF ROCKWALL
EDWARD TEAL SURVEY, A-207
ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0040L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

OWNER

DR. HOLLY FISHER BRITT, O.D.
2861 Ridge Rd., Ste. 121
Rockwall, TX 75032
972 772-9597 FAX 972 772-9594

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND 1 CORNER
FENCE	EASEMENT LINE / PROPERTY LINES		AC AIR COND. UNIT	PROPANE TANK

SURVEY DATE MAY 12, 2014
SCALE 1" = 40' FILE # 20042148-RP
CLIENT BRITT

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS DR. HOLLY FISHER BRITT, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the EDWARD TEAL SURVEY, ABSTRACT NO. 207, City of Rockwall, Rockwall County, Texas, and being all of Lot 1, Block A, HORIZON RIDGE CENTER, PHASE 1, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet G, Slide 41 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped " R.S.C.I. RPLS 5034" found for corner at the intersection of the southwest right-of-way line of Horizon Road F.M. Highway 3097 (Cab. G, SLide 41) with the southeast right-of-way line of Rockwall Parkway (60' R.O.W. per plat recorded in Cabinet E, Slide 149) and being at the north most northwest corner of said Lot 1, Block A;

THENCE N. 89 deg. 15 min. 33 sec. E. a distance of 35.36 feet to a 1/2" iron rod found for corner;

THENCE S. 45 deg. 45 min. 10 sec. E. along the southwest right-of-way line of Horizon Road F.M. Highway 3097, a distance of 245.50 feet to a 1/2" iron rod with yellow plastic cap stamped " R.S.C.I. RPLS 5034" found for corner;

THENCE S. 44 deg. 14 min. 50 sec. W. a distance of 260.00 feet to a 1/2" iron rod with yellow plastic cap stamped " R.S.C.I. RPLS 5034" found for corner;

THENCE N. 45 deg. 45 min. 10 sec. W. a distance of 236.01 feet to a 1/2" iron rod with yellow plastic cap stamped " R.S.C.I. RPLS 5034" set for corner in the Southeast right-of-way line of Rockwall Parkway;

THENCE in a Northeasterly direction along a curve to the right having a central angle of 16 deg. 57 min. 54 sec., a radius of 795.00 feet, a tangent of 118.57 feet, a chord of N. 35 deg. 47 min. 19 sec. E., 234.54 feet, along said right-of-way line, an arc distance of 235.40 feet to a 1/2" iron rod with yellow plastic cap stamped " R.S.C.I. RPLS 5034" set for corner;

THENCE N. 44 deg. 16 min. 16 sec. E. along said right-of-way line, a distance of 3.02 feet to the POINT OF BEGINNING and containing 67,380 square feet or 1.55 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as EYE CARE & LASER MANAGEMENT OF ROCKWALL, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th eir respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner of any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Roc kwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I , my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exaction's made herein.

DR. HOLLY FISHER BRITT - OWNER

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared DR. HOLLY FISHER BRITT known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

Notary Public in and for the State of Texas My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for w ater for personal use and fire protection within such plat, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of EYE CARE & LASER MANAGEMENT OF ROCKWALL, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____ , _____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____ ,_____.

Mayor, City of Rockwall City Secretary City of Rockwall

City Engineer

FINAL PLAT

EYE CARE & LASER MANAGEMENT OF ROCKWALL

BEING A REPLAT OF
HORIZON RIDGE CENTER
PHASE 1
LOT 1, BLOCK A
AN ADDITION TO THE CITY OF ROCKWALL
EDWARD TEAL SURVEY, A-207
ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND

TV — TELEVISION CABLE RISER	GAS — GAS METER	TEL — PHONE RISER	FH — FIRE HYDRANT	PP — POWER POLE
ELEC — ELECTRIC METER	ELEC BOX — SUBSURFACE JUNCTION BOX	WM — WATER METER	LP — LIGHT POLE	1/2" IRF — IRON ROD FOUND / CORNER (
FENCE	EASEMENT LINE / PROPERTY LINES		A/C — AIR COND. UNIT	PROPANE TANK

SURVEY DATE MAY 12, 2014
SCALE NONE FILE # 20042148-RP
CLIENT BRITT

OWNER

DR. HOLLY FISHER BRITT, O.D.
2861 Ridge Rd., Ste. 121
Rockwall, TX 75032
972 772-9597 FAX 972 772-9594

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 8/4/2014

APPLICANT: Marigold Learning Academy

AGENDA ITEM: **Z2014-018;** Marigold Learning Center

SUMMARY:

Hold a public hearing to discuss and consider a request by Karri Shojaei-Scott of the Marigold Learning Academy on behalf of the owner, Modern Pyramids, Inc., for the approval of a Specific Use Permit (SUP) to allow for a Day Care Facility on a 0.45-acre parcel of land identified as Lot 3-R, Block A, Washington Place Addition, zoned Downtown (DT) District, situated within the SH 66 Overlay (SH 66 OV) District, and located at 401 W. Washington Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Karri Shojaei-Scott, is requesting the approval of a Specific Use Permit (SUP) for the purpose of establishing a day care facility on the site. The property is zoned Downtown (DT) District. The Permissible Use Chart located in Article IV of the Unified Development Code (UDC) allows for the establishment of a day care facility in the DT District through the approval of an SUP by the Planning & Zoning Commission and City Council.

In July 2012, the applicants were granted a SUP to allow for a daycare facility at a property located within PD-50. The applicants are requesting the new SUP in order to move the facility to a larger space that will allow them to build an indoor play area to use throughout the year.

The operational plan that was provided for the previous SUP is still applicable. Marigold Learning Academy is a private, for-profit day care facility that specializes in providing a stimulating learning environment for children ages 2½ through seven (7) that have been diagnosed with an autism spectrum disorder (i.e. Aspergers Syndrome, Autism, Pervasive Development Disorders [PDD] or Autism Spectrum Disorders [ASD]). The facility employs five (5) teachers/support staff and has a maximum capacity of 29 students. This allows a student to teacher ratio no greater than seven (7) students to one (1) teacher. The facility is state licensed and subject to all federal, state and local laws pertaining to child care facilities.

The subject property is adjacent to SH-66/Washington Street and is accessible by a one-way drive off of First Street as well as a two-way drive from Washington Street. According to Table 3, Parking Requirements Schedule, of Article VI of the UDC, a day care facility w/ more than seven (7) students is required to provide one (1) parking space per every 300 square feet of building area, and a drive with a minimum ability to cue four (4) cars to meet the loading requirements. The building is a 4,275 square feet structure which means fifteen (15) parking spaces are required. The site contains 25 parking spaces and provides sufficient space to cue four (4) vehicles for loading and unloading purposes.

NOTIFICATION:

A notice was published on July 17, 2014 in the Rockwall County News. Twenty-seven (27) notices were mailed to property owners of record as well as non-owner occupants within 500 ft. of the subject property. Staff is unaware of any HOA's within 1,500 ft. of the subject property; therefore, no HOA's were notified. At the time of this report, one response has been received in favor of the request.

RECOMMENDATIONS:

If the request for a Specific Use Permit is approved, the following conditions are offered:

1) The City Council reserves the right to review this Specific Use Permit request [Case No. Z2014-018] one year after the approval and adoption of the attached draft ordinance, and
2) Any construction or building necessary to complete this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On July 29, 2014, the Planning and Zoning Commission recommended approval of the applicant's request for a Specific Use Permit (SUP) by a vote of 5-0, with Commissioners Conley and Minth absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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54 1:800

City of Rockwall

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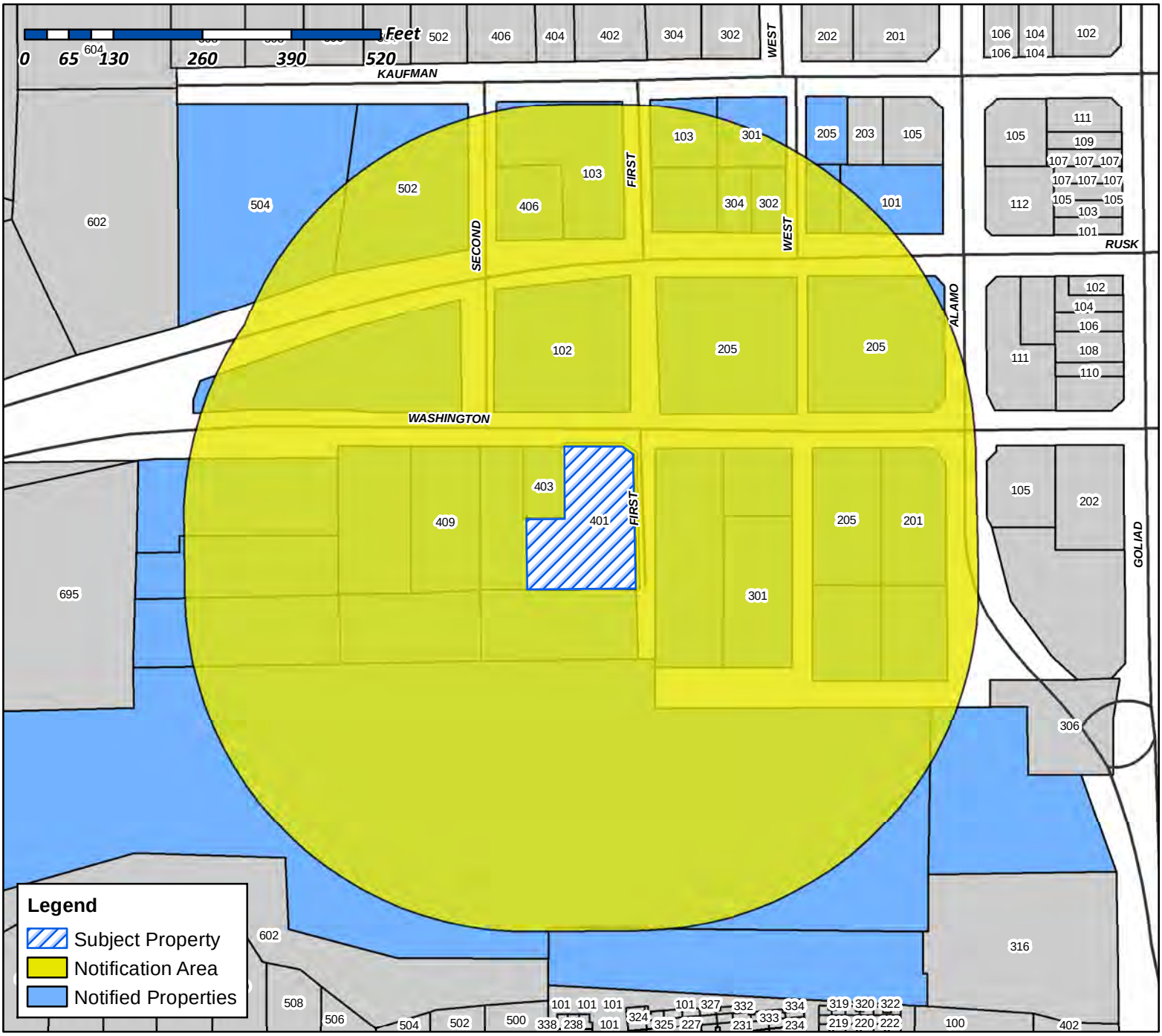
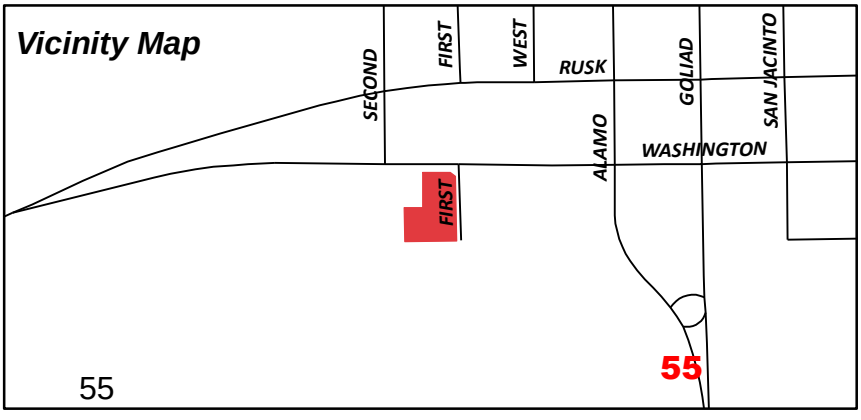


Case Number: Z2014-018
Case Name: Marigold Learning SUP
Case Type: Specific Use Permit
Zoning: DT
Case Address: 401 W. Washington Street



Date Created: 07/08/2014
For Questions on this Case Call (972) 771-7745

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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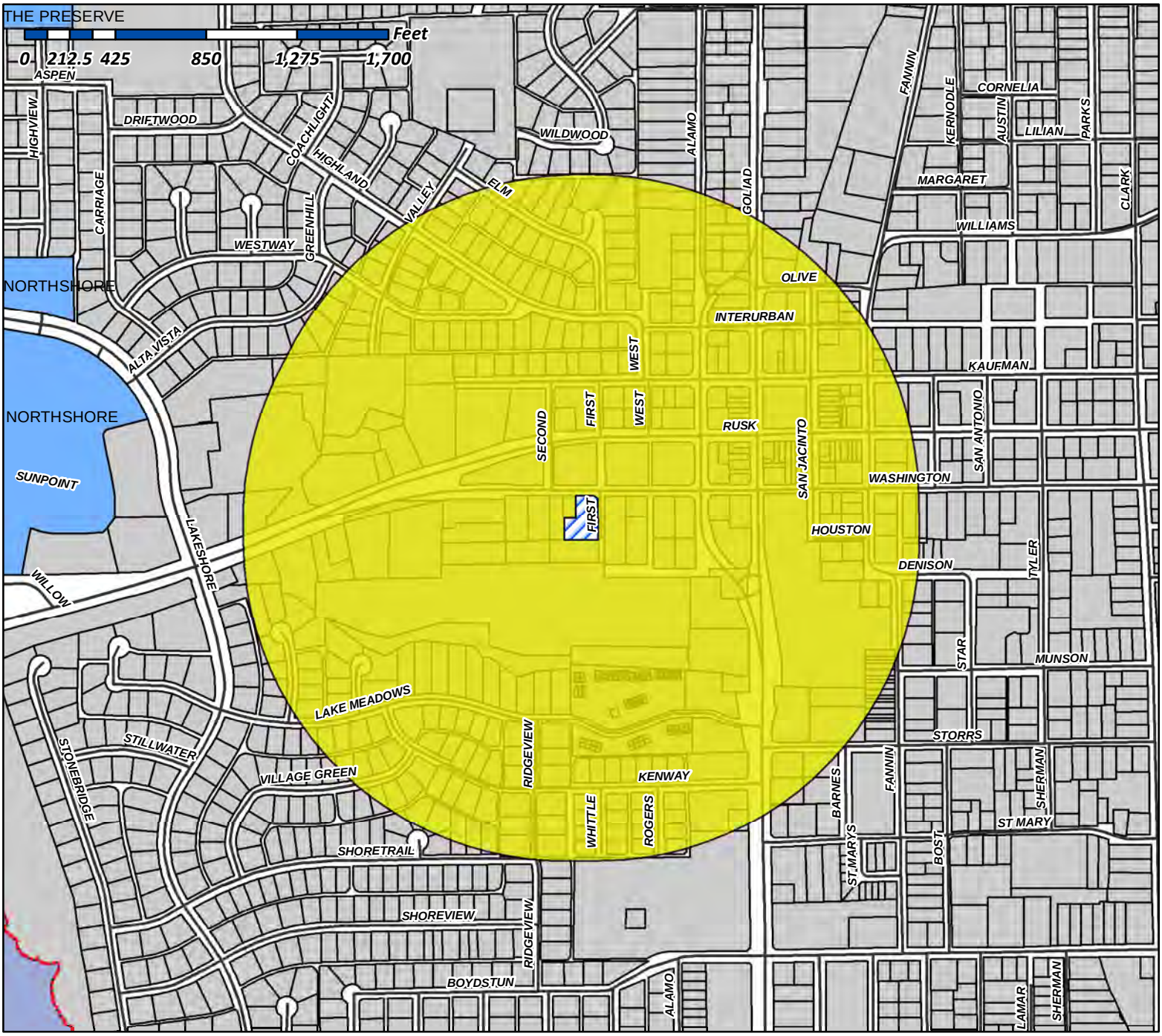
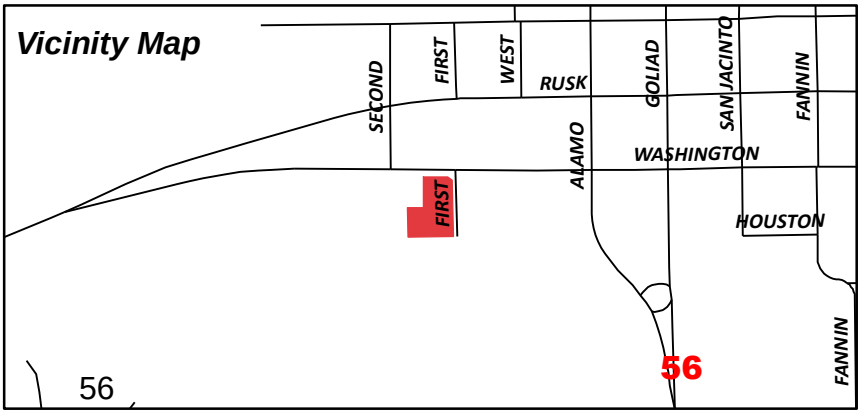


Case Number: Z2014-018
Case Name: Marigold Learning SUP
Case Type: Specific Use Permit
Zoning: DT
Case Address: 401 W. Washington Street

Date Created: *07/08/2014*
For Questions on this Case Call (972) 771-7745

Vicinity Map



Reference No.	DBA Name	Name	Legal Description	Address 1	Address 2	Address 3	City	State	Zip
3200-0000-001R-00-0R		CAIN FAMILY PARTNERSHIP LTD	CAIN PROPERTIES #1 (REPLAT), LOT 1R, ACRES 1.171		PO BOX 1119		ROCKWALL	TX	75087
3200-0000-001R-00-0R		Current Occupant	CAIN PROPERTIES #1 (REPLAT), LOT 1R, ACRES 1.171		GOLIAD		ROCKWALL	TX	75087
3200-0000-01RB-00-0R		CAIN FAMILY PARTNERSHIP LTD	CAIN PROPERTIES #1 (REPLAT), LOT 1RB, ACRES 1.216		PO BOX 1119		ROCKWALL	TX	75087
3200-0000-01RB-00-0R		Current Occupant	CAIN PROPERTIES #1 (REPLAT), LOT 1RB, ACRES 1.216		GOLIAD		ROCKWALL	TX	75087
4180-0002-0000-A0-0R	RAINBOWS END	HOWERTON BARBARA D	LOWE & ALLEN, BLOCK 2 (NE 1/4), ACRES .230		322 SHEPARDS HILL DR		ROCKWALL	TX	75087
4180-0002-0000-A0-0R		Current Occupant	LOWE & ALLEN, BLOCK 2 (NE 1/4), ACRES .230		301 W KAUFMAN		ROCKWALL	TX	75087
4180-0002-0000-B0-0R		SPARKS ROBERT & TANA	LOWE & ALLEN NW 1/4 BLK 2 305 KAUFMAN		103 N 1ST ST		ROCKWALL	TX	75087
4180-0002-000C-A0-0R		SPARKS ROBERT & TANA	LOWE & ALLEN, BLOCK 2, LOT C SW 1/4		103 N 1ST ST		ROCKWALL	TX	75087
4180-0002-000C-B0-0R	ROCKWALL COMPUTER SYSTEMS	HOWERTON BARBARA D	LOWE & ALLEN, BLOCK 2, LOT C SE 1/4, ACRES 0.115		322 SHEPARDS HILL DR		ROCKWALL	TX	75087
4180-0002-000C-B0-0R		Current Occupant	LOWE & ALLEN, BLOCK 2, LOT C SE 1/4, ACRES 0.115		302 W RUSK		ROCKWALL	TX	75087
4180-0002-000C-C0-0R	PODIATRY ASSOC OF ROCKWALL	WHITFIELD JAMES H & SHARON L	LOWE & ALLEN, BLOCK 2, LOT C SE 1/4, ACRES 0.115		PO BOX 1359		ROCKWALL	TX	75087
4180-0002-000C-C0-0R		Current Occupant	LOWE & ALLEN, BLOCK 2, LOT C SE 1/4, ACRES 0.115		304 W RUSK		ROCKWALL	TX	75087
4180-0008-0000-A0-0R		ROCKWALL COUNTY HELPING HANDS INC	LOWE & ALLEN, BLOCK 8, ACRES .904		P O BOX 375		ROCKWALL	TX	75087
4180-0008-0000-A0-0R		Current Occupant	LOWE & ALLEN, BLOCK 8, ACRES .904		102 S FIRST		ROCKWALL	TX	75087
4180-0009-0000-A0-0R	GENTLE DENTAL	ALLEN ROBERT G DDS	LOWE & ALLEN, BLOCK 9 (SW 1/4), ACRES .241		406 W RUSK ST		ROCKWALL	TX	75087
4180-0009-0000-B0-0R		SPARKS ROBERT & TANA	LOWE & ALLEN, BLOCK 9 (NE NW & SE), ACRES .690		103 N 1ST ST		ROCKWALL	TX	75087
4180-000A-0004-A0-0R		KAUFMANN DOUG A & RUTH A	LOWE & ALLEN, BLOCK A, LOT PT OF 4 & ALL OF 5		627 SORITA CIRCLE		HEATH	TX	75032
4180-000A-0004-A0-0R		Current Occupant	LOWE & ALLEN, BLOCK A, LOT PT OF 4 & ALL OF 5		WASHINGTON @ FIRST		ROCKWALL	TX	75087
4180-000A-0004-B0-0R		KAUFMANN DOUG A & RUTH A	LOWE & ALLEN, BLOCK A, LOT PT OF 4 (N 1/2), ACRES .230		627 SORITA CIRCLE		HEATH	TX	75032
4180-000A-0004-B0-0R		Current Occupant	LOWE & ALLEN, BLOCK A, LOT PT OF 4 (N 1/2), ACRES .230		301 W WASHINGTON		ROCKWALL	TX	75087
4180-000B-0004-00-0R		KAUFMANN DOUG A & RUTH A	LOWE & ALLEN, BLOCK B, LOT 4,5		627 SORITA CIRCLE		HEATH	TX	75032
4180-000B-0004-00-0R		Current Occupant	LOWE & ALLEN, BLOCK B, LOT 4,5		W WASHINGTON @ FIRST ST		ROCKWALL	TX	75087
4180-0012-0000-A0-0R		SMITH MARY SUE	LOWE & ALLEN, BLOCK 12 PART		502 W RUSK ST		ROCKWALL	TX	75087
4180-0014-0000-A0-0R		BOOTH LEE R	LOWE & ALLEN, BLOCK 14 E 1/2		9660 LIPTONSHIRE DR		DALLAS	TX	75238
4180-0014-0000-A0-0R		Current Occupant	LOWE & ALLEN, BLOCK 14 E 1/2		WASHINGTON		ROCKWALL	TX	75087
4180-0014-0000-B0-0R		BOOTH LEE R	LOWE & ALLEN, BLOCK W/2 OF 14		9660 LIPTONSHIRE DR		DALLAS	TX	75238
4180-0014-0000-B0-0R		Current Occupant	LOWE & ALLEN, BLOCK W/2 OF 14		409 W WASHINGTON		ROCKWALL	TX	75087
4180-0019-0000-00-0R		STEGER ANA WADE LIFE ESTATE &	LOWE & ALLEN, BLOCK 19	DIANA WADE CHAPMAN, CYNDIE SUE PATRICK & O L STEGER II	504 W RUSK ST		ROCKWALL	TX	75087
4820-000I-0002-B0-0R		AFJ ENTERPRISES LLC	ROCKWALL O T, BLOCK I, LOT 3 & W 10' OF 2		P O BOX 308		ROCKWALL	TX	75087
4820-000I-0002-B0-0R		Current Occupant	ROCKWALL O T, BLOCK I, LOT 3 & W 10' OF 2		205 W KAUFMAN		ROCKWALL	TX	75087
4820-000I-0004-00-0R		HEATH H N	ROCKWALL O T, BLOCK I, LOT 4, ACRES .115		101 N ALAMO RD		ROCKWALL	TX	75087
4820-000I-0004-00-0R		Current Occupant	ROCKWALL O T, BLOCK I, LOT 4, ACRES .115		W RUSK		ROCKWALL	TX	75087
4820-000I-0005-00-0R		HEATH H N	ROCKWALL O T, BLOCK I, LOT 5,7,8		101 N ALAMO RD		ROCKWALL	TX	75087
4820-000P-0001-00-0R		KAUFMANN PROPERTIES LLC	ROCKWALL O T, BLOCK P, LOT 1,6,7,8, ACRES 0.454	% DOUGLAS A KAUFMANN	627 SORITA CIR		HEATH	TX	75032
4820-000P-0001-00-0R		Current Occupant	ROCKWALL O T, BLOCK P, LOT 1,6,7,8, ACRES 0.454		201 W WASHINGTON		ROCKWALL	TX	75087
4820-00AB-0001-00-0R		PEOPLES BILLY W	ROCKWALL O T, BLOCK AB, LOT 1, ACRES 0.241		1308 RIDGE RD		ROCKWALL	TX	75087
4820-00AB-0001-00-0R		Current Occupant	ROCKWALL O T, BLOCK AB, LOT 1, ACRES 0.241		W WASHINGTON		ROCKWALL	TX	75087
5229-000A-0001-0R-0R	GOLD KEY REALTY	BURNS LORRAINE MARIETTI	WASHINGTON PLACE, BLOCK A, LOT 1-R, ACRES 0.14, (REPLAT 2004		403 W WASHINGTON ST		ROCKWALL	TX	75087
5229-000A-0002-0R-0R		BURNS LORRAINE	WASHINGTON PLACE, BLOCK A, LOT 2-R, ACRES .28, (REPLAT 2004	403 WEST WASHINGTON			ROCKWALL	TX	75087
5229-000A-0003-0R-0R		ALL SAINTS INC AND	WASHINGTON PLACE, BLOCK A, LOT 3-R, ACRES .52, (REPLAT 2004	ANIS KHALIL	11551 FOREST CENTRAL DRIVE	SUITE 203	DALLAS	TX	75243
5229-000A-0003-0R-0R		Current Occupant	WASHINGTON PLACE, BLOCK A, LOT 3-R, ACRES .52, (REPLAT 2004		401 WASHINGTON ST		ROCKWALL	TX	75087

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NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-018: Marigold Learning Center

Hold a public hearing to discuss and consider a request by Karri Shojaei-Scott of the Marigold Learning Academy on behalf of the owner, Modern Pyramids, Inc., for the approval of a Specific Use Permit (SUP) to allow for a Day Care Facility on a 0.45-acre parcel of land identified as Lot 3-R, Block A, Washington Place Addition, zoned Downtown (DT) District, situated within the SH 66 Overlay (SH 66 OV) District, and located at 401 W. Washington Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 7/29/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 8/4/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

JoDee Sanford
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **8/4/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-018: Marigold Learning Center

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

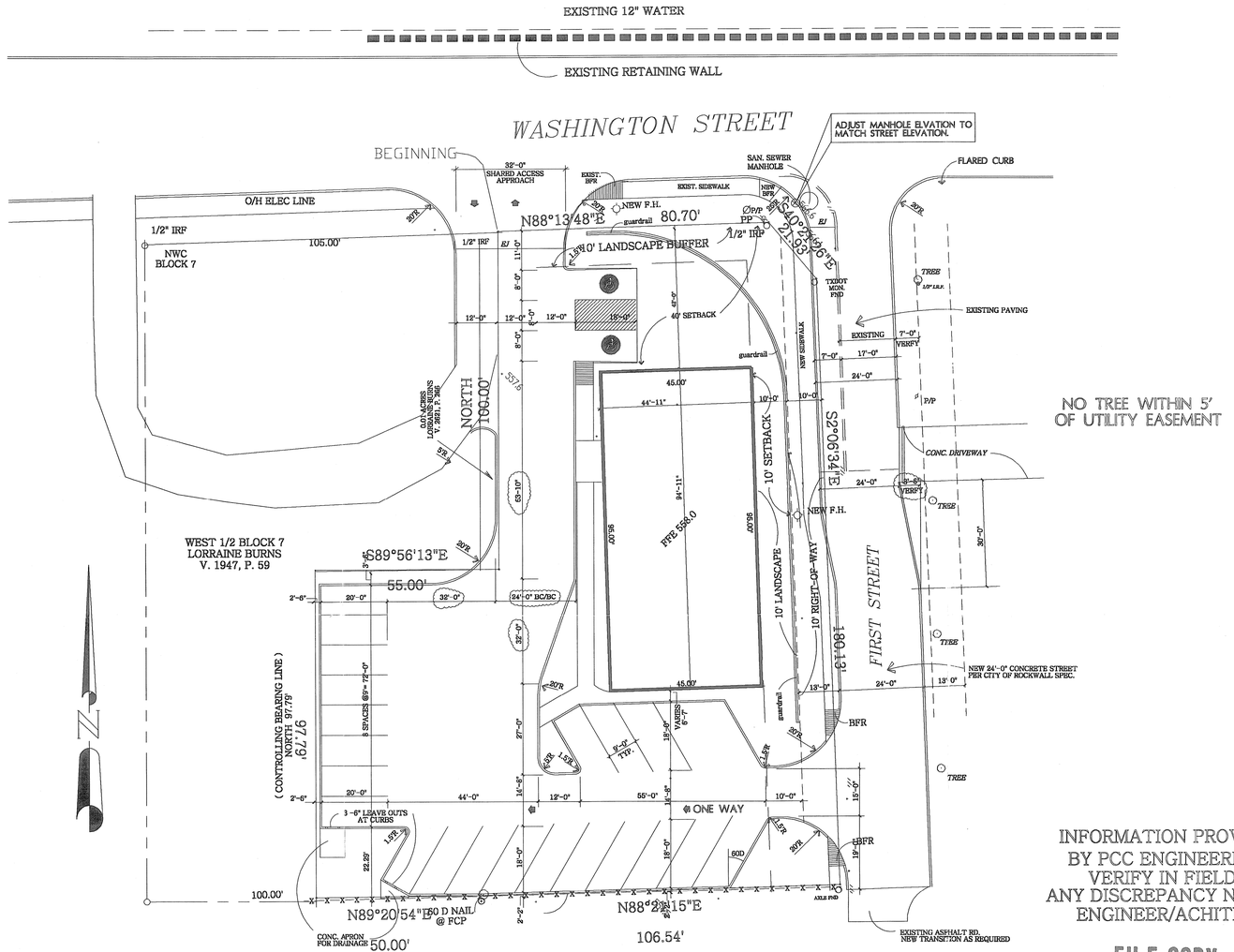
Any One would believe everything down West Washington would already be Zoned for Day Type business.

Name: Billy W Peoples

Address: 1508 Ridge Road

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



SITE PLAN

SCALE 1"=20'-0"

NOTE: DIMENSIONS ARE FACE OF CURB TO FACE OF CURB

PROJECT TABULATION

SITE AREA	19,602 SF
ZONING	GENERAL REATIL
BUILDING AREA	4275 SF
COVERAGE	21.8 %
PARKING REQUIRED	22
PARKING PROVIDED	25
BUILDING HEIGHT	28'

INFORMATION PROVIDED
BY PCC ENGINEERING
VERIFY IN FIELD
ANY DISCREPANCY NOTIFY
ENGINEER/ACHITECT

FILE COPY

RECEIVED
JAN 12 2004
By

HAIR MOTION
SH 66 & FIRST STREET
ROCKWALL, TEXAS
TRACT 1
B.F. BOYSTUD SURVEY
ABSTRACT NO.14
LOWE & ALLEN ADDITION
ROCKWALL, TEXAS
PREPARED BY
GERALD MONK
CONSULTING ENGINEER
972-864-8028

NOT FOR CONSTRUCTION
VARIANCE DATE 1-08-04

GERALD E. MONK
CONSULTING ENGINEER
2488 PATRICIA SUITE C, GARLAND, TX 75040
972-864-8028

△ 10-28-03 CITY COMMENTS
△ 10-20-03 8" ROUTING
△ 8-08-03 CITY COMMENTS
△ 8-01-03 CITY COMMENTS
△ 7-28-03 FINAL CITY COMMENTS
△ 12-30-03 CONTRACTOR MEETING
△ 12-19-03 CITY MEETING
△ 12-18-03 NEW BUILDING LOCATION
△ 7-15-03 REVISED DRIVE
△ 12-12-03 PERMIT SET
△ 11-20-03 CITY COMMENTS
△ 6-2-03 CITY COMMENTS
△ 1-7-04 CITY COMMENTS

HAIR MOTION SALON
SH 66 & FIRST STREET
ROCKWALL, TEXAS

Date Issued 5-16-03
Project No. 2003-15
Sheet Title SITE PLAN

Sheet Number C101
Sequence ____ of ____

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BUSINESS PLAN



MARIGOLD LEARNING ACADEMY

Childcare

502 N. Goliad Str.

Rockwall TX.

75087

Email: marigoldlearningacademy@gmail.com

May, 26 2012

Marigold Learning Academy is a private, for-profit school for children with Autism Spectrum Disorders. The school was founded to provide a structured, nurturing, and stimulating learning environment for children with learning differences which prevent them from being successful in regular programs. The student body will be comprised of children ages 30 months through 1st grade, who have been diagnosed with Aspergers Syndrome, Autism, and Pervasive Development Disorders (PDD) or related Autism Spectrum Disorders (ASD).

Products and Services

Marigold Learning Academy is the only school in Rockwall County area with a program designed specifically for children with Autism. The program is unique in its ability to meet the needs of children with ASD, not only offering an academic program but also addressing the social and language challenges which make mainstreaming into regular classes so difficult. Enhancing self-confidence and building appropriate behaviors are an integral part of the program. We are dedicated to transforming the lives of children, their families and their community by providing the highest quality of services.

Marigold offers a challenging curriculum at all program levels addressing each of the major skill areas of Academic Development, Communication/Speech Therapy, Independence Skills Training, Structured Therapeutic Skills Development, Behavior Training, Occupational Therapy, Music Therapy, Art Therapy, Individualized Parent Training, Dietary/Nutritional Training, Animal- Assisted Therapy, School Transition Training, and most importantly, the social delays typical of children with autism. Structured and small student: teacher ratio is an important part of the program at all levels. No single method is used, but individual student needs are addressed.

Student teacher ratio is 7 students to 1 teacher; the maximum capacity is 29 students to 4 to 5 teachers/support staff.

Instructional times are from 8:00am to 3:00pm. Students will have the opportunity to attend before and after school program from 7:00-8:00, and 3:00pm- 4:30pm. The before and after school program will allow for flexibility in arrival and departure times. We anticipate that 30 to 40 percent of our students will participate in our before and after school program.

The academy will provide support to the local home school community; parents will have the opportunity to enroll students three days a week. We anticipate 20 percent of the total enrollment to comprise of home school students.

The academy will provide door to door services for student arrival and departure. Parents will drop off students using the designated drive-way, staff members will help students exit the cars and escort them into the school. When parents arrive in the afternoon, the teachers will escort their student's to their individual car. These procedures will allow for a constant flow of traffic during the peak times which will be at the start and end of a regular school day.

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Marigold Learning Academy will maintain a web-based presence. Our site will provide general information on the company, a contact link for questions and other customer feedback, family access to Internet viewing of the facilities common instructional areas, information on our service(s)/curriculum, driving directions, business/academic hours, product/instructional material purchasing capability, etc. The web-based service will be open twenty-four hours a day and three hundred and sixty-five days per year.

Food Service

We will follow the nutrition and food service requirements as noted in the Texas Department of Family and Protective Services Minimum Standards for Child-Care Centers: (a) You must serve all children ready for table food regular meals and morning and afternoon snacks. (b) You must ensure a supply of drinking water is always available to each child and is served at every snack, mealtime, and after active play in a safe and sanitary manner. (c) You must not serve beverages with added sugars, such as carbonated beverages, fruit punch, or sweetened milk except for special occasion such as a holiday or birthday celebration. (d) You must not use food as a reward or punishment. In addition to state and local standards, we will also have a fruit and vegetable garden, gluten-free and casein-free diet will be offered and no artificial ingredients only wholesome foods.

Regulatory Requirements

Regulatory oversight is significant in the business industry. We will make application for all necessary local, state and federal licenses, registrations and permits.

Our primary regulatory obligations include the following: business reporting/compliance requirements, Texas Department of Family and Protective Service – Child Care Licensing, staff criminal/drug/documented worker background checks, student transportation, and food service regulations, State Department of Public Instruction (DPI) instructional staff certifications/licenses, professional malpractice/professional liability insurance, student confidentiality, student contracting/payment regulations.

All zoning, permits, certifications, and licensing will be fulfilled.

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CITY OF ROCKWALL

ORDINANCE NO. 14-___

SPECIFIC USE PERMIT NO. S-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) WITHIN THE DOWNTOWN (DT) DISTRICT ALLOWING FOR A DAYCARE FACILITY, FOR A PROPERTY LOCATED AT 401 W. WASHINGTON STREET, BEING A 0.45 ACRE PARCEL OF LAND DESCRIBED AS LOT 3-R, BLOCK A OF WASHINGTON PLACE ADDITION; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Karri Shojaei-Scott for a Specific Use Permit within the Downtown (DT) District allowing for a Day Care Facility on the property located at 401 W. Washington Street, being a 0.45 acre parcel of land described as Lot 3-R, Block A of Washington Place Addition, City and County of Rockwall, Texas; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for a Day Care Facility within the Downtown (DT) District, on the subject property at 401 W. Washington Street, being a 0.45 acre parcel of land described as Lot 3-R, Block A of Washington Place Addition, City and County of Rockwall, Texas; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **Section 4.8, *"DT" Downtown (DT) District*, of Article V, *District Development Standards*, of the City of Rockwall Unified Development Code (Ordinance No. 04-38)** as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and definitions.

2.1 Operational Conditions

The following conditions pertain to the operation of a Day Care Facility on the subject property at 401 W. Washington Street and conformance to these stipulations is required for continued operations:

1) The facility must be licensed by the state.

2) The City Council reserves the right to review this Specific Use Permit one year after the approval and adoption of this ordinance.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE ____ DAY OF _____, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

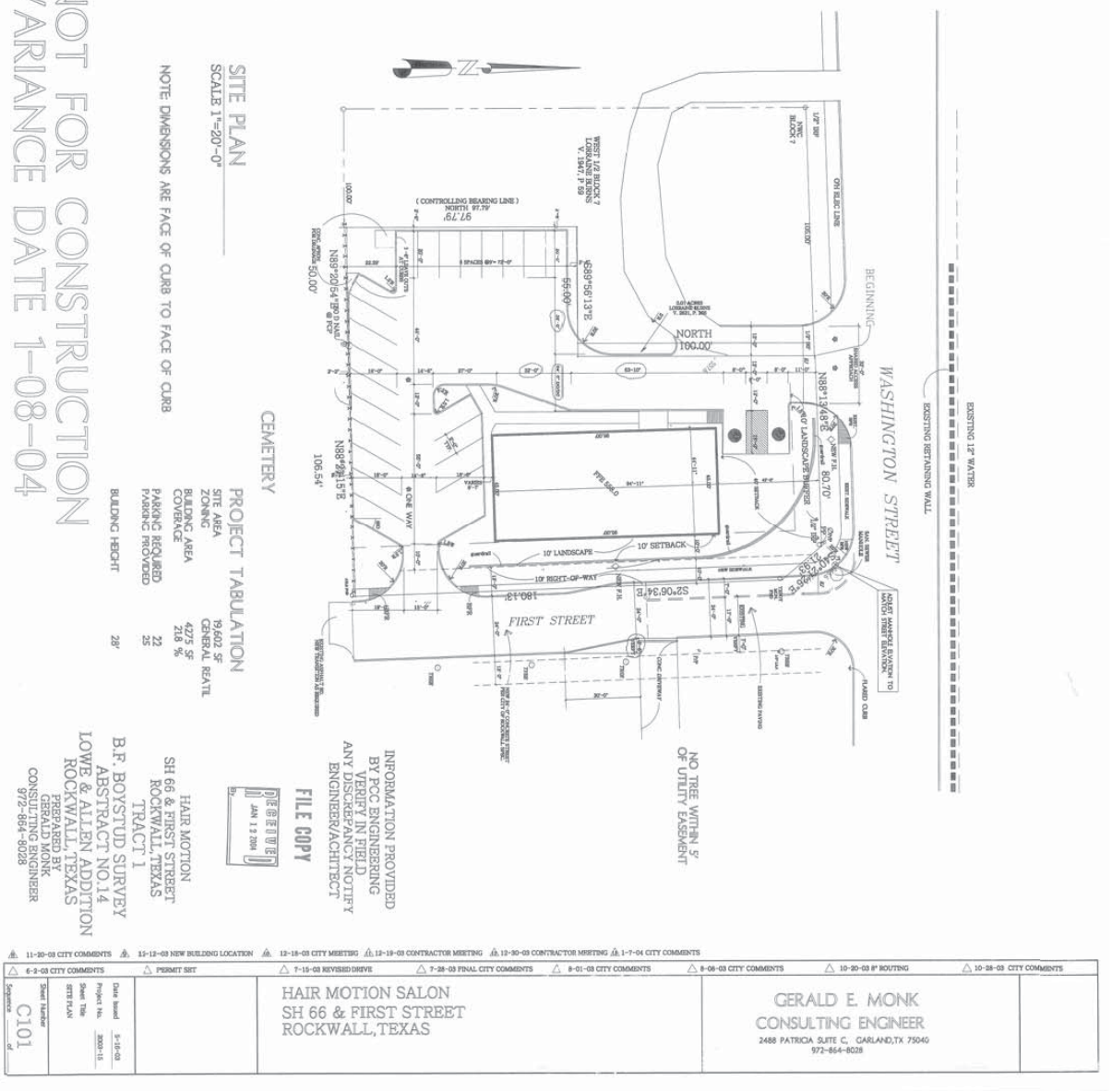
APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: _____

2nd Reading: _____

Exhibit “A” – Site Plan



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 08/04/2014

APPLICANT: Shanessa Coburn; *American Trooper*

AGENDA ITEM: **Z2014-019**; American Trooper (SUP)

SUMMARY:

Hold a public hearing to discuss and consider a request by Shanessa Coburn of American Trooper on behalf of the owner, Scott Milder, for the approval of a Specific Use Permit (SUP) to allow an antiques/collectables and general retail store in Planned Development District 50 (PD-50) for a 0.66-acre lot of land containing two (2) parcels of land identified as Block 23A (0.43-acres) and Block 24C (0.23-acres) of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 & 805 N. Goliad Street, and take any action necessary.

PURPOSE AND CHARACTERISTICS OF REQUEST:

American Trooper is a 501c3 tax exempt organization (*i.e. Non-Profit*) that accepts tax deductible donations for the purpose of reselling these items in a retail store in order to raise funds to support the military and their families. They currently have retail and drop off locations in Bonham and Richardson, Texas. The letter provided by the applicant, Shenessa Coburn, states that it is the organization's intent to open up a general retail store that sells antiques and collectables on the subject property at 803 & 805 N. Goliad Street. The property is currently zoned Planned Development District 50 (PD-50) [*Ordinance No. 07-29*], which stipulates that all properties located within this district are subject to the land uses designated for the Residential Office (RO) District as specified by *Permissible Use Charts* located in Article 4, *Permissible Uses*, of the Unified Development Code (UDC). This section establishes that a *General Retail Store* land use requires a Specific Use Permit (SUP) within the Residential Office (RO) District. Additionally, *Ordinance No. 07-29* specifically states that the *Antique/Collectable Sales* land use requires an SUP subject to certain conditions contained within Planned Development District 50 (PD-50).

Planned Development District 50 (PD-50) [*Ordinance No. 01-53*] was established in 2001 for the purpose of allowing property owners flexibility in regard to the use of their property, while also creating development standards that would maintain the historic nature of the district. The subject property was absorbed into the planned development in 2005 [*Ordinance No. 05-35*] with a City initiated zoning change intended to allow owner's, adjacent to the district, the same flexibilities with regards to use. The subject property is a 0.66-acre lot containing two (2) parcels of land addressed as 803 & 805 N. Goliad Street. Situated on 803 N. Goliad Street is a 1,738 SF single family home constructed ~1899.

The applicant has indicated that the proposed general retail store will be open Monday through Saturday from 10:00 A.M. to 6:00 P.M. The business will consist of the sale *Antiques/Collectable* that will include furniture, glassware, home décor, and accessories. The applicant's letter specifically states that they will not be accepting donations at this facility, and staff has placed a provision within the draft ordinance prohibiting this operation on the subject property. In addition, *Ordinance No. 07-29* states that the sale of *Antiques/Collectables* shall be

limited to a maximum of 2,000 SF, and cannot include the sale of used clothing or appliances. The applicant has requested to sell new clothing as an accessory use to the sale of *Antiques/Collectables*. As part of the operational constraints contained within the SUP ordinance staff has included restrictions that limit the sale/display area for new clothing to an area not greater than 200 SF, and the sale of *Antiques/Collectables* to the area inside the current structure. Additionally, the SUP ordinance restricts outside storage and display to only the area on the front porch. *A complete list of the operational constraints stipulated within the draft ordinance is located in the Recommendation section below.*

If the City Council chooses to approve the applicant's request a site plan showing conformance to all the development constraints contained within Planned Development District 50 (PD-50) shall be required to be approved by the Planning and Zoning Commission, and City Council if necessary. This submittal will include the parking layout and landscaping plan being proposed for the subject property.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are six (6) single family homes zoned Planned Development District 50 (PD-50) and Single Family 7 (SF-7) District. Beyond these residential properties is Heath Street followed by a vacant lot zoned Planned Development District 50 (PD-50).

South: Directly south of the subject property are two (2) residential structures that have been converted to office uses, and are zoned Planned Development District 50 (PD-70). Additionally, there are two (2) single family homes zoned Single Family 7 (SF-7) District.

East: Directly east of the subject property is N. Goliad Street (SH 205) followed by a single family home, a vacant lot, and a residential structure that has been converted to an office building. All the properties are zoned Planned Development District 50 (PD-50).

West: Directly west of the subject property are several single family homes zoned Single Family 10 (SF-10) District.

NOTIFICATION:

On July 18, 2014, staff mailed 97 notices to property owners within 500-feet of the subject property. Additionally, staff posted a sign adjacent to N. Goliad Street as required by the Unified Development Code (UDC). At the time this case memo was drafted staff had received one (1) notice in favor of the applicant's request and two (2) notices stating concerns about the use, traffic and the parking areas, but not indicating support or opposition to the applicant's request.

City staff has no knowledge of any Homeowner's Associations or Neighborhood Organizations located within 1,500-feet of the subject property.

RECOMMENDATIONS:

If the City Council choose to approve the applicant's request for a Specific Use Permit (SUP) for *Antique/Collectable Sales* in conjunction with a general retail store on the subject property then staff would recommend the following conditions of approval:

1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the approved SUP ordinance and summarized as follows:

   (a) Prior to the issuance of a Certificate of Occupancy (CO) a site plan shall be submitted and approved by the Planning and Zoning Commission, and if necessary City Council.

   (b) The *Antique/Collectable Sales* use shall be limited to the boundaries of the existing structure as depicted in the survey and floor plan [*Exhibit 'A' & 'B' of the SUP ordinance*], and will require the approval of City Council, upon a recommendation by the Planning and Zoning Commission, to be expanded.

   (c) The sale of used clothing and new/used appliances shall be prohibited.

   (d) The sale of new clothing shall be limited to the area indicated in *Exhibit 'B'* of this ordinance and shall not exceed 200 SF in total area.

   (e) Individual lease space or consignment sales shall be prohibited.

   (f) The "*drop off*" of donations and/or sales items by the general public shall be prohibited.

   (g) No outside storage shall be permitted on the subject property.

   (h) Outdoor sales and display shall only be permitted in areas designated on a site plan and shall be subject to the following conditions:

      i. Outdoor sales and display shall not exceed five (5) percent of the total enclosed floor area of the primary structure and/or shall be limited to the area identified as the *porch* on *Exhibit 'B'* of this ordinance, unless the Planning and Zoning Commission approves alternate areas that shall be indicated on the site plan.

      ii. Outdoor sales and display shall not be permitted to be located within any portion of the parking lot.

      iii. Outdoor sales and display shall be located underneath a covered area or be immediately adjacent to or connected to the primary structure.

2) In conformance with the requirements of Planned Development District 50 (PD-50) [*Ordinance No. 07-29*] the applicant shall be required to submit a site plan prior to the issuance of a building permit;

3) Unless specifically addressed within this case memo or operational ordinance, the site plan shall comply with all the requirements of Planned Development District 50 (PD-50) [*Ordinance No. 07-29*];

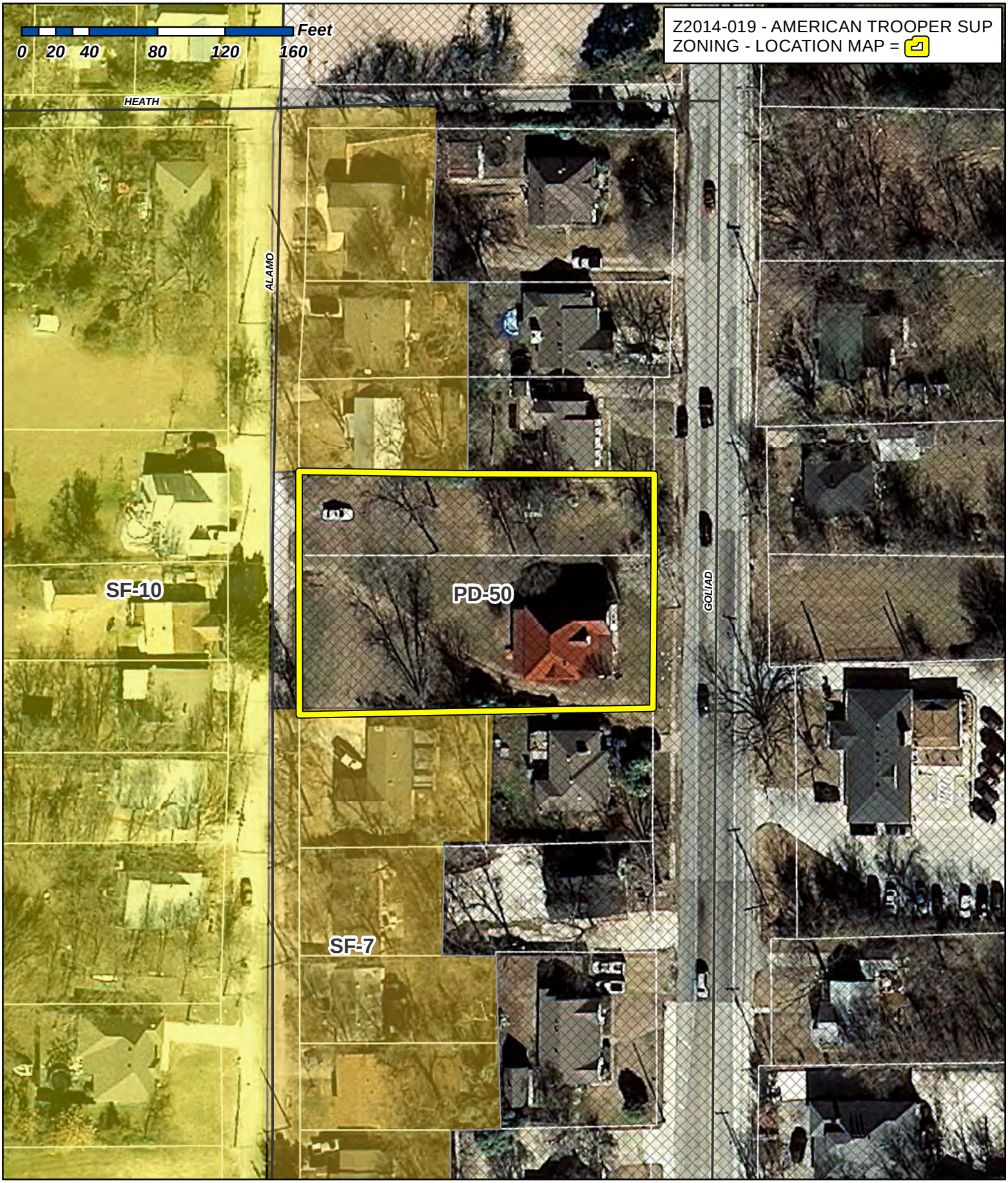
4) The applicant shall comply with all Planning, Engineering and Fire comments prior to the approval of the Specific Use Permit (SUP);

5) The City Council reserves the right to review this SUP request [*Case No. Z2014-019*] one (1) year after the approval and adoption of the SUP ordinance; and

6) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On July 29, 2014, the Planning and Zoning Commission recommended approval of the applicant's request for a Specific Use Permit (SUP) by a vote of 5-0, with Commissioners Conley and Minth absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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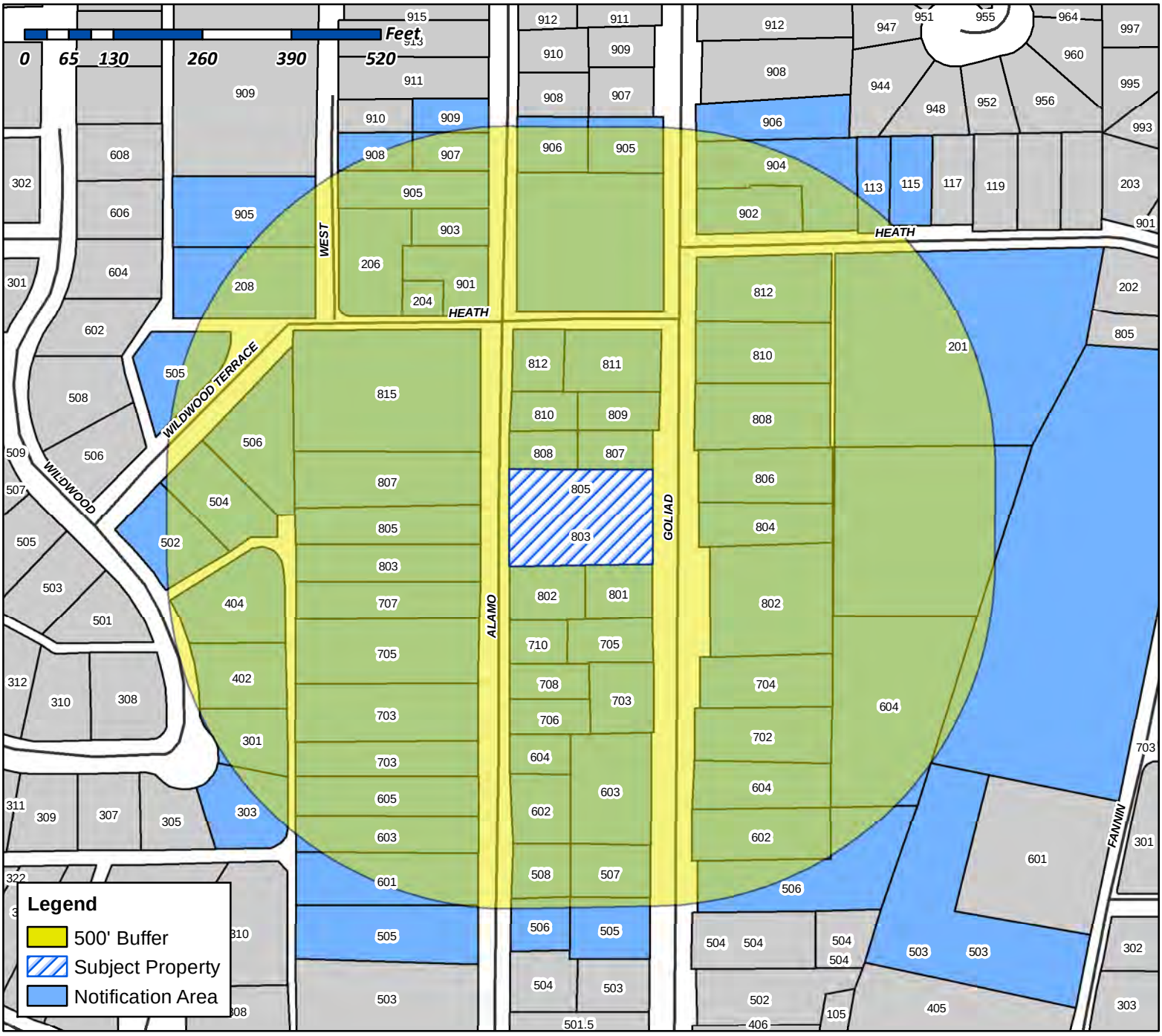
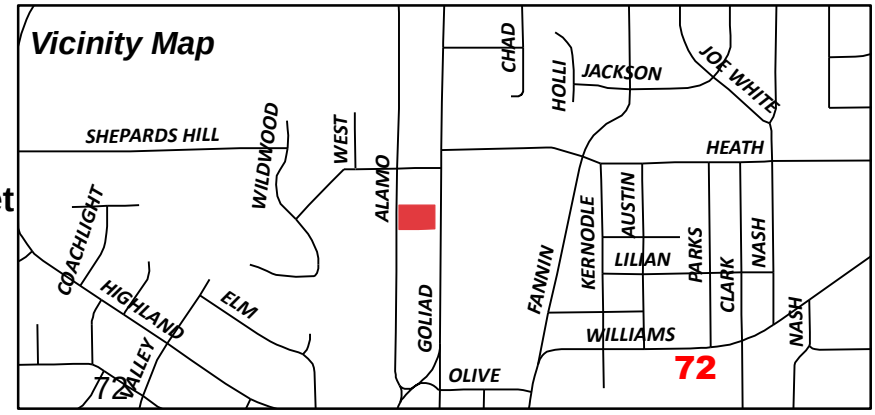


Case Number: Z2014-019
Case Name: American Trooper SUP
Case Type: Specific Use Permit
Zoning: PD-50
Case Address: 803 & 805 N. Goliad Street



Date Created: 07/09/2014

For Questions on this Case Call (972) 771-7745

Reference No.	Name	Legal Description	Address 1	Address 2	Address 3	City	State	Zip
3002-0000-0001-00-0R	MEYERS STUART A & BRENDA S	ABATE INJURY REHAB CENTER ADDN, LOT 1, ACRES .6849		1614 S LAKESHORE DR		ROCKWALL	TX	75087
3002-0000-0001-00-0R	Current Occupant	ABATE INJURY REHAB CENTER ADDN, LOT 1, ACRES .6849		506 N. Goliad		ROCKWALL	TX	75087
3012-000A-0001-00-0R	Current Occupant	ARTVENTURES STUDIO ADDN, BLOCK A, LOT 1, ACRES .2254		507 N. Goliad		ROCKWALL	TX	75087
3025-000A-0001-00-0R	PEOPLES DOSVILLE	ALAMO VALLEY, BLOCK A, LOT 1		208 W HEATH ST		ROCKWALL	TX	75087
3025-000A-0001-00-0R	Current Occupant	ALAMO VALLEY, BLOCK A, LOT 1		703 N. Alamo Rd		Rockwall	TX	75087
3025-000A-0002-00-0R	RNDI COMPANIES INC	ALAMO VALLEY, BLOCK A, LOT 2		2255 RIDGE ROAD	SUITE 216	ROCKWALL	TX	75087
3025-000A-0002-00-0R	Current Occupant	ALAMO VALLEY, BLOCK A, LOT 2		605 N. Alamo Rd.		ROCKWALL	TX	75087
3025-000A-0003-00-0R	HUTTON SCOTT W & JOANN Y HAMILTON	ALAMO VALLEY, BLOCK A, LOT 3		603 N ALAMO RD		ROCKWALL	TX	75087
3050-0009-0001-00-0R	CAIN JAMES O	AMICK, BLOCK 9 & PT 10, LOT A-B		815 N ALAMO RD		ROCKWALL	TX	75087
3050-0010-0002-00-0R	Current Occupant	AMICK, BLOCK 10 PT		807 N. Alamo Rd.		ROCKWALL	TX	75087
3050-0014-0009-00-0R	Current Occupant	AMICK, BLOCK N 1/2 14		601 N. Alamo Rd.		ROCKWALL	TX	75087
3050-0014-0010-00-0R	TUCKER PAMELA	AMICK, BLOCK S/2 14, LOT 10, ACRES .5335, 505 N ALAMO		505 N ALAMO RD		ROCKWALL	TX	75087
3050-0021-0026-00-0R	CARDENAS CECILIO & CARMEN	AMICK, BLOCK S/PT OF W/PT 21		602 N ALAMO ROAD		ROCKWALL	TX	75087
3050-0021-0026-01-0R	CASTILLO PEDRO	AMICK, BLOCK 21 N/PT OF W/PT OF TR B		3161 S FM 551		ROYSE CITY	TX	75189
3050-0021-0026-01-0R	Current Occupant	AMICK, BLOCK 21 N/PT OF W/PT OF TR B		604 N. Alamo		ROCKWALL	TX	75087
3050-0022-0028-00-0R	Current Occupant	AMICK, BLOCK 22, LOT 28		708 N. Alamo		ROCKWALL	TX	75087
3050-0022-0028-00-0R	MOORE JAMES L	AMICK, BLOCK 22, LOT 28		714 W BOYDSTUN AVE		ROCKWALL	TX	75087
3050-0022-0030-00-0R	IRBY DENNIS	AMICK, BLOCK PT 22, LOT 30, 703 N GOLIAD		703 N GOLIAD ST		ROCKWALL	TX	75087
3050-0022-0031-00-0R	TEEL BRITTON & BARBARA	AMICK, BLOCK 22, LOT 31, (S 1/2 OF LOT A)		10925 ROCKSTONE DR		BALCH SPRINGS	TX	75180
3050-0022-0031-00-0R	Current Occupant	AMICK, BLOCK 22, LOT 31, (S 1/2 OF LOT A)		706 N. Alamo		ROCKWALL	TX	75087
3050-0023-0033-00-0R	GUEVARA CARLOS & MONICA A	AMICK, BLOCK 23 B W/2		802 N ALAMO RD		ROCKWALL	TX	75087
3050-0024-0036-00-0R	ADAMS BRIAN S & PAULA J	AMICK, BLOCK 24 NW PT		20 N RIDGE CIR		ROCKWALL	TX	75087
3050-0024-0036-00-0R	Current Occupant	AMICK, BLOCK 24 NW PT		810 N. Alamo		ROCKWALL	TX	75087
3050-0025-0040-00-0R	FEAZELL RICKEY J & SARA D	AMICK, BLOCK A, LOT 1, REPLAT		812 N ALAMO STREET		ROCKWALL	TX	75087
3050-0025-0041-00-0R	AOUN PIERRE E	AMICK, BLOCK A, LOT 2, REPLAT		811 N GOLIAD ST		ROCKWALL	TX	75087
3050-011A-0003-00-0R	FORGIONE JERILYN DENISE	AMICK, BLOCK 11A, LOT 3, 805 N ALAMO		805 N ALAMO RD		ROCKWALL	TX	75087
3050-011B-0004-00-0R	ROHRBACKER JANNA	AMICK, BLOCK 11B, LOT 4, (MIDDLE LOT IN BLOCK 11)		803 N ALAMO RD		ROCKWALL	TX	75087
3050-011C-0005-00-0R	CALABRESE CORINNA RAE	AMICK, BLOCK 11C, LOT S 56 X 225		707 N ALAMO RD		ROCKWALL	TX	75087
3050-020B-0023-00-0R	STAINED GLASS CREATIONS INC	AMICK, BLOCK 20B		1391 ANNA CADE RD		ROCKWALL	TX	75087
3050-020B-0023-00-0R	Current Occupant	AMICK, BLOCK 20B		505 N. Goliad		ROCKWALL	TX	75087
3050-020C-0024-00-0R	Current Occupant	AMICK, BLOCK 20C		506 N. Alamo		ROCKWALL	TX	75087
3050-020C-0024-00-0R	LAYTON ERIC A	AMICK, BLOCK 20C		PO BOX 998		ROCKWALL	TX	75087
3050-022A-0029-00-0R	SWIERCINSKY MICHAEL P AND	AMICK, BLOCK 22A PART	RDT ENTERPRISES INC	106 E RUSK	SUITE 200	ROCKWALL	TX	75087
3050-022A-0029-00-0R	Current Occupant	AMICK, BLOCK 22A PART		710 N. Alamo		ROCKWALL	TX	75087
3050-023A-0034-00-0R	Current Occupant	AMICK, BLOCK 23A, ACRES .43		803 N. Goliad		ROCKWALL	TX	75087
3050-023A-0034-00-0R	MILDER SCOTT & LESLIE	AMICK, BLOCK 23A, ACRES .43		830 SHORES BLVD		ROCKWALL	TX	75087
3050-024B-0035-00-0R	MARTINEZ RAQUEL P	AMICK, BLOCK 24B		809 N GOLIAD ST		ROCKWALL	TX	75087
3050-024C-0037-00-0R	Current Occupant	AMICK, BLOCK 24C		805 N. Goliad		ROCKWALL	TX	75087
3050-024C-0038-00-0R	SPAFFORD SARAH	AMICK, BLOCK 24C E/2		494 DOWELL RD		ROCKWALL	TX	75032
3050-024C-0038-00-0R	Current Occupant	AMICK, BLOCK 24C E/2		807 N. Goliad		ROCKWALL	TX	75087
3050-024C-0039-00-0R	WYLIE KIMBERLY	AMICK, BLOCK 24C W/2		808 N ALAMO RD		ROCKWALL	TX	75087
3051-000A-0001-00-0R	MORGAN RHONA L &	AMICK 20A - THOMAS SUBD, BLOCK A, LOT 1	JACK HADLEY JR	508 N ALAMO RD		ROCKWALL	TX	75087
3070-0160-0004-00-0R	ALBARRAN BRENDA	AUSTIN, LOT PT 1 0.24 AC		302 DREW LN		HEATH	TX	75032
3070-0160-0004-00-0R	Current Occupant	AUSTIN, LOT PT 1 0.24 AC		902 N. Goliad		ROCKWALL	TX	75087
3070-0160-0004-01-0R	HILL TOBY VERN H & ANGELA DAWN	AUSTIN, LOT PT 1, ACRES 0.23		113 E HEATH ST		ROCKWALL	TX	75087
3070-0160-0005-00-0R	HOLLIMAN ANDREA	AUSTIN, LOT PT 1 0.47 AC		204 N. WEST ST		ROCKWALL	TX	75087
3070-0160-0005-00-0R	Current Occupant	AUSTIN, LOT PT 1 0.47 AC		904 N. Goliad		ROCKWALL	TX	75087
3079-0000-012A-00-0R	BARKER PERRY H & ELIZABETH D	BARKER ADDN, LOT 12A		104 SCENIC DR		ROCKWALL	TX	75032
3079-0000-012A-00-0R	Current Occupant	BARKER ADDN, LOT 12A		705 N. Alamo Rd.		ROCKWALL	TX	75087
3090-0000-0002-00-0R	CRISWELL BARBARA	BARNES, LOT 2		1890 AVONLEA DR		ROCKWALL	TX	75087
3090-0000-0002-00-0R	Current Occupant	BARNES, LOT 2		602 N. Goliad		ROCKWALL	TX	75087
3090-0000-0003-A0-0R	Current Occupant	BARNES, LOT S 67' OF 3		604 N. Goliad		ROCKWALL	TX	75087

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3090-0000-0003-B0-0R	SMITH G DAVID	BARNES, LOT 8' OF 3 & ALL OF 4		702 N GOLIAD ST		ROCKWALL	TX	75087
3090-0000-0005-00-0R	STAMERJOHN ALEXANDER JAMES & KIMBERLY J	BARNES, LOT 5		704 N GOLIAD		ROCKWALL	TX	75087
3090-0000-0008-00-0R	Current Occupant	BARNES, LOT 8		804 N. Goliad		ROCKWALL	TX	75087
3090-0000-0008-00-0R	TRANSGLOBAL INSPECTIONS LLC	BARNES, LOT 8		PO BOX 265		FATE	TX	75132
3090-0000-0009-00-0R	KHATER CHARLES ETUX	BARNES, LOT 9		709 W RUSK ST	STE F	ROCKWALL	TX	75087
3090-0000-0009-00-0R	Current Occupant	BARNES, LOT 9		806 N. Goliad		ROCKWALL	TX	75087
3140-0122-000A-00-0R	RAKICH CEDO AND JULIA	B F BOYDSTON, BLOCK 122, LOT A		217 LITTLE JOHN TRL		HOT SPRINGS	AR	71913
3140-0122-000A-00-0R	Current Occupant	B F BOYDSTON, BLOCK 122, LOT A		503 N. Fannin St.		ROCKWALL	TX	75087
3140-0124-000A-00-0R	KUMAR EESHAN & VANDANA KUMAR	B F BOYDSTON, BLOCK 124, LOT A		4701 COPPER MOUNTAIN LN		RICHARDSON	TX	75082
3140-0124-000A-00-0R	Current Occupant	B F BOYDSTON, BLOCK 124, LOT A		810 N. Goliad		ROCKWALL	TX	75087
3140-0124-000B-00-0R	NBN COMMERCIAL GROUP LLC	B F BOYDSTON, BLOCK 124, LOT B, ACRES 0.405		2040 N BELT LINE RD	STE 400	MESQUITE	TX	75150
3140-0124-000B-00-0R	Current Occupant	B F BOYDSTON, BLOCK 124, LOT B, ACRES 0.405		808 N. Goliad		ROCKWALL	TX	75087
3140-0124-000C-00-0R	CITY LIFT STATION	B F BOYDSTON, BLOCK 124, LOT C, ACRES 5, EXEMPT		201 E WASHINGTON ST		ROCKWALL	TX	75087
3140-0124-000D-00-0R	HOLLON GREGORY D	B F BOYDSTON, BLOCK 124, LOT D, 812 N GOLIAD		2778 S FM 549		ROCKWALL	TX	75032
3140-0124-000D-00-0R	Current Occupant	B F BOYDSTON, BLOCK 124, LOT D, 812 N GOLIAD		812 N. Goliad		ROCKWALL	TX	75087
3414-000A-0001-00-0R	Current Occupant	COUNSELMAN ADDITION, BLOCK A, LOT 1, ACRES .66		802 N. Goliad		ROCKWALL	TX	75087
3414-000A-0001-00-0R	CONSELMAN EQUITIES LLC	COUNSELMAN ADDITION, BLOCK A, LOT 1, ACRES .66		PO BOX 2284		ROCKWALL	TX	75087
3635-0001-0001-00-0R	WRIGHT JOHN M & SUSAN L	FAMILY LAW CENTER ADDITION, BLOCK 1, LOT 1, ACRES 0.42		1605 SEASCAPE CT		ROCKWALL	TX	75087
3635-0001-0001-00-0R	Current Occupant	FAMILY LAW CENTER ADDITION, BLOCK 1, LOT 1, ACRES 0.42		603 N. Goliad		ROCKWALL	TX	75087
3730-0005-0001-00-0R	HARRIS JAMES SCOTT &	GARNER, BLOCK 5, LOT 1, GRAEM SUBD	ANNETTE JANE NABORS	907 N ALAMO		ROCKWALL	TX	75087
3730-0005-0002-00-0R	HAYNES GREGORY & AMANDA	GARNER, BLOCK 5, LOT 2		909 N ALAMO		ROCKWALL	TX	75087
3730-0005-0005-00-0R	MARTINKUS NICOLE	GARNER, BLOCK 5, LOT 5		908 N WEST ST		ROCKWALL	TX	75087
3730-0007-0000-A0-0R	WWSW PROPERTIES LLC	GARNER, BLOCK PART 7		13730 SELMA LANE		FORNEY	TX	75126
3730-0007-0000-A0-0R	Current Occupant	GARNER, BLOCK PART 7		905 N. Alamo Rd.		ROCKWALL	TX	75087
3730-0007-0000-B0-0R	AGUADO MARIA	GARNER, BLOCK PART 7		903 N ALAMO RD		ROCKWALL	TX	75087
3730-0008-0000-A0-0R	LEWIS JODI CHOTSIE	GARNER, BLOCK PART 8		204 W HEATH STREET		ROCKWALL	TX	75087
3730-0026-0ALL-00-0R	FALLS DAVID C & TERRI L	GARNER, BLOCK ALL 26		3608 LAKESIDE DR		ROCKWALL	TX	75087
3730-0027-0000-A0-0R	Current Occupant	GARNER, BLOCK PART 27		905 N. Goliad		ROCKWALL	TX	75087
3730-0027-0000-A0-0R	WILLIAMS ALEX RAY &	GARNER, BLOCK PART 27	PATRICIA LWILLIAMS WILKERSON	906 N ALAMO RD		ROCKWALL	TX	75087
3730-008A-0000-A0-0R	COOPER JAMES A & MICHELLE R	GARNER, BLOCK PART 8A		901 N ALAMO		ROCKWALL	TX	75087
3730-008B-0000-A0-0R	PRITCHETT JOHNETTA	GARNER, BLOCK 8B & 7C		206 W HEATH ST		ROCKWALL	TX	75087
4497-0000-0001-00-0R	CHISENHALL ROBERT	MCLEAN/MOORE ADDITION, LOT 1		115 E HEATH ST		ROCKWALL	TX	75087
4508-000A-0001-00-0R	Current Occupant	NORTH WEST SUBD, BLOCK A, LOT 1, ACRES 0.5		905 N. West St.		ROCKWALL	TX	75087
4560-000S-0006-00-0R	ANGLE GLENDA ANNE	NORTHSHORE #1, BLOCK S, LOT 6		303 WILDWOOD LN		ROCKWALL	TX	75087
4560-000S-0007-00-0R	BULLOCK HAROLD G AND HEATHER E	NORTHSHORE #1, BLOCK S, LOT 7		301 WILDWOOD LN		ROCKWALL	TX	75087
4560-000S-0008-00-0R	ZACEK MEREDITH	NORTHSHORE #1, BLOCK S, LOT 8, 402 WILDWOOD		402 WILDWOOD LN		ROCKWALL	TX	75087
4560-000S-0009-00-0R	COOK CAROLINE D	NORTHSHORE #1, BLOCK S, LOT 9		404 WILDWOOD LN		ROCKWALL	TX	75087
4560-000S-0010-00-0R	WOODARD CARL E ET UX	NORTHSHORE #1, BLOCK S, LOT 10		502 WILDWOOD TER		ROCKWALL	TX	75087
4560-000S-0011-00-0R	NASH M CALVIN ETUX	NORTHSHORE #1, BLOCK S, LOT 11		504 WILDWOOD TER		ROCKWALL	TX	75087
4560-000S-0012-00-0R	HICKERSON JON D	NORTHSHORE #1, BLOCK S, LOT 12		506 WILDWOOD TER		ROCKWALL	TX	75087
4560-000S-0013-00-0R	WRAY JOY	NORTHSHORE #1, BLOCK S, LOT 13		505 WILDWOOD TER		ROCKWALL	TX	75087
4682-0001-0001-00-0R	Current Occupant	PHILLIPS OFFICE ADDITION, BLOCK 1, LOT 1, ACRES .19		705 N. Goliad St.		ROCKWALL	TX	75087
5058-000A-0016-00-0R	STEELE SHARON K	STEELE ADDITION, BLOCK A, TRACT 16		906 N GOLIAD		ROCKWALL	TX	75087
5233-000A-0001-00-0R	WAGNER GERALD P AND	WAGNER CHRISTENSEN ADDITION, BLOCK A, LOT 1, ACRES 0.19	VALERIE M CHRISTENSEN	112 LOS PECES		GUN BARREL CITY	TX	75156
5233-000A-0001-00-0R	Current Occupant	WAGNER CHRISTENSEN ADDITION, BLOCK A, LOT 1, ACRES 0.19		801 N. Goliad		ROCKWALL	TX	75087

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NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-019: American Trooper SUP

Hold a public hearing to discuss and consider a request by Shanessa Coburn of American Trooper on behalf of the owner, Scott Milder, for the approval of a Specific Use Permit (SUP) to allow an antiques/collectables and general retail store in Planned Development District 50 (PD-50) for a 0.66-acre lot of land containing two (2) parcels of land identified as Block 23A (0.43-acres) and Block 24C (0.23-acres) of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 & 805 N. Goliad Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 7/29/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 8/4/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **8/4/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-019: American Trooper SUP

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name: Michael Swierenski

Address: 106 E Rusk, #200 Rockwall, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

NOTICE OF PUBLIC HEARING
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Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2014-019: American Trooper SUP

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below. ?

MY PRIMARY CONCERN IS THAT THIS ENTITY NOT BECOME A JUNK STORE DISPLAYING ANTIQUES ETC. ON THE OUTSIDE OF THE BUILDINGS AS HAS PREVIOUSLY OCCURRED AT TWO OTHER GOLIAD PROPERTIES.

Name: SUSAN Z WRIGHT

Address: ~~1000000~~ 603 N. GOLIAD

Tex. Loc. Gov. Code, Sec. 211.006 (d). If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-019: American Trooper SUP

Hold a public hearing to discuss and consider a request by Shanessa Coburn of American Trooper on behalf of the owner, Scott Milder, for the approval of a Specific Use Permit (SUP) to allow an antiques/collectables and general retail store in Planned Development District 50 (PD-50) for a 0.66-acre lot of land containing two (2) parcels of land identified as Block 23A (0.43-acres) and Block 24C (0.23-acres) of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 & 805 N. Goliad Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 7/29/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 8/4/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

rmiller @ rockwall.com

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **8/4/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-019: American Trooper SUP

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

I am neither in favor nor opposed. However I am concerned about potential traffic issues if access is allowed off of Alamo Street AND the appearance of a parking lot. I would not oppose the business if the only entrance was off Goliad and some type of tree line or hedge row (tall) hid the parking lot.

Name: Caroline D. Cook

Address: 404 Wildwood Ln

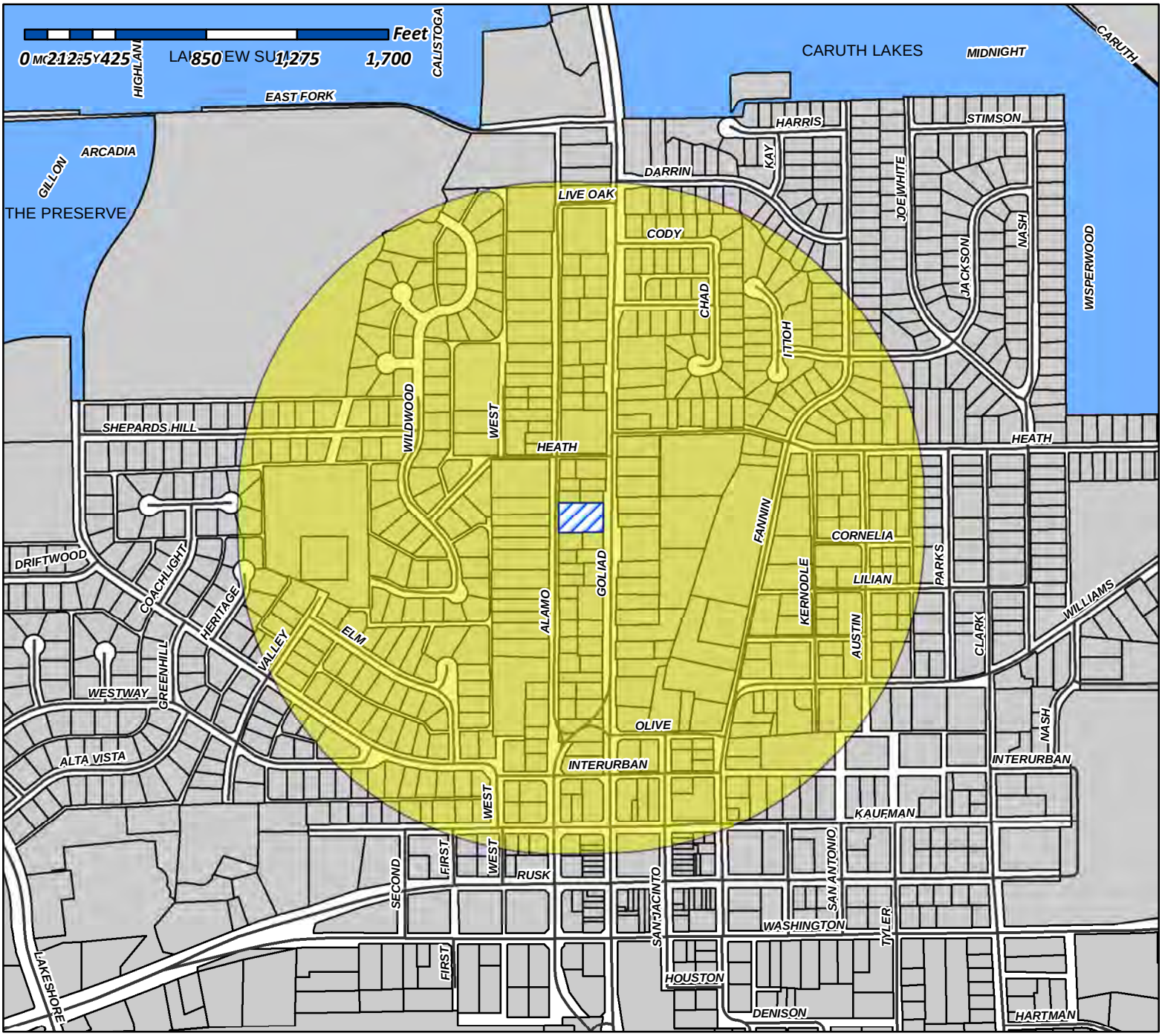
Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

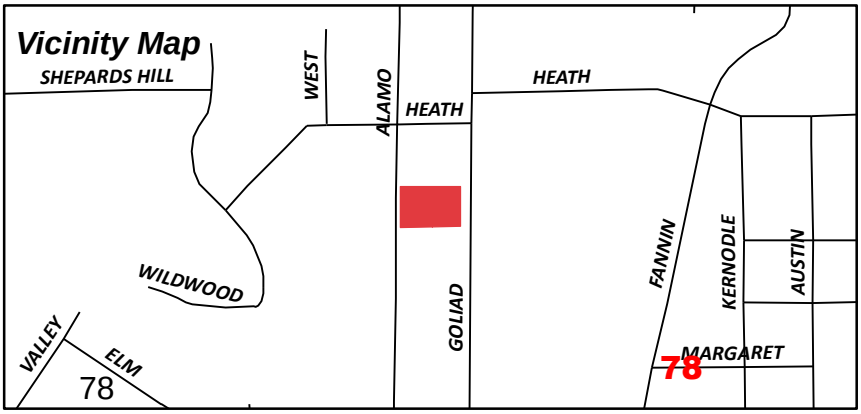
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Case Number: Z2014-019
Case Name: American Trooper SUP
Case Type: Specific Use Permit
Zoning: PD-50
Case Address: 803 & 805 N. Goliad Street



Date Created: 07/09/2014
For Questions on this Case Call (972) 771-7745

American Trooper Letter of Intent
7/8/14

City of Rockwall,

American Trooper is a 501c3 nonprofit organization benefitting US Troops, Veterans, and Military families. We intend to open a Vintage/Collectible retail store at 803 N. Goliad St.
The intentions of this location will be to sell Vintage/Antique/Collectible items that will enable us in our cause. The types of items will include furniture, glassware, home décor, and accessories. We understand this location cannot be used as a donation "drop off" and items must be stored indoors.
American Trooper looks forward to a successful working relationship with the City of Rockwall as we strive to give back to Military Heroes and their families.

Sincerely,
Shanessa Coburn
President of American Trooper

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Miller, Ryan

From: LaCroix, Robert
Sent: Wednesday, July 23, 2014 1:22 PM
To: 'Shanessa Coburn'
Cc: Miller, Ryan
Subject: RE: Update Letter for American Trooper Vintage Boutique- 803 N. Goliad

Shanessa, we'll also need a floor plan indicating the location and the square footage of the area for the clothing sales. I believe Chris was going to get with Scott on that.

Robert

From: Shanessa Coburn [mailto:shanessac@gmail.com]
Sent: Wednesday, July 23, 2014 1:12 PM
To: LaCroix, Robert
Subject: Update Letter for American Trooper Vintage Boutique- 803 N. Goliad

Hi Robert,

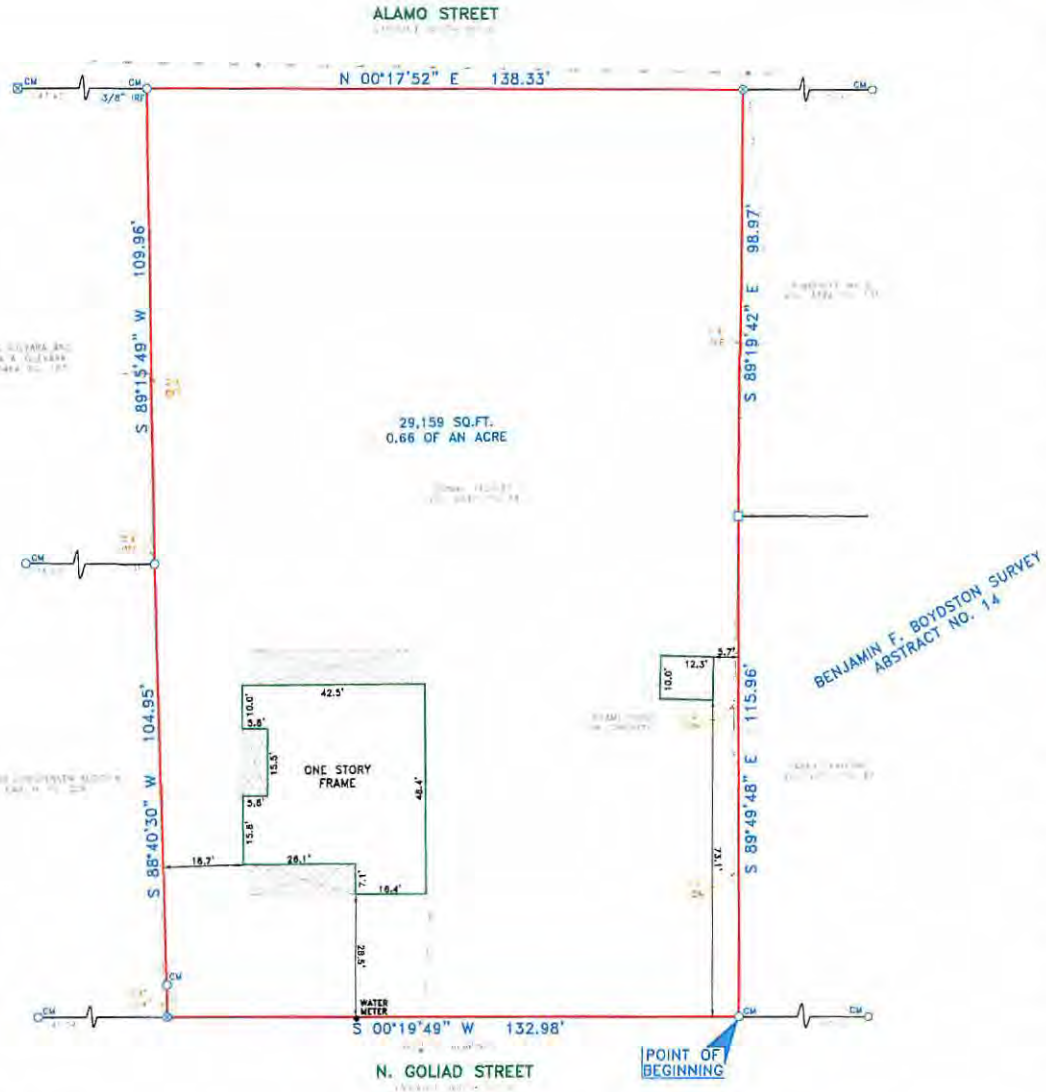
I spoke with Chris Johnson today. He informed me you need a letter stating further use of the property.

American Trooper Vintage Boutique in Rockwall will be located at 803 N. Goliad. We will be a Vintage Boutique Retail Store selling vintage items, furniture and collectibles, antiques, and new accessory clothing.

Please let me know if this letter is sufficient. Thank you for your time!

--
God Bless You Today and Always,
Psalms 37:5

Shanessa Coburn
http://www.americantrooper.us
http://www.facebook.com/americantrooperresale
http://www.facebook.com/AmericanTrooper



803 N. Goliad Street

Being a tract of land situated in the Benjamin F. Boydston Survey, Abstract No. 14, in Rockwall County, Texas, being all of that certain tract of land described in deed to Donnie Peoples, as recorded in Volume 6842, Page 84, of the Deed Records of Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a found 1/2 inch iron rod for corner on the West right-of-way line of N. Goliad Street (a variable width right-of-way), being the Southeast corner of a tract of land described in deed to Sarah Spafford, as recorded in Volume 2511, Page 47, of the Deed Records of Rockwall County, Texas and being the Northeast corner of herein described tract;

THENCE South 00 degrees 19 minutes 49 seconds West, along said N. Goliad Street, a distance of 132.98 feet to a set 1/2 inch iron rod for corner;

THENCE South 88 degrees 40 minutes 30 seconds West, passing a found 1/2 inch iron rod for witness at the Northeast corner of Wagner Christensen Addition, an Addition in the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet H, Page 229, of the Plat Records of Rockwall County, Texas, at a distance of 7.50 feet, continuing a total distance of 104.95 feet to a found 1/2 inch iron rod for corner, being the Northeast corner of a tract of land described in deed to Carlos Guevara and Monica A. Guevara, as recorded in Volume 5484, Page 187, of the Deed Records of Rockwall County, Texas;

THENCE South 89 degrees 15 minutes 49 seconds West, along said Guevara tract, a distance of 109.96 feet to a found 3/8 inch iron rod for corner on the East right-of-way line of Alamo Street (a variable width right-of-way);

THENCE North 00 degrees 17 minutes 52 seconds East, along said Alamo Street, a distance of 138.33 feet to a set 1/2 inch iron rod for corner, being the Southwest corner of a tract of land described in deed to Kimberlee Wylie, as recorded in Volume 3324, Page 196, of the Deed Records of Rockwall County, Texas;

THENCE South 89 degrees 19 minutes 42 seconds East, along said Wylie tract, a distance of 98.97 feet to a fence post for corner, being the Southwest corner of said Spafford tract;

THENCE South 89 degrees 49 minutes 48 seconds East, a distance of 115.96 feet to the POINT OF BEGINNING and containing 29,159 square feet or 0.66 of an acre of land.



Capital Title

SURVEYOR'S CERTIFICATE

The undersigned Registered Professional Land Surveyor (Bryan Connally) hereby certifies to Capital Title, in connection with the transaction described in G.F. 13-155466-RW that, (a) this survey and the property description set forth hereon were prepared from an actual on-the-ground survey; (b) such survey was conducted by the Surveyor, or under his direction; (c) all monuments shown hereon actually existed on the date of the survey, and the location, size and type of material thereof are correctly shown; Use of this survey by any other parties and/or for other purposes shall be at User's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. The plat hereon is a correct and accurate representation of the property lines and dimensions are as indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, all improvements are located within the boundaries the distances indicated and there are no visible and apparent encroachments or protrusions on the ground.

Executed this 12th day of February, 2013

Bryan Connally
Registered Professional Land Surveyor No. 5513

STATE OF TEXAS · REGISTERED · BRYAN CONNALLY · 5513 · PROFESSIONAL LAND SURVEYOR

20' 10' 0 20' 40'

SCALE: 1" = 20'

NOTE: According to the F.I.R.M. in Map No. 48397C0040L, this property does lie in Zone X and DOES NOT lie within the 100 year flood zone.

ACCEPTED BY: _____ SIGNATURE _____ DATE _____ SIGNATURE _____ DATE

NOTES:
BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED DEED RECORDED IN VOLUME 6842, PAGE 84

REVISIONS		
DATE	BY	NOTES

LEGEND

CM CONTROLLING MONUMENT
1/2" IRON ROD FOUND
1/2" IRON ROD SET
1" IRON PIPE FOUND
FENCE POST CORNER
"X" FOUND / SET
UNDERGROUND ELECTRIC
OVERHEAD ELECTRIC
POWER POLE
ASPHALT PAVING
GRAVEL/ROCK ROAD OR DRIVE
T - TRANSFORMER
PE - POOL EQUIPMENT
C - COLUMN
AC - AIR CONDITIONING
FIRE HYDRANT
COVERED PORCH,DECK OR CARPORT
OES - OES
OHP - OHP
CONCRETE PAVING
WOOD DECK
CHAIN LINK FENCE
WOOD FENCE
0.5' WIDE TYPICAL BARBED WIRE
IRON FENCE
PIPE FENCE
OVERHEAD ELECTRIC SERVICE
OVERHEAD POWER LINE

C.B.G. Surveying, Inc.
12025 Shiloh Rd. Suite 230
Dallas, Texas 75228
P 214-349-9485 F 214-349-2216
www.cbgsfw.com

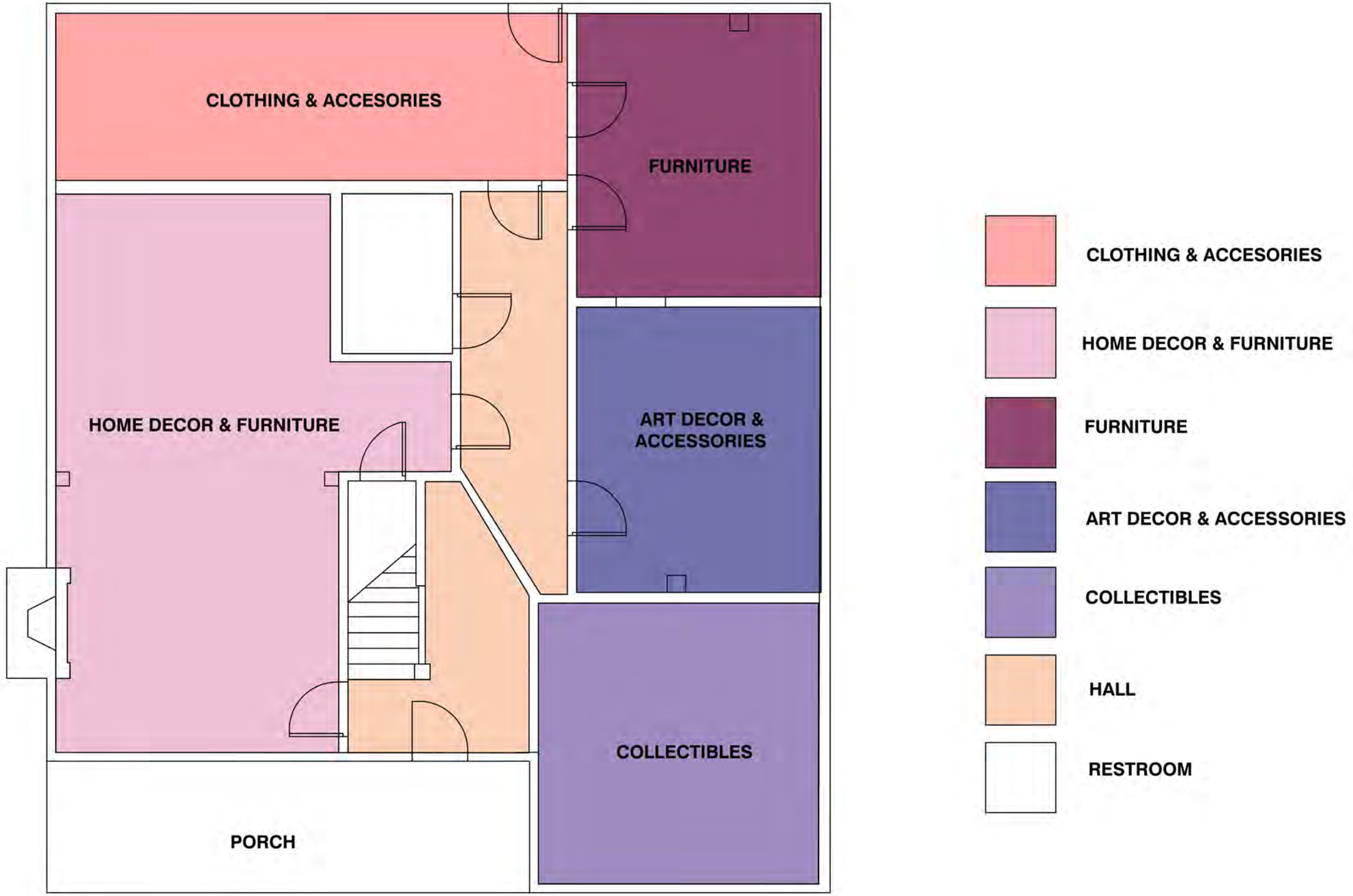
SCALE	DATE	JOB NO.	G.F. NO.	DRAWN
1" = 20'	02/12/13	1300573-1	SEE ABOVE	CM

0.66 OF AN ACRE

BENJAMIN F. BOYDSTON SURVEY, ABSTRACT NO. 14

ROCKWALL, ROCKWALL COUNTY

803 N. GOLIAD STREET


CLOTHING & ACCESORIES
FURNITURE
HOME DECOR & FURNITURE
ART DECOR & ACCESSORIES
COLLECTIBLES
PORCH
CLOTHING & ACCESORIES
HOME DECOR & FURNITURE
FURNITURE
ART DECOR & ACCESSORIES
COLLECTIBLES
HALL
RESTROOM

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CITY OF ROCKWALL

ORDINANCE NO. 14-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A SPECIFIC USE PERMIT (SUP) TO ALLOW ANTIQUE/COLLECTABLE SALES IN CONJUNCTION WITH A GENERAL RETAIL STORE IN PLANNED DEVELOPMENT DISTRICT 50 (PD-50), FOR A 0.66-ACRE LOT, ADDRESSED AS 803 & 805 N. GOLIAD STREET AND CONTAINING TWO (2) PARCELS OF LAND IDENTIFIED AS BLOCK 23A (0.43-ACRES) AND BLOCK 24C (0.23-ACRES) OF THE AMICK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Shanessa Coburn of American Trooper, on behalf of the owner, Scott Milder, for the approval of a Specific Use Permit (SUP) to allow *Antiques/Collectable Sales* in conjunction with a general retail store on a 0.66-acre lot containing two (2) parcels of land identified as Block 23A (0.43-acres) and Block 24C (0.23-acres) of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 & 805 N. Goliad Street, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code [*Ordinance No. 04-*38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for *Antique/Collectable Sales* in conjunction with a general retail store within a Planned Development District 50 (PD-50) as stipulated by *Ordinance No. 05-18* and Article IV, *Permissible Uses*, of the Unified Development Code on the *Subject Property*; and

DRAFT ORDINANCE

SECTION 2. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as set forth in Planned Development District 50 (PD-50) and Section 4.2, *Residential Office (RO) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of a general retail store with *Antique/Collectable Sales* on the *Subject Property*, and conformance to these operational conditions are required for continued operations:

1) Prior to the issuance of a Certificate of Occupancy (CO) a site plan shall be submitted and approved by the Planning and Zoning Commission, and if necessary City Council.

2) The *Antique/Collectable Sales* use shall be limited to the boundaries of the existing structure as depicted in *Exhibit 'A' & 'B'* of this ordinance, and will require the approval of City Council, upon a recommendation by the Planning and Zoning Commission, to be expanded.

3) The sale of used clothing and/or new/used appliances shall be prohibited.

4) The sale of new clothing shall be limited to the area indicated in *Exhibit 'B'* of this ordinance and shall not exceed 200 SF in total area.

5) Individual lease space or consignment sales shall be prohibited.

6) The "*drop off*" of donations and/or sales items by the general public shall be prohibited.

7) No outside storage shall be permitted on the subject property.

8) Outdoor sales and display shall only be permitted in areas designated on a site plan and shall be subject to the following conditions:

   a) Outdoor sales and display shall not exceed five (5) percent of the total enclosed floor area of the primary structure and/or shall be limited to the area identified as the *porch* on *Exhibit 'B'* of this ordinance, unless the Planning and Zoning Commission approves alternate areas that shall be indicated on the site plan.

   b) Outdoor sales and display shall not be permitted to be located within any portion of the parking lot.

   c) Outdoor sales and display shall be located underneath a covered area or be immediately adjacent to or connected to the primary structure.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

DRAFT ORDINANCE

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18TH DAY OF AUGUST, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

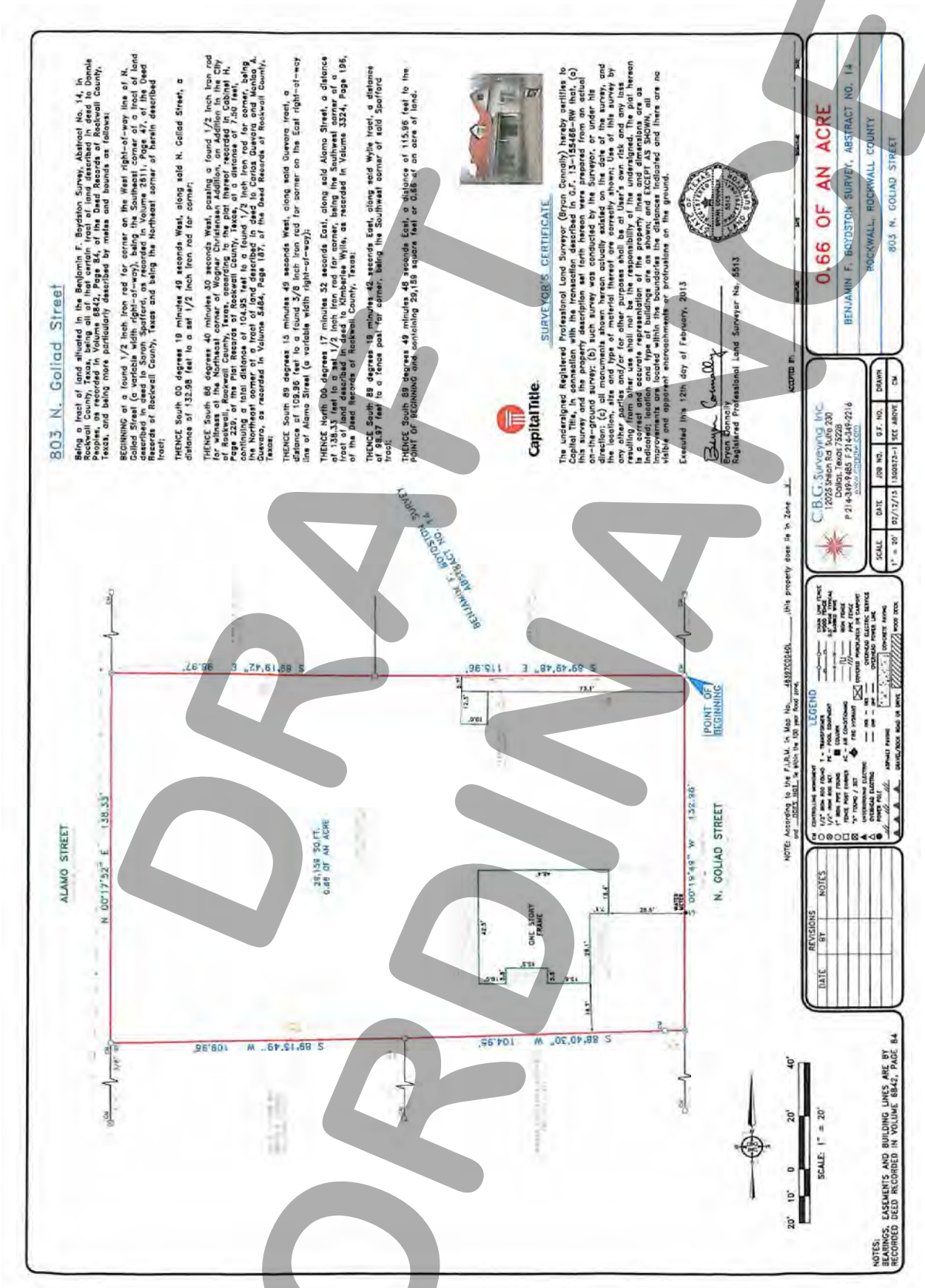
APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *August 4, 2014*

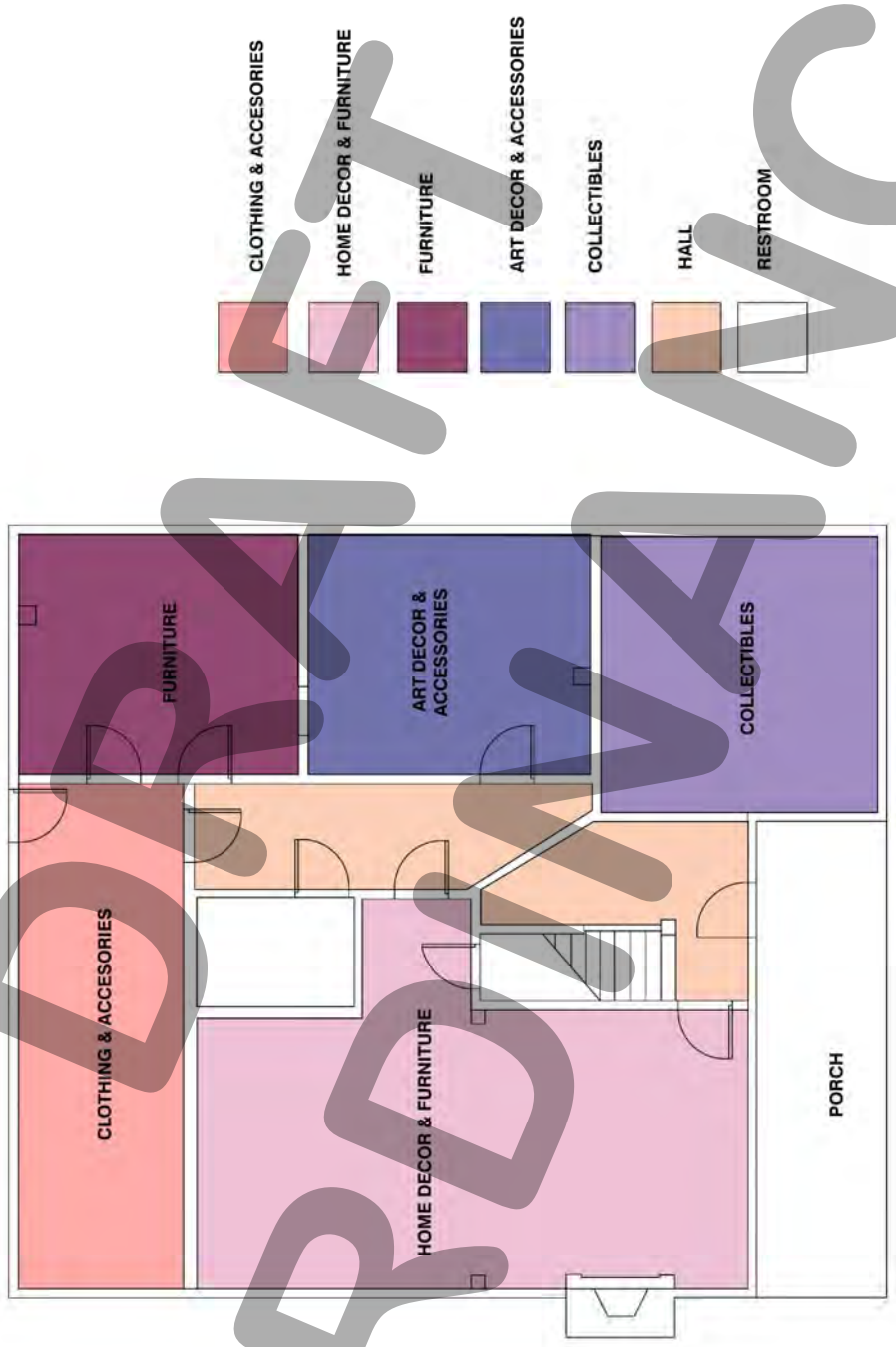
2nd Reading: *August 18, 2014*

DRAFT ORDINANCE



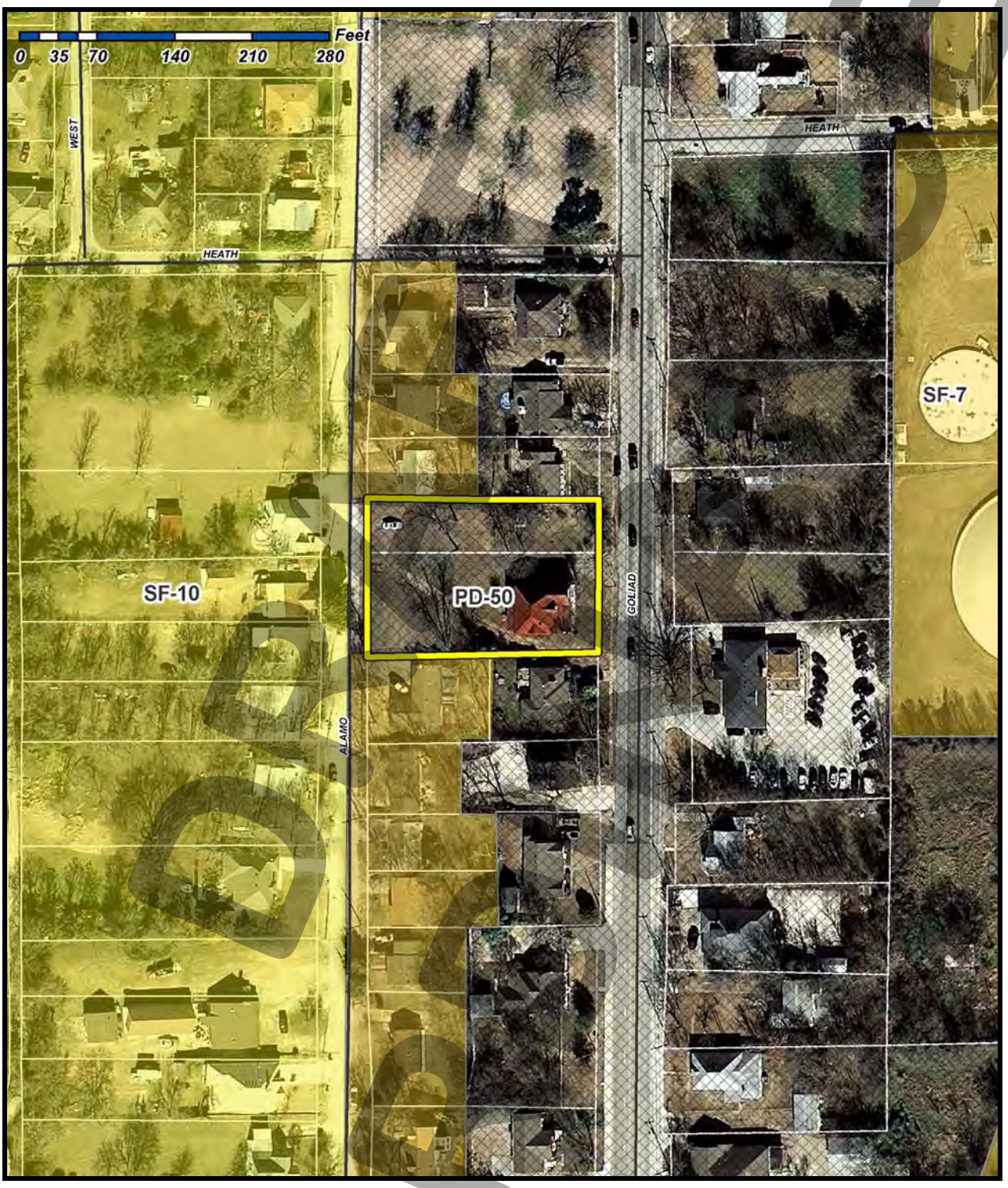
DRAFT ORDINANCE

Exhibit B: Floor Plan



DRAFT ORDINANCE

Exhibit C: Location Map



ORDINANCE

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **August 1, 2014**

SUBJECT: **Blacklands Corridor Feasibility Study**

Please find attached the latest Blacklands Corridor Feasibility Study newsletter and a resolution opposing the freeway/tollway route in Rockwall that we have been told is under consideration as a part of the study. A public meeting on the study is scheduled in Lavon on September 4. Representatives of the various entities that are involved in the feasibility study continue to meet with and discuss various aspects of the study with area cities.

Given that there continues to be discussion that one of the routes under consideration by those performing the study would cross the lake and go through the very north portion of the City of Rockwall City Limit (North of John King Boulevard) and that the City of Rockwall has not received any official information as to the final routes that are under consideration, I think that it is advisable the Council discuss whether the City may want to be prepared to address the City's position on the matter at the September 4 meeting in Lavon.

Given that the City has not been provided official information as to the route being considered in our City but have been told such a route is being considered as a part of the planning project, I have taken the liberty of drafting a resolution opposing the route if this is the position that the Council wants to take at this time. Of course, the resolution can be modified to reflect any position that the Council may choose to take on the matter. Another option would be to take no position on the matter until after the public meeting.

Certainly, if the Council adopts the attached resolution and if additional information is provided to the City such that the City favors a particular route, a future resolution could be considered at that time to express that position.

Summer 2014

Blacklands Corridor CONNECTION

Save the Date:

Public Meeting Sept. 4 in Lavon

Thursday, Sept. 4, 2014
NeSmith Elementary School
801 Presidents Blvd.
Lavon, Texas 75166

6:00 pm
Presentation & Public Comments
(A video recording will be posted at **www.nctcog.org/blacklands** after the meeting.)

Residents, elected officials, business leaders, and all interested individuals are invited to a public meeting to learn about work completed to date as well as what to expect in the coming months.

See full notice on back page.

For special accommodations due to a disability or language translation, call 817-608-2335 or email jstout@nctcog.org at least 72 hours prior to the meeting. Reasonable accommodations will be made.

Para ajustes especiales por discapacidad o para interpretación de idiomas, llame al 817-608-2335 o por email: jstout@nctcog.org con 72 horas (mínimo) previas a la junta. Se harán las adaptaciones razonables.

Transportation Study Concluding; Public Encouraged to Stay Involved, Attend Meetings

North Central Texas Council of Governments (NCTCOG) staff will present draft recommendations for the Blacklands Corridor Feasibility Study at a public meeting in Lavon on Sept. 4. A new location limited-access freeway/tollway facility will be included in these recommendations, and the Texas Turnpike Corporation (TTC) has expressed interest in carrying these plans forward for near-term development. TTC, a private development firm, will conduct a state-mandated environmental process which must be completed to determine the project location. Their representatives will also be in attendance to answer questions and further describe what residents can expect from the environmental process.

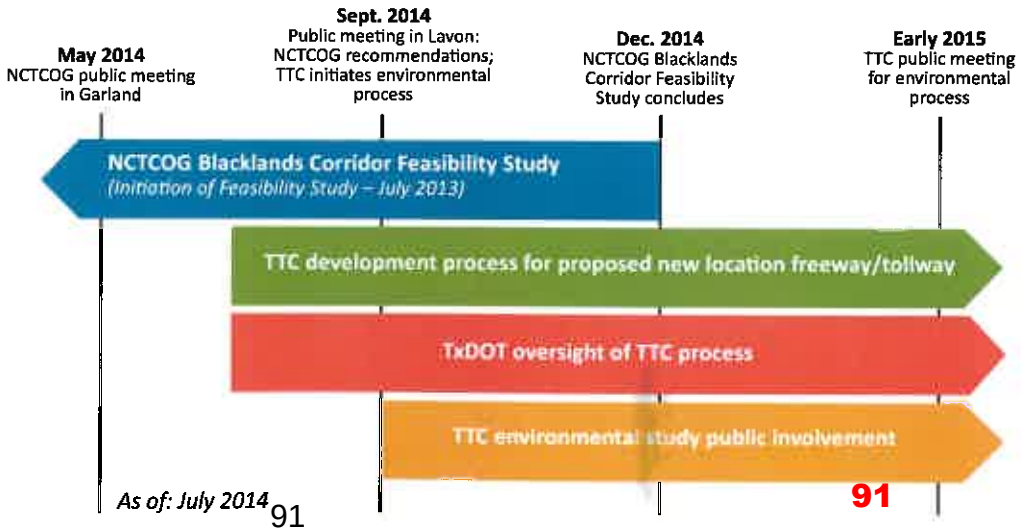
The draft recommendations presented at the Sept. 4 meeting will form the foundation for final recommendations to be published in a report by NCTCOG. A summary of paths forward for implementing each alternative can be found inside this newsletter and will be presented at the meeting.

Although the Sept. 4 meeting will be the last one organized by NCTCOG, TTC will continue to hold public meetings and hearings to solicit feedback from corridor residents regarding the proposed alignment for the new roadway facility.

The environmental assessment conducted by TTC will conform to a state process modeled after the federal process outlined in the National Environmental Policy Act. Concerns about any impact to the natural environment, historic sites, and quality of life will be examined. The Texas Department of Transportation will provide formal supervision throughout the assessment to ensure compliance with state law.

NCTCOG will publish its final report summarizing the study, including the alternatives analysis and public involvement process, later this year. The report will contain responses to issues and concerns raised by residents and other stakeholders during the study. Upon publication, the report will be posted to the study website at www.nctcog.org/blacklands. Paper copies will be made available upon request.

Blacklands Corridor Freeway/Tollway Development Timeline



As of: July 2014

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Inside the Feasibility Study

Amendment to Long-Range Plan Scheduled

NCTCOG staff will present revisions to the region's long-range transportation plan at a series of public meetings Sept. 8-10. Federal regulations require urban areas to maintain a long-range transportation plan covering a period of at least 20 years. Adopted in March 2013, Mobility 2035 - 2013 Update defines a vision for the multimodal system and guides transportation investments. Since then, planners have continued to develop and refine projects contained in the plan. As a result, the plan will be strategically amended to more accurately reflect the latest project-level assumptions for a small number of projects, including the Blacklands Corridor Feasibility Study, which will allow them to meet critical deadlines and progress toward implementation. The Mobility 2035 - 2014 Amendment is anticipated to be adopted in October. Members of NCTCOG's email and mailing lists will receive additional information about the time and location of the public meetings. Information will also be available online at www.nctcog.org/meetings.

Paths Forward for Recommendations Depend on Multiple Agencies, Private Sector

As planners finish their analysis of the strategies being evaluated in the Blacklands Corridor Feasibility Study, they are outlining a path forward for implementing each alternative. The study is recommending a combination of strategies to help meet local and regional transportation needs. Because a number of different entities complete transportation improvements, multiple partners would need to be involved in implementing these recommendations. All of these contributions will help enhance travel conditions in the study area.

Baseline Condition

The baseline condition includes the implementation of improvements that had been previously identified in Mobility 2035 - 2013 Update, the region's long-range transportation plan. Therefore, NCTCOG will continue to work with its regional transportation partners to implement important study area projects.

Transportation Systems Management

The study evaluated multiple smaller-scale improvements that would help improve the efficiency of the existing transportation system. Because a number of items have been considered under this strategy, multiple agencies would be involved in fulfilling the proposals. Recommendations in this category could be done on a continual basis, as stand-alone projects, or as part of larger-scale improvements.

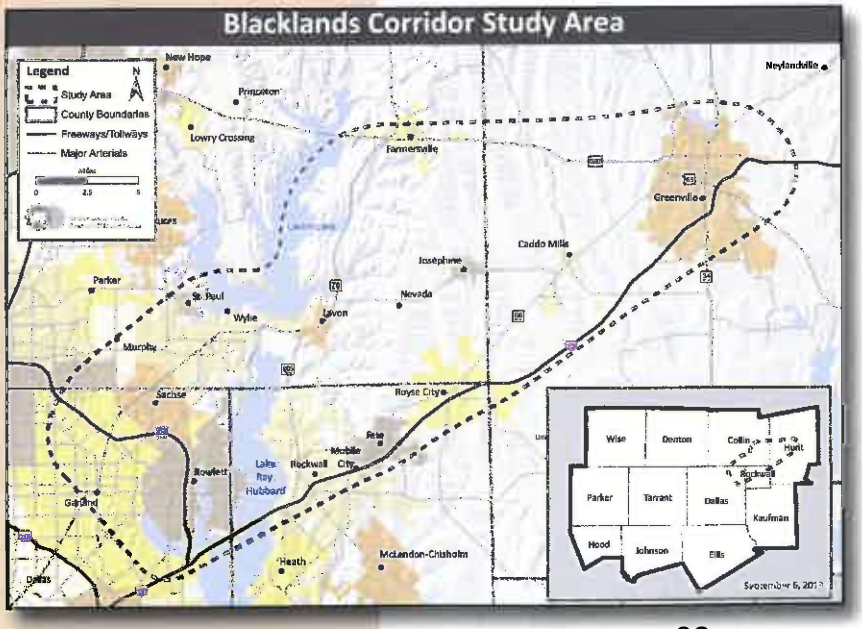
Bicycle/Pedestrian Facilities

Bicycle and pedestrian facilities typically serve a local community need and are usually planned and implemented by cities and counties. NCTCOG works with local governments to aid in this process and to help identify funding for construction, particularly for projects with regional connectivity. As part of this study, planners assessed how all of the local plans work together as a system and identified an additional corridor to provide important system connectivity. NCTCOG will continue to partner with local governments to plan and implement priority bicycle and pedestrian improvements in the study area.

Freight Rail

Planners assessed the feasibility of using rail facilities instead of trucks to aid in the movement of freight throughout the study area. It was determined that this would not be a viable option. However, planned expansion of freight rail facilities in the study area could increase traffic on local roadways. Freight rail facilities are owned and operated by private companies, and expansion and improvement of these facilities are completed at their discretion. While freight rail strategies have been eliminated for further evaluation in the study, local governments and NCTCOG will continue to monitor the impacts that expansion of these facilities would have on travel conditions in the study area.

Continued on next page



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May Public Meeting: Alternatives Discussed, Input Requested

At a public meeting in Garland on May 13, NCTCOG and its consultants presented an analysis of the feasibility for each of the transportation alternatives under consideration. Planners said they would recommend a combination of alternatives, including a new location freeway/tollway. They also announced that a private-sector firm would join the study process to facilitate coordination on plans for the freeway/tollway. Nearly 60 people attended the meeting. Staff advised the public to provide comments by May 31 to ensure their full consideration. A summary of the meeting and comments, presentation materials, and a video recording are available at www.nctcog.org/blacklands.

Public Invited to Help Improve Outreach Plan

Residents are invited to weigh in on an update to NCTCOG's Public Participation Plan, which outlines communications strategies and requirements for seeking public involvement in the transportation and air quality planning process. Staff will present recommendations for comment at public meetings Sept. 8-10. Residents on NCTCOG's email and mailing lists will receive notification of exact times and locations once they are determined.

Proposed updates are based on feedback from a recent survey as well as the need to enhance and focus efforts to inform the public and gather input. The survey results can be viewed at www.nctcog.org/trans/presentations in the presentation from June entitled "Enhancing Communications and Outreach." Email comments and questions to transinfo@nctcog.org or call 817-608-2335.

Continued from previous page

Transit

The feasibility study evaluated two major transit improvements: passenger rail service and express bus service. Analysis of the rail option showed that it failed to meet the ridership levels necessary for implementing service by 2035, so it will not be carried forward as a study recommendation. However, the express bus option did demonstrate ridership levels that would warrant service. Local governments interested in express bus service can partner with public transportation service providers to develop and implement this option.

Arterial Roadways

The study considered a variety of improvements to area arterials, including the optimization of SH 78, a full build-out of local thoroughfare plans, and new arterial facilities in the area near the lakes. As travel demand grows, enhancements to the arterial system will be key to improving mobility and accessibility. Once funding becomes available, improvements to arterials may be completed by cities, counties, or TxDOT, depending on the specific roadway and nature of the improvement.

IH 30 Bottleneck Projects

Several strategies for eliminating bottlenecks and improving the flow of travel in the IH 30 corridor were evaluated. These strategies are not intended to be long-term solutions but could provide temporary relief for this vital corridor while more substantive improvements are being studied and developed. Improvements to the Interstate Highway System are under TxDOT's jurisdiction and would involve extensive coordination with NCTCOG and local governments.

IH 30 Reconstruction

IH 30 is an important connection between the Dallas-Fort Worth region and points east. Recently, there has been growing interest statewide in expanding this facility to accommodate rising travel demand. The feasibility study assessed the impacts of adding general purpose and tolled managed lanes from the President George Bush Turnpike to the city of Greenville. It is expected that additional improvements beyond these limits are needed. TxDOT would be responsible for studying strategies to improve this facility throughout the state in partnership with agencies such as NCTCOG.

New Location Freeway/Tollway

The feasibility study has demonstrated that a transportation need exists in the study area, particularly in the vicinity of Lake Ray Hubbard and Lavon Lake. A private developer continues to show interest in building a new roadway in the study corridor, which could enhance transportation in the study area, particularly between the lakes. This private developer is now working with TxDOT to complete the environmental reviews necessary for project implementation.

Who Can Implement Recommendations from the Study?

Strategy	Implementing Agent
Baseline Condition	Regional transportation partners*
Transportation Systems Management	Regional transportation partners*
Bicycle/Pedestrian Facilities	Cities, counties
Freight Rail	Private-sector owners/operators
Transit	Cities, counties, transit service providers
Arterial Roadways	Cities, counties, TxDOT
IH 30 Bottleneck Projects	TxDOT
IH 30 Reconstruction	TxDOT
New Location Freeway/Tollway	TxDOT, toll authority, private developer

**Regional transportation partners may include cities, counties, TxDOT, toll authorities, transit authorities, and NCTCOG.*

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Blacklands Corridor
CONNECTION
North Central Texas Council of Governments
P. O. Box 5888
Arlington, TX 76005-5888

Notice of Public Meeting
Blacklands Corridor Feasibility Study

Implementation Options to Be Discussed, Including Proposed Construction of New Limited-Access Freeway/Tollway

Public Meeting

Thursday, Sept. 4 at 6 pm
NeSmith Elementary School
801 Presidents Blvd.
Lavon, Texas 75166

NCTCOG will present final draft recommendations for transportation improvements in the Blacklands corridor. This presentation will include information on how recommendations, such as bicycle/pedestrian improvements or bus service, could be implemented.

Representatives from the Texas Turnpike Corporation will provide information on the environmental assessment that will begin this fall for a new location freeway/tollway project.

Meeting attendees will have the opportunity to provide comments and ask questions following the presentations.

Blacklands Corridor Feasibility Study

Since initiating a feasibility study last year, NCTCOG has determined that transportation needs exist in an area stretching from Greenville to Garland that includes portions of Collin, Dallas, Hunt, and Rockwall counties. Planners have conducted a multimodal analysis of transportation alternatives to guide development of solutions and conceptual projects. A final report in December will present recommended strategies for the entire corridor. A map of the study area is inside.

New Location Freeway/Tollway Project

The feasibility study showed that a new location highway could improve mobility in the area. The Texas Turnpike Corporation, a private firm, has begun work to develop this project as a potential toll road. To determine the location, TTC will complete an environmental and public involvement process under the supervision of the Texas Department of Transportation. Residents of the study area are encouraged to participate in this process.

Special Accommodations

For special accommodations due to a disability or language translation, call 817-608-2335 or email jstout@nctcog.org at least 72 hours prior to the meeting. Reasonable accommodations will be made.

Para ajustes especiales por discapacidad o para interpretación de idiomas, llame al 817-608-2335 o por email: jstout@nctcog.org con 72 horas (mínimo) previas a la junta. Se harán las adaptaciones razonables.

How to Provide Comments

Visit www.nctcog.org/blacklands to submit comments and questions to project staff. Staff can also be reached at jstout@nctcog.org or 817-608-2335.

Online Resources

Visit www.nctcog.org/blacklands to sign up for email updates, review project materials and maps, and watch videos of previous public meetings.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 14-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,TEXAS, OPPOSING THE CONSTRUCTION OF THE BLACKLANDS CORRIDOR FREEWAY / TOLLWAY IN THE CITY OF ROCKWALL TEXAS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, The North Central Texas Council of Governments, the Texas Turnpike Corporation, the Texas Department of Transportation, and a private developer have been conducting a study known as the Backlands Corridor Feasibility Study to assess and recommend a combination of strategies related to local and regional transportation needs; and

WHEREAS, the Blacklands Corridor Study Area includes parts of Collin, Dallas, Hunt, and Rockwall Counties and includes consideration of a new tollway connecting the City of Greenville with the President George Bush Turnpike; and

WHEREAS, the City of Rockwall has attended numerous meetings where the discussion of tollway routing has included numerous routes located in Collin County; and

WHEREAS, subsequent meeting of City of Rockwall representatives with representatives of the private developer have indicated that a new tollway route has been added for consideration which would be located in Rockwall County and partially within the City of Rockwall and its Extra-Territorial Jurisdiction.; and

WHEREAS, no documents indicating the new tollway route were provided to the City of Rockwall at said meeting by the private developer's representatives; and

WHEREAS, indications are that the new route being considered is contrary to the current planning of the City of Rockwall including adopted plans for parks, open space, thoroughfares, land use, and utilities; and

WHEREAS, the City of Rockwall has been requested to offer input related to the environmental inpact of the proposed route without having been provided specific information as to the location of the route, thus denying the City of Rockwall the opportunities to adequately assess and respond to potential environmental impact and other possible consequences that such a route may have; and

WHEREAS, the limited information provided about the new route causes great concern;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the City of Rockwall strongly opposes the new route being considered for the Blacklands Corridor / Freeway which is partially located in Rockwall County and the City of Rockwall and its Extra-Territorial Jurisdiction,

Section 2. That the City of Rockwall urges that detailed, accurate information as to all routes currently under consideration by transportation planners be provided to the City of Rockwall and to all of the cities and counties affected by said routes being considered.

Section 3. That work continue on the study of all alternative solutions that may contribute to meeting the transportation needs with transit options being left to the discretion of local

governments, and that the City of Rockwall (and other cities and counties located along all routes being considered) be specifically provided a designated official single point of contact for the purpose of facilitating their involvement in the study as it progresses, and that clarification be provided to those same cities and counties as to the relative roles of the NCTCOG, the Texas Turnpike Corporation, the Texas Department of Transportation, the North Texas Turnpike Authority, the private developer (and its consultants), and any other applicable entities.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 4th day of August, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 8/04/2014

APPLICANT: Randy and Dianne Almon

AGENDA ITEM: **MIS2014-010;** Exterior Materials Exception

SUMMARY:

Discuss and consider a request by Randy and Dianne Almon for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, *General Residential District Standards*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*], for a 0.14-acre parcel of land identified as Block 48B, B. F. Boydston Addition, zoned Single Family 7 (SF-7) District, addressed as 213 Clark Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

BACKGROUND INFORMATION:

The applicants, Randy and Dianne Almon, are requesting a waiver to the 80% masonry requirement for a residential home to allow for the exterior cladding to contain up to a 100% cementaceous lap siding product (e.g. HardiPlank lap siding, etc.) on a newly constructed and approximately 1300 sq. ft. home. The property is located at 213 S. Clark St and is zoned SF-7. The purpose of the request is to maintain a visible aspect of lap siding that is consistent with the surrounding properties.

The Unified Development Code, under Section 3.1(A), General Residential District Standards reads as follows:

1. *…"Hardy Plank or similar cementaceous material may be used for up to 50% of the masonry requirement. Buildings with less than 80 percent shall require approval of the planning and zoning commission."*

The code further states:

3. *Exceptions to these requirements…may be permitted on a case by case basis by the City Council upon submission and approval of elevation drawings of the subject structure, and material samples.*

The applicant has recently purchased the property and is providing a letter requesting the exception and has a conceptual elevation of the home to be built for your review.

RECOMMENDATION:

Should the request be approved, staff would offer the following conditions of approval:

1. Submittal and approval of a building permit.

Planning and Zoning Recommendation:

On July 29, 2014, the Planning and Zoning Commission recommended approval of an exception to the exterior materials requirements of the UDC to allow for the use of up to a 100%

cementaceous lap siding product with staff conditions by a vote of 5 to 0 (Conley & Minth - absent).

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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

100

1:500

July 22, 2014

To Whom It May Concern!

We have purchased the lot at 213 Clark Street in downtown Rockwall. We are having plans drawn up and are planning to build about a 1300' new home with a 2 car garage. In keeping with the look of the neighborhood we are asking for the opportunity to use up to 100% Hardy sided elevation. The houses that are currently built all have siding and we want to maintain that.

Thanks for your consideration concerning this request.

Sincerely,
Dianne Almon
Randy Almon

dianne.almon.da@gmail.com
972-743-1771

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MIS2014-010 - Perspective



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Capital Title

GF# 14-188864-RL/SM

20140000009828
07/15/2014 02:25:33 PM
DEED
Pg: 1/3

General Warranty Deed

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: July 14, 2014

Grantor: **Billy Ray Crawford and wife, Linda K. Crawford**

Grantor's Mailing Address: 213 S. Clark Street, Rockwall, Texas 75087

Grantee: **Randy Almon and wife, Dianne Almon**

Grantee's Mailing Address: 317 CR 1299, Yantis, Texas 75497

Consideration: the sum of TEN DOLLARS ($10.00) cash, and other good and valuable consideration

Property (including any improvements): **See Attached Exhibit A**

Reservations from Conveyance:

This conveyance, however, is made and accepted subject to any and all restrictions, encumbrances, easements, covenants and conditions, if any, relating to the hereinabove described property as the same are filed for record in the County Clerk's Office of Rockwall County, Texas.

Exceptions to Conveyance and Warranty:

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED this 14th day of July, 2014.

Billy Ray Crawford

Linda K. Crawford

THE STATE OF Texas §
§
COUNTY OF Rockwall §

The foregoing instrument was acknowledged before me on the 14th day of July, 2014 by Billy Ray Crawford and Linda K. Crawford.

SHERRI NICHOLS
Notary Public, State of Texas
My Commission Expires
November 03, 2017

NOTARY PUBLIC, STATE OF

AFTER RECORDING, RETURN TO:
Randy Almon
100 Weston Drive
Royse City, Texas 75189

PREPARED IN THE LAW OFFICE OF
Shaddock & Associates, P. C.
2400 N. Dallas Parkway, Ste. 560
Plano, Texas 75093

EXHIBIT "A"

All that certain lot, tract or parcel of land situated in the B.F. BOYDSTUN SURVEY, ABSTRACT NO. 14,
City of Rockwall, Rockwall County, Texas, and being that tract of land as described in a Warranty deed
from Sherman P. Sparks to Billy Ray Crawford and Linda K. Crawford, dated August 31, 1972 and being
recorded in Volume 104, Page 498 of the Deed Records of Rockwall County, Texas, and being more
particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner at the
intersection of the east right-of-way line of S. Clark Street with the north right-of-way line of Hartman
Street, at the southwest corner of said Crawford tract;

THENCE N. 00 deg. 12 min. 48 sec. W. along the east right-of-way line of S. Clark Street, a distance
of 47.93 feet to a 1/2" iron rod found for corner;

THENCE S. 88 deg. 43 min. 16 sec. E. a distance of 131.60 feet to a 3/8" iron rod found for corner in the
west line of Lot 2, Block A, RICHARD HARRIS NO 3 ADDITION, an Addition to the City of Rockwall, Texas
according to the Plat thereof recorded in Cabinet B, Slide 44 of the Plat Records of Rockwall County, Texas;

THENCE S. 00 deg. 09 min. 08 sec. W. along the west line of said Lot 2, a distance of 49.89 feet to a 1/2"
iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the north right-of-way line of
Hartman Street;

THENCE N. 87 deg. 51 min. 51 sec. W. along said right-of-way line, a distance of 131.35 feet to the POINT
OF BEGINNING and containing 0.15 acres of land.

Electronically Filed and Recorded
Official Public Records
Shelli Miller, County Clerk
Rockwall County, Texas
07/15/2014 02:25:33 PM
Fee: $34.00
20140000009828



105

Page No.

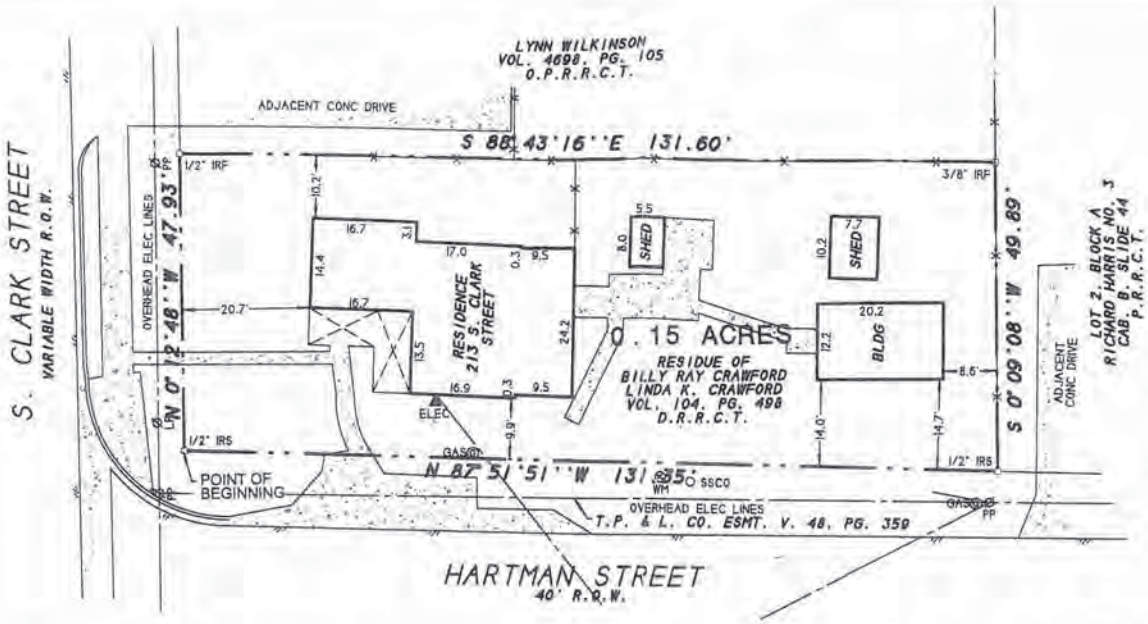
Block No. 47-48-98-99-100

Subdivision or Addition BALLARD & BOYDSTU

McGINTIE PRESS-DALLAS



106



SURVEY ACCEPTED BY

_____ DATE _____

_____ DATE _____

DESCRIPTION

All that certain lot, tract or parcel of land situated in the B.F. BOYDSTUN SURVEY, ABSTRACT NO. 14, City of Rockwall, Rockwall County, Texas, and being that tract of land as described in a Warranty deed from Sherman P. Sparks to Billy Ray Crawford and Linda K. Crawford, dated August 31, 1972 and being recorded in Volume 104, Page 498 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner at the intersection of the east right-of-way line of S. Clark Street with the north right-of-way line of Hartman Street, at the southwest corner of said Crawford tract;

THENCE N. 00 deg. 12 min. 48 sec. W. along the east right-of-way line of S. Clark Street, a distance of 47.93 feet to a 1/2" iron rod found for corner;

THENCE S. 88 deg. 43 min. 16 sec. E. a distance of 131.60 feet to a 3/8" iron rod found for corner in the west line of Lot 2, Block A, RICHARD HARRIS NO 3 ADDITION, an Addition to the City of Rockwall, Texas according to the Plat thereof recorded in Cabinet B, Slide 44 of the Plat Records of Rockwall County, Texas;

THENCE S. 00 deg. 09 min. 08 sec. W. along the west line of said Lot 2, a distance of 49.89 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the north right-of-way line of Hartman Street;

THENCE N. 87 deg. 51 min. 51 sec. W. along said right-of-way line, a distance of 131.35 feet to the POINT OF BEGINNING and containing 0.15 acres of land.

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: RECORDED DEED IN VOL. 104, P. 498, D.R.R.C.T.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for CAPITAL TITLE COMPANY, BILLY RAY CRAWFORD and LINDA K. CRAWFORD at 213 S. CLARK STREET, ROCKWALL, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 7th day of July, 2014.

Harold D. Fetty III, R.P.L.S. No. 5034

STATE OF TEXAS · REGISTERED · HAROLD D. FETTY III · 5034 · PROFESSIONAL LAND SURVEYOR

SYMBOL LEGEND

SURVEY DATE	JULY 7, 2014
SCALE	1" = 20'
FILE #	20140255
CLIENT	CRAWFORD
GF #	14-188864-RL

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 7/29/2014

APPLICANT: Corgan Associates, Inc.

AGENDA ITEM: **SP2014-010**; Rockwall MOB (Presbyterian Hospital Addition)

Discuss and consider a request by Matt Callan of Corgan Associates, Inc. on behalf of the owner, Rockwall Regional Hospital, LLP, for the approval of an exception to the exterior materials requirements in association with a site plan for a medical office building on a 1.8907-acre parcel of land identified as Lot 3, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 9 (PD-9), located along Horizon Road [FM-3097] southeast of the intersection of Horizon Road [FM-3097] and Rockwall Parkway, and take any action necessary.

BACKGROUND INFORMATION:

The applicant has submitted a request for site plan approval of a 20,000 sq. ft. medical office building. The proposed facility is to be located on a 1.8907-acre lot that is within the Presbyterian Hospital of Rockwall Addition and is located north of Presbyterian Hospital. More specifically, the site is located at the N.W. corner of the hospitals main entrance and Horizon Road [FM 3097]. The property is zoned Planned Development No. 9 (PD-9) and has an underlying zoning of (GR) General Retail and is subject to the standards established within this district and PD-9.

EXCEPTION REQUEST:

The applicant will be seeking an exception to the exterior material requirements to allow for stucco located within the first eight (8) feet above grade on facades visible from a street or public area. Based on the applicants' elevations, stucco is present on the tower elements and incorporated in other areas of the buildings' design providing a balance to the remaining materials and overall appearance of the facility.

Under Sec. 4.1, General Commercial District Standards, the UDC provides as follows:

A. Construction materials.

***1. Exterior walls**. Each exterior wall shall consist of 90 percent masonry materials as defined in article XIII, Definitions, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20 percent stone.*
All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g., stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the

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highest standards for quality and durability. However, stucco may not be located in the first eight feet above grade on a facade visible from a street or public area.

Exceptions to this requirement may be permitted on a case by case basis by the council upon submission and approval of elevation drawings of the subject structure and material samples.

RECOMMENDATIONS:

Architectural Review Board Recommendation:

On June 24, 2014, general discussion concerning the agenda item took place between the ARB and staff. The ARB expressed concern about the lack of vertically articulated architectural elements presented on the building and recommended that the architect incorporate some form of verticality at the center of the building. Specifically, the board indicated that pitched roof elements similar to adjacent properties or vertical wing walls would be acceptable.

On July 29, 2014, ARB recommended approval of the applicant's request with no additional recommendations.

Should the request be approved, staff would offer the following conditions:

1. Adherence to Engineering and Fire Department standards.

2. Submittal and approval of a replat prior to issuance of a building permit.

3. Consideration of the recommendations forwarded to the Planning and Zoning Commission by the Architectural Review Board.

4. All signage requires submittal and approval of a separate permit through the Building Inspections Department; including meeting distance requirements from other signs and the total number of signs allowed for this site.

Planning and Zoning Recommendation:

On July 29, 2014, the Planning and Zoning Commission approved the Site Plan request and recommended approval of an exception to the exterior material requirements of the UDC to allow for stucco to be located within the first eight feet from grade as depicted in the revised elevation drawings submitted by a vote of 5 to 0 (Conley & Minth – absent).



City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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CORGAN

ARCHITECTURE
INTERIOR DESIGN

401 North Houston Street
Dallas, TX 75202
TEL 214 748 2000

WWW.CORGAN.COM

21 July 2014

David Gonzales
Senior Planner
City of Rockwall
Planning & Zoning Division
385 S. Goliad Street
Rockwall, Texas 75087

Re :

Dear David,

We would like to request an exception for the use of Stucco within the first eight feet above grade from the material requirements of the Unified Development Code.

Our design concept utilizes material changes to emphasize the building articulation. We propose stucco to extend to the ground in areas that will not be exposed to damage by landscape equipment. Lath and plaster stucco is not easily damaged in areas of minimal foot traffic.

The Total Square Footage & Percentage of Stucco used on the building has been indicated with the Site Plan Submittal on Sheet A-4.0.

Sincerely,

Tina Larsen

Tina Larsen, AIA
Principal

BUILDING PERSPECTIVE

NORTHEAST



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NORTHEAST PERSPECTIVE



NORTHWEST PERSPECTIVE

MATERIALS LEGEND

NORSTONE XL ROCK PANEL OCHRE BLEND 2369.2 SF 20.2%	
SMOOTH TEXTURED STUCCO 3414.6 SF 29.1%	
"TEXAS CREAM" SPLIT FACE BLOCK 970.67 SF 8.2%	
"WHITE ROCK" BURNISHED BLOCK 4990.87 SF 42.5%	

CASE #: SP2014-010

CORGAN

ISSUES

REVISIONS

Rockwall Medical Plaza

FM3097 (HORIZON RD) LOT 3
ROCKWALL, TX 75032

Spine Team Texas, PA

BUILDING PERSPECTIVES - NE/NW

JOB 14146.0100
DATE 07/21/2014
SHEET A-2.0

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7/21/2014 4:22:34 PM A-2.0 BUILDING PERSPECTIVES - NE/NW



SOUTHEAST PERSPECTIVE



SOUTHWEST PERSPECTIVE

MATERIALS LEGEND

	NORSTONE XL ROCK PANEL OCHRE BLEND 2369.2 SF 20.2%
	SMOOTH TEXTURED STUCCO 3414.6 SF 29.1%
	"TEXAS CREAM" SPLIT FACE BLOCK 970.67 SF 8.2%
	"WHITE ROCK" BURNISHED BLOCK 4990.87 SF 42.5%

CASE #: SP2014-010

CORGAN

ISSUES

REVISIONS

Rockwall Medical Plaza

FM3097 (HORIZON RD) LOT 3
ROCKWALL, TX 75032

Spine Team Texas, PA

BUILDING PERSPECTIVES - SE/SW

JOB 14146.0100
DATE 07/21/2014
SHEET A-2.1

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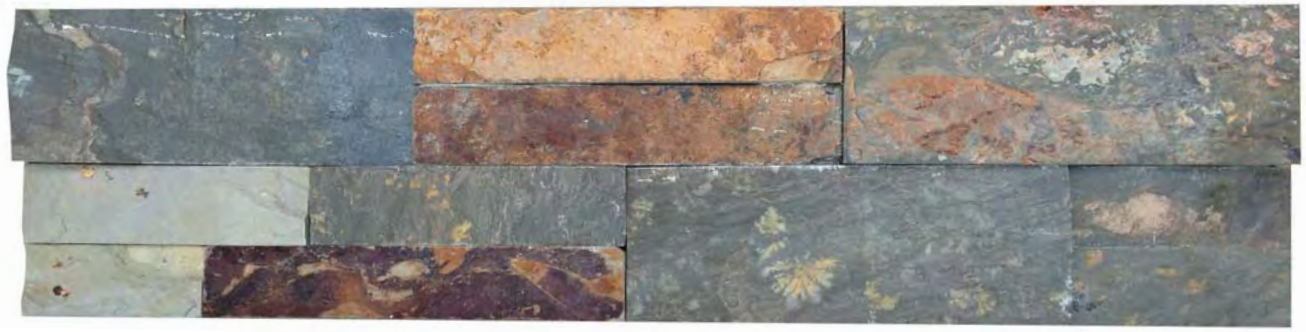
7/21/2014 4:22:37 PM A-2.1 BUILDING PERSPECTIVES - SE/SW



NORSTONE XL ROCK PANEL OCHRE BLEND



SMOOTH TEXTURED STUCCO



"TEXAS CREAM" SPLITFACE BLOCK



"WHITE ROCK" BURNISHED BLOCK







EXISTING SITE CONTEXT

CASE #: SP2014-010

CORGAN

ISSUES

REVISIONS

Rockwall Medical Plaza

FM3097 (HORIZON RD) LOT 3
ROCKWALL, TX 75032

Spine Team Texas, PA

MATERIALS PALETTE & SITE CONTEXT

JOB 14146.0100
DATE 07/21/2014
SHEET

A-3.0

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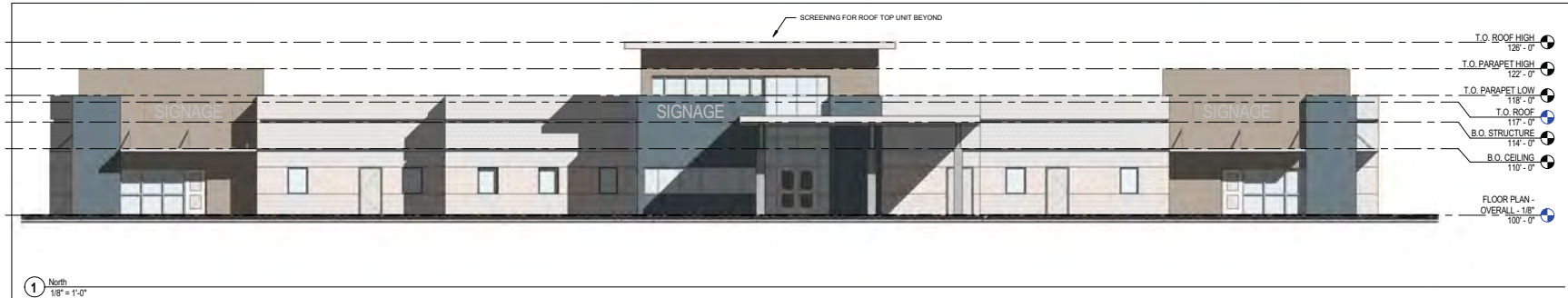
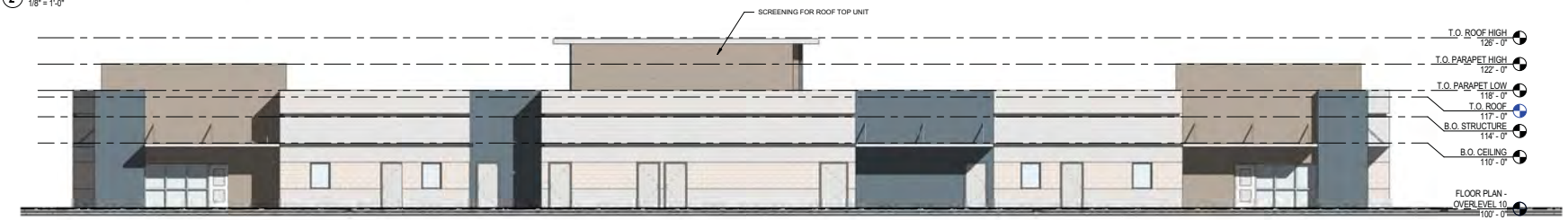
7/21/2014 2:03:29 PM A-3.0 MATERIALS PALETTE & SITE CONTEXT



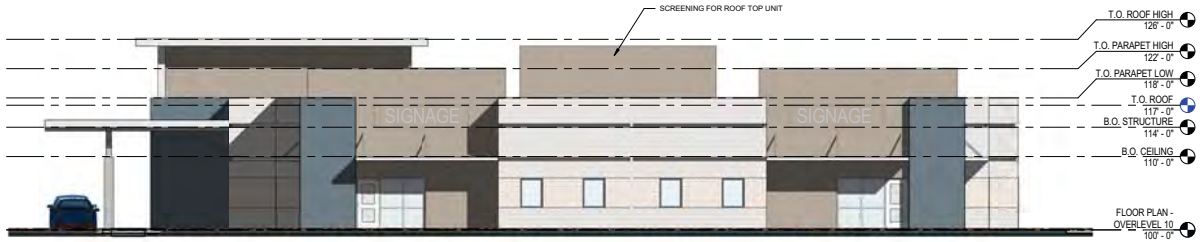
1 North
1/8" = 1'-0"



2 East
1/8" = 1'-0"



3 South
1/8" = 1'-0"



4 West
1/8" = 1'-0"

BUILDING ARTICULATION

REQUIRED:	PROVIDED:
HORIZONTAL: - PROJECTING OFFSET = 25%(17)=4.25'(MIN.5') -LENGTH OF OFFSET = 25%(L)=VARIES(MIN.15') -DISTANCE BETWEEN (L) = 3(17)=51' (MAX.60') VERTICAL: HEIGHT EXTENSION=25%(17')=4.25'(MIN.5') -LENGTH OF EXTENSION = 25%(L)=VARIES (MIN.15') -DISTANCE BETWEEN (L) = 3(17)=51' (MAX.60')	HORIZONTAL: - PROJECTING OFFSET =MAX 5' (VARIES) -LENGTH OF OFFSET =VARIES -DISTANCE BETWEEN (L) = VARIES; MAX LENGTH= 49' - 8 1/8" VERTICAL: HEIGHT EXTENSION=MAX 5' (VARIES) -LENGTH OF EXTENSION = VARIES -DISTANCE BETWEEN (L) = VARIES; MAX LENGTH = 48' - 8 1/8"

MATERIALS LEGEND

NORSTONE XL ROCK PANEL OCHRE BLEND	2369.2 SF 20.2%
SMOOTH TEXTURED STUCCO	3414.6 SF 29.1%
"TEXAS CREAM" SPLIT FACE BLOCK	970.67 SF 8.2%
"WHITE ROCK" BURNISHED BLOCK	4990.87 SF 42.5%

CASE #: SP2014-010

CORGAN

ISSUES

REVISIONS

Rockwall Medical Plaza

FM3097 (HORIZON RD) LOT 3
ROCKWALL, TX 75032

Spine Team Texas, PA

BUILDING ELEVATIONS

JOB 14146.0100
DATE 07/21/2014
SHEET A-4.0

C:\REVIT_USER\Projects\14146\100_Central_11964.rvt

7/21/2014 4:22:52 PM A-4.0 BUILDING ELEVATIONS

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Director of Internal Operations

DATE: July 29, 2014

SUBJECT: Naming of Dickson Lane

The Council Naming Subcommittee (Mayor Pro Tem Pruitt, and Councilmen Daniels and Milder) recently met and discussed the formal naming of the roadway off of North Lakeshore Drive that serves as the entrance to the Squabble Creek Mountain Bike Trail.

Ken Dickson served as a member of the Rockwall City Council from 1981-1985. The Naming Subcommittee is submitting "Dickson Lane" to the full City Council for consideration in honor of Mr. Dickson.

A Resolution formally naming this roadway is attached and a map showing the section is included as an exhibit.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 14-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, NAMING A CERTAIN ROADWAY WITHIN THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall received park land dedicated by developers as part of the Lakeview Summit Residential Development; and

WHEREAS, the city has previously made improvements to the park land used by its residents for leisure activity, including hiking, mountain biking, and nature watching; and

WHEREAS, Ken Dickson served the citizens of Rockwall as a City Council member from 1981 to 1985; and

WHEREAS, the Rockwall City Council wishes to honor Ken Dickson by adding his name to this roadway; and

WHEREAS, the Rockwall City Council believes said naming to be in the best interest of the public;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the roadway from North Lakeshore Drive heading north to the Squabble Creek Treatment Plant and Squabble Creek Mountain Bike Trail shall hereafter be designated as Dickson Lane, a map of which is attached hereto as "Exhibit A";

Section 2. That this resolution shall take effect immediately from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF ROCKWALL, TEXAS, THIS 4th day of August, 2014.

APPROVED:

_____

David Sweet, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary



City of Rockwall

N W E S

0 150 300 Feet

Date: 7/28/2014

DICKSON LANE DEDICATION

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley**

DATE: **August 1, 2014**

SUBJECT: **Harbor Letter to Senator Cornyn**

Jim Pruitt, Mary Smith, and I met with Senator Cornyn's Deputy Director in the Senator's Dallas office last week. We were asked to develop a listing of related questions that the City would like to have answered. Once these questions are received by the Senator's office, their work to assist with the NCUA can begin.

The attached letter has been drafted for the purpose of adding it to the packet of information that we provided to them last week. If any Council member has any changes to the questions, there will be an opportunity to add for that during discussion at the meeting on Monday evening.

Once the Council has modified, added, or deleted questions that should be in the letter, a motion to authorize forwarding the letter to Senator Cornyn would be in order.

City of Rockwall
The New Horizon

July 29, 2014

The Honorable US Senator John Cornyn
5001 Spring Valley Road
Suite 1125 E
Dallas, Texas 75244

Re: "The Harbor", Rockwall, Texas

Dear Senator Cornyn:

The City of Rockwall greatly appreciates the time spent by Mr. Collin McLochlin of your Dallas office in meeting with City Manager Rick Crowley, Assistant City Manager Mary Smith and me last week to discuss the concerns that the City of Rockwall has regarding the property known in Rockwall as "The Harbor". At that meeting, we agreed to provide a listing of questions that City of Rockwall has about the property and its management including its relationship, if any, to the National Credit Union Administration (NCUA).

As indicated in the meeting with Mr. McLochlin, the City has a number of concerns and questions about management of the property as relates both the interests of the City of Rockwall and sound public policy management decisions by those who appear to be making those management decisions – TF Harbor LLC and Credit Union Liquidity Services (CULS). The City of Rockwall has a substantial investment in public property improvements between the Harbor property and Lake Ray Hubbard.

The questions that we have include the following:

- We would like to request that that the relationship between the NCUA – its Region IV staff, Credit Union Liquidity Services, and TF Harbor LLC be defined and explained.
- Is the property in Rockwall Texas, locally known as The Harbor, owned by TF Harbor LLC? If not, who is the owner of the property?
- Does the NCUA (or any other agency or employee of the Federal government) have any oversight or input as to:
    - The management of the property?
    - The decision as to whether to expend funds to maintain and operate the property?
    - The decision to expend funds associated with capital improvements at The Harbor?

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- The decision as to circumstances that must exist at The Harbor such that the property would be for sale?
- The drafting of contract terms if it is to be sold?
- The control of lease terms offered to existing or prospective tenants?

- How does the current ownership's plan for The Harbor make sense as relates to any interest that the Federal government may have in The Harbor?
- Does the property currently report positive cash position and cash flow?
- If the property operates at a deficit, from where is the money for its continued operation derived?
- Based on acquisition cost and annual net income since the property has been under the ownership and control of TF-Harbor LLC, what is The Harbor's current basis? What is the annual net income? If the property operates at a net loss, what is the ownership's plan to recover that loss or sell the asset to end the loss?
- Does the profit/loss noted above, include any recognition of loan payments that would have been due on the "loan?" If not, what is the value of these payments?
- Does the property's ownership have interest in receiving contact information for the several private ventures and entities that have expressed interest to the City in buying the property if those private ventures and entities are agreeable to the City forwarding that information to the ownership?
- What plans have been developed as to whether the property will be sold or if the property will continue to be operated by TF-Harbor LLC?
- What is the relationship, if any, between TF-Harbor LLC and UCR?
- What is the relationship between TF-Harbor and Judge Fites Realtors?
- Does the Harbor ownership understand that the management of the property has an impact on the property's value?
- If the owners have plans to sell the property, what conditions must exist prior to a decision to sell the property?
- If the Harbor is sold, will the sale be a public offering or a privately negotiated sale?

The City of Rockwall would greatly appreciate any assistance that you can provide to facilitate our better understanding of the plans for The Harbor. A copy of the additional information provided to Mr. McLochlin at the meeting last week is also attached for your reference and convenience.

Sincerely,

Jim Pruitt
Mayor Pro Tem

cc: Mr. Collin McLochlin

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **August 1, 2014**

SUBJECT: **Resolution regarding Justin Road Extension property Acquisition**

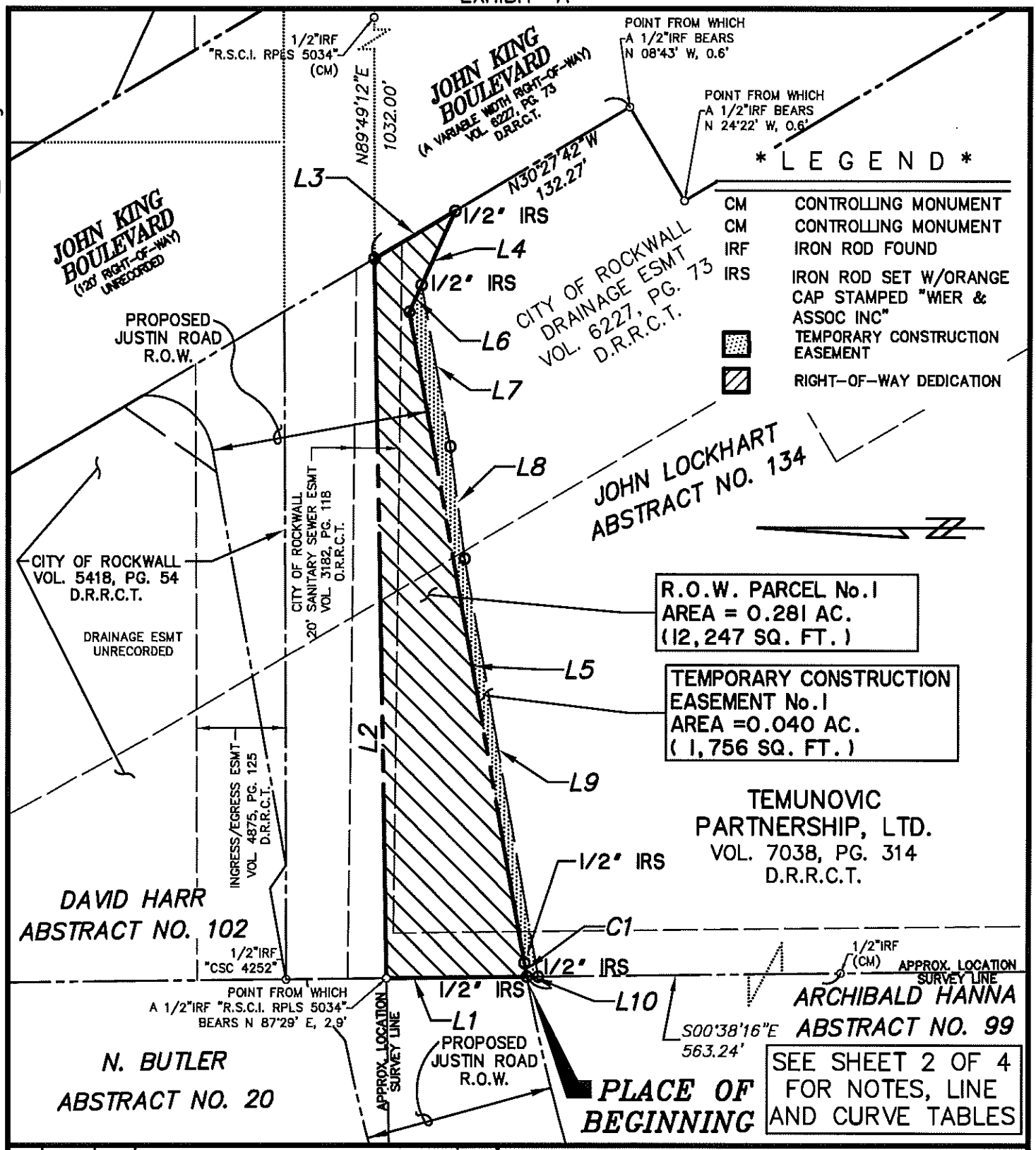
On June 26, 2013, the City made a written offer to acquire fee simple title to for right of way and a Temporary Construction Easement for the land necessary to build the extension of Justin Road from Industrial Blvd to John King Blvd. The property is owned by Temunovic Partnership, LTD. The offer requested for a response within thirty days of receipt and we have not received any communication since our offer was mailed.

To move forward with the acquisition process, State law requires a governmental agency with the power of eminent domain to make a "final offer" at or above the appraised value. If negotiations are unsuccessful, the City may acquire the necessary property through the eminent domain process contingent pursuant to State law.

The City Attorney has prepared a resolution authorizing the issuance of a final offer to Temunovic Partnership, LTD. The final offer will request a response within a minimum of 14 days and if negotiations are unsuccessful, the City Attorney is authorized to acquire the necessary property and easements through eminent domain. Contingent on Council approval, State law requires the following language be used to direct the City Attorney to acquire the property.

"I move that the City of Rockwall authorize the City Attorney to make a last and final offer to Temunovic Partnership, LTD to acquire a .281 acre parcel and a 1,756 square foot Temporary Construction Easement generally located on the west side of John King Blvd for the extension of Justin Road between Industrial Blvd and John King Blvd pursuant to state law. If the final written offer is not accepted within fourteen days of the City making such final offer, I move to authorize the City of Rockwall to authorize the use of the power of eminent domain to acquire the above mentioned land interests for the Justin Road extension."

EXHIBIT "A"



REV.	DATE	BY	DESCRIPTION	CHK.
1	01/31/14	JRA	REVISED FIELD NOTE DESCRIPTIONS	JRA

CITY OF ROCKWALL

RIGHT-OF-WAY DEDICATION & TEMPORARY CONSTRUCTION EASEMENT
ROCKWALL, ROCKWALL COUNTY, TEXAS

SURVEYOR PREPARING THIS EXHIBIT:
WIER & ASSOCIATES, INC.
701 HIGHLANDER BLVD., SUITE 300 ARLINGTON, TEXAS 76015 METRO (817)467-7700
Texas Firm Registration No. F-2776 www.WierAssociates.com
Texas Board of Land Surveying Registration No. 10033900

DRAWN BY: KGH	DATE: 01-31-2014	DWG. NO. 1 OF 4	REV.
CHECKED BY:	DATE: 01-31-2014		
SCALE: 1"=60'	APP.:		

WA#:13096 PRINTED: 01-31-2014 LAST SAVED: 01-31-2014 9:49 AM SAVED BY: JOHNA FILE: ROW DOCUMENT-TEMUNOVIC-13096_Rev1.dwg

LINE TABLE		
LINE	BEARING	DIST
L1	N00°38'16"W	62.84'
L2	N88°58'42"E	318.74'
L3	S30°27'42"E	41.75'
L4	N65°20'14"W	49.22'
L5	S79°47'13"W	293.02'
L6	S65°20'14"E	13.12'
L7	S79°47'13"W	72.75'
L8	S82°38'58"W	50.06'
L9	S79°47'13"W	188.02'
L10	N00°38'16"W	5.05'

NOTES:

(1) ALL BEARINGS SHOWN HEREON ARE CORRELATED TO THE CITY OF ROCKWALL MONUMENTS RESET #16 AND RESET #5-1 AS PUBLISHED IN AUGUST OF 2003 BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD OF 1983. REFER TO THE ACCOMPANYING EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

(2) THIS EXHIBIT WAS PREPARED WITHOUT BENEFIT OF A CURRENT TITLE COMMITMENT.

(3) THIS SURVEY WAS MADE ON THE GROUND UNDER THE DIRECT SUPERVISION OF JOHN R. ANDERSON , R.P.L.S. NO. 6442 DURING THE MONTHS OF AUGUST THRU SEPTEMBER, 2012.

(4) REFER TO THE ACCOMPANYING FIELD NOTES ATTACHED HERETO AND MADE A PART THEREOF.

CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	BEARING	DIST.
C1	6.15'	807.50'	0°26'11"	S79°34'08"W	6.15'

REV.	DATE	BY	DESCRIPTION	CHK.
1	01/31/14	JRA	REVISED FIELD NOTE DESCRIPTIONS	JRA

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CITY OF ROCKWALL

RIGHT-OF-WAY DEDICATION &
TEMPORARY CONSTRUCTION EASEMENT
ROCKWALL, ROCKWALL COUNTY, TEXAS

DRAWN BY: KGH	DATE: 01-31-2014	DWG. NO.	REV.
CHECKED BY:	DATE: 01-31-2014	2 OF 4	
SCALE: NA	APP.:		

WA#13096 PRINTED: 01-31-2014 LAST SAVED: 01-31-2014 9:49 AM SAVED BY: JOHNA FILE: ROW DOCUMENT-TEMUNOVIC-13096_Rev1.dwg

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FIELD NOTES – DESCRIPTION
RIGHT–OF–WAY PARCEL No. 1

BEING A TRACT OF LAND LOCATED IN THE JOHN LOCKHART SURVEY, ABSTRACT No. 134, BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO TEMUNOVIC PARTNERSHIP, LTD., RECORDED IN VOLUME 7038, PAGE 314, DEED RECORDS, ROCKWALL COUNTY, TEXAS (D.R.R.C.T.), AND BEING MORE PARTICULARLY DESRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC INC" IN THE WEST LINE OF SAID TEMUNOVIC TRACT AND IN THE EAST LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO ROCKWALL ECONOMIC DEVELOPMENT CORPORATION, RECORDED IN VOLUME 4168, PAGE 317, D.R.R.C.T., FROM WHICH A 1/2" IRON ROD FOUND BEARS S 00°38'16" E, 563.24 FEET, SAID IRON ROD FOUND BEING THE MOST WESTERLY SOUTHWEST CORNER OF SAID TEMUNOVIC TRACT;

THENCE N 00°38'16" W, ALONG THE WEST LINE OF SAID TEMUNOVIC TRACT AND THE EAST LINE OF SAID ROCKWALL ECONOMIC DEVELOPMENT TRACT, 62.84 FEET TO A POINT, SAID POINT BEING THE NORTHWEST CORNER OF SAID TEMUNOVIC TRACT, FROM WHICH A 1/2" IRON ROD FOUND WITH A CAP STAMPED "R.S.C.I. RPLS 5034" BEARS N 87°29' E, 2.9 FEET;

THENCE N 88°58'42" E, DEPARTING THE EAST LINE OF SAID ROCKWALL ECONOMIC DEVELOPMENT TRACT AND ALONG THE NORTH LINE OF SAID TEMUNOVIC TRACT, 318.74 FEET TO A POINT IN THE WEST RIGHT–OF–WAY LINE OF JOHN KING BOULEVARD (A VARIABLE WIDTH RIGHT–OF–WAY), RECORDED IN VOLUME 6227, PAGE 73, D.R.R.C.T., FROM WHICH A 1/2" IRON ROD FOUND WITH A CAP STAMPED "R.S.C.I. RPLS 5034" BEARS N 89°49'12" E, 1032.00 FEET, SAID IRON ROD FOUND BEING THE NORTHEAST CORNER OF SAID TEMUNOVIC TRACT;

THENCE S 30°27'42" E, DEPARTING THE NORTH LINE OF SAID TEMUNOVIC TRACT AND ALONG THE WEST RIGHT–OF–WAY LINE OF SAID JOHN KING BOULEVARD, 41.75 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC INC";

THENCE N 65°20'14" W, DEPARTING THE WEST RIGHT–OF–WAY LINE OF SAID JOHN KING BOULEVARD, 49.22 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC INC";

THENCE S 79°47'13" W, 293.02 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC INC", BEING THE BEGINNING OF A CURVE TO THE LEFT;

THENCE SOUTHWESTERLY, AN ARC LENGTH OF 6.15 ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 807.50 FEET, A DELTA ANGLE OF 0°26'11", AND A CHORD BEARING S 79°34'08" W, 6.15 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.281 ACRES (12,247 SQUARE FEET) OF LAND, MORE OR LESS.

THIS SURVEY WAS MADE ON THE GROUND UNDER THE DIRECT SUPERVISION OF JOHN R. ANDERSCON , R.P.L.S. NO. 6442 DURING THE MONTHS OF AUGUST THRU SEPTEMBER, 2012. ALL BEARINGS RECITED HEREIN ARE CORRELATED TO THE CITY OF ROCKWALL MONUMENTS RESET #16 AND RESET #5–1 AS PUBLISHED IN AUGUST OF 2003 BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD OF 1983. REFER TO THE ACCOMPANYING EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

REV.	DATE	BY	DESCRIPTION	CHK.
1	01/31/14	JRA	REVISED FIELD NOTE DESCRIPTIONS	JRA

SURVEYOR PREPARING THIS EXHIBIT:

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Texas Board of Land Surveying Registration No. 10033900

CITY OF ROCKWALL

RIGHT–OF–WAY DEDICATION &
TEMPORARY CONSTRUCTION EASEMENT
ROCKWALL, ROCKWALL COUNTY, TEXAS

DRAWN BY: KGH	DATE: 01–31–2014	DWG. NO.	REV.
CHECKED BY:	DATE: 01–31–2014	3 OF 4	
SCALE: NA	APP.:		

WA#:XXXXX.XX PRINTED: 01–31–2014 LAST SAVED: 01–31–2014 9:49 AM SAVED BY: JOHNA FILE: ROW DOCUMENT–TEMUNOVIC–13096_Rev1.dwg

FIELD NOTES – DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT No. 1

BEING A TRACT OF LAND LOCATED IN THE JOHN LOCKHART SURVEY, ABSTRACT No. 134, BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO TEMUNOVIC PARTNERSHIP, LTD., RECORDED IN VOLUME 7038, PAGE 314, DEED RECORDS, ROCKWALL COUNTY, TEXAS (D.R.R.C.T.), AND BEING MORE PARTICULARLY DESRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC INC" IN THE WEST LINE OF SAID TEMUNOVIC TRACT AND IN THE EAST LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO ROCKWALL ECONOMIC DEVELOPMENT CORPORATION, RECORDED IN VOLUME 4168, PAGE 317, D.R.R.C.T., SAID IRON ROD SET BEING THE BEGINNING OF A CURVE TO THE RIGHT, FROM WHICH A 1/2" IRON ROD FOUND BEARS S 00°38'16" E, 563.24 FEET, SAID IRON ROD FOUND BEING THE MOST WESTERLY SOUTHWEST CORNER OF SAID TEMUNOVIC TRACT;

THENCE NORTHEASTERLY, DEPARTING THE WEST LINE OF SAID TEMUNOVIC TRACT AND THE EAST LINE OF SAID ROCKWALL ECONOMIC DEVELOPMENT TRACT AN ARC LENGTH OF 6.15 ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 807.50 FEET, A DELTA ANGLE OF 0°26'11", AND A CHORD BEARING OF N 79°34'08" E, 6.15 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER ASSOC INC";

THENCE N 79°47'13" E, 293.02 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC INC";

THENCE S 65°20'14" E, 13.12 FEET TO A POINT;

THENCE S 79°47'13" W, 72.75 FEET TO A POINT;

THENCE S 82°38'58" W, 50.06 FEET TO A POINT;

THENCE S 79°47'13" W, 188.02 FEET TO A POINT IN THE WEST LINE OF SAID TEMUNOVIC TRACT AND THE EAST LINE OF SAID ROCKWALL ECONOMIC DEVELOPMENT TRACT;

THENCE N 00°38'16" W, ALONG THE WEST LINE OF SAID TEMUNOVIC TRACT AND THE EAST LINE OF SAID ROCKWALL ECONOMIC DEVELOPMENT TRACT, 5.05 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1,756 SQUARE FEET OF LAND, MORE OR LESS.

John R. Anderson
1/31/14

STATE OF TEXAS
REGISTERED
JOHN R. ANDERSON
6442
PROFESSIONAL
LAND SURVEYOR

THIS SURVEY WAS MADE ON THE GROUND UNDER THE DIRECT SUPERVISION OF JOHN R. ANDERSCON , R.P.L.S. NO. 6442 DURING THE MONTHS OF AUGUST THRU SEPTEMBER, 2012. ALL BEARINGS RECITED HEREIN ARE CORRELATED TO THE CITY OF ROCKWALL MONUMENTS RESET #16 AND RESET #5-1 AS PUBLISHED IN AUGUST OF 2003 BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD OF 1983. REFER TO THE ACCOMPANYING EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

REV.	DATE	BY	DESCRIPTION	CHK.
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CITY OF ROCKWALL

RIGHT-OF-WAY DEDICATION &
TEMPORARY CONSTRUCTION EASEMENT
ROCKWALL, ROCKWALL COUNTY, TEXAS

DRAWN BY: KGH	DATE: 01-31-2014	DWG. NO. 4 OF 4	REV.
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PRINTED: 01-31-2014 LAST SAVED: 01-31-2014 9:49 AM SAVED BY: JOHNA FILE: ROW DOCUMENT-TEMUNOVIC-13096_Rev1.dwg
WA#:XXXXX.XX

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CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 14-14

A RESOLUTION OF THE CITY OF ROCKWALL, TEXAS, DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO AND A TEMPORARY CONSTRUCTION EASEMENT ON ALL OR PORTIONS OF CERTAIN PRIVATELY OWNED REAL PROPERTIES FOR THE JUSTIN ROAD PROJECT LOCATED IN ROCKWALL COUNTY, TEXAS OWNED BY TEMUNOVIC PARTNERSHIP, LTD AND RESPECTIVELY LISTED AS FOLLOWS: A TRACT OF LAND CONTAINING 0.281 ACRES (12,247 SQUARE FEET) AND A TRACT OF LAND CONTAINING 1,756 SQUARE FEET, LOCATED OFF JUSTIN ROAD BETWEEN INDUSTRIAL BOULEVARD AND JOHN KING BOULEVARD IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; SAVE AND EXCEPT ANY OIL, GAS, OR OTHER MINERALS IN, ON OR UNDER OR PRODUCED FROM SAID PROPERTIES, WHICH MAY BE REMOVED FROM BENEATH SAID PROPERTIES WITHOUT ANY RIGHT WHATSOEVER REMAINING TO THE OWNER(S) OF SAID OIL, GAS OR OTHER MINERALS OF INGRESS OR EGRESS TO OR FROM THE SURFACE OF SAID PROPERTIES FOR THE PURPOSE OF EXPLORING, DEVELOPING, DRILLING, OR MINING OF SAME, AND SAVE FOR THE PUBLIC PURPOSE OF CONSTRUCTION, OPERATION, RECONSTRUCTION, IMPROVEMENT, REPAIR AND MAINTENANCE, OF THE JUSTIN ROAD STREET PROJECT; AUTHORIZING ALL APPROPRIATE ACTION OF THE CITY IN THE INSTITUTION AND PROSECUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE SUCH PROPERITES THAT CANNOT BE ACQUIRED THROUGH NEGOTIATION; RATIFYING AND AFFIRMING ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS, AGENTS AND EMPLOYEES OF THE CITY TO ACQUIRE SUCH PROPERTIES; AUTHORIZING ALL OTHER LAWFUL ACTION NECESSARY OR INCIDENTAL TO SUCH ACQUISITIONS OR EMINENT DOMAIN PROCEEDINGS TO INVESTIGATE, SURVEY, SPECIFY, DEFINE, APPRAISE, AND SECURE THE NECESSARY FEE SIMPLE TITLES AND TEMPORARY CONSTRUCTION EASEMENT TO SAID PRIVATELY OWNED REAL PROPERTIES; AND DECLARING THE SECTIONS OF THE RESOLUTION TO BE SEVERABLE ONE FROM THE OTHER IN THE EVENT ANY SECTION OF THIS RESOLUTION IS DETERMINED TO BE INVALID.

WHEREAS, the City of Rockwall has determined that the acquisition of fee simple title to and a temporary construction easement on all or portions of certain privately owned real properties located in Rockwall County, Texas, SAVE AND EXCEPT ANY OIL, GAS OR OTHER MINERALS IN, ON OR UNDER OR PRODUCED FROM SAID PROPERTIES, WHICH MAY BE REMOVED FROM BENEATH SAID PROPERTIES WITHOUT ANY RIGHT WHATSOEVER REMAINING TO THE OWNER(S) OF SAID OIL, GAS OR MINERALS OF INGRESS OR EGRESS TO OR FROM THE SURFACE OF SAID PROPERTIES FOR THE PURPOSE OF EXPLORING, DEVELOPING, DRILLING, OR PRODUCTION OF SAME, AND SAVE, is necessary and desirable for the construction, operation, reconstruction, improvement, repair and maintenance, of the Justin Road Street Project, a tract of land containing 0.281 acres (12,247 square feet) more or less, as described and depicted in the attached Exhibit "A" and

referenced as “Right of Way Parcel No. 1”, and a tract of land containing 1,756 square feet of land, more or less, as described and depicted in the attached Exhibit “A” and referenced as “Temporary Construction Easement No. 1”; said Exhibit “A” is fully incorporated herein by reference. The City of Rockwall has previously budgeted funds to be expended for these purposes, an adequate part of which remains on hand for such purposes; and

WHEREAS, employees, agents and attorneys acting for the City of Rockwall, are in the process of investigating, surveying, defining and negotiating for the acquisition of such privately owned real properties as may be needed on behalf of the City; and

WHEREAS, in connection with the acquisition of such privately owned real properties, it may be necessary for the City to enter upon properties to investigate, survey and appraise the needed property interests so that they may be defined and described with specificity for inclusion in any sales agreement or, if necessary, as part of any filings to institute proceedings in eminent domain to acquire the necessary property rights.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THAT:

SECTION 1. Public necessity requires that the City of Rockwall acquire fee simple title to all or portions of certain privately owned real property either through purchase or by the process of eminent domain, for the public purpose of the construction, operation, reconstruction, improvement, repair and maintenance, of the Justin Road Street Project, more specifically,

> BEING A TRACT OF LAND LOCATED IN THE JOHN LOCKHART SURVEY, ABSTRACT No. 134, BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO TEMUNOVIC PARTNERSHIP, LTD., RECORDED IN VOLUME 7038, PAGE 314, DEED RECORDS, ROCKWALL COUNTY, TEXAS (D.R.R.C.T.), AND BEING MORE PARTICULARLY DESRIBED BY METES AND BOUNDS AS FOLLOWS:
>
> BEGINNING AT A 1/2” IRON ROD SET WITH A CAP STAMPED “WIER & ASSOC INC” IN THE WEST LINE OF SAID TEMUNOVIC TRACT AND IN THE EAST LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO ROCKWALL ECONOMIC DEVELOPMENT CORPORATION, RECORDED IN VOLUME 4168, PAGE 317, D.R.R.C.T., FROM WHICH A 1/2” IRON ROD FOUND BEARS S 00º38’16” E, 563.24 FEET, SAID IRON ROD FOUND BEING THE MOST WESTERLY SOUTHWEST CORNER OF SAID TEMUNOVIC TRACT;
>
> THENCE N 00º38’16” W, ALONG THE WEST LINE OF SAID TEMUNOVIC TRACT AND THE EAST LINE OF SAID ROCKWALL ECONOMIC DEVELOPMENT TRACT, 62.84 FEET TO A POINT, SAID POINT BEING THE NORTHWEST CORNER OF SAID TEMUNOVIC TRACT, FROM WHICH A 1/2" IRON ROD FOUND WITH A CAP STAMPED “R.S.C.I. RPLS 5034” BEARS N 87º29’ E, 2.9 FEET;

THENCE N. 88º58’42” E, DEPARTING THE EAST LINE OF SAID ROCKWALL ECONOMIC DEVELOPMENT TRACT AND ALONG THE NORTH LINE OF SAID TEMUNOVIC TRACT, 318.74 FEET TO A POINT IN THE WEST RIGHT-OF-WAY LINE OF JOHN KING BOULEVARD (A VARIABLE WIDTH RIGHT-OF-WAY), RECORDED IN VOLUME 6227, PAGE 73, D.R.R.C.T., FROM WHICH A 1/2" IRON ROD FOUND WITH A CAP STAMPED “R.S.C.I. RPLS 5034” BEARS N. 89º49’12” E, 1032.00 FEET, SAID IRON ROD FOUND BEING THE NORTHEAST CORNER OF SAID TEMUNOVIC TRACT;

THENCE S 30º27’42” E, DEPARTING THE NORTH LINE OF SAID TEMUNOVIC TRACT AND ALONG THE WEST RIGHT-OF-WAY LINE OF SAID JOHN KING BOULEVARD, 41.75 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED “WIER & ASSOC INC”;

THENCE N 65º20’14” W, DEPARTING THE WEST RIGHT-OF-WAY LINE OF SAID JOHN KING BOULEVARD, 49.22 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED “WIER & ASSOC INC.”;

THENCE S 79º47’13” W, 293.02 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED “WIER & ASSOC INC”, BEING THE BEGINNING OF A CURVE TO THE LEFT;

THENCE SOUTHWESTERLY, AN ARC LENGTH OF 6.15 ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 807.50 FEET, A DELTA ANGLE OF 0º26’11”, AND A CHORD BEARING S 79º34’08” W, 6.15 FEET TO THE PLACE OF BEGINNING AND CONTAINING .0281 ACRES (12,247 SQUARE FEET) OF LAND, MORE OR LESS.

Public necessity also requires the City of Rockwall to take all other lawful action necessary or incidental to such acquisitions or eminent domain proceedings to investigate, survey, specify, define, appraise and secure the necessary fee simple title to the privately owned real properties described in Section 1.

SECTION 2. Public necessity requires that the City of Rockwall acquire a temporary construction easement to all or portions of certain privately owned real property either through purchase or by the process of eminent domain, for the public purpose of the construction, operation, reconstruction, improvement, repair and maintenance, of the Justin Road Street Project, more specifically,

BEING A TRACT OF LAND LOCATED IN THE JOHN LOCKHART SURVEY, ABSTRACT No. 134, BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO TEMUNOVIC PARTNERSHIP, LTD. RECORDED IN VOLUME 7038, PAGE 314, DEED RECORD, ROCKWALL COUNTY, TEXAS (D.R.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2” IRON ROD SET WITH A CAP STAMPED “WIER & ASSOC. INC” IN THE WEST LINE OF SAID TEMUNOVIC TRACT AND IN THE

EAST LINE OF A TRACT OF LAND DESRIBED IN A DEED TO ROCKWALL ECONOMIC DEVELOPMENT CORPORATION, RECORDED IN VOLUME 4168, PAGE 317, D.R.R.C.T., SAID IRON ROD SET BEING THE BEGINNING OF A CURVE TO THE RIGHT, FROM WHICH A 1/2" IRON ROD FOUND BEARS S 00º38'16" E, 563.24 FEET, SAID IRON ROD FOUND BEING THE MOST WESTERLY SOUTHWEST CORNER OF SAID TEMUNOVIC TRACT;

THENCE NORTHEASTERLY, DEPARTING THE WEST LINE OF SAID TEMUNOVIC TRACT AND THE EAST LINE OF SAID ROCKWALL ECONOMIC DEVELOPMENT TRACT AN ARC LENGTH OF 6.15 ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS, OF 807.50 FEET, A DELTA ANGLE OF 0º26'11", AND A CHORD BEARING OF N 79º34'08" E, 6.15 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER ASSOC INC";

THENCE N 79º47'13" E, 293.02 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC INC";

THENCE S 65º20'14" E, 13.12 FEET TO A POINT;

THENCE S 79º47'13" W, 72.75 FEET TO A POINT;

THENCE S 82º38'58" W, 50.06 FEET TO A POINT;

THENCE S 79º47'13" W, 188.02 FEET TO A POINT IN THE WEST LINE OF SAID TEMUNOVIC TRACT AND THE EAST LINE OF SAID ROCKWALL ECONOMIC DEVELOPMENT TRACT;

THENCE N 00º38'16" W, ALONG THE WEST LINE OF SAID TEMUNOVIC TRACT AND THE EAST LINE OF SAID ROCKWALL ECONOMIC DEVELOPMENT TRACT, 5.05 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1,756 SQUARE FEET OF LAND, MORE OR LESS.

Public necessity also requires the City of Rockwall to take all other lawful action necessary or incidental to such acquisitions or eminent domain proceedings to investigate, survey, specify, define, appraise and secure the temporary construction easement to the privately owned real properties described in Section 2.

SECTION 3. The properties which are the subject of Sections 1 and 2 for which fee simple title and a temporary construction easement are required for the construction, operation, reconstruction, improvement, repair and maintenance, of the Justin Road Street Project, are described in "Exhibit A", which is attached to and is made a part of this Resolution for all purposes, SAVE AND EXCEPT ANY OIL, GAS OR OTHER MINERALS IN, ON OR UNDER OR PRODUCED FROM SAID PROPERTIES, WHICH MAY BE REMOVED FROM BENEATH SAID PROPERTIES WITHOUT ANY RIGHT WHATSOEVER REMAINING TO THE OWNER(S) OF SAID OIL, GAS OR MINERALS OF INGRESS OR EGRESS TO OR FROM THE SURFACE OF SAID PROPERTIES FOR THE PURPOSE OF EXPLORING, DEVELOPING, DRILLING, OR PRODUCTION OF SAME.

SECTION 4. The City of Rockwall, acting by and through its attorneys, is hereby directed and authorized to institute and prosecute to conclusion all necessary proceedings to condemn the property interests described in Section 1 and Section 2 of this Resolution and to acquire such interests in land as the City is unable to acquire through negotiation by reason of its inability to agree with the owners of the land as to the value of such interest in land, and to take any other legal action necessary or incidental to such acquisitions or eminent domain proceedings to investigate, survey, specify, define, appraise and secure the necessary property rights.

SECTION 5. All acts and proceedings done or initiated by the employees, agents and attorneys of the City for the acquisition of such property interests rights are hereby authorized, ratified, approved, confirmed and validated and declared to be valid in all respects as of the respective dates of such acts and proceedings, with and in regard to the parties from whom such rights are being purchased or acquired.

SECTION 6. Severability: If any provision, section, subsection, sentence, clause or phrase of this Resolution, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Resolution shall not be affected thereby, it being the intent of the City Council in adopting this Resolution that no portion hereof, or provisions or regulation contained herein, shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion hereof and all provisions of this Resolution are declared to be severable for that purpose.

SECTION 7. That this resolution shall take effect immediately from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF ROCKWALL, TEXAS, THIS 4th day of August, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Kristy Ashberry, City Secretary**

DATE: **August 1, 2014**

SUBJECT: **E-cigarettes and vaping in city buildings**

Councilmember Milder has requested this agenda item be placed on the August 1st meeting agenda for discussion / consideration.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **July 30, 2014**

SUBJECT: **Review and discuss the City's current retaining wall standards**

At the July 21st City Council meeting, the City Manager was asked to put information together regarding the City's current standards for retaining walls. Staff has prepared a brief presentation for the August 4th meeting (enclosed in your packets for review). Following the presentation, staff will be prepared to discuss the current standards as well as any potential changes the Council may desire to make to them.

Retaining Wall Standards



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Current Retaining Wall Regulations

- All retaining walls require a permit (we review for proposed materials, proposed location - if in an easement letter is required from Utility, and lot to lot drainage. Most of the Cities surveyed do not require a permit for walls <4' in height)
- Retaining walls shall be installed where lot slope is greater than 3:1
- All walls shall be masonry, stone, or reinforced concrete with stone face/form liner
- Walls 4' and higher require a professional Engineer's sealed design plan and his inspection (27 other Cities surveyed, with 1 requiring the same, 21 for walls >4', 2 at >3', 1 at >30" and 1 at >2')
- Railroad tie walls are prohibited
- Smooth concrete walls are prohibited

Requirements within our Engineering Standards of Design. Council may amend the standards if desired, by instructing Staff to amend the document, which does not require an ordinance change.

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Wall Types Not Allowed Currently



Railroad Ties



148



Wood Products



149



Smooth concrete



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Wall Types Currently Allowed

151

Smooth face CMU Blocks



152

Split Face CMU Blocks





153



Pavestones



154

Solid Stone Blocks





155

Keystone Blocks





156

Concrete with Stone Face/Form Liner





157





Concrete with Masonry Veneer





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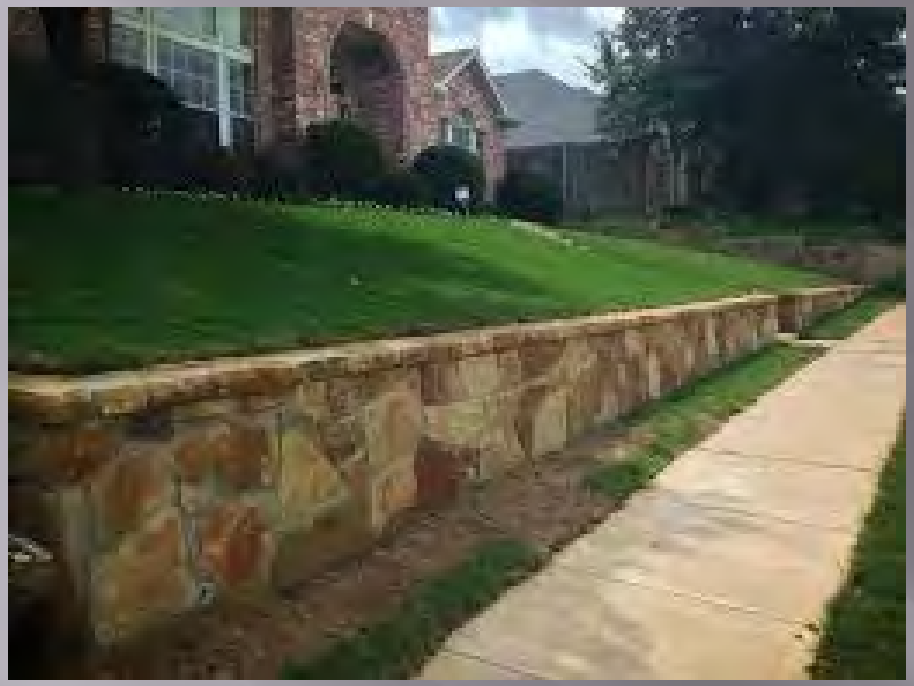
Millsap Wall





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Stone Wall





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Maintenance Standards

The following regulations exist in two surrounding City ordinances:

- It shall be unlawful for any portion of a retaining wall to lean more than 15 degrees out of vertical alignment
- Any wall that is 10 degrees or more out of plumb shall be repaired, replaced or removed

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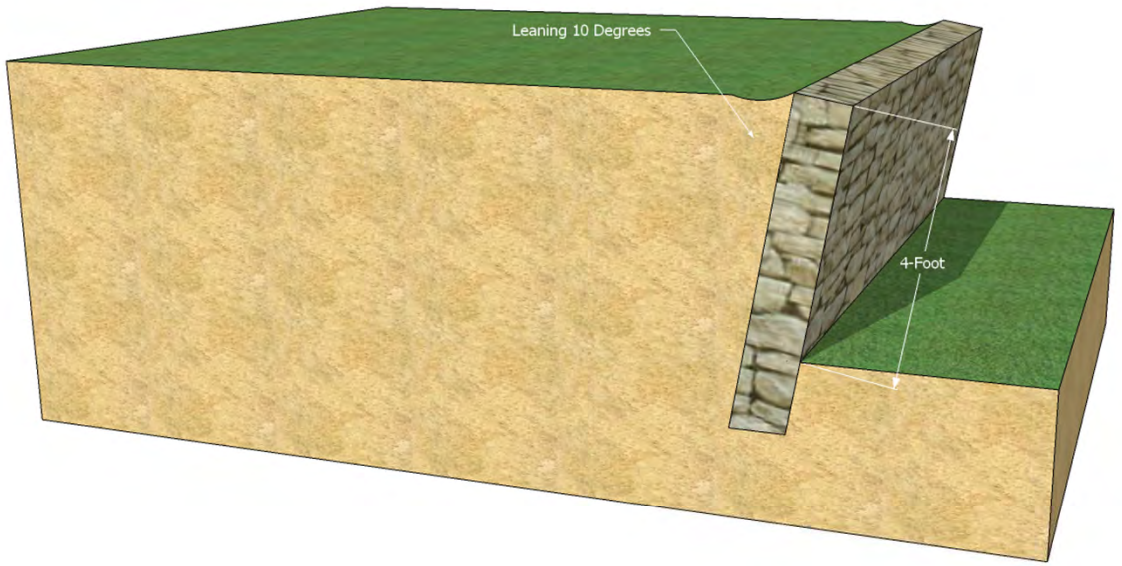
Representation of a 4’ wall leaning 10º



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216 Alto Vista

Block wall is leaning 3.72^{o} and the concrete wall is leaning 5.31^{o}



Retaining Wall Standards



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August 2014 (Re) Appointments
2 year appointments to August 2016 unless otherwise noted

ARCHITECTURAL REVIEW BOARD (ARB) - Milder

(1) May be reappointed
Kristi Mase (attendance – missed 1 of 9 mtgs.)
Julien Meyrat (attendance – missed 1 of 9 mtgs.)

(2) Need to be replaced
Michael Johnston
Mike Mershawn (attendance - missed 4 of 9 mtgs.) (new member would serve partial term until Aug. 2015)

BOARD OF ADJUSTMENTS (BOA) - Full Council

(1) May be reappointed
Todd White (attendance – missed 1 of 3 mtgs.)

(1) Needs to be replaced
Jennifer Willis (termed out - 6 year policy)

BUILDING & STANDARDS COMMISSION - Full Council

(1) May be reappointed
Eric Chodun (attendance – attended the 1 mtg. that's been held in last year)

(3) Need to be replaced
David Marlett (termed out - 6 year policy)
Bridgett Hoofnagle (termed out - 6 year policy)
Mike Jusko (termed out - 6 year policy)

HISTORIC PRESERVATION ADVISORY BOARD (HPAB) - Daniels

(2) May be reappointed
Dick Clark (attendance – missed 1 of 8 mtgs.)
Tina Rowe (attendance – missed 1 of 8 mtgs.)

(2) Need to be replaced
Patti Canup (Historic Foundation Member) - (attendance - missed 5 of 8 mtgs.) (replacement would serve until Aug. 2015)
Enid Reyes (interested citizen) - (has missed 3 out of 6 mtgs. since being appointed)

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PARK BOARD - Townsend

(3) May be reappointed
Brad Bassett (attendance – missed 4 of 11 mtgs.)
Kevin Moffatt (attendance - missed 2 of 11 mtgs.)
Charles Johnson (attendance - no missed meetings)

(1) Need to be replaced
Marcus Yarbrough (termed out - 6 year policy)

PLANNING & ZONING COMMISSION - Full Council

(2) May be reappointed
Craig Renfro (attendance – missed 2 of 23 mtgs. in last year) (new term through Aug. 2017)
Matthew Nielsen (attendance – missed 6 of 23 mtgs. in last year) (new term through Aug. 2017)

(2) Need to be replaced
Kristen Minth (termed out - 6 year policy (new board member's term through Aug. 2017)
Connie Jackson (termed out - 6 year policy) (new board member's term through Aug. 2017)

MAIN STREET ADVISORY BOARD - Sweet

(1) Needs to be replaced
SuLaine Callaway (resigned) (new board member's term would be through Jan. 2016)

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City of Rockwall

The New Horizon

Building Inspections Department
Monthly Report

June 2014

Permits

Total Permits Issued: 273

Building Permits 28 Contractor Permits 245

Total Permit Values: $ 7,976,605.79

Building Permits $ 6,651,999.16 Contractor Permits $ 1,324,606.63

Total Fees Collected: $ 161,690.82

Building Permits $ 116,976.33 Contractor Permits $ 4,4714.49

Board of Adjustment

Board of Adjustment Cases 2

City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

For the Period 6/1/2014 thru 6/30/2014

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	5	$0.00	$253.00
	1	$0.00	$50.00
30 DAY BANNER	4	$0.00	$203.00
CHURCH	1	$1,300.00	$59.40
ACC BLDG	1	$1,300.00	$59.40
CLEAN SHOW	2	$0.00	$150.00
	2	$0.00	$150.00
CO	14	$0.00	$904.50
BUSINESS	10	$0.00	$753.00
NEW CONSTRUCTION	2	$0.00	$76.50
SHELL	2	$0.00	$75.00
COMM	21	$3,743,313.00	$78,464.30
ALTERATION	1	$27,000.00	$2,510.11
ELECTRICAL	2	$2,400.00	$112.70
FENCE	2	$22,400.00	$71.50
IRRIGATION	4	$98,000.00	$24,872.99
MECHANICAL	3	$17,636.00	$426.43
NEW	1	$3,500,000.00	$49,625.72
PLUMBING	7	$44,615.00	$809.85
ROOF	1	$31,262.00	$35.00
SIGNAGE	19	$2,400.00	$2,479.50
DEVELOPMENT	1	$0.00	$75.00
MONUMENT	2	$0.00	$151.50
POLE	1	$0.00	$75.00
WALL	15	$2,400.00	$2,178.00
SINGLE FAMILY	198	$4,229,592.79	$78,551.12
ACC BLDG	1	$300.00	$36.50
ADDITION	2	$16,500.00	$346.80
ALTERATION	1	$2,363.16	$35.00
CONCRETE	6	$20,800.00	$539.48
DECK	1	$4,200.00	$122.00
DEMO	1	$500.00	$50.00
ELECTRICAL	9	$18,100.00	$689.23
FENCE	55	$233,546.34	$2,051.10
IRRIGATION	32	$60,600.00	$1,132.90
MECHANICAL	23	$174,729.75	$3,723.14
NEW	13	$3,048,536.00	$63,358.39
PATIO COVER	4	$18,300.00	$429.16
PERGOLA	2	$3,500.00	$144.75
PLUMBING	18	$29,345.00	$3,054.72
REPAIR	1	$30,000.00	$453.25
RETAINING WALL	4	$40,500.00	$140.00
ROOF	10	$99,155.42	$362.70
SWIM POOL	13	$426,400.00	$1,809.00
WINDOWS	2	$2,217.12	$73.00
SPECIAL EVENT	12	$0.00	$523.00
	12	$0.00	$523.00
TCO	1	$0.00	$306.00
	1	$0.00	$306.00

City of Rockwall

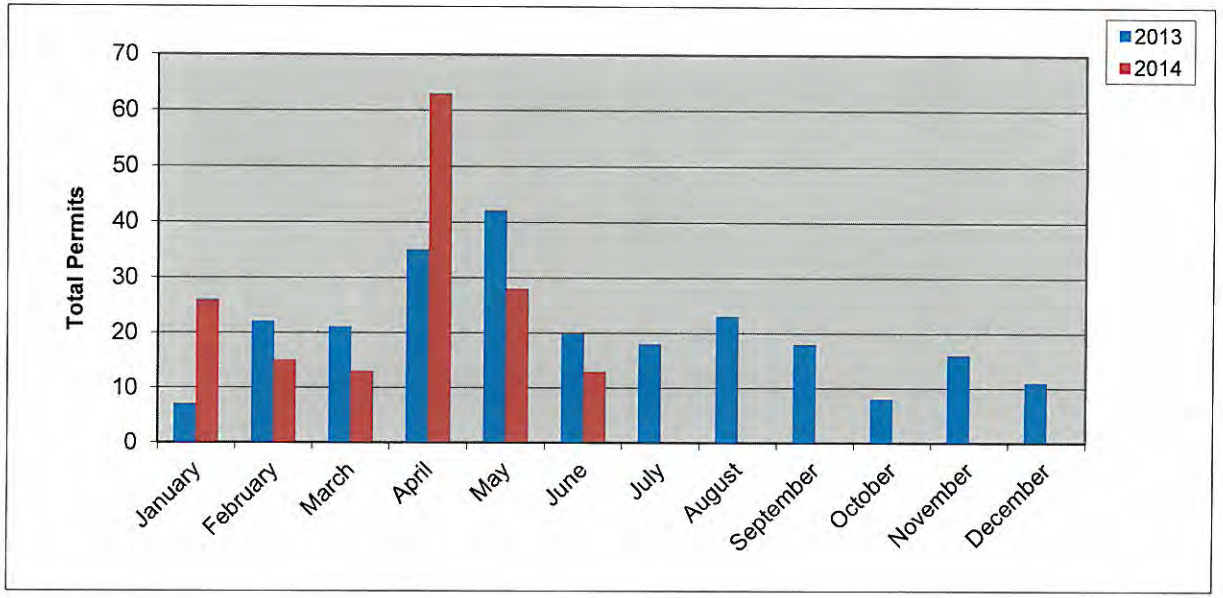
PERMITS ISSUED - Summary by Type and Subtype

For the Period 6/1/2014 thru 6/30/2014

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
Totals:	273	$7,976,605.79	$161,690.82

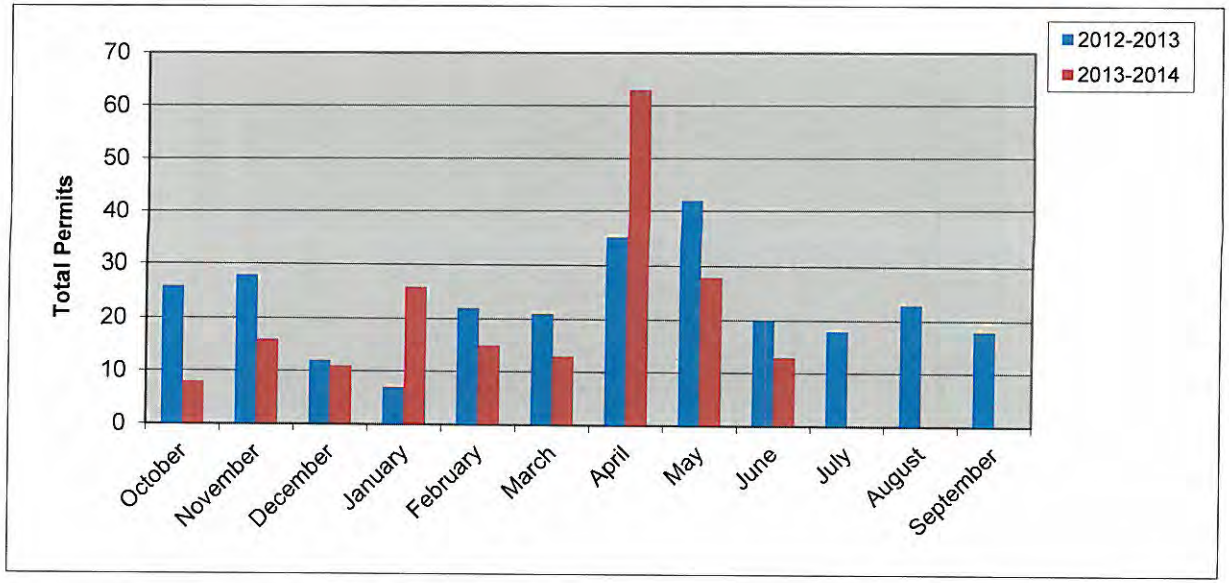
New Residential Permits Calendar Year

	Year	
	2013	2014
January	7	26
February	22	15
March	21	13
April	35	63
May	42	28
June	20	13
July	18	
August	23	
September	18	
October	8	
November	16	
December	11	
Totals	**241**	158



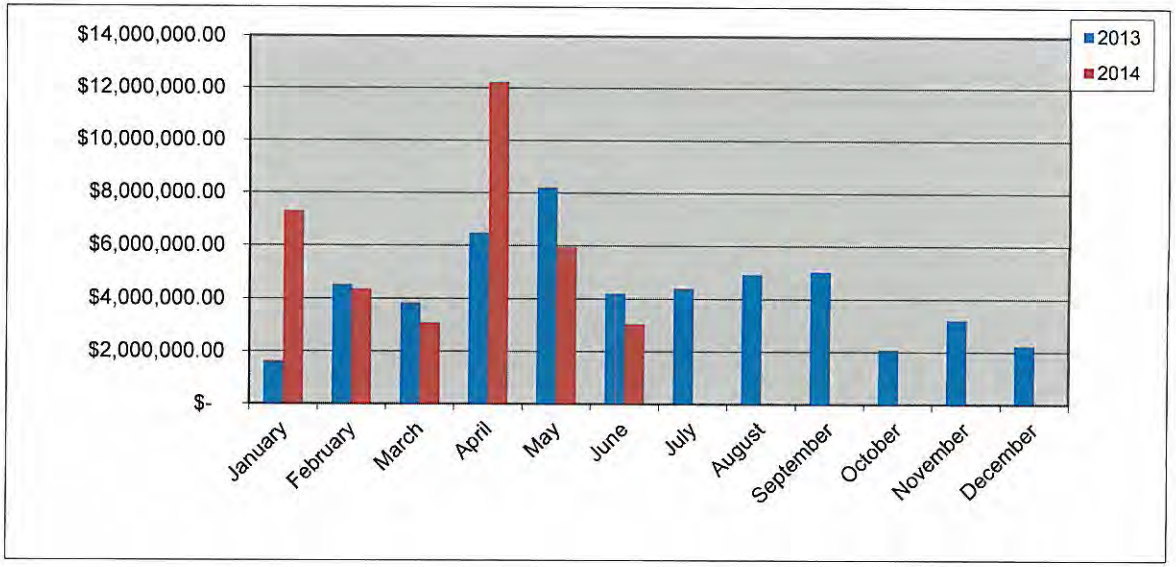
New Residential Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	26	8
November	28	16
December	12	11
January	7	26
February	22	15
March	21	13
April	35	63
May	42	28
June	20	13
July	18	
August	23	
September	18	
Totals	**272**	193



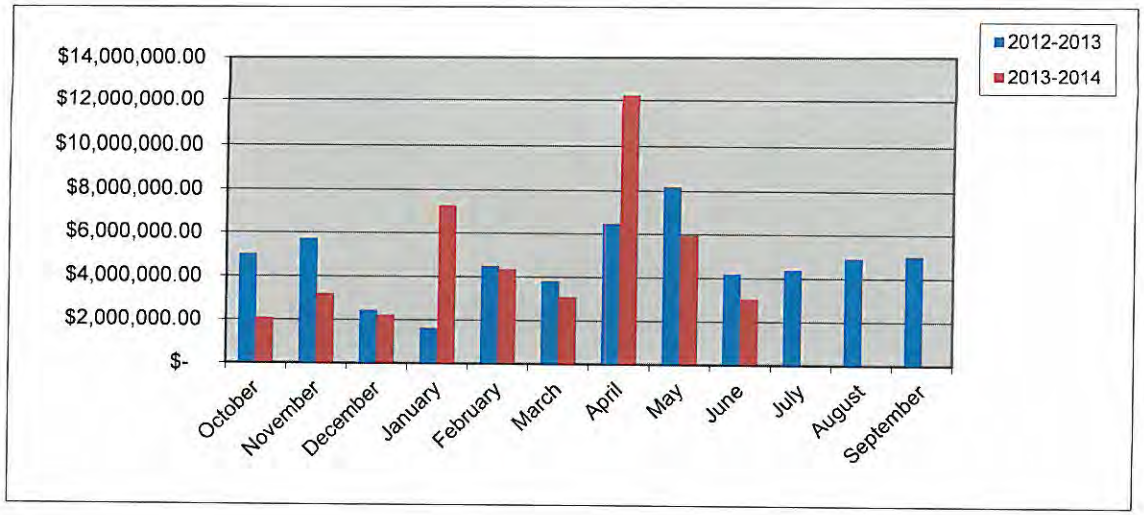
New Residential Value Calendar Year

Year	2013	2014
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	$ 12,228,936.33
May	$ 8,193,211.00	$ 5,960,240.00
June	$ 4,185,842.00	$ 3,048,536.00
July	$ 4,382,866.00	
August	$ 4,906,203.00	
September	$ 5,018,954.00	
October	$ 2,078,584.00	
November	$ 3,202,067.00	
December	$ 2,215,924.00	
Totals	**$50,608,931.00**	**$ 35,974,067.07**



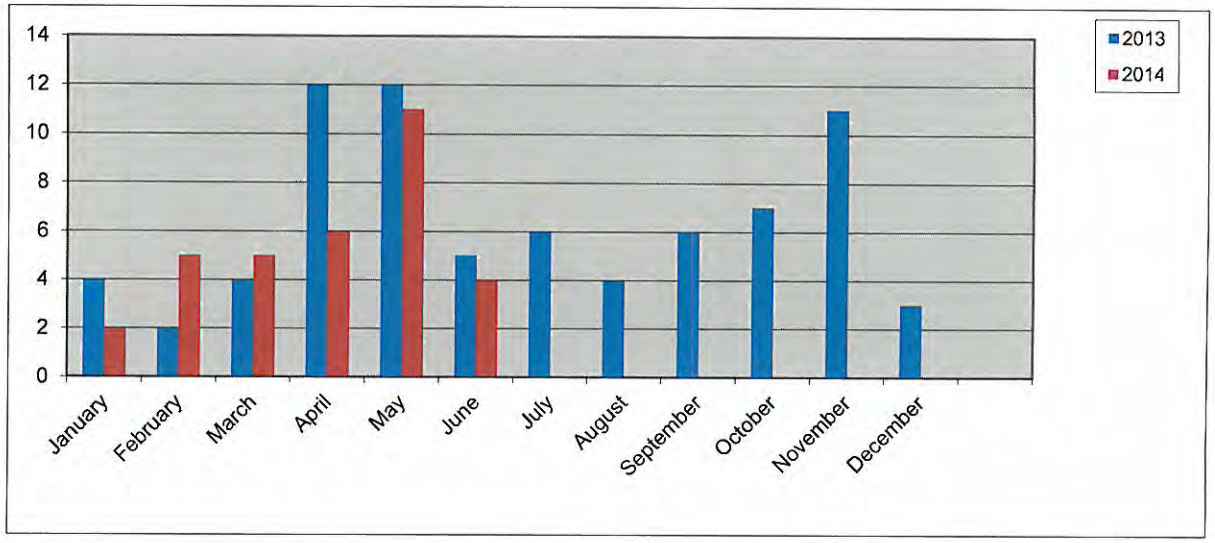
New Residential Value Fiscal Year

Year	2012-2013	2013-2014
October	$ 4,993,587.00	$ 2,078,584.00
November	$ 5,718,696.00	$ 3,202,067.00
December	$ 2,441,748.00	$ 2,215,924.00
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	$ 12,228,936.33
May	$ 8,193,211.00	$ 5,960,240.00
June	$ 4,185,842.00	$ 3,048,536.00
July	$ 4,382,866.00	
August	$ 4,906,203.00	
September	$ 5,018,954.00	
Totals	**$56,266,387.00**	**$ 43,470,642.07**



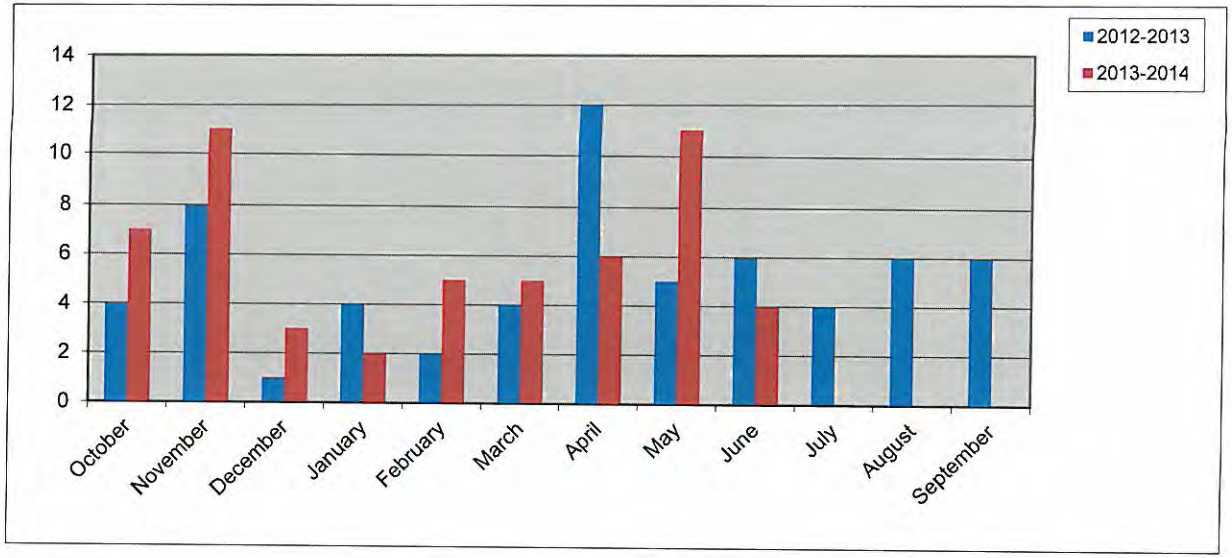
Residential Remodel Permits Calendar Year

	Year	
	2013	2014
January	4	2
February	2	5
March	4	5
April	12	6
May	12	11
June	5	4
July	6	
August	4	
September	6	
October	7	
November	11	
December	3	
Totals	**76**	33



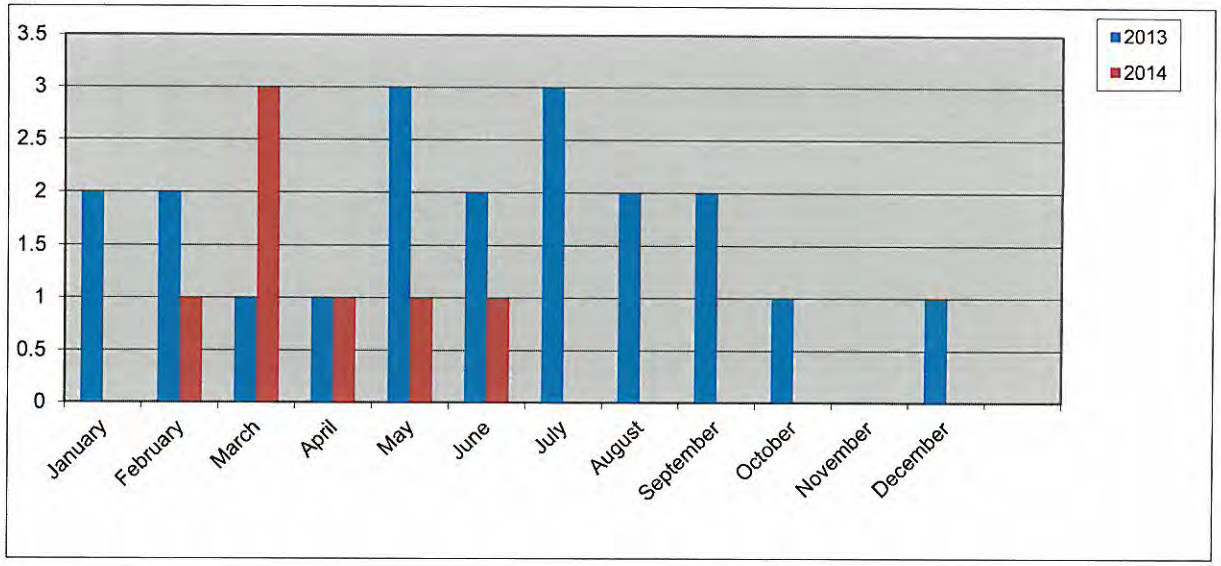
Residential Remodel Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	4	7
November	8	11
December	1	3
January	4	2
February	2	5
March	4	5
April	12	6
May	5	11
June	6	4
July	4	
August	6	
September	6	
Totals	**62**	**54**



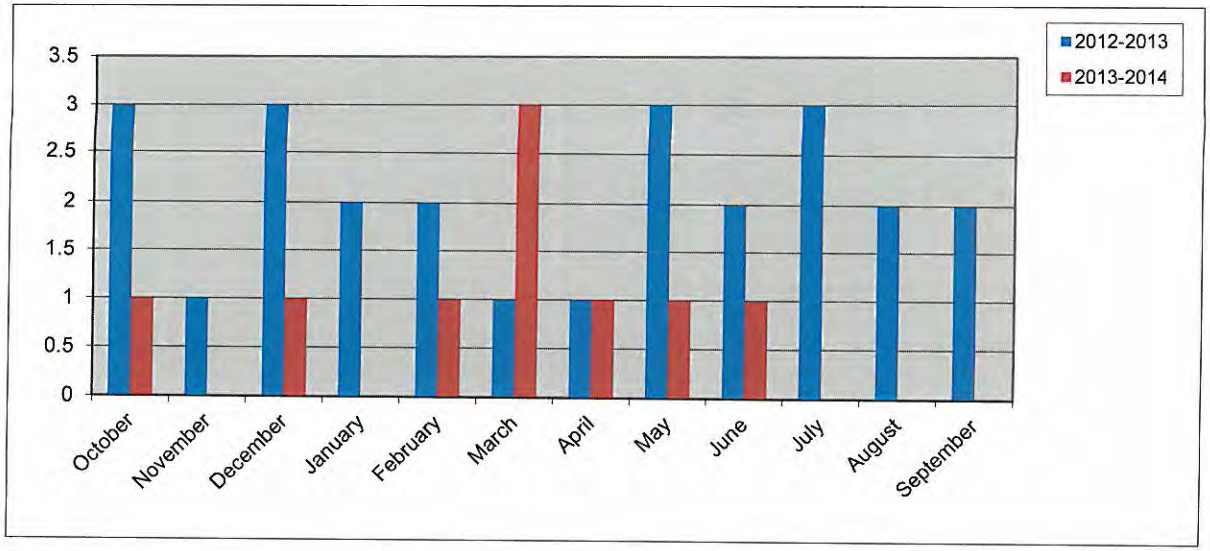
New Commercial Permits Calendar Year

	Year	
	2013	2014
January	2	0
February	2	1
March	1	3
April	1	1
May	3	1
June	2	1
July	3	
August	2	
September	2	
October	1	
November	0	
December	1	
Totals	**20**	**7**



New Commercial Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	3	1
November	1	0
December	3	1
January	2	0
February	2	1
March	1	3
April	1	1
May	3	1
June	2	1
July	3	
August	2	
September	2	
Totals	**25**	**9**



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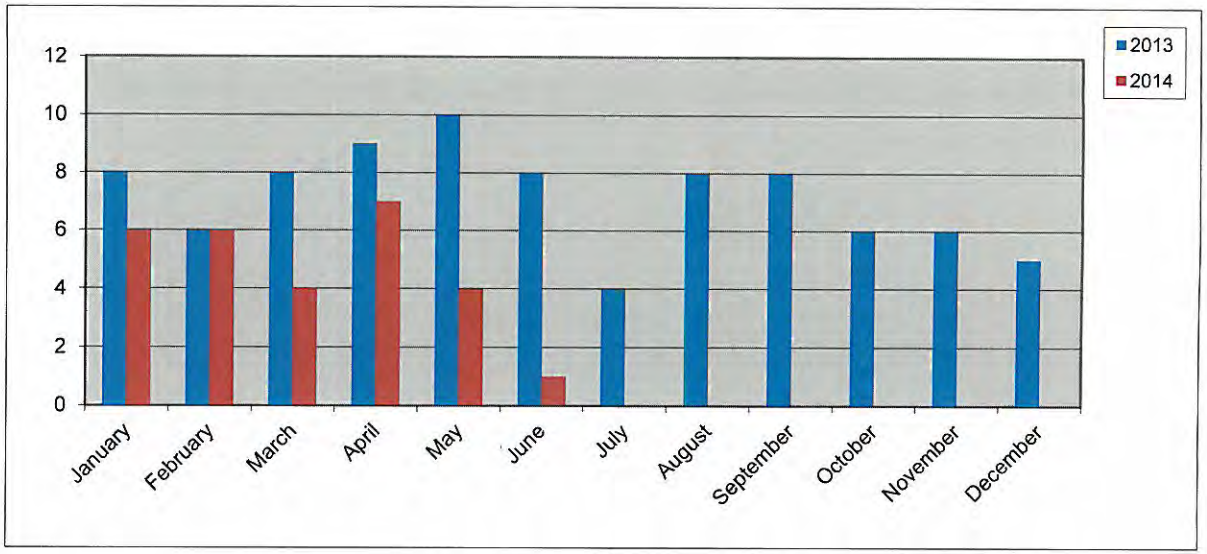
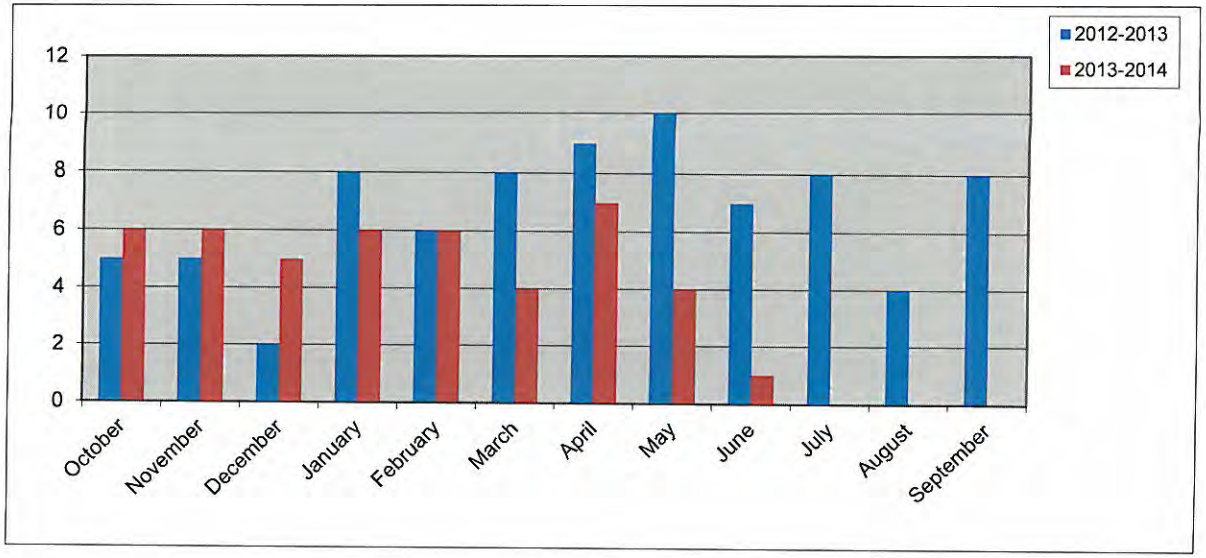
Commercial Remodel Permits Calendar Year

	Year	
	2013	2014
January	8	6
February	6	6
March	8	4
April	9	7
May	10	4
June	8	1
July	4	
August	8	
September	8	
October	6	
November	6	
December	5	
Totals	**86**	**28**



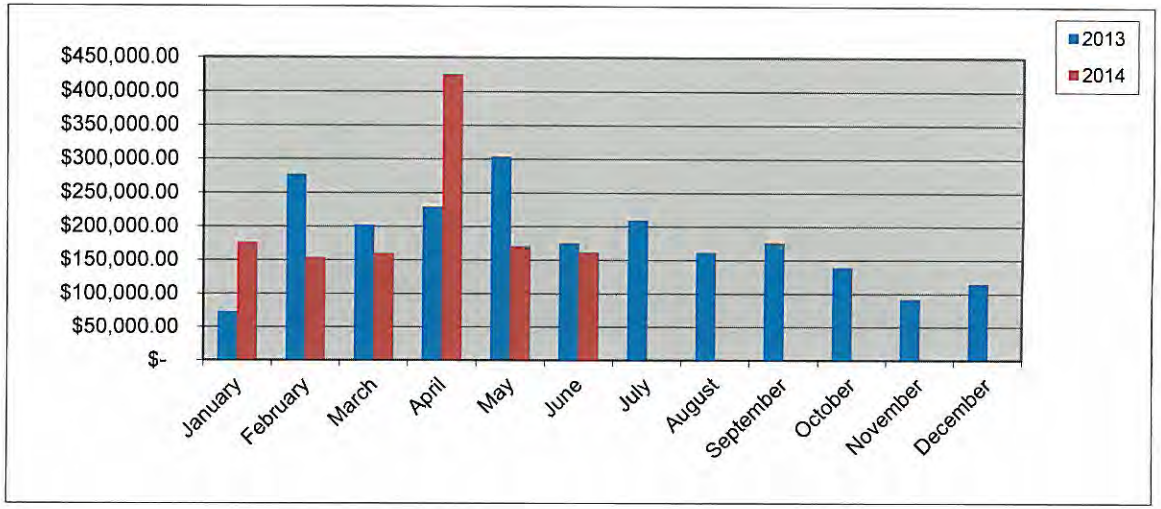
Commercial Remodel Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	5	6
November	5	6
December	2	5
January	8	6
February	6	**6**
March	8	4
April	9	7
May	10	4
June	7	1
July	8	
August	4	
September	8	
Totals	**80**	**45**



Total Fees Collected Calendar Year

Year	2013	2014
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	$ 425,003.86
May	$ 302,928.73	$ 170,849.07
June	$ 174,872.41	$ 161,690.82
July	$ 209,566.63	
August	$ 161,080.17	
September	$ 175,835.03	
October	$ 138,771.53	
November	$ 91,778.83	
December	$ 114,645.28	
Totals	**$ 2,148,877.79**	**$ 1,247,696.27**



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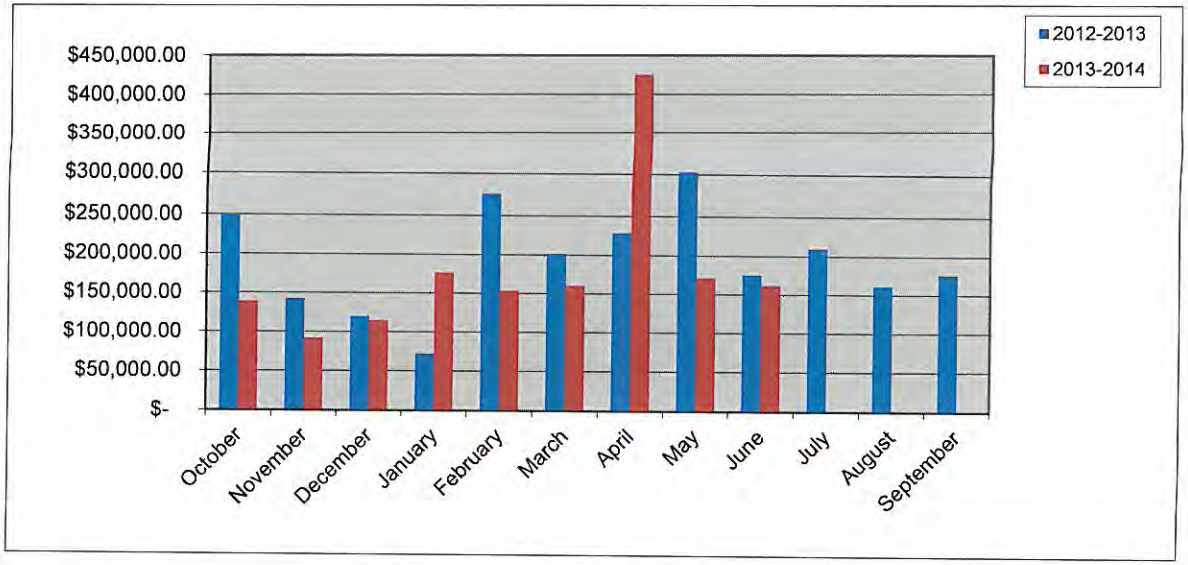
Total Fees Collected Fiscal Year

Year	2012-2013	2013-2014
October	$ 248,932.46	$ 138,771.53
November	$ 142,356.98	$ 91,778.83
December	$ 119,604.19	$ 114,645.28
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	$ 425,003.86
May	$ 302,928.73	$ 170,849.07
June	$ 174,872.41	$ 161,829.08
July	$ 209,566.63	
August	$ 161,080.17	
September	$ 175,835.03	
Totals	**$ 2,314,575.78**	**$ 1,593,030.17**



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City of Rockwall
PERMITS ISSUED
For the Period 6/1/2014 thru 6/30/2014

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2013-0120 9/11/2013 6/4/2014	CO BUSINESS ACTIVE	2455 Ridge Rd 157 ROCKWALL TOWNE CENTRE PH 4 Juva New Medspa	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	ROCKWALL, OCEANHILL LLC	C/O RASAR INC	ALAMEDA	CA	94501	
INSPECTOR1	Rusty McDowell					
INSPECTOR2	John Shannon					
INSPECTOR3	Larry Daniel					
MECH CONTR	COMPLETE COMFORT SVC	3914 LANCELOT PL.	GARLAND	TX	75043	(972) 271-1400
PLB CONTR	AGGRESSIVE PLUMBING CON	119 Noe Lane	Buleson	TX	76028	(816) 258-4221
ELEC CONTR	KRATOS ELECTRICAL CONTR	918 STRATFORD DR.	Grand Prairie	TX	75051	
BUS OWNER	Terry & Amanda McBay	2455 Ridge Rd, #157	Rockwall	TX	75087	(214) 771-4611
BUSINESS	Juva New Medspa					

CO2013-0124 9/19/2013 6/25/2014	CO BUSINESS ACTIVE	715 Rusk St. STONEBRIDGE CENTER PH 1 ONE STOP EXPRESS	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	METRO/ARTERBURN, HOLDI		ROCKWALL	TX	75087	
INSPECTOR1	Rusty McDowell					
INSPECTOR2	John Shannon					
INSPECTOR3	Larry Daniel					
APPLICANT	Trever Arterburn	P.O. Box 339	Rockwall	TX	75087	(214) 454-1881
BUS OWNER	Trever Arterburn	P.O. Box 339	Rockwall	TX	75087	(214) 454-1881
BUSINESS	Houstons Drive In					

CO2014-0020 2/5/2014 6/17/2014	CO BUSINESS ACTIVE	2003 Goliad St S ROCKWALL BUSINESS PARK Raceway	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	RACETRAC, PETROLEUM INC		ATLANTA	GA	30339-640	
APPLICANT	Qaisar Abbas	910 Yellow Jaket Ln.	Rockwall	TX	75087	(972) 722-2212
BUS OWNER	Qaisar Abbas	2003 Goliad St S	Rockwall	TX	75087	(972) 722-2212
BUSINESS	Raceway					

CO2014-0041 3/14/2014 6/10/2014	CO BUSINESS Active	2927 RIDGE 105 HORIZON RIDGE ADDITION LOTUS & JAPANESE GRILL	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	REGENCY, CENTERS LP	C/O PROPERTY TAX DEPT	SAN ANTONIO	TX	78279-083	
APPLICANT	JUN YANG & ZYHECHAO WA	2927 RIDGE ROAD	ROCKWALL	TX	75087	(972) 722-8088

PERMITS ISSUED

For the Period 6/1/2014 thru 6/30/2014

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number			Valuation	Total Fees / Total SQFT	Fees Paid
BUS OWNER	JUN YANG & ZYHECHAO WA	2927 RIDGE ROAD	ROCKWALL	TX 75087			(972) 722-8088
BUSINESS	LOTUS & JAPENESE GRILL	2927 RIDGE RD	ROCKWALL	TX 75087			
CO2014-0042 3/14/2014 6/10/2014	CO BUSINESS ACTIVE	295 RANCH TRAIL RAINBOW ACRES DAVID CROSS			0.00	$ 76.50 0	$ 76.50
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
APPLICANT	DAVID CROSS	295 RANCH TRL.	Rockwall	TX 75032			(214) 500-6338
BUS OWNER	DAVID CROSS	295 RANCH TRL.	Rockwall	TX 75032			
BUSINESS	DAID CROSS						
OWNER	CHERYL HODGE	315 RANCH TRAIL	Rockwall	TX 75032			(972) 771-5774
CO2014-0051 4/25/2014 6/13/2014	CO SHELL ACTIVE	3045 Goliad St N SHOPS AT RIDGE CREEK Shops at Ridge Creek - Shell CO			0.00	$ 75.00 0	$ 75.00
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	PCB, PROPERTIES LLC		DALLAS	TX 75206			
BUS OWNER	Abdul R Kahn	6220 Campbell Rd#104	Dallas	TX 75248			(972) 591-4429
BUSINESS	Shops at Ridge Creek - Shell CO						
CO2014-0054 5/1/2014 6/10/2014	CO BUSINESS Active	904 GOLIAD ST. N AUSTIN HOARDSTROMS			0.00	$ 75.00 0	$ 75.00
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	HOLLIMAN, ANDREA	332 SHEPARDS HILL	ROCKWALL	TX 75087			(214) 906-4417
APPLICANT	HOLLIMAN, ANDREA	332 SHEPARDS HILL	ROCKWALL	TX 75087			(214) 906-4417
INSP RPT EMAIL	HOLLIMAN, ANDREA	332 SHEPARDS HILL	ROCKWALL	TX 75087			(214) 906-4417
CONTRACTOR	HOLLIMAN, ANDREA	332 SHEPARDS HILL	ROCKWALL	TX 75087			(214) 906-4417
BUS OWNER	ANDREA HOLLIMAN	332 SHEPARDS	ROCKWALL	TX 75087			
BUSINESS	HOARDSTROMS	904 N. GOLIAD	ROCKWALL	TX 75087			
CO2014-0056 5/6/2014 6/5/2014	CO BUSINESS ACTIVE	102 N SAN JACINTO ST ROCKWALL ORIGINAL TOWN Vintage Home			0.00	$ 75.00 0	$ 75.00
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	HALL, J BLAKELEY		ROCKWALL	TX 75087-531			
APPLICANT	Michele Howell	P.O. Box 1491	Rowlett	TX 75030			(214) 354-4052
INSP RPT EMAIL	Michele Howell	P.O. Box 1491	Rowlett	TX 75030			(214) 354-4052
BUS OWNER	Michele Howell	P.O. Box 1491	Rowlett	TX 75030			(214) 354-4052
BUSINESS	Vintage Home						

City of Rockwall

PERMITS ISSUED

For the Period 6/1/2014 thru 6/30/2014

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0058 5/13/2014 6/17/2014	CO BUSINESS Active	621 WHITE HILLS SHAFER PLAZA - CITY OF ROCKWALL TOP FEET	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	EVANS, JIMMIE		PLANO	TX	75093	
APPLICANT	ZHOO YUAN HE	621 WHITE HILLS DR.	ROCKWALL	TX	75087	(626) 862-9698
BUS OWNER	ZHOO YUAN HE	621 WHITE HILLS	ROCKWALL	TX	75087	(626) 872-9698
BUSINESS	TOP FEET					

CO2014-0061 5/19/2014 6/17/2014	CO BUSINESS ACTIVE	641 White Hills Dr. SHAFER PLAZA - CITY OF ROCKWALL Terry Elliott Realtors	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	EVANS, JIMMIE		PLANO	TX	75093	
APPLICANT	Terry Elliott	10586 Richard Circle	Forney	TX	75126	(972) 849-3177
BUS OWNER	Terry Elliott	10586 Richard Circle	Forney	TX	75126	(972) 849-3177
BUSINESS	Terry Elliott Realtors					

CO2014-0062 5/30/2014 6/20/2014	CO NEW CONSTRUCTION Active	2235 Goliad St S 101 ROCKWALL CENTRE CORNERS Luby's	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	CPI, MORTGAGE INVESTORS	C/O CARDINAL PARAGON INC	DALLAS	TX	75225	
INSPECTOR1	Rusty McDowell					
INSPECTOR2	John Shannon					
INSPECTOR3	Larry Daniel					
APPLICANT	ICON Consulting Engineers, Inc.	250 W. Southlake Blvd., #117	Southlake	TX	76092	(817) 552-6210
CONTRACTOR	Links Construction	525 S. Loop 288 ,#105	Denton	TX	76205	(940) 566-5465
MECH CONTR	Town East Heating	10215 MILLER	Dallas	TX	75238	(972) 289-1654
PLB CONTR	Mesquite Plumbing	P. O. Box 360661	Dallas	TX	75336-066	97228559380000
ELEC CONTR	ORZECH ELECTRIC	1608 HART CT STE 301	Southlake	TX	76092	(817) 251-0670
BUS OWNER	Luby's Fuddruckers	1311 Northwest fwy #60	Houston	TX	77040	(713) 329-6800
BUSINESS	Luby's					

CO2014-0068 6/11/2014 6/20/2014	CO NEW CONSTRUCTION Active	2235 Goliad St S 102 ROCKWALL CENTRE CORNERS Fuddruckers	0.00	$ 0.00 0	$ 0.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	CPI, MORTGAGE INVESTORS	C/O CARDINAL PARAGON INC	DALLAS	TX	75225	
INSPECTOR1	Rusty McDowell					
INSPECTOR2	John Shannon					

City of Rockwall
PERMITS ISSUED
For the Period 6/1/2014 thru 6/30/2014

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number				Valuation	Total Fees / Total SQFT	Fees Paid
INSPECTOR3	Larry Daniel							
APPLICANT	ICON Consulting Engineers, Inc.	250 W. Southlake Blvd., #117	Southlake	TX	76092			(817) 552-6210
CONTRACTOR	Links Construction	525 S. Loop 288 ,#105	Denton	TX	76205			(940) 566-5465
MECH CONTR	Town East Heating	10215 MILLER	Dallas	TX	75238			(972) 289-1654
PLB CONTR	Mesquite Plumbing	P. O. Box 360661	Dallas	TX	75336-066			97228559380000
ELEC CONTR	ORZECH ELECTRIC	1608 HART CT STE 301	Southlake	TX	76092			(817) 251-0670
BUS OWNER	Luby's Fuddruckers	13111 Northwet Fwy #600	Houston	TX	77040			(713) 329-6800
BUSINESS	Fuddruckers							

CO2014-0069	CO	2235 Goliad St S				0.00	$ 0.00	$ 0.00
6/11/2014	SHELL	ROCKWALL CENTRE CORNERS					0	
6/20/2014	Active	Luby / Fudruckers - Shell Bldg CO						

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	CPI, MORTGAGE INVESTORS	C/O CARDINAL PARAGON INC	DALLAS	TX	75225	
INSPECTOR1	Rusty McDowell					
INSPECTOR2	John Shannon					
INSPECTOR3	Larry Daniel					
APPLICANT	ICON Consulting Engineers, Inc.	250 W. Southlake Blvd., #117	Southlake	TX	76092	(817) 552-6210
CONTRACTOR	Links Construction	525 S. Loop 288 ,#105	Denton	TX	76205	(940) 566-5465
MECH CONTR	Town East Heating	10215 MILLER	Dallas	TX	75238	(972) 289-1654
PLB CONTR	Mesquite Plumbing	P. O. Box 360661	Dallas	TX	75336-066	97228559380000
ELEC CONTR	ORZECH ELECTRIC	1608 HART CT STE 301	Southlake	TX	76092	(817) 251-0670
BUS OWNER	Luby's Fuddruckers	13111 Northwest Fwy #600	Houston	TX	77040	(713) 329-6800
BUSINESS	Luby's Fuddruckers - Shell Bldg C					

CO2014-0074	CO	108 Goliad St S				0.00	$ 75.00	$ 75.00
6/20/2014	BUSINESS	ROCKWALL ORIGINAL TOWN					0	
6/30/2014	ACTIVE	Oscar Delta						

Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	Joe & David Tacos llc	108 S Goliad	Rockwall	TX	75087	(464) 314-1151
BUSINESS	Oscar Delta					
OWNER	KLUTTS, B A		ROCKWALL	TX	75087-322	
APPLICANT	CTS Construction	2850 Shoreline Trail, #41	Rockwall	TX	75032	(972) 771-7900
CONTRACTOR	CTS Construction	2850 Shoreline Trail, #41	Rockwall	TX	75032	(972) 771-7900
MECH CONTR	DEP Heat & AC	P. O. Box 1735	Rowlett	TX	75088	(214) 500-1962
PLB CONTR	Calibrated Plumbing	200 Ranch House Rd.	Willow Park	TX	76087	81760517660000
ELEC CONTR	ARMOR ELECTRICAL	2850 SHORELINE TRAIL	Rockwall	TX	75032	(972) 771-9388

14 **Permits Issued from: 6/1/2014** **Thru: 6/30/2014**

Total Valuation: $ 0.00
Total Fees: $ 904.50
Total Fees Paid: $ 904.50

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CALLS BY TYPE

City of Rockwall
The New Horizon

CITY CALLS

Situation Type	June #
116 Fuel burner/boiler malfunction, fire	1
131 Passenger vehicle fire (cars, pickups,	1
143 Grass fire	1
311 Medical assist, assist EMS crew	1
324 Motor vehicle accident with no injuries.	2
331 Lock-in (if lock out , use 511)	1
412 Gas leak (natural gas or LPG)	2
444 Power line down	2
462 Aircraft standby	1
550 Public service assistance, other	1
551 Assist police or other governmental	3
553 Public service	1
556 Public service - Non paged	7
561 Unauthorized burning	1
611 Dispatched & canceled en route	2
622 No incident found on arrival at dispatch	5
651 Smoke scare, odor of smoke	1
652 Steam, vapor, fog or dust thought to be	1
671 HazMat release investigation w/no	1
700 False alarm or false call, other	1
731 Sprinkler activation due to malfunction	2
732 Extinguishing system malfunction	1
733 Smoke detector activation due to	3
734 Heat detector activation due to	1
735 Alarm system sounded due to	7
740 Unintentional transmission of alarm, other	3
743 Smoke detector activation, no fire -	2
744 Detector activation, no fire - unintentional	2
745 Alarm system activation, no fire -	7
746 Carbon monoxide detector activation, no	1
Unknown	1
Totals:	66

COUNTY AND MUTUAL AID

COUNTY CALLS	June
Situation Type	**#**
561 Unauthorized Burning	1
745 Alarm System Activated, no fire	1
700 False alarm or false call, other	1
735 Alarm system sounded due to	1
Totals:	4

FATE

	June
Situation Type	**#**
551 Assist police or other	1
Totals:	1

ROYSE CITY

	June
Situation Type	**#**
551 Assist police or other	1
Totals:	1

HEATH	0
MCCLENDON CHISHOLM	0

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %	96.00%	CRITERIA MET %	100.00%
CRITERIA -ACHIEVE RESPONSE TIME	27 of 28	CRITERIA -ACHIEVE RESPONSE TIME	2 of 2
90% OF TIME IN BOXES WITH	Criteria Met	60% OF TIME IN BOXES WITH	Criteria Met
STATIONS		STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	96.00%	CRITERIA MET %	100.00%
CRITERIA -ACHIEVE RESPONSE TIME	27 of 28	CRITERIA -ACHIEVE RESPONSE TIME	2 of 2
90% OF TIME IN BOXES WITH	Criteria Met	60% OF TIME IN BOXES WITH	Criteria Met
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES		0-7 1/2 MINUTES	
CRITERIA MET%	96.00%	CRITERIA MET%	100.00%
CRITERIA -ACHIEVE RESPONSE TIME	27 of 28	CRITERIA -ACHIEVE RESPONSE TIME	2 of 2
90% OF TIME IN BOXES WITH	Criteria Met	60% OF TIME IN BOXES WITH	Criteria Met
STATIONS		STATIONS	

COUNTY AND MUTUAL AID
RESPONSE
June 2014

COUNTY	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	100.00%
CRITERIA -ACHIEVE RESPONSE TIME	1 of 1
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	100.00%
CRITERIA -ACHIEVE RESPONSE TIME	1 of 1
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	100.00%
CRITERIA -ACHIEVE RESPONSE TIME	1 of 1
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	

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ENROUTE OVERAGES
CITY
JUNE
2014

Venue	Alarm Date	Alarm Time	Enroute Time	alarm to enroute	Apparatus	Incident Number	Station	Lights and Sirens	REASON FOR OVERAGE
Rockwall	06/20/2014	03:58:51	04:00:43	0:01:52	LAD2	2014-00000520	Rockwall 2	Code 3	CAD Times do not match radio times

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Arrival Overages
June 2014

Venue	Alarm Date	Enroute Time	Arrival Time	Enroute to Arrival	Apparatus	Incident Number	Station	Lights and Sirens	REASON FOR OVERAGE
Rockwall	06/24/2014	14:07:33	14:25:39	0:18:06	E3	2014-00000534	Rockwall 1	Code 3	CAD times do not match radio times

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RESPONSE OVERAGES
CITY CALLS
JUNE 2014

Venue	Alarm Date	Alarm Time	Arrival Time	Enroute to Arrival	Response	Apparatus	Incident Number	Station	Lights and Sirens	REASON FOR OVERAGE
Rockwall	06/24/2014	14:06:47	14:25:39	0:18:06	0:18:52	E3	2014-00000534	Rockwall 1	Code 3	CAD times do not match radio times

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County and Mutual Aid Overages
June 2014

Venue	Alarm Date	Alarm Time	Enroute Time	Arrival Time	Enroute to Arrival	Incident Number	Station	Lights and Sirens	Apparatus	REASON FOR OVERAGE
Fate	06/06/2014	17:58:39	17:59:52	18:10:06	0:10:14	2014-00000491	Rockwall 1	Code 3	E2	Drive time to Fate

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Total Dollar Losses

June 2014

City of Rockwall
The Texas Treasure

ALL CITY CALLS

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$0.00	$100,000.00	$1,030.00	$256,560.00	$186,094.90
Total Content Loss:	$0.00	$48,846.00	$50.00	$61,846.00	$101,688.94
Total Property Pre-Incident Value:	$0.00	$162,820.00	$7,530.00	$315,730.00	$1,460,577.00
Total Contents Pre-Incident Value	$0.00	$97,692.00	$100.00	$187,944.00	$815,066.20
Total Losses:	$.00	$148,846.00	$1,080.00	$318,406.00	$.00
Total Value:	$.00	$260,512.00	$7,630.00	$503,674.00	$2,275,643.20

Fire Alarms

JUNE 2014

Fire Inspection Status	Date	Address	Common Name	Dispostion Code	CFS Number	Incident Number	Incident ORI
	06/01/2014 09:02:11	1050 WILLIAMS ST	ISD Admin, Rockwall, Quest Academy, RISD Education Center, Rockwall ISD Administration	FA	46	2014-00000475	TX504
	06/02/2014 20:41:41	1699 LAGUNA DR		FA	315	2014-00000478	TX504
	06/04/2014 01:00:31	943 W YELLOW JACKET LN		FA	559	2014-00000482	TX504
	06/05/2014 03:46:24	651 WHITEHILLS DR	Car Toys	FA	719	2014-00000484	TX504
	06/05/2014 07:29:28	651 WHITEHILLS DR	Car Toys	FA	730	2014-00000486	TX504
	06/05/2014 17:06:21	1390 GLENWICK DR		FA	843	2014-00000487	TX504
	06/09/2014 14:42:21	2051 TRAIL GLEN DR	Jones Elementary	FA	1626	2014-00000497	TX504
	06/09/2014 23:01:14	741 JUSTIN RD	Daiker	FA	1708	2014-00000498	TX504
	06/11/2014 09:28:36	996 I 30		FA	1965	2014-00000499	TX504
	06/14/2014 06:26:23	101 E RUSK ST	Rockwall County Courthouse	FA	2508	2014-00000506	TX504
	06/14/2014 15:27:01	2500 E SH 66		FA	2574	2014-00000508	TX504
	06/20/2014 03:57:55	2701 SUNSET RIDGE DR	Trend Tower	FA	3659	2014-00000520	TX504
	06/20/2014 18:17:45	2055 SUMMER LEE DR	Hilton, Hilton Hotel	FA	3781	2014-00000522	TX504
		: 13					
	06/21/2014 17:23:06	3418 LAKESIDE DR		FA	4014	2014-00020141	TX1990100
		: 1					
	06/21/2014 17:23:06	3418 LAKESIDE DR		FA	4014	2014-00000526	TX504
	06/22/2014 01:29:33	1649 LAGUNA DR	Saltgrass Steakhouse	FA	4113	2014-00000527	TX504
		: 2					
	06/23/2014 09:46:57	300 PLUMTREE DR		FA	4295	2014-00003903	TX1990800
		: 1					
	06/23/2014 09:46:57	300 PLUMTREE DR		FA	4295	2014-00000308	TX301
		: 1					
	06/24/2014 14:05:46	1040 ARBOR VIEW PL		FA	4576	2014-00000534	TX504
	06/24/2014 15:28:28	519 CELLARS CT		FA	4594	2014-00000535	TX504
	06/25/2014 07:49:59	3020 RIDGE RD	Summer Ridge Assisted Living	FA	4707	2014-00000538	TX504
	06/26/2014 18:49:16	101 E RUSK ST	Rockwall County Courthouse	FA	4968	2014-00000540	TX504
	06/27/2014 14:06:51	741 JUSTIN RD	Daiker	FA	5144	2014-00000541	TX504
	06/28/2014 01:36:56	101 E RUSK ST	Rockwall County Courthouse	FA	5262	2014-00000543	TX504

06/28/2014 08:09:01	2500 E STHY66 : 7	Rest Haven		FA	5281	2014-00000544	TX504
06/30/2014 08:45:44	198 HAMPTON DR : 1			FA	5694	2014-00004057	TX1990800
06/30/2014 08:45:44	198 HAMPTON DR : 1			FA	5694	2014-00000325	TX301
06/30/2014 14:40:07	5 PEREGRINE CIR : 1			FA	5772	2014-00002821	TX1990300
06/30/2014 14:40:07	5 PEREGRINE CIR : 1			FA	5772	2014-00000189	TX402

Inspection Totals Per Inspector

JUNE 2014

Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Inspection Number	Fire Inspection Status
TX504	744 - Patrick	Annual	2221	Pending
TX504	744 - Patrick	Annual	2221	Finaled
TX504	744 - Patrick	Annual	2220	Finaled
TX504	744 - Patrick	Annual	2220	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0068	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0069	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0062	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0072	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0055	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0068	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0062	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0069	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0064	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0057	Finaled
TX504	744 - Patrick	Construction Final	2226	Pending
TX504	744 - Patrick	Construction Final	2222	Finaled
TX504	744 - Patrick	Construction Final	2226	Finaled
TX504	744 - Patrick	Courtesy	2247	Finaled
TX504	744 - Patrick	Courtesy	2258	Finaled
TX504	744 - Patrick	Fire Alarm System	2185	Finaled
TX504	744 - Patrick	Fire Alarm System	2049	Finaled
TX504	744 - Patrick	Fire Alarm System	2227	Pending
TX504	744 - Patrick	Fire Pump	2229	Pending
TX504	744 - Patrick	Fire Spinkler System	2230	Pending
TX504	744 - Patrick	Fire Spinkler System	1968	Finaled
TX504	744 - Patrick	Fire Spinkler System	2158	Pending
TX504	744 - Patrick	Fire Spinkler System	2158	Finaled
TX504	744 - Patrick	Fire Spinkler System	2260	Pending
TX504	744 - Patrick	Fire Spinkler System	2260	Pending
TX504	744 - Patrick	Follow Up	2244	Finaled
TX504	744 - Patrick	Follow Up	2210	Finaled
TX504	744 - Patrick	Follow Up	2244	Pending
TX504	744 - Patrick	Follow Up	2256	Pending
TX504	744 - Patrick	Follow Up	2256	Pending
TX504	744 - Patrick	Follow Up	2244	Pending
TX504	744 - Patrick	Follow Up	2236	Finaled
TX504	744 - Patrick	Follow Up	2235	Finaled
TX504	744 - Patrick	Kitchen Hood Suppression	2225	Finaled
TX504	744 - Patrick	Tanks-TEMP	2238	Finaled
TX504	744 - Patrick	Underground Fire Line	2266	Pending
TX504	744 - Patrick	Underground Fire Line	2266	Pending
Total Per Inspector: 41				
TX504	836 - Ayres	Annual	2214	Finaled
TX504	836 - Ayres	Annual	2153	Finaled
TX504	836 - Ayres	Annual	2174	Pending
TX504	836 - Ayres	Annual	2152	Pending

TX504	836 - Ayres	Annual	2199	Pending
TX504	836 - Ayres	Annual	2213	Pending
TX504	836 - Ayres	Annual	2214	Pending
TX504	836 - Ayres	Annual	2224	Pending
TX504	836 - Ayres	Annual	2123	Pending
TX504	836 - Ayres	Annual	2199	Pending
TX504	836 - Ayres	Annual	2213	Pending
TX504	836 - Ayres	Annual	2153	Pending
TX504	836 - Ayres	Annual	2123	Pending
TX504	836 - Ayres	Annual	2174	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0054	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0044	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0034	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0061	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0067	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0065	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0063	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0060	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0074	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0071	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0065	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0034	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0074	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0075	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0056	Finaled
TX504	836 - Ayres	Construction Final	2237	Finaled
TX504	836 - Ayres	Construction Final	2237	Pending
TX504	836 - Ayres	Fire Alarm System	2227	Pending
TX504	836 - Ayres	Fire Alarm System	2248	Finaled
TX504	836 - Ayres	Fire Alarm System	2248	Pending
TX504	836 - Ayres	Fire Alarm System	2227	Pending
TX504	836 - Ayres	Fire Pump	2229	Finaled
TX504	836 - Ayres	Fire Spinkler System	2230	Pending
TX504	836 - Ayres	Fire Spinkler System	2136	Pending
TX504	836 - Ayres	Fire Spinkler System	2136	Finaled
TX504	836 - Ayres	Fire Spinkler System	2230	Pending
TX504	836 - Ayres	Follow Up	2231	Pending
TX504	836 - Ayres	Follow Up	2257	Pending
TX504	836 - Ayres	Follow Up	2192	Pending
TX504	836 - Ayres	Follow Up	2217	Finaled
TX504	836 - Ayres	Follow Up	2245	Pending
TX504	836 - Ayres	Follow Up	2241	Finaled
TX504	836 - Ayres	Follow Up	2271	Pending
TX504	836 - Ayres	Follow Up	2192	Pending
TX504	836 - Ayres	Follow Up	2264	Pending
TX504	836 - Ayres	Follow Up	2261	Pending
TX504	836 - Ayres	Follow Up	2245	Finaled
TX504	836 - Ayres	Follow Up	2265	Pending
TX504	836 - Ayres	Follow Up	2257	Pending

	836 - Ayres	Follow Up	2257	Pending
TX504	836 - Ayres	Follow Up	2250	Pending
TX504	836 - Ayres	Follow Up	2231	Finaled
TX504	836 - Ayres	Knox Box	2262	Finaled
TX504	836 - Ayres	Tanks-TEMP	2270	Finaled
TX504	836 - Ayres	Tanks-TEMP	2270	Pending
TX504	836 - Ayres	Tanks-UST	2147	Finaled
TX504	836 - Ayres	Underground Fire Line	2240	Pending
TX504	836 - Ayres	Underground Fire Line	2240	Finaled
TX504	836 - Ayres	Underground Fire Line	2266	Pending
Total Per Inspector: 63				
TX504	843 - Clark	Annual	2239	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0059	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0066	Finaled
TX504	843 - Clark	Certificate of Occupancy	Co2014-0041	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0059	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0064	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0070	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0073	Pending
TX504	843 - Clark	Construction Final	2183	Pending
TX504	843 - Clark	Construction Final	2206	Pending
TX504	843 - Clark	Construction Final	2234	Pending
TX504	843 - Clark	Construction Final	2234	Pending
TX504	843 - Clark	Construction Final	2206	Pending
TX504	843 - Clark	Construction Final	2234	Pending
TX504	843 - Clark	Construction Final	2206	Pending
TX504	843 - Clark	Construction Final	2253	Finaled
TX504	843 - Clark	Courtesy	2243	Finaled
TX504	843 - Clark	Courtesy	2141	Finaled
TX504	843 - Clark	Courtesy	2142	Finaled
TX504	843 - Clark	Courtesy	2141	Finaled
TX504	843 - Clark	Courtesy	2243	Finaled
TX504	843 - Clark	Courtesy	2141	Finaled
TX504	843 - Clark	Courtesy	2243	Finaled
TX504	843 - Clark	Fire Alarm System	2267	Finaled
TX504	843 - Clark	Fire Alarm System	2268	Finaled
TX504	843 - Clark	Fire Spinkler System	2232	Pending
TX504	843 - Clark	Fire Spinkler System	2218	Pending
TX504	843 - Clark	Fire Spinkler System	2255	Pending
TX504	843 - Clark	Fire Spinkler System	2255	Pending
TX504	843 - Clark	Fire Spinkler System	2218	Finaled
TX504	843 - Clark	Fire Spinkler System	2232	Finaled
TX504	843 - Clark	Fire Spinkler System	2242	Pending
TX504	843 - Clark	Fire Spinkler System	2232	Pending
TX504	843 - Clark	Fire Spinkler System	2232	Pending
TX504	843 - Clark	Fire Spinkler System	2252	Pending
TX504	843 - Clark	Flow Test	2273	Finaled
TX504	843 - Clark	Follow Up	2269	Finaled
TX504	843 - Clark	Follow Up	2272	Pending

TX504	843 - Clark	Follow Up	2269	Pending
TX504	843 - Clark	Follow Up	2250	Finaled
TX504	843 - Clark	Follow Up	2254	Pending
TX504	843 - Clark	Follow Up	2249	Finaled
TX504	843 - Clark	Follow Up	2254	Pending
TX504	843 - Clark	Follow Up	2259	Finaled
TX504	843 - Clark	Follow Up	2250	Pending
TX504	843 - Clark	Follow Up	2249	Pending
TX504	843 - Clark	Follow Up	2236	Pending
TX504	843 - Clark	Generator	2233	Finaled
TX504	843 - Clark	Knox Box	2251	Finaled

Total Per Inspector: 49

Department Total: 153

7/11/2014 4:36:38 PM

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Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2012-019	09/06/2012		ENGINEERING	676	Amy Williams Assistant City Engineer	APPROVED 6/9/2014
E2014-006	02/03/2014		ENGINEERING 937 WILLIAMS ST	161	Bruce Hanby ENGINEERING	COMMENTS 6/6/2014
E2014-006	02/03/2014		ENGINEERING 937 WILLIAMS ST	161	Amy Williams Assistant City Engineer	APPROVED 6/9/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	91	Steve Clawson Sewer Department	
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	91	Amy Williams Assistant City Engineer	COMMENTS 6/6/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	91	Billy Chaffin Street Department	
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	91	Kathleen Moreno Engineering: Engineer	COMMENTS 6/6/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	91	Amy Williams Assistant City Engineer	
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	91	Bruce Hanby Engineering: Technician	
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	91	Ariana Hargrove Engineering: Fire	COMMENTS 6/4/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	91	Curtis McAden Water Department	
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	91	Billy Chaffin Street Department	APPROVED 6/23/2014
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	91	Bruce Hanby Engineering: Technician	COMMENTS 6/17/2014
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	91	Kathleen Moreno Engineering: Engineer	COMMENTS 6/6/2014

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Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	91	Bruce Hanby Engineering: Technician	
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	91	Billy Chaffin Street Department	
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	91	Amy Williams Assistant City Engineer	COMMENTS 6/23/2014
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	91	Amy Williams Assistant City Engineer	COMMENTS 6/5/2014
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	91	Ariana Hargrove Engineering: Fire	APPROVED W/ 6/4/2014
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	91	Kathleen Moreno Engineering: Engineer	COMMENTS 6/19/2014
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	91	Ariana Hargrove Engineering: Fire	COMMENTS 6/18/2014
E2014-016	05/13/2014		ENGINEERING	62	Amy Williams Assistant City Engineer	COMMENTS 6/23/2014
E2014-016	05/13/2014		ENGINEERING	62	Kathleen Moreno Engineering: Engineer	APPROVED 6/24/2014
E2014-016	05/13/2014		ENGINEERING	62	Bruce Hanby Engineering: Technician	COMMENTS 6/20/2014
E2014-016	05/13/2014		ENGINEERING	62	Billy Chaffin Street Department	APPROVED 6/21/2014
E2014-017	05/15/2014		ENGINEERING 3110 HORIZON RD	60	Bruce Hanby Engineering: Technician	APPROVED 6/17/2014
E2014-017	05/15/2014		ENGINEERING 3110 HORIZON RD	60	Kathleen Moreno Engineering: Engineer	APPROVED 6/18/2014
E2014-017	05/15/2014		ENGINEERING 3110 HORIZON RD	60	Tim Tumulty City Engineer	APPROVED 6/19/2014
E2014-017	05/15/2014		ENGINEERING 3110 HORIZON RD	60	Amy Williams Assistant City Engineer	COMMENTS 6/17/2014

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For the Period 6/1/2014 thru 6/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-017	05/15/2014		ENGINEERING 3110 HORIZON RD	60	Ariana Hargrove FIRE	APPROVED 6/18/2014
E2014-018	05/27/2014		ENGINEERING 1861 SH276	48	Kathleen Moreno Engineering: Engineer	COMMENTS 7/3/2014
E2014-018	05/27/2014		ENGINEERING 1861 SH276	48	Amy Williams Assistant City Engineer	COMMENTS 7/8/2014
E2014-018	05/27/2014		ENGINEERING 1861 SH276	48	Ariana Hargrove Engineering: Fire	APPROVED 6/30/2014
E2014-019	05/30/2014		ENGINEERING 105 ST MARYS ST	45	Kathleen Moreno ENG-ENGINEER	COMMENTS 6/4/2014
E2014-019	05/30/2014		ENGINEERING 105 ST MARYS ST	45	Tim Tumulty CITY ENGINEER	COMMENTS 6/4/2014
E2014-019	05/30/2014		ENGINEERING 105 ST MARYS ST	45	Curtis McAden WATER DEPARTMEN	COMMENTS 6/5/2014
E2014-019	05/30/2014		ENGINEERING 105 ST MARYS ST	45	Bruce Hanby ENG-TECH	COMMENTS 6/2/2014
E2014-019	05/30/2014		ENGINEERING 105 ST MARYS ST	45	Steve Clawson SEWER DEPARTMEN	APPROVED 6/6/2014
E2014-019	05/30/2014		ENGINEERING 105 ST MARYS ST	45	Billy Chaffin STREET DEPARTMEN	COMMENTS 6/9/2014
E2014-019	05/30/2014		ENGINEERING 105 ST MARYS ST	45	Amy Williams ASSISTANT CITY ENC	COMMENTS 6/3/2014
E2014-019	05/30/2014		ENGINEERING 105 ST MARYS ST	45	Ariana Hargrove ENG - FIRE	COMMENTS 6/6/2014
P2006-027	07/17/2006		PLAT 2994 FM549 S	2,919	Ariana Hargrove FIRE	DENIED 6/18/2014
P2013-036	10/25/2013		PLAT RIDGE RD	262	Ariana Hargrove FIRE	APPROVED 6/5/2014
P2014-014	06/18/2014		PLAT 937 WILLIAMS ST	26	Ryan Miller PLANNING	APPROVED W/ 6/19/2014

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Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
P2014-014	06/18/2014		PLAT 937 WILLIAMS ST	26	John Shannon BUILDING	APPROVED 6/18/2014
P2014-014	06/18/2014		PLAT 937 WILLIAMS ST	26	Amy Williams ENGINEERING	COMMENTS 6/18/2014
P2014-014	06/18/2014		PLAT 937 WILLIAMS ST	26	Ariana Hargrove FIRE	APPROVED 6/20/2014
P2014-014	06/18/2014		PLAT 937 WILLIAMS ST	26	Lance Singleton GIS	APPROVED 6/19/2014
SP2014-009	05/19/2014		SITE PLAN 254 RANCH TRL	56	Ariana Hargrove FIRE	APPROVED 6/6/2014
SP2014-009	05/19/2014		SITE PLAN 254 RANCH TRL	56	John Shannon Building Inspections Dep	APPROVED 6/4/2014
SP2014-010	06/13/2014		SITE PLAN Horizon Road	31	David Gonzales PLANNING	COMMENTS 6/17/2014
SP2014-010	06/13/2014		SITE PLAN Horizon Road	31	John Shannon BUILDING	APPROVED 6/17/2014
SP2014-010	06/13/2014		SITE PLAN Horizon Road	31	Amy Williams ENGINEERING	COMMENTS 6/16/2014
SP2014-010	06/13/2014		SITE PLAN Horizon Road	31	Lance Singleton GIS	
SP2014-010	06/13/2014		SITE PLAN Horizon Road	31	Ariana Hargrove FIRE	COMMENTS 6/18/2014
SP2014-011	06/13/2014		SITE PLAN 1700 JUSTIN RD	31	Lance Singleton GIS	APPROVED W/
SP2014-011	06/13/2014		SITE PLAN 1700 JUSTIN RD	31	Ariana Hargrove FIRE	COMMENTS 6/18/2014
SP2014-011	06/13/2014		SITE PLAN 1700 JUSTIN RD	31	Amy Williams ENGINEERING	COMMENTS 6/16/2014
SP2014-011	06/13/2014		SITE PLAN 1700 JUSTIN RD	31	Ryan Miller PLANNING	APPROVED W/

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Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
SP2014-011	06/13/2014		SITE PLAN 1700 JUSTIN RD	31	John Shannon BUILDING	APPROVED 6/17/2014
SP2014-012	06/13/2014		SITE PLAN 2975 DISCOVERY BLVD	31	David Gonzales PLANNING	COMMENTS 6/19/2014
SP2014-012	06/13/2014		SITE PLAN 2975 DISCOVERY BLVD	31	John Shannon BUILDING	APPROVED 6/17/2014
SP2014-012	06/13/2014		SITE PLAN 2975 DISCOVERY BLVD	31	Amy Williams ENGINEERING	COMMENTS 6/16/2014
SP2014-012	06/13/2014		SITE PLAN 2975 DISCOVERY BLVD	31	Ariana Hargrove FIRE	COMMENTS 6/18/2014
SP2014-012	06/13/2014		SITE PLAN 2975 DISCOVERY BLVD	31	Lance Singleton GIS	APPROVED 6/16/2014
SP2014-013	06/17/2014		SITE PLAN 706 E I30	27	JoDee Sanford PLANNING	
SP2014-013	06/17/2014		SITE PLAN 706 E I30	27	John Shannon BUILDING	
SP2014-013	06/17/2014		SITE PLAN 706 E I30	27	Amy Williams ENGINEERING	
SP2014-013	06/17/2014		SITE PLAN 706 E I30	27	Ariana Hargrove FIRE	
SP2014-013	06/17/2014		SITE PLAN 706 E I30	27	Lance Singleton GIS	

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City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 6/1/2014 thru 6/30/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2014-0064	06/02/14	42	2927 RIDGE RD 103	REGENCY, CENTERS LP	Ariana Hargrove	FIRE CO	APPROVED	06/02/14	06/05/14	06/02/14
	CO		DONUT STATION # 1							
BLD2014-066	05/06/14	69	950 Sids Rd	RAYBURN, COUNTRY ELECTRIC CORP INC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/03/14	06/13/14	06/03/14
	COMM		Rayburn Electric - New Construction							
BLD2014-080	06/03/14	41	105 St Mary St	Albright Hill Properties LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/03/14	06/13/14	06/06/14
	COMM		Professional Bldg Single Story - New							
PLB2014-019	06/03/14	41	212 E RUSK	ROCKWALL, LIONS CLUB	Ariana Hargrove	FIRE 972-772-6431		06/03/14	06/13/14	
	COMM		GAS REPAIR							
UN2014-0001	06/03/14	41	2504 RIDGE 202	BROOKS, RICHARD L MD	Ariana Hargrove	FIRE 972-772-6431		06/03/14	06/13/14	
	COMM		ELECTRIC COURTESY INSPECTION							
BLD2013-105	06/25/13	384	1307 Ridge Rd.	T, ROCKWALL PHASE 2 LLC	Ariana Hargrove	FIRE 972-772-6431	DENIED	06/04/14	06/14/14	06/04/14
	COMM		Rockwall Commons ph II -w/ 133 Apts							
BLD2014-081	06/04/14	40	102 - 116 KENWAY	KNIGHTSBRIDGE, HOLDING CO PROFIT	Ariana Hargrove	FIRE 972-772-6431		06/04/14	06/14/14	
	COMM		Frence Replacement Retail Center							
SPEC2014-01	06/03/14	41	832 BEAR BRANCH CT	BOREN, LEE ANN NKA LEE ANN BOREN BELL	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/04/14	06/09/14	06/04/14
	SPECIAL EVENT		BLOCK PARTY							
CO2014-0065	06/05/14	39	105 Bourn Ave	EDWARDS, JASON	Ariana Hargrove	FIRE CO	APPROVED	06/05/14	06/08/14	06/05/14
	CO		Wags to Whiskers Pet Spa							
MEC2014-00	06/05/14	39	2805 RIDGE RD.	LAKESIDE, NATIONAL BANK	Ariana Hargrove	FIRE 972-772-6431		06/05/14	06/15/14	
	COMM		SPLIT HVAC SYSTEM							
SPEC2014-01	06/03/14	41	832 BEAR BRANCH CT	BOREN, LEE ANN NKA LEE ANN BOREN BELL	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/05/14	06/15/14	06/05/14
	SPECIAL EVENT		BLOCK PARTY							
BLD2013-190	12/12/13	214	2650 Champions	SHORES, COUNTRY CLUB LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/06/14	06/16/14	06/06/14
	COMM		Shores HOA Clubhouse							
BLD2014-082	06/06/14	38	down town	City of Rockwall	Ariana Hargrove	FIRE 972-772-6431		06/06/14	06/16/14	
	COMM		Downtown irrigation - City project							
PLB2014-019	06/06/14	38	606 STORRS BLVD.	HISER, AMY MICHELE	Ariana Hargrove	FIRE 972-772-6431		06/06/14	06/16/14	
	COMM		WATER HEATER							
CO2014-0066	06/10/14	34	2845 RIDGE RD 215	STEGER, TOWNE CROSSING II LP	Ariana Hargrove	FIRE CO	APPROVED	06/10/14	06/13/14	06/13/14
	CO		HAPPY FEET							
BLD2014-085	06/11/14	33	2701 Sunset Ridge Dr 120	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/11/14	06/21/14	06/18/14
	COMM		FITE AGENCY INTERIIOR REMODEL							
CO2014-0067	06/11/14	33	2012 Goliad St	C, & V OF LANCASTER	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/11/14	06/21/14	06/13/14
	CO		QuikTrip							
PLB2014-020	06/11/14	33	123 WEMBLEY WAY	DREKAJ, CHRISTY & FLAMUR	Ariana Hargrove	FIRE 972-772-6431		06/11/14	06/21/14	
	SINGLE FAMILY		REPLACE 50 GAL GAS WATER HEATER							
CO2014-0068	06/11/14	33	2235 Goliad St S 102	CPI, MORTGAGE INVESTORS LP	Ariana Hargrove	FIRE CO	APPROVED	06/13/14		06/13/14
	CO		Fuddruckers							

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Permit Routing Report By Date Sent (then by permit)

For tbe Period 6/1/2014 thru 6/30/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2014-0069	06/11/14	33	2235 Goliad St S	CPI, MORTGAGE INVESTORS LP	Ariana Hargrove	FIRE CO	APPROVED	06/13/14		06/13/14
	CO		Luby / Fudruckers - Shell Bldg CO							
BLD2014-086	06/16/14	28	2951 RIDGE RD 107	REGENCY, CENTERS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/16/14	06/26/14	06/19/14
	COMM		Urgent Care - Interior Completion							
BLD2014-087	06/16/14	28	2435 Ridge Rd. 107	ROCKWALL, OCEANHILL LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/16/14	06/26/14	06/19/14
	COMM		Lakes Regional MHMR Center - Interior alterations							
BLD2014-088	06/17/14	27	2007 GOLIAD ST S	PRITCHARD, DONNA CULLINS &	Ariana Hargrove	FIRE 972-772-6431		06/17/14	06/27/14	
	COMM		RE-ROOF (METAL SHINGLES ONLY)							
CO2014-0070	06/17/14	27	2823 Market Center	CRP/ARROW, ROCKWALL LLC	Ariana Hargrove	FIRE CO	APPROVED	06/17/14	06/20/14	06/18/14
	CO		Ladybug Scrubs							
BLD2014-088	06/18/14	26	3035 Ridge Rd. 109	TEMUNOVIC, PARTNERSHIP LTD	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/18/14	06/28/14	06/23/14
	COMM		Jersey Mike's Subs restaurant							
CO2014-0071	06/18/14	26	750 Justin	Big Texas Trailer manufacturing, Inc.	Ariana Hargrove	FIRE CO	APPROVED	06/18/14	06/21/14	06/18/14
	CO		Big Tex Trailer Manufacturing, Inc.							
MEC2014-010	06/18/14	26	2313 RIDGE RD. 105	LOWRANCE, STANLEY D & CYNDIE K	Ariana Hargrove	FIRE 972-772-6431		06/18/14	06/28/14	
	COMM		REPLACING HVAC - CONDENSING UNIT							
TCO2014-000	06/18/14	26	2012 Goliad St		Ariana Hargrove	FIRE CO	APPROVED	06/18/14	06/21/14	06/18/14
	TCO		Quik Trip TCO							
BLD2014-091	06/19/14	25	2850 Shoreline Tr	LAKE, FRONT TRAIL LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/19/14	06/29/14	06/24/14
	COMM		Shoreline Office Building - Addition							
CO2014-0072	06/19/14	25	1035 IH 30 105	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE CO	APPROVED	06/19/14	06/22/14	06/19/14
	CO		Five Guys Burgers & Fries							
CO2014-0073	06/19/14	25	3115 RIDGE RD.	JPH, REAL ESTATE INC	Ariana Hargrove	FIRE CO	APPROVED	06/19/14	06/22/14	06/19/14
	CO		PRIMROSE SCHOOL OF ROCKWALL							
BLD2014-069	05/09/14	66	2600 Champions Dr.	SHORES, COUNTRY CLUB LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/20/14	06/30/14	06/20/14
	COMM		Restroom for Pool area - Shores Country Club							
BLD2014-092	06/20/14	24	2600 CHAMPIONS	SHORES, COUNTRY CLUB LLC	Ariana Hargrove	FIRE 972-772-6431		06/20/14	06/30/14	
	COMM		Shores Country club - retaining wall							
CO2014-0074	06/20/14	24	108 Goliad St S	KLUTTS, B A	Ariana Hargrove	FIRE CO	APPROVED	06/20/14	06/23/14	06/20/14
	CO		Oscar Delta							
ELE2014-004	06/20/14	24	2815 Ridge	TACO BELL	Ariana Hargrove	FIRE 972-772-6431		06/20/14	06/30/14	
	COMM		6- 120 v , 3-208v for warmers install 9 outlets for new equi							
BLD2013-105	06/25/13	384	1307 Ridge Rd.	T, ROCKWALL PHASE 2 LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/23/14	07/03/14	06/23/14
	COMM		Rockwall Commons ph II -w/ 133 Apts							
BLD2014-092	06/23/14	21	909 E IH 30 107	ROCKWALL, CROSSING LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/23/14	07/03/14	06/24/14
	COMM		Fedex Office - Remodel							
PLB2014-021	06/23/14	21	549 IH 30 E	GLENN & TAMMY TAFT	Ariana Hargrove	FIRE 972-772-6431		06/23/14	07/03/14	
	COMM		WATER HEATER REPLACEMENT							

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 6/1/2014 thru 6/30/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2014-052	04/17/14	88	315 RANCH TRAIL	WILLIAMS, RONNIE L & KIM A	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/24/14	07/04/14	06/24/14
	COMM		Rockwall Landscape - Renovation of Existing bldg.							
BLD2014-087	06/16/14	28	2435 Ridge Rd. 107	ROCKWALL, OCEANHILL LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/25/14	07/05/14	06/25/14
	COMM		Lakes Regional MHMR Center - Interior alterations							
CO2014-0075	06/25/14	19	802 S GOLIAD	PRUITT, STEVIE & DEBRA ANN HICKS	Ariana Hargrove	FIRE CO	APPROVED	06/25/14	06/28/14	06/25/14
	CO		First Baptist Church of Rockwall							
CO2014-0076	06/25/14	19	1525 Airport Rd	ROCKWALL, PROPERTY CORPORATION	Ariana Hargrove	FIRE CO		06/25/14	06/28/14	
	CO		Lakes Regional MHMR Center							
MEC2014-01(	06/25/14	19	782 IH 30	WAL-MART, REAL ESTATE	Ariana Hargrove	FIRE 972-772-6431		06/25/14	07/05/14	
	COMM		Multi-deck Beer Cooler Addition (250sf)							
PLB2014-021	06/25/14	19	206 FANNIN ST. N	JAN PRADO	Ariana Hargrove	FIRE 972-772-6431		06/25/14	07/05/14	
	COMM		INSTALL RPZ VALVE							
PLB2014-021	06/26/14	18	1410 GOLIAD	PRUITT, STEVE & DEBI	Ariana Hargrove	FIRE 972-772-6431		06/26/14	07/06/14	
	COMM		REPLACING 2 BOILERS							
BLD2014-095	06/27/14	17	2911 Ridge	MINNETONKA, CAPITAL INVESTMENTS V LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/27/14	07/07/14	07/01/14
	COMM		Walgreens Minor Remodel to add rooms for clinic							
BLD2014-096	06/30/14	14	2823 Market Center Dr	CRP/ARROW, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/30/14	07/10/14	07/01/14
	COMM		Ladybug Scrubs - remodel of space							
CO2014-0077	06/30/14	14	2135 RIDGE RD. 109	IN, KYUNG H &	Ariana Hargrove	FIRE CO	APPROVED	06/30/14	07/03/14	06/30/14
	CO		Little Caesars							
CO2014-0078	06/30/14	14	439 IH 30 E	DAVID BRITT/LEE RAMSEY/BRANDON MARTINO	Ariana Hargrove	FIRE CO	APPROVED	06/30/14	07/03/14	07/01/14
	CO		ROCKWALL LIGHTING & FLOOR							
CO2014-0079	06/30/14	14	1348 Mims	D, & A REAL ESTATE PARTNERS LTD	Ariana Hargrove	FIRE CO	APPROVED	06/30/14	07/03/14	07/01/14
	CO		Crazy Jacks Power Sport LLC							

City of Rockwall
Inspection Totals Completed by Inspector
For the Period 6/1/2014 thru 6/30/2014

Bryan Patrick		
	CO - FIRE	4
TOTAL INSPECTIONS for Bryan Patrick:		4
Kevin Clark		
	CO - FIRE	4
TOTAL INSPECTIONS for Kevin Clark:		4
Paul Ayres		
	CO - FIRE	9
TOTAL INSPECTIONS for Paul Ayres:		9
TOTAL INSPECTIONS COMPLETED:		17

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Rockwall Police Department
Harbor District Calls For Service
June 2014

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2014-00019228	06/14/2014	20:19:30	Cinemark	Criminal Mischief	No Report
2014-00020021	06/20/2014	21:01:24	Cinemark	Missing Person	No Report
2014-00019104	06/13/2014	21:38:52	Cinemark	Suspicious Activity	No Report
2014-00019877	06/19/2014	22:02:59	Cinemark	Suspicious Activity	No Report
2014-00019919	06/20/2014	04:21:17	Cinemark	Suspicious Activity	No Report
2014-00019364	06/15/2014	21:39:00	Glorias	Fraud	No Report
2014-00018406	06/07/2014	23:39:21	Glorias	Intoxicated	No Report
2014-00021110	06/29/2014	00:25:00	Hilton	911 Hang Up	Arrest
2014-00017516	06/01/2014	07:22:55	Hilton	Motor Vehicle Theft	Report
2014-00019233	06/14/2014	21:13:09	Hilton	Suspicious Activity	No Report
2014-00020571	06/25/2014	04:28:31	Hilton	Suspicious Activity	No Report
2014-00020042	06/20/2014	23:00:00	Hilton	Suspicious Activity	No Report
2014-00018237	06/06/2014	20:42:02	The Harbor	Accident - Minor	Report
2014-00018079	06/05/2014	20:04:26	The Harbor	General Complaint	No Report
2014-00018084	06/05/2014	20:33:49	The Harbor	Intoxicated	No Report
2014-00019739	06/18/2014	20:55:44	The Harbor	Intoxicated	Arrest
2014-00018199	06/06/2014	14:17:26	The Harbor	Investigation	No Report
2014-00018115	06/05/2014	23:06:08	The Harbor	Investigation	No Report
2014-00018591	06/09/2014	20:35:30	The Harbor	Investigation	No Report
2014-00018965	06/12/2014	21:07:50	The Harbor	Missing Person	No Report
2014-00018086	06/05/2014	20:46:55	The Harbor	Missing Person	No Report
2014-00018082	06/05/2014	20:22:53	The Harbor	Missing Person	No Report
2014-00018092	06/05/2014	21:25:22	The Harbor	Missing Person	No Report
2014-00018966	06/12/2014	21:37:40	The Harbor	Motor Vehicle Theft	Report
2014-00018268	06/06/2014	23:53:00	The Harbor	Property	No Report
2014-00018125	06/05/2014	23:59:19	The Harbor	Property	No Report
2014-00018093	06/05/2014	21:28:06	The Harbor	Reckless Driver	No Report
2014-00017494	06/01/2014	00:15:14	The Harbor	Theft	Report
2014-00018220	06/06/2014	18:03:19	Willis Estates Jewelry	911 Hang Up	No Report
2014-00018901	06/12/2014	02:21:31	Willis Estates Jewelry	Alarm-BUSN	False Alarm
2014-00020118	06/21/2014	12:34:00	Zeus	Theft	Report
			Common Name		
			The Harbor	16	
			Cinemark	5	
			Hilton	5	
			Glorias	2	
			Willis Estates Jewelry	2	
			Zeus	1	
			Total	**31**	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
JUNE 2014

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	5	4	1	80%
ADMINISTRATIVE SERVICES	1	1	0	100%
AIRPORT	2	2	0	100%
ANIMAL SERVICES	1	1	0	100%
BUILDING INSPECTIONS / CODE ENFORCEMENT	0	0	0	0%
ENGINEERING	5	5	0	100%
FINANCE	0	0	0	0%
FIRE DEPARTMENT	31	30	1	97%
INTERNAL OPERATIONS	119	119	0	100%
MUNICIPAL COURT	16	15	1	94%
PARKS & RECREATION	20	19	1	95%
PLANNING & ZONING	1	1	0	100%
POLICE DEPARTMENT	32	32	0	100%
PUBLIC WORKS	6	6	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	239	235	4	98%

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
JUNE 2014

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT	0	0	0	100%
FIRE DEPARTMENT	3	3	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	2	2	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	8	8	0	100%
PUBLIC WORKS	0	0	0	100%
UTILITY BILLING	0	0	0	100%
HEATH DEPT. PUBLIC SAFETY	3	3	0	100%
HOSPITAL CONTROL STATIONS	0	0	0	100%
SYSTEM ISSUES	1	1	0	100%
TOTAL	17	17	0	100%

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Airport Operations Report

For Month of June 2014

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	746.00	$3,468.90
Av-Gas Sales	3,268.50	$16,497.36
TOTAL FUEL SALES	**4,014.50**	**$19,966.26**

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$2,355.00
Terminal Office Rental Revenue	$250.00
Enclosed Hangar Rental Revenue	$120.00
North Maintenance Hangar Rental Revenue	$500.00
TOTAL HANGAR RENTALS	**$3,225.00**

HANGAR OCCUPANCY RATES

	TOTAL HANGARS	QTY RENTABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	40	30	75.00%
Terminal Office Rentals	1	1	1	100%
Closed Hangar Rentals	1	1	1	100%
Open Hangar Cap Rentals	2	1	1	100%
TOTAL HANGAR OCCUPANCY	**49**	**43**	**33**	**77%**

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$401.45	$401.45
City Owned Hangar Rentals	5.00%	$161.25		$0.00
TOTAL FEES DUE		**$161.25**	**$401.45**	**$562.70**

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

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Rockwall Police Department

Monthly Activity Report
June-2014

ACTIVITY	CURRENT MONTH JUNE	PREVIOUS MONTH MAY	YTD 2014	YTD 2013	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	1	-100.00%
Sexual Assault	0		0		
Robbery	0	0	1	4	-75.00%
Aggravated Assault	4	3	16	7	128.57%
Burglary	8	2	34	42	-19.05%
Larceny	55	41	313	286	9.44%
Motor Vehicle Theft	5	6	25	29	-13.79%
TOTAL PART I	**72**	**52**	**389**	**374**	**4.01%**
TOTAL PART II	**153**	**139**	**821**	**755**	**8.74%**
TOTAL OFFENSES	**225**	**191**	**1210**	**1129**	**7.17%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	21	27	100	79	26.58%
D.W.I.	17	25	112	99	13.13%
TEEN CURFEW	0	3	7	3	133.33%
ARRESTS					
FELONY	17	21	105	101	3.96%
MISDEMEANOR	77	85	456	463	-1.51%
WARRANT ARREST	44	25	186	142	30.99%
JUVENILE	4	8	42	34	23.53%
TOTAL ARRESTS	**142**	**139**	**789**	**740**	**6.62%**
DISPATCH					
CALLS FOR SERVICE	1646	1492	8531	8133	4.89%
ACCIDENTS					
INJURY	10	10	62	64	-3.13%
(INJURIES)	13	12	80	80	0.00%
NON-INJURY	36	31	240	238	0.84%
FATALITY	0	0	0	1	-100.00%
(FATALITIES)	0	0	0	1	-100.00%
TOTAL	**46**	**41**	**302**	**303**	**-0.33%**
FALSE ALARMS					
RESIDENT ALARMS	58	63	358	420	-14.76%
BUSINESS ALARMS	163	121	726	614	18.24%
TOTAL FALSE ALARMS	**221**	**184**	**1084**	**1034**	**4.84%**
Estimated Lost Hours	**145.86**	**121.44**	**715.44**	**682.44**	**4.84%**
Estimated Cost	**$3,469.70**	**$2,888.80**	**$17,018.80**	**$16,233.80**	**4.84%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**7**
Arrests	**4**
Arrest Warrants	**4**
Search Warrants	**3**
Seized	
Marijuana	2.6 oz
Methamphetamine	457.6 g

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Rockwall Police Department
Dispatch and Response Times
June 2014

Police Department

	Average Response Time		
Priority 1		Number of Calls **133**	
Call to Dispatch	0:00:36		30
Call to Arrival	0:05:23		
% over 7 minutes	23%		
	Average Response Time		
Priority 2		Number of Calls **200**	
Call to Dispatch	0:00:49		
Call to Arrival	0:06:12		61
% over 7 minutes	31%		
	Average Response Time		
Priority 3		Number of Calls **21**	
Call to Dispatch	0:00:46		8
Call to Arrival	0:06:41		
% over 7 minutes	38%		
***Priority 4**		Number of Calls **1292**	
****Priority 5**		Number of Calls **0**	

*Priority 4 call averages are not given because they are calls that do not require an immediate response by police.
**Priority 5 calls are incidents that officers initiate themselves therefore response times are not calculated.

Average dispatch response time goals are as follows:
Priority 1: 30 Seconds
Priority 2: 45 Seconds
Priority 3: 1 Minute

Fire Department

	Average Response Time		
Call to Dispatch	0:00:15	Number of Calls **71**	
Call to Arrival	0:05:58		

Overages

Incident No.	Date	Time Rec'd	Call Type	Time Disp	Resp Time	Reason
2014-536	06/24/2014	16:35:50	High Rise Rescue	16:37:03	0:01:13	Ofc dispatching/did not know what call type to use
2014-519	06/19/2014	23:46:40	Grass Fire	23:48:41	0:02:01	Address not verifying in CAD, manual tones

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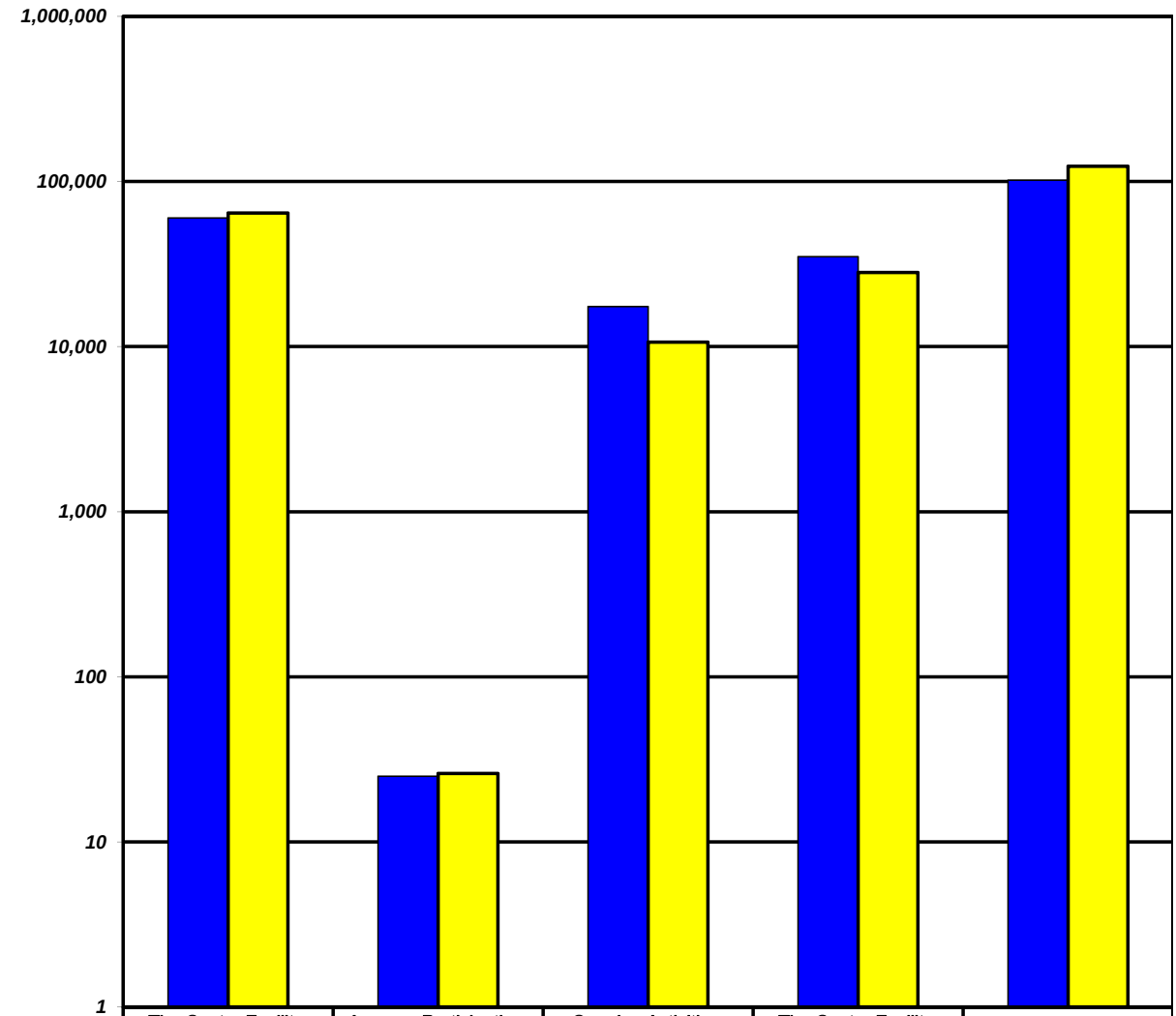
City of Rockwall
Parks and Recreation Department
FY14 June 2014



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY14 YTD	60,078	25	17,482	$35,042	$101,744
FY13 YTD	64,365	26	10,629	$28,104	$123,399

The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.
Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.
Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
June 2014

DISPOSITION REPORT

	June
Intakes	199
1045	2
Adopted	125
Citizen Returned to Owner	0
Returned to Owner	36
Rescued	27
Euthanized	1
Live Outcome %	**98%**

FINANCIAL REPORT

Income	**June**
City of Rockwall	$0
Adoption Fee Income	$11,790
Impound Fee Income	$950
Owner Surrender	$1,765
General Donations	$4,493
Medical	$150
Quarantine Fee	$390
Total Income	**$19,538**

Expenses	**June**
Administrative Expenses (Payroll, etc)	$34,924
Shelter Expenses (Microchips, Drugs, etc)	$8,007
Veterinary Expenses	$7,936
Professional Services	$750
Total Expenses	**$51,617**
Balance	**-$32,079**

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AGENDA
ROCKWALL CITY COUNCIL
Monday, August 4, 2014 - 4:00 p.m.

Special Meeting of the Rockwall City Council in Conjunction with the Rockwall Economic Development Corporation (REDC) Board of Directors
Rockwall City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER (4:00 P.M.)

II. EXECUTIVE SESSION.

THE ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION WITH THE REDC BOARD OF DIRECTORS TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding land acquisitions related to potential purchase of public right of way pursuant to Section 551.087 (Economic Development), Section 551.071 (Consultation with Attorney), and Section 551.072 (Real Property).

III. ADJOURN EXECUTIVE SESSION

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. ADJOURN PUBLIC MEETING

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 1st day of August, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

Table of Contents

Agenda 5

Hold a Work Session to discuss and consider retaining wall standards, and take any action necessary

Memo 10

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Hold a Work Session to hear overview of proposed FY 2015 city budget, and take any action necessary.

Budget Memo 12

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Consider approval of the minutes from the August 4, 2014 Special Joint Meeting between the Rockwall City Council and the Rockwall Economic Development Corporation (REDC) Board of Directors, and take any action necessary.

08/04/14 Joint REDC CC Mtg Mins 14

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Consider approval of the minutes from the August 4, 2014 regular City Council meeting, and take any action necessary.

08/04/14 Regular CC mtg mins 17

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Z2014-018 - Consider approval of an ordinance for a request by Karri Shojaei-Scott of the Marigold Learning Academy on behalf of the owner, Modern Pyramids, Inc., for the approval of a Specific Use Permit (SUP) to allow for a Day Care Facility on a 0.45-acre parcel of land identified as Lot 3-R, Block A, Washington Place Addition, zoned Downtown (DT) District, situated within the SH 66 Overlay (SH 66 OV) District, and located at 401 W. Washington Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. (2nd Reading)

Ord_2nd Reading (SUP Daycare) 31

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Z2014-019 - Consider approval of an ordinance for a request by Shanessa Coburn of American Trooper on behalf of the owner, Scott Milder, for the approval of a Specific Use Permit (SUP) to allow an antiques/collectables and general retail store in Planned Development District 50 (PD-50) for a 0.66-acre lot of land containing two (2) parcels of land identified as a Block 23A (0.43-acres) and Block 24C (0.23-acres) of the Amick Addition, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 & 805 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. (2nd Reading)

Ord 2nd Reading_SUP antiques collectibles store 35

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Consider approval of an ordinance amending the Code of Ordinances in Chapter 44. Utilities; Article V. Water; Division 7; Sec. 44-436 “Stages and Measures” of the Drought Contingency and Water Emergency Response Plan, to provide for certain deletions and changes to these provision in order to comply with requirements of the TX Commission on Environmental Quality (TCEQ), and take any action necessary. (1st reading)

Memo - drought contingency plan amendments 42
Ordinance 43
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P2014-016 - Consider a request by Rob Whittle on behalf of the Caruth Lake Development Corporation for the approval of a final plat for Lots 1 & 2, Block A, Caruth Lake Phase 1B Addition, currently identified as a 0.798-acre tract on land situated within the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for residential land uses, located on the south side of Midnight Pass, west of the intersection of Midnight Pass and N. Fannin Street, and take any action necessary.

Staff Report 47
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Consider approval of a contract with Walter P. Moore Consulting Engineers to perform the engineering design services for the erosion control project at 2065 Lake Forest Drive in the amount of $54,500 to be funded out of General Fund Reserves, and take the any action necessary.

City Manager Memo 52
Engineering Design services Scope of Services 53
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Appointment with Kathryn Thurmond to hear concerns regarding the proposed improvements to FM 549 South, and take any action necessary.

thurmond memo 60
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Appointment with JJ Smith of The Rockwall News to hear report on hotel/motel occupancy tax funding previously granted for a 2014 Memorial Day concert/event held at The Habor, and take any action necessary.

Memo Report RCN JJ Smith 62
Blank Page 64

Z2014-020 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Bobby and Kimberly Fritts for the approval of a Specific Use Permit (SUP) to allow for a carport that does not meet the minimum setback requirements stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code [Ordinance No. 04-38] for a 0.31-acre property identified as Lot 27, Block C of the Lynden Park Estates, Phase 4 Addition, zoned Planned Development District 17 (PD-17), addressed as 109 Weston Court, City of Rockwall, Rockwall County, Texas, and take any action necessary. (1st Reading)

Staff Report 65
Blank Page 84
MIS2014-009 - Hold a public hearing to discuss and consider approval of an ordinance for a City initiated request to amend the Future Land Use Map contained within the Comprehensive Plan, and take any action necessary. (1st Reading)
Staff Report 85
Blank Page 96
SP2014-017 - Discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of the owner Rick Sharp for the approval of variances, specifically to the pitched roof requirement and the required amount of articulation, in association with a site plan for a warehouse facility on a 1.10-acre portion of a larger 6.22-acre parcel of land identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46), situated within the SH-276 Overlay (SH-276 OV) District, located on the south side of Springer Road, east of the intersection of Springer Road and Corporate Crossing [FM-3549], and take any action necessary. (3/4 majority vote required)
Staff Report 97
Blank Page 101
SP2014-019 - Discuss and consider a request by Lynsey Ondecker of Glaus, Pyle, Schomer, Burns & DeHaven, GPD on behalf of the owner, Travel Centers of America, for the approval of a variance, specifically to allow for secondary materials in excess of 10%, in association with an amended site plan for the purpose of remodeling the exterior façade of the existing truck stop, which is located on a 13.167-acre parcel of land identified as Lot 3, Block A, Travel Centers of America Addition, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the SH-205 Overlay (SH-205 OV) District, addressed as 2105 S. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. (3/4 majority vote required)
Staff Report 102
Blank Page 111
Discuss and consider the City's position on proposed Railroad Commission rules affecting City participation in rate cases, authorizing the Mayor to execute letters on the City's behalf, and take any action necessary.
RRC 112
blank page 119
Discuss and consider approval of a request from Baker Wells with First Texas Homes for a front yard fence, 48" wrought iron, to be located at 1586 Edmondson Trail and take any action necessary.
Council Packet 120
Blank Page 128

A2014-001 - Discuss and consider the expiration of an existing 212 Development Agreement for one (1) area contiguous with the City of Rockwall's city limits and being identified as approximately 482.39-acres of land situated within the City's Extraterritorial Jurisdiction (ETJ), generally located north of FM-552, west of FM-549 and east of Anna Cade Road, and take any action necessary.

Staff Report 129

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MIS2013-006 - Discuss and consider the adoption of a resolution that will set the public hearing date to consider the approval of water/wastewater impact fees to October 6, 2014, and take any action necessary.

Staff Report 146

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AGENDA
ROCKWALL CITY COUNCIL
Monday, August 18, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p10 **1.** HOLD A WORK SESSION TO DISCUSS AND CONSIDER RETAINING WALL STANDARDS, AND TAKE ANY ACTION NECESSARY.

p12 **2.** HOLD A WORK SESSION TO HEAR OVERVIEW OF PROPOSED FY 2015 CITY BUDGET, AND TAKE ANY ACTION NECESSARY.

III. EXECUTIVE SESSION (4:15 P.M.)

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospect pursuant to Section 551.087 (Economic Development)

2. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

3. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)

4. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, August 18, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR SWEET

VIII. CONSENT AGENDA

p14 **1.** Consider approval of the minutes from the August 4, 2014 Special Joint Meeting between the Rockwall City Council and the Rockwall Economic Development Corporation (REDC) Board of Directors, and take any action necessary.

p17 **2.** Consider approval of the minutes from the August 4, 2014 regular City Council meeting, and take any action necessary.

p31 **3.** Z2014-018 - Consider approval of an ordinance for a request by Karri Shojaei-Scott of the Marigold Learning Academy on behalf of the owner, Modern Pyramids, Inc., for the approval of a Specific Use Permit (SUP) to allow for a Day Care Facility on a 0.45-acre parcel of land identified as Lot 3-R, Block A, Washington Place Addition, zoned Downtown (DT) District, situated within the SH 66 Overlay (SH 66 OV) District, and located at 401 W. Washington Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(2nd Reading)**

p35 **4.** Z2014-019 - Consider approval of an ordinance for a request by Shanessa Coburn of American Trooper on behalf of the owner, Scott Milder, for the approval of a Specific Use Permit (SUP) to allow an antiques/collectables and general retail store in Planned Development District 50 (PD-50) for a 0.66-acre lot of land containing two (2) parcels of land identified as a Block 23A (0.43-acres) and Block 24C (0.23-acres) of the Amick Addition, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 & 805 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(2nd Reading)**

p42 **5.** Consider approval of an ordinance amending the Code of Ordinances in Chapter 44. Utilities; Article V. Water; Division 7; Sec. 44-436 “Stages and Measures” of the Drought Contingency and Water Emergency Response Plan, to provide for certain deletions and changes to these provision in order to comply with requirements of the TX Commission on Environmental Quality (TCEQ), and take any action necessary. **(1st reading)**

p47 **6.** P2014-016 - Consider a request by Rob Whittle on behalf of the Caruth Lake Development Corporation for the approval of a final plat for Lots 1 & 2, Block A, Caruth Lake Phase 1B Addition, currently identified as a 0.798-acre tract on land situated within the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for residential land uses, located on the south side of Midnight Pass, west of the intersection of Midnight Pass and N. Fannin Street, and take any action necessary.

p52 **7.** Consider approval of a contract with Walter P. Moore Consulting Engineers to perform the engineering design services for the erosion control project at 2065 Lake Forest Drive in the amount of $54,500 to be funded out of General Fund Reserves, and take the any action necessary.

IX. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p60 **2.** Appointment with Kathryn Thurmond to hear concerns regarding the proposed improvements to FM 549 South, and take any action necessary.

p62 **3.** Appointment with JJ Smith of The Rockwall News to hear report on hotel/motel occupancy tax funding previously granted for a 2014 Memorial Day concert/event held at The Harbor, and take any action necessary.

X. PUBLIC HEARING ITEMS

p65 **1.** Z2014-020 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Bobby and Kimberly Fritts for the approval of a Specific Use Permit (SUP) to allow for a carport that does not meet the minimum setback requirements stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code [Ordinance No. 04-38] for a 0.31-acre property identified as Lot 27, Block C of the Lynden Park Estates, Phase 4 Addition, zoned Planned Development District 17 (PD-17), addressed as 109 Weston Court, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(1st Reading)**

p85 **2.** MIS2014-009 - Hold a public hearing to discuss and consider approval of an ordinance for a City initiated request to amend the Future Land Use Map contained within the Comprehensive Plan, and take any action necessary. **(1st Reading)**

XI. SITE PLANS / PLATS

p97 **1.** SP2014-017 - Discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of the owner Rick Sharp for the approval of variances, specifically to the pitched roof requirement and the required amount of articulation, in association with a site plan for a warehouse facility on a 1.10-acre portion of a larger 6.22-acre parcel of land identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46), situated within the SH-276 Overlay (SH-276 OV) District, located on the south side of Springer Road, east of the intersection of Springer Road and Corporate Crossing [FM-3549], and take any action necessary. **(3/4 majority vote required)**

p102 **2.** SP2014-019 - Discuss and consider a request by Lynsey Ondecker of Glaus, Pyle, Schomer, Burns & DeHaven, GPD on behalf of the owner, Travel Centers of America, for the approval of a variance, specifically to allow for secondary materials in excess of 10%, in association with an amended site plan for the purpose of remodeling the exterior façade of the existing truck stop, which is located on a 13.167-acre parcel of land identified as Lot 3, Block A, Travel Centers of America Addition, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the SH-205 Overlay (SH-205 OV) District, addressed as 2105 S. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(3/4 majority vote required)**

XII. ACTION ITEMS

p112 **1.** Discuss and consider the City's position on proposed Railroad Commission rules affecting City participation in rate cases, authorizing the Mayor to execute letters on the City's behalf, and take any action necessary.

p120 **2.** Discuss and consider approval of a request from Baker Wells with First Texas Homes for a front yard fence, 48" wrought iron, to be located at 1586 Edmondson Trail and take any action necessary.

p129 **3.** A2014-001 - Discuss and consider the expiration of an existing 212 Development Agreement for one (1) area contiguous with the City of Rockwall's city limits and being identified as approximately 482.39-acres of land situated within the City's Extraterritorial Jurisdiction (ETJ), generally located north of FM-552, west of FM-549 and east of Anna Cade Road, and take any action necessary.

p146 **4.** MIS2013-006 - Discuss and consider the adoption of a resolution that will set the public hearing date to consider the approval of water/wastewater impact fees to October 6, 2014, and take any action necessary.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospect pursuant to Section 551.087 (Economic Development)
2. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 15th day of August, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

TO: Honorable Mayor and City Council Members

FROM: Brad Griggs, Assistant City Manager

DATE: August 15, 2014

SUBJECT: Work Session re: retaining wall design and maintenance standards

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Following the last council meeting, Councilmember Daniels contacted me to express concerns related to the council's August 4th approval of modifications to the city's design and maintenance standards regarding retaining walls. As such, a brief work session item has been placed on the August 18 council meeting agenda to discuss these standards further.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and Council**

FROM: **Rick Crowley, City Manager**

DATE: **August 14, 2014**

SUBJECT: **Budget Overview Workshop Item**

Staff is finishing the final calculations and printing of the budget sheets in preparation for the Council Work Session on August 28th. We expect to be ready to deliver the workbooks Monday evening. In advance of the Work Session, we would like to take a few moments prior to Monday's meeting to go over the broader points of the budget. This should assist Council in their review of the proposed budget.

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MINUTES
ROCKWALL CITY COUNCIL
Monday, August 4, 2014 - 4:00 p.m.

Special Meeting of the Rockwall City Council in Conjunction with the Rockwall Economic Development Corporation (REDC) Board of Directors
Rockwall City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER (4:00 P.M.)

Mayor Sweet called the public meeting to order at 4:00 p.m. Present were Mayor Sweet, Mayor Pro Tem Jim Pruitt and Councilmembers David White, Scott Milder, Dennis Lewis and Bennie Daniels. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs, and City Attorney (fill-in) Patrick Lindner. Councilmember Mike Townsend was absent from the meeting. A quorum of the Rockwall Economic Development Corporation Board of Directors was present, including the following board members: Chip Imrie, John Hohenshelt, Kevin Fowler, Bill Houser, Bob Amick, and Gary Bunch (Board Member Stewart Storms was absent from the meeting).

Mayor Sweet read the below-listed items into the record before recessing the public meeting into Executive Session.

II. EXECUTIVE SESSION.

THE ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION WITH THE REDC BOARD OF DIRECTORS TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding land acquisitions related to potential purchase of public right of way pursuant to Section 551.087 (Economic Development), Section 551.071 (Consultation with Attorney), and Section 551.072 (Real Property).

III. ADJOURN EXECUTIVE SESSION & RECONVENE PUBLIC MEETING

Executive Session was adjourned and the public meeting was called back to order at 4:59 p.m.

IV. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Sweet indicated that there was no action to be taken as a result of Executive Session.

V. ADJOURN PUBLIC MEETING

The public meeting was adjourned at 5:00 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 18th day of August, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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16

MINUTES
ROCKWALL CITY COUNCIL
Monday, August 04, 2014
4:30 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 5:00 p.m. Present were Mayor David Sweet, Mayor Pro Tem Jim Pruitt and city council members David White, Scott Milder, Dennis Lewis and Bennie Daniels. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs, and (fill-in) City Attorney Patrick Lindner. Councilmember Mike Townsend was absent from the meeting.

Mayor Sweet read the below-listed items into the record before recessing the public meeting into Executive Session.

II. EXECUTIVE SESSION. (4:30 P.M.)

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding possible claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations).
3. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
4. Discussion regarding Economic Development prospect pursuant to Section 551.087 (Economic Development)
5. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).
6. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
7. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)
8. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)

III. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:52 p.m.

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Sweet reconvened the public meeting at 6:00 p.m. with all council members, except Councilmember Townsend, being present.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

There was no action taken as a result of Executive Session at this time.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM PRUITT

Mayor Pro Tem Pruitt delivered the invocation and led the Pledge of Allegiance.

VII. PROCLAMATIONS / AWARDS

1. The Better Vision for Children Foundation

Mayor Sweet called representatives of this organization forward. He then read and presented them with the proclamation.

2. Russell Lawrence - 40 Years of Service to the City of Rockwall

Mayor Sweet called Mr. Lawrence forward. Both he and City Manager Rick Crowley offered brief comments related to Mr. Lawrence's service over the last forty years working for the city, thirty-six of which have been in the role of Parks Superintendent. Mayor Sweet then read and presented a proclamation to Mr. Lawrence.

VIII. OPEN FORUM

Mayor Sweet explained how Open Forum is conducted. He then asked if anyone in the audience would like to come forth and speak during this time.

Ben Weible
215 Trout
Rockwall, TX 75032

Mr. Weible came forth and expressed that he would like the council to have some discussion and provide additional information related to the item on tonight's agenda relative to banning e-cigarettes or vapor cigarettes in city buildings. He is curious as to what the justification is for government intervention in this regard, especially since these devices are utilized to help people stop smoking. He suggested that nicotine gum and 'the patch' might also need to be added to such prohibition if there is in fact some reasonable justification for banning these particular devices.

Al Crump
2295 Falls View Drive
Rockwall, TX

Mr. Crump expressed that he recently sent an email to the city council members and the city manager pointing out some concerns about our city. He is particularly concerned

about several streets in the city that are very dirty and still have sand left over from ice storms that occurred many, many months ago. He is also concerned about crumbled bricks in certain medians. Thirdly, he encouraged the city to seek out a good tenant to occupy the space previously occupied by Brookshire's. He and other residents he has spoken with would like to see a Whole Foods, Trader Joe's or Central Market. Council members and the City Manager expressed that they do not recall having previously received an email from Mr. Crump. Mr. Crowley asked Mr. Crump to ensure the city secretary is provided with his contact information so that city staff can get with him to follow up on these concerns.

Ruth Peck
Mrs. Ruth Peck of Rockwall Music Fest and the Philharmonic Orchestra came to invite the councilmembers to The Harbor on August 30 for a concert honoring Ralph Hall. She also thanked the council for their continued support.

Misti Potter
(no address given)

Mrs. Potter came forward and indicated that, on behalf of the Legislative Youth Forum that Representative Scott Turner recently created, she would like to make the city council aware of several young, local students who are in the audience tonight observing the city council meeting as part of learning about local government.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the July 21, 2014 regular city council meeting, and take any action necessary.

2. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 38. Subdivisions to create a new Article, Article V. related to grading, excavation, earthwork and erosion control for developments, and taking any action necessary. **(2nd reading)**

3. Consider approval of a resolution allowing a temporary, partial closure of FM 552 (John King Boulevard to the Rockwall East City Limits), FM 549 (FM 3097 to SH 205) and SH 205 (FM 549 to South John King Boulevard) for the Hot Rocks Bike Ride on Saturday, August 9, 2014 from 6:30 AM to 3:00 PM, and take any action necessary.

4. **P2014-015** - Consider a request by Tracy Fetty on behalf of the owner, Holly Britt, for the approval of a replat for Lot 1, Block A, Eye Care & Laser Management of Rockwall Addition, being a 1.55-acre parcel of land currently identified as Lot 1, Block A, Horizon Ridge Center, Phase 1 Addition, zoned Planned Development District 9 (PD-9) for general retail land uses, located at the southeast corner of Rockwall Parkway and FM-3097 [Horizon Ridge Road], and take any action necessary.

Mayor Pro Tem Pruitt moved to approve the entire Consent Agenda (#1, 2, 3 and 4). Councilmember Lewis seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE # 14-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 38. SUBDIVISIONS TO ADD ARTICLE V. REGARDING GRADING, EXCAVATION, EARTHWORK AND EROSION CONTROL; PROVIDING FOR SEVERABILITY AND SAVINGS CLAUSES; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with one absent (Townsend).

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Craig Renfro, Chairman of the city's Planning & Zoning Commission, came forth and provided the council with recommendations of the Commission relative to items on tonight's meeting agenda. Regarding Z2014-018, Mayor Pro Tem Pruitt wanted to know if the Commission discussed traffic flow through the parking lot area of the proposed daycare. Mr. Renfro indicated that, yes, traffic flow was evaluated, and the Commission was able to become comfortable with the plan in that regard. He pointed out that the number of students at this facility will be very minimal.

The council took no action related to this agenda item.

XI. PUBLIC HEARING ITEMS

1. **Z2014-018** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Karri Shojaei-Scott of the Marigold Learning Academy on behalf of the owner, Modern Pyramids, Inc., for the approval of a Specific Use Permit (SUP) to allow for a Day Care Facility on a 0.45-acre parcel of land identified as Lot 3-R, Block A, Washington Place Addition, zoned Downtown (DT) District, situated within the SH 66 Overlay (SH 66 OV) District, and located at 401 W. Washington Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix provided background information related to this agenda item. He stated this site was originally built and occupied by a hair salon. He explained how traffic will flow in and out of this facility if the SUP for this proposed daycare is approved. The applicant already has an SUP and runs a daycare over in PD-50; however, the daycare now needs more space, so that is why they desire to relocate. She is currently licensed by the state to have a maximum of twenty-nine (29) students. Mr. LaCroix stated that owners and occupants of properties located within 500 feet were sent notices in the mail regarding this proposed SUP. One notice has been received back in favor of this request.

Mayor Sweet opened the public hearing and called the applicant forth.

Karri Shojaei-Scott, the applicant, came forth and shared that she currently runs a daycare on SH-205; however, they would like to move to create more space for an indoor gym area. She stated that the school is for autistic children.

Mayor Sweet asked if anyone else in the audience would like to come forth and speak. There being no one else wishing to come forth, Mayor Sweet then closed the public hearing.

Councilmember White made a motion to approve Z2014-018. Councilmember Milder seconded the motion.

The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-___
SPECIFIC USE PERMIT NO. S-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) WITHIN THE DOWNTOWN (DT) DISTRICT ALLOWING FOR A DAYCARE FACILITY, FOR A PROPERTY LOCATED AT 401 W. WASHINGTON STREET, BEING A 0.45 ACRE PARCEL OF LAND DESCRIBED AS LOT 3-R, BLOCK A OF WASHINGTON PLACE ADDITION; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absent (Townsend).

2. **Z2014-019** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Shanessa Coburn of American Trooper on behalf of the owner, Scott Milder, for the approval of a Specific Use Permit (SUP) to allow an antiques/collectables and general retail store in Planned Development District 50 (PD-50) for a 0.66-acre lot of land containing two (2) parcels of land identified as a Block 23A (0.43-acres) and Block 24C (0.23-acres) of the Amick Addition, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 & 805 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(1st Reading)**

Councilmember Milder indicated that he will be recusing himself from this item. He then left the room. An affidavit of recusal was signed and placed on file with the City Secretary.

Mr. LaCroix, Planning Director, provided background information related to this agenda item, indicating that the applicant would like to open an antiques/collectibles store as part of a 501c3 organization.

Mayor Sweet opened the public hearing and called forth the applicant.

Shanessa Coburn
Founder and President of American Trooper

Mrs. Coburn explained that this is a non-profit, 501c3 that benefits American Troops, veterans and their families. She provided a brief presentation to the council, indicating that this proposed shop would not only benefit troops, but also first responders.

Mr. Ben Weible
215 Trout
Rockwall, TX 75032

Mr. Weible generally encouraged the council to be favorable to this applicant and to a small business of this nature (second hand goods and selling of antiques / collectibles). He discouraged the council from any potential hostility or "anti-business" type of notion towards this applicant or other applications for businesses like this one. He expressed dissatisfaction for this applicant even having to seek approval from the city council in order to operate her business.

There being no one else wishing to come forth and speak before council, Mayor Sweet then closed the public hearing.

Councilmember Lewis made a motion to approve Z2014-019. Councilmember White seconded the motion.

Councilmember Daniels asked for clarification related to exit and entry into/out of this business. Mr. LaCroix indicated that a site planning process will take place after this evening, but that the applicant does intend to try to have cars exit on Alamo. Mr. LaCroix explained that the council could stipulate conditions on ingress/egress as part of approving the SUP if they so desire.

Councilmember Daniels commended this organization for its track record and work, expressing support for approval of this item.

The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-XX
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A SPECIFIC USE PERMIT (SUP) TO ALLOW ANTIQUE/COLLECTABLE SALES IN CONJUNCTION WITH A GENERAL RETAIL STORE IN PLANNED DEVELOPMENT DISTRICT 50 (PD-50), FOR A 0.66-ACRE LOT, ADDRESSED AS 803 & 805 N. GOLIAD STREET AND CONTAINING TWO (2) PARCELS OF LAND IDENTIFIED AS BLOCK 23A (0.43-ACRES) AND BLOCK 24C (0.23-ACRES) OF THE AMICK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 in favor, 1 absent (Townsend), and 1 abstention (Milder).

Mayor Sweet then reordered the agenda to address Action Item #4 next.

XII. ACTION ITEMS

1. Discuss and consider a resolution related to the city's position on the Blackland Corridor Feasibility Study associated with planning for a freeway/tollway, and take any action necessary.

City Manager Rick Crowley began discussion of this agenda item. He explained that the study area is generally between the City of Greenville and the George Bush Turnpike / Tollway. It also goes up to the McKinney / 380 area. He indicated the route would possibly intersect John King Boulevard and then swing back up north. He stated that this roadway may be proposed to be a tollway. A September 4th meeting is set to take place in Nevada, and it is thought that the North Central Texas Council of Governments (NCTCOG) will be attending that meeting to present their recommendations relative to this roadway proposal. Mr. Crowley stated that the City of Rockwall desires to have additional information on this proposed roadway; however, for now, the council may wish to adopt a resolution expressing its position for non-support of this roadway. Mr. Crowley indicated that the council may, on the other hand, desire to hold off on acting upon this resolution until one of the next two city council meetings, as there are two city council meetings scheduled between now and that September 4th meeting in Nevada. Mr. Crowley indicated that the City of Rockwall has yet to receive formal information with regards to any proposed route in our city. Mayor Pro Tem Pruitt encouraged citizens of Rockwall to take a look at this topic and provide feedback to the City regarding this possible toll road so that the council and staff are able to take those sentiments with them to the September 4th meeting.

Mr. Crowley indicated that there is a meeting scheduled for this Thursday, at which time the City of Rockwall may gain some additional information about the proposed roadway.

Councilmember White indicated that he recalls public hearings that were held years ago for the then proposed President George Bush Turnpike / tollway. He recalls that the city had plenty of opportunity to provide public input regarding that roadway. He is concerned there have not been public hearings or ample time / opportunity for the City of Rockwall and its citizens to have more details and provide input on this proposed roadway.

Mr. Crowley indicated that the City of Rockwall would at least like to have a proposed route on a map showing how, if at all, this proposed roadway will affect the City of Rockwall. He again mentioned that a meeting is to take place at 9AM this Thursday at the NCTCOG offices in Arlington. The hope is to obtain said map at that meeting.

Councilmember White indicated that he is not in favor of this roadway. Mayor Pro Tem Pruitt stated he will not be present at the next city council meeting in two weeks; however, he would like it noted on the record that he is definitely not in favor of this proposed roadway.

Mayor Pro Tem Pruitt moved to approve the resolution as to the city's position (of non-support) regarding this Blacklands Corridor Study. Mayor Sweet seconded the motion. Councilmember Milder expressed that he is against this proposed roadway due, in part,

to the complete lack of any attempt to provide the City of Rockwall or its residents with any sort of concrete information related to this roadway proposal. Councilmember Lewis clarified that the company behind the study of this proposed roadway and the roadway itself, Public Works, is a private company. Mr. Crowley recommended forwarding this resolution to Public Works, Rockwall County Commissioners and the NCTCOG immediately following its passage. Mr. Crowley indicated that staff will attend the meeting on Thursday and provide information gleaned to the council at that time.

The motion to approve the resolution passed by a vote of 6 ayes with 1 absent (Townsend).

2. **MIS2014-010** - Discuss and consider a request by Randy and Dianne Almon for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, General Residential District Standards, of Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38], for a 0.14-acre parcel of land identified as Block 48B, B. F. Boydston Addition, zoned Single Family 7 (SF-7) District, addressed as 213 Clark Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

Mr. LaCroix provided brief background information related to this agenda item. Councilmember White made a motion to approve MIS2014-010. Councilmember Milder seconded the motion, which passed by a vote of 6 ayes with 1 absent (Townsend).

3. **SP2014-010** - Discuss and consider a request by Matt Callan of Corgan Associates, Inc. on behalf of the owner, Rockwall Regional Hospital, LLP, for the approval of an exception to the exterior materials requirements in association with a site plan for a medical office building on a 1.8907-acre parcel of land identified as Lot 3, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 9 (PD-9), located along Horizon Road [FM-3097] southeast of the intersection of Horizon Road [FM-3097] and Rockwall Parkway, and take any action necessary.

Planning Director, Robert LaCroix, provided brief background information regarding this agenda item. Councilmember White made a motion to approve SP2014-010. Councilmember Lewis seconded the motion, which passed by a vote of 6 ayes with 1 absent (Townsend).

Mayor Sweet then called for a brief break (7:22 p.m.).

Mayor Sweet called the meeting back to order at 7:34 p.m. Action Item #8 was addressed next on the agenda.

4. Discuss and consider a recommendation from the City Council Naming Subcommittee related to naming of Dickson Lane, and take any action necessary.

Mayor Pro Tem Pruitt provided a brief history of this agenda item, indicating that Mr. Harry Myers, previous mayor of Rockwall, had some disagreements Mr. Ken Dickson years ago. So, he decided to 'name' a certain roadway after Mr. Dickson because it went nowhere else at the time other than the sewer plant. He clarified that the roadway now also leads to our city's Squabble Creek hike/bike/walk trail. He then made a motion to approve a resolution naming Dickson Lane. Councilmember Daniels seconded the motion. Councilmember White expressed that he admittedly supports approval of this

item, even though he himself has had some disagreements with Mr. Dickson in the past. Mayor Pro Tem Pruitt thanked Mr. Dickson for his past service on the Rockwall City Council and through the Republican Men's organization. After brief comments, the motion passed by a vote of 6 ayes with 1 absent (Townsend).

Action Item #1 was addressed next.

5. Discuss and consider correspondence with U.S. Senator John Cornyn related to The Harbor, and take any action necessary.

Mr. Crowley indicated that city staff and Mayor Pro Tem Pruitt met with representatives of Senator Cornyn's office last week to discuss the management and ownership of The Harbor. The Senator's office suggested the city put together a list of questions that the city would like to have answered by the owners/managers. City staff has developed a list of questions, which has been placed in today's meeting packet for council review and consideration. Councilmember White asked if it will take Senator Cornyn's office a long time to take action on this letter once the city submits it to his office. Mr. Crowley indicated that he anticipates the agency will likely be responsive to the Senator fairly quickly. He also feels Senator Cornyn will act upon the city's letter (to send it to the agency) fairly quickly as well.

Mr. Crowley indicated that city staff will get the letter signed and sent over to Senator Cornyn's office this week.

6. Discuss and consider approval of a resolution of the City of Rockwall, Texas, declaring a public necessity for the acquisition of fee simple title to and a temporary construction easement on all or portions of properties for the Justin Road Project located in Rockwall County, Texas owned by Temunovic Partnership, LTD and listed as follows: a tract of land containing 0.281 acres (12,247 square feet) and a tract of land containing 1,756 square feet, located off Justin Road between Industrial Boulevard and John King Boulevard in the City of Rockwall, Rockwall County, Texas for the public purpose of construction, operation, reconstruction, improvement, repair and maintenance, of the Justin Road Street Project; authorizing all appropriate action of the City in the institution and prosecution of condemnation proceedings to acquire such properties that cannot be acquired through negotiation; authorizing all other lawful action necessary or incidental to such acquisitions.

Assistant City Manager Brad Griggs provided brief background information related to this agenda item. Mayor Pro Tem Pruitt made a motion as follows: I move that the City of Rockwall authorize the City Attorney to make a last and final offer to Temunovic Partnership, LTD to acquire a .281 acre parcel and a 1,756 square foot Temporary Construction Easement generally located on the west side of John King Blvd for the extension of Justin Road between Industrial Blvd and John King Blvd pursuant to state law. If the final written offer is not accepted within fourteen days of the City making such final offer, I move to authorize the City of Rockwall to authorize the use of the power of eminent domain to acquire the above mentioned land interests for the Justin Road extension. Councilmember White seconded the motion, which passed by a vote of 6 ayes with 1 absent (Townsend).

7. Discuss and consider prohibiting use of electronic cigarettes and vaping in city buildings, and take any action necessary.

Mayor Sweet indicated this item was placed on the agenda by Councilmember Milder. He explained that this item is being brought forth by him in the context of our city's smoking prohibition in city buildings. Mr. Crowley indicated that a prohibition of this nature would include customers coming into city buildings as well, similar to how our 'no smoking ordinance' prohibits smoking within city buildings. Councilmember Lewis asked if any complaints have been received about these devices being utilized in city buildings. Mr. Crowley indicated that no public complaints have been received; however, he has received some concerns from employees about other employees utilizing these devices at their desks / in their work areas.

Councilmember Lewis offered that he is a cancer survivor, and he basically contracted cancer, most likely, from second hand smoke.

Councilmember Milder made a motion to include vaping and e-cigarettes within the smoking prohibition that covers our city buildings. Councilmember Lewis seconded the motion.

Councilmember White indicated that a study just came out on Friday, indicating that carcinogens are not present at all in vaping residue. He indicated that, even if this is passed as a prohibition, he will still continue to vape in city buildings. He suggested that this agenda item is aimed to target him, and he generally has a problem with the city council regulating the behavior of grown adults. He suggested the city council consider banning consumption of cigarettes in our city if the goal is in fact to protect citizens.

Councilmember Milder indicated that, for the record, this item is not being directed at Councilmember White. Councilmember White expressed disagreement with Councilman Milder's reply, insisting the item is aimed at him.

Mayor Pro Tem Pruitt suggested that Councilmember White did not begin vaping until Councilmeber Milder brought up this subject matter some time back and a prohibition on the sale of these products to minors was put in place by this council.

Councilmember Lewis expressed he believes nothing good comes from ingesting nicotine.

Councilmember Daniels generally believes that vaping does affect others who are in the vicinity when someone is vaping. He suggested vaping would likely adversely affect his wife, for example, who suffers from diminished lung capacity. He is in favor of protecting the majority of individuals from these types of products.

Mayor Sweet indicated he believes it should be left up to the City Manager to decide what policies should be put in place to regulate what his employees are and are not allowed to do while at work or in city vehicles or facilities.

Councilmember White suggested a government body should focus on banning cigarettes, guns, alcohol, driving in cars, etc. if they really do wish to protect the public from things which may harm them.

The motion failed by a vote of 3 in favor with 3 against (White, Pruitt, and Sweet) and 1 absent (Townsend).

Action Item #9 was addressed next by council.

8. Discuss and consider the city's current retaining wall standards and possible amendments to the city's Engineering Standards of Design, and take any action necessary.

City Building Official, Jeffrey Widmer, came forth and provided a brief PowerPoint presentation to city council to show various types of retaining walls. He indicated that two of the cities staff surveyed have maintenance standards in place to require that 4' walls leaning 10-15 degrees must be repaired. Councilmember Milder clarified that the city does not currently have maintenance standards in place for leaning retaining walls. Mr. Widmer confirmed that the city does not currently have such standard; however, if a leaning wall posed a public health or safety concern and was not structurally sound, the city could take action to see that such wall(s) is repaired.

Councilmember White generally expressed that he sees a lot of smooth face concrete retaining walls, for example, on South Lakeshore, and he does not believe this type of retaining wall has affected the desirability of the neighborhood or kept anyone from moving there. He pointed out that nothing being discussed tonight that might be put into place would in any way address a resident's concerns regarding 216 Alta Vista. Councilmember White went on to make comments regarding various retaining wall construction materials and their estimated durability.

Councilmember Milder expressed that this subject matter is more related to property values rather than retaining walls or aesthetics. He indicated that he would like to see stone retaining walls rather than concrete or cinder block retaining walls.

Councilmember White generally voiced that retaining wall materials and their aesthetic appeal is subjective, and he has no problem with a haydite, smooth face retaining wall. Furthermore, he does not believe that retaining wall materials have kept anyone from moving into or out of Rockwall.

Councilmember Lewis indicated he believes anything above a 3' retaining wall should be professionally engineered. Also, he believes some sort of standards for aesthetics and maintenance should be in place.

Councilmember Daniels asked how city staff would determine if a wall is structurally sound or not. Mr. Widmer indicated that staff would make a judgment call and would possibly call upon a structural engineer to evaluate the leaning wall in order to determine if it is unsafe or structurally unsound.

Mayor Pro Tem Pruitt made a motion to keep the city's current safety regulations in place – that if a wall is unsafe, it needs to be replaced; if it's leaning more than ten degrees, the owner will replace the wall; engineer approval will be required for any wall constructed over three feet tall and that walls will not be constructed out of haydite block or smooth faced concrete. Councilmember Milder seconded the motion. Councilmember Milder expressed that he is in favor of even more stringent and specific masonry standards (i.e. specifying particular types of materials that would be allowed) similar to the city's masonry standards for new developments. After brief comments, the motion passed by a vote of 5 in favor, 1 against (White) and 1 absent (Townsend).

Action Item #5 was addressed next by Council.

9. Discuss and consider appointments to city advisory boards and commissions, and take any action necessary.

Councilmember Daniels made a motion to reappoint Dick Clark, Tina Rowe and Enid Reyes to the city's Historic Preservation Advisory Board for an additional two year term ending in August 31, 2016. Councilmember White seconded the motion, which passed by a vote of 6 ayes with 1 absent (Townsend).

Councilmember Daniels made a motion to appoint Carolyn Francisco to replace Patty Canup on the HPAB for a partial term to expire in August 31, 2015. Councilmember White seconded the motion. The motion passed by a vote of 6 ayes with 1 absent (Townsend).

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - June 2014
Fire Dept. Monthly Reports - June 2014
Harbor PD Monthly Report - June 2014
Internal Operations Department Monthly Report - June 2014.
Police Department Monthly Report - June 2014
Recreation Department Monthly Report - June 2014
Rockwall Animal Adoption Center Monthly Report - June 2014

2. City Manager's Report

Councilmember Pruitt wished City Manager Rick Crowley happy birthday.

Mr. Crowley shared that TXDOT has notified the city that they will soon be installing LED safety lighting (street lights) on IH-30 from Horizon to SH-205. They are set to 'let' the contract around November of this year.

Regarding the North Goliad reconstruction project (from north of downtown up to the city limits) (resurfacing, intersection improvements and addition of traffic lights at Ridge Road West and Goliad), this project will be underway shortly by TXDOT.

The Rockwall County Roadway Consortium has asked consultants to evaluate the county's current thoroughfare plan to see if there are any changes needed since it was adopted a number of years ago. As part of this, FM-552 will be discussed to determine if it needs to be reconstructed in the future as a four lane or a six lane roadway.

Mr. Crowley and Mrs. Smith indicated that one organization (The Rockwall News) has not yet reported back to the city council regarding Hotel Occupancy Tax funding previously granted. Staff has emailed this organization, reminding them they owe a report to the council; however, thus far, staff has not heard back from this organization. Staff will be following up again.

Mayor Sweet adjourned the meeting at 8:35 p.m.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding possible claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations).
3. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
4. Discussion regarding Economic Development prospect pursuant to Section 551.087 (Economic Development)
5. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).
6. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
7. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)
8. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The council did not reconvene in Executive Session following the close of the public meeting, and no action was taken.

XVI. ADJOURNMENT

The public meeting was adjourned at 8:35 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 18th day of August, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL
ORDINANCE NO. 14-33
SPECIFIC USE PERMIT NO. S-123

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) WITHIN THE DOWNTOWN (DT) DISTRICT ALLOWING FOR A DAYCARE FACILITY, FOR A PROPERTY LOCATED AT 401 W. WASHINGTON STREET, BEING A 0.45 ACRE PARCEL OF LAND DESCRIBED AS LOT 3-R, BLOCK A OF WASHINGTON PLACE ADDITION; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Karri Shojaei-Scott for a Specific Use Permit within the Downtown (DT) District allowing for a Day Care Facility on the property located at 401 W. Washington Street, being a 0.45 acre parcel of land described as Lot 3-R, Block A of Washington Place Addition, City and County of Rockwall, Texas; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for a Day Care Facility within the Downtown (DT) District, on the subject property at 401 W. Washington Street, being a 0.45 acre parcel of land described as Lot 3-R, Block A of Washington Place Addition, City and County of Rockwall, Texas; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **Section 4.8, *"DT" Downtown (DT) District*, of Article V, *District Development Standards*, of the City of Rockwall Unified Development Code (Ordinance No. 04-38)** as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and definitions.

2.1 Operational Conditions

The following conditions pertain to the operation of a Day Care Facility on the subject property at 401 W. Washington Street and conformance to these stipulations is required for continued operations:

1) The facility must be licensed by the state.

2) The City Council reserves the right to review this Specific Use Permit one year after the approval and adoption of this ordinance.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18th DAY OF AUGUST, 2014.

David Sweet, Mayor

ATTEST:

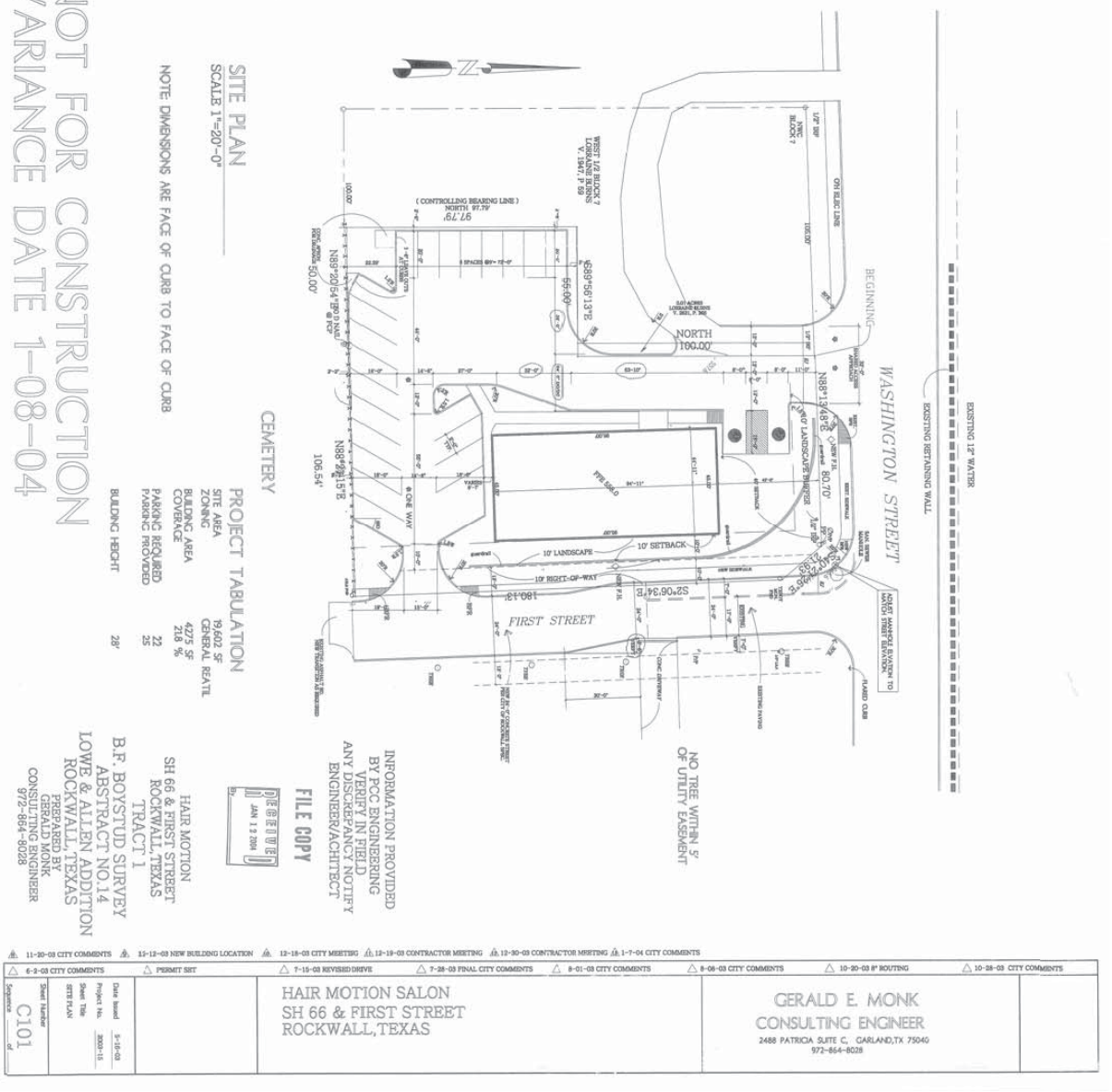
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 08-04-14

2nd Reading: 08-18-14


NOT FOR CONSTRUCTION
VARIANCE DATE 1-08-04
SITE PLAN
SCALE 1"=20'-0"
NOTE: DIMENSIONS ARE FACE OF CURB TO FACE OF CURB
PROJECT TABULATION
SITE AREA 19,602 SF
ZONING GENERAL REATIL
BUILDING AREA 4275 SF
COVERAGE 218 %
PARKING REQUIRED 22
PARKING PROVIDED 25
BUILDING HEIGHT 28'
HAIR MOTION
SH 66 & FIRST STREET
ROCKWALL, TEXAS
TRACT 1
B.F. BOYSTUD SURVEY
ABSTRACT NO.14
LOWE & ALLEN ADDITION
ROCKWALL, TEXAS
PREPARED BY
GERALD MONK
CONSULTING ENGINEER
972-864-8028
RECEIVED
JAN 12 2004
By
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INFORMATION PROVIDED
BY PCC ENGINEERING
VERIFY IN FIELD
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ENGINEER/ACHITECT
NO TREE WITHIN 5'
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WASHINGTON STREET
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EXISTING RETAINING WALL
EXISTING 12" WATER
BEGINNING
NORTH
100.00'
10' SETBACK
10' LANDSCAPE
10' RIGHT-OF-WAY
180.13'
S2°06'34"E
N89°19'08"E
80.70'
N89°20'54"E
106.54'
S89°58'13"E
50.00'
(CONTROLLING BEARING LINE)
NORTH 97.79'
97.75'
11-20-03 CITY COMMENTS
12-12-03 NEW BUILDING LOCATION
12-18-03 CITY MEETING
12-19-03 CONTRACTOR MEETING
12-30-03 CONTRACTOR MEETING
1-7-04 CITY COMMENTS
6-3-03 CITY COMMENTS
PERMIT SET
7-15-03 REVISED DRIVE
7-28-03 FINAL CITY COMMENTS
8-01-03 CITY COMMENTS
8-06-03 CITY COMMENTS
10-20-03 8" ROUTING
10-28-03 CITY COMMENTS
C101
SITE PLAN
HAIR MOTION SALON
SH 66 & FIRST STREET
ROCKWALL, TEXAS
GERALD E. MONK
CONSULTING ENGINEER
2488 PATRICIA SUITE C, GARLAND, TX 75040
972-864-8028

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CITY OF ROCKWALL

ORDINANCE NO. 14-34

SPECIFIC USE PERMIT NO. S-124

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A SPECIFIC USE PERMIT (SUP) TO ALLOW ANTIQUE/COLLECTABLE SALES IN CONJUNCTION WITH A GENERAL RETAIL STORE IN PLANNED DEVELOPMENT DISTRICT 50 (PD-50), FOR A 0.66-ACRE LOT, ADDRESSED AS 803 & 805 N. GOLIAD STREET AND CONTAINING TWO (2) PARCELS OF LAND IDENTIFIED AS BLOCK 23A (0.43-ACRES) AND BLOCK 24C (0.23-ACRES) OF THE AMICK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Shanessa Coburn of American Trooper, on behalf of the owner, Scott Milder, for the approval of a Specific Use Permit (SUP) to allow *Antiques/Collectable Sales* in conjunction with a general retail store on a 0.66-acre lot containing two (2) parcels of land identified as Block 23A (0.43-acres) and Block 24C (0.23-acres) of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 & 805 N. Goliad Street, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code [*Ordinance No. 04*-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for *Antique/Collectable Sales* in conjunction with a general retail store within a Planned Development District 50 (PD-50) as stipulated by *Ordinance No. 05-18* and Article IV, *Permissible Uses*, of the Unified Development Code on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as set forth in Planned Development District 50 (PD-50) and Section 4.2, *Residential Office (RO) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of a general retail store with *Antique/Collectable Sales* on the *Subject Property*, and conformance to these operational conditions are required for continued operations:

1) Prior to the issuance of a Certificate of Occupancy (CO) a site plan shall be submitted and approved by the Planning and Zoning Commission, and if necessary City Council.

2) The *Antique/Collectable Sales* use shall be limited to the boundaries of the existing structure as depicted in *Exhibit 'A' & 'B'* of this ordinance, and will require the approval of City Council, upon a recommendation by the Planning and Zoning Commission, to be expanded.

3) The sale of used clothing and/or new/used appliances shall be prohibited.

4) The sale of new clothing shall be limited to the area indicated in *Exhibit 'B'* of this ordinance and shall not exceed 200 SF in total area.

5) Individual lease space or consignment sales shall be prohibited.

6) The "*drop off*" of donations and/or sales items by the general public shall be prohibited.

7) No outside storage shall be permitted on the subject property.

8) Outdoor sales and display shall only be permitted in areas designated on a site plan and shall be subject to the following conditions:

    a) Outdoor sales and display shall not exceed five (5) percent of the total enclosed floor area of the primary structure and/or shall be limited to the area identified as the *porch* on *Exhibit 'B'* of this ordinance, unless the Planning and Zoning Commission approves alternate areas that shall be indicated on the site plan.

    b) Outdoor sales and display shall not be permitted to be located within any portion of the parking lot.

    c) Outdoor sales and display shall be located underneath a covered area or be immediately adjacent to or connected to the primary structure.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18TH DAY OF AUGUST, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *August 4, 2014*

2nd Reading: *August 18, 2014*

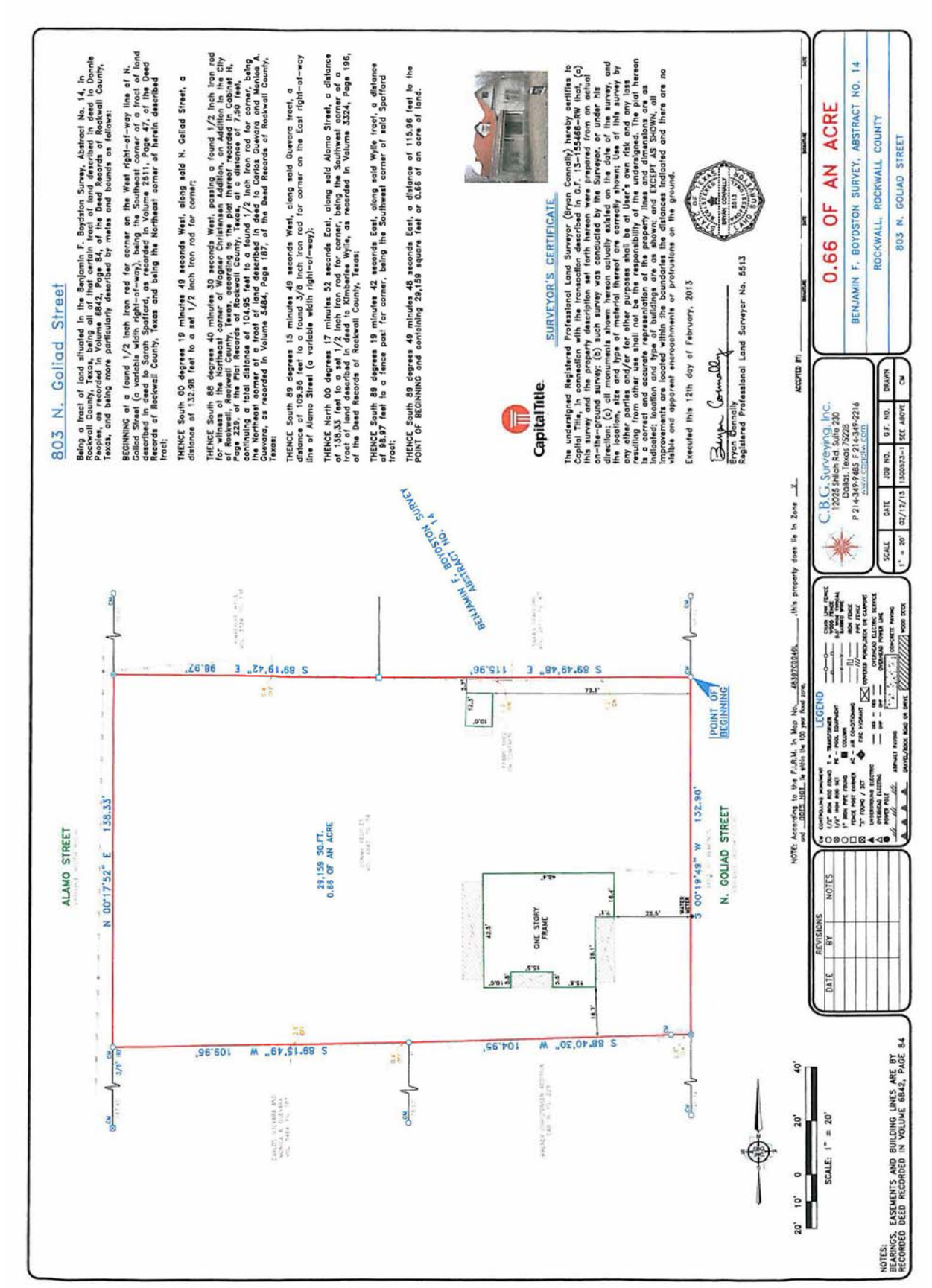

803 N. Goliad Street
Being a tract of land situated in the Benjamin F. Boydston Survey, Abstract No. 14, in Rockwall County, Texas, being all of that certain tract of land described in deed to Donnie Peoples, as recorded in Volume 6842, Page 84, of the Deed Records of Rockwall County, Texas, and being more particularly described by metes and bounds as follows:
BEGINNING at a found 1/2 inch iron rod for corner on the West right-of-way line of N. Goliad Street (a variable width right-of-way), being the Southeast corner of a tract of land described in deed to Sarah Spafford, as recorded in Volume 2811, Page 47, of the Deed Records of Rockwall County, Texas and being the Northeast corner of herein described tract;
THENCE South 00 degrees 19 minutes 49 seconds West, along said N. Goliad Street, a distance of 132.98 feet to a set 1/2 inch iron rod for corner;
THENCE South 88 degrees 40 minutes 30 seconds West, passing a found 1/2 inch iron rod for witness at the Northeast corner of Wagner Christensen Addition, an Addition in the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet H, Page 229, of the Plat Records of Rockwall County, Texas, at a distance of 7.50 feet, continuing a total distance of 104.95 feet to a found 1/2 inch iron rod for corner, being the Northeast corner of a tract of land described in deed to Carlos Guevara and Monica A. Guevara, as recorded in Volume 5484, Page 187, of the Deed Records of Rockwall County, Texas;
THENCE South 89 degrees 15 minutes 49 seconds West, along said Guevara tract, a distance of 109.96 feet to a found 3/8 inch iron rod for corner on the East right-of-way line of Alamo Street (a variable width right-of-way);
THENCE North 00 degrees 17 minutes 52 seconds East, along said Alamo Street, a distance of 138.33 feet to a set 1/2 inch iron rod for corner, being the Southwest corner of a tract of land described in deed to Kimberlee Wylie, as recorded in Volume 3324, Page 196, of the Deed Records of Rockwall County, Texas;
THENCE South 89 degrees 19 minutes 42 seconds East, along said Wylie tract, a distance of 98.97 feet to a fence post for corner, being the Southwest corner of said Spafford tract;
THENCE South 89 degrees 49 minutes 48 seconds East, a distance of 115.96 feet to the POINT OF BEGINNING and containing 29,159 square feet or 0.66 of an acre of land.
CapitalTitle
SURVEYOR'S CERTIFICATE
The undersigned Registered Professional Land Surveyor (Bryan Connolly) hereby certifies to Capital Title, in connection with the transaction described in G.F. 13-155466-RW that, (a) this survey and the property description set forth hereon were prepared from an actual on-the-ground survey; (b) such survey was conducted by the Surveyor, or under his direction; (c) all monuments shown hereon actually existed on the date of the survey, and the location, size and type of material thereof are correctly shown; Use of this survey by any other parties and/or for other purposes shall be at User's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. The plat hereon is a correct and accurate representation of the property lines and dimensions are as indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, all improvements are located within the boundaries the distances indicated and there are no visible and apparent encroachments or protrusions on the ground.
Executed this 12th day of February, 2013
Bryan Connolly
Bryan Connolly
Registered Professional Land Surveyor No. 5513
ALAMO STREET
N 00°17'52" E 138.33'
S 89°19'42" E 98.97'
S 89°49'48" E 115.96'
S 89°15'49" W 109.96'
S 88°40'30" W 104.95'
S 00°19'49" W 132.98'
29,159 SQ.FT.
0.66 OF AN ACRE
N. GOLIAD STREET
BENJAMIN F. BOYDSTON SURVEY
ABSTRACT NO. 14
POINT OF BEGINNING
ONE STORY FRAME
SCALE: 1" = 20'
NOTES:
BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED DEED RECORDED IN VOLUME 6842, PAGE 84
LEGEND
REVISIONS
DATE
BY
NOTES
C.B.G. Surveying, Inc.
12025 Shiloh Rd. Suite 230
Dallas, Texas 75228
P 214-349-9485 F 214-349-2216
www.cbgsurv.com
SCALE
DATE
JOB NO.
G.F. NO.
DRAWN
1" = 20'
02/12/13
1300573-1
SEE ABOVE
CM
0.66 OF AN ACRE
BENJAMIN F. BOYDSTON SURVEY, ABSTRACT NO. 14
ROCKWALL, ROCKWALL COUNTY
803 N. GOLIAD STREET

Exhibit B: Floor Plan

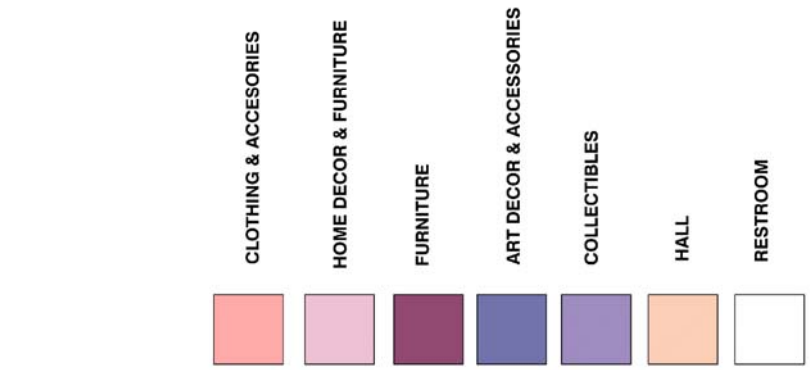
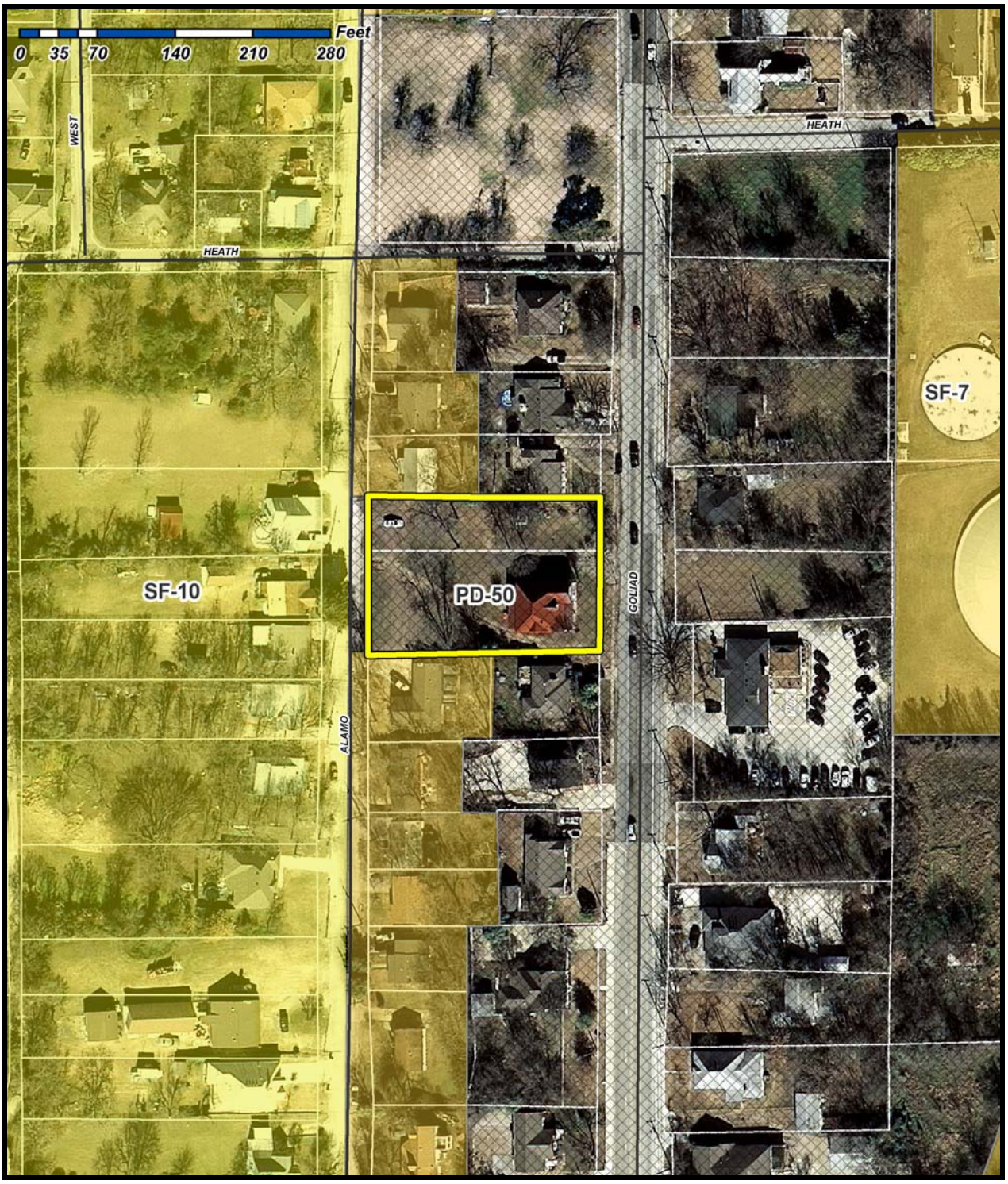




Exhibit C: Location Map



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City of Rockwall
The New Horizon

TO: Rick Crowley, City Manager

THROUGH: Timothy M. Tumulty, Director of Public Works/City Engineer

FROM: Rick Sherer, Water/Wastewater Manager

DATE: August 11, 2014

SUBJECT: Revision to the Drought Contingency and Water Emergency Response Plan

---

The Texas Commission on Environmental Quality (TCEQ) requires every water provider to revise and submit a drought contingency plan every five years for review. Council recently approved the revisions to the Drought Contingency and Water Emergency Response Plan on the 21st day of April, 2014.

Staff submitted the approved plan for review to the TCEQ on the 30th day of April, 2014. After review, the TCEQ noted that the City's plan must provide demand management measures for wholesale customers in the event of a severe water shortage. These measures include pro rata curtailment of water deliveries to or diversions by wholesale water customers as provided in Texas Water Code, §11.039.

The City Council may wish to consider the approval of the revision to the currently adopted Drought Contingency and Water Emergency Response Plan to keep the City in compliance with TCEQ requirements.

RS:rs

Attachment

Cc:
Mary Smith, Assistant City Manager
File

CITY OF ROCKWALL

ORDINANCE NO. 14-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 7; Sec. 44-436 "STAGES AND MEASURES" OF THE DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN, TO PROVIDE FOR CERTAIN DELETIONS AND CHANGES TO THESE PROVISIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR AN EFFECTVE DATE.

WHEREAS, the City Council has previously adopted ordinances creating and amending a Drought Contingency and Water Emergency Response Plan (herein referred to as "the Plan"); and

WHEREAS, the City Council has determined the need to implement certain modifications to the Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That portions of Sec. 44-436. of Chapter 44. Utilities; Article V. Water; Division 7. Drought Contingency and Emergency Response Plan are hereby amended to henceforth read as follows:

Sec. 44-436. Stages and measures

(b) (7) Requires notification to Texas Commission on Environmental Quality (TCEQ):

a. Limit landscape watering with sprinklers or irrigation systems to no more than two days per week. An exception is allowed for new landscape ~~associated with new construction~~ that may be watered as necessary for 30 days from the date of ~~the~~ installation. ~~certificate of occupancy. An exemption is also allowed for registered and properly functioning ET/Smart irrigation systems and drip irrigation systems, which do not have restrictions to the number of days per week of operation.~~

(d) (6) a. Supplier's individual plan may be implemented if other criteria dictate

In the event that the triggering criteria specified in the Plan for Stage 4 and Severe Water Shortage Conditions have been met, the City Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section 11.039 and according to the following water allocation policies and procedures:

- A wholesale customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by the City Manager or his/her designee based on the assessment of the severity of the water shortage condition and the need to curtail water diversions and/or deliveries and may be adjusted periodically by the City Manager or his/her designee as conditions warrant. Once pro rata allocations are in effect, water diversions by or deliveries to each wholesale customer shall be limited to the allocation established for each month.

- A monthly water usage allocation shall be established by the City Manager or his/her designee for each wholesale customer. The wholesale customer's water usage baseline will be computed on the average water usage by month for the past five years. If the wholesale customer's billing history is less than five (5) years, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists.

- The City Manager or his/her designee shall provide notice, by certified mail, to each wholesale customer informing them of their monthly water usage allocations and shall notify the news media, the Texas Natural Resource Conservation Commission, and the Texas Water Development Board upon initiation of pro rata water allocations.

- Upon request of the customer, a request for a temporary variance to the pro rata water allocation may be requested.

- At the initiative of the City Manager or his/her designee, the allocation may be reduced if, (a) the customer agrees to transfer part of its allocation to another wholesale customer, or (2) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions.

- City wholesale water users will be advised to continue all relevant actions from the previous stages including appropriate public water use restrictions and to implement the next stage of their own individual Retail Water Supplier Drought Contingency Plan.

Stage 4 may terminate when NTMWD terminates its Stage 4 condition or when the circumstances that caused the initiation of Stage 4 no longer exist.

SECTION 2. That the City Manager or his designee is hereby directed to file a copy of the updated Plan and this Ordinance with the Texas Commission on Environmental Quality in accordance with Title 30, Chapter 288 of the Texas Administrative Code;

SECTION 3. That if any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect

the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared void;

SECTION 4. That all ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed, and the balance of such ordinance is hereby saved from repeal;

SECTION 5. That the City Council does hereby find and declare that sufficient written notice of the date, hour, place and subject of the meeting adopting this Ordinance was posted at a designated place convenient to the public for the time required by law preceding the meeting, that such place of posting was readily accessible at all times to the general public, and that all of the foregoing was done as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the posting thereof.

SECTION 6. That any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty of a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense and each day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 7. That the ordinance shall be effective immediately following its second reading and publication in accordance with the City Charter.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 1st day of September, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 08-18-14

2nd Reading: 09-1-14

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 8/5/2014

APPLICANT: Caruth Lake Development Corp

AGENDA ITEM: **P2014-016;** Caruth Lake Phase 1B, Lots 1 & 2

SUMMARY:

Discuss and consider a request by Rob Whittle on behalf of the Caruth Lake Development Corporation for the approval of a final plat for Lots 1 & 2, Block A, Caruth Lake Phase 1B Addition, currently identified as a 0.798-acre tract on land situated within the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for residential land uses, located on the south side of Midnight Pass, west of the intersection of Midnight Pass and N. Fannin Street, and take any action necessary.

COMMENTS:

- The purpose of this request is to final plat an 0.798-acre tract of land for the purpose of developing two residential lots.

- The Engineer has completed the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the Recommendation section below.

With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the final plat for Lots 1 & 2, Block A, Caruth Lake Phase 1B, then staff would recommend the following conditions of approval:

1) All the technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

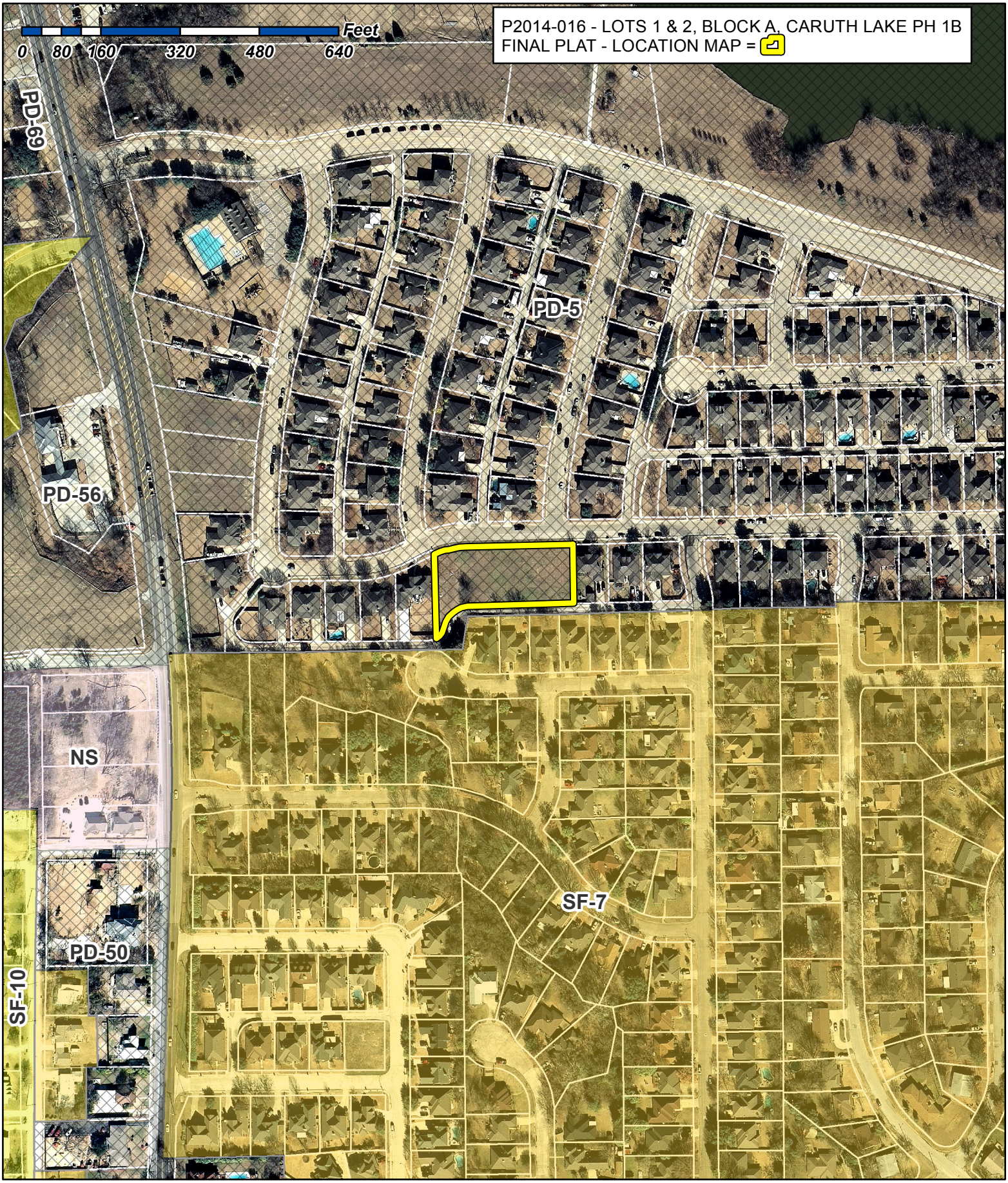
2) The applicant shall adhere to the recommendations made by the Parks Board and approved as conditions of approval (Pro-rata equipment fee is $344 per lot for a total of $688. Cash in lieu of land fee is $202 per lot for a total of $404.);

3) The siren fee is $17.18 per acre. Park and siren fees are due at final plat. Impact fees will be due at building permit; and

4) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On August 12, 2014, the Planning & Zoning Commission recommended approval of the final plat by a vote of 5-0 with Commissioners Nielsen and Minth absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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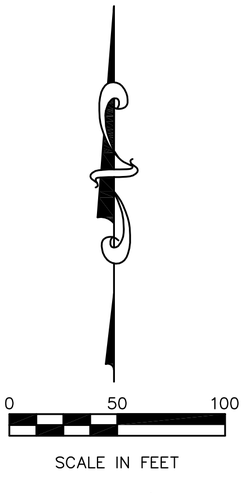
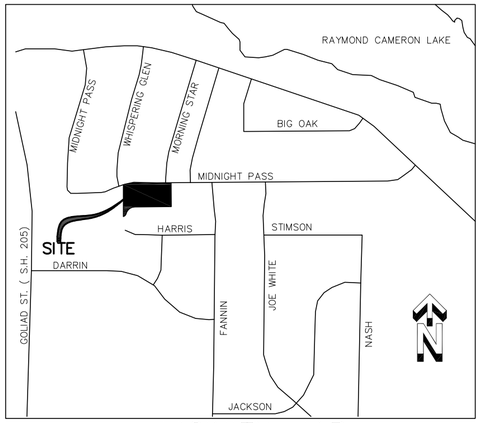
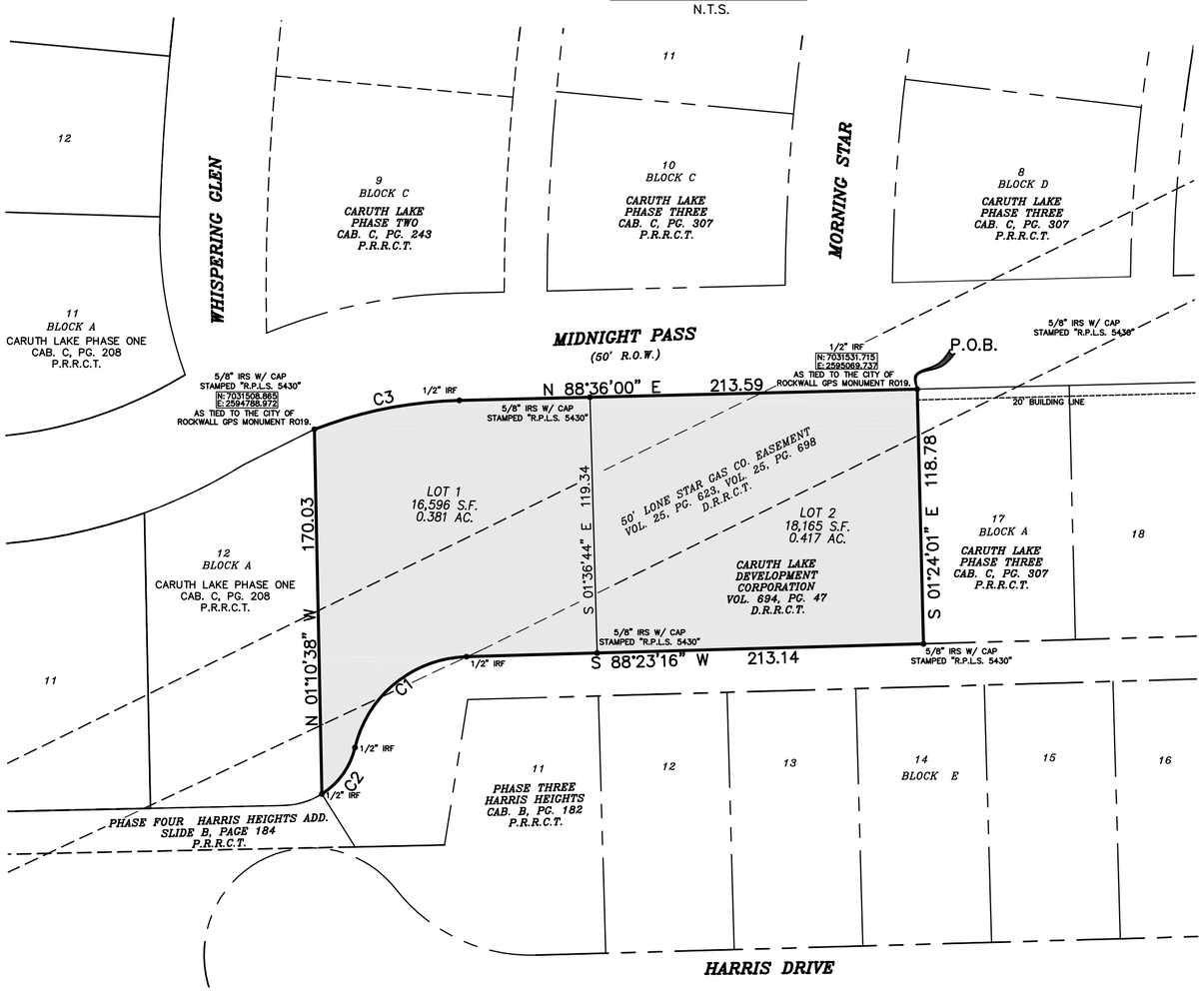




VICINITY MAP
N.T.S.



NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

We, Caruth Lake Development Corporation, the owners of the land shown on this plat, and designated herein as Lots 1 and 2 Block A – Caruth Lake Phase 1B, a subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in Lots 2, 3, 4, 5, 6, and 7 Block 1 – Alliance Addition Phase 2 have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I (we), my (our) successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of exactions made herein.

Caruth Lake Development Corporation

_____
Representative

STATE OF TEXAS
COUNTY OF ROCKWALL
Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, 2014.

_____
Notary Public in and for the State of Texas

_____
My Commission Expires:

OWNERS CERTIFICATE

STATE OF TEXAS}
COUNTY OF ROCKWALL}

WHEREAS, CARUTH LAKE DEVELOPMENT CORPORATION, being the owner of a tract of land in the City of Rockwall, Rockwall County, Texas, said tract being described as follows:

Part of the S.S. McCurry Survey, Abstract Number 146, situated in the City of Rockwall, Rockwall County, Texas, being *all of the remainder of a tract of land to* Caruth Lake Development Corporation, recorded in Volume 694, Page 47 of the Deed Records Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found on the south right–of–way line of Midnight Pass Dr., (a 50' R.O.W.), said point also being the northwest corner of Lot 17 Block A of Caruth Lake Phase 3, an addition to The City of Rockwall, as recorded in Cabinet C, Page 307, Plat Records Rockwall County, Texas;

THENCE South 01 degrees 24 minutes 01 seconds East along the west line of said Lot 17, a distance of 118.78 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for the southwest corner of said Lot 17 lying on the north line of an alley;

THENCE South 88 degrees 23 minutes 16 seconds West along the north line of said alley, a distance of 213.14 feet to a 1/2 inch iron rod found for corner at the beginning of a curve to the left;

THENCE continuing along the north line of said alley and along said curve left an arc length of 72.14 feet, a central angle of 75 degrees 08 minutes 59 seconds, a radius of 55.00 feet, a chord which bears South 50 degrees 48 minutes 47 seconds West, a distance of 67.08 feet to a 1/2 inch iron rod found at the point of reverse curvature to the right;

THENCE continuing along the north line of said alley and with said reverse curve right an arc length of 27.24 feet, a central angle of 44 degrees 35 minutes 33 seconds, a radius of 35.00 feet, a chord which bears South 35 degrees 32 minutes 04 seconds West, a distance of 26.56 feet to a 1/2 inch iron rod found for the southeast corner of Lot 12 Block A of Caruth Lake Phase 1, an addition to The City of Rockwall, as recorded in Cabinet C, Page 208, Plat Records Rockwall County, Texas;

THENCE North 01 degrees 10 minutes 38 seconds West along the east line of said Lot 12, a distance of 170.03 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for the northeast corner of said Lot 12, said point also lying on the aforementioned south line of Midnight Pass Dr. and being at the beginning of a curve to the right;

THENCE along the south line of said Midnight Pass Dr. and along said curve to the right an arc length of 69.23 feet, a central angle of 19 degrees 49 minutes 59 seconds, a radius of 200.00 feet, a chord which bears North 78 degrees 41 minutes 00 seconds East, a distance of 68.89 feet to a 1/2 inch iron rod found for corner;

THENCE North 88 degrees 36 minutes 00 seconds East continuing along the south line of said Midnight Pass Dr., a distance of 213.59 feet to the POINT OF BEGINNING containing 34,756 Square Feet, or 0.798 of an Acre of land.

SURVEYORS CERTIFICATE

I, HEREBY CERTIFY, THAT I PREPARED THIS SURVEY PLAT SHOWN HEREON FROM AN ACTUAL SURVEY ON THE GROUND BY ME AND THAT ALL CORNERS ARE MARKED, AND THAT ALL DIMENSIONS SHOWN THEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND FURTHERMORE THERE ARE NO ENCROACHMENTS, PROTRUSIONS, IMPROVEMENTS, EASEMENTS, RIGHT–OF– WAY, OR 100 YEAR FLOOD PLAIN AFFECTING THE PROPERTY EXCEPT AS SHOWN THEREON.

WITNESS UNDER MY HAND THIS THE _____ DAY OF _____, 2014.

_____
BRIAN J. MADDOX, R.P.L.S. NO. 5430

STATE OF TEXAS:
COUNTY OF KAUFMAN:

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED, BRIAN J. MADDOX, KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2014.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Chairman, Planning & Zoning Commission *Date*

I hereby certify that the above and foregoing plat of Groom Addition to the City of Rockwall, Texas was approved by the Mayor of the City of Rockwall on the _____ day of _____, 2014.

This approval shall be invalid unless the approved Plat for such Addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one year from said date of final approval. An extension may be granted by the City Council.

Said Addition shall be subject to all the requirements of the Platting Ordinance of the City of Rockwall.

Witness my hand this the _____ day of _____, 2014.

_____ _____ _____ _____
Mayor, City of Rockwall *Date* *City Secretary, City of Rockwall* *Date*

_____ _____
City Engineer, City of Rockwall *Date*

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	55.00	75°08'59"	72.14	S 50°48'47" W	67.08
C2	35.00	44°35'33"	27.24	S 35°32'04" W	26.56
C3	200.00	19°49'59"	69.23	N 78°41'00" E	68.89

THE REASON FOR THIS PLAT IS TO CREATE TWO DEVELOPABLE LOTS FROM THE REMAINDER OF A TRACT OF LAND TO CARUTH LAKE DEVELOPMENT CORPORATION, AS RECORDED IN VOLUME 694, PAGE 47, DEED RECORDS ROCKWALL COUNTY, TEXAS

BASIS OF BEARINGS FOR THIS SURVEY IS THE FINAL PLAT OF CARUTH LAKE PHASE ONE RECORDED IN CABINET C, SLIDE 208 PLAT RECORDS ROCKWALL COUNTY, TEXAS

FINAL PLAT
CARUTH LAKE PHASE 1B
LOTS 1 & 2, BLOCK A

(2 LOTS)
0.798 ACRES
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner:
CARUTH LAKE DEVELOPMENT CORP.
20 Noble Court
Rockwall, TX 75032
(972) 771-5253

Surveyor:
MADDOX SURVEYING
P.O. Box 2109
Forney, Texas 75126
(972) 564-4416

CASE NO. P2014-016 AUGUST 1, 2014 1"=50' Sheet 1 of 1

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: August 11, 2014

SUBJECT: Lake Forest Erosion Engineering Design Contract

Engineering Staff received a copy of a letter dated June 3, 2013 sent to Mayor David Sweet expressing a concern about an erosion problem occurring behind 2065 Lake Forest Drive. Upon receipt of the letter, staff met with the homeowner, Mr. Bob Carroll to make a general site investigation. After our initial site visit, staff invited Freese and Nichols, Inc. Consulting Engineers to view the erosion behind Mr. Carroll's home. This visit resulted in a contract with Freese and Nichols, Inc. to conduct a study to determine the cause of erosion behind Lake Forest Drive. The study also included a stream geomorphological assessment, a stream reconnaissance site visit for the entire stream and the evaluation/ results.

Staff began negotiations with Freese and Nichols, Inc. to perform the engineering design contract for this repair. Due to their cost to perform this design, negotiations were terminated. Staff met with Walter P. Moore Consulting Engineers to discuss their company providing these engineering design services to the City for this erosion control project. Their services consist of the design of erosion protection behind 2065 Lake Forest Drive. The proposed structure is likely to be a large, modular concrete block retaining wall stabilized with rock anchors. The cost for the design service is $54,500. Funding will be provided by General Fund Reserves.

The City Council may wish to consider contracting with Walter P. Moore Consulting Engineers to perform the engineering design services for the erosion control project at 2065 Lake Forest Drive in the amount of $54,500.

If you have any questions, please advise.

TMT:em

Attachment:

Cc:
Mary Smith, Assistant City Manager
Amy Williams, P.E., Assistant City Engineer
Billy Chaffin, Superintendent of Streets & Drainage
File

PROJECT DESCRIPTION

This project consists of the design of erosion protection behind 2065 Lake Forest Drive. The proposed structure is likely to be a large, modular concrete block retaining wall stabilized with rock anchors. The total distance of the reach to be designed is approximately 75 linear feet and the anticipated maximum height of the retaining wall is approximately 15 feet tall.

PART I - PRELIMINARY ENGINEERING DESIGN

A. Mobilization/Data Collection/Schematic Design

Deliverable: Submit four sets of 30% plans showing survey data, utilities, project limits, property lines, addresses, schematic plan review of proposed improvements, etc. and three copies of Geotechnical Reports.

1. Review Reports, utility plans and Data Collection including reviewing any available City of Rockwall reports on the erosion problems and obtaining pertinent utility plans, street plans, plats, existing easement information, and other features within the project area.

2. Field Surveying for Design Phase- Engineer will contract with BW2 Engineers, for these services:
   a. Establish a local control network and tie into the existing City of Rockwall control network on the site.
   b. Provide construction control points to be used for construction (a minimum of two). Set horizontal and vertical control monuments, with coordinates tied to the Horizontal Control Plan.
   c. Verify horizontal and vertical locations of existing city facilities on the sites.
   d. When underground utilities are exposed at the City's request, tie to the local control network.
   e. Obtain topographic information including cross-sections of the existing ground features as needed for design.
   f. Locate all pertinent creek features for design including top of bank, existing walls and slabs, existing buildings, existing pavements, fences, trees 4" diameter and larger, and utility appurtenances such as water valves, fire hydrants, manholes, etc., (within construction area) on the sites.
   g. Contact utility companies to locate and uncover utilities which conflict with the proposed project. Tie uncovered utilities to the local control network.
   h. Provide a drawing of the project sites with 1' contours and all located features.

3. Geotechnical Engineering– Engineer will contract with Reed Engineering Group for these services:
   a. The bore hole locations will be approved by the City prior to commencing drilling.
   b. Perform truck-mounted borings and hand borings to collect necessary soil samples. The engineer will only be responsible for damages at the site caused by their negligent acts.
   c. Do the laboratory testing required for the design of the erosion control structure.
   d. Provide a technical report to characterize the observations, report testing data, interpret the data, and supply design parameters and loads for the project.

4. Environmental Services – Perform a field investigation of the proposed project to delineate the Waters of the US. Flags will be placed so that the topographic survey can include the delineation.

5. Hydraulic Modeling Services – Utilize available hydrology from original development plans or the FEMA to create a hydraulic model for confirming that the designed layout does not adversely affect the hydraulic characteristics (velocity and water surface elevations) of the surrounding reach. This model will not be prepared for the purpose of accurately depicting the water surface elevations for any jurisdictional purposes. The sole purpose of the model is the comparison of existing to proposed conditions.

6. Schematic Design - Provide a schematic plan view of the proposed stabilization measures.
   a. Establish a layout of the improvements with the primary objective being to confirm that common objectives of the various project stakeholders are being addressed.
   b. Include very general dimensions of the heights and lengths of the improvements.

7. Provide an initial cost estimate of the improvements for budgetary purposes.

B. Preliminary Design

Deliverable: Submit three sets of 60% plans and an opinion of probable construction cost. Attend one meeting to review plan comments with staff.

1. Prepare preliminary plans:
   a. Establish the Engineer's recommendations for remediation. Incorporate comments from the Schematic Design review.
   b. Establish preliminary horizontal and vertical wall alignment at sites of new or repair structures.
   c. Prepare cross-sections or details of proposed erosion protection indicating the general orientation of the improvements with respect to the channel.
   d. Establish design concepts for repair and/or anchorage of existing gabion retaining wall elements.
   e. Locate utility crossings, adjacent utilities, and other improvements within a limit of twenty feet beyond the proposed improvement at each site.
      i. Work with affected utility companies such as water, gas, telephone, cable TV, and electricity to obtain information for horizontal and vertical data for their facilities. Identify which utilities must be protected or relocated.
      ii. Tie locations of exposed utilities to the local control network. When underground utilities are uncovered, tie locations to the local control network.
   f. Establish preliminary easement needs including permanent and temporary construction easements. Show existing and proposed easements on the plans.

2. Prepare a preliminary opinion of probable cost for the proposed solution. The purpose of the opinion is to confirm that the project is in general accordance with the construction budget. It is not a guarantee of the construction cost.

3. Attend one meeting at the City to review and discuss the preliminary plan drawings and review comments.

4. Distribute one set of preliminary drawings to local utility companies to obtain information regarding impacts to their facilities.

PART II - FINAL ENGINEERING DESIGN

Deliverable: Submit three sets of 95% and 100% plans and specifications, an opinion of probable construction cost, and required easement metes and bounds descriptions.

A. Final Design Plans for Construction

1. Finalize plan and cross-sections for proposed improvements.
2. Revise preliminary plans and incorporate comments from the City of Rockwall review of the 60% design.
3. Incorporate preliminary plan review comments from the utility companies. If necessary, coordinate with utility companies to locate and uncover utilities which conflict with the proposed erosion control structure. Tie the location of uncovered utilities to the local control network.
4. Provide standard details into the plans and prepare additional details or profiles as required.
5. Provide necessary Storm Water Pollution Prevention Concept Plans in accordance with the City of Rockwall requirements.

B. Prepare final technical specifications for the proposed solutions.

C. Revise the 95% documents to incorporate review comments provided by the City and submit 4 sets of plans and specifications to the City for final review and approval prior to printing bid sets for distribution.

D. Attend one meeting with the City to review and discuss the 95% plan drawings and the City's review comments.

E. Submit 100% sets.

PART III – BIDDING AND CONSTRUCTION ADMINISTRATION (Task 4)

Deliverable: Submit 5 sets of bid documents. Site visit memos and or summaries from any inspections made at the City's request.

A. Attend the Pre-Construction Conference held at the City offices to answer questions and provide clarifications.

B. Prepare and issue Addenda or Change Orders if required due to an error or omission in the contract documents.

C. Prepare a tabulation of bidders, review and verify Contractor references, provide a letter of recommendations, and prepare the City's standard construction contract documents for execution by the Contractor.

D. Furnish additional sets of plans and contract documents if required by the City.

E. Attend bi-weekly construction site visits for up to three months.

PART IV – REIMBURSABLE EXPENSES

For project-related travel expenses, fees and out-of-pocket material expenses such as printing, postage, courier costs, etc., the charges will be billed and paid at cost. Mileage will be charged at the prevailing federal rate of reimbursement.

PART V - ADDITIONAL SERVICES

Additional Services to be performed by Engineer, if authorized by the City of Rockwall, which are not included in the above-described basic or special services, are described as follows:

A. Boundary survey, including survey for permanent and temporary easements;

B. Performing title searches and examination of deed records;

C. Design or analyses of existing structures, utilities, or proposed structures not directly related to the proposed solution;

D. Investigations involving detailed consideration of operation, maintenance and overhead expenses, and the preparation of rate schedules, earnings and expense statements, feasibility studies, appraisals, evaluations, assessment schedules, traffic engineering reports and studies, flood plain reclamation plans, and material audits or inventories required for construction performed by the City;

E. Preparation of a preliminary report.

F. Performing designs for trench safety and retaining walls, etc. which are not included in the above Scope of Services;

G. Preparation of plans and/or specifications related to the relocation of utilities;

H. Revisions to plans as a result of revisions after completion of the original final design (unless to correct error on final plans or bid documents);

I. Providing environmental support services including the design and implementation of ecological baseline studies, environmental monitoring, impact assessment and analyses, permitting assistance other than listed in the above Scope of Services, and other assistance required to address environmental issues;

J. Determination of a floodway;

K. Preparation of a Request for Letter of Map Revision or Conditional Letter of Map Revision, or any work pertaining to it.

L. Preparing applications and supporting documents for government grants, loans, or planning advances and providing data for detailed applications;

M. Fees for permits and advertising;

N. Providing full time site inspection or routine site visits during construction of the project unless to correct errors or omissions in the engineering design that are revealed during construction;

O. Quality control and testing services during construction;

P. Preparation and processing monthly or final construction pay estimates;

Q. Assisting the City with public meetings or hearings to inform residents beyond that contained in the above scope of services;

R. Attending homeowners and/or Council meetings including preparation of all displays, reports, or other data for use at such meetings. Assisting the City of Rockwall with any aspect regarding homeowner meetings;

S. Appearing before regulatory agencies or courts as an expert witness in any litigation with third parties or condemnation proceedings arising from the development or construction of the Project, including preparation of engineering data and reports for assistance to the City of Rockwall;

T. Assisting the City of Rockwall in claims disputes with the Contractor(s);

U. Consulting services by others not included in proposal.

Exhibit B – Schedule

1. The topographic survey will be complete within three weeks of receiving the notice to proceed from the City.
2. We will have our initial submittal (30%) to the City within two weeks of completion of the topographic survey.
3. Subsequent submittals will be prepared within two weeks of receiving comments from the City.

Exhibit C – Fee Schedule

4.	Topographic Survey	$ 7,000
5.	Geotechnical Study	$ 6,000
6.	Environmental Services – Delineation of Ordinary High Water	$ 4,000
7.	Hydraulic Modeling	$ 10,000
8.	Basic Services	$ 27,500
	Total Fee	$ 54,500

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and Council**

FROM: **Rick Crowley, City Manager**

DATE: **August 14, 2014**

SUBJECT: **Resident's Concerns re: FM549 Planning**

The City's thoroughfare plan shows increasing FM549 to 6 lanes as opposed to the existing 2 lane roadway condition. As Consortium roadway planning has continued, TxDOT and the County have proceeded in accordance with the adopted 6 lane plans.

TxDOT held its first public meeting a few months ago on plans for the 6 lane roadway. This is a prerequisite to getting it on the funding "agenda" for TxDOT to fund the state portion of the roadway. A significant public input was received in that meeting questioning the need for and opposing the 6 lane aspect of the roadway planning.

In response to this input, and to update the Thoroughfare Plan throughout the County, the County has commissioned COG to perform the study necessary to update the County Plan. Specifically included in the scope of the study update is the question of whether a 6 lane roadway is warranted to handle projected traffic volumes. COG has, or soon will, begin that work.

Rockwall and the other entities along the state road have agreed to work with COG as this study is done to provide development data used to project traffic volumes. When that study is complete, and if it indicates that the projected traffic volumes warrant less than 6 lanes, Rockwall City Council can then consider whether this change to its city Thoroughfare plan (reducing the number of ultimately constructed lanes) should be made.

The study not having been completed of course, we don't know for certain, but based on several comments that were heard, it sounds like there is some significant thought that the study will produce a recommendation that the number of lanes be reduced. If the study does show that, there would not be support to plan for and build 6 lanes if projected volumes don't indicate the need.

A concerned resident, Ms. Kathryn Thurmond has requested to address the Council regarding the roadway's ultimate design.

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Rockwall Memorial Day Concert

Detailed Reporting of HOT Expenditures

Organization Name: The Rockwall News
Event/Program Name: Rockwall Memorial Day Concert
Event/Program Date/Location: May 25, 7 pm, The Harbor

Profit & Loss Detail

	Date	Type	Name	Amount
Income				
Rental Fee Waived	5-25-2014	check	City of Rockwall HOT	$1,920
Sponsorship			Dallas Co. Comm. Col. Dist.	2,500
Sponsorship			Hawaiian Falls	2,500
Sponsorship			Rockwall EDC	500
Sponsorship			Lake Pointe Health System	500
Sponsorship			CertaPro Painters	500
Sponsorship			Timpa Law Office	500
Sponsorship			Rockwall Chamber	250
Sponsorship			Liechty McGinnis LLC	250
Sponsorship			Classic Rock Stone	250
Sponsorship			Fathom Realty	250
Total Income				$9,920
Expenses	5-25-2014	Harbor Rental	City of Rockwall HOT	$1,920
		Staff	City of Rockwall	240
		Performer	Jason Castro	500
		Performer	David Carr Jr.	150
		Performer	Brittnee Lee	110
		Sound	Bobby Clouse	1,000
		Food	Dodie's Cajun Diner	170
		Security	Rockwall Police	500
		Toilets	U Rent It	534
		Insurance	K & K Insurance	592
		Signs	Image SOS	416
		Artwork	Rebekah Kelly	850
		Ads	Planet Rockwall	255
		Ads	Blue Ribbon News	275
		Ads	The Rockwall News	845
Total Expenses				$8,357
Net Profit				$1,563

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MEMO

To: Leigh Ann Ewing, City of Rockwall
From: J.J. Smith, The Rockwall News
Aug. 7, 2014
RE: Rockwall Memorial Day Concert hotel rooms booked

To the best of our knowledge, only three hotel rooms were booked using the code "Memorial Day Concert." Two rooms were booked at the Hilton Dallas/Rockwall Lakefront Hotel and one at the Hampton Inn.

Based upon conversations afterward with concert goers, we know that a few others stayed at Rockwall hotels that night because they told several of our volunteers they were going to check into the, rather than drive home. Unfortunately we don't know how many did, nor do the hotels without a code being given.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 8/18/2014

APPLICANT: Bobby & Kimberly A. Fritts

AGENDA ITEM: **Z2014-020;** Carport SUP

SUMMARY:

Hold a public hearing to discuss and consider a request by Bobby and Kimberly Fritts for the approval of a Specific Use Permit (SUP) to allow for a carport that does not meet the minimum setback requirements stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code [Ordinance No. 04-38] for a 0.31-acre property identified as Lot 27, Block C of the Lynden Park Estates, Phase 4 Addition, zoned Planned Development District 17 (PD-17), addressed as 109 Weston Court, City of Rockwall, Rockwall County, Texas, and take any action necessary.

BACKGROUND INFORMATION:

The applicants, Bobby and Kimberly Fritts, are requesting a Specific Use Permit (SUP) to allow for a carport that does meet the garage setback requirements stipulated by Section 2.1.2(1) [Carports] of Article IV, Permissible Uses, of the Unified Development Code (UDC) which states that a carport must "meet the garage setback adjacent to an alley." The subject property is zoned Planned Development District 17 (PD-17) with an underlying zoning of Single-Family Residential (SF-7) District. According to Section 3.6(C)10 [Single-Family Residential (SF-7) District] of Article V, District Development Standards, of the UDC, the required "minimum length of driveway pavement from the public right-of-way for rear and side yard[s]" is 20 feet. The proposed carport will stand approximately ten (10') feet in total height, and have a building footprint of 22 feet by 18 feet, or 396 square feet. The structure will be situated directly adjacent to the western building façade of the primary structure at the existing garage. The proposed carport will be setback ten (10') feet from the side yard (northern) property line and seven (7') feet from the rear yard property line. Section 2.1.2(2) [Carports] of Article IV states that carports that are visible from a public street should be constructed of materials that match the primary residence; however, in this case, the carport is located behind the existing residence and not visible from the street. The applicants are proposing to use powder-coated steel beams and an aluminum roof for the structure.

According to Article IV of the UDC, carports are allowed by right in a Single Family-7 (SF-7) District pending they meet the requirements stipulated in the Section 2.1.2 of Article IV. Section 2.1.2(1) [Carports] of Article IV states that carports are required to meet the garage setback adjacent to an alley. As mentioned above the proposed carport will be directly adjacent to the garage and will be setback seven (7') feet from thealley rather than the required twenty (20') feet for a residence within a SF-7 District. Section 2.1.2(3) [Carports] of Article IV allows for carports not meeting this standard to be approved through a Specific Use Permit.

NOTIFICATION:

A notice was published on July 31, 2014 in the Rockwall County News. Seventy three (73) notices were mailed to property owners of record as well as non-owner occupants within 500 ft. of the subject property. Additionally, the Lynden Park HOA was notified. Staff is unaware of

any other HOA's within 1,500 ft. of the subject property. At the time of this report, four responses have been received with three (3) in favor and one (1) opposed to the request.

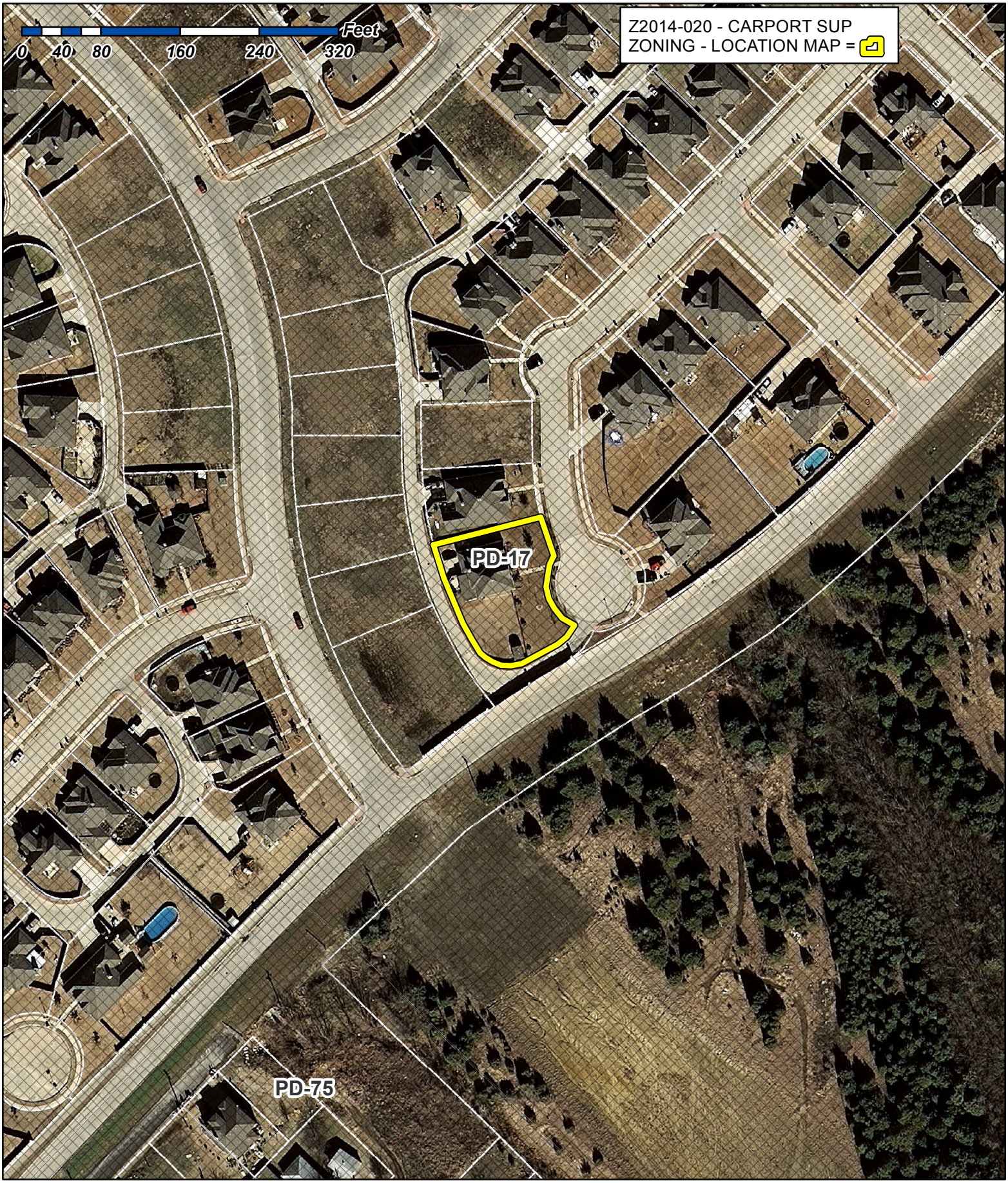
RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the applicant's request for a SUP to allow for a carport that does not meet the garage setback requirements, staff recommends the following conditions:

1) Prior to the construction of the carport the applicant will need to apply for a Building Permit from the Building Inspections Division.
2) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On August 12, 2014, the Planning and Zoning Commission recommended approval of the applicant's request for a Specific Use Permit (SUP) by a vote of 5-0, with Commissioners Nielsen and Minth absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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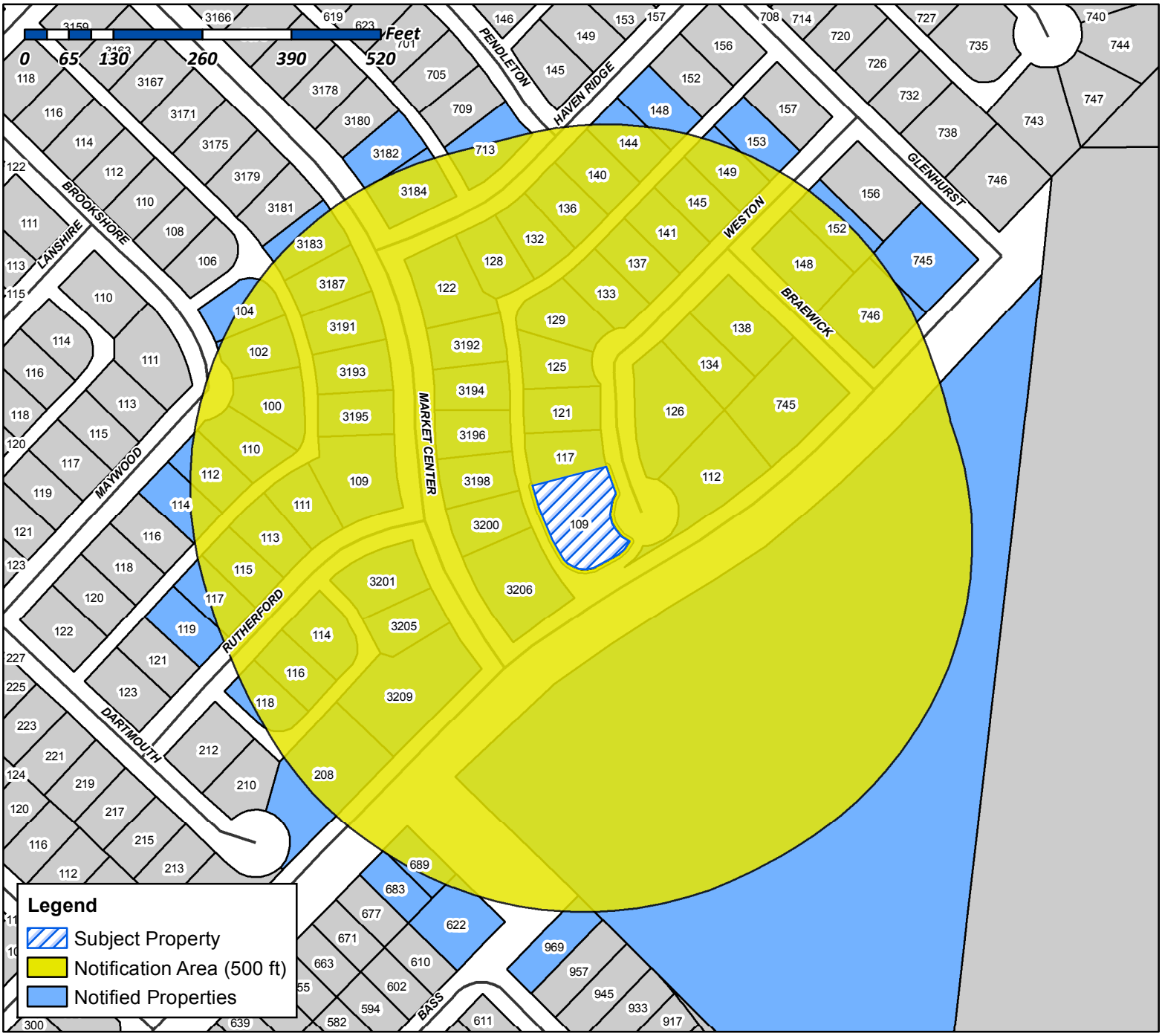
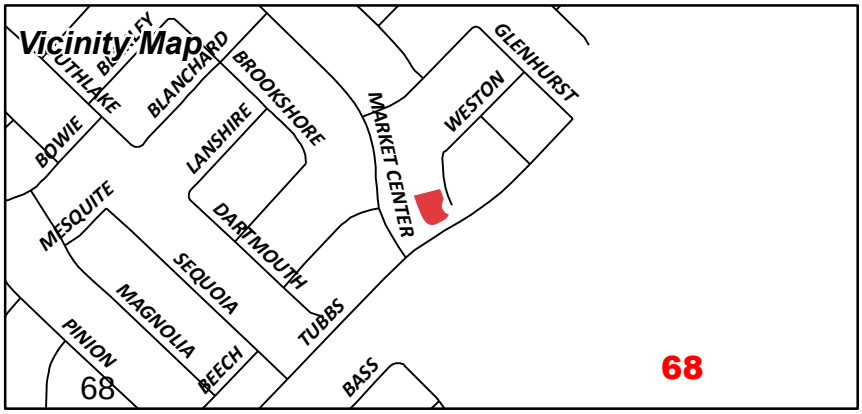


Case Number: Z2014-020
Case Name: Carport SUP
Case Type: Specific Use Permit
Zoning: PD-17
Case Address: 109 Weston Court

Date Created: *07/22/2014*
For Questions on this Case Call (972) 771-7745



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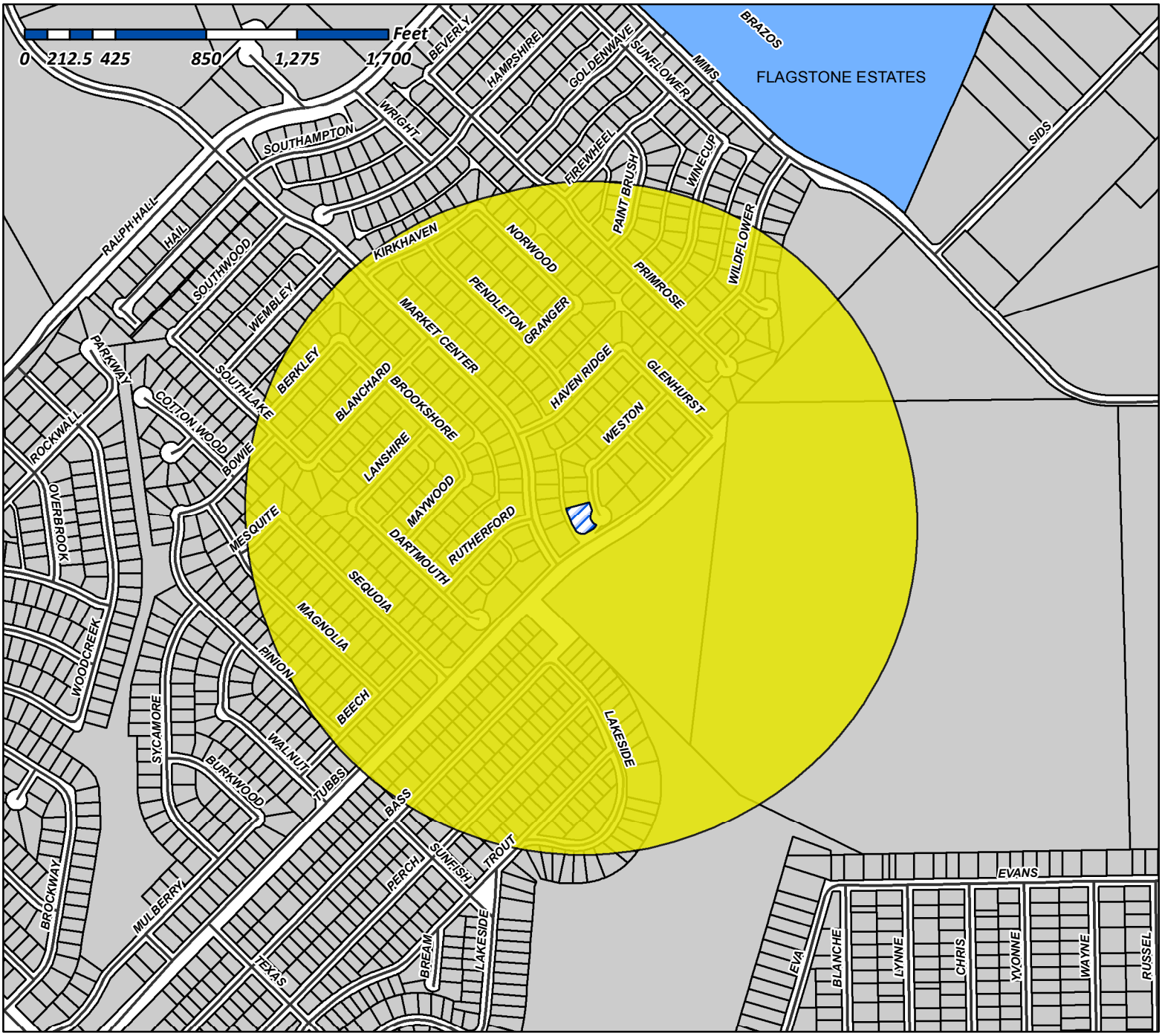

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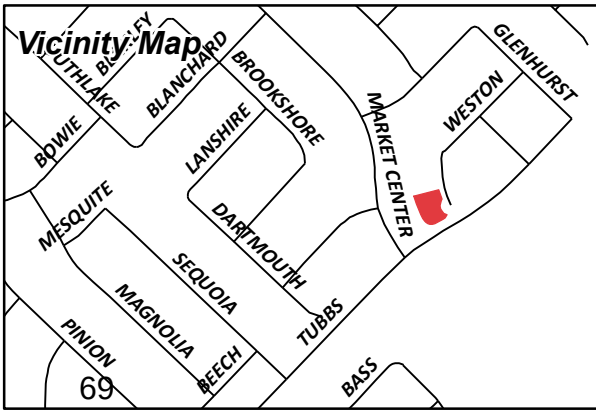
Vicinity Map



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Reference No.	Name	Legal Description	Address 1	Address 2	City	State	Zip
4334-000D-0036-00-0R	MAKELKE JOHN L & LORIE A	LYNDEN PARK ESTATES PHASE 3, BLOCK D, LOT 36		208 DARTMOUTH DR	ROCKWALL	TX	75032
4334-000D-0039-00-0R	BROWN ALLENDOR & MICHELLE D	LYNDEN PARK ESTATES PHASE 3, BLOCK D, LOT 39		118 RUTHERFORD DR	ROCKWALL	TX	75032
4334-000D-0040-00-0R	LO TIENKHAM	LYNDEN PARK ESTATES PHASE 3, BLOCK D, LOT 40		116 RUTHERFORD DR	ROCKWALL	TX	75032
4334-000D-0041-00-0R	MYRICK CLINT & JENNIFER	LYNDEN PARK ESTATES PHASE 3, BLOCK D, LOT 41		114 RUTHERFORD DR	ROCKWALL	TX	75032
4334-000D-0042-00-0R	PACHECO ARTURO JR &	LYNDEN PARK ESTATES PHASE 3, BLOCK D, LOT 42	MARIA A VELAZQUEZ	3201 MARKET CENTER DR	ROCKWALL	TX	75032
4334-000D-0043-00-0R	RODRIGUEZ ALMA DELIA	LYNDEN PARK ESTATES PHASE 3, BLOCK D, LOT 43		3205 MARKET CENTER DRIVE	ROCKWALL	TX	75032
4334-000D-0044-00-0R	ANGUIANO JUAN J & NICHOLE E	LYNDEN PARK ESTATES PHASE 3, BLOCK D, LOT 44		3209 MARKET CENTER DR	ROCKWALL	TX	75032
4334-000I-0008-00-0R	HARDY KYLE D	LYNDEN PARK ESTATES PHASE 3, BLOCK I, LOT 8		104 BROOKSHORE DR	ROCKWALL	TX	75032
4334-000I-0009-00-0R	LINDSEY TANYA R & RICO N	LYNDEN PARK ESTATES PHASE 3, BLOCK I, LOT 9		102 BROOKSHORE DR	ROCKWALL	TX	75032
4334-000I-0010-00-0R	ROBERTS URSULA R	LYNDEN PARK ESTATES PHASE 3, BLOCK I, LOT 10		100 BROOKSHORE DRIVE	ROCKWALL	TX	75032
4334-000I-0011-00-0R	VAN ECK MATTHEW T & JACKLYN E	LYNDEN PARK ESTATES PHASE 3, BLOCK I, LOT 11		110 MAYWOOD DRIVE	ROCKWALL	TX	75032
4334-000I-0012-00-0R	TATE ANTHONY R & ALESIA D	LYNDEN PARK ESTATES PHASE 3, BLOCK I, LOT 12		112 MAYWOOD	ROCKWALL	TX	75032
4334-000I-0013-00-0R	Current Occupant	LYNDEN PARK ESTATES PHASE 3, BLOCK I, LOT 13		114 MAYWOOD DR	Rockwall	TX	75032
4334-000I-0013-00-0R	HENDERSON NORMA	LYNDEN PARK ESTATES PHASE 3, BLOCK I, LOT 13		PO BOX 705	ROCKWALL	TX	75087
4334-000I-0020-00-0R	ENRIQUEZ LAURO & FRANSICA	LYNDEN PARK ESTATES PHASE 3, BLOCK I, LOT 20		119 RUTHERFORD DR	ROCKWALL	TX	75032
4334-000I-0021-00-0R	CLARK ERIC DWAYNE & PATRICIA D	LYNDEN PARK ESTATES PHASE 3, BLOCK I, LOT 21		117 RUTHERFORD DR	ROCKWALL	TX	75032
4334-000I-0022-00-0R	LO CHAYRA & JUDY LAM	LYNDEN PARK ESTATES PHASE 3, BLOCK I, LOT 22		115 RUTHERFORD DR	ROCKWALL	TX	75032
4334-000I-0023-00-0R	COLLARD MELISSA C	LYNDEN PARK ESTATES PHASE 3, BLOCK I, LOT 23		113 RUTHERFORD DR	ROCKWALL	TX	75032
4334-000I-0024-00-0R	HOPKINS TAYLOR M	LYNDEN PARK ESTATES PHASE 3, BLOCK I, LOT 24		111 RUTHERFORD DRIVE	ROCKWALL	TX	75032
4334-000I-0025-00-0R	BLOOM STAN & CAM THI	LYNDEN PARK ESTATES PHASE 3, BLOCK I, LOT 25		109 RUTHERFORD DR	ROCKWALL	TX	75032
4336-000A-0010-00-0R	KENDALL ROBERT & BARBARA	LYNDEN PARK ESTATES PHASE 4, BLOCK A, LOT 10		713 PENDLETON DR	ROCKWALL	TX	75032
4336-000A-0011-00-0R	MAHMOUD EMAD & BETH CUMMINGS	LYNDEN PARK ESTATES PHASE 4, BLOCK A, LOT 11		3184 MARKET CENTER DR	ROCKWALL	TX	75032
4336-000A-0012-00-0R	Current Occupant	LYNDEN PARK ESTATES PHASE 4, BLOCK A, LOT 12		3182 MARKET CENTER DR	Rockwall	TX	75032
4336-000A-0012-00-0R	SHEPHERD PLACE HOMES INC	LYNDEN PARK ESTATES PHASE 4, BLOCK A, LOT 12		620 ROWLETT RD	GARLAND	TX	75043
4336-000B-0001-00-0R	PEACOCK JAY C & ROBYN M	LYNDEN PARK ESTATES PHASE 4, BLOCK B, LOT 1		148 WESTON CT	ROCKWALL	TX	75032
4336-000B-0002-00-0R	Current Occupant	LYNDEN PARK ESTATES PHASE 4, BLOCK B, LOT 2		152 WESTON CT	Rockwall	TX	75032
4336-000B-0002-00-0R	NGUYEN JENNIFER	LYNDEN PARK ESTATES PHASE 4, BLOCK B, LOT 2		2608 SANTA ROSA AVE	ODESSA	TX	79763
4336-000B-0004-00-0R	WINTERS KEVIN R & STELIANA V	LYNDEN PARK ESTATES PHASE 4, BLOCK B, LOT 4		745 GLENHURST DR	ROCKWALL	TX	75032
4336-000B-0005-00-0R	ORAVSKY JAMES S & GINGER L	LYNDEN PARK ESTATES PHASE 4, BLOCK B, LOT 5		746 BRAEWICK DR	ROCKWALL	TX	75032
4336-000C-0001-00-0R	Current Occupant	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 1		3206 MARKET CENTER DR	Rockwall	TX	75032
4336-000C-0002-00-0R	JOHNSTONE DANNA LEAH	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 2		3200 MARKET CENTER DR	ROCKWALL	TX	75032
4336-000C-0003-00-0R	Current Occupant	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 3		3198 MARKET CENTER DR	Rockwall	TX	75032
4336-000C-0004-00-0R	HICKS MICKEY L & GINA C	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 4		3196 MARKET CENTER DR	ROCKWALL	TX	75032
4336-000C-0005-00-0R	Current Occupant	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 5		3194 MARKET CENTER DR	Rockwall	TX	75032
4336-000C-0006-00-0R	Current Occupant	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 6		3192 MARKET CENTER DR	Rockwall	TX	75032
4336-000C-0007-00-0R	Current Occupant	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 7		122 HAVEN RIDGE DR	Rockwall	TX	75032
4336-000C-0008-00-0R	Current Occupant	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 8		128 HAVEN RIDGE DR	Rockwall	TX	75032
4336-000C-0009-00-0R	SHELLY DAVID B JR & KARLA	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 9		132 HAVEN RIDGE DRIVE	ROCKWALL	TX	75032
4336-000C-0010-00-0R	LAWS AMBER KINNEY AND	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 10	JANE ELLEN LAWS	136 HAVEN RIDGE DRIVE	ROCKWALL	TX	75032
4336-000C-0011-00-0R	NEVELS KATHLEEN LIFE ESTATE	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 11	DIANE NEVELS ARCHER	140 HAVEN RIDGE DR	ROCKWALL	TX	75032
4336-000C-0012-00-0R	HANSEN KRISTINE RUTH	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 12		144 HAVEN RIDGE DR	ROCKWALL	TX	75032
4336-000C-0013-00-0R	Current Occupant	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 13		148 HAVEN RIDGE DR	Rockwall	TX	75032
4336-000C-0017-00-0R	MURGULET DANIELA	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 17		153 WESTON CT	ROCKWALL	TX	75032
4336-000C-0018-00-0R	Current Occupant	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 18		149 WESTON CT	Rockwall	TX	75032
4336-000C-0018-00-0R	DOS HILLS INC	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 18		1850 OTTINGER ROAD	KELLER	TX	76262
4336-000C-0019-00-0R	EISENSTEIN MARC ALAN & ANNE MARGARET	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 19		13733 SULKY CV	HERRIMAN	UT	84096
4336-000C-0019-00-0R	Current Occupant	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 19		145 WESTON CT	Rockwall	TX	75032
4336-000C-0020-00-0R	ROTEN STEVEN NEIL	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 20		141 WESTON CT	ROCKWALL	TX	75032
4336-000C-0021-00-0R	BOGGS MATTHEW & DAWN	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 21		137 WESTON COURT	ROCKWALL	TX	75032
4336-000C-0022-00-0R	YOGENDRA JOHN & PRENITA P	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 22		133 WESTON CT	ROCKWALL	TX	75032
4336-000C-0023-00-0R	Current Occupant	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 23		129 WESTON CT	Rockwall	TX	75032
4336-000C-0024-00-0R	VELA GILBERT S & PRISCILLA A	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 24		125 WESTON CT	ROCKWALL	TX	75032
4336-000C-0025-00-0R	LEON RICHARD GILBERT AND	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 25	GENA ALYCIA RANGEL	121 WESTON COURT	ROCKWALL	TX	75032
4336-000C-0026-00-0R	MINOR JIMMY	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 26		117 WESTON CT	ROCKWALL	TX	75032
4336-000C-0027-00-0R	FRITTS BOBBY & KIMBERLY A	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 27		109 WESTON CT	ROCKWALL	TX	75032
4336-000C-0028-00-0R	VICK KIMBERLY D & TRACY W	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 28		112 WESTON CT	ROCKWALL	TX	75032
4336-000C-0029-00-0R	ALLMANN CHRISSY J	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 29		126 WESTON CT	ROCKWALL	TX	75032
4336-000C-0030-00-0R	Current Occupant	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 30		134 WESTON CT	Rockwall	TX	75032
4336-000C-0030-00-0R	COSLEY STEVE	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 30		25821 TULIP GROVE ST	STEVENSON RANCH	CA	91381
4336-000C-0031-00-0R	STANCIOIU MARIAN & OANA	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 31		138 WESTON CT	ROCKWALL	TX	75032
4336-000C-0032-00-0R	BOOTH BRIAN FLOYD AND STEPHANIE	LYNDEN PARK ESTATES PHASE 4, BLOCK C, LOT 32		745 BRAEWICK DR	ROCKWALL	TX	75032
4336-000I-0026-00-0R	Current Occupant	LYNDEN PARK ESTATES PHASE 4, BLOCK I, LOT 26		3195 MARKET CENTER DR	Rockwall	TX	75032
4336-000I-0027-00-0R	Current Occupant	LYNDEN PARK ESTATES PHASE 4, BLOCK I, LOT 27		3193 MARKET CENTER DR	Rockwall	TX	75032
4336-000I-0028-00-0R	ODEYEMI ADETUNJI A AND	LYNDEN PARK ESTATES PHASE 4, BLOCK I, LOT 28	OLUSEYI O BOYEDE	3191 MARKET CENTER DRIVE	ROCKWALL	TX	75032
4336-000I-0029-00-0R	Current Occupant	LYNDEN PARK ESTATES PHASE 4, BLOCK I, LOT 29		3187 MARKET CENTER DR	Rockwall	TX	75032
4336-000I-0030-00-0R	Current Occupant	LYNDEN PARK ESTATES PHASE 4, BLOCK I, LOT 30		3183 MARKET CENTER DR	Rockwall	TX	75032
5370-000A-0180-00-0R	ORTIZ NINFA ACUNA	ROCKWALL LAKE EST #1, BLOCK A, LOT 180		703 TL TOWNSEND DR	ROCKWALL	TX	75087
5370-000A-0180-00-0R	Current Occupant	ROCKWALL LAKE EST #1, BLOCK A, LOT 180		969 LAKESIDE DR	Rockwall	TX	75032
5370-000E-0822-00-0R	HEAVENLY HOMES INC	ROCKWALL LAKE EST #1, BLOCK E, LOT 822	JUAN ANJEL DELEON	434 E LINDA LN	ROYSE CITY	TX	75189
5370-000E-0822-00-0R	Current Occupant	ROCKWALL LAKE EST #1, BLOCK E, LOT 822	JUAN ANJEL DELEON	683 TUBBS	Rockwall	TX	75032
5370-000E-0823-00-0R	DELCASTILLO HUMBERTO	ROCKWALL LAKE EST #1, BLOCK E, LOT 823		365 LYNNE DR	ROCKWALL	TX	75032
5370-000E-0823-00-0R	Current Occupant	ROCKWALL LAKE EST #1, BLOCK E, LOT 823		689 TUBBS RD	Rockwall	TX	75032
5370-000E-0824-00-0R	MOORE ROSEMARY	ROCKWALL LAKE EST #1, BLOCK E, LOT 824 & 825		622 BASS RD	ROCKWALL	TX	75032

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7-18-14

To Whom It May Concern,

The renovation of our home at 109 Weston Court and conversion of the garage and patio into a master bedroom suite and living area is being done to provide a comfortable living space for my Mother-In-Law. She was diagnosed with Parkinson disease last January.

Since we no longer have the garage, we would like to add a carport that will provide protected access in inclement weather from her living quarters to the van used for transportation. We appreciate your thoughtful consideration of this request for a variance permit for this much needed carport addition.

Respectfully,

Bob Fritts
109 Weston Court
Rockwall, TX 75032
469-831-2476

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7-19-14

To: Jodee Sanford

From: Bob & Kim Fritts
109 Weston Court
Rockwall, TX 75032

Page 1 of 2

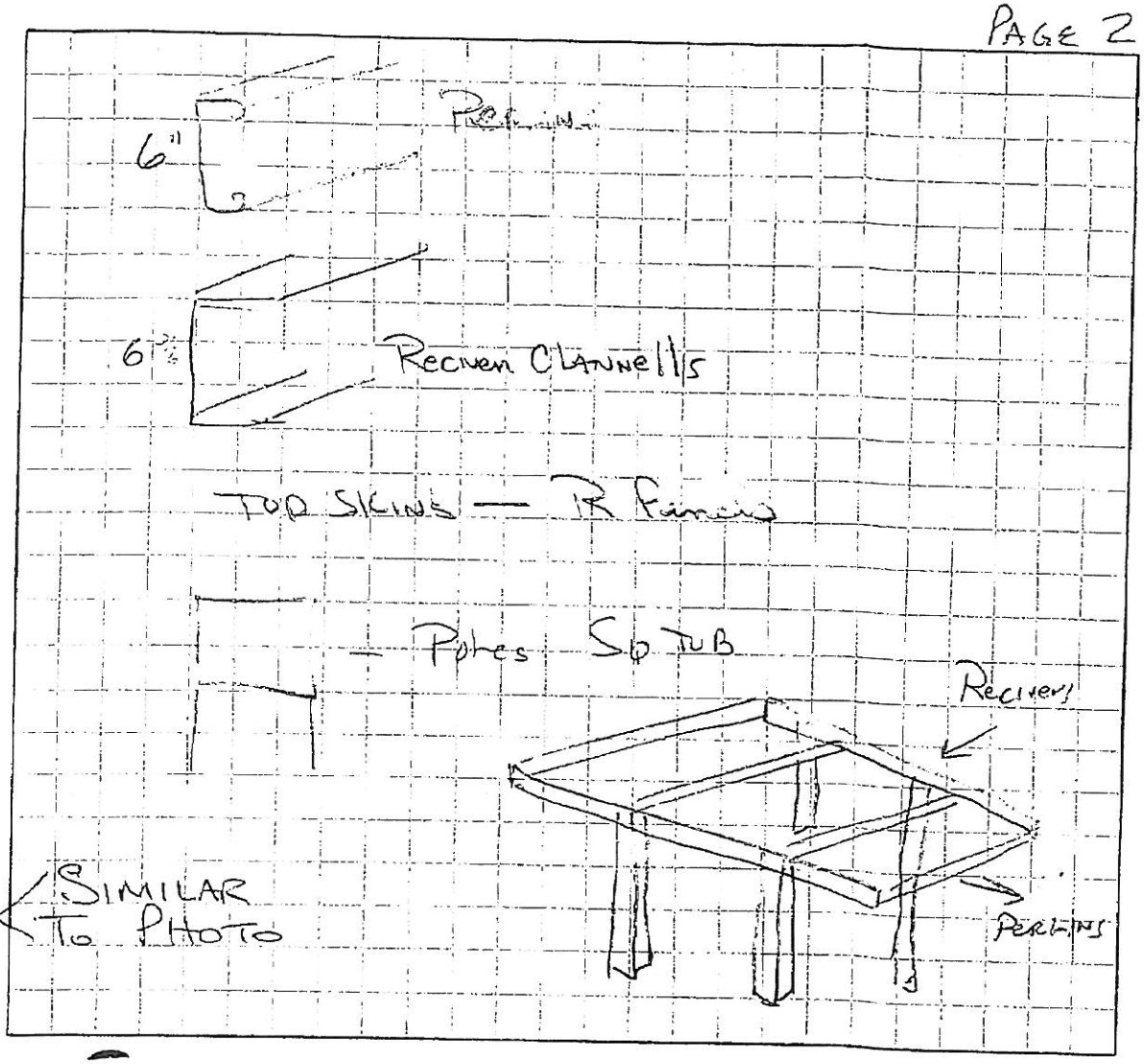
Jodee,

This is a sketch of typical materials we plan to use for the carport and a photo of a simicar design.

Please let us knoiw if there are any questions or problems with the information.

Regards,
Bob & Kim Fritts

PAGE 2 OF 2


6"
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RECIVER CHANNELS
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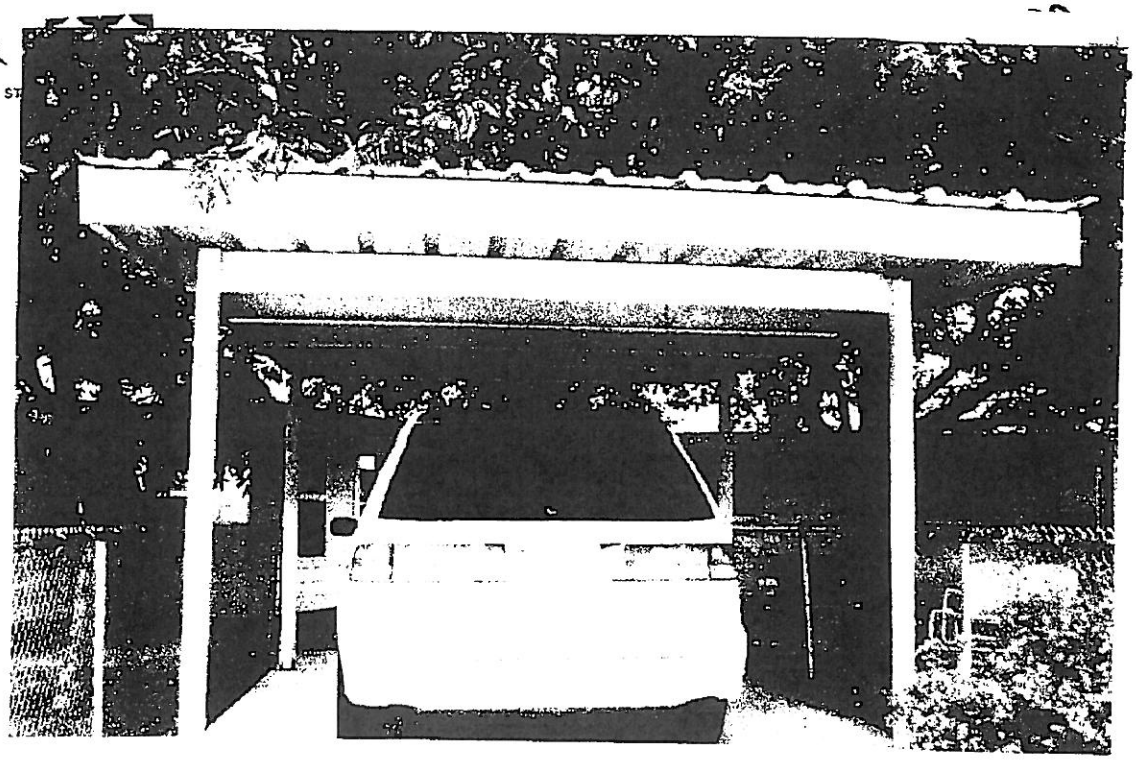

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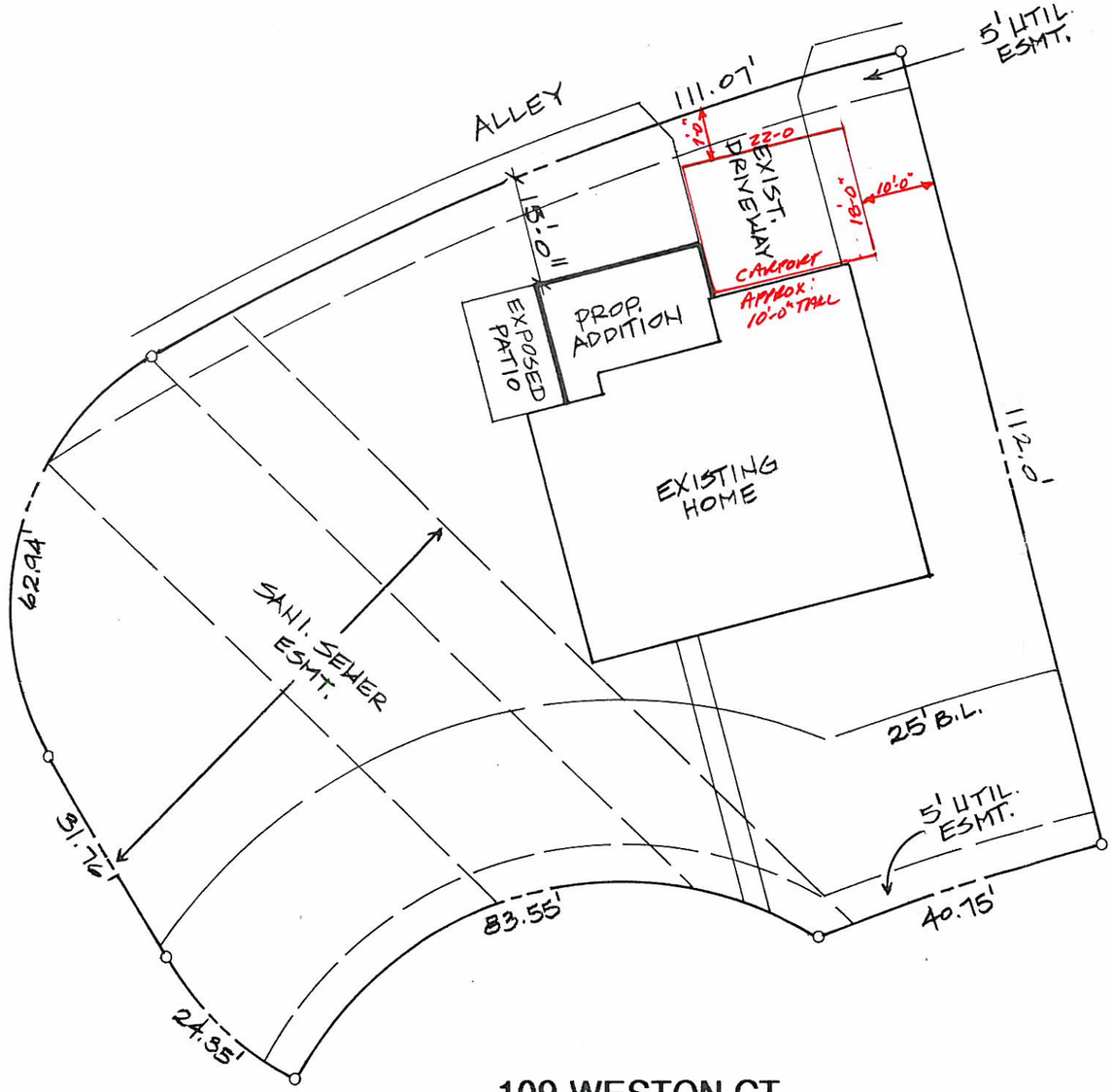
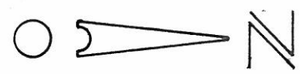


109 WESTON CT.



PLOT PLAN

1"=20'-0"

LOT 27 – BLK C

LYNDEN PARK ESTATES,PH.4

CITY OF ROCKWALL

ROCKWALL COUNTY,TX

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Sanford, JoDee

From: Lorie Makelke
Sent: Sunday, August 03, 2014 9:30 PM
To: Planning
Subject: Z2014-020: Carport SUP

We are in favor of the request of Mr. and Mrs. Fritts for a carport. It makes sense to allow them to build the carport. We appreciate the flexibility of the City Council and the Planning & Zoning Department.

John and Lorie Makelke
208 Dartmouth Drive
Rockwall, Texas 75032

NOTICE OF PUBLIC HEARING

CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

RECEIVED
AUG 0 4 2014

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-020: Carport SUP

Hold a public hearing to discuss and consider a request by Bobby and Kimberly Fritts for the approval of a Specific Use Permit (SUP) to allow for a carport that does not meet the minimum setback requirements stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code [Ordinance No. 04-38] for a 0.31-acre property identified as Lot 27, Block C of the Lynden Park Estates, Phase 4 Addition, zoned Planned Development District 17 (PD-17), addressed as 109 Weston Court, City of Rockwall, Rockwall County, Texas, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 8/12/2014 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 8/18/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

JoDee Sanford
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **8/18/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-020: Carport SUP

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

We do not think this hurts the area at all.

Name: SHEPHERD PLACE HOMES, INC.
dba ROBBIE HALE HOMES
972-475-1100
620 ROWLETT RD.
GARLAND, TX 75043-3703

Address: 129 Weston Ct.

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

1- 972-771-7748

Case No. Z2014-020: Carport SUP

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

I HAVE DRIVEN BY AND LOOKED AT THE SITE, I SEE NO PROBLEMS INSTALLING A CARPORT

Name: KEVIN WINTERS

Address: 745 GLENHURST DR. ROCKWALL TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Sanford, JoDee

From: Jack Montague
Sent: Sunday, August 03, 2014 12:12 PM
To: Planning
Subject: City of Rockwall, Planning & Zoning Department

City of Rockwall, Planning & Zoning Department
Re: Case No. Z2014-020: Carport SUP

I am opposed to the request for the reasons listed below:

1. This may establish a precedent that would be detrimental to the appearance of the neighborhood.
2. The proposed carport is not consistent with the general appearance of the residences in the area.
3. While I sympathize with this particular case and the reasons for the carport, I feel uncomfortable with the change in the appearance of the neighborhood this represents as well as the precedents established.

Earl J. Montague
128 Haven Ridge Drive
Rockwall, TX 75032

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A SPECIFIC USE PERMIT (SUP) WITHIN THE SINGLE-FAMILY RESIDENTIAL (SF-7) DISTRICT TO ALLOW FOR A CARPORT THAT DOES NOT MEET THE MINIMUM SETBACK REQUIREMENTS, FOR A 0.31-ACRE PROPERTY IDENTIFIED AS LOT 27, BLOCK C OF THE LYNDEN PARK ESTATES, PHASE 4 ADDITION, ZONED PLANNED DEVELOPMENT DISTRICT 17 (PD-17), ADDRESSED AS 109 WESTON COURT, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Bobby and Kimberly Fritts for the approval of a Specific Use Permit (SUP) to allow for a carport that does not meet the minimum setback requirements, for a 0.31-acre property identified as Lot 27, Block C of the Lynden Park Estates Phase 4 Addition, zoned Planned Development District 17 (PD-17), addressed as 109 Weston Court, City of Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for a carport that does not meet the minimum setback requirements within the Single-Family Residential (SF-7) District for the *Subject Property*; and

SECTION 2. That the Specific Use Permit shall be subject to the conditions set forth in ***Article IV, Section 2.1.2, Residential and Lodging Use Conditions,*** of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this Specific Use Permit, and as may be amended in the future, and shall be subject to the additional following

conditions:

1) The carport must conform to all Engineering and Fire Department standards;

2) Submittal and approval of a building permit is required prior to the construction of the carport;

3) The carport must conform to the approved site plan and building elevation depicted in Exhibits 'A' and 'B' of this ordinance;

4) The carport shall not exceed 400 square feet in area;

5) The carport shall not exceed a maximum height 10 feet;

6) The carport is subject to administrative review in the event that the *Subject Property* is sold or conveyed in any manner to another party, subdivided, or re-platted; and

7) The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE ___ DAY OF _____, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

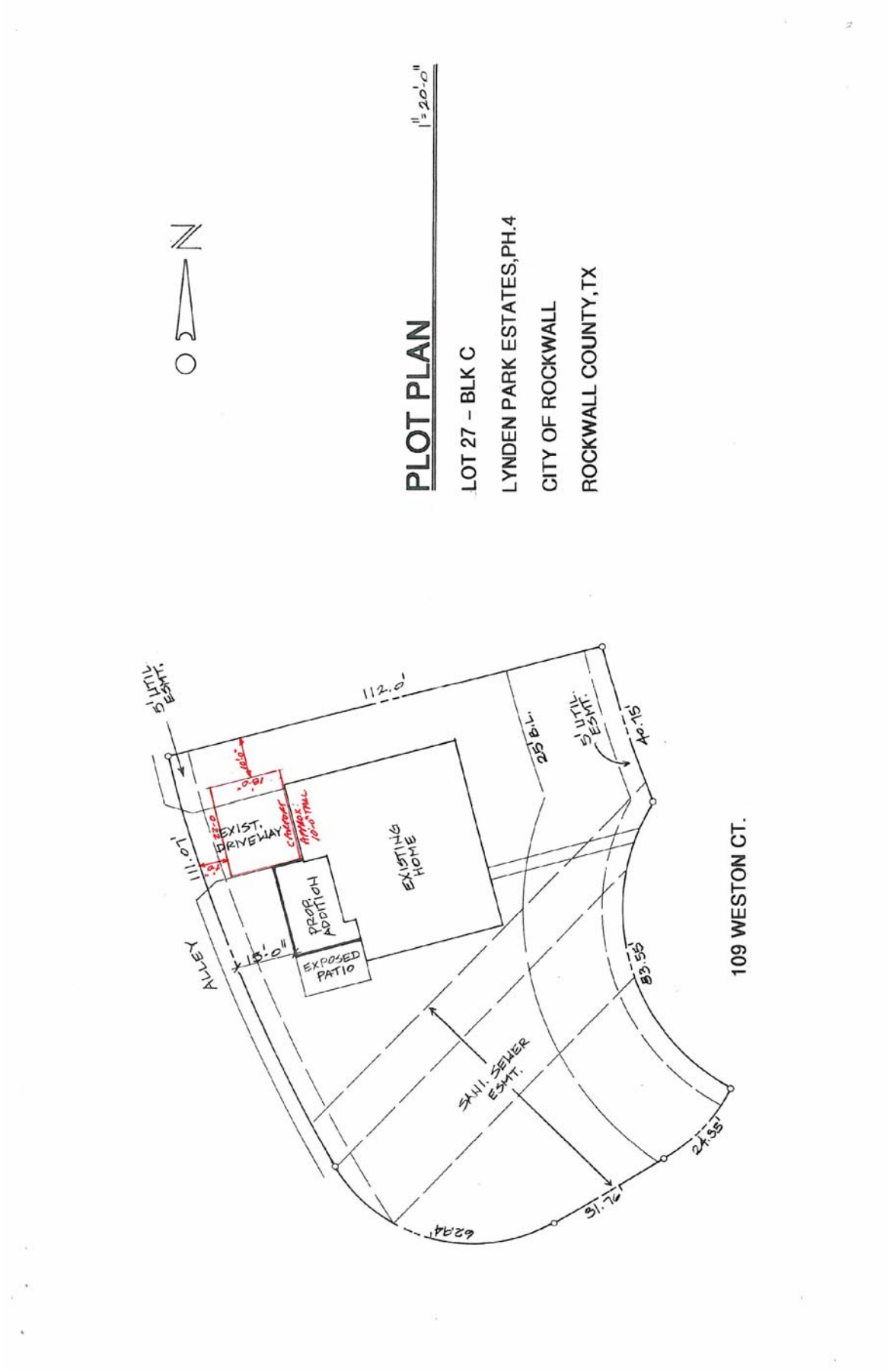
APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: _____

2nd Reading: _____

Exhibit A: Legal Description/Site Plan



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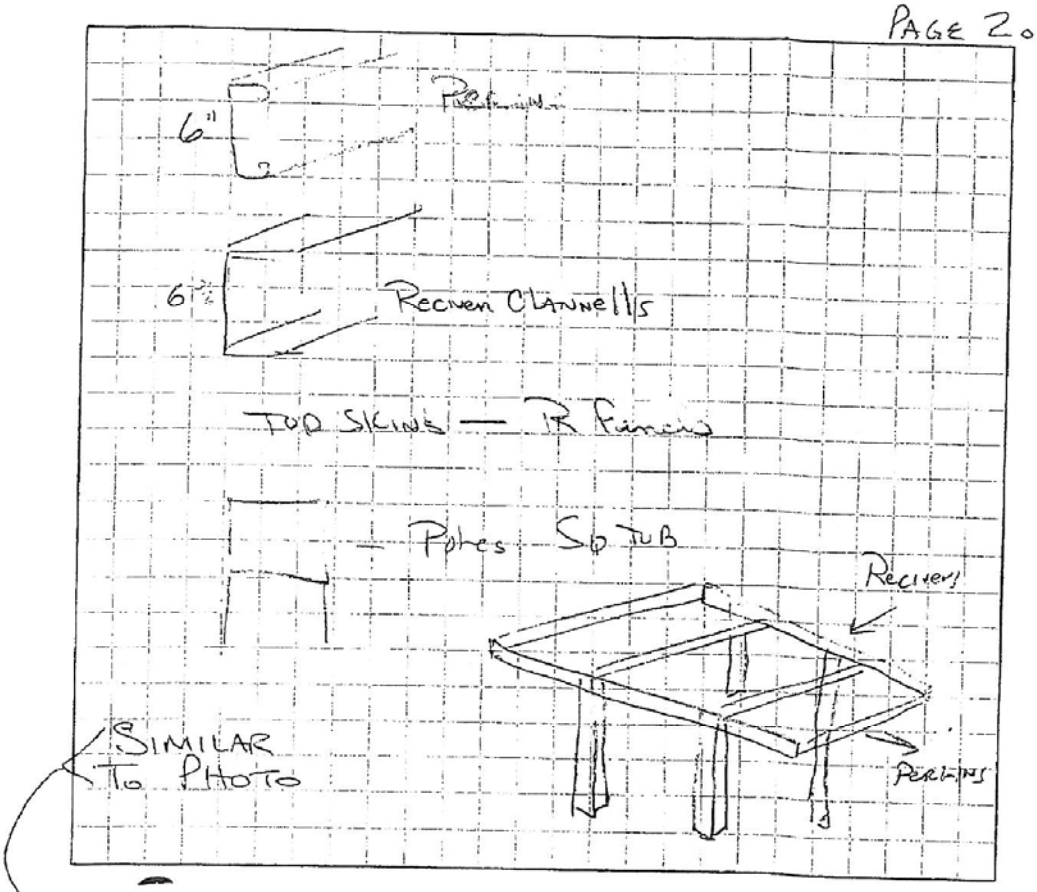

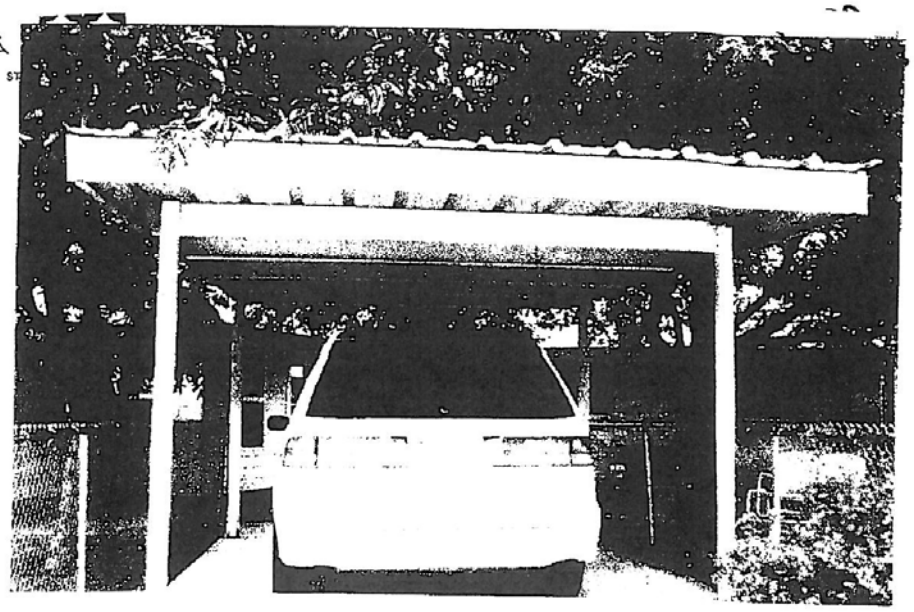

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Robert LaCroix, Director of Planning

DATE: August 18, 2014

SUBJECT: Future Land Use Plan Update

The City received a request from the Old Town Rockwall Neighborhood Association to change the Future Land Use Map to remove four lots along the south side of Williams Street west of Kernodle Street from being designated as downtown district to medium density residential. These properties include 304, 306, 308 and 310 Williams Street. (see attached request)

Since the 2012 update of the Comprehensive Plan, the City has also approved several zoning changes that essentially have amended the Future Land Use Plan. Those changes include the following: (see attached map)

1. Townsend Village (high density residential to commercial) Townsend @ SH 276
2. Breezy Hills (commercial to medium density residential) John King @ FM 552
3. 7-11 Addition (high density residential to commercial) John King @ SH 276
4. Bricker property (medium density residential to commercial) Airport Road
5. Ranch Trail (medium density residential to commercial) Ranch Trail @ Co. Line Rd
6. Ridge Road (medium density residential to commercial) Cain property

7. Old Town Rockwall Neighborhood request on Williams Street

Historically the City has delayed making amendments to the Future Land Use Plan until the Council feels it needs to update or completely revise the existing Comprehensive Plan. However, the Texas Local Government Code Chapter 213 allows a municipality to adopt or amend its comprehensive plan, and by charter, the municipality may establish procedures for adopting and amending a comprehensive plan. This would include amending the Future Land Use Plan. The following procedures from the City's charter will allow for amending the Future Land Use Plan:

Sec. 9.03. Master Plan.
The existing Master Plan for the physical development of the City contains recommendations for the growth, development and beautification of the City and its extraterritorial jurisdiction. Recommended changes to the Master Plan must be

submitted to the City Manager after the Planning and Zoning Commission holds at least one public hearing on the proposed change.

On August 12, 2014, the Planning and Zoning Commission recommended approval of the changes to the Future Land Use Plan by a vote of 5-0, with Commissioners Nielson and Minth absent.

Mr. David Sweet
385 South Goliad
Rockwall, TX 75087

April 23, 2014

Honorable Mayor,

You may remember the Old Town Rockwall Neighborhood Association. We have revitalized the organization and our purpose is to speak as one voice to protect the identity and the integrity of the historic neighborhood of Old Town Rockwall. Membership in the organization includes residents within the area bounded by Heath/Live Oak on the north, Boydston on the south, Alamo on the west, and Renfro on the east. Also included are the following individual properties: 204, 206, 208 W. Heath Street; 908, 910 West Street; 801, 803, 805, 805-A, 805-B, 902, 904, 906 Aluminum Plant Road; 724 E. Washington; and 703 and 707 Townsend.

A few weeks ago, you received a letter from Jeanne Davis as quoted below.

> *"I respectfully request that the Mayor and Council remove residential properties 304, 306, 308, and 310 Williams Street from the designation of Downtown District as shown on the City of Rockwall Future Land Use Map Comprehensive Plan 2011. These addresses are residential properties and the designation should be Medium Density Single Family Residential as the surrounding neighborhood is designated.*
>
> *304 and 306 Williams Street were the subject of a proposed rezoning to permit business/residential use. In September 2013, the Mayor and Council voted against the proposed rezoning. At a Public Hearing concerning the rezoning request, City Staff member, David Gonzalez, stated in response to a question from resident Carol Crow, that the City had 'inadvertently' included these two houses in the Downtown District designation. Perhaps this same error applies to 308 and 310 Williams Street. There is no justification or neighborhood support for these four residential properties to be designated Downtown District.*
>
> *A mapping error is easily corrected. I ask the Mayor and Council to reverse this error and designate 304, 306, 308, and 310 Williams Street as Medium Density Single Family Residential on the City of Rockwall Future Land Use Map Comprehensive Plan 2011."*

As an organization, we ask that you honor Jeanne's request to correct the error and designate 304, 306, 308, and 310 as Medium Density Single Family Residential on the *City of Rockwall Future Land Use Map Comprehensive Plan 2011* and send us documentation that it has indeed been corrected on the map, as well as in any other relevant documents on file at City Hall.

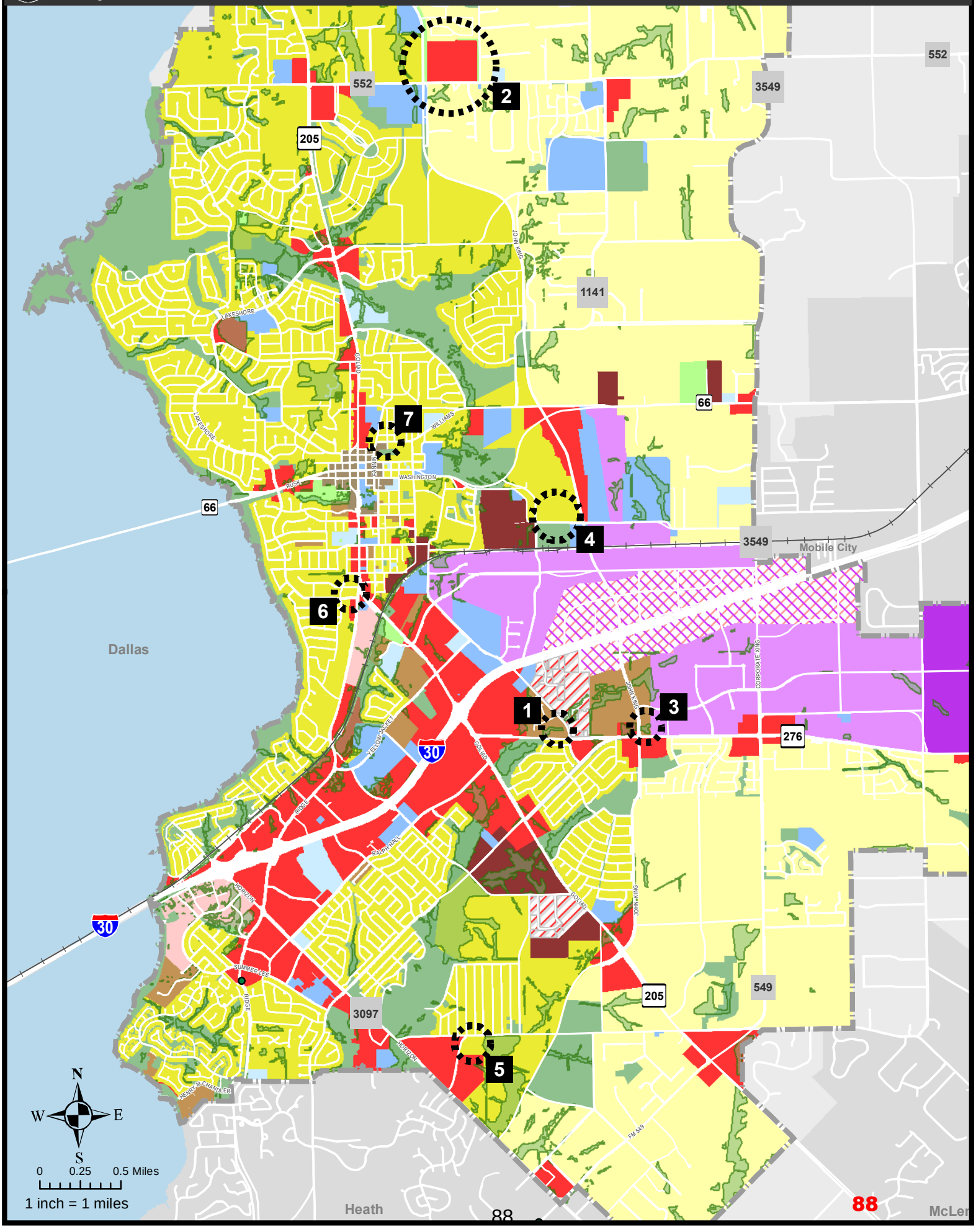
Thank you for supporting all of Rockwall and for recognizing and valuing the unique place our neighborhood has in the identity of our city.

Respectfully,

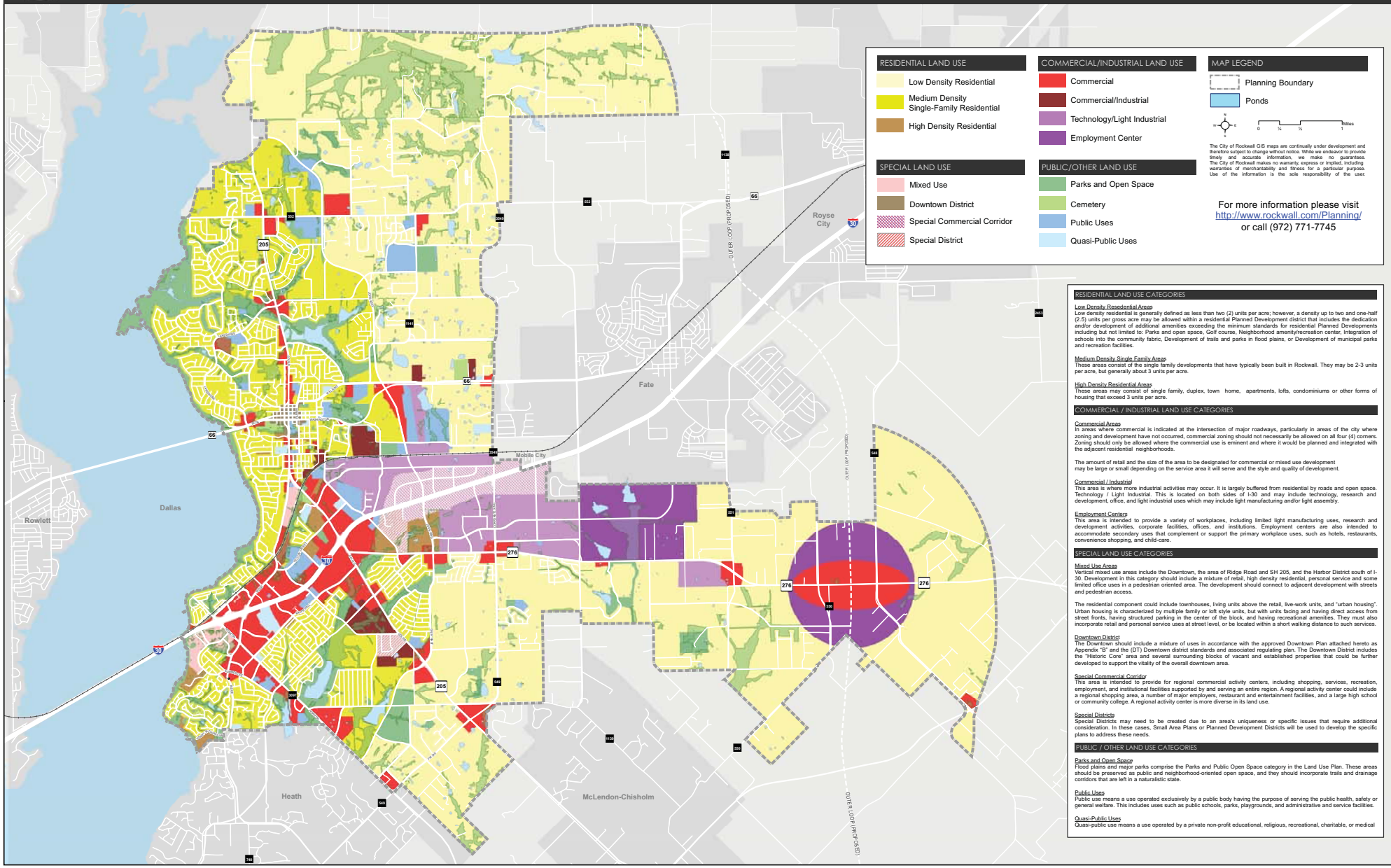
Sandi Whitley

Sandi Whitley
President, Old Town Rockwall Neighborhood Association
704 Williams St.
Rockwall, TX 75087
214-728-1934

City of Rockwall Future Land Use



City of Rockwall Future Land Use



RESIDENTIAL LAND USE CATEGORIES

Low Density Resedential Areas
Low density residential is generally defined as less than two (2) units per acre; however, a density up to two and one-half (2.5) units per gross acre may be allowed within a residential Planned Development district that includes the dedication and/or development of additional amenities exceeding the minimum standards for residential Planned Developments including but not limited to: Parks and open space, Golf course, Neighborhood amenity/recreation center, Integration of schools into the community fabric, Development of trails and parks in flood plains, or Development of municipal parks and recreation facilities.

Medium Density Single Family Areas
These areas consist of the single family developments that have typically been built in Rockwall. They may be 2-3 units per acre, but generally about 3 units per acre.

High Density Residential Areas
These areas may consist of single family, duplex, town home, apartments, lofts, condominiums or other forms of housing that exceed 3 units per acre.

COMMERCIAL / INDUSTRIAL LAND USE CATEGORIES

Commercial Areas
In areas where commercial is indicated at the intersection of major roadways, particularly in areas of the city where zoning and development have not occurred, commercial zoning should not necessarily be allowed on all four (4) corners. Zoning should only be allowed where the commercial use is eminent and where it would be planned and integrated with the adjacent residential neighborhoods.

The amount of retail and the size of the area to be designated for commercial or mixed use development may be large or small depending on the service area it will serve and the style and quality of development.

Commercial / Industrial
This area is where more industrial activities may occur. It is largely buffered from residential by roads and open space. Technology / Light Industrial. This is located on both sides of I-30 and may include technology, research and development, office, and light industrial uses which may include light manufacturing and/or light assembly.

Employment Centers
This area is intended to provide a variety of workplaces, including limited light manufacturing uses, research and development activities, corporate facilities, offices, and institutions. Employment centers are also intended to accommodate secondary uses that complement or support the primary workplace uses, such as hotels, restaurants, convenience shopping, and child-care.

SPECIAL LAND USE CATEGORIES

Mixed Use Areas
Vertical mixed use areas include the Downtown, the area of Ridge Road and SH 205, and the Harbor District south of I-30. Development in this category should include a mixture of retail, high density residential, personal service and some limited office uses in a pedestrian oriented area. The development should connect to adjacent development with streets and pedestrian access.

The residential component could include townhouses, living units above the retail, live-work units, and "urban housing". Urban housing is characterized by multiple family or loft style units, but with units facing and having direct access from street fronts, having structured parking in the center of the block, and having recreational amenities. They must also incorporate retail and personal service uses at street level, or be located within a short walking distance to such services.

Downtown District
The Downtown should include a mixture of uses in accordance with the approved Downtown Plan attached hereto as Appendix "B" and the (DT) Downtown district standards and associated regulating plan. The Downtown District includes the "Historic Core" area and several surrounding blocks of vacant and established properties that could be further developed to support the vitality of the overall downtown area.

Special Commercial Corridor
This area is intended to provide for regional commercial activity centers, including shopping, services, recreation, employment, and institutional facilities supported by and serving an entire region. A regional activity center could include a regional shopping area, a number of major employers, restaurant and entertainment facilities, and a large high school or community college. A regional activity center is more diverse in its land use.

Special Districts
Special Districts may need to be created due to an area's uniqueness or specific issues that require additional consideration. In these cases, Small Area Plans or Planned Development Districts will be used to develop the specific plans to address these needs.

PUBLIC / OTHER LAND USE CATEGORIES

Parks and Open Space
Flood plains and major parks comprise the Parks and Public Open Space category in the Land Use Plan. These areas should be preserved as public and neighborhood-oriented open space, and they should incorporate trails and drainage corridors that are left in a naturalistic state.

Public Uses
Public use means a use operated exclusively by a public body having the purpose of serving the public health, safety or general welfare. This includes uses such as public schools, parks, playgrounds, and administrative and service facilities.

Quasi-Public Uses
Quasi-public use means a use operated by a private non-profit educational, religious, recreational, charitable, or medical

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July 16, 2014

ATTN: Robert & Leslie Church
38 Meadow Creek Drive
Melissa, TX 75454

RE: Proposed Amendment to the Future Land Use Map [MIS2014-009]

Property Address: 304 Williams Street
Rockwall, TX 75087

Dear Applicant:

This letter is to notify you that the Planning & Zoning Commission and City Council will be considering a request to change the Future Land Use designation of your property from a *Downtown* designation to a *Medium Density Residential* designation [*see attached map*]. In response to a request by the Old Town Homeowner's Association, the City Council has directed staff to prepare map amendments to the Future Land Use Map contained within the City's Comprehensive Plan. This request will only affect the Comprehensive Plan and does not represent a change to the current zoning designation of your property (*i.e. Single Family 7 [SF-7] District*); however, it could affect any future zoning requests conformance with the Comprehensive Plan.

There will be two (2) public hearings associated with this request in which public testimony will be taken. A list of all meeting dates is as follows:

Planning & Zoning Work Session:	July 29, 2014
Planning & Zoning Meeting (Public Hearing):	August 12, 2014
City Council [1st Reading] (Public Hearing):	August 18, 2014
City Council [2nd Reading]:	September 2, 2014

For your reference staff has attached a copy of the memorandum being sent to the Planning & Zoning Commission, a copy of the Future Land Use Map, a map of the proposed amendments, and a copy of the letter requesting the changes from the Old Town HOA. If you have any questions please feel free to contact the Planning & Zoning Department at (972) 771-7745 or email planning@rockwall.com.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning Department
City of Rockwall, TX

July 16, 2014

ATTN: Patricia A. May
308 Williams Street
Rockwall, TX 75087

RE: Proposed Amendment to the Future Land Use Map [MIS2014-009]

Dear Applicant:

This letter is to notify you that the Planning & Zoning Commission and City Council will be considering a request to change the Future Land Use designation of your property from a *Downtown* designation to a *Medium Density Residential* designation [*see attached map*]. In response to a request by the Old Town Homeowner's Association, the City Council has directed staff to prepare map amendments to the Future Land Use Map contained within the City's Comprehensive Plan. This request will only affect the Comprehensive Plan and does not represent a change to the current zoning designation of your property (*i.e. Single Family 7 [SF-7] District*); however, it could affect any future zoning requests conformance with the Comprehensive Plan.

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Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning Department
City of Rockwall, TX

July 16, 2014

ATTN: Deborah Wines
310 Williams Street
Rockwall, TX 75087

RE: Proposed Amendment to the Future Land Use Map [MIS2014-009]

Dear Applicant:

This letter is to notify you that the Planning & Zoning Commission and City Council will be considering a request to change the Future Land Use designation of your property from a *Downtown* designation to a *Medium Density Residential* designation [*see attached map*]. In response to a request by the Old Town Homeowner's Association, the City Council has directed staff to prepare map amendments to the Future Land Use Map contained within the City's Comprehensive Plan. This request will only affect the Comprehensive Plan and does not represent a change to the current zoning designation of your property (*i.e. Single Family 7 [SF-7] District*); however, it could affect any future zoning requests conformance with the Comprehensive Plan.

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Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning Department
City of Rockwall, TX

July 16, 2014

ATTN: Antonia Emilia Waldrop
1185 Aberdeen Lane
Rockwall, TX 75087

RE: Proposed Amendment to the Future Land Use Map [MIS2014-009]

Property Address: 306 Williams Street
Rockwall, TX 75087

Dear Applicant:

This letter is to notify you that the Planning & Zoning Commission and City Council will be considering a request to change the Future Land Use designation of your property from a *Downtown* designation to a *Medium Density Residential* designation [*see attached map*]. In response to a request by the Old Town Homeowner's Association, the City Council has directed staff to prepare map amendments to the Future Land Use Map contained within the City's Comprehensive Plan. This request will only affect the Comprehensive Plan and does not represent a change to the current zoning designation of your property (*i.e. Single Family 7 [SF-7] District*); however, it could affect any future zoning requests conformance with the Comprehensive Plan.

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Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning Department
City of Rockwall, TX

CITY OF ROCKWALL

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY CHARTER.

WHEREAS, the City Charter of the City of Rockwall, Texas, states that the Master Plan will contain recommendations for the growth, development and beautification of the City and its extraterritorial jurisdiction, and

WHEREAS, the City Council of the City of Rockwall has previously authorized a study to update the City's Master Plan, also referred to as the Comprehensive Plan, and

WHEREAS, the citizens of the City of Rockwall were involved in the development of the Comprehensive Plan through participation in committee and public meetings, and

WHEREAS, Chapter 213 of the Texas Local Government Code states that the adoption of or amendment to a comprehensive plan requires a hearing at which the public is given the opportunity to give testimony and present written evidence and as required by the City Charter a public hearing has been held on the proposed revisions to the Comprehensive Plan, and

WHEREAS, the Comprehensive Plan shall serve as a guide to all future Council action concerning land use and development regulations and expenditures for capital improvements,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Future Land Use Plan as updated by the City Staff and recommended for approval by the Planning and Zoning Commission is hereby approved and amended into the Comprehensive Plan for the City.

Section 2. That the Comprehensive Plan shall be used by the City in the planning and as a guide for the future development of the City of Rockwall.

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Section 3. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.
.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this _____day of _____2014.

_____
Mayor
City of Rockwall, Texas

ATTEST

_____
City Secretary
City of Rockwall, Texas

APPROVED AS TO FORM:

_____
Frank Garza, City Attorney
City of Rockwall, Texas

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 08/18/2014

APPLICANT: Greg Wallis of Mershawn Architects

AGENDA ITEM: **SP2014-017**; Sharp Warehouse

SUMMARY:

Discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of the owner Rick Sharp for the approval of variances, specifically to the pitched roof requirement and required amount of articulation, in association with a site plan for a warehouse facility on a 1.10-acre portion of a larger 6.22-acre parcel of land identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46), situated within the SH-276 Overlay (SH-276 OV) District, located on the south side of Springer Road, east of the intersection of Springer Road and Corporate Crossing [FM-3549], and take any action necessary.

BACKGROUND INFORMATION:

Greg Wallis of Mershawn Architects has submitted an application on behalf of the property owner, Rick Sharp, for site plan approval of a 5,000 sq. ft. warehouse facility. The proposed building is to be located on a 1.10-acre portion of a larger 6.22-acre parcel of land that will front Springer Road. The lot is zoned PD-46 and identified to be within the SH-276 Overlay (SH-276 OV) District and is subject to the standards established within this district.

Due to the limited visibility from Springer Road, the applicant is requesting variances from the building articulation and roof design standards for the warehouse facility.

VARIANCE REQUEST(S):

The applicant is requesting the following variances:

1) The SH-276 OV district requires that all buildings less than 6,000 sq. ft. incorporate a pitched roof. The proposed warehouse building is designed utilizing a flat roof. *In accordance with Sec. 6.14, SH-276 OV District, of the UDC approval of this variance will require a three-quarter majority vote of those city council members present with a minimum of four affirmative votes.*

2) The General Commercial district standards require a minimum horizontal and vertical articulation that the current building design is not meeting along the east and west building elevations. *Per the requirements of the UDC a simple majority vote will be required to approve this variance.*

Staff would point out that the majority of the existing buildings surrounding the proposed property are also metal buildings, many of which existed prior to annexation of the area. The proposed 5,000 sq. ft. building is generally screened from SH-276 traffic by several of the surrounding buildings and is only visible along Springer Road. However, given the limited visibility and the general location of the property, the proposed variances remain a discretionary action for the Planning and Zoning Commission and City Council.

ARCHITECTURAL REVIEW BOARD:

On July 29, 2014, the Architectural Review Board (ARB) reviewed the applicant's request and made the following recommendations:

1. The applicant should incorporate a simpler, less heavy porch design that is more horizontal and/or that incorporates less pitch in the proposed roof.
2. The mass of the porch supports should be increased to better blend with the mass of the building.
3. The brick band at the top of the building should be repeated in the location of the second (stone) band, adjacent to the current porch location.

The applicant has addressed all of the ARB's recommendations and incorporated them into the revised building elevations.

RECOMMENDATIONS:

If approved, staff would offer the following conditions:

1. Adherence to all engineering and fire department standards.
2. The applicant will need to resubmit a site plan that indicates the location of the detention area.
3. Submittal and approval of a final plat prior to issuance of a Certificate of Occupancy.
4. Approval of the variances requested by City Council.

On August 12, 2014, the Planning and Zoning Commission approved the site plan request with staff recommendations. The Commission also recommended approval of the variances to allow for a flat roof design and not meeting the articulation standards for horizontal and vertical articulation of the east and west building elevations by a vote of 5 to 0 (Minth & Neilsen absent).



City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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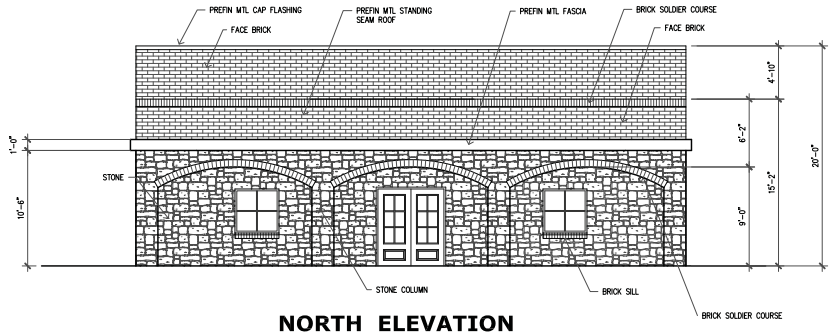
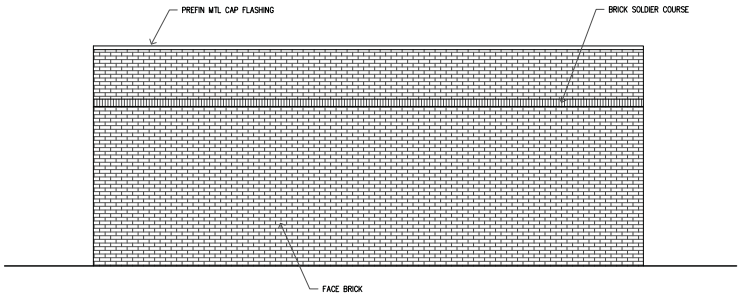
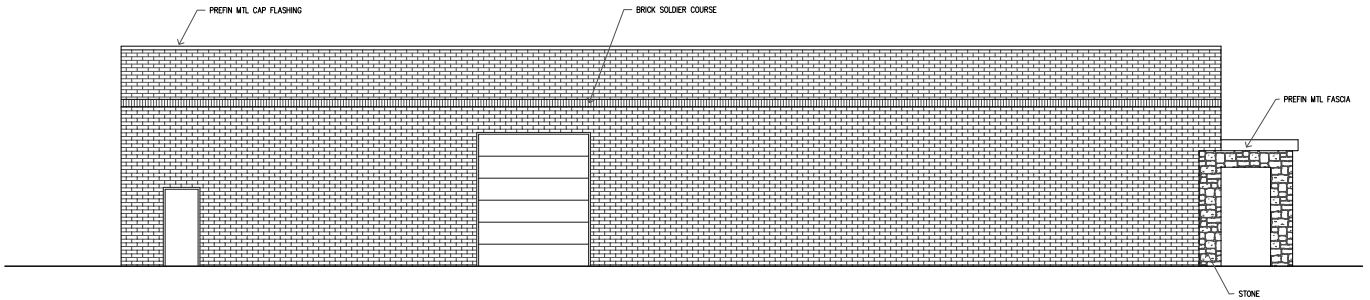
CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



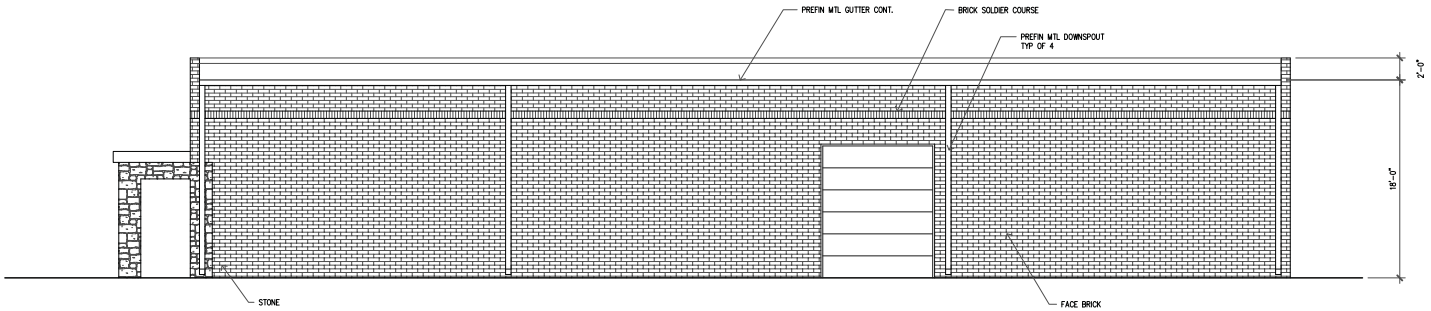
NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION

PRICING & CONSTRUCTION GENERAL NOTES:

1. THESE DRAWINGS ARE DIAGRAMMATIC IN NATURE AND ARE NOT INTENDED TO INDICATE EACH AND EVERY FITTING, OFFSET, OR OTHER APPURTENANCE NECESSARY TO COMPLETE THE SYSTEM.
2. IT IS THE CONTRACTOR'S RESPONSIBILITY TO REVIEW THE DOCUMENTS AND INCLUDE ALL NECESSARY ITEMS TO PROVIDE A COMPLETE OPERATIONAL SYSTEM.
3. ANY DISCREPANCIES NOTED BY THE CONTRACTOR SHALL BE BROUGHT TO THE ATTENTIONS OF THE ARCHITECT (IN WRITING) BEFORE BIDDING THIS PROJECT.
4. AFTER BIDS ARE TURNED IN, THE CONTRACTOR SHALL COMPLETE THE SYSTEMS AT NO ADDITIONAL COST.

CASE # SP2014-017

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RESIDENTIAL RESTAURANTS
INSTITUTIONAL
MEDICAL COMMERCIAL
CHURCHES
MERSHAWN ARCHITECTS
2313 RIDGE ROAD #103
ROCKWALL, TEXAS 75087
PHONE: 972-722-9302
FAX: 972-249-3381

No.	Date	Revision	By

SHARP WAREHOUSE
ROCKWALL, TEXAS

EXTERIOR ELEVATIONS

Scale:	3/16" = 1'-0"
Date:	MM/DD/YY
Project No.:	140603
Designed:	GW
Drawn:	GW
Checked:	MM

SHEET A4 OF 14

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 8/18/2014

APPLICANT: Glaus, Pyle, Schomer, Burns &

AGENDA ITEM: **SP2014-019;** TA Amended Elevations

SUMMARY:

Discuss and consider a request by Lynsey Ondecker of Glaus, Pyle, Schomer, Burns & DeHaven, GPD on behalf of the owner, Travel Centers of America, for the approval of a variance, specifically to allow for secondary materials in excess of 10%, in association with an amended site plan for the purpose of remodeling the exterior façade of the existing truck stop, which is located on a 13.167-acre parcel of land identified as Lot 3, Block A, Travel Centers of America Addition, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the SH-205 Overlay (SH-205 OV) District, addressed as 2105 S. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. (3/4 majority vote required)

BACKGROUND INFORMATION:

The applicant has submitted a request for an amended site plan for the Burger King portion of the Travel Centers of America building located at 2105 S. Goliad Street on the southwest corner of Goliad Street and IH-30. The property is zoned Commercial District and falls within the IH-30 Overlay (IH-30 OV) District as well as the SH 205 Overlay (SH 205 OV) District. The proposal is for the renovation of the building elevations on two sides of the building in order to update the exterior by incorporating corrugated metal and tile and painting the existing brick masonry.

VARIANCE REQUEST:

Corrugated metal is considered a secondary material. According to both the IH-30 OV and the SH-205 OV Districts, secondary materials are limited to 10% of each facade. The proposed front elevation shows metal panels on 35.6% of the facade with 21.6% existing and an additional 14% being added. The side elevation indicates a total of 11.2% secondary materials. Any variance to the IH-30 OV and SH-205 OV Districts requires a recommendation from the Planning and Zoning Commission and a super-majority (3/4) vote by City Council for approval.

RECOMMENDATION:

1. All signage requires submittal and approval of a separate permit through the Building Inspections Department.

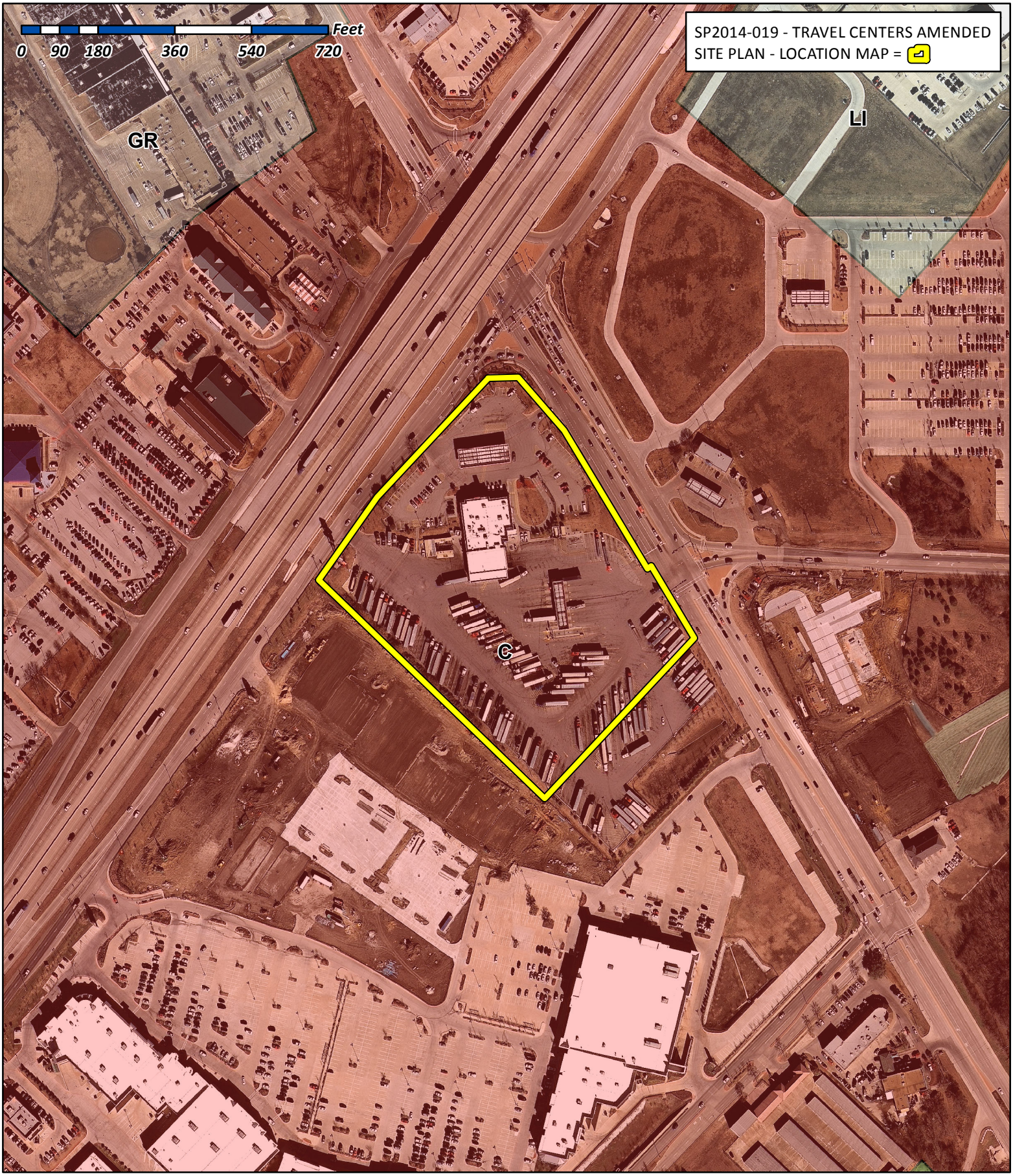
2. Any construction or building necessary to complete this Site Plan request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

ARCHITECTURAL REVIEW BOARD:

This request was reviewed by the Architectural Review Board on July 29, 2014; however, the ARB did not recommend changes to the applicant's proposal.

PLANNING AND ZONING COMMISSION:

On August 12, 2014, the Planning & Zoning Commission approved the amended site plan by a vote of 5-0 with staff recommendations and the additional condition that the metal panels have a factory finish with at least a five (5) year durability standard (Commissioners Minth and Nielsen absent).



City of Rockwall

Planning & Zoning Department
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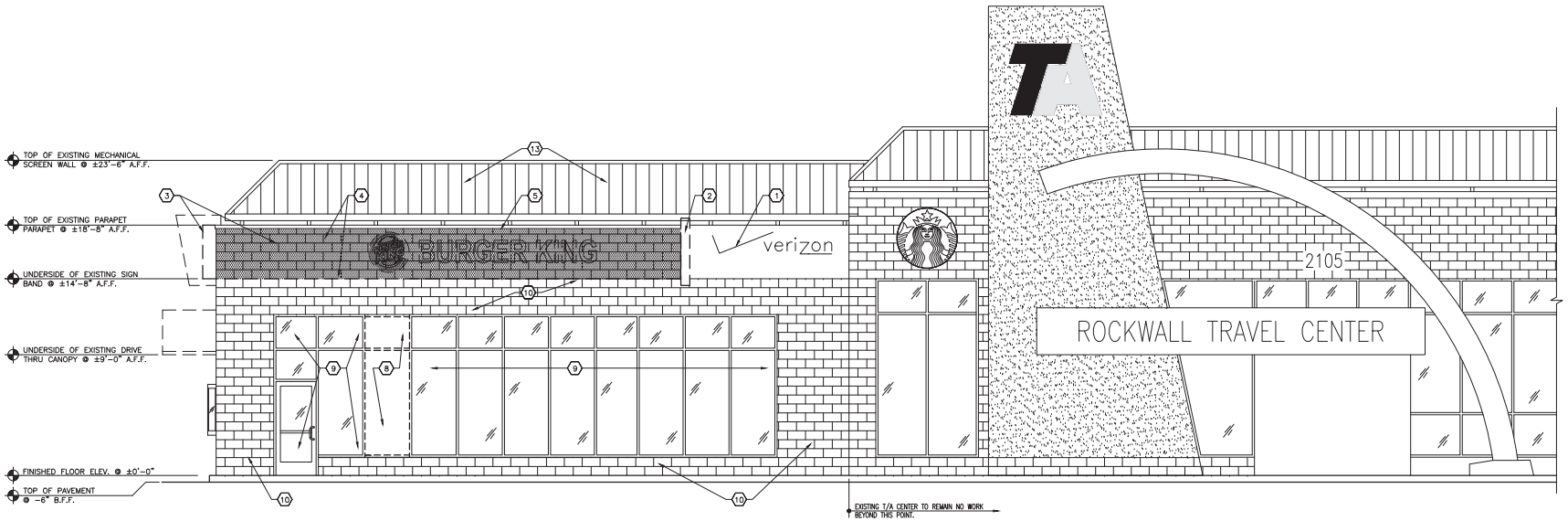


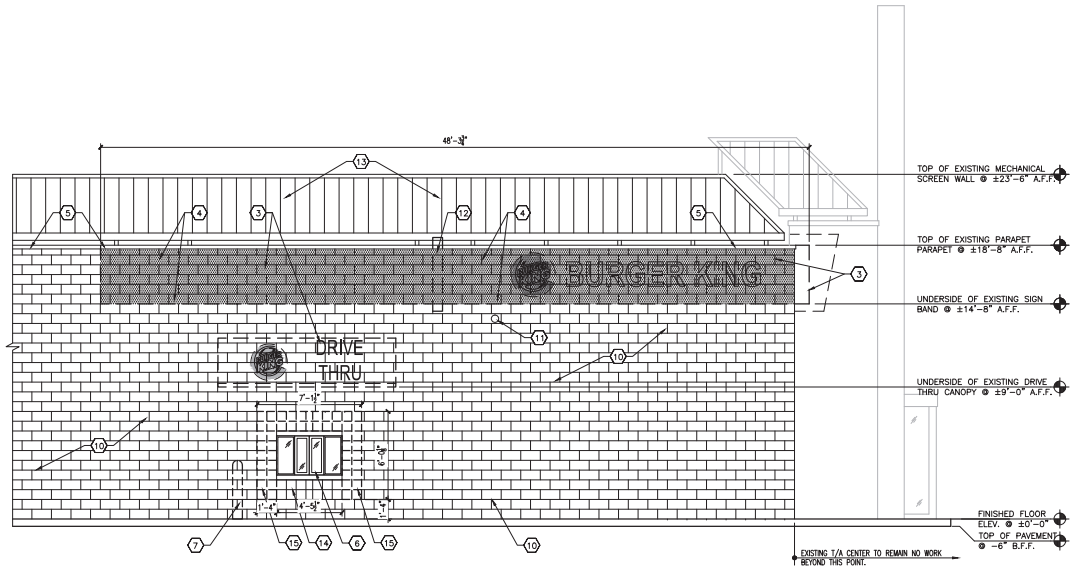
1 D3.0 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

NOTES:

A. DO NOT SCALE DRAWINGS.
B. DIMENSIONS ARE FROM FACE OF FINISHED WALL TO FACE OF FINISHED WALL UNLESS NOTED OTHERWISE (U.N.O.).
C. WHERE EXISTING CONDITIONS ARE CUT OR DISTURBED TO PERMIT INSTALLATION OF NEW WORK, MATCH & PATCH EXISTING DISTURBED CONSTRUCTION TO ORIGINAL CONDITION.
D. ALL MATERIALS NOT LABELED ARE TYPICAL FOR ALL SIMILAR LOCATIONS. QUESTIONS SHALL BE REFERRED TO THE ARCHITECT.
E. SEE SECTIONS FOR EXTERIOR WALL CONSTRUCTION INFORMATION.

DEMOLITION KEY NOTES ⬡

1. EXISTING VERIZON SIGN FACE, CABINET AND LIGHTING SHALL REMAIN.
2. CONTRACTOR SHALL REMOVE THE EXISTING METAL COPING TRIM AND METAL PANEL AS REQUIRED TO EXTEND THE SIGN BLADE.
3. CONTRACTOR SHALL REMOVE THE EXISTING BURGER KING SIGN FACE, DRIVE THRU CANOPY, TRIM, CABINET, FRAMING, LIGHTING AND HARDWARE BACK TO EXISTING BUILDING FACE. TERMINATE ALL ELECTRICAL WIRING BACK TO SOURCE, UNLESS IT WILL BE UTILIZED FOR NEW SIGNAGE. COORDINATE WITH ELECTRICAL DRAWING E-1.
4. EXISTING MASONRY BLOCK BEHIND THE BURGER KING SIGN TO REMAIN. REPAIR MASONRY BLOCK AS REQUIRED AFTER SIGN-BAND REMOVAL.
5. EXISTING METAL COPING TO REMAIN. CONTRACTOR SHALL VERIFY EXISTING METAL COPING IS IN GOOD CONDITION AFTER SIGNAGE REMOVAL. PATCH AND MATCH AS REQUIRED.
6. EXISTING DRIVE THRU WINDOW TO REMAIN.
7. REMOVE EXISTING STEEL BOLLARD AS SHOWN, PATCH & MATCH EXISTING CONCRETE CURB AS REQUIRED.
8. REMOVE PORTION OF EXISTING GLAZING AND ALUMINUM STOREFRONT SYSTEM AS REQUIRED FOR NEW WALL CONSTRUCTION IN-FILL. BRACE GLAZING AND FRAME TO REMAIN AS NECESSARY. COORDINATE WITH REMODELED STORE FRONT PLAN AND DETAILS.
9. EXISTING ALUMN. AND GLASS STORE FRONT SYSTEM TO REMAIN.
10. EXISTING SPLIT FACE MASONRY BLOCK TO REMAIN PREP FOR NEW PAINT.
11. EXISTING SECURITY CAMERA TO REMAIN.
12. CONTRACTOR SHALL REMOVE THE EXISTING SIGN BLADE, TRIM, CABINET, FRAMING, LIGHTING AND HARDWARE BACK TO EXISTING BUILDING FACE.
13. EXISTING STANDING SEAM METAL ROOF / MECHANICAL SCREEN WALL TO REMAIN PER CODE.
14. EXISTING TILE TO REMAIN PREP FOR NEW PAINT. COORDINATE WITH REMODELED EXTERIOR ELEVATIONS ON DRAWING A3.0.
15. REMOVE EXISTING TILE AS REQUIRED. CLEAN & PATCH EXISTING SPLITFACE MASONRY BLOCK AS REQUIRED.



2 D3.0 DRIVE THRU ELEVATION
SCALE: 1/4" = 1'-0"

GPD GROUP
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520 South Main Street
Akron, OH 44311
330.572.2100 Fax 330.572.2101
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TravelCenters of America
24601 Center Ridge Road, Suite 200
Westlake, Ohio 44145

REV	DATE	DESCRIPTION

TA #049 BURGER KING
2105 SOUTH GOLIAD STREET
ROCKWALL, TX 75087

DEMOLITION EXTERIOR ELEVATIONS

ISSUED FOR:	
PERMIT	06.16.14
BID	-
CONSTRUCTION	-
RECORD	-

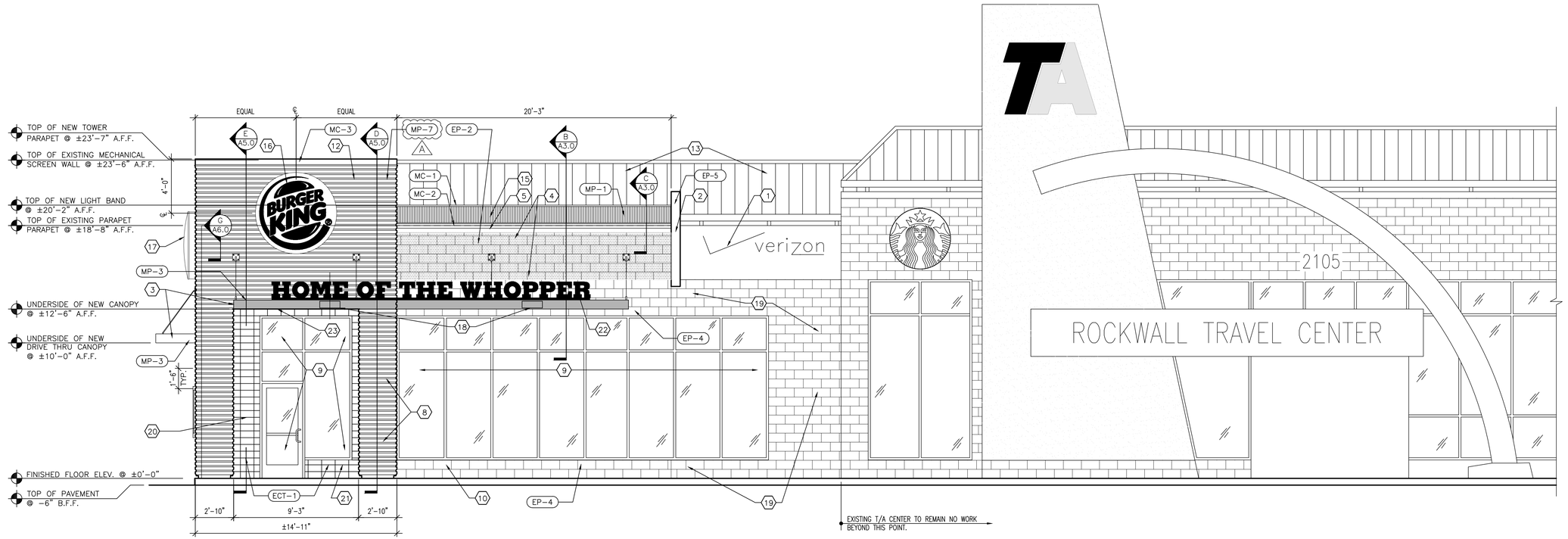
PROJECT MANAGER	DESIGNER
BH	DSG

JOB NO. 2013144.26

D3.0

105

Drawing Date: 2013144.26 BK Rockwall.rvt#9 DWG Construction Documents D3.0 Demo Ext Elevs.dwg
March 17, 2014 - 1:05pm



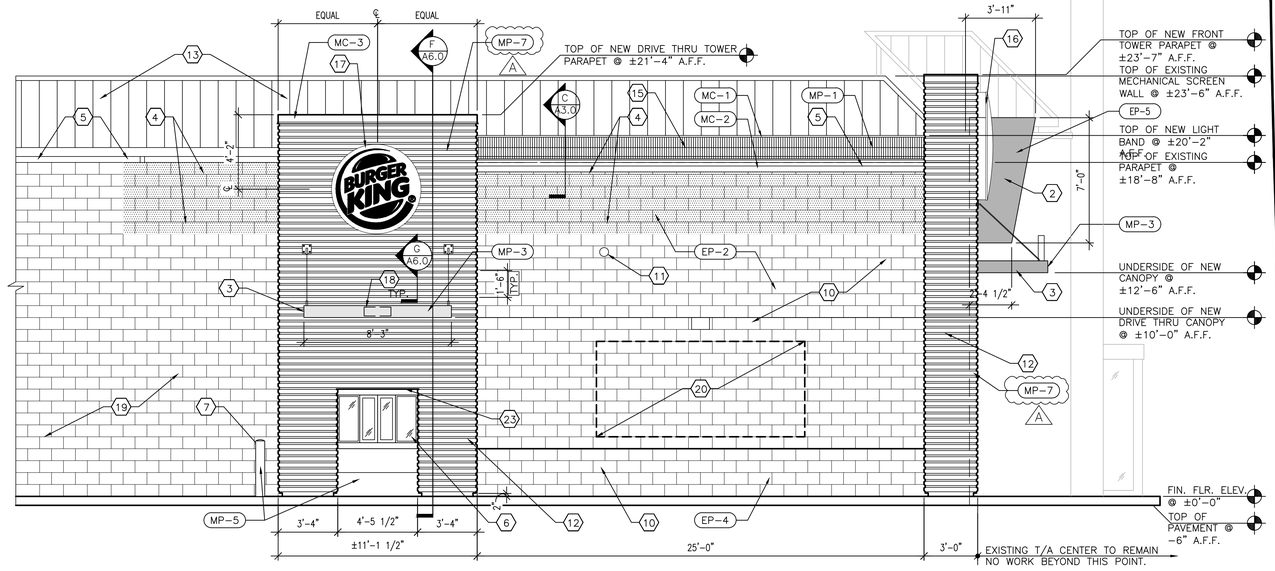
1 A4.0 PROPOSED FRONT ELEVATION
SCALE: 3/16" = 1'-0"

KEY NOTES

1. EXISTING VERIZON SIGN FACE, CABINET AND LIGHTING SHALL REMAIN.
2. CONTRACTOR SHALL EXTEND THE EXISTING METAL COPING TRIM AND METAL PANEL AS REQUIRED TO EXTEND THE SIGN BLADE AS SHOWN. FIELD VERIFY EXISTING CONSTRUCTION AND MATCH WITH NEW FRAMING AS REQUIRED. PRIME AND PAINT EP-5
3. SIGN CONTRACTOR SHALL INSTALL NEW 3'-11" CANOPY AS SHOWN.
4. CONTRACTOR SHALL PATCH AND PREP EXISTING SPLIT FACE MASONRY BLOCK WHERE FORMER SIGN BAND HAS BEEN REMOVED. PREP AND REPAINT AS INDICATED.
5. EXISTING METAL COPING TO REMAIN. CONTRACTOR SHALL VERIFY EXISTING METAL COPING IS IN GOOD CONDITION AFTER SIGNAGE REMOVAL. PATCH AND MATCH AS REQUIRED.
6. EXISTING DRIVE THRU WINDOW TO REMAIN.
7. NEW 6" DIA x 3'-6" HIGH STEEL PIPE BOLLARD AS SHOWN IN DETAIL J/A6.0 PAINT EP-4.
8. IN-FILL FORMER EXISTING WINDOW OPENING AS SHOWN ON DETAIL D/A5.0.
9. EXISTING ALUMN. AND GLASS STORE FRONT SYSTEM TO REMAIN.
10. EXISTING SPLIT FACE MASONRY BLOCK TO REMAIN PREP FOR NEW PAINT AS INDICATED.
11. EXISTING SECURITY CAMERA TO REMAIN.
12. NEW TOWER WALL WITH CORRUGATED METAL PANEL FINISH. COORDINATE WITH WALL SECTIONS ON DRAWING A3.0.
13. EXISTING STANDING SEAM METAL ROOF / MECHANICAL SCREEN WALL TO REMAIN PER CODE.
14. NOT USED.
15. NEW PARAPET LIGHT BAND FURNISHED AND INSTALLED BY APPROVED SIGN CONTRACTOR. SEE ENLARGED PARAPET LIGHT BAND DETAIL "C" ON DRAWING A3.0.
16. NEW 6'-0" DIAMETER LOGO WITH FLUORESCENT LAMPS. SIGN SHALL BE FURNISHED AND INSTALLED BY APPROVED SIGN MANUFACTURER. COORDINATE WITH ELECTRICAL DRAWINGS.
17. NEW NEW 5'-0" DIAMETER LOGO WITH FLUORESCENT LAMPS. PROVIDE REMOTE POWER SUPPLY. SIGN SHALL BE FURNISHED AND INSTALLED BY APPROVED SIGN MANUFACTURER. COORDINATE WITH ELECTRICAL DRAWINGS.
18. NEW LIGHT FIXTURE. SEE ELECTRICAL DRAWINGS.
19. CONTRACTOR SHALL PATCH AND PREP EXISTING SPLIT FACE MASONRY BLOCK AS REQUIRED AND REPAINT WHITE TO MATCH ADJACENT WALLS.
20. BURGER KING MERCHANDISING AREA.
21. CONTRACTOR SHALL INSTALL NEW TILE AS SPECIFIED BY MANUFACTURER.
22. NEW 1'-4" HIGH LETTERS SIGN x 23'-6" OVERALL SIGN LENGTH WITH FLUORESCENT LAMPS. 1'-4" LETTERS TO BE RED LED WITH REMOTE POWER SUPPLY ALL FACES TO BE FLAT. SIGN SHALL BE FURNISHED AND INSTALLED BY APPROVED SIGN MANUFACTURER. COORDINATE WITH ELECTRICAL DRAWINGS.
23. PROVIDE CONTINUOUS DRIP EDGE TO MATCH CORRUGATED METAL PANELS.

NOTES:

A. DO NOT SCALE DRAWINGS
B. DIMENSIONS ARE FROM FACE OF FINISHED WALL TO FACE OF FINISHED WALL UNLESS NOTED OTHERWISE (U.N.O.)
C. WHERE EXISTING CONDITIONS ARE CUT OR DISTURBED TO PERMIT INSTALLATION OF NEW WORK, MATCH & PATCH EXISTING DISTURBED CONSTRUCTION TO ORIGINAL CONDITION
D. ALL MATERIALS NOT LABELED ARE TYPICAL FOR ALL SIMILAR LOCATIONS. QUESTIONS SHALL BE REFERRED TO THE ARCHITECT
E. PROVIDE BLOCKING IN FACADE TO SUPPORT ALL BUILDING SIGNAGE
F. SEE SECTIONS FOR EXTERIOR WALL CONSTRUCTION INFORMATION.
G. COORDINATE ALL DRAWINGS WITH APPROVED MATERIAL AND VENDOR LIST ON DRAWING A5.0.



2 A4.0 DRIVE THRU ELEVATION
SCALE: 1/4" = 1'-0"

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REV.	DATE	DESCRIPTION
A	00.00.14	ADDENDUM 1

TA #049 BURGER KING
210 SOUTH GOLIAD STREET
ROCKWALL, TX 75087

EXTERIOR ELEVATIONS

ISSUED FOR	
PERMIT	06.16.14
BID	-
CONSTRUCTION	-
RECORD	-

PROJECT MANAGER	DESIGNER
BH	DSG

JOB NO. 2013144.26

A4.0

Dr: N O: 2013\2013144.26 BK R: 04 D D R: d A4.0 R: E E d
M: 17, 2014 - d

BURGER KING- 20/20 PROTOTYPE						
EXTERIOR MATERIALS & FINISH SCHEDULE						
10/31/2013						
CODE	**MATERIAL**	**LOCATION**	**MANUFACTURER**	**DESCRIPTION**		**ADDITIONAL INFORMATION**
				PRODUCT	**COLOR**	
ECT-1	EXTERIOR CERAMIC TILE	ACCENT AT BUILDING FRONT	DALTILE	NATURAL HUES	#QH77 SCARLET STACKED BOND PATTERN	CONTACT: NATIONAL ACCOUNTS AT (877) 556-5728 EMAIL: NATIONAL.ACCOUNTS@DALTILE.COM **NOTE: USE WITH EGR-2**
EP-2	EXTERIOR PAINT	EXTERIOR GENERAL	GLIDDEN PROFESSIONAL	**PRIMER:** HYDROSEALER EXTERIOR PRIMER SEALER 6001-1200 **PAINT:** FORTIS 350 EXTERIOR 100% ACRYLIC SATIN FINISH 2402V-XXXX	MASTER PALETTE #20YY 41/165 CAMEL TAN	BURGER KING National Sales Mgr/Specification Contact: KEVIN LASTACY phone: 616-335-3259 email: klastacy@ppg.com
EP-4	EXTERIOR PAINT	EXTERIOR WAINSCOT		**PRIMER:** HYDROSEALER EXTERIOR PRIMER SEALER 6001-1200 **PAINT:** FORTIS 350 EXTERIOR 100% ACRYLIC SATIN FINISH 2402V-XXXX	MASTER PALETTE #10YY 14/080 MONTEREY CLIFFS	
EP-5	EXTERIOR PAINT	EXTERIOR GENERAL		**PRIMER:** HYDROSEALER EXTERIOR PRIMER SEALER 6001-1200 **PAINT:** FORTIS 350 EXTERIOR 100% ACRYLIC SATIN FINISH 2402V-XXXX	MASTER PALETTE #00NN 07/000 DEEP ONYX	
MC-1	METAL COPING	TOP OF LIGHT BAND	W.P. HICKMAN SYSTEMS, INC.	PERMA SNAP PLUS	A-30 SILVERSMITH	CONTACT: W.P. HICKMAN COMPANY (828)676-1700 WWW.WPH.COM
MC-2	METAL COPING	BELOW LIGHT BAND	W.P. HICKMAN SYSTEMS, INC.	PERMA SNAP PLUS	FACTORY FINISH TO MATCH ICI PAINT #20YY 41/165 CAMEL TAN	CONTACT: W.P. HICKMAN COMPANY (828) 676-1700
MC-3	METAL COPING	TOP OF ARCHON	W.P. HICKMAN SYSTEMS, INC.	PERMA SNAP PLUS	FACTORY FINISH TO MATCH ICI PAINT #00NN 07/000 DEEP ONYX	CONTACT: W.P. HICKMAN COMPANY (828) 676-1700
MP-1	CORRUGATED METAL	PARAPET BAND	LEKTRON *SEE APPROVED SIGN SUPPLIERS	LED LIGHT BAND	FACTORY FINISH TO MATCH EP-1	PRODUCT INFORMATION: JOHN FITZWILSON AT LEKTRON (800) 634-4059 OR (918) 622-4978 EXT 302 Email: Jfitzwilson@lektroninc.com
MP-3	METAL CANOPY	ABOVE DOORS	*SEE APPROVED CANOPY SUPPLIERS	CUSTOM METAL CANOPY	COLOR: CLEAR ANODIZED	
MP-7	CORRUGATED METAL PANELS	EXTERIOR SIGN ARCHONS	CENTRIA	CONCEPT SERIES CS260E	9916 RICH BLACK	PRODUCT INFORMATION: JON SCHLOSSER AT CENTRIA (513) 793-9160 TO PURCHASE: JIM ABNER AT METALWORKS PLUS/BK (859) 442-5666
			MORIN	METAL PANEL X-12	CS82544 RICH BLACK	CONTACT: DANIEL DAVENPORT AT (800) 640-9501 Email: danield@morincorp.com

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Akron, OH 44311
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Westlake, Ohio 44145

REV.	DATE	DESCRIPTION
'	'	'

TA #049 BURGER KING
210 SOUTH GOLIAD STREET
ROCKWALL, TX 75087

EXTERIOR FINISH SCHEDULE

ISSUED FOR	
PERMIT	06.16.14
BID	-
CONSTRUCTION	-
RECORD	-

PROJECT MANAGER	DESIGNER
BH	DSG

JOB NO. 2013144.26

A4.1



PROPOSED FRONT ELEVATION



PROPOSED DRIVE THRU ELEVATION

Project Information

Travel Centers of America #049
Burger King Renovation
2015 South Goliad Street
Rockwall, TX 75087

Application Information

Lynsey Ondecker
GPD Group
520 South Main Street
Suite 253
Akron, OH 44311
(330) 572-2100
londecker@gpdgroup.com

Owner Information

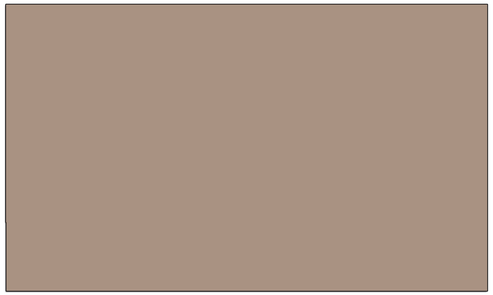
Don Wilson
Travel Centers of America
24601 Center Ridge Road
Westlake, Ohio 44145
(440) 808-3296
dwilson@ta-petro.com

TA-BK Rockwall, TX
Case #

108



1. Exterior Ceramic Tile
   Daltile
   #QH77 - Scarlet
   Stacked Bond Pattern



2. Exterior Paint
   Glidden Professional
   #20YY 41/165 - Camel Tan



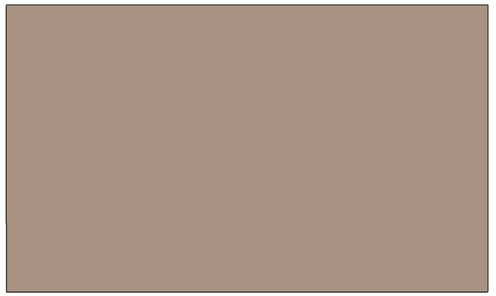
3. Exterior Paint
   Glidden Professional
   #10YY 14/080 - Monterey Cliffs



4. Exterior Paint
   Glidden Professional
   #00NN 07/000 - Deep Onyx



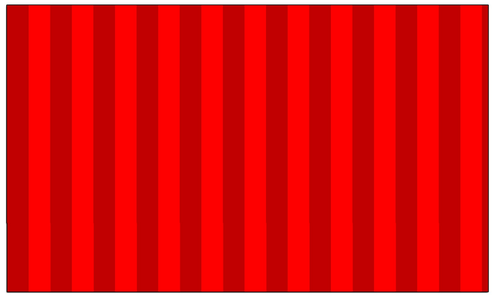
5. Metal Coping
   W.P. Hickman Systems, Inc.
   A-30 - Silversmith



6. Metal Coping
   W.P. Hickman Systems, Inc.
   ICI Paint #20YY 41/165 - Camel Tan



7. Metal Coping
   W.P. Hickman Systems, Inc.
   ICI Paint #00NN 07/000 - Deep Onyx



8. Corrugated Metal
   Lektron
   Red



9. Metal Panel
   Clear Anodized



10. Corrugated Metal Panel
    Centria / Morin
    Rich Black

Project Information

Travel Centers of America #049
Burger King Renovation
2015 South Goliad Street
Rockwall, TX 75087

Application Information

Lynsey Ondecker
GPD Group
520 South Main Street
Suite 253
Akron, OH 44311
(330) 572-2100
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Owner Information

Don Wilson
Travel Centers of America
24601 Center Ridge Road
Westlake, Ohio 44145
(440) 808-3296
dwilson@ta-petro.com

TA-BK Rockwall, TX
Case #

109

Here are the updated façade area summaries based on the full façade less the doors/windows and quantities adjusted for a 100% total. Please note that there is an existing smooth silver metal panel system currently on the TA "tower" elements. I have separated that out from the proposed metal system for the Burger King renovation scope.

Provide material percentage calculations: (calculations based on full façade area less doors/windows, canopies, etc.)

a. **Front Elevation (Front Façade Net Area: 1,933 SF)**
   i. **Masonry (1,206 SF): 62.4%**
   ii. **Metal Panel (existing tower) (418 SF): 21.6%**
   iii. **Metal Wall (new corrugated) (236 SF): 12.2%**
   iv. **Ceramic Tile (38 SF): 2.0%**
   v. **Graphic Band (red) (35 SF): 1.8%**
   TOTAL: 100.0%

b. **Side Elevation (Side Façade Total Area: 2,812 SF)**
   i. **Masonry (2,498 SF): 88.8%**
   ii. **Metal Wall (new corrugated) (276 SF): 9.8%**
   iii. **Graphic Band (red) (38 SF): 1.4%**
   TOTAL: 100.0%

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Director of Internal Operations

DATE: August 14, 2014

SUBJECT: **Proposed Railroad Commission Rules Affecting City Participation in Rate Cases**

On July 8, 2014, the Railroad Commission of Texas ("RRC" or "Commission") issued proposed rules that will greatly restrict municipal participation in gas utility rate cases. The RRC proposed these rules in spite of a clear message from the Legislature last session that the current rate-setting process is working. The Atmos Cities Steering Committee ("ACSC"), which Rockwall is a member of, will participate in the RRC's rulemaking projects and oppose adoption of the new rules. Comments are due on August 25, 2014. Members of ACSC are urged to send letter comments to the Commission before August 25th and copy those comments to local legislators.

Background

For nearly 100 years, cities have had original jurisdiction over gas utility rates within their city limits. In order to reduce costs, cities have historically formed coalitions, such as ACSC, to represent the collective interests of cities and their citizens in utility rate cases. These coalitions save ratepayers money by permitting the cost-effective and complete examination of a utility's rate request. Typically, municipal participation has resulted in a net savings for ratepayers, because the utility's rate increase was reduced by an amount far in excess of the expenses incurred by the cities.

Proposed Rules

The RRC has proposed two new rules that would: (1) consolidate city intervenors and limit discovery on utilities' rate requests, and (2) address city rate case expenses. These are one-sided proposed rules that do nothing to restrict the utilities' ability to seek rate increases or litigate those cases as they see fit, yet would make effective city participation in RRC rate cases

impossible. Below is a summary of the major components of the newly-proposed rules and a brief explanation of the problems with each.

The key provisions of the proposed rules are:

Rate Case Expenses – Proposed Amendments to 7.5530

A requirement that utilities only reimburse cities for expenses actually paid, or expenses that the city has unconditionally committed to paying.

This proposed section serves no purpose at all, other than to deter city participation in rate cases by placing a burden on city treasuries. To date, the RRC has not identified a problem that this intrusive rule would solve. Notably, the new rule would allow utilities to quantify and recover an estimate of their expenses to participate in appeals of their RRC case – in other words, the rule would allow utilities to obtain approval for expenses that they themselves have not actually paid.

Collection of cities' expenses only from customers within participating cities' boundaries.

This provision would deter participation in rate cases by creating a free-rider dynamic. If a city knew that joining a coalition might expose its citizens to a rate case expense surcharge, while at the same time those citizens would reap the benefits of the coalition's work in the case in any event, that city might not join the coalition.

The expenses the utility incurs that are related to the filing of the statement of intent and the provision of notice will be allocated to all customers affected by the rate change.

That is to say, the cost of a utility seeking to *raise* its rates is recovered from all customers, but the cost of a city group's *opposition* to the rate increase is borne only by customers in participating cities. This one-sided proposal is clearly designed to reduce city participation in the process by a punitive allocation of the utilities' own expenses.

Discovery Limitation – Proposed New Rules 1.86 and 1.87

Mandatory, presumptive alignment of cities.

The proposed rule would make alignment of all cities (and all city coalitions) that have intervened in a case mandatory. Cities would need to prove to the presiding officer that their interests are sufficiently different to overcome the presumption of alignment. As you may be aware, not all cities have the same view of the same issues. Historically, for example, there have been instances where one city coalition agreed to settle a case with a utility, while another continued to litigate it.

A limitation of 600 Requests for Information ("RFIs") for each party in total, with no more than 75 RFIs permitted to be issued by a party in a single week.

RRC Staff will be exempted from this limitation. City-level RFIs will count against the total stated above. Most rate cases at the RRC are already processed on an extremely expedited schedule that cuts short the amount of discovery that can be conducted. Furthermore, including

city-level RFIs in this total constrains the exercise of city original jurisdiction and could violate the statute granting that jurisdiction.

Requested Action

If the City Council has no other questions, comments, and/ or changes to the letters, the request is to consider authorizing the Mayor to execute a letter indicating the City of Rockwall's opposition to the proposed Railroad Commission rules affecting City Participation in Rate Cases and to forward them to the Railroad Commission and to Rockwall's State Senator and State Representative.

Draft Copy

August 14, 2014

Rules Coordinator
Railroad Commission of Texas
Office of General Counsel
P.O. Drawer 12967
Austin, TX 78711-2967

Rules Coordinator:

On July 8, 2014, the Railroad Commission of Texas ("RRC" or "Commission") issued proposed rules that will greatly restrict municipal participation in gas utility rate cases. The RRC proposed these rules in spite of a clear message from the Legislature last session that the current rate-setting process is working. The City of Rockwall is a member of the Atmos Cities Steering Committee ("ACSC"). The ACSC will participate in the RRC's rulemaking projects and oppose adoption of the new rules.

The City of Rockwall opposes the rule changes based on the following:

- There is no public counsel at the RRC to protect the public interest;
- The proposed rulemaking mirrors legislation proposed in 2013 which was rejected by the Legislature; and
- ACSC efforts have been successful at the RRC and beneficial to all customers. Since 2008, the ability of the ACSC to participate in ratemaking cases has saved ratepayers almost $90 million from what Atmos originally requested compared to the actual negotiated amount of rate increase that was implemented to Texas residents.

If adopted by the RRC, the rules proposed would effectively eliminate the opportunity for citizens (through their locally elected officials) to have any input as to the legitimacy of a company-proposed rate increase under consideration by the RCC.

The City of Rockwall appreciates the opportunity to comment on this matter.

Respectfully,

David Sweet
Mayor

115

Draft Copy

August 14, 2014

The Honorable Scott Turner
Texas State Representative
2305 Ridge Road, Suite 202B
Rockwall, TX 75087

Dear Representative Turner:

On July 8, 2014, the Railroad Commission of Texas ("RRC" or "Commission") issued proposed rules that will greatly restrict municipal participation in gas utility rate cases. The RRC proposed these rules in spite of a clear message from the Legislature last session that the current rate-setting process is working. The City of Rockwall is a member of the Atmos Cities Steering Committee ("ACSC"). The ACSC will participate in the RRC's rulemaking projects and oppose adoption of the new rules.

The City of Rockwall intends to notify the Railroad Commission of its displeasure and encourages you as Rockwall's local legislator to communicate the same opposition based on the following:

- There is no public counsel at the RRC to protect the public interest;
- The proposed rulemaking mirrors legislation proposed in 2013 which was rejected by the Legislature; and
- ACSC efforts have been successful at the RRC and beneficial to all customers. Since 2008, the ability of the ACSC to participate in ratemaking cases has saved ratepayers almost $90 million from what Atmos originally requested compared to the actual negotiated amount of rate increase that was implemented to Texas residents.

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The City of Rockwall appreciates your attention to this matter and for your representation at the Railroad Commission.

Respectfully,

David Sweet
Mayor

Draft Copy

August 14, 2014

The Honorable Bob Deuell
State Senator
18601 Lyndon B Johnson Freeway
Mesquite, Texas 75150

Dear Senator Deuell:

On July 8, 2014, the Railroad Commission of Texas ("RRC" or "Commission") issued proposed rules that will greatly restrict municipal participation in gas utility rate cases. The RRC proposed these rules in spite of a clear message from the Legislature last session that the current rate-setting process is working. The City of Rockwall is a member of the Atmos Cities Steering Committee ("ACSC"). The ACSC will participate in the RRC's rulemaking projects and oppose adoption of the new rules.

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The City of Rockwall appreciates your attention to this matter and for your representation at the Railroad Commission.

Respectfully,

David Sweet
Mayor

August 14, 2014

Draft Copy

The Honorable Bob Hall
State Senator Elect
P.O. Box 513
Canton, Texas 75103

Dear Mr. Hall:

On July 8, 2014, the Railroad Commission of Texas ("RRC" or "Commission") issued proposed rules that will greatly restrict municipal participation in gas utility rate cases. The RRC proposed these rules in spite of a clear message from the Legislature last session that the current rate-setting process is working. The City of Rockwall is a member of the Atmos Cities Steering Committee ("ACSC"). The ACSC will participate in the RRC's rulemaking projects and oppose adoption of the new rules.

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- The proposed rulemaking mirrors legislation proposed in 2013 which was rejected by the Legislature; and
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The City of Rockwall appreciates your attention to this matter and for your representation at the Railroad Commission.

Respectfully,

David Sweet
Mayor

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **August 18, 2014**

SUBJECT: **Front yard fence variance request for 1586 Edmondson Trail**

Mr. Baker Wells with First Texas Homes has requested to appear before the Council to seek approval for a front yard fence variance for his property located at 1586 Edmondson Trail, being, lot 8 Block K, The preserve Phase II, zoned PD-41 Single Family Residential district.

Mr. Wells is seeking approval to allow a 48" wrought iron fence within the required front yard of his property to create a bigger back yard for his customer.

Any front yard fence requires City Council approval. I am including a site plan of the surrounding area, as well as a site plan and photos of the subject property for your review.

120



FIRST TEXAS® HOMES

July 30, 2014

City of Rockwall
Attn: Brenda Crane
385 S. Goliad Street
Rockwall, Texas 75087

Re: Fence Permit - 1586 Edmondson Trail (8/K)

Dear Brenda,

The original approved plot plan, which shows fence to be only located on the CBL. When/if fence was to be on the CBL, it would touch the back of the home as well as take up a large majority of the buyer's side and back yard. We "First Texas Homes" would like to modify the original plot plan to move the fence back as shown on the newly designed plot plan. This would move the fence to the property line and now incorporate 4' wrought iron over the bounderaries past the CBL.

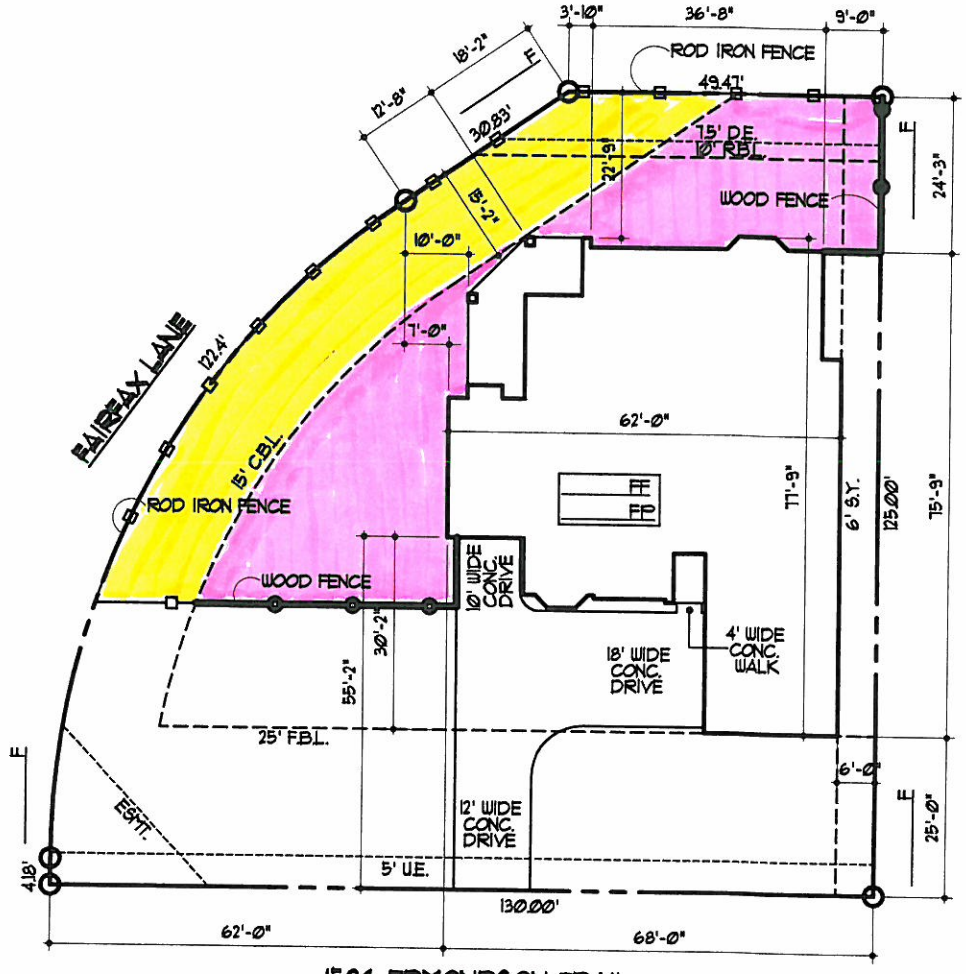
Thank you in advance for your cooperation. If upon your receipt and review of the attached you should have any questions and/or require additional information, I can be reached at 214-296-4399 or via email to agutierrez@firsttexashomes.com

Sincerely,

Ana Gutierrez
First Texas Homes
Permit/Start Coordinator
Tel: 214-296-4399
Fax: 214-432-0275
agutierrez@firsttexashomes.com

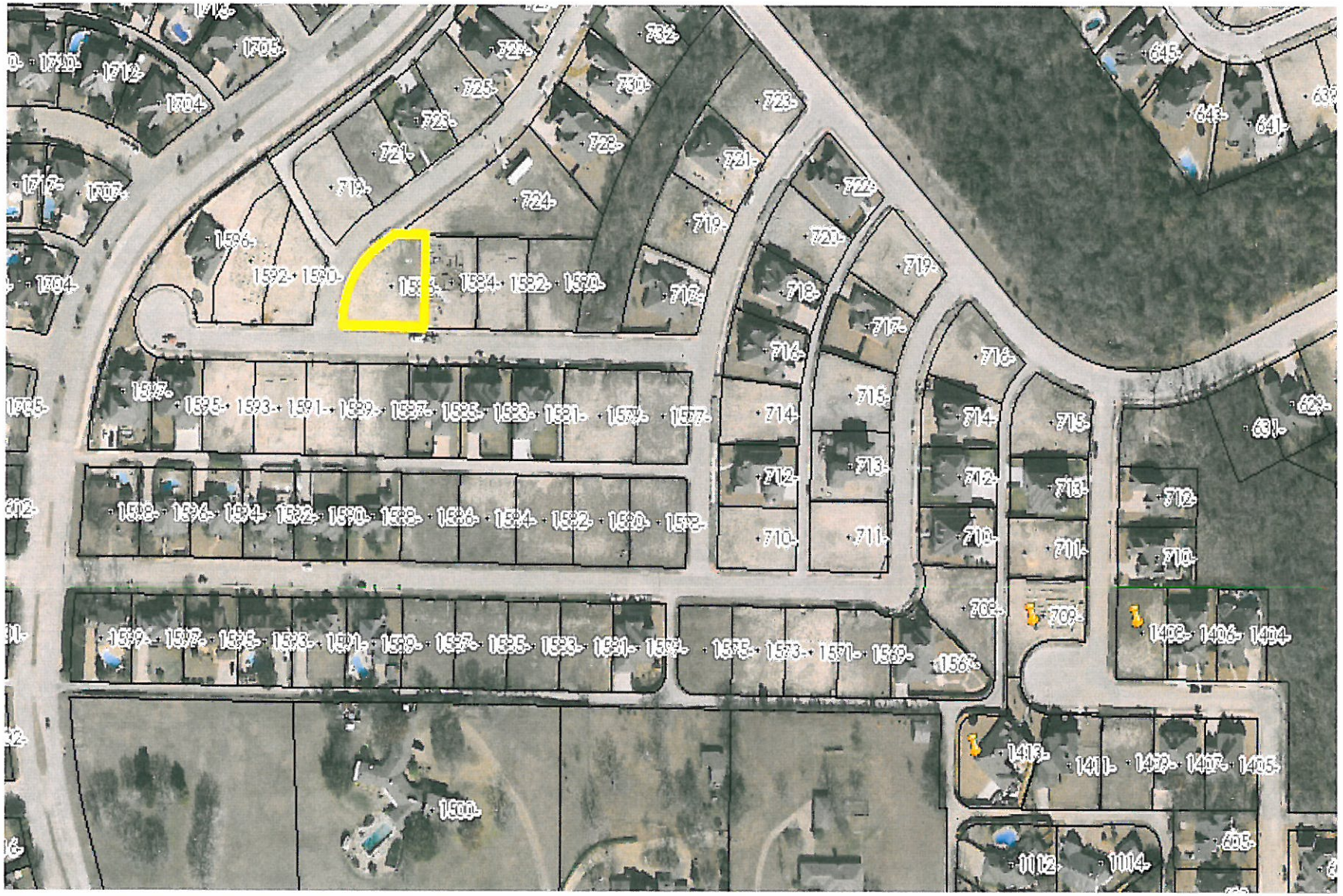
FENCE MAY BE BUILT WITHOUT A VARIANCE.

FENCE IN THIS AREA REQUIRES A VARIANCE.



1586 EDMONDSON TRAIL

TOTAL LOT AREA:	13,388 #
TOTAL SLAB AREA:	3,622 #
TOTAL %:	27 %



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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: City Council

FROM: Ryan Miller, *Planning Manager*

CC: Rick Crowley, City Manager
Robert LaCroix, Director of Planning

DATE: August 18, 2014

SUBJECT: Expiring 212 Agreement (*A2014-001*)

In January of 2005, the City Council approved actions executing *212 Development Agreements* [*Case No. A2005-001*] with various property owners located within the Extraterritorial Jurisdiction (ETJ) of the City (*see Exhibits 'A' & 'B'*). As part of the *212 Development Agreement* the property owners were approved for an initial term of ten (10) years from the date the agreements were executed. With these contracts due to expire in January 2015 and in accordance with *Section 16* of the approved *212 Development Agreements* staff has sent out a written notification to all qualifying property owners notifying them of the expiration date. This notification was sent out on June 27, 2014. Currently, staff has received extension requests from all property owners (*see Exhibit 'C'*). The majority of the extension letters specifically request that the City Council extend the agreement for a period of ten (10) years. According to *Section 16* of the previous agreement (*see Exhibit 'D' for complete document*):

> ***Section 16.*** *The initial term of this Agreement shall be 10 years from January 10, 2005, (the "Initial Term"). If Owners desire to extend the operation of this Agreement beyond its Initial Term, or beyond any Subsequent Term, then Owners, at least 180 days prior to the end of the Initial or Subsequent Term, shall submit a written request to the City for such extension (an "Extension Request"). The City, at least 90 days prior to the end of the Initial or Subsequent Term, shall notify Owners in writing, delivered by certified mail, with respect to its decision whether to extend this Agreement for an additional five (5) year term (referred to as "Subsequent Term"). In the event such written notice from the City of its decision is not received by the Owners at least 90 days prior to the end of that Initial Term or a Subsequent Term, such Extension Request is deemed granted and this Agreement continues for another Subsequent Term; provided, however, that Subsequent Terms may be requested by the Owners as stated herein, but in no event to extend beyond a total of forty-five (45) years or as otherwise permitted under Law.*

The City Council may consider to continue the *212 Development Agreements* for a period of five (5) years [*the "Subsequent Term"*] or grant the property owners request for ten (10) years, but in no case shall the new agreements extend beyond a period of forty-five (45) years in total for the expired term and all subsequent terms. Alternatively, the City Council could elect to annex these areas at the termination of this agreement. Regardless of if the City Council chooses to annex the properties or extend the *212 Development Agreements*, staff will be required to send a letter via certified mail notifying the affected properties of the City's choice by October 5, 2014.

Exhibit 'A'
212 Development Agreement Schedule

Current Ownership Information

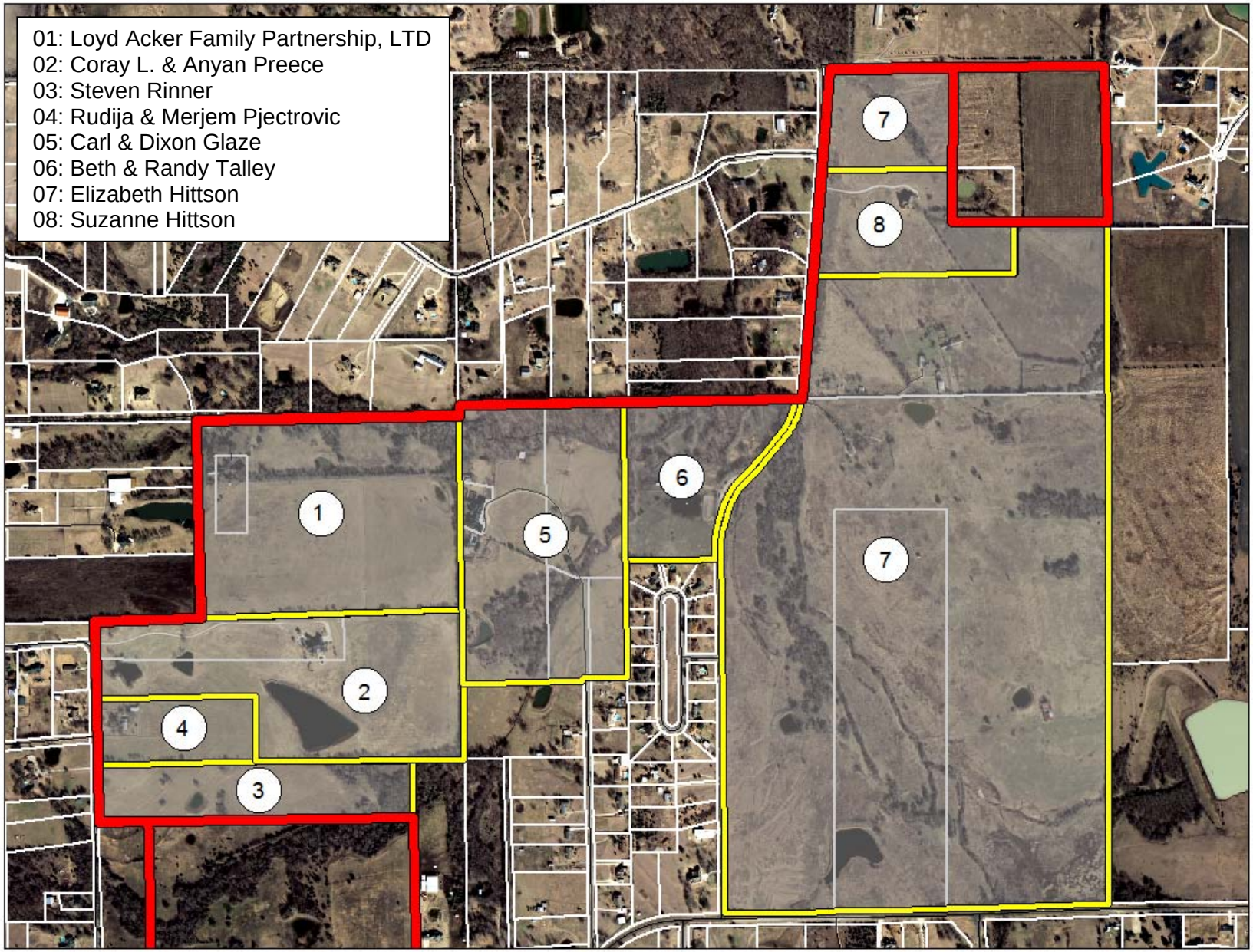
2005 Ownership	Case No.	Owner Name	Owner Address	City	State	Zip	Acct. No.	Legal Description	212 Term	Ag	Date Signed (Owner)	Effective Date	Expiration Date	180-day Date (City / Owner)	150-day Extension Request Deadline	90-day City Decision Deadline (Cert Mail)
X	A2005-001	Loyd Acker Family Partnership, LTD	505 Prescott Dr	Garland	TX	75041	0187-0000-0005-00-0R	A0187 J STRICKLAND, TRACT 5, MH SERIAL # AROHI1182468503991AL, TITLE # UNKNOWN, LABEL # UNK0000000, ACRES 50.077, RIVER OAKS	10 Years	Y	1/24/2005	1/3/2005	1/3/2015	7/7/2014	8/6/2014	10/5/2014
1 & 3	A2005-001	Coray L. & Anyan Preece	P. O. Box 1893	Rowlett	TX	75030	0187-0000-0038-01-0R 0187-0000-0038-03-0R	A0187 J STRICKLAND, TRACT 38-01, ACRES 10.046 A0187 J STRICKLAND, TRACT 38-3, ACRES 31.0163	10 Years	N	1/26/2005	1/10/2005	1/10/2015	7/14/2014	8/13/2014	10/12/2014
X	A2005-001	Steven Rinner	414 Anna Cade Rd	Rockwall	TX	75087	0194-0000-0003-01-0R	A0194 M SIMMONS, TRACT 3-1, ACRES 17.61	10 Years	Y	1/14/2005	1/10/2005	1/10/2015	7/14/2014	8/13/2014	10/12/2014
2	A2005-001	Rudija & Merjem Pjectrovic	485 Anna Cade Road	Rockwall	TX	75087	0187-0000-0038-00-0R	A0187 J STRICKLAND, TRACT 38, ACRES 10	10 Years	N	1/28/2005	1/10/2005	1/10/2015	7/14/2014	8/13/2014	10/12/2014
X	A2005-001	Carl & Dixon Glaze	3015 Red Valley Run	Rockwall	TX	75087	0206-0000-0002-00-0R 0206-0000-0002-01-0R 0197-0000-0001-01-0R	A0206 J E SHERWOOD, TRACT 2, ACRES 23.378, (PT OF 43.876 AC TR) A0206, J E SHERWOOD, TRACT 2-1, 1.0 ACRES, (PT OF 43.876 AC TR) A0197 M SIMMONS, TRACT 1-1, ACRES 19.498, (PT OF 43.876 AC TR)	10 Years	Y	1/14/2005	1/10/2005	1/10/2015	7/14/2014	8/13/2014	10/12/2014
X	A2005-001	Beth & Randy Talley	254 Marty Cir	Rockwall	TX	75087	0197-0000-0002-01-0R	A0197 M SIMMONS, TRACT 2-1, ACRES 18.83	10 Years	N	1/24/2005	1/10/2005	1/10/2015	7/14/2014	8/13/2014	10/12/2014
X	A2005-001	Elizabeth Hittson	1025 Old Millwood Rd	Rockwall	TX	75087	0191-0000-0007-00-0R 0197-0000-0002-00-0R 0194-0000-0004-01-0R	A0191 J SMITH, TRACT 7, ACRES 70.849, (PT OF 306.03 AC TR) A0197 M SIMMONS, TRACT 2, ACRES 192.931, (PT OF 306.03 AC TR) A0194 M SIMMONS, TRACT 4-1, ACRES 41, (PT OF 306.03 AC TR)	10 Years	Y	1/18/2005	1/18/2005	1/18/2015	7/22/2014	8/21/2014	10/20/2014
X	A2005-001	Suzanne Hittson	P. O. Box 641	Rockwall	TX	75087	0191-0000-0007-01-0R	A0191 J SMITH, TRACT 7-1, ACRES 20.00	10 Years	Y	1/18/2005	1/18/2005	1/18/2015	7/22/2014	8/21/2014	10/20/2014

= *Ownership Change*

2005 Ownership Information

Verification	Case No.	Owner Name	Owner Address	City	St	Zip	Acct. No.	Legal Description	212 Term	Ag	Date Signed (Owner)	Effective Date	Expiration Date	180-day Date (City / Owner)	150-day Extension Request Deadline	90-day City Decision Deadline (Cert Mail)
1	A2005-001	(Subdivided *Clyde N & Christy Jones* tract #2) BENCHMARK BANK	5700 Legacy Dr Suite 10	Plano	TX	75024	0187-0000-0038-03-0R	A0187 J STRICKLAND, TRACT 38-3, ACRES 31.0163	10 Years	N	1/26/2005	1/10/2005	1/10/2015	7/14/2014	8/13/2014	10/12/2014
2	A2005-001	(*Henry Rohrbacker* tract) FEDERAL NATIONAL MORTGAGE ASSOC	14221 Dallas Pkwy Suite 11201	Dallas	TX	75254	0187-0000-0038-00-0R	A0187 J STRICKLAND, TRACT 38, ACRES 10	10 Years	N	1/28/2005	1/10/2005	1/10/2015	7/14/2014	8/13/2014	10/12/2014
3	A2005-001	(Subdivided *Clyde N & Christy Jones* tract #1) HSBC BANK USA NA TRUSTEE, WELLS FARGO ASSET SECURITIES	MTG PASS THROUGH CERTS SERIES 2007-14, PO BOX 2103	Buffalo	NY	14025	0187-0000-0038-01-0R	A0187 J STRICKLAND, TRACT 38-01, ACRES 10.046	10 Years	N	1/26/2005	1/10/2005	1/10/2015	7/14/2014	8/13/2014	10/12/2014

Exhibit 'B'
Property Location Map



City of Rockwall
Rick Crowley
City Manager
Rockwall City Hall
385 S. Goliad Street
Rockwall, Texas 75087

May __, 2014

Re Chapter 212 of the Texas Local Government Code Annexation Agreement

Dear Sir:

Randy and Beth Talley ("Landowners") entered into a Development Agreement with the City of Rockwall regarding certain property in Rockwall County, Texas, which agreement is recorded as document # 20050000323182 in the Official Public Records of Rockwall County, Texas (the "Talley Agreement"). Randy and Beth Talley still own the property described in the Acker Agreement.

Pursuant to Section 16 of the Talley Agreement, Landowners by delivery of this document do request and propose that the Talley Agreement be extended. Landowners propose that the Talley Agreement be extended for a period of ten (10) years from its effective date.

Sincerely,

Beth Talley

Randy Talley

Address:

254 Marty Circle
Rockwall, Tx 75087

10492788v.2

City of Rockwall
Rick Crowley
City Manager
Rockwall City Hall
385 S. Goliad Street
Rockwall, Texas 75087

May 23, 2014

Re Chapter 212 of the Texas Local Government Code Annexation Agreement

Dear Sir:

Steven E. and Christine Rinner entered into a Development Agreement with the City of Rockwall regarding certain property in Rockwall County, Texas, which agreement is recorded as document # 20050000322071 in the Official Public Records of Rockwall County, Texas (the "Rinner Agreement"). Steven E. and Christine Rinner ("Landowners") still own the property described in the Acker Agreement.

Pursuant to Section 16 of the Rinner Agreement, Landowners by delivery of this document do request and propose that the Rinner Agreement be extended. Landowners propose that the Rinner Agreement be extended for a period of ten (10) years from its effective date.

Sincerely,

Christine Rinner

Christine Rinner

Steven E. Rinner

Address:
414 Anna Dade Rd
Rockwall, Tx 75087

10492739v.2

City of Rockwall
Rick Crowley
City Manager
Rockwall City Hall
385 S. Goliad Street
Rockwall, Texas 75087

May 8, 2014

Re Chapter 212 of the Texas Local Government Code Annexation Agreement

Dear Sir:

Henry and Jana Rohrbaker entered into a Development Agreement with the City of Rockwall regarding certain property in Rockwall County, Texas, which agreement is recorded as document # 20050000323180 in the Official Public Records of Rockwall County, Texas (the "Rohrbaker Agreement"). C. N. and Christy Jones entered into a Development Agreement with the City of Rockwall regarding certain property in Rockwall County, Texas, which agreement is recorded as document # 20050000323181 in the Official Public Records of Rockwall County, Texas (the "Jones Agreement"). Rudija and Merjem Pjetrovic are successors in interest to the land subject to the Rohrbaker Agreement and to a portion of the land subject to the Jones Agreeemnt.

Pursuant to Section 16 of the Rohrbaker Agreement, Landowners by delivery of this document do request and propose that the Rohrbaker Agreement be extended. Landowners propose that the Rohrbaker Agreement be extended for a period of ten (10) years from its effective date.

Sincerely,

Merjem Pjetrovic

Rudija Pjetrovic

Address:

485 Anna Sade Rd.

10492808v.2

City of Rockwall
Rick Crowley
City Manager
Rockwall City Hall
385 S. Goliad Street
Rockwall, Texas 75087

May 23, 2014

Re Chapter 212 of the Texas Local Government Code Annexation Agreement

Dear Sir:

Lloyd Acker Family Partnership, Ltd. entered into a Development Agreement with the City of Rockwall regarding certain property in Rockwall County, Texas, which agreement is recorded as document # 20050000323183 in the Official Public Records of Rockwall County, Texas (the "Acker Agreement"). Lloyd Acker Family Partnership, Ltd. ("Landowner") still owns the property described in the Acker Agreement.

Pursuant to Section 16 of the Acker Agreement, Landowner by delivery of this document do request and propose that the Acker Agreement be extended. Landowner propose that the Acker Agreement be extended for a period of ten (10) years from its effective date.

Sincerely,

Lloyd Acker Family Partnership, Ltd.

Name Patrick Lee Acker
Its Attorney In Fact

Address: 540 Fernlea
Rockwall TX
75087

10492872v.2

City of Rockwall
Rick Crowley
City Manager
Rockwall City Hall
385 S. Goliad Street
Rockwall, Texas 75087

May 31, 2014

Re Chapter 212 of the Texas Local Government Code Annexation Agreement

Dear Sir:

C. N. and Christy Jones entered into a Development Agreement with the City of Rockwall regarding certain property in Rockwall County, Texas, which agreement is recorded as document # 20050000323181 in the Official Public Records of Rockwall County, Texas (the "Jones Agreement"). Coray and Anye Preece ("Landowners") are successors in title to a portion of the property subject to the Jones Agreement

Pursuant to Section 16 of the Jones Agreement, Landowners by delivery of this document do request and propose that the Jones Agreement be extended. Landowners propose that the Jones Agreement be extended for a period of ten (10) years from its effective date.

Sincerely,

Anye Preece

Coray Preece

Address:

10492795v.2

1025 Old Millwood Road
Rockwall, Texas 75087

June 26, 2014

Rick Crowley
City Manager
City of Rockwall
Rockwall City Hall
385 S. Goliad Street
Rockwall, Texas 75087

Via U.S.P.S. Certified Mail
RRR# 7012-0470-0000-2695-9817

Re Extension of Chapter 212 Local Government Code Development Agreement by and between the City of Rockwall and Jack H. Hittson and Elizabeth W. Hittson, dated January 18, 2005

Dear Mr. Crowley:

As authorized by Chapter 212 of the Texas Local Government Code, Jack H. Hittson and Elizabeth W. Hittson entered into a Development Agreement with the City of Rockwall dated January 18, 2005, regarding certain property owned by Landowners in Rockwall County, Texas, which agreement is recorded as document #2005-00328925 in the Official Public Records of Rockwall County, Texas and at Vol. 4026, Page 0131 of the Rockwall County Deed Records (the "Agreement").

Jack Hittson died on February 9, 2009. In accordance with his will and various estate planning instruments, the property is now owned by the Jack H. Hittson Disclaimer Trust and the Hittson Family Partnership as successors in interest to Jack and Elizabeth Hittson, save and except for 20 acres deeded to the Hittsons' daughter Suzanne L. Hittson in January 2006, as recorded in Vol. 4395, Page 219 of the Rockwall County Deed Records (collectively, the "Landowners").

By delivery of this document and pursuant to Section 16 of the Agreement, we the Landowners request an extension of the Agreement for at least an additional five (5) years. We understand that neighboring landowners subject to the same Development Agreement as us have asked for 10 year extensions. If the City grants those requests, we would appreciate a similar 10-year extension as well.

Should you have any questions or care to discuss any aspect of this request, do not hesitate to contact us through the following:

Carol H. Kent
Six Twin Bridge Court
Dallas, TX 75243-6235
214-341-7122

Suzanne Hittson Smith, D.D.S.
1025 Old Millwood Road
Rockwall, TX 75087-8359
214-543-9013

We look forward to hearing from you soon on this.

Sincerely,

The Jack H. Hittson Disclaimer Trust

By: _____ _____
Elizabeth W. Hittson, Co-Trustee Carol Elizabeth Hittson Kent, Co-Trustee

Hittson Family Limited Partnership

By: _____
Elizabeth W. Hittson, Manager
Hittson Holdings, LLC, General Partner

_____
Suzanne L. Hittson, D.D.S.

cc: Frank Garza, City Attorney
Davidson, Troilo, Ream & Garza
c/o Rockwall City Hall
385 S. Goliad Street
Rockwall, Texas 75087

City of Rockwall
Rick Crowley
City Manager
Rockwall City Hall
385 S. Goliad Street
Rockwall, Texas 75087

May 22, 2014

Re Chapter 212 of the Texas Local Government Code Annexation Agreement

Dear Sir:

Carl E and Dixon A Glaze ("Landowners") entered into a Development Agreement with the City of Rockwall regarding certain property in Rockwall County, Texas, which agreement is recorded as document # 20050000323184 in the Official Public Records of Rockwall County, Texas (the "Glaze Agreement"). Carl E. and Dixon A. Glaze ("Landowners") still own the property described in the Glaze Agreement.

Pursuant to Section 16 of the Glaze Agreement, Landowners by delivery of this document do request and propose that the Glaze Agreement be extended. Landowners propose that the Glaze Agreement be extended for a period of ten (10) years from its effective date.

Sincerely,

Dixon A. Glaze

Carl E. Glaze

office
214 953 5808

Cell
214-868 5427

Address:
3015 Red Valley Run
Rockwall, Texas 75087

10492691v.2

STATE OF TEXAS KNOW ALL MEN BY

COUNTY OF ROCKWALL THESE PRESENTS

CHAPTER 212 TEXAS LOCAL GOVERNMENT CODE
DEVELOPMENT AGREEMENT

This Agreement is entered into pursuant to Section 212.172 Tex. Local Govt. Code by and between the City of Rockwall, Texas (City) and Henry Rohrbaker and Jana Rohrbaker ("Owners") the property owners of the hereinafter described property ("Owners' Property") in Rockwall County, Texas:

The term Owners includes their heirs, successors, and assigns;

WHEREAS, the City has begun the process required by Chapter 43, Tex. Local Govt. Code to institute annexation proceedings on portions of Owners' Property and has held public hearings on September 20, 2004, and September 23, 2004; and

WHEREAS, the Owners have requested that Owners' Property be deleted from annexation, for which this Agreement has been proposed in accordance with Section 212.172 Tex. Local Govt. Code;

WHEREAS, the Owners and the City acknowledge that this Agreement between them is binding upon the City and the Owner and their respective successors and assigns for the term of the Agreement, per Texas Local Government Code Section 212.172(f), which provides that the agreement between the governing body of the municipality and the landowner is binding on the municipality and the landowner and on their respective successors and assigns for the term of the agreement and;

WHEREAS, this Development Agreement is to be recorded in the Real Property Records of Rockwall County; and

WHEREAS, both the City and the Owners agree that entering into this Agreement addresses the goals and objectives of both parties;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

Section 1. The above mentioned Owners agree to petition the City for annexation, upon execution of this Agreement, of a certain parcel of land being a portion of Owners' Property, which is more particularly described by said petition (the "Annexation Petition") which is attached hereto as Exhibit A. The City agrees that the land so

annexed will carry the AG – Agricultural District designation under the City's Comprehensive Zoning Ordinance.

Section 2. For purposes of this Agreement the term the "Subject Property" shall apply to that portion of Owner's Property that is not described in the Annexation Petition.

Section 3. The City guarantees the continuation of the extraterritorial status of the Subject Property and its immunity from annexation by the City for the term of this Agreement and any subsequent renewals of said term as permitted under law.

Section 4. The Owners covenant and agree that, except as otherwise provided herein, they will not file for plat approval with Rockwall County or the City for any portion of the Subject Property until such property has been annexed into the City and zoned pursuant to applicable state law, said zoning to be at the sole discretion of the City Council. Owners further covenant and agree that any such plat to be filed shall conform to the City's Comprehensive Land Use Plan; provided, however, that the City waives any requirement for plat approval for subdivision(s) of the Subject Property where such subdivision(s) are in parts being greater than or equal to five (5) acres having adequate public street access and facilities where no new street or public facilities are required to be provided by the City. Owners may file a subdivision plat for approval if such plat contains residential lot sizes of not less than five acres each.

The parties understand that a subdivision plat may not be required under State law for the division of land into tracts greater than or equal to five acres, where each tract has access and no public improvements are being dedicated. Any conveyance pursuant to a subdivision plat for residential lots of not less than five acres each, as permitted above, shall contain a deed restriction prohibiting the placement of a manufactured home (as defined in Texas Occupations Code Section 1201.003) on the property conveyed effective at least until the expiration of ten years following the end of the term of this Development Agreement. No conveyance pursuant to condemnation or deed in lieu of condemnation shall constitute a violation of this Section.

The Owners covenant and agree that the foregoing limitations on the use of the Subject Property for the Term of this Agreement and any Subsequent Term agreed to by the Parties constitute the Development Plan for the Subject Property.

Section 5. If either Owner commences development of the Subject Property by filing a subdivision plat or any other development application showing the location and boundaries of individual parcels of land subdivided into lots for residential lot sizes of less than five (5) acres each or for any non-residential use or executes any conveyance to establish such use, such act shall be deemed inconsistent with the Development Plan and shall constitute a petition request for voluntary annexation by the Owners and the Subject Property shall, at the discretion of the City Council, be subject to annexation. The parties agree that such annexation shall be voluntary and the Owners hereby consent to such annexation as if though a petition for such annexation had been tendered. In that regard, should annexation proceedings begin pursuant to this Section; the Owners acknowledge

that such a petition serves as an exception to Local Government Code Section 43.052, requiring a municipality to use certain statutory procedures under an annexation plan, and hereby waive any and all vested rights and claims that they may have under Section 43.002(a)(2) and Chapter 245 Tex Local Govt. Code that would otherwise exist by virtue of any actions Owners have taken inconsistent with the Development Plan for the Subject Property and in violation of Section 4, above. Any annexation proceeding pursuant to this section shall be initiated within 180 days after the city knows of the action by Owner that results in the City's right to annex.

Section 6. During the term of this Agreement the City's Park Master Plan, or subsequent modifications, revisions or versions thereof, shall not be applicable to Owner's Property so that the City will not seek to acquire any of the Owners' Property, by agreement or otherwise, as may be shown on said Plan, unless annexation proceedings are initiated pursuant to Section 5 herein.

Section 7. In reliance on the petition of the owners to annex the property as described therein, the City agrees not to annex the Subject Property, agrees not to involuntarily institute proceedings to annex the Subject Property, and further agrees not to include the Subject Property in a statutory annexation plan for the Initial and any Subsequent Term of this Agreement. The City's agreement herein is declared to be severable.

Section 8. The Service Plan for the property to be annexed by petition (which shall be in the form attached as Exhibit B to the Annexation Petition which is attached as Exhibit A to this Agreement) shall contain a provision that the area to be annexed is so narrow or comprises such a small area that cannot be used independently under any of the City's development control ordinances, or other regulatory ordinances, so that such ordinances shall not be enforced in said area.

Section 9. Any person who sells or conveys any portion of the Subject Property shall, prior to such sale or conveyance, give 30 days written notice of this Agreement to the prospective purchaser or grantee. A copy of said notice shall be forwarded to the City at the following address:

City of Rockwall
385 S. Goliad
Rockwall, Texas 75087
Attn: City Manager

Section 10. This Agreement is to run with the Subject Property and be recorded in the real property records, Rockwall County, Texas.

Section 11. Invalidation of any provision of this Agreement by judgment or court order shall not invalidate any of the remaining provisions which shall remain in full force and effect.

Section 12. This Agreement may be enforced by either Owner or the City by any proceeding at law or in equity. Failure to do so, shall not be deemed a waiver to enforce

the provisions of this Agreement thereafter. Entry into this Agreement by Owner waives no rights as to matters not addressed in this Agreement.

Section 13. No subsequent change in the law regarding annexation shall affect the enforceability of this Agreement or the City's ability to annex the properties covered herein pursuant to Section 5.

Section 14. Venue for this Agreement shall be in Rockwall County, Texas.

Section 15. This Agreement may be separately executed in individual counterparts and, upon execution, shall constitute one and same instrument.

Section 16. The initial term of this Agreement shall be 10 years from January 10, 2005, (the "Initial Term"). If Owners desire to extend the operation of this Agreement beyond its Initial Term, or beyond any Subsequent Term, then Owners, at least 180 days prior to the end of the Initial or Subsequent Term, shall submit a written request to the City for such an extension (an "Extension Request"). The City, at least 90 days prior to the end of the Initial or Subsequent Term, shall notify Owners in writing, delivered by certified mail, with respect to its decision whether to extend this Agreement for an additional five (5) year term (referred to as a "Subsequent Term"). In the event such written notice from the City of its decision is not received by the Owners at least 90 days prior to the end of that Initial Term or a Subsequent Term, such Extension Request is deemed granted and this Agreement continues for another Subsequent Term; provided, however, that Subsequent Terms may be requested by the Owners as stated herein, but in no event to extend beyond a total of forty-five (45) years or as otherwise permitted under Law.

Section 17. If the Owners do not provide an Extension Request pursuant to Section 16, or upon a written decision by the City not to extend the term of this Agreement for a Subsequent Term following the Initial Term or for an additional Subsequent Term, then Owners shall be deemed to have filed a petition for voluntary annexation as of the end of the Initial or Subsequent Term of this Agreement. If Owners submitted an Extension Request then a notice pursuant to Section 16, above, by the City that it has decided not to extend the Term of this Agreement shall also include a notification whether it intends, subject to the procedures required by law, to accept the petition for voluntary annexation. If Owners did not submit a Extension request then the City, at least ninety days prior to the end of the Initial or Subsequent Term, shall provide a written notification to Owners, by certified mail, whether it intends, subject to the procedures required by law, to accept the petition for voluntary annexation. Any annexation proceedings pursuant to this section shall be commenced within 180 days after the end of the Initial or Subsequent Term in question.

Section 18. Upon termination of this Agreement and the decision by the City to accept the petition for voluntary annexation by the Owners, as provided in Section 5 or Section 17, then Owners and the City will then enter into good faith negotiations regarding the terms of the annexation and of the service plan to be implemented, provided that, unless the parties agree otherwise, the service plan for such land shall conform to, and be

implemented in accordance with, no less than the City's then existing adopted comprehensive and utility master plans. The zoning shall be Agricultural District. In connection with annexation pursuant to this section, the Owners hereby waive any and all vested rights and claims that they may have under Section 43.002(a)(2) and Chapter 245 Texas Local Government Code that would otherwise exist by virtue of any actions Owners may take between the termination of this Agreement and the institution of annexation proceedings, if any, by the City.

Section 19. This Agreement shall survive its termination to the extent necessary for the implementation of the provisions of Section 17 and 18.

Section 20. The City has presented a Service Plan to Owners in connection with the Annexation Petition. The City agrees to extend that Service Plan for a term so long as this Agreement is in effect. In the event land is to be annexed because of development, under Section 4 herein, the service plan for such land will be the same as that for the remainder of the property being annexed.

The parties hereto have executed this agreement as of January 10, 2005.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council
Rick Crowley, *City Manager*

FROM: Ryan Miller, *Planning Manager*

CC: Robert LaCroix, *Director of Planning and Zoning*
Tim Tumulty, *Director of Public Works/City Engineer*

DATE: August 18, 2014

SUBJECT: Water/Wastewater Impact Fees

In accordance with the requirements of Chapter 395 of the Texas Local Government Code, attached is a resolution setting the public hearing date for the discussion and consideration of the adoption of impact fees for water and wastewater facilities to October 6, 2014.

CITY OF ROCKWALL

RESOLUTION NO. 14-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ESTABLISHING A PUBLIC HEARING DATE TO CONSIDER APPROVAL OF IMPACT FEES FOR THE 2013 WATER/WASTEWATER FEE UPDATE.

WHEREAS, the City Council of Rockwall has authorized an impact fee study to determine whether to adopt updated impact fees for water and wastewater facilities in accordance with Texas Local Government Code Chapter 395; and

WHEREAS, Chapter 395 requires the City Council to set a public hearing to consider whether to adopt updated impact fees for water and wastewater facilities;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, that:

Section 1. That the above recitals are found to be true and correct and they are incorporated herein as findings of the City Council for all purposes.

Section 2. That a public hearing of the City Council shall be held on October 6th, 2014 at 6:00 p.m. at City Hall 385 S. Goliad Street, Rockwall, Texas for the purpose of considering amendments to the impact fees for water and wastewater facilities.

Section 3. That notice of the hearing shall be published in one or newspapers of general circulation in Rockwall County before the 30th day before the date set for the hearing.

Section 4. This resolution takes effect immediately from and after its adoption, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18TH DAY OF AUGUST 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

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AGENDA
ROCKWALL CITY COUNCIL
Thursday, August 28, 2014
8:00 a.m. Budget Work Session
City Courts Building, 2860 SH-66 Rockwall, TX 75087

1. **CALL TO ORDER**

2. **HOLD BUDGET WORK SESSION TO DISCUSS AND CONSIDER THE CITY OF ROCKWALL'S FISCAL YEAR 2015 BUDGET, AND TAKE ANY ACTION NECESSARY.**

3. **ADJOURNMENT**

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 21st day of August, 2014 at 2:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

ADDENDUM
ROCKWALL CITY COUNCIL AGENDA
Tuesday, September 02, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

In addition to the previously posted agenda for the Tuesday, September 2, 2014 regular city council meeting, the following Executive Session item is hereby added:

EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

8. Discussion regarding notice of legal claim filed by J. Cooley pursuant to Section 551.071 (Consultation with Attorney)

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda Addendum was posted at City Hall, in a place readily accessible to the general public at all times, on the 29 day of August, 2014 at 7:10 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Jacky Casey, Assistant Secretary

Date Removed

CITY OF ROCKWALL TEXAS
SEAL

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Constitution Week

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Consider approval of the minutes from the August 18, 2014 regular city council meeting, and take any action necessary.

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Consider approval of an ordinance amending the Code of Ordinances in Chapter 44. Utilities; Article V. Water; Division 7; Sec. 44-436 “Stages and Measures” of the Drought Contingency and Water Emergency Response Plan, to provide for certain deletions and changes to these provision in order to comply with requirements of the TX Commission on Environmental Quality (TCEQ), and take any action necessary. (2nd reading)

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Z2014-020 - Consider approval of an ordinance for a request by Bobby and Kimberly Fritts for the approval of a Specific Use Permit (SUP) to allow for a carport that does not meet the minimum setback requirements stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code [Ordinance No. 04-38] for a 0.31-acre property identified as Lot 27, Block C of the Lynden Park Estates, Phase 4 Addition, zoned Planned Development District 17 (PD-17), addressed as 109 Weston Court, City of Rockwall, Rockwall County, Texas, and take any action necessary. (2nd Reading)

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P2014-023 - Consider a request by Jay Bedford of A. J. Bedford Group, Inc. on behalf of the owner, Rick Sharp, for the approval of a replat for Lots 4, 5 & 6, Block A, Sharp Addition, being a 6.222-acre parcel of land currently identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for commercial land uses, situated within the SH-276 Corridor Overlay (SH-276 OV) District, generally located on the north side of SH-276 east of the intersection of SH-276 and Corporate Crossing (FM-549), and take any action necessary.
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AGENDA
ROCKWALL CITY COUNCIL
Tuesday, September 02, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p10 **1. HOLD WORK SESSION TO HEAR PRESENTATION FROM JOHN N. CREW, PRESIDENT OF PUBLIC WERKS, INC./TEXAS TURNPIKE CORPORATION, REGARDING THE PROPOSED BLACKLANDS CORRIDOR/NORTH EAST GATEWAY TOLLWAY/ROADWAY AND ASSOCIATED STUDY, AND TAKE ANY ACTION NECESSARY.**

III. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

2. Discussion regarding sale, lease, exchange of real property in the vicinity of Fannin/Heath Street pursuant to Section 551.072 (Real Property).

3. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)

4. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

5. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)

6. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)

7. Discussion regarding Economic Development prospect pursuant to Section 551.087 (Economic Development)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Tuesday, September 02, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

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VIII. PROCLAMATIONS / AWARDS

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X. CONSENT AGENDA

p14 **1.** Consider approval of the minutes from the August 18, 2014 regular city council meeting, and take any action necessary.

p28 **2.** Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 44. Utilities; Article V. Water; Division 7; Sec. 44-436 "Stages and Measures" of the Drought Contingency and Water Emergency Response Plan, to provide for certain deletions and changes to these provision in order to comply with requirements of the TX Commission on Environmental Quality (TCEQ), and take any action necessary. **(2nd reading)**

p32 **3.** **Z2014-020** - Consider approval of an **ordinance** for a request by Bobby and Kimberly Fritts for the approval of a Specific Use Permit (SUP) to allow for a carport that does not meet the minimum setback requirements stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code [Ordinance No. 04-38] for a 0.31-acre property identified as Lot 27, Block C of the Lynden Park Estates, Phase 4 Addition, zoned Planned Development District 17 (PD-17), addressed as 109 Weston Court, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(2nd Reading)**

p38 **4.** **MIS2014-009** - Consider approval of an **ordinance** for a City initiated request to amend the Future Land Use Map contained within the Comprehensive Plan, and take any action necessary. **(2nd Reading)**

p41 **5.** Consider authorizing the City Manager to execute a contract renewal with Weldon's Tree and Lawn Service for grounds maintenance in the amount of $186,000 funded in the General Fund, Parks operating budget, and take any action necessary.

p43 **6.** Consider approval of an agreement with Rockwall Independent School District for provision of School Resource Officers for the 2014-15 school year, and take any action necessary.

p54 **7.** Consider approval of an interlocal agreement with the Rockwall Central Appraisal District for property tax collection services, and take any action necessary.

p60 **8.** **P2014-019** - Consider a request by Brandon O'Donald of Bannister Engineering, LLC on behalf of Mark Hood of Spine Team Texas, PA for the approval of a replat for Lot 21, Block A, Presbyterian Hospital of Rockwall Addition, being a 1.888-acre parcel of land, currently identified as Lot 3, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for general retail land uses, located on the south side of Horizon Road (FM-3097) southeast of the intersection of Horizon Road and Rockwall Parkway, and take any action necessary.

p66 **9.** **P2014-020** - Consider a request by Matthew Mulliken on behalf of Jennifer Hill of Albright-Hill Properties, LLC for the approval of a replat for Lot 1, Block 1, Albright-Hill Addition, currently identified as Lots D & E, Block 117, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, being a 0.75-acre tract on land, zoned General Retail (GR) District, located at the northeast corner of the intersection of S. Goliad Street (SH-205) and St. Mary's Street, and take any action necessary.

p71 **10.** **P2014-023** - Consider a request by Jay Bedford of A. J. Bedford Group, Inc. on behalf of the owner, Rick Sharp, for the approval of a replat for Lots 4, 5 & 6, Block A, Sharp Addition, being a 6.222-acre parcel of land currently identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for commercial land uses, situated within the SH-276 Corridor Overlay (SH-276 OV) District, generally located on the north side of SH-276 east of the intersection of SH-276 and Corporate Crossing (FM-549), and take any action necessary.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p76 **2.** Appointment with Bill Bricker to request a new zoning classification, and take any action necessary.

p80 **3.** Appointment with Kim Lovett with Eventive Marketing Solutions, representing UCR Asset Services, to request permission to hold a special event (Harbor Auto Show 2014) on the Harbor property on September 20, 2014, and take any action necessary.

XII. ACTION ITEMS

p82 **1.** Discuss and consider Christmas planning and decorations for downtown, and take any action necessary.

p85 **2.** Discuss and consider City of Rockwall Fiscal Year 2015 Budget and proposed tax rate, including calling of a Public Hearing and associated dates, and take any action necessary.

p88 **3.** Discuss and consider modifications to Article V, District Development Standards, of the Unified Development Code for the purpose of addressing the permissible location of stucco on commercial and industrial buildings not located within an overlay district, and take any action necessary.

p90 **4.** Discuss and consider modifications to the composition of the city's Architectural Review Board (ARB), and take any action necessary.

p93 **5.** Discuss and consider modifications to the city's Animal Adoption Center / Shelter Advisory Committee, and take any action necessary.

p95 **6.** Discuss and consider the city's nomination submittal for the Board of Trustees for the TX Municipal League Intergovernmental Risk Pool, and take any action necessary.

p97 **7.** Discuss and consider appointments to city advisory boards and commissions, and take any action necessary.

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2. City Manager's Report

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

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3. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)

4. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

5. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)

6. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)

7. Discussion regarding Economic Development prospect pursuant to Section 551.087 (Economic Development)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

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The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 29 day of August, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **August 29, 2014**

SUBJECT: **Blacklands Corridor Presentation**

John N. Crew, President of Public Werks, Inc./Texas Turnpike Corporation will be presenting during a Work Session regarding the proposed Blacklands Corridor/North East Gateway tollway/roadway and associated study.

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Proclamation

Rockwall, Texas

Whereas, the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

Whereas, September 17, 2014, marks the two hundred twenty-seventh anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

Whereas, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

Whereas, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating and recognizing Constitution Week,

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim September 17 through 24, 2014, as

Constitution Week

in the City of Rockwall and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

In Witness Whereof, I hereunto set my hand and official seal of the City of Rockwall, Texas this the 2nd day of September, 2014.

_____

David Sweet, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, August 18, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 4:00 p.m. Present were Mayor David Sweet and Council Members David White, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Manager Mary Smith and City Attorney Frank Garza. Mayor Pro Tem Pruitt and Assistant City Manager Brad Griggs were absent from the meeting.

II. WORK SESSION

1. HOLD A WORK SESSION TO DISCUSS AND CONSIDER RETAINING WALL STANDARDS, AND TAKE ANY ACTION NECESSARY

Councilmember Daniels expressed that he has some concerns regarding modifications the city council made at the last meeting related to retaining wall standards. For example, regarding the "degree of lean" that was agreed upon (over 10 percent) by council, he believes that the degree of lean associated with a wall does not necessarily make that wall safe or unsafe. He is concerned about having a specified "degree of lean" associated with a wall without having some other qualifying factors taken into consideration. He would like staff to research this topic further and bring back more information to the city council for additional discussion.

City Engineer Tim Tumulty expressed that he has concerns about stipulating a 10 percent lean when, for example, a wall with an 8 percent lean could actually be unsafe depending on a number of other factors. He is concerned about the city's liability if a number is specified for the "degree of lean" but then a retaining wall outside of those specifications fails. Brief comments were exchanged related to potential staff liability regarding enforcement of a specific "degree of lean" standard.

City Attorney Frank Garza encouraged council to maintain the ability for staff to use discretion when evaluating retaining walls and associated safety regardless of standards that may be adopted.

Building Official Jeffrey Widmer indicated that standards have been outlined in the city's property maintenance code for years and have been utilized by staff, including allowing staff to utilize discretion. He suggested the city may consider adopting maintenance provisions that stipulate that if city staff members suspect a wall is unsafe, they will then ask the property owner to obtain an engineer's opinion to verify. That way the onus is on the property owner to obtain a third party determination regarding if the wall is structurally sound or not.

Regarding general design standards, Mr. Tumulty explained that the City Engineer currently has the ability to change the standards; however, he would like for that

provision to be modified such that the city council stipulates and approves any changes to the standards.

Councilmember Townsend expressed concern about specifying a number at all with regards to an allowable percent of "lean" on retaining walls. He would like the engineers to be able to utilize their own discretion when deciding if a wall is safe or not.

Mayor Sweet indicated he is still in favor of specifying a percentage number, but he is open to modifying the specified number if it is found to be too lenient or too stringent.

Mr. Crowley indicated that staff will bring standards back in writing, perhaps in the form of an ordinance, for the council to consider formally adopting. The standards will include allowable building materials.

No action was taken regarding this work session item.

2. HOLD A WORK SESSION TO HEAR OVERVIEW OF PROPOSED FY 2015 CITY BUDGET, AND TAKE ANY ACTION NECESSARY.

Mr. Crowley indicated he will be recommending a proposed budget based on adoption of the effective rate ($.4955 cents per $100 valuation), and the current rate is $.5025. He indicated that about a twelve percent increase in appraised property tax values has been experienced in our city. Furthermore, only one job category needs to be adjusted based on a recent market study, and it is that of "dispatcher" in Police Communications.

Mr. Crowley indicated that the city's budget will be greatly impacted in the coming fiscal year by to the city's Water Fund. Our customer's ability to successfully conserve water has resulted in revenue shortfalls for this fund. In the city's current fiscal year budget, about $602,000 was set aside to be transferred to the General Fund to repay the General Fund for services provided to the Water Fund; however, it is not possible for this transfer to take place as previously planned, and it will not be proposed for transfer in the upcoming fiscal year either. The cost of treated water, as indicated by our water supplier, the North Texas Municipal Water District, is expected to increase, and several debt obligations associated with the city's water system will be coming due. The city will need to pay for these obligations (about $700,000 in debt service payments) out of current tax revenues, rather than current water revenues, in the coming fiscal year. Currently, four positions are frozen in the water/sewer maintenance department, and we will be proposing that two of these four positions remain frozen throughout the coming fiscal year. Mr. Crowley indicated that staff hopes by the end of fiscal year 2015, the Water Fund will be at a breakeven point. A number of equipment purchases have been deferred in the upcoming recommended budget; however, the city will continue to operate its Water/Wastewater Department at the same level of service. He again pointed out that $602,000 is not being transferred into the General Fund from the Water Fund, and that represents revenue lost this fiscal year and revenue lost next fiscal year in the General Fund. He explained that we are expected to end this fiscal year with about $260,000 in revenues over expenditures in the General Fund; however, about a $200,000 transfer to the Insurance Fund needs to be made. All things considered, the city continues to have a very healthy General Fund Reserve. He briefly spoke about upgrades in a few Police Department related positions. One Criminal Family Violence Investigator position is proposed to be added, but only if the grant funding that helps pay for said position comes to fruition. Only about two or three vehicles overall are

proposed to be purchased in the upcoming budget. He expressed that paying debt service payments out of the current tax fund and being very conservative in terms of what we spend out of reserves in the coming year are two tenants of the upcoming budget proposal. It is important to be cautious since we do not know what the continued effects the drought may have on funds. Mr. Crowley also mentioned that a two percent growth in sales tax is being forecasted for the upcoming year. Health permits and engineering inspection related service fees are proposed to increase in the coming year, which will put Rockwall in line with other, similar, comparable cities. Mr. Crowley indicated that downtown Christmas decorations will be proposed to be funded by the city's garbage collection provider. These will be tailored to coordinate with the look of the new downtown improvements and will be anticipated to last for several years. Also, funds for citywide branding / logo refreshing will be included in the proposed budget. Staff will be evaluating costs associated with refreshing the city's entry sign at the FM-740 / IH-30 service road intersection as well as costs associated with possibly refurbishing a historic fire truck to bring it up to par for parades and other types of functions.

Mayor Sweet asked Mr. Crowley to be prepared to talk about the current tax rate and the effective tax rate at the upcoming budget work session.

Councilmember Daniels and Councilmember White generally expressed that they do not wish to hear from organizations such as STAR Transit and The Grace Clinic concerning funding requests at the upcoming budget work session. Also, Councilmember Daniels would like to see the private sector get involved in helping spruce up the Rockwall entry sign at the FM-740 / IH-30 service road. Councilmember Milder suggested the city consider not spending money at all on the entry sign at the FM-740 / IH-30 service road. Instead, he suggested that it be power washed and then repainted by staff "as is," especially since the city may undergo a rebranding effort in the near future. He also expressed a desire to consider discussing having some sort of "Welcome to Rockwall" signage to alert drivers that they are entering our city. Mayor Sweet indicated he would like to begin discussing branding / rebranding of the City of Rockwall soon.

Council took no action at this time concerning this work session item.

At 4:57 p.m., Mayor Sweet read the below listed discussion items into the public record before recessing the public meeting into Executive Session.

III. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospect pursuant to Section 551.087 (Economic Development)
2. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)

4. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:49 p.m.

V. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Sweet reconvened the public meeting at 6:00 p.m. All city council members except for Mayor Pro Tem Pruitt were present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Sweet announced that no action is needed as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR SWEET

Mayor Sweet delivered the invocation and led the Pledge of Allegiance.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the August 4, 2014 Special Joint Meeting between the Rockwall City Council and the Rockwall Economic Development Corporation (REDC) Board of Directors, and take any action necessary.

2. Consider approval of the minutes from the August 4, 2014 regular City Council meeting, and take any action necessary.

3. Z2014-018 - Consider approval of an ordinance for a request by Karri Shojaei-Scott of the Marigold Learning Academy on behalf of the owner, Modern Pyramids, Inc., for the approval of a Specific Use Permit (SUP) to allow for a Day Care Facility on a 0.45-acre parcel of land identified as Lot 3-R, Block A, Washington Place Addition, zoned Downtown (DT) District, situated within the SH 66 Overlay (SH 66 OV) District, and located at 401 W. Washington Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(2nd Reading)**

4. Z2014-019 - Consider approval of an ordinance for a request by Shanessa Coburn of American Trooper on behalf of the owner, Scott Milder, for the approval of a Specific Use Permit (SUP) to allow an antiques/collectables and general retail store in Planned Development District 50 (PD-50) for a 0.66-acre lot of land containing two (2) parcels of land identified as a Block 23A (0.43-acres) and Block 24C (0.23-acres) of the Amick Addition, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 & 805 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(2nd Reading)**

5. Consider approval of an ordinance amending the Code of Ordinances in Chapter 44. Utilities; Article V. Water; Division 7; Sec. 44-436 "Stages and Measures" of the Drought Contingency and Water Emergency Response Plan, to provide for certain deletions and changes to these provision in order to comply with requirements of the TX Commission on Environmental Quality (TCEQ), and take any action necessary. **(1st reading)**

6. P2014-016 - Consider a request by Rob Whittle on behalf of the Caruth Lake Development Corporation for the approval of a final plat for Lots 1 & 2, Block A, Caruth Lake Phase 1B Addition, currently identified as a 0.798-acre tract on land situated within the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for residential land uses, located on the south side of Midnight Pass, west of the intersection of Midnight Pass and N. Fannin Street, and take any action necessary.

7. Consider approval of a contract with Walter P. Moore Consulting Engineers to perform the engineering design services for the erosion control project at 2065 Lake Forest Drive in the amount of $54,500 to be funded out of General Fund Reserves, and take the any action necessary.

Councilmember Milder pulled item #4 in order to abstain from voting on the item, and he filed a "conflict affidavit" with the City Secretary.

Councilmember White made a motion to approve Consent Agenda item #4. Councilmember Townsend seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-34
SPECIFIC USE PERMIT NO. S-124

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A SPECIFIC USE PERMIT (SUP) TO ALLOW ANTIQUE/COLLECTABLE SALES IN CONJUNCTION WITH A GENERAL RETAIL STORE IN PLANNED DEVELOPMENT DISTRICT 50 (PD-50), FOR A 0.66-ACRE LOT, ADDRESSED AS 803 & 805 N. GOLIAD STREET AND CONTAINING TWO (2) PARCELS OF LAND IDENTIFIED AS BLOCK 23A (0.43-ACRES) AND BLOCK 24C (0.23-ACRES) OF THE AMICK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 in favor with 1 abstention (Milder) and 1 absence (Pruitt).

Councilmember White made a motion to approve the remainder of Consent Agenda items (#1, 2, 3, 5, 6 and 7). Councilmember Lewis seconded the motion. An ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-33
SPECIFIC USE PERMIT NO. S-123

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) WITHIN THE DOWNTOWN (DT) DISTRICT ALLOWING FOR A DAYCARE FACILITY, FOR A PROPERTY LOCATED AT 401 W. WASHINGTON STREET, BEING A 0.45 ACRE PARCEL OF LAND DESCRIBED AS LOT 3-R, BLOCK A OF WASHINGTON PLACE ADDITION; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Sweet then reordered the agenda, indicating that Appointment Item #3 would be addressed next by council.

IX. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Craig Renfro, Chairman of the Planning and Zoning Commission, came forth and briefed the city council on recommendations of the Commission relative to items on tonight's city council agenda. The council took no action related to this item.

2. Appointment with Kathryn Thurmond to hear concerns regarding the proposed improvements to FM 549 South, and take any action necessary.

Mrs. Thurmond indicated she lives at 5170 Bear Claw Lane in Rockwall, and she moved here from Houston a year or so ago to be near her daughter. She mentioned Houston has no zoning laws in place. She expressed concern about FM-549 being proposed to become a six-lane roadway in the future. While she also has concerns related to SH-205 being proposed as a six-lane roadway in the future, she more easily understands that particular proposal.

Mrs. Thurmond indicated she would appreciate the city council considering a proposal she would like to make concerning FM-549. She proposed that the roadway remain two-lanes rather than the six lanes that are being proposed. She showed the city council maps of the existing and proposed roadway.

Mrs. Thurmond spoke briefly about the estimated timelines associated with these future road projects according to the Rockwall County Traffic Consortium meetings.

Councilmember White asked if TXDOT has held public meetings related to these thoroughfares yet. City Engineer Tim Tumulty indicated that no, they have not yet been held.

Mr. Crowley indicated that these are state roadways, and he assured Mrs. Thurmond that no one wants to construct a six lane roadway when a four lane road will suffice. He expressed that he will ensure Mrs. Thurmond's concerns are passed along to those who are overseeing the proposed future thoroughfare plans.

Regarding future, proposed new state highways/roadways, Mrs. Thurmond asked with whom she may speak to influence those decisions. Councilmember White indicated, and Mr. Crowley concurred, that our state representatives in Austin are the best ones to contact regarding those matters.

No action was taken as a result of this appointment item.

3. Appointment with JJ Smith of The Rockwall News to hear report on hotel/motel occupancy tax funding previously granted for a 2014 Memorial Day concert/event held at The Harbor, and take any action necessary.

Councilmember White indicated that some veterans have inquired as to where some of the profits from the event have gone. Mr. Smith expressed that about $1,000 of the proceeds went to him, indicating that this particular event was set up as a business venture. He further expressed that he never provided indication that proceeds would be donated to a non-profit organization. He explained he took a risk, counting it as a business venture, and he could have potentially lost money on the event – he did not know what to expect or how it would turn out.

Councilmember Lewis indicated that he was unaware when the city council granted hotel / motel tax funding for this event that about $1,563 of the funding would go to pay Mr. Smith himself and that an additional $800 (or so) would go to Mr. Smith's business, The Rockwall News. Mr. Smith indicated that he is working towards establishing a 501c3 non-profit organization so that, in the future, any proceeds could be donated to a non-profit agency. He stated that it costs about $500 to set up a 501c3 with the State, so some of the proceeds he took from the Memorial Day event are going towards getting that set up.

Councilmember Daniels expressed that he would have never approved the city council granting funding for this Memorial Day event had he known that Mr. Smith was going to personally take any cut of the profits whatsoever. He also expressed dissatisfaction that Mr. Smith was delayed in getting his required event report delivered to the city council in a timely fashion.

Councilmember White asked how many times staff contacted him to remind him that his report was due to the city. Mrs. Smith, Assistant City Manager, indicated that staff sent several emails to Mr. Smith letting him know a report to the city was due.

Councilmember Milder expressed that he attended the event and thought it was a very nice event; however, he too was unaware that proceeds were not going to be donated to a non-profit beneficiary.

After commentary, the council took no action related to this appointment item.

X. PUBLIC HEARING ITEMS

1. Z2014-020 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Bobby and Kimberly Fritts for the approval of a Specific Use Permit (SUP) to allow for a carport that does not meet the minimum setback requirements stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code [Ordinance No. 04-38] for a 0.31-acre property identified as Lot 27, Block C of the Lynden Park Estates, Phase 4 Addition, zoned Planned Development District 17 (PD-17), addressed as 109 Weston Court, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(1st Reading)**

Mr. LaCroix provided background information related to this agenda item. He shared details of this proposed carport, explaining that this carport will be located in the rear of the home and will not be visible from the street in front. The setback will be 7' from the property line. Notices were mailed out to adjacent over seventy property owners located within 500 feet of the property, and HOA's located within 1,500 feet were sent out as well. Four notices were received back. Three were in favor, and one was opposed. The Planning and Zoning Commission did recommend approval of this item by a vote of 5 to 0.

Mayor Sweet opened the public hearing and called forth the applicant.

Mr. and Mrs. Fritts, the applicants, came forth to speak. Mrs. Fritts indicated that her mother has been diagnosed with Parkinsons, so they took in the patio and converted it into living space to have a space to care for her mother. This has resulted in needing a carport space.

Mayor Sweet asked if there is anyone else wishing to speak. There being no one else wishing to speak, Mayor Sweet then closed the public hearing.

Councilmember White made a motion to approve Z2014-020. Councilmember Townsend seconded the motion.

The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-XX
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A SPECIFIC USE PERMIT (SUP) WITHIN THE SINGLE-FAMILY RESIDENTIAL (SF-7) DISTRICT TO ALLOW FOR A CARPORT THAT DOES NOT MEET THE MINIMUM SETBACK REQUIREMENTS, FOR A 0.31-ACRE PROPERTY IDENTIFIED AS LOT 27, BLOCK C OF THE LYNDEN PARK ESTATES, PHASE 4 ADDITION, ZONED PLANNED DEVELOPMENT DISTRICT 17 (PD-17), ADDRESSED AS 109

WESTON COURT, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absent (Pruitt).

2. MIS2014-009 - Hold a public hearing to discuss and consider approval of an ordinance for a City initiated request to amend the Future Land Use Map contained within the Comprehensive Plan, and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix provided background information related to this agenda item. He explained that the city has received a request from the Old Towne Neighborhood Association asking that four lots be removed from the downtown historic designation area.

After Mrs. LaCroix's background information, Mayor Sweet opened the public hearing and asked if anyone would like to come forward and speak at this time.

Sandi Whitley
704 Williams Street
President of the Rockwall Old Town Neighborhood Association

Mrs. Whitley indicated that she and others who reside in Old Town have become increasingly concerned about the "commercial" establishments that have been creeping into their neighborhood. She and others would like to maintain the historic feel and integrity of their residential neighborhood.

There being no one else wishing to come forward and speak, Mayor Sweet then closed the public hearing.

After brief comments, Councilmember White made a motion to approve the ordinance. Councilmember Milder seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY CHARTER.

The motion passed by a vote of 6 ayes with 1 absent (Pruitt).

XI. SITE PLANS / PLATS

1. SP2014-017 - Discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of the owner Rick Sharp for the approval of variances, specifically to the pitched roof requirement and the required

amount of articulation, in association with a site plan for a warehouse facility on a 1.10-acre portion of a larger 6.22-acre parcel of land identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46), situated within the SH-276 Overlay (SH-276 OV) District, located on the south side of Springer Road, east of the intersection of Springer Road and Corporate Crossing [FM-3549], and take any action necessary. **(3/4 majority vote required)**

Planning Director Robert LaCroix provided background information for this agenda item.

Councilmember White made a motion to approve SP2014-017. Councilmember Lewis seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

2. SP2014-019 - Discuss and consider a request by Lynsey Ondecker of Glaus, Pyle, Schomer, Burns & DeHaven, GPD on behalf of the owner, Travel Centers of America, for the approval of a variance, specifically to allow for secondary materials in excess of 10%, in association with an amended site plan for the purpose of remodeling the exterior façade of the existing truck stop, which is located on a 13.167-acre parcel of land identified as Lot 3, Block A, Travel Centers of America Addition, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the SH-205 Overlay (SH-205 OV) District, addressed as 2105 S. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(3/4 majority vote required)**

Planning Director Robert LaCroix provided background information for this agenda item.

Councilmember Lewis made a motion to approve SP2014-019. Councilmember White seconded the motion.

Councilmember Milder asked what the city's relationship has been in the past with TA. Mr. Crowley indicated that TA sued the City of Rockwall several years ago, and the city did end up paying out money to TA in order to resolve that lawsuit.

After brief comments, the motion passed by a vote of 6 in favor with 1 absent (Pruitt).

At 7:11 p.m. Mayor Sweet recessed the public meeting and called for a short break.

Mayor Sweet called the meeting back to order at 7:23 p.m. It was noted that Councilmember Milder left the meeting during the break and was not present for the remainder of the meeting.

Since the reading of the ordinance associated with Consent Agenda item #5 was inadvertently not read before the vote was taken and recorded, Mayor Sweet called on City Secretary, Kristy Ashberry, at this point to read the ordinance caption into the record so as to comply with the City Charter. Ms. Ashberry then read the ordinance caption into the record as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 7; Sec. 44-436 "STAGES AND MEASURES" OF THE DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN, TO PROVIDE FOR

CERTAIN DELETIONS AND CHANGES TO THESE PROVISIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR AN EFFECTVE DATE.

Mayor Sweet then moved on to address Action Items.

XII. ACTION ITEMS

1. Discuss and consider the City's position on proposed Railroad Commission rules affecting City participation in rate cases, authorizing the Mayor to execute letters on the City's behalf, and take any action necessary.

City Manager Rick Crowley provided background information related to this agenda item. Councilmember White expressed that it seems the Railroad Commission took this action in the interest of the businesses rather than the citizens it represents because it seems the action is beneficial to the businesses not citizens.

Councilmember Lewis made a motion to authorize the mayor to execute letters on the city's behalf stating the city's position and that they be sent to the following:

- **Rules Coordinator at the Railroad Commission;**
- **all members of the Railroad Commission;**
- **two elected officials; and**
- **two candidates for our State Senate District 2 general election.**

Councilmember White seconded the motion.

The motion then passed by a vote of 6 in favor with 2 absent (Pruitt and Milder).

2. Discuss and consider approval of a request from Baker Wells with First Texas Homes for a front yard fence, 48" wrought iron, to be located at 1586 Edmondson Trail and take any action necessary.

Building Official Jeffrey Widmer came forth and briefed the council on details of this fence-related request. Councilmember White asked if a portion of the proposed fence will be wood. Mr. Widmer indicated that some will be wood, and some of it will be wrought iron.

Councilmember White made a motion to approve the request. Councilmember Townsend seconded the motion, which passed by a vote of 5 in favor with 2 absent (Pruitt and Milder).

3. A2014-001 - Discuss and consider the expiration of an existing 212 Development Agreement for one (1) area contiguous with the City of Rockwall's city limits and being identified as approximately 482.39-acres of land situated within the City's Extraterritorial Jurisdiction (ETJ),

generally located north of FM-552, west of FM-549 and east of Anna Cade Road, and take any action necessary.

Mr. LaCroix, Planning Director, provided background information related to this agenda item, indicating that 212 extension notifications were sent out by city staff to each affected property owner at the end of June. At this point, the city has received extension requests from all of the property owners, with all requesting a ten year extension on the 212 development agreements. Mr. LaCroix indicated that the city can extend the agreements by up to forty-years.

Councilmember White made a motion to extend the 212 development agreements on these properties for a period of ten (10) years. Councilmember Lewis seconded the motion, which passed by a vote of 5 ayes with 2 absent (Milder and Pruitt).

4. MIS2013-006 - Discuss and consider the adoption of a resolution that will set the public hearing date to consider the approval of water/wastewater impact fees to October 6, 2014, and take any action necessary.

City Engineer Tim Tumulty provided brief background information related to this agenda item. Councilmember White made a motion to approve the resolution associated with MIS2013-006. Councilmember Townsend seconded the motion, which passed by a vote of 5 ayes with 2 absent (Milder and Pruitt).

Mayor Sweet expressed that City Council has no need to reconvene in Executive Session at this time.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospect pursuant to Section 551.087 (Economic Development)

2. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

3. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)

4. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The council did not reconvene into Executive Session following the close of the public meeting.

XV. ADJOURNMENT

The public meeting was adjourned at 7:37 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of September, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL

ORDINANCE NO. 14-35

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 7; Sec. 44-436 "STAGES AND MEASURES" OF THE DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN, TO PROVIDE FOR CERTAIN DELETIONS AND CHANGES TO THESE PROVISIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR AN EFFECTVE DATE.

WHEREAS, the City Council has previously adopted ordinances creating and amending a Drought Contingency and Water Emergency Response Plan (herein referred to as "the Plan"); and

WHEREAS, the City Council has determined the need to implement certain modifications to the Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That portions of Sec. 44-436. of Chapter 44. Utilities; Article V. Water; Division 7. Drought Contingency and Emergency Response Plan are hereby amended to henceforth read as follows:

Sec. 44-436. Stages and measures

(b) (7) Requires notification to Texas Commission on Environmental Quality (TCEQ):

a. Limit landscape watering with sprinklers or irrigation systems to no more than two days per week. An exception is allowed for new landscape ~~associated with new construction~~ that may be watered as necessary for 30 days from the date of ~~the~~ installation. ~~certificate of occupancy. An exemption is also allowed for registered and properly functioning ET/Smart irrigation systems and drip irrigation systems, which do not have restrictions to the number of days per week of operation.~~

(d) (6) a. Supplier's individual plan may be implemented if other criteria dictate

In the event that the triggering criteria specified in the Plan for Stage 4 and Severe Water Shortage Conditions have been met, the City Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section 11.039 and according to the following water allocation policies and procedures:

- A wholesale customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by the City Manager or his/her designee based on the assessment of the severity of the water shortage condition and the need to curtail water diversions and/or deliveries and may be adjusted periodically by the City Manager or his/her designee as conditions warrant. Once pro rata allocations are in effect, water diversions by or deliveries to each wholesale customer shall be limited to the allocation established for each month.

- A monthly water usage allocation shall be established by the City Manager or his/her designee for each wholesale customer. The wholesale customer's water usage baseline will be computed on the average water usage by month for the past five years. If the wholesale customer's billing history is less than five (5) years, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists.

- The City Manager or his/her designee shall provide notice, by certified mail, to each wholesale customer informing them of their monthly water usage allocations and shall notify the news media, the Texas Natural Resource Conservation Commission, and the Texas Water Development Board upon initiation of pro rata water allocations.

- Upon request of the customer, a request for a temporary variance to the pro rata water allocation may be requested.

- At the initiative of the City Manager or his/her designee, the allocation may be reduced if, (a) the customer agrees to transfer part of its allocation to another wholesale customer, or (2) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions.

- City wholesale water users will be advised to continue all relevant actions from the previous stages including appropriate public water use restrictions and to implement the next stage of their own individual Retail Water Supplier Drought Contingency Plan.

Stage 4 may terminate when NTMWD terminates its Stage 4 condition or when the circumstances that caused the initiation of Stage 4 no longer exist.

SECTION 2. That the City Manager or his designee is hereby directed to file a copy of the updated Plan and this Ordinance with the Texas Commission on Environmental Quality in accordance with Title 30, Chapter 288 of the Texas Administrative Code;

SECTION 3. That if any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect

the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared void;

SECTION 4. That all ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed, and the balance of such ordinance is hereby saved from repeal;

SECTION 5. That the City Council does hereby find and declare that sufficient written notice of the date, hour, place and subject of the meeting adopting this Ordinance was posted at a designated place convenient to the public for the time required by law preceding the meeting, that such place of posting was readily accessible at all times to the general public, and that all of the foregoing was done as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the posting thereof.

SECTION 6. That any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty of a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense and each day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 7. That the ordinance shall be effective immediately following its second reading and publication in accordance with the City Charter.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of September, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 08-18-14

2nd Reading: 09-2-14

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CITY OF ROCKWALL

ORDINANCE NO. 14-36

SPECIFIC USE PERMIT NO. S-125

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A SPECIFIC USE PERMIT (SUP) WITHIN THE SINGLE-FAMILY RESIDENTIAL (SF-7) DISTRICT TO ALLOW FOR A CARPORT THAT DOES NOT MEET THE MINIMUM SETBACK REQUIREMENTS, FOR A 0.31-ACRE PROPERTY IDENTIFIED AS LOT 27, BLOCK C OF THE LYNDEN PARK ESTATES, PHASE 4 ADDITION, ZONED PLANNED DEVELOPMENT DISTRICT 17 (PD-17), ADDRESSED AS 109 WESTON COURT, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Bobby and Kimberly Fritts for the approval of a Specific Use Permit (SUP) to allow for a carport that does not meet the minimum setback requirements, for a 0.31-acre property identified as Lot 27, Block C of the Lynden Park Estates Phase 4 Addition, zoned Planned Development District 17 (PD-17), addressed as 109 Weston Court, City of Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code [*Ordinance No. 04*-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for a carport that does not meet the minimum setback requirements within the Single-Family Residential (SF-7) District for the *Subject Property*;

and

SECTION 2. That the Specific Use Permit shall be subject to the conditions set forth in ***Article IV, Section 2.1.2, Residential and Lodging Use Conditions,*** of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this Specific Use Permit, and as may be amended in the future, and shall be subject to the additional following conditions:

1) The carport must conform to all Engineering and Fire Department standards;

2) Submittal and approval of a building permit is required prior to the construction of the carport;

3) The carport must conform to the approved site plan and building elevation depicted in Exhibits 'A' and 'B' of this ordinance;

4) The carport shall not exceed 400 square feet in area;

5) The carport shall not exceed a maximum height 10 feet;

6) The carport is subject to administrative review in the event that the *Subject Property* is sold or conveyed in any manner to another party, subdivided, or re-platted; and

7) The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2nd DAY OF September, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

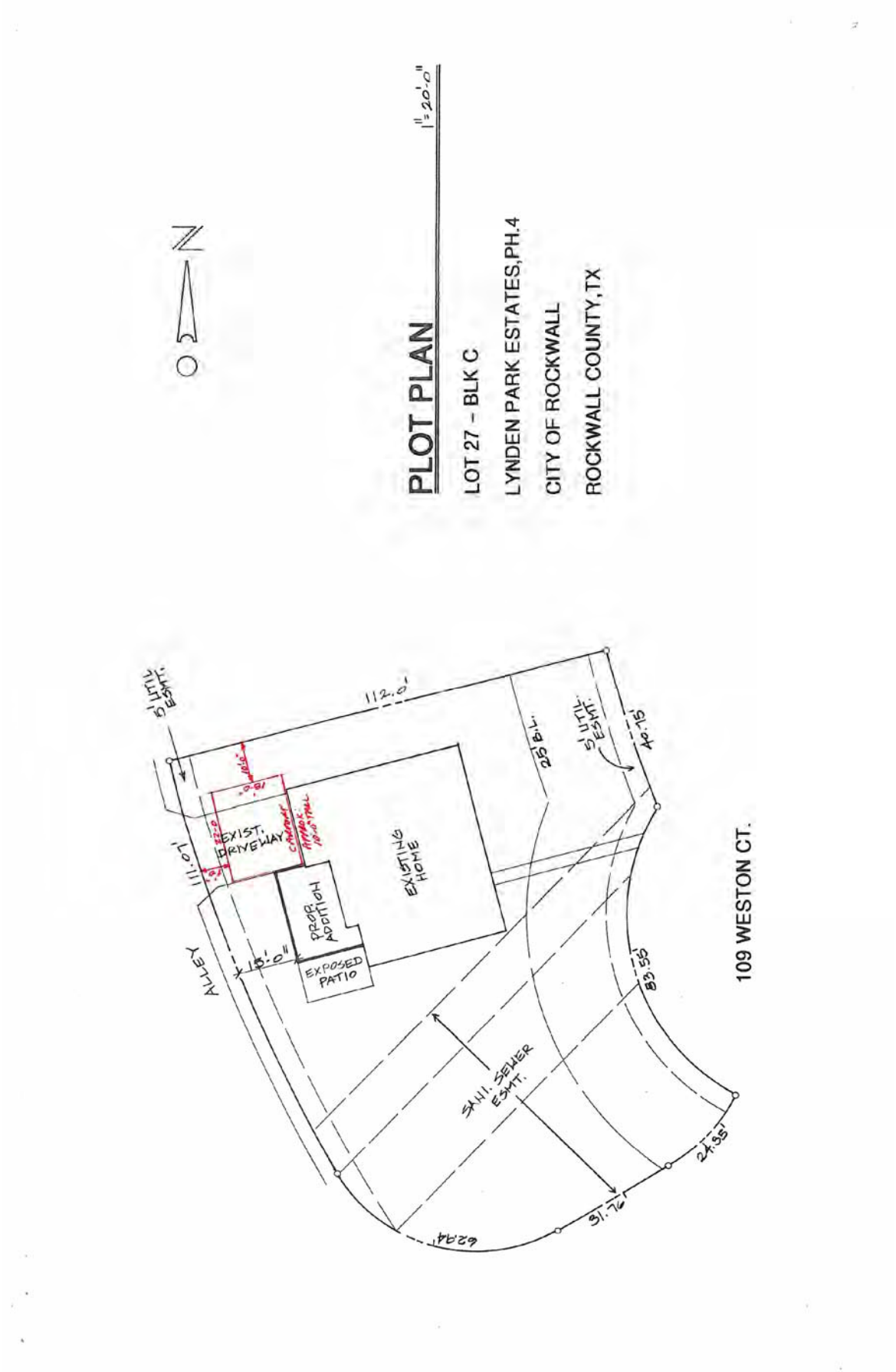
APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: _____

2nd Reading: _____

Exhibit A: Legal Description/Site Plan



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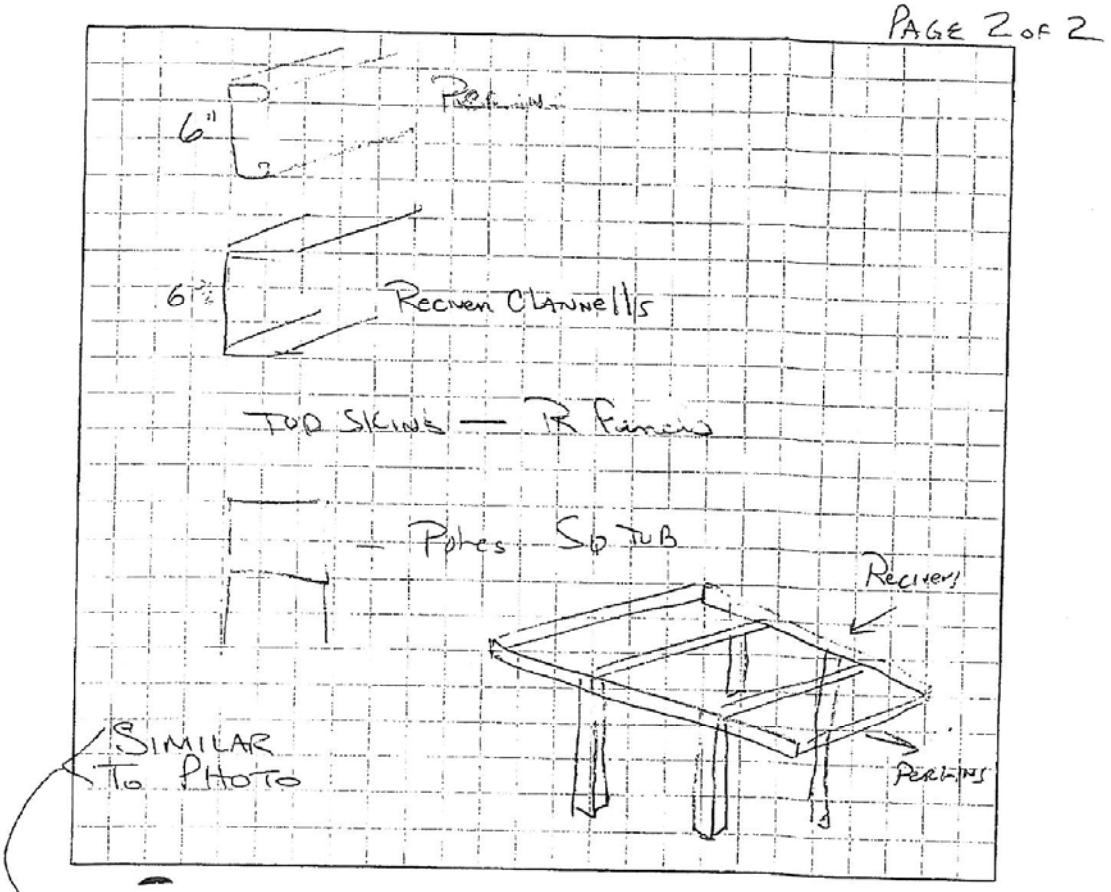

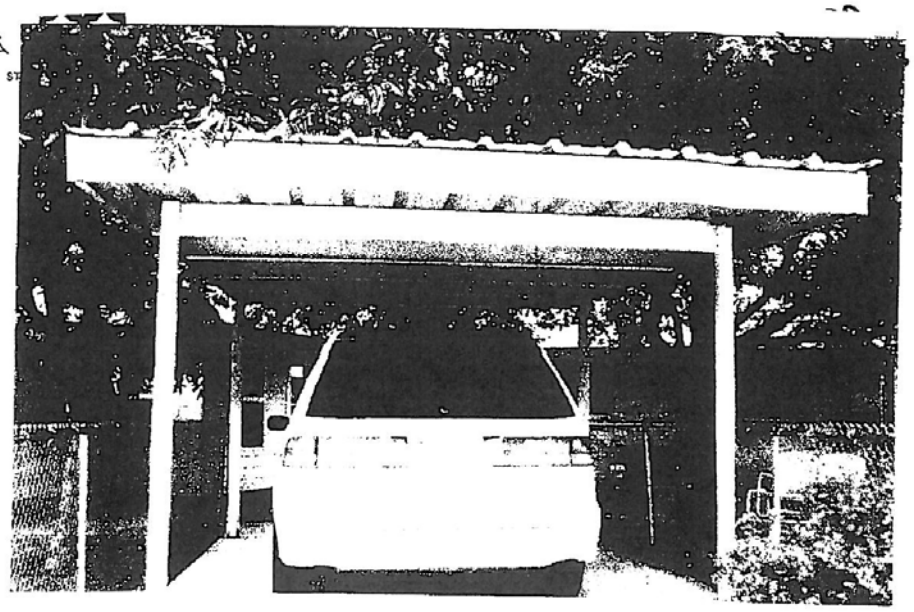

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY CHARTER; PROVIDING FOR AN EFFECT DATE.

WHEREAS, the City Charter of the City of Rockwall, Texas, states that the Master Plan will contain recommendations for the growth, development and beautification of the City and its extraterritorial jurisdiction, and

WHEREAS, the City Council of the City of Rockwall has previously authorized a study to update the City's Master Plan, also referred to as the Comprehensive Plan, and

WHEREAS, the citizens of the City of Rockwall were involved in the development of the Comprehensive Plan through participation in committee and public meetings, and

WHEREAS, Chapter 213 of the Texas Local Government Code states that the adoption of or amendment to a comprehensive plan requires a hearing at which the public is given the opportunity to give testimony and present written evidence and as required by the City Charter a public hearing has been held on the proposed revisions to the Comprehensive Plan, and

WHEREAS, the Comprehensive Plan shall serve as a guide to all future Council action concerning land use and development regulations and expenditures for capital improvements,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Future Land Use Plan as updated by the City Staff and recommended for approval by the Planning and Zoning Commission is hereby approved and amended into the Comprehensive Plan for the City.

Section 2. That the Comprehensive Plan shall be used by the City in the planning and as a guide for the future development of the City of Rockwall.

Section 3. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of September, 2014.

David Sweet, Mayor

ATTEST

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **August 20, 2014**

SUBJECT: **Grounds Maintenance Contract Extension**

The contract for landscape maintenance services provides for mowing, weed eating, trimming and debris removal at City facilities, street medians and thoroughfares. Maintenance includes but is not limited to all trees, shrubs, ground cover, beds, and turf. This service was competitively bid in 2011 and awarded to Weldon's Tree and Lawn Service in September 2011 by City Council.

The contract allows for annual extension at the end of the initial contract period for three consecutive years should the scope of work and bid conditions remain the same; and both parties agree to the extension. Staff has determined that it is in the best interest of the City to renew this annual contract as the Contractor has performed satisfactory work. The contract terms, conditions and bid price will remain in effect for the Sept. 1, 2014 – 2015 contract year.

Staff asks City Council to consider authorizing the City Manager to execute the contract extension in the amount of $186,000 for a period of one year. Funding for grounds maintenance services is budgeted in the General Fund, Parks Department operating budget and the cost of this service is within budget.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **August 27, 2014**

SUBJECT: **RISD Interlocal Agreement for School Resource Officers (SRO)**

Rockwall Independent School District's Board of Trustees has adopted the accompanying Interlocal Agreement for SRO services for the 2014-15 school year. The district reimburses the City for 75% of the salary and benefits for the officers assigned to the school campuses.

Chief Moeller can answer any questions the Council may have regarding the SRO duties and the school's reimbursement methodology. Council is asked to consider authorizing the City Manager to execute the agreement with RISD.

INTERLOCAL COOPERATION AGREEMENT FOR GOVERNMENTAL SERVICES RELATING TO A SCHOOL RESOURCE OFFICER PROGRAM BETWEEN THE CITY OF ROCKWALL AND THE ROCKWALL INDEPENDENT SCHOOL DISTRICT

THE STATE OF TEXAS §
§ **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF ROCKWALL §

THIS AGREEMENT (the "**Agreement**"), entered into this 18th day of August, 2014, by and between the **CITY OF ROCKWALL** (hereinafter called **"CITY"**) and the **ROCKWALL INDEPENDENT SCHOOL DISTRICT** (hereinafter called **"RISD"**).

WITNESSETH:

WHEREAS, the CITY desires to enter into an agreement relating to providing certain professional police services to RISD in accordance with the program description and details as provided herein; and

WHEREAS, this Agreement is made pursuant to the authority granted to the parties pursuant to the Interlocal Cooperation Act, V.T.C.A. Government Code, Chapter 791 (the "Act").

WHEREAS, the primary purpose of the School Resource Officer (SRO) Program is the reduction and prevention of crime committed by juveniles and young adults and to promote the safety of children. This is accomplished by assigning six (6) fully outfitted and equipped police officers to school facilities on a semi-permanent basis while school is in session. The SRO Program accomplishes this purpose by achieving the established goals and objectives. Goals and objectives are designed to develop and enhance rapport between youth, police officers and school administrators. Officers who are chosen for this program are responsible for establishing the communication links and creating a free flow of information between all parties involved.

WHEREAS, the goals of the SRO Program are as follows:

1. Reduction of criminal offenses committed by juveniles and young adults.
2. Establish rapport with the students.
3. Establish rapport with the parents, faculty, staff, administrators and other adults.

4. Create and expand programs with vision and creativity to increase student participation, which will benefit the students, the school district, the police department, and the community.

5. Present a positive role image for students and adults.

6. Provide safety for students, faculty, staff and all persons involved with the school district.

NOW, THEREFORE, the parties hereby do mutually agree as follows:

I.

Scope of Agreement; Duties and Responsibilities: CITY shall provide six (6) licensed police officers for the RISD School Resource Officer Program ("SRO") for the 2014-2015 school year. The effective date of this Agreement shall be the first day of instruction for the current school year, beginning with the first day of instruction for the 2014-2015 school year ("Effective Date"). The duties of the SROs and each party are described herein.

II.

Term of Agreement: The term of this Agreement shall be for a period beginning upon the Effective Date and ending on the last day of instruction for the current school year. This Agreement may be renewed for one (1) year periods beginning on the Effective Date, upon written consent of the parties, for five (5) years.

III.

Payment for Services: The RISD agrees to reimburse the CITY for certain costs associated with the City's placement of Police Officers on the School Grounds from the Effective Date of this Agreement. The parties have heretofore agreed that RISD shall remit payment to the CITY in the amount of Thirty Six Thousand Two Hundred Thirty Six and 77/100s ($36,236.77) per month for the months of September 2014 through May 2015 ("Payment"). This amount reflects the SROs salary, benefits and any equipment or materials and supplies required by the SROs in the performance of their duties. These Payments shall satisfy the RISD's obligation for payment of SRO services for the entire school year to the CITY. The first monthly Payment shall be made by RISD to CITY on the15th day of the first month Payment is due.

RISD shall not be relieved of its obligation to pay the entire amount described in this Agreement in the event that CITY exercises its right to temporarily reassign the resource officer for a period not to exceed fifteen (15) business days when, in the sole judgment of CITY, their service is required in response to a CITY wide or major emergency, or in the event that the resource officer is absent due to sickness, injury,

training or court appearances. However, CITY is required to furnish replacement officers on days when regular SROs are absent for any period exceeding thirty (30) business days. Replacement Officers must meet the selection requirements of SRO Applicants as stated herein. RISD shall be relieved of its obligation to pay if an absence exceeds fifteen (15) business days.

From time to time the RISD has need of police officers to perform security services at extracurricular activities. It is understood and agreed that the District will engage Police Officers to perform such security services on a contract labor basis and this agreement does not address the District's arrangements for these independent security services in any manner whatsoever.

IV.

Organizational Structure:

1. Six (6) uniformed police officers designated as School Resource Officers will be assigned to RISD campuses, and will directly report to the Chief of Police, or his designee. All requests from RISD personnel regarding new SRO assignments or temporary reassignments with exception of requests pertaining to emergencies shall be made through the RISD Superintendent or his designee. The SROs shall have properly equipped police vehicles and other necessary equipment available for their use in performing their duties and responsibilities.
2. The SRO Program shall utilize the SRO Triad concept as set forth by NASRO (National Association of School Resource Officers). The SRO concept reflects the philosophy of the School Resource Officer Program and adheres to the roles of Law Enforcement Officer, Counselor, and Teacher. The SROs are first and foremost Law Enforcement Officers for the CITY Police Department and shall be responsible for carrying out all duties and responsibilities of a police officer and shall remain at all times under the control, through the chain of command, of the CITY Police Department. All acts of commission or omission shall conform to the guidelines of the CITY Police Department Policies and Procedures Manual
3. The SROs report directly to the Chief of Police, or his designee, regarding all matters pertinent to their position and function. The SROs are enforcement officers in regards to criminal matters only. Presence of an SRO is expected on his/her assigned campus on most school days before classes start in the morning, between most class changes, during most lunch periods, on most school days immediately after school and during most any other time during the school day when students assemble in large groups. The purpose of that presence is to deter criminal behavior and not perform school duty.
4. RISD campus principals shall have operational oversight to coordinate efforts for the needs of their respective campuses.
5. In the case of any unresolved conflict, the Chief of Police and the RISD Director of Safety and Security shall consult on the best course of action. The

Chief of Police shall have final authority and final responsibility for operational control of the SRO Program.

6. Local, State and Federal law will prevail over RISD policies and procedures.
7. Conflicts involving violence or other dangerous situations should be reported immediately to the Chief of Police and RISD Director of Safety and Security.

V.

Independent Contractor Relationship: CITY is and at all times shall be deemed to be an independent contractor and shall be wholly responsible for the manner in which the SROs are assigned to the SRO Program and the way CITY performs the services required by the terms of this Agreement. Nothing herein shall be construed as creating the relationship of employer and employee, or principal and agent, between RISD and CITY or any of CITY's agents or employees. CITY assumes responsibility for the acts of its employees as they relate to the services provided during the course and scope of their employment. CITY, its agents and employees, shall not be entitled to any rights or privileges of RISD employees and shall not be considered in any manner to be RISD employees. RISD may or may not desire to evaluate the services provided to RISD by the SRO Program. Any such evaluation should be presented to the CITY on a prescribed form.

VI.

Selection of SRO: CITY affirms that it has complied or will comply prior to the performance of any work for RISD, with the requirements regarding criminal background checks as provided under Texas Education Code, Chapter 22. This law requires the independent contractor to obtain all criminal history record information on all persons to whom the law applies through the Texas Department of Public Safety (DPS) clearinghouse. This process includes fingerprinting in order to submit the individuals to a national check. CITY must certify to RISD that the CITY has received all criminal history record information on all SROs, and that there were no positive hits. The cost of this requirement is to be paid by the CITY.

VII.

SRO Duties and Responsibilities: Basic responsibilities of the SROs will include but will not be limited to:

- General duties and responsibilities set forth by the Chief of Police through standard operating procedures ("S.O.P.").
- Planning and presentation of programs requested by the RISD or CITY Police personnel.

Any additional duties agreed upon the Chief of Police and the Superintendent of the Schools.

VIII.

Student Consultation:

The SROs are not formal counselors, and will not conduct or offer any formal or clinical psychological counseling, however they are to be used as a resource to assist students, faculty, staff and all persons involved with the RISD.

The SROs will advise students on responsibilities and procedures concerning criminal matters.

The SROs will give advice to help resolve issues between students that involve matters that may result in criminal violations, disturbances or disruptions.

Student confidentiality must be maintained in compliance with the Family Education Rights and Privacy Act ("FERPA").

IX.

Transporting Students:

The SROs shall not transport students in their vehicles except:

1. When the students are victims of a crime, under arrest, or some other emergency circumstance exists;
2. When the students are participants in a CITY Police Department program with parental consent;
3. When the students are suspended from school pursuant to school disciplinary action and the student's parents or guardian has refused or is unable to pick-up the student within a reasonable time period and the student is disruptive/disorderly and his/her continued presence on campus is a threat to the safety and welfare of other students and school personnel, as determined by the SRO or the SRO supervisor

   If the student to be transported off campus is not under arrest, a victim of a crime or violent/disruptive, the RISD shall provide transportation for the student and an SRO may accompany the school official in transporting the student.

   SROs shall not transport students, excluding students who are participants in a CITY Police Department program including but not limited to the Police Explorer Program and the Campus Crime Stoppers Program, to any location other than the CITY Police Building, County Juvenile Detention Center, and or hospital unless it is determined that the student's parent, guardian or other responsible adult is at the location to which the student is being transported.

SROs shall not transport students, excluding students who are participants in a CITY Police Department program including but not limited to the Police Explorer Program and the Campus Crime Stoppers Program, in their personal vehicles.

SROs shall notify the school principal before removing a student from campus.

X.

Enforcement:

Although the SROs have has been placed in a formal education environment, they are not relieved of their official duties as enforcement officers. Decisions to intervene normally will be made when it is necessary to prevent violence, a breach of the peace, personal injury or loss of property. Citations should be issued and arrests made when appropriate and in accordance with CITY Police Department policies and procedures. When immediate action is needed and an SRO is not available, another officer may be dispatched to the school.

The SROs, when on duty, should investigate and prepare reports on all criminal offenses committed at the schools. Other CITY Police Department personnel may be summoned by the SROs as they deem necessary and or by RISD during the SROs absence.

XI.

Scheduling:

Hours - The SROs will work a forty (40) hour work week, and will coordinate their hours with school hours Monday through Friday. However, there may be occasions when this schedule is altered because of court appearances, sickness, injury, training and special assignments. The SROs are still considered non-exempt employees under the Fair Labor Standards Act and are subject to its provisions as well as CITY Police Department and CITY policy relating to overtime. All overtime requests from the District will be reviewed and approved by the Chief of Police or his designee.

Holidays and vacation – The SROs will accrue holidays and vacation at the rate allowed by CITY policy. However, holidays and vacations may be scheduled to coincide with school holidays or when schools are closed. The SROS should accomplish as much of the required training as possible during these periods or during the summer when school is not in session, if reasonably practical. The Chief of Police in his sole discretion, shall have the power and authority to schedule all leave and training for the SROs as he deems necessary.

Substitution - Substitution for the SROs by other officers will only be considered through a request to the Chief of Police and only on the joint written approval of the Chief of Police and RISD. Typically, this will only be considered for an extended leave as discussed in Section III.

XII.

Availability of Funds: Each party shall make payments required hereunder from current revenues, as required by the Agreement.

XIII.

Insurance: CITY is insured, and upon request by RISD, shall provide RISD documentation of its coverage, said coverage to meet the reasonable approval of RISD. CITY shall also provide, during the term of this Agreement, worker's compensation insurance, including liability coverage, in the amounts required by Texas state law, for any employee engaged in work under this Agreement. As to all insurance provided by CITY, it shall provide RISD with documentation, upon request, indicating such coverage prior to the beginning of any activities under this Agreement.

XIV.

Termination: This Agreement may be terminated by either party at its sole option and without prejudice by giving thirty (30) days written notice of termination to the other party. Upon termination of this Agreement, the CITY will assume any and all fiscal responsibilities for the officer from and after the effective date of termination.

Replacement: RISD may, for cause, request a replacement of the SRO. Such a request shall be made through the CITY Chief of Police, shall be in writing and shall set forth the basis for the request. A replacement SRO shall be provided as soon as possible giving due consideration for the CITY's staffing level and time required to complete the outside hiring process as necessary.

XV.

Assignment of Agreement: Neither party shall assign, transfer, or sub-contract any of its rights, burdens, duties or obligations under this Agreement without the prior written permission of the other party to this Agreement.

XVI.

Waiver: No waiver of a breach or any provision of this Agreement by either party shall constitute a waiver of any subsequent breach of such provision. Failure of either

party to enforce at any time, or from time to time, any provisions of this Agreement shall not be construed as a waiver thereof.

XVII

Place of Performance; Venue: Venue shall be in Rockwall County, Texas. The laws of the State of Texas shall govern the interpretation, validity, performance, and enforcement of this Agreement and the exclusive venue for any legal proceedings involving this Agreement shall be Rockwall County, Texas.

XVIII.

Notices: Notices to RISD shall be deemed given when delivered in person to the Superintendent of Schools of RISD, or on the next business day after the mailing of said notice addressed to said RISD by United States mail certified or registered mail, return receipt requested, and postage paid at 1050 Williams Street, Rockwall, Texas 75087.

Notices to CITY shall be deemed given when delivered in person to the CITY Manager or on the next business day after the mailing of said notice addressed to said CITY by United States mail, certified or registered mail, return receipt requested, and postage paid a 385 South Goliad, Rockwall, Texas 75087.

XIX.

Severability Provisions: If any provisions of this Agreement are held to be illegal, invalid or unenforceable under present or future laws, (1) such provision shall be fully severable; (2) this Agreement shall be construed and enforced as if such illegal, invalid or unenforceable provisions had never been a part of this Agreement; and (3) the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by the illegal, invalid or unenforceable provision or by its severance from this Agreement.

XX.

Entire Agreement of Parties: This Agreement and all exhibits shall be binding upon the parties hereto, their successors and assigns, and constitutes the entire agreement between the parties. No other agreements, oral or written, pertaining to the performance of the Agreement exists between the parties. This Agreement can be modified only by an agreement in writing, signed by both parties.

XXI.

Immunity: CITY and RISD agree that neither party has waived its respective sovereign immunity by entering into and performing the obligations under this Agreement.

XXII.

Liability:

Any claims by third parties arising as a result of the enforcement of Local, State or Federal law, including employment claims, shall be handled by, and be the responsibility of, the CITY. Any claims by third parties arising as a result of the enforcement of RISD policy or procedure shall be handled by, and be the responsibility of RISD.

IN WITNESS WHEREOF, the parties have executed this Agreement in the year and day first above written.

Attest:

Dana Chapman

Rockwall Independent School District

By:_____
Jeff Bailey, Superintendent
Rockwall Independent School District

Attest:

_____

City of Rockwall

By:_____
Rick Crowley, City Manager
City of Rockwall

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **August 27, 2014**

SUBJECT: **Rockwall Central Appraisal District Collections Agreement**

The City contracts with the Rockwall Central Appraisal District for collection of property taxes. The district's collections budget is divided among the taxing entities based on a pro-rata formula of assessed values.

The Council is asked to consider authorizing the City Manager to execute the agreement with the Rockwall Central Appraisal District.

STATE OF TEXAS KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF ROCKWALL

CONTRACT FOR ASSESSMENT AND COLLECTION

On this the 1st day of October, 2014, the Central Appraisal District of Rockwall County (hereinafter called "District") and the City of Rockwall (hereinafter called "Taxing Unit") enter into the following agreement:

PURPOSE

The parties of this agreement wish to consolidate the assessment and collection of property taxes in one agency, the Central Appraisal District of Rockwall County. The City of Rockwall enters this agreement to eliminate the duplication of the existing system and to promote governmental efficiency.

The parties enter this contract pursuant to the authority granted by Section 6.24, Property Tax Codes, and the Interlocal Cooperation Act (Texas Government Code 791.001, et.seq.).

TERMS

This contract shall be effective from October 1, 2014 to September 30, 2015.

SERVICE TO BE PERFORMED

The District shall collect the ad valorem property taxes owing to the City of Rockwall. The District further agrees to perform for the Taxing Unit all the duties provided by the laws of the State of Texas for the collection of said taxes.

TAXING UNITS

This contract is one of thirteen (13) separate contracts being entered into between the Appraisal District and thirteen (13) Taxing Units. The thirteen (13) Taxing Units are as follows"

1. Rockwall ISD
2. Royse City ISD
3. City of Rockwall
4. City of Royse City
5. City of Heath
6. City of Fate
7. City of McLendon Chisholm
8. Rockwall County Municipal Utility District No. 1
9. Rockwall County Municipal Utility District No. 8
10. Rockwall County Municipal Utility District No. 6
11. Rockwall County
12. Rockwall County Municipal Utility District No. 9
13. Williamsburg PID

PAYMENT

Amount of payment:

The Taxing Unit agrees to pay the District the cost of performing the services specified above. The cost shall be allocated for assessment and collection services in the following manner: The Taxing Unit shall pay based on an estimated cost to provide said services. The estimated budget is attached to and becomes a part of this contract. The Taxing Units share of the budget is contingent on all units listed

thereon executing contract with the District. In the event that any of the Taxing Units should fail to enter into a contract with the District then and in such event the Taxing Units who do enter into a contract agree that their respective percentages of the budget will be adjusted proportionately between the participating Taxing Units. However, should this contingency occur, then and in such event any other party hereto shall have the right to immediately cancel their respective contract by giving notice within ten (10) days of being notified in writing that one or more of the Taxing Units failed to enter into a contract. This right shall likewise extend to the District.

In the event the amount estimated for assessment and collection services proves insufficient, the District and Taxing Unit shall amend the estimated budget in order for the District to recover all actual costs incurred by the District. However, it is expressly understood that both governing bodies must agree on any change to the estimated budget.

In the event payment received by the District for said services exceeds the actual cost of performing those services the District shall reimburse the Taxing Unit the excess funds. Excess funds shall be reimbursed per calculation provide in year-end audit.

Method of payment:

The cost of assessing and collecting taxes for the Taxing Unit shall be paid to the Appraisal District in four (4) quarterly installments. Payment shall be due on or before the first working day of each quarter. (Beginning on October 1, 2014)

REMITTANCE OF COLLECTION

The taxes collected for the Taxing Unit shall be remitted to the Unit monthly, or when taxes collected has accumulated to $10,000 or more, which ever occurs first. Payment to Taxing Unit will not exceed once per day.

BANKING PROCEDURES

The District shall deposit all tax collections to a central collecting account established and maintained by the District. The selection of depository shall be the responsibility of the District.

The District will record all fees received for issuing tax certificates; said fees will be paid to Taxing Units on a monthly basis.

The District will take the necessary steps in awarding a depository contract to protect deposits over $100,000.

AUDIT PROCEDURES

The District, at the expense of the District, shall have an audit of said collection account, as of September 30, 2015.

Note: The Appraisal District collection budget (operating account) which is a part of this agreement provides for the audit of the operating account only.

ADMINISTRATIVE PROVISIONS

All the expense incurred by the District for the assessment and collection of taxes shall be clearly kept on the records of the District. The Taxing Unit or their designated representatives are authorized to examine the records to be kept by the District at such reasonable times and intervals as the Taxing Unit deems fit. Such records will be kept in the office of the District.

The District agrees to obtain a surety bond for the Chief Appraiser acting in his capacity as Assessor-Collector, in the amount of $100,000. A blanket bond will cover other employees of the District, directly involved with the collection of taxes for the Taxing Unit.

MISCELLANEOUS PROVISIONS

The Taxing Unit agrees to transfer to the possession and control of the District, without charge, all records necessary for the performance of the duties and responsibilities of the District pursuant to this contract. The records shall include all tax records, including delinquent tax rolls.

In the event that any Taxing Unit should choose NOT to contract with District in any future year the District agrees to transfer to possession and control of Taxing Unit all necessary records, controlled by District, for the performance of collections by the Taxing Units.

The District shall not be liable to the Taxing Unit on account of any failure to collect taxes nor shall the Chief Appraiser be liable unless the failure to collect taxes results from some failure on his part to perform the duties imposed upon him by law and by this agreement.

Payments by the Taxing Unit for the service under this contract shall be made from current revenues available to the Taxing Unit.

All attorney fees, cost, filing charges, and all related expenses incurred by the District resulting form this agreement that cannot be charged to the taxpayer, will be paid by the Taxing Unit.

In the event that a tax rate is not established for the individual taxing unit by September 15th, possible extra cost could be charged to the Taxing Unit.

DELINQUENT TAX SUITS

The Taxing Unit authorizes the District to institute such suits for the collection of delinquent taxes, as the District deems necessary and to contract with an attorney, as provided by Section 6.30 of the Property Tax Code, for the collection of delinquent taxes.

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DEFINITIONS

For the purposes of this agreement, the term "assessment" and "collection" shall include the following: Collection of current liabilities, collection of delinquent taxes, proration of taxes, issuance of refunds, correction of clerical errors in tax rolls. The term assessment shall NOT include those functions defined as "Appraisal" by the Property Tax Code.

Executed at Rockwall, Texas on the date and year first written above.

Chairman of the Board

Patricia Davis

Attest:

Attest:
Secretary of the Board

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 09/02/2014

APPLICANT: Brandon O'Donald

AGENDA ITEM: **P2014-019** (Presbyterian Hospital Addition)

SUMMARY:

Discuss and consider a request by Brandon O'Donald of Bannister Engineering, LLC on behalf of Mark Hood of Spine Team Texas, PA for the approval of a replat for Lot 21, Block A, Presbyterian Hospital of Rockwall Addition, being a 1.888-acre parcel of land, currently identified as Lot 3, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for general retail land uses, located on the south side of Horizon Road (*FM-3097*) southeast of the intersection of Horizon Road and Rockwall Parkway, and take any action necessary.

COMMENTS:

- The objective of this request is to replat a 1.888-acre parcel of land for the purpose of constructing a 20,000 sq. ft. medical office facility.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions below.

- With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

1) All the technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat including the following Planning comments;

   a. Correct Title Block and plat to read "Lot 21, Block A." The City does not use "R" with lots numbers to indicate a replat.
   b. Re-label 24-ft Firelane,..., Easement to read "24-ft Firelane, Public Access, & Utility Easement" where appropriate and remove the label "by this plat."
   c. Provide case number (P2014-019) at the lower right corner of the plat (both pages).

2) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING RECOMMENDATION:

On August 26, 2014, the Planning and Zoning Commission recommended approval of the replat with staff conditions by a vote of 5 to 0 (Neilsen and McCutcheon absent).



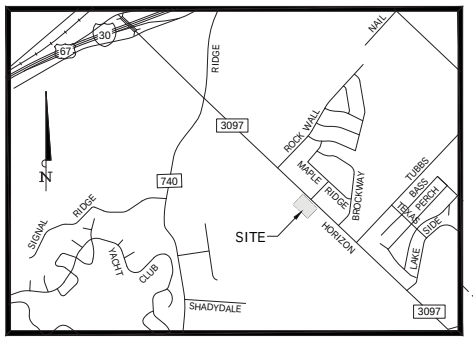
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

62

1:1,500



VICINITY MAP
NOT TO SCALE
ROCKWALL, TEXAS

GENERAL NOTES:

1. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83 -54.

2. According to surveyor's interpretation of information shown on the National Flood Insurance Program (NFIP) "Flood Insurance Rate Map" (FIRM), Community Panel No. 48397C0040 L, dated September 26, 2008. The property appears to lie within Zone "X" and the entire property lies within a "Areas determined to be outside the 0.2% annual chance floodplain" zone as defined by the U.S. Department of Housing and Urban Development, Federal Insurance Administration, or the Federal Emergency Management Agency.

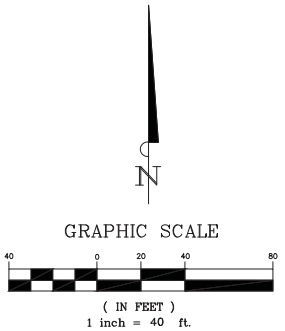
3. The above referenced "FIRM" map is for use in administering the "NFIP"; it does not necessarily show all areas subject to flooding, particularly from local sources of small size, which could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. There may be other streams, creeks, low areas, drainage systems or other surface or subsurface conditions existing on or near the subject property which are not studied or addressed as a part of the "NFIP".

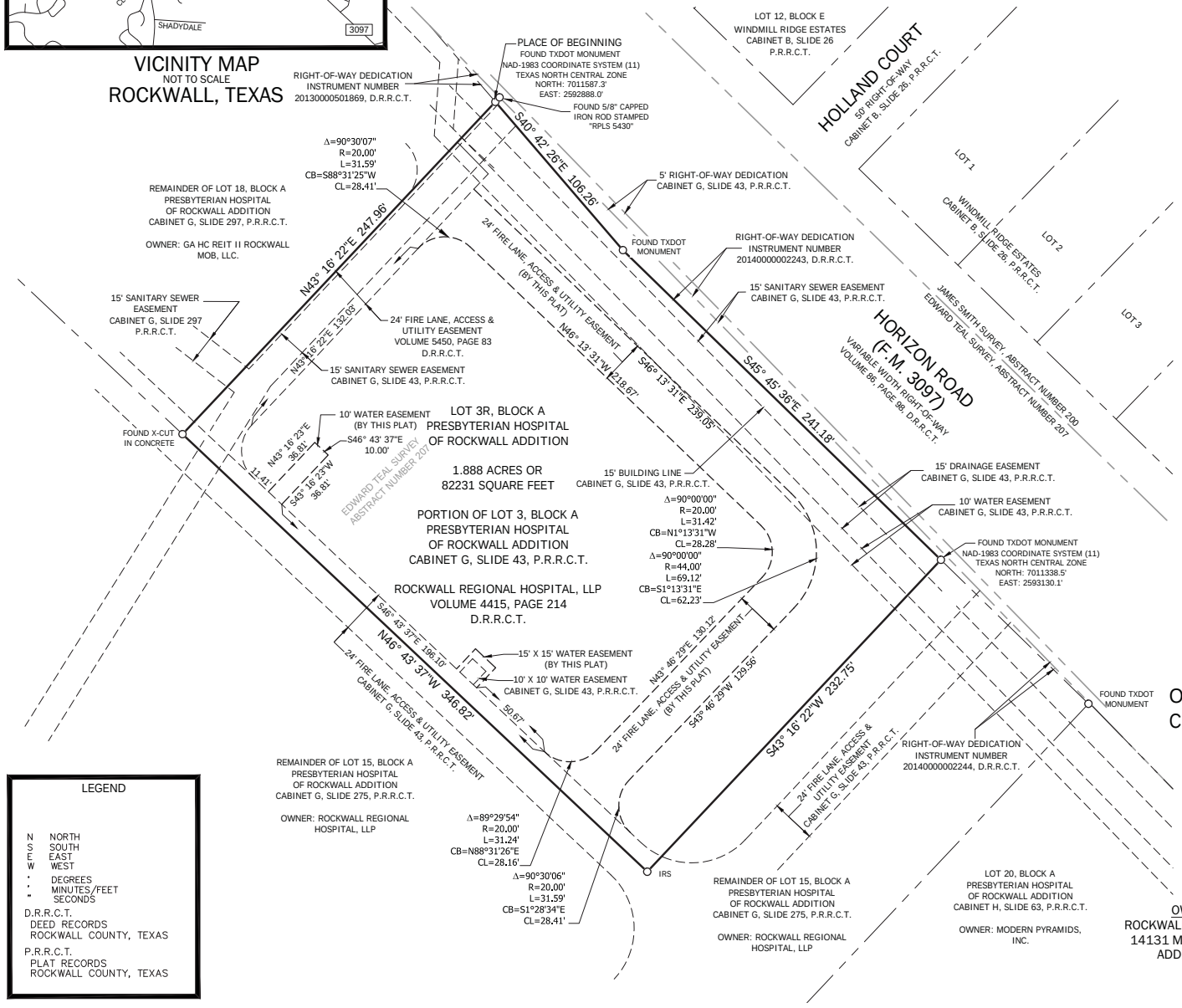
4. All iron rods set (IRS) are 5/8-inch with a plastic cap stamped "RPLS 4838".

5. All coordinates and bearings shown herein are Texas State Plane Coordinate System, NAD83 (CORS), Texas North Central Zone (4202). All distances shown herein are surface distances.

6. SOURCE BENCHMARK: City of Rockwall GPS monument Number Reset #1.

ELEVATION = 567.704'





LEGEND

N NORTH
S SOUTH
E EAST
W WEST
° DEGREES
' MINUTES/FEET
" SECONDS
D.R.R.C.T.
DEED RECORDS
ROCKWALL COUNTY, TEXAS
P.R.R.C.T.
PLAT RECORDS
ROCKWALL COUNTY, TEXAS

REPLAT
OF
PRESBYTERIAN HOSPITAL OF ROCKWALL ADDITION
LOT 3R, BLOCK A

BEING A REPLAT OF A PORTION LOT 3, BLOCK A, PRESBYTERIAN HOSPITAL OF ROCKWALL ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND BEING 1.888 ACRES OUT OF EDWARD TEAL SURVEY, ABSTRACT NO. 207 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER/DEVELOPER
ROCKWALL REGIONAL HOSPITAL, LLP
14131 MIDWAY ROAD, SUITE 1050
ADDITISON, TEXAS 75001

PREPARED BY:
PROJECT NO. 112-14-02

BANNISTER
ENGINEERING
1696 Country Club Drive
Mansfield, TX 76063 817.842.2094
TBPLS REGISTRATION NO. 10023823

63

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS ROCKWALL REGIONAL HOSPITAL, LLP, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING 1.888 acres (82,231 square feet) of land in the Edward Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas; said 1.888 acres (82,231 square feet) of land being a portion of that certain described Lot 3, Block A, PRESBYTERIAN HOSPITAL OF ROCKWALL ADDITION (hereinafter referred to as Lot 3), an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet G, Slide 43, Plat Records, Rockwall County, Texas (P.R.R.C.T.); said Lot 3 being more particularly described, by metes and bounds, as follows:

BEGINNING at a TXDOT monument found for the Northerly corner of the remainder of said Lot 3, same being the Easterly corner of the remainder of that certain described Lot 18, Block A, PRESBYTERIAN HOSPITAL OF ROCKWALL ADDITION (hereinafter referred to as Lot 18), an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet G, Slide 297, P.R.R.C.T., same also being the existing Southwesterly right-of-way line of Horizon Road also known as F.M. Road Number 3097 (variable width right-of-way), as recorded in Instrument Number 20140000002243, Deed Records, Rockwall County, Texas (D.R.R.C.T.);

THENCE South 40 degrees 42 minutes 26 seconds East with the common line between the remainder of said Lot 3 and the existing Southwesterly right-of-way line of said Horizon Road, a distance of 106.26 feet to a TXDOT monument found for an angle point;

THENCE South 45 degrees 45 minutes 36 seconds East continue with the common line between the remainder of said Lot 3 and the existing Southwesterly right-of-way line of said Horizon Road, a distance of 241.18 feet to a TXDOT monument found for the Easterly corner of said Lot 3, same being an Northeasterly corne rof that certain tract of land described as Lot 15, Block A, PRESBYTERIAN HOSPITAL OF ROCKWALL ADDITION (hereinafter referred to as Lot 15), an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet G, Slide 297, P.R.R.C.T.;

THENCE South 43 degrees 16 minutes 22 seconds West, departing the existing Southwesterly right-of-way line of said Horizon Road and with the common line between said Lot 3 and said Lot 15, a distance of 232.75 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for the Southerly corner of said Lot 3, same being an inner-ell corner of said Lot 15;

THENCE North 46 degrees 43 minutes 37 seconds West continue with the common line between said Lot 3 and said Lot 15, a distance of 346.82 feet to an X-cut in concrete found to the Westerly corner of said Lot 3, same being the Southerly corner of the aforesaid Lot 18;

THENCE North 43 degrees 16 minutes 22 seconds East, departing a Northeasterly line of said Lot 15 and with the common line between said Lot 3 and said Lot 18, a distance of 247.96 feet to the PLACE OF BEGINNING, and containing a calculated area of 1.888 acres (82,231 square feet) of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I (we) the undersigned owner(s) of the land shown on this plat, and designated herein as the PRESBYTERIAN HOSPITAL OF ROCKWALL ADDITION subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the PRESBYTERIAN HOSPITAL OF ROCKWALL ADDITION subdivision have been notified and signed this plat. I (we) understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I (we) further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I (we), my (our) successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of exactions made herein.

_____
Property Owner Signature

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 2014.

_____ _____ _____
Notary Public in and for the State of Texas My Commission Expires

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Michael Dan Davis, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

For: Bannister Engineering LLC

PRELIMINARY,
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

_____
Michael Dan Davis
Registered Professional Land Surveyor
Texas Registration No. 4838

STATE OF TEXAS
MICHAEL DAN DAVIS
4838
REGISTERED PROFESSIONAL LAND SURVEYOR
PRELIMINARY

STANDARD CITY SIGNATURE BLOCK

_____
Planning & Zoning Commission, Chairman Date

APPROVED:
I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2014.
This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.
WITNESS OUR HANDS, this _____ day of _____, 2014.

_____
Mayor, City of Rockwall

_____
City Secretary

_____
City Engineer

REPLAT
OF
PRESBYTERIAN HOSPITAL OF ROCKWALL ADDITION
LOT 3R, BLOCK A

BEING A REPLAT OF A PORTION LOT 3, BLOCK A, PRESBYTERIAN HOSPITAL
OF ROCKWALL ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND BEING 1.888 ACRES OUT OF
EDWARD TEAL SURVEY, ABSTRACT NO. 207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER/DEVELOPER
ROCKWALL REGIONAL HOSPITAL, LLP
14131 MIDWAY ROAD, SUITE 1050
ADDITISON, TEXAS 75001

PREPARED BY:
PROJECT NO. 112-14-02

BANNISTER
ENGINEERING
1696 Country Club Drive
Mansfield, TX 76063 817.842.2094
TBPLS REGISTRATION NO. 10193823

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 9/2/2014

APPLICANT: Matthew Mulliken

AGENDA ITEM: **P2014-020;** Albright Hill Addition

SUMMARY:

Discuss and consider a request by Matthew Mulliken on behalf of Jennifer Hill of Albright-Hill Properties, LLC for the approval of a replat for Lot 1, Block 1, Albright-Hill Addition, currently identified as Lots D & E, Block 117, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, being a 0.75-acre tract on land, zoned General Retail (GR) District, located at the northeast corner of the intersection of S. Goliad Street (SH-205) and St. Mary's Street, and take any action necessary.

COMMENTS:

- The purpose of this request is to final plat a 0.75-acre tract of land for the purpose of constructing a professional office building.

- The Engineer has completed the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the Recommendation section below.

With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

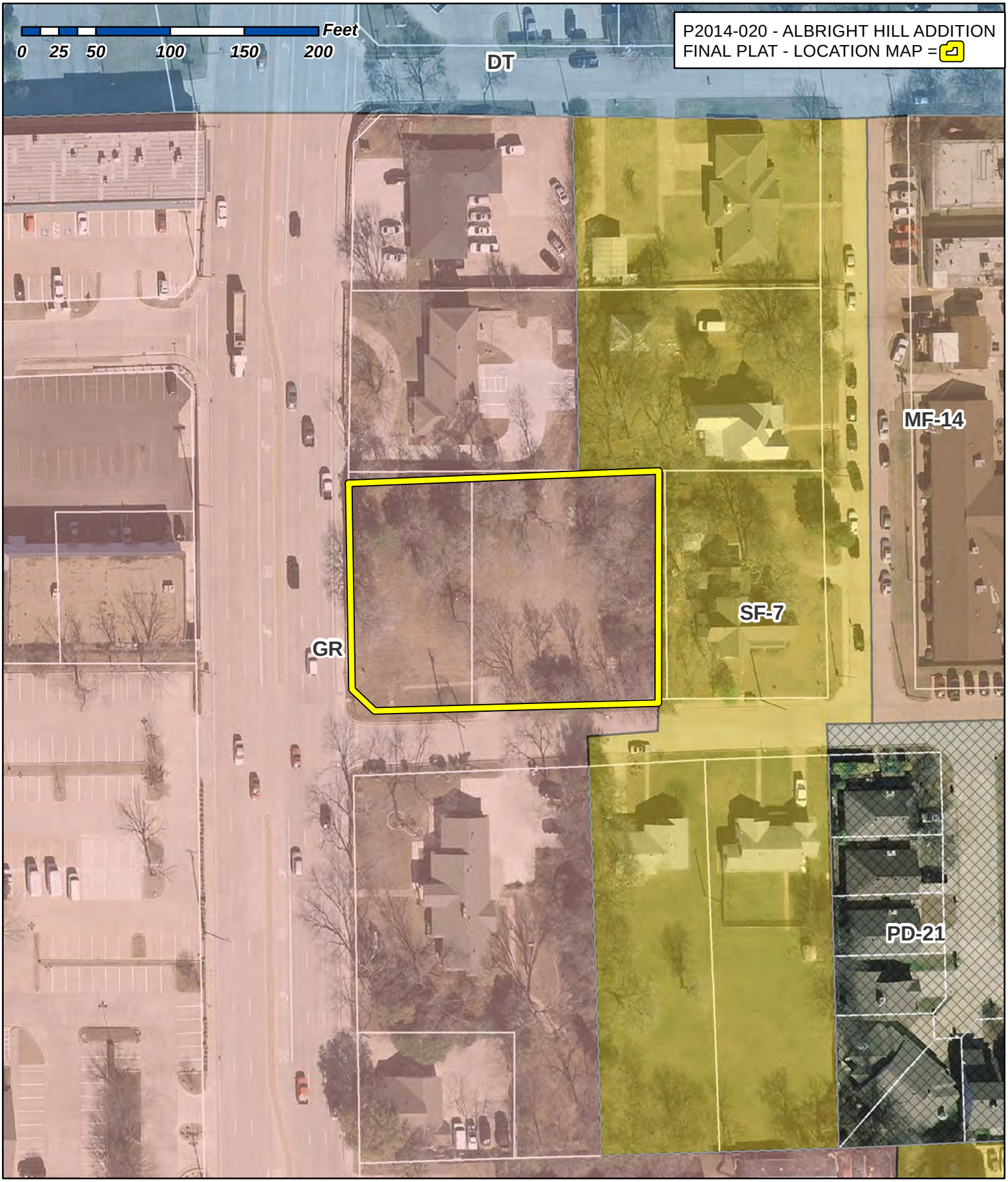
If the Planning & Zoning Commission and City Council choose to approve the final plat for Lot 1, Block 1, Albright-Hill Addition, the following conditions of approval are offered:

1) All the technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat; and

2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On August 26, 2014, the Planning & Zoning Commission recommended approval of the final plat by a vote of 5-0 (Commissioners McCutcheon and Nielsen absent).



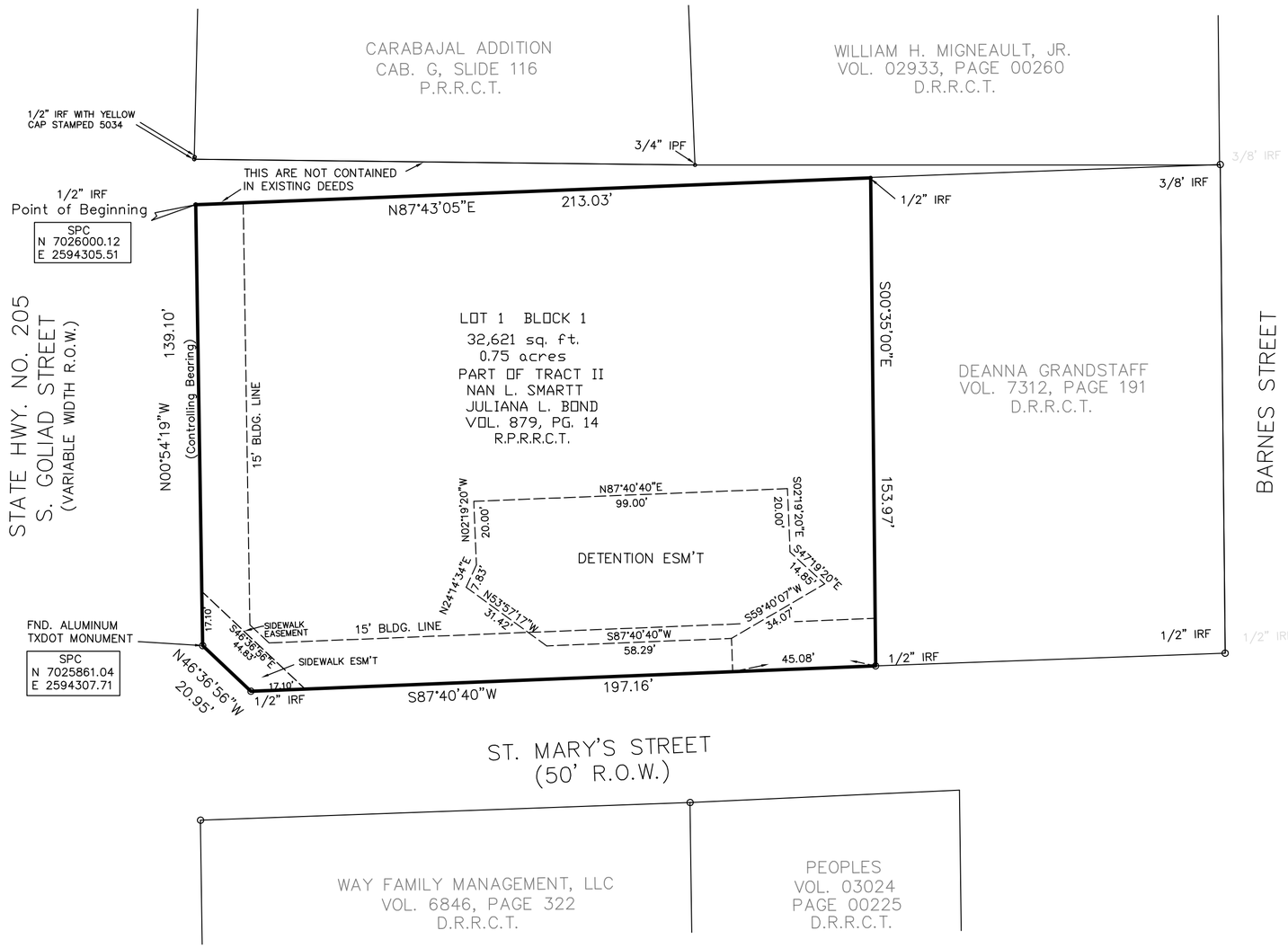
City of Rockwall

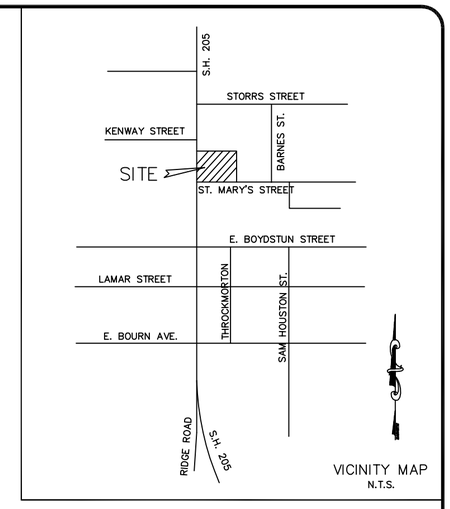
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

67

1:1,000







GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

SURVEYOR:
RUDY RANGEL
R.P.L.S. No. 5664
TBPLS No. 1007710

NOTES:

1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100–year floodplain.

2) Bearing Source: STATE PLANE COORDINATES BASED ON R.O.W. DEED.

FINAL PLAT

1/2

JAMES M. ANDERSON
10 CYPRESS COURT
HEATH, TEXAS 75032
214–548–2042
jma90266@gmail.com

SCALE:	DATE:	
1" = 30'	8–7–14	

ALBRIGHT–HILL ADDITION

B.F. BOYDSTUN SURVEY, ABST. NO. 14
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER: ALBRIGHT PROPERTIES, LLC
JENNIFER HILL
12160 ABRAMS ROAD, DALLAS, TEXAS 75243
(972) 270–5452

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OWNER'S CERTIFICATE:
(Public Dedication)

WHEREAS, ALBRIGHT HILL PROPERTIES, LLC, BEING the owners of a tract of land situated in the County of Rockwall, State of Texas, and said tract being more particularly described as follows:

All that certain lot, tract or parcel of land situtated in the B.F. Boystun Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas and being a part of a tract of land described as Tract II in a Warranty Deed from Nan L. Smith, Executor of the Estate of Joe B. Smartt to Nan L. Smartt and Juliana L. Bond dated February 8, 1994 and being recorded in Volume 879, Page 14 of the Real Property Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for a corner on the East Right-of-Way line of State Highway No. 205 (S. Goliad Street), said point being the Northwest corner of said Tract II;

THENCE North 87°43'05" East along the North line of said Tract II, a distance of 213.03' to a 1/2" iron rod found for a corner at the Northwest corner of a tract of land as described in a Warranty Deed from Wilma Jordan to Deana Grandstaff, as recorded in Volume 4351, Page 74 of the Official Public Records of Rockwall County, Texas;

THENCE South 00°35'00" East, along the West line of said Grandstaff tract, a distance of 153.97' to a 1/2" iron rod found for a corner in the North Right-of-Way line of St. Mary's;

THENCE South 87°40'40" West, along said North Right-of-Way line, a distance of 197.16' to a 1/2" iron rod found for a corner at a cutback in the Right-of-Way line for State Highway No. 205 or South Goliad Street;

THENCE North 46°36'56" West along said cutback line, a distance of 20.95' to an aluminum TXDOT monument found for a corner on the East Right-of-Way line of said Highway No. 205;

THENCE North 00°54'19" West (Controlling Bearing Line), along said East Right-of-Way line, a distance of 139.10' to the POINT OF BEGINNING and containing 32,621 square feet or 0.75 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS:

COUNTY OF ROCKWALL:

We the undersigned owners of the land shown on this plat, and designated herein as ALBRIGHT-HILL ADDITION, an Addition to the City of Rockwall, Texas and whose name is subscribed hereto, dedicate to the use of the public forever and all streets, alleys, parks, water courses, easements and public places thereon hereon shown on the on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring the use or using same.

We also understand the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utilitiy shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way interfere with the construction, maintenance or efficency of their respective system on any of the easement strips, and any public utility shall at all times have the right of ingress to or egress from and upon the said easement strips for the purposes of construction, reconstruction, inspection, patrolling, maintaining, and either adding to or removing all or part of their respective systems without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsiblity for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversly affected by storm drainage from the developer.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other peron until the developer and/or owner has compied with all requirements of the Subdivision Regulations of the City of Rockwall requarding improvements with respect to the entire block on the street on which the property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm sewer, and alleys, all according to the specifications of the City of Rockwall; or

Until and escrow deposit, sufficent to pay for the cost of such improvement, as determined by the city's engineer and/or city adiminstrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail to refuse to install the required improvements within the time stated in such written agreement, but in no case shall the city be obilgated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requistions to the city secretary, supported by the evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in the sum equal to the cost of such improvements for the designated area guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

SURVEYOR:

RUDY RANGEL
R.P.L.S. No. 5664
TBPLS No. 1007710

I futher acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth need of the city; I, my successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exaction's made herein.

_____
JENNIFER HILL

STATE OF TEXAS

COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared JENNIFER HILL known to me to be the person whose name is subsrcribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein stated.

Given upon my hand and seal of this _____ day of _____, _____,

_____ _____
Notary Public in and for the State of Texas — My Commission Expires:

SURVEYOR'S CERTIFICATE:

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Rudy Rangel, R.P.L.S. No. 5664, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown hereon were properly placed under my supervision.

_____
RUDY RANGEL
Registered Professional Land Surveor No. 5664

STATE OF TEXAS

COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Rudy Rangel known to me to be the person whose name is subsrcribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein stated.

Given upon my hand and seal of this _____ day of _____, _____,

_____ _____
Notary Public in and for the State of Texas — My Commission Expires:

APPROVED

I hereby certify that the above and foregoing plat of ALBRIGHT-HILL ADDITION, an addition to the City of Rockwall, Texas was approved by the City Council of teh City of Rockwall on the _____ day of _____, 2014.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval. Said addition shall be subject to all the requirements of teh Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____, 2014.

_____ _____
Mayor City of Rockwall — City Secretary of Rockwall

_____ _____
City Engineer — Date

2/2

FINAL PLAT

JAMES M. ANDERSON
10 CYPRESS COURT
HEATH, TEXAS 75032
214-548-2042
jma90266@gmail.com

SCALE:	DATE:	
1" = 30'	8-7-14	

ALBRIGHT-HILL ADDITION

B.F. BOYDSTUN SURVEY, ABST. NO. 14
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER: ALBRIGHT PROPERTIES, LLC
JENNIFER HILL
12160 ABRAMS ROAD, DALLAS, TEXAS 75243
(972) 270-5452

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 09/02/2014

APPLICANT: Jay Bedford

AGENDA ITEM: **P2014-023** (Sharp Addition - Replat)

SUMMARY:

Discuss and consider a request by Jay Bedford of A. J. Bedford Group, Inc. on behalf of the owner, Rick Sharp, for the approval of a replat for Lots 4, 5 & 6, Block A, Sharp Addition, being a 6.222-acre parcel of land currently identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for commercial land uses, situated within the SH-276 Corridor Overlay (SH-276 OV) District, generally located on the north side of SH-276 east of the intersection of SH-276 and Corporate Crossing (*FM-549*), and take any action necessary.

COMMENTS:

- The objective of this request is to replat a 6.222-acre parcel of land for the purpose of creating three lots (Lots 4, 5, & 6) for the sale of private property and development.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions below.
- With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.
- An application is currently being considered for an amendment to PD-46 that is associated with Lot 6 of this plat.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

1) All the technical comments from the Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following Planning Comments;

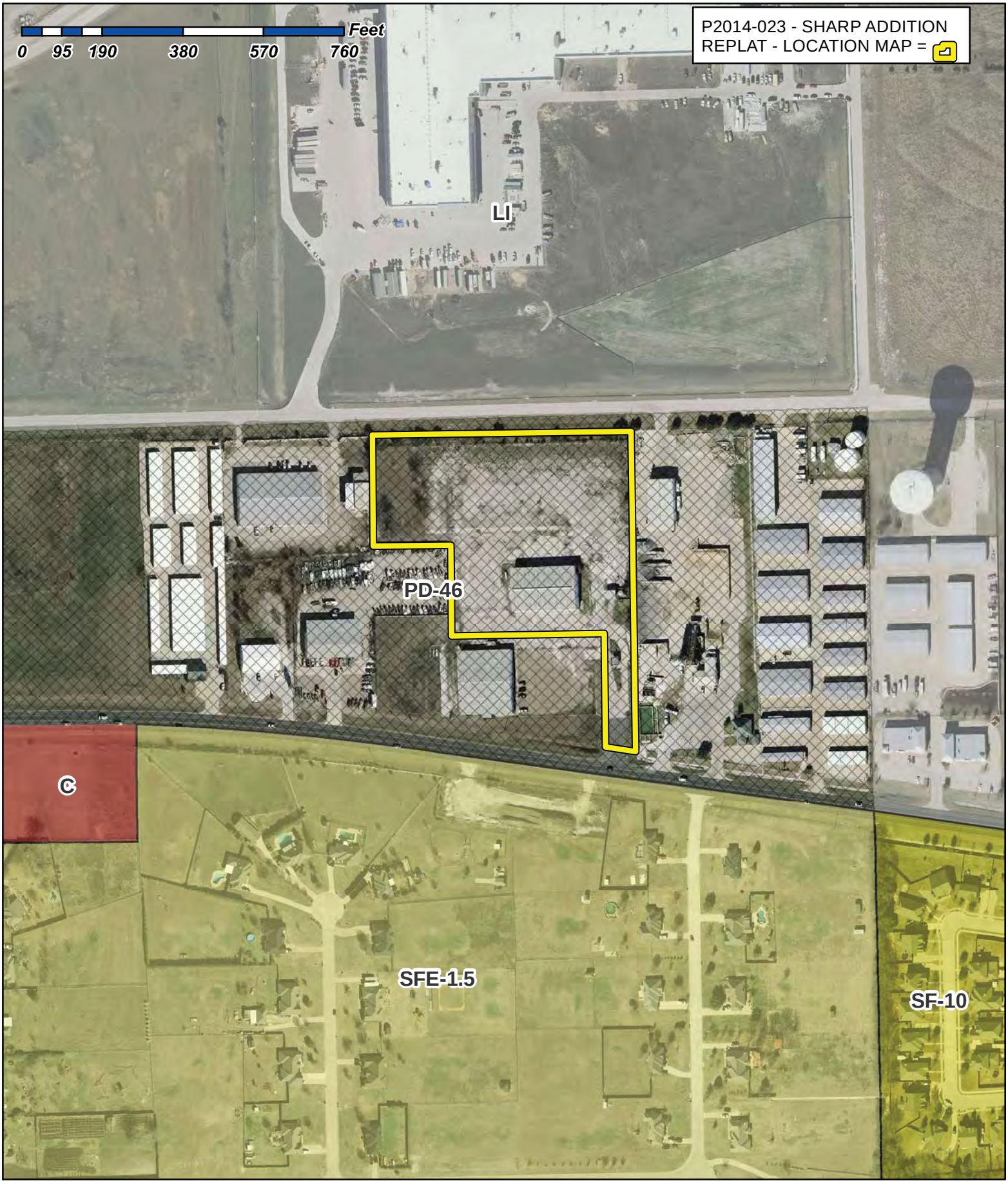
    a. Correct Title Block to indicate "Lots 4,5, & 6, Block A"...
    b. Re-label Lot 2R on plat to indicate "Lot 6." The City does not use "R" with exiting lot to indicated replat.
    c. Re-label 30' access easement to "30-ft Firelane, Public Access, Drainage & Utility Easement"
    d. Proposed 24-ft Firelane & Public Access Easement on Lot 4 (as per Site Plan) must meet distance requirements with proposed 30-ft Firelane, Public Access,...Easement. Get with Engineering Department for spacing requirements.

e. Notary not necessary when plat is sealed by surveyor.
f. Provide case number (P2017-023) on both pages.

2) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING RECOMMENDATION:

On August 26, 2014, the Planning and Zoning Commission recommended approval of the replat with staff conditions by a vote of 5 to 0 (Neilsen and McCutcheon absent).



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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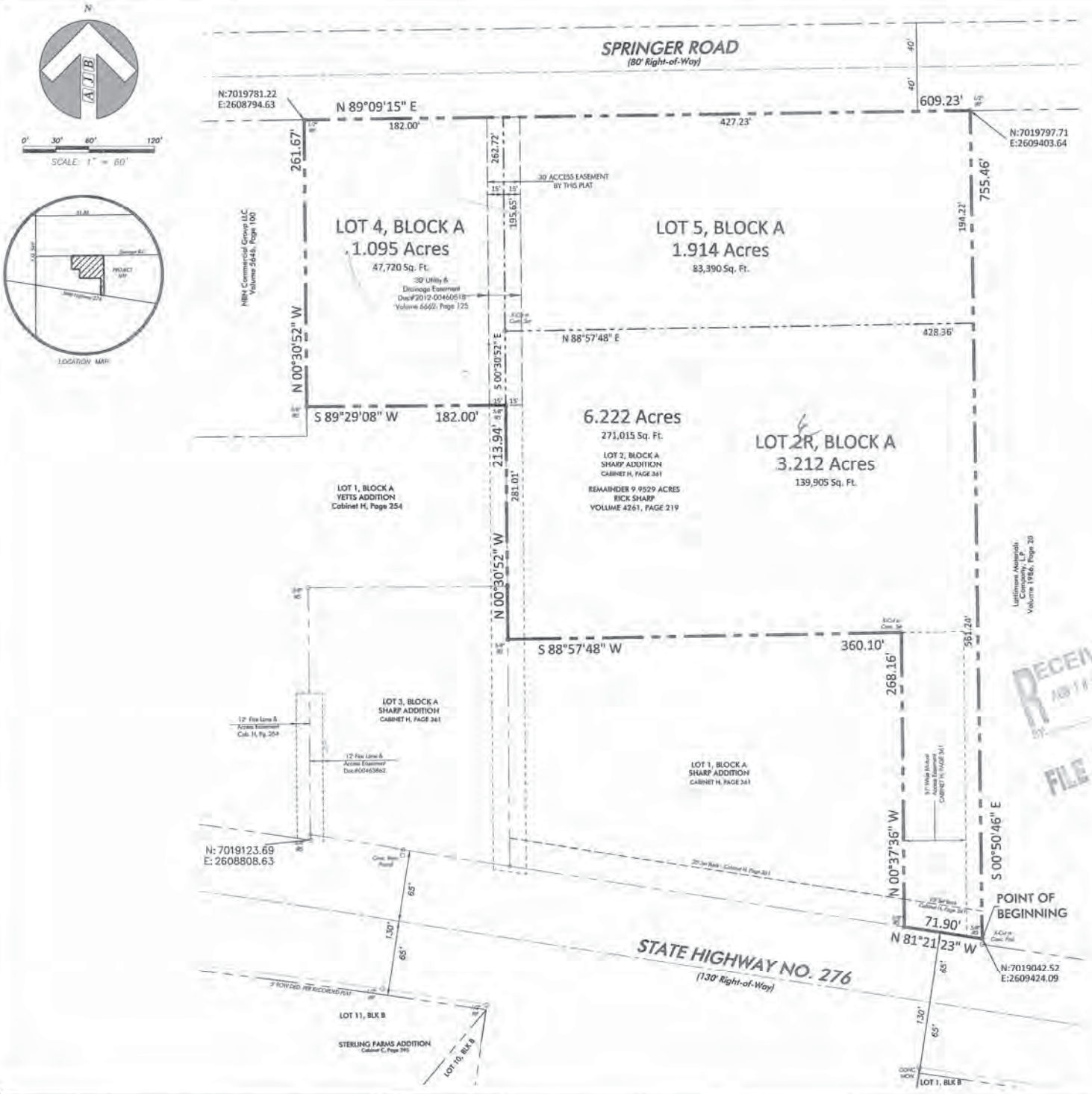

Site subject to restrictive covenants recorded in Volume 217, Page 96 of the Real Property Records of Rockwall County, Texas.

Site subject to terms, provisions of Facility Agreement recorded in Volume 6479, Page 168

Site subject to Easement recorded in Volume 6662, Page 125.

NOTES:
BASIS OF BEARINGS: BEARINGS ARE BASED ON THE DEED RECORDED IN VOLUME 217, PAGE 92, DEED RECORDS, ROCKWALL COUNTY, TEXAS.

FLOOD STATEMENT: ACCORDING TO COMMUNITY PANEL NO. 48397C0045L, DATED SEPTEMBER 26, 2008 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM MAP THIS PROPERTY IS WITHIN FLOOD ZONE "X", WHICH IS NOT A SPECIAL FLOOD HAZARD AREA. IF THIS SITE IS NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

LEGEND	
IRF	Iron Rod Found
IRS	Iron Rod Set
Conc. Mon.	Concrete Monument
OPRRCT	Official Public Records of Rockwall County, Texas
DRRCT	Deed Records of Rockwall County, Texas

THE PURPOSE OF THIS PLAT IS TO CREATE 3 INDIVIDUAL LOTS AND ADD AN ACCESS EASEMENT.

RECEIVED AUG 14 2014 BY

FILE COPY

CASE NO. P2014 023

REPLAT
SHARP ADDITION
LOTS 2R, 4 & 5, BLOCK A
6.222 ACRES

BEING A REPLAT OF LOT 2, BLOCK A OF
SHARP ADDITION RECORDED IN CABINET H, PAGE 361
SITUATED IN THE J. A. RAMSEY SURVEY ABSTRACT NO. 186
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner: RICK SHARP richard.sharp@sharpinsulation.com
201 LAURENCE DR. PMB 523
HEATH, TX 75032 972-772-7411

Scale:	1" = 60'
Date:	August 14, 2014
Technician:	B J Elam
Drawn By:	B J Elam
Checked By:	A.J. Bedford
P.C.:	D. Cryer
File:	SHARP ADDITION-Replat
Job. No.	533-001-C
	TBPLS Reg. #10118200

301 N. Alamo Road * Rockwall, Texas 75087
(972) 722-0225 / www.ajbedfordgroup.com / ajb@ajbedfordgroup.com

Sheet: 1 Of: 2

AJ BEDFORD GROUP, INC.
Registered Professional Land Surveyors

N:\ALL FILES\533-BINGLEY BARFIELD\Rockwall\SHARP\SHARP ADDITION REPLAT.dwg, 8/15/2014 11:52:01 AM

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: City Council

FROM: Ryan Miller, *Planning Manager*

CC: Robert LaCroix, *Director of Planning*

DATE: September 2, 2014

SUBJECT: Appointment with Bill Bricker

Bill Bricker has scheduled an appointment before the City Council for the purpose of requesting a new land use be added to the City's *Permissible Use Charts* located in Article IV, *Permissible Uses*, of the Unified Development Code. Specifically, Mr. Bricker is requesting to establish a use that allows for the sale of a limited number of automobiles that will be stored and displayed indoors at all times. Sales will only be by appointment and no walk up or drive by traffic will be generated by the use. As part of this request Mr. Bricker has proposed the following restrictions for the new use:

1) All vehicles shall be stored indoors at all times and no outdoor display shall be permitted.
2) Vehicle counts shall be limited to an absolute number and location relating to storage space. (*i.e. 2,000 SF might allow 6 - 7 cars*).
3) While a sign is required by the state, it would not be over the minimum required size as allowed by the City and be placed as unobtrusively as possible.
4) Only the business name shall be displayed on the sign, and no phone numbers (unless required by the State law) shall be displayed.
5) The use could be referred to as *Appointment Only Used Car Sales*.
6) This use could be allowed by a Specific Use Permit (SUP) in a Commercial (C) and Light Industrial (LI) District only.

Attached to this memorandum is a copy of the applicant's request. Staff will be available to answer any questions the City Council may have about the proposed use.

Miller, Ryan

To: LaCroix, Robert
Subject: RE: New use of property

From: Bill Bricker <bill@colventures.com>
Date:
To: "Ashberry, Kristy" <KAshberry@rockwall.com>,"LaCroix, Robert" <RLaCroix@rockwall.com>
Subject: New use of property

Kristy,

I would like to request being placed on the Council, or maybe P&Z first? to request a new use be added to the City land use chart.

I am interested in an internet based, no walk in business used car dealership. I want to be able to use my facility at 1200 E Washington for selling limit numbers of cars and need to have a license from the State to do so. And for that I need approval for a CO from the City I think.

For myself, I only want to keep a few cars, indoors at all times and have customers come only by appointment. No walking or drive by traffic at all. My son CJ wants to be able to buy a used car or two at a time, detail and repair as needed and resell with this limited market approach. It is done all over, including some being done in Rockwall possibly under the radar.

I find this requires a new use. I would be proposes the following with of course some input and adjustment from the staff.

1) All vehicles stored indoors at all times, no outdoor display
2) Vehicle count limited to some absolute number, and by location to the allowed space. In other words, 2000 sq ft might be 6-7 cars to allow for room to get around.
3) While a sign is required by the state, it would not be over the minimum required size and placed as unobtrusively as possible.
4) Only the business name on the sign, no phone numbers unless required by the State. (I don't think so and will check before publishing the case)
5) As this would preclude walk up or drive by shopping, the use could be called Appointment Only, Used Car Sales.
6) This use could be by an SUP in Commercial and LI zoned property only.

There may be other criteria but this is a start. I am copying Robert so he can be thinking about this. Please tell me how to proceed.

Thanks!!

Bill

Bill Bricker

Columbia Ventures Corporation
305 Park Place Blvd.
Rockwall, TX 75087
972-722-2439

bill@colventures.com

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **September 2, 2014**

SUBJECT: **Special Event Permit request for Harbor Auto Show 2014**

Kim Lovett with Eventive Marketing Solutions representing UCR Asset Services is requesting permission to hold a special event on the Harbor property. The event is the Harbor Auto Show 2014 and is scheduled to be held on September 20th.

This will be the 4th year that this event has been conducted. The event consists of a couple of the local automotive dealerships staging some of their new products on the grounds for public view, as well as several classic car owners bringing their vehicles for display. All vehicle displays and vendor booths will be on private property. The event is fairly low key and does not draw a large crowd, but does pull additional visitors into the Harbor for the day.

The Police Department and the Parks & Rec. Departments have performed their normal review of the application and do not have any special requests or needs for the Applicant to comply with. No Police presence is required and no additional rest rooms or trash detail will be needed.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **August 29, 2014**

SUBJECT: **Christmas Decorations**

Mayor Sweet requested that an item be added to the agenda to discuss and consider the purchase of Christmas decorations for downtown. Funding for the purchase will be from the downtown Fund. The current fund balance is approximately $55,000. Current commitments are approximately $4,000 for entertainment for the monthly night Owls event for the remainder of the year.

Casey, Jacky

From: Sweet, David
Sent: Thursday, August 28, 2014 4:16 PM
To: Crowley, Rick; Council Group; Ashberry, Kristy; Casey, Jacky; Smith, Mary; Griggs, Brad
Subject: Agenda item

Follow Up Flag: Follow up
Flag Status: Completed

Please place an agenda item on Tuesday night to discuss Christmas planning and decorations in downtown for this year .

Sent from my iPhone

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and Council members**

FROM: **Rick Crowley, City Manager**

DATE: **August 29, 2014**

SUBJECT: **Fiscal Year 2015 Proposed Budget**

Please find the attached memorandum from Mary Smith, which outlines our proposal to fund $265,000 of the proposed expenditures from street materials from General Fund reserves, which will facilitate the ability to hire three (3) Fire Department positions in the operating budget.

Several other of the budget related discussions from the workshop are also under consideration as to how to best facilitate the mutual goals of the staff and Council for the coming year. These may also be discussed on Tuesday.

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **August 29, 2014**

SUBJECT: **Fiscal Year 2015 Ad Valorem Taxes and Proposed Budget**

At the conclusion of the budget work session with the City Council, staff was instructed to review the budget to determine if there were any Manager approved items that could be allocated from reserves. By adopted policy, any project, which extends the life of an asset, is an acceptable use of reserves. It would be appropriate to designate an additional $265,000 from reserves rather than current revenues for street repairs.

Assuming adoption of the effective rate, which is 49.55 cents per hundred dollars of assessed value, this would allow an additional $265,000 to be appropriated by the Council for programs or projects, which were not approved in the proposed budget.

Budget Adoption Process

The City's Charter requires a public hearing to provide the opportunity to receive comments on the proposed budget. Keeping publication deadlines in mind the public hearing could be scheduled for September 15. If the budget continues with tax revenues based on the effective rate then the Council may be able to adopt the budget at the same meeting. If not then we can schedule budget adoption for one of the two tentatively scheduled special meetings that follow. The Charter is silent as to time between public hearing and adoption. The question has been posed to Frank Garza to answer for the meeting.

The Truth in Taxation statues, requires two public hearings be held before any tax rate is adopted that increases revenues over the revenues generated by the effective rate. This will not be necessary if we move toward adoption of the effective rate. We will still be required to publish notice of the proposed tax rate but it will not include dates for tax rate public hearings.

Staff will need direction as to the Council's preference for further consideration of the tax rate at this Council meeting in order to meet publication deadlines.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: September 2, 2014

SUBJECT: Amendment to the Material Requirements for Commercial/Industrial Buildings

The Unified Development Code currently restricts all commercial and industrial buildings, not within an Overlay District, from locating stucco within the first eight (8) feet above grade on any building façade that is visible from a street or public area [*Sec. 4.1.A.1 & 5.1.A.1; Art. V, UDC*]. This is in contrast to the Overlay District requirements, which are less restrictive and prohibit stucco from being located within the first four (4) feet above grade on any building façade that is visible from a street or public area (*e.g. Sec. 6.7.C.1.a; Art. V, UDC*). The purpose of this restriction is generally to allow for a greater variation of materials, and for the incorporation of a brick or stone wainscot. This has become an issue on past projects that proposed smaller buildings (typically located outside of the overlay districts) built to a residential scale that usually utilize pitched roofs. In these cases the eight (8) feet is difficult to incorporate into the design of the building, and usually required the applicant to request a variance.

Staff is requesting direction from the City Council concerning this issue. Staff would propose lowering the eight (8) foot requirement to match the current overlay district requirement of four (4) feet.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Robert LaCroix, Director of Planning

DATE: August 26, 2014

SUBJECT: Architectural Review Board Qualifications

The Unified Development Code specifically defines the qualifications for board members on Architectural Review Board. These requirements have made it difficult to find individuals living within the City of Rockwall to meet those qualifications. In turn, that has caused an issue with keeping a full seven members for the board on a continuous basis. The following qualifications are listed in Article II. Authority & Administrative Procedures under Section 13 Architectural Review:

Sec. 13.2. Term of office; qualifications.
A. *Term.* The members shall be appointed for a term of two years with staggered terms and shall be removable for cause by the city council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term the city council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the city council upon completion of a term to which he has been appointed.
B. *Composition.* The membership shall include one registered architect, one residential property owner in the district and one commercial property owner in the district. The remaining membership shall include no more than one representative from any of the following categories:
(1)Landscape architects;
(2)Civil engineers;
(3)Structural engineers;
(4)Experienced commercial builders in the district;
(5)Professional land planners; and/or
(6)Building designers who are members in good standing with a recognized professional association.
All members must be residents of Rockwall County.

Due to the size of the community, finding qualified individuals has always been somewhat difficult. Staff would suggest amending Section B to contain more flexible qualifications that would allow more opportunities in the selection process for these board members. The following is an example of the wording change the Council might consider:

"B. **Qualifications**. *At least one member shall be a registered architect in the State of Texas. Other members are chosen for qualifications and training in related fields such as landscape architecture, interior or exterior design, municipal planning, municipal government and other professions with related disciplines or civic interest*."

Should the Council want to move forward with this proposition then the staff would proceed with a zoning case to consider a text amendment to the Unified Development Code.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **August 27, 2014**

SUBJECT: **Animal Adoption Center Advisory Committee**

Pursuant to State law, the City of Rockwall formed an Animal Adoption Center Advisory Committee. The committee is charged with the responsibility to report annually to the city council regarding compliance with the requirements of V.T.C.A., Health and Safety Code ch. 823, Standards for Animal Shelters. The committee will also perform other tasks as directed by the city council.

According to our ordinance, our committee shall consist of a licensed local veterinarian, one municipal official, one representative from an animal welfare organization, and three city citizens to be appointed by the city council, and one person whose duties include the operation of the city's animal adoption center to be appointed by the city manager, and who shall serve as an ex officio member.

State law states that “the governing body of a county or municipality in which an animal shelter is located shall appoint an advisory committee to assist in complying with the requirements of this chapter.

(b) The advisory committee must be composed of at least one licensed veterinarian, one county or municipal official, one person whose duties include the daily operation of an animal shelter, and one representative from an animal welfare organization.

The Rockwall Animal Adoption Center Advisory Committee current members are Ken Dickson, Sandra Solomon representing the animal welfare group PAWS and licensed veterinarian Dr. Kurt Avery. Molly Peterson with CCHS is an ex officio member of the Committee. Dr. David Loftis is listed as a member but has been inactive. Mayor Pro Tem Pruitt serves in the “Municipal Official” role.

If the Council desires, staff will prepare an ordinance amendment to change the composition of the Rockwall Animal Adoption Center Advisory Committee to reflect our current membership while continuing to comply with the State statute.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor & City Council**

FROM: **Rick Crowley, City Manager**

DATE: **August 27, 2014**

SUBJECT: **Nomination for TML Intergovernmental Risk Pool Board of Trustees**

My view is that Peter Vargas, City Manager of Allen, is likely in the best position to reflect the values of the City of Rockwall due to his background and the similarities between the cities of Rockwall and Allen.

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August 2014 (Re) Appointments

2 year appointments to end of August 2016 unless otherwise noted

ARCHITECTURAL REVIEW BOARD (ARB) - Milder

(1) May reappoint

Kristi Mase (attendance – missed 1 of 9 mtgs.)
Julien Meyrat (attendance – missed 1 of 9 mtgs.)

(2) Need to replace

Michael Johnston (currently serving as "commercial property owner")
Mike Mershawn (attendance - missed 4 of 9 mtgs.) (new member would serve partial term until Aug. 2015) (currently serving as "architect")

BOARD OF ADJUSTMENTS (BOA) - Full Council

(1) May reappoint

Todd White (attendance – missed 1 of 3 mtgs.)

(1) Need to replace

Jennifer Willis (termed out - 6 year policy)

BUILDING & STANDARDS COMMISSION - Full Council

(1) May reappoint

Eric Chodun (attendance – attended the 1 mtg. that's been held in last year)

(3) Need to replace

David Marlett (termed out - 6 year policy)
Bridgett Hoofnagle (termed out - 6 year policy)
Mike Jusko (termed out - 6 year policy)

PARK BOARD - Townsend

(3) May reappoint

Brad Bassett (attendance – missed 4 of 11 mtgs.)
Kevin Moffatt (attendance - missed 2 of 11 mtgs.)
Charles Johnson (attendance - no missed meetings)

(1) Need to replace

Marcus Yarbrough (termed out - 6 year policy)

PLANNING & ZONING COMMISSION - Full Council

(2) May reappoint

Craig Renfro (attendance – missed 2 of 23 mtgs. in last year) (new term through Aug. 2017)

Matthew Nielsen (attendance – missed 6 of 23 mtgs. in last year) (new term through Aug. 2017)

(2) Need to replace
Kristen Minth (termed out - 6 year policy (new board member's term through Aug. 2017)
Connie Jackson (termed out - 6 year policy) (new board member's term through Aug. 2017)

MAIN STREET ADVISORY BOARD - Sweet

(1) Need to replace
SuLaine Callaway (resigned) (new board member's term would be through Jan. 2016)

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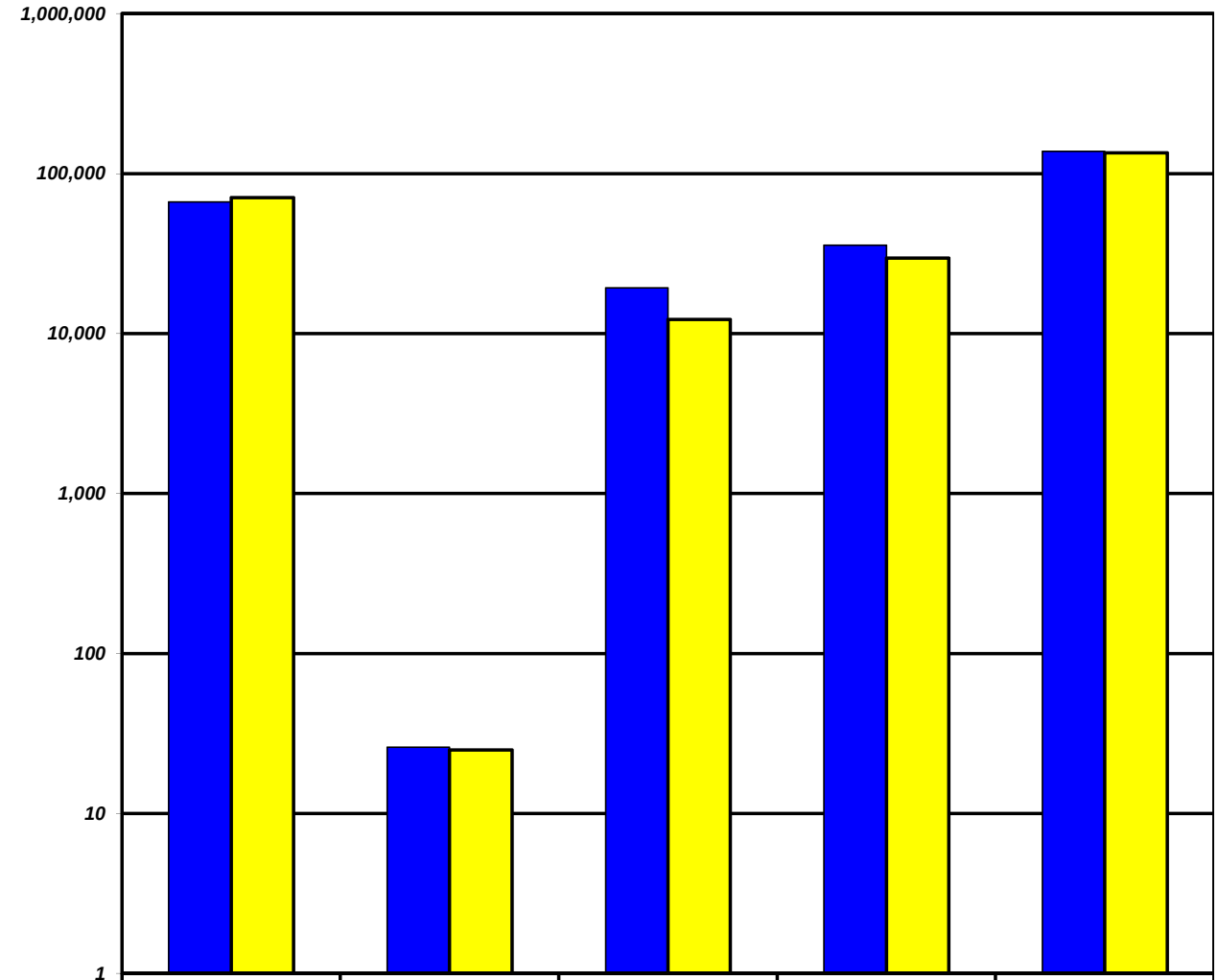
City of Rockwall
Parks and Recreation Department
FY14 July 2014



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY14 YTD	66,515	26	19,289	$35,719	$138,084
FY13 YTD	70,863	25	12,260	$29,672	$134,944

The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.
Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.
Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

July 2014

Permits

Total Permits Issued: 291

Building Permits: 51 Contractor Permits: 240

Total Permit Values: $ 8,790,567.42

Building Permits: $ 7,674,168.87 Contractor Permits: $ 1,116,398.55

Total Fees Collected: $ 172,232.70

Building Permits: $ 157,967.37 Contractor Permits: $ 14,265.33

Board of Adjustment

Board of Adjustment Cases 0

City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

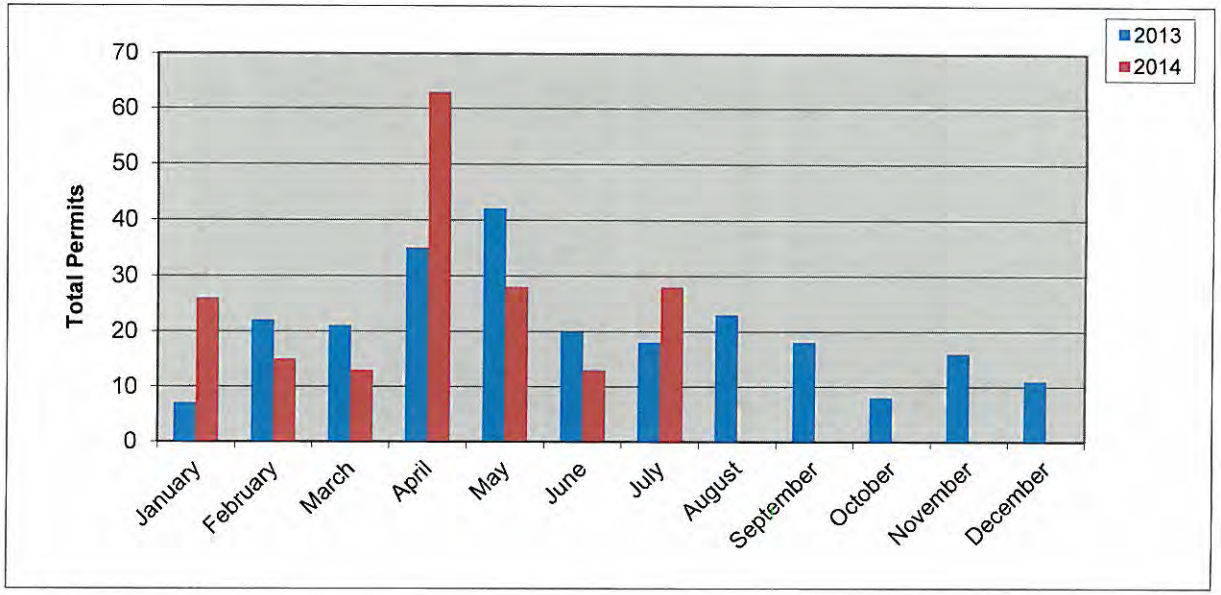
For the Period 7/1/2014 thru 7/31/2014

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	5	$0.00	$251.50
30 DAY BANNER	5	$0.00	$251.50
CLEAN SHOW	4	$0.00	$304.50
	4	$0.00	$304.50
CO	15	$0.00	$1,132.50
BUSINESS	14	$0.00	$1,056.00
NEW CONSTRUCTION	1	$0.00	$76.50
COMM	16	$866,139.00	$5,950.30
ALTERATION	2	$180,908.00	$1,503.50
CONCRETE	1	$0.00	$0.00
INTERIOR COMP	3	$464,360.00	$3,939.75
IRRIGATION	2	$8,500.00	$70.00
MISCELLANEOUS	1	$0.00	$35.00
PLUMBING	4	$4,500.00	$217.75
REMODEL	2	$3,600.00	$149.30
ROOF	1	$204,271.00	$35.00
NONPROFIT SIGN PERMI	2	$0.00	$0.00
	2	$0.00	$0.00
SIGNAGE	7	$5,000.00	$526.50
MONUMENT	2	$5,000.00	$150.00
WALL	5	$0.00	$376.50
SINGLE FAMILY	225	$7,919,428.42	$163,407.40
ACC BLDG	5	$6,838.00	$299.05
ADDITION	3	$23,400.00	$494.50
ALTERATION	1	$75,000.00	$830.25
CONCRETE	2	$4,200.00	$151.00
DECK	2	$8,700.00	$225.90
DEMO	3	$4,200.00	$150.00
ELECTRICAL	3	$2,500.00	$138.76
FENCE	61	$209,546.86	$2,112.60
IRRIGATION	18	$42,300.00	$633.00
MECHANICAL	25	$172,014.95	$3,830.41
MISCELLANEOUS	2	$28,500.00	$86.50
NEW	28	$6,883,062.87	$149,861.59
PATIO COVER	6	$33,000.00	$778.50
PERGOLA	1	$4,000.00	$110.93
PLUMBING	38	$36,556.00	$1,922.71
RETAINING WALL	6	$31,300.00	$211.50
ROOF	10	$70,600.00	$353.70
SEAWALL	1	$0.00	$51.00
SWIM POOL	7	$253,399.00	$1,059.00
WINDOWS	3	$30,310.74	$106.50
SPECIAL EVENT	15	$0.00	$60.00
	15	$0.00	$60.00
TCO	2	$0.00	$600.00
	2	$0.00	$600.00
Totals:	291	$8,790,567.42	$172,232.70

CRW SYSTEMS

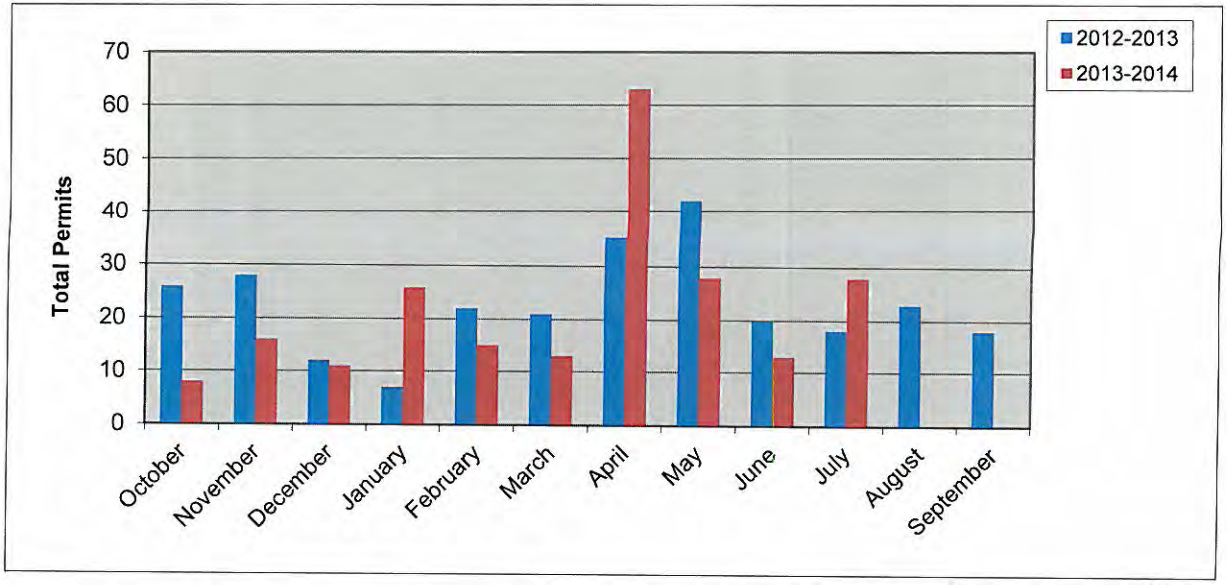
New Residential Permits Calendar Year

	Year	
	2013	2014
January	7	26
February	22	15
March	21	13
April	35	63
May	42	28
June	20	13
July	18	28
August	23	
September	18	
October	8	
November	16	
December	11	
Totals	**241**	186



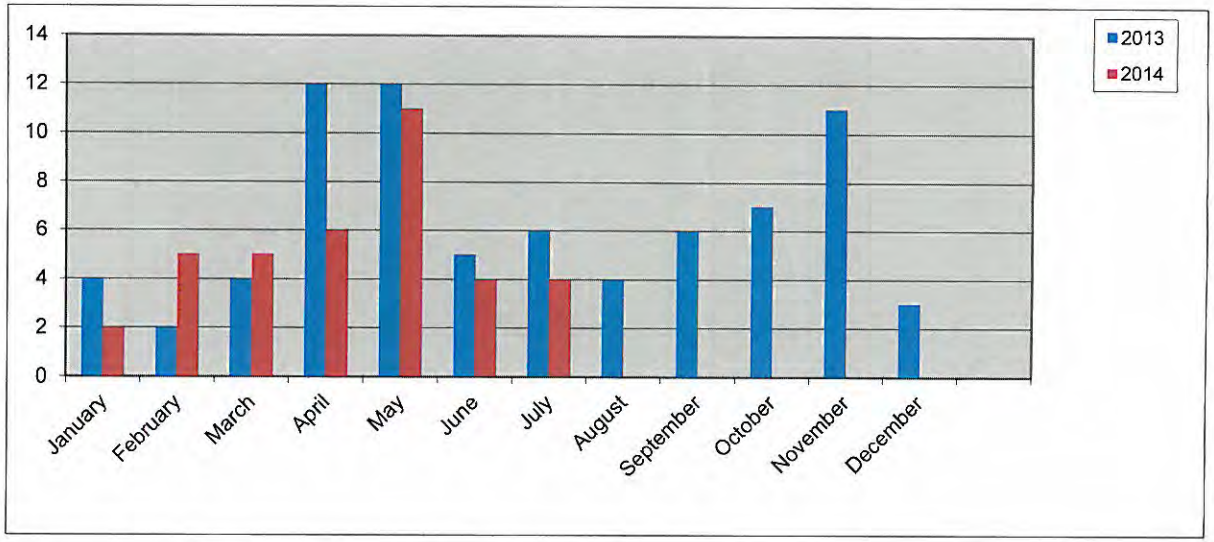
New Residential Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	26	8
November	28	16
December	12	11
January	7	26
February	22	15
March	21	13
April	35	63
May	42	28
June	20	13
July	18	28
August	23	
September	18	
Totals	**272**	221



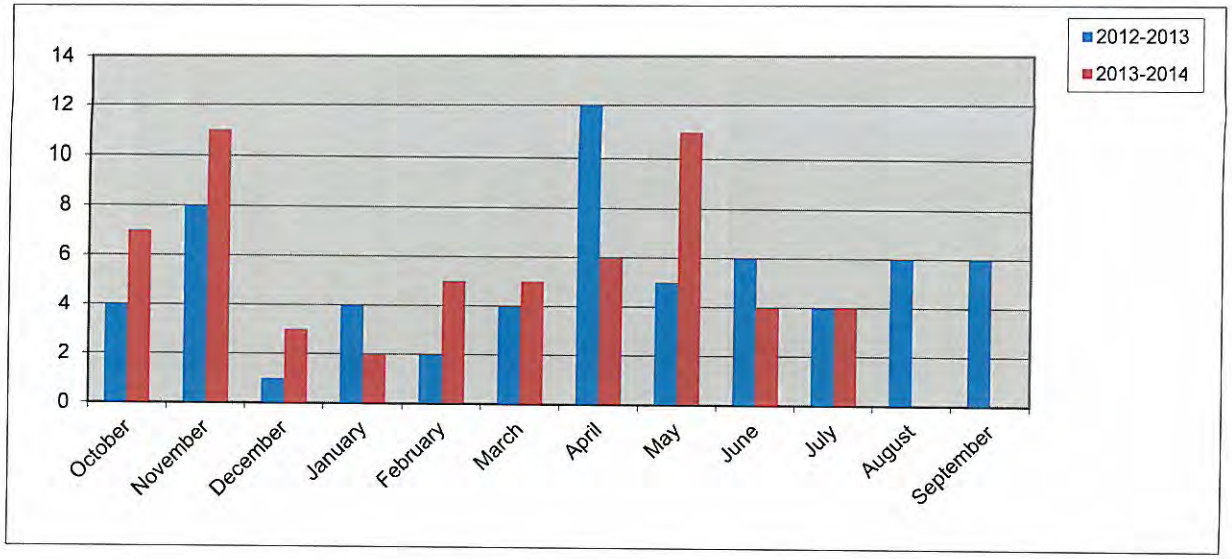
Residential Remodel Permits Calendar Year

	Year	
	2013	2014
January	4	2
February	2	5
March	4	5
April	12	6
May	12	11
June	5	4
July	6	4
August	4	
September	6	
October	7	
November	11	
December	3	
Totals	**76**	37



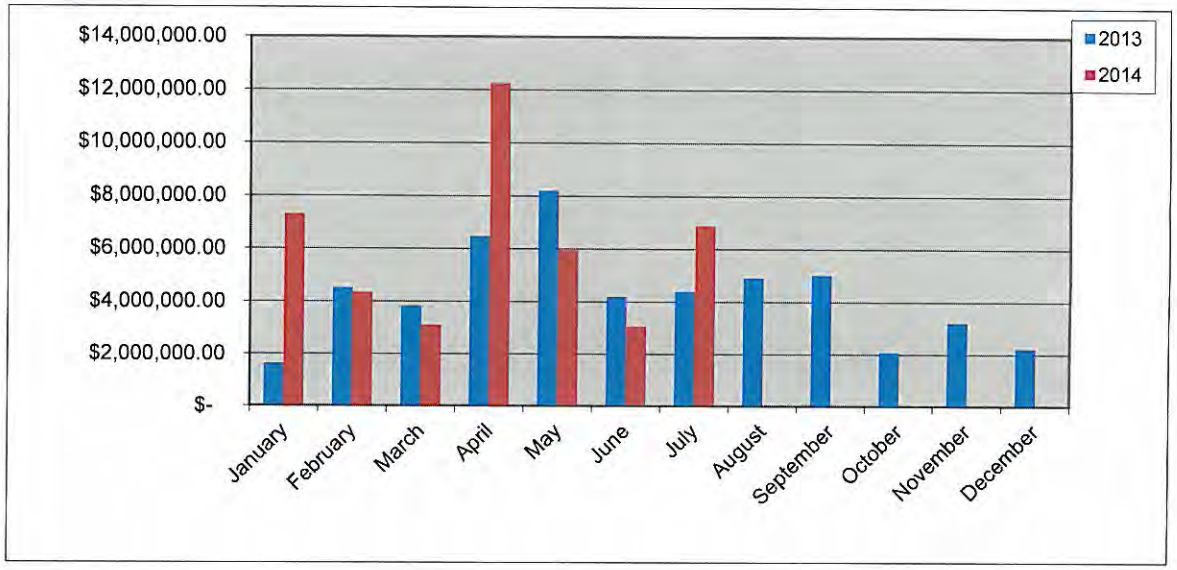
Residential Remodel Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	4	7
November	8	11
December	1	3
January	4	2
February	2	5
March	4	5
April	12	6
May	5	11
June	6	4
July	4	4
August	6	
September	6	
Totals	**62**	**58**



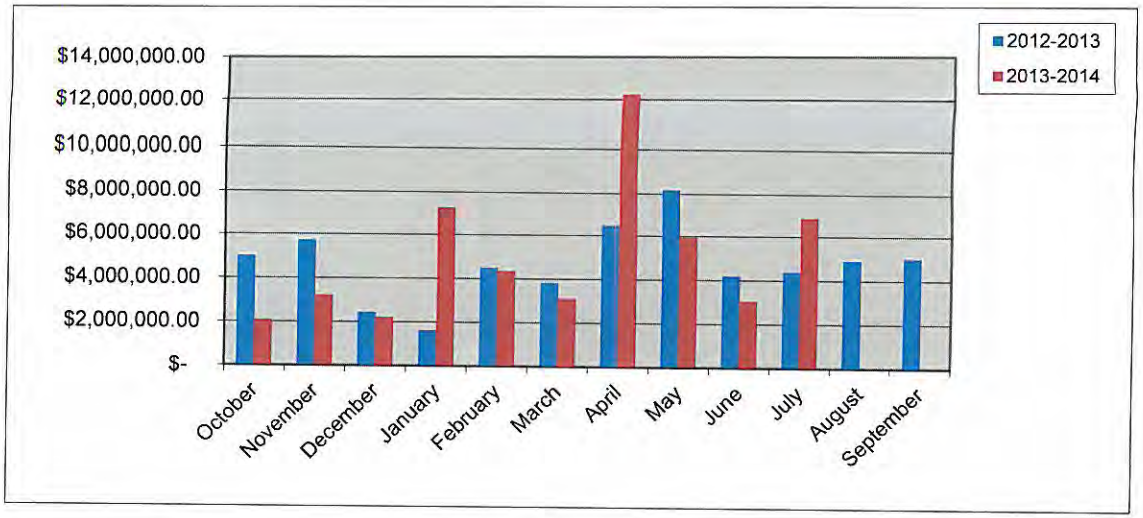
New Residential Value Calendar Year

Year	2013	2014
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	$ 12,228,936.33
May	$ 8,193,211.00	$ 5,960,240.00
June	$ 4,185,842.00	$ 3,048,536.00
July	$ 4,382,866.00	$ 6,883,062.87
August	$ 4,906,203.00	
September	$ 5,018,954.00	
October	$ 2,078,584.00	
November	$ 3,202,067.00	
December	$ 2,215,924.00	
Totals	**$50,608,931.00**	**$ 42,857,129.94**



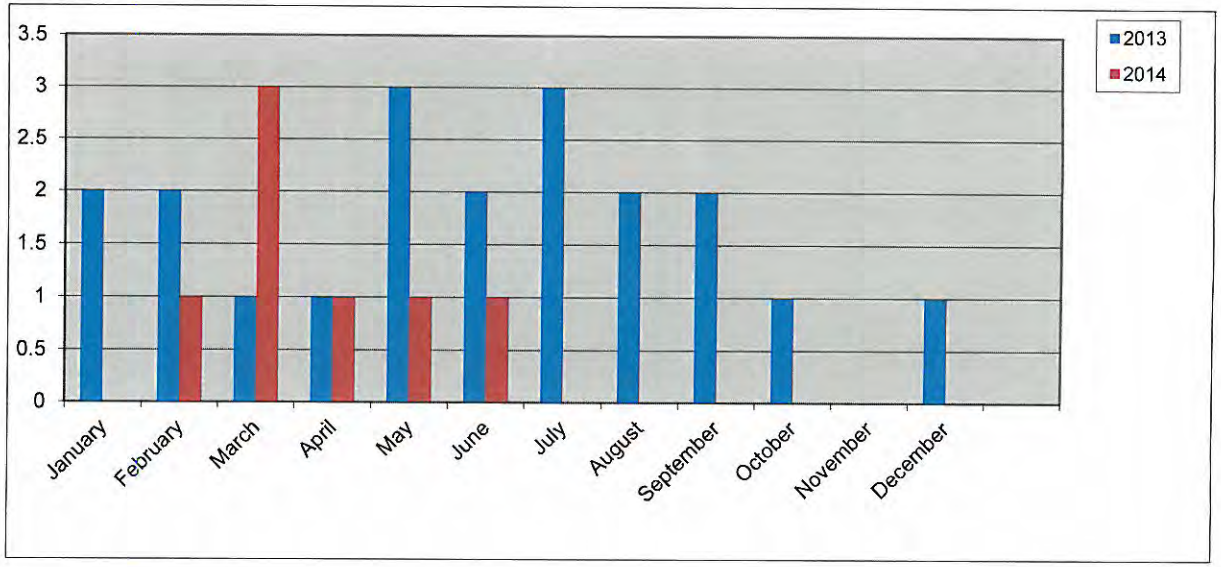
New Residential Value Fiscal Year

Year	2012-2013	2013-2014
October	$ 4,993,587.00	$ 2,078,584.00
November	$ 5,718,696.00	$ 3,202,067.00
December	$ 2,441,748.00	$ 2,215,924.00
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	$ 12,228,936.33
May	$ 8,193,211.00	$ 5,960,240.00
June	$ 4,185,842.00	$ 3,048,536.00
July	$ 4,382,866.00	$ 6,883,062.87
August	$ 4,906,203.00	
September	$ 5,018,954.00	
Totals	**$56,266,387.00**	**$ 50,353,704.94**



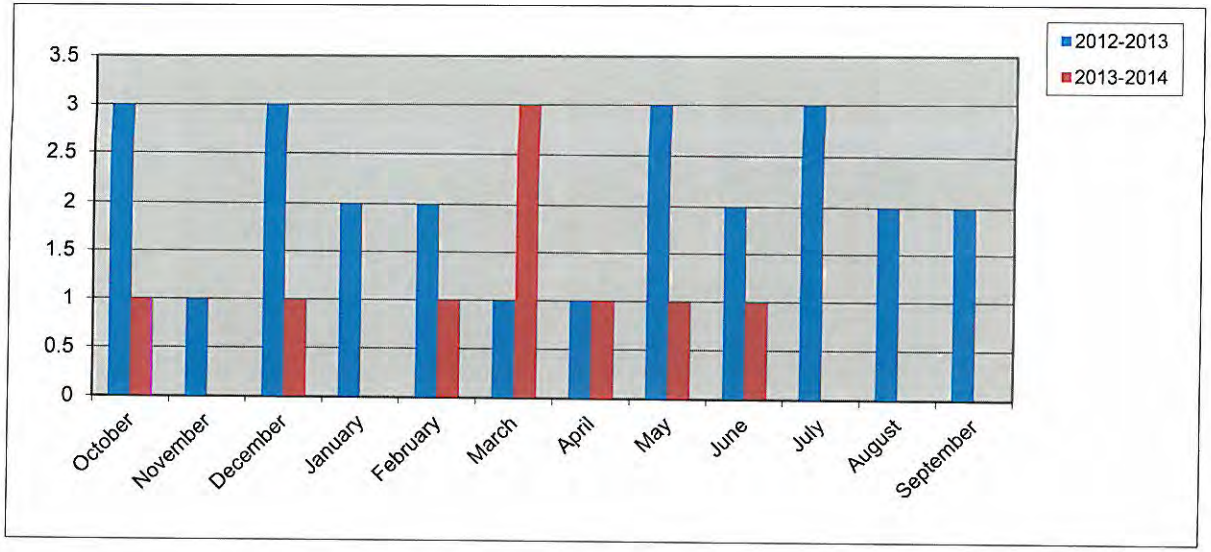
New Commercial Permits Calendar Year

	Year	
	2013	2014
January	2	0
February	2	1
March	1	3
April	1	1
May	3	1
June	2	1
July	3	0
August	2	
September	2	
October	1	
November	0	
December	1	
Totals	**20**	**7**



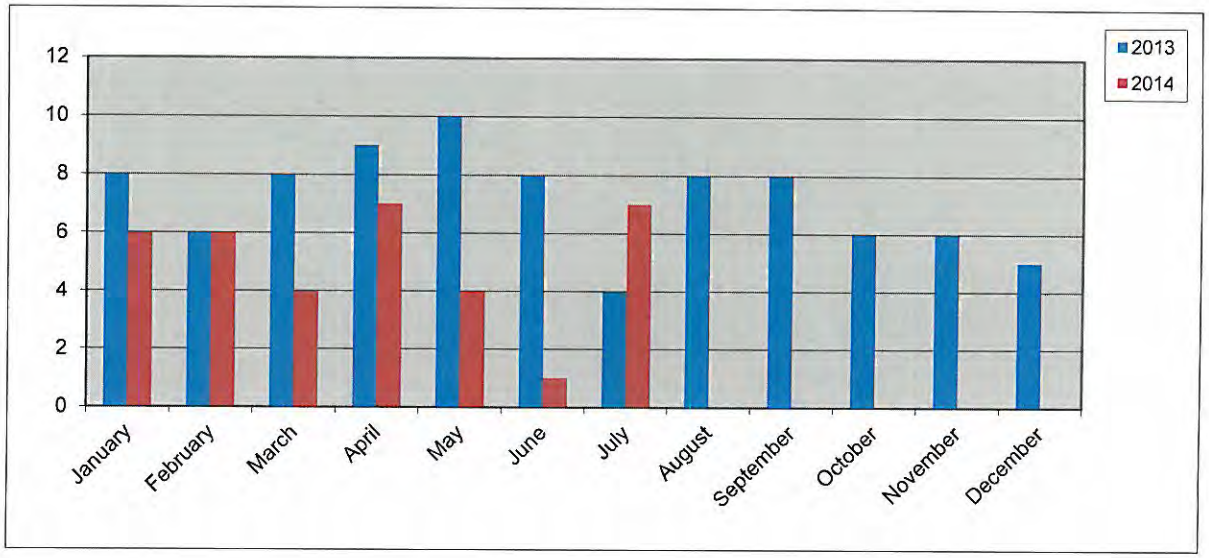
New Commercial Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	3	1
November	1	0
December	3	1
January	2	0
February	2	1
March	1	3
April	1	1
May	3	1
June	2	1
July	3	0
August	2	
September	2	
Totals	**25**	**9**



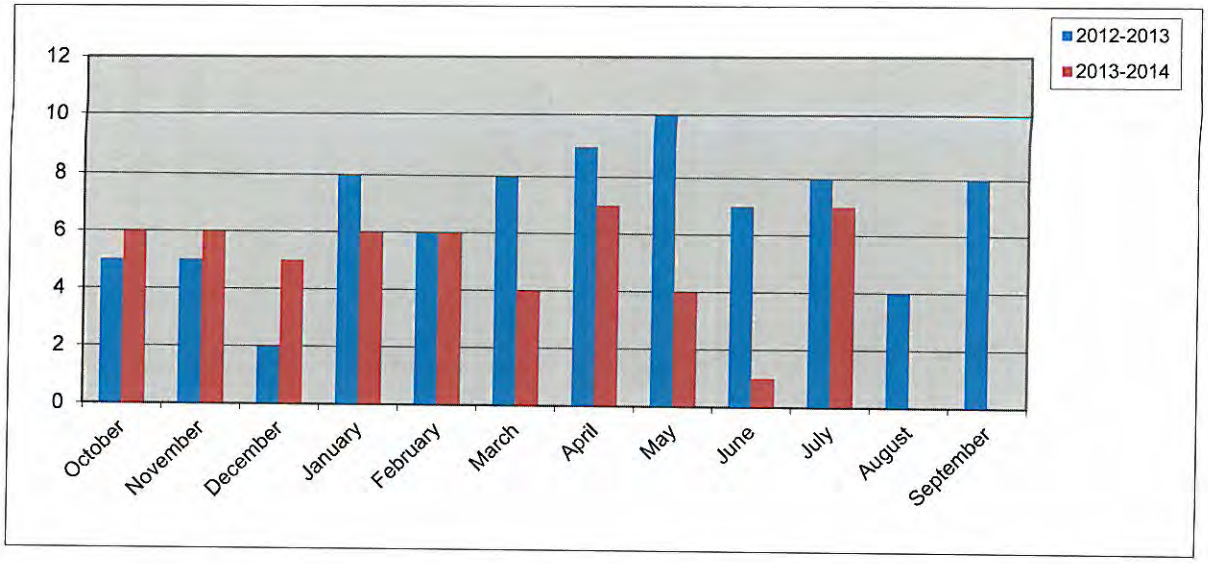
Commercial Remodel Permits Calendar Year

Year	2013	2014
January	8	6
February	6	6
March	8	4
April	9	7
May	10	4
June	8	1
July	4	7
August	8	
September	8	
October	6	
November	6	
December	5	
Totals	**86**	**35**



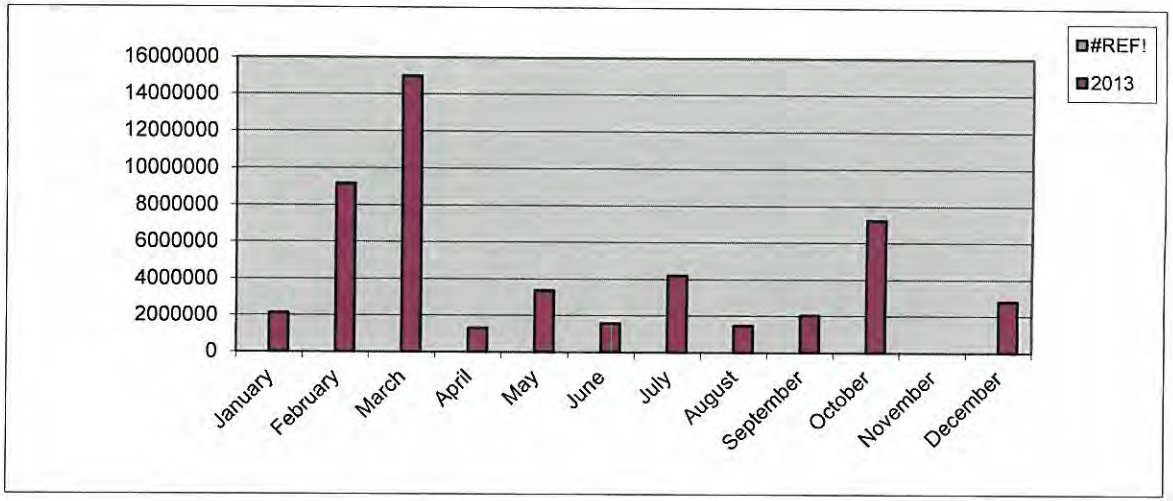
Commercial Remodel Permits Fiscal Year

Year	2012-2013	2013-2014
October	5	6
November	5	6
December	2	5
January	8	6
February	6	6
March	8	4
April	9	7
May	10	4
June	7	1
July	8	7
August	4	
September	8	
Totals	**80**	**52**



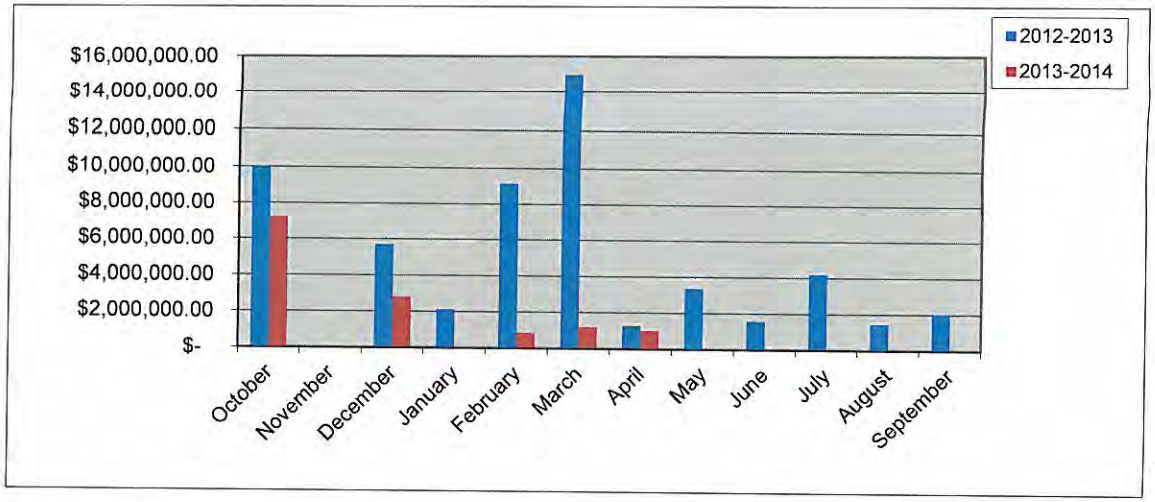
New Commercial Value Calendar Year

Year	2013	2014
January	$ 2,125,000.00	$ -
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	$ 1,185,000.00
April	$ 1,300,000.00	$ 1,000,000.00
May	$ 3,372,000.00	$ 5,000.00
June	$ 1,575,000.00	$ -
July	$ 4,200,000.00	
August	$ 1,454,000.00	
September	$ 2,040,000.00	
October	$ 7,225,000.00	
November	$ -	
December	$ 2,800,000.00	
Totals	**$ 50,241,000.00**	**$ 3,040,000.00**



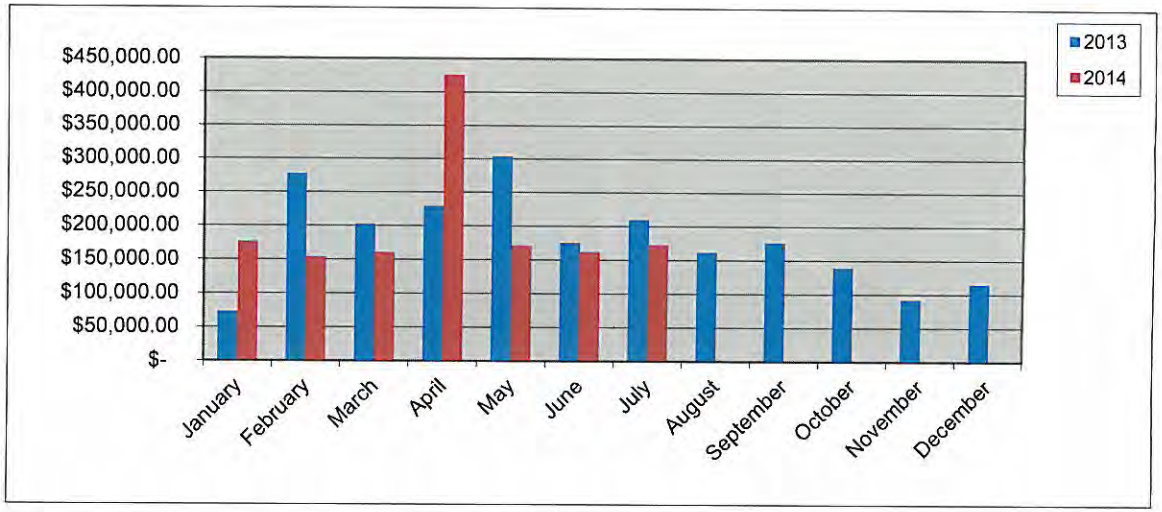
New Commercial Value Fiscal Year

Year	2012-2013	2013-2014
October	$ 10,000,000.00	$ 7,225,000.00
November	$ 5,000.00	$ -
December	$ 5,700,000.00	$ 2,800,000.00
January	$ 2,125,000.00	$ -
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	$ 1,185,000.00
April	$ 1,300,000.00	$ 1,000,000.00
May	$ 3,372,000.00	$ 5,000.00
June	$ 1,575,000.00	$ -
July	$ 4,200,000.00	
August	$ 1,454,000.00	
September	$ 2,040,000.00	
Totals	**$ 55,921,000.00**	**$ 13,065,000.00**



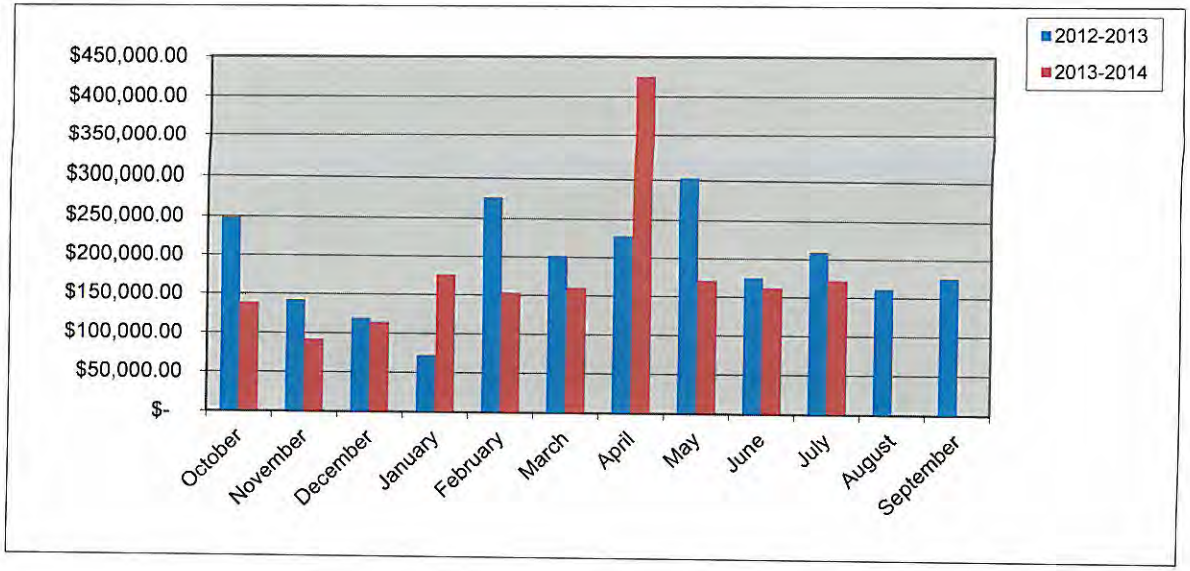
Total Fees Collected Calendar Year

Year	2013	2014
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	$ 425,003.86
May	$ 302,928.73	$ 170,849.07
June	$ 174,872.41	$ 161,690.82
July	$ 209,566.63	$ 172,232.70
August	$ 161,080.17	
September	$ 175,835.03	
October	$ 138,771.53	
November	$ 91,778.83	
December	$ 114,645.28	
Totals	**$ 2,148,877.79**	**$ 1,419,928.97**



Total Fees Collected Fiscal Year

Year	2012-2013	2013-2014
October	$ 248,932.46	$ 138,771.53
November	$ 142,356.98	$ 91,778.83
December	$ 119,604.19	$ 114,645.28
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	$ 425,003.86
May	$ 302,928.73	$ 170,849.07
June	$ 174,872.41	$ 161,829.08
July	$ 209,566.63	$ 172,232.70
August	$ 161,080.17	
September	$ 175,835.03	
Totals	**$ 2,314,575.78**	**$ 1,765,262.87**



City of Rockwall
PERMITS ISSUED
For the Period 7/1/2014 thru 7/31/2014

Subtype: BUSINESS

Permit No / Date Issued	Type of Permit / Status	Address / Parcel Number	Owner / Contractor	Valuation / Description	Total Fees	Fees Paid
CO2014-0028 7/3/2014	CO ACTIVE	216 RUSK ST. E 4820-000L-0001-D0-0R	OH, SOO WHEE & KYUNG	$ 0.00 Donut & Coffee	$ 75.00	$ 75.00
CO2014-0034 7/16/2014	CO ACTIVE	109 Bourn Ave E 4900-000L-0004-00-0R	EDWARDS, JASON	$ 0.00 Vogue Hair Gallery Salon & Spa	$ 76.50	$ 76.50
CO2014-0037 7/2/2014	CO ACTIVE	105 Kenway 3140-0129-0000-00-0R	NBN, COMMERCIAL GROUP LI	$ 0.00 La Cocina Del Tio Mon	$ 75.00	$ 75.00
CO2014-0043 7/10/2014	CO ACTIVE	179 County Line Rd. 0080-0000-0020-01-0R	BUFFALO, CREEK BUSINESS P.	$ 0.00 WOLFPACK MMA	$ 76.50	$ 76.50
CO2014-0044 7/17/2014	CO Active	206 FANNIN ST N 3780-0003-000A-00-0R	BAESA, MICHAEL H & PAIGE	$ 0.00 ROCKWALL YELLOW ROSE INC.	$ 75.00	$ 75.00
CO2014-0060 7/30/2014	CO ACTIVE	2014 Goliad St S 140 4834-000A-0002-01-0R	FOLSOM, ROBERT S	$ 0.00 India Garden	$ 75.00	$ 75.00
CO2014-0064 7/10/2014	CO ACTIVE	2927 RIDGE RD 103 4009-000A-0019-00-0R	REGENCY, CENTERS LP	$ 0.00 DONUT STATION # 1	$ 75.00	$ 75.00
CO2014-0065 7/18/2014	CO ACTIVE	105 Bourn Ave 4900-000L-0004-00-0R	EDWARDS, JASON	$ 0.00 Wags to Whiskers Pet Spa	$ 75.00	$ 75.00
CO2014-0066 7/24/2014	CO Active	2845 RIDGE RD 215 5067-000B-0001-00-0R	STEGER, TOWNE CROSSING II JUAN YANG	$ 0.00 HAPPY FEET	$ 75.00	$ 75.00
CO2014-0071 7/10/2014	CO ACTIVE	750 Justin 4322-000B-0001-R0-00	Big Texas Trailer manufacturing, I	$ 0.00 Big Tex Trailer Manufacturing, Inc.	$ 76.50	$ 76.50
CO2014-0076 7/8/2014	CO ACTIVE	1525 Airport Rd 0020-0000-0004-01-0R	ROCKWALL, PROPERTY CORP	$ 0.00 Lakes Regional MHMR Center	$ 75.00	$ 75.00
CO2014-0078 7/10/2014	CO ACTIVE	439 IH 30 E 3245-0000-0003-00-0R	DAVID BRITT/LEE RAMSEY/BF	$ 0.00 ROCKWALL LIGHTING & FLOOR	$ 75.00	$ 75.00
CO2014-0080 7/14/2014	CO ACTIVE	941 STEGER TOWNE 5068-000C-0004-00-0R	ROSE, RICKI & GAYLA	$ 0.00 Children's Park Learning Center	$ 75.00	$ 75.00
CO2014-0091 7/25/2014	CO ACTIVE	778 IH 30 5226-000A-0002-00-0R	WAL-MART, REAL ESTATE	$ 0.00 Starbucks	$ 76.50	$ 76.50
14 Permit(s) Issued with Subtype: BUSINESS				**$0.00**	**$1,056.00**	**$1,056.00**

Subtype: NEW CONSTRUCTION

Permit No / Date Issued	Type of Permit / Status	Address / Parcel Number	Owner / Contractor	Valuation / Description	Total Fees	Fees Paid
CO2014-0067 7/14/2014	CO ACTIVE	2012 Goliad St 4444-000A-001R-A0-0R	C, & V OF LANCASTER The Riverside Group, inc.	$ 0.00 QuikTrip	$ 76.50	$ 76.50
1 Permit(s) Issued with Subtype: NEW CONSTRUCTION				**$0.00**	**$76.50**	**$76.50**
				$0.00	**$1,132.50**	**$1,132.50**

15 Total Permit(s) Issued

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City of Rockwall
The New Horizon

CALLS BY TYPE - July 2014

City calls Situation Type	July #
142 Brush or brush-and-grass mixture fire	1
322 Motor vehicle accident with injuries	1
352 Extrication of victim(s) from vehicle	1
411 Gasoline or other flammable liquid spill	2
412 Gas leak (natural gas or LPG)	1
441 Heat from short circuit (wiring), defective/worn	1
442 Overheated motor	1
444 Power line down	3
531 Smoke or odor removal	1
551 Assist police or other governmental agency	3
553 Public service	2
556 Public service - Non paged	7
622 No incident found on arrival at dispatch address	3
631 Authorized controlled burning	1
651 Smoke scare, odor of smoke	3
652 Steam, vapor, fog or dust thought to be smoke	1
671 HazMat release investigation w/no HazMat	3
700 False alarm or false call, other	1
733 Smoke detector activation due to malfunction	1
735 Alarm system sounded due to malfunction	7
740 Unintentional transmission of alarm, other	3
741 Sprinkler activation, no fire - unintentional	1
743 Smoke detector activation, no fire - unintentional	4
744 Detector activation, no fire - unintentional	1
745 Alarm system activation, no fire - unintentional	2
814 Lightning strike (no fire)	1
Unknown	1
Totals:	57

FATE Situation Type	July #
143 Grass Fire	1

HEATH Situation Type	July #
611 dispatched & cancelled enroute	1

TOTAL MUTUAL AID	2

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CITY RESPONSE
July 2014

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes	79.16% Criteria not met 19 of 24	0- 1 1/2 MINUTES	100.00% criteria met 2 of 2
CRITERIA MET %		CRITERIA MET %	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES	91.66% criteria met 22 of 24	0-6 MINUTES	50.00% criteria not met 1 of 2
CRITERIA MET %		CRITERIA MET %	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES	95.83% criteria met 23 of 24	0-7 1/2 MINUTES	50.00% criteria not met 1 of 2
CRITERIA MET%		CRITERIA MET%	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	

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COUNTY AND MUTUAL AID
RESPONSE
July 2014

COUNTY/MUTUAL	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	0.00%
CRITERIA -ACHIEVE RESPONSE TIME	Critiera not met
60% OF TIME IN BOXES WITH	0 of 1
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	0.00%
CRITERIA -ACHIEVE RESPONSE TIME	criteria not met
60% OF TIME IN BOXES WITH	0 of 1
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	0.00%
CRITERIA -ACHIEVE RESPONSE TIME	criteria not met
60% OF TIME IN BOXES WITH	0 of 1
STATIONS	

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ENROUTE OVERAGES
CITY CALLS
JULY 2014

Venue	alarm Date	Alarm Time	Enroute Time	Alarm to Enroute	Apparatus	Inc. Number	Fire Incident Station	Lights and Sirens	REASON FOR OVERAGES
Rockwall	07/18/2014	05:37:19	05:39:26	0:02:07	E2	2014-00000598	Rockwall 1	Code 3	CAD times don't match radio times
Rockwall	07/27/2014	00:42:28	00:44:23	0:01:55	E2	2014-00000617	Rockwall 2	Code 3	CAD times don't match radio times
Rockwall	07/15/2014	04:29:15	04:31:05	0:01:50	E2	2014-00000589	Rockwall 2	Code 3	CAD times don't match radio times
Rockwall	07/02/2014	08:56:19	08:58:04	0:01:45	E2	2014-00000552	Rockwall 1	Code 3	E-1 was training and that caused delay
Rockwall	07/26/2014	16:15:59	16:17:40	0:01:41	E1	2014-00000616	Rockwall 1	Code 3	CAD times don't match radio times

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ARRIVAL OVERAGES
CITY CALLS
JULY 2014

Venue	alarm Date	Enroute Time	Arrival Time	Enroute to Arrival	Apparatus	Inc. Number	Fire Incident Station	Lights and Sirens	REASON FOR OVERAGES
Rockwall	07/20/2014	01:45:48	01:52:18	0:06:30	BT3	2014-00000601	Rockwall 3	Code 3	Drive time to area without station
Rockwall	07/04/2014	21:35:31	21:41:39	0:06:08	817	2014-00000562	Rockwall 3	Code 3	Drive time Station 1 to Quadrant 3
Rockwall	07/26/2014	16:17:40	16:23:41	0:06:01	E1	2014-00000616	Rockwall 1	Code 3	Only one second over

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RESPONSE OVERAGES
JULY 2014

Venue	alarm Date	Alarm Time	Arrival Time	Response Time	Apparatus	Inc. Number	Fire Incident Station	Lights and Sirens	REASON FOR OVERAGES
Rockwall	07/26/2014	16:15:59	16:23:41	0:07:42	E1	2014-00000616	Rockwall 1	Code 3	drive time
Rockwall	07/20/2014	01:44:44	01:52:18	0:07:34	BT3	2014-00000601	Rockwall 3	Code 3	drive time to area without station

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COUNTY/MUTUAL AID CALLS
JULY 2014

Enroute Overages

Venue	alarm Date	Alarm Time	Enroute Time	Alarm to Enroute	Apparatus	Inc. Number	Fire Incident Station	Lights and Sirens	REASON FOR OVERAGES
Fate	07/10/2014	12:06:18	12:09:22	0:03:04	Tnkr 1	2014-00000581	Rockwall 1	Code 3	E-1 Was out of the station and had to get E2 to take tanker

Arrival Ovearges

Venue	alarm Date	Enroute Time	Arrival Time	Enroute to Arrival	Apparatus	Inc. Number	Fire Incident Station	Lights and Sirens	REASON FOR OVERAGES
Fate	07/10/2014	12:09:22	12:24:16	0:14:54	Tnkr 1	2014-00000581	Rockwall 1	Code 3	Drive time to Fate

Repsonse Ovearges

Venue	alarm Date	Alarm Time	Arrival Time	Response Time	Apparatus	Inc. Number	Fire Incident Station	Lights and Sirens	REASON FOR OVERAGES
Fate	07/10/2014	12:06:18	12:24:16	0:17:58	817	2014-00000581	Rockwall 1	Code 3	Drive time to Fate

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Total Dollar Losses

July 2014

City of Rockwall
The New Horizon

Rockwall Fire Department

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$0.00	$0.00	$111,800.00	$256,560.00	$297,894.90
Total Content Loss:	$0.00	$0.00	$60,500.00	$61,846.00	$162,188.94
Total Property Pre-Incident Value:	$0.00	$0.00	$304,830.00	$315,730.00	$1,765,407.00
Total Contents Pre-Incident Value	$0.00	$0.00	$150,000.00	$187,944.00	$965,066.20
Total Losses:	$.00	$.00	$172,300.00	$318,406.00	$.00
Total Value:	$.00	$.00	$454,830.00	$503,674.00	$2,730,473.20

Fire Alarms

JULY 2014

Date	Address	Common Name	Dispostion Code	CFS Number	Incident Number	Incident ORI	Call Type
07/01/2014 08:34:02	2927 RIDGE RD	Rockwall Town Center (Pizza Hut)	FA	37	2014-00000550	TX504	FD - Fire Alarm Commercial
07/02/2014 08:53:51	870 E I30		FA	248	2014-00000552	TX504	FD - Fire Alarm Commercial
07/02/2014 14:17:22	2901 VILLAGE DR		FA	298	2014-00000553	TX504	FD - Fire Alarm Commercial
	: 3						
07/02/2014 16:18:10	1623 LAURENCE DR	Fulton Academy	FA	319	2014-00000193	TX402	FD - Fire Alarm Commercial
	: 1						
07/02/2014 18:41:50	285 PLUMTREE DR		FA	348	2014-00000331	TX301	FD - Fire Alarm Residential
	: 1						
07/03/2014 19:39:32	2 CHILTON POINT RD		FA	544	2014-00000195	TX402	FD - Fire Alarm Residential
	: 1						
07/05/2014 11:46:27	1309 RIDGE RD		FA	962	2014-00000564	TX504	FD - Fire Alarm Commercial
	: 1						
07/06/2014 18:30:06	409 SUGARBERRY LN		FA	1210	2014-00000345	TX301	FD - Fire Alarm Residential
	: 1						
07/07/2014 15:37:58	1623 LAURENCE DR	Fulton Academy	FA	1373	2014-00000201	TX402	FD - Fire Alarm Commercial
	: 1						
07/09/2014 01:41:53	101 E RUSK ST	Rockwall County Courthouse	FA	1667	2014-00000574	TX504	FD - Fire Alarm Commercial
07/09/2014 12:38:07	689 E I30	La Quinta Inn	FA	1726	2014-00000576	TX504	FD - Fire Alarm Commercial
07/12/2014 00:27:15	100 E RUSK ST	Courthouse	FA	2230	2014-00000584	TX504	FD - Fire Alarm Commercial
	: 3						
07/13/2014 16:34:35	1623 LAURENCE DR	Fulton Academy	FA	2482	2014-00000206	TX402	FD - Fire Alarm Commercial
	: 1						
07/15/2014 04:28:06	2055 SUMMER LEE DR	Hilton, Hilton Hotel	FA	2750	2014-00000589	TX504	FD - Fire Alarm Commercial
	: 1						
07/19/2014 10:56:41	1623 LAURENCE DR	Fulton Academy	FA	3463	2014-00000212	TX402	FD - Fire Alarm Commercial
	: 1						
07/21/2014 16:25:30	793 WALLER DR		FA	3836	2014-00004474	TX1990800	FD - Fire Alarm Residential
	: 1						
07/21/2014 16:25:30	793 WALLER DR		FA	3836	2014-00000373	TX301	FD - Fire Alarm Residential
	: 1						
07/21/2014 16:29:45	1560 COASTAL DR		FA	3837	2014-00000606	TX504	FD - Fire Alarm Residential
07/22/2014 12:03:52	2481 WAGONWHEEL DR		FA	4019	2014-00000608	TX504	FD - Fire Alarm Residential
	: 2						

07/22/2014 18:57:46	2 CHILTON POINT RD		FA	4081	2014-00003161	TX1990300	FD - Fire Alarm Residential
	: 1						
07/22/2014 18:57:46	2 CHILTON POINT RD		FA	4081	2014-00000217	TX402	FD - Fire Alarm Residential
	: 1						
07/23/2014 14:26:00	1205 T L TOWNSEND DR		FA	4224	2014-00000611	TX504	FD - Fire Alarm Commercial
	: 1						
07/23/2014 19:36:02	102 GAINES CT		FA	4267	2014-00000379	TX301	FD - Fire Alarm Residential
	: 1						
07/24/2014 07:43:10	2942 MISTY RIDGE LN		FA	4364	2014-00000613	TX504	FD - Fire Alarm Residential
07/24/2014 12:43:21	747 E I30	On the Border	FA	4391	2014-00000614	TX504	FD - Fire Alarm Commercial
07/26/2014 16:13:42	653 STAFFORD CIR		FA	4769	2014-00000616	TX504	FD - Fire Alarm Residential
07/28/2014 09:59:57	1000 SIGNAL RIDGE PL	Signal Ridge Security	FA	5054	2014-00000619	TX504	FD - Fire Alarm Commercial
07/29/2014 07:50:35	825 W YELLOW JACKET LN	Rockwall Surgery Center	FA	5229	2014-00000621	TX504	FD - Fire Alarm Commercial
07/30/2014 13:32:24	1040 E I30	Value Place Hotel	FA	5460	2014-00000626	TX504	FD - Fire Alarm Commercial
07/30/2014 21:28:07	741 JUSTIN RD	Daiker	FA	5560	2014-00000627	TX504	FD - Fire Alarm Commercial
	: 7						
07/31/2014 02:27:41	1 CANDLELITE TRL		FA	5592	2014-00000224	TX402	FD - Fire Alarm Residential
	: 1						
07/31/2014 19:03:41	253 EASTWARD DR		FA	5716	2014-00000400	TX301	FD - Fire Alarm Residential
	: 1						

Inspection Totals Per Inspector

JULY 2014

Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Inspection Number	Fire Inspection Status
TX504	744 - Patrick	Access Control Doors	2343	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0085	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0079	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0076	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0072	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending

TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Construction Final	2321	Pending
TX504	744 - Patrick	Construction Final	2321	Pending
TX504	744 - Patrick	Courtesy	2322	Finaled
TX504	744 - Patrick	Courtesy	2326	Finaled
TX504	744 - Patrick	Courtesy	2320	Finaled
TX504	744 - Patrick	FDC	2325	Pending
TX504	744 - Patrick	FDC	2325	Pending
TX504	744 - Patrick	FDC	2325	Pending
TX504	744 - Patrick	Fire Alarm System	2338	Pending
TX504	744 - Patrick	Fire Alarm System	2329	Pending
TX504	744 - Patrick	Fire Spinkler System	2328	Pending
TX504	744 - Patrick	Fire Spinkler System	2230	Pending
TX504	744 - Patrick	Fire Spinkler System	2255	Pending
TX504	744 - Patrick	Follow Up	2256	Finaled
TX504	744 - Patrick	Follow Up	2333	Pending
TX504	744 - Patrick	Underground Fire Line	2324	Pending
TX504	744 - Patrick	Underground Fire Line	2324	Pending
TX504	744 - Patrick	Underground Fire Line	2324	Finaled
Total Per Inspector: 66				
TX504	836 - Ayres	Annual	2174	Finaled
TX504	836 - Ayres	Annual	2316	Finaled
TX504	836 - Ayres	Annual	2312	Finaled
TX504	836 - Ayres	Annual	2311	Finaled
TX504	836 - Ayres	Annual	2305	Pending
TX504	836 - Ayres	Annual	2306	Pending
TX504	836 - Ayres	Annual	2299	Pending
TX504	836 - Ayres	Annual	2297	Pending
TX504	836 - Ayres	Annual	2296	Pending
TX504	836 - Ayres	Annual	2295	Pending
TX504	836 - Ayres	Annual	2287	Pending
TX504	836 - Ayres	Annual	2281	Finaled
TX504	836 - Ayres	Annual	2340	Finaled
TX504	836 - Ayres	Annual	2279	Pending
TX504	836 - Ayres	Annual	2339	Finaled
TX504	836 - Ayres	Annual	2344	Pending
TX504	836 - Ayres	Annual	2302	Finaled
TX504	836 - Ayres	Annual	2331	Finaled
TX504	836 - Ayres	Annual	2314	Pending
TX504	836 - Ayres	Annual	2224	Finaled
TX504	836 - Ayres	Annual	2310	Finaled
TX504	836 - Ayres	Annual	2298	Finaled
TX504	836 - Ayres	Annual	2297	Pending
TX504	836 - Ayres	Annual	2302	Pending
TX504	836 - Ayres	Annual	2299	Pending
TX504	836 - Ayres	Annual	2296	Pending
TX504	836 - Ayres	Annual	2286	Finaled
TX504	836 - Ayres	Annual	2280	Finaled

TX504	836 - Ayres	Annual	2289	Finaled
TX504	836 - Ayres	Annual	2301	Finaled
TX504	836 - Ayres	Annual	2278	Finaled
TX504	836 - Ayres	Annual	2306	Pending
TX504	836 - Ayres	Annual	2311	Pending
TX504	836 - Ayres	Annual	2281	Pending
TX504	836 - Ayres	Annual	2286	Pending
TX504	836 - Ayres	Annual	2174	Pending
TX504	836 - Ayres	Annual	2224	Pending
TX504	836 - Ayres	Annual	2123	Pending
TX504	836 - Ayres	Annual	2213	Finaled
TX504	836 - Ayres	Annual	2199	Finaled
TX504	836 - Ayres	Annual	2317	Pending
TX504	836 - Ayres	Annual	2316	Pending
TX504	836 - Ayres	Annual	2152	Pending
TX504	836 - Ayres	Annual	2299	Pending
TX504	836 - Ayres	Annual	2298	Pending
TX504	836 - Ayres	Annual	2297	Pending
TX504	836 - Ayres	Annual	2296	Pending
TX504	836 - Ayres	Annual	2305	Pending
TX504	836 - Ayres	Annual	2281	Pending
TX504	836 - Ayres	Annual	2280	Pending
TX504	836 - Ayres	Annual	2279	Pending
TX504	836 - Ayres	Annual	2278	Pending
TX504	836 - Ayres	Annual	2302	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0074	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0071	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0071	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0063	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0086	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0063	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0087	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0088	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0075	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0091	Finaled
TX504	836 - Ayres	Certificate of Occupancy	TCO2014-0007	Finaled
TX504	836 - Ayres	Certificate of Occupancy	TCO2014-0006	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0087	Finaled
TX504	836 - Ayres	Courtesy	2346	Finaled
TX504	836 - Ayres	Fire Alarm System	2227	Pending
TX504	836 - Ayres	Fire Spinkler System	2230	Finaled
TX504	836 - Ayres	Follow Up	2271	Pending
TX504	836 - Ayres	Follow Up	2336	Pending
TX504	836 - Ayres	Follow Up	2335	Pending
TX504	836 - Ayres	Follow Up	2334	Pending
TX504	836 - Ayres	Follow Up	2264	Finaled
TX504	836 - Ayres	Follow Up	2332	Finaled
TX504	836 - Ayres	Follow Up	2332	Pending
TX504	836 - Ayres	Follow Up	2192	Finaled

	836 - Ayres	Follow Up	2261	Finaled
TX504	836 - Ayres	Follow Up	2264	Pending
TX504	836 - Ayres	Follow Up	2337	Pending
TX504	836 - Ayres	Follow Up	2261	Pending
TX504	836 - Ayres	Follow Up	2257	Finaled
TX504	836 - Ayres	Follow Up	2265	Finaled
TX504	836 - Ayres	Follow Up	2192	Pending
TX504	836 - Ayres	Knox Box	2323	Finaled
Total Per Inspector: 85				
TX504	843 - Clark	Annual	2314	Finaled
TX504	843 - Clark	Annual	2306	Finaled
TX504	843 - Clark	Annual	2287	Finaled
TX504	843 - Clark	Annual	2295	Finaled
TX504	843 - Clark	Annual	2340	Finaled
TX504	843 - Clark	Annual	2339	Finaled
TX504	843 - Clark	Annual	2304	Finaled
TX504	843 - Clark	Annual	2303	Finaled
TX504	843 - Clark	Annual	2314	Pending
TX504	843 - Clark	Annual	2312	Pending
TX504	843 - Clark	Annual	2311	Pending
TX504	843 - Clark	Annual	2310	Pending
TX504	843 - Clark	Annual	2309	Finaled
TX504	843 - Clark	Annual	2308	Finaled
TX504	843 - Clark	Annual	2307	Finaled
TX504	843 - Clark	Annual	2306	Pending
TX504	843 - Clark	Annual	2295	Pending
TX504	843 - Clark	Annual	2294	Finaled
TX504	843 - Clark	Annual	2293	Finaled
TX504	843 - Clark	Annual	2292	Finaled
TX504	843 - Clark	Annual	2291	Finaled
TX504	843 - Clark	Annual	2290	Finaled
TX504	843 - Clark	Annual	2289	Pending
TX504	843 - Clark	Annual	2288	Finaled
TX504	843 - Clark	Annual	2287	Pending
TX504	843 - Clark	Annual	2286	Pending
TX504	843 - Clark	Annual	2285	Finaled
TX504	843 - Clark	Annual	2284	Finaled
TX504	843 - Clark	Annual	2283	Finaled
TX504	843 - Clark	Annual	2282	Finaled
TX504	843 - Clark	Annual	2301	Pending
TX504	843 - Clark	Annual	2300	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0078	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0084	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0082	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0073	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0080	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0070	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0080	Finaled
TX504	843 - Clark	Construction Final	2206	Pending

TX504	843 - Clark	Construction Final	2183	Pending
TX504	843 - Clark	Construction Final	2234	Finaled
TX504	843 - Clark	Construction Final	2234	Pending
TX504	843 - Clark	Construction Final	2206	Pending
TX504	843 - Clark	Construction Final	2206	Pending
TX504	843 - Clark	Fire Alarm System	2342	Finaled
TX504	843 - Clark	Fire Alarm System	2341	Finaled
TX504	843 - Clark	Fire Alarm System	2338	Pending
TX504	843 - Clark	Fire Spinkler System	2274	Finaled
TX504	843 - Clark	Fire Spinkler System	2274	Pending
TX504	843 - Clark	Follow Up	2254	Finaled
TX504	843 - Clark	Follow Up	2277	Pending
TX504	843 - Clark	Follow Up	2275	Finaled
TX504	843 - Clark	Follow Up	2315	Finaled
TX504	843 - Clark	Follow Up	2318	Finaled
TX504	843 - Clark	Follow Up	2272	Pending
TX504	843 - Clark	Follow Up	2345	Pending
TX504	843 - Clark	Follow Up	2272	Finaled
TX504	843 - Clark	Other	2319	Finaled

Total Per Inspector: 59

Department Total: 210

8/7/2014 10:24:35 AM

City of Rockwall
Inspection Totals Completed by Inspector
For the Period 7/1/2014 thru 7/31/2014

Bryan Patrick		
	CO - FIRE	2
TOTAL INSPECTIONS for Bryan Patrick:		2
Kevin Clark		
	CO - FIRE	6
TOTAL INSPECTIONS for Kevin Clark:		6
Paul Ayres		
	CO - FIRE	7
TOTAL INSPECTIONS for Paul Ayres:		7
TOTAL INSPECTIONS COMPLETED:		15

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 7/1/2014 thru 7/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2013-022	06/10/2013		ENGINEERING 1220 HORIZON RD	423	Amy Williams Assistant City Engineer	COMMENTS 7/31/2014
E2013-022	06/10/2013		ENGINEERING 1220 HORIZON RD	423	Ariana Hargrove Engineering: Fire	APPROVED 7/29/2014
E2013-022	06/10/2013		ENGINEERING 1220 HORIZON RD	423	Steve Clawson Sewer Department	APPROVED 8/5/2014
E2013-022	06/10/2013		ENGINEERING 1220 HORIZON RD	423	Curtis McAden Water Department	APPROVED 8/4/2014
E2013-022	06/10/2013		ENGINEERING 1220 HORIZON RD	423	Bruce Hanby Engineering: Technician	APPROVED 8/1/2014
E2013-022	06/10/2013		ENGINEERING 1220 HORIZON RD	423	Kathleen Moreno Engineering: Engineer	APPROVED 8/5/2014
E2014-003	01/24/2014		ENGINEERING HWY276	195	Kathleen Moreno Engineering: Engineer	COMMENTS 7/24/2014
E2014-003	01/24/2014		ENGINEERING HWY276	195	Ariana Hargrove Engineering: Fire	APPROVED W/ 7/30/2014
E2014-003	01/24/2014		ENGINEERING HWY276	195	Curtis McAden Water Department	APPROVED 7/22/2014
E2014-003	01/24/2014		ENGINEERING HWY276	195	Billy Chaffin Street Department	COMMENTS 7/23/2014
E2014-003	01/24/2014		ENGINEERING HWY276	195	Steve Clawson Sewer Department	APPROVED 7/28/2014
E2014-003	01/24/2014		ENGINEERING HWY276	195	Bruce Hanby Engineering: Technician	COMMENTS 7/22/2014
E2014-003	01/24/2014		ENGINEERING HWY276	195	Amy Williams Assistant City Engineer	COMMENTS 7/28/2014
E2014-012	04/03/2014		ENGINEERING 3018 RIDGE RD	126	Amy Williams Assistant City Engineer	COMMENTS 7/9/2014

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 7/1/2014 thru 7/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-012	04/03/2014		ENGINEERING 3018 RIDGE RD	126	Kathleen Moreno Engineering: Engineer	APPROVED 7/14/2014
E2014-012	04/03/2014		ENGINEERING 3018 RIDGE RD	126	Bruce Hanby Engineering: Technician	COMMENTS 7/3/2014
E2014-012	04/03/2014		ENGINEERING 3018 RIDGE RD	126	Billy Chaffin Street Department	APPROVED 7/8/2014
E2014-012	04/03/2014		ENGINEERING 3018 RIDGE RD	126	Ariana Hargrove Engineering: Fire	APPROVED 7/7/2014
E2014-012	04/03/2014		ENGINEERING 3018 RIDGE RD	126	Curtis McAden Water Department	APPROVED 7/16/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	115	Kathleen Moreno Engineering: Engineer	COMMENTS 8/4/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	115	Amy Williams Assistant City Engineer	COMMENTS 8/1/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	115	Bruce Hanby Engineering: Technician	APPROVED 8/1/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	115	Billy Chaffin Street Department	APPROVED W/ 8/5/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	115	Amy Williams Assistant City Engineer	COMMENTS 8/1/2014
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	115	Kathleen Moreno Engineering: Engineer	APPROVED W/ 8/4/2014
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	115	Bruce Hanby Engineering: Technician	APPROVED 8/1/2014
E2014-016	05/13/2014		ENGINEERING	86	Ariana Hargrove Engineering: Fire	APPROVED 7/8/2014
E2014-016	05/13/2014		ENGINEERING	86	Amy Williams Assistant City Engineer	COMMENTS 7/9/2014
E2014-016	05/13/2014		ENGINEERING	86	Bruce Hanby Engineering: Technician	APPROVED 7/2/2014

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 7/1/2014 thru 7/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-016	05/13/2014		ENGINEERING	86	Amy Williams Assistant City Engineer	APPROVED W/ 7/29/2014
E2014-017	05/15/2014		ENGINEERING 3110 HORIZON RD	84	Ariana Hargrove Engineering: Fire	APPROVED 7/1/2014
E2014-017	05/15/2014		ENGINEERING 3110 HORIZON RD	84	Amy Williams Assistant City Engineer	APPROVED 7/7/2014
E2014-018	05/27/2014		ENGINEERING 1861 SH276	72	JoDee Sanford PLANNING	APPROVED 7/25/2014
E2014-018	05/27/2014		ENGINEERING 1861 SH276	72	Kathleen Moreno Engineering: Engineer	APPROVED 7/24/2014
E2014-018	05/27/2014		ENGINEERING 1861 SH276	72	Amy Williams Sewer Department	APPROVED 7/28/2014
E2014-018	05/27/2014		ENGINEERING 1861 SH276	72	Kathleen Moreno Engineering: Engineer	APPROVED 7/24/2014
E2014-018	05/27/2014		ENGINEERING 1861 SH276	72	Amy Williams Assistant City Engineer	COMMENTS 7/22/2014
E2014-019	05/30/2014		ENGINEERING 105 ST MARYS ST	69	Curtis McAden Water Department	APPROVED 7/15/2014
E2014-019	05/30/2014		ENGINEERING 105 ST MARYS ST	69	Kathleen Moreno Engineering: Engineer	COMMENTS 7/3/2014
E2014-019	05/30/2014		ENGINEERING 105 ST MARYS ST	69	Amy Williams Assistant City Engineer	COMMENTS 7/9/2014
E2014-019	05/30/2014		ENGINEERING 105 ST MARYS ST	69	Billy Chaffin Street Department	APPROVED 7/15/2014
E2014-019	05/30/2014		ENGINEERING 105 ST MARYS ST	69	Ariana Hargrove Engineering: Fire	APPROVED 7/9/2014
E2014-019	05/30/2014		ENGINEERING 105 ST MARYS ST	69	Bruce Hanby Engineering: Technician	COMMENTS 7/3/2014
E2014-019	05/30/2014		ENGINEERING 105 ST MARYS ST	69	JoDee Sanford PLANNING	APPROVED 7/8/2014

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 7/1/2014 thru 7/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-020	07/16/2014		ENGINEERING 2975 DISCOVERY BLVD	22	Steve Clawson SEWER DEPARTMEN	APPROVED 7/18/2014
E2014-020	07/16/2014		ENGINEERING 2975 DISCOVERY BLVD	22	Curtis McAden WATER DEPARTMEN	COMMENTS 7/22/2014
E2014-020	07/16/2014		ENGINEERING 2975 DISCOVERY BLVD	22	Ariana Hargrove ENG - FIRE	COMMENTS 7/17/2014
E2014-020	07/16/2014		ENGINEERING 2975 DISCOVERY BLVD	22	Tim Tumulty CITY ENGINEER	
E2014-020	07/16/2014		ENGINEERING 2975 DISCOVERY BLVD	22	Bruce Hanby ENG-TECH	COMMENTS 7/18/2014
E2014-020	07/16/2014		ENGINEERING 2975 DISCOVERY BLVD	22	Kathleen Moreno ENG-ENGINEER	COMMENTS 7/22/2014
E2014-020	07/16/2014		ENGINEERING 2975 DISCOVERY BLVD	22	Amy Williams ASSISTANT CITY ENC	COMMENTS 7/18/2014
E2014-020	07/16/2014		ENGINEERING 2975 DISCOVERY BLVD	22	Billy Chaffin STREET DEPARTMEN	APPROVED 7/18/2014
E2014-021	07/23/2014		ENGINEERING 1700 JUSTIN RD	15	Amy Williams ASSISTANT CITY ENC	COMMENTS 7/24/2014
E2014-021	07/23/2014		ENGINEERING 1700 JUSTIN RD	15	Curtis McAden WATER DEPARTMEN	APPROVED 8/4/2014
E2014-021	07/23/2014		ENGINEERING 1700 JUSTIN RD	15	Steve Clawson SEWER DEPARTMEN	COMMENTS 7/28/2014
E2014-021	07/23/2014		ENGINEERING 1700 JUSTIN RD	15	Billy Chaffin STREET DEPARTMEN	
E2014-021	07/23/2014		ENGINEERING 1700 JUSTIN RD	15	Bruce Hanby ENG-TECH	COMMENTS 7/24/2014
E2014-021	07/23/2014		ENGINEERING 1700 JUSTIN RD	15	Kathleen Moreno ENG-ENGINEER	COMMENTS 7/25/2014
E2014-021	07/23/2014		ENGINEERING 1700 JUSTIN RD	15	Ariana Hargrove ENG - FIRE	COMMENTS 7/29/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 7/1/2014 thru 7/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-022	07/30/2014		ENGINEERING Horizon Road	8	Amy Williams ASSISTANT CITY ENC	
E2014-022	07/30/2014		ENGINEERING Horizon Road	8		COMMENTS
E2014-022	07/30/2014		ENGINEERING Horizon Road	8	ENG - FIRE	8/4/2014
E2014-022	07/30/2014		ENGINEERING Horizon Road	8	ENG-ENGINEER	
E2014-022	07/30/2014		ENGINEERING Horizon Road	8	ENG-TECH	
E2014-022	07/30/2014		ENGINEERING Horizon Road	8	Billy Chaffin STREET DEPARTMEN	
E2014-022	07/30/2014		ENGINEERING Horizon Road	8	Curtis McAden WATER DEPARTMEN	
E2014-022	07/30/2014		ENGINEERING Horizon Road	8	Steve Clawson SEWER DEPARTMEN	
E2014-022	07/30/2014		ENGINEERING Horizon Road	8	Tim Tumulty CITY ENGINEER	
MIS2014-010	07/23/2014		MISCELLANEOUS 213 S CLARK ST	15	David Gonzales Planning Department	
P2014-015	07/21/2014		PLAT HORIZON RD	17	Ryan Miller GIS	APPROVED 7/24/2014
P2014-015	07/21/2014		PLAT HORIZON RD	17	Brian Patrick FIRE	APPROVED 7/24/2014
P2014-015	07/21/2014		PLAT HORIZON RD	17	Amy Williams ENGINEERING	COMMENTS 7/22/2014
P2014-015	07/21/2014		PLAT HORIZON RD	17	Ryan Miller PLANNING	APPROVED W/ 7/22/2014
P2014-015	07/21/2014		PLAT HORIZON RD	17	John Shannon BUILDING	APPROVED 7/22/2014
P2014-016	07/21/2014		PLAT	17	Brian Patrick FIRE	APPROVED 7/24/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 7/1/2014 thru 7/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
P2014-016	07/21/2014		PLAT	17	Lance Singleton GIS	
P2014-016	07/21/2014		PLAT	17	Amy Williams ENGINEERING	COMMENTS 7/21/2014
P2014-016	07/21/2014		PLAT	17	JoDee Sanford PLANNING	COMMENTS 7/22/2014
P2014-016	07/21/2014		PLAT	17	John Shannon BUILDING	
SP2014-010	06/13/2014		SITE PLAN Horizon Road	55	Brian Patrick FIRE	COMMENTS 7/24/2014
SP2014-010	06/13/2014		SITE PLAN Horizon Road	55	Amy Williams Assistant City Engineer	COMMENTS 7/22/2014
SP2014-012	06/13/2014		SITE PLAN 2975 DISCOVERY BLVD	55	Ariana Hargrove FIRE	COMMENTS 7/2/2014
SP2014-012	06/13/2014		SITE PLAN 2975 DISCOVERY BLVD	55	John Shannon BUILDING	APPROVED 7/7/2014
SP2014-014	07/01/2014		SITE PLAN HWY276	37	Lance Singleton GIS	APPROVED W/ 7/9/2014
SP2014-014	07/01/2014		SITE PLAN HWY276	37	Ariana Hargrove FIRE	COMMENTS 7/9/2014
SP2014-014	07/01/2014		SITE PLAN HWY276	37	Amy Williams ENGINEERING	COMMENTS 7/9/2014
SP2014-014	07/01/2014		SITE PLAN HWY276	37	John Shannon BUILDING	APPROVED 7/8/2014
SP2014-014	07/01/2014		SITE PLAN HWY276	37	Ryan Miller PLANNING	APPROVED W/ 7/9/2014
SP2014-014	07/01/2014		SITE PLAN HWY276	37	Brian Patrick FIRE	COMMENTS 7/23/2014
SP2014-015	07/08/2014		SITE PLAN 2600 CHAMPIONS DR	30	JoDee Sanford PLANNING	APPROVED 7/8/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 7/1/2014 thru 7/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
SP2014-015	07/08/2014		SITE PLAN 2600 CHAMPIONS DR	30	Ariana Hargrove FIRE	APPROVED 7/9/2014
SP2014-015	07/08/2014		SITE PLAN 2600 CHAMPIONS DR	30	John Shannon BUILDING	APPROVED 7/8/2014
SP2014-015	07/08/2014		SITE PLAN 2600 CHAMPIONS DR	30	Amy Williams ENGINEERING	APPROVED 7/9/2014
SP2014-015	07/08/2014		SITE PLAN 2600 CHAMPIONS DR	30	Lance Singleton GIS	
SP2014-016	07/21/2014		SITE PLAN 406 N GOLIAD	17	Ryan Miller PLANNING	APPROVED W/ 7/23/2014
SP2014-016	07/21/2014		SITE PLAN 406 N GOLIAD	17	Ryan Miller GIS	APPROVED 7/24/2014
SP2014-016	07/21/2014		SITE PLAN 406 N GOLIAD	17	Brian Patrick FIRE	APPROVED 7/23/2014
SP2014-016	07/21/2014		SITE PLAN 406 N GOLIAD	17	Amy Williams ENGINEERING	COMMENTS 7/22/2014
SP2014-016	07/21/2014		SITE PLAN 406 N GOLIAD	17	John Shannon BUILDING	APPROVED 7/24/2014
SP2014-017	07/21/2014		SITE PLAN 2582 HWY276	17	Brian Patrick FIRE	COMMENTS 7/24/2014
SP2014-017	07/21/2014		SITE PLAN 2582 HWY276	17	Lance Singleton GIS	
SP2014-017	07/21/2014		SITE PLAN 2582 HWY276	17	Amy Williams ENGINEERING	COMMENTS 7/22/2014
SP2014-017	07/21/2014		SITE PLAN 2582 HWY276	17	John Shannon BUILDING	
SP2014-017	07/21/2014		SITE PLAN 2582 HWY276	17	David Gonzales PLANNING	COMMENTS 7/23/2014
SP2014-018	07/21/2014		SITE PLAN 1415 S GOLIAD	17	David Gonzales PLANNING	COMMENTS 7/24/2014

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 7/1/2014 thru 7/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
SP2014-018	07/21/2014		SITE PLAN 1415 S GOLIAD	17	Lance Singleton GIS	
SP2014-018	07/21/2014		SITE PLAN 1415 S GOLIAD	17	Brian Patrick FIRE	COMMENTS 7/24/2014
SP2014-018	07/21/2014		SITE PLAN 1415 S GOLIAD	17	John Shannon BUILDING	APPROVED 7/22/2014
SP2014-018	07/21/2014		SITE PLAN 1415 S GOLIAD	17	Amy Williams ENGINEERING	COMMENTS 7/22/2014
SP2014-019	07/21/2014		SITE PLAN 2105 S GOLIAD	17	JoDee Sanford PLANNING	
SP2014-019	07/21/2014		SITE PLAN 2105 S GOLIAD	17	Amy Williams ENGINEERING	APPROVED 7/22/2014
SP2014-019	07/21/2014		SITE PLAN 2105 S GOLIAD	17	John Shannon BUILDING	APPROVED 7/22/2014
SP2014-019	07/21/2014		SITE PLAN 2105 S GOLIAD	17	Brian Patrick FIRE	APPROVED 7/23/2014
SP2014-019	07/21/2014		SITE PLAN 2105 S GOLIAD	17	Lance Singleton GIS	
SP2014-020	07/21/2014		SITE PLAN 911 N GOLIAD	17	Brian Patrick FIRE	APPROVED 7/23/2014
SP2014-020	07/21/2014		SITE PLAN 911 N GOLIAD	17	Lance Singleton GIS	
SP2014-020	07/21/2014		SITE PLAN 911 N GOLIAD	17	John Shannon BUILDING	APPROVED 7/22/2014
SP2014-020	07/21/2014		SITE PLAN 911 N GOLIAD	17	David Gonzales PLANNING	COMMENTS 7/24/2014
SP2014-020	07/21/2014		SITE PLAN 911 N GOLIAD	17	Amy Williams ENGINEERING	COMMENTS 7/22/2014
Z2014-018	07/07/2014		ZONING 401 WASHINGTON ST	31	John Shannon BUILDING	

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 7/1/2014 thru 7/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
Z2014-018	07/07/2014		ZONING 401 WASHINGTON ST	31	Ariana Hargrove FIRE	APPROVED W/
Z2014-018	07/07/2014		ZONING 401 WASHINGTON ST	31		
Z2014-018	07/07/2014		ZONING 401 WASHINGTON ST	31	PLANNING Amy Williams	APPROVED
Z2014-019	07/08/2014		ZONING 803 N GOLIAD	30	ENGINEERING Ryan Miller	7/9/2014 APPROVED
Z2014-019	07/08/2014		ZONING 803 N GOLIAD	30	PLANNING Amy Williams	7/10/2014 APPROVED
Z2014-019	07/08/2014		ZONING 803 N GOLIAD	30	ENGINEERING John Shannon	7/9/2014 APPROVED
Z2014-019	07/08/2014		ZONING 803 N GOLIAD	30	BUILDING Ariana Hargrove	7/9/2014 APPROVED
Z2014-020	07/21/2014		ZONING 109 WESTON CT	17	FIRE JoDee Sanford	7/10/2014 COMMENTS
Z2014-020	07/21/2014		ZONING 109 WESTON CT	17	PLANNING Amy Williams	7/24/2014 APPROVED
Z2014-020	07/21/2014		ZONING 109 WESTON CT	17	ENGINEERING Brian Patrick	7/22/2014 APPROVED
Z2014-020	07/21/2014		ZONING 109 WESTON CT	17	FIRE John Shannon	7/23/2014 APPROVED
Z2014-021	07/21/2014		ZONING N ALAMO RD	17	BUILDING Ryan Miller	7/22/2014 APPROVED W/
Z2014-021	07/21/2014		ZONING N ALAMO RD	17	PLANNING Amy Williams	7/23/2014 COMMENTS
Z2014-021	07/21/2014		ZONING N ALAMO RD	17	ENGINEERING Brian Patrick	7/21/2014 APPROVED W/
Z2014-021	07/21/2014		ZONING N ALAMO RD	17	FIRE John Shannon	7/24/2014 APPROVED
					BUILDING	7/22/2014

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 7/1/2014 thru 7/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
Z2014-022	07/21/2014		ZONING	17	Ariana Hargrove FIRE	
Z2014-022	07/21/2014		ZONING	17	PLANNING	
Z2014-022	07/21/2014		ZONING	17	Amy Williams ENGINEERING	

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 7/1/2014 thru 7/31/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2014-097	07/01/14	37	2245 Goliad St S	CPI, MORTGAGE INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431		07/01/14	07/11/14	
	COMM		Rosa's Cafe - IRRIGATION SYSTEM							
BLD2014-097	07/01/14	37	1870 John King Blvd S.	OAC, SENIOR LIVING LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/02/14		07/02/14
	COMM		OAC Senior Living - Elec permit for fire pump							
BLD2014-098	07/02/14	36	2881 MARKET CENTER DR.	DUNHILL PARTNERS, INC.	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	07/02/14	07/12/14	07/10/14
	COMM		STYLES FOR LESS INTERIOR FINISH							
CO2014-0080	07/02/14	36	941 STEGER TOWNE	ROSE, RICKI & GAYLA	Ariana Hargrove	FIRE CO		07/02/14	07/05/14	
	CO		Children's Park Learning Center							
CO2014-0081	07/02/14	36	1650 John King	WESTERN, RIM INVESTORS 2008 2 LP	Ariana Hargrove	FIRE CO	APPROVED	07/02/14	07/05/14	07/02/14
	CO		Orion at Lake Ray Hubbard							
BLD2014-100	07/08/14	30	705 GOLIAD ST N	WAGNER, GERALD P	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	07/08/14	07/18/14	07/09/14
	COMM		GENERAL REMODEL							
BLD2014-100	07/08/14	30	851 STEGER TOWNE DR	LOWES, HOME CENTERS INC	Ariana Hargrove	FIRE 972-772-6431		07/08/14	07/18/14	
	COMM		RE-ROOFING (SHINGLES ONLY)							
PLB2014-022	07/08/14	30	1501 IH 30 E	ROCKWALL, RENTAL PROPERTIES LP	Ariana Hargrove	FIRE 972-772-6431		07/08/14	07/18/14	
	COMM		REPLACE BACKFLOW DEVICE							
BLD2014-030	03/12/14	148	2701 Sunset Ridge 702	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/09/14	07/19/14	07/09/14
	COMM		KAG HOLDINGS INTERIOR FINISH OUT							
BLD2014-080	06/03/14	65	105 St Mary St	Albright Hill Properties LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/09/14	07/19/14	07/09/14
	COMM		Professional Bldg Single Story - New							
BLD2014-096	06/30/14	38	2823 Market Center Dr	CRP/ARROW, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/09/14	07/19/14	07/09/14
	COMM		Ladybug Scrubs - remodel of space							
PLB2014-023	07/11/14	27	108 S SAN JACINTO	SMITH, LEON & MARGARET AND	Ariana Hargrove	FIRE 972-772-6431		07/10/14	07/20/14	
	COMM		Gas Test							
BLD2014-100	07/08/14	30	705 GOLIAD ST N	WAGNER, GERALD P	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/11/14	07/21/14	07/11/14
	COMM		GENERAL REMODEL							
CO2014-0082	07/14/14	24	3021 Ridge Rd	RIDGE ROAD PROPERTIES	Ariana Hargrove	FIRE CO	APPROVED	07/14/14	07/17/14	07/14/14
	CO		Ridge Road Properties Shell Bldg							
CO2014-0083	07/14/14	24	3021 Ridge Rd. 101 & 102	RIDGE ROAD PROPERTIES	Ariana Hargrove	FIRE CO	APPROVED	07/14/14		07/16/14
	CO		Harbor Mail, LLC/ Rockwall Gold & Silver Exchange							
CO2014-0084	07/14/14	24	3021 Ridge Rd. 103	PS5, PROPERTIES LLC	Ariana Hargrove	FIRE CO	APPROVED	07/14/14	07/17/14	07/14/14
	CO		Rockwall Super Drugs							
CO2014-0085	07/16/14	22	2010 INDUSTRIAL 609	ROCKWALL, STEEL CO	Ariana Hargrove	FIRE CO	APPROVED	07/16/14	07/19/14	07/16/14
	CO		ECARZDIRECT							
CO2014-0086	07/16/14	22	801 IH 30 B	UNDERWOOD, ARCHIE HARBERT	Ariana Hargrove	FIRE CO	APPROVED	07/16/14	07/19/14	07/16/14
	CO		ROCKWALL MEDICAL MESSAGE							
CO2014-0087	07/16/14	22	3013 Ridge Rd	PS5, PROPERTIES LLC	Ariana Hargrove	FIRE CO	APPROVED	07/16/14	07/19/14	07/16/14
	CO		PS5 Properties - Shell Bldg							

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City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 7/1/2014 thru 7/31/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2014-0088	07/16/14	22	3013 Ridge Rd. 101	PS5, PROPERTIES LLC	Ariana Hargrove	FIRE CO		07/16/14	07/19/14	
	CO		Central Pain Management							
CO2014-0089	07/16/14	22	2075 SUMMER LEE DR.	TF HARBOR LLC	Ariana Hargrove	FIRE CO	APPROVED	07/16/14	07/19/14	07/16/14
	CO		THREE SHEETS ROCKWALL LLC							
BLD2014-088	06/18/14	50	3035 Ridge Rd. 109	TEMUNOVIC, PARTNERSHIP LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/17/14	07/27/14	07/17/14
	COMM		Jersey Mike's Subs restaurant							
BLD2014-091	06/19/14	49	2850 Shoreline Tr	LAKE, FRONT TRAIL LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	07/17/14	07/27/14	07/17/14
	COMM		Shoreline Office Building - Addition							
BLD2014-098	07/02/14	36	2881 MARKET CENTER DR.	DUNHILL PARTNERS, INC.	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/17/14	07/27/14	07/17/14
	COMM		STYLES FOR LESS INTERIOR FINISH							
CO2014-0090	07/18/14	20	2245 Goliad St S	CPI, MORTGAGE INVESTORS LP	Ariana Hargrove	FIRE CO	APPROVED	07/18/14	07/21/14	07/21/14
	CO		ROSA'S CAFE # 41							
BLD2014-107	07/23/14	15	2701 Sunset Ridge Dr	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	07/23/14	08/02/14	07/29/14
	COMM		Trend Tower - 4th Floor Corridor Finishout							
TCO2014-000	07/23/14	15	3013 Ridge Rd		Ariana Hargrove	FIRE CO	APPROVED	07/23/14	07/26/14	07/28/14
	TCO		Central Pain Management -SHELL TCO							
BLD2014-108	07/24/14	14	3021 Ridge Rd.	PS5, PROPERTIES LLC	Ariana Hargrove	FIRE 972-772-6431		07/24/14	08/03/14	
	COMM		McClintock Bldg - Flag Pole permit							
CO2014-0092	07/24/14	14	3035 RIDGE RD.	TEMUNOVIC, PARTNERSHIP LTD	Ariana Hargrove	FIRE CO	APPROVED	07/24/14	07/27/14	07/28/14
	CO		Dunkin Dounut Retail Shell Bldg							
PLB2014-025	07/24/14	14	3115 RIDGE RD	PRIMROSE SCHOOL	Ariana Hargrove	FIRE 972-772-6431		07/24/14	08/03/14	
	COMM		REPLACE DOUBLE CHECK FOR PRIMROSE SCHOOL							
CO2014-0093	07/28/14	10	1480 JUSTIN RD	FLEXLAND, LP	Ariana Hargrove	FIRE CO	APPROVED	07/28/14	07/31/14	07/28/14
	CO		SPR Packaging, LLC							
MISC2014-00	07/28/14	10	706 IH 30	SUNFLOWER, DELI INC	Ariana Hargrove	FIRE 972-772-6431		07/28/14	08/07/14	
	COMM		Schlotzkys - exterior remodel P&Z approved							
PLB2014-025	07/28/14	10	2922 S. Goliad St	J, & S EXPO LIMITED	Ariana Hargrove	FIRE 972-772-6431		07/28/14	08/07/14	
	COMM		The RISE - Leak at Water Heater in Tool room							
TCO2014-000	07/23/14	15	3013 Ridge Rd		Ariana Hargrove	FIRE CO	APPROVED	07/28/14		07/28/14
	TCO		Central Pain Management -Interior							
BLD2013-190	12/12/13	238	2650 Champions	SHORES, COUNTRY CLUB LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	07/29/14	08/08/14	07/29/14
	COMM		Shores HOA Clubhouse							
BLD2014-086	06/16/14	52	2951 RIDGE RD 107	REGENCY, CENTERS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/29/14	08/08/14	07/29/14
	COMM		Urgent Care - Interior Completion							
BLD2014-111	07/30/14	8	801 IH 30 B	UNDERWOOD, ARCHIE HARBERT	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/30/14	08/09/14	08/01/14
	COMM		Rockwall Medical Massage - Intr. Remodel							
CO2014-0094	07/30/14	8	210 Rusk E	Gerald Houser	Ariana Hargrove	FIRE CO		07/30/14	08/02/14	
	CO		Gerald Houser " Shell Bldg CO"							

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 7/1/2014 thru 7/31/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2014-0095	07/31/14	7	704 Throckmorton	BARNHILL, BARNEY	Ariana Hargrove	FIRE CO	APPROVED	07/31/14	08/03/14	07/31/14
	CO		Same Page Inc. (1st floor only)							

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Rockwall Police Department
Harbor District Calls For Service
July 2014

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2014-00021539	07/02/2014	06:30:28	Cinemark	Alarm-BUSN	No Report
2014-00023726	07/19/2014	22:45:00	Cinemark	Investigation	No Report
2014-00025190	07/31/2014	22:27:06	Cinemark	Narcotics	Report
2014-00022862	07/12/2014	11:22:41	Cinemark	Suspicious Activity	No Report
2014-00024945	07/29/2014	21:36:24	El Portillo De La Sandia	Theft	Report
2014-00025006	07/30/2014	10:15:18	Hilton	911 Hang Up	No Report
2014-00023218	07/15/2014	15:27:28	Hilton	Accident - Minor	Report
2014-00024437	07/25/2014	22:12:31	Hilton	Assault	Report
2014-00022835	07/12/2014	02:43:33	Hilton	General Complaint	No Report
2014-00023732	07/19/2014	22:54:00	Hilton	General Complaint	No Report
2014-00021847	07/04/2014	18:02:13	Hilton	Investigation	No Report
2014-00024984	07/30/2014	03:32:30	Hilton	Suspicious Activity	Unable to Locate
2014-00023410	07/17/2014	15:16:06	Hilton	Theft	Report
2014-00024440	07/25/2014	22:29:00	The Harbor	Missing Person	No Report
2014-00024596	07/26/2014	23:37:00	The Harbor	Criminal Mischief	No Report
2014-00024316	07/24/2014	22:05:49	The Harbor	Intoxicated	No Report
2014-00023739	07/19/2014	23:46:00	The Harbor	Meet Complainant	No Report
2014-00022660	07/10/2014	19:40:35	The Harbor	Missing Person	No Report
2014-00024312	07/24/2014	21:14:39	The Harbor	Missing Person	No Report
2014-00025177	07/31/2014	19:33:15	The Harbor	Missing Person	No Report
2014-00024178	07/23/2014	16:53:45	Willis Estates Jewelry	911 Hang Up	False 911
2014-00021737	07/03/2014	20:45:59	Zeus Botique	Disturbance	No Report
2014-00023678	07/19/2014	14:14:00	Zeus Botique	Theft	Report
			Common Name		
			Hilton	8	
			The Harbor	7	
			Cinemark	4	
			Zeus Botique	2	
			El Portillo De La Sandia	1	
			Willis Estates Jewelry	1	
			Total	**23**	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
JULY 2014

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	3	3	0	100%
ADMINISTRATIVE SERVICES	4	4	0	100%
AIRPORT	1	1	0	100%
ANIMAL SERVICES	1	1	0	100%
BUILDING INSPECTIONS / CODE ENFORCEMENT	1	1	0	100%
ENGINEERING	6	6	0	100%
FINANCE	2	2	0	100%
FIRE DEPARTMENT	36	36	0	100%
INTERNAL OPERATIONS	109	109	0	100%
MUNICIPAL COURT	9	9	0	100%
PARKS & RECREATION	22	22	0	100%
PLANNING & ZONING	0	0	0	0%
POLICE DEPARTMENT	32	31	1	97%
PUBLIC WORKS	4	3	1	75%
UTILITY BILLING	0	0	0	0%
TOTAL	230	228	2	99%

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
JULY 2014

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT	1	1	0	100%
FIRE DEPARTMENT	7	7	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	1	1	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	11	11	0	100%
PUBLIC WORKS	0	0	0	100%
UTILITY BILLING	0	0	0	100%
HEATH DEPT. PUBLIC SAFETY	2	2	0	100%
HOSPITAL CONTROL STATIONS	0	0	0	100%
SYSTEM ISSUES	1	1	0	100%
TOTAL	23	23	0	100%

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Airport Operations Report

For Month of July 2014

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	889.00	$4,133.85
Av-Gas Sales	2,827.40	$14,743.68
TOTAL FUEL SALES	3,716.40	$18,877.53

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$2,315.00
Terminal Office Rental Revenue	$250.00
Enclosed Hangar Rental Revenue	$120.00
North Maintenance Hangar Rental Revenue	$500.00
TOTAL HANGAR RENTALS	$3,185.00

HANGAR OCCUPANCY RATES

	TOTAL HANGARS	QTY RENTABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	40	30	75.00%
Terminal Office Rentals	1	1	1	100%
Closed Hangar Rentals	1	1	1	100%
Open Hangar Cap Rentals	2	1	1	100%
TOTAL HANGAR OCCUPANCY	49	43	33	77%

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$371.64	$371.64
City Owned Hangar Rentals	5.00%	$159.25		$0.00
TOTAL FEES DUE		$159.25	$371.64	$530.89

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

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Rockwall Police Department

Monthly Activity Report

July-2014

ACTIVITY	CURRENT MONTH JULY	PREVIOUS MONTH JUNE	YTD 2014	YTD 2013	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	1	-100.00%
Sexual Assault	1	0	1		
Robbery	1	0	2	4	-50.00%
Aggravated Assault	3	4	19	7	171.43%
Burglary	6	8	40	54	-25.93%
Larceny	42	55	355	349	1.72%
Motor Vehicle Theft	4	5	29	33	-12.12%
TOTAL PART I	**57**	**72**	**446**	**454**	**-1.76%**
TOTAL PART II	**138**	**153**	**959**	**865**	**10.87%**
TOTAL OFFENSES	**195**	**225**	**1405**	**1319**	**6.52%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	14	21	114	101	12.87%
D.W.I.	26	17	138	118	16.95%
TEEN CURFEW	0	0	7	3	133.33%
ARRESTS					
FELONY	15	17	120	112	7.14%
MISDEMEANOR	91	77	547	533	2.63%
WARRANT ARREST	39	44	225	175	28.57%
JUVENILE	2	4	44	35	25.71%
TOTAL ARRESTS	**147**	**142**	**936**	**855**	**9.47%**
DISPATCH					
CALLS FOR SERVICE	1696	1646	10227	9602	6.51%
ACCIDENTS					
INJURY	12	10	74	76	-2.63%
(INJURIES)	19	13	99	94	5.32%
NON-INJURY	56	36	296	278	6.47%
FATALITY	0	0	0	1	-100.00%
(FATALITIES)	0	0	0	1	-100.00%
TOTAL	**68**	**46**	**370**	**335**	**10.45%**
FALSE ALARMS					
RESIDENT ALARMS	68	58	426	501	-14.97%
BUSINESS ALARMS	168	163	894	729	22.63%
TOTAL FALSE ALARMS	**236**	**221**	**1320**	**1230**	**7.32%**
Estimated Lost Hours	**155.76**	**145.86**	**871.2**	**811.8**	**7.32%**
Estimated Cost	**$3,705.20**	**$3,469.70**	**$20,724.00**	**$19,311.00**	**7.32%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**4**
Arrests	**2**
Arrest Warrants	**0**
Search Warrants	**0**
Seized	
Marijuana	.34 OZ
Methamphetamine	23.4 GM
Heroin	.4 GM
Xanax	26.1 GM

Rockwall Police Department
Dispatch and Response Times
July 2014

Police Department

	Average Response Time	
Priority 1		Number of Calls **114**
Call to Dispatch	0:00:21	
Call to Arrival	0:04:41	
% over 7 minutes	19%	
Priority 2	**Average Response Time**	Number of Calls **236**
Call to Dispatch	0:00:27	
Call to Arrival	0:05:46	
% over 7 minutes	26%	
Priority 3	**Average Response Time**	Number of Calls **16**
Call to Dispatch	0:01:35	
Call to Arrival	0:09:06	
% over 7 minutes	53%	
***Priority 4**		Number of Calls **1326**
****Priority 5**		Number of Calls **4**

*Priority 4 call averages are not given because they are calls that do not require an immediate response by police.
**Priority 5 calls are incidents that officers initiate themselves therefore response times are not calculated.

Average dispatch response time goals are as follows:
Priority 1: 30 Seconds
Priority 2: 45 Seconds
Priority 3: 1 Minute

Fire Department

	Average Response Time	
Call to Dispatch	0:00:18	Number of Calls **70**
Call to Arrival	0:06:34	

Overages

Incident No.	Date	Time Rec'd	Call Type	Time Disp	Resp Time	Reason
2014-580	07/10/2014	10:59:51	Haz-Mat	11:01:08	0:01:17	Non paged call

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
July 2014

DISPOSITION REPORT

	July
Intakes	190
1045	4
Adopted	116
Citizen Returned to Owner	0
Returned to Owner	23
Rescued	21
Euthanized	7
Live Outcome %	**94%**

FINANCIAL REPORT

Income	**July**
City of Rockwall	$0
Adoption Fee Income	$9,990
Impound Fee Income	$650
Owner Surrender	$1,055
General Donations	$4,576
Merchandise Sales	$11
Medical	$410
Quarantine Fee	$100
Total Income	**$16,792**

Expenses	**July**
Administrative Expenses (Payroll, etc)	$68,318
Shelter Expenses (Microchips, Drugs, etc)	$11,425
Veterinary Expenses	$8,740
Professional Services	$700
Other Expenses	$0
Total Expenses	**$89,182**
Net Income	**-$78,760**

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Discuss and consider modifications to the brick pattern in the downtown area, and take any action necessary.

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Hispanic Heritage Month

Proclamation 16

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Constitution Week

Proclamation 18

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Consider approval of the minutes from the August 28, 2014 city council budget work session, and take any action necessary.

08/28/14 Budget WS minutes 20

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Consider approval of the minutes from the September 2, 2014 regular city council meeting, and take any action necessary.

09/02/14 Minutes 23

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P2014-018 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company for the approval of a final plat for Stone Creek, Phase VI, containing 76 residential lots on a 26.532-acre tract of land situated within the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for residential land uses, generally situated south of FM-552 and east of N. Goliad Street (SH-205), and take any action necessary

Staff Report 42

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P2014-021 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company for the approval of a final plat for Breezy Hill, Phase III, containing 71 residential lots on a 48.250-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally situated north of FM-552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

Staff Report 51

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P2014-022 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company for the approval of a final plat for Breezy Hill, Phase IV, containing 51 residential lots on a 29.646-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally situated north of FM-552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

Staff Report . . . 60
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Consider approval of an ordinance amending the Code of Ordinances in Chapter 6. Animals, Article II. Administration, Division 2. Adoption Center Advisory Committee, Sec. 6-51 to modify the composition of the committee to align with state law, and take any action necessary. (1st reading)

Memo - Animal Committee . . . 68
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Consider adoption of a resolution amending the Permit, Health and Misc. Fees Schedule to add a fee for late health permits, to increase the fee charged for food service/child care center plan reviews, and take any action necessary.

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Consider approval of an Interlocal Cooperative Agreement with Rockwall County to fund the engineering design and construction of the IH30 Ramp Reversal project east of SH 205 with city's contribution of $950,000.00 toward the estimated project cost of $1,310,216.37 to be funded out of 2012 Bond Election proceeds,and take any action necessary.

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P2014-017 - Hold a public hearing to discuss and consider a request by Joe Allman of Inner Urban Homes, Inc. for the approval of a replat for Lots 24 & 25, Block A, Chandler's Landing Phase 7 Installment Two Addition, being a 0.49-acre parcel of land currently identified as Lot 23, Block A, Chandler's Landing Phase 7 Installment Two Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for residential land uses, located at 104 Thistle Place, and take any action necessary

Staff Report . . . 87
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Z2014-022 - Hold a public hearing to discuss and consider approval of an ordinance for a City initiated zoning request for the approval of a text amendment to Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of creating and implementing an Airport Overlay (AP OV) District, which will be applicable for the Ralph M. Hall/Rockwall Municipal Airport property, and for all properties located within 500-feet of the airport property and/or located within the Airport's Runway Protection Zones as defined by AC150/5300-13A, Airport Design, of the FAA standards, and take any action necessary. (1st Reading) [Requires a 3/4-Majority Vote for Approval]

Staff Report 97

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Z2014-023 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Beth Godfrey of TKC CLXXXVI, LLC on behalf of the owner, Rick Sharp, for the approval of a zoning amendment to Planned Development District 46 (PD-46) [Ordinance No. 99-05] to allow for a Rental Store with Outside Storage (i.e. Sunbelt Rentals Company) to be established on a ~3.35-acre portion of a larger 6.222-acre parcel of land identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for commercial land uses, situated within the SH-276 Corridor Overlay (SH-276 OV) District, located east of Corporate Crossing (FM-549) in between SH-276 and Springer Lane, and take any action necessary. (1st Reading)

Staff Report 129

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Z2014-024 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Juan J. Vasquez, PE of Vasquez Engineering, LLC on behalf of James R. Thompson of Cavender Investment Properties E, LTD for the approval of a Specific Use Permit (SUP) for a general retail store within a Light Industrial (LI) District for the purpose of constructing a Cavender's Boot City on a 3.27-acre parcel of land identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of the E. IH-30 frontage Road west of Corporate Crossing (FM-549), and take any action necessary. (1st Reading)

Staff Report 154

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Z2014-025 - [Request to Postpone to the October 20, 2014 Meeting] Hold a public hearing to discuss and consider approval of an ordinance for a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a zoning amendment to Planned Development District 63 (PD-63) to allow for changes to the concept plan and development standards stipulated by Ordinance No. 05-51 for a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District use, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary. (1st Reading)

Staff Memo . . . 168
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Z2014-026 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Caprice Michelle of Rockwall's Rustic Ranch, LLC for the approval of a Specific Use Permit (SUP) for a restaurant within Planned Development District 50 (PD-50) on a 0.53-acre parcel of land identified as Lot B, Block 123, B. F. Boydston Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. (1st Reading)

Staff Report . . . 171
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SP2014-014 - Discuss and consider a request by Matthew Alexander on behalf of the Rockwall Downes Development, LLC for the approval of a variance to the dead end street requirements as stipulated by the Engineering Standards of Design and Construction manual for Phase 3 of the Rockwall Downes Subdivision, containing 26 single-family lots and being one phase of the proposed 35.651-acre subdivision, which is situated within the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10), situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located adjacent to John King Boulevard north of SH-276 and south of IH-30, and take any action necessary.

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Discuss and consider appointments to city advisory boards and commissions, and take any action necessary.

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Discuss and consider approval of an ordinance amending the budget for fiscal year 2014, and take any action necessary.

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Discuss and consider approval of an ordinance adopting the budget for fiscal year 2015, and take any action necessary
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Discuss and consider approval of an ordinance levying ad valorem taxes for the tax year 2014 and take any action
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Discuss and consider the Hotel tax subcommittee recommendations for funding allocations in fiscal year 2015, including authorizing the City Manager to execute associated funding agreements, and take any action necessary.
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Discuss and consider approval of the Rockwall Economic Development Corporation (REDC) budget for fiscal year 2015 and amended budget for
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Discuss and consider approval of the Rockwall Technology Park Association budget for fiscal year 2015 and amended budget for fiscal
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MIS2014-011 - Discuss and consider a request for the approval of a special request for the purpose of permitting the construction of a covered porch that does not conform to the setback requirements as stipulated by Planned Development District 75 (PD-75) [Ordinance No. 09-37] for a 0.12-acre property that is identified as Lot 685 of Rockwall Lake Estates #1 Addition, City of Rockwall, Rockwall County, Texas, is zoned Planned Development District 75 (PD-75), is addressed as 208 Texas Avenue, and take any action necessary.
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Discuss and consider appointments to the city's Youth Advisory Council (YAC), and take any action necessary.
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Discuss and consider Christmas planning and decorations for downtown, including associated cost estimates, and take any action necessary.
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Discuss and consider the City Charter including possible establishment of a Charter Review Commission, and take any action necessary.

Memo 248
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AGENDA
ROCKWALL CITY COUNCIL
Monday, September 15, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p13 **1. DISCUSS AND CONSIDER MODIFICATIONS TO THE BRICK PATTERN IN THE DOWNTOWN AREA, AND TAKE ANY ACTION NECESSARY.**

III. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, September 15, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

VIII. PROCLAMATIONS / AWARDS

p16 **1.** Hispanic Heritage Month
p18 **2.** Constitution Week

IX. CONSENT AGENDA

p20 **1.** Consider approval of the minutes from the August 28, 2014 city council budget work session, and take any action necessary.

p23 **2.** Consider approval of the minutes from the September 2, 2014 regular city council meeting, and take any action necessary.

p42 **3.** P2014-018 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company for the approval of a final plat for Stone Creek, Phase VI, containing 76 residential lots on a 26.532-acre tract of land situated within the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for residential land uses, generally situated south of FM-552 and east of N. Goliad Street (SH-205), and take any action necessary

p51 **4.** P2014-021 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company for the approval of a final plat for Breezy Hill, Phase III, containing 71 residential lots on a 48.250-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally situated north of FM-552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

p60 **5.** P2014-022 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company for the approval of a final plat for Breezy Hill, Phase IV, containing 51 residential lots on a 29.646-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally situated north of FM-552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

p68 **6.** Consider adoption of a resolution amending the Permit, Health and Misc. Fees Schedule to add a fee for late health permits, to increase the fee charged for food service/child care center plan reviews, and take any action necessary.

p72 **7.** Consider approval of an ordinance amending the Code of Ordinances in Chapter 6. Animals, Article II. Administration, Division 2. Adoption Center Advisory Committee, Sec. 6-51 to modify the composition of the committee to align with state law, and take any action necessary. (1st reading)

p78 **8.** Consider approval of an Interlocal Cooperative Agreement with Rockwall County to fund the engineering design and construction of the IH30 Ramp Reversal project east of SH 205 with city's contribution of $950,000.00 toward the estimated project cost of $1,310,216.37 to be funded out of 2012 Bond Election proceeds, and take any action necessary.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

2. Appointment with representative(s) from the Rockwall County Open Space Alliance (RCOSA) to hear presentation regarding the organization's work and associated progress, and take any action necessary.

XI. PUBLIC HEARING ITEMS

1. Hold public hearing to hear comments regarding the proposed City of Rockwall Fiscal Year 2015 Budget, and take any action necessary.

p87 **2.** P2014-017 - Hold a public hearing to discuss and consider a request by Joe Allman of Inner Urban Homes, Inc. for the approval of a replat for Lots 24 & 25, Block A, Chandler's Landing Phase 7 Installment Two Addition, being a 0.49-acre parcel of land currently identified as Lot 23, Block A, Chandler's Landing Phase 7 Installment Two Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for residential land uses, located at 104 Thistle Place, and take any action necessary

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p154 **5.** Z2014-024 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Juan J. Vasquez, PE of Vasquez Engineering, LLC on behalf of James R. Thompson of Cavender Investment Properties E, LTD for the approval of a Specific Use Permit (SUP) for a general retail store within a Light Industrial (LI) District for the purpose of constructing a Cavender's Boot City on a 3.27-acre parcel of land identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of the E. IH-30 frontage Road west of Corporate Crossing (FM-549), and take any action necessary. (1st Reading)

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p171 **7.** Z2014-026 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Caprice Michelle of Rockwall's Rustic Ranch, LLC for the approval of a Specific Use Permit (SUP) for a restaurant within Planned Development District 50 (PD-50) on a 0.53-acre parcel of land identified as Lot B, Block 123, B. F. Boydston Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. (1st Reading)

XII. SITE PLANS / PLATS

p195 **1.** SP2014-014 - Discuss and consider a request by Matthew Alexander on behalf of the Rockwall Downes Development, LLC for the approval of a variance to the dead end street requirements as stipulated by the Engineering Standards of Design and Construction manual for Phase 3 of the Rockwall Downes Subdivision, containing 26 single-family lots and being one phase of the proposed 35.651-acre subdivision, which is situated within the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10), situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located adjacent to John King Boulevard north of SH-276 and south of IH-30, and take any action necessary.

XIII. ACTION ITEMS

p200 **1.** Discuss and consider appointments to city advisory boards and commissions, and take any action necessary.

p202 **2.** Discuss and consider approval of an ordinance amending the budget for fiscal year 2014, and take any action necessary.

p205 **3.** Discuss and consider approval of an ordinance adopting the budget for fiscal year 2015, and take any action necessary

p213 **4.** Discuss and consider approval of an ordinance levying ad valorem taxes for the tax year 2014 and take any action necessary.

p217 **5.** Discuss and consider the Hotel tax subcommittee recommendations for funding allocations in fiscal year 2015, including authorizing the City Manager to execute associated funding agreements, and take any action necessary.

p221 **6.** Discuss and consider approval of the Rockwall Economic Development Corporation (REDC) budget for fiscal year 2015 and amended budget for fiscal year 2014, and take any action necessary.

p231 **7.** Discuss and consider approval of the Rockwall Technology Park Association budget for fiscal year 2015 and amended budget for fiscal year 2014, and take any action necessary.

p238 **8.** MIS2014-011 - Discuss and consider a request for the approval of a special request for the purpose of permitting the construction of a covered porch that does not conform to the setback requirements as stipulated by Planned Development District 75 (PD-75) [Ordinance No. 09-37] for a 0.12-acre property that is identified as Lot 685 of Rockwall Lake Estates #1 Addition, City of Rockwall, Rockwall County, Texas, is zoned Planned Development District 75 (PD-75), is addressed as 208 Texas Avenue, and take any action necessary.

p244 **9.** Discuss and consider appointments to the city's Youth Advisory Council (YAC), and take any action necessary.

p246 **10.** Discuss and consider Christmas planning and decorations for downtown, including associated cost estimates, and take any action necessary.

p248 **11.** Discuss and consider the City Charter including possible establishment of a Charter Review Commission, and take any action necessary.

XIV. EXECUTIVE SESSION

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1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 12th day of September, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and Council**

FROM: **Rick Crowley, City Manager**

DATE: **September 12, 2014**

SUBJECT: **Brick Pattern Modifications Downtown**

Over the course of this week, Mayor Sweet and Mayor Pro Tem Pruitt have indicated that the Council continues to receive complaints of varying detail related to the brick selection of the downtown project. Several meetings with Hill Wilkinson and La Terra have been held. Hill Wilkinson has suggested that they have determined that it is possible to make certain limited changes in the brick with considerably less expense and less timeline change than that had previously indicated provided that they changes were somewhat limited and that they brick associated with the change is readily available. Discussions with several members of the selection committee have been held.

Hill Wilkinson has provided a cost estimate for the change under consideration as well as the timeline differential, and discussion will be held in workshop format at Monday's meeting. The downtown advisory committee who has been involved in the selection process have been invited to convene a meeting at 4pm as well and will join the Council in looking at the mockup of the brick wall behind Napoli's restaurant.

The cost and timeline information assumes the following:

> The newly completed brick wall on San Jacinto in the block adjacent to the Center will remain **as is** (with the pattern that contains the black brick).
>
> The area on the square where brick has just been installed would be modified by chiseling out the black bricks and replacing each with a rose-colored brick which may be selected as a more desirable color and is apparently readily available.
>
> Adjusting the not yet installed mingled brick pallets to replace the black brick with the proposed rose-colored brick (The black brick is 10% of the current blend

Hill Wilkinson has confirmed with Acme Brick that they have 8,000 of the Rose brick on the ground ready to ship. They have indicated they will hold them for a few days pending Council's decision.

Hill Wilkinson's cost estimate to purchase the rose-colored brick; chisel out the installed black bricks and replace with the rose colored brick; remove black bricks from the mingled pallets and insert rose-colored brick; along with other ancillary costs totals $30,534. They have conservatively estimated a two-week project timeline impact. They would anticipate installing the CMU walls and leaving them bare during the waiting period while the brick is delivered and re-mingled – they would not stop work during this period. This change is expected to be minimally disruptive to the schedule.

Staff has requested the price and timeline implications if Council were to choose to demo the newly installed wall and rebuild it with the re-mingled color pallet. Hill Wilkinson will have that information available for the Council on Monday and will be present at the meeting to answer any questions.

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15

Proclamation

Rockwall, Texas

Whereas, the presence of Hispanics on this continents predates the founding of our Nation, and, as among the 1st to settle in the New World, Hispanics have had a profound influence on American history, values, families, religion, music, dance and culture; and

Whereas, since the arrival of early Spanish settlers more than 400 yrs. ago, millions of Hispanics have come to the U.S. from places like Mexico, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and other Hispanic or Latino regions of the world in search of peace, freedom, and a prosperous future, bringing with them a rich heritage, a deep commitment to family and community, a strong work ethic, and an unwavering belief in the American Dream; and

Whereas, many residents of Rockwall have Hispanic roots in these and other countries, exhibiting the courageous spirit of their ancestors who fought from 1810 to 1821 against seemingly insurmountable odds to win independence from Spain; and

Whereas, this month, we acknowledge with gratitude the many gifts Hispanic Americans bring to so many aspects of our daily lives and reaffirm our mutual respect and support for Hispanic American families; and

Whereas, working together, we can meet the needs of the 21st century in a way that will celebrate our differences and unite us around our common values.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim the month of September 15th – October 15th, 2014 as

HISPANIC HERITAGE MONTH

in the City of Rockwall and encourage all citizens to celebrate the history and heritage of the Hispanic people and recognize their lasting contributions to the growth and development of this community, state and country.

In Witness Whereof, I hereunto set my hand and official seal this 15th day of September, 2014.

_____

David Sweet, Mayor

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17

Proclamation

Rockwall, Texas

Whereas, the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

Whereas, September 17, 2014, marks the two hundred twenty-seventh anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

Whereas, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

Whereas, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating and recognizing Constitution Week,

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim September 17 through 24, 2014, as

Constitution Week

in the City of Rockwall and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

In Witness Whereof, I hereunto set my hand and official seal of the City of Rockwall, Texas this the 15th day of September, 2014.

_____

David Sweet, Mayor

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19

MINUTES
ROCKWALL CITY COUNCIL
Thursday, August 28, 2014
8:00 a.m. Budget Work Session
City Courts Building, 2860 SH-66 Rockwall, TX 75087

1. CALL TO ORDER

Mayor Sweet called the meeting to order at 8:05 a.m. Present were Mayor David Sweet, Mayor Pro Tem Jim Pruitt and Councilmembers David White, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and city department directors. Councilmember Mike Townsend was absent from the meeting.

2. HOLD BUDGET WORK SESSION TO DISCUSS AND CONSIDER THE CITY OF ROCKWALL'S FISCAL YEAR 2015 BUDGET, AND TAKE ANY ACTION NECESSARY.

City Manager Rick Crowley provided an overview of the proposed budget. He explained that the drought and associated loss of water sales has resulted in a large, negative impact on projected city revenues. Mr. Crowley explained that the previously budgeted transfer of over $602,000 from the Water and Sewer Fund to the General Fund will not occur as planned, which is a direct result of lack of water sales due to the ongoing, prolonged drought.

Assistant City Manager Mary Smith facilitated discussions related to the city's water and wastewater rates, including how the rate relates to revenues and expenditures. Council members indicated they would like staff to perform a water/wastewater rate study in order to glean a more accurate idea of how potential, future rate increases may affect revenues in the future.

City Manager Rick Crowley and Assistant City Manager Mary Smith proceeded to facilitate discussions related to the budget proposal, including the city's current tax rate of $.5025/$100 valuation and the calculated effective tax rate of $.4955/$100 valuation.

Mayor Sweet called for a brief break and recessed the meeting at 10:01 a.m. Mayor Sweet called the meeting back to order at 10:13 a.m.

After additional discussion regarding budget proposal items, at 10:45 a.m., Mayor Sweet recessed the meeting and called for a break. The meeting was reconvened and called back to order at 11:26 a.m.

City Management proceeded to walk the city council through various aspects of the General Government Fund budget proposal. Discussion took place related to personnel costs and positions as well as various other expenditures covered in this fund.

At 12:12 p.m., Mayor Sweet called for a lunch break. The meeting was reconvened at 12:25 p.m. It was noted that Mayor Pro Tem Jim Pruitt excused himself from the meeting at this point.

Staff and council proceeded to discuss the Finance and Fire Department budgets next. Council indicated they would like staff to evaluate possibly adding the requested three (3) full-time driver positions back into the Fire Department budget.

The Police Department budget was discussed next. Chief Mark Moeller came forth and briefed the council on anticipated increases in the department's overtime budget and the reasons why. It was noted that Mayor Pro Tem Pruitt returned to the meeting at 1:30 p.m. City Council asked the city manager to speak with the school district regarding the possibility of RISD paying for costs associated with outfitting a new vehicle with equipment for a School Resource Officer (SRO).

Mayor Sweet called for a short break at 2:10 p.m. The meeting was reconvened by Mayor Pro Tem Pruitt at 2:28 p.m. Mayor Sweet was not present during this time but rejoined the meeting at 2:35 p.m. Following the break, the Community Development Budget was discussed, which includes the Planning, Neighborhood Improvement Services, and Building Inspections Departments. The Public Works Departmental Budget was discussed next. One of the highlights of this budget is the proposed installation of a traffic signal at the intersection of Mims Road and Ralph Hall Parkway. City council asked staff to try and get the study and installation of this traffic signal completed by December to help alleviate congestion associated with holiday shopping traffic. Discussion also took place related to the city's Main Street Program and downtown.

The city council took no formal action related to the budget discussions at this time.

3. ADJOURNMENT

Mayor Sweet adjourned the meeting at 4:45 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 15th day of September, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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22

MINUTES
ROCKWALL CITY COUNCIL
Tuesday, September 02, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

1. HOLD WORK SESSION TO HEAR PRESENTATION FROM JOHN N. CREW, PRESIDENT OF PUBLIC WERKS, INC./TEXAS TURNPIKE CORPORATION, REGARDING THE PROPOSED BLACKLANDS CORRIDOR/NORTH EAST GATEWAY TOLLWAY/ROADWAY AND ASSOCIATED STUDY, AND TAKE ANY ACTION NECESSARY.

Neil Barker with Texas Turnpike Corporation / Public Werks came forward and introduced the following speakers:

- **Steve McCullough, former city manager with City of Irving and recent interim city manager of Irving (now current employee of Public Werks);**
- **Steve Woodruff with Huitt-Zollars, Inc., design engineer, on the project; and**
- **Andy Whitler with Austin Industries, construction advisor on the project.**

Mr. Barker explained that about three years ago, he was looking at an abandoned railroad right-of-way between Greenville and Lavon, and, through the course of several months of conversations, he decided there may be a need for a roadway long this corridor. So, the idea of the "Blacklands Turnpike" was born.

Mayor Sweet asked who Public Werks is, requesting that Mr. Barker further explain this company and the Texas Turnpike Corporation. Regarding the Texas Turnpike Corporation, Mr. Barker explained that for over 100 years in Texas, corporations had the authority to build, own, and operate private toll roads in the state. However, after May of 1991, the State Legislature deemed that doing so would henceforth be a government function but that any corporation formed prior to this time would still be allowed to exist and have authorities that were previously granted. He explained that the Texas Turnpike Corporation was formed just prior to the legislative change that occurred in May of '91. He explained that the Texas Turnpike Corporation is a private entity, not governmental and not quasi-governmental, and it is not financially dependent on taxes or government revenues – in fact the Corporation itself pays taxes. He explained that Public Werks is basically an "operating company" that does infrastructure-related development / P-3 related developments, working with governments to implement solutions for things like water, power, wastewater, transportation and transit type of consulting projects. He indicated that Texas Turnpike Corporation and Public Werks have no formal relationship other than those who work at Public Werks (6 employees), for the most part, are those who own the majority of Texas Turnpike Corporation.

He went on to explain his belief that this abandoned rail line right-of-way may provide a transportation solution to congestion and limited access associated with SH-66, IH-30,

and its bridge. He explained that the North Central Texas Council of Governments (NCTCOG) in Arlington has been doing a feasibility study on the entire corridor to determine what may be needed, transportation wise, in this area. The study is set to wrap up in the next couple of weeks. A public meeting will be held on September 4 for the NCTCOG to present its findings from this feasibility study, which should reflect findings that include bike, pedestrian, arterial improvements and interstate improvements. He believes that the study will show that, if a highway is needed, the best option would be a toll road if the roadway is to be built soon (within / before the next twenty years). He believes it will also show that the NETEX rail line will not be a viable route option for the possible roadway. As a result, potential, alternative routes have been evaluated. He explained that the initial name - "Blacklands Turnpike," which would have been associated with a route along the NETEX rail line, has undergone rebranding. It is now being referred to the "Northeast Gateway."

He indicated that, although they are a private entity, the Texas legislature has placed some controls and rules on them, including those reflected in the TXDOT Administrative Code, which is reflected in the Texas Transportation Code, Chapter 362, which further references a more descriptive list of controls in the Texas Administrative Code, Title 43. He explained that, as part of the rules, a private entity is required to show financial, environmental and technical feasibility to the highway department and the Texas Transportation Commission before being able to seek approval from the Commission to move forward with a project. So, beginning September 4, he explained that his company will begin getting the public involved as the project moves forward.

He explained that when the project was initially looking at the NETEX rail line as a possible route, it was not really affecting the City of Rockwall very much; however, within the last eight weeks or so, since the possible route has shifted a little further south, he has begun meeting with potentially affected cities, such as Rockwall, to start communicating with those city managers and council members about the project. He generally explained that he had 'backed down' from meeting with cities over the last several weeks because he has been allowing time for the NCTCOG to complete its feasibility study and present its findings.

He explained that the Northeast Gateway is a proposed, limited access toll facility from Northeastern Dallas County over into Western/Central Hunt County near the intersection of 1570 and IH-30 in Hunt County all the way over to President George Bush in Dallas. He explained that they are currently working with TXDOT on those feasibility studies to fulfill their administrative duties prior to seeking approval to move forward with this project. He explained that the roadway would be approximately twenty-seven miles, and a couple of different possible routes, within a couple miles of each other, will be shown this afternoon. The need and purpose is being defined by the NCTCOG study. The expected population growth for the area will result in an increase of approximately 219,000 crossing four paths (SH-380, SH-78, SH-66, IH-30) to 386,000 crossing these paths in the year 2035. He generally explained that he feels the projected growth in population and transportation traffic between now and the year 2035 points to the need for a proposed, new roadway in this area. He explained they plan to study the potential environmental impacts on various route options and then choose the option that will have the very least, or no, environmental impact. Some preliminary options for the roadway route have been evaluated, however nothing is set in stone at this point. He indicated that once their study is complete, it will be put forth before the public for their input next year.

Steve Woodruff then came forth and briefed the council on maps he showed concerning the possible routes currently being studied. He explained that engineering and environmental studies will occur simultaneously. Once the two end points (east end of the roadway and west end of the roadway) are established, they will then study various route options to connect the two end points together. The area in between the two end points will be divided up into four segments – Segment A will be from IH-30 over to SH-66; Segment B will be from SH-66 over to the proposed Collin County Outer Loop; Segment C will be from the proposed Collin County Outer Loop over to SH-205; and Segment D will be from SH-205 over to the President George Bush Turnpike. They will use TXDOT design criteria. Residential displacements, cemeteries, schools, airports, and other items will be taken into account when evaluating environmental constraints. They will narrow down the two, preferred alignments, and then those two will be evaluated in more detail from an engineering perspective, resulting in the final, preferred alignment. He then briefly showed maps of four possible alignments that are currently being evaluated. He explained that on September 4 in Lavon, a first public meeting will be held. A second public meeting will be held in November of 2014. In early spring of 2015, a public hearing will be held. Then, in the summer of 2015, they will take their proposal before the Texas Transportation Commission to seek approval of their environmental assessment and route selection. Mr. Barker interjected, explaining that for the November 2014 meetings, two meetings will be held on the eastern part of the corridor, and two meetings will be held on the western side of the corridor to ensure they involve as many people as possible from the public involved in the process. Then, they will do the same for the public hearing in 2015.

Regarding the possibility that the NCTCOG's study results will show that this roadway is in fact needed, Mayor Sweet asked Mr. Barker who would award his company the opportunity to be the one to end up building said roadway. Mr. Barker indicated that no one has picked his company. Instead, his company has chosen this project. Mayor Sweet asked for clarification regarding who will exercise eminent domain on the project. Mr. Barker indicated that the Texas Turnpike Corporation has that authority and would be the one to exercise eminent domain.

Mayor Pro Tem Pruitt asked the presenters to provide maps specifically showing the various proposed route options so that citizens can begin studying them and providing feedback on them. Mr. Barker indicated that the public input portion of the project is only in the beginning stages right now, and nothing, as far as routes are concerned, has been set in stone at this point.

Mayor Sweet warned Mr. Barker that if he does not produce more detail of the potential routes tonight when asked, and then he does so at the meeting in Lavon on Thursday night, all of Rockwall County will be fired up at him. He asked if there is other information concerning routes that he is not telling the city council today. Mr. Barker indicated that, no, there is no additional information concerning routes at this point. He explained that he does not have better map lines right now to show. As the process moves forward, they will be looking at a four hundred foot corridor and will be talking with any and all elected and appointed officials, as well as their constituents, to help produce more detailed map lines in the November timeframe.

Mayor Sweet and Mayor Pro Tem White expressed strong dissatisfaction with the City of Rockwall not having been provided with more details concerning this possible roadway up until this date.

City Manager Rick Crowley indicated that he knows Public Werks has recently met with some other cities to discuss the project. He asked if either one of the two routes in question has been mentioned to the other cities as a "front runner" or one of preference with regards to this roadway. Mr. Barker, after providing brief comments which did not answer Mr. Crowley's question, indicated that, while someone may have given his personal opinion concerning the route options, his company has not officially named any preferred route over the other at this time. Mr. Crowley indicated that Mr. Barker previously stated in his presentation that his company worked for a period of two years to get the NCTCOG and TXDOT "on board." He then asked - to what level are these two entities on 'board' with the routes and the work on the project, and what does 'on board' mean? Mr. Barker stated he cannot speak on behalf of those entities and is not sure if they are "on board" or in agreement with the map that his company's engineers have drawn up. He can say that NCTCOG has said in the last few weeks that, in their analysis of this corridor, a new location is needed, and they actually have some maps on their presentation showing where their engineers think the new roadway would make sense. Mr. Crowley asked if there is a role for an entity such as NTTA if this project moves forward. Mr. Barker indicated that, yes, his company has been meeting with NTTA already to discuss possible collaboration on this project, such as use of toll tags. He stated that his company is working very closely with them.

Councilmember White indicated that he has heard nothing that will change his position on the resolution of opposition recently passed by the Rockwall City Council. He also guessed that a majority of members of the public are not in support of the project or any potential toll road coming through Rockwall.

Councilmember Lewis pointed out that the city does not typically have this many people present at an afternoon work session, so it is evident there is a lot of public interest in this proposed roadway. He stated that he saw in a news report where the first, original route was met with a lot of opposition, so he understands that is why an alternate route is likely now being proposed. He inquired about the company's ability to utilize eminent domain. City Attorney Frank Garza indicated that a private toll company such as this has actually been granted eminent domain authority by the Texas State Legislature and that it has been in existence for many years, at least since the 1990's.

Councilmember Milder asked how much this project is estimated to cost should it come to fruition. Mr. Barker indicated that a ballpark estimate would be 500 million dollars (total construction cost); however, as the plan develops, this estimate may change. Councilmember Milder asked what toll ways in Texas his company has been involved with that have been one hundred percent successful. Mr. Barker stated that the principles of his corporation have been involved as financial advisors in several past projects, including the Addison Toll Tunnel. Councilmember Milder further asked what toll ways in Texas have been entirely privately funded and have been successful. Mr. Barker indicated that there have not been any so far. Councilmember Milder asked what happens if Mr. Barker's private company builds this roadway entirely with private money, but then it is unsuccessful and "goes 'belly up.'" Mr. Steve McCullough of Public Werks Inc. and Texas Turnpike Corporation came forth to answer the question, indicating that an investment grade traffic and revenue study is currently being conducted today by a nationally recognized firm. This will help identify potential, interested, private investors. Any debt or equity that may result (the asset) would first be referred to the investors who may try to recoup their funds by either trying to run it themselves or by trying to sell it to

an entity such as the State of Texas, NTTA or TXDOT or other interested buyer. Regardless, the asset, which will be the built roadway itself, will exist and will remain in place.

Councilmember Daniels indicated that in 2013 the Dallas Morning News reported that in 1991 the Texas Legislature disallowed private toll road companies. He asked city attorney, Frank Garza, to check into this to see if it is factual information or not. He is curious as to the reason(s) why the legislature may have done so.

Councilmember Lewis asked if this roadway could potentially involve foreign investors. Mr. Barker indicated that his company's preference would be Dallas and Texas based companies as far as investors are concerned.

Mayor Pro Tem Pruitt again inquired about more map detail concerning the possible routes being considered.

Mr. Barker indicated that his company does in fact have all of the maps showing satellite imagery overlaid on maps. Mayor Pro Tem Pruitt expressed strongly that he would like to see those maps. Mr. Barker indicated that he wants to open a dialogue with the City of Rockwall and begin working with it and other cities regarding the project as it moves forward. Mayor Pro Tem Pruitt indicated that, until two months ago, this project was not even on the City of Rockwall's radar because it was not believed to be a project that would affect our city – Rockwall thought it would only be affecting Wylie.

Mayor Sweet indicated that, although this meeting is not advertised as a public hearing, he is going to allow and invite two people to come forth and speak – former Rockwall city council member Nell Wellborn and Bob Hall, who may end up being Rockwall's State Senator for District 2, as he is currently the unopposed Republican nominee.

Nell Wellborn
Speaker (former city council member)

Mrs. Wellborn asked for clarification regarding when the feasibility study for the entire corridor will be completed by the North Central TX Council of Governments (NCTCOG). Mr. Barker indicated that it will be completed within a couple of weeks. She indicated she would like to know what options one through eight that may be reflected on this NCTCOG study. Also, she wanted to know what other projects from start to finish has Mr. Barker's actual company (not necessarily its employees or its representatives) been involved with in the past.

Mr. McCullough indicated that the NCTCOG feasibility study will soon be released, and it will reflect recommendations related to bike trails, walking trails, freight, transit, IH-30 improvements, arterial bottleneck improvements (there are a total of nine (9)). He indicated that one of the nine elements of the total study will be a new location, limited access roadway, which is number nine. Mr. McCullough explained that the principal person who founded and legally formed the Texas Turnpike Corporation prior to 1991 when the legislature repealed the ability for new, private toll way corporations to be formed, is named John Crew. Mr. McCullough explained that Mr. Crew is traveling and regrets his inability to be here this evening, but , he did call Mayor Sweet prior to today's meeting. During his career, Mr. Crew has worked for First Southwest Company, has been a financial advisor for many cities in the State of Texas, and was a partner at Dillon

Read for a large part of his career. He has been an investment banker and financial advisor for various cities, counties and states throughout the country had has previously been involved in the financing of the Dallas North Toll way, the Houston Ship Channel Bridge as well as other roadways in the country. Mr. McCullough explained that he was city manager of Irving for thirty years and was heavily involved, from the city perspective, in the President George Bush Toll Road (PGBT) as it was being studied and constructed through that city. He explained it started out as the 161 freeway, but TXDOT ran out of money and was not going to be able to finish that limited access roadway in Mr. McCullough's lifetime. He further explained that at the time, the City of Irving created its own toll way authority, and he recommended to the city council at the time that the City of Irving finish building it as a toll way and own it. He explained that while he and Mr. Crew have been involved in several past projects such as the PGBT, this current company has not yet personally built any privately funded toll roads in the State of Texas to date. This is the first toll way this company is proposing to build. He briefly spoke about eminent domain, acknowledging that he knows this subject matter is controversial; however, almost always, there will be some estate that is contested. Eminent domain is the mechanism that exists to fairly compensate, through a process set by the legislature, affected landowners when public infrastructure is built.

Mayor Pro Tem Pruitt asked the engineering firm if they have already begun trying to gain landowner access to go ahead and start doing surveys of these routes. So, surely, the company must know where the routes may be since homeowners are already being asked for access. Mayor Pro Tem Pruitt indicated that a pretty large subdivision, Breezy Hill, is already going in right now, and the City of Rockwall Council has already approved the zoning for it. Mr. Woodruff indicated that they are working off of photos that were taken in March of 2013; however, they are aware of the Breezy Hill subdivision. Mr. Woodruff indicated that the preliminary routes being shown today are those routes. Mayor Pro Tem Pruitt expressed concern about the city having not been provided with more detailed, proposed or possible route information.

Mr. Crowley indicated that he has been privy to at a couple of past meetings, for example at the NCTCOG, at which representatives from Public Werks / TTC showed much more detailed maps depicting possible routes. Those maps are what the Rockwall City Council is now asking to be provided with at this time. Mr. Woodruff indicated that some maps which may have existed or been shown in the past may now not be applicable due to environmental concerns that have since shown to pose problems with those possible routes. Mr. Crowley indicated that the City of Rockwall has been asked to provide some input regarding possible environmental impacts associated with these routes; however, the city is not able to provide such input without first being provided with more detail concerning the possible routes being proposed.

Mr. Barker indicated that it is quite costly to have the area flown and have accurate maps produced depicting the possible routes. He indicated the company does plan to do so; however, this has not been done yet. At this point, any property owners that have been approached to ask for access to their properties have been asked so that a company representative can go onto those properties in person to gain a better understanding of the physical attributes of the land itself (i.e. topography, contours, creeks, etc.). He assured that no property owners have been asked for access to their property so that a survey can be performed to build a road.

Mr. Crowley asked for Mr. Neil to provide to the City of Rockwall any sort of packets of information or documents that may have already been provided to any Rockwall landowner or resident pertaining to this potential toll road / roadway so that the city is not the last to receive this type of information.

Bob Hall, Republican nominee for State Senate District 2, came forth and posed a series of questions to Mr. Barker. Mr. Hall indicated that the bill, SB18, was passed in 2011 and was a carefully crafted bill that exempted about a dozen or so companies from the constitutional change that was made regarding eminent domain. The way he understands it is that companies under these rules operate under "the old way," which basically means there is no negotiating. Instead, a company likes a piece of property, they pick a price, and they take the property. It is not like the current eminent domain rules that we operate under now. It gives a private company eminent domain authority for a private purpose. He asked Mr. Barker if this project is going to be a private road or a public-private partnership (P3). Mr. Barker indicated that it will be a private partnership only. Mr. Barker agreed with Mr. Hall's inquiry that no state or federal guarantees, no bonds, and no other type of funding that taxpayers could potentially be 'on the hook' for would be utilized – only private funding. Regarding "non-compete clauses," Mr. Hall asked if the company will move forward with the project if a 'non complete clause' is omitted from the project. Mr. Barker indicated that the Texas Turnpike Corporation has not talked about or explored any sort of "non-compete" for this or any other project.

Mr. Hall indicated that every single toll road that has been built in Texas has been advertised as private investment; however, Texas taxpayers have put in about seventy-five percent of the cost of building those roads. He clarified if Mr. Barker's project will be 100% funded without taxpayer money and that there will be no cost to the state. Mr. Barker indicated that Mr. Hall's statement is correct. Mr. Hall indicated that the builders of the 130 were just paid a hundred million dollars in order to bail them out, build traffic up along the road and others around the state. Mr. Hall asked if it is true that this sort of situation will not occur with this particular project. Mr. Barker indicated that his company is not seeking any sort of partnership with the state or any public entity – it will be solely a private venture.

Mr. Barker indicated that he believes Public Werks is fully impacted by SB18, and that his company will have to abide by all of its provisions. He further stated he believes this type of eminent domain authority is the 'newer type.'

Mr. Barker thanked the City Council for its time, apologized for any miscommunication in the past. He asked for a specific point of contact for Rockwall. Mayor Sweet indicated that Mr. Barker should direct any and all communication to Mr. Crowley, the City Manager of Rockwall.

Mayor Sweet then requested that the city secretary read into the public record the contents of a resolution recently (unanimously) passed by the Rockwall City Council. The resolution was read, in its entirety, as follows:

CITY OF ROCKWALL, TEXAS
RESOLUTION NO. 14-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,TEXAS, OPPOSING THE

CONSTRUCTION OF THE BLACKLANDS CORRIDOR FREEWAY / TOLLWAY IN THE CITY OF ROCKWALL TEXAS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, The North Central Texas Council of Governments, the Texas Turnpike Corporation, the Texas Department of Transportation, and a private developer have been conducting a study known as the Blacklands Corridor Feasibility Study to assess and recommend a combination of strategies related to local and regional transportation needs; and

WHEREAS, the Blacklands Corridor Study Area includes parts of Collin, Dallas, Hunt, and Rockwall Counties and includes consideration of a new tollway connecting the City of Greenville with the President George Bush Turnpike; and

WHEREAS, the City of Rockwall has attended numerous meetings where the discussion of tollway routing has included numerous routes located in Collin County; and

WHEREAS, subsequent meeting of City of Rockwall representatives with representatives of the private developer have indicated that a new tollway route has been added for consideration which would be located in Rockwall County and partially within the City of Rockwall and its Extra-Territorial Jurisdiction.; and

WHEREAS, no documents indicating the new tollway route were provided to the City of Rockwall at said meeting by the private developer's representatives; and

WHEREAS, indications are that the new route being considered is contrary to the current planning of the City of Rockwall including adopted plans for parks, open space, thoroughfares, land use, and utilities; and

WHEREAS, the City of Rockwall has been requested to offer input related to the environmental impact of the proposed route without having been provided specific information as to the location of the route, thus denying the City of Rockwall the opportunities to adequately assess and respond to potential environmental impact and other possible consequences that such a route may have; and

WHEREAS, the limited information provided about the new route causes great concern;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the City of Rockwall strongly opposes the new route being considered for the Blacklands Corridor / Freeway which is partially located in Rockwall County and the City of Rockwall and its Extra-Territorial Jurisdiction,

Section 2. That the City of Rockwall urges that detailed, accurate information as to all routes currently under consideration by transportation planners be provided to the City of Rockwall and to all of the cities and counties affected by said routes being considered.

Section 3. That work continue on the study of all alternative solutions that may contribute to meeting the transportation needs with transit options being left to the discretion of local governments, and that the City of Rockwall (and other cities and counties located along all routes being considered) be specifically provided a designated official single point of contact for the purpose of facilitating their involvement in the study as it progresses, and that clarification be provided to those same cities and counties as to the relative roles of the NCTCOG, the Texas Turnpike Corporation, the Texas Department of Transportation, the North Texas Turnpike Authority, the private developer (and its consultants), and any other applicable entities.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 4th day of August, 2014.

At 5:30 p.m., Mayor Sweet read the below listed discussion items into the public record before recessing the meeting into Executive Session:

III. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).
2. Discussion regarding sale, lease, exchange of real property in the vicinity of Fannin/Heath Street pursuant to Section 551.072 (Real Property).
3. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
4. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
5. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)
6. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)
7. Discussion regarding Economic Development prospect pursuant to Section 551.087 (Economic Development)
8. **Addendum item:** Discussion regarding notice of legal claim filed by J. Cooley pursuant to Section 551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:55 p.m.

V. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Sweet reconvened the public meeting at 6:00 p.m. with all seven city council members present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Pruitt indicated that no action as a result of Executive Session was needed.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MILDER

Councilmember Milder delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS / AWARDS

1. Constitution Week

This item was not addressed by city council, as the requestor for this item asked that it be delayed until the September 15 regular council meeting instead.

IX. OPEN FORUM

Mayor Sweet explained how Open Forum is conducted and asked if anyone in the audience would like to come forth and speak at this time. There being no on wishing to come forth, Mayor Sweet then closed the Open Forum portion of the meeting.

X. CONSENT AGENDA

1. Consider approval of the minutes from the August 18, 2014 regular city council meeting, and take any action necessary.

2. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 44. Utilities; Article V. Water; Division 7; Sec. 44-436 "Stages and Measures" of the Drought Contingency and Water Emergency Response Plan, to provide for certain deletions and changes to these provision in order to comply with requirements of the TX Commission on Environmental Quality (TCEQ), and take any action necessary. **(2nd reading)**

3. **Z2014-020** - Consider approval of an **ordinance** for a request by Bobby and Kimberly Fritts for the approval of a Specific Use Permit (SUP) to allow for a carport that does not meet the minimum setback requirements stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code [Ordinance No. 04-38] for a 0.31-acre property identified as Lot 27, Block C of the Lynden Park Estates, Phase 4 Addition, zoned Planned Development District 17 (PD-17), addressed as 109 Weston Court, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(2nd Reading)**

4. **MIS2014-009** - Consider approval of an **ordinance** for a City initiated request to amend the Future Land Use Map contained within the Comprehensive Plan, and take any action necessary. **(2nd Reading)**

5. Consider authorizing the City Manager to execute a contract renewal with Weldon's Tree and Lawn Service for grounds maintenance in the amount of $186,000 funded in the General Fund, Parks operating budget, and take any action necessary.

6. Consider approval of an agreement with Rockwall Independent School District for provision of School Resource Officers for the 2014-15 school year, and take any action necessary.

7. Consider approval of an interlocal agreement with the Rockwall Central Appraisal District for property tax collection services, and take any action necessary.

8. **P2014-019** - Consider a request by Brandon O'Donald of Bannister Engineering, LLC on behalf of Mark Hood of Spine Team Texas, PA for the approval of a replat for Lot 21, Block A, Presbyterian Hospital of Rockwall Addition, being a 1.888-acre parcel of land, currently identified as Lot 3, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for general retail land uses, located on the south side of Horizon Road (FM-3097) southeast of the intersection of Horizon Road and Rockwall Parkway, and take any action necessary.

9. **P2014-020** - Consider a request by Matthew Mulliken on behalf of Jennifer Hill of Albright-Hill Properties, LLC for the approval of a replat for Lot 1, Block 1, Albright-Hill Addition, currently identified as Lots D & E, Block 117, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, being a 0.75-acre tract on land, zoned General Retail (GR) District, located at the northeast corner of the intersection of S. Goliad Street (SH-205) and St. Mary's Street, and take any action necessary.

10. **P2014-023** - Consider a request by Jay Bedford of A. J. Bedford Group, Inc. on behalf of the owner, Rick Sharp, for the approval of a replat for Lots 4, 5 & 6, Block A, Sharp Addition, being a 6.222-acre parcel of land currently identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for commercial land uses, situated within the SH-276 Corridor Overlay (SH-276 OV) District, generally located on the north side of SH-276 east of the intersection of SH-276 and Corporate Crossing (FM-549), and take any action necessary.

Mayor Pro Tem Pruitt pulled item #7 for further discussion. Councilmember White made a motion to approve all other remaining Consent Agenda items (#1, 2, 3, 4, 5 6, 8, 9 and 10). Councilmember Milder seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-35

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 7; Sec. 44-436 "STAGES AND MEASURES" OF THE DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN, TO PROVIDE FOR CERTAIN DELETIONS AND CHANGES TO THESE PROVISIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR AN EFFECTVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 14-36
SPECIFIC USE PERMIT NO. S-125

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A SPECIFIC USE PERMIT (SUP) WITHIN THE SINGLE-FAMILY RESIDENTIAL (SF-7) DISTRICT TO ALLOW FOR A CARPORT THAT DOES NOT MEET THE MINIMUM SETBACK REQUIREMENTS, FOR A 0.31-ACRE PROPERTY IDENTIFIED AS LOT 27, BLOCK C OF THE LYNDEN PARK ESTATES, PHASE 4 ADDITION, ZONED PLANNED DEVELOPMENT DISTRICT 17 (PD-17), ADDRESSED AS 109 WESTON COURT, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY CHARTER; PROVIDING FOR AN EFFECTIVE DATE.

After the ordinance captions were read, the motion passed by a vote of 7 ayes to 0 nays.

Regarding Consent Agenda item #7, Mayor Pro Tem Pruitt asked staff to evaluate, between now and next year's contract, how much money the City of Rockwall is saving by hiring the Central Appraisal District to collect taxes on behalf of the city. He is concerned about provisions in the contract that allow the CAD to pass on to the city all their fees, including their attorney fees. He also has concerns about the CAD's ability to initiate tax suits without even having to first contact or notify the city. He further expressed concern specifically regarding the attorney fees because the wife of the chief appraiser was previously running the law office that was collecting all of the money for the cities, and he believes that was a conflict of interest. Also, the CAD can set whatever attorney fee rates they wish, with only the chief appraiser approving said fees. He is concerned that the CAD has an unelected person and an unelected board and is essentially a private entity that has no real accountability to anyone. Mayor Pro Tem Pruitt mentioned that a lot of cities in and around Dallas do not contract with the appraisal district for collection of taxes. Pruitt then moved to approve the agreement associated with Consent Agenda item #7. Councilmember White seconded the motion, which passed unanimously of council present (7 ayes to 0 nays).

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

It was indicated that the chairman was not present because there is nothing on tonight's agenda on which he needs to report. Therefore, no discussion or action took place concerning this agenda item.

2. Appointment with Bill Bricker to request a new zoning classification, and take any action necessary.

Mr. Bricker came forth and expressed that he would like to open and operate a used car lot (indoors, not outdoors at all); however, no appropriate 'use' currently exists under the city's existing zoning categories. He suggested that this new 'use' be allowed in either commercial or industrial zoned areas of the city. He mentioned he has done some preliminary research and believes the state will require him to have a facility that holds five cars, a $25,000 bond, and a small sign (not necessarily out on the street).

Mr. LaCroix, Planning Director, indicated that staff also recently received an inquiry from another, separate businessman in town who would like to sell one used car at a time out of his business via internet-based advertising. He generally indicated that these types of used vehicle businesses are becoming more and more common either through selling out of warehouses or out of residential homes. He suggested the council consider exploring a new 'use' for these types of businesses and consider allowing them through a "Specific Use Permit" (SUP) process. The process would be (1) council direct staff to explore this 'use' and take it before the Planning & Zoning Commission for consideration, and (2) then the recommendations of the P&Z would come back before council at some point for consideration and possible approval.

Councilmember White made a motion to send this concept to the Planning & Zoning Commission to ask them to develop the requirements for a 'land use' and to create the specifications for an SUP process. Councilmember Daniels seconded the motion, which, after brief comments, passed by a vote of 7 ayes to 0 nays.

3. Appointment with Kim Lovett with Eventive Marketing Solutions, representing UCR Asset Services, to request permission to hold a special event (Harbor Auto Show 2014) on the Harbor property on September 20, 2014, and take any action necessary.

Sylvana Garcia Senior Property Manager with USR / representing The Harbor and Kim and Kirk Lovett with Eventive Marketing Solutions introduced themselves to the city council. Ms. Garcia the explained that they would like to hold a small, low-key car show at The Harbor on September 20th. She explained that this would be the fourth year for this car show event and that a part of the proceeds would go to the Rubber Duck Regatta from the classic car registrations. She stated that only about 15-20 vendors would participate, and local dealerships would provide the vehicles for display.

Mayor Pro Tem Pruitt clarified that Mrs. Garcia is actually representing TF Harbor. Pruitt then asked Mrs. Garcia why the City of Rockwall would give TF Harbor something that is discretionary on the city's part when it is currently involved in a lawsuit. He explained that the city has been sued by TF Harbor, a lawsuit which is currently costing city citizens thousands and thousands of dollars every month. Mrs. Garcia indicated that she is not involved in any of that and is simply here to make a request she believes is in the best interest of her tenants. Pruitt indicated he is not in favor of approving this request and would like the property management company to focus on leasing out space at The Harbor so that it doesn't continue looking like a ghost town instead of suing cities. He encouraged her company to start working with the city to try and get something done instead of suing it.

Mayor Sweet indicated that he also would like the property management firm to focus on leasing out space rather than holding some cool events. He encouraged them to take care of leasing out space and let the city continue to focus on special events.

Mayor Pro Tem Pruitt made a motion to deny this request. Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XII. ACTION ITEMS

1. Discuss and consider Christmas planning and decorations for downtown, and take any action necessary.

Mayor Sweet inquired from staff regarding what parts of downtown will be able to be decorated for this upcoming Christmas holiday season. Mr. Crowley indicated that San Jacinto Plaza, for sure, should be complete in time to decorate it for the 2014 Christmas season.

Assistant City Manager Mary Smith indicated that Rib Rub proceeds and proceeds donated through the city's solid waste collection contractor, go into a fund for purchase of such holiday décor.

Councilmember Milder indicated that there are businesses out there that do design work for Christmas lighting. He asked if the city might wish to consider hiring such a company. Assistant City Manager Brad Griggs indicated that this possibility has been explored; however, there is a fairly hefty price tag associated with this possibility.

Councilmember Daniels expressed that he would like whatever décor is utilized on San Jacinto Plaza this year to be something that can be carried over and used in subsequent years. He suggested that staff work on bringing back suggestions to the City Council for consideration at the next city council meeting. Mr. Griggs indicated that staff will evaluate this and bring back recommendations to the September 15th council meeting.

Mr. Griggs gave indication that commercial Christmas decorations are quite costly, as they are expected to last 10-15 years.

The council took no formal action related to this agenda item at this time.

2. Discuss and consider City of Rockwall Fiscal Year 2015 Budget and proposed tax rate, including calling of a Public Hearing and associated dates, and take any action necessary.

City Manager Rick Crowley began discussion of this item, thanking the city council for participating in a budget related work session this past Thursday. He summarized that the drought and lack of water fund revenue is a driving force in the proposed FY15 budget. Based on council input at the budget work session, staff will be evaluating water rate structure options for the council to consider, most likely in the November timeframe.

Mr. Crowley mentioned that Council asked staff to add into the proposed budget three (3) Fire Department Driver positions (full time) and that staff has done so.

He further indicated that an effective tax rate of $ .4955/$100 valuation is being proposed, so the city will not need to advertise and hold a public hearing on the tax rate itself;

however, a public hearing will need to be advertised and held for the budget itself. This public hearing will take place on September 15, 2014. City Attorney Frank Garza has advised that the public hearing may take place at the regular council meeting on September 15, 2014, and that the council will also be able to adopt the budget at that same meeting following the public hearing.

Councilmember Lewis made a motion to call the public hearing concerning the budget and schedule it to be held on September 15, 2014. Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider modifications to Article V, District Development Standards, of the Unified Development Code for the purpose of addressing the permissible location of stucco on commercial and industrial buildings not located within an overlay district, and take any action necessary.

Planning Director Robert LaCroix provided background information related to this agenda item. He further explained that the Planning and Zoning Commission has asked for some time now if this correction, of sorts, can be made. Staff is looking for direction from Council concerning this possible amendment to the UDC, which would need to go to through the P&Z for review and recommendation back to the city council.

Councilmember Lewis made a motion to approve moving forward with the modifications to Article V, District Development Standards, of the Unified Development Code for the purpose of addressing the permissible location of stucco on commercial and industrial buildings not located within an overlay district. Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

4. Discuss and consider modifications to the composition of the city's Architectural Review Board (ARB), and take any action necessary.

Mr. LaCroix provided background information related to this agenda item, indicating that the city's current requirements regarding the technical expertise and qualifications of those who may be considered for appointment to this board have made it difficult to find qualified applicants to serve. He suggested the council may wish to consider making some modifications to these requirements in order to make it a little easier to appoint good candidates to serve on this board in the future.

Councilmember Milder made a motion to move forward with modifying the composition of the city's Architectural Review Board as suggested by staff (that at least one member shall be a registered architect in the State of Texas. Other members are chosen for qualifications and training in related fields such as landscape architecture, interior or exterior design, municipal planning, municipal government and other professions with related disciplines or civic interest). Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

5. Discuss and consider modifications to the city's Animal Adoption Center / Shelter Advisory Committee, and take any action necessary.

Assistant City Manager Brad Griggs provided brief, background information related to this agenda item, explaining that the council may wish to consider modifying the composition of the city's advisory board to mirror the state law requirements.

Mayor Pro Tem Pruitt made a motion to instruct staff to draw up an ordinance making changes to the city's Animal Advisory Board to mirror what State law requires (that the board be composed of at least one licensed veterinarian, one county or municipal official, one person whose duties include the daily operation of an animal shelter, and one representative from an animal welfare organization). Councilmember White seconded the motion. After brief comments, the motion passed by a vote of 7 ayes to 0 nays.

6. Discuss and consider the city's nomination submittal for the Board of Trustees for the TX Municipal League Intergovernmental Risk Pool, and take any action necessary.

Mr. Crowley provided brief background information related to this agenda item, suggesting the council consider the incumbent for Place 4, which is the only contested place on the ballot. Mr. Crowley explained that the incumbent is currently the city manager of Allen, and he believes he has been doing a good job in this role.

Councilmember White made a motion to nominate Mr. Peter Vargas, current City Manager of Allen, TX, for the TML Intergovernmental Risk Pool Board of Trustees. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

7. Discuss and consider appointments to city advisory boards and commissions, and take any action necessary.

Councilmember Milder made a motion to reappoint Kristi Mase and Julien Meyrat to the city's Architectural Review Board (ARB) (for a two-year term to expire in August of 2016). Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Councilmember Townsend made a motion to reappoint Brad Bassett, Kevin Moffatt and Charles Johnson to the city's Park Board (for a two-year term to expire in August of 2016). Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Councilmember Lewis made a motion to reappoint Craig Renfro and Matthew Nielsen to the city's Planning & Zoning Commission (for a three-year term to expire in August of 2017). Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Sweet made a motion to reappoint Todd White to the Board of Adjustments (for a two-year term to expire in August of 2016). Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Sweet made a motion to reappoint Eric Chodun to the Building and Standards Commission (for a two-year term to expire in August of 2016). Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Recreation Monthly Report - July 2014
Building Inspections Monthly Report - July 2014
Fire Dept. Monthly Reports - July 2014

Harbor PD Monthly Report - July 2014
Internal Operations Department Monthly Report - July 2014
Police Department Monthly Report - July 2014
Rockwall Animal Adoption Center Monthly Report - July 2014

2. City Manager's Report

Mr. Crowley indicated that departmental reports have been provided to the city council and that staff is prepared to answer any questions of Council at this time. There being no questions, Mayor Sweet then announced that the City Council will recess the public meeting and convene in Executive Session (at 7:00 p.m.). He then read into the public record the below listed discussion items.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

2. Discussion regarding sale, lease, exchange of real property in the vicinity of Fannin/Heath Street pursuant to Section 551.072 (Real Property).

5. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)

6. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)

7. Discussion regarding Economic Development prospect pursuant to Section 551.087 (Economic Development)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Mayor Sweet reconvened the public meeting at 7:43 p.m. with all seven council members present.

Mayor Pro Tem Pruitt made a motion to approve the timetable associated with filling the upcoming city council vacancy and adopt the associated memo from staff concerning those timeframes. Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Councilmember Lewis made a motion to appoint Mike Jusko to the Planning and Zoning Commission to replace Kristen Minth who is termed out (Jusko's term will run through August of 2017). Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XVI. ADJOURNMENT

Mayor Sweet adjourned the meeting at 7:44 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 15th day of September, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 9/15/2014

APPLICANT: Chase Finch of Corwin Engineering

AGENDA ITEM: **P2014-018**; Stone Creek Phase VI

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company for the approval of a final plat for Stone Creek, Phase VI, containing 76 residential lots on a 26.532-acre tract of land situated within the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for residential land uses, generally situated south of FM-552 and east of N. Goliad Street (*SH*-205), and take any action necessary.

BACKGROUND INFORMATION:

* The purpose of the final plat is to establish 76 single family lots on a 26.532-acre tract of land for the Stone Creek Phase VI addition. Based on the general lot configuration, the final plat conforms to the approved Preliminary Plat and the dimensional standards established for the Type A lots within PD-70.

* The Parks Board met on September 3, 2014 and recommended approval of the final plat and will accept a fee simple dedication of approximately 11.35-acres of parkland, with the developer honoring a commitment to install an approximately 9,600 sq. ft. trail at a future date. The developer is to provide a water and electric utility easement on the north side of Featherstone Dr. near the park.

The Stone Creek Phase VI Addition is within Park District No. 5. Parkland dedication for this addition has been met; however, the pro-rata equipment fees of $441 per lot must be collected at the time of final plat approval.

* The Engineer has completed the majority of the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final submittal requirements required for the recordation of the plat with the County.

* Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the Recommendation section below.

With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances. Also, the final plat meets the minimum requirements of the Planned Development No. 70 (PD-70) district that governs the development.

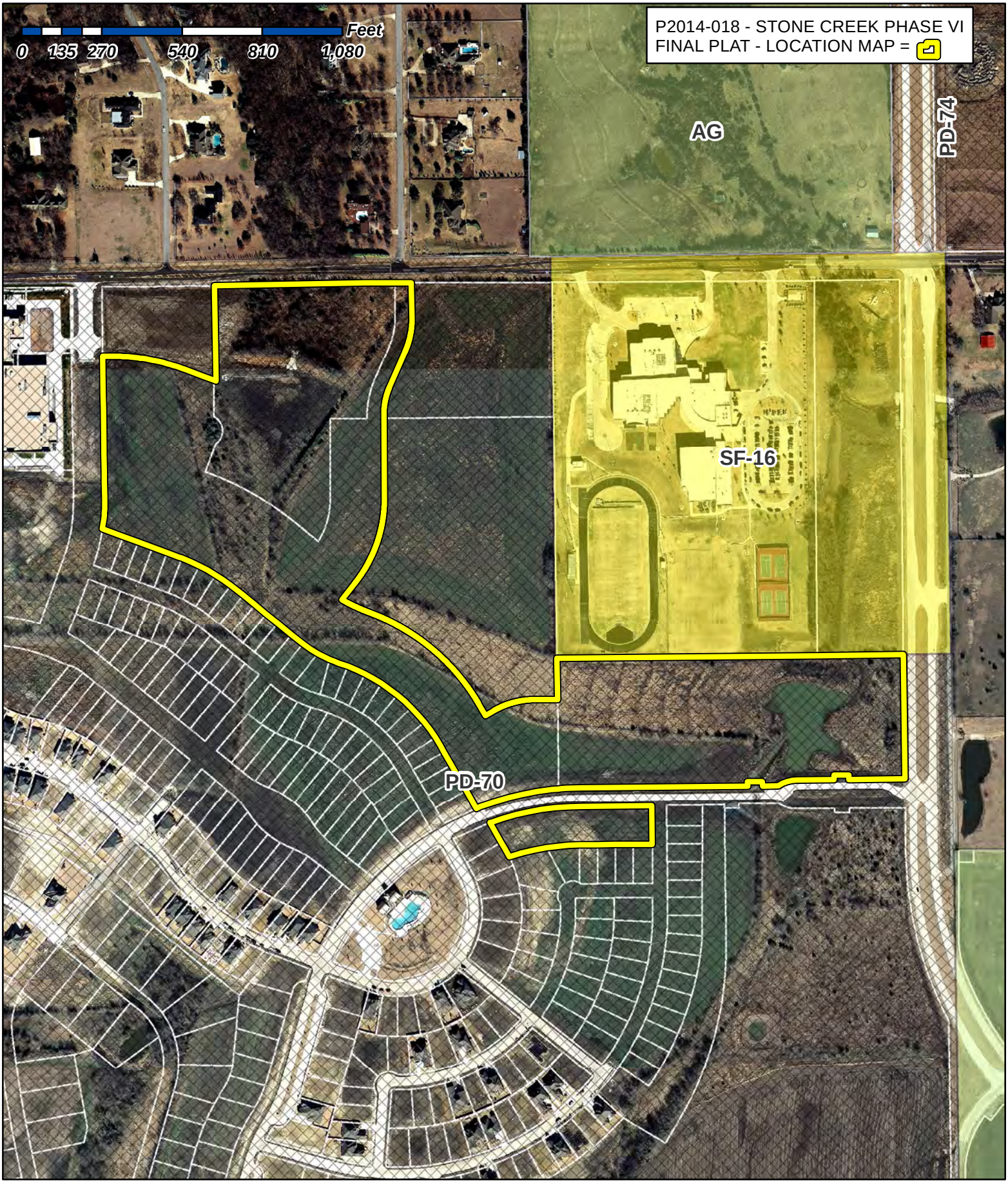
RECOMMENDATIONS:

Should the plat be approved, staff recommends the following conditions:

1. Adherence to Engineering and Fire Department standards.
2. Provide a letter of agreement from Rockwall Independent School District (RISD) for the approval to remove trees from the RISD site, as indicated on the Tree Survey.
3. Remove the label “City Park” from Lot 6, Block T.
4. Adherence to Parks Board and Parks Department requirements as follows:
    a. Payment of pro-rata equipment fees in the amount of $33,516 is due at the time of final plat approval.
    b. Provide documentation for a simple fee dedication of approximately 11.35-acres of parkland to include the installation of approximately 9,600 sq. ft. of trail. Installation of the trail to commence at a future date (to be determined).
    c. Provide a water and utility easement on the north side of Featherstone Dr.

PLANNING AND ZONING RECOMMENDATION:

On September 09, 2014, the Planning and Zoning Commission recommended approval of the final plat with staff conditions by a vote of 7 to 0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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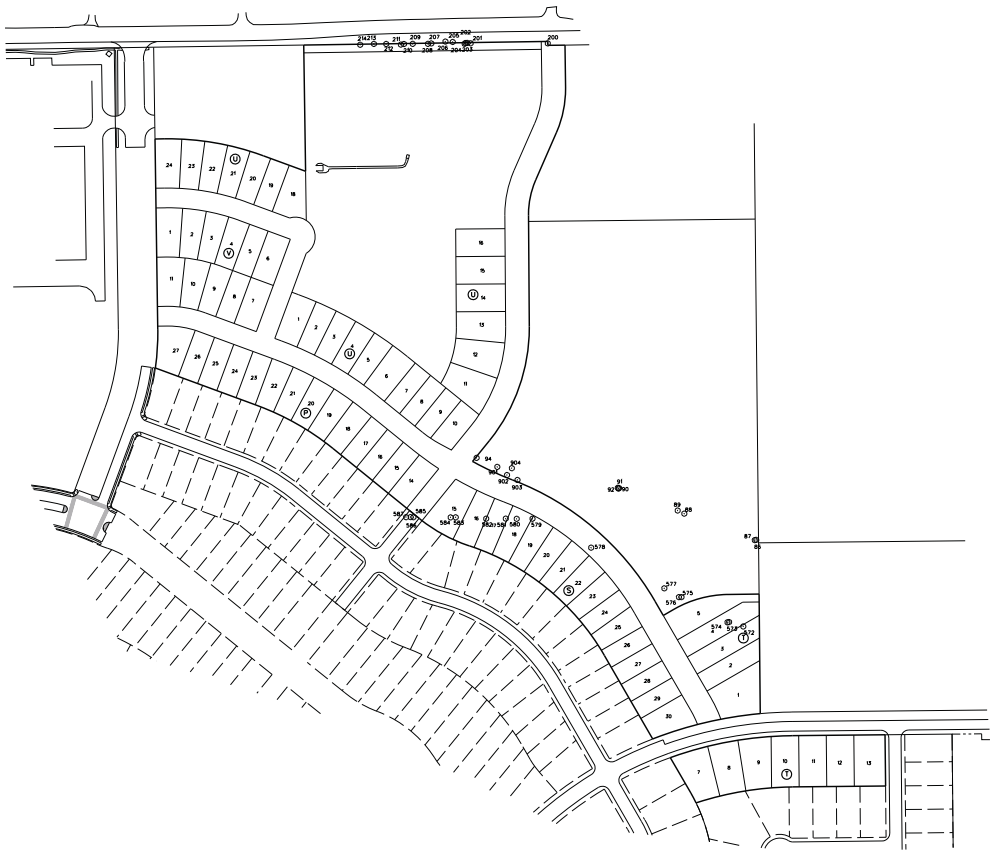
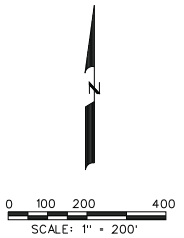




TREE NO.	TREE CALIPER SIZE	TREE TYPE COMMON NAME	CONDITION OF TREE	SAVED OR REMOVED	MITIGATION CALCULATIONS	MITIGATION REQUIRED
94	7.5"	HERCULES CLUB	GOOD	SAVED		
208	5"	CHITTIM WOOD	TRUNK DAMAGE	SAVED		
572	5"	HERCULES CLUB	GOOD	SAVED		
573	8"	HERCULES CLUB	GOOD	SAVED		
574	5"	HERCULES CLUB	GOOD	SAVED		
578	6"	HERCULES CLUB	GOOD	REMOVED		0 INCHES
579	6.5"	HERCULES CLUB	GOOD	REMOVED		0 INCHES
580	6"	HERCULES CLUB	GOOD	REMOVED		0 INCHES
581	6"	CHITTIM WOOD	GOOD	REMOVED	MITIGATION REQUIRED 1=1 RATIO	6 INCHES
582	18"	HERCULES CLUB	GOOD	REMOVED		0 INCHES
583	8.5"	HERCULES CLUB	GOOD	REMOVED		0 INCHES
584	4"	HERCULES CLUB	GOOD	REMOVED		0 INCHES
900	11"	BOIS D' ARC	GOOD	REMOVED		0 INCHES
901	9"	BOIS D' ARC	GOOD	REMOVED		0 INCHES
902	9"	BOIS D' ARC	GOOD	REMOVED		0 INCHES
903	8"	BOIS D' ARC	GOOD	REMOVED		0 INCHES
904	9"	MACKBERRY	GOOD	REMOVED		0 INCHES
					TOTAL MITIGATION REQUIRED	6 INCHES

NEW TREES BEING INSTALLED ON PHASE 6 - 76 LOTS 121 3" CAL. TREES PER LOT	456 INCHES
TOTAL CALIPER INCHES PROVIDED	456 INCHES

TREE SURVEY
OF

STONE CREEK

OUT OF THE
W.T. DEWEESE SURVEY, ABSTRACT NO. 71
S. KING SURVEY, ABSTRACT NO. 131
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNERS
STONE CREEK SF., LTD.
3838 OAK LAWN AVE., SUITE 1212
DALLAS, TEXAS 75219
214-522-4945

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

JULY 2014 SCALE 1" = 200'

45

NOTES

1. Bearing are referenced to Stone Creek Phase I (Vol. G, Pg.359-365).
2. All lot lines are radial or perpendicular to the street unless otherwise noted by bearing.
3. ½" iron rods with "CORWIN ENGR. INC." caps set at all boundary corners, block corners, points of curvature, points of tangency, and angle points in public right-of-way unless otherwise noted.
4. B.L. - Building Line.
   U.E. - Utility Easements.
   C.M. - Controlling Monument.
   D.E. - Drainage Easement
   V.A.M.S. - Visibility, Maintenence & Sidewalk Easement
   ◊ - Street Name Change

TOTAL LOTS 76

TOTAL ACRES 37.882

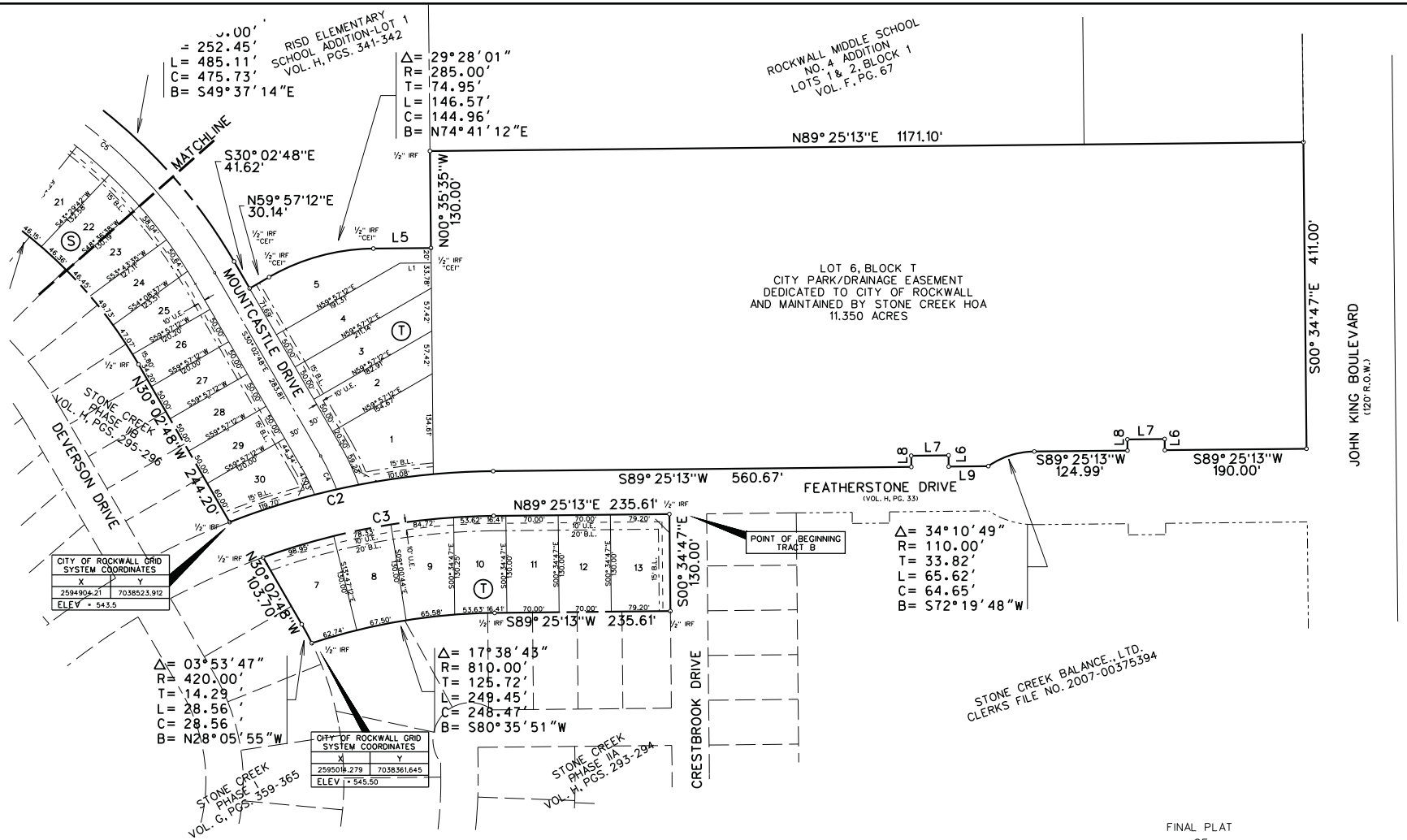
FINAL PLAT
OF
STONE CREEK PHASE VI
OUT OF THE
S. KING SURVEY, ABSTRACT NO. 131
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNERS
STONE CREEK SF, LTD. &
STONE CREEK BALANCE, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75219
214-522-4945

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

AUGUST 2014 SCALE 1" = 100'

CASE NO. P2014-018



CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
1.	31°56'36"	270.00'	150.53'	77.28'	148.59'	N15°34'42"E
2.	20°43'45"	1000.0'	361.79'	182.90'	359.82'	S79°03'20"W
3.	19°14'20"	940.00'	315.63'	159.32'	314.15'	N79°48'03"E
4.	09°19'50"	305.00'	49.67'	24.89'	49.61'	S25°22'53"E
5.	39°08'51"	680.00'	464.61'	241.79'	455.63'	N49°37'14"W
6.	08°46'38"	820.00'	125.62'	62.93'	125.49'	N64°48'20"W
7.	09°25'22"	450.00'	74.01'	37.09'	73.92'	N55°42'20"W
8.	10°55'35"	290.50'	55.40'	27.78'	55.32'	S56°27'27"E
9.	05°41'18"	850.00'	84.39'	42.23'	84.23'	S53°50'18"E
10.	18°47'46"	825.00'	270.64'	136.55'	269.43'	N60°23'32"W
11.	21°03'10"	250.00'	91.86'	46.45'	91.34'	N80°19'00"W
12.	21°03'10"	550.00'	202.09'	102.20'	200.96'	S80°19'00"E
13.	50°07'15"	50.00'	43.74'	23.38'	42.36'	S81°36'00"E
14.	39°23'57"	425.00'	292.25'	152.17'	286.52'	N19°18'22"E
15.	24°00'43"	250.00'	104.77'	53.17'	104.01'	N11°36'46"E
16.	24°26'55"	250.00'	106.68'	54.16'	105.87'	N11°23'40"E
17.	113°37'09"	50.00'	99.15'	76.44'	83.69'	S00°16'12"W
18.	18°47'46"	975.00'	319.85'	161.38'	318.42'	S60°23'32"E
19.	24°00'43"	280.00'	117.34'	59.55'	116.49'	N11°36'46"E
20.	24°26'55"	220.00'	93.88'	47.66'	93.17'	N11°23'40"E

LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	N 89°25'13" E	41.86'
2.	N 60°25'01" W	25.34'
3.	N 60°25'01" W	35.69'
4.	S 89°09'25" W	23.07'
5.	N 89°25'13" E	77.24'
6.	N 00°35'35" W	15.00'
7.	S 89°25'13" W	50.00'
8.	S 00°35'35" E	15.00'
9.	S 89°25'13" W	53.21'

FINAL PLAT
OF
STONE CREEK PHASE VI
OUT OF THE
S. KING SURVEY, ABSTRACT NO. 131
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNERS
STONE CREEK SF, LTD. &
STONE CREEK BALANCE, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75219
214-522-4945

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

AUGUST 2014 SCALE 1" = 100'

LEGAL DESCRIPTION

WHEREAS, STONE CREEK SF, LTD. & STONE CREEK BALANCE, LTD., are the owners of a tract of land situated in the W.T. DeWeese Survey, Abstract No. 71 in the City of Rockwall, Rockwall County, Texas, being part of a tract of land as described in Stone Creek Balance LTD., Clerks File No. 2007-00375394 and Stone Creek SF, LTD., Clerks File No. 2007-00375398 in said Deed Records, and being more particularly described as follows:

COMMENCING, at a ¾ inch iron rod found at the northwest corner of Rockwall Middle School No. 4 Addition, an addition to the City of Rockwall, as described in Cabinet F, Page 67, in the Plat Records of Rockwall County, Texas, being in the south line of F.M. 552 (Variable R.O.W.):

THENCE, South 89° 09'25" West, along the south line of said F.M. 552 and being in the north line of said Stone Creek Balance tract, for a distance of 478.00 feet, to the POINT OF BEGINNING:

THENCE, South 00° 49'47" East, departing said north and south lines, for a distance of 106.39 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", being at the point of curvature of a curve to the right, having a radius of 280.00 feet, a central angle of 24° 26'55", and a tangent of 60.66 feet:

THENCE, along said curve to the right for an arc distance of 119.48 feet (Chord Bearing South 11° 23'40" West - 118.57 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", being at the point of tangency of said curve:

THENCE, South 23° 37'08" West, for a distance of 130.36 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", being at the point of curvature of a curve to the left, having a radius of 220.00 feet, a central angle of 24° 00'43", and a tangent of 46.79 feet:

THENCE, along said curve to the left for an arc distance of 92.20 feet (Chord Bearing South 11° 36'46" West - 91.53 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of tangency of said curve:

THENCE, South 00° 23'36" East, at 15.60 feet, passing a ½ inch iron rod found at the northwest corner of RISD Elementary School Addition-Lot 1, an addition to the City of Rockwall, as described in Vol. H, Pg. 341-342, in said Plat Records, for a total distance of 282.56 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", being the point of curvature of a curve to the right, having a radius of 455.00 feet, a central angle of 39° 23'57", and a tangent of 162.91 feet:

THENCE, along the west line of said RISD Elementary School Addition-Lot 1 and with said curve to the right for an arc distance of 312.88 feet (Chord Bearing South 19° 18'22" West - 306.75 feet), to a ½ inch iron rod found with a yellow cap stamped "Corwin Eng. Inc.", being at the point of tangency of said curve:

THENCE, South 39° 00'21" West, continuing along said west line, for a distance of 67.60 feet, to a ½ inch iron rod found with a yellow cap stamped "Corwin Eng. Inc.", at the most westerly southwest corner of said RISD Elementary School Addition-Lot 1, being on a curve to the left, having a radius of 790.00 feet, a central angle of 08° 02'52", and a tangent of 55.57 feet:

THENCE, along the south line of said RISD Elementary School Addition-Lot 1 and with said curve to the left for an arc distance of 110.96 feet (Chord Bearing South 65° 10'13" East - 110.87 feet), to a ½ inch iron rod found with a yellow cap stamped "Corwin Eng. Inc.", at the point of reverse curvature of a curve to the right, having a radius of 710.00 feet, a central angle of 39° 08'51", and a tangent of 252.45 feet:

THENCE, along the south line of said RISD Elementary School Addition-Lot 1 and with said curve to the right for an arc distance of 485.11 feet (Chord Bearing South 49° 37'14" East - 475.73 feet), to a ½ inch iron rod found with a yellow cap stamped "Corwin Eng. Inc.", at the point of tangency of said curve:

THENCE, South 30° 02'48" East, continuing along said south line, for a distance of 41.62 feet, to a ½ inch iron rod found with a yellow cap stamped "Corwin Eng. Inc.", at the most southerly southwest corner of said RISD Elementary School Addition-Lot 1:

THENCE, North 59° 57'12" East, continuing along said south line, for a distance of 30.14 feet, to a ½ inch iron rod found with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the right, having a radius of 285.00 feet, a central angle of 29° 28'01", and a tangent of 74.95 feet:

THENCE, continuing along said south line and with said curve to the right for an arc distance of 146.57 feet (Chord Bearing North 74° 41'12" East - 144.96 feet), to a ½ inch iron rod found with a yellow cap stamped "Corwin Eng. Inc." at the point of tangency:

THENCE, North 89° 25'13" East, continuing along said south line, for a distance of 77.24 feet, to a ½ inch iron rod found with a yellow cap stamped "Corwin Eng. Inc.", at the southeast corner of said RISD Elementary School Addition-Lot 1:

THENCE, North 00° 35'35" West, along the east line of said RISD Elementary School Addition-Lot 1, for a distance of 130.00 feet, to a ½ inch iron rod found, at the southwest corner of said Rockwall Middle School Tract No. 4 Addition:

THENCE, South 89° 25'13" West, departing said east line and along the south line of said Rockwall Middle School Tract No. Addition, for a distance of 1171.10 feet, to a ½ inch iron rod set at the in the west line of John King Boulevard (120' R.O.W.):

THENCE, South 00° 34'47" East, departing said south line and along the west line of said John King Boulevard, for a distance of 411.00 feet, to a ½ inch rod set at the northeast corner of Featherstone Drive, an addition to the City of Rockwall, as described in Vol. H, Pg. 33, in said Plat Records:

THENCE, South 89° 25'13" West, along the north line of said Featherstone Drive, for a distance of 190.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.":

THENCE, North 00° 35'35" West, continuing along said north line, for a distance of 15.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.":

THENCE, South 89° 25'13" West, continuing along said north line, for a distance of 50.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.":

THENCE, South 00° 35'35" East, continuing along said north line, for a distance of 15.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.":

THENCE, South 89° 25'13" West, continuing along said north line, for a distance of 124.99 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the left, having a radius of 110.00 feet, a central angle of 34° 10'49" , and a tangent of 33.82 feet:

THENCE, continuing along said north line and with said curve to the left for an arc distance of 65.62 feet (Chord Bearing South 72° 19'48" West - 64.65 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.":

THENCE, South 89° 25'13" West, continuing along said north line, for a distance of 53.21 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.":

THENCE, North 00° 35'35" West, continuing along said north line, for a distance of 15.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.":

THENCE, South 89° 25'13" West, continuing along said north line, for a distance of 50.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.":

THENCE, South 00° 35'35" East, continuing along said north line, for a distance of 15.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc. ":

THENCE, South 89° 25'13" West, continuing along said north line, for a distance of 560.67 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", being on a curve to the left, having a radius of 1000.00 feet, a central angle of 20° 43'45" and a tangent of 182.90 feet:

THENCE, along the north line of said Featherstone Drive and with said curve to the left for an arc distance of 361.79 feet (Chord Bearing South 79° 03'20" West - 359.82 feet), to a ½ inch iron rod found with a yellow cap, being the most easterly northeast corner of Stone Creek Phase IIB, an addition to the City of Rockwall, as described in Vol. H, Pgs. 295-296, in said Plat Records:

THENCE, North 30° 02'48" West, departing the north line of said Featherstone Drive and along the north line of said Stone Creek Phase IIB, for a distance of 244.20 feet, to a ½ inch iron rod found with a yellow cap at the point curvature of a curve to the left, having a radius of 620.00 feet, a central angle of 41° 42'31", and a tangent of 236.19 feet:

THENCE, continuing along said north line and with said curve to the left for an arc distance of 451.33 feet (Chord Bearing North 50° 54'04" West - 441.43 feet), to a ½ inch iron rod found with a yellow cap at the point of reverse curvature of a curve to the right, having a radius of 400.00 feet, a central angle of 20° 45'40", and a tangent of 73.27 feet:

THENCE, continuing along said north line and with said curve to the right for an arc distance of 144.94 feet (Chord Bearing North 61° 22'29" West - 144.15 feet), to a ½ inch iron rod found with a yellow cap at the point of tangency:

THENCE, North 50° 59'39" West, continuing along said north line, for a distance of 282.99 feet, to a ½ inch iron rod found with a yellow cap at the point of curvature of a curve to the left, having a radius of 675.00 feet, a central angle of 18° 47'46", and a tangent of 111.72 feet:

THENCE, continuing along said north line and with said curve to the left for an arc distance of 221.44 feet (Chord Bearing North 60° 23'32" West - 220.44 feet), to a ½ inch iron rod found with a yellow cap at the point of tangency:

THENCE, North 69° 47'25" West, continuing along said north line, for a distance of 275.75 feet, to a ½ inch iron rod found with a yellow cap at the northwest corner of said Stone Creek Phase IIB, being in the east line of Stone Creek Drive (100' R.O.W.), same being on a curve to the left, having a radius of 650.00 feet, a central angle of 08° 44'20", and a tangent of 49.67 feet:

THENCE, along the east line of said Stone Creek Drive and with said curve to the left for an arc distance of 99.14 feet (Chord Bearing North 03° 31'35" East - 99.04 feet), to a ½ inch rod set with a yellow cap stamped "Corwin Eng. Inc.", being the point of tangency:

THENCE, North 00° 50'35" West, continuing along said east line, for a distance of 482.31 feet, to a ⅝ inch iron rod found stamped "Pogue Sur" at the southwest corner of a 2.2881 acre tract, as described in Doc. No.2008-00409649, in said Deed Records:

THENCE, North 89° 09'25" East, departing said east line and along said south line, for a distance of 23.07 feet to a⅝inch iron rod found stamped "Pogue Sur" being on a curve to the right having a radius of 700.00 feet, a central angle of 21° 03'10", and a tangent of 130.07 feet:

THENCE, continuing along said south line and with said curve to the right for an arc distance of 257.21 feet (Chord Bearing South 80° 19'00" East - 255.76 feet), to a ½ inch iron rod set with a yellow cap stamped Corwin Eng. Inc. at the point of tangency:

THENCE, South 69° 47'25" East, continuing along said south line, for a distance of 113.88 feet, to a ½ inch iron rod set stamped "Corwin Eng. Inc.", being the southeast corner of said 2.2881 acre tract:

THENCE, North 00° 50'35" West, along the east line of said 2.2881 acre tract, for a distance of 320.47 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", in the south line of said F.M. 552:

THENCE, North 89° 09'25" East, along the south line of said F.M. 552, for a distance of 619.28 feet, to a ⅝ inch iron rod found:

THENCE, South 00° 50'35" East, continuing along said south line, for a distance of 10.00 feet, to a ⅝ inch iron rod found:

THENCE, North 89° 09'25" East, continuing along said south line, for a distance of 43.43 feet, to the POINT OF BEGINNING and containing 36.337 acres of land.

LEGAL DESCRIPTION - TRACT B

WHEREAS, STONE CREEK SF, LTD. & STONE CREEK BALANCE, LTD., are the owners of a tract of land situated in the W.T. DeWeese Survey, Abstract No. 71 in the City of Rockwall, Rockwall County, Texas, being part of a tract of land as described in Stone Creek SF, LTD., Clerks File No. 2007-00375398 in said Deed Records, and being more particularly described as follows:

BEGINNING, at a ½ inch iron rod found at the most northerly northwest corner of Stone Creek Phase IIA, an addition to the City of Rockwall, as described in Cab. H, Pg. 293, in the Plat Records of Rockwall County, Texas, same being in the south line of Featherstone Drive (Variable R.O.W):

THENCE, South 00° 34'47" East, along a west line of said Stone Creek Phase IIA, for a distance of 130.00 feet, to a ½ inch iron rod found at an ell corner of said Stone Creek Phase IIA:

THENCE, South 89° 25'13" West, along the north line of said Stone Creek Phase IIA, for a distance of 235.61 feet, to a ½ inch iron rod found at the point of curvature of a curve to the left, having a radius of 810.00 feet, a central angle of 17° 38'43" and a tangent of 125.72 feet:

THENCE, continuing along said north line and with said curve to the left for an arc distance of 249.45 feet (Chord Bearing South 80° 35'51" West - 248.47 feet), to a ½ inch iron rod found at the most westerly northwest corner of said Stone Creek Phase IIA being in the east line of Stone Creek Phase I, an addition to the City of Rockwall, as described in Vol. G, Pg. 359-365 in said Plat Records, being a curve to the left, having a radius of 420.00 feet, a central angle of 03° 53'47", and a tangent of 14.29 feet:

THENCE, along the east line of said Stone Creek Phase I and with said curve to the left for an arc distance of 28.56 feet (Chord Bearing North 28° 05'55" West - 28.56 feet), to a ½ inch iron rod set with a yellow cap stamped Corwin Eng. Inc. at the point of tangency:

THENCE, North 30° 02'48" West, continuing along said east line, for a distance of 103.70 feet, to a ½ inch iron rod set with a yellow cap stamped Corwin Eng. Inc., being in the south line of said Featherstone Drive and being on a curve to the right, having a radius of 940.00 feet, a central angle of 19° 14'20", and a tangent of 159.32 feet:

THENCE, departing the east line of said Stone Creek Phase I and along the south line of said Featherstone Drive for an arc distance of 315.63 feet (Chord Bearing North 79° 48'03" East - 314.15 feet), to a ½ inch iron rod set with a yellow cap stamped Corwin Eng. Inc. at the point of tangency:

THENCE, North 89° 25'13" East, continuing along said south line, for a distance of 235.61 feet, to the POINT OF BEGINNING and containing 1.545 acres of land.

FINAL PLAT
OF
STONE CREEK PHASE VI
OUT OF THE
S. KING SURVEY, ABSTRACT NO. 131
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNERS
STONE CREEK SF, LTD. &
STONE CREEK BALANCE, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75219
214-522-4945

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

AUGUST 2014

OWNER'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS
COUNTY OF ROCKWALL
We the undersigned owner(s) of the land shown on this plat, and designated herein as the STONE CREEK PHASE VI, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the STONE CREEK PHASE VI, subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

STONE CREEK SF, LTD.,
a Texas limited partnership
By: STONE CREEK SF GP Corporation,
a Texas corporation, its General Partner

_____ _____
Richard M. Skorburg, President — Mortgage or Lien Interest

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared RICHARD M. SKORBURG, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____ day of_____, 2014.

Notary Public in and for the State of Texas My Commission Expires: _____

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared
known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____ Day of_____, 2014.

Notary Public in and for the State of Texas My Commission Expires: _____

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

STONE CREEK BALANCE, LTD.,
a Texas limited partnership
By: STONE CREEK BALANCE GP Corporation,
a Texas corporation, its General Partner

_____ _____
Richard M. Skorburg, President — Mortgage or Lien Interest

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared RICHARD M. SKORBURG, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____ day of_____, 2014.

Notary Public in and for the State of Texas My Commission Expires: _____

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared
known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____ Day of_____, 2014.

Notary Public in and for the State of Texas My Commission Expires: _____

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

_____ _____
Planning & Zoning Commission — Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the_____ day of_____, 2014.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the Counrt Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this_____ day of_____, 2014.

_____ _____ _____
Mayor, City of Rockwall — City Secretary — City Engineer

SURVEYOR CERTIFICATE

I, WARREN L. CORWIN, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made under my direction and supervision and all corners are as shown thereon and there are no encroachments, conflicts, protrusions or visible utilities on the ground except as shown and said plat has been prepared in accordance with the platting rules and regulations of the City Plan Commission of the City of Rockwall, Texas.

DATED the this_____ day of_____, 2014.

_____
WARREN L. CORWIN
R.P.L.S. No. 4621

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the_____ day of _____, 2014.

_____
Notary Public in and for the State of Texas

FINAL PLAT
OF
STONE CREEK PHASE VI
OUT OF THE
S. KING SURVEY, ABSTRACT NO. 131
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNERS
STONE CREEK SF, LTD. &
STONE CREEK BALANCE, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75219
214-522-4945

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

AUGUST 2014

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 09/15/2014

APPLICANT: Chase Finch; *Corwin Engineering*

AGENDA ITEM: **P2014-021**; *Breezy Hill, Phase III*

SUMMARY:

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company for the approval of a final plat for Breezy Hill, Phase III, containing 71 residential lots on a 48.250-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally situated north of FM-552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

PLAT INFORMATION:

- ✓ The Breezy Hill Subdivision is a master planned community that will provide approximately 405-acres of residential and commercial development. The residential subdivision will be composed of 742 single family lots on 371.3-acres of land, and be broken down per the lot mix indicated in Planned Development District 74 (PD-74). The lot mix in this Planned Development District is as follows:

Lot Types	*A*	*B*	*C*	*D*
Typical Lot Frontage *(Feet)*	60	70	80	100
Typical Lot Depth *(Feet)*	120	120	125	200
Minimum Lot Size *(Sq. Ft.)*	7,200	8,400	10,000	20,000
Number of Proposed Units	206	112	326	98
Dwelling Unit %	27.80	15.10	43.90	13.20

- ✓ The purpose of the applicant's submittal is to final plat Phase III of the Breezy Hill Subdivision and layout 71 of the 742 single family lots. Out of the 71 proposed lots 23 will be constructed to the *Type 'B'* standard and 48 will be constructed to the *Type 'C'* standard (*all standards are displayed in the above table*).

- ✓ The proposed final plat conforms to the master plat that was approved by the City Council on October 15, 2012 under *Case No. P2012-029.* It also conforms to the preliminary plat that was approved by the City Council on February 17, 2014 under *Case No. P2014-001*.

- ✓ On September 3, 2014 the Parks Board reviewed the proposed final plat and recommended the following:

    1) The developer pay the pro-rata equipment fees required for *District No. 7* in the amount of $22,649.00 [*71 Lots @ $319.00 Per Lot*].

- ✓ The Treescape Plan provided by the applicant shows an outstanding mitigation requirement of 78-inches. This outstanding balance will be satisfied by the surplus of 173 caliper inches identified in Phase IV of the Breezy Hills Subdivision.

- ✓ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for final plats as stated in the *Subdivision Ordinance* contained in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

RECOMMENDATIONS:

If the City Council chooses to approve the *final plat* for *Phases III* of the *Breezy Hill Subdivision* staff would recommend the following conditions of approval:

1) The *final plat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;

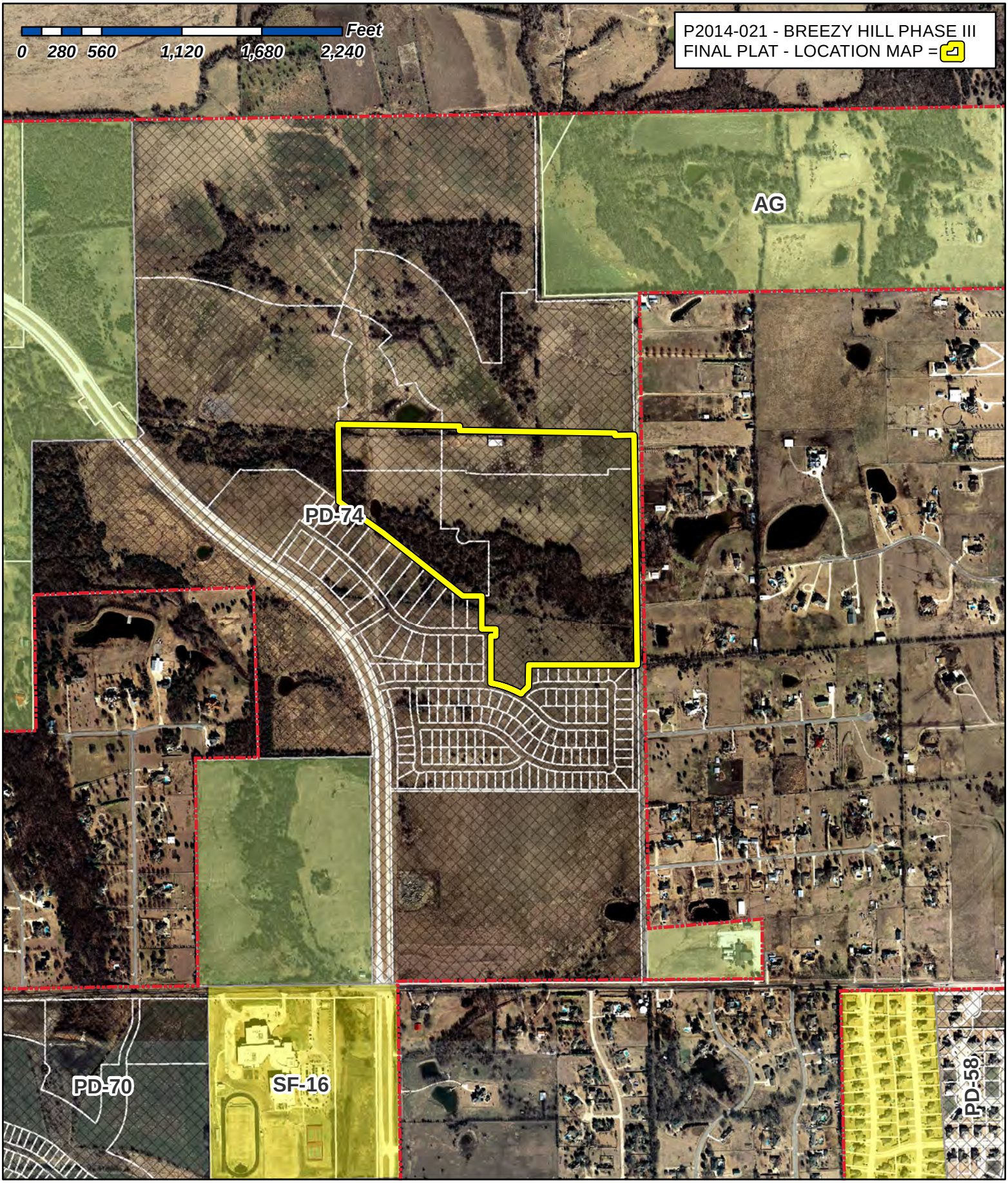
2) In conformance with Planned Development District 74 (PD-74) [*Ordinance No. 12-26*] amendments to the *PD Site Plan* approved under *Case No. SP2013-013* shall be submitted and approved administratively prior to the filing of this final plat;

3) The final plat shall conform to the recommendations made by the Parks Board; and,

4) Any construction resulting from the approval of this *final plat* shall conform to the requirements set forth by the Unified Development Code (UDC), the 2009 International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On September 9, 2014, the Planning & Zoning Commission recommended approval of the final plat by a vote of 7-0.

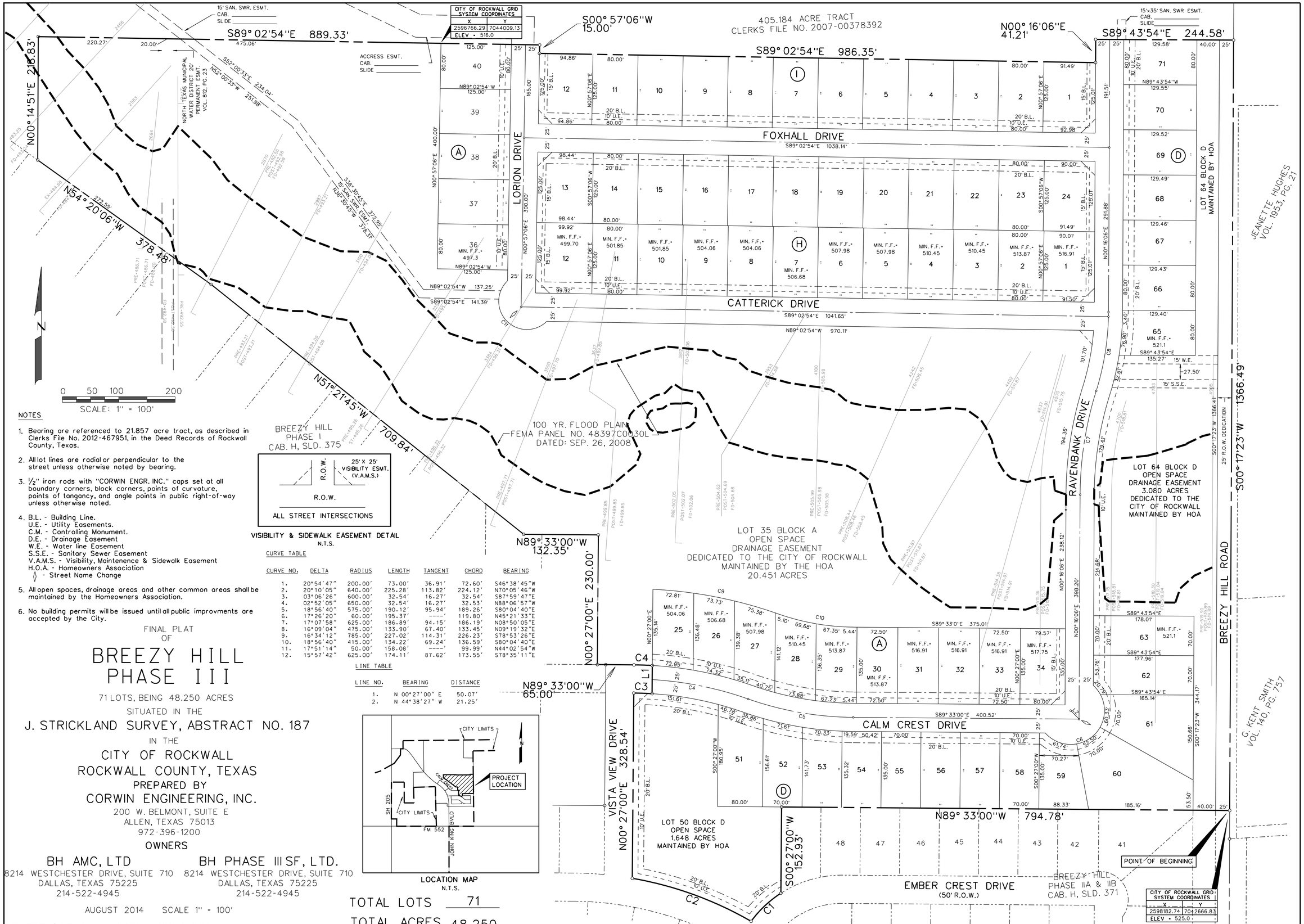


City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

1:10,380



NOTES

1. Bearing are referenced to 21.857 acre tract, as described in Clerks File No. 2012-467951, in the Deed Records of Rockwall County, Texas.
2. All lot lines are radial or perpendicular to the street unless otherwise noted by bearing.
3. ½" iron rods with "CORWIN ENGR. INC." caps set at all boundary corners, block corners, points of curvature, points of tangency, and angle points in public right-of-way unless otherwise noted.
4. B.L. - Building Line.
   U.E. - Utility Easements.
   C.M. - Controlling Monument.
   D.E. - Drainage Easement
   W.E. - Water line Easement
   S.S.E. - Sanitary Sewer Easement
   V.A.M.S. - Visibility, Maintenence & Sidewalk Easement
   H.O.A. - Homeowners Association
   ◊ - Street Name Change
5. All open spaces, drainage areas and other common areas shall be maintained by the Homeowners Association.
6. No building permits will be issued until all public improvments are accepted by the City.

VISIBILITY & SIDEWALK EASEMENT DETAIL
N.T.S.

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
1.	20°54'47"	200.00'	73.00'	36.91'	72.60'	S46°38'45"W
2.	20°10'05"	640.00'	225.28'	113.82'	224.12'	N70°05'46"W
3.	03°06'26"	600.00'	32.54'	16.27'	32.54'	S87°59'47"E
4.	02°52'05"	650.00'	32.54'	16.27'	32.53'	N88°06'57"W
5.	18°56'40"	575.00'	190.12'	95.94'	189.26'	S80°04'40"E
6.	17°26'20"	60.00'	195.37'	----'	119.80'	N45°21'33"E
7.	17°07'58"	625.00'	186.89'	94.15'	186.19'	N08°50'05"E
8.	16°09'04"	475.00'	133.90'	67.40'	133.45'	N09°19'32"E
9.	16°34'12"	785.00'	227.02'	114.31'	226.23'	S78°53'26"E
10.	18°56'40"	415.00'	134.22'	69.24'	136.59'	S80°04'40"E
11.	17°51'14"	50.00'	158.08'	----'	99.99'	N44°02'54"W
12.	15°57'42"	625.00'	174.11'	87.62'	173.55'	S78°35'11"E

LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	N 00°27'00" E	50.07'
2.	N 44°38'27" W	21.25'

LOCATION MAP
N.T.S.

TOTAL LOTS 71

TOTAL ACRES 48.250

FINAL PLAT OF BREEZY HILL PHASE III

71 LOTS, BEING 48.250 ACRES

SITUATED IN THE

J. STRICKLAND SURVEY, ABSTRACT NO. 187

IN THE

CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

PREPARED BY

CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

OWNERS

BH AMC, LTD
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
214-522-4945

BH PHASE III SF, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
214-522-4945

AUGUST 2014 SCALE 1" = 100'

SHEET 1 OF 2 CASE #P2014-021

LEGAL DESCRIPTION

BEING, a tract of land situated in the J. Strickland Survey, Abstract No. 187 in the City of Rockwall, Rockwall County, Texas, being out of a 405.184 acre tract, as described in Clerks File No. 2007-00375392 in the Deed Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING, at a ½ inch iron rod set at the northeast corner of a 20.663 acre tract, as described in Document No. 2013-487226, in said Deed Records;

THENCE, North 89° 33'00" West, along the north line of said 20.663 acre tract, for a distance of 794.78 feet, to a ½ inch iron rod set;

THENCE, South 00° 27'00" West, continuing along said north line, for a distance of 152.93 feet, to a ½ inch iron rod set on a non-tangent curve to the left, having a radius of 200.00 feet, a central angle of 20° 54'47", and a tangent of 36.91 feet;

THENCE, continuing along said north line and with said curve to the left for an arc distance of 73.00 feet (Chord Bearing South 46° 38'45" West - 72.60 feet), to a ½ inch iron rod set on a non-tangent curve to the left, having a radius of 640.00 feet, a central angle of 20° 10'05", and a tangent of 113.82 feet;

THENCE, continuing along said north line and with said curve to the left at 120.87 feet, passing the northwest corner of said 20.663 acre tract also being the most easterly northeast corner of a 15.239 acre tract, as described in Clerks File No. 2013-482251 in said Deed Records and continuing with said curve to the left for a total arc distance of 225.28 feet (Chord Bearing North 70° 05'46" West - 224.12 feet), to a ½ inch iron rod set;

THENCE, North 00° 27'00" East, along the east line of said 15.239 acre tract, for a distance of 328.54 feet, to a ½ inch iron rod set on a non-tangent curve to the right, having a radius of 600.00 feet, a central angle of 03° 06'26", and a tangent of 16.27 feet;

THENCE, continuing along said east line and with said curve to the right for an arc distance of 32.54 feet (Chord Bearing South 87° 59'47" East - 32.54 feet), to a ½ inch iron rod set;

THENCE, North 00° 27'00" East, continuing along said east line, for a distance of 50.07 feet, to a ½ inch iron rod set, being the most northerly northeast corner of said 15.239 acre tract, being a point on a curve to the left, having a radius of 650.00 feet, a central angle of 02° 52'05", and a tangent of 16.27 feet;

THENCE, along the north line of said 15.239 acre tract and with said curve to the left for an arc distance of 32.54 feet (Chord Bearing North 88° 06'57" West - 32.53 feet), to a ½ inch iron rod set at the point of tangency;

THENCE, North 89° 33'00" West, continuing along said north line, for a distance of 65.00 feet, to a ½ inch iron rod set at the most northerly northwest corner of said 15.239 acre tract, being in the east line of a 21.857 acre tract, as described in Document No. 2012-467951, in said Deed Records;

THENCE, North 00° 27'00" East, along the east line of said 21.857 acre tract, for a distance of 230.00 feet, to a ½ inch iron rod set at the northeast corner of said 21.857 acre tract;

THENCE, North 89° 33'00" West, along the north line of said 21.857 acre tract, for a distance of 132.35 feet, to a ½ inch iron rod set;

THENCE, North 51° 21'45" West, continuing along said north line, for a distance of 709.84 feet, to a ½ inch iron rod set;

THENCE, North 54° 20'06" West, continuing along said north line, for a distance of 378.48 feet, to a ½ inch iron rod set;

THENCE, North 00° 14'51" East, departing said north line, for a distance of 218.83 feet, to a ½ inch iron rod set

THENCE, South 89° 02'54" East, for a distance of 889.33 feet, to a ½ inch iron rod set;

THENCE, South 00° 57'06" West, for a distance of 15.00 feet, to a ½ inch iron rod set;

THENCE, South 89° 02'54" East, for a distance of 986.35 feet, to a ½ inch iron rod set;

THENCE, North 00° 16'06" East, for a distance of 41.21 feet, to a ½ inch iron rod set;

THENCE, South 89° 43'54" East, for a distance of 244.58 feet, to a ½ inch iron rod set in the east line of said 405.184 acre tract being in Breezy Hill Road;

THENCE, South 00° 17'23" West, along the east line of said 405.184 acre tract and along said Breezy Hill Road, for a distance of 1366.49 feet, to the POINT OF BEGINNING and containing 48.250 acres of land.

SURVEYOR CERTIFICATE

I, WARREN L. CORWIN, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made under my direction and supervision and all corners are as shown thereon and there are no encroachments, conflicts, protrusions or visible utilities on the ground except as shown and said plat has been prepared in accordance with the platting rules and regulations of the City Plan Commission of the City of Rockwall, Texas.

DATED the this_____day of _____, 2014.

_____
WARREN L. CORWIN
R.P.L.S. No. 4621

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the_____day of _____, 2014.

_____
Notary Public in and for the State of Texas

OWNER'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS
COUNTY OF ROCKWALL
We the undersigned owner"s" of the land shown on this plat, and designated herein as the BREEZY HILL PHASE 3, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the BREEZY HILL PHASE 3, subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

BH PHASE III, SF, LTD.
a Texas limited partnership
By: BH PHASE III SF, GP Corporation,
a Texas corporation, its General Partner

_____ _____
Richard M. Skorburg Mortgage or Lien Interest
President

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared RICHARD M. SKORBURG, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____day of_____, 2014.

Notary Public in and for the State of Texas My Commission Expires: _____

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared_____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____day of_____, 2014.

Notary Public in and for the State of Texas My Commission Expires: _____

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

BH AMC, LTD.
a Texas limited partnership
By: BH AMC GP Corporation,
a Texas corporation, its General Partner

_____ _____
Richard M. Skorburg Mortgage or Lien Interest
President

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared RICHARD M. SKORBURG, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____day of_____, 2014.

Notary Public in and for the State of Texas My Commission Expires: _____

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared_____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____day of_____, 2014.

Notary Public in and for the State of Texas My Commission Expires: _____

Recommended for Final Approval:

_____ _____
Planning & Zoning Commission Date

APPROVED
I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the_____day of_____, 2014.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the Counrt Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this_____day of _____, 2014.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

FINAL PLAT
OF

BREEZY HILL PHASE III

71 LOTS, BEING 48.250 ACRES
SITUATED IN THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

OWNERS

BH AMC, LTD
8214 WESTCHESTER DRIVE, SUITE 710
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DALLAS, TEXAS 75225
214-522-4945

AUGUST 2014 SCALE 1" = 100'

CASE #P2014-XXX

SHEET 2 OF 2

55



Sheet Number: TS1 of TS2 Sheets

Sheet Title:

Tree Survey & Mitigation Plan

STATE OF TEXAS
JOE D. GRUBBS
LANDSCAPE ARCHITECT
8-24-14

Breezy Hill

Phase 3

Rockwall Texas

Issued For: CONSTRUCTION
Job No. 14119
Scale 1" = 70'-0"
Drawn By: JDG
Date 8-24-2014

#	Revisions:	Date:

Grubbs Design Group, P.L.L.C. - 403 South Tennessee Street - McKinney, Texas 75069 - Phone (972) 548-5020

TREE ID NO.	TREE CALIPER SIZE	TREE TYPE COMMON NAME	CONDITION OF TREE	SAVED OR REMOVED	MITIGATION CALCULATIONS	MITIGATION REQUIRED
1	15"	HACKBERRY	GOOD	REMOVED	MITIGATION REQUIRED 1/2 OF 1:1 RATIO	7.5 INCHES
2	18" M.T.	HACKBERRY	GOOD	REMOVED	MITIGATION REQUIRED 1/2 OF 1:1 RATIO	9 INCHES
3	12"	HACKBERRY	GOOD	REMOVED	MITIGATION REQUIRED 1/2 OF 1:1 RATIO	6 INCHES
4	27"	PECAN	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	27 INCHES
5	8" M.T.	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	8 INCHES
6	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES
7	8"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	8 INCHES
8	15"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	15 INCHES
9	7"	ASH	GOOD	SAVED		
10	8"	ASH	GOOD	SAVED		
11	13" M.T.	ASH	GOOD	SAVED		
12	8"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	8 INCHES
13	5"	AMERIGAN ELM	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	5 INCHES
14	4"	AMERIGAN ELM	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	4 INCHES
15	9"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	9 INCHES
16	10"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	10 INCHES
17	7"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	7 INCHES
18	10" M.T.	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	10 INCHES
19	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES
20	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES
21	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES
22	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES
23	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES
24	8"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	8 INCHES
25	8"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	8 INCHES
26	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES
27	10"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	10 INCHES
28	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES
29	10"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	10 INCHES
30	13"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	13 INCHES
31	8"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	8 INCHES
32	10"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	10 INCHES
33	11"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	11 INCHES
34	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES
35	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES
36	8"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	8 INCHES
37	7"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	7 INCHES
38	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES

TREE ID NO.	TREE CALIPER SIZE	TREE TYPE COMMON NAME	CONDITION OF TREE	SAVED OR REMOVED	MITIGATION CALCULATIONS	MITIGATION REQUIRED
39	7"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	7 INCHES
40	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES
41	5"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	5 INCHES
42	5"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	5 INCHES
43	5"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	5 INCHES
44	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES
45	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES
46	10"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	10 INCHES
47	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES
48	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES
49	9"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	9 INCHES
50	7"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	7 INCHES
51	5"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	5 INCHES
52	7"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	7 INCHES
53	5"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	5 INCHES
54	7"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	7 INCHES
55	8"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	8 INCHES
56	5"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	5 INCHES
57	5"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	5 INCHES
58	7"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	7 INCHES
59	6"	CEDAR ELM	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES
60	5"	CEDAR ELM	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	5 INCHES
61	5"	CEDAR ELM	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	5 INCHES
62	5"	CEDAR ELM	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	5 INCHES
63	24"	PECAN	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	24 INCHES
64	7"	ASH	GOOD	SAVED		
65	11"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	11 INCHES
66	10" M.T.	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	10 INCHES
67	7"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	7 INCHES
68	7"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	7 INCHES
69	13" M.T.	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	13 INCHES
70	9"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	9 INCHES
71	15" M.T.	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	15 INCHES
72	9"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	9 INCHES
73	9"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	9 INCHES
74	7"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	7 INCHES
75	7"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	7 INCHES
76	5"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	5 INCHES

TREE ID NO.	TREE CALIPER SIZE	TREE TYPE COMMON NAME	CONDITION OF TREE	SAVED OR REMOVED	MITIGATION CALCULATIONS	MITIGATION REQUIRED	TREE CREDITS
77	11" M.T.	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	11 INCHES	
78	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES	
79	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES	
80	8"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	8 INCHES	
81	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES	
82	5"	ASH	GOOD	SAVED			
83	6"	ASH	GOOD	SAVED			
84	5"	ASH	GOOD	SAVED			
85	36"	PECAN	GOOD	SAVED			36 INCHES
86	12"	ASH	GOOD	SAVED			
87	9"	ASH	GOOD	SAVED			
88	10"	ASH	GOOD	SAVED			
89	8"	ASH	GOOD	SAVED			
90	65" M.T.	PECAN	GOOD	SAVED			65 INCHES
91	12"	ASH	GOOD	SAVED			
92	8"	ASH	GOOD	SAVED			
93	7"	ASH	GOOD	SAVED			
94	8"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	8 INCHES	
95	7"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	7 INCHES	
96	6"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	6 INCHES	
97	7"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	7 INCHES	
98	15"	CEDAR ELM	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	15 INCHES	
99	18" M.T.	CEDAR ELM	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	18 INCHES	
100	29"	ASH	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	29 INCHES	
101	16"	CEDAR ELM	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	16 INCHES	
102	30"	PECAN	GOOD	SAVED			30 INCHES
103	8"	PECAN	GOOD	SAVED			
104	8"	PECAN	GOOD	SAVED			
					TOTAL MITIGATION REQUIRED	716.5 INCHES	
					TOTAL TREE CREDITS		131 INCHES

MITIGATION REQUIREMENT

GROSS MITIGATION REQUIRED	630 INCHES
TOTAL EARNED TREE CREDITS (630 x 20% =)	126 INCHES
NET MITIGATION REQUIRED	504 INCHES
LESS 2 - 8" CALIPER TREES PER LOT (71 LOTS)	426 INCHES
OUTSTANDING MITIGATION NEEDED PHASE 3	78 INCHES
PHASE 4 SURPLUS INCHES PROVIDED	173 INCHES

#	Revisions:	Date:

Issued For: CONSTRUCTION
Job No. 14119
Scale
Drawn By: JDG
Date 8-24-2014

Breezy Hill
Phase 3
Rockwall Texas

STATE OF TEXAS
JOE D. GRUBBS
1719
REGISTERED LANDSCAPE ARCHITECT
8-24-14

Sheet Title: Tree Survey & Mitigation Plan

Sheet Number: TS2
of TS2 Sheets

Grubbs Design Group, P.L.L.C. - 403 South Tennessee Street - McKinney, Texas 75069 - Phone (972) 548-5020

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Miller, Ryan

From: John Arnold <jarnold@skorburgcompany.com>
Sent: Wednesday, August 20, 2014 8:36 AM
To: Miller, Ryan
Subject: Breezy Amenity Center

Ryan,

As of today we are approximately 30 days from plan submittal for the Breezy Hill Amenity Center. Scheduled completion is Spring of 2015.

John

John Arnold | Skorburg Company
8214 Westchester Drive, Suite 710
Dallas, Texas 75225
O: 214.522.4945 x152 | M: 214.535.2090

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 09/15/2014

APPLICANT: Chase Finch; *Corwin Engineering*

AGENDA ITEM: **P2014-022**; *Breezy Hill, Phase IV*

SUMMARY:

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company for the approval of a final plat for Breezy Hill, Phase IV, containing 51 residential lots on a 29.646-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally situated north of FM-552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

PLAT INFORMATION:

- ✓ The Breezy Hill Subdivision is a master planned community that will provide approximately 405-acres of residential and commercial development. The residential subdivision will be composed of 742 single family lots on 371.3-acres of land, and be broken down per the lot mix indicated in Planned Development District 74 (PD-74). The lot mix in this Planned Development District is as follows:

Lot Types	*A*	*B*	*C*	*D*
Typical Lot Frontage *(Feet)*	60	70	80	100
Typical Lot Depth *(Feet)*	120	120	125	200
Minimum Lot Size *(Sq. Ft.)*	7,200	8,400	10,000	20,000
Number of Proposed Units	206	112	326	98
Dwelling Unit %	27.80	15.10	43.90	13.20

- ✓ The purpose of the applicant's submittal is to final plat Phase IV of the Breezy Hill Subdivision and layout 51 of the 742 single family lots. The 51 proposed lots will be constructed to the *Type 'D'* standard (*all standards are displayed in the above table*). This portion of the development is intended to have a rural aesthetic and will incorporate a street section, which will utilize valley ditches in lieu of curbs that will running adjacent to a 28-foot street section.

- ✓ The proposed final plat conforms to the master plat that was approved by the City Council on October 15, 2012 under *Case No. P2012-029.* It also conforms to the preliminary plat that was approved by the City Council on February 17, 2014 under *Case No. P2014-002*.

- ✓ On September 3, 2014 the Parks Board reviewed the proposed final plat and recommended the following:

  1) The developer pay the pro-rata equipment fees required for District No. 7 in the amount of $16,269.00 [51 Lots @ $319.00 Per Lot], and

2) The developer provides a ten (10') foot walking trail along John King Boulevard per the requirements of Planned Development District 74 (PD-74). *The trail should be buffered by a berm, gap or other method from traffic on John King Boulevard.*

- ✓ The Treescape Plan provided by the applicant shows a total surplus of 173 caliper inches. 78 inches of this surplus will be applied to the mitigation requirements for Phase III of the Breezy Hill Subdivision.

- ✓ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for final plats as stated in the *Subdivision Ordinance* contained in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

RECOMMENDATIONS:

If the City Council chooses to approve the *final plat* for *Phases IV* of the *Breezy Hill Subdivision* staff would recommend the following conditions of approval:

1) The *final plat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;

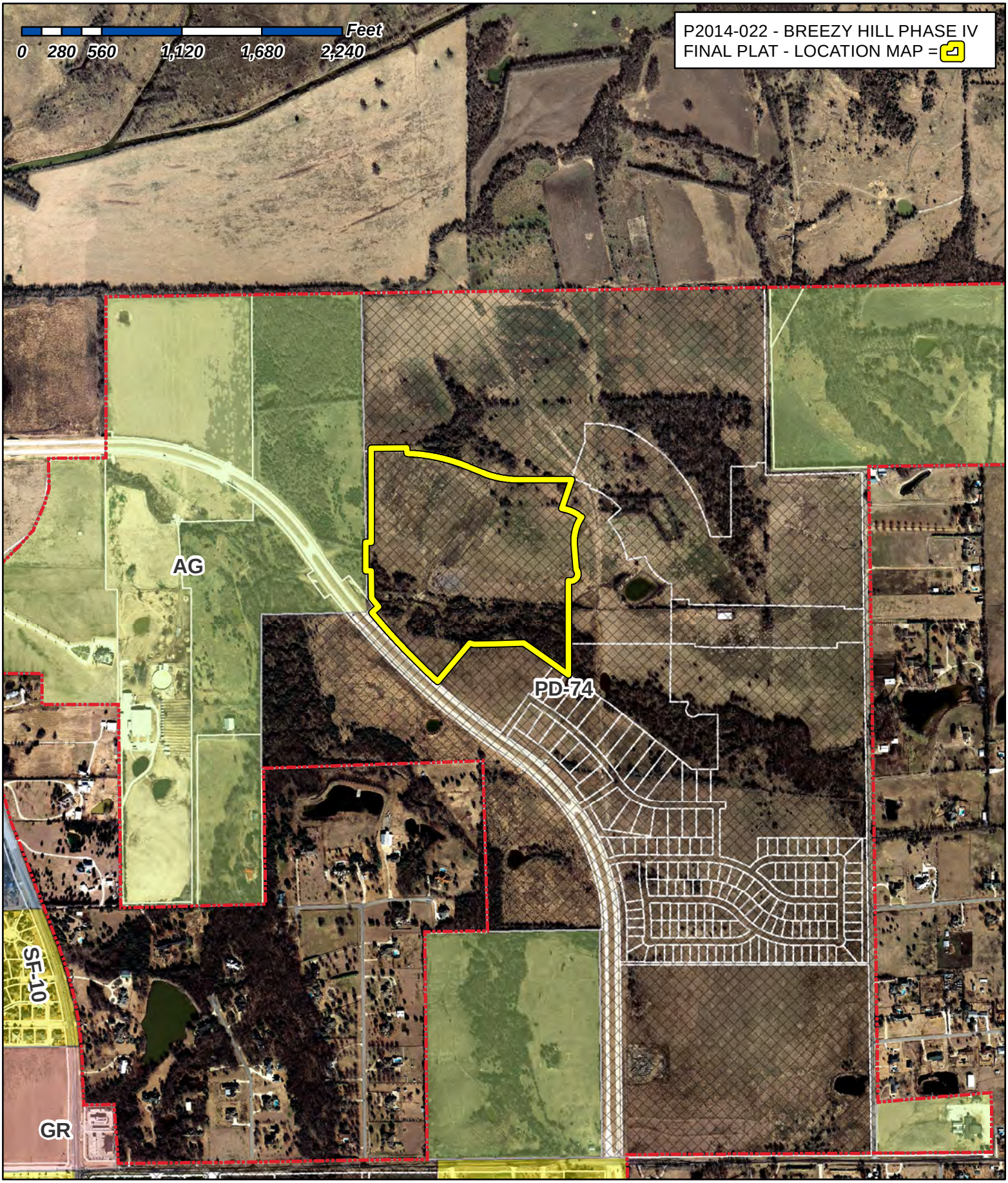
2) In conformance with Planned Development District 74 (PD-74) [*Ordinance No. 12-26*] amendments to the *PD Site Plan* approved under *Case No. SP2013-013* shall be submitted and approved administratively prior to the filing of this final plat;

3) The final plat shall conform to the recommendations made by the Parks Board; and,

4) Any construction resulting from the approval of this *final plat* shall conform to the requirements set forth by the Unified Development Code (UDC), the 2009 International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On September 9, 2014, the Planning & Zoning Commission recommended approval of the final plat by a vote of 7-0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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1:10,380

STREET ESMT.
CAB.
SLIDE

SENEY DRIVE

R.O.W. | 25' X 25' VISIBILITY ESMT. (V.A.M.S.)

R.O.W.

ALL STREET INTERSECTIONS

VISIBILITY & SIDEWALK EASEMENT DETAIL
N.T.S.

LIFE SPRING CHURCH
VOL. 6934, PG. 206

N89° 53'46"W 250.00'

S00° 06'14"W 36.78'

405.184 ACRE TRACT
CLERKS FILE NO. 2007-00378392

C15: Δ= 26° 26' 02" R= 648.00' T= 128.51' L= 253.72' C= 252.10' B= S78° 32' 08"E

S67° 19'07"E 107.05'

S89° 45'09"E 375.92'

S19° 1'05"W 214.02'

Δ= 26° 00' 29" R= 275.00' T= 63.51' L= 124.83' C= 123.76' B= S68° 48' 15"E

S55° 48'00"E 27.09'

Δ= 38° 09' 20" R= 300.00' T= 103.75' L= 199.78' C= 196.11' B= S15° 07' 20"W

S03° 57'20"E 176.06'

Δ= 149° 07' 33" R= 50.00' T= 181.07' L= 130.14' C= 96.39' B= S33° 44' 15"W

N00° 06'14"E 658.09'

N00° 06'14"E 253.76'

N00° 13'32"E 200.00'

N00° 06'14"E 189.98'

Δ= 02° 47' 48" R= 800.00' T= 19.53' L= 39.05' C= 39.05' B= S88° 22' 34"E

Δ= 03° 46' 15" R= 600.00' T= 19.75' L= 39.49' C= 39.48' B= N87° 53' 20"W

Δ= 00° 55' 23" R= 4880.00' T= 39.31' L= 78.62' C= 78.62' B= N39° 04' 52"W

Δ= 07° 43' 05" R= 4940.00' T= 333.23' L= 665.45' C= 664.94' B= N43° 24' 06"W

N50° 27'27"E 60.00'

LIFE SPRING DRIVE
(VARIABLE R.O.W.)
(Cab. I, Slide. 25)

LIMMERHILL DRIVE

LIFE SPRING DRIVE

KETTEN DRIVE

JOHN KING BOULEVARD
(120' R.O.W.)

LOT 16 BLOCK A
50' LANDSCAPE BUFFER
OWNED AND MAINTAINED BY HOA
0.258 ACRES

LOT 15 BLOCK A
OPEN SPACE/DRAINAGE EASEMENT
DEDICATED TO THE CITY OF ROCKWALL
MAINTAINED BY THE HOA
11.257 ACRES

100 YR. FLOOD PLAIN
PANEL NO. 48397C0030L
DATED: SEP. 26, 2008

405.184 ACRE TRACT
CLERKS FILE NO. 2007-00378392

S89° 29'27"W 156.65'
S88° 32'31"W 191.34'
N75° 18'52"W 29.78'
S40° 25'33"W 348.46'
N54° 20'06"W 264.77'
N54° 20'06"W 119.03'
S00° 14'51"W 657.23'

POINT OF BEGINNING

N89° 45'09"W 354.48'
S85° 13'50"E 358.87'
N85° 13'50"W 358.66'
S89° 45'09"E 269.04'
S89° 45'09"E 386.12'

15' S.S.E. VOL.____PG.____

15' WATER LINE EASEMENT
CAB.
SLIDE

ACCESS EASEMENT
CAB.
SLIDE

0 50 100 200
SCALE: 1" = 100'

N

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
1.	13°58'58"	825.00'	201.34'	101.17'	200.84'	S80°04'29"E
2.	05°45'53"	825.00'	83.00'	41.54'	82.97'	S70°12'04"E
3.	22°26'02"	1323.00'	518.01'	262.37'	514.71'	S78°32'08"E
4.	18°49'01"	50.00'	16.42'	8.28'	16.35'	S62°17'28"E
5.	33°54'18"	325.00'	192.32'	99.07'	189.53'	N12°59'49"E
6.	04°15'02"	325.00'	24.11'	12.06'	24.11'	N32°04'29"E
7.	29°42'07"	250.00'	129.60'	66.29'	128.15'	S74°54'06"E
8.	22°26'02"	873.00'	341.82'	173.13'	339.64'	S78°32'08"E
9.	21°03'57"	1027.00'	377.60'	190.95'	375.47'	S77°51'06"E
10.	16°48'46"	425.00'	124.71'	62.81'	124.26'	N08°30'37"E
11.	20°45'30"	450.00'	163.04'	82.42'	162.15'	S77°41'53"E
12.	22°26'02"	1098.00'	429.92'	217.75'	427.17'	S78°32'08"E
13.	22°26'02"	1548.00'	606.11'	306.99'	602.25'	N78°32'08"W
14.	22°27'21"	600.00'	235.16'	119.11'	233.65'	N78°32'48"W
15.	20°11'34"	1252.00'	441.25'	222.93'	438.97'	S77°24'55"E

LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	N 16°55'00" E	30.90'
2.	N 46°51'14" W	22.04'
3.	S 60°03'02" E	21.58'
4.	S 09°31'15" W	22.90'
5.	S 09°31'15" W	14.18'
6.	N 78°36'24" W	11.07'
7.	S 00°46'22" E	12.88'

STATE PLAIN SYSTEM COORDINATES	
X	Y
2596134.85	7044896.34
ELEV = 500.00	

STATE PLAIN SYSTEM COORDINATES	
X	Y
2594644.31	7044671.80
ELEV = 460.8	

PROJECT LOCATION
CITY LIMITS
SH 205
FM 552
JOHN KING BLVD.

LOCATION MAP
N.T.S.

TOTAL LOTS 51

TOTAL ACRES 41.662

FINAL PLAT
OF

BREEZY HILL PHASE IV

51 LOTS, BEING 29.646 ACRES
SITUATED IN THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200
OWNER
BH PHASE IV SF, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
214-522-4945

JUNE 2014 SCALE 1" = 100'

CASE #P2014-022

SHEET 1 OF 2

LEGAL DESCRIPTION

BEING, a tract of land situated in the J. Strickland Survey, Abstract No. 187 in the City of Rockwall, Rockwall County, Texas, being out of a 405.184 acre tract, as described in Clerks File No. 2007-00375392 in the Deed Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING, at a ½ inch iron rod set at the most northerly northwest corner of a 21.857 acre tract, as described in Clerks File No. 2012-467951, in said Deed Records;

THENCE, North 54° 20'06" West, for a distance of 264.77 feet, to a ½ inch iron rod set;

THENCE, South 88° 32'31" West, for a distance of 191.34 feet, to a ½ inch iron rod set;

THENCE, South 89° 29'27" West, for a distance of 156.65 feet, to a ½ inch iron rod set;

THENCE, North 75° 18'52" West, for a distance of 29.78 feet, to a ½ inch iron rod set;

THENCE, South 40° 25'33" West, for a distance of 348.46 feet, to a ½ inch iron rod set in the north line of John King Boulevard (120' R.O.W.), being on a non-tangent curve to the right, having a radius of 4940.00 feet, a central angle of 07° 43'05", and a tangent of 333.23 feet;

THENCE, continuing along said north line and with said curve to the right for an arc distance of 665.45 feet (Chord Bearing North 43° 24'06" West - 664.94 feet), to a ½ inch iron rod set;

THENCE, North 50° 27'27" East, continuing along said north line, for a distance of 60.00 feet, to a ½ inch iron rod set on a non-tangent curve to the right, having a radius of 4880.00 feet, a central angle of 00° 55'23", and a tangent of 39.31 feet;

THENCE, continuing along said north line and with said curve to the right for an arc distance of 78.62 feet (Chord Bearing North 39° 04'52" West - 78.62 feet), to a ½ inch iron rod set in the west line of said 405.184 acre tract;

THENCE, North 00° 06'14" East, departing said north line and with said west line, for a distance of 189.98 feet, to a ½ inch iron rod set on a curve to the left for an arc distance of 600.00 feet, a central angle of 03° 46'15", and a tangent of 19.75 feet;

THENCE, departing said west line and with said curve to the left for an arc distance of 39.49 feet (Chord Bearing North 87° 53'20" West - 39.48 feet), to a ½ inch iron rod set;

THENCE, North 00° 13'32" East, for a distance of 200.00 feet, to a½inch iron rod set in the south line of Life Springs Drive (Variable R.O.W.), an addition to the City of Rockwall, as described in Cab. I, Slide 25, in said Plat Records, being on a curve to the right, having a radius of 800.00 feet, a central angle of 02° 47'48", and a tangent of 19.53 feet;

THENCE, along said south line and with said curve to the left for an arc distance of 39.05 feet (Chord Bearing South 88° 22'34" East - 39.05 feet), to a ½ inch iron rod found being the southeast corner of said Life Springs Drive and being in the west line of said 405.184 acre tract;

THENCE, North 00° 06'14" East, along the west line of said 405.184 acre tract, for a distance of 658.09 feet, to a ½ inch iron rod set;

THENCE, North 89° 53'46" West, departing said west line, for a distance of 250.00 feet, to a ½ inch iron rod set;

THENCE, South 00° 06'14" West, for a distance of 36.78 feet, to a ½ inch iron rod set on a curve to the right, having a radius of 1252.00 feet, a central angle of 20° 11'34", and a tangent of 222.93 feet;

THENCE, along said curve to the right for an arc distance of 441.25 feet (Chord Bearing South 77° 24'55" East - 438.97 feet), to a ½ inch iron rod set at the point of tangency;

THENCE, South 67° 19'07" East, for a distance of 107.05 feet, to a ½ inch iron rod set at the point of curvature of a curve to the left, having a radius of 648.00 feet, a central angle of 26° 26'02", and a tangent of 128.51 feet;

THENCE, along said curve to the left for an arc distance of 253.72 feet (Chord Bearing South 78° 32'08" East - 252.10 feet), to a ½ inch iron rod set at the point of tangency;

THENCE, South 89° 45'09" East, for a distance of 375.92 feet, to a ½ inch iron rod set;

THENCE, South 19° 01'05" West, for a distance of 214.02 feet, to a ½ inch iron rod set on a curve to the right, having a radius of 275.00 feet, a central angle of 26° 00'29", and a tangent of 63.51 feet;

THENCE, along said curve to the right for an arc distance of 124.83 feet (Chord Bearing South 68° 48'15" East - 123.76 feet), to a ½ inch iron rod set at the point of tangency;

THENCE, South 55° 48'00" East, for a distance of 27.09 feet, to a ½ inch iron rod set on a curve to the left, having a radius of 300.00 feet, a central angle of 38° 09'20", and a tangent of 103.75 feet;

THENCE, along said curve to the left for an arc distance of 199.78 feet (Chord Bearing South 15° 07'20" West - 196.11 feet), to a ½ inch iron rod set at the point of tangency;

THENCE, South 03° 57'20" East, for a distance of 176.06 feet, to a ½ inch iron rod set on a non-tangent curve to the right, having a radius of 50.00 feet, a central angle of 149° 07'33";

THENCE, along said curve to the right for an arc distance of 130.14 feet (Chord Bearing South 34° 44'15" West - 96.39 feet), to a ½ inch iron rod set;

THENCE, South 00° 14'51" West, for a distance of 657.23 feet, to a ½ inch iron rod set in the north line of said 21.857 acre tract;

THENCE, North 54° 20'06" West, along the north line of said 21.857 acre tract, for a distance of 119.03 feet, to the POINT OF BEGINNING and containing 41.321 acres of land.

SURVEYOR CERTIFICATE

I, WARREN L. CORWIN, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made under my direction and supervision and all corners are as shown thereon and there are no encroachments, conflicts, protrusions or visible utilities on the ground except as shown and said plat has been prepared in accordance with the platting rules and regulations of the City Plan Commission of the City of Rockwall, Texas.

DATED the this_____day of _____, 2014.

_____
WARREN L. CORWIN
R.P.L.S. No. 4621

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the_____day of _____, 2014.

_____
Notary Public in and for the State of Texas

OWNER'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS
COUNTY OF ROCKWALL
We the undersigned owners of the land shown on this plat, and designated herein as the BREEZY HILL PHASE 4, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the BREEZY HILL PHASE 4, subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City: we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

BH PHASE IV, SF, LTD.
a Texas limited partnership
By: BH PHASE III SF, GP Corporation,
a Texas corporation, its General Partner

_____ _____
Richard M. Skorburg, President — Mortgage or Lien Interest

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared RICHARD M. SKORBURG, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____day of_____, 2014.

Notary Public in and for the State of Texas My Commission Expires: _____

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared_____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____day of_____, 2014.

Notary Public in and for the State of Texas My Commission Expires: _____

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

Recommended for Final Approval:

_____ _____
Planning & Zoning Commission — Date

APPROVED
I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the_____day of_____, 2014.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the Counrt Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this_____day of _____, 2014.

_____ _____ _____
Mayor, City of Rockwall — City Secretary — City Engineer

NOTES

1. Bearing are referenced to 21.857 acre tract, as described in Clerks File No. 2012-467951, in the Deed Records of Rockwall County, Texas.
2. All lot lines are radial or perpendicular to the street unless otherwise noted by bearing.
3. ½" iron rods with "CORWIN ENGR. INC." caps set at all boundary corners, block corners, points of curvature, points of tangancy, and angle points in public right-of-way unless otherwise noted.
4. B.L. - Building Line.
   U.E. - Utility Easements.
   C.M. - Controlling Monument.
   D.E. - Drainage Easement
   S.S.E. - Sanitary Sewer Easement
   V.A.M.S. - Visibility, Maintenence & Sidewalk Easement
   H.O.A. - Homeowners Association
   ◊ - Street Name Change
5. All open spaces, drainage areas and other common areas shall be maintained by the Homeowners Association.
6. No building permits will be issued until all public improvments are accepted by the City.

FINAL PLAT
OF

BREEZY HILL PHASE IV

51 LOTS, BEING 29.646 ACRES
SITUATED IN THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

OWNER
BH PHASE IV SF, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
214-522-4945

JUNE 2014 SCALE 1" = 100'

CASE *P2014-022 SHEET 2 OF 2

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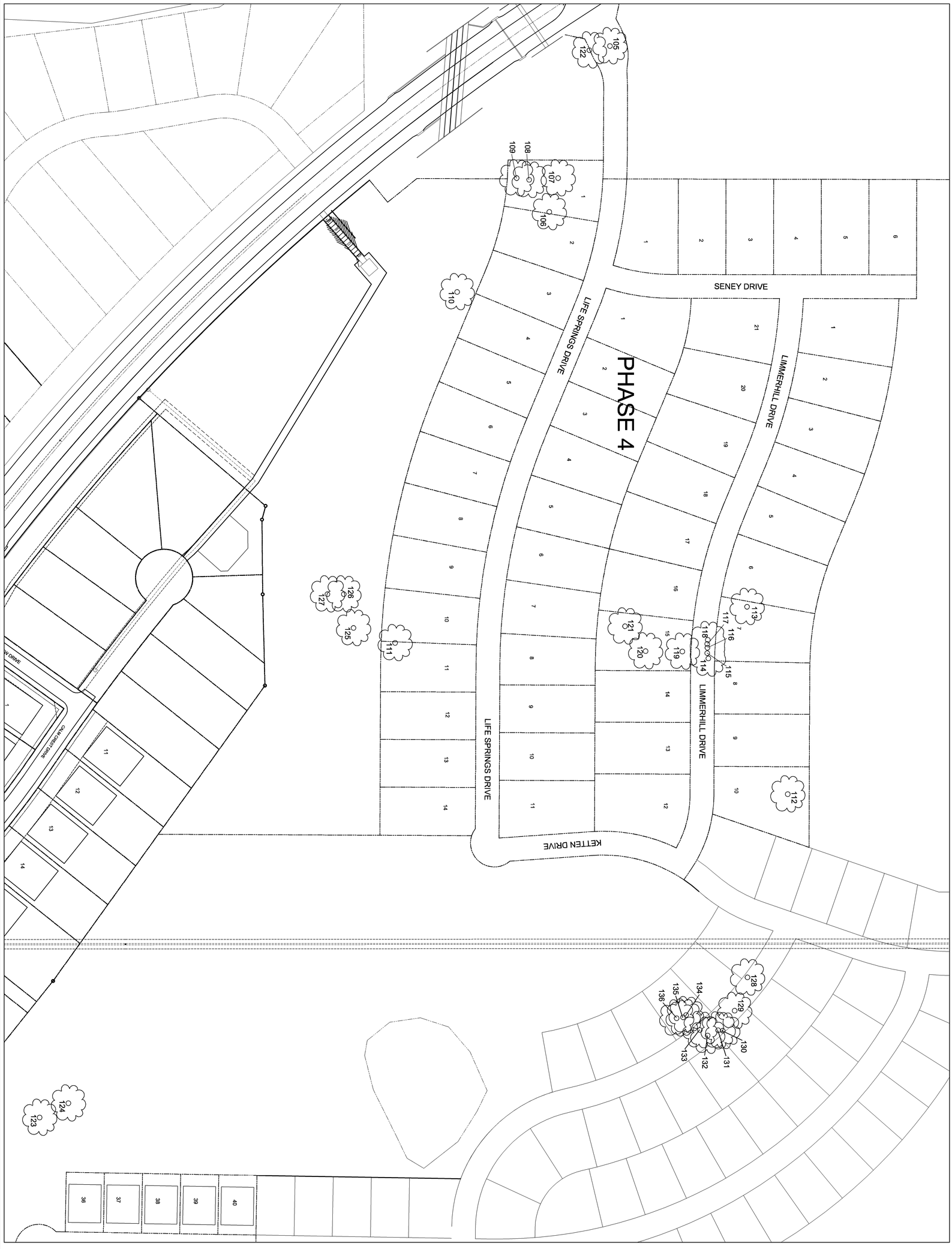

Sheet Number: TS1 of TS2 Sheets

Sheet Title:

Tree Survey & Mitigation Plan

STATE OF TEXAS
JOE D. GRUBBS
LICENSED
LANDSCAPE ARCHITECT
8-24-14

Breezy Hill

Phase 4

Rockwall Texas

Issued For: CONSTRUCTION
Job No. 14120
Scale 1" = 70'-0"
Drawn By: JDG
Date 8-24-2014

#	Revisions:	Date:

Grubbs Design Group, P.L.L.C. - 403 South Tennessee Street - McKinney, Texas 75069 - Phone (972) 548-5020

TREE ID NO.	TREE CALIPER SIZE	TREE TYPE COMMON NAME	CONDITION OF TREE	SAVED OR REMOVED	MITIGATION CALCULATIONS	MITIGATION REQUIRED	TREE CREDITS
105	11"	HACKBERRY	GOOD	REMOVED	MITIGATION REQUIRED 1/2 OF 1:1 RATIO	5.5 INCHES	
106	12"	HACKBERRY	GOOD	REMOVED	MITIGATION REQUIRED 1/2 OF 1:1 RATIO	6 INCHES	
107	14" M.T.	HACKBERRY	GOOD	REMOVED	MITIGATION REQUIRED 1/2 OF 1:1 RATIO	7 INCHES	
108	11"	HACKBERRY	GOOD	REMOVED	MITIGATION REQUIRED 1/2 OF 1:1 RATIO	5.5 INCHES	
109	15" M.T.	HACKBERRY	GOOD	REMOVED	MITIGATION REQUIRED 1/2 OF 1:1 RATIO	7.5 INCHES	
110	42"	PECAN	GOOD	SAVED			42 INCHES
111	5"	CEDAR ELM	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	5 INCHES	
112	9"	PERSIMMON	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	9 INCHES	
113	14"	CHITTAM WOOD	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	14 INCHES	
114	28"	HACKBERRY	GOOD	REMOVED	MITIGATION REQUIRED 1/2 OF 1:1 RATIO	14 INCHES	
115	18"	HACKBERRY	GOOD	REMOVED	MITIGATION REQUIRED 1/2 OF 1:1 RATIO	9 INCHES	
116	15"	HACKBERRY	GOOD	REMOVED	MITIGATION REQUIRED 1/2 OF 1:1 RATIO	7.5 INCHES	
117	15"	HACKBERRY	GOOD	REMOVED	MITIGATION REQUIRED 1/2 OF 1:1 RATIO	7.5 INCHES	
118	16" M.T.	HACKBERRY	GOOD	REMOVED	MITIGATION REQUIRED 1/2 OF 1:1 RATIO	8 INCHES	
119	11"	CHITTAM WOOD	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	11 INCHES	
120	16" M.T.	CHITTAM WOOD	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	16 INCHES	
121	11"	CHITTAM WOOD	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	11 INCHES	
122	11"	HACKBERRY	GOOD	REMOVED	MITIGATION REQUIRED 1/2 OF 1:1 RATIO	5.5 INCHES	
123	11"	HACKBERRY	GOOD	SAVED			
124	13"	HACKBERRY	GOOD	SAVED			
125	35"	PECAN	GOOD	SAVED			35 INCHES
126	5"	PECAN	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	5 INCHES	
127	4"	PECAN	GOOD	SAVED			
128	12"	CHITTAM WOOD	GOOD	REMOVED	MITIGATION REQUIRED 1:1 RATIO	12 INCHES	
129	11"	HACKBERRY	GOOD	SAVED			
130	11"	HACKBERRY	GOOD	SAVED			
131	12"	HACKBERRY	GOOD	SAVED			
132	11"	HACKBERRY	GOOD	SAVED			
133	13" M.T.	HACKBERRY	GOOD	SAVED			
134	12"	CEDAR ELM	GOOD	SAVED			
135	12"	CEDAR ELM	GOOD	SAVED			
136	21"	CEDAR ELM	GOOD	SAVED			
					TOTAL MITIGATION REQUIRED	166 INCHES	
					TOTAL TREE CREDITS		77 INCHES

MITIGATION REQUIREMENT

GROSS MITIGATION REQUIRED	166 INCHES
TOTAL EARNED TREE CREDITS (166 x 20% =)	33 INCHES
MET MITIGATION REQUIRED	133 INCHES
LESS 2 - 3" CALIPER TREES PER LOT (51 LOTS)	306 INCHES
SURPLUS INCHES PROVIDED	173 INCHES

#	Revisions:	Date:

Issued For: CONSTRUCTION

Job No. 14120

Scale

Drawn By: JDG

Date 8-24-2014

Breezy Hill
Phase 4
Rockwall Texas

STATE OF TEXAS
JOE D. GRUBBS
1713
LICENSED LANDSCAPE ARCHITECT
8-24-14

Sheet Title: Tree Survey & Mitigation Plan

Sheet Number: TS2 of TS2 Sheets

Grubbs Design Group, P.L.L.C. - 403 South Tennessee Street - McKinney, Texas 75069 - Phone (972) 548-5020

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **September 12, 2014**

SUBJECT: **Animal Adoption Center Advisory Committee Amendment**

As directed by council, the ordinance establishing the Animal Adoption Center Advisory Committee has been revised to reflect compliance with the requirements of V.T.C.A., Health and Safety Code Ch. 823, Standards for Animal Shelters. The revisions related to composition of members are outlined as follows:

(b) The advisory committee must be composed of at least one licensed veterinarian, one county or municipal official, one person whose duties include the daily operation of an animal shelter, and one representative from an animal welfare organization.

CITY OF ROCKWALL

ORDINANCE NO. 14-xx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 6. ANIMALS; ARTICLE II. ADMINISTRATION; DIVISION 2. ANIMAL ADOPTION CENTER/ADVISORY COMMITTEE; SECTION 6-51. ESTABLISHED; COMPOSITION TO AMEND COMMITTEE MEMBER COMPOSITION IN ACCORDANCE WITH STATE LAW REQUIREMENTS. PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the required composition of committee members; or Section 6-51, has been updated by State Law and the City Council has determined that the current provisions be revised; and

WHEREAS, the City Council has determined that the amendment to the Animal Adoption Center / Shelter Advisory Committee ordinance made herein is in the best interest of the citizens of the City of Rockwall.

WHEREAS, the Department of State Health Services requires a governing body of a county or municipality in which an animal shelter is located to appoint an advisory committee, and

WHEREAS, the goal of the Animal Adoption Center / Shelter Advisory Committee is to assist in complying with the requirements of Chapter 823 of the Health and Safety Code (Standards for Animal Shelters), and

WHEREAS, an Animal Adoption Center / Shelter Advisory Committee shall be established by the City Council to address issues concerning the standards for animal shelters, and

WHEREAS, the advisory committee must be composed of at least one licensed veterinarian, one county or municipal official, one person whose duties include the daily operations of an animal shelter, and one representative from an animal welfare organization.

WHEREAS, state law requires that the Animal Adoption Center / Shelter Advisory Committee will meet a minimum of three times annually to address issues necessary to ensure compliance with the Act;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That an Animal Adoption Center / Shelter Advisory Committee shall hereby be established and comprised of at least one licensed veterinarian, one county or

municipal official, one person whose duties include the daily operations of an animal shelter, and one representative from an animal welfare organization.

Section 2. The rules of order shall be established by the Committee. The Chair of the Committee shall be selected by the Committee members.

Section 3. The Committee will be charged with the responsibility to report annually to the City Council regarding compliance with the requirements of Chapter 823 of the Health and Safety Code (Standards for Animal Shelters). The Committee will also perform other tasks as directed by the City Council.

Section 4. The term of office for those positions appointed by the City Council shall be two years. The initial term of office for the Committee members shall be as follows:

Committee Member	**Initial Term End**
Licensed Local Veterinarian	7-31-07
Municipal Official	7-31-08
Animal Welfare Organization Representative	7-31-07
Rockwall Citizen	7-31-08
Rockwall Citizen	7-31-07
Rockwall Citizen	7-31-08

Section 5. That this Ordinance shall become effective immediately upon passage and approval and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 6th day of October, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **September 15, 2014**

SUBJECT: **Resolution amending fee schedule to adjust health relate fees.**

During the current budget preparation process, a determination was made to add a $30 late permit fee for food service establishments that fail to obtain their annual permit prior to their permit expiration date and to raise the existing $100 fee amount for health plan reviews to $150 and the existing $100 child care facility permit fee to $150.

A resolution and exhibit for the schedule of fees have been prepared for Council consideration of adoption.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 14-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE FEE SCHEDULE FOR PERMITS, REGISTRATIONS, CERTIFICATES, AND CERTAIN RELATED FEES FOR THE CITY OF ROCKWALL, AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR AN APPLICATION FEE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS the City Council has directed the City Manager and staff to conduct cost studies and reviews, from time to time, of various fees and charges of the City of Rockwall, Texas, and submit recommendations to the City Council for review and creation of said fees and charges, as needed; and

WHEREAS, the City Council of the City of Rockwall, Texas, has reviewed the recommendations and has determined that certain fees need to be raised in order to adequately reimburse the City for its costs of administration.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the fees described in the Schedule of Permit, Health and Misc. Fees, attached hereto as Exhibit "A", be required with the submission of all related applications.

Section 2. That this resolution shall take effect immediately upon passage and approval, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 15th day of September, 2014

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

City of Rockwall

Resolution No._____

Schedule of Permit, Health and Misc. Fees

Building Permits	*Fee Amount*
1. Residential	
a. Accessory Building	* Table 1A
b. Single Family Residence - New	* Table 1A
c. Single Family Residence - Remodel	* Table 1A
2. Commercial	
a. Commercial – New	* Table 1A
b. Commercial – Remodel	* Table 1A
c. Certificate of Occupancy	$ 75.00
d. Temporary Certificate of Occupancy	$ 300.00
3. Board of Adjustments	$ 200.00
4. Sign Board of Review / City Council Sign Variances/Sign Plans	$ 200.00
5. Construction Advisory & Appeals Board	$ 200.00
6. Concrete	* Table 1A
7. Demolition of Structures	$ 50.00
8. Electrical	* Table 1A
9. Fence	$ 35.00
Screening Wall	$ 75.00
10. Inspection Fees	
a. After Hours Inspection	$ 50.00 per hr. (minimum 2 hrs.)
b. Re-inspection	$ 50.00
11. Irrigation	$ 35.00
12. Mechanical	* Table 1A
13. Moving of Structures	Refer To Chapter 10, Article XIV of the Code of Ordinances
14. Permit Bag Replacement	$ 20.00
15. Pools/Hot Tub/Spa	
a. Pool – above ground	$ 75.00
b. Pool – in ground	$150.00
c. Hot Tub/Spa	$100.00
16. Plumbing	* Table 1A
17. Roofing	$ 35.00
18. Sign	$75.00
19. Temporary Construction/Sales Trailer	$100.00

Exhibit "A" Page 2

Health Related Fees

1. Banners	$ 50.00
2. Child Care Facility	$ 150.00
3. Commercial Swimming Pool	$ 225.00 Each additional pool $ 150.00
4. Concession Stands	$ 100.00
5. Plan Review	$ 150.00
Food service establishments, child care facilities, public pools/spas	
6. Food Service Permits	
a. Food Service Establishment	$ 300.00
b.Temporary Food Service	$ 50.00
c. Seasonal Food Service Permit	$ 90.00 Nonprofit agencies are exempt
d. Special Events Food Vendor	$ 50.00 Nonprofit agencies are exempt
e. Mobile Food Trucks	$ 300.00
f. Ice Cream/Cold Mobile Food Trucks	$ 200.00
7. Late Permit Fee	$ 30.00
8. Public Pools	
a. Operator Permits	$ 225.00
b. Additional pools (fee for each)	$ 150.00
c. Free Standing Spa	$ 25.00
d. Temporary Closure Fee	$ 50.00
9. Inspection Fees	
Re-inspection	$ 50.00
Initial follow-up inspection at no cost, however if a second inspection is required the fee will be assessed	
10. Registrations	
a. Certified Pool Operator	$ 10.00 Expires with state license
b. Child Care Facility Worker	$ 10.00 Required every two years
c. Food Service Manager	$ 30.00 Expires with state license
11. Special Event Permit	$ 60.00 Nonprofit agencies are exempt

Building Permit Fees

Table 1A

Total Valuation	Fee
$1.00 to $500.00	* $35.00
$501.00 to $2,000.00	* $35.00 for the first $500.00 plus $3.05 for each additional $100.00, or fraction thereof, to and including $2000.00
$2,001.00 to $25,000.00	$80.75 for the first $2000.00 plus $14.00 for each additional $1000.00, or fraction thereof, to and including $25,000.00
$25,001.00 to $50,000.00	$402.75 for the first $25,000.00 plus $10.10 for each additional $1000.00, or fraction thereof, to and including $50,000.00
$50,001.00 to $100,000.00	$655.25 for the first $50,000.00 plus $7.00 for each additional $1000.00, or fraction thereof, to and including $100,000.00
$100,001.00 to $500,000.00	$1005.25 for the first $100,000.00 plus $5.60 for each additional $1000.00, or fraction thereof, to and including $500,000.00
$500,001.00 to $1,000,000.00	$3245.25 for the first $500,000.00 plus $4.75 for each additional $1000.00, or fraction thereof, to and including $1,000,000.00
$1,000,001.00 and up	$5620.25 for the first $1,000,000.00 plus $3.65 for each additional $1000.00, or fraction thereof
** Per Local Amendments*	
For use of outside consultants for plan review or inspections	Actual costs

Contractor Registrations Expire when State License Expires

Back Flow	$100.00
Electrical Contractor (must be Master Electrician)	$100.00
Fence	$100.00
General Contractor	$100.00
Irrigation	$100.00
Mechanical Contractor	$100.00
Demo Contractor	$100.00
Sign Contractor	$100.00

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: August 29, 2014

SUBJECT: IH30 Ramp Reversal Project

The citizens of Rockwall approved the IH30 Ramp Reversal project which was included in the 2012 Bond Program. This project consists of removing and replacing the existing westbound SH 205 exit ramp from IH30 with an entrance ramp and the existing eastbound entrance ramp east at SH 205 with an exit ramp. The project phasing includes the engineering design, right-of-way acquisition, construction and other project related items. The cost to design and construction this project is estimated at $1,310,216.37.

Rockwall County has agreed to participate in the cost of this project. Rockwall County will fund the engineering design phase of the project in an amount of $360,216.37 leaving the remaining amount of $950,000.00 to be funded by the City of Rockwall for the construction. The design will comply with the Texas Department of Transportation (TxDOT) regulations and the project will be bid and constructed through TxDOT administration. Any participation between the County and the City requires the approval of an Interlocal Cooperation Agreement (ICA). A copy of the ICA between our two entities is attached to this memorandum.

Consider approval of the attached Interlocal Cooperative Agreement with Rockwall County to fund the engineering design and construction of the IH30 Ramp Reversal project east of SH 205 including the city's contribution of 950,000.00 toward the total estimated project amount of $1,310,216.37.

TMT:em

Attachment

Cc:
Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
File

THE STATE OF TEXAS §
§
COUNTY OF ROCKWALL §

INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF ROCKWALL, TEXAS AND ROCKWALL COUNTY, TEXAS

THIS Interlocal Cooperation Agreement ("AGREEMENT") is made and entered into by and between Rockwall County, Texas, a political subdivision of the State of Texas, hereinafter referred to as the "COUNTY," and the City of Rockwall, a political subdivision located within Rockwall County, Texas, duly organized and authorized under the laws of the State of Texas, hereinafter referred to as the "CITY."

WHEREAS, the COUNTY is a duly organized and political subdivision of the State of Texas engaged in the administration of county government and related services for the benefit of the citizens of Rockwall County, Texas; and

WHEREAS, the CITY is a duly organized political subdivision in Rockwall County, Texas engaged in the administration of CITY government and related services for the benefit of the citizens of the area serviced by the CITY; and

WHEREAS, the COUNTY and the CITY intend to enter into this AGREEMENT pursuant to the provisions of Texas Government Code, Chapter 791, "*Interlocal Cooperation Act*" which provides authorization for any local government to contract with one or more local governments for the purpose of performing governmental functions and services under the terms of the Act; and

WHEREAS, the COUNTY proposes to enter into a Local Project Advanced Funding Agreement with the Texas Department of Transportation to develop and replace existing westbound SH 205 exit ramp from IH 30 with an entrance ramp and replace existing eastbound entrance ramp east of SH 205 with an exit ramp, including related design, engineering, right-of-way acquisition, and costs associated therewith at a total estimated construction cost of ONE

MILLION, THREE HUNDRED TEN THOUSAND, TWO HUNDRED SIXTEEN AND 37/100 DOLLARS ($1,310,216.37), which is hereinafter referred to as the "PROJECT," and

WHEREAS, based upon approval of final design and construction plans for the PROJECT and acceptance thereof, the COUNTY intends to contribute funds to TxDOT for the building and construction of the project.

NOW, THEREFORE, the COUNTY and the CITY, for the mutual consideration hereinafter stated, agree and understand as follows:

I.

This AGREEMENT becomes effective when signed by the last party whose signing makes the respective agreements fully executed.

II.

The CITY and the COUNTY hereby agree that the scope of the PROJECT is to develop and replace existing westbound SH 205 exit ramp from IH 30 with an entrance ramp and replace existing eastbound entrance ramp east of SH 205 with an exit ramp, including related design, engineering, right-of-way acquisition, and costs associated therewith. The PROJECT costs are currently estimated to be ONE MILLION, THREE HUNDRED TEN THOUSAND, TWO HUNDRED SIXTEEN AND 37/100 DOLLARS ($1,310,216.37) which includes, but is not limited to, design and construction of the PROJECT.

III.

The COUNTY agrees to contribute and fund THREE HUNDRED SIXTY THOUSAND, TWO HUNDRED SIXTEEN AND 37/100 DOLLARS ($360,216.37) for the completion of the PROJECT.

IV.

The CITY agrees to contribute and fund NINE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS ($950,000.00) for the completion of the project.

V.

The COUNTY agrees to accept the CITY's contribution toward the PROJECT and forward it to TxDOT for completion of the PROJECT.

VI.

The Texas Department of Transportation (TxDOT) will oversee the construction and acceptance of the PROJECT.

VII.

The CITY understands and agrees that the CITY, its employees, servants, agents, and representatives shall at no time represent themselves to be employees, servants, agents, and/or representatives of the COUNTY.

VIII.

The COUNTY understands and agrees that the COUNTY, its employees, servants, agents, and representatives shall at no time represent themselves to be employees, servants, agents, and/or representatives of the CITY.

IX.

This AGREEMENT represents the entire agreement between the COUNTY and the CITY and supersedes all prior negotiations, representations, and/or agreements, either written or oral for the PROJECT defined herein. This AGREEMENT may be amended only by written instrument signed by the governing bodies of both the COUNTY and the CITY, or those authorized to sign on behalf of those governing bodies.

X.

The validity of this AGREEMENT and of any of its terms or provisions, as well as the rights and duties of the parties hereto, shall be governed by the laws of the State of Texas. Further, this AGREEMENT shall be performable in Rockwall County, Texas.

XI.

In the event that any portion of this AGREEMENT shall be found to be contrary to law, it is the intent of the parties hereto that the remaining portions shall remain valid and in full force and effect to the fullest extent possible.

XII.

The undersigned officer and/or agents of the parties hereto are the properly authorized officials and have the necessary authority to execute this AGREEMENT on behalf of the parties hereto, and each party hereby certifies to the other that any necessary resolutions extending said authority have been duly passed and are now in full force and effect.

XIII.

Pursuant to Texas Government Code §791.011, the Parties hereto agree that the purpose of this AGREEMENT is to ensure that certain governmental function and services in the area of streets, roads, utilities, and drainage are performed. The parties hereto further agree that each of them is authorized to perform the functions and services individually.

XIV.

This AGREEMENT is not intended to extend the liability of the parties beyond that provided for by law. Neither the COUNTY nor the CITY waives, nor shall be deemed hereby to waive, any immunity or defense that would otherwise be available to it against claims arising by third parties.

Executed in triplicate originals this _____ day of _____, 2014.

ROCKWALL COUNTY, TEXAS
101 East Rusk
Rockwall, TX 75087

By: _____

Honorable Jerry Hogan
Rockwall County Judge
Acting by and on behalf of the authority
Of the Rockwall County Commissioners Court

ATTEST:

By: _____
Rockwall County Clerk

APPROVED AS TO FORM:

By: _____
Assistant District Attorney

CITY OF ROCKWALL
385 South Goliad
Rockwall, TX 75087

By: _____

Honorable David Sweet
Mayor of the City of Rockwall, Texas
Acting by and on behalf of the authority
of the City of Rockwall, Texas

ATTEST:

By: _____
City Secretary

APPROVED AS TO FORM:

By: _____
City Attorney

COUNTY AUDITOR'S CERTIFICATE

I hereby certify that funds will be available to accomplish and pay the obligation of Rockwall County, Texas, under this Agreement.

_____
Rockwall County Auditor

APPROVAL OF INTERLOCAL COOPERATION AGREEMENT BETWEEN ROCKWALL COUNTY, TEXAS, AND THE CITY OF ROCKWALL, TEXAS

Rockwall County, Texas, acting by and through the Rockwall County Commissioners Court, having been advised of the Project, with a total cost of completion in an amount which shall not exceed ONE MILLION, THREE HUNDRED TEN THOUSAND, TWO HUNDRED SIXTEEN AND 37/100 DOLLARS ($1,310,216.37) herein gives its specific written approval to the Project prior to beginning the Project in satisfaction of Texas Government Code §791.014.

The description of the type of Project to be undertaken is the development and replacement of existing westbound SH 205 exit ramp from IH 30 with an entrance ramp and replacement of existing eastbound entrance ramp east of SH 205 with an exit ramp, including related design, engineering, right-of-way acquisition, and costs associated therewith.

The local government with which the County of Rockwall has contracted is the City of Rockwall.

By vote on this date, the Rockwall County Commissioners Court has approved the Project identified above and authorized execution of this document by the presiding officer on behalf of Rockwall County, Texas.

Date: _____

_____

Presiding Officer of the
Rockwall County Commissioners Court

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86

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 9/15/2014

APPLICANT: Inner Urban Homes, Inc.

AGENDA ITEM: **P2014-017;** Chandlers Landing Phase 7

SUMMARY:

Hold a public hearing to discuss and consider a request by Joe Allman of Inner Urban Homes, Inc. for the approval of a replat for Lots 24 & 25, Block A, Chandler's Landing Phase 7 Installment Two Addition, being a 0.49-acre parcel of land currently identified as Lot 23, Block A, Chandler's Landing Phase 7 Installment Two Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for residential land uses, located at 104 Thistle Place, and take any action necessary.

COMMENTS:

- The purpose of this plat is to divide one (1) single-family residential lot into two (2) residential lots and abandon a 10' utility easement located along the side of the lot to the south. The property was originally platted as Lots 4 & 5, Block A, Chandlers Landing Phase 7 Installment Two. It was replatted in 2013 as Lot 23, Block A, Chandlers Landing Phase 7 Installment Two.

- The Engineer has completed the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the Recommendation section below.

With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

NOTIFICATION:

Notices were mailed to twenty (20) property owners within 200-ft of the subject property. At this time, one (1) response was returned opposed to the request and one (1) response from Chandler's Landing HOA was returned in favor of the request.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the replat for Lot 23, Block A, Chandlers Landing Phase 7 Installment Two, staff offers the following condition of approval:

1) All comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

2) Any construction resulting from the approval of this replat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On September 9, 2014, the Planning & Zoning Commission recommended approval of the replat by a vote of 7-0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

89

1:750

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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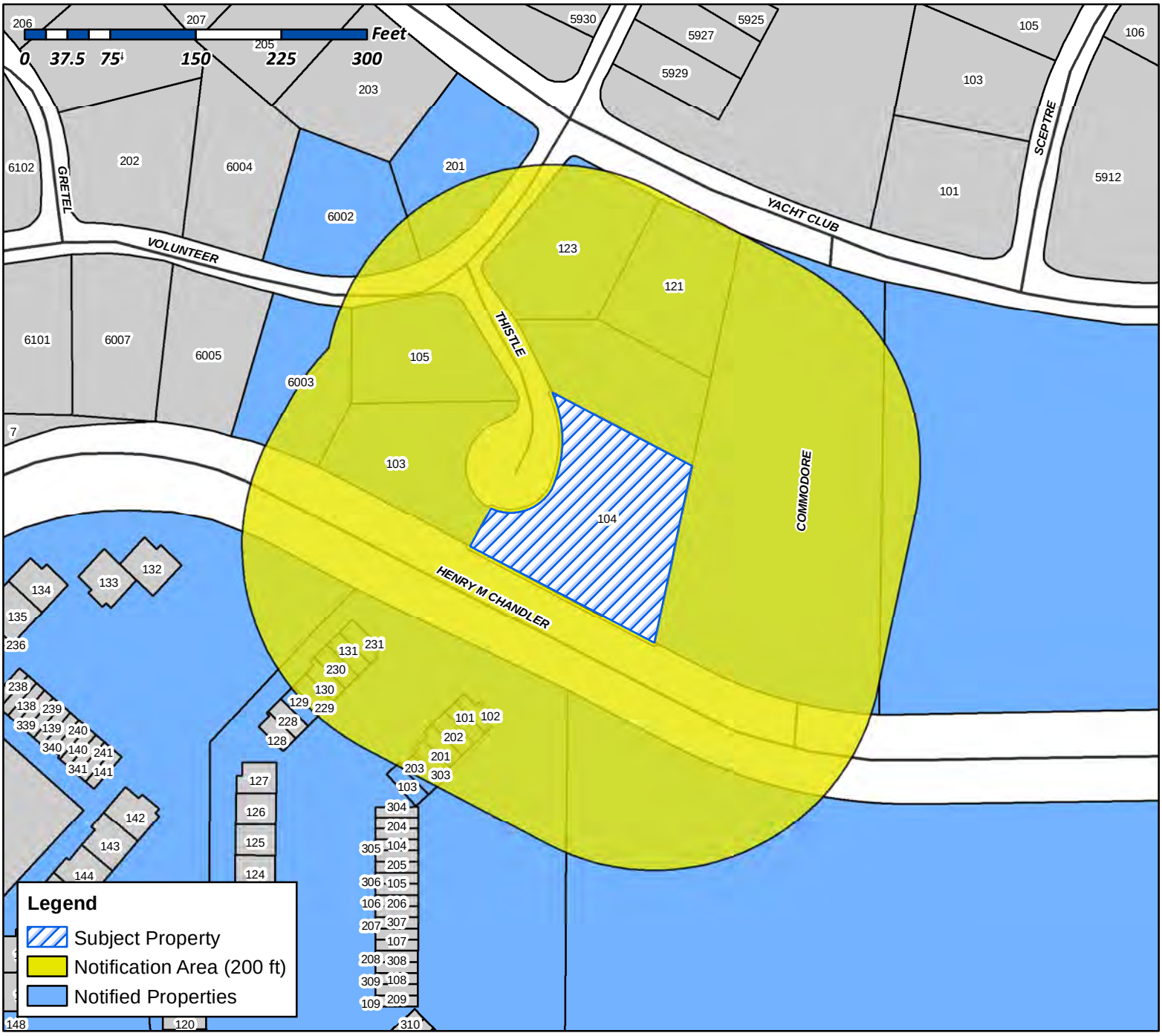
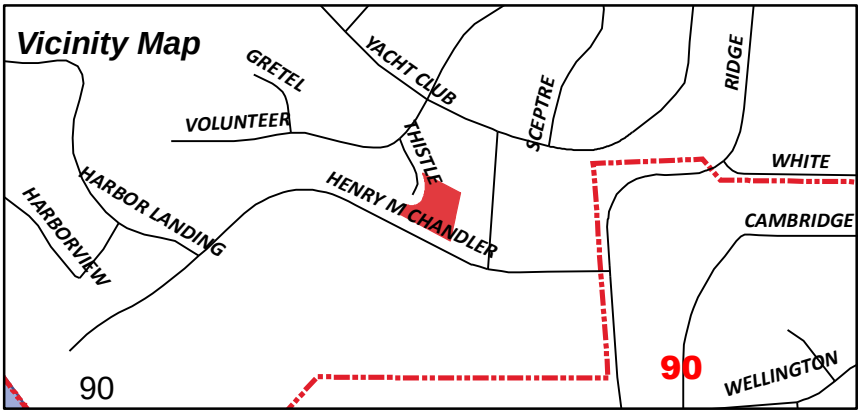


Case Number: P2014-017
Case Name: Chandler's Landing Ph 16
Case Type: Replat
Zoning: PD-8
Case Address: 104 Thistle



Date Created: 08/25/2014

For Questions on this Case Call (972) 771-7745

Reference No.	Name	Legal Description	Address 1	Address 2	Address 3	City	State	Zip
4995-000A-0103-00-0R	SHIVERS MARGARET ANN	SPYGLASS HILL #1 UNIT 103 BLDG A 1.75% OWNERSHIP OF COMMON AREA		103 HENRY M CHANDLER DR		ROCKWALL	TX	75032
3320-000A-0006-00-0R	FISHER TED Y	CHANDLERS LANDING #7, BLOCK A, LOT 6		103 THISTLE PL		ROCKWALL	TX	75032
3320-000A-0001-00-0R	ELLISTON DANIEL MARK	CHANDLERS LANDING #7, BLOCK A, LOT 1		121 YACHT CLUB DRIVE		ROCKWALL	TX	75032
4995-000I-0229-00-0R	WEBSTER MARY ANN	SYPGLASS HILL # 1 UNIT 229 BLDG I 0.040 AC 1.34% OWNERSHIP OF COMMON AREA		14621 LAKECREST DR		ADDISON	TX	75001
3320-000B-0001-00-0R	MACFARLANE VICTOR L TRUST	CHANDLERS LANDING #7, BLOCK B, LOT 1	VICTOR B & THADERINE D MACFARLANE TRUSTEES	201 SPEAR ST	FL 14	SAN FRANCISCO	CA	94105
4995-000I-0131-00-0R	CHOATE ELAINE M	SYPGLASS HILL # 1 UNIT 131 BLDG I 0.060 AC 1.75% OWNERSHIP OF COMMON AREA		206 RAINBOW CIR		ROCKWALL	TX	75032
3320-000A-0023-00-0R	PARKS TODD & DENISE	CHANDLERS LANDING #7, BLOCK A, LOT 4		2861 RIDGE ROAD	SUITE 111	ROCKWALL	TX	75032
4995-000A-0202-00-0R	CLARKE JUSTIN R &	SPYGLASS HILL #1 UNIT 202 BLDG A 1.75% OWNERSHIP OF COMMON AREA	CLIFF S EDGAR	301 HARBOR LANDING DR		ROCKWALL	TX	75032
4995-000A-0303-00-0R	ANDERSON MARK ANDREAS	SPYGLASS HILL #1, UNIT 303, BLDG A, 0.060 AC, 1.75% OWNERSHIP OF COMMON AREA		303 HENRY M CHANDLER DR		ROCKWALL	TX	75032
3320-000A-0007-00-0R	PETTY DENISE J	CHANDLERS LANDING #7, BLOCK A, LOT 7		3225 TURTLE CREEK BLVD	APT. 1045	DALLAS	TX	75219
4995-000A-0201-00-0R	ROFFINO MARY T	SPYGLASS HILL #1 UNIT 201 BLDG A 1.75% OWNERSHIP OF COMMON AREA	FAMILY INVESTMENTS I LTD	4620 CLUB ESTATE PL		MESQUITE	TX	75150
4995-000A-0101-00-0R	NIGH PHILLIP S & LINDA M	SPYGLASS HILL #1 UNIT 101 BLDG A 0.060 AC 1.75% OWNERSHIP OF COMMON AREA		489 BENDING OAKS TR		ROCKWALL	TX	75087
4995-000A-0203-00-0R	LIECHTY FAMILY PARTNERSHIP LP	SPYGLASS HILL #1 UNIT 203 BLDG A 0.060 AC 1.75% OWNERSHIP OF COMMON AREA		502 TERRY LN		HEATH	TX	75032
3320-000B-0012-00-0R	COLLICHIO STEVEN JAMES	CHANDLERS LANDING #7, BLOCK B, LOT 12		6002 VOLUNTEER PL		ROCKWALL	TX	75032
3320-000A-0008-00-0R	DALY PETER H & CARLA S BRICE	CHANDLERS LANDING #7, BLOCK A, LOT 8		6003 VOLUNTEER PL		ROCKWALL	TX	75032
3320-000A-0002-00-0R	BLASSINGAME KENNETH E ETUX	CHANDLERS LANDING #7, BLOCK A, LOT 2 & PT 3		6227 HIGHGATE LN		DALLAS	TX	75214
4995-000I-0130-00-0R	HAYS DANNY W & JOAN	SPYGLASS HILL #1, UNIT 130, BLDG I, .060 AC, 1.75% OWNERSHIP OF COMMON AREA		639 STAFFORD CIR		ROCKWALL	TX	75087
4995-000A-0102-00-0R	WOODARD JEFF	SPYGLASS HILL #1 UNIT 102 BLDG A 0.060 AC 1.75% OWNERSHIP OF COMMON AREA		7716 CIRCLEVIEW CT		PLANO	TX	75025
4995-000I-0129-00-0R	ROCKWALL HOMES LLC	SPYGLASS HILL #1 UNIT 129 BLDG I 0.040 AC 1.34% OWNERSHIP OF COMMON AREA	C/O SAUNDRA HOLLAND	909 CULLINS RD		ROCKWALL	TX	75032
0207-0000-0134-00-0R	CHANDLERS LANDING COMMUNITY ASSOC	A0207 E TEAL, TRACT 134, ACRES 3.141, (PT OF 4.263 AC TR		PO BOX 638		ROCKWALL	TX	75087
4996-0000-0000-00-0R								
4995-0000-0000-00-0R								

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. P2014-017: Chandlers Landing Phase 7

Hold a public hearing to discuss and consider a request by Joe Allman of Inner Urban Homes, Inc. for the approval of a replat for Lots 24 & 25, Block A, Chandler's Landing Phase 7 Installment Two Addition, being a 0.49-acre parcel of land currently identified as Lot 23, Block A, Chandler's Landing Phase 7 Installment Two Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for residential land uses, located at 104 Thistle Place, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 9/9/2014 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 9/15/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

JoDee Sanford
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/15/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

- - - PLEASE RETURN THE BELOW FORM - - -

104 Thistle

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

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Case No. P2014-017: Chandlers Landing Phase 7

Hold a public hearing to discuss and consider a request by Joe Allman of Inner Urban Homes, Inc. for the approval of a replat for Lots 24 & 25, Block A, Chandler's Landing Phase 7 Installment Two Addition, being a 0.49-acre parcel of land currently identified as Lot 23, Block A, Chandler's Landing Phase 7 Installment Two Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for residential land uses, located at 104 Thistle Place, and take any action necessary.

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Robert LaCroix, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. P2014-017: Chandlers Landing Phase 7

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

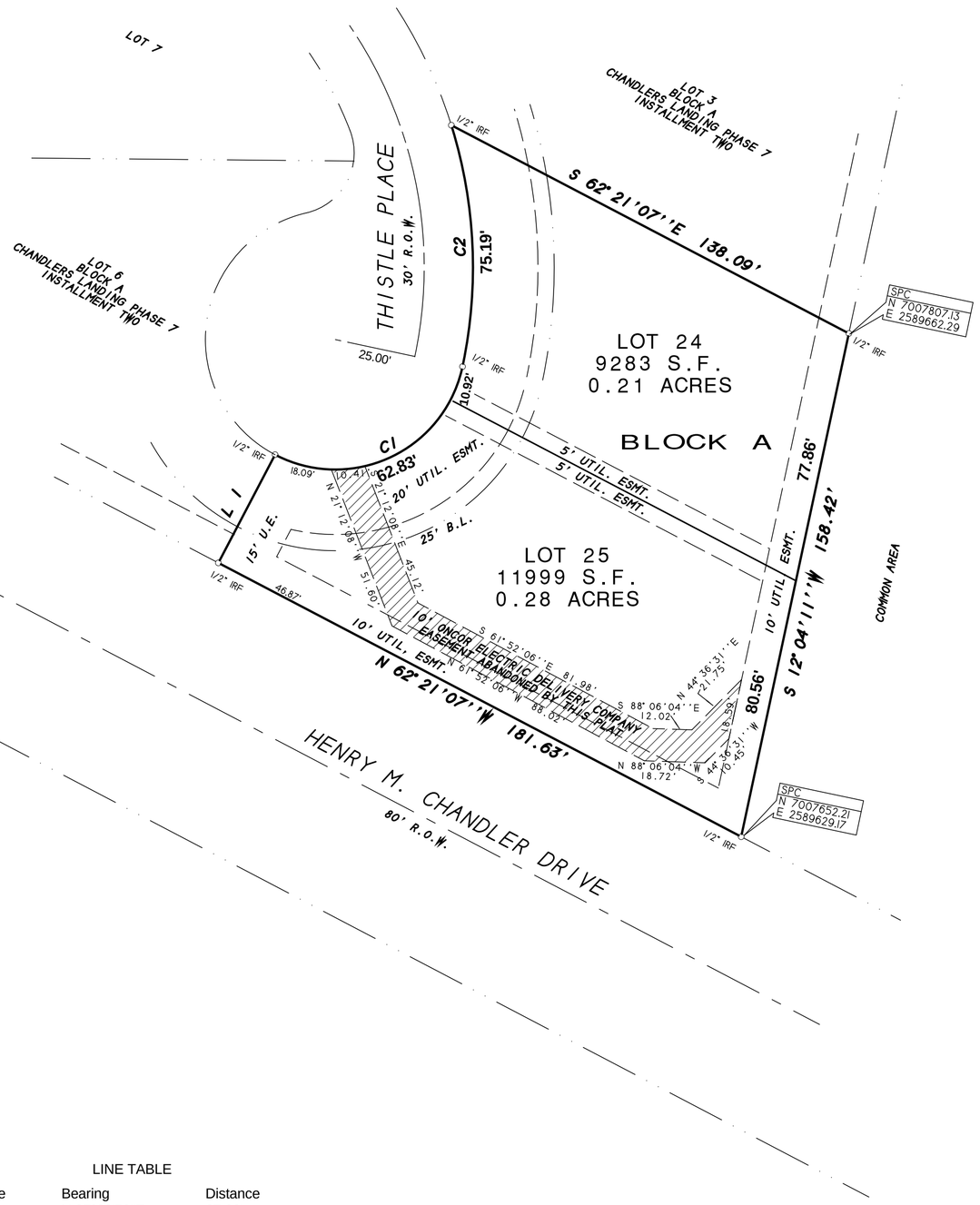
The Chandlers Landing Community Association has no objection to the lots being re-platted back to their original platting.

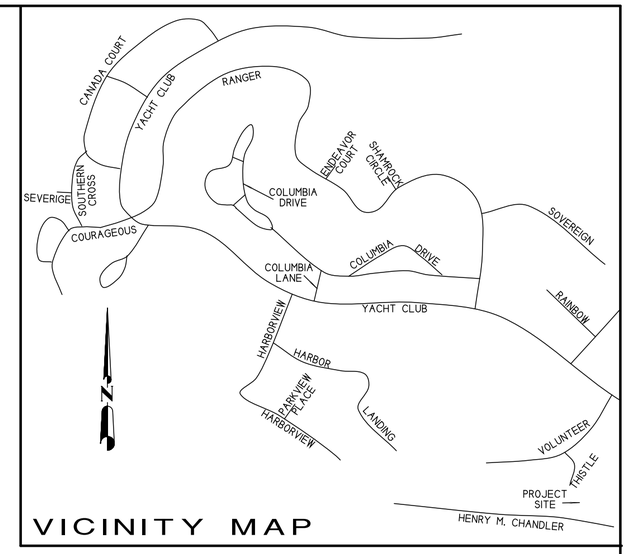
Name: Kama Roux, Community Manager - 972-771-1593

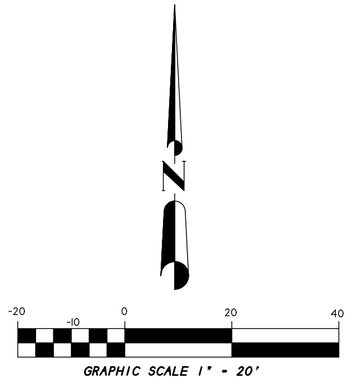
Address: 1 Commodore Plaza, Rockwall, TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE







LINE TABLE

Line	Bearing	Distance
1	N 27°38'53"E	37.60'

CURVE TABLE

Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
1	105°38'37"	40.00	73.75	52.74	63.74	N 64°49'24"E
2	29°18'22"	147.00	75.19	38.44	74.37	N 2°38'53"W

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0040L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

FINAL PLAT

LOTS 24 & 25, BLOCK A CHANDLERS LANDING PHASE 7 INSTALLMENT TWO

BEING A REPLAT OF LOTS 4 & 5, BLOCK A
CHANDLERS LANDING PHASE 7
INSTALLMENT TWO

0.49 ACRES OR 21,281 S.F.
(2 LOTS)

E. TEAL SURVEY, A-207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
INTER URBAN HOMES, INC
JOE ALLMAN, PRESIDENT
519 IH 30
SUITE 110
ROCKWALL, TEXAS 75087

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (CORNER)
FENCE	EASEMENT LINE		A/C AIR COND. UNIT	PROPANE TANK

PROPERTY LINES

SURVEY DATE AUGUST 1, 2014
SCALE 1" = 30' FILE # 20130173-RP2
CLIENT INTER URBAN

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CITY CASE NO.

94

STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE
(Public Dedication)

WHEREAS, INTER URBAN HOMES, INC, BEING the Owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING all of Lots 4 and 5, Block A, CHANDLERS LANDING, PHASE 7, INSTALLMENT TWO, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 234, of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the curving right-of-way line of Thistle Place, a 40 foot radius right-of-way, said point being at the northwest corner of said Lot 4, Block A;

THENCE S. 62 deg. 21 min. 07 sec. E. along the north boundary line of Lot 4, a distance of 138.09 feet to a 1/2" iron rod found for corner;

THENCE S. 12 deg. 04 min. 11 sec. W. along southeast line of Lot 4 and Lot 5, a distance of 158.42 feet to a 1/2" iron rod found for corner at the southeast corner of Lot 5;

THENCE S. 62 deg. 21 min. 07 sec. W. along the south line of Lot 5, a distance of 181.63 feet to a 1/2" iron rod found for corner at the southwest corner of Lot 5;

THENCE N. 27 deg. 38 min. 53 sec. E. a distance of 37.60 feet to a 1/2" iron rod found for corner in the curving south right-of-way line of Thistle Place;

THENCE in a northeasterly direction along a curve to the left having a central angle of 105 deg. 38 min. 37 sec., a radius of 40.00 feet, a tangent of 52.74 feet, a chord of N. 64 deg. 49 min. 24 sec. E., 63.74 feet, along said right-of-way line, an arc distance of 73.75 feet to a 1/2" iron rod found for corner;

THENCE in a northeasterly direction along a curve to the right having a central angle of 29 deg. 18 min. 22 sec., a radius of 147.00 feet, a tangent of 38.44 feet, a chord of N. 02 deg. 38 min. 53 sec. W., 74.37 feet, along said right-of-way line, an arc distance of 75.19 feet to the POINT OF BEGINNING and containing 21,281 square feet or 0.49 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner of the land shown on this plat, and designated herein as FINAL PLAT LOTS 24 & 25, BLOCK A, CHANDLERS LANDING PHASE 7, INSTALLMENT TWO an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th eir respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exaction's made herein.

_____
for INTER URBAN HOMES, INC
JOE ALLMAN, PRESIDENT

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared JOE ALLMAN known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

_____
Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of FINAL PLAT LOTS 24 & 25, BLOCK A CHANDLERS LANDING PHASE 7, INSTALLMENT TWO, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of_____ ,_____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____ ,_____.

_____ _____
Mayor, City of Rockwall City Secretary City of Rockwall

_____ _____
City Engineer Date

FINAL PLAT
LOTS 24 & 25, BLOCK A
CHANDLERS LANDING PHASE 7
INSTALLMENT TWO

BEING A REPLAT OF LOTS 4 & 5, BLOCK A
CHANDLERS LANDING PHASE 7
INSTALLMENT TWO

0.49 ACRES OR 21,281 S.F.
(2 LOTS)

E. TEAL SURVEY, A-207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
INTER URBAN HOMES, INC
JOE ALLMAN, PRESIDENT
519 IH 30
SUITE 110
ROCKWALL, TEXAS 75087

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC ELEC BOX SUBSURFACE JUNCTION BOX	WV WATER METER	LP LIGHT POLE	1/2" IRF 1/2" IRF BOX RXD FOUND (CORNER)
FENCE	EASEMENT LINE PROPERTY LINES		A/C AIR COND. UNIT	PROPANE TANK

SURVEY DATE AUGUST 1, 2014
SCALE 1" = 30' FILE # 20130173-RP2
CLIENT INTER URBAN

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CITY CASE NO. P

95

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96

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

FROM: Ryan Miller, *Planning Manager*

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning*

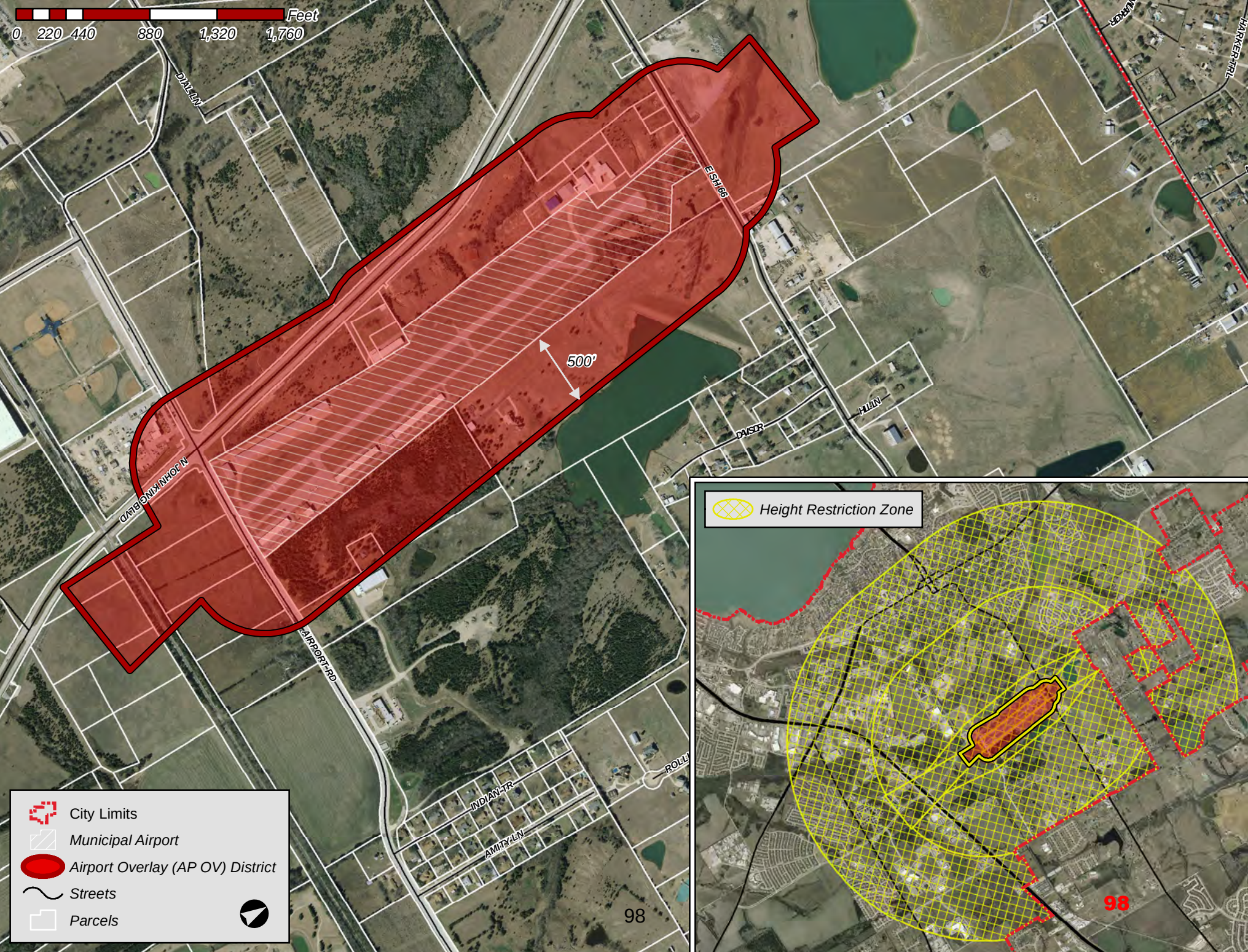
DATE: September 15, 2014

SUBJECT: Z2014-022: Airport Overlay (AP OV) District

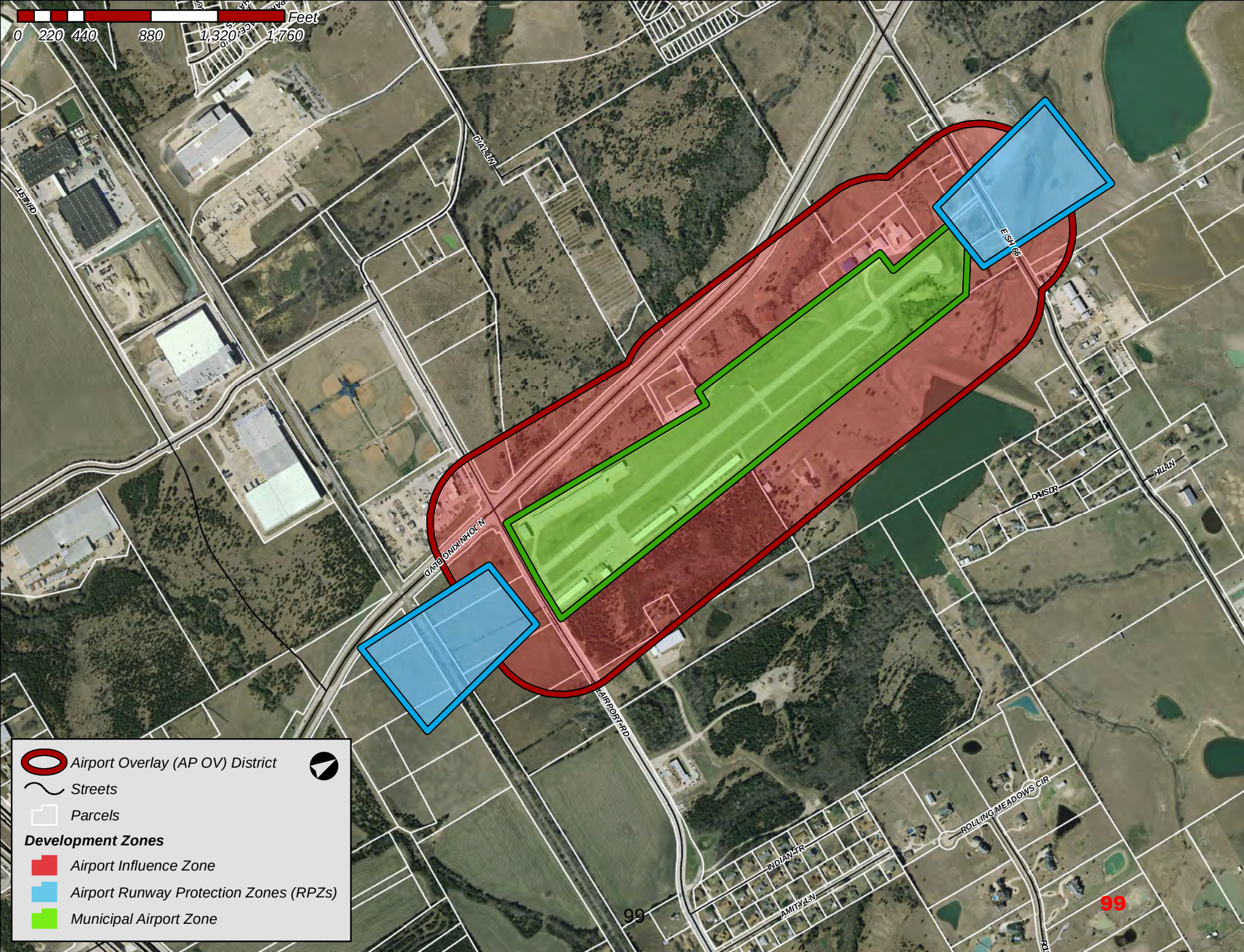
At their regularly scheduled meeting on September 9, 2014, the Airport Zoning Commission (*Planning and Zoning Commission*) voted 7-0 to recommend approval of the 500-foot boundary proposed by the Airport Subcommittee, and forward the attached land use regulations and development standards for an Airport Overlay (AP OV) District to the City Council. The document was prepared in accordance with Chapter 241, *Municipal and County Zoning Authority Around Airports*, of the Texas Local Government Code, which enables municipalities to draft land use restrictions for properties adjacent to airports -- which are used in the interest of the general public -- to prevent the creation of an airport hazard (§214.012). In addition, the document has been reviewed by the Aviation Department at the Texas Department of Transportation (TXDOT) for compliance to all applicable standards, and all comments have been addressed.

On August 29, 2014, staff sent out 35 notices to property owners and residents within 500-feet of the subject property. At the time this case memo was drafted staff had received one (1) email in support of the request, one (1) email in opposition to the request, and four (4) notifications returned in opposition of the request. *City staff has no knowledge of any Homeowner's Associations or Neighborhood Organizations located within 1,500-feet of the subject property.* Additionally, Mr. Bill Bricker acting on behalf of Rockwall Property Corporation stated his opposition to the request at the Planning and Zoning Commission meeting on September 9, 2014. Staff has prepared a *For/Against Map* showing all support/opposition to the zoning change. Since the opposition to this case exceeds 20% of the total land area located within the 200-foot buffer, this case will require a ¾-majority vote by the City Council in accordance with the requirements of §211.006 of the Texas Local Government Code.

Should the text amendment be approved, it will be inserted into the UDC as Section 6.16, *Airport Overlay (AP OV) District*, of Article V, *District Development Standards*. This case is a public hearing and staff will be available to answer any questions.



Feet
0 220 440 880 1,320 1,760
DIAL LN
E SH 66
500'
N JOHN KING BLVD
AIRPORT RD
INDIAN TR
AMITY LN
HARKER TRL
HILL LN
DAVIS DR
City Limits
Municipal Airport
Airport Overlay (AP OV) District
Streets
Parcels
Height Restriction Zone
98
98



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DIAL LN
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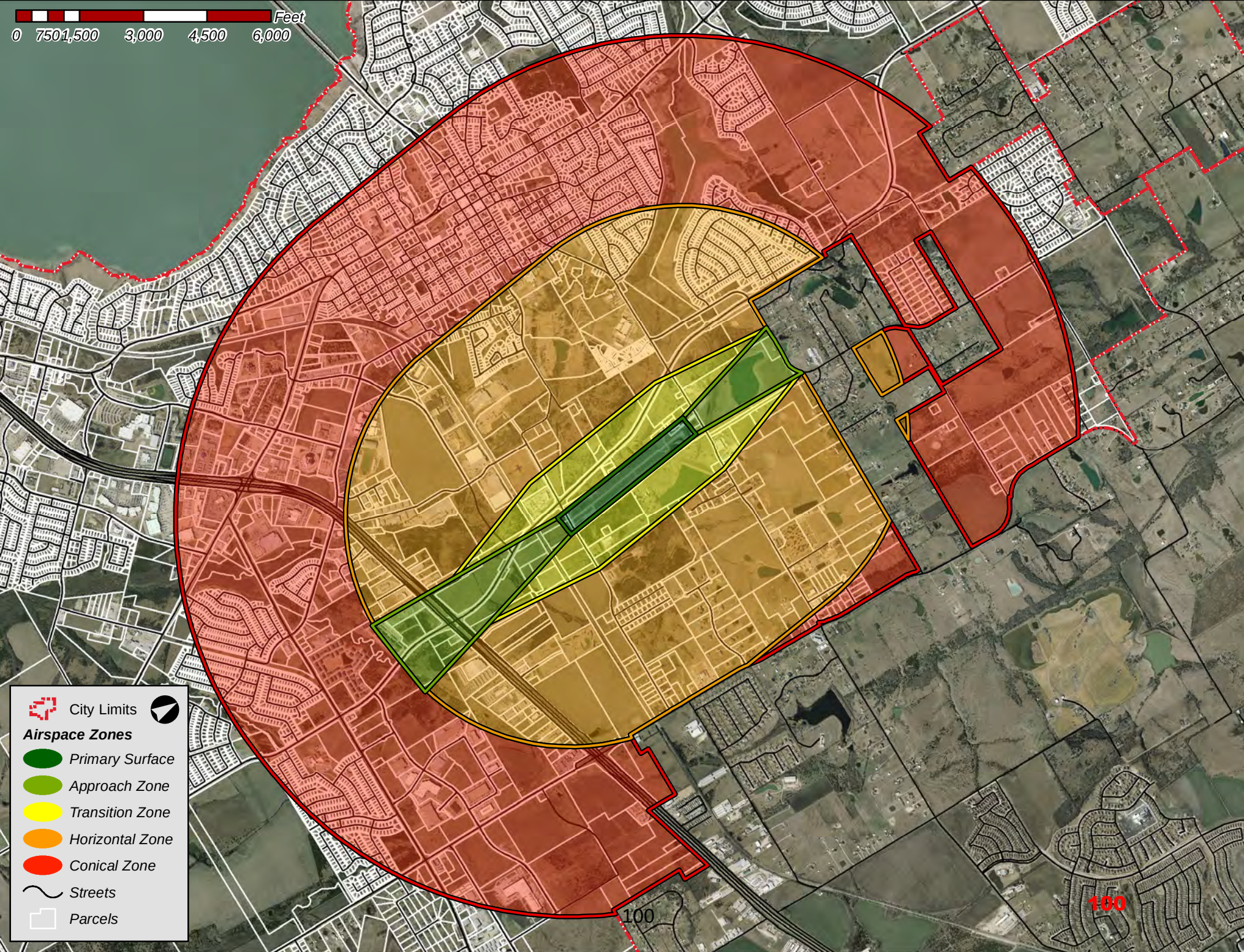
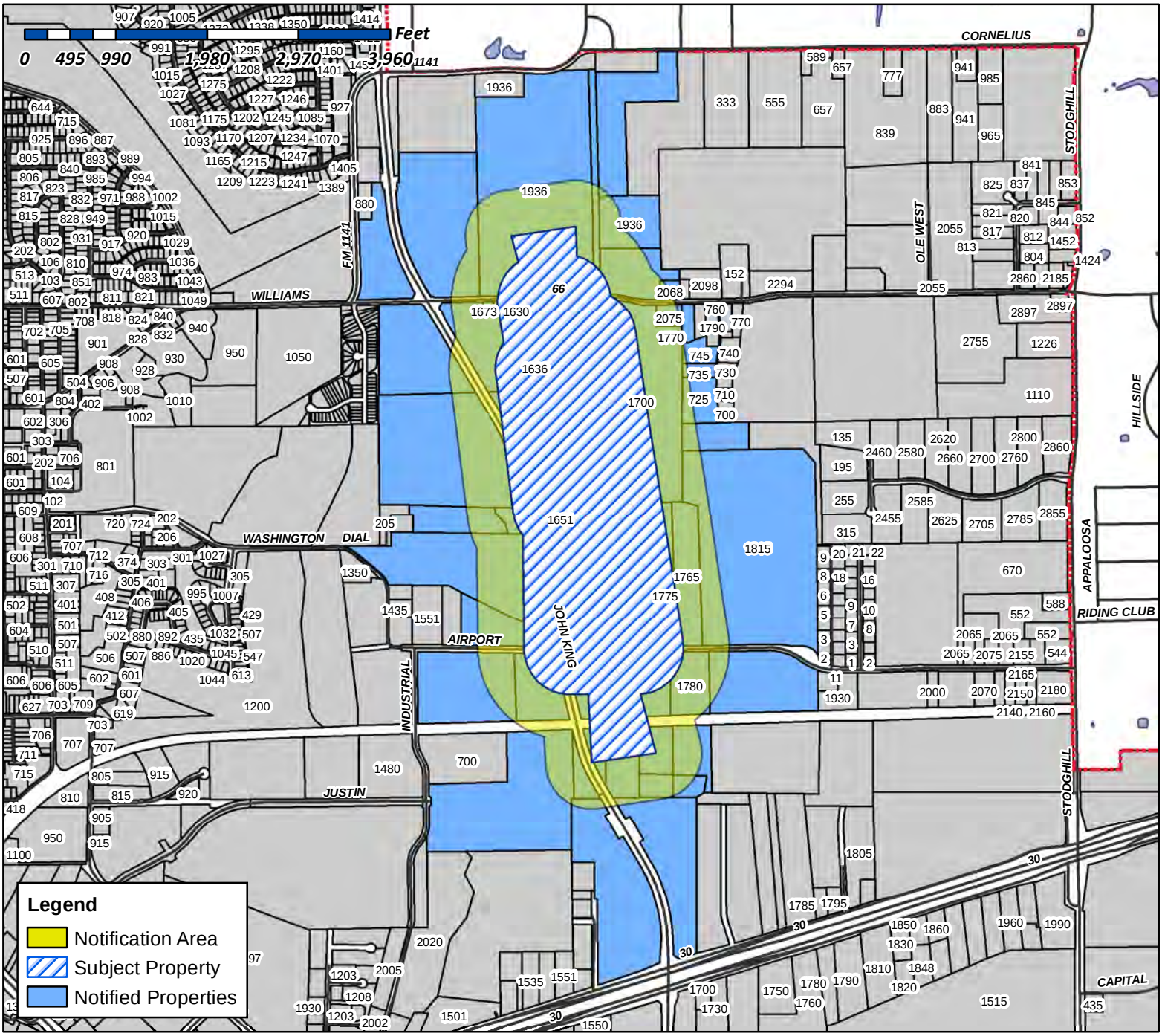
DAVIS DR
HILL LN
ROLLING MEADOWS CIR
INDIAN TR
AMITY LN
Airport Overlay (AP OV) District
Streets
Parcels
Development Zones
Airport Influence Zone
Airport Runway Protection Zones (RPZs)
Municipal Airport Zone


0 750 1,500 3,000 4,500 6,000
Feet
City Limits
Airspace Zones
Primary Surface
Approach Zone
Transition Zone
Horizontal Zone
Conical Zone
Streets
Parcels
100
100

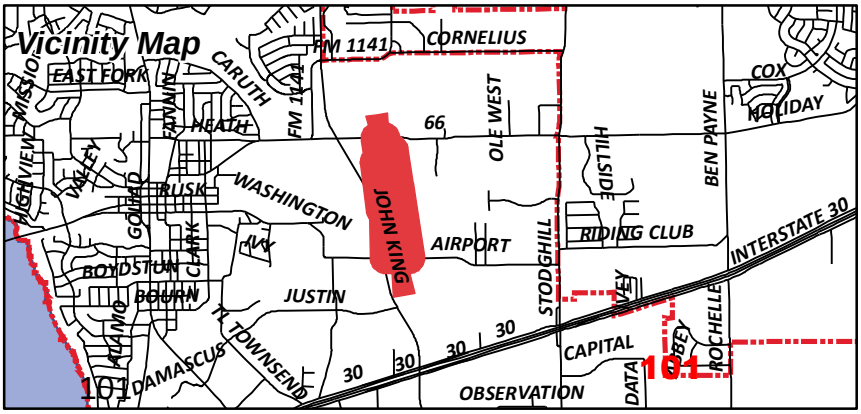
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Case Number: Z2014-022
Case Name: Airport Overlay
Case Type: Zoning
Zoning: AP OV
Case Address: Municipal Airport



Date Created: 08/21/2014

For Questions on this Case Call (972) 771-7745

KINGSLEY VINCE
PO BOX 1975
ROCKWALL, TX 75087

DILLENDER ROBERT O & SHERY
PO BOX 2016
ROCKWALL, TX 75087

FUNK JOSEPH
6623 ROYAL CREST DR
DALLAS, TX 75230

ROCKWALL PROPERTY CORPORATION
ATTN BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

ROCKWALL ECONOMIC DEVELOPMENT
PO BOX 968
ROCKWALL, TX 75087

Current Occupant
1651 AIRPORT RD
ROCKWALL, TX 75087

PEOPLES MIKE L
PO BOX 41
ROCKWALL, TX 75087

EDWARDS VINCENT & RITA
2068 STATE HIGHWAY 66
ROCKWALL, TX 75087

ATHEY JACKIE RAY
1780 AIRPORT RD
ROCKWALL, TX 75087

ATHEY JO ANN
PO BOX 219
LAVON, TX 75166

ATHEY BOBBY FRANK
517 MAYFIELD AVE
GARLAND, TX 75041

MARSHALL JULIE CATHERINE ETAL
1125 S BROADWAY AVE
TYLER, TX 75701

RBB/GCF PROPERTIES LP
P O BOX 1526
AUSTIN, TX 78767

PEOPLES MICHAEL L JR AND
SHERYL NEWMAN PEOPLES
1700 STATE HIGHWAY 66
ROCKWALL, TX 75087

Current Occupant
2075 WILLIAMS
ROCKWALL, TX 75087

Current Occupant
745 DAVIS DR
ROCKWALL, TX 75087

RAINES SHERYL
PO BOX 412
ROCKWALL, TX 75087

DAVIS HETTIE RACHEL
1250 EN 10TH ST 0
ABILENE, TX 79601

Current Occupant
725 DAVIS DR
ROCKWALL, TX 75087

Current Occupant
735 DAVIS DR
ROCKWALL, TX 75087

Current Occupant
1770 HWY66
ROCKWALL, TX 75087

HOLLIMAN ANDREA J
332 SHEPARDS HILL
ROCKWALL, TX 75087

Current Occupant
1815 AIRPORT RD
ROCKWALL, TX 75087

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

TOMLIN MICHAEL E JR & DONYA B
700 DAVIS DR
ROCKWALL, TX 75087

ATHEY JACK R
1775 AIRPORT RD
ROCKWALL, TX 75087

Current Occupant
1765 AIRPORT RD
ROCKWALL, TX 75087

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

Current Occupant
1936 HWY 66
ROCKWALL, TX 75087

CULLINS JANE
775 JEFF BOYD RD
ROCKWALL, TX 75032

TEMUNOVIC PARTNERSHIP LTD
201 LAURENCE DRIVE 0
HEATH, TX 75032

Current Occupant
1673 HWY66
ROCKWALL, TX 75087

Current Occupant
1630 WILLIAMS
ROCKWALL, TX 75087

V F B FAMILY LTD PARTNERSHIP &
D V B FAMILY LTD PARTNERSHIP
2421 KATHRYN DR
HEATH, TX 75032

Current Occupant
1636 WILLIAMS
ROCKWALL, TX 75087

TEXAS SPECIALTY UNDERWRITERS INC
510 TURTLE COVE BLVD 0
ROCKWALL, TX 75087

PEOPLES BILLY W
PO BOX 35
ROCKWALL, TX 75087

103

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-022: Airport Overlay (AP OV) District

Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text amendment to Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of creating and implementing an Airport Overlay (AP OV) District, which will be applicable for the Ralph M. Hall/Rockwall Municipal Airport property, and for all properties located within 500-feet of the airport property and/or located within the Airport's Runway Protection Zones as defined by AC150/5300-13A, Airport Design, of the FAA standards, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 9/9/2014 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 9/15/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/15/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-022: Airport Overlay (AP OV) District

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

No major impact to our property.

Name: Jane Cullins

Address: 775 Jeff Boyd Rd. Rockwall 75032

214-683-7697

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Miller, Ryan

From: Sanford, JoDee on behalf of Planning
Sent: Tuesday, September 02, 2014 10:07 AM
To: Miller, Ryan
Subject: FW: Airport Overlay

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | http://www.rockwall.com

From: Pat Roan Athey
Sent: Tuesday, September 02, 2014 10:02 AM
To: Planning
Subject: RE: Airport Overlay

See below

From:
To:
Subject: Airport
Date: Tue, 2 Sep 2014 09:45:35 -0500

City of Rockwall

Brad Griggs RE: Bobby F. Athey's Aiprort Rd Property right in front of the entrance to airport and all the way back to l/10

mile off I-30 on John King Blvd, back to behind Jackie Athey.
16.44 acres total, for sale for $1.79 sf.

09-02-14

What is the Overlay about if the plans to expand the airport have been called off? I hardly know what to tell our realtor anymore. She wanted us to declare the City's plans before she would sign on to sell it for us and I told her a while back Sherri said you are no longer interested in purchasing our land, as the Airport was not going to be expanded, after keeping us dangling for 2 years that you were interested and had ask us not to sell it to anybody else.
Seems all the damages of that overlay would cost you more than purchasing that property from us out right. Bob is now 80 years old and you know, we do not plan on cutting down any trees or lowering anything. I would think there is some sort of grandfather clause that protect farmers who own land there since 1946 and your airport came in around 1963 and damaged our property considerably ever since . It is not our place to keep you a clear runway view. If you want an airport there, which you told us a few months ago

you did not, you are going to have to purchase our land. I see on line where people are fighting this in other towns and will not let city's even cut down trees that the city already owns. Also city's have clear cut proeprty and left it lay for years. All obviously not good for the citizens, only good for the airport.

Pat
517 Mayfield Ave
Garland TX 75041

214-616-8946

PLEASE RETURN THE BELOW FORM

Case No. Z2014-022: Airport Overlay (AP OV) District

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

NO. This proposed zoning change will place onerous restrictions and cause irreparable harm to our farmland which has been in our family since 1946, long before the airport was there. It appears to be a "back door" attempt to take our property without compensation.

Name: Jo Ann Athey

Address: PO BOX 219 Lavon, Texas 75166

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NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

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Case No. Z2014-022: Airport Overlay (AP OV) District

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

The restrictions that this proposed zoning change imposes will greatly restrict what can be built on our property. We will be damaged. I am very much against this zoning change proposal to "Airport Overlay."

Name: Julie Marshall, et al

Address: 1208 S. Broadway Tyler, Tx 75701

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

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Case No. Z2014-022: Airport Overlay (AP OV) District

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

Private property being taken for public use, without just compensation.
Unreasonable searches and seizures.
Security in our persons, houses, papers and effects.
Privacy.

Name: Jack R. Athey

Address: 1780 Airport Road, Rockwall TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2014-022: Airport Overlay (AP OV) District

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

If you want to control it, You are going to have to pay it. The property is For Sale 16.44 acres at $1.79 S.F. To Damaging to existing, Sale agreement with any Realor.

Name: Bobby Athey

Address: 517 Mayfield Ave Garland tx 75041

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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City of Rockwall

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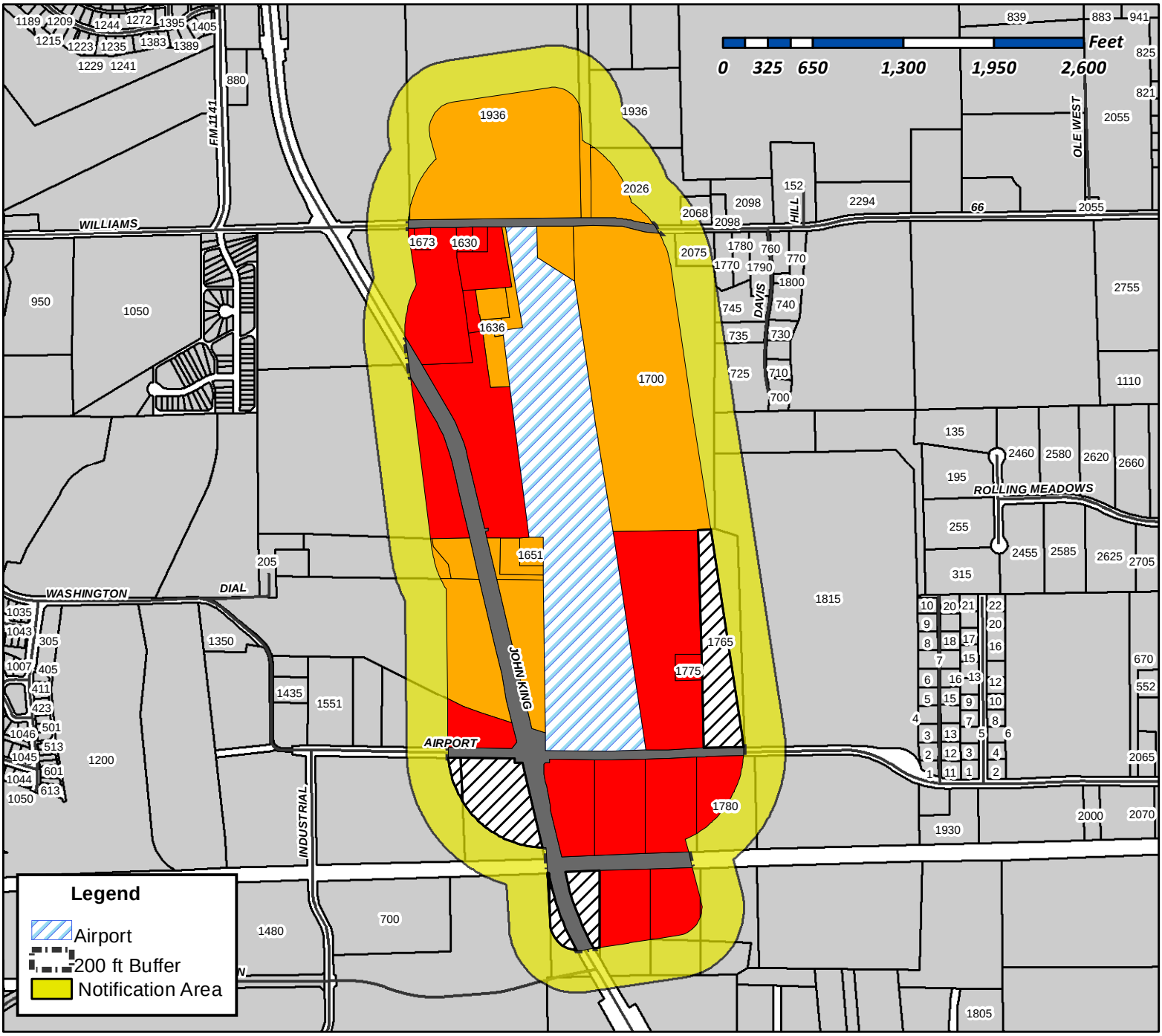


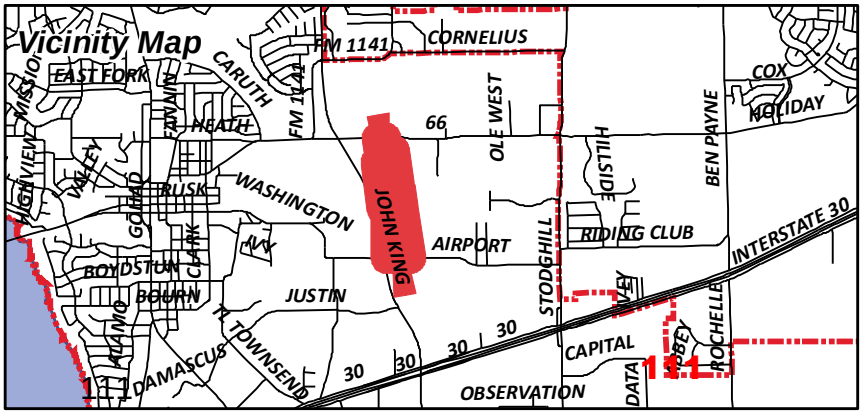
Against (39.22 %)

No Response (42.32 %)

For (0.004 %)

ROW (10.34 %)

City (8.12 %)



Date Created: 09/09/2014

For Questions on this Case Call (972) 771-7745

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY ADDING SECTION 6.16, *AIRPORT OVERLAY (AP OV) DISTRICT*, OF ARTICLE V, *DISTRICT DEVELOPMENT STANDARDS*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to add Section 6.16, *Airport Overlay (AP OV) District*, of Article V, *District Development Standards*; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That Section 6.16, *Airport Overlay (AP OV) District*, shall be added to Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'A'* of this ordinance.

Section 2. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 3. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 4. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF OCTOBER, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *September 15, 2014*

2nd Reading: *October 6, 2014*

Sec. 6.16. Airport Overlay (AP OV) District.

Note: This document was prepared using FAA guidelines as of June 23, 2014 and using AC150/5300-13A [issued on September 28, 2012].

A. ***Purpose.*** The purpose of this district is to provide both airspace protection and land use compatibility with airport operations at the Ralph M. Hall/Rockwall Municipal Airport. This district, through establishment of airport zones and corresponding regulations, provides for independent review of development proposals in order to promote the public interest in safety, health and general welfare of the City of Rockwall. Therefore, the City of Rockwall deems it necessary to regulate uses of land located within or near the traffic patterns of the airport through regulation of height of structures and objects of natural growth, andthrough the regulation of land uses within the Airport Overlay (AP OV) District.

B. ***Airport Zones.*** In order to implement the intent of this ordinance, the Airport Overlay (AP OV) District hereby includes the following three (3) exhibits that depict the zones withinthe controlled area and shown on the official zoning map as depicted in *Exhibit 'A'*:

- ☑ Airport Overlay (AP OV) District Boundaries (*see Exhibit 'A'*)
- ☑ Development Zones within the Airport Overlay (AP OV) District (*see Exhibit 'B'*)
- ☑ Airport Airspace Zones Boundaries (*see Exhibit 'C'*)

C. ***Permitted Uses.*** All uses otherwise permitted by existing zoning ordinances within the boundaries of the AP OV District are permitted within the district, except where there is a conflict between the AP OV District and the existing zoning ordinances. Where the provisions of the AP OV District are more restrictive, the provisions of the AP OV District shall govern.

D. ***Controlled Area.*** The area within which airport land use compatibility controls may be instituted, as defined by *Section 241, Municipal and County Zoning Authority Around Airports,* of the *V.T.C.A., Texas Local Government Code,* shall be defined as the controlled area. The controlled area is located outside the Airport boundaries and within an area measured no farther than one and one-half (1½) statute miles from the centerline of the Ralph M. Hall/Rockwall Municipal Airport runway and lies no farther than five (5) statute miles from each end of the paved surface of the runway.

E. ***Airspace Zones.*** The following *Airspace Zones* are hereby established and set forth (*see Exhibit 'B' & Figure 1.1 [below]*):

1. *Primary Surface.* The *Primary Surface* is a surface that is longitudinally centered on the runway. It extends 200-feet beyondthe end of each runway and 250-feet on either side of the centerline of the runway for a total width of 500-feet (*i.e. a 250-foot side buffer of the runway centerline*).

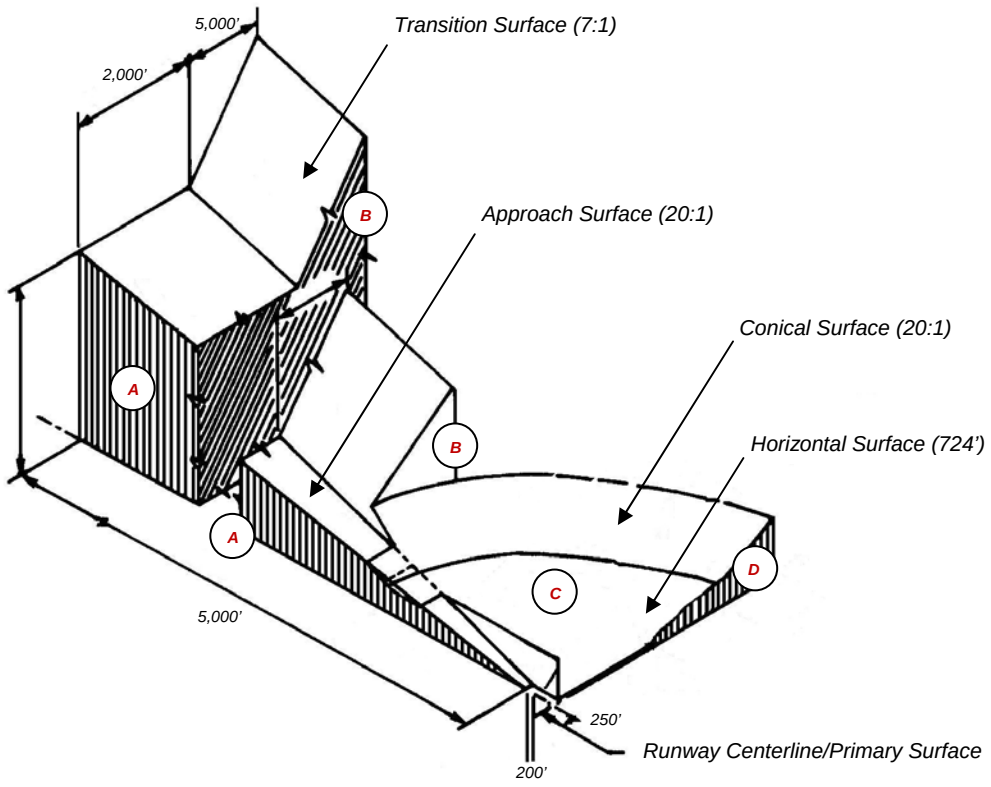
2. *Approach Zone.* The *Approach Zone* is a fan shaped zone that is established at both ends of the runway for the purpose of landings and take-offs. The *Approach Zone* commences at the end of the *Primary Surface* (*i.e. 200-feet beyond the end of the runway*) and has a beginning width of 500-feet. It then extends uniformly along the continuation of the centerline of the runway to a width of 2,000-feet at a distance of 5,000-feet from the point of commencement, and a slope of 20:1 or one (1) foot in height for each 20-feet in horizontal distance *[this is the land area that exists underneath the Approach Surface]*.

3. *Transition Zones.* The *Transition Zones* are symmetrically located on either side of runway, and have variable widths. The *Transition Zones* extend outward and upward commencing from the edge of the *Primary Surface* (*i.e. 250-feet on either side of the centerline of the runway and 200-feet on either end of the runway*), and are parallel and level with the runway centerline. The *Transition Zones* extend upward and outward at slope of 7:1 or one (1) foot vertically for each seven (7) feet horizontally to the point where they intersect the surface of the *Horizontal Zone*. The *Transition Zones* are established adjacent to the *Approach Zones* and extend their entire length. The *Transition Zones* flare symmetrically with either side of the runway*Approach Zone* from the base of said zones and slope upward and outward at the rate of 7:1 or one (1) foot vertically for each seven (7) feet horizontally to the points where they intersect the surface of the *Horizontal Zone* and the *Conical Zone [this is the land area that exists underneath the Transition Surface]*.

4. *Horizontal Zone.* The *Horizontal Zone* consists of the land area within the perimeter of which is constructed by swinging arcs of 5,000-feet from the center of each *Primary Surface*, 200-feet beyond the centerline of each runway and connecting the adjacent arcs by lines of tangent to those arcs. The *Horizontal Zone* does not include the *Approach Zone* and/or the *Transition Zone [this is the land area that exists underneath the Horizontal Surface]*.

5. *Conical Zone.* The *Conical Zone* consists of the land area that commences at the periphery of the *Horizontal Zone* and extends outward for a distance of 4,000-feet, at a 20:1 slope or one (1) foot in height for each 20-feet of horizontal distance. The*Conical Zone* does not include the *Approach Zone* and/or the *Transition Zone [this is the land area that exists underneath the Conical Surface]*.

Figure 1.1: Airspace Zones
***A**: Approach Zone; **B**: Transition Zone; **C**: Horizontal Zone; **D**: Conical Zone*



F. ***Height Limitations.*** Except as otherwise provided in this ordinance, no structure or tree shall be erected, altered, allowed to grow, or be maintained in any zone created above to a height in excess of the limits established herein for each of the imaginary surfaces created by the airspace zones (*Section 77.19, Civil Airport Imaginary Surfaces, FAR)*, which are defined as follows:

1. *Approach Surface.* The *Approach Surface* is the surface that is created by the *Approach Zone*, and is required to prevent existing or proposed objects, objects of natural growth or terrain from extending into the area required for an aircraft's navigable airspace. The *Approach Surface* is the same width as the *Primary Surface* (*i.e. 500-feet*), and has a slope of 20:1 or one (1) foot in height for each 20-feet in horizontal distance commencing at the *Primary Surface* and extending to a point 5,000-feet from the point of beginning.

2. *Transition Surface.* The *Transition Surface* is the surface that is created by the *Transition Zone*, and is required to prevent existing or proposed objects, objects of natural growth or terrain from extending in the area required for an aircraft's navigable airspace. The *Transition Surface* is the surface that extends outward and upward, at right angles to the runway centerline (*at any point 250-feet normal to and at the elevation of the centerline*) and extended runway centerline (*i.e. 200-feet beyond the end of the runway*), from the sides of the *Primary Surface* and the *Approach Surfaces* to a point of 150-feet above the airport elevation (*i.e. 724-feet*) [*the airport elevation is 574-feet above mean sea level*]. The *Transition Surface* has a slope of 7:1 or one (1) foot in height for each seven (7) feet in horizontal distance.

3. *Horizontal Surface.* The *Horizontal Surface* is the surface that is created by the *Horizontal* Zone, and is required to prevent existing or proposed objects, objects of

natural growth or terrain from extending into the area required for an aircraft's navigable airspace. The *Horizontal Surface* is the horizontal plane created by swinging arcs centered on the extended runway centerline where it crosses the *Primary Surface*, and is situated 150-feet above the established airport elevation (*i.e. 724-feet) [the airport elevation is 574-feet above mean sea level],* which coincides with the extent of the *Horizontal Zone*.

4. <u>*Conical Surface.*</u> The *Conical Surface* is the surface that is created by the *Conical Zone*, and is required to prevent existing or proposed objects, objects of natural growth or terrain from extending into the area required for an aircraft's navigable airspace. The *Conical Surface* extends upward and outward from the outer limits or the periphery of the *Horizontal Surface* at a slope of 20:1 or one (1) foot in height for each 20-feet of horizontal distance. The *Conical Surface* extends to a height of 350-feet above the airport's elevation (*i.e. 924-feet*) [*the airport elevation is 574-feet above mean sea level*].

[Where an area is covered by more than one (1) height limitation, the more restrictive limitation shall prevail. Nothing in this ordinance shall be construed as prohibiting the growth, construction or maintenance of any tree or structure to a height up to 45-feet above the surface of the land, except in the Approach Zones.]

G. ***Airport Hazard Area.*** The *Airport Hazard Area* is an area of land or water on which an airport hazard could exist. An *airport hazard* is defined as a structure or object of natural growth that obstructs the airspace required for the taking off, landing, and flight of aircraft or that interferes with visual, radar, radio, or other systems for tracking, acquiring data relating to, monitoring, or controlling aircraft. For the purposes of this ordinance, the *Airport Hazard Area* is defined as the entirety of all the imaginary surfaces stated in Section G, *Height Limitations*, of this ordinance (*see Exhibit 'C'*).

H. ***Airport Overlay (AP OV) District.*** This *Airport Overlay (AP OV) District* is hereby established as the land area owned by the City of Rockwall and held as Ralph M. Hall/Rockwall Municipal Airport, the Airport Runway Protection Zone (RPZs), and a buffer area extending five-hundred (500) feet from all property lines of the Ralph M. Hall/Rockwall Municipal Airport (*see Exhibit 'A'*).

1. *Intent.* The Airport Overlay (AP OV) District is intended to overlay any other zoning district's regulations comprising or pertaining to areas to which it is applicable, to prevent undue negative interaction between aviation activities associated with the airport and the surrounding community. It is intended to protect the lives and property of the users of the airport and of the occupants of the land in its general vicinity by restricting places of public assembly within this Airport Overlay (AP OV) District. The overlay is intended to preserve the utility of the airport and the public investment therein.

2. *Development Zones.* The *Development Zones* are hereby established within the Airport Overlay (AP OV) District. These zones are depicted in *Exhibit 'B'* of this ordinance. The *Development Zones* are defined and described as follows:

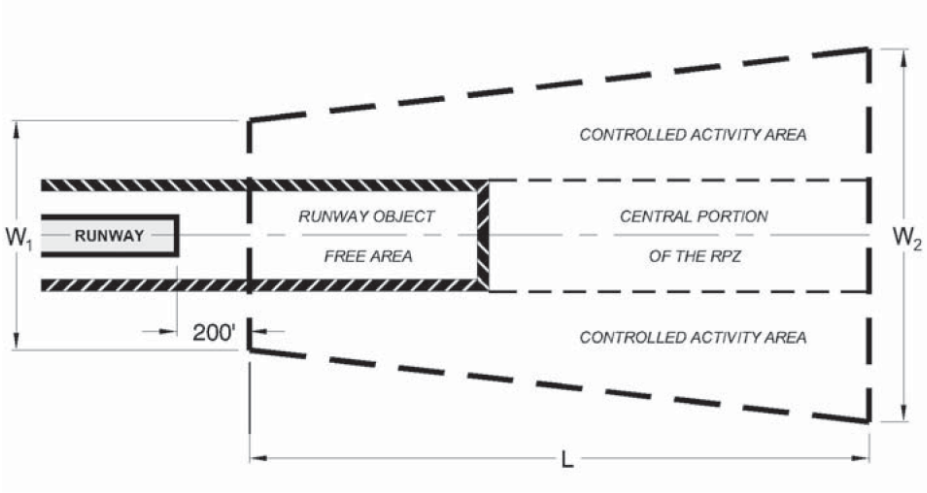
    a. <u>*Airport Runway Protection Zones (RPZs).*</u> The *Airport Runway Protection Zones* are hereby established as the trapezoidal areas centered about the extended runway centerline. The *RPZ* dimensions for a particular runway end are a function of the type of aircraft and approach/departure visibility minimum associated with the runway end. The *RPZs* for the Ralph M. Hall/Rockwall Municipal Airport commence

200-feet from the edge of pavement at the end of each runway, beginning with a base of 500-feet (*i.e. inner width or 'W_1'*), extending 1,000 feet along the runway centerline (*i.e. length or 'L'*), and terminating at the outboard corners of a 700-foot line segment (*i.e. outer width or 'W_2'*) [*see Figure 1.2*], creating a 13.770-acre trapezoidal area, which is intended to service *Aircraft Approach/Departure Categories 'A' & 'B'* (*i.e. small single and multi-engine planes*). Contained within the two (2) trapezoidal areas that make up the *RPZs* are the *Controlled Activity Area* and a portion of the *Runway OFA (Object Free Area)*. These areas are defined as follows:

(1) *The Runway Object Free Area (OFA).* The *Runway Object Free Area (OFA)* is centered on the runway centerline. The *Runway OFA* clearing standard requires clearing the *OFA* of above ground objects protruding above the runway safety area edge elevation. Except where precluded by other clearing standards, it is acceptable to place objects that need to be located in the *OFA* for air navigation or aircraft ground maneuvering purposes and to taxi and hold aircraft in the *OFA*. Objects non-essential for air navigation or aircraft ground maneuvering purposes are not permitted to be placed in the *OFA*. This includes parked airplanes and agricultural operations.

(2) *The Controlled Activity Area.* The *Controlled Activity Area* is the portion of the *RPZ* beyond the boundaries of the *Runway OFA*.

Figure 1.2: Airport Runway Protection Zone (RPZ)



For additional references pertaining to RPZ's, see AC150/5300-13A, Airport Design issued by the FAA on September 28, 2012.

b. *Municipal Airport Zone.* The *Municipal Airport Zone* is hereby established as the real property boundaries of the Ralph M. Hall/Rockwall Municipal Airport. This zone contains the majority of all airport related land uses and structures.

c. *Airport Influence Zone.* The *Airport Influence Zone* contains all areas within the 500-foot buffer excluding the *Municipal Airport Zone* and the *RPZ*.

d. *Height Restriction Zone.* The *Height Restriction Zone* extends to the edge of the *Conical Zone* and is subject only to the requirements stipulated in Section F, *Height Limitations*, of this ordinance (*see Exhibit 'A'*).

3. *Use Restrictions.*

a. *Airport Runway Protection Zone (RPZ) [Runway Object Free Area (OFA) and Controlled Activity Area].* No uses are permitted within the *Runway Object Free Area (OFA)* or the *Controlled Activity Area* unless deemed essential to air navigation or aircraft ground maneuvering purposes by the Federal Aviation Administration (FAA) with the following exceptions:

(1) *Permitted Uses.*

(a) Agriculture (*other than Forestry or Livestock*)

(2) *Specific Use Permit (SUP).*

(a) Roadways, Automobile Parking Areas, and Railroads that Adhere to the Height Restrictions

b. *Municipal Airport Zone.*

(1) *Permitted Uses.*

(a) Aircraft Runways, Taxiways, Taxilanes, Ramps, Parking Areas and Fuel Storage Facilities
(b) Aircraft Operational Facilities (*including but not limited to Instrument Landing Systems, Visual Navigational Aids, and Related Equipment; Communication Facilities; Weather Service Offices And Equipment*)
(c) Hangars (*includes all buildings which may be used for the Storage or Maintenance of Aircraft, Airport Snow Removal, Sweeping and Other Maintenance Equipment, and/or Other Aviation-Related or Ancillary Activities*)
(d) Terminal Buildings (*which may contain Offices or Airline Companies, and Other Businesses and Concessionaires*)
(e) Offices and Facilities for Airport Management, Air Charter, Air Taxi, Crop Spraying, Aircraft Sales or Rentals, and Air Cargo Processing Facilities
(f) Agriculture (*other than Forestry or Livestock*), Tourism Information Centers and Museums
(g) Flight Schools, Flying Clubs, and Other Schools or Training Facilities (*relating to Aviation or Air-Related Transportation*)
(h) Offices and Facilities for the Operation and Maintenance of Air Rescue, Emergency and Firefighting Services
(i) Aircraft Maintenance, Manufacturing, and Testing Facilities
(j) Offices and Facilities of Federal, State and Local Government Entities

(2) *Prohibited Uses.*

(a) No uses other than those uses explicitly permitted above.

c. *Airport Influence Zone.* All uses permitted within the underlying zoning depicted on the official zoning map of the Cityof Rockwall, with the following additional uses and exceptions:

(1) *Permitted Uses.*

(a) Outdoor Baseball/Softball Facilities and/or Other Public or Private Recreational Uses (*Day Time Operations Only*); *these uses are prohibited from incorporating any outside lighting that could create a potential hazard to airport operations.*
(b) Municipal Water Ground Storage Tanks (*i.e. Non-Elevated Storage*)

(2) *Specific Use Permits (SUP):*

(a) Residential Airpark or Aviation Homes
(b) Driving Test Track

(3) *Prohibited Uses:*

(a) Residential Uses (*e.g. Single Family, Multi Family, etc.*)
(b) Educational Centers (*including all types of Primary and Secondary Schools, Pre-Schools, and Child Care Facilities*)
(c) Hospitals, Medical Inpatient Treatment Facilities, Nursing Homes and/or Convalescent Home Facilities
(d) Places of Worship
(e) Places of Public Assembly (*Not Previously Listed*)
(f) Fuel Handling and Storage Facilities (*Does Not Include Gas Stations*)

d. *Height Restriction Zone.* Properties within the *Height Restriction Zone*, outside of the Airport Overlay (AP OV District), are subject to the use requirements stipulated by the underlying zoning depicted on the official zoning map of the City of Rockwall (*see Exhibit 'A'*).

4. *Additional Use Restrictions.*

(a) Notwithstanding any other provision of this ordinance, no use may be made of land within any zone established by this ordinance in such a manner as to (*1*) create electrical interference with radio communication between the Airport and aircraft, (*2*) make it difficult for flyers to distinguish between airport lights and others, (*3*) result in glare in the eyes of flyers using the Airport, (*4*) impair visibility in the vicinity of the Airport or otherwise endanger the landing, taking-off, or maneuvering of aircraft.

5. *Legal Non-Conforming Uses.*

(a) *Regulations Not Retroactive.* The regulations prescribed by this ordinance shall not be construed to require the removal, lowering, changes and/or alteration of any structure (*e.g. building*) or object of natural growth (*e.g. tree*) not conforming to the regulations as of the effective date of this ordinance, or otherwise interfere with the continuance of any legal non-conforming use. Nothing herein contained shall require any change in the construction, alteration, or intended use of any structure or property, for which the construction or alteration of said structure or property was commenced prior to the effective date of this ordinance.

(b) *Hazard Marking and Lighting*. Notwithstanding the preceding provision of this section, the owner of any non-conforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the City Manager or his designee to indicate to the operators of aircraft in the vicinity of the Airport, the presence of such airport hazards. Markers and lighting necessary for existing non-conforming structures or trees shall be operated and maintained at the expense of the property owner. Markers and lighting necessary for future non-conforming structures or trees, approved per the requirements of this ordinance, shall be installed, operated, and maintained at the expense of the property owner.

6. *Architectural Standards.*

(a) All buildings within the *Municipal Airport Zone* shall be designed by a licensed, professional architect and all drawings submitted for approval and/or permits shall bear the architect's seal of the State of Texas.

(b) All buildings intended for airport relateduse such as hangars, maintenance facilities, offices and facilities for airport management, terminal buildings and other similar types of uses with exterior walls visible from a public right-of-way shall consist of 90% masonry materials, excluding doors and windows as defined in Article X III, *Definitions*, of the Unified Development Code (*i.e. "Masonry"*). Building exterior walls not visible from the public rights-of-way may be earth-tone colored, pre-finished aluminum, steel or masonry. Materials that are unfinished are prohibited.

[All other buildings not related to airport uses within the Airport Overlay (AP OV) District shall conform to building materials requirements as stipulated within the Unified Development Code.]

In addition, all buildings intended for airpot related uses shall adhere to the following standards:

1) A *Material Sample Board* indicating all exterior materials and colors must be submitted to the Planning and Zoning Commission, upon a recommendation by the Architecture Review Board (ARB), for approval prior to the commencement of construction. All sides of the exterior building shall be architecturally integrated and similar in nature with respect to the design and aesthetic.

2) All roofs shall be metal. If galvanized metalis being proposed, it shall be limited to a roofing material only.

3) Building glazing or reflectors shall not be incorporated into a building if it will cause a glare or reflection that could interfere with airport operations or ground circulation.

4) All windows or large glass elements shall be oriented and/or treated to avoid reflections that could cause a distraction to air traffic that is landing or taking off.

5) All new construction shall be of a high quality and utilize materials and finishes that will maintain their appearance with relatively low maintenance.

6) All steel used for roofing or siding shall be a minimum of 28 gauge steel, with a factory finish in a color that has been approved by the Planning and Zoning Commission, and which has been warranted by the manufacturer for a minimum of 20 years with regards to the durability and color fastness.

7) All floors must be constructed of a minimum of four (4) inches thick concrete and reinforced with steel to a standard approved by the Engineering and Building Inspections Departments.

8) All buildings facing a taxiway (*i.e. a path connecting runways with ramps, hangars, terminals, etc.*) shall have a hangar door that has a minimum opening of 55-feet in width by 16-feet in height (*i.e. 55' [w] x 16' [h]*). Buildings facing a taxilane (*i.e. a path connecting the taxiways to aircraft parking positions*) shall have a hangar door that has a minimum opening of 41-feet, 6-inches in width by 12-feet in height (*i.e. 41'-6" [w] x 12' [h]*). Approved swing out, overhead or sliding doors may also be used. All pedestrian doors must be of a pre-finished metal construction positioned in metal doorjambs. No wood doorjambs will are permitted on exterior doors.

9) Mechanical equipment shall be screened so as not to be visible from the public and private right-of-ways. All screens, whether situated on the ground or on the building, shall be constructed to be aesthetically integrated into the design of the building. The rooftops of all buildings shall be free of any mechanical equipment unless completely screened from all points of view along all public right-of-ways by an architectural parapet. All screening materials shall be compatible with the material used on the building.

7. *Landscaping.*

(a) The requirements contained within Article V, *District Development Standards*, and Article VIII, *Landscape Standards*, of the Unified Development Code, whichever would be applicable to the subject property independent of the AP OV District, shall apply to a property located within the overlay (*i.e. the landscaping percentage of the underlying zoning district would apply*). In cases where aircraft requirements would conflict with certain landscaping elements, the Planning and Zoning Commission may approve requirements that deviate from those stipulated by the Unified Development Code if, in its opinion, such alternate requirements provide for a safer and more efficient use of the property.

8. *Variances.* The City Council may, upon request from the applicant, grant a variance to the any of the provisions contained within Section H.6, *Architectural Standards*, and Section H.7, *Landscaping*, of this ordinance where unique or extraordinary conditions exist or where strict adherence to the provisions of this ordinance would create a hardship. Approval of any variance to any provision of this section shall require City Council approval by a three-quarter (¾) majority vote of the City Council members present with a minimum of four (4) affirmative votes.

I. Administrative Procedures and Permits

1. *Future Use.* Except as specifically provided herein, no change shall be made in the use of land and no structure or tree shall be erected, altered, planted or otherwise

established in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted.

a) In the area lying within the limits of the *Horizontal Zone* and *Conical Zone*, no permit shall be required for any tree or structure less than 75-feet of vertical height above the ground as measured at grade, except when because of terrain, land contour or topographic features such tree or structure would extend above the height limits prescribed for such zone.

b) In the areas lying within the limits of the *Approach Zones* but at the horizontal distance of not less than 4,000 feet from each end of the runways, no permit shall be required for any tree or structure less than 75-feet of vertical height above the ground as measured at grade, except when because of terrain, land contour or topographic features such tree or structure would extend above the height limit prescribed for the *Approach Zone*.

c) In the areas lying within the limits of the *Transition Zones* ending at the perimeter of the *Horizontal Zone*, no permit shall be required for any tree or structure less than 75-feet of vertical height above the ground as measured at grade, except when such tree or structure because of terrain, land-contour or topographic features would extend above the height limit prescribed for such *Transition Zones*.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, alteration or growth of any structure or tree in excess of any of the height limits established by this Ordinance except as set forth in Section F, *Height Limitations*.

(1) *Existing Uses.* No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a non-conforming use, structure, or tree to be made or become higher, or become a greater hazard to air navigation, than it was on the effective date of this Ordinance or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.

(2) *Non-Conforming Uses Abandoned or Destroyed.* Whenever the Board of Adjustment (BOA) determines that a non-conforming structure or use has been abandoned for a period of six (6) months, or more than eighty (80%) percent of a non-conforming structure or tree has been torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

(3) *Variances.* Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use of their property, not in accordance with the regulations prescribed in this ordinance, may apply to the Board of Adjustment (BOA) for a variance from such regulations. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulation would result in practical difficulty or unnecessary hardship and the

relief granted would not be contrary to the public interest but will dosubstantial justice to be in accordance with the spirit and intent of this Ordinance.

(4) *Hazard Marking and Lighting.* Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this Ordinance and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the owners at their own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.

J. ***Enforcement.*** It shall be the duty of the City Manager or his designee to administer and enforce the regulations prescribed herein. Application of permits shall be made to the City Manager or his designee upon a form published for that purpose. Applications requiredby this ordinance to be submitted to the City Manager or his designee shall be promptly considered and granted or denied. Applications for variances shall be made to the Board of Adjustment (BOA) by first filing said application for variance with the City Manager or his designee who shall forthwith transmit said application to the Board of Adjustment for determination.

K. ***Appeals.*** Requests for appeals to administrative dec isions by the City Manager or his designee concerning the enforcement of this ordinance shall be directed to the Board of Adjustment (BOA) in compliance with Section 11, *Board of Adjustments*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code.

EXHIBIT 'A': AIRPORT OVERLAY (AP OV) DISTRICT BOUNDARIES

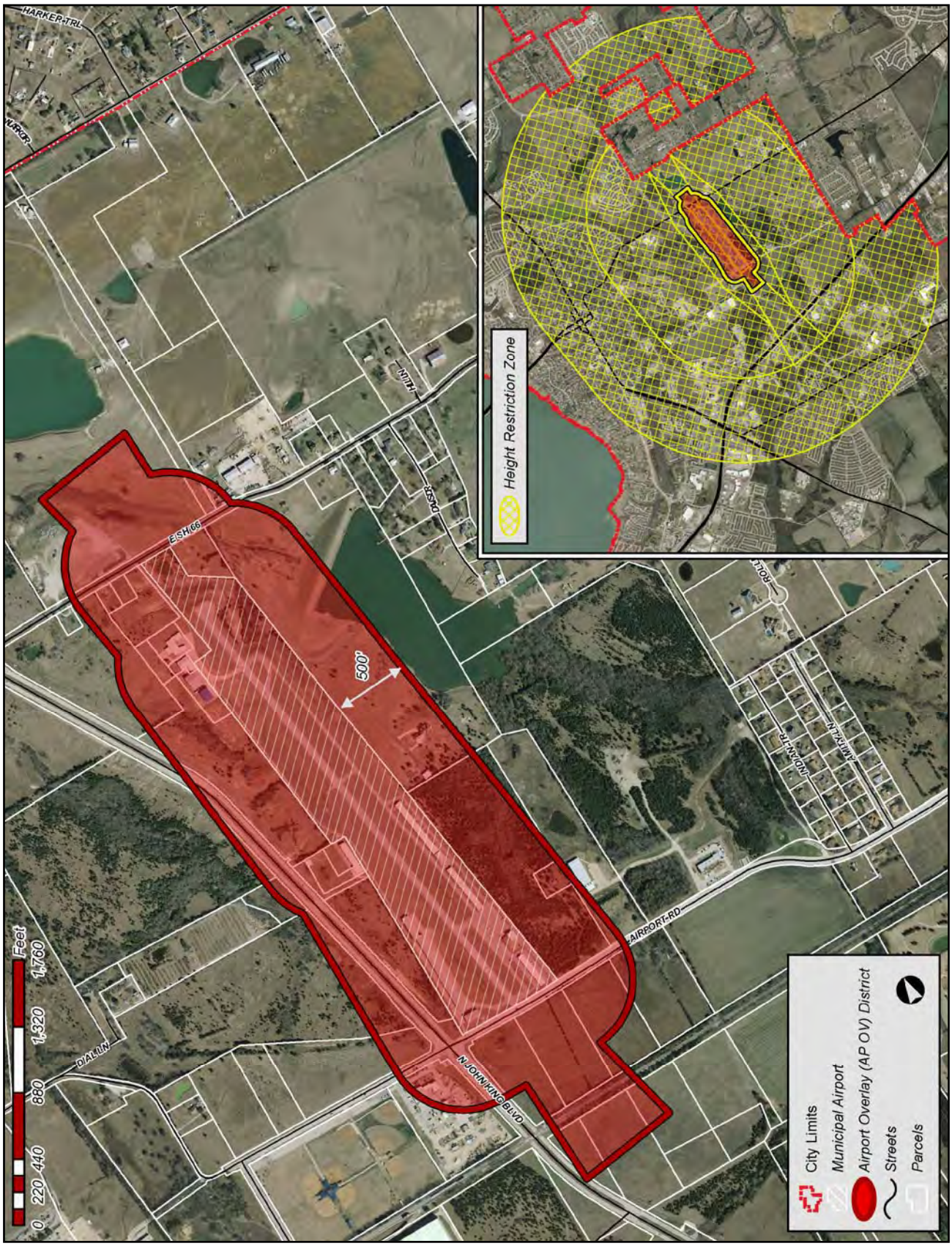


EXHIBIT 'B': DEVELOPMENT ZONES WITHIN THE AIRPORT OVERLAY (AP OV) DISTRICT

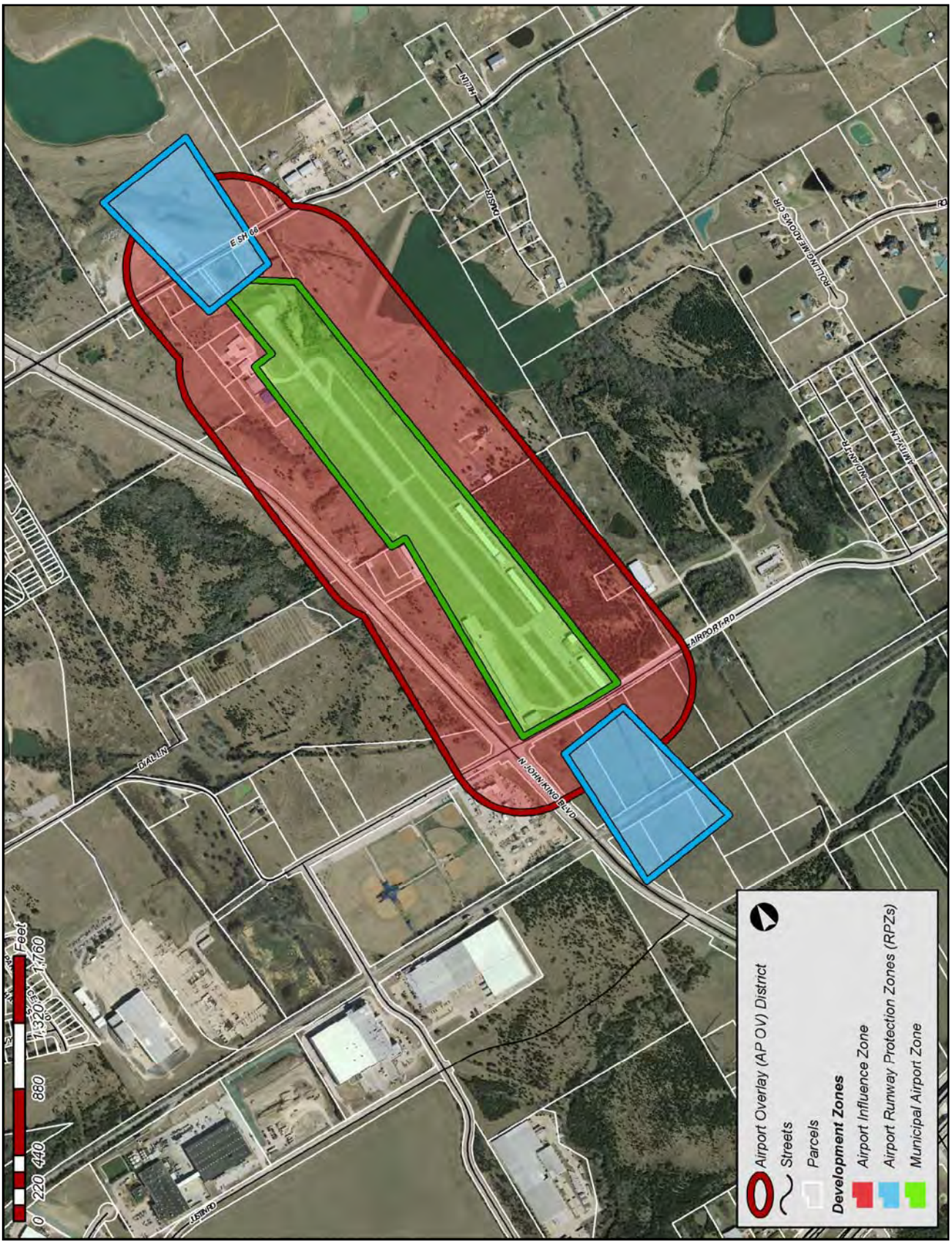
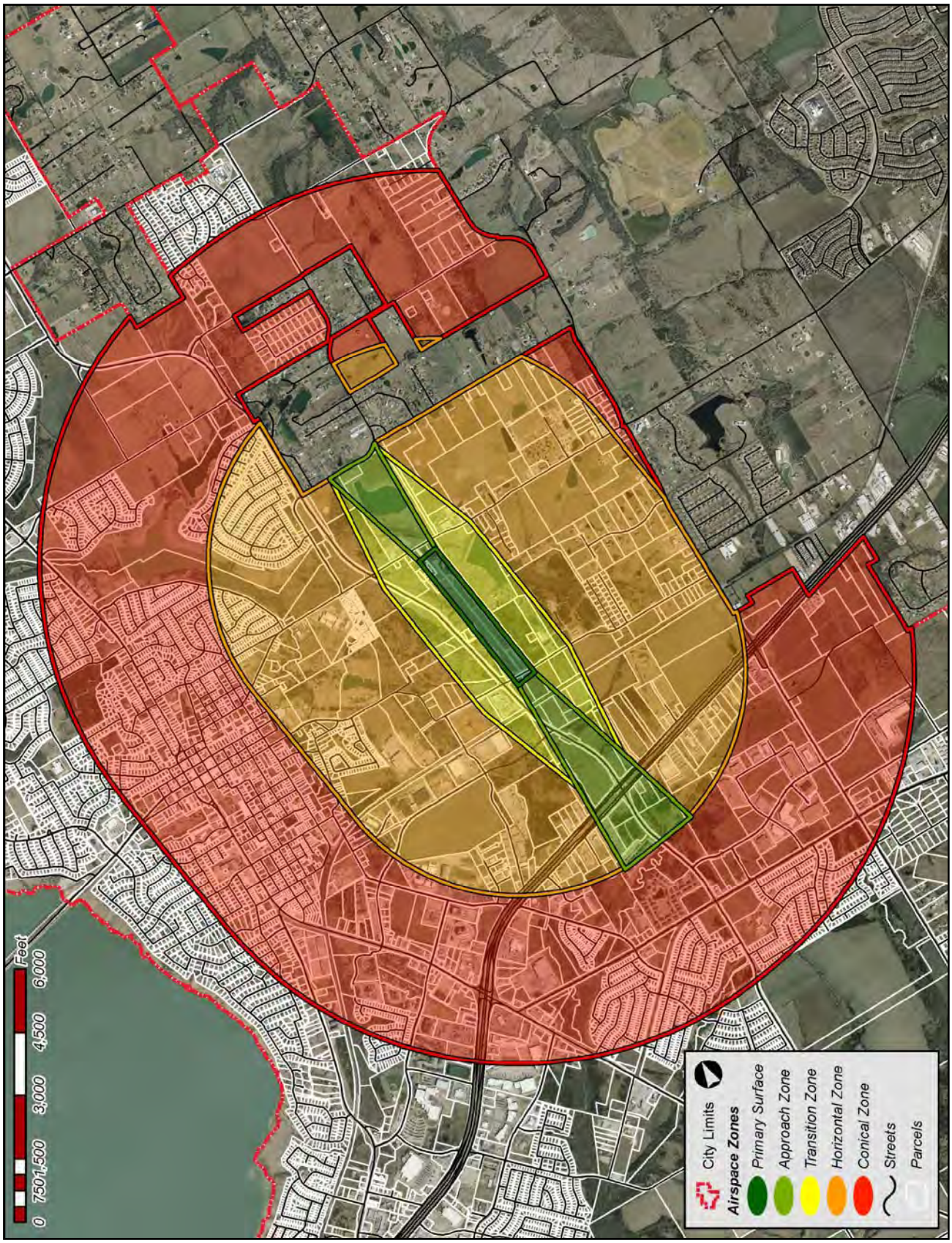


EXHIBIT 'C': AIRSPACE ZONE BOUNDARIES



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 09/15/2014

APPLICANT: Beth Godfrey of TKC CLXXXVI, LLC

AGENDA ITEM: **Z2014-023**; Zoning Amendment to PD-46

SUMMARY:

Hold a public hearing to discuss and consider a request by Beth Godfrey of TKC CLXXXVI, LLC on behalf of the owner, Rick Sharp, for the approval of a zoning amendment to Planned Development District 46 (PD-46) [*Ordinance No. 99-05*] to allow for a *Rental Store with Outside Storage* (*i.e. Sunbelt Rentals Company*) to be established on a ~3.35-acre portion of a larger 6.222-acre parcel of land identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for commercial land uses, situated within the SH-276 Corridor Overlay (SH-276 OV) District, located east of Corporate Crossing (*FM-549*) in between SH-276 and Springer Lane, and take any action necessary.

BACKGROUND INFORMATION:

The subject property is identified as a 3.211-acre portion of a larger 6.222-acre tract of land situated within the SH-205 Overlay (SH-276 OV) District, is east of Corporate Crossing *(FM-549),* between SH-276 and Springer Road, and is located at 2582 SH-276. The property is currently zoned Planned Development District No. 46 (PD-46) and has an underlying zoning of commercial that also allows for other uses that may be considered more intense such as outside storage of trucks and trailers, limited outside storage of pallets, metal buildings, and trucking operations and associated uses. PD-46 also has other tracts of land that allows for similar uses such as outside storage of equipment, contractor yard and equipment yard, minor auto repair shop and associated uses, limited outside storage of boats, a concrete batch plant, etc.

The purpose of the request is to amend PD-46 to allow for a *Rental Store with Outside Storage*. The applicant has indicated that this site will be home to Sunbelt Rentals, a nationally recognized brand for this industry. Sunbelt Rentals offers general construction equipment such as industrial tools, pump and power generation equipment, trench shoring, scaffolding, etc. for use in commercial, residential, and municipal related projects. Based on the use requested, the intensity of this particular use could be considered compatible and should be taken into consideration when reviewing the uses allowed in PD-46 as similar in nature.

Staff has also included a condition in this memo that all outside storage and/or display of machinery and equipment is to be in a stowed position with the purpose of not extending any part of the machinery or the equipment in an upward or outward manner so as to prevent the appearance of a nuisance. Generally, in a commercial zoning district, outside storage requires screening to the height of what is being stored; however, most of the properties in PD-46 have existing chain link fences, including this site which allows for the outside storage of trucks and trailers and would not require additional screening. After discussing this issue at the work session, the applicant is requesting that the equipment not be stored in a manner that would

extend beyond the height of the principle building in order to avoid what may be viewed as a zoning violation.

In your packet is a request to amend PD-46 to allow for the *Rental Store with Outside Storage*, a legal description, a conceptual site plan, and Ordinance No. 99-05 (PD-46) for your review and consideration.

NOTIFICATION:

On August 29, 2014, staff mailed twenty-five (25) notices to property owners within 500 feet of the subject property as well as one (1) HOA within 1500 feet (Timber Creek Estates HOA). Additionally, staff posted a sign along SH-276 on the subject property as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received two (2) notice "opposed to" the zoning change requested.

RECOMMENDATIONS:

Should the request be approved, staff would offer the following conditions of approval:

1. That the storage and/or display of machinery and equipment shall be in a stowed position so as to not extend any part of the machinery or the equipment in an upward or outward manner.

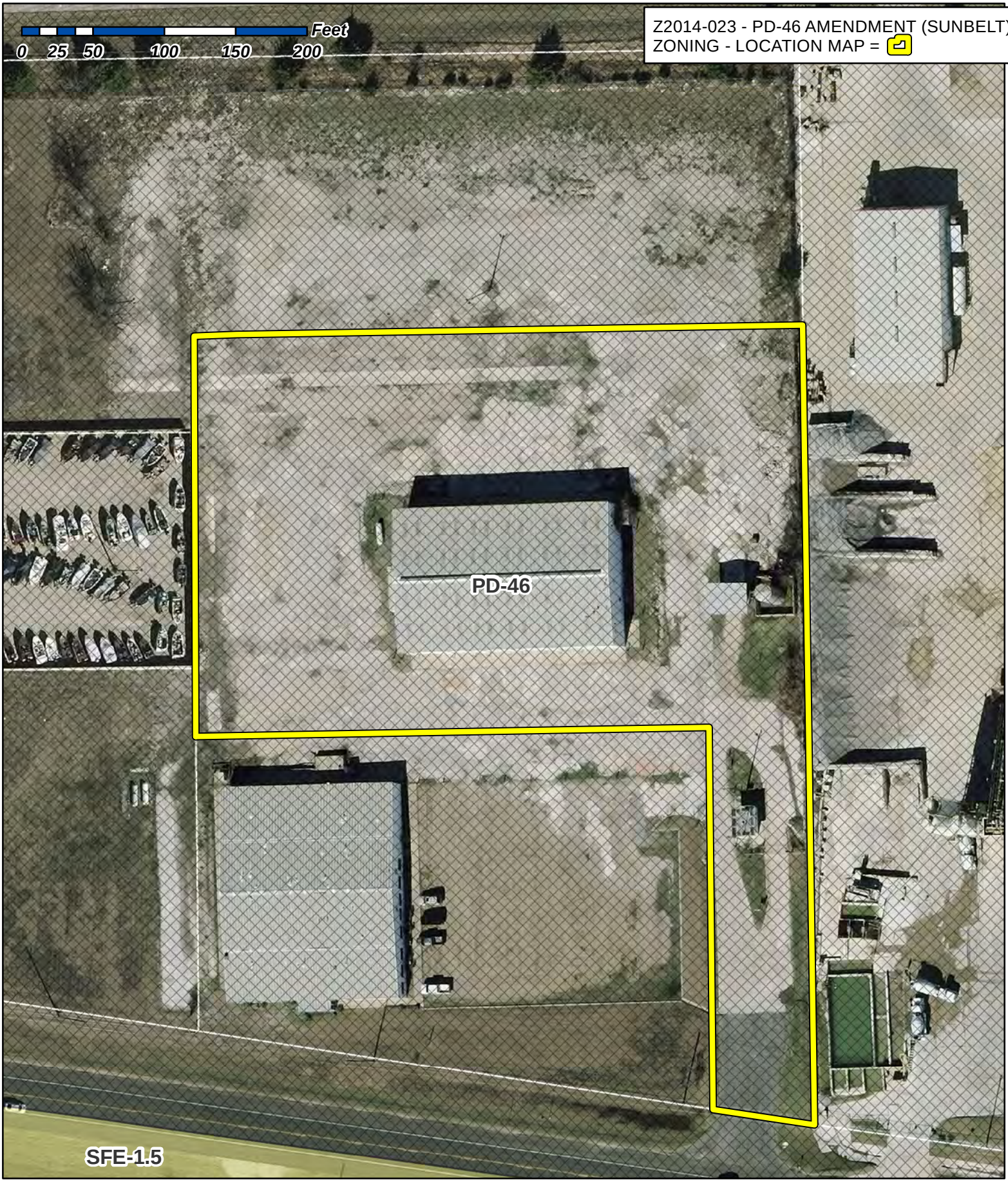
2. That the Subject Property generally conforms to the Conceptual Site Plan attached hereto as Exhibit 'B'

3. That the permissible uses for the Subject Property shall be those permitted within the Commercial (C) District and to include the following uses;
    a. Outside storage of trucks and trailers;
    b. Limited outside storage of pallets;
    c. Metal buildings;
    d. Trucking operations and associated uses;
    e. Rental store with outside storage of machinery and equipment.

4. Any construction resulting from the approval of this zoning ordinance shall conform to the requirements set forth by Planned Development District Ordinance, the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING RECOMMENDATION:

On September 09, 2014, the Planning and Zoning Commission recommended approval of the amendment to Planned Development No. 46 (PD-46) with staff conditions by a vote of 7 to 0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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City of Rockwall

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385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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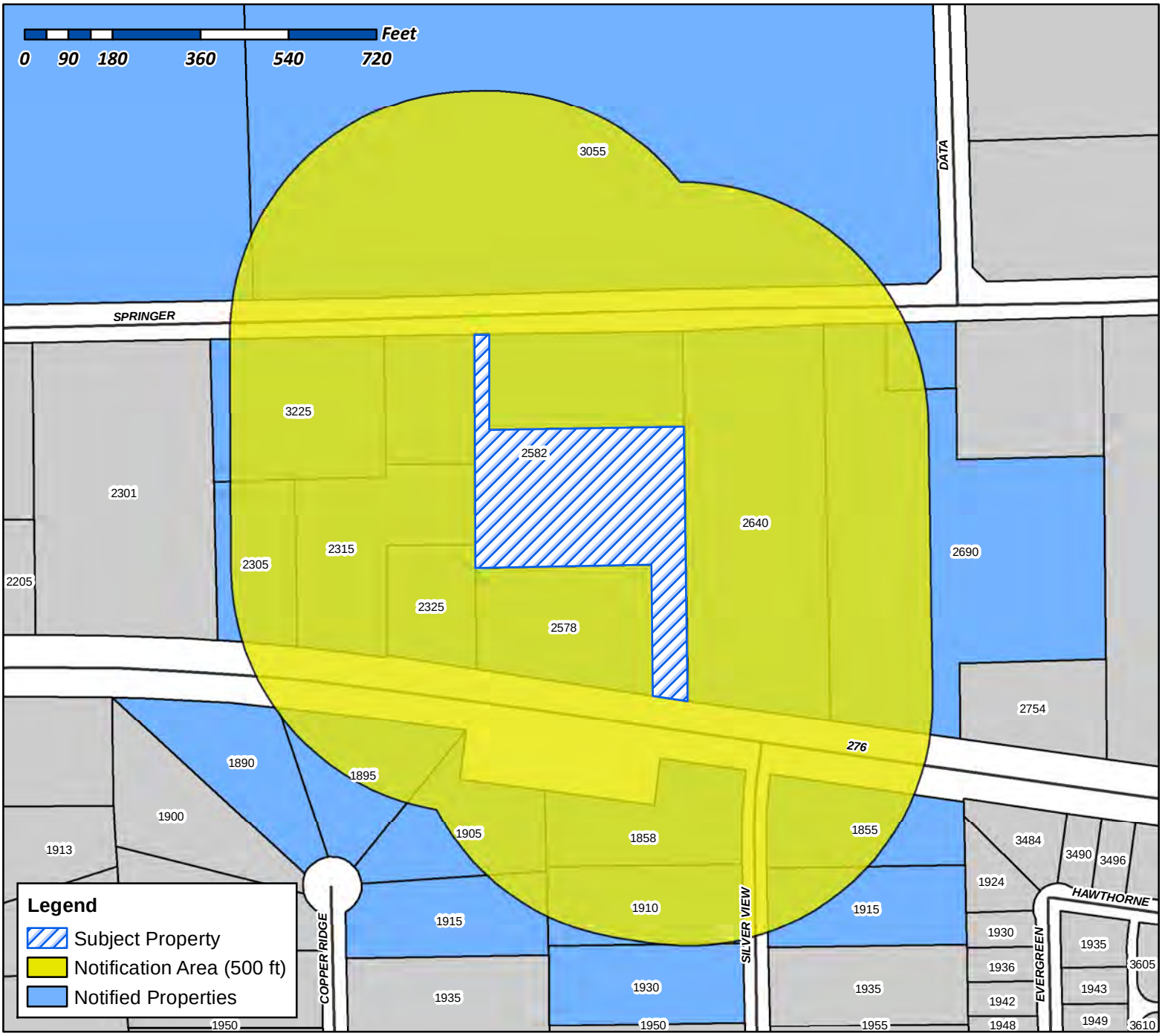
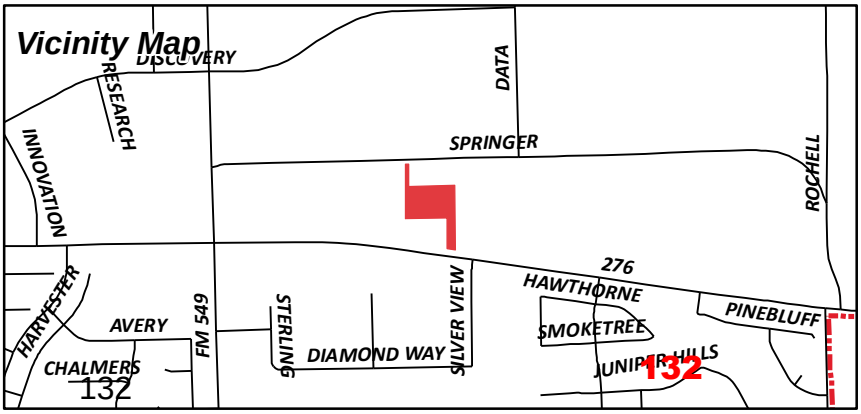


Case Number: Z2014-023
Case Name: PD-46 Amend (Sunbelt)
Case Type: Zoning
Zoning: PD-46
Case Address: Springer Road & SH-276

Date Created: *08/22/2014*

For Questions on this Case Call (972) 771-7745



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
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(P): (972) 771-7745
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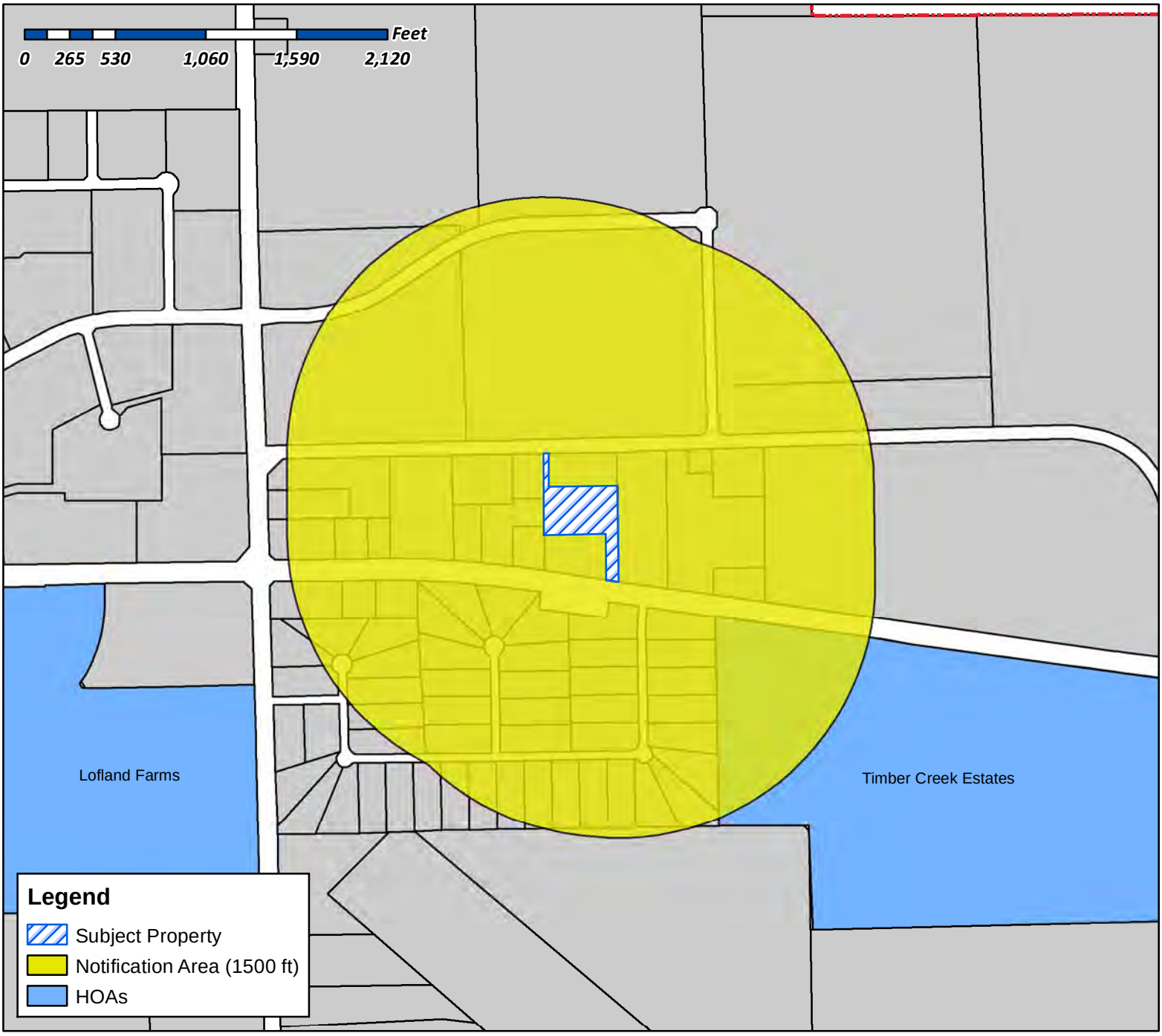
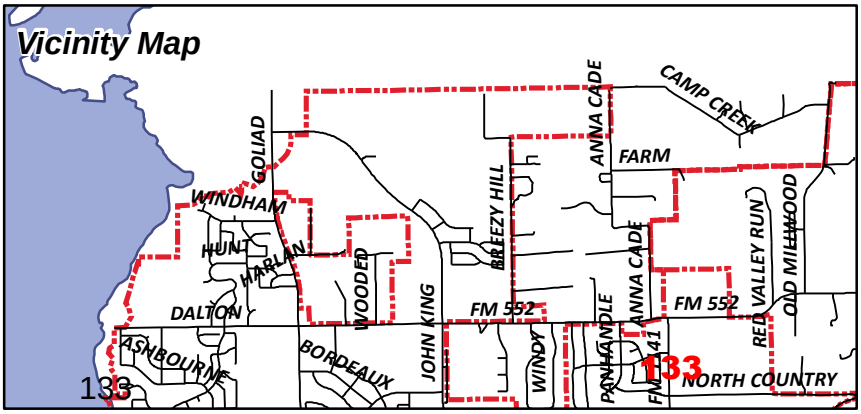


Case Number: Z2014-023
Case Name: PD-46 Amendment
Case Type: Zoning
Zoning: PD-46
Case Address: Springer Road & SH-276

Date Created: *08/22/2014*
For Questions on this Case Call (972) 771-7745



NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-023: Sunbelt PD Amendment

Hold a public hearing to discuss and consider a request by Beth Godfrey of TKC CLXXXVI, LLC on behalf of the owner, Rick Sharp, for the approval of a zoning amendment to Planned Development District 46 (PD-46) [Ordinance No. 99-05] to allow for a Rental Store with Outside Storage (i.e. Sunbelt Rentals Company) to be established on a ~3.35-acre portion of a larger 6.222-acre parcel of land identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for commercial land uses, situated within the SH-276 Corridor Overlay (SH-276 OV) District, located east of Corporate Crossing (FM-549) in between SH-276 and Springer Lane, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 9/9/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 9/15/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/15/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-023: Sunbelt PD Amendment

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

NBN COMMERCIAL GROUP LLC
2040 N BELT LINE RD STE 400
MESQUITE, TX 75150

BLACKLAND WATER CORP
ATTN ADA JO PHILLIPS
PO BOX 215
FATE, TX 75132

AAMAN 126 INC
THE STORAGE LOCKER
1525 AVONLEA DRIVE
ROCKWALL, TX 75087

Current Occupant
2305 HWY276
ROCKWALL, TX 75032

Current Occupant
2640 HWY276
ROCKWALL, TX 75032

LATTIMORE MATERIALS COMPANY LP
PO BOX 2469
ADDISON, TX 75001

Current Occupant
2690 HWY276
ROCKWALL, TX 75032

COLIN-G PROPERTIES INC
PO BOX 847
ROCKWALL, TX 75087

ROCKWALL ECONOMIC DEVELOPMENT
PO BOX 968
ROCKWALL, TX 75087

ALLEN FOODS INC
255 BUSINESS CENTER DRIVE
HORSHAM, PA 19044

Current Occupant
3055 DISCOVERY BLVD
ROCKWALL, TX 75032

Current Occupant
2578 SH 276
ROCKWALL, TX 75032

SHARP RICK
472 KENTWOOD
ROCKWALL, TX 75032

Current Occupant
2582 HWY276
ROCKWALL, TX 75032

Current Occupant
2325 SH 276
ROCKWALL, TX 75032

ABLES NORRIS BRADLEY
1855 SILVER VIEW LN
ROCKWALL, TX 75032

CONFIDENTIAL
1915 SILVER VIEW LN
ROCKWALL, TX 75032

RAMIREZ JUAN
1858 SILVER VIEW LN
ROCKWALL, TX 75032

SCOTT SUSAN
1910 SILVER VIEW LN
ROCKWALL, TX 75032

REYNOLDS CHRISTOPHER & RENA
1930 SILVER VIEW LN
ROCKWALL, TX 75032

WILLESS WAYNE & PRISCILLA K
1915 COPPER RIDGE CIR
ROCKWALL, TX 75032

MCDOUGLE RONNIE D & DEBORAH J
1905 COPPER RIDGE CIR
ROCKWALL, TX 75032

DE RUSSE MARIA NICOLE AND REUBEN DANIEL
1895 COPPER RIDGE CIR
ROCKWALL, TX 75032

JOHNSON DAVID A AND PHYLLIS D
1890 COPPER RIDGE CIR
ROCKWALL, TX 75032

TOMMY'S MOBILE BOAT & MOTOR SERVICE, INC
2315 STATE HIGHWAY 276
ROCKWALL, TX 75032

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AGAINST - NOT WITHIN 200-FT BUFFER

Gonzales, David

From: Sanford, JoDee on behalf of Planning
Sent: Tuesday, September 02, 2014 9:37 AM
To: Gonzales, David
Subject: FW: planning case # Z2014-023 David Gonzales

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | http://www.rockwall.com

From: RONNIE MCDOUGLE [redacted]
Sent: Sunday, August 31, 2014 8:21 AM
To: Planning
Subject: planning case # Z2014-023 David Gonzales

I oppose this application. Tho I know I am wasting my time on this, I will still voice my opinion. Rockwall has made my investment in my home a disappointment. You allowed beer and wine across the street, built a eye soar of a bread plant and won't get rid of a nuisance like the outdated cement plant. Now were suppose to look at a trashy rental yard. We can't drive out of our homes now because of poor planning and development with no roads but constant adding of schools and tax free bussiness and now wanting to add a eye soar ,that all rental places are to junk it up more. I would support Rockwall city counsel doing a bond election and buying me out my home at the fair market, now that is fair. Maybe you guys should come by around 7 or 8 am and see the light back up to past the cement plant and so now all that traffic comes thru our nieghborhood and its a parking lot when school starts.
Thanks for your time

RMcDougle

Against - Not Within 200-ft Buffer

137

PLEASE RETURN THE BELOW FORM

Case No. Z2014-023: Sunbelt PD Amendment

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

SH 276 is such a busy road with no designated turn lanes. I'm afraid of all the accidents and congestion with trucks ~~and~~ with trailer turning into the property off of 276

Name: Susan Scott

Address: 1910 Silver View Ln. Rockwall TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

137

THE KEITH CORPORATION

August 15, 2014

City of Rockwall
Planning & Zoning
385 South Goliad Street
Rockwall, Texas 75087

Re: **PD-46 Amendment**
2578 Hwy 276
Rockwall TX 75032

To Whom It May Concern:

This letter is in regards to the proposed amendment of PD-46 at 2582 Hwy 276 in Rockwall TX. The 6.22-acre property is currently zoned under a Planned Development with commercial use. It is intended for the property to be replatted to a ±3.35 acre lot, as shown on the attached Conceptual Site Plan, and described in the attached legal description. The intended site use will remain commercial, however we request that the PD-46 be amended to include outside storage of machinery and heavy equipment for the ±3.35 acre lot. This will allow for a Sunbelt Rentals Company to occupy the property.

Please contact me should you have any questions.

Sincerely,

TKC CLXXXVI, LLC
Kenneth R. Beuley
Authorized Member

ORDINANCE NO. 99-05

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO CHANGE THE ZONING ON A TRACT OF LAND WHICH IS MORE FULLY DESCRIBED HEREIN FROM "A" AGRICULTURAL CLASSIFICATION TO PLANNED DEVELOPMENT ZONING "PD- 46 PLANNED DEVELOPMENT NUMBER 46; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a change in the classification of a zoning district has been initiated by the City of Rockwall for the property more specifically described in Exhibit "A" attached hereto; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the state of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to give "Planned Development District No.46 classification to the tract of land described in Exhibits "A" and "B"attached hereto and made part of.

SECTION 2. That the property described in Exhibit "A" shall be used only in the manner and for the purposes provided for in Exhibit "B" and the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future. The granting of this zoning classification for the property as described in Exhibit "A" is subject to the following special conditions:

A. The use of the property shall be regulated by the following requirements:

1. The uses, area requirements and development standards of the Commercial zoning category of the Comprehensive Zoning ordinance as currently adopted, or as revised in the future, and Exhibit "B" except as otherwise provided for in this ordinance.

B. Those tracts with existing buildings will be allowed to use the same exterior materials currently shown in Exhibit "B"for any new buildings that are built. However, if an existing building is expanded to an amount that equals 50% of the appraised tax value of that building, the requirements of the commercial zoning district exterior materials shall be met.

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 5. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed to the extent of that conflict.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such case provides.

DULY PASSED AND APPROVED this 1st day of March, 1999.

APPROVED:

Mayor
George R. Hatfield

ATTEST:

BY Cindy Kindred
Cindy Kindred, City Secretary

1st reading 2/15/99

2nd reading 3/1/99

SEAL

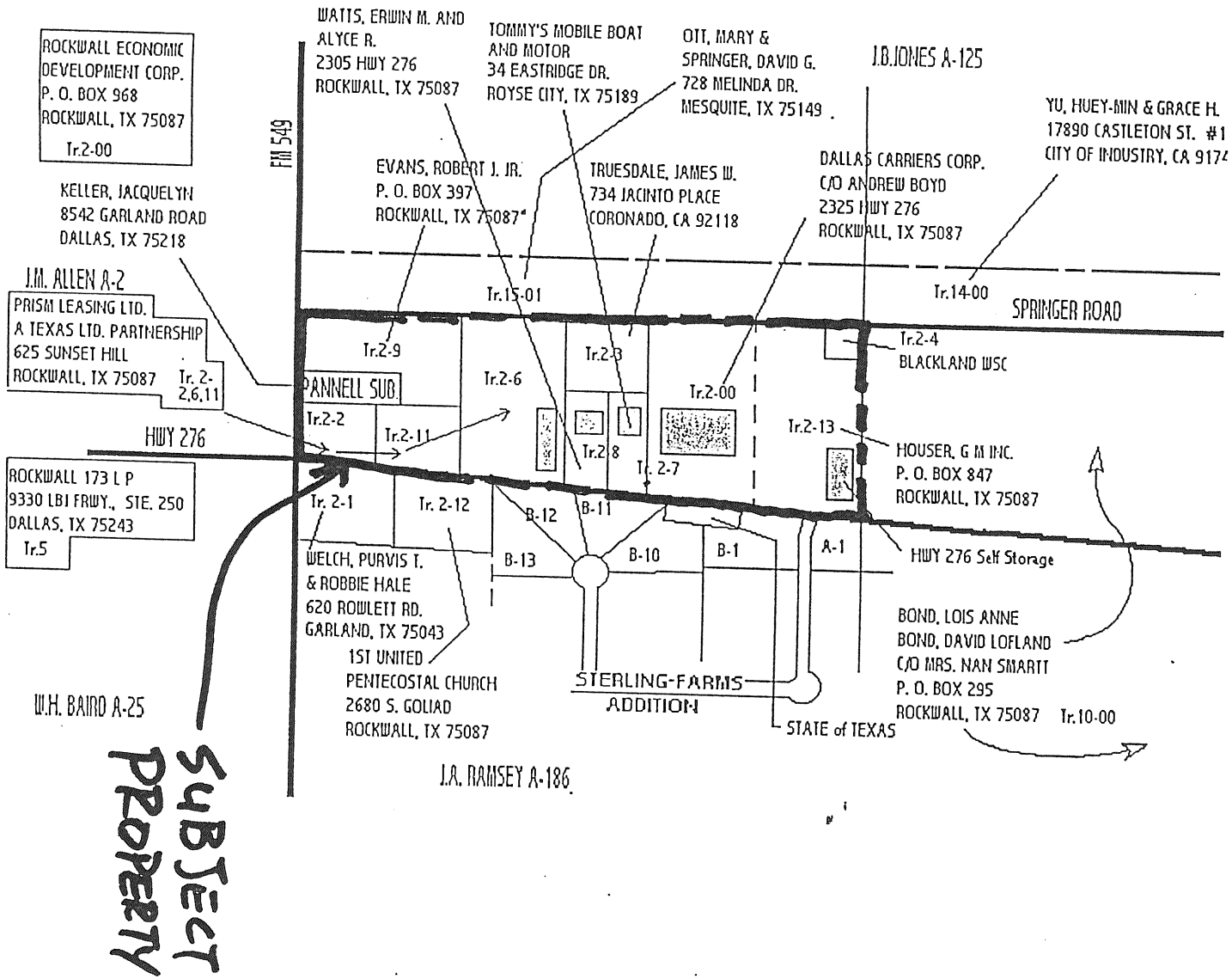
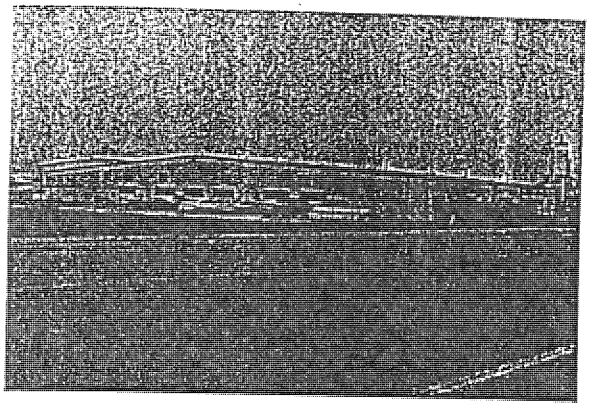


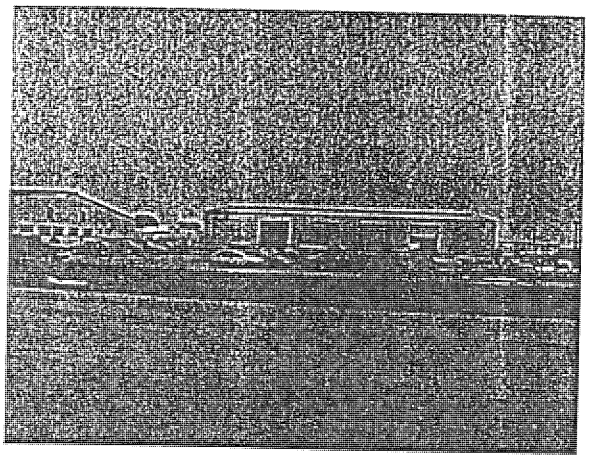
EXHIBIT "A"

9887

J. A Ramsey A-186

Track 2, Lot 00 - 10.001 Acres
Ownership: **Continental Express**
(As of Jan. 1, 1999)
2325 Hwy 276
Rockwall, Texas 75087
Property Use: **Trucking/Freight**
Carrier Company
- Outside Storage of Trucks and Trailers
- Limited Outside Storage of Pallets
- Metal Buildings



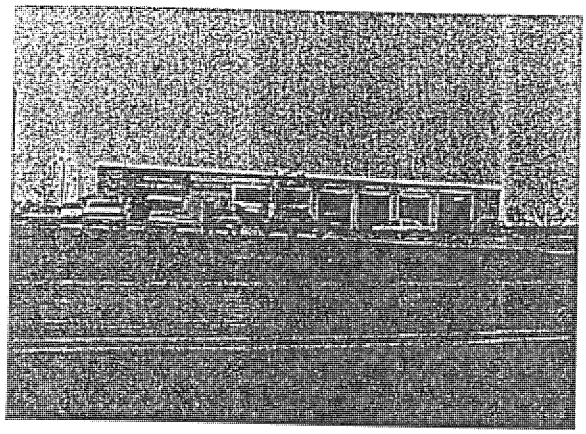


Proposed Zoning

Commercial
***Permitted uses** - those uses in the permitted use section of the zoning ordinance and trucking operation and associated uses.

***Conditional uses** - those uses in the conditional use section of the zoning ordinance.

Track 2, Lot 2 - 2.00 Acs.
Ownership: **Prism Leasing Ltd.**
A Texas Limited Partnership
625 Sunset Hill
Rockwall, Texas 75087
Property Use: **Rockwall Tire & Battery**
Proprietor: Roland Cobb
- Minor Auto Repair
- Limited Outside Storage
- Metal Building



Proposed Zoning

Commercial
***Permitted uses** - those uses in the permitted use section of the zoning ordinance and minor auto repair and associated uses

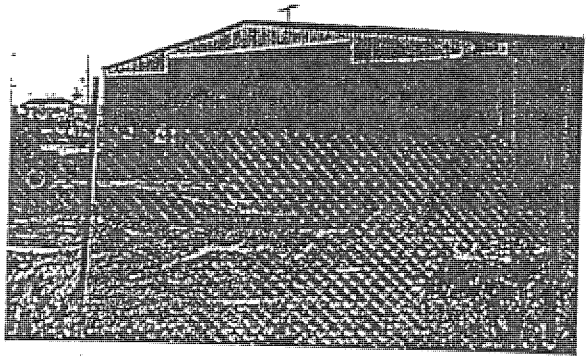
***Conditional uses** - those uses in the conditional use section of the zoning ordinance.

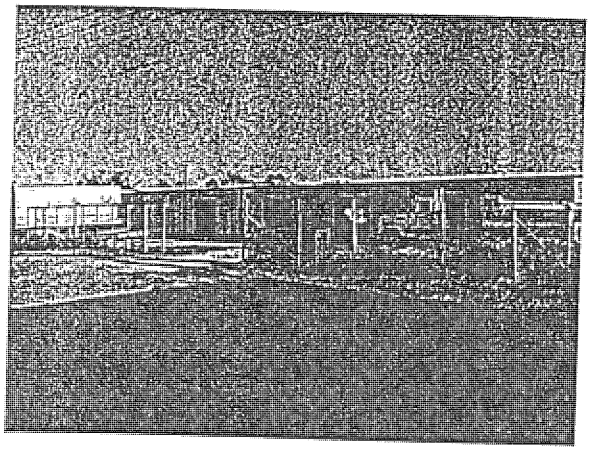
1

EXHIBIT "B" 1 OF 6

Track 2, Lot 3 - 2.5 Acs.
Ownership: James W. Truesdale
734 Jacinto Place
Coronado, Calif. 92118
Property Use: Existing Vacant Building

- Possibly a Contractor's Yard
- Outside Storage of Equipment
- Metal Building





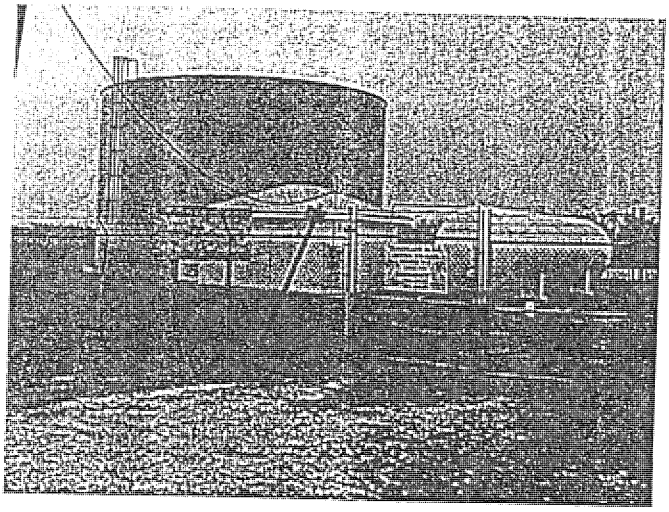
Proposed Zoning

Commercial

*Permitted uses - those uses in the permitted use section of the zoning ordinance and contractor yard and equipment yard.

*Conditional uses - those uses in the conditional use section of the zoning ordinance.

Track 2, Lot 4 - 0.436 Acs.
Ownership: Blackland WSC
Property Use: Water Station



Proposed Zoning

Commercial

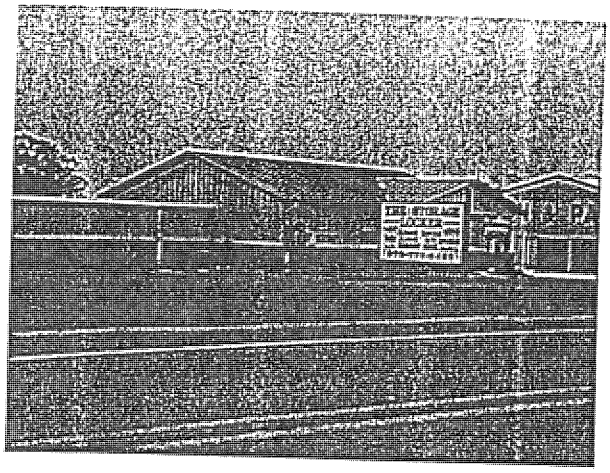
*Permitted uses - those uses in the permitted use section of the zoning ordinance.

*Conditional uses - those uses in the conditional use section of the zoning ordinance.

EXHIBIT "B" 2 OF 6

Track 2, Lot 6 - 5.00 Acs.
Ownership: Prism Leasing Ltd.
A Texas Limited
Partnership
625 Sunset Hill
Rockwall, Texas 75087
Property Use: Self Storage Facility

- No Outside Storage
- Metal Building with Some Brick Accents along SH 276

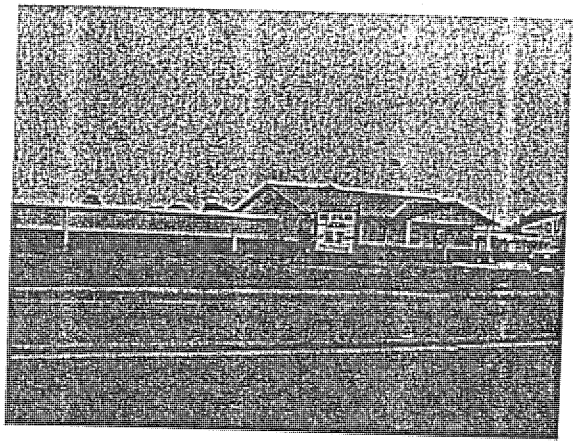


Proposed Zoning

Commercial

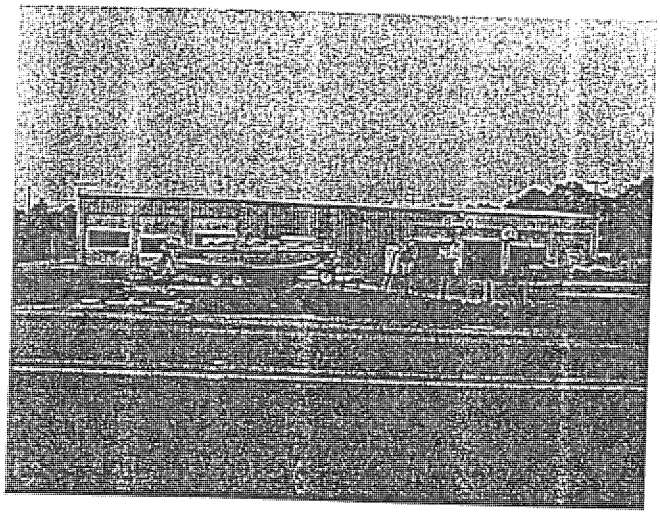
*Permitted uses - those uses in the permitted use section of the zoning ordinance and mini-warehouses with no overhead doors facing the street.

*Conditional uses - those uses in the conditional use section of the zoning ordinance.



Track 2, Lot 7 - 1.5 Acs.
Ownership: Tommy's Mobile Boat and Motor
34 Eastridge Drive
Royse City, Texas 75189
Property Use: Boat Motor Repair Facility

- Limited Outside Storage of Boats
- Metal Building
- Outside Display for Boat Sales



Proposed Zoning

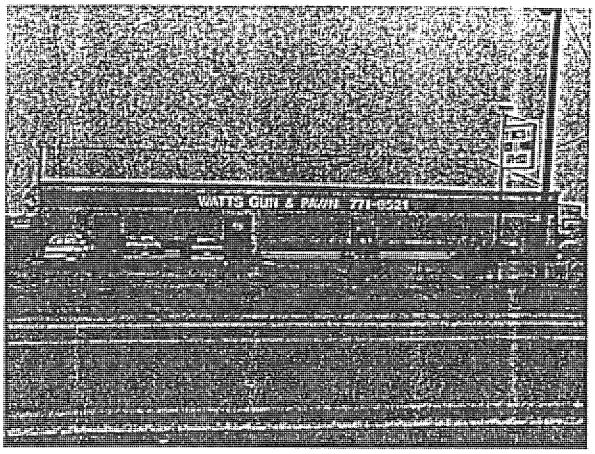
Commercial

*Permitted uses - those uses in the permitted use section of the zoning ordinance and boat repair with accessory sales.

*Conditional uses -. those uses in the conditional use section of the zoning ordinance.

EXHIBIT "B" 3 OF 6

Track 2, Lot 8 - 1 Ac.
Ownership: Erwin M. and
Alyce R. Watts
2305 Hwy 276
Rockwall, Texas 75087
Property Use: Watt's Gun and Pawn



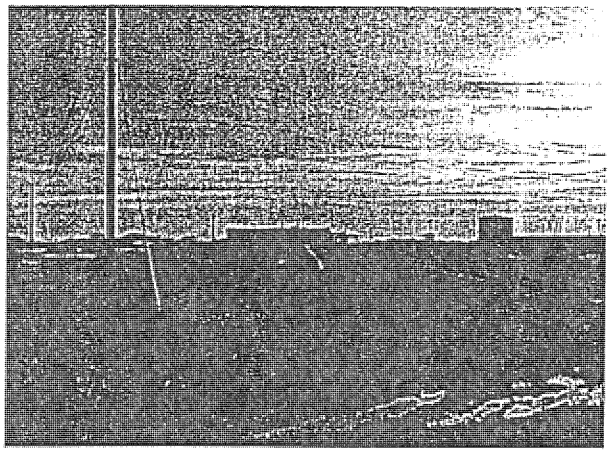
- No Outside Storage
- Tilt Wall Construction
- On-Site Security Live-In

Proposed Zoning

Commercial
*Permitted uses - those uses in the permitted use section of the zoning ordinance and pawn shop with On-Site Security Live-In

*Conditional uses - those uses in the conditional use section of the zoning ordinance.

Track 2, Lot 9 - 3.07 Acs.
Ownership: Robert J. Evans, Jr.
P. O. Box 397
Rockwall, Texas 75087
Property Use: Vacant



- Dirt Stockpiles
- Concrete Stockpiles
- Assortment of Junk and Refuse

Proposed Zoning

Commercial
*Permitted uses - those uses in the permitted use section of the zoning ordinance.

*Conditional uses - those uses in the conditional use section of the zoning ordinance.

EXHIBIT "B" 4 OF 6

Track 2, Lot 11 - 2.00 Acs.
Ownership: **Prism Leasing Limited**
A Texas Limited Partnership
625 Sunset Hill
Rockwall, Texas 75087
Property Use: **Vacant**

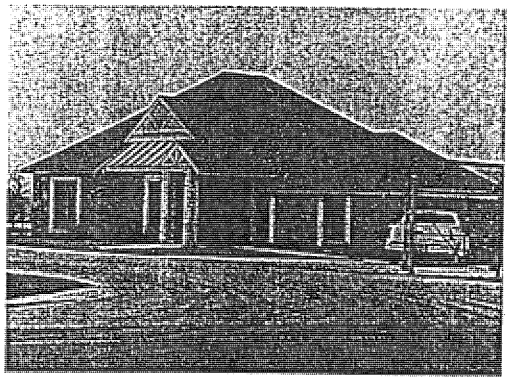
Proposed Zoning

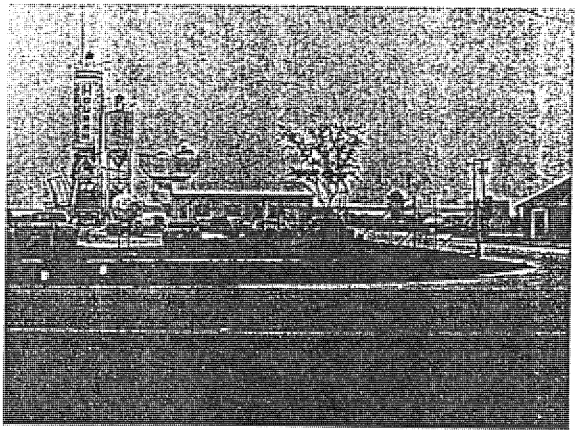
Commercial
***Permitted uses** - those uses in the permitted use section of the zoning ordinance.

***Conditional uses** - those uses in the conditional use section of the zoning ordinance.

Track 2, Lot 13 - 10.003 Acs.
Ownership: **Houser, G.M Inc.**
P. O. Box 847
Rockwall, Texas 75087
Property Use: **Concrete-Ready Mixed Company/Self Storage**

- Brick Office Building
- Metal Self-Storage Buildings
- Metal Shop Buildings
- Concrete Batch Plant





Proposed Zoning

Commercial
***Permitted uses** - those uses in the permitted use section of the zoning ordinance and concrete batch plants, associated uses, and mini-warehouses with no overhead doors facing the street.

***Conditional uses** - those uses in the conditional use section of the zoning ordinance.

EXHIBIT "B" 5 of 6

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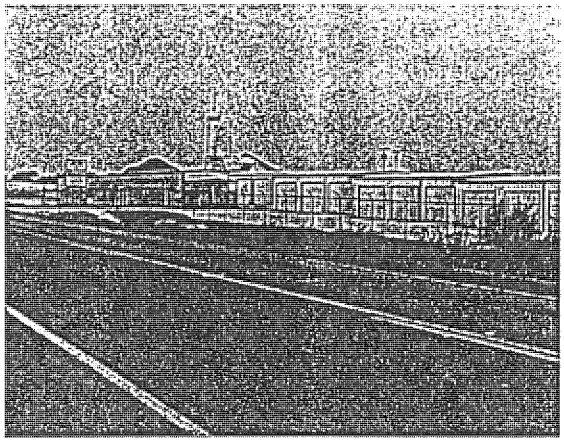
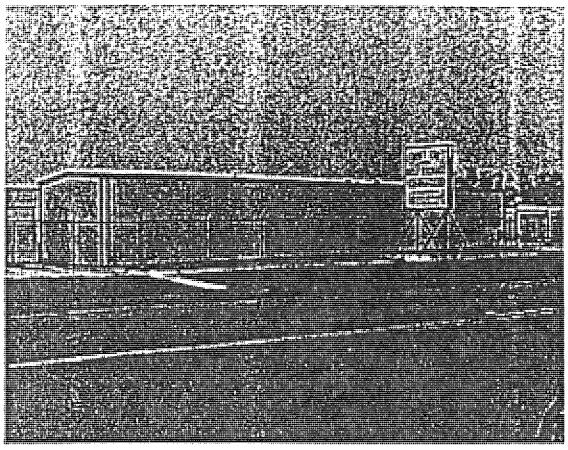
Track 2, Lot 13 - Houser, G. M.
(continued)

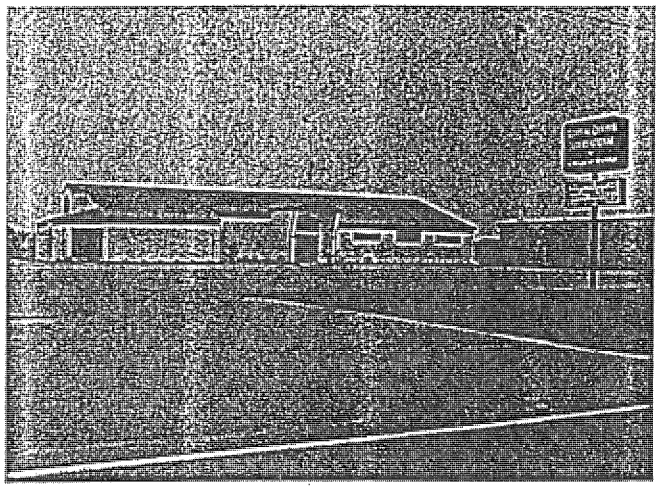




<u>Pannell Subdivision</u> **2.00 Acs.**

Ownership: **Jacquelyn Keller**
8542 Garland Road
Dallas, Texas 75218
Property Use: **Church**

- Building with Vinyl Siding



<u>Proposed Zoning</u>

<u>Commercial</u>
***Permitted uses** - those uses in the permitted use section of the zoning ordinance.

***Conditional uses** - those uses in the conditional use section of the zoning.

EXHIBIT "B" 6 OF 6

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT NO. 46 (PD-46) *[ORDINANCE NO. 99-05]* AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS HERETOFORE AMENDED, BY ALLOWING A RENTAL STORE WITH OUTSIDE STORAGE TO BE DESIGNATED ON TRACK 2, LOT 00 OF EXHIBIT 'B' WITHIN ORDINANCE NO. 99-05, BEING A 3.211-ACRE PORTION OF A LARGER 6.222-ACRE TRACT OF LAND IDENTIFIED AS LOT 2, BLOCK A, SHARP ADDITION, ABSTRACT 186 J. A. RAMSEY SURVEY, LOCATED AT 2582 STATE HWY 276, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, An amendment to Planned Development District No. 46 (PD-46) has been requested by Beth Godfrey of TKC CLXXXVI, LLC to allow for a Rental Store with Outside Storage within Planned Development District No. 46 (PD-46), on a 3.211-acre portion of a larger 6.222-acre tract of land identified as Lot 2, Block A, Sharp Addition, Abstract 186 J. A. Ramsey Survey, located at 2582 Hwy 276, and more specifically described in Exhibit "A" of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that Planned Development District No. 46 (PD-46) *[Ordinance 99-05]* and the Unified Development Code *[Ordinance No. 04-38]* of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to amend Planned Development District No. 46 (PD-46) to allow for a Rental Store with Outside Storage for the *Subject Property*; and

Section 2. That the development and uses of the *Subject Property* shall be subject to the requirements set forth in ***Planned Development District No. 46 (PD-46)*** and ***Article V, Section 4.5, Commercial District*** of the City of Rockwall Unified Development Code as heretofore amended and as may be amended in the future, and shall be subject to the additional following conditions:

1. That the storage and/or display of machinery and equipment shall be in a

stowed position so as to not extend any part of the machinery or the equipment in an upward or outward manner.

2. That the *Subject Property* generally conforms to the Conceptual Site Plan attached hereto as Exhibit 'B'

3. That the permissible uses for the *Subject Property* shall be those permitted within the Commercial (C) District and to include the following uses;

    a. Outside storage of trucks and trailers;

    b. Limited outside storage of pallets;

    c. Metal buildings;

    d. Trucking operations and associated uses;

    e. Rental store with outside storage of machinery and equipment.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code No. 04-38 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this ___ day of _____, 2014.

_____

David Sweet, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____

Frank Garza, City Attorney

1st Reading: _____

2nd Reading: _____

Exhibit 'A'

Legal Description

LEGAL DESCRIPTION
3.211 ACRES

BEING a tract of land situated in the J.A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas and being part of Lot 2, Block A, Sharp Addition, an addition to the City of Rockwall, Texas according to the plat recorded in Cabinet H, Slide 361, Plat Records, Rockwall County, Texas, same being part of a tract of land described in General Warranty Deed with Vendor's Lien to Rick Sharp and John W. Sharp recorded in Volume 4261, Page 219, Official Public Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a point for corner in the north right-of-way line of State Highway No. 276 (a variable width right-of-way) and the west line of a tract of land described in Special Warranty Deed to Lattimore Materials Company, L.P. recorded in Volume 1986, Page 20, Deed Records, Rockwall County, Texas at the southeast corner of said Lot 2, Block A;

THENCE with said north right-of-way line, North 82°03'48" West, a distance of 71.83 feet to a 5/8" iron rod found at the southeast corner of Lot 1, Block A of said Sharp Addition;

THENCE with the east line of said Lot 1, North 1°20'01" West, a distance of 268.16 feet to an "X" cut in concrete found at the northeast corner of said Lot 1;

THENCE with the north line of said Lot 1, South 88°15'22" West, a distance of 360.10 feet to a point for corner in the east line of Lot 3, Block A of said Sharp Addition at the northwest corner of said Lot 1;

THENCE with the said east line of Lot 3, North 1°13'17" West, at a distance of 47.94 feet passing the northeast corner of said Lot 3 and the easternmost southeast corner of Lot 1, Block A, Yetts Addition, an addition to the City of Rockwall recorded in Cabinet H, Slide 254, Plat Records, Rockwall County, Texas, continuing with the east line of said Lot 1, at a distance of 213.94 feet passing a 5/8" iron rod found for the northeast corner of said Lot 1 and continuing for a total distance of 281.01 feet to a point for corner;

THENCE North 88°15'24" East, a distance of 428.29 feet to a point for corner in said west line of the Lattimore Materials Company, L.P. tract;

THENCE with said west line of the Lattimore Materials Company, L.P. tract, South 1°33'11" East, a distance of 561.23 feet to the **POINT OF BEGINNING** and containing 3.211 acres or 139,864 square feet of land.

All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown are ground distances.

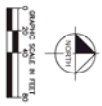
Exhibit 'B'

Conceptual Site Plan









EX	CONCEPTUAL SITE LAYOUT	SUNBELT DEVELOPMENT ROCKWALL, TX PREPARED FOR TKC LAND DEVELOPMENT II, LLC	PROJECT No. DATE: AUGUST 2014 SCALE: AS SHOWN DESIGNED BY: BAG DRAWN BY: BAG CHECKED BY: SES	Kimley»Horn 12720 PARK CENTRAL DRIVE, SUITE 1600, DALLAS, TEXAS PHONE: 972-770-1300 FAX: 972-239-3820 TEXAS REGISTERED ENGINEERING FIRM F-928	No. REVISIONS DATE BY

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 9/15/2014

APPLICANT: Vasquez Engineering, LLC

AGENDA ITEM: **Z2014-024;** Cavender's SUP

SUMMARY:

Hold a public hearing to discuss and consider a request by Juan J. Vasquez, PE of Vasquez Engineering, LLC on behalf of James R. Thompson of Cavender Investment Properties E, LTD for the approval of a Specific Use Permit (SUP) for a general retail store within a Light Industrial (LI) District for the purpose of constructing a Cavender's Boot City on a 3.27-acre parcel of land identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of the E. IH-30 frontage Road west of Corporate Crossing (FM-549), and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Juan J. Vasquez, P.E. with Vasquez Engineering, LLC, is requesting approval of a Specific Use Permit (SUP) to allow for a general retail store, and more specifically, a Cavender's Boot City. The proposed retail store will be located on a 3.27-acre tract of land situated on the south side of IH-30 west of Corporate Crossing. The property is zoned Light Industrial (LI) District and is located within the IH-30 Overlay (IH-30 OV) District.

The applicant is proposing a 21,341 sq. ft. building. It should be noted that the applicant is seeking approval of a site plan concurrently with the request for the SUP. In your packet is a letter of request for the SUP and a conceptual site plan for your consideration.

NOTIFICATION:

On August 29, 2014, staff mailed 12 notices to property owners and non-owner occupants within 500 feet of the subject property. A notice was published in the Rockwall County News and a sign was posted on the subject property. At the time of this report, one response has been returned in favor of the request.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the applicant's request for a SUP to allow for a general retail store within the LI District, staff offers the following conditions of approval:

1) All operations on the property shall generally conform to the Conceptual Site Plan.

2) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On September 9, 2014, the Planning & Zoning Commission recommended approval of the SUP with staff conditions by a vote of 7-0.

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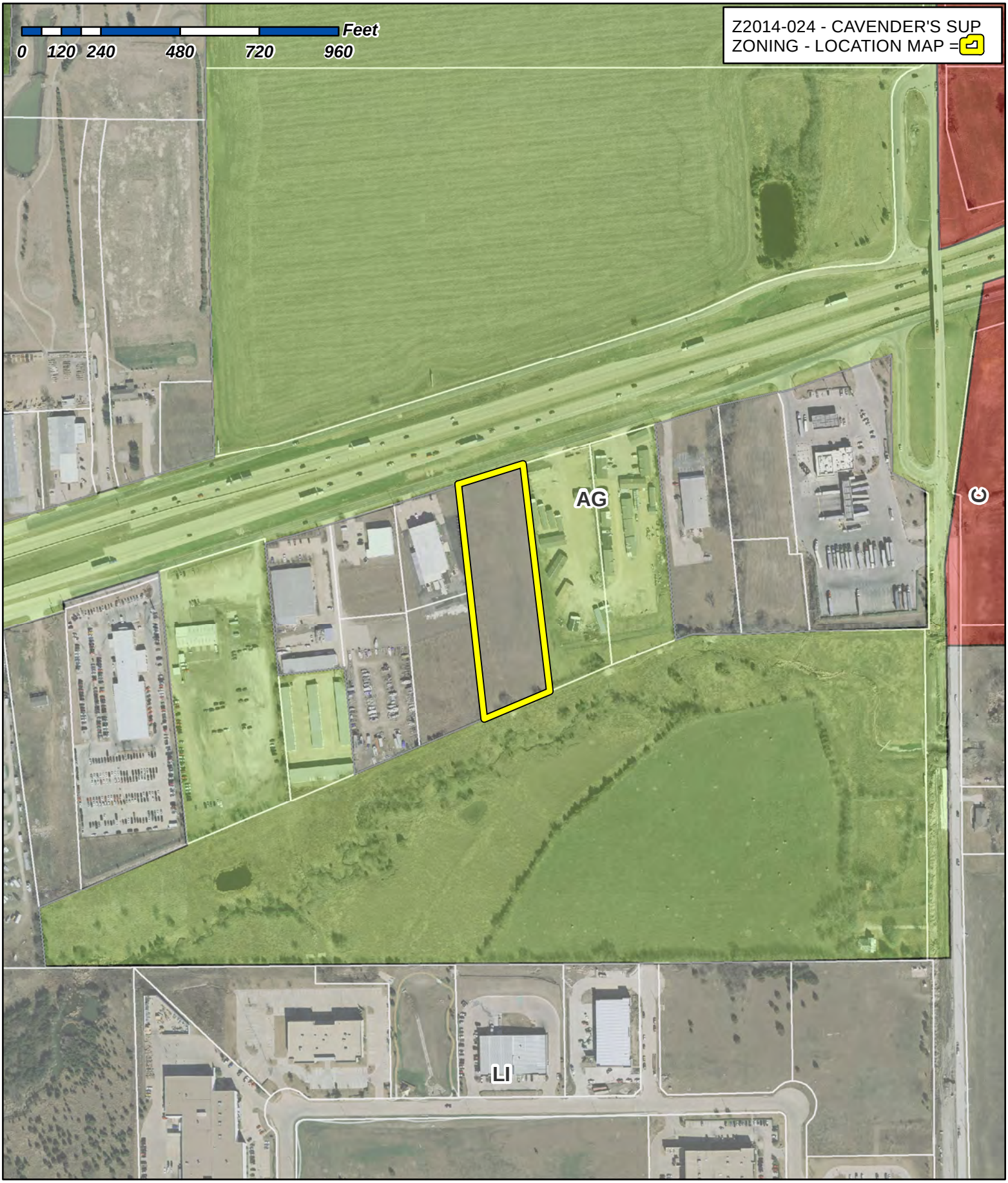

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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1:4,500

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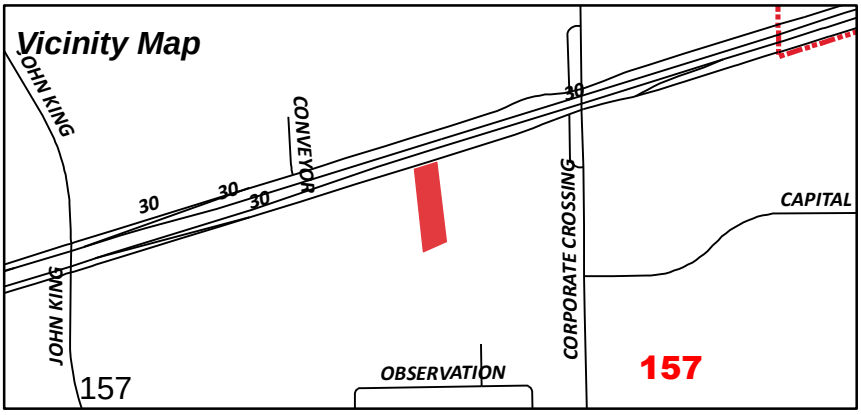
Case Number: Z2014-024
Case Name: Cavender's SUP
Case Type: Specific Use Permit
Zoning: Light Industrial
Case Address: S. IH-30

Date Created: *08/21/2014*
For Questions on this Case Call (972) 771-7745



Reference No.	DBA Name	Name	Legal Description	Address 1	Address 2	Address 3	City	State	Zip
0134-0000-0006-00-0R		ROCKWALL 549 I-30 PARTNERS LP	A0134 J LOCKHART, TRACT 6, ACRES 64.0, I-30 FRONTAGE (PT OF 93.699 AC TR		8235 DOUGLAS AVE	STE 650LB-65	DALLAS	TX	75225
0134-0000-0009-02-0R	PRO SOAP	SELF SCOTT & JANET	A0134 J LOCKHART, TRACT 9-02, ACRES 1.925		1830 E INTERSTATE 30	STE 100	ROCKWALL	TX	75087
0134-0000-0009-04-0R		1860 INVESTMENTS LTD	A0134 J LOCKHART, TRACT 9-4, ACRES 3.268		PO BOX 1360		ROCKWALL	TX	75087
0134-0000-0009-05-0R		YASIN MOHD	A0134 J LOCKHART, TRACT 9-5, ACRES 1.862		1860 EAST INTERSTATE 30		ROCKWALL	TX	75087
0134-0000-0009-07-0R		MOORE MICHAEL F	A0134 J LOCKHART, TRACT 9-07, ACRES 3.171, (PT OF 6.247 AC TR		1900 E INTERSTATE 30		ROCKWALL	TX	75087
0134-0000-0009-08-0R		MOORE MICHAEL F	A0134 J LOCKHART, TRACT 9-08, ACRES 3.076, (PT OF 6.247 AC TR		1900 E INTERSTATE 30		ROCKWALL	TX	75087
0134-0000-0009-10-0R	H & V STG	H AND V STORAGE	A0134 J LOCKHART, TRACT 9-10, ACRES 1.63	C/O PHILIP L HAIL AND NELL J VANLANDINGHAM	1505 SUMMER LEE DR		ROCKWALL	TX	75032
0134-0000-0009-10-0R		Current Occupant	A0134 J LOCKHART, TRACT 9-10, ACRES 1.63		1820 E I30		ROCKWALL	TX	75032
0134-0000-0011-00-0R		HITT FAMILY LIMITED PARTNERSHIP	A0134 J LOCKHART, TRACT 11, ACRES 44.127		7836 YAMINI DR		DALLAS	TX	75230
0134-0000-0011-00-0R		Current Occupant	A0134 J LOCKHART, TRACT 11, ACRES 44.127		1515 CORPORATE CROSSING		ROCKWALL	TX	75032
3511-0000-0001-00-0R	GENESTA	GENESTA PARTNERSHIP	DBK ADDITION, LOT 1, ACRES 1.42		1850 E INTERSTATE 30		ROCKWALL	TX	75087
3511-0000-0002-00-0R		SELF SCOTT	DBK ADDITION, LOT 2, ACRES 2.03		1830 E INTERSTATE 30	STE 100	ROCKWALL	TX	75087
3511-0000-0002-00-0R		Current Occupant	DBK ADDITION, LOT 2, ACRES 2.03		1848 E I30		ROCKWALL	TX	75032
4093-000A-0001-00-0R		YASIN MOHD	K.H.D. INC. SUBDIVISION, BLOCK A, LOT 1		1860 EAST INTERSTATE 30		ROCKWALL	TX	75087
5347-0001-0001-00-0R		BROWN MICHAEL & JUDIE DAVIS-BROWN	YA-HOO SUBDIVISION, BLOCK 1, LOT 1, ACRES 3.085		1960 E INTERSTATE 30		ROCKWALL	TX	75087

PLEASE RETURN THE BELOW FORM

Case No. Z2014-024: Cavender's SUP

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name: Michael Moore - 972-342-7510

Address: 1900 E. I-30 Rockwall, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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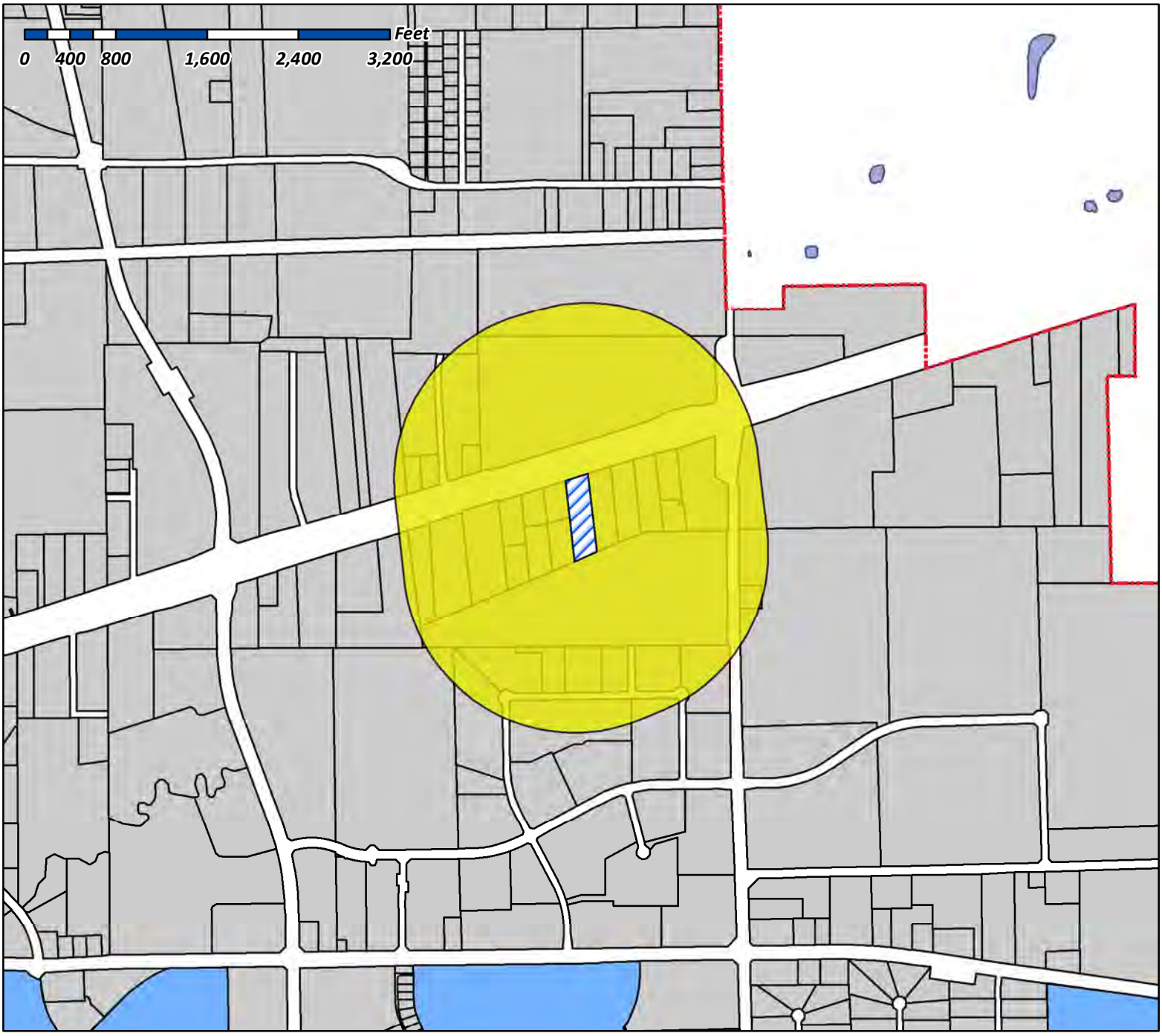
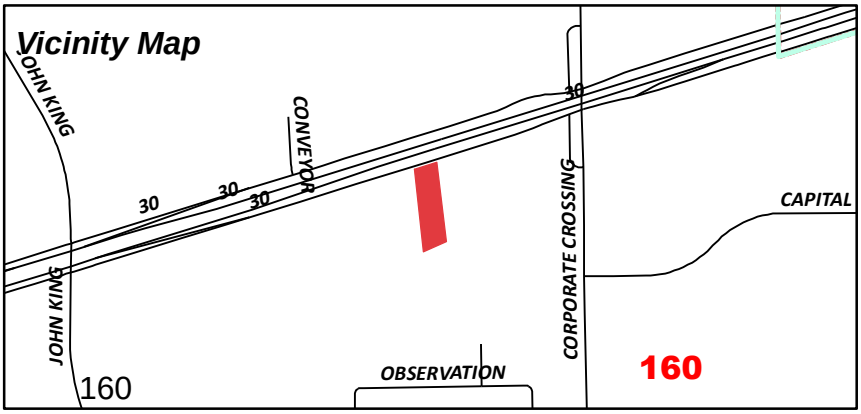


Case Number: Z2014-024
Case Name: Cavender's SUP
Case Type: Specific Use Permit
Zoning: Light Industrial
Case Address: IH-30

Date Created: *08/21/2014*
For Questions on this Case Call (972) 771-7745



SPECIFIC USE PERMIT

Cavender Investment Properties E, Ltd, which is the current owner of property, would like to request a Specific Use Permit in order to develop their existing 3.27 acre tract into a new Cavender's Boot City retail store. The current zoning designation of Light Industrial "LI" doesn't allow General Retail Uses by right.

The proposed store will be approximately 21,000 square feet and will meet the City's building material requirements for retail developments along with meeting the requirements of the I.H. 30 Overlay district. Cavender's is excited about developing a new store in the City of Rockwall.

METES AND BOUNDS DESCRIPTION
CAVENDER'S BOOT CITY
SUP REQUEST

All that certain lot, tract or parcel of land situated in the JOHN LOCKHART SURVEY, ABSTRACT NO. 134, City of Rockwall, Rockwall County, Texas, and being all of a 3,268 acres tract of land as described as Tract II in a Warranty deed from Thomas E. Haack to 1860 Investments, LTD., dated May 31, 2006, and being recorded in Volume 4643 Page 223 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at 1/2" Iron rod found for corner in the Southeast right-of-way line of Interstate Highway 30 at the Northwest corner of said 3.268 acres tract, said point also being at the Northeast corner of Lot 1, Block A, of K.H.D. INC., an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet B, Slide 321, of the Plat Records of Rockwall County, Texas;

THENCE N. 73 deg. 51 min 00 sec, E. along said right-of-way line, a distance of 205.00 feet to a 1/2" Iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner at Northwest corner of a tract of land as described in a Deed to H.A. & Gwen Cowan, as recorded in Volume 209, Page 367 of the Real Property Records of Rockwall County, Texas;

THENCE S. 04 deg. 38 min. 35 sec. E along the West line of said Cowan tract, a distance of 698.98 feet to a 1/2" Iron rod found for corner at the Southeast corner of said 3.268 acres tract and being in the Northwest line of a tract of land as described in a Deed to F.D. Hitt, as recorded in Volume 42. Page 569 of the Deed Records of Rockwall;

THENCE S. 68 deg. 23 min. 40 sec. W. along the Northwest line of said Hitt tract, a distance of 210.32 feet to a 3/8" Iron rod found for corner at the Southwest corner of said 3.268 acres tract;

THENCE N. 04 deg. 36 min. 24 sec. W. a distance of 394.05 feet to a 1/2" Iron rod found for corner at the Southeast corner of said Lot 1;

THENCE N. 04 deg. 38 min. 12 sec. W. along the East line of said Lot 1, a distance of 325.40 feet to the POINT OF BEGINNING and containing 3.27 acres of land.

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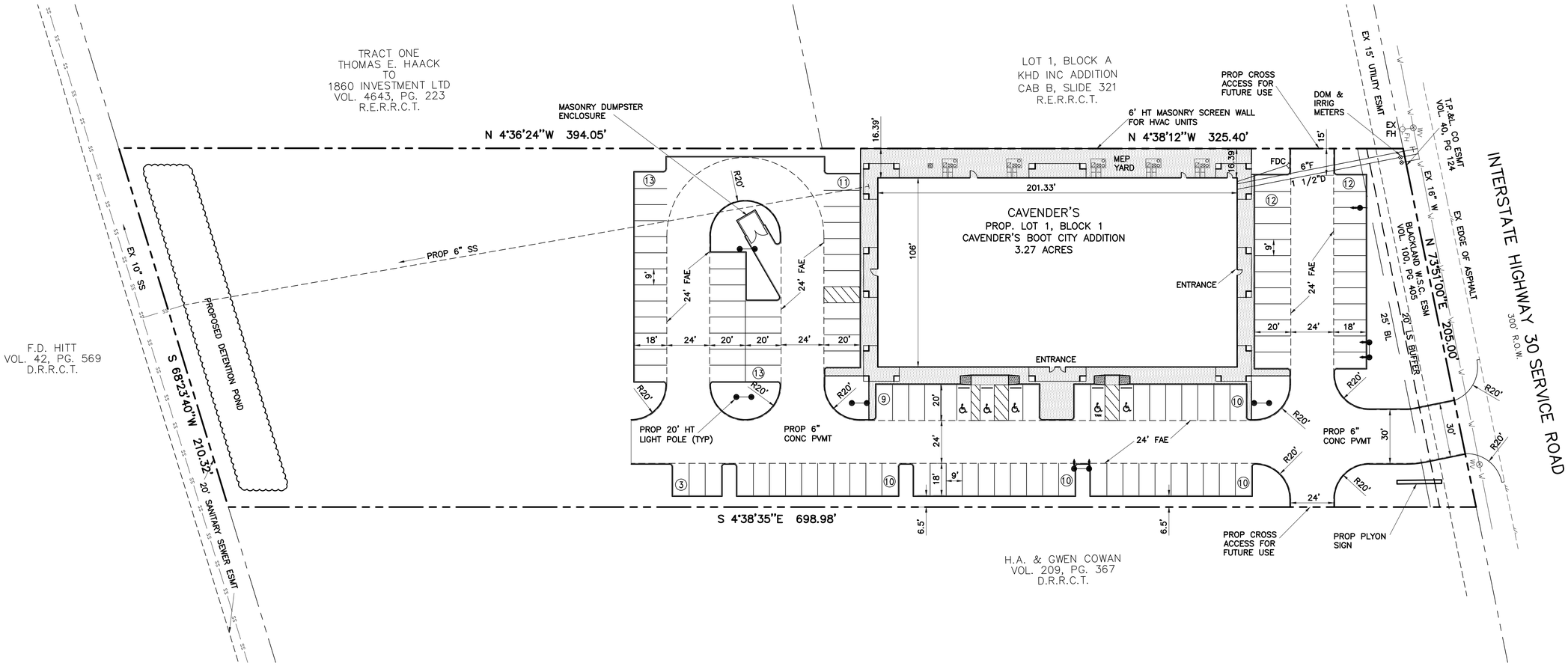

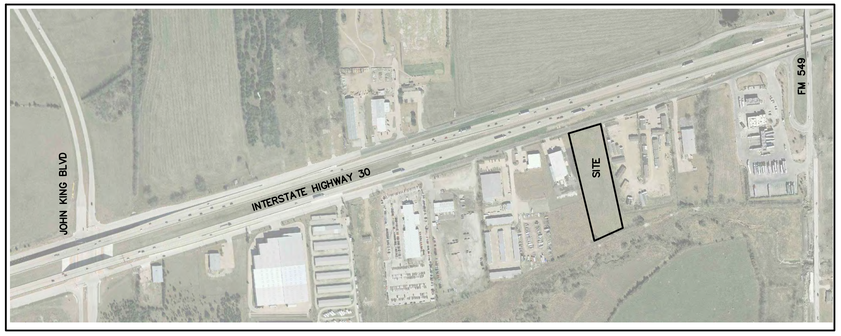

LOCATION MAP
N.T.S.

GRAPHIC SCALE
0 15 30 60
(IN FEET)
1 inch = 30 ft.

LEGEND

EXISTING		PROPOSED
	PROPERTY LINE	
	PAVEMENT	
W	WATER LINE	6"F
SS SS	SAN. SEW. LINE	6"SS
	OVERHEAD ELECTRIC	
OHE	UNDERGROUND ELEC	
	WALK	
	LIGHT POLE	
	BARRIER FREE RAMP	

NOTES:

1. EXISTING BOUNDARY BASED ON SURVEY PREPARED BY H.D. FETTY LANDS SURVEYOR, LLC.
2. REF LANDSCAPE PLAN FOR SITE LANDSCAPING.
3. REF LIGHTING PLAN FOR SITE LIGHTING.

SITE SUMMARY TABLE		
County	ROCKWALL	
Project Name	CAVENDER'S - BOOT CITY	
Zoning District	LI "LIGHT INDUSTRIAL" W/I-30 OVERLAY	
Proposed use	RETAIL STORE	
Site Area:	3.27 Acres 142,530 S.F.	
Building Area	21,341 S.F. (TOTAL)	
Building Height:	28' - 1 STORY	
Lot Coverage:	21,341/142,530 = 15.0%	
Floor Area Ratio:	21,341/142,530 = 1:15.0	
Parking Required:	1 SPC / 250 SF	= 86 SPACES
Parking Provided:	Regular	= 108 SPACES
	Handicap	= 5 SPACES
	Total	= 113 SPACES
Impervious Area:	75,787 / 142,530 SF = 53.2%	
Pervious Area:	66,743 / 142,530 SF = 46.8%	

ENGINEER:
VASQUEZ ENGINEERING, L.L.C.
705 W. AVE B, SUITE 216
GARLAND, TEXAS 75040
PHONE: 972-272-4610
CONTACT: JUAN J. VASQUEZ, P.E.

OWNER/DEVELOPER:
CAVENDER INVESTMENT PROPERTIES E, LTD
2025 WSW LOOP 323
TYLER, TEXAS 75701
PHONE: 903-509-9509
CONTACT: JAMES R. THOMPSON, CFO

SITE PLAN
CAVENDER'S BOOT CITY
LOT 1, BLOCK 1
CAVENDER'S BOOT CITY ADDITION
3.27 ACRES
ROCKWALL, ROCKWALL COUNTY, TEXAS
AUGUST 15, 2014
CASE

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY JUAN J. VASQUEZ, P.E. 08/15/2014

TAG
THOMPSON ARCHITECTURAL GROUP
P.O.B. 8113 T[illegible] T[illegible] 7571
(.09)871-0209 / (.09) 3-4057

VASQUEZ ENGINEERING L.L.C.
70[illegible] WEST AVENUE B
S[illegible] 216
G[illegible]d, T[illegible] 7[illegible]040
P[illegible] 72-272-4610
TX R[illegible]r[illegible] F-12266

AN[illegible] F[illegible]r
C[illegible]d[illegible]r'
B[illegible]C[illegible]
I.H. 30
R[illegible]T[illegible]

CAVENDER'S

SITE PLAN

R[illegible]/R[illegible] D[illegible]

Pr[illegible]N[illegible]r	[illegible]60-11
D[illegible]	08/1[illegible]/14
Dr[illegible]B[illegible]	J.J.V.
C[illegible]d B[illegible]	J.J.V

SP1

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CITY OF ROCKWALL

ORDINANCE NO. 14-___

SPECIFIC USE PERMIT NO. S-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT ALLOWING FOR A GENERAL RETAIL STORE ON A 3.27-ACRE PARCEL OF LAND IDENTIFIED AS TRACT 9-4 OF THE J. LOCKHART SURVEY, ABSTRACT NO. 134; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Juan J. Vasquez, P.E. with Vasquez Engineering, LLC, on behalf of James R. Thompson of Cavender Investment Properties E, LTD., for a Specific Use Permit within a Light Industrial (LI) District allowing for a general retail store on a 3.27-acre parcel of land identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City and County of Rockwall, Texas; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for a general retail store within a Light Industrial (LI) District, on the subject property identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City and County of Rockwall, Texas; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **Section 5.3, *"LI" Light Industrial (LI) District*, of Article V, *District Development Standards*, of the City of Rockwall Unified Development Code (Ordinance No. 04-38)** as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and definitions.

1) All operations on the property shall generally conform to the Conceptual Site Plan.

2) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE ____ DAY OF _____, 2014.

_____
David Sweet, Mayor

ATTEST:

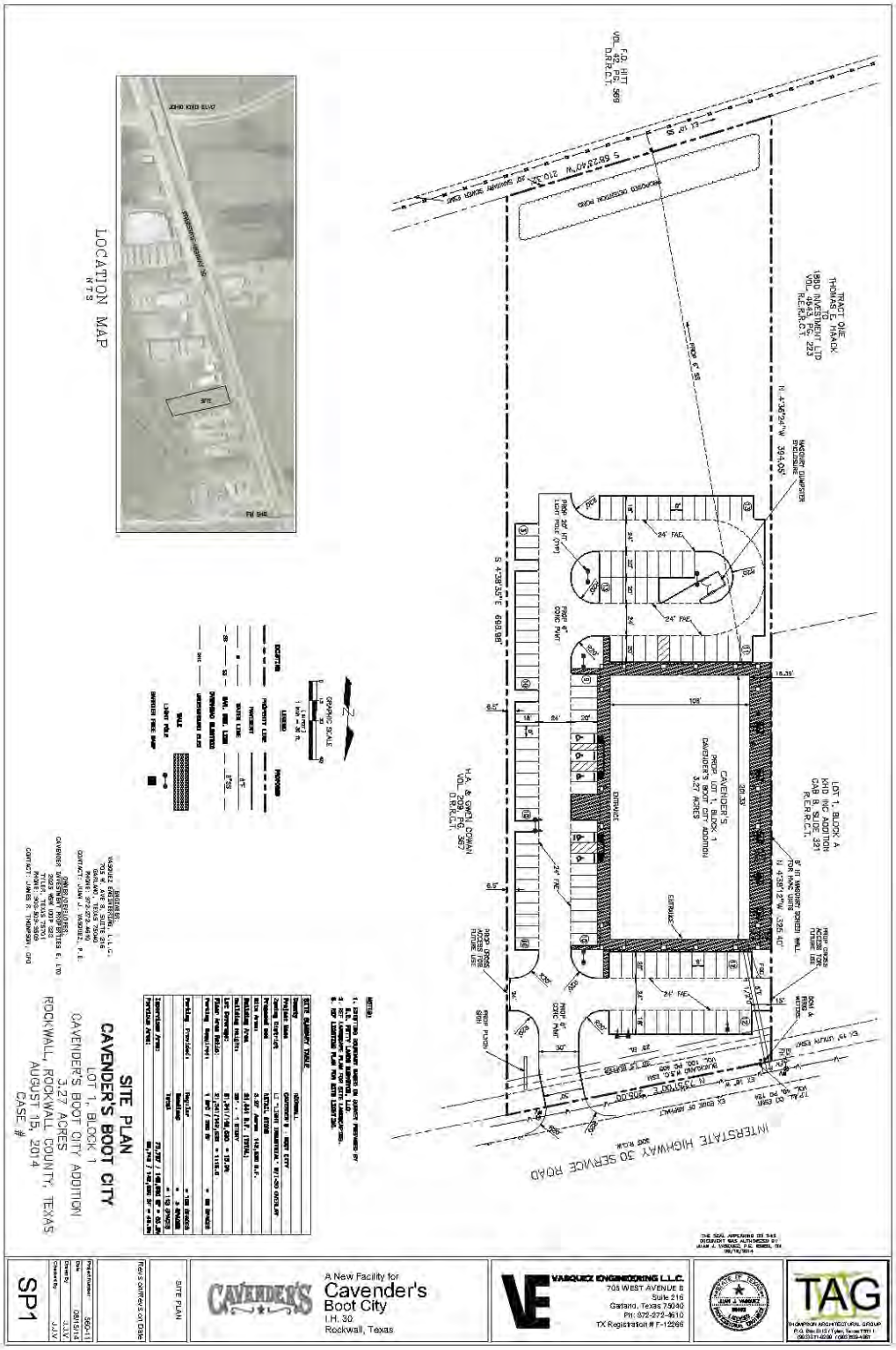
_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: _____

2nd Reading: _____


LOCATION MAP
N.T.S.
SITE PLAN
CAVENDER'S BOOT CITY
LOT 1, BLOCK 1
CAVENDER'S BOOT CITY ADDITION
3.27 ACRES
ROCKWALL, ROCKWALL COUNTY, TEXAS
AUGUST 15, 2014
CASE #
INTERSTATE HIGHWAY 30 SERVICE ROAD
CAVENDER'S
A New Facility for
Cavender's
Boot City
I.H. 30
Rockwall, Texas
VASQUEZ ENGINEERING L.L.C.
705 WEST AVENUE B
Suite 216
Garland, Texas 75040
Ph: 972-272-9610
TX Registration # F-12295
TAG
SP1
SITE PLAN

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

FROM: Ryan Miller, *Planning Manager*

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning and Zoning*

DATE: September 15, 2014

SUBJECT: Lakes of Somerset Amendments (PD-63) [*Z2014-025*]

At their regularly scheduled meeting on September 9, 2014, the Planning and Zoning Commission, at the request of the applicant (Christopher Orr), postponed the public hearing to October 14, 2014. This means that the projected City Council public hearing will be held at the October 20, 2014 meeting. According to Section 6.2, *Public Hearing Postponements, Recess, and Continuations*, of the Article II of the Unified Development Code, a public hearing may be postponed by announcing the postponement at the public hearing by stating the time and place the new public hearing is scheduled to begin. The announcement of a postponement shall be sufficient notice and no additional notice shall be required.

ARCADIA

VIA ELECTRONIC MAIL

September 2, 2014

Mr. Ryan Miller
Planning Manager
City of Rockwall
385 South Goliad Street
Rockwall, TX 75087

Re: Zoning Amendment Application Z2014-25

Dear Mr. Miller,

Based on feedback from the Planning and Zoning workshop held on August 24, 2014, Arcadia Lakes of Sommerset Holdings, LLC is requesting that the above application be postponed until the first P&Z meeting in October 2014 to resolve certain project issues with Staff.

If you have any questions, please don't hesitate to contact me at 214.724.9281.

Sincerely,

Christopher Orr

3500 Maple Avenue ▪ Suite 1165 ▪ Dallas, Texas 75219
PHONE: 972-774-9110 ▪ FAX: 972-774-9111

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 09/15/2014

APPLICANT: Caprice Michelle; *Rockwall's Rustic Ranch, LLC*

AGENDA ITEM: **Z2014-026**; *Restaurant SUP in PD-50 (406 N. Goliad Street)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Caprice Michelle of Rockwall's Rustic Ranch, LLC for the approval of a Specific Use Permit (SUP) for a restaurant within Planned Development District 50 (PD-50) on a 0.53-acre parcel of land identified as Lot B, Block 123, B. F. Boydston Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a 0.37-acre parcel of land zoned Planned Development District 50 (PD-50) for residential/office uses. North of this use is a residential property on a 0.34-acre parcel of land zoned Planned Development District 50 (PD-50).

South: Directly south of the subject property is an office building (*Land Headquarters Company, Inc.*), which is situated on a 0.49-acre parcel of land zoned General Retail (GR) District. Beyond this use is Olive Street followed by a winery/restaurant (*KE Cellars*) and a church (*Joy Lutheran Church*).

East: Directly east of the subject property Bin 303, which is situated on a 0.72-acre parcel of land zoned General Retail (GR) District. Beyond this property is a vacant tract of land followed by a residential home. Both of these property are zoned Single Family 7 (SF-7) District.

West: Directly west of the subject property is N. Goliad Street [*SH-205*] followed by two (2) vacant parcels of land zoned Planned Development District 50 (PD-50).

PURPOSE AND CHARACTERISTICS OF THE REQUEST:

The subject property is a 0.53-acre parcel of land located at 406 N. Goliad Street zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses. Existing on the property is a 2,074 SF single family home and a 640 SF garage that were constructed in the 1950's. The applicant, Caprice Michelle, is in the process of remodeling the single family home for the purpose of converting the use from a residential use to a commercial use. According to *Ordinance No. 07-29* in order for a property to be converted from any use other than single family residential it shall be subject to site plan review. The Planning and Zoning Commission approved a site plan for the subject property on August 12, 2014.

Since the approval of the site plan the applicant has submitted an application requesting a Specific Use Permit (SUP) for the purpose of establishing a restaurant. According to the *Permissible Use Charts* contained within Article IV, *Permissible Uses*, of the Unified Development Code (UDC) properties located within a Residential Office (RO) District are permitted a restaurant through a SUP with the additional requirements that the total square footage be limited to 2,000 SF and that the restaurant not incorporate a drive-through. The floor plan provided by the applicant shows that the restaurant service area will be limited to 2,000 SF and that a drive-through will not be incorporated into the overall design of the facility. In addition, a restaurant carries a parking requirement of one (1) parking space per 100 SF of building area. This means that based on the floor plan provided by the applicant the proposed restaurant will have a total parking requirement of 27 parking spaces (*i.e. 2,714 SF/100 SF = 27*). Currently, the zoning exhibit and approved site plan indicate the ability to provide a maximum of 28 parking spaces. The applicant's request does conform to all other applicable requirements for this proposed land use.

Ordinance No. 07-29 also states that joint or shared access shall be required on all adjoining lots if the property is used for non-residential uses; however, the City Council shall have the ability to approve variances to this requirement if unique or extraordinary conditions exist. As part of this application, the applicant is requesting that the City Council waive the shared access requirements for a portion of the property. According to the letter submitted by the applicant the purpose for the variance request is to allow for the ability to control the parking areas in the event that overflow parking from adjacent uses becomes an issue, and that the easement devalues the property. Staff does not find that a unique or extraordinary condition exists, but would acknowledge that the circulation pattern (*i.e. an additional drive approach on N. Goliad Street*) was not accounted for in the original access plan (*contained in the packet*). This being stated the proposed circulation pattern depicted in the applicant's zoning exhibit is contingent on the approval of the drive approach on N. Goliad Street from the Texas Department of Transportation (*TXDoT*). By approving the SUP request and the zoning exhibits as presented by the applicant, a variance to the joint or shared access requirements will also be approved (unless a motion stating otherwise is made).

NOTIFICATION:

On August 29, 2014, staff mailed 108 notices to property owners and residents within 500 feet of the subject property. Additionally, staff posted a sign adjacent to N. Goliad Street [*SH-205*] as required by the Unified Development Code (UDC). At the time this case memo was drafted staff had received one (1) response in favor of the applicant's request.

City staff has no knowledge of any Homeowner's Associations or Neighborhood Organizations located within 1,500-feet of the subject property.

RECOMMENDATIONS:

If the City Council choose to approve the applicant's request for a Specific Use Permit (SUP) for a *Restaurant (Less Than 2,000 SF)* on the subject property then staff would recommend the following conditions of approval:

1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and summarized as follows:

   (a) The development or operation of a *Restaurant [Less Than 2,000 SF; Without Drive-Through or Drive-In Service]* shall generally conform to the Concept Site Plan contained in Exhibit 'B' of the SUP ordinance; and,

(b) The operation of a *Restaurant [Less Than 2,000 SF; Without Drive-Through or Drive-In Service]* shall generally conform to the Floor Plan contained in Exhibit 'C' of the SUP ordinance; and,

(c) The service area of the restaurant shall be limited to 2,000 SF; and,

(d) All outdoor seating and waiting areas should be situated behind the front yard building setback adjacent to SH-205.

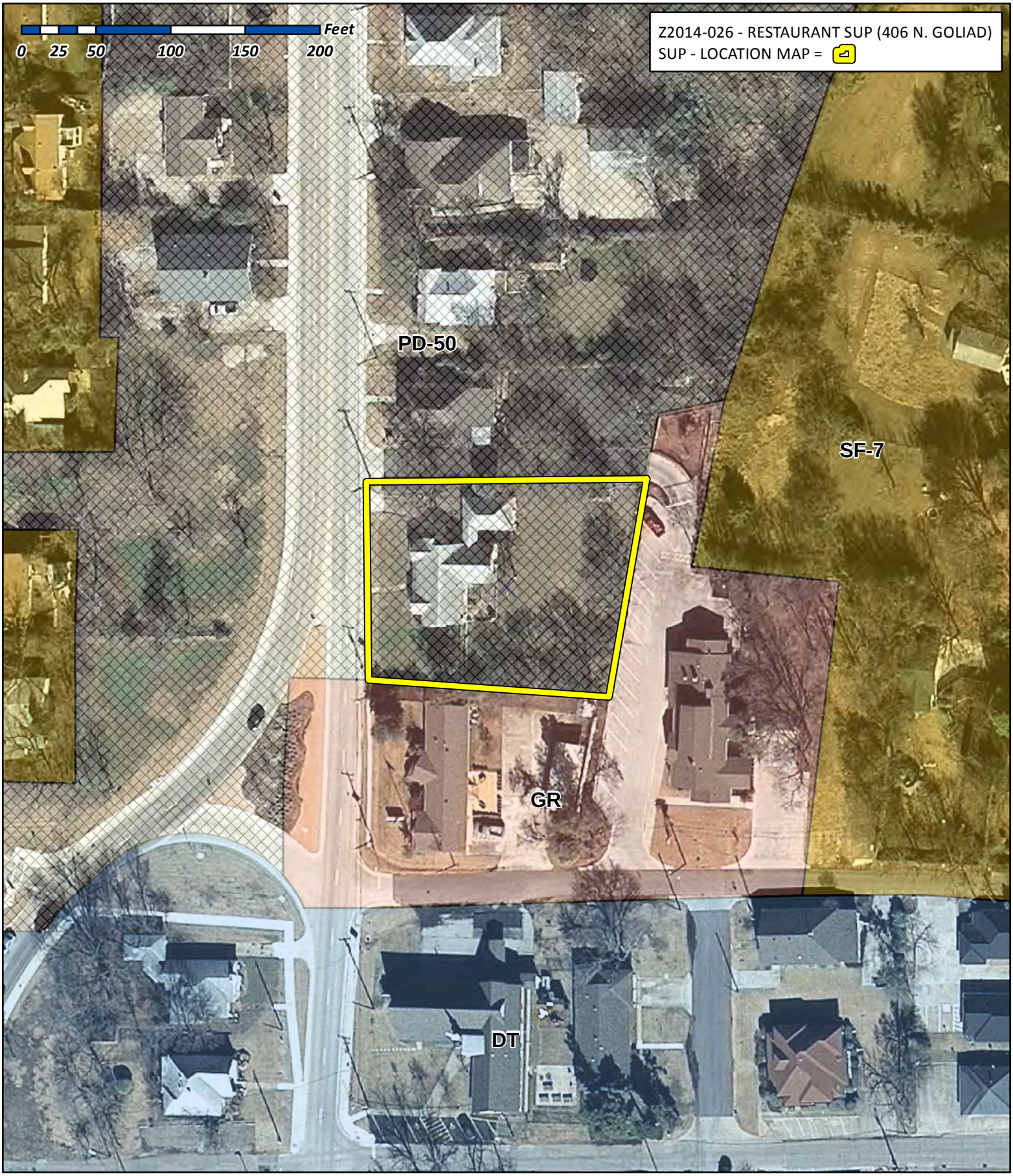
2) The applicant shall comply with all Planning, Engineering and Fire comments prior to the approval of the SUP;

3) Prior to the issuance of a Certificate of Occupancy the applicant shall be required to submit a replat that indicates the location of all easements on the subject property; and,

4) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On September 9, 2014, the Planning & Zoning Commission made a motion to recommend approval of the Specific Use Permit for a restaurant with the added condition that the cross access easements approved with the site plan be provided by the applicant. The motion passed by a vote of 7-0.



City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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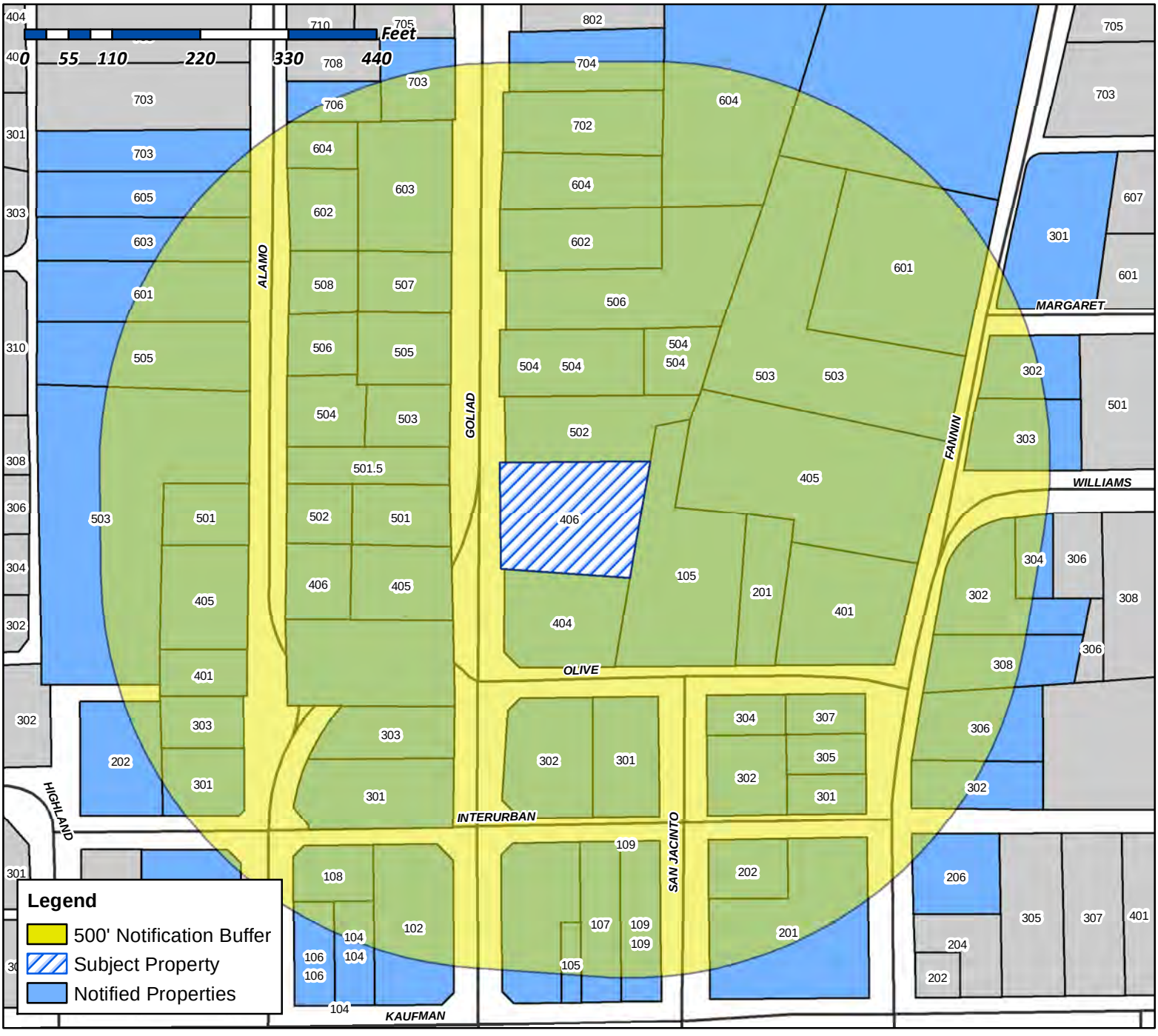
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Case Number: Z2014-026
Case Name: Restaurant SUP
Case Type: Specific Use Permit
Zoning: PD-50
Case Address: 406 N. Goliad Street



Date Created: 08/20/2014
For Questions on this Case Call (972) 771-7745

ACCOUNT NUMBER	OWNER NAME	LEGAL DESCRIPTION	SUBJECT PROPERTY ADDRESS	PROPERTY OWNER ADDRESS	PROPERTY OWNER CITY	STATE	ZIP
3025-000A-0003-00-0R	HUTTON SCOTT W & JOANN Y HAMILTON	ALAMO VALLEY, BLOCK A, LOT 3	603 N ALAMO RD	603 N ALAMO RD	ROCKWALL	TX	75087
3050-0014-0010-00-0R	TUCKER PAMELA	AMICK, BLOCK S/2 14, LOT 10, ACRES .5335, 505 N ALAMO	505 N ALAMO	505 N ALAMO RD	ROCKWALL	TX	75087
3025-000A-0001-00-0R	PEOPLES DOSVILLE	ALAMO VALLEY, BLOCK A, LOT 1	703 N ALAMO RD	208 W HEATH ST	ROCKWALL	TX	75087
3050-0014-0009-00-0R	SHIREY THOMAS E	AMICK, BLOCK N 1/2 14	601 N ALAMO	(MR)			
3025-000A-0002-00-0R	RNDI COMPANIES INC	ALAMO VALLEY, BLOCK A, LOT 2	605 N ALAMO	2255 RIDGE ROAD	ROCKWALL	TX	75087
3690-0002-000C-00-0R	POINTER TAYLOR & PRICE	F & M, BLOCK 2, LOT SW/4 C	303 WILLIAMS ST	303 WILLIAMS STREET	ROCKWALL	TX	75087
3690-0002-000A-00-0R	PEOPLES BILLY W	F & M, BLOCK 2, LOT NW/4 A	302 E MARGARET ST	PO BOX 35	ROCKWALL	TX	75087
3690-0003-000A-00-0R	ORTAMOND DONALD J & JANA R	F & M, BLOCK 3, LOT W/3 A	301 MARGARET ST	301 MARGARET ST	ROCKWALL	TX	75087
3140-0122-000A-01-0R	HALL DOUGLAS A & MARCI	B F BOYDSTON, BLOCK 122 PT, LOT A-1, ACRES 0.918	601 N FANNIN ST	601 N FANNIN ST	ROCKWALL	TX	75087
3050-0015-0012-00-0R	KILLION OLIN R	AMICK, BLOCK 15, ACRES 1.648	503 N ALAMO	8709 DALROCK RD	ROWLETT	TX	75089
3050-015B-0013-00-0R	KILLION OLIN R & AGATHA	AMICK, BLOCK 15B	405 N ALAMO	8709 DALROCK RD	ROWLETT	TX	75089
3050-015C-0011-00-0R	BILLINGSLEY LAURA RENEE	AMICK, BLOCK 15C	501 N ALAMO	101 AVERY LN	ROYSE CITY	TX	75189
3050-0016-0014-00-0R	KILLION OLIN R	AMICK, BLOCK 16	401 N ALAMO	8709 DALROCK RD	ROWLETT	TX	75089
4820-000H-0001-00-0R	BOWEN PERRY	ROCKWALL O T, BLOCK H, LOT 1,6 & E PT OF 2	203 N ALAMO	1006 TIMBERLINE DRIVE	HEATH	TX	75032
3050-020B-0023-00-0R	STAINED GLASS CREATIONS INC	AMICK, BLOCK 20B	505 N GOLIAD	1391 ANNA CADE RD	ROCKWALL	TX	75087
3012-000A-0001-00-0R	ARTVENTURES STUDIO LLC	ARTVENTURES STUDIO ADDN, BLOCK A, LOT 1, ACRES .2254	507 N GOLIAD	(MR)		TX	
3051-000A-0001-00-0R	MORGAN RHONA L &	AMICK 20A - THOMAS SUBD, BLOCK A, LOT 1	508 N ALAMO	508 N ALAMO RD	ROCKWALL	TX	75087
3050-018B-0017-00-0R	STATE OF TEXAS	AMICK, BLOCK 18B	405 N GOLIAD				0
3050-018A-0016-00-0R	CAWTHON RICK	AMICK, BLOCK 18A SW PT, LOT 16, ACRES .183	406 N ALAMO	2000 E INTERSTATE 30	ROCKWALL	TX	75087
3050-019C-0020-00-0R	TAMEZ SILVINO & ARACELIA	AMICK, BLOCK 19C, LOT 20	502 N ALAMO	502 N ALAMO RD	ROCKWALL	TX	75087
3050-019C-0021-00-0R	STATE OF TEXAS	AMICK, BLOCK 19C, LOT 21	501 N GOLIAD				0
3050-019B-0019-00-0R	DATAR CORPORATION	AMICK, BLOCK 19B	501.5 N GOLIAD ST	1508 BAY VALLEY CIRCLE	HEATH	TX	75032
3050-019A-0018-01-0R	SARRATT LARRY	AMICK BLK 19 A W PART 504 N ALAMO	504 N ALAMO	1508 BAY VALLEY CIR	HEATH	TX	75032
3050-0021-0026-00-0R	CARDENAS CECILIO & CARMEN	AMICK, BLOCK S/PT OF W/PT 21	602 N ALAMO	602 N ALAMO ROAD	ROCKWALL	TX	75087
3050-0017-0015-00-0R	STATE OF TEXAS	AMICK, BLOCK 17, LOT 15	N GOLIAD				0
3050-019A-0018-00-0R	DATAR CORPORATION	AMICK, BLOCK 19A E PART	503 N GOLIAD	1508 BAY VALLEY CIRCLE	HEATH	TX	75032
3050-020C-0024-00-0R	LAYTON ERIC A	AMICK, BLOCK 20C	506 N ALAMO	PO BOX 998	ROCKWALL	TX	75087
3050-0021-0026-01-0R	CASTILLO PEDRO	AMICK, BLOCK 21 N/PT OF W/PT OF TR B	604 N ALAMO	3161 S FM 551	ROYSE CITY	TX	75189
3050-0022-0031-00-0R	TEEL BRITTON & BARBARA	AMICK, BLOCK 22, LOT 31, (S 1/2 OF LOT A)	706 N ALAMO	10925 ROCKSTONE DR	BALCH SPRINGS	TX	75180
4820-000F-0007-A0-0R	LOFLAND WILLIAM B	ROCKWALL O T, BLOCK F, LOT E PT OF 7, ACRES .057	105 E KAUFMAN	105 E KAUFMAN ST	ROCKWALL	TX	75087
4820-000F-0001-A0-0R	HANCE ROY & RANDA & LARRY	ROCKWALL O T, BLOCK F, LOT W/2 7 & ALL 2,3,8, ACRES .391	KAUFMAN	1244 E QUAIL RUN RD	ROCKWALL	TX	75087
4820-000D-0003-00-0R	PRYOR BOBBY G	ROCKWALL O T, BLOCK D, LOT 3 & 6, ACRES 0.23	302 N SAN JACINTO	302 N SAN JACINTO ST	ROCKWALL	TX	75087
4820-000D-0002-00-0R	CULLINS KENNETH L & HEATHER D	ROCKWALL O T, BLOCK D, LOT 2	304 N SAN JACINTO	845 RAVENHURST DR	ROCKWALL	TX	75087
3140-0122-00AA-00-0R	CITY OF ROCKWALL	B F BOYDSTON, BLOCK 122 PT, LOT AA, ACRES 3.998	FANNIN				0
3002-0000-0001-00-0R	MEYERS STUART A & BRENDA S	ABATE INJURY REHAB CENTER ADDN, LOT 1, ACRES .6849	506 N GOLIAD	1614 S LAKESHORE DR	ROCKWALL	TX	75087
3090-0000-0002-00-0R	CRISWELL BARBARA	BARNES, LOT 2	602 N GOLIAD	1890 AVONLEA DR	ROCKWALL	TX	75087
3090-0000-0003-A0-0R	CRISWELL BARBARA	BARNES, LOT S 67' OF 3	604 N GOLIAD	1890 AVONLEA DR	ROCKWALL	TX	75087
3090-0000-0003-B0-0R	SMITH G DAVID	BARNES, LOT 8' OF 3 & ALL OF 4	702 N GOLIAD	702 N GOLIAD ST	ROCKWALL	TX	75087
3090-0000-0005-00-0R	STAMERJOHN ALEXANDER JAMES & KIMBERLY J	BARNES, LOT 5	704 N GOLIAD	704 N GOLIAD	ROCKWALL	TX	75087
4820-000G-0002-A0-0R	4 ROSES ENTERPRISES LLC AND	ROCKWALL O T, BLOCK G, LOT PT OF 2,3,5 & ALL 4, ACRES .179	106 W KAUFMAN	497 RIDGE POINT DR	FORNEY	TX	75126
4820-000G-0002-A0-0R	4 ROSES ENTERPRISES LLC AND	ROCKWALL O T, BLOCK G, LOT PT OF 2,3,5 & ALL 4, ACRES .179	106 W KAUFMAN	497 RIDGE POINT DR	FORNEY	TX	75126
4820-000G-0002-B0-0R	BLESSING BRIAN PC	ROCKWALL O T, BLOCK G, LOT PT OF 2 & 5, ACRES .119	104 W KAUFMAN	104 W KAUFMAN ST	ROCKWALL	TX	75087
4820-000G-0002-B0-0R	BLESSING BRIAN PC	ROCKWALL O T, BLOCK G, LOT PT OF 2 & 5, ACRES .119	104 W KAUFMAN	104 W KAUFMAN ST	ROCKWALL	TX	75087
4820-000G-0002-C0-0R	RAYWAY PROPERTIES LLC	ROCKWALL O T, BLOCK G, LOT N 70' 2 & 3, ACRES 0.16	108 INTERURBAN	3 GRANITE RIDGE	ROCKWALL	TX	75032
4820-000F-0001-00-0R	MCCALLUM DARRELL	ROCKWALL O T, BLOCK F, LOT PT 1 & 4, ALL 6, ACRES .230	107 E KAUFMAN	1535 E INTERSTATE 30	ROCKWALL	TX	75087
4820-000D-0001-00-0R	FERGUSSON PROPERTIES LLC	ROCKWALL O T, BLOCK D, LOT 1	307 N FANNIN ST	307 N FANNIN ST	ROCKWALL	TX	75087
4820-000D-0004-00-0R	FERGUSSON PROPERTIES LLC	ROCKWALL O T, BLOCK D, LOT 4	305 N FANNIN ST	305 N FANNIN ST	ROCKWALL	TX	75087
4820-000D-0005-00-0R	MORROW TREVA L	ROCKWALL O T, BLOCK D, LOT 5	301 N FANNIN ST	104 MORROW LN	LAVON	TX	75166
4820-000F-0004-A0-0R	CAIN REVOCABLE FAMILY TRUST	ROCKWALL O T, BLOCK F, LOT PT OF 1 & 4, ALL OF 5, ACRES .230	109 E KAUFMAN	305 STONEBRIDGE DR	ROCKWALL	TX	75087
4820-000F-0004-A0-0R	CAIN REVOCABLE FAMILY TRUST	ROCKWALL O T, BLOCK F, LOT PT OF 1 & 4, ALL OF 5, ACRES .230	109 E KAUFMAN	305 STONEBRIDGE DR	ROCKWALL	TX	75087
4820-000C-0001-00-0R	JOY LUTHERAN CHURCH	ROCKWALL O T, BLOCK C, LOT PT 1,4,& 5, ACRES 0.23	301 N SAN JACINTO	302 N GOLIAD ST	ROCKWALL	TX	75087
3106-0001-0001-00-0R	R & S OPERATING CO LP	BIN 303 RESTAURANT, BLOCK 1, LOT 1	105 OLIVE ST	11508 ROYALSHIRE DR	DALLAS	TX	75230
3140-0122-000D-01-0R	REDDEN POLLY & ROSS	B F BOYDSTON, BLOCK 122, LOT D-1	201 OLIVE ST	1712 MORRISH LANE	HEATH	TX	75032
4820-000B-0003-A0-0R	ROCKWALL RENTAL PROPERTIES LP	ROCKWALL O T, BLOCK B, LOT PT 3 & 4, ALL 5 & 6, ACRES 0.371	301 N GOLIAD	PO BOX 818	TERRELL	TX	75160
4820-000G-0001-00-0R	RHODES TOM B	ROCKWALL O T, BLOCK G, LOT 1,6,7,8, ACRES .4591	102 W KAUFMAN	ATTN JEFF TARLTON	ATLANTA	GA	30339
3140-0123-000A-00-0R	LAND HEADQUARTERS COMPANY INC	B F BOYDSTON, BLOCK 123, LOT A	404 N GOLIAD	PO BOX 69	KEY BISCAYNE	FL	33149
3119-0001-0001-00-0R	BLACK SHIRLEY M	BLACKS COLLECTABLES ADDITION, BLOCK 1, LOT 1, ACRES .37	502 N GOLIAD	502 N GOLIAD ST	ROCKWALL	TX	75087
4820-000E-0002-00-0R	LAZY DALE PARTNERS LP	ROCKWALL O T, BLOCK E, LOT 2 & N 25' OF 3	202 N SAN JACINTO	202 NORTH SAN JACINTO	ROCKWALL	TX	75087
4820-000E-0001-00-0R	COMMUNITY BANK	ROCKWALL O T, BLOCK E, LOT 1,4,5,6,7,8, & S 25' OF 3, ACRES .747	201 E KAUFMAN	PO BOX 580	GRANBURY	TX	76048
3140-0122-000A-00-0R	RAKICH CEDO AND JULIA	B F BOYDSTON, BLOCK 122, LOT A	503 N FANNIN ST	217 LITTLE JOHN TRL	HOT SPRINGS	AR	71913
3140-0122-000A-00-0R	RAKICH CEDO AND JULIA	B F BOYDSTON, BLOCK 122, LOT A	503 N FANNIN ST	217 LITTLE JOHN TRL	HOT SPRINGS	AR	71913
3140-0122-000B-01-0R	ODOM JAY & ALISON	B F BOYDSTON, BLOCK 122, LOT B-1, ACRES 1.05	405 N FANNIN ST	405 N FANNIN STREET	ROCKWALL	TX	75087
3140-0123-000B-00-0R	KLUTTS B A	B F BOYDSTON, BLOCK 123, LOT B	406 N GOLIAD	1605 SUNSET HILL DR	ROCKWALL	TX	75087
3140-0123-000D-00-0R	CRAWFORD STEVE	B F BOYDSTON, BLOCK 123, LOT D & PT OF C	504 N GOLIAD	1709 GASLIGHT CT	SEABROOK	TX	77586
3140-0123-000D-00-0R	CRAWFORD STEVE	B F BOYDSTON, BLOCK 123, LOT D & PT OF C	504 N GOLIAD	1709 GASLIGHT CT	SEABROOK	TX	77586
4820-000C-0ALL-00-0R	JOY LUTHERAN CHURCH	ROCKWALL O T, BLOCK C, LOT ALL LOTS 2,3,& 6 & PT OF 1,4,& 5, ACRES 0.439	302 N GOLIAD	302 N GOLIAD ST	ROCKWALL	TX	75087
3140-0123-000F-00-0R	CRISWELL BARBARA	B F BOYDSTON, BLOCK 123, LOT F, ACRES 1.05	604 GOLIAD	1890 AVONLEA DR	ROCKWALL	TX	75087
3140-0123-000D-00-0R	CRAWFORD STEVE	B F BOYDSTON, BLOCK 123, LOT D & PT OF C	504 N GOLIAD	1709 GASLIGHT CT	SEABROOK	TX	77586
3140-0123-000D-00-0R	CRAWFORD STEVE	B F BOYDSTON, BLOCK 123, LOT D & PT OF C	504 N GOLIAD	1709 GASLIGHT CT	SEABROOK	TX	77586
4820-000A-0002-00-0R	ALSOBROOK DAVID	ROCKWALL O T, BLOCK A, LOT 2,3,6	202 INTERURBAN ST	505 CARRIAGE TRL	ROCKWALL	TX	75087
4820-000A-0008-A0-0R	BEDFORD AUSTIN J & TERRI W	ROCKWALL O T, BLOCK A, LOT 8, (FKA LOT 5),(REPLAT 2012)	301 N ALAMO	301 N ALAMO RD	ROCKWALL	TX	75087
4820-000A-0007-00-0R	LEAL CAROL RHEA & ROLAND	ROCKWALL O T, BLOCK A, LOT 7, (REPLAT 2012), (FKA: LOT ALL 1, N 15' OF 4)	303 N ALAMO	303 N ALAMO RD	ROCKWALL	TX	75087
3050-0022-0030-00-0R	IRBY DENNIS	AMICK, BLOCK PT 22, LOT 30, 703 N GOLIAD	703 N GOLIAD	703 N GOLIAD ST	ROCKWALL	TX	75087
3635-0001-0001-00-0R	WRIGHT JOHN M & SUSAN L	FAMILY LAW CENTER ADDITION, BLOCK 1, LOT 1, ACRES 0.42	603 N GOLIAD	1605 SEASCAPE CT	ROCKWALL	TX	75087
4820-000F-0004-A0-0R	CAIN REVOCABLE FAMILY TRUST	ROCKWALL O T, BLOCK F, LOT PT OF 1 & 4, ALL OF 5, ACRES .230	109 E KAUFMAN	305 STONEBRIDGE DR	ROCKWALL	TX	75087
4820-000F-0004-A0-0R	CAIN REVOCABLE FAMILY TRUST	ROCKWALL O T, BLOCK F, LOT PT OF 1 & 4, ALL OF 5, ACRES .230	109 E KAUFMAN	305 STONEBRIDGE DR	ROCKWALL	TX	75087
3140-0122-000C-00-0R	JONES CYNTHIA WALLACE & KENNETH LYNN	B F BOYDSTON, BLOCK 122, LOT C	401 N FANNIN ST	401 N FANNIN STREET	ROCKWALL	TX	75087
3780-0004-0003-A0-0R	DOWER YVONNE	GRIFFITH, BLOCK 4, LOT PART OF 3, ALL OF 6	302 N FANNIN ST	PO BOX 871239	MESQUITE	TX	75187
3780-0004-0002-00-0R	PANNELL SMITH PROPERTY MANAGEMENT LLC	GRIFFITH, BLOCK 4, LOT 2, PART OF 3	306 N FANNIN ST	PMB 155	ROCKWALL	TX	75032
5175-000A-0002-00-0R	PANNELL SMITH PROPERTY MANAGEMENT LLC	THOMAS & SMITH ADDITION, BLOCK A, LOT 2, ACRES .29	308 FANNIN	PMB 155	ROCKWALL	TX	75032
5175-000A-0001-00-0R	PANNELL SMITH PROPERTY MANAGEMENT LLC	THOMAS & SMITH ADDITION, BLOCK A, LOT 1, ACRES .37	302 WILLIAMS ST	PMB 155	ROCKWALL	TX	75032
3140-032C-0000-00-0R	CHURCH ROBERT & LESLIE	B F BOYDSTON, BLOCK 32C, ACRES .114	304 WILLIAMS ST	38 MEADOWCREEK DR	MELISSA	TX	75454
3780-0003-000A-00-0R	BAESA MICHAEL H & PAIGE	GRIFFITH, BLOCK 3, LOT A	206 N FANNIN ST	PO BOX 814	ROCKWALL	TX	75087
4820-000B-0001-00-0R	ROCKWALL RENTAL PROPERTIES LP	ROCKWALL O T, BLOCK B, LOT 1,2,N 15' OF 3, 4	303 N GOLIAD	PO BOX B	TERRELL	TX	75160

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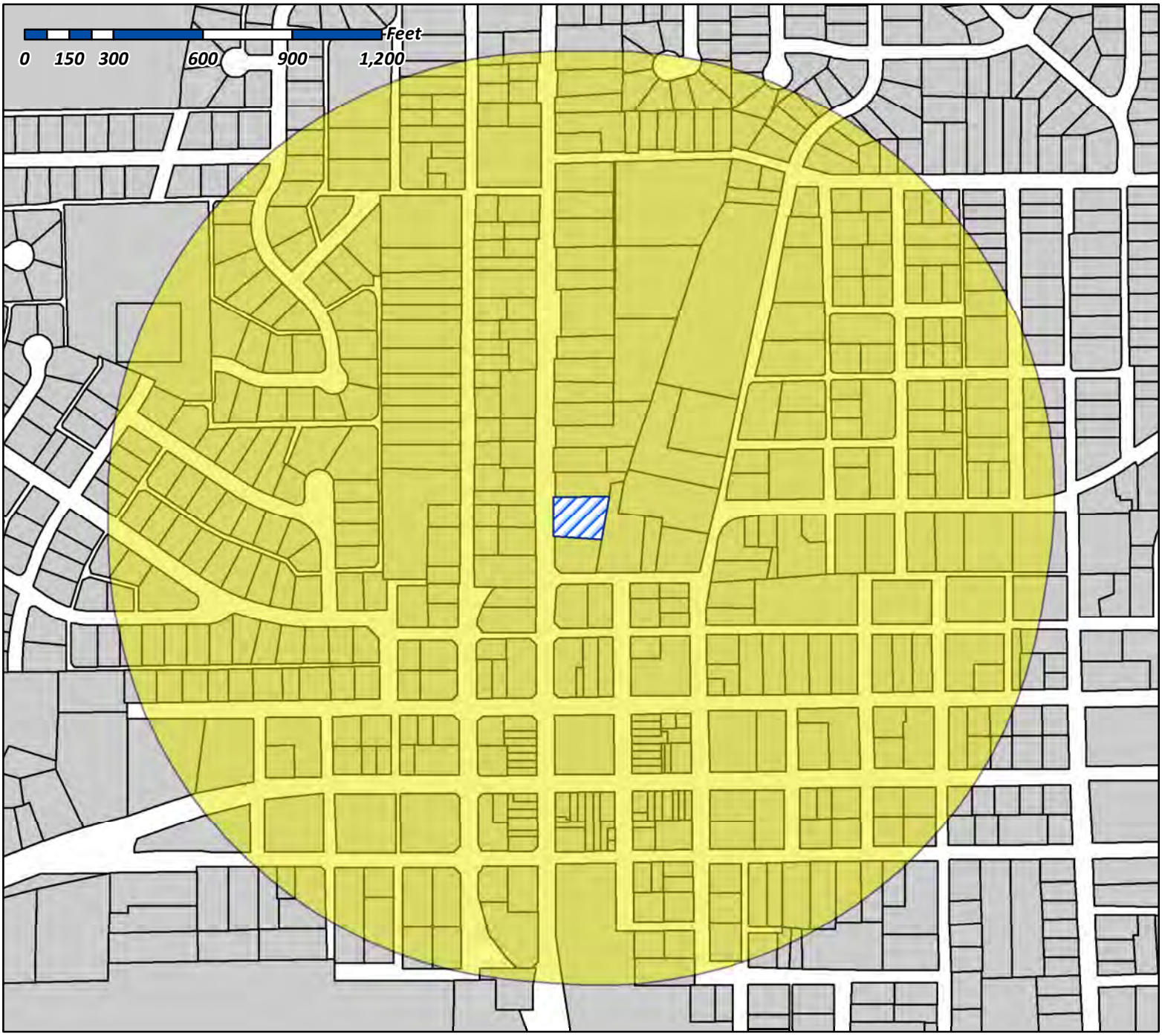
City of Rockwall

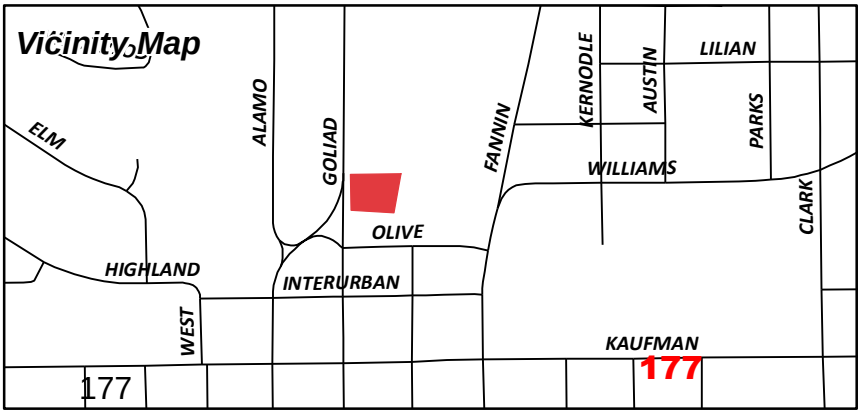
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Case Number: Z2014-026
Case Name: 406 N. Goliad Street
Case Type: Specific Use Permit
Zoning: PD-50
Case Address: 406 N. Goliad Street

Date Created: *08/26/2014*
For Questions on this Case Call (972) 771-7745



NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-026: 406 N. Goliad SUP

Hold a public hearing to discuss and consider a request by Caprice Michelle of Rockwall's Rustic Ranch, LLC for the approval of a Specific Use Permit (SUP) for a restaurant within Planned Development District 50 (PD-50) on a 0.53-acre parcel of land identified as Lot B, Block 123, B. F. Boydston Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 9/9/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 9/15/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/15/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-026: 406 N. Goliad SUP

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

This is good for the neighborhood

Name: G. DAVID SMITH

Address: 702 N. Goliad, Rockwall TX

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

PLEASE RETURN THE BELOW FORM

Case No. Z2014-026: 406 N. Goliad SUP

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

THIS IS THE Highest AND BEST USE OF THE Property
THERE ARE OTHER RESTAURANTS AROUND THIS PROPERTY
BARS WINERY'S ETC.

Name: Tom Shirey

Address: 601 N. ALAMO ST Rockwall TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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Robert LaCroix, AICP
Director of Planning & Zoning

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Case No. Z2014-026: 406 N. Goliad SUP

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

PEOPLES REALTORS
P.O. Box 35
Rockwall, Texas 75087
972-771-8481

Name: Billy Peoples

Address: 1308 Ridge Road or P.O. Box 35

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

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Sincerely,

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Director of Planning & Zoning

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Case No. Z2014-026: 406 N. Goliad SUP

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name: J. Stan Crawford

Address: 504 N Goliad Rockwall, Texas

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

September 1, 2014

Regarding Address: 406 N Goliad Rockwall, Tx 75087

Owner:Rockwall Rustic Ranch, LLC by President, Caprice Michelle

Attn:City Council of Rockwall.

This letter serves as a formal request to the Members of the Rockwall City Council asking to please remove the public access easement located on the drive indicated on the 406 N Goliad Site plan. There are several reasons for this request. First, there is an existing restaurant that is directly behind this property and it will create further issues for the new tenant to be able to control traffic issues. Secondly, there is just enough parking for my new tenant. Thirdly, this tenant will provide a family gathering environment with outoor games and this extra traffic will cause further safety concerns. In addition, by not granting this easement, valet parking in the future may also be offered on this property. Finally, because this is a long term investment, taking this easement only devalues this property for future property appreciation.

Thank you for all your patience and consideration in this matter,

Rockwall's Rustic Ranch, LLC

by, Caprice Michelle, President.

Rockwall's Rustic Ranch LLC
by, Caprice Michelle

406 N Goliad, Rockwall, TX 75087 - Rockwall's Rustic Ranch LLC;

1. Commercial Permit for a Restaurant.

2. Have a potential client, Jack's Mac and Grill. They indicated if I had the parking here they would have a lease in hand.

3. Would like to request to be able to have a Valet service on this property. This is a long term investment and we would like the right to exercise this offer possibly in the future.

4. The restaurant will be bound by their lease to stay within the required 2000 square footage.

5. House is 2071 sq ft according to the tax role. 96 sq ft is the patio area. The kitchen area will be used for freezer storage and the garage will be storage area also. bathroom waste area has been increased.

6. Difficult to finalize the sq ft layout until the tenant signs the lease. Still in the development stage.

7..Would like the cross access easements waived on this property.

Due to the following reasons;

a) More traffic will be accessing this location and creating more dangerous situations for this family gathering.

b) Safety Reasons & Hazard.

c) More Traffic Within a family environment.

d) Diminishes the value of my property.

e) This will cause a Decrease in the parking spaces because other people will be parking here for other businesses.

f) This makes this property Less attractive to my potential tenant.

g) Tenant is asking me to put in the parking lot. They want all the parking for their use.

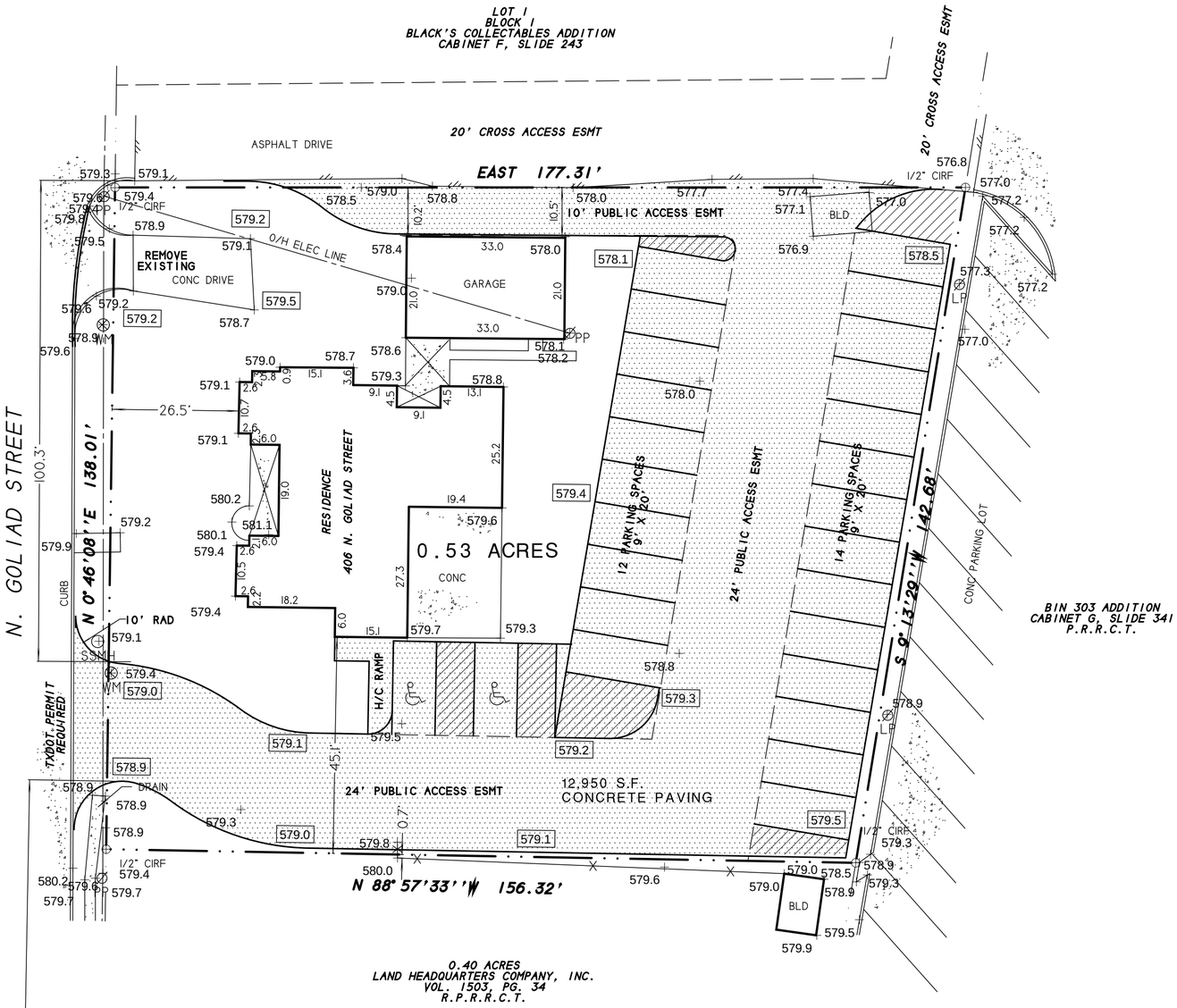
h) The parking lot perhaps will need to be built to different Code expectations. Futher investment. Higher municipal expectations.

8. This access takes what makes my property valuable.

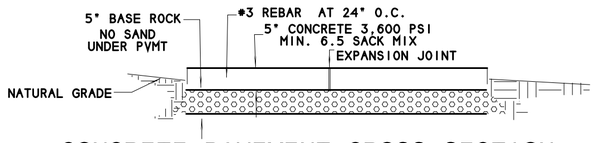
9. Not offering any compensation.

10. Having a free standing building with it's own parking increases the resale value of this ~~home~~ location.

Current Approved Site Plan (Depicts the Cross Access as Recommended by the Planning and Zoning Commission)



NOTE: Drainage detention is required for the parking lot.



CONCRETE PAVEMENT CROSS SECTION

SITE GRADING PLAN

ROCKWALL RUSTIC RANCH, LLC
406 N. GOLIAD STREET

OWNER:
ROCKWALL RUSTIC RANCH, LLC
CAPRICE MICHELLE
1506 SIGNAL RIDGE PL
ROCKWALL, TEXAS 75032
214-789-7364

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	I/2"-IRF IRON ROD FOUND 1 CORNER
FENCE	EASEMENT LINE / PROPERTY LINES		A/C AIR COND. UNIT	PROPANE TANK

SURVEY DATE JULY 18, 2014
SCALE 1" = 20' FILE # 20140266-SP
CLIENT CAPRICE GF # NONE

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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Zoning Exhibit (Depicts Cross Access as Requested by the Applicant)

LOT 1
BLOCK 1
BLACK'S COLLECTABLES ADDITION
CABINET F, SLIDE 243

20' CROSS ACCESS ESMT

ASPHALT DRIVE

EAST 177.31'

PROPOSED 4' PUBLIC ACCESS ESMT

20' CROSS ACCESS ESMT

REMOVE EXISTING CONC DRIVE

O/H ELEC LINE

PATIO, PICNIC GAME AREAS

STORAGE AREA

DUMPSTER ENCLOSURE

BLD

1/2" CIRF

SSMH

WM

LP

PP

26.5'

R.O.W DEDICATION

N. GOLIAD STREET

N 0°46'08"E 138.01'

CURB

BUILDING LINE

10' RAD

H/C RAMP

TXDOT PERMIT REQUIRED

RESTAURANT

406 N. GOLIAD STREET

0.53 ACRES

CONC

12 PARKING SPACES 9' X 20'

13 PARKING SPACES 9' X 20'

12,950 S.F.
CONCRETE PAVING

CONC PARKING LOT

S 9°13'29"W 142.68'

N 88°57'33"W 156.32'

BIN 303 ADDITION
CABINET G, SLIDE 341
P.R.R.C.T.

0.40 ACRES
LAND HEADQUARTERS COMPANY, INC.
VOL. 1503, PG. 34
R.P.R.R.C.T.

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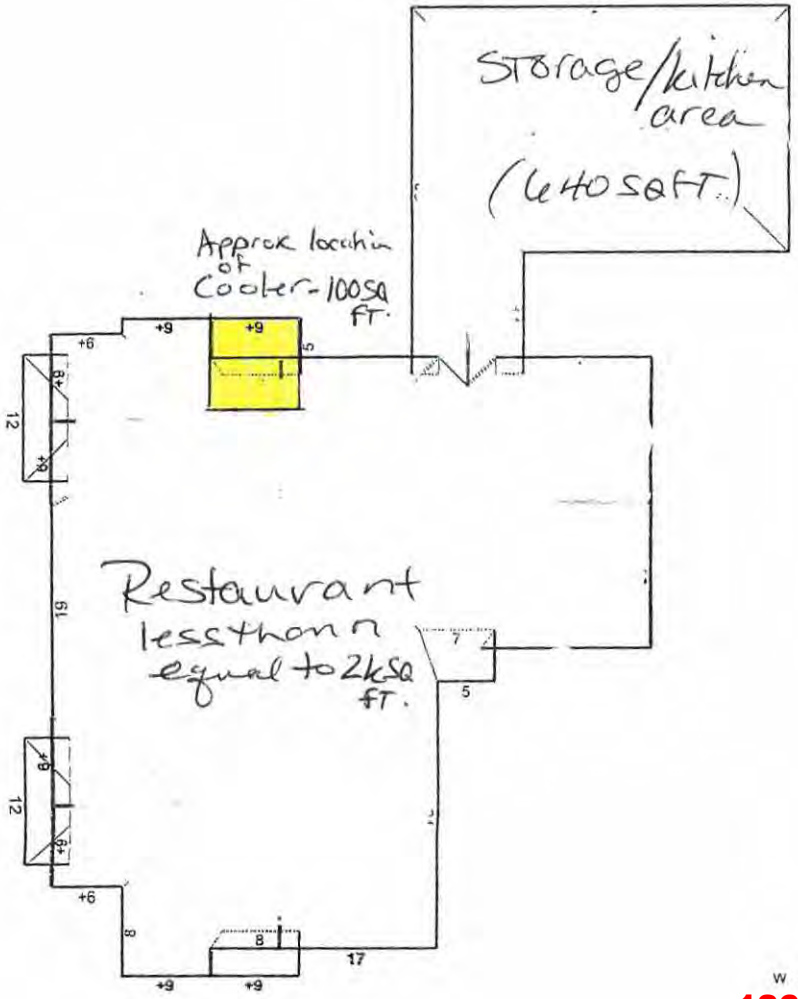

2014 Pageview Technologies Inc

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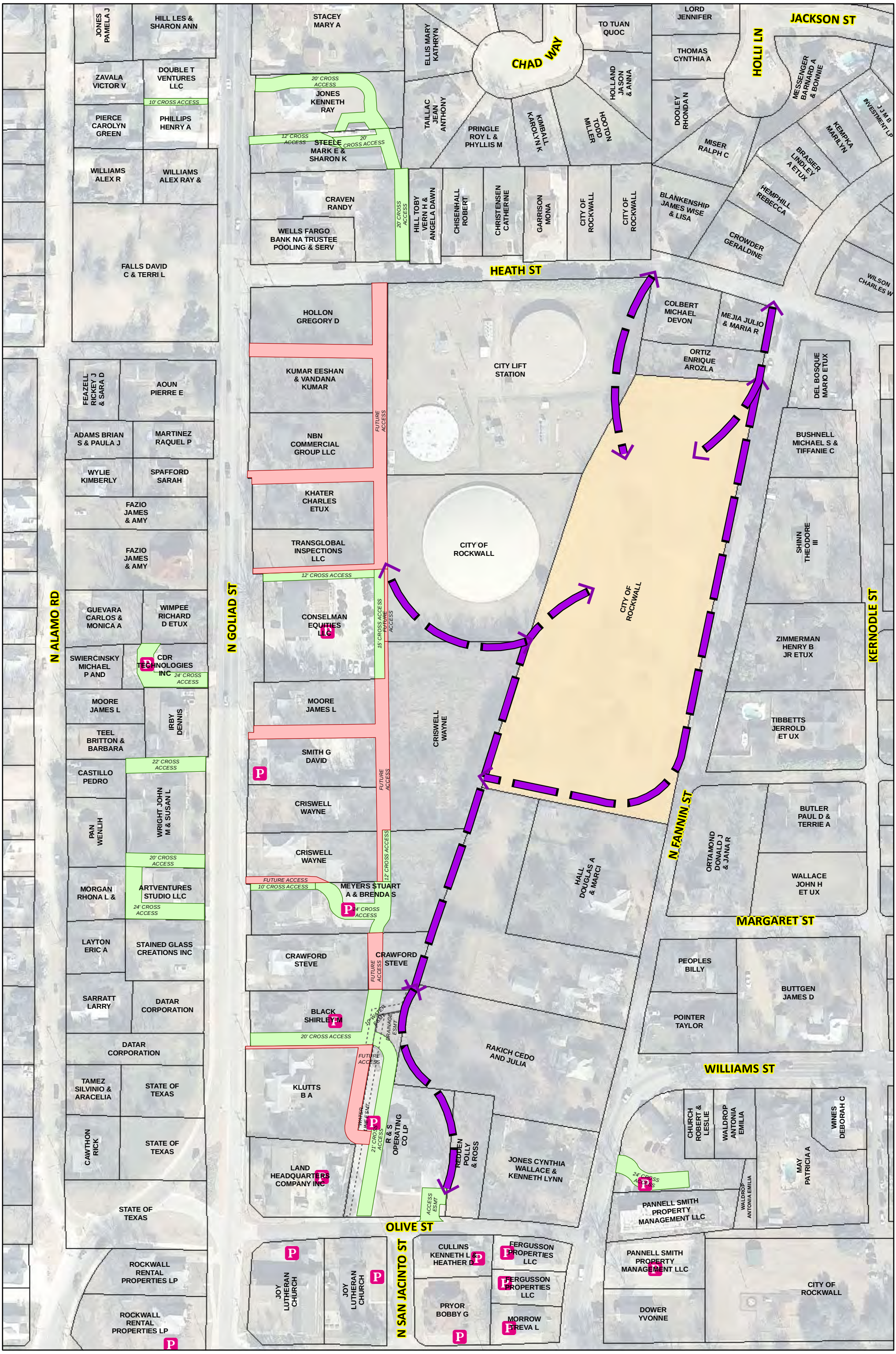

City of Rockwall

0 25 50 75 100 125 Feet

1 inch = 125 feet

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CROSS ACCESS ESMT
UTILITY / DRAINAGE ESMTS
FUTURE ACCESS

NORTH GOLIAD ST CROSS ACCESS PLAN

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A RESTAURANT THAT IS LESS THAN 2,000 SF IN SERVICE AREA AND THAT DOES NOT HAVE A DRIVE-THROUGH OR DRIVE-IN SERVICE ON A 0.53-ACRE PARCEL OF LAND; ZONED PLANNED DEVELOPMENT DISTRICT 50 (PD-50) FOR RESIDENTIAL OFFICE (RO) DISTRICT LAND USES; BEING ADDRESSED AS 406 N. GOLIAD STREET AND IDENTIFIED AS LOT B, BLOCK 123, B. F. BOYDSTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Caprice Michelle on behalf of Rockwall's Rustic Ranch, LLC for the approval of a Specific Use Permit (SUP) for a *Restaurant [Less Than 2,000 SF; Without Drive-Through or Drive-In Service]* on a 0.53 at 406 N. Goliad Street, being zoned Planned Development District 50 (PD-50) for a 0.53-acre parcel of land identified as Lot B, Block 123, B. F. Boydston Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property*, and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code [*Ordinance No. 04*-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for a *Restaurant [Less Than 2,000 SF; Without Drive-Through or Drive-In Service]* within a Planned Development District 50 (PD-50) as stipulated by *Ordinance No. 07-29* and Article IV, *Permissible Uses*, of the Unified Development Code on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance, *Ordinance No. 07-29* and as stipulated by Section 4.2, *Residential Office (RO) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the following conditions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of a *Restaurant [Less Than 2,000 SF; Without Drive-Through or Drive-In Service]* on the *Subject Property*, and conformance to these operational conditions are required for continued operations:

1) The development or operation of a *Restaurant [Less Than 2,000 SF; Without Drive-Through or Drive-In Service]* shall generally conform to the *Concept Site Plan* contained in *Exhibit 'B'* of this ordinance, and incorporated by reference herein;

2) The operation of a *Restaurant [Less Than 2,000 SF; Without Drive-Through or Drive-In Service]* shall generally conform to the *Floor Plan* contained in *Exhibit 'C'* of this ordinance, and incorporated by reference herein;

3) The service area of the restaurant will be limited to 2,000 SF; and,

4) All outdoor seating and waiting areas should be situated behind the front yard building setback adjacent to SH-205;

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF OCTOBER, 2014.

David Sweet, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: *September 15, 2014*

2nd Reading: *October 6, 2014*

Exhibit A: Legal Description/Location Map

Address: 406 N. Goliad Street
Legal Description: Lot B, Block 123, B. F. Boydston Addition

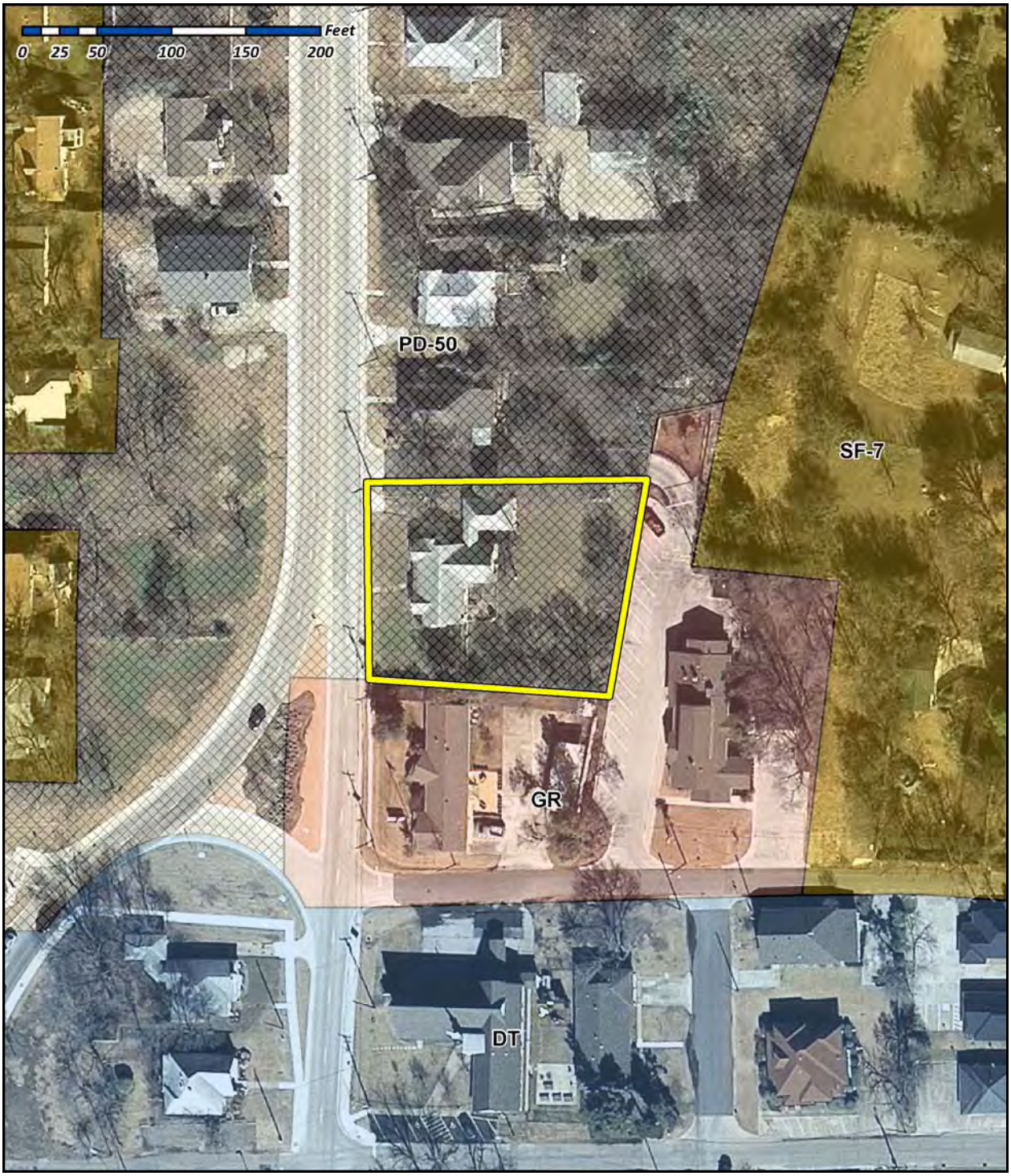


Exhibit B: Conceptual Site Plan

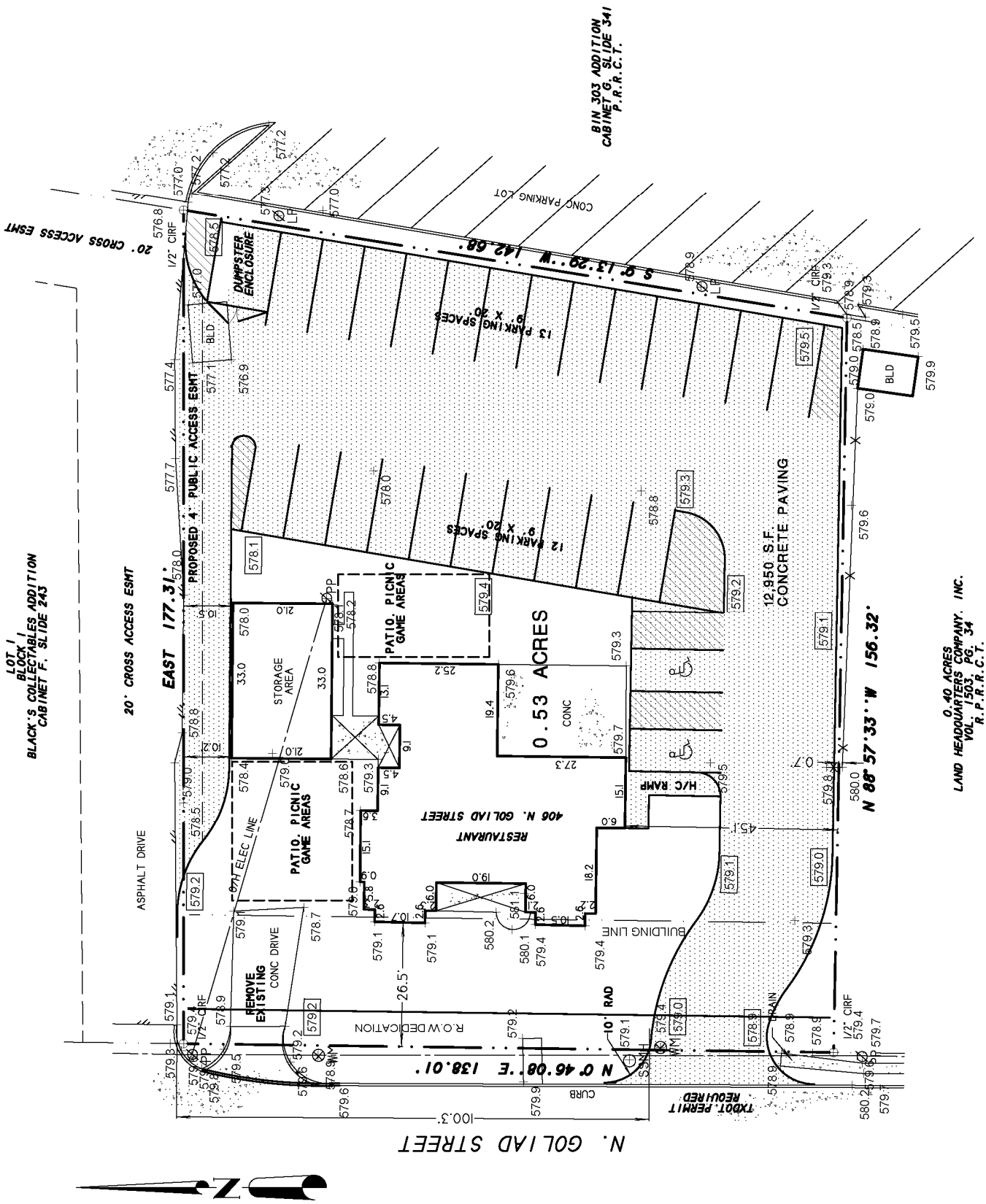
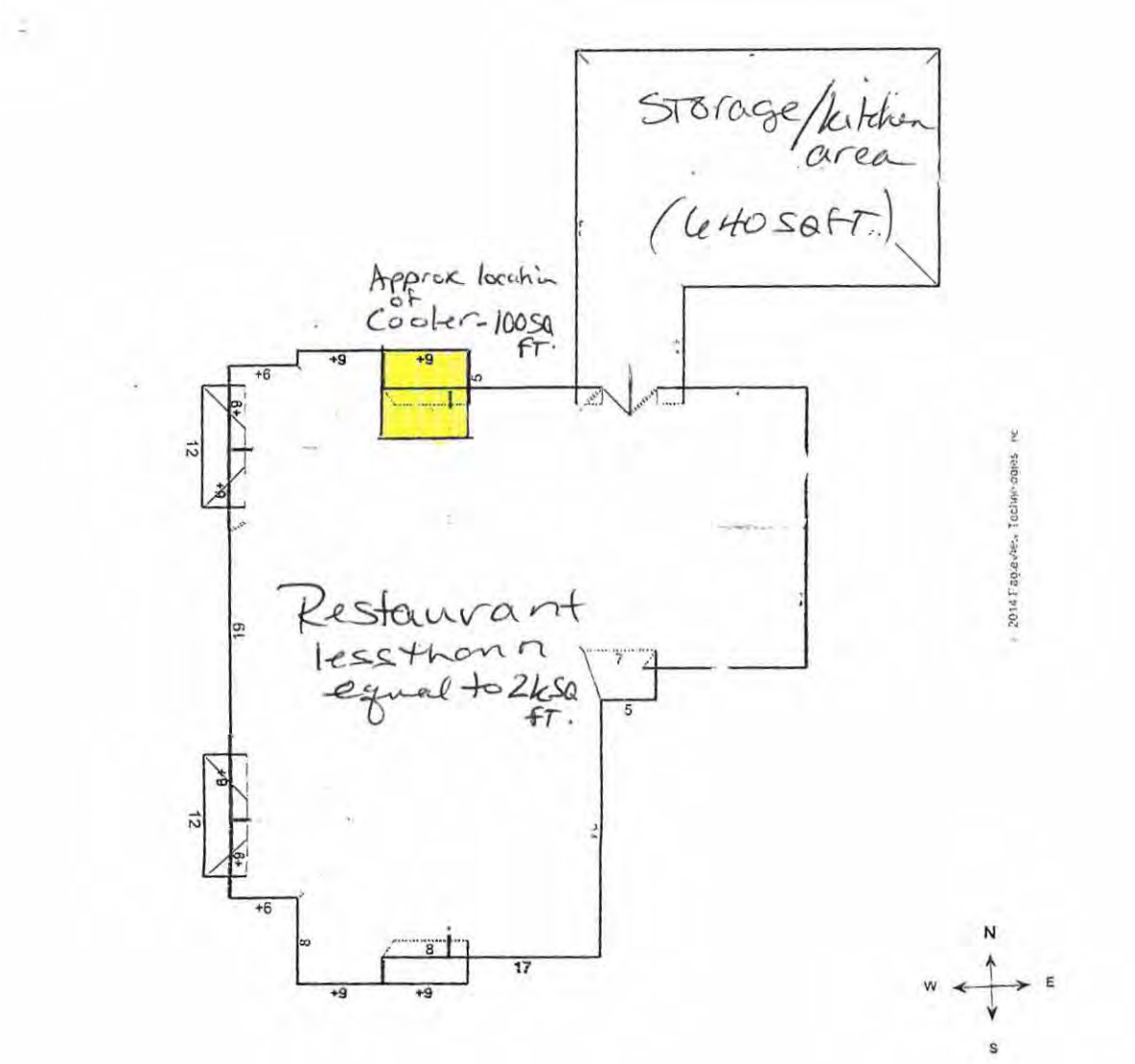


Exhibit C: Floor Plan



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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

FROM: Ryan Miller, *Planning Manager*

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning and Zoning*

DATE: September 15, 2014

SUBJECT: Rockwall Downes (*SP2014-014*)

On September 9, 2014 the City Council approved the site plan for the *Rockwall Downes Subdivision.* As part of this case, the applicant is requesting a variance to the dead end road requirements for Phase 3 of the subdivision. According to *Standards of Design and Construction Manual*, "(u)se of this design [cul-de-sacs] shall provide proper access to all lots and shall not exceed six hundred (600) feet in length, measured from the center of the cul-de-sac to the center of the intersecting street (not a dead end street)." The site plan provided by the applicant shows a dead end street that extends more than 600-feet and terminates in a cul-de-sac. Originally, the plan showed a connection to a mutual access easement connecting to the multi-family development (i.e. *the Mansions*) south of the subject property. The applicant has provided a letter stating that the purpose for the revised layout is to make the subdivision more marketable/desirable to prospective buyers. To help mitigate this variance request the applicant has provided a 24-foot emergency access point adjacent to the cul-de-sac and connecting to John King Boulevard.

While the submitted layout does vary from the approved preliminary plat, the proposed changes do not have an impact on the density or number of lots being proposed by the applicant; nor, does it change the intent of the development. The Planning and Zoning Commission did review the proposed layout for Phase 3 and voted 7-0 to approve the site plan. As part of this motion, the Planning and Zoning Commission also unanimously voted to recommend approval of the applicant's variance request to the City Council.

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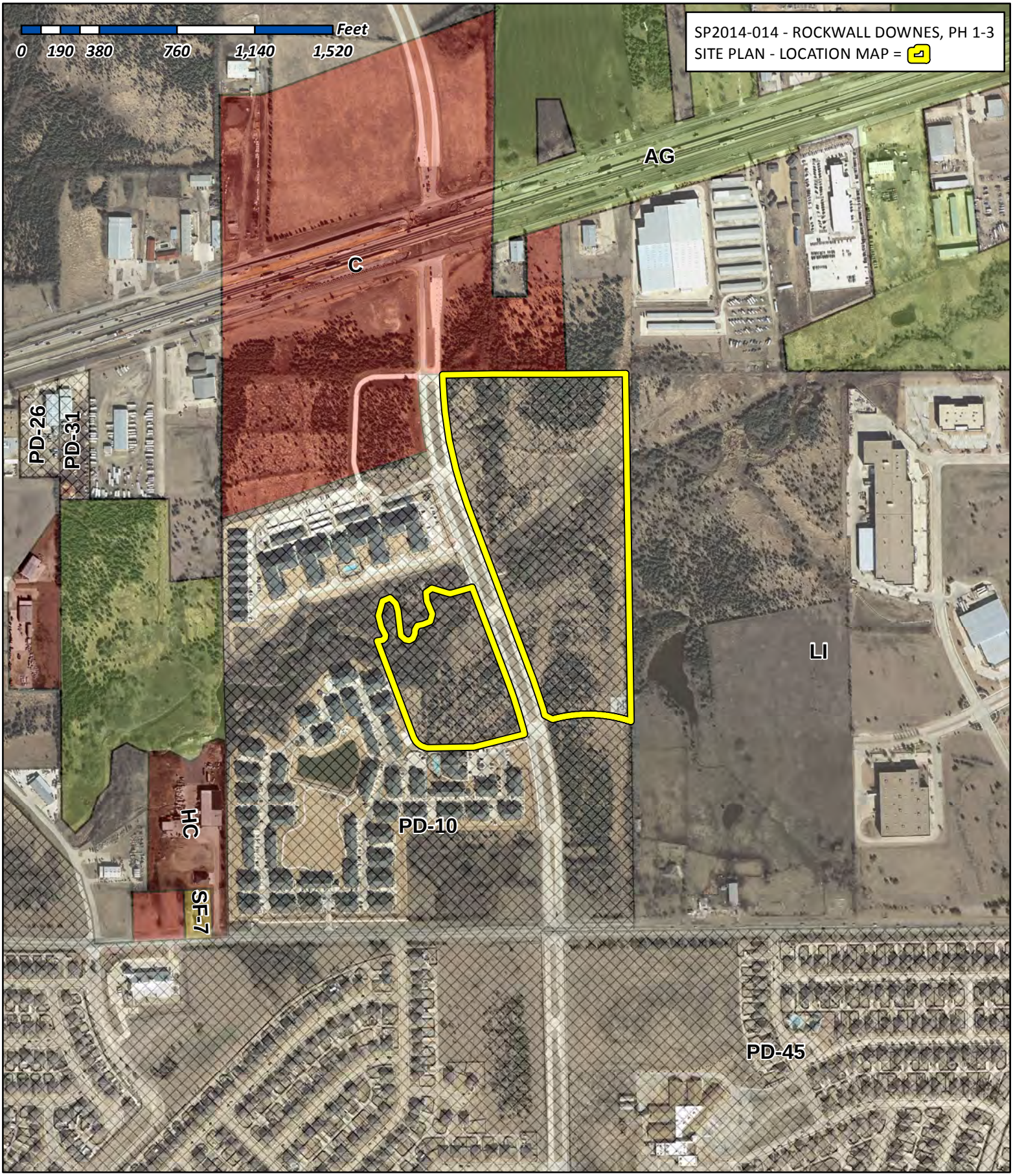

City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

EXISTING TREES

EXISTING TREES

APPROX. FLOODPLAIN

EXISTING TREES

L22 L21 L20 L19 L18 L17 L16 L15 L14 L13 L12 L11 L10 L9

LOT 17 BLK A
PRIVATE OPEN SPACE
MAINTAINED BY HOA
1.953 ACRES

ENTRY SIGN

BARRIER FREE RAMP

(3) 4" CALIPER CANOPY TREES PER 100'

(4) ACCENT TREES PER 100'

10' JOHN KING BLVD. TRAIL

REQUIRED BERMING

NATIVE GRASS EXACT SHAPE TO BE DETERMINED

(3) 4" CALIPER CANOPY TREES PER 100'

(4) ACCENT TREES PER 100'

10' JOHN KING BLVD. TRAIL

(3) 4" CALIPER CANOPY TREES PER 100'

(4) ACCENT TREES PER 100'

REQUIRED BERMING

NATIVE GRASS EXACT SHAPE TO BE DETERMINED

(3) 4" CALIPER CANOPY TREES PER 100'

(4) ACCENT TREES PER 100'

(4) ACCENT TREES PER 100'

EXISTING SIDEWALK

REQUIRED BERMING

BARRIER FREE RAMP

EXISTING BARRIER FREE RAMP

LOT 11 BLK B
PRIVATE OPEN SPACE
MAINTAINED BY HOA
0.738 ACRES

LOT 16 BLK D
PRIVATE OPEN SPACE
MAINTAINED BY HOA
5.718 ACRES

LOT 16 BLK D
PRIVATE OPEN SPACE
MAINTAINED BY HOA
5.718 ACRES

PHASE 2

PHASE 3

PHASE 2

PHASE 3

PHASE 3

JOHN KING BLVD.

JOHN KING BLVD

GALLANT FOX COURT

BELMONT DRIVE

DERBY DRIVE

TRIPLE CROWN DRIVE

CHARISMATIC COURT

CITIATION DRIVE

DISCOVERY DRIVE

S20°39'31"E 497.08'

N55^47'14"W
91.88'

S89^10'00"W
216.50'

S75^33'16"W
107.51'

20' B.L.

15' B.L.

NORTH

SP2014-014

CANOPY TREES

SYMBOL	COMMON NAME
	BUR OAK 4" CALIPER
	SHUMARD RED OAK 4" CALIPER
	CEDAR ELM 4" CALIPER
	LIVE OAK 4" CALIPER

ACCENT TREES

SYMBOL	COMMON NAME
	MEXICAN PLUM 6' HEIGHT
	RED BUD 6' HEIGHT
	POSSUM HAW 6' HEIGHT

NATIVE GRASS

	TO BE DETERMINED 2 GALLON

TREE CALCULATIONS PHASE 2

665' OF STREET FRONTAGE

REQUIRED CANOPY TREES
665 / 100 = 6.65 x 3 = 19.9 TREES
CANOPY TREES PROVIDED 20 TREES

REQUIRED ACCENT TREES
665 / 100 = 6.65 x 4 = 26.6 TREES
ACCENT TREES PROVIDED 27 TREES

TREE CALCULATIONS PHASE 3

630' OF STREET FRONTAGE

REQUIRED CANOPY TREES
630 / 100 = 6.3 x 3 = 18.9 TREES
CANOPY TREES PROVIDED 19 TREES

REQUIRED ACCENT TREES
630 / 100 = 6.3 x 4 = 25.2 TREES
ACCENT TREES PROVIDED 26 TREES

PHASE 2 LOT DENSITY

PROPOSED 30 LOTS

TOTAL LOT DENSITY = 2.52
TOTAL 90 LOTS 35.651 ACRES
35.651 ACRES

PHASE 3 LOT DENSITY

PROPOSED 26 LOTS

TOTAL LOT DENSITY = 2.52
TOTAL 90 LOTS 35.651 ACRES
35.651 ACRES

#	Revisions:	Date:

Issued For: CONSTRUCTION
Job No. 13138
Scale 1" = 40'-0"
Drawn By: JDG
Date 9-2-2014

Rockwall Downes
Phase 2 & 3
Rockwall Texas

STATE OF TEXAS
JOE D. GRUBBS
1713
REGISTERED LANDSCAPE ARCHITECT

Sheet Title: Open Space Landscape Plan

Sheet Number: L2 of L2 Sheets

Grubbs Design Group, P.L.L.C. - 403 South Tennessee Street - McKinney, Texas 75069 - Phone (972) 548-5020

The Cambridge Companies, Inc.
8750 N. Central Expwy, Suite 1735
Dallas, Texas 75231
Telephone 214 691-2556 Facsimile 214 691-0682

Cambridge

September 4, 2014

Mr. Ryan Miller
City of Rockwall
385 S. Goliad St.
Rockwall, Tx. 75087

Re: Variance Request for Over-Length Street
Rockwall Downes Ph. 1-3
Rockwall, Tx.

Dear Mr. Miller:

As you are aware, Cambridge Companies is in the process of developing plans for Phase I-III of Rockwall Downes. More specifically, the Rockwall Downes lies within Tracts G, H, and I of PD-10, a planned development district with the City of Rockwall.

The purpose of this inquiry is related to Phase III. This phase presently is situated just north and east of an existing multi-family development. Furthermore the current approved plan shows this phase sharing a drive/street with the multi-family development. We believe this may not be received well by perspective buyers and we would like to separate ourselves from our neighbors for perception purposes. Therefore we are proposing a single cul-de-sac with an emergency access point to the end of the cul-de-sac acceptable to the fire department and the engineering department to provide dual access points in the event of an emergency.

We would like to thank you in advance for your time and consideration in this matter. If you have any questions about the information enclosed or need any additional information to facilitate a decision please let us know.

Sincerely,

Matthew W. Alexander, P.E.
Vice President - Development

H:\Matt\Rockwall\Correspondence\2014-09-03 - Street Length Variance Request- Ryan Miller.doc

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August 2014 (Re) Appointments

2 year appointments to end of August 2016 unless otherwise noted

(Updated for 09/15/14 City Council Meeting)

ARCHITECTURAL REVIEW BOARD (ARB) - Milder (advisory board)

(2) Need to replace
Michael Johnston (currently serving as "commercial property owner")
Mike Mershawn (attendance - missed 4 of 9 mtgs.) (new member would serve partial term until Aug. 2015) (currently serving as "architect")

BOARD OF ADJUSTMENTS (BOA) - Full Council

(1) Need to replace
Jennifer Willis (termed out - 6 year policy)

BUILDING & STANDARDS COMMISSION - Full Council (regulatory board)

(3) Need to replace
David Marlett (termed out - 6 year policy)
Bridgett Hoofnagle (termed out - 6 year policy)
Mike Jusko (termed out - 6 year policy)

PARK BOARD - Townsend (advisory board)

(1) Need to replace
Marcus Yarbrough (termed out - 6 year policy)

PLANNING & ZONING COMMISSION - Full Council (regulatory board)

(2) Need to replace
Connie Jackson (termed out - 6 year policy) (new board member's term through Aug. 2017)

MAIN STREET ADVISORY BOARD - Sweet (advisory board)

(1) Need to replace
SuLaine Callaway (resigned) (new board member's term would be through Jan. 2016)

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 12, 2014**

SUBJECT: **Amending the Fiscal Year 2014 Budget**

The final General fund budget summary sheets for the fiscal year 2014 amended and fiscal year 2015 proposed budget are included in the Council packet with the budget adoption agenda item. The amended budget has not changed during budget discussions.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE BUDGET OF THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the budget of the City Council of the City of Rockwall for the fiscal year October 1, 2013, through September 30, 2014, be and the same is hereby amended and such amendments are indicated and shown on **Exhibit "A"** attached hereto and made a part hereof for all purposes.

Section 2. This ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 15th day of September, 2014.

ATTEST: **David Sweet, Mayor**

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 9, 2014**

SUBJECT: **Adopting the Fiscal Year 2015 Budget**

Notebook. It is included by reference only, rather than presented again in its entirety.

General Fund

The General Fund as adopted will anticipate tax collections based on a 49.55 cent tax rate with expenditures adjusted as discussed at the previous Council meetings.

The budget now includes funding for an additional three fire driver positions to be added during the fiscal year. This will be accomplished by recognizing $265,000 of street materials from General Fund reserves.

Water – Sewer Fund

The water and sewer fund rate study continues and should be ready for Council presentation in November 2014. In all likelihood, it will demonstrate a need for a rate increase to be considered for immediate implementation. The proposed budget anticipates new revenue creation to balance expenditures.

Sales continue to be lower than projected due to successful conservation efforts by our customers. The easing of drought restrictions to once per week watering is helping with the chlorine residuals and water quality but we will not know the full monetary impact of any increased consumption for a month or so. The rate resolution will be presented to Council shortly with the new rates to be effective on January 1st.

Budget Adoption Wording

Senate Bill 656 effective for budgets adopted after September 1, 2013 requires specific wording is included in the adopted budget document. The following statement will appear on the cover of the document and be published on the City's website for one year:

This budget will raise more revenue from property taxes than last year's budget by the amount of $822,348, which is an increase of 4.7% from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is $ 969,635.

Staff proposes Council have the statement read into the record prior to the Council's vote on the ordinance adopting the budget.

CITY OF ROCKWALL

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2014, THROUGH SEPTEMBER 30, 2015; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH THE SAID BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Rockwall, Texas has heretofore filed with the City Secretary a proposed General Budget for the City covering the fiscal year aforesaid, and

WHEREAS, the governing body of the City has concluded its public hearing on said budget,

WHEREAS, in accordance with Section 7.06 of the City Charter, the budget for fiscal year 2014-15 is being adopted in a timely manner,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That said budget for the fiscal year October 1, 2014, through September 30, 2015, be and the same is hereby attached to this ordinance and made a part hereof for all purposes and marked **"Exhibit A".**

Section 2. That said budget attached hereto and marked **"Exhibit A"** be, and the same hereby is, approved and adopted by the City Council as the official budget for the City for the fiscal year aforesaid.

Section 3. That expenditures during the fiscal year shall be made in accordance with the budget approved by this ordinance unless otherwise amended by a duly enacted ordinance of the city.

Section 4. This ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 15th day of September, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

SUMMARY OF OPERATIONS

Fund
01 General

	Actual 12-13	Budgeted 13-14	Amended 13-14	Proposed 14-15
Total Revenues	28,311,800	27,232,450	27,814,300	28,864,250
Total Operating Expenditures	23,304,628	25,488,450	26,008,100	26,277,550
Capital Reserve Expenditures	681,550	1,673,450	1,323,950	860,100
Excess Revenues Over (Under) Expenditures	4,325,622	70,550	482,250	1,726,600
Net Other Financing Sources (Uses)	(2,967,600)	(1,541,000)	(2,718,000)	(2,584,500)
Net Gain (Loss)	1,358,022	(1,470,450)	(2,235,750)	(857,900)
Fund Balance - Beginning	9,917,961	10,004,811	11,275,984	9,040,234
Fund Balance - Ending	11,275,984	8,534,361	9,040,234	8,182,334

SUMMARY OF REVENUES

Fund
01 General

Account	Description	Actual 12-13	Budgeted 13-14	Amended 13-14	Proposed 14-15
4100	Current Taxes	8,905,256	8,267,100	8,343,000	8,580,100
4105	Delinquent Taxes	32,394	60,000	50,000	60,000
4110	Penalty & Interest	50,365	60,000	50,000	60,000
	Total Property Taxes	8,988,015	8,387,100	8,443,000	8,700,100
4150	Sales Taxes	13,271,760	12,998,000	13,232,000	13,617,300
4155	Beverage Taxes	167,328	160,000	180,000	210,000
	Total Sales Taxes	13,439,088	13,158,000	13,412,000	13,827,300
4201	Electrical Franchise	1,555,490	1,620,000	1,640,000	1,680,000
4203	Telephone Franchise	149,743	150,000	150,000	150,000
4205	Gas Franchise	313,625	325,000	372,600	388,000
4207	Cable TV Franchise	498,025	470,000	500,000	500,000
4209	Garbage Franchise	231,824	190,000	200,000	208,000
	Total Franchise	2,748,707	2,755,000	2,862,600	2,926,000
4250	Park & Recreation Fees	35,826	35,000	35,000	35,000
4251	Municipal Pool Fees	17,620	-	12,000	17,000
4253	Center Rentals	36,074	32,000	38,000	38,000
4255	Harbor Rentals	1,350	10,000	3,000	10,000
4260	Tax Certificate Fees	380	100	100	250
4270	Code Enforcement Fees	26,407	5,000	40,500	5,000
4280	Zoning Request Fees	39,507	35,000	35,000	35,000
4283	Construction Inspection	162,374	140,000	140,000	280,000
4295	Fire - Plans	24,845	10,000	20,000	20,000
	Total Fees	344,382	267,100	323,600	440,250

Summary of Revenues, Cont'd.

Account	Description	Actual 12-13	Budgeted 13-14	Amended 13-14	Proposed 14-15
4300	Building Permits	832,904	670,000	682,000	710,000
4302	Fence Permits	18,810	20,000	20,000	20,000
4304	Electrical Permits	23,352	20,000	30,000	30,000
4306	Plumbing Permits	35,920	30,000	38,000	38,000
4308	Mechanical Permits	42,421	35,000	35,000	35,000
4310	Daycare Center Permits	2,520	2,000	2,000	2,000
4312	Health Permits	81,782	80,000	80,000	86,000
4314	Sign Permits	23,155	22,000	26,000	26,000
4288	Beverage Permits	11,220	10,000	10,000	10,000
4320	Miscellaneous Permits	47,354	50,000	41,000	41,000
	Total Permits	1,119,439	939,000	964,000	998,000
4400	Court Fines	471,784	500,000	500,000	500,000
4402	Court Fees	168,291	165,000	165,000	165,000
4404	Warrant Fees	71,457	65,000	70,000	70,000
4406	Court Deferral Fees	284,935	260,000	275,000	285,000
4408	Animal Registration Fees	7,709	7,000	7,000	7,000
4414	Alarm Fees and Fines	46,779	45,000	45,000	45,000
	Total Municipal Court	1,050,956	1,042,000	1,062,000	1,072,000
4001	Interest Earnings	73,220	40,000	20,000	20,000
4007	Sale of Supplies	377	500	800	500
4010	Auction/Scrap Proceeds	27,745	20,000	50,000	20,000
4019	Other	72,882	75,000	40,000	58,000
4480	Tower Leases	47,100	-	60,000	70,000
	Total Miscellaneous	221,323	135,500	170,800	168,500
4500	Grant Proceeds	3,140	-	-	106,000
4510	School Patrol	209,872	289,350	306,100	306,100
4520	County Contracts	1,880	3,000	1,000	1,000
4530	City Contracts	184,998	256,400	269,200	319,000
	Total Intergovernmental	399,890	548,750	576,300	732,100
Total Revenues		28,311,800	27,232,450	27,814,300	28,864,250

SUMMARY OF OPERATING TRANSFERS

Fund
01 General

	Actual 12-13	Budgeted 13-14	Amended 13-14	Proposed 14-15
Other Financing Sources				
Operating Transfers In:				
From Water & Sewer	602,100	602,100	-	-
From Recreational Development	50,000	110,000	110,000	60,000
From Court Security/Tech Fees	29,000	25,000	25,000	30,500
From Bond Proceeds	-	324,900	-	-
Total Other Financing Sources	681,100	1,062,000	135,000	90,500
Other Financing Uses				
Operating Transfers Out:				
To Airport Fund	25,000	11,000	11,000	15,000
To Rec. Dev. Fund	-	-	40,500	-
To Radio Fund	150,000	175,000	185,000	160,000
To Employee Benefit Fund (Ins.)	2,100,000	2,300,000	2,500,000	2,300,000
To Workers Compensation Fund	-	-	-	50,000
To Capital Projects Fund	-	350,000	-	-
To Tech. Replacement Fund	129,700	157,000	157,000	150,000
To Harbor Project	1,244,000	-	-	-
Total Other Financing Uses	3,648,700	2,993,000	2,893,500	2,675,000
Less Capital Reserve	-	390,000	40,500	-
Net Other Financing Sources (Uses)	(2,967,600)	(1,541,000)	(2,718,000)	(2,584,500)

SUMMARY OF EXPENDITURES

Fund
01 General

Dept.	Div.		Actual 12-13	Budgeted 13-14	Amended 13-14	Proposed 14-15
10	01	Mayor/Council	102,994	115,750	98,750	112,250
10	05	Administration	1,626,132	1,551,500	1,678,200	1,734,900
10	06	Administrative Services	532,909	534,800	523,100	532,150
10	09	Internal Operations	1,555,526	1,910,400	1,954,500	1,670,250
15	11	Finance	621,638	688,950	697,750	699,650
15	15	Municipal Court	349,536	364,550	429,050	436,350
20	25	Fire Operations	1,986,625	2,597,150	2,481,650	2,841,250
20	29	Fire Marshal	453,716	527,150	519,650	534,400
30	31	Police Administration	1,023,471	1,084,900	1,110,400	1,102,350
30	32	Communications	846,257	966,950	1,001,950	1,057,600
30	33	Patrol	4,779,077	5,412,050	5,650,150	5,097,050
30	34	CID	983,720	980,000	1,055,600	1,090,000
30	35	Community Services	572,492	729,000	796,500	810,450
30	36	Warrants	176,571	185,750	182,450	198,750
30	37	Records	313,415	321,850	325,850	338,950
40	41	Planning	604,478	671,550	588,650	595,450
40	42	Neighborhood Improv.	535,381	524,250	482,750	462,350
40	43	Building Inspections	612,591	666,200	681,000	687,950
45	45	Parks	1,677,985	1,803,900	1,775,200	1,855,600
45	46	Harbor O&M	438,331	473,150	458,050	374,150
45	47	Recreation	671,818	719,300	785,150	835,750
45	48	Animal Services	599,842	624,950	627,550	625,650
50	53	Engineering	940,994	1,072,550	1,095,750	1,105,000
50	59	Streets	1,980,678	2,245,300	2,291,900	2,339,400
			23,986,178	26,771,900	27,291,550	27,137,650
Less Capital Reserve			681,550	1,283,450	1,283,450	860,100
Total Operating Expenditures			23,304,628	25,488,450	26,008,100	26,277,550

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 12, 2014**

SUBJECT: **Tax Rate Adoption**

The Council agenda for Monday September 15, 2014 includes the ordinance to adopt the Ad Valorem tax rate of 49.55 cents per one hundred dollars of assessed value. Specific language in the motion is not required this year since we are adopting the Effective tax rate.

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2014 AT A RATE OF $.4955 PER ONE HUNDRED DOLLARS ($100.00) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 2014 TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND TO PROVIDE AN INTEREST AND SINKING FUND ON ALL OUTSTANDING DEBTS OF THE CITY; PROVIDING FOR DUE AND DELINQUENT DATES, TOGETHER WITH PENALTIES AND INTEREST; APPROVING THE 2014 TAX ROLL; PROVIDING FOR EXEMPTIONS OF PERSONS OVER SIXTY-FIVE (65) YEARS; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That there be and is hereby levied for the year 2014 on all taxable property, real, personal and mixed, situated within the limits of the City of Rockwall, Texas, and not exempt by the Constitution of the state and valid State Laws, a tax of $.4955 on each **ONE HUNDRED DOLLARS** ($100.00) assessed value of taxable property and shall be apportioned and distributed as follows:

a. For the purpose of defraying the current expenses of municipal government of the City, a tax of $.2207 each ONE HUNDRED DOLLARS ($100.00) assessed value of all taxable property.

b. For the purpose of creating a sinking fund to pay the interest and principal on all outstanding bonds of the City not otherwise provided for, a tax of $.2748 each ONE HUNDRED DOLLARS ($100.00) assessed value of all taxable property, within the city which shall be applied to the payment of such interest and maturities of all outstanding bonds.

Section 2. That all ad valorem taxes shall become due and payable on October 1, 2014, and all ad valorem taxes for the year shall become delinquent after January 31, 2015. If any person fails to pay the ad valorem taxes on or before the 31st of January, 2015, the following penalties shall be payable thereon, to wit:

During the month of February, six percent (6%); during the month of March, seven percent (7%); during the month of April, eight percent (8%); during the month of May, nine percent (9%); during the month of June, ten percent (10%); and on or after the first day of July, twelve percent (12%).

Section 3. Taxes are payable in Rockwall, Texas, at the office of the designated Tax Collector. The City shall have available all rights and remedies provided by law for the enforcement of the collection of taxes levied under this ordinance.

Section 4. All delinquent taxes shall bear the maximum rate of interest per annum as provided by law, in addition to the penalties provided herein.

Section 5. All taxes for the year 2014 which remain delinquent on July 1, 2015 shall incur an additional penalty of twenty percent (20%) of the amount of taxes, penalty and interest due to defray cost of collection.

Section 6. That pursuant to Article VIII-1b of the Constitution of Texas, $60,000 of the appraised value of residence homesteads of any married or unmarried persons, including those living alone, who were sixty-five (65) years of age or older on January 1, 2005, shall be exempt from ad valorem taxes.

Section 7. This ordinance is enacted in order to authorize the collection of ad valorem taxes for the year 2014 and shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 15th day of September, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 12, 2014**

SUBJECT: **Hotel/Motel Funding Recommendation**

The Hotel / Motel subcommittee comprised of Mayor Pro Tem White and Council members Lewis and Townsend met to discuss funding requests for budget year 2014-2015. The Council received a notebook including the organization's requests along with their required reporting for this year's funded events. Attached is a summary of the requests with the previous year's allocations to the organizations. This summary also includes the subcommittee recommendations as to funding for the coming budget year.

Revenues and Fund Balance

Staff continues to be conservative in the projection of revenues. With that said, revenues increased by 17% during the current year and are expected to maintain that level for fiscal year 2015. We expect to receive $310,000 in hotel tax revenues and to finish fiscal year 2014 with a fund balance of $87,000. The committee chose to maintain a healthy fund balance in order to allow flexibility in meeting supplemental requests during the year.

Funding Levels

Funding requests for fiscal year 2014 totaled $444,840 which is a slight decrease from prior year's requests. Each specific application was discussed and whether they met our stated purposes and the state statute's requirement for "heads in beds". The subcommittee's recommendations for funding are attached. The subcommittee chose to fund events as funding allowed with most organizations receiving less than they requested due to a lack of sufficient revenues. A few requests were not funded as not meeting the "heads in beds" provision.

Contract Language/Documentation

Each organization will continue to be required to provide documentation such as a log, guestbook, registration list or other documentation that specifically notes if each person is spending the night in a hotel establishment. The City provides a link which must be included in each printed ad or event website with contact information for the hotels.

Staff will be available at the Council meeting to answer any questions.

Hotel Occupancy Tax Funding Requests for FY 2015

	12-13 Actual	13-14 Budget	14-15 Request	2015 Variance	Council Subcommittee Recommendation
Tourism					
Alliance for the Arts	6,500	6,500	22,800	16,300	**6,500**
Artist's League	4,500	3,500	9,900	6,400	**3,500**
Aspasians	2,000	2,000	13,950	11,950	**2,000**
Chamber of Commerce	142,500	140,195	162,940	22,745	**114,865**
Dodies		1,000	-	(1,000)	**-**
Friends of the Library	Comp Space	comp space	1,000	1,000	**-**
Kiwanis	14,000	5,000	9,500	4,500	**9,500**
Lone Star CASA	5,000	5,000	23,500	18,500	**5,000**
Rockwall News ($1,920)	-	comp space	-	-	**-**
Pumpkin Patch	2,000	2,000	-	(2,000)	**-**
Rotary Noon	5,000	5,000	10,000	5,000	**-**
Rotary Breakfast	5,000	5,000	-	(5,000)	**9,500**
Duck Regatta	2,000	13,600	-	(13,600)	**-**
Jacketbackers Gymnastics	10,000	-	-	-	**-**
RISD Swim Meet	10,000	-	-	-	**-**
Soroptimists		2,000	-	(2,000)	**-**
Triathlon (Pacific Sports)		17,400	18,500	1,100	**18,500**
SubTotals	208,500	208,195	272,090	63,895	**169,365**
Cultural	-		-		**-**
Community Playhouse	4,000	4,000	10,350	6,350	**4,000**
Lakeside Chorus	2,500	-	9,250	9,250	**-**
Music Fest	8,000	8,000	16,200	8,200	**8,000**
Summer Musicals	3,200	3,500	3,500	-	**3,500**
SubTotals	17,700	15,500	39,300	23,800	**15,500**
Historical	-		-		**-**
Historical Foundation	2,000	2,000	11,500	9,500	**2,500**
City					**-**
Mainstreet (Old Town Shoppes)	21,000	16,800	11,450	(5,350)	**11,450**
Concert by the Lake	31,800	31,800	32,000	200	**32,000**
Founders Day	35,000	55,000	60,500	5,500	**60,500**
Downtown Music Series			12,000	12,000	**12,000**
TAAF Conference		-	6,000	6,000	**6,000**
SubTotals	87,800	103,600	121,950	18,350	**121,950**
Totals	316,000	329,295	444,840	115,545	**309,315**

Fund Summary

Fund Balance 10-01-14	**87,000**	
Projected Revenue FY 2015	**310,000**	
Less Cultural		**15,500**
Less City Events		**121,950**
Less Tourism/Historical		**171,865**
Fund Balance 09-30-15		**87,685**

Note: Variance is 2015 Request as compared to 2014 Budget.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 12, 2014**

SUBJECT: **REDC Budget**

The Rockwall Economic Development Corporation Board approved the attached budget at their Board meeting on September 11, 2014.

The budget is largely unchanged from this fiscal year's base budget. The EDC will be completing infrastructure improvements to Phase IV of the park as well as construction of Justin Road in the new budget year. Both are funded with bond proceeds issued in 2013. A number of previously contracted incentives are due to be paid in fiscal year 2015. The EDC's unallocated reserves will remain almost $3 million dollars after those payments and operating expenses.

REDC President, Sheri Franza, will be available at the Council meeting to present aspects of the budget and answer any questions.

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SUMMARY OF OPERATIONS

Fund
21 Economic Development

	Actual 12-13	Budgeted 13-14	Amended 13-14	Proposed 14-15
Total Revenues	5,082,973	4,496,200	4,581,700	4,710,150
Total Expenditures	9,028,697	13,027,700	7,750,300	11,166,050
Excess Revenues Over (Under) Expenditures	(3,945,724)	(8,531,500)	(3,168,600)	(6,455,900)
Net Other Financing Sources (Uses)	12,202,198	-	-	-
Net Gain (Loss)	8,256,474	(8,531,500)	(3,168,600)	(6,455,900)
Fund Balance - Beginning	4,295,926	12,874,952	12,553,464	9,384,864
Fund Balance - Ending	12,553,464	4,343,452	9,384,864	2,928,964

SUMMARY OF REVENUES

Fund
21 Economic Development 71 EDC Administration

Account	Description	Actual 12-13	Budgeted 13-14	Amended 13-14	Proposed 14-15
4150	Sales Tax	4,528,427	4,332,700	4,410,700	4,539,100
4001	Interest Earnings	1,998	2,500	2,500	2,500
4019	Misc. Revenue	314,511	-	-	
4020	Interest/Reserve Fund	908	1,000	1,000	1,000
4160	Harbor Tax Rebates	160,000	160,000	160,000	167,550
4450	Technology Park Sales	-	-	-	-
4500	Grant Proceeds-TxDOT	77,129	-	7,500	-
	Total Revenues	5,082,973	4,496,200	4,581,700	4,710,150

SUMMARY OF OTHER FINANCING SOURCES (USES)

Fund
21 Economic Development

	Actual 12-13	Budgeted 13-14	Amended 13-14	Proposed 14-15
Other Financing Sources (Uses)				
Bond Proceeds	12,204,792	-		-
Premium on bonds	-			
Total Other Financing Sources	12,204,792	-	-	-
Transfer to Paying Agent	-	-	-	-
Bond Issuance Costs/ Discount	2,595	-		-
Cost of Land Sold		-	-	-
Total Other Financing Uses	2,595	-	-	-
Net Other Financing Sources (Uses)	12,202,198	-	-	-

SUMMARY OF EXPENDITURES

Fund
21 Economic Development

	Actual 12-13	Budgeted 13-14	Amended 13-14	Proposed 14-15
REDC Administration	1,856,723	2,070,750	1,796,150	2,687,350
Promotions & Marketing	218,446	252,500	252,500	252,500
Capital Projects	4,705,710	7,505,000	2,502,200	4,833,500
Debt Service	2,247,817	3,199,450	3,199,450	3,392,700
Total Expenditures	9,028,697	13,027,700	7,750,300	11,166,050

Marketing Cap Allowable Carryover per Statute $ 1,756,630

DIVISION SUMMARY

Fund	Department	Division
21 Economic Development	70 Economic Development	71 Economic Develop.

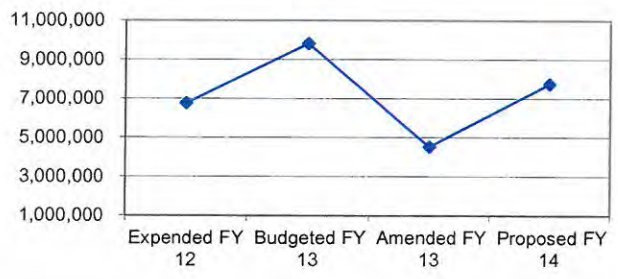
Expenditure Summary

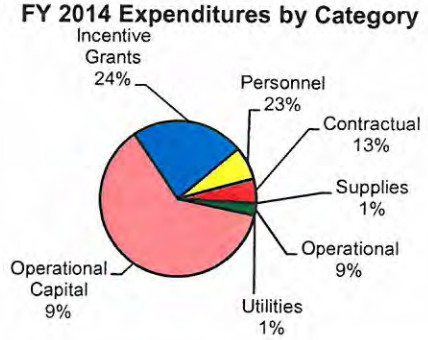
	Actual 12-13	Budgeted 13-14	Amended 13-14	Proposed 14-15
Personnel	540,371	563,700	563,700	535,300
Contractual	415,123	390,400	390,400	390,400
Supplies	12,360	17,800	17,800	13,800
Operational	160,403	172,950	168,350	176,950
Utilities	9,435	8,500	8,500	8,500
Capital	4,705,710	7,505,000	2,502,200	4,833,500
Incentive Grants	937,477	1,169,900	899,900	1,814,900
Total	6,780,880	9,828,250	4,550,850	7,773,350

Personnel Schedule

Position	FY 13 Approved	FY 14 Proposed
Economic Dev. Corp. President	1	1
Project Manager	1	1
Marketing / Events Manager	1	1
Administrative Assistant	1	1

Activity Trends





ECONOMIC DEVELOPMENT

Fund	Department	Division
21 Economic Development	70 Economic Develop.	71 Economic Develop.

Account	Description	Actual 12-13	Budgeted 13-14	Amended 13-14	Proposed 14-15
Personnel					
	Salaries - Wages & Incentives	420,428	433,550	433,550	409,450
	Total Salaries - Wages Incentives	420,428	433,550	433,550	409,450
120	FICA & Medicare	28,092	33,200	33,200	31,350
122	Retirement	66,973	70,050	70,050	67,600
128	Ins. Unemployment	378	400	400	400
224	Workers Comp.	500	500	500	500
230	Health Insurance	24,000	26,000	26,000	26,000
	Total Benefits	119,943	130,150	130,150	125,850
Total Personnel Costs		540,371	563,700	563,700	535,300
Contractual					
210	Auditing	1,500	1,500	1,500	1,500
211	Legal	88,212	60,000	60,000	60,000
213	Consulting Fees	36,331	60,000	60,000	60,000
217	IT Services	1,280	13,000	13,000	13,000
223	Insurance - Blanket Surety Bond	100	100	100	100
227	Insurance - Property	1,800	1,800	1,800	1,800
229	Insurance - Liability	500	500	500	500
232	Temporary Labor	4,368	5,200	5,200	5,200
234	Marketing Expenses	176,677	180,000	180,000	180,000
242	Equipment Rental & Lease	6,584	8,500	8,500	8,500
243	Building Lease	42,592	44,800	44,800	44,800
244	Building Repairs	43,179	3,000	3,000	3,000
299	Administrative Services	12,000	12,000	12,000	12,000
	Total Contractual	415,123	390,400	390,400	390,400

Annual Budget, Economic Development Cont'd

Account	Description	Actual 12-13	Budgeted 13-14	Amended 13-14	Proposed 14-15
Supplies					
301	Office Supplies	8,028	6,500	6,500	6,500
307	Postage	2,885	7,000	7,000	3,000
310	Printing & Binding	1,205	4,000	4,000	4,000
347	Gen. Maint. Supplies	243	300	300	300
	Total Supplies	12,360	17,800	17,800	13,800
Operational					
410	Dues & Subscriptions	3,342	2,000	2,000	2,000
428	Meeting Expenses - Other	7,455	7,000	7,000	7,000
430	Tuition & Training	2,837	2,500	2,500	2,500
436	Travel	9,994	30,000	30,000	30,000
437	Marketing Conferences	6,678	12,500	12,500	12,500
438	Prospect Visits	25,097	30,000	30,000	30,000
439	Common Area Maintenance-Park	105,000	88,950	84,350	92,950
	Total Operational	160,403	172,950	168,350	176,950
Utilities					
507	Telephone	9,435	8,500	8,500	8,500
	Total Utilities	9,435	8,500	8,500	8,500
Capital					
601	Land Acquisition	4,642,078	-	-	-
610	Furniture & Fixtures	20,719	-	-	-
612	Computer Equipment	8,279	5,000	5,000	-
678	Phase IV Eng/Construction	-	7,500,000	1,877,000	1,823,000
698	Justin Rd. Extension	34,634	-	620,200	3,010,500
	Total Capital	4,705,710	7,505,000	2,502,200	4,833,500
Incentives					
660	Due Diligence	616	2,000	2,000	2,000
661	Contracted Incentives	936,861	1,167,900	897,900	1,812,900
	Total Incentives	937,477	1,169,900	899,900	1,814,900
Division Total		6,780,880	9,828,250	4,550,850	7,773,350

ECONOMIC DEVELOPMENT

Fund	Department	Division
21 Economic Development	70 Economic Develop.	71 Economic Develop.

Account	Description	Actual 12-13	Budgeted 13-14	Amended 13-14	Proposed 14-15
Debt Service					
750	Administration Fees	4,000	4,500	4,500	4,500
752	Principal - Bonds	1,275,000	1,785,000	1,785,000	2,020,000
754	Interest - Bonds	968,817	1,409,950	1,409,950	1,368,200
Total Debt Service		2,247,817	3,199,450	3,199,450	3,392,700

Detail	Principal	Interest
2005-Phase II	145,000	7,250
2005-Harbor Project	245,000	12,250
2006-Hospital	150,000	102,000
2006-Justin Road	100,000	68,203
2008-Land Purchase	165,000	260,050
2008-Infrastructure	250,000	223,238
2011-HH Project	190,000	163,825
2012-Ref. Bonds (1999)	335,000	35,000
2013- Infrastructure	280,000	283,588
2013 Land Purchase	160,000	212,797
	2,020,000	1,368,200

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 12, 2014**

SUBJECT: **RTPA Budget**

The Rockwall Technology Park Association Board met Thursday September 11, 2014 to approve the budget for maintenance of the Tech Park phases I – VI. The budget includes a slight increase in the park maintenance budget to reflect more frequent mowing intervals on the former Hitt property, which after infrastructure upgrades underway at this time, is be referred to as Phase IV.

REDC President, Sheri Franza, will be available at the Council meeting to answer any questions about the proposed budget.

SUMMARY OF OPERATIONS

Fund
22 Tech Park Association

	Actual 12-13	Budgeted 13-14	Amended 13-14	Proposed 14-15
Total Revenues	157,412	168,100	157,100	172,100
Total Expenditures	147,379	168,100	159,100	172,100
Excess Revenues Over (Under) Expenditures	10,033	-	(2,000)	-
Net Other Financing Sources (Uses)	-	-	-	-
Net Gain (Loss)	10,033	-	(2,000)	-
Fund Balance - Beginning	37,415	37,415	47,448	45,448
Fund Balance - Ending	47,448	37,415	45,448	45,448

SUMMARY OF REVENUES

Fund

22 Tech Park Association RTPA

Account	Description	Actual 12-13	Budgeted 13-14	Amended 13-14	Proposed 14-15
4470	RTP Dues - Tenant	105,000	79,150	72,750	79,150
	REDC Cam Dues	52,401	88,950	84,350	92,950
	Total Revenues	157,412	168,100	157,100	172,100

DIVISION SUMMARY

Fund	Department	Division
22 Tech Park Association	70 Economic Development	RTPA

Expenditure Summary

	Actual 12-13	Budgeted 13-14	Amended 13-14	Proposed 14-15
Contractual	135,639	124,300	124,300	128,300
Supplies	808	10,300	10,300	10,300
Utilities	10,932	33,500	24,500	33,500
Total	147,379	168,100	159,100	172,100

ECONOMIC DEVELOPMENT

Fund	Department	Division 75
22 Tech Park Association	70 Economic Develop.	RTPA Phase I - III

Account	Description	Actual 12-13	Budget 13-14	Amended 13-14	Proposed 14-15
Contractual					
210	Auditing	500	500	500	500
213	Management Svcs	25,904	-	-	-
227	Insurance - Property	900	900	900	900
247	Landscape/Irrig Maint	57,222	104,000	104,000	104,000
299	Administrative Svcs	2,000	2,000	2,000	2,000
	Total Contractual	86,526	107,400	107,400	107,400
Supplies					
329	Flag Replacements	378	6,000	6,000	6,000
347	Gen. Maint. Supplies	-	1,000	1,000	1,000
	Total Supplies	378	7,000	7,000	7,000
Utilities					
501	Electric	160	2,000	2,000	2,000
513	Water	7,178	20,000	11,000	20,000
	Total Utilities	7,337	22,000	13,000	22,000
Division Total		94,241	136,400	127,400	136,400

ECONOMIC DEVELOPMENT

Fund	Department	Division 77
22 Tech Park Association	70 Economic Develop.	RTPA Phase IV - VI

Account	Description	Actual 12-13	Budget 13-14	Amended 13-14	Proposed 14-15
Contractual					
213	Management Svcs	10,796	-	-	-
227	Insurance - Property	900	900	900	900
247	Landscape/Irrig Main	37,417	16,000	16,000	20,000
	incl. mowing EDC owned lots				
	Total Contractual	49,113	16,900	16,900	20,900
Supplies					
329	Flag Replacements	-	3,000	3,000	3,000
347	Gen. Maint. Supplies	430	300	300	300
	Total Supplies	430	3,300	3,300	3,300
Utilities					
501	Electric	1,692	1,500	1,500	1,500
513	Water	1,902	10,000	10,000	10,000
	Total Utilities	3,594	11,500	11,500	11,500
Division Total		53,138	31,700	31,700	35,700

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 09/15/2014

APPLICANT: Jose and Maria Lopez

AGENDA ITEM: **MIS2014-011**; Special Request (208 Texas Avenue)

SUMMARY:

Discuss and consider a request for the approval of a special request for the purpose of permitting the construction of a covered porch that does not conform to the setback requirements as stipulated by Planned Development District 75 (PD-75) [*Ordinance No. 09-37*] for a 0.12-acre property that is identified as Lot 685 of Rockwall Lake Estates #1 Addition, City of Rockwall, Rockwall County, Texas, is zoned Planned Development District 75 (PD-75), is addressed as 208 Texas Avenue, and take any action necessary.

CHARACTERISTICS OF REQUEST:

The applicants, Jose and Maria Lopez, are requesting a special exception to the setback requirements stipulated by *Ordinance No. 09-37* for the purpose of constructing a covered porch adjacent to Texas Avenue. The subject property is a corner lot located within *'Area 1'* at the southeast corner of Bass Road and Texas Avenue. According to *Ordinance No. 09-37* properties located within *'Area 1'* require a front yard setback of 20-feet, and since the property is on a corner it is required to meet the front yard building setback adjacent to both Bass Road and Texas Avenue. Currently, the main structure is situated an estimated 25-feet from Bass Road and 17-feet from Texas Avenue (as measured by staff). The proposed covered porch will be ten (10) feet by 14-feet (or 140 SF), and be situated seven (7) feet from the northern property line adjacent to Texas Avenue. The structure will be constructed with a wood frame and incorporate a roof structure that can be built utilizing standing seam metal or asphalt shingles. With the exception of the requested 13-foot variance to the front yard building setback requirements the structure will be in conformance with all applicable codes.

Generally, this request would require approval from the Board of Adjustments (BOA); however, *Ordinance No. 09-37* specifically states that the Planning and Zoning Commission and City Council may vary building setbacks upon request by an applicant. Staff would like to acknowledge that the applicant's request appears to be consistent with existing development in the neighborhood, and the approval of the request would not alter the essential character of the planned development district.

RECOMMENDATIONS:

If the City Council chooses to approve the applicant's request for a waiver to the front yard building setback requirements staff would recommend the following conditions:

1) Prior to the construction of the carport the applicant will need to apply for a Building Permit from the Building Inspections Division,

2) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On September 9, 2014, the Planning & Zoning Commission recommended approval of the applicant's request for a waiver to the front yard building setback requirements by a vote of 6-0, with Commissioner Lyons absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

1:739

The reason I'm asking permition to built a porch is bedause on the entrance door when it rains water comes inside. This is one of the reason I want to built a porch The messurments of the porch are on this drawing, also I already bought part of the material, The cost $800 Approximately.

Sincerly Jose Noe Lopez

208 Texas Ave.
Rockwall Tx. 75032

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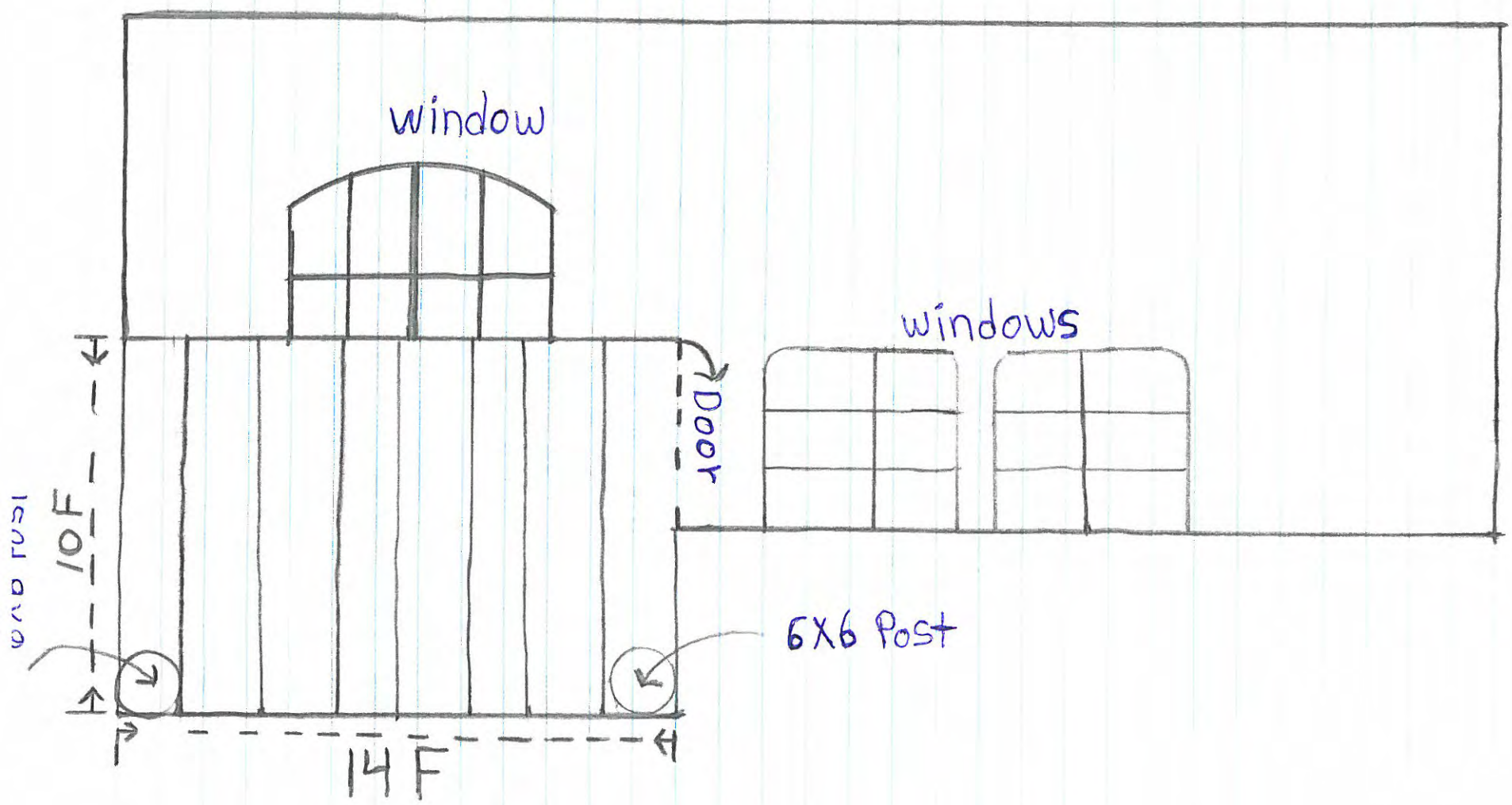

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary**

DATE: **September 10, 2014**

SUBJECT: **Recommendations re: appointments to the Youth Advisory Council (YAC)**

This year, applications for YAC were solicited via local news media outlets, our website and Facebook page, word-of-mouth, and by reaching out to a few teachers. We received about twenty applications. An interview panel consisting of myself, Councilmember White (YAC liaison), Brandy Glover (RHS teacher/YAC liaison), and three existing YAC students (Beth, Isabella and Baldwin) conducted sixteen interviews on Monday, Sept. 8. The panel is recommending that the following students be considered by the City Council for appointment to the 2014-15 Youth Advisory Council:

1	Re-appointment	**Senior (RHHS)**	Samuel	Strahan
2	Re-appointment	**Junior (HmSch)**	Beth	Naylor
3	Re-appointment	**Junior (RHHS)**	Isabella	Burzair
4	Re-appointment	**Junior (RHHS)**	Baldwin	Bakkal
5	Re-appointment	**Junior (RHS)**	Derek	Avenetti
6	NEW appointment	**Junior (RHS)**	Cate	Ghormley
7	NEW appointment	**Junior (RHHS)**	Logan	Peet
8	NEW appointment	**Freshman (RHS)**	Bethany	Villabos
9	NEW appointment	**Senior (HmSch)**	Elsa	Castro
10	NEW appointment	**Senior (RHS)**	Mie	Pighee
11	NEW appointment	**Sophomore (RHS)**	Reid	Rakow
12	NEW appointment	**Junior (RHS)**	Jake	Mirelez

In addition, due to inconsistent, low attendance last school year, the panel has recommended that the following students not be re-appointed to YAC for 2014-15:

Senior (RHS)	Heath	Terry
Senior (RHHS)	Aaron	Stubbs

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**
CC: **Mary Smith, Assistant City Manager**
CC: **Rick Crowley, City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **September 11, 2014**

SUBJECT: **CHRISTMAS DECORATIONS QUOTE FOR SAN JACINTO ST.**

The San Jacinto St. portion of the Downtown Improvement project is scheduled to be complete in time for the Christmas shopping season. Given this timing, it was suggested that San Jacinto St. should be appropriately decorated. Staff has put together a plan that creates a seasonal draw for the pedestrian area by placing a 24' tall Christmas tree as the focal point and utilizing the newly constructed features such as trees and decorative light poles for lighted garland wraps with ornaments and densely lighted tree trunks.

Staff requests that City Council consider purchasing Christmas decorations for San Jacinto St. from Christmas Designers.com. The funding source for this project is the Downtown Donations Fund. The total project cost is estimated to be $19,850 and includes:

- 24' Majestic Mountain Pine Commercial Christmas Tree with LED lights
- 4' 3D Snowburst Tree Topper
- Ornament package for 24' tree with 6" and 8" ornaments
- Light pole garland wraps with ornament clusters and LED Lights
- LED tree trunk wraps
- 20 Photo cell time clocks

In FY 2013, 18 lighted garland and ornament clusters were purchased from Christmas Designers.com for the 16' tall light poles around the square. This proposal matches what has already been purchased for a uniform look around the square. Since the Christmas tree will be viewed up close at street level and will likely be the background for many family photos, this proposal includes a high quality design and material as a opposed to a typical "panel" tree that is best viewed from a distance. Contingent upon approval, the decorations are available to be shipped in the current fiscal year and could be installed as soon as the construction is complete along San Jacinto St. The park maintenance staff is prepared to do the installation.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Jacky Casey – Assistant to the City Secretary**

DATE: **September 12, 2014**

SUBJECT: **Charter Review Commission Timeline**

Below is the excerpt from the current City Charter regarding the appointment of a Charter Review Commission. Also included is a timeline of key dates for said appointments and ordering of election.

Sec. 11.15. Charter Review Commission.

(1) The City Council *must* appoint a Charter Review Commission of *ten citizens* of the City which will:

(a) Inquire into the operation of the City government under the Charter and determine whether any provisions require revision. To this end, public hearings may be held. The Commission may compel the attendance of any officer or employee of the City and require submission of any City records it deems necessary to conduct the hearings.

(b) Propose any recommendations it deems desirable to insure [ensure] compliance with the Charter of the City government.

(c) Report its findings and present its recommendations to the City Council.

(2) The City Council will receive and have published in the newspaper of record of the City a comprehensive summary of the report presented by the Commission; will consider any recommendations made, may order any amendments suggested to be submitted to the voters of the City in the manner provided by State law as now written or hereafter amended.

(3) The **term of office of the Commission must be for not more than six months**, at the end of which time a report will be presented to the City Council and all records of proceedings of the commission will be filed with the City Secretary and become a public record.

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Timeline to Appoint Charter Review Commission and Call Election	
October 6th – 20th	Proposed period to appoint Charter Review Commission.
October 20th – January 15, 2015	Proposed period for Commission to meet and discuss proposed changes to Charter.
January 15th – February 15th	Proposed period for Commission to report to Council and Council review proposed Charter changes for consideration.
February 17th	Proposed Council meeting for ordering Charter Amendment election.
February 28th	Tentative statutory last day for ordering election. **This date may vary by a day or two once the 2015 Election Calendar is released by the Secretary of State.*
March 1 to March 15	Proposed period for Council to publish recommendations of Charter amendments in newspaper.

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Hold work session to discuss and consider the city's Art in Public Places provisions, including the Art Review Team (ART) Commission, and take any action necessary.

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Fire Prevention Month

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Texas Night Out

- Proclamation (TX Night Out) 26
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Breast Cancer Awareness Month

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Consider approval of the minutes from the September 15, 2014 regular city council meeting, and take any action necessary.

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Consider approval of change orders number 1 and number 2 with War Horse Inc. for the FM 3097 waterline connections relocation project in the amount of $27,854.16 to be funded from 2008 revenue bonds, and take any action necessary.

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- change order number 2 53
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Z2014-023 - Consider approval of an ordinance for a request by Beth Godfrey of TKC CLXXXVI, LLC on behalf of the owner, Rick Sharp, for the approval of a zoning amendment to Planned Development District 46 (PD-46) [Ordinance No. 99-05] to allow for a Rental Store with Outside Storage (i.e. Sunbelt Rentals Company) to be established on a ~3.35-acre portion of a larger 6.222-acre parcel of land identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for commercial land uses, situated within the SH-276 Corridor Overlay (SH-276 OV) District, located east of Corporate Crossing (FM-549) in between SH-276 and Springer Lane, and take any action necessary. (2nd Reading)

- Ord_2nd reading 55
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Z2014-024 - Consider approval of an ordinance for a request by Juan J. Vasquez, PE of Vasquez Engineering, LLC on behalf of James R. Thompson of Cavender Investment Properties E, LTD for the approval of a Specific Use Permit (SUP) for a general retail store within a Light Industrial (LI) District for the purpose of constructing a Cavender's Boot City on a 3.27-acre parcel of land identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of the E. IH-30 frontage Road west of Corporate Crossing (FM-549), and take any action necessary. (2nd Reading)

Ord_2nd reading 61

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Z2014-026 - Consider approval of an ordinance for a request by Caprice Michelle of Rockwall's Rustic Ranch, LLC for the approval of a Specific Use Permit (SUP) for a restaurant within Planned Development District 50 (PD-50) on a 0.53-acre parcel of land identified as Lot B, Block 123, B. F. Boydston Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. (2nd Reading)

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P2014-024 - Consider a request by Glenn Breyszcher of Dallas Mapping & Design on behalf of David Spiegel of the Lakes Assembly of God Church for the approval of a replat for Lot 1, Block A, Lakes Assembly Addition, being a 6.210-acre parcel of land, currently identified as Blocks B & C, Green Meadows Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located on the north side of Williams Street (SH-66) east of the intersection of N. Clark Street and Williams Street, and take any action necessary.

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P2014-026 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company (BH Phase IIB SF, LTD) for the approval of a replat of Lots 51-60, Block D, Breezy Hill, Phases IIA & IIB, being a 3.624-acre portion of land that is currently identified as Lots 20-26 & 50, Block D, Breezy Hill, Phases IIA & IIB, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally located north of the intersection of FM-552 and John King Boulevard, and take any action necessary.

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P2014-028 - Consider a request by Harold Fetty of H. D. Fetty Land Surveying, LLC on behalf of the owner R. D. Vanderslice for the approval of a replat for Lot 3, Block A, Adams Addition, being a 0.30-acre parcel of land identified as Lot 1, Block A, Adams Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 911 N. Goliad Street, and take any action necessary.

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Consider authorizing the City Manager to execute a contract with CXT Precast Products for the construction of a restroom at Tuttle Sports Complex in the amount of $110,409.37 to be funded from the Recreation Development Fund, and take any action necessary.

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Consider authorizing the City Manager to execute a contract with Rockwall County Committee on Aging for certain nutritional and senior service programs in the amount of $30,000.00 to be funded from the Administration Department operating budget, and take any action necessary.

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Consider authorizing the City Manager to execute a contract with the Texas Department of Transportation, Aviation Division for participation in the Routine Airport Maintenance Program at the Ralph M. Hall / Rockwall Municipal Airport, with matching funds for the grant to be provided by the Airport Operating Budget, and take any action necessary.

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Consider authorizing the Mayor to execute an interlocal agreement for fire protection services between Rockwall County and the City of Rockwall, and take any action necessary.

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Consider authorizing the City Manager to enter into an agreement with APA for the 2015 Founders Day Festival headline entertainment in the amount of $30,0000 to be funded by Hotel/Motel Tax Funds, and take any action necessary.

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Sawyer Brown- Rockwall Founders Day- Rockwall TX- 5 16 2015- Contract . . . 129
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Consider authorizing the City Manager to execute an engineering services contract with Hydrological Support Services, LLC to perform flood study reviews for developments within the City in an amount not to exceed $40,000.00 to be funded from the FY 2014-15 Engineering Department Operations Budget and developer reimbursement, and take any action necessary.

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Consider approval of an ordinance establishing the speed limit along SH 205 from E. Interurban Street to south of S. Heath Street at 35 miles per hour and take any action necessary. (1st Reading)

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Consider approval of an ordinance amending Chapter 38. Subdivisions; Article I. In General; Section 38-15. Miscellaneous requirements, Subsection (m) to increase Engineering Inspection fees from two percent to four percent, and taken any action necessary. (1st reading)

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Consider approval of an ordinance amending the Code of Ordinances in Chapter 6. Animals, Article II. Administration, Division 2. Adoption Center Advisory Committee, Sec. 6-51 to modify the composition of the committee to align with state law, and take any action necessary. (2nd reading)

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Consider approval of a resolution authorizing the City Manager to execute an agreement with TXDOT for Construction, Maintenance and Operations of Safety Lighting Systems Within Municipalities with the Texas Department of Transportation, and take any action necessary.

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Appointment with Dana Macalik of the Rockwall Area Chamber of Commerce to hear report on Hotel Motel Occupancy Tax funding utilized for various projects including a community map, "Visit Rockwall" website and visitor's brochure, and Rockwall Chamber website, and take any action necessary.

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Appointment with representatives from Suntex RHCL, LLC to request relief from the concession agreement to operate the marina within Chandlers Landing, and take any action necessary.

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Appointment with Dewayne Cain regarding Rest Haven Funeral Home expansion, and take any action necessary.

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Appointment with Mark Spencer to discuss and consider the master plan for the Park at Stone Creek, and take any action necessary.

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Appointment with Kim Lovett with Eventive Marketing Solutions, representing UCR Asset Services, to request permission to hold two special

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MIS2013-006 – Hold a public hearing to discuss and consider approval of an ordinance for a City initiated amendment to Sections 38-360 through 38-368 of Chapter 38, Subdivisions, of the Municipal Code of Ordinances of the City of Rockwall, Texas, concerning updated impact fees for water and wastewater facilities based on recently approved and updated land use assumptions and utility capital improvement plans for such facilities. (1st Reading)

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SP2014-018 - Discuss and consider a request by Scott Lay on behalf of Lay Construction, LLC for the approval of variances to the SH-205 Overlay (SH-205 OV) District requirements in association with a site plan for a Dairy Queen restaurant on a 2.0638-acre tract of land identified as Tract 36 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [S. Goliad Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

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MIS2014-013 - Discuss and consider a request by Darryl LaCaze for the approval of a special request for the purpose of permitting an accessory structure that exceeds the maximum permissible size stipulated by Section 2.1.2 of Article IV, Permissible Uses, of the Unified Development Code and does not meet the exterior material requirements as stipulated in Ordinance No. 09-37 for a 33.05-acre property identified as Lots 1340 & 1341 of Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) [Ordinance No. 09-37], addressed as 503 Nicole Drive, and take any action necessary.

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MIS2014-014 - Discuss and consider a miscellaneous request by Tim Spiars of Spiars Engineering on behalf of Master Developers SNB LLC for the approval of a variance to the alley requirements stipulated by Planned Development District 41 (PD-41) [Ordinance No. 01-27] and Section 2.11 of the Standards of Design Manual, for a 12.45-acre subdivision of land identified as the North Shore Addition, being a portion of the Preserve preliminary plat, zoned Planned Development District 41 (PD- 41) for single family residential land uses, generally located on the south side of East Fork Drive, and take any action necessary.

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Z2014-022 – Discuss and consider approval of an ordinance for a City initiated zoning request for the approval of a text amendment to Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of creating and implementing an Airport Overlay (AP OV) District, which will be applicable for the Ralph M. Hall/Rockwall Municipal Airport property, and for all properties located within 500-feet of the airport property and/or located within the Airport's Runway Protection Zones as defined by AC150/5300-13A, Airport Design, of the FAA standards, and take any action necessary. (1st Reading)

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Discuss and consider approval of a resolution establishing an intent to apply for Preserve America Community Designation, supporting heritage tourism and historic preservation, and take any action necessary.

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Discuss and consider approval of a resolution establishing a Charter Review Commission, and take any action necessary.

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AGENDA
ROCKWALL CITY COUNCIL
Monday, October 06, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p.14 **1. HOLD WORK SESSION TO DISCUSS AND CONSIDER THE CITY'S ART IN PUBLIC PLACES PROVISIONS, INCLUDING THE ART REVIEW TEAM (ART) COMMISSION, AND TAKE ANY ACTION NECESSARY.**

2. HOLD WORK SESSION TO DISCUSS AND CONSIDER THE CITY'S RADIO SYSTEM, AND TAKE ANY ACTION NECESSARY.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointment of Mayor Pro-Tem pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission, Rockwall Economic Development Corporation, and Charter Review Commission pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, October 06, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER WHITE

VIII. PROCLAMATIONS / AWARDS

1. Fire Prevention Month p.24
2. Texas Night Out p.26
3. Breast Cancer Awareness Month p.28

IX. OPEN FORUM

X. CONSENT AGENDA

p.30 **1.** Consider approval of the minutes from the September 15, 2014 regular city council meeting, and take any action necessary.

p.51 **2.** Consider approval of change orders number 1 and number 2 with War Horse Inc. for the FM 3097 waterline connections relocation project in the amount of $27,854.16 to be funded from 2008 revenue bonds, and take any action necessary.

p.55 **3.** **Z2014-023** - Consider approval of an **ordinance** for a request by Beth Godfrey of TKC CLXXXVI, LLC on behalf of the owner, Rick Sharp, for the approval of a zoning amendment to Planned Development District 46 (PD-46) [Ordinance No. 99-05] to allow for a Rental Store with Outside Storage (i.e. Sunbelt Rentals Company) to be established on a ~3.35-acre portion of a larger 6.222-acre parcel of land identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for commercial land uses, situated within the SH-276 Corridor Overlay (SH-276 OV) District, located east of Corporate Crossing (FM-549) in between SH-276 and Springer Lane, and take any action necessary. **(2nd Reading)**

p.61 **4.** **Z2014-024** - Consider approval of an **ordinance** for a request by Juan J. Vasquez, PE of Vasquez Engineering, LLC on behalf of James R. Thompson of Cavender Investment Properties E, LTD for the approval of a Specific Use Permit (SUP) for a general retail store within a Light Industrial (LI) District for the purpose of constructing a Cavender's Boot City on a 3.27-acre parcel of land identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of the E. IH-30 frontage Road west of Corporate Crossing (FM-549), and take any action necessary. **(2nd Reading)**

p.65 **5.** **Z2014-026** - Consider approval of an **ordinance** for a request by Caprice Michelle of Rockwall's Rustic Ranch, LLC for the approval of a Specific Use

Permit (SUP) for a restaurant within Planned Development District 50 (PD-50) on a 0.53-acre parcel of land identified as Lot B, Block 123, B. F. Boydston Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(2nd Reading)**

p.72 **6.** **P2014-024** - Consider a request by Glenn Breyszcher of Dallas Mapping & Design on behalf of David Spiegel of the Lakes Assembly of God Church for the approval of a replat for Lot 1, Block A, Lakes Assembly Addition, being a 6.210-acre parcel of land, currently identified as Blocks B & C, Green Meadows Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located on the north side of Williams Street (SH-66) east of the intersection of N. Clark Street and Williams Street, and take any action necessary.

p.77 **7.** **P2014-026** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company (BH Phase IIB SF, LTD) for the approval of a replat of Lots 51-60, Block D, Breezy Hill, Phases IIA & IIB, being a 3.624-acre portion of land that is currently identified as Lots 20-26 & 50, Block D, Breezy Hill, Phases IIA & IIB, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally located north of the intersection of FM-552 and John King Boulevard, and take any action necessary.

p.83 **8.** **P2014-028** - Consider a request by Harold Fetty of H. D. Fetty Land Surveying, LLC on behalf of the owner R. D. Vanderslice for the approval of a replat for Lot 3, Block A, Adams Addition, being a 0.30-acre parcel of land identified as Lot 1, Block A, Adams Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 911 N. Goliad Street, and take any action necessary.

p.88 **9.** Consider authorizing the City Manager to execute a contract with CXT Precast Products for the construction of a restroom at Tuttle Sports Complex in the amount of $110,409.37 to be funded from the Recreation Development Fund, and take any action necessary.

p.97 **10.** Consider authorizing the City Manager to execute a contract with Rockwall County Committee on Aging for certain nutritional and senior service programs in the amount of $30,000.00 to be funded from the Administration Department operating budget, and take any action necessary.

p.105 **11.** Consider authorizing the City Manager to execute a contract with the Texas Department of Transportation, Aviation Division for participation in the Routine Airport Maintenance Program at the Ralph M. Hall / Rockwall Municipal Airport, with matching funds for the grant to be provided by the Airport Operating Budget, and take any action necessary.

p.121 **12.** Consider authorizing the Mayor to execute an interlocal agreement for fire protection services between Rockwall County and the City of Rockwall, and take any action necessary.

p.128 **13.** Consider authorizing the City Manager to enter into an agreement with APA for the 2015 Founders Day Festival headline entertainment in the amount of $30,0000 to be funded by Hotel/Motel Tax Funds, and take any action necessary.

p.153 **14.** Consider authorizing the City Manager to execute an engineering services contract with Hydrological Support Services, LLC to perform flood study reviews for developments within the City in an amount not to exceed $40,000.00 to be funded from the FY 2014-15 Engineering Department Operations Budget and developer reimbursement, and take any action necessary.

p.166 **15.** Consider approval of an **ordinance** establishing the speed limit along SH 205 from E. Interurban Street to south of S. Heath Street at 35 miles per hour and take any action necessary. **(1st Reading)**

p.175 **16.** Consider approval of an **ordinance** amending Chapter 38. Subdivisions; Article I. In General; Section 38-15. Miscellaneous requirements, Subsection (m) to increase Engineering Inspection fees from two percent to four percent, and taken any action necessary. **(1st reading)**

p.180 **17.** Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 6. Animals, Article II. Administration, Division 2. Adoption Center Advisory Committee, Sec. 6-51 to modify the composition of the committee to align with state law, and take any action necessary. **(2nd reading)**

p.183 **18.** Consider approval of a resolution authorizing the City Manager to execute an agreement with TXDOT for Construction, Maintenance and Operations of Safety Lighting Systems Within Municipalities with the Texas Department of Transportation, and take any action necessary.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p.188 **2.** Appointment with Dana Macalik of the Rockwall Area Chamber of Commerce to hear report on Hotel Motel Occupancy Tax funding utilized for various projects including a community map, "Visit Rockwall" website and visitor's brochure, and Rockwall Chamber website, and take any action necessary.

p.193 **3.** Appointment with representatives from Suntex RHCL, LLC to request relief from the concession agreement to operate the marina within Chandlers Landing, and take any action necessary.

p.200 **4.** Appointment with Dewayne Cain regarding Rest Haven Funeral Home expansion, and take any action necessary.

p.207 **5.** Appointment with Mark Spencer to discuss and consider the master plan for the Park at Stone Creek, and take any action necessary.

p.213 **6.** Appointment with Kim Lovett with Eventive Marketing Solutions, representing UCR Asset Services, to request permission to hold two special events (Harbor HOWL-O-Ween on 10/25/14 and Harbor Holiday on 11/15/14) on the Harbor property, and take any action necessary.

XII. PUBLIC HEARING ITEMS

p.215 **1.** **MIS2013-006** – Hold a public hearing to discuss and consider approval of an ordinance for a City initiated amendment to Sections 38-360 through 38-368 of Chapter 38, Subdivisions, of the Municipal Code of Ordinances of the City of Rockwall, Texas, concerning updated impact fees for water and wastewater

facilities based on recently approved and updated land use assumptions and utility capital improvement plans for such facilities. **(1st Reading)**

XIII. ACTION ITEMS

p.338 **1.** **SP2014-018** - Discuss and consider a request by Scott Lay on behalf of Lay Construction, LLC for the approval of variances to the SH-205 Overlay (SH-205 OV) District requirements in association with a site plan for a Dairy Queen restaurant on a 2.0638-acre tract of land identified as Tract 36 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [S. Goliad Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

p.348 **2.** **MIS2014-013** - Discuss and consider a request by Darryl LaCaze for the approval of a special request for the purpose of permitting an accessory structure that exceeds the maximum permissible size stipulated by Section 2.1.2 of Article IV, Permissible Uses, of the Unified Development Code and does not meet the exterior material requirements as stipulated in Ordinance No. 09-37 for a 33.05-acre property identified as Lots 1340 & 1341 of Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) [Ordinance No. 09-37], addressed as 503 Nicole Drive, and take any action necessary.

p.355 **3.** **MIS2014-014** - Discuss and consider a miscellaneous request by Tim Spiars of Spiars Engineering on behalf of Master Developers SNB LLC for the approval of a variance to the alley requirements stipulated by Planned Development District 41 (PD-41) [Ordinance No. 01-27] and Section 2.11 of the Standards of Design Manual, for a 12.45-acre subdivision of land identified as the North Shore Addition, being a portion of the Preserve preliminary plat, zoned Planned Development District 41 (PD- 41) for single family residential land uses, generally located on the south side of East Fork Drive, and take any action necessary.

p.361 **4.** **Z2014-022** – Discuss and consider approval of an **ordinance** for a City initiated zoning request for the approval of a text amendment to Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of creating and implementing an Airport Overlay (AP OV) District, which will be applicable for the Ralph M. Hall/Rockwall Municipal Airport property, and for all properties located within 500-feet of the airport property and/or located within the Airport's Runway Protection Zones as defined by AC150/5300-13A, Airport Design, of the FAA standards, and take any action necessary. **(1st Reading)**

p.393 **5.** Discuss and consider approval of a resolution establishing an intent to apply for Preserve America Community Designation, supporting heritage tourism and historic preservation, and take any action necessary.

p.398 **6.** Discuss and consider approval of a resolution establishing a Charter Review Commission, and take any action necessary.

XIV. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

p.402 Building Inspections Monthly Report - August 2014
Fire Department Monthly Reports - August 2014 p.418

p.441 Harbor PD Monthly Report - August 2014
Internal Operations Department Monthly Report - August 2014 p.443

p.447 Police Department Monthly Report - August 2014
Recreation Monthly Report - August 2014 p.450

p.452 Rockwall Animal Adoption Center Monthly Report - August 2014

2. City Manager's Report

XV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointment of Mayor Pro-Tem pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission, Rockwall Economic Development Corporation, and Charter Review Commission pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.
The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)
I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 3rd day of October, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

ARTICLE IV. - ART IN PUBLIC PLACES MASTER PLAN

DIVISION 1. - GENERALLY

Sec. 36-56. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Art committee means five members, appointed by the city council, to conduct an analysis of the concept of the art in public places program and develop a comprehensive master plan.

Art review team (ART) commission means the commission responsible for the review and approval of public art applications and/or projects according to the process outlined in this master plan.

Artist means a practitioner in the visual arts generally recognized by critics and peers as a professional possessing serious intent and ability.

Construction project means any capital project paid for wholly, or in part, by the city to construct or remodel any building, park or parking facility.

Coordinator means the staff person appointed by the city manager to coordinate and facilitate the implementation of this article and the master plan as adopted by the city council.

Eligible project means a construction or remodeling project, as defined in this section, for which the source of funds is not restricted by law or regulation as to its use for artworks.

Project consultant means an individual working for the artist, the city, or the construction company.

Visual arts professional means an artist, arts educator, art critic, arts administrator, arts dealer, designer, art historian, curator, fine art collector, architect, urban planner or landscape architect who is well respected in his field, knowledgeable with regards to multiple disciplines and styles of visual art and willing to participate effectively in a review process without conflict of interest.

Work of art means tangible creations by artists exhibiting the highest quality of skill and aesthetic principles including, but not limited to, paintings, sculptures, stained glass, engravings, mosaics, carvings, etchings, frescoes, mobiles, murals, collages, tapestries, memorials, environmental, photographs, drawings, monuments, fountains, or utilitarian/functional works.

(Ord. No. 06-17, § 1(23-32), 6-5-2006)

Sec. 36-57. - Purpose; established.

(a) It is the intention of the city to contribute to the cultural and artistic nature of this area by establishing a public art program which will:

(1) Foster development of cultural awareness and enrich the public environment for both residents and visitors through the visual arts;

(2) Celebrate the cultural, topographic and historical aspects of the area as well as the quality of life, lifestyle and diverse character of our community;

(3) Integrate the work and thinking of artists into the planning, design and construction of public buildings and spaces;

(4) Contribute a sense of ownership and civic pride in public facilities and spaces to citizens;

(5) Support, educate and assist citizens with their community activities in which public art plays a part; and

(6) Support a variety of artistic expressions and the visual arts.

(b) In an effort to accomplish the goals of the public art program, the council-appointed arts committee has developed a master plan to establish a process, which could include the selection, purchase, commission, placement, funding, maintenance and insurance of works of art on city-owned or city-controlled property.

(Ord. No. 06-17, § 1(23-31), 6-5-2006)

Sec. 36-58. - Appropriate forms of public art.

(a) The following are considered appropriate forms of public art:

(1) Works of art that reflect the purposes of the art in public places program, always aiming to achieve the highest aesthetic quality.

(2) Works of art that give due consideration to the proposed design in terms of scale, form and content with respect to its immediate and general, social and physical environment.

(3) Works of art that give due consideration to materials and construction for questions of durability, maintenance, public access, appropriateness, safety and security.

(4) Works of art that seek to reflect enduring artistic concepts, not transitory ones.

(b) Items not to be considered as works of art:

(1) Directional elements such as signage, except where these elements are integral parts of the original works of art.

(2) Art objects which are mass produced from a standard design, such as playground equipment or fountains.

(3) Reproductions of original art works.

(4) Decorative, ornamental or functional elements, including signage, which are designed by the building architect as opposed to an artist commissioned for the purpose of creating the art work.

(5) Landscape architecture and landscape gardening except where these elements are designed for and recognized by the ART commission as an integral part of the work of art.

(Ord. No. 06-17, § 1(23-33), 6-5-2006)

Sec. 36-59. - Appropriation; allocation and management of funds.

(a) Potential sources of funding to be considered:

(1) City-budgeted funds;

(2) Individual donations;

(3) Receiving grant monies; and

(4) Sale of tiles or plaques for recognition purposes.

(b) Recognition for sizable donations could be given by placing plaques in conjunction with the artwork.

(c) Management of the art in public places fund will be administered by the city manager or his designee.

(Ord. No. 06-17, § 1(23-34), 6-5-2006)

Sec. 36-60. - Funding of the public art program.

(a) *Appropriations.* Beginning with the 2011-12 fiscal year, all appropriations for city capital improvement projects, whether financed with city bond proceeds or city monies from any other source, shall include an amount equal to 1.0 percent of the total capital improvement project appropriation, to be used for design services of artists, for the selection, acquisition, commissioning, and display of

artworks, and for administration of the public art projects. Such appropriations shall apply to a capital improvement project financed with proceeds from general obligation bonds authorized by the voters beginning with the 2011-12 fiscal year; or revenue bonds, certificates, notes, or other obligations authorized by the city council beginning with the 2011-12 fiscal year. Monies appropriated as part of one project, but not deemed necessary by the city council in total or in part for the project, may be expended on other projects approved under the annual public art projects plan; provided that proceeds from bonds issued and authorized for a particular use or purpose shall not be used or diverted for a different use or purpose.

(b) *Grants and contributions from non-city sources.* Beginning with the 2011-12 fiscal year, each city department shall include in every application to a granting authority for a capital improvement project grant an amount for artists' services and artworks in accordance with this article. The public art appropriation shall apply to all capital improvement projects financed with grants or contributions from private persons or governmental or public agencies, subject to conditions of the granting or contributing person or agency. If the public art appropriation is not allowed as a reimbursable expense, only the city-funded portion of the project is subject to the public art appropriation.

(c) *Method of calculation.* The minimum amount to be appropriated for artists' services and artworks is equal to the total city capital improvement project appropriation multiplied by 0.010; provided that amounts budgeted for real property acquisition costs, demolition costs, equipment costs, normal major maintenance costs, financing costs, costs paid for from the contingency reserve fund, capital reserve funds, or interest earnings on city bond proceeds, costs of any below-grade water or wastewater improvements, and costs of resurfacing or repair of existing streets, sidewalks, and appurtenant drainage improvements are not subject to the calculation.

(d) *Public art accounts.* Amounts appropriated pursuant to this article shall be established by the city manager, or his designee, in a public art account within each capital improvement project fund.

(e) *City bond proceeds.*

(1) If a city capital improvement project is financed with city bond proceeds, the use of any amounts appropriated for artists' services and works of art in accordance with this article must be consistent with any voted proposition approved by the voters of the city, any resolution or ordinance adopted by the city council authorizing issuance of the bonds, and applicable state or federal law. In no event shall city bond proceeds be used for public art maintenance purposes.

(2) This section shall not apply to any refunding bond proceeds.

(3) This section shall not apply to any capital improvement project financed with water utility revenues that is located outside the city limits; or any below-grade capital improvement financed with water utility revenues, whether or not the below-grade improvement is part of a city capital improvement project that involves at-grade or above grade improvements.

(f) *City council exclusions.* When considering the capital improvements plan, or any amendment thereto, the city council may exclude individual city capital improvement projects from the application of this section.

(Ord. No. 11-10, § 1(23-45), 3-7-2011)

DIVISION 2. - ART REVIEW TEAM (ART) COMMISSION

Sec. 36-77. - Established.

(a) *Composition; appointment of members; term; compensation.* There is hereby created a commission known as the art review team (ART) commission. The commission shall be organized as follows:

(1) The art review team (ART) commission shall consist of five members, appointed by the city council. The team members will include two visual arts professionals, two members of the business community who will be representative of the environmental design fields (architecture, landscape architecture, urban planning/design), and one resident of the community. Selection of

the team will reflect ethnic, artistic, economic and demographic diversity of the community. All team members must possess knowledge of, or have an interest in contemporary, visual art, artistic principles and art media. A board member of the Rockwall Alliance for the Arts and the director of parks and recreation or his designee will serve as ex officio (nonvoting) members.

a. The art review team (ART) commission shall consist of five regular members appointed by a majority of the city council. The ex officio member from the Rockwall Alliance for the Arts will also be appointed by the city council. The ex officio member from the parks and recreation department will be appointed by the city manager.

b. In the case of a vacancy of the commission, the city council, by a majority vote, may appoint a replacement member to the commission. Any person appointed shall serve until the expiration of the term of office of the vacated position.

c. Each member of the commission shall be a resident citizen and qualified voter of the city.

d. Upon the initial appointment of the commission by the city council, members shall draw lots for three two-year terms and three one-year terms of service. Thereafter, the term of office of members of the commission shall be for two years. Members may be removed, as determined by the city council.

e. Members shall serve without compensation.

(b) *Meetings.* The commission shall hold its meetings on the call of the chairperson, or at such other times as the commission may determine. All meetings shall be open to the public.

(c) *Quorum.* All cases to be heard by the commission must be heard by at least four members.

(d) *Chairperson and vice-chairperson.* A chairperson and vice-chairperson shall be elected by the members of the commission at the first meeting following the annual appointment of the new members.

(e) *Records.* The commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the commission and shall be a public record.

(f) *Vote.* The concurring vote of four members of the commission shall be necessary for the approval of any application. Only the members of the commission present shall have voting privileges.

(g) *Rules and regulations.* The commission shall adopt rules in accordance with this article.

(Ord. No. 06-17, § 1(23-35), 6-5-2006)

Sec. 36-78. - Duties and responsibilities regarding education and public relations.

(a) The art review team (ART) commission shall promote the art in public places master plan.

(b) The art review team (ART) commission shall develop, evaluate and recommend projects in accordance with these guidelines:

(1) Press releases to all applicable news sources;

(2) Presentations to local civic organizations and area schools;

(3) Fundraising efforts for the art in public places fund;

(4) Grant applications for the art in public places program or its proposed projects; and

(5) Public forum.

(c) The art review team (ART) commission shall promote the art in public places master plan by various means, including:

(1) Acquiring suitable speakers to make presentations;

(2) Scheduling presentations; and

(3) Providing a copy of the information to outside sources wishing to use it to promote and further the art in public places master plan.

(d) The art review team (ART) commission, on an ongoing basis, shall actively explore potential sites for art in public places projects. In this, the commission shall seek the input of various city departments, as well as the community at large, to identify both future planned and existing sites. Upon development of an art project, information will be disseminated, as appropriate, through various mediums well in advance of the selection process to provide adequate time for applicants to prepare submissions. The coordinator will promote communication between the artist, art review team (ART) commission, city departments and any contractor or consultant involved with the project.

(Ord. No. 06-17, § 1(23-36), 6-5-2006)

DIVISION 3. - APPLICATIONS

Sec. 36-100. - Development of an art in public places project.

An art in public places project may originate from a number of sources:

(1) *City initiated.* City-initiated projects shall be given due consideration and the $150.00 application fee shall be waived. All other requirements of the application process shall apply.

(2) *Externally initiated.* Individuals, businesses and/or organizations wishing to submit a proposal for a project.

(Ord. No. 06-17, § 1(23-37), 6-5-2006)

Sec. 36-101. - Procedure; eligibility requirements.

(a) When the idea for placing a work of art is developed, the idea should be submitted in a "letter of intent" to the commission for consideration.

(b) The city will provide the following to all applicants for the art in public places program:

(1) A copy of the art in public places master plan; and

(2) An application form, which (at a minimum) will request the following information (if available at the time of submittal of the application):

a. Artist's name and resume;

b. Photos, slides, renderings, scaled models or other illustrations of work;

c. Requested location;

d. Processing fee of $150.00;

e. Size and material specifications;

f. Scope and schedule of work;

g. Lighting specifications, if applicable;

h. Estimated cost; and

i. Any additional information deemed necessary.

(c) The application, along with any other pertinent information, must be submitted to the coordinator for consultation by the commission.

(d) In order to foster community awareness of the art in public places master plan, appreciation of the visual arts, its potential for the enhancement of the public environment and to maximize its positive

effect on the community, applications must include educational information as to the nature of the project. Information will include, but not be limited to, the following:

(1) The artistic intention or goal of the project;

(2) The artist's statement;

(3) The artist's background information;

(4) Information on the artistic discipline, style, medium, technique and creative process, including their relative historical information; and

(5) Any other informative document relative to the educational aspect of the project.

(Ord. No. 06-17, § 1(23-38), 6-5-2006)

Sec. 36-102. - Approval.

(a) *Criteria.* The art review team (ART) commission will evaluate the project based on the following criteria:

(1) Health, safety and public welfare.

(2) Appropriateness to the site:

a. Size and scale;

b. Color scheme;

c. Theme; and

d. Materials.

(3) Size relative to the site and surroundings.

(4) Potential longevity:

a. Resistance to elements; and

b. Theme.

(5) Maintenance requirements.

(6) Aesthetic value.

(b) *Review and hearing.* After their review and approval, the art review team (ART) commission will then forward the application and its recommendations to the city council for review. If appropriate, the city council will hold a public hearing to assess public opinion of a proposal, deny the request, or approve the application. The council may give direction to and ask the art review team (ART) commission to continue to work with the applicant and/or project.

(c) *Denial; appeals made to council.* In the event the art review team (ART) commission determines a project is not suitable, the applicant may appeal their decision to the city council within 30 days of the denial. The appeal must be made through the coordinator and placed on the city council agenda.

(Ord. No. 06-17, § 1(23-39), 6-5-2006)

DIVISION 4. - PROCEDURE FOLLOWING APPROVAL

Sec. 36-133. - Project implementation and coordination.

(a) Once a project is approved, the art review team (ART) commission, in conjunction with the coordinator, shall make recommendations to the city council regarding the details of completion, which could include the following methods of implementation:

(1) *Open entry competition.* Any artist is eligible to enter. The site proposal will be appropriately advertised. Artists may be asked to submit slides of their past work, resumes and letters of intent related to the specific project or specific proposals for the project under review.

(2) *Limited entry competition.* The art review team (ART) commission invites a limited number of artists to participate in the selection process. The artists selected may be asked to submit slides of past work or proposals based on the proposed project. The names of the artists invited to participate shall be publicly announced upon receipt of written acceptance of the invitation.

(3) *Direct selection of artist.* An artist is invited to participate in the project and may be asked to develop a proposal for the project. If desired, a team of several artists may be put together.

(4) *Direct purchase of existing artwork.* A completed work of art is purchased.

(b) Upon approval of the art review team (ART) commission's recommendation by the city council, the city shall contract with the artist for services or for the purchase and installation of a specific artwork. In general, art in public places project contracts shall require the artist to produce, deliver, and install a work of art for a guaranteed maximum cost and by a predetermined time. Depending on the nature of the project, performance by the artist may be contractually ensured through phased payment for work completed and/or professional liability coverage. The coordinator shall work with the artist to determine the appropriate budget for each project to ensure that all necessary costs are met. Council approval of the budget for an art in public places project is a prerequisite for the project's final approval. In addition, the artist may be asked to make a public presentation at an appropriate time and in an appropriate forum in the community, possibly where the work is to be sited.

(c) In the case of an artist who has contracted with the city to produce a specific work of art, approval of the design prior to the signing of that contract shall be considered sufficient. If, however, the design changes substantially from that which was initially approved, the artist must return to the art review team (ART) commission for subsequent review. Any design changes approved by the art review team (ART) commission must be presented to the city manager or his designee for approval.

(d) In the case of a design team approach, it shall be the primary responsibility of the artist and the project consultant to collaborate on the design of the artwork and its relationship with the site. They shall be required to bring the design, in its formative stages, back to the art review team (ART) commission for review. The stage at which final approval of the design occurs will vary from project to project, as specifically stated in the artist's contractual agreement with the city.

(e) All project consultants expressing interest in an eligible construction or renovation project shall be advised of the art in public places program requirements and guidelines. The selected consultant and appropriate city representatives shall work closely with the coordinator in the development of the artwork project and with the art review team (ART) commission in selection of the artist/artwork. The project consultant shall incorporate the requirements of the work of art into the construction documents, including time of delivery and installation.

(f) On-site activity in connection with installation of artwork shall be handled by the artist, coordinator, and appropriate city representatives within the departments having jurisdiction over the site and/or construction.

(g) The coordinator shall function as a liaison between the artist and the various city departments involved in the completion of each artwork project. In instances where construction matters cannot be resolved between the artist and the consultant, the city shall have final authority.

(h) The coordinator shall establish and maintain appropriate records of each project, which shall include the contract with the artist, records of the art commission and council's actions, interdepartmental agreements, all billings made in connection with the project and all related correspondence. In addition, the coordinator shall maintain records particular to the project to ensure adequate standards of documentation, registration, care, and installation of the artwork.

(Ord. No. 06-17, § 1(23-40), 6-5-2006)

Sec. 36-134. - Maintenance, insurance and repair of public art.

(a) The art review team (ART) commission shall make an annual review of the city's art in public places collection for the purposes of a maintenance needs assessment. The art review team (ART) commission shall communicate those needs and the appropriate actions to the coordinator.

(b) The works of art acquired through the art in public places program become the property of the city and are held in trust by the city. Therefore, the expenses associated with the routine maintenance and operation of each artwork shall be incurred by the city. Routine maintenance shall be understood to include such things as the periodic cleaning and the operational costs of a work. Any substantive repair of the work, such as structural repair, or major maintenance, shall be considered to be an expense of the related art in public places fund.

(c) So far as is practical, in the event repair of the artwork is required, the city shall give the artist the opportunity to do that work for a reasonable fee. Disputes concerning what constitutes a reasonable fee shall be settled by a panel of three visual art professionals with knowledge of curatorial concerns, to be appointed by the art review team (ART) commission. If the artist declines to perform the needed repairs for such a fee, the city may solicit proposals from qualified conservators.

(Ord. No. 06-17, § 1(23-41), 6-5-2006)

Sec. 36-135. - Eligible costs for art in public places funds.

(a) All art in public places contracts shall require the artist to design, produce, deliver and install a work of art for a guaranteed maximum cost. This cost may include the cost of the work itself and any associated costs which may be required by the city or inherently related to the implementation of the project. Therefore, the following costs are eligible expenditures for the monies included in the total project commission:

(1) The work of art itself including, but not limited to:

a. The artist's design fee;

b. Additional labor, materials and contracted services required for the production and installation of the work;

c. Transportation of the work to the site; and

d. Installation of the work.

(2) Identification plaques and labels.

(3) Frames, mats, mountings, anchorages, containments, pedestals, or materials necessary for the installation, location or security of the work of art.

(4) Photographs or slides of the completed work for the purposes of routine documentation of the project.

(5) Permits or fees necessary for the installation of the work of art.

(6) Legal costs incurred by the city, directly related to the project.

(7) Associated administrative costs incurred by the city.

(8) Other types of expenses specifically provided for in the contract and approved by the council.

(b) In addition to the actual costs associated with an art in public places project, the monies are to be used for the selection, acquisition, and substantive maintenance of the work of art commissioned or purchased through the art in public places program. Therefore, the following items are eligible expenditures of the monies:

(1) The project specific costs of the art in public places program associated with the selection and acquisition of the artwork.

(2) Substantive structural repair and maintenance of the works of art commissioned through the art in public places program.

(Ord. No. 06-17, § 1(23-42), 6-5-2006)

Sec. 36-136. - Ineligible costs for art in public places funds.

The following are ineligible costs for art in public places funding:

(1) Services or utilities needed to routinely operate or maintain the artwork.

(2) Modifications in or improvements to building surfaces or structural elements of the building.

(Ord. No. 06-17, § 1(23-43), 6-5-2006)

Sec. 36-137. - Relocation and removal of art.

(a) The following policy has been included to provide a consistent method for determining if a work has remained relevant and/or useful in the context of its original purpose. It also provides a mechanism for the proper removal of a work of art that has deteriorated or has been damaged beyond repair. In this document, the term "removal" means permanent removal of a work of art, and relocation means reinstallation of a work of art at a new site. Works of art may be considered for removal only after five years have passed from the date of the acquisition, unless the installation site has been substantially altered, or the work has deteriorated or been damaged, or the council otherwise determines that circumstances warrant the need for removal or relocation.

(b) Requests for removal or relocation shall be acted on through the following process:

(1) Requests for removal or relocation may be city or externally initiated (i.e., by a recognized civic group with evidence of community support). These requests must be submitted through the coordinator.

(2) The coordinator shall review the request and forward it to the art review team (ART) commission. The art review team (ART) commission will evaluate the request and make a formal recommendation to the council. In evaluating a relocation or removal request, the art review team (ART) commission shall apply the following criteria:

a. Visual record of alteration, damage to, or deterioration of the site or work of art;

b. Cost estimates for repair, relocation or disposal; and

c. A new site plan for relocation.

(3) The city council will ultimately determine if an art in public places piece should be relocated.

(4) The city council will not generally consider removing an art in public places piece before five years unless there are extenuating circumstances involved.

(Ord. No. 06-17, § 1(23-44), 6-5-2006)

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23

Proclamation

Rockwall, Texas

Whereas, the City of Rockwall is committed to ensuring the safety and security of all those living in and visiting our city, and fire is a serious public safety concern both locally and nationally; and

Whereas, in 2013 home fires killed more than 2,700 people in the U.S. and fire departments in the United States responded to 369,500 home fires; and

Whereas, working smoke alarms cut the risk of dying in home fires in half; and

Whereas, Rockwall residents should install smoke alarms in every sleeping room, outside each separate sleeping area, and on every level of the home and ensure appropriate alert devices are in place to meet the needs of people who are deaf or hard of hearing; and

Whereas, Rockwall residents who plan and practice a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

Whereas, Rockwall first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education and have found Rockwall residents to be responsive to public education measures, taking personal steps to increase their safety from fire, especially in their homes; and

Whereas, the 2014 Fire Prevention Month theme, **"Working Smoke Alarms Save Lives: Test Yours Every Month!"** effectively serves to remind us that we need working smoke alarms to give us valuable time needed to get out safely.

Now Therefore, I David Sweet, Mayor of the City of Rockwall do hereby proclaim **October 2014** as

FIRE PREVENTION MONTH

in the City of Rockwall and urge all residents to test their smoke alarms at least every month by pushing the test button, and to support the many public safety activities and efforts of the Rockwall Fire Department.

In Witness Whereof, I hereunto set my hand and seal this 6st day of October, 2014.

David Sweet, Mayor

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25

Proclamation

Rockwall, Texas

Whereas, the National Association of Town Watch (NATW) sponsors a nationwide crime, drug and violence prevention program called "National Night Out" in August of each year; and

Whereas, the 31st annual "National Night Out" and the annual "Texas Night Out" events provide a unique opportunity for Rockwall to join forces with thousands of other communities in promoting cooperative, police-community crime prevention efforts; and

Whereas, the citizens of Rockwall play a vital role in assisting the Rockwall Police Department through participation in crime, drug and violence prevention efforts in the City of Rockwall and is supporting "National Night Out 2014" and "Texas Night Out 2014" throughout our community; and

Whereas, it is essential that all citizens of Rockwall be aware of the importance of crime prevention programs and the impact that their participation can have on reducing crime, drugs and violence in Rockwall; and

Whereas, police-community partnerships, neighborhood safety, awareness and cooperation are all important themes of the "Texas Night Out" program;

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim October 7, 2014, as

Texas Night Out

in the City of Rockwall and call upon all citizens of Rockwall to join the Rockwall Police Department and the National Association of Town Watch in supporting this important event on Tuesday, October 7th.

In Witness Whereof, I hereunto set my hand and official seal this 6th day of October, 2014.

David Sweet, Mayor

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27

Proclamation

Rockwall, Texas

Whereas, breast cancer is the most common cancer among women except for non-melanoma skin cancers; and

Whereas, this disease touches the lives of Americans from every background and in every community across our Nation; and

Whereas, although great strides have been made in combatting this illness, still more than 200,000 women will be diagnosed with breast cancer this year, and tens of thousands may lose their lives to this terrible disease; and

Whereas, early detection is key to fighting breast cancer, which is a disease that, although less common, may also affect men; and

Whereas, monthly self-examinations and routine mammograms are vitally important and remain the very best means by which breast cancer may be detected; and

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim the month of October, 2014 as

BREAST CANCER AWARENESS MONTH

in the City of Rockwall and encourage the citizens in our community to schedule and follow through with a routine mammogram this month and to honor those whose lives have been affected by this devastating disease.

In Witness Whereof, I hereunto set my hand and official seal this 6th day of October, 2014.

David Sweet, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, September 15, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 4:00 p.m. Present were Mayor David Sweet, Mayor Pro Tem Jim Pruitt and City Council Members David White, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza. City Manager Rick Crowley was absent from the meeting.

II. WORK SESSION

1. DISCUSS AND CONSIDER MODIFICATIONS TO THE BRICK PATTERN IN THE DOWNTOWN AREA, AND TAKE ANY ACTION NECESSARY.

Mayor Sweet explained that the city council, staff and guests in attendance in the audience will be walking to the city hall parking lot just south of the building in order to view the "mock up" of bricks which have been laid in a portion of the downtown area as part of the renovation project. He explained that brief discussion will be held there outdoors (not audio recorded) and that subsequent discussion will occur once everyone returns to the council chambers afterward.

Upon convening outdoors in the parking lot, Mayor Sweet read the following memo from City Manager Rick Crowley:

MEMORANDUM

TO: **Mayor and Council**
FROM: **Rick Crowley, City Manager**
DATE: **September 12, 2014**
SUBJECT: **Brick Pattern Modifications Downtown**

Over the course of this week, Mayor Sweet and Mayor Pro Tem Pruitt have indicated that the Council continues to receive complaints of varying detail related to the brick selection of the downtown project. Several meetings with Hill Wilkinson and La Terra have been held. Hill Wilkinson has suggested that they have determined that it is possible to make certain limited changes in the brick with considerably less expense and less timeline change than that had previously indicated provided that they changes were somewhat limited and that they brick associated with the change is readily available. Discussions with several members of the selection committee have been held.

Hill Wilkinson has provided a cost estimate for the change under consideration as well as the timeline differential, and discussion will be held in workshop format at Monday's meeting. The downtown advisory committee who has been involved

in the selection process have been invited to convene a meeting at 4pm as well and will join the Council in looking at the mockup of the brick wall behind Napoli's restaurant.

The cost and timeline information assumes the following:

The newly completed brick wall on San Jacinto in the block adjacent to the Center will remain as is (with the pattern that contains the black brick).

The area on the square where brick has just been installed would be modified by chiseling out the black bricks and replacing each with a rose-colored brick which may be selected as a more desirable color and is apparently readily available.

Adjusting the not yet installed mingled brick pallets to replace the black brick with the proposed rose-colored brick (The black brick is 10% of the current blend

Hill Wilkinson has confirmed with Acme Brick that they have 8,000 of the Rose brick on the ground ready to ship. They have indicated they will hold them for a few days pending Council's decision.

Hill Wilkinson's cost estimate to purchase the rose-colored brick; chisel out the installed black bricks and replace with the rose colored brick; remove black bricks from the mingled pallets and insert rose-colored brick; along with other ancillary costs totals $30,534. They have conservatively estimated a two-week project timeline impact. They would anticipate installing the CMU walls and leaving them bare during the waiting period while the brick is delivered and re-mingled – they would not stop work during this period. This change is expected to be minimally disruptive to the schedule.

Staff has requested the price and timeline implications if Council were to choose to demo the newly installed wall and rebuild it with the re-mingled color pallet. Hill Wilkinson will have that information available for the Council on Monday and will be present at the meeting to answer any questions.

After reading the memo above, Mayor Sweet then explained that no final decision has been made at this time. He indicated that he recognizes the importance of keeping the project on time as well as keeping in mind the long term impact of this decision.

Mayor Pro Tem Pruitt indicated that he was previously approached by downtown property owners and citizens and was asked to meet to discuss this matter, so he did so, just as he would meet with any constituent who requested to meet. He stressed that no 'secret meetings' have been held concerning the matter. Mayor Pro Tem Pruitt indicated that he knows downtown merchants are concerned about keeping the project on schedule, and although he has heard some are not happy with the way the brick looks, they are more concerned with keeping the project on time. He explained that the city is not taking down the existing brick that has already been laid, as the city owns all of the brick already. He has heard that the most undesirable color in the mix is the black brick, which accounts for 10%.

Carol Crow, local citizen and member of the council appointed committee charged with providing input into the downtown renovations project, mentioned that the first set of meeting minutes from the committee indicates that the committee did not want a modern looking brick. She further stated that the wrong brick was ordered – that a smooth brook instead of a tumbled brick was ordered. She and the committee had wanted an "old world," reclaimed type of brick, and she asked if the bricks that have been bought can be 'tumbled' in some way.

Mayor Pro Tem Pruitt indicated that 'tumbling' the bricks will not be possible, and Mrs. Crow replied that it will not look 'historic' then. Mayor Pro Tem Pruitt indicated that the darker rose colored brick is available and is currently being held for the city, and the cost to replace the black bricks with the rose color is reasonable within the contingency fund.

Councilmember Milder indicated he has received a lot of emails from people who like the brick and believes that probably half the citizens tend to be happy with city council's decisions, and the other half are likely unhappy. He expressed his understanding that only about half of the project committee members showed up and 'blessed' the brick selection before it was ordered.

Christi Foster, downtown merchant / store owner of Groovy's, came forth and indicated that at a recent meeting, indication was given that a "wash" may be able to be applied to the brick some time in the future. She stated that a portion of the new sidewalk had been poured on Monday following that meeting, and since that time, she made a point to stand out there for two days and solicit feedback from downtown visitors regarding their opinions about the brick that has already been laid. In doing so, she heard from a lot of people who indicated that they like it and believe it looks good and matches the other elements of downtown very well. She acknowledged the understanding that it is the brick that the committee chose, and, while overall she is not quite sure how she feels about it, she does believe it complements the other elements downtown.

Mayor Sweet pointed out that the city needs to control the expense, which is something a responsible elected body should always consider. He explained that there is a contingency built into the project, and making modifications to change out the black brick with the rose brick, if it is in fact approved, would not shortchange the long term impact of the project.

Councilmember Townsend pointed out that no matter what the city council chooses to do, some members of the public will like it, and some will not. He pointed out that when any brick is first installed, it may look 'stark;' however, over time it begins to look weathered. He offered brief comments about how an "older look" is created when laying brick, pointing out that often there is contrasting brick involved. He generally expressed concern about putting a lighter, red colored brick in place of the black brick because he believes the design will not look near as sharp as it does now. He believes the brick that is laid will lighten up over time and will not be as noticeable later on.

Mayor Pro Tem Pruitt shared that he has heard comments that there is a lot of contrast. He estimates that about 1/3 of downtown is made up of brick. As far as the colors blending in with what is already in downtown, it seems that was not completely considered when this brick was chosen. He pointed out that whatever is chosen, it will have to be suitable for about the next fifty years. He, like some on the committee, feels it does look too modern and does not really achieve a historic look. He understands the

committee that chose the brick does have a right to change their minds. He is not crazy about the rose colored brick replacement option; however, this is a way to modify the brick at a minimal cost and timeframe.

Councilmember Lewis indicated that what the brick looks like now may not be what it looks like in ten or fifteen years.

Councilmember Daniels expressed concern about varying "compromises" that have been discussed and preliminarily arrived at in recent meetings that have occurred between staff and committee members. He understands it may not achieve the historic look that some were seeking; however, he explained that we are now in a position where reaching a final decision is necessary and imminent.

Councilmember Milder stated that if the black bricks are eliminated and the rose ones put in their place, the rose color may not be the right color either. He cautioned about the need to be careful about making decisions which affect the entire community based on the concerns of one or two people.

Mayor Pro Tem Pruitt made a motion to take the black brick out and replace it with the rose colored brick and provide a change order to the construction manager contingent upon that cost and timeline keeping the project on time and within budget. Mayor Sweet seconded the motion.

Mayor Sweet pointed out he is the only member of council who was originally involved in discussions about putting forth downtown improvements to the voters for consideration in the bond election. He believes it was the right thing to do. He wanted the project to achieve two major things – incremental, additional, much needed parking in the downtown area and a more pedestrian friendly downtown. Also, he wanted to minimize the impact that the entire project had on the downtown merchants, traffic flow and all the events that are typically held in the downtown area. Creating, communicating, and managing a successful timeline has been achieved and continues to take place. He pointed out that downtown buildings are a "hodge podge," with some liking the stark differences and some hating it. He acknowledged that he likes the differences and believes there is no other downtown out there like the one here in Rockwall. Sweet went on to indicate that a lot of feedback and conversations have taken place with people who have expressed concern about the downtown brick. He indicated that he can support replacing the black brick with the rose colored brick as long as the black brick will be utilized elsewhere in the city on a different project, perhaps at the municipal airport. Sweet understands that this brick decision is one that will be in effect for at least fifty years or more. He also understands that it is imperative to ensure this brick replacement will not result in the timeline being extended on the project. He overall encouraged the various groups (merchants, homeowners and volunteers) to regroup and realign after this decision is made in order to get back to promoting and supporting the downtown.

Mayor Pro Tem Pruitt commented that he is not in favor of tearing down the entire brick work and starting over. He concurred that his building is unique and so are a lot of the other buildings downtown, and he likes the differences. He enjoys having his business downtown and would not have his business located in any other place in Rockwall. He pointed out he is not a member of the "downtown merchants" organization, including his law business, but he appreciates being invited to one of their recent meetings. He did begin receiving comments about the downtown aesthetics once the brick started going

up downtown. He expressed that downtown is vibrant, with property values having increased between 100-300%. Furthermore, he does not wish to change it to look modern. His desire is to keep it looking historic.

Mayor Sweet indicated that no new brick will be placed downtown without it somewhat looking 'new;' however, he believes the rose colored bricks will help the new blend in with the old.

Councilmember Lewis asked if the designer originally had black accents in the wall renderings. Mr. Griggs indicated that, yes, the original renderings, he believes in January of 2013, did reflect black accent bricks.

The motion on the floor failed by a vote of 2 in favor (Sweet and Pruitt) and 5 opposed (White, Townsend, Milder, Daniels and Lewis).

Councilmember Milder made a motion to move forward with the plan as it currently stands. City Attorney Frank Garza clarified that there is not a need to make said motion at this time.

Councilmember White suggested that we move forward 'as is' with the black brick, and then, if it needs to be modified later on with a veneer or paint, that may be done later on at a very, very minimal cost.

Mayor Sweet indicated that White's suggested option does still exist sometime in the future. Councilmember White pointed out that the mock-ups that the city sent out to advertise the bond proposal for downtown showed a wall that looked nothing historic and looked nothing like what has been built; however, they voted to approve the project based on what they saw in those mock-ups.

Councilmember Daniels wanted to know who will decide whether we like it or not once the project is completed.

Mayor Sweet indicated that making downtown more pedestrian friendly and adding additional parking are two goals that must be achieved. He reiterated that these goals will invariably come to pass upon completion of this project.

III. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)

IV. ADJOURN EXECUTIVE SESSION

The Council adjourned from Executive Session at 5:52 p.m.

V. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Sweet reconvened the public meeting at 6:00 p.m.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Pruitt made a motion to appoint Tracy (Friggle) Logan as a member of the Planning and Zoning Commission (to replace Connie Jackson, who has termed out, and with an initial term to expire in August of 2017). Councilmember Lewis seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

Councilmember Daniels delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS / AWARDS

1. Hispanic Heritage Month

Mayor Sweet read the proclamation into the record.

2. Constitution Week

Mayor Sweet called forth a few members of the Daughters of the American Revolution (DAR). He then read and presented a proclamation for Constitution Week. DAR indicated that individual American flags and copies of the U.S. Constitution were distributed to those in the audience. They stated that DAR exists to promote U.S. history, and they hope to reinstitute the U.S. Constitution as part of the local school curriculum.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the August 28, 2014 city council budget work session, and take any action necessary.

2. Consider approval of the minutes from the September 2, 2014 regular city council meeting, and take any action necessary.

3. P2014-018 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company for the approval of a final plat for Stone Creek, Phase VI, containing 76 residential lots on a 26.532-acre tract of land situated within the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for residential land uses, generally situated south of FM-552 and east of N. Goliad Street (SH-205), and take any action necessary

4. P2014-021 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company for the approval of a final plat for Breezy Hill, Phase III, containing 71 residential lots on a 48.250-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally situated north of FM-552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

5. P2014-022 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company for the approval of a final plat for Breezy Hill, Phase IV, containing 51 residential lots on a 29.646-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally situated north of FM-552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

6. Consider adoption of a resolution amending the Permit, Health and Misc. Fees Schedule to add a fee for late health permits, to increase the fee charged for food service/child care center plan reviews, and take any action necessary.

7. Consider approval of an ordinance amending the Code of Ordinances in Chapter 6. Animals, Article II. Administration, Division 2. Adoption Center Advisory Committee, Sec. 6-51 to modify the composition of the committee to align with state law, and take any action necessary. (1st reading)

8. Consider approval of an Interlocal Cooperative Agreement with Rockwall County to fund the engineering design and construction of the IH30 Ramp Reversal project east of SH 205 with city's contribution of $950,000.00 toward the estimated project cost of $1,310,216.37 to be funded out of 2012 Bond Election proceeds, and take any action necessary.

Councilmember Townsend pulled Consent Agenda items #3 and #7 for further discussion.

Councilmember Townsend made a motion to approve the remaining items (#1, 2, 4, 5, 6 and 8). Councilmember Daniels seconded the motion. The motion passed by a vote of 7 ayes to 0 nays.

Regarding Consent Agenda item #3, Councilmember Townsend inquired as to what may have been indication on the plat regarding possible removal of a city park from the Stone Creek proposed final plat. Mr. Griggs clarified that this piece of land will still be dedicated to the city for the purpose of being public open space / a park area. Councilmember Townsend then moved to approve Consent Agenda item #3. Councilmember White seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

Regarding Consent Agenda item #7, Mayor Pro Tem Pruitt provided details of what the proposed ordinance spells out, indicating that an updated ordinance was handed to council this afternoon and is different than the one included in the meeting packet over

the weekend. He proposed adding language to the proposed ordinance before second reading to stipulate that "the animal welfare organization representative may not also be employed by the shelter." Mayor Pro Tem Pruitt then made a motion to approve the ordinance as presented with the expressed modifications being added. Councilmember Townsend seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 6. ANIMALS; ARTICLE II. ADMINISTRATION; DIVISION 2. ANIMAL ADOPTION CENTER / ADVISORY COMMITTEE; SECTION 6-51. ESTABLISHED; COMPOSITION TO AMEND COMMITTEE MEMBER COMPOSITION IN ACCORDANCE WITH STATE LAW REQUIREMENTS. PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

The motion passed by a vote of 7 ayes to 0 nays.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Chairman of the Planning & Zoning Commission, Craig Renfro, came forth and briefed the council on recommendations of the Commission relative to items on tonight's city council meeting agenda. The council took no action regarding this item.

2. Appointment with representative(s) from the Rockwall County Open Space Alliance (RCOSA) to hear presentation regarding the organization's work and associated progress, and take any action necessary.

Mr. Bob DeJean, Chairman of the RCOSA, came forth and introduced other representatives of the RCOSA who were present at the meeting including the following: Co-chair Nell Wellborn, Dale Morgan, and Earl Milner.

Mr. Milner recognized Mayor David Sweet and City Manager Rick Crowley for their representation of the City of Rockwall on the Rockwall County Open Space Alliance. He then explained the purpose and history of formation of the Open Space Alliance. He briefed the council on various, recent tasks of the Alliance, including holding monthly, countywide meetings with elected and appointed officials throughout Rockwall County, making t-shirts and brochures to advertise the RCOSA, and speaking to the various elected bodies throughout the county. Overall, the purpose is to coordinate open space-related goals and plans throughout and among all the entities located in Rockwall County to create a unified, joint effort.

Mayor Sweet thanked the City of Rockwall for supporting things like dedicating park space, biking and walking trails. He indicated that the City of Rockwall has over five hundred people who volunteer for the city, and he indicated that Mr. Milner is welcome

and invited to reach out to any of those volunteers to seek support for the RCOSA. No action was taken by the council related to this agenda item.

XI. PUBLIC HEARING ITEMS

1. Hold public hearing to hear comments regarding the proposed City of Rockwall Fiscal Year 2015 Budget, and take any action necessary.

Assistant City Manager Mary Smith indicated that $.4955 per $100 of assessed valuation will be the proposed tax rate associated with the fiscal year 2015 budget. She explained that this is the effective rate, so essentially there will be no tax rate increase for this budget. Mrs. Smith commented on some of the highlights of this budget, which include addition of a maintenance worker in the downtown area once the improvement project is completed; a criminal investigator in the Police Department contingent on approval of partial funding of this position through a grant for which the city has applied; four new firefighter driver positions in the Fire Department; several months of reserves; about $900,000 in road repairs; a traffic signal at Mims and Ralph Hall Parkway; and small projects to update parks and facilities.

Following Mrs. Smith's comments, Mayor Sweet opened the public hearing, asking if anyone would like to come forth and speak. There being no one wishing to come forth and speak, Mayor Sweet then closed the public hearing.

No action was taken related to this agenda item.

2. P2014-017 - Hold a public hearing to discuss and consider a request by Joe Allman of Inner Urban Homes, Inc. for the approval of a replat for Lots 24 & 25, Block A, Chandler's Landing Phase 7 Installment Two Addition, being a 0.49-acre parcel of land currently identified as Lot 23, Block A, Chandler's Landing Phase 7 Installment Two Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for residential land uses, located at 104 Thistle Place, and take any action necessary

Planning & Zoning Director, Robert LaCroix, provided brief background information related to this agenda item. He explained that this replat will be changing one large lot back to two, individual, smaller lots and abandon a ten foot utility easement along the south side of the property. He explained that it was replated in 2013 because the previous owner was going to build a larger home on one, larger tract; however, the new homeowner would like to take it back to the original, two separate lots. Mr. LaCroix indicated that notices were sent out to adjacent property owners located within five hundred (500') feet of the lot in question. He stated that one response was received back in opposition, and one was received back in favor (from the Chandler's Landing HOA). The Planning & Zoning Commission has recommended approval of this request.

Councilmember Townsend clarified that the utility easement is being taken out of the south side of the property and is then being added back in, in between the two lots.

Mayor Sweet opened the public hearing and called the applicant forth to speak. Mr. Allman indicated he would like to take the property back to what it was originally like back in 1974 and has been for thirty-nine years. He believes two reasonably sized houses can be built on the two lots once they are separated again.

There being no one else wishing to come forth and speak, Mayor Sweet then closed the public hearing.

Councilmember Lewis made a motion to approve P2014-017. Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Z2014-022 - Hold a public hearing to discuss and consider approval of an ordinance for a City initiated zoning request for the approval of a text amendment to Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of creating and implementing an Airport Overlay (AP OV) District, which will be applicable for the Ralph M. Hall/Rockwall Municipal Airport property, and for all properties located within 500-feet of the airport property and/or located within the Airport's Runway Protection Zones as defined by AC150/5300-13A, Airport Design, of the FAA standards, and take any action necessary. (1st Reading) [Requires a 3/4-Majority Vote for Approval]

Mr. LaCroix, Planning Director, provided background information related to this agenda item. He indicated that the Planning & Zoning Commission, which has been designated by the city council as the "Airport Zoning Board," has recommended this amendment to the Unified Development Code. He indicated that the airport division of the TXDOT has reviewed the proposed changes, which resulted in comments received back and adjustments being made to the proposed changes. Notices were sent out to adjacent property owners located within five hundred feet of the property. One notice was received back in favor, and six were received back in opposition. Because of the opposition received, a ¾ majority vote of the council is needed tonight in order to have this item approved.

Councilmember White explained that this amendment will basically create a way for the city itself to monitor and enforce FAA-related restrictions and rules already in place on and around the airport.

After additional comments, Mayor Sweet opened the public hearing, asking if anyone in the audience would like to come forth and speak during this time.

Jack Athey
1780 Airport Road
Rockwall, Texas

Mr. Athey indicated that he and his family (siblings) are all involved in and affected by this matter. He indicated that the city is in violation of the United States Constitution, Amendment 4 (related to 'unreasonable searches and seizures'). He generally indicated he believes private property is being taken for use on / by the public airport without just compensation. He stated that he previously submitted two correspondence letters letting the council know that he and his siblings are opposed to the proposed zoning change. He generally expressed that the timeframe associated with public notices sent related to this proposed zoning-related modification was short. He again expressed that he is opposed to this item and believes the city is in violation of the 4th and 5th amendments of the U.S. Constitution.

JoAnna Athey
1780 Airport Road
Rockwall, Texas

Mrs. Athey expressed concern about her not completely understanding what exactly is being proposed. She explained that she did receive the notice, which referred her to the city's website for more information; however, she did not find any additional information online. She was not able to find any audio recording of the recent Planning & Zoning Commission meeting either. She further explained that she does not completely understand the FAA's rules and regulations, and she believes that the FAA makes "suggestions" rather than rules/regulations. She wants to know the city's specific interpretation of these rules and regulations. She wants to know what other, similar airports the city may have looked to for comparison when creating this proposed ordinance. She expressed concern about the city placing a lot of erroneous rules and restrictions on what she can and cannot do with her land in the future. She pointed out that she believes the FAA recommends that a city buy adjacent land next to an airport if and when restrictions become excessive.

John White
1929 South Lakeshore
Rockwall, Texas

Mr. White expressed support for this agenda item because he believes it will make the area in and around the airport safer. He explained his understanding that this is being done in the interest of the public to prevent the creation of an airport hazard. He explained he is a former pilot who has flown in and out of the airport many times in years past. He believes that sometimes pilots run out of gas, and he believes that putting this zoning in place will help protect the public in and around the airport. He explained he is in support of this item.

There being no one else wishing to come forth and speak during this time, Mayor Sweet then closed the public hearing.

Councilmember Daniels asked what would happen if the city does not adopt the proposed ordinance this evening. Mr. Garza, City Attorney, explained that if the council does not adopt the ordinance being proposed, the original ordinance from the 1960s which adopted the original Airport Overlay District would continue to stay in effect. He clarified that current land uses by the property owners would be allowed to continue even after adoption of this ordinance.

Councilmember Pruitt explained that high power lines located at the very end of the airport were the original concern that caused the Airport Subcommittee to begin looking into the land uses around the airport for safety reasons. He explained that state law changed some years ago, and about fifteen years ago, the city should have created and established this Airport Zoning Board in order to control what is built around the airport in the interest of safety.

Councilmember White asked for clarification regarding the land around the airport, asking if it is controlled by the FAA. Mr. LaCroix clarified that it is ultimately controlled by the FAA, but the local jurisdiction has to first pass regulations to establish land uses, including prohibited uses. Councilmember White suggested that the council might consider changing the "prohibited uses" language and replacing it with language to stipulate that a Specific Use Permit (SUP) will be required in order to allow the Council to

have discretion in each instance. Mr. Garza indicated that it is possible to reword the ordinance to include this suggestion.

Councilmember White made a motion to approve Z2014-022 with the caveat that "prohibited uses" will be replaced with "specific use permit required" before second reading of the ordinance and that language will be included to state that any SUP or overruling of the Overlay District would require a ¾ majority vote approval of the council. Councilmember Milder seconded the motion.

After brief comments, Councilmember White withdrew his motion and indicated he is ok with tabling this item until the October 6 council meeting. He volunteered that the Airport Subcommittee will read back through the entire ordinance again to further evaluate language reflecting "prohibited uses" prior to considering this item again at a future council meeting.

Councilmember White made a motion to table Z2014-022 until the next city council meeting. Councilmember Milder seconded the motion, which passed by a vote of 7 ayes to 0 nays.

4. Z2014-023 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Beth Godfrey of TKC CLXXXVI, LLC on behalf of the owner, Rick Sharp, for the approval of a zoning amendment to Planned Development District 46 (PD-46) [Ordinance No. 99-05] to allow for a Rental Store with Outside Storage (i.e. Sunbelt Rentals Company) to be established on a ~3.35-acre portion of a larger 6.222-acre parcel of land identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for commercial land uses, situated within the SH-276 Corridor Overlay (SH-276 OV) District, located east of Corporate Crossing (FM-549) in between SH-276 and Springer Lane, and take any action necessary. (1st Reading)

Planning Director Robert LaCroix provided brief background information related to this agenda item, indicating that the underlying zoning is "Commercial" that allows for other uses which may be more intense. It used to be occupied by a trucking company and limited outside storage was allowed at this location. He explained that the applicant's site plan has been approved, and it shows a back road off of Springer Road that will be mainly utilized for trucks coming in and out as opposed to utilizing SH-276. The now proposed rental store will need to have approval of a limited amount of outside storage. This rental facility will rent to contractors as well individual members of the public. It has been recommended that the outside storage be limited in that it would be 'stowed away' (i.e. long arms on equipment would have to be stored in a lowered position).

Mr. LaCroix explained that notices were sent out to adjacent property owners located within five hundred (500') of the property in question. Two notices of opposition have been received back by staff. The Planning & Zoning Commission did recommend approval of this agenda item.

Mayor Sweet opened the public hearing, and called the applicant forth to speak.

Beth Godfrey
TKC CLXXXVI, LLC

5935 Carnegie Boulevard, Ste. 200
Charlotte, North Carolina 28209

Mayor Sweet asked if anyone else would like to come forth and speak. There being no one else wishing to come forth, Mayor Sweet then closed the public hearing.

Councilmember Lewis made a motion to approve Z2014-023. Councilmember White seconded the motion.

Councilmember Milder indicated he drove out to the location today and does believe it is appropriately zoned.

The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT NO. 46 (PD-46) [ORDINANCE NO. 99-05] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS HERETOFORE AMENDED, BY ALLOWING A RENTAL STORE WITH OUTSIDE STORAGE TO BE DESIGNATED ON TRACK 2, LOT 00 OF EXHIBIT 'B' WITHIN ORDINANCE NO. 99-05, BEING A 3.211-ACRE PORTION OF A LARGER 6.222-ACRE TRACT OF LAND IDENTIFIED AS LOT 2, BLOCK A, SHARP ADDITION, ABSTRACT 186 J. A. RAMSEY SURVEY, LOCATED AT 2582 STATE HWY 276, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of council (7 ayes to 0 nays).

5. Z2014-024 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Juan J. Vasquez, PE of Vasquez Engineering, LLC on behalf of James R. Thompson of Cavender Investment Properties E, LTD for the approval of a Specific Use Permit (SUP) for a general retail store within a Light Industrial (LI) District for the purpose of constructing a Cavender's Boot City on a 3.27-acre parcel of land identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of the E. IH-30 frontage Road west of Corporate Crossing (FM-549), and take any action necessary. (1st Reading)

Mr. LaCroix provided brief background information related to this agenda item, indicating that this request is associated with a proposed Cavender's Boot City retail store. He explained that this is located in a "light industrial" district, so having a retail use approved in this location will require the city council to approve issuance of a Specific Use Permit.

Mayor Sweet opened the public hearing and called the applicant forth. The applicant, Mr. Juan Vasquez of Vasquez Engineering, came forth and indicated he is available to answer any questions the council may have. There being no one else wishing to come

forth and speak, Mayor Sweet then closed the public hearing. Mayor Sweet asked if anyone else would like to come forth and speak. There being no one else, Mayor Sweet then closed the public hearing.

Councilmember Lewis made a motion to approve Z2014-024. Councilmember White seconded the motion. The ordinance as read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-
SPECIFIC USE PERMIT NO. S-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT ALLOWING FOR A GENERAL RETAIL STORE ON A 3.27-ACRE PARCEL OF LAND IDENTIFIED AS TRACT 9-4 OF THE J. LOCKHART SURVEY, ABSTRACT NO. 134; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of council (7 ayes to 0 nays).

6. Z2014-025 - [Request to Postpone to the October 20, 2014 Meeting] Hold a public hearing to discuss and consider approval of an ordinance for a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a zoning amendment to Planned Development District 63 (PD-63) to allow for changes to the concept plan and development standards stipulated by Ordinance No. 05-51 for a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District use, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary. (1st Reading)

Mayor Sweet made a motion to postpone this item, as requested, until the Monday, October 20, 2014 regular city council meeting. Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

7. Z2014-026 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Caprice Michelle of Rockwall's Rustic Ranch, LLC for the approval of a Specific Use Permit (SUP) for a restaurant within Planned Development District 50 (PD-50) on a 0.53-acre parcel of land identified as Lot B, Block 123, B. F. Boydston Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. (1st Reading)

Mr. LaCroix, Planning Director, provided background information related to this agenda item. He indicated that a site plan was already approved back in August, and it showed how parking, traffic circulation and access would operate in and out of this property. Since that time, the property owner has a new tenant, a restaurant, who wishes to

operate at this location, which will require a Specific Use Permit (SUP). The maximum square footage of the restaurant is limited to 2,000 square feet. One parking space per 100 square feet is required, and the applicant's plans do comply with this requirement. Mr. LaCroix stated that 108 notices were mailed out to property owners and residents located within five hundred (500') feet of the subject property. One notice has been received back in favor by staff at this time. He indicated that the Planning & Zoning Commission is not recommending approval of the variance request regarding public access. This would mean the applicant would be required to grant public access to the south of the property and west onto SH-205.

The restaurant should be no more than 2,000 square feet and all patio or waiting areas should be situated behind the front setbacks.

General comments were made by staff and council related to parking, traffic flow and public access.

Mayor Sweet opened the public hearing. There being no one wishing to come forth and speak, Mayor Sweet then closed the public hearing.

Councilmember Lewis made a motion to approve Z2014-026, including Planning & Zoning Commission's recommendation to leave the cross access in place. Councilmember White seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-___
SPECIFIC USE PERMIT NO. S-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A RESTAURANT THAT IS LESS THAN 2,000 SF IN SERVICE AREA AND THAT DOES NOT HAVE A DRIVE-THROUGH OR DRIVE-IN SERVICE ON A 0.53-ACRE PARCEL OF LAND; ZONED PLANNED DEVELOPMENT DISTRICT 50 (PD-50) FOR RESIDENTIAL OFFICE (RO) DISTRICT LAND USES; BEING ADDRESSED AS 406 N. GOLIAD STREET AND IDENTIFIED AS LOT B, BLOCK 123, B. F. BOYDSTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

Mayor Sweet called for a brief break at 7:34 p.m.

At 7:45 p.m., Mayor Sweet called the meeting back to order.

XII. SITE PLANS / PLATS

1. SP2014-014 - Discuss and consider a request by Matthew Alexander on behalf of the Rockwall Downes Development, LLC for the approval of a variance to the dead end street requirements as stipulated by the

Engineering Standards of Design and Construction manual for Phase 3 of the Rockwall Downes Subdivision, containing 26 single-family lots and being one phase of the proposed 35.651-acre subdivision, which is situated within the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10), situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located adjacent to John King Boulevard north of SH-276 and south of IH-30, and take any action necessary.

Planning Director Robert LaCroix provided background information related to this agenda item. He explained that the Planning & Zoning Commission has recommended approval of this request with incorporation of a twenty-four (24') emergency access onto John King Boulevard. It was noted that the applicant was not present at the city council meeting. Councilmember Lewis made a motion to approve SP2014-014. Councilmember White seconded the motion. After brief comments, the motion to approve passed by a vote of 6 ayes to 1 nay (Pruitt).

Mayor Sweet reordered the council agenda to address Action Item #6 and #7 next.

XIII. ACTION ITEMS

1. Discuss and consider appointments to city advisory boards and commissions, and take any action necessary.

Regarding this agenda item, brief discussion took place related to outstanding appointments needed on various city boards and commissions. Indication was given that no action will be taken at this time.

2. Discuss and consider approval of an ordinance amending the budget for fiscal year 2014, and take any action necessary.

Mrs. Smith offered brief comments related to this agenda item. Mayor Pro Tem Pruitt asked why the city added $40,500 to the Rec Development Fund. Mrs. Smith indicated that that dollar amount is reflective of previously approved projects earlier in the year by the city council, including dredging the takeline and improvements at Tuttle Ballfields. After the brief comments, Councilmember White made a motion to approve the ordinance amending the FY 2014 budget. Councilmember Milder seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE BUDGET OF THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider approval of an ordinance adopting the budget for fiscal year 2015, and take any action necessary

Assistant City Manager Mary Smith provided comments related to this agenda item. She then read the following, required statement into the public record:

This budget will raise more revenue from property taxes than last year's budget by the amount of $822,348, which is an increase of 4.7% from last

year's budget. The property tax revenue to be raised from new property added to the tax roll this year is $ 969,635.

After brief comments, Councilmember Lewis made a motion to adopt the proposed budget for FY2015. Councilmember White seconded the motion.

Mayor Pro Tem Pruitt asked Mrs. Smith if the increase in the budget is less than the combination of the population growth and inflation. Mrs. Smith confirmed that it is.

The ordinance was then read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 14-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2014, THROUGH SEPTEMBER 30, 2015; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH THE SAID BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

4. Discuss and consider approval of an ordinance levying ad valorem taxes for the tax year 2014 and take any action necessary.

Councilmember Milder made a motion to approve the ordinance levying ad valorem taxes for the tax year 2014. Councilmember Townsend seconded the motion.

Mayor Sweet commented that this is the fourth consecutive year in a row that either the current or effective tax rate has been passed, and the fourth year in a row that public safety needs have been addressed in the police and fire departments. The ordinance was read as follows:

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2014 AT A RATE OF $.4955 PER ONE HUNDRED DOLLARS ($100.00) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 2014 TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND TO PROVIDE AN INTEREST AND SINKING FUND ON ALL OUTSTANDING DEBTS OF THE CITY; PROVIDING FOR DUE AND DELINQUENT DATES, TOGETHER WITH PENALTIES AND INTEREST; APPROVING THE 2014 TAX ROLL; PROVIDING FOR EXEMPTIONS OF PERSONS OVER SIXTY-FIVE (65) YEARS; PROVIDING AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

5. Discuss and consider the Hotel tax subcommittee recommendations for funding allocations in fiscal year 2015, including authorizing the City Manager to execute associated funding agreements, and take any action necessary.

Mrs. Smith explained that Councilmembers White, Townsend and Lewis met as a subcommittee to discuss the proposed requests. All funding recommendations have been included in the council member meeting packets for consideration. If these recommendations are approved, a little over $87,000 will be left as a balance in the hotel/motel tax fund. Councilmember Daniels indicated that some funding requests

significantly increased this year over last year. Mrs. Smith provided a brief explanation associated with each increase. Mayor Sweet made a motion to approve the recommendations for hotel/motel tax funding. Mayor Pro Tem Pruitt seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

Action Item #8 was addressed next by council.

6. Discuss and consider approval of the Rockwall Economic Development Corporation (REDC) budget for fiscal year 2015 and amended budget for fiscal year 2014, and take any action necessary.

Regarding this agenda item, Assistant City Manager Mary Smith provided brief background information, indicating that the REDC board did review and recommend approval of this proposed budget at a recent meeting. She indicated that this budget includes the same two percent estimated sales tax increase that is reflected in the city's upcoming budget. It also includes the infrastructure improvement project that is currently underway and is expected to be completed next year.

Sheri Franza, President of the Rockwall Economic Development Corporation came forth, indicating that the line item for personnel may need to be amended towards to end of the year. Project Manager Ken Keaton is nearing retirement, but this won't be until around July of next year. After Mrs. Franza's brief comments, Councilmember Daniels made a motion to approve the amended budget for the REDC for FY2014 and the proposed budget for FY2015. Councilmember Milder seconded the motion. After brief comments, the motion passed by a vote of 7 ayes to 0 nays.

7. Discuss and consider approval of the Rockwall Technology Park Association budget for fiscal year 2015 and amended budget for fiscal year 2014, and take any action necessary.

Mrs. Smith indicated that this budget goes towards maintaining the common areas at the Tech Park as well as the tracts of land which have not yet sold. No significant changes were proposed in this particular budget for the upcoming fiscal year. After brief comments from Mrs. Franza, Councilmember Daniels made a motion to approve the Rockwall Tech Park Association budget for fiscal year 2015 and the amended budget for fiscal year 2014. Councilmember White seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

The council addressed Action Item #1 next.

8. MIS2014-011 - Discuss and consider a request for the approval of a special request for the purpose of permitting the construction of a covered porch that does not conform to the setback requirements as stipulated by Planned Development District 75 (PD-75) [Ordinance No. 09-37] for a 0.12-acre property that is identified as Lot 685 of Rockwall Lake Estates #1 Addition, City of Rockwall, Rockwall County, Texas, is zoned Planned Development District 75 (PD-75), is addressed as 208 Texas Avenue, and take any action necessary.

Mr. LaCroix provided brief background information related to this agenda item, indicating that this is a corner lot, so it requires dual setbacks. A 10'x14' porch area is being proposed, so a 7' setback is being requested as opposed to the 20' setback on Texas Avenue in order to build the proposed covered porch. The Planning & Zoning Commission did recommend approval of this agenda item. Councilmember White made

a motion to approve MIS2014-011. Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

9. Discuss and consider appointments to the city's Youth Advisory Council (YAC), and take any action necessary.

City Secretary Kristy Ashberry explained that about twenty applications were received for the YAC this year, and interviews were recently held with a panel consisting of two existing YAC members, Councilmember David White, Rockwall High School Geography Teacher, Brandy Myers and herself. Ms. Ashberry further explained that a couple of the students on the list of recommendations live in either Heath or Fate, and both of those city managers has given indication that those respective cities are willing to financially sponsor those students this school year at a rate of $250.00. Mayor Sweet made a motion to approve the five re-appointments and seven new appointments to the city's Youth Advisory Council as recommended by the interview panel. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

The re-appointments and appointments include the following slate of students:

1	Re-appointment	Senior (RHHS)	Samuel	Strahan
2	Re-appointment	Junior (HmSch)	Beth	Naylor
3	Re-appointment	Junior (RHHS)	Isabella	Burzair
4	Re-appointment	Junior (RHHS)	Baldwin	Bakkal
5	Re-appointment	Junior (RHS)	Derek	Avenetti
6	NEW appointment	Junior (RHS)	Cate	Ghormley
7	NEW appointment	Junior (RHHS)	Logan	Peet
8	NEW appointment	Freshman (RHS)	Bethany	Villabos
9	NEW appointment	Senior (HmSch)	Elsa	Castro
10	NEW appointment	Senior (RHS)	Mie	Pighee
11	NEW appointment	Sophomore (RHS)	Reid	Rakow
12	NEW appointment	Junior (RHS)	Jake	Mirelez

10. Discuss and consider Christmas planning and decorations for downtown, including associated cost estimates, and take any action necessary.

Assistant City Manager Brad Griggs has indicated that staff has evaluated Christmas decorations for downtown at the request of the city council. Staff has evaluated a 24' foot Christmas tree with a 12' diameter base lighted with soft glowing, white lights, ornaments and garland around all of the light poles downtown. The cost for lighting the San Jacinto square would be just under $20,000, with installation and removal being handled by the city's Parks Department. Mayor Sweet made a motion to approve the recommendations for the Christmas decorations. Councilmember White seconded the motion. Councilmember White asked what the funding source is for these decorations. Mrs. Smith indicated that the downtown donations fund is funded by Republic Waste, the city's garbage contractor, who has been making contributions to this fund for a while now. The motion passed by a vote of 7 ayes to 0 nays.

11. Discuss and consider the City Charter including possible establishment of a Charter Review Commission, and take any action necessary.

Assistant City Manager, Mrs. Smith, provided brief comments related to a timeline that staff has prepared related to the city council appointing a Charter Review Commission. She suggested the council consider naming citizens to a Charter Review Commission no later than the second meeting in October in order to move forward with this process. Mayor Sweet encouraged members of the public to contact the City Council if they have a desire to serve on this committee. It was clarified that a possible charter amendment would take place at the May 2015 election. The council took no formal action related to this agenda item at this time.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission and Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The Council did not reconvene in Executive Session following the close of the public meeting agenda. See start of 6:00 p.m. public meeting above for action taken at that time.

XVI. ADJOURNMENT

The meeting was adjourned at 8:24 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6th day of October, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: September 30, 2014

SUBJECT: FM 3097 Waterline Relocation- Change Order Numbers 1 and 2

The FM 3097 waterline relocation project was previously approved by City Council.

The FM 3097 project is for the relocation of two waterlines crossing FM 3097. These existing waterlines needed to be lowered to avoid conflict with the upcoming TXDOT widening of FM 3097.

Change Order Number 1 and 2 are due to modifications which were required to install the work as requested. These modifications were due to conflicts with the franchise utilities which required the relocation of four bore pits. These change orders also include an extension of a 12" water line to provide a continuous water system and eliminate two dead end systems.

Staff requests Council consider approval of Change Order No. 1 with War Horse Enterprises in the amount of $24,958.93 and Change Order No. 2 in the amount of $2,895.23. Funds are available from 2008 Revenue Bonds.

War Horse Enterprises
7960 Hwy 66 West
Royse City, Texas 75189
Office # 972-670-2073
Fax # 972-499-1195
E-mail address heathutility@earthlink.net

REQUEST FOR ADDITIONAL WORK

Submitted to: City of Rockwall
Attn: Amy Williams

Date of Work N/A Project Name FM 3097 WATER RELOCATION PROJECT State Project Number N/A
Description of Work THIS REQUEST IS FOR THE EXTENSION OF THE 12" WATER ALONG FM 3097 ON THE SOUTH SIDE 166 5 LN FT TO ALLOW THE COMPLETION OF THE WATER LOOP ON THE SOUTH SIDE OF THE HORIZON ROAD

Personnel	Class	Hours Reg	Hours OT	Rate Reg	Sub Total	Labor Burden	Total Labor
Foreman		40	0	$17.75	$710.00	0.55	$1,100.50
loader operator			0	$14.50	$0.00	0.55	$0.00
trackhoe operator		40	0	$12.50	$500.00	0.55	$775.00
pipe layer		40	0	$10.00	$400.00	0.55	$620.00
pipe layer helper		40	0	$9.50	$380.00	0.55	$589.00
laborer			0	$9.50	$0.00	0.55	$0.00
						Subtotal	$3,084.50
							$497.50
						Total Labor	$3,582.00

Equipment Cost(blue book or Rental)			
Type	Hours	Rate	Amount
210 Hyduna trackhoe	40	$ 48.50	1,940.00
HL740TM-7 rubber tire loader		$ 175.40	-
CAT backhoe rubber tire	40	$ 25.50	1,020.00
5 ea 5'x 45' trench jacks		$ 98.25	-
Fuel	250	$ 3.95	987.50
			-
			-
			-
			-
			-
			-
			-
			-
Sub-Total Equipment Cost			$3,947.50
			$592.13
Total EquipmentCost			$4,539.63

Summary of Cost	
Cost	Amount
Labor (incl. travel & subst.)	$3,582.00
Equipment	$4,539.63
Materials	$13,737.30
Subcontractor	$0.00
O/H	$3,100.00
Total Cost	$24,958.93
Plan Quantity	166.5 ea
Total Unit Cost	$149.90

Material Cost			
Description	Qty	Price	Amount
12" C900 pvc pipe	180	$17.80	$3,204.00
12" sleeves	2	$412.20	$824.40
12" 45 bends	2	$586.10	$1,172.20
12"x12 Tee	1	$901.59	$901.59
concrete blocking	1.5	$95.00	$142.50
sand embeddment	36	$12.74	$458.64
markers	5	$15.00	$75.00
spoils removal	166.5	$4.00	$666.00
silt fencing	180	$5.50	$990.00
sod	200	$7.00	$1,400.00
testing	166.5	$6.94	$1,155.51
			$0.00
			$0.00
			$0.00
			$0.00
Subtotal			$10,989.84
			$2,747.46
Total Material Cost			$13,737.30

Subcontractor	Description	Qty	Price	Amount
				$0.00
				$0.00
				$0.00
				$0.00
				$0.00
			Subtotal	$0.00
				$0.00
			Total Subcontractors	$0.00

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LOCATION "A" PLAN DESCRIPITION	BID QUAN	UNIT PRICE	ACTUAL QUAN	DELETED QUAN	INCREASE QUAN	INCREASE COST	DECREASE COST
DRY BORE UNDER FM 3097	74	274.87	113	0	39	10,719.93	0.00
OPEN CUT 8" WATER	64	86.77	25	39	0	0.00	3,384.03
8"X 8" TAPPING SLEEVE & VALVE	2	2,908.39	2	0	0	0.00	0.00
REMOVE & REPLACE CONCRETE	15	84	8.8	6.2	0	0.00	520.80
8' CONNECT TO EXISTING	3	2,040.88	2	1	1	0.00	2,040.88
CUT & PLUG 8" EXISTING	2	1,016.36	2	0	0	0.00	0.00
ABANDON EXISTING WATER	300	16.25	80	220	0	0.00	3,575.00
STEEL CASING BY OPEN CUT	35	107.00	0	35	0	0.00	3,745.00
REMOVE & REPLACE DRIVEWAY	17	84.00	8	9	0	0.00	672.00
						10,719.93	**13,937.71**
LOCATION "B"							
12"X 6" TAPPING SLEEVE & VALVE	0	3,415.90	1	0	1	3,415.90	0.00
OPEN CUT 6" WATER	4	61.94	14		10	619.40	0.00
FIRE HYDRANT ASSEMBLY	1	3,171.83	1	0	0	0.00	0.00
CONNECT TO 12" WATER	2	2,490.88	0	0	0	0.00	0.00
REMOVE & REPLACE CONCRETE S	2	67.00	6.7	0	4.6	312.67	0.00
CUT & PLUG EXISTING	1	1,016.36	1	0	0	0.00	0.00
SALVAGE EXISTING FIRE HYDRAN	1	450.00	1	0	0	0.00	0.00
6" GATE VALVE & BOX	1	751.81	0	1	0	0.00	751.81
						4,347.97	**751.81**
LOCATION "C"							
DRY BORE UNDER FM 3097	87	308.42	120	0	33	10,177.86	0.00
12"X 12" TAPPING SLEEVE & VALVE	2	4,990.25	0	2	0	0.00	9,980.50
CONNECT TO 8" WATER	3	2,040.88	1	0	0	0.00	0.00
CUT & PLUGEXISTING	2	1,016.36	3	0	1	1,016.36	0.00
CONNECT TO 12" WATER	3	2,490.88	3	0	0	0.00	0.00
OPEN CUT 12" WATER	34	196.64	75	0	41	8,062.24	0.00
OPEN CUT 8" WATER	64	86.77	10	29	0	0.00	2,516.33
ABANDON EXISTING WATER	300	16.25	140	80	0	0.00	1,300.00
8" GATE VALVE	1	1,055.64	1	0	0	0.00	0.00
12" GATE VALVES	2	2,064.42	3	0	1	2,064.42	0.00
STEEL CASING BY OPEN CUT	10	180.93	0	10	0	0.00	1,809.30
12"X 8" TAPPING SLEEVE & VALVE	1	3,415.90	0	1	0		3,415.90
						21,320.88	**19,022.03**
GENERAL ITEMS							
INSTALL BLOCK SOD	170	7.00	184	0	14	98.00	0.00
TRENCH SAFETY SYSTEM	143	24.00	148	0	5	120.00	0.00
PREPARE SWPPP	1	2,050.00	1	0	0	0.00	0.00
TRAFFIC CONTROL	1	3,600.00	1	0	0	0.00	0.00
CONSTRUCTION STAKING	1	1,550.00	1	0	0	0.00	0.00
INSTALL EROSION CONTROL	1	2,400.00	1	0	0	0.00	0.00
MOBILIZATION	1	3,300.00	1	0	0	0.00	0.00
						218.00	**0.00**
SUMMARY TOTAL OF CHANGE ORDER						**36,606.78**	**33,711.55**
ACTUAL CONTRACT INCREASE FOR THIS CHANGE ORDEF						**2,895.23**	

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CITY OF ROCKWALL

ORDINANCE NO. 14-42

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT NO. 46 (PD-46) *[ORDINANCE NO. 99-05]* AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS HERETOFORE AMENDED, BY ALLOWING A RENTAL STORE WITH OUTSIDE STORAGE TO BE DESIGNATED ON TRACK 2, LOT 00 OF EXHIBIT 'B' WITHIN ORDINANCE NO. 99-05, BEING A 3.211-ACRE PORTION OF A LARGER 6.222-ACRE TRACT OF LAND IDENTIFIED AS LOT 2, BLOCK A, SHARP ADDITION, ABSTRACT 186 J. A. RAMSEY SURVEY, LOCATED AT 2582 STATE HWY 276, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, An amendment to Planned Development District No. 46 (PD-46) has been requested by Beth Godfrey of TKC CLXXXVI, LLC to allow for a Rental Store with Outside Storage within Planned Development District No. 46 (PD-46), on a 3.211-acre portion of a larger 6.222-acre tract of land identified as Lot 2, Block A, Sharp Addition, Abstract 186 J. A. Ramsey Survey, located at 2582 Hwy 276, and more specifically described in Exhibit "A" of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that Planned Development District No. 46 (PD-46) *[Ordinance 99-05]* and the Unified Development Code *[Ordinance No. 04-38]* of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to amend Planned Development District No. 46 (PD-46) to allow for a Rental Store with Outside Storage for the *Subject Property*; and

Section 2. That the development and uses of the *Subject Property* shall be subject to the requirements set forth in ***Planned Development District No. 46 (PD-46)*** and ***Article V, Section 4.5, Commercial District*** of the City of Rockwall Unified Development Code as heretofore amended and as may be amended in the future, and shall be subject to the additional following conditions:

1. That the storage and/or display of machinery and equipment shall be in a stowed position so as to not extend any part of the machinery or the equipment in an upward or outward manner.

2. That the *Subject Property* generally conforms to the Conceptual Site Plan attached hereto as Exhibit 'B'

3. That the permissible uses for the *Subject Property* shall be those permitted within the Commercial (C) District and to include the following uses;

    a. Outside storage of trucks and trailers;

    b. Limited outside storage of pallets;

    c. Metal buildings;

    d. Trucking operations and associated uses;

    e. Rental store with outside storage of machinery and equipment.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code No. 04-38 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 6th day of October, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 09-15-14

2nd Reading: 10-06-14

Exhibit 'A'

Legal Description

LEGAL DESCRIPTION
3.211 ACRES

BEING a tract of land situated in the J.A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas and being part of Lot 2, Block A, Sharp Addition, an addition to the City of Rockwall, Texas according to the plat recorded in Cabinet H, Slide 361, Plat Records, Rockwall County, Texas, same being part of a tract of land described in General Warranty Deed with Vendor's Lien to Rick Sharp and John W. Sharp recorded in Volume 4261, Page 219, Official Public Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a point for corner in the north right-of-way line of State Highway No. 276 (a variable width right-of-way) and the west line of a tract of land described in Special Warranty Deed to Lattimore Materials Company, L.P. recorded in Volume 1986, Page 20, Deed Records, Rockwall County, Texas at the southeast corner of said Lot 2, Block A;

THENCE with said north right-of-way line, North 82°03'48" West, a distance of 71.83 feet to a 5/8" iron rod found at the southeast corner of Lot 1, Block A of said Sharp Addition;

THENCE with the east line of said Lot 1, North 1°20'01" West, a distance of 268.16 feet to an "X" cut in concrete found at the northeast corner of said Lot 1;

THENCE with the north line of said Lot 1, South 88°15'22" West, a distance of 360.10 feet to a point for corner in the east line of Lot 3, Block A of said Sharp Addition at the northwest corner of said Lot 1;

THENCE with the said east line of Lot 3, North 1°13'17" West, at a distance of 47.94 feet passing the northeast corner of said Lot 3 and the easternmost southeast corner of Lot 1, Block A, Yetts Addition, an addition to the City of Rockwall recorded in Cabinet H, Slide 254, Plat Records, Rockwall County, Texas, continuing with the east line of said Lot 1, at a distance of 213.94 feet passing a 5/8" iron rod found for the northeast corner of said Lot 1 and continuing for a total distance of 281.01 feet to a point for corner;

THENCE North 88°15'24" East, a distance of 428.29 feet to a point for corner in said west line of the Lattimore Materials Company, L.P. tract;

THENCE with said west line of the Lattimore Materials Company, L.P. tract, South 1°33'11" East, a distance of 561.23 feet to the **POINT OF BEGINNING** and containing 3.211 acres or 139,864 square feet of land.

All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown are ground distances.

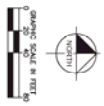
Exhibit 'B'

Conceptual Site Plan









EX	CONCEPTUAL SITE LAYOUT	SUNBELT DEVELOPMENT ROCKWALL, TX PREPARED FOR TKC LAND DEVELOPMENT II, LLC	PROJECT No. DATE: AUGUST 2014 SCALE: AS SHOWN DESIGNED BY: BAG DRAWN BY: BAG CHECKED BY: SES	Kimley»Horn 12720 PARK CENTRAL DRIVE, SUITE 1900, DALLAS, TEXAS PHONE: 972-770-1300 FAX: 972-239-3820 TEXAS REGISTERED ENGINEERING FIRM F-928	No. REVISIONS DATE BY

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CITY OF ROCKWALL

ORDINANCE NO. 14-43

SPECIFIC USE PERMIT NO. S-126

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT ALLOWING FOR A GENERAL RETAIL STORE ON A 3.27-ACRE PARCEL OF LAND IDENTIFIED AS TRACT 9-4 OF THE J. LOCKHART SURVEY, ABSTRACT NO. 134; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Juan J. Vasquez, P.E. with Vasquez Engineering, LLC, on behalf of James R. Thompson of Cavender Investment Properties E, LTD., for a Specific Use Permit within a Light Industrial (LI) District allowing for a general retail store on a 3.27-acre parcel of land identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City and County of Rockwall, Texas; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for a general retail store within a Light Industrial (LI) District, on the subject property identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City and County of Rockwall, Texas; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **Section 5.3, *"LI" Light Industrial (LI) District*, of Article V, *District Development Standards*, of the City of Rockwall Unified Development Code (Ordinance No. 04-38)** as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and definitions.

1) All operations on the property shall generally conform to the Conceptual Site Plan.

2) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6th DAY OF October, 2014.

David Sweet, Mayor

ATTEST:

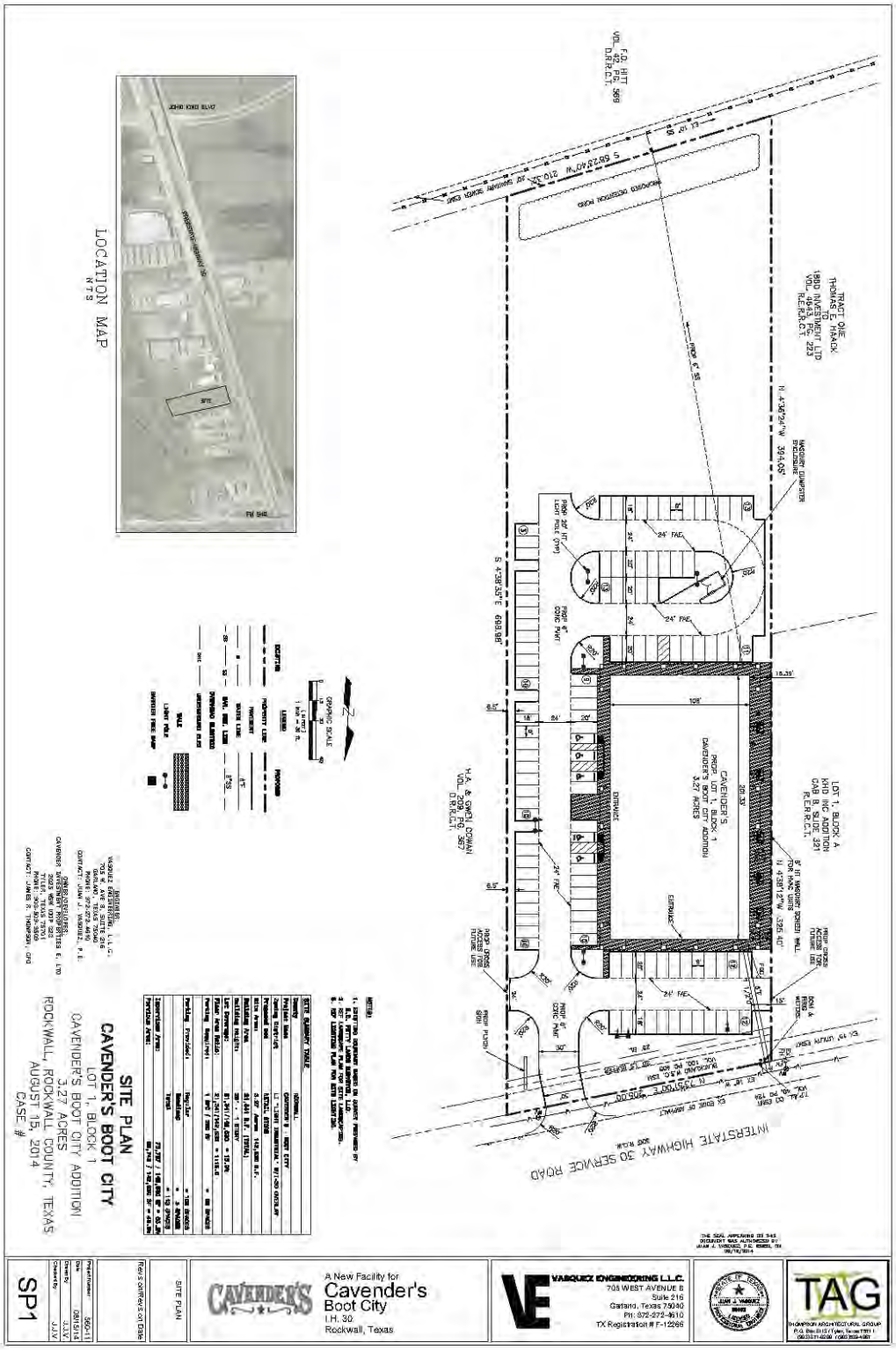
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 09-15-14

2nd Reading: 10-06-14


SITE PLAN
CAVENDER'S BOOT CITY
LOT 1, BLOCK 1
CAVENDER'S BOOT CITY ADDITION
3.27 ACRES
ROCKWALL, ROCKWALL COUNTY, TEXAS
AUGUST 15, 2014
CASE #
LOCATION MAP
NTS
INTERSTATE HIGHWAY 30 SERVICE ROAD
CAVENDER'S BOOT CITY ADDITION
3.27 ACRES
LOT 1, BLOCK A
CAVENDER'S BOOT CITY ADDITION
CAB. H, SLIDE 331
P.R.R.C.T.
TRACT ONE
THOMAS E. HAACK
1980 INVESTMENT LTD
VOL. 4643, PG. 223
R.R.R.C.T.
H.A. & GWEN CONNAN
VOL. 209, PG. 367
D.R.R.C.T.
VOL. F.G. HITT
PG. 569
D.R.R.C.T.
A New Facility for
Cavender's
Boot City
I.H. 30
Rockwall, Texas
VAZQUEZ ENGINEERING L.L.C.
703 WEST AVENUE B
Suite 216
Garland, Texas 75040
Ph: 972-272-9610
TX Registration # F-12295
TAG
SP1
SITE PLAN

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CITY OF ROCKWALL

ORDINANCE NO. 14-44

SPECIFIC USE PERMIT NO. S-127

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A RESTAURANT THAT IS LESS THAN 2,000 SF IN SERVICE AREA AND THAT DOES NOT HAVE A DRIVE-THROUGH OR DRIVE-IN SERVICE ON A 0.53-ACRE PARCEL OF LAND; ZONED PLANNED DEVELOPMENT DISTRICT 50 (PD-50) FOR RESIDENTIAL OFFICE (RO) DISTRICT LAND USES; BEING ADDRESSED AS 406 N. GOLIAD STREET AND IDENTIFIED AS LOT B, BLOCK 123, B. F. BOYDSTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Caprice Michelle on behalf of Rockwall's Rustic Ranch, LLC for the approval of a Specific Use Permit (SUP) for a *Restaurant [Less Than 2,000 SF; Without Drive-Through or Drive-In Service]* on a 0.53 at 406 N. Goliad Street, being zoned Planned Development District 50 (PD-50) for a 0.53-acre parcel of land identified as Lot B, Block 123, B. F. Boydston Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property*, and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code [*Ordinance No. 04*-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a

Specific Use Permit (SUP) allowing for a *Restaurant [Less Than 2,000 SF; Without Drive-Through or Drive-In Service]* within a Planned Development District 50 (PD-50) as stipulated by *Ordinance No. 07-29* and Article IV, *Permissible Uses*, of the Unified Development Code on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance, *Ordinance No. 07-29* and as stipulated by Section 4.2, *Residential Office (RO) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the following conditions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of a *Restaurant [Less Than 2,000 SF; Without Drive-Through or Drive-In Service]* on the *Subject Property*, and conformance to these operational conditions are required for continued operations:

1) The development or operation of a *Restaurant [Less Than 2,000 SF; Without Drive-Through or Drive-In Service]* shall generally conform to the *Concept Site Plan* contained in *Exhibit 'B'* of this ordinance, and incorporated by reference herein;

2) The operation of a *Restaurant [Less Than 2,000 SF; Without Drive-Through or Drive-In Service]* shall generally conform to the *Floor Plan* contained in *Exhibit 'C'* of this ordinance, and incorporated by reference herein;

3) The service area of the restaurant will be limited to 2,000 SF; and,

4) All outdoor seating and waiting areas should be situated behind the front yard building setback adjacent to SH-205;

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF OCTOBER, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

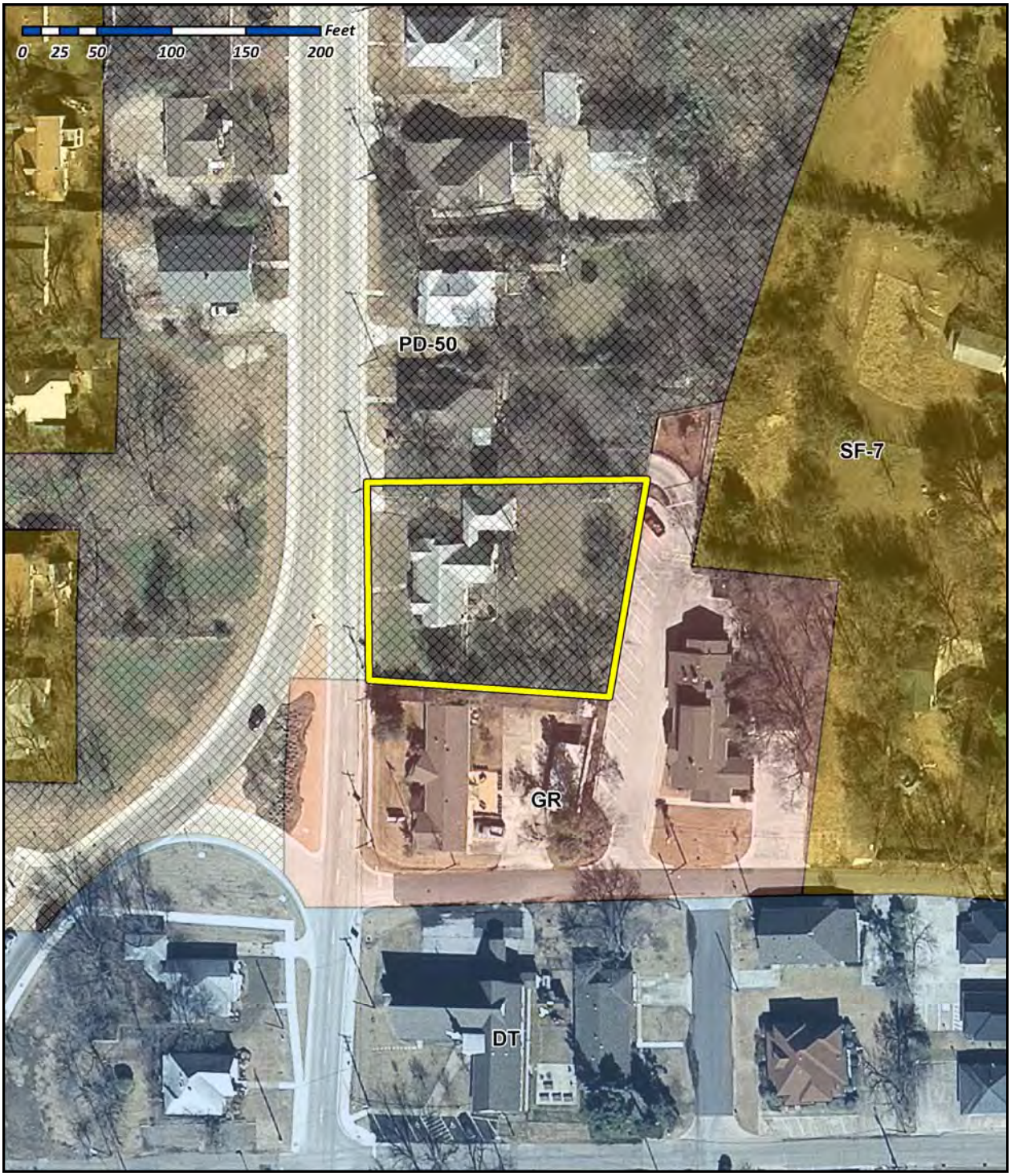
_____
Frank J. Garza, City Attorney

1st Reading: 09-15-14

2nd Reading: 10-06-14

Exhibit A: Legal Description/Location Map

Address: 406 N. Goliad Street
Legal Description: Lot B, Block 123, B. F. Boydston Addition



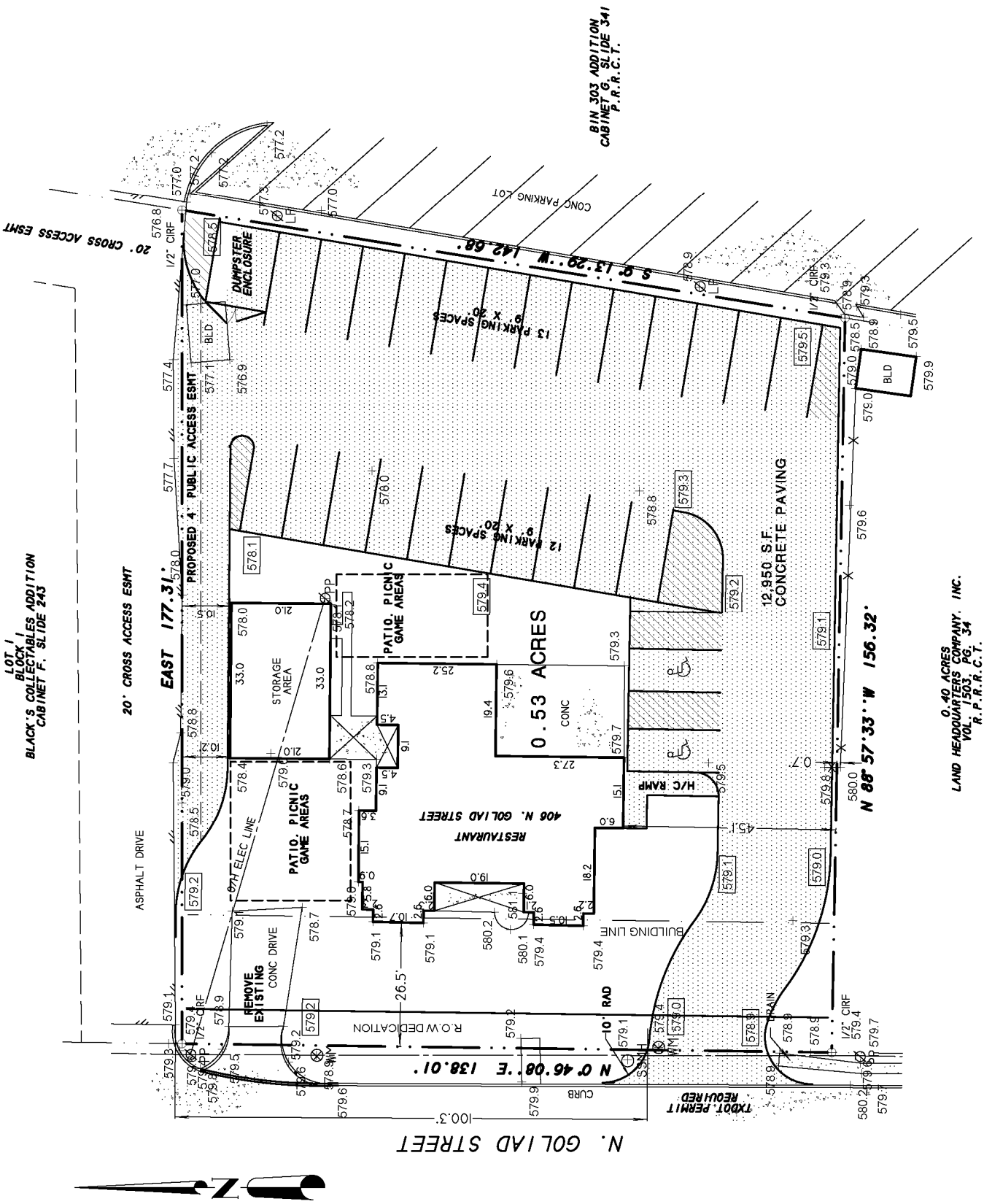
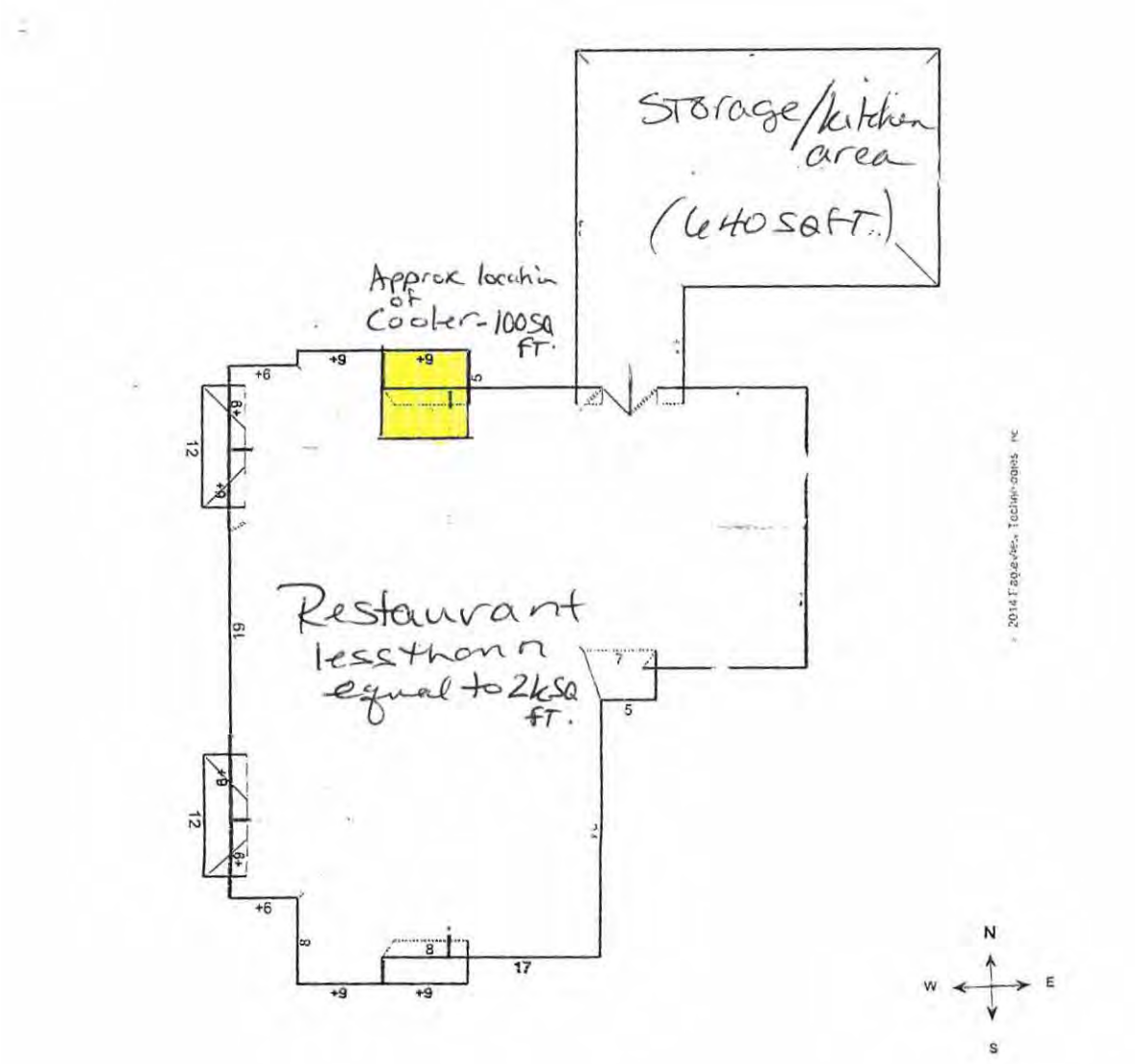

BIN 303 ADDITION
CABINET G, SLIDE 341
P.R.R.C.T.
S 0° 13' 29" W 142.68'
CONC PARKING LOT
20' CROSS ACCESS ESMT
DUMPSTER ENCLOSURE
13 PARKING SPACES 9' X 20'
12 PARKING SPACES 9' X 20'
PROPOSED 4' PUBLIC ACCESS ESMT
EAST 177.31'
20' CROSS ACCESS ESMT
LOT 1
BLOCK 1
BLACK'S COLLECTABLES ADDITION
CABINET F, SLIDE 243
PATIO, PICNIC GAME AREAS
STORAGE AREA
0.53 ACRES
CONC
12,950 S.F. CONCRETE PAVING
H/C RAMP
406 N. GOLIAD STREET
RESTAURANT
BUILDING LINE
6' HT ELEC LINE
ASPHALT DRIVE
REMOVE EXISTING CONC DRIVE
R.O.W DEDICATION
10' RAD
N 0° 46' 08" E 138.01'
CURB
TXDOT PERMIT REQUIRED
N 88° 57' 33" W 156.32'
0.40 ACRES
LAND HEADQUARTERS COMPANY, INC.
VOL 1503, PG. 34
R.P.R.R.C.T.
100.3'
N. GOLIAD STREET

Exhibit C: Floor Plan



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 10/6/2014

APPLICANT: Dallas Mapping & Design

AGENDA ITEM: **P2014-024;** Lakes Assembly Addition

SUMMARY:

Discuss and consider a request by Glenn Breyszcher of Dallas Mapping & Design on behalf of David Spiegel of the Lakes Assembly of God Church for the approval of a replat for Lot 1, Block A, Lakes Assembly Addition, being a 6.210-acre parcel of land, currently identified as Blocks B & C, Green Meadows Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located on the north side of Williams Street (SH-66) east of the intersection of N. Clark Street and Williams Street, and take any action necessary.

COMMENTS:

- The purpose of this request is to replat a 6.21-acre tract of land to accommodate for the future expansion of the existing church.

- The Engineer has completed the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the Recommendation section below.

With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the replat for Lot 1, Block A, Lakes Assembly Addition, the following conditions of approval are offered:

1) All the technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat; and

2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING RECOMMENDATION:

On September 30, 2014, the Planning and Zoning Commission recommended approval of the replat with staff conditions by a vote of 7 to 0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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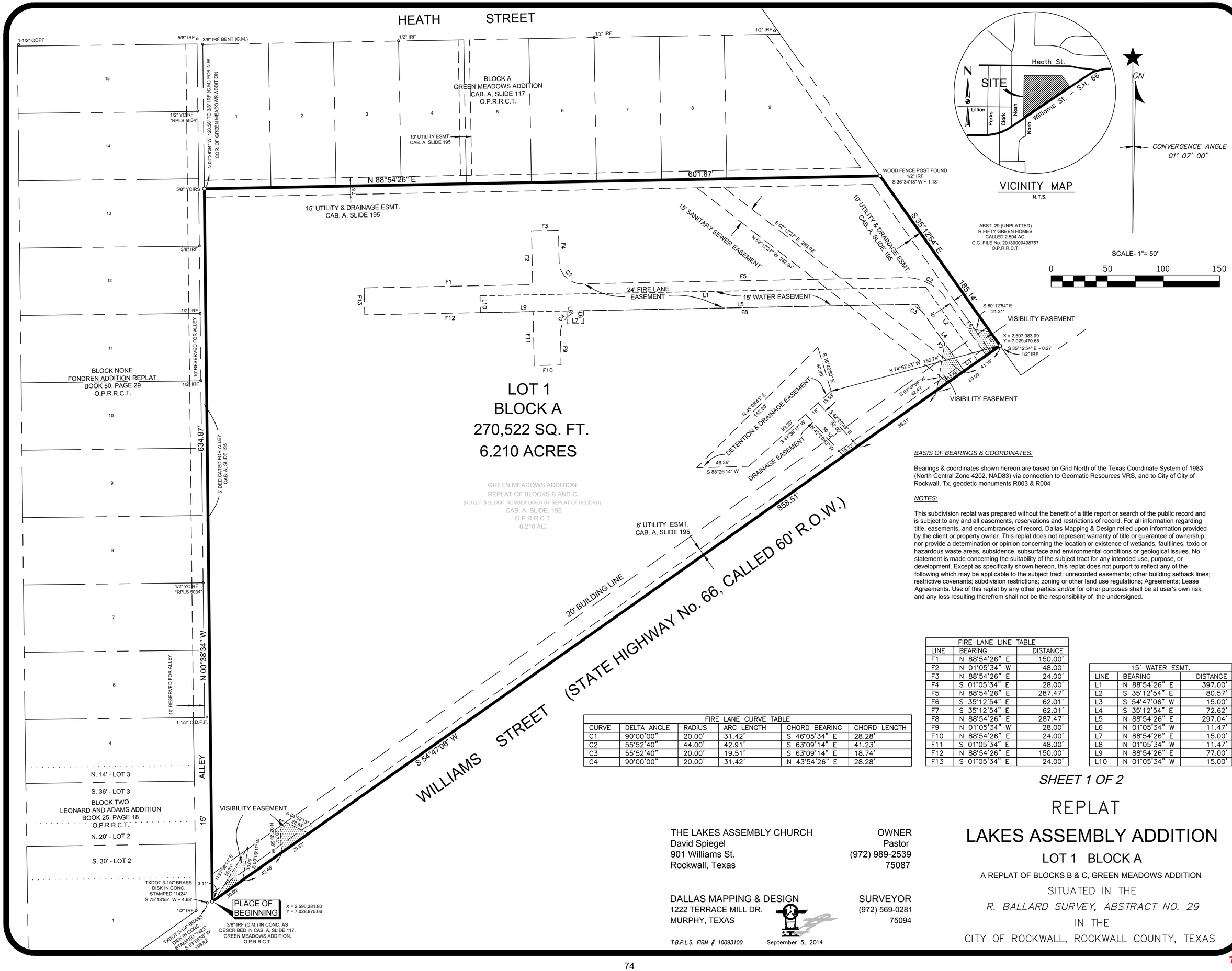

BASIS OF BEARINGS & COORDINATES:

Bearings & coordinates shown hereon are based on Grid North of the Texas Coordinate System of 1983 (North Central Zone 4202, NAD83) via connection to Geomatic Resources VRS, and to City of City of Rockwall, Tx. geodetic monuments R003 & R004

NOTES:

This subdivision replat was prepared without the benefit of a title report or search of the public record and is subject to any and all easements, reservations and restrictions of record. For all information regarding title, easements, and encumbrances of record, Dallas Mapping & Design relied upon information provided by the client or property owner. This replat does not represent warranty of title or guarantee of ownership, nor provide a determination or opinion concerning the location or existence of wetlands, faultlines, toxic or hazardous waste areas, subsidence, subsurface and environmental conditions or geological issues. No statement is made concerning the suitability of the subject tract for any intended use, purpose, or development. Except as specifically shown hereon, this replat does not purport to reflect any of the following which may be applicable to the subject tract: unrecorded easements; other building setback lines; restrictive covenants; subdivision restrictions; zoning or other land use regulations; Agreements; Lease Agreements. Use of this replat by any other parties and/or for other purposes shall be at user's own risk and any loss resulting therefrom shall not be the responsibility of the undersigned.

CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	90°00'00"	20.00'	31.42'	S 46°05'34" E	28.28'
C2	55°52'40"	44.00'	42.91'	S 63°09'14" E	41.23'
C3	55°52'40"	20.00'	19.51'	S 63°09'14" E	18.74'
C4	90°00'00"	20.00'	31.42'	N 43°54'26" E	28.28'

FIRE LANE LINE TABLE		
LINE	BEARING	DISTANCE
F1	N 88°54'26" E	150.00'
F2	N 01°05'34" W	48.00'
F3	N 88°54'26" E	24.00'
F4	S 01°05'34" E	28.00'
F5	N 88°54'26" E	287.47'
F6	S 35°12'54" E	62.01'
F7	S 35°12'54" E	62.01'
F8	N 88°54'26" E	287.47'
F9	N 01°05'34" W	28.00'
F10	N 88°54'26" E	24.00'
F11	S 01°05'34" E	48.00'
F12	N 88°54'26" E	150.00'
F13	S 01°05'34" E	24.00'

15' WATER ESMT.		
LINE	BEARING	DISTANCE
L1	N 88°54'26" E	397.00'
L2	S 35°12'54" E	80.57'
L3	S 54°47'06" W	15.00'
L4	S 35°12'54" E	72.62'
L5	N 88°54'26" E	297.04'
L6	N 01°05'34" W	11.47'
L7	N 88°54'26" E	15.00'
L8	N 01°05'34" W	11.47'
L9	N 88°54'26" E	77.00'
L10	N 01°05'34" W	15.00'

SHEET 1 OF 2

REPLAT

LAKES ASSEMBLY ADDITION

LOT 1 BLOCK A

A REPLAT OF BLOCKS B & C, GREEN MEADOWS ADDITION

SITUATED IN THE

R. BALLARD SURVEY, ABSTRACT NO. 29

IN THE

CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

THE LAKES ASSEMBLY CHURCH
David Spiegel
901 Williams St.
Rockwall, Texas

OWNER
Pastor
(972) 989-2539
75087

DALLAS MAPPING & DESIGN
1222 TERRACE MILL DR.
MURPHY, TEXAS

SURVEYOR
(972) 569-0281
75094

T.B.P.L.S. FIRM # 10093100

September 5, 2014

OWNER'S CERTIFICATE

State of Texas
County of Rockwall

WHEREAS LAKES ASSEMBLY CHURCH, is the owner of a tract of land situated in the R. BALLARD SURVEY, ABSTRACT NO. 29, Rockwall, Rockwall County, Texas, and being all of Green Meadows Addition Replat of Blocks B and C, an addition to the City of Rockwall, Texas according to the plat thereof recorded in Cabinet A, Slide 195, of the Official Public Records of Rockwall County, Texas, and being that certain tract of land described in Warranty Deed from Ted Cain to Rockwall Assembly of God as recorded in Volume 119, Page, 973, of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8 inch iron rod in concrete found for the southwest corner as described in said Green Meadows Addition, and being in the northwesterly right-of-way line of State Highway No. 66, a.k.a. Williams Street (called 60' R.O.W.), and also being in the east line of a 15' alley;

THENCE North 00 deg. 38 min. 34 sec. West with the west line of said Green Meadows Addition and east line of 15' alley a distance of 634.87 feet to a 5/8" iron rod with yellow plastic cap stamped "RPLS 5405" set for corner, from which a bent 3/8" iron rod found for the northwest corner of said Green Meadows Addition bears N 00°38'34" W a distance of 128.56';

THENCE North 88 deg. 54 min. 26 sec. East with the north line of said Green Meadows Replat of Blocks B and C and south line of Block A of Green Meadows Addition, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet A, Slide 117 a distance of 601.87 feet to wood fence post found for corner from which a 1/2" iron rod found bears S 36°34'18" W a distance of 1.18';

THENCE South 35 deg. 12 min. 54 sec. East with the northeast line of said Green Meadows Addition 185.14 feet to point for corner in said northwesterly right-of-way line, from which a 1/2" iron rod found bears S 35°12'54" E a distance of 0.27';

THENCE South 54 deg. 47 min. 06 sec. West with said northwesterly right-of-way line of State Highway No. 66, a.k.a. Williams Street (called 60' R.O.W.) a distance of 858.51 feet to the PLACE OF BEGINNING, and containing 270,522 square feet or 6.210 acres of land, more or less.

OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as the LAKES ASSEMBLY ADDITION subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the LAKES ASSEMBLY ADDITION subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exactions made herein.

_____
Owner: David Spiegel, Pastor
Lakes Assembly Church

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ Day of _____, 20____

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL BY THESE PRESENTS:

THAT I, Glenn S. Breysacher, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

PRELIMINARY PLAT FOR REVIEW ONLY
NOT TO BE RECORDED FOR ANY PURPOSE Registered Professional Land Surveyor No. 5405

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Glenn S. Breysacher, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ Day of _____, 20____

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

RECOMMENDED FOR FINAL APPROVAL

_____ .
Planning and Zoning Commission

_____
Date.

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 20____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 20____.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

THE LAKES ASSEMBLY CHURCH
David Spiegel
901 Williams St.
Rockwall, Texas

OWNER
Pastor
(972) 989-2539
75087

DALLAS MAPPING & DESIGN
1222 TERRACE MILL DR.
MURPHY, TEXAS

T.B.P.L.S. FIRM # 10093100

SURVEYOR
(972) 569-0281
75094

September 5, 2014

SHEET 2 OF 2

REPLAT

LAKES ASSEMBLY ADDITION

LOT 1 BLOCK A

A REPLAT OF BLOCKS B & C, GREEN MEADOWS ADDITION
SITUATED IN THE
R. BALLARD SURVEY, ABSTRACT NO. 29
IN THE
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

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CITY OF ROCKWALL
CITY COUNCIL COMMISSION MEMO

AGENDA DATE: 10/06/2014

APPLICANT: Chase Finch, *Corwin Engineering, Inc.*

AGENDA ITEM: **P2014-026**; Lot 51-60, Block D, Breezy Hill, Phase IIA & IIB

SUMMARY:

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company (BH Phase IIB SF, LTD) for the approval of a replat of Lots 51-60, Block D, Breezy Hill, Phases IIA & IIB, being a 3.624-acre portion of land that is currently identified as Lots 20-26 & 50, Block D, Breezy Hill, Phases IIA & IIB, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally located north of the intersection of FM-552 and John King Boulevard.

REPLAT COMMENTS:

☑ The purpose of this replat is to dedicate a 50-foot street that will provide access between Phases IIA & IIB and Phases IA & IB. The proposed replat involves replatting six (6) single-family residential lots and one (1) open space lot into five (5) single-family residential lots and four (4) open space lots. The proposed lot configuration conforms to the requirements of Planned Development District 74 (PD-74).

☑ The Engineer has completed the majority of the technical revisions requested by staff, and this plat, conforming to the preliminary plat [*P2013-010*] and final plat [*P2013-024*], is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the Recommendation section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this replat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

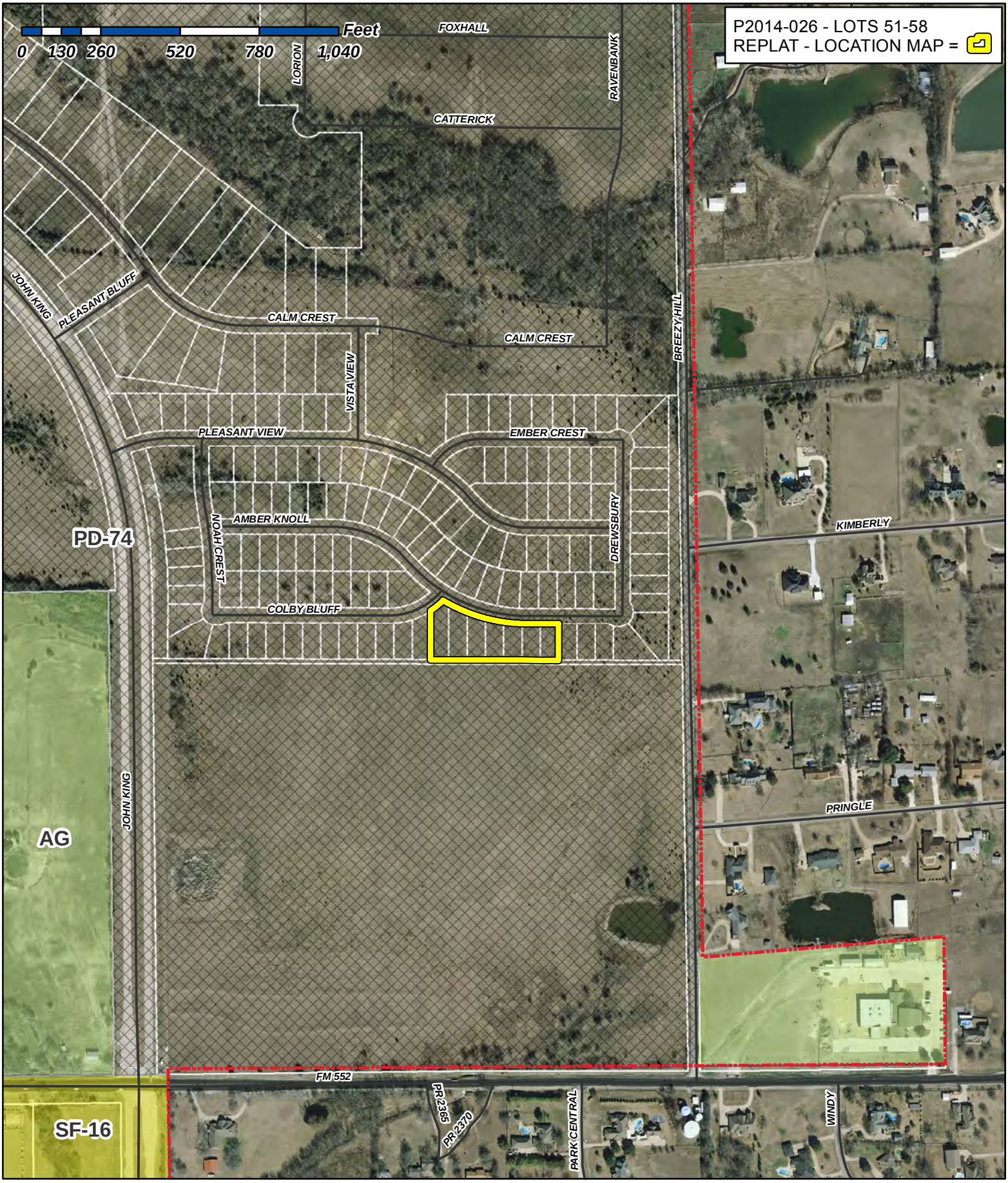
If the Planning & Zoning Commission and City Council choose to approve the replat for *Lots 51-60, Block D, Breezy Hill, Phases IIA & IIB* then staff would recommend the following conditions of approval:

1) All the technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

2) Any construction resulting from the approval of this *replat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On September 30, 2014, the Planning and Zoning Commission recommended approval of the replat by a vote of 7-0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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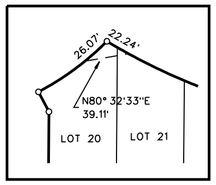
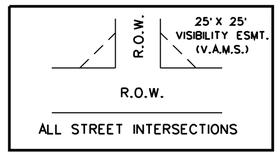
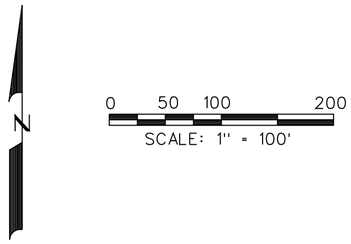
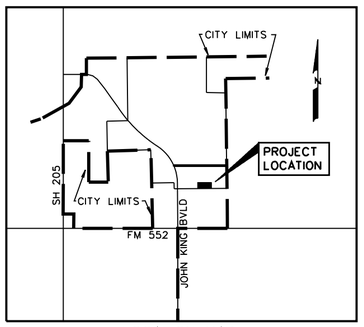


EASEMENT DETAIL
LOT 20 & 21 BLOCK D
SCALE 1" = 100'



VISIBILITY & SIDEWALK EASEMENT DETAIL
N.T.S.





LOCATION MAP
N.T.S.

NOTES

1. Bearing are referenced to 21.857 acre tract, as described in Clerks File No. 2012-467951, in the Deed Records of Rockwall County, Texas.
2. All lot lines are radial or perpendicular to the street unless otherwise noted by bearing.
3. ½" iron rods with "CORWIN ENGR. INC." caps set at all boundary corners, block corners, points of curvature, points of tangancy, and angle points in public right-of-way unless otherwise noted.
4. B.L. - Building Line.
   U.E. - Utility Easements.
   C.M. - Controlling Monument.
   V.A.M.S. - Visibility, Maintenence & Sidewalk Easement
5. No building permits will be issued until all public improvments are accepted by the City.

NOTE:
THE PURPOSE OF THIS REPLAT IS ADD KITTS DRIVE AND TO REVISE THE LOT LINES.

TOTAL LOTS 6

TOTAL ACRES 3.630

OWNER
BH PHASE IIB SF, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
214-522-4945

FINAL PLAT
OF
LOTS 51-60, BLOCK B
BREEZY HILL PHASE IIA & IIB

BEING A REPLAT OF
LOTS 20-26 & 50, BLOCK D
BREEZY HILL PHASE IIA & IIB
6 LOTS, BEING 3.630 ACRES
SITUATED IN THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

AUGUST 2014 SCALE 1" = 100'

CASE #P2014-026

80

SHEET 1 OF 2

LEGAL DESCRIPTION

WHEREAS, BH PHASE IIB SF, LTD., are the owners of a tract of land situated in the J. Strickland Survey, Abstract No. 187 in the City of Rockwall, Rockwall County, Texas, being all of Lots 20-26 & 50 Block D out of Breezy Hill Phase 2, an addition to the City of Rockwall, as described in Vol. H, Pg. 397 in the Plat Records of Rockwall County, Texas being more particularly described as follows:

BEGINNING, at a ½ inch iron rod found at the southwest corner of said Breezy Hill Phase IIA & IIB, being in the east line of John King Boulevard (120' R.O.W.);

THENCE, North 00° 23'34" East, along the west line of said Breezy Hill Phase IIA & IIB and being in east line of said John King Boulevard, for a distance of 219.50 feet, to a ½ inch iron rod found at the point of curvature of a curve to the left, having a radius of 1560.00 feet, a central angle of 17° 35'11", and a tangent of 241.31 feet;

THENCE, continuing along said east and west lines and with said curve to the left, for an arc distance of 478.83 feet (Chord Bearing North 08° 24'01" West - 476.95 feet), to a ½ inch iron rod found at the northwest corner of said Lot 50;

THENCE, North 71° 53'18" East, departing said east line and along the north line of said Lot 50, for a distance of 14.00 feet, to a ½ inch iron rod found at the point of curvature of a curve to the right, having a radius of 375.00 feet, a central angle of 05° 30'19", and a tangent of 18.30 feet;

THENCE, continuing along said north line and with said curve to the right for an arc distance of 36.30 feet (Chord Bearing North 74° 38'27" East - 36.02 feet), to a ½ inch iron rod found at the a northeast corner of said Lot 50 and being the northwest corner of Lot 1 Block D out of said Breezy Hill Phase IIA & IIB, same being on a curve to the right, having a radius of 1610.00 feet, a central angle of 17° 33'12", and a tangent of 248.57 feet;

THENCE, along the east line of said Lot 50 and with said curve to the right for an arc distance of 493.24 feet (Chord Bearing South 08° 23'02" East - 491.32 feet), to a ½ inch iron rod found at the point of tangency;

THENCE, South 00° 23'34" West, continuing along said east line, for a distance of 204.82 feet, to a ½ inch iron rod found at the most southerly southwest corner of Lot 7 Block D, out of said Breezy Hill Phase IIA & IIB;

THENCE, South 89° 33'00" East, along the north line of said Lot 50, for a distance of 850.73 feet, to a ½ inch iron rod found at the southeast corner of Lot 19 Block D out of said Breezy Hill Phase IIA & IIB also being the southwest corner of said Lot 20

THENCE, North 00° 27'00" East, along the west line of said Lot 20, for a distance of 132.04 feet, to a ½ inch iron rod found;

THENCE, North 27° 44'50" West, continuing along said west line, for a distance of 20.00 feet, to a ½ inch iron rod found at the northwest corner of said Lot 20, being in the south line of Colby Bluff Drive (50' R.O.W.), being on a curve to the left, having a radius of 250.00 feet, a central angle of 17° 26'54", and a tangent of 38.36 feet;

THENCE, along the south line of said Colby Bluff Drive with said curve to the left for an arc distance of 76.13 feet (Chord Bearing North 53° 31'43" East - 75.84 feet), to a ½ inch iron rod found at the southeast intersection of said Colby Bluff Drive and Amber Knoll Drive (50' R.O.W.), being on a curve to the left, having a radius of 540.00 feet, a central angle of 30° 36'20", and a tangent of 147.76 feet;

THENCE, along the south line of said Amber Knoll Drive and with said curve to the left for an arc distance of 288.45 feet (Chord Bearing South 74° 14'50" East - 285.03 feet), to a ½ inch iron rod found at the point of tangency;

THENCE, South 89° 33'00" East, continuing along said south line, for a distance of 104.44 feet, to a ½ inch iron rod found at the northeast corner of said Lot 26;

THENCE, South 00° 27'00" West, along the east line of said Lot 26, for a distance of 120.00 feet, to a ½ inch iron rod found at the southeast corner of said Lot 26 and being in the north line of said Lot 50;

THENCE, South 89° 33'00" East, along the north line of said Lot 50, for a distance of 362.10 feet, to a ½ inch iron rod found at the most easterly southeast corner of Lot 31 Block D out of said Breezy Hill Phase IIA & IIB;

THENCE, North 00° 11'51" East, along a west line of said Lot 50, for a distance of 819.32 feet, to a ½ inch iron rod found;

THENCE, North 00° 17'23" East, continuing along said west line, for a distance of 50.59 feet, to a ½ inch iron rod found at the most northerly northeast corner of Lot 41 Block D out of said Breezy Hill Phase IIA & IIB, being in the north line of said Breezy Hill Phase IIA & IIB;

THENCE, South 89° 33'00" East, along the north line of said Breezy Hill IIA & IIB, for a distance of 40.00 feet, to a ½ inch iron rod found at the most easterly northeast corner of said Lot 50;

THENCE, South 00° 11'51" West, along the east line of said Lot 50, for a distance of 836.60 feet, to a ½ inch iron rod found at the most easterly southeast corner of said Lot 50;

THENCE, South 00° 17'23" West, continuing along said east line, for a distance of 50.48 feet, to a ½ inch iron rod found;

THENCE, North 89° 28'34" West, along the south line of said Lot 50, for a distance of 1733.44 feet, to the POINT OF BEGINNING and containing 3.360 acres of land.

SURVEYOR CERTIFICATE

I, WARREN L. CORWIN, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made under my direction and supervision and all corners are as shown thereon and there are no encroachments, conflicts, protrusions or visible utilities on the ground except as shown and said plat has been prepared in accordance with the platting rules and regulations of the City Plan Commission of the City of Rockwall, Texas.

DATED the this_____day of _____, 2014.

_____
WARREN L. CORWIN
R.P.L.S. No. 4621

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the_____day of _____, 2014.

_____
Notary Public in and for the State of Texas

Recommended for Final Approval:

_____ _____
Planning & Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the_____day of_____, 2014.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the Counrt Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this_____day of_____, 2014.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

OWNER'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS
COUNTY OF ROCKWALL
We the undersigned owner"s" of the land shown on this replat, and designated herein as the LOTS 20-26 BLOCK D out of BREEZY HILL PHASE 2A & 2B, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the LOTS 20-26 BLOCK D out of BREEZY HILL PHASE 2A & 2B, subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

BH PHASE IIB, SF, LTD.
a Texas limited partnership
By: BH PHASE IIB SF, GP Corporation,
a Texas corporation, its General Partner

_____ _____
Richard M. Skorburg Mortgage or Lien Interest
President

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared RICHARD M. SKORBURG, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____day of_____, 2014.

Notary Public in and for the State of Texas My Commission Expires: _____

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared_____
known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____day of_____, 2014.

Notary Public in and for the State of Texas My Commission Expires: _____

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

CASE #P2013-024
SHEET 2 OF 2

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 10/06/2014

APPLICANT: Harold Fetty

AGENDA ITEM: **P2014-028** (Adams Addition - Replat)

SUMMARY:

Discuss and consider a request by Harold Fetty of H. D. Fetty Land Surveying, LLC on behalf of the owner R. D. Vanderslice for the approval of a replat for Lot 3, Block A, Adams Addition, being a 0.30-acre parcel of land identified as Lot 1, Block A, Adams Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 911 N. Goliad Street, and take any action necessary.

COMMENTS:

- The objective of this request is to replat a 0.30-acre parcel of land for the purpose of developing the property.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions below.
- With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for replat, staff would recommend the following conditions of approval:

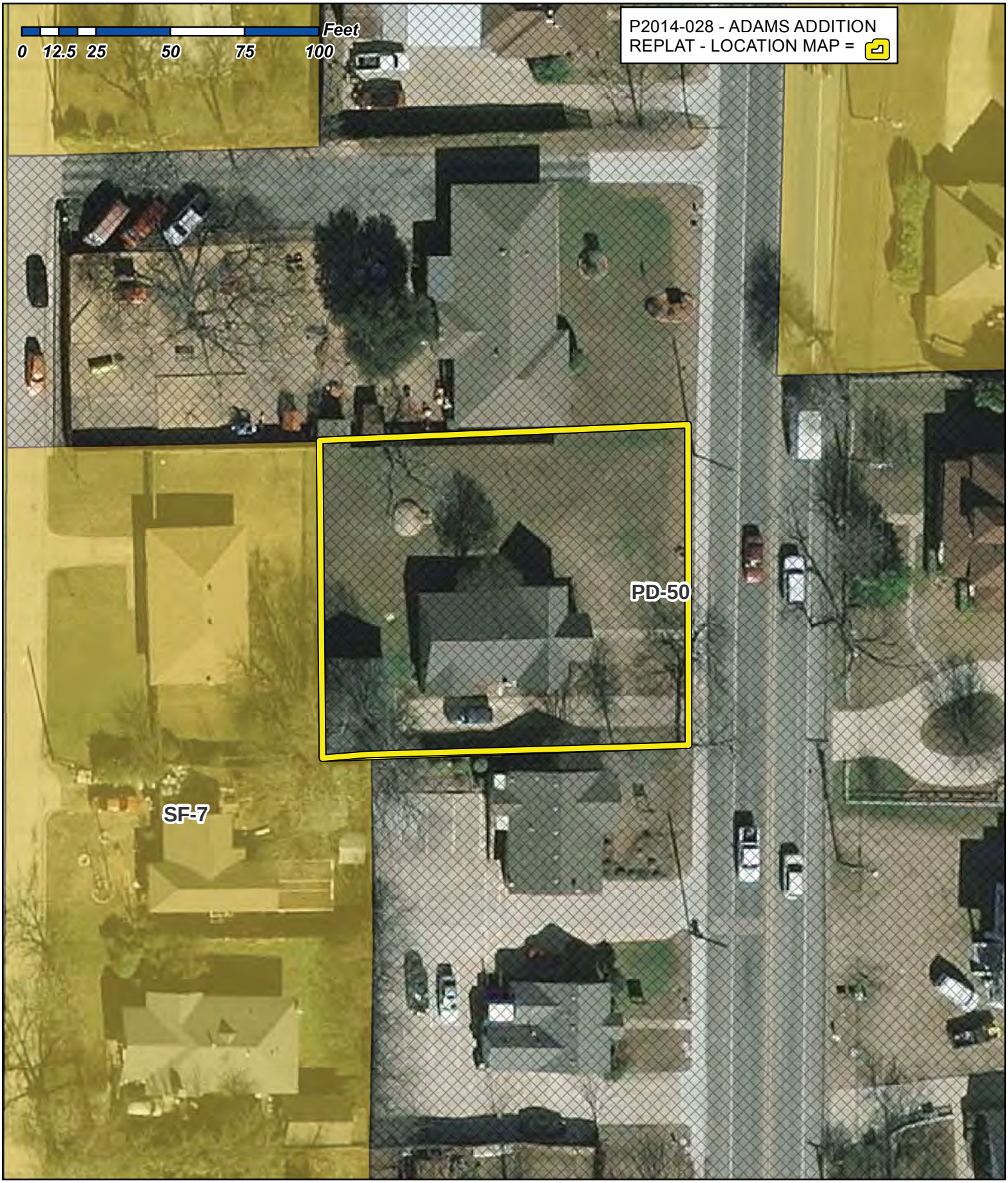
1) All the technical comments from the Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following Planning Comments;

    1. Adherence to Engineering and Fire Department standards.
    2. Provide label for a (POB) Point of Beginning.
    3. Re-label Lot 1 on plat to indicate "Lot 3."
    4. Provide case number (P2014-028) on both pages
    5. Need grading plan and TXDOT permit for new driveway prior to filing of the plat.

    .

2) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

On September 30, 2014, the Planning and Zoning Commission recommended approval of the request with staff conditions by a vote of 7 to 0.

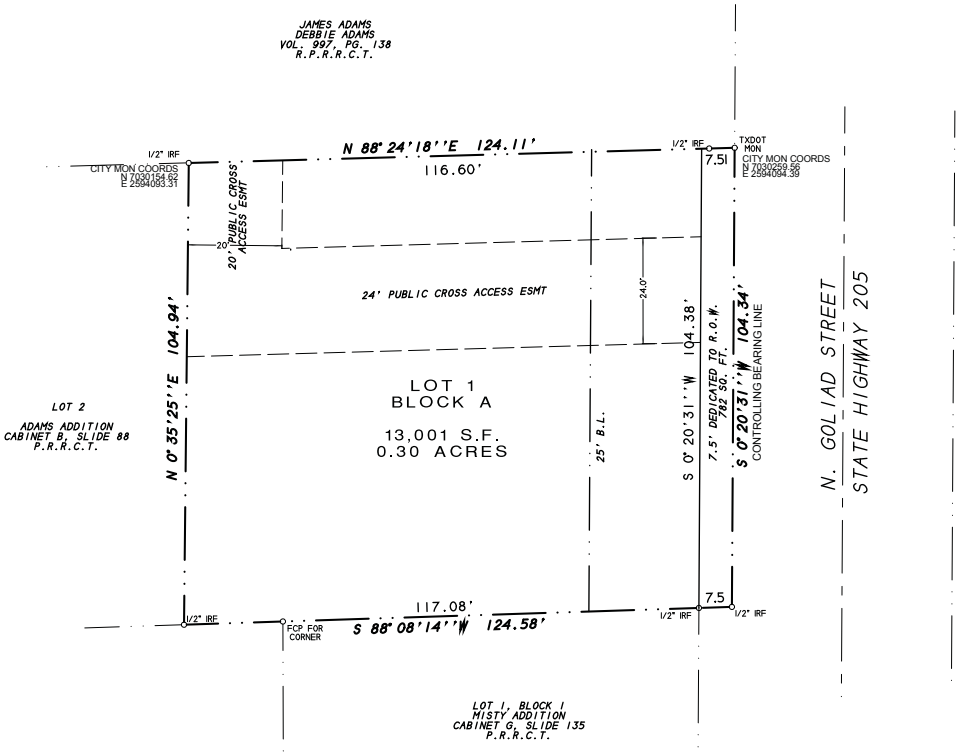


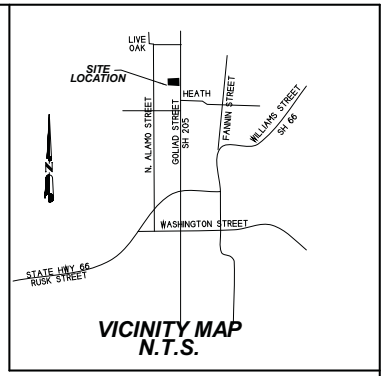
City of Rockwall

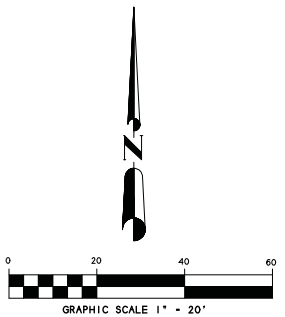
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

84 1:500







FINAL PLAT

ADAMS ADDITION
LOT 3, BLOCK A

13,001 S.F. OR 0.30 ACRES
BEING A REPLAT OF
LOT 1, BLOCK A
ADAMS ADDITION

A PART OF THE S.S. McCURRY
SURVEY, ABSTRACT NO. 146
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: STATE PLACE COORDINATES BASED ON ROCKWALL MONUMENT SYSTEM.

OWNER:
R.D. VANDERSLICE
1408 S. LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
972-989-1069

SHEET 1 OF 2

SURVEY DATE JULY 18, 2014
SCALE 1" = 20' FILE # 20140267-RP
CLIENT VANDERSLICE GF # NONE

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CITY CASE NO P2014-

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OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, R.D. VANDERSLICE, BEING THE OWNER OF A TRACT OF land in the S.S. McCURRY SURVEY, ABSTRACT NO. 146, County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the S.S. McCURRY SURVEY, ABSTRACT NO. 146, City of Rockwall, Rockwall County, Texas, and being all of Lot 1, Block A, ADAMS ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet B, Slide 88, of teh Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the northeast corner of said Lot 1, Block A, said point being in the west right-of-way line of State Highway 205 N. Goliad Street (50' R.O.W.);

THENCE S. 00 deg. 20 min. 31 sec. W. along the west line of said State Highway 205 N. Goliad Street, a distance of 104.34 feet to a 1/2" iron rod found for corner at the northeast corner of MISTY ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet G, Slide 135 of the Plat Records of Rockwall County, Texas;

THENCE S. 88 deg. 08 min. 14 sec. W. along the north line of said Misty Addition, a distance of 124.58 feet to a 1/2" iron rod found for corner at the southeast corner of Lot 2, Block A, Adams Addition;

THENCE N. 00 deg. 35 min. 25 sec. E. along the east line of Lot 2, a distance of 104.94 feet to a 1/2" iron rod found for corner at the northeast corner of Lot 2, of said Adams Addition;

THENCE N. 88 deg. 24 min. 18 sec. E. along the north line of said Adams Addition, a distance of 124.11 feet to the POINT OF BEGINNING and containing 13,001 sqaure feet or 0.30 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as ADAMS ADDITION, LOT 3, BLOCK A, an Addition to the City of Rockwall, Texas and whose name is subscribed hereto, hereby dedicated to the use of public forever all streets, alleys parks water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasional by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exaction's made herein.

R.D. VANDERSLICE

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared R.D. VANDERSLICE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 20__.

Notary Public in and for the State of Texas My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal useand fire protection within such plat, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of ADAMS ADDITION, LOT 3, BLOCK A, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, _____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____, _____.

Mayor, City of Rockwall City Secretary City of Rockwall

City Engineer Date

FINAL PLAT

ADAMS ADDITION
LOT 3. BLOCK A

13,001 S.F. OR 0.30 ACRES
BEING A REPLAT OF
LOT 1, BLOCK A
ADAMS ADDITION

A PART OF THE S.S. McCURRY
SURVEY, ABSTRACT NO. 146
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER:
R.D. VANDERSLICE
1408 S. LAKESHORE DRIVE
ROCKWALL, TEXAS 75087
972-989-1069

SHEET 2 OF 2

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE JULY 18, 2014
SCALE 1" = 20' FILE # 20140267-RP
CLIENT VANDERSLICE GF # NONE

CITY CASE NO P2014-

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **October 1, 2014**

SUBJECT: **New Restroom Facility at Tuttle Sports Complex**

Approved in the Recreation Development budget is $135,000 for a permanent precast concrete flush toilet facility to be built at the east end of Tuttle Sports Complex. This new restroom will be the same structure as the rest rooms built in 2004 at Myers Park and one built in 2007 at Yellow Jacket Ball Park. We would use the same construction company, CXT Precast Products and the cost of this new facility is $110,409.37. Attached for your information is the CXT construction proposal. The remaining budget dollars will be used to provide facility electrical, water, sewer and the foundation which are not included in the CXT construction contract.

CXT is a Texas Multiple Award Schedule (TXMAS) contract vendor. TXMAS is a program created by the State of Texas Building and Procurement Commission to adapt existing competitively awarded government contracts to the procurement needs of the State. As a member and participant in the State's cooperative procurement program, the City may use the TXMAS contracts and therefore has met all formal bidding requirements pertaining to the purchase of this facility.

Staff would like City Council to consider awarding this contract to CXT and authorize the City Manager to enter into a construction agreement.

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Quote #: DROG4004YR-1

CXT®, Inc. an L.B. Foster Company

Mailing Address:
CXT Incorporated, an LBFoster Co.
3808 North Sullivan Road Bldg. #7
Spokane Valley, WA 99216

Phone: (800) 696-5766
Fax: (509) 928-8270
Date: 09/18/2014

To: **City of Rockwall**
385 S. Goliad
Rockwall, TX 75087
Attention: Andy Hesser
Phone: (972) 771-7761
Fax: (972) 771-7762

Re: TXMAS Contract # TXMAS-5-560100

Our quotation for the Montrose Flush Building building is as follows:

	Per Building
Montrose multi-user flush building with standard simulated cedar shake roof and barnwood wall texture, three 16-gauge galvanized steel doors and frames, vitreous china plumbing fixtures (2-lavatories, 3-water closets, 1-urinal), three 3-roll toilet paper holders, two exhaust fans, three GFI outlets, five floor drains, two s/s mirrors, ADA grab bars, ADA signs, one hose bib in chase area, and motion controlled interior lights and photo cell controlled exterior lights. Building price includes offloading by crane at accessible site. "Full Install" price includes final connection from building to utility lines stubbed 12" above top of Customer prepared gravel pad. Price does not include under slab utility lines or gravel building pad.	$82,216.25

	Qty	Ext. Price
Ribbed Metal Roof	1	$870.52
Green Roof	1	$338.53
Horizontal Lap/Napa Valley Wall	1	$5,500.00
Natural Honey Wall	1	Included
Electronic Locks	1	$3,012.98
Saniflow SS Hand Dryer	2	$2,031.22
30 Gallon Electric Tank WH	1	$725.43
Haws Drinking Fountain w/Bars	1	$2,611.57
Standard S/S Skylight	4	$3,138.56
Stamped Drawings	1	$0.01
State Fees - TX	1	$0.01
Full Install	1	$3,869.00
Hunter Green Stall Doors & Pilas		$400.00
Add Drinking Fountain Chiller		$1,195.29
Freight		$4,500.00
		$110,409.37

FOB: FOB Hillsboro, TX Prepaid and Add.

Terms: Net 30 with Credit Approval. TXMAS terms apply to orders. Please reference TXMAS contract # TXMAS-5-560100 on all purchase documents.

Shipment: 90 Days ARO

Notes: Sales tax not included
Number of Units: ___

Quote #: DROG4004YR-1

CXT®, Inc. an L.B. Foster Company

Mailing Address:
CXT Incorporated, an LBFoster Co.
3808 North Sullivan Road Bldg. #7
Spokane Valley, WA 99216

Phone: (800) 696-5766
Fax: (509) 928-8270
Date: 09/18/2014

To: **City of Rockwall**
385 S. Goliad
Rockwall, TX 75087
Attention: Andy Hesser
Phone: (972) 771-7761
Fax: (972) 771-7762

Re: TXMAS Contract # TXMAS-5-560100

This quotation is subject to the conditions on the attached sheet and the terms hereof shall constitute the exclusive agreement of the parties and all conflicting or additional terms in Buyer's purchase order or any other such documents of Buyer shall have no force or effect.

Accepted this _____ day of _____ 20_____

By:_____ (Customer Name)

_____ (Signed)

L.B. FOSTER COMPANY

By _____

David Rogers
drogers@lbfoster.com

CONDITIONS OF SALE

1 Taxes: Prices exclude all Federal/State/Local taxes. Tax will be charged where applicable if customer is unable to provide proof of exemption.

2 Payment Terms

Payment to CXT by the purchaser shall be made net 30 days after the submission of the invoice to the purchaser. Interest at a rate equal to the lower of (i) the highest rate permitted by law; or (ii) 1.5% per month will be charged monthly on all unpaid invoices beginning the 35th day (includes 5 day grace period) from the date of the invoice. Under no circumstances can a retention be taken and purchaser shall pay the full invoiced amount without offset or reduction. These terms are available upon approval of credit. If CXT initiates legal proceeding to collect any unpaid amount or other dispute arising out of or relating to this Quote, purchaser shall be liable for all of CXT's costs, expenses and attorneys fees associated with such litigation, including the fees and costs of any appeal

3 Quotation Term: This offer is subject to acceptance within 60 days from the date of this quotation. After that time, prices are subject to change without notice.

4. Drawings

Prices do not include any documentation other than standard drawings, packing lists, and invoices, unless otherwise stated in quote. Special documentation, reports, or submittals can be supplied at an additional cost. If additional engineering, engineering seals, state approvals, drawings, or insignias are required additional charges may incur.

5. Delivery

Delivery will be scheduled immediately upon receipt of written customer approval of all building submittals, building worksheet(s) and signed contract/purchase order. In the event delivery of the buildings ordered is/are not completed within 30 days of the agreed to schedule through no fault of CXT, an invoice for the full contract value (excluding shipping and installation costs) will be submitted for payment, the terms of which will be as per item 2 in our quotation. Delivery and installation charges will be invoiced at the time of delivery and installation. Should the delivery and installation costs increase due to changes in the delivery period, this increase in cost will be added to the price originally quoted, and will be subject to the contract payment terms. In the event that the delivery is delayed more than 45 days after the agreed to schedule and through no fault of CXT, then in addition to the remedies above, a storage fee of *Va%* of contract price per month or part of any month will be charged.

6. Fuel Costs

Fuel costs for crane and freight have been quoted at fuel prices furnished at the time of quotation. If at the time of delivery and installation these costs have risen, CXT reserves the right to adjust the freight and crane costs to reflect the fuel costs furnished at the time of delivery.

7. Responsibilities of the Customer

A. Stake exact location building is to be set, including orientation.

B. Provide clear and level site, free of overhead and/or underground obstructions.

C. Provide site accessible to normal highway trucks and sufficient area for the crane to install and other equipment to perform the contract requirements

D. Customer shall provide notice in writing of low bridges, roadway width or grade, unimproved roads or any other possible obstacles from State highway and/or main county road to site. CXT reserves the right to charge the customer for additional costs incurred for special equipment required to perform delivery and installation.

E. Customer is responsible for all permits required.

F. Completing and complying with Pre-Order Information Worksheet that is incorporated herein by this reference.

8. Access to Site

For Installation methods described below in paragraph 9 A & B, delivery will be made in normal highway trucks and trailers. If at the time of delivery conditions of access are hazardous or unsuitable for truck equipment for any reason, CXT shall be entitled to payment for extra costs to ensure a safe and quality installation to the chosen site or will agree to an alternative site with better access.

To safely offload the facility referred to within this quotation, CXT must have clear and unobstructed access next to the gravel pad or hole where the facility will be placed. CXT is not responsible for cracked or damaged roads, driveways, sidewalks or aprons that are in the path of the delivery trucks or cranes at the final offloading site. Should CXT be required to obtain a larger crane than quoted due to site amenities or hardscapes, CXT will charge the customer the difference between the crane originally quoted, and the one that was hired to successfully offload the facility safely and efficiently.

9. Installation

A. **Full Install.** If the customer opts to have full installation of their new building, CXT will provide a backhoe trailered into the site, and prepare the customer site at the marked hole/pad area. The crane will arrive and set up next to the hole/pad. Any requirements to lift the building over obstacles or not having the ability of the crane to be right next to the hole could incur additional charges. The size of the crane varies however most cranes require an area of 18'x18' for their outriggers. Truck(s) carrying the vaults and the building systematically pull up right next to the crane and are offloaded onto the site. Any requirements to lift the building over obstacles or not having the ability of the truck to be right next to the crane could incur additional charges. Installation crew then performs all necessary excavation, backfill, compaction, site grading, and connection of utilities (if applicable). Please note: additional time and any special equipment needed by the installation crew for unscheduled site work will be billed to the customer.

B. **Set-Only Install.** If the customer opts to prepare the hole, and do earthwork preparation for the site, the customer will move all excess dirt to allow access by the crane and semi-truck. The crane will arrive and set up next to the hole/pad. Any requirements to lift the building over obstacles or not having the ability of the crane to be right next to the hole could incur additional charges. The size of the crane varies however most cranes require an area of 18'x18' for their outriggers. Truck(s) carrying the vaults and the building systematically pull up right next to the crane and are offloaded onto the site. Any requirements to lift the building over obstacles or not having the ability of the truck to be right next to the crane could incur additional charges. Customer performs all necessary excavation, backfill, compaction, site grading, connection of utilities (if applicable). If the pad for a flush building, or a customer prepared excavation/ hole prep is not to CXT specifications, and results in extra costs the customer will be responsible for these extra costs.

C. **Ship-Only**. If customer opts to self-install their building CXT can provide a drawing of the recommended lifting /rigging arrangement plus the four special lifting plates for the buildings itself with a refundable deposit of $1,000.00 payable by credit card only. The customer must return lifting plates and hardware to CXT (at customers cost) within 2 weeks (14) days or a $1,000.00 fee will be charged to the customer credit card. Please note: It is highly recommended that you use our lifting/rigging arrangements. The CXT arrangements will help prevent damage to the building. CXT will not take responsibility for any damage/accidents to the building or workers during the use or non-use of our recommended lifting/rigging arrangements.

D. CXT shall be entitled to reimbursement from customer for any expenses that are the result of conditions encountered at the site which are (1) subsurface or otherwise concealed physical conditions which differ materially from those indicated by the customer or (2) unknown physical conditions of an unusual nature, which differ materially from those ordinarily found to exist and generally recognized as inherent in construction activities at the customer 's location.

E. Should customer request additions or changes to the work, CXT shall be entitled to payment for additional or changed work. Any request for additions or changed work shall be in writing executed by Customer Field Representative by signing the additional work required section of the Building Acceptance Form, incorporated herein by this reference.

10. Transportation

Your building(s) will be transported from our plant to your installation site via semi-truck with trailer. The length and clearance vary with the style of trailer used to accommodate your building model(s) and must be taken into consideration when determining access to site. If you ordered a(n)....

Cascadian/Rocky Mountain - Requires 1 truck: When shipped in 2-pieces (standard) the building with vault is shipped on a flatbed trailer. The length of the

tractor-trailer can be up to 75' long. Must have a 14' height clearance to access site.

Gunnison - Requires 1 truck: Shipped with its vault, this building is typically shipped on a step-deck trailer. The length of the tractor-trailer can be up to 75' long. Must have 14' height clearance to access site.

Tioga Special - Requires 2 trucks: 1 to transport the building and 1 to transport vaults. The building is typically shipped on a step-deck trailer and 2 vaults are typically transported on a flatbed trailer. The length of the tractor-trailer can be up to 75' long. Must have 14' height and 14' width clearance to access site.

Dbl Cascadian/Dbl Rocky Mountain - Requires 2 trucks: 1 to transport the building and 1 to transport the vaults. The building is typically shipped on a dbl-drop or low boy trailer (approximate ground clearance of 4 to 6") and the 2 vaults are typically transported on a flatbed trailer. The length of the tractor-trailer can range from 75' to 80'. Must have 14' height and 14' width clearance to access site.

Cortez/Ozark I/Teton/Pioneer - Requires 1 truck. Generally shipped on a step-deck trailer. The length of the tractor-trailer can be up to 75' long. Must have a 14' height and 14' width clearance to access site.

Large Flush, Sectional, or Custom Bldgs -

(Arapahoe/OzarkII/Cheyenne/Montrose/Taos/Rainier/PomonayNavajo/Malibu/Kodiak/FontanayDiablo/Denali)

Requires 2-4 trucks, depending on size of building. Each section will be shipped on an RGN trailer (approximate ground clearance of 4 to 6"). The length of the tractor-trailer can range from 80' to 115'. Must have 14' height and 14' width clearance to access site. The Denali model could ship on either an RGN trailer or a dbl-drop.

Schweltzer/Mendocino - Requires 1-2 trucks, depending on size of building. Generally shipped on a step-deck trailer. The length of the tractor-trailer can be up to 75' long. Must have 14' height and 14' width clearance to access site.

11 CXT Warranty

CXT warrants that all structures sold pursuant hereto will, when delivered, conform to specifications of the building listed on the quote. Structures shall be deemed accepted and meeting specifications unless notice identifying the nature of any non- conformity is provided to CXT in writing within one (1) year of delivery. It is specifically understood that CXT's obligation hereunder is for credit or repair only. CXT will repair structural defects against materials and workmanship for one (1) year from date of delivery provided CXT is first given the opportunity to inspect said structure. CXT warranties all components sold within all structures pursuant here to when delivered within structures. Components deemed accepted and meeting specifications shall be warranted for a period of one (1) year against defects in the materials and/or workmanship from said date of delivery. CXT is not responsible for components that are damaged due to misuse, acts of violence, negligence, acts of God, or accidents. Shipping, handling, installation or other incidental or consequential costs, unless otherwise agreed to in writing by CXT, are not included.

This warranty shall not apply to:

Any goods which have been repaired or altered without CXT's express written consent, in such a way as in the reasonable judgment of CXT, to adversely effect the stability or reliability thereof;

To any goods which have been subject to misuse, negligence, acts of God, or accidents;

To any goods which have not been installed to manufacturer's specifications and guidelines, improperly maintained, or used outside of the specifications for which such goods were designed.

12. Disclaimer of Other Warranties

THE WARRANTY SET FORTH ABOVE IS IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED. ALL OTHER WARRANTIES ARE HEREBY DISCLAIMED. CXT MAKES NO OTHER WARRANTY EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION, NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR USE.

13. Limitation of Remedies

In the event of any breach of any obligations hereunder; breach of any warranty regarding the goods, or any negligent act or omission of any party, the parties agree to submit all claims to binding arbitration. Any settlement reached shall include all reasonable costs including attorney fees. In no event shall CXT be subject to or liable for any incidental or consequential damages. Without limitation on the foregoing, in no event shall CXT be liable for damages in excess of the purchase price of the goods herein offered

14. Acceptance

The foregoing terms will be deemed accepted in full by signature and return of one copy to CXT, subject to customer credit approval. A copy of any applicable form of payment security device (i.e. payment bonds) available to CXT shall be included with the signed copy of this agreement.

15. Timing of Billing to Buyer

Seller will invoice Buyer upon shipment from its supplier or facility, unless otherwise indicated on the face of this document.

16. Storage of Material For Buyer

If, at Buyer's request, goods covered by this document are held at Seller's facility or service provider for more than 21 days after they are available for shipment, Buyer shall accept Seller's invoice and pay said invoice based on payment terms set forth herein.

17. Material Reservation

Seller will only reserve material for 30 days with receipt of an executed purchase order, quote or order acknowledgement acceptable to Seller. After that time, material availability, price and shipment date may be adjusted, at Seller's option.

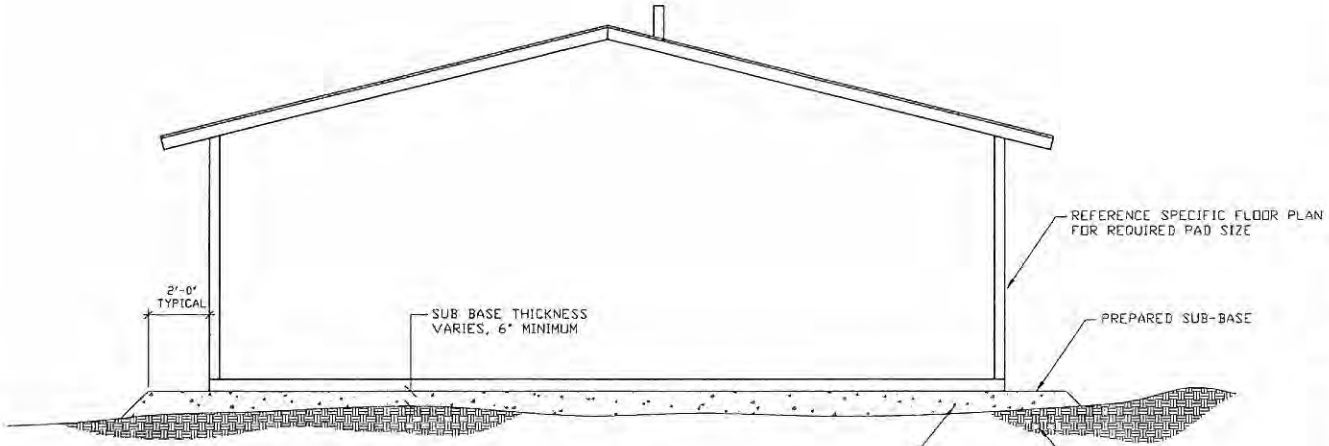
NOTE

THIS FACTORY ASSEMBLED BUILDING AS CONSTRUCTED PROVIDES A RIGID BOX TYPE STRUCTURAL SYSTEM. VERTICAL LOADS ARE TRANSFERRED PRIMARILY THROUGH BEARING WALLS TO A PREPARED GRANULAR SUB-BASE WHICH DISSIPATES VERTICAL LOADS UNIFORMLY TO THE NATIVE SUBGRADE AND ALSO ACTS AS A FROST BARRIER. DUE TO THE INHERENT STIFFNESS OF THE BUILDING, IT WILL REMAIN SAFE AND STRUCTURALLY SOUND IN THE UNLIKELY EVENT OF FREEZING ACTION BELOW THE BUILDING.

LATERAL LOADS ARE TRANSFERRED TO THE GROUND THROUGH FRICTIONAL RESISTANCE WITHOUT SLIDING OR SHIFTING BETWEEN THE BUILDING FLOOR SLAB AND THE PREPARED SOIL AND GRAVEL SUB-BASE ON WHICH THE BUILDING RESTS. SEISMIC ANALYSES ARE BASED ON LOADS DETERMINED IN ACCORDANCE WITH THE 2003 INTERNATIONAL BUILDING CODE USING THE FOLLOWING PARAMETERS, WHICH MEET OR EXCEED THE CODE PRESCRIBED REQUIREMENTS FOR THIS INSTALLATION:

SPECTRAL ACCELERATIONS SS = 3.41 & S1 = 1.59
BEARING WALL SYSTEM WITH CONCRETE SHEAR WALLS, R = 5.5 & OMEGA0 = 2.5
SITE CLASS D
SEISMIC USE GROUP = I
20% OF THE 250 PSF SNOW LOAD IS INCLUDED TO DETERMINE SEISMIC LOADS
SOIL/CONCRETE FRICTION FACTOR = 0.35

THIS BUILDING, AS DESIGNED, RESTING ON A PROPERLY PREPARED GRANULAR SUB-BASE WILL BE SAFE AND STRUCTURALLY SOUND FOR VERTICAL AND LATERAL LOADS AS DISCUSSED ABOVE. A FULL DEPTH FOUNDATION WALL AT THE BUILDING PERIMETER, TYPICAL FOR OTHER TYPES OF BUILDING CONSTRUCTION, IS NOT REQUIRED FOR THIS BUILDING.



PRIOR TO PLACEMENT OF BUILDING A PROPERLY PREPARED SUB-BASE SHALL BE PROVIDED. SUB-BASE SHALL BE A MINIMUM OF 6" THICK AND CONSIST OF ¾" MINUS CRUSHED ROCK COMPACTED TO 95% OF OPTIMUM DENSITY IN ACCORDANCE WITH ASTM D 1557. FINISHED SURFACE OF SUB-BASE SHALL BE UNIFORMLY LEVEL, NOT VARYING MORE THAT ½" FROM A TRUE HORIZONTAL PLANE. REFER TO BUILDING HANDLING SHEET FOR SUB-BASE REQUIREMENTS DURING BUILDING PLACEMENT. (PREPARED SUB-BASE NOT BY CXT)

CXT
Precast Products

CXT STANDARD BUILDING

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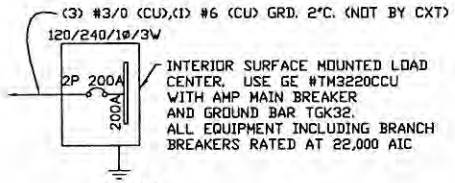
CXT Incorporated

REV	DESCRIPTION	APPROVED	DATE
SCALE	3/8"=1'-0"	DATE	03-14-07
DRAWN	ROB D WALKER	FILE NO.	07-060P
CHECKED		PLOT	32

GRAVEL PAD DETAIL

DWG NO. | SHEET | REV

94



ONE-LINE POWER DIAGRAM

NTS

LOAD CENTER A – SCHEDULE 120/240 VOLT–200 AMP SURFACE MOUNTED					
CIRCUIT NUMBER	BREAKER NUMBER	VOLTAGE	POLES	AMPS	DESCRIPTION
1	1	120	1	20	LIGHTS – EXTERIOR
2	2	120	1	20	EXHAUST FANS
3	4	120	1	20	LIGHTS – UTILITY
4	2	120	1	20	RECEPTACLE – MEN
5	5	120	1	20	LIGHTS – MEN
6	6	120	1	20	RECEPTACLE – WOMEN
7	7	120	1	20	LIGHTS – WOMEN
8	8	120	1	20	RECEPTACLE – UTILITY
9	9	120	1	20	HAND DRYER – MEN
10	10	240	2	30	WATER HEATER
11	11	120	1	20	HAND DRYER – WOMEN
12	12				WATER HEATER
CALCULATED LOAD INCLUDING ALL OPTIONS IS 9,961 VA OR 42 AMPS					

NOTE: MAXIMUM ALLOWABLE AIC IS 22K AMPS. PANEL MODIFICATIONS WILL BE REQUIRED (NOT BY CXT) IF TRANSFORMER CAPACITY EXCEEDS 175 KVA.

GENERAL ELECTRICAL NOTES

1. RECESSED JUNCTION BOXES FOR SINGLE DEVICES SHALL HAVE SINGLE GANG MUD RINGS CAST IN CONCRETE WALLS.
2. ALL RECEPTACLES SHALL BE GFCI PROTECTED BY CIRCUIT BREAKERS, OR BY OTHER GFCI RECEPTACLES.
3. ALL CONDUIT SHALL BE SIZED PER NEC. EXPOSED CONDUIT SHALL BE EMT/FMC, RECESSED SHALL BE LFNC.
4. INSTALL ALL WIRING IN CONDUIT OR RELATED ENCLOSURES.
5. ALL ELECTRICAL INSTALLATIONS SHALL MEET THE 2002 VERSION OF THE NATIONAL ELECTRICAL CODE.
6. MINIMUM WIRE SIZE SHALL BE #12 AWG COPPER, THHN INSULATION UNLESS NOTED OTHERWISE.
8. ROUTE ALL CONDUITS IN UTILITY ROOM AT CEILING OR FACE OF WALLS.
9. PROVIDE A MOTOR RATED SWITCH FOR DISCONNECT TO HAND DRYER LOCATED IN UTILITY CHASE.
10. ELECTRICAL DRAWINGS ARE DIAGRAMMATIC IN NATURE & MAY NOT SHOW EXACT LOCATIONS OF DEVICES. REFER TO WALL PANEL & OTHER DRAWINGS FOR EXACT LOCATIONS OF J-BOXES, ETC..
11. PROVIDE 2 POLE 30A DISCONNECT FOR WATER HEATER. WATER HEATER CIRCUIT TO BE #10 AWG.

LIGHTING FIXTURE SCHEDULE			
FIXTURE NUMBER	VOLTAGE	WATTS	DESCRIPTION
A	120	58	WALL MOUNTED, VANDAL RESISTANT, TWO F032T8 LAMPS, 4 FT, WRAPAROUND LENS, LOW TEMPERATURE BALLAST, OCCUPANCY SENSOR ACTIVATED WITH PHOTOCELL CONTROLLED NIGHT LIGHT.
B	120	43	EXTERIOR, VANDAL RESISTANT, WALL MOUNTED, 35 WATT, HIGH PRESSURE SODIUM, ALUMINUM REFLECTOR, BRONZE FINISH, REMOTE PHOTOELECTRIC CONTROL
C	120	69	SURFACE MOUNTED, TWO F032T8 LAMPS 4' FT, WRAP AROUND LENS, LOW TEMPERATURE BALLAST, SWITCH CONTROL

NOTE : THE SOURCE OF EFFICACY OF EXTERIOR LIGHTING IS TO BE A MINIMUM OF 45 LUMENS PER WATT.

EXHAUST FAN SCHEDULE							
SYM	MFR	MODEL #	CFM	SONES	VOLTS	AMPS	NTS.
EF-1	BROAN	508MG	270	6.0	120	1.7	1

NOTE 1: WITH BROAN #57V SPEED CONTROL, MOUNTED IN CHASE.

CXT Precast Products
901 N. Highway 77
Hillsboro, TX 76645

PROJECT TITLE
MONTROSE
CXT STANDARD BUILDING

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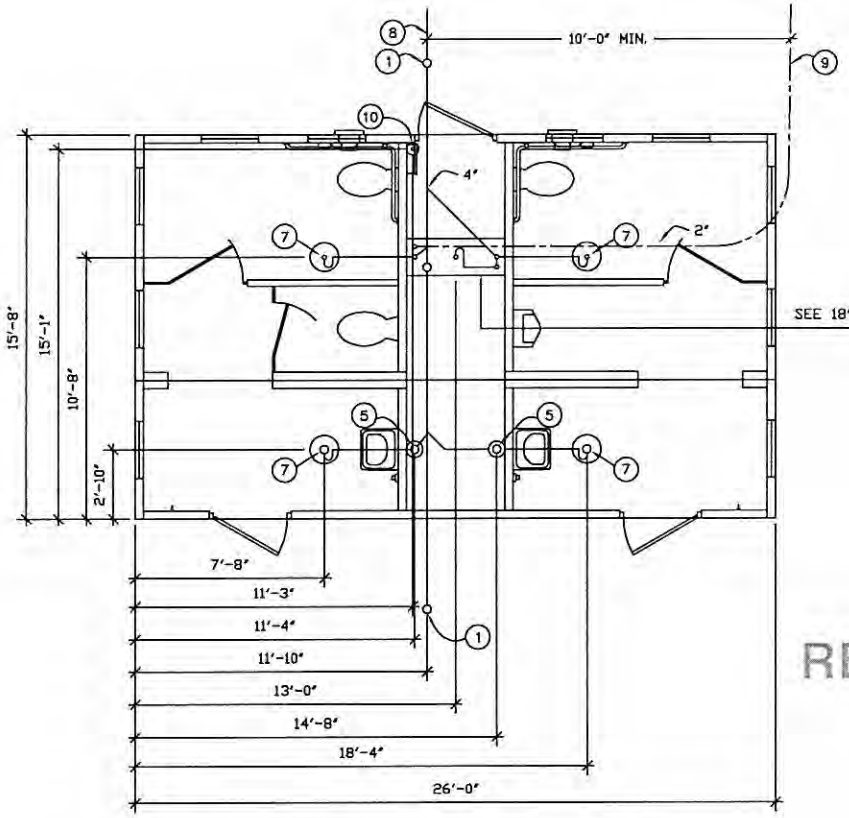
CXT Incorporated

REV.	DESCRIPTION	APPROVAL	DATE
SCALE	1/2"=1'-0"	DATE	05-30-07
DRAWN	D BRESSLER	FILE NO.	M-136
CHECKED		PLOT	24

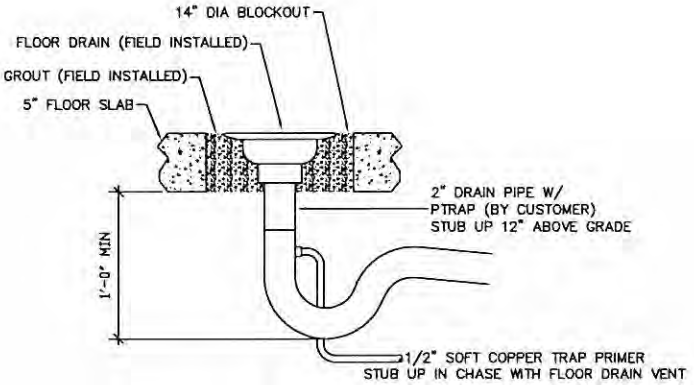
ELECTRICAL DETAILS & SCHEDULES

DWG NO. M-30 | SHEET 30/33 | REV.

ALL PIPING INDICATED ON THIS SHEET IS NOT BY CXT



FLOOR DRAIN BLOCKOUTS & BELOW FLOOR PIPING

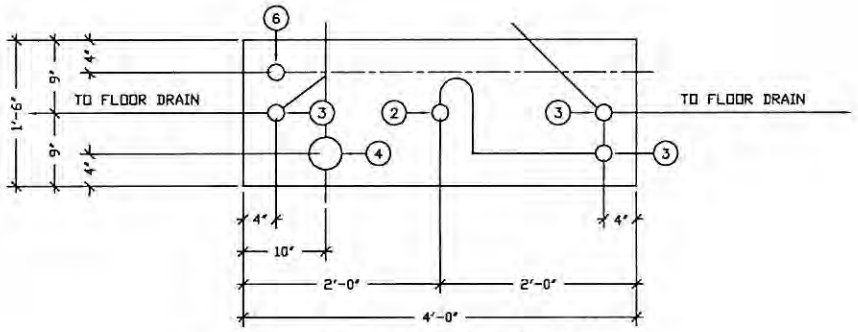


FLOOR DRAIN DETAIL

BELOW FLOOR PIPING - KEY NOTES

1. 4" CLEAN OUT TO GRADE.
2. 2" FLOOR DRAIN. FIELD INSTALLED TRAP PRIMER SYSTEM IF REQUIRED BY AUTHORITY HAVING JURISDICTION. (1'-6"x4'0" BLOCKOUT)
3. 2" VENT PIPES EXTENDED 12" ABOVE FINISHED FLOOR LEVEL, PROVIDE TEST PLUG. (1'-6"x4'0" BLOCKOUT)
4. 4" WASTE PIPE EXTENDED 12" ABOVE FINISHED FLOOR LEVEL, PROVIDE TEST PLUG. (1'-6"x4'0" BLOCKOUT)
5. 2" VENT PIPES EXTENDED 12" ABOVE FINISHED FLOOR LEVEL, PROVIDE TEST PLUG. (8"ø BLOCKOUT)
6. 2" TYPE K ANNEALED "SOFT" COPPER WATER SERVICE EXTENDED 12" ABOVE FINISHED FLOOR LEVEL, PROVIDE CAP AT END. (1'-6"x4'0" BLOCKOUT)
7. 2" FLOOR DRAIN. FIELD INSTALLED TRAP PRIMER SYSTEM IF REQUIRED BY AUTHORITY HAVING JURISDICTION. (14"ø BLOCKOUT)
8. 30" MIN. BURY, PROVIDE TRACER TAPE.
9. MIN. BURY PER LOCAL REQUIREMENTS TO PROTECT AGAINST FREEZING AND DAMAGE.
10. ELECTRICAL STUB UP, (6"ø BLOCKOUT)

FOR REFERENCE ONLY



18" x 48" BLOCKOUT DETAIL

PIPING LEGEND

- BELOW FLOOR WASTE PIPING SCH 40 ABS TYPE DWV
- 2" TYPE "K" ANNEALED "SOFT" COPPER WATER SERVICE
- BELOW FLOOR VENT PIPING SCH 40 ABS TYPE DWV

THIS DRAWING IS SUPPLIED FOR REFERENCE ONLY. PLEASE CONTACT CXT ENGINEERING DEPARTMENT FOR BUILDING SPECIFIC CONTROLLED DOCUMENTS PRIOR TO ANY FIELD WORK.

CXT Precast Products

PROJECT TITLE
MONTROSE
CXT STANDARD BUILDING

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NO.	DESCRIPTION	APPROVED	DATE
SCALE	1/4"=1'-0"	DATE	04-28-08
DRAWN		FILE NO.	M-STUB
CHECKED		PLOT	48

FLOOR DRAIN LOCATIONS & BELOW FLOOR PIPING

DWG NO.	SHEET	REV.
M-STUB		

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and Council**

FROM: **Joey Boyd, Director of Internal Operations**

DATE: **September 29, 2014**

SUBJECT: **Contract with Rockwall County Committee on Aging**

As part of the budget process, Margie VerHagen, Executive Director of Rockwall County Committee on Aging, requested funding for nutritional / senior service programs provided in Rockwall.

RCCOA's request of $30,000 was approved in the operating budget for this fiscal year. Attached for the Council's review is a contract with RCCOA for 2014-2015.

Staff asks the Council to consider the proposed contract and authorize the City Manager to enter into an agreement with Rockwall County Committee on Aging for nutritional and senior service programs in the City of Rockwall.

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AGREEMENT FOR NUTRITIONAL PROGRAMS FOR THE ELDERLY AND DISABLED

STATE OF TEXAS §
COUNTY OF ROCKWALL § **KNOW ALL MEN BY THESE PRESENTS:**

THIS AGREEMENT is entered into by the **CITY OF ROCKWALL, COUNTY OF ROCKWALL, TEXAS (hereinafter referred to as "City"),** a municipal corporation, acting by and through Rick Crowley, City Manager, its duly authorized representative and **ROCKWALL COUNTY COMMITTEE ON AGING, INC. (hereinafter referred to as "Committee", a nonprofit Texas corporation)**, acting by and through Margie VerHagen, its duly authorized representative. The parties do hereby covenant and agree as follows:

Section 1. **Grant**. For and in consideration of compliance by the Committee with covenants and conditions herein set forth, and the ordinances and regulations of the City, the City hereby contracts with the Committee to provide certain nutritional programs to the elderly and disabled within the corporate limits of the City.

Committee shall conduct operations in accordance with all federal, state and local laws that exist at the time of the execution of this agreement and any additional laws, regulations, or requirements that may become effective during the term of this agreement. In addition, Committee agrees to conduct operations in accordance with the description of services outlined in Attachment "A" attached hereto and made a part hereof for all purposes. Committee shall be responsible for obtaining any permits or licenses required to fulfill its obligations under this agreement.

Section 2. **Payment.** City agrees to pay Committee the sum of **Thirty Thousand Dollars and No/Cents ($30,000.00)** for the provision of certain nutritional / service programs to the elderly and disabled. Said payments shall be made on the following dates: **December 31, 2014 for 1st Quarter, March 31, 2015 for 2nd Quarter, June 30, 2015 for 3rd Quarter, and September 30, 2015 for 4th Quarter Upon Receiving a Quarterly Report and Invoice.**

Section 3. **Term**. This agreement is to take effect and continue and remain in full force and effect for a period to expire on September 30, 2015.

Section 4. **Scope and Nature of Operation.** It is expressly agreed and understood that the Committee shall provide the services as outlined in Attachment "A" continuously during the contract period.

Section 5. **Surety and Cancellation.** If at any time, the City Council determines that the Committee has failed to perform, or performed in an unacceptable manner, any of the terms, covenants or conditions herein set forth, the City may revoke and cancel this agreement. The City Council shall be the sole judge of whether the Committee has failed to perform. The Committee shall be given written notice at least 10 days prior to consideration by the City Council of such action. Should the City Council revoke this agreement, the Committee shall be responsible for reimbursing the City on a pro-rata basis any unearned funds paid by the City.

Section 6. **Complaint Handling by the Committee.** Committee shall, at its own expense, provide a locally accessible telephone number and will answer calls from 8:00 a.m. until 5:00 p.m. daily, Monday through Friday, excluding such holidays as may be approved by the City, for the purpose of handling complaints and other calls regarding services provided by

the Committee. The Committee shall maintain a log of all complaints and disposition of the complaints. This log shall be submitted to the City on a monthly basis. All complaints shall be given prompt and courteous attention and when possible, shall be resolved within a 24-hour period.

Section 7. **Vehicular Identification.** There are no vehicle identification requirements at this time. Provided that such markings or identification becomes necessary during the term of this agreement, the parties agree to implement such markings, and if so, will be the responsibility of the Committee.

Section 8. **Reporting.** The Committee shall provide quarterly reports to the City detailing the following:

Nutritional Programs for the Elderly and Disabled

a. Number of users – average daily and monthly totals

b. Type of services provided

c. Complaint logs

Section 9. **Books and Records.** The Committee agrees to maintain adequate books and records relating to their performance under the provisions of the Agreement. The City may request from the Committee specific periodic reports containing information deemed necessary by the City. The records of the Committee applicable to the performance of this agreement shall and will be available when wanted for inspection by the City at any time during normal working hours upon 10 days written request.

Section 10. **Indemnification Insurance.** The Committee assumes risk of loss or injury to property or persons arising from any of its operations under this agreement and agrees to indemnify and hold harmless the City from all claims, demands, suits, judgments, costs or expenses, including expenses of litigation and attorney's fees, arising from any such loss or injury. It is expressly understood that the foregoing provisions shall not in any way limit the liability of the Committee. The Committee shall require that all drivers carry at all times, in the vehicle, insurance certificates of financial responsibility.

Section 11. **Assignment.** No assignment, transfer, subletting, conveyance or disposition of this agreement or any right occurring under it shall be made in whole or in party by the Committee without the prior written consent of the City Council. In the event the Committee assigns, transfers, sublets, conveys, or disposes of this agreement without the prior consent of the City Council, the City may, at its discretion, terminate this agreement.

Section 12. **Venue.** This agreement shall be considered consummated in Rockwall County, Texas. All actions brought hereunder shall be brought in Rockwall County, Texas.

Section 13. **Modification.** This agreement constitutes the entire agreement and understanding between the parties hereto, and it shall not be considered modified, altered, changed, or amended in any respect unless modified by approval of the City Council as provided herein.

Section 14. **Right to Require Performance.** The failure of the City at any time to require performance by the Committee of any provisions hereof shall in no way affect the rights of the City thereafter to enforce the same. No waiver by the City of any breach of any provisions hereof shall be taken or held to be a waiver of any provision itself.

Section 15. **Illegal Provisions.** If any provision of this agreement shall be declared illegal, void or unenforceable, the other provisions shall not be affected and shall remain in full force and effect.

Section 16. **Notices.** Any notice required or permitted to be delivered hereunder shall be in writing and shall be deemed to be delivered, whether or not actually received, when deposited in the United States Mail, postage prepaid, certified mail, return receipt requested, addressed to a respective party at the addresses set forth below:

If intended for the City:	City of Rockwall Attention: City Secretary 385 S. Goliad Rockwall, Texas 75087
If intended for Committee:	Rockwall County Committee on Aging Attention: Executive Director 950 Williams Street, Suite 200 Rockwall, Texas 75087

Section 17. **Approval by the City.** This agreement shall not be considered fully executed, nor binding on the City, until the same shall have been executed by Committee, the City Manager and the City Secretary.

Section 18. **Effective Date.** This contract shall be effective on the ____ day of

_____, 2014.

CITY OF ROCKWALL, TEXAS

ATTEST:

_____
Richard Crowley, City Manager

_____
Kristy Ashberry, City Secretary

_____
Date

[S E A L]

ROCKWALL COUNTY COMMITTEE ON AGING, INCORPORATED

_____

Marge VerHagen, Executive Director

_____

Date

ATTACHMENT A
Nutritional / Service Programs

Nutritional Programs

Title III

C-1 Congregate Meals

- Clients over 60 years old receive nutritious meals at a Senior Center.
- Meals should provide 1/3 of the RDA nutrition requirements.
- Meals are served a minimum of 250 days a year.

C-2 Home Delivered Meals

- Meals delivered to eligible homebound seniors due to physical or health reasons.
- Meals should provide 1/3 of the RDA nutrition requirements.
- Meals are delivered a minimum of 250 days a year.

Title IXX and XX

To provide nutritious meals to those who are handicapped or disabled (of any age) and home bound.

- Meals should provide 1/3 of the RDA nutrition requirements.
- Meals are delivered a minimum of 250 days a year as needed.

General Senior Services

Information and educational seminars and symposiums will be sponsored by the Committee concerning benefits counseling, prescription drugs, senior health, training sessions, caregiver support and information, referrals, social events as venues for information and education exchange, ombudsman services, entitlement programs and senior issues, i.e. Medicare/Medicaid information and pharmaceutical assistance, and emergency food bags in the winter.

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ATTACHMENT B
Holidays

The following are closure days for which the Committee will not be providing services but will render services the following working day:

Thanksgiving Day

Christmas Day

New Year's Day

Martin Luther King, Jr. Holiday

Memorial Day

July 4th

Labor Day

Bad Weather days as determined by the Committee pending weather reports and street conditions.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and Council

FROM: Joey Boyd, Director of Internal Operations

DATE: September 29, 2014

SUBJECT: Routine Airport Maintenance Program Grant Agreement

As part of the budget process, the City Council approved funds for maintenance and improvements at the Ralph M. Hall / Rockwall Municipal Airport. The Routine Airport Maintenance Program grant funds up to $100,000.00 per year for each general aviation airport and reimburses local governments 50% of the cost of these smaller projects.

The approved budget includes maintenance of the AWOS - Automated Weather Observation System, painting of both box hangars, and maintenance shop lighting and electrical improvements, and any other smaller projects that may be necessary.

Attached is the FY 2015 RAMP grant agreement for the Ralph M. Hall / Rockwall Municipal Airport for consideration. The City Council is asked to consider the proposed contract and authorize the City Manager to enter into an agreement with the Texas Department of Transportation – Aviation Division for the City of Rockwall to participate in the Routine Airport Maintenance Program.

Texas Department of Transportation
AVIATION DIVISION
125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • 512/416-4500 • FAX 512/416-4510

September 2, 2014

Mr. Joey Boyd, Assistant City Manager
The City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

TxDOT CSJ No.: M1518RCKW
Fund Source: 4363000927

Dear Mr. Boyd:

A FY2015 Routine Airport Maintenance Grant is enclosed for the Ralph M Hall/Rockwall Municipal Airport. The City of Rockwall has participated in the Routine Airport Maintenance Program in past years, and the 2015 grant is provided to continue your maintenance efforts.

The TxDOT CSJ No. M1518RCKW grant for airport maintenance between the City of Rockwall, as airport sponsor, and the Texas Department of Transportation is attached as an Adobe Acrobat document.

The amount of the FY2015 grant is based on previous year grant expenditures - if the amount needs to be adjusted, please let me know. An airport General Maintenance description has been included on Attachment-A Scope of Services so that grant funds can be used for these types of items without having to amend the grant as projects come up. Amendments can be done at your request any time after execution to add special projects or to increase the grant amount.

Please print out the grant and however many additional copies the City of Rockwall may need for retained paper records and execute the Agreement, complete the Certifications, and return the accepted grant as soon as possible. It will be necessary for your attorney to endorse your acceptance of the Agreement to assure that it has been accepted in accordance with local laws. The Grant Agreement and Certifications should have original signatures for acceptance.

TxDOT will be retaining the grant file electronically and will not retain a paper record copy of your executed grant.

If you **do not need a paper copy** of the executed grant returned to you, please scan the fully signed and witnessed grant document and e-mail it to me at megan.caffall@txdot.gov. I will have the grant executed by the state and return an electronic copy of the executed grant to you by e-mail.

If you **need a paper cop(ies)** of the executed grant, please return **all** copies of the fully signed and witnessed documents to:

Mailing Address - ***TxDOT Aviation Division***
125 E. 11th Street
Austin, Texas 78701-2483.

Overnight Address - ***TxDOT Aviation Division***
150 E. Riverside Dr., 5th Floor South Tower,
Austin TX 78704

If you have any questions, or need additional information please contact me at 1-800-687-4568 or megan.caffall@txdot.gov. The Texas Department of Transportation Aviation Division appreciates your participation in preserving and improving the Texas Airport System, and looks forward to working with you at the Ralph M Hall/Rockwall Municipal Airport.

Sincerely,

Megan Caffall

Megan Caffall
RAMP Program Manager

cc: Russell Emerson, Dallas District
Enclosures

TEXAS DEPARTMENT OF TRANSPORTATION
GRANT FOR ROUTINE AIRPORT MAINTENANCE PROGRAM

(State Assisted Airport Routine Maintenance)

TxDOT CSJ No.: M1518RCKW

Part I - Identification of the Project

TO: The City of Rockwall, Texas

FROM: The State of Texas, acting through the Texas Department of Transportation

This Grant is made between the Texas Department of Transportation, (hereinafter referred to as the "State"), on behalf of the State of Texas, and the City of Rockwall, Texas, (hereinafter referred to as the "Sponsor").

This Grant Agreement is entered into between the State and Sponsor shown above, under the authority granted and in compliance with the provisions of the Transportation Code Chapter 21.

The project is for **airport maintenance** at the Ralph M Hall/Rockwall Municipal Airport.

Part II - Offer of Financial Assistance

1. For the purposes of this Grant, the annual routine maintenance project cost, Amount A, is estimated as found on Attachment A, Scope of Services, attached hereto and made a part of this grant agreement.

   State financial assistance granted will be used solely and exclusively for airport maintenance and other incidental items as approved by the State. Actual work to be performed under this agreement is found on Attachment A, Scope of Services. State financial assistance, Amount B, will be for fifty percent (50%) of the eligible project costs for this project or $50,000.00, whichever is less, per fiscal year and subject to availability of state appropriations.

   Scope of Services, Attachment A, of this Grant, may be amended, subject to availability of state funds, to include additional approved airport maintenance work. Scope amendments require submittal of an Amended Scope of Services, Attachment A.

   Services will not be accomplished by the State until receipt of Sponsor's share of project costs.

Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.

Work shall be accomplished by August 31, 2015, unless otherwise approved by the State.

2. The State shall determine fair and eligible project costs for work scope. Sponsor's share of estimated project costs, Amount C, shall be as found on Attachment A and any amendments.

It is mutually understood and agreed that if, during the term of this agreement, the State determines that there is an overrun in the estimated annual routine maintenance costs, the State may increase the grant to cover the amount of the overrun within the above stated percentages and subject to the maximum amount of state funding.

The State will not authorize expenditures in excess of the dollar amounts identified in this Agreement and any amendments, without the consent of the Sponsor.

3. Sponsor, by accepting this Grant certifies and, upon request, shall furnish proof to the State that it has sufficient funds to meet its share of the costs. The Sponsor grants to the State the right to audit any books and records of the Sponsor to verify expended funds.

Upon execution of this Agreement and written demand by the State, the Sponsor's financial obligation (Amount C) shall be due in cash and payable in full to the State. State may request the Sponsor's financial obligation in partial payments. Should the Sponsor fail to pay their obligation, either in whole or in part, within 30 days of written demand, the State may exercise its rights under Paragraph V-3. Likewise, should the State be unwilling or unable to pay its obligation in a timely manner, the failure to pay shall be considered a breach and the Sponsor may exercise any rights and remedies it has at law or equity.

The State shall reimburse or credit the Sponsor, at the financial closure of the project, any excess funds provided by the Sponsor which exceed Sponsor's share (Amount C).

4. The Sponsor specifically agrees that it shall pay any project costs which exceed the amount of financial participation agreed to by the State. It is further agreed that the Sponsor will reimburse the State for any payment or payments made by the State which are in excess of the percentage of financial assistance (Amount B) as stated in Paragraph II-1.

5. Scope of Services may be accomplished by State contracts or through local contracts of the Sponsor as determined appropriate by the State. All locally contracted work must be approved by the State for scope and reasonable cost. Reimbursement requests for locally contracted work shall be submitted on forms provided by the State and shall include copies of the invoices for materials or services. Payment shall be made for no more than 50% of allowable charges.

The State will not participate in funding for force account work conducted by the Sponsor.

6. This Grant shall terminate upon completion of the scope of services.

Part III - Sponsor Responsibilities

1. In accepting this Grant, if applicable, the Sponsor guarantees that:

   a. it will, in the operation of the facility, comply with all applicable state and federal laws, rules, regulations, procedures, covenants and assurances required by the State in connection with this Grant; and

   b. the Airport or navigational facility which is the subject of this Grant shall be controlled by the Sponsor for a period of at least 20 years; and

   c. consistent with safety and security requirements, it shall make the airport or air navigational facility available to all types, kinds and classes of aeronautical use without discrimination between such types, kinds and classes and shall provide adequate public access during the period of this Grant; and

   d. it shall not grant or permit anyone to exercise an exclusive right for the conduct of aeronautical activity on or about an airport landing area. Aeronautical activities include, but are not limited to scheduled airline flights, charter flights, flight instruction, aircraft sales, rental and repair, sale of aviation petroleum products and aerial applications. The landing area consists of runways or landing strips, taxiways, parking aprons, roads, airport lighting and navigational aids; and

   e. it shall not enter into any agreement nor permit any aircraft to gain direct ground access to the sponsor's airport from private property adjacent to or in the immediate area of the airport. Further, Sponsor shall not allow aircraft direct ground access to private property. Sponsor shall be subject to this prohibition, commonly known as a "through-the-fence operation," unless an exception is granted in writing by the State due to extreme circumstances; and

   f. it shall not permit non-aeronautical use of airport facilities without prior approval of the State; and

   g. the Sponsor shall submit to the State annual statements of airport revenues and expenses when requested; and

   h. all fees collected for the use of the airport shall be reasonable and nondiscriminatory. The proceeds from such fees shall be used solely for the development, operation and maintenance of the airport or navigational facility; and

i. an Airport Fund shall be established by resolution, order or ordinance in the treasury of the Sponsor, or evidence of the prior creation of an existing airport fund or a properly executed copy of the resolution, order, or ordinance creating such a fund, shall be submitted to the State. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole. All fees, charges, rents, and money from any source derived from airport operations must be deposited in the Airport Fund and shall not be diverted to the general revenue fund or any other revenue fund of the Sponsor. All expenditures from the Airport Fund shall be solely for airport purposes. Sponsor shall be ineligible for a subsequent grant or loan by the State unless, prior to such subsequent approval of a grant or loan, Sponsor has complied with the requirements of this subparagraph; and

j. the Sponsor shall operate runway lighting at least at low intensity from sunset to sunrise; and

k. insofar as it is reasonable and within its power, Sponsor shall adopt and enforce zoning regulations to restrict the height of structures and use of land adjacent to or in the immediate vicinity of the airport to heights and activities compatible with normal airport operations as provided in Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Sponsor shall also acquire and retain aviation easements or other property interests in or rights to use of land or airspace, unless sponsor can show that acquisition and retention of such interest will be impractical or will result in undue hardship to Sponsor. Sponsor shall be ineligible for a subsequent grant or loan by the State unless Sponsor has, prior to subsequent approval of a grant or loan, adopted and passed an airport hazard zoning ordinance or order approved by the State.

l. mowing services will not be eligible for state financial assistance. Sponsor will be responsible for 100% of any mowing services.

2. The Sponsor, to the extent of its legal authority to do so, shall save harmless the State, the State's agents, employees or contractors from all claims and liability due to activities of the Sponsor, the Sponsor's agents or employees performed under this agreement. The Sponsor, to the extent of its legal authority to do so, shall also save harmless the State, the State's agents, employees or contractors from any and all expenses, including attorney fees which might be incurred by the State in litigation or otherwise resisting claim or liabilities which might be imposed on the State as the result of those activities by the Sponsor, the Sponsor's agents or employees.

3. The Sponsor's acceptance of this Offer and ratification and adoption of this Grant shall be evidenced by execution of this Grant by the Sponsor. The Grant shall comprise a contract, constituting the obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the project and the operation and maintenance of the airport.

If it becomes unreasonable or impractical to complete the project, the State may void this agreement and release the Sponsor from any further obligation of project costs.

4. Upon entering into this Grant, Sponsor agrees to name an individual, as the Sponsor's Authorized Representative, who shall be the State's contact with regard to this project. The Representative shall receive all correspondence and documents associated with this grant and shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor, and coordinate schedule for work items as required.

5. By the acceptance of grant funds for the maintenance of eligible airport buildings, the Sponsor certifies that the buildings are owned by the Sponsor. The buildings may be leased but if the lease agreement specifies that the lessee is responsible for the upkeep and repairs of the building no state funds shall be used for that purpose.

6. Sponsor shall request reimbursement of eligible project costs on forms provided by the State. All reimbursement requests are required to include a copy of the invoices for the materials or services. The reimbursement request will be submitted no more than once a month.

7. The Sponsor's acceptance of this Agreement shall comprise a Grant Agreement, as provided by the Transportation Code, Chapter 21, constituting the contractual obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the airport maintenance and compliance with the assurances and conditions as provided. Such Grant Agreement shall become effective upon the State's written Notice to Proceed issued following execution of this agreement.

PART IV - Nomination of the Agent

1. The Sponsor designates the State as the party to receive and disburse all funds used, or to be used, in payment of the costs of the project, or in reimbursement to either of the parties for costs incurred.

2. The State shall, for all purposes in connection with the project identified above, be the Agent of the Sponsor. The Sponsor grants the State a power of attorney to act as its agent to perform the following services:

   a. accept, receive, and deposit with the State any and all project funds granted, allowed, and paid or made available by the Sponsor, the State of Texas, or any other entity;

   b. enter into contracts as necessary for execution of scope of services;

   c. if State enters into a contract as Agent: exercise supervision and direction of the

project work as the State reasonably finds appropriate. Where there is an irreconcilable conflict or difference of opinion, judgment, order or direction between the State and the Sponsor or any service provider, the State shall issue a written order which shall prevail and be controlling;

d. receive, review, approve and pay invoices and payment requests for services and materials supplied in accordance with the State approved contracts;

e. obtain an audit as may be required by state regulations; the State Auditor may conduct an audit or investigation of any entity receiving funds from TxDOT directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

f. reimburse sponsor for approved contract maintenance costs no more than once a month.

PART V - Recitals

1. This Grant is executed for the sole benefit of the contracting parties and is not intended or executed for the direct or incidental benefit of any third party.

2. It is the intent of this grant to not supplant local funds normally utilized for airport maintenance, and that any state financial assistance offered under this grant be in addition to those local funds normally dedicated for airport maintenance.

3. This Grant is subject to the applicable provisions of the Transportation Code, Chapters 21 and 22, and the Airport Zoning Act, Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Failure to comply with the terms of this Grant or with the rules and statutes shall be considered a breach of this contract and will allow the State to pursue the remedies for breach as stated below.

   a. Of primary importance to the State is compliance with the terms and conditions of this Grant. If, however, after all reasonable attempts to require compliance have failed, the State finds that the Sponsor is unwilling and/or unable to comply with any of the terms of this Grant, the State, may pursue any of the following remedies: (1) require a refund of any financial assistance money expended pursuant to this Grant, (2) deny Sponsor's future requests for aid, (3) request the Attorney General to bring suit seeking reimbursement of any financial assistance money expended on the project pursuant to this Grant, provided however, these

remedies shall not limit the State's authority to enforce its rules, regulations or orders as otherwise provided by law, (4) declare this Grant null and void, or (5) any other remedy available at law or in equity.

b. Venue for resolution by a court of competent jurisdiction of any dispute arising under the terms of this Grant, or for enforcement of any of the provisions of this Grant, is specifically set by Grant of the parties in Travis County, Texas.

4. The State reserves the right to amend or withdraw this Grant at any time prior to acceptance by the Sponsor. The acceptance period cannot be greater than 30 days after issuance unless extended by the State.

5. This Grant constitutes the full and total understanding of the parties concerning their rights and responsibilities in regard to this project and shall not be modified, amended, rescinded or revoked unless such modification, amendment, rescission or revocation is agreed to by both parties in writing and executed by both parties.

6. All commitments by the Sponsor and the State are subject to constitutional and statutory limitations and restrictions binding upon the Sponsor and the State (including Sections 5 and 7 of Article 11 of the Texas Constitution, if applicable) and to the availability of funds which lawfully may be applied.

Part VI - Acceptances

Sponsor

The City of Rockwall, Texas, does ratify and adopt all statements, representations, warranties, covenants, agreements, and all terms and conditions of this Grant.

Executed this _____ day of _____, 20___.

The City of Rockwall, Texas
Sponsor

_____ _____
Witness Signature Sponsor Signature

_____ _____
Witness Title Sponsor Title

Certificate of Attorney

I, _____, acting as attorney for the City of Rockwall, Texas, do certify that I have fully examined the Grant and the proceedings taken by the Sponsor relating to the acceptance of the Grant, and find that the manner of acceptance and execution of the Grant by the Sponsor, is in accordance with the laws of the State of Texas.

Dated at _____, Texas, this _____ day of _____, 20___.

_____ _____
Witness Signature Attorney's Signature

_____
Witness Title

Acceptance of the State

Executed by and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs and grants heretofore approved and authorized by the Texas Transportation Commission.

STATE OF TEXAS
TEXAS DEPARTMENT OF TRANSPORTATION

By:_____

Date:_____

Attachment A
Scope of Services
TxDOT CSJ No.:M1518RCKW

Eligible Scope Item:	Estimated Costs Amount A	State Share Amount B	Sponsor Share Amount C
GENERAL MAINTENANCE	$40,000.00	$20,000.00	$20,000.00
Special Project	$0.00	$0.00	$0.00
Special Project	$0.00	$0.00	$0.00
Special Project	$0.00	$0.00	$0.00
Special Project	$0.00	$0.00	$0.00
Special Project	$0.00	$0.00	$0.00
TOTAL	$40,000.00	$20,000.00	$20,000.00

Accepted by: The City of Rockwall, Texas

_____
Signature

Title: _____

Date: _____

GENERAL MAINTENANCE: As needed, Sponsor may contract for services/purchase materials for routine maintenance/improvement of airport pavements, signage, drainage, AWOS systems, approach aids, lighting systems, utility infrastructure, fencing, herbicide/application, sponsor owned and operated fuel systems, hangars, terminal buildings and security systems; professional services for environmental compliance, approved project design. Special projects to be determined and added by amendment.

Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.

CERTIFICATION OF AIRPORT FUND

TxDOT CSJ No.: M1518RCKW

The City of Rockwall does certify that an Airport Fund has been established for the Sponsor, and that all fees, charges, rents, and money from any source derived from airport operations will be deposited for the benefit of the Airport Fund and will not be diverted for other general revenue fund expenditures or any other special fund of the Sponsor and that all expenditures from the Fund will be solely for airport purposes. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole.

The City of Rockwall, Texas
(Sponsor)

By:_____

Title:_____

Date:_____

Certification of State Single Audit Requirements

I, _____, do certify that the City of Rockwall will comply with all
(Designated Representative)
requirements of the State of Texas Single Audit Act if the City of Rockwall spends or receives more than the threshold amount in any grant funding sources during the most recently audited fiscal year. And in following those requirements, the City of Rockwall will submit the report to the audit division of the Texas Department of Transportation. If your entity did not meet the threshold in grant receivables or expenditures, please submit a letter indicating that your entity is not required to have a State Single Audit performed for the most recent audited fiscal year.

_____
Signature

_____
Title

_____
Date

DESIGNATION OF SPONSOR'S AUTHORIZED REPRESENTATIVE

TxDOT CSJ Number: M1518RCKW

The City of Rockwall designates, _____
(Name, Title)
as the Sponsor's authorized representative, who shall receive all correspondence and documents associated with this grant and who shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor.

The City of Rockwall, Texas
(Sponsor)

By:_____

Title:_____

Date:_____

DESIGNATED REPRESENTATIVE

Mailing Address:_____

_____

_____

Overnight Mailing Address:_____

_____

_____

Telephone/Fax Number:_____

_____

Email address: _____

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor & City Council**

FROM: **Rick Crowley, City Manager**

DATE: **September 30, 2014**

SUBJECT: **Agenda Item – Interlocal Agreement for Fire Protection Services**

Please find the attached Interlocal Agreement provided by Rockwall County related to our continuation of providing Fire Department services in the unincorporated area of Rockwall County. This will be the same compensation as last year.

If you have any questions, please do not hesitate to contact me.

STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

INTERLOCAL AGREEMENT FOR FIRE PROTECTION SERVICES

THIS AGREEMENT is made and entered into by and between the County of Rockwall, Texas, hereinafter referred to as "County" and the City of Rockwall, Texas, hereinafter referred to as "City" or "Rockwall".

WITNESSETH:

WHEREAS, pursuant to §352.001(b)(3) of the Texas Local Government Code, a county is authorized to execute interlocal agreements with any city, town or village within such county to provide fire protection services to the citizens of any such county residing outside the corporate limits of any city, town or village; and

WHEREAS, pursuant to Chapter 791 of the Texas Government Code, the City is authorized to execute interlocal agreements with a county to provide governmental services and functions such as fire protection; and

WHEREAS, the City is the owner of certain trucks and other equipment designed for and capable of being used in the protection of persons and property from and in the suppression and fighting of fires; and

WHEREAS, the County desires to obtain such services for its citizens residing in unincorporated areas of the County, and the City is willing to provide such services as hereinafter set forth and provided.

NOW, THEREFORE, it is mutually agreed by and between the parties hereto as follows:

Section 1. That the recitals set forth above are true and correct and incorporated herein.

Section 2. Definitions. The following words shall have the following meanings when used in this Agreement:

a) "Call" means each response by the City of Rockwall Fire Department to rescues, auto accidents, actual fire, false alarms, fires to be found extinguished on arrival of the City's fire unit or units, potential fire situations or emergencies.

b) "Chief Administrative Officer" means the Mayor or City Manager of the City.

c) "District" means the area within the boundaries of Rockwall County, Texas, for which the City of Rockwall Fire Department has permanent responsibility for first alarm response to fires in such district. This includes Public Protected Classification, outside protected areas, and Fire Districts defined by the Texas Department of Insurance.

d) "Employed" means a fire fighter who is paid a salary by the City, or volunteer fire fighter.

e) "Fire Chief" means the Fire Chief of the City or his duly authorized designees.

f) "Fire Fighter" means a fire fighter of the City.

g) "Requesting Party" means the entity requesting fire protection assistance from the City for fire services for residents of the County, but not living within any city's incorporated limit.

Section 3. The parties hereto hereby agree that the City will provide fire equipment and services to points in the County which are outside the corporate limits of any city in the County, but inside the boundary limits known as First Alarm County District for the City. Areas outside such boundary shall be known as the Second Alarm County District for the City, and a closer fire department shall be notified for first response.

Section 4. In consideration of such service, the County will pay to the City the sum of Fifty-Eight Thousand Two Hundred and Fifty (58,250.00) dollars for calls outside the corporate limits of any city in the County subject to annual funding approval by the Rockwall County Commissioner's Court during the regular budget process. Said payment shall be made on an annual basis upon written request from the City to the Rockwall County Auditor and will be payable within thirty (30) days after receipt of such, by the Auditor's Office.

Section 5. County hereby gives and grants to the City full and complete authority to operate its fire fighting vehicles on and over public roads, highways, and other thoroughfares of the County and other public places.

Section 6. City shall, at its own cost and expense, purchase and keep in force at all times insurance for the minimum amount of liability under the Texas Tort Claims Act. City agrees to provide copies of such policy or policies of insurance and/or other evidence satisfactory to the County Auditor of Rockwall County, Texas.

Section 7. The Fire Chief shall be the sole judge of the amount and type of equipment and number of personnel dispatched to calls made pursuant to this Agreement. Said Fire Chief, or his designee, shall be in charge of the firefighting techniques used in response to any calls.

For each call made pursuant to this Agreement, the Fire Chief shall prepare a report showing the date, location, and description of the call. True copies of such reports shall be on file with the Fire Chief and available for review by the County Auditor or Commissioner's Court of the County.

Section 8. City hereby agrees to render services to other Fire Districts within the County if backup emergency assistance is requested. The City's fire fighters shall report to the Requesting Party's Officer In Control at the location to which they have been assigned, and shall be under the command of the Requesting Party's Fire Chief and will be released when their services are no longer required.

Calls for assistance may be aborted only by (1) another Fire Department at the scene; (2) an officer of the Sheriff's Department at the scene; (3) a State Department of Public Safety Officer at the scene; (4) the responding department's Fire Chief or designee; (5) or Dispatch.

Section 9. While any fire fighter, regularly employed as such by the City, is in the service of the Requesting Party, such fire fighter shall be a fire fighter of the Requesting Party and be under the command of the Requesting Party's Chief, with all the powers of a regular fire fighter of the Requesting Party, as fully as if such fire fighter were within the territorial limits of the governmental entity where such fire fighter is regularly employed. A fire fighter's qualifications for employment by the governmental entity by which he or she is regularly employed shall constitute such fire fighter's qualifications for such position within the territorial limits of the Requesting Party, and no other oath, bond or compensation need be made.

Section 10. Each party to this Agreement expressly waives the right to recovery from the other party for reimbursement of wages, disability, pension payments, damages to equipment and clothing, medical expenses, travel, food and lodging expenses.

Section 11. Any fire fighter or other person who is assigned, designated or ordered by the Fire Chief of the party which regularly employs such, to perform duties pursuant to this Agreement, shall receive the same wages, salary, pension, compensation and all other rights for such service, including injury benefits, death benefits, and worker's compensation benefits, as if the service had been rendered within the territorial limits of the party where such fire fighter is regularly employed. Moreover, all wage and disability payments, including worker's compensation benefits, pension payments, damage to equipment and clothing, medical expenses, and expenses of travel, food and lodging, shall be paid by the party which regularly employs such person in the same manner as if the service had been rendered within the territorial limits of the party where such fire fighter is regularly employed.

Section 12. In the event that any person performing fire fighting services pursuant to this Agreement shall be cited as a party to any civil lawsuit, state or federal, arising out of the performance of those services, such fire fighter shall be entitled to the same benefits that he or she would be entitled to receive if such civil action had arisen out of the performance of such person's

duties as a member of the department where and in the jurisdiction of the party where such person is regularly employed.

Section 13. Each party to this Agreement expressly waives all claims against the other party for compensation arising from loss, damage, personal injury or death occurring as a consequence of the performance of this Agreement.

Section 14. Third party claims against parties hereto shall be governed by the Texas Tort Claims Act or other appropriate statutes, charters and ordinances of the parties.

Section 15. It is expressly understood and agreed that by executing this Agreement, neither party waives, nor shall be deemed hereby to waive, any immunity or defense that would otherwise by available to it, against claims arising in the exercise of governmental powers and functions.

Section 16. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors and assigns.

Section 17. This Agreement shall be governed by and constructed in accordance with the laws of the State of Texas. Venue shall be in Rockwall County, Texas.

Section 18. If any one or more of the provisions contained in this Agreement shall, for any reason, be held to be invalid, illegal or unenforceable in any respect, such invalidity or illegality shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein, and shall not render the entire Agreement invalid.

Section 19. This Agreement constitutes the entire Agreement and understanding between parties. Any modification, change or amendment to this Agreement shall be in writing and approved by both parties.

Section 20. This Agreement shall become effective as of October 1, 2014 and shall continue through September 30, 2015.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed under authority of appropriate action taken by their respective governing bodies.

COUNTY OF ROCKWALL, TEXAS

Jerry H. Hogan
County Judge

CITY OF ROCKWALL, TEXAS

David Sweet, Mayor

Mark Poindexter, Fire Chief

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **September 29, 2014**

SUBJECT: **2015 Founders Day Festival Entertainment**

In preparation for the 2015 Founders Day Festival to be held at Harry Myers Park on Saturday, May 16, we have made an offer and received confirmation for the Sawyer Brown Band to perform as the headline entertainment. Staff is requesting the City Council to authorize the City Manager to enter in to a contract with Agency for the Performing Arts (APA) in the amount of $30,000 for the Sawyer Brown performance.

The source of funding is the 2014-15 Hotel/Motel Tax and funding has been appropriated for the event. Mr. Garza has reviewed the contract agreement and his changes will be added to the contract. Staff is available to answer any questions.

apa

AGENCY FOR THE PERFORMING ARTS, INC.
NEW YORK LOS ANGELES NASHVILLE

Received — Contract: __/__/__ Deposit: $ ____ Date: __/__/__

Agreement made this date, Monday, September 15, 2014, by and between Sawyer Brown, Inc. (herinafter referred to as Artist) and City of Rockwall (herinafter referred to as Purchaser). It is understood and mutually agreed that the Puchaser engages the Artist to perform the following engagement upon all the terms and conditions hereinafter set forth:

CONTRACT #: 106772

ARTIST(S): **Sawyer Brown** 100% Headline

VENUE: **Rockwall Founders Day- City of Rockwall** 385 South Goliad, Rockwall, TX 75087
Phone: 972-771-7701 *Fax:* 972-771-7762

DATE(S): **Sat. May 16, 2015**

Artist to perform one (1) set approximately 100 minutes in length

TICKETS:

Quantity		*Grs Price*	*Cmp/Kls*	*Deduct*	*Net Price*	*Discrptn*
5,000	@	$0.00			$0.00	FREE

GP: $0.00
Tax:
Net: $0.00

Capacities
Per Show: 5,000
Total tkts: 5,000

Merchandising
Artist sell: 80/20 %
Build sell:

No. Days/Shws:	1 / 1
Load In:	Per advance
Snd Chck:	Per advance
Doors Open:	TBD
Showtime(s):	7:00 PM
Onstage:	7:00 PM
Ages:	All Ages
Curfew:	11:00 PM

TERMS: **$30,000.00 Flat Guarantee**

PLUS Purchaser agrees to provide and pay for HOSPITALITY as required by the Artist.

PLUS Purchaser agrees to provide and pay for sound and lights to meet with artist's specifications and approval.

Failure to present the engagement shall not relieve the Purchaser of the obligation to pay the guarantee in full.

ADDITIONAL PROVISIONS: Purchaser shall provide and pay for, as per Artist's specifications, any and all rider requirements.

Outdoor covered stage: ARTIST TO BE PAID RAIN OR SHINE.
Merchandise- (Artist/Venue)- 80/20 split on soft goods, 90/10 split on recorded material.
Artist agrees not to perform within a 90-mile radius of the venue 90 days prior to and after the performance.

OTHER ACT[S]: TBD- Per Artist $50,000

PAYMENTS: $15,000.00 US deposit made payable to APA, Inc. by cashier's check or bank wire only due by: March 16, 2015
Signed contracts and riders due by: October 15, 2014
THE BALANCE OF THE GUARANTEE SHALL BE PAID TO THE ARTIST OR ARTIST'S REPRESENTATIVE UPON DEMAND DAY OF SHOW VIA CASH, CERTIFIED/CASHIER'S CHECK, OR MONEY ORDER ONLY!
Artist's certified/cashier's checks should be made payable to Sawyer Brown, Inc.

Agency for the Performing Arts, IncBank Wire Information
Union Bank of California ABA#: 122 000 496 Account#: 4780064698 9460 Wilshire Blvd., Beverly Hills, CA 90212

It is expressly understood by the Purchaser(s) and the Artist who are party to this contract that neither APA, Inc. nor its officers nor its employees are parties to this contract in any capacity and that neither APA, Inc. nor its officers nor its employees are liable for the performance breach of any provisions contained herein.

Should any Rider, Addendum and/or Expense sheet be annexed to this Agreement it/they shall also constitute a part of this agreement. and shall be signed by all parties to this contract..

This contract and its attachments may be executed and exchanged electronically or by fax.
IN WITNESS WHEREOF, the parties have executed this Agreement on the date first above written.

Sawyer Brown, Inc.
Fed ID #: 62-1216094
X
c/o APA, Inc. 3010 Poston Ave.
Nashville, TN 37203
(615) 297-0100 Fax: (615) 297-5434
BOOKING AGENT: Chris Looney

City of Rockwall
Richard Crowley
X
c/o bgriggs@rockwall.com 385 S Goliad
Rockwall, TX. 75087
972-771-7701 Fax:
CONTACT : Brad Griggs

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STANDARD TERMS AND CONDITIONS

PRODUCTION CONTROLS: Artist shall have sole and exclusive creative control over the production, presentation and performance of Artist's engagement hereunder and any changes thereto. Purchaser agrees to comply promptly with the directions of Artist or Artist's representative concerning stage settings for Artist's engagement hereunder.

ARTIST'S COMPENSATION: If payment to Artist is based in whole or in part on receipts from Artist's engagement hereunder, Purchaser shall first apply any and all receipts derived from Artist's engagement toward the payments required to be made by Purchaser hereunder. Purchaser agrees to provide Artist or Artist's representative with a certified statement of the gross receipts of Artist's engagement within two (2) hours following Artist's engagement. Artist may have a representative present at the box office who shall have access to Purchaser's box office records relating to Artist's engagement. Artist's compensation shall be paid to Artist without any deductions for taxes, fees, levies or union dues whatsoever, all of which shall be the sole responsibility of Purchaser.

BALANCE OF GUARANTEE: The balance of the Guarantee shall be paid to Artist via bank wire no later than the scheduled engagement date if Purchaser fails to present the engagement.

OVERAGES: All overage monies owed to Artist shall be paid to Artist immediately following Artist's performance by cash or cashier's check only.

ROYALTIES: Purchaser will be responsible for the payment of all music royalties in connection with Artist's engagement hereunder.

WORK PERMITS AND VISAS: Purchaser shall be solely responsible for procuring and paying for, at no cost to Artist, all work permits and visas required for the engagement. Failure to procure such work permits and visas or provide necessary documentation to obtain them will be deemed a material breach of this Agreement, and Artist (i) will be relieved of any further obligations Artist may have pursuant to this Agreement; (ii) shall have the right to retain all monies previously paid by Purchaser; and (iii) shall be entitled to exercise all rights and remedies otherwise available to Artist at law, in equity or otherwise as if Artist has fully performed all obligations under this Agreement. Artist agrees to provide all personal information reasonably required in order to enable Purchaser to procure such work permits and visas.

CONFIDENTIALITY: Purchaser understands and agrees that no information regarding show grosses or attendance will be reported to any third party without the express prior written permission of Artist or Artist's representative. Failure to comply will be treated as a material breach of this Agreement, and Artist reserves all rights and remedies available to Artist at law, in equity or otherwise. Under no circumstance is Purchaser to announce or advertise the engagement without the prior written approval of Artist or Artist's representative.

ARTIST'S RIGHT TO PAYMENT OF GUARANTEE IN ADVANCE: If: (a) Purchaser fails to pay when due any amounts owed Artist hereunder when due; or (b) Purchaser fails to perform any material obligations hereunder, or (c) Artist has good faith reason to believe the Engagement may be cancelled, then Artist shall have the right to request full payment of the Guarantee in advance of the engagement date(s) and Purchaser agrees to remit full payment of the Guarantee to Artist via bank wire promptly upon request.

BILLING: Artist's engagement hereunder shall receive billing in such order, form, size and prominence as directed by Artist or Artist's representative in all advertising and publicity issued by or under the control of Purchaser, including, but not limited to, displays, newspapers, radio and television ads, posters and house boards.

USE OF ARTIST'S NAME AND IMAGE: Purchaser may only use Artist's name and pre-approved voice, photograph, likeness, image or other identification of Artist in connection with Purchaser's advertisements and publicity for Artist's engagement hereunder. Purchaser may not use Artist's name, voice, photograph, likeness, image or other identification of Artist as a direct or implied endorsement of any product or service. There shall be no corporate or product or service name or logo included in any such advertising or publicity without the prior written approval of Artist or Artist's representative obtained in each instance. Notwithstanding the foregoing, the placement, form, content, appearance and all other aspects of Purchaser's use of Artist's name, voice, photograph, likeness, image or other identification of Artist shall at all times be subject to the prior written approval of Artist or Artist's representative.

MERCHANDISING: Artist shall have the exclusive right to sell merchandise in connection with Artist's engagement hereunder, including but not limited to, soft goods (e.g. T-shirts), souvenir programs, photographs, posters, stickers and CDs, on the premises or otherwise, and Purchaser shall have no right to share in the proceeds from the sale of such merchandise.

NO REPRODUCTION PERMITTED: Purchaser will not and will not permit or authorize others (including, but not limited to, venue employees, representatives and contractors) to record, broadcast, photograph or otherwise reproduce in any manner the audio or visual performance by Artist or any part thereof.

STAGE SEATS: It is understood and agreed that no stage seats are to be sold or used without the prior written consent of Artist or Artist's representative.

PROMOTION: Purchaser shall not announce, advertise, promote or sell tickets to Artist's engagement until written authorization has been obtained from Artist or Artist's representative. Purchaser agrees to promote the engagement to the best of Purchaser's ability by print, radio, and website and otherwise. There shall be no promotion or co-promotion with any radio station without the prior written approval of Artist or Artist's representative. Purchaser shall not commit Artist to any interviews, promotional appearances, meet and greets or other promotional activities without the prior written consent of Artist or Artist's representative

TICKETS: All tickets shall be numbered. No tickets shall be priced at higher than the agreed upon price (exclusive of tax) without the prior written approval of Artist or Artist's representative. If ticket price scaling is varied in any manner, the percentage of compensation payable to Artist shall be based on whichever of the following is more favorable to Artist: (i) the ticket price scaling set for in the underlying Agreement or as otherwise agreed in writing by the parties; or (ii) the actual ticket price. There shall be no dynamic ticket pricing without the prior written approval of Artist or Artist's representative. Any inclusion of Artist's engagement hereunder in a subscription or series offer shall be subject to the prior written consent of Artist or Artist's representative.

INDEMNIFICATION: Purchaser shall defend, indemnify and hold harmless Artist, and any and all employees of Artist and any and all representatives of Artist from and against any and all costs, claims, expenses (including attorneys' fees and court costs), liabilities, damages, losses or judgments arising out of or in connection with, any claim, action or demand sustained as an indirect or direct result of, Artist's engagement hereunder.

INSURANCE: Purchaser shall add Artist and Artist's employees as additional insureds to a commercial general liability insurance policy with limits of liability of Five Million Dollars ($5,000,000) for each occurrence in the event of death or bodily injury arising from the negligence of Purchaser as promoter and operator of the Venue. In addition, Artist and Artist's employees shall be covered by Purchaser's worker's compensation insurance. Purchaser shall provide evidence of the required insurance coverage prior to Artist's engagement hereunder.

PURCHASER'S DEFAULT/CANCELLATION: If, on or before the date of Artist's engagement, Purchaser fails or refuses to perform any contractual obligations relating to Artist's engagement herein and/or any contractual obligation with any other performer, or if the financial status of Purchaser has been impaired, or in the opinion of Artist or Artist's representative, is unsatisfactory, Artist shall have the right to demand payment of the full Guarantee. If Purchaser fails or refuses to make such payment, then such failure shall be deemed a material breach of this Agreement, and Artist shall have the right, without prejudice to any other rights or remedies, to: (i) immediately terminate this Agreement and cancel Artist's engagement hereunder; (ii) retain all amounts previously paid to Artist by Purchaser; (iii) receive the full Guarantee (or balance thereof)and all out of pocket expenses incurred by Artist in connection with Artist's engagement. For the avoidance of doubt, Purchaser shall remain responsible for all transportation, accommodations and expense reimbursements for Artist and Artist's entourage pursuant to this Agreement.

ARTIST'S CANCELLATION: Purchaser agrees that Artist may cancel Artist’s engagement hereunder without liability by giving the Purchaser notice thereof at least thirty (30) days prior to the commencement date of the engagement hereunder. Upon termination of this agreement in accordance with this paragraph, Artist shall return to Purchaser any deposit previously received by Artist in connection with the engagement. Subject to the foregoing, upon such termination, the parties shall have no further rights or obligations hereunder, and each of the parties shall bear its own costs incurred in connection with this agreement.

FORCE MAJEURE: If, as the result of a Force Majeure Event (as defined below), Artist is unable to, or is prevented from, performing the engagement or any portion thereof, Artist's obligations hereunder will be fully excused, there shall be no claims of any kind for damages or expenses of any kind by Purchaser, and Purchaser shall bear its own costs and expenses in connection with this Agreement. Notwithstanding the foregoing: (i) Purchaser shall be obligated and liable to Artist for such proportionate amount of the payments provided for herein as may be due hereunder for any performance(s) which Artist may have rendered up to the time of the inability to perform by reason of such Force Majeure Event; and (ii) in the event of such non-performance as a result of a Force Majeure Event, if Artist is ready, willing and able to perform (but for the occurrence of such Force Majeure Event), Purchaser shall nevertheless pay Artist an amount equal to the full Guarantee plus all other payments and compensation due hereunder. For clarification, in the event of cancellation due to any Force Majeure Event, and whether or not Artist is ready, willing and able to perform, Purchaser shall remain responsible for all transportation, accommodations, expense reimbursements and any other payments or compensation due Artist and Artist's crew and entourage pursuant to the terms of this Agreement.

A "Force Majeure Event" shall mean, but shall not be limited to, any one or more of the following acts which makes any performance by Artist contemplated by this Agreement impossible, infeasible or unsafe: acts of God; acts of public enemy; acts or threats of terrorism; insurrections; riots or other forms of civil disorder; embargoes; labor disputes (including, without limitation, strikes, lockouts or boycotts); fires; explosions; floods; shortages of power or other essential services; failure of technical facilities; failure or delay of transportation; death, disability, illness, injury or other inability to perform by Artist, any of Artist's musicians, other performers, crew, representatives or advisors, any of Artist's family members, any of Purchaser's key personnel, or any other person personally known to Artist whose death, disability, illness or injury adversely impacts Artist's ability to perform in connection with the engagement; or other similar or dissimilar causes beyond the control of Artist which make any performance(s) contemplated by this Agreement impossible, infeasible or unsafe. For the avoidance of doubt, poor ticket sales shall not be deemed a Force Majeure Event.

INCLEMENT WEATHER: Notwithstanding anything to the contrary contained herein, inclement weather shall not be deemed a Force Majeure Event, and Purchaser shall remain liable for payment to Artist of the full Guarantee plus all other compensation due hereunder if Artist's engagement is rendered impossible, infeasible or unsafe by such weather conditions. For clarification, Purchaser shall remain responsible for all other terms and conditions of this Agreement, including, without limitation, accommodations, transportation and expense reimbursements for Artist and Artist's crew and entourage.

LIMITATION OF LIABILITY: In no event shall Artist (nor any of Artist's agents, representatives, principals, employees, officers, directors and affiliates) be liable to Purchaser for any indirect, incidental, consequential, special, punitive, exemplary or any similar damages, including, without limitation, lost profits, loss of revenues or income, cost of capital or loss of business reputation or opportunity, as to any matter relating to, or arising out of, Artist's engagement hereunder or the transactions contemplated by this Agreement, whether in contract, tort or otherwise.

NOTHING CONTRARY TO LAW: Nothing herein contained shall require the commission of any act contrary to law or contrary to the restrictions of any guild or union having jurisdiction over Artist's engagement hereunder. In the event of any conflict between any provision of this Agreement and any such law or restriction, such law or restriction shall prevail and this Agreement shall be curtailed, modified, or limited only to the extent necessary to eliminate such conflict.

ENTIRE AGREEMENT: These Standard Terms and Conditions are hereby incorporated into the Agreement and any addendum(s) thereto. In the event of any conflict between these Standard Terms and Conditions and the Artist's rider provided by Artist or Artist's representative attached hereto (if any), Artist's rider shall control. This Agreement shall constitute the entire agreement between the parties hereto concerning the subject matter hereof and may not be modified except by an instrument in writing signed by both parties. This Agreement shall be construed in accordance with the laws of the State of California, and the state and federal courts located in Los Angeles County in the State of California shall have exclusive jurisdiction over any matters pertaining hereto.

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original and all of which taken together shall constitute one and the same instrument. Delivery of an executed copy of this Agreement by facsimile or electronic delivery shall be deemed a valid and binding original.

SAWYER BROWN
CONTRACT RIDER

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As of: 08/14/2012

CONTACT SHEET

MANAGER - O-SEVEN ARTIST MANAGEMENT (615) 799-2229
FRANK MILLER frank@o-seven.com
RON HARRIS ron@o-seven.com
DON HARRIS don@o-seven.com

BOOKING - APA (615) 297-0100
RAY SHELIDE rshelide@apanashville.com
STEVE LASSITER slassiter@apanashville.com

PRODUCTION MANAGER / TOUR MANAGER / MERCHANDISE
COLIN DEFEVERS (615) 405-2377
(615) 799-2229

BUSINESS ADMINISTRATION (615) 799-2229
DIANA LUSTER sawyerbrowninc@aol.com

PUBLICITY - O-SEVEN ARTIST MANAGEMENT (615) 799-2229
(615) 799-9312 FAX
KELLI MILLER kelli@o-seven.com
LISA MILLER lisa@o-seven.com

SAWYER BROWN CONTRACT RIDER

Rider to the agreement dated _____ between SAWYER BROWN, INC. ("Artist") f/s/o SAWYER BROWN and _____ ("Purchaser") for the engagement at _____.

GENERAL PROVISIONS

The following provisions are deemed incorporated in and an integral part of the agreement to which this rider is annexed.

In all cases of conflict of interpretation or inconsistency between the provisions of this rider and terms located elsewhere in the contract, the rider terms will prevail, except as otherwise noted herein.

Any changes, modifications or waivers of these provisions are invalid unless initialled by both Artist and Purchaser. Any contract returned with this rider altered, unattached, or unsigned without prior written consent of Artist may be deemed void at Artist's election.

Artist has sole and exclusive artistic control over the production and presentation of the performance hereunder, including, without limitation, lighting, staging, wardrobe, material, accompaniment, and length.

MERCHANDISE

ARTIST shall have sole and exclusive right to sell, in and around the venue, all non-food and non-beverage merchandise of any nature, embodying Artist's (and its' individual members) names, likeness, biographical materials, logos, trademarks and other personality attributes and retain 100% of the receipts thereof. Any percentage splits must be approved in writing by O-Seven Artist Management at: 615-799-2229.

There shall be no sale or distribution of phonographic records, tapes, CD's, program books or any souvenir materials or other items of merchandise without Artist's written consent. Additionally, inclusion of Artist's name or likeness on any event related merchandise, (i.e. event shirt); either to be sold or given away must be approved in writing in advance by Artist. The Purchaser agrees to use its' best efforts to prevent and stop the sale or distribution by any person other than Artist representative, whether inside or outside the venue, of any merchandise, at the engagement at which the Artist performs without Artist's prior written consent.

None of the above provisions are intended to prevent the opening or following acts from being able to sell their merchandise in and around the venue.

Purchaser shall provide four (4) six foot tables for each location that ARTIST SELLS.

All inquiries concerning any aspect of this rider should be directed to Artist's representatives as follows:

Artist Management:	Booking Agency:
O-Seven Artist Management	APA Agency
PO Box 210586	3010 Poston Avenue
Nashville, TN 37221	Nashville, TN 37203
(615) 799-2229	(615) 297-0100
(615) 799-9312 FAX	(615) 297-5434 FAX
Attn: Frank Miller or Ron Harris	Attn: Ray Shelide

ADVERTISING, PUBLICITY AND PROMOTION

Applicable deposit must be received prior to advertising, publicity and promotion.

All radio and television spots must be produced by Tour Design (Fergie: 317-579-7844) has pre-approved sound beds and video clips only.

All print advertising must contain the most recent photo of Artist provided by Sawyer Brown, Inc. High res photos may be downloaded at www.sawyerbrown.com/media for your convenience.

Artist will receive one hundred percent (100%) headline billing in all advertising, publicity and promotion, including, but not limited to, programs, flyers, lobby boards, marquees, tickets, and newspaper, magazine and radio advertising. Buyer must use SAWYER BROWN's pre-approved radio, television spots, and ad mats for print advertising.

There will be no signs, placards, banners, commercial or political advertising material on or near the stage. Purchaser will not represent, nor permit another party to represent, that Artist's performance is co-promoted, sponsored, or in any way tied with any commercial product, service, radio or television station, political party or cause. No commercial, political or any other material will be distributed at the venue prior to, during, or after Artist's performance.

There will be no master of ceremonies or emcee on any part of the stage prior to and during the performance unless approved by O-Seven Artist Management. There will be no announcements or speeches prior to Artist's performance or during any intermission.

Any other artist appearing on the show will be subject to Artist's prior written consent. Should any other artist be appearing with Artist, Artist shall have one hundred percent (100%) equal access to all stage, technical and support equipment and personnel. During Artist's performance, Artist shall have sole control of all sound and light equipment, including, without limitation, personnel and sound level.

Any promotional material containing Artist's name or likeness may be used by Purchaser solely to promote the engagement hereunder and may not be sold or marketed in any way by Purchaser.

Purchaser will not authorize, schedule, or promise interviews, appearances, or other promotional activities involving Artist without prior consent of Artist. All requests for interviews, promotional appearances and support should be directed to:

O-Seven Artist Management
(615) 799-2229
(615) 799-9312 Fax

No portion of Artist's performance, sound check, or backstage activities may be photographed, recorded, filmed, taped, broadcast, reproduced by video, motion picture or sight and sound device or mechanically reproduced in any form without prior written consent of Artist. Purchaser shall not authorize such, nor permit in the place of performance any device or mechanism that could be used for such purposes. If any unauthorized recording is discovered, Artist shall have the right to withhold Artist's performance without prejudice to Artist's rights hereunder until all copies of same and all mechanical instruments having to do with same have been surrendered to Artist or Artist's representative.
All advertising concerning the show will be subject to Artist's prior approval.

TICKETING

All tickets will be printed by a bonded ticket printer, and be on the one stub, one price variety. There shall be no multiple price tickets printed. Tickets sold at different prices must be of separate and distinct colors.

Ticket price(s) will be those stated on the face of the contract accompanying this rider. Purchaser will provide gross seating capacity and, in the case of multiple pricing, gross capacities for each pricing, accompanied by a map or drawing clearly marking each location and stating the ticket price for that location. Ticket prices will not be changed or modified without prior written consent of Artist.

In cases in which Artist's fee is not based on percentage of box office receipts, and the gross box office receipts and/or ticket prices exceed those specified on the face of the contract, Purchaser will pay to Artist one hundred percent (100%) of the total difference between the agreed upon gross potential and the actual gross.

No tickets will be sold for seats located where stage and/or equipment obstruct normal eye-level viewing of performance, unless the words OBSTRUCTED VIEW are printed on tickets in clear view. Any obstructed view seating must be approved in advance by Artist.

Purchaser will not discount tickets or offer tickets as a premium without first obtaining Artist's written consent.

Purchaser agrees to distribute no more than two percent (2%) of total capacity of facility as designated herein as complimentary tickets to each performance without written prior consent of Artist. Purchaser will provide Artist or road manager with an exact list of complimentary distribution at sound check and an affidavit signed by box office manager for proof of distribution.

ARTIST COMPS

For each show, Purchaser will make available to Artist for Artist's use at no charge, thirty (30) tickets located in the first ten (10) rows and fifty (50) tickets located between the tenth and twentieth rows. An additional fifty (50) tickets (GOOD SEATS) will be held (on either side of venue) for purchase. In the event the additional seats are not needed, they will be released for sale no later than 10 days prior to performance.

Purchaser will be solely responsible for all lost, stolen, or counterfeit tickets.

PAYMENTS AND EXPENSES

(Federal I.D. #62-1216094)

Unless otherwise specified on the face of the contract, a deposit in the amount of fifty percent (50%) of Artist's guaranteed fee shown on the face of the contract shall be paid in advance by Purchaser by cashier's check, certified funds or wire transfer. Deposit is due concurrent with the receipt and execution of the contract by Purchaser and subsequent delivery to Artist's agent. If the deposit is not received by the date specified on the face of the contract, Artist may cancel the performance with no liability or further obligation to Purchaser, with no prejudice to Artist's rights herein.

Under no circumstances can advertising begin until full/applicable deposit is received.

All payments herein shall be made in United States currency unless otherwise agreed to in writing.

The balance of Artist's guaranteed fee will be paid to Artist's representative by cash, certified check or money order at the venue, upon request day of show, unless Artist's fee is based in whole or part on a percentage of box office receipts. In such cases, payment is due as soon as practicable after box office closes, but no later than the end of show. At that time, Purchaser will provide Artist's representative with the following:

*Original notarized ticket manifest.
*Detailed box office statement.
*Affidavits of expenses pertaining to this agreement.

Artist reserves the right to demand the balance of any guaranteed fee prior to performance in any case.

In cases where Artist's fee is based in whole or part upon a percentage of box office receipts, Artist's representative has the right to be present in the box office prior to and during the performance and intermission periods, and will otherwise be permitted to reasonably satisfy him/herself as to gross receipts and expenditures at each performance, and to examine and make extracts from the box office records relating to said performance. Purchaser will provide for examination copies of all bills, statements, and receipts that enter into computation of Purchaser's expenses for the performance hereunder. Only expenses accompanied by legitimate bills will be acceptable. HANDWRITTEN BILLS ARE NOT ACCEPTABLE AND THE ORIGINALS MUST BE PRESENT AT SETTLEMENT. Copies of all bills are to be given Artist for Artist's files at time of settlement.

The specific capacity, gross potential and ticket price breakdown of the facility where Artist is to perform will be specified on the face of the contract. In cases where Artist's fee is based in whole or part upon a percentage of box office receipts, an expense sheet itemizing Purchaser's estimated expenditures for the performance hereunder shall be attached to and made part of this contract.

Purchaser will have on hand at the place of performance for counting and verification by Artist's representative all unsold tickets and all stubs of tickets sold. In cases where Artist's fee is based in whole or part upon a percentage of box office receipts, Artist will be compensated for the difference between the number of unsold tickets on hand and the number of tickets printed as shown on the manifest. Unless an unsold ticket is shown to Artist's representative, it shall be deemed that Purchaser has sold a ticket for that seat at the highest price for which the entire facility is scaled.

Purchaser is solely responsible for any monies, dues, or fees in respect to any unions, whether musicians, stagehands, electrical, trucking, catering, or any other trade whatsoever.

INSURANCE

Purchaser will maintain in full force a comprehensive general liability (wall-to-wall liability coverage) insurance policy with a reputable insurance company licensed to do business in the state and country in which this engagement occurs in form acceptable to Artist which provides coverage of at lease One Million U.S. Dollars ($1,000,000.00) for combined single limit Property Damage and Bodily Injury, including Accidental Death for Artist or any of Artist's agents, employees or independent contractors.

Purchaser warrants and represents that said insurance policy will name Sawyer Brown, Inc., Mark Miller, Gregg Hubbard, Joe Smyth, Jim Scholten, and Shayne Hill and their authorized representatives and employees as additional insured parties for the full period of this engagement, including all rehearsal and post-production periods. Certificates of insurance relating to the coverage listed above shall be furnished by Purchaser at least fourteen (14) days prior to engagement.

Purchaser indemnifies and agrees to defend and hold harmless Sawyer Brown, Inc., Mark Miller, Gregg Hubbard, Joe Smyth, Jim Scholten, and Shayne Hill and their authorized representatives and employees from all liability, claims, demands, actions, damages, costs and expenses (including attorneys' fees) that may arise from damage to or loss of property, or death or injury sustained by any persons because of this engagement.

Purchaser agrees to acquire and maintain all insurance (including, without limitation, Workman's Compensation) required to cover its employees who are involved in the performance of its obligations pursuant to this agreement such as stage manager, stagehands, security personnel, sound and light operators, or any others deemed necessary by the Purchaser.

SECURITY

Purchaser shall provide first class professional security at all times to insure the safety of Artist and Artist's instruments, costumes, supporting personnel and personal property before, during and after Artist's performance(s). All security personnel shall be under Artist's supervision and direction.

Only Artist issued passes will be honored. Only those personnel required to work the show shall be admitted. Our crew regards the backstage area as a work environment. Please see that backstage traffic and access is held to a minimum. Additionally, Artist maintains that during sound check the performance area will be closed to the public, with only necessary staff and crew present.

DRESSING ROOMS

Two (2) dressing rooms large enough to accommodate ten (10) people will be needed. Rooms should be well lit, have tables, chairs and at least three (3) working electrical outlets provided.

Access to toilet facilities reserved for sole use of ARTIST is necessary. The crew will need a room as well with shower facilities where possible.

At least eight (8) bottles of room temperature water and Eight (8) full size bath towels (the towel size that a grown man would dry off with after taking a shower) need to be provided per show.

CATERING

Refer to Catering Rider as provided. **For any questions concerning catering, please contact Colin DeFevers at 615-405-2377.**

TRANSPORTATION AND PARKING

Sufficient space should be allowed near the stage door or venue parking for one (1) 45-foot bus.

Purchaser shall provide at no cost to Artist, a full size nine (9) passenger van with driver, to be available to Artist for transportation to venue prior to load-in and to return Artist from venue at end of show. Such transportation shall remain at Artist's disposal from time of pick up prior to load-in until return from venue performance.

MISCELLANEOUS

This agreement has been entered into in Nashville, Tennessee, and its enforcement and interpretation shall be governed by Tennessee law. The state and federal courts located in Davidson County, Tennessee, shall have exclusive jurisdiction over any litigation concerning this agreement and both parties irrevocably submit themselves to the personal jurisdiction of said courts. The provisions contained in the immediately preceding sentence are of the essence of this agreement.

Artist's obligations hereunder are subject to prevention or detention by reason of sickness, inability to perform, accident, failure of means of transportation, acts of God, riots, strikes, labor disputes, any act of public authority, or any cause similar or dissimilar which is beyond Artist's control.

Artist reserves the right to cancel this agreement without liability upon written notice to Purchaser no less than forty-five (45) days prior to the date of the first performance hereunder.

In the event of any failure by Purchaser to fulfill any of the terms and conditions provided herein, Artist shall have the election, without waiving any of Artist's other rights or remedies, to cancel the engagement hereunder and Purchaser shall remain obligated to pay Artist the full specified contract fee. If Artist elects to perform notwithstanding a breach of this agreement, the performance shall not constitute a waiver of any of the Artist's legal or equitable claims against Purchaser, or of any of Purchaser's obligations hereunder.

Notwithstanding anything contained herein to the contrary, Purchaser shall remain liable for payment of the full contract price regardless of any cancellation of the engagement or non-performance by Artist by virtue of inclement weather. Artist shall have the sole right to determine in good faith whether any such weather conditions shall render the performance(s) impossible, hazardous or unsafe, and Artist shall have no obligation to perform in any such event.

The contract and the rider(s) attached hereto constitute the entire agreement of Artist and Purchaser with regard to the subject matter hereof, and there are no promises or representations not specifically contained herein. No modification or amendment of the contract or the rider(s) shall be deemed effective unless reflected in a written document executed by both Artist and Purchaser. No waiver by Artist of Purchaser's breach of any provision hereof shall be effective unless evidenced by a writing signed by Artist, and no such waiver shall operate as a waiver of any subsequent breach of any provision by Purchaser. In the event of litigation brought by either party to interpret or enforce any of the terms or conditions hereof the substantially prevailing party shall

be entitled to recover its reasonable attorneys' fees and costs in addition to any other relief available to it.

Purchaser acknowledges and agrees that APA Agency., Frank Miller, Ron Harris, O-Seven Artist Management, and their respective representatives and employees are acting merely as agents of Artist, that none of them is a party to this agreement and that none of them is obligated to Purchaser in any manner with regard to the engagement in question.

HOTEL ACCOMMODATIONS

If Purchaser is to provide hotel accommodations, Artist requires 1 suite or King room, 6 single rooms, & 3 double rooms.

GOLF/HEALTH CLUB

Purchaser shall make reservations for four (4) people to play a full round of golf at a private, championship golf course, if the weather permits. In the event of inclement weather, the Purchaser shall reserve a suitable health club for the Artist. Arrangements for the above must be coordinated with Colin DeFevers at 615-405-2377.

CATERING RIDER

Questions or concerns regarding catering should be directed to Colin DeFevers, Production Manager, 615-405-2377.

BAND & CREW DRESSING ROOMS

1:00 p.m. Sawyer Brown Crew 10 people

12 cans of Classic Coke
12 cans of Diet Coke
2 cases of bottled water
1 large bag of pretzels
1 large bag of regular potato chips
2 bags of beef jerky
Napkins & large colored plastic cups

Original containers please. No baskets, bowls, etc.

2:00 p.m. Sawyer Brown Band Room 10 people

6 cans of Classic Coke
12 cans of Diet Coke
2 cases of bottled water
1 jar of Peter Pan Creamy Peanut Butter
1 jar of Smuckers Strawberry Jam
1 loaf of whole wheat bread
1 bag of Tostitos brand tortilla chips
1 jar of mild or medium salsa
1 bag Peanut M&Ms
1 bag Peanut Butter M&Ms

Call for today's choice:

Cheese & cracker tray
Fresh fruit tray (strawberries, bananas, oranges, grapes, etc.)
Plenty of clean ice
Large, colored plastic cups
Napkins, paper plates, flatware

ALL DAY SERVICE: Drinks consisting of assorted soft drinks (Coke, Diet Coke, Dr. Pepper, Sprite), **coffee with cream and sugar**, and spring water shall be available for local crews as well as Artist's crew from time of load-in through load-out.

BREAKFAST: Check with Colin DeFevers when advancing the show to see if breakfast will be needed.

LUNCH: Lunch shall be provided for a total of eight (8) people and shall consist of soup and sandwiches and salad bar:

Hamburgers
Hot Dogs
Deli meats for sandwiches (ham, beef, turkey, etc.)
Cheeses
Soup or chili
Salad Bar
Mayonnaise, mustard, ketchup, etc.
Potato chips
Potato salad
White and whole wheat bread
Assorted fresh fruit
Coffee with cream and sugar
Assorted soft drinks (Coke, Diet Coke, Dr. Pepper, Sprite)
1 gallon of 2% milk
Spring water
Iced Tea
Beverages should be cold & iced down
Adequate plates, bowls, flatware, etc.
Ice, large plastic cups, napkins, etc.

DINNER: Dinner shall be provided for fifteen (15) people and shall be country-style and consist of:
Choice of two entree's (see list below)
Potato's or rice
Salad bar
Hot rolls or bread and butter
Vegetables
Soup
Dessert
Coffee with cream and sugar
Assorted soft drinks (Coke, Diet Coke, Dr. Pepper, Sprite)
1 gallons of 2% milk
Iced tea
Spring water
Ice, large plastic cups, napkins, etc.
All beverages should be cold and iced down
Adequate plates, bowls, flatware, etc.

******NOTE:*** No paper, plastic, Styrofoam plates or utensils shall be used for dinner.

ENTREE CHOICES:
Steak
Prime Rib
BBQ Ribs
Grilled Chicken
Baked Chicken
Fried Chicken
Pork Chops
Tacos
Beef Fajitas
Chicken Fajitas
Lasagna

All menus and meal times are to be determined per advance with Artist's Production Manager.

Sawyer Brown Technical Rider

Updated 06/22/11

I.Staging

i. Stage dimensions must be at least forty (40) feet wide, thirty-two (32) feet deep, and five (5) feet tall.
ii. Three (3) 8’ x 8’ risers (see stage plot for riser locations)
    1. One (1) riser should be 24” in height
    2. Two (2) risers should be 16” to 18” in height
iii. Stairs are to be provided stage left and stage right, according to stage diagram and description.
iv. A lighting platform, 8’ x 8’ x 16”, must be provided behind or next to the FOH sound mixing platform.
v. For outdoor venues, a first-class weatherproof top must be provided to cover the entire stage area as well as a first-class weatherproof top to cover the FOH sound and lighting platform(s).

II.Crew Call

i. Without exception, at least eight (8) skilled stagehands are required ___ hour(s) before scheduled load-in and immediately following the performance for load-out of equipment.
ii. The stagehand count and call time is subject to change according to union rules, amount of equipment used, of stairs, elevators, ramps, shallow, or narrow doorways, truck to stage distance, performance times, degree of stagehand skill, and travel distance and will be subject to change by Sawyer Brown.
iii. One (1) electrician, and one (1) fork lift operator will be needed ___ hour(s) before scheduled load in and must be dedicated over and above the stagehand count of eight (8).
iv. Artist does not carry any type of ramp. Four wheel carts and two wheel carts will be needed.

III.Lighting Requirements

i. Front and rear lighting is required. Trusses with double-hung instruments no less than 40 feet in length are required with no less than sixty (60) 1000 watt instruments per truss.
ii. The lighting console should be a Lepricon, Avolite, or of similar quality.
iii. Special effects lighting is required (On separate dimmer controls):
    1. Two (2) sets of mole phase or 8 Par 64 lighting instruments mounted on front truss facing the audience.
    2. Four (4) bars of 4 Par 64 mounted on rear truss – ACL’s.
iv. When and wherever possible, the lighting truss system should always be flown by way of electric chain motors. If only ground support is possible, Genie Super Towers complete with all four (4) outriggers will only be accepted.
v. Three (3) follow spots of Super Trooper quality must be provided at all venues.
vi. Smoke, Haze, or Fog should **NOT** be used at any time during Sawyer Brown’s performance.
vii. The stage should remain bright during Sawyer Brown’s entire performance unless otherwise directed by a member of Sawyer Brown’s crew.
viii. One (1) spotlight needs to remain on and follow the lead singer **at all times** unless otherwise directed by a member of the Sawyer Brown crew.
ix. The lighting console should be at the same location as the FOH sound mixing location and must have communication to all spotlight and house light operators.

IV. Front Of House Sound System

i. A 3 or 4-way sound system is required.
ii. The front of house (FOH) speaker cabinets should be of JBL Ver-Tec, EAW V-DOSC, EV-XARRAY, Meyer, or Nexo quality.
iii. The FOH speaker array must be properly positioned and be capable of delivering 105db, 115db peaks (10db headroom), of clean, undistorted sound to all sold seating areas.
iv. Forty-eight (48) channels are required on the FOH console.
v. Preferred FOH consoles:
    1. Digital
        a. Yamaha MC7L
        b. Yamaha PM5D
        c. DigiDesign D-Show, Venue, Profile, or SC48
    2. Analog
        a. Midas H3000, XL3, or XL4
        b. Yamaha PM4000 (or 4000M)
        c. Any other Midas model
        d. Soundcraft SM or MH models

vi. Power amps such as QSC, Crown, or Crest are preferred and must be capable of delivering no less than 500 watts at 4 ohms.
vii. The FOH processing equipment is to consist of at least:
    1. Two (2) one-third octave equalizers of either Klark Teknik, White, or BSS quality.
    2. Two (2) Yamaha SPX990, one (1) TC Electronics M3000, M5000, or M1, Lexicon PCM81, or PCM91, and one (1) TC Electronics D-Two or equipment of similar quality.
    3. Eight (8) patchable compressor / limiter and noise gates of DBX, Klark Teknik, or BSS quality.
    4. **Please no Behringer equipment unless absolutely nothing else is available.**
    5. One (1) compact disc player.

viii. Must provide full stage package (mics, stands, cables, etc).

V.Monitor Sound System

i. At least eight (8) mono mixes and one (1) dedicated stereo mix (**with panning**) are needed.
ii. Forty-eight (48) channels are required on the monitor console.
iii. Preferred monitor consoles:
    1. Digital
        a. Yamaha MC7L
        b. Yamaha PM5D
        c. Yamaha PM1D
        d. DigiDesign D-Show, Venue, Profile, or SC48
    2. Analog
        a. Midas H3000, XL3, or XL4
        b. Yamaha PM4000 (or 4000M)
        c. Any other Midas model
        d. Soundcraft SM or MH Series – **Please no Spirit models**

iv. Eight (8) floor monitors are required. Each must have either one (1) 15 inch or two (2) 12 inch speakers for low frequencies and one (1) 2 inch horn driver in diameter for high frequencies. **Each monitor must be bi-amplified.**
v. Eight (8) one-third octave equalizers must be provided and should be of Klark Teknik, or BSS quality.
vi. Power amps such as QSC, Crown, or Crest are preferred and must be capable of delivering no less than 500 watts at 4 ohms.
vii. Monitor position is located **STAGE LEFT ONLY!!!**

VI. Additional Fly Rider Requirements ***(please note that this section "VI" applies to FLY DATES ONLY!)***

i. Drums (Pearl Maple w/ Rack System)
    1. 22" Kick
    2. 10" Tom
    3. 12" Tom
    4. 13" Tom
    5. 14" Floor Tom
    6. 16" Floor Tom
    7. 5 ½" Snare w/ Stand
    8. (6) Boom Cymbal Stands
    9. Pearl Kick Drum Pedal (Double Pedal if Available)
    10. (1) High Hat Stand
    11. (1) Remote Closed Hi-Hat Stand
    12. (1) Drum Throne
    13. (1) 8x8' Drum Carpet (No Indoor/Outdoor)
    14. (1) 6' tall 8 Panel Drum Shield
ii. Cymbals (Zildjian)
    1. 13" or 14" Hi-Hats
    2. 13" or 14" Hi-Hats (for Remote Closed Hi-Hat)
    3. 20" Ride
    4. 16" Crash
    5. 17" Crash
    6. 18" Crash
    7. 16" China
    8. 18" China
iii. Keys
    1. Yamaha M08, ES8, or XS8 w/ Sustain Pedal
    2. Yamaha M06
    3. (1) Two Tier Stand
iv. Guitars & Amps
    1. (2) Fender Hot Rod DeVille or Hot Rod Deluxe 2x12 Amps
    2. (2) Matchless DC 30, Vox AC 30, Fender Twin, or Fender Bassman Amps
    3. (10) Guitar Stands
v. Bass
    1. (1) Eden, Ampeg, SWR, or Gallion Krueger Head (250-300 watts or more) with:
        a. SWR, Eden, or Ampeg Cabinet ((1) 4x10", (1) 4x12", or (2) 15")
        b. No Hartke gear unless nothing else is available
vi. Microphones
    1. Two (2) wireless vocal microphones – Shure Beta 87.

2. Two (2) vocal microphones – Shure SM58 or Beta 58.
3. Four (4) instrument microphones – Shure SM57.
4. Twelve (12) drum microphones:
    a. One (1) SM91, Beta 91, or Audix D6
    b. One (1) Shure SM57
    c. Four (4) Shure KSM137 or SM81
    d. Four (4) ATM25 or 35, EV-408, or Shure SM98
5. Eight (8) passive direct boxes.

vii. All accessories must be provided and include:

1. Eight (8) tall tripod mic stands with telescopic booms.
2. Six (6) short mic stands with telescopic booms.
3. Two (2) Shure Z Brackets or two (2) additional short stands.
4. Four (4) straight mic stands, one of which has short legs.
5. Forty (40) low impedance microphone cables at least 25 feet in length.
6. Two (2) high impedance instrument cables at least 50 feet in length – or – two (2) 25 foot cables with two (2) ¼" female to female barrel connectors.

viii. Additional requirements:

1. Four IEM (in ear monitors) Shure PSM600 or 700, Seinheiser G2 or G3 with transmitters, receivers, and antenna.

VII.Other Requirements

i. No less than four (4) quad box power outlets on stage for instruments and amps (see stage plot for locations of quad boxes).
ii. No less than twenty four (24) channels of sub snake / stage box are required and should reach the rear, stage right corner of the drum riser (see stage plot for exact location).
iii. A 40 channel snake system to reach at least 100 feet to FOH with a stage monitor split capable of extending at least 30 feet.

NOTE: All sound and lighting equipment, staging, power service, and crew must be approved and is subject to disapproval by Sawyer Brown's Production Manager.
Any questions concerning this technical rider should be directed to Colin DeFevers at 615.405.2377.

AGREED AND ACCECPTED:

_____
PURCHASER

Dated: _____

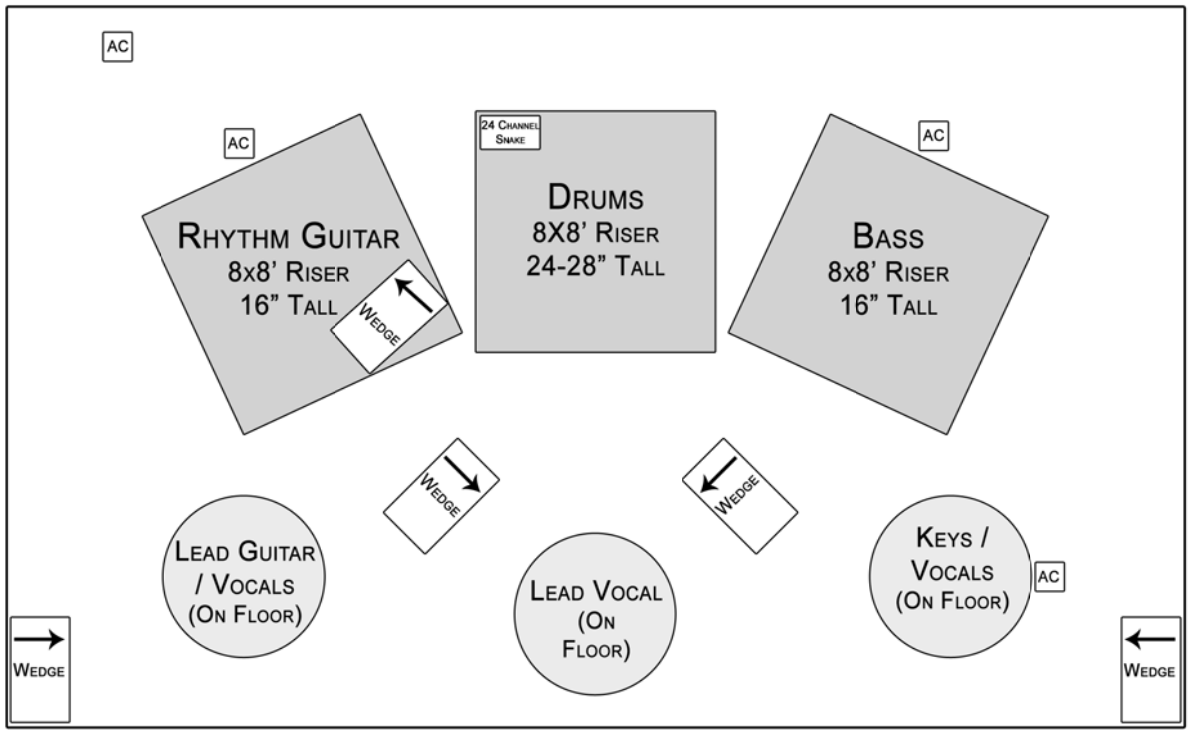
AGREED AND ACCECPTED:

_____
SAWYER BROWN

Dated: _____

SAWYER BROWN STAGE PLOT

UPDATED 10/26/09



- 4 WEDGES W/ 1 MIX (MIX #1 ON THE MONITOR CONSLOE)
  - OUTSIDES WEDGES ON SEPERATE AMP FROM INDSIDE WEDGES
- 4 QUAD BOX POWER DROPS (NOTED ABOVE)
- 24 CHANNEL SUB SNAKE LOACTED REAR STAGE RIGHT CORNER OF DRUM RISER (NOTED ABOVE)

CONTACT:
COLIN DEFEVERS 615.405.2377

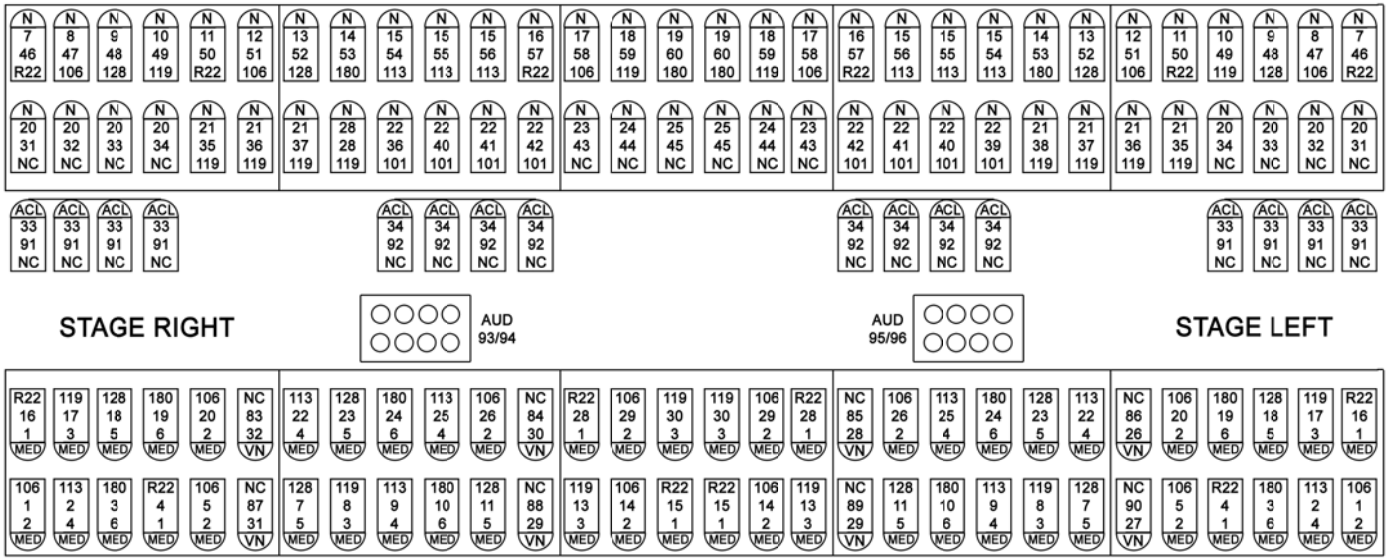
Sawyer Brown Input List
Updated 10/26/09

CH #	Channel Name
1	Kick
2	Snare
3	Hat 1 (+48v)
4	Hat 2 (+48v)
5	Tom 1 (+48v)
6	Tom 2 (+48v)
7	Tom 3 (+48v)
8	Tom 4 (+48v)
9	OH L (+48v)
10	OH R (+48v)
11	Bass
12	EG 1 L (Shayne)
13	EG 1 R (Shayne)
14	Aco 1 (Shayne) (+48v)
15	EG 2 L (Joe E)
16	EG 2 R (Joe E)
17	Aco 2 L (Joe E)
18	M06 L
19	M06 R
20	PNO L
21	PNO R
22	Hobie Vox
23	Shayne Vox
24	★ Mark
25	Spare
26	Cajon (+48v)

NOTE: Please allow additional inputs at FOH for 4 STEREO effects returns, as well as 1 STEREO input for an iPod or CD Player.

SAWYER BROWN LIGHTING PLOT

UPDATED 06/18/07



- ALL COLORS ARE LEE EXCEPT R22
- NEED 3 SPOTS MINIMUM
- SPOT COLOR - #33
- NO FOG, HAZE, OR SMOKE
- HANG ACL'S IN W SHAPE:



106 COLOR
14 DIMMER
2 HANDLE
MED BULB

CONTACT:
COLIN DEFEVERS 615.405.2377

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: September 18, 2014

SUBJECT: Engineering Flood Study Review Contract Extension

The City of Rockwall's storm drainage system encompasses 14 separate watersheds (52 stream miles) located totally or partially within the corporate limits of the City. These watersheds have been analyzed for existing and fully developed conditions. Whenever a development occurs that potentially impacts any floodplain area, development standards requires a registered engineer to perform a flood study to determine the impacts to the floodplain and an engineering solution that minimizes the increase of water surface elevations and velocities. A flood study review fee was implemented in 2013 by the City for developments requiring a flood study to recoup our review cost. The City uses Hydrological Support Services, LLC. to perform reviews to verify City drainage requirement compliance. Their contract expires on September 30, 2014. Staff has been satisfied with their service and recommend extending the contract another year.

Staff requests consideration of approval of the engineering services contract with Hydrological Support Services, LLC to perform flood study reviews for developments within the City in an amount not to exceed $40,000.00. Funding will be provided from the FY 2014-15 Department Operations Budget and developer reimbursement. If you have any questions, please advise.

TMT:em

Attachment

Cc: Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
File

STATE OF TEXAS ♦

♦

COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and HydroLogical Support Services, LLC, ("ENGINEER"), located at 97 Old Turkey Farm Rd, Denison, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for Miscellaneous Consulting Services.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Exhibit "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Exhibit "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an annual amount not to exceed forty thousand dollars ($40,000.00) and billed as an hourly basis per rates provided in Exhibit "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Exhibit "C". In the event of termination, Engineer will assist the CITY in

arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business that has an agreement or is in negotiations of an agreement with CITY. CITY may waive this conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will

be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000.00
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000.00 General aggregate limit

$1,000,000.00 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000.00 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis for a period of two years after termination of this contract, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR EMPLOYEES OR ANYONE FOR WHOM THE ENGINEER IS LEGALLY LIABLE FOR, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000.00). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
City Manager
City of Rockwall
City Hall
385 S. Goliad
Rockwall, TX 75087

Engineer
HydroLogical Support Services, LLC
Attn: Dwayne Stubblefield

P.O. Box 976
Denison, TX 75021
Deliveries:
HydroLogical Support Services, LLC
Attn: Dwayne Stubblefield, President
97 Old Turkey Farm Rd
Denison, TX 75021

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Contractor.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Exhibits and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this _____day of _____ 2014.

By:_____
Name: Dwayne Stubblefield, P.E.
Title: President, HydroLogical Support Services, LLC.

EXECUTED in triplicate originals on this _____ day of _____ 2014.

ATTEST:

City of Rockwall, Texas

_____
Richard Crowley, City Manager

EXHIBIT "A"

HydroLogical Support Services, LLC

Scope of Services

Miscellaneous Consulting Services

The scope of services for this contract is for HydroLogical Support Services, LLC (HSS) to provide miscellaneous consulting services on an as-needed basis for issues related to stormwater and other water resources matters, which may be requested from time to time by, or approved by, the City of Rockwall's City Engineer/Public Works Director, or by the City Engineer's/Public Works Director's representative(s) or assistant(s). Such services are anticipated to typically consist of the following:

1. Review of proposed development projects and other proposed construction within the City on issues related to drainage, flood hazard potential, and regulatory issues, and provide review comments to the City.

2. Consultation or coordination with project owners and their representatives, and provide readily-available City data and other information pertinent to general location of their proposed or existing projects.

3. Provide opinions, advice, recommendations and other miscellaneous assistance to the City regarding drainage, flood hazard protection, and regulatory issues related to water resources.

4. Other miscellaneous services as requested by the City and agreed by HSS provided that such services are within the field of expertise of HSS.

Exclusions: Engineering design, design plans, construction plans, construction inspection, construction administration, surveying, geotechnical services, environmental services, groundwater services, water quality services, and any other services which are not within the field of expertise or services offered by HSS are specifically excluded from this scope of services.

This scope of services is to be provided on a time and materials cost basis in accordance with attached rate schedule (Exhibit "B"). The termination date of this contract is September 30, 2015, unless agreed in writing by both parties to extend this contract, or unless either party gives notice to other party to terminate this contract prior to this termination date.

EXHIBIT "B"

HydroLogical Support Services, LLC

Special Rate Schedule and Compensation for Miscellaneous Consulting Services for the City of Rockwall, Texas

Personnel costs for time-and-materials services will be invoiced on an hourly basis in accordance with the following rate schedule:

Principal Engineer	$158 - 195/hr
Senior Engineer	$135 - 175/hr
Project Engineer	$ 85 - 145/hr
Engineer-in-Training	$ 55 - 95/hr
CADD Support/Technician	$ 45 – 95/hr
Clerical/Administrative Support	$ 28 – 55/hr

Rates for expert consulting, witness, and/or testimony services related to depositions, court, hearings, arbitration dispute negotiations, meetings with opposing parties, and preparation with legal representation for deposition and/or trial are billed at personnel costs plus 35% and include all time away from the office on the date(s) of such services on behalf of the client. Personnel rates are effective through September 30, 2015, and may be renegotiated for services performed thereafter.

Non-labor expenses (including sub-contractual services, if any) will be invoiced at cost plus 8%. Mileage costs will be at the same rate as established by the Internal Revenue Service at the time of occurrence. In-office black-and-white photocopies directly related to a project or task and exceeding more than 50 pages will be at a cost of 10 cents each. Color copies will be at a cost of 25 cents each for 8.5x11 size and 50 cents each for 11x17 size.

Invoices will be submitted to the City typically at the end of the month and on a monthly basis.. However, the final invoice will be submitted upon termination of this contract. Payment for each invoice is due "net 30" days following date of the invoice. Delayed payment of any invoice may result in delays of the contracted services (Exhibit "A").

Unless otherwise agreed in writing to extend this contract, or unless either party to this contract gives notice to terminate, this contract will terminate on September 30, 2015.

EXHIBIT "C"

HydroLogical Support Services, LLC

Term of Agreement and

Schedule for

Miscellaneous Consulting Services

The term of this agreement shall commence upon execution of the agreement by both parties and will extend through September 30, 2015, unless otherwise terminated or extended as agreed in writing. Consulting services listed in Exhibit A will be scheduled on an as-needed basis during the term of contract and any extension as agreed. Consulting services will end immediately upon termination of the contract.

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 9/10/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
McLaughlin Brunson Insurance Agency, LLP
12801 North Central Expressway
Suite 1710
Dallas TX 75243

CONTACT NAME: Brian R Hadar
PHONE (A/C, No, Ext): (214) 503-1212 FAX (A/C, No): (214) 503-8899
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : XL Specialty Insurance Company	37885
INSURER B : Charter Oak Fire Insurance Co.	25615
INSURER C : Travelers Lloyds Ins. Company	41262
INSURER D : Graphic Arts Mutual Insurance Co	25984
INSURER E :	
INSURER F :	

INSURED
Hydrological Support Services, LLC

P.O. Box 976

Denison TX 75021

COVERAGES **CERTIFICATE NUMBER:** Cert ID 26586 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
C	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRO-JECT LOC	Y	Y	PACP6A350909	9/30/2014	9/30/2015	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 1,000,000 $ 10,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
B	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS X HIRED AUTOS X NON-OWNED AUTOS	Y	Y	BA6A351168	9/30/2014	9/30/2015	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
	UMBRELLA LIAB OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $						EACH OCCURRENCE AGGREGATE	$ $
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	Y	4464958	9/30/2014	9/30/2015	X WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 1,000,000 $ 1,000,000 $ 1,000,000
A	Professional Liability	N	Y	DPS9719237	9/30/2014	9/30/2016	Per Claim/ Annual Aggregate	$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
The claims made professional liability coverage is the total aggregate limit for all claims presented within the annual policy period and is subject to a deductible.

CERTIFICATE HOLDER

Master Certificate

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Brian R. Hadar

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: September 16, 2014

SUBJECT: SH 205 Speed Limit Reduction

The speed limit on SH 205 from E. Interurban Street to south of S. Heath Street is currently posted at 45 miles per hour. Police Department and Public Works staff felt this speed was too fast for the existing conditions adjacent to the roadway. The roadway is under the Texas Department of Transportation (TxDOT) responsibility and maintenance. Staff requested TxDOT re-evaluate the posted speed from the previous speed study on this section of roadway. The results of their evaluation recommended decreasing the speed limit along SH 205 between E. Interurban Street and south of S. Heath Street from 45 mph to 35 mph.

To proceed with the changing of the speed limit, TxDOT requires an approved City ordinance matching the zones on the speed study. Upon receiving the executed ordinance, TxDOT will furnish and install the necessary signs at the proper locations.

Staff requests City Council consideration to approve the attached ordinance establishing the speed limit along SH 205 from E. Interurban Street to south of S. Heath Street at 35 miles per hour and take any action necessary.

If you have any questions, please advise.

TMT:em

Attachments:

Cc:

Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
Billy Chaffin, Streets & Drainage Superintendent
file

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY NO. 205 GENERALLY FROM E. INTERURBAN STREET TO SOUTH OF S. HEATH STREET OR PARTS THEREOF, WITHIN THE INCORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED $200.00 FOR THE VOILATION OF THIS ORDINANCE.

WHEREAS, Section 545.356 of the Texas Transportation Code, provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration that width and condition of the pavement and other circumstances such portion of said street or highway, as well as the traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THAT:

SECTION 1. Upon the basis of an engineering and traffic investigation heretofore made as a authorized by the provisions of Transportation Code, Section 545.356, the following prima facie speed limits hereafter indicated for vehicles on the attached Exhibit “A” (strip map) are herby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

SECTION 2. From and after the date of the passage of this speed zone ordinance, no motor vehicle shall be operated along and upon State Highway No. 205 from E. Interurban Street to south of S. Heath Street within the corporate limits of the City of Rockwall in excess of speeds of 35 miles per hour as set forth in Exhibit “A”.

SECTION 3. The Mayor of Rockwall is hereby authorized to cause to be erected, appropriated signs indicating such speed zones.

SECTION 4. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed Two Hundred Dollars ($200.00).

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS THE 20TH DAY OF OCTOBER, 2014.

David Sweet, Mayor

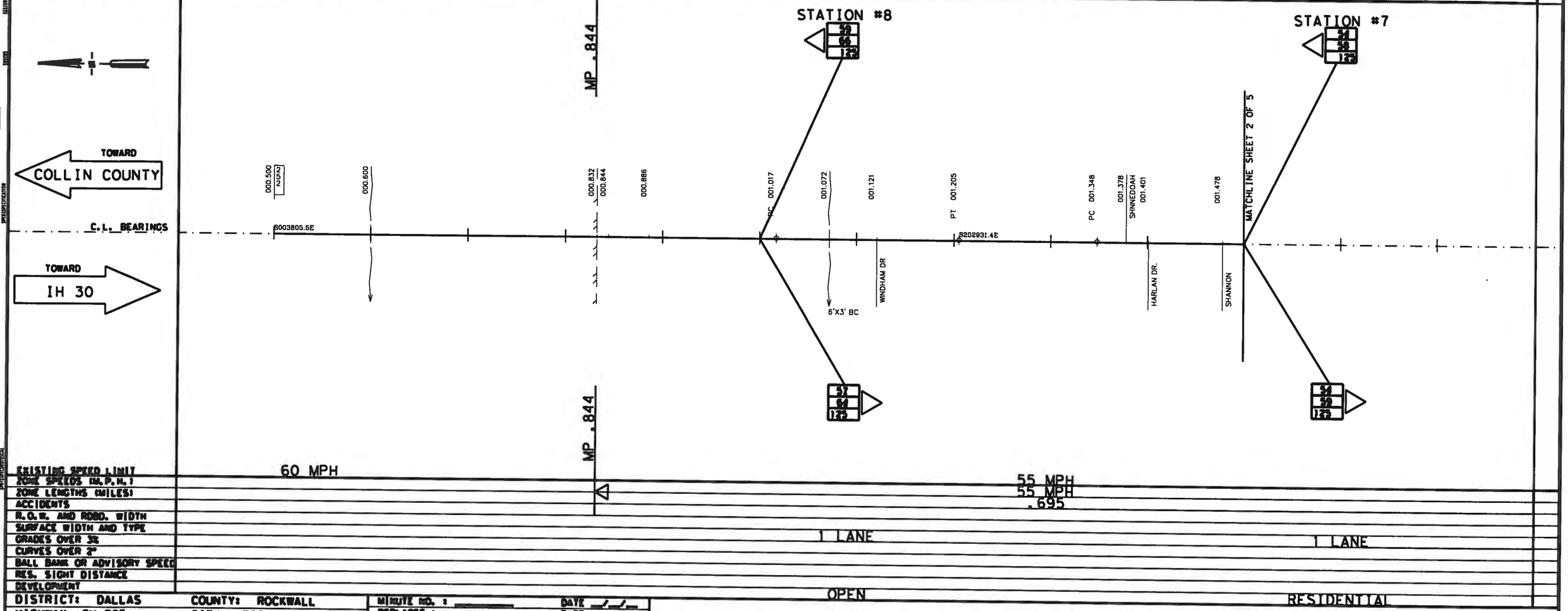
Attest:

Kristy Ashberry, City Secretary

1st Reading: October 6, 2014
2nd Reading: October 20, 2014

SH 205

DEVELOPMENT	RESIDENTIAL / OPEN
RES. SIGHT DISTANCE	
BALL BANK OR ADVISORY SPEED	
CURVES OVER 2°	
GRADES OVER 3%	
SURFACE WIDTH AND TYPE	
R.O.W. AND ROAD. WIDTH	1 LANE / 1 LANE
ACCIDENTS	
ZONE LENGTHS (MILES)	.695
ZONE SPEEDS (M.P.H.)	55 MPH



EXISTING SPEED LIMIT	60 MPH / 55 MPH
ZONE SPEEDS (M.P.H.)	55 MPH
ZONE LENGTHS (MILES)	.695
ACCIDENTS	
R.O.W. AND ROAD. WIDTH	1 LANE / 1 LANE
SURFACE WIDTH AND TYPE	
GRADES OVER 3%	
CURVES OVER 2°	
BALL BANK OR ADVISORY SPEED	
RES. SIGHT DISTANCE	
DEVELOPMENT	OPEN / RESIDENTIAL

DISTRICT: DALLAS COUNTY: ROCKWALL

HIGHWAY: SH 205 CITY: ROCKWALL

DATE OF STUDY 02-27-13 SCALE 1"= 0.1 MILES

MINUTE NO. : DATE

REPLACES : DATE

REPLACED BY : DATE

CANCELLED BY : DATE

LIMITS OF ZONE

SECTION ONE	STA. OR M.P.	LENGTH CONT. AND SECT.	MILES PROJECT
BEGINS	0 + 00 / MP	-	( )
ENDS	STA. OR M.P. / MP	CONT. AND SECT. -	PROJECT ( )

SECTION TWO	STA. OR M.P.	LENGTH CONT. AND SECT.	MILES PROJECT
BEGINS	MP	-	( )
ENDS	STA. OR M.P. / MP	CONT. AND SECT. -	PROJECT ( )

42 85 PERCENTILE SPEED
42 TOP SPEED MEASURED
12 NUMBER OF CARS CHECKED

FATAL ACCIDENT
PERSONAL INJURY ACCIDENT
PROPERTY DAMAGE ACCIDENT

INDICATES SECTION ZONED BY COMMISSION MINUTE

SIGNALIZED INTERSECTION

TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 04

LIMITS: FM 740 TO NORTH CITY LIMITS

SHEET 1 OF 5

Texas Department of Transportation

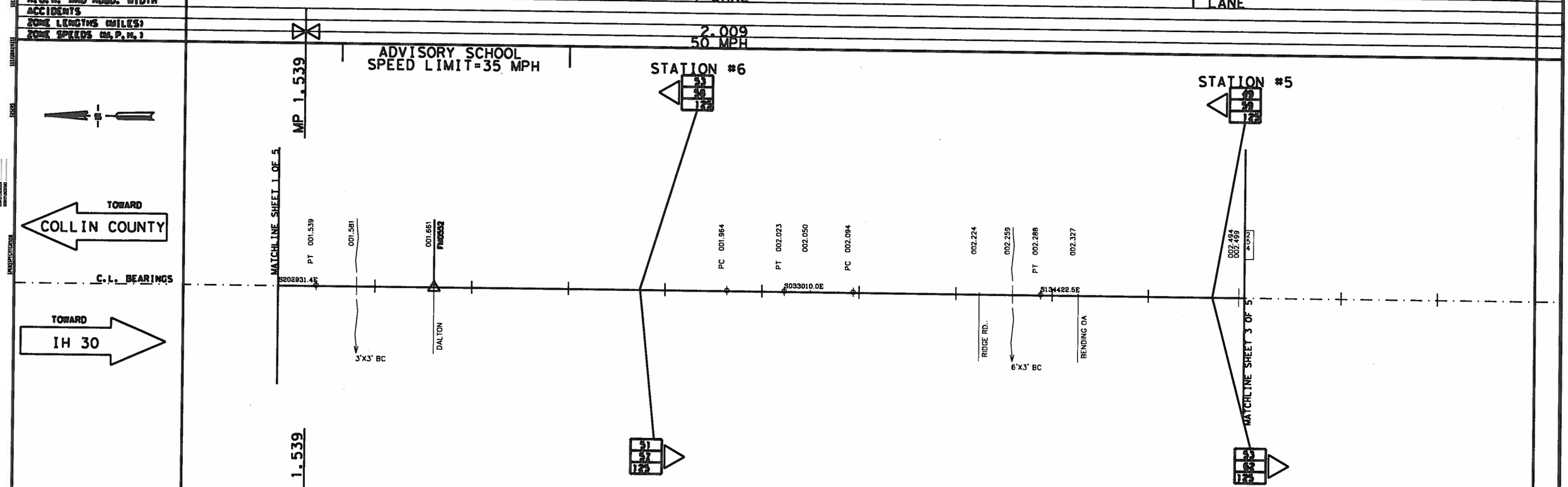
SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN YEAR	F.A.S. NO. / DIV. NO.	FEDERAL AID PROJECT NO.	SHEET NO.
	STATE	STATE DIST. NO. / COUNTY	
CHECKED	CONTROL NO.	SECTION NO.	JOB NO. / HIGHWAY NO.

EXHIBIT A - ORDINANCE 14-XX

SH 205

DEVELOPMENT	RESIDENTIAL / OPEN
RES. SIGHT DISTANCE	
BALL BANK OR ADVISORY SPEED	
CURVES OVER 2°	
GRADES OVER 3%	
SURFACE WIDTH AND TYPE	1 LANE / 1 LANE
R.O.W. AND ROAD. WIDTH	
ACCIDENTS	
ZONE LENGTHS (MILES)	2.009
ZONE SPEEDS (M.P.H.)	50 MPH



EXISTING SPEED LIMIT	
ZONE SPEEDS (M.P.H.)	
ZONE LENGTHS (MILES)	
ACCIDENTS	
R.O.W. AND ROAD. WIDTH	
SURFACE WIDTH AND TYPE	
GRADES OVER 3%	
CURVES OVER 2°	
BALL BANK OR ADVISORY SPEED	
RES. SIGHT DISTANCE	
DEVELOPMENT	

DISTRICT: DALLAS COUNTY: ROCKWALL

HIGHWAY: SH 205 CITY: ROCKWALL

DATE OF STUDY 02-27-13 SCALE 1" = 0.1 MILES

MINUTE NO. : _____ DATE __/__/__

REPLACES : _____ DATE __/__/__

REPLACED BY : _____ DATE __/__/__

CANCELLED BY : _____ DATE __/__/__

LIMITS OF ZONE

	SECTION ONE	LENGTH	MILES		SECTION TWO	LENGTH	MILES
BEGINS	STA. OR M.P. 0 + 00 MP	CONT. AND SECT.	PROJECT	BEGINS	STA. OR M.P. MP	CONT. AND SECT.	PROJECT
ENDS	STA. OR M.P. 0 + 00 MP	CONT. AND SECT.	PROJECT	ENDS	STA. OR M.P. MP	CONT. AND SECT.	PROJECT

62 85 PERCENTILE SPEED
62 TOP SPEED MEASURED
13 NUMBER OF CARS CHECKED

○ FATAL ACCIDENT
⊘ PERSONAL INJURY ACCIDENT
○ PROPERTY DAMAGE ACCIDENT

═══ INDICATES SECTION ZONED BY COMMISSION MINUTE

△ SIGNALIZED INTERSECTION

TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 04

LIMITS: FM 740 TO NORTH CITY LIMITS

SHEET 2 OF 5

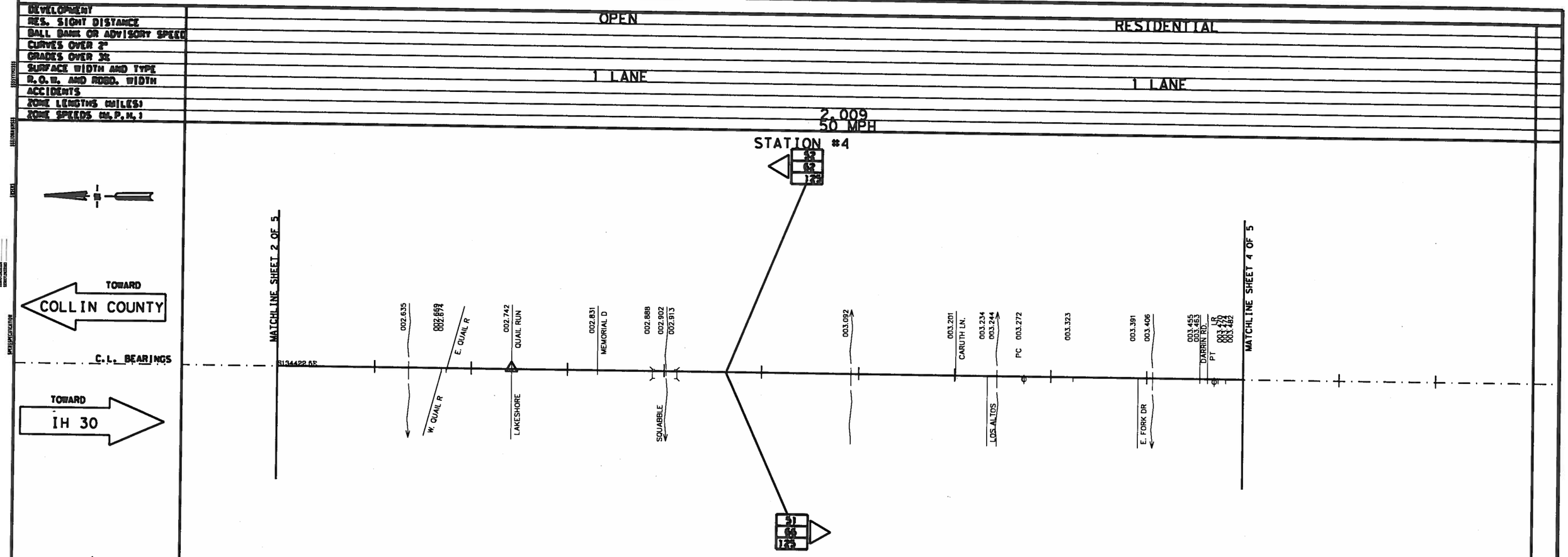
Texas Department of Transportation

SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN YEAR	DIV. NO. / DIST. NO.	FEDERAL AID PROJECT NO.	SHEET NO.
	STATE	STATE DIST. NO.	
CHECKED	CONTROL NO.	SECTION NO.	JOB NO.	HIGHWAY NO.

SH 205

DEVELOPMENT	OPEN
RES. SIGHT DISTANCE	
BALL BANK OR ADVISORY SPEED	
CURVES OVER 2°	
GRADES OVER 3%	
SURFACE WIDTH AND TYPE	1 LANE
R.O.W. AND ROBD. WIDTH	
ACCIDENTS	
ZONE LENGTHS (MILES)	2.009
ZONE SPEEDS (M.P.H.)	50 MPH



EXISTING SPEED LIMIT	55 MPH
ZONE SPEEDS (M.P.H.)	50 MPH
ZONE LENGTHS (MILES)	2.009
ACCIDENTS	
R.O.W. AND ROBD. WIDTH	
SURFACE WIDTH AND TYPE	1 LANE
GRADES OVER 3%	
CURVES OVER 2°	
BALL BANK OR ADVISORY SPEED	
RES. SIGHT DISTANCE	
DEVELOPMENT	RESIDENTIAL

DISTRICT: DALLAS COUNTY: ROCKWALL

HIGHWAY: SH 205 CITY: ROCKWALL

DATE OF STUDY 02-27-13 SCALE 1" = 0.1 MILES

MINUTE NO. : DATE

REPLACES : DATE

REPLACED BY : DATE

CANCELLED BY : DATE

LIMITS OF ZONE

SECTION ONE	STA. OR M.P.	LENGTH CONT. AND SECT.	MILES PROJECT
BEGINS	0 + 00 MP		( )
ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT
	0 + 00 MP		( )

SECTION TWO	STA. OR M.P.	LENGTH CONT. AND SECT.	MILES PROJECT
BEGINS	MP		( )
ENDS	STA. OR M.P.	CONT. AND SECT.	PROJECT
	MP		( )

42 85 PERCENTILE SPEED
62 TOP SPEED MEASURED
129 NUMBER OF CARS CHECKED

O FATAL ACCIDENT
⊘ PERSONAL INJURY ACCIDENT
O PROPERTY DAMAGE ACCIDENT

INDICATES SECTION ZONED BY COMMISSION MINUTE

△ SIGNALIZED INTERSECTION

TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 04

LIMITS: FM 740 TO NORTH CITY LIMITS

SHEET 3 OF 5

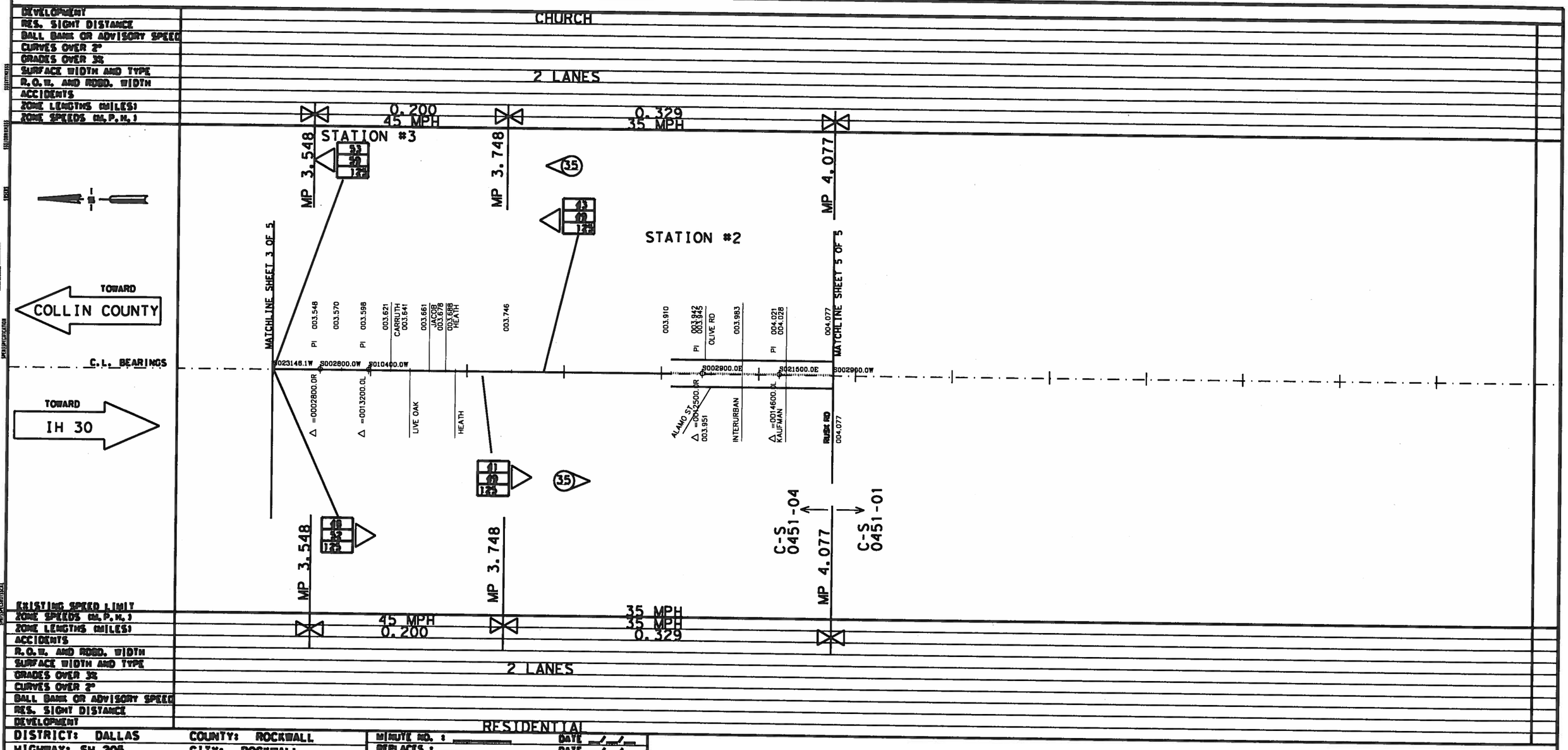
Texas Department of Transportation

SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN YEAR	DIST. NO. / DIV. NO.	FEDERAL AID PROJECT NO.	SHEET NO.
	STATE	STATE DIST. NO. / COUNTY	
CHECKED	CONTROL NO.	SECTION NO.	JOB NO. / HIGHWAY NO.

SH 205

DEVELOPMENT	CHURCH
RES. SIGHT DISTANCE	
BALL BANK OR ADVISORY SPEED	
CURVES OVER 2°	
GRADES OVER 3%	
SURFACE WIDTH AND TYPE	2 LANES
R.O.W. AND ROAD. WIDTH	
ACCIDENTS	
ZONE LENGTHS (MILES)	0.200 / 0.329
ZONE SPEEDS (M.P.H.)	45 MPH / 35 MPH



EXISTING SPEED LIMIT	
ZONE SPEEDS (M.P.H.)	45 MPH / 35 MPH
ZONE LENGTHS (MILES)	0.200 / 0.329
ACCIDENTS	
R.O.W. AND ROAD. WIDTH	
SURFACE WIDTH AND TYPE	2 LANES
GRADES OVER 3%	
CURVES OVER 2°	
BALL BANK OR ADVISORY SPEED	
RES. SIGHT DISTANCE	
DEVELOPMENT	RESIDENTIAL

DISTRICT: DALLAS COUNTY: ROCKWALL

HIGHWAY: SH 205 CITY: ROCKWALL

DATE OF STUDY 02-27-13 SCALE 1" = 0.1 MILES

MINUTE NO. : DATE

REPLACES : DATE

REPLACED BY : DATE

CANCELLED BY : DATE

LIMITS OF ZONE

	SECTION ONE	LENGTH	MILES		SECTION TWO	LENGTH	MILES
BEGINS	STA. OR M.P. 0 + 00 / MP	CONT. AND SECT.	PROJECT	BEGINS	STA. OR M.P. / MP	CONT. AND SECT.	PROJECT
ENDS	STA. OR M.P. 0 + 00 / MP	CONT. AND SECT.	PROJECT	ENDS	STA. OR M.P. / MP	CONT. AND SECT.	PROJECT

42 85 PERCENTILE SPEED
42 TOP SPEED MEASURED
12 NUMBER OF CARS CHECKED

○ FATAL ACCIDENT
⊘ PERSONAL INJURY ACCIDENT
○ PROPERTY DAMAGE ACCIDENT

INDICATES SECTION ZONED BY COMMISSION MINUTE

△ SIGNALIZED INTERSECTION

TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 04

LIMITS: FM 740 TO NORTH CITY LIMITS

SHEET 4 OF 5

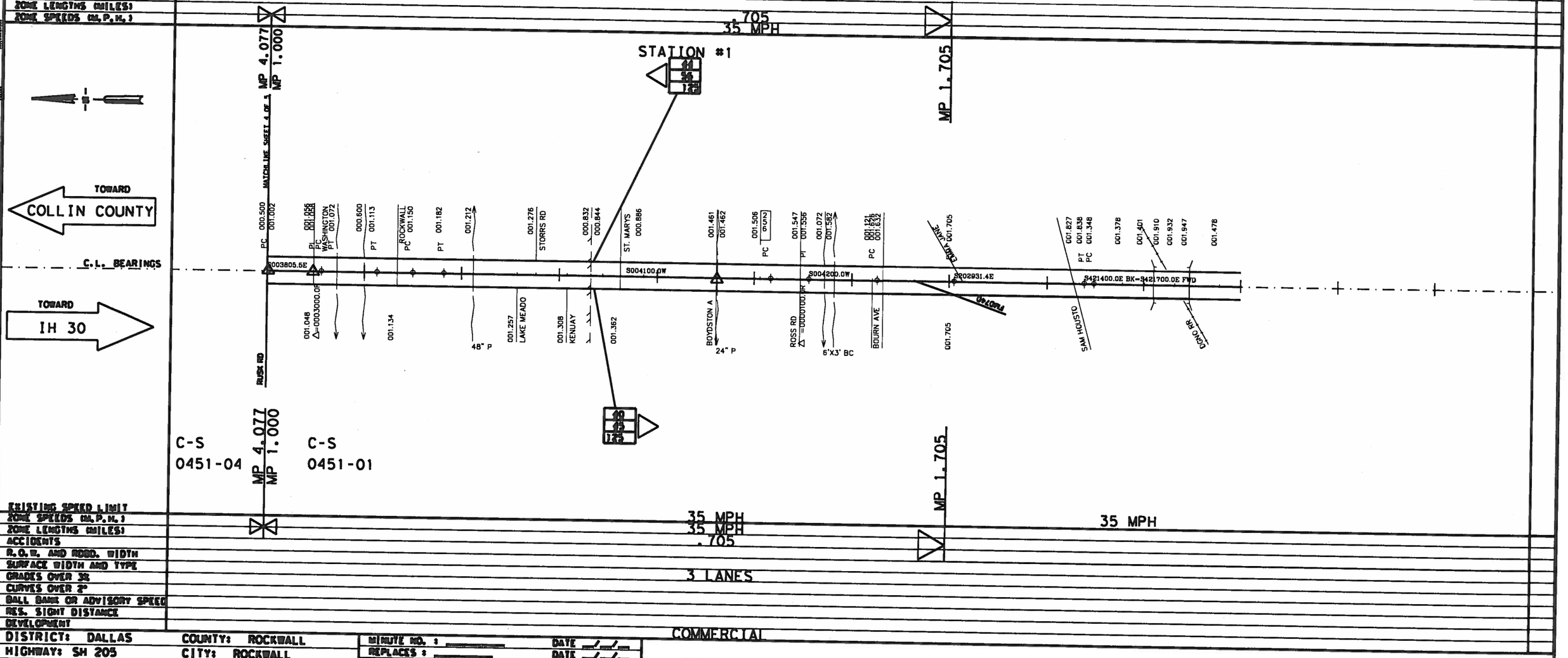
Texas Department of Transportation

SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN TEAM	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.	SHEET NO.
	STATE	STATE DIST. NO.	COUNTY
CHECKED	CONTROL NO.	SECTION NO.	JOB NO. / HIGHWAY NO.

SH 205

DEVELOPMENT	COMMERCIAL
RES. SIGHT DISTANCE	
BALL BANK OR ADVISORY SPEED	
CURVES OVER 2°	
GRADES OVER 3%	
SURFACE WIDTH AND TYPE	3 LANES
R.O.W. AND ROAD. WIDTH	705
ACCIDENTS	
ZONE LENGTHS (MILES)	
ZONE SPEEDS (M.P.H.)	35 MPH



EXISTING SPEED LIMIT	
ZONE SPEEDS (M.P.H.)	35 MPH
ZONE LENGTHS (MILES)	35 MPH
ACCIDENTS	.705
R.O.W. AND ROAD. WIDTH	
SURFACE WIDTH AND TYPE	3 LANES
GRADES OVER 3%	
CURVES OVER 2°	
BALL BANK OR ADVISORY SPEED	
RES. SIGHT DISTANCE	
DEVELOPMENT	COMMERCIAL

DISTRICT: DALLAS COUNTY: ROCKWALL
HIGHWAY: SH 205 CITY: ROCKWALL
DATE OF STUDY 02-27-13 SCALE 1" = 0.1 MILES

MINUTE NO. : DATE __/__/__
REPLACES : DATE __/__/__
REPLACED BY : DATE __/__/__
CANCELLED BY : DATE __/__/__

LIMITS OF ZONE

	SECTION ONE	STA. OR M.P.	LENGTH CONT. AND SECT.	LENGTH PROJECT	SECTION TWO	STA. OR M.P.	LENGTH CONT. AND SECT.	LENGTH PROJECT
BEGINS		0 + 00 MP	-	( )	BEGINS	MP	-	( )
ENDS		MP	-	( )	ENDS	MP	-	( )

42 85 PERCENTILE SPEED
62 TOP SPEED MEASURED
125 NUMBER OF CARS CHECKED

○ FATAL ACCIDENT
⊘ PERSONAL INJURY ACCIDENT
○ PROPERTY DAMAGE ACCIDENT

INDICATES SECTION ZONED BY COMMISSION MINUTE

△ SIGNALIZED INTERSECTION

TRIAL RUN

SPEED ZONE

CONT. 0451 SEC. 01
LIMITS: FM 740 TO NORTH CITY LIMITS

SHEET 5 OF 5

Texas Department of Transportation

SPEED STUDY
ROCKWALL COUNTY
SH 205

DESIGN TEAM	FED. AID PROJ. NO. / DIV. NO.	FEDERAL AID PROJECT NO.	SHEET NO.
	STATE	STATE DIST. NO. 173	
CHECKED	CONTROL NO.	SECTION NO.	JOB NO. / HIGHWAY NO.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **September 11, 2014**

SUBJECT: **Engineering Inspection Fee**

The City Council originally approved establishment of an engineering inspection fee of two percent on October 15, 2001. The fee covers expenses related to construction inspection and is based on the estimated cost of public improvements including water, sanitary sewer, sanitary sewer lift stations, storm sewer, drainage structures, paving, screening walls and other improvements within City right-of-way. The fee is collected prior to the beginning of construction.

The engineering inspection fee amount has remained unchanged since the original ordinance effective date. Staff recently performed a survey of various Metroplex cities to determine if they charge an inspection fee and if so, what percent. Eleven cities were contacted with most charging three and one-half to four percent (survey attached).

Staff request consideration of approval of the Engineering Inspection Fee Ordinance in a revised amount of four percent and take any action necessary.

TMT:em

Attachments

Cc:
Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
File

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 38. SUBDIVISIONS; ARTICLE I. IN GENERAL; SECTION 38-15. MISCELLANEOUS REQUIRMENTS BY AMENDING SUBSECTION (m) TO REVISE THE ENGINEERING INSPECTION FEE TO RAISE IT FROM TWO PERCENT TO FOUR PERCENT; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS the City Council has directed the City Manager and staff to conduct cost studies and reviews, from time to time, of various fees and charges of the City of Rockwall, Texas, and submit recommendations to the City Council for review and creation of said fees and charges, as needed; and

WHEREAS, the City Council of the City of Rockwall, Texas, has reviewed the recommendations and has determined that certain fees need to be raised in order to adequately reimburse the City for its costs of administration.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That subsection (m) of Chapter 38. Subdivisions; Article I. In General; Section 38-15. Miscellaneous Requirements is here by repealed in its entirety and is replaced by a new subsection (m) which shall henceforth read as follows:

> (m) *Engineering Inspection Fee*. Any person desiring to submit for approval construction plans shall, at the time of said plan being filed with the engineering department or at the time deemed appropriate by said department, pay to the city a fee in accordance with the following fee schedule:
>
> An engineering fee of four percent of the actual contract costs of city-maintained improvements shall be established. The fee shall be based on a percentage of the estimated cost of public improvements including, but not limited to water, sanitary sewer, lift stations, storm sewer, drainage structures, bridges, culverts, paving, screening walls, etc. If actual contract costs are not available at the time of plan approval, the city will be furnished estimated quantities and costs sealed and signed by a professional engineer. Prior to final acceptance by the city, the actual quantity and costs will be furnished to the city and the fee will be adjusted accordingly. The fee shall be due and payable prior to engineering plan approval and start of construction.

Section 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

Section 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

Section 4. That this ordinance shall be effective on and after November 1, 2014 with an exception for any and all plans submitted before this date.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS THE 20th DAY OF OCTOBER, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

1st Reading: 10-06-14

2nd Reading: 10-20-14

Construction Inspection Fees

CITY	AMOUNT CHARGE
McKinney	3.5%
Richardson	3.5%
Plano	4%
Frisco	2.5% *
Allen	3.2%
Rowlett	4%
Garland	3%
Mesquite	4% **
Fate	4%
Royse City	***
Heath	3%

* on everything including private 5' from building

** on public improvements and 1% on all erosion/grading/testing

*** Inspections are done by private firm and they charge the developer whatever their charge to the City is

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CITY OF ROCKWALL

ORDINANCE NO. 14-41

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 6. ANIMALS; ARTICLE II. ADMINISTRATION; DIVISION 2. ANIMAL ADOPTION CENTER / ADVISORY COMMITTEE; SECTION 6-51. ESTABLISHED; COMPOSITION TO AMEND COMMITTEE MEMBER COMPOSITION IN ACCORDANCE WITH STATE LAW REQUIREMENTS. PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the Rockwall Animal Adoption Center / Shelter Advisory Committee assists in complying with the requirements of Chapter 823 of the State of Texas Health and Safety Code (Standards for Animal Shelters); and

WHEREAS, State Law calls for the advisory committee to be composed of at least one licensed veterinarian, one county or municipal official, one person whose duties include the daily operation of an animal shelter, and one representative from an animal welfare organization; and

WHEREAS, the City Council has determined that a local amendment regarding the initially established composition of the Animal Adoption Center / Shelter Advisory Committee is in the best interest of the citizens of the City of Rockwall in order to align with State law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That Chapter 6. Animals; Article II. Administration; Division 2. Animal Adoption Center/Advisory Committee; Section 6-51. "Established; Composition" is hereby amended to henceforth read in its entirety as follows:

> ***Sec. 6-51. Established; composition***
> An animal adoption center/advisory committee shall hereby be established and comprised of a minimum of the following: licensed local veterinarian, one municipal official, one representative from an animal welfare organization, ~~and three city citizens to be appointed by the city council~~, and one person whose duties include the daily operation of the city's animal adoption center/shelter. The animal welfare organization representative may not also be employed by the shelter. All committee members shall be appointed by and serve at the pleasure of the city council. ~~to be appointed by the city manager, and who shall serve as an ex officio member.~~

Section 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict;

Section 3. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void;

Section 4. That all ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal;

Section 5. That this Ordinance shall become effective immediately upon passage and approval and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 6th day of October, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 09-15-14

2nd Reading: 10-06-14

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: September 22, 2014

SUBJECT: Agreement for Construction, Maintenance and Operations of Safety Lighting Systems with Municipalities

The Texas Department of Transportation (TxDOT) has requested the City Council to review and approve the attached "Agreement for Construction, Maintenance and Operations of Safety Lighting Systems Within Municipalities". The original agreement was approved by the City on September 15, 1986. This agreement allows TxDOT to provide adequate safety lighting systems along State roadways for the traveling public in our City.

TxDOT will prepare plans and specifications, award construction and provide construction inspection of a safety lighting project within our City. TxDOT will require the City's consent to construct the lighting system prior to awarding the contract. All costs of construction, maintenance and operation of the lighting system will be borne by TxDOT.

TxDOT is currently bidding a safety lighting system improvement project along IH30 from the City west City limits to SH 205. The project will be bid and awarded in November and should be complete in July of 2015.

Staff requests City Council consider approval of the attached resolution authorizing the City Manager to execute the attached Agreement for Construction, Maintenance and Operations of Safety Lighting Systems Within Municipalities with the Texas Department of Transportation and take any action necessary.

TMT:em

Attachment

Cc:
Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
Billy Chaffin, Superintendent of Streets & Drainage
File

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 14-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, HEREBY AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (STATE OF TEXAS) FOR THE CONSTRUCTION, MAINTENANCE AND OPERATIONS OF SAFETY LIGHTING SYSTEMS WITHIN MUNICIPALITIES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in order to provide a more adequate facility to the traveling public, the construction, maintenance, and operation of certain safety lighting systems is required within the corporate limits of the City. Within the City, said safety lighting systems, hereinafter referred to as the "lighting system," is to consist of safety lighting to be built in sections as financed and designated by the Texas Transportation Commission; and

WHEREAS, the Executive Director, acting for and in behalf of the Texas Transportation Commission, has made it known to the City that the State will construct, maintain, and operate said lighting systems, subject to the conditions and provisions stated herein, as provided for in the Title 43 Texas Administrative Code Section, Sections 25.11 and Chapter 221.002, Texas Transportation Code.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THAT:

Section 1. The State will prepare the plans and specifications, advertise for bids, let the construction contract, or otherwise provide for the construction, and will supervise construction, reconstruction, or betterment work a required by said plans and specifications. As a project is developed to construction stage, either as a unit or in increments, the State will submit plans and specifications of the proposed work to the City and will secure the City's consent to construct the lighting system prior to awarding the contract, said City consent to be signatures of duly authorized City officers in the spaces provided on the title sheet of plans.

All costs of construction, maintenance, and operation of the lighting system will be borne by the State, and the lighting system will remain the property of the State.

Section 2. The City Manager of the City of Rockwall, Texas, is hereby authorized execute, on behalf of he City Council of the City of Rockwall, Texas, an agreement between the City of Rockwall, Texas and the Texas Department of Transportation (State of Texas) for construction, maintenance and operations of safety lighting systems within municipalities, which is attached hereto as Exhibit "A"

Section 3. That this resolution shall be in full force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 6th day of October, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

STATE OF TEXAS §

COUNTY OF TRAVIS §

AGREEMENT FOR CONSTRUCTION, MAINTENANCE AND OPERATION OF SAFETY LIGHTING SYSTEMS WITHIN MUNICIPALITIES
(State Maintains and Contracts for Power)
(Blanket Agreement)

THIS AGREEMENT, dated this ____ day of _____, 20____, by and between the State of Texas, hereinafter referred to as the "State," party of the first part, acting by and through the Texas Department of Transportation, and the City of Rockwall, Rockwall County, Texas, acting by and through its duly authorized officers under a resolution or ordinance passed the ____ day of_____, 20____, hereinafter called the "City," party of the second part.

W I T N E S S E T H

WHEREAS, in order to provide a more adequate facility to the traveling public, the construction, maintenance, and operation of certain safety lighting systems is required within the corporate limits of the City. Within the City, said safety lighting system, hereinafter referred to as the "lighting system," is to consist of safety lighting to be built in sections as financed and designated by the Texas Transportation Commission; and

WHEREAS, the Executive Director, acting for and in behalf of the Texas Transportation Commission, has made it known to the City that the State will construct, maintain, and operate said lighting systems, subject to the conditions and provisions stated herein, as provided for in Title 43 Texas Administrative Code Section, Section 25.11 and Chapter 221.002, Texas Transportation Code.

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

A G R E E M E N T

Article 1. CONSTRUCTION AND MAINTENANCE RESPONSIBILITIES

a. The State will prepare or provide for the plans and specifications, advertise for bids, let the construction contract, or otherwise provide for the construction, and will supervise construction, reconstruction, or betterment work as required by said plans and specifications. As a project is developed to construction stage, either as a unit or in increments, the State will submit plans and specifications of the proposed work to the City and will secure the City's consent to construct the lighting system prior to awarding the contract, said City consent to be signified by the signatures of duly authorized City officers in the spaces provided on the title sheet of plans containing the following notation:

> "Attachment No._____ to special AGREEMENT FOR CONSTRUCTION, MAINTENANCE, AND OPERATION OF SAFETY LIGHTING SYSTEMS WITHIN MUNICIPALITIES, dated _____. The City-State construction, maintenance, and operation responsibilities shall be as heretofore

agreed to, accepted, and specified in the Agreement to which these plans are made a part."

b. All costs of construction, maintenance, and operation of the lighting system will be borne by the State, and the lighting system will remain the property of the state.

Article 2. GENERAL

a. The State's obligation for operation and maintenance of the lighting system shall cease should the route on which it is located be dropped from the State Highway System.

b. This Agreement will cease to apply to sections of the lighting system in the event that those sections are removed or become a part of a continuous illumination system.

c. This agreement shall remain in force for a period of two years from the date that it is signed by the State, and it is understood by both parties that at the end of the initial two-year period, the Agreement will be automatically renewed for two-year periods thereafter unless modified by mutual agreement of both parties. In the event that the lighting system installed in accordance with this Agreement becomes unnecessary or is removed for any reason, this agreement will terminate.

d. Changes in time frame, character, cost, or obligations authorized herein shall be enacted by written amendment. Any amendment to this Agreement must be executed by both parties within the contract period.

e. This Agreement constitutes the sole and only agreement for lighting at the location described herein of the parties hereto and supersedes any prior understandings or written or oral agreement between the parties respecting the within subject matter.

IN WITNESS WHEREOF, the parties have thereunto affixed their signature, the City of Rockwall on the ____ day of _____, 20__, and the Texas Department of Transportation on the ____ day of _____, 20__.

THE CITY OF ROCKWALL, TEXAS
Executed on behalf of the City by:

By_____ Date_____

Typed or Printed Name and Title Rick Crowley

City Manager

THE STATE OF TEXAS
Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By_____ Date_____
William L. Hale, P.E.
Interim Dallas District Engineer

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Exhibit B

Detailing Reporting of HOT Expenditures

Name of Organization:	Rockwall Area Chamber of Commerce
Name of Program:	Maps/Magazine Rockwall Area Chamber of Commerce & Visitor's Center Partner Directory & Buyers Guide
Date of Event:	May – September 2014

Profit & Loss Detail

	Date	Type	Amount
Income			
Sponsorship	5/4/14	Commissions	$10081
Sponsorship	6/19/14	Commissions	$7500
Sponsorship	9/30/14	Commissions	$6375
Total Income			$23956
Expenses			
	4/20/14	Creative Direct.	$18500
	5/1/14	Design, Printing	$6550
	5/9/14	Technical Asst	$1750
	5/30/14	Supplies/Postage	$920
	8/30/14	Supplies/Postage	$900
Total Expenses			$28620

Exhibit B

Detailing Reporting of HOT Expenditures

Name of Organization:	Rockwall Area Chamber of Commerce
Name of Program:	Visitor Rockwall Rockwall Area Chamber of Commerce & Visitor's Center Visitors Brochure
Date of Event:	August 2014

Profit & Loss Detail

	Date	Type	Amount
Income			
Advertising/Sponsorship	4/1-9/30/14	Invoices	$1375
Total Income			$1375
Expenses			
	7/1/14	Chamber Admin	$500
	7/15/14	Intern Proofing	$745
	8/22/14	Design/Printing	$2650
	8/30/14	Photo Rights	$275
	9/30/14	Postage	$633
Total Expenses			$4803

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Exhibit B

Detailing Reporting of HOT Expenditures

Name of Organization:	Rockwall Area Chamber of Commerce
Name of Program:	Visit Rockwall & Rockwall Area Chamber Websites Rockwall Area Chamber of Commerce & Visitor's Center Websites
Date of Event:	September 2014

Profit & Loss Detail

	Date	Type	Amount
Income			
Advertising/Sponsorship	2/1-9/30/14		$4900
Total Income			$4900
Expenses			
	3/1/14	Chamber Admin	$2500
	4/30/14	Website Serv/Maint	$1800
	6/15/14	Intern Proofing	$650
	6/22/14	Artistic/Technical	$1950
	6/30/14	Website Serv/Maint	$1800
	8/22/14	Design/Testing	$2650
	8/30/14	Chamber Admin	$475
	9/30/14	Website Serv/Maint	$1800
Total Expenses			$13625

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Exhibit B

Detailing Reporting of HOT Expenditures

Name of Organization:	Rockwall Area Chamber of Commerce
Name of Program:	Rockwall Area Chamber Rockwall Area Chamber of Commerce & Visitor's Center Video
Date of Event:	Quarterly 2014

NOTE: Requested and Awarded Funds for this application for **updated video promotion for Visit Rockwall** initiative did not occur. The REDC video that was produced during same time period supported the promotional and marketing objectives as outlined in requested application. The Chamber did not believe it was necessary to create another video with similar goals and objectives. The Chamber and Visit Rockwall websites linked and promoted the EDC video to said websites.

Please instruct Chamber of process to return awarded funds or processes to 'carry-over' for 2015.

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Suntex
Ventures, LLC

September 8, 2014

Mr. Brad Griggs
Assistant City Manager
City of Rockwall
385 S. Goliad
Rockwall, Texas 75087

RE: Concession between Suntex RHCL, LLC and City of Rockwall - Chandler's Landing

Dear Brad:

As you may be aware, the ongoing drought conditions in North Texas have severely impacted our ability to sustain economically viable operations at Captain's Cove and Chandler's Landing, our two marinas located on Lake Ray Hubbard.

With lake levels hovering around historic lows, we respectfully request that the City of Rockwall consider granting relief under its concession agreement with Suntex RHCL, LLC.

Specifically, Suntex requests the following amendments to the existing concession agreement:

1) An abatement of all payments to the City effective immediately and continuing through such point that the lake level for Lake Ray Hubbard returns to 434 feet above MSL.
2) After this lake level is achieved, payments to the City would be deferred until such time that the marina achieves wet slip / dry storage revenues in line with historically normal operating levels, which we estimate to be $146,000 per month. Once the marina achieves this line item revenue amount, any deferred payments would be paid in full and the concession would revert back to the normal payment structure thereafter.

Enclosed with this letter you will find copies of correspondence we have also sent to our lender, Capital One Bank, seeking relief under our mortgage affecting both marinas.

We plan to follow up with the City of Rockwall soon with a more detailed proposal regarding what we think both the City and Suntex RHCL, LLC can and should do to mitigate the long term effects that persistent drought conditions and low lake levels have on our ability to sustain profitable operations at Chandler's Landing.

We sincerely appreciate your consideration of this request. If you need any additional information, please let me know.

Sincerely,

Bryan Redmond
Principal

Enclosures

17330 Preston Rd., Suite 220A, Dallas, Texas 75252 | p: 972 789 1400 | f: 972 763 0300 | suntexventures.com
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Suntex
Ventures, LLC

August 7, 2014

COPY

Mr. Mike Barber
Senior Vice President
Capital One, NA
505 Main Street, Suite 300
Fort Worth, Texas 76102

RE: Captain's Cove & Chandler's Landing Marinas – Lake Ray Hubbard

Dear Mike:

This letter outlines a request for a modification of the loan between Suntex RHCC Marina, LLC, Suntex RHCL Marina, LLC and Capital One, NA, dated September 6, 2011.

Suntex is requesting **interest only payments through remaining term under the loan.** In addition to this, Suntex will still need to make a capital call of approximately $545,000, subject to equity partner approval, in order to cover cash projected short falls from operations.

This request for modification is due primarily to the following conditions:

- Water levels at Lake Ray Hubbard are at historic lows, causing significant impact to our ability to not only drive revenues, but sustain them.
- Expenses necessary to combat water level issues have further impacted cash flow.

Suntex has taken significant measures to battle the lake level issues including dredging nearly five days a week since Suntex Marinas purchased a dredge ($418,000) in September of 2013. Numerous docks have been reconfigured or repositioned during this time to further compensate for the challenging water levels. Since June of 2013, we have spent **$279,537.74** on dredge related expenses at these two marinas. Unfortunately, dredging at current lake levels will not be productive any longer.

Enclosed as Exhibit 1 is a cash flow projection through June 2015 that assumes water levels do not improve over this time period. This projection is a reforecast based on actuals through June 2014. We have plugged December 2014 results for January – March of 2015 and we plugged 2014 actuals from April – June for the same period in 2015.

Enclosed as Exhibit 2 is a timeline indicating various milestones during the life of this loan and the corresponding lake levels and slip revenues at each point in time (monthly).

Enclosed with this letter we have included consolidated financials through June 30, 2014. We appreciate your time in consideration of this request.

Sincerely,

Stephen Lehn

Stephen Lehn, *Director of Asset Management*

Cc: Bryan Redmond, *Principal*

Suntex Ventures, LLC

COPY

Exhibit 1: Twelve Month Consolidated Cash flow Reforecasts ending June, 2015

Cashflow Forecast thru June 2015 - Original Loan Payment Schedule		Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr -15**	May-15	Jun-15
Wet/Dry Storage Receipts		103,761	103,261	103,011	102,761	102,511	102,261	102,261	102,261	102,261	582,700	104,611	103,279
Other Receipts		103,132	83,632	54,055	44,756	39,329	36,007	36,007	36,007	36,007	36,971	50,212	76,727
Total Receipts		**206,893**	**186,893**	**157,066**	**147,517**	**141,840**	**138,268**	**138,268**	**138,268**	**138,268**	**619,671**	**154,823**	**180,006**
Total Cost of Receipts		**78,714**	**64,506**	**42,543**	**36,143**	**32,291**	**29,783**	**29,783**	**29,783**	**29,783**	**2,692**	**50,433**	**51,814**
Payroll Expenses		47,982	47,617	39,159	31,308	31,240	31,199	31,199	31,199	31,199	35,501	37,860	51,717
Operating Expenses		49,409	48,233	46,253	72,173	45,483	45,290	45,290	45,290	45,290	48,545	45,036	62,968
Other Expenses / Taxes		800	800	800	800	800	800	105,800	800	19,800	2,262	1,278	1,220
Total Expenses		**98,191**	**96,650**	**86,212**	**104,281**	**77,523**	**77,289**	**182,289**	**77,289**	**96,289**	**86,308**	**84,174**	**115,905**
Cash Flow Before Debt Service, CapEx & Fees		**29,988**	**25,737**	**28,310**	**7,093**	**32,026**	**31,195**	**(73,805)**	**31,195**	**12,195**	**530,671**	**20,216**	**12,287**
Mgmt Fees		7,247	6,047	4,257	3,684	3,344	93,129	3,129	3,129	3,129	4,236	5,405	9,825
Cash Flow Before Debt Service & CapEx		**22,741**	**19,690**	**24,053**	**3,409**	**28,682**	**(61,934)**	**(76,934)**	**28,066**	**9,066**	**526,435**	**14,811**	**2,462**
Debt - Principal		51,907	51,907	51,907	51,907	51,907	51,907	51,907	51,907	51,907	51,907	51,907	51,907
Debt - Interest		37,154	37,203	37,066	36,930	36,793	36,657	36,520	36,384	36,247	36,111	35,974	35,838
Cash Flow (monthly)	Starting Cash*	**(66,320)**	**(69,420)**	**(64,920)**	**(85,428)**	**(60,018)**	**(150,498)**	**(165,361)**	**(60,225)**	**(79,088)**	**438,417**	**(73,070)**	**(85,283)**
Cash Flow (cumulative)	**(1,603)**	**(67,924)**	**(137,343)**	**(202,264)**	**(287,691)**	**(347,709)**	**(498,207)**	**(663,568)**	**(723,793)**	**(802,881)**	**(364,464)**	**(437,534)**	**(522,817)**

*Starting Cash Balance as of June 30th, 2014
** Significant prepaids occur this month

Cashflow Forecast thru June 2015 - Modified Loan Payment Schedule (Interest Only)		Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr -15**	May-15	Jun-15
NOI (Before Fees)		**29,988**	**25,737**	**28,310**	**7,093**	**32,026**	**31,195**	**(73,805)**	**31,195**	**12,195**	**530,671**	**20,216**	**12,287**
Mgmt Fees		7,247	6,047	4,257	3,684	3,344	93,129	3,129	3,129	3,129	4,236	5,405	9,825
NOI		**22,741**	**19,690**	**24,053**	**3,409**	**28,682**	**(61,934)**	**(76,934)**	**28,066**	**9,066**	**526,435**	**14,811**	**2,462**
Debt - Principal		51,907	51,907										
Debt - Interest		37,154	37,203	37,203	37,203	37,203	37,203	37,203	37,203	37,203	37,203	37,203	37,203
Cash Flow (monthly)	Starting Cash	**(66,320)**	**(69,420)**	**(13,149)**	**(33,794)**	**(8,520)**	**(99,137)**	**(114,137)**	**(9,137)**	**(28,137)**	**489,232**	**(22,391)**	**(34,740)**
Cash Flow (cumulative)	**(1,603)**	**(67,924)**	**(137,343)**	**(150,493)**	**(184,287)**	**(192,807)**	**(291,944)**	**(406,080)**	**(415,217)**	**(443,353)**	**45,879**	**23,487**	**(11,253)**

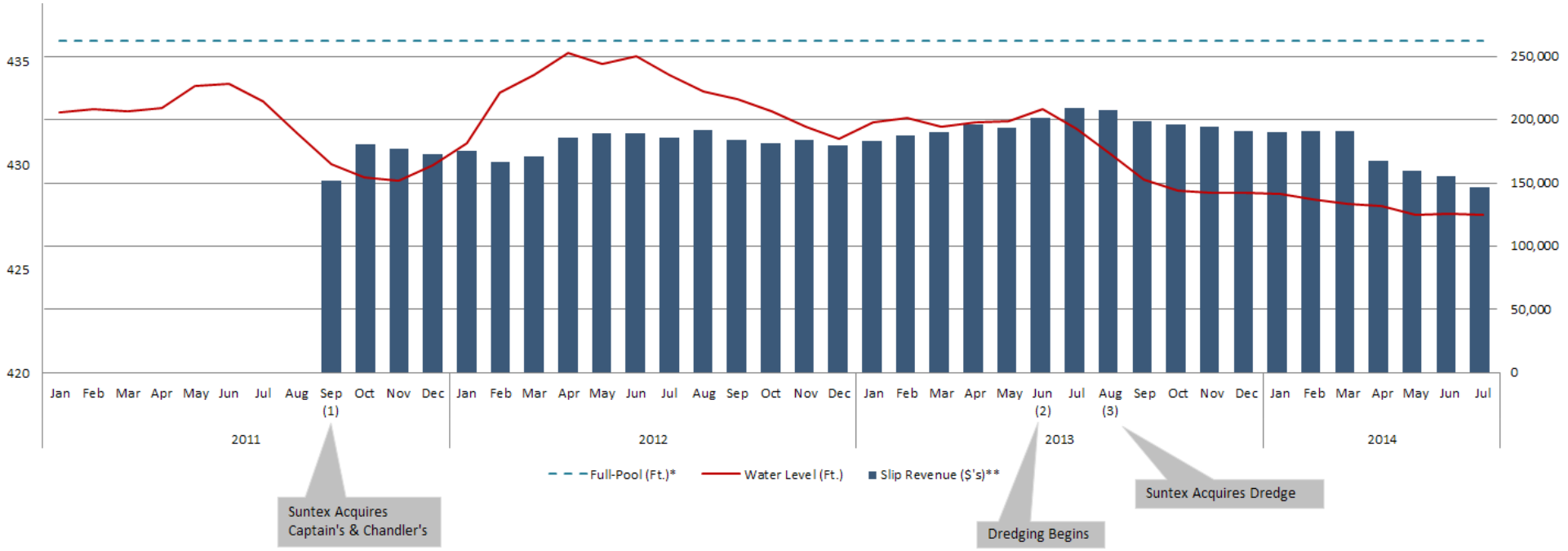
*Starting Cash Balance as of June 30th, 2014
** Significant prepaids occur this month

Cash Call Amount: 543,353

Suntex Ventures, LLC

COPY

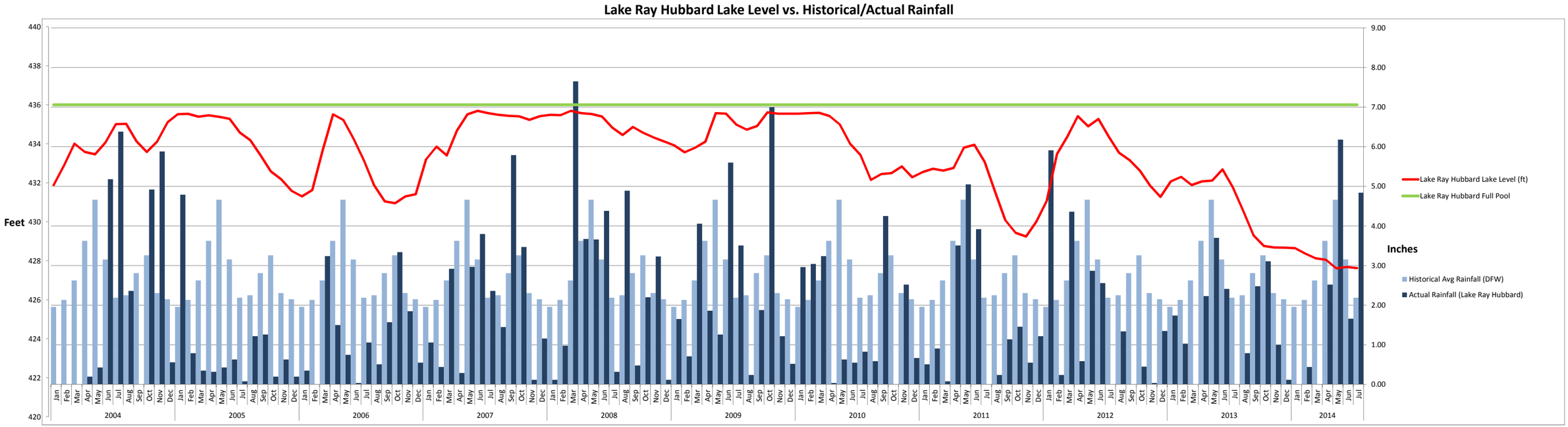
Exhibit 2: Monthly Consolidated Slip Revenue Performance versus Ray Hubbard Lake Levels



*Lakes are considered to be at "Full-Pool" when the lakes surface reaches the top of the conservations pool.
**Slip Revenue Includes: Dry Storage, Dockage (Seasonal, Annual, Transient), Trailer Storage, and Ramp Fees.

(1) September 2011: Suntex acquires Chandler's Landing and Captain's Cove marinas.
(2) June 2013: Suntex hires third-party dredging contractors
(3) September 2013: Suntex acquires dredge, and internalizes dredging process shortly thereafter.

COPY


Lake Ray Hubbard Lake Level vs. Historical/Actual Rainfall
Feet
Inches
Lake Ray Hubbard Lake Level (ft)
Lake Ray Hubbard Full Pool
Historical Avg Rainfall (DFW)
Actual Rainfall (Lake Ray Hubbard)
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014

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Chandler's Landing Pictures





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Rest Haven

FUNERAL HOMES • CEMETERY • CREMATORY • FLORIST

September 25, 2014

Mr. Rick Crowley
City Manager
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

Dear Rick,

As a result of our growing business and the ensuing staffing requirements, we are faced with a critical need for additional office space. Working with the architect, it was determined that a minimum of 1,500 square feet needs to be added to our existing funeral home structure to accommodate this growth.

After discussing these plans with the City staff, we were informed that the installation of a fire sprinkler system would be required in any addition, as well as the existing structure. I would like to meet with the City Council to request approval of a temporary postponement of the fire sprinkler system requirement due to the following circumstances:

- in spite of our annexation into the City several years ago, we do not have city water or sewer service yet;
- after the annexation, the City extended the water line from John King Boulevard to serve residential and commercial customers in this area, but the lines were not extended to serve Rest Haven Funeral Home;
- our existing water line off of Cornelius Street (Mount Zion Water Supply) will not provide the volume of water required by a fire sprinkler system; and
- our cost to bring the current City water line to the funeral home is in excess of $300,000.00, which is more than twice the cost of the new addition.

I am not requesting exemption from the fire sprinkler system requirement. I am asking the City to consider a contractual agreement with me allowing construction of the building addition now, and requiring the fire sprinkler system installation as soon as the City extends water and sewer service to the funeral home.

Sincerely,

Dewayne Cain
President and Founder

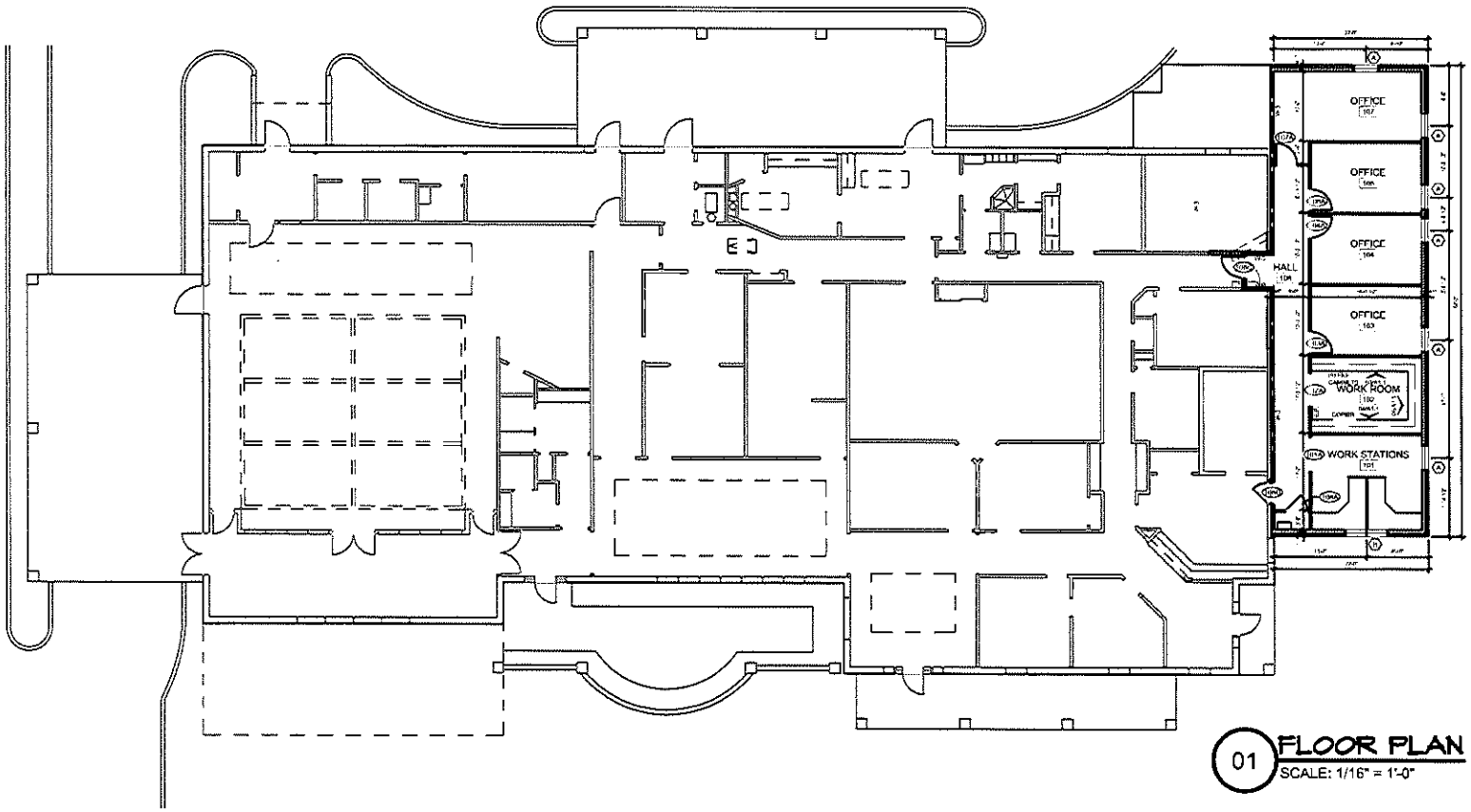
cc: Robert LaCroix
Mark Poindexter
Jeffrey Widmer

Rockwall Chapel
972-771-8641

Royse City Chapel
972-636-2422

Rowlett Chapel
972-412-5195

P.O. BOX 1119 • ROCKWALL, TX 75087 • FAX (972) 771-1912

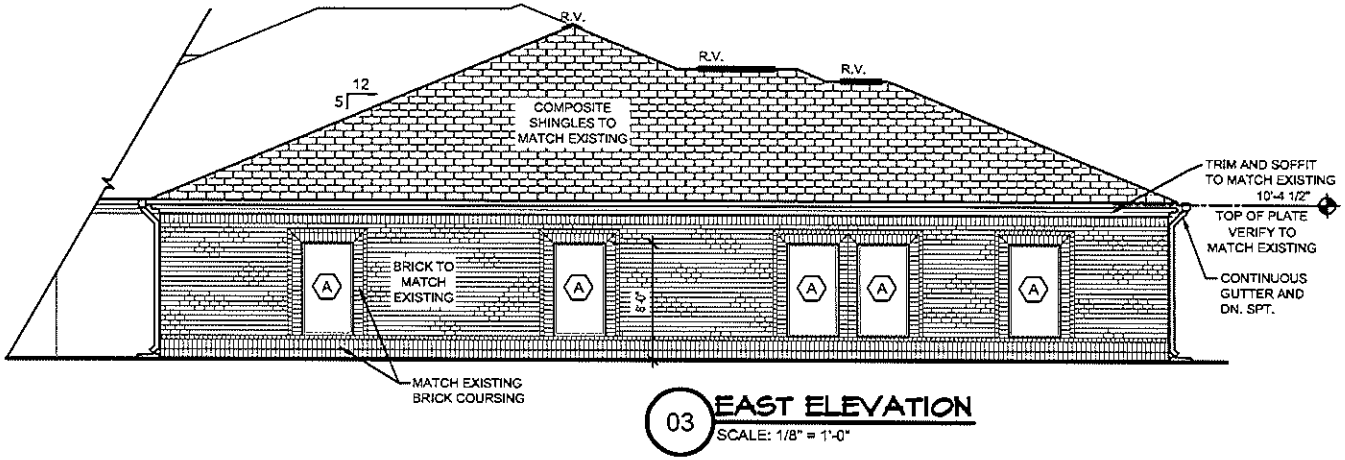


01 FLOOR PLAN
SCALE: 1/16" = 1'-0"

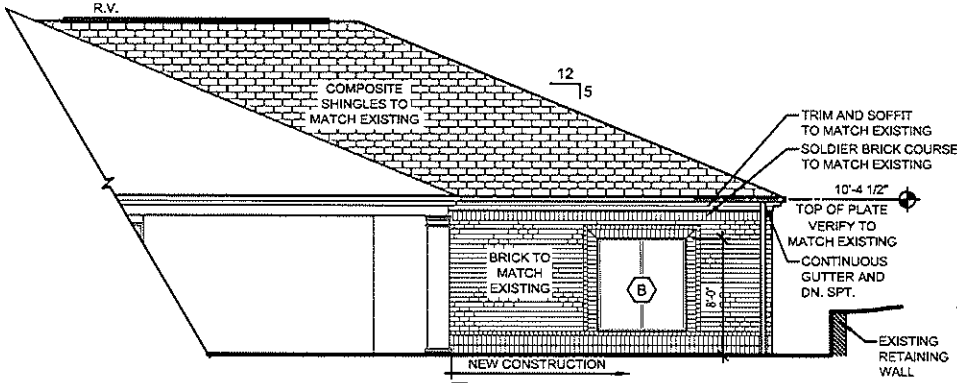
JST ARCHITECTS
ARCHITECTURE | PLANNING | MAUSOLEUM | CEMETERY | INTERIORS

REST HAVEN FUNERAL HOME
ROCKWALL, TEXAS

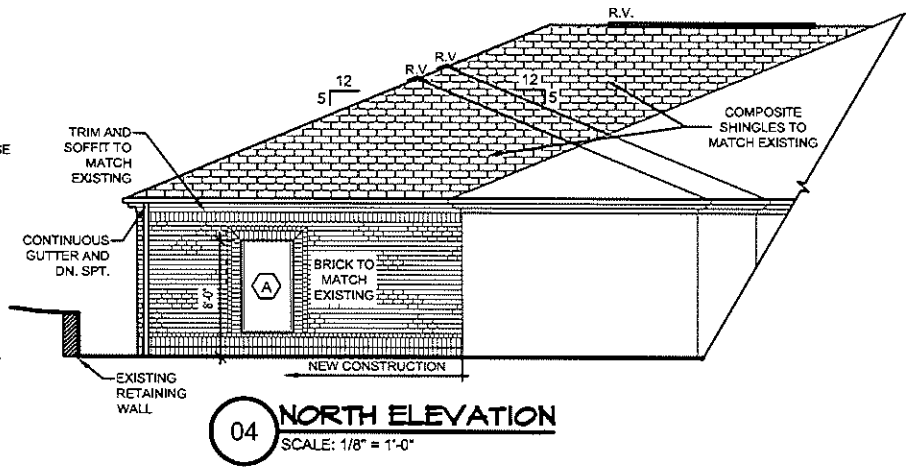
NOT TO SCALE
AUGUST 12, 2014
02591



03 EAST ELEVATION
SCALE: 1/8" = 1'-0"



02 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

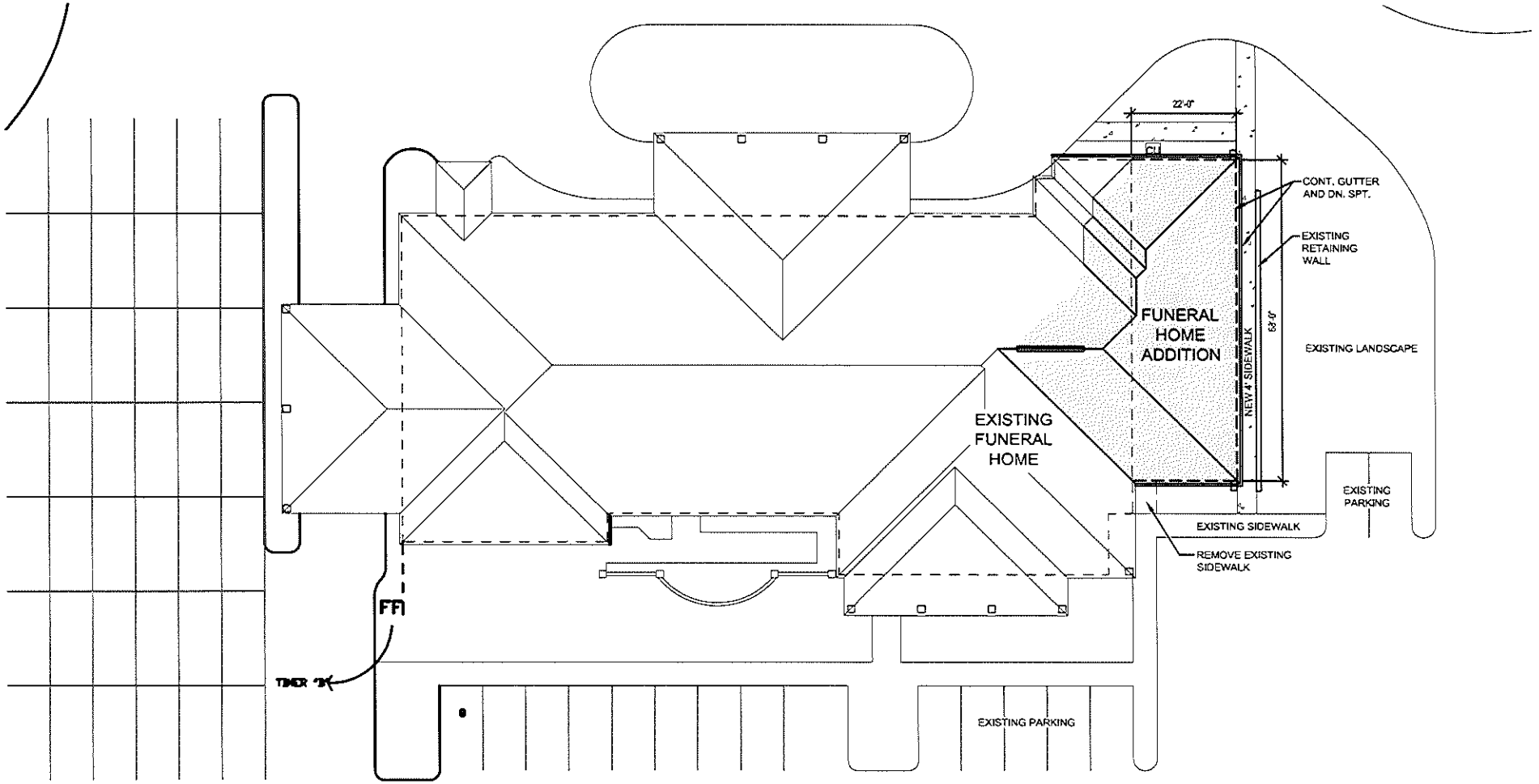


04 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

JST ARCHITECTS
ARCHITECTURE | PLANNING | MAUSOLEUM | CEMETERY | INTERIORS

REST HAVEN FUNERAL HOME
ROCKWALL, TEXAS

NOT TO SCALE
AUGUST 12, 2014
02591



10 SITE PLAN
SCALE: 1" = 20'-0"

JST ARCHITECTS
ARCHITECTURE | PLANNING | MAUSOLEUM | CEMETERY | INTERIORS

REST HAVEN FUNERAL HOME
ROCKWALL, TEXAS

NOT TO SCALE
AUGUST 12, 2014
02591

CITY OF ROCKWALL, TEXAS
FIRE DEPARTMENT
MEMORANDUM

DATE: September 30, 2014

TO: Mayor Sweet and Council

FROM: Mark Poindexter, Fire Chief

SUBJECT: Rest Haven Funeral Home Expansion

This memo is in reference to the request by Rest Haven Funeral Home for waivers to Chapter 18, Fire Prevention and Protection, Article II, Section 18-32 and Section 18-33 of the City of Rockwall Code of Ordinances for a proposed expansion to the existing Rest Haven Funeral Home and business office.

Background

On February 4, 2013, Rest Haven Funeral Home applied for a building permit for the expansion of the existing building located at 2500 SH 66 in Rockwall.

A plan review was completed on behalf of the Rockwall Fire Department that resulted in several comments on the proposed project that needed to be addressed before the permit could proceed with the review process.

The major areas of concern indicated during the plan review:
1. Allowable building area calculations
2. Fire apparatus access roadways
3. Fire hydrant hose lay coverage
4. Required fire flow availability
5. Fire sprinkler coverage
6. Sprinkler System Supervision

The Codes

The City of Rockwall has chosen to adopt and enforce the International Codes, which are a comprehensive set of internationally accepted codes. The City of Rockwall first adopted the International Codes in January of 2004 and have continually update the editions for the past 9 years with the latest edition, 2009, being adopted in January of 2012. The International Codes are widely utilized and endorsed, including being adopted by the State of Texas as the State Building Code.

In 2005, S.B. 1458 was passed to "protect the public health, safety, and welfare". It provides that: (1) the International Building Code (IBC) is adopted as the municipal building code in Texas for commercial and multifamily construction; (2) a city that has adopted a more stringent commercial building code before January 1, 2006, is not required to repeal that code and may adopt future editions of that code; and (3) the NEC applies to all commercial buildings in a city for which construction begins on or after January 1, 2006, and to any alteration, remodeling, enlargement, or repair of those commercial buildings.

Chapter 34, Section 3403 of the 2009 IBC states that additions to any building or structure shall comply with the requirements of the code for new construction. Alterations to the existing building or structure shall be made to ensure that the existing building or structure together with the addition are no less conforming with the provisions of the code than the existing building or structure was prior to the addition .

Legal Considerations

Based on the opinion of the legal representation for the City of Rockwall, "as a home-rule municipality, the final determination of whether the local fire code may be amended or weather a section of the International Fire Code (IFC) may be waived must be decided by the City Council. However, these changes and amendments will be restricted by conflicts with state law and national standards".

With S.B. 1458, the state law would be the minimums set forth within the 2003 International Building Code. Areas that would be covered by the IBC directly or by reference would include:

1. Allowable building area calculations (IBC Chapter 5)
2. Fire apparatus access roadways (IBC 101.4.5 reference to IFC 503)
3. Fire hydrant hose lay coverage (IBC 101.4.5 reference to IFC 507.5)
4. Required fire flow availability (IBC 101.4.5 reference to IFC 507.3)

The following two items are local amendments that are not part to the State law.

1. Fire sprinkler coverage for buildings exceeding 5,000 sq. ft. (IFC 903. 2 as amended by COR)
2. Sprinkler System Supervision (IFC 903.4 as amended by COR)

IBC Section 102.10 and IFC Section 104.8 allows for modifications to the code through amendments or exceptions whenever there are practical difficulties involved in carrying out the provisions of the code. The code officials are charged with first finding that special individual reasons make the strict letter of the code impractical, the modification complies with the intent and purpose of the code, and that such modification does not lessen health and life and fire safety requirements. This section is not intended to allow a code provision to be set aside or ignored; rather, it is intended to provide for the acceptance of equivalent protection. Such modifications should not be affected by economics or the potential impact on any party. The only consideration should be protection of public health, safety, and welfare.

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206

MEMORANDUM
CITY OF ROCKWALL, TEXAS

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **October 3, 2014**

SUBJECT: APPOINTMENT WITH MARK SPENCER OF MHS PLANNING TO PRESENT THE PARK AT STONE CREEK MASTER PLAN

BACKGROUND:

The Stone Creek subdivision located east of SH 205 and south of FM 552 has recently completed the first five phases of development. The proposed Phase 6 contains an 11.8 acre parcel that is planned to be dedicated as the neighborhood park for Park District #5.

At the July 21st meeting, City Council voted to approve pursuing a matching grant application to the Texas Recreation and Parks Account program (TRPA) administered by the Texas Parks and Wildlife Department for the proposed neighborhood park at Stone Creek. Simultaneously Council approved the contract with MHS Planning and Design to prepare the grant application and master plan on behalf of the City.

The grant is a 50% matching grant for a maximum funding level of $400,000. Applicants are generally notified in January 2015 of their award status.

At the time of Phase 6 Final Plat, the fees collected for the pro-rata equipment fees will total $214,200 in accordance with the Mandatory Park Land Dedication Ordinance. As the remaining phases develop, there are 470 lots yet to be platted. The future pro-rata equipment fees owed on those lots are estimated to be $207,270 based on the current adopted ordinance and fees.

The developer has also committed to providing approximately 9,600 SF of trail to be installed at a future date to be determined. This trail was originally planned to be constructed somewhere else in the development but ultimately was not feasible due to drainage and slope challenges. The approximate value of this trail portion is $33,600 bringing the total in potential developer contributions to $455,070. The estimated value of the 11.8 acre park land dedication is $385,000. The value of the land is used to count toward the 50% matching portion of the grant.

Should the grant be awarded, the total funds available for the development of the Stone Creek neighborhood park would be approximately $840,070. If the grant is not awarded, the total funds available for park development are estimated to be $455,070. Contingent upon Council approval, the final master plan would prioritize the phasing plan based on funding and feedback from residents, Park Board and City Council.

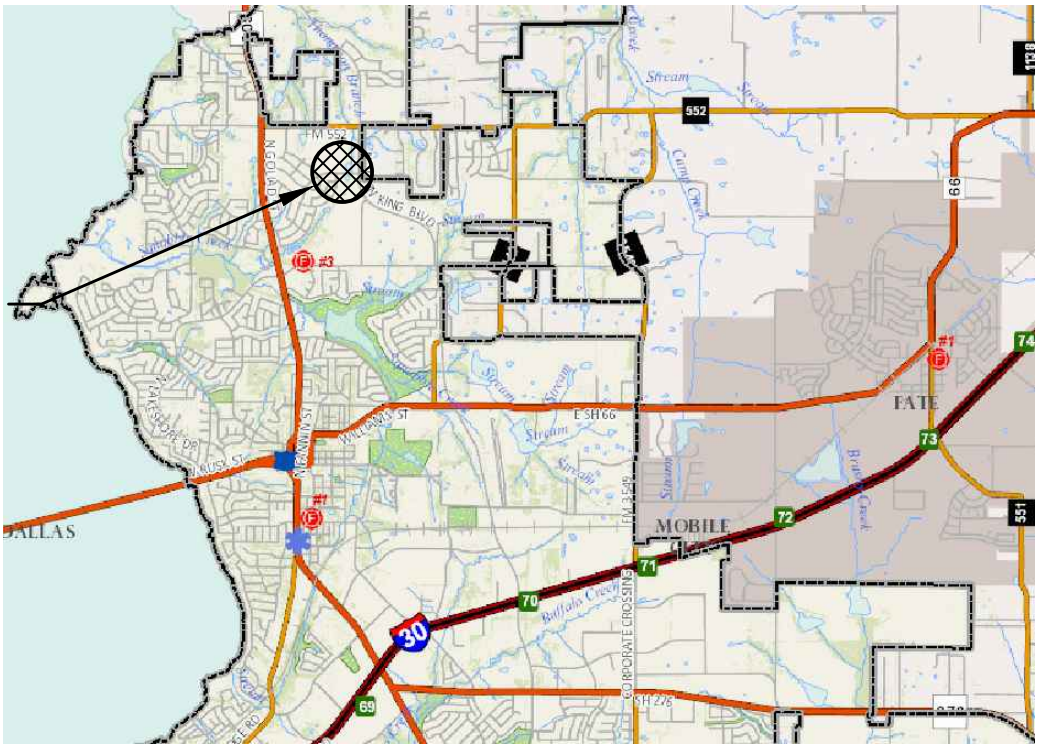
Due to the adjacency of Williams Middle School and a proposed elementary school, staff approached the Rockwall ISD Elementary and Middle School Curriculum Directors about a potential collaboration related to the programming and use of the Stone Creek park.

The nature of the partnership includes: building and installing bird houses, and bat boxes; planting native annuals and perennials; installing plant identification signage; and utilizing weather station and other natural features for educational study and observation. All educational activities take advantage of the property's natural assets and are aligned with the Texas Essential Knowledge and Skills (TEKS) curriculum. A letter of commitment from RISD was submitted the grant application.

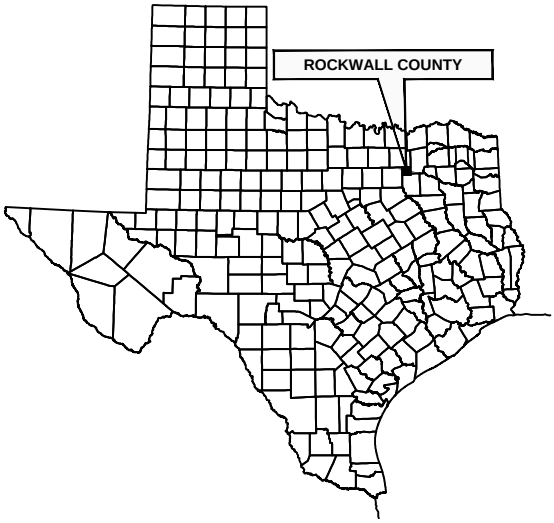
A presentation of the preliminary master plan for the park at Stone Creek was made by Mark Spencer of MHS Planning at a public hearing held at the August 5, 2014 Park Board meeting. Approximately 15 to 20 residents attended this meeting, of which four requested to comment on the project. All comments were in support of the project.

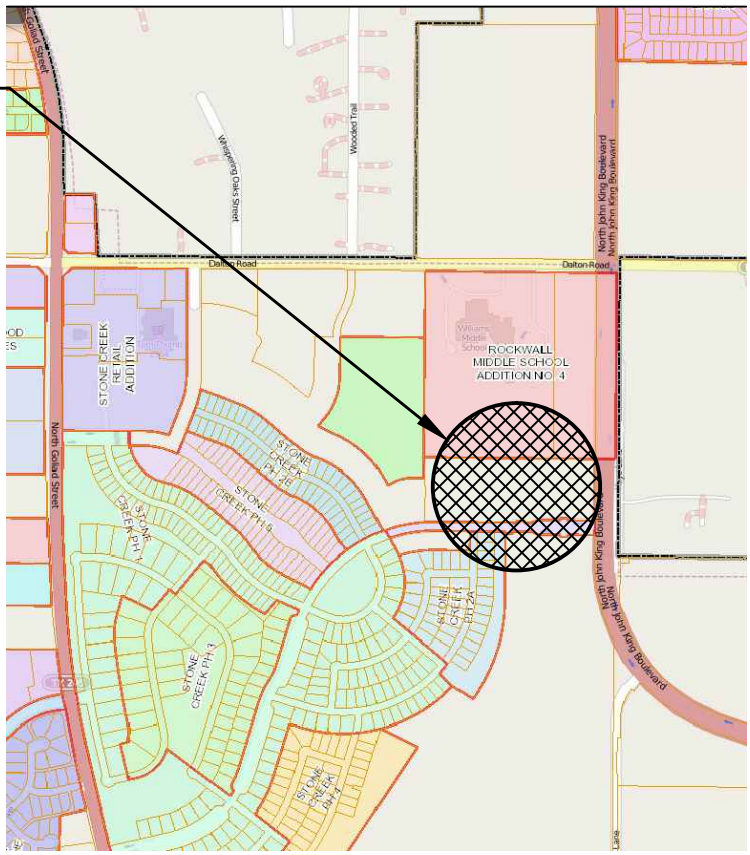
At the August 5th meeting, Park Board voted unanimously to recommend that City Council approve the Park at Stone Creek Master Plan as presented. Mr. Spencer will present the proposed master plan to Council and be available to answer any questions related to the plan as well as the grant.

PROJECT LOCATION



PROJECT LOCATION



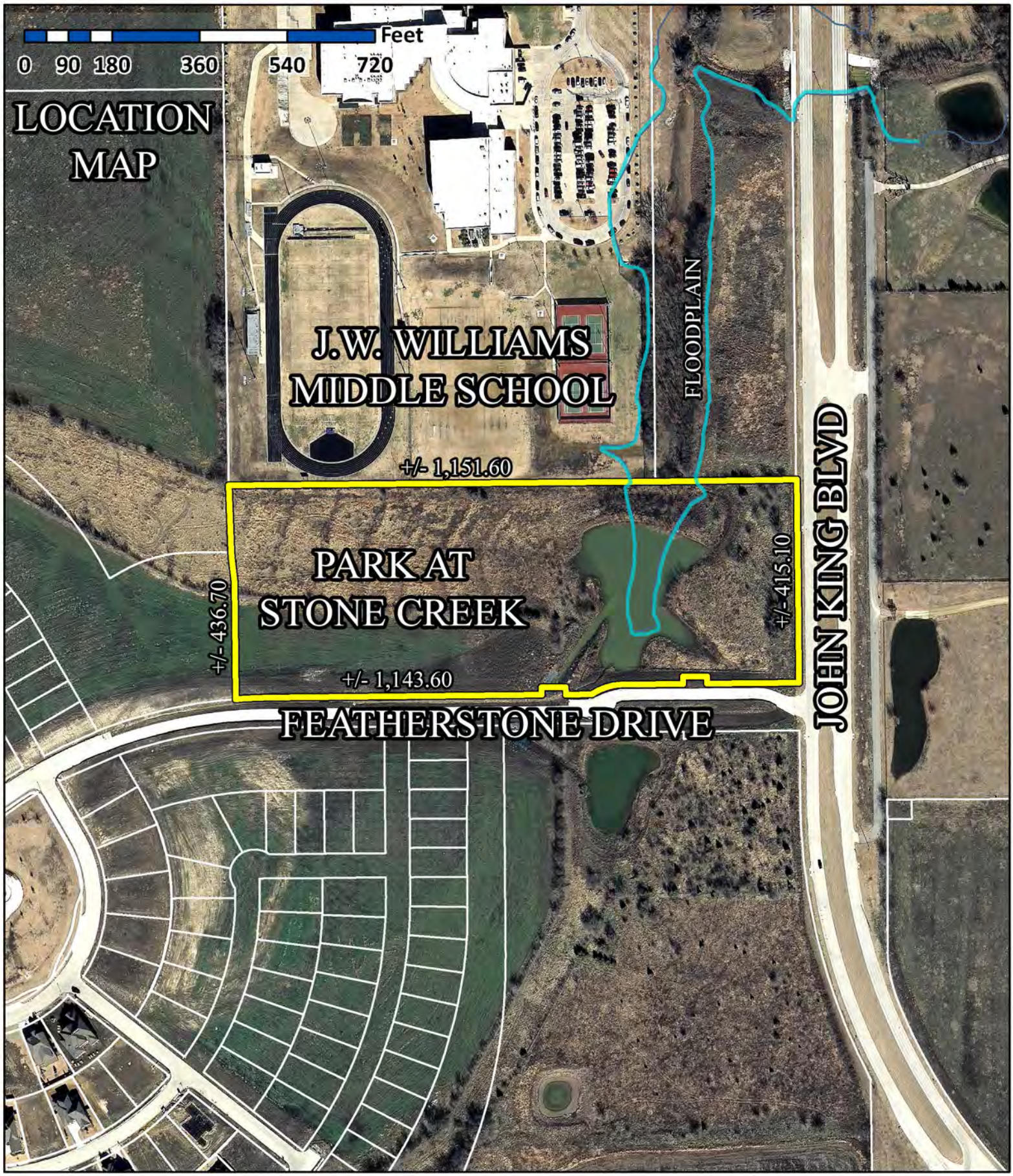


CITY_ALLEN1.dgn	1 OF 1
JOB NO.:	
SCALE:	NONE
DATE:	JULY 2014
CHECKED:	MHS
DRAWN:	HNR

LOCATION MAP
PARK AT STONE CREEK
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

MHS
PLANNING & DESIGN

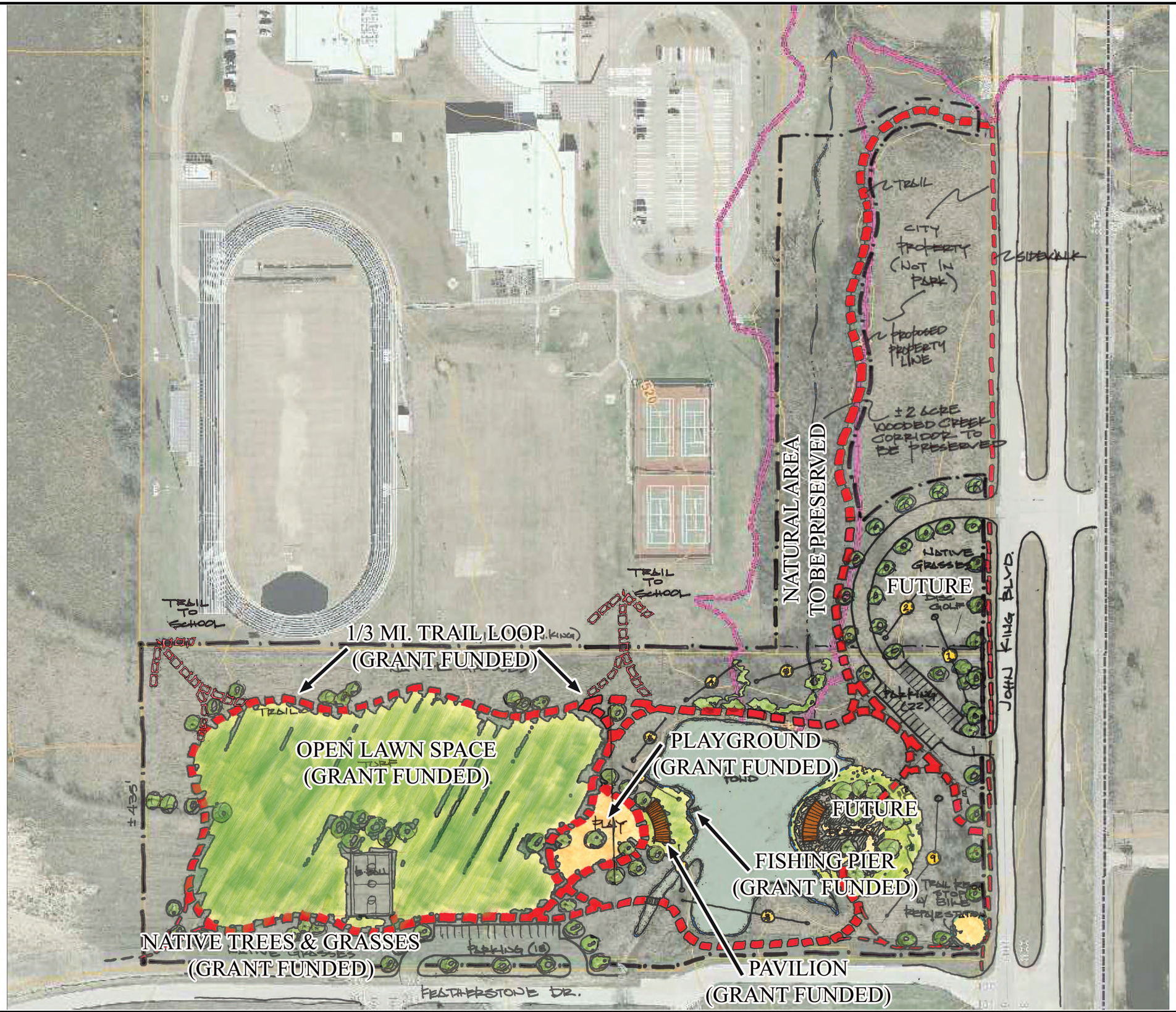
212 West Ninth Street
Tyler, Texas 75701
903-597-6606
903-597-0517 Fax



City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

210



REVISIONS:

212 West Ninth Street
Tyler, Texas 75701
903-597-6606
903-597-0517 Fax

MHS
PLANNING & DESIGN, LLC

CONCEPTUAL SITE PLAN

STONE CREEK PARK

CITY OF ROCKWALL, TEXAS

DRAWN:	HNR
CHECKED:	MHS
DATE:	JULY 2014
SCALE:	AS SHOWN
JOB NO.:	14-016

1 OF 1

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212

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **October 6, 2014**

SUBJECT: **Two special event permit requests for the Harbor**

Kim Lovett with Eventive Marketing Solutions representing UCR Asset Services is requesting permission to hold two special events on the Harbor property. The first event would be a Harbor HOWL-O-Ween held on October 25 and the second event would be a Harbor Holiday to be held on November 15th. This would be the 4th year that these events have been conducted.

The HOWL-O-Ween event consists of a Doggy Costume Contest as the main focal point, with a local pet organization as the Beneficiary. Historically, that has been Rockwall PAWS with all proceeds from the contest entrants ($10 per dog entered) going as a donation to PAWS. In addition, several vendors would set up under small canopies, to promote and market their goods and services. The dog costume stage and all vendor booths would be on private property.

The Harbor Holiday and tree lighting event includes Toy Drive boxes on Harbor property, with donated items going to Helping Hands. Historically, the stage has been utilized for a live performance during the tree lighting. Last year it was Rockwall Heath High School students, and the year before, it was the Lakeside Civic Chorus. No act has been scheduled yet; however if the permit is granted, the Applicant would definitely make plans to have a local group included in their event. Historically, this event has included a small train that gives rides & conductor hats to children. The ride begins at a small train depot and travels in the area located Zeus Boutique and the Cinemark Theater. The rides are totally contained on Harbor property; with no parking lot area is affected. In addition several vendors would set up under small canopies, to promote and market their goods and services. The stage, tree lighting and all vendor booths would be on private property.

The Police Department and Parks & Rec. Departments are currently performing their normal review of these applications. If a Police presence is required or additional rest rooms/trash detail is needed, the Applicant will be required to secure them prior to issuance of any permits.

The Applicant has not yet contacted either of the Non-Profit Organizations or circulated any advertising for these events, awaiting City Council approval first.

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214

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council
Rick Crowley, *City Manager*

FROM: Ryan Miller, *Planning Manager*

CC: Robert LaCroix, *Director of Planning and Zoning*
Tim Tumulty, *Director of Public Works/City Engineer*

DATE: October 6, 2014

SUBJECT: Adoption of Water/Wastewater Impact Fees

In accordance with the requirements of Chapter 395 of the Texas Local Government Code, the City Council is scheduled to hold a public hearing on October 6, 2014 to consider an ordinance that will establish an updated impact fee for water/wastewater facilities. The approval of this ordinance will amend Section 38-360 through 38-368 of the City's Municipal Code, and will include the updates previously adopted by City Council with regards to the land use assumptions and capital improvements plan.

Included with this memo is the CIAC's written recommendation relative to the proposed updated impact fee program, as well as an ordinance outlining the proposed changes. The study performed by Birkhoff, Hendricks & Carter details the proposed changes to *Schedule '1' & '2'* of the *Water/Wastewater Impact Fee* section of the Municipal Code as follows:

(1) *Schedule 1: Maximum Water/Wastewater Impact Fees. The following schedule is the maximum impact fees per single family/living unit equivalent for water and wastewater facilities. The below impact fees per service unit depicted in each column also apply to new developments that were unplatted and which did not require platting at the time of development within the period listed.*

	Land Platted or Replatted Between 07/16/1990 & 06/02/2008	*Land Platted or Replatted Between 06/02/2008 & 10/20/2014*	*Land Platted or Replatted After 10/20/2014*
Water (per SFLUE)	*$848.00*	*$4,229.03*	*$3,111.05*
Wastewater (per SFLUE)	*$3,340.00*	*$783.49*	*$2,472.58*

Notes:
[1]: For non-residential uses, assessment was expressed as SFLUEs per acre: 2.11 SFLUE/acre for water impact fees and 2.17 SFLUE/acre for wastewater impact fees, within the period listed.

(2) *Schedule 2: Impact Fees to be Paid per Service Unit for Water and Wastewater Facilities.*

	Per Living Unit Equivalent (5/8" – 1" Water Meter)
Water Facilities	*$1,555.53*
Wastewater Facilities	*$1,236.29*

The CIAC has recommended approval of these changes. Matt Hickey of Birkhoff, Hendricks & Carter will be making a presentation at the October 6, 2014 City Council meeting concerning the updated study and will be available for any questions.

May 27, 2014

To: Rockwall City Council, City Manager and Staff

From: Capital Improvement Advisory Committee Chairperson (CIAC), Craig Renfro

Subject Updated Water and Wastewater Impact Fee Recommendation

The Capital Improvement Advisory Committee Chairperson (CIAC) in accordance with Section 395.058 of the Texas Local Government Code has been conducting meetings with staff and the City's consultant, *Birkhoff, Hendricks & Carter, LLP*, for the purpose of reviewing the City's Water and Wastewater Impact Fee program. The periodic review of impact fees are required by the Texas Local Government Code at least every five (5) years.

The CIAC has reviewed the updated Water and Wastewater Impact Fee Land Use Assumptions prepared by city staff and the updated Water and Wastewater Improvement Plan prepared by *Birkhoff, Hendircks & Carter, LLP*.

On behalf of the Advisory Committee, we find the update Impact Fee Land Use Plan to be consistent with the City's Comprehensive Plan, and updated Water and Wastewater Capital Improvement Plan to be consistent with the land use plan. Both are in general conformance with the requirements of Chapter 395 of the Texas Local Government Code.

The CIAC would recommend that the City Council approve the updated Land Use Assumptions and updated Water and Wastewater Capital Improvement Plan as submitted.

Sincerely,

Craig Renfro
Chairman, Capital Improvement Advisory Committee (CIAC)

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CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, AMENDING SECTIONS 38-360 THROUGH 38-368 OF CHAPTER 38, *SUBDIVISIONS*, OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, CONCERNING UPDATED IMPACT FEES FOR WATER AND WASTEWATER FACILITIES BY UPDATING THE LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLANS, EQUIVALENCY TABLES, AND IMPACT FEE ASSESSMENT AND COLLECTION RATES FOR SUCH FACILITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall adopted its impact fee program for water and wastewater impact fees by *Ordinance No. 90-22*, and has subsequently updated its capital improvements plans and impact fees; and

WHEREAS, the City of Rockwall has prepared studies updating its land use assumptions, capital improvement plans and impact fees for water and wastewater facilities and associated service areas and equivalency tables; and

WHEREAS, the City of Rockwall has recalculated the maximum impact fee for water and wastewater facilities that may be assessed against new development (*see Schedule '1'*) based on such land use assumptions and capital improvements plans; and

WHEREAS, a public hearing, following written endorsement of the impact fee update study by the Capital Improvements Advisory Committee (CIAC) [*Planning & Zoning Commission*], was held before the City Council and testimony was taken on *July 7, 2014*, to consider proposed amendments to land use assumptions, capital improvements plans and impact fees for water and wastewater facilities and associated service areas and equivalency tables, and corresponding changes to rates of assessment and collection for impact fees; and

WHEREAS, the City published notice of such public hearing in a newspaper of general circulation within the City in accordance with the requirements of Chapter 395 of the Texas Local Government Code; and

WHEREAS, the City Council finds that the collection of impact fees for new developments at revised rates in order to fund water and wastewater improvements to serve such developments substantially furthers the public health, safety and general welfare; and

WHEREAS, the City Council finds that changes to the land use assumptions, capital improvements plans and impact fee assessment and collection rates are fully warranted, as presented in the impact fee update studies prepared by the City's engineering consultants; and

WHEREAS, the City Council further finds that the collection rates for water and wastewater impact fees reasonable further the public health, safety and general welfare;

WHEREAS, the City Council further finds that the collection rates for water and wastewater facilities is substantially less than the City's actually costs of mitigating the impacts from new development on the City's water and wastewater systems;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. ***Land Use Assumptions.*** The land use assumptions for water and wastewater impact fees, hereby are updated and amended, as set forth in *Exhibit 'A'* of this ordinance, which shall be incorporated herein by reference, and as set forth in *Exhibit 'B': Land Use Assumptions for Impact Fees* of this ordinance, which herein after shall be referred to as *Exhibit 'B'*, and incorporated herein by reference; and

Section 2. ***Service Areas.*** The service areas for water and wastewater impact fees hereby are updated and amended, as depicted in *Figure 4: Water/Wastewater Service Area* of *Exhibit 'A'* of this ordinance.

Section 3. ***Capital Improvements Plans.*** The service areas for water and wastewater impact fees hereby are updated and amended, as set forth in *Exhibit 'C': 2013 – 2023 Water & Wastewater Impact Fee* of this ordinance, which herein after shall be referred to as *Exhibit 'C'*, and incorporated herein by reference; and

Section 4. ***Land Use Equivalency Tables.*** The land use equivalency table that coverts land uses into numbers of living units equivalents (service units) for water and wastewater impact fees, hereby is updated and amended, as set forth in *Table No. 20: Maximum Assessable Water & Wastewater Impact Fee* of *Exhibit 'C'* of this ordinance.

Section 5. ***Impact Fee Assessment.*** The amount of the water and wastewater impact fees to be assessed per living unit equivalent hereby is established as set forth in *Schedule 1* of *Section 362.(b).(1)* of *Exhibit 'A'*.

Section 6. ***Impact Fee Collection.*** The amount of the water and wastewater impact fees to be collected per living unit equivalent hereby is established as set forth in *Schedule 2* of *Section 362.(b).(2)* of *Exhibit 'A'*.

Section 7. ***Administrative Provisions.*** *Sections 38-360* through *38-368* of Chapter 38, *Subdivisions*, of the City of Rockwall's Municipal Code of Ordinances is hereby superseded by the provisions contained herein.

Section 8. ***Ordinances Cumulative.*** All ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby superseded to the extent of that conflict.

Section 9. ***Severability.*** If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Subdivision Regulations of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 10. ***Effective Date.*** This ordinance shall take effect immediately.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 20TH DAY OF OCTOBER, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *October 6, 2014*

2nd Reading: *October 20, 2014*

Language to be Removed = ~~Highlighted/Strikeout~~

~~*Sec. 38-360. Purpose.*~~

~~(a) V.T.C.A., Local Government Code Ch. 395 prescribes the process by which cities in the state must formulate development impact fees. The initial process is the establishment of land use assumptions. These land use assumptions, which include population and employment projections, will become the basis for the preparation of impact fee capital improvement plans for water, wastewater, and roadway facilities.~~

~~(b) To assist the city in determining the need and timing of capital improvements to serve future development, a reasonable estimation of future growth is required. The purpose of this report is to formulate growth and development projections based upon assumptions pertaining to the type, location, quantity and timing of various future land uses within the community, and to establish and document the methodology used for preparing the growth and land use assumptions.~~

~~*(Ord. No. 08-21, exh. 1, 4-21-2008; Ord. No. 08-26, § 1(exh. 1), 6-2-2008)*~~

~~*Sec. 38-361. Elements of land use assumptions report.*~~

~~This report contains the following components:~~

~~(1) *Methodology.* The methodology is an explanation of the general methodology used to prepare the land use assumptions.~~
~~(2) *Data collection zones and service area maps (plates 1, 2 and 3).* This is an explanation of data collection zones (traffic survey zones), and division of the city into four impact fee service areas for water facilities, wastewater facilities, and roadways facilities.~~
~~(3) Historical Data and Perspective. Information regarding Rockwall's settlement history and the population growth associated with the construction of Lake Ray Hubbard.~~
~~(4) *Base year data.* This information on population and employment for the city as of 2013 for each capital facility service area.~~
~~(5) *Ten-year growth assumptions.* Population and employment growth assumptions for ten years by impact fee service areas.~~
~~(6) *Summary.* The summary is a brief synopsis of the land use assumptions report.~~

~~*(Ord. No. 08-21, exh. 1, 4-21-2008; Ord. No. 08-26, § 1(exh. 1), 6-2-2008; Ord. No. 13-42, § 1, 11-4-2013)*~~

~~*Sec. 38-362. Methodology.*~~

~~(a) Based upon the growth assumptions and the capital improvements needed to support growth, it is possible to develop an impact fee structure which fairly allocates improvement costs to growth areas in relationship to their impact upon the entire infrastructure system. The data in this report has been formulated using reasonable and generally accepted planning principles for the preparation of impact fee systems in Texas.~~

(b) These land use assumptions and future growth projections take into consideration several factors influencing development patterns, including the following:

(1) The character, type, density, and quantity of existing development.
(2) Existing zoning patterns and anticipated future land use (city's future land use plan map).
(3) Availability of land for future expansion.
(4) Current and historical growth trends of population and employment within the city.
(5) Location and configuration of vacant land.
(6) Growth of employment [per the North Central Texas Council of Governments (NCTOG)].
(7) Known or anticipated development projects as defined by city staff.

(c) Following is the general methodology used for the preparation of this report:

(Ord. No. 08-21, exh. 1, 4-21-2008; Ord. No. 08-26, § 1(exh. 1), 6-2-2008; Ord. No. 13-42, § 1, 11-4-2013)

Sec. 38-363. Data collection zones and service area maps.

Service areas are required by State Law to define the area served by the Roadway Capital Improvements. Chapter 395 of the Texas Local Government Code (TLGC) requires that service areas be defined for impact fees to ensure that facility improvements are located in proximity to the area that is generating needs. Roadway service areas are different from water/wastewater impact fee service areas, which can include the city limits and Extra-Territorial Jurisdiction (ETJ). This is primarily because roadway systems are "open" to both local and regional use as opposed to a defined limit of service that is provided with water and wastewater systems. The result is that new development can only be assessed an impact fee based on the cost of necessary capital improvements within that service area.

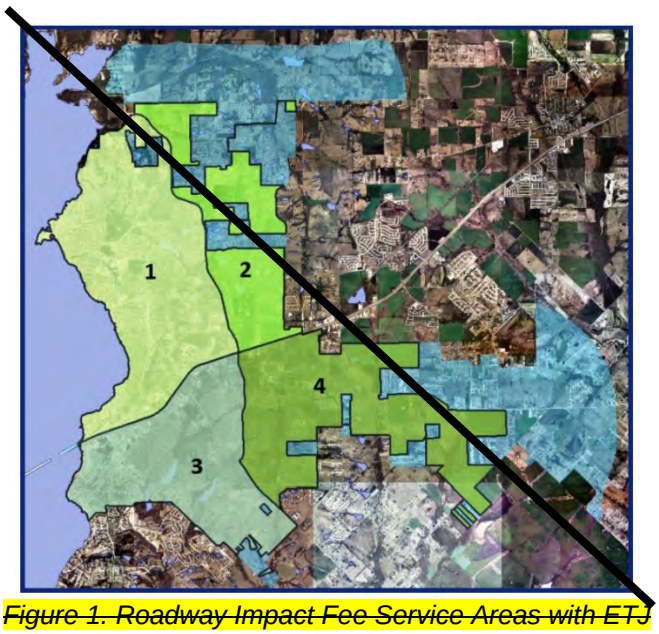


Figure 1. Roadway Impact Fee Service Areas with ETJ

~~Current legislation allows for roadway service areas to be limited to a six-mile maximum, but must be located within the current city limits. Although the roadway service areas only recognize current municipal limits, an analysis including the ETJ was conducted in order to consider long-term coverage of the ultimate corporate boundaries. Another consideration in the development of the service area structure was the city's thoroughfare plan, a portion of which will ultimately serve as the service area geographic boundaries for the impact fee program.~~

~~(a) Data collection zones. The data collection zones used for the land use assumptions also considered the North Central Texas Council of Government's (NCTCOG's) traffic survey zones (TSZs) for purposes of facilitating system updates. TSZs within Rockwall vary in size and serve as the basis for the regional TransCAD system updates. TSZs were originally formulated on the basis of homogeneity and traffic generation potential using major arterials, creeks, railroad lines and other physical boundaries for delineation. It should be noted that several TSZs were adjusted in the calculations because portions include areas outside of the city limits.~~

~~(b) Service area maps. Plates 1, 2 and 3 show the proposed service zones for water, wastewater and roadway facilities. Plates 1 and 2 show the proposed service areas for water and wastewater facilities. The boundary for these facilities is the existing city limits and the city's CCN-approved area (that is, the area certified by the Texas Commission on Environmental Quality (TCEQ), to which the city can provide water and wastewater service). Plate 3, entitled "Service Areas for Roadway Impact Fees," show the four service areas for roadway facilities. All of the roadway service area boundaries encompass several traffic survey zones. The capital improvement plans and impact fees will be prepared as separate documents for water, wastewater, and roadway facilities.~~

~~(c) Historical data and perspective. Rockwall traces its history as a community to the construction of the National Road of the Republic of Texas in the mid-1840s, which was a major route for settlers traveling westward to Peter's Colony near present-day Dallas. Occasionally, high water on the East Fork of the Trinity River prevented crossing to the west, and pioneers chose to settle near the highway on the east side of the river. In 1854, Elijah Elgin donated 40 acres on a hill east of the river overlooking the valley to establish a town. The community was named Rockwall after a curious rock formation resembling a "rock wall" discovered by farmers digging a well, and variously attributed to a lost prehistoric tribe or natural geologic phenomena. In 1873, Rockwall County was formed from the panhandle of Kaufman County, and Rockwall became the county seat.~~

~~The construction of Lake Ray Hubbard in 1969 and 1970 accelerated growth in Rockwall dramatically. The county's employment tripled from the lake's completion in 1970 to 1980, and the city's population almost doubled in the same time frame. *See Figure 2 below.*~~

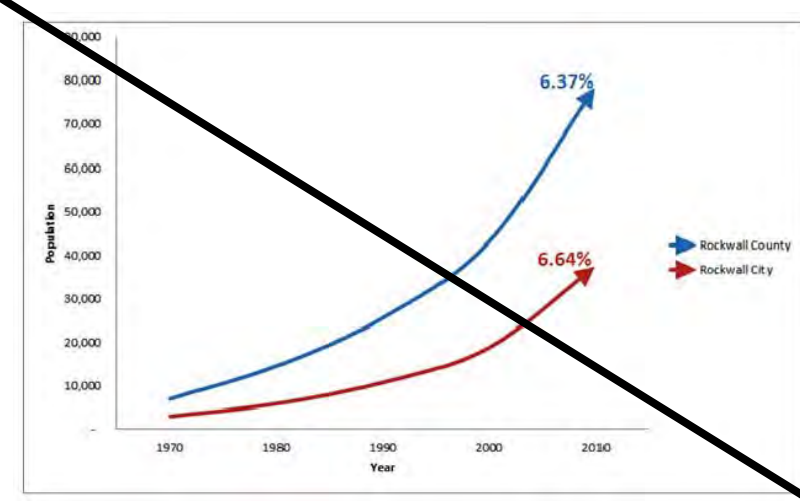


Figure 2. Rockwall City and County Population Growth (1970-2010)

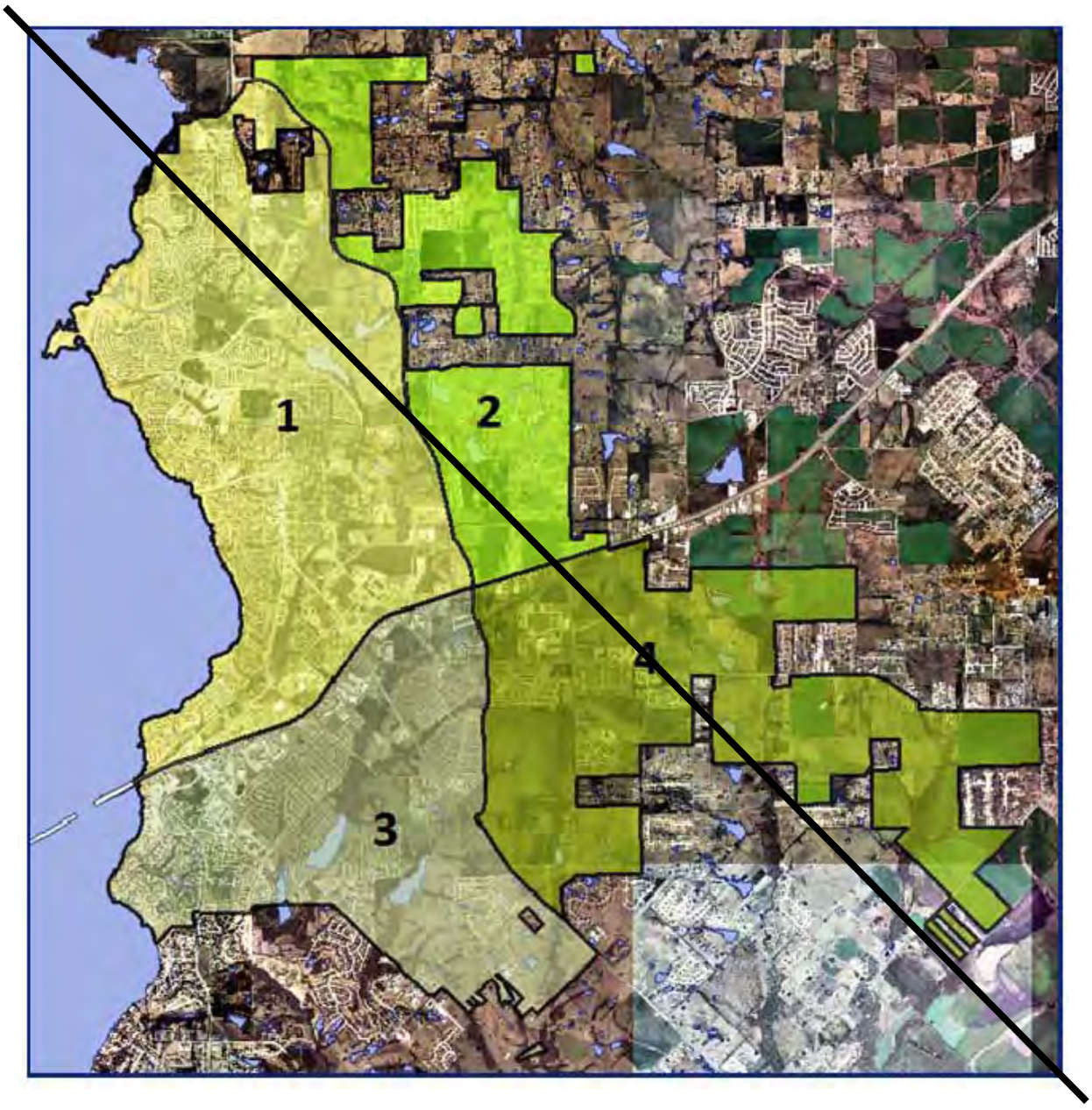
In the new millennium, dramatic growth continues. Population as of the 2000 census was 17,976, a 300% increase from 1980. The population in the 2010 U.S. Census was over 37,000 residents. As land near the lake has been built out, the city has continued to grow into the rolling uplands to the north, east and south. In 2006, Rockwall County was the fastest growing county in the United States.

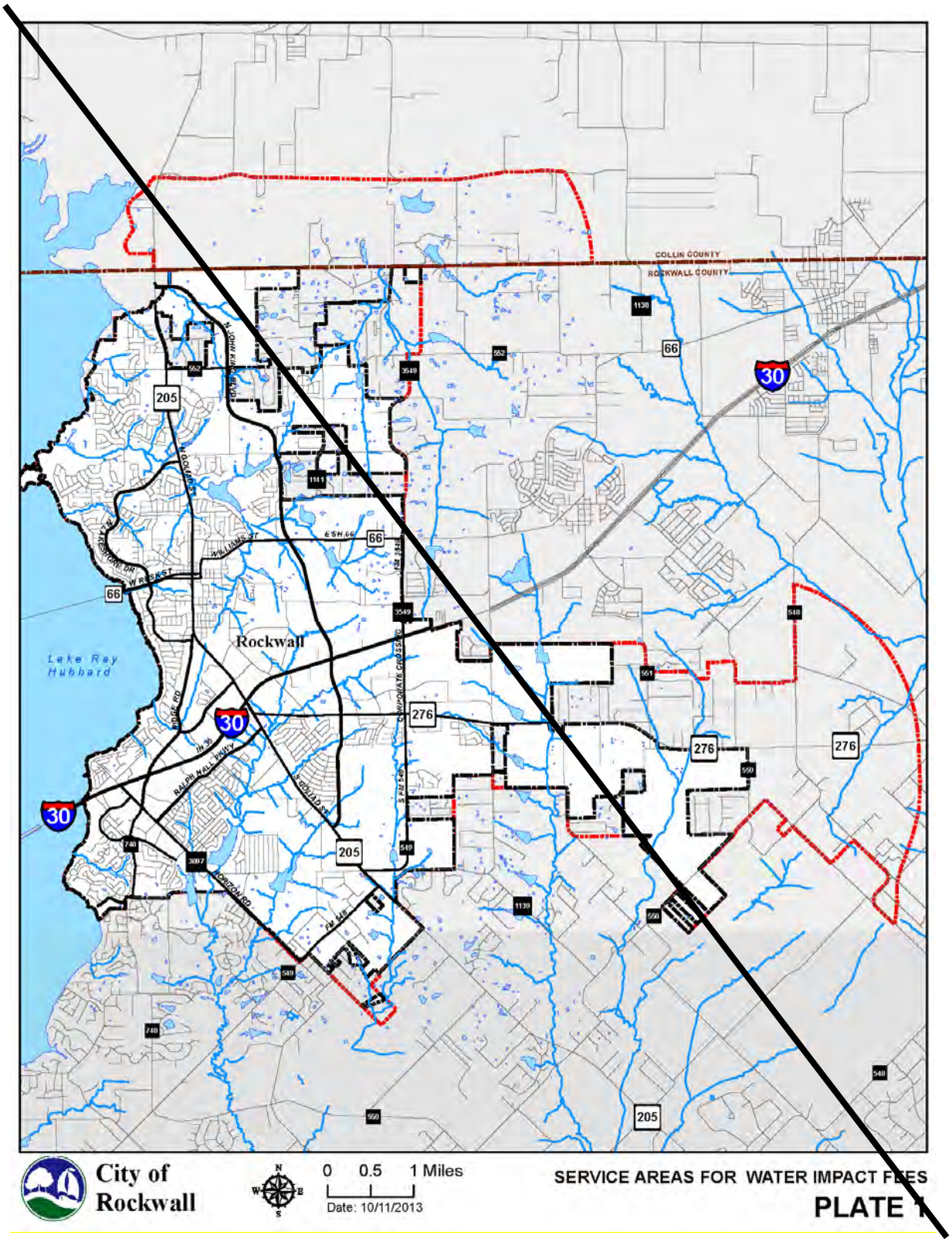
The I-30 Corridor continues to be the city's primary commercial center; however, other significant commercial and employment sectors have emerged in the past ten years. These include the Harbor District adjacent to Lake Ray Hubbard, the hospital/medical office district along FM 3097, the Rockwall Technology Park at SH 276 and FM 549, and other developed or planned retail centers along SH 205, SH 66 and other major arterials.

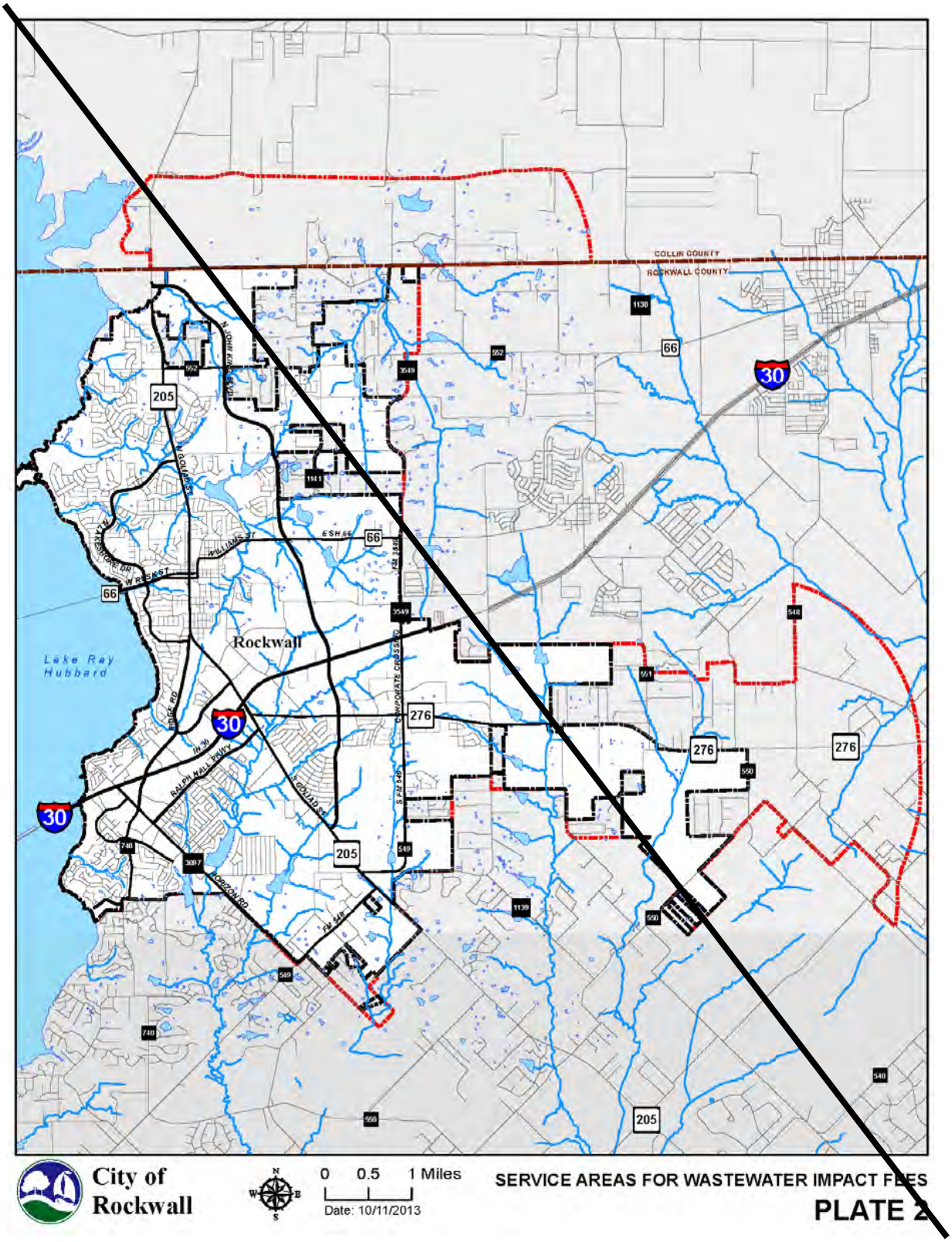


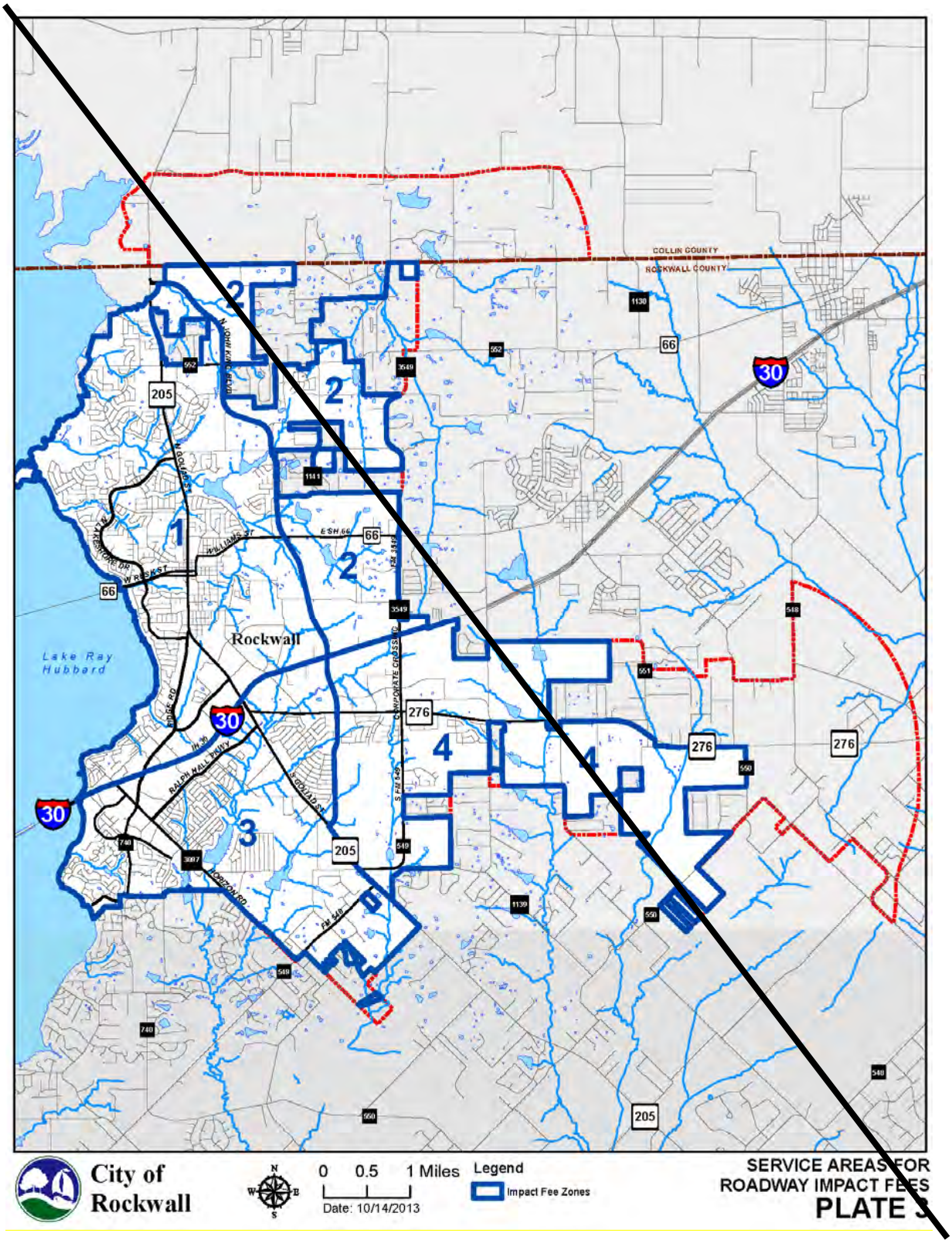
~~Roadway Service Areas~~

~~Figure 3 (below):~~ ~~Illustrates the derived service area structure for roadway facilities. These service areas conform to the current city limits of Rockwall.~~




COLLIN COUNTY
ROCKWALL COUNTY
Rockwall
Lake Ray Hubbard
66
30
205
276
City of Rockwall
0 0.5 1 Miles
Date: 10/11/2013
SERVICE AREAS FOR WATER IMPACT FEES
PLATE 1


COLLIN COUNTY
ROCKWALL COUNTY
Rockwall
Lake Ray Hubbard
30
66
205
276
City of Rockwall
0 0.5 1 Miles
Date: 10/11/2013
SERVICE AREAS FOR WASTEWATER IMPACT FEES
PLATE 2


COLLIN COUNTY
ROCKWALL COUNTY
Rockwall
Lake Ray Hubbard
1
2
3
4
City of Rockwall
0 0.5 1 Miles
Date: 10/14/2013
Legend
Impact Fee Zones
SERVICE AREAS FOR
ROADWAY IMPACT FEES
PLATE 3

(d) Data format. The existing base data, as well as the future projections, were formulated according to the following format and categories:

(1) *Service area.* Correlates to the proposed roadway, water and wastewater service areas identified on the attached maps. The roadway service areas are identified on the map in Figure 3. The city limits serve as the roadway service area boundary.

(2) *Traffic survey zone/TSZ.* Geographic areas established by the North Central Texas Council of Governments (NCTCOG) which are used for data collection purposes and termed traffic survey zones (TSZs) within this report.

(3) *Housing units (2013).* All living units including single-family, duplex, multifamily and group quarters existing at the end of 2012. The number is based upon 2010 U.S.

(4) *Housing units (2013).* Projected housing units by service zone for the year 2023 (ten-year growth projections).

(5) *Population (2007).* Existing population for the base year (January 2007).

(6) *Population (2017).* Projected population by service zone for the year 2017 (ten-year growth projections).

(7) *Employment (2013, 2023).* Employment data is aggregated to three employment sectors and include basic, retail, and service, as provided by the NCTCOG. These service sectors serve as the basis for non-residential trip generation. The following details which North American Industry Classification System (NAICS) codes fall within each three sectors.

a. *Basic (#210000 to #422999).* Land use activities that produce goods and services such as those that are exported outside the local economy; manufacturing, construction, transportation, wholesale trade, warehousing and other industrial uses.

b. *Service (#520000 to #928199).* Land use activities which provide personal and professional services such as financial, insurance, government, and other professional administrative offices.

c. *Retail (#440000 to #454390).* Land use activities which provide for the retail sale of goods that primarily serve households and whose location choice is oriented toward the household sector such as grocery stores, restaurants, etc.

(Ord. No. 08-21, exh. 1, 4-21-2008; Ord. No. 08-26, § 1(exh. 1), 6-2-2008; Ord. No. 13-42, § 1, 11-4-2013)

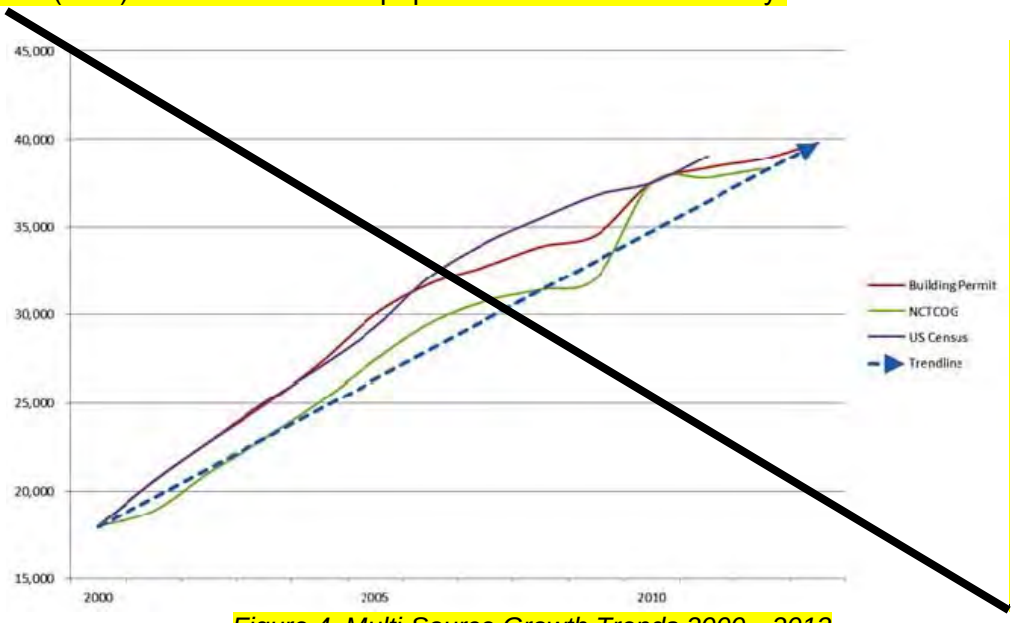
Sec. 38-364. Base year data.

This section documents the data used to derive the 2013 base year population estimate for the city.

(1) *Population growth.*

(a) One method of predicting future growth is looking at past growth. Rockwall, and Rockwall County as a whole, has experienced robust growth over the past decade. Past growth trends from the U.S. Census and the North Central Texas Council of Governments (NCTCOG) were examined in conjunction with

~~building permit data from the city (Figure 4). Building permits were multiplied by both the 2010 U.S. Census occupancy rate (94.7%) and average household size (2.81) to derive the 2013 population estimate for the city.~~



~~*Figure 4. Multi-Source Growth Trends 2000 – 2013*~~

~~The City's rapid growth often makes calculating populations estimates difficult. Data from the 2010 U.S. Census indicates that the city's population was 37,490 persons in 2010. Based upon an examination of available data, including 2010 U.S. Census household counts, city staff has derived a January 2013 population estimate of 39,817 residents. This number will serve as the base residential assumption for this report.~~

~~***Table 1. Growth Rates***~~

~~**Source Growth**~~	
~~2010—2012 Census*~~	~~1.81%~~
~~2007—2012 Census*~~	~~3.49%~~
~~2002—2012 Census*~~	~~5.49%~~
~~2010—2012 SF Permits**~~	~~11.2%~~
~~2007—2012 SF Permits**~~	~~8.0%~~
~~2002—2012 SF Permits**~~	~~-7.5%~~
~~Texas Water Board 10-Yr***~~	~~4.75%~~
~~Texas Water Board 20-Yr***~~	~~3.25%~~
~~Future Growth Projection~~	~~4.0%~~

~~**Based on 2002-2012 Census Data*~~
~~***Information Provided by City of Rockwall*~~
~~****Texas Water Board 2011 Region C Water Plan*~~

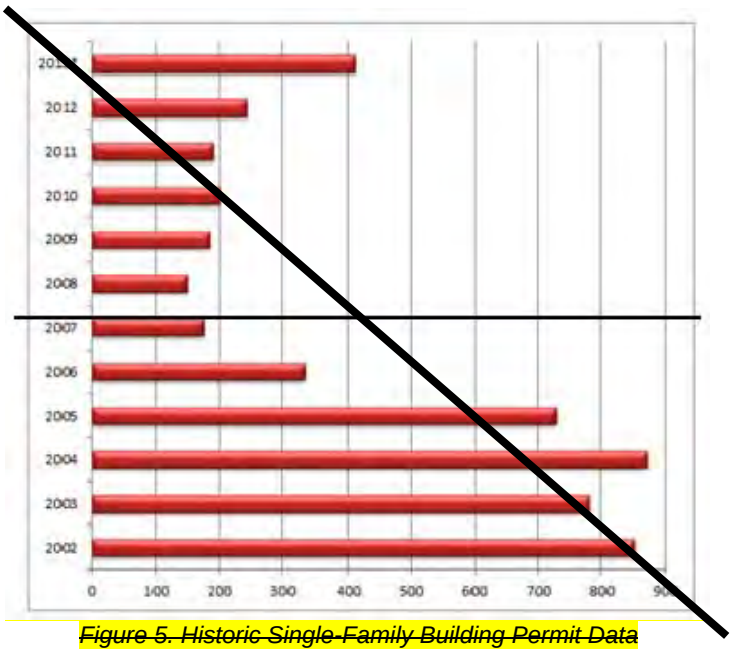


Figure 5. Historic Single-Family Building Permit Data

**2013 Data based on 70% assumed growth from 2012 (2013 SF permits up 70% from January 1-February 28 compared to same period in 2012).*

(2) Compound annual growth rate (CAGR) population. A compound annual growth rate (CAGR) allows for a general assessment of growth, considering periodic increases and decreases in residential population growth coinciding with changing economic conditions. Various sources were used to derive past growth rates. These sources indicated rates of growth between 3.25 and 4.75 percent. Based upon this data, analysis of ten-year forecasts, and city staff judgment, a four percent CAGR was determined to be a sound assumption for the ten-year study period.

(3) *Additional growth indicators.* Annual population growth rates have slowed in the city, from 10.8% between 2000—2005 to 4.6 percent between 2005—2010 and finally down to 2.0% between 2010 and current estimates (see table 1). Residential building permits, specifically single-family permits as depicted in Figure 5, coincide with the fluctuations in growth rates. Recent permit data shows an increase in single-family activity. In fact, 2013 single-family permits (issued 1-1-13 to 2-18-13) are up 70 percent from the same period in 2012. This recent increase, combined with Texas Water Board ten-year and 20-year county population projections and an overall sense of a recovering market led city staff to comfortably assume that overall growth over the ten-year period will average four percent. Likely, the annual growth will increase from its current two percent rate gradually to a five percent rate near the end of the forecast period.

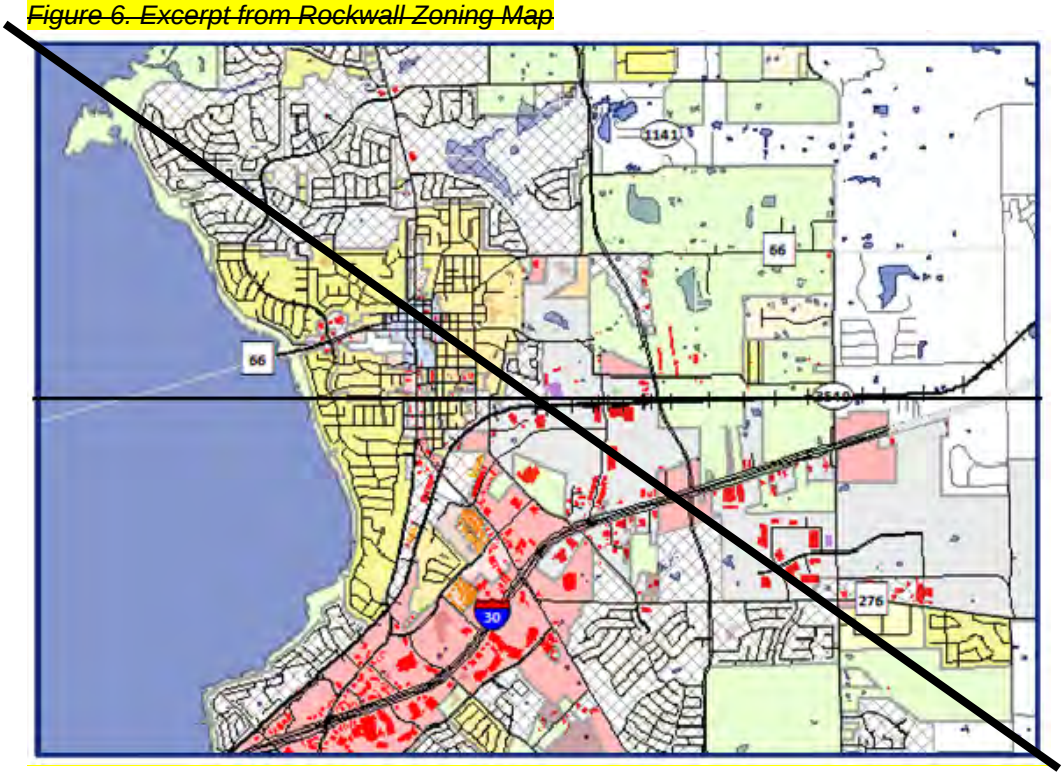
(4) *Existing land use.* In any evaluation and projection of future land use patterns, a documentation of existing conditions is essential. Analysis of existing land use patterns was prepared based on a zoning classification inventory of the city. This also serves to document the present physical condition of the city with regard to any infrastructure deficiencies that may exist. The city's comprehensive plan will

~~serve as an additional basis for future growth projections. Nearly 25 percent of the city's land area is devoted to planned development districts, which are difficult to define in terms of land use since most of them are mixed-use in nature. Estimates of land use categories within PDs are included in the land use categories in table 2.~~

~~*Table 2. Existing Land Use Acreage*~~

~~Land Use Category~~	~~Acres~~	~~Percent of Total Land~~	~~Acres per 100 Persons[1]~~
~~Single-family~~	~~6,167~~	~~32.4%~~	~~15.5~~
~~Multi-family~~	~~280~~	~~1.5%~~	~~0.7~~
~~Manufactured home~~	~~218~~	~~1.1%~~	~~0.5~~
~~Parks and open space~~	~~780~~	~~4.1%~~	~~2.0~~
~~Public/semi-public~~	~~167~~	~~0.9%~~	~~0.4~~
~~Office/retail~~	~~617~~	~~3.2%~~	~~1.6~~
~~Commercial~~	~~1,852~~	~~9.7%~~	~~4.6~~
~~Industrial~~	~~1,847~~	~~9.7%~~	~~4.6~~
~~Agricultural~~	~~7,117~~	~~37.4%~~	~~17.9~~
~~Total~~	~~19,045~~	~~100%~~	
~~[1] Based on a 2013 estimated population of 39,817~~			

~~*Figure 6. Excerpt from Rockwall Zoning Map*~~



~~*(5) Existing employment.* 2013 base employment data was calculated using NCTCOG traffic survey zone (TSZ) data. As the TSZs do not follow city limits, allocations were made based on the locations of existing land uses and the percentage of each TSZ located within city limits.~~

~~Staff reviewed 2010 and 2015 NCTCOG employment estimates at the TSZ level and applied manual adjustments based on knowledge of development currently constructed and the portion of that development that is within the city limits. Once these numbers were tabulated, a CAGR was calculated between the 2010 and 2015 employment numbers. Finally, the CAGR was applied using the linear extrapolation method to the 2010 employment data, resulting in the 2013 employment data shown in Table 3.~~

~~*Table 3. 2013 Employment Data by TSZ and Service Area*~~

		2013			
Service Area	TSZ	Basic	Retail	Service	Total
1	5002	-	-	96	96
	5003*	-	-	-	-
	5008	-	50	41	91
	5009	-	10	144	154
	5010*	-	-	238	238
	5011*	26	63	-	89
	5013*	-	-	-	-
	5018	214	22	138	374
	5020	43	83	216	342
	5021	39	41	47	127
	5022	10	56	141	206
	5023	62	25	420	507
	5024	-	49	-	49
	5025	54	5	242	304
	5027*	643	51	212	919
	5036	9	404	253	666
	5037	-	804	1,357	2,161
	Subtotal	***1,100***	***1,663***	***3,544***	***6,323***
	5003*	-	-	-	-
	5004	-	-	-	-
	5010*	-	-	2	2
2	**5011***	-	-	-	-
	5012	-	-	-	-
	5013*	-	-	-	-
	5014	-	-	-	-
	5025*	-	-	3	3
	5026	-	-	12	12
	5027*	-	-	13	13
	Subtotal	-	-	***30***	***30***
3	**5028***	56	1,362	187	1,605
	5038	-	773	357	1,130
	5039	-	1,689	1,919	3,608
	5040*			128	128
	5043	-	-	25	25
	5044	138	-	583	720
	5045	-	156	1,370	1,526
	5046	-	-	-	-
	Subtotal	***194***	***3,979***	***4,569***	***8,742***
4	**5028***	192	211	246	649
	5029			38	38
	5040*			126	126
	5047	16	64	36	116
	Subtotal	***208***	***275***	***446***	***929***
TOTAL		**1,501**	**5,917**	**8,589**	**16,007**

*Traffic Survey Zone is split by Roadway Service Area Boundary

~~*(Ord. No. 08-21, exh. 1, 4-21-2008; Ord. No. 08-26, § 1(exh. 1), 6-2-2008; Ord. No. 13-42, § 1, 11-4-2013)*~~

Sec. 38-365. Ten-year growth assumptions.

(a) Growth is summarized by population and employment. A series of assumptions were made to arrive at reasonable growth rates for population and employment. The following assumptions have been made as a basis from which ten-year projections could be initiated:

(1) Future land uses will occur based on similar trends of the past and consistent with the future land use plan map;
(2) The city will be able to finance the necessary improvements to accommodate growth;
(3) School facilities will accommodate increases in population; and
(4) Densities will be as projected in the future land use plan map.

(b) The ten-year projections are based upon the growth rate which was discussed earlier and considers past trends of the city. Table 4 details the ten-year population projection.

Table 4. Ten Year Population and Household Projections by Service Area

Service Area	2010 Census		2013 Projection		2023 Projection	
	Households	Population	Households	Population	Households	Population
1	7,148	19,334	7,720	20,697	10,915	29,525
2	299	880	439	1,256	839	2,294
3	4,887	14,589	5,133	15,177	6,409	18,495
4	878	2,687	878	2,687	2,826	8,626
TOTAL	13,212	37,490	14,170	39,817	20,989	58,940
	Assumes 2.81 PPH (for 2013 Projections) per the 2010 Census					

The city has experienced significant growth over the past decade. The city's 2000 population stood at just under 18,000 residents. By the end of the decade, the city has more than doubled in population to a 2013 estimate of 39,817. This population growth is occurring within the context of the greater Dallas-Fort Worth metropolitan region, which has become one of the fastest growing regions in the nation, both in terms of population and employment. Figure 7 shows the projected population density in 2030 for the Metroplex. Darker reds indicate the more dense population centers, areas where growth is likely to continue. Although local growth has slowed since 2006, all data appears to indicate that growth will once again return to the area as the economy continues to recover. Using a four percent compound annual growth rate (CAGR), the projected 2023 population for the city is 58,939 (Figure 8).

Figure 7. Vision North Texas 2030 Population Density Map

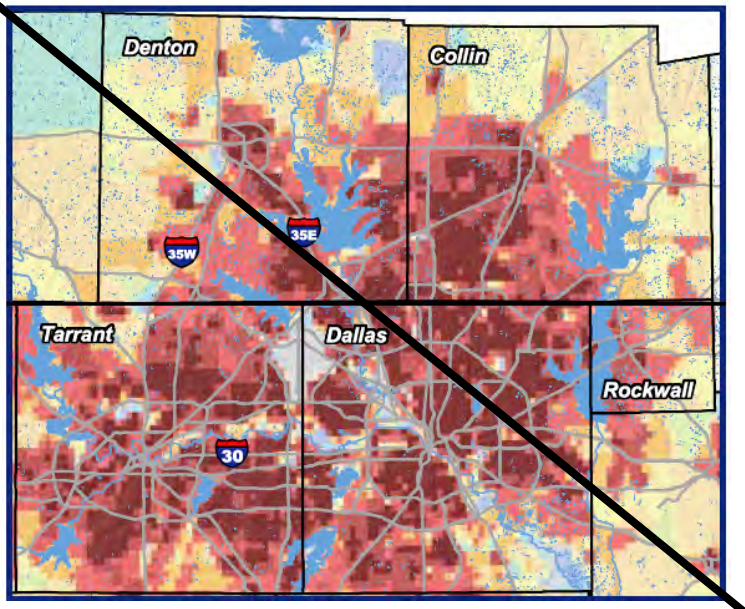
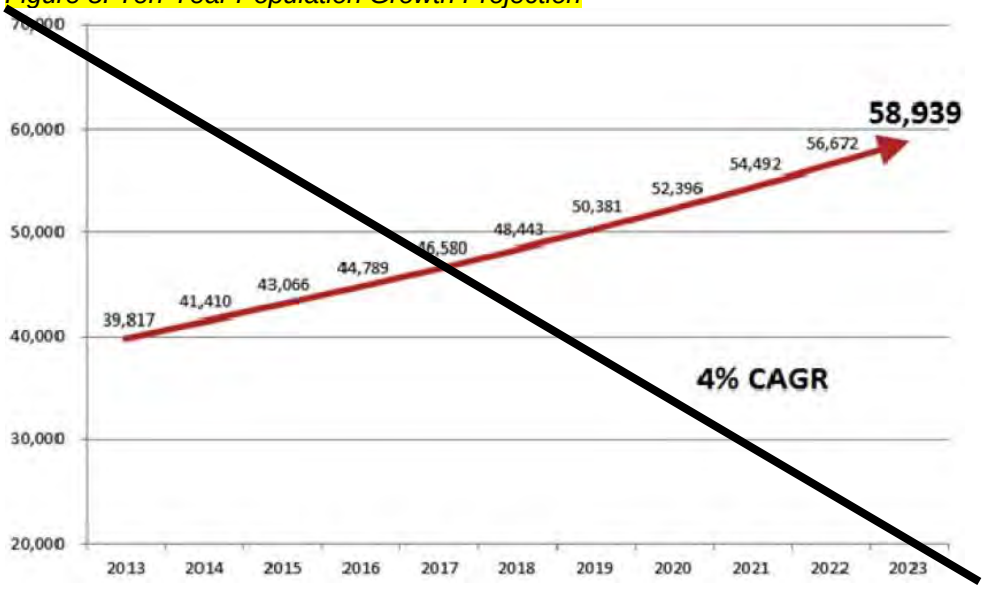


Figure 8. Ten-Year Population Growth Projection

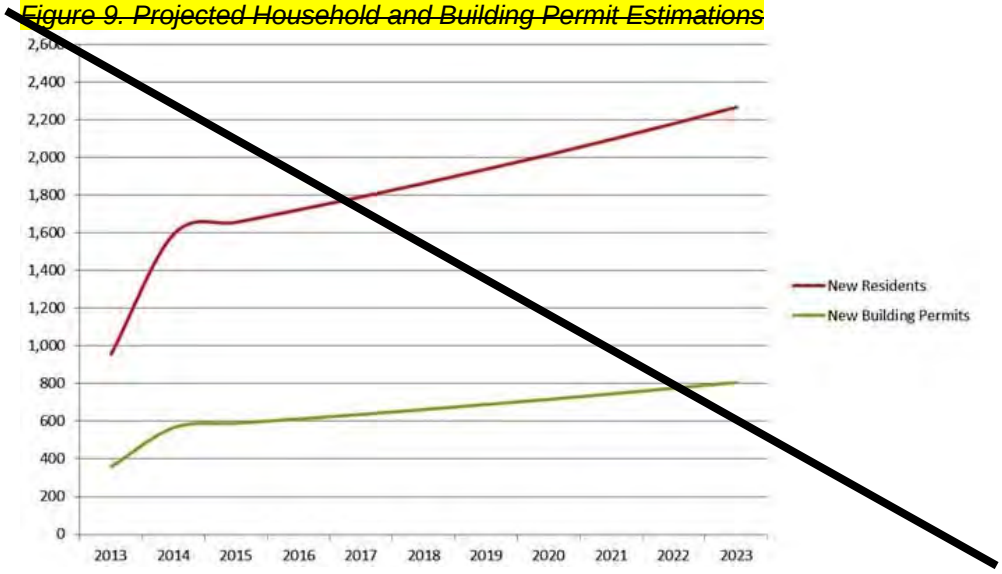


Building permit calculations were based upon the analysis described previously. An average of 2.81 PPH was used in our estimation to account for a mixture of multi-family and single-family, which is the average household size per the most recent U.S. Census (2010). Between 2000 and 2012, the city issued an average of 623 building permits a year with the highest number of permits, 1,033, being issued in 2005 and the lowest number of permits, 150, issued in 2008. The city may average 651 new dwelling units a year over the next ten-year period (Table 5 and Figure 9). This estimate reflects the type of construction which would likely occur based upon population projections, which considers both single-family and multi-family construction.

Table 5. Projected Household Estimations

Year	Population	New Residents	New Building Permits
2013	39,817	958	360
2014	41,410	1,593	567
2015	43,066	1,656	590
2016	44,789	1,723	613
2017	46,580	1,791	637
2018	48,443	1,863	663
2019	50,381	1,938	690
2020	52,396	2,015	717
2021	54,492	2,096	746
2022	56,672	2,180	776
2023	58,939	2,267	807
Average Number of Annual Permits: 651			

Figure 9. Projected Household and Building Permit Estimations



Employment 2023

Employment data for the year 2023 was based upon data provided by the North Central Texas Council of Governments (NCTCOG). NCTCOG has provided employment data by traffic survey zone (TSZ) for 2015 and 2035. After staff adjustments for TSZ coverage area and anticipated future development were completed, a CAGR was derived between the 2015 and 2035 staff-adjusted NCTCOG employment numbers. Linear extrapolation of the CAGR produced the 2023 employment estimates by TSZ as listed in Table 6. It is important to note that TSZs do not follow city limits.

~~*Table 6. 2023 Employment Data by TSZ and Service Area*~~
~~Assumptions for future growth are confirmed based upon 2030 data from the Vision North Texas study. Most of the city is forecast for an employment density greater than 1.7 per acre, and upwards of 3.5+ per acre in areas around Interstate 30 and within the industrial park.~~

		2023			
Service Area	TSZ	Basic	Retail	Service	Total
1	5002	-	-	159	159
	5003*	-	105	105	210
	5008	-	80	65	145
	5009	-	14	193	207
	5010*	-	-	460	460
	5011*	48	117	-	166
	5013*	-	-	-	-
	5018	236	24	152	412
	5020	49	95	245	390
	5021	43	45	52	140
	5022	10	60	151	220
	5023	65	26	437	528
	5024	-	57	-	57
	5025*	66	6	300	304
	5027*	1,140	91	399	1,628
	5036	13	607	379	1,000
	5037	-	911	1,538	2,449
	Subtotal	***1,670***	***2,238***	***4,635***	***8,476***
2	**5003***	-	105	105	210
	5004	-	-	6	6
	5010*	-	-	5	5
	5011*	-	-	-	-
	5012	-	125	125	250
	5013*	87	-	-	87
	5014	-	-	-	-
	5025*	-	-	6	6
	5026	-	-	22	22
	5027*	-	-	24	24
	Subtotal	***87***	***250***	***293***	***610***
3	**5028***	243	1,542	424	2,209
	5038	-	1,082	500	1,582
	5039	-	2,059	2,340	4,399
	5040*			261	261
	5043	-	-	25	25
	5044	238	-	1,009	1,247
	5045	-	229	2,020	2,249
	5046	-	-	-	-
	Subtotal	***481***	***4,912***	***6,579***	***11,972***
4	**5028***	192	211	246	893
	5029	100		437	537
	5040*			260	260
	5047	49	197	111	357
	Subtotal	***341***	***408***	***1,054***	***2,017***
TOTAL		**2,579**	**7,789**	**12,560**	**22,928**

*Traffic Survey Zone is split by Roadway Service Area Boundary

~~*(Ord. No. 08-21, exh. 1, 4-21-2008; Ord. No. 08-26, § 1(exh. 1), 6-2-2008; Ord. No. 13-42, § 1, 11-4-2013)*~~

~~*Sec. 38-366. Reserved.*~~

~~*Editor's note—*~~
~~*Ord. No. 13-42, § 1, adopted November 4, 2013, amended the Code by repealing former § 38-366 in its entirety. Former § 38-366 pertained to ultimate population projection, and derived from Ord. No. 08-21, adopted April 21, 2008; and Ord. No. 08-26, adopted June 2, 2008.*~~

Sec. 38-367. Summary.

(a) Approximately 63 percent of the total land within the city limits is developed, with approximately 37 percent of land within the city limits being vacant and available for future development, where infrastructure and topography permit.

(b) The existing estimated 2013 population for Rockwall stands at approximately 39,817 persons, with an existing estimated employment of 16,007 jobs.

(c) A compound annual growth rate (CAGR) of FOUR percent was used to calculate the Rockwall ten-year growth projections. This growth rate is based upon historical U.S. Census data, 2011 Texas Water Commission population projections for Rockwall County, building permit information received from the city and North Central Texas Council of Governments (NCTCOG) projections.

(d) Ten-year (2023) population growth is forecasted to be 58,939 persons, with an employment of 22,928 jobs.

Table 7. Employment and Population Projection Summary

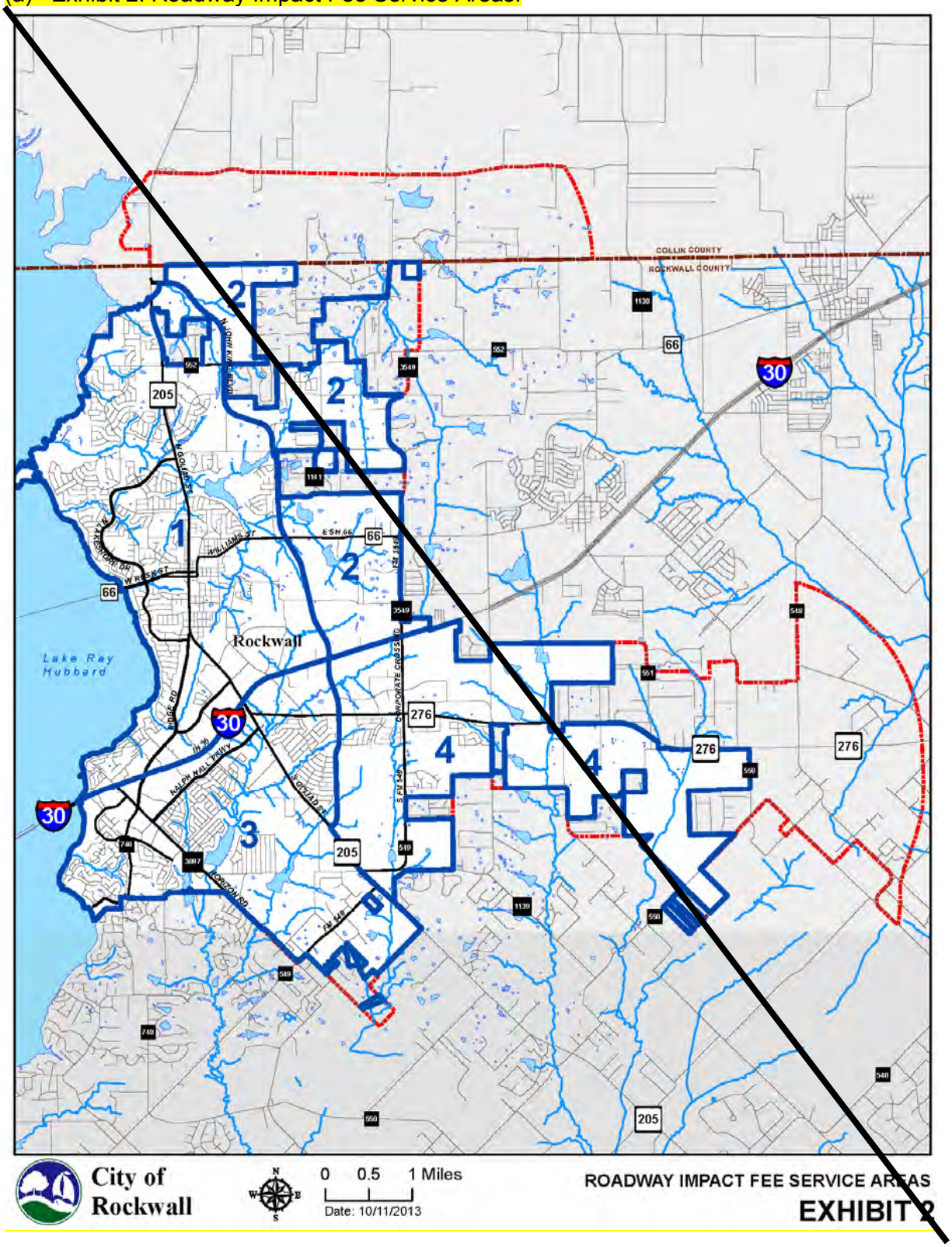
	2013	2023	% Increase
Households	14,170	20,989	32.5%
Population	39,817	58,939	32.4%
Total Employment	16,007	22,928	30.2%
— Basic	1,501	2,579	41.8%
— Service	5,917	7,789	24.0%
— Retail	8,589	12,560	31.6%

(Ord. No. 08-21, exh. 1, 4-21-2008; Ord. No. 08-26, § 1(exh. 1), 6-2-2008; Ord. No. 13-42, § 1, 11-4-2013)

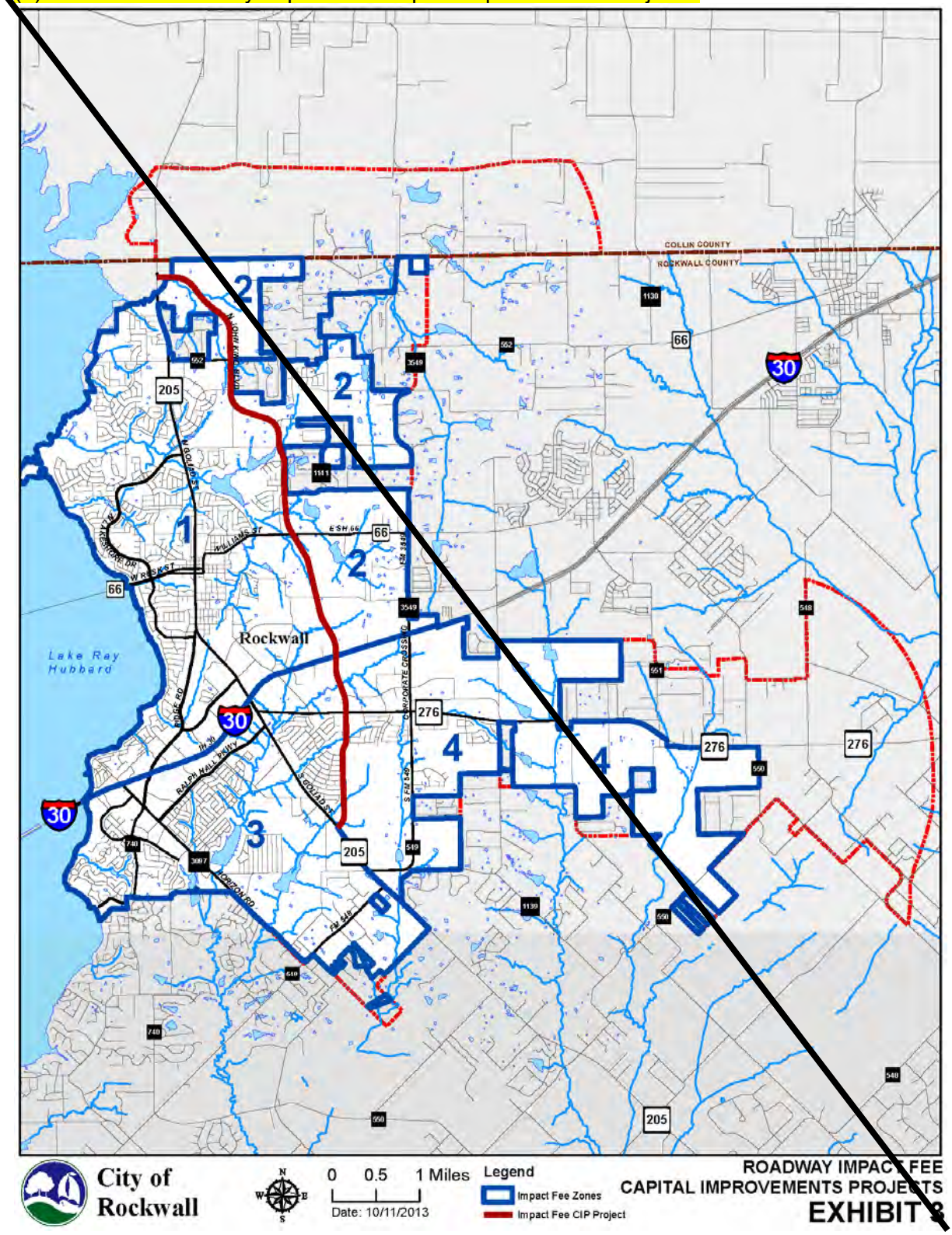
Continued on Next Page …

~~*Sec. 38-368. Appendices.*~~

~~(a) Exhibit 2: Roadway Impact Fee Service Areas.~~



~~(b) Exhibit 3: Roadway Impact Fee Capital Improvements Projects.~~



~~(c) *Schedule 1* roadway impact fee assessment. The following schedule is for roadway impact fee assessment.~~

~~Service Area~~	~~Cost Per Service Unit~~
~~1~~	~~$1,278.00~~
~~2~~	~~$5,058.00~~
~~3~~	~~$240.00~~
~~4~~	~~$738.00~~

~~(d) *Schedule 2* roadway impact fee collection. The following schedule is for roadway impact fee collection.~~

~~Service Area~~	~~Cost Per Service Unit~~
~~1~~	~~$256.00~~
~~2~~	~~$256.00~~
~~3~~	~~$120.00~~
~~4~~	~~$256.00~~

~~*(Ord. No. 08-21, exh. 1, 4-21-2008; Ord. No. 08-26, § 1(exh. 1), 6-2-2008; Ord. No. 13-42, § 1, 11-4-2013)*~~

~~*Secs. 38-369—38-398. Reserved.*~~

Sec. 38-360. Land Use Assumptions Report.

FORWARD

IMPACT FEES are charges imposed against new development to generate revenue for or recoup the cost of capital facilities (or infrastructure) necessitated by and attributed to new development. These fees are generally implemented to reduce the economic burden of a municipality when addressing the need for adequate capital improvements to accommodate growth.

PURPOSE

Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code outlines the process for adopting and updating impact fees for political subdivisions. On April 21, 2008 the City of Rockwall adopted roadway and water/wastewater impact fees per Ordinance No. 08-21. According to the statutory requirements stipulated by the Texas Local Government Code impact fees are required to be updated a minimum of every five (5) years [*§395.052*].

In approaching an update to existing impact fees it is important for a city to assess its growth and employment potential and establish land use assumptions that will guide development for a ten (10) year planning period (i.e. 2013-2023) [*§395.001(5)*]. These land use assumptions form the basis for the preparation of the *Impact Fee Capital Improvement Plan* for water, wastewater and roadway facilities.

In order to determine the need and timing of capital improvements to serve future development, a rational estimate of future growth is required. The purpose of this report is to formulate growth and employment projections based upon assumptions pertaining to the type, location, quantity and timing of future development within the city, and to establish and document the methodology used for preparing these land use assumptions.

ELEMENTS OF THE LAND USE ASSUMPTIONS REPORT

This report contains the following components:

- ☑ *Methodology*: This component of the report contains the systematic and theoretical analysis of the methods and principals used to prepare the projections and land use assumptions contain within this report.

- ☑ *Service Areas and Data Collection Zones*: This component provides an explanation of the data collection zones (i.e. Traffic Survey Zones [TSZ]) and the Roadway, Water and Wastewater Impact Fee Service Areas for capital facilities.

- ☑ *Base Year Data*: This component provides information on population, housing and employment in the City of Rockwall as of 2013 for each capital facility service area.

- ☑ *Ten-Year Growth Assumptions*: This component provides assumptions with respect to the population, housing and employment for the City of Rockwall in ten (10) years (i.e. 2023). This information is broken out by capital facility service area.

- ☑ *Build Out Assumptions:* This component provides projections for population, housing and employment under the assumption that the City and its Extraterritorial Jurisdiction (ETJ) are completely developed, or *Built Out*.

- ☑ *Summary*: This component provides a synopsis of the land use assumptions contained within this report.

- ☑ *Appendix:* This component contains information that was important in deriving the population, housing and employment projections for 2013-2023.

METHODOLOGY

Based upon the growth assumptions and the capital improvements needed to support growth, it is possible to develop an impact fee structure which fairly allocates improvement costs to growth areas in relationship to their impact upon the entire infrastructure system. The data in this report has been formulated using reasonable and generally accepted planning principles.

These land use assumptions and future growth projections take into consideration several factors influencing development patterns. These factors include:

- ☑ The character, type, density and quantity of existing development.

- ☑ The current zoning patterns and anticipated future land uses as established in the Comprehensive Plan (i.e. the City's *Future Land Use Plan Map*).

- ☑ The availability of land to support future expansion of development.

- ☑ The current and historical growth trends of both population and employment within the City.

- ☑ The location and configuration of vacant parcels of land and their ability to support development.

- ☑ The growth of employment utilizing previously established and generally accepted data (i.e. North Central Texas Council of Governments [*NCTCOG*] 2010 & 2015 Employment Projections).

- ☑ Local knowledge concerning future development projects or anticipated development within the city.

LAND USE ASSUMPTIONS REPORT ELEMENTS

The following is the general methodology that was used for the preparation of this report:

1. Population, housing and employment data was collected from the United States Census Bureau, North Central Texas Council of Governments (*NCTCOG*), the City of Rockwall Geographical Information Systems (GIS) Department, the City of Rockwall Building Inspection Department and other acceptable sources. This

information was then analyzed and used to provide base information for all service areas from which projections could be extrapolated [see *Service Areas and Data Collection Zones*].

2. The base year (i.e. 2013) estimates for housing, population and employment were calculated based on the information collected [see *Base Year Data*].

3. From the base year and the information gathered from various sources a growth rate was established by examining recent building permit information, past growth trends and anticipated development over the next ten (10) years. This growth rate was then applied to each of the impact fee service areas to project the base year data over the ten (10) year planning period (i.e. 2013-2023) [see *Ten Year Growth Assumptions*].

4. After the projections for housing, population and employment were prepared for the ten (10) year planning period city staff made adjustments to account for known or anticipated development activity within the planning periods. In making these adjustments city staff took into consideration the recommendations made within the 2012 Rockwall Comprehensive Plan Update, existing public works data, economic information provided by the Rockwall Economic Development Corporation (REDC) and demographic information provided by the GIS and Building Inspections Departments.

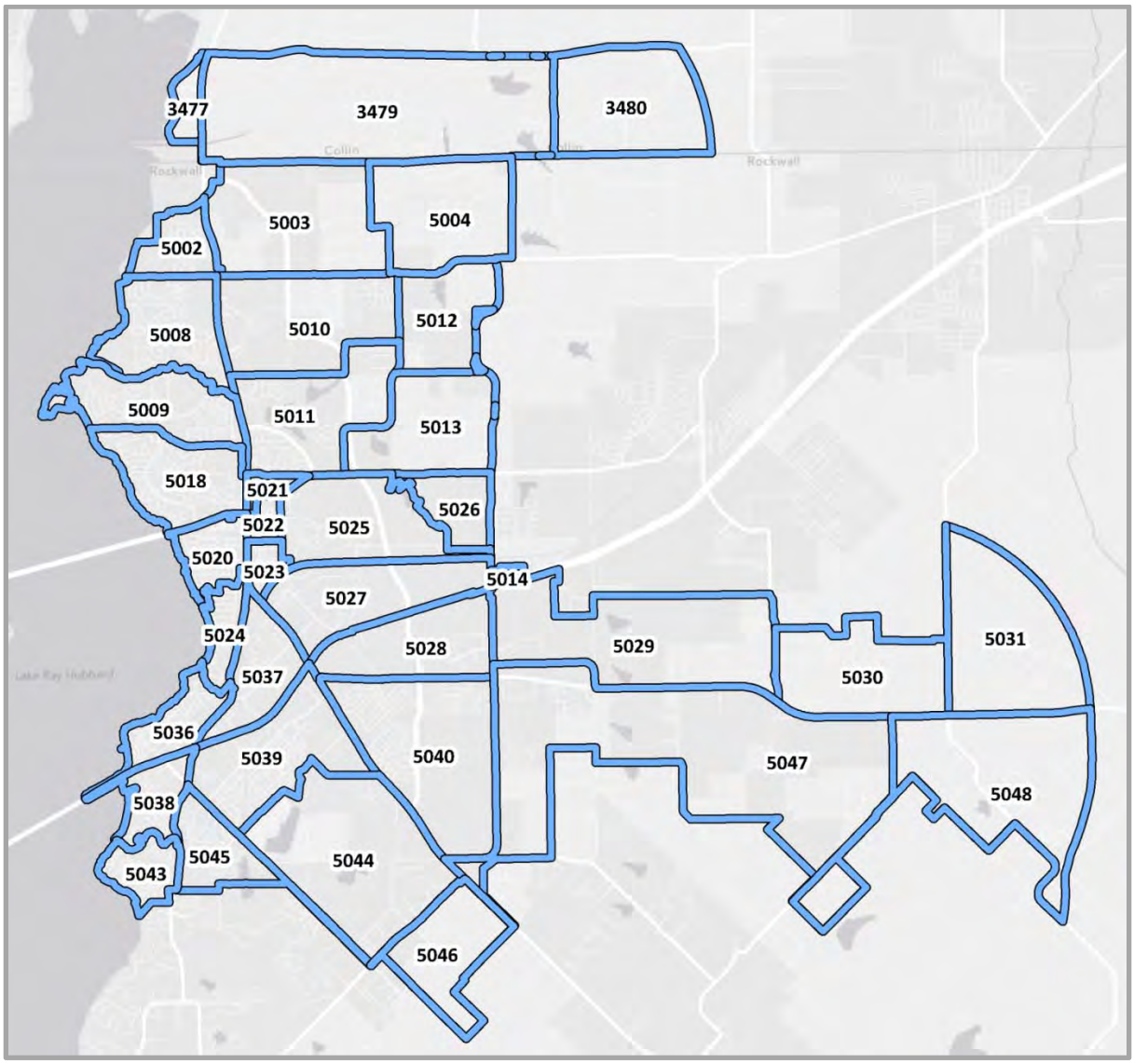
5. Finally, the City's *Build Out* projections for housing, population and employment were calculated by establishing the City's carrying capacity in terms of developable acres and projecting population forward using the previously established Compound Annual Growth Rate (CAGR) to establish a *Build Out Year*. The housing and employment information were then projected to the *Build Out Year* [see *Build Out Projections*].

DATA COLLECTION ZONES AND SERVICE AREAS

DATA COLLECTION ZONES

The *Data Collection Zones* used for this study were the North Central Texas Council of Government's (NCTOG's) Traffic Survey Zones (TSZs). A TSZ is a small geographic area developed by the NCTOG to serve as the basis for the regional TransCAD travel demand model and for the purpose of performing various other regional planning activities. TSZ's were originally formulated on the basis of homogeneity and traffic generation potential using major arterials, creeks, railroad lines and other physical boundaries for delineation. It should be noted that several TSZ's were adjusted in the calculations because portions include areas outside of the City limits.

FIGURE 1: TRAFFIC SURVEY ZONES (TSZs)
Note: The TSZs below have been clipped to the Extraterritorial Jurisdiction (ETJ)



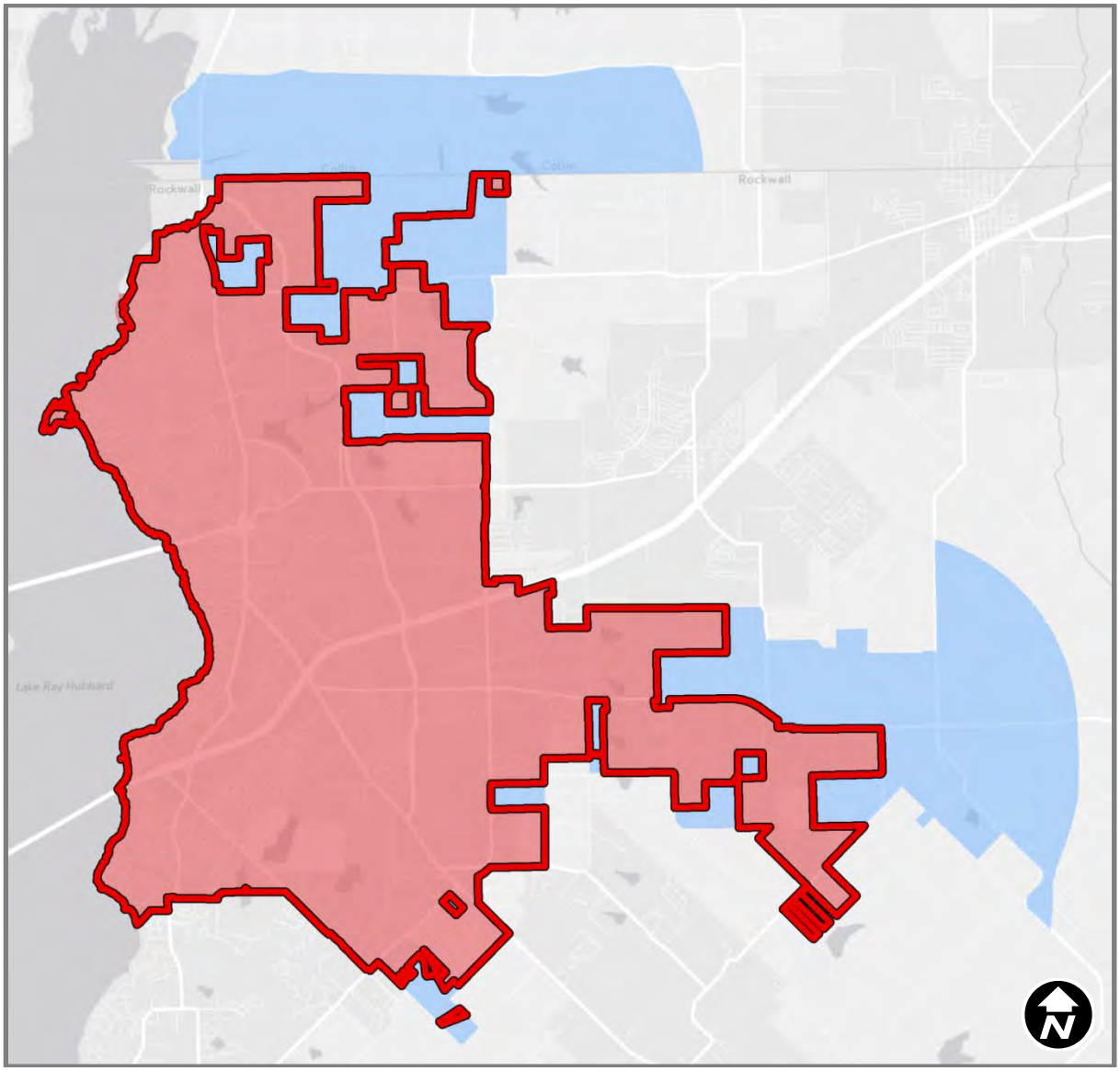
SERVICE AREAS

The Texas Local Government Code (TLGC) requires that services areas be established within the corporate boundaries of a political subdivision for the purpose of ensuring that the capital improvements service the areas generating need. The boundaries for impact fees are defined as follows:

Roadway Impact Fees refers to a service area that is limited to the corporate boundaries of a political subdivision or city, and cannot extend into the Extraterritorial Jurisdiction (ETJ) or for a distance exceeding more than six (6) miles. The City of Rockwall is divided into four (4) service areas that are depicted in *Figure 3* on *Page 5*.

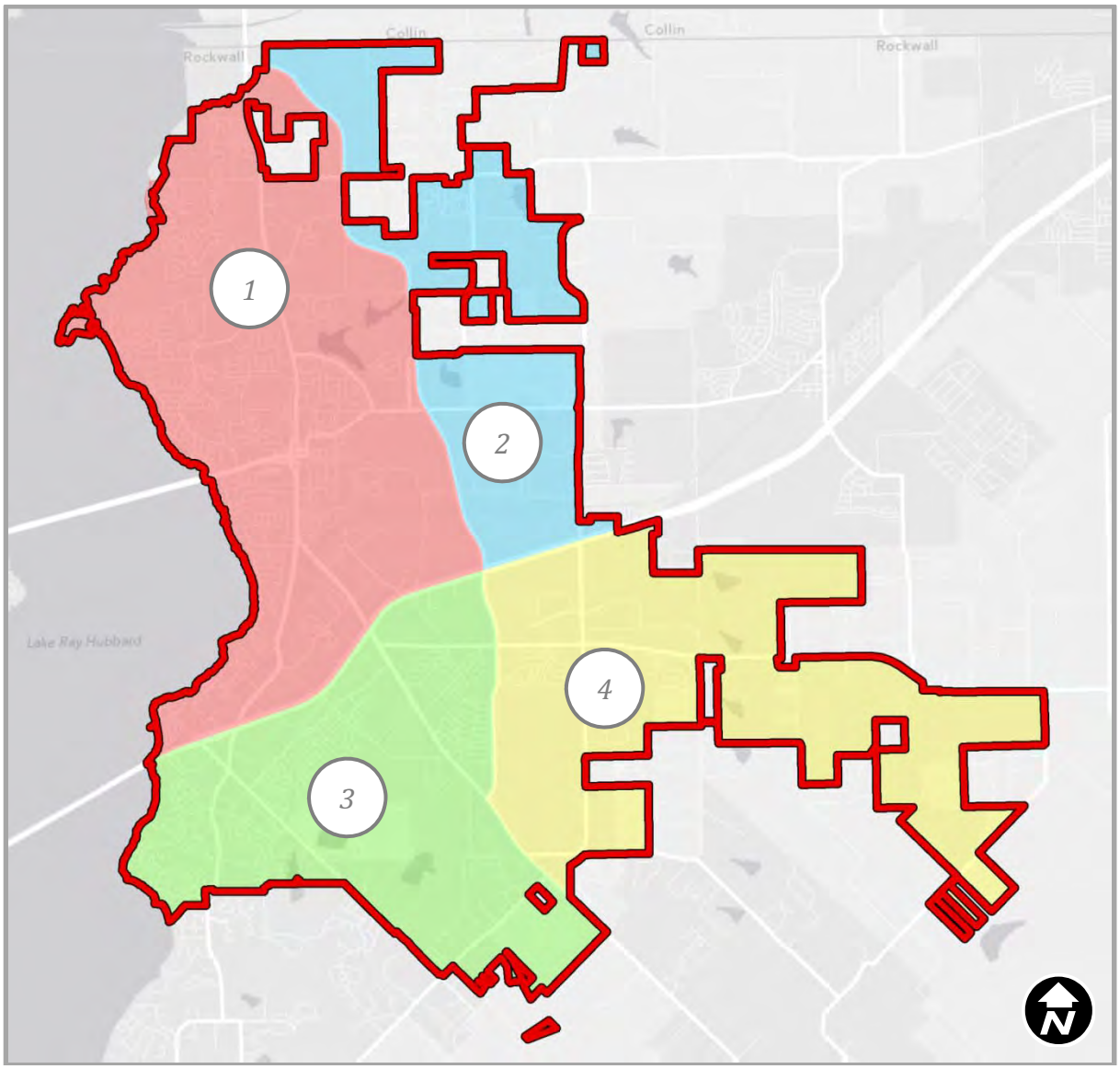
Water and Wastewater Impact Fees refers to a service area that includes a city's corporate boundaries and Extraterritorial Jurisdiction (ETJ). This service area is depicted in *Figure 4* on *Page 6*.

FIGURE 2: CITY OF ROCKWALL CITY LIMITS AND EXTRATERRITORIAL JURISDICTION (ETJ)
Note: The City Limits of Rockwall are depicted in RED. The Extraterritorial Jurisdiction (ETJ) is depicted in BLUE.



ROADWAY SERVICE AREAS

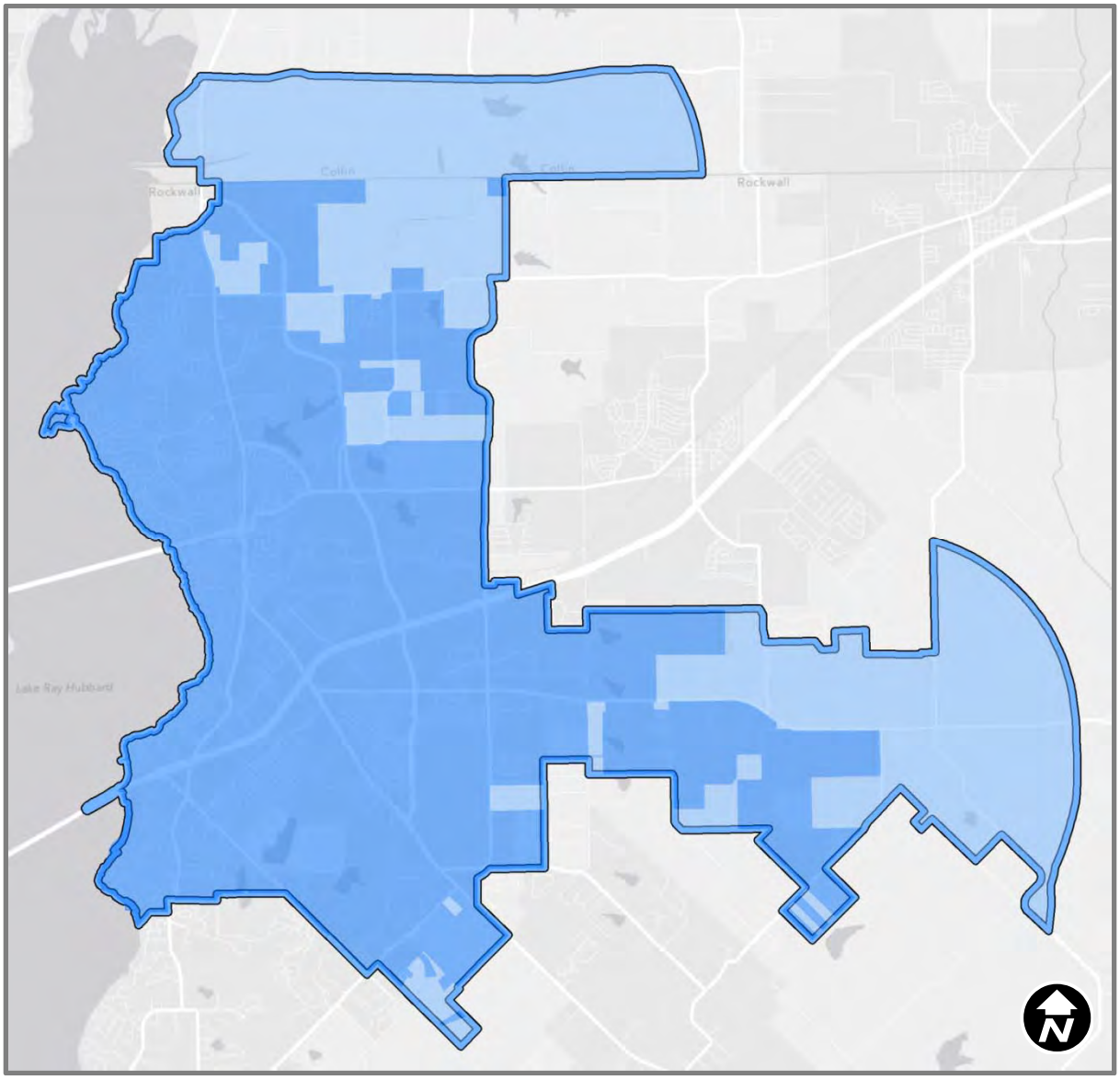
FIGURE 3: ROADWAY SERVICE AREAS
This is the derived service area structure for roadway facilities. These service areas conform to the current city limits of the City of Rockwall and are divided by John King Boulevard and Interstate Highway 30.



MAP KEY
RED: Service Area 1
BLUE: Service Area 2
GREEN: Service Area 3
YELLOW: Service Area 4

WATER/WASTEWATER SERVICE AREA

FIGURE 4: WATER/WASTEWATER SERVICE AREA
This is the derived service area structure for water and waste facilities. This service area conforms to the current city limits of the City of Rockwall and its Extraterritorial Jurisdiction (ETJ).



MAP KEY

BLUE: Service Area

SUMMARY OF DATA

The current database and the database prepared in 2007, along with all future projections, were drafted utilizing the following geographic areas:

- ☑ *Service Area.* The Service Area correlates to the Water, Wastewater and Roadway Service Areas identified in *Figures 3 & 4*. As previously state the corporate boundaries of the City of Rockwall serve as the limits for the Roadway Service Areas and the Water and Waste Water Service Areas include the corporate boundaries and the Extraterritorial Jurisdiction (ETJ).

- ☑ *Traffic Survey Zone (TSZ).* A Traffic Survey Zone or *TSZ* are geographic areas established by the North Central Texas Council of Governments (NCTCOG), which are used for data collection purposes.

Additionally, all databases and projections utilized the following variables:

- ☑ *Households (2013).* Household data includes living units (i.e. *single-family, duplex, multi-family, group home/quarters, etc.*) existing at the end of the calendar year 2012 (*January 1, 2013 to December 31, 2012*). This number was derived using 2010 United States Census data relating to households, residential building permits obtained from the Rockwall Building Inspections Department, and address point data obtained from the Rockwall Geographic Information Systems Department (GIS).

- ☑ *Households (2023).* This is the projected household data by service area for the year 2023, which represents a ten (10) year growth projection. This information was derived by staff using proper projection techniques.

- ☑ *Population (2013)*. This is the existing population for the base year (i.e. *2013*). This information was calculated utilizing the number of households existing at the end of the calendar year 2012, the occupancy rate and average household size as established by the United State Census Bureau, and the population of all group quarters (i.e. *[# of Households – Vacancy Rate] x Household Size + Group Quarters Population = Population*).

- ☑ *Population (2023)*. The projected population by service area for the year 2023, which represents a ten (10) year growth projection. This information was derived by staff using proper projection techniques.

- ☑ *Employment (2013).* Employment data was aggregated to three (3) employment sectors, which include *Basic*, *Retail* and *Service* as provided by the North Central Texas Council of Governments (NCTCOG). These service sectors serve as the basis for non-residential trip generation. The following is a summary of these employment sectors followed by corresponding North American Industry Classification System (NAICS) code:

  - ➢ *Basic.* Land use activities that produce goods and services such as those that are exported outside the local economy. These include manufacturing, construction, transportation, wholesale trade, warehousing and other industrial uses (NAICS Code: *#210000 - #422999*).

- *Retail.* Land use activities which provide for the retail sale of goods that primarily serve households and whose location choice is oriented toward the household sector. These include uses such as grocery stores, restaurants, etc. (NAICS Code: *#440000 - #454390*).

- *Service.* Land use activities which provide personal and professional services. These include such uses as financial, insurance, government, and other professional and administrative offices (NAICS Code *#520000 - #928199*).

☑ *Employment (2023).* The projected employment data was aggregated to three (3) employment sectors, which include *Basic*, *Retail* and *Service* as provided by the North Central Texas Council of Governments (NCTCOG). These service sectors were then projected by service area to the year 2023, which represents a ten (10) year growth projection. This information was derived by staff using proper projection techniques.

BASE YEAR DATA

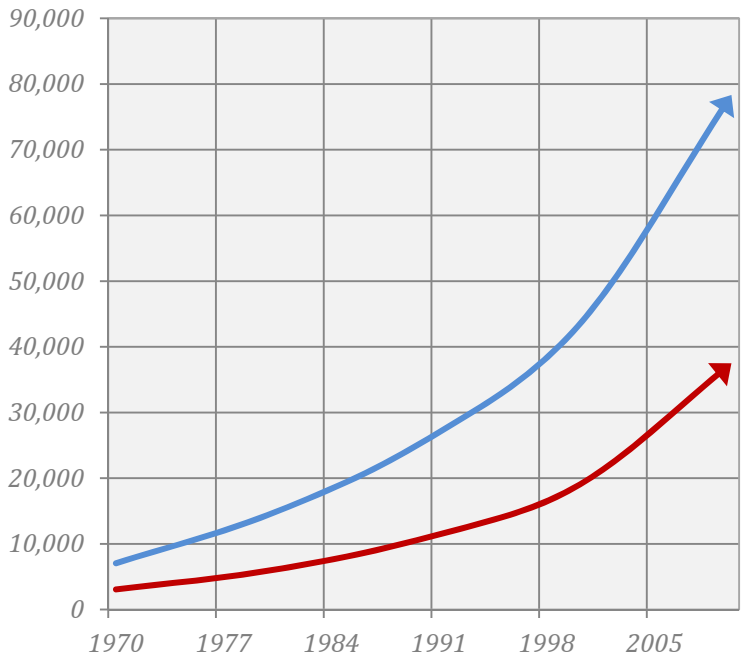
This section documents the methods used to derive the base year data for the City of Rockwall as of January 1, 2013. This *benchmark* information provides a starting point in which to extrapolate the ten (10) year growth assumptions that are presented in the following section (see *Ten-Year Growth Assumptions*).

POPULATION GROWTH

One method of predicting future growth is to examine past growth trends. The City of Rockwall and Rockwall County have experienced robust growth over the past decade (see *Figure 5*). Past growth trends from the United States Census Bureau and the North Central Texas Council of Governments (NCTCOG) were examined in conjunction with building permit data provided from the City of Rockwall Building Inspections Department (this information is summarized in *Figure 6*). The following formula lays out the methodology used to calculate the 2013 population estimate:

POP = (NH x OR) x AHS + GQP
[POP = (14,831 x 0.947) x 2.81 + 325, or POP = 39,817]

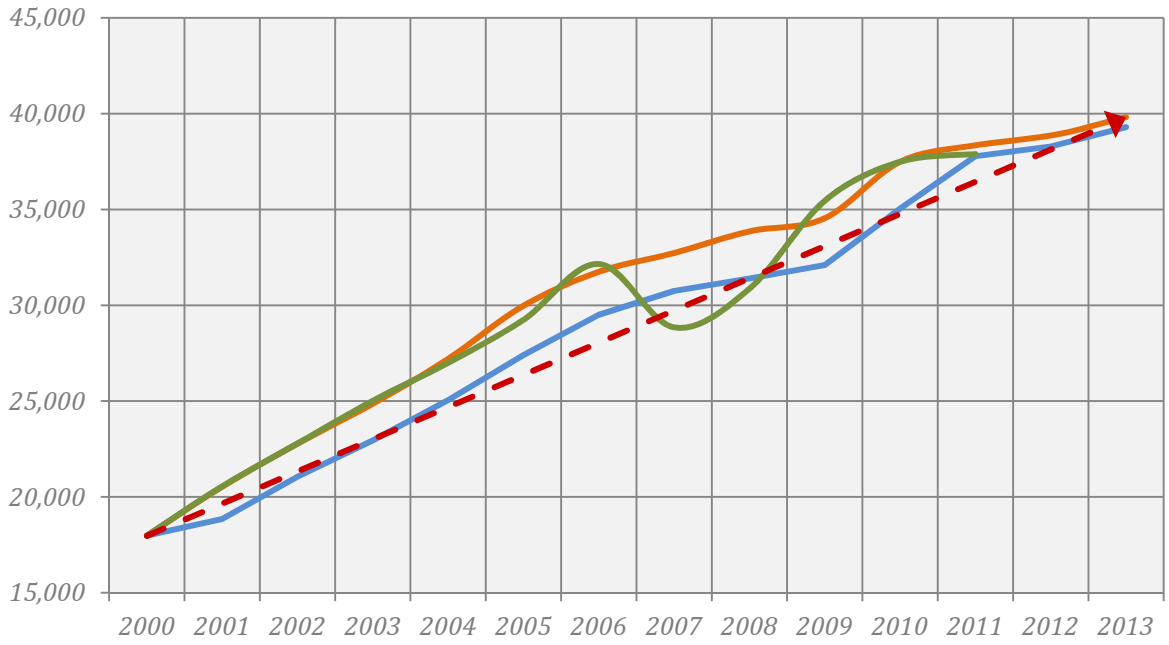
FIGURE 5: CITY OF ROCKWALL VS. COUNTY OF ROCKWALL [POPULATION]
MAP KEY: BLUE = ROCKWALL COUNTY; RED = CITY OF ROCKWALL



WHERE,
POP = 2013 Population
NH = Number of Households [14,831 per City of Rockwall]
OR = Occupancy Rate [94.7 % per US Census Bureau]
AHS = Average Household Size [2.81185 per US Census Bureau]
GQP = Group Quarter Population [325 per City of Rockwall]

This population (i.e. *39,817*) will serve as the base population for this report.

FIGURE 6: POPULATION BY AGENCY 2000 - 2013
MAP KEY: ORANGE = CITY OF ROCKWALL; BLUE = NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG); GREEN = US CENSUS BUREAU; RED = TREND LINE



POPULATION GROWTH RATE

A *Compound Annual Growth Rate (CAGR)* allows for a general assessment of growth when considering periodic increases and decreases in residential population growths that coincide with changing economic conditions. Various sources were used in establishing the past growth rates. These sources indicate rates of growth change between *3.25%* and *4.75%* (see *Table 1*). Based upon this data, an analysis of the ten (10) year forecast, and City staff's judgment, a four (4) percent CAGR was determined to be a sufficient assumption for the ten (10) year projection period. The calculated population numbers for all service areas for the years 2013 & 2023 are depicted in *Appendix 'A' & 'B'* of this document.

ADDITIONAL GROWTH INDICATORS

The annual population growth rate has slowed in the city from *10.8%* (2000-2005) to *4.6%* (2005-2010), and finally decreasing to *2.0%* in 2010 (see *Table 1*). The increase/decrease of residential building permits coincides with the fluctuations in growth rates (see *Figure 7*). Recent permit data shows an increase in single-family activity. In fact, in 2013 single family permits (issued from January 1, 2013 to February 28, 2013) were up 70% from the same period in 2012. This recent increase in single family building permits combined with the Texas Water Board's ten (10) year and twenty (20) year County population projections, coupled with an overall sense of market recovery has led the City's staff to comfortably assume that the overall growth for the next ten (10) year period will average four (4) percent. However, it is likely that annual growth will gradually increase from its current two (2) percent rate to a five (5) percent rate near the end of the forecasted period.

TABLE 1: CITY OF ROCKWALL GROWTH RATES

Data Source	Growth Rate (%)
2010 – 2012 US Census [1]	1.81
2007 – 2012 US Census [1]	3.49
2002 – 2012 US Census [1]	5.49
2010 – 2012 Single Family Permits [2]	11.2
2007 – 2012 Single Family Permits [2]	8.0
2002 – 2012 Single Family Permits [2]	-7.5
Texas Water Board 10-Year Growth [3]	4.75
Texas Water Board 20-Year Growth [3]	3.25
FUTURE GROWTH PROJECTION	4.0

FIGURE 7: HISTORIC SINGLE-FAMILY BUILDING PERMITS DATA
** 2013: January 1, 2013 – March 21, 2013*



EXISTING LAND USE

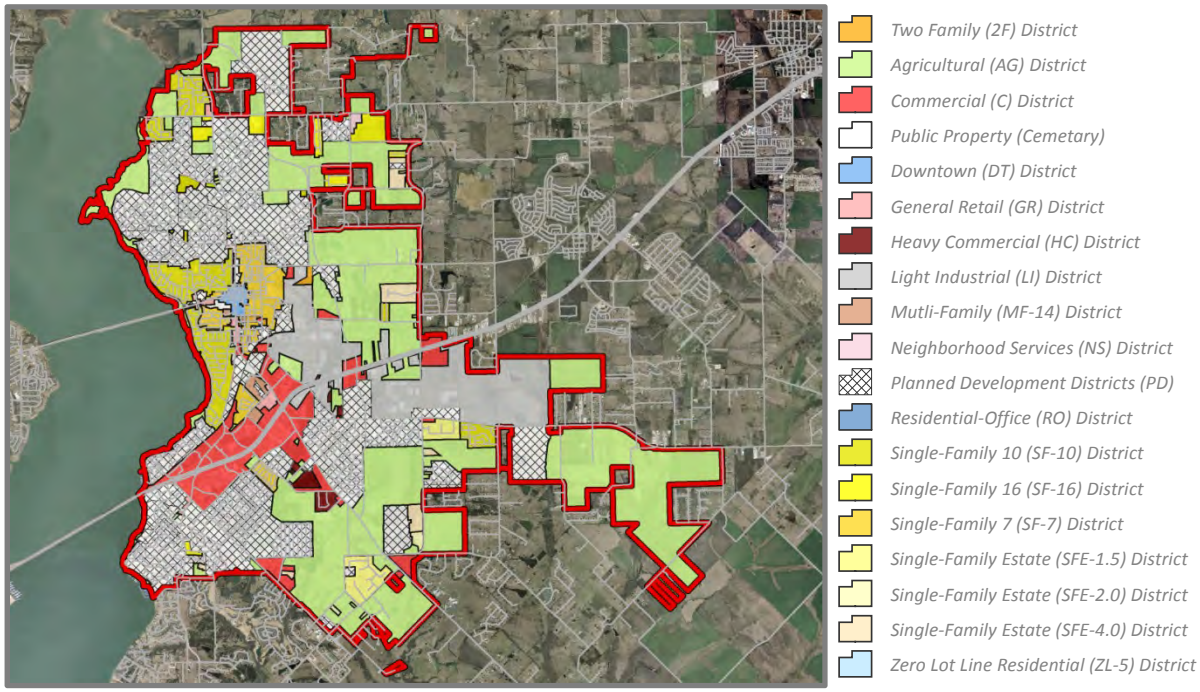
TABLE 2: EXISTING LAND USE ACREAGE

Land Use Category	Acres	% of Total Land	Acres per 100 People
Single Family	6,167	32.4	15.5
Multi-Family	280	1.5	0.7
Manufactured Home	218	1.1	0.5
Parks and Open Space	780	4.1	2.0
Public & Semi-Public	167	0.9	0.4
Office & Retail	617	3.2	1.6
Commercial	1,852	,9.7	4.6
Industrial	1,847	9.7	4.6
Agricultural	7,117	37.4	17.9
TOTAL:	19,045	100%	

NOTES: Based on 2013 estimated population of 39,817.

In any evaluation and projection of future land use patterns, a documentation of existing conditions is necessary. An analysis of existing land use patterns was prepared based on a zoning classification inventory of the City (see *Table 2*). This also serves to document the present physical condition of the City with regard to any infrastructure deficiencies that may exist. The City's Comprehensive Plan will serve as an additional basis for future growth projections. Nearly twenty-five (25%) percent of the City's land area is devoted to Planned Development Districts, which are difficult to define in terms of land use since most of them contain allowances for a mixture of land uses. In addition to current zoning classifications *Table 2* also contains estimates of the land use categories permitted within the City's Planned Development Districts.

FIGURE 8: EXISTING LAND USE MAP (ZONING MAP)



EXISTING EMPLOYMENT

The base employment data (*i.e. 2013*) was calculated by Traffic Survey Zone (TSZ) from employment estimates provided by the North Central Texas Council of Governments (NCTCOG). As TSZ's do not conform to the corporate boundaries of a city, staff made allocations based on the locations of existing land uses and the percentage of the TSZ located within the City Limits/Extraterritorial Jurisdiction (ETJ). Additionally, staff reviewed the 2010 and 2015 NCTCOG employment estimates and applied manual adjustments based on local knowledge of the city and proposed/current development. From this employment data staff determined the Compound Annual Growth Rate (CAGR) and applied it using the linear extrapolation method to the 2010 employment data. This resulted in the 2013 employment data depicted in *Appendix 'C' & 'D'* of this report.

TEN-YEAR GROWTH ASSUMPTIONS

In this study growth is characterized by two (2) forms: 1) Population (*i.e. residential land use*), and 2) Employment (*i.e. non-residential land use*). To calculate a reasonable growth rate for population and employment it was necessary for staff to make a series of assumptions on which to base the ten (10) year growth projections. These assumptions are summarized as follows:

- ☑ Future growth identified within this study will conform to the Future Land Use Plan depicted in the Comprehensive Plan.
- ☑ The City will be able to finance the necessary improvements to accommodate future growth.
- ☑ School facilities will sufficiently accommodate any identified increases in the population.
- ☑ Densities will conform to the land classifications identified within the Comprehensive Plan and as depicted on the Future Land Use Plan.

TABLE 3: SUMMARY OF TEN-YEAR GROWTH
(ALL ROADWAY SERVICE AREAS)

	2013	2023	Increase
Households	14,170	20,989	32.49%
Population	39,817	58,940	32.44%
Total Employment	16,023	23,182	30.88%
Basic	1,521	2,519	39.60%
Service	5,902	8,179	27.84%
Retail	8,600	12,484	31.11%

TABLE 4: SUMMARY OF TEN-YEAR GROWTH
(WATER/WASTE WATER SERVICE AREA)

	2013	2023	Increase
Households	15,682	23,171	32.32%
Population	44,066	65,073	32.28%
Total Employment	18,014	25,559	29.52%
Basic	3,148	4,342	27.51%
Service	5,902	8,179	27.84%
Retail	8,964	13,038	31.25%

The ten (10) year projections are based on the growth rate which was previously discussed and staff's consideration of past development trends. Tables 3 & 4 detail the ten (10) year projections for households, population and employment for the service areas associated with roadway and water/wastewater impact fees.

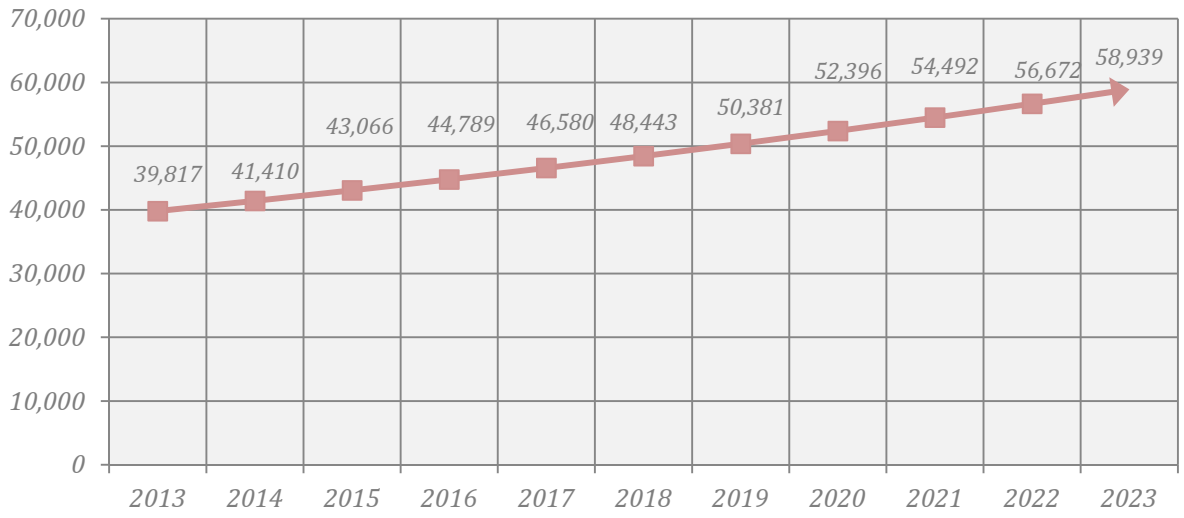
POPULATION 2023

The City of Rockwall has experienced significant growth since 2000 when the estimated population was 18,000 residents. Today the population is over double the 2000 population at an estimated 39,817. This growth trend is not just evident in the City of Rockwall as the greater Dallas-Fort Worth metropolitan area has become one of the fastest growing regions in the United States both in terms of population and employment. Although local growth has slowed since 2006 all data appears to indicate that this is only a temporary condition as the area's economy continues to recover from the national housing slump that began in 2008. Using the Compound Annual Growth Rate (CAGR) method staff projects that the population for the City will be 58,939 residents by 2023 (see *Figure 9*).

TABLE 5: PROJECTED HOUSEHOLD ESTIMATIONS

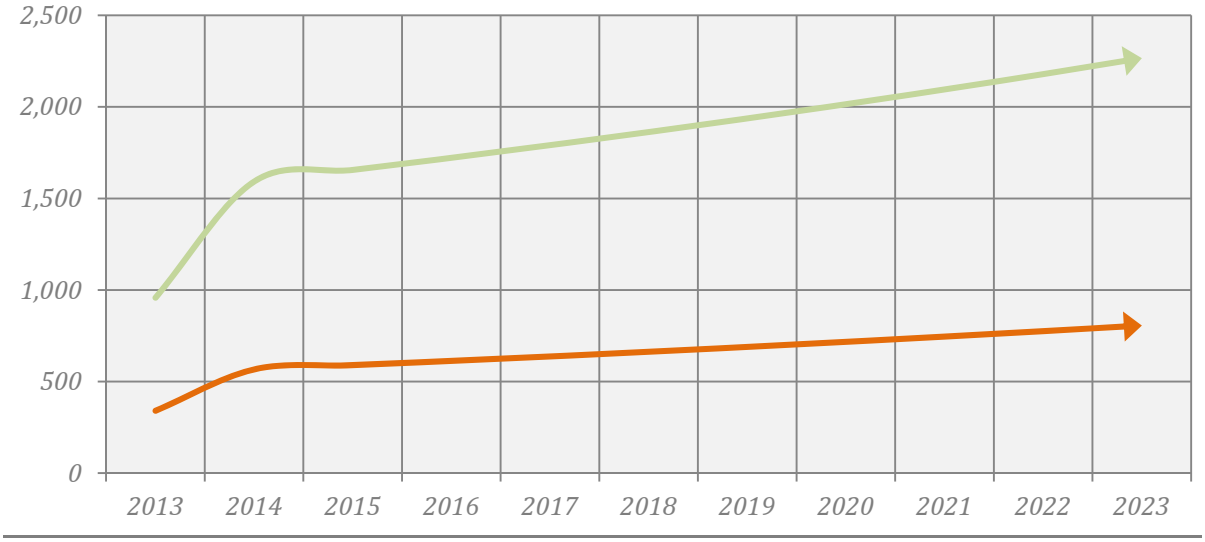
Year	Population	New Residents	New Building Permits
2013	39,817	958	360
2014	41,410	1,593	567
2015	43,066	1,656	590
2016	44,789	1,723	613
2017	46,580	1,791	637
2018	48,443	1,863	663
2019	50,381	1,938	690
2020	52,396	2,015	717
2021	54,492	2,096	746
2022	56,672	2,180	776
2023	58,939	2,267	807
Average Number of Annual Permits:			651

FIGURE 9: TEN-YEAR POPULATION GROWTH @ A 4% COMPOUND ANNUAL GROWTH RATE



In determining this population projection staff utilized residential building permit counts coupled with an assumption that the average people per household was 2.81 (*2010 US Census*). This figure was used to account for a mixture of multi-family and single family households. Additionally, between 2000 and 2012 the City issued an average of 623 building permits per year; with the highest number of permits topping out at 1,033 in 2005, and the lowest number of building permits issued in 2008 at 150 (see *Table 5*). From this information staff estimated that the City will issue an average of 651 residential building permits per year over the next ten (10) year period (see *Table 5* and *Figure 10*). This estimate takes into consideration the type of development likely (i.e. single family or multifamily) to occur in a given area.

FIGURE 10: PROJECTED HOUSEHOLD AND BUILDING PERMIT ESTIMATIONS
MAP KEY: ORANGE = NEW BUILDING PERMITS; GREEN = NEW RESIDENTS



EMPLOYMENT 2023

Employment data for the year 2023 was based upon data provided by the North Central Texas Council of Governments (NCTCOG). NCTCOG has provided employment data by Traffic Survey Zone (TSZ) for 2015 and 2035. After staff's adjustments for TSZ coverage area and anticipated future development were accounted for, a Compound Annual Growth Rate (CAGR) was derived between the 2015 and 2035 staff-adjusted NCTCOG employment numbers. Linear extrapolation of the CAGR produced the 2023 employment estimates by TSZ as listed in the appendices of this document (see *Appendix 'C' & 'D'*).

Staff's assumptions of future growth are confirmed by 2030 data derived from the *North Texas 2050* study published by Vision North Texas. The majority of the city is forecasted to have an employment density of greater than *1.7* units per acre, and upwards of *3.5*+ units per acre in areas adjacent Interstate Highway 30 (IH-30) and within Rockwall's Industrial Park (located adjacent to State Highway 276 [SH-276]).

Continued on Next Page …

BUILD OUT PROJECTIONS

TABLE 6: TOTAL ACREAGE

City Limits	*19,046.00*
Built Acres	*8,322.31*
Vacant Acres	*8,610.53*
Right-of-Way	*2,113.37*
Extraterritorial Jurisdiction (ETJ)	*10,521.60*
TOTAL ACRES:	*29,567.60*

TABLE 7: PROJECTED POPULATION
(AT 4% COMPOUND ANNUAL GROWTH)

Year	*Population*
2023	*58,939*
2024	*61,296*
2025	*63,748*
2026	*66,298*
2027	*68,950*
2028	*71,708*
2029	*74,576*
2030	*77,560*
2031	*80,662*
2032	*83,888*
2033	*87,244*
2034	*90,734*
2035	*94,363*
2036	*98,138*
2037	*102,063*
2038	*106,146*
2039	*110,391*
2040	*114,807*
2041	*119,399*
2042	*124,175*
2043	*129,142*
2044	*134,308*
2045	*139,680*
2046	*145,268*

Build Out 139,919

A *Build Out Projection* for a city (also referred to as the city's *Carrying Capacity*) is an estimate of the location and density of all potential development, employment and population that a city can support within its future corporate boundaries.

ESTABLISHING THE CITY'S POPULATION AT BUILD OUT

In establishing the city's population at build out staff made the following assumptions:

- ☑ All vacant land w/in the City's corporate boundaries will develop with the maximum density permitted for the current zoning per the Unified Development Code.
- ☑ All Agricultural (Ag) District property is assumed to be vacant and will develop at 2.0 units per acre.
- ☑ All property within the Extraterritorial Jurisdiction (ETJ) is assumed to be vacant and will be developed in conformance with the Future Land Use Map at the maximum density permitted by the Comprehensive Plan.
- ☑ The city's ETJ is fixed and will not increase in the future.

Taking these assumptions into consideration, staff utilized Geographical Information Systems (GIS) software to calculate all the undeveloped land within the city's corporate boundaries, including the ETJ (see *Table 6*). Once calculated the acreages were broken down by land use and multiplied by the maximum density permitted for each of the land uses as established within the Unified Development Code and the Comprehensive Plan. These totals were then multiplied by the average people per household [*i.e. 2.81*] (*2010 US Census*) to establish the population at build out (i.e. 139,919). From this point staff projected the population forward using the previously established four (4%) percent Compound Annual Growth Rate (CAGR) [see the *Ten-Year Growth Assumptions* section] until the build out population was reached (see *Table 7*). This established a build out year of 2046. The

following formula lays out the methodology used to calculate the numbers:

BO = POP + VPOP + EPOP
[BO = 39,817 + 48,663 + 51,439, or BO = 136,657]

VPOP = Σ [(LU_1 x D_1) … (LU_x x D_x)] x AHS or VPOP = 48,663
EPOP = (LDR x 2.0) + (MDR x 3.0) + (HDR x 5), (i.e. EPOP = 50,123 + 1,316 + 0) or
EPOP = 51,439

WHERE,
BO = Build Out Population
POP = 2013 Population (i.e. Current Population)
VPOP = Population of Vacant Land w/in the City Limits
EPOP = Population of Vacant Land w/in ETJ
LU = Vacant Available Land (inside the City Limits) for a Given Land Use
D = Maximum Density Permitted for a Given Land Use [Unified Development Code]
AHS = Average Household Size [2.81185 per US Census Bureau]
LDR = Low Density Residential Acreage Available in the ETJ
MDR = Medium Density Residential Acreage Available in the ETJ
HDR = High Density Residential Acreage Available in the ETJ

SUMMARY

The following is a summary of staff's findings when preparing the Land Use Assumption Report in preparation for updating the Roadway, Water and Wastewater Impact Fees for 2013:

- ☑ The average annual growth rate as calculated by staff is four (4) percent. This growth rate was established based on data from the US Census, Texas Water Commission, North Texas Council of Governments (NCTCOG), the City and County of Rockwall. Using this growth rate staff projected the following population numbers:
  - ➢ The population of the City of Rockwall as of 2013 is 39,817. This is expected to increase by ~32% in the next ten (10) years to an estimated 58,940 by 2023.
  - ➢ The population for the City of Rockwall and its Extraterritorial Jurisdiction (ETJ) as of 2013 is 44,066. This is expected to increase by ~32% in the next ten (10) years to an estimated 65,073 by 2023.
- ☑ The estimated employment for the City of Rockwall as of 2013 is 16,023 jobs, with another 1,991 jobs existing within its ETJ. Staff estimates this number to climb to 23,182 jobs within the city limits, and another 2,377 jobs within the ETJ by 2023.
- ☑ Staff has established that there are currently 8,610.53 undeveloped acres of land within the city limits. This represents ~45% of the current land in the City (see *Table 8*). Additionally, the City of Rockwall has access to another 10,521.60 acres of land within its current ETJ (see *Table 9*). At the bottom of this page is a summary of all vacant land by current land use existing within the city's corporate boundaries and its ETJ (*see Tables 8 & 9*).
- ☑ According to staff estimates the City of Rockwall is expected to be built out in the year 2046, with a total population of 139,919.

TABLE 8: VACANT LAND WITHIN THE CITY LIMITS

15.60	= Two Family (2F) District
4,885.31	= Agricultural (AG) District
371.36	= Commercial (C) District
-	= Cemetery
5.62	= Downtown (DT) District
14.11	= General Retail (GR) District
40.01	= Heavy Commercial (HC) District
1,211.71	= Light Industrial (LI) District
0.58	= Multi-Family (MF) District
21.25	= Neighborhood Services (NS) District
1,789.38	= Planned Development Districts (PD)
87.39	= Single Family 10 (SF-10) District
114.60	= Single Family 16 (SF-16) District
40.22	= Single Family 7 (SF-7) District
-	= Single Family Estate 1.5 (SFE-1.5) District
-	= Single Family Estate 2 (SFE-2) District
11.78	= Single Family Estate 4 (SFE-4) District
1.61	= Zero Lot Line 5 (ZL-5) District

TABLE 9: ETJ ACREAGES (FUTURE LAND USE MAP)

ACRES	LAND USE
8,918.65	= Low Density Residential
156.13	= Medium Density Residential
0.00	= High Density Residential
-	= Mixed Use
-	= Downtown District
0.11	= Special Commercial Corridor District
-	= Special District
410.71	= Commercial
-	= Commercial/Industrial
0.10	= Technology/Light Industrial
809.73	= Employment Center
55.62	= Parks and Open Space
0.03	= Cemetery
0.87	= Public Uses
	= Quasi-Public Uses

NOTE: ALL INFORMATION PROVIDED FROM THE GEOGRAPHICAL INFORMATION SYSTEMS (GIS) DEPARTMENT AND IS VALID AS OF DECEMBER 31, 2013.

APPENDIX A

HOUSING, POPULATION & EMPLOYMENT DATA BY ROADWAY FEE SERVICE AREA

KEY: HU = Housing Units; POP = Population; EMP = Employment; RED = Traffic Survey Zone (TSZ) is Split by Roadway Service Area.

SA1	2013 Projections			2023 Projections			Build Out (2046)		
Traffic Survey Zone (2005)	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
5002	214	651	96	364	1,105	159	457	1,332	363
5003	43	108	0	757	1,893	210	421	1,181	156
5008	1,128	3,316	91	1,144	3,363	145	1,212	3,552	313
5009	1,105	3,614	154	1,286	4,206	207	1,348	4,296	469
5010	246	685	238	1,162	3,236	460	1,083	3,062	575
5011	743	2,224	89	1,264	3,783	166	1,311	3,789	245
5018	918	2,367	374	1,384	3,569	412	1,345	3,570	875
5020	602	1,454	342	621	1,499	390	618	1,498	854
5021	120	342	127	125	356	140	172	488	299
5022	141	328	206	144	335	220	158	376	486
5023	172	647	507	172	647	528	235	825	1,182
5024	382	1,005	49	393	1,034	57	439	1,164	118
5025	153	432	301	225	634	304	631	1,776	532
5027	140	326	919	140	326	1,652	394	1,059	2,444
5036	677	1,468	666	712	1,544	1,000	687	1,496	2,137
5037	935	1,732	2,161	1,022	1,996	2,449	1,174	2,403	5,375
SUBTOTAL:	*7,720*	*20,697*	*6,321*	*10,915*	*29,525*	*8,500*	*11,685*	*31,867*	*16,423*

SA2	2013 Projections			2023 Projections			Build Out (2046)		
Traffic Survey Zone (2005)	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
5003	0	0	0	182	497	210	1,003	2,814	372
5004	2	4	0	20	40	6	1,775	4,985	14
5010	87	287	2	87	287	5	592	1,674	314
5011	50	149	0	48	142	0	188	545	35
5012	58	174	0	145	438	250	966	2,725	541
5013	64	130	0	176	357	87	1,145	3,167	177
5014	1	2	0	1	2	0	1	2	0
5025	120	338	3	85	238	71	363	1,022	306
5026	57	172	12	96	292	22	260	743	50
5027	0	0	13	0	0	13	167	448	1,035
SUBTOTAL:	*439*	*1,256*	*29*	*839*	*2,293*	*663*	*6,461*	*18,126*	*2,844*

SA3	2013 Projections			2023 Projections			Build Out (2046)		
Traffic Survey Zone (2005)	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
5028	63	157	1,605	672	1,664	2,209	216	598	2,858
5038	683	1,325	1,130	962	1,984	1,582	1,886	4,706	3,360
5039	1,117	3,257	3,608	1,188	3,465	4,399	1,256	3,647	9,554
5040	1,059	3,747	128	1,059	3,747	261	867	2,739	419

5043	843	1,829	25	901	1,954	25	888	1,955	57
5044	1,014	3,892	720	1,202	4,509	1,247	2,780	8,853	2,783
5045	326	886	1,526	331	900	2,249	347	946	5,076
5046	29	84	0	94	272	0	989	2,781	0
SUBTOTAL:	*5,133*	*15,177*	*8,743*	*6,409*	*18,496*	*11,972*	*9,227*	*26,225*	*24,108*

SA4	*2013 Projections*			*2023 Projections*			*Build Out (2046)*		
Traffic Survey Zone (2005)	*HU*	*POP*	*EMP*	*HU*	*POP*	*EMP*	*HU*	*POP*	*EMP*
5028	0	0	649	0	0	893	270	748	3,574
5029	5	16	38	5	16	537	993	2,793	1,200
5040	386	1,173	127	1,796	5,458	260	1,587	5,014	768
5047	487	1,498	116	1,025	3,153	357	5,372	15,223	756
SUBTOTAL:	*878*	*2,687*	*931*	*2,826*	*8,627*	*2,047*	*8,221*	*23,780*	*6,298*
TOTAL:	*14,170*	*39,817*	*16,023*	*20,989*	*58,941*	*23,182*	*35,594*	*99,998*	*49,673*

APPENDIX B

HOUSING, POPULATION & EMPLOYMENT DATA BY WATER/WASTEWATER IMPACT FEE SERVICE AREA

KEY: HU = Housing Units; POP = Population; EMP = Employment; RED = Traffic Survey Zone (TSZ) is Split by City Limits or ETJ Boundaries.

SA	Projections (2013)			Projections (2023)			Build Out (2046)		
Traffic Survey Zone (2005)	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
3477	33	93	-	49	137	-	265	744	-
3479	114	320	365	169	474	554	4,710	13,230	1,264
3480	96	270	-	142	399	-	1,954	5,491	-
5002	214	651	96	364	1,105	159	457	1,332	363
5003	133	360	-	1,072	2,764	420	2,450	6,872	909
5004	96	268	-	159	431	6	1,775	4,985	14
5008	1,128	3,316	91	1,144	3,363	145	1,212	3,552	313
5009	1,105	3,614	154	1,286	4,206	207	1,348	4,296	469
5010	405	1,174	240	1,356	3,822	465	1,996	5,646	1,060
5011	843	2,514	89	1,386	4,132	166	1,809	5,228	339
5012	97	284	-	203	601	250	966	2,725	541
5013	109	257	-	243	545	87	1,145	3,167	177
5014	1	2	-	1	2	-	1	2	-
5018	918	2,367	374	1,384	3,569	412	1,345	3,570	875
5020	602	1,454	342	621	1,499	390	618	1,498	854
5021	120	342	127	125	356	140	172	488	299
5022	141	328	206	144	335	220	158	376	486
5023	172	647	507	172	647	528	235	825	1,182
5024	382	1,005	49	393	1,034	57	439	1,164	118
5025	273	770	304	309	873	374	995	2,798	838
5026	57	172	12	96	292	22	260	743	50
5027	140	326	931	140	326	1,666	561	1,509	3,485
5028	63	157	2,254	672	1,664	3,101	490	1,358	6,485
5029	181	511	38	299	841	537	993	2,793	1,200
5030	135	379	1,286	200	562	1,442	973	2,734	2,927
5031	126	354	243	187	524	272	2,219	6,234	552
5036	677	1,468	666	712	1,544	1,000	687	1,496	2,137
5037	935	1,732	2,161	1,022	1,996	2,449	1,174	2,403	5,375
5038	683	1,325	1,130	962	1,984	1,582	1,886	4,706	3,360
5039	1,117	3,257	3,608	1,188	3,465	4,399	1,256	3,647	9,554
5040	1,445	4,920	256	2,855	9,205	521	2,453	7,754	1,187
5043	843	1,829	25	901	1,954	25	888	1,955	57
5044	1,014	3,892	720	1,202	4,509	1,247	2,780	8,853	2,783
5045	326	886	1,526	331	900	2,249	347	946	5,076
5046	32	92	-	101	291	-	989	2,781	-
5047	745	2,223	116	1,316	3,970	357	5,372	15,223	756
5048	181	509	97	268	753	109	2,418	6,794	221
TOTAL:	*15,682*	*44,066*	*18,014*	*23,171*	*65,073*	*25,559*	*49,794*	*139,920*	*55,305*

APPENDIX C

EMPLOYMENT BREAKDOWN DATA
BY ROADWAY IMPACT FEE SERVICE AREAS

KEY: RED = Traffic Survey Zone (TSZ) is Split by Roadway Service Area.

SA1	Employment (2013)				Employment (2023)			
Traffic Survey Zone (2005)	Basic	Retail	Service	Total	Basic	Retail	Service	Total
5002	0	0	96	*96*	0	0	159	*159*
5003	0	0	0	*0*	0	105	105	*210*
5008	0	50	41	*91*	0	80	65	*145*
5009	0	11	143	*154*	0	14	193	*207*
5010	0	0	238	*238*	0	0	460	*460*
5011	26	63	0	*89*	48	118	0	*166*
5018	213	22	138	*374*	235	25	152	*412*
5020	45	82	216	*342*	51	93	245	*390*
5021	39	41	47	*127*	44	45	52	*140*
5022	10	56	140	*206*	11	60	150	*220*
5023	61	25	421	*507*	63	26	438	*528*
5024	0	49	0	*49*	0	57	0	*57*
5025	54	6	241	*301*	55	6	243	*304*
5027	643	55	220	*919*	1,157	99	397	*1,652*
5036	7	406	253	*666*	10	610	380	*1,000*
5037	0	800	1,361	*2,161*	0	906	1,543	*2,449*
SUBTOTAL:	*1,098*	*1,666*	*3,557*	*6,321*	*1,673*	*2,245*	*4,582*	*8,500*

SA2	Employment (2013)				Employment (2023)			
Traffic Survey Zone (2005)	Basic	Retail	Service	Total	Basic	Retail	Service	Total
5003	0	0	0	*0*	0	105	105	*210*
5004	0	0	0	*0*	0	0	6	*6*
5010	0	0	2	*2*	0	0	5	*5*
5011	0	0	0	*0*	0	0	0	*0*
5012	0	0	0	*0*	0	125	125	*250*
5013	0	0	0	*0*	87	0	0	*87*
5014	0	0	0	*0*	0	0	0	*0*
5025	0	0	3	*3*	0	0	71	*71*
5026	0	0	12	*12*	0	0	22	*22*
5027	0	0	13	*13*	0	0	13	*13*
SUBTOTAL:	*0*	*0*	*29*	*29*	*87*	*230*	*346*	*663*

SA3	Employment (2013)				Employment (2023)			
Traffic Survey Zone (2005)	Basic	Retail	Service	Total	Basic	Retail	Service	Total
5028	193	1,108	305	*1,605*	265	1,524	420	*2,209*

5038	0	768	362	*1,130*	0	1,076	506	*1,582*
5039	0	1,696	1,912	*3,608*	0	2,068	2,332	*4,399*
5040	0	0	128	*128*	0	0	261	*261*
5043	0	0	25	*25*	0	0	25	*25*
5044	137	0	583	*720*	237	0	1,010	*1,247*
5045	0	153	1,373	*1,526*	0	225	2,024	*2,249*
5046	0	0	0	*0*	0	0	0	*0*
SUBTOTAL:	*329*	*3,724*	*4,689*	*8,743*	*502*	*4,892*	*6,577*	*11,972*

SA4	***Employment (2013)***				***Employment (2023)***			
Traffic Survey Zone (2005)	*Basic*	*Retail*	*Service*	*Total*	*Basic*	*Retail*	*Service*	*Total*
5028	78	448	123	*649*	107	616	170	*893*
5029	0	0	38	*38*	100	0	437	*537*
5040	0	0	127	*127*	0	0	260	*260*
5047	16	64	36	*116*	50	196	111	*357*
SUBTOTAL:	*94*	*512*	*325*	*931*	*257*	*812*	*978*	*2,047*
TOTAL:	*1,521*	*5,902*	*8,600*	*16,023*	*2,519*	*8,179*	*12,484*	*23,182*

APPENDIX D

EMPLOYMENT BREAKDOWN DATA
BY ROADWAY IMPACT FEE SERVICE AREAS

KEY: RED = Traffic Survey Zone (TSZ) is Split by City Limits or ETJ Boundaries.

SA	Employment (2013)				Employment (2023)			
Traffic Survey Zone (2005)	Basic	Retail	Service	Total	Basic	Retail	Service	Total
3477	-	-	-	-	-	-	-	-
3479	-	-	365	365	-	-	554	554
3480	-	-	-	-	-	-	-	-
5002	-	-	96	96	-	-	159	159
5003	-	-	-	-	-	210	210	420
5004	-	-	-	-	-	-	6	6
5008	-	50	41	91	-	80	65	145
5009	-	11	143	154	-	14	193	207
5010	-	-	240	240	-	-	465	465
5011	26	63	-	89	48	118	-	166
5012	-	-	-	-	-	125	125	250
5013	-	-	-	-	87	-	-	87
5014	-	-	-	-	-	-	-	-
5018	213	22	138	374	235	25	152	412
5020	45	82	216	342	51	93	245	390
5021	39	41	47	127	44	45	52	140
5022	10	56	140	206	11	60	150	220
5023	61	25	421	507	63	26	438	528
5024	-	49	-	49	-	57	-	57
5025	54	6	244	304	55	6	313	374
5026	-	-	12	12	-	-	22	22
5027	643	55	233	931	1,157	99	410	1,666
5028	271	1,555	428	2,254	372	2,140	589	3,101
5029	-	-	38	38	100	-	437	537
5030	1,286	-	-	1,286	1,442	-	-	1,442
5031	243	-	-	243	272	-	-	272
5036	7	406	253	666	10	610	380	1,000
5037	-	800	1,361	2,161	-	906	1,543	2,449
5038	-	768	362	1,130	-	1,076	506	1,582
5039	-	1,696	1,912	3,608	-	2,068	2,332	4,399
5040	-	-	256	256	-	-	521	521
5043	-	-	25	25	-	-	25	25
5044	137	-	583	720	237	-	1,010	1,247
5045	-	153	1,373	1,526	-	225	2,024	2,249
5046	-	-	-	-	-	-	-	-
5047	16	64	36	116	50	196	111	357
5048	97	-	-	97	109	-	-	109
TOTAL:	*3,148*	*5,902*	*8,964*	*18,014*	*4,342*	*8,179*	*13,038*	*25,559*

Secs. 38-361. Schedules for Impact Fees

(a) Roadway Impact Fees.

(1) *Schedule 1: Roadway Impact Fee Assessment*. The following schedule is for roadway impact fee assessment.

Service Area	*Cost Per Service Unit*
1	$1,278.00
2	$5,058.00
3	$240.00
4	$738.00

(2) *Schedule 2: Roadway Impact Fee Collection.* The following schedule is for roadway impact fee collection.

Service Area	*Cost Per Service Unit*
1	$256.00
2	$2.56.00
3	$120.00
4	$256.00

(Ord. No. 08-21, exh. 1, 4-21-2008; Ord. No. 08-26, § 1(exh. 1), 6-2-2008; Ord. No. 13-42, § 1, 11-4-2013)

(b) Water/Wastewater Impact Fees.

(1) *Schedule 1: Maximum Water/Wastewater Impact Fees*. The following schedule is the maximum impact fees per single family/living unit equivalent for water and wastewater facilities. *The below impact fees per service unit depicted in each column also apply to new developments that were unplatted and which did not require platting at the time of development within the period listed.*

	Land Platted or Replatted Between 07/16/1990 & 06/02/2008	*Land Platted or Replatted Between 06/02/2008 & 10/20/2014*	*Land Platted or Replatted After 10/20/2014*
Water (per SFLUE)	$848.00	$4,229.03	$3,111.05
Wastewater (per SFLUE)	$3,340.00	$783.49	$2,472.58

Notes:
[1]: For non-residential uses, assessment was expressed as SFLUEs per acre: 2.11 SFLUE/acre for water impact fees and 2.17 SFLUE/acre for wastewater impact fees, within the period listed.

(2) *Schedule 2: Impact Fees to be Paid per Service Unit for Water and Wastewater Facilities*.

	Per Living Unit Equivalent (5/8" – 1" Water Meter)
Water Facilities	$1,555.53
Wastewater Facilities	$1,236.29

Secs. 38-363—38-398. Reserved.



Exhibit 'B':
Land Use Assumptions For Impact Fees

2013 ROADWAY & WATER/WASTEWATER FEE UPDATE

MAY 13, 2014

ACKNOWLEDGEMENTS

CITY COUNCIL

David Sweet, Mayor
David White, Mayor Pro-Tem
Jim Pruitt
Bennie Daniels
Dennis Lewis
Scott Milder
Mike Townsend

CAPITAL IMPROVEMENT ADVISORY COMMITTEE
(PLANNING & ZONING COMMISSION)

ROADWAY IMPACT FEES
Phillip Herbst, Chairman
Connie Jackson
John McCutcheon
Craig Renfro
Matthew Nielsen
Wendy Conley
Kristen Minth

WATER/WASTEWATER IMPACT FEES
Craig Renfro, Chairman
Connie Jackson
John McCutcheon
Matthew Nielsen
Wendy Conley
Kristen Minth
Johnny Lyons

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Robert LaCroix AICP, Director of Planning & Zoning
Ryan Miller AICP, Planning Manager
David Gonzales, Planner
JoDee Sanford, Planning Technician

Lance Singleton, GIS Supervisor
Lonnie Hill, GIS Technician

Tim Tumulty PE, City Engineer
Amy Williams PE, Assistant City Engineer
Kathleen Moreno PE, Civil Engineer
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FORWARD

IMPACT FEES are charges imposed against new development to generate revenue for or recoup the cost of capital facilities (or infrastructure) necessitated by and attributed to new development. These fees are generally implemented to reduce the economic burden of a municipality when addressing the need for adequate capital improvements to accommodate growth.

PURPOSE

Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code outlines the process for adopting and updating impact fees for political subdivisions. On April 21, 2008 the City of Rockwall adopted roadway and water/wastewater impact fees per Ordinance No. 08-21. According to the statutory requirements stipulated by the Texas Local Government Code impact fees are required to be updated a minimum of every five (5) years [*§395.052*].

In approaching an update to existing impact fees it is important for a city to assess its growth and employment potential and establish land use assumptions that will guide development for a ten (10) year planning period (i.e. 2013-2023) [*§395.001(5)*]. These land use assumptions form the basis for the preparation of the *Impact Fee Capital Improvement Plan* for water, wastewater and roadway facilities.

In order to determine the need and timing of capital improvements to serve future development, a rational estimate of future growth is required. The purpose of this report is to formulate growth and employment projections based upon assumptions pertaining to the type, location, quantity and timing of future development within the city, and to establish and document the methodology used for preparing these land use assumptions.

ELEMENTS OF THE LAND USE ASSUMPTIONS REPORT

This report contains the following components:

- ☑ *Methodology*: This component of the report contains the systematic and theoretical analysis of the methods and principals used to prepare the projections and land use assumptions contain within this report.
- ☑ *Service Areas and Data Collection Zones*: This component provides an explanation of the data collection zones (i.e. Traffic Survey Zones [TSZ]) and the Roadway, Water and Wastewater Impact Fee Service Areas for capital facilities.
- ☑ *Base Year Data*: This component provides information on population, housing and employment in the City of Rockwall as of 2013 for each capital facility service area.
- ☑ *Ten-Year Growth Assumptions*: This component provides assumptions with respect to the population, housing and employment for the City of Rockwall in ten (10) years (i.e. 2023). This information is broken out by capital facility service area.
- ☑ *Build Out Assumptions:* This component provides projections for population, housing and employment under the assumption that the City and its Extraterritorial Jurisdiction (ETJ) are completely developed, or *Built Out*.
- ☑ *Summary*: This component provides a synopsis of the land use assumptions contained within this report.
- ☑ *Appendix:* This component contains information that was important in deriving the population, housing and employment projections for 2013-2023.

METHODOLOGY

Based upon the growth assumptions and the capital improvements needed to support growth, it is possible to develop an impact fee structure which fairly allocates improvement costs to growth areas in relationship to their impact upon the entire infrastructure system. The data in this report has been formulated using reasonable and generally accepted planning principles.

These land use assumptions and future growth projections take into consideration several factors influencing development patterns. These factors include:

- ☑ The character, type, density and quantity of existing development.
- ☑ The current zoning patterns and anticipated future land uses as established in the Comprehensive Plan (i.e. the City's *Future Land Use Plan Map*).
- ☑ The availability of land to support future expansion of development.
- ☑ The current and historical growth trends of both population and employment within the City.
- ☑ The location and configuration of vacant parcels of land and their ability to support development.
- ☑ The growth of employment utilizing previously established and generally accepted data (i.e. North Central Texas Council of Governments [*NCTCOG*] 2010 & 2015 Employment Projections).
- ☑ Local knowledge concerning future development projects or anticipated development within the city.

LAND USE ASSUMPTIONS REPORT ELEMENTS

The following is the general methodology that was used for the preparation of this report:

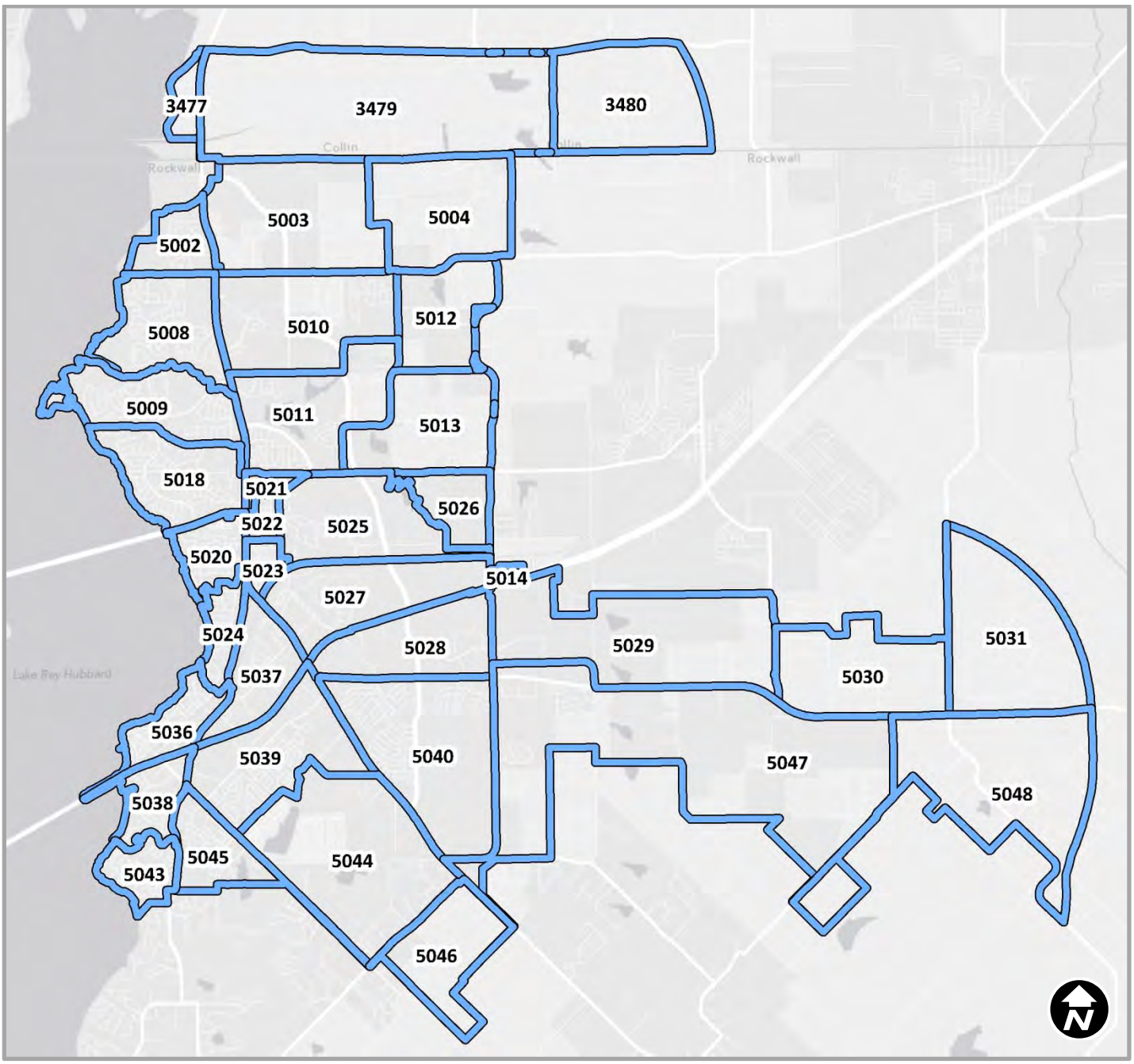
1. Population, housing and employment data was collected from the United States Census Bureau, North Central Texas Council of Governments (*NCTCOG*), the City of Rockwall Geographical Information Systems (GIS) Department, the City of Rockwall Building Inspection Department and other acceptable sources. This information was then analyzed and used to provide base information for all service areas from which projections could be extrapolated [see *Service Areas and Data Collection Zones*].
2. The base year (i.e. 2013) estimates for housing, population and employment were calculated based on the information collected [see *Base Year Data*].
3. From the base year and the information gathered from various sources a growth rate was established by examining recent building permit information, past growth trends and anticipated development over the next ten (10) years. This growth rate was then applied to each of the impact fee service areas to project the base year data over the ten (10) year planning period (i.e. 2013-2023) [see *Ten Year Growth Assumptions*].
4. After the projections for housing, population and employment were prepared for the ten (10) year planning period city staff made adjustments to account for known or anticipated development activity within the planning periods. In making these adjustments city staff took into consideration the recommendations made within the 2012 Rockwall Comprehensive Plan Update, existing public works data, economic information provided by the Rockwall Economic Development Corporation (REDC) and demographic information provided by the GIS and Building Inspections Departments.
5. Finally, the City's *Build Out* projections for housing, population and employment were calculated by establishing the City's carrying capacity in terms of developable acres and projecting population forward using the previously established Compound Annual Growth Rate (CAGR) to establish a *Build Out Year*. The housing and employment information were then projected to the *Build Out Year* [see *Build Out Projections*].

DATA COLLECTION ZONES AND SERVICE AREAS

DATA COLLECTION ZONES

The *Data Collection Zones* used for this study were the North Central Texas Council of Government's (NCTOG's) Traffic Survey Zones (TSZs). A TSZ is a small geographic area developed by the NCTOG to serve as the basis for the regional TransCAD travel demand model and for the purpose of performing various other regional planning activities. TSZ's were originally formulated on the basis of homogeneity and traffic generation potential using major arterials, creeks, railroad lines and other physical boundaries for delineation. It should be noted that several TSZ's were adjusted in the calculations because portions include areas outside of the City limits.

FIGURE 1: TRAFFIC SURVEY ZONES (TSZs)
Note: The TSZs below have been clipped to the Extraterritorial Jurisdiction (ETJ)



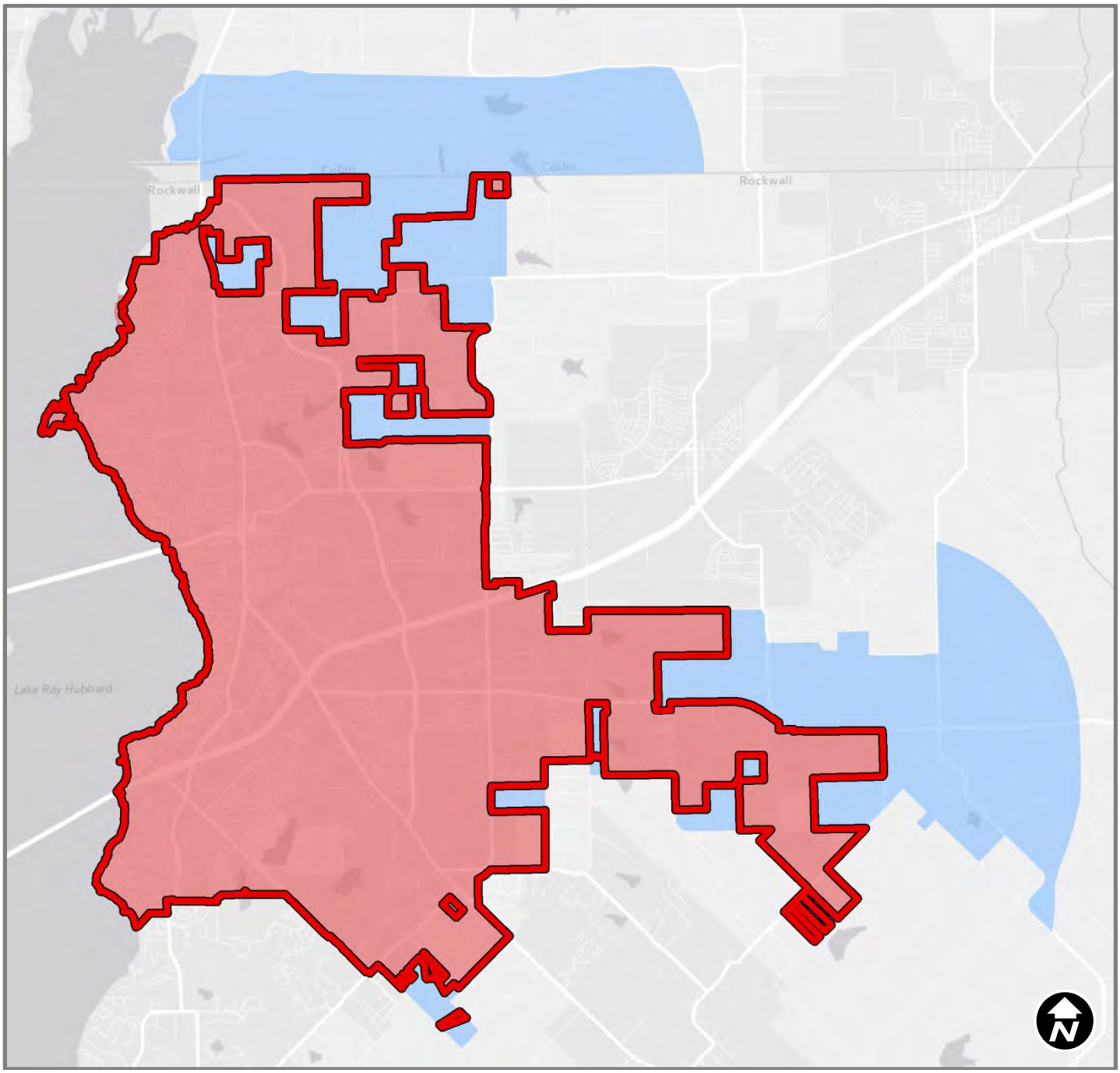
SERVICE AREAS

The Texas Local Government Code (TLGC) requires that services areas be established within the corporate boundaries of a political subdivision for the purpose of ensuring that the capital improvements service the areas generating need. The boundaries for impact fees are defined as follows:

Roadway Impact Fees refers to a service area that is limited to the corporate boundaries of a political subdivision or city, and cannot extend into the Extraterritorial Jurisdiction (ETJ) or for a distance exceeding more than six (6) miles. The City of Rockwall is divided into four (4) service areas that are depicted in *Figure 3* on *Page 5*.

Water and Wastewater Impact Fees refers to a service area that includes a city's corporate boundaries and Extraterritorial Jurisdiction (ETJ). This service area is depicted in *Figure 4* on *Page 6*.

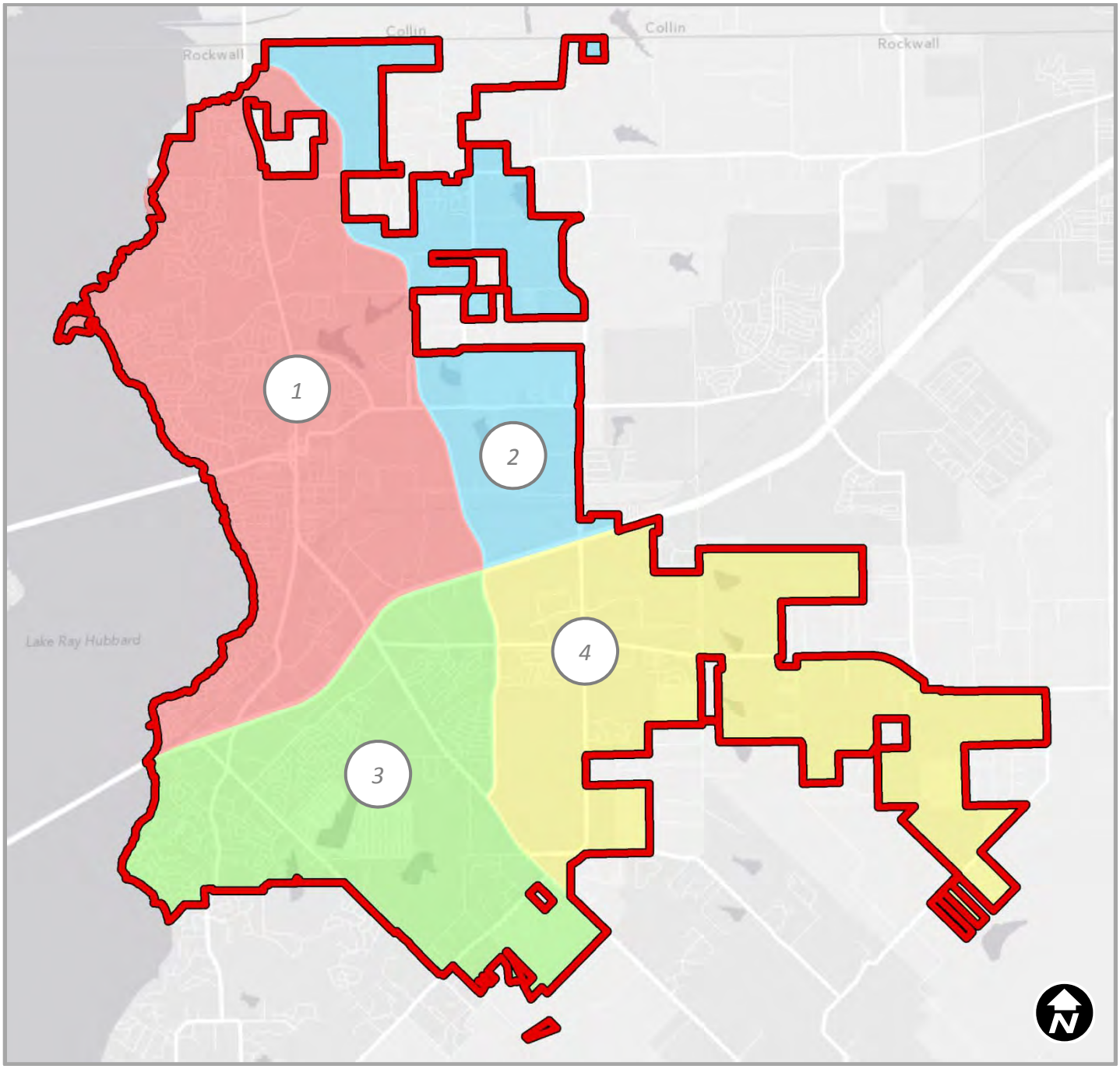
FIGURE 2: CITY OF ROCKWALL CITY LIMITS AND EXTRATERRITORIAL JURISDICTION (ETJ)
Note: The City Limits of Rockwall are depicted in RED. The Extraterritorial Jurisdiction (ETJ) is depicted in BLUE.



ROADWAY SERVICE AREAS

FIGURE 3: ROADWAY SERVICE AREAS

This is the derived service area structure for roadway facilities. These service areas conform to the current city limits of the City of Rockwall and are divided by John King Boulevard and Interstate Highway 30.



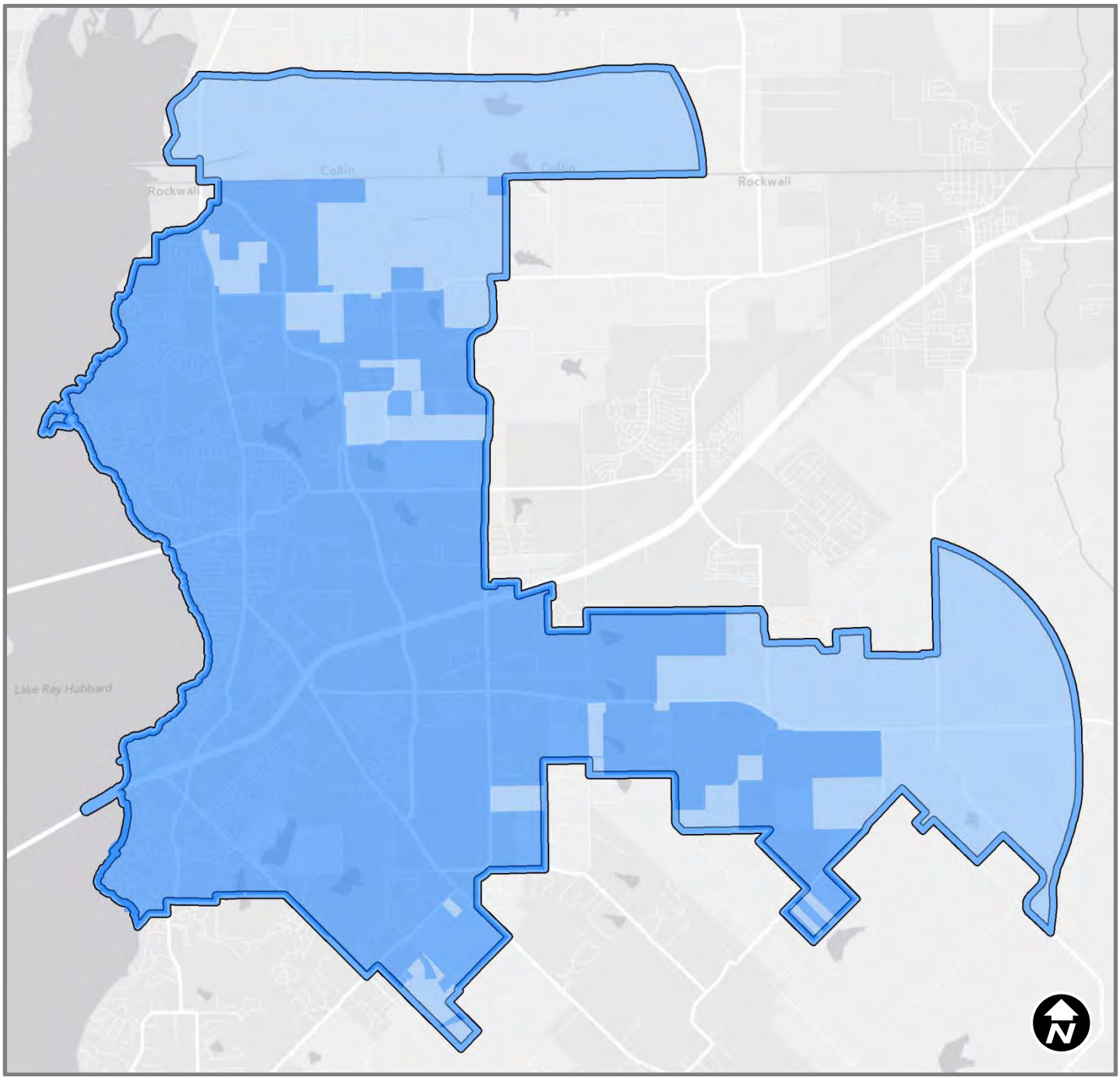
MAP KEY

RED: Service Area 1
BLUE: Service Area 2
GREEN: Service Area 3
YELLOW: Service Area 4

WATER/WASTEWATER SERVICE AREA

FIGURE 4: WATER/WASTEWATER SERVICE AREA

This is the derived service area structure for water and waste facilities. This service area conforms to the current city limits of the City of Rockwall and its Extraterritorial Jurisdiction (ETJ).



MAP KEY

BLUE: Service Area

SUMMARY OF DATA

The current database and the database prepared in 2007, along with all future projections, were drafted utilizing the following geographic areas:

- ☑ *Service Area.* The Service Area correlates to the Water, Wastewater and Roadway Service Areas identified in *Figures 3 & 4*. As previously state the corporate boundaries of the City of Rockwall serve as the limits for the Roadway Service Areas and the Water and Waste Water Service Areas include the corporate boundaries and the Extraterritorial Jurisdiction (ETJ).
- ☑ *Traffic Survey Zone (TSZ).* A Traffic Survey Zone or *TSZ* are geographic areas established by the North Central Texas Council of Governments (NCTCOG), which are used for data collection purposes.

Additionally, all databases and projections utilized the following variables:

- ☑ *Households (2013).* Household data includes living units (i.e. *single-family, duplex, multi-family, group home/quarters, etc.*) existing at the end of the calendar year 2012 (*January 1, 2013 to December 31, 2012*). This number was derived using 2010 United States Census data relating to households, residential building permits obtained from the Rockwall Building Inspections Department, and address point data obtained from the Rockwall Geographic Information Systems Department (GIS).
- ☑ *Households (2023).* This is the projected household data by service area for the year 2023, which represents a ten (10) year growth projection. This information was derived by staff using proper projection techniques.
- ☑ *Population (2013)*. This is the existing population for the base year (i.e. *2013*). This information was calculated utilizing the number of households existing at the end of the calendar year 2012, the occupancy rate and average household size as established by the United State Census Bureau, and the population of all group quarters (i.e. *[# of Households – Vacancy Rate] x Household Size + Group Quarters Population = Population*).
- ☑ *Population (2023)*. The projected population by service area for the year 2023, which represents a ten (10) year growth projection. This information was derived by staff using proper projection techniques.
- ☑ *Employment (2013).* Employment data was aggregated to three (3) employment sectors, which include *Basic*, *Retail* and *Service* as provided by the North Central Texas Council of Governments (NCTCOG). These service sectors serve as the basis for non-residential trip generation. The following is a summary of these employment sectors followed by corresponding North American Industry Classification System (NAICS) code:

  - ➢ *Basic.* Land use activities that produce goods and services such as those that are exported outside the local economy. These include manufacturing, construction, transportation, wholesale trade, warehousing and other industrial uses (NAICS Code: *#210000 - #422999*).
  - ➢ *Retail.* Land use activities which provide for the retail sale of goods that primarily serve households and whose location choice is oriented toward the household sector. These include uses such as grocery stores, restaurants, etc. (NAICS Code: *#440000 - #454390*).
  - ➢ *Service.* Land use activities which provide personal and professional services. These include such uses as financial, insurance, government, and other professional and administrative offices (NAICS Code *#520000 - #928199*).

- ☑ *Employment (2023).* The projected employment data was aggregated to three (3) employment sectors, which include *Basic*, *Retail* and *Service* as provided by the North Central Texas Council of Governments (NCTCOG). These service sectors were then projected by service area to the year 2023, which represents a ten (10) year growth projection. This information was derived by staff using proper projection techniques.

BASE YEAR DATA

This section documents the methods used to derive the base year data for the City of Rockwall as of January 1, 2013. This *benchmark* information provides a starting point in which to extrapolate the ten (10) year growth assumptions that are presented in the following section (see *Ten-Year Growth Assumptions*).

POPULATION GROWTH

One method of predicting future growth is to examine past growth trends. The City of Rockwall and Rockwall County have experienced robust growth over the past decade (see *Figure 5*). Past growth trends from the United States Census Bureau and the North Central Texas Council of Governments (NCTCOG) were examined in conjunction with building permit data provided from the City of Rockwall Building Inspections Department (this information is summarized in *Figure 6*). The following formula lays out the methodology used to calculate the 2013 population estimate:

POP = (NH x OR) x AHS + GQP
[POP = (14,831 x 0.947) x 2.81 + 325, or POP = 39,817]

WHERE,
POP = 2013 Population
NH = Number of Households [14,831 per City of Rockwall]
OR = Occupancy Rate [94.7 % per US Census Bureau]
AHS = Average Household Size [2.81185 per US Census Bureau]
GQP = Group Quarter Population [325 per City of Rockwall]

This population (i.e. *39,817*) will serve as the base population for this report.

FIGURE 5: CITY OF ROCKWALL VS. COUNTY OF ROCKWALL [POPULATION]
MAP KEY: BLUE = ROCKWALL COUNTY; RED = CITY OF ROCKWALL

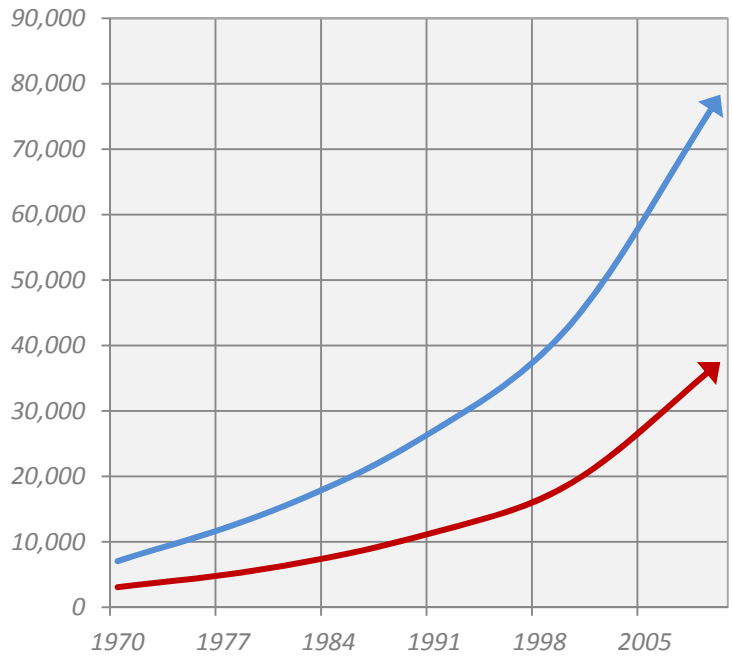
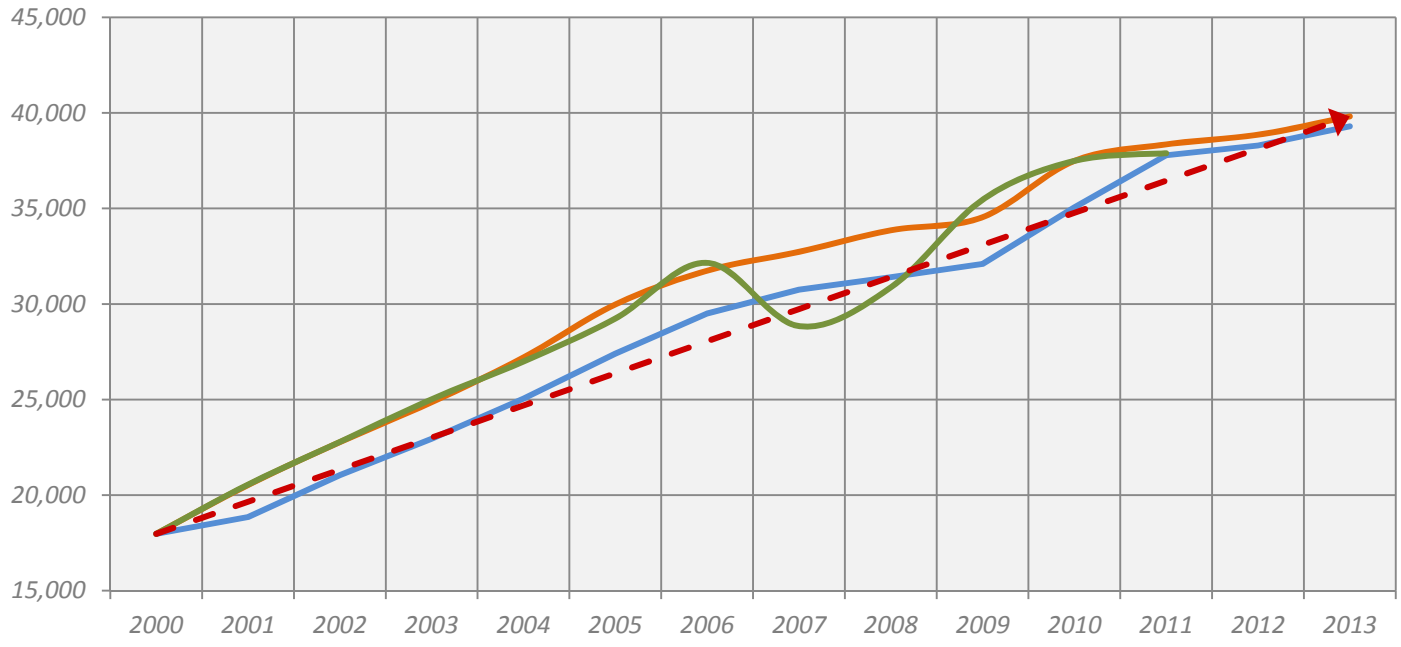


FIGURE 6: POPULATION BY AGENCY 2000 - 2013
MAP KEY: ORANGE = CITY OF ROCKWALL; BLUE = NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG); GREEN = US CENSUS BUREAU; RED = TREND LINE



POPULATION GROWTH RATE

A *Compound Annual Growth Rate (CAGR)* allows for a general assessment of growth when considering periodic increases and decreases in residential population growths that coincide with changing economic conditions. Various sources were used in establishing the past growth rates. These sources indicate rates of growth change between *3.25%* and *4.75%* (see *Table 1*). Based upon this data, an analysis of the ten (10) year forecast, and City staff's judgment, a four (4) percent CAGR was determined to be a sufficient assumption for the ten (10) year projection period. The calculated population numbers for all service areas for the years 2013 & 2023 are depicted in *Appendix 'A' & 'B'* of this document.

TABLE 1: CITY OF ROCKWALL GROWTH RATES

Data Source	Growth Rate (%)
2010 – 2012 US Census [1]	1.81
2007 – 2012 US Census [1]	3.49
2002 – 2012 US Census [1]	5.49
2010 – 2012 Single Family Permits [2]	11.2
2007 – 2012 Single Family Permits [2]	8.0
2002 – 2012 Single Family Permits [2]	-7.5
Texas Water Board 10-Year Growth [3]	4.75
Texas Water Board 20-Year Growth [3]	3.25
FUTURE GROWTH PROJECTION	4.0

NOTES:
[1]: Based on 2002 – 2012 US Census Data
[2]: Information Provided by the City of Rockwall
[3]: Texas Water Board 2011 Region 'C' Water Plan

ADDITIONAL GROWTH INDICATORS

The annual population growth rate has slowed in the city from *10.8%* (2000-2005) to *4.6%* (2005-2010), and finally decreasing to *2.0%* in 2010 (see *Table 1*). The increase/decrease of residential building permits coincides with the fluctuations in growth rates (see *Figure 7*). Recent permit data shows an increase in single-family activity. In fact, in 2013 single family permits (issued from January 1, 2013 to February 28, 2013) were up 70% from the same period in 2012. This recent increase in single family building permits combined with the Texas Water Board's ten (10) year and twenty (20) year County population projections, coupled with an overall sense of market recovery has led the City's staff to comfortably assume that the overall growth for the next ten (10) year period will average four (4) percent. However, it is likely that annual growth will gradually increase from its current two (2) percent rate to a five (5) percent rate near the end of the forecasted period.

FIGURE 7: HISTORIC SINGLE-FAMILY BUILDING PERMITS DATA
* 2013: January 1, 2013 – March 21, 2013

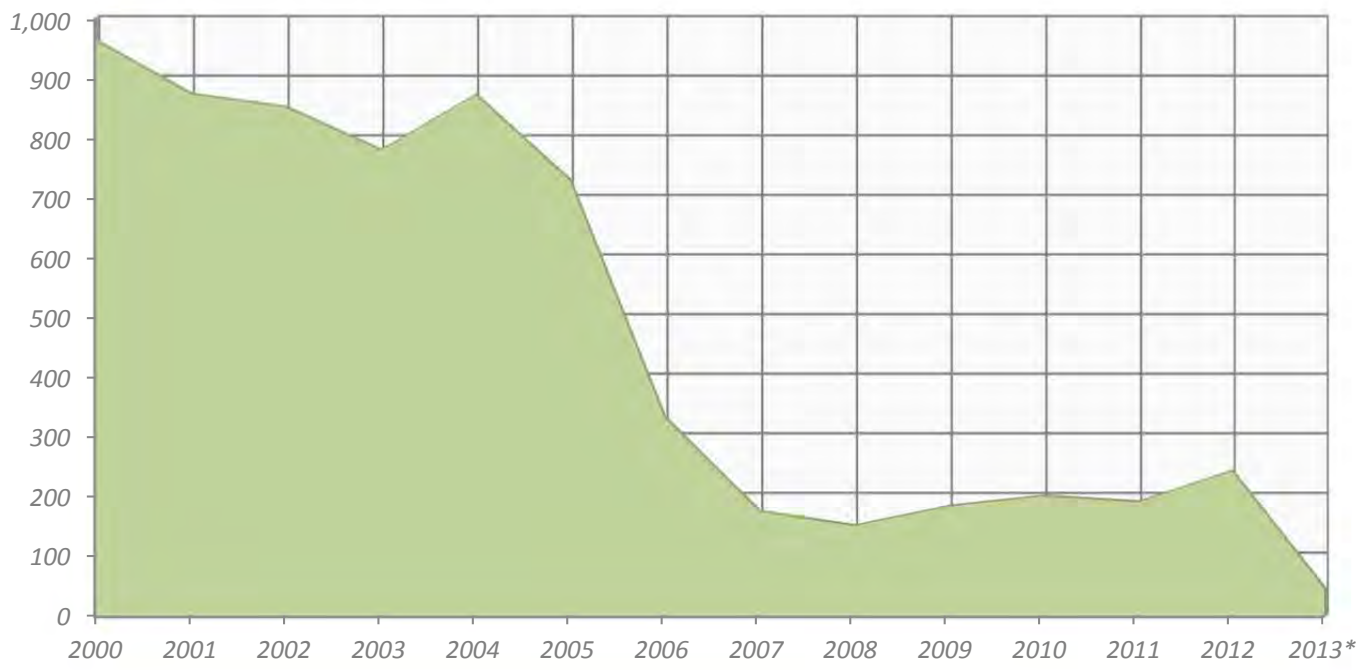


TABLE 2: EXISTING LAND USE ACREAGE

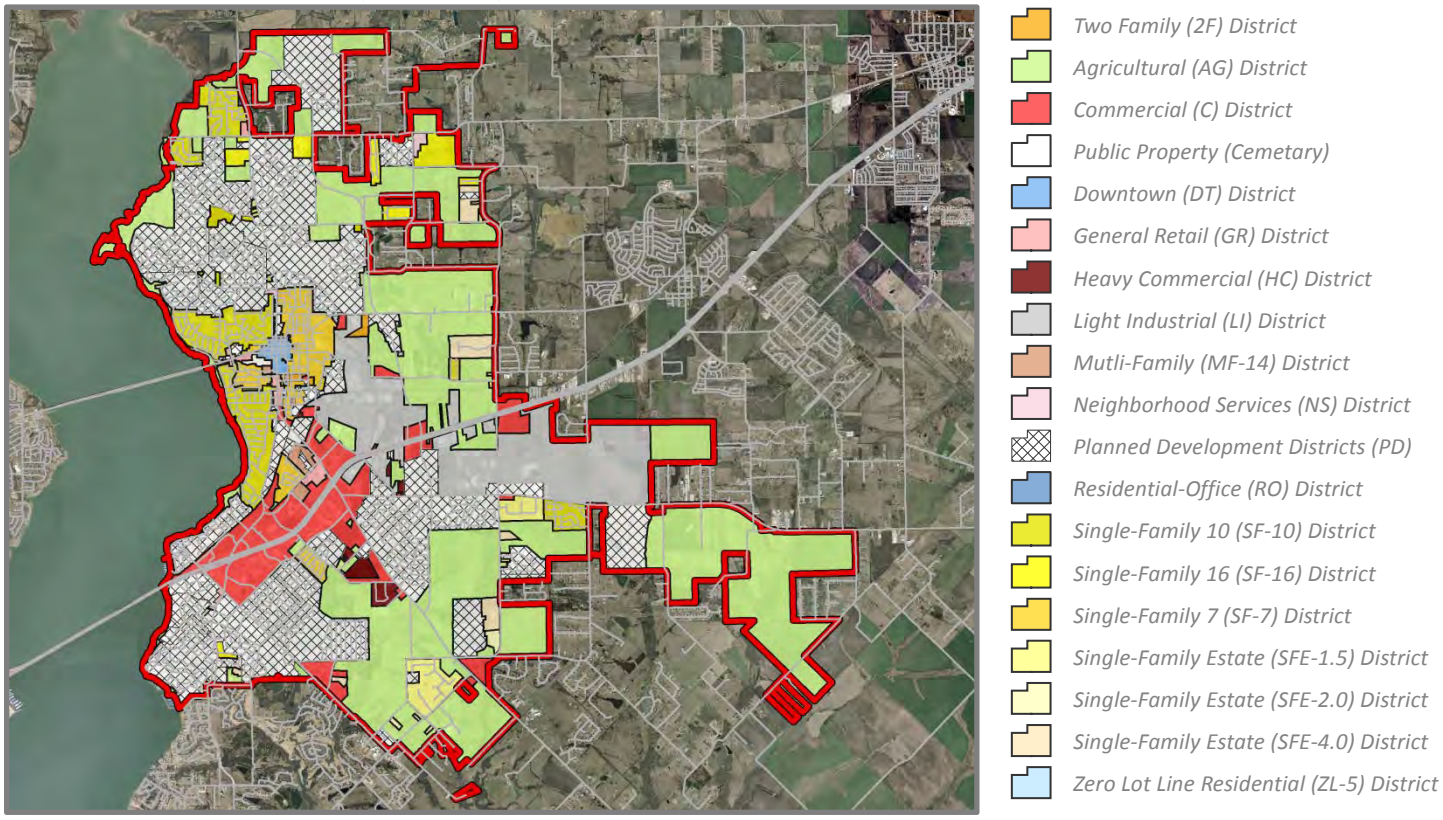
Land Use Category	Acres	% of Total Land	Acres per 100 People
Single Family	6,167	32.4	15.5
Multi-Family	280	1.5	0.7
Manufactured Home	218	1.1	0.5
Parks and Open Space	780	4.1	2.0
Public & Semi-Public	167	0.9	0.4
Office & Retail	617	3.2	1.6
Commercial	1,852	,9.7	4.6
Industrial	1,847	9.7	4.6
Agricultural	7,117	37.4	17.9
TOTAL:	19,045	100%	

NOTES: Based on 2013 estimated population of 39,817.

EXISTING LAND USE

In any evaluation and projection of future land use patterns, a documentation of existing conditions is necessary. An analysis of existing land use patterns was prepared based on a zoning classification inventory of the City (see *Table 2*). This also serves to document the present physical condition of the City with regard to any infrastructure deficiencies that may exist. The City's Comprehensive Plan will serve as an additional basis for future growth projections. Nearly twenty-five (25%) percent of the City's land area is devoted to Planned Development Districts, which are difficult to define in terms of land use since most of them contain allowances for a mixture of land uses. In addition to current zoning classifications *Table 2* also contains estimates of the land use categories permitted within the City's Planned Development Districts.

FIGURE 8: EXISTING LAND USE MAP (ZONING MAP)



EXISTING EMPLOYMENT

The base employment data (*i.e. 2013*) was calculated by Traffic Survey Zone (TSZ) from employment estimates provided by the North Central Texas Council of Governments (NCTCOG). As TSZ's do not conform to the corporate boundaries of a city, staff made allocations based on the locations of existing land uses and the percentage of the TSZ located within the City Limits/Extraterritorial Jurisdiction (ETJ). Additionally, staff reviewed the 2010 and 2015 NCTCOG employment estimates and applied manual adjustments based on local knowledge of the city and proposed/current development. From this employment data staff determined the Compound Annual Growth Rate (CAGR) and applied it using the linear extrapolation method to the 2010 employment data. This resulted in the 2013 employment data depicted in *Appendix 'C' & 'D'* of this report.

TEN-YEAR GROWTH ASSUMPTIONS

In this study growth is characterized by two (2) forms: 1) Population (*i.e. residential land use*), and 2) Employment (*i.e. non-residential land use*). To calculate a reasonable growth rate for population and employment it was necessary for staff to make a series of assumptions on which to base the ten (10) year growth projections. These assumptions are summarized as follows:

- ☑ Future growth identified within this study will conform to the Future Land Use Plan depicted in the Comprehensive Plan.
- ☑ The City will be able to finance the necessary improvements to accommodate future growth.
- ☑ School facilities will sufficiently accommodate any identified increases in the population.
- ☑ Densities will conform to the land classifications identified within the Comprehensive Plan and as depicted on the Future Land Use Plan.

The ten (10) year projections are based on the growth rate which was previously discussed and staff's consideration of past development trends. Tables 3 & 4 detail the ten (10) year projections for households, population and employment for the service areas associated with roadway and water/wastewater impact fees.

TABLE 3: SUMMARY OF TEN-YEAR GROWTH (ALL ROADWAY SERVICE AREAS)

	2013	2023	Increase
Households	14,170	20,989	32.49%
Population	39,817	58,940	32.44%
Total Employment	16,023	23,182	30.88%
Basic	1,521	2,519	39.60%
Service	5,902	8,179	27.84%
Retail	8,600	12,484	31.11%

TABLE 4: SUMMARY OF TEN-YEAR GROWTH (WATER/WASTE WATER SERVICE AREA)

	2013	2023	Increase
Households	15,682	23,171	32.32%
Population	44,066	65,073	32.28%
Total Employment	18,014	25,559	29.52%
Basic	3,148	4,342	27.51%
Service	5,902	8,179	27.84%
Retail	8,964	13,038	31.25%

POPULATION 2023

The City of Rockwall has experienced significant growth since 2000 when the estimated population was 18,000 residents. Today the population is over double the 2000 population at an estimated 39,817. This growth trend is not just evident in the City of Rockwall as the greater Dallas-Fort Worth metropolitan area has become one of the fastest growing regions in the United States both in terms of population and employment. Although local growth has slowed since 2006 all data appears to indicate that this is only a temporary condition as the area's economy continues to recover from the national housing slump that began in 2008. Using the Compound Annual Growth Rate (CAGR) method staff projects that the population for the City will be 58,939 residents by 2023 (see *Figure 9*).

FIGURE 9: TEN-YEAR POPULATION GROWTH @ A 4% COMPOUND ANNUAL GROWTH RATE

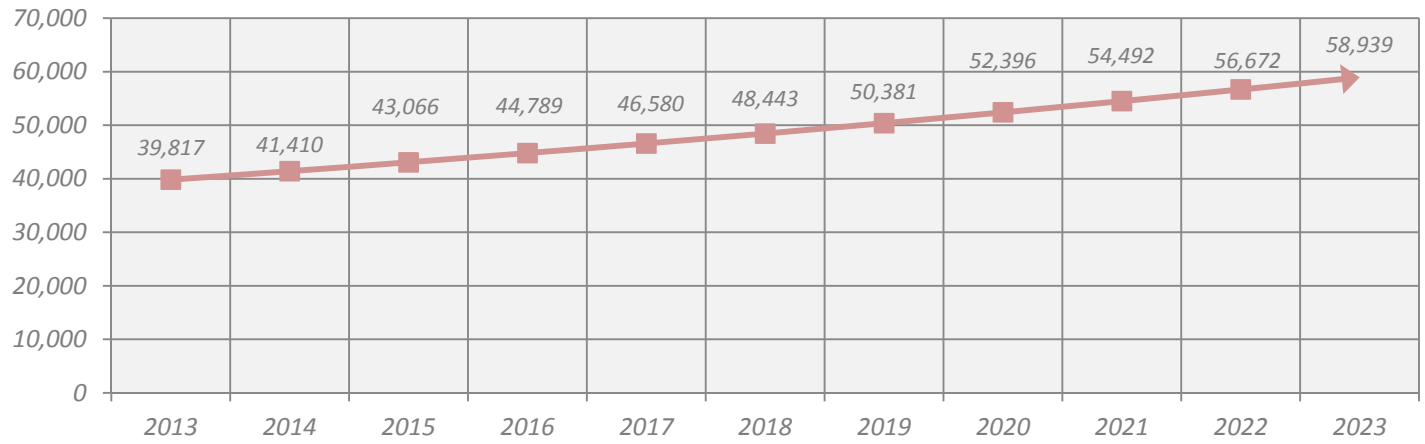
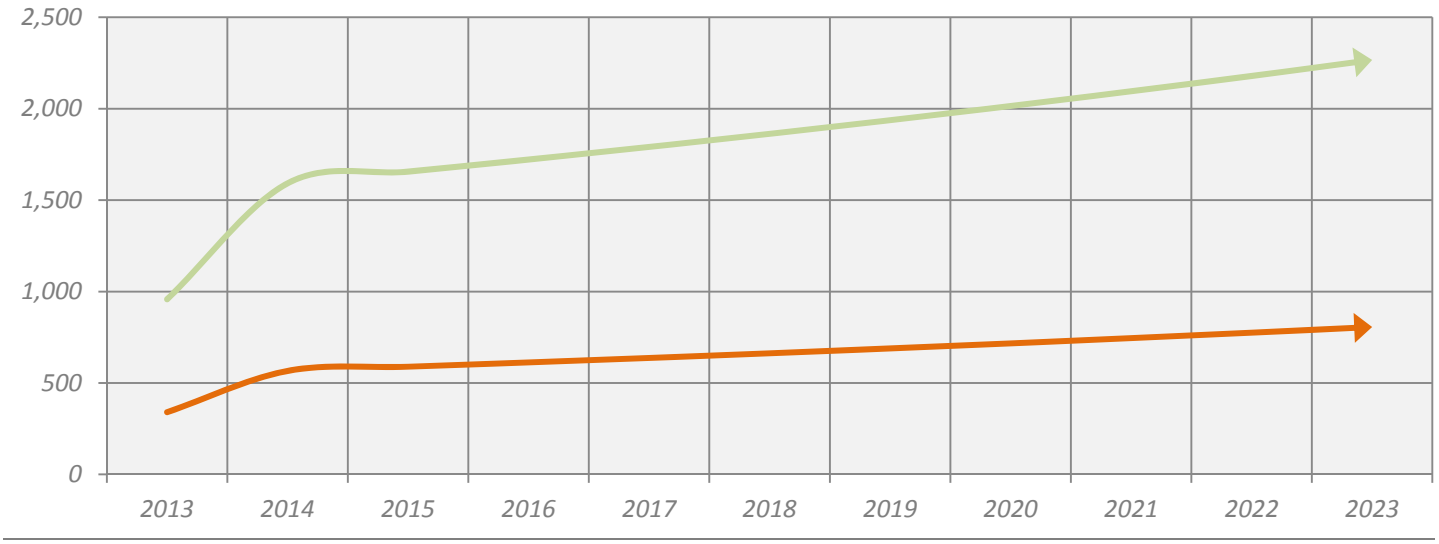


TABLE 5: PROJECTED HOUSEHOLD ESTIMATIONS

Year	Population	New Residents	New Building Permits
2013	39,817	958	360
2014	41,410	1,593	567
2015	43,066	1,656	590
2016	44,789	1,723	613
2017	46,580	1,791	637
2018	48,443	1,863	663
2019	50,381	1,938	690
2020	52,396	2,015	717
2021	54,492	2,096	746
2022	56,672	2,180	776
2023	58,939	2,267	807
Average Number of Annual Permits:			651

In determining this population projection staff utilized residential building permit counts coupled with an assumption that the average people per household was 2.81 (*2010 US Census*). This figure was used to account for a mixture of multi-family and single family households. Additionally, between 2000 and 2012 the City issued an average of 623 building permits per year; with the highest number of permits topping out at 1,033 in 2005, and the lowest number of building permits issued in 2008 at 150 (see *Table 5*). From this information staff estimated that the City will issue an average of 651 residential building permits per year over the next ten (10) year period (see *Table 5* and *Figure 10*). This estimate takes into consideration the type of development likely (i.e. single family or multifamily) to occur in a given area.

FIGURE 10: PROJECTED HOUSEHOLD AND BUILDING PERMIT ESTIMATIONS
MAP KEY: ORANGE = NEW BUILDING PERMITS; GREEN = NEW RESIDENTS



EMPLOYMENT 2023

Employment data for the year 2023 was based upon data provided by the North Central Texas Council of Governments (NCTCOG). NCTCOG has provided employment data by Traffic Survey Zone (TSZ) for 2015 and 2035. After staff's adjustments for TSZ coverage area and anticipated future development were accounted for, a Compound Annual Growth Rate (CAGR) was derived between the 2015 and 2035 staff-adjusted NCTCOG employment numbers. Linear extrapolation of the CAGR produced the 2023 employment estimates by TSZ as listed in the appendices of this document (see *Appendix 'C' & 'D'*).

Staff's assumptions of future growth are confirmed by 2030 data derived from the *North Texas 2050* study published by Vision North Texas. The majority of the city is forecasted to have an employment density of greater than *1.7* units per acre, and upwards of *3.5+* units per acre in areas adjacent Interstate Highway 30 (IH-30) and within Rockwall's Industrial Park (located adjacent to State Highway 276 [SH-276]).

BUILD OUT PROJECTIONS

A *Build Out Projection* for a city (also referred to as the city's *Carrying Capacity*) is an estimate of the location and density of all potential development, employment and population that a city can support within its future corporate boundaries.

TABLE 6: TOTAL ACREAGE

City Limits	*19,046.00*
Built Acres	*8,322.31*
Vacant Acres	*8,610.53*
Right-of-Way	*2,113.37*
Extraterritorial Jurisdiction (ETJ)	*10,521.60*
TOTAL ACRES:	*29,567.60*

TABLE 7: PROJECTED POPULATION
(AT 4% COMPOUND ANNUAL GROWTH)

Year	*Population*	
2023	*58,939*	
2024	*61,296*	
2025	*63,748*	
2026	*66,298*	
2027	*68,950*	
2028	*71,708*	
2029	*74,576*	
2030	*77,560*	
2031	*80,662*	
2032	*83,888*	
2033	*87,244*	
2034	*90,734*	
2035	*94,363*	
2036	*98,138*	
2037	*102,063*	
2038	*106,146*	
2039	*110,391*	
2040	*114,807*	
2041	*119,399*	
2042	*124,175*	
2043	*129,142*	
2044	*134,308*	
2045	*139,680*	*Build Out 139,919*
2046	*145,268*	

ESTABLISHING THE CITY'S POPULATION AT BUILD OUT

In establishing the city's population at build out staff made the following assumptions:

- ☑ All vacant land w/in the City's corporate boundaries will develop with the maximum density permitted for the current zoning per the Unified Development Code.
- ☑ All Agricultural (Ag) District property is assumed to be vacant and will develop at 2.0 units per acre.
- ☑ All property within the Extraterritorial Jurisdiction (ETJ) is assumed to be vacant and will be developed in conformance with the Future Land Use Map at the maximum density permitted by the Comprehensive Plan.
- ☑ The city's ETJ is fixed and will not increase in the future.

Taking these assumptions into consideration, staff utilized Geographical Information Systems (GIS) software to calculate all the undeveloped land within the city's corporate boundaries, including the ETJ (see *Table 6*). Once calculated the acreages were broken down by land use and multiplied by the maximum density permitted for each of the land uses as established within the Unified Development Code and the Comprehensive Plan. These totals were then multiplied by the average people per household [*i.e. 2.81*] (*2010 US Census*) to establish the population at build out (i.e. 139,919). From this point staff projected the population forward using the previously established four (4%) percent Compound Annual Growth Rate (CAGR) [see the *Ten-Year Growth Assumptions* section] until the build out population was reached (see *Table 7*). This established a build out year of 2046. The following formula lays out the methodology used to calculate the numbers:

BO = POP + VPOP + EPOP
[BO = 39,817 + 48,663 + 51,439, or BO = 136,657]

VPOP = Σ [(LU$_1$ x D$_1$) … (LU$_x$ x D$_x$)] x AHS or VPOP = 48,663
EPOP = (LDR x 2.0) + (MDR x 3.0) + (HDR x 5), (i.e. EPOP = 50,123 + 1,316 + 0) or EPOP = 51,439

WHERE,
BO = Build Out Population
POP = 2013 Population (i.e. Current Population)
VPOP = Population of Vacant Land w/in the City Limits
EPOP = Population of Vacant Land w/in ETJ
LU = Vacant Available Land (inside the City Limits) for a Given Land Use
D = Maximum Density Permitted for a Given Land Use [Unified Development Code]
AHS = Average Household Size [2.81185 per US Census Bureau]
LDR = Low Density Residential Acreage Available in the ETJ
MDR = Medium Density Residential Acreage Available in the ETJ
HDR = High Density Residential Acreage Available in the ETJ

SUMMARY

The following is a summary of staff's findings when preparing the Land Use Assumption Report in preparation for updating the Roadway, Water and Wastewater Impact Fees for 2013:

- ☑ The average annual growth rate as calculated by staff is four (4) percent. This growth rate was established based on data from the US Census, Texas Water Commission, North Texas Council of Governments (NCTCOG), the City and County of Rockwall. Using this growth rate staff projected the following population numbers:
  - ➢ The population of the City of Rockwall as of 2013 is 39,817. This is expected to increase by ~32% in the next ten (10) years to an estimated 58,940 by 2023.
  - ➢ The population for the City of Rockwall and its Extraterritorial Jurisdiction (ETJ) as of 2013 is 44,066. This is expected to increase by ~32% in the next ten (10) years to an estimated 65,073 by 2023.
- ☑ The estimated employment for the City of Rockwall as of 2013 is 16,023 jobs, with another 1,991 jobs existing within its ETJ. Staff estimates this number to climb to 23,182 jobs within the city limits, and another 2,377 jobs within the ETJ by 2023.
- ☑ Staff has established that there are currently 8,610.53 undeveloped acres of land within the city limits. This represents ~45% of the current land in the City (see *Table 8*). Additionally, the City of Rockwall has access to another 10,521.60 acres of land within its current ETJ (see *Table 9*). At the bottom of this page is a summary of all vacant land by current land use existing within the city's corporate boundaries and its ETJ (*see Tables 8 & 9*).
- ☑ According to staff estimates the City of Rockwall is expected to be built out in the year 2046, with a total population of 139,919.

TABLE 8: VACANT LAND WITHIN THE CITY LIMITS

ACRES	LAND USE
15.60	= Two Family (2F) District
4,885.31	= Agricultural (AG) District
371.36	= Commercial (C) District
-	= Cemetery
5.62	= Downtown (DT) District
14.11	= General Retail (GR) District
40.01	= Heavy Commercial (HC) District
1,211.71	= Light Industrial (LI) District
0.58	= Multi-Family (MF) District
21.25	= Neighborhood Services (NS) District
1,789.38	= Planned Development Districts (PD)
87.39	= Single Family 10 (SF-10) District
114.60	= Single Family 16 (SF-16) District
40.22	= Single Family 7 (SF-7) District
-	= Single Family Estate 1.5 (SFE-1.5) District
-	= Single Family Estate 2 (SFE-2) District
11.78	= Single Family Estate 4 (SFE-4) District
1.61	= Zero Lot Line 5 (ZL-5) District
8,610.53	*= TOTAL VACANT ACRES*

TABLE 9: ETJ ACREAGES (FUTURE LAND USE MAP)

ACRES	LAND USE
8,918.65	= Low Density Residential
156.13	= Medium Density Residential
0.00	= High Density Residential
-	= Mixed Use
-	= Downtown District
0.11	= Special Commercial Corridor District
-	= Special District
410.71	= Commercial
-	= Commercial/Industrial
0.10	= Technology/Light Industrial
809.73	= Employment Center
55.62	= Parks and Open Space
0.03	= Cemetery
0.87	= Public Uses
0.17	= Quasi-Public Uses
169.49	= Right-of-Way
10,521.60	*= TOTAL ACRES*

NOTE: ALL INFORMATION PROVIDED FROM THE GEOGRAPHICAL INFORMATION SYSTEMS (GIS) DEPARTMENT AND IS VALID AS OF DECEMBER 31, 2013.

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APPENDIX A

HOUSING, POPULATION & EMPLOYMENT DATA BY ROADWAY FEE SERVICE AREA

KEY: HU = Housing Units; POP = Population; EMP = Employment; RED = Traffic Survey Zone (TSZ) is Split by Roadway Service Area.

SA1	2013 Projections			2023 Projections			Build Out (2046)		
Traffic Survey Zone (2005)	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
5002	214	651	96	364	1,105	159	457	1,332	363
5003	43	108	0	757	1,893	210	421	1,181	156
5008	1,128	3,316	91	1,144	3,363	145	1,212	3,552	313
5009	1,105	3,614	154	1,286	4,206	207	1,348	4,296	469
5010	246	685	238	1,162	3,236	460	1,083	3,062	575
5011	743	2,224	89	1,264	3,783	166	1,311	3,789	245
5018	918	2,367	374	1,384	3,569	412	1,345	3,570	875
5020	602	1,454	342	621	1,499	390	618	1,498	854
5021	120	342	127	125	356	140	172	488	299
5022	141	328	206	144	335	220	158	376	486
5023	172	647	507	172	647	528	235	825	1,182
5024	382	1,005	49	393	1,034	57	439	1,164	118
5025	153	432	301	225	634	304	631	1,776	532
5027	140	326	919	140	326	1,652	394	1,059	2,444
5036	677	1,468	666	712	1,544	1,000	687	1,496	2,137
5037	935	1,732	2,161	1,022	1,996	2,449	1,174	2,403	5,375
SUBTOTAL:	*7,720*	*20,697*	*6,321*	*10,915*	*29,525*	*8,500*	*11,685*	*31,867*	*16,423*

SA2	2013 Projections			2023 Projections			Build Out (2046)		
Traffic Survey Zone (2005)	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
5003	0	0	0	182	497	210	1,003	2,814	372
5004	2	4	0	20	40	6	1,775	4,985	14
5010	87	287	2	87	287	5	592	1,674	314
5011	50	149	0	48	142	0	188	545	35
5012	58	174	0	145	438	250	966	2,725	541
5013	64	130	0	176	357	87	1,145	3,167	177
5014	1	2	0	1	2	0	1	2	0
5025	120	338	3	85	238	71	363	1,022	306
5026	57	172	12	96	292	22	260	743	50
5027	0	0	13	0	0	13	167	448	1,035
SUBTOTAL:	*439*	*1,256*	*29*	*839*	*2,293*	*663*	*6,461*	*18,126*	*2,844*

SA3	2013 Projections			2023 Projections			Build Out (2046)		
Traffic Survey Zone (2005)	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
5028	63	157	1,605	672	1,664	2,209	216	598	2,858
5038	683	1,325	1,130	962	1,984	1,582	1,886	4,706	3,360
5039	1,117	3,257	3,608	1,188	3,465	4,399	1,256	3,647	9,554
5040	1,059	3,747	128	1,059	3,747	261	867	2,739	419
5043	843	1,829	25	901	1,954	25	888	1,955	57
5044	1,014	3,892	720	1,202	4,509	1,247	2,780	8,853	2,783
5045	326	886	1,526	331	900	2,249	347	946	5,076
5046	29	84	0	94	272	0	989	2,781	0
SUBTOTAL:	*5,133*	*15,177*	*8,743*	*6,409*	*18,496*	*11,972*	*9,227*	*26,225*	*24,108*

SA4	2013 Projections			2023 Projections			Build Out (2046)		
Traffic Survey Zone (2005)	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
5028	0	0	649	0	0	893	270	748	3,574
5029	5	16	38	5	16	537	993	2,793	1,200
5040	386	1,173	127	1,796	5,458	260	1,587	5,014	768
5047	487	1,498	116	1,025	3,153	357	5,372	15,223	756
SUBTOTAL:	*878*	*2,687*	*931*	*2,826*	*8,627*	*2,047*	*8,221*	*23,780*	*6,298*
TOTAL:	*14,170*	*39,817*	*16,023*	*20,989*	*58,941*	*23,182*	*35,594*	*99,998*	*49,673*

APPENDIX B

HOUSING, POPULATION & EMPLOYMENT DATA BY WATER/WASTEWATER IMPACT FEE SERVICE AREA

KEY: HU = Housing Units; POP = Population; EMP = Employment; RED = Traffic Survey Zone (TSZ) is Split by City Limits or ETJ Boundaries.

SA	Projections (2013)			Projections (2023)			Build Out (2046)		
Traffic Survey Zone (2005)	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
3477	33	93	-	49	137	-	265	744	-
3479	114	320	365	169	474	554	4,710	13,230	1,264
3480	96	270	-	142	399	-	1,954	5,491	-
5002	214	651	96	364	1,105	159	457	1,332	363
5003	133	360	-	1,072	2,764	420	2,450	6,872	909
5004	96	268	-	159	431	6	1,775	4,985	14
5008	1,128	3,316	91	1,144	3,363	145	1,212	3,552	313
5009	1,105	3,614	154	1,286	4,206	207	1,348	4,296	469
5010	405	1,174	240	1,356	3,822	465	1,996	5,646	1,060
5011	843	2,514	89	1,386	4,132	166	1,809	5,228	339
5012	97	284	-	203	601	250	966	2,725	541
5013	109	257	-	243	545	87	1,145	3,167	177
5014	1	2	-	1	2	-	1	2	-
5018	918	2,367	374	1,384	3,569	412	1,345	3,570	875
5020	602	1,454	342	621	1,499	390	618	1,498	854
5021	120	342	127	125	356	140	172	488	299
5022	141	328	206	144	335	220	158	376	486
5023	172	647	507	172	647	528	235	825	1,182
5024	382	1,005	49	393	1,034	57	439	1,164	118
5025	273	770	304	309	873	374	995	2,798	838
5026	57	172	12	96	292	22	260	743	50
5027	140	326	931	140	326	1,666	561	1,509	3,485
5028	63	157	2,254	672	1,664	3,101	490	1,358	6,485
5029	181	511	38	299	841	537	993	2,793	1,200
5030	135	379	1,286	200	562	1,442	973	2,734	2,927
5031	126	354	243	187	524	272	2,219	6,234	552
5036	677	1,468	666	712	1,544	1,000	687	1,496	2,137
5037	935	1,732	2,161	1,022	1,996	2,449	1,174	2,403	5,375
5038	683	1,325	1,130	962	1,984	1,582	1,886	4,706	3,360
5039	1,117	3,257	3,608	1,188	3,465	4,399	1,256	3,647	9,554
5040	1,445	4,920	256	2,855	9,205	521	2,453	7,754	1,187
5043	843	1,829	25	901	1,954	25	888	1,955	57
5044	1,014	3,892	720	1,202	4,509	1,247	2,780	8,853	2,783
5045	326	886	1,526	331	900	2,249	347	946	5,076
5046	32	92	-	101	291	-	989	2,781	-
5047	745	2,223	116	1,316	3,970	357	5,372	15,223	756
5048	181	509	97	268	753	109	2,418	6,794	221
TOTAL:	*15,682*	*44,066*	*18,014*	*23,171*	*65,073*	*25,559*	*49,794*	*139,920*	*55,305*

APPENDIX C

EMPLOYMENT BREAKDOWN DATA
BY ROADWAY IMPACT FEE SERVICE AREAS

*KEY: **RED** = Traffic Survey Zone (TSZ) is Split by Roadway Service Area.*

SA1	Employment (2013)				Employment (2023)			
Traffic Survey Zone (2005)	Basic	Retail	Service	Total	Basic	Retail	Service	Total
5002	0	0	96	*96*	0	0	159	*159*
5003	0	0	0	*0*	0	105	105	*210*
5008	0	50	41	*91*	0	80	65	*145*
5009	0	11	143	*154*	0	14	193	*207*
5010	0	0	238	*238*	0	0	460	*460*
5011	26	63	0	*89*	48	118	0	*166*
5018	213	22	138	*374*	235	25	152	*412*
5020	45	82	216	*342*	51	93	245	*390*
5021	39	41	47	*127*	44	45	52	*140*
5022	10	56	140	*206*	11	60	150	*220*
5023	61	25	421	*507*	63	26	438	*528*
5024	0	49	0	*49*	0	57	0	*57*
5025	54	6	241	*301*	55	6	243	*304*
5027	643	55	220	*919*	1,157	99	397	*1,652*
5036	7	406	253	*666*	10	610	380	*1,000*
5037	0	800	1,361	*2,161*	0	906	1,543	*2,449*
SUBTOTAL:	*1,098*	*1,666*	*3,557*	*6,321*	*1,673*	*2,245*	*4,582*	*8,500*

SA2	Employment (2013)				Employment (2023)			
Traffic Survey Zone (2005)	Basic	Retail	Service	Total	Basic	Retail	Service	Total
5003	0	0	0	*0*	0	105	105	*210*
5004	0	0	0	*0*	0	0	6	*6*
5010	0	0	2	*2*	0	0	5	*5*
5011	0	0	0	*0*	0	0	0	*0*
5012	0	0	0	*0*	0	125	125	*250*
5013	0	0	0	*0*	87	0	0	*87*
5014	0	0	0	*0*	0	0	0	*0*
5025	0	0	3	*3*	0	0	71	*71*
5026	0	0	12	*12*	0	0	22	*22*
5027	0	0	13	*13*	0	0	13	*13*
SUBTOTAL:	*0*	*0*	*29*	*29*	*87*	*230*	*346*	*663*

SA3	Employment (2013)				Employment (2023)			
Traffic Survey Zone (2005)	Basic	Retail	Service	Total	Basic	Retail	Service	Total
5028	193	1,108	305	*1,605*	265	1,524	420	*2,209*
5038	0	768	362	*1,130*	0	1,076	506	*1,582*
5039	0	1,696	1,912	*3,608*	0	2,068	2,332	*4,399*
5040	0	0	128	*128*	0	0	261	*261*
5043	0	0	25	*25*	0	0	25	*25*
5044	137	0	583	*720*	237	0	1,010	*1,247*
5045	0	153	1,373	*1,526*	0	225	2,024	*2,249*
5046	0	0	0	*0*	0	0	0	*0*
SUBTOTAL:	*329*	*3,724*	*4,689*	*8,743*	*502*	*4,892*	*6,577*	*11,972*

SA4	Employment (2013)				Employment (2023)			
Traffic Survey Zone (2005)	Basic	Retail	Service	Total	Basic	Retail	Service	Total
5028	78	448	123	*649*	107	616	170	*893*
5029	0	0	38	*38*	100	0	437	*537*
5040	0	0	127	*127*	0	0	260	*260*
5047	16	64	36	*116*	50	196	111	*357*
SUBTOTAL:	*94*	*512*	*325*	*931*	*257*	*812*	*978*	*2,047*
TOTAL:	*1,521*	*5,902*	*8,600*	*16,023*	*2,519*	*8,179*	*12,484*	*23,182*

APPENDIX D

EMPLOYMENT BREAKDOWN DATA
BY ROADWAY IMPACT FEE SERVICE AREAS

KEY: RED = Traffic Survey Zone (TSZ) is Split by City Limits or ETJ Boundaries.

SA	Employment (2013)				Employment (2023)			
Traffic Survey Zone (2005)	Basic	Retail	Service	Total	Basic	Retail	Service	Total
3477	-	-	-	-	-	-	-	-
3479	-	-	365	365	-	-	554	554
3480	-	-	-	-	-	-	-	-
5002	-	-	96	96	-	-	159	159
5003	-	-	-	-	-	210	210	420
5004	-	-	-	-	-	-	6	6
5008	-	50	41	91	-	80	65	145
5009	-	11	143	154	-	14	193	207
5010	-	-	240	240	-	-	465	465
5011	26	63	-	89	48	118	-	166
5012	-	-	-	-	-	125	125	250
5013	-	-	-	-	87	-	-	87
5014	-	-	-	-	-	-	-	-
5018	213	22	138	374	235	25	152	412
5020	45	82	216	342	51	93	245	390
5021	39	41	47	127	44	45	52	140
5022	10	56	140	206	11	60	150	220
5023	61	25	421	507	63	26	438	528
5024	-	49	-	49	-	57	-	57
5025	54	6	244	304	55	6	313	374
5026	-	-	12	12	-	-	22	22
5027	643	55	233	931	1,157	99	410	1,666
5028	271	1,555	428	2,254	372	2,140	589	3,101
5029	-	-	38	38	100	-	437	537
5030	1,286	-	-	1,286	1,442	-	-	1,442
5031	243	-	-	243	272	-	-	272
5036	7	406	253	666	10	610	380	1,000
5037	-	800	1,361	2,161	-	906	1,543	2,449
5038	-	768	362	1,130	-	1,076	506	1,582
5039	-	1,696	1,912	3,608	-	2,068	2,332	4,399
5040	-	-	256	256	-	-	521	521
5043	-	-	25	25	-	-	25	25
5044	137	-	583	720	237	-	1,010	1,247
5045	-	153	1,373	1,526	-	225	2,024	2,249
5046	-	-	-	-	-	-	-	-
5047	16	64	36	116	50	196	111	357
5048	97	-	-	97	109	-	-	109
TOTAL:	*3,148*	*5,902*	*8,964*	*18,014*	*4,342*	*8,179*	*13,038*	*25,559*

2013 – 2023 WATER & WASTEWATER IMPACT FEE UPDATE

Submitted To

CITY OF ROCKWALL

Submitted By

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PROFESSIONAL ENGINEERS

June 2014

6/25/14

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Exhibit 'C'

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Texas Firm F526

CITY OF ROCKWALL
2013 - 2023 WATER & WASTEWATER IMPACT FEE UPDATE

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CITY OF ROCKWALL
2013 – 2023 WATER & WASTEWATER IMPACT FEE UPDATE

SECTION I – INTRODUCTION

A. GENERAL

In accordance with the requirements of Chapter 395.052 of the Local Government Code, this report establishes the City of Rockwall's Capital Improvement Plan for water and wastewater impact fees and calculates the maximum allowable fee for each. Land use assumptions for impact fees were generated under a separate document by the City of Rockwall's Planning Department.

Chapter 395, of the Local Government Code is an act that provides guidelines for financing capital improvements required by new development in municipalities, counties, and certain other local governments. The basis for determination of an impact fee requires the preparation and adoption of a land use plan and growth assumption, and the preparation of a 10-year capital improvement plan. The capital improvement plan requires an analysis of total capacity, the level of current usage and commitments of capacity of existing capital improvements. From these two phases, a maximum impact fee is calculated.

The Act allows the maximum impact fee to be charged if revenues from future ad valorem taxes, and water and sewer bills are included as a credit in the analysis. If not, the Act allows the maximum fee to be set at 50% of the calculated maximum fee. The following items were included in the impact fee calculation:

1. The portion of the cost of the new infrastructure that is to be paid by the City, including engineering, property acquisition and construction cost.

2. Existing excess capacity in lines and facilities that will serve future growth and which were paid for in whole or part by the City.

3. Engineering and quality control fees for construction projects.

4. Interest and other finance charges on bonds issued by the City to cover its portion of the cost.

Exhibit C

The engineering analysis portion of the Water and Wastewater Fee determines utilized capacity cost of the major water distribution and wastewater collection facilities between the year 2013 and the year 2023. Facilities in this analysis include, water pump stations, water storage tanks, water transmission lines and wastewater collection lines. The North Texas Municipal Water District (NTMWD) water treatment, wastewater treatment and distribution components were excluded from this analysis. The study period is a ten-year period with 2013 as the base year. The impact fee calculations for the water and wastewater systems are based on land use assumptions provided by the City of Rockwall. Prior to this impact fee update, the City's Water Distribution and Wastewater Collection hydraulic models were updated for 2013, 2023 and buildout conditions. The hydraulic model results are available for review from the City of Rockwall. The equivalency factors utilized in this analysis conform to the latest American Water Works Association Standards (C700 - C703).

B. WATER & WASTEWATER IMPACT FEE GLOSSARY

1. Advisory Committee means the capital improvements advisory committee established by the City for purposes of reviewing and making recommendations to the City Council on adoption of the City's impact fee program.

2. Area-Related Facility means a capital improvement or facility expansion which is designated in the impact fee capital improvements plan and which is not a site-related facility. Area-Related Facility may include capital improvements that are located off-site, or within or on the perimeter of the development site.

3. Assessment means the determination of the amount of the maximum impact fee per service unit that can be imposed on new development.

4. Capital Improvement means either a water facility or a wastewater facility with a life expectancy of three or more years, to be owned and operated by or on behalf of the City.

5. City means the City of Rockwall, Texas.

6. Credit means the amount of the reduction of an impact fee due, determined under this ordinance or pursuant to administrative guidelines that is equal to the value of area-related

Exhibit C

facilities provided by a property owner pursuant to the City's subdivision or zoning regulations or requirements, for the same type of facility.

7. Debt Service means the 20-year financing costs of projects applied to all eligible existing and proposed water and wastewater facilities.

8. Facility Expansion means either a water facility expansion or a sewer facility expansion.

9. Impact Fee means either a fee for water facilities or a fee for wastewater facilities, imposed on new development by the City pursuant to Chapter 395 of the Texas Local Government Code in order to generate revenue to fund or recoup the costs of capital improvements or facility expansion necessitated by and attributable to such new development. Impact fees do not include the dedication of rights-of-way or easements for such facilities, or the construction of such improvements, imposed pursuant to the City's zoning or subdivision regulations.

10. Impact Fee Capital Improvements Plan means either a water capital improvements plan or a wastewater capital improvement plan adopted or revised pursuant to the impact fee regulations.

11. Land Use Assumptions means the projections of population and growth, and associated changes in land uses, densities and intensities over at least a ten-year period, as adopted by the City and as may be amended from time to time, upon which the capital improvements plans are based.

12. Land Use Equivalency Table means a table converting the demands for capital improvements generated by various land uses to numbers of service units, as may be amended from time to time.

13. New Development means the subdivision of land; the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; or any use or extension of the use of land; any of which increases the number of service units.

Exhibit C

14. Recoupment means the imposition of an impact fee to reimburse the City for capital improvements that the City had previously oversized to serve new development.

15. Service Area means either a water service area or wastewater service area which impact fees for capital improvements or facility expansion will be collected for new development occurring within such area, and within which fees so collected will be expended for those types of improvements or expansions identified in the type of capital improvements plan applicable to the service area.

16. Service Unit means the applicable standard units of measure shown on the land use equivalency table in the Impact Fees Capital Improvements Plan that can be converted to water meter equivalents, for water or for wastewater facilities, which serves as the standardized measure of consumption, use or generation attributable to the new unit of development.

17. Site-Related Facility means an improvement or facility which is for the primary use or benefit of a new development, and/or which is for the primary purpose of safe and adequate provision of water or wastewater facilities to serve the new development, and which is not included in the impact fees capital improvements plan and for which the property owner is solely responsible under subdivision or other applicable development regulations.

18. Utility Connection means installation of a water meter for connecting a new development to the City's water system, or connection to the City's wastewater system.

19. Wastewater Facility means a wastewater interceptor or main, lift station or other facility included within and comprising an integral component of the City's collection system for wastewater. Wastewater facility includes land, easements or structure associated with such facilities. Wastewater facility excludes site-related facilities.

Exhibit C

20. Wastewater Facility Expansion means the expansion of the capacity of any existing wastewater improvement for the purpose of serving new development, but does not include the repair, maintenance, modernization, or expansion of an existing sewer facility to serve existing development.

21. Wastewater Capital Improvements Plan means the adopted plan, as may be amended from time to time, which identifies the wastewater facilities or wastewater expansions and their associated costs which are necessitated by and which are attributable to new development, for a period not to exceed 10 years.

22. Water Facility means a water main, pump station, storage tank or other facility included within and comprising an integral component of the City's water storage or distribution system. Water facility includes CCN acquisition, land, easements or structures associated with such facilities. Water facility excludes site-related facilities.

23. Water Facility Expansion means the expansion of the capacity of any existing water facility for the purpose of serving new development, but does not include the repair, maintenance, modernization, or expansion of an existing water improvement to serve existing development.

24. Water Capital Improvements Plan means the adopted plan, as may be amended from time to time, which identifies the water facilities or water expansions and their associated costs which are necessitated by and which are attributable to new development, for a period not to exceed 10 years.

25. Water Meter means a device for measuring the flow of water to a development, whether for domestic or for irrigation purposes.

C. LAND USE ASSUMPTIONS *(Provided By: City of Rockwall Planning Department)*

The impact fee land use assumptions utilized in this update were prepared by the City of Rockwall's Planning Department and are presented in a separate document. The land use assumptions projected an ultimate residential population of approximately 139,920 in the City of Rockwall's ultimate planning boundary.

Exhibit 'C'

The residential and non-residential growth provided by the City for the year 2013 through 2023 is summarized in Table No. 1.

TABLE NO. 1

Residential and Non-Residential Growth from 2013 to 2023

Year	LUA Residential Population *	Residential Population Served **	Non-Residential Uses***	
			Type	**Employees**
2013	44,066	39,948	Basic Employment	3,148
			Retail Employment	5,902
			Service Employment	8,964
			Total:	**18,014**
2023	65,073	60,393	Basic Employment	4,342
			Retail Employment	8,179
			Service Employment	13,038
			Total:	25,559
Res. Growth Rate		**1.5**	**Non-Res. Growth Rate**	**1.4**

** Residential Population Inside Planning Boundary*
*** Residential Population Served Inside Existing City of Rockwall CCN or Future CCN*
**** Basic – Industrial Land Uses*
**** Service – Office & Institutional Land Uses*
**** Retail – Commercial Land Uses*

As shown in Table No. 1, increases in the residential population and non-residential uses will occur during the 10-year capital recovery period. The water demand and wastewater flows from the residential and non-residential uses dictate the ultimate size of facilities, while the rate of growth is important to determine the timing of system improvements to meet the City's growing needs. The eligible water impact fee facilities are shown **on Exhibit 1**. The eligible wastewater facilities are shown on **Exhibit 2** in this report.

Exhibit

SECTION II

WATER & WASTEWATER C.I.P. AND IMPACT FEE ANALYSIS

A. DEFINITION OF A SERVICE UNIT – WATER AND WASTEWATER

Chapter 395 of the Local Government Code requires that impact fees be based on a defined service unit. A "service unit" means a standardized measure of consumption, use generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards. This impact fee defines a water and wastewater service unit to be a *5/8-inch water meter* and has referred to this service unit as a Single Family Living Unit Equivalent (SFLUE). The SFLUE is based on the continuous duty capacity of a 5/8-inch water meter. This is the City of Rockwall's typical meter used for a single family detached dwelling, and therefore is considered to be equivalent to one "living unit". Other meter sizes can be compared to the 5/8-inch meter through a ratio of water flows as published by the American Water Works Association as shown in **Table No. 2** below. This same ratio is then used to determine the proportional water and wastewater impact fee amount for each water meter size.

TABLE NO. 2

Living Unit Equivalencies For Various Types and Sizes of Water Meters

Meter Type	Meter Size	Continuous Duty Maximum Rate (gpm) [a]	Ratio to 5/8" Meter
Simple	5/8"	10	1.0
Simple	1"	25	2.5
Simple	1-1/2"	50	5.0
Simple	2"	80	8.0
Compound	2"	80	8.0
Turbine (Irrigation)	2"	160	16.0
Compound	3"	160	16.0
Turbine (Irrigation)	3"	350	35.0
Compound	4"	250	25.0
Turbine (Irrigation)	4"	650	65.0
Compound	6"	500	50.0
Turbine (Irrigation)	6"	1,400	140.0
Compound	8"	800	80.0
Turbine (Irrigation)	8"	2,400	240.0
Turbine	10"	3,500	350.0
Turbine	12"	4,400	444.0

[a] *Source: AWWA Standard C700 - C703*

Exhibit C

B. CALCULATION OF WATER & WASTEWATER - LIVING UNIT EQUIVALENTS

The City of Rockwall provided the existing water meter count by size category as of December 2013. In total, there are 14,813 domestic water and irrigation meters serving an existing population of 39,948 residents and business. **Table No. 3** shows the number of existing meters, the living unit equivalent factor and the total number of living unit equivalents for each sized water meter.

Similar, the City provided the number of wastewater accounts by corresponding water meter size. This number of wastewater accounts is 13,530. **Table No. 4** illustrates the existing wastewater accounts and the SFLUE's.

The residential growth rate of 1.5 in **Table 1** was applied to 5/8-inch through 1-1/2-inch meters. The non-residential growth rate of 1.4 in **Table 1** was applied to 2-inch through 12-inch meters. Utilizing these growth rates in a straight-line extrapolation of the existing water and wastewater accounts, the numbers of new accounts was calculated for the year 2023. City records indicate the historical growth of 5/8-inch and 1-inch meters is approximately 96% 5/8-inch meters and 4% 1-inch meters for the base meter sizes. These percentages were applied to the total growth of 5/8-inch and 1-inch meters. Living unit equivalents were then applied to the water meters and wastewater accounts for 2013 and 2023, resulting in a total number of living units. The difference in the total number of 2013 and 2023 living units results in the new living unit equivalents during the impact fee period. The calculation of living unit equivalents is summarized in **Table 3 and Table 4**.

TABLE NO. 3

Water Living Unit Equivalents 2013 - 2023

Meter Size	2013			2023			New Living Unit Equivalents During Impact Fee Period
	Number of Water Meters	Living Unit Equivalent Ratio for 5/8" Used	Total Number of Living Units	Number of Water Meters	Living Unit Equivalent Ratio for 5/8" Used	Total Number of Living Units	
5/8"	13,449	1.0	13,449	20,160	1.0	20,160	6,711
1"	532	2.5	1,330	812	2.5	2,030	700
1-1/2"	176	5.0	880	260	5.0	1,300	420
2"	639	8.0	5,112	960	8.0	7,680	2,568
3"	4	16.0	64	10	16.0	160	96
4"	11	25.0	275	20	25.0	500	225
6"	2	50.0	100	3	50.0	150	50
8"	0	80.0	0	0	80.0	0	0
10"	0	350.0	0	0	350.0	0	0
12"	0	440.0	0	0	440.0	0	0
Totals	**14,813**		**21,210.0**	**22,225**		**31,980.0**	**10,770**

Exhibit C

TABLE NO. 4

Wastewater Living Unit Equivalents 2013 – 2023

Meter Size	2013			2023			New Living Unit Equivalents During Impact Fee Period
	Number of Wastewater Accounts	Living Unit Equivalent Ratio for 5/8" Used	Total Number of Living Units	Number of Water Meters	Living Unit Equivalent Ratio for 5/8" Used	Total Number of Living Units	
5/8"	12,957	1.0	12,957	19,428	1.0	19,428	6,471
1"	115	2.5	288	180	2.5	450	162
1-1/2"	115	5.0	575	163	5.0	815	240
2"	332	8.0	2,656	471	8.0	3,768	1,112
3"	2	16.0	32	3	16.0	48	16
4"	7	25.0	175	10	25.0	250	75
6"	2	50.0	100	3	50.0	150	50
8"	0	80.0	0	0	80.0	0	0
10"	0	350.0	0	0	350.0	0	0
12"	0	440.0	0	0	440.0	0	0
Totals	**13,530**		**16,783**	**20,258**		**24,909.0**	**8,126**

C. COST OF FACILITIES

Unit costs for proposed water and wastewater lines larger than 12 inches in diameter that are anticipated to be constructed by private development include the City's oversize cost participation only. These water and wastewater lines are colored green on **Exhibits 1 through 2**. Oversize cost participation from City is based on availability of funds. For City participation, the developer must bid the 12-inch as a base and the oversize as an additive alternate. City initiated water and waste water lines include the full cost of the proposed facility. These water and wastewater lines are colored red on **Exhibits 1 through 2**. Developer initiated water and wastewater line projects which are 12 inches or less in diameter are not included in this Impact Fee analysis, as the cost for these size lines are the responsibility of the developer. These water and wastewater lines are colored light blue (cyan) on **Exhibits 1 through 2**.

Actual construction costs of the various existing elements of the water and wastewater systems were utilized where the information was known. The existing cost of facilities was determined from Contractor's final pay requests, City purchase orders, bid tabulation forms and developer's agreements. Existing water and wastewater facilities included in the impact fee analysis with excess capacity available for future growth are colored dark blue on **Exhibits 1 through 2**.

Exhibit C

Cost data for existing water and wastewater facilities included in the impact fee analysis were provided by the City. A 5% debt service, over a period of 20-years, has been added to all projects. Actual costs were used for those existing projects where records were available.

D. WATER DISTRIBUTION SYSTEM

Computer models for the years 2013, 2023 and Buildout were prepared and analyzed by Birkhoff, Hendricks & Carter. The models were developed and water demand distributed from residential population and non-residential land use projections provided by the City of Rockwall's Planning Department. The projected developed land areas from the City's Land Use Assumptions follow closely to the construction of major facilities in the system. These facilities include pump stations, storage tanks, and major distribution lines. All computer models were run for the Maximum Hourly Demands in a three-day extended period simulation to insure proper sizing of the facilities to meet peak demands.

1. Existing Pump Stations, Ground Storage Reservoirs & Elevated Storage Tanks

The existing water distribution system included in the impact fee analysis (As of December 2013) includes the facilities summarized in **Table No. 5** and **Table No. 6**.

TABLE NO. 5

Water Distribution System -- Existing Pump Stations & Ground Storage

Pump Station	Number of Pumps	Rated Capacity (MGD)	Number of Ground Storage Tanks	Total Ground Storage Available (Gallons)
Heath Street	6	17.7	1	3,000,000
Eastside 698.75	9	34.5	2	4,000,000
Total:	**15**	**52.2**	**3**	**7,000,000**

Exhibit C

TABLE NO. 6

Existing Elevated Storage Tanks

Elevated Storage Tanks	Capacity in Million Gallons
Southside Elevated Storage Tank	1.5
Country Lane Elevated Storage Tank	2.0
Springer Elevated Storage Tank	2.0
Total	**5.5**

The pump stations and ground storage facilities were analyzed with the maximum daily demand, while elevated storage acts dynamically and therefore was analyzed utilizing the difference between the Maximum Hourly Demand and the Maximum Daily Demand.

2. Distribution Lines

The distribution lines consist of all lines within the Service Area planning boundary supplying water to customers in the City of Rockwall. Existing and proposed distribution lines vary in size from 5/8-inch services to 48-inch transmission lines and pump station piping. The cost of water lines includes construction cost, appurtenances (water valves, fire hydrants, taps and the like), utility relocations, purchase of easements and engineering costs. Financing cost over a 20-year term is included for each project.

Unit cost for proposed capital improvement water lines 12-inches and larger in diameter classified as City initiated, or City participation in oversize water lines, include the City's full cost of the proposed facility. Developer's initiated water line projects, 12 inches or less in diameter were not included in this Impact Fee analysis, as the cost for these size lines are the responsibility of the developer.

3. Water Supply

The City of Rockwall currently receives all of its water supply from the North Texas Municipal Water District (NTMWD). Rockwall's allocation of the capital cost of services as a Member of the NTMWD was specifically excluded from the impact fee analysis.

If included, Rockwall's share of the NTMWD capital cost could include the original construction cost, expansion cost and financing cost of the following components:

Exhibit C

a) Water Rights Cost in Lake Lavon and other Sources

b) Raw Water Intake Structures

c) Raw Water Pump Stations

d) Treatment Plant and Expansion

e) High Service Pump Stations

f) Transmission Lines

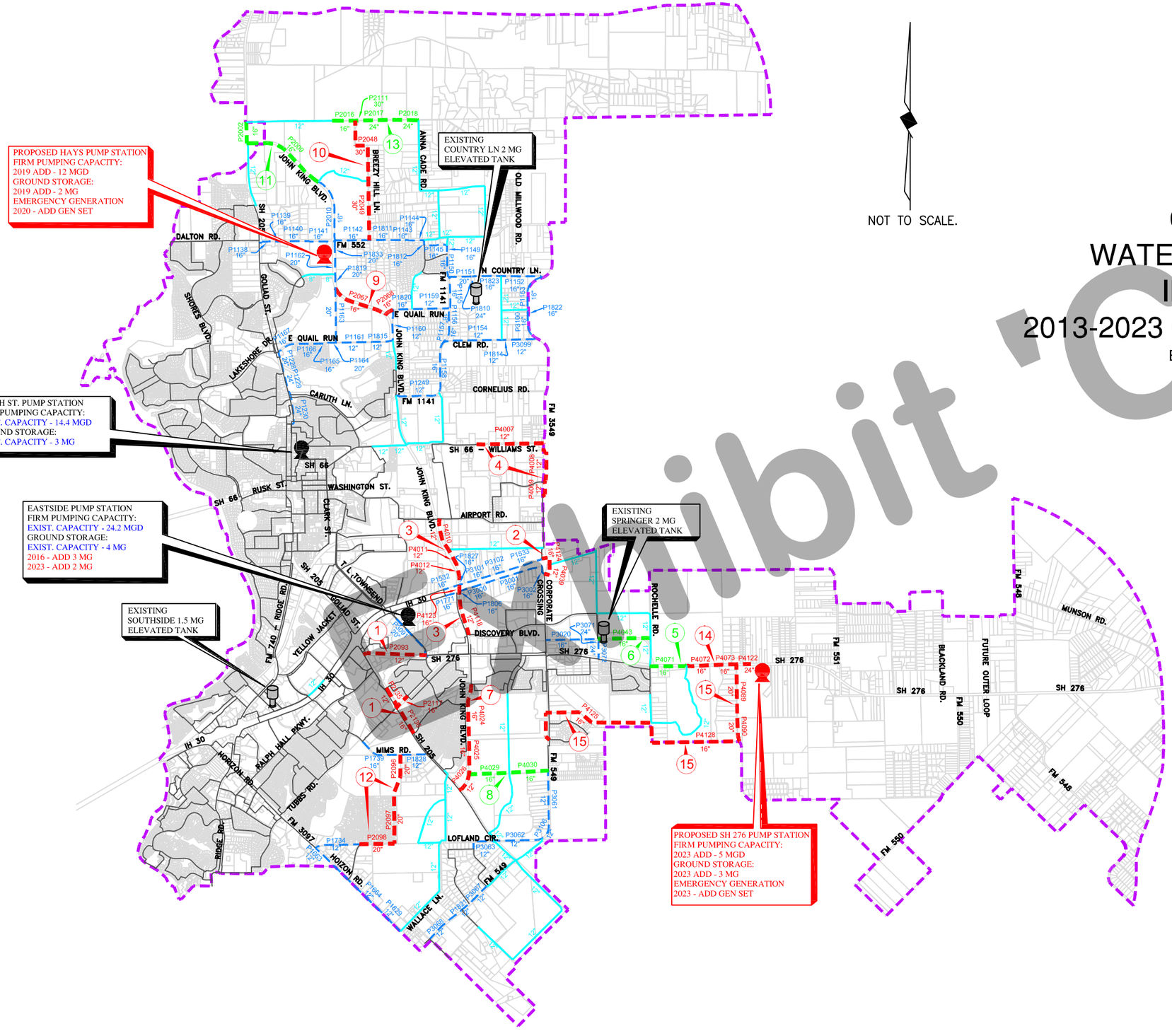
g) NTMWD Owned Ground Storage Facilities

4. Water Distribution System Capital Improvement Projects for Impact Fees

In order to meet the demands of the anticipated growth over the next 10-years, as provided in the Land Use Assumptions prepared by the City of Rockwall, certain water distribution system improvements are required. **Exhibit 1** shows the recommended water system improvements and **Table No. 7** itemizes each project and the project cost in 2013 dollars. These recommended improvements form the basis for the water system impact fee calculation.

The capital improvement plan for impact fees provides for system improvements within the defined Service Area Planning Boundary.

Exhibit 'C'



CITY OF ROCKWALL
WATER DISTRIBUTION SYSTEM
IMPACT FEE UPDATE
2013-2023 CAPITAL IMPROVEMENT PLAN

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
DALLAS, TEXAS
FIRM F-526

JUNE 2014

LEGEND

- EXISTING WATER LINE
- EXISTING WATER LINE (IMPACT FEE)
- PROP. WATER LINE (DEVELOPER CONSTRUCTED 12-INCH UNLESS OTHERWISE NOTED)
- PROP. IMPACT FEE WATER LINE (DEVELOPER INITIATED - CITY OVERSIZE PARTICIPATION)
- PROPOSED IMPACT FEE WATER LINE (CITY INITIATED & CONSTRUCTED)
- PLANNING BOUNDARY
- EXISTING PUMP STATION
- PROPOSED PUMP STATION
- EXISTING ELEVATED STORAGE TANK
- 14 CIP PROJECT ID NUMBER

Exhibit 'C'

EXHIBIT 1

Table No. 7

10-Year Water System Capital Improvement Plan for Impact Fees

PROPOSED WATER LINES

Year	1=City Participation in Cost Oversize 2=City Initiated and Funded	Service Area	Water Line Projects (X) = Water Line CIP Project ID Number	Length (FT)	Size	Opinion of Construction Cost (A)	Debt Service (B)	Total Project Cost
2018	2	698.75	(1) S.H. 276 / S.H. 205 Water Lines (Pipes 2093, 2117,2135, 2136)	7,017	12", 16"	$ 866,790	$ 455,065	$ 1,321,855
2018	2	780	(2) IH-30 - F.M. 549 Crossing (Pipes 4039, 4124)	1,287	12", 16"	$ 528,350	$ 277,384	$ 805,734
2018	2	780	(3) John King Blvd. 780 Water Lines North (Pipes 4010,4011, 4012,4118,4123)	6,296	12",16"	$ 944,635	$ 495,934	$ 1,440,569
2018	2	780	(4) S.H. 66 - F.M. 549 780 Service Area Loop (Pipes 4007, 4008, 4009)	6,394	12"	$ 728,916	$ 382,681	$ 1,111,597
2019	1	780	(5) S.H. 276 - Rochelle Road 16" Water Lines (Pipe 4071)	1,906	16"	$ 34,308	$ 18,012	$ 52,320
2019	1	780	(6) Springer Ln. 16" Water Line (Pipe 4043)	2,714	16"	$ 48,852	$ 25,647	$ 74,499
2020	2	780	(7) John King Blvd. 780 Water Lines South Loop (Pipes 4024, 4025, 4026)	5,649	12", 16"	$ 727,758	$ 382,073	$ 1,109,831
2020	1	780	(8) John King to F.M. 549 - 780 Southern Loop (Pipes 4029, 4030)	4,079	16"	$ 73,422	$ 38,547	$ 111,969
2020	2	698.75	(9) John King 698.75 Transmission Main (Pipes 2067, 2068)	3,516	16"	$ 464,112	$ 243,659	$ 707,771
2021	2	698.75	(10) Breezy Hill Transmission Main (Pipes 2048, 2049)	6,777	30"	$ 1,870,452	$ 981,987	$ 2,852,439
2021	1	698.75	(11) John King / S.H. 205 Water Line (Pipe 2002, 2009)	5,530	16"	$ 99,540	$ 52,259	$ 151,799
2022	2	698.75	(12) Mims Road / Tubbs Road Looping Water Lines (Pipes 2094, 2096, 2097)	6,403	12", 16"	$ 1,114,119	$ 584,912	$ 1,699,031
2022	1	698.75	(13) Rockwall / Collin County Water Lines (Pipes 2016, 2017, 2018)	4,440	16", 24", 30"	$ 382,356	$ 200,738	$ 583,094
2023	2	780	(14) S.H. 276 Pump Station Transmission Main West (Pipes 4072, 4073, 4122)	3,329	16", 20"	$ 507,318	$ 266,342	$ 773,660
2023	2	780	(15) S.H. 276 Pump Station Trans. Main South (Pipes 4089, 4090, 4125, 4128)	16,377	20", 24"	$ 2,328,084	$ 1,222,244	$ 3,550,328
			Subtotal: Proposed Water Lines			**$ 10,719,012**	**$ 5,627,484**	**$ 16,346,496**

PUMPING AND STORAGE FACILITIES

Year	Service Area	Pump Station, Ground Storage & Elevated Storage Project		Capacity	Opinion of Construction Cost (A)	Debt Service (B)	Total Project Cost
2016	698.75/780	Eastside Ground Storage Reservoir No. 3		3 MG	$ 4,125,000	$ 2,165,625	$ 6,290,625
2019	698.75	Hays Pump Station - Phase 1		12 MGD	$ 5,280,000	$ 2,772,000	$ 8,052,000
2019	698.75	Hays Ground Storage Reservoir No. 1		2 MG	$ 1,870,000	$ 981,750	$ 2,851,750
2020	699.75	Hays Pump Station - Standby Emergency Generator			$ 660,000	$ 346,500	$ 1,006,500
2023	698.75/780	Eastside Ground Storage Reservoir No. 4		3 MG	$ 2,750,000	$ 1,443,750	$ 4,193,750
2023	780	S.H. 276 Pump Station - Phase 1		5 MGD	$ 4,675,000	$ 2,454,375	$ 7,129,375
2023	780	S.H. 276 Ground Storage Reservoir No. 1		3 MG	$ 2,805,000	$ 1,472,625	$ 4,277,625
2023	780	S.H. 276 Pump Station - Standby Emergency Generator			$ 550,000	$ 288,750	$ 838,750
		Subtotal: Pumping and Storage Facilities			**$ 22,715,000**	**$ 11,925,375**	**$ 34,640,375**

PLANNING EXPENSES

Year		Pump Station, Ground Storage & Elevated Storage Project			Engineering Services	Debt Service (B)	Total Project Cost
2013		Water & Wastewater System Master Plan & Impact Fee Analysis			$ 115,000		$ 115,000
		Subtotal: Planning Expenses			**$ 115,000**	**$ -**	**$ 115,000**
		GRAND TOTAL: WATER DISTRIBUTION 10-YEAR CIP			**$ 33,549,012**	**$ 17,552,859**	**$ 51,101,871**

(A) Opinion of Cost includes:
a) Engineer's Opinion of Construction Cost
b) Professional Services Fees (Survey, Engineering, Testing, Legal)
c) Cost of Easement or Land Acquisitions

(B) Debt Service Based on 20-Year Simple Interest Bonds at 5%

Exhibit

5. Utilized Capacity

Utilized capacity for the water distribution system was calculated based on the water line size required for each model year (2013, 2023 and buildout). Analysis of the water distribution system is based on the maximum daily demand, maximum hourly demand, and the minimum hourly demand. Pump station capacity is generally based on the maximum daily system demand while transmission and distribution facilities are sized based on either the maximum hourly demand or the minimum hourly demand, whichever demand is greater for a particular water line. Often times, the capacity of water lines are determined by the flows generated by the minimum hourly demand. The minimum hourly flows are usually higher in those lines that are used to refill elevated storage. For each line segment in the water distribution model, the maximum buildout flow rate in the line was compared to the flow rate in the same line segment for the 2013 and the 2023 models.

The percent utilized capacity was then calculated for each year based on the buildout capacity. The utilized capacity during the Impact Fee period is the difference between the year 2023 capacity and the year 2013 capacity. **Table No. 8** below summarizes the project cost and utilized cost over the Capital Recovery Period (CRP) of 2013 - 2023 for each element of the Water Distribution System. The utilized capacity for each water distribution facility, both existing and proposed, is presented in detail in Impact Fee Capacity Calculation **Table Nos. 9, 10, 11, 12 and 13.**

Table No. 8

Summary of Eligible Water Distribution Project Cost and Utilized Capacity Cost

Water System Facility	20-Year Project Cost	Utilized Capacity ($) In the CRP
Existing Pump Stations & Storage	$24,635,679	$3,163,082
Existing Transmission/Distribution Lines	$12,959,214	$2,260,886
Proposed Pump Stations & Storage	$34,640,375	$19,032,542
Proposed Transmission/Distribution Lines	$16,346,496	$8,278,022
CCN Acquisition	$5,048,042	$656,510
Planning Expenses	$115,000	$115,000
Total:	**$93,744,806**	**$33,506,042**

Exhibit C

TABLE NO. 9
Water Pump Station Facilities

Pump Station Improvements	Year Const.	Projected Capacity (MGD)	Pump Station Cost ($)				Capacity Utilized (%)			Capacity Utilized ($)		
			Const.	Engineering & Testing	20 Year Debt Service @ 5% Simple Interest	Total 20 Yr. Project Cost $	2013	2023	In The CRF Period	2013	2023	In The CRF Period
EXISTING PUMP STATIONS												
Heath Street Pump Station												
Original Construction [6]	Unknown	17.0	$ 1,363,700		$ 715,943	$ 2,079,643	100%	100%	0%	$ 2,079,643	$ 2,079,643	$ -
Eastside Pump Station												
698.75 Original Pump Station [5]	1992	8.0	$ 1,245,503		$ 653,889	$ 1,899,392	72%	82%	10%	$ 1,367,562	$ 1,557,501	$ 189,939
698.75 Replace Pump 1 & 2, Install Pump 4 [3]	1999	9.9	$ 357,909	$ 39,000	$ 208,377	$ 605,286	72%	82%	10%	$ 435,806	$ 496,335	$ 60,529
698.75 Install Pump 6 [1]	2004	7.5	$ 130,000	$ 143,080	$ 143,367	$ 416,447	72%	82%	10%	$ 299,842.0	$ 341,487.0	$ 41,645
780 Pump Station [3]	2007	8.7	$ 1,629,000	$ 226,522	$ 974,149	$ 2,829,671	67%	100%	33%	$ 1,895,880	$ 2,829,671	$ 933,791
Existing Pump Station Subtotal		**51.1**	**$ 4,726,112**	**$ 408,602**	**$ 2,695,725**	**$ 7,830,439**				**$ 6,078,733**	**$ 7,304,637**	**$ 1,225,904**
PROPOSED PUMP STATIONS												
Proposed Hays Pump Station												
(1) Phase 1 Improvements [2] **	2019	12.0	$ 4,800,000	$ 480,000	$ 2,772,000	$ 8,052,000	0.0%	27.0%	27.0%	$ -	$ 2,174,040	$ 2,174,040
(1) Emergency Generator	2020		$ 600,000	$ 60,000	$ 346,500	$ 1,006,500	0.0%	27.0%	27.0%	$ -	$ 271,755	$ 271,755
Proposed S.H. 276 Pump Station												
(1) Phase 1 Improvements [2] * **	2023	10.0	$ 4,250,000	$ 425,000	$ 2,454,375	$ 7,129,375	0.0%	24.0%	24.0%	$ -	$ 1,711,050	$ 1,711,050
(1) Emergency Generator	2023		$ 500,000	$ 50,000	$ 288,750	$ 838,750	0.0%	24.0%	24.0%	$ -	$ 201,300	$ 201,300
Proposed Pump Station Subtotal		**22.0**	**$ 10,150,000**	**$ 1,015,000**	**$ 5,861,625**	**$ 17,026,625**				**$ -**	**$ 4,358,145**	**$ 4,358,145**
Pump Station Grand Total Existing + Proposed			**$ 14,876,112**	**$ 1,423,602**	**$ 8,557,350**	**$ 24,857,064**				**$ 6,078,733**	**$ 11,662,782**	**$ 5,584,049**

* Includes Property Acquisition
** 10% of Construction Assumed for Engineering and Testing
(1) Estimated Cost in 2013 Dollars
[4] Number of Pumps

Exhibit C

TABLE NO. 10
Ground Storage Reservoirs

Pump Station		Year Const.	Capacity (MG)	Capital Cost ($) Const.	Eng. & Testing	20 Year Debt Service @ 5% Simple Interest	Total 20 Yr. Project Cost $	Capacity Utilized (%) 2013	2023	In the CRF Period	Capacity Utilized ($) 2013	2023	In the CRF Period
EXISTING GROUND STORAGE RESERVOIRS													
Eastside No. 2	1	2006	3.0	$ 2,420,695	$ 67,524	$ 1,306,315	$ 3,794,534	100.0%	100.0%	0.0%	$ 3,794,534	$ 3,794,534	$ -
Heath St. No. 1	1	1986	3.0	$ 825,810		$ 433,550	$ 1,259,360	63.0%	67.0%	4.0%	$ 793,397	$ 843,771	$ 50,374
Existing Ground Storage Subtotal			**6.00**	**$ 3,246,505**	**67,524.0**	**$ 1,739,865**	**$ 5,053,894**				**$ 4,587,931**	**$ 4,638,305**	**$ 50,374**
PROPOSED GROUND STORAGE RESERVOIRS													
Eastside No. 3 (Tank Buried)	2*	2016	3.0	$ 3,750,000	$ 375,000	$ 2,165,625	$ 6,290,625	0.0%	100%	100.0%	$ -	$ 6,290,625	$ 6,290,625
Hays No. 1 (Tank Above Grade)	2*	2019	2.0	$ 1,700,000	$ 170,000	$ 981,750	$ 2,851,750	0.0%	95%	95.0%	$ -	$ 2,709,163	$ 2,709,163
Eastside No. 4 (Tank Buried)	2*	2023	2.0	$ 2,500,000	$ 250,000	$ 1,443,750	$ 4,193,750	0.0%	91%	91.1%	$ -	$ 3,820,972	$ 3,820,972
S.H. 276 No. 1 (Tank Above Grade)	2*	2023	3.00	$ 2,550,000	$ 255,000	$ 1,472,625	$ 4,277,625	0.0%	43%	43.3%	$ -	$ 1,853,638	$ 1,853,638
Proposed Ground Storage Subtotal			**22.00**	**$ 10,500,000**	**$ 1,050,000**	**$ 6,063,750**	**$ 17,613,750**				**$ -**	**$ 14,674,397**	**$ 14,674,397**
Ground Storage Grand Total			**28.00**	**$ 13,746,505**	**$ 1,117,524**	**$ 7,803,615**	**$ 22,667,644**				**$ 4,587,931**	**$ 19,312,702**	**$ 14,724,772**

* 10% of Construction Assumed for Engineering and Testing
(1) Actual Cost
(2) Estimated Cost in 2013 Dollars

Exhibit C

TABLE NO. 11
Elevated Storage Tanks

Elevated Storage		Pressure Divide	Year Const.	Storage Capacity (MGD)	Capital Cost ($)				Capacity Utilized (%)			Capacity Utilized ($)		
					Const.	Eng. & Testing	20 Year Debt Service @ 5% Simple Interest	Total 20 Yr. Project Cost $	2013	2023	In the CRF Period	2013	2023	In the CRF Period
EXISTING ELEVATED STORAGE TANKS														
Southside	2*	698.75	1992	1.0	$ 1,363,700	$ -	$ 715,943	$ 2,079,643	100.0%	100.0%	0.0%	$ 2,079,643	$ 2,079,643	$ -
Springer	1*	698.75	2004	2.0	$ 2,158,000	$ 215,800	$ 1,246,245	$ 3,620,045	77.0%	89.0%	12.0%	$ 2,787,435	$ 3,221,840	$ 434,405
Country Ln.	1	780	2008	2.0	$ 3,863,300	$ 105,000	$ 2,083,358	$ 6,051,658	36.0%	60.0%	24.0%	$ 2,178,597	$ 3,630,995	$ 1,452,398
Total				**5.0**	**$ 7,385,000**	**$ 320,800**	**$ 4,045,546**	**$ 11,751,346**				**$ 7,045,675**	**$ 8,932,478**	**$ 1,886,803**

* 10% of Construction Assumed for Engineering and Testing
(1) Actual Cost
(2) Estimated Cost in 2012 Dollars

Exhibit C

TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2013	(%) Utilized Capacity 2023	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2013	($) Utilized Capacity 2023	($) Utilized Capacity During Fee Period
FM 552 WATER LINE (SH 205 TO MIDDLE SCHOOL)																
2	P1138	698.75	652	16		$82.70	$53,919		$28,308	$82,227	44%	44%	0%	$36,180	$36,180	$0
2	P1139	698.75	371	16		$82.70	$30,705		$16,120	$46,825	44%	44%	0%	$20,603	$20,603	$0
2	P1140	698.75	1,642	16		$82.70	$135,798		$71,294	$207,092	43%	44%	1%	$89,050	$91,120	$2,071
2	P1141	698.75	1,286	16		$82.70	$106,311		$55,813	$162,124	41%	42%	1%	$66,471	$68,092	$1,621
Subtotal:			**3,951**		**2007**		**$326,733**	**5%**	**$171,535**	**$498,268**				**$212,304**	**$215,995**	**$3,692**
FM 552 WATER LINE (MIDDLE SCHOOL TO FM 1141)																
1	P1142	698.75	1,823	16		$3.98	$7,257		$3,810	$11,067	99%	100%	1%	$10,956	$11,067	$111
1	P1143	698.75	358	16		$3.98	$1,426		$749	$2,175	55%	100%	45%	$1,196	$2,175	$979
1	P1144	698.75	968	16		$3.98	$3,854		$2,023	$5,877	56%	100%	44%	$3,291	$5,877	$2,586
1	P1145	698.75	1,197	16		$3.98	$4,765		$2,502	$7,267	84%	100%	16%	$6,104	$7,267	$1,163
1	P1811	698.75	1,492	16		$3.98	$5,938		$3,118	$9,056	55%	100%	45%	$4,981	$9,056	$4,075
1	P1812	698.75	266	16		$3.98	$1,060		$557	$1,617	67%	100%	33%	$1,083	$1,617	$534
Subtotal:			**6,106**		**2006**		**$24,300**	**5%**	**$12,759**	**$37,059**				**$27,611**	**$37,059**	**$9,448**
FM 1141 WATER LINE (FM 552 TO COUNTRY LANE)																
1	P1149	698.75	432	16		$19.92	$8,605		$4,518	$13,123	51%	83%	32%	$6,693	$10,892	$4,199
1	P1150	698.75	1,285	16		$19.92	$25,595		$13,437	$39,032	54%	87%	33%	$21,077	$33,958	$12,881
Subtotal:			**1,717**		**2006**		**$34,200**	**5%**	**$17,955**	**$52,155**				**$27,770**	**$44,850**	**$17,080**
FM 1141 WATER LINE (COUNTRY LANE TO CLEM ROAD)																
2	P1155	698.75	1,674	16		$125.19	$209,566		$110,022	$319,588	46%	76%	30%	$147,010	$242,887	$95,876
2	P1156	698.75	724	16		$125.19	$90,637		$47,584	$138,221	23%	63%	40%	$31,791	$87,079	$55,288
2	P1157	698.75	1,063	16		$125.19	$133,076		$69,865	$202,941	23%	59%	36%	$46,676	$119,735	$73,059
Subtotal:			**3,461**		**2008**		**$433,279**	**5%**	**$227,471**	**$660,750**				**$225,477**	**$449,701**	**$224,223**

Exhibit C

TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2013	(%) Utilized Capacity 2023	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2013	($) Utilized Capacity 2023	($) Utilized Capacity During Fee Period
COUNTRY LANE WATER LINE (FM 1141 TO COUNTRY LANE ELEVATED STORAGE TANK)																
2	P1151	698.75	1,158	20		$109.56	$126,874		$66,609	$193,483	39%	65%	26%	$75,458	$125,764	$50,306
2	P1810	698.75	611	24		$109.56	$66,943		$35,145	$102,088	35%	61%	26%	$35,731	$62,274	$26,543
	Subtotal:		**1,769**		**2008**		**$193,817**	**5%**	**$101,754**	**$295,571**				**$111,189**	**$188,038**	**$76,849**
700 SERVICE AREA WATER LINE IMPROVEMENTS																
16" Country Ln. from Country Ln. EST to FM 549; 16" FM 549 from Country Ln. to Clem Road; 12" Clem Rd. from FM549 to FM 1141; 16" & 12" FM 1441 from Clem Rd. to SH 205 Bypass)																
2	P1152	698.75	2,128	16		$59.88	$127,433		$66,902	$194,335	37%	37%	0%	$71,904	$71,904	$0
2	P1153	698.75	2,026	16		$59.88	$121,319		$63,692	$185,011	100%	100%	0%	$185,011	$185,011	$0
2	P1154	698.75	3,019	12		$59.88	$180,766		$94,902	$275,668	90%	90%	0%	$248,101	$248,101	$0
2	P1158	698.75	2,686	16		$59.88	$160,862		$84,453	$245,315	68%	68%	0%	$166,814	$166,814	$0
2	P1249	698.75	2,321	12		$59.88	$138,985		$72,967	$211,952	66%	66%	0%	$139,888	$139,888	$0
2	P1814	698.75	242	12		$59.88	$14,473		$7,598	$22,071	0%	0%	0%	$0	$0	$0
2	P1822	698.75	221	16		$59.88	$13,247		$6,955	$20,202	0%	0%	0%	$0	$0	$0
2	P1823	698.75	1,508	16		$59.88	$90,305		$47,410	$137,715	44%	44%	0%	$60,595	$60,595	$0
2	P3099	698.75	1,486	12		$59.88	$88,992		$46,721	$135,713	100%	100%	0%	$135,713	$135,713	$0
2	P3100	698.75	1,382	16		$59.88	$82,739		$43,438	$126,177	100%	100%	0%	$126,177	$126,177	$0
	Subtotal:		**17,018**		**2008**		**$1,019,122**	**5%**	**$535,038**	**$1,554,159**				**$1,134,203**	**$1,134,203**	**$0**
HAYS ROAD WATER LINE (FM 552 TO QUAIL RUN ROAD)																
2	P1162	698.75	894	20		$157.85	$141,114		$74,085	$215,199	22%	33%	11%	$47,344	$71,016	$23,672
2	P1163	698.75	2,806	20		$157.85	$442,916		$232,531	$675,447	33%	36%	3%	$222,898	$243,161	$20,263
2	P1819	698.75	684	20		$157.85	$107,967		$56,683	$164,650	36%	37%	1%	$59,274	$60,921	$1,647
2	P1833	698.75	816	20		$157.85	$128,802		$67,621	$196,423	28%	57%	29%	$54,998	$111,961	$56,963
	Subtotal:		**5,200**		**2002**		**$820,800**	**5%**	**$430,920**	**$1,251,719**				**$384,514**	**$487,059**	**$102,545**
QUAIL RUN ROAD WATER LINE I (SH 205 (GOLIAD) TO HAYS ROAD)																
1	P1164	698.75	482	20		$15.88	$7,654		$4,018	$11,672	80%	100%	20%	$9,338	$11,672	$2,334
1	P1165	698.75	419	16		$15.88	$6,654		$3,493	$10,147	80%	100%	20%	$8,118	$10,147	$2,029
1	P1166	698.75	1,211	16		$15.88	$19,231		$10,096	$29,327	79%	100%	21%	$23,168	$29,327	$6,159
1	P1167	698.75	1,005	16		$15.88	$15,960		$8,379	$24,339	79%	100%	21%	$19,228	$24,339	$5,111
	Subtotal:		**3,117**		**2002**		**$49,500**	**5%**	**$25,986**	**$75,485**				**$59,852**	**$75,485**	**$15,633**
QUAIL RUN ROAD WATER LINE II (HAYS ROAD TO SH 205 BYPASS)																
2	P1161	698.75	1,540	12		$85.77	$132,081		$69,343	$201,424	94%	100%	6%	$189,339	$201,424	$12,085
2	P1815	698.75	1,394	12		$85.77	$119,559		$62,768	$182,327	100%	100%	0%	$182,327	$182,327	$0
	Subtotal:		**2,934**		**2008**		**$251,640**	**5%**	**$132,111**	**$383,751**				**$371,666**	**$383,751**	**$12,085**

Exhibit C

TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2013	(%) Utilized Capacity 2023	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2013	($) Utilized Capacity 2023	($) Utilized Capacity During Fee Period
QUAIL RUN ROAD WATER LINE III (SH 205 BYPASS TO FM 1141)																
2	P1159	698.75	1,888	12		$92.26	$174,185		$91,447	$265,632	59%	80%	21%	$156,723	$212,506	$55,783
2	P1160	698.75	1,582	12		$92.26	$145,954		$76,626	$222,580	100%	100%	0%	$222,580	$222,580	$0
2	P1820	698.75	985	16		$92.26	$90,875		$47,709	$138,584	34%	63%	29%	$47,119	$87,308	$40,189
	Subtotal:		**4,455**		**2008**		**$411,014**	**5%**	**$215,782**	**$626,796**				**$426,422**	**$522,394**	**$95,972**
SH 205 WATER LINE (DARRIN DRIVE TO QUAIL RUN ROAD)																
2	P1228	698.75	449	24		$132.14	$59,331		$31,149	$90,480	100%	100%	0%	$90,480	$90,480	$0
2	P1229	698.75	1,864	24		$132.14	$246,311		$129,313	$375,624	100%	100%	0%	$375,624	$375,624	$0
2	P1230	698.75	1,613	24		$132.14	$213,143		$111,900	$325,043	100%	100%	0%	$325,043	$325,043	$0
	Subtotal:		**3,926**		**2003**		**$518,785**	**5%**	**$272,362**	**$791,147**				**$791,147**	**$791,147**	**$0**
IH 30 EASTBOUND SERVICE ROAD WATER LINE (WEST OF SH 205 BYPASS TO FM 549)																
2	P1771	698.75	609	16		$153.22	$93,313		$48,989	$142,302	45%	100%	55%	$64,036	$142,302	$78,266
2	P1806	780	136	16		$153.22	$20,838		$10,940	$31,778	0%	0%	0%	$0	$0	$0
2	P3000	780	1,404	16		$153.22	$215,125		$112,941	$328,066	15%	31%	16%	$49,210	$101,700	$52,491
2	P3001	780	2,768	16		$153.22	$424,120		$222,663	$646,783	41%	50%	9%	$265,181	$323,392	$58,210
2	P3002	780	808	16		$153.22	$123,804		$64,997	$188,801	53%	61%	8%	$100,065	$115,169	$15,104
	Subtotal:		**5,725**		**2004**		**$877,200**	**5%**	**$460,530**	**$1,337,730**				**$478,492**	**$682,563**	**$204,071**
IH 30 WESTBOUND SERVICE ROAD WATER LINE (FM 549 TO ENTERPRISE)																
2	P1532	698.75	684	16		$115.23	$78,819		$41,380	$120,199	97%	100%	3%	$116,593	$120,199	$3,606
2	P1533	780	2,506	16		$115.23	$288,773		$151,606	$440,379	100%	100%	0%	$440,379	$440,379	$0
2	P1827	780	187	16		$115.23	$21,548		$11,313	$32,861	100%	100%	0%	$32,861	$32,861	$0
2	P3101	780	648	16		$115.23	$74,671		$39,202	$113,873	79%	100%	21%	$89,960	$113,873	$23,913
2	P3102	780	1,286	16		$115.23	$148,189		$77,799	$225,988	100%	100%	0%	$225,988	$225,988	$0
	Subtotal:		**5,311**		**2004**		**$612,000**	**5%**	**$321,300**	**$933,300**				**$905,781**	**$933,300**	**$27,519**
TOWNSEND DRIVE WATER LINE (EASTSIDE PS TO SH 276)																
2	P3091	780	2,646	20		$181.55	$480,393		$252,206	$732,599	88%	93%	5%	$644,687	$681,317	$36,630
	Subtotal:		**2,646**		**2007**		**$480,393**	**5%**	**$252,206**	**$732,599**				**$644,687**	**$681,317**	**$36,630**

Exhibit C

TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
											2013	2023	During Fee Period	2013	2023	During Fee Period
SPRINGER ROAD WATER LINE (FM 549 TO SPRINGER ELEVATED STORAGE TANK)																
2	P3020	780	2,669	16		$76.53	$204,256		$107,234	$311,490	100%	100%	0%	$311,490	$311,490	$0
Subtotal:			**2,669**		**2004**		**$204,256**	**5%**	**$107,234**	**$311,490**				**$311,490**	**$311,490**	**$0**
SPRINGER ELEVATED STORAGE TANK WATER LINE (SPRINGER ROAD TO SH 276)																
2	P3071	780	225	24		$147.72	$33,238		$17,450	$50,688	66%	100%	34%	$33,454	$50,688	$17,234
2	P3072	780	861	24		$147.72	$127,189		$66,774	$193,963	72%	100%	28%	$139,653	$193,963	$54,310
Subtotal:			**1,086**		**2004**		**$160,427**	**5%**	**$84,224**	**$244,651**				**$173,107**	**$244,651**	**$71,544**
MIMS ROAD WATER LINE (SIDS ROAD TO SH 205)																
2	P1739	698.75	2,233	48		$100.71	$224,876		$118,060	$342,936	53%	100%	47%	$181,756	$342,936	$161,180
2	P1828	698.75	1,340	36		$100.71	$134,946		$70,847	$205,793	29%	100%	71%	$59,680	$205,793	$146,113
Subtotal:			**3,573**		**2008**		**$359,822**	**5%**	**$188,907**	**$548,729**				**$241,436**	**$548,729**	**$307,293**
FM 549 WATER LINE I (FONTANNA RANCH ADDITION TO OAKS OF BUFFALO WAY ADDITION)																
2	P3061	780	2,835	12		$90.67	$257,043		$134,948	$391,991	100%	100%	0%	$391,991	$391,991	$0
2	P3062	780	2,539	12		$90.67	$230,206		$120,858	$351,064	100%	100%	0%	$351,064	$351,064	$0
2	P3063	780	1,435	12		$90.67	$130,108		$68,307	$198,415	33%	100%	67%	$65,477	$198,415	$132,938
2	P3106	780	806	12		$90.67	$73,078		$38,366	$111,444	100%	100%	0%	$111,444	$111,444	$0
Subtotal:			**7,615**		**2008**		**$690,436**	**5%**	**$362,479**	**$1,052,914**				**$919,976**	**$1,052,914**	**$132,938**

Exhibit C

TABLE NO. 12
Existing Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Intersest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
											2013	2023	During Fee Period	2013	2023	During Fee Period
FM 549 WATER LINE II (STANDING OAK LANE TO JEFF BOYD DRIVE)																
2	P1821	780	475	12		$32.08	$15,238		$8,000	$23,238	14%	100%	86%	$3,253	$23,238	$19,985
2	P3067	780	1,260	12		$32.08	$40,422		$21,221	$61,643	9%	15%	6%	$5,548	$9,246	$3,699
2	P3068	780	2,252	12		$32.08	$72,246		$37,929	$110,175	17%	23%	6%	$18,730	$25,340	$6,611
	Subtotal:		**3,987**		**2008**		**$127,907**	**5%**	**$67,150**	**$195,056**				**$27,531**	**$57,824**	**$30,295**
FM 3097 WATER LINE (BUFFALO CREEK WWTPP TO WALLACE LANE)																
2	P1663	698.75	2,324	12		$95.50	$221,938		$116,517	$338,455	37%	100%	63%	$125,228	$338,455	$213,227
2	P1664	698.75	2,335	12		$95.50	$222,988		$117,069	$340,057	4%	100%	96%	$13,602	$340,057	$326,455
2	P1829	698.75	1,457	12		$95.50	$139,141		$73,049	$212,190	0%	100%	100%	$0	$212,190	$212,190
	Subtotal:		**6,116**		**2008**		**$584,067**	**5%**	**$306,635**	**$890,702**				**$138,830**	**$890,702**	**$751,872**
COUNTY LINE ROAD WATER LINE (FM 3097 TO RANCH TRAIL)																
2	P1734	698.75	2,324	12		$95.79	$222,625		$116,878	$339,503	73%	100%	27%	$247,837	$339,503	$91,666
	Subtotal:		**2,324**		**2008**		**$222,625**	**5%**	**$116,878**	**$339,503**				**$247,837**	**$339,503**	**$91,666**
JOHN KING / BREEZY HILL WATER LINE (FM 552 TO BREEZY HILL)																
1	P2010	698.75	3,373	16		$28.32	$95,528		$50,152	$145,680	0%	34%	34%	$0	$49,531	$49,531
	Subtotal:		**3,373**		**2013**		**$95,528**	**0%**	**$50,152**	**$145,680**				**$0**	**$49,531**	**$49,531**
EXISTING TOTAL:			**98,079**				**$8,497,851**		**$4,461,368**	**$12,959,214**				**$7,861,322**	**$10,122,206**	**$2,260,886**

Exhibit C

TABLE NO. 13
Proposed Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

**Average Unit Costs are Based in 2013 Dollars Unless Otherwise Indicated and Includes 20% for Engineering and Easements.*

	Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2013	(%) Utilized Capacity 2023	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2013	($) Utilized Capacity 2023	($) Utilized Capacity During Fee Period
1 - S.H. 276 / S.H.205 698.75 WATER LINES																
S.H. 276 From T.L. Townsend West to S.H. 205. S.H. 205 from S.H. 276 South to Wlnut Ridge Drive																
2	P2093 *	698.75	3,303	12		$114.00	$376,542		$197,685	$574,227	0%	100%	100%	$0	$574,227	$574,227
2	P2117 *	698.75	876	16		$132.00	$115,632		$60,707	$176,339	0%	62%	62%	$0	$109,330	$109,330
2	P2135 *	698.75	1,188	16		$132.00	$156,816		$82,328	$239,144	0%	100%	100%	$0	$239,144	$239,144
2	P2136 *	698.75	1,650	16		$132.00	$217,800		$114,345	$332,145	0%	81%	81%	$0	$269,037	$269,037
Subtotal:			**7,017**		**2018**		**$866,790**	**5%**	**$455,065**	**$1,321,855**				**$0**	**$1,191,738**	**$1,191,738**
2 - I.H.-30 - FM549 CROSSING																
Creating 780 Service Area North of IH-30 (*16" Diameter Cost Based on Bore Across IH-30 & FM549*)																
2	P4039 *	780	575	12		$114.00	$65,550		$34,414	$99,964	0%	35%	35%	$0	$34,987	$34,987
2	P4124 *	780	712	16		$650.00	$462,800		$242,970	$705,770	0%	34%	34%	$0	$239,962	$239,962
			1,287		**2018**		**$528,350**	**5%**	**$277,384**	**$805,734**				**$0**	**$274,949**	**$274,949**
3 - JOHN KING BLVD 780 WATER LINES NORTH																
From Discovery Blvd. North to Airport Road (*Pipe P4123 is a Bore Across IH-30*)																
2	P4010 *	780	1,702	12		$114.00	$194,028		$101,865	$295,893	0%	24%	24%	$0	$71,014	$71,014
2	P4011 *	780	935	12		$114.00	$106,590		$55,960	$162,550	0%	39%	39%	$0	$63,395	$63,395
2	P4012 *	780	1,009	12		$114.00	$115,026		$60,389	$175,415	0%	37%	37%	$0	$64,904	$64,904
2	P4118 *	780	2,227	12		$114.00	$253,878		$133,286	$387,164	0%	30%	30%	$0	$116,149	$116,149
2	P4123 *	780	423	16		$650.00	$275,113		$144,434	$419,547	0%	27%	27%	$0	$113,278	$113,278
			6,296		**2018**		**$944,635**	**5%**	**$495,934**	**$1,440,569**				**$0**	**$428,740**	**$428,740**
4 - S.H. 66 - F.M. 549 780 SA LOOP																
From the Termination of the Existing S.H. 66 12" Water Line East to F.M. 549, South Along F.M. 549 from S.H. 66 to Eastridge Church of Christ 16" Existing Water Line																
2	P4007 *	780	3,439	12		$114.00	$392,046		$205,824	$597,870	0%	22%	22%	$0	$131,531	$131,531
2	P4008 *	780	2,174	12		$114.00	$247,836		$130,114	$377,950	0%	13%	13%	$0	$49,134	$49,134
2	P4009 *	780	781	12		$114.00	$89,034		$46,743	$135,777	0%	15%	15%	$0	$20,367	$20,367
Subtotal:			**6,394**		**2018**		**$728,916**	**5%**	**$382,681**	**$1,111,597**				**$0**	**$201,032**	**$201,032**
5 - S.H. 276 - ROCHELLE ROAD 16" WATER LINES																
S.H. 276 East 1,906 Feet to Future Entrance of Proposed Subdivision. Rochelle Road South from S.H. 276 to Southern Planning Boundary																
1	P4071 *	780	1,906	16		$18.00	$34,308		$18,012	$52,320	0%	68%	68%	$0	$35,578	$35,578
Subtotal:			**1,906**		**2019**		**$34,308**	**5%**	**$18,012**	**$52,320**				**$0**	**$35,578**	**$35,578**

Exhibit C

TABLE NO. 13
Proposed Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

**Average Unit Costs are Based in 2013 Dollars Unless Otherwise Indicated and Includes 20% for Engineering and Easements.*

Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2013	(%) Utilized Capacity 2023	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2013	($) Utilized Capacity 2023	($) Utilized Capacity During Fee Period
6 - SPRINGER LN. 16" WATER LINE															
From Springer Elevated Storage Tank East to Rochelle Road															
1 P4043 *	780	2,714	16		$18.00	$48,852		$25,647	$74,499	0%	72%	72%	$0	$53,639	$53,639
Subtotal:		**2,714**		**2019**		**$48,852**	**5%**	**$25,647**	**$74,499**				**$0**	**$53,639**	**$53,639**
7 - JOHN KING BLVD 780 WATER LINES SOUTH LOOP															
From Fieldcrest Drive to S.H. 205															
2 P4024 *	780	2,784	16		$132.00	$367,488		$192,931	$560,419	0%	100%	100%	$0	$560,419	$560,419
2 P4025 *	780	1,870	16		$132.00	$246,840		$129,591	$376,431	0%	98%	98%	$0	$368,902	$368,902
2 P4026 *	780	995	12		$114.00	$113,430		$59,551	$172,981	0%	45%	45%	$0	$77,841	$77,841
Subtotal:		**5,649**		**2020**		**$727,758**	**5%**	**$382,073**	**$1,109,831**				**$0**	**$1,007,162**	**$1,007,162**
8 - JOHN KING TO F.M. 549 - 780 SOUTHERN LOOP															
From John King Blvd. East to F.M. 549															
1 P4029 *	780	2,065	16		$18.00	$37,170		$19,514	$56,684	0%	92%	92%	$0	$52,149	$52,149
1 P4030 *	780	2,014	16		$18.00	$36,252		$19,033	$55,285	0%	59%	59%	$0	$32,618	$32,618
Subtotal:		**4,079**		**2020**		**$73,422**	**5%**	**$38,547**	**$111,969**				**$0**	**$84,767**	**$84,767**
9 - JOHN KING 698.75 TRANSMISSION MAIN															
From Hays Lane to E. Quail Run Rd.															
2 P2067 *	698.75	3,000	16		$132.00	$396,000		$207,900	$603,900	0%	67%	67%	$0	$404,613	$404,613
2 P2068 *	698.75	516	16		$132.00	$68,112		$35,759	$103,871	0%	68%	68%	$0	$70,632	$70,632
Subtotal:		**3,516**		**2020**		**$464,112**	**5%**	**$243,659**	**$707,771**				**$0**	**$475,245**	**$475,245**
10 - BREEZY HILL TRANSMISSION MAIN (FOR HAYS PUMP STATION FLOW TO FUTURE ELEVATED TANK)															
From F.M. 552 to Rockwall County Line															
2 P2048 *	698.75	3,743	30		$276.00	$1,033,068		$542,361	$1,575,429	0%	3%	3%	$0	$47,263	$47,263
2 P2049 *	698.75	3,034	30		$276.00	$837,384		$439,626	$1,277,010	0%	7%	7%	$0	$89,391	$89,391
Subtotal:		**6,777**		**2021**		**$1,870,452**	**5%**	**$981,987**	**$2,852,439**				**$0**	**$136,654**	**$136,654**
11 - JOHN KING / S.H. 205 WATER LINE															
From Breezy Hill 16" Water Line Along John King Blvd. to S.H. 205, North Along S.H. 205 to Rockwall County Line															
1 P2002 *	698.75	1,092	16		$18.00	$19,656		$10,319	$29,975	0%	17%	17%	$0	$5,096	$5,096
1 P2009 *	698.75	4,438	16		$18.00	$79,884		$41,940	$121,824	0%	22%	22%	$0	$26,801	$26,801
Subtotal:		**5,530**		**2021**		**$99,540**	**5%**	**$52,259**	**$151,799**				**$0**	**$31,897**	**$31,897**

Exhibit C

TABLE NO. 13
Proposed Impact Fee Water Lines

1 - City Participation in Cost Oversize

2 - City Initiated and Funded

**Average Unit Costs are Based in 2013 Dollars Unless Otherwise Indicated and Includes 20% for Engineering and Easements.*

Pipe Number	Pressure Plane	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2013	(%) Utilized Capacity 2023	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2013	($) Utilized Capacity 2023	($) Utilized Capacity During Fee Period
12 - MIMS ROAD / COUNTY LINE ROAD LOOPING WATER LINES															
Pipes P2096 & P2097 Along Future Thouroghfare and Renee Drive from Mims Road South to County Line Road; Pipe 2098 Along County Line Road to Ranch Trail															
2 P2096 *	698.75	2,162	20		$174.00	$376,124		$197,465	$573,589	0%	36%	36%	$0	$206,492	$206,492
2 P2097 *	698.75	2,459	20		$174.00	$427,848		$224,620	$652,468	0%	31%	31%	$0	$202,265	$202,265
2 P2098 *	698.75	1,782	20		$174.00	$310,147		$162,827	$472,974	0%	25%	25%	$0	$118,244	$118,244
Subtotal:		**6,403**		**2022**		**$1,114,119**	**5%**	**$584,912**	**$1,699,031**				**$0**	**$527,001**	**$527,001**
13 - ROCKWALL / COLLIN COUNTY LINE WATER LINE (FOR DISCHARGE OF FUTURE ELEVATED STORAGE TANK)															
Along Future Throughfare from 1,200-ft West of Breezy Hill Ln, East to Anna Cade Rd.															
1 P2016 *	698.75	1,188	16		$18.00	$21,384		$11,227	$32,611	0%	14%	14%	$0	$4,566	$4,566
1 P2017 *	698.75	2,122	24		$111.00	$235,542		$123,660	$359,202	0%	7%	7%	$0	$25,144	$25,144
1 P2018 *	698.75	1,130	24		$111.00	$125,430		$65,851	$191,281	0%	9%	9%	$0	$17,215	$17,215
Subtotal:		**4,440**		**2022**		**$382,356**	**5%**	**$200,738**	**$583,094**				**$0**	**$46,925**	**$46,925**
14 - S.H. 276 PUMP STATION TRANSMISSION MAIN WEST															
From Proposed S.H. 276 Pump Station West Along S.H. 276 to Proposed Subdivision															
2 P4072 *	780	1,906	16		$132.00	$251,592		$132,086	$383,678	0%	57%	57%	$0	$218,696	$218,696
2 P4073 *	780	693	16		$132.00	$91,476		$48,025	$139,501	0%	57%	57%	$0	$79,516	$79,516
2 P4122 *	780	730	24		$225.00	$164,250		$86,231	$250,481	0%	62%	62%	$0	$155,298	$155,298
Subtotal:		**3,329**		**2023**		**$507,318**	**5%**	**$266,342**	**$773,660**				**$0**	**$453,510**	**$453,510**
15 - S.H. 276 PUMP STATION TRANSMISSION MAIN SOUTH															
Along Dowell Road South to Southern Planning Boundary, then East Along Southern Planning Boundary to F.M. 549, then South Along F.M. 549 to Wimberley Lane															
2 P4089 *	780	2,778	20		$174.00	$483,372		$253,770	$737,142	0%	70%	70%	$0	$515,999	$515,999
2 P4090 *	780	1,182	20		$174.00	$205,668		$107,976	$313,644	0%	100%	100%	$0	$313,644	$313,644
2 P4125 *	780	6,912	16		$132.00	$912,384		$479,002	$1,391,386	0%	100%	100%	$0	$1,391,386	$1,391,386
2 P4128 *	780	5,505	16		$132.00	$726,660		$381,496	$1,108,156	0%	100%	100%	$0	$1,108,156	$1,108,156
Subtotal:		**16,377**		**2023**		**$2,328,084**	**5%**	**$1,222,244**	**$3,550,328**				**$0**	**$3,329,185**	**$3,329,185**
PROPOSED TOTAL:		**81,714**				**$10,719,012**		**$5,627,484**	**$16,346,496**				**$0**	**$8,278,022**	**$8,278,022**

Exhibit C

TABLE NO. 14
CCN Acquisition

Elevated Storage		Year Acquired	Area (Ac.)	Capital Cost ($) Purchase Price				Capacity Utilized (%) 2013	2023	In the CRF Period	Capacity Utilized ($) 2013	2023	In the CRF Period
CCN Acquisition													
Aquasourse		2013	284.0	$ 3,402,318			$ 3,402,318	100.0%	100.0%	0.0%	$ 3,402,318	$ 3,402,318	$ -
RCH W.S.C.		2007-2009	803.0	$ 332,847			$ 332,847	29.0%	30.0%	1.0%	$ 96,526	$ 99,854	$ 3,328
Mt. Zion W.S.C.		2011	468.0	$ 325,725			$ 325,725	15.0%	64.0%	49.0%	$ 48,859	$ 208,464	$ 159,605
Blaclland W.S.C.		2005-2012	1,251.0	$ 987,152			$ 987,152	8.0%	58.0%	50.0%	$ 78,972	$ 572,548	$ 493,576
Total			**2,806.0**	**$ 5,048,042**	**$ -**	**$ -**	**$ 5,048,042**				**$ 3,626,675**	**$ 4,283,184**	**$ 656,510**

Exhibit C

E. WASTEWATER COLLECTION SYSTEM

Computer models for the years 2013, 2023 and Buildout were prepared by Birkhoff, Hendricks & Carter. The models were developed and peak flows calculated from the residential population and non-residential land use projections provided by the City of Rockwall's Planning Department. Computer models were run to determine peak wet weather flow to insure proper sizing of the collection system.

1. Collection Lines

The natural creeks, whose basins will collect wastewater through the installed system of collection lines that flow into the geographic area serviced by the NTMWD.

The wastewater collection system analysis covered all of the drainage basins within the Service Area planning boundary. Each collection system was analyzed for line sizes 12-inches in diameter and larger. Eliminating line sizes smaller than 12-inches in diameter from the study leaves only the interceptor and trunk lines included in the study. The wastewater project costs include necessary appurtenances (manholes, lift stations, aerial crossings and the like), purchase of easements, utility relocation, pavement removal and replacement, and engineering costs. For existing Impact Fee projects, actual costs were utilized where known. Future project cost estimates were based on 2013 average unit cost per linear foot and includes engineering, easements, and construction cost.

All eligible wastewater collection line projects in the Service Area planning boundary were included in the impact fee analysis. Eligible existing and proposed wastewater facilities are shown on **Exhibit 2**.

2. Treatment

The North Texas Municipal Water District (NTMWD) provides the City of Rockwall with the entirety of wastewater treatment. NTMWD owns and operates the Squabble Creek and Buffalo Creek Wastewater Treatment Plants (WWTP). Excess flows above the permit levels of the Squabble Creek and Buffalo Creek WWTP's are conveyed to the NTMWD Buffalo Creek Regional system. Rockwall pays NTMWD for the cost of this service according to the City's percentage wastewater flow contributions in any given year.

Exhibit C

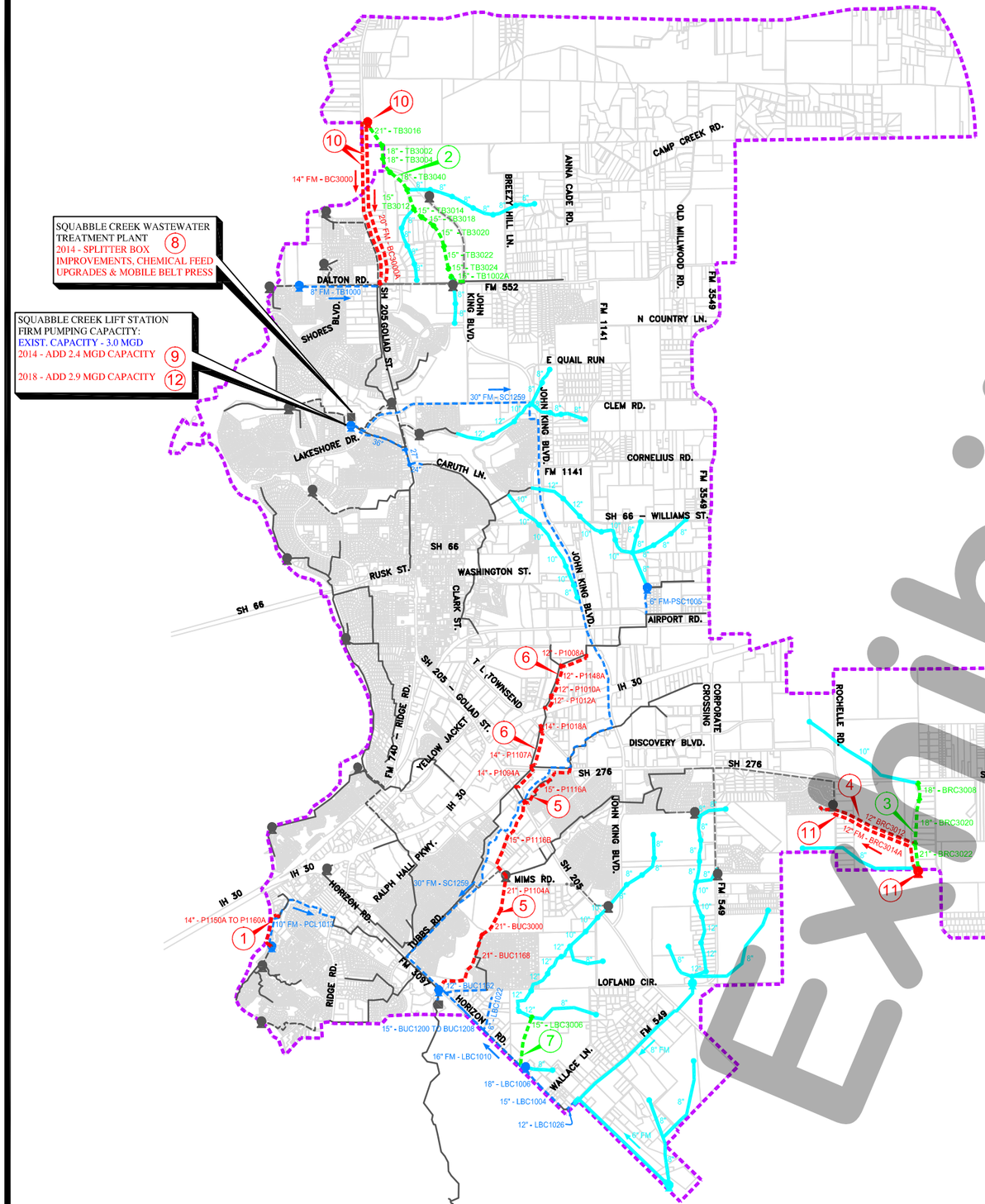
This Impact Fee study excludes the cost of NTMWD regional collection and transportation and facilities located within the City's Service Area planning boundary that were paid for by NTMWD. Existing treatment plant and future treatment plant expansion costs of NTMWD were specifically excluded from this Impact Fee analysis.

3. Wastewater System Capital Improvement Projects for Impact Fees

The 10-year Wastewater System Capital Improvement Plan for Impact Fees was developed by Birkhoff, Hendricks & Carter. **Exhibit 2** shows the recommended system improvements and **Table No. 15** itemizes each project and the project cost. These recommended improvements form the basis for the Wastewater System Impact Fee Calculation.

The capital improvement plan for impact fees provides for system improvements within the defined Service Area Planning Boundary.

Exhibit C



NOT TO SCALE

CITY OF ROCKWALL
WASTEWATER COLLECTION SYSTEM
IMPACT FEE UPDATE
2013-2023 CAPITAL IMPROVEMENT PLAN

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
DALLAS, TEXAS
FIRM F-526

JUNE 2014

LEGEND

- EXISTING WASTEWATER LINE
- EXISTING WASTEWATER LINE (IMPACT FEE)
- PROP. WASTEWATER LINE (DEVELOPER CONSTRUCTED)
- PROP. IMPACT FEE WASTEWATER LINE (DEVELOPER INITIATED - CITY OVERSIZE PARTICIPATION)
- PROPOSED IMPACT FEE WASTEWATER LINE (CITY INITIATED & CONSTRUCTED)
- PLANNING BOUNDARY
- EXISTING LIFT STATION
- EXISTING LIFT STATION (IMPACT FEE)
- PROPOSED LIFT STATION (CITY INITIATED & CONSTRUCTED)
- EXISTING WASTEWATER TREATMENT PLANT
- (14) CIP PROJECT ID NUMBER

Exhibit 'C'

EXHIBIT 2

Table No. 15

10-Year Wastewater System Capital Improvement Plan for Impact Fees

PROPOSED WASTEWATER LINES

Year	1=City Participation in Cost Oversize 2=City Initiated and Funded (X) = CIP Project ID Number	Project	Size (Diameter)	Opinion of Project Cost (A)	Debt Service (B)	Total Project Cost
2015	2	(1) Signal Ridge Existing Gravity Line - 14" Pipe Burst	14"	$ 147,095	$ 77,225	$ 224,320
2016	1	(2) Proposed Thompson Branch Trunk Sewer	15-21"	$ 330,192	$ 173,352	$ 503,544
2017	1	(3) Proposed Brushy Creek Trunk Sewer	18-21"	$ 203,496	$ 106,835	$ 310,331
2017	2	(4) Proposed Brushy Creek Tributary Trunk Sewer	10"	$ 817,920	$ 429,408	$ 1,247,328
2018	2	(5) Proposed Buffalo Creek East Trunk Sewer	15-21"	$ 3,318,432	$ 1,742,177	$ 5,060,609
2018	2	(6) Buffalo Creek Existing Gravity Sewer - 12" & 14" Pipe Burst	12-14"	$ 756,505	$ 397,164	$ 1,153,669
2020	1	(7) Proposed Little Buffalo Creek Trunk Sewer	15"	$ 52,224	$ 27,418	$ 79,642
		Subtotal: Proposed Wastewater Lines		**$ 5,625,864**	**$ 2,953,579**	**$ 8,579,443**

PROPOSED WASTEWATER FACILITIES

Year	1=City Participation in Cost Oversize 2=City Initiated and Funded (X) = CIP Project ID Number	Project	Capacity (MGD)	Opinion of Project Cost (A)	Debt Service (B)	Total Project Cost
2014	2	(8) Squabble Creek WWTP System Upgrades - Bar Screen, Splitter Box Sluice Gate, etc.	*	$ 1,748,000	$ 917,700	$ 2,665,700
2014	2	(9) Squabble Creek Lift Station Improvements - Add Pump 1 with 160 HP Pump - Add Emergency Generator and ATS	+2.4	$ 1,000,500	$ 525,263	$ 1,525,763
2016	2	(10) Proposed Bluff Creek Lift Station	2.4	$ 1,725,000	$ 905,625	$ 2,630,625
2016	2	(10) Proposed Bluff Creek Lift Station & 14" Force Main (7,360-LF)		$ 1,355,850	$ 711,821	$ 2,067,671
2016	2	(10) Proposed Bluff Creek Lift Station & 20" Force Main (7,360-LF)		$ 1,609,770	$ 845,129	$ 2,454,899
2017	2	(11) Proposed Brushy Creek Lift Station & 12" Force Main	1.5	$ 1,799,750	$ 944,869	$ 2,744,619
2020	2	(12) Squabble Creek Lift Station Improvements - Replace Pumps 2 & 3 with 335 HP Pumps	+2.9	$ 793,500	$ 416,588	$ 1,210,088
		Subtotal: Proposed Wastewater Facilities		**$ 10,032,370**	**$ 5,266,995**	**$ 15,299,365**
		GRAND TOTAL WASTEWATER 10-YEAR CIP:		**$ 15,658,234**	**$ 8,220,574**	**$ 23,878,808**

* *Allows for Expansion and Operation of Squabble Creek Lift Station*

(A) Opinion of Cost includes:

a) Engineer's Opinion of Construction Cost
b) Professional Services Fees (Survey, Engineering, Testing, Legal)
c) Cost of Easement or Land Acquisitions

(B) Debt Service Based on 20-Year Simple Interest Bonds at 5%

Exhibit

4. Utilized Capacity

Utilized capacity for the wastewater collection system was calculated based on land use assumptions provided by the City of Rockwall. The population and non-residential growth in each wastewater drainage basin was determined utilizing the City's growth projections. These growth rates were utilized to calculate 2013, 2023 and buildout peak design flows.

The percent-utilized capacity was calculated for the design flow of each study year based on the buildout capacity. The utilized capacity during the Impact Fee period is the difference between the year 2013 capacity and the year 2023 capacity. **Table No. 16** below summarizes the project cost and utilized cost over the impact fee period of 2013 – 2023. The utilized capacity for each eligible existing and proposed wastewater collection line is presented in detail in the Impact Fee Capacity Calculation **Table Nos. 17 and 18**. **Table No. 19** summarizes the utilized capacity of lift stations eligible for impact fee recovery.

TABLE NO. 16

Summary of Eligible Capital Cost and Utilized Capacity Cost

Wastewater System Facility	20-Year Project Cost	Utilized Capacity ($) in the CRP Period
Existing Wastewater Collection Line	$12,344,481	$2,836,953
Existing Wastewater Facilities	$6,402,514	$1,789,767
Proposed Wastewater Collection Line	$8,579,443	$3,569,651
Proposed Wastewater Facilities	$15,299,365	$11,895,781
Total:	**$42,625,803**	**$20,092,152**

Exhibit C

TABLE NO. 17
Existing Impact Fee Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	Debt Service Utilizing Simple	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2013	(%) Utilized Capacity 2023	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2013	($) Utilized Capacity 2023	($) Utilized Capacity During Fee Period
SQUABBLE / CARUTH LAKE SEWER															
From the Squabble Creek Wastewater Treatment Plant to SH 205 to Caruth Lane															
2	SC1008	158	36		$74.89	$11,832		$6,212	$18,044	50%	67%	17%	$8,978	$12,099	$3,121
2	SC1112	663	36		$74.89	$49,650		$26,066	$75,716	41%	67%	26%	$31,092	$50,918	$19,826
2	SC1114	275	36		$74.89	$20,594		$10,812	$31,406	55%	74%	20%	$17,143	$23,316	$6,173
2	SC1116	125	36		$74.89	$9,361		$4,915	$14,276	43%	67%	25%	$6,076	$9,608	$3,532
2	SC1118	902	27		$74.89	$67,549		$35,463	$103,012	44%	62%	18%	$44,869	$63,481	$18,612
2	SC1120	293	24		$74.89	$21,942		$11,520	$33,462	71%	100%	29%	$23,838	$33,462	$9,624
2	SC1154	313	24		$74.89	$23,440		$12,306	$35,746	71%	100%	29%	$25,465	$35,746	$10,281
2	SC1290	1,345	36		$74.89	$100,724		$52,880	$153,604	42%	66%	25%	$64,018	$101,981	$37,962
2	SC1292	173	36		$74.89	$12,956		$6,802	$19,758	42%	66%	25%	$8,235	$13,118	$4,883
2	SC1294	389	36		$74.89	$29,131		$15,294	$44,425	42%	66%	24%	$18,685	$29,524	$10,839
2	SC1296	16	27		$74.89	$1,198		$629	$1,827	34%	63%	29%	$619	$1,156	$537
2	SC1298	170	27		$74.89	$12,731		$6,684	$19,415	46%	68%	21%	$9,008	$13,162	$4,155
2	SC1300	124	27		$74.89	$9,286		$4,875	$14,161	41%	68%	27%	$5,820	$9,605	$3,786
2	SC1302	464	24		$74.89	$34,748		$18,243	$52,991	44%	62%	18%	$23,071	$32,656	$9,585
2	SC1334	219	36		$74.89	$16,400		$8,610	$25,010	54%	74%	20%	$13,594	$18,632	$5,037
2	SC1336	541	36		$74.89	$40,514		$21,270	$61,784	42%	67%	25%	$26,135	$41,604	$15,469
	Subtotal:	**6,170**		**1997**		**$462,056**	**5%**	**$242,581**	**$704,637**				**$326,646**	**$490,068**	**$163,422**
DALTON ROAD FORCE MAIN															
Begins at the Intersection of Dalton Road and Beacon Hill Drive and Extends East to SH 205															
2	TB1000	155	8		$51.43	$7,971		$4,185	$12,156	100%	100%	0%	$12,156	$12,156	$0
2	TB1040	3,409	8		$51.43	$175,312		$92,039	$267,351	100%	100%	0%	$267,351	$267,351	$0
	Subtotal:	**3,564**		**2002**		**$183,283**	**5%**	**$96,224**	**$279,507**				**$279,507**	**$279,507**	**$0**

Exhibit C

TABLE NO. 17
Existing Impact Fee Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	Debt Service Utilizing Simple	Total 20 Year Project Cost ($)	(%) Utilized Capacity 2013	(%) Utilized Capacity 2023	(%) Utilized Capacity During Fee Period	($) Utilized Capacity 2013	($) Utilized Capacity 2023	($) Utilized Capacity During Fee Period
SH 205 GRAVITY SEWER															
From Dalton Road / FM 522 to Quail Run Road															
2	SC1104	407	18		$77.73	$31,635		$16,608	$48,243	100%	100%	0%	$48,243	$48,243	$0
2	SC1106	347	18		$77.73	$26,971		$14,160	$41,131	100%	100%	0%	$41,131	$41,131	$0
2	SC1108	78	18		$77.73	$6,063		$3,183	$9,246	97%	100%	3%	$8,960	$9,246	$286
2	SC1316	273	18		$77.73	$21,220		$11,140	$32,360	96%	100%	4%	$31,057	$32,360	$1,303
2	SC1318	402	18		$77.73	$31,247		$16,405	$47,652	100%	100%	0%	$47,453	$47,652	$199
2	SC1320	778	18		$77.73	$60,472		$31,748	$92,220	100%	100%	0%	$92,220	$92,220	$0
2	SC1322	496	18		$77.73	$38,553		$20,240	$58,793	100%	100%	0%	$58,793	$58,793	$0
2	SC1324	281	18		$77.73	$21,841		$11,467	$33,308	100%	100%	0%	$33,308	$33,308	$0
2	SC1326	518	18		$77.73	$40,263		$21,138	$61,401	100%	100%	0%	$61,401	$61,401	$0
2	SC1328	277	18		$77.73	$21,531		$11,304	$32,835	100%	100%	0%	$32,835	$32,835	$0
2	SC1330	474	18		$77.73	$36,843		$19,343	$56,186	100%	100%	0%	$56,186	$56,186	$0
2	SC1332	329	18		$77.73	$25,572		$13,425	$38,997	100%	100%	0%	$38,997	$38,997	$0
2	TB1012	508	18		$77.73	$39,486		$20,730	$60,216	100%	100%	0%	$60,216	$60,216	$0
2	TB1028	174	18		$77.73	$13,525		$7,101	$20,626	100%	100%	0%	$20,626	$20,626	$0
	Subtotal:	**5,342**		**2003**		**$415,221**	**5%**	**$217,992**	**$633,214**				**$631,426**	**$633,214**	**$1,788**
SIGNAL RIDGE FORCE MAIN															
From Signal Ridge Lift Station to Ridge Road															
2	BUC1210	4,662	10		$105.81	$493,272		$258,967	$752,239	82%	100%	18%	$614,523	$752,239	$137,716
2	CL1056	214	10		$105.81	$22,643		$11,888	$34,531	82%	100%	18%	$28,209	$34,531	$6,322
	Subtotal:	**4,876**				**$515,915**	**5%**	**$270,855**	**$786,770**				**$642,732**	**$786,770**	**$144,038**
AMITY LANE FORCE MAIN															
From Amity Lane Lift Station to Airport Road															
2	SC1002	1,193	6		$18.53	$22,103		$11,604	$33,707	100%	100%	0%	$33,707	$33,707	$0
	Subtotal:	**1,193**		**2007**		**$22,103**	**5%**	**$11,604**	**$33,707**				**$33,707**	**$33,707**	**$0**

Exhibit C

TABLE NO. 17
Existing Impact Fee Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	Debt Service Utilizing Simple	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
										2013	2023	During Fee Period	2013	2023	During Fee Period
FM 3097 SANITARY SEWER IMPROVEMENTS															
From FM 3097 LS No. 2 to FM549; 12" on County road from FM 3097 to Valerie Place; 8" on Ranch Trail from FM 3097 to 1,500-LF East															
2	BUC1040	441	15		$120.03	$52,932		$27,789	$80,721	34%	65%	31%	$27,684	$52,322	$24,638
2	BUC1042	299	24		$120.03	$35,888		$18,841	$54,729	36%	69%	33%	$19,919	$37,907	$17,989
2	BUC1044	109	24		$120.03	$13,083		$6,869	$19,952	35%	69%	35%	$6,903	$13,809	$6,906
2	BUC1162	1,788	12		$120.03	$214,610		$112,670	$327,280	89%	100%	11%	$292,434	$327,280	$34,846
2	BUC1200	390	15		$120.03	$46,811		$24,576	$71,387	37%	65%	28%	$26,368	$46,645	$20,277
2	BUC1202	109	18		$120.03	$13,083		$6,869	$19,952	37%	65%	28%	$7,370	$13,037	$5,667
2	BUC1204	200	18		$120.03	$24,006		$12,603	$36,609	37%	65%	29%	$13,370	$23,806	$10,437
2	BUC1206	200	15		$120.03	$24,006		$12,603	$36,609	35%	65%	30%	$12,685	$23,769	$11,084
2	BUC1208	433	15		$120.03	$51,972		$27,285	$79,257	34%	65%	31%	$26,625	$51,228	$24,603
2	LBC1002	250	12		$120.03	$30,007		$15,754	$45,761	3%	55%	52%	$1,256	$25,234	$23,978
2	LBC1004	1,193	15		$120.03	$143,193		$75,176	$218,369	3%	55%	52%	$5,994	$120,414	$114,420
2	LBC1006	1,282	18		$120.03	$153,876		$80,785	$234,661	3%	55%	52%	$6,441	$129,398	$122,956
2	LBC1012	2,239	8		$120.03	$268,743		$141,090	$409,833	0%	0%	0%	$0	$0	$0
2	LBC1016	539	15		$120.03	$64,695		$33,965	$98,660	60%	66%	6%	$59,223	$64,791	$5,568
2	LBC1022	1,506	8		$120.03	$180,762		$94,900	$275,662	0%	0%	0%	$0	$0	$0
Subtotal:		**10,978**		**2007**		**$1,317,667**	**5%**	**$691,775**	**$2,009,442**				**$506,272**	**$929,640**	**$423,369**

Exhibit C

TABLE NO. 17
Existing Impact Fee Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	Debt Service Utilizing Simple	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
										2013	2023	During Fee Period	2013	2023	During Fee Period
SQUABBLE CREEK TO BUFFALO CREEK WASTEWATER TRANSFER FORCE MAIN															
From Squabble Creek Wastewater Treatment Plant to FM 3097															
2	SC1194	4,080	30		$127.22	$519,045		$272,499	$791,544	26%	53%	27%	$208,921	$419,841	$210,920
2	SC1196	1,315	30		$127.22	$167,290		$87,827	$255,117	26%	53%	27%	$67,336	$135,316	$67,980
2	SC1198	805	30		$127.22	$102,410		$53,765	$156,175	26%	53%	27%	$41,221	$82,836	$41,615
2	SC1200	960	30		$127.22	$122,128		$64,117	$186,245	26%	53%	27%	$49,158	$98,786	$49,628
2	SC1202	675	30		$127.22	$85,871		$45,082	$130,953	26%	53%	27%	$34,564	$69,458	$34,895
2	SC1204	245	30		$127.22	$31,168		$16,363	$47,531	26%	53%	27%	$12,545	$25,211	$12,665
2	SC1206	828	30		$127.22	$105,336		$55,301	$160,637	26%	53%	27%	$42,399	$85,203	$42,804
2	SC1208	2,548	30		$127.22	$324,149		$170,178	$494,327	26%	53%	27%	$130,473	$262,195	$131,721
2	SC1210	718	30		$127.22	$91,342		$47,955	$139,297	26%	53%	27%	$36,766	$73,884	$37,118
2	SC1212	957	30		$127.22	$121,747		$63,917	$185,664	26%	53%	27%	$49,004	$98,478	$49,473
2	SC1214	2,186	30		$127.22	$278,096		$146,000	$424,096	26%	53%	27%	$111,936	$224,944	$113,007
2	SC1216	1,010	30		$127.22	$128,489		$67,457	$195,946	26%	53%	27%	$51,718	$103,931	$52,213
2	SC1218	1,653	30		$127.22	$210,290		$110,402	$320,692	26%	53%	27%	$84,644	$170,097	$85,454
2	SC1220	1,033	30		$127.22	$131,415		$68,993	$200,408	26%	53%	27%	$52,896	$106,298	$53,402
2	SC1222	1,441	30		$127.22	$183,320		$96,243	$279,563	26%	53%	27%	$73,788	$148,282	$74,494
2	SC1224	287	30		$127.22	$36,511		$19,168	$55,679	26%	53%	27%	$14,696	$29,533	$14,837
2	SC1226	747	30		$127.22	$95,031		$49,891	$144,922	26%	53%	27%	$38,251	$76,868	$38,617
2	SC1228	824	30		$127.22	$104,827		$55,034	$159,861	26%	53%	27%	$42,194	$84,791	$42,598
2	SC1230	2,013	30		$127.22	$256,088		$134,446	$390,534	26%	53%	27%	$103,078	$207,142	$104,064
2	SC1232	2,249	30		$127.22	$286,111		$150,208	$436,319	26%	53%	27%	$115,163	$231,427	$116,264
2	SC1234	634	30		$127.22	$80,656		$42,344	$123,000	26%	53%	27%	$32,465	$65,240	$32,775
2	SC1236	298	30		$127.22	$37,911		$19,903	$57,814	26%	53%	27%	$15,259	$30,665	$15,405
2	SC1238	841	30		$127.22	$106,989		$56,169	$163,158	26%	53%	27%	$43,064	$86,540	$43,476
2	SC1240	545	30		$127.22	$69,333		$36,400	$105,733	26%	53%	27%	$27,907	$56,082	$28,174
2	SC1242	223	30		$127.22	$28,369		$14,894	$43,263	26%	53%	27%	$11,419	$22,947	$11,528
2	SC1244	423	30		$127.22	$53,813		$28,252	$82,065	26%	53%	27%	$21,660	$43,528	$21,868
2	SC1246	240	30		$127.22	$30,532		$16,029	$46,561	26%	53%	27%	$12,289	$24,696	$12,407
2	SC1248	1,161	30		$127.22	$147,699		$77,542	$225,241	26%	53%	27%	$59,450	$119,469	$60,019
2	SC1250	1,431	30		$127.22	$182,048		$95,575	$277,623	26%	53%	27%	$73,276	$147,253	$73,977
2	SC1252	262	30		$127.22	$33,331		$17,499	$50,830	26%	53%	27%	$13,416	$26,961	$13,544

Exhibit C

TABLE NO. 17
Existing Impact Fee Wastewater Lines

Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.)	Total Capital Cost ($)	Debt Service Interest Rate %	Debt Service Utilizing Simple	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
									2013	2023	During Fee Period	2013	2023	During Fee Period
2 SC1254	552	30		$127.22	$70,224		$36,868	$107,092	26%	53%	27%	$28,266	$56,802	$28,536
2 SC1256	755	30		$127.22	$96,049		$50,426	$146,475	26%	53%	27%	$38,661	$77,691	$39,031
2 SC1258	860	30		$127.22	$109,407		$57,439	$166,846	26%	53%	27%	$44,038	$88,496	$44,459
2 SC1262	4,777	30		$127.22	$607,716		$319,051	$926,767	26%	53%	27%	$244,612	$491,564	$246,952
2 SC1340	1,130	30		$127.22	$143,755		$75,471	$219,226	26%	53%	27%	$57,863	$116,279	$58,416
Subtotal:	**40,706**		**2011**		**$5,178,495**	**5%**	**$2,718,708**	**$7,897,204**				**$2,084,396**	**$4,188,734**	**$2,104,336**
Existing Wastewater Line Total	**72,829**				**$8,094,740**		**$4,249,739**	**$12,344,481**				**$4,504,686**	**$7,341,640**	**$2,836,953**

Notes:

1 - City Participate in Cost Oversize

2 - City Initiated and Funded

Exhibit "C"

TABLE NO. 18

Proposed Impact Fee CIP Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.) *	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
										2013	2023	During Fee Period	2013	2023	During Fee Period
1 - SIGNAL RIDGE 14" GRAVITY LINE															
Pipe Burst Exsiting 10" to 14" From Movie Theatre to Signal Ridge Lift Station															
2	CL1000A	124	14		$100.00	$12,400		$6,510	$18,910	0%	82%	82%	$0	$15,422	$15,422
2	CL1052A	246	14		$100.00	$24,600		$12,915	$37,515	0%	82%	82%	$0	$30,595	$30,595
2	CL1054A	180	14		$100.00	$18,000		$9,450	$27,450	0%	82%	82%	$0	$22,373	$22,373
2	CL1060A	507	14		$100.00	$50,700		$26,618	$77,318	0%	82%	82%	$0	$63,018	$63,018
2	CL1062A	92	14		$100.00	$9,195		$4,827	$14,022	0%	82%	82%	$0	$11,429	$11,429
2	CL1064A	322	14		$100.00	$32,200		$16,905	$49,105	0%	82%	82%	$0	$40,023	$40,023
	Subtotal:	**1,471**		**2015**		**$147,095**	**5%**	**$77,225**	**$224,320**				**$0**	**$182,860**	**$182,860**
2 - THOMPSON BRANCH TRUNK SEWER															
F.M. 552 to Proposed bluff Creek Lift Station															
1	BLC3016	1,312	21		$72.00	$94,464		$49,594	$144,058	0%	74%	74%	$0	$106,020	$106,020
1	TB1002A	676	15		$24.00	$16,224		$8,518	$24,742	0%	98%	98%	$0	$24,360	$24,360
1	TB3002	544	18		$48.00	$26,112		$13,709	$39,821	0%	98%	98%	$0	$39,206	$39,206
1	TB3004	714	18		$48.00	$34,272		$17,993	$52,265	0%	99%	99%	$0	$51,595	$51,595
1	TB3012	899	15		$24.00	$21,576		$11,327	$32,903	0%	100%	100%	$0	$32,903	$32,903
1	TB3014	501	15		$24.00	$12,024		$6,313	$18,337	0%	100%	100%	$0	$18,337	$18,337
1	TB3018	644	15		$24.00	$15,456		$8,114	$23,570	0%	100%	100%	$0	$23,570	$23,570
1	TB3020	1,038	15		$24.00	$24,912		$13,079	$37,991	0%	100%	100%	$0	$37,991	$37,991
1	TB3022	982	15		$24.00	$23,568		$12,373	$35,941	0%	100%	100%	$0	$35,941	$35,941
1	TB3034	388	15		$24.00	$9,312		$4,889	$14,201	0%	100%	100%	$0	$14,201	$14,201
1	TB3040	1,089	18		$48.00	$52,272		$27,443	$79,715	0%	0%	0%	$0	$0	$0
	Subtotal:	**1,312**		**2015**		**$330,192**	**5%**	**$173,352**	**$503,544**				**$0**	**$384,124**	**$384,124**
3 - PROPOSED BRUSHY CREEK TRUNK SEWER															
S.H. 276 to Proposed Brushy Creek Lift Station															
1	BRC3018	724	18		$48.00	$34,752		$18,245	$52,997	0%	26%	26%	$0	$14,023	$14,023
1	BRC3020	1,948	18		$48.00	$93,504		$49,089	$142,593	0%	29%	29%	$0	$40,784	$40,784
1	BRC3022	1,045	21		$72.00	$75,240		$39,501	$114,741	0%	42%	42%	$0	$48,662	$48,662
	Subtotal:	**3,717**		**2017**		**$203,496**	**5%**	**$106,835**	**$310,331**				**$0**	**$103,469**	**$103,469**
4 - BRUSHY CREEK TRUNK SEWER															
From Existing Timber Creek Lift Station to Proposed Brushy Creek Lift Station (Abandon Timber Creek Lift Station to be Abandoned)															
2	BRC3012	4,544	10		$180.00	$817,920		$429,408	$1,247,328	0%	88%	88%	$0	$1,091,412	$1,091,412
	Subtotal:	**4,544**		**2017**		**$817,920**	**5%**	**$429,408**	**$1,247,328**				**$0**	**$1,091,412**	**$1,091,412**

Exhibit C

TABLE NO. 18

Proposed Impact Fee CIP Wastewater Lines

	Pipe Number	Length (Ft.)	Diameter (Inches)	Date of Const.	Avg. Unit Cost ($/Ft.) *	Total Capital Cost ($)	Debt Service Interest Rate %	20 Year Debt Service Utilizing Simple Interest	Total 20 Year Project Cost ($)	(%) Utilized Capacity			($) Utilized Capacity		
										2013	2023	During Fee Period	2013	2023	During Fee Period
5 - BUFFALO CREEK EAST TRUNK SEWER															
						From SH 276 to Horizon Road									
2	BUC1104A	1,506	15		$216.00	$325,296		$170,780	$496,076	0%	99%	99%	$0	$491,897	$491,897
2	BUC1116A	2,862	15		$216.00	$618,192		$324,551	$942,743	0%	49%	49%	$0	$466,285	$466,285
2	BUC1116B	3,933	21		$264.00	$1,038,312		$545,114	$1,583,426	0%	51%	51%	$0	$814,437	$814,437
2	BUC1168	3,640	21		$264.00	$960,960		$504,504	$1,465,464	0%	99%	99%	$0	$1,457,721	$1,457,721
2	BUC3000	1,423	21		$264.00	$375,672		$197,228	$572,900	0%	95%	95%	$0	$546,767	$546,767
	Subtotal:	**4,368**		**2018**		**$3,318,432**	**5%**	**$1,742,177**	**$5,060,609**				**$0**	**$958,182**	**$958,182**
6 - BUFFALO CREEK TRUNK SEWER - 12" & 14" PIPE BURST															
						Pipe Burst Exsiting 8" and 10" to 12" and Existing 12" to 14" from northwest of John King and IH 30 to S.H. 205 Goliad									
2	BUC1008A	1,314	12		$90.00	$118,260		$62,086	$180,346	0%	53%	53%	$0	$95,786	$95,786
2	BUC1010A	755	12		$90.00	$67,950		$35,674	$103,624	0%	75%	75%	$0	$77,997	$77,997
2	BUC1012A	660	12		$90.00	$59,400		$31,185	$90,585	0%	75%	75%	$0	$68,183	$68,183
2	BUC1014A	482	15		$115.00	$55,430		$29,101	$84,531	0%	73%	73%	$0	$61,757	$61,757
2	BUC1016A	595	15		$115.00	$68,425		$35,923	$104,348	0%	72%	72%	$0	$75,201	$75,201
2	BUC1018A	188	14		$100.00	$18,800		$9,870	$28,670	0%	72%	72%	$0	$20,662	$20,662
2	BUC1094A	1,155	14		$100.00	$115,500		$60,637	$176,137	0%	73%	73%	$0	$128,725	$128,725
2	BUC1098A	1,838	14		$100.00	$183,800		$96,495	$280,295	0%	73%	73%	$0	$203,583	$203,583
2	BUC1148A	766	12		$90.00	$68,940		$36,193	$105,133	0%	75%	75%	$0	$79,133	$79,133
	Subtotal:	**7,753**		**2018**		**$756,505**	**5%**	**$397,164**	**$1,153,669**				**$0**	**$811,027**	**$811,027**
7 - LITTLE BUFFALO CREEK TRUNK SEWER															
1	LBC3006	2,176	15		$24.00	$52,224		$27,418	$79,642	0%	48%	48%	$0	$38,577	$38,577
	Subtotal:	**2,176**		**2020**		**$52,224**	**5%**	**$27,418**	**$79,642**				**$0**	**$38,577**	**$38,577**
	Sewer Line CIP Total	**25,341**				**$5,625,864**		**$2,953,579**	**$8,579,443**				**$0**	**$3,569,651**	**$3,569,651**

Notes: 1 - City Participate in Cost Oversize

2 - City Initiated and Funded

Exhibit C

TABLE NO. 19
Impact Fee Wastewater Facilities

Pump Station		Year Const.	Capacity (MGD)	Capital Cost ($) Const.	Eng. & Testing	20 Year Debt Service @ 5% Simple Interest	Total 20 Yr. Project Cost $	Capacity Utilized (%) 2013	2023	In the CRF Period	Capacity Utilized ($) 2013	2023	In the CRF Period
EXISTING LIFT STATIONS													
Dalton Road Lift Station & Force Main	1	2002	0.4	$ 272,178	$ 40,200	$ 163,998	$ 476,376	62%	99%	37%	$ 295,353	$ 471,612	$ 176,259
Quail Run Lift Station & 10 Force Main	1	2002	2.5	$ 463,961	$ 29,860	$ 259,256	$ 753,077	45%	85%	40%	$ 338,885	$ 640,115	$ 301,230
Amity Lane Lift Station	1	2006	0.4	$ 167,009	$ 18,800	$ 97,550	$ 283,359	21%	48%	27%	$ 59,505	$ 136,012	$ 76,507
Chandlers Marina Lift Station	1	2007	0.4	$ 244,331	$ 16,500	$ 136,936	$ 397,767	25%	30%	5%	$ 99,442	$ 119,330	$ 19,888
FM 3097 No. 1 Lift Station & 16" Force Main	1	2007	2.2	$ 450,460	$ 21,000	$ 247,517	$ 718,977	1%	61%	60%	$ 7,190	$ 438,576	$ 431,386
FM 3097 No. 2 Lift Station	1	2007	2.9	$ 525,845	$ 25,000	$ 289,194	$ 840,039	34%	69%	35%	$ 285,613	$ 579,627	$ 294,014
Chandlers Deep Lift Station	1	2012	0.7	$ 196,555	$ 61,000	$ 135,216	$ 392,771	98%	100%	2%	$ 384,916	$ 392,771	$ 7,855
Squabble Creek Transfer Lift Station	1	2012	2.5	$ 1,500,346	$ 165,325	$ 874,477	$ 2,540,148	22%	41%	19%	$ 558,833	$ 1,041,461	$ 482,628
Existing Wastewater Facility Total				**$ 3,820,685**	**$ 377,685**	**$ 2,204,144**	**$ 6,402,514**				**$ 2,029,737**	**$ 3,819,504**	**$ 1,789,767**
PROPOSED WASTEWATER TREATMENT PLANT & LIFT STATION/FORCE MAIN IMPROVEMENTS													
Squabble Creek WWTP System Upgrades	2*	2014		$ 1,520,000	$ 228,000	$ 917,700	$ 2,665,700	0.0%	100%	100%	$ -	$ 2,665,700	$ 2,665,700
Squabble Creek Lift Station (Replace Pump 1, Add Generator)	2*	2014	2.4	$ 870,000	$ 130,500	$ 525,263	$ 1,525,763	0.0%	100%	100%	$ -	$ 1,525,763	$ 1,525,763
Proposed Bluff Creek Lift Station	2*	2016	2.4	$ 1,500,000	$ 225,000	$ 905,625	$ 2,630,625	0.0%	100%	100%	$ -	$ 2,630,625	$ 2,630,625
Proposed Bluff Creek Lift Station 14" Force Main (7,360-LF)	2*	2016		$ 1,179,000	$ 176,850	$ 711,821	$ 2,067,671	0.0%	25%	25%	$ -	$ 511,589	$ 511,589
Proposed Bluff Creek Lift Station 20" Force Main (7,360-LF)	2*	2016		$ 1,399,800	$ 209,970	$ 845,129	$ 2,454,899	0.0%	25%	25%	$ -	$ 607,398	$ 607,398
Proposed Brushy Creek Lift Station & Force Main	2*	2017	1.5	$ 1,565,000	$ 234,750	$ 944,869	$ 2,744,619	0.0%	100%	100%	$ -	$ 2,744,619	$ 2,744,619
Squabble Creel Lift Station (Replace Pump 3)	2*	2020	+2.9	$ 690,000	$ 103,500	$ 416,588	$ 1,210,088	0.0%	100%	100%	$ -	$ 1,210,088	$ 1,210,088
Total			**18.30**	**$ 8,723,800**	**$ 1,308,570**	**$ 5,266,995**	**$ 15,299,365**				**$ -**	**$ 11,895,781**	**$ 11,895,781**

* 15% of Construction Assumed for Engineering and Testing
(1) Actual Cost
(2) Estimated Cost in 2013 Dollars

Exhibit C

F. CALCULATION OF MAXIMUM IMPACT FEES - WATER & WASTEWATER

Chapter 395, of the Local Government Code allows the maximum impact fee to be charged if revenues from Future Ad Valorem Taxes, and water and sewer bills are included as a credit in the analysis. If not, the Act allows the maximum assessable fee to be set at 50% of the calculated maximum fee. The maximum impact fees for the water and wastewater systems are calculated separately by dividing the cost of the capital improvements or facility expansions necessitated and attributable to new development in the Service Area within the ten year period by the number of living units anticipated to be added to City within the ten year period. To simplify collection, we recommend the fee remain fixed throughout the 5-year period, unless changed by Council.

The **Water System** impact fee for a 5/8" meter is calculated as follows:

$$\text{Maximum Impact Fee} = \frac{\text{Eligible Existing Facility Cost} + \text{Eligible Proposed Facility Cost}}{\text{Number of New Living Unit Equivalent over the Next 10-Years}}$$

$$= \frac{\$6,080,477 + \$27,425,564}{10,770} = \frac{\$33,506,042}{10,770}$$

Calculated Water Maximum Impact Fee = $3,111.05 *

* Maximum Allowable Water Impact Fee is 50% of the Calculated Water Maximum Impact Fee

Maximum Assessable Water Impact Fee = $3,111.05 X 50% = $1,555.53

The **Wastewater System** impact fee for a 5/8" water meter is calculated as follows:

$$\text{Maximum Impact Fee} = \frac{\text{Eligible Existing Facility Cost} + \text{Eligible Proposed Facility Cost}}{\text{Number of New Living Unit Equivalent over the Next 10-Years}}$$

$$= \frac{\$4,626,720 + \$15,465,432}{8,126} = \frac{\$20,092,152}{8,126}$$

Calculated Water Maximum Impact Fee = $2,472.58 *

* Maximum Allowable Water Impact Fee is 50% of the Calculated Water Maximum Impact Fee

Maximum Assessable Wastewater Impact Fee = $2,472.58 X 50% = $1,236.29

Table No. 20 summarizes the per service unit equivalent maximum assessable impact fee that can be charged based on the calculated 50% credit above.

Exhibit C

TABLE NO. 20

Maximum Assessable Water & Wastewater Impact Fee

Maximum Assessable Water Impact Fee per Living Unit Equivalent: $1,555.53

Maximum Assessable Wastewater Impact Fee per Living Unit Equivalent: $1,236.29

Typical Land Use	Meter Type	Meter Size	Living Unit Equivalent	Max. Assessable Impact Fee		
				Water	Wastewater	Total
Single Family Residential	Simple	5/8"	1.0	$ 1,555.53	$ 1,236.29	$ 2,791.81
Single Family Residential	Simple	1"	2.5	$ 3,888.82	$ 3,090.72	$ 6,979.54
Single Family Residential	Simple	1-1/2"	5.0	$ 7,777.63	$ 6,181.44	$ 13,959.07
Single Family Residential	Simple	2"	8.0	$ 12,444.21	$ 9,890.30	$ 22,334.52
Comm./Retail	Compound	2"	8.0	$ 12,444.21	$ 9,890.30	$ 22,334.52
Comm./Retail/ Irrigation	Turbine	2"	16.0	$ 24,888.42	$ 19,780.61	$ 44,669.03
Comm./Retail/ Multi Family	Compound	3"	16.0	$ 24,888.42	$ 19,780.61	$ 44,669.03
Comm./Retail/ Irrigation/ Multi Family	Turbine	3"	35.0	$ 54,443.43	$ 43,270.08	$ 97,713.51
Comm./Retail/ Multi Family	Compound	4"	25.0	$ 38,888.16	$ 30,907.20	$ 69,795.36
Comm./Retail/ Irrigation/ Multi Family	Turbine	4"	65.0	$101,109.23	$ 80,358.72	$181,467.94
Industrial	Compound	6"	50.0	$ 77,776.33	$ 61,814.40	$139,590.73
Industrial/ Irrigation	Turbine	6"	140.0	$217,773.72	$173,080.32	$390,854.03
Industrial	Compound	8"	80.0	$124,442.12	$ 98,903.04	$223,345.16
Industrial/ Irrigation	Turbine	8"	240.0	$373,326.37	$296,709.12	$670,035.49

Exhibit C

Exhibit 'C'

2013 -2023 WATER & WASTEWATER IMPACT FEE UPDATE

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
DALLAS, TEXAS

JUNE 2014

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 10/06/2014

APPLICANT: Scott Lay of Lay Construction, LLC

AGENDA ITEM: **SP2014-018**; Dairy Queen Restaurant

Discuss and consider a request by Scott Lay on behalf of Lay Construction, LLC for the approval of certain variances to the SH 205 Overlay District for a Dairy Queen restaurant on a 2.0638-acre tract of land identified as Tract 36 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH 205 OV) District, located on the east side of SH 205 [*S. Goliad Street*] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Scott Lay of Lay Construction, LLC, is requesting approval of a site plan for a proposed Dairy Queen Restaurant on a 2.0638-acre tract of land. The site is generally located at the northeast corner of SH 205 and Yellow Jacket Lane *(just north of 7-Eleven)* and is zoned Commercial (C) district. The property is within the SH 205 OV District and is subject to the standards established for the district. The applicant will be seeking variances to certain standards established in the overlay district as outlined in staff's report.

VARIANCE REQUEST:

The applicant is requesting the following variances to *Sec. 6.7, SH 205 OV District* requirements of the UDC as stated below:

1) To allow for stucco exceeding 50% of the masonry requirement on the east facing façade.
2) To allow for secondary materials (i.e. pre-finished metal panels and/or ceramic tile) exceeding the maximum allowed of less than 10% on the north, south, and west facing elevations.
3) To allow for parking spaces within the 20-ft Landscape Buffer as depicted on the site plan and to relocate the required landscape buffer trees (canopy and accent) within the development.
4) To allow for a flat roof design with parapet walls on a building less than 6,000 sq. ft.

Under *Sec. 6.7, SH 205 OV District*, *H. Variance*, the Unified Development Code provides for the following:

The City Council may, upon request from the applicant, grant a variance to any provision of this section where unique or extraordinary conditions exist or where strict adherence to the provisions of this section would create a hardship. Approval of any variance to any provision of this section shall require city council approval by a three-quarter majority vote of those city council members present with a minimum of four affirmative votes.

RECOMMENDATIONS:

Architectural Review Board Recommendation:

On July 29, 2014, the Architectural Review Board recommended approval of the building elevations as submitted.

Planning and Zoning Recommendation:

Should the request be approved, staff would offer the following recommendations:

1. Adherence to all Engineering and Fire Department standards.
2. Consider recommendations forwarded to the Planning and Zoning Commission from the Architectural Review Board.
3. All exterior signage requires approval and submittal of a separate permit through the building inspections department prior to installation.
4. Submittal and approval of a replat prior to issuance of a Certificate of Occupancy.
5. Should the property be subdivided, an off-site parking agreement must be submitted at the time of platting if the parking space(s) for either lot are to be shared.

On September 30, 2014, the Planning and Zoning Commission approved the Site Plan request with staff conditions and recommended approval of the variances requested with the exception of the allowance for parking spaces within the 20-ft Landscape Buffer and the relocation of the required landscaping trees by a vote of 7 to 0.



City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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LAY CONSTRUCTION LLC

GENERAL CONTRACTOR

...helping build your future today.

City Council
385 S. Goliad Street
Rockwall, Texas 75087

September 4, 2014

RE: Letter requesting variances regarding the Dairy Queen Job directed to the City of Rockwall: Attention: City Council.

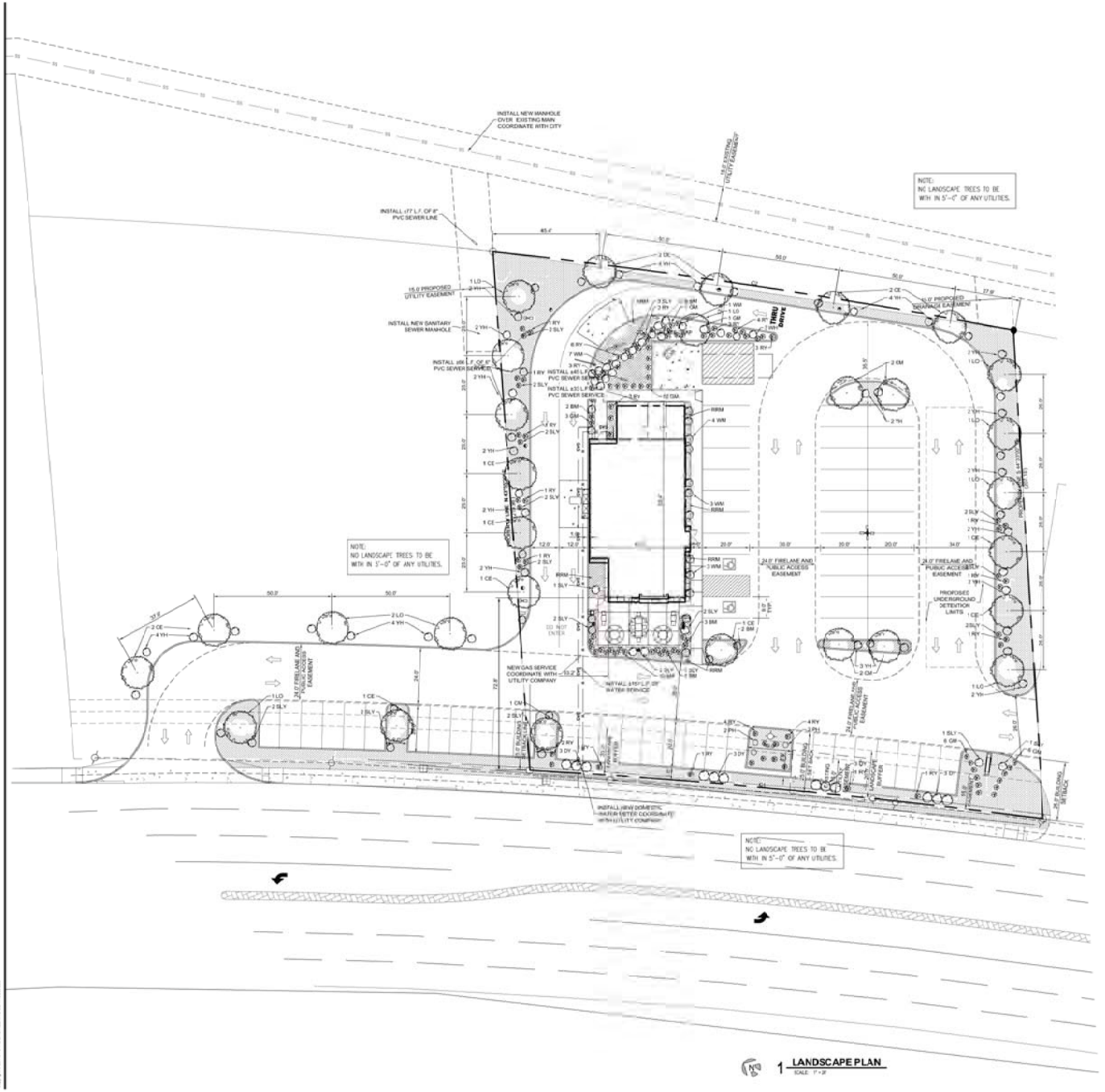
City Council,

Since we are trying to stay within the Dairy Queen regulations as well as meeting the City of Rockwall's regulations, we request the following:

- The amount of stucco being used be allowed to exceed the maximum 50 % of the masonry requirement.
- That the secondary material amount to exceed the amount of "less than 10 %" for all materials – pre-finished metal panels including the ceramic tile.
- The allowance for 17 parking spaces located within the required 20 landscape buffer as well as the 13 off-site parking spaces in this buffer.
- Roof design standards require a pitched roof for buildings less than 6000 sq. ft. Allowance for flat roof design with parapet walls.

Sincerely,

Rachel Anders
Project Coordinator Assistant



1 LANDSCAPE PLAN
SCALE: 1" = 2'

LANDSCAPE PLAN NOTES

1. Contractor to verify all site dimensions and layout prior to the commencement of landscape construction. Any discrepancies between the drawings and the actual site conditions shall be brought to the attention of the Owner's Representative immediately.
2. Contractor is responsible for verification of the location all underground utilities. Repair to said utilities as a result of the work of the Contractor shall be the responsibility of the Contractor. NOTE: All existing and proposed utilities may not be shown on this plan.
3. Utilities may exist on site that were unknown during the development of this drawing. Contractor to notify the Owner's Representative immediately if the location of any proposed plant material conflicts with any site utility lines including but not limited to manholes, pull boxes, valve boxes, meters, transformers, etc. Do not plant a tree within 20' feet of the above-mentioned structures unless otherwise directed by the drawings. Failure to notify the Owner's Representative of such conflicts will result in the Contractor being responsible in replacing the affected plant material at the Owner's discretion.
4. Contractor is responsible for verification of all plant quantities based on the drawings and actual field conditions. Plant quantities have been provided for estimating purposes only. Contractor shall provide unit prices to the owner in case of any shortages\ overages or revisions to the planting design.
5. Contractor shall supply nursery-grown trees (except for ball & burlap as approved by the Landscape Architect), shrubs, and ground covers of species, type and size as specified in the Plant List.
6. All plants shall be legibly labelled true to specified size and variety in accordance with Standardized Plant Names, American Joint Committee on Horticulture. Sizes must be in accordance with the American Association of Nurserymen Standards.
7. Irrigation system installation to be complete (with the exception of tree bubblers if applicable) prior to the installation of any plant material.
8. Contractor to remove all clods, rocks, concrete, trash and any other debris prior to installation of soil mix or plant material.
9. Contractor is responsible for removal of trash and repair of hazardous conditions (tools, open holes, etc.) on a daily basis by the end of the work day.
10. All planting beds shall be separated from turf areas by using 1/8" x 4" x 16' Colmet steel edging. Trim steel edging at a 45° angle at pavement or curb intersections.
11. Upon completion of construction and prior to final approval, Contractor shall thoroughly clean the site of all trash, spilled soil, and litter, etc. that has resulted from landscape construction operations. Repair all damage to finish grade including tailings from excavations, wheel ruts, etc. caused from construction.
12. Remove all tags, ribbons and wires from all newly installed plant material upon Owner's authorization.
13. Contractor to replace all materials which are dead, unhealthy, or unsightly (as determined by the Owner) with the cost of replacement to be at the Contractor's expence. Replacement material to be in accordance with the drawings and shall be warranted per the garantee requirements stated herein.
14. All plant material to be guaranteed to remain alive and in healthy vigorous condition for a period of one year after acceptance by the Owner.
15. Warranty shall not include damage or loss of plants due to acts of God, acts of vandalism or negligence on the part of the Owner.

PLANT LIST

ABBREVIATION	QUANTITY	DESCRIPTION
	5,893 SQ. FT	COMMON BERMUDAGRASS – Cynodon dactylon Hydromulch (Refer to Turf Application Notes)
	5,893 SQ. FT	ANNUAL RYE – Lolium spp. (Refer to Turf Application Notes)
PH	4	PURPLE HEART – Setcreasea pallida 1 gal., 3' o.c., dark green, full
GM	33	GULF MUHLY – Muhlenbergia capillaris 1 gal., 2.5' o.c., 18" ht. 12" sprd., dark green, full,
RY	43	RED YUCCA – Hesperaloe parviflora 5 gal., 3' o.c., 12" ht., 12" sprd., dark green, full
BM	28	BIG MUHLY – Muhlenbergia lindheimeri 5 gal., 3.5' o.c., 24" ht., 18" sprd., dark green, full
WM	18	DWARF WAX MYRTLE – Myrica pusilla 5 gal., 4' o.c., 24" ht., 18" sprd., dark green, full
SLY	35	SOFT LEAF YUCCA – Yucca gloriosa 15 gal., 3.5' o.c., 24" ht., 24" sprd., dark green, full
YH	45	TAUPON HOLLY – Ilex vomitoria "Pride of Houston." 2" cal. 30 gal., space as shown, 6' ht., 3' sprd., dark green, full
CM	4	CRAPE MYRTLE – Lagerstroemia indica "Natchez" 2" cal., 30 gal., 8'-9' ht., 4' sprd., dark green, full, multi-trunk w/ minimum 1/2" cane diameter
LO	9	LIVE OAK – Quercus virginiana 3" cal., 65 container, 11'-12' ht., 7' sprd., full, single straight trunk
CE	15	CEDAR ELM – Ulmus crassifolia 3" cal., B & B, 13' ht., 6' sprd., dark green, full, single straight trunk
DY	12	Dwarf Yaupon - (Ilex vomitoria) 5 gal. 3'-4' ht., 3' to 4' sprd., dark green, full

TURF LEGEND

Bermuda Hydromulch

River Rock Mulch (Gravel Mulch) Full Sun
1,707 SQ. FT

SP 2014-018

LAY DESIGN / BUILD

REGISTERED ARCHITECT BRIAN R. ACKERSON 17231 STATE OF TEXAS

BUILDING TYPE DAIRY QUEEN TEXAS

NEW BUILDING
DAIRY QUEEN
1801 SOUTH GOLIAD STREET
ROCKWALL, TEXAS 75087

REVISIONS
NO. DATE
1 09/9/14

DATE: 09/27/2014
PROJECT NO. LAY 14 002
SHEET NO. L1
LANDSCAPE PLAN

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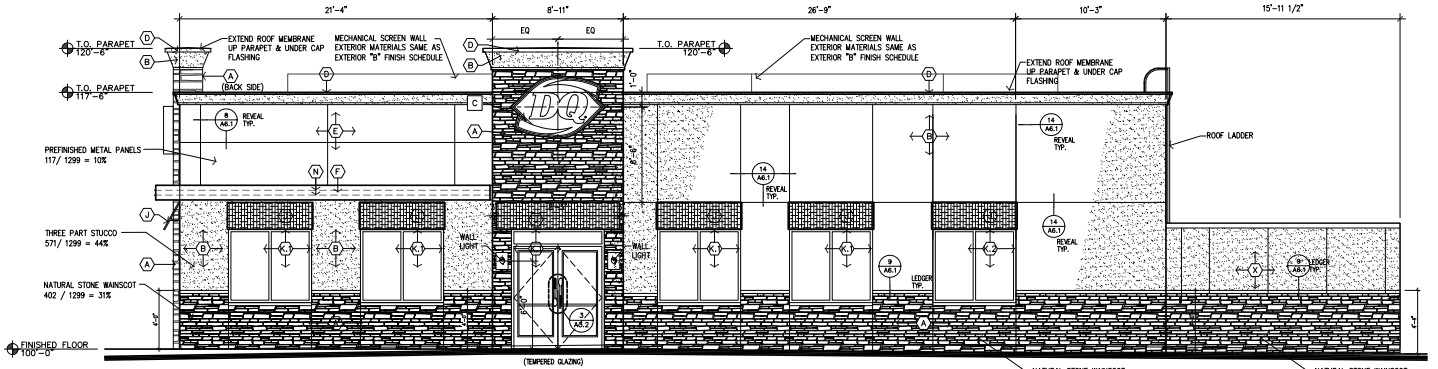
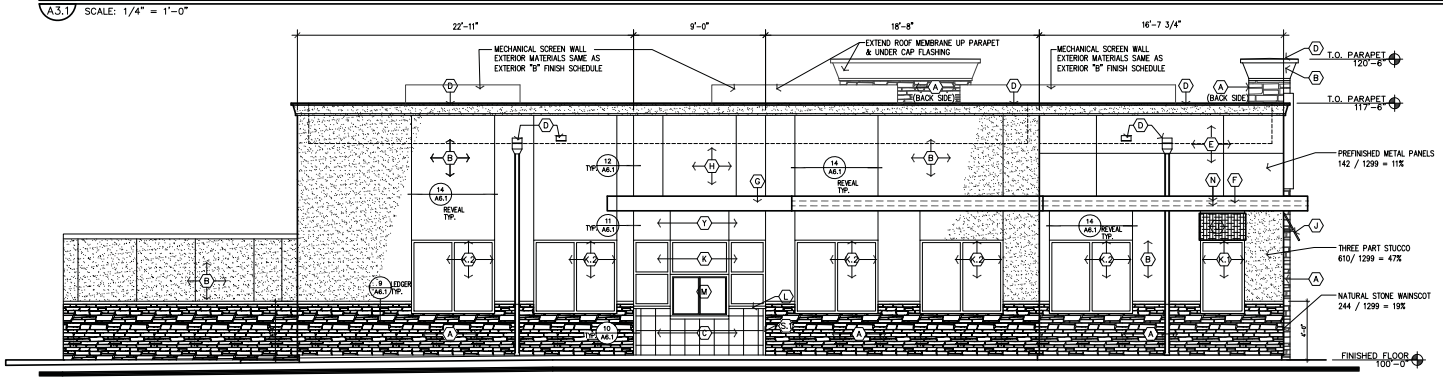


1 A3.1 ENTRANCE ELEVATION
SCALE: 1/4" = 1'-0"



2 A3.1 DRIVE-THRU ELEVATION
SCALE: 1/4" = 1'-0"

EXTERIOR ELEVATION KEYNOTES: (GRILL & CHILL)

(A) STONE:
MFGR: NATURAL STONE
STYLE: QUARRIED STONE
COLOR: CHARDONNAY 2006
GROUT: GREY

(B) THREE STEP PROCESS STUCCO:
MFGR: STUCCO APPLICATION
COLOR: NA11-0034 (MATCHES BENJAMIN MOORE SANDY BROWN #1046)
FINISH: 306 MEDIUM SAND
NOTE:
PROVIDE STUCCO THREE STEP PROCESS **REQUIRED** AT ALL AREAS INDICATED AND LABELED AS STUCCO.

(C) CERAMIC TILE:
MFGR: MARAZZI
SERIES: I COLORI
COLOR: CRAYONS RED LUSTER
SIZE: 12"x12"
GROUT: "LATICRETE"
GROUT COLOR: ALMOND 85
SUPPLIER: HJC
NOTE: MUST BE INSTALLED PER TILE COUNCIL OF NORTH AMERICA "W244E-09" AND ANSI "A118.4"

(D) COPING & SCUPPERS:
MFGR: UNA-CLAD
MATL: 24 GA. STEEL
COLOR: ALMOND
FINISH: KYNAR 500

(E) METAL PANEL:
MFGR: ALPOLIC
STYLE: 3MM
COLOR: DQ RED
NOTE: MUST BE INSTALLED HORIZONTALLY. REFERENCE ARROWS ON BACK OF PANEL MUST BE ALIGNED IN THE SAME DIRECTION.
VENDOR: NU LOOK EXTERIORS

(F) METAL EYEBROW & FLASHING:
MFGR: UNA-CLAD
STYLE: .040 ALUMINUM
COLOR: MATTE BLACK
FINISH: KYNAR 500
VENDOR: NU LOOK EXTERIORS

(G) METAL CANOPY & FLASHING:
MFGR: UNA-CLAD
STYLE: .040 ALUMINUM
COLOR: CLEAR ANODIZED SATIN
VENDOR: NU LOOK EXTERIORS

(H) METAL PANEL:
MFGR: ALPOLIC
MATERIAL: 3MM
COLOR: DQ BLUE
VENDOR: NU LOOK EXTERIORS

(J) FABRIC AWNING:
MFGR: COOL PLANET AWNING
MATERIAL: SUNBRELLA
COLOR: JOCKEY RED
FRAME: 1"x1" ALUMINUM (WELD ALL JOINTS, GRIND SMOOTH)
FINISH: ANODIZED CLEAR SATIN
VENDOR: COOL PLANET AWNING OR HJC

(K) STOREFRONT:
MFGR: YKK AP AMERICA INC.
STYLE: 2"x4 1/2"
FINISH: CLEAR SATIN ANODIZED ALUMINUM
GLAZING: CLEAR, 1" INSULATED, LOW E

(K.1) STOREFRONT:
MFGR: YKK AP AMERICA INC.
STYLE: 2"x4 1/2"
FINISH: DARK BRONZE SATIN ANODIZED ALUMINUM
GLAZING: CLEAR, 1" INSULATED, LOW E

(K.2) STOREFRONT:
MFGR: YKK AP AMERICA INC.
STYLE: 2"x4 1/2"
FINISH: DARK BRONZE SATIN ANODIZED ALUMINUM
GLAZING: SPANDREL GLASS

(L) WINDOW SILL FLASHING:
MFGR: YKK AP AMERICA INC.
FINISH: ANODIZED CLEAR SATIN
SIZE: 2" AS REQ'D BY LOCATION

(M) DRIVE-THRU WINDOW:
MFGR: QUICKSERV
MATERIAL: ALUMINUM
FINISH: ANODIZED CLEAR SATIN
VENDOR: N. WASSERSTROM & SONS

(N) STRIP LIGHTING:
MFGR: MORGAN HOPE
STYLE: LED-Flex WITH BLACK TRACK
MODEL: LED-MH-120V-EB (BLUE LED)
VENDOR: HJC
NOTE: MUST BE INSTALLED PER MANUFACTURERS REQUIREMENTS

(Q) SOLID COLOR STAIN:
MFGR: BENJAMIN MOORE
COLOR: SANDY BROWN #1046
PRODUCT: ARBORCOAT WATERBORNE SOLID COLOR STAIN #640
PRIMER: SELF PRIMING ON MOST SURFACES (SEE TECH. DATA SHEET FOR DETAILS)

(S.1) TRANSITION TRIM:
SIZE: 1 1/2"D. x2"W. HAT CHANNEL
FINISH: CLEAR SATIN ANODIZED ALUMINUM

(T) PAINT:
MFGR: BENJAMIN MOORE
COLOR: SANDY BROWN #1046
PRODUCT: AURA EXTERIOR PAINT LOW LUSTRE #634
PRIMER: FIRST COAT AURA EXTERIOR PAINT LOW LUSTRE #634

(X) WALK-IN COOLER/FREEZER:
MFGR: NORLAKE
COLOR: PREFINISHED FROM MANUFACTURER TO MATCH BUILDING
VENDOR: WASSERSTROM
NOTE: SEE EQUIPMENT SCHEDULE FOR DETAILS

(Y) BREAK METAL CLOSURE:
MFGR: UNA-CLAD
FINISH: CLEAR SATIN ANODIZED ALUMINUM
VENDOR: NU LOOK EXTERIORS

TRANSPARENCY PERCENTAGES:

NORTH WALL (FRONT ELEVATION):	128 / 755 = 17%
SOUTH WALL (REAR ELEVATION):	= 0%
DRIVE THRU ELEVATION:	201 / 1299 = 16%
ENTRY ELEVATION:	192 / 1299 = 15%

FACADE RHYTHMS:

THE RHYTHMS OF THE SIDE FACADES TO NOT EXCEED 30'-0" RHYTHM BEFORE INTRODUCING A VARIETY OR CHANGE IN PLANE, STEPPING PORTIONS OF FACADE IN AND OUT, COLUMNS AND PILASTERS, OR CHANGE IN COLOR TYPE.

THE TOP DIMENSIONS TO INDICATE FACADE RHYTHMS FREQUENCY REQUIREMENTS AND CHANGES.

ENTRANCE ELEVATION:
WAINSCOT NATURAL STONE = 31%
METAL PANELS = 10%
THREE PART STUCCO = 44%
GLASS & STOREFRONT = 15%

DRIVE THRU ELEVATIONS:
WAINSCOT NATURAL STONE = 20%
METAL PANELS = 11%
THREE PART STUCCO = 47%
GLASS & DRIVE THRU = 16%
WALL TILE = 6%

FRONT ELEVATION:
WAINSCOT NATURAL STONE = 42%
METAL PANELS = 5%
THREE PART STUCCO = 36%
GLASS & ENTRY = 17%

REAR ELEVATION:
WAINSCOT NATURAL STONE = 25%
THREE PART STUCCO = 75%

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Longview, TX 75605
903.212.2856
te-services.com
TBPE FIRM 13835
REGISTERED ARCHITECT WM R. ACKISS 17231 STATE OF TEXAS 8/28/14

IDQ Restaurant
AMERICAN DAIRY QUEEN MINNEAPOLIS, MN U.S.A.
*REGISTERED U.S. PATENT OFFICE.
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BUILDING TYPE:
DAIRY QUEEN TEXAS

NEW BUILDING
DAIRY QUEEN
1801 SOUTH GOLIAD STREET
ROCKWALL, TEXAS 75087

REVISIONS

NO.	DATE

DATE: 08/27/2014
PROJECT NO. LAY 14 002
SHEET NO. A3.1
EXTERIOR ELEVATIONS

SP 2014-018

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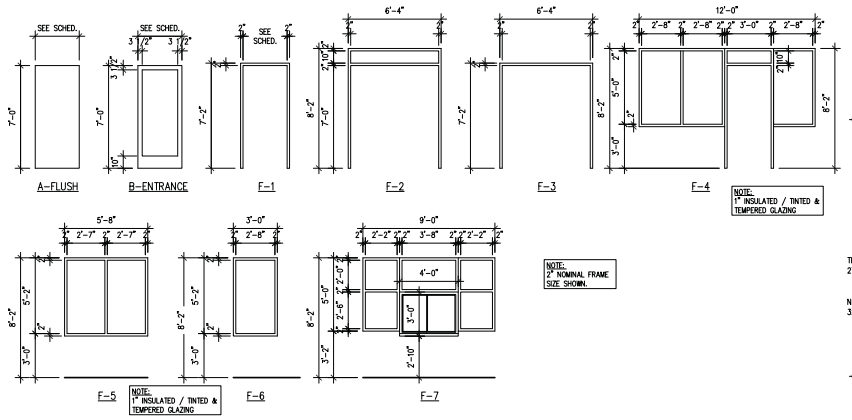


OPENING SCHEDULE

NATIONAL ACCOUNT DOOR AND FRAME SUPPLIER (PLAM, WOOD AND H.M.)
HAMILTON PARKER, SEE NATIONAL VENDORS LIST

OPNG. NO.	OPENING LOCATION	DOOR/WINDOW SIZE	DOOR/WINDOW TYPE	DOOR/WINDOW MATERIAL	DOOR/WINDOW FINISH	FRAME TYPE	FRAME MATERIAL	FRAME FINISH	FIRE RATING	HARDWARE GROUP	NOTES:
100A	VESTIBULE (EXT.)	(2) 3'-0" x 7'-0" x 1 3/4"	B	ALUM.	BRONZE	F2	ALUM.	BRONZE	–	1	
100B	VESTIBULE (INT.)	(2) 3'-0" x 7'-0" x 1 3/4"	B	ALUM.	BRONZE	F3	ALUM.	BRONZE	–	2	MOUNT BOTTOM OF DOOR FRAME LEVEL WITH TOP OF FLOOR TILE
101A	DINING ROOM	5'-8" x 5'-0"				F5	ALUM.	BRONZE	–		–
101B	DINING ROOM	5'-8" x 5'-0"				F5	ALUM.	BRONZE	–		–
101C	DINING ROOM	5'-8" x 5'-0"				F5	ALUM.	BRONZE	–		–
101D	DINING ROOM	5'-8" x 5'-0"				F5	ALUM.	BRONZE	–		–
101E	DINING ROOM	3'-0" x 5'-0"				F6	ALUM.	BRONZE	–		–
101F	TO PATIO	6'-4" x 8'-2" x 1 3/4"	B	ALUM.	BRONZE	F4	ALUM.	BRONZE	–	3	–
102	WOMENS	3'-0" x 7'-0" x 1 3/4"	A	L.C.	PLAM	F1	H.M.	PAINT	–	5	UNDERCUT BY 1". – PLAM: WILSONART LIMBER MAPLE 10734–60
103	MENS	3'-0" x 7'-0" x 1 3/4"	A	L.C.	PLAM	F1	H.M.	PAINT	–	5	UNDERCUT BY 1". – PLAM: WILSONART LIMBER MAPLE 10734–60
104	DRIVE THRU	9'-0" x 5'-0"				F7	ALUM.	CLEAR	–	–	–
106	OFFICE	3'-0" x 7'-0" x 1 3/4"	A	L.C.	PLAM	F1	H.M.	PAINT	–	6	UNDERCUT BY 1". – PLAM: WILSONART LIMBER MAPLE 10734–60
107	SERVICE	3'-0" x 7'-0" x 1 3/4"	A	H.M.	H.M.	F1	H.M.	PAINT	–	4	SEE EXTERIOR ELEVATIONS FOR COLOR

NOTES:
1. LUMBER CORE DOORS: (ALSO KNOW AS "LAMINATED STRAND LUMBER") SIZE AS PER PLAN AND SCHEDULE. ALL EDGES/SURFACES TO BE COVERED WITH PLASTIC LAMINATE.
2. HOLLOW METAL DOOR(S): SIZE AS PER PLAN AND SCHEDULE. (HOT ROLLED LEVEL 2 MODEL 2) STEEL TO BE 18 Ga., INTERIOR TO BE FOAM INSULATION, WITH INTEGRAL REINFORCEMENT FOR CLOSURE AND PANIC HARDWARE.

ALUM = ALUMINUM
HM = HOLLOW METAL
LC = LUMBER CORE
BRZ = ANODIZED ALUMINUM STATUTORY BRONZE FINISH
CLR = ANODIZED ALUMINUM CLEAR FINISH
PNT = SEE INTERIOR ELEVATIONS AND FINISH SCHEDULE FOR COLOR

HARDWARE GROUPS

NATIONAL ACCOUNT DOOR HARDWARE
HAMILTON PARKER, SEE NATIONAL VENDORS LIST

GROUP #1: TYPICAL EXTERIOR VESTIBULE DOORS
- CLOSER: HAGER MFG., MODEL #5200 SPR CSH CLOSER.
- HINGES: HAGER MFG., MDL #BB1199 32D WITH NON-REMOVABLE PINS, 4.5"x4.5"x0.180" THk., (4) HINGES PER LEAF.
- KEYED CYLINDERS: HAGER MFG., MDL# 3902 MORTISE CYLINDER, PROVIDE (2) KEYS PER DOOR, ALL CYLINDERS KEYED ALIKE. (MOUNTED AT 34" AFF, COORDINATE W/ SPOON HANDLE)
- SPOON HANDLE (PROVIDED & INSTALLED BY ALUM. STOREFRONT CONTRACTOR, AVAILABLE FROM HJC, SEE ADQ NATIONAL VENDORS LIST)
- PUSH BAR: HAGER MFG., 130S
- SWEEP: HAGER MFG., MDL #8015B, MIL ALUM FINISH, SIZED TO FIT DOOR WIDTH.
- THRESHOLD: HAGER MFG., MDL #412 S, MIL ALUM FINISH, SIZED TO FIT DOOR OPENING WIDTH.
- WEATHERSTRIPPING: PART OF DOOR MANUFACTURERS PACKAGE

1. THE G.C. TO PROVIDE DOOR SIGNAGE STATING "THIS DOOR TO REMAIN UNLOCKED DURING BUSINESS HOURS" (SINGLE LINE HORIZONTAL SIGN PREFERRED)
2. THE DQ RED SPOON HANDLES HAVE SPECIAL INSTALLATION REQUIREMENTS. ALUMINUM STOREFRONT MANUFACTURER MUST COORDINATE LOCK & HANDLE HEIGHTS.

GROUP #2: TYPICAL INTERIOR VESTIBULE DOORS
- CLOSER: HAGER MFG. MODEL #5200 SPR CSH CLOSER.
- HINGE(S): HAGER MFG., MDL #BB1199 32D WITH NON-REMOVABLE HINGE PINS, 4.5" X 4.5" X 0.180" THk., (4) HINGES PER LEAF.
- PUSH/PULL: EMERGENCY PUSH BAR , 2D, & MDL#1590 RH COMBO 32D.

GROUP #3: TYPICAL EXTERIOR PATIO/EGRESS DOOR
- CLOSER: HAGER MFG. MODEL #5200 SPR CSH CLOSER.
- DEAD BOLT: ADAMS RITE MS1850S
- HINGE(S): HAGER MFG., MDL #BB1199 32D WITH NON-REMOVABLE HINGE PINS, 4.5" X 4.5" X 0.180" THk., (4) HINGES PER LEAF.
- KEYED CYLINDERS: HAGER MFG., MDL# 3902 MORTISE CYLINDER, PROVIDE (2) KEYS PER DOOR, ALL CYLINDERS KEYED ALIKE. (MOUNTED AT 34" AFF, COORDINATE W/ SPOON HANDLE)
- SPOON HANDLE (PROVIDED & INSTALLED BY ALUM. STOREFRONT CONTRACTOR, AVAILABLE FROM HJC, SEE ADQ NATIONAL VENDORS LIST)
- PUSH BAR: HAGER MFG., 130
- SWEEP: HAGER MFG., MDL #8015B, MIL ALUM FINISH, SIZED TO FIT DOOR WIDTH.
- THRESHOLD: HAGER MFG., MDL #412S, MIL ALUM FINISH, SIZED TO FIT DOOR OPENING WIDTH.
- WEATHERSTRIPPING: PART OF DOOR MANUFACTURERS PACKAGE.

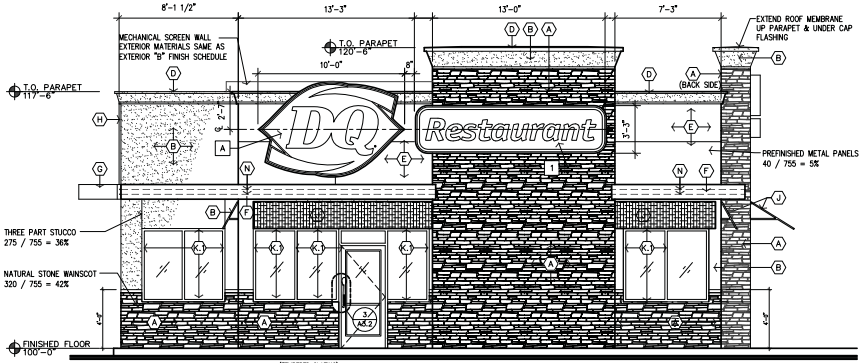
–G.C. TO PROVIDE DOOR SIGNAGE STATING "THIS DOOR TO REMAIN UNLOCKED DURING BUSINESS HOURS" (SINGLE LINE HORIZONTAL SIGN PREFERRED)

–THE DQ RED SPOON HANDLES HAVE SPECIAL INSTALLATION REQUIREMENTS. ALUMINUM STOREFRONT MANUFACTURER MUST COORDINATE LOCK & HANDLE HEIGHTS.

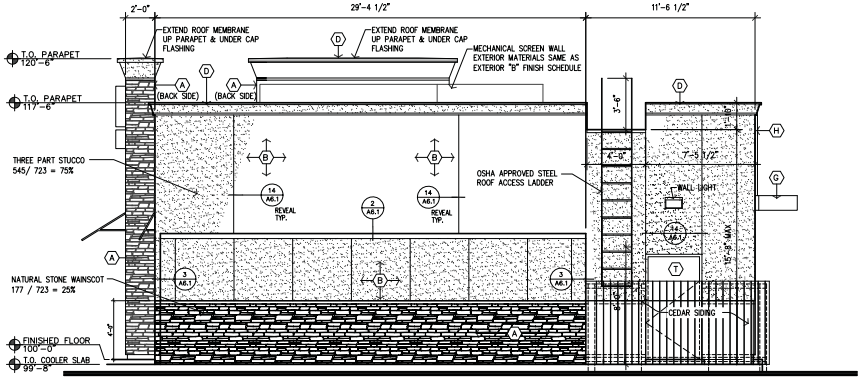
GROUP #4: TYPICAL REAR SERVICE DOOR
- CLOSER: HAGER MFG. MODEL #5200 SPR CSH CLOSER.
- EXIT DEVICE: HAGER MFG., MDL #4701 RIM US28, SPRAYED ALUMINUM FINISH.
- HINGE(S): HAGER MFG., MDL #CBB 1100 US26D WITH NON-REMOVABLE HINGE PINS, 4.5" X 4.5" X 0.134" Thk., (4) HINGES PER LEAF.
- KICK PLATE: HAGER MFG., MDL #ARMOR PLATE, 40"W X 20"H X 0.05" Thk.
- PROTECTOR, TRIM: HAGER., MFG., MDL #HD2250
- PULL: HAGER MFG., MDL#4J32D, (EXTERIOR SIDE OF DOOR).
- SWEEP: HAGER MFG., MDL #8015 V, MIL ALUM FINISH, SIZED TO FIT DOOR WIDTH.
- THRESHOLD: HAGER MFG., MDL #412S, MIL ALUM FINISH, SIZED TO FIT DOOR OPENING WIDTH.
- VIEWER: HAGER MFG., 1756 US26D, 200 DEGREE VIEW (FACTORY INSTALLED).
- WEATHERSTRIPPING: HAGER MFG., MDL #891S V, MIL ALUM FINISH, SIZED TO FIT DOOR.

GROUP #5: TYPICAL RESTROOM DOOR
- CLOSER: HAGER MFG. MODEL #5200 CLOSER.
- HINGES: HAGER MFG., MDL #CBB 1100 US26D, 4.5" X 4.5" X 0.134" Thk., (3) HINGES PER LEAF.
- KICK PLATE: HAGER MFG., MDL#190S 18 Ga. 34"W X 10"H X 0.05" Thk. (MOUNTING HOLES PREDRILLED AT FACTORY, INSTALLED ON PUSH SIDE OF DOOR).
- STOP, DOOR: HAGER MFG., MDL #232W 32D, BRUSHED CHROME, 2 1/2" DIA, WALL MOUNT.
- 4x16 PUSH PLATE
- PULL HANDLE: HAGER 3E320

GROUP #6: TYPICAL OFFICE DOOR
- CLOSER: HAGER MFG. MODEL #5200 CLOSER.
- HINGE(S): HAGER MFG., MDL #CBB 1100 US26D, 4.5" X 4.5" X 0.134" Thk., (3) HINGES PER LEAF.
- KICK PLATE: HAGER MFG., MDL#190S 18 Ga. 34"W X 10"H X 0.05" Thk. (MOUNTING HOLES PREDRILLED AT FACTORY, INSTALLED ON PUSH SIDE OF DOOR).
- STOP, DOOR: HAGER MFG., MDL #232W 32D, BRUSHED CHROME, 2 1/2" DIA, WALL MOUNT.
- LOCKSET: 3553 US26D–WITHNELL (KEYED)



1 A3.2 FRONT ELEVATION
SCALE: 1/4" = 1'-0"



2 A3.2 REAR ELEVATION
SCALE: 1/4" = 1'-0"

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REGISTERED ARCHITECT
17231
STATE OF TEXAS

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DQ Restaurant

AMERICAN DAIRY QUEEN MINNEAPOLIS, MN U.S.A.
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BUILDING TYPE:
DAIRY QUEEN
TEXAS

NEW BUILDING
DAIRY QUEEN
1801 SOUTH GOLIAD STREET
ROCKWALL, TEXAS 75087

REVISIONS	
NO.	DATE

DATE:
08/27/2014

PROJECT NO.
LAY 14 002

SHEET NO.
A3.2

ELEVATIONS: DOOR & FRAME TYPES

SP 2014-018

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103 COMMUNITY BLVD. | LONGVIEW, TEXAS 75605 | WWW.TE-SERVICES.COM TBPE FIRM 13535

DAIRY QUEEN RESTAURANT
HIGHWAY 205 & YELLOW JACKET LANE
ROCKWALL, TEXAS

PROJECT NO: LAY 14 002	RENDERING 1A
REVISION: DATE: 7 / 14 / 14	Scale: N.T.S.

345



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DAIRY QUEEN RESTAURANT
HIGHWAY 205 & YELLOW JACKET LANE
ROCKWALL, TEXAS

PROJECT NO: LAY 14 002	RENDERING 2A
REVISION: DATE: 7 / 14 / 14	
	Scale: N.T.S.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 10/6/2014

APPLICANT: Darryl LaCaze

AGENDA ITEM: **MIS2014-013;** Accessory Building - LRE

SUMMARY:

Discuss and consider a request by Darryl LaCaze for the approval of a special request for the purpose of permitting an accessory structure that exceeds the maximum permissible size stipulated by Section 2.1.2 of Article IV, Permissible Uses, of the Unified Development Code and does not meet the exterior material requirements as stipulated in Ordinance No. 09-37 for a 33.05-acre property identified as Lots 1340 & 1341 of Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) [Ordinance No. 09-37], addressed as 503 Nicole Drive, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Darryl LaCaze, has submitted a special request to allow for the construction of an accessory building exceeding the size requirements of the UDC, as well as, not meeting the exterior material standards for PD-75. The proposed accessory building is a 12' x 24' (288 sq ft) wooden structure that will be used for storage purposes. The applicant has provided a photo of a similar building which will feature fiber cement panel siding, a double lock standing seam metal roof and stone underpinning. In addition, the applicant has indicated that the structure will not exceed 15 feet in height. The survey provided depicts the building's location which meets the minimum rear and side yard setbacks as well as the separation requirements.

Under the use standards of the Unified Development Code, the accessory building shall be accessory to a residential use and located on the same lot. The underlying zoning for PD-75 is Single-Family 7 (SF-7) Residential District. Generally, the SF-7 district requires no more than two (2) accessory buildings which are up to 225 sq ft (each) and are 15 ft or less in height, provided the exterior cladding contains only materials found on the main structure. Accessory buildings not meeting these standards must obtain an SUP. However, the PD-75 Development Standards for Lake Rockwall Estates established in Ordinance 09-37 require that any structure over 120 sq ft be constructed with at least 80% masonry materials with Hardy Plank comprising no more than 50% of the masonry requirement. Additionally, according the ordinance, these requirements may be varied by the Planning and Zoning Commission and City Council upon request of the applicant.

Enclosed in your packet you will find a letter of explanation for the special request, a photo of a similar building, and a survey indicating the location of the proposed structure for your consideration.

RECOMMENDATION:

Should the special request be approved, staff offers the following conditions:
1. Adherence to Building Inspections, Engineering and Fire Department standards.
2. Submittal and approval of a building permit.
3. The accessory building shall comply with the approved site plan and building elevations.

4. The accessory building shall not exceed 288 sq ft in area.
5. The accessory building shall not exceed a maximum height of 15 feet (measured at the midpoint of the roof).
6. Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On September 30, 2014, the Planning & Zoning Commission recommended approval of the applicant's request by a vote of 7-0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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N

1:500

City of Rockwall
Board Of Adjustments

Re: Variance Request for the allowable square footage for an accessory building.

ROCKWALL LAKE EST #2, LOT 1340,1341
Zoned SF-7
PD-75
Darryl LaCaze
503 Nicole Dr
Rockwall, Tx
469-209-3657

Sec. 2.1.2. Residential and lodging use conditions.
In SF-7, SF-8.4, SF-10, SF-16, and SF-1, no more than two accessory buildings shall be allowed which are up to 225 square feet (each) in area and 15 feet or less in height, provided the exterior cladding contains only materials found on the main structure. (Greenhouses are exempt from the materials requirement.)

I am requesting a variance from the allowable 225 square feet in area to 288 square feet in area for an accessory building. My property is 14400 Square feet in area.
In the short term the extra space is needed as storage so that I may begin remodeling the existing dwelling.
In the long term the extra space will be used for equipment storage and carpentry work space.
While I am allowed two accessory buildings up to 225 square feet in area, one building 288 square feet in area would be more efficient for my needs, cost less than two building and be more aesthetically pleasing than two building.

I would like to thank you in advance for your time and consideration in this matter. If you have any question or need any additional information to facilitate a decision please let me know.

Sencerely

Darryl LaCaze

City of Rockwall
Board of Adjustments
Re: Variance Request for the allowable square footage for an accessory building.
ROCKWALL LAKE EST #2, LOT 1340,1341
Zoned SF-7, PD-75
Darryl LaCaze
503 Nicole Dr
469-209-3657



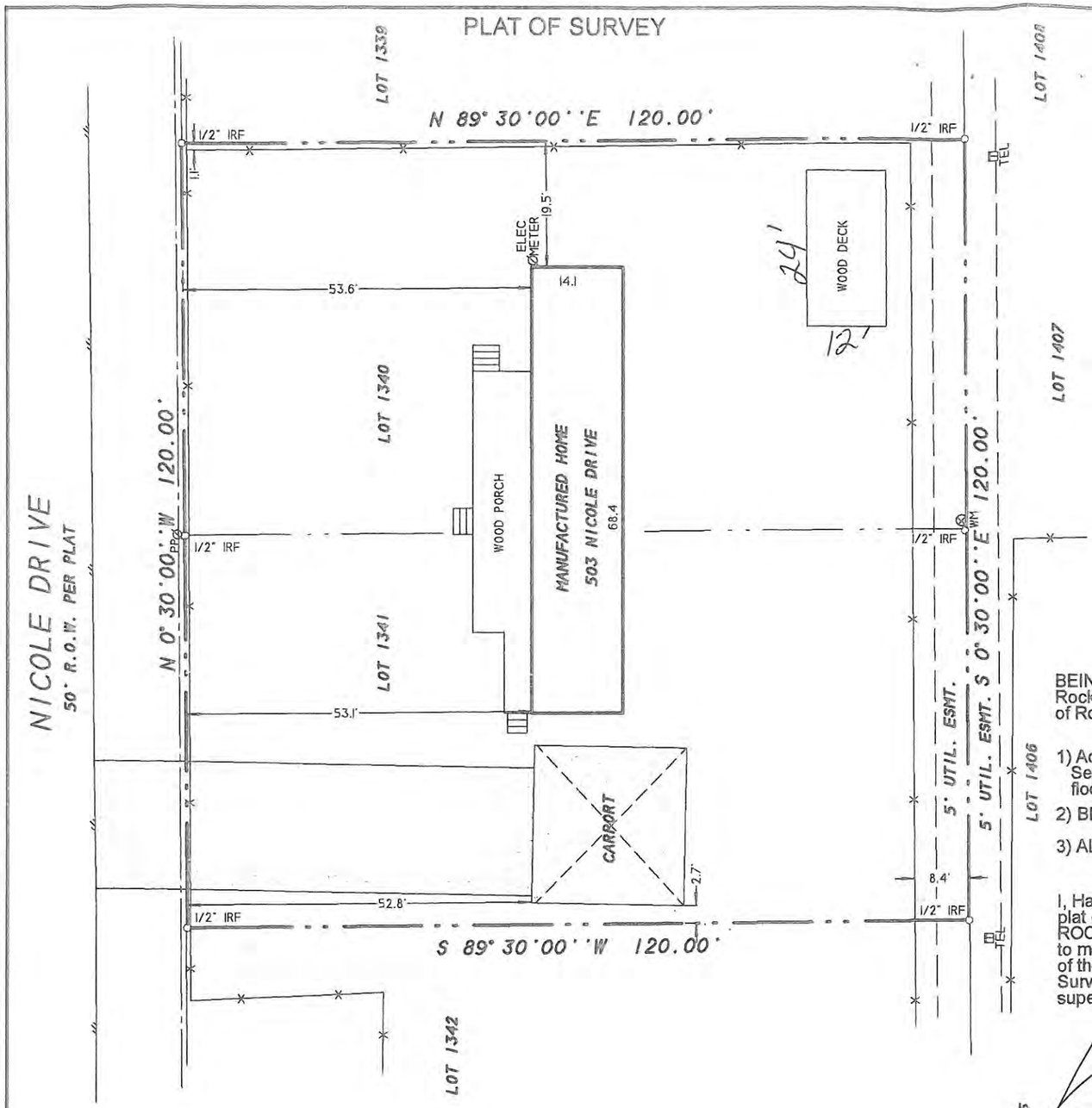

Double Lock Standing Seam Metal Roof


Fiber Cement Panel Siding


Stone Underpinning

352

PLAT OF SURVEY



SURVEY ACCEPTED BY:

_____ DATE _____

_____ DATE _____

DESCRIPTION

BEING Lots 1340 and 1341, of ROCKWALL LAKE ESTATES, PHASE 2, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 79, of the Plat Records of Rockwall County, Texas.

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0040 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: RECORDED PLAT.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for DARRYL LACAVE and ALLISON KAY BROWN at 503 NICOLE DRIVE, ROCKWALL, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 16th day of September, 2014.

Harold D. Fetty III, R.P.L.S. No. 5034

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (CORNER)
FENCE	EASEMENT LINE / PROPERTY LINES		A/C AIR COND UNIT	PROPANE TANK

SURVEY DATE SEPTEMBER 16, 2014
SCALE 1" = 20' FILE # 20140355
CLIENT BROWN GF # NONE

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Robert LaCroix, *Director of Planning and Zoning*

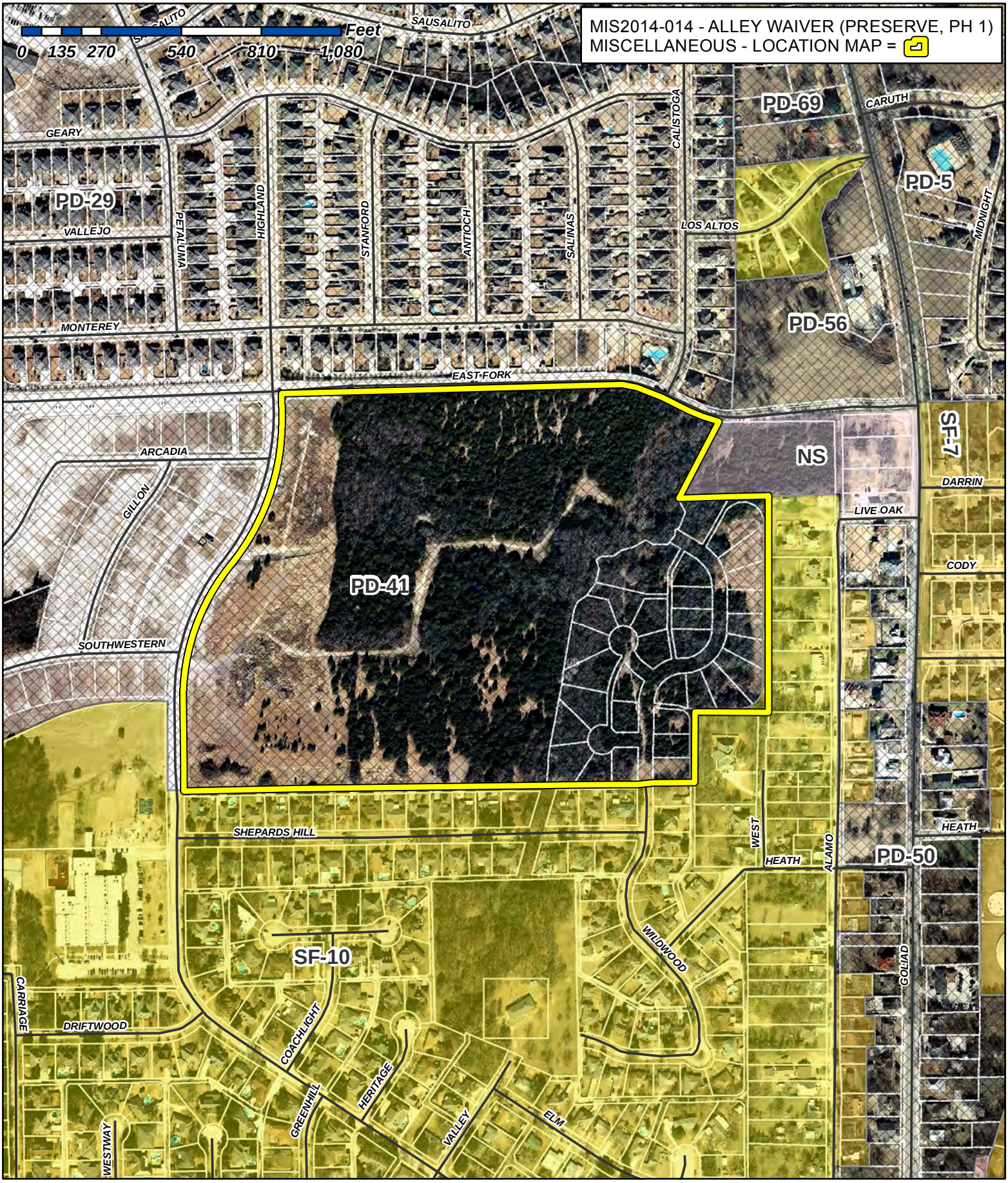
FROM: Ryan Miller, *Planning Manager*

DATE: September 30, 2014

SUBJECT: MIS2014-014; *Alley Waiver Request (Preserve, Phase 1)*

The applicant, Tim Spiars of *Spiars Engineering*, has submitted a request for a waiver to the alley requirements stipulated by the *Standards of Design and Construction Manual* for the purpose of modifying the lots on the eastern side of *Phase 1* of the *Preserve Subdivision*. Currently, this area of the preliminary plat is platted as *North Shore, Phase 3*, and was approved in 1976. According to the applicant's letter, the purpose of the waiver request is to accommodate a grade difference between the existing single-family development to the east and the proposed phase of the Preserve and to allow a retaining wall to be constructed without encroachment into a potential right-of-way (*i.e. the alleyway*). According to Section 2.11, *Alleys and Alley Widths*, of the *Standards of Design and Construction Manual* [*Engineering Department*], "(a)lleys shall be provided in all residential areas … [*however*] The City council may waive the residential alley requirement upon determination by the Council, if it is in the best interest of the City … The City may waive this requirement where other definite and assured provisions are made for service access such as off street loading, unloading and parking consistent with and adequate for the uses proposed." In this case, the applicant's ability to increase the size of the lots to accommodate the alleyway is restricted by existing floodplain, which divides the proposed phase in two (2) separate areas. The zoning, Planned Development District 41 (PD-41) [*Ordinance No. 01-27*], does contain a provision that allows for lots not accessible by a paved alley to have a *J-Swing* or *Swing* garage access. Additionally, the City has provided waivers to this requirement for other developments upon a finding that adequate city services can be provided to the proposed subdivision. Should the City Council choose to grant this request, the applicant would be required to replat this portion of the subdivision at the time of final platting for *Phase 1*.

On September 30, 2014, the Planning and Zoning Commission recommended approval of the applicant's request to waive the alley requirements for a portion of *Phase 1* of the Preserve Subdivision by a vote of 7-0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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1:5,021

Exhibit 'A'
Applicant's Request Letter

spiars ENGINEERING

765 Custer Road, Suite 100 • Plano, Texas 75075 • (972) 422-0077 • Fax (972) 422-0075 • TBPE Reg. No. F-2121

September 22, 2014

Mr. Ryan Miller
City of Rockwall – Development Services
385 S. Goliad Street
Rockwall, Texas 75087

Re: Request for Alley Variance for the Preserve Phase 1 Preliminary Plat
(Miscellaneous Case)
Rockwall, Texas
SEI Project No.: 13-141

Dear Mr. Miller:

I would like to respectfully request a variance to the requirement for alleys, with exception of Lots 1-5, Block F, on the east side of the subdivision. The new layout allows for sufficient on- and off-street parking provided for each lot in the development as evidenced by a minimum 80' lot width and the 29' B-B roadway sections (50' ROW). The new design for the east side of the subdivision will also allow for an efficient solid waste collection pattern. And, there is adequate area dedicated for storm drainage facilities and utilities.

In addition, there are several reasons that the alleys need to be eliminated. Specifically, the elimination of the alley along the east property line will make it possible to construct a retaining wall without encroaching in the ROW or on the adjacent property. At present, there are alleys proposed that prevent some lots from backing to open space (one creek side lot would require an alley, but seems unfeasible). We feel that it would benefit these lots to eliminate this alley. Furthermore, with this variance, Shaddock Developers, the owner, has agreed to provide J-Swing drives on all front entry lots.

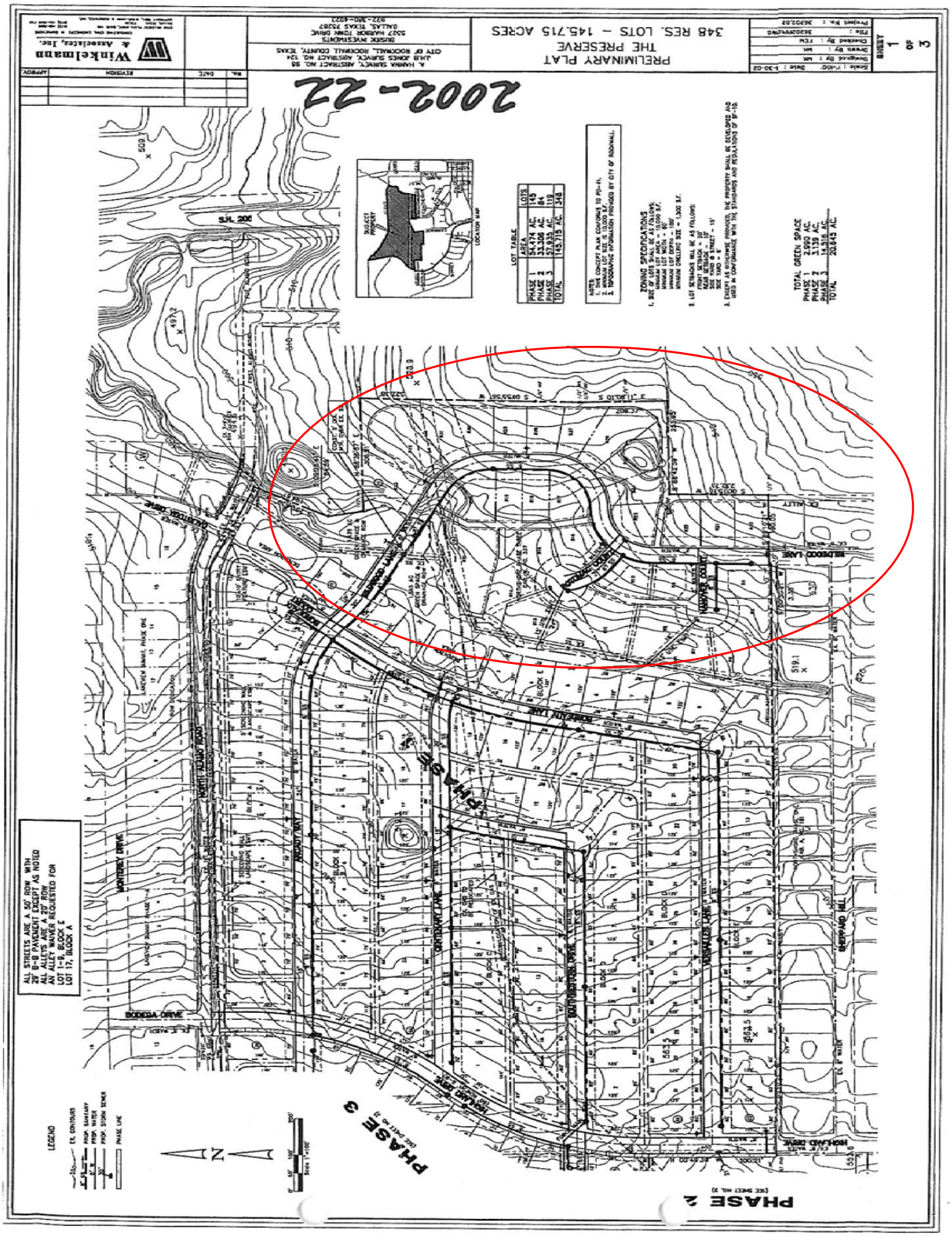
In conclusion, we believe that there is an overall improvement to the layout on the east side of the creek with the elimination of the alleys. The average lot size has increased to 12,802 SF, lot dimensions have improved to make for more desirable lots, and all lots meet the required minimum width of 80' at the front building line. Finally, the granting of this variance, in my professional opinion, will not be detrimental to the public health, safety or welfare or injurious to other property in the area.

Please give me a call me if you have any questions.

Sincerely,
SPIARS ENGINEERING, INC.

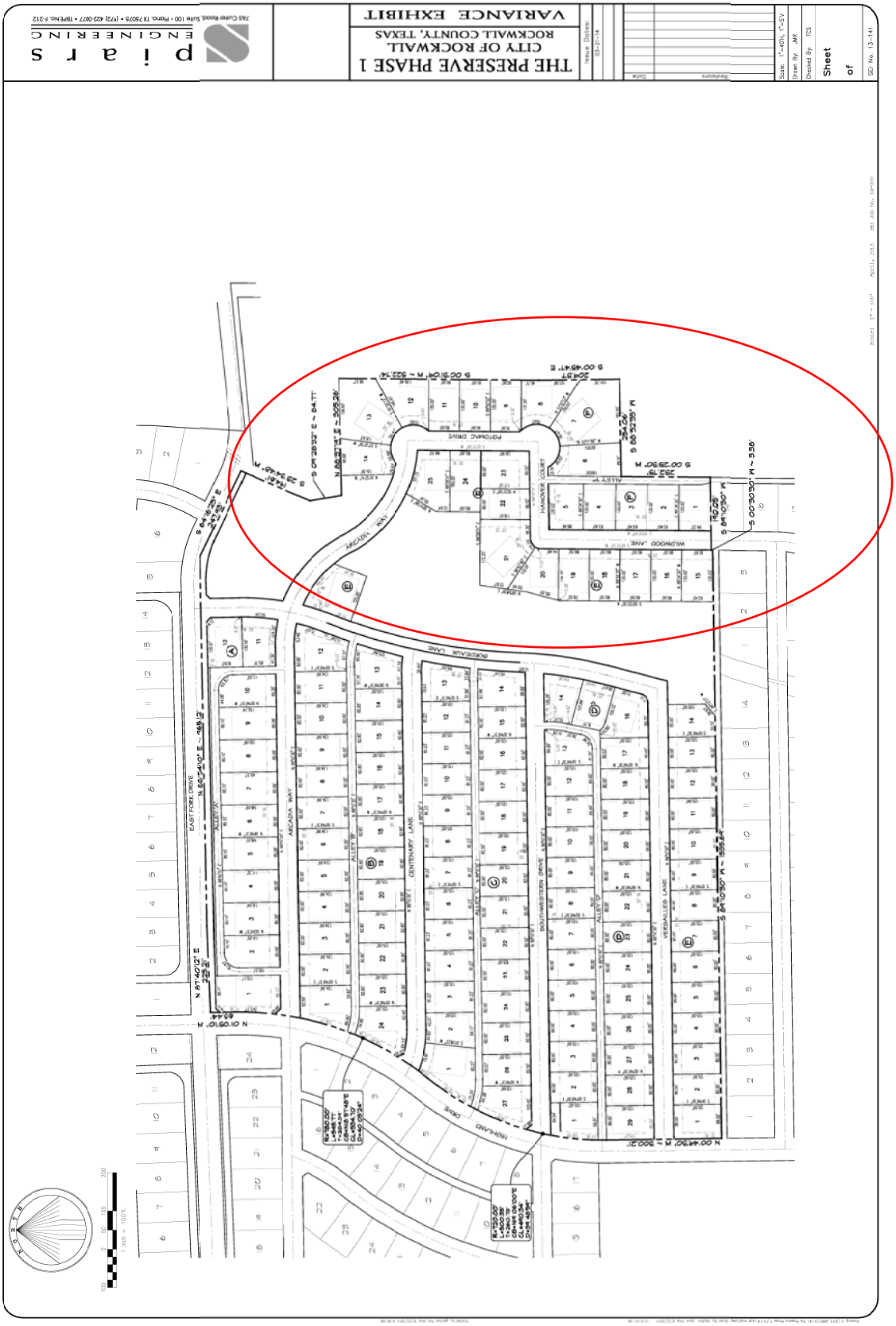
Tim C. Spiars, P.E.

Exhibit 'B'
Approved Preliminary Plat



358

Exhibit 'C'
Proposed Preliminary Plat



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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

FROM: Ryan Miller, *Planning Manager*

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning*

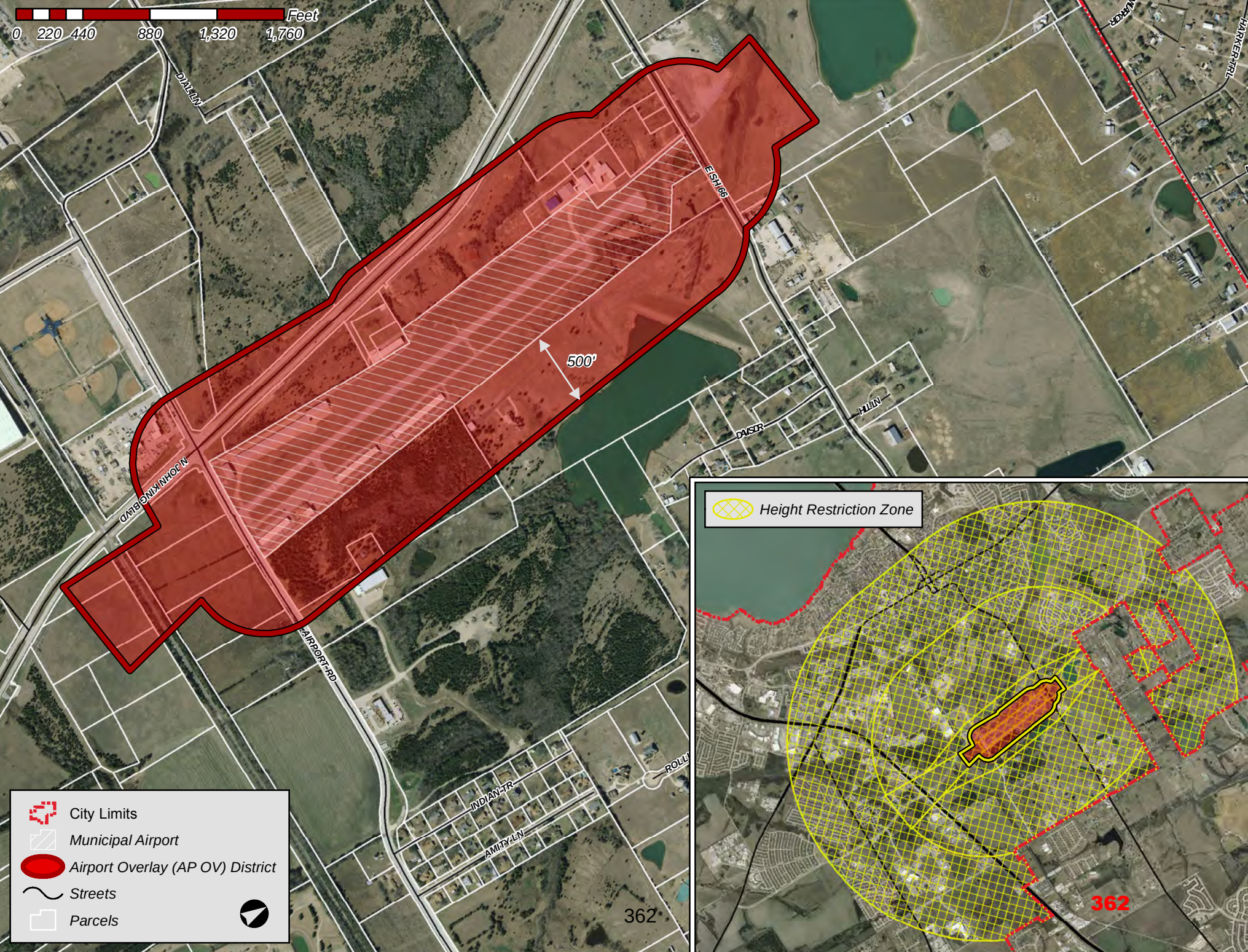
DATE: September 15, 2014

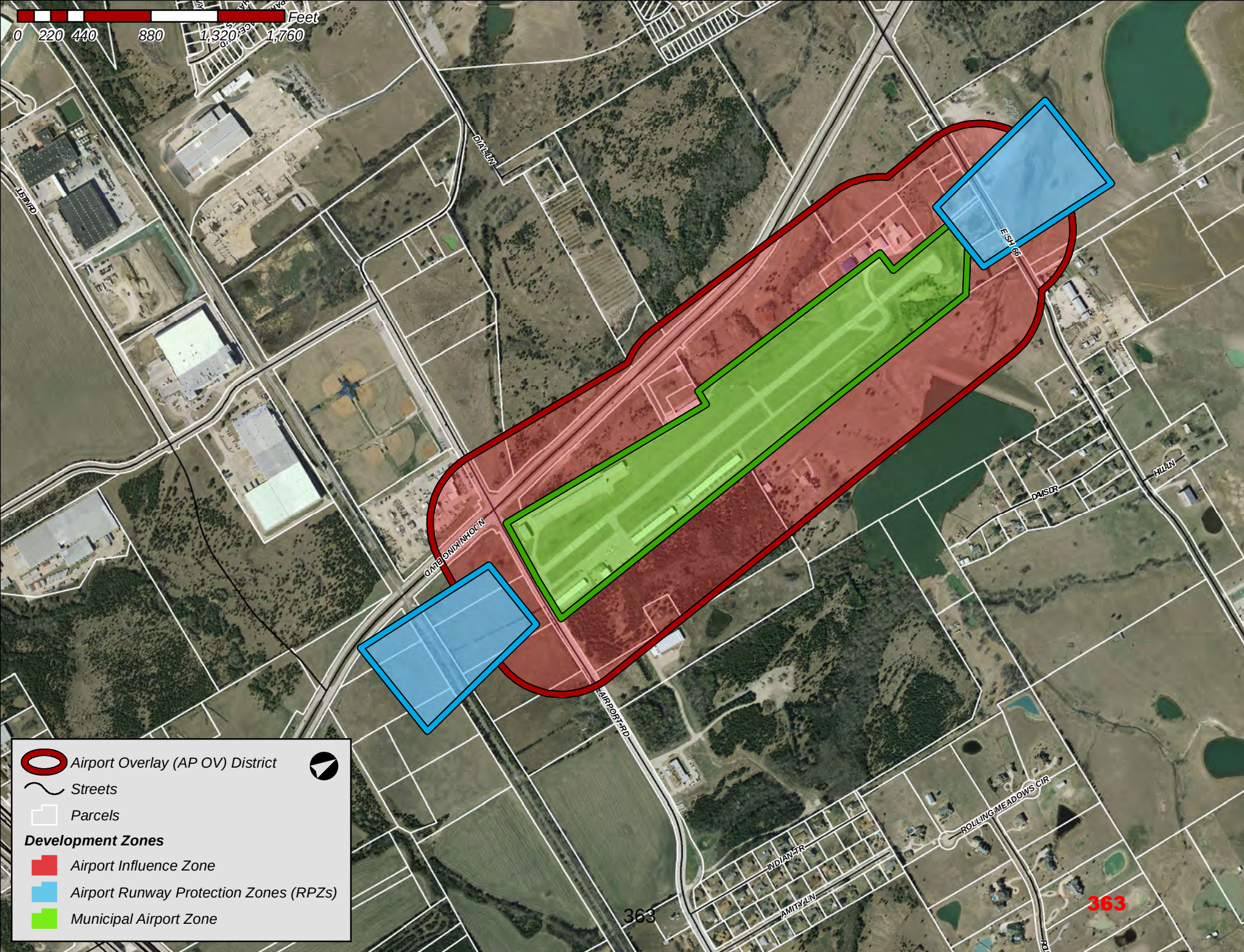
SUBJECT: Z2014-022: Airport Overlay (AP OV) District

At their regularly scheduled meeting on September 9, 2014, the Airport Zoning Commission (*Planning and Zoning Commission*) voted 7-0 to recommend approval of the 500-foot boundary proposed by the Airport Subcommittee, and forward the attached land use regulations and development standards for an Airport Overlay (AP OV) District to the City Council. The document was prepared in accordance with Chapter 241, *Municipal and County Zoning Authority Around Airports*, of the Texas Local Government Code, which enables municipalities to draft land use restrictions for properties adjacent to airports -- which are used in the interest of the general public -- to prevent the creation of an airport hazard (§214.012). In addition, the document has been reviewed by the Aviation Department at the Texas Department of Transportation (TXDOT) for compliance to all applicable standards, and all comments have been addressed.

On August 29, 2014, staff sent out 35 notices to property owners and residents within 500-feet of the subject property. At the time this case memo was drafted staff had received one (1) email in support of the request, one (1) email in opposition to the request, and four (4) notifications returned in opposition of the request. *City staff has no knowledge of any Homeowner's Associations or Neighborhood Organizations located within 1,500-feet of the subject property.* Additionally, Mr. Bill Bricker acting on behalf of Rockwall Property Corporation stated his opposition to the request at the Planning and Zoning Commission meeting on September 9, 2014. Staff has prepared a *For/Against Map* showing all support/opposition to the zoning change. Since the opposition to this case exceeds 20% of the total land area located within the 200-foot buffer, this case will require a ¾-majority vote by the City Council in accordance with the requirements of §211.006 of the Texas Local Government Code.

Should the text amendment be approved, it will be inserted into the UDC as Section 6.16, *Airport Overlay (AP OV) District*, of Article V, *District Development Standards*. This case is a public hearing and staff will be available to answer any questions.


Feet
0 220 440 880 1,320 1,760
DIAL LN
E SH 66
500'
N JOHN KING BLVD
DAISY
HILLN
AIRPORT RD
INDIAN TR
AMITY LN
362
Height Restriction Zone
City Limits
Municipal Airport
Airport Overlay (AP OV) District
Streets
Parcels



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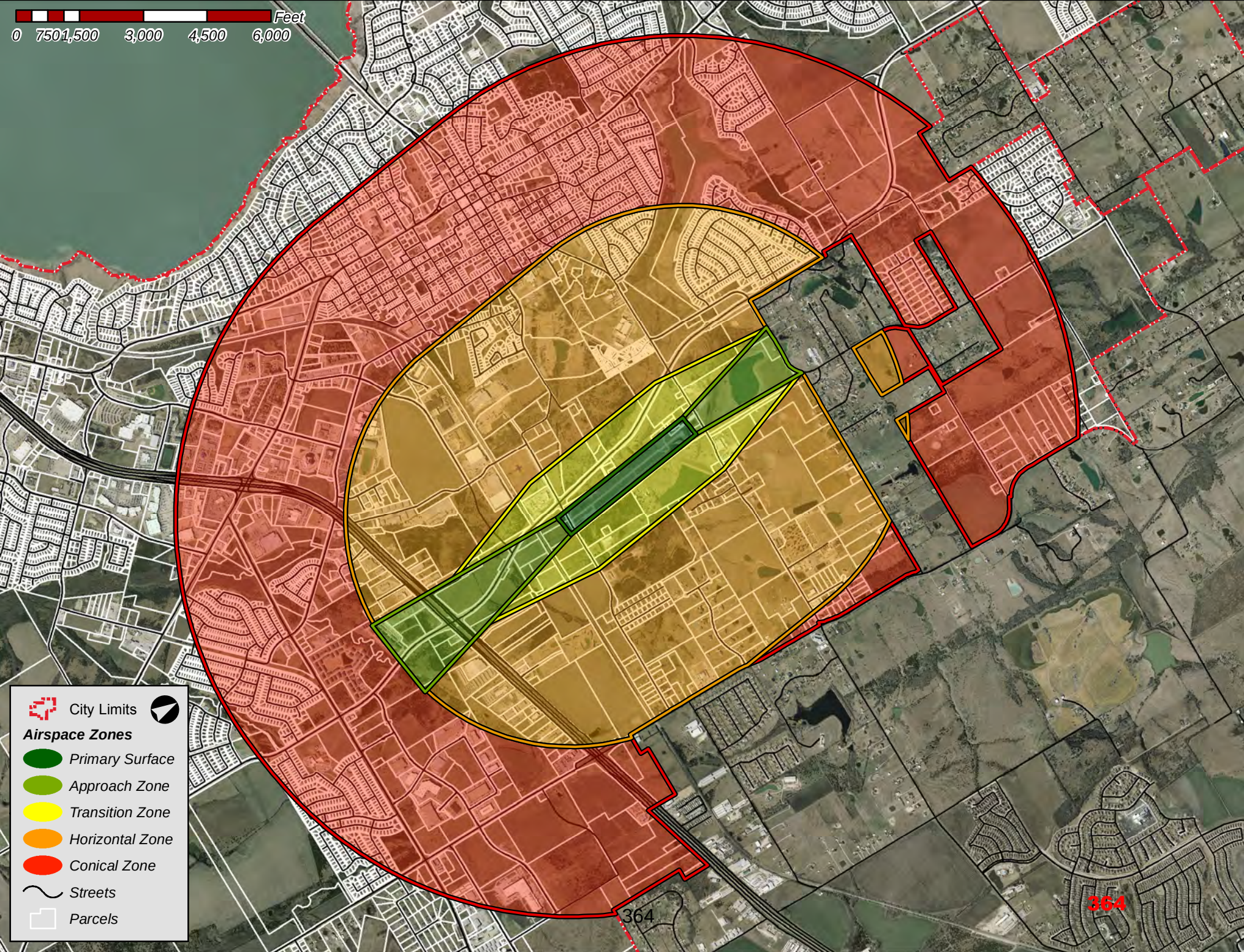
DIAL LN
E SH 66
N JOHN KING BLVD
AIRPORT RD
DAVIS DR
HILL LN
ROLLING MEADOWS CIR
INDIAN TR
AMITY LN
Airport Overlay (AP OV) District
Streets
Parcels
Development Zones
Airport Influence Zone
Airport Runway Protection Zones (RPZs)
Municipal Airport Zone


Feet
0 750 1,500 3,000 4,500 6,000
City Limits
Airspace Zones
Primary Surface
Approach Zone
Transition Zone
Horizontal Zone
Conical Zone
Streets
Parcels
364
364

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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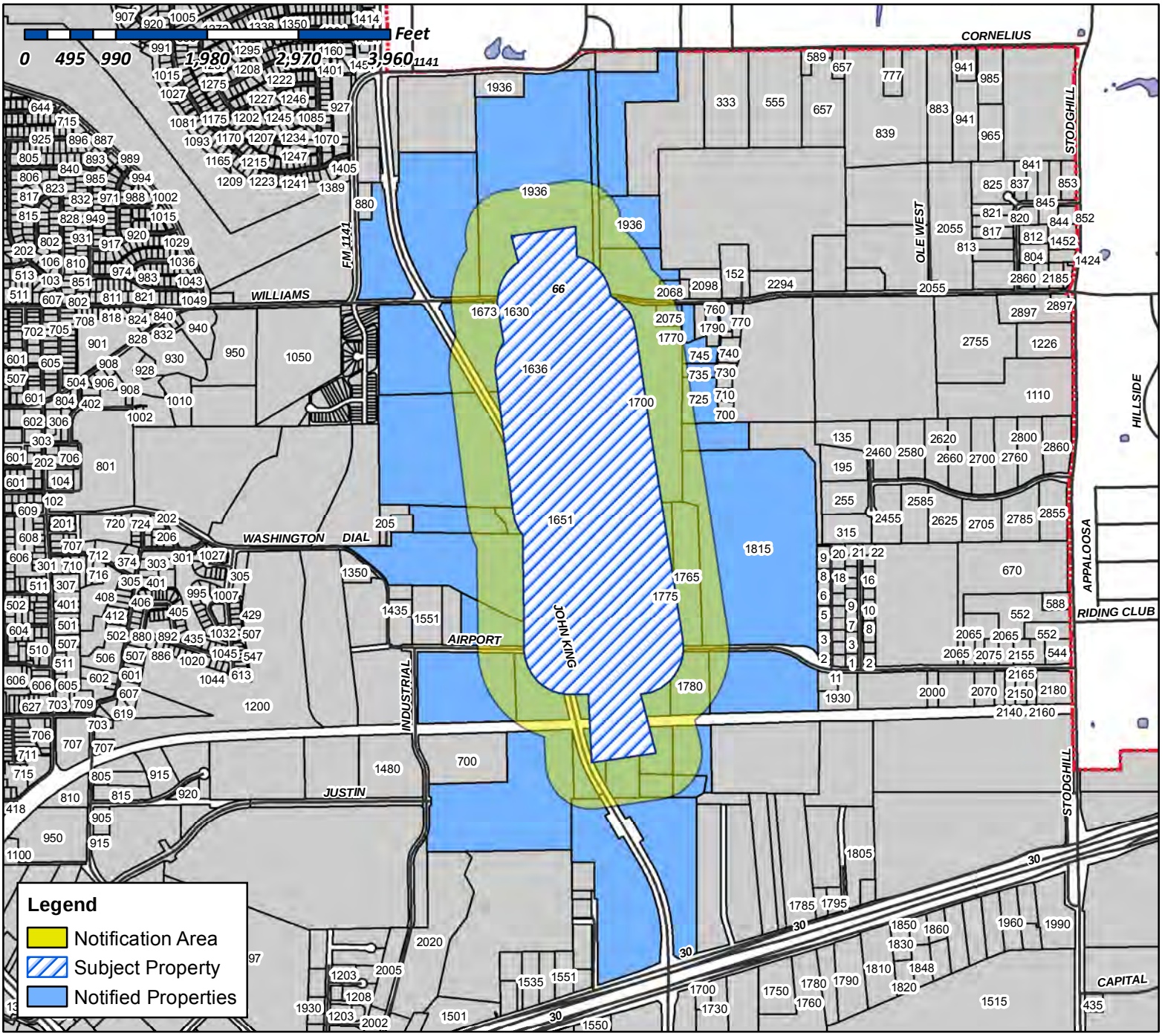
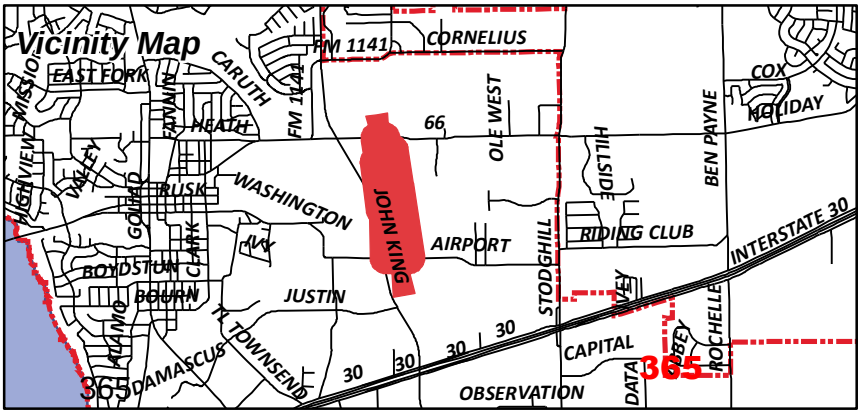


Case Number: Z2014-022
Case Name: Airport Overlay
Case Type: Zoning
Zoning: AP OV
Case Address: Municipal Airport

Date Created: *08/21/2014*
For Questions on this Case Call (972) 771-7745



KINGSLEY VINCE
PO BOX 1975
ROCKWALL, TX 75087

DILLENDER ROBERT O & SHERY
PO BOX 2016
ROCKWALL, TX 75087

FUNK JOSEPH
6623 ROYAL CREST DR
DALLAS, TX 75230

ROCKWALL PROPERTY CORPORATION
ATTN BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

ROCKWALL ECONOMIC DEVELOPMENT
PO BOX 968
ROCKWALL, TX 75087

Current Occupant
1651 AIRPORT RD
ROCKWALL, TX 75087

PEOPLES MIKE L
PO BOX 41
ROCKWALL, TX 75087

EDWARDS VINCENT & RITA
2068 STATE HIGHWAY 66
ROCKWALL, TX 75087

ATHEY JACKIE RAY
1780 AIRPORT RD
ROCKWALL, TX 75087

ATHEY JO ANN
PO BOX 219
LAVON, TX 75166

ATHEY BOBBY FRANK
517 MAYFIELD AVE
GARLAND, TX 75041

MARSHALL JULIE CATHERINE ETAL
1125 S BROADWAY AVE
TYLER, TX 75701

RBB/GCF PROPERTIES LP
P O BOX 1526
AUSTIN, TX 78767

PEOPLES MICHAEL L JR AND
SHERYL NEWMAN PEOPLES
1700 STATE HIGHWAY 66
ROCKWALL, TX 75087

Current Occupant
2075 WILLIAMS
ROCKWALL, TX 75087

Current Occupant
745 DAVIS DR
ROCKWALL, TX 75087

RAINES SHERYL
PO BOX 412
ROCKWALL, TX 75087

DAVIS HETTIE RACHEL
1250 EN 10TH ST 0
ABILENE, TX 79601

Current Occupant
725 DAVIS DR
ROCKWALL, TX 75087

Current Occupant
735 DAVIS DR
ROCKWALL, TX 75087

Current Occupant
1770 HWY66
ROCKWALL, TX 75087

HOLLIMAN ANDREA J
332 SHEPARDS HILL
ROCKWALL, TX 75087

Current Occupant
1815 AIRPORT RD
ROCKWALL, TX 75087

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

TOMLIN MICHAEL E JR & DONYA B
700 DAVIS DR
ROCKWALL, TX 75087

ATHEY JACK R
1775 AIRPORT RD
ROCKWALL, TX 75087

Current Occupant
1765 AIRPORT RD
ROCKWALL, TX 75087

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

Current Occupant
1936 HWY 66
ROCKWALL, TX 75087

CULLINS JANE
775 JEFF BOYD RD
ROCKWALL, TX 75032

366

TEMUNOVIC PARTNERSHIP LTD
201 LAURENCE DRIVE 0
HEATH, TX 75032

Current Occupant
1673 HWY66
ROCKWALL, TX 75087

Current Occupant
1630 WILLIAMS
ROCKWALL, TX 75087

V F B FAMILY LTD PARTNERSHIP &
D V B FAMILY LTD PARTNERSHIP
2421 KATHRYN DR
HEATH, TX 75032

Current Occupant
1636 WILLIAMS
ROCKWALL, TX 75087

TEXAS SPECIALTY UNDERWRITERS INC
510 TURTLE COVE BLVD 0
ROCKWALL, TX 75087

PEOPLES BILLY W
PO BOX 35
ROCKWALL, TX 75087

367

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-022: Airport Overlay (AP OV) District

Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text amendment to Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of creating and implementing an Airport Overlay (AP OV) District, which will be applicable for the Ralph M. Hall/Rockwall Municipal Airport property, and for all properties located within 500-feet of the airport property and/or located within the Airport's Runway Protection Zones as defined by AC150/5300-13A, Airport Design, of the FAA standards, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 9/9/2014 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 9/15/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/15/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-022: Airport Overlay (AP OV) District

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

No major impact to our property.

Name: Jane Cullins

Address: 775 Jeff Boyd Rd. Rockwall 75032

214-683-7697

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Miller, Ryan

From: Sanford, JoDee on behalf of Planning
Sent: Tuesday, September 02, 2014 10:07 AM
To: Miller, Ryan
Subject: FW: Airport Overlay

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | http://www.rockwall.com

From: Pat Roan Athey
Sent: Tuesday, September 02, 2014 10:02 AM
To: Planning
Subject: RE: Airport Overlay

See below

From:
To:
Subject: Airport
Date: Tue, 2 Sep 2014 09:45:35 -0500

City of Rockwall

Brad Griggs RE: Bobby F. Athey's Aiprort Rd Property right in front of the entrance to airport and all the way back to l/10

mile off I-30 on John King Blvd, back to behind Jackie Athey.
16.44 acres total, for sale for $1.79 sf.

09-02-14

What is the Overlay about if the plans to expand the airport have been called off? I hardly know what to tell our realtor anymore. She wanted us to declare the City's plans before she would sign on to sell it for us and I told her a while back Sherri said you are no longer interested in purchasing our land, as the Airport was not going to be expanded, after keeping us dangling for 2 years that you were interested and had ask us not to sell it to anybody else.
Seems all the damages of that overlay would cost you more than purchasing that property from us out right. Bob is now 80 years old and you know, we do not plan on cutting down any trees or lowering anything. I would think there is some sort of grandfather clause that protect farmers who own land there since 1946 and your airport came in around 1963 and damaged our property considerably ever since . It is not our place to keep you a clear runway view. If you want an airport there, which you told us a few months ago

you did not, you are going to have to purchase our land. I see on line where people are fighting this in other towns and will not let city's even cut down trees that the city already owns. Also city's have clear cut proeprty and left it lay for years. All obviously not good for the citizens, only good for the airport.

Pat
517 Mayfield Ave
Garland TX 75041

214-616-8946

PLEASE RETURN THE BELOW FORM

Case No. Z2014-022: Airport Overlay (AP OV) District

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

NO. This proposed zoning change will place onerous restrictions and cause irreparable harm to our farmland which has been in our family since 1946, long before the airport was there. It appears to be a "back door" attempt to take our property without compensation.

Name: Jo Ann Athey

Address: PO BOX 219 Lavon, Texas 75166

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

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Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-022: Airport Overlay (AP OV) District

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

The restrictions that this proposed zoning change imposes will greatly restrict what can be built on our property. We will be damaged. I am very much against this zoning change proposal to "Airport Overlay."

Name: Julie Marshall, et al

Address: 1208 S. Broadway Tyler, Tx 75701

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

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PLEASE RETURN THE BELOW FORM

Case No. Z2014-022: Airport Overlay (AP OV) District

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

PRIVATE PROPERTY BEING TAKEN FOR PUBLIC USE, WITHOUT JUST COMPENSATION.
UNREASONABLE SEARCHES AND SEIZURES.
SECURITY IN OUR PERSONS, HOUSES, PAPERS AND EFFECTS.
PRIVACY.

Name: JACK R. ATHEY

Address: 1780 AIRPORT ROAD, ROCKWALL TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-022: Airport Overlay (AP OV) District

Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text amendment to Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of creating and implementing an Airport Overlay (AP OV) District, which will be applicable for the Ralph M. Hall/Rockwall Municipal Airport property, and for all properties located within 500-feet of the airport property and/or located within the Airport's Runway Protection Zones as defined by AC150/5300-13A, Airport Design, of the FAA standards, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 9/9/2014 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 9/15/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/15/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-022: Airport Overlay (AP OV) District

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

If you want to control it, You are going to have to pay it. The property is For Sale 16.44 acres at $1.79 S.F. To Damaging to existing Sale agreement with any Realor.

Name: Bobby Athey

Address: 517 Mayfield Ave Garland tx 75041

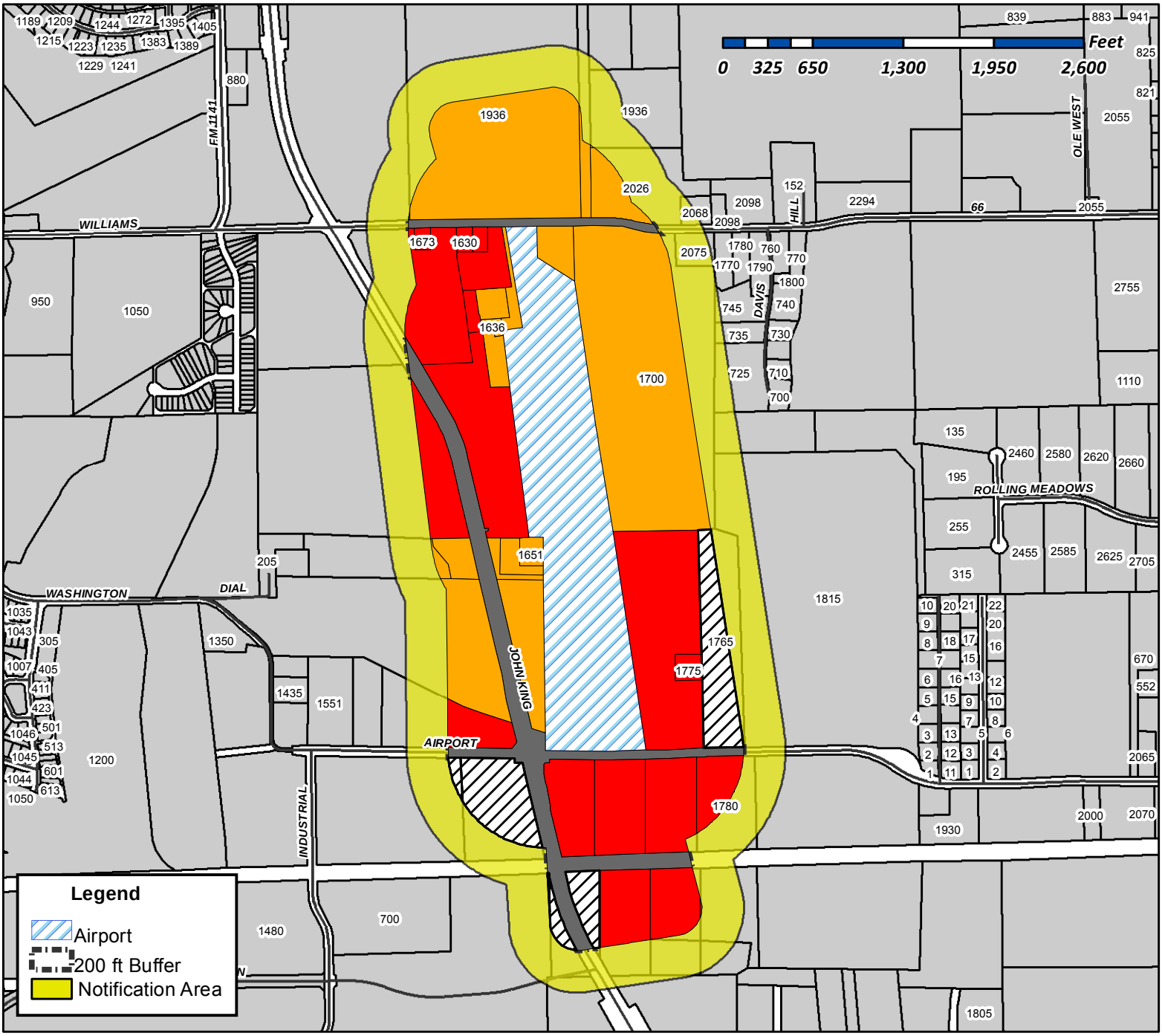
Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

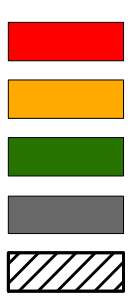
PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





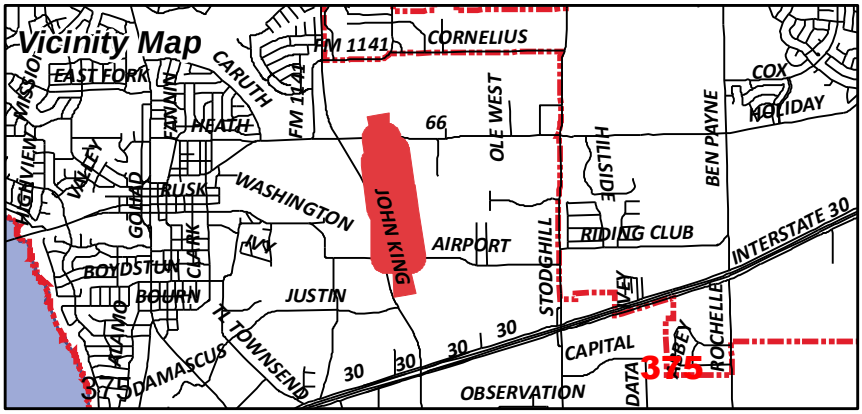
Against (39.22 %)

No Response (42.32 %)

For (0.004 %)

ROW (10.34 %)

City (8.12 %)



Date Created: 09/09/2014

For Questions on this Case Call (972) 771-7745

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY ADDING SECTION 6.16, *AIRPORT OVERLAY (AP OV) DISTRICT*, OF ARTICLE V, *DISTRICT DEVELOPMENT STANDARDS*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to add Section 6.16, *Airport Overlay (AP OV) District*, of Article V, *District Development Standards*; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That Section 6.16, *Airport Overlay (AP OV) District*, shall be added to Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'A'* of this ordinance.

Section 2. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 3. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 4. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF OCTOBER, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *September 15, 2014*

2nd Reading: *October 6, 2014*

Sec. 6.16. Airport Overlay (AP OV) District.

Note: This document was prepared using FAA guidelines as of June 23, 2014 and using AC150/5300-13A [issued on September 28, 2012].

A. ***Purpose.*** The purpose of this district is to provide both airspace protection and land use compatibility with airport operations at the Ralph M. Hall/Rockwall Municipal Airport. This district, through establishment of airport zones and corresponding regulations, provides for independent review of development proposals in order to promote the public interest in safety, health and general welfare of the City of Rockwall. Therefore, the City of Rockwall deems it necessary to regulate uses of land located within or near the traffic patterns of the airport through regulation of height of structures and objects of natural growth, andthrough the regulation of land uses within the Airport Overlay (AP OV) District.

B. ***Airport Zones.*** In order to implement the intent of this ordinance, the Airport Overlay (AP OV) District hereby includes the following three (3) exhibits that depict the zones withinthe controlled area and shown on the official zoning map as depicted in *Exhibit 'A'*:

- ☑ Airport Overlay (AP OV) District Boundaries (*see Exhibit 'A'*)
- ☑ Development Zones within the Airport Overlay (AP OV) District (*see Exhibit 'B'*)
- ☑ Airport Airspace Zones Boundaries (*see Exhibit 'C'*)

C. ***Permitted Uses.*** All uses otherwise permitted by existing zoning ordinances within the boundaries of the AP OV District are permitted within the district, except where there is a conflict between the AP OV District and the existing zoning ordinances. Where the provisions of the AP OV District are more restrictive, the provisions of the AP OV District shall govern.

D. ***Controlled Area.*** The area within which airport land use compatibility controls may be instituted, as defined by *Section 241, Municipal and County Zoning Authority Around Airports,* of the *V.T.C.A., Texas Local Government Code,* shall be defined as the controlled area. The controlled area is located outside the Airport boundaries and within an area measured no farther than one and one-half (1½) statute miles from the centerline of the Ralph M. Hall/Rockwall Municipal Airport runway and lies no farther than five (5) statute miles from each end of the paved surface of the runway.

E. ***Airspace Zones.*** The following *Airspace Zones* are hereby established and set forth (*see Exhibit 'B' & Figure 1.1 [below]*):

1. *Primary Surface.* The *Primary Surface* is a surface that is longitudinally centered on the runway. It extends 200-feet beyondthe end of each runway and 250-feet on either side of the centerline of the runway for a total width of 500-feet (*i.e. a 250-foot side buffer of the runway centerline*).

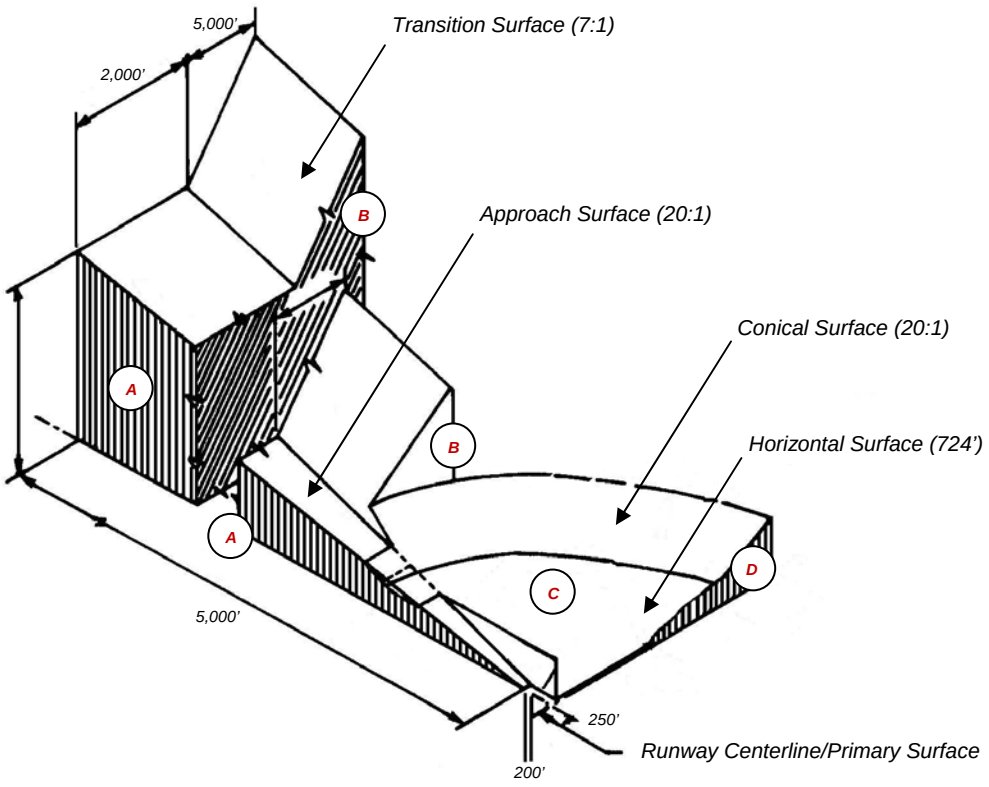
2. *Approach Zone.* The *Approach Zone* is a fan shaped zone that is established at both ends of the runway for the purpose of landings and take-offs. The *Approach Zone* commences at the end of the *Primary Surface* (*i.e. 200-feet beyond the end of the runway*) and has a beginning width of 500-feet. It then extends uniformly along the continuation of the centerline of the runway to a width of 2,000-feet at a distance of 5,000-feet from the point of commencement, and a slope of 20:1 or one (1) foot in height for each 20-feet in horizontal distance *[this is the land area that exists underneath the Approach Surface]*.

3. *Transition Zones.* The *Transition Zones* are symmetrically located on either side of runway, and have variable widths. The *Transition Zones* extend outward and upward commencing from the edge of the *Primary Surface* (*i.e. 250-feet on either side of the centerline of the runway and 200-feet on either end of the runway*), and are parallel and level with the runway centerline. The *Transition Zones* extend upward and outward at slope of 7:1 or one (1) foot vertically for each seven (7) feet horizontally to the point where they intersect the surface of the *Horizontal Zone*. The *Transition Zones* are established adjacent to the *Approach Zones* and extend their entire length. The *Transition Zones* flare symmetrically with either side of the runway*Approach Zone* from the base of said zones and slope upward and outward at the rate of 7:1 or one (1) foot vertically for each seven (7) feet horizontally to the points where they intersect the surface of the *Horizontal Zone* and the *Conical Zone [this is the land area that exists underneath the Transition Surface]*.

4. *Horizontal Zone.* The *Horizontal Zone* consists of the land area within the perimeter of which is constructed by swinging arcs of 5,000-feet from the center of each *Primary Surface*, 200-feet beyond the centerline of each runway and connecting the adjacent arcs by lines of tangent to those arcs. The *Horizontal Zone* does not include the *Approach Zone* and/or the *Transition Zone [this is the land area that exists underneath the Horizontal Surface]*.

5. *Conical Zone.* The *Conical Zone* consists of the land area that commences at the periphery of the *Horizontal Zone* and extends outward for a distance of 4,000-feet, at a 20:1 slope or one (1) foot in height for each 20-feet of horizontal distance. The*Conical Zone* does not include the *Approach Zone* and/or the *Transition Zone [this is the land area that exists underneath the Conical Surface]*.

Figure 1.1: Airspace Zones
***A**: Approach Zone; **B**: Transition Zone; **C**: Horizontal Zone; **D**: Conical Zone*



F. ***Height Limitations.*** Except as otherwise provided in this ordinance, no structure or tree shall be erected, altered, allowed to grow, or be maintained in any zone created above to a height in excess of the limits established herein for each of the imaginary surfaces created by the airspace zones (*Section 77.19, Civil Airport Imaginary Surfaces, FAR)*, which are defined as follows:

1. *Approach Surface.* The *Approach Surface* is the surface that is created by the *Approach Zone*, and is required to prevent existing or proposed objects, objects of natural growth or terrain from extending into the area required for an aircraft's navigable airspace. The *Approach Surface* is the same width as the *Primary Surface* (*i.e. 500-feet*), and has a slope of 20:1 or one (1) foot in height for each 20-feet in horizontal distance commencing at the *Primary Surface* and extending to a point 5,000-feet from the point of beginning.

2. *Transition Surface.* The *Transition Surface* is the surface that is created by the *Transition Zone*, and is required to prevent existing or proposed objects, objects of natural growth or terrain from extending in the area required for an aircraft's navigable airspace. The *Transition Surface* is the surface that extends outward and upward, at right angles to the runway centerline (*at any point 250-feet normal to and at the elevation of the centerline*) and extended runway centerline (*i.e. 200-feet beyond the end of the runway*), from the sides of the *Primary Surface* and the *Approach Surfaces* to a point of 150-feet above the airport elevation (*i.e. 724-feet*) [*the airport elevation is 574-feet above mean sea level*]. The *Transition Surface* has a slope of 7:1 or one (1) foot in height for each seven (7) feet in horizontal distance.

3. *Horizontal Surface.* The *Horizontal Surface* is the surface that is created by the *Horizontal* Zone, and is required to prevent existing or proposed objects, objects of

natural growth or terrain from extending into the area required for an aircraft's navigable airspace. The *Horizontal Surface* is the horizontal plane created by swinging arcs centered on the extended runway centerline where it crosses the *Primary Surface*, and is situated 150-feet above the established airport elevation (*i.e. 724-feet) [the airport elevation is 574-feet above mean sea level],* which coincides with the extent of the *Horizontal Zone*.

4. <u>*Conical Surface.*</u> The *Conical Surface* is the surface that is created by the *Conical Zone*, and is required to prevent existing or proposed objects, objects of natural growth or terrain from extending into the area required for an aircraft's navigable airspace. The *Conical Surface* extends upward and outward from the outer limits or the periphery of the *Horizontal Surface* at a slope of 20:1 or one (1) foot in height for each 20-feet of horizontal distance. The *Conical Surface* extends to a height of 350-feet above the airport's elevation (*i.e. 924-feet*) [*the airport elevation is 574-feet above mean sea level*].

[Where an area is covered by more than one (1) height limitation, the more restrictive limitation shall prevail. Nothing in this ordinance shall be construed as prohibiting the growth, construction or maintenance of any tree or structure to a height up to 45-feet above the surface of the land, except in the Approach Zones.]

G. ***Airport Hazard Area.*** The *Airport Hazard Area* is an area of land or water on which an airport hazard could exist. An *airport hazard* is defined as a structure or object of natural growth that obstructs the airspace required for the taking off, landing, and flight of aircraft or that interferes with visual, radar, radio, or other systems for tracking, acquiring data relating to, monitoring, or controlling aircraft. For the purposes of this ordinance, the *Airport Hazard Area* is defined as the entirety of all the imaginary surfaces stated in Section G, *Height Limitations*, of this ordinance (*see Exhibit 'C'*).

H. ***Airport Overlay (AP OV) District.*** This *Airport Overlay (AP OV) District* is hereby established as the land area owned by the City of Rockwall and held as Ralph M. Hall/Rockwall Municipal Airport, the Airport Runway Protection Zone (RPZs), and a buffer area extending five-hundred (500) feet from all property lines of the Ralph M. Hall/Rockwall Municipal Airport (*see Exhibit 'A'*).

1. *Intent.* The Airport Overlay (AP OV) District is intended to overlay any other zoning district's regulations comprising or pertaining to areas to which it is applicable, to prevent undue negative interaction between aviation activities associated with the airport and the surrounding community. It is intended to protect the lives and property of the users of the airport and of the occupants of the land in its general vicinity by restricting places of public assembly within this Airport Overlay (AP OV) District. The overlay is intended to preserve the utility of the airport and the public investment therein.

2. *Development Zones.* The *Development Zones* are hereby established within the Airport Overlay (AP OV) District. These zones are depicted in *Exhibit 'B'* of this ordinance. The *Development Zones* are defined and described as follows:

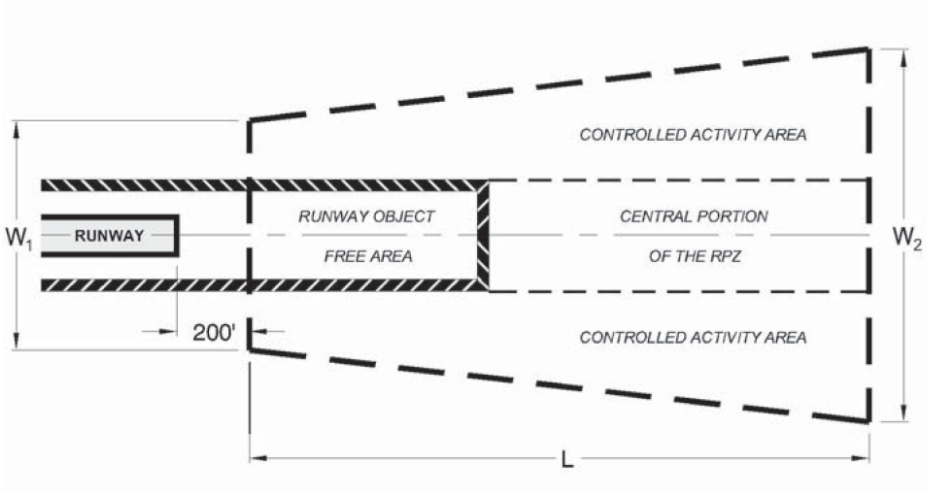
    a. <u>*Airport Runway Protection Zones (RPZs).*</u> The *Airport Runway Protection Zones* are hereby established as the trapezoidal areas centered about the extended runway centerline. The *RPZ* dimensions for a particular runway end are a function of the type of aircraft and approach/departure visibility minimum associated with the runway end. The *RPZs* for the Ralph M. Hall/Rockwall Municipal Airport commence

200-feet from the edge of pavement at the end of each runway, beginning with a base of 500-feet (*i.e. inner width or 'W_1'*), extending 1,000 feet along the runway centerline (*i.e. length or 'L'*), and terminating at the outboard corners of a 700-foot line segment (*i.e. outer width or 'W_2'*) [*see Figure 1.2*], creating a 13.770-acre trapezoidal area, which is intended to service *Aircraft Approach/Departure Categories 'A' & 'B'* (*i.e. small single and multi-engine planes*). Contained within the two (2) trapezoidal areas that make up the *RPZs* are the *Controlled Activity Area* and a portion of the *Runway OFA (Object Free Area)*. These areas are defined as follows:

(1) *The Runway Object Free Area (OFA).* The *Runway Object Free Area (OFA)* is centered on the runway centerline. The *Runway OFA* clearing standard requires clearing the *OFA* of above ground objects protruding above the runway safety area edge elevation. Except where precluded by other clearing standards, it is acceptable to place objects that need to be located in the *OFA* for air navigation or aircraft ground maneuvering purposes and to taxi and hold aircraft in the *OFA*. Objects non-essential for air navigation or aircraft ground maneuvering purposes are not permitted to be placed in the *OFA*. This includes parked airplanes and agricultural operations.

(2) *The Controlled Activity Area.* The *Controlled Activity Area* is the portion of the *RPZ* beyond the boundaries of the *Runway OFA*.

Figure 1.2: Airport Runway Protection Zone (RPZ)



For additional references pertaining to RPZ's, see AC150/5300-13A, Airport Design issued by the FAA on September 28, 2012.

b. *Municipal Airport Zone.* The *Municipal Airport Zone* is hereby established as the real property boundaries of the Ralph M. Hall/Rockwall Municipal Airport. This zone contains the majority of all airport related land uses and structures.

c. *Airport Influence Zone.* The *Airport Influence Zone* contains all areas within the 500-foot buffer excluding the *Municipal Airport Zone* and the *RPZ*.

d. *Height Restriction Zone.* The *Height Restriction Zone* extends to the edge of the *Conical Zone* and is subject only to the requirements stipulated in Section F, *Height Limitations*, of this ordinance (*see Exhibit 'A'*).

3. *Use Restrictions.*

a. *Airport Runway Protection Zone (RPZ) [Runway Object Free Area (OFA) and Controlled Activity Area].* No uses are permitted within the *Runway Object Free Area (OFA)* or the *Controlled Activity Area* unless deemed essential to air navigation or aircraft ground maneuvering purposes by the Federal Aviation Administration (FAA) with the following exceptions:

(1) *Permitted Uses.*

(a) Agriculture (*other than Forestry or Livestock*)

(2) *Specific Use Permit (SUP).*

(a) Roadways, Automobile Parking Areas, and Railroads that Adhere to the Height Restrictions

b. *Municipal Airport Zone.*

(1) *Permitted Uses.*

(a) Aircraft Runways, Taxiways, Taxilanes, Ramps, Parking Areas and Fuel Storage Facilities
(b) Aircraft Operational Facilities (*including but not limited to Instrument Landing Systems, Visual Navigational Aids, and Related Equipment; Communication Facilities; Weather Service Offices And Equipment*)
(c) Hangars (*includes all buildings which may be used for the Storage or Maintenance of Aircraft, Airport Snow Removal, Sweeping and Other Maintenance Equipment, and/or Other Aviation-Related or Ancillary Activities*)
(d) Terminal Buildings (*which may contain Offices or Airline Companies, and Other Businesses and Concessionaires*)
(e) Offices and Facilities for Airport Management, Air Charter, Air Taxi, Crop Spraying, Aircraft Sales or Rentals, and Air Cargo Processing Facilities
(f) Agriculture (*other than Forestry or Livestock*), Tourism Information Centers and Museums
(g) Flight Schools, Flying Clubs, and Other Schools or Training Facilities (*relating to Aviation or Air-Related Transportation*)
(h) Offices and Facilities for the Operation and Maintenance of Air Rescue, Emergency and Firefighting Services
(i) Aircraft Maintenance, Manufacturing, and Testing Facilities
(j) Offices and Facilities of Federal, State and Local Government Entities

(2) *Prohibited Uses.*

(a) No uses other than those uses explicitly permitted above.

c. *Airport Influence Zone.* All uses permitted within the underlying zoning depicted on the official zoning map of the Cityof Rockwall, with the following additional uses and exceptions:

(1) *Permitted Uses.*

(a) Outdoor Baseball/Softball Facilities and/or Other Public or Private Recreational Uses (*Day Time Operations Only*); *these uses are prohibited from incorporating any outside lighting that could create a potential hazard to airport operations.*
(b) Municipal Water Ground Storage Tanks (*i.e. Non-Elevated Storage*)

(2) *Specific Use Permits (SUP):*

(a) Residential Airpark or Aviation Homes
(b) Driving Test Track

(3) *Prohibited Uses:*

(a) Residential Uses (*e.g. Single Family, Multi Family, etc.*)
(b) Educational Centers (*including all types of Primary and Secondary Schools, Pre-Schools, and Child Care Facilities*)
(c) Hospitals, Medical Inpatient Treatment Facilities, Nursing Homes and/or Convalescent Home Facilities
(d) Places of Worship
(e) Places of Public Assembly (*Not Previously Listed*)
(f) Fuel Handling and Storage Facilities (*Does Not Include Gas Stations*)

d. *Height Restriction Zone.* Properties within the *Height Restriction Zone*, outside of the Airport Overlay (AP OV District), are subject to the use requirements stipulated by the underlying zoning depicted on the official zoning map of the City of Rockwall (*see Exhibit 'A'*).

4. *Additional Use Restrictions.*

(a) Notwithstanding any other provision of this ordinance, no use may be made of land within any zone established by this ordinance in such a manner as to (*1*) create electrical interference with radio communication between the Airport and aircraft, (*2*) make it difficult for flyers to distinguish between airport lights and others, (*3*) result in glare in the eyes of flyers using the Airport, (*4*) impair visibility in the vicinity of the Airport or otherwise endanger the landing, taking-off, or maneuvering of aircraft.

5. *Legal Non-Conforming Uses.*

(a) *Regulations Not Retroactive.* The regulations prescribed by this ordinance shall not be construed to require the removal, lowering, changes and/or alteration of any structure (*e.g. building*) or object of natural growth (*e.g. tree*) not conforming to the regulations as of the effective date of this ordinance, or otherwise interfere with the continuance of any legal non-conforming use. Nothing herein contained shall require any change in the construction, alteration, or intended use of any structure or property, for which the construction or alteration of said structure or property was commenced prior to the effective date of this ordinance.

(b) *Hazard Marking and Lighting*. Notwithstanding the preceding provision of this section, the owner of any non-conforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the City Manager or his designee to indicate to the operators of aircraft in the vicinity of the Airport, the presence of such airport hazards. Markers and lighting necessary for existing non-conforming structures or trees shall be operated and maintained at the expense of the property owner. Markers and lighting necessary for future non-conforming structures or trees, approved per the requirements of this ordinance, shall be installed, operated, and maintained at the expense of the property owner.

6. *Architectural Standards.*

(a) All buildings within the *Municipal Airport Zone* shall be designed by a licensed, professional architect and all drawings submitted for approval and/or permits shall bear the architect's seal of the State of Texas.

(b) All buildings intended for airport relateduse such as hangars, maintenance facilities, offices and facilities for airport management, terminal buildings and other similar types of uses with exterior walls visible from a public right-of-way shall consist of 90% masonry materials, excluding doors and windows as defined in Article X III, *Definitions*, of the Unified Development Code (*i.e. "Masonry"*). Building exterior walls not visible from the public rights-of-way may be earth-tone colored, pre-finished aluminum, steel or masonry. Materials that are unfinished are prohibited.

[All other buildings not related to airport uses within the Airport Overlay (AP OV) District shall conform to building materials requirements as stipulated within the Unified Development Code.]

In addition, all buildings intended for airpot related uses shall adhere to the following standards:

1) A *Material Sample Board* indicating all exterior materials and colors must be submitted to the Planning and Zoning Commission, upon a recommendation by the Architecture Review Board (ARB), for approval prior to the commencement of construction. All sides of the exterior building shall be architecturally integrated and similar in nature with respect to the design and aesthetic.

2) All roofs shall be metal. If galvanized metalis being proposed, it shall be limited to a roofing material only.

3) Building glazing or reflectors shall not be incorporated into a building if it will cause a glare or reflection that could interfere with airport operations or ground circulation.

4) All windows or large glass elements shall be oriented and/or treated to avoid reflections that could cause a distraction to air traffic that is landing or taking off.

5) All new construction shall be of a high quality and utilize materials and finishes that will maintain their appearance with relatively low maintenance.

6) All steel used for roofing or siding shall be a minimum of 28 gauge steel, with a factory finish in a color that has been approved by the Planning and Zoning Commission, and which has been warranted by the manufacturer for a minimum of 20 years with regards to the durability and color fastness.

7) All floors must be constructed of a minimum of four (4) inches thick concrete and reinforced with steel to a standard approved by the Engineering and Building Inspections Departments.

8) All buildings facing a taxiway (*i.e. a path connecting runways with ramps, hangars, terminals, etc.*) shall have a hangar door that has a minimum opening of 55-feet in width by 16-feet in height (*i.e. 55' [w] x 16' [h]*). Buildings facing a taxilane (*i.e. a path connecting the taxiways to aircraft parking positions*) shall have a hangar door that has a minimum opening of 41-feet, 6-inches in width by 12-feet in height (*i.e. 41'-6" [w] x 12' [h]*). Approved swing out, overhead or sliding doors may also be used. All pedestrian doors must be of a pre-finished metal construction positioned in metal doorjambs. No wood doorjambs will are permitted on exterior doors.

9) Mechanical equipment shall be screened so as not to be visible from the public and private right-of-ways. All screens, whether situated on the ground or on the building, shall be constructed to be aesthetically integrated into the design of the building. The rooftops of all buildings shall be free of any mechanical equipment unless completely screened from all points of view along all public right-of-ways by an architectural parapet. All screening materials shall be compatible with the material used on the building.

7. *Landscaping.*

(a) The requirements contained within Article V, *District Development Standards*, and Article VIII, *Landscape Standards*, of the Unified Development Code, whichever would be applicable to the subject property independent of the AP OV District, shall apply to a property located within the overlay (*i.e. the landscaping percentage of the underlying zoning district would apply*). In cases where aircraft requirements would conflict with certain landscaping elements, the Planning and Zoning Commission may approve requirements that deviate from those stipulated by the Unified Development Code if, in its opinion, such alternate requirements provide for a safer and more efficient use of the property.

8. *Variances.* The City Council may, upon request from the applicant, grant a variance to the any of the provisions contained within Section H.6, *Architectural Standards*, and Section H.7, *Landscaping*, of this ordinance where unique or extraordinary conditions exist or where strict adherence to the provisions of this ordinance would create a hardship. Approval of any variance to any provision of this section shall require City Council approval by a three-quarter (¾) majority vote of the City Council members present with a minimum of four (4) affirmative votes.

I. Administrative Procedures and Permits

1. *Future Use.* Except as specifically provided herein, no change shall be made in the use of land and no structure or tree shall be erected, altered, planted or otherwise

established in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted.

a) In the area lying within the limits of the *Horizontal Zone* and *Conical Zone*, no permit shall be required for any tree or structure less than 75-feet of vertical height above the ground as measured at grade, except when because of terrain, land contour or topographic features such tree or structure would extend above the height limits prescribed for such zone.

b) In the areas lying within the limits of the *Approach Zones* but at the horizontal distance of not less than 4,000 feet from each end of the runways, no permit shall be required for any tree or structure less than 75-feet of vertical height above the ground as measured at grade, except when because of terrain, land contour or topographic features such tree or structure would extend above the height limit prescribed for the *Approach Zone*.

c) In the areas lying within the limits of the *Transition Zones* ending at the perimeter of the *Horizontal Zone*, no permit shall be required for any tree or structure less than 75-feet of vertical height above the ground as measured at grade, except when such tree or structure because of terrain, land-contour or topographic features would extend above the height limit prescribed for such *Transition Zones*.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, alteration or growth of any structure or tree in excess of any of the height limits established by this Ordinance except as set forth in Section F, *Height Limitations*.

(1) *Existing Uses.* No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a non-conforming use, structure, or tree to be made or become higher, or become a greater hazard to air navigation, than it was on the effective date of this Ordinance or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.

(2) *Non-Conforming Uses Abandoned or Destroyed.* Whenever the Board of Adjustment (BOA) determines that a non-conforming structure or use has been abandoned for a period of six (6) months, or more than eighty (80%) percent of a non-conforming structure or tree has been torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

(3) *Variances.* Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use of their property, not in accordance with the regulations prescribed in this ordinance, may apply to the Board of Adjustment (BOA) for a variance from such regulations. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulation would result in practical difficulty or unnecessary hardship and the

relief granted would not be contrary to the public interest but will dosubstantial justice to be in accordance with the spirit and intent of this Ordinance.

(4) *Hazard Marking and Lighting.* Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this Ordinance and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the owners at their own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.

J. ***Enforcement.*** It shall be the duty of the City Manager or his designee to administer and enforce the regulations prescribed herein. Application of permits shall be made to the City Manager or his designee upon a form published for that purpose. Applications requiredby this ordinance to be submitted to the City Manager or his designee shall be promptly considered and granted or denied. Applications for variances shall be made to the Board of Adjustment (BOA) by first filing said application for variance with the City Manager or his designee who shall forthwith transmit said application to the Board of Adjustment for determination.

K. ***Appeals.*** Requests for appeals to administrative dec isions by the City Manager or his designee concerning the enforcement of this ordinance shall be directed to the Board of Adjustment (BOA) in compliance with Section 11, *Board of Adjustments*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code.

EXHIBIT 'A': AIRPORT OVERLAY (AP OV) DISTRICT BOUNDARIES

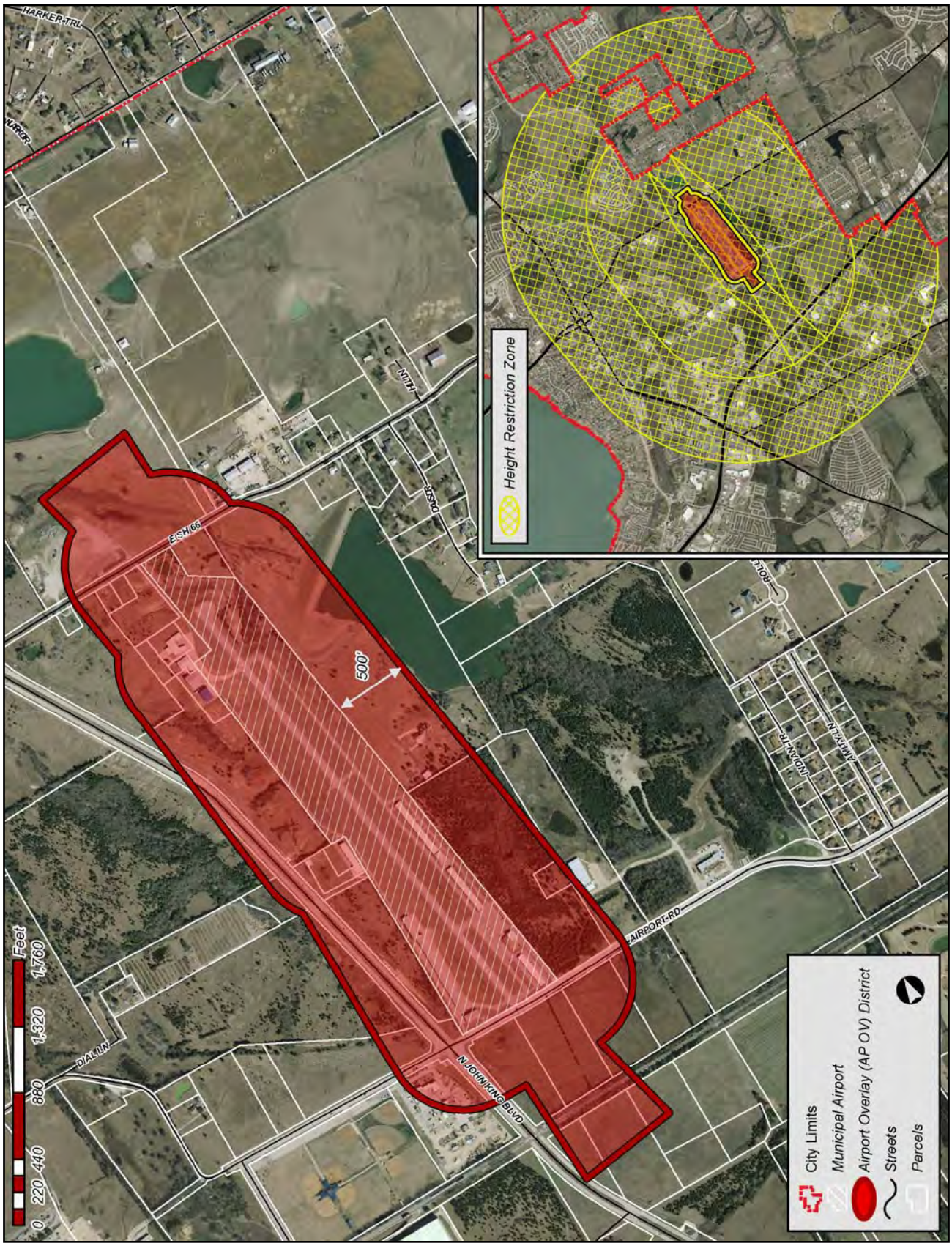


EXHIBIT 'B': DEVELOPMENT ZONES WITHIN THE AIRPORT OVERLAY (AP OV) DISTRICT

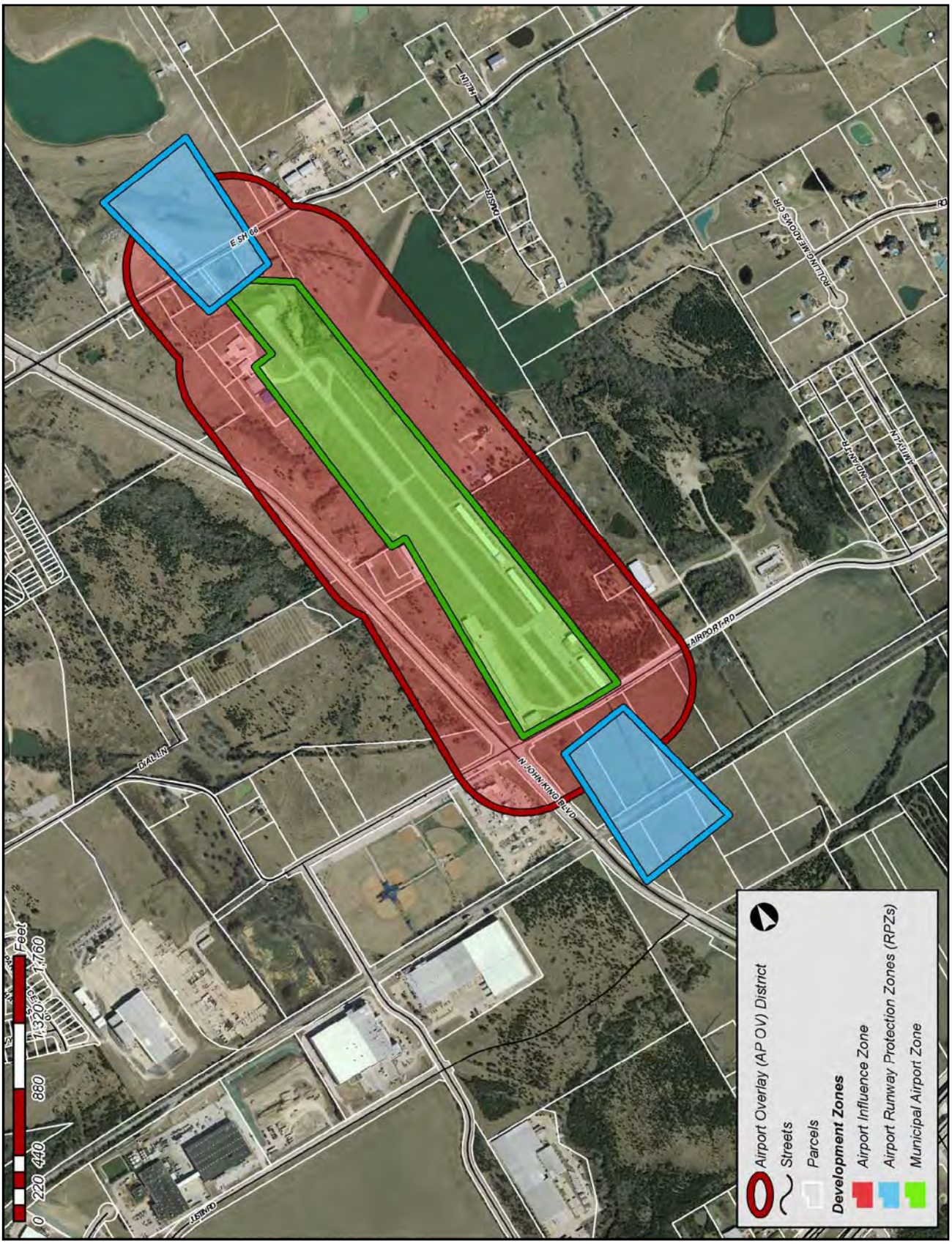
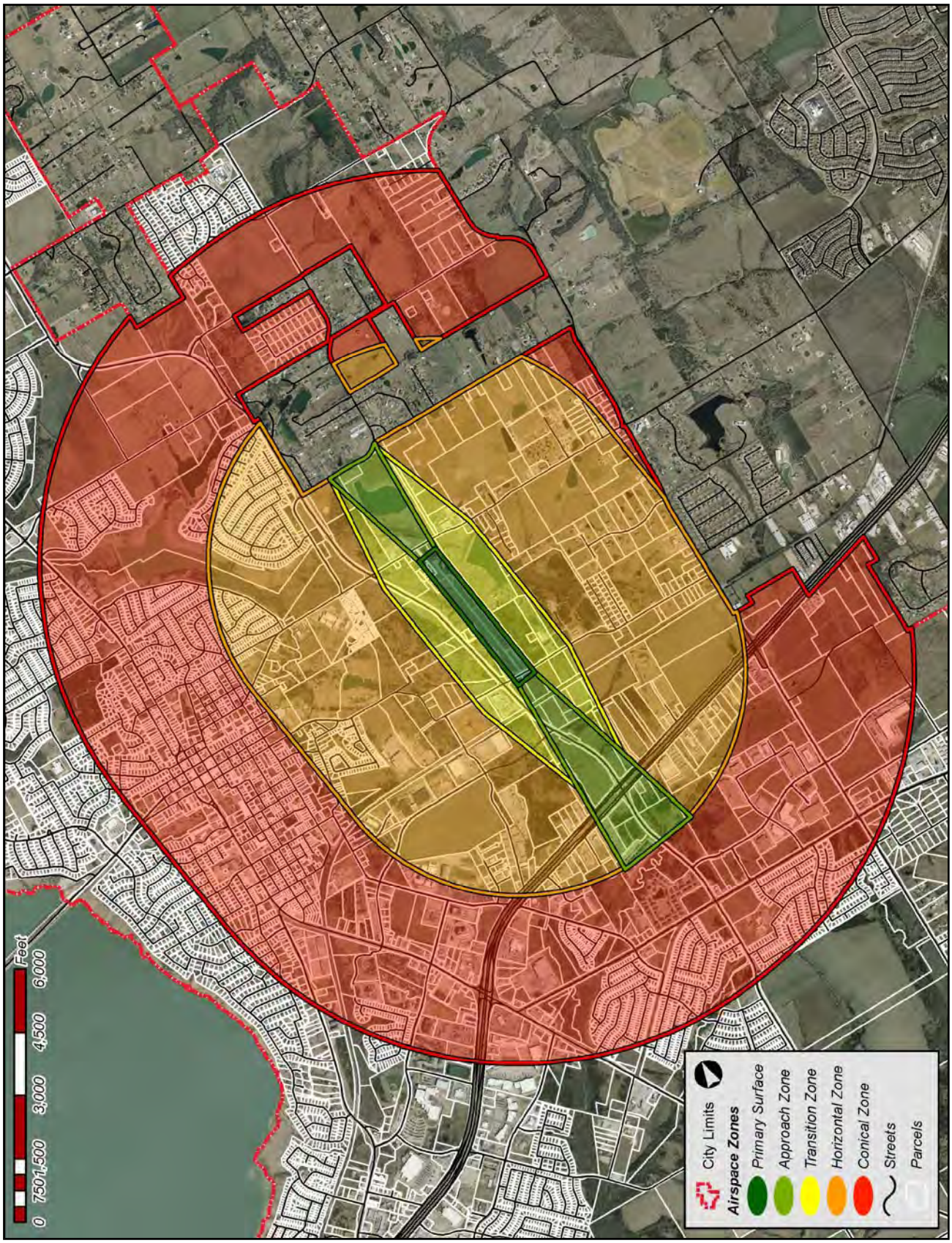


EXHIBIT 'C': AIRSPACE ZONE BOUNDARIES



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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: The Mayor and City Council
Rick Crolley, *City Manager*
Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager/Historic Preservation Officer*

DATE: October 10, 2014

SUBJECT: *Preserve America Communities and Neighborhood Program*

On September 18, 2014, the Historic Preservation Advisory Board (HPAB), following a positive recommendation from the Main Street Advisory Board, directed staff to bring the attached resolution to the City Council for the purpose of seeking approval to submit an application to the *Preserve America Communities and Neighborhoods Program*. The *Preserve America Communities and Neighborhoods Program* was enacted by *Executive Order 13287* on March 3, 2003 (*by then President George W. Bush*) for the purpose of encouraging and supporting a community's efforts to preserve cultural and natural heritage. The program is intended to recognize and designate communities that have demonstrated a willingness to protect and celebrate their heritage, use their historic assets for economic development and revitalization, and encourage people to experience and appreciate local historic resources through heritage tourism and education programs. The City of Rockwall has a proven history of striving to meet these goals and objectives through its boards and commissions, and various projects and programs that have dealt directly with historic and cultural preservation.

Should the City Council choose to pursue and be approved for *Preserve America Community* designation, the city would become eligible for federal matching grants for projects with a focus on economic and educational opportunities related to heritage tourism and historic preservation. In addition, all *Preserve America* communities are recognized by the White House through a national and regional press release, and receive an official certificate and roadway sign in recognition of this designation. Finally, the City would be listed in the *Web-Based Preserve America Community Directory*.

Staff has performed a preliminary review of the application form and determined that the City exceeds all the criteria required to apply for this designation. There are no monetary requirements associated with this application or maintaining the designation. In addition, the City is eligible for an expedited application process because of its *Certified Local Government* status. Staff will be available at the meeting to answer any questions concerning this agenda item.

CITY OF ROCKWALL

RESOLUTION NO. 14-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ESTABLISHING AN INTENT TO APPLY FOR *PRESERVE AMERICA* COMMUNITY DESIGNATION.

WHEREAS, *Preserve America* is a White House initiative developed in cooperation with the Advisory Council on Historic Preservation, the U.S. Department of the Interior, and the U.S. Department of Commerce; and

WHEREAS, the goals of this initiative include a greater shared knowledge about our Nation's past, strengthened regional identities and local pride, increased local participation in preserving the country's irreplaceable cultural and natural heritage assets, and support for the economic vitality of communities; and

WHEREAS, this initiative is compatible with our community's interests and goals related to historic preservation; and

WHEREAS, designation as a *Preserve America* Community will improve our community's ability to protect and promote its historical resources; now therefore be it

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, that:

Section 1. That the City of Rockwall will apply for the designation of The City of Rockwall as a Preserve America Community; and be it further

Section 2. That the City of Rockwall City Council will protect and celebrate our heritage, use our historic assets for economic development and community revitalization, and encourage people to experience and appreciate local historic resources through education and heritage tourism programs.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE _ DAY OF _ 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

The Preserve America Program

Preserve America is a federal program that encourages and supports community efforts to preserve and enjoy our priceless cultural and natural heritage. The goals of the program include a greater shared knowledge about the nation's past, strengthened regional identities and local pride, increased local participation in preserving the country's cultural and natural heritage assets, and support for the economic vitality of our communities. Since the program's inception in 2003, the First Lady of the United States has been involved in supporting and promoting Preserve America. Permanent authorizing legislation for the program was passed by Congress and signed by President Obama in March, 2009. Detailed information on all aspects of this initiative can be found at www.preserveamerica.gov. Major components of Preserve America include the following:

Preserve America Communities
This program recognizes and designates communities, including neighborhoods within large cities, which protect and celebrate their heritage, use their historic assets for economic development and community revitalization, and encourage people to experience and appreciate local historic resources through heritage tourism and education programs. To date, 890 Preserve America communities have been designated in all 50 states, the District of Columbia, and two U.S. territories, including 20 neighborhoods and five tribal communities.



Jonesborough, Tennessee, became a Preserve America Community in August 2005 and showcases its history as the oldest town in the state.

Benefits of designation include White House recognition; a certificate of recognition; a Preserve America Community road sign; authorization to use the Preserve America logo on signs, flags, banners, and promotional materials; listing in an on-line Preserve America Community directory; inclusion in national and regional press releases; eligibility to apply for Preserve America Grants, when funded by Congress; and enhanced community visibility and pride. Preserve America Communities are also featured in National Register Travel Itineraries and in "Teaching with Historic Places" curricular material created by the National Park Service. There are quarterly deadlines to apply for designation annually on March 1, June 1, September 1, and December 1. Application forms and more information are available at www.preserveamerica.gov/communities.html.



Preserve America Stewards
The Preserve America Stewards program honors exemplary volunteer efforts at historic resources around the country. There are currently 41 Preserve America Stewards. Honorees are recognized for stewardship programs that have demonstrated a successful use of volunteer time and commitment to help care for our cultural heritage. Government entities (federal, tribal, state, or local), non-profit organizations, and businesses are eligible to apply to have their programs recognized. The application form and further information is available at www.preserveamerica.gov/stewards.html.

Volunteers of the Chimney Rock Interpretive Association, a Preserve America Steward, work to help bring the past to life.

Executive Order 13287: "Preserve America"
The Preserve America Executive Order (2003) emphasizes federal policy for the protection, enhancement, and contemporary use of historic properties owned by the federal government. The order encourages agencies to seek partnerships with state, tribal, and local governments and the private sector to make more informed use of these resources for local economic development and other recognized public benefits. It also directs agencies to support state, tribal, and local heritage tourism with existing authorities and resources. As required by the order, the Advisory Council on Historic Preservation reviews agency stewardship and partnership efforts and provides a status report to the President every three years. The reports were compiled and issued in 2006, 2009, and 2012, based on reporting from individual federal agencies with land and property management responsibilities.

Preserve America Grants
From 2006 through 2010 more than $21 million in matching grants were awarded to 280 projects throughout the country. The grants are designed to support community efforts to develop sustainable resource management strategies and sound business practices for the continued preservation and use of historic and cultural sites. The focus is on economic and educational opportunities related to heritage tourism. Grant amounts ranged from $20,000 to $250,000 and required a 1:1 match. Some grants leveraged a great deal more support than the basic match requirement.

State Historic Preservation Offices, Tribal Historic Preservation Offices, designated Preserve America Communities, and Certified Local Governments that have applied for Preserve America Community designation are eligible to apply for Preserve America Grants pending congressional appropriations. Though the Preserve America Grants have been authorized by Congress, no funding has been allocated for the grants in the current budget. Further information, including descriptions of funded projects, is available at www.nps.gov/history/hps/hpg/PreserveAmerica.

Preserve America Presidential Awards
Up to four awards were given annually though 2008 to organizations, businesses, or government entities for exemplary accomplishments in the sustainable use and preservation of cultural or natural heritage assets; demonstrated commitment to the protection and interpretation of America's heritage assets; and integration of these assets into contemporary community life, combining innovative, creative, and responsible approaches to showcasing historic local resources. Awards were presented to two national initiatives as well as regional, statewide, and local programs in 19 states. For a full list of winners and photographs, visit www.preserveamerica.gov/presidentialaward.

National History Teacher of the Year Award
Since 2004, outstanding history teachers at the K-12 level have been recognized in each state, the District of Columbia, and U.S. territories, followed by selection of the National History Teacher of the Year from among the state winners. State winners each receive $1,000 and a core archive of history materials for their school libraries. The Gilder Lehrman Institute of American History administers this award program, in association with HISTORY™, and Preserve America, and hosts a national recognition event each fall.

Preserve America Summit and the Future of Preservation
In recognition of the 40th anniversary of the National Historic Preservation Act, a Preserve America Summit was convened in 2006 with 450 participants to consider the future of the national preservation program. A Youth Summit met in conjunction with the larger conference and has provided a model for subsequent youth projects, including promotion of historic preservation service-learning as an educational tool. Key recommendations emerging from the Summit to improve the effectiveness of historic preservation efforts nationally through better resource identification, stewardship, community support, education, and leadership were adopted by the Advisory Council on Historic Preservation and are now being implemented by federal agencies in cooperation with non-federal partners.

Program Management
A Web site (www.preserveamerica.gov) and an e-newsletter provide details and updates on Preserve America, with information on how to get involved and links to related programs and resources. Preserve America is administered jointly by the Advisory Council on Historic Preservation and the Department of the Interior, in cooperation with representatives from the White House and the Executive Office of the President,; the Departments of Agriculture, Commerce, Defense, Education, Housing and Urban Development, Interior, and Transportation; the General Services Administration; the Institute of Museum and Library Services; the National Endowment for the Humanities; the President's Council on Environmental Quality; and the President's Committee on the Arts and the Humanities. For more information about Preserve America, visit www.preserveamerica.gov.

February 2013

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary**

DATE: **October 1, 2014**

SUBJECT: **Resolution re: Charter Review Commission**

If approved by the city council, the attached resolution formally establishes a Charter Review Commission, including naming the ten members who will serve, prescribes the Commission's duties and specifies more definitive dates (i.e. terms of members and deadline for reporting to Council).

While the Secretary of State has not yet published an election calendar for the May 9, 2015 election, Jacky and Frank pulled together a preliminary timetable, which was presented at the last meeting. I have slightly modified that timetable, taking into account when regularly scheduled city council meetings are held. Below is the modified timetable. Please note the February 2nd date, which would be the very last regularly-scheduled city council meeting that the Commission could deliver its findings/recommendations to Council before the election is to be called, is reflected in the text of the resolution.

Timeline to Appoint Charter Review Commission and Call Election	
October 6th or October 20th	Proposed period to appoint Charter Review Commission
October 7th (or Oct. 21st) - January 16, 2015	Proposed period for Commission to meet and discuss proposed changes to Charter
January 20th or February 2nd	Proposed period for Commission to report to Council and Council review proposed Charter changes for consideration (at regularly scheduled cc. mtg.)
February 3rd – February 27th	Proposed period for publication of recommendations of Charter Review Commission in newspaper (as prescribed by Charter)
February 16th	Last possible regularly scheduled City Council meeting for ordering Charter Amendment (and city council member) election
February 27th	Statutory last day for ordering election

CITY OF ROCKWALL

RESOLUTION NO. 14-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ESTABLISHING A CHARTER REVIEW COMMISSION, INCLUDING APPOINTMENT OF ITS MEMBERS AND ASSIGNMENT OF DUTIES; PROVIDING FOR AN EFFECTIVE DATE.

Whereas, Section 11.14 of the City Charter provides for the process to follow in order to adopt an amendment to the City Charter; and

Whereas, Section 11.15 of the City Charter authorizes the City Council to establish a Charter Review Commission made up of ten citizens; and

Whereas, the City Council desires to appoint such a Commission to determine if any revisions to the Charter should be submitted to voters for consideration in accordance with Section 11.15 of the City Charter;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That a Charter Review Commission (the "Commission") is hereby established as provided for in Section 11.15 of the Rockwall City Charter; and

Section 2. That the "Commission" shall consist of the following ten citizens of the City, which are hereby appointed by the City Council:

1.
2.
3.
4.
5.
6.
7.
8.
9.
10.

Section 3. That these appointed members shall select from among themselves a Chairman and Vice Chairman to serve during the term of the Commission; and

Section 4. That, in accordance with Section 11.15 of the City Charter, the Commission shall be charged with the following duties:

(a) Inquire into the operation of the City government under the Charter and determine whether any provisions require revision. To this end, public hearings may be held. The Commission may compel the attendance of any officer or employee of the City and require submission of any City records it deems necessary to conduct the hearings.

(b) Propose any recommendations it deems desirable to ensure compliance with the Charter of the City government.

(c) Report its findings and present its recommendations to the City Council; and

Section 5. That the Commission may be requested by the City Council to consider and develop recommendations related to certain specific issues, which may be provided to the Commission by the City Council or staff; and

Section 6. That the Commission is instructed to propose any recommendations it deems desirable, including those to ensure compliance with State law; and

Section 7. That the Commission shall report is findings and present its recommendations to the City Council on or before the Monday, February 2, 2015 regular Rockwall City Council meeting in order to timely call for an election in May 2015, and that any and all records of proceedings of the Commission shall be filed with the City Secretary and become public record at that time; and

Section 8. That, in accordance with the City Charter, the Commission shall have a term of office of no more than six months and that the term of members shall subsequently expire no later than April 2, 2015; and

Section 9. That following presentation of recommendations to the City Council for consideration of possible placement on the May 9, 2015 general election ballot, the City Council may call upon members of the Charter Review Commission to assist with public education efforts related to said ballot proposals; and

Section 10. That this Resolution shall become effective immediately upon passage and approval, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 6th day of October, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

August 2014

Permits

Total Permits Issued: 238

Building Permits: 39 Contractor Permits: 199

Total Permit Values: $ 6,741,752.91

Building Permits: $ 5,732,876.19 Contractor Permits: $ 1,008,876.72

Total Fees Collected: $ 120,790.39

Building Permits: $ 105,642.51 Contractor Permits: $ 15,147.88

Board of Adjustment

Board of Adjustment Cases 1

City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

For the Period 8/1/2014 thru 8/31/2014

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	8	$0.00	$401.50
30 DAY BANNER	4	$0.00	$201.50
COMING SOON	3	$0.00	$150.00
GRAND OPENING	1	$0.00	$50.00
CO	15	$0.00	$1,128.00
BUSINESS	9	$0.00	$676.50
NEW CONSTRUCTION	4	$0.00	$301.50
SHELL	2	$0.00	$150.00
COMM	25	$1,531,215.00	$13,387.87
ADDITION	1	$823,570.00	$4,784.25
CONCRETE	1	$20,000.00	$332.00
DEMO	3	$5,000.00	$153.50
ELECTRICAL	6	$140,800.00	$1,257.78
FENCE	1	$815.00	$35.00
INTERIOR COMP	2	$330,000.00	$2,620.50
IRRIGATION	1	$15,000.00	$35.00
NEW	1	$150,000.00	$1,285.25
PLUMBING	5	$7,180.00	$2,494.47
REMODEL	3	$14,000.00	$355.12
ROOF	1	$24,850.00	$35.00
NONPROFIT SIGN PERMI	1	$0.00	$0.00
	1	$0.00	$0.00
SIGNAGE	11	$0.00	$826.50
DEVELOPMENT	1	$0.00	$75.00
MONUMENT	3	$0.00	$225.00
TEMP REAL ESTATE	1	$0.00	$75.00
WALL	6	$0.00	$451.50
SINGLE FAMILY	163	$5,210,537.91	$104,173.52
ACC BLDG	5	$10,900.00	$408.00
ADDITION	4	$53,000.00	$840.31
ALTERATION	1	$6,686.00	$150.75
CONCRETE	4	$11,350.00	$343.60
ELECTRICAL	3	$3,934.00	$174.15
FENCE	41	$124,800.00	$1,404.50
IRRIGATION	15	$32,400.00	$525.00
MECHANICAL	14	$80,769.00	$1,895.13
MISCELLANEOUS	3	$12,000.00	$106.50
NEW	18	$4,330,100.19	$94,776.78
PATIO COVER	2	$8,120.00	$218.05
PERGOLA	2	$6,500.00	$203.50
PLUMBING	23	$22,764.00	$1,132.35
RETAINING WALL	7	$43,000.00	$210.00
ROOF	10	$109,271.76	$360.40
SWIM POOL	9	$349,820.95	$1,353.00
WINDOWS	2	$5,122.01	$71.50
SPECIAL EVENT	14	$0.00	$273.00
	14	$0.00	$273.00
TCO	1	$0.00	$600.00
	1	$0.00	$600.00

CRW SYSTEMS

City of Rockwall

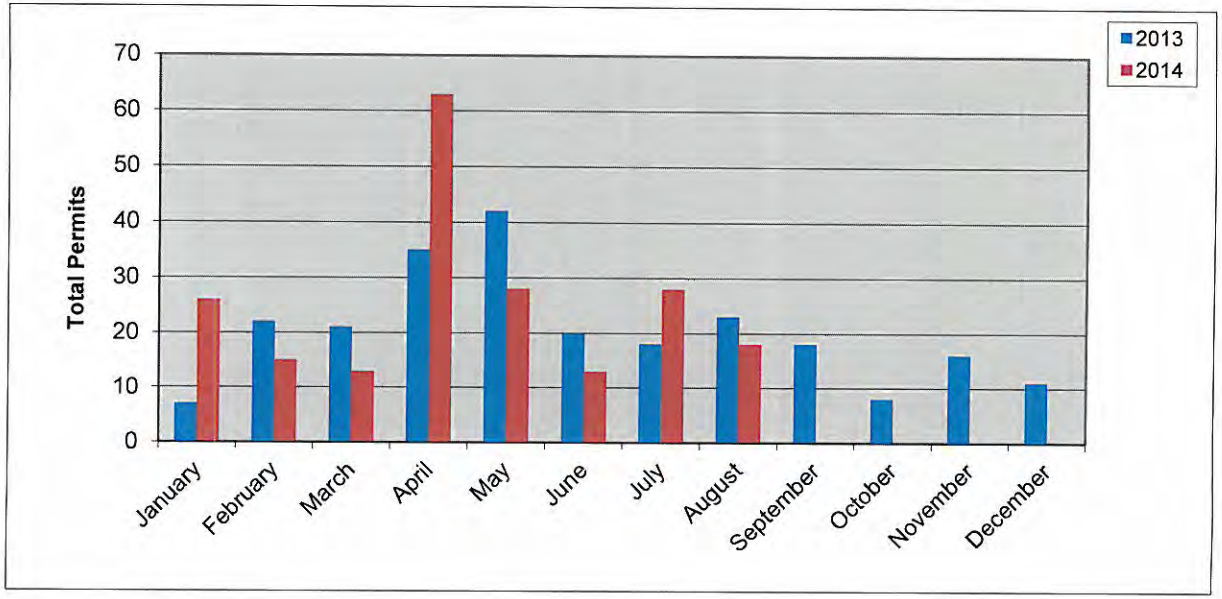
PERMITS ISSUED - Summary by Type and Subtype

For the Period 8/1/2014 thru 8/31/2014

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
Totals:	238	$6,741,752.91	$120,790.39

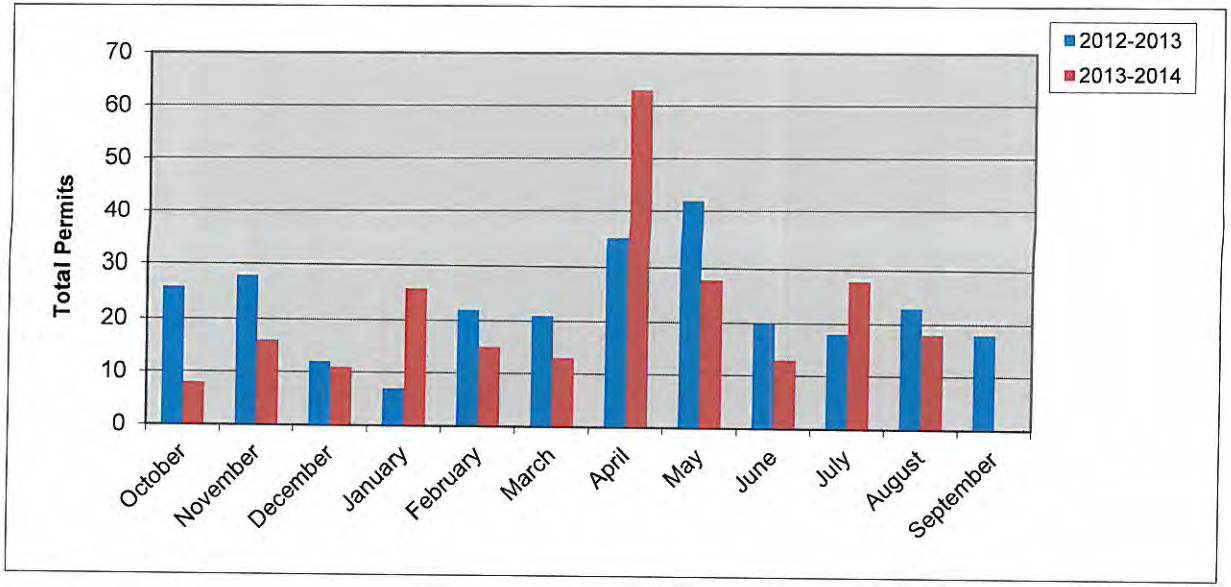
New Residential Permits Calendar Year

	Year	
	2013	2014
January	7	26
February	22	15
March	21	13
April	35	63
May	42	28
June	20	13
July	18	28
August	23	18
September	18	
October	8	
November	16	
December	11	
Totals	**241**	204



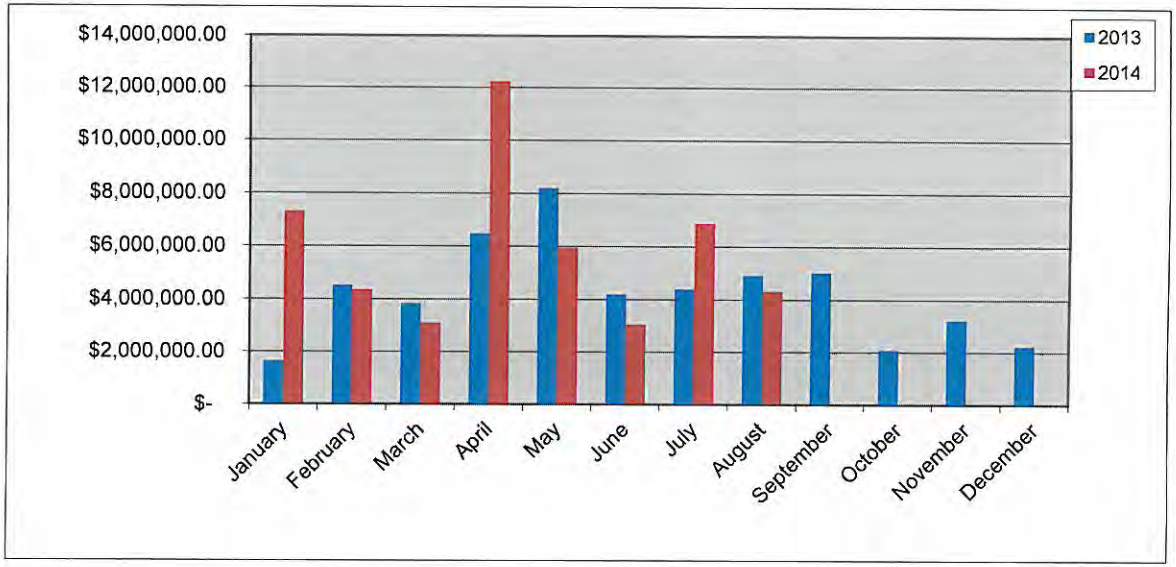
New Residential Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	26	8
November	28	16
December	12	11
January	7	26
February	22	15
March	21	13
April	35	63
May	42	28
June	20	13
July	18	28
August	23	18
September	18	
Totals	**272**	239



New Residential Value Calendar Year

Year	2013	2014
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	$ 12,228,936.33
May	$ 8,193,211.00	$ 5,960,240.00
June	$ 4,185,842.00	$ 3,048,536.00
July	$ 4,382,866.00	$ 6,883,062.87
August	$ 4,906,203.00	$ 4,330,100.19
September	$ 5,018,954.00	
October	$ 2,078,584.00	
November	$ 3,202,067.00	
December	$ 2,215,924.00	
Totals	**$50,608,931.00**	**$ 47,187,230.13**



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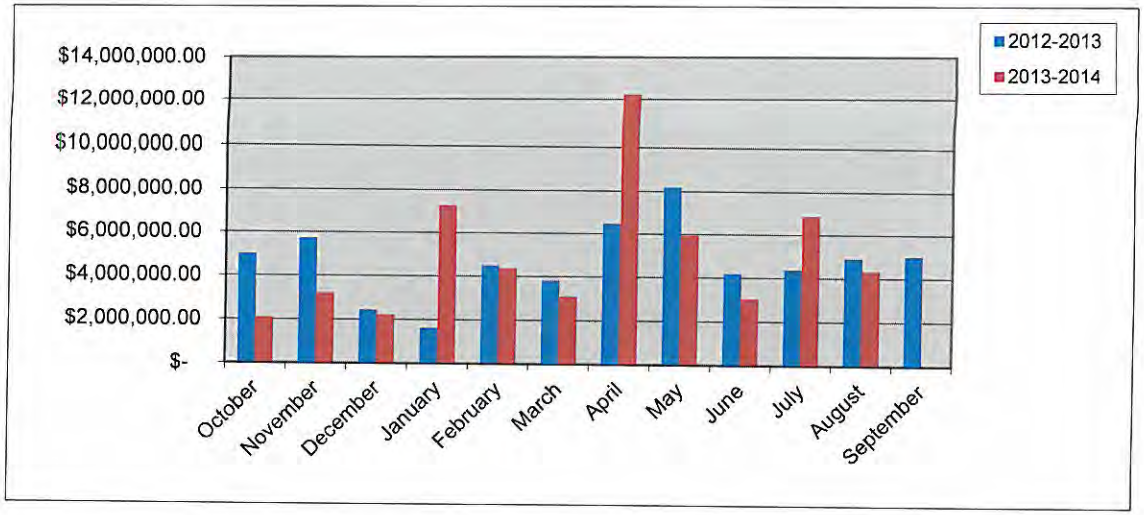
New Residential Value Fiscal Year

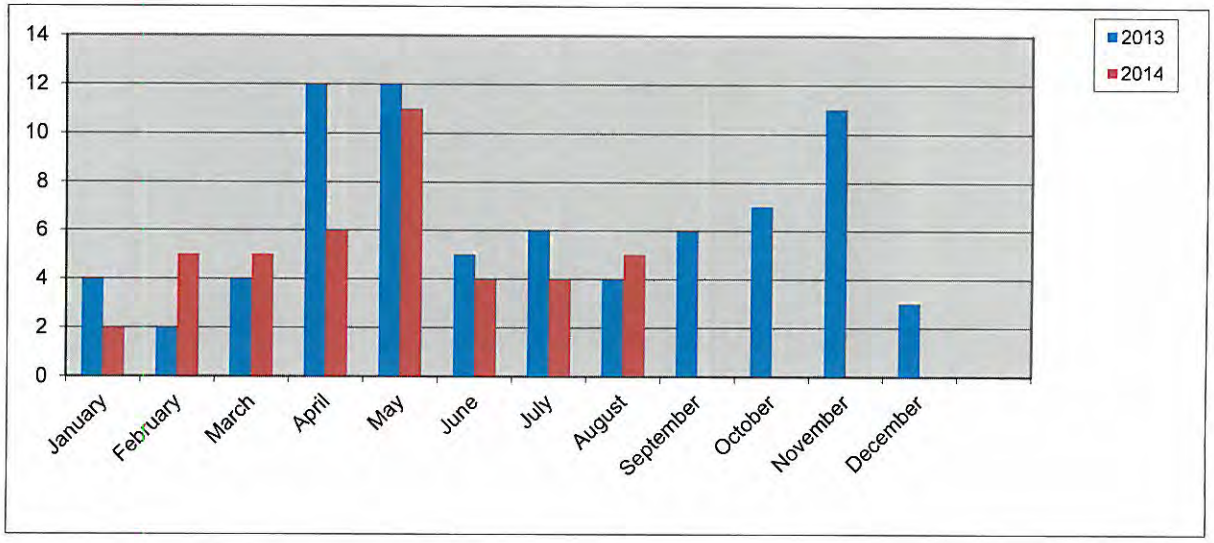
Year	2012-2013	2013-2014
October	$ 4,993,587.00	$ 2,078,584.00
November	$ 5,718,696.00	$ 3,202,067.00
December	$ 2,441,748.00	$ 2,215,924.00
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	$ 12,228,936.33
May	$ 8,193,211.00	$ 5,960,240.00
June	$ 4,185,842.00	$ 3,048,536.00
July	$ 4,382,866.00	$ 6,883,062.87
August	$ 4,906,203.00	$ 4,330,100.19
September	$ 5,018,954.00	
Totals	**$56,266,387.00**	**$ 54,683,805.13**



406

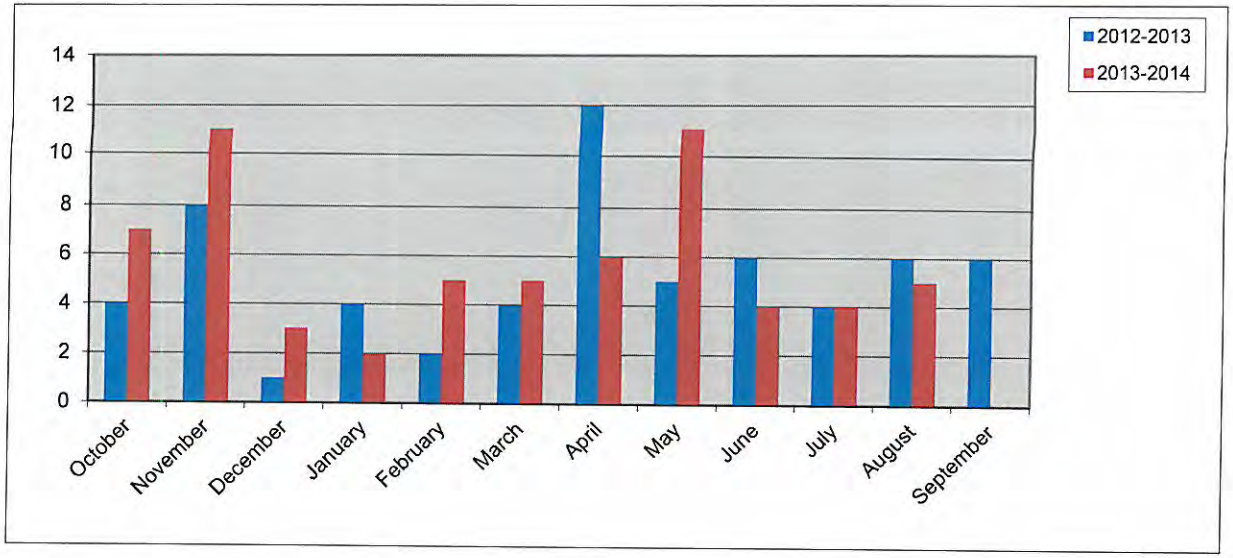
Residential Remodel Permits Calendar Year

	Year	
	2013	**2014**
January	4	**2**
February	2	5
March	4	5
April	12	6
May	12	11
June	5	4
July	6	4
August	4	5
September	6	
October	7	
November	11	
December	3	
Totals	**76**	42



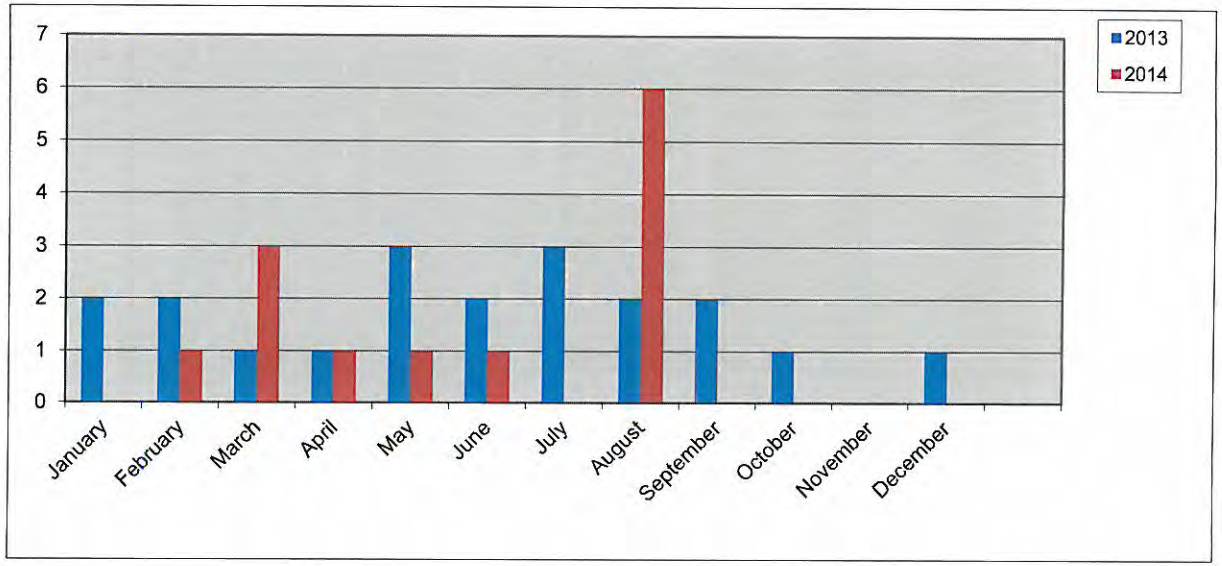
Residential Remodel Permits Fiscal Year

	Year	
	2012-2013	**2013-2014**
October	4	7
November	8	11
December	1	3
January	4	2
February	2	5
March	4	5
April	12	6
May	5	11
June	6	4
July	4	4
August	6	5
September	6	
Totals	**62**	**63**



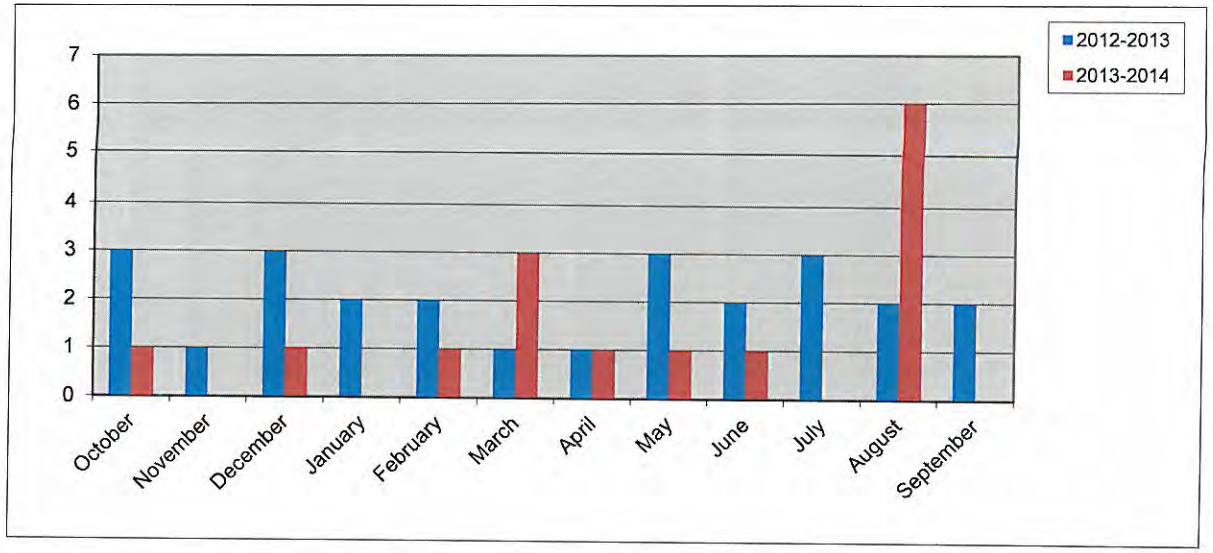
New Commercial Permits Calendar Year

	Year	
	2013	2014
January	2	0
February	2	1
March	1	3
April	1	1
May	3	1
June	2	1
July	3	0
August	2	6
September	2	
October	1	
November	0	
December	1	
Totals	**20**	**13**



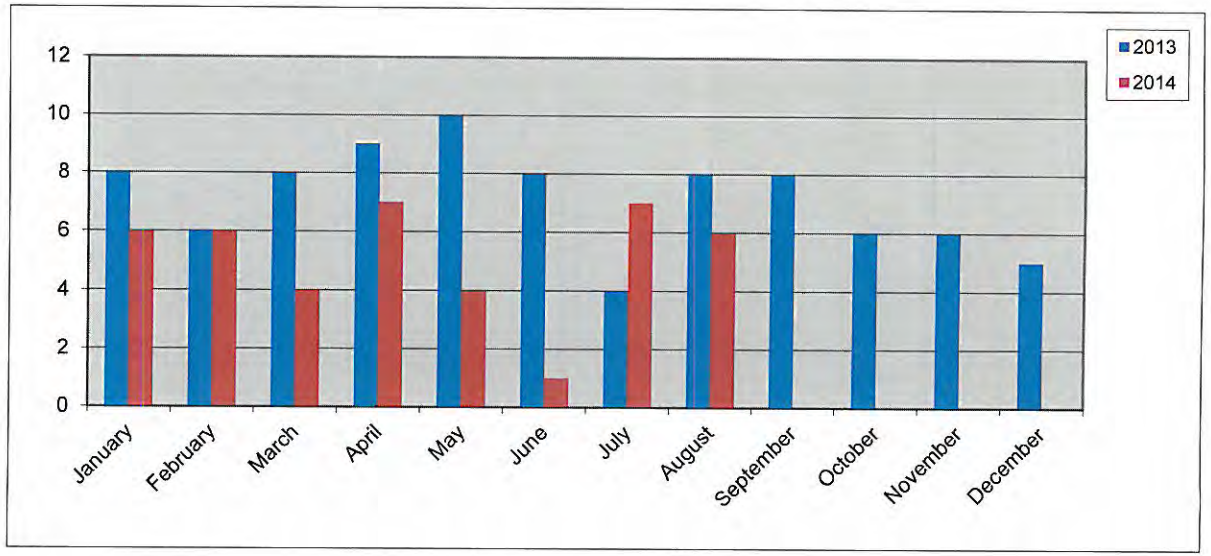
New Commercial Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	3	1
November	1	0
December	3	1
January	2	0
February	2	1
March	1	3
April	1	1
May	3	1
June	2	1
July	3	0
August	2	6
September	2	
Totals	**25**	**15**



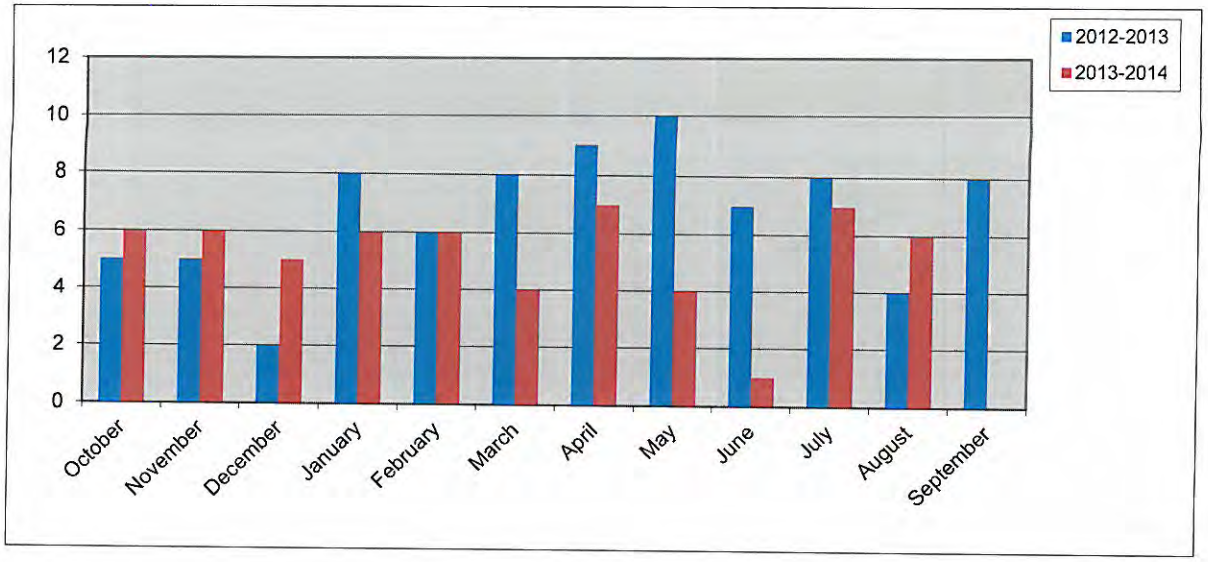
Commercial Remodel Permits Calendar Year

	Year	
	2013	2014
January	8	6
February	6	6
March	8	4
April	9	7
May	10	4
June	8	1
July	4	7
August	8	6
September	8	
October	6	
November	6	
December	5	
Totals	**86**	**41**



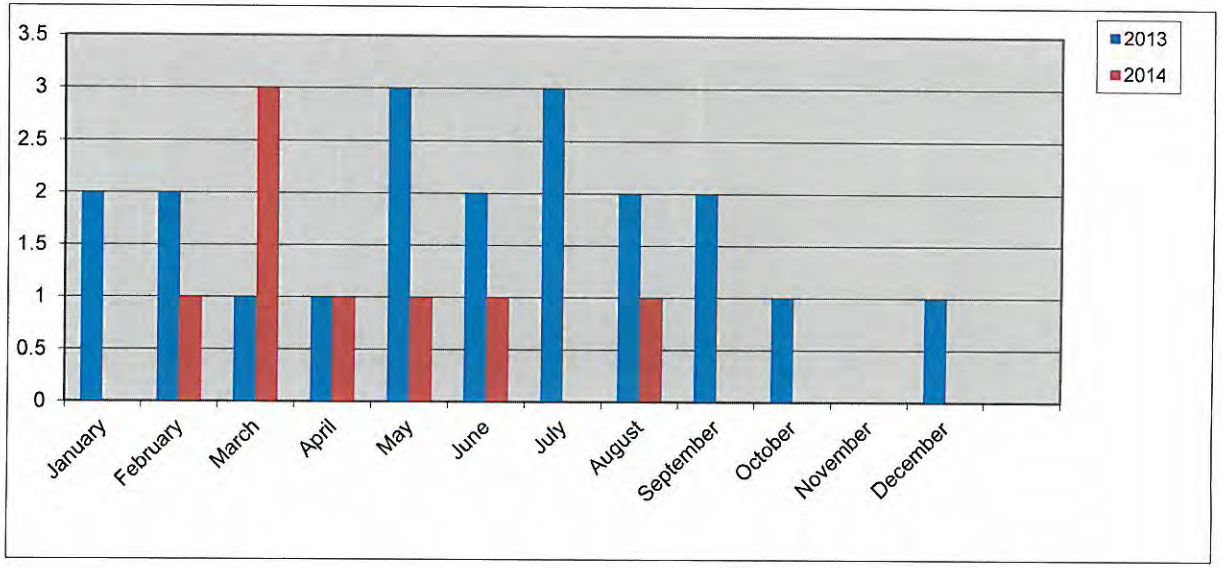
Commercial Remodel Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	5	6
November	5	6
December	2	5
January	8	6
February	6	**6**
March	8	4
April	9	7
May	10	4
June	7	1
July	8	7
August	4	6
September	8	
Totals	**80**	**58**



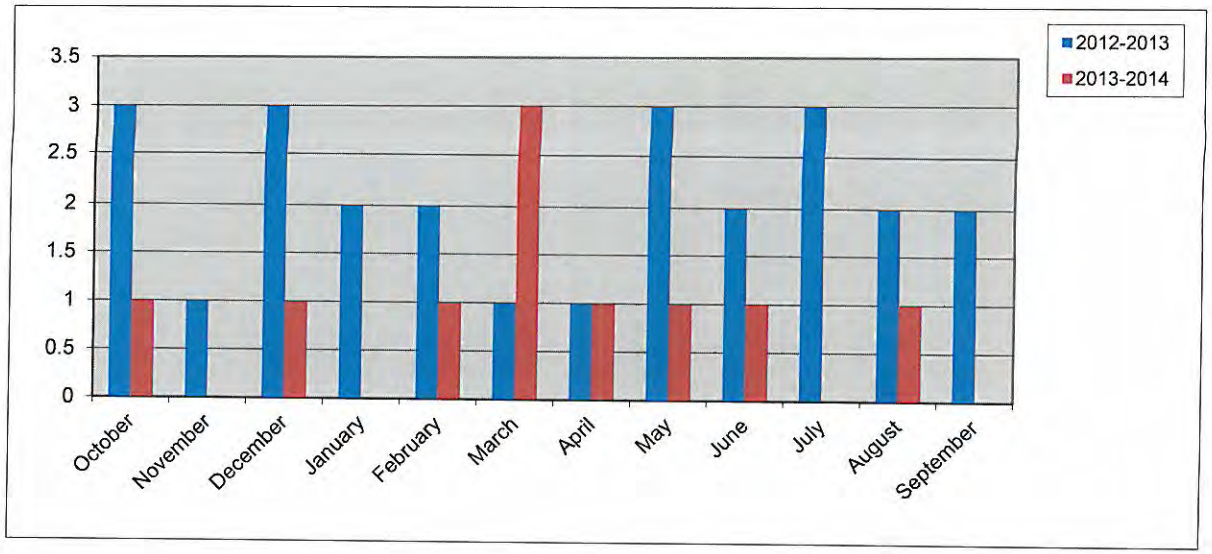
New Commercial Permits Calendar Year

	Year	
	2013	2014
January	2	0
February	2	1
March	1	3
April	1	1
May	3	1
June	2	1
July	3	0
August	2	1
September	2	
October	1	
November	0	
December	1	
Totals	**20**	**8**



New Commercial Permits Fiscal Year

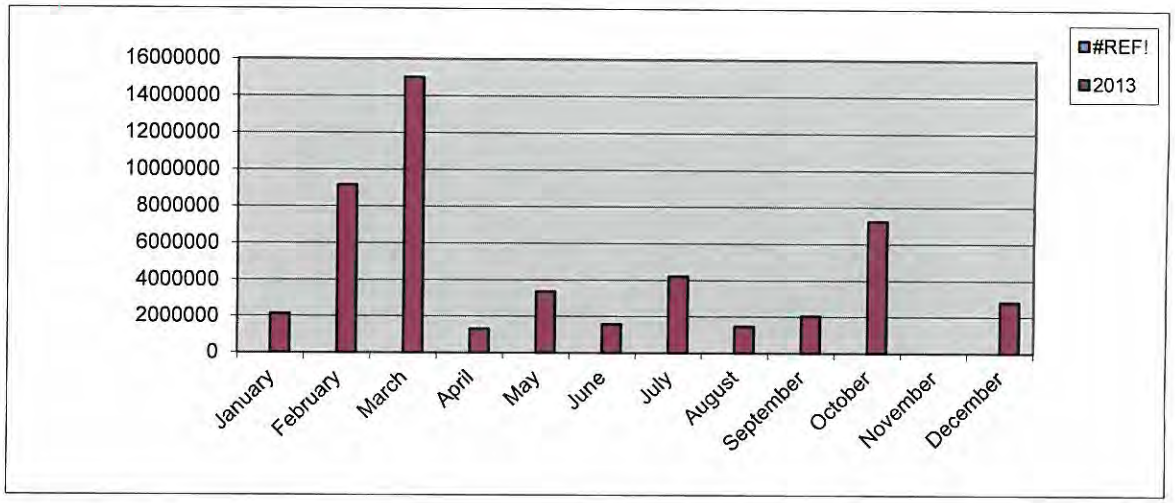
	Year	
	2012-2013	2013-2014
October	3	1
November	1	0
December	3	1
January	2	0
February	2	1
March	1	3
April	1	1
May	3	1
June	2	1
July	3	0
August	2	1
September	2	
Totals	**25**	**10**



410

New Commercial Value Calendar Year

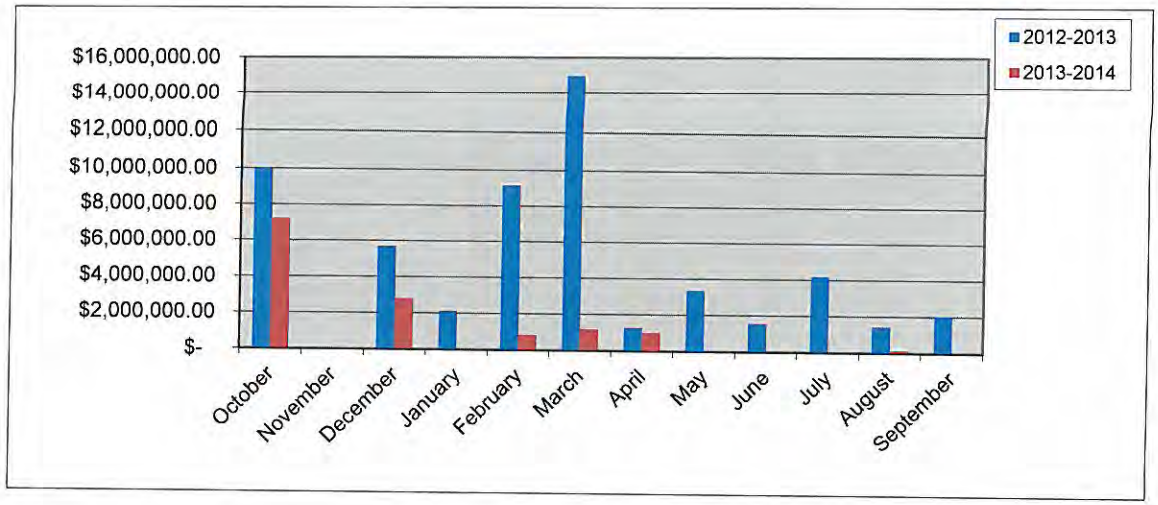
Year	2013	2014
January	$ 2,125,000.00	$ -
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	$ 1,185,000.00
April	$ 1,300,000.00	$ 1,000,000.00
May	$ 3,372,000.00	$ 5,000.00
June	$ 1,575,000.00	$ -
July	$ 4,200,000.00	
August	$ 1,454,000.00	150,000.00
September	$ 2,040,000.00	
October	$ 7,225,000.00	
November	$ -	
December	$ 2,800,000.00	
Totals	**$ 50,241,000.00**	**$ 3,190,000.00**



411

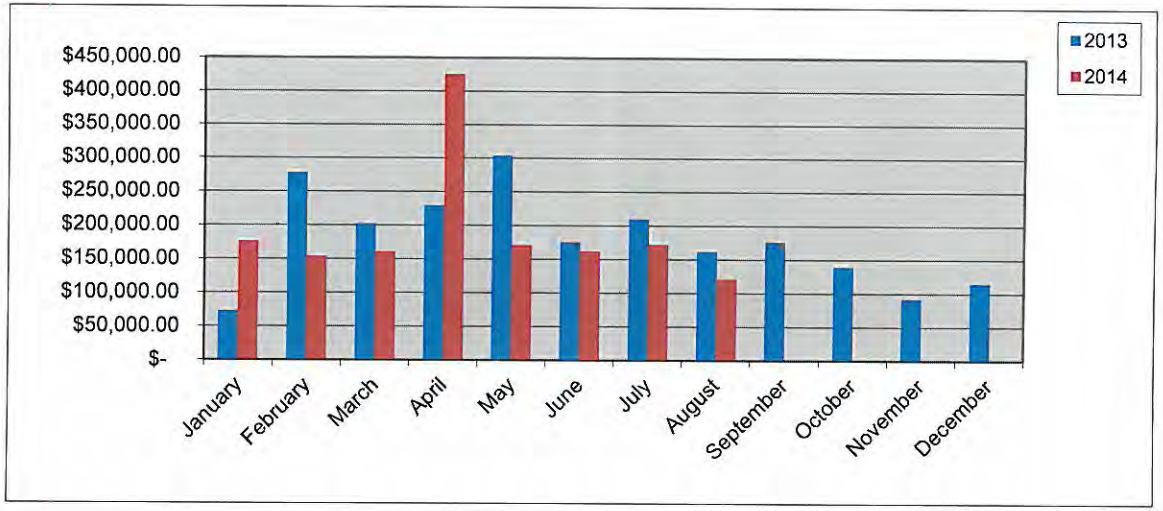
New Commercial Value Fiscal Year

Year	2012-2013	2013-2014
October	$ 10,000,000.00	$ 7,225,000.00
November	$ 5,000.00	$ -
December	$ 5,700,000.00	$ 2,800,000.00
January	$ 2,125,000.00	$ -
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	$ 1,185,000.00
April	$ 1,300,000.00	$ 1,000,000.00
May	$ 3,372,000.00	$ 5,000.00
June	$ 1,575,000.00	$ -
July	$ 4,200,000.00	
August	$ 1,454,000.00	150,000
September	$ 2,040,000.00	
Totals	**$ 55,921,000.00**	**$ 13,215,000.00**



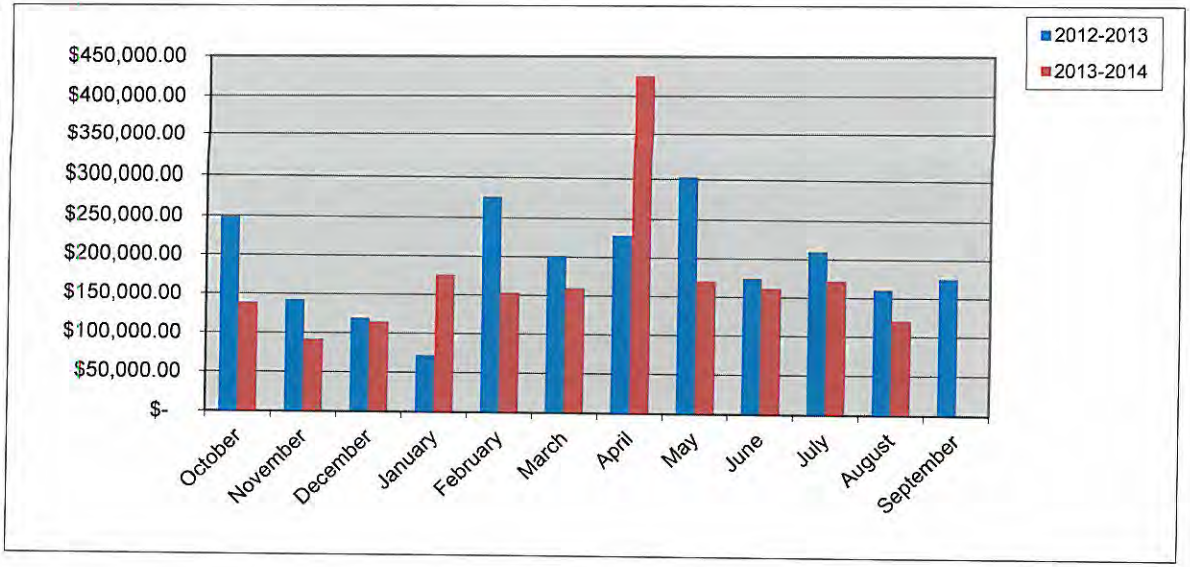
Total Fees Collected Calendar Year

Year	2013	2014
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	$ 425,003.86
May	$ 302,928.73	$ 170,849.07
June	$ 174,872.41	$ 161,690.82
July	$ 209,566.63	$ 172,232.70
August	$ 161,080.17	$ 120,790.39
September	$ 175,835.03	
October	$ 138,771.53	
November	$ 91,778.83	
December	$ 114,645.28	
Totals	**$ 2,148,877.79**	**$ 1,540,719.36**



Total Fees Collected Fiscal Year

Year	2012-2013	2013-2014
October	$ 248,932.46	$ 138,771.53
November	$ 142,356.98	$ 91,778.83
December	$ 119,604.19	$ 114,645.28
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	$ 425,003.86
May	$ 302,928.73	$ 170,849.07
June	$ 174,872.41	$ 161,829.08
July	$ 209,566.63	$ 172,232.70
August	$ 161,080.17	$ 120,790.39
September	$ 175,835.03	
Totals	**$ 2,314,575.78**	**$ 1,886,053.26**



City of Rockwall

PERMITS ISSUED

For the Period 8/1/2014 thru 8/31/2014

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0072 6/19/2014 8/29/2014	CO BUSINESS Active	1035 IH 30 105 ROCKWALL BUSINESS PARK EAST Five Guys Burgers & Fries	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	EXCEL, ROCKWALL LLC		BOUNTIFUL	UT	84010	
APPLICANT	Five Guys Operations, LLC	10718 Richmond Hwy	Lorton	VA	22079	(703) 339-9500
CONTRACTOR	Five Guys Operations, LLC	10718 Richmond Hwy	Lorton	VA	22079	(703) 339-9500
BUS OWNER	Five Guys Operations, LLC	10718 Richmond Hwy	Lorton	VA	22079	(703) 339-9500
BUSINESS	Five Guys Burger and Fries					

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0073 6/19/2014 8/14/2014	CO BUSINESS ACTIVE	3115 RIDGE RD. BUFFALO CREEK SHOPPING VILLAGE NO 2 PRIMROSE SCHOOL OF ROCKWALL	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	JPH, REAL ESTATE INC		ROCKWALL	TX	75087-327	
APPLICANT	ARSHIA A. NIZAM		ROCKWALL	TX	75087	(972) 838-7250
INSP RPT EMAIL	ARSHIA A. NIZAM		ROCKWALL	TX	75087	(972) 838-7250
BUS OWNER	ARSHIA A. NIZAM		ROCKWALL	TX	75087	(972) 838-7250
BUSINESS	PRIMROSE SCHOOL OF ROCK					

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0075 6/25/2014 8/20/2014	CO BUSINESS ACTIVE	802 S GOLIAD SANGER First Baptist Church of Rockwall	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	First Baptist Church of Rockwall		ROCKWALL	TX	75087	
OWNER	PRUITT, STEVIE & DEBRA AN		ROWLETT	TX	75088-417	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0079 6/30/2014 8/19/2014	CO BUSINESS ACTIVE	1348 MIMS RD. Crazy Jacks Power Sport LLC	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	D, & A REAL ESTATE PARTNE		ROCKWALL	TX	75087-085	
APPLICANT	Jack B Moss	2313 Homestead Dr.	Mesquite	TX	75181	(469) 407-1551
BUS OWNER	Jack B Moss	1348 Mims	Rockwall	TX	75032	(469) 407-1551
BUSINESS	Crazy Jacks Power Sport LLC					

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0082 7/14/2014 8/4/2014	CO SHELL ACTIVE	3021 Ridge Rd HORIZON RIDGE ADDITION Ridge Road Properties Shell Bldg	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address	Phone Number

City of Rockwall

PERMITS ISSUED

For the Period 8/1/2014 thru 8/31/2014

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number			Valuation	Total Fees / Total SQFT	Fees Paid
OWNER	RIDGE ROAD PROPERTIES	166 YORKSHIRE DR.	HEATH	TX 75032			(972) 983-2222
APPLICANT	JIMMY MCCLINTOCK	166 YORKSHIRE DR.	Rockwall	TX 75032			(972) 983-2222
BUS OWNER	Jimmy McClintock	166 Yorkshire Dr.	Rockwall	TX 75032			(972) 983-2222
BUSINESS	RIDGE ROAD PROEPRTIES SH	3012 RIDGE ROAD	ROCKWALL	TX 75087			(972) 722-3807
CO2014-0083 7/14/2014 8/4/2014	CO NEW CONSTRUCTION ACTIVE	3021 Ridge Rd. 101 & 102 HORIZON RIDGE ADDITION Harbor Mail, LLC/ Rockwall Gold & Silver Exchange			0.00	$ 75.00 0	$ 75.00
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	RIDGE ROAD PROPERTIES	166 YORKSHIRE DR.	HEATH	TX 75032			(972) 983-2222
APPLICANT	JIMMY MCCLINTOCK	166 YORKSHIRE DR.	Rockwall	TX 75032			(972) 983-2222
BUS OWNER	Jimmy McClintock	166 Yorkshire Dr.	Heath	TX 75032			(972) 983-2222
BUSINESS	RIDGE ROAD PROEPRTIES SH	3012 RIDGE ROAD	ROCKWALL	TX 75087			(972) 722-3807
CO2014-0084 7/14/2014 8/18/2014	CO NEW CONSTRUCTION ACTIVE	3021 Ridge Rd. 103 HORIZON RIDGE ADDITION Rockwall Super Drugs			0.00	$ 75.00 0	$ 75.00
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	PS5, PROPERTIES LLC		DALLAS	TX 75359			
APPLICANT	SAVERX PHARMACY	3021 RIDGE ROAD	Rockwall	TX 75032			(972) 772-0500
BUS OWNER	SAVERX PHARMACY	3021 RIDGE ROAD	Rockwall	TX 75032			(972) 772-0500
CO2014-0087 7/16/2014 8/4/2014	CO SHELL Active	3013 Ridge Rd HORIZON RIDGE ADDITION PS5 Properties - Shell Bldg			0.00	$ 75.00 0	$ 75.00
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	PS5, PROPERTIES LLC		DALLAS	TX 75359			
BUS OWNER	PS5, Properties, LLC	PO BOX 595261	Dallas	TX 75359			(214) 226-7171
CO2014-0088 7/16/2014 8/4/2014	CO NEW CONSTRUCTION ACTIVE	3013 Ridge Rd. 101 HORIZON RIDGE ADDITION Central Pain Management			0.00	$ 75.00 0	$ 75.00
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	PS5, PROPERTIES LLC		DALLAS	TX 75359			
BUS OWNER	Erin Silav	3013 Ridge Rd #101	Rockwall	TX 75032			(214) 771-3535
CO2014-0090 7/18/2014 8/19/2014	CO NEW CONSTRUCTION ACTIVE	2245 Goliad St S ROCKWALL CENTRE CORNERS Rosa's Cafe # 41			0.00	$ 76.50 0	$ 76.50
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	CPI, MORTGAGE INVESTORS	C/O CARDINAL PARAGON INC	DALLAS	TX 75225			

PERMITS ISSUED

For the Period 8/1/2014 thru 8/31/2014

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number				Valuation	Total Fees / Total SQFT	Fees Paid
APPLICANT	JEFF HUDSON							
BUS OWNER	BDC Ltd. Family Partnership	4055 International Plaza #400	Ft Worth	TX	76109			(817) 366-6513
BUSINESS	ROSA'S CAFE # 41	2245 S GOLIAD ST.	Rockwall	TX	75032			(972) 722-4340
CO2014-0095	CO	704 Throckmorton				0.00	$ 75.00	$ 75.00
7/31/2014	BUSINESS	SANGER					0	
8/14/2014	ACTIVE	Same Page Inc. (1st floor only)						
Contact Type	**Contact Name**	**Contact Address**						**Phone Number**
OWNER	BARNHILL, BARNEY		ROCKWALL	TX	75087			
APPLICANT	J B McBride	10427 Mosscrest	Dallas	TX	75238			(214) 215-4835
BUS OWNER	J B McBride	10427 Mosscrest	Dallas	TX	75238			(214) 215-4835
BUSINESS	Same Page Inc.							
CO2014-0098	CO	109 E BOURN ST				0.00	$ 75.00	$ 75.00
8/11/2014	BUSINESS	SANGER					0	
8/20/2014	ACTIVE	Rockwall Tailor & Shoe Repair						
Contact Type	**Contact Name**	**Contact Address**						**Phone Number**
OWNER	EDWARDS, JASON		HEATH	TX	75032			
APPLICANT	Chong Sam Pak	2301 Lone Oak Trl	Garland	TX	75044			(972) 722-3291
BUS OWNER	Chong Sam Pak	2301 Lone Oak Trl	Garland	TX	75044			(972) 722-3291
CO2014-0100	CO	1344 Mims Rd				0.00	$ 75.00	$ 75.00
8/14/2014	BUSINESS						0	
8/25/2014	ACTIVE	Rockwall Capital LLC						
Contact Type	**Contact Name**	**Contact Address**						**Phone Number**
OWNER	D, & A REAL ESTATE PARTNE		ROCKWALL	TX	75087			
BUS OWNER	Rockwall Capital LLC	615 National Dr.	Rockwall	TX	75032			(469) 402-1110
BUSINESS	Rockwall Capital LLC							
CO2014-0102	CO	2435 Ridge Rd. 107				0.00	$ 75.00	$ 75.00
8/19/2014	BUSINESS	ROCKWALL TOWNE CENTRE PH 4					0	
8/20/2014	ACTIVE	LAKES REGIONAL MHMR CENTER						
Contact Type	**Contact Name**	**Contact Address**						**Phone Number**
OWNER	ROCKWALL, OCEANHILL LLC	C/O RASAR INC	ALAMEDA	CA	94501-454			
APPLICANT	RICHARD WILSON	400 AIRPORT RD.	TERRELL	TX	75160			(972) 388-2000
CONTRACTOR	FAST-TRAK CONSTRUCTION,	1150 EMPIRE CENTRAL PL. #124	Dallas	TX	75247-431			(214) 638-0525
BUS OWNER	LAKES REGIONAL MHMR CEI	2435 RIDGE ROAD, STE 107						
BUSINESS	LAKES REGIONAL MHMR CEI	2435 RIDGE ROAD, STE 107	ROCKWALL	TX	75087			(972) 388-2000

City of Rockwall

PERMITS ISSUED

For the Period 8/1/2014 thru 8/31/2014

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0104 8/21/2014 8/26/2014	CO BUSINESS ACTIVE	401 W Washington St WASHINGTON PLACE Marigold Learning Academy	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	ALL, SAINTS INC AND	ANIS KHALIL	DALLAS	TX	75243	
APPLICANT	Tracie Wilson					(972) 722-3892
BUS OWNER	Karri Shojaei-Scott	401 W Washington	Rockwall	TX	75087	
BUSINESS	Marigold Learning Academy					

15 **Permits Issued from: 8/1/2014** **Thru: 8/31/2014**

Total Valuation: $ 0.00
Total Fees: $ 1,128.00
Total Fees Paid: $ 1,128.00

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CALLS BY TYPE

AUGUST 2014



CITY CALLS	August
Situation Type	**#**
111 Building fire	1
131 Passenger vehicle fire (cars, pickups, SUV's)	1
143 Grass fire	2
311 Medical assist, assist EMS crew	2
350 Extrication, rescue, other	1
353 Removal of victim(s) from stalled elevator	1
360 Water & ice-related rescue, other	1
411 Gasoline or other flammable liquid spill	1
412 Gas leak (natural gas or LPG)	5
440 Electrical wiring/equipment problem, other	1
444 Power line down	2
551 Assist police or other governmental agency	6
553 Public service	3
556 Public service - Non paged	3
611 Dispatched & canceled en route	2
622 No incident found on arrival at dispatch address	1
651 Smoke scare, odor of smoke	2
652 Steam, vapor, fog or dust thought to be smoke	1
671 HazMat release investigation w/no HazMat	1
700 False alarm or false call, other	2
735 Alarm system sounded due to malfunction	5
736 CO detector activation due to malfunction	1
740 Unintentional transmission of alarm, other	2
744 Detector activation, no fire - unintentional	1
745 Alarm system activation, no fire - unintentional	5
746 Carbon monoxide detector activation, no CO	1
Unknown	3
Totals:	57

COUNTY	August
Situation Type	**#**
553 Public service	1
Totals:	1

To: Chief Poindexter
From: BC Merritt
Re: August 2014 Structure Fire Report.
Date: September 16, 2014

2625 Discovery Blvd

We responded to a report of a Structure fire on August 20, 2014. The first unit on scene arrived and reported smoke showing from the outside of the building. Upon entry into the building firefighters discovered a fire in a large grinding machine. The fire sprinkler system was flowing but the fire was still burning. Firefighters quickly extinguished the fire and shut down the sprinkler system to minimize the water damage due to the large amount of water that was flowing from the system. There was no major damage to the building itself only the machine that was involved and some other materials that were affected by the water from the sprinkler system. No firefighter injuries were reported on this incident.

Dispatch time: 13:34
Enroute time: 13:35
On scene time: 13:39
Clear time: 15:14

4 men on scene 13:41
8 men on scene not reported
12 men on scene 14:00

We had a total of 6 on duty Firefighters on scene, 6 Volunteers, 2 Chief, 3 Investigators and 4 apparatus.

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CITY RESPONSE
AUGUST 2014

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes	18 of 21 85.71% CRITERIA NOT MET	0- 1 1/2 MINUTES	7 OF 7 100% CRITERIA MET
CRITERIA MET %		CRITERIA MET %	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES	19 of 21 90.47% CRITERIA MET	0-6 MINUTES	3 OF 7 43.00% CRITERIA NOT MET
CRITERIA MET %		CRITERIA MET %	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES	21 OF 21 100.00% CRITERIA MET	0-7 1/2 MINUTES	6 OF 7 86.00% CRITERIA MET
CRITERIA MET%		CRITERIA MET%	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	

420

COUNTY AND MUTUAL AID
RESPONSE
AUGUST 2014

COUNTY/MUTUAL	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	2 OF 2
CRITERIA -ACHIEVE RESPONSE TIME	100%
60% OF TIME IN BOXES WITH	CRITERIA MET
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	2 OF 2
CRITERIA -ACHIEVE RESPONSE TIME	100%
60% OF TIME IN BOXES WITH	CRITERIA MET
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	2 OF 2
CRITERIA -ACHIEVE RESPONSE TIME	100%
60% OF TIME IN BOXES WITH	CRITERIA MET
STATIONS	

421

Enroute overages
City Calls - August 2014

VENUE	ALARM DATE	ALARM TIME	ENROUTE TIME	PAGED TO ENROUTE	APPARATUS	INC. NUMBER	STATION	Lights and Sirens	REASON FOR OVERAGES
Rockwall	08/04/2014	18:40:50	18:42:43	0:01:53	E1	2014-00000637	Rockwall 1	Code 3	CAD times don't match radio times
Rockwall	08/09/2014	13:36:18	13:38:03	0:01:45	E3	2014-00000651	Rockwall 3	Code 3	CAD times don't match radio times
Rockwall	08/20/2014	00:37:18	00:39:02	0:01:44	E1	2014-00000676	Rockwall 1	Code 3	CAD times don't match radio times
Rockwall	08/15/2014	07:22:17	07:23:55	0:01:38	E1	2014-00000663	Rockwall 1	Code 3	CAD times don't match radio times

422

Arrival Overages
City Calls-August 2014

VENUE	ALARM DATE	ALARM TIME	ENROUTE TIME	ARRIVAL TIME	ENROUTE TO ARRIVAL	APPARATUS	INC. NUMBER	STATION	Lights and Sirens	REASON FOR OVERAGES
Rockwall	08/12/2014	20:36:26	20:37:45	20:49:28	0:11:43	E1	2014-00000659	Rockwall 2	Code 3	Times based on Marine 1 arrival.
Rockwall	08/16/2014	09:56:43	09:57:48	10:06:17	0:08:29	E4	2014-00000670	Rockwall 4	Code 3	drive time to area without station
Rockwall	08/05/2014	15:29:20	15:30:13	15:36:48	0:06:35	E3	2014-00000643	Rockwall 3	Code 3	drive time to area without station
Rockwall	08/29/2014	18:14:03	18:15:06	18:21:36	0:06:30	E6	2014-00000699	Rockwall 3	Code 3	drive time to area without station
Rockwall	08/22/2014	13:24:36	13:25:45	13:32:05	0:06:20	E3	2014-00000680	Rockwall 1	Code 3	E3 had troule locating
Rockwall	08/22/2014	20:42:21	20:43:47	20:50:05	0:06:18	E4	2014-00000681	Rockwall 4	Code 3	drive time to area without station

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Response Overages
City - August 2014

VENUE	ALARM DATE	ALARM TIME	ARRIVAL TIME	RESPONSE TIME	APPARATUS	INC. NUMBER	STATION	Lights and Sirens	REASON FOR OVERAGES
Rockwall	08/12/2014	20:36:26	20:49:28	0:13:02	E1	2014-00000659	Rockwall 2	Code 3	Times based on Marine 1 arrival.
Rockwall	08/16/2014	09:56:43	10:06:17	0:09:34	E4	2014-00000670	Rockwall 4	Code 3	drive time to area without station

424

Total Dollar Losses

August 2014

City of Rockwall
The Texas Treasure

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$0.00	$0.00	$119,050.00	$257,560.00	$416,944.90
Total Content Loss:	$30,000.00	$0.00	$35,000.00	$91,846.00	$197,188.94
Total Property Pre-Incident Value:	$0.00	$0.00	$369,000.00	$315,730.00	$2,134,407.00
Total Contents Pre-Incident Value	$0.00	$0.00	$12,169,286.00	$187,944.00	$13,134,352.20
Total Losses:	$30,000.00	$.00	$154,050.00	$349,406.00	$30,000.00
Total Value:	$.00	$.00	$12,538,286.00	$503,674.00	$15,268,759.20

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 8/1/2014 thru 8/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2013-022	06/10/2013		ENGINEERING 1220 HORIZON RD	453	Amy Williams Assistant City Engineer	APPROVED 8/18/2014
E2014-012	04/03/2014		ENGINEERING 3018 RIDGE RD	156	Amy Williams Assistant City Engineer	APPROVED 8/14/2014
E2014-012	04/03/2014		ENGINEERING 3018 RIDGE RD	156	Bruce Hanby Engineering: Technician	APPROVED 8/5/2014
E2014-012	04/03/2014		ENGINEERING 3018 RIDGE RD	156	Amy Williams Assistant City Engineer	COMMENTS 8/5/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	145	Ariana Hargrove Engineering: Fire	COMMENTS 8/4/2014
E2014-013	04/14/2014		ENGINEERING BREEZY HILLS RD	145	Ariana Hargrove Engineering: Fire	APPROVED 8/28/2014
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	145	Ariana Hargrove Engineering: Fire	APPROVED W/
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	145	Ariana Hargrove Engineering: Fire	APPROVED 8/28/2014
E2014-014	04/14/2014		ENGINEERING BREEZY HILLS RD	145	Kathleen Moreno Engineering: Engineer	
E2014-018	05/27/2014		ENGINEERING 1861 SH276	102	Amy Williams Assistant City Engineer	COMMENTS 8/15/2014
E2014-019	05/30/2014		ENGINEERING 105 ST MARYS ST	99	Amy Williams Assistant City Engineer	APPROVED 8/1/2014
E2014-019	05/30/2014		ENGINEERING 105 ST MARYS ST	99	Kathleen Moreno Engineering: Engineer	APPROVED 8/5/2014
E2014-019	05/30/2014		ENGINEERING 105 ST MARYS ST	99	Bruce Hanby Engineering: Technician	APPROVED 8/1/2014
E2014-021	07/23/2014		ENGINEERING 1700 JUSTIN RD	45	Kathleen Moreno Engineering: Engineer	APPROVED 8/18/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 8/1/2014 thru 8/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-021	07/23/2014		ENGINEERING 1700 JUSTIN RD	45	Steve Clawson Sewer Department	APPROVED 8/19/2014
E2014-021	07/23/2014		ENGINEERING 1700 JUSTIN RD	45	Ariana Hargrove Engineering: Fire	APPROVED 8/13/2014
E2014-021	07/23/2014		ENGINEERING 1700 JUSTIN RD	45	Amy Williams Assistant City Engineer	COMMENTS 8/15/2014
E2014-021	07/23/2014		ENGINEERING 1700 JUSTIN RD	45	Bruce Hanby Engineering: Technician	COMMENTS 8/14/2014
E2014-022	07/30/2014		ENGINEERING Horizon Road	38	Bruce Hanby Engineering: Technician	APPROVED 8/14/2014
E2014-022	07/30/2014		ENGINEERING Horizon Road	38	Amy Williams Assistant City Engineer	COMMENTS 8/18/2014
E2014-022	07/30/2014		ENGINEERING Horizon Road	38	Ariana Hargrove Engineering: Fire	APPROVED 8/18/2014
E2014-023	08/13/2014		ENGINEERING 901 WILLIAMS	24	Steve Clawson Sewer Department	APPROVED 9/3/2014
E2014-023	08/13/2014		ENGINEERING 901 WILLIAMS	24	Curtis McAden WATER DEPARTMEN	APPROVED 8/19/2014
E2014-023	08/13/2014		ENGINEERING 901 WILLIAMS	24	Steve Clawson SEWER DEPARTMEN	COMMENTS 8/19/2014
E2014-023	08/13/2014		ENGINEERING 901 WILLIAMS	24	Bruce Hanby ENG-TECH	COMMENTS 8/14/2014
E2014-023	08/13/2014		ENGINEERING 901 WILLIAMS	24	Kathleen Moreno ENG-ENGINEER	COMMENTS 8/15/2014
E2014-023	08/13/2014		ENGINEERING 901 WILLIAMS	24	Amy Williams ASSISTANT CITY ENC	COMMENTS 8/15/2014
E2014-023	08/13/2014		ENGINEERING 901 WILLIAMS	24	Amy Williams Assistant City Engineer	COMMENTS 9/2/2014
E2014-023	08/13/2014		ENGINEERING 901 WILLIAMS	24	Bruce Hanby Engineering: Technician	COMMENTS 8/29/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 8/1/2014 thru 8/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-023	08/13/2014		ENGINEERING 901 WILLIAMS	24	Kathleen Moreno Engineering: Engineer	COMMENTS 8/29/2014
E2014-023	08/13/2014		ENGINEERING 901 WILLIAMS	24	Ariana Hargrove ENG - FIRE	COMMENTS 8/13/2014
P2014-017	08/18/2014		PLAT 104 THISTLE PL	19	Lance Singleton GIS	APPROVED 8/20/2014
P2014-017	08/18/2014		PLAT 104 THISTLE PL	19	Ariana Hargrove FIRE	APPROVED 8/19/2014
P2014-017	08/18/2014		PLAT 104 THISTLE PL	19	Amy Williams ENGINEERING	COMMENTS 8/19/2014
P2014-017	08/18/2014		PLAT 104 THISTLE PL	19	JoDee Sanford PLANNING	COMMENTS 8/20/2014
P2014-017	08/18/2014		PLAT 104 THISTLE PL	19	John Shannon BUILDING	APPROVED 8/19/2014
P2014-018	08/18/2014		PLAT	19	John Shannon BUILDING	APPROVED 8/20/2014
P2014-018	08/18/2014		PLAT	19	David Gonzales PLANNING	COMMENTS 8/21/2014
P2014-018	08/18/2014		PLAT	19	Amy Williams ENGINEERING	COMMENTS 8/20/2014
P2014-018	08/18/2014		PLAT	19	Ariana Hargrove FIRE	APPROVED 8/19/2014
P2014-018	08/18/2014		PLAT	19	Lance Singleton GIS	
P2014-019	08/18/2014		PLAT	19	Lance Singleton GIS	
P2014-019	08/18/2014		PLAT	19	Ariana Hargrove FIRE	APPROVED 8/19/2014
P2014-019	08/18/2014		PLAT	19	Amy Williams ENGINEERING	COMMENTS 8/20/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 8/1/2014 thru 8/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	---------- Plan Review Detail ---------- Contact / Review Type	Status / Completed
P2014-019	08/18/2014		PLAT	19	David Gonzales	COMMENTS
					PLANNING	8/21/2014
P2014-019	08/18/2014		PLAT	19	Amy Williams	APPROVED
					ENGINEERING	8/26/2014
P2014-020	08/18/2014		PLAT	19	Amy Williams	COMMENTS
					ENGINEERING	8/20/2014
P2014-020	08/18/2014		PLAT	19	John Shannon	APPROVED
					BUILDING	8/19/2014
P2014-020	08/18/2014		PLAT	19	JoDee Sanford	COMMENTS
					PLANNING	8/20/2014
P2014-020	08/18/2014		PLAT	19	Lance Singleton	APPROVED
					GIS	8/20/2014
P2014-020	08/18/2014		PLAT	19	Ariana Hargrove	APPROVED
					FIRE	8/19/2014
P2014-021	08/18/2014		PLAT	19	Amy Williams	COMMENTS
					ENGINEERING	8/20/2014
P2014-021	08/18/2014		PLAT	19	Amy Williams	COMMENTS
					ENGINEERING	8/28/2014
P2014-021	08/18/2014		PLAT	19	Ariana Hargrove	APPROVED
					FIRE	8/19/2014
P2014-021	08/18/2014		PLAT	19	Lance Singleton	APPROVED
					GIS	8/20/2014
P2014-021	08/18/2014		PLAT	19	John Shannon	APPROVED
					BUILDING	8/19/2014
P2014-021	08/18/2014		PLAT	19	Ryan Miller	APPROVED W/
					PLANNING	8/20/2014
P2014-022	08/18/2014		PLAT	19	John Shannon	APPROVED
					BUILDING	8/19/2014
P2014-022	08/18/2014		PLAT	19	Ryan Miller	APPROVED W/
					PLANNING	8/20/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 8/1/2014 thru 8/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
P2014-022	08/18/2014		PLAT	19	Amy Williams	COMMENTS
					ENGINEERING	8/20/2014
P2014-022	08/18/2014		PLAT	19	Ariana Hargrove	APPROVED
					FIRE	8/19/2014
P2014-022	08/18/2014		PLAT	19	Lance Singleton	APPROVED
					GIS	8/20/2014
P2014-022	08/18/2014		PLAT	19	Amy Williams	COMMENTS
					ENGINEERING	8/28/2014
P2014-023	08/18/2014		PLAT	19	Ariana Hargrove	APPROVED
					FIRE	8/19/2014
P2014-023	08/18/2014		PLAT	19	Lance Singleton	APPROVED
					GIS	8/20/2014
P2014-023	08/18/2014		PLAT	19	Amy Williams	COMMENTS
					ENGINEERING	8/20/2014
P2014-023	08/18/2014		PLAT	19	David Gonzales	COMMENTS
					PLANNING	8/21/2014
P2014-023	08/18/2014		PLAT	19	John Shannon	APPROVED
					BUILDING	8/19/2014
SP2014-016	07/21/2014		SITE PLAN 406 N GOLIAD	47	Ariana Hargrove	APPROVED
					FIRE	8/7/2014
SP2014-017	07/21/2014		SITE PLAN 2582 HWY276	47	Ariana Hargrove	APPROVED
					Fire Department	8/6/2014
SP2014-020	07/21/2014		SITE PLAN 911 N GOLIAD	47	Ariana Hargrove	APPROVED
					FIRE	8/7/2014
SP2014-021	08/18/2014		SITE PLAN 1880 E I30	19	Amy Williams	COMMENTS
					ENGINEERING	8/19/2014
SP2014-021	08/18/2014		SITE PLAN 1880 E I30	19	John Shannon	APPROVED
					BUILDING	8/19/2014
SP2014-021	08/18/2014		SITE PLAN 1880 E I30	19	JoDee Sanford	COMMENTS
					PLANNING	8/21/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 8/1/2014 thru 8/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
SP2014-021	08/18/2014		SITE PLAN 1880 E I30	19	Lance Singleton GIS	APPROVED 8/22/2014
SP2014-021	08/18/2014		SITE PLAN 1880 E I30	19	Ariana Hargrove FIRE	COMMENTS 8/19/2014
SP2014-022	08/18/2014		SITE PLAN 990 I30	19	Lance Singleton GIS	
SP2014-022	08/18/2014		SITE PLAN 990 I30	19	JoDee Sanford PLANNING	APPROVED W/
SP2014-022	08/18/2014		SITE PLAN 990 I30	19	Ariana Hargrove FIRE	
SP2014-022	08/18/2014		SITE PLAN 990 I30	19	John Shannon BUILDING	
SP2014-022	08/18/2014		SITE PLAN 990 I30	19	Amy Williams ENGINEERING	APPROVED W/ 8/19/2014
Z2014-023	08/18/2014		ZONING	19	John Shannon Building Inspections Dep	APPROVED 8/19/2014
Z2014-023	08/18/2014		ZONING	19	Amy Williams ENGINEERING	COMMENTS 8/19/2014
Z2014-023	08/18/2014		ZONING	19	David Gonzales PLANNING	COMMENTS 8/21/2014
Z2014-023	08/18/2014		ZONING	19	Ariana Hargrove FIRE	APPROVED 8/19/2014
Z2014-024	08/18/2014		ZONING	19	Amy Williams ENGINEERING	APPROVED W/ 8/19/2014
Z2014-024	08/18/2014		ZONING	19	Ariana Hargrove FIRE	APPROVED 8/19/2014
Z2014-024	08/18/2014		ZONING	19	JoDee Sanford PLANNING	APPROVED 8/21/2014
Z2014-024	08/18/2014		ZONING	19	John Shannon BUILDING	APPROVED 8/19/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 8/1/2014 thru 8/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
Z2014-025	08/18/2014		ZONING	19	John Shannon	APPROVED
					Building Inspections Dep	8/19/2014
Z2014-025	08/18/2014		ZONING	19	Amy Williams	COMMENTS
					ENGINEERING	8/19/2014
Z2014-025	08/18/2014		ZONING	19	Ryan Miller	
					PLANNING	
Z2014-025	08/18/2014		ZONING	19	Ariana Hargrove	COMMENTS
					FIRE	8/26/2014
Z2014-026	08/18/2014		ZONING	19	John Shannon	APPROVED
			406 N GOLIAD		BUILDING	8/21/2014
Z2014-026	08/18/2014		ZONING	19	Ariana Hargrove	COMMENTS
			406 N GOLIAD		FIRE	8/20/2014
Z2014-026	08/18/2014		ZONING	19	Amy Williams	APPROVED W/
			406 N GOLIAD		ENGINEERING	8/20/2014
Z2014-026	08/18/2014		ZONING	19	Ryan Miller	APPROVED W/
			406 N GOLIAD		PLANNING	8/20/2014

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CRW SYSTEMS

Inspection Totals Per Inspector

AUGUST 2014

Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Inspection Number	Fire Inspection Status
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0079	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0105	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0090	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0100	Finaled
TX504	744 - Patrick	Construction Final	2375	Finaled
TX504	744 - Patrick	Courtesy	2373	Finaled
TX504	744 - Patrick	Courtesy	2372	Finaled
TX504	744 - Patrick	FDC	2117	Finaled
TX504	744 - Patrick	Fire Alarm System	2350	Finaled
TX504	744 - Patrick	Fire Alarm System	2099	Finaled
TX504	744 - Patrick	Fire Alarm System	2350	Pending
TX504	744 - Patrick	Fire Alarm System	2350	Pending
TX504	744 - Patrick	Fire Spinkler System	2349	Pending
TX504	744 - Patrick	Fire Spinkler System	2349	Pending
TX504	744 - Patrick	Fire Spinkler System	2349	Pending
TX504	744 - Patrick	Fire Spinkler System	2349	Pending
TX504	744 - Patrick	Fire Spinkler System	2359	Pending
TX504	744 - Patrick	Fire Spinkler System	2359	Pending
TX504	744 - Patrick	Fire Spinkler System	2359	Pending
TX504	744 - Patrick	Fire Spinkler System	2255	Finaled
TX504	744 - Patrick	Fire Spinkler System	2349	Finaled
TX504	744 - Patrick	Fire Spinkler System	2359	Pending
TX504	744 - Patrick	Fire Spinkler System	2359	Pending
TX504	744 - Patrick	Fire Spinkler System	2359	Pending
TX504	744 - Patrick	Fire Spinkler System	2359	Pending
TX504	744 - Patrick	Follow Up	2377	Pending
TX504	744 - Patrick	Follow Up	2381	Finaled
TX504	744 - Patrick	Kitchen Hood Suppression	2360	Finaled
Total Per Inspector: 30				
TX504	836 - Ayres	Annual	2344	Pending
TX504	836 - Ayres	Annual	2369	Pending
TX504	836 - Ayres	Annual	2368	Pending
TX504	836 - Ayres	Annual	2317	Pending
TX504	836 - Ayres	Annual	2317	Pending
TX504	836 - Ayres	Annual	2152	Finaled
TX504	836 - Ayres	Annual	2347	Pending
TX504	836 - Ayres	Annual	2123	Finaled
TX504	836 - Ayres	Annual	2347	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0063	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0088	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0093	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0095	Pending
TX504	836 - Ayres	Certificate of Occupancy	TCO2014-0008	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0098	Pending

TX504	843 - Clark	Annual	2299	Finaled
TX504	843 - Clark	Annual	2296	Pending
TX504	843 - Clark	Annual	2297	Finaled
TX504	843 - Clark	Annual	2279	Finaled
TX504	843 - Clark	Annual	2305	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0084	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0092	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0092	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0092	Finaled
TX504	843 - Clark	Certificate of Occupancy	co2014-0101	Finaled
TX504	843 - Clark	Certificate of Occupancy	co2014-0101	Pending
TX504	843 - Clark	Construction Final	2321	Pending
TX504	843 - Clark	Construction Final	2378	Pending
TX504	843 - Clark	Construction Final	2366	Finaled
TX504	843 - Clark	Construction Final	2205	Finaled
TX504	843 - Clark	Construction Final	2184	Finaled
TX504	843 - Clark	Construction Final	2183	Finaled
TX504	843 - Clark	Construction Final	2183	Pending
TX504	843 - Clark	Construction Final	2184	Pending
TX504	843 - Clark	Construction Final	2184	Pending
TX504	843 - Clark	Construction Final	2365	Finaled
TX504	843 - Clark	Construction Final	2355	Pending
TX504	843 - Clark	Construction Final	2206	Finaled
TX504	843 - Clark	Fire Alarm System	2329	Finaled
TX504	843 - Clark	Fire Alarm System	2376	Pending
TX504	843 - Clark	Fire Spinkler System	2379	Pending
TX504	843 - Clark	Fire Spinkler System	2328	Pending
TX504	843 - Clark	Fire Spinkler System	2379	Pending
TX504	843 - Clark	Fire Spinkler System	2255	Pending
TX504	843 - Clark	Fire Spinkler System	2252	Finaled
TX504	843 - Clark	Fire Spinkler System	2242	Finaled
TX504	843 - Clark	Fire Spinkler System	2255	Pending
TX504	843 - Clark	Follow Up	2277	Finaled
TX504	843 - Clark	Follow Up	2345	Finaled
TX504	843 - Clark	Follow Up	2277	Pending
TX504	843 - Clark	Follow Up	2380	Finaled
TX504	843 - Clark	Knox Box	2352	Finaled

Total Per Inspector: 43

Department Total: 130

9/5/2014 3:12:24 PM

Fire Alarms

AUGUST 2014

Fire Inspection Status	Date	Address	Common Name	Dispostion Code	CFS Number	Incident Number	Incident ORI
	08/02/2014 14:22:15	2091 SUMMER LEE DR	Harbor Builidng N, Rocky Mountian Chocolate Factory	FA	281	2014-00000632	TX504
	08/02/2014 15:30:16	225 E RALPH HALL PKWY	Autumn Leaves	FA	291	2014-00000633	TX504
		: 2					
	08/03/2014 17:59:53	286 BLACKHAW DR		FA	481	2014-00004696	TX1990800
		: 1					
	08/03/2014 17:59:53	286 BLACKHAW DR		FA	481	2014-00000404	TX301
		: 1					
	08/07/2014 08:54:11	401 CRESTRIDGE RD		FA	1162	2014-00000234	TX402
		: 1					
	08/07/2014 19:40:45	2922 S GOLIAD ST	Expo Barn, RISE, Rockwall Indoor Sports Expo, Sports Expo	FA	1244	2014-00000648	TX504
	08/10/2014 06:36:06	193 RUSSEL DR		FA	1659	2014-00000652	TX504
		: 2					
	08/12/2014 17:10:24	632 MORAINE WAY		FA	2080	2014-00003464	TX1990300
		: 1					
	08/12/2014 17:10:24	632 MORAINE WAY		FA	2080	2014-00000239	TX402
		: 1					
	08/15/2014 07:20:43	1305 DAMASCUS RD	Our Lady of the Lake	FA	2519	2014-00000663	TX504
	08/15/2014 12:31:35	1325 PETALUMA DR	Grace Hartman Elem, Hartman Elementary	FA	2554	2014-00000666	TX504
		: 2					
	08/16/2014 16:51:44	20 NOBLE CT	Synergy Bank	FA	2828	2014-00000243	TX402
	08/17/2014 08:31:23	2305 LAFAYETTE DR		FA	2939	2014-00000246	TX402
	08/17/2014 17:17:09	1308 MONTSERRAT CIR		FA	2986	2014-00000248	TX402
		: 3					
	08/18/2014 13:26:29	2885 MARKET CENTER DR	Bath & Body Works	FA	3100	2014-00000675	TX504
		: 1					
	08/19/2014 15:04:37	5600 HORIZON RD	Lighthouse Daycare (Heath)	FA	3277	2014-00000249	TX402
	08/21/2014 13:27:37	5 CYPRESS CT		FA	3604	2014-00000251	TX402
		: 2					
	08/21/2014 22:05:53	2625 DISCOVERY BLVD	Special Products	FA	3664	2014-00000679	TX504
	08/22/2014 13:23:51	1130 HIDDEN LAKES WAY		FA	3755	2014-00000680	TX504
	08/24/2014 11:27:18	433 NATIONAL DR	National Bank Equipment	FA	4054	2014-00000685	TX504
		: 3					

08/25/2014 00:53:58	3017 E I30	Lux Audio Incorporated	FA	4162	2014-00000445	TX301
	: 1					
08/25/2014 13:26:50	734 STARLIGHT PASS		FA	4255	2014-00000255	TX402
	: 1					
08/29/2014 18:26:33	500 TURTLE COVE BLVD	Church Ministries, Rockwall Executive Suites, Wallace Homes	FA	4985	2014-00000700	TX504
	: 1					

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 8/1/2014 thru 8/31/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2013-190	12/12/13 COMM	268	2650 Champions Shores HOA Clubhouse	SHORES, COUNTRY CLUB LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/01/14	08/11/14	08/01/14
BLD2014-107	07/23/14 COMM	45	2701 Sunset Ridge Dr Trend Tower - 4th Floor Corridor Finishout	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/04/14	08/14/14	08/04/14
BLD2014-085	06/11/14 COMM	87	2701 Sunset Ridge Dr 120 FITE AGENCY INTERIOR REMODEL	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/05/14	08/15/14	08/05/14
BLD2014-091	06/19/14 COMM	79	2850 Shoreline Tr Shoreline Office Building - Addition	LAKE, FRONT TRAIL LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/05/14	08/15/14	08/05/14
CO2014-0096	08/06/14 CO	31	210 E Rusk St Simply Kate, LLC	COLLIN-G, PROPERTIES LTD	Ariana Hargrove	FIRE CO	APPROVED	08/06/14	08/09/14	08/06/14
CO2014-0097	08/06/14 CO	31	103 E Bourn Ave Premier Audio & Video	EDWARDS, JASON	Ariana Hargrove	FIRE CO	APPROVED	08/06/14	08/09/14	08/06/14
BLD2014-113	08/06/14 COMM	31	2881 MARKET CENTER DR. STYLES FOR LESS - tenant portion of finishout	DUNHILL PARTNERS, INC.	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/07/14		08/07/14
ELE2014-005	08/08/14 COMM	29	SAN JACINTO Replace Existing Tenant Svc Along San Jacinto	CITY OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431		08/08/14	08/18/14	
BLD2014-116	08/11/14 COMM	26	401 WASHINGTON ST W Marigold Learning Cntr - 4' wrought Iron fence w/ gate	ALL, SAINTS INC AND	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/11/14	08/21/14	08/13/14
BLD2014-116	08/11/14 COMM	26	315 RANCH TRAIL Extending parking lot 15' x 95'	WILLIAMS, RONNIE L & KIM A	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/11/14	08/21/14	08/13/14
CO2014-0098	08/11/14 CO	26	109 E BOURN ST Rockwall Tailor & Shoe Repair	EDWARDS, JASON	Ariana Hargrove	FIRE CO	APPROVED	08/11/14	08/14/14	08/11/14
PLB2014-027	08/11/14 COMM	26	2885 MARKET CENTER DR. REPAIR MAIN WATER LINE-BATH & BODY WORKS	CRP/ARROW, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431		08/11/14	08/21/14	
TCO2014-000	08/11/14 TCO	26	975 IH 30 103 Spirit Halloween - Seasonal C of O	ROCKWALL, CROSSING LTD	Ariana Hargrove	FIRE CO	APPROVED	08/11/14	08/14/14	08/11/14
BLD2014-117	08/12/14 COMM	25	2105 S GOLIAD Burger King - TA	HPT, TA PROPERTIES TR	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/12/14	08/22/14	08/14/14
CO2014-0099	08/12/14 CO	25	3035 Ridge Rd 101 Dunkin Donuts	TEMUNOVIC, PARTNERSHIP LTD	Ariana Hargrove	FIRE CO	APPROVED	08/12/14	08/15/14	08/13/14
ELE2014-005	08/12/14 COMM	25	YELLOWJACKET ADD A BOSTER PUMP TO THE IRRIGATION	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431		08/12/14	08/22/14	
BLD2014-116	08/11/14 COMM	26	401 WASHINGTON ST W Marigold Learning Cntr - 4' wrought Iron fence w/ gate	ALL, SAINTS INC AND	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/13/14	08/23/14	08/13/14

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City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 8/1/2014 thru 8/31/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2014-117	08/12/14	25	2075 SUMMER LEE DR.	TF HARBOR LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/13/14	08/23/14	08/14/14
	COMM		THREE SHEETS ROCKWALL LLC							
BLD2014-117	08/13/14	24	210 E RUSK	COLLIN-G, PROPERTIES LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/13/14	08/23/14	08/13/14
	COMM		Simply Kate							
BLD2014-117	08/13/14	24	3035 Ridge Rd. 103	TEMUNOVIC, PARTNERSHIP LTD	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/13/14	08/23/14	08/19/14
	COMM		Upscale Nails & Spa							
BLD2014-118	08/14/14	23	3018 RIDGE RD	AJ, SQUARED LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/14/14	08/24/14	08/27/14
	COMM		SHELL BUILDING - MEDICAL OFFICE							
CO2014-0100	08/14/14	23	1344 Mims Rd	D, & A REAL ESTATE PARTNERS LTD	Ariana Hargrove	FIRE CO	APPROVED	08/14/14	08/17/14	08/14/14
	CO		Rockwall Capital LLC							
BLD2014-119	08/15/14	22	990 I30	ROCKWALL, LAND COMPANY LTD	Ariana Hargrove	FIRE 972-772-6431		08/15/14	08/25/14	
	COMM		ADD FOUR CONSTRUCTION TRAILERS							
BLD2013-105	06/25/13	438	1307 Ridge Rd.	T, ROCKWALL PHASE 2 LLC	Ariana Hargrove	FIRE 972-772-6431	DENIED	08/18/14		08/18/14
	COMM		Rockwall Commons ph II -w/ 133 Apts							
CO2014-0101	08/18/14	19	2065 SUMMER LEE DR. 103	MARIAH, BAY DEVELOPMENT INC	Ariana Hargrove	FIRE CO	APPROVED	08/18/14	08/21/14	08/18/14
	CO		TWISTY TREATS							
BLD2014-120	08/19/14	18	213 RUSK ST.	FALLS, C W	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/19/14	08/29/14	08/28/14
	COMM		CHARLIES BURGER'S RESTAURANT							
CO2014-0102	08/19/14	18	2435 Ridge Rd. 107	ROCKWALL, OCEANHILL LLC	Ariana Hargrove	FIRE CO	APPROVED	08/19/14	08/22/14	08/19/14
	CO		LAKES REGIONAL MHMR CENTER							
BLD2014-120	08/20/14	17	935 W RALPH HALL	OFFICE PARK AT HORIZON RIDGE, LP	Ariana Hargrove	FIRE 972-772-6431		08/20/14	08/30/14	
	COMM		RE-ROOFING							
CO2014-0103	08/20/14	17	1785 IH 30 E 105	OLLOM, GREGORY D	Ariana Hargrove	FIRE CO	APPROVED	08/20/14	08/23/14	08/26/14
	CO		TIM JOHNSON CUSTOM HOMES							
DEM2014-001	08/20/14	17	1700 E I30	FENTON MOTORS	Ariana Hargrove	FIRE 972-772-6431		08/20/14	08/30/14	
	COMM		DEMO OF METAL BUILDINGS							
ELE2014-005	08/20/14	17	1407 Goliad St S B	WHITFORD, D R	Ariana Hargrove	FIRE 972-772-6431		08/20/14	08/30/14	
	COMM		REPLACE METER BASE - 2 METERS							
CO2014-0104	08/21/14	16	401 W Washington St	ALL, SAINTS INC AND	Ariana Hargrove	FIRE CO	APPROVED	08/21/14	08/24/14	08/26/14
	CO		Marigold Learning Academy							
ELE2014-005	08/21/14	16	802 Pleasant Bluff Dr.	BREEZY, HILL 405 LTD	Ariana Hargrove	FIRE 972-772-6431		08/21/14	08/31/14	
	COMM		Elec. for lights to Breezy Hill Monument							
CO2014-0105	08/22/14	15	1701 SH 276	CAMBRIDGE, PROPERTIES INC	Ariana Hargrove	FIRE CO	APPROVED	08/22/14	08/25/14	08/26/14
	CO		7-Eleven Store#35996A							
CO2014-0106	08/22/14	15	204 N Fannin St.	FALLS, J R	Ariana Hargrove	FIRE CO	APPROVED	08/22/14	08/25/14	08/26/14
	CO		Sutton Law Offices, PC							
ELE2014-006	08/22/14	15	601 SUNSET HILL DR	City of Rockwall	Ariana Hargrove	FIRE 972-772-6431		08/22/14	09/01/14	
	COMM		upgrading lift station - Elec. system City project							
PLB2014-028	08/22/14	15	4037 Goliad St N	PINKHAM, HEATH L AND	Ariana Hargrove	FIRE 972-772-6431		08/22/14	09/01/14	
	COMM		Connecting to City Sewer							

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 8/1/2014 thru 8/31/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2014-122	08/25/14	12	101 Bourn E	EDWARDS, JASON	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/25/14	09/04/14	08/26/14
	COMM		Premier Audio & Video - interior demo & remodel							
CO2014-0107	08/25/14	12	2231 Ridge Rd 101	JARA, PARTNERS LTD	Ariana Hargrove	FIRE CO	APPROVED	08/25/14	08/28/14	08/26/14
	CO		Law Offices of Estrada & Estrada							
BLD2014-113	08/06/14	31	2881 MARKET CENTER DR.	DUNHILL PARTNERS, INC.	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/26/14	09/05/14	08/26/14
	COMM		STYLES FOR LESS - tenant portion of finishout							
BLD2014-122	08/26/14	11	2951 RIDGE RD 111	REGENCY, CENTERS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/26/14	09/05/14	08/27/14
	COMM		Capital Title - Remodel							
BLD2014-123	08/27/14	10	199 E IH 30	DRZW, HOLDINGS LTD	Ariana Hargrove	FIRE 972-772-6431		08/27/14	09/06/14	
	COMM		Eclipse Fitness sectioning off area for another tenant							
BLD2014-123	08/27/14	10	1975 Alpha 204	ELLIS, RICHARD M	Ariana Hargrove	FIRE 972-772-6431		08/27/14	09/06/14	
	COMM		Family Medical Center Rockwall- tenant finish out							
BLD2014-123	08/27/14	10	315 RANCH TRAIL	WILLIAMS, RONNIE L & KIM A	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/27/14	09/06/14	08/28/14
	COMM		NTXLL - adding a driveway							
CO2014-0108	08/27/14	10	1102 Ridge Rd C	BENBROOKE, RIDGE PARTNERS LP	Ariana Hargrove	FIRE CO	APPROVED	08/27/14	08/30/14	08/27/14
	CO		Special Effects Embrodery							
CO2014-0109	08/27/14	10	2243 RIDGE RD	ONE, RIDGE PLACE LP	Ariana Hargrove	FIRE CO	APPROVED	08/27/14	08/30/14	08/27/14
	CO		Apple Orthodontix							
CO2014-0110	08/28/14	9	1470 S JOHN KING BLVD	WESTERN, RIM INVESTORS 2008 2 LP	Ariana Hargrove	FIRE CO	APPROVED	08/28/14	08/31/14	08/29/14
	CO		Orion Rockwall - Senior Living							
BLD2014-125	08/29/14	8	2701 Sunset Ridge	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/29/14	09/08/14	09/02/14
	COMM		Trend Bldg - 48" wrought iron fence							
PLB2014-029	08/29/14	8	2811 MARKET CENTER DR.	DUNHILL PARTNERS	Ariana Hargrove	FIRE 972-772-6431		08/29/14	09/08/14	
	COMM		REPLACE DOUBLE CHECK VALVE TO THE IRRIGATION LINE							

CRW SYSTEMS

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Rockwall Police Department

Harbor District Calls For Service

August 2014

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2014-00026025	08/07/2014	06:05:15	Cinemark	Alarm-BUSN	False Alarm
2014-00027084	08/16/2014	18:46:49	Cinemark	Intoxicated	Arrest
2014-00028577	08/30/2014	18:18:12	Cinemark	Motor Vehicle Theft	Report
2014-00027385	08/19/2014	16:57:03	Dodies	Intoxicated	No Report
2014-00026227	08/08/2014	23:37:00	En Fuego	Suspicious Activity	Arrest
2014-00025573	08/03/2014	20:13:00	Glorias	Disturbance	No Report
2014-00028426	08/29/2014	16:42:20	Glorias	Disturbance	No Report
2014-00025468	08/02/2014	22:29:01	Hilton	Disturbance	No Report
2014-00026325	08/10/2014	01:01:00	Hilton	Disturbance	Report
2014-00027759	08/23/2014	04:05:36	Hilton	Suspicious Activity	No Report
2014-00026235	08/09/2014	00:35:00	Hilton	Suspicious Activity	No Report
2014-00025507	08/03/2014	03:23:23	Hilton	Suspicious Activity	No Report
2014-00026625	08/12/2014	20:56:32	Hilton	Welfare Concern	No Report
2014-00028321	08/28/2014	21:06:45	The Harbor	Disturbance	No Report
2014-00027105	08/16/2014	22:40:39	The Harbor	Narcotics	No Report
2014-00028477	08/29/2014	23:33:00	The Harbor	Ordinance Violation	No Report
2014-00028464	08/29/2014	22:52:00	The Harbor	Suspicious Activity	No Report
2014-00027096	08/16/2014	21:29:10	The Harbor	Theft	Report
2014-00028701	08/31/2014	16:27:53	The Harbor	Welfare Concern	No Report
2014-00025560	08/03/2014	19:05:48	Zeus Botique	Alarm-BUSN	False Alarm
			Common Name		
			The Harbor	6	
			Hilton	6	
			Cinemark	3	
			Glorias	2	
			Zeus Botique	1	
			Dodies	1	
			Enfuego	1	
			Total	**20**	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
AUGUST 2014

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	3	3	0	100%
ADMINISTRATIVE SERVICES	2	2	0	100%
AIRPORT	0	0	0	0%
ANIMAL SERVICES	5	5	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	1	1	0	100%
ENGINEERING	6	6	0	100%
FINANCE	14	14	0	100%
FIRE DEPARTMENT	25	25	0	100%
INTERNAL OPERATIONS	101	101	0	100%
MUNICIPAL COURT	5	5	0	100%
PARKS & RECREATION	23	22	1	96%
PLANNING & ZONING	1	1	0	100%
POLICE DEPARTMENT	17	17	0	100%
PUBLIC WORKS	3	3	0	100%
UTILITY BILLING	1	1	0	100%
TOTAL	207	206	1	99%

CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
AUGUST 2014

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	1	1	0	100%
CODE ENFORCEMENT	1	1	0	100%
FIRE DEPARTMENT	3	3	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	1	1	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	24	24	0	100%
PUBLIC WORKS	0	0	0	100%
UTILITY BILLING	0	0	0	100%
HEATH DEPT. PUBLIC SAFETY	2	2	0	100%
HOSPITAL CONTROL STATIONS	0	0	0	100%
SYSTEM ISSUES	2	2	0	100%
TOTAL	34	34	0	100%

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Airport Operations Report

For Month of August 2014

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	922.00	$4,287.30
Av-Gas Sales	3,268.80	$17,150.04
TOTAL FUEL SALES	4,190.80	$21,437.34

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$1,540.00
Terminal Office Rental Revenue	$250.00
Enclosed Hangar Rental Revenue	$120.00
North Maintenance Hangar Rental Revenue	$500.00
TOTAL HANGAR RENTALS	$2,410.00

HANGAR OCCUPANCY RATES

	TOTAL HANGARS	QTY RENTABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	40	27	67.50%
Terminal Office Rentals	1	1	1	100%
Closed Hangar Rentals	1	1	1	100%
Open Hangar Cap Rentals	2	1	1	100%
TOTAL HANGAR OCCUPANCY	49	43	30	70%

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$419.08	$419.08
City Owned Hangar Rentals	5.00%	$120.50		$0.00
TOTAL FEES DUE		$120.50	$419.08	$539.58

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

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Rockwall Police Department

Monthly Activity Report

August-2014

ACTIVITY	CURRENT MONTH AUGUST	PREVIOUS MONTH JULY	YTD 2014	YTD 2013	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	1	-100.00%
Sexual Assault	3	1	4		
Robbery	1	1	3	5	-40.00%
Aggravated Assault	0	3	19	7	171.43%
Burglary	12	6	52	64	-18.75%
Larceny	53	42	408	406	0.49%
Motor Vehicle Theft	3	4	32	35	-8.57%
TOTAL PART I	**72**	**57**	**518**	**524**	**-1.15%**
TOTAL PART II	**128**	**138**	**1087**	**1002**	**8.48%**
TOTAL OFFENSES	**200**	**195**	**1605**	**1526**	**5.18%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	21	14	135	112	20.54%
D.W.I.	15	26	153	135	13.33%
TEEN CURFEW	2	0	9	8	12.50%
ARRESTS					
FELONY	31	15	151	136	11.03%
MISDEMEANOR	78	91	625	610	2.46%
WARRANT ARREST	31	39	256	209	22.49%
JUVENILE	7	2	51	38	34.21%
TOTAL ARRESTS	**147**	**147**	**1083**	**993**	**9.06%**
DISPATCH					
CALLS FOR SERVICE	1489	1696	11716	11038	6.14%
ACCIDENTS					
INJURY	12	12	86	90	-4.44%
(INJURIES)	16	19	115	109	5.50%
NON-INJURY	48	56	344	325	5.85%
FATALITY	0	0	0	2	-200.00%
(FATALITIES)	0	0	0	2	-200.00%
TOTAL	**60**	**68**	**430**	**417**	**3.12%**
FALSE ALARMS					
RESIDENT ALARMS	56	68	482	565	-14.69%
BUSINESS ALARMS	157	168	1051	854	23.07%
TOTAL FALSE ALARMS	**213**	**236**	**1533**	**1419**	**8.03%**
Estimated Lost Hours	**140.58**	**155.76**	**1011.78**	**936.54**	**8.03%**
Estimated Cost	**$3,344.10**	**$3,705.20**	**$24,068.10**	**$22,278.30**	**8.03%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**6**
Arrests	**4**
Arrest Warrants	**0**
Search Warrants	**2**
Seized	
Marijuana	2 oz
Methamphetamine	792 g
Alprazolam	250 pills
Clenbuterol	20 g
Steroids	11 vials
Money	$13,100
Guns	8
Vehicles	2

Rockwall Police Department
Dispatch and Response Times
August 2014

Police Department

	Average Response Time	
Priority 1		Number of Calls **123**
Call to Dispatch	0:00:29	
Call to Arrival	0:04:37	
% over 7 minutes	18%	
Priority 2		Number of Calls **185**
Call to Dispatch	0:00:37	
Call to Arrival	0:06:03	
% over 7 minutes	31%	
Priority 3		Number of Calls **16**
Call to Dispatch	0:05:51	
Call to Arrival	0:10:50	
% over 7 minutes	38%	
***Priority 4**		Number of Calls **1164**
****Priority 5**		Number of Calls **1**

*Priority 4 call averages are not given because they are calls that do not require an immediate response by police.
**Priority 5 calls are incidents that officers initiate themselves therefore response times are not calculated.

Average dispatch response time goals are as follows:
Priority 1: 30 Seconds
Priority 2: 45 Seconds
Priority 3: 1 Minute

Fire Department

	Average Response Time	
Call to Dispatch	0:00:12	Number of Calls **67**
Call to Arrival	0:05:42	

Overages

None

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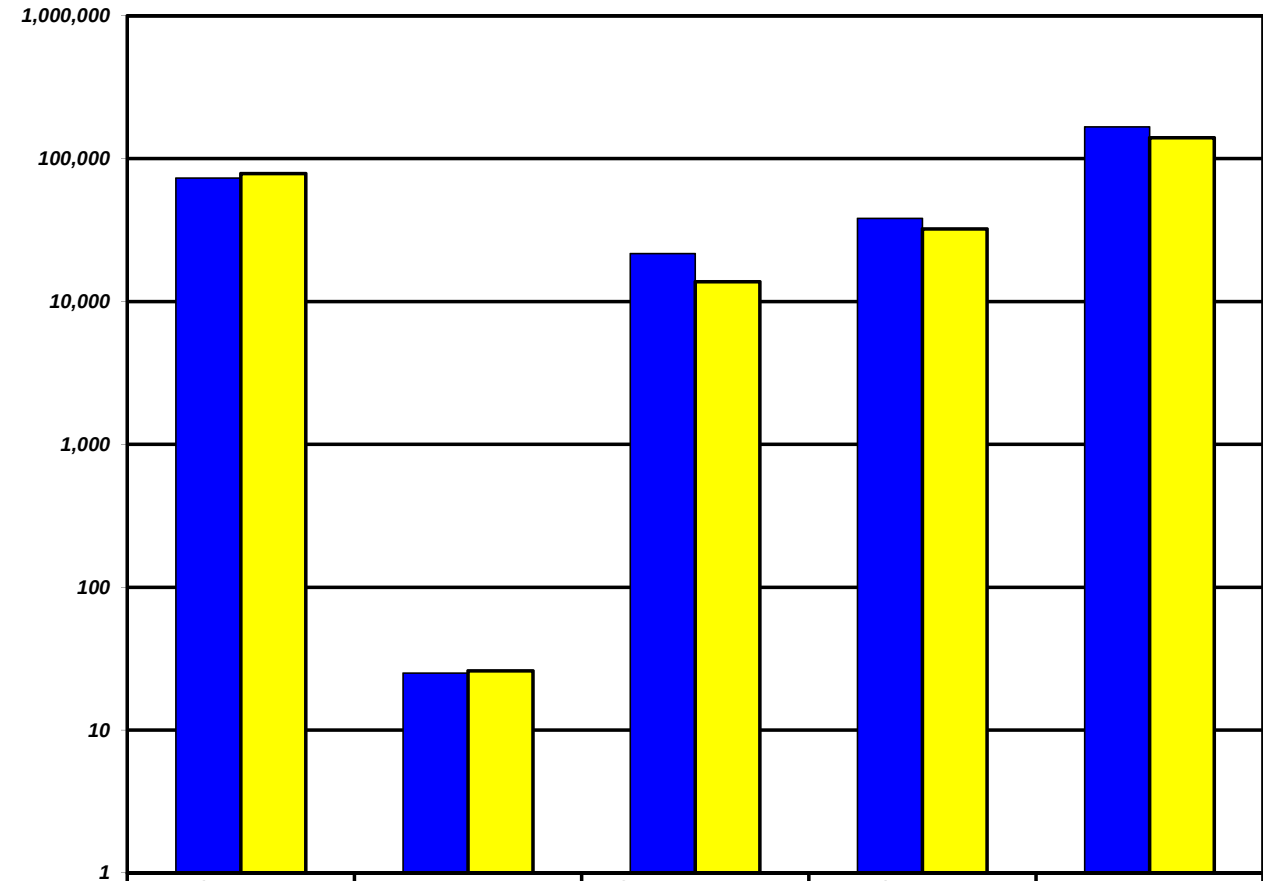
City of Rockwall
Parks and Recreation Department
FY14 August 2014



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY14 YTD	73,081	25	21,588	$38,146	$167,267
FY13 YTD	78,590	26	13,734	$32,213	$140,221

The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.
Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.
Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
August 2014

DISPOSITION REPORT

	August
Intakes	166
1045	8
Adopted	96
Citizen Returned to Owner	0
Returned to Owner	33
Rescued	36
Euthanized	8
Live Outcome %	**91%**

FINANCIAL REPORT

Income	**August**
City of Rockwall	$102,618
Adoption Fee Income	$8,197
Impound Fee Income	$807
Owner Surrender	$1,650
General Donations	$3,163
Merchandise Sales	$10
Medical	$580
Quarantine Fee	$100
Total Income	**$117,125**

Expenses	**August**
Administrative Expenses (Payroll, etc)	$20,939
Shelter Expenses (Microchips, Drugs, etc)	$14,237
Veterinary Expenses	$1,648
Professional Services	$1,890
Training	$2,724
City of Rockwall	$776
Total Expenses	**$42,214**
Net Income	**$74,911**

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Hold work session to discuss and consider the city's Art in Public Places ordinance provisions, including the Art Review Team (ART) Commission, and take any action necessary.

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Cain Middle School Day

Cain MS Proclamation 18

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Police Department Presentation: Citizen Certificate of Merit (David Earls)

Memo (Earls) 20

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Rockwall Kiwanis Recognition Day

Kiwanis Proclamation 22

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J.E.R. Chilton YMCA Recognition Day

Proc (YMCA) 24

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Chamber of Commerce Week

Chamber Proclamation 26

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Red Ribbon Week

Red Ribbon Proclamation 28

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Consider approval of the minutes from the October 6, 2014 regular city council meeting, and take any action necessary.

10-06-14 Minutes 30

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Consider approval of an ordinance establishing the speed limit along SH 205 from E. Interurban Street to south of S. Heath Street at 35 miles per hour and take any action necessary. (2nd reading)

Ordinance_2nd reading 47

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Consider approval of an ordinance amending Chapter 38. Subdivisions; Article I. In General; Section 38-15. Miscellaneous requirements, Subsection (m) to increase Engineering Inspection fees from two percent to four percent, and taken any action necessary. (2nd reading)

Ord_2nd Reading 50

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MIS2013-006 – Consider approval of an ordinance for a City initiated amendment to Sections 38-360 through 38-368 of Chapter 38, Subdivisions, of the Municipal Code of Ordinances of the City of Rockwall, Texas, concerning updated impact fees for water and wastewater facilities based on recently approved and updated land use assumptions and utility capital improvement plans for such facilities. (2nd Reading)

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Consider approval of a Professional Engineering Services Contract with Kimley-Horn and Associates, Inc. to perform various traffic related studies within the City in an amount not to exceed $10,000.00 funded from the FY2015 Engineering Budget and take any action necessay.

City Manager Memo . . . 104

Profession Engineering Services Contract Traffic Related Exhibits A&B . . . 105

Professional Engineering Services Contract . . . 107

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Consider authorizing the City Manager to execute a purchase order to Caldwell Country Motors for the purchase of two (2) Chevrolet Tahoes for Fire Inspectors in the amount of $72,482 funded with General Fund Reserves and take any action necessary.

Memo . . . 115

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Consider authorizing the City Manager to enter into a contract with Benbrooke Ridge Partners, L.P. for lease of office space for the John Fitzwater, Sr. Community Service Center at 1113 Ridge Road (former Brookshires Shopping Center) to be paid from the Police Department Community Services operating budget and take any action necessary.

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Appointment with Joe DeLane, Rockwall County Emergency Management Coordinator, to hear update regarding Emergency Management related activities, including public health, and take any action necessary.

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Appointment with Perry Havenar of Garver, Inc. to hear final presentation on the airport development plan conducted at the Ralph M. Hall / Rockwall Municipal Airport, and take any action necessary.

Airport Plan . . . 151

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Discuss and consider countywide Interoperability Radio System Interlocal Agreement and take any action necessary.

Radio . . . 188

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Discuss and consider appointments to the city's Park Board, Architectural Review Board, and the Art Review Team Commission, and take any action necessary.

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AGENDA
ROCKWALL CITY COUNCIL
Monday, October 20, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. (4:00 P.M.) WORK SESSION

1. Hold work session to hear update from Tom Kula of the North Texas Municipal Water District (NTMWD) regarding the drought and associated water supply, and take any action necessary.

p. 8 2. Hold work session to discuss and consider the city's Art in Public Places ordinance provisions, including the Art Review Team (ART) Commission, and take any action necessary.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding right-of-way land acquisition located near Justin Road and John King Blvd. pursuant to Section 551.072 (Real Property) and status of Temunovic condemnation proceeding pursuant to Section 551.071 (Consultation with Attorney).
2. Discussion regarding possible claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission, Rockwall Economic Development Corporation, and Charter Review Commission pursuant to Section 551.074 (Personnel Matters)
5. Discussion regarding city council member appointment as "alternate member" to STAR Transit board of directors pursuant to Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters).
6. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).
7. Discussion regarding incentives to tenured employees and possible legal issues pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney).
8. Discussion regarding possible claim in enforcing city sign ordinance pursuant to Section 551.071 (Consultation with Attorney).

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, October 20, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. (6:00 P.M.) RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TOWNSEND

VIII. PROCLAMATIONS / AWARDS

p.18 **1.** Cain Middle School Day
2. Police Department Presentation: Citizen Certificate of Merit (David Earls) p.20
p.22 **3.** Rockwall Kiwanis Recognition Day
4. J.E.R. Chilton YMCA Recognition Day p.24
p.26 **5.** Chamber of Commerce Week
6. Red Ribbon Week p.28

IX. CONSENT AGENDA

p.30 **1.** Consider approval of the minutes from the October 6, 2014 regular city council meeting, and take any action necessary.

p.47 **2.** Consider approval of an **ordinance** establishing the speed limit along SH 205 from E. Interurban Street to south of S. Heath Street at 35 miles per hour and take any action necessary. **(2nd reading)**

p.50 **3.** Consider approval of an **ordinance** amending Chapter 38. Subdivisions; Article I. In General; Section 38-15. Miscellaneous requirements, Subsection (m) to increase Engineering Inspection fees from two percent to four percent, and taken any action necessary. **(2nd reading)**

p.53 **4.** **MIS2013-006** – Consider approval of an **ordinance** for a City initiated amendment to Sections 38-360 through 38-368 of Chapter 38, Subdivisions, of the Municipal Code of Ordinances of the City of Rockwall, Texas, concerning updated impact fees for water and wastewater facilities based on recently approved and updated land use assumptions and utility capital improvement plans for such facilities. **(2nd Reading)**

p.104 **5.** Consider approval of a Professional Engineering Services Contract with Kimley-Horn and Associates, Inc. to perform various traffic related studies within the City in an amount not to exceed $10,000.00 funded from the FY2015 Engineering Budget and take any action necessay.

p.115 **6.** Consider authorizing the City Manager to execute a purchase order to Caldwell Country Motors for the purchase of two (2) Chevrolet Tahoes for Fire Inspectors in the amount of $72,482 funded with General Fund Reserves and take any action necessary.

p.117 **7.** Consider authorizing the City Manager to enter into a contract with Benbrooke Ridge Partners, L.P. for lease of office space for the John Fitzwater, Sr. Community Service Center at 1113 Ridge Road (former Brookshires Shopping Center) to be paid from the Police Department Community Services operating budget and take any action necessary.

X. APPOINTMENTS

p.149 **1.** Appointment with Joe DeLane, Rockwall County Emergency Management Coordinator, to hear update regarding Emergency Management related activities, including public health, and take any action necessary.

p.151 **2.** Appointment with Perry Havenar of Garver, Inc. to hear final presentation on the airport development plan conducted at the Ralph M. Hall / Rockwall Municipal Airport, and take any action necessary.

XI. ACTION ITEMS

p.188 **1.** Discuss and consider countywide Interoperability Radio System Interlocal Agreement and take any action necessary.

p.204 **2.** Discuss and consider appointments to the city's Park Board, Architectural Review Board, and the Art Review Team Commission, and take any action necessary.

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

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7. Discussion regarding incentives to tenured employees and possible legal issues pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney).

8. Discussion regarding possible claim in enforcing city sign ordinance pursuant to Section 551.071 (Consultation with Attorney).

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 17th day of October, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

ARTICLE IV. - ART IN PUBLIC PLACES MASTER PLAN

DIVISION 1. - GENERALLY

Sec. 36-56. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Art committee means five members, appointed by the city council, to conduct an analysis of the concept of the art in public places program and develop a comprehensive master plan.

Art review team (ART) commission means the commission responsible for the review and approval of public art applications and/or projects according to the process outlined in this master plan.

Artist means a practitioner in the visual arts generally recognized by critics and peers as a professional possessing serious intent and ability.

Construction project means any capital project paid for wholly, or in part, by the city to construct or remodel any building, park or parking facility.

Coordinator means the staff person appointed by the city manager to coordinate and facilitate the implementation of this article and the master plan as adopted by the city council.

Eligible project means a construction or remodeling project, as defined in this section, for which the source of funds is not restricted by law or regulation as to its use for artworks.

Project consultant means an individual working for the artist, the city, or the construction company.

Visual arts professional means an artist, arts educator, art critic, arts administrator, arts dealer, designer, art historian, curator, fine art collector, architect, urban planner or landscape architect who is well respected in his field, knowledgeable with regards to multiple disciplines and styles of visual art and willing to participate effectively in a review process without conflict of interest.

Work of art means tangible creations by artists exhibiting the highest quality of skill and aesthetic principles including, but not limited to, paintings, sculptures, stained glass, engravings, mosaics, carvings, etchings, frescoes, mobiles, murals, collages, tapestries, memorials, environmental, photographs, drawings, monuments, fountains, or utilitarian/functional works.

(Ord. No. 06-17, § 1(23-32), 6-5-2006)

Sec. 36-57. - Purpose; established.

(a) It is the intention of the city to contribute to the cultural and artistic nature of this area by establishing a public art program which will:

(1) Foster development of cultural awareness and enrich the public environment for both residents and visitors through the visual arts;

(2) Celebrate the cultural, topographic and historical aspects of the area as well as the quality of life, lifestyle and diverse character of our community;

(3) Integrate the work and thinking of artists into the planning, design and construction of public buildings and spaces;

(4) Contribute a sense of ownership and civic pride in public facilities and spaces to citizens;

(5) Support, educate and assist citizens with their community activities in which public art plays a part; and

(6) Support a variety of artistic expressions and the visual arts.

(b) In an effort to accomplish the goals of the public art program, the council-appointed arts committee has developed a master plan to establish a process, which could include the selection, purchase, commission, placement, funding, maintenance and insurance of works of art on city-owned or city-controlled property.

(Ord. No. 06-17, § 1(23-31), 6-5-2006)

Sec. 36-58. - Appropriate forms of public art.

(a) The following are considered appropriate forms of public art:

(1) Works of art that reflect the purposes of the art in public places program, always aiming to achieve the highest aesthetic quality.

(2) Works of art that give due consideration to the proposed design in terms of scale, form and content with respect to its immediate and general, social and physical environment.

(3) Works of art that give due consideration to materials and construction for questions of durability, maintenance, public access, appropriateness, safety and security.

(4) Works of art that seek to reflect enduring artistic concepts, not transitory ones.

(b) Items not to be considered as works of art:

(1) Directional elements such as signage, except where these elements are integral parts of the original works of art.

(2) Art objects which are mass produced from a standard design, such as playground equipment or fountains.

(3) Reproductions of original art works.

(4) Decorative, ornamental or functional elements, including signage, which are designed by the building architect as opposed to an artist commissioned for the purpose of creating the art work.

(5) Landscape architecture and landscape gardening except where these elements are designed for and recognized by the ART commission as an integral part of the work of art.

(Ord. No. 06-17, § 1(23-33), 6-5-2006)

Sec. 36-59. - Appropriation; allocation and management of funds.

(a) Potential sources of funding to be considered:

(1) City-budgeted funds;

(2) Individual donations;

(3) Receiving grant monies; and

(4) Sale of tiles or plaques for recognition purposes.

(b) Recognition for sizable donations could be given by placing plaques in conjunction with the artwork.

(c) Management of the art in public places fund will be administered by the city manager or his designee.

(Ord. No. 06-17, § 1(23-34), 6-5-2006)

Sec. 36-60. - Funding of the public art program.

(a) *Appropriations.* Beginning with the 2011-12 fiscal year, all appropriations for city capital improvement projects, whether financed with city bond proceeds or city monies from any other source, shall include an amount equal to 1.0 percent of the total capital improvement project appropriation, to be used for design services of artists, for the selection, acquisition, commissioning, and display of

artworks, and for administration of the public art projects. Such appropriations shall apply to a capital improvement project financed with proceeds from general obligation bonds authorized by the voters beginning with the 2011-12 fiscal year; or revenue bonds, certificates, notes, or other obligations authorized by the city council beginning with the 2011-12 fiscal year. Monies appropriated as part of one project, but not deemed necessary by the city council in total or in part for the project, may be expended on other projects approved under the annual public art projects plan; provided that proceeds from bonds issued and authorized for a particular use or purpose shall not be used or diverted for a different use or purpose.

(b) *Grants and contributions from non-city sources.* Beginning with the 2011-12 fiscal year, each city department shall include in every application to a granting authority for a capital improvement project grant an amount for artists' services and artworks in accordance with this article. The public art appropriation shall apply to all capital improvement projects financed with grants or contributions from private persons or governmental or public agencies, subject to conditions of the granting or contributing person or agency. If the public art appropriation is not allowed as a reimbursable expense, only the city-funded portion of the project is subject to the public art appropriation.

(c) *Method of calculation.* The minimum amount to be appropriated for artists' services and artworks is equal to the total city capital improvement project appropriation multiplied by 0.010; provided that amounts budgeted for real property acquisition costs, demolition costs, equipment costs, normal major maintenance costs, financing costs, costs paid for from the contingency reserve fund, capital reserve funds, or interest earnings on city bond proceeds, costs of any below-grade water or wastewater improvements, and costs of resurfacing or repair of existing streets, sidewalks, and appurtenant drainage improvements are not subject to the calculation.

(d) *Public art accounts.* Amounts appropriated pursuant to this article shall be established by the city manager, or his designee, in a public art account within each capital improvement project fund.

(e) *City bond proceeds.*

(1) If a city capital improvement project is financed with city bond proceeds, the use of any amounts appropriated for artists' services and works of art in accordance with this article must be consistent with any voted proposition approved by the voters of the city, any resolution or ordinance adopted by the city council authorizing issuance of the bonds, and applicable state or federal law. In no event shall city bond proceeds be used for public art maintenance purposes.

(2) This section shall not apply to any refunding bond proceeds.

(3) This section shall not apply to any capital improvement project financed with water utility revenues that is located outside the city limits; or any below-grade capital improvement financed with water utility revenues, whether or not the below-grade improvement is part of a city capital improvement project that involves at-grade or above grade improvements.

(f) *City council exclusions.* When considering the capital improvements plan, or any amendment thereto, the city council may exclude individual city capital improvement projects from the application of this section.

(Ord. No. 11-10, § 1(23-45), 3-7-2011)

DIVISION 2. - ART REVIEW TEAM (ART) COMMISSION

Sec. 36-77. - Established.

(a) *Composition; appointment of members; term; compensation.* There is hereby created a commission known as the art review team (ART) commission. The commission shall be organized as follows:

(1) The art review team (ART) commission shall consist of five members, appointed by the city council. The team members will include two visual arts professionals, two members of the business community who will be representative of the environmental design fields (architecture, landscape architecture, urban planning/design), and one resident of the community. Selection of

the team will reflect ethnic, artistic, economic and demographic diversity of the community. All team members must possess knowledge of, or have an interest in contemporary, visual art, artistic principles and art media. A board member of the Rockwall Alliance for the Arts and the director of parks and recreation or his designee will serve as ex officio (nonvoting) members.

a. The art review team (ART) commission shall consist of five regular members appointed by a majority of the city council. The ex officio member from the Rockwall Alliance for the Arts will also be appointed by the city council. The ex officio member from the parks and recreation department will be appointed by the city manager.

b. In the case of a vacancy of the commission, the city council, by a majority vote, may appoint a replacement member to the commission. Any person appointed shall serve until the expiration of the term of office of the vacated position.

c. Each member of the commission shall be a resident citizen and qualified voter of the city.

d. Upon the initial appointment of the commission by the city council, members shall draw lots for three two-year terms and three one-year terms of service. Thereafter, the term of office of members of the commission shall be for two years. Members may be removed, as determined by the city council.

e. Members shall serve without compensation.

(b) *Meetings.* The commission shall hold its meetings on the call of the chairperson, or at such other times as the commission may determine. All meetings shall be open to the public.

(c) *Quorum.* All cases to be heard by the commission must be heard by at least four members.

(d) *Chairperson and vice-chairperson.* A chairperson and vice-chairperson shall be elected by the members of the commission at the first meeting following the annual appointment of the new members.

(e) *Records.* The commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the commission and shall be a public record.

(f) *Vote.* The concurring vote of four members of the commission shall be necessary for the approval of any application. Only the members of the commission present shall have voting privileges.

(g) *Rules and regulations.* The commission shall adopt rules in accordance with this article.

(Ord. No. 06-17, § 1(23-35), 6-5-2006)

Sec. 36-78. - Duties and responsibilities regarding education and public relations.

(a) The art review team (ART) commission shall promote the art in public places master plan.

(b) The art review team (ART) commission shall develop, evaluate and recommend projects in accordance with these guidelines:

(1) Press releases to all applicable news sources;

(2) Presentations to local civic organizations and area schools;

(3) Fundraising efforts for the art in public places fund;

(4) Grant applications for the art in public places program or its proposed projects; and

(5) Public forum.

(c) The art review team (ART) commission shall promote the art in public places master plan by various means, including:

(1) Acquiring suitable speakers to make presentations;

(2) Scheduling presentations; and

(3) Providing a copy of the information to outside sources wishing to use it to promote and further the art in public places master plan.

(d) The art review team (ART) commission, on an ongoing basis, shall actively explore potential sites for art in public places projects. In this, the commission shall seek the input of various city departments, as well as the community at large, to identify both future planned and existing sites. Upon development of an art project, information will be disseminated, as appropriate, through various mediums well in advance of the selection process to provide adequate time for applicants to prepare submissions. The coordinator will promote communication between the artist, art review team (ART) commission, city departments and any contractor or consultant involved with the project.

(Ord. No. 06-17, § 1(23-36), 6-5-2006)

DIVISION 3. - APPLICATIONS

Sec. 36-100. - Development of an art in public places project.

An art in public places project may originate from a number of sources:

(1) *City initiated.* City-initiated projects shall be given due consideration and the $150.00 application fee shall be waived. All other requirements of the application process shall apply.

(2) *Externally initiated.* Individuals, businesses and/or organizations wishing to submit a proposal for a project.

(Ord. No. 06-17, § 1(23-37), 6-5-2006)

Sec. 36-101. - Procedure; eligibility requirements.

(a) When the idea for placing a work of art is developed, the idea should be submitted in a "letter of intent" to the commission for consideration.

(b) The city will provide the following to all applicants for the art in public places program:

(1) A copy of the art in public places master plan; and

(2) An application form, which (at a minimum) will request the following information (if available at the time of submittal of the application):

a. Artist's name and resume;

b. Photos, slides, renderings, scaled models or other illustrations of work;

c. Requested location;

d. Processing fee of $150.00;

e. Size and material specifications;

f. Scope and schedule of work;

g. Lighting specifications, if applicable;

h. Estimated cost; and

i. Any additional information deemed necessary.

(c) The application, along with any other pertinent information, must be submitted to the coordinator for consultation by the commission.

(d) In order to foster community awareness of the art in public places master plan, appreciation of the visual arts, its potential for the enhancement of the public environment and to maximize its positive

effect on the community, applications must include educational information as to the nature of the project. Information will include, but not be limited to, the following:

(1) The artistic intention or goal of the project;

(2) The artist's statement;

(3) The artist's background information;

(4) Information on the artistic discipline, style, medium, technique and creative process, including their relative historical information; and

(5) Any other informative document relative to the educational aspect of the project.

(Ord. No. 06-17, § 1(23-38), 6-5-2006)

Sec. 36-102. - Approval.

(a) *Criteria.* The art review team (ART) commission will evaluate the project based on the following criteria:

(1) Health, safety and public welfare.

(2) Appropriateness to the site:

a. Size and scale;

b. Color scheme;

c. Theme; and

d. Materials.

(3) Size relative to the site and surroundings.

(4) Potential longevity:

a. Resistance to elements; and

b. Theme.

(5) Maintenance requirements.

(6) Aesthetic value.

(b) *Review and hearing.* After their review and approval, the art review team (ART) commission will then forward the application and its recommendations to the city council for review. If appropriate, the city council will hold a public hearing to assess public opinion of a proposal, deny the request, or approve the application. The council may give direction to and ask the art review team (ART) commission to continue to work with the applicant and/or project.

(c) *Denial; appeals made to council.* In the event the art review team (ART) commission determines a project is not suitable, the applicant may appeal their decision to the city council within 30 days of the denial. The appeal must be made through the coordinator and placed on the city council agenda.

(Ord. No. 06-17, § 1(23-39), 6-5-2006)

DIVISION 4. - PROCEDURE FOLLOWING APPROVAL

Sec. 36-133. - Project implementation and coordination.

(a) Once a project is approved, the art review team (ART) commission, in conjunction with the coordinator, shall make recommendations to the city council regarding the details of completion, which could include the following methods of implementation:

(1) *Open entry competition.* Any artist is eligible to enter. The site proposal will be appropriately advertised. Artists may be asked to submit slides of their past work, resumes and letters of intent related to the specific project or specific proposals for the project under review.

(2) *Limited entry competition.* The art review team (ART) commission invites a limited number of artists to participate in the selection process. The artists selected may be asked to submit slides of past work or proposals based on the proposed project. The names of the artists invited to participate shall be publicly announced upon receipt of written acceptance of the invitation.

(3) *Direct selection of artist.* An artist is invited to participate in the project and may be asked to develop a proposal for the project. If desired, a team of several artists may be put together.

(4) *Direct purchase of existing artwork.* A completed work of art is purchased.

(b) Upon approval of the art review team (ART) commission's recommendation by the city council, the city shall contract with the artist for services or for the purchase and installation of a specific artwork. In general, art in public places project contracts shall require the artist to produce, deliver, and install a work of art for a guaranteed maximum cost and by a predetermined time. Depending on the nature of the project, performance by the artist may be contractually ensured through phased payment for work completed and/or professional liability coverage. The coordinator shall work with the artist to determine the appropriate budget for each project to ensure that all necessary costs are met. Council approval of the budget for an art in public places project is a prerequisite for the project's final approval. In addition, the artist may be asked to make a public presentation at an appropriate time and in an appropriate forum in the community, possibly where the work is to be sited.

(c) In the case of an artist who has contracted with the city to produce a specific work of art, approval of the design prior to the signing of that contract shall be considered sufficient. If, however, the design changes substantially from that which was initially approved, the artist must return to the art review team (ART) commission for subsequent review. Any design changes approved by the art review team (ART) commission must be presented to the city manager or his designee for approval.

(d) In the case of a design team approach, it shall be the primary responsibility of the artist and the project consultant to collaborate on the design of the artwork and its relationship with the site. They shall be required to bring the design, in its formative stages, back to the art review team (ART) commission for review. The stage at which final approval of the design occurs will vary from project to project, as specifically stated in the artist's contractual agreement with the city.

(e) All project consultants expressing interest in an eligible construction or renovation project shall be advised of the art in public places program requirements and guidelines. The selected consultant and appropriate city representatives shall work closely with the coordinator in the development of the artwork project and with the art review team (ART) commission in selection of the artist/artwork. The project consultant shall incorporate the requirements of the work of art into the construction documents, including time of delivery and installation.

(f) On-site activity in connection with installation of artwork shall be handled by the artist, coordinator, and appropriate city representatives within the departments having jurisdiction over the site and/or construction.

(g) The coordinator shall function as a liaison between the artist and the various city departments involved in the completion of each artwork project. In instances where construction matters cannot be resolved between the artist and the consultant, the city shall have final authority.

(h) The coordinator shall establish and maintain appropriate records of each project, which shall include the contract with the artist, records of the art commission and council's actions, interdepartmental agreements, all billings made in connection with the project and all related correspondence. In addition, the coordinator shall maintain records particular to the project to ensure adequate standards of documentation, registration, care, and installation of the artwork.

(Ord. No. 06-17, § 1(23-40), 6-5-2006)

Sec. 36-134. - Maintenance, insurance and repair of public art.

(a) The art review team (ART) commission shall make an annual review of the city's art in public places collection for the purposes of a maintenance needs assessment. The art review team (ART) commission shall communicate those needs and the appropriate actions to the coordinator.

(b) The works of art acquired through the art in public places program become the property of the city and are held in trust by the city. Therefore, the expenses associated with the routine maintenance and operation of each artwork shall be incurred by the city. Routine maintenance shall be understood to include such things as the periodic cleaning and the operational costs of a work. Any substantive repair of the work, such as structural repair, or major maintenance, shall be considered to be an expense of the related art in public places fund.

(c) So far as is practical, in the event repair of the artwork is required, the city shall give the artist the opportunity to do that work for a reasonable fee. Disputes concerning what constitutes a reasonable fee shall be settled by a panel of three visual art professionals with knowledge of curatorial concerns, to be appointed by the art review team (ART) commission. If the artist declines to perform the needed repairs for such a fee, the city may solicit proposals from qualified conservators.

(Ord. No. 06-17, § 1(23-41), 6-5-2006)

Sec. 36-135. - Eligible costs for art in public places funds.

(a) All art in public places contracts shall require the artist to design, produce, deliver and install a work of art for a guaranteed maximum cost. This cost may include the cost of the work itself and any associated costs which may be required by the city or inherently related to the implementation of the project. Therefore, the following costs are eligible expenditures for the monies included in the total project commission:

(1) The work of art itself including, but not limited to:

a. The artist's design fee;

b. Additional labor, materials and contracted services required for the production and installation of the work;

c. Transportation of the work to the site; and

d. Installation of the work.

(2) Identification plaques and labels.

(3) Frames, mats, mountings, anchorages, containments, pedestals, or materials necessary for the installation, location or security of the work of art.

(4) Photographs or slides of the completed work for the purposes of routine documentation of the project.

(5) Permits or fees necessary for the installation of the work of art.

(6) Legal costs incurred by the city, directly related to the project.

(7) Associated administrative costs incurred by the city.

(8) Other types of expenses specifically provided for in the contract and approved by the council.

(b) In addition to the actual costs associated with an art in public places project, the monies are to be used for the selection, acquisition, and substantive maintenance of the work of art commissioned or purchased through the art in public places program. Therefore, the following items are eligible expenditures of the monies:

(1) The project specific costs of the art in public places program associated with the selection and acquisition of the artwork.

(2) Substantive structural repair and maintenance of the works of art commissioned through the art in public places program.

(Ord. No. 06-17, § 1(23-42), 6-5-2006)

Sec. 36-136. - Ineligible costs for art in public places funds.

The following are ineligible costs for art in public places funding:

(1) Services or utilities needed to routinely operate or maintain the artwork.

(2) Modifications in or improvements to building surfaces or structural elements of the building.

(Ord. No. 06-17, § 1(23-43), 6-5-2006)

Sec. 36-137. - Relocation and removal of art.

(a) The following policy has been included to provide a consistent method for determining if a work has remained relevant and/or useful in the context of its original purpose. It also provides a mechanism for the proper removal of a work of art that has deteriorated or has been damaged beyond repair. In this document, the term "removal" means permanent removal of a work of art, and relocation means reinstallation of a work of art at a new site. Works of art may be considered for removal only after five years have passed from the date of the acquisition, unless the installation site has been substantially altered, or the work has deteriorated or been damaged, or the council otherwise determines that circumstances warrant the need for removal or relocation.

(b) Requests for removal or relocation shall be acted on through the following process:

(1) Requests for removal or relocation may be city or externally initiated (i.e., by a recognized civic group with evidence of community support). These requests must be submitted through the coordinator.

(2) The coordinator shall review the request and forward it to the art review team (ART) commission. The art review team (ART) commission will evaluate the request and make a formal recommendation to the council. In evaluating a relocation or removal request, the art review team (ART) commission shall apply the following criteria:

a. Visual record of alteration, damage to, or deterioration of the site or work of art;

b. Cost estimates for repair, relocation or disposal; and

c. A new site plan for relocation.

(3) The city council will ultimately determine if an art in public places piece should be relocated.

(4) The city council will not generally consider removing an art in public places piece before five years unless there are extenuating circumstances involved.

(Ord. No. 06-17, § 1(23-44), 6-5-2006)

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17

Proclamation

Rockwall, Texas

Whereas, Cain Middle School earned distinction designations under the 2014 Texas State Accountability system in the following areas: mathematics, science, and social studies; and

Whereas, also in 2014, Cain ranked in the top 25% in the area of student progress and also received recognition for Postsecondary Readiness; and

Whereas, eighty-one (81) students qualified for Duke TIP, which means they each performed in the top 8 percent of Reading/Writing STAAR scores for the state and/or the top 6 percent of STAAR math scores statewide; and

Whereas, in addition to the smart, talented students who attend Cain Middle School, the school also employs some outstanding faculty, including Theater Arts Teacher, Ms. Jenae Glanton, who was recently named K-8 Educator of the Year by the Texas Educational Theater Association.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim Monday, October 20, 2014 as

Cain Middle School Recognition Day

in the City of Rockwall, Texas and urge all citizens to applaud and congratulate the students, teachers and staff of Cain Middle School for their noteworthy accomplishments and continued hard work towards quality education in Rockwall.

David Sweet, Mayor

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Mark Moeller, Chief of Police

DATE: October 20, 2014

SUBJECT: Citizen Certificate of Merit Presentation

On Tuesday, June 24, 2014, a crew from Farmers Electric Company was working on a ground transformer when crewmember Brandin Fielding was accidentally electrocuted and went into cardiac arrest. Mr. David Earls, who was working with Mr. Fielding, immediately began CPR on Mr. Fielding. Rockwall Police Officer Russell Lambert was in the area at the time and was flagged down for help. Officer Lambert and Mr. Earls continued CPR on Mr. Fielding until EMS arrived. Mr. Fielding was transported to the hospital by Rockwall County EMS and has made a full recovery.

Rockwall County EMS personnel reported that the CPR given by Mr. Earls and Officer Lambert prior to their arrival directly led to Mr. Fielding surviving the accident. The Rockwall Police Department wants to publicly thank Mr. Earls for his life saving actions on that day and is presenting Mr. David Earls with a Citizen Certificate of Merit.

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21

Proclamation

Rockwall, Texas

Whereas, through its Food for Kids Program, the Rockwall Kiwanis club provides individual breakfast and dinner meals to over 300 area kids each month; and

Whereas, the club also sponsors the Angel League, a unique, fun, celebratory baseball program benefitting special needs children and adults each spring and fall at Tuttle Park; and

Whereas, Rockwall Kiwanis Club members present awards to local grade school children after being selected by their teachers for exhibiting good behavior, such as being kind, polite and helpful to others; and

Whereas, Kiwanis is also involved locally in charitable projects such as scholarships for high school seniors, wheelchair ramps at private homes, 4-H, Lone Star Casa and others; and

Whereas, Rockwall Kiwanis proudly sponsors local Boy Scout Troop 690 and assists with the annual Christmas parade, Halloween candy distribution at The Harbor, and the club's annual fundraising event, the Tri Rock, each August; and

Whereas, the local club supports Kiwanis International's effort to eliminate maternal and neonatal tetanus, recognizing that this deadly disease takes the lives of nearly 60,000 newborn babies and a significant number of mothers each year and encouraging immunization of more than 100 million mothers and their future babies.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim October 20, 2014 as

Rockwall Kiwanis Appreciation Day

in the City of Rockwall and encourage all citizens to recognize and applaud this organization for its philanthropic endeavors which benefit our community and beyond.

In Witness Whereof, I hereunto set my hand and official seal this 20th day of October, 2014.

_____

David Sweet, Mayor

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23

Proclamation

Rockwall, Texas

Whereas, the Rockwall Memorial Youth Center was chartered in January of 1956 and became the YMCA in 1969; and

Whereas, the Rockwall County YMCA was renamed the JER Chilton YMCA at Rockwall in November of 2012; and

Whereas, the JER Chilton YMCA provides sports programs for over 2,300 children from the community per year including swimming which teaches over 600 students every year; and

Whereas, the JER Chilton YMCA offers camp for special needs children every year called Angel Camp free of charge to children ages 6-18 in our community; and

Whereas, the JER Chilton YMCA offers financial assistance for anyone in the Community that cannot afford to participate in programs or membership; and

Whereas, the JER Chilton YMCA is adding 12,000 square feet of area to be open November, 2014.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim Monday, October 20, 2014 as

"JER CHILTON YMCA RECOGNITION DAY"

in the City of Rockwall and encourage all citizens to recognize and applaud this organization for its numerous endeavors which benefit our community and beyond.

In Witness Whereof, I hereunto set my hand and official seal this 20th day of October, 2014.

David Sweet, Mayor

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25

Proclamation

Rockwall, Texas

Whereas, Chambers of Commerce work with area businesses, merchants, and industry to advance the civic, economic, industrial, professional, and cultural life of our city; and

Whereas, Chambers of Commerce were first chartered by the Republic of Texas in 1840 and contributed to the civic and economic life of Texas for 174 years, and

Whereas, this year marks the 106th Anniversary of the Texas Association of Chamber of Commerce Executives (TCCE), the state's longest standing association of chamber of commerce professionals in the nation, and the 85th anniversary of the Rockwall Area Chamber of Commerce, founded in 1929 as the County's leading broad-based business organization that serves as the unified voice for business; and

Whereas, Chambers of Commerce encourage the growth of existing industries, services, and commercial firms and encourage new businesses and individuals to locate in Rockwall, acting as a liaison with the State of Texas, City and County of Rockwall, schools and the business community; and

Whereas, Chambers of Commerce, remain strong, viable organizations of professionals in the nation; and

Whereas, Chambers of Commerce provide guidance and leadership to communities across the state and serve as career development organizations for chamber of commerce professionals.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim October 20-24th, 2014 as

Chamber of Commerce Week

in the City of Rockwall and encourage all citizens to recognize and applaud this organization for its professional endeavors which benefit our city and beyond.

In Witness Whereof, I hereunto set my hand and official seal this 20th day of October, 2014.

_____

David Sweet, Mayor

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Proclamation
Rockwall, Texas

Whereas, alcohol and other drug abuse in this nation has reached epidemic stages; and

Whereas, it is imperative that visible, unified prevention education efforts by community members be launched to eliminate the demand for drugs; and

Whereas, the National Family Partnership (NFP) annually sponsors the National Red Ribbon Campaign, which offers citizens the opportunity to demonstrate their commitment to drug-free lifestyles; and

Whereas, the National Red Ribbon Campaign will be celebrated in every community across America during "Red Ribbon Week;" and

Whereas, businesses, governments, parents, law enforcement, media, medical, religious institutions, schools, senior citizens, service organizations and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying Red Ribbons during this week long campaign; and

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim the week of October 23-31, 2014 as

RED RIBBON WEEK



in the City of Rockwall and encourage all citizens to participate in drug prevention education activities, making a visible statement that we are strongly committed to a drug free community and state.

In Witness Whereof, I hereunto set my hand and official seal this 20th day of October, 2014.

David Sweet, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, October 06, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the public meeting to order at 4:00 p.m. Present were Mayor David Sweet, Mayor Pro Tem Jim Pruitt and City Council Members David White, Mike Townsend, and Scott Milder. Also present were City Manager Rick Crowley, Assistant City Manager Brad Griggs and City Attorney Frank Garza. Council Members Bennie Daniels and Dennis Lewis were absent from the council meeting.

II. WORK SESSION

1. HOLD WORK SESSION TO DISCUSS AND CONSIDER THE CITY'S ART IN PUBLIC PLACES PROVISIONS, INCLUDING THE ART REVIEW TEAM (ART) COMMISSION, AND TAKE ANY ACTION NECESSARY.

Assistant City Manager Brad Griggs provided background information related to this agenda item. He indicated that the Art Review Team / Commission was established by council about eight years ago. The council may soon wish to consider revamping the Art Review Team to begin evaluating the city's first piece of public art, including public art for the downtown area. It was indicated that, according to the current ordinance provisions, five members are to be appointed to serve on this committee. About $72,000 has been allocated associated with the downtown bond improvements project related to public art, and that money is segregated to be utilized for downtown. Mr. Crowley asked the council to please review the ordinance provisions related to the Art in Public Places Master Plan and the Art Review Team and let staff know if any ordinance changes are desired, including any related to the composition of the board as far as specialization of its membership is concerned. Mayor Sweet asked staff to place an agenda item on the next council meeting to discuss and consider appointments to the Art Review Team. Council took no action related to this agenda item at this time.

2. HOLD WORK SESSION TO DISCUSS AND CONSIDER THE CITY'S RADIO SYSTEM, AND TAKE ANY ACTION NECESSARY.

Mr. Crowley provided the council with information related to this work session item. He also passed out a draft interlocal agreement between Rockwall County and the City of Rockwall for participation in the Rockwall County interoperability radio system. He explained that the draft has been reviewed and marked up by both city staff and the city's radio consultant. Staff is still gathering information and will be having conversations with the county regarding this draft agreement and distribution of an RFP associated with this new radio system. This proposed countywide radio system is expected to be equally as good if not better than the radio system the city has been accustomed to having. Our current equipment is going to be replaced with new equipment, perhaps somewhat sooner than might have otherwise been expected. Regarding cost, staff member Joey Boyd indicated that he is unsure what the county's total cost of the new radio system may be. At one time, the county had preliminarily said about $13 million. Mr. Crowley explained that the City of Rockwall's cost will include costs associated with maintaining our user equipment and adding any user equipment we may need. The cost and joint program does not include a joint dispatch system under one roof. A dispatch center at Rockwall County and a separate dispatch center at the City of Rockwall will

still be in place and maintained by each entity. Mr. Crowley indicated that this joint radio system project will allow the City of Rockwall to upgrade its radio system at a much less cost than the city would incur on its own sometime in the future. Also, it will allow the various public safety and emergency response agencies throughout Rockwall County to readily communicate with each other during times when those agencies are assisting us (mutual aid) and/or our city is assisting them. We hope to discover from the RFP process what costs the City of Rockwall will be expected to incur.

Staff was asked to evaluate cost estimates such as the following: What is the cost savings to the citizens of the City of Rockwall over ten years (if we buy into this system vs. if we do not partner on this system)? Mr. Crowley said that staff is able to do so, but most likely not until after the RFP process takes place and more information is gathered.

Mr. Crowley indicated that this system will have a warranty and service contract associated with it. Brief discussion took place related to how dependent the City may have to be on the County in order to have issues which may arise associated with the system addressed timely and adequately. Discussion also took place related to what the city will do at the end of the expected ten year "life expectancy" of this new radio system. Also, future use of existing facilities and future sites for radio towers was discussed.

The Council took no action related to this agenda item.

Mayor Sweet then read the below listed discussion items into the public record before recessing the public meeting into Executive session at 4:40 p.m., indicating Executive Session will commence at 4:45 p.m.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointment of Mayor Pro-Tem pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission, Rockwall Economic Development Corporation, and Charter Review Commission pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).
5. Pulled from public meeting agenda for discussion:

   Consent Agenda Item #13 Consider authorizing the City Manager to enter into an agreement with APA for the 2015 Founders Day Festival headline entertainment in the amount of $30,0000 to be funded by Hotel/Motel Tax Funds, and take any action necessary.

   Appointment Item #4 Appointment with Dewayne Cain regarding Rest Haven Funeral Home expansion, and take any action necessary.

   Appointment Item #6 Appointment with Kim Lovett with Eventive Marketing Solutions, representing UCR Asset Services, to request permission to hold two special events

(Harbor HOWL-O-Ween on 10/25/14 and Harbor Holiday on 11/15/14) on the Harbor property, and take any action necessary.

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:52 p.m.

V. RECONVENE PUBLIC MEETING

Mayor Sweet reconvened the public meeting at 6:00 p.m.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Pruitt made a motion to establish and appoint the following individuals to serve on a Charter Review Commission (in accordance with the Charter and resolution to be signed by the mayor):

Bill Lofland	Adam Tovar
Nell Welborn	Bill Houser
Charles Johnson	Daniel Nichols
Connie Jackson	Larry Parks
Freddie Jackson	Bill Cecil

Councilmember Milder seconded the motion, which passed by a vote of 5 ayes with 2 absent (Lewis and Daniels).

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER WHITE

Councilmember David White delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS / AWARDS

1. Fire Prevention Month

Fire Marshal Ariana Hargrove came forth and offered brief comments, indicating that the Fire Department Open House over the weekend was a huge success. Also, staff began visiting every elementary school in Rockwall this week to share a public education program related to fire safety and prevention. Mrs. Hargrove also shared that the City of Rockwall Fire Department offers free smoke detectors to Rockwall city residents through a grant, and they will come to your home and install them and/or change batteries in existing ones free of charge. Mayor Sweet then read the proclamation for Fire Prevention Month.

2. Texas Night Out

Mayor Sweet called Police Chief Mark Moeller forth to say a few words about National Night Out and Texas Night Out. Chief Moeller explained that the State of Texas celebrates Texas Night Out each year in October, which is affiliated with National Night Out but is celebrated later in the year when the weather in Texas is cooler. Chief Moeller indicated that Texas Night Out in Rockwall will be celebrated tomorrow night, and many neighborhoods throughout the city will be hosting outdoor gatherings in recognition and celebration of Texas Night Out. He encouraged all residents to find a gathering to attend to enjoy the event and interac with the Rockwall Police Department. Mayor Sweet then read the proclamation.

3. Breast Cancer Awareness Month

Mayor Sweet read a proclamation declaring October as Breast Cancer Awareness Month.

IX. OPEN FORUM

Mayor Sweet explained how Open Forum is conducted. He then asked if anyone in the audience would like to come forth and speak during this time.

Alice Bland
Pebblebrook Apartments on Goliad
Rockwall, TX

Mrs. Bland expressed that she heard a rumor that Race Track over near Fudrucker's/Luby's may be moving out. Also, she has heard that there will be some work done to redirect traffic in and around the SH-205 / SH-276 area. Staff indicated that they do not believe Fudrucker's/Luby's is going anywhere but that TXDOT is planning to reroute a part of SH-276.

Judith Matherne
(address not provided)
Rockwall, TX

Mrs. Matherne came forth to express concern regarding a brick wall that was blown off of the back of Signal Ridge Place and an ongoing electrical power outage caused by a recent storm. On behalf of the residents she asked if the city council fast track a building permit to repair the wall. She also inquired about if the city may be able to encourage Oncor to provide temporary power to the residents living at these condominiums. Mr. Crowley indicated that the city will definitely fast track any permit that Oncor requests. It was indicated that electricians may be needed to do some preparatory work before Oncor can turn power back on. Mr. Crowley indicated the city's willingness to help in any way it is able to.

There being no one else wishing to come forth and speak, Mayor Sweet then closed Open Forum.

X. CONSENT AGENDA

1. Consider approval of the minutes from the September 15, 2014 regular city council meeting, and take any action necessary.

2. Consider approval of change orders number 1 and number 2 with War Horse Inc. for the FM 3097 waterline connections relocation project in the amount of $27,854.16 to be funded from 2008 revenue bonds, and take any action necessary.

3. **Z2014-023** - Consider approval of an **ordinance** for a request by Beth Godfrey of TKC CLXXXVI, LLC on behalf of the owner, Rick Sharp, for the approval of a zoning amendment to Planned Development District 46 (PD-46) [Ordinance No. 99-05] to allow for a Rental Store with Outside Storage (i.e. Sunbelt Rentals Company) to be established on a ~3.35-acre portion of a larger 6.222-acre parcel of land identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for commercial land uses, situated within the SH-276 Corridor Overlay (SH-276

OV) District, located east of Corporate Crossing (FM-549) in between SH-276 and Springer Lane, and take any action necessary. **(2nd Reading)**

4. **Z2014-024** - Consider approval of an **ordinance** for a request by Juan J. Vasquez, PE of Vasquez Engineering, LLC on behalf of James R. Thompson of Cavender Investment Properties E, LTD for the approval of a Specific Use Permit (SUP) for a general retail store within a Light Industrial (LI) District for the purpose of constructing a Cavender's Boot City on a 3.27-acre parcel of land identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of the E. IH-30 frontage Road west of Corporate Crossing (FM-549), and take any action necessary. **(2nd Reading)**

5. **Z2014-026** - Consider approval of an **ordinance** for a request by Caprice Michelle of Rockwall's Rustic Ranch, LLC for the approval of a Specific Use Permit (SUP) for a restaurant within Planned Development District 50 (PD-50) on a 0.53-acre parcel of land identified as Lot B, Block 123, B. F. Boydston Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary. **(2nd Reading)**

6. **P2014-024** - Consider a request by Glenn Breyszcher of Dallas Mapping & Design on behalf of David Spiegel of the Lakes Assembly of God Church for the approval of a replat for Lot 1, Block A, Lakes Assembly Addition, being a 6.210-acre parcel of land, currently identified as Blocks B & C, Green Meadows Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located on the north side of Williams Street (SH-66) east of the intersection of N. Clark Street and Williams Street, and take any action necessary.

7. **P2014-026** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company (BH Phase IIB SF, LTD) for the approval of a replat of Lots 51-60, Block D, Breezy Hill, Phases IIA & IIB, being a 3.624-acre portion of land that is currently identified as Lots 20-26 & 50, Block D, Breezy Hill, Phases IIA & IIB, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally located north of the intersection of FM-552 and John King Boulevard, and take any action necessary.

8. **P2014-028** - Consider a request by Harold Fetty of H. D. Fetty Land Surveying, LLC on behalf of the owner R. D. Vanderslice for the approval of a replat for Lot 3, Block A, Adams Addition, being a 0.30-acre parcel of land identified as Lot 1, Block A, Adams Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 911 N. Goliad Street, and take any action necessary.

9. Consider authorizing the City Manager to execute a contract with CXT Precast Products for the construction of a restroom at Tuttle Sports Complex in the amount of $110,409.37 to be funded from the Recreation Development Fund, and take any action necessary.

10. Consider authorizing the City Manager to execute a contract with Rockwall County Committee on Aging for certain nutritional and senior service programs

in the amount of $30,000.00 to be funded from the Administration Department operating budget, and take any action necessary.

11. Consider authorizing the City Manager to execute a contract with the Texas Department of Transportation, Aviation Division for participation in the Routine Airport Maintenance Program at the Ralph M. Hall / Rockwall Municipal Airport, with matching funds for the grant to be provided by the Airport Operating Budget, and take any action necessary.

12. Consider authorizing the Mayor to execute an interlocal agreement for fire protection services between Rockwall County and the City of Rockwall, and take any action necessary.

13. Consider authorizing the City Manager to enter into an agreement with APA for the 2015 Founders Day Festival headline entertainment in the amount of $30,0000 to be funded by Hotel/Motel Tax Funds, and take any action necessary.

14. Consider authorizing the City Manager to execute an engineering services contract with Hydrological Support Services, LLC to perform flood study reviews for developments within the City in an amount not to exceed $40,000.00 to be funded from the FY 2014-15 Engineering Department Operations Budget and developer reimbursement, and take any action necessary.

15. Consider approval of an **ordinance** establishing the speed limit along SH 205 from E. Interurban Street to south of S. Heath Street at 35 miles per hour and take any action necessary. **(1st Reading)**

16. Consider approval of an **ordinance** amending Chapter 38. Subdivisions; Article I. In General; Section 38-15. Miscellaneous requirements, Subsection (m) to increase Engineering Inspection fees from two percent to four percent, and taken any action necessary. **(1st reading)**

17. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 6. Animals, Article II. Administration, Division 2. Adoption Center Advisory Committee, Sec. 6-51 to modify the composition of the committee to align with state law, and take any action necessary. **(2nd reading)**

18. Consider approval of a resolution authorizing the City Manager to execute an agreement with TXDOT for Construction, Maintenance and Operations of Safety Lighting Systems Within Municipalities with the Texas Department of Transportation, and take any action necessary.

Councilmember White made a motion to approve the entire Consent Agenda (items #1-18). Councilmember Townsend seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-42

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT NO. 46 (PD-46) *[ORDINANCE NO. 99-05]* AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS HERETOFORE AMENDED, BY ALLOWING A RENTAL STORE WITH OUTSIDE STORAGE TO BE DESIGNATED ON TRACK 2, LOT 00 OF EXHIBIT 'B' WITHIN ORDINANCE NO. 99-05, BEING A 3.211-ACRE PORTION OF A LARGER 6.222-ACRE TRACT OF LAND IDENTIFIED AS LOT 2, BLOCK A, SHARP ADDITION, ABSTRACT 186 J. A. RAMSEY SURVEY, LOCATED AT 2582 STATE HWY 276, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY

CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 14-43
SPECIFIC USE PERMIT NO. S-126

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT ALLOWING FOR A GENERAL RETAIL STORE ON A 3.27-ACRE PARCEL OF LAND IDENTIFIED AS TRACT 9-4 OF THE J. LOCKHART SURVEY, ABSTRACT NO. 134; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
CITY OF ROCKWALL

ORDINANCE NO. 14-44
SPECIFIC USE PERMIT NO. S-127

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A RESTAURANT THAT IS LESS THAN 2,000 SF IN SERVICE AREA AND THAT DOES NOT HAVE A DRIVE-THROUGH OR DRIVE-IN SERVICE ON A 0.53-ACRE PARCEL OF LAND; ZONED PLANNED DEVELOPMENT DISTRICT 50 (PD-50) FOR RESIDENTIAL OFFICE (RO) DISTRICT LAND USES; BEING ADDRESSED AS 406 N. GOLIAD STREET AND IDENTIFIED AS LOT B, BLOCK 123, B. F. BOYDSTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;
PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-45

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY NO. 205 GENERALLY FROM E. INTERURBAN STREET TO SOUTH OF S. HEATH STREET OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF $200.00 FOR EACH OFFENSE; PROVIDING AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 38. SUBDIVISIONS; ARTICLE I. IN GENERAL; SECTION 38-15. MISCELLANEOUS REQUIRMENTS BY AMENDING SUBSECTION (m) TO REVISE THE ENGINEERING INSPECTION FEE TO RAISE IT FROM TWO PERCENT TO FOUR PERCENT; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 14-41

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 6. ANIMALS; ARTICLE II. ADMINISTRATION; DIVISION 2. ANIMAL ADOPTION CENTER / ADVISORY COMMITTEE; SECTION 6-51.

ESTABLISHED; COMPOSITION TO AMEND COMMITTEE MEMBER COMPOSITION IN ACCORDANCE WITH STATE LAW REQUIREMENTS. PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

The motion to approve passed by a vote of 5 ayes with 2 absent (Daniels and Lewis).

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Mayor Sweet indicated that the Chairman of the Planning & Zoning Commission, Craig Renfro, is unable to attend this evening. So this item was not discussed, and no action was taken.

2. Appointment with Dana Macalik of the Rockwall Area Chamber of Commerce to hear report on Hotel Motel Occupancy Tax funding utilized for various projects including a community map, "Visit Rockwall" website and visitor's brochure, and Rockwall Chamber website, and take any action necessary.

Dana Macalik of the Rockwall Chamber came forth and handed out several pieces of printed material to the city council members. She then provided brief comments regarding how hotel/motel tax funds granted to the Chamber by the City of Rockwall were spent. The council thanked Mrs. Macalik for her well organized, informative report, and no action was taken.

3. Appointment with representatives from Suntex RHCL, LLC to request relief from the concession agreement to operate the marina within Chandlers Landing, and take any action necessary.

Stephen Lehn
17330 Preston Road, Ste. 220A
Dallas, TX 75252

Mr. Lehn explained that the water level at the lake has hit a historic low, and close to $300,000 of his company's own capital has been spent on dredging operations thus far. He indicated that his company is asking for an abatement of dues owed to the city until which time as the lake water levels raise back up to 434 feet. They are currently at about 425 feet. He explained that his business is at stake because boat slip fees are being hindered due to low lake levels.

Mayor Pro Tem Pruitt expressed concern about Suntex not giving slip tenants financial relief when some have had to leave and take their boats elsewhere to be stored due to very low lake levels at Lake Ray Hubbard. He expressed that he is still paying about $3,000 per year to the marina at Chandlers Landing even though he has had to move his boat elsewhere and is now paying those fees at the alternate location on top of those he is paying here locally. Mr. Lehn indicated that some financial relief has occurred on a case-by-case basis for those who are unable to access their boat. Mayor Pro Tem Pruitt indicated that no one at Suntex has ever proactively reached out to him regarding his boat storage, including levels reaching lows which have inhibited his ability to access his boat.

Chris Petty with Suntex joined the meeting at this point.

Mr. Griggs indicated that a portion of funds from things such as slip revenues, fuel sales, and store sales contribute towards this concessions agreement. He indicated that revenues

typically received from Suntex associated with this concessions agreement are about $100,000 per year.

Mr. Petty offered general comments related to the lake levels and varying circumstances related to individual boat slips at the marina as well as individual contracts with boat owners related to lease of those slips. He indicated that dredging in, around and under the slips at the marina has been challenging.

Councilmember White asked what percentage of revenue has been lost due to tenants pulling out, cancelling their membership and docking their boats elsewhere. Mr. Petty indicated that revenue has declined about 33% due to "rent relief" arrangements that have been negotiated between tenants and the marina and/or due to those who've cancelled and moved their boats elsewhere entirely.

Mr. Griggs indicated that money received from this concessions agreement is deposited into the city's Recreational Development Fund, and the money is used to fund recreational projects for city residents (example: most recently used to renovate Tuttle and Yellow Jacket ball fields). Also, part of the revenues anticipated to be received by the city from this concessions agreement has been budgeted in the 2015 fiscal year for upcoming projects.

Councilmember Milder pointed out that the City of Rockwall is also feeling a lot of stress and financial strain due to the drought and the lack of water sales. So, as a result, he expressed an uncertainty about the city's ability to grant the company's request for relief this evening. Mr. Petty indicated that the company operates twenty-two other marinas elsewhere outside of Rockwall. Councilmember Milder suggested the company consider seeking financial relief from elsewhere within the company itself so that Rockwall taxpayers do not have to bail out the company.

Councilmember Townsend expressed that their concessions agreement is based on a percentage of sales. His struggle is that the company is still charging Rockwall citizens associated with the boat docks, yet then the company wants the city to not charge the company associated with the concessions agreement and the associated financial obligations. He has a problem with the company charging Rockwall residents for boat dock slips they are unable to utilize due to the drought. Mayor Sweet generally echoed Councilmember Townsend's concerns.

Councilmember White asked if the company has sales other than slip rentals. Mr. Petty indicated that the rentals makes up a majority of the sales (about 85%).

Mr. Petty offered brief, closing remarks, indicating that his company may be able to partner with the City in the future to come up with and execute a long term plan which may be beneficial to both the company and the citizens of Rockwall, for example with regards to future dredging operations and green space for residents (using backfill/dredged material).

The council took no action related to this agenda item.

4. Appointment with Dewayne Cain regarding Rest Haven Funeral Home expansion, and take any action necessary.

Dewayne Cain
305 Stonebridge
Rockwall, TX

Mr. Cain came forth and indicated he owns the Rest Haven Funeral Home and Memorial Park in Rockwall, a building which has never been expanded since it was originally constructed in 1992. There is now a tremendous need to expand, adding about 1,500 square feet. He would like the city council to consider a temporary postponement associated with the requirement that the new construction and existing construction be equipped with a fire sprinkler suppression system. He explained that his business was annexed into the city several years ago, and, since that time, no city water or sewer lines have been extended to his particular business. He explained that his existing water line is a small line from Mt. Zion Water Supply that comes from Cornelius Street; however, it does not have the capacity to supply sufficient water to service a fire sprinkler system. He explained that he is requesting that the council consider allowing him to go ahead and proceed with construction of the building expansion but defer the fire sprinkler system requirement for a period of time. He suggested that his company could enter into a legal contract with the city that would postpone putting the fire system in until such time as the city extends water to his business. He explained that he is willing to include with the building expansion/construction the fire suppression lines needed to activate the system once city water lines have been extended to his property. After brief discussion, Councilmember Pruitt made a motion for the City to enter into a contract with Dewayne Cain on behalf of Rest Haven Funeral Home to delay installation of the fire sprinkler system until which time as the city extends the water line to his business so he may tie into it and activate the sprinkler system at that future date. Councilmember Townsend seconded the motion. The motion passed by a vote of 5 ayes with 2 absent (Daniels and Lewis).

Staff indicated that a contract will be drawn up and brought back to the City Council for review and final approval at a future date.

5. Appointment with Mark Spencer to discuss and consider the master plan for the Park at Stone Creek, and take any action necessary.

Assistant City Manager Brad Griggs provided brief introductory comments related to this agenda item, indicating that the city authorized submission of a grant application to the Texas Department of Parks and Wildlife to assist with development of this park. The Park Board voted unanimously on August 5 to approve the master plan for the Park at Stone Creek.

Mr. Spencer with MHS Planning and Design then came forth to address council. He indicated that this park is located on the northwest corner of Featherstone and John King Boulevard next to a middle school. He indicated that a portion of a flood plain is included in this tract, and some sort of a water works play area may be incorporated there. The master plan for this park includes a playground area, a 1/3 mile trail loop, a 9-hole executive disc golf area, a basketball court, plaza with covered pavilion, open lawn area, 1 acre pond, fishing pier, nature area with native grasses and trees and a bike rest stop along the trail along John King. Two parking lots are included for this particular park. About 3.5 acres will be irrigated (out of about 16-17 total acres). He indicated that the play area in this particular park will have about twice as much funding devoted to the playground area than that which has been devoted in other neighborhood parks in Rockwall because a lot of young families live in this particular area.

Mr. Griggs indicated that this park land came about through the city's mandatory park land dedication policy which calls for a developer to either dedicate open space land for parks or pay cash in lieu of land. In this case, the developer dedicated actual land to the city (11.88 acres) for future development of a park. In addition, the developer pays pro rata equipment fees, and those have been collected in the first five phases of the developer's development. Those funds will be utilized as the "matching funds" if the city is awarded the grant for which it has applied. If the grant does not come to fruition, the city will plan to utilize those funds to develop the park more slowly over time in phases and will reapply for a grant again later on.

Mr. Spencer indicated that resident feedback at the Park Board meeting was very positive, especially related to the emphasis that will be placed on developing the playground area.

Mayor Pro Tem Pruitt asked about what sort of barrier will be in place between the park and the nearby middle school. Mr. Spencer indicated that there is currently a chain link fence there, but staff is still working to determine what sort of access might be put in place. Mr. Griggs indicated that staff has spoken to a science teacher at the middle school to glean feedback as to what sort of vegetation could be placed at the park that would be of benefit to his students regarding nature studies, and that feedback will be incorporated into the selection and planting of that vegetation.

Mayor Sweet made a motion to approve the Master Plan at Stone Creek. Councilmember White seconded the motion. Councilmember White asked if the school will partner with the city on development and maintenance of the native grasslands/plant/tree area. Mr. Griggs indicated that it is not anticipated that there will be large, ongoing expense associated with the grasslands area, so a financial partnership with the school should not be necessary. After brief comments, the motion passed by a vote of 5 ayes with 2 absent (Daniels and Lewis).

Mayor Sweet then called for a brief, ten minute break (at 7:16 p.m.).

At 7:27 p.m., Mayor Sweet called the public meeting back to order.

6. Appointment with Kim Lovett with Eventive Marketing Solutions, representing UCR Asset Services, to request permission to hold two special events (Harbor HOWL-O-Ween on 10/25/14 and Harbor Holiday on 11/15/14) on the Harbor property, and take any action necessary.

Sylvana Garcia Senior Property Manager with USR / representing The Harbor (TF Harbor) and Kim Lovett with Eventive Marketing Solutions came forth and briefly explained the events that they would like to host at The Harbor. They briefly explained that each one will benefit certain local non-profit organizations. Mrs. Lovett indicated that last year they donated a couple hundred dollars to the Rockwall Paws organization, and that money was generated from the "per pet entry fee" charged for the Halloween doggy costume contest. Mayor Sweet mentioned that the city will be hosting a public event at The Harbor that same day, and he asked staff to extend an invitation to Rockwall PAWS to participate in some way.

Mayor Pro Tem Pruitt pointed out that a legal counsel representative associated with Mrs. Garcia and Mrs. Lovett (TF Harbor) is present in the audience this evening. He invited the gentleman to come forth and introduce himself. Mr. Curt M. Covington then came forth and provided his business card to the City Secretary. He introduced himself, explaining that he is not a lawyer, but he is here on behalf of the legal firm to observe the city council's discussions and actions this evening. Mr. Covington's business card information is as follows:

Curt M. Covington
Munsch, Hardt, Kopf and Harr, PC
3800 Lincoln Plaza
500 N. Akard Street
Dallas, TX 75201-6659.

Mayor Pro Tem Pruitt made a motion to deny the permit request for the Howl-o-Ween event at The Harbor. Councilmember Milder seconded the motion. The motion passed unanimously of council (5 ayes with 2 absent (Daniels and Lewis)).

Councilmember Townsend made a motion to approve the Harbor Holiday and tree lighting event and the associated city special event permit. Councilmember White seconded the

motion, which passed by a vote of 3 ayes with 2 against (Pruitt, Sweet) and 2 absent (Daniels and Lewis).

PUBLIC HEARING ITEMS

1. **MIS2013-006** – Hold a public hearing to discuss and consider approval of an ordinance for a City initiated amendment to Sections 38-360 through 38-368 of Chapter 38, Subdivisions, of the Municipal Code of Ordinances of the City of Rockwall, Texas, concerning updated impact fees for water and wastewater facilities based on recently approved and updated land use assumptions and utility capital improvement plans for such facilities. **(1st Reading)**

City Engineer Tim Tumulty provided brief introductory comments associated with this agenda item, indicating that the city hired a consultant to do an in depth fee study associated with the city's water and wastewater impact fees. He then called for the consultant to come forth and speak.

Mr. Matt Hickey, P.E.
11910 Greenville Avenue, Suite 600
Dallas, TX 75243

Mr. Hickey came forth and briefed the council on the results of a water / wastewater impact fee study. He indicated that water/wastewater impact fees are charged to developers of new development in the city in order to fund water/wastewater related capital improvements. He explained that ten year growth projections for residential and commercial are taken into account as a part of the process associated with establishing appropriate fees.

After Mr. Hickey's presentation, Mayor Sweet then opened the Public Hearing and asked if anyone would like to come forth and speak. There being no one indicating a desire to do so, Mayor Sweet then closed the public hearing.

Mayor Pro Tem Pruitt made a motion to approve the ordinance as presented. Councilmember White seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, AMENDING SECTIONS 38-360 THROUGH 38-368 OF CHAPTER 38, *SUBDIVISIONS*, OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, CONCERNING UPDATED IMPACT FEES FOR WATER AND WASTEWATER FACILITIES BY UPDATING THE LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLANS, EQUIVALENCY TABLES, AND IMPACT FEE ASSESSMENT AND COLLECTION RATES FOR SUCH FACILITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

The motion passed unanimously of council present (5 ayes with 2 absent (Daniels and Lewis)).

XII. ACTION ITEMS

1. **SP2014-018** - Discuss and consider a request by Scott Lay on behalf of Lay Construction, LLC for the approval of variances to the SH-205 Overlay (SH-205 OV) District requirements in association with a site plan for a Dairy Queen restaurant on a 2.0638-acre tract of land identified as Tract 36 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas,

zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [S. Goliad Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

Planning Director Robert LaCroix provided background information related to this agenda item. He indicated that the Planning & Zoning Commission did recommend approval of this request; however, they recommended not approving the allowance for parking spaces within the twenty foot landscape buffer, which will subsequently result in about sixteen less parking spaces than what the applicant is requesting. This landscape buffer is located between the parking spaces in front and the building itself. It was explained that this is required as part of it being located in an Overlay District.

Scott Lay
Lay Design / Build
P.O. Box 5300
Tyler, TX 75712

Mayor Pro Tem Pruitt made a motion to approve SP2014-018 along with recommendations made by the Planning and Zoning Commission. Councilmember Townsend seconded the motion.

Mr. Lay generally explained that he had requested the ability to make parking spaces within the city's required landscape buffer (a variance to make the required 20' landscape buffer smaller). Lengthy discussion ensued related to parking and the desire for the city council to ensure that ample parking spaces are included as part of this proposed Dairy Queen. Discussion focused, in part, on the twenty-foot landscape buffer that is required.

The motion to approve, including recommendations of the Planning and Zoning Commission (not allowing parking within the 20' landscape buffer) passed by a vote of 4 in favor, 1 against (Sweet) and 2 absent (Daniels and Lewis). Mayor Sweet explained that he voted against the motion because he is in favor of more parking.

2. **MIS2014-013** - Discuss and consider a request by Darryl LaCaze for the approval of a special request for the purpose of permitting an accessory structure that exceeds the maximum permissible size stipulated by Section 2.1.2 of Article IV, Permissible Uses, of the Unified Development Code and does not meet the exterior material requirements as stipulated in Ordinance No. 09-37 for a 33.05-acre property identified as Lots 1340 & 1341 of Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) [Ordinance No. 09-37], addressed as 503 Nicole Drive, and take any action necessary.

Mr. LaCroix explained that the applicant is asking to build a 288 square foot accessory building; however, the city only allows a 250 square foot building in this particular Planned Development District. Also, the applicant is requesting a variance related to the city's masonry requirement on the hardy plank building. Mr. LaCroix explained that the Planning & Zoning Commission did recommend approval of these variance requests.

Darryl LaCaze, applicant, came forth to address the council. Mr. LaCaze clarified that the actual building that will be constructed will have a metal roof, rather than a composition roof like that shown in the photograph.

Councilmember Milder made a motion to approve MIS2014-013. Councilmember White seconded the motion, which passed by a vote of 5 ayes with 2 absent (Daniels and Lewis).

3. **MIS2014-014** - Discuss and consider a miscellaneous request by Tim Spiars of Spiars Engineering on behalf of Master Developers SNB LLC for the approval of a variance to the alley requirements stipulated by Planned Development District 41 (PD-41) [Ordinance No. 01-27] and Section 2.11 of the Standards of Design Manual, for a 12.45-acre subdivision of land identified as the North Shore Addition, being a portion of the Preserve preliminary plat, zoned Planned Development District 41 (PD- 41) for single family residential land uses, generally located on the south side of East Fork Drive, and take any action necessary.

Planning Director Robert LaCroix provided background information related to this agenda item. Mr. Spiars of Spiars Engineering then came forth and briefly addressed the city council. Councilmember White made a motion to approve MIS2014-014. Councilmember Milder seconded the motion, which passed by a vote of 5 ayes with 2 absent (Daniels and Lewis).

4. **Z2014-022** – Discuss and consider approval of an **ordinance** for a City initiated zoning request for the approval of a text amendment to Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of creating and implementing an Airport Overlay (AP OV) District, which will be applicable for the Ralph M. Hall/Rockwall Municipal Airport property, and for all properties located within 500-feet of the airport property and/or located within the Airport's Runway Protection Zones as defined by AC150/5300-13A, Airport Design, of the FAA standards, and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix provided brief background information related to this item, indicating that a public hearing on this issue was held at the last, regular city council meeting. Mayor Sweet indicated that Mayor Pro Tem Pruitt, Councilmember White and Councilmember Townsend are the council members that currently sit on the council's Airport Subcommittee, and, following discussions had at the last council meeting, they were asked to further evaluate this matter. Mayor Pro Tem Pruitt indicated that, after further discussions with the Airport Subcommittee, they are comfortable with recommending that the council leave the zoning 'as is' at this time. Therefore, no action will be taken by the city council to make any modifications to the zoning at this time.

JoAnn Athey
124 Main Street
P.O. Box 219
Lavon, TX 75166

Mrs. Athey came forth and asked if hangars can be built on the land surrounding the airport. Staff clarified that the FAA is the authority that approves or disapproves these sorts of requests; however, "thru the fence" agreements are not allowed at the Rockwall Municipal Airport.

5. Discuss and consider approval of a resolution establishing an intent to apply for Preserve America Community Designation, supporting heritage tourism and historic preservation, and take any action necessary.

Planning Director Robert LaCroix provided background information related to this agenda item, explaining this program and its potential benefits to the City of Rockwall. He indicated that both the Main Street Advisory Board and the city's Historic Preservation Advisory Board have recommended the city become part of this program. He explained that if the city

becomes part of this program, the opportunity for federal matching grants for projects related to heritage tourism and historic preservation would become available to the city.

Councilmember Milder made a motion to approve the resolution. Councilmember White seconded the motion, which passed by a vote of 5 ayes with 2 absent (Daniels and Lewis).

6. Discuss and consider approval of a resolution establishing a Charter Review Commission, and take any action necessary.

It was indicated that the action taken out of pre-meeting Executive Session took care of this agenda item.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - August 2014
Fire Department Monthly Reports - August 2014
Harbor PD Monthly Report - August 2014
Internal Operations Department Monthly Report - August 2014
Police Department Monthly Report - August 2014
Recreation Monthly Report - August 2014
Rockwall Animal Adoption Center Monthly Report - August 2014

2. City Manager's Report

Councilmember Milder offered compliments regarding the Fire Department's recent Open House. Mayor Sweet also complemented the Main Street Manager, staff and those involved in downtown activities for a job well done this past weekend at the annual Rib Rub event.

The Council took no action related to city manager / department reports, and they did not reconvene in Executive Session following the end of the public meeting agenda.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointment of Mayor Pro-Tem pursuant to Section 551.074 (Personnel Matters)

2. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)

3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission, Rockwall Economic Development Corporation, and Charter Review Commission pursuant to Section 551.074 (Personnel Matters)

4. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The Council did not reconvene into Executive Session following the close of the public meeting agenda. See start of 6:00 p.m. public meeting above for action taken at that time.

XVI. ADJOURNMENT

Mayor Sweet adjourned the public meeting at 8:27 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 20th day of October, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-45

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY NO. 205 GENERALLY FROM E. INTERURBAN STREET TO SOUTH OF S. HEATH STREET OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF $200.00 FOR EACH OFFENSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 545.356 of the Texas Transportation Code, provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration that width and condition of the pavement and other circumstances such portion of said street or highway, as well as the traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THAT:

SECTION 1. Upon the basis of an engineering and traffic investigation heretofore made as a authorized by the provisions of Transportation Code, Section 545.356, the following prima facie speed limits hereafter indicated for vehicles on the attached Exhibit “A” (strip map) are herby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

SECTION 2. From and after the date of the passage of this speed zone ordinance, no motor vehicle shall be operated along and upon State Highway No. 205 from E. Interurban Street to south of S. Heath Street within the corporate limits of the City of Rockwall in excess of speeds of 35 miles per hour as set forth in Exhibit “A”.

SECTION 3. The City Manager of Rockwall, or his designee, is hereby authorized to request from the Texas Department of Transportation (TXDOT) that appropriate signs indicating such speed zones be promptly erected.

SECTION 4. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Hundred Dollars ($200.00) for each offense.

SECTION 5. That this Ordinance shall become effective immediately upon passage and approval and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS THE 20th DAY OF OCTOBER, 2014.

David Sweet, Mayor

Attest:

Kristy Ashberry, City Secretary

Approved as to form:

Frank Garza, City Attorney

1st Reading: October 6, 2014

2nd Reading: October 20, 2014

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CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-46

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 38. SUBDIVISIONS; ARTICLE I. IN GENERAL; SECTION 38-15. MISCELLANEOUS REQUIRMENTS BY AMENDING SUBSECTION (m) TO REVISE THE ENGINEERING INSPECTION FEE TO RAISE IT FROM TWO PERCENT TO FOUR PERCENT; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS the City Council has directed the City Manager and staff to conduct cost studies and reviews, from time to time, of various fees and charges of the City of Rockwall, Texas, and submit recommendations to the City Council for review and creation of said fees and charges, as needed; and

WHEREAS, the City Council of the City of Rockwall, Texas, has reviewed the recommendations and has determined that certain fees need to be raised in order to adequately reimburse the City for its costs of administration.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That subsection (m) of Chapter 38. Subdivisions; Article I. In General; Section 38-15. Miscellaneous Requirements is here by repealed in its entirety and is replaced by a new subsection (m) which shall henceforth read as follows:

(m) *Engineering Inspection Fee*. Any person desiring to submit for approval construction plans shall, at the time of said plan being filed with the engineering department or at the time deemed appropriate by said department, pay to the city a fee in accordance with the following fee schedule:

An engineering fee of four percent of the actual contract costs of city-maintained improvements shall be established. The fee shall be based on a percentage of the estimated cost of public improvements including, but not limited to water, sanitary sewer, lift stations, storm sewer, drainage structures, bridges, culverts, paving, screening walls, etc. If actual contract costs are not available at the time of plan approval, the city will be furnished estimated quantities and costs sealed and signed by a professional engineer. Prior to final acceptance by the city, the actual quantity and costs will be furnished to the city and the fee will be adjusted accordingly. The fee shall be due and payable prior to engineering plan approval and start of construction.

Section 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

Section 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

Section 4. That this ordinance shall be effective on and after November 1, 2014 with an exception for any and all plans submitted before this date.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS THE 20th DAY OF OCTOBER, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

1st Reading: 10-06-14

2nd Reading: 10-20-14

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CITY OF ROCKWALL

ORDINANCE NO. 14-47

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, AMENDING SECTIONS 38-360 THROUGH 38-368 OF CHAPTER 38, *SUBDIVISIONS*, OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, CONCERNING UPDATED IMPACT FEES FOR WATER AND WASTEWATER FACILITIES BY UPDATING THE LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLANS, EQUIVALENCY TABLES, AND IMPACT FEE ASSESSMENT AND COLLECTION RATES FOR SUCH FACILITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall adopted its impact fee program for water and wastewater impact fees by *Ordinance No. 90-22*, and has subsequently updated its capital improvements plans and impact fees; and

WHEREAS, the City of Rockwall has prepared studies updating its land use assumptions, capital improvement plans and impact fees for water and wastewater facilities and associated service areas and equivalency tables; and

WHEREAS, the City of Rockwall has recalculated the maximum impact fee for water and wastewater facilities that may be assessed against new development (*see Schedule '1'*) based on such land use assumptions and capital improvements plans; and

WHEREAS, a public hearing, following written endorsement of the impact fee update study by the Capital Improvements Advisory Committee (CIAC) [*Planning & Zoning Commission*], was held before the City Council and testimony was taken on *July 7, 2014*, to consider proposed amendments to land use assumptions, capital improvements plans and impact fees for water and wastewater facilities and associated service areas and equivalency tables, and corresponding changes to rates of assessment and collection for impact fees; and

WHEREAS, the City published notice of such public hearing in a newspaper of general circulation within the City in accordance with the requirements of Chapter 395 of the Texas Local Government Code; and

WHEREAS, the City Council finds that the collection of impact fees for new developments at revised rates in order to fund water and wastewater improvements to serve such developments substantially furthers the public health, safety and general welfare; and

WHEREAS, the City Council finds that changes to the land use assumptions, capital improvements plans and impact fee assessment and collection rates are fully warranted, as presented in the impact fee update studies prepared by the City's engineering consultants; and

WHEREAS, the City Council further finds that the collection rates for water and wastewater impact fees reasonable further the public health, safety and general welfare;

WHEREAS, the City Council further finds that the collection rates for water and wastewater facilities is substantially less than the City's actually costs of mitigating the impacts from new development on the City's water and wastewater systems;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. ***Land Use Assumptions.*** The land use assumptions for water and wastewater impact fees, hereby are updated and amended, as set forth in *Exhibit 'A'* of this ordinance, which shall be incorporated herein by reference, and as set forth in *Exhibit 'B': Land Use Assumptions for Impact Fees* of this ordinance, which herein after shall be referred to as *Exhibit 'B'*, and incorporated herein by reference; and

Section 2. ***Service Areas.*** The service areas for water and wastewater impact fees hereby are updated and amended, as depicted in *Figure 4: Water/Wastewater Service Area* of *Exhibit 'A'* of this ordinance.

Section 3. ***Capital Improvements Plans.*** The service areas for water and wastewater impact fees hereby are updated and amended, as set forth in *Exhibit 'C': 2013 – 2023 Water & Wastewater Impact Fee* of this ordinance, which herein after shall be referred to as *Exhibit 'C'*, and incorporated herein by reference; and

Section 4. ***Land Use Equivalency Tables.*** The land use equivalency table that coverts land uses into numbers of living units equivalents (service units) for water and wastewater impact fees, hereby is updated and amended, as set forth in *Table No. 20: Maximum Assessable Water & Wastewater Impact Fee* of *Exhibit 'C'* of this ordinance.

Section 5. ***Impact Fee Assessment.*** The amount of the water and wastewater impact fees to be assessed per living unit equivalent hereby is established as set forth in *Schedule 1* of *Section 362.(b).(1)* of *Exhibit 'A'*.

Section 6. ***Impact Fee Collection.*** The amount of the water and wastewater impact fees to be collected per living unit equivalent hereby is established as set forth in *Schedule 2* of *Section 362.(b).(2)* of *Exhibit 'A'*.

Section 7. ***Administrative Provisions.*** *Sections 38-360* through *38-368* of Chapter 38, *Subdivisions*, of the City of Rockwall's Municipal Code of Ordinances is hereby superseded by the provisions contained herein.

Section 8. ***Ordinances Cumulative.*** All ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby superseded to the extent of that conflict.

Section 9. ***Severability.*** If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Subdivision Regulations of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and

applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 10. ***Effective Date.*** This ordinance shall take effect immediately.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 20TH DAY OF OCTOBER, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 10-06-14

2nd Reading: 10-20-14

Language to be Removed = ~~Highlighted/Strikeout~~

~~*Sec. 38-360. Purpose.*~~

~~(a) V.T.C.A., Local Government Code Ch. 395 prescribes the process by which cities in the state must formulate development impact fees. The initial process is the establishment of land use assumptions. These land use assumptions, which include population and employment projections, will become the basis for the preparation of impact fee capital improvement plans for water, wastewater, and roadway facilities.~~

~~(b) To assist the city in determining the need and timing of capital improvements to serve future development, a reasonable estimation of future growth is required. The purpose of this report is to formulate growth and development projections based upon assumptions pertaining to the type, location, quantity and timing of various future land uses within the community, and to establish and document the methodology used for preparing the growth and land use assumptions.~~

~~*(Ord. No. 08-21, exh. 1, 4-21-2008; Ord. No. 08-26, § 1(exh. 1), 6-2-2008)*~~

~~*Sec. 38-361. Elements of land use assumptions report.*~~

~~This report contains the following components:~~

~~(1) *Methodology.* The methodology is an explanation of the general methodology used to prepare the land use assumptions.~~
~~(2) *Data collection zones and service area maps (plates 1, 2 and 3).* This is an explanation of data collection zones (traffic survey zones), and division of the city into four impact fee service areas for water facilities, wastewater facilities, and roadways facilities.~~
~~(3) Historical Data and Perspective. Information regarding Rockwall's settlement history and the population growth associated with the construction of Lake Ray Hubbard.~~
~~(4) *Base year data.* This information on population and employment for the city as of 2013 for each capital facility service area.~~
~~(5) *Ten-year growth assumptions.* Population and employment growth assumptions for ten years by impact fee service areas.~~
~~(6) *Summary.* The summary is a brief synopsis of the land use assumptions report.~~

~~*(Ord. No. 08-21, exh. 1, 4-21-2008; Ord. No. 08-26, § 1(exh. 1), 6-2-2008; Ord. No. 13-42, § 1, 11-4-2013)*~~

~~*Sec. 38-362. Methodology.*~~

~~(a) Based upon the growth assumptions and the capital improvements needed to support growth, it is possible to develop an impact fee structure which fairly allocates improvement costs to growth areas in relationship to their impact upon the entire infrastructure system. The data in this report has been formulated using reasonable and generally accepted planning principles for the preparation of impact fee systems in Texas.~~

~~(b) These land use assumptions and future growth projections take into consideration several factors influencing development patterns, including the following:~~

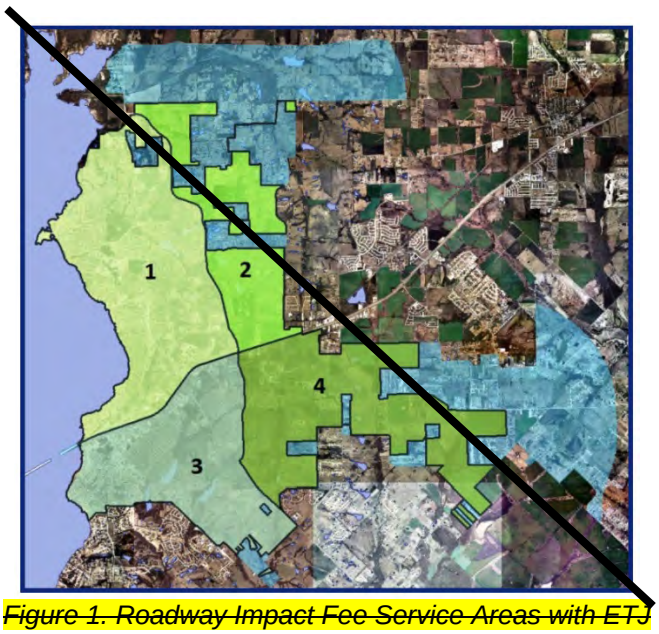
~~(1) The character, type, density, and quantity of existing development.~~
~~(2) Existing zoning patterns and anticipated future land use (city's future land use plan map).~~
~~(3) Availability of land for future expansion.~~
~~(4) Current and historical growth trends of population and employment within the city.~~
~~(5) Location and configuration of vacant land.~~
~~(6) Growth of employment [per the North Central Texas Council of Governments (NCTOG)].~~
~~(7) Known or anticipated development projects as defined by city staff.~~

~~(c) Following is the general methodology used for the preparation of this report:~~

~~*(Ord. No. 08-21, exh. 1, 4-21-2008; Ord. No. 08-26, § 1(exh. 1), 6-2-2008; Ord. No. 13-42, § 1, 11-4-2013)*~~

~~*Sec. 38-363. Data collection zones and service area maps.*~~

~~Service areas are required by State Law to define the area served by the Roadway Capital Improvements. Chapter 395 of the Texas Local Government Code (TLGC) requires that service areas be defined for impact fees to ensure that facility improvements are located in proximity to the area that is generating needs. Roadway service areas are different from water/wastewater impact fee service areas, which can include the city limits and Extra-Territorial Jurisdiction (ETJ). This is primarily because roadway systems are "open" to both local and regional use as opposed to a defined limit of service that is provided with water and wastewater systems. The result is that new development can only be assessed an impact fee based on the cost of necessary capital improvements within that service area.~~



~~*Figure 1. Roadway Impact Fee Service Areas with ETJ*~~

~~Current legislation allows for roadway service areas to be limited to a six-mile maximum, but must be located within the current city limits. Although the roadway service areas only recognize current municipal limits, an analysis including the ETJ was conducted in order to consider long-term coverage of the ultimate corporate boundaries. Another consideration in the development of the service area structure was the city's thoroughfare plan, a portion of which will ultimately serve as the service area geographic boundaries for the impact fee program.~~

~~(a) Data collection zones. The data collection zones used for the land use assumptions also considered the North Central Texas Council of Government's (NCTCOG's) traffic survey zones (TSZs) for purposes of facilitating system updates. TSZs within Rockwall vary in size and serve as the basis for the regional TransCAD system updates. TSZs were originally formulated on the basis of homogeneity and traffic generation potential using major arterials, creeks, railroad lines and other physical boundaries for delineation. It should be noted that several TSZs were adjusted in the calculations because portions include areas outside of the city limits.~~

~~(b) Service area maps. Plates 1, 2 and 3 show the proposed service zones for water, wastewater and roadway facilities. Plates 1 and 2 show the proposed service areas for water and wastewater facilities. The boundary for these facilities is the existing city limits and the city's CCN-approved area (that is, the area certified by the Texas Commission on Environmental Quality (TCEQ), to which the city can provide water and wastewater service). Plate 3, entitled "Service Areas for Roadway Impact Fees," show the four service areas for roadway facilities. All of the roadway service area boundaries encompass several traffic survey zones. The capital improvement plans and impact fees will be prepared as separate documents for water, wastewater, and roadway facilities.~~

~~(c) Historical data and perspective. Rockwall traces its history as a community to the construction of the National Road of the Republic of Texas in the mid-1840s, which was a major route for settlers traveling westward to Peter's Colony near present-day Dallas. Occasionally, high water on the East Fork of the Trinity River prevented crossing to the west, and pioneers chose to settle near the highway on the east side of the river. In 1854, Elijah Elgin donated 40 acres on a hill east of the river overlooking the valley to establish a town. The community was named Rockwall after a curious rock formation resembling a "rock wall" discovered by farmers digging a well, and variously attributed to a lost prehistoric tribe or natural geologic phenomena. In 1873, Rockwall County was formed from the panhandle of Kaufman County, and Rockwall became the county seat.~~

~~The construction of Lake Ray Hubbard in 1969 and 1970 accelerated growth in Rockwall dramatically. The county's employment tripled from the lake's completion in 1970 to 1980, and the city's population almost doubled in the same time frame. *See Figure 2 below*.~~

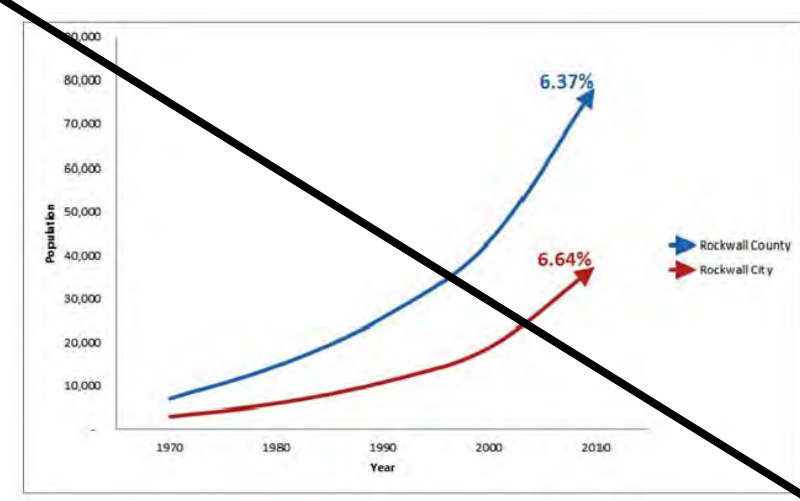


Figure 2. Rockwall City and County Population Growth (1970-2010)

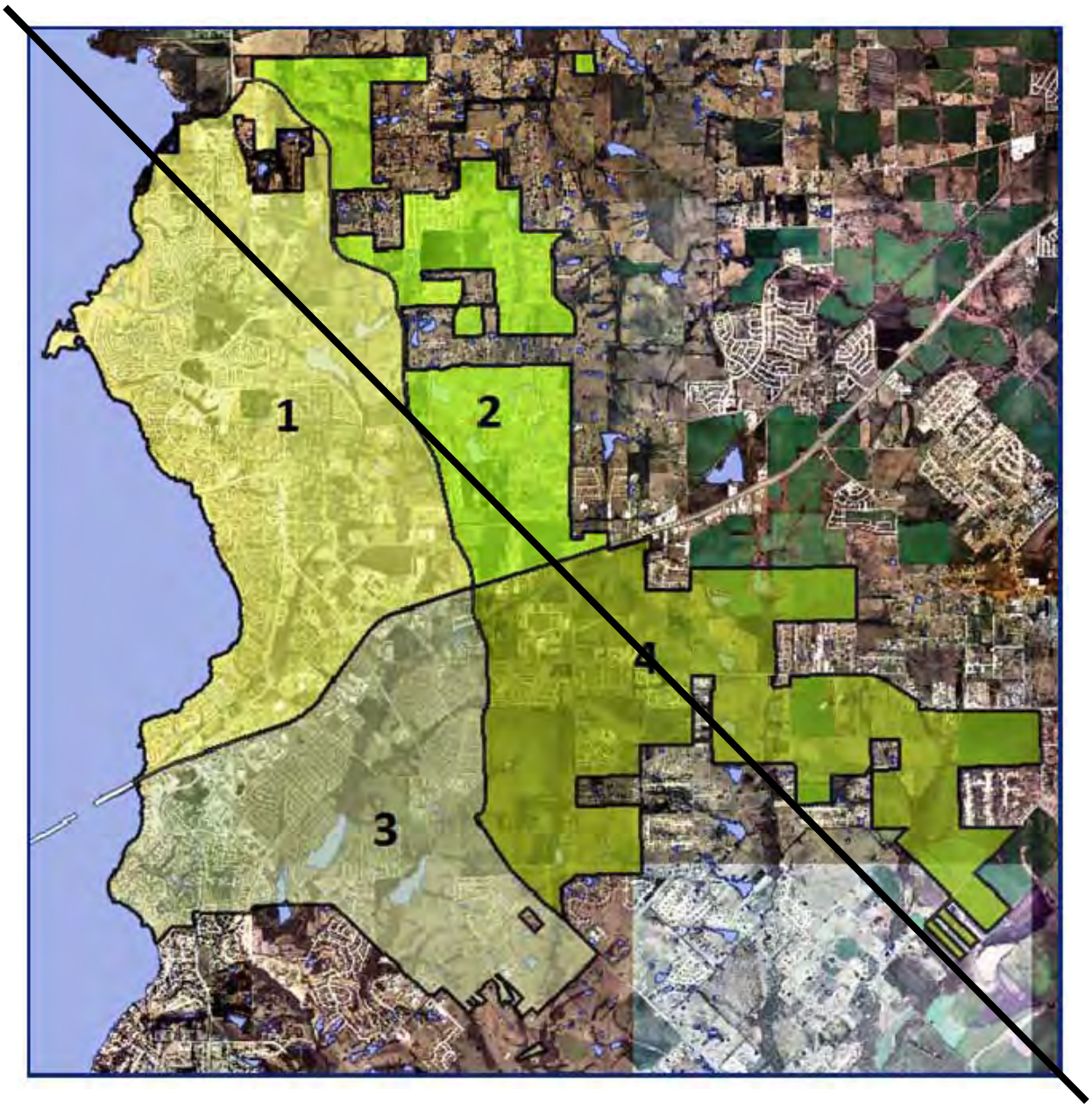
In the new millennium, dramatic growth continues. Population as of the 2000 census was 17,976, a 300% increase from 1980. The population in the 2010 U.S. Census was over 37,000 residents. As land near the lake has been built out, the city has continued to grow into the rolling uplands to the north, east and south. In 2006, Rockwall County was the fastest growing county in the United States.

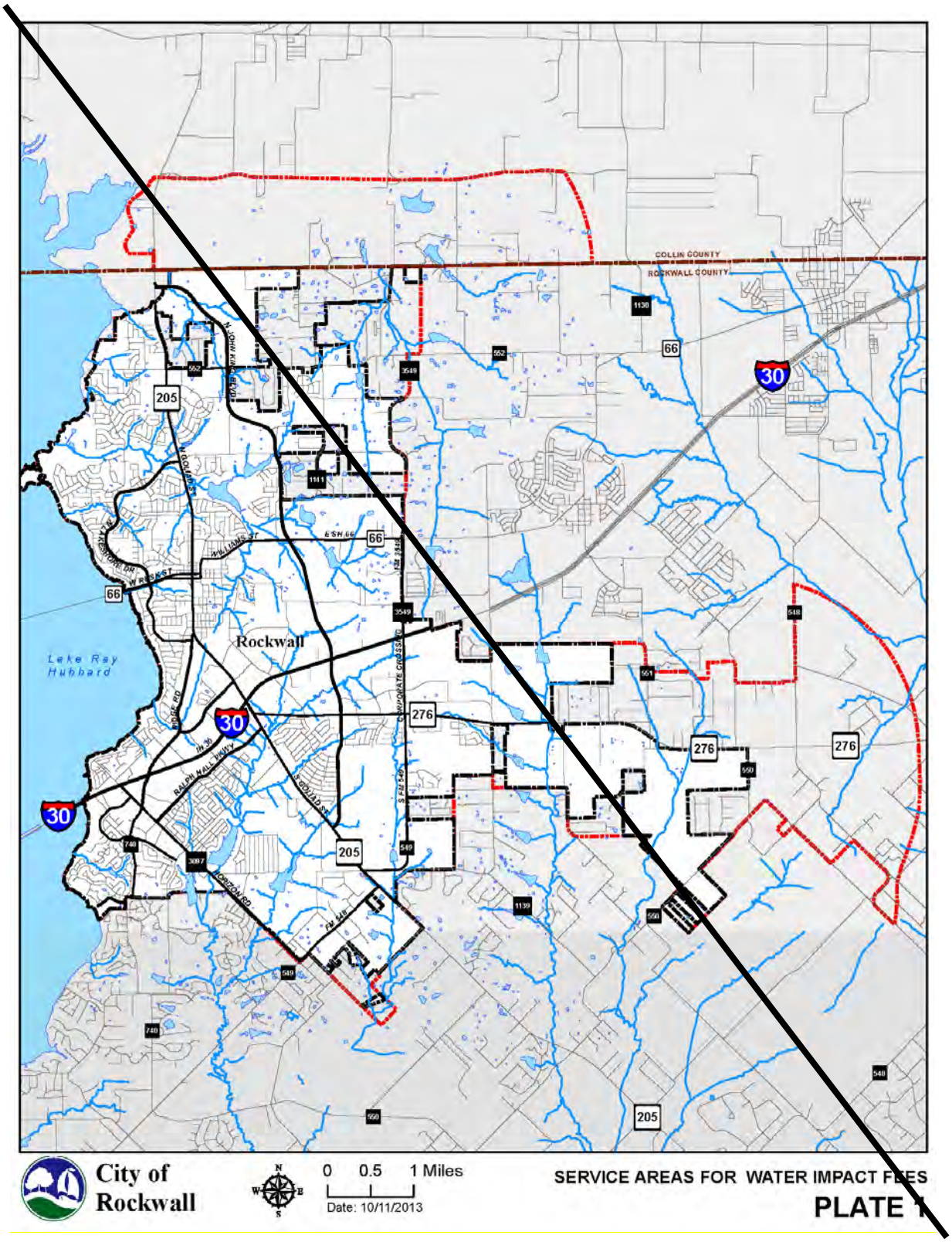
The I-30 Corridor continues to be the city's primary commercial center; however, other significant commercial and employment sectors have emerged in the past ten years. These include the Harbor District adjacent to Lake Ray Hubbard, the hospital/medical office district along FM 3097, the Rockwall Technology Park at SH 276 and FM 549, and other developed or planned retail centers along SH 205, SH 66 and other major arterials.

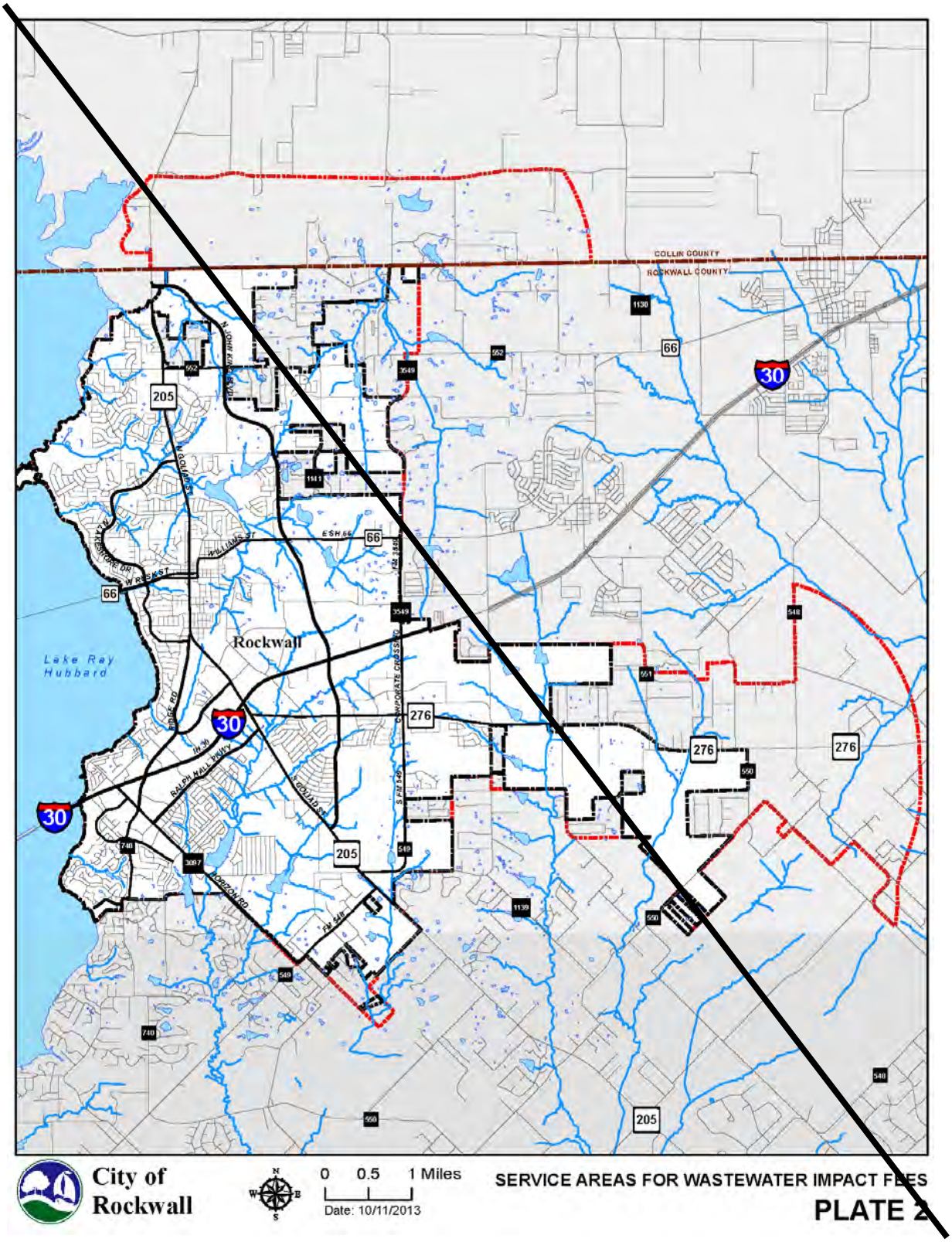


~~Roadway Service Areas~~

~~Figure 3 (below):~~ ~~Illustrates the derived service area structure for roadway facilities. These service areas conform to the current city limits of Rockwall.~~




COLLIN COUNTY
ROCKWALL COUNTY
Rockwall
Lake Ray Hubbard
66
30
205
276
City of Rockwall
0 0.5 1 Miles
Date: 10/11/2013
SERVICE AREAS FOR WATER IMPACT FEES
PLATE 1


COLLIN COUNTY
ROCKWALL COUNTY
Rockwall
Lake Ray Hubbard
30
66
205
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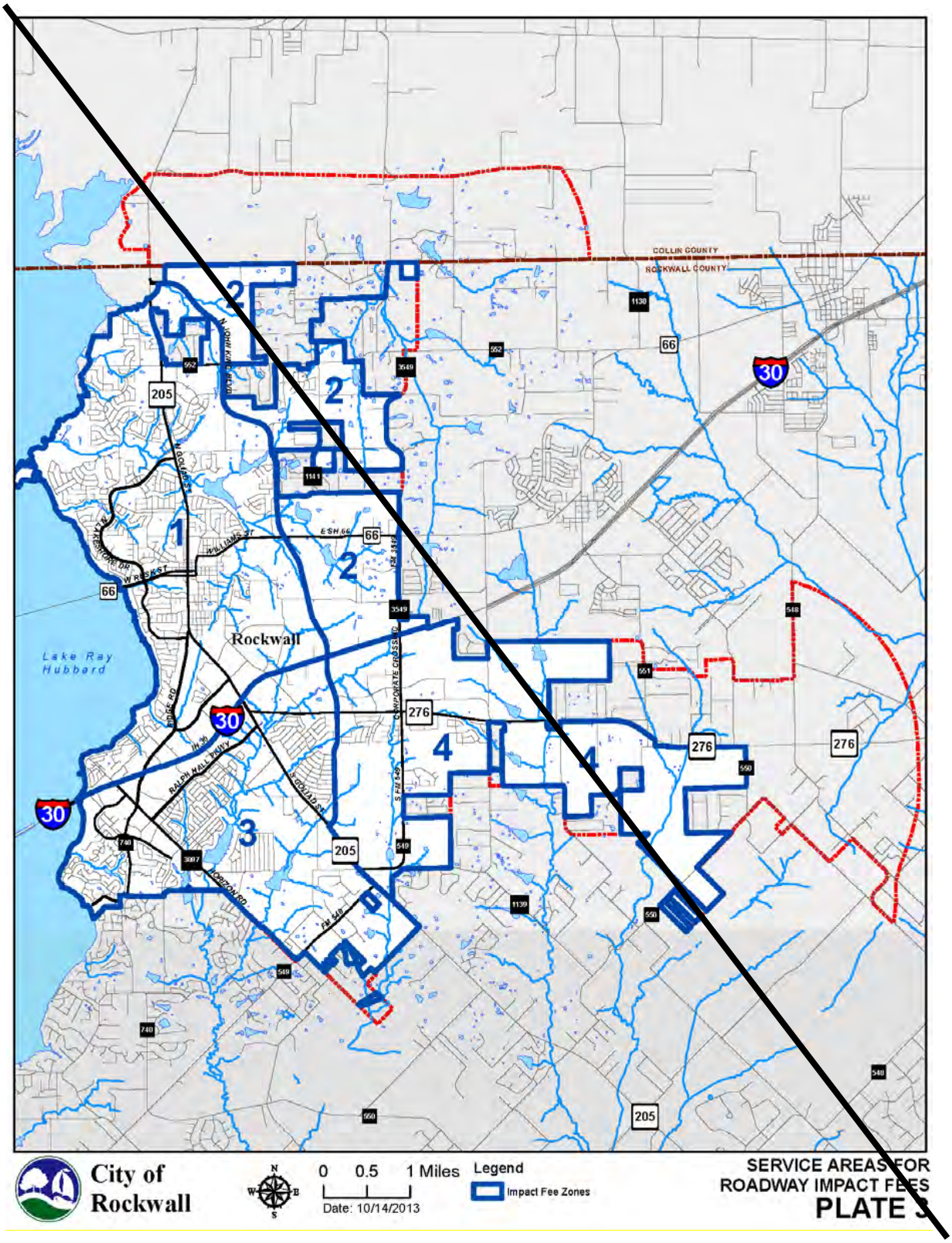
City of Rockwall
0 0.5 1 Miles
Date: 10/11/2013
SERVICE AREAS FOR WASTEWATER IMPACT FEES
PLATE 2


COLLIN COUNTY
ROCKWALL COUNTY
Rockwall
Lake Ray Hubbard
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30
City of Rockwall
0 0.5 1 Miles
Date: 10/14/2013
Legend
Impact Fee Zones
SERVICE AREAS FOR ROADWAY IMPACT FEES
PLATE 3

(d) Data format. The existing base data, as well as the future projections, were formulated according to the following format and categories:

(1) *Service area.* Correlates to the proposed roadway, water and wastewater service areas identified on the attached maps. The roadway service areas are identified on the map in Figure 3. The city limits serve as the roadway service area boundary.

(2) *Traffic survey zone/TSZ.* Geographic areas established by the North Central Texas Council of Governments (NCTCOG) which are used for data collection purposes and termed traffic survey zones (TSZs) within this report.

(3) *Housing units (2013).* All living units including single-family, duplex, multifamily and group quarters existing at the end of 2012. The number is based upon 2010 U.S.

(4) *Housing units (2013).* Projected housing units by service zone for the year 2023 (ten-year growth projections).

(5) *Population (2007).* Existing population for the base year (January 2007).

(6) *Population (2017).* Projected population by service zone for the year 2017 (ten-year growth projections).

(7) *Employment (2013, 2023).* Employment data is aggregated to three employment sectors and include basic, retail, and service, as provided by the NCTCOG. These service sectors serve as the basis for non-residential trip generation. The following details which North American Industry Classification System (NAICS) codes fall within each three sectors.

a. *Basic (#210000 to #422999).* Land use activities that produce goods and services such as those that are exported outside the local economy; manufacturing, construction, transportation, wholesale trade, warehousing and other industrial uses.

b. *Service (#520000 to #928199).* Land use activities which provide personal and professional services such as financial, insurance, government, and other professional administrative offices.

c. *Retail (#440000 to #454390).* Land use activities which provide for the retail sale of goods that primarily serve households and whose location choice is oriented toward the household sector such as grocery stores, restaurants, etc.

(Ord. No. 08-21, exh. 1, 4-21-2008; Ord. No. 08-26, § 1(exh. 1), 6-2-2008; Ord. No. 13-42, § 1, 11-4-2013)

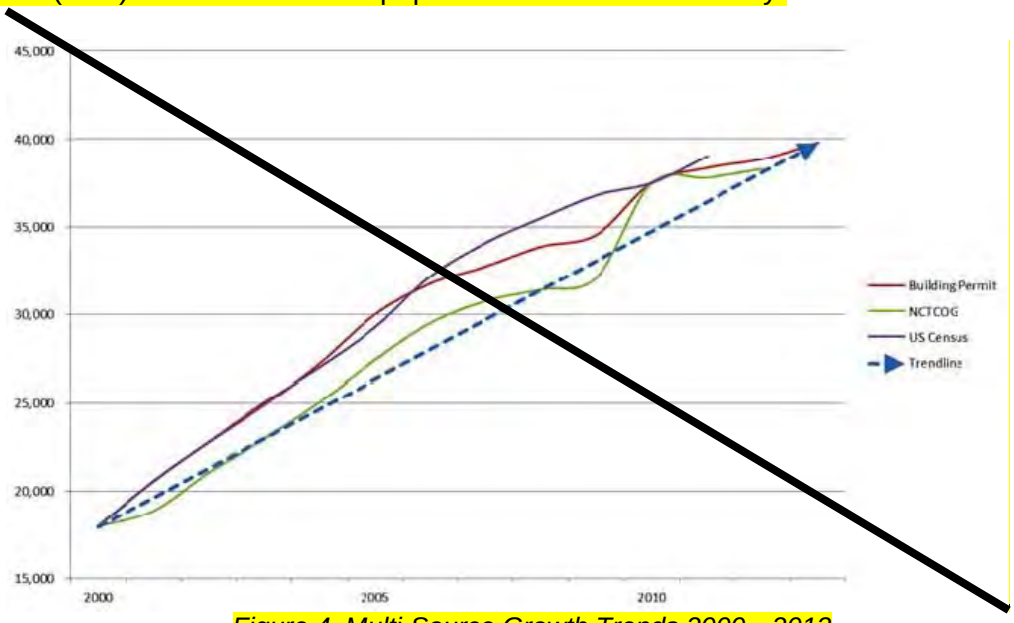
Sec. 38-364. Base year data.

This section documents the data used to derive the 2013 base year population estimate for the city.

(1) *Population growth.*

(a) One method of predicting future growth is looking at past growth. Rockwall, and Rockwall County as a whole, has experienced robust growth over the past decade. Past growth trends from the U.S. Census and the North Central Texas Council of Governments (NCTCOG) were examined in conjunction with

~~building permit data from the city (Figure 4). Building permits were multiplied by both the 2010 U.S. Census occupancy rate (94.7%) and average household size (2.81) to derive the 2013 population estimate for the city.~~



~~*Figure 4. Multi-Source Growth Trends 2000 – 2013*~~

~~The City's rapid growth often makes calculating populations estimates difficult. Data from the 2010 U.S. Census indicates that the city's population was 37,490 persons in 2010. Based upon an examination of available data, including 2010 U.S. Census household counts, city staff has derived a January 2013 population estimate of 39,817 residents. This number will serve as the base residential assumption for this report.~~

~~***Table 1. Growth Rates***~~

~~**Source Growth**~~	
~~2010 – 2012 Census*~~	~~1.81%~~
~~2007 – 2012 Census*~~	~~3.49%~~
~~2002 – 2012 Census*~~	~~5.49%~~
~~2010 – 2012 SF Permits**~~	~~11.2%~~
~~2007 – 2012 SF Permits**~~	~~8.0%~~
~~2002 – 2012 SF Permits**~~	~~-7.5%~~
~~Texas Water Board 10-Yr***~~	~~4.75%~~
~~Texas Water Board 20-Yr***~~	~~3.25%~~
~~Future Growth Projection~~	~~4.0%~~

~~**Based on 2002-2012 Census Data*~~
~~***Information Provided by City of Rockwall*~~
~~****Texas Water Board 2011 Region C Water Plan*~~

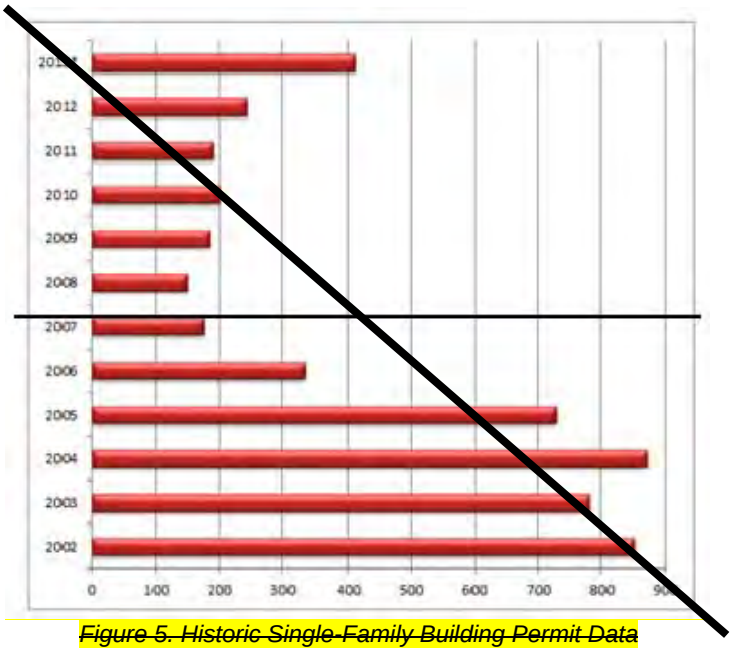


Figure 5. Historic Single-Family Building Permit Data

**2013 Data based on 70% assumed growth from 2012 (2013 SF permits up 70% from January 1-February 28 compared to same period in 2012).*

(2) Compound annual growth rate (CAGR) population. A compound annual growth rate (CAGR) allows for a general assessment of growth, considering periodic increases and decreases in residential population growth coinciding with changing economic conditions. Various sources were used to derive past growth rates. These sources indicated rates of growth between 3.25 and 4.75 percent. Based upon this data, analysis of ten-year forecasts, and city staff judgment, a four percent CAGR was determined to be a sound assumption for the ten-year study period.

(3) *Additional growth indicators.* Annual population growth rates have slowed in the city, from 10.8% between 2000—2005 to 4.6 percent between 2005—2010 and finally down to 2.0% between 2010 and current estimates (see table 1). Residential building permits, specifically single-family permits as depicted in Figure 5, coincide with the fluctuations in growth rates. Recent permit data shows an increase in single-family activity. In fact, 2013 single-family permits (issued 1-1-13 to 2-18-13) are up 70 percent from the same period in 2012. This recent increase, combined with Texas Water Board ten-year and 20-year county population projections and an overall sense of a recovering market led city staff to comfortably assume that overall growth over the ten-year period will average four percent. Likely, the annual growth will increase from its current two percent rate gradually to a five percent rate near the end of the forecast period.

(4) *Existing land use.* In any evaluation and projection of future land use patterns, a documentation of existing conditions is essential. Analysis of existing land use patterns was prepared based on a zoning classification inventory of the city. This also serves to document the present physical condition of the city with regard to any infrastructure deficiencies that may exist. The city's comprehensive plan will

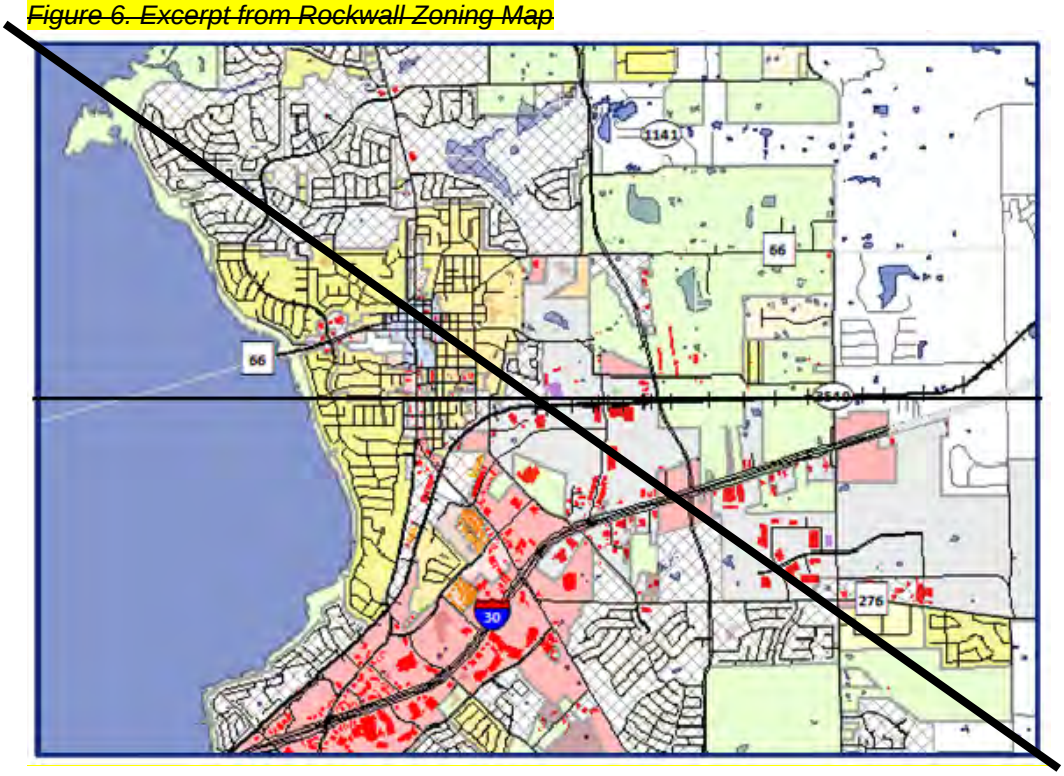
~~serve as an additional basis for future growth projections. Nearly 25 percent of the city's land area is devoted to planned development districts, which are difficult to define in terms of land use since most of them are mixed-use in nature. Estimates of land use categories within PDs are included in the land use categories in table 2.~~

~~*Table 2. Existing Land Use Acreage*~~

~~Land Use Category~~	~~Acres~~	~~Percent of Total Land~~	~~Acres per 100 Persons[1]~~
~~Single-family~~	~~6,167~~	~~32.4%~~	~~15.5~~
~~Multi-family~~	~~280~~	~~1.5%~~	~~0.7~~
~~Manufactured home~~	~~218~~	~~1.1%~~	~~0.5~~
~~Parks and open space~~	~~780~~	~~4.1%~~	~~2.0~~
~~Public/semi-public~~	~~167~~	~~0.9%~~	~~0.4~~
~~Office/retail~~	~~617~~	~~3.2%~~	~~1.6~~
~~Commercial~~	~~1,852~~	~~9.7%~~	~~4.6~~
~~Industrial~~	~~1,847~~	~~9.7%~~	~~4.6~~
~~Agricultural~~	~~7,117~~	~~37.4%~~	~~17.9~~
~~Total~~	~~19,045~~	~~100%~~	

~~[1] Based on a 2013 estimated population of 39,817~~

~~*Figure 6. Excerpt from Rockwall Zoning Map*~~



~~*(5) Existing employment.* 2013 base employment data was calculated using NCTCOG traffic survey zone (TSZ) data. As the TSZs do not follow city limits, allocations were made based on the locations of existing land uses and the percentage of each TSZ located within city limits.~~

~~Staff reviewed 2010 and 2015 NCTCOG employment estimates at the TSZ level and applied manual adjustments based on knowledge of development currently constructed and the portion of that development that is within the city limits. Once these numbers were tabulated, a CAGR was calculated between the 2010 and 2015 employment numbers. Finally, the CAGR was applied using the linear extrapolation method to the 2010 employment data, resulting in the 2013 employment data shown in Table 3.~~

~~*Table 3. 2013 Employment Data by TSZ and Service Area*~~

Service Area	TSZ	2013 Basic	2013 Retail	2013 Service	2013 Total
1	5002	-	-	96	96
	5003*	-	-	-	-
	5008	-	50	41	91
	5009	-	10	144	154
	5010*	-	-	238	238
	5011*	26	63	-	89
	5013*	-	-	-	-
	5018	214	22	138	374
	5020	43	83	216	342
	5021	39	41	47	127
	5022	10	56	141	206
	5023	62	25	420	507
	5024	-	49	-	49
	5025	54	5	242	304
	5027*	643	51	212	919
	5036	9	404	253	666
	5037	-	804	1,357	2,161
	Subtotal	*1,100*	*1,663*	*3,544*	*6,323*
	5003*	-	-	-	-
	5004	-	-	-	-
	5010*	-	-	2	2
2	5011*	-	-	-	-
	5012	-	-	-	-
	5013*	-	-	-	-
	5014	-	-	-	-
	5025*	-	-	3	3
	5026	-	-	12	12
	5027*	-	-	13	13
	Subtotal	-	-	*30*	*30*
3	5028*	56	1,362	187	1,605
	5038	-	773	357	1,130
	5039	-	1,689	1,919	3,608
	5040*			128	128
	5043	-	-	25	25
	5044	138	-	583	720
	5045	-	156	1,370	1,526
	5046	-	-	-	-
	Subtotal	*194*	*3,979*	*4,569*	*8,742*
4	5028*	192	211	246	649
	5029			38	38
	5040*			126	126
	5047	16	64	36	116
	Subtotal	*208*	*275*	*446*	*929*
TOTAL		1,501	5,917	8,589	16,007

*Traffic Survey Zone is split by Roadway Service Area Boundary

~~*(Ord. No. 08-21, exh. 1, 4-21-2008; Ord. No. 08-26, § 1(exh. 1), 6-2-2008; Ord. No. 13-42, § 1, 11-4-2013)*~~

Sec. 38-365. Ten-year growth assumptions.

(a) Growth is summarized by population and employment. A series of assumptions were made to arrive at reasonable growth rates for population and employment. The following assumptions have been made as a basis from which ten-year projections could be initiated:

(1) Future land uses will occur based on similar trends of the past and consistent with the future land use plan map;
(2) The city will be able to finance the necessary improvements to accommodate growth;
(3) School facilities will accommodate increases in population; and
(4) Densities will be as projected in the future land use plan map.

(b) The ten-year projections are based upon the growth rate which was discussed earlier and considers past trends of the city. Table 4 details the ten-year population projection.

Table 4. Ten Year Population and Household Projections by Service Area

Service Area	2010 Census		2013 Projection		2023 Projection	
	Households	Population	Households	Population	Households	Population
1	7,148	19,334	7,720	20,697	10,915	29,525
2	299	880	439	1,256	839	2,294
3	4,887	14,589	5,133	15,177	6,409	18,495
4	878	2,687	878	2,687	2,826	8,626
TOTAL	13,212	37,490	14,170	39,817	20,989	58,940
	Assumes 2.81 PPH (for 2013 Projections) per the 2010 Census					

The city has experienced significant growth over the past decade. The city's 2000 population stood at just under 18,000 residents. By the end of the decade, the city has more than doubled in population to a 2013 estimate of 39,817. This population growth is occurring within the context of the greater Dallas-Fort Worth metropolitan region, which has become one of the fastest growing regions in the nation, both in terms of population and employment. Figure 7 shows the projected population density in 2030 for the Metroplex. Darker reds indicate the more dense population centers, areas where growth is likely to continue. Although local growth has slowed since 2006, all data appears to indicate that growth will once again return to the area as the economy continues to recover. Using a four percent compound annual growth rate (CAGR), the projected 2023 population for the city is 58,939 (Figure 8).

Figure 7. Vision North Texas 2030 Population Density Map

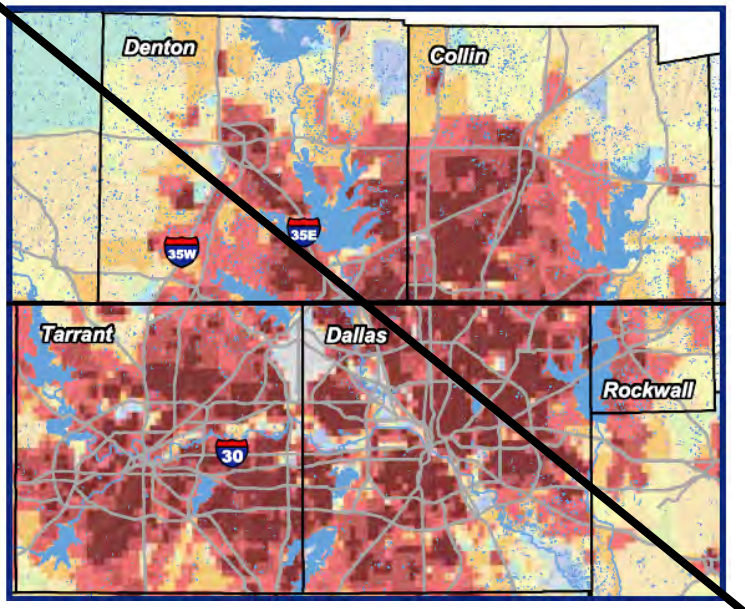
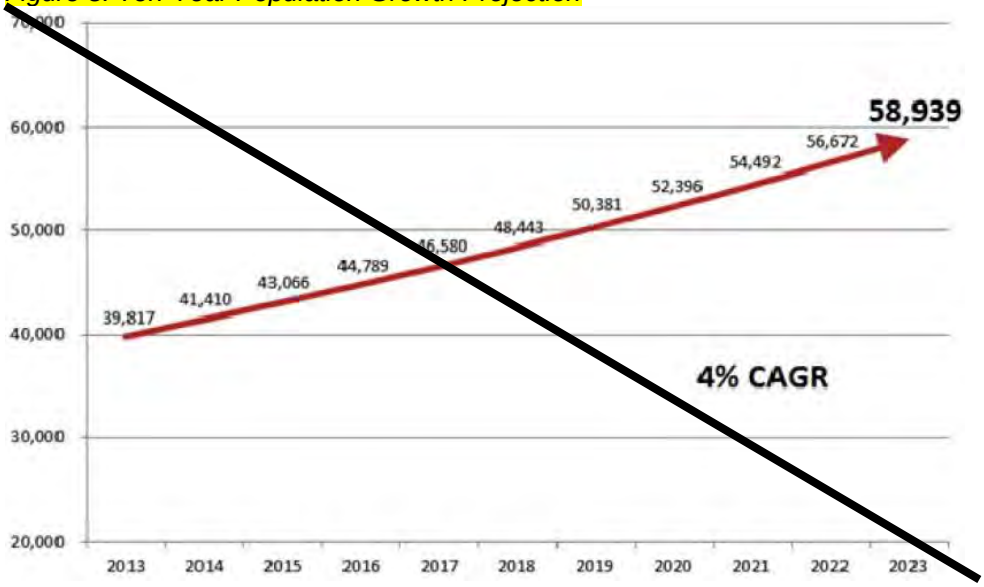


Figure 8. Ten-Year Population Growth Projection

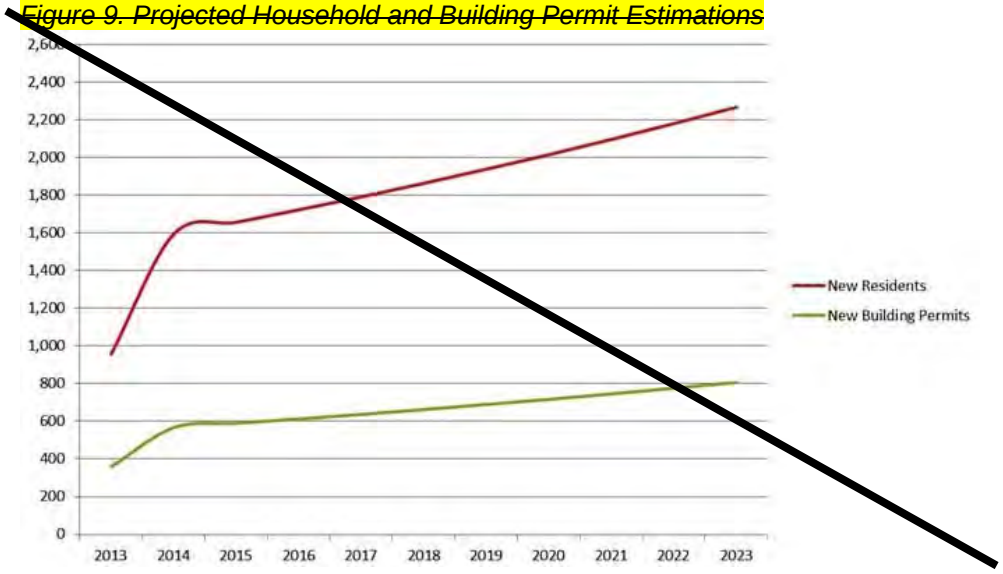


Building permit calculations were based upon the analysis described previously. An average of 2.81 PPH was used in our estimation to account for a mixture of multi-family and single-family, which is the average household size per the most recent U.S. Census (2010). Between 2000 and 2012, the city issued an average of 623 building permits a year with the highest number of permits, 1,033, being issued in 2005 and the lowest number of permits, 150, issued in 2008. The city may average 651 new dwelling units a year over the next ten-year period (Table 5 and Figure 9). This estimate reflects the type of construction which would likely occur based upon population projections, which considers both single-family and multi-family construction.

Table 5. Projected Household Estimations

Year	Population	New Residents	New Building Permits
2013	39,817	958	360
2014	41,410	1,593	567
2015	43,066	1,656	590
2016	44,789	1,723	613
2017	46,580	1,791	637
2018	48,443	1,863	663
2019	50,381	1,938	690
2020	52,396	2,015	717
2021	54,492	2,096	746
2022	56,672	2,180	776
2023	58,939	2,267	807
Average Number of Annual Permits: 651			

Figure 9. Projected Household and Building Permit Estimations



Employment 2023

Employment data for the year 2023 was based upon data provided by the North Central Texas Council of Governments (NCTCOG). NCTCOG has provided employment data by traffic survey zone (TSZ) for 2015 and 2035. After staff adjustments for TSZ coverage area and anticipated future development were completed, a CAGR was derived between the 2015 and 2035 staff-adjusted NCTCOG employment numbers. Linear extrapolation of the CAGR produced the 2023 employment estimates by TSZ as listed in Table 6. It is important to note that TSZs do not follow city limits.

~~*Table 6. 2023 Employment Data by TSZ and Service Area*~~
~~Assumptions for future growth are confirmed based upon 2030 data from the Vision North Texas study. Most of the city is forecast for an employment density greater than 1.7 per acre, and upwards of 3.5+ per acre in areas around Interstate 30 and within the industrial park.~~

		2023			
Service Area	TSZ	Basic	Retail	Service	Total
1	5002	-	-	159	159
	5003*	-	105	105	210
	5008	-	80	65	145
	5009	-	14	193	207
	5010*	-	-	460	460
	5011*	48	117	-	166
	5013*	-	-	-	-
	5018	236	24	152	412
	5020	49	95	245	390
	5021	43	45	52	140
	5022	10	60	151	220
	5023	65	26	437	528
	5024	-	57	-	57
	5025*	66	6	300	304
	5027*	1,140	91	399	1,628
	5036	13	607	379	1,000
	5037	-	911	1,538	2,449
	Subtotal	***1,670***	***2,238***	***4,635***	***8,476***
2	**5003***	-	105	105	210
	5004	-	-	6	6
	5010*	-	-	5	5
	5011*	-	-	-	-
	5012	-	125	125	250
	5013*	87	-	-	87
	5014	-	-	-	-
	5025*	-	-	6	6
	5026	-	-	22	22
	5027*	-	-	24	24
	Subtotal	***87***	***250***	***293***	***610***
3	**5028***	243	1,542	424	2,209
	5038	-	1,082	500	1,582
	5039	-	2,059	2,340	4,399
	5040*			261	261
	5043	-	-	25	25
	5044	238	-	1,009	1,247
	5045	-	229	2,020	2,249
	5046	-	-	-	-
	Subtotal	***481***	***4,912***	***6,579***	***11,972***
4	**5028***	192	211	246	893
	5029	100		437	537
	5040*			260	260
	5047	49	197	111	357
	Subtotal	***341***	***408***	***1,054***	***2,017***
TOTAL		**2,579**	**7,789**	**12,560**	**22,928**

*Traffic Survey Zone is split by Roadway Service Area Boundary

~~*(Ord. No. 08-21, exh. 1, 4-21-2008; Ord. No. 08-26, § 1(exh. 1), 6-2-2008; Ord. No. 13-42, § 1, 11-4-2013)*~~

~~*Sec. 38-366. Reserved.*~~

~~*Editor's note—*~~
~~*Ord. No. 13-42, § 1, adopted November 4, 2013, amended the Code by repealing former § 38-366 in its entirety. Former § 38-366 pertained to ultimate population projection, and derived from Ord. No. 08-21, adopted April 21, 2008; and Ord. No. 08-26, adopted June 2, 2008.*~~

~~*Sec. 38-367. Summary.*~~

~~(a) Approximately 63 percent of the total land within the city limits is developed, with approximately 37 percent of land within the city limits being vacant and available for future development, where infrastructure and topography permit.~~

~~(b) The existing estimated 2013 population for Rockwall stands at approximately 39,817 persons, with an existing estimated employment of 16,007 jobs.~~

~~(c) A compound annual growth rate (CAGR) of FOUR percent was used to calculate the Rockwall ten-year growth projections. This growth rate is based upon historical U.S. Census data, 2011 Texas Water Commission population projections for Rockwall County, building permit information received from the city and North Central Texas Council of Governments (NCTCOG) projections.~~

~~(d) Ten-year (2023) population growth is forecasted to be 58,939 persons, with an employment of 22,928 jobs.~~

~~*Table 7. Employment and Population Projection Summary*~~

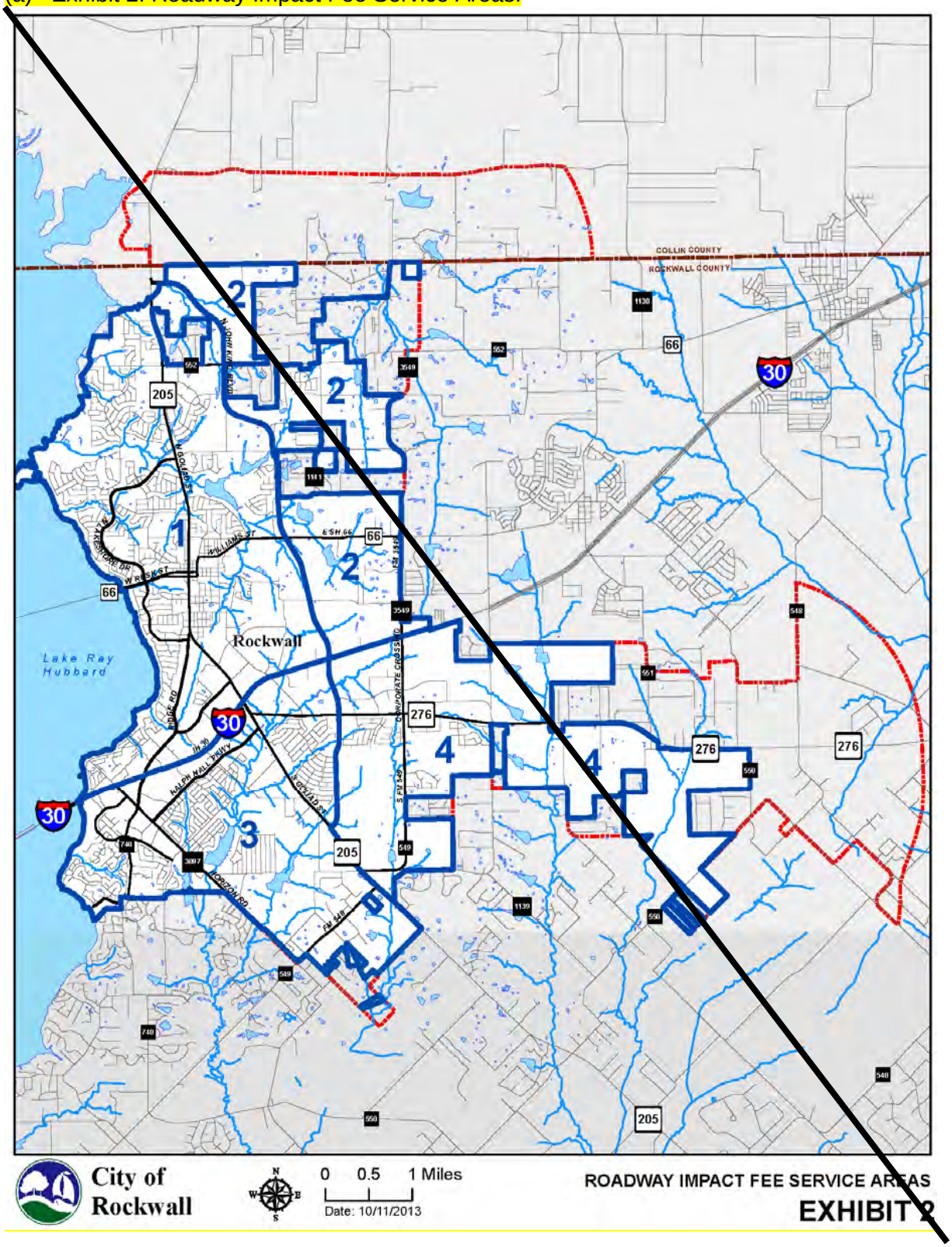
	~~2013~~	~~2023~~	~~% Increase~~
~~Households~~	~~14,170~~	~~20,989~~	~~32.5%~~
~~Population~~	~~39,817~~	~~58,939~~	~~32.4%~~
~~Total Employment~~	~~16,007~~	~~22,928~~	~~30.2%~~
~~*— Basic*~~	~~1,501~~	~~2,579~~	~~41.8%~~
~~*— Service*~~	~~5,917~~	~~7,789~~	~~24.0%~~
~~*— Retail*~~	~~8,589~~	~~12,560~~	~~31.6%~~

~~*(Ord. No. 08-21, exh. 1, 4-21-2008; Ord. No. 08-26, § 1(exh. 1), 6-2-2008; Ord. No. 13-42, § 1, 11-4-2013)*~~

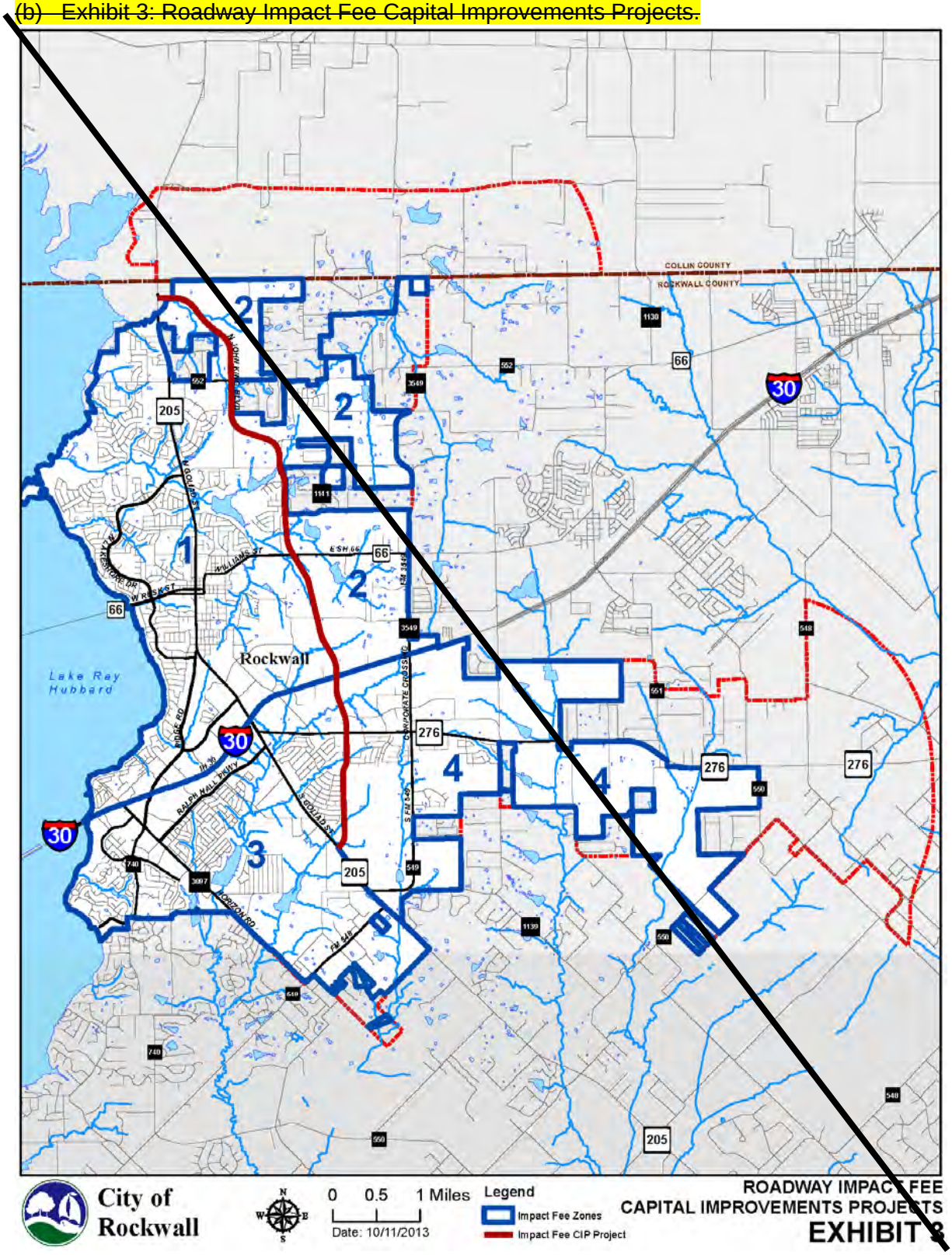
~~*Continued on Next Page …*~~

~~*Sec. 38-368. Appendices.*~~

~~(a) Exhibit 2: Roadway Impact Fee Service Areas.~~



~~(b) Exhibit 3: Roadway Impact Fee Capital Improvements Projects.~~



~~(c) *Schedule 1* roadway impact fee assessment. The following schedule is for roadway impact fee assessment.~~

~~Service Area~~	~~Cost Per Service Unit~~
~~1~~	~~$1,278.00~~
~~2~~	~~$5,058.00~~
~~3~~	~~$240.00~~
~~4~~	~~$738.00~~

~~(d) *Schedule 2* roadway impact fee collection. The following schedule is for roadway impact fee collection.~~

~~Service Area~~	~~Cost Per Service Unit~~
~~1~~	~~$256.00~~
~~2~~	~~$256.00~~
~~3~~	~~$120.00~~
~~4~~	~~$256.00~~

~~*(Ord. No. 08-21, exh. 1, 4-21-2008; Ord. No. 08-26, § 1(exh. 1), 6-2-2008; Ord. No. 13-42, § 1, 11-4-2013)*~~

~~*Secs. 38-369—38-398. Reserved.*~~

Sec. 38-360. Land Use Assumptions Report.

FORWARD

IMPACT FEES are charges imposed against new development to generate revenue for or recoup the cost of capital facilities (or infrastructure) necessitated by and attributed to new development. These fees are generally implemented to reduce the economic burden of a municipality when addressing the need for adequate capital improvements to accommodate growth.

PURPOSE

Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code outlines the process for adopting and updating impact fees for political subdivisions. On April 21, 2008 the City of Rockwall adopted roadway and water/wastewater impact fees per Ordinance No. 08-21. According to the statutory requirements stipulated by the Texas Local Government Code impact fees are required to be updated a minimum of every five (5) years [*§395.052*].

In approaching an update to existing impact fees it is important for a city to assess its growth and employment potential and establish land use assumptions that will guide development for a ten (10) year planning period (i.e. 2013-2023) [*§395.001(5)*]. These land use assumptions form the basis for the preparation of the *Impact Fee Capital Improvement Plan* for water, wastewater and roadway facilities.

In order to determine the need and timing of capital improvements to serve future development, a rational estimate of future growth is required. The purpose of this report is to formulate growth and employment projections based upon assumptions pertaining to the type, location, quantity and timing of future development within the city, and to establish and document the methodology used for preparing these land use assumptions.

ELEMENTS OF THE LAND USE ASSUMPTIONS REPORT

This report contains the following components:

- ☑ *Methodology*: This component of the report contains the systematic and theoretical analysis of the methods and principals used to prepare the projections and land use assumptions contain within this report.

- ☑ *Service Areas and Data Collection Zones*: This component provides an explanation of the data collection zones (i.e. Traffic Survey Zones [TSZ]) and the Roadway, Water and Wastewater Impact Fee Service Areas for capital facilities.

- ☑ *Base Year Data*: This component provides information on population, housing and employment in the City of Rockwall as of 2013 for each capital facility service area.

- ☑ *Ten-Year Growth Assumptions*: This component provides assumptions with respect to the population, housing and employment for the City of Rockwall in ten (10) years (i.e. 2023). This information is broken out by capital facility service area.

- ☑ *Build Out Assumptions:* This component provides projections for population, housing and employment under the assumption that the City and its Extraterritorial Jurisdiction (ETJ) are completely developed, or *Built Out*.

- ☑ *Summary*: This component provides a synopsis of the land use assumptions contained within this report.

- ☑ *Appendix:* This component contains information that was important in deriving the population, housing and employment projections for 2013-2023.

METHODOLOGY

Based upon the growth assumptions and the capital improvements needed to support growth, it is possible to develop an impact fee structure which fairly allocates improvement costs to growth areas in relationship to their impact upon the entire infrastructure system. The data in this report has been formulated using reasonable and generally accepted planning principles.

These land use assumptions and future growth projections take into consideration several factors influencing development patterns. These factors include:

- ☑ The character, type, density and quantity of existing development.

- ☑ The current zoning patterns and anticipated future land uses as established in the Comprehensive Plan (i.e. the City's *Future Land Use Plan Map*).

- ☑ The availability of land to support future expansion of development.

- ☑ The current and historical growth trends of both population and employment within the City.

- ☑ The location and configuration of vacant parcels of land and their ability to support development.

- ☑ The growth of employment utilizing previously established and generally accepted data (i.e. North Central Texas Council of Governments [*NCTCOG*] 2010 & 2015 Employment Projections).

- ☑ Local knowledge concerning future development projects or anticipated development within the city.

LAND USE ASSUMPTIONS REPORT ELEMENTS

The following is the general methodology that was used for the preparation of this report:

1. Population, housing and employment data was collected from the United States Census Bureau, North Central Texas Council of Governments (*NCTCOG*), the City of Rockwall Geographical Information Systems (GIS) Department, the City of Rockwall Building Inspection Department and other acceptable sources. This

information was then analyzed and used to provide base information for all service areas from which projections could be extrapolated [see *Service Areas and Data Collection Zones*].

2. The base year (i.e. 2013) estimates for housing, population and employment were calculated based on the information collected [see *Base Year Data*].

3. From the base year and the information gathered from various sources a growth rate was established by examining recent building permit information, past growth trends and anticipated development over the next ten (10) years. This growth rate was then applied to each of the impact fee service areas to project the base year data over the ten (10) year planning period (i.e. 2013-2023) [see *Ten Year Growth Assumptions*].

4. After the projections for housing, population and employment were prepared for the ten (10) year planning period city staff made adjustments to account for known or anticipated development activity within the planning periods. In making these adjustments city staff took into consideration the recommendations made within the 2012 Rockwall Comprehensive Plan Update, existing public works data, economic information provided by the Rockwall Economic Development Corporation (REDC) and demographic information provided by the GIS and Building Inspections Departments.

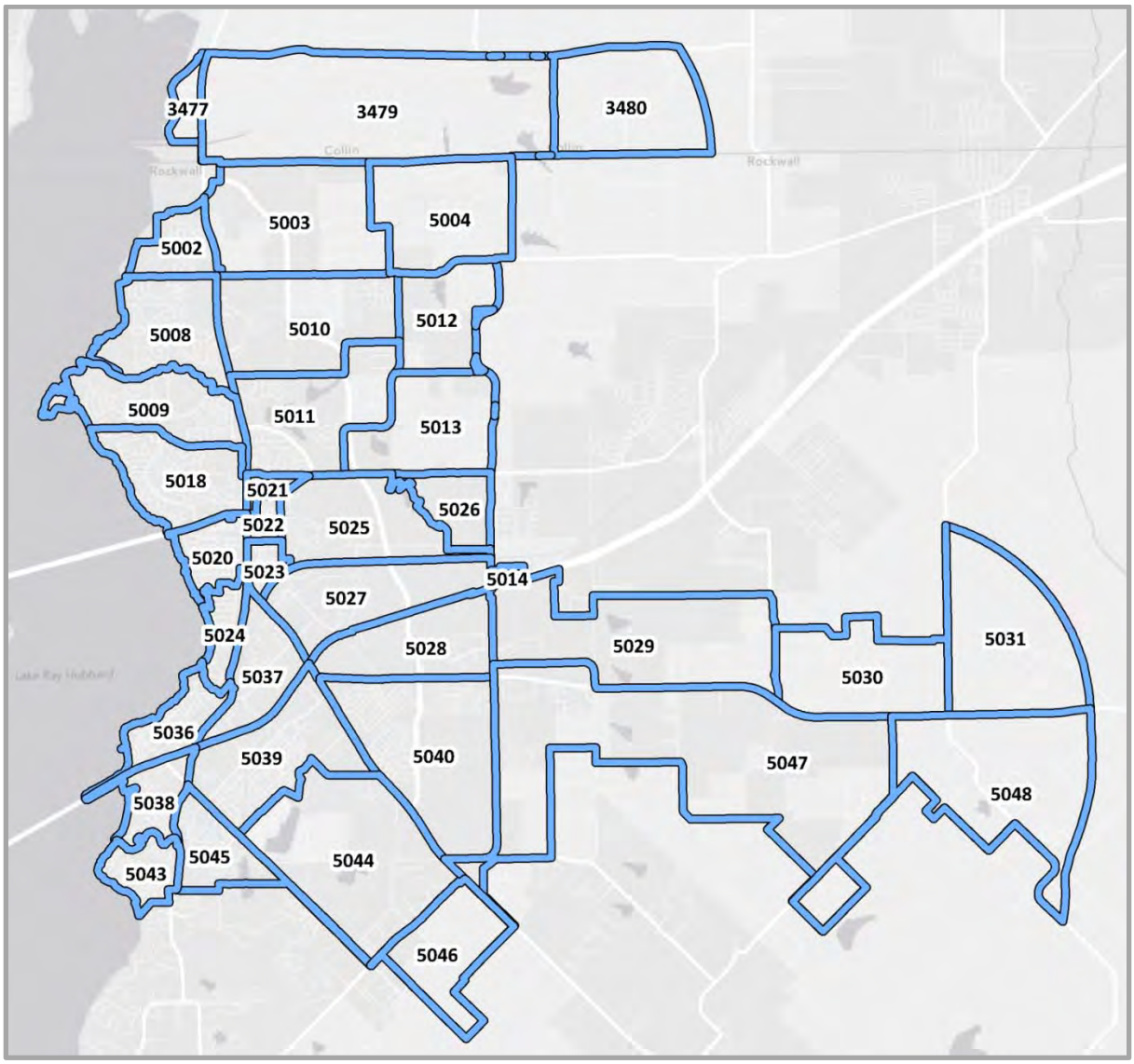
5. Finally, the City's *Build Out* projections for housing, population and employment were calculated by establishing the City's carrying capacity in terms of developable acres and projecting population forward using the previously established Compound Annual Growth Rate (CAGR) to establish a *Build Out Year*. The housing and employment information were then projected to the *Build Out Year* [see *Build Out Projections*].

DATA COLLECTION ZONES AND SERVICE AREAS

DATA COLLECTION ZONES

The *Data Collection Zones* used for this study were the North Central Texas Council of Government's (NCTOG's) Traffic Survey Zones (TSZs). A TSZ is a small geographic area developed by the NCTOG to serve as the basis for the regional TransCAD travel demand model and for the purpose of performing various other regional planning activities. TSZ's were originally formulated on the basis of homogeneity and traffic generation potential using major arterials, creeks, railroad lines and other physical boundaries for delineation. It should be noted that several TSZ's were adjusted in the calculations because portions include areas outside of the City limits.

FIGURE 1: TRAFFIC SURVEY ZONES (TSZs)
Note: The TSZs below have been clipped to the Extraterritorial Jurisdiction (ETJ)



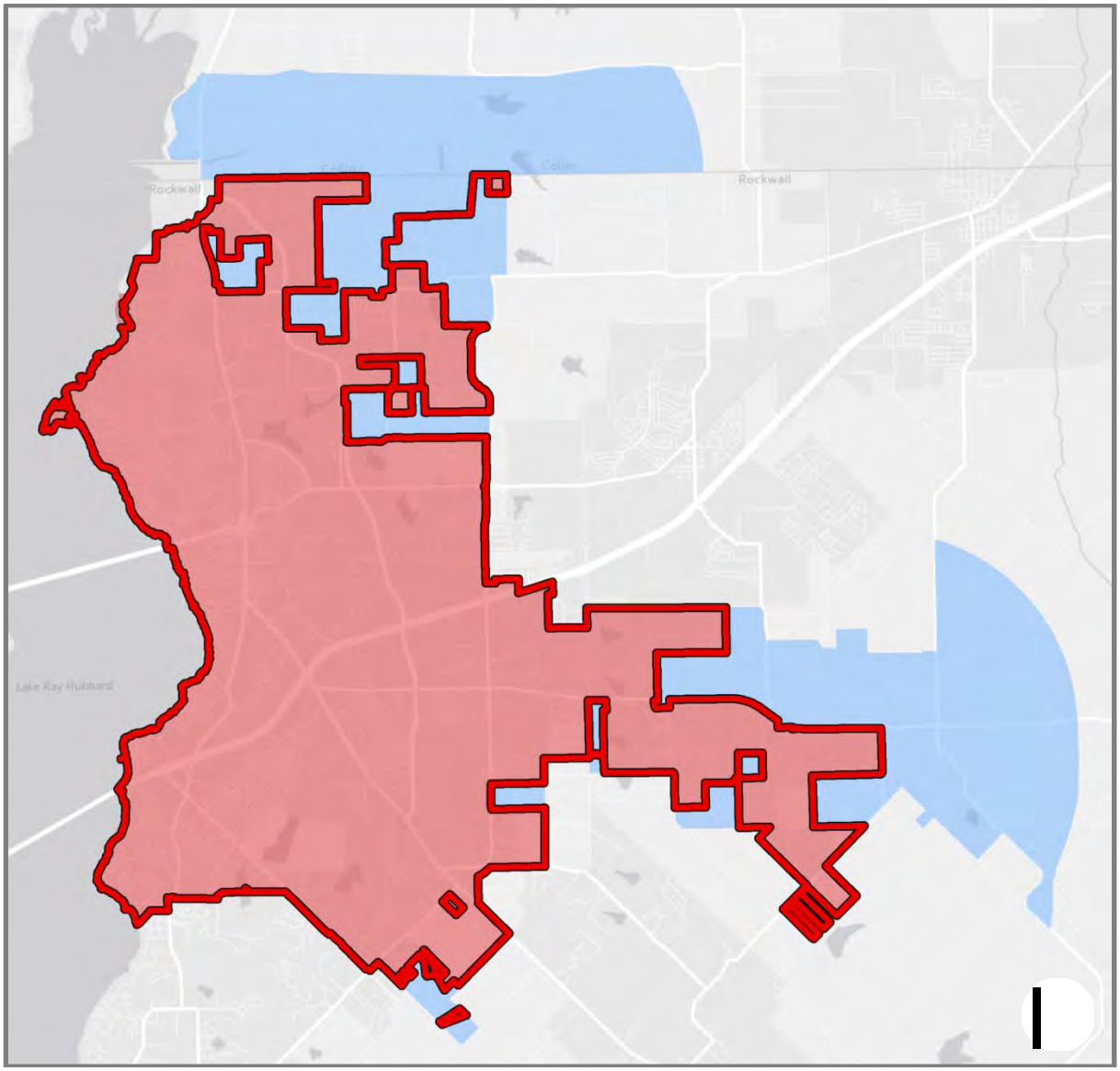
SERVICE AREAS

The Texas Local Government Code (TLGC) requires that services areas be established within the corporate boundaries of a political subdivision for the purpose of ensuring that the capital improvements service the areas generating need. The boundaries for impact fees are defined as follows:

Roadway Impact Fees refers to a service area that is limited to the corporate boundaries of a political subdivision or city, and cannot extend into the Extraterritorial Jurisdiction (ETJ) or for a distance exceeding more than six (6) miles. The City of Rockwall is divided into four (4) service areas that are depicted in *Figure 3* on *Page 5*.

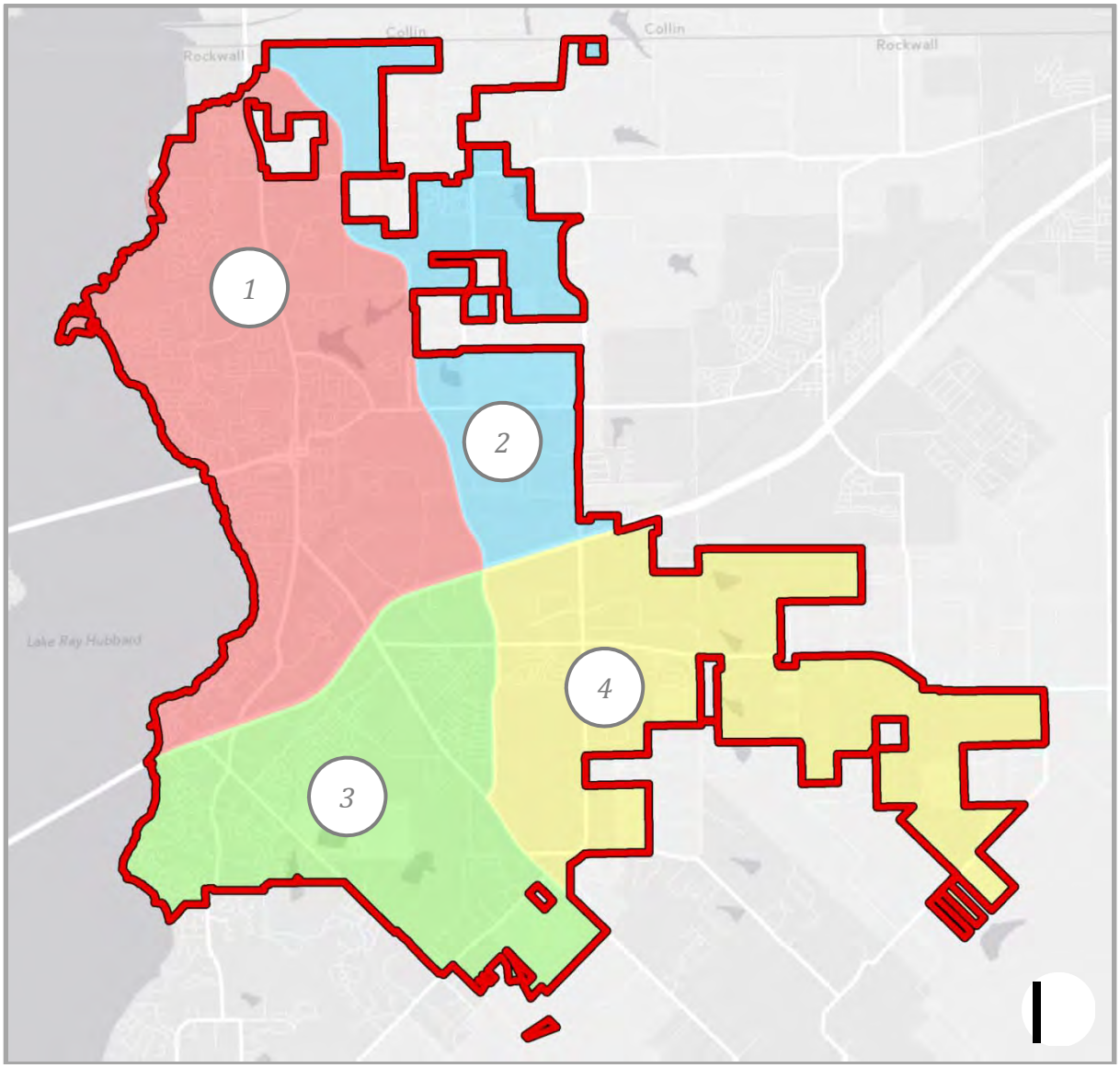
Water and Wastewater Impact Fees refers to a service area that includes a city's corporate boundaries and Extraterritorial Jurisdiction (ETJ). This service area is depicted in *Figure 4* on *Page 6*.

FIGURE 2: CITY OF ROCKWALL CITY LIMITS AND EXTRATERRITORIAL JURISDICTION (ETJ)
Note: The City Limits of Rockwall are depicted in RED. The Extraterritorial Jurisdiction (ETJ) is depicted in BLUE.



ROADWAY SERVICE AREAS

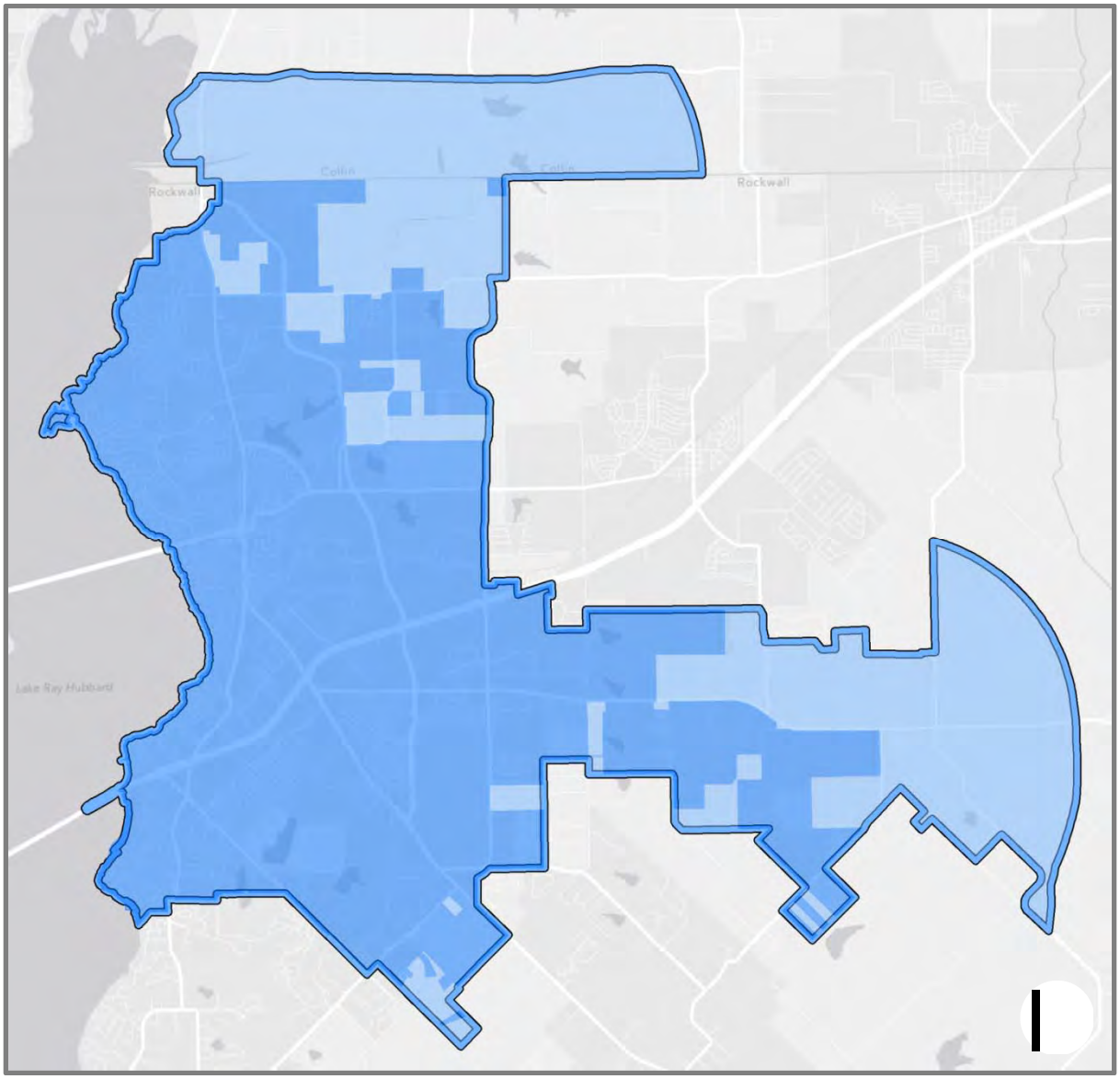
FIGURE 3: ROADWAY SERVICE AREAS
This is the derived service area structure for roadway facilities. These service areas conform to the current city limits of the City of Rockwall and are divided by John King Boulevard and Interstate Highway 30.



MAP KEY
RED: Service Area 1
BLUE: Service Area 2
GREEN: Service Area 3
YELLOW: Service Area 4

WATER/WASTEWATER SERVICE AREA

FIGURE 4: WATER/WASTEWATER SERVICE AREA
This is the derived service area structure for water and waste facilities. This service area conforms to the current city limits of the City of Rockwall and its Extraterritorial Jurisdiction (ETJ).



MAP KEY

BLUE: Service Area

SUMMARY OF DATA

The current database and the database prepared in 2007, along with all future projections, were drafted utilizing the following geographic areas:

- ☑ *Service Area.* The Service Area correlates to the Water, Wastewater and Roadway Service Areas identified in *Figures 3 & 4*. As previously state the corporate boundaries of the City of Rockwall serve as the limits for the Roadway Service Areas and the Water and Waste Water Service Areas include the corporate boundaries and the Extraterritorial Jurisdiction (ETJ).

- ☑ *Traffic Survey Zone (TSZ).* A Traffic Survey Zone or *TSZ* are geographic areas established by the North Central Texas Council of Governments (NCTCOG), which are used for data collection purposes.

Additionally, all databases and projections utilized the following variables:

- ☑ *Households (2013).* Household data includes living units (i.e. *single-family, duplex, multi-family, group home/quarters, etc.*) existing at the end of the calendar year 2012 (*January 1, 2013 to December 31, 2012*). This number was derived using 2010 United States Census data relating to households, residential building permits obtained from the Rockwall Building Inspections Department, and address point data obtained from the Rockwall Geographic Information Systems Department (GIS).

- ☑ *Households (2023).* This is the projected household data by service area for the year 2023, which represents a ten (10) year growth projection. This information was derived by staff using proper projection techniques.

- ☑ *Population (2013)*. This is the existing population for the base year (i.e. *2013*). This information was calculated utilizing the number of households existing at the end of the calendar year 2012, the occupancy rate and average household size as established by the United State Census Bureau, and the population of all group quarters (i.e. *[# of Households – Vacancy Rate] x Household Size + Group Quarters Population = Population*).

- ☑ *Population (2023)*. The projected population by service area for the year 2023, which represents a ten (10) year growth projection. This information was derived by staff using proper projection techniques.

- ☑ *Employment (2013).* Employment data was aggregated to three (3) employment sectors, which include *Basic*, *Retail* and *Service* as provided by the North Central Texas Council of Governments (NCTCOG). These service sectors serve as the basis for non-residential trip generation. The following is a summary of these employment sectors followed by corresponding North American Industry Classification System (NAICS) code:

  - ➢ *Basic.* Land use activities that produce goods and services such as those that are exported outside the local economy. These include manufacturing, construc-tion, transportation, wholesale trade, warehousing and other industrial uses (NAICS Code: *#210000 - #422999*).

- *Retail.* Land use activities which provide for the retail sale of goods that primarily serve households and whose location choice is oriented toward the household sector. These include uses such as grocery stores, restaurants, etc. (NAICS Code: *#440000 - #454390*).

- *Service.* Land use activities which provide personal and professional services. These include such uses as financial, insurance, government, and other professional and administrative offices (NAICS Code *#520000 - #928199*).

☑ *Employment (2023).* The projected employment data was aggregated to three (3) employment sectors, which include *Basic*, *Retail* and *Service* as provided by the North Central Texas Council of Governments (NCTCOG). These service sectors were then projected by service area to the year 2023, which represents a ten (10) year growth projection. This information was derived by staff using proper projection techniques.

BASE YEAR DATA

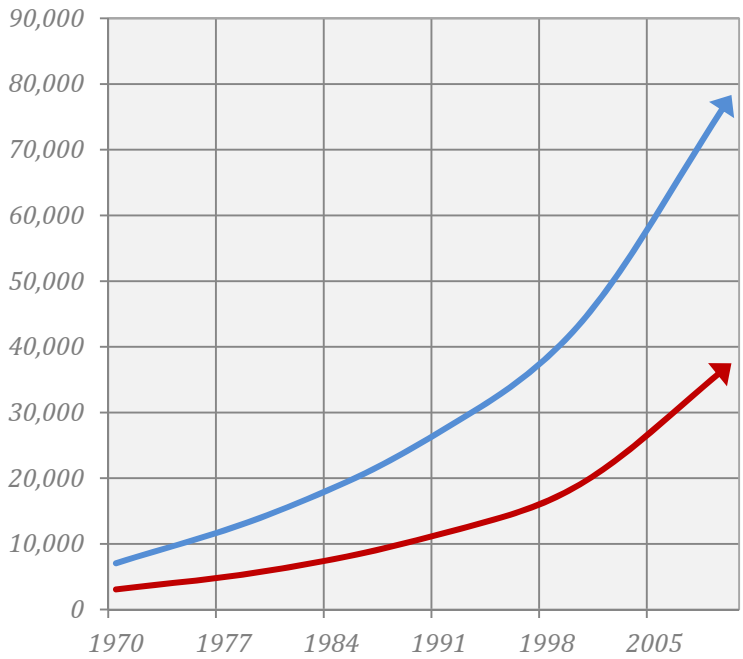
This section documents the methods used to derive the base year data for the City of Rockwall as of January 1, 2013. This *benchmark* information provides a starting point in which to extrapolate the ten (10) year growth assumptions that are presented in the following section (see *Ten-Year Growth Assumptions*).

POPULATION GROWTH

One method of predicting future growth is to examine past growth trends. The City of Rockwall and Rockwall County have experienced robust growth over the past decade (see *Figure 5*). Past growth trends from the United States Census Bureau and the North Central Texas Council of Governments (NCTCOG) were examined in conjunction with building permit data provided from the City of Rockwall Building Inspections Department (this information is summarized in *Figure 6*). The following formula lays out the methodology used to calculate the 2013 population estimate:

POP = (NH x OR) x AHS + GQP
[POP = (14,831 x 0.947) x 2.81 + 325, or POP = 39,817]

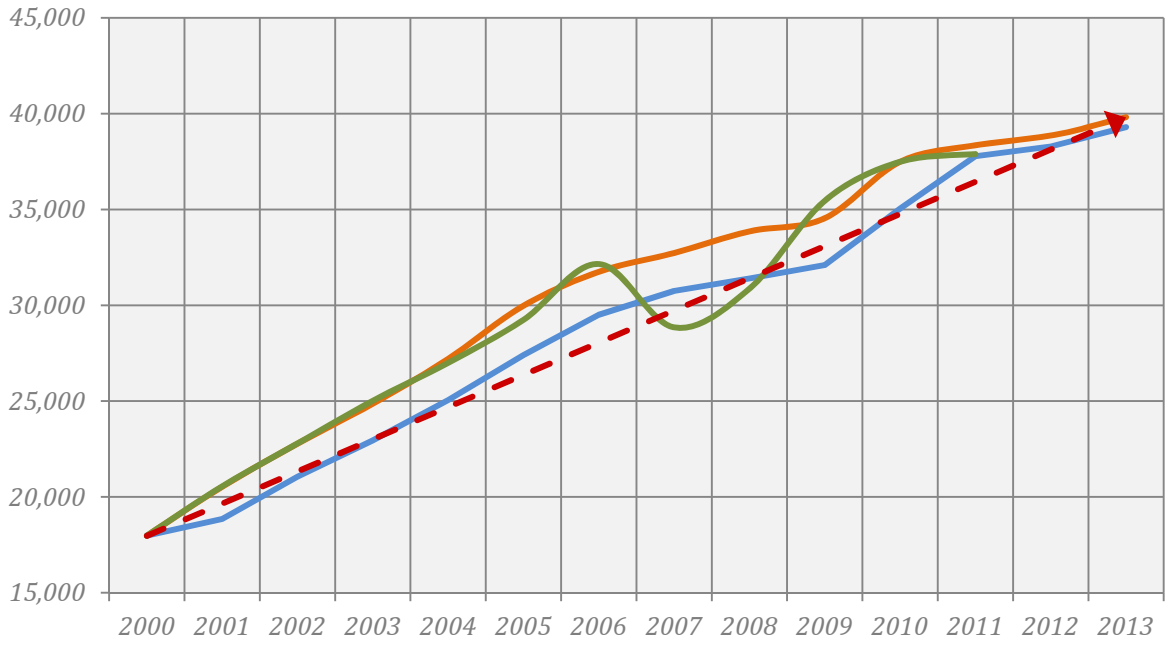
FIGURE 5: CITY OF ROCKWALL VS. COUNTY OF ROCKWALL [POPULATION]
MAP KEY: BLUE = ROCKWALL COUNTY; RED = CITY OF ROCKWALL



WHERE,
POP = 2013 Population
NH = Number of Households [14,831 per City of Rockwall]
OR = Occupancy Rate [94.7 % per US Census Bureau]
AHS = Average Household Size [2.81185 per US Census Bureau]
GQP = Group Quarter Population [325 per City of Rockwall]

This population (i.e. *39,817*) will serve as the base population for this report.

FIGURE 6: POPULATION BY AGENCY 2000 - 2013
MAP KEY: ORANGE = CITY OF ROCKWALL; BLUE = NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG); GREEN = US CENSUS BUREAU; RED = TREND LINE



POPULATION GROWTH RATE

A *Compound Annual Growth Rate (CAGR)* allows for a general assessment of growth when considering periodic increases and decreases in residential population growths that coincide with changing economic conditions. Various sources were used in establishing the past growth rates. These sources indicate rates of growth change between *3.25%* and *4.75%* (see *Table 1*). Based upon this data, an analysis of the ten (10) year forecast, and City staff's judgment, a four (4) percent CAGR was determined to be a sufficient assumption for the ten (10) year projection period. The calculated population numbers for all service areas for the years 2013 & 2023 are depicted in *Appendix 'A' & 'B'* of this document.

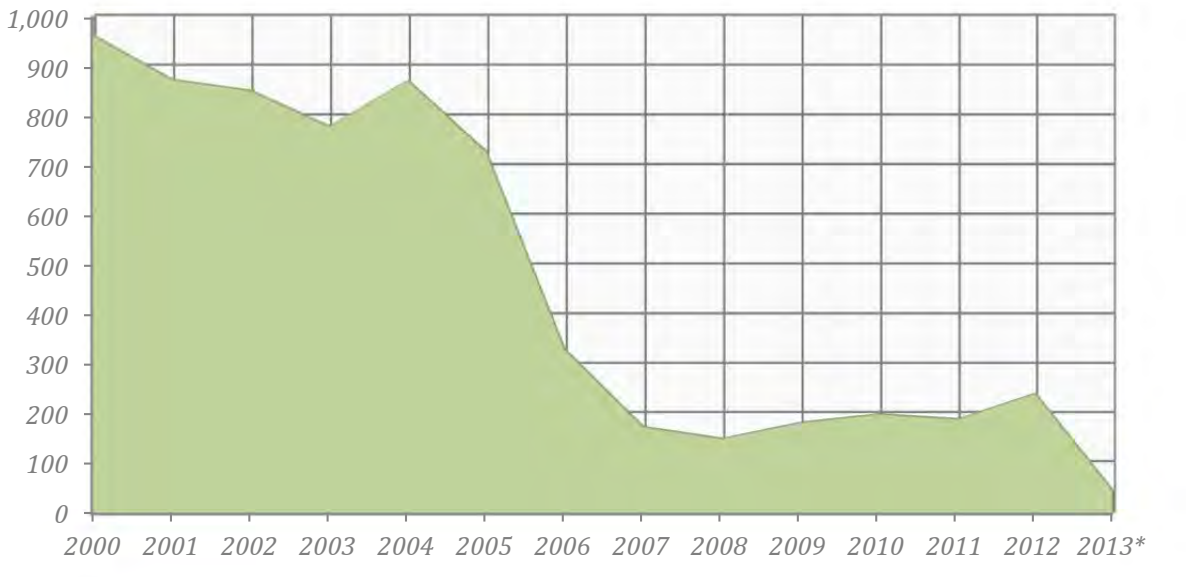
ADDITIONAL GROWTH INDICATORS

The annual population growth rate has slowed in the city from *10.8%* (2000-2005) to *4.6%* (2005-2010), and finally decreasing to *2.0%* in 2010 (see *Table 1*). The increase/decrease of residential building permits coincides with the fluctuations in growth rates (see *Figure 7*). Recent permit data shows an increase in single-family activity. In fact, in 2013 single family permits (issued from January 1, 2013 to February 28, 2013) were up 70% from the same period in 2012. This recent increase in single family building permits combined with the Texas Water Board's ten (10) year and twenty (20) year County population projections, coupled with an overall sense of market recovery has led the City's staff to comfortably assume that the overall growth for the next ten (10) year period will average four (4) percent. However, it is likely that annual growth will gradually increase from its current two (2) percent rate to a five (5) percent rate near the end of the forecasted period.

TABLE 1: CITY OF ROCKWALL GROWTH RATES

Data Source	Growth Rate (%)
2010 – 2012 US Census [1]	1.81
2007 – 2012 US Census [1]	3.49
2002 – 2012 US Census [1]	5.49
2010 – 2012 Single Family Permits [2]	11.2
2007 – 2012 Single Family Permits [2]	8.0
2002 – 2012 Single Family Permits [2]	-7.5
Texas Water Board 10-Year Growth [3]	4.75
Texas Water Board 20-Year Growth [3]	3.25
FUTURE GROWTH PROJECTION	4.0

FIGURE 7: HISTORIC SINGLE-FAMILY BUILDING PERMITS DATA
** 2013: January 1, 2013 – March 21, 2013*



EXISTING LAND USE

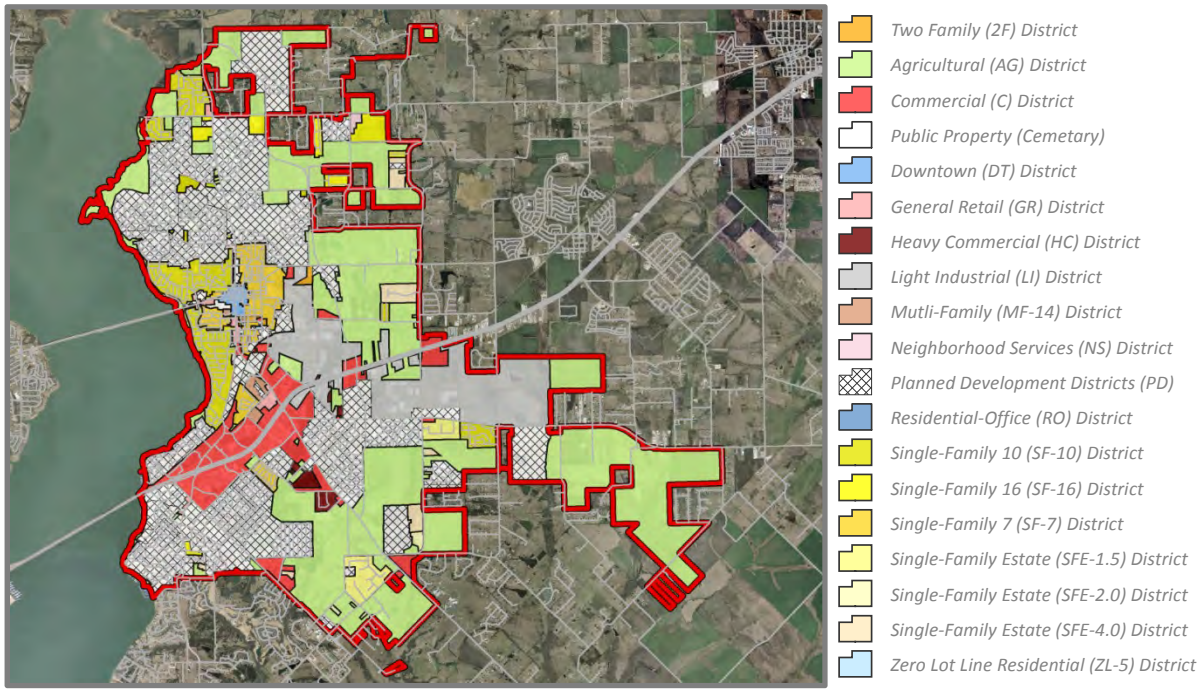
TABLE 2: EXISTING LAND USE ACREAGE

Land Use Category	Acres	% of Total Land	Acres per 100 People
Single Family	6,167	32.4	15.5
Multi-Family	280	1.5	0.7
Manufactured Home	218	1.1	0.5
Parks and Open Space	780	4.1	2.0
Public & Semi-Public	167	0.9	0.4
Office & Retail	617	3.2	1.6
Commercial	1,852	,9.7	4.6
Industrial	1,847	9.7	4.6
Agricultural	7,117	37.4	17.9
TOTAL:	19,045	100%	

NOTES: Based on 2013 estimated population of 39,817.

In any evaluation and projection of future land use patterns, a documentation of existing conditions is necessary. An analysis of existing land use patterns was prepared based on a zoning classification inventory of the City (see *Table 2*). This also serves to document the present physical condition of the City with regard to any infrastructure deficiencies that may exist. The City's Comprehensive Plan will serve as an additional basis for future growth projections. Nearly twenty-five (25%) percent of the City's land area is devoted to Planned Development Districts, which are difficult to define in terms of land use since most of them contain allowances for a mixture of land uses. In addition to current zoning classifications *Table 2* also contains estimates of the land use categories permitted within the City's Planned Development Districts.

FIGURE 8: EXISTING LAND USE MAP (ZONING MAP)



EXISTING EMPLOYMENT

The base employment data (*i.e. 2013*) was calculated by Traffic Survey Zone (TSZ) from employment estimates provided by the North Central Texas Council of Governments (NCTCOG). As TSZ's do not conform to the corporate boundaries of a city, staff made allocations based on the locations of existing land uses and the percentage of the TSZ located within the City Limits/Extraterritorial Jurisdiction (ETJ). Additionally, staff reviewed the 2010 and 2015 NCTCOG employment estimates and applied manual adjustments based on local knowledge of the city and proposed/current development. From this employment data staff determined the Compound Annual Growth Rate (CAGR) and applied it using the linear extrapolation method to the 2010 employment data. This resulted in the 2013 employment data depicted in *Appendix 'C' & 'D'* of this report.

TEN-YEAR GROWTH ASSUMPTIONS

In this study growth is characterized by two (2) forms: 1) Population (*i.e. residential land use*), and 2) Employment (*i.e. non-residential land use*). To calculate a reasonable growth rate for population and employment it was necessary for staff to make a series of assumptions on which to base the ten (10) year growth projections. These assumptions are summarized as follows:

- ☑ Future growth identified within this study will conform to the Future Land Use Plan depicted in the Comprehensive Plan.
- ☑ The City will be able to finance the necessary improvements to accommodate future growth.
- ☑ School facilities will sufficiently accommodate any identified increases in the population.
- ☑ Densities will conform to the land classifications identified within the Comprehensive Plan and as depicted on the Future Land Use Plan.

TABLE 3: SUMMARY OF TEN-YEAR GROWTH
(ALL ROADWAY SERVICE AREAS)

	2013	2023	Increase
Households	14,170	20,989	32.49%
Population	39,817	58,940	32.44%
Total Employment	16,023	23,182	30.88%
Basic	1,521	2,519	39.60%
Service	5,902	8,179	27.84%
Retail	8,600	12,484	31.11%

TABLE 4: SUMMARY OF TEN-YEAR GROWTH
(WATER/WASTE WATER SERVICE AREA)

	2013	2023	Increase
Households	15,682	23,171	32.32%
Population	44,066	65,073	32.28%
Total Employment	18,014	25,559	29.52%
Basic	3,148	4,342	27.51%
Service	5,902	8,179	27.84%
Retail	8,964	13,038	31.25%

The ten (10) year projections are based on the growth rate which was previously discussed and staff's consideration of past development trends. Tables 3 & 4 detail the ten (10) year projections for households, population and employment for the service areas associated with roadway and water/wastewater impact fees.

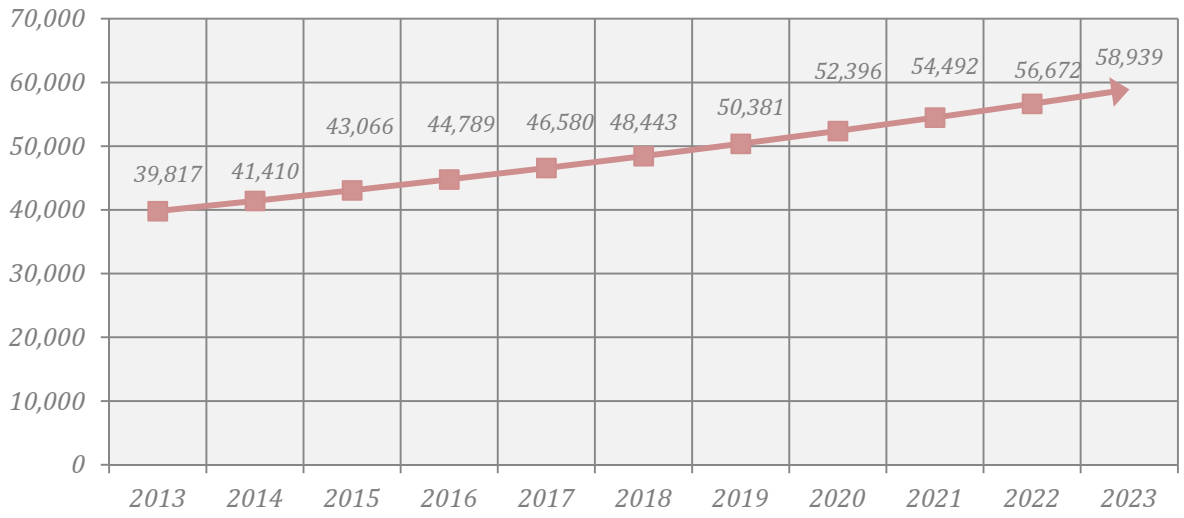
POPULATION 2023

The City of Rockwall has experienced significant growth since 2000 when the estimated population was 18,000 residents. Today the population is over double the 2000 population at an estimated 39,817. This growth trend is not just evident in the City of Rockwall as the greater Dallas-Fort Worth metropolitan area has become one of the fastest growing regions in the United States both in terms of population and employment. Although local growth has slowed since 2006 all data appears to indicate that this is only a temporary condition as the area's economy continues to recover from the national housing slump that began in 2008. Using the Compound Annual Growth Rate (CAGR) method staff projects that the population for the City will be 58,939 residents by 2023 (see *Figure 9*).

TABLE 5: PROJECTED HOUSEHOLD ESTIMATIONS

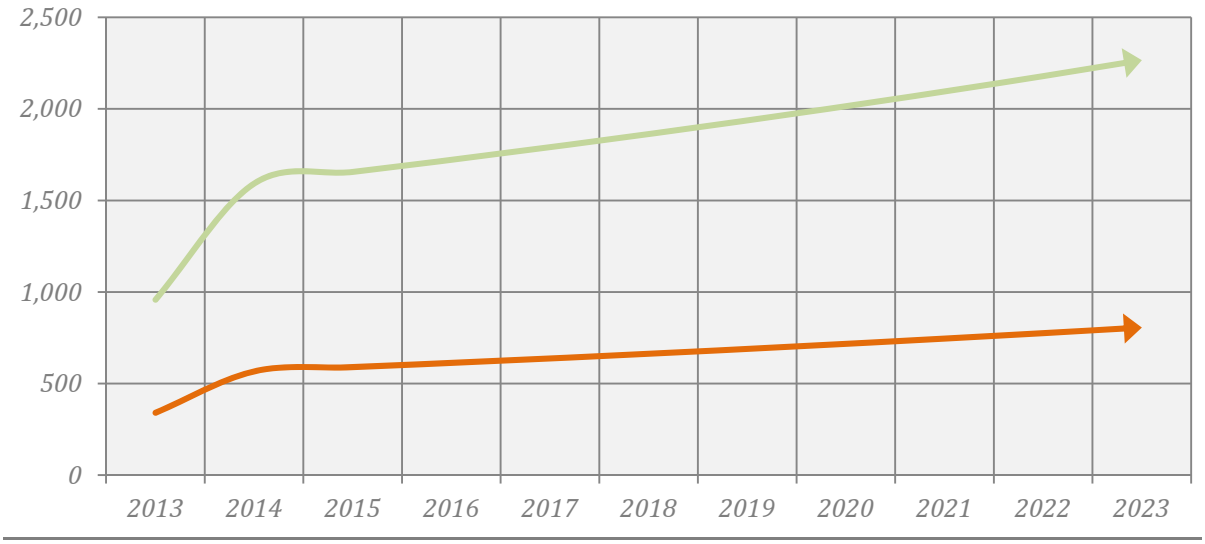
Year	Population	New Residents	New Building Permits
2013	39,817	958	360
2014	41,410	1,593	567
2015	43,066	1,656	590
2016	44,789	1,723	613
2017	46,580	1,791	637
2018	48,443	1,863	663
2019	50,381	1,938	690
2020	52,396	2,015	717
2021	54,492	2,096	746
2022	56,672	2,180	776
2023	58,939	2,267	807
Average Number of Annual Permits:			651

FIGURE 9: TEN-YEAR POPULATION GROWTH @ A 4% COMPOUND ANNUAL GROWTH RATE



In determining this population projection staff utilized residential building permit counts coupled with an assumption that the average people per household was 2.81 (*2010 US Census*). This figure was used to account for a mixture of multi-family and single family households. Additionally, between 2000 and 2012 the City issued an average of 623 building permits per year; with the highest number of permits topping out at 1,033 in 2005, and the lowest number of building permits issued in 2008 at 150 (see *Table 5*). From this information staff estimated that the City will issue an average of 651 residential building permits per year over the next ten (10) year period (see *Table 5* and *Figure 10*). This estimate takes into consideration the type of development likely (i.e. single family or multifamily) to occur in a given area.

FIGURE 10: PROJECTED HOUSEHOLD AND BUILDING PERMIT ESTIMATIONS
MAP KEY: ORANGE = NEW BUILDING PERMITS; GREEN = NEW RESIDENTS



EMPLOYMENT 2023

Employment data for the year 2023 was based upon data provided by the North Central Texas Council of Governments (NCTCOG). NCTCOG has provided employment data by Traffic Survey Zone (TSZ) for 2015 and 2035. After staff's adjustments for TSZ coverage area and anticipated future development were accounted for, a Compound Annual Growth Rate (CAGR) was derived between the 2015 and 2035 staff-adjusted NCTCOG employment numbers. Linear extrapolation of the CAGR produced the 2023 employment estimates by TSZ as listed in the appendices of this document (see *Appendix 'C' & 'D'*).

Staff's assumptions of future growth are confirmed by 2030 data derived from the *North Texas 2050* study published by Vision North Texas. The majority of the city is forecasted to have an employment density of greater than *1.7* units per acre, and upwards of *3.5*+ units per acre in areas adjacent Interstate Highway 30 (IH-30) and within Rockwall's Industrial Park (located adjacent to State Highway 276 [SH-276]).

Continued on Next Page …

BUILD OUT PROJECTIONS

TABLE 6: TOTAL ACREAGE

City Limits	19,046.00
Built Acres	8,322.31
Vacant Acres	8,610.53
Right-of-Way	2,113.37
Extraterritorial Jurisdiction (ETJ)	10,521.60
TOTAL ACRES:	29,567.60

TABLE 7: PROJECTED POPULATION
(AT 4% COMPOUND ANNUAL GROWTH)

Year	Population
2023	58,939
2024	61,296
2025	63,748
2026	66,298
2027	68,950
2028	71,708
2029	74,576
2030	77,560
2031	80,662
2032	83,888
2033	87,244
2034	90,734
2035	94,363
2036	98,138
2037	102,063
2038	106,146
2039	110,391
2040	114,807
2041	119,399
2042	124,175
2043	129,142
2044	134,308
2045	139,680
2046	145,268

Build Out 139,919

A *Build Out Projection* for a city (also referred to as the city's *Carrying Capacity*) is an estimate of the location and density of all potential development, employment and population that a city can support within its future corporate boundaries.

ESTABLISHING THE CITY'S POPULATION AT BUILD OUT

In establishing the city's population at build out staff made the following assumptions:

- ☑ All vacant land w/in the City's corporate boundaries will develop with the maximum density permitted for the current zoning per the Unified Development Code.
- ☑ All Agricultural (Ag) District property is assumed to be vacant and will develop at 2.0 units per acre.
- ☑ All property within the Extraterritorial Jurisdiction (ETJ) is assumed to be vacant and will be developed in conformance with the Future Land Use Map at the maximum density permitted by the Comprehensive Plan.
- ☑ The city's ETJ is fixed and will not increase in the future.

Taking these assumptions into consideration, staff utilized Geographical Information Systems (GIS) software to calculate all the undeveloped land within the city's corporate boundaries, including the ETJ (see *Table 6*). Once calculated the acreages were broken down by land use and multiplied by the maximum density permitted for each of the land uses as established within the Unified Development Code and the Comprehensive Plan. These totals were then multiplied by the average people per household [*i.e. 2.81*] (*2010 US Census*) to establish the population at build out (i.e. 139,919). From this point staff projected the population forward using the previously established four (4%) percent Compound Annual Growth Rate (CAGR) [see the *Ten-Year Growth Assumptions* section] until the build out population was reached (see *Table 7*). This established a build out year of 2046. The

following formula lays out the methodology used to calculate the numbers:

BO = POP + VPOP + EPOP
[BO = 39,817 + 48,663 + 51,439, or BO = 136,657]

VPOP = Σ [(LU_1 x D_1) … (LU_x x D_x)] x AHS or VPOP = 48,663
EPOP = (LDR x 2.0) + (MDR x 3.0) + (HDR x 5), (i.e. EPOP = 50,123 + 1,316 + 0) or
EPOP = 51,439

WHERE,
BO = Build Out Population
POP = 2013 Population (i.e. Current Population)
VPOP = Population of Vacant Land w/in the City Limits
EPOP = Population of Vacant Land w/in ETJ
LU = Vacant Available Land (inside the City Limits) for a Given Land Use
D = Maximum Density Permitted for a Given Land Use [Unified Development Code]
AHS = Average Household Size [2.81185 per US Census Bureau]
LDR = Low Density Residential Acreage Available in the ETJ
MDR = Medium Density Residential Acreage Available in the ETJ
HDR = High Density Residential Acreage Available in the ETJ

SUMMARY

The following is a summary of staff's findings when preparing the Land Use Assumption Report in preparation for updating the Roadway, Water and Wastewater Impact Fees for 2013:

- ☑ The average annual growth rate as calculated by staff is four (4) percent. This growth rate was established based on data from the US Census, Texas Water Commission, North Texas Council of Governments (NCTCOG), the City and County of Rockwall. Using this growth rate staff projected the following population numbers:
  - ➢ The population of the City of Rockwall as of 2013 is 39,817. This is expected to increase by ~32% in the next ten (10) years to an estimated 58,940 by 2023.
  - ➢ The population for the City of Rockwall and its Extraterritorial Jurisdiction (ETJ) as of 2013 is 44,066. This is expected to increase by ~32% in the next ten (10) years to an estimated 65,073 by 2023.
- ☑ The estimated employment for the City of Rockwall as of 2013 is 16,023 jobs, with another 1,991 jobs existing within its ETJ. Staff estimates this number to climb to 23,182 jobs within the city limits, and another 2,377 jobs within the ETJ by 2023.
- ☑ Staff has established that there are currently 8,610.53 undeveloped acres of land within the city limits. This represents ~45% of the current land in the City (see *Table 8*). Additionally, the City of Rockwall has access to another 10,521.60 acres of land within its current ETJ (see *Table 9*). At the bottom of this page is a summary of all vacant land by current land use existing within the city's corporate boundaries and its ETJ (*see Tables 8 & 9*).
- ☑ According to staff estimates the City of Rockwall is expected to be built out in the year 2046, with a total population of 139,919.

TABLE 8: VACANT LAND WITHIN THE CITY LIMITS

15.60	= Two Family (2F) District
4,885.31	= Agricultural (AG) District
371.36	= Commercial (C) District
-	= Cemetery
5.62	= Downtown (DT) District
14.11	= General Retail (GR) District
40.01	= Heavy Commercial (HC) District
1,211.71	= Light Industrial (LI) District
0.58	= Multi-Family (MF) District
21.25	= Neighborhood Services (NS) District
1,789.38	= Planned Development Districts (PD)
87.39	= Single Family 10 (SF-10) District
114.60	= Single Family 16 (SF-16) District
40.22	= Single Family 7 (SF-7) District
-	= Single Family Estate 1.5 (SFE-1.5) District
-	= Single Family Estate 2 (SFE-2) District
11.78	= Single Family Estate 4 (SFE-4) District
1.61	= Zero Lot Line 5 (ZL-5) District

TABLE 9: ETJ ACREAGES (FUTURE LAND USE MAP)

ACRES	LAND USE
8,918.65	= Low Density Residential
156.13	= Medium Density Residential
0.00	= High Density Residential
-	= Mixed Use
-	= Downtown District
0.11	= Special Commercial Corridor District
-	= Special District
410.71	= Commercial
-	= Commercial/Industrial
0.10	= Technology/Light Industrial
809.73	= Employment Center
55.62	= Parks and Open Space
0.03	= Cemetery
0.87	= Public Uses
	= Quasi-Public Uses

NOTE: ALL INFORMATION PROVIDED FROM THE GEOGRAPHICAL INFORMATION SYSTEMS (GIS) DEPARTMENT AND IS VALID AS OF DECEMBER 31, 2013.

APPENDIX A

HOUSING, POPULATION & EMPLOYMENT DATA BY ROADWAY FEE SERVICE AREA

KEY: HU = Housing Units; POP = Population; EMP = Employment; RED = Traffic Survey Zone (TSZ) is Split by Roadway Service Area.

SA1	2013 Projections			2023 Projections			Build Out (2046)		
Traffic Survey Zone (2005)	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
5002	214	651	96	364	1,105	159	457	1,332	363
5003	43	108	0	757	1,893	210	421	1,181	156
5008	1,128	3,316	91	1,144	3,363	145	1,212	3,552	313
5009	1,105	3,614	154	1,286	4,206	207	1,348	4,296	469
5010	246	685	238	1,162	3,236	460	1,083	3,062	575
5011	743	2,224	89	1,264	3,783	166	1,311	3,789	245
5018	918	2,367	374	1,384	3,569	412	1,345	3,570	875
5020	602	1,454	342	621	1,499	390	618	1,498	854
5021	120	342	127	125	356	140	172	488	299
5022	141	328	206	144	335	220	158	376	486
5023	172	647	507	172	647	528	235	825	1,182
5024	382	1,005	49	393	1,034	57	439	1,164	118
5025	153	432	301	225	634	304	631	1,776	532
5027	140	326	919	140	326	1,652	394	1,059	2,444
5036	677	1,468	666	712	1,544	1,000	687	1,496	2,137
5037	935	1,732	2,161	1,022	1,996	2,449	1,174	2,403	5,375
SUBTOTAL:	*7,720*	*20,697*	*6,321*	*10,915*	*29,525*	*8,500*	*11,685*	*31,867*	*16,423*

SA2	2013 Projections			2023 Projections			Build Out (2046)		
Traffic Survey Zone (2005)	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
5003	0	0	0	182	497	210	1,003	2,814	372
5004	2	4	0	20	40	6	1,775	4,985	14
5010	87	287	2	87	287	5	592	1,674	314
5011	50	149	0	48	142	0	188	545	35
5012	58	174	0	145	438	250	966	2,725	541
5013	64	130	0	176	357	87	1,145	3,167	177
5014	1	2	0	1	2	0	1	2	0
5025	120	338	3	85	238	71	363	1,022	306
5026	57	172	12	96	292	22	260	743	50
5027	0	0	13	0	0	13	167	448	1,035
SUBTOTAL:	*439*	*1,256*	*29*	*839*	*2,293*	*663*	*6,461*	*18,126*	*2,844*

SA3	2013 Projections			2023 Projections			Build Out (2046)		
Traffic Survey Zone (2005)	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
5028	63	157	1,605	672	1,664	2,209	216	598	2,858
5038	683	1,325	1,130	962	1,984	1,582	1,886	4,706	3,360
5039	1,117	3,257	3,608	1,188	3,465	4,399	1,256	3,647	9,554
5040	1,059	3,747	128	1,059	3,747	261	867	2,739	419

5043	843	1,829	25	901	1,954	25	888	1,955	57
5044	1,014	3,892	720	1,202	4,509	1,247	2,780	8,853	2,783
5045	326	886	1,526	331	900	2,249	347	946	5,076
5046	29	84	0	94	272	0	989	2,781	0
SUBTOTAL:	*5,133*	*15,177*	*8,743*	*6,409*	*18,496*	*11,972*	*9,227*	*26,225*	*24,108*

SA4	*2013 Projections*			*2023 Projections*			*Build Out (2046)*		
Traffic Survey Zone (2005)	*HU*	*POP*	*EMP*	*HU*	*POP*	*EMP*	*HU*	*POP*	*EMP*
5028	0	0	649	0	0	893	270	748	3,574
5029	5	16	38	5	16	537	993	2,793	1,200
5040	386	1,173	127	1,796	5,458	260	1,587	5,014	768
5047	487	1,498	116	1,025	3,153	357	5,372	15,223	756
SUBTOTAL:	*878*	*2,687*	*931*	*2,826*	*8,627*	*2,047*	*8,221*	*23,780*	*6,298*
TOTAL:	*14,170*	*39,817*	*16,023*	*20,989*	*58,941*	*23,182*	*35,594*	*99,998*	*49,673*

APPENDIX B

HOUSING, POPULATION & EMPLOYMENT DATA BY WATER/WASTEWATER IMPACT FEE SERVICE AREA

KEY: HU = Housing Units; POP = Population; EMP = Employment; RED = Traffic Survey Zone (TSZ) is Split by City Limits or ETJ Boundaries.

SA	Projections (2013)			Projections (2023)			Build Out (2046)		
Traffic Survey Zone (2005)	HU	POP	EMP	HU	POP	EMP	HU	POP	EMP
3477	33	93	-	49	137	-	265	744	-
3479	114	320	365	169	474	554	4,710	13,230	1,264
3480	96	270	-	142	399	-	1,954	5,491	-
5002	214	651	96	364	1,105	159	457	1,332	363
5003	133	360	-	1,072	2,764	420	2,450	6,872	909
5004	96	268	-	159	431	6	1,775	4,985	14
5008	1,128	3,316	91	1,144	3,363	145	1,212	3,552	313
5009	1,105	3,614	154	1,286	4,206	207	1,348	4,296	469
5010	405	1,174	240	1,356	3,822	465	1,996	5,646	1,060
5011	843	2,514	89	1,386	4,132	166	1,809	5,228	339
5012	97	284	-	203	601	250	966	2,725	541
5013	109	257	-	243	545	87	1,145	3,167	177
5014	1	2	-	1	2	-	1	2	-
5018	918	2,367	374	1,384	3,569	412	1,345	3,570	875
5020	602	1,454	342	621	1,499	390	618	1,498	854
5021	120	342	127	125	356	140	172	488	299
5022	141	328	206	144	335	220	158	376	486
5023	172	647	507	172	647	528	235	825	1,182
5024	382	1,005	49	393	1,034	57	439	1,164	118
5025	273	770	304	309	873	374	995	2,798	838
5026	57	172	12	96	292	22	260	743	50
5027	140	326	931	140	326	1,666	561	1,509	3,485
5028	63	157	2,254	672	1,664	3,101	490	1,358	6,485
5029	181	511	38	299	841	537	993	2,793	1,200
5030	135	379	1,286	200	562	1,442	973	2,734	2,927
5031	126	354	243	187	524	272	2,219	6,234	552
5036	677	1,468	666	712	1,544	1,000	687	1,496	2,137
5037	935	1,732	2,161	1,022	1,996	2,449	1,174	2,403	5,375
5038	683	1,325	1,130	962	1,984	1,582	1,886	4,706	3,360
5039	1,117	3,257	3,608	1,188	3,465	4,399	1,256	3,647	9,554
5040	1,445	4,920	256	2,855	9,205	521	2,453	7,754	1,187
5043	843	1,829	25	901	1,954	25	888	1,955	57
5044	1,014	3,892	720	1,202	4,509	1,247	2,780	8,853	2,783
5045	326	886	1,526	331	900	2,249	347	946	5,076
5046	32	92	-	101	291	-	989	2,781	-
5047	745	2,223	116	1,316	3,970	357	5,372	15,223	756
5048	181	509	97	268	753	109	2,418	6,794	221
TOTAL:	*15,682*	*44,066*	*18,014*	*23,171*	*65,073*	*25,559*	*49,794*	*139,920*	*55,305*

APPENDIX C

EMPLOYMENT BREAKDOWN DATA
BY ROADWAY IMPACT FEE SERVICE AREAS

KEY: RED = Traffic Survey Zone (TSZ) is Split by Roadway Service Area.

SA1	Employment (2013)				Employment (2023)			
Traffic Survey Zone (2005)	Basic	Retail	Service	Total	Basic	Retail	Service	Total
5002	0	0	96	*96*	0	0	159	*159*
5003	0	0	0	*0*	0	105	105	*210*
5008	0	50	41	*91*	0	80	65	*145*
5009	0	11	143	*154*	0	14	193	*207*
5010	0	0	238	*238*	0	0	460	*460*
5011	26	63	0	*89*	48	118	0	*166*
5018	213	22	138	*374*	235	25	152	*412*
5020	45	82	216	*342*	51	93	245	*390*
5021	39	41	47	*127*	44	45	52	*140*
5022	10	56	140	*206*	11	60	150	*220*
5023	61	25	421	*507*	63	26	438	*528*
5024	0	49	0	*49*	0	57	0	*57*
5025	54	6	241	*301*	55	6	243	*304*
5027	643	55	220	*919*	1,157	99	397	*1,652*
5036	7	406	253	*666*	10	610	380	*1,000*
5037	0	800	1,361	*2,161*	0	906	1,543	*2,449*
SUBTOTAL:	*1,098*	*1,666*	*3,557*	*6,321*	*1,673*	*2,245*	*4,582*	*8,500*

SA2	Employment (2013)				Employment (2023)			
Traffic Survey Zone (2005)	Basic	Retail	Service	Total	Basic	Retail	Service	Total
5003	0	0	0	*0*	0	105	105	*210*
5004	0	0	0	*0*	0	0	6	*6*
5010	0	0	2	*2*	0	0	5	*5*
5011	0	0	0	*0*	0	0	0	*0*
5012	0	0	0	*0*	0	125	125	*250*
5013	0	0	0	*0*	87	0	0	*87*
5014	0	0	0	*0*	0	0	0	*0*
5025	0	0	3	*3*	0	0	71	*71*
5026	0	0	12	*12*	0	0	22	*22*
5027	0	0	13	*13*	0	0	13	*13*
SUBTOTAL:	*0*	*0*	*29*	*29*	*87*	*230*	*346*	*663*

SA3	Employment (2013)				Employment (2023)			
Traffic Survey Zone (2005)	Basic	Retail	Service	Total	Basic	Retail	Service	Total
5028	193	1,108	305	*1,605*	265	1,524	420	*2,209*

5038	0	768	362	*1,130*	0	1,076	506	*1,582*
5039	0	1,696	1,912	*3,608*	0	2,068	2,332	*4,399*
5040	0	0	128	*128*	0	0	261	*261*
5043	0	0	25	*25*	0	0	25	*25*
5044	137	0	583	*720*	237	0	1,010	*1,247*
5045	0	153	1,373	*1,526*	0	225	2,024	*2,249*
5046	0	0	0	*0*	0	0	0	*0*
SUBTOTAL:	*329*	*3,724*	*4,689*	*8,743*	*502*	*4,892*	*6,577*	*11,972*

SA4	***Employment (2013)***				***Employment (2023)***			
Traffic Survey Zone (2005)	*Basic*	*Retail*	*Service*	*Total*	*Basic*	*Retail*	*Service*	*Total*
5028	78	448	123	*649*	107	616	170	*893*
5029	0	0	38	*38*	100	0	437	*537*
5040	0	0	127	*127*	0	0	260	*260*
5047	16	64	36	*116*	50	196	111	*357*
SUBTOTAL:	*94*	*512*	*325*	*931*	*257*	*812*	*978*	*2,047*
TOTAL:	*1,521*	*5,902*	*8,600*	*16,023*	*2,519*	*8,179*	*12,484*	*23,182*

APPENDIX D

EMPLOYMENT BREAKDOWN DATA
BY ROADWAY IMPACT FEE SERVICE AREAS

KEY: RED = Traffic Survey Zone (TSZ) is Split by City Limits or ETJ Boundaries.

SA	Employment (2013)				Employment (2023)			
Traffic Survey Zone (2005)	Basic	Retail	Service	Total	Basic	Retail	Service	Total
3477	-	-	-	-	-	-	-	-
3479	-	-	365	365	-	-	554	554
3480	-	-	-	-	-	-	-	-
5002	-	-	96	96	-	-	159	159
5003	-	-	-	-	-	210	210	420
5004	-	-	-	-	-	-	6	6
5008	-	50	41	91	-	80	65	145
5009	-	11	143	154	-	14	193	207
5010	-	-	240	240	-	-	465	465
5011	26	63	-	89	48	118	-	166
5012	-	-	-	-	-	125	125	250
5013	-	-	-	-	87	-	-	87
5014	-	-	-	-	-	-	-	-
5018	213	22	138	374	235	25	152	412
5020	45	82	216	342	51	93	245	390
5021	39	41	47	127	44	45	52	140
5022	10	56	140	206	11	60	150	220
5023	61	25	421	507	63	26	438	528
5024	-	49	-	49	-	57	-	57
5025	54	6	244	304	55	6	313	374
5026	-	-	12	12	-	-	22	22
5027	643	55	233	931	1,157	99	410	1,666
5028	271	1,555	428	2,254	372	2,140	589	3,101
5029	-	-	38	38	100	-	437	537
5030	1,286	-	-	1,286	1,442	-	-	1,442
5031	243	-	-	243	272	-	-	272
5036	7	406	253	666	10	610	380	1,000
5037	-	800	1,361	2,161	-	906	1,543	2,449
5038	-	768	362	1,130	-	1,076	506	1,582
5039	-	1,696	1,912	3,608	-	2,068	2,332	4,399
5040	-	-	256	256	-	-	521	521
5043	-	-	25	25	-	-	25	25
5044	137	-	583	720	237	-	1,010	1,247
5045	-	153	1,373	1,526	-	225	2,024	2,249
5046	-	-	-	-	-	-	-	-
5047	16	64	36	116	50	196	111	357
5048	97	-	-	97	109	-	-	109
TOTAL:	*3,148*	*5,902*	*8,964*	*18,014*	*4,342*	*8,179*	*13,038*	*25,559*

Secs. 38-361. Schedules for Impact Fees

(a) Roadway Impact Fees.

(1) *Schedule 1: Roadway Impact Fee Assessment*. The following schedule is for roadway impact fee assessment.

Service Area	*Cost Per Service Unit*
1	$1,278.00
2	$5,058.00
3	$240.00
4	$738.00

(2) *Schedule 2: Roadway Impact Fee Collection.* The following schedule is for roadway impact fee collection.

Service Area	*Cost Per Service Unit*
1	$256.00
2	$2.56.00
3	$120.00
4	$256.00

(Ord. No. 08-21, exh. 1, 4-21-2008; Ord. No. 08-26, § 1(exh. 1), 6-2-2008; Ord. No. 13-42, § 1, 11-4-2013)

(b) Water/Wastewater Impact Fees.

(1) *Schedule 1: Maximum Water/Wastewater Impact Fees*. The following schedule is the maximum impact fees per single family/living unit equivalent for water and wastewater facilities. *The below impact fees per service unit depicted in each column also apply to new developments that were unplatted and which did not require platting at the time of development within the period listed.*

	Land Platted or Replatted Between 07/16/1990 & 06/02/2008	*Land Platted or Replatted Between 06/02/2008 & 10/20/2014*	*Land Platted or Replatted After 10/20/2014*
Water (per SFLUE)	$848.00	$4,229.03	$3,111.05
Wastewater (per SFLUE)	$3,340.00	$783.49	$2,472.58

Notes:
[1]: For non-residential uses, assessment was expressed as SFLUEs per acre: 2.11 SFLUE/acre for water impact fees and 2.17 SFLUE/acre for wastewater impact fees, within the period listed.

(2) *Schedule 2: Impact Fees to be Paid per Service Unit for Water and Wastewater Facilities*.

	Per Living Unit Equivalent (5/8" – 1" Water Meter)
Water Facilities	$1,555.53
Wastewater Facilities	$1,236.29

Secs. 38-363—38-398. Reserved.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: October 14, 2014

SUBJECT: Professional Engineering Services Contract – Traffic Related

Staff will receive requests periodically to install stop signs, school zones, traffic signals and other traffic related control devices throughout the city. Prior to the installation of stop signs and traffic signals, warrants studies must be completed. These studies must meet certain engineering criteria as established by the State and Federal guidelines.

Current staff levels do not allow these specific types of studies to be done by City Engineering Department employees. Over the past years, the City has utilized various consulting engineers to perform these studies on a case-by-case basis. Staff requested a professional engineering services contract from Kimley-Horn and Associates, Inc. to perform these various traffic related studies. Attached is a proposed contract addressing our request for these specific services.

Staff requests City Council consideration to approve the Professional Engineering Services Contract with Kimley-Horn and Associates, Inc. to perform various traffic related studies within the City in an amount not to exceed $10,000.00. Funding will be provided from the FY 2014-15 Public Works Department Operations Budget. If you have any questions, please advise.

TMT:em

Attachment

Cc:
Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
Billy Chaffin, Superintendent of Streets & Drainage
File

Exhibit "A" – Scope of Work

Professional Consulting Services

Task 1 Speed Study ***$750-$1,250 Lump Sum per 2-Lane Location***
$1,000-$1,500 Lump Sum per 4-Lane Location

For each location identified by the City of Rockwall, Consultant or a traffic count subcontractor will collect vehicle speed data and a 24-hour machine count of vehicular traffic volume. If speed observation is made with radar equipment, vehicle speeds will be recorded for at least 100 observations or 2 hours, whichever comes first. Vehicle speeds will be recorded for both directions of traffic, and observations will be made during free-flow conditions.

Consultant will review the speed data and prepare a brief technical memorandum documenting the results of the speed study. The memorandum will include finding the average and 85th-percentile speed of the roadway.

Task 2 Stop-Sign Warrant Study ***$2,000-$3,500 per Intersection***

Consultant or a traffic count subcontractor will collect vehicle volume data using a 24-hour machine count for all intersection approaches. Consultant will perform a site visit to observe sight distances, pedestrians, bicyclists, and intersection delay.

Consultant will review the volume data and intersection characteristics and prepare a brief technical memorandum documenting the results of the stop-sign warrant study. Additional exhibits may be included to document particular observations.

Task 3 Signal Warrant Study ***$2,500-$4,000 per Intersection***

Consultant or a traffic count subcontractor will collect vehicle volume data using a 24-hour machine count for all intersection approaches. Pedestrian counts may also be collected depending on site characteristics. Consultant will perform a site visit to observe sight distances, pedestrians, bicyclists, and intersection delay.

Consultant will review the volume data and intersection characteristics and prepare a brief technical memorandum documenting the results of the stop-sign warrant study. Additional exhibits may be included to document particular observations.

Additional Services

Consultant may perform additional services which shall be governed by the Master Agreement. For reference, additional services may include, but are not limited to:

- Transportation Impact Analysis Review
- Intersection or Roadway Crash Analysis
- Access Management Study
- Infrastructure Inventory
- Accessibility Study and/or ADA Compliance Study
- Texas Manual on Uniform Traffic Control Devices (TMUTCD) Compliance Study
- Intersection or Roadway Capacity Study
- Evaluating Citizen Requests
- Intelligent Transportation System Feasibility and Planning Studies

Exhibit "B" – Fees

Professional Consulting Services

Consultant will perform the services in Tasks 1, 2, and 3 for the total lump sum fee range shown below for each location. All permitting, application, and similar project fees will be paid directly by the City.

Task 1 Speed Study per Location (2-Lane Road)	$750-$1,250
Task 1 Speed Study per Location (4-Lane Road)	$1,000-$1,500
Task 2 Stop-Sign Warrant Study (1 Intersection)	$2,000-$3,000
Task 3 Signal Warrant Study (1 Intersection)	$2,500-$4,000

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Payment will be due within 25 days of your receipt of the invoice.

KHA, in an effort to expedite invoices and reduce paper waste, offers its clients the option to receive electronic invoices. These invoices come via email in an Adobe PDF format. We can also provide a paper copy via regular mail if requested. Please select a billing method from the choices below:

____ Please email all invoices to _____@_____._____.

____ Please email invoices to _____@_____._____ AND provide a hard copy to the address listed above (please note below if it should be to someone else's attention or an alternative address).

____ Please ONLY provide a hardcopy invoice to the address listed above (please note below if it should be to someone else's attention or an alternative address).

STATE OF TEXAS ♦
♦
COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Kimley-Horn & Associates, Inc. ("ENGINEER"), Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for Miscellaneous Consulting Services.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Exhibit "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Exhibit "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an annual amount not to exceed ten thousand dollars ($10,000.00) and billed as task basis per rates provided in Exhibit "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement. In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business that has an agreement or is in negotiations of an agreement with CITY. CITY may waive this conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at re-user's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent

will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000.00
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000.00 General aggregate limit

$1,000,000.00 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000.00 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insured on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis for a period of two years after termination of this contract, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR EMPLOYEES OR ANYONE FOR WHOM THE ENGINEER IS LEGALLY LIABLE FOR, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000.00). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY	**Engineer**
City Manager	Brad Tribble, P.E.
City of Rockwall	Kimley-Horn & Associates, Inc.
City Hall	12750 Merit Drive
385 S. Goliad	Suite 1000
Rockwall, TX 75087	Dallas, Texas 75251
972-771-7700	972-770-1300

All notices and communications under this Contract shall be mailed or delivered to CITY and Engineer at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and

assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of Engineer to be performed hereunder. Such changes, including any increase or decrease in the amount of Engineer's compensation, or time for performance, which are mutually agreed upon by and between CITY and Engineer, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment in writing executed by both CITY and Contractor.

13. Reports and Information

Engineer, at such times and in such forms as CITY may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish CITY periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Exhibits and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this _____day of _____ 2014.

By:_____
Name: Brad Tribble, P.E.
Title: Vice President

EXECUTED in triplicate originals on this _____ day of _____ 2014.

ATTEST:

City of Rockwall, Texas

_____
Richard Crowley, City Manager

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **October 13, 2014**

SUBJECT: **Purchase of 2015 Model Chevrolet Tahoes for Fire Inspectors**

Two (2) new Chevrolet Tahoes are approved in the current budget along with the emergency/safety equipment for these vehicles. Total budget is $94,900 funded out of General Fund reserves.

This Tahoe is available from Caldwell County Chevrolet through the Texas Association of School Boards (Buy Board) purchasing cooperative contract #430-13.

The City is a member of numerous purchasing cooperatives, the Buy Board as well as H-GAC, TIPS/TAPS, Texas Correctional Industries, Collin County, Dallas County, US Communities, City of Plano, City of Lewisville, Dallas County and City of Bedford to name a few. We have participated and purchased commodities, vehicles and equipment through these purchasing cooperatives for many years to take advantage of contracts already in place to gain additional discounts through volume buying. As a member and participant in the Buy Board program, the City has met all formal bidding requirements pertaining to the purchase of these new vehicles.

Staff asks City Council to consider authorizing the City Manager to execute a purchase order to Caldwell Country for the vehicles as described above for the total bid award of $72,482. The remaining $22,418 budgeted dollars will be used for the purchase and install of emergency/safety equipment such as lights, siren, radio and decals for both vehicles.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rockwall City Council**

FROM: **Joey Boyd, Director of Internal Operations**

DATE: **October 13, 2014**

SUBJECT: **Lease Amendment for Rockwall Police Department – John Fitzwater, Sr. Community Services Center**

The Rockwall Police Department has leased office space at 1113 Ridge Road in the former Brookshires Shopping Center since 1996. The John Fitzwater, Sr. Community Service Center is the storefront where police officers and volunteers promote and operate the following programs:

- Citizens Police Academy
- Citizens on Patrol
- Crime Stoppers
- Texas Night Out
- Neighborhood Crime Watch
- Unidos Program
- School Resource Officer Program
- Other Crime Prevention Programs

Attached for the City Council's consideration is the 5th amendment to this agreement. The key elements are:

1. Term of the contract is 4 years
2. Monthly rent is the current rate of $1,300.00
3. The landlord is providing a $5,000.00 allowance for remodeling of the interior of the facility. The City will match the amount to complete desired upgrades. New furniture was budgeted this year to replace 25 year old existing furniture as well.
4. Funds are available in the Police Department Community Services Operating Budget for this agreement

The City Council is asked to authorize the City Manager to execute the lease agreement with Benbrooke Ridge Partners, L.P.

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FIFTH AMENDMENT TO LEASE AGREEMENT

THIS FIFTH AMENDMENT TO LEASE AGREEMENT entered into this ____ day of _____ _____, 20____ by and between BENBROOKE RIDGE PARTNERS L.P. (hereinafter referred to as "Landlord") and CITY OF ROCKWALL (hereinafter referred to as "Tenant").

WITNESSETH:

WHEREAS, Landlord and Tenant entered into a certain Lease Agreement dated October 1, 1996, amended by First Amendment to Lease Agreement dated August 6, 2001, amended by Second Amendment to Lease Agreement dated September 9, 2004, and further amended by Third Amendment to Lease Agreement dated July 19, 2007, and further amended by Fourth Amendment to Lease Agreement dated August 13, 2009 (hereinafter referred to as the "Lease") whereby Landlord leased to Tenant the premises of approximately 1,200 square feet known as 1113 Ridge Road, Rockwall, Texas 75087; and

WHEREAS, Landlord and Tenant now desire to modify the Lease Agreement;

NOW THEREFORE, in consideration of the conditions of this Fifth Amendment to Lease Agreement, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the execution and delivery hereof, Landlord and Tenant agree that the Lease Agreement shall be modified and amended as follows:

1) DEFINITIONS: All terms appearing having their first letter capitalized and not otherwise defined shall have the respective meanings set forth in the Lease.

2) LEASE TERM: The base term of the Lease is hereby extended for four (4) years beginning October 1, 2014 until September 30, 2018.

3) MINIMUM RENT: Minimum Rent shall be paid according to the following schedule:

Months 1-48: $1,300.00 per month ($13.00 per square foot)

4) TRIPLE NET EXPENSES: The current estimated minimum monthly Common Area Maintenance, Taxes and Insurance charges (Triple Net Expenses) are:

Common Area Maintenance	$132.00/mo.	($1.32 p.s.f.)
Taxes	$170.00/mo.	($1.70 p.s.f.)
Insurance	$ 26.00/mo.	($0.26 p.s.f.)
Total Payment per Month:	$328.00/mo.	($3.28 p.s.f.)

All triple net charges are subject to an annual adjustment as provided by the terms of the Lease.

5) TENANT IMPROVEMENT ALLOWANCE: Landlord will provide Tenant $5,000.00 for remodeling allowance as evidenced by copies of construction contract and/or paid invoices. This allowance will be paid upon i) Landlord's reasonable satisfaction of completion of Tenant's improvements, ii) Tenant furnishing Landlord with a lien waiver from Tenant's contractor(s), and iii) Tenant being open for business in the Demised Premises. The providing of the Tenant Improvement Allowance by the Landlord will be subject to a time period of one (1) year from the execution date of this Fifth Amendment to Lease Agreement. If Tenant does not replace the carpet in the Demised Premises and request reimbursement for the Tenant Improvement Allowance within said one (1) year period, then Landlord will not be obligated to provide any or all of the Tenant Improvement Allowance.

6) CONFIDENTIALITY: Tenant agrees to use its best efforts to keep confidential the rent payable hereunder and other business terms of this Lease except as the disclosure of such information may be necessary in response to Subpoena, Court Order or other legal process or in the enforcement of Tenant's rights under this Lease.

7) REAFFIRMATION OF THE LEASE: Except as amended by this Fifth Amendment to Lease Agreement, and the certain First Amendment to Lease Agreement, Second Amendment to Lease Agreement, Third Amendment to Lease Agreement, Fourth Amendment to the Lease Agreement and original Lease mentioned above, but as so amended, the Lease in all respects is ratified and confirmed and all of the terms, provisions and conditions thereof shall be and remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Fifth Amendment to Lease Agreement to be executed by their respective officers as of the date first above written.

LANDLORD:
BENBROOKE RIDGE PARTNERS, L.P.

By:_____
Name:_____
Its:_____

TENANT:
CITY OF ROCKWALL

By:_____
Name:_____
Its:_____

FOURTH AMENDMENT TO LEASE AGREEMENT

THIS FOURTH AMENDMENT TO LEASE AGREEMENT entered into this 13 day of August, 2009 by and between BENBROOKE RIDGE PARTNERS L.P. (hereinafter referred to as "Landlord") and CITY OF ROCKWALL (hereinafter referred to as "Tenant").

WITNESSETH:

WHEREAS, Landlord and Tenant entered into a certain Lease Agreement dated October 1, 1996, amended by First Amendment to Lease Agreement dated August 6, 2001, amended by Second Amendment to Lease Agreement dated September 9, 2004, and further amended by Third Amendment to Lease Agreement dated July 19, 2007 (hereinafter referred to as the "Lease") whereby Landlord leased to Tenant the premises of approximately 1,200 square feet known as 1113 Ridge Road, Rockwall, Texas 75087; and

WHEREAS, Landlord and Tenant now desire to modify the Lease Agreement;

NOW THEREFORE, in consideration of the conditions of this Fourth Amendment to Lease Agreement, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the execution and delivery hereof, Landlord and Tenant agree that the Lease Agreement shall be modified and amended as follows:

1) DEFINITIONS: All terms appearing having their first letter capitalized and not otherwise defined shall have the respective meanings set forth in the Lease.

2) LEASE TERM: The base term of the Lease is hereby extended for three (3) years beginning October 1, 2010 until September 30, 2013.

3) MINIMUM RENT: Minimum Rent shall be paid according to the following schedule:

Months 1-12:	$1,250.00 per month	($12.50 per square foot)
Months 13-24:	$1,275.00 per month	($12.75 per square foot)
Months 25-36:	$1,300.00 per month	($13.00 per square foot)

4) TRIPLE NET EXPENSES: The current estimated minimummonthly Common Area Maintenance, Taxes and Insurance charges (Triple Net Expenses) are:

Common Area Maintenance	$168.00/mo.	($1.68 p.s.f.)
Taxes	$108.00/mo.	($1.08 p.s.f.)
Insurance	$ 22.00/mo.	($0.22 p.s.f.)
Total Payment per Month	$298.00/mo.	($2.98 p.s.f.)

All triple net charges are subject to an annual adjustment as provided by the terms of the Lease.

5) TENANT IMPROVEMENT ALLOWANCE: Landlord will provide Tenant up to $1.50 p.s.f. or $1,800.00 for new carpet allowance as evidenced by copies of construction contract and/or paid invoices. This allowance will be paid upon i) Landlord's reasonable satisfaction of completion of Tenant's improvements, ii) Tenant furnishing Landlord with a lien waiver from Tenant's contractor(s), and iii) Tenant being open for business in the Demised Premises. The providing of the Tenant Improvement Allowance by the Landlord will be subject to a time period of one (1) year from the execution date of this Fourth Amendment to Lease Agreement. If Tenant does not replace the carpet in the Demised Premises and request reimbursement for the Tenant Improvement Allowance within said one (1) year period, then Landlord will not be obligated to provide any or all of the Tenant Improvement Allowance.

6) CONFIDENTIALITY: Tenant agrees to use its best efforts to keep confidential the rent payable hereunder and other business terms of this Lease except as the disclosure of such information may be necessary in response to Subpoena, Court Order or other legal process or in the enforcement of Tenant's rights under this Lease.

7) REAFFIRMATION OF THE LEASE: Except as amended by this Fourth Amendment to Lease Agreement, and the certain First Amendment to Lease Agreement, Second Amendment to Lease Agreement, Third Amendment to Lease Agreement and Lease mentioned above, but as so amended, the Lease in all respects is ratified and confirmed and all of the terms, provisions and conditions thereof shall be and

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THIRD AMENDMENT TO LEASE AGREEMENT

THIS THIRD AMENDMENT TO LEASE AGREEMENT entered into this 19 day of JULY, 2007 by and between BENBROOKE RIDGE PARTNERS L.P. (hereinafter referred to as "Landlord") and CITY OF ROCKWALL (hereinafter referred to as "Tenant").

WITNESSETH:

WHEREAS, Landlord and Tenant entered into a certain Lease Agreement dated October 1, 1996, amended by First Amendment to Lease Agreement dated August 6, 2001, and further amended by Second Amendment to Lease Agreement dated September 9, 2004 whereby Landlord leased to Tenant the premises of approximately 1,200 square feet known as 1113 Ridge Road, Rockwall, Texas 75087; and

WHEREAS, Landlord and Tenant now desire to modify the Lease Agreement;

NOW THEREFORE, in consideration of the conditions of this Third Amendment to Lease Agreement, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the execution and delivery hereof, Landlord and Tenant agree that the Lease Agreement shall be modified and amended as follows:

1) DEFINITIONS: All terms appearing having their first letter capitalized and not otherwise defined shall have the respective meanings set forth in the Lease.

2) LEASE TERM: The base term of the Lease is hereby extended for three (3) years beginning October 1, 2007 until September 30, 2010.

3) MINIMUM RENT: Minimum Rent shall be paid according to the following schedule:

Months 1-12:	$1,100.00 per month	($11.00 per square foot)
Months 13-24:	$1,150.00 per month	($11.50 per square foot)
Months 25-36:	$1,200.00 per month	($12.00 per square foot)

4) TRIPLE NET EXPENSES: The current estimated minimum monthly Common Area Maintenance, Taxes and Insurance charges (Triple Net Expenses) are:

Common Area Maintenance	$151.00/mo.	($1.51 p.s.f.)
Taxes	$124.00/mo.	($1.24 p.s.f.)
Insurance	$ 18.00/mo.	($0.18 p.s.f.)
Total Payment per Month:	$293.00/mo.	($2.93 p.s.f.)

All triple net charges are subject to an annual adjustment as provided by the terms of the Lease.

5) TENANT IMPROVEMENT ALLOWANCE: Landlord will provide Tenant up to $1.50 p.s.f. or $1,800.00 for new carpet allowance as evidenced by copies of construction contract and/or paid invoices. This allowance will be paid upon i) Landlord's reasonable satisfaction of completion of Tenant's improvements, ii) Tenant furnishing Landlord with a lien waiver from Tenant's contractor(s), and iii) Tenant being open for business in the Demised Premises. The providing of the Tenant Improvement Allowance by the Landlord will be subject to a time period of one (1) year from the execution date of this Third Amendment to Lease Agreement. If Tenant does not replace the carpet in the Demised Premises and request reimbursement for the Tenant Improvement Allowance within said one (1) year period, then Landlord will not be obligated to provide any or all of the Tenant Improvement Allowance.

6) CONFIDENTIALITY: Tenant agrees to use its best efforts to keep confidential the rent payable hereunder and other business terms of this Lease except as the disclosure of such information may be necessary in response to Subpoena, Court Order or other legal process or in the enforcement of Tenant's rights under this Lease.

7) REAFFIRMATION OF THE LEASE: Except as amended by this Third Amendment to Lease Agreement, and the certain First Amendment to Lease Agreement, Second Amendment to Lease Agreement and Lease mentioned above, but as so amended, the Lease in all respects is ratified and confirmed and all of the terms, provisions and conditions thereof shall be and remain in full force and effect.

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THIRD AMENDMENT TO LEASE AGREEMENT

THIS THIRD AMENDMENT TO LEASE AGREEMENT entered into this ____ day of _____ _____, 20___ by and between BENBROOKE RIDGE PARTNERS L.P. (hereinafter referred to as "Landlord") and CITY OF ROCKWALL (hereinafter referred to as "Tenant").

WITNESSETH:

WHEREAS, Landlord and Tenant entered into a certain Lease Agreement dated October 1, 1996, amended by First Amendment to Lease Agreement dated August 6, 2001, and further amended by Second Amendment to Lease Agreement dated September 9, 2004 whereby Landlord leased to Tenant the premises of approximately 1,200 square feet known as 1113 Ridge Road, Rockwall, Texas 75087; and

WHEREAS, Landlord and Tenant now desire to modify the Lease Agreement;

NOW THEREFORE, in consideration of the conditions of this Third Amendment to Lease Agreement, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the execution and delivery hereof, Landlord and Tenant agree that the Lease Agreement shall be modified and amended as follows:

1) DEFINITIONS: All terms appearing having their first letter capitalized and not otherwise defined shall have the respective meanings set forth in the Lease.

2) LEASE TERM: The base term of the Lease is hereby extended for three (3) years beginning October 1, 2007 until September 30, 2010.

3) MINIMUM RENT: Minimum Rent shall be paid according to the following schedule:

Months 1-12:	$1,100.00 per month	($11.00 per square foot)
Months 13-24:	$1,150.00 per month	($11.50 per square foot)
Months 25-36:	$1,200.00 per month	($12.00 per square foot)

4) TRIPLE NET EXPENSES: The current estimated minimum monthly Common Area Maintenance, Taxes and Insurance charges (Triple Net Expenses) are:

Common Area Maintenance	$151.00/mo.	($1.51 p.s.f.)
Taxes	$124.00/mo.	($1.24 p.s.f.)
Insurance	$ 18.00/mo.	($0.18 p.s.f.)
Total Payment per Month:	$293.00/mo.	($2.93 p.s.f.)

All triple net charges are subject to an annual adjustment as provided by the terms of the Lease.

5) TENANT IMPROVEMENT ALLOWANCE: Landlord will provide Tenant up to $1.50 p.s.f. or $1,800.00 for new carpet allowance as evidenced by copies of construction contract and/or paid invoices. This allowance will be paid upon i) Landlord's reasonable satisfaction of completion of Tenant's improvements, ii) Tenant furnishing Landlord with a lien waiver from Tenant's contractor(s), and iii) Tenant being open for business in the Demised Premises. The providing of the Tenant Improvement Allowance by the Landlord will be subject to a time period of one (1) year from the execution date of this Third Amendment to Lease Agreement. If Tenant does not replace the carpet in the Demised Premises and request reimbursement for the Tenant Improvement Allowance within said one (1) year period, then Landlord will not be obligated to provide any or all of the Tenant Improvement Allowance.

6) CONFIDENTIALITY: Tenant agrees to use its best efforts to keep confidential the rent payable hereunder and other business terms of this Lease except as the disclosure of such information may be necessary in response to Subpoena, Court Order or other legal process or in the enforcement of Tenant's rights under this Lease.

7) REAFFIRMATION OF THE LEASE: Except as amended by this Third Amendment to Lease Agreement, and the certain First Amendment to Lease Agreement, Second Amendment to Lease Agreement and Lease mentioned above, but as so amended, the Lease in all respects is ratified and confirmed and all of the terms, provisions and conditions thereof shall be and remain in full force and effect.

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RIDGE ROAD SHOPPING CENTER

LEASE

This LEASE dated the _____ day of _____, 19_ between Benbrooke Ridge Partners, L.P., known herein as Landlord, and City of Rockwall, known herein as Tenant.

Landlord hereby leases to Tenant and Tenant hereby rents from Landlord the Demised Premises (as defined in Section 1.01). Intending to be legally bound under this Lease and in consideration of $1.00 and other good and valuable consideration, Landlord and Tenant agree with each other as follows:

ARTICLE 1. Lease Schedule

The following definitions shall be applicable to the various provisions of this Lease which refer to them:

SECTION 1.01 Demised Premises: Suite # 1113 / Street address 1113 Ridge Road, Rockwall, Texas 75087 of the Shopping Center situated as set forth on Exhibit "A", including any alterations, additions, or repairs made thereto.

SECTION 1.02 Commencement Date and Expiration Date:

(a) Commencement Date: October 1, 1996, or the date Tenant opens for business, whichever shall first occur.

(b) Expiration Date: The earlier of September 30, 2001, or the last day of that month during which falls the fifth (5th) anniversary of the Commencement Date.

SECTION 1.03 Rent:

(a) Minimum Rent: Minimum Rent shall be payable at the annual rate of $ See Exhibit "G", calculated as the product of the total square footage of the Demised Premises (approximately 1,200 square feet), as determined by Landlord's architect (computed on the basis of exterior dimensions), times $ See Exhibit "G" /square foot. Should construction of the Demised Premises be incomplete at the time of execution of this Lease, the amount set forth in this section as minimum rent will be adjusted accordingly upon the completion of the construction of the Demised Premises and subsequent measurements made by Landlord's architect.

(b) Percentage of Gross Sales: N/A percent.

(c) Prepaid Rent: $501.00

SECTION 1.04 Taxes:

(a) Initial 1/12 escrow: $ 53.00

SECTION 1.05 Tenant's Maintenance Contribution:

(a) Initial 1/12 contribution: $ 83.00

SECTION 1.06 Security:

(a) Security Deposit: $ 751.00

SECTION 1.07 Insurance:

(a) Initial 1/12 reimbursement: $ 15.00

SECTION 1.08 Use:

(a) Tenant's Permitted Use: Crime Prevention office which offers on site awareness programs, seminars and printed materials to the local community. Said office will not be used as a jail or processing facility for criminals or for criminal suspects.

(b) Tenant's Business Name: City of Rockwall

SECTION 1.09 Shopping Center:

(a) Name of Shopping Center: Ridge Road Shopping Center

(b) Location: Near the intersection of FM 740 (Ridge Road) and State Hwy. 205, Rockwall, Texas

SECTION 1.10 Notice Addresses:

(a) Landlord's Notice Address:
c/o Pyramid Management
Attn: Susan Matthews
5323 Spring Valley Road, Suite 150
Dallas, Texas 75240

(b) Tenant's Notice Address:
Rockwall City Hall
205 W. Rusk
Rockwall, Texas 75087

ARTICLE II. Definitions

As used in this Lease, the following words and phrases have the following meanings:

SECTION 2.01 Common Area: means the entire Shopping Center except the portions of the Shopping Center upon which buildings, structures or other improvements have been erected and except the areas designated for other uses on Exhibit "A".

SECTION 2.02 Expiration Date: the Expiration Date of this Lease is the date shown in SECTION 1.02(b). If this Lease is cancelled or terminated prior to the originally fixed Expiration Date, then the Expiration Date shall be the date on which this Lease is so cancelled or terminated. (But if this Lease is cancelled or terminated prior to the originally fixed Expiration Date by reason of Tenant's Default, Tenant's liability under the provisions of this Lease shall continue until the date the term of this Lease would have expired had the cancellation or termination not occurred.)

SECTION 2.03 Force Majeure: means any period of delay which arises from or through Acts of God; strikes, lockouts, or labor difficulty; explosion, sabotage, accident, riot, or civil commotion; act of war; fire or other casualty; legal requirements; delays caused by the other party; and causes beyond the reasonable control of a party.

SECTION 2.04 Insurance Requirements: means the applicable provisions of the insurance policy carried by Landlord covering the Demised Premises, the Shopping Center, or any part of either; all requirements of the issuer of any such policy; and the applicable regulations and other requirements of the National Board of Fire Underwriters, any applicable local board of fire underwriters, and any other body exercising a similar function.

SECTION 2.05 Mortgage: means any mortgage, deed to secure debt, trust indenture, or deed of trust which may now or later encumber or be a lien upon the Demised Premises, the Shopping Center, the real property of which the Shopping Center forms a part, or Landlord's interest in any of them; and any spreading agreements, renewals, modifications, consolidations, replacements and extensions of any instrument referred to in this section.

SECTION 2.06 Mortgagee: means the holder of a Mortgage.

SECTION 2.07 Parking Area: means the portions of the Shopping Center which are designated as such by Landlord from time to time.

SECTION 2.08 Person: means an individual, fiduciary, estate, trust, partnership, firm, association, corporation, or other organization, or a government; or governmental authority.

SECTION 2.09 Pro Rata Share: means the proportion that the floor area of the Demised Premises bears to the floor area of all of the rentable space of the buildings situated in the Shopping Center. Floor area shall be computed on the basis of exterior dimensions.

SECTION 2.10 Repair: includes the words "replacement and restoration", "replacement or restoration", "replace and restore", or "replace or restore", as the case may be.

SECTION 2.11 Tenant's Agents: includes Tenant's employees, servants, licensees, tenants, subtenants, assignees, contractors, heirs, successors, legatees, and devisees.

ARTICLE III. Term

SECTION 3.01 Term: The term of this Lease shall commence on the Commencement Date as set forth in Section 1.02 of this Lease. The date upon which the term herein commences is referred to as the "Commencement Date".

SECTION 3.02 Short Form Lease: Upon request of either party, the other shall execute (a) a document in recordable form setting forth the exact Commencement Date of the term hereof and/or (b) a short form lease or memorandum of lease in proper form for recording setting forth the Commencement Date and any provision of this Lease other than Article V or Section 1.03, 1.04, 1.05, 1.06, and 1.07. Any recording shall be at the expense of the party requesting the short form lease to be filed.

ARTICLE IV. Rent, Security, Tax Increases

SECTION 4.01 Minimum Rent: During the term of this Lease, Tenant shall pay Minimum Rent to Landlord. Minimum Rent shall be paid without notice or demand. The annual rate of Minimum Rent shall be as set forth in Subsection 1.03(a). Minimum Rent shall be paid in equal monthly installments. Each monthly installment shall be due in advance. The first monthly installment shall be due on the Commencement Date. Each subsequent installment shall be due on the first day of each month during the term of this Lease next ensuring after the Commencement Date. If the Commencement Date is not the first day of any month, Minimum Rent for the first month of the Term shall be one-thirtieth of a normal monthly rent installment for each day of the period from the Commencement Date to the last day of the month in which the Commencement Date occurs. If the Expiration Date shall not be the last day of a month, Minimum Rent for the month in which the Expiration Date occurs shall be one-thirtieth of a normal rent installment for each day of the period from the first day of that month to the Expiration Date

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after the expiration of each such six month period. The interim payment shall be credited against Tenant's obligation under subsection (a) of this Section. If the amount of the annual Percentage Rent is less than an interim payment, Landlord shall refund the difference to Tenant within ten days after receipt of Tenant's annual statement of Gross Sales.

(c) Percentage Rent shall be computed separately with respect to each Lease Year. There shall be no carry-backs or carry-forwards with respect to any Lease Year.

SECTION 4.03 Real Estate Taxes:

(a) In addition to all other payments and charges Tenant is required to pay under this Lease, Tenant shall pay its Pro Rata Share of "Impositions" (as defined below) to Landlord. Landlord shall pay the impositions prior to delinquency to the governmental authority collecting the same. Tenant shall escrow with Landlord 1/12 of Tenant's pro rata share of the impositions monthly at the same time but in addition to Tenant's installment of Minimum Rent. Initially the imposition used to calculate the 1/12 escrow shall be an estimate based upon the imposition on the Ridge Road Center. When an imposition has been assessed based on the entire improvements, the 1/12 escrow shall be based on the last imposition assessed, imposed, or levied. If Tenant's pro rata share of the imposition is more than the amount escrowed, Tenant shall pay to Landlord the difference within 60 days after Landlord renders a bill with respect thereto. If Tenant's pro rata share of the imposition is less than the amount escrowed, Landlord shall refund the difference to Tenant.

(b) As used in this Lease, the term "Impositions" means taxes and assessments assessed, imposed or levied upon the Shopping Center, the Demised Premises, the Common Area, or the land underlying any of the foregoing during any fiscal tax year which occurs wholly or partially during the term of this Lease. The term "Impositions" embraces taxes and assessments which are special, unforeseen, or extraordinary as well as those which are regular, foreseen, or ordinary. If any governmental authority imposes, assesses or levies a tax on rent or any other tax upon Landlord as a substitute in whole or in part for real estate tax or assessment, the substitute tax shall be deemed to be an Imposition and shall be deemed to have been levied upon the Shopping Center.

SECTION 4.04 Lease Year: The first Lease Year shall commence on the Commencement Date and shall end on the day preceding the first anniversary of the Commencement Date. Each Lease Year other than the first Lease Year shall commence on the date next following the expiration of the previous Lease Year and shall continue for a period of one full year therefrom except the last Lease Year, which shall end on the Expiration Date.

SECTION 4.05 Definition of Gross Sales:

(a) As used in this Lease, the term "Gross Sales" means the aggregate selling prices of all merchandise sold or delivered at or from any part of the Demised Premises, and the charges for all services sold or performed at or from any part of the Demised Premises. Gross Sales includes sales and charges for cash credit. Credit sales shall be included in Gross Sales regardless of collections.

(b) Gross Sales excludes (i) refunds made by Tenant to its customers for merchandise returned to Tenant; (ii) exchanges of merchandise between stores of Tenant where such exchanges are made solely for the convenient operation of Tenant's business; and (iii) the amount of any city, county or state sales tax on sales paid to a taxing authority by Tenant (but not by any vendor of Tenant).

(c) A sale shall be deemed to be made in the Demised Premises: (i) if the merchandise or services are ordered from the Demised Premises and are filled at the Demised Premises or elsewhere; or (ii) if the merchandise or services are ordered elsewhere, but the order is filled at or from the Demised Premises or the merchandise is delivered from the Demised Premises.

SECTION 4.06 Sales Reports:

(a) Tenant shall submit to Landlord upon Landlord's written request, an annual report which shall set forth the amount of Gross Sales of the preceding twelve (12) calendar months. The annual report shall be due on January 15th of each year during the term. The annual report shall be certified as complete and correct by Tenant's principal financial officer.

(b) Within thirty days after the expiration of each Lease Year and the first six months of each Lease Year, Tenant shall submit to Landlord a statement, showing the amount of Gross Sales for these periods and an itemization of all claimed exclusions therefrom. Tenant shall require any licensees and subtenants to furnish similar statements. Each such report shall be certified as complete and correct by a Certified Public Accountant.

SECTION 4.07 Records and Books:

(a) Tenant shall maintain (and cause any licensee and subtenant to maintain) full and accurate books of account and records from which Gross Sales can be determined and which shall be conveniently segregated from other business matters. These books of account and records shall be kept in the Demised Premises, or in the city where Tenant's main office is located. The records shall be so kept and maintained (properly totalled and added) for at least thirty-six (36) months after the end of the period in question. The foregoing books and records so required to be kept and maintained shall include all federal, state and local tax returns; records of daily bank deposits of the entire receipts from transactions at or from the Demised Premises; sales slips; daily dated cash register tapes; sales books; duplicate bank deposit slips; and bank statements.

(b) All Gross Sales shall be registered at the time each sale is made in cash registers containing locked-in cumulative tapes with cumulative capacity of at least $99,999.00. Tenant shall notify Landlord of the name and serial numbers of all cash registers used at the Demised Premises and of any changes or additions within five days after the use thereof has commenced.

SECTION 4.08 Inspection and Audit

(a) Until the end of the thirty-six month period, Landlord shall have the right to inspect and audit all the books and records and all other papers and files of Tenant and any licensee or subtenant relating to Gross Sales. Any such inspection or audit shall be conducted during regular business hours. Tenant and each licensee or subtenant shall produce the appropriate books and records on request of Landlord.

(b) If any audit shows that the amount of Gross Sales on any statement was understated by more than one percent (1%) of Gross Sales and/or an amount sufficient to reduce Percentage Rent by $1,000.00 for any Lease Year, Tenant shall pay to the Landlord the cost of its audit and investigation. If any audit shows that the amount of Gross Sales was understated so that Landlord shall have been

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~~financing or prospective sale of the Demised Premises, except with respect to tax proceedings, and except pursuant to any legal requirements.~~

SECTION 4.10 Security:

(a) Tenant shall deposit with Landlord the sum designated as Security in Section 1.06 as security for the full and faithful performance by Tenant of all obligations of Tenant under this Lease or in connection with this Lease. If Tenant is in "Default" (as defined in Section 15.01), Landlord may use, apply or retain all or any part of the Security for the payment of (i) any rent or any other sum of money which Tenant was obligated to pay but did not pay, (ii) any sum expended by Landlord on Tenant's behalf in accordance with the provisions of this Lease, or (iii) any sum which Landlord may expend or be expended as a result of Tenant's Default, including any damages or deficiency in the reletting of the Demised Premises in accordance with Article XV. After an application of the Security Deposit, Tenant shall pay to Landlord, on demand, the amount necessary to replenish the Security Deposit to its original amount. The use, application or retention of the Security or any portion thereof by Landlord shall not prevent Landlord from exercising any other right or remedy provided for under this Lease or at law and shall not limit any recovery to which Landlord may be entitled otherwise.

(b) The Security shall bear no interest. If legally permissible, Landlord shall be entitled to co-mingle the Security with Landlord's other funds.

(c) If Tenant shall fully and faithfully comply with all the provisions of the Lease, the Security or any balance thereof shall be returned to Tenant after the Expiration Date or upon any later date after which Tenant has vacated the Demised Premises. In the absence of evidence satisfactory to Landlord of any assignment of the right to receive the Security or the remaining balance thereof, Landlord may return the Security to the original Tenant, regardless of one or more assignments of Tenant's interest in the Security. In such event, upon the return of the Security (or balance thereof) to the original Tenant, Landlord shall be completely relieved of liability with respect to the Security.

(d) In the event of a transfer of Landlord's interest in the Demised Premises, Landlord shall have the right to transfer the Security to the transferee of Landlord's interest. In such event, Landlord shall be deemed released by Tenant from all liability for the return of the Security; and Tenant agrees to look solely to the transferee for the return of the Security.

(e) The Security shall not be mortgaged, assigned or encumbered by Tenant. No action of Landlord in enforcing its right with respect to a Default shall be deemed to be a termination of this Lease so that Tenant shall be entitled to the return of the Security. No "Mortgagee" shall be liable for the return of the Security.

SECTION 4.11 Additional Rent: Wherever it is provided in this Lease that Tenant is required to make any payment to Landlord, such payment shall be deemed to be additional rent and all remedies applicable to the non-payment of rent shall be applicable thereto. Notwithstanding the foregoing, such additional rent shall not be deemed to be Minimum Rent and shall not be deducted from Percentage Rent.

SECTION 4.12 No Offset: Minimum Rent, Percentage Rent, and additional rent shall be paid without counterclaim, setoff, deduction or defense.

SECTION 4.13 Place of Payment: Minimum Rent, Percentage Rent, Tax Increases and all other charges that Tenant is required to pay to Landlord shall be payable at Landlord's Notice Address or to any other place designated by notice given by Landlord to Tenant.

SECTION 4.14 Late Charges: Tenant hereby acknowledges that late payment to Landlord of rent or other sums due hereunder will cause Landlord to incur costs not contemplated by this Lease, the exact amount of which will be extremely difficult to ascertain. If any rent or other sum due from Tenant is not received by Landlord or Landlord's designated agent within ten (10) days after its due date, then Tenant shall pay to Landlord a late charge to the maximum amount permitted by law (and in the absence of any governing law, ten percent (10%) of such overdue amount), plus any attorney's fees incurred by Landlord by reason of Tenant's failure to pay rent and/or other charges when due hereunder. The parties hereby agree that such late charges represent a fair and reasonable estimate of the cost that Landlord will incur by reason of Tenant's late payment. Landlord's acceptance of such late charges shall not constitute a waiver of Tenant's default with respect to such overdue amount or stop Landlord from exercising any of the other rights and remedies granted hereunder.

ARTICLE V. Condition of Premises, Alterations, Signs

SECTION 5.01 No Representations, etc.: Landlord has made no representations, covenants or warranties with respect to the Demised Premises except as expressly set forth in this Lease.

SECTION 5.02 Alterations: Tenant may not make any alterations to the Demised Premises without the prior written consent of the Landlord. If Landlord grants consent, the alterations shall be performed in a good and workmanlike manner in accordance with all applicable legal requirements and Insurance Requirements.

SECTION 5.03 Mechanics' Liens: Except for costs that Landlord agrees with Tenant in writing to pay (included in Exhibit "D" attached to this Lease), Tenant shall pay for all costs incurred or arising out of alterations, additions or improvements in or to the Demised Premises and shall not permit a mechanic's or materialman's lien to be asserted against the Demised Premises. On Landlord's request, Tenant shall deliver to Landlord proof of payment reasonably satisfactory to Landlord of all costs incurred or arising out of any such alterations, additions or improvements.

SECTION 5.04 Signs:

(a) Tenant shall have the right to install and maintain a sign affixed to the exterior of the Demised Premises (as referenced in Exhibit "C"- Sign Criteria). However, Tenant's right to install and maintain a sign shall be subject to (i) the written approval of Landlord as to dimensions, material, content, location and design; (ii) applicable legal requirements; and (iii) Insurance Requirements. Tenant shall obtain and pay for all permits and licenses required in connection with a sign. Copies of all permits and licenses shall be delivered to

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keep in force) public liability and workmen's compensation insurance to cover every contractor to be employed. The policies shall be non-cancelable without thirty (30) day's notice to Landlord. Insurance shall be carried with companies reasonably satisfactory to Landlord. Coverage limits shall be reasonably satisfactory to Landlord. Prior to the commencement of the work, Tenant shall deliver duplicate originals or certificates of the insurance policies to Landlord.

ARTICLE VI. Repairs, Compliance, Surrender

SECTION 6.01 Repairs and Maintenance: Tenant shall make all repairs to the interior of the Demised Premises, except as are occasioned by defective materials and workmanship in the original construction, which are necessary or desirable to keep the Demised Premises in good order and repair and in a safe, dry and tenantable condition. Tenant shall keep the Demised Premises in a clean and sanitary condition and free from vermin and escaping offensive odors.

SECTION 6.02 Approval by Landlord of Repairs and Alterations: If the reasonable cost of any repair or alteration required or permitted to be performed by Tenant under any provision of this Lease shall be in excess of One Thousand Dollars, Tenant shall give notice to Landlord before any work is performed. Except in the event of an emergency, Landlord may give notice to Tenant (within ten (10) days after Tenant's notice is given) that it desires to approve plans and specifications with respect to repairs or alterations. If Landlord gives such notice to Tenant, no repair or alteration shall be commenced until plans and specifications therefor shall have been submitted to and approved by Landlord. After approval of the plans and specifications, the work shall then be commenced promptly, performed in accordance with the approved plans and specifications, and prosecuted diligently to completion.

SECTION 6.03 Compliance: Tenant shall observe and comply promptly with all present and future legal requirements and Insurance Requirements relating to or affecting the Demised Premises, or any sign of Tenant, or the use and occupancy of the Demised Premises. Landlord shall not be liable to Tenant for the failure of any tenant or other person to comply with such requirements.

SECTION 6.04 Electrical Lines: If Tenant installs any electrical equipment that overloads the lines in the Demised Premises or the Shopping Center, Landlord may require Tenant to make whatever lines as may be necessary to render the same in good order and repair, and in compliance with all Insurance Requirements and applicable legal requirements.

SECTION 6.05 Emergency Repairs: If, in any emergency, it shall become necessary to make promptly any repairs or replacements required to be made by Tenant, Landlord may re-enter the Demised Premises and proceed the cost thereof. Within thirty days after Landlord renders a bill therefor, Tenant shall reimburse Landlord for the cost of making the repairs.

SECTION 6.06 Surrender of Premises: On the Expiration Date, Tenant shall quit and surrender the Demised Premises broom clean and in good condition and repair together with all alterations, fixtures, installations, additions and improvements which may have been made in or attached on or to the Demised Premises. Upon surrender, Tenant shall remove its trade fixtures, and Tenant shall repair any damage to the Demised Premises caused thereby. Landlord may require Tenant to restore the Demised Premises so that the Demised Premises shall be as they were on the Commencement Date.

ARTICLE VII. Services and Utilities

SECTION 7.01 Electric Service: Tenant shall cause an electric meter to be installed for the Demised Premises at Tenant's expense. Tenant shall keep the meter at the Demised Premises in good order and repair. Tenant shall pay for all electricity consumed at the Demised Premises.

SECTION 7.02 Heat, Hot Water, Air Conditioning: Landlord shall not be required to supply heat, hot water, or air conditioning to Tenant. Tenant shall supply its own requirements of heat, hot water and air-conditioning with respect to the Demised Premises. Any heating system, air-conditioning system or hot water system installed on the Demised Premises becomes a part of the Demised Premises.

~~SECTION 7.03 Water Meter: Tenant shall install a water meter at the Demised Premises. Tenant shall keep the meter and any installation equipment in good order and repair. Tenant shall pay for water consumed at the Demised Premises as shown on the meter. In addition Tenant shall pay any sewer rent or charges or any other tax, rent, levy or charge imposed in connection with Tenant's use, consumption or supply of electricity, water, water system, or sewerage connection or system. If any sewer or water rent, charge, tax or levy is imposed against the Shopping Center, Tenant shall pay its Pro Rata share thereof.~~

SECTION 7.04 Payment for Utility Service: The payments Tenant is required to make under Section 7.01, 7.02 and 7.03 shall be made within ten days after a bill is rendered with respect thereto.

SECTION 7.05 Tenant shall submit to Landlord a copy of the Certificate of Occupancy as soon as it is received from the City. None of the charges set forth in this article shall be deemed "Taxes" or "Tax Increases" within the meaning of Article IV.

ARTICLE VIII. Use and Operation

SECTION 8.01 Use: Tenant shall use the Demised Premises for the uses designated as Permitted Uses in subsection 1.08(a) subject to applicable legal requirements and for no other purpose.

(e) Tenant shall use its best efforts to achieve a maximum sales volume in the Demised Premises.

(f) Tenant shall conduct its business under the name designated as Tenant's Business Name in subsection 1.08(b).

SECTION 8.03 Store Operations:

(a) Window display lights. Tenant shall keep the display windows in the Demised Premises electrically lighted during such reasonable periods of time as may be prescribed by Landlord.

(b) Non-selling space. Tenant shall use for office, clerical or other non-selling purposes only such space in the Demised Premises as is reasonably required for Tenant's business therein. ~~and shall not perform any office or clerical function in the Demised Premises for any other store.~~

(c) Keeping Demised Premises Clean. Tenant shall keep the Demised Premises (including exterior and interior portions of all windows, doors and all other glass, and including adjoining sidewalks and alleys) in a neat and clean condition.

(d) Paying Taxes. Tenant shall pay before delinquency any and all taxes, assessments and public charges levied, assessed or imposed upon Tenant's business or upon Tenant's fixtures, furnishings, inventory or equipment in the Demised Premises.

(e) Paying License Fees. Tenant shall pay when and as due all license fees, permit fees and charges of a similar nature for the conduct by Tenant or any subtenant of any business or undertaking authorized hereunder to be conducted in the Demised Premises.

(f) Exclusive Delivery Facilities. Tenant shall keep and maintain in good order, condition and repair any loading platform, truck dock and/or truck maneuvering space therefor which is used by Tenant or to which Tenant has the right of exclusive use notwithstanding the fact that the same may be deemed to be a portion of the Common Area. All deliveries shall be made through the rear of the Demised Premises. No deliveries may be made through the front of the Demised Premises without written permission from Landlord.

(g) Garbage. Tenant agrees (i) not to permit the accumulation (unless in concealed metal containers) or burning of any rubbish or garbage in, on or about any part of the Shopping Center, and (ii) if Landlord shall so request, not to permit any garbage or rubbish to be collected or disposed of from the Demised Premises except by Landlord or its designee, at Tenant's expense (but the prices to be charged therefor shall be reasonable).

(h) Rules and Regulations. Tenant shall observe all reasonable rules and regulations established by Landlord from time to time for the Shopping Center. Landlord shall not be liable to Tenant for the failure of any tenant or any other person to comply with such rules and regulations.

(i) Restrictive Covenants. Tenant agrees that it will comply with and observe all restrictive covenants which affect or are applicable to the Demised Premises and the Common Area.

SECTION 8.04 Restrictions on Tenant's Activities at Shopping Center:

(a) Tenant shall not use the sidewalk adjacent to or any other space outside the Demised Premises for display, sale or any other similar undertaking.

(b) Tenant shall not use or permit to be used any advertising medium which is objectionable to Landlord including, but not limited to, any medium which may be seen or heard outside the Demised Premises.

(c) Plumbing Facility Use. Tenant shall not use the plumbing facilities of the Demised Premises for any purpose other than that for which they were constructed. Tenant shall not dispose of any substances in such facilities which may clog, erode, or damage the plumbing pipes, lines, or conduits of the Shopping Center whether through the utilization of "garbage disposal" units or otherwise. If Tenant uses the Demised Premises for the sale, preparation, or service of food for on-premises consumption, Tenant shall install any grease traps that may be necessary or desirable to prevent the accumulation of grease or other wastes in the plumbing facilities servicing the Demised Premises. But notwithstanding anything to the contrary, the foregoing shall not be deemed to permit Tenant to use the Demised Premises as provided in the preceding sentence unless such use is specified in subsection 1.08(a).

(d) Floor load. Tenant shall not place a load on any floor exceeding the floor load per square foot which such floor was designed to carry. Tenant shall not install, operate or maintain any heavy item of equipment in the Demised Premises except in such manner as to achieve a proper distribution of weight.

(e) Exterior of Roof. Tenant shall not use the roof of the Demised Premises for any purpose. Tenant shall not use exterior walls of the Demised Premises except that Tenant may use the show windows of the Demised Premises, and except that Tenant may maintain a sign in accordance with Section 5.04. Landlord reserves the right to build additional stores, levels or buildings above the Demised Premises and none of the foregoing shall be deemed to be a portion of the Demised Premises.

(f) Vending Machines. No coin or token-operated vending machine or similar devise for the sale of any merchandise or services (including pay lockers, pay toilets, scales, amusement devices, video games and machines for the sale of beverages, food, candy, cigarettes or other commodities) may be operated in the Demised Premises.

(g) Freight Handling Equipment. Tenant shall not use any forklift truck, tow truck or any other machine for handling freight except as may be approved by the Landlord.

(h) Sales Restrictions. Notwithstanding anything to the contrary, unless specifically set forth as a Permitted Use in subsection 1.08(a), none of the following activities shall be deemed incidental to the Permitted Uses; and Tenant shall not (i) use the Demised Premises as a bank or other financial institution; (ii) sell, give away or purvey liquor, beer, or alcoholic beverages at the Demised Premises; (iii) sell prescription drugs at the Demised Premises, employ a registered pharmacist therein, or sell any product thereat which may be sold legally only if a registered pharmacist is present; (iv) sell groceries.

(i) Tenant shall install and maintain in proper working condition at Tenant's sole expense one or more fire extinguishers of type, quantity, and location(s) so as to meet the recommendations of the fire insurance carrier of the Demised Premises.

(j) Tenant shall not use the Demised Premises for any purpose which conflicts with existing leases or exclusives in the Shopping Center and shall not be used as a nightclub or for any other use which Landlord would find offensive or disruptive to other tenants in the Shopping Center. This exclusion includes, but is not limited to, a "headshop"; an x-rated theater; an establishment for the sale of pornographic materials; massage parlor; steam bath; nude modeling studio; establishment with nude or semi-nude waiters, waitresses, or entertainers; discount store; second-hand store; army/navy type store; governmental "surplus" store; wholesale or factory outlet store; cooperative store; or similar establishment.

(k) No auction, fire sale, "going out of business" sale, bankruptcy sale, outdoor sale of merchandise or continuous discount

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SECTION 8.05 Insurance Rate:

(a) Tenant shall comply with all Insurance Requirements relating to or affecting the Demised Premises. If the insurance premiums applicable to the Demised Premises or the Shopping Center exceed the rate that would have been applicable for the Permitted Uses as a result of any failure by Tenant to comply with Insurance Requirements, or as a result of or in connection with the use to which the Demised Premises are put by Tenant, Tenant shall reimburse Landlord for the excess. The reimbursement shall be made within ten days after Landlord renders a bill therefor. For the purposes of this Section, any finding or schedule of a fire insurance rating organization having jurisdiction over the Demised Premises or the Shopping Center shall be deemed to be conclusive.

(b) Landlord shall procure at its own expense during this lease, fire and extended coverage insurance with appropriate endorsements on the buildings composing the Shopping Center, provided, however, Tenant shall reimburse Landlord for Tenant's Pro Rata Share of the premiums for fire insurance by paying 1/12 of Tenant's Pro Rata Share monthly at the same time but in addition to Tenant's installment of minimum rent. Tenant's Pro Rata Share under this section shall be limited to premiums which relate to polices actually carried by Landlord.

SECTION 8.06 Illegal Purposes: Tenant shall not use the Demised Premises for any illegal trade, manufacture, or other business, or any other illegal purpose.

ARTICLE IX. Transfer of Interest, Priority of Lien

SECTION 9.01 Prohibition: Tenant shall not assign or encumber all or any interest in this Lease or the Premises or sublease all or any part of the Premises or allow any other person or entity (except Tenant's authorized representatives, employees, invitees or guests) to occupy or use all or any part of the Premises either voluntarily, involuntarily or by operation of law without first obtaining Landlord's written consent. If Tenant is a partnership, a withdrawal or reduction in partnership interest of any general partner, or the dissolution of the partnership, shall be deemed an assignment. If Tenant consists of more than one person, an assignment from one person to the other shall be deemed an assignment. If Tenant is a corporation, any dissolution or any transfer of twenty-five (25%) or more of the voting stock of Tenant, except for stock which is traded through an exchange or over the counter, shall be deemed an assignment. Any assignment, encumbrance or sublease in violation hereof shall be voidable and, at Landlord's election, shall constitute a default. Acceptance of rent by Landlord from anyone other than Tenant shall not be construed as a waiver by Landlord of the actions prohibited by this paragraph, nor as a release of Tenant from any obligation or liability under the Lease, but the same shall be taken to be a payment on account by Tenant.

SECTION 9.02 Request for Consent; Options of Landlord: If Tenant desires at any time to assign the Lease or to sublet the Premises or any portion thereof, it shall first notify Landlord of its desire to do so and shall submit in writing to Landlord information respecting the proposed subtenant or assignee, financial statements of the proposed subtenant or assignee meeting the requirements of Section 18.13, and the terms of the proposed sublease or assignment as shall be required by Landlord's standard request for consent form. At any time within thirty (30) days after Landlord's receipt of the information specified above, Landlord may by written notice to Tenant elect to (1) not consent to the proposed subletting or assignment; (2) consent to the proposed subletting or assignment, subject to such conditions as Landlord may impose, including but not limited to the increase of the Minimum Guaranteed Rental and Percentage Rent to the market rent, as determined by Landlord, and adjustment of any other aspects of this Lease to bring the same into conformity with Landlord's then current leasing practices which consent shall not be unreasonably withheld provided the proposed assignee's or subtenant's financial condition, as evidenced by a current financial statement meeting the requirements of Section 18.13 hereof, shall comply with Landlord's standard tenant financial requirements for leasing of space in the Shopping Center as of the date of such assignment or sublease and the proposed use of the Premises by such assignee or subtenant shall comply with Article VIII and be of compatible use with other tenants of the Shopping Center; or (3) sublease the Premises as to the portion (including all) of the Premises so proposed to be subleased or assigned, with a proportionate abatement in the rent payable hereunder. If Landlord elects option (3) as provided in the previous sentence, Landlord shall have the right to sublease or assign its subleasehold interest without Tenant's consent being required.

SECTION 9.03 Landlord Consent: If Tenant requests Landlord's consent to an assignment of sublease Landlord and Tenant agree (by way of example and without limitation) that it shall be reasonable for Landlord to withhold its consent if any of the following situations exist or may exist: (1) the proposed subtenant's or assignee's use of the Premises conflicts with the "Use of Premises" as set forth in Section 1.08(a); (2) in Landlord's reasonable business judgment, the proposed subtenant or assignee lacks sufficient business reputation or experience to operate a successful business of the type and quality permitted under this Lease; (3) Tenant is in default pursuant to this Lease; (4) in Landlord's reasonable business judgment, the present net worth of the proposed subtenant or assignee is less than the greater of Tenant's net worth as of the date of this Lease or Tenant's net worth at the date of Tenant's request for consent; (5) in Landlord's reasonable business judgment, the Percentage Rent that Landlord reasonably anticipates receiving from the proposed subtenant or assignee is less than the Percentage Rent which Landlord has received from Tenant; and/or (6) the assignment or sublease would breach any covenant of Landlord respecting radius, location, use or exclusivity in any other lease, financing agreement or other agreement relating to the Shopping Center.

SECTION 9.04 Excess Rent: All rent or other consideration received by Tenant from its subtenants in excess of the rent payable by Tenant to Landlord under this Lease for the sublet space shall be paid to Landlord. Any sums to be paid by an assignee to Tenant in consideration of the assignment of this Lease, whether paid in a lump sum or periodically, shall belong to and be paid to Landlord.

SECTION 9.05 No Waiver: No consent by Landlord to any assignment or subletting by Tenant shall relieve Tenant or any guarantor of Tenant of any obligation to be performed by Tenant under this Lease, whether accruing before of after such assignment or subletting. No consent by Landlord to any assignment, encumbrance or sublease shall operate as a consent to future assignments, encumbrances or subleases.

SECTION 9.06 Assumption of Liability: Each assignee, other than Landlord, shall assume and covenant to perform all obligations of

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Lease, or if Tenant is a partnership, any partner who is a general partner in Tenant), shall be considered an involuntary assignment by Tenant:

(a) Bankruptcy and Insolvency. "Tenant, et. al." becomes insolvent as defined in the Federal Bankruptcy Code, admits in writing its insolvency or its present or prospective inability to pay its debts as they become due, is unable to or does not pay all or any material portion (in number of dollar amount) of its debts as they become due, permits or suffers a judgment against it which affects "Tenant's, et.al." ability to conduct its business in the ordinary course, (unless enforcement thereof is stayed pending appeal), makes or proposes an assignment for the benefit of creditors, convenes or proposes to convene a meeting of its creditors, or any class thereof, for purposes of effecting a moratorium upon or extension or composition of its debts, proposes any such moratorium, extension, or composition, or commences or proposes to commence any bankruptcy, reorganization, or insolvency proceeding, or other proceeding under any provision or chapter of the Federal Bankruptcy Code or any other federal, state, or other law for the relief of debtors.

(b) Dismissal or Stay of Proceedings. "Tenant, et. al." fails to obtain the dismissal, within thirty (30) days after the commencement thereof, of any bankruptcy, reorganization, or insolvency proceeding, or other proceeding under any law for the relief of debtors, instituted against it by one or more third parties or fails to actively oppose any such proceeding, or, in any such proceeding, defaults or files an answer admitting the material allegations upon which the proceeding was based or alleges its willingness to have an order for relief entered or its desire to seek liquidation, reorganization, or adjustment of any of its debts.

(c) Receivers. Any receiver, trustee, or custodian is appointed to take possession of all or any assets of "Tenant, et. al." or any committee of "Tenant's et al." creditors or any class thereof, is formed for the purpose of monitoring or investigating the financial affairs of "Tenant et al." or enforcing such creditors' rights.

SECTION 9.08 In the event of the transfer and assignment by Landlord of its interest in this Lease and in the building containing the Premises to a person expressly assuming Landlord's obligations under this Lease, Landlord shall thereby be released from any further obligations hereunder, and Tenant agrees to look solely to such successor in interest of the Landlord for performance of such obligations. Any security given by Tenant to secure performance of Tenant's obligations hereunder may be assigned and transferred by Landlord to such successor in interest, and Landlord shall thereby be discharged of any further obligations relating thereto.

SECTION 9.09 Tenant shall not mortgage, pledge or otherwise encumber its interest in this Lease or in the Premises.

SECTION 9.10 Subordination:

(a) At Landlord's election, this Lease shall be subordinate or superior to the lien of any present or future Mortgage, irrespective of the time of execution or the time of recording of the Mortgage. From time to time Landlord may elect that this Lease be subordinate to the lien of any Mortgage. Landlord may exercise the election by giving notice to Tenant. From time to time thereafter, Landlord may elect that this Lease be paramount to the lien of a Mortgage. Landlord may exercise the election by giving notice to Tenant. The exercise of any of the elections provided in this Section shall not exhaust Landlord's right to elect differently thereafter from time to time. However, at any time when the Demised Premises are encumbered by a Mortgage, Landlord may not exercise either election without the consent of the Mortgage.

(b) At the election of Landlord, Subsection (a) shall be self-operative, and no further instrument shall be required. Upon Landlord's request, from time to time, Tenant shall (i) confirm in writing and in recordable form that this Lease is so subordinate or so paramount (as Landlord may elect) to the lien of any Mortgage and/or (ii) execute an instrument making this Lease subordinate or paramount (as Landlord may elect) to the lien of any Mortgage, in a form as may be required by any applicable Mortgagee.

SECTION 9.11 Attornment: If the Demised Premises or the Shopping Center is encumbered by a Mortgage, and the Mortgage is foreclosed, or if the Demised Premises or Shopping Center is sold pursuant to foreclosure or by reason of a default under a Mortgage, the following shall apply notwithstanding the foreclosure, the sale, or the default: (i) Tenant shall not disaffirm this Lease or any of its obligations under this Lease; (ii) At the request of the applicable Mortgagee or purchaser at the foreclosure or sale, Tenant shall attorn to the Mortgagee or purchaser, and execute a new lease for the Demised Premises setting forth all of the provisions of this Lease except that the term of the new lease shall be for the balance of the term of this Lease.

SECTION 9.12 Transfer of Landlord's Interest: The following language shall apply if the Landlord's interest in the Demised Premises is a fee interest: The term "Landlord" as used in this Lease means only the owner for the time being or the Mortgagee in possession for the time being of the Demised Premises. Each time the Demised Premises are sold, the selling Landlord shall be entirely relieved of all obligations and liability under this Lease. If the person who owns the Demised Premises leases his reversionary interest in the Demised Premises subject to the lien of this Lease, that person shall be relieved of all of its liability under this Lease.

SECTION 9.13 Mortgagee's Rights: If Landlord shall notify Tenant that the Demised Premises or the Shopping Center is encumbered by a Mortgage, and shall notify Tenant of the name and address of the Mortgagee; the following shall apply, notwithstanding anything to the contrary: No notice intended for Landlord shall be deemed properly given unless a copy of the notice is simultaneously sent to the Mortgagee by certified or registered mail.

ARTICLE X. Common Area and Shopping Center

SECTION 10.01 Use of Common Area: Landlord hereby grants to Tenant the following privileges to use .portions of the Common Area during the term of this Lease. These privileges may be exercised in common with Landlord and any designee of Landlord, and subject to Landlord's rules and regulations:

(a) Tenant is hereby granted a nonexclusive license to permit its customers to use the sidewalks and customer Parking Areas designated by Landlord from time to time. Tenant is hereby granted a nonexclusive license to permit its employees to use the sidewalks and employee Parking Areas designated by Landlord from time to time. The rights to the use of the Parking Areas by Tenant's customers and employees shall be limited to the right to pass by foot and to parking passage and maneuvering of vehicles. The rights to the use of the sidewalks shall be limited to the right to pass by foot

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(a) Landlord may close all or any portion of the Common Area including the Parking Area to such extent as may be necessary in the opinion of Landlord's counsel to avoid a dedication of the Common Area or a portion of the Common Area, or to avoid the creation of any rights of the public in the Common Area.

(b) Landlord may close all or any portion of the Common Area temporarily to discourage non-customer use.

(c) Landlord may prohibit parking or passage of motor vehicles in areas previously designated for parking or passage.

(d) Landlord may erect additional buildings on the Common Area or change the location of buildings or other structures set forth on Exhibit "A" to any location in the Shopping Center including the Common Area. Upon erection or change of location, the portion of the Shopping Center upon which buildings or structures have been erected shall no longer be deemed to be a part of the Common Area.

SECTION 10.03 License Numbers: In order to restrict the use by Tenant's employees of Parking Areas designated or which may be designated by Landlord as customer Parking Areas, Tenant shall furnish Landlord with the license numbers of any vehicle of Tenant and Tenant's employees promptly after each request therefor by Landlord.

SECTION 10.04 Tenant's Maintenance Contribution:

(a) Tenant shall pay its Pro Rata Share of the cost of (i) managing, maintaining, operating and making replacements to the Common Area and the performance of Landlord's duties under Section 10.05, (ii) insurance carried with respect to the Common Area, and (iii) 15% of the foregoing amounts to cover Landlord's administrative and overhead expenses. Tenant's initial monthly Maintenance Contribution shall be the sum shown in Section 1.05 of Article 1. After each December 31st Tenant's monthly Maintenance Contribution shall be 1/12th of Tenant's Pro Rata Share of the actual cost of items (i) through (iii) inclusive for the year ending plus 1/12th of Landlord's anticipated increase in expense for the coming year. Any overpayment from the previous year will be applied to the coming year's Contribution.

(b) The Tenant's Maintenance Contribution shall be payable in equal monthly installments. Each installment shall be payable in advance. The first installment shall be payable on the Commencement Date

(c) Should Landlord incur any unanticipated expense in performing its duties under Section 10.05 which is not covered by Tenant's current monthly Maintenance Contribution, Tenant shall be notified by Landlord within a reasonable time after completion of the work (i) that the work was in excess of Tenant's monthly Maintenance Contribution and (ii) Tenant's Pro Rata share of the expense which shall be paid within thirty (30) days of Landlord's notification of the expense.

SECTION 10.05 Landlord's Obligation With Respect to the Common Area: Landlord shall maintain all common areas and keep them clean. Landlord shall decorate the common area for the Christmas season. Landlord shall keep the Parking Area properly paved and in good order and repair throughout the Term. Landlord shall keep the lights on in the Parking Area from sunset until at least the earlier to occur of 11:00 P.M., or one-half hour after each store in the Demised Premises closes on each business day. Landlord shall keep the Parking Area property drained and shall provide painted stripes to designate parking spaces. Landlord shall keep all planted areas groomed and watered.

~~SECTION 10.06 Merchant's Association: Landlord may form a Merchant's Association with such bylaws as Landlord shall determine are necessary. Tenant shall join the Merchant's Association formed by Landlord. The purpose of the Merchant's Association shall include the promotion of the Shopping Center. Tenant shall pay dues to the Merchant's Association in the amount as may be set by the Merchant's Association from time to time. The dues shall be the same amount for each tenant. Merchant's Association dues shall be paid in equal monthly installments. Each installment shall be paid in advance, and shall be due on the first day of each month during the term of this Lease.~~

SECTION 10.07 Apportionment of Charges: If the first and/or last months of the term of this Lease consist of less than full calendar months, then the installment of Tenant's Maintenance Contributions payable under Section 11.04 and Merchant's Association Dues payable under Section 11.06 for these months shall be apportioned on the basis of the number of days of these months that occur during the Term.

ARTICLE XI. Destruction and Fire Insurance

SECTION 11.01 Rent Abatement: If all or any portion of the Demised Premises is damaged by fire or casualty covered by extended coverage insurance not caused by the fault or negligence of Tenant or Tenant's Agents, and this Lease is not terminated pursuant to any provisions of this Lease, the following shall apply: Rent shall abate from the date of the occurrence in the proportion that the area of the portion of the Demised Premises rendered unusable for the Permitted Uses bears to the entire area of the Demised Premises. The abatement shall continue until the Demised Premises, or the portion thereof which shall have been damaged, shall be rebuilt or repaired. If the fire or other casualty is caused by fault or neglect of Tenant or Tenant's Agents, rent shall not abate.

SECTION 11.02 Option to Cancel: This lease shall not be cancelled as a result of fire or casualty except as follows: Landlord and Tenant shall have the option to cancel this Lease if all or a substantial portion of the Demised Premises shall be damaged by fire or casualty. This option may be exercised upon giving notice of cancellation to Tenant within ninety (90) days following the occurrence. Tenant hereby waives all right to cancel this Lease by reason of damage to the Demised Premises as a result of fire or other casualty pursuant to any presently existing or hereafter enacted statute or other law.

SECTION 11.03 Obligation to Rebuild: If all or any portion of the Demised Premises is damaged by fire or other casualty insurable under a standard fire insurance policy with standard extended coverage endorsement, and this Lease is not terminated, Landlord shall repair or rebuild the Demised Premises or such portion to its or their condition immediately prior to the occurrence. The repair or rebuilding shall be commenced within a reasonable time after the occurrence. Landlord shall not be obligated to expend any sums for repair or rebuilding which are greater than the proceeds of any insurance policy carried by Landlord.

extended coverage insurance policies covering the Demised Premises or their contents shall include this clause or endorsement as long as the same shall be obtainable without extra cost, or, if extra cost shall be charged therefor, so long as the other party pays the extra cost. If extra cost shall be chargeable, the party whose policy is subject to the extra cost shall advise the other thereof, and of the amount of the extra cost.

ARTICLE XII. Condemnation

SECTION 12.01 Definitions: As used in this Lease, the following words have the following meanings.

(a) Award: means the award for or proceeds of any Taking less all expenses in connection therewith including attorney's reasonable fees.

(b) Taking: means the taking of, or damage to, the Demised Premises or the Shopping Center or any portion thereof, as the case may be, as the result of the exercise of any power of eminent domain, condemnation, or purchase under threat thereof or in lieu thereof.

(c) Taking Date: means the date on which the condemning authority shall have the right to possession of the Demised Premises or the Shopping Center or any portion thereof as the case may be.

SECTION 12.02 Total or Substantial Taking of Demised Premises: If all of the Demised Premises shall be taken, except for a Taking for temporary use, this Lease shall be cancelled automatically as of the Taking Date. If a part of the Demised Premises shall be taken, Landlord shall have the option to cancel this Lease. The option to cancel may be exercised within six months of the Taking Date by giving Tenant notice that the option has been exercised.

SECTION 12.03 Abatement and Restoration: If all or a portion of the Demised Premises shall be taken, except for a Taking for temporary use, and this Lease shall not be cancelled under Section 12.02, the following shall apply: Minimum Rent shall be reduced in the proportion that the area so taken bears to the entire area of the Demised Premises. Landlord shall restore the remaining portion of the Demised Premises, to the extent practical, to render it reasonably suitable for the Permitted Uses. Landlord shall not be obligated to expend an amount greater than the Award for the restoration.

SECTION 12.04 Taking for Temporary Use: If there is a Taking of the Demised Premises for temporary use, this Lease shall continue in full force and effect, and Tenant shall continue to comply with Tenant's obligations under this Lease, except to the extent compliance shall be rendered impossible or impracticable by reason of the Taking.

SECTION 12.05 Disposition of Awards: All Awards arising from a total or partial Taking of the Demised Premises or of Tenant's leasehold interest awarded to Landlord or Tenant shall belong to and be the property of Landlord without any participation by Tenant. Tenant hereby assigns to Landlord any share of such Award which may be awarded to Tenant. Tenant hereby waives any rights it may have with respect to the loss of its leasehold interest in this Lease and the Demised Premises as a result of a Taking.

ARTICLE XIII. Indemnity and Liability

SECTION 13.01 Indemnity:

(a) As used in Article XIII, "Claims" means any claims, suits, proceedings, actions, causes of action, responsibility, liability, demands, judgments, and executions.

(b) Tenant hereby indemnifies and agrees to save harmless Landlord and Mortgagee from and against all Claims, which either (i) arise from or are in connection with the possession, use, occupation, management, repair, maintenance or control of the Demised Premises or any portion thereof; (ii) arise from or are in connection with any act or omission of Tenant or Tenant's Agents; (iii) result from any Default, breach, violation or non-performance of this Lease or any provision of this Lease by Tenant; or (iv) results in injury to person or property or loss of life sustained in or about the Demised Premises.

(c) Tenant shall defend any Claims against Landlord or Mortgagee with respect to the foregoing or in which they may be impleaded. Tenant shall pay, satisfy and discharge any judgments, orders and decrees which may be recovered against Landlord or Mortgagee in connection with the foregoing.

SECTION 13.02 Liability Insurance:

(a) Tenant shall provide and maintain a comprehensive policy of liability insurance with respect to the Demised Premises. Landlord and any designee of Landlord shall be named as additional insureds. The liability insurance policy shall protect Landlord, Tenant and any designee of Landlord against any liability which arises from any occurrence on or about the Demised Premises or any appurtenance of the Demised Premises, or which arise from any of the Claims indicated in Section 13.01 against which Tenant is required to indemnify Landlord.

(b) The policy is to be written by a good and solvent insurance company, with a rating of A+ or better by Bests, satisfactory to Landlord. The coverage limits of the policy shall be at least $1,000,000 with respect to any one person, at least $3,000,000 with respect to any one accident, and at least $500,000 with respect to property damage.

(c) If it becomes customary for a significant number of tenants of shopping centers to be required to provide liability insurance policies to their landlords with coverage limits higher than the foregoing limits, within thirty days after Landlord's request therefor Tenant shall provide Landlord with an insurance policy whose limits are not less than the then customary limits. The foregoing requirement shall be applicable only once during each five years during the Term.

SECTION 13.03 Plate Glass Insurance: Tenant shall keep all plate glass of the Demised Premises insured against all risks for the benefit of Landlord and Tenant in amounts and with a company satisfactory to Landlord.

cancellation or failure to renew, or material change to, the policies, as the case may be, (i) the insurance shall not be cancelled and shall continue in full force and effect, (ii) the insurance carrier shall not fail to renew the insurance policies for any reason, and (iii) no material change may be made in an insurance policy. As used in the Lease, the term "insurance policy" shall include any extensions or renewals of an insurance policy.

SECTION 13.05 Non-Liability of Landlord: Landlord shall not be responsible or liable to Tenant for any loss or damage caused by the acts or omissions of any persons occupying any space adjacent to or adjoining the Demised Premises. Except for loss or damage caused by Landlord's gross negligence, Landlord shall not be responsible or liable to Tenant for any loss or damage resulting to Tenant or its property from water, gas, or steam; or the bursting, stoppage, or leakage of pipes.

SECTION 13.06 Inability to Perform:

(a) If Landlord fails to perform any of its obligations under this Lease as a result of Force Majeure Landlord shall not be liable for loss or damage for the failure and Tenant shall not be released from any of its obligations under this Lease.

(b) If Landlord is delayed or prevented from performing any of its obligations as a result of Force Majeure, the period of delay or prevention shall be added to the time herein provided for the performance of any such obligation.

ARTICLE XIV. Covenant of Quiet Enjoyment

Landlord covenants that if Tenant pays the rent and all other charges provided for in this Lease, performs all of its obligations provided for under this Lease, and observes all of the other provisions of this Lease, Tenant shall peaceably and quietly enjoy the Demised Premises in accordance with the terms of this Lease without any interruption or disturbance from Landlord.

ARTICLE XV. Failure to Perform: Defaults, Remedies

SECTION 15.01 Defaults, Conditional Limitations

(a) Each of the following events shall constitute a Default:

(i) If an event of insolvency should occur. Each of the following events shall be regarded as events of insolvency:

(u) If Tenant shall make an assignment for the benefit of creditors.

(v) If Tenant shall file or acquiesce to a petition in any court (whether or not pursuant to any statute of the United States or of any state) in any bankruptcy, reorganization, composition, extension, arrangement or insolvency proceedings.

(w) If Tenant shall make an application in any such proceedings for, or acquiesce to, the appointment of a trustee or receiver for it or all of any portion of its property.

(x) If any petition shall be filed against Tenant to which Tenant acquiesces in any court (whether or not pursuant to any statute of the United States or any state) in any bankruptcy, reorganization, composition, extension, arrangement or insolvency proceedings, and the proceedings shall not be dismissed, discontinued or vacated within thirty days.

(y) If Tenant shall be adjudicated a bankrupt, or if any petition referred to in clause (x) shall be approved by any court.

(z) If, in any proceeding pursuant to the application of any person other than Tenant to which Tenant acquiesces, a receiver or trustee shall be appointed for Tenant or for all or any portion of the property of Tenant, and the receivership or trusteeship shall not be set aside within thirty (30) days after such appointment.

(ii) If Tenant's interest in this Lease is assigned by operation of law.

(iii) If Tenant shall vacate the Demised Premises except as authorized in Section 18.15.

(iv) If Tenant shall refuse to take possession of the Demised Premises on the Commencement Date or shall permit the Demised Premises to remain unoccupied and unattended.

(v) If Tenant shall fail to perform its obligations under, or fail to observe, Section 5.02, 5.03, 5.05, and/or 9.01.

(vi) If Tenant shall fail to pay any installment of rent, additional rent, or any other charge required to be paid by Tenant under this Lease when the same shall become due and payable, and the failure shall continue for five (5) days.

(vii) If Tenant shall fail to perform or observe any of its other obligations under this Lease, and the failure shall continue for twenty (20) days.

(viii) If Tenant is a corporation and any part of its shares of stock shall be transferred by sale, assignment, bequest, inheritance, operation of law or other disposition so as to result in a change in the present effective voting control of Tenant by the person owning an effective voting control of Tenant by the person owning a majority of said stock on the date of this Lease.

(b) This Lease is subject to the limitation that, if a Default shall occur, Landlord may give to Tenant a notice of intention to cancel this Lease at the expiration of five (5) days from the date of service of the notice. At the expiration of the five (5) days, the term of this Lease shall expire; and all of the right, title and interest of Tenant under this Lease shall end. Tenant shall then quit and surrender the Demised Premises to Landlord. Tenant's liability under all of the provisions of this Lease shall continue not withstanding any expiration and surrender, and notwithstanding any reentry, repossession or dispossession under Section 15.02.

SECTION 15.02 Landlord's Re-entry: If the term of this Lease shall expire, Landlord or its agents or employees may immediately or at any time thereafter reenter the Demised Premises and remove Tenant, Tenant's Agents, any subtenants, any licensees, any concessionaires and any invitees, and any of its or their property from the Demised Premises. Reentry and removal may be effectuated by summary dispossess proceedings, by any suitable action or proceeding at law, by force, or otherwise. If the term of this Lease shall expire, Landlord may repossess and enjoy the Demised Premises. Landlord shall be entitled to the benefits of all provisions of law respecting the speedy recovery of lands and tenements held over by Tenant or proceedings in forcible entry and detainer. Tenant waives any right to the service of any notice of Landlord's intention to re-enter provided for by any present or future law. Landlord shall not be liable in any way in connection with any action it takes pursuant to this Section. Tenant's liability shall survive Landlord's re-entry, the institution of summary

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(i) If this Lease shall be cancelled under subsection 15.01(b), Tenant shall pay "Agreed Current Damages" to Landlord. As used in this Lease "Agreed Current Damages" means the difference between (i) the sum of Rent and the expenses to which Landlord may be put in reentering the Demised Premises; repossessing the Demised Premises; making good any Default of Tenant; painting, altering or dividing the Demised Premises; combining the Demised Premises with any adjacent space for any new tenant; putting the Demised Premises in proper repair; protecting and preserving the Demised Premises by placing watchmen and caretakers therein; reletting the Demised Premises (including attorney's fees and disbursements, marshall's fees, and brokerage fees, in so doing); and any expenses which Landlord may incur during the occupancy of any new tenant; minus (ii) the proceeds of any reletting.

(ii) At the end of each month, Tenant shall pay Agreed Current Damages for that month. Each payment shall be made to Landlord at Landlord's notice address or such other address as Landlord may designate by giving notice to Tenant. Any suit brought by Landlord to enforce collection of Agreed Current Damages for any one month shall not prejudice Landlord's right to enforce the collection of Agreed Current Damages for any subsequent month.

(iii) In addition to the foregoing, Tenant shall pay to Landlord such sums as the court which has jurisdiction thereover may adjudge as reasonable attorneys' fees with respect to any successful lawsuit or action instituted by Landlord to enforce the provisions of this lease.

(b) Landlord may relet all or any part of the Demised Premises for all or any part of the unexpired portion of the term of this Lease or for any longer period. Landlord may accept any rental then obtainable; grant any concessions of rent; and agree to paint or make any special repairs, alterations, and decorations for any new tenant as it may deem advisable in its sole and absolute discretion. Landlord shall be under no obligation to relet or to attempt to relet the Demised Premises.

SECTION 15.04 Agreed Final Damages: If this Lease is cancelled in accordance with subsection 15.01(b) and Landlord so elects, Tenant shall pay Landlord "Liquidated and Agreed Final Damages". As used in this Lease, "Liquidated and Agreed Final Damages" means the Rent and all other charges which would have been payable by Tenant from the date of the election to the date when this Lease would have expired if it had not been so cancelled, minus the fair rental value of the Demised Premises for the same period both discounted to present worth at an annual interest factor of four percent (4%). Upon payment of Liquidated and Agreed Final Damages, Tenant shall be under no further liability with respect to the period after the date of cancellation.

SECTION 15.05 Percentage Rent after a Default: For the purpose of computing Percentage Rent after a Default, Gross Sales within any Lease Year shall be deemed to be the average of Tenant's Gross Sales during all of the Lease Years Preceding the Lease Year in which the Default occurred.

SECTION 15.06 Waiver of Right of Redemption: Tenant hereby waives (to the extent legally permissible), for itself and all persons claiming by, through, or under it, any right of redemption or for the restoration of the operation of this Lease under any present or future law in case Tenant shall be dispossessed for any cause, or in case Landlord shall obtain possession of the Demised Premises as herein provided.

SECTION 15.07 Waiver of Trial by Jury: Intentionally deleted.

SECTION 15.08 Landlord's Right to Perform for Account of Tenants:

(a) If Tenant shall be in Default under this Lease, Landlord may cure the Default at any time for the account and at the expense of Tenant. If Landlord cures a Default on the part of Tenant, Tenant shall reimburse Landlord for any amount expended by Landlord in connection with the cure.

(b) If Landlord shall be required to seek enforcement of this Lease by litigation, and Landlord shall prevail in the litigation, Tenant shall reimburse Landlord for Landlord's attorneys' reasonable fees and disbursements.

(c) Landlord shall also be entitled to interest at the maximum legal rate on the amount specified in subsections (a) and (b) from the date the expense is incurred to the date of reimbursement.

(d) The amounts specified in subsections (a), (b) and (c) shall be deemed to be Additional Rent.

SECTION 15.09 Additional Remedies, Waivers, Etc.:

(a) The rights and remedies of Landlord set forth herein shall be in addition to any other right and remedy now and hereafter provided by law. All rights and remedies shall be cumulative and not exclusive of each other. Landlord may exercise its rights and remedies at any time, in any order, to any extent, and as often as Landlord deems advisable without regard to whether the exercise of one right or remedy precedes, concurs with, or succeeds the exercise of another.

(b) A single or partial exercise of a right or remedy shall not preclude a further exercise thereof, or the exercise of another right or remedy from time to time.

(c) No delay or omission by Landlord in exercising a right or remedy shall exhaust or impair the same or constitute a waiver of, or acquiescence to, a Default.

(d) No waiver of a Default shall extend to or affect any other Default or impair any right or remedy with respect thereto.

(e) No action or inaction by Landlord shall constitute a waiver of a Default.

(f) No waiver of a Default shall be effective, unless it is in writing.

SECTION 15.10 Landlord's Liens: Landlord shall have, at all times, a valid security interest to secure payment of all rentals and other sums of money becoming due under this Lease from Tenant, and to secure payment of any damages or loss that Landlord may suffer by reason of the breach by Tenant of any covenant, agreement, or condition contained in this Lease, upon all goods, wares, equipment, fixtures, furniture, and other personal property of Tenant which is now on the premises or which is placed on the premises at some later date, and all proceeds from them. This property shall not be removed from the premises without consent of Landlord until all arrearages in rent and all other sums of money then due to Landlord under this Lease have been paid and discharged, and all covenants, agreements, and conditions of this Lease have been fully complied with and performed by Tenant. Upon the occurrence of an event of Default by

attorney's fees and other expenses) shall be applied as a credit against the indebtedness secured by the security interest granted in this section. Any surplus shall be paid to Tenant or as otherwise required by law; and Tenant shall pay any deficiencies immediately. Upon request by Landlord, Tenant agrees to execute and deliver to Landlord a financing statement in form sufficient to perfect the security interest of Landlord in the aforementioned property and proceeds under the provisions of the Uniform Commercial Code in force in the State of Texas. The statutory lien for rent is not waived, the security interest granted in this article being in addition and supplementary to that lien.

ARTICLE XVI. Tenant's Certificate

SECTION 16.01 Tenant's Certificate:

(a) Within ten days after each request by Landlord, Tenant shall deliver an estoppel certificate to Landlord. Estoppel certificates shall be in writing, shall be acknowledged, and shall be in proper form for recording. Estoppel certificates shall be executed by Tenant if Tenant is an individual proprietorship, by a general partner of Tenant if Tenant is a partnership, or by the President or a Vice President if Tenant is a corporation. Each estoppel certificate shall be certified to Landlord, any Mortgagee, any assignee of any Mortgagee, any purchaser, or any other person specified by Landlord.

(b) Each estoppel certificate shall contain the following information certified by the person executing it on behalf of Tenant: (i) Whether or not Tenant is in possession of the Demised Premises; (ii) Whether or not this Lease is unmodified and in full force and effect. (If there has been a modification of this Lease the certificate shall set forth the modification.); (iii) Whether or not Tenant contends that Landlord is in default under this Lease in any respect; (iv) Whether or not there are the existing set-offs or defenses against the enforcement of any right or remedy of Landlord, or any duty or obligation of Tenant (and if so, specify the same); and (v) The dates, if any, to which any rent or charges have been paid in advance.

ARTICLE XVII. Right of Access

SECTION 17.01 Entry: During any reasonable time before and after the Commencement Date, Landlord may enter upon the Demised Premises, any portion thereof and any appurtenance thereto (with men and materials, if required) for any of the following purposes: (i) inspecting the Demised Premises; (ii) making any repairs, replacements or alterations which Landlord may be required to perform under this Lease, or which Landlord may deem desirable for the Demised Premises; and (c) showing the Demised Premises to prospective purchasers or lessees.

SECTION 17.02 Easement for Pipes: Tenant shall permit Landlord to erect, use, maintain and repair pipes, cables, conduits, plumbing, vents and wires in, to and through the Demised Premises as often and to the extent that Landlord may now or hereafter deem to be necessary or appropriate for the proper operation and maintenance of the Shopping Center.

ARTICLE XVIII. Interpretation, Notices, Miscellaneous

SECTION 18.01 Interpretation:

(a) Exhibits A-H are attached to this Lease. They shall be considered a part of this Lease.

(b) Any references in this Lease to "subtenants" or "licensees" shall not be deemed to imply that any subtenants or licensees are permitted under this Lease. Any references in this Lease to any extensions or renewals of the term of this Lease or to any period during which Tenant may be in possession after the Expiration Date shall not be deemed to imply that any extension or renewal of the term of this Lease is contemplated or that Tenant shall be permitted to remain in possession after the expiration of the term of this Lease.

(c) If any provision of this Lease or the application of any provision of this Lease to any person or circumstance shall be invalid or unenforceable to any extent, the remainder of this Lease, or the application of such provision to persons or circumstances other than those to which it is invalid or unenforceable shall not be affected thereby; and each provision of this Lease shall be valid and be enforced to the fullest extent permitted by law.

(d) The captions and headings used throughout this Lease are for convenience of reference only and shall not affect the interpretation of this Lease.

(i) Any provision of this Lease which permits or requires a party to take any particular action shall be deemed to permit or require, as the case may be, the party to take such action or cause such action to be taken.

(ii) Any provision of this Lease which requires any party not to take any particular action shall also be deemed to require the party not to permit such action to be taken by any person or by operation of law.

(e) This Lease has been executed in several counterparts but the counterparts shall constitute but one and the same instrument

(f) Wherever a requirement is imposed on any party to this Lease, it shall be deemed that that party shall be required to perform the requirement at its own expense unless it is specifically provided to the contrary.

(g) Notwithstanding the fact that a portion of the rent reserved under this Lease may be a percentage of Tenant's Gross Sales, and notwithstanding anything else to the contrary, Landlord shall not be deemed to be a partner of Tenant or a joint venturer with Tenant.

(h) The singular includes the plural and the plural includes the singular.

SECTION 18.02 Construing Various Words and Phrases

(a) Wherever it is provided in this Lease that a Party may perform an act or do anything, it shall be construed that that party may, but shall not be obligated to, so perform or so do.

(b) The words, "re-enter", as used in this Lease are not restricted to their technical legal meaning.

(c) The following words and phrases shall be construed as follows:

(i) "At any time" shall be construed as "at any time or from time to time"

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(a) If intended for Landlord, a communication shall be effective if mailed to the address designated as Landlord's Notice Address in Section 1.10 or to such other address as Landlord designates by giving notice to Tenant, with a copy to such other person or party as Landlord shall designate by notice to Tenant and

(b) If intended for Tenant, a communication shall be effective if mailed to the address designated as Tenant's Notice Address in Section 1.10 or to such other address as Tenant shall designate by giving notice thereof to Landlord with a copy to such other person or party as Tenant shall designate by giving notice thereof to Landlord.

SECTION 18.05 Method of Payment: Except as may be provided otherwise in this Lease, all amounts payable under this Lease shall be payable by a check drawn on Tenant's bank account.

SECTION 18.06 Successors and Assigns: Except as otherwise provided, this Lease shall bind and inure to the benefit of the parties and their respective successors, representatives, heirs and assigns.

SECTION 18.07 Responsibility of Tenant: Any restriction on or requirement imposed upon Tenant under this Lease shall be deemed to extend to Tenant's subtenants, concessionaires and licensees; and it shall be Tenant's obligation to cause the foregoing persons to comply with the restrictions and requirements.

SECTION 18.08 Liability of Landlord: Landlord, and in case Landlord shall be a joint venture, partnership, tenancy-in-common, association or other form of joint ownership, shall have absolutely no personal liability with respect to any provision of this Lease or any obligation or liability arising from this Lease or in connection with this Lease in the event of a breach or default by Landlord of any of its obligations. Tenant shall look solely to the equity of the owner of the Demised Premises in the Demised Premises at the time of the breach or default for the satisfaction of any remedies of Tenant. Such exculpation of liability shall be absolute and without any exception whatsoever.

SECTION 18.09 Written Changes: Except as may be provided otherwise in this Lease, no written changes shall be deemed effective except by legal instrument as an Addendum to this Lease, executed by both Landlord and Tenant.

SECTION 18.10 Personal Liability of Tenant: Tenant shall be personally liable for payment of rent and all other impositions provided for in this Lease. If Tenant is a joint venture, partnership, tenancy-in-common, association, or other form of joint ownership each joint venturer, partner, joint tenant, associate, or joint owner shall be personally liable, individually and severably, for payment of rent and other impositions provided for in this Lease.

SECTION 18.11 Confidentiality: Except as may be otherwise provided in this Lease, Tenant shall keep all portions of this Lease confidential.

SECTION 18.12 Holdover: In the event of Tenant's continued occupancy of the premises after expiration of the term of this Lease or any renewal or extension thereof, or any earlier termination provided or permitted by this Lease, either with or without the consent of Landlord; such tenancy shall be from month-to-month and in no event from year-to-year and such continued occupancy shall not defeat Landlord's right to possession of the premises and the month-to-month tenancy hereunder may be cancelled at the end of any calendar month upon not less than sixty (60) days' prior written notice from either party. All other covenants, provisions, obligations and conditions of this Lease shall remain in full force and effect during such month-to-month tenancy, except rent, which shall then be 150% of the last full month's rent at the expiration of this Lease.

SECTION 18.13 Upon submission of this Lease to Landlord and any time thereafter within thirty (30) days after delivery of a request from Landlord, Tenant shall furnish to Landlord copies of the following documents: (1) Tenant's most recent audited or certified annual financial statements, including without limitation balance sheets, statements of profit and loss and changes to financial condition, reflecting Tenant's current financial condition, (2) Tenant's Federal and State income tax returns pertaining to Tenant's business conducted upon the Premises and (3) written evidence of ownership of controlling stock interest if Tenant is a corporation or if Tenant is a partnership, the general partners of Tenant. Tenant hereby represents and warrants that financial statements submitted are true, accurate and up-to-date representations of its financial condition including, without limitation, all of its assets, liabilities, income and sources of income as of the date thereof. If Landlord desires to finance, refinance, or sell the Shopping Center or any part thereof, Tenant hereby agrees to deliver to any lender, prospective lender or prospective purchaser designated by Landlord such financial statements of Tenant as may be reasonably required by such lender or prospective purchaser. Said documents can only be required once per lease year.

INTENTIONALLY LEFT BLANK

SECTION 18.14 Special Provisions:

(a) Within sixty (60) days of lease execution, Tenant must install a storefront sign in accordance with Exhibit "C" attached hereto.

SECTION 18.15 Termination Option:

Since the Crime Prevention Program is a government entity, its funding may be withdrawn at any time by the city council. If, after the end of the twelfth month of the lease term, said funding for this location is eliminated from the budget, Tenant may terminate this lease by delivering to Landlord (a) ninety (90) days prior written notice thereof and (b) a check payable to Landlord in the amount of $3,000. If, after the end of the thirty-sixth month of the lease term, said funding for this location is eliminated from the budget, Tenant may terminate this lease by delivering to Landlord ninety (90) days written notice thereof.

In the event that Tenant exercises either of the termination options described above, Tenant's security deposit referenced in Section 1.06 and 4.10 will be retained by Landlord.

SECTION 18.16 Heating and Air-Conditioning

Landlord hereby agrees that the heating and air-conditioning equipment currently existing in the demised premises will be in good working order when Landlord tenders possession to Tenant. Tenant hereby agrees that all future maintenance, repairs and/or replacement of such equipment shall be the Tenant's sole responsibility.

To signify its agreement to this instrument, Landlord has caused this Lease to be executed. To signify its agreement to this instrument, Tenant has caused this Lease to be executed and if applicable, ensealed by its duly authorized officers

LANDLORD:

BENBROOKE RIDGE PARTNERS, L.P.

By: Benbrooke Rockwall Investment Corp, General Partner

By: _____
George Ackerman

Its: President

TENANT:

CITY OF ROCKWALL

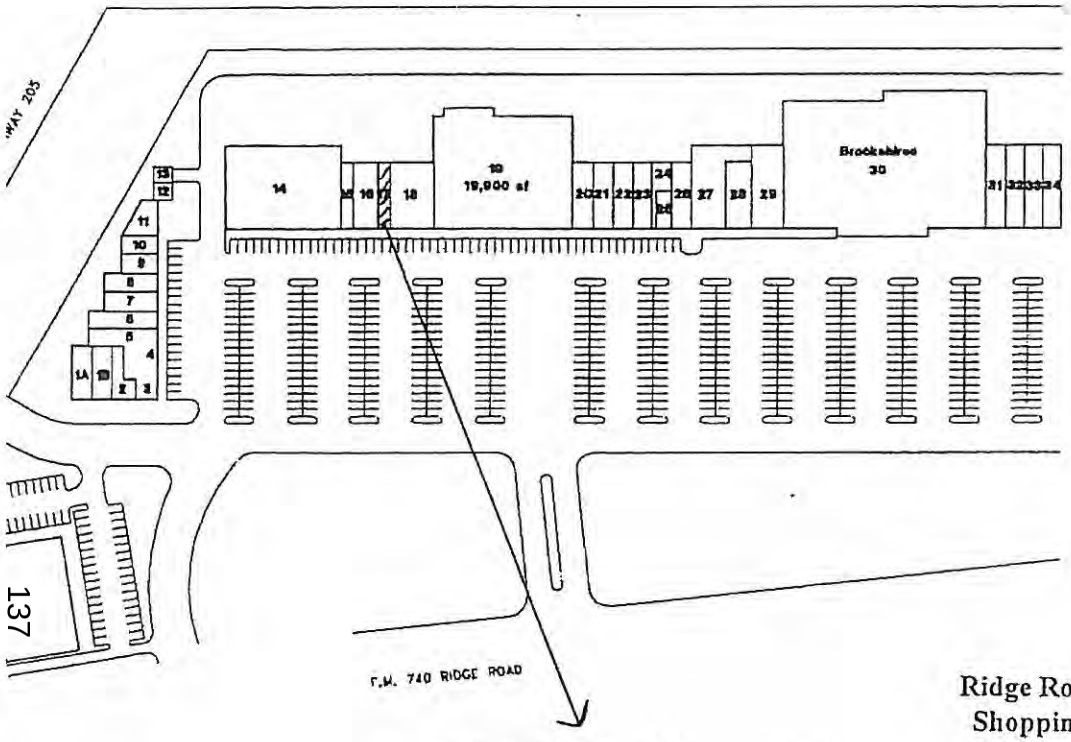
By: Julie Couch 9/23/96
Julie Couch

Its: City Manager

EXHIBIT "A"

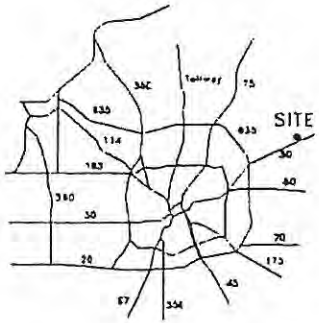
DEMISED PREMISES

TRANSWESTERN
PROPERTY COMPANY



Demised Premises being approximately 1,200 sf (known as Suite 1113).

Ridge Road Center
Shopping Center
Rockwall, Texas



DALLAS VICINITY MAP

EXHIBIT "B"

LEGAL DESCRIPTION

STATE OF TEXAS
COUNTY OF ROCKWALL

BEING 4 tracts or parcels of land situated in the Daniel Atkins Survey, Abstract No. 1, and the B.J.T. Lewis Survey, Abstract No. 225, Rockwall County, Texas, and being a part of that 20.75 acre tract of land described in deed recorded in Volume 78, Page 322, Deed Records, Rockwall County, Texas, and further being a part of Eastridge Center, an addition to the City of Rockwall, recorded in Slide A, Page 263, Plat Records, Rockwall County, Texas, and being more particularly described as follows:

Phase I

BEGINNING at an iron rod at the Northeast corner of Eastridge Center at the intersection of the Southwest line of State Hwy. 205 with the Westerly line of the M.K. & T. Railroad;
THENCE: South 18° 43' 00" West a distance of 510.00 feet with the Westerly line of said Railroad to an iron rod set for a corner;
THENCE: North 71° 17' 00" West a distance of 472.18 feet leaving said Westerly line to an iron rod set for a corner;
THENCE: North 18° 43' 00" East a distance of 544.10 feet to an iron rod set for a corner;
THENCE: South 71° 17' 00" East a distance of 410.11 feet to an iron rod set for a corner on the Southwest line of State Hwy. 205;
THENCE: South 42° 30' 00" East a distance of 70.82 feet with said Southwest line to the Point of Beginning and Containing 255,857 Square Feet or 5.8737 Acres of Land.

Phase II
Section 2

COMMENCING at an iron rod at the Northeast corner of Eastridge Center at the intersection of the Southwest line of State Hwy. 205 with the Westerly line of the M.K. & T. Railroad;
THENCE: South 18° 43' 00" West a distance of 510.00 feet with the Westerly line of said Railroad to an iron rod set for a corner at the Point of Beginning;
THENCE: South 18° 43' 00" West a distance of 433.00 feet continuing with said Westerly line to an iron rod set for a corner;
THENCE: North 71° 17' 00" West a distance of 472.18 feet leaving said Westerly line to an iron rod set for a corner;
THENCE: North 18° 43' 00" East a distance of 433.00 feet to an iron rod set for a corner;
THENCE: South 71° 17' 00" East a distance of 472.18 feet to the Point of Beginning and Containing 204,456 Square Feet or 4.6937 Acres of Land.

Phase II
Section 4

COMMENCING at an iron rod at the Northeast corner of Eastridge Center at the intersection of the Southwest line of State Hwy. 205 with the Westerly line of the M.K. & T. Railroad;
THENCE: North 42° 30' 00" West a distance of 70.82 feet with the Southwest line of State Hwy. 205 to an iron rod set for a corner at the Point of Beginning;
THENCE: North 71° 17' 00" West a distance of 410.11 feet leaving said Southwest line to an iron rod set for a corner;
THENCE: North 18° 43' 00" East a distance of 34.09 feet to an iron rod set for a corner;
THENCE: North 47° 21' 30" East a distance of 167.60 feet to an iron rod set for a corner on the Southwest line of State Hwy. 205;
THENCE: South 42° 30' 00" East a distance of 376.27 feet with said Southwest line to the Point of Beginning and Containing 38,520 Square Feet or 0.8843 Acres of Land.

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Exhibit "C"
Sign Criteria

This criteria has been developed to provide guidelines for Tenant compliance with Lease requirements.

A. Store Front Signs

The required type sign is internally illuminated, individual channel letters canned/boxed. The individual letters shall be raceway mounted. Raceways are to house the powering transformers and wiring between letters.

1. Raceways are to be constructed using continuous internal steel structure. Structure to be skinned using a minimum 22-gauge paint grip or .063 aluminum. Raceways shall be 8" x 10" x length of sign. Multiple rows of letters shall be mounted on individual raceways and letters are to be centered vertically on the raceway. Raceways shall have full service access panels sealing out water with 1/2" diameter weep holes spaced a maximum of 4' apart bottoms. Raceways shall be painted per selected color by management to match base building.

2. Channels shall be constructed using formed and welded aluminum only. The backs shall be 22-gauge paint grip and pop rivets on tip seams of .063 minimum thickness with returns being 4.5" deep of .050 minimum thickness. Each bottom portion of a stroke shall have a 1/4" diameter weep hole.

3. Letter heights shall be minimum of 12" and a maximum of 24". Two rows or more of letters may be used not to exceed the maximum of 27" in overall height.

4. A sign shall not extend over more than 75% of the store front and be centered on that front. A sign may not exceed the square foot envelope area determined by multiplying the store front times 2.

5. The Tenant is responsible for removal of any signs in the event a lease is terminated and repairing any damage to the facade during installation and removal of a sign. Upon vacating of the premises, the raceway must remain fixed to the building.

6. No temporary signs, flags, banners or hand-painted signs will be permitted. Management must approve any special or move-in banners or signs on store fronts or windows.

7. Flashing, moving or audible signs will not be permitted. All electrical signs will bear the UL label and their installation must comply with all local building and electrical codes.

8. No exposed tubing will be permitted. All conduits, conductors, transformers and other equipment is to be concealed.

9. Electrical service to all signs will be on Tenant's meters. Ridge Road Center requires all Tenant signs which are lighted to remain on from dusk until 10:00 p.m., or until business close, if hours of operation exceed that time.

10. Signs will be permitted only upon the graphic sign-band as designed by the Ridge Road Shopping Center Property Manager ans as shown on the approved improvement plans.

11. Landlord will review and approve all sign shop drawings prior to construction and/or installation. Two copies of drawings and specifications for proposed signage must be submitted and a copy will be signed off and returned to Tenant as written approval.

The Tenant shall submit two sets of professionally prepared drawings, to scale by the sign company, for Landlord approval prior to fabrication and permit submission to the City of Rockwall. Signs installed without approvals shall be removed and brought into compliance at the Tenant's expense. Drawings shall be submitted to:

Pyramid Management & Consulting, Inc.
5323 Spring Valley Road, Suite 150
Dallas, Texas 75240
214/980-4475
214/980-4476 (Fax)

EXHIBIT "D"

ATTACHED TO AND MADE A PART
OF
SHOPPING CENTER LEASE AGREEMENT

Work Letter

Tenant accepts premises in "as-is" condition.

DESCRIPTION OF WORK:	RESPONSIBILITY Landlord	Tenant
1. a) Floor slab (minus leave-out in rear for restroom).		
b) Carpet or V.A. tile in retail area (up to 60% of space) (carpet or any other floor covering to be left as a permanent fixture of the Demised Premises).		
2. Sealed concrete in storage area.		
3. V.A. tile in restroom.		
4. Storefront:		
5. Interior demising partitioning, taped and bedded, with 3-1/2" batt insulation, metal studs.		
6. Final coat of paint in retail area only.		
7. Standard suspended, acoustical, grid ceiling system with 24" x 48" lay-in tiles in retail area only, or as required to meet City codes, with 3-1/2" batt insulation.		
8. Restroom facility in accordance with applicable City code requirements.		
9. Electrical:		
Retail Area:		
a. Rough-in ceiling light fixtures every 10 feet.		
b. Duplex wall outlets 15 feet on centers each side.		
c. Sign outlet at canopy.		
Storage Area:		
a. Rough-in for ceiling lights 10 feet on centers.		
b. 208 volt - 3 phase electrical service at main distribution can at rear of building.		
c. Air conditioning rough (Tenant to supply information for rough-in to Landlord).		
10. Other Utilities:		
a. Rough-in plumbing ready to receive domestic 15 gal. electric hot water heater. Provide sub-meter for water where not provided by City.		
b. Sanitary sewer.		
c. Natural gas on roof to air conditioning equipment.		
11. Heating, ventilation and air conditioning:		
a. Gas/electric HVAC unit (roof top package unit with factory curbs and plenums), including bracing as per architectural specifications.		
b. High voltage electrical connection as specified by Landlord's mechanical engineer.		
c. HVAC in retail area and bath (HVAC to be left in Demised Premises as a permanent fixture).		
d. Hub drain for HVAC.		
12. Provide lay-in recessed type light fixtures.		
13. Rear exit metal door where required by City code, to include wall cutting or sawing (where applicable).		
14. One cross partition with 3 foot door across space, metal studs.		
15. Provide HVAC screening, if required by City code.		
16. Provide signs subject to Landlord approval (size and other criteria to meet applicable City code), as provided in the Lease.		
17. Provide trade fixtures, shelving, and other work necessary for retail operations.		
18. Make application for separate metering of all utilities after meter base set by Landlord.		
19. Submit, for written approval, plans and specifications for construction of Demised Premises sufficient to obtain all necessary building permits and Landlord's approval.		

PLANS AND SPECIFICATIONS; PERMITS AND CERTIFICATES OF OCCUPANCY; PAYMENT FOR WORK:

1. Defined Terms. The work to be completed in the Demised Premises, whether or not all of it is described above, is called the "Leasehold Improvement". The costs to complete the items marked to be Landlord's responsibility are called "Landlord's Costs". The costs to complete any other part of the Leasehold Improvements, including any not described herein, are called "Tenant's Costs". Other terms are defined below.

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in a form sufficient to secure the approval of governmental authorities with jurisdiction over the approval thereof and shall be otherwise satisfactory to Landlord. To the extent necessary, the party preparing Tenant's Plans shall coordinate with Landlord's architect or engineers to assure that Tenant's Plans are consistent with the plans and specifications for the Building Shell Improvements.

(b) Tenant's Plans must be approved by Landlord. If Landlord disapproves Tenant's Plans, or any portion thereof, Landlord shall promptly notify Tenant of that and of the revisions Landlord reasonably requires before it will approve them. As promptly as reasonably possible thereafter, but in no event later than ten (10) days after Landlord's notice, Tenant shall submit to Landlord for Landlord's approval plans and specifications incorporating the required revisions. The final plans and specifications approved by Landlord are referred to as the "Final Plans". Under no circumstances is Landlord's approval of Tenant's Plans to be considered approval of their correctness, or their compliance with governmental requirements, or of other sufficiency or adequacy for Tenant's purposes.

3. Building Permit, Certificate of Occupancy. Unless Landlord has expressly agreed to do so in writing, Tenant is responsible for obtaining all necessary building and other permits for construction of the Leasehold Improvements and for obtaining a certificate of occupancy permitting unconditional occupancy and use of the Demised Premises after completion of the Leasehold Improvements, and shall provide a true copy to Landlord on Tenant's receipt thereof. Tenant indemnifies and agrees to defend and hold harmless Landlord from and against liability, cost and expense from Tenant's occupancy and/or conduct of business from the Demised Premises without first obtaining a certificate of occupancy.

4. Payment for Work.

A. Landlord shall provide to Tenant an allowance not to exceed $ -0- psf (the "Allowance") to be applied against Tenant's Costs. So much of the Allowance for which Tenant has qualified by expending funds to complete Leasehold Improvements shall be paid to Tenant on completion of the Leasehold Improvements and satisfaction of the following:

(a) Landlord has approved the Leasehold Improvements;
(b) Landlord has received invoices or other evidence reasonably satisfactory to it confirming the amount expended by Tenant;
(c) Landlord has received from Tenant a final Certificate of Occupancy issued by the City or other municipal or governmental agency authorized to issue a Certificate of Occupancy for the Demised Premises; and
(d) Landlord has received from Tenant or Tenant's general contractor a release of lien and an indemnity holding Landlord harmless from any obligation or lien whatsoever that may have been incurred by Tenant, or Tenant's contractor or subcontractors, during the construction of the Demised Premises.

Under no circumstances shall Tenant be paid cash by Landlord other than in reimbursement of Tenant's Costs actually incurred by Tenant, but in no event to exceed the Allowance.

B. If Landlord (or its affiliate) is serving as contractor or construction manager with respect to the Leasehold Improvements, then Tenant shall pay to Landlord the amount of Tenant's Costs, as follows:

(a) Tenant shall pay to Landlord before the commencement of construction of the Leasehold Improvements, an amount equal to fifty percent (50%) of Tenant's Costs (as then reasonably estimated by Landlord in written documents delivered to Tenant);
(b) After substantial completion of the Leasehold Improvements, but before occupancy of the Demised Premises by Tenant, Tenant shall pay to Landlord an amount equal to eighty percent (80%) of Tenant's Costs as then reasonably estimated by Landlord, less payments received by Landlord according to (a) above; and
(c) As soon as the final accounting can be prepared and submitted to Tenant, Tenant shall pay to Landlord the entire unpaid balance of the actual Tenant's Costs incurred in completing the Leasehold Improvements.

Tenant shall promptly pay all Tenant's Costs and shall comply fully with any contract or other agreement therefor, to the end that there is no basis for a mechanic's or materialman's lien claim against the Demised Premises or the Center. The amounts payable under subsection (b) constitute rent due pursuant to this Lease at the times specified herein and failure to make any payments within ten (10) days after written notice that the payments are past due constitutes an Event of Default under Section 15.01(a) of this Lease, entitling Landlord to all of its remedies under Section 15.01(b).

If Tenant requests any changes in the Final Plans, then any of those changes that are approved by Landlord shall become part of the Final Plans, and the costs resulting from the changes shall be added to Tenant's Costs, and shall be paid in accordance with the provisions set out in this Exhibit "D".

5. Construction. Construction of the Leasehold Improvements shall be performed by Landlord and its contractors or by Tenant's contractor, so long as Tenant's Contractor is a reputable, experienced commercial contractor and has been approved by Landlord, as agreed in writing between Landlord and Tenant. Construction shall begin promptly after issuance of any necessary building permit(s).

6. Delay. Tenant shall pay any and all costs and expenses incurred by Landlord in connection with any delay in the commencement or completion of the Leasehold Improvements, and any increase in the cost of items included in Landlord's Costs, caused by (i) Tenant's failure to timely prepare and submit Tenant's Plans; (ii) Tenant's specification of non-building standard improvements or finishes; (iii) any changes, additions or alterations to the Final Plans (or the Leasehold Improvements covered thereby) that are requested by Tenant; and (iv) any other delay requested or caused by Tenant.

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EXHIBIT "E"

ATTACHED TO AND MADE A PART
OF
SHOPPING CENTER LEASE AGREEMENT

Rules

1. Tenant, its agents, servants, and employees shall not block or obstruct any of the entries, passages, doors, hallways, or stairways of the Building; or place, empty or throw any rubbish, litter, trash or material of any nature into such areas; or permit such areas to be used at any time except for ingress and egress of Tenant, its agents, servants, employees, visitors or invitees.

2. For the general welfare of the Center, including without limitation to protect the beneficial flow of pedestrian and vehicular traffic through the Common Areas, the movement of furniture, equipment, merchandise or materials within, into or out of the Demised Premises shall be restricted to time, method and routing of movement. Safes and other heavy equipment shall be moved into the Demised Premises only with Landlord's written consent and shall be placed where directed by Landlord. Any damage done to the Building by taking in or removing any safe, or from overloading any floor in any way, shall be paid by the Tenant.

3. No sign, advertisement or notice shall be displayed, painted or affixed by Tenant, its agents, servants or employees in or on any part of the outside or inside of the Building (for purposes of these Rules, the term "Building" means the building of the Center in which the Demised Premises are located) or the Demised Premises without prior written consent of Landlord, and then only of such color, size, character, style and material; and in such places as are approved and designated by Landlord. All signs submitted for Landlord's prior written approval shall conform to any sign requirements or restrictions for the Center, including any set forth in a Sign Criteria exhibit attached to the Lease Agreement.

4. Pursuant to its authority under the Lease, Landlord hereby establishes operating hours for the Center. Landlord reserves the right to change the operating hours at any time. The initial operating hours for all tenants shall be (check appropriate box and insert times):

/___/ Food Related Tenants _____
/___/ Apparel Tenants _____
/X/ Other Tenants At least 5 days per week from 9 a.m. to 4 p.m.

Landlord may allow one or more tenants in the Building to have additional operating hours on any day, at Landlord's discretion.

5. Landlord is not responsible for lost or stolen personal property, equipment, money or any article taken from the Demised Premises or the Center.

6. Tenant shall keep the Demised Premises in a clean and tidy condition at all times and shall keep in an orderly manner all racks, shelves and other devices used for display and sale of merchandise. Tenant shall take care to present at all times merchandise that is fresh in appearance and neatly and safely displayed.

7. Tenant, its agents, servants and employees shall not install or operate any refrigerating, heating or air conditioning apparatus or carry on any mechanical operation or bring into the Demised Premises or the Building any inflammable fluids or explosives without the prior written permission of Landlord.

8. Except as set forth in any construction plans approved by Landlord, or otherwise approved in writing by Landlord, no awnings or other projections may be attached to the exterior surface of the walls enclosing the Demised Premises. No curtains, blinds or screens may be attached to or hung, or used in connection with, any window or door of the Demised Premises without the prior written approval of Landlord as to the quality, type, design, color and manner of attaching the same. No protective screen, grating, shade or other enclosing device may be used on the portion of the Demised Premises abutting the Common Areas, courts or public corridors without Landlord's prior written approval as to the quality, type, design, color and manner of attaching the same, to the end that all storefronts facing the said Common Area will be compatible, in Landlord's reasonable judgment, in appearance. Tenant shall regularly clean, repair and, if necessary in Landlord's reasonable judgment, replace any awnings used in connection with the Demised Premises, so that such awnings always convey the image of a first-class establishment.

9. Tenant, its agents, servants or employees shall not bring into the Building or the Demised Premises or keep on the Demised Premises any dog, bird or animal. Tenant, its agents, servants, or employees shall not bring into the Building or keep on the Demised Premises any bicycle or other vehicle without the prior written consent of Landlord.

10. No additional locks shall be placed on any door in or providing access to the Demised Premises unless Landlord or the Center manager is given a key to the lock at the time that it is installed. A reasonable number of keys to the Demised Premises will be furnished by Landlord and neither Tenant, its agents, servants or employees, shall have any duplicate keys made. Landlord may at all times keep a pass key to the Demised Premises. All keys shall be returned to Landlord promptly upon termination of this Lease.

11. Tenant shall give Landlord prompt notice of all accidents or defects in air conditioning equipment, plumbing, electrical

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then those employees are solely the agents of Tenant regardless of whether or how payment is arranged for services, and Landlord is expressly relieved from any and all liability in connection with any such services and any associated injury or damage to person or property.

14. No Tenant, nor any of Tenant's servants, employees, agents, guests or licensees shall at any time bring or keep on the Demised Premises any flammable, combustible, highly toxic, corrosive or explosive fluid, chemical or substance to be used for resale purposes without Landlord's prior written approval, nor shall such material be kept in the Demised Premises except as permitted by law and then only with the prior written consent of Landlord.

15. Tenant shall use the Approved Tradename in its address on all stationery, invoices, envelopes and local advertising in lieu of a street address. Landlord may prohibit any advertising which in Landlord's opinion tends to impair the reputation of the Center or its desirability as a location for stores or offices; and on the request of Landlord, Tenant shall immediately discontinue that advertising.

16. Tenant shall not suffer, permit, order or allow deliveries to be made except pursuant to the following conditions:

a. deliveries shall be made only between the hours of __n/a__ and __n/a__.;
b. all deliveries shall be made to such locations as are designated or approved by Landlord from time to time;
c. Tenant shall keep and maintain in good order, condition and repair any loading platform, truck dock and/or truck maneuvering space therefor which is used by Tenant or to which Tenant has the right of exclusive use, even if that area is not within the Demised Premises.

17. There shall not be used in any space, or in the public halls of the Building in which the Demised Premises are located, if any, either by any Tenant or others, any hand trucks except those equipped with rubber tires and side guards. No other vehicles of any kind shall be brought by any Tenant into the Building or kept in or about its Demised Premises without Landlord's prior consent. Tenant shall pay for any damages caused to the Building areas by Tenant's use of those vehicles.

18. Tenant shall not use the sidewalk adjacent to or any other space outside the Demised Premises for display, sale or any other purpose.

19. Tenant shall not use the plumbing facilities of the Demised Premises for any purpose other than that for which they were constructed. Tenant shall not dispose of any substances in such facilities which may clog, erode, or damage the plumbing pipes, lines or conduits of the Center whether through the utilization of "garbage disposal" units or otherwise. If Tenant uses the Demised Premises for the sale, preparation, or service of food for on-premises consumption, Tenant shall install any grease traps that may be necessary or desirable to prevent the accumulation of grease or other wastes in the plumbing facilities servicing the Demised Premises. The foregoing shall not be deemed to permit Tenant to use the Demised Premises as provided in the preceding sentence unless such use is specified in Section 1.08(a).

20. Tenant shall not place a load on any floor exceeding the floor load per square foot that the floor was designed to carry. Tenant shall not install, operate or maintain any heavy items of equipment in the Demised Premises, except in a manner that achieves a proper distribution of weight.

21. Tenant shall not use the roof or exterior walls of the Demised Premises for any purpose except that permitted by Section 8.04(e). Tenant shall not cause a violation of, or do any act which may result in a violation of, the roof bond with respect to the Demised Premises. Landlord reserves the right to build additional stories, levels or buildings above the Demised Premises, none of which shall be deemed to be part of the Demised Premises.

22. Tenant shall, at Tenant's expense, maintain the Demised Premises in a clean, orderly and sanitary condition free of insects, vermin, rodents, and other pests, and no refuse, trash, or garbage shall be suffered by Tenant to remain in the Demised Premises at night after normal working hours. If Tenant hereunder was identified as a "Food Related Tenant" under Rule 4, then Tenant shall cause all garbage to be removed daily between the hours of 10:00 p.m. and 8:00 a.m., only. Otherwise, Tenant shall adhere to trash pick-up procedures established from time to time by Landlord. During normal working hours, all refuse, trash, garbage and containers of types approved by Landlord for the same will be so placed in the Demised Premises as not to be visible from the exterior of the Demised Premises or from the interior areas of the Demised Premises normally used by the public. Boxes will be flattened by Tenant before being put in Center trash containers. No material shall be placed in the trash boxes or receptacles if the material is of a nature that it may not be disposed of in the ordinary and customary manner of removing and disposing of trash and garbage in the City in which the Center is located without being in violation of any law or ordinance governing such disposal. All garbage and refuse disposal shall be made only through entryways and elevators provided for such purposes and at such times as Landlord designates.

23. Canvassing, soliciting and peddling in the Building are prohibited, and each Tenant shall cooperate to prevent the same.

24. Tenant shall maintain any glass store front or other window glass within or on the perimeter of the Demised Premises and replace any that is cracked or broken, at Tenant's sole cost and expense.

25. Alterations and miscellaneous job orders shall at all times be directed to the Center manager to facilitate the orderly and

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28. These Rules are for Landlord's benefit, and are in addition to, and shall not be construed to in any way modify, alter, or amend, in whole or in part, the terms, covenants, agreements and conditions of any Lease of Demised Premises in the Center. Landlord has no liability for its failure to enforce any of the Rules against any tenant of the Center.

EXHIBIT "F"

HAZARDOUS MATERIALS

The term "Hazardous Substances", as used in this Lease shall mean pollutants, contaminants, toxic or hazardous wastes, or any other substances which are restricted, regulated, prohibited or penalized by any federal, state or local law, ordinance or other statutes of a governmental or quasi-governmental authority relating to pollution or protection of the environment (the "Environmental Laws"). The term "Hazardous Substance" includes, without limitation, any material or substance which is (i) designated as a "hazardous substance" pursuant to Section 311 of the Federal Water Pollution Act, (ii) defined as a "hazardous waste" pursuant to the Federal Resource Conservation and Recovery Act, 42 U.S.C., Section 6901 et seq., (iii) defined as a "hazardous substance" pursuant to Section 101 of the Comprehensive Environmental Response Compensation and Liability Act, 42 U.S.C., Section 9601 et seq., (iv) petroleum and any petroleum by-products, (v) asbestos and PCBs, (vi) urea formaldehyde foam insulation, (vii) radioactive materials, or (viii) designated as a chemical known to cause cancer or reproductive toxicity pursuant to the Safety Drinking Water and Toxic Enforcement Act of 1986.

Tenant hereby agrees that Tenant shall be diligent in investigating the use of the Premises, that it shall report promptly in writing to Landlord any incident which would require the filing of a notice under the Environmental Laws, and that it shall provide Lender with copies of any notices or other correspondence which Tenant receives from any government agency with respect to Hazardous Substances at the Premises. Tenant also agrees that (i) it shall not (x) conduct any activity or (y) permit any activity to be conducted on the Premises that will involve the generation, storage, use or disposal of any Hazardous Substance, without prior written consent of Landlord (the "Permitted Activities"), and then only if Permitted Activities are conducted in accordance with all Environmental Laws; Tenant shall be responsible for obtaining any required permits and paying any fees and providing any testing required by any governmental agency if such permits, fees and testing are required as a result of Tenant's use of the Premises; (ii) the Premises will not be used in any manner for the disposal or storage of any Hazardous Substances, except for the temporary storage of such materials that are used in the ordinary course of Tenant's business (the "Permitted Materials") provided such Permitted Materials are properly stored in a manner and location meeting all Environmental Laws and approved in advance in writing by Landlord; (iii) no portion of the Premises will be used as a landfill or a dump; (iv) Tenant will not install any underground tanks or other underground storage facilities of any type; (v) Tenant will not allow any surface or subsurface conditions to exist or come into existence that constitute, or with the passage of time may constitute a public or private nuisance; (vi) Tenant will not permit any Hazardous Substances to be brought onto the Premises, except in connection with the Permitted Activities, and if Tenant does so permit, the same shall be immediately removed, with proper disposal, and all required cleanup procedures shall be diligently undertaken pursuant to all Environmental Laws. Landlord or Landlord's representative shall have the right, but not the obligation, to enter the Premises for the purpose of inspecting the storage, use and disposal of said Permitted Materials to verify compliance with all Environmental Laws. Should it be determined that said Permitted Materials are being improperly stored, used or disposed of, or that Tenant shall be in violation of the provisions hereof, then Tenant shall immediately take, at its sole expense, such corrective action as required by all Environmental Laws. Should Tenant fail to commence such corrective action within 48 hours, Landlord shall have the right, but not the obligation, to perform such work and Tenant shall promptly reimburse Landlord for any and all costs associated with said work. If at any time during or after the term of the Lease, the Premises is found to be in violation of the Environmental Laws or the provisions hereof, Tenant shall diligently institute proper and thorough cleanup procedures at Tenant's sole cost, and Tenant agrees to defend, indemnify and hold Landlord harmless from all claims, demands, actions, liabilities, costs, expenses, damages and obligations arising from a breach by Tenant of the terms and covenants of this Section 9, or as a result of the use of the Premises by Tenant. The foregoing indemnification and the responsibilities of Lessee shall survive the termination or expiration of this Lease.

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EXHIBIT "G"

SCHEDULE OF MINIMUM RENT

Year 1:	$3.50 psf plus estimated triple net expenses.
Year 2:	$4.50 psf plus estimated triple net expenses.
Year 3:	$5.00 psf plus estimated triple net expenses.
Year 4:	$5.50 psf plus estimated triple net expenses.
Year 5:	$6.00 psf plus estimated triple net expenses.

EXHIBIT II

COMMENCEMENT LETTER

Shopping Center:	Ridge Road Center
Landlord:	Benbrooke Ridge Partners, L.P.
Tenant:	City of Rockwall
Suite/Address	1113 Ridge Road, Rockwall, Texas 75087

This certificate is being executed in connection with the Shopping Center Lease (the "Lease") between the landlord ("Landlord") and the tenant named above ("Tenant").

Tenant certifies to and agrees with Landlord and Landlord's successors, assigns, prospective purchasers and prospective lenders that:

1. Landlord has fully completed any construction work and leasehold improvements required of Landlord under the terms of the Lease and/or any other agreement between Landlord and Tenant concerning the Premises.

2. The Premises are tenantable, Landlord has no further obligation for construction, and Tenant acknowledges that the Shopping Center and the Premises are satisfactory in all respects. Further, the Premises are suitable for the Permitted Use specified in the Lease.

3. Tenant has taken possession of and has accepted the Premises, and the Minimum Rent and additional rent are presently accruing in accordance with the terms of the Lease.

4. The Lease Term commenced as of the 1 day of October, 1996.

5. The Lease Term will expire the 30 day of September, 2001 unless sooner terminated or extended pursuant to any provision of the Lease.

6. All capitalized terms not defined herein shall have the meaning assigned to them in the Lease.

Certified and Agreed this 1 day of October, 1996

TENANT:

CITY OF ROCKWALL

By: _____

Name: Julie Couch

Title: City Manager

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary**

DATE: **October 17, 2014**

SUBJECT: **Appointment w/ Joe DeLane, Rockwall County Emergency Management Coordinator**

Councilmember Lewis has requested this appointment item for the Monday, October 20th council meeting. Mr. DeLane will be present to update the city council on emergency management related activities in the County, including those related to public health.

Please be advised that Mr. DeLane has a KnoWhat2Do public education class he is teaching at 7PM in Royse City, so I've assured him we will not keep him past about 6:30 p.m.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rockwall City Council**

FROM: **Joey Boyd, Director of Internal Operations**

DATE: **October 13, 2014**

SUBJECT: **Airport Development Plan - Final Report**

The City of Rockwall and the Rockwall EDC are partnering to perform an Airport Development Plan at the Ralph M. Hall / Rockwall Municipal Airport. The Advisory Committee is made up of Rockwall Councilmembers David White, Mike Townsend, and Mayor Pro Tem Jim Pruitt and Rockwall EDC Board Members Kevin Fowler, Bob Amick, and Chip Imrie. Garver is the consultant for the project.

Attached is a summary presentation that Perry Havenar with Garver will discuss at the meeting on Monday. The plan graphically depicts the existing and proposed facilities for the Airport through a 20-year planning program. There were multiple objectives in commissioning this study, including:

- Addressing safety issues by bringing the airport up to current TXDOT and FAA design standards
- Evaluate the ability to achieve a 4,000 foot runway to support a growing business-category airport
- To use the airport as a tool in maintaining and growing economic development in the Rockwall region
- To better serve existing airport customers and attract new general aviation (GA) customers to the Rockwall region

The plan is the result of a series of analyses and discussions with the City Council, REDC Board of Directors, local commercial and industrial business leaders, and current airport users to determine the optimum plan to yield a safe and cost-effective facility.

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The Ralph M. Hall Municipal Airport is an important economic engine and community asset.

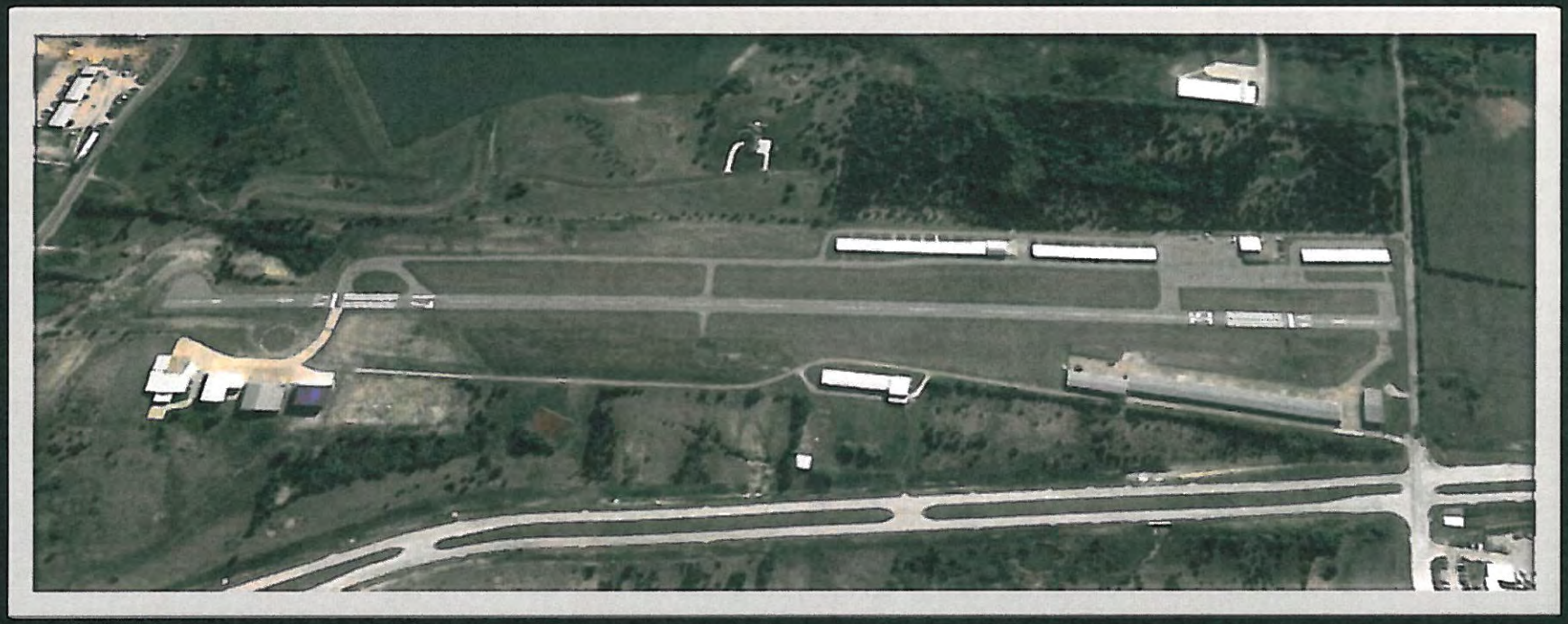
- Part of the Dallas-Fort Worth Metroplex general aviation (GA) airport system.
- Home to more than 70 GA aircraft, one of which is a Citation Mustang, a small business jet.
- A growing percentage of airport users represent multiple small independent businesses to large corporations based in Rockwall.
- Rockwall is home to the Rockwall Technology Park, which has corporate headquarters for light industrial businesses and is located 2 miles from the airport.
- Many local owners use their aircraft for humanitarian missions and to help charitable organizations.
- Facilities include Runway 17-35 (3,373' x 45'), supporting taxiway system, aircraft storage hangars, a terminal building, and fuel storage and delivery system.

The Development Plan identified a number of areas where the existing airport layout is unable to meet current or future standards outlined in Federal Aviation Administration (FAA) Advisory Circular (AC) 150/5300-13A. Options to improve airport facilities/conditions both to the north and to the south were evaluated as part of the study. The railroad and road on the south end that impose these restrictions are in the existing Runway Protection Zone / Runway Safety Area / Object Free Area. The railroad experiences two operations per week and rerouting it beyond the existing or future RPZ is cost prohibitive.

SH 66 and an electric transmission line off the north end of the airport are both in the existing RPZ with the highway located approximately 40 feet below the runway end elevation. The transmission lines require the current and future displaced threshold.

The consultant will give the presentation and be prepared to answer any questions the City Council may have about the elements of the study. The Airport Subcommittee and city staff will be available to answer any questions as well.

Ralph M. Hall Municipal Airport
City of Rockwall



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Project Kickoff and Airport Inventory

Aviation Demand Forecasts and Facility Requirements

Alternatives Evaluation: Airside and Landside

Capital Improvement Program and Phased Development Plan

Airport Layout Plan and Final Report

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Ralph M. Hall Municipal Airport
Mission Statement

To provide resident pilots and aircraft owners a safe recreational facility while offering regional corporations and growing businesses a local transportation base with national reach and accessibility to Rockwall's thriving economy.

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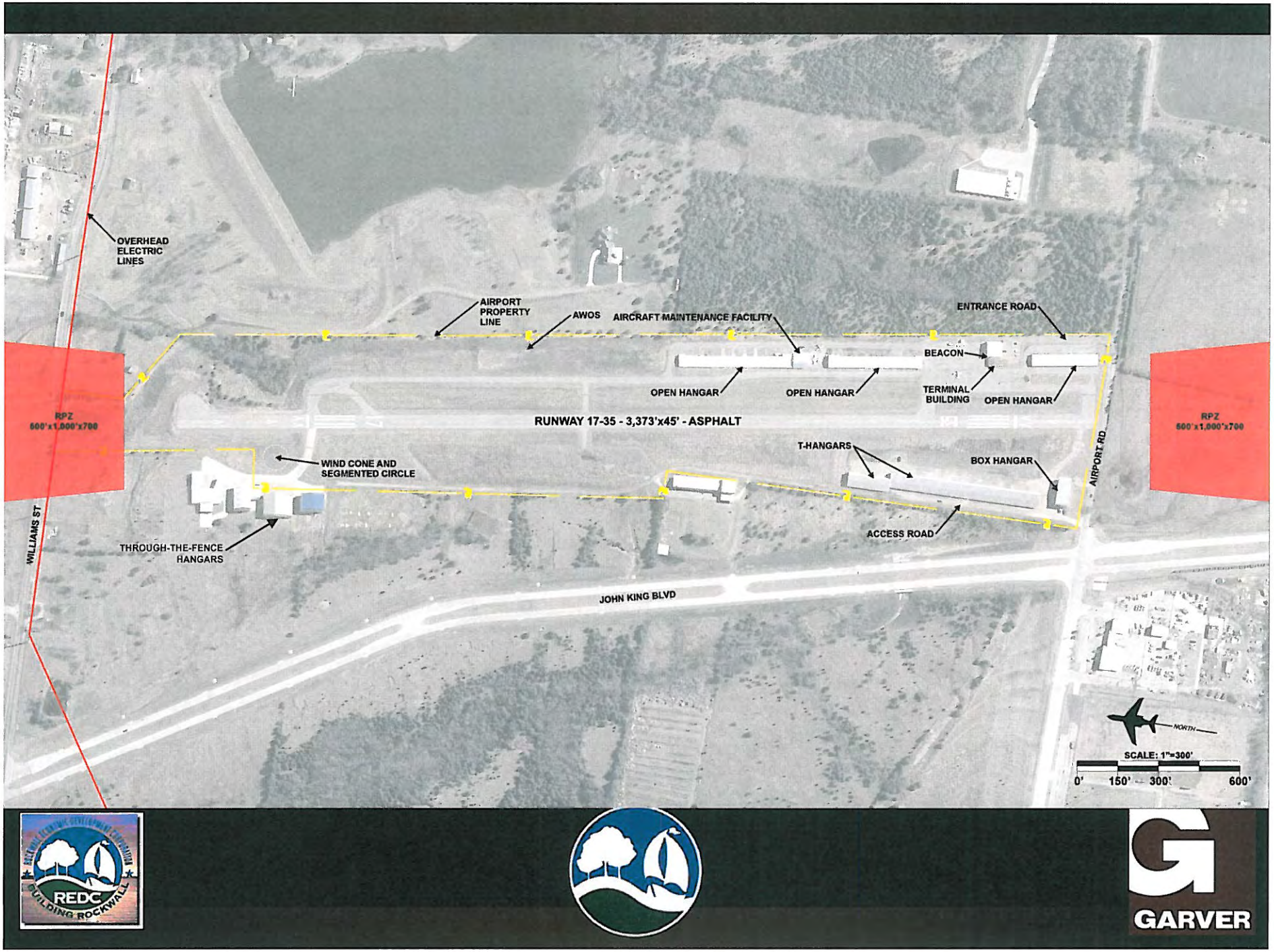
OVERHEAD ELECTRIC LINES
AIRPORT PROPERTY LINE
AWOS
AIRCRAFT MAINTENANCE FACILITY
ENTRANCE ROAD
BEACON
OPEN HANGAR
OPEN HANGAR
TERMINAL BUILDING
OPEN HANGAR
RPZ 600'x1,000'x700
RUNWAY 17-35 - 3,373'x45' - ASPHALT
RPZ 600'x1,000'x700
T-HANGARS
BOX HANGAR
AIRPORT RD
WIND CONE AND SEGMENTED CIRCLE
WILLIAMS ST
ACCESS ROAD
THROUGH-THE-FENCE HANGARS
JOHN KING BLVD
NORTH
SCALE: 1"=300'
0'
150'
300'
600'
REDC
BUILDING ROCKWALL
GARVER

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Forecasts

- Aviation Demand Forecasts
  - Local & regional influences
  - Changes in fleet mix, industry trends
  - Meets FAA requirements
  - Forwarded to TxDOT for approval
- Airport Operations
- Based Aircraft

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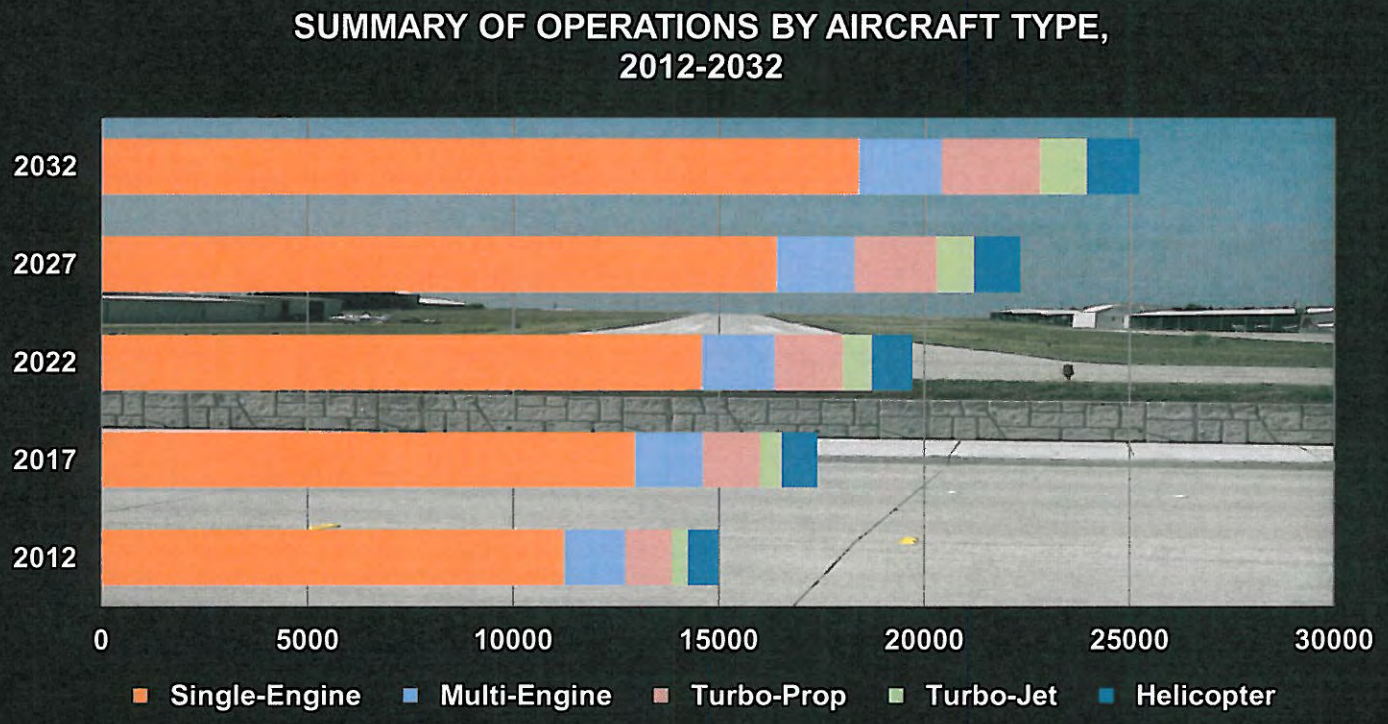
Rockwall Aviation Demand Forecast Summary



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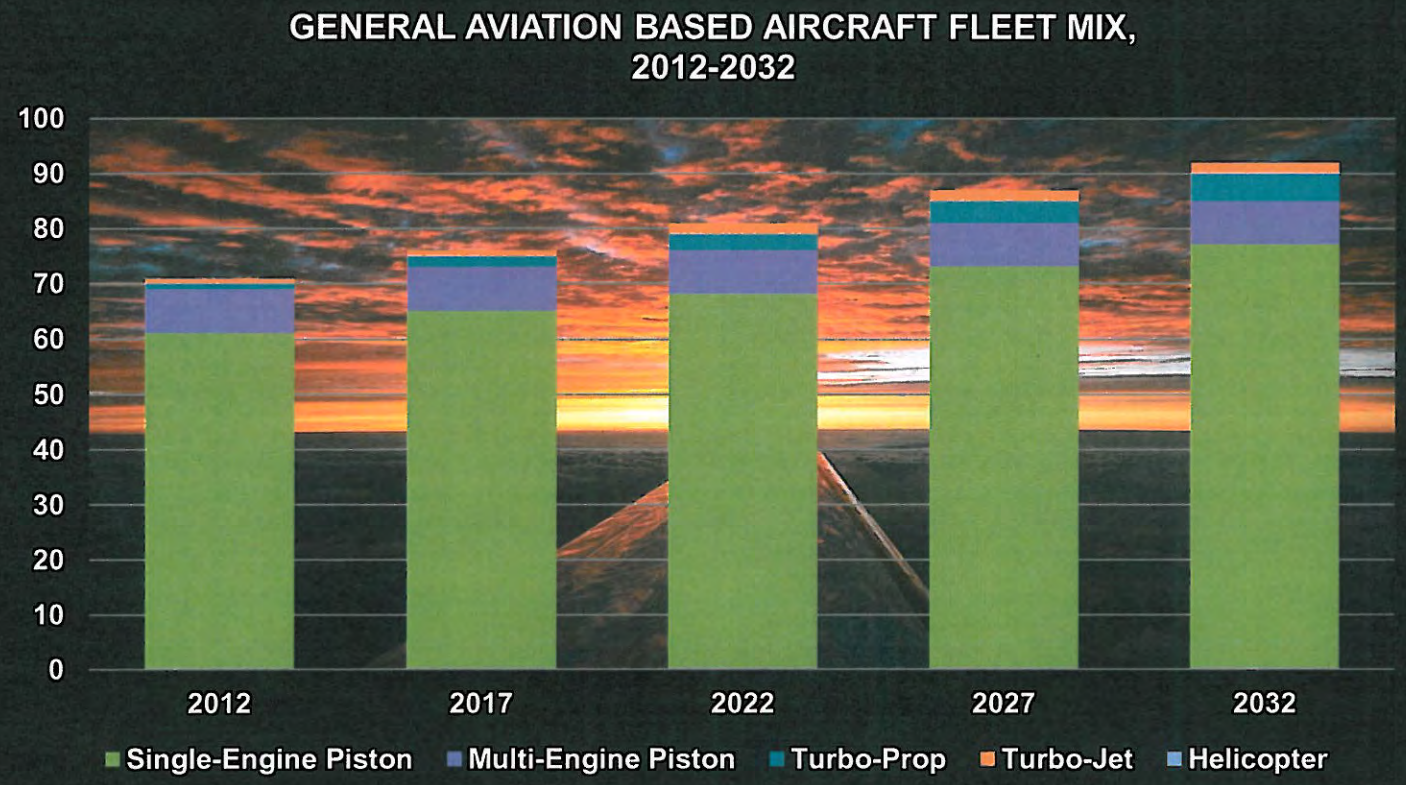
Rockwall Aviation Demand Forecast Summary



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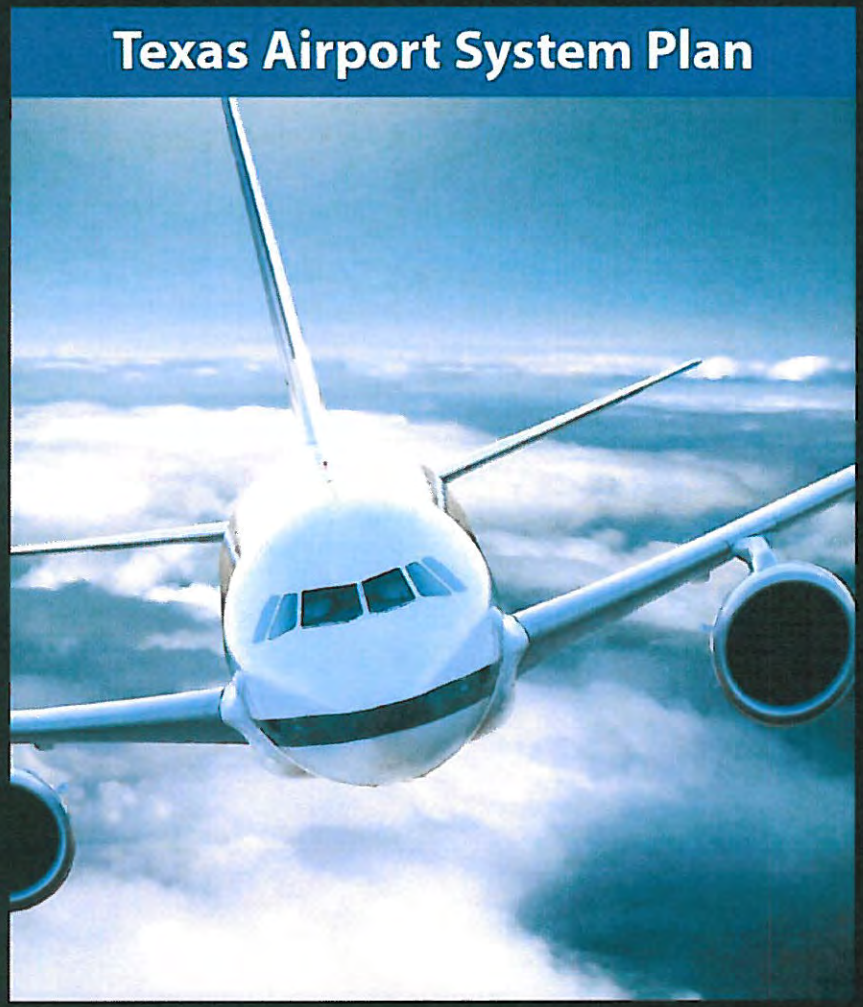
TEXAS DEPARTMENT OF TRANSPORTATION



Facility Requirements

- Updated every 2 years
- Classifies each airport in the system
  - Commercial
  - Reliever
  - Business/Corporate
  - Community Service
  - Basic Service
- Defines minimum facilities and services

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Facility Requirements

Community Service

City	Airport	Airport ID	County Name	NPIAS Airp	State Role	Current Design Standard	Functional Category
ROCKPORT	ARANSAS CO	RKP	ARANSAS	Y	BC	C-II	REGIONAL
ROCKSPRINGS	EDWARDS COUNTY	ECU	EDWARDS		BS	B-I	REMOTE
ROCKWALL	ROCKWALL MUNI	F46	ROCKWALL	Y	CS	B-I	MULTI
ROTAN/ROBY	FISHER COUNTY	56F	FISHER		BS	A-I	AGRICULTURE
SAN ANGELO	SAN ANGELO RGNL/MATHIS FIELD	SJT	TOM GREEN	Y	CMS	C-IV	COMMERCIAL
SAN ANTONIO	BEXAR COUNTY (NEW)	xxx	BEXAR		CS	B-II	MULTI
SAN ANTONIO	SAN ANTONIO INTL	SAT	BEXAR	Y	CMS	D-V	COMMERCIAL
SAN ANTONIO	STINSON MUNI	SSF	BEXAR	Y	RL	B-II	RELIEVER
SAN AUGUSTINE	SAN AUGUSTINE COUNTY	78R	SAN AUGUSTINE		BS	B-II	ACCESS
SAN MARCOS	SAN MARCOS MUNI	HYI	CALDWELL	Y	RL	C-II	RELIEVER
SAN SABA	SAN SABA COUNTY MUNI	81R	SAN SABA		CS	B-I	MULTI
SEMINOLE	GAINES COUNTY	GNC	GAINES	Y	CS	B-II	MULTI
SEYMOUR	SEYMOUR MUNI	60F	BAYLOR	Y	CS	B-I	MULTI
SHAMROCK	SHAMROCK MUNI	2F1	WHEELER		BS	A-I	MULTI
SHERMAN	SHERMAN MUNI	SWI	GRAYSON		CS	B-II	MULTI
SHERMAN/DENISON	GRAYSON COUNTY	GYI	GRAYSON	Y	BC	D-IV	INDUSTRIAL
SINTON	ALFRED C "BUBBA" THOMAS	T69	SAN PATRICIO		CS	B-II	MULTI
SLATON	SLATON MUNI	F49	LUBBOCK	Y	CS	B-II	MULTI
SMITHVILLE	SMITHVILLE CRAWFORD MUNI	84R	BASTROP	Y	CS	B-II	MULTI
SNYDER	WINSTON FIELD	SNK	SCURRY	Y	BC	B-II	REGIONAL
SONORA	SONORA MUNI	SOA	SUTTON		BS	B-I	MULTI
SPEARMAN	SPEARMAN MUNI	E42	HANSFORD	Y	CS	B-II	AGRICULTURE
STAMFORD	ARLEDGE FIELD	F56	JONES	Y	CS	B-I	MULTI

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Airport Design Standards

Item	Runway 17/35	TxDOT and FAA Design Standards
Runway Design		
Length	3,373'	4,000'
Width	45'	60'
Safety Area Width	120'	120'
Safety Area Length Beyond R/W End	0'/0'	240'/240'
Object Free Area Width	380'	400'
Object Free Area Length Beyond R/W End	0'/0'	240'/240'
Obstacle Free Zone Width	250'	250'
Obstacle Free Zone Length Beyond R/W End	0'	200'
Runway Setbacks - Runway Centerline to:		
Parallel Taxiway Centerline	121'/157'/177'	225'
Holdline	100'	200'
Aircraft Parking Area	140'	250'
Taxiway Design		
Width	17'/23'	25'
Safety Area Width	25'/49'	49'
Object Free Area Width	60'/89'	89'

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2 Airfield Alternatives

- Maintain Current Boundaries – North and South
  - North – Fill to meet safety area design standards
  - South and North – Publish declared distances
- Explore Expansion
  - Runway Expansion to 4,000’ x 60’
  - Parallel Taxiway Offset at 225’ and Width of 25’
  - Airport Road Realignment
  - Property Acquisition

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RUNWAY 17-35 - 4,000'x60'
17
35
LEGEND
Rerouted Airport Road
Proposed Runway and Parallel Taxiway
Proposed Pavement (Land Side)
Proposed Pavement (Air Side)
Proposed Terminal Building
Proposed Box Hangar
Proposed Nested T-Hangar
Proposed Shade Hangar
SCALE: 1"=300'
0'
300'
600'
NORTH
GARVER
REDC
BUILDING ROCKWALL

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4 Terminal Development Alternatives

- Addresses Parallel Taxiway Offset of 225'
- Assumes Acquisition of 19-acre Parcel
- Provides new
  - Terminal Building
  - Fuel Storage/Delivery System
  - Auto Access/Entrance w/ Security
  - Ample Apron for Aircraft Parking and Maneuvering
  - Mix of Hangars: Box/Corporate, Enclosed T-hangars, and Open Shade T-hangars

REDC BUILDING ROCKWALL

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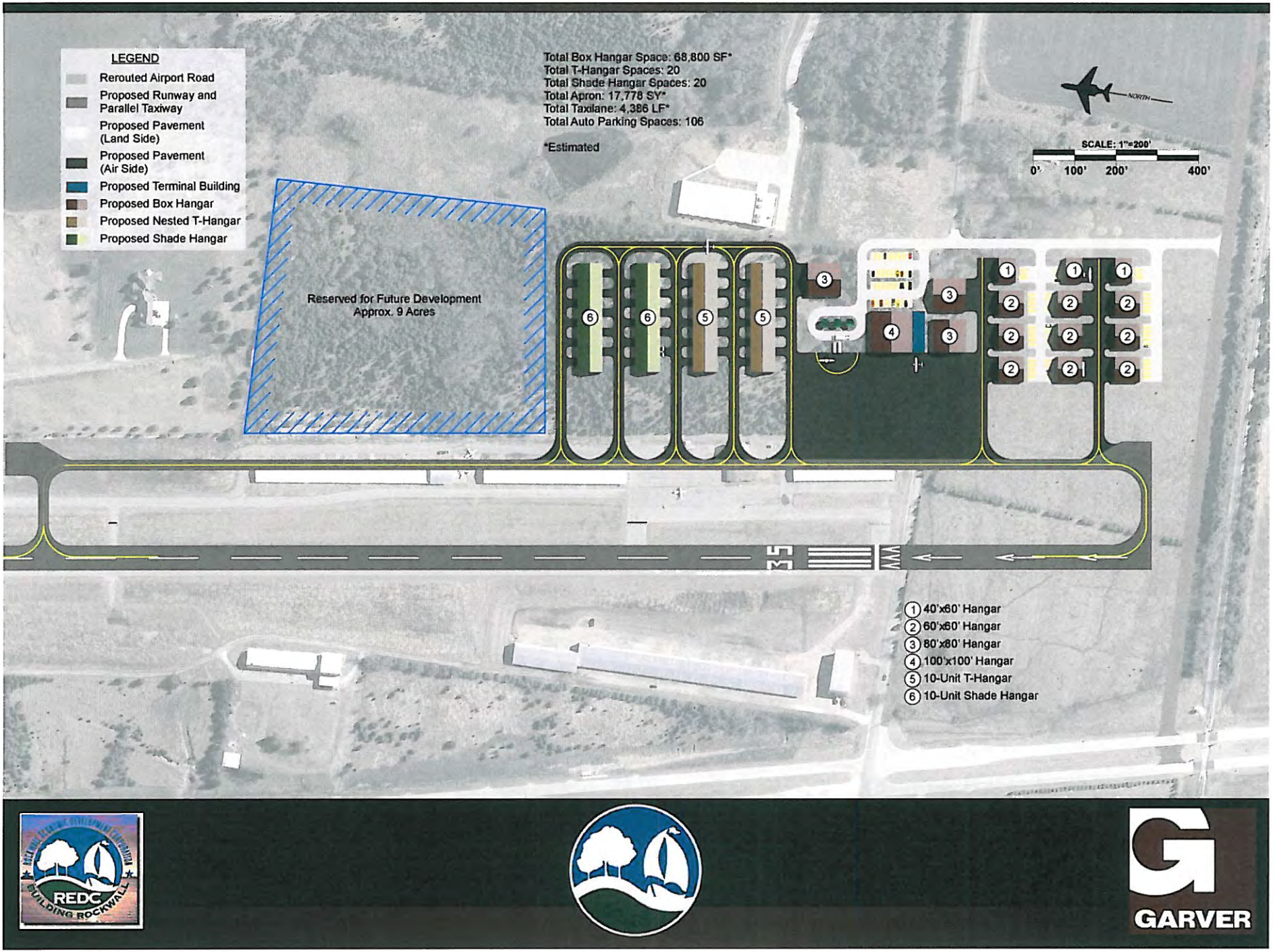
LEGEND
Rerouted Airport Road
Proposed Runway and Parallel Taxiway
Proposed Pavement (Land Side)
Proposed Pavement (Air Side)
Proposed Terminal Building
Proposed Box Hangar
Proposed Nested T-Hangar
Proposed Shade Hangar
Total Box Hangar Space: 68,800 SF*
Total T-Hangar Spaces: 20
Total Shade Hangar Spaces: 20
Total Apron: 17,778 SY*
Total Taxilane: 4,386 LF*
Total Auto Parking Spaces: 106
*Estimated
NORTH
SCALE: 1"=200'
0'
100'
200'
400'
Reserved for Future Development
Approx. 9 Acres
35
1 40'x60' Hangar
2 60'x60' Hangar
3 80'x80' Hangar
4 100'x100' Hangar
5 10-Unit T-Hangar
6 10-Unit Shade Hangar
REDC
BUILDING ROCKWALL
GARVER

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FAA Program Guidance Letter – Fall 2012

- Existing Uses – Grandfathered
- Changes to Runway End Location
  - Runway Protection Zone Land Use Requiring Analysis, Coordination, and Approval
    - Buildings/Structures
    - Transportation Facilities
      - Roads
      - Railroads
    - Above-ground Utility Infrastructure
    - Recreational Uses
    - Fuel Storage Facilities
    - Hazardous Materials
    - Wastewater Treatments Facilities

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2 Airfield Alternatives

- Northern Runway Expansion – 5,000'
  - Fill to meet safety area design standards
  - SH66 and Powerline Reroutes
  - Property Acquisition and RPZ
- Southern Runway Expansion – 5,000'
  - Railroad Impact
  - Property Acquisition
  - IH30 Approach Clearances
  - Industrial Development Considerations

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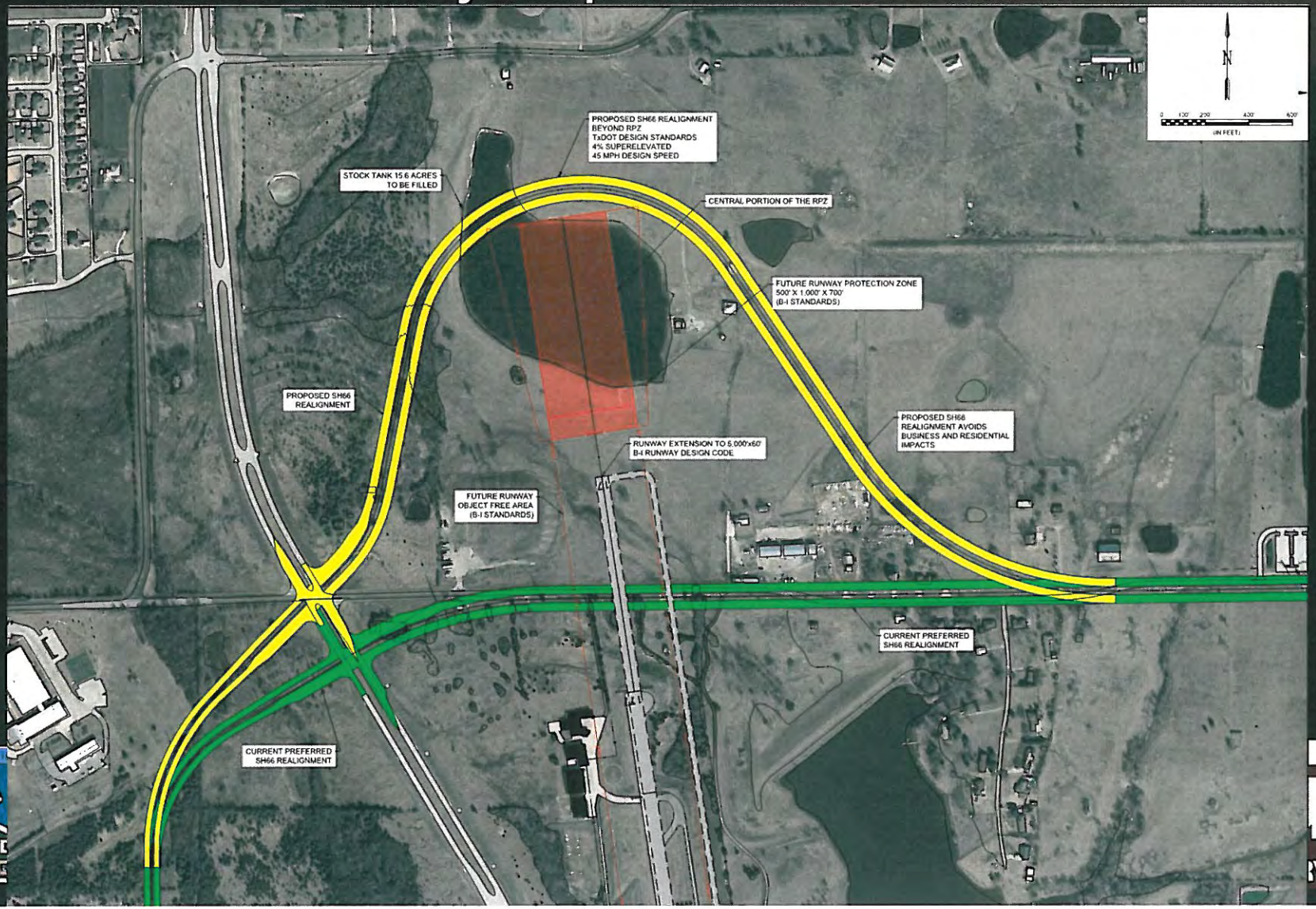
Northern Runway Expansion – B-I, 5,000’ x 60’



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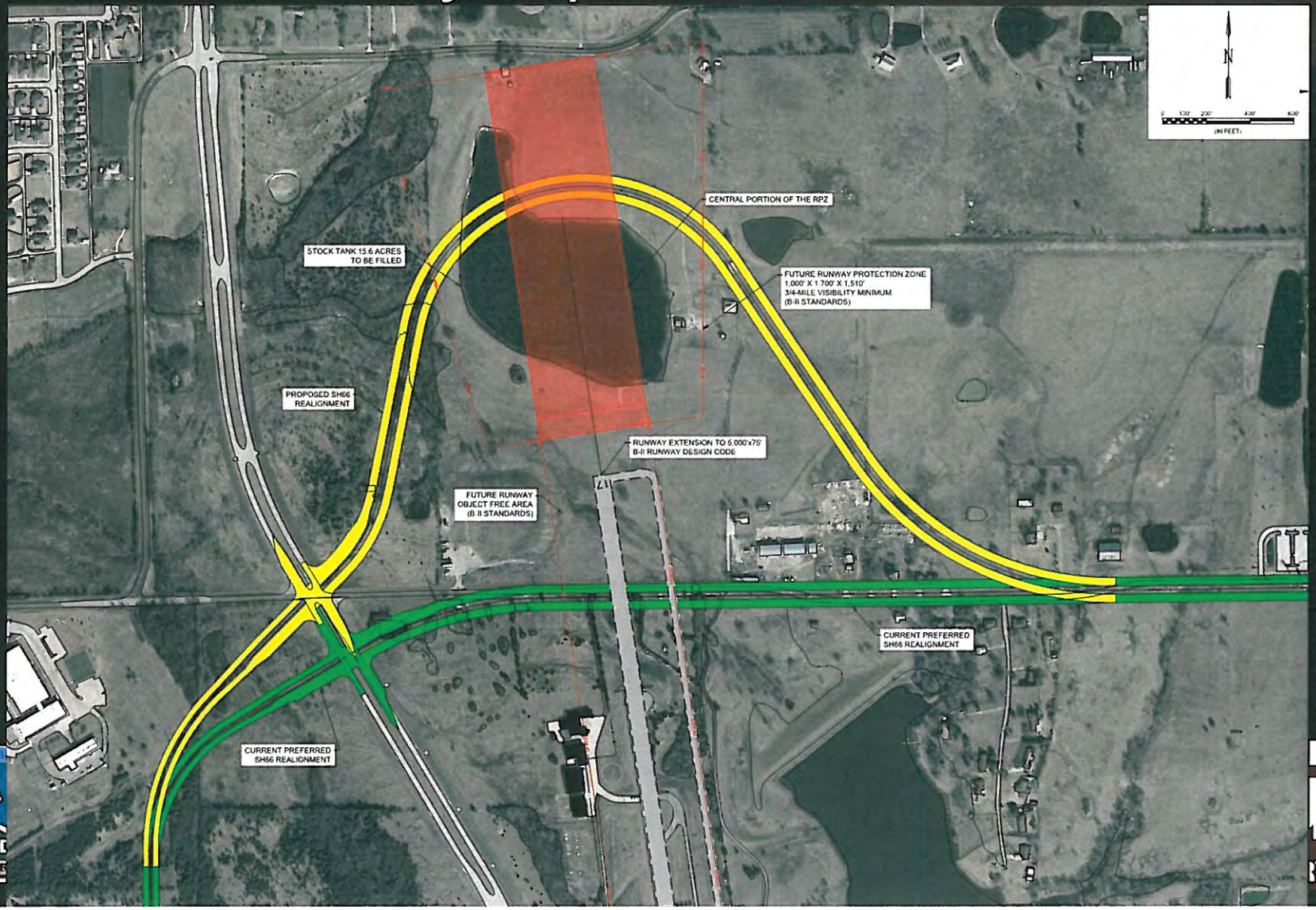
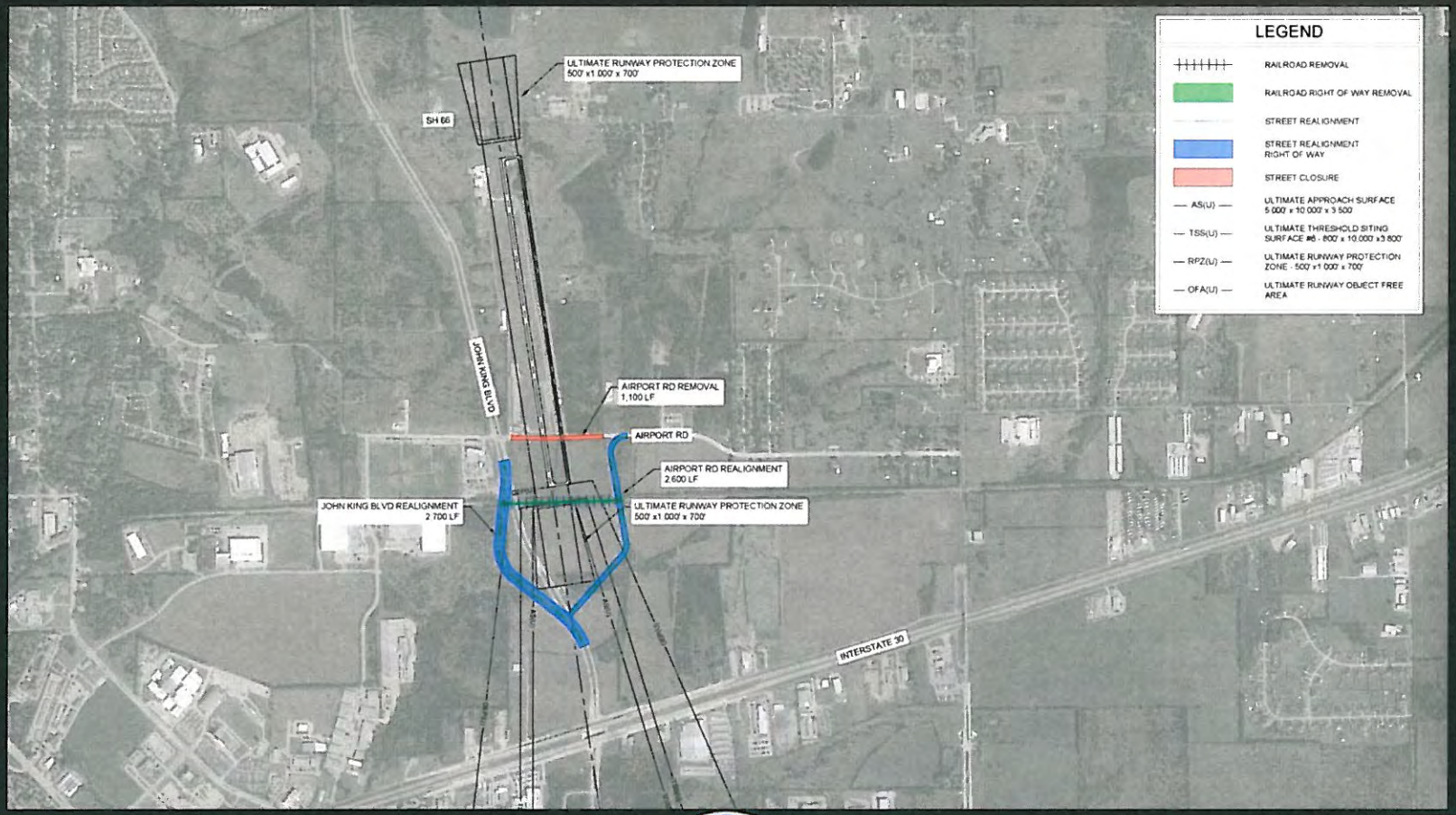
Northern Runway Expansion – B-II, 5,000’ x 75’



Southern Runway Expansion – B-I, 4,000’ x 60’



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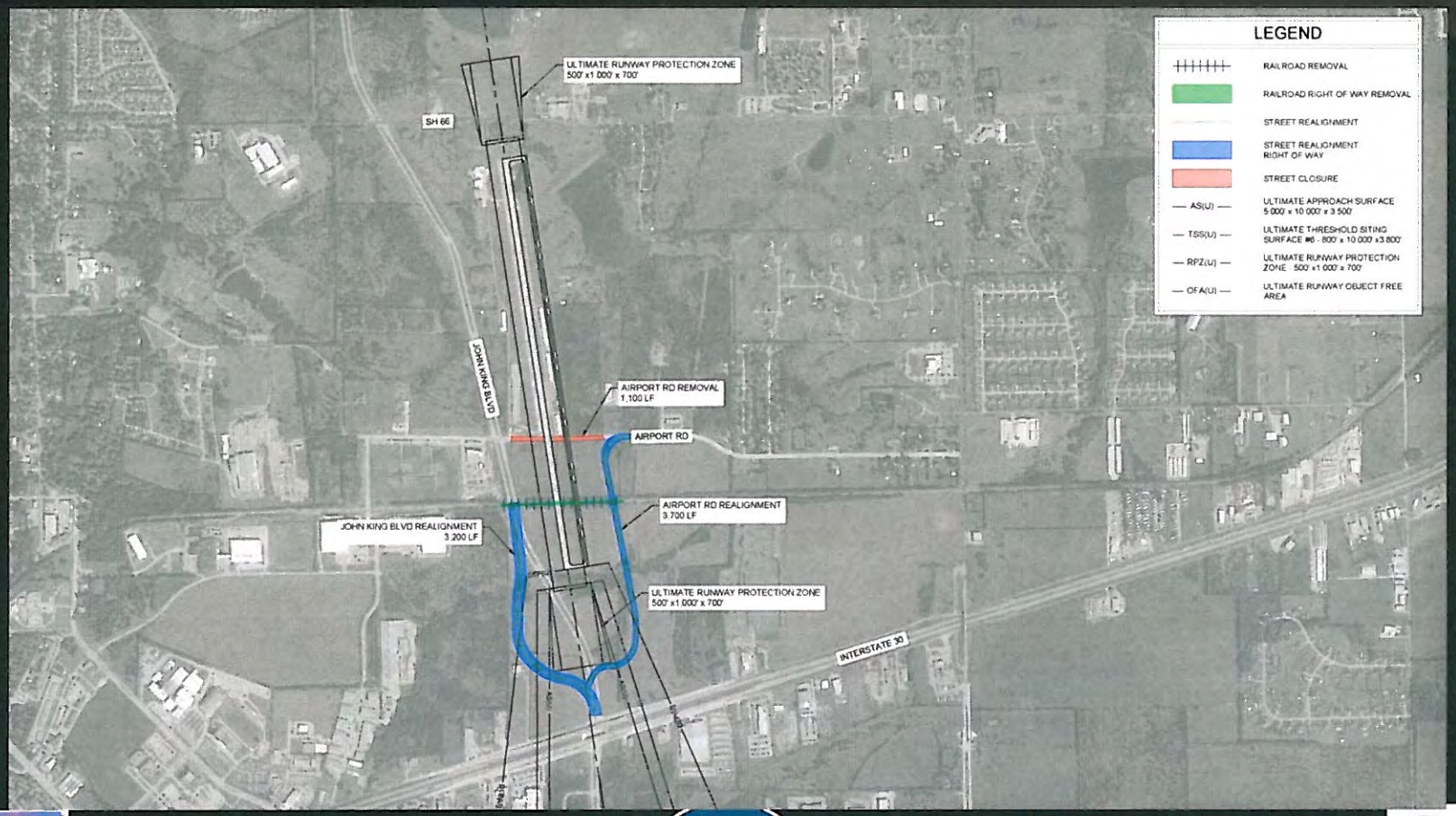
Southern Runway Expansion – B-I, 5,000’ x 60’



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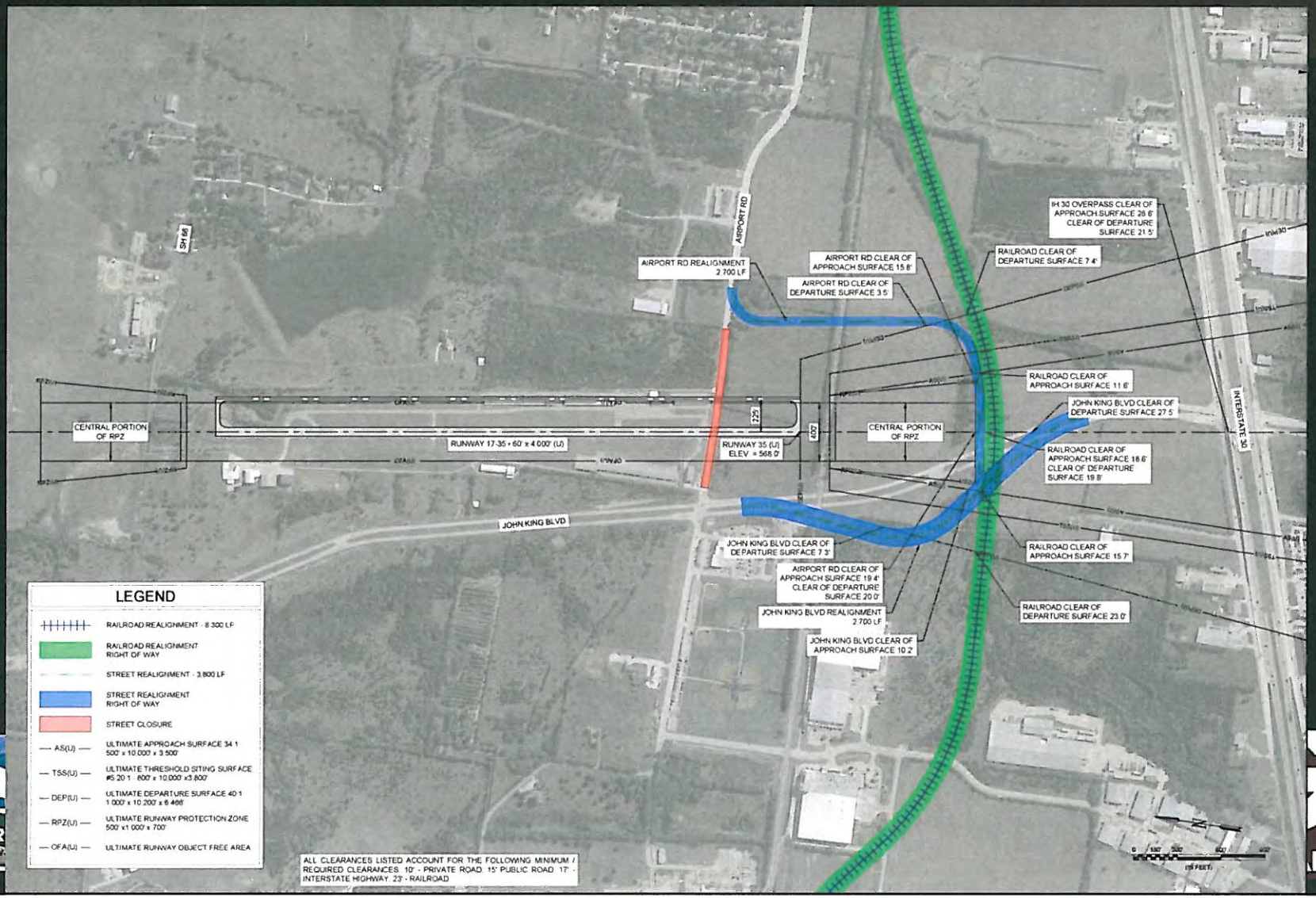
Southern Runway Expansion – B-I, 4,000’ x 60’ with Railroad Realignment



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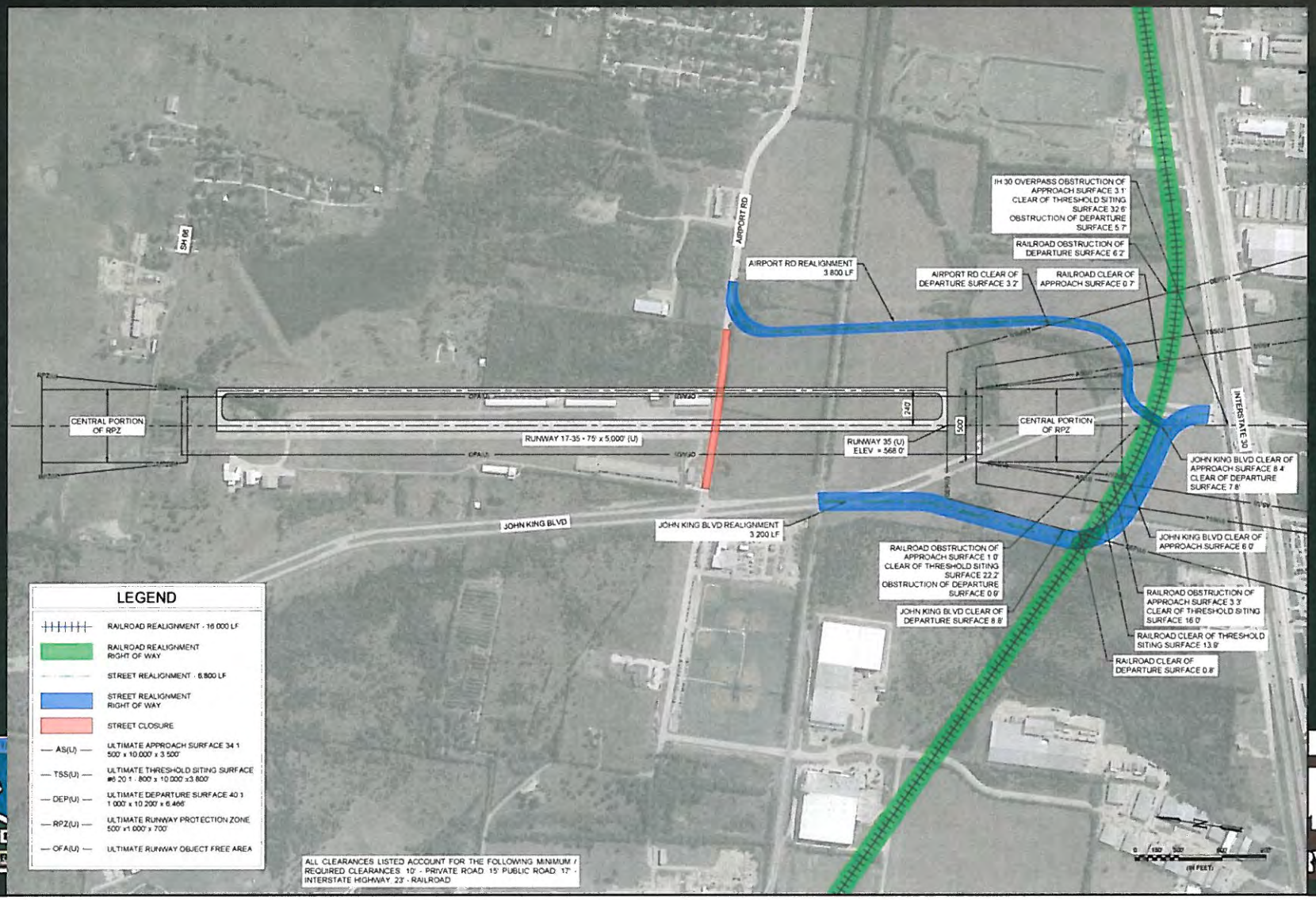
Southern Runway Expansion – B-II, 5,000’ x 75’ with Railroad Realignment



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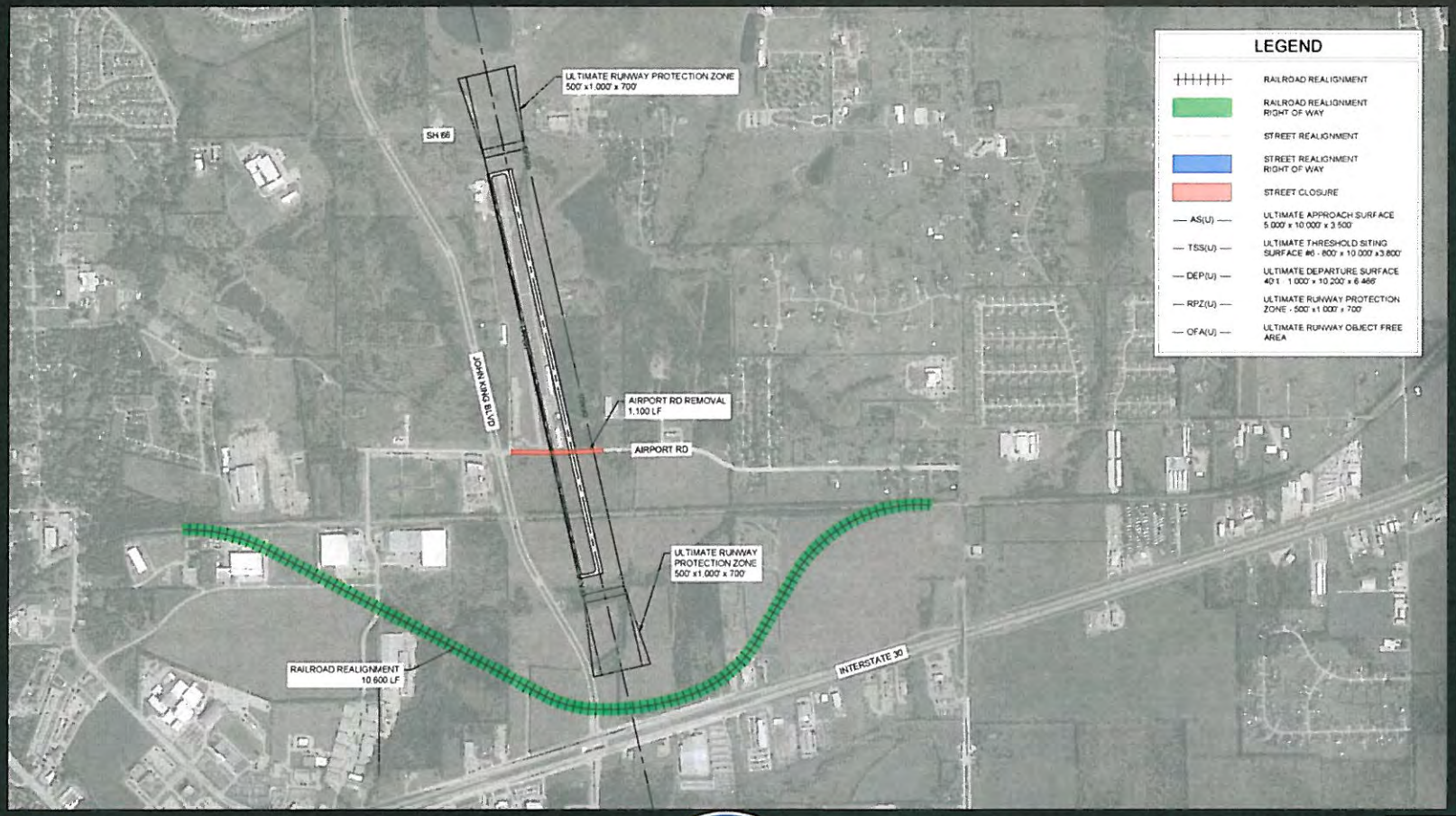
Southern Runway Expansion – B-II, 5,000’ x 75’ with Runway and Railroad Realignment



REDC BUILDING ROCKWALL

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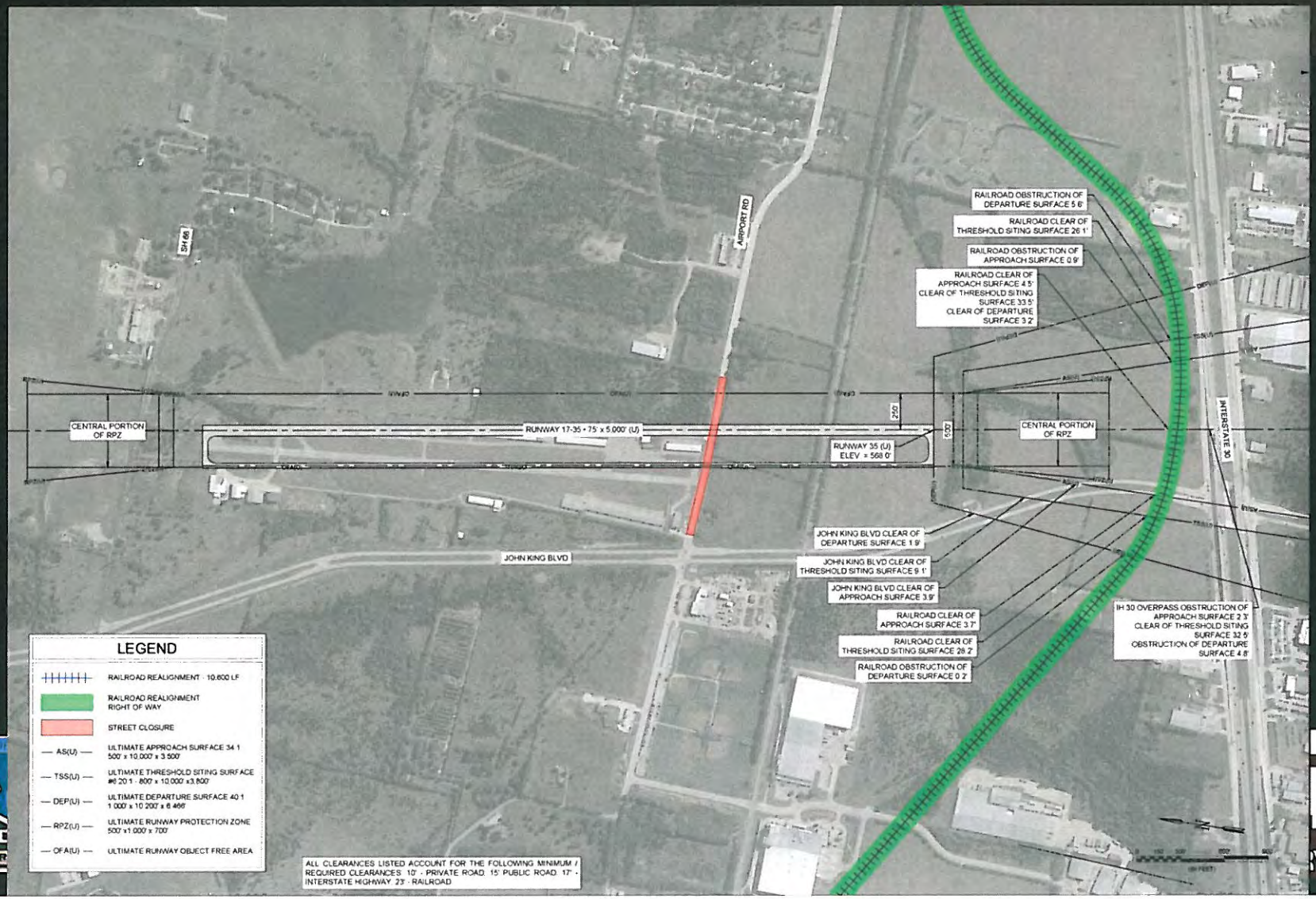
Southern Runway Expansion – B-II, 5,000’ x 75’ with Runway and Railroad Realignment



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Airport Layout Plan

- Airport Layout Drawing
- Inner Portion of the Approach Surface Drawings
- Terminal Area Drawings
- Land Use Drawing
- Property Map

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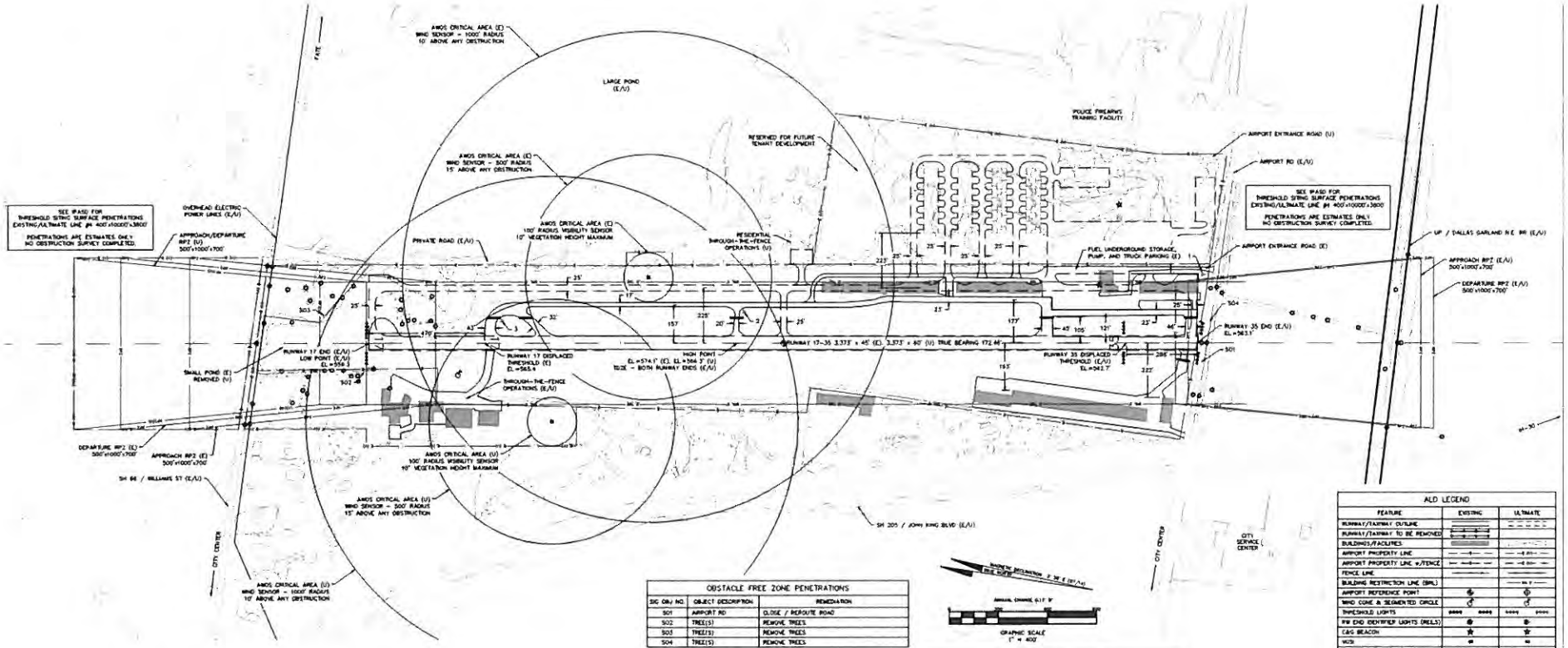


OBSTACLE FREE ZONE PENETRATIONS		
SIG OBJ NO.	OBJECT DESCRIPTION	REMEDIATION
S01	AIRPORT RD	CLOSE / REROUTE ROAD
S02	TREE(S)	REMOVE TREES
S03	TREE(S)	REMOVE TREES
S04	TREE(S)	REMOVE TREES

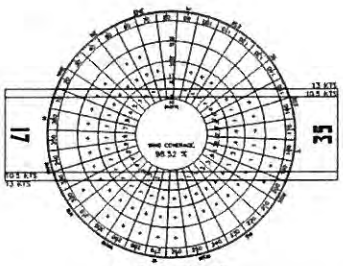
RUNWAY DATA TABLE	RW 17-35	
	EXISTING	ULTIMATE
RUNWAY ARC	B-I	B-I
DESIGN AIRCRAFT & ARC	CESSNA 421	CESSNA 421
BALANCED FIELD LENGTH	2323'	2323'
RUNWAY LENGTH & WIDTH (ft.)	3373' X 45'	3373' X 60'
PAVEMENT DESIGN STRENGTH (1000 lbs.)	12 SW	30 SW
RUNWAY LIGHTING	NONE	MIRL
PERCENT EFFECTIVE GRADIENT	0.44%	0.21%
PERCENT WIND COVERAGE	98.52%	98.52%
MAXIMUM ELEVATION ABOVE MSL	574.10'	566.30'
RW SURFACE TYPE	ASPH	ASPH
RSA – LENGTH BEYOND RW END	240'	240'
RSA – WIDTH	120'	120'
OFA – LENGTH BEYOND RW END	240'	240'
OFA WIDTH	400'	400'
OFZ – LENGTH BEYOND RW END	200'	200'
OFZ WIDTH	250'	250'
RUNWAY END	17 / 35	17 / 35
APPROACH TYPE	NDB/GPS / NDB/GPS	GPS / GPS
APPROACH VISIBILITY MINIMA	1 MILE / 1 MILE	1 MILE / 1 MILE
THRESHOLD SITING SURFACE & SLOPE	@ 20:1 / @ 20:1	@ 20:1 / @ 20:1
RUNWAY MARKING	MPI / MPI	MPI / MPI
RUNWAY VISUAL AIDS	NONE / NONE	PAPI-2L / PAPI-2L
TOUCHDOWN ZONE ELEVATION	574.10' / 574.10'	566.30' / 566.30'
FAR PART 77 APPROACH CATEGORY	A(NP) / A(NP)	A(NP) / A(NP)
FAR PART 77 APPROACH SURFACE SLOPE	20:1 / 20:1	20:1 / 20:1
TAKE-OFF RUN AVAILABLE (TORA)	3623' / 3830'	3133' / 3373'
TAKE-OFF DISTANCE AVAILABLE (TODA)	3632' / 3830'	3133' / 3373'
ACCELERATE STOP DISTANCE AVAIL. (ASDA)	3133' / 3483'	3133' / 3373'
LANDING DISTANCE AVAILABLE (LDA)	2843' / 2884'	2843' / 3084'

AIRPORT DATA TABLE		
	EXISTING	ULTIMATE
AIRPORT ELEVATION (MSL)	574.1'	566.3'
AIRPORT NAVIGATION AIDS	NDB, GPS	GPS
MEAN MAX TEMP (HOTTEST MONTH °F)	95°F	95°F
AIRPORT REFERENCE CODE (ARC)	B-I	B-I
TAXIWAY MARKING	STD W/℄REF	STD W/℄REF
TAXIWAY LIGHTING	NONE	NONE
AIRPORT REFERENCE POINT COORDINATES	32°59'00.14" N / 96°28'07.75" W	32°59'00.14" N / 96°28'07.75" W

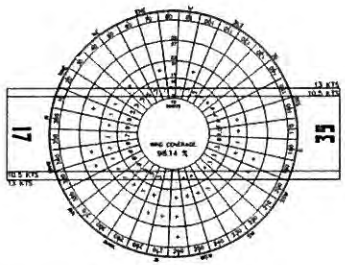
NOTES:
DATUM COORDINATE SYSTEMS – HORIZONTAL DATUM NAD 1983 (STATE PLANE ZONE 3 – TEXAS CENTRAL (FIPS 4203)', VERTICAL DATUM NAVD88.
A VERTICALLY-GUIDED SURVEY MEETING ALL THE REQUIREMENTS OF FAA ADVISORY CIRCULARS 150/5300-16, 17, AND 18 WAS NOT COMPLETED AS A PART OF THIS PROJECT.
CONTOUR AND BASEMAP DATA RECEIVED FROM THE CITY OF ROCKWALL.

RUNWAY END COORDINATES AND ELEVATIONS			
RUNWAY END	LATITUDE	LONGITUDE	ELEVATION
END OF RWY 17 (E/U)	32°59'04.88" N	96°28'10.31" W	558.3'
DISPLACED THRESHOLD OF RWY 17	32°58'02.07" N	96°28'08.58" W	565.4'
END OF RWY 35 (E/U)	32°55'33.60" N	96°28'05.12" W	583.1'
DISPLACED THRESHOLD OF RWY 35	32°55'36.44" N	96°28'05.36" W	562.7'

AIRFIELD MONUMENTS				
NO.	TYPE	DESIGNATION	LAT.	LONG.
1	FACS	H 1692	32°59'53.78" N	96°28'01.83" W
2	SACS	BOREN	32°55'51.90" N	96°28'06.46" W
3	SACS	BOREN AZ MK	32°56'01.37" N	96°28'06.40" W
ALL COORDINATES AND ELEVATIONS HORIZONTAL NAD 83, VERTICAL NAVD 88				



ALL WEATHER WIND ROSE



IFR WIND ROSE

ALL WEATHER WIND ROSE ANALYSIS			
RUNWAY	WIND VELOCITY	AWRR WIND COVERAGE	IFR WIND COVERAGE
17-35	10.5 KNOTS (ARC A-I AND B-II)	97.12%	96.43%
	13.0 KNOTS (ARC A-II AND B-II)	98.52%	98.14%
WIND SOURCE: NATIONAL CLIMATIC DATA CENTER – COLLIN COUNTY REGIONAL AIRPORT 7684 OBSERVATIONS: 1988–2008 STATION #72254			

ALD LEGEND		
FEATURE	EXISTING	ULTIMATE
RUNWAY/TAXIWAY OUTLINE		
RUNWAY/TAXIWAY TO BE REMOVED		
BUILDINGS/FACILITIES		
AIRPORT PROPERTY LINE		
AIRPORT PROPERTY LINE w/FENCE		
FENCE LINE		
BUILDING RESTRICTION LINE (BRL)		
AIRPORT REFERENCE POINT		
WIND CONE & SEGMENTED CIRCLE		
THRESHOLD LIGHTS		
RW END IDENTIFIER LIGHTS (REILS)		
CAA BEACON		
WIDTH		
HOLD POSITION AND SIGN		
ASOS/AWOS		
FACS AND SACS MARKERS		
GROUND CONTOURS		
SIGNIFICANT OBJECT LOCATION		
TREES/BRUSH		
NONDIRECTIONAL BEACON (NDB)		

TEXAS DEPARTMENT OF TRANSPORTATION
AVIATION DIVISION

ALP APPROVED ACCORDING TO FAA AC 150/5300-13A CHANGE 1 PLUS THE REQUIREMENTS OF A FAVORABLE ENVIRONMENTAL FINDING AND FAA NPA STUDY PRIOR TO THE START OF ANY LAND ACQUISITION OR CONSTRUCTION ON AIRPORT PROPERTY.

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AIRPORT SPONSOR

CURRENT AND FUTURE DEVELOPMENT DEPICTED ON THIS ALP IS APPROVED AND SUPPORTED BY AIRPORT SPONSOR

SPONSOR ACKNOWLEDGES APPROVAL OF ALP BY TXDOT DOES NOT CONSTITUTE A COMMITMENT TO FUNDING.

PREPARED BY:
GARVER, LLC
3010 GAYLORD PKWY, #190
FRISCO, TX 75034
(972) 377-7480
(972) 377-8380 FAX

PLN: SEPTEMBER 2014
APV: SEPTEMBER 2014

AIRPORT LAYOUT DRAWING
RALPH M. HALL MUNICIPAL AIRPORT
ROCKWALL, TEXAS (F46)

Aviation Division

SHEET 1 OF 4

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Capital Improvement and Phasing Plan

- Three Phase CIP and Phasing Plan
  - 0 – 5 Years – Property, T-hangars, Apron, Terminal building, FBO hangar, Auto access, Fuel facility, Runway and Taxiway improvements
  - 6 – 10 Years – Taxiway extension, Apron expansion, Hangar development, Airfield/Runway Electrical/Lighting, AWOS relocation
  - 11 – 20 Years – Future Hangar development
- Airfield maintenance

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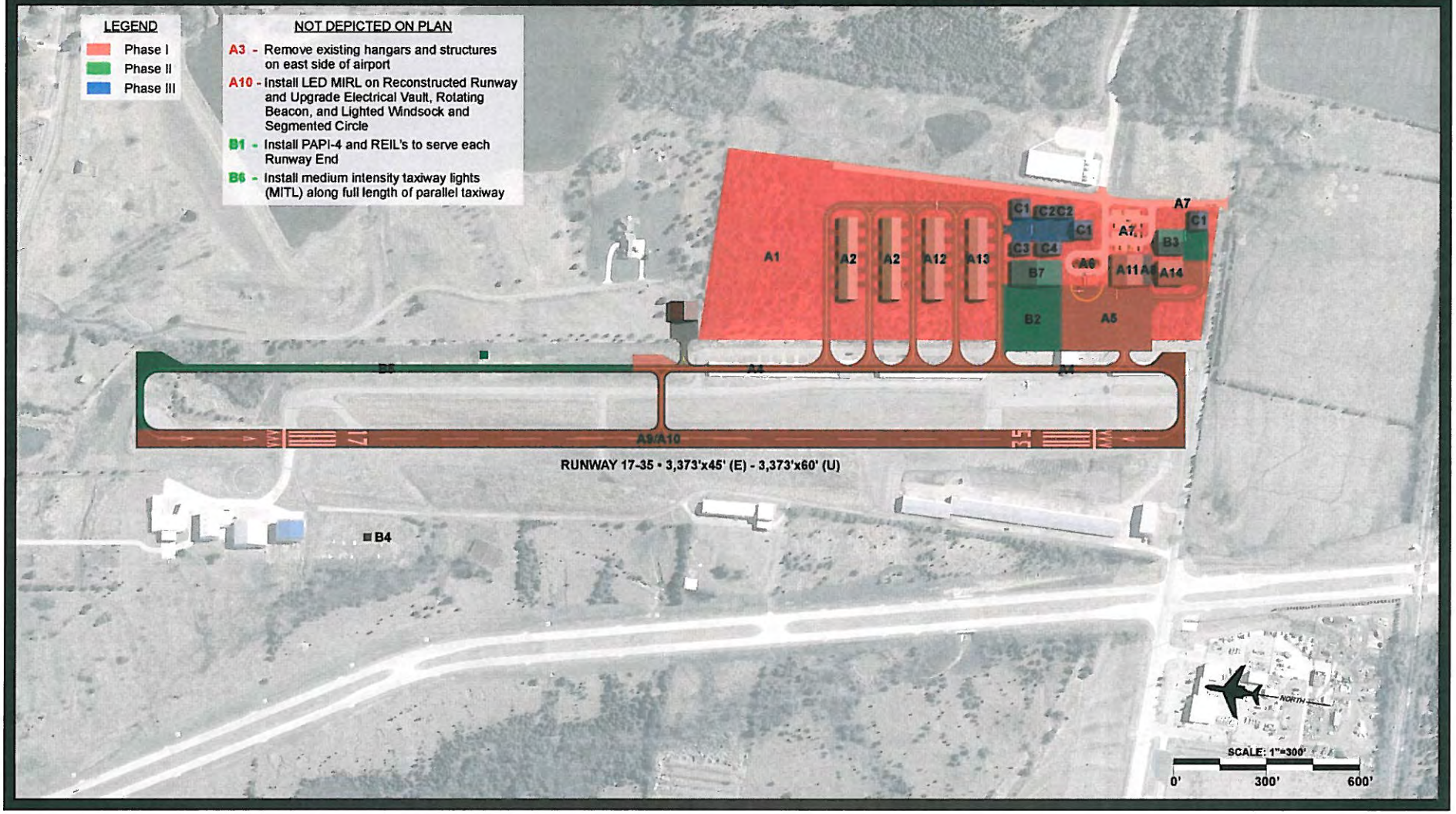
Phasing Plan



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CIP: Phase IA (0-5 Years)

	Project Type	Local Funding	State/Federal Funding	Total Cost	TXDOT Program Source
A1	Acquire Land Adjacent to and East of the Airport (approx. 19 acres)	$179,000	$1,611,000	$1,790,000	AIP
A2	Construct Two New 10-unit Shade T-Hangars and Associated Taxilanes	$114,000	$1,026,000	$1,140,000	AIP/Hangar Program
A3	Remove Existing hangars and structures on east-side of airport	$20,000	$180,000	$200,000	AIP/Hangar Program
A4	Construct 25' Parallel Taxiway 225' Offset from Runway 17/35 centerline (AWOS to Rwy 35 end)	$75,000	$675,000	$750,000	AIP
A5	Construct New Terminal Area Apron	$76,000	$684,000	$760,000	AIP
A6	Remove and Replace Underground AvGAS Fuel Storage Tank with Above-ground 12,000 gallon 24-hour Credit Card System	$87,500	$262,500	$350,000	AIP/Fuel Program
A7	Construct New Airport Entrance Road, Auto Parking, and Security Fence	$48,000	$432,000	$480,000	AIP
A8	Construct New Terminal Building (3,000 S.F.)	$225,000	$225,000	$450,000	Terminal Program

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CIP: Phase IB (0-5 Years)

	Project Type	Local Funding	State/Federal Funding	Total Cost	TXDOT Program Source
A9	Reconstruct, Widen, and Re-stripe Runway 17/35 (Width increase of 15', correct line-of-sight)	$204,000	$1,836,000	$2,040,000	AIP
A10	Install LED MIRL on Reconstructed Runway and Upgrade Electrical Vault, Rotating Beacon, and Lighted Windsock and Segmented Circle	$94,000	$846,000	$940,000	AIP
A11	Construct 100' x 100' Box Hangar	$75,000	$675,000	$750,000	AIP/Hangar Program
A12	New 10-unit Nested T-Hangar with Bi-Fold Doors (southern unit) and Associated Taxilane	$66,000	$594,000	$660,000	AIP/Hangar Program
A13	New 10-unit Nested T-Hangar with Bi-Fold Doors (center unit) and Associated Taxilane	$70,000	$630,000	$700,000	AIP/Hangar Program
A14	Construct 80' x 80' Box Hangar and Associated Taxilane/Ramp	$37,500	$337,500	$375,000	Hangar Program
	PHASE I TOTAL	$1,371,500	$10,014,000	$11,385,500	

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CIP: Phase II (6-10 Years)

	Project Type	Local Funding	State/Federal Funding	Total Cost	TXDOT Program Source
B1	Install PAPI-4 and REILs to serve each Runway End	$54,000	$486,000	$540,000	AIP
B2	Expand Apron South	$51,000	$459,000	$510,000	AIP
B3	Construct one 80' x 80' Box Hangar and Associated Taxilane/Ramp	$91,000	$819,000	$910,000	AIP/Hangar Program
B4	Relocate AWOS	$10,000	$30,000	$40,000	AWOS Program
B5	Extend Parallel Taxiway north to Runway 17 End	$45,000	$405,000	$450,000	AIP
B6	Install Medium Intensity Taxiway lights (MITL) along full length of parallel taxiway	$20,000	$180,000	$200,000	AIP
	PHASE II TOTAL	$291,000	$2,559,000	$2,850,000	

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CIP: Phase III (11-20 Years)

	Project Type	Local Funding	State/Federal Funding	Total Cost	TXDOT Program Source
C1	Construct three 60' x 60' Box Hangars and Associated Taxilane/Ramp	$150,000	$550,000	$700,000	Hangar Program
C2	Construct two 60' x 40' Box Hangars and Associated Taxilane/Ramp	$90,000	$420,000	$510,000	Hangar Program
C3	Construct one 60' x 60' Box Hangar and Associated Taxilane/Ramp	$50,000	$210,000	$260,000	Hangar Program
C4	Construct one 80' x 40' Box Hangar and Associated Taxilane/Ramp	$70,000	$315,000	$385,000	Hangar Program
	PHASE III TOTAL	$360,000	$1,495,000	$1,855,000	
	TOTAL	$2,022,000	$14,068,000	$16,090,000	

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The Funding Cycle

- TxDOT / FAA
  - Airport Development Plan Review and Acceptance
  - Airport Layout Plan Airspace Review
  - Letter of Interest Receipt and Review
  - Aviation Division Acceptance and Project Scoping
  - Update of CIP / System Plan Data
  - Airport Sponsor Commitment = 10% Match Paid
  - TxDOT Commission Approval
  - Consultant Selection Process
  - Project Design and Construction

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Questions, Comments, and Discussion

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rockwall City Council**

FROM: **Joey Boyd, Director of Internal Operations**

DATE: **October 16, 2014**

SUBJECT: **County Wide Radio System**

Attached are an updated draft of the County Wide Radio System Interlocal Agreement and a list of outstanding items the City wants to achieve through the RFP process. Since discussions at the previous City Council meeting, staff met with Rockwall County Attorney Jon Thatcher and went through the agreement point-by-point.

Finalizing the details of the agreement is ongoing and the City expects the County will have additional questions and possibly changes. While there are still items that remain that the County and City must work out, staff is confident the City and County will be able to mutually agree on a contract that benefits both parties. City Staff continues to participate in the Request For Proposals process with the County and the consultant as we continue to finalize the interlocal agreement.

The agreement included in the packet is still in a draft format. We will be prepared to discuss any questions the City Council might have and will certainly provide updates as the project moves forward.

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ROCKWALL REGIONAL PUBLIC SAFETY RADIO SYSTEM INTERLOCAL AGREEMENT ~~INTERLOCAL COOPERATION AGREEMENT~~ BETWEEN ROCKWALL COUNTY AND THE CITY OF ~~R~~ROCKWALL FOR PARTICIPATION ~~PARTICIPATION~~ IN THE ROCKWALL COUNTY INTEROPERABILITY RADIO NETWORK

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THIS INTERLOCAL COOPERATION AGREEMENT ("Agreement") executed by and between Rockwall County, Texas, a political subdivision of the State of Texas (hereinafter referred to as "County") acting herein by and through its duly authorized Commissioners Court, and the City of Rockwall, a municipal corporation of the State of Texas (hereinafter referred to as "City") acting herein by and through its duly authorized City Council, individually referred to as a "Party," collectively referred to herein as the "Parties."

WHEREAS, this Agreement is made under the authority of Section 791.001-791.029, Texas Government Code; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that Party; and

WHEREAS, each governing body finds that the subject of this Agreement serves a countywide public purpose and is necessary for the benefit of the public and each has the legal authority to perform and to provide the governmental function or service which is the subject matter of this Agreement; and

WHEREAS, each governing body finds that the performance of this Agreement is in the common interest of both Parties and that the costs covered by the County in exchange for use of facilities and infrastructure provided by the City is an equitable ~~division of costs fairly~~ compensation to both parties ~~compensates the performing Party for the services or functions~~ under this Agreement; and

WHEREAS, it is the intent of the County to request competitive sealed proposals from qualified firms to design, furnish, install, test, and maintain a county-wide radio network, otherwise known as the Rockwall County Interoperability Radio Network ("IRN"), for the benefit of the County and every participating municipality within the county; and

WHEREAS, it is the intent of the County to establish an IRN Committee for the purpose of preparation of the Request For Competitive Sealed Proposals ("RFCSP"), development of proposal evaluation criteria, evaluation of proposals, and award of contract for the IRN. The IRN Committee shall be comprised of representatives from each participating municipality; and

WHEREAS, it is the intent of the County to own, operate, and manage ~~a~~ the ~~county wide radio network, otherwise known as the Rockwall County Interoperability Radio Network~~ ("IRN"), for the benefit of the County and every participating municipality within the county; and~~.~~

WHEREAS, it is the intent of the City to make available antenna tower, equipment shelter, backup power, and dispatch center facilities for the purpose of the installation of IRN equipment as described herein.

WHEREAS, based on the findings and recommendations contained in the RCC Study, the County and the City desire to implement a wide area, multi-site ("simulcast") digital trunked simulcast radio system compliant with P-25, Phase II interoperability standards; and

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WHEREAS, the County and the City desire to enter this Agreement for the purpose of establishing the agreement regarding the purchase, installation, maintenance, operation, management, and use of the System.

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NOW, THEREFORE, in order to carry out the intent of the Parties as expressed above, and for and in consideration of the mutual promises contained herein and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged by both Parties, the County and the City agree as follows:

Article I. PURPOSE

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The purpose of this Agreement is to establish and clarify each Party's intents, obligations, and costs as they relate to the establishment and operation of the IRN.

The Parties also agree and understand that this Agreement shall become null and void should the County be unable to procure the System for any reason.

The Parties also agree and understand that this Agreement shall become null and void should the County be unable to address all of the City's coverage, technical, and operational concerns through the RFP process.

Article II. GRANT OF LICENSE

The County hereby grants the City a non-exclusive specific license to operate its radios on the P25 700 MHz Trunked Radio System (the "System") to be procured, maintained and owned by the County in accordance with the specific details and requirements for use as set forth in "Exhibit A, Terms of Use," which is attached hereto, incorporated herein, and made a part of this Agreement for all purposes. ~~The Parties agree and understand that failure to comply with these specific details and requirements may result in the immediate withdrawal of the specified permissions.~~

~~The Parties also agree and understand that this Agreement shall become null and void should the County be unable to procure the System for any reason.~~

Article III. CITY FACILITIES

The City owns, operates and maintains antenna towers, equipment shelters, and backup power located at 305 E. Boydstun Street and 920 Rockwall Parkway. The City owns, operates and maintains a dispatch center, equipment room, -and backup power located at 205 W. Rusk Street. These locations shall be collectivity referred to as City Facilities. The City ~~herby~~hereby grants the County non-exclusive authority to utilize City Facilities to host and house equipment for the benefit of the IRN. The County agrees to submit equipment lists and installation plans for City approval prior to the placement or installation of any equipment. All equipment installations shall comply with best industry practices. Prior to placing any equipment on a City antenna tower, the County or its contractor will commission a structural analysis performed by a licensed Professional Engineer. The structural analysis shall demonstrate that the installation plans comply with relevant revisions and sections of TIA/EIA-222 standards. The City reserves the right to maintain equipment currently located on its towers but owned by other entities, such as cellular providers. An acceptable transition plan must be formulated by the successful bidder and provided to the City to insure continued operation of the City's current radio communication system during the transition to a new radio system.

Any and all expenses related to site improvements needed as part of the IRN project will be covered by the County.

Nothing herein shall preclude the use by the City of the use of these provided structures for other purposes; however, both parties agree that the structures shall remain available for uses associated with the system for the duration of system use.

RCC should map towers currently owned by the City to be used for the IRN. The successful bidder must design the system to accommodate existing co-location customers. The City agrees that any future co-locating entities will design its system to accommodate the IRN and existing customers after installation.

Any interference with existing communications providers will be resolved between the vendor and the other party (such as cellular providers) before final acceptance of the new system.
Nothing herein shall be construed as granting the County any interest in real property owned by the City merely because a component of the System is located on or attached to the real property of the City.

~~**Article III.**~~TERM OF AGREEMENT

This Agreement shall begin ~~as~~ between the County and the City upon the last day executed by both Parties and shall continue in full force and effect for term of ten (10) years. Thereafter, the

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Agreement will automatically renew for subsequent annual terms unless one of the Parties provides the other Party written notice of its desire not to renew the Agreement at least one year, three hundred sixty five (365) ~~and eighty (180)~~ninety (90) ~~then current~~ days prior to the expiration of the initial ~~then current~~ term and at the beginning of each annual term upon expiration of the initial term. Termination or cessation of this Agreement between the County and the City will not affect the continuation of any other agreement the County may have with any other municipality or Party.

Any termination or default of this Agreement by the City before the end of the initial 10-year term of this Agreement will result in a termination of the non-exclusive permission to operate any radio equipment on the County's System. Additionally, the City must return all radio equipment provided to them by the County at the commencement of this Agreement. Any termination or default of this Agreement by either of the Parties will result in termination of the non-exclusive permission to utilize City Facilities to host or house IRN equipment. Additionally, the County must remove all equipment from City Facilities within ninety (90) days of termination.

Any notice of intent to terminate must be delivered by deposit in the United States mail, certified, return mail receipt requested, to the other Party at the addresses set out herein. Upon termination of this Agreement, neither party will have any obligations to the other party under this Agreement, other than those set forth above.

Article IV. IRN COMMITTEE

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The County and participating municipalities shall form an IRN Committee with responsibility for preparation/approval of the RFCSP, evaluation of vendor proposals, and award of a System Purchase Agreement ("SPA"). The IRN Committee shall also establish protocols for utilization of the IRN by system users. The City shall be represented in the IRN Committee by designee(s) of the City Manager. ~~the City of Rockwall Chief of Police and City of Rockwall Fire Chief.~~ Committee members shall have access to all materials related to the IRN including previous and future studies, RFCSP documents, proposal responses, and SPA documents. The City shall have the ability to utilize a third-party consultant for review of materials and shall have the authority to share any and all relevant materials with their third-party consultant.

Article V. PURCHASE, ~~AND~~ INSTALLATION, USE OF SYSTEM

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The City hereby acknowledges that the County, after consultation with the IRN Committee, will issue the RFCSP, receive proposals from vendors, and enter into a SPA with the selected vendor. The SPA shall define all equipment, software, and services to be provided, system performance terms, system acceptance terms, implementation schedules, and costs associated with the design, supply, installation, and commissioning of the IRN. The RFP must include costs for the initial maintenance and warranty period and costs for ongoing maintenance of the system for the initial 3 years after the expiration of the initial maintenance and warranty period. Execution of the SPA shall be contingent upon successful negotiation of IRN terms and costs.

The County agrees to provide equal or greater radio system coverage to the City as part of the IRN project. The results of the in-bound and out-bound signal test and Bit Error Rate testing as part of the system acceptance test will be provided to the City for review and evaluation.

The County requested that certain buildings in the City be removed from the Coverage Requirements portion of the RFP, Section A.4 – Mandatory Buildings. The County agrees that any coverage deficiencies in these buildings will be address from contingency funds allocated for this purpose. The County agrees that all buildings removed from the list will have the acceptable level of portable coverage requirements before final acceptance of the system.

Both parties hereby agree that the system shall only be used by participating municipalities and authorized entities in Rockwall County and that no other city, governmental entity, agency, or party shall be granted the use of the system by the other without the specific written consent of a participating entity in the IRN. Nothing in this agreement, however, shall be construed so as to restrict the City or the County from granting use of the system by others when it is mutually agreed that such use is in the best interests of the County and the City.

The County agrees that the City will designate employee(s) of the City to serve as system administrator and have rights and privileges to provide support and maintenance to users of the system. The RFP will provide for the cost of training 2 members of the City to act as a primary and secondary support team for the City.

Article VI. MAINTENANCE OF SYSTEM

The City hereby acknowledges that the County, after consultation with the IRN Committee, will enter into a System Maintenance Agreement ("SMA") with the selected vendor or authorized maintenance contractor to repair and maintain IRN components and software after expiration of manufacturer warranty coverage. The SMA will be structured to repair and maintain the System per manufacturer recommendations and exercise best industry practices for maximizing System availability and operation. ~~uptime.~~ Unless otherwise specified, software will be upgraded to the current level every two years. The City will provide all reasonable coordination and access to City Facilities necessary to repair, maintain, and upgrade IRN equipment and software.

~~User equipment shall be excluded from the SMA.~~Rockwall County assumes all maintenance costs for the system used by the City of Rockwall during the initial warranty period and throughout the term of the Agreement, excluding mobile and portable equipment (and accessories) purchased after the initial procurement period.

The City will deal directly with the vendor for maintenance and warranty of equipment purchased after the initial system procurement, maintenance, and warranty period.

FUTURE SYSTEM UPGRADES

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The City and County recognize that changing conditions may impact the various needs of the parties. Further, it is recognized that the system needs of the City and the County, while currently mutually compatible with the system, may become divergent at some point in the future.

If future system changes and upgrades are required by both parties, they shall be made by mutual agreement of both parties. If future system changes or upgrades are only required by one party, the party requiring said system changes or upgrades shall have the ability to meet their needs through the proper study, procurement, testing, and acceptance procedures.

Both parties agree that the ability for future system changes and upgrades to cure coverage deficiencies will not be reasonably withheld from each other. The City and the County agree that no changes or upgrades made to the system will detract from the full use and enjoyment of the system by both parties.

~~Article IV.~~Article VII. COMPENSATION

Note: This section needs work. If the County intends to divide the ongoing maintenance costs among the member cities, how will it be divided? Costs need to be identified as part of the RFP process? The City shall remit consideration to the County in the amount and manner as set forth in Exhibit A.

~~Article V.~~Article VIII. LIABILITY

Nothing in the performance of this Agreement shall impose any liability for claims against the County or the City other than claims for which liability may be imposed by the Texas Tort Claims Act. Upon receipt of the cost of the system through the RFP process, the City reserves the option to terminate its obligation or to proceed under the terms of the agreement. The City's participation in this project is contingent on all other local government entities in Rockwall County participating in the project in a similar manner.

~~Article VI.~~Article IX. INDEPENDENT CONTRACTOR

Note: City cannot be an independent contractor. If the goal is to hold each other harmless, let's mutually agree on Hold Harmless language that protects both parties.

It is expressly understood and agreed that the City shall operate as an independent contractor as to all rights and privileges granted herein, and not as agent, representative or employee of the County. Subject to and in accordance with the conditions and provisions of this Agreement, the City shall have the exclusive right to control the details of its operations and activities and be solely responsible for the acts and omissions of its officers, agents, employees, contractors and subcontractors. The City acknowledges that the doctrine of *respondeat superior* shall not apply as between the County, its officers, agents and employees, and the City, its officers, agents, employees, contractors and subcontractors. ~~The City further agrees that nothing herein shall be~~

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~~construed as the creation of a partnership or joint enterprise between the County and the City. The County shall not be responsible to the City for defects in the System or any of the radio equipment or in the inoperability of same.~~ The County agrees to maintain the System per manufacturer recommendations and the terms of the SMA.

~~Article VII.~~Article X. NON-APPROPRIATION OF FUNDS

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The County and the City will use best efforts to appropriate sufficient funds and/or other applicable considerations to support obligations under this Agreement. However, in the event that sufficient funds and/or other applicable considerations are not appropriated by either Party's governing body, and as a result, that Party is unable to fulfill its obligations under this Agreement, that Party (i) shall promptly notify the other Party in writing and (ii) may terminate this Agreement, effective as of the last day for which sufficient funds and/or other applicable considerations have been appropriated.

~~Article VIII.~~Article XI. ASSIGNMENT

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The City and County mutually agree that neither party ~~Parties~~~~City shall not~~ have the right to assign or subcontract any of its duties, obligations or rights under this Agreement without the prior written consent of the both parties. ~~County. Which such right shall be granted solely at the discretion of the County.~~

~~Article IX.~~Article XII. NO WAIVER

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The failure of either Party to insist upon the performance of any provision or condition of this Agreement or to exercise any right granted herein shall not constitute a waiver of that Party's right to insist upon appropriate performance or to assert any such right on any future occasion.

~~Article X.~~Article XIII. AMENDMENTS

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No amendment to this Agreement shall be binding upon either Party hereto unless such amendment is set forth in writing, and signed by both Parties.

~~Article XI.~~Article XIV. SEVERABILITY

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If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired.

~~Article XII.~~Article XV. CONFIDENTIAL INFORMATION

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To the extent permitted by law, the City for itself and its officers, agents and employees, agrees that it shall treat all information provided to it by the County as confidential and shall not disclose any such information to a third party without the prior written approval of the County.

The City shall store and maintain County information in a secure manner and shall not allow unauthorized users to access, modify, delete, or otherwise corrupt County information in any way. The City shall notify the County immediately if the security or integrity of County information has been compromised or is believed to have been compromised.

~~Article XIII.~~Article XVI. FORCE MAJEURE

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The Parties shall exercise their best efforts to meet their respective duties and obligations hereunder, but shall not be held liable for any delay in or omission of performance due to force majeure or other causes beyond their reasonable control, including, but not limited to, compliance with any state or federal law or regulation, acts of God, acts of omission, fires, strikes, lockouts, national disasters, wars, riots, material or labor restrictions, transportation problems or existing contractual obligations directly related to the subject matter of this Agreement.

~~Article XIV.~~Article XVII. GOVERNING LAW/VENUE

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This Agreement shall be construed in accordance with the laws of the State of Texas. Venue for any action brought on the basis of this Agreement shall lie exclusively in state courts located in Rockwall County, Texas or the United States District Court for the Northern District of Texas - Dallas Division. In any such action, each party shall pay its own attorneys' fees, court costs and other expenses incurred as a result of the action.

~~Article XV.~~Article XVIII. NOTICES

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All notices sent pursuant to this Agreement will be in writing and must be sent by registered or certified mail, postage prepaid, return-receipt requested.

Notices sent pursuant to this Agreement will be sent to the following addresses for each respective Party:

COUNTY	CITY
County Judge	*City Manager*
Rockwall County Judge's Office	*City of Rockwall*
101 Rusk Street, Room 202	*385 South Goliad St.*
Rockwall, Texas 75087	*Rockwall, Texas 75087*

When notices sent pursuant to this Agreement are mailed by registered or certified mail, notices will be deemed effective three (3) days after deposit in a U.S. mail box or at a U.S. post office.

~~Article XVI.~~Article XIX. SIGNATURE AUTHORITY

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The person signing this agreement hereby warrants that he/she has the legal authority to execute this agreement on behalf of the respective Party, and that such binding authority has been granted

by proper order, resolution, ordinance or other authorization of the entity. The other Party is fully entitled to rely on this warranty and representation in entering into this Agreement.

~~Article XVII.~~Article XX. **ENTIRETY OF AGREEMENT**

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This written instrument, including all Exhibits attached hereto, contains the entire understanding and agreement between County and the City as to the matters contained herein. Any prior or contemporaneous oral or written agreement is hereby declared null and void to the extent in conflict with this Agreement. This Agreement may not be amended unless set forth in writing and signed by both parties.

EXECUTED THIS _____ day of _____ 2014.

Rockwall County

By:_____
Honorable Jerry Hogan
Rockwall County Judge

Attest:

_____ Date: _____
Felicia Morris, Court Administrator

EXECUTED THIS _____ day of _____ 2014.

City of Rockwall

By:_____
Rick Crowley, City Manager

Attest:

_____ Date: _____
Kristy Ashberry, City Secretary

EXHIBIT A

TERMS OF USE

The following definitions shall have the meanings set forth below and apply to this Agreement and the Terms of Use set forth herein:

DEFINITIONS

Note: need to move definitions to the beginning of the contract and standardize language in the body of the contract.

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"Console System" shall mean all hardware and software associated with any dispatch console or set of consoles that are connected to the County's Interoperable Radio Network ("IRN").

"Interoperable Communications Plan" means the plan developed and established by the County to enhance and simplify radio communications among all agencies utilizing the County public safety radio system or connecting its Site Repeater Systems or any Console Systems to the IRN.

"Master Site" shall mean the hardware and software provided by the County as the core component of the P25 700 MHz Trunked Radio System. All Site Repeater Systems must connect to the Master Site.

"Site Repeater System" shall mean the base stations, antenna systems, controllers, and ~~shelter, tower and all~~ site-specific hardware and software infrastructure associated with the provision of a radio site owned and operated by the
County to be connected to the County Master Site.

"City Facilities" shall mean antenna towers, equipment shelters, backup power, and dispatch center facilities owned and operated by the City and utilized to host equipment for the IRN.

"Subscriber Radio" shall mean a control station (desk top radio), mobile radio, or portable radio, and accessories, which has a unique identification number and is programmed to operate on the County Trunked Voice Radio System.

"Talk Group" shall mean a specific group of subscriber units allowed to communicate privately within that group over shared infrastructure resources.

"Request For Proposals" RFP shall mean a formal response from a bidder.

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TERMS OF USE

1. The County shall provide and maintain the P25 700 MHz Trunked Radio System Master Site to which any Site Repeater Systems and Consoles System will connect.

~~3.The County shall execute with the provider of the P25 700 MHz Trunked Radio System a Software Upgrade Agreement for the System, every ASTRO 25 radio site connecting to the System, including those owned and operated by the City, and all other hardware such as Console Systems that would be affected by the software upgrades, including those owned and operated by the City. Unless the City is notified otherwise, the software for the System, all Site Repeater Systems and all Console Systems will be upgraded to the current level every two years. The City will provide all reasonable coordination necessary for the upgrade of its Site Repeater Systems and Console Systems.~~

~~3.~~

~~3.~~2. The County shall provide radio IDs for all radios and dispatch consoles owned and operated by the City. City radio IDs will include a block of IDs that can be assigned to future radios which may be purchased by the City. The City must provide written authorization to the County prior to the release of the City's radio IDs or any other information to a third party vendor or agency.

~~The acquisition, installation and maintenance of the City's Console Systems are the responsibility of the City unless otherwise stated in this Agreement.~~

~~5.~~3. The County will be responsible for the acquisition and initial programming of all City radios. The City shall have the ability to utilize a manufacturer-certified contractor for subsequent radio programming activities. The City will have the ability to utilize internal staff for the programming of radios following manufacturer training of said staff. The City shall have the sole authority to program its radios with frequencies and systems that are not affiliated with the IRN and share the City's frequencies with other entities not affiliated with the IRN for the purposes of mutual aid with neighboring law enforcement and/or public safety agencies.

4. The City, at its discretion, may obtain manufacturer training for administration of City radios and City consoles in the IRN. Trained staff shall have remote access to system administration tools including usage reports, activity logs, and user setup and administration. Access to system administration tools shall be limited to City equipment and City resources.

~~6.~~5. The County is the holder of the FCC (Federal Communications Commission) license(s) that the County's Site Repeater System uses for its operation. Through this agreement, the County grants permission for City users to operate on the IRN~~The City, as an operator of a radio dispatch from a fixed location will need to obtain the appropriate FCC licensees~~ per FCC license parameters and restrictions.~~.~~

~~7.~~6. The County makes no guarantee, either express or implied, as to radio signal strength or a specific level of radio coverage in a particular location. System performance will be a component of the SPA and the responsibility of the selector vendor. The County, as the contracting authority, will include coverage requirements as part of the RFP and will ensure the City receives radio coverage as good as or better than it has on the current system. ~~r.~~

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~~8.~~7. The City shall use due diligence in the maintenance and configuration of their subscriber radio equipment to ensure that no City radio causes a degradation to system operation. The County shall have the right to remove from operation any field radio unit or equipment owned by City that is operating on, attached and/or interfaced to the County infrastructure, if such equipment is found to cause interference or harm, to the system in any way. The County reserves the right to request that City operated field radio units or equipment operating on, attached and/or interfaced to the infrastructure be tested for proper operation and/or repaired by an authorized radio repair facility approved by the County. The cost of such testing or repair will be the sole responsibility of City. Furthermore, the County shall have the right to deactivate, without prior notification to or consent of the City, any field radio suspected of causing interference, intentionally or unintentionally, to any other radios on the systems or the systems operation.

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~~9.~~8. The County, in conjunction with the IRN Committee, will develop ~~establish~~ a coordinated Interoperable Communications Plan to apply to the County and the users of its systems. The City agrees to participate in the Plan and include the Plan's interoperable talk groups in the programming of its subscriber units and Console Systems.

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APPLICABLE CONSIDERATION

1. The County shall provide to the City all Subscriber Radio equipment in an amount equivalent to the current operating equipment levels of the City. The City will be responsible for maintenance of all City radios upon expiration of ~~subsequent to any~~ the initial maintenance and warranty ~~servicing~~ period.

2. The City shall deliver to the County all radio equipment replaced as listed in Exhibit B pursuant to the terms of the Agreement. The old radio equipment will become property of the County to be utilized as a "trade-in" in an effort to receive discount pricing on the new Subscriber Radio equipment. An exception to this consideration is any equipment necessary to retain for interoperability purposes.

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~~4.~~

~~4.~~

~~4.~~

~~4. The City shall provide to the County adequate space, including existing tower space, or real property for the development of necessary Site Repeater Systems in accordance with the recommendations of the County's project consultants and according to the terms of County's Agreement with the provider of the P25 700 MHz Trunked Radio System. The final locations for the County's Site Repeater Systems shall be subject to mutual agreement between the County and the City.~~

~~4.~~

~~4. The City shall pay the County an Annual Software Upgrade Fee equal to the amount invoiced to the County by the provider of the P25 700 MHz Trunked Radio System, or its successors, for the upgrade of the City's Consoles Systems and any other component subject to upgrade as a result of the upgrade of the System.~~

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COMPLIANCE WITH LAWS

1. The County and the City shall comply with all current and future Federal, State, and Local laws, Ordinances, and Mandates, including Federal Communications Commission rules and regulations regarding proper use of radio communications equipment. The City will also comply with the guidelines, or procedures set out in this Agreement. Furthermore, the City is responsible for enforcing such compliance by its employees, volunteers, or any individual operating City subscriber radio equipment. Furthermore, the City will be responsible for payment of any fines and penalties levied against the County as a result of improper or unlawful use of subscriber radio equipment owned by the City.

~~3.~~In order to comply with Federal, State, and Local Laws and/ or Mandates, the City~~ounty~~, as an authorized user of the County's licensed frequencies, ~~the~~ may be required to ~~Licensee, may need to act on behalf of the City regarding possible~~ modify~~ications~~, reconfigur~~eation~~, or replace ~~exchange of~~ owned Subscriber Radio equipment ~~in order to meet these obligations~~. For as long as this Agreement is in force, the City will cooperate with ~~allow~~ the County to facilitate such activities ~~on the County's behalf~~ as necessary. The City will be responsible for any and ~~e~~all costs associated with its own compliance activities unless otherwise arranged with the County or governing authority.

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~~3.~~

~~3.~~2. ~~In the instance where the City Subscriber Radio equipment is to be replaced in order to be in compliance with Federal, State, and Local Laws and/or Mandates, title and ownership of such replacement Subscriber Radio equipment shall pass directly to the City upon delivery of Subscriber Radio equipment to the City's site. The City shall provide the County, or its designee, with the Subscriber Radio equipment to be replaced, in good working order, as determined by the City or its designee. The City shall be liable for payment of any fees associated with radios deemed to be not in proper working order. The City shall be liable for payment of any fees associated with upgrades to subscriber radio equipment.~~

- Bidder should provide capability for the system to be partitioned to allow for individual agencies to manage its own programming.

- The radio system must be capable of simulcast 700/VHF.

Dispatch Concerns / Issues / Questions

- The Fire Auto CAD system needs to have automated dispatch system component with integrated Fire Box Districts, Hydrant Module, CAD Mapping Module, Fire Pre-Plan Module, Fire Auto Cad In-Car Module, GIS Vehicle Tracking Module, and Hazardous Material Module. The Fire Marshal office also uses Building Records Module, Jacket Module, Inspections Module and Permits Module.

- The Rockwall Police Department CAD system – Must be compatible with New World

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August 2014 (Re) Appointments

2 year appointments to end of August 2016 unless otherwise noted

(Updated for 10/20/14 City Council Meeting)

ARCHITECTURAL REVIEW BOARD (ARB) - Milder (advisory board)

(2) **Need to replace**
Michael Johnston (currently serving as "commercial property owner")
Mike Mershawn (attendance - missed 4 of 9 mtgs.) (new member would serve partial term until Aug. 2015) (currently serving as "architect")

BOARD OF ADJUSTMENTS (BOA) - Full Council

(1) **Need to replace**
Jennifer Willis (termed out - 6 year policy)

BUILDING & STANDARDS COMMISSION - Full Council (regulatory board)

(3) **Need to replace**
David Marlett (termed out - 6 year policy)
Bridgett Hoofnagle (termed out - 6 year policy)
Mike Jusko (termed out - 6 year policy)

PARK BOARD - Townsend (advisory board)

(1) **Need to replace**
Marcus Yarbrough (termed out - 6 year policy)

MAIN STREET ADVISORY BOARD - Sweet (advisory board)

(1) **Need to replace**
SuLaine Callaway (resigned) (new board member's term would be through Jan. 2016)

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Pancreatic Cancer Awareness Month

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Rockwall Boys and Girls Club Recognition Day

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American Diabetes Month

Proclamation (Diabetes) 19

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Pulmonary Hypertension Awareness Month

Proclamation (Pulmonary Hypertension) 21

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Movember

Movember Proclamation 23

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Consider approval of the minutes from the October 20, 2014 regular city council meeting, and take any action necessary.

10/20/14 CC Mins 25

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Consider approval of an ordinance amending the Code of Ordinances in Ch. 36. Streets, Sidewalks and Public Places; Article IV. Art in Public Places Master Plan; Division 2. Art Review Team (ART) Commission; Section 33-77. Established, Subsection (a) Composition to change the required composition of the Commission membership, and take any action necessary. (1st reading)

Memo (ART) 34

Ordinance (ART Commission Composition) 35

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P2014-027 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company (BH 60’s POD, LTD) for the approval of a preliminary plat for Breezy Hill, Phases IXA & IXB, containing 92 residential lots on a 26.32-acre tract of land situated within the T. R. Bailey Survey, Abstract No. 30 and the J. Simmons Survey, Abstract No. 190, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally located east of the intersection of FM-552 and John King Boulevard, and take any action necessary.

Staff Report 38

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P2014-031 - Consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Kash Parbhu of Peak Pedi, LLC for the approval of a final plat for Lot 1, Block A, Peak Pedi Medical Office, being a 0.954-acre tract of land currently identified as Tract 1-02 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH276 OV) District, located on the north side of SH-276 east of the intersection of John King Boulevard and SH-276, and take any action necessary.

Staff Report 44
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P2014-032 - Consider a request by Richard Garcia of Triangle Engineering, LLC on behalf of Ketan Parekh of A. J. Squared, LLC for the approval of a replat for Lot 1, Block A, AJ Squared Addition being a 1.460-acre parcel of land currently identified as Lot 2, Block A, Rockwall Assisted Living Facility Addition, zoned Planned Development District 18 (PD-18) for office and retail uses, situated within the Scenic Overlay (SOV) District, located on the west side of Ridge Road [FM-740] south of Cemetery Road, and take any action necessary.

Staff Report 48
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Consider approval of a resolution of the City of Rockwall, Texas, declaring a public necessity for the acquisition of fee simple title to all portions of properties for the Justin Road Project located in Rockwall County, Texas owned by unknown persons and/or entities, described as follows: A tract of land containing 0.298 acres (12,991 square feet), located off Justin Road between Industrial Boulevard and John King Boulevard in the City of Rockwall, Rockwall County, Texas for the public purpose of construction, operation, reconstruction, improvement, repair and maintenance, of the Justin Road Street Project; authorizing all appropriate action of the City in the institution and prosecution of condemnation proceedings to acquire such properties that cannot be acquired through negotiation; authorizing all other lawful action necessary or incidental to such acquisitions.

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Appointment with Todd Parks, FBO of the Ralph M. Hall / Rockwall Municipal Airport, to request a modification to winter operating hours and discuss holiday closings, and take any action necessary.

memo 61
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Z2014-025 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a zoning amendment to Planned Development District 63 (PD-63) to allow for changes to the concept plan and development standards stipulated by Ordinance No. 05-51 for a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District use, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary. (1st Reading)

Staff Report 116

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Z2014-028 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Mohamed Taha for the approval of a Specific Use Permit (SUP) to allow a minor auto repair garage to be established in conjunction with an existing oil/lube change facility located on a 0.2755-acre parcel of land identified as Lot 3, Block B, Rockwall High School Addition, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2225 Ridge Road, and take any action necessary. (1st Reading)

Staff Report 154

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Z2014-029 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a retail store with more than two (2) gasoline dispensers for a 0.743-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary. (1st Reading)

Staff Report 182

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Z2014-032 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a building greater than 25,000 SF in a General Retail (GR) District for a 5.52-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary. (1st Reading)

Staff Report 201

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Z2014-030 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Barry Luff of L2 Properties, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 1 (SF-1) District land uses for a 138.79-acre tract of land identified as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City of Rockwall, Rockwall County, Texas, and zoned Agricultural (AG) District, generally located on the east side of Dowell Road south of the intersection of SH-276 and Dowell Road, and take any action necessary. (1st Reading)

Staff Report 262

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Z2014-031 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of D. W. Bobst of J-BR2, LLC for the approval of a PD Development Plan proposing to establish five (5) pad sites for restaurants and retail shopping within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary. (1st Reading)

Staff Report 285

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MIS2014-016 - Discuss and consider a request from David Dorotik for approval of a Special Exception to the Unified Development Code, Article VI, Section 4, Residential Parking, regarding the storage of farm machinery (antique tractor) on a residential lot being zoned Single-Family Residential District (SF -7) and located at 509 Parks Avenue, Rockwall, Texas, and take any action necessary.

Staff Report 307

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Discuss and consider a request from David English with Ridge Point Commercial Real Estate for approval of a variance to the Unified Development Code, Article VI, Section 3.5, Permissible Uses, regarding the distance regulations for a retail establishment (Walmart Neighborhood Market) with alcoholic beverage sales on a tract of land being zoned Planned Development District 45 (PD-45) and located at the southeast corner of John King Boulevard, Rockwall, Texas, and take any action necessary.

Staff Memo 321

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Discuss and consider a request by Matt Mulliken of Mulliken Construction Management, Inc., on behalf of the owner of the property, for the approval of an amended site plan to allow for a variance to the screening from residential uses requirement stipulated by Article VIII, Landscape Standards, of the Unified Development Code for a professional office building on a 0.75-acre tract of land identified as Lot E, Block 117 & Lot D, Block 117 of B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, located at the northeast corner of the intersection of SH-205 [S. Goliad Street] and St. Mary's Street, and take any action necessary.

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Discuss and consider ADA accessible playground options, including associated cost estimates, and take any action necessary.

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Discuss and hear update regarding ongoing water conservation efforts, including outdoor watering schedule, and take any action necessary.

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Discuss and consider countywide Interoperability Radio System Interlocal Agreement and take any action necessary.

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AGENDA
ROCKWALL CITY COUNCIL
Monday, November 03, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding right-of-way land acquisition located near Justin Road and John King Blvd. pursuant to Section 551.072 (Real Property) and status of Temunovic condemnation proceeding pursuant to Section 551.071 (Consultation with Attorney).
2. Discussion regarding Economic Development prospect pursuant to Section 551.087 (Economic Development)
3. Discussion regarding possible claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations)
5. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)
6. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission, and the Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)
7. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, November 03, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM PRUITT

VII. PROCLAMATIONS / AWARDS

1. Nebbie Williams Elementary School Recognition Day p.13
2. Pancreatic Cancer Awareness Month p.15
3. Rockwall Boys and Girls Club Recognition Day p.17
4. American Diabetes Month p.19
5. Pulmonary Hypertension Awareness Month p.21
6. Movember

VIII. OPEN FORUM

IX. CONSENT AGENDA

p.25 **1.** Consider approval of the minutes from the October 20, 2014 regular city council meeting, and take any action necessary.

p.34 **2.** Consider approval of an **ordinance** amending the Code of Ordinances in Ch. 36. Streets, Sidewalks and Public Places; Article IV. Art in Public Places Master Plan; Division 2. Art Review Team (ART) Commission; Section 33-77. Established, Subsection (a) Composition to change the required composition of the Commission membership, and take any action necessary. **(1st reading)**

p.38 **3.** **P2014-027** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company (BH 60's POD, LTD) for the approval of a preliminary plat for Breezy Hill, Phases IXA & IXB, containing 92 residential lots on a 26.32-acre tract of land situated within the T. R. Bailey Survey, Abstract No. 30 and the J. Simmons Survey, Abstract No. 190, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally located east of the intersection of FM-552 and John King Boulevard, and take any action necessary.

p.44 **4.** **P2014-031** - Consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Kash Parbhu of Peak Pedi, LLC for the approval of a final plat for Lot 1, Block A, Peak Pedi Medical Office, being a 0.954-acre tract of land currently identified as Tract 1-02 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH276 OV) District, located on the north side of SH-276 east of the intersection of John King Boulevard and SH-276, and take any action necessary.

p.48 **5.** **P2014-032** - Consider a request by Richard Garcia of Triangle Engineering, LLC on behalf of Ketan Parekh of A. J. Squared, LLC for the approval of a replat for Lot 1, Block A, AJ Squared Addition being a 1.460-acre parcel of land currently identified as Lot 2, Block A, Rockwall Assisted Living Facility Addition, zoned Planned Development District 18 (PD-18) for office and retail uses, situated within the Scenic Overlay (SOV) District, located on the west side of Ridge Road [FM-740] south of Cemetery Road, and take any action necessary.

p.53 **6.** Consider approval of a resolution of the City of Rockwall, Texas, declaring a public necessity for the acquisition of fee simple title to all portions of properties for the Justin Road Project located in Rockwall County, Texas owned by unknown persons and/or entities, described as follows: A tract of land containing 0.298 acres (12,991 square feet), located off Justin Road between Industrial Boulevard and John King Boulevard in the City of Rockwall, Rockwall County, Texas for the public purpose of construction, operation, reconstruction, improvement, repair and maintenance, of the Justin Road Street Project; authorizing all appropriate action of the City in the institution and prosecution of condemnation proceedings to acquire such properties that cannot be acquired through negotiation; authorizing all other lawful action necessary or incidental to such acquisitions.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p.61 **2.** Appointment with Todd Parks, FBO of the Ralph M. Hall / Rockwall Municipal Airport, to request a modification to winter operating hours and discuss holiday closings, and take any action necessary.

XI. PUBLIC HEARING ITEMS

p.116 **1.** **Z2014-025** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a zoning amendment to Planned Development District 63 (PD-63) to allow for changes to the concept plan and development standards stipulated by Ordinance No. 05-51 for a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District use, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary. **(1st Reading)**

p.154 **2.** **Z2014-028** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Mohamed Taha for the approval of a Specific Use Permit (SUP) to allow a minor auto repair garage to be established in conjunction with an existing oil/lube change facility located on a 0.2755-acre parcel of land identified as Lot 3, Block B, Rockwall High School Addition, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2225 Ridge Road, and take any action necessary. **(1st Reading)**

p.182 **3.** **Z2014-029** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a retail store with more than two (2) gasoline dispensers for a 0.743-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary. **(1st Reading)**

p.201 **4.** **Z2014-032** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a building greater than 25,000 SF in a General Retail (GR) District for a 5.52-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary. **(1st Reading)**

p.262 **5.** **Z2014-030** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Barry Luff of L2 Properties, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 1 (SF-1) District land uses for a 138.79-acre tract of land identified as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City of Rockwall, Rockwall County, Texas, and zoned Agricultural (AG) District, generally located on the east side of Dowell Road south of the intersection of SH-276 and Dowell Road, and take any action necessary. **(1st Reading)**

p.285 **6.** **Z2014-031** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of D. W. Bobst of J-BR2, LLC for the approval of a PD Development Plan proposing to establish five (5) pad sites for restaurants and retail shopping within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary. **(1st Reading)**

XII. ACTION ITEMS

p.307 **1.** **MIS2014-016** - Discuss and consider a request from David Dorotik for approval of a Special Exception to the Unified Development Code, Article VI, Section 4, Residential Parking, regarding the storage of farm machinery (antique tractor) on a residential lot being zoned Single-Family Residential District (SF-7) and located at 509 Parks Avenue, Rockwall, Texas, and take any action necessary.

p.321 **2.** Discuss and consider a request from David English with Ridge Point Commercial Real Estate for approval of a variance to the Unified Development Code, Article VI, Section 3.5, Permissible Uses, regarding the distance regulations for a retail establishment (Walmart Neighborhood Market) with alcoholic beverage sales on a tract of land being zoned Planned Development District 45 (PD-45) and located at the southeast corner of John King Boulevard, Rockwall, Texas, and take any action necessary.

p.328 **3.** Discuss and consider a request by Matt Mulliken of Mulliken Construction Management, Inc., on behalf of the owner of the property, for the approval of an amended site plan to allow for a variance to the screening from residential uses requirement stipulated by Article VIII, Landscape Standards, of the Unified Development Code for a professional office building on a 0.75-acre tract of land identified as Lot E, Block 117 & Lot D, Block 117 of B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, located at the northeast corner of the intersection of SH-205 [S. Goliad Street] and St. Mary's Street, and take any action necessary.

p.337 **4.** Discuss and consider ADA accessible playground options, including associated cost estimates, and take any action necessary.

p.343 **5.** Discuss and hear update regarding ongoing water conservation efforts, including outdoor watering schedule, and take any action necessary.

p.346 **6.** Discuss and consider countywide Interoperability Radio System Interlocal Agreement and take any action necessary.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Dept. Monthly Report - September 2014 p.367
Fire Dept. Monthly Reports - September 2014 p.381
Harbor PD Monthly Report - September 2014 p.409
Internal Operations Department Monthly Reports - September 2014 p.411
Police Department Monthly Report - September 2014 p.415
Recreation Monthly Report - September 2014 p.418
Rockwall Animal Adoption Center Monthly Report - September 2014 p.420
4th Quarter and Fiscal Year End Report from Rockwall Co. Committee on Aging p.422

2. City Manager's Report

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

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2. Discussion regarding Economic Development prospect pursuant to Section 551.087 (Economic Development)
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4. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations)
5. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)
6. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission, and the Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)
7. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.
The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 31st day of October, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

Proclamation

Rockwall, Texas

Whereas, 94% of Nebbie Williams Elementary students met standard on the 2014 STAAR Test, and 37% achieved the advanced level; and

Whereas, Nebbie has adopted the "Leader in Me" program to teach the "7 Habits of Highly Effective People" to its staff, students, and parents; and

Whereas, Nebbie recently raised over $28,000 at its annual "Walk-a-Thon," the proceeds of which will be used to support classroom and campus needs; and

Whereas, Nebbie has a very active volunteer program, including the "Dads of Great Students Watchdog Program," which currently has a Watchdog signed up to volunteer every day of the school year; and

Whereas, Nebbie's running Club meets weekly to run and train for local 5K races and now has 85 members; and

Whereas, Nebbie students are involved in many clubs including "Friends United for Nebbie", Student Council, Spanish Club, Robostingers Robotics Club, Art Club, Honor Choir, Drama Kids, Young Rembrandts, Bricks4Kidz, Mad Science, and Successful Student Athletes.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim Monday, November 3, 2014 as

Nebbie Williams Elementary School Recognition Day

in the City of Rockwall, Texas and urge all citizens to applaud and congratulate the students, teachers and staff of Nebbie Williams Elementary School for their noteworthy accomplishments and continued hard work towards quality education in Rockwall.

David Sweet, Mayor

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Proclamation

Rockwall, Texas

Whereas, in 2014 it is estimated that, 46,420 Americans will be diagnosed with pancreatic cancer, and 39,590 will die from the disease, including 73 percent who will die within the first year of diagnosis; and

Whereas, when symptoms of pancreatic cancer present themselves, it is usually too late for an optimistic prognosis, with 73 percent of pancreatic cancer patients dying within the first year of their diagnosis and 94 percent dying within the first five years; and

Whereas, the Recalcitrant Cancer Research Act was signed into law in 2013, which calls on the National Cancer Institute to develop a scientific framework, or strategic plans, for pancreatic cancer and other deadly cancers, which will help provide the strategic direction and guidance needed to make true progress against these diseases; and

Whereas, the Pancreatic Cancer Action Network is the first and only national patient advocacy organization that serves the pancreatic cancer community in Rockwall and nationwide by focusing its efforts on public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and

Whereas, the Pancreatic Cancer Action Network and its affiliates in Rockwall support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure; and

Whereas, the good health and well-being of the residents of Rockwall are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments;

Now, Therefore I, David Sweet, Mayor of the City of Rockwall, Texas do hereby proclaim the month of November 2014 as

Pancreatic Cancer Awareness Month

in the City of Rockwall and encourage all citizens to learn more about this deadly disease and to support research towards finding a cure.

In Witness Whereof, I hereunto set my hand and official seal this 3rd day of November, 2014.

David Sweet, Mayor

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Proclamation

Rockwall, Texas

Whereas, the Rockwall Boys and Girls Club engages youth in the community from at least nine (9) different RISD schools, keeping participants active approximately 250 days of the year by providing fun, daily programs as well as daily snacks; and

Whereas, since 2011, total membership has grown from approximately 300 youth to over 780, with average daily attendance increasing from 70 youth per day to over 150 per day during the school year; and

Whereas, 95% of club members attend at least 3 times per week, and 75% attend at least twice each week; and

Whereas, during the summer of 2014, more than 250 youth attended the club each day with breakfast and lunch being provided daily by the RISD; and

Whereas, youth participate in programs focused on reading, math, science, and cultural arts, as well as daily homework help after school and the annual national fine arts and photography contest; and

Whereas, the club's youth also participate in Drug & Alcohol prevention programs as well as gender specific programs such as Passport to Manhood and SMART Girls; and

Whereas, the Club's Torch Club Leadership members made a positive impact on the community by contributing more than 4,000 community service hours in 2013.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim Monday, November 3, 2014 as

BOYS & GIRLS CLUB
Of Rockwall County

Recognition Day

in the City of Rockwall, Texas and urge all citizens to applaud and congratulate the Rockwall Boys and Girls Club, including the club's leadership, volunteers and partners, for their numerous programs and generous contributions which benefit so many young people throughout our community.

David Sweet, Mayor

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Proclamation

Rockwall, Texas

Whereas, in the United States, over 29 million people – including over 700,000 in North Texas -- have diabetes; and

Whereas, diabetes is a serious disease with potentially life-threatening complications such as heart disease, stroke, blindness, kidney disease and amputation; and

Whereas, an additional 86 million people in the United States are at risk for developing type 2 diabetes; and

Whereas, recent estimates project that one in three children born today will have diabetes by the time they are 50 years old if current trends continue; and

Whereas, an increase in community awareness is necessary to put a stop to the diabetes epidemic.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby designate the month of November 2014 as

AMERICAN DIABETES MONTH

in the City of Rockwall and encourage all citizens to recognize American Diabetes Month and support the movement to confront, fight and, most importantly, change the future of this deadly disease.

In Witness Whereof, I hereunto set my hand and official seal this 3rd day of November, 2014.

David Sweet, Mayor

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Proclamation

Rockwall, Texas

Whereas, Pulmonary Hypertension (PH) is high blood pressure in the arteries of the lungs that can lead to heart failure; and

Whereas, although this is a rare disease without a cure, treatments are available; and

Whereas, symptoms of Pulmonary Hypertension are similar to asthma, which causes PH to be under-recognized, misdiagnosed and lead to life-threatening delays in treatment; and

Whereas, when PH is misdiagnosed as asthma or COPE, patients lose valuable treatment time and incur unnecessary costs for themselves and the health care system,

Whereas, it is currently estimated that determining a proper diagnosis for those with Pulmonary Hypertension takes an average of 2.8 years; and

Whereas, since the condition is progressive and incurable, the time associated with prompt and correct diagnosis is critical; and

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby designate the month of November 2014 as

PULMONARY HYPERTENSION AWARENESS MONTH

in the City of Rockwall and encourage all citizens to support the movement to educate the public on this disease and increase awareness of the need for early and correct diagnosis, thereby saving lives.

In Witness Whereof, I hereunto set my hand and official seal this 3rd day of November, 2014.

_____

David Sweet, Mayor

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Proclamation

Rockwall, Texas

Whereas, despite advances in medical technology and research, men continue to live an average of almost 6 years less than women; and

Whereas, 1 in 2 men will be diagnosed with cancer in their lifetime, with 1 in 7 men being diagnosed with prostate cancer in his lifetime; and

Whereas, prostate cancer is the second most common cancer among men in the United States and testicular cancer is the most common cancer in American males between the ages of 15 and 35; and

Whereas, more than 12 percent of men 18 years and older are considered in fair or poor health; and

Whereas, educating the public and health care providers about the importance of healthy lifestyles and early detection of male health problems will result in reducing the rates of mortality from disease; and

Whereas, each November, men across the United States and around the world participate in "Movember", an annual event involving the growing of moustaches to raise funds and awareness for men's health, specifically prostate and testicular cancers;

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim the month of November, 2014 as

MOVEMBER

in the City of Rockwall and encourage all males to take the time to participate in prevention screenings for the sake of their individual health and for the well-being of Rockwall families.

In Witness Whereof, I hereunto set my hand and official seal this 3rd day of November, 2014.

_____

David Sweet, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, October 20, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the public meeting to order at 4:00 p.m. Present were Mayor David Sweet, Mayor Pro Tem Jim Pruitt, and City Council Members David White, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza.

II. (4:00 P.M.) WORK SESSION

1. Hold work session to hear update from Tom Kula of the North Texas Municipal Water District (NTMWD) regarding the drought and associated water supply, and take any action necessary.

Present for this agenda item were Tom Kula and Mike Rickman of the North TX Municipal Water District as well as the City of Rockwall's appointed members to the NTMWD board, Mr. Larry Parks and Mr. Bill Lofland.

Tom Kula came forth, introducing himself as the Executive Director of the NTMWD and indicating he has been in this role for about six months. He thanked the citizens of Rockwall for achieving about a thirty-one percent reduction in water consumption/usage. He explained that the drought officially began four years ago in October of 2010, and it may rival the drought of the 1950s. For five years, water for Lake Lavon could not be pulled from Texoma. As a result, Lavon is six feet lower than it really should have been. More rain than normal is being forecasted for the winter months.

Councilmember Daniels expressed that he has heard concerns regarding Lake Ray Hubbard from resident homeowners and businesses that are being adversely affected by the low water levels. Mike Rickman, Deputy Director of Water Operations for the NTMWD, came forth and briefed the council on lake levels at the various lakes around the region. He also briefed the council on lake releases from Lake Ray Hubbard in collaboration with the City of Dallas through two contracts that NTMWD has with the City of Dallas. He explained that two wastewater treatment plants discharge into Lake Ray Hubbard. Those flows get released through the spillway into the wetlands, and it is then pumped back to Lake Lavon. The second contract is a three year one that expires in May of 2016. It deals with the purchase of raw water, with some of the raw water coming from Lake Ray Hubbard and the rest coming from either Lake Tawakoni or Lake Fork.

Councilmember Lewis pointed out that the NTMWD recently added several new employees. Regarding a future, anticipated water rate increase on the part of the NTMWD, Councilmember Lewis expressed a desire for the District to reassure Rockwall that it is doing all it can do in order to keep costs down. He expressed that the city is currently doing its own study related to water rates, and those results will be discussed by the city council in November.

Mr. Kula explained that employees were added at the NTMWD this fiscal year to begin projects that they are behind on. For example, employees were added to Maintenance Management to manage and begin to address aging infrastructure.

Councilmember Daniels expressed that he would like the NTMWD to better explain and communicate to Rockwall citizens the process of letting water out of Lake Ray Hubbard and the reasons why. Mayor Sweet expressed a desire for a short summary of this nature to be prepared by the District for inclusion in city water bills as an informational insert. Mr. Kula agreed to also contact the local newspaper(s) in Rockwall to see about putting information of this nature in the local newspapers too. Mr. Kula expressed that

After brief dialogue between the Council and Mr. Parks and Mr. Lofland, the Council took no action related to this agenda item.

2. Hold work session to discuss and consider the city's Art in Public Places ordinance provisions, including the Art Review Team (ART) Commission, and take any action necessary.

Assistant City Manager Brad Griggs provided brief background information related to this agenda item, indicating that Councilmember White requested that this item be placed back on the council agenda for discussion.

Councilmember White indicated that he would like as many citizens involved in public art submissions as possible, and then have the five person Commission review those submissions. Discussion took place related to the composition of the commission, with Mayor Pro Tem Pruitt indicating that he has a problem with only one "interested citizen" serving on the Commission. Also, he would like to ensure that all five who serve have to be residents of the City of Rockwall. City Attorney Frank Garza confirmed that, according to the city's Charter, they will need to be residents of the city.

Councilmember White then made a motion to change the composition of the ART Review Team to call for five residents (with no specialties as far as their background, education or profession are concerned) to serve. Mayor Pro Tem Pruitt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

At 4:50 p.m. Mayor Sweet read the below listed discussion items into the public record before recessing the meeting into Executive Session.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding right-of-way land acquisition located near Justin Road and John King Blvd. pursuant to Section 551.072 (Real Property) and status of Temunovic condemnation proceeding pursuant to Section 551.071 (Consultation with Attorney).

2. Discussion regarding possible claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)

3. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)

4. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission, Rockwall Economic Development Corporation, and Charter Review Commission pursuant to Section 551.074 (Personnel Matters)

5. Discussion regarding city council member appointment as "alternate member" to STAR Transit board of directors pursuant to Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters).

6. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

7. Discussion regarding incentives to tenured employees and possible legal issues pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney).

8. Discussion regarding possible claim in enforcing city sign ordinance pursuant to Section 551.071 (Consultation with Attorney).

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:50 p.m.

V. (6:00 P.M.) RECONVENE PUBLIC MEETING

Mayor Sweet reconvened the public meeting at 6:00 p.m. with all seven city council members present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Pruitt indicated that no action was needed as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TOWNSEND

Councilmember Townsend delivered the invocation and led the Pledge of Allegiance. Mayor Sweet then announced that members of the city's Youth Advisory Council (YAC) are present to observe the council meeting this evening, and each of them introduced themselves.

VIII. PROCLAMATIONS / AWARDS

1. Cain Middle School Day

Mayor Sweet called forth representatives of Cain Middle School. He then read and presented them with a proclamation recognizing the school and staff for several recent accomplishments.

2. Police Department Presentation: Citizen Certificate of Merit (David Earls)

Mayor Sweet called forth Police Chief Mark Moeller and Assistant Police Chief Kirk Riggs. Chief Moeller provided background information about lifesaving measures that

Mr. Earls took in order to save his coworker's life when he became electrocuted while working on electrical repairs in the City of Rockwall back in June.

3. Rockwall Kiwanis Recognition Day

Mayor Sweet called forth representatives from the local Kiwanis club. He then read and presented Rockwall Kiwanis with a proclamation recognizing them for their contributions to the Rockwall community.

4. J.E.R. Chilton YMCA Recognition Day

Representatives of the J.E.R. Chilton YMCA (of Rockwall), including Executive Director Bonnie LaVielle, were called forth by Mayor Sweet. Mayor Sweet then read and presented the representatives with a proclamation recognizing the organization for its programs and contributions to the community.

5. Chamber of Commerce Week

Dana Macalik, President of the Rockwall Area Chamber of Commerce, came forth with various representatives to explain a little bit about what the Chamber does for the Rockwall community. Mayor Sweet then read and presented the Chamber representatives with a proclamation declaring October 20-24 as Chamber of Commerce Week in Rockwall.

6. Red Ribbon Week

Mayor Sweet called Enid Reyes forth to say a few words about Red Ribbon Week. Ms. Reyes introduced several guests who accompanied her this evening. He then read and presented a proclamation declaring October 23-31 as Red Ribbon Week in the City of Rockwall. Chief Moeller reminded the public about an upcoming "Drug Take Back Initiative," which is a community wide effort that takes place annually and allows citizens to safely dispose of old, unused pharmaceutical drugs. A secure drop box that is locked will soon be implemented in the City of Rockwall to allow anyone to drop off unused pharmaceuticals at any time.

Mayor Sweet reordered the city council agenda to address Appointment Item #1 next.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the October 6, 2014 regular city council meeting, and take any action necessary.

2. Consider approval of an **ordinance** establishing the speed limit along SH 205 from E. Interurban Street to south of S. Heath Street at 35 miles per hour and take any action necessary. **(2nd reading)**

3. Consider approval of an **ordinance** amending Chapter 38. Subdivisions; Article I. In General; Section 38-15. Miscellaneous requirements, Subsection (m) to increase Engineering Inspection fees from two percent to four percent, and taken any action necessary. **(2nd reading)**

4. **MIS2013-006** – Consider approval of an **ordinance** for a City initiated amendment to Sections 38-360 through 38-368 of Chapter 38, Subdivisions, of the Municipal Code of Ordinances of the City of Rockwall, Texas, concerning updated impact fees for water and wastewater facilities based on recently approved and updated land use assumptions and utility capital improvement plans for such facilities. **(2nd Reading)**

5. Consider approval of a Professional Engineering Services Contract with Kimley-Horn and Associates, Inc. to perform various traffic related studies within the City in an amount not to exceed $10,000.00 funded from the FY2015 Engineering Budget and take any action necessary.

6. Consider authorizing the City Manager to execute a purchase order to Caldwell Country Motors for the purchase of two (2) Chevrolet Tahoes for Fire Inspectors in the amount of $72,482 funded with General Fund Reserves and take any action necessary.

7. Consider authorizing the City Manager to enter into a contract with Benbrooke Ridge Partners, L.P. for lease of office space for the John Fitzwater, Sr. Community Service Center at 1113 Ridge Road (former Brookshires Shopping Center) to be paid from the Police Department Community Services operating budget and take any action necessary.

Following Appointment Item #1, the Consent Agenda was addressed.

Mayor Pro Tem Pruitt pulled item #1 for discussion.

Councilmember Lewis made a motion to approve the remaining items on the Consent Agenda (#s 2, 3, 4, 5, 6 and 7). Councilmember White seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-45

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY NO. 205 GENERALLY FROM E. INTERURBAN STREET TO SOUTH OF S. HEATH STREET OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF $200.00 FOR EACH OFFENSE; PROVIDING AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 14-46

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 38. SUBDIVISIONS; ARTICLE I. IN GENERAL; SECTION 38-15. MISCELLANEOUS REQUIRMENTS BY AMENDING SUBSECTION (m) TO REVISE THE ENGINEERING INSPECTION FEE TO RAISE IT FROM TWO PERCENT TO FOUR PERCENT; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 14-47

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, AMENDING SECTIONS 38-360 THROUGH 38-368 OF CHAPTER 38, *SUBDIVISIONS*, OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, CONCERNING UPDATED IMPACT FEES FOR WATER AND WASTEWATER FACILITIES BY UPDATING THE LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLANS, EQUIVALENCY TABLES, AND IMPACT FEE ASSESSMENT AND COLLECTION RATES FOR SUCH FACILITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

Regarding Appointment Item #2, the second paragraph, Mayor Pro Tem Pruitt expressed that the language should be modified to clarify that Mr. Covington indicated that he is in fact a lawyer; however, he explained that he does not represent Sylvana Garcia, Senior Property Manager with USR or Kim Lovett with Eventive Marketing Solutions. Instead, he is a lawyer with the firm that represents TF Harbor. Mayor Pro Tem White then made a motion to approve Consent Agenda item #1 with the said changes being incorporated. Councilmember Townsend seconded the motion, which passed by a vote of 7 ayes to 0 nays.

X. APPOINTMENTS

1. Appointment with Joe DeLane, Rockwall County Emergency Management Coordinator, to hear update regarding Emergency Management related activities, including public health, and take any action necessary.

Joe DeLane indicated that partnerships were formulated early on with various individuals across multiple disciplines throughout Rockwall County in order to facilitate discussions and information related to the recent Ebola related events that have arisen throughout the Dallas region. He stated that countywide officials continue to monitor the situation and associated developments, and press releases issued by Rockwall County have been created and disseminated through a joint effort with countywide partners. Mr. DeLane indicated that the Texas Department of State Health Services is the authority on this Ebola event, and the County of Rockwall also has a county health authority, Dr. Bonaquisti, who has been receiving limited information from the State related to individuals (now a total of six) who have been being monitored within Rockwall County by state health officials. He explained that Dr. Bonaquisti has indicated that, although he has not requested specific addresses of those who are being monitored in Rockwall County, even if he were to be provided with this information, he would be unable to release said information due to privacy-related legal issues. Mayor Sweet indicated that a daily conference call has been taking place with representatives of each and every entity in Rockwall County as well as with the local ambulance provider and the two school districts in Rockwall County. He complimented the partners for their work in monitoring the developments and keeping the public informed. Councilmember Lewis complimented Mr. DeLane on his work as the County of Rockwall Emergency Management Coordinator and thanked him for his work on this Ebola situation.

Mayor Sweet then addressed the Consent Agenda.

2. Appointment with Perry Havenar of Garver, Inc. to hear final presentation on the airport development plan conducted at the Ralph M. Hall / Rockwall Municipal Airport, and take any action necessary.

Mr. Havenar came forth and briefed the city council on the airport development plan. Mr. Havenar generally indicated that the cost and logistics associated with extending the airport runway would outweigh the benefits that would ultimately be gained. Mr. Havenar also provided the council with possible capital improvements they may wish to consider in five-year phased increments over a period of about fifteen years.

Mayor Pro Tem Pruitt, Councilmember White and Councilmember Townsend as well as a few representatives from the Rockwall Economic Development Corporation served on the subcommittee that oversaw this study.

Councilmember White made a motion to approve the Airport Development Plan as presented by Mr. Havenar, including authorizing the staff to submit it to TXDOT Aviation for review. Councilmember Milder seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

XI. ACTION ITEMS

1. Discuss and consider countywide Interoperability Radio System Interlocal Agreement and take any action necessary.

City Manager Rick Crowley indicated that, unfortunately, there is no updated contract to be evaluated by the Rockwall City Council this evening. The county's attorneys are still reviewing comments previously submitted by the city related to the last draft.

Councilmember White asked if either of the chiefs have any comments. Both Chief Poindexter (Fire) and Chief Moeller (Police) expressed that the last draft had some details that did not meet the city's needs. So, appropriate comments were sent back to the county.

After brief comments, the council took no action related to this agenda item.

2. Discuss and consider appointments to the city's Park Board, Architectural Review Board, and the Art Review Team Commission, and take any action necessary.

Regarding the Architectural Review Board, Councilmember Milder indicated that does not yet have a recommendation to provide; however, he is speaking with a possible candidate at this time. Mayor Sweet briefed the council on various, outstanding board openings and needed appointments.

Regarding the Park Board, Councilmember Townsend made a motion to appoint Wayne Larson to serve (replacing Marcus Yarborough with an initial term to expire in August of 2016). Councilmember White seconded the motion, which passed unanimously of council present (7 ayes to 0 nays).

At 7:20 p.m., Mayor Sweet indicated that the city council will recess the public meeting into Executive Session. The then read discussion items #4 and #7 listed below into the public record.

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding right-of-way land acquisition located near Justin Road and John King Blvd. pursuant to Section 551.072 (Real Property) and status of Temunovic condemnation proceeding pursuant to Section 551.071 (Consultation with Attorney).
2. Discussion regarding possible claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission, Rockwall Economic Development Corporation, and Charter Review Commission pursuant to Section 551.074 (Personnel Matters)
5. Discussion regarding city council member appointment as "alternate member" to STAR Transit board of directors pursuant to Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters).
6. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).
7. Discussion regarding incentives to tenured employees and possible legal issues pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney).
8. Discussion regarding possible claim in enforcing city sign ordinance pursuant to Section 551.071 (Consultation with Attorney).

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Mayor Sweet reconvened the public meeting at 8:13 p.m. Pro Tem Pruitt made a motion to appoint G. David Smith to the Charter Review Commission (replacing Connie Jackson who was originally appointed but has since expressed an inability to serve). Councilmember White seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

XIV. ADJOURNMENT

The meeting was adjourned at 8:13 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of November, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

DATE: **November 3, 2014**

SUBJECT: **Ordinance amendment re: ART Team Commission composition**

At the October 20th council meeting, the council voted to move forward with passing an ordinance amendment to make modifications to the composition of the city's ART Review Team Commission. Based on those discussions, I have drafted the attached ordinance for council review and consideration at the November 3rd meeting.

CITY OF ROCKWALL

ORDINANCE NO. 14-41

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CH. 36. STREETS, SIDEWALKS AND PUBLIC PLACES; ARTICLE IV. ART IN PUBLIC PLACES MASTER PLAN; DIVISION 2. ART REVIEW TEAM (ART) COMMISSION; SECTION 33-77. ESTABLISHED, SUBSECTION (a)(1). COMPOSITION TO CHANGE THE REQUIRED COMPOSITION OF THE FIVE (5) MEMBER COMMISSION; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Rockwall City Council, in order to facilitate more inclusionary participation by members of the public who may wish to serve, has determined that the following composition for the city's Art Review Team (ART) Commission is in the best interest of the public;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Code of Ordinances in Chapter 36. Streets, Sidewalks, and Public Places; Article IV. Art in Public Places Master Plan; Division 2. Art Review Team (ART) Commission; Section 33-77. Established; Subsection (a)(1). Composition is hereby amended to henceforth read in its entirety as follows:

(a) (1) The art review team (ART) commission shall consist of five members, who shall all be "interested citizens" appointed by the city council. ~~The team members will include two visual arts professionals, two members of the business community who will be representative of the environmental design fields (architecture, landscape architecture, urban planning/design), and one resident of the community. Selection of the team will reflect ethnic, artistic, economic and demographic diversity of the community.~~ All team members ~~must~~ should possess knowledge of, or have an interest in contemporary, visual art, artistic principles and art media. ~~A board member of the Rockwall Alliance for the Arts and the director of parks and recreation or his designee will serve as ex officio (nonvoting) members.~~

a. The art review team (ART) commission shall consist of five regular members appointed by a majority of the city council. ~~The ex officio member from the Rockwall Alliance for the Arts will also be appointed by the city council. The ex officio member from the parks and recreation department~~ A staff liaison will be appointed by the city manager.

b. In the case of a vacancy of the commission, the city council, by a majority vote, may appoint a replacement member to the commission. Any person appointed shall serve until the expiration of the term of office of the vacated position.

c. Each member of the commission shall be a resident citizen and qualified voter of the city.

d. Upon the initial appointment of the commission by the city council, members shall draw lots for three two-year terms and three one-year terms of service. Thereafter, the term of office of members of the commission shall be for two years. Members may be removed, as determined by the city council.

e. Members shall serve without compensation.

Section 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict;

Section 3. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void;

Section 4. That all ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal;

Section 5. That this Ordinance shall become effective immediately upon passage and approval and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 17th day of November, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 11-03-14

2nd Reading: 11-17-14

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 11/03/2014

APPLICANT: Chase Finch, *Corwin Engineering, Inc.*

AGENDA ITEM: **P2014-027**; *Breezy Hill, Phases IXA & IXB*

SUMMARY:

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company (BH 60's POD, LTD) for the approval of a *Preliminary Plat* for Breezy Hill, Phases IXA & IXB, containing 92 residential lots on a 26.32-acre tract of land situated within the T. R. Bailey Survey, Abstract No. 30 and the J. Simmons Survey, Abstract No. 190, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally located east of the intersection of FM-552 and John King Boulevard, and take any action necessary.

PRELIMINARY PLAT INFORMATION:

- ✓ The Breezy Hill Subdivision is a master planned community that will provide approximately 405-acres of residential and commercial development. The residential subdivision will be composed of 742 single-family lots on 345.8-acres of land, and be broken down per the lot mix indicated in Planned Development District 74 (PD-74). The lot mix in this Planned Development District is as follows:

Lot Types	*A*	*B*	*C*	*D*
Typical Lot Frontage *(Feet)*	60	70	80	100
Typical Lot Depth *(Feet)*	120	120	125	200
Minimum Lot Size *(Sq. Ft.)*	7,200	8,400	10,000	20,000
Number of Proposed Units	206	112	326	98
Dwelling Unit %	27.80	15.10	43.90	13.20

- ✓ The purpose of the applicant's submittal is to preliminary plat Phases IXA & IXB of the Breezy Hill Subdivision and layout 92 of the 742 single-family lots. The 92 proposed lots will be constructed to the *Type 'A'* standard (*all standards are displayed in the above table*) and be situated on approximately 26.32-acres adjacent to FM-552. In addition to the *Preliminary Plat* the applicant has also submitted a preliminary water, sanitary sewer and storm water plan establishing that the developer can provide adequate utilities to service the proposed phase.

- ✓ The proposed *Preliminary Plat* conforms to the revised concept plan approved by the City Council on July 7, 2014 under *Case No. Z2014-017*.

- ✓ On October 7, 2014 the Parks Board reviewed the proposed *Preliminary Plat* and recommended the following:

  1) The developer pay the pro-rata equipment fees required for District No. 7 in the amount of $29,348.00 [92 Lots @ $319.00 Per Lot].

- ✓ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for *Preliminary Plats* as stated in the *Subdivision Ordinance* in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the *Preliminary Plat* for *Phases IXA & IXB* of the *Breezy Hill Subdivision* staff would recommend the following conditions of approval:

1) The *Preliminary Plat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;

2) In conformance with Planned Development District 74 (PD-74) [*Ordinance No. 12-26*] a *PD Site Plan* shall be submitted and approved prior to the submittal of a final plat;

3) A Treescape Plan for the entire phase shall be required to be submitted with the Final Plat;

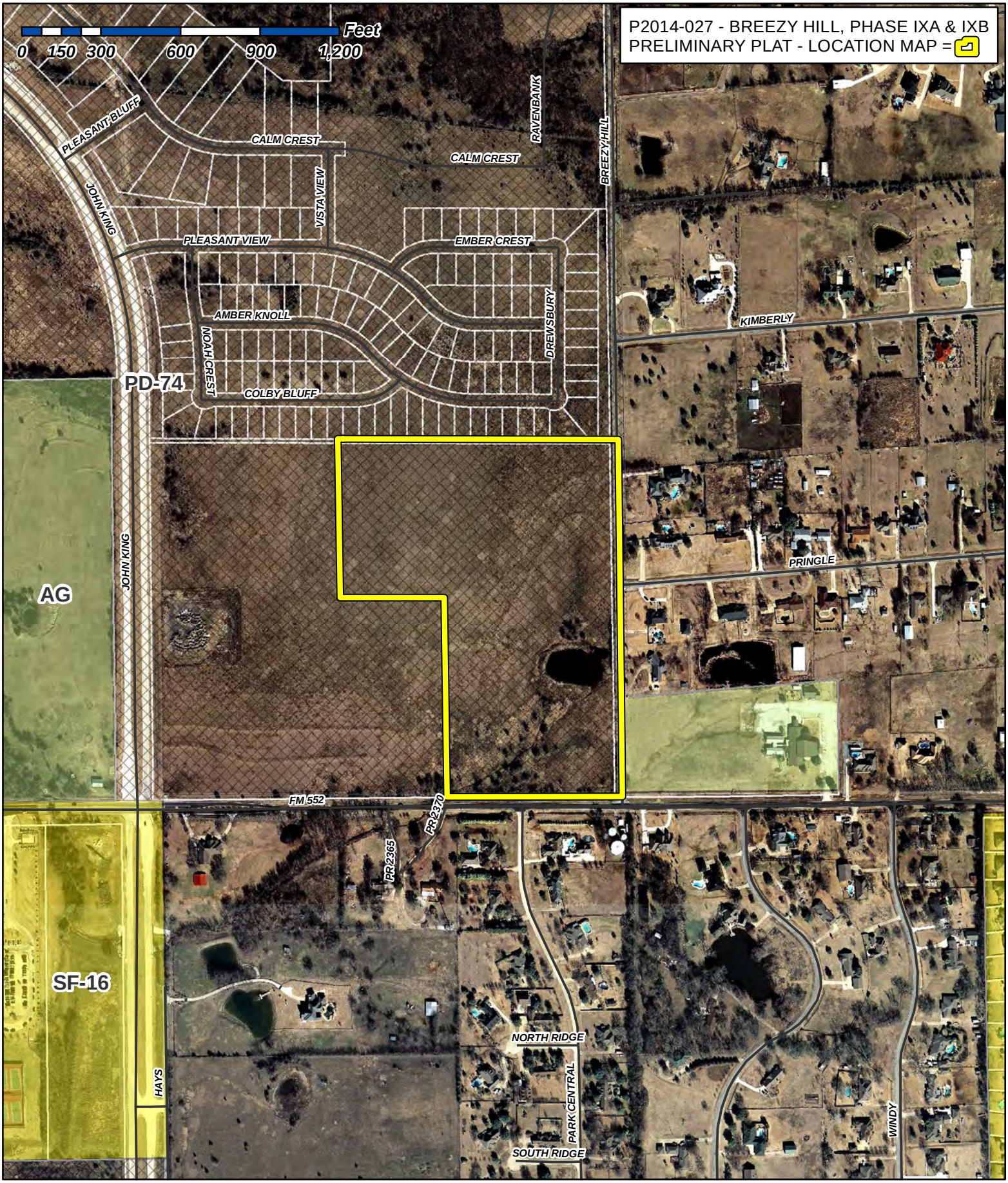
4) A pro-rata of $345.75 per acre for lift station, force main and gravity sanitary sewer shall be required to be paid with the Engineering Department fees;

5) The *Preliminary Plat* shall conform to the recommendations made by the Parks Board; and,

6) Any construction resulting from the approval of this *Preliminary Plat* shall conform to the requirements set forth by the Unified Development Code (UDC), the 2009 International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On October 28, 2014, the Planning and Zoning Commission recommended approval of the preliminary plat by a vote of 6-0, with Commissioner Johnathan Lyons absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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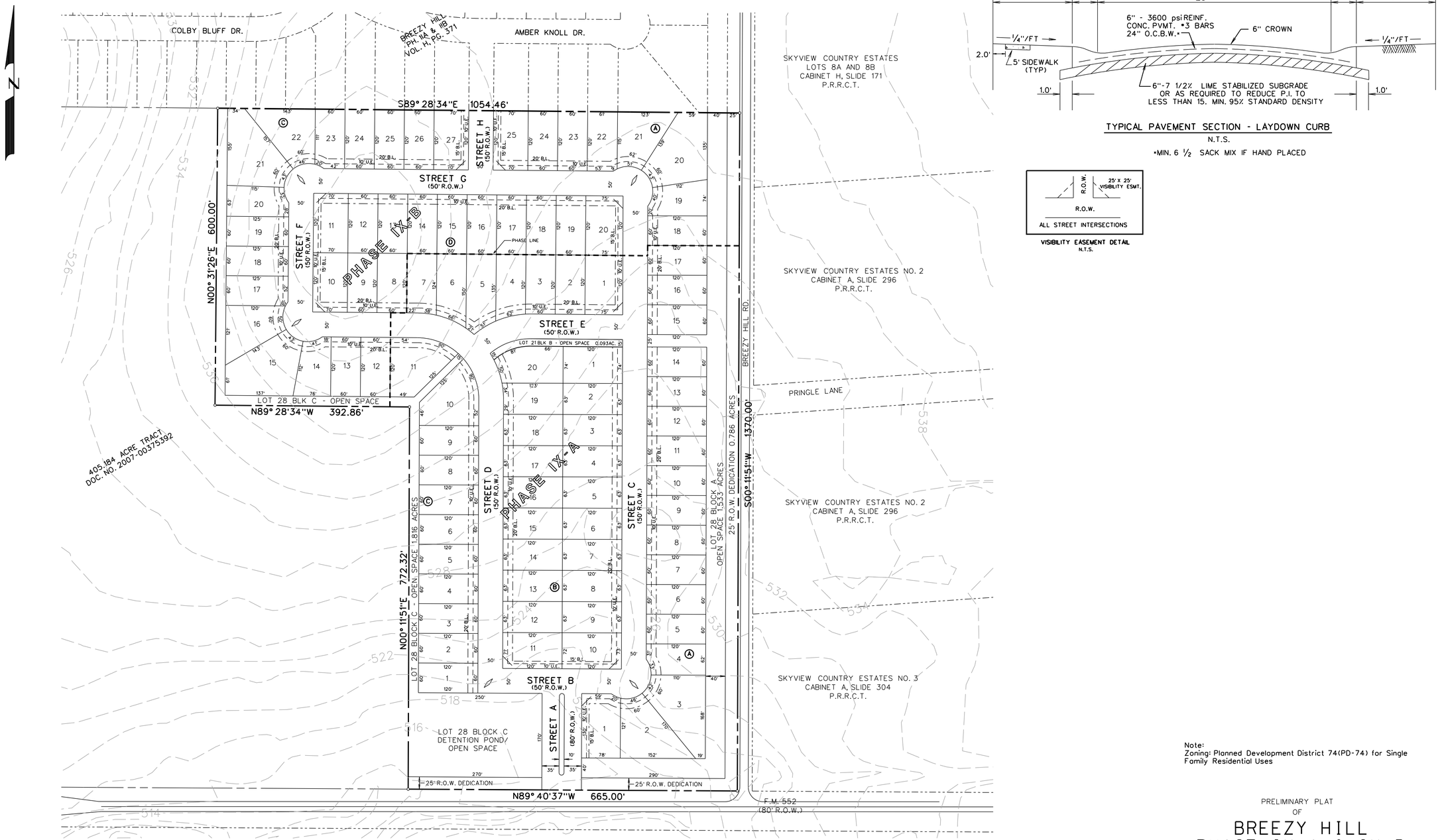
40

1:5,605

0 50 100 200
SCALE: 1" = 100'



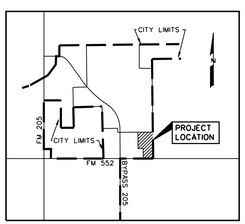
TYPICAL PAVEMENT SECTION - LAYDOWN CURB
N.T.S.
*MIN. 6 1/2 SACK MIX IF HAND PLACED

VISIBILITY EASEMENT DETAIL
N.T.S.

PHASE SUMMARY	
	LOTS
PHASE 1A	55
PHASE 1B	37

LEGEND

B.L. - BUILDING LINE
R.O.W. - RIGHT OF WAY
H.O.A. - HOMEOWNERS ASSOCIATION
S.S.E. - SANITARY SEWER EASEMENT
D.E. - DRAINAGE EASEMENT
◊ - STREET NAME CHANGE



LOCATION MAP
N.T.S.

Reviewed for preliminary Approval:

Planning & Zoning Commission Chairman _____ Date _____

Approved for Preparation of Final Plat:

Mayor, City of Rockwall _____ Date _____

TOTAL ACRES 26.320
TOTAL RESIDENTAL LOTS 92
DENSITY 3.50

Note:
Zoning: Planned Development District 74(PD-74) for Single Family Residential Uses

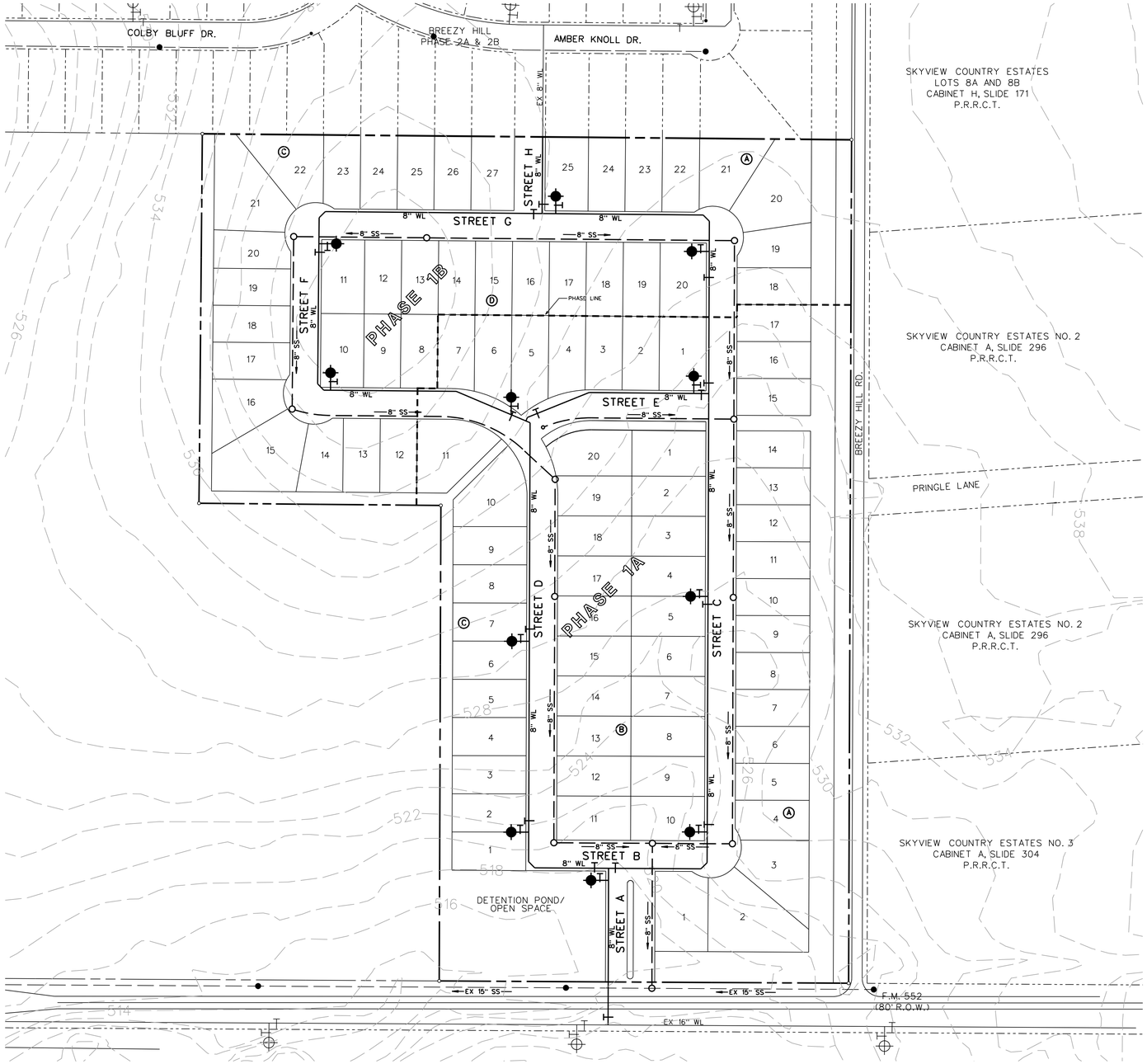
PRELIMINARY PLAT
OF
BREEZY HILL
PHASE IX-A & IX-B
OUT OF THE
T.R. BAILEY SURVEY ABSTRACT NO. 30
J. SIMMONS SURVEY ABSTRACT NO. 190
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNERS
BH 60'S POD, LTD.
8214 WESTCHESTER DRIVE., SUITE 710
DALLAS, TEXAS 75225
214-522-4945

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

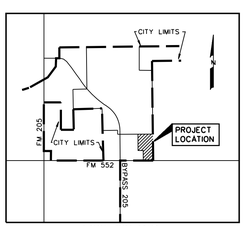
SEPTEMBER 2014 SCALE 1" = 100' CASE #2014-027
SHEET 1 OF 3

0 50 100 200
SCALE: 1" = 100'



LEGEND

- PROP. WATER LINE
- PROP. FIRE HYDRANT AND VALVE
- PROP. GATE VALVE
- PROP. FLUSH VALVE
- EXIST. WATER LINE
- EXIST. FIRE HYDRANT AND VALVE
- PROP. SANITARY SEWER
- PROP. MANHOLE
- PROP. CLEANOUT
- EXIST. SANITARY SEWER
- EXIST. MANHOLE
- PROP. STORM SEWER
- PROP. CURB INLETS
- PROP. CONC. HEADWALL



LOCATION MAP
N.T.S.

PRELIMINARY WATER AND SANITARY SEWER PLAN
OF

BREEZY HILL 60's POD
PHASE 1A & 1B

OUT OF THE

T.R. BAILEY SURVEY ABSTRACT NO. 30
J. SIMMONS SURVEY ABSTRACT NO. 190

IN THE

CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNERS

BH 60'S POD, LTD.
8214 WESTCHESTER DRIVE., SUITE 710
DALLAS, TEXAS 75225
214-522-4945

PREPARED BY

CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

SEPTEMBER 2014 SCALE 1" = 100' CASE #2013-XXX
SHEET 2 OF 3

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 11/3/2014

APPLICANT: Douphrate & Assoc, Inc.

AGENDA ITEM: **P2014-031;** Peak Pediatric MOB

SUMMARY:

Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Kash Parbhu of Peak Pedi, LLC for the approval of a final plat for Lot 1, Block A, Peak Pedi Medical Office, being a 0.954-acre tract of land currently identified as Tract 1-02 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH276 OV) District, located on the north side of SH-276 east of the intersection of John King Boulevard and SH-276, and take any action necessary.

COMMENTS:

- The purpose of this request is to plat a 0.954-acre tract of land in order to construct a new medical office building.

- The Engineer has completed the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the Recommendation section below.

With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the final plat for Lot 1, Block A, Peak Pedi Medical Office Addition, the following conditions of approval are offered:

1) All the technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat; and

2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On October 28, 2014, the Planning & Zoning Commission recommended approval of the final plat by a vote of 6-0 (Commissioner Lyons absent).



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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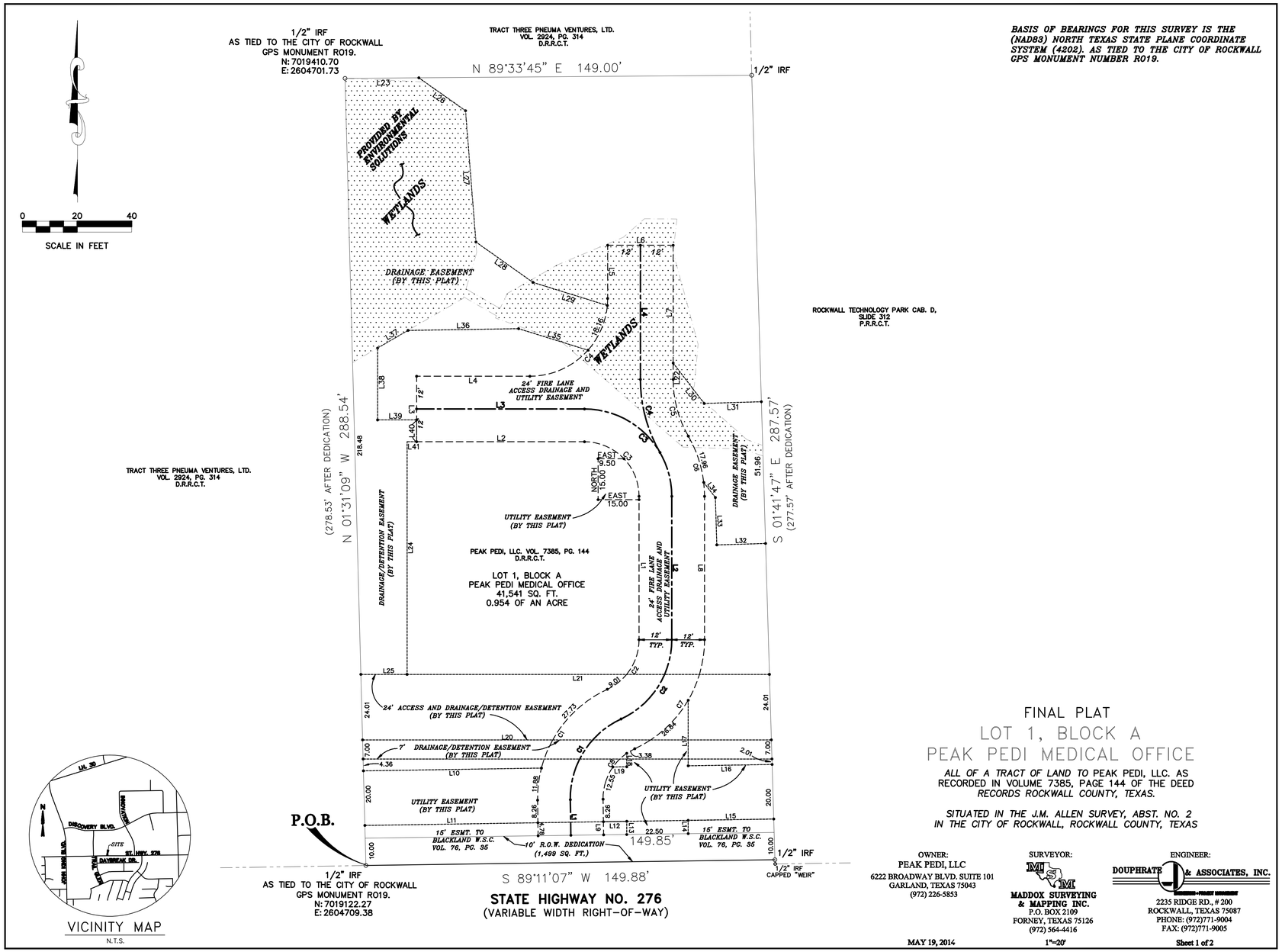
45

1:1,500



FINAL PLAT
LOT 1, BLOCK A
PEAK PEDI MEDICAL OFFICE

ALL OF A TRACT OF LAND TO PEAK PEDI, LLC. AS RECORDED IN VOLUME 7385, PAGE 144 OF THE DEED *RECORDS ROCKWALL COUNTY, TEXAS.*

SITUATED IN THE J.M. ALLEN SURVEY, ABST. NO. 2 IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER:
PEAK PEDI, LLC
6222 BROADWAY BLVD. SUITE 101
GARLAND, TEXAS 75043
(972) 226-5853

SURVEYOR:
MADDOX SURVEYING & MAPPING INC.
P.O. BOX 2109
FORNEY, TEXAS 75126
(972) 564-4416

ENGINEER:
DOUPHRATE & ASSOCIATES, INC.
2235 RIDGE RD., # 200
ROCKWALL, TEXAS 75087
PHONE: (972)771-9004
FAX: (972)771-9005

MAY 19, 2014 | 1"=20' | Sheet 1 of 2

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 11/03/2014

APPLICANT: Richard Garcia

AGENDA ITEM: **P2014-032;** *Rockwall MOB (Replat)*

SUMMARY:

Discuss and consider a request by Richard Garcia of Triangle Engineering, LLC on behalf of Ketan Parekh of A. J. Squared, LLC for the approval of a replat for Lot 1, Block A, AJ Squared Addition being a 1.460-acre parcel of land currently identified as Lot 2, Block A, Rockwall Assisted Living Facility Addition, zoned Planned Development District 18 (PD-18) for office and retail uses, situated within the Scenic Overlay (SOV) District, located on the west side of Ridge Road [FM-740] south of Cemetery Road, and take any action necessary.

COMMENTS:

- ✓ The objective of this request is to replat a 1.460-acre parcel of land for the purpose of developing the site for an approximately 12,606 sq. ft. medical office building. A site plan was approved earlier this year for the facility.

- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions below.

- ✓ With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

1) All the technical comments from the Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following Planning Comments;

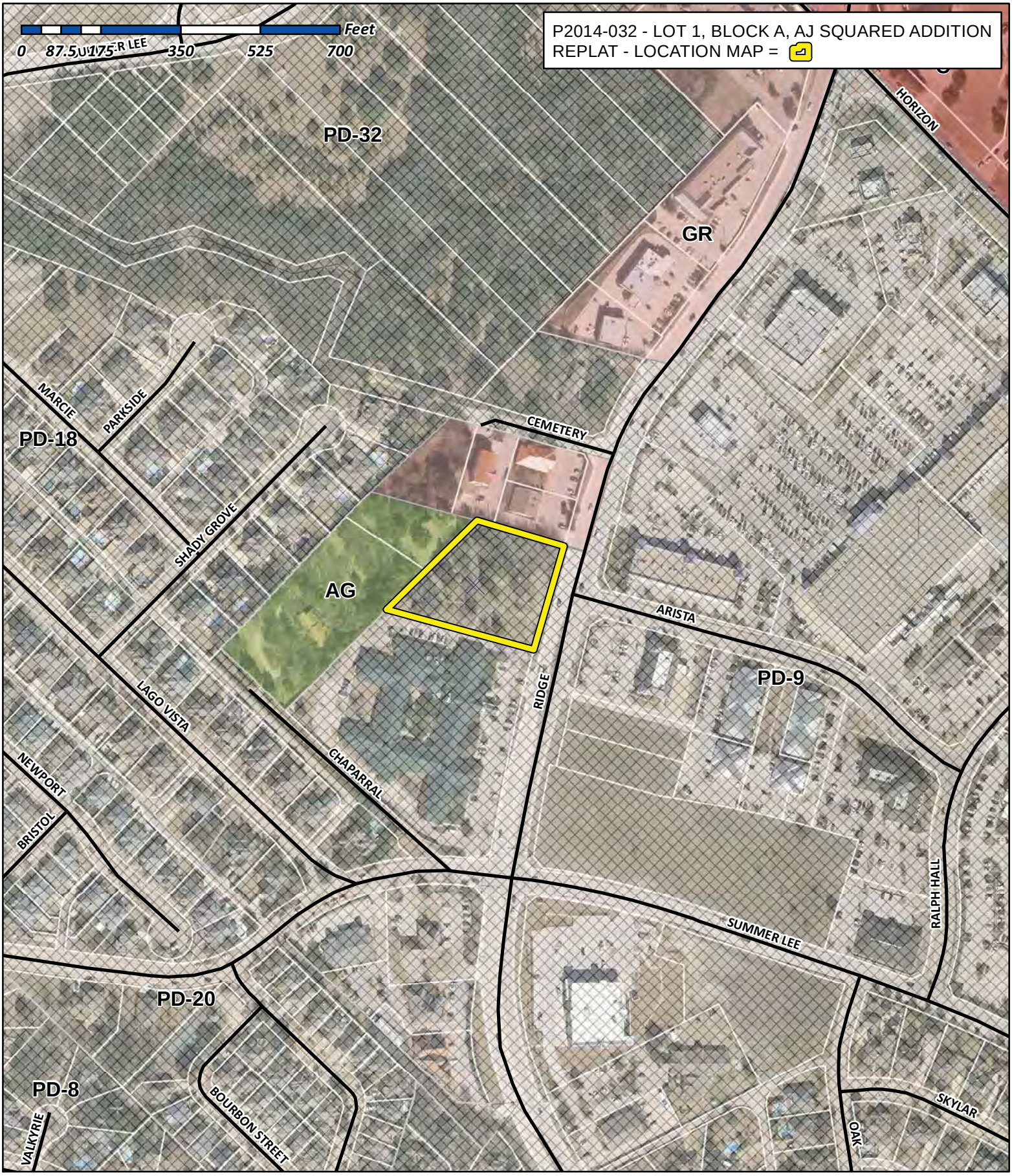
   (a) Adherence to Engineering and Fire Department standards.
   (b) Re-label all 24' F.A.U.E. to read "24-ft Firelane, Public Access, Drainage & Detention, and Utility Easements." Also, indicate the outer extremes of 24-ft Firelane...
   (c) Change plat and title block to indicate "Lot 1, Block A."
   (d) Title block should read "Final Plat - AJ Squared Addition Lot 1, Block A - Being a replat of..."
   (e) Notary not necessary when plat is sealed by surveyor.
   (f) Provide case number (P2014-032) on lower right corner.

2) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes

and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On October 28, 2014, the Planning and Zoning Commission recommended approval of the replat per staff's recommendations by a vote of 6-0, with Commissioner Johnathan Lyons absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
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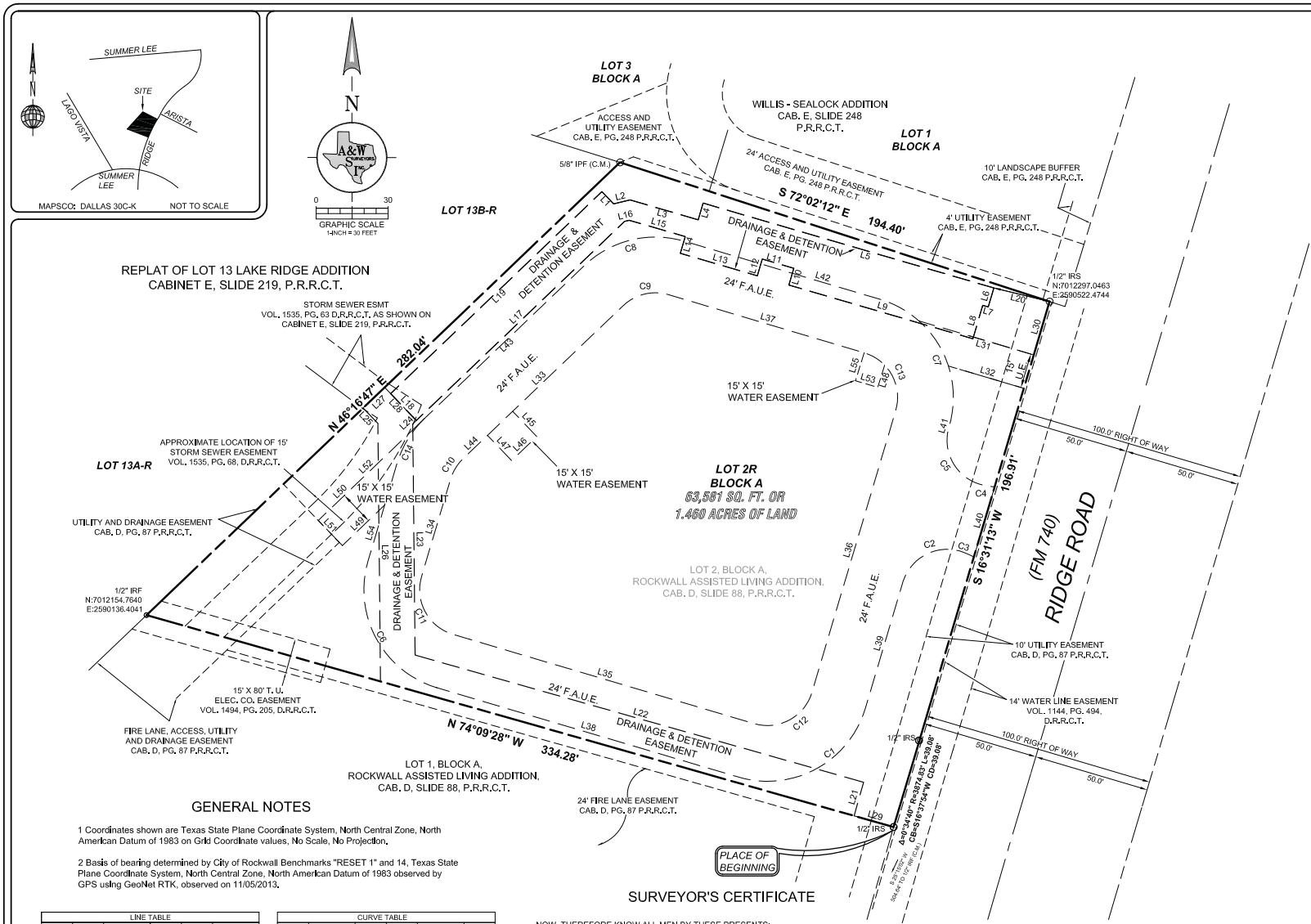

GENERAL NOTES

1 Coordinates shown are Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale, No Projection.

2 Basis of bearing determined by City of Rockwall Benchmarks "RESET 1" and 14, Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 observed by GPS using GeoNet RTK, observed on 11/05/2013.

LINE TABLE					
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	7.32'	S44°48'17"E	L29	17.67'	N75°14'31"W
L2	7.26'	N75°11'50"E	L30	23.97'	S15°26'10"W
L3	30.57'	S74°48'17"E	L31	51.56'	S74°33'50"E
L4	7.50'	N15°11'43"E	L32	33.90'	S74°33'50"E
L5	130.36'	S74°48'17"E	L33	95.45'	S45°11'44"W
L6	8.51'	S15°11'43"W	L34	43.74'	S15°28'17"W
L7	2.50'	N74°48'17"W	L35	135.26'	S74°34'22"E
L8	15.00'	S15°11'43"W	L36	126.55'	N15°27'53"E
L9	82.53'	N74°48'17"W	L37	87.93'	N74°32'44"W
L10	7.50'	N15°11'43"E	L38	135.76'	S74°34'22"E
L11	14.17'	N74°48'17"W	L39	57.02'	N15°27'53"E
L12	7.50'	S15°11'43"W	L40	31.52'	N15°26'30"E
L13	34.50'	N74°48'17"W	L41	1.17'	N15°27'53"E
L14	7.50'	N15°11'43"E	L42	87.93'	N74°32'44"W
L15	25.13'	N74°48'17"W	L43	96.53'	S45°11'44"W
L16	2.06'	S75°11'43"W	L44	14.62'	N45°11'44"E
L17	124.05'	S45°11'44"W	L45	15.00'	S44°48'16"E
L18	16.01'	N44°48'17"W	L46	15.00'	S45°11'44"W
L19	125.86'	N45°11'43"E	L47	15.00'	N44°48'16"W
L20	24.70'	N77°22'28"W	L48	10.01'	N16°08'55"E
L21	15.00'	N14°45'29"E	L49	25.22'	S45°06'14"W
L22	200.69'	N75°14'31"W	L50	0.04'	S45°06'14"W
L23	99.52'	N01°40'08"W	L51	15.00'	N44°53'20"W
L24	2.13'	N45°11'44"E	L52	61.79'	N45°06'14"E
L25	9.21'	S44°48'16"E	L53	10.00'	S74°34'30"E
L26	111.09'	S01°40'08"E	L54	43.74'	S15°28'17"W
L27	12.83'	N45°11'44"E	L55	12.62'	S16°08'55"W
L28	19.73'	N44°48'17"W			

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CH. BEAR.	CHORD
C1	89°58'51"	44.00'	69.10'	N61°32'22"E	62.21'
C2	86°55'34"	20.00'	30.34'	S61°37'42"W	27.52'
C3	13°00'18"	30.02'	6.81'	N66°58'15"W	6.80'
C4	12°42'36"	30.02'	6.66'	S79°51'42"E	6.65'
C5	85°53'40"	20.00'	29.98'	S29°28'39"E	27.25'
C6	90°02'40"	44.00'	69.15'	S28°27'59"E	62.25'
C7	90°00'31"	44.00'	69.12'	N28°27'37"W	62.23'
C8	60°15'32"	44.00'	46.28'	S76°24'33"W	44.17'
C9	60°15'32"	20.00'	21.03'	S76°24'33"W	20.08'
C10	29°43'26"	20.00'	10.38'	S31°25'04"W	10.26'
C11	90°02'40"	20.00'	31.43'	S28°27'59"E	28.30'
C12	89°59'23"	20.00'	31.41'	N61°32'38"E	28.28'
C13	90°00'37"	20.00'	31.42'	N28°27'41"W	28.28'
C14	29°43'26"	44.00'	22.83'	S31°25'04"W	22.57'

LEGEND

D.R.R.C.T.	Deed Records, Rockwall County, Texas
P.R.R.C.T.	Plat Records, Rockwall County, Texas
C.M.	Controlling Monument
VOL.	Volume
PG.	Page
INST. NO.	Instrument Number
IRS	Iron rod found
	Iron rod with a yellow plastic cap stamped "RPLS 5310" set
F.A.U.E.	firelane, access, and utility easement

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, John S. Turner, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

PRELIMINARY PLAT RELEASED 03/27/2014
NOT FOR RECORDING PURPOSES

John S. Turner R.P.L.S. 5310
Registered Professional Land Surveyor

State of Texas
County of Dallas

Before me, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared John S. Turner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this _____ day of _____, 2014.

_____
Notary Public

RECOMMENDED FOR FINAL APPROVAL

_____ _____ _____
Planning and Zoning Commission Date

APPROVED
I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2014.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, _____.

_____ _____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

DEDICATION STATEMENT

STATE OF TEXAS
COUNTY OF ROCKWALL

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

_____ We the undersigned owner(s) of the land shown on this plat, and designated herein as the **AJ SQUARED ADDITION** subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the **AJ SQUARED ADDITION** subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City. Our successors and assigns hereby waive any claim, damage, or cause of action that I (We) may have as a result of the dedication of exactions made herein.

_____
Signature of Owner

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

Owner: AJ SQUARED LLC
~ 271 Rabbit Ridge, Heath, TX 75087 ~

A & W SURVEYORS, INC.
P.O. BOX 870029, MESQUITE, TX. 75187
PHONE: (972) 681-4975 FAX: (972) 681-4954
WWW.AWSURVEY.COM

Job No. 13-1550 DATE PREPARED: 03/27/2014 Drawn by: 024

"A professional company operating in your best interest"

REPLAT

AJ SQUARED ADDITION
LOT 2R, BLOCK A

A REPLAT OF LOT 2, BLOCK A
ROCKWALL ASSISTED LIVING ADDITION
1.460 ACRES OF LAND
EDWARD TEAL SURVEY, ABSTRACT NO. 207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **October 31, 2014**

SUBJECT: **Resolution of Necessity for Justin Road Undetermined Ownership Parcel**

There is a 12,991 SF parcel in the right of way for the extension of Justin Road that the ownership has been undetermined. The City has requested assistance from the surveying company and requested a Title Commitment on the parcel but both have been inconclusive. In order to acquire the fee simple interests in the property, it is recommended that we condemn the parcel by publication and deposit the award in the Registry of the Court.

The first step in the process is to have the governing body of the condemning authority pass a resolution of necessity declaring that the land is necessary for a public purpose and we have not been able to negotiate with the owners because we cannot positively identify them. Upon the passage of the attached resolution, the City Attorney will follow State law to acquire the parcel by condemnation. Please let me know if there are any questions.

CITY OF ROCKWALL, TEXAS

RESOLUTON NO. 14-22

A RESOLUTION OF THE CITY OF ROCKWALL, TEXAS, DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO CERTAIN REAL PROPERTY FOR THE JUSTIN ROAD PROJECT LOCATED IN ROCKWALL COUNTY, TEXAS, OWNED BY UNKNOWN PERSONS AND/OR ENTITIES, DESCRIBED AS FOLLOWS: A TRACT OF LAND CONTAINING 0.298 ACRES (12,991 SQUARE FEET), LOCATED OFF JUSTIN ROAD BETWEEN INDUSTRIAL BOULEVARD AND JOHN KING BOULEVARD IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; SAVE AND EXCEPT ANY OIL, GAS, OR OTHER MINERALS IN, ON OR UNDER OR PRODUCED FROM SAID PROPERTY, WHICH MAY BE REMOVED FROM BENEATH SAID PROPERTY WITHOUT ANY RIGHT WHATSOEVER REMAINING TO THE OWNER(S) OF SAID OIL, GAS OR OTHER MINERALS OF INGRESS OR EGRESS TO OR FROM THE SURFACE OF SAID PROPERTY FOR THE PURPOSE OF EXPLORING, DEVELOPING, DRILLING, OR MINING OF SAME, AND SAVE FOR THE PUBLIC PURPOSE OF CONSTRUCTION, OPERATION, RECONSTRUCTION, IMPROVEMENTS, REPAIR AND MAINTENANCE, OF THE JUSTIN ROAD STREET PROJECT; AUTHORIZING ALL APPROPRIATE ACTION OF THE CITY IN THE INSTITUTION AND PROSECUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE SUCH PROPERTY THAT CANNOT BE ACQUIRED THROUGH NEGOTIATION; RATIFYING AND AFFIRMING ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS, AGENTS AND EMPLOYEES OF THE CITY TO ACQUIRE SUCH PROPERTY; AUTHORIZING ALL OTHER LAWFUL ACTION NECESSARY OR INCIDENTAL TO SUCH ACQUISITIONS OR EMINENT DOMAIN PROCEEDINGS TO INVESTIGATE, SURVEY, SPECIFY, DEFINE, APPRAISE, AND SECURE THE NECESSARY FEE SIMPLE TITLE TO SAID REAL PROPERTY; AND DECLARING THE SECTIONS OF THE RESOLUTION TO BE SEVERABLE ONE FROM THE OTHER IN THE EVENT ANY SECTION OF THIS RESOLUTION IS DETERMINED TO BE INVALID.

WHEREAS, the City of Rockwall has determined that the acquisition of fee simple title to certain real property located in Rockwall County, Texas, SAVE AND EXCEPT ANY OIL, GAS OR OTHER MINERALS IN, ON OR UNDER OR PRODUCED FROM SAID PROPERTY, WHICH MAY BE REMOVED FROM BENEATH SAID PROPERTY WITHOUT ANY RIGHT WHATSOEVER REMAINING TO THE OWNER(S) OF SAID OIL, GAS OR MINERALS OF INGRESS OR EGRESS TO OR FROM THE SURFACE OF SAID PROPERTY FOR THE PURPOSE OF EXPLORING, DEVELOPING, DRILLING, OR PRODUCTION OF SAME, AND SAVE, is necessary and desirable for the construction, operation, reconstruction, improvement, repair, and maintenance of the Justin Road Street Project, a tract of land containing 0.298 acres (12,991 square feet) more or less, as described and depicted in the attached Exhibit “A” and referenced as “Area of Undetermined Ownership” located in the David Harr Survey, Abstract No. 102; said Exhibit “A” is fully incorporated herein by reference. The City of Rockwall has previously budgeted funds to be expended for these purposes, an adequate part of which remains on hand for such purposes; and

WHEREAS, employees, agents and attorneys acting for the City of Rockwall, are in the process of investigating, surveying, defining and negotiating for the acquisition of such real property as may be needed on behalf of the City;

WHEREAS, the precise ownership is unknown and the title is clouded due to discrepancies in prior surveys and it is necessary to join all persons and entities who may have claim to said tract of land;

WHEREAS, in connection with the acquisition of such real property, it may be necessary for the City to enter upon property to investigate, survey and appraise the needed property interests so that they may be defined and described with specificity for inclusion in any sales agreement or, if necessary, as part of any filings to institute proceedings in eminent domain to acquire the necessary property rights.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. Public necessity requires that the City of Rockwall acquire fee simple title to all or portions of certain real property of unknown ownership either through purchase or by the process of eminent domain, for the public purpose of the construction, operation, reconstruction, improvements, repair and maintenance, of the Justin Road Street Project, on the tract described more specifically,

BEING A TRACT OF LAND LOCATED IN THE DAVID HARR SURVEY, ABSTRACT No. 102, ROCKWALL COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH A CAP STAMPED "CSC 4252" BEING THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO ROCKWALL ECONOMIC DEVELOPMENT CORPORATION, RECORDED IN INSTRUMENT NO. 20130000499975, D.R.R.C.T., AND THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO THE CITY OF ROCKWALL RECORDED IN VOLUME 5418, PAGE 54, D.R.R.C.T.;

THENCE NORTH 89°47'13" EAST, ALONG THE NORTH RIGHT-OF-WAY LINE OF PROPOSED JUSTIN ROAD, ALONG THE SOUTH LINE OF SAID ROCKWALL ECONOMIC DEVELOPMENT TRACT, AT A DISTANCE OF 50.48 FEET, PASSING A 1/2" IRON ROD FOUND WITH A CAP STAMPED "WIER & ASSOC INC", DEPARTING THE NORTH RIGHT-OF-WAY LINE OF SAID JUSTIN ROAD, AND CONTINUING ALONG THE SOUTH LINE OF SAID CITY OF ROCKWALL TRACT, IN ALL A TOTAL DISTANCE OF 295.74 FEET TO A POINT IN THE WEST RIGHT-OF-WAY LINE OF JOHN KING BOULEVARD (A 120 FOOT RIGHT-OF-WAY);

THENCE SOUTH 30°27'42" EAST, DEPARTING THE SOUTH LINE OF SAID CITY OF ROCKWALL TRACT AND ALONG THE WEST RIGHT-OF-WAY LINE OF SAID JOHN KING BOULEVARD, A DISTANCE OF 46.25 FEET TO A POINT IN THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO TEMUNOVIC PARTNERSHIP, LTD., RECORDED IN VOLUME 7038, PAGE 314, DEED RECORDS, ROCKWALL COUNTY, TEXAS (D.R.R.C.T.);

THENCE SOUTH 88°58'42" WEST, ALONG THE NORTH LINE OF SAID TEMUNOVIC PARTNERSHIP TRACT, A DISTANCE OF 318.74 FEET TO A POINT IN THE EAST LINE OF A TRACT OF LAND DESCRIBED IN SAID ROCKWALL ECONOMIC DEVELOPMENT CORPORATION TRACT, AND BEING THE NORTHWEST CORNER

DRAFT

OF SAID TEMUNOVIC PARTNERSHIP TRACT, FROM WHICH A 1/2" IRON ROD FOUND WITH A CAP STAMPED “R.S.C.I.” BEARS NORTH 87°29’ EAST, 2.9 FEET;

THENCE NORTH 00°38’16” WEST, ALONG THE EAST LINE OF SAID ROCKWALL ECONOMIC DEVELOPMENT CORPORATION TRACT, AT A DISTANCE OF 35.56 FEET, PASSING A 1/2" IRON ROD FOUND WITH A CAP STAMPED “WIER & ASSOC INC” IN THE NORTH RIGHT-OF-WAY LINE OF SAID PROPOSED JUSTIN ROAD, CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID PROPOSED JUSTIN ROAD, IN ALL A TOTAL DISTANCE OF 44.45 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.298 ACRES (12,991 SQUARE FEET) OF LAND, MORE OR LESS.

Public necessity also requires the City of Rockwall to take all other lawful action necessary or incidental to such acquisitions or eminent domain proceedings to investigate, survey, specify, define, appraise and secure the necessary fee simple titles to the real property which may be owned or subject to claims of unknown persons or entities described in Section 1.

SECTION 2. The property which is the subject of Section 1 for which fee simple title is required for the construction, operation, reconstruction, improvements, repair, and maintenance of the Justin Road Street Project, is described in “Exhibit A”, which is attached to and is made a part of this Resolution for all purposes, SAVE AND EXCEPT ANY OIL, GAS OR OTHER MINERALS IN, ON OR UNDER OR PRODUCED FROM SAID PROPERTY, WHICH MAY BE REMOVED FROM BENEATH SAID PROPERTY WITHOUT ANY RIGHT WHATSOEVER REMAINING TO THE OWNER(S) OF SAID OIL, GAS OR MINERALS OF INGRESS OR EGRESS TO OR FROM THE SURFACE OF SAID PROPERTY FOR THE PURPOSE OF EXPLORING, DEVELOPING, DRILLING, OR PRODUCTION OF SAME.

SECTION 3. The City of Rockwall, acting by and through its attorneys, is hereby directed and authorized to institute and prosecute to conclusion all necessary proceedings to condemn such property interest described in Section 1 of this Resolution, and to acquire such interests in land as the City is unable to acquire through negotiation by reason of its inability to agree with the owners of the land as to the value of such interest in land, and to take any other legal action necessary or incidental to such acquisitions or eminent domain proceedings to investigate, survey, specify, define, appraise and secure the necessary property rights.

SECTION 4. All acts and proceedings done or initiated by the employees, agents and attorneys of the City for the acquisition of such property interests rights are hereby authorized, ratified, approved, confirmed and validated and declared to be valid in all respects as of the respective dates of such acts and proceedings, with and in regard to the parties from whom such rights are being purchased or acquired.

SECTION 5. Severability: If any provision, section, subsection, sentence, clause or phrase of this Resolution, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Resolution shall not be affected thereby, it being the intent of the City Council in adopting this Resolution that no portion hereof, or provisions or regulation contained herein, shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion hereof and all provisions of this Resolution are declared to be severable for that purpose.

SECTION 6. This this Resolution shall take effect immediately from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of November, 2014

David Sweet, Mayor

ATTEST:

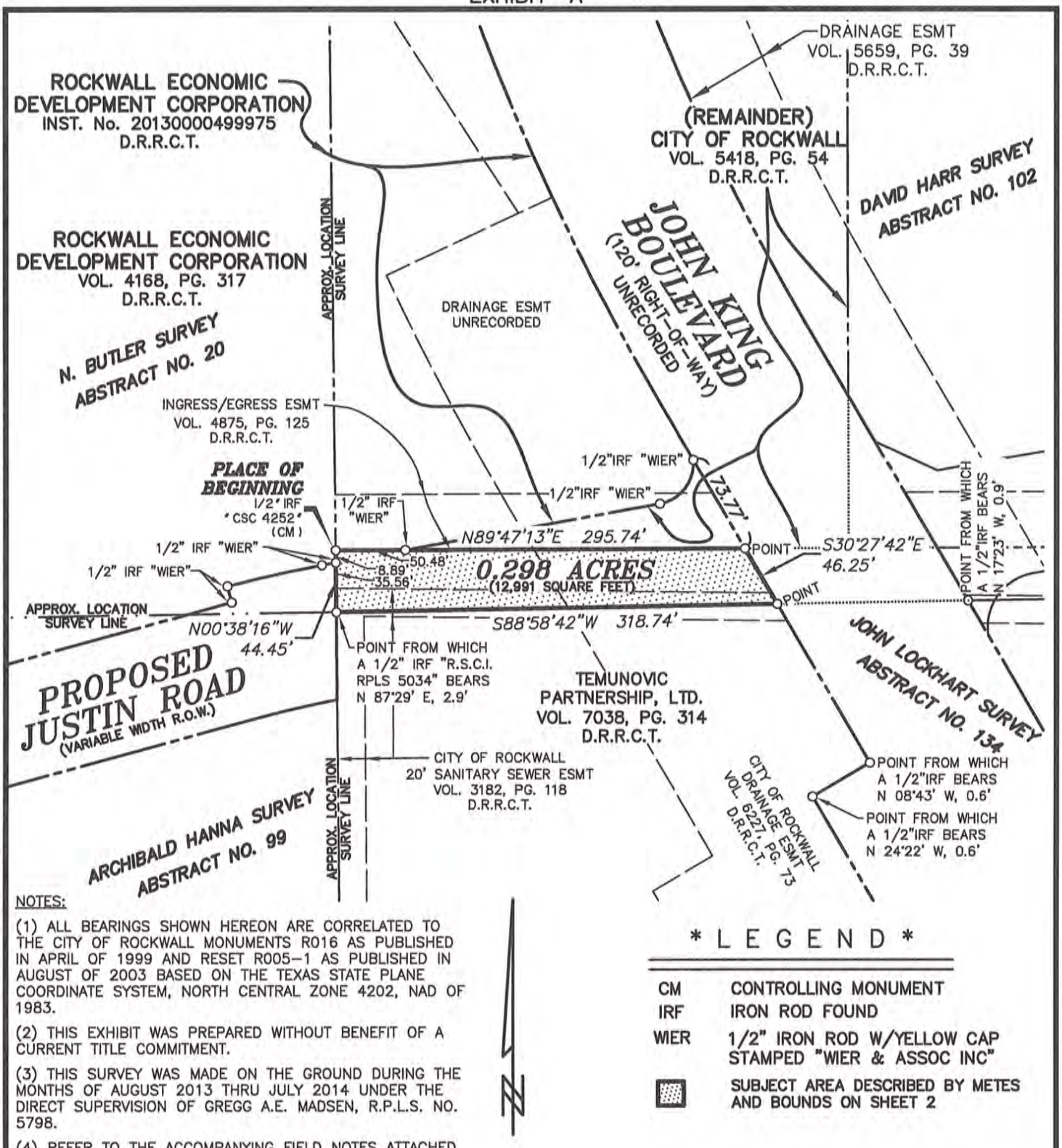
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

DRAFT

EXHIBIT "A"



NOTES:

(1) ALL BEARINGS SHOWN HEREON ARE CORRELATED TO THE CITY OF ROCKWALL MONUMENTS R016 AS PUBLISHED IN APRIL OF 1999 AND RESET R005-1 AS PUBLISHED IN AUGUST OF 2003 BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD OF 1983.

(2) THIS EXHIBIT WAS PREPARED WITHOUT BENEFIT OF A CURRENT TITLE COMMITMENT.

(3) THIS SURVEY WAS MADE ON THE GROUND DURING THE MONTHS OF AUGUST 2013 THRU JULY 2014 UNDER THE DIRECT SUPERVISION OF GREGG A.E. MADSEN, R.P.L.S. NO. 5798.

(4) REFER TO THE ACCOMPANYING FIELD NOTES ATTACHED HERETO AND MADE A PART THEREOF.

* L E G E N D *

CM	CONTROLLING MONUMENT
IRF	IRON ROD FOUND
WIER	1/2" IRON ROD W/YELLOW CAP STAMPED "WIER & ASSOC INC"
	SUBJECT AREA DESCRIBED BY METES AND BOUNDS ON SHEET 2

REV.	DATE	BY	DESCRIPTION	CHK.
2	10/29	MTJ	TYPOS AND SPELLING	GAM
1	9/2/14	MTJ	NORTH ROW LINE GEOMETRY CHANGED	GAM

SURVEYOR PREPARING THIS EXHIBIT:

WIER & ASSOCIATES, INC.
701 HIGHLANDER BLVD., SUITE 300 ARLINGTON, TEXAS 76015 METRO (817)467-7700
Texas Firm Registration No. F-2776 www.WierAssociates.com
Texas Board of Land Surveying Registration No. 10033900

AREA OF UNDETERMINED OWNERSHIP

LOCATED IN THE
DAVID HARR SURVEY, ABSTRACT No. 102
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

DRAWN BY: MTJ	DATE: 10-29-2014	DWG. NO.	REV.
CHECKED BY:	DATE: 10-29-2014	1 OF 2	2
SCALE: 1"=50'	APP.:		

WA#:13096 PRINTED: 10-29-2014 LAST SAVED: 10-29-2014 4:24 PM SAVED BY: MATTHEWJ FILE: UNDETERMINED OWNERSHIP EXHIBIT REV2.DWG

FIELD NOTES – DESCRIPTION
TYPE OF EASEMENT

BEING A TRACT OF LAND LOCATED IN THE DAVID HARR SURVEY, ABSTRACT No. 102, ROCKWALL COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH A CAP STAMPED "CSC 4252" BEING THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO ROCKWALL ECONOMIC DEVELOPMENT CORPORATION, RECORDED IN INSTRUMENT NO. 20130000499975, D.R.R.C.T., AND THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO THE CITY OF ROCKWALL RECORDED IN VOLUME 5418, PAGE 54, D.R.R.C.T.;

THENCE NORTH 89°47'13" EAST, ALONG THE NORTH RIGHT-OF-WAY LINE OF PROPOSED JUSTIN ROAD, ALONG THE SOUTH LINE OF SAID ROCKWALL ECONOMIC DEVELOPMENT TRACT, AT A DISTANCE OF 50.48 FEET, PASSING A 1/2" IRON ROD FOUND WITH A CAP STAMPED "WIER & ASSOC INC", DEPARTING THE NORTH RIGHT-OF-WAY LINE OF SAID JUSTIN ROAD, AND CONTINUING ALONG THE SOUTH LINE OF SAID CITY OF ROCKWALL TRACT, IN ALL A TOTAL DISTANCE OF 295.74 FEET TO A POINT IN THE WEST RIGHT-OF-WAY LINE OF JOHN KING BOULEVARD (A 120 FOOT RIGHT-OF-WAY);

THENCE SOUTH 30°27'42" EAST, DEPARTING THE SOUTH LINE OF SAID CITY OF ROCKWALL TRACT AND ALONG THE WEST RIGHT-OF-WAY LINE OF SAID JOHN KING BOULEVARD, A DISTANCE OF 46.25 FEET TO A POINT IN THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO TEMUNOVIC PARTNERSHIP, LTD., RECORDED IN VOLUME 7038, PAGE 314, DEED RECORDS, ROCKWALL COUNTY, TEXAS (D.R.R.C.T.);

THENCE SOUTH 88°58'42" WEST, ALONG THE NORTH LINE OF SAID TEMUNOVIC PARTNERSHIP TRACT, A DISTANCE OF 318.74 FEET TO A POINT IN THE EAST LINE OF A TRACT OF LAND DESCRIBED IN SAID ROCKWALL ECONOMIC DEVELOPMENT CORPORATION TRACT, AND BEING THE NORTHWEST CORNER OF SAID TEMUNOVIC PARTNERSHIP TRACT, FROM WHICH A 1/2" IRON ROD FOUND WITH A CAP STAMPED "R.S.C.I." BEARS NORTH 87°29' EAST, 2.9 FEET;

THENCE NORTH 00°38'16" WEST, ALONG THE EAST LINE OF SAID ROCKWALL ECONOMIC DEVELOPMENT CORPORATION TRACT, AT A DISTANCE OF 35.56 FEET, PASSING A 1/2" IRON ROD FOUND WITH A CAP STAMPED "WIER & ASSOC INC" IN THE NORTH RIGHT-OF-WAY LINE OF SAID PROPOSED JUSTIN ROAD, CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID PROPOSED JUSTIN ROAD, IN ALL A TOTAL DISTANCE OF 44.45 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.298 ACRES (12,991 SQUARE FEET) OF LAND, MORE OR LESS.



THIS SURVEY WAS MADE ON THE GROUND UNDER THE DIRECT SUPERVISION OF GREGG A.E. MADSEN, R.P.L.S. NO. 5798 DURING THE MONTHS OF AUGUST 2013 THRU JULY 2014. ALL BEARINGS RECITED HEREIN ARE CORRELATED TO THE CITY OF ROCKWALL MONUMENTS R016 AS PUBLISHED IN APRIL OF 1999 AND RESET R005-1 AS PUBLISHED IN AUGUST OF 2003 BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD OF 1983. REFER TO THE ACCOMPANYING EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

REV.	DATE	BY	DESCRIPTION	CHK.
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SURVEYOR PREPARING THIS EXHIBIT:
WIER & ASSOCIATES, INC.
701 HIGHLANDER BLVD., SUITE 300 ARLINGTON, TEXAS 76015 METRO (817)467-7700
Texas Firm Registration No. F-2776 www.WierAssociates.com
Texas Board of Land Surveying Registration No. 10033900

AREA OF UNDETERMINED OWNERSHIP

LOCATED IN THE
DAVID HARR SURVEY, ABSTRACT No. 102
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

DRAWN BY: MTJ	DATE: 10-29-2014	DWG. NO.	REV.
CHECKED BY:	DATE: 10-29-2014	2 OF 2	2
SCALE: 1"=50'	APP.:		

WA#:13096 PRINTED: 10-29-2014 LAST SAVED: 10-29-2014 4:24 PM SAVED BY: MATTHEWJ FILE: UNDETERMINED OWNERSHIP EXHIBIT REV2.DWG

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Director of Internal Operations

DATE: October 29, 2014

SUBJECT: Airport Terminal Operating Hours / Holiday Closings

Todd Parks, FBO of Ralph M. Hall / Rockwall Municipal Airport has asked to be placed on the agenda on Monday to request a modification to his winter terminal operating hours from 7:00 AM to 6:00 PM Sunday through Saturday of each week effective November 4, 2014 through April 1, 2015. The contract currently provides that the terminal is to be open until 7PM.

Additionally, Mr. Parks wants to discuss upcoming holiday closings as well, which are not specifically addressed in the contract. Attached is a copy of the FBO agreement for reference.

STATE OF TEXAS §
§ **KNOW ALL BY THESE PRESENTS:**
COUNTY OF ROCKWALL §

FIXED BASE OPERATOR MANAGEMENT AGREEMENT AND GROUND LEASE

This agreement is entered into this _____ day of _____, 2014, between the City of Rockwall, hereinafter referred to as the "City," owner of the Ralph M. Hall / Rockwall Municipal Airport, hereinafter referred to as "Airport" and Texas Air Center LLC (a Texas Limited Liability Corporation), hereinafter referred to as "FBO" who covenant and agree as follows:

WHEREAS, City and FBO are committed to the proper operation, improvement, and continued development of the Airport and in providing good, efficient, and friendly service at the Airport; and

WHEREAS, FBO represents and has provided sufficient proof that it has the qualifications, experience, and ability to perform the functions of Airport FBO; and

WHEREAS, City and FBO desire to enter into a contractual agreement allowing the FBO to oversee the daily operation of the Airport under the direction of the City;

NOW THEREFORE, in consideration of the terms and conditions listed herein, City grants to FBO the title and office of "Airport FBO" along with the appropriate duties, responsibilities, and obligations entered herein.

DEFINITIONS

Airport - means the area known as the Ralph M. Hall / Rockwall Municipal Airport being provided as the lease area in this contract, shown in **Exhibit A**, attached hereto and incorporated herein by this reference.

City - means the City of Rockwall, City Council, City Manager, or his designee

City Manager – means the City Manager of the City of Rockwall or his designee

Fixed Base Operator – is a person, firm, or corporation performing any of the functions or furnishing any of the services listed herein. No person, firm, or corporation may act in the capacity of an FBO without a valid contract with the City of Rockwall, Texas authorizing such activity at the Airport.

Operating Revenues - shall be defined as fuel sale revenues, tie-down rentals, hangar and facility rentals. All Airport operating revenues shall become the property of the FBO save and except ad valorem and sales tax revenues generated thereupon.

SECTION 1. TERMS

A. Term – This agreement shall be for three (3) years, beginning on the 1st day of April 2014, and expiring at 12:01 AM local time on the 31st day of March 2017. The FBO shall notify the City in writing a minimum of ninety (90) days prior to the expiration of any term as to whether or not the FBO desires to request approval of an extension.

B. Lease – FBO is granted the exclusive lease of the Airport grounds as shown in **Exhibit "A"** hereto which is incorporated herein by reference as if fully copied and set forth at length. Area adjacent and connected by taxiway to private property owned by David Block as described in **Exhibit "B"** is excluded from the exclusive lease in accordance with "Through-the-Fence Agreement" executed between the City of Rockwall and David Block in May 2008. FBO may also be granted rights to the area described in **Exhibit "B"** if David Block elects not to provide services contemplated under the terms of this Agreement. FBO agrees to lease the equipment described in **Exhibit "C"** hereto during the term of the lease at the rates specified therein.

C. Through-the-Fence Operations – Through-the-fence operations are agreements that permit access to the public landing area to owners of aircraft based on land adjacent to, but not a part of, the airport property. These TTFs must be approved by the City Council, TXDOT Aviation and the FAA. Since the City has an obligation to administer these contracts and ensure compliance with all federal rules and regulations, all existing and future TTFs and its revenue will belong to the City.

D. City agrees to transfer 5.5% of its revenue generated from land lease agreement on the west side of the Airport to FBO to help with personnel costs associated with the operations of the airport, seasonal fluctuation in fuel sales, and for monitoring compliance with land lease agreement on the City's behalf. The City will receive any remaining percentage of the revenue derived for the life of the land lease agreement.

E. In consideration of the rights granted herein, FBO agrees to pay a fuel flowage fee of ten cents (.10) per gallon of fuel sold and five (5%) percent franchise fee on the gross revenues derived from all facility rentals. All franchise fees shall be without deduction or offset and shall be secured by a priority lien upon FBO's Airport Operating Revenue. FBO shall at City's request execute such documents as may be required evidencing the priority lien. Franchise fees are due monthly on the fifth (5th) day of the calendar month following the month in which the "Operating Revenues" are due and or paid and shall include an automatic ten (10%) late fee if not paid by the 10th day thereafter. Timely payment of the franchise fee shall be a condition to the continued operation of the Agreement. The failure to pay all such fees when due shall constitute a basis for the termination hereof. FBO agrees to pay reasonable attorneys fees and cost associated with the collection of the Franchise Fees provided for herein.

F. City shall have access to FBO's books and records related to defined revenues upon 5 days notice during any term hereof for the sole purposes of conducting an audit by the City. FBO shall provide written financial and operational reports pertaining to operating revenues to City's Director of Finance on the form attached **as Exhibit "D"** hereto as requested.

G. FBO agrees to provide annual report detailing pertinent activities, expenditures, and revenues related to airport operations. The City may require such other and further reports from FBO as it deems reasonably necessary. FBO shall cooperate with City in providing all reports as requested.

H. FBO agrees to provide the items identified in the Request for Proposals and financial information provided as part of the selection process, attached **as Exhibit E**, hereto during any term of the agreement. If there are any discrepancies between the contract and Exhibit E, the terms of the stricter provision shall exclusively control.

SECTION 2. CITY'S OBLIGATIONS

City shall provide an airport budget which will include funds for maintenance not required of FBO. City duties and responsibilities shall include the following non-exclusive list:

i. Utilities – electric, water/wastewater service, and propane
ii. Facilities Maintenance – HVAC system and roof on the terminal building, major repairs or improvements to the maintenance facility, and repairs and improvements to hangars necessary to provide a safe and usable structure. The City will work with FBO to identify major repair items to submit for funding as part of the annual operating budget approval process.
iii. Asphalt maintenance and repair on roads, taxiways, and runway
iv. Annual herbicide and asphalt sweeping service as needed at the request of the FBO
v. Automated Weather Observation System Maintenance and Data Service
vi. Garbage Collection Services
vii. Mowing services, landscape, entry signage, and irrigation maintenance
viii. Maintaining fire hydrants
ix. Fencing – The City shall be responsible for maintaining the Airport's perimeter fencing.
x. City will bear the cost of any fuel tank and fuel line modifications required by current and future EPA or TCEQ regulations. City shall also bear the costs of annual fuel tank testing and permitting required, inventory maintenance, and pump maintenance and operation.
xi. Maintenance and repair of mobile fueling trucks, underground storage tanks, fuel dispensing equipment identified in annual inspections.
xii. The upkeep and maintenance of all City airport equipment. This shall include replacing defective runway, taxiway, beacon, hangar and hazard lights and airport signs, arranging for repairs to any visual or navigational aids and wind socks.

SECTION 3. OFFICE AND DUTY HOURS

A. The FBO shall establish an office at the Airport.

B. Hours – the FBO shall be on duty between the hours of 7 AM and 7 PM, 7 days per week, Monday through Sunday and designate an emergency contact for all matters outside of normal operating hours. Reasonable efforts shall be taken for the FBO to be physically present at the Airport during duty hours and in the event the FBO cannot be at the Airport, FBO shall provide coverage by competent trained and as necessary appropriately licensed personnel.

SECTION 4. DUTIES AND RESPONSIBILITIES OF FBO

The FBO shall be responsible for the daily operation and facilitating all maintenance. FBO shall pay all personnel related costs associated with the Airport and all operating expenses. FBO duties and responsibilities shall include the following non-exclusive list:

i. Point of Contact – The FBO shall be the point of contact for all airport business, save and except pertaining to grants and/or loans and through-the-fence operations by the FAA, the State of Texas and TXDOT unless so granted under a separate contract.

ii. Collection of Rents – The FBO shall collect all rents and fees for use of the Airport including hangar rents, tie down fees, fuel flowage fees, Fixed Base Operator (FBO) lease payments, and any other rents or fees arising from the Airport, save and except Federal, State, County, City and/or other organization's grants or loans. The FBO shall keep accurate records of such collections and provide such records to the City on a monthly basis.

iii. FBO shall provide the following services, support, and amenities:

a) Purchase and dispensing of aircraft fuel (100LL & Jet A), oil, and lubricants
b) Hangar management, subleasing of hangars and tie-down spaces, and perform minor maintenance to the terminal, maintenance facility, and hangars as may be needed due to normal daily use of the facilities.
c) Employment of the appropriate number of properly trained and/or certified personnel to provide satisfactory FBO services, such as fueling and line service, etc.
d) Minimum hours of operation: 12 hours per day, 7 days per week, or an acceptable alternative that may be considered by the City.
e) Aircraft marshalling, parking, and tie-down, including ropes, chains, and other restraining devices
f) Oxygen, nitrogen, and compressed air services
g) Courtesy transportation and/or ground transportation arrangement
h) Provide subcontractor lease space for flight training services and ground school and show proof of appropriate certifications to provide this service
i) Provide or subcontract for airframe and power plant maintenance and repair services and show proof of appropriate certifications to provide this service
j) Operate and maintain a pilot and passenger lounge with restrooms and vending machines
k) Phone, Internet, Credit Card equipment and services
l) Weather computer station
m) All equipment necessary to file flight plans
n) Miscellaneous retail products (pilot supplies, promotional items, etc.)
o) All other products and services not specifically listed herein must be submitted to the City for review, consideration, and approval.

The FBO may also provide any of the optional aeronautical services:

a) Aircraft rental
b) Aircraft sales
c) Avionics repair

d) Specialized maintenance, (such as upholstery, radio, instrument repair, etc.)

iv. Other Fuel Sales. The City and the FBO hereby agree to prohibit access to the airport by any business that sells aviation fuel outside of the airport property except fuel service truck delivering fuel to supply fuel for private use by facilities operating off of the airport property. It is mutually understood by both parties that state law provides that the City which has contractually extended its fuel sales function to an FBO may not prohibit the sale of fuel by other businesses located on the airport, if reasonable conditions set forth by the City are met.

v. FBO shall conspicuously post prices for all Airport services in the terminal building. The rates or charges for any and all products and services shall be determined by the FBO and be reasonable and be equally and fairly applied to all users of the products and services.

vi. FBO Maintenance of Airport - FBO shall keep all Airport grounds in operational condition and in keeping with all applicable Federal, State and local laws, rules, regulations, orders and guidelines including but not limited to those of the Federal Aviation Administration ("FAA") and the Texas Department of Transportation ("TXDOT"). FBO shall see to all Airport grounds and building upkeep and maintenance in accordance with industry standards for FBO(s) in the North Texas area.

FBO shall maintain the interior and exterior of all facilities in good working order, to include electrical, mechanical, plumbing, floors, interior and exterior walls, doors, windows, furniture, permanent fixtures, and exterior lighting necessary to present a positive image to customers.

FBO shall maintain all hangars, and overhead doors and door operating systems.

FBO shall supply, install, and maintain hand-held fire extinguishers in the interior of all buildings, aircraft shops, fuel storage, and fuel dispensing areas, including both mobile fueling vehicles.

FBO shall perform minor maintenance on the mobile fuel trucks, fuel storage, and dispensing equipment as may be needed due to normal daily use of the equipment.

FBO will not permit any action on the Airport that has an adverse effect, or interferes with the proper function of any drainage system, sanitary sewer system, or any facility provided for the operation or protection of the Airport.

vii. Property – The FBO shall be responsible for the upkeep of any City-owned buildings at the Airport. FBO shall be responsible for collection of trash and for such other maintenance requirements as may arise. FBO agrees to keep the premises, together with all improvements in a safe, clean, and attractive condition at all times.

viii. Taxes, Fees, Insurance, and Bond – The FBO shall be liable for all taxes and fees owed on or by his personal business or himself. Under no circumstances shall the City be liable for or be required to pay any tax or fee owed by the FBO. The City shall provide

insurance for all City owned real property located at the Airport under the City's policy which shall be for the sole benefit and protection of the City. The FBO shall be required to provide the following insurance coverage naming the City as an additional insured other than for worker's compensation:

a.	Comprehensive General Liability (CGL)	$1,000,000/ $1,000,000
b.	Product Liability	$1,000,000/ $1,000,000
c.	Workers Compensation	Statutory
d.	Hangar Keeper Liability	$1,000,000/$1,000,000
e.	Automobile Liability	$1,000,000 combined single limit

FBO shall provide certificates of insurance on an annual or semi-annual basis which shall include blanket waivers of subrogation.

ix. Notifications – The FBO shall be responsible for issuing and canceling any required notices to the FAA, State, or local authorities pertaining to airport operations or safety. However, nothing herein shall prevent the City from issuing or cancelling its own notifications as necessary.

x. The FBO shall not use the Airport property nor permit the Airport property to be used for any illegal or unauthorized purpose. FBO may not maintain nor shall it allow any tenant or other person to maintain any type of residence, apartment, temporary living quarters or the like for residential purposes. FBO agrees not to utilize areas on the premises which are located on the outside of the Terminal Building, hangar area, or maintenance shop for storage of permanently disabled aircraft, aircraft parts, automobiles, or vehicles of any type, or any other excess equipment or items which would distract from the appearance of the premises without the written approval of the City.

xi. Airport Improvements made by FBO, any tenant or other person or entity shall at all times be the property of the City subject to the leasehold rights granted herein. Unless agreed to by the City Manager or designee, All improvements made by the FBO or tenant to the airport shall become property of the City and neither FBO, nor any tenant, other person or entity shall be entitled to any payment from City for such improvement. Nor shall such improvement be removed from the Airport premises at any time including but not limited to upon the termination of the lease unless otherwise approved in writing by the City.

xii. FBO will be required to obtain and keep current any training and/or certifications required by the EPA and/or the TCEQ necessary to dispense fuel directly to consumers and as it relates to all operations of the Airport, and agrees to cooperate with the City on any current or future program which obligates the City to comply with Federal, State, or Local regulations.

xiii. City shall have the right to enter the Terminal Building, hangar areas, and all other areas of the airport open to all other airport customers during normal business hours for the purpose of making periodic inspections of all landside and airside facilities. In the event of emergency, the City shall also have the right to take such action as may be required for the protection of persons and/or property.

xiv. FBO shall require each person owning an aircraft based at the Airport to register at the

office of the FBO their name, address, telephone number, aircraft model, aircraft registration "N" number, and the name, address, and telephone number of their next of kin or person to be notified in case of an accident or emergency.

xv. FBO agrees to cooperate fully with the Rockwall Central Appraisal District and respond in a timely manner to any legal requests for information made to the FBO by the RCAD.

xvi. FBO agrees to cooperate with and attend meetings of the Airport Advisory Board if such a board is created in the future.

xvii. FBO shall not permit domestic animals at the Airport unless the animal is, and remains, restrained by a leash or is properly confined.

xviii. FBO shall not permit model aircraft not capable of carrying a person to operate, take off or be launched from, flown over or land at the Airport.

xix. FBO shall research and be knowledgeable about rules and regulations of the FAA and TXDOT Aviation Division regarding Airports that are federally obligated and agree to abide by grant assurances of the FAA and TXDOT.

xx. The City of Rockwall participates in both the Routine Airport Maintenance Program (RAMP) and the Non-Primary Entitlement (NPE) grant programs with TXDOT Aviation and the FAA. FBO agrees to cooperate with the City to accomplish capital projects to improve the Airport.

xxi. FBO agrees to adhere to the Transportation Security Administration guidelines for security at the Airport. FBO shall control the Airport so as to prevent unauthorized access to the airside. The City reserves the future right to install security devices in or on the Airport as it deems necessary at the City's cost. FBO further agrees to secure all Airport facilities in the appropriate manner after normal business hours and control access to those that are employees and /or subcontracted instructors of the Airport. FBO agrees to properly secure all financial information of its own operation and that of its customers.

xxii. Other duties and responsibilities as required and/or agreed upon by City and FBO.

xxiii. FBO shall in its operations and activities relative to this Agreement and Lease, shall at all times be subject to a continuing duty to abide by all federal, state, and local laws including all applicable amendments thereto.

SECTION 5. SUBLEASE, ASSIGNMENT, OR SALE

The FBO shall not assign, sell, or unilaterally transfer this contract agreement or any right hereunder to any person, corporation, or association without specific approval of the City of Rockwall. Any such sublease, assignment, sale, or transfer shall be grounds, at the option of the City, for the City to immediately terminate this contract agreement.

FBO may sublease office space and excess shop space without consent of the City as long as subleased space is used for aviation related businesses.

SECTION 6. TERMINATION

a. Should the FBO be declared bankrupt, incompetent, or become deceased, this contract agreement shall immediately terminate and shall not be considered as part of the FBO's estate and shall not become an asset of any appointed or assigned guardian, trustee, or receiver. In the event the FBO fails to make timely payments of all taxes or fees, fails to provide proof of required insurance, uses the Airport property or permits the Airport property to be used for any illegal or unauthorized purpose, files bankruptcy, abandons or leaves the property vacant or unoccupied for 10 consecutive days, or violates any of the terms and conditions of this contract agreement, the City has the right with ten (10) days written notice, which notice may be extended by the City Manager to thirty (30) days, to terminate this contract agreement and retake possession of any Airport property leased to or under the control of the FBO.

b. At the termination of this contract in any manner provided for herein, FBO shall peaceably vacate the premises and any furniture or other equipment entrusted to the FBO shall be returned to the City in the same condition as it was when issued, normal wear excluded. Should the FBO be in default of any monies owed to the City, the City may take possession of any personal property owned by the FBO and located at the Airport and hold same until the monetary default is settled. In such case that the FBO cannot or will not settle any claims against it and owed to the City. City may liquidate any personal property seized in any manner permitted by Chapter 93 Texas Property Code. The FBO shall be liable for any and all expenses incurred by the City in such action. And, nothing contained herein shall ever relieve FBO of its obligation to pay unpaid or delinquent Franchise Fees as otherwise provided herein.

SECTION 7. MISCELLANEOUS

a. This contract agreement embraces the entire Airport FBO's Agreement between the parties hereto and no statement, remark, agreement, or understanding, either oral or written, not contained herein shall be recognized or enforced, except that this contract agreement may be modified by written addendum hereto attached signed by all parties and subject at all times to the approval by the City's governing body.

b. For the purpose of this contract agreement, the singular number shall include the plural and the masculine shall include the feminine and vise-versa, whenever the context so admits or requires.

c. The "Section" captions and headings are inserted solely for the convenience of reference and are not part nor intended to govern, limit, or aid in the construction of any provision hereof.

d. The parties to this contract agreement hereby acknowledge and agree they are the principals to the contract agreement and have the power, right, and authority to enter into this contact agreement and are not acting as an agent for the benefit of any third party; except that the City is acting on behalf of the City of Rockwall.

e. The contract agreement shall be governed by the laws of the State of Texas and constructed thereunder and any action brought under this contract agreement shall be in the state district courts of Rockwall County, Texas wherein mandatory and exclusive venue shall lie.

f. **FBO AGREES TO DEFEND, SAVE, INDEMNIFY AND HOLD HARMLESS THE CITY AND ITS AGENTS, OFFICERS, EMPLOYEES AND ASSIGNS OF AND FROM ANY AND ALL LIABILITIES, EXPENSES, CAUSES OF ACTION, DAMAGES, AND/OR ATTORNEY'S FEES (HEREINAFTER CLAIMS) RESULTING FROM OR AS A RESULT OF ANY OF FBO'S BUSINESSES, OPERATION, OCCUPANCY, OR USE OF THE AIRPORT, OR RESULTING FROM ANY ACT OR OMISSION OF FBO'S AGENTS, SERVANTS, OR EMPLOYEES. AND THIS INDEMNITY AGREEMENT SHALL APPLY AND PROTECT CITY AND ITS AGENTS, SERVANTS, AND EMPLOYEES, EVEN THOUGH IT BE CONTENDED, OR EVEN ESTABLISHED, THAT SAID CITY OR ITS AGENTS, SERVANTS, OR EMPLOYEES WERE NEGLIGENT, OR THAT THEIR CONDUCT OR OMISSION IN ANY WAY CAUSED OR CONTRIBUTED TO SUCH LIABILITY, EXPENSE, CAUSE OF ACTION, DAMAGE, AND/OR ATTORNEY'S FEES; PROVIDED HOWEVER THAT SUCH INDEMNITY SHALL NOT APPLY IN THE EVENT CITY IS SOLELY LIABLE FOR ANY SUCH CLAIMS OR SUCH ARISE AS A RESULF OF CITY'S GROSS NEGLIGENCE OR INTENTIONAL ACTS ALL WITHOUT WAIVING ANY SOVERIGN OR GOVERNMENTAL IMMUNITY AVAILABLE TO CITY OR THE DEFENSES OF THE PARTIES PROVIDED BY TEXAS LAW.**

g. If any section, paragraph, sentence or phrase entered in this contract agreement is held to be illegal or unenforceable by a court of competent jurisdiction, such illegality or unenforceability shall not affect the remainder of this contract agreement which can be given effect without the illegal or unenforceable section, paragraph, sentence, or phrase and to this end, the provisions of this contract agreement are declared to be severable.

h. By the execution of this FBO agreement and undertaking the obligations provided for herein, City shall never be construed as waiving governmental or sovereign immunities to suit and damages available under Texas law the rights to which are specifically reserved herein to the fullest extent permitted by law and minimally to the extent then and there existing prior to the execution hereof. In reviewing the provisions of this Agreement, every intendment shall be given by a reviewing court to provide the broadest possible immunities unto City authorized by Texas law.

i. It is expressly understood and agreed by all Parties hereto that in performing their services hereunder, neither the FBO nor its subcontractors or tenants shall at any time act as agents of the City; and all consultants or contractors engaged by the FBO, its subcontractors or tenants will be independent contractors. The Parties hereto understand and agree that the City will not be liable for any claims that may be asserted by any third party occurring in connection with services performed by the FBO under this Agreement.

j. Any notice to be given herein shall be in writing and shall be given by depositing same with the United States Postal Service, postage prepaid, via first class mail and certified, with return receipt requested. Notice required to be given herein shall be addressed as follows:

TO CITY:

City of Rockwall
City Manager
385 S. Goliad Street
Rockwall, Texas 75087

TO FBO:

Todd Parks
Texas Air Center LLC

k. If a dispute arises out of or relates to this Agreement or the breach thereof, the Parties shall first in good faith seek to resolve the dispute through negotiation between the upper management of each respective Party. If such dispute cannot be settled through negotiation, the Parties agree to try in good faith to settle the dispute by mediation before resorting to litigation, or some other dispute resolution procedure; provided that a Party may not invoke mediation unless it has provided the other Party with written notice of the dispute and has attempted in good faith to resolve such dispute through negotiation. All costs of negotiation, mediation, collectively known as alternate dispute resolution ("ADR") shall be assessed equally between the City and FBO with each party bearing their own costs for attorney's fees, experts, and other costs of ADR and any ensuing litigation.

SIGNATURE PAGE

EXECUTED this _____ day of _____, 2014.

City of Rockwall a Home Rule Municipality and Political Subdivision of the State of Texas

_____
Richard Crowley
City Manager

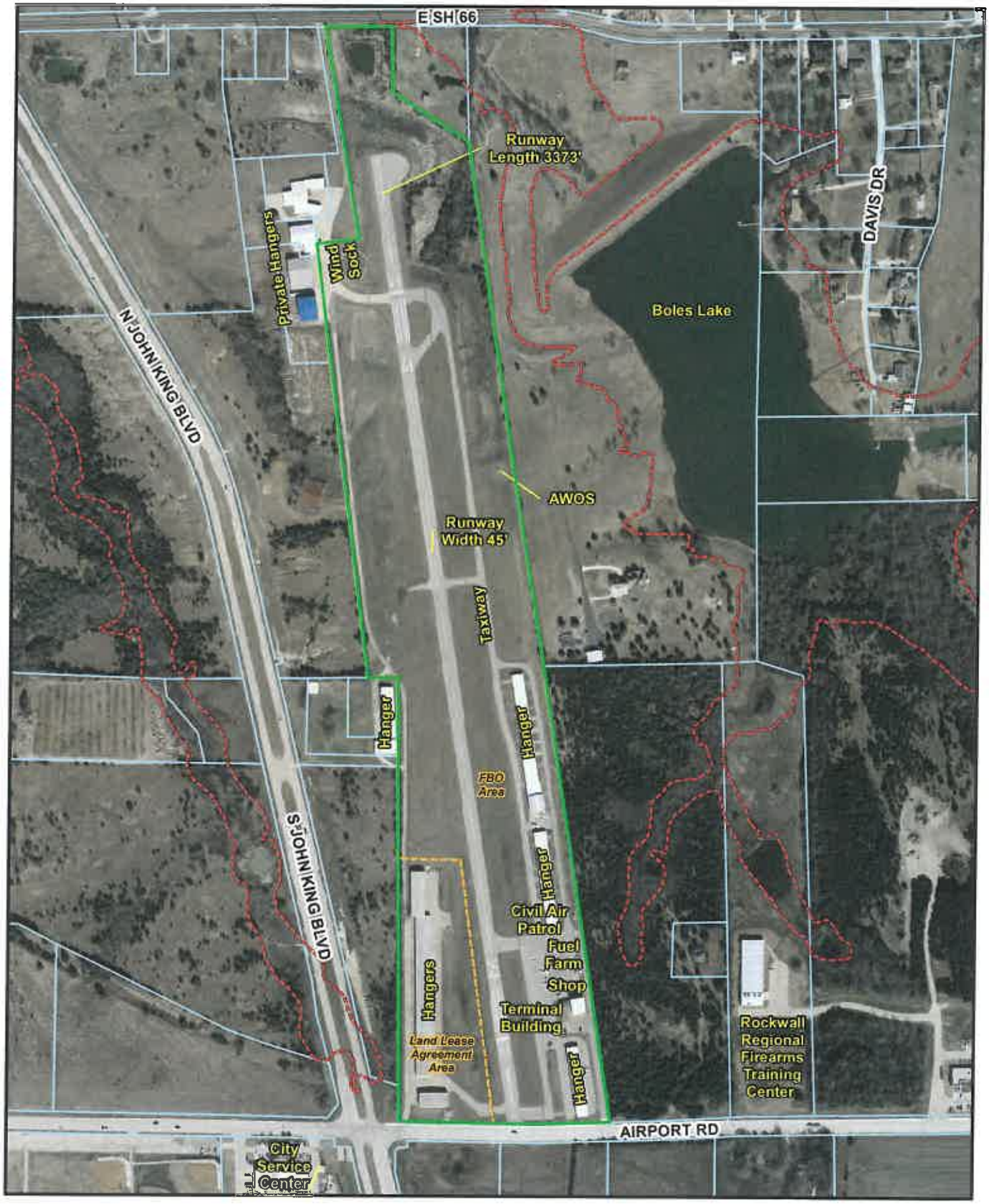
_____
Todd Parks
FBO

Approved as to Form:

_____
City Attorney

Attest: _____
Kristy Ashberry
City Secretary

Exhibit "A"
Aerial map of Airport Property



City of Rockwall

0 100 200 300 400 500 Feet

FEBRUARY 5, 2014

N W E S

Legend

100 Yr FloodPlain

Parcel Lines

RALPH M HALL - ROCKWALL MUNICIPAL AIRPORT

74

Exhibit "B"
Leased Taxiway Access Area

Through The Fence Agreement

This agreement is for through-the-fence taxiway access from private property to the Rockwall Municipal Airport.

STATE OF TEXAS)
)
CITY OF ROCKWALL) KNOW ALL PERSONS BY THESE PRESENTS:

This agreement is entered into this 6 day of May, 2008, between the City of Rockwall, hereinafter referred to as the "Lessor" and is the owner of the Rockwall Municipal Airport, hereinafter referred to as "Airport" and David Block and/or his assignee (a corporation, partnership, or sole proprietor), hereinafter referred to as "Lessee" who covenant and agree as follows:

WHEREAS, Lessor and Lessee are committed to the proper operation, improvement, and continued development of the Airport; and

WHEREAS, Lessor deems it advantageous to itself and to the operation of the Airport to lease to Lessee certain taxiway access;

NOW THEREFORE, in consideration of the terms, considerations, and privileges listed herein, Lessor and Lessee covenant and agree as follows:

Definitions.

Taxiway Access - means an aircraft taxiway, further described and defined below as the Land, located on private property owned by Lessor adjacent to the Rockwall Municipal Airport that connects or feeds into a taxiway on the Airport and that is constructed for or intended use for the principal purpose of allowing aircraft to taxi between the Airport and one or more private properties off site, and is approved as an access taxiway by the City of Rockwall.

Airport - means the area known as the Ralph Hall, Rockwall Municipal Airport.

Section 1. Leased Area

A. Land – Lessor does hereby lease to Lessee, effective on the date above stated, the land more particularly described as follows:

Rockwall Municipal Airport property adjacent and connected by taxiway to private property owned by David Block as defined by legal description on Exhibit A which is attached hereto and incorporated herein, and hereinafter referred to as the "Land" and

located on the Airport. Lessee hereby leases the said Land from the Lessor subject to the terms, considerations, and privileges stated herein.

Section 2. Term

This agreement shall be for the term of thirty (30) years, and may be extended after the initial term upon giving of written notice by Lessee to Lessor not more than one hundred eighty (180) nor less than sixty (60) days prior to the expiration of the preceding 30 (thirty) year lease term; provided that the term of the lease shall be extended for the period of time elapsed between the date of the execution of this lease and the date when Lessee receives a Certificate of Occupancy Date as defined below:

Section 3. Consideration

A. In consideration for the lease of the Land as referenced herein, Lessor acknowledges the substantial paving improvements constructed by or in connection with Lessee on or adjacent to the Airport and further Lessee hereby agrees to pay monthly the sum of $50.00. The initial payment shall be due within five (5) days of the date Lessee receives a Certificate of Occupancy on the new hanger to be constructed by Lessee on Lessee's property adjacent to the taxiway access ("Certificate of Occupancy Date"), and thereafter shall be due on the anniversary of such date during the term of this contract plus any extensions thereto.

B. Lessee agrees that the lease payment listed herein shall be subject to review and adjustment by Lessor only upon thirty (30) days advance written notice by Lessor to Lessee prior to the end of any Adjustment Period (as defined below) and according to the following terms and on the following dates ("Adjustment Period"): first on the date ten (10) years after the Effective Date of this agreement and thereafter at five (5) year intervals calculated from such date throughout the term of the lease; provided any adjustment shall not cause the aggregate lease payment amount over an entire Adjustment Period to increase by more than $175 more than the aggregate lease payment amount for the prior Adjustment Period.

C. All lease fees shall be paid as the same becomes due, without demand, in lawful currency of the United States made payable to the City of Rockwall, Texas by mail or delivery.

D. In the event Lessee fails to remit any payments when the same are due, interest at the rate of 5% shall be charged by Lessor beginning on the tenth (10) day after the date the payment is due and such interest shall continue to accrue against such delinquent payment until the payment plus interest is received by Lessor. In the event Lessee shall become delinquent for more than 60 days, this lease may be terminated by Lessor as further defined in Section 7. – Termination.

E. Lessee agrees that he will at all times refrain from littering on or wasting the premises of the taxiway access and will not place trash, litter, junked automobiles, or scrap aircraft parts on the taxiway access. Lessee shall abide by all applicable rules and recommendations of the Environmental Protection Agency, the Texas Commission on Environmental Quality, the Texas Department of Agriculture, the Texas Department of Transportation, and any other public agency concerning the use, storage, and disposal of hazardous chemicals, fuel, and/or

oil on the Land. Lessee further agrees to abide by the manufacturer's directions in regards to the use, storage, and disposal of all pesticides, herbicides, and other chemicals plus their containers used at the airport on the Land. Should Lessee fail to keep the leased area free of hazards caused or created by Lessee, Lessor may, after 30 days written notice, arrange for the cleanup of the littered or hazardous area. Such cleanup, to the extent caused or created by Lessee, shall be charged to Lessee and payable on demand. Failure to render proper payment for such cleanup and/or general disregard for the considerations and restrictions listed in this lease agreement are grounds for Lessor to terminate this lease as provided herein.

F. Taxes, Fees, Insurance, and Bond – Lessee shall be liable for all taxes and fees owed on or by his personal business or himself. Under no circumstances shall Lessor be liable for or be required to pay any tax or fee owed by Lessee, nor shall Lessee be liable for taxes or fees relating to the Land or Airport. Lessee should provide his own insurance coverage for any personal property located in or on the leased area.

G. All improvements made by the Lessee on the Airport property shall become property of the City of Rockwall at the time of expiration or termination of this agreement unless otherwise approved in writing by the City Manager. The City shall not be required to pay the Lessee for any such improvements made unless specifically stated in writing by the City Manager.

Section 4. Permitted Use

All uses otherwise permitted by existing zoning ordinances within the boundaries of the existing Airport Overlay District and as it may be amended in the future, except where there is a conflict between the Airport Overlay District and existing zoning ordinances. Where the provisions of the Airport Overlay District are more restrictive, the provisions of the Airport Overlay District shall govern.

Section 5. Restricted Use

A. Lessee agrees that he will not store or permit the storage of any fuel or hazardous, volatile, and/or dangerous chemicals on the taxiway access except as generally allowed for and/or associated with the uses of the Land and Airport authorized herein without the written consent of Lessor.

B. Lessee agrees not to make any additions or modifications to the taxiway access except agreed upon by both parties in writing. In the case of such consent and unless agreed to the contrary in writing, all improvements or modifications shall be made at the expense of Lessee and, at the expiration of this Lease and any extensions to this lease, shall become the property of the Lessor.

C. Lessee agrees that he will access any and all hangars located on his private property from SH-66 as provided by and in the form of the Access Easement Agreement attached hereto, and not through Airport property. The Access Easement Agreement shall constitute a separate and independent instrument and obligation, shall survive the expiration or termination of this agreement, and shall run with the land owned by Lessee.

Section 6. Unrestricted Uses

The following uses of the Land and Lessee's adjacent property shall be unrestricted by Lessor: personal aeronautical use; flight school training; fly for hire; fuel storage for personal use; purchase, sale and/or lease of aircraft and aeronautical equipment; maintenance on aircraft and/or aeronautical equipment owned, leased or leasing space from lessee; sale or lease of Lessee property and/or improvements; construction, improvement and/or maintenance to the property owned, leased or controlled by Lessee; and all uses not exclusively reserved by and for the benefit of the Fixed Base Operator for the Airport pursuant to the terms of that FBO/Airport Management Agreement dated April 28, 2007 so long as said agreement is in force and effect and is binding on Lessor and after the expiration and/or termination of said FBO/Airport Management Agreement said uses previously exclusively reserved shall also be unrestricted uses hereunder.

Section 7. Sublease, Assignment, or Sale

The Lessee may sublease, assign, sell or transfer Lessee's property adjacent to the taxiway access and/or Lessee's rights and obligations hereunder upon 15 days written notice to Lessor and in such case the assignor shall be relieved of liability for the obligations assumed; provided that Lessee may sublease, assign and/or transfer without notice to any entity owned or controlled by Lessee, a family member, an heir, or a trust created for the benefit of an hear or family member. Any sublease, assignment, sale, or transfer contrary to this provision shall be grounds, at the option of the City of Rockwall, for the City of Rockwall to terminate this contract agreement as provided herein.

Section 8. Termination

A. This contract agreement may be terminated prior to its term by Lessor or Lessee if either fails to abide by the material terms and conditions expressed herein and due the complainant and so decreed by a court of competent jurisdiction. Should Lessee be declared bankrupt, this contract agreement shall immediately terminate and shall not be considered as part of Lessee's estate and shall not become an asset of any appointed or assigned trustee, or receiver. In the event Lessee fails to make timely payment as required herein, uses the Airport property or permits the Airport property to be used for any illegal or unauthorized purpose, files bankruptcy, abandons or leaves the property vacant or unoccupied for 180 consecutive days, or violates any of the material terms and conditions of this contract agreement, Lessor has the right to terminate this contract agreement and retake possession of any Airport property leased to or under the control of Lessee upon ten (10) days written notice delivered to Lessee; provided that notwithstanding any other provision to the contrary, prior to notice of default and right to termination or exercise of other remedy, Lessor shall deliver written notice to Lessee stating with reasonable particularity the facts supporting the claimed default and actions necessary to cure same and Lessee shall have thirty (30) days opportunity to cure said default. In the event that said default can not reasonably be cured

within said cure period but Lessee is acting with reasonable diligence to accomplish such cure, said cure period shall be extended another thirty (30) days.

B. Lessee agrees and understands that Lessor reserves the right to further expand, develop, or improve the airport, including the termination of this lease agreement, in such instance that the continued leasing of the taxiway access would prevent any proposed development or improvements at the Airport; provided that in determining whether this lease agreement would prevent any proposed development or improvement at the Airport, all development and improvement alternatives shall be taken into consideration; and further provided that in any event this Lease Agreement may not be terminated for the cause outlined in this sentence prior to the thirtieth year after this lease agreement is signed. In the event that termination is authorized by the preceding sentence, this contract agreement may be terminated regardless of the desires, wishes, or views of Lessee and without interference or hindrance from Lessee, but only so long as such expansion, development, or improvements are shown on a Texas Department of Transportation and/or FAA approved Airport Layout Plan or Master Plan and in a manner consistent with the preceding sentence and upon reasonable written notice given the circumstances and investment of Lessee.

C. This contract may be prematurely terminated by mutual agreement and consent of both parties in writing. Such termination by mutual agreement shall cause both Lessor and Lessee to be free of any and all requirements of this contract, and neither Lessor nor Lessee shall have any derogatory remarks or entries made upon their resumés or upon any public or private records which would indicate failure to successfully fulfill the conditions of this contract.

D. At the termination of this contract agreement consistent with the provisions herein, either by normal expiration, premature termination, or mutual agreement, Lessee shall peaceably surrender this agreement.

Section 9. Hold Harmless

Lessee agrees to save, hold harmless and indemnify Lessor and its agents, servants, and employees of and from any and all liabilities, expenses, causes of action, damages, and/or attorney's fees resulting from any negligent act or omission of Lessee or Lessee's agents, servants, or employees on the Land as defined herein.

Section 10. Maintenance of Landing Area

Lessee understands and agrees that Lessor reserves the right, but not the obligation, to maintain the Airport to at least the minimum standards as recommended by the FAA and/or the Texas Department of Transportation. Such right includes the right to maintain and keep in repair all public use areas at the Airport and the right to direct and control all activities as necessary at the Airport.

Section 11. Miscellaneous

A. This contract agreement and the exhibits referenced herein embraces the entire lease agreement of the parties mentioned herein pertaining to the taxiway access and no statement, remark, agreement, or understanding, either oral or written, not contained herein or in an exhibit hereto shall be recognized or enforced as it pertains to the lease of the taxiway access, except that this contract agreement may be modified by written addendum agreed to and signed by all pertinent parties and attached hereto.

B. For the purpose of this contract agreement, the singular number shall include the plural and the masculine shall include the feminine and vise-versa, whenever the context so admits or requires.

C. The "Section" captions and headings are inserted solely for the convenience of reference and are not part of nor intended to govern, limit, or aid in the construction of any provision hereof.

D. The parties to this contract agreement hereby acknowledge and agree that they are the principals to the contract agreement and have the power, right, and authority to enter into this contract agreement and have the power, right, and authority to enter into this contract agreement and are not acting as an agent for the benefit of any third party, except that Lessor is acting on behalf of the City of Rockwall.

E. This contract agreement shall be governed by the laws of the State of Texas and construed thereunder and venue of any action brought under this contract agreement shall be in Rockwall County, Texas.

F. If any section, paragraph, sentence, or phrase entered in this contract agreement is held to be illegal or unenforceable by a court of competent jurisdiction, such illegality or unenforceability shall not affect the remainder of this contract agreement and, to this end, the provisions of this contract agreement are declared to be severable.

Section 12. Notification

Any notice given by one party to the other in connection with this agreement shall be in writing and shall be delivered (and shall be deemed delivered three days after deposit with the U.S. Mail service with proper postage if sent certified mail, return receipt requested) to:

Lessor:
Rockwall City Hall
Attn: City Manager
385 S. Goliad Street
Rockwall, Texas 75087

Lessee:
David Block
2421 Kathryn Drive
Heath, Texas 75032

Section 13. Effective Date

This agreement is executed by the parties on the dates indicated below to be EFFECTIVE on 6th date of May, 2008.

Lessor:
City of Rockwall

City Manager
Date: 05-06-2008

Lessee:

David Block
Date: 5-6-8

Exhibit A to Through the Fence Agreement

Leased Taxiway Access Area

OWNERS CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, the City of Rockwall is the owner of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows;

BEING a tract of land situated in the C.M.Kidlin Survey, Abstract No. 183, and the D.Berr Survey, Abstract No. 102, City of Rockwall County, Texas and also being those tracts recorded in Volume 86, Page 511, Volume 53, Page 47, Volume 81, Page 1 part of those tracts recorded in Volume 53, Page 250 and Volume 61, Page 285, Deed Records of Rockwall County, Texas and more particularly described as follows;

BEGINNING at a point on the North line of Airport Road, said point being on the West line of said tract recorded in Page 47, an iron stake for corner;

THENCE, North, leaving the said North line of Airport Road, a distance of 1521.68 feet to an iron stake for corner;
THENCE, S.89° 33' 07" W. a distance of 101.24 feet to an iron stake for corner;
THENCE, N. 6° 35' 23" W. a distance of 1525.79 feet to an iron stake for corner;
THENCE, N. 83° 30' 12" E. a distance of 146.10 feet to an iron stake for corner;
THENCE, N. 8° 59' 35" W. a distance of 724.13 feet to a point on the South line of State Highway No. 66, an iron stake for corner;
THENCE, S. 89° 43' 31" E. along the said South line of State Highway No. 66 a distance of 228.48 feet to an iron stake for corner;
THENCE, S. 0° 28' 47" E. leaving the said South line of State Highway No. 66, a distance of 234.50 feet to an iron stake for corner;
THENCE, S. 57° 04' 27" E. a distance of 314.43 feet to an iron stake for corner;
THENCE, S. 8° 01' 32" E. a distance of 1813.36 feet to an iron stake for corner;
THENCE, S. 8° 02' 22" E. a distance of 1604.00 feet to a point on the North line of Airport Road, an iron stake for corner;
THENCE, along the North line of Airport Road the following.
S. 89° 36' 43" W. a distance of 120.00 feet to an iron stake for corner;
N. 87° 54' 33" W. a distance of 606.90 feet to the PLACE OF BEGINNING and containing 47.89 acres of land.

Rockwall Municipal Airport

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That, City of Rockwall, being owner does hereby adopt this plat designating the herein above described property as ROCKWALL MUNICIPAL AIRPORT ADDITION, to the City of Rockwall, Rockwall County, Texas, and does hereby dedicate to the public use forever the streets and alleys shown thereon and does hereby reserve the right-of-way and easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same, any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective systems on any of the right-of-way and easement strips; and any public utility shall have the right of ingress and egress to, from and upon the said right-of-way and easement strips for the purpose of construction, reconstruction, patrolling maintaining and either adding to or removing all or part of their respective systems without the necessity of at any time procuring the permission of anyone. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishments of grades of streets in this addition.

WITNESS my hand at Rockwall, Texas this 14th day of December A.D.1983.

CITY OF ROCKWALL, TEXAS

By _____

Leon Tuttle — Mayor

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned Notary Public, in and for the State of Texas, on this day personally appeared Leon Tuttle, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN under my hand and seal of office this 14 day of December A.D.1983.

_____
Notary Public for the State of Texas

My Commission Expires 10-7-85

SURVEYORS CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That, I, Bob O.Brown, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision.

Bob O. Brown
Bob O.Brown Registered Public Surveyor No.1744

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned Notary Public, in and for the State of Texas, on this day personally appeared Bob O.Brown, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN under my hand and seal of office this 12 day of January A.D.1983

Maxine Brown
Notary Public for the State of Texas

My Commission Expires 4-15-85

RECOMMENDED FOR FINAL APPROVAL:

_____ 12/14/83
City Administrator — Date

APPROVED:

8

Exhibit B to Through the Fence Agreement

Payment Submittal Form

Date: _____

For the month and year of: _____

Monthly Payment: $_____

I certify the information and amount submitted on this form is true and correct.

_____
Signature

Exhibit C to Through the Fence Agreement

Easement Agreement for Access

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: 5-6, 2008

Grantor: City of Rockwall

Grantor's Mailing Address: 385 S. Goliad
Rockwall, Rockwall County, Texas 75087

Grantee: David Block and D.V.B. Family Limited Partnership

Grantee's Mailing Address: 2421 Kathryn
Heath, Rockwall County, Texas 75032

Dominant Estate Property: See legal description contained in Exhibit C and depiction in Exhibit B attached hereto and incorporated herein by reference.

Easement Property: See legal description contained in Exhibit A and depiction in Exhibit B attached hereto and incorporated herein by reference.

Easement Purpose: For providing free and uninterrupted pedestrian and vehicular ingress to and egress from the Dominant Estate Property to and from the existing Rockwall County, Texas road known as Highway 66 as depicted in Exhibit B.

Consideration: Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor.

Exceptions to Warranty: Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants and conditions, and other instruments, other than conveyances of the surface fee estate, that affect the Property; provided that no exception shall materially interfere with the Holder's rights of access as provided herein.

Grant of Easement: Grantor, for the Consideration and subject to the Reservations from Conveyance and Exceptions to Warranty, grants, sells, and conveys to Grantee and Grantee's heirs, successors, and assigns an easement over, on, and across the Easement Property for the Easement Purpose and for the benefit of the Dominant Estate Property, together with all and singular the rights and appurtenances thereto in any way belonging (collectively, the "Easement"), to have and to hold the Easement to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's

heirs, successors, and assigns to warrant and forever defend the title to the Easement in Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the Easement or any part thereof, except as to the Reservations from Conveyance and Exceptions to Warranty.

Terms and Conditions: The following terms and conditions apply to the Easement granted by this agreement:

1. *Character of Easement.* The Easement is appurtenant to and runs with any part of the Dominant Estate Property, whether or not the Easement is referenced or described in any conveyance of all or such portion of the Dominant Estate Property. The Easement is nonexclusive and irrevocable. The Easement is for the benefit of Grantee and Grantee's heirs, successors, and assigns who at any time own fee simple title to all or any portion of the Dominant Estate Property (as applicable, the "Holder").

2. *Duration of Easement.* The duration of the Easement is perpetual.

3. *Reservation of Rights.* Grantor reserves for Grantor and Grantor's heirs, successors, and assigns the right to continue to use and enjoy the surface of the Easement Property for all purposes that do not materially interfere with or interrupt the use or enjoyment of the Easement by Holder for the Easement Purposes. Grantor reserves for Grantor and Grantor's heirs, successors, and assigns the right to use all or part of the Easement in conjunction with Holder and the right to convey to others the right to use all or part of the Easement in conjunction with Holder, as long as such further conveyance and use does not materially interfere with or interrupt the use or enjoyment of the Easement by Holder for the Easement Purposes.

4. *Improvement and Maintenance of Easement Property.* Holder has the right to eliminate any encroachments into the Easement Property that prevent Holder access to the Dominant Estate Property as provided herein. Holder must not cause or allow action by Holder or Holder's guests that would cause or contribute to the Easement Property being other than in a neat and clean condition. Grantor has the right to construct, install, maintain, replace, and remove a road with all culverts, bridges, drainage ditches, sewer facilities, and similar or related utilities and facilities under or across any portion of the Easement Property (collectively, the "Road Improvements"). If Grantor fails or refuses to make or maintain Road Improvements, Holder may do so upon ten days advance written notice to Grantor and in such case shall have the rights and privileges of Grantor relating thereto. All matters concerning the configuration, construction, installation, maintenance, replacement, and removal of the Road Improvements are at Grantor's sole discretion. Grantor has the right to remove or relocate any fences within the Easement Property or along or near its boundary lines if reasonably necessary to construct, install, maintain, replace, or remove the Road Improvements or for the road to continue onto other lands or easements owned by Grantor or Grantor's assigns and adjacent to the Easement Property, subject to replacement of the fences to their original condition on the completion of the work. On written request by Grantor, the owners of the Easement Property will execute or join in the execution of easements for sewer, drainage, or utility facilities under or across the Easement Property.

5. *Equitable Rights of Enforcement.* This Easement may be enforced by restraining orders and injunctions (temporary or permanent) prohibiting interference and commanding compliance. Restraining orders and injunctions will be obtainable on proof of the existence of interference or threatened interference, without the necessity of proof of inadequacy of legal remedies or irreparable harm, and will be obtainable only by the parties to or those benefited by this agreement; provided, however, that the act of obtaining an injunction or restraining order will not be deemed to be an election of remedies or a waiver of any other rights or remedies available at law or in equity.

6. *Attorney's Fees.* If either party retains an attorney to enforce this agreement, the party prevailing in litigation is entitled to recover reasonable attorney's fees and court and other costs.

7. *Binding Effect.* This agreement binds and inures to the benefit of the parties and their respective heirs, successors, and permitted assigns.

8. *Choice of Law.* This agreement will be construed under the laws of the state of Texas, without regard to choice-of-law rules of any jurisdiction. Venue is in the county or counties in which the Easement Property is located.

9. *Counterparts.* This agreement may be executed in any number of counterparts with the same effect as if all signatory parties had signed the same document. All counterparts will be construed together and will constitute one and the same instrument.

10. *Waiver of Default.* It is not a waiver of or consent to default if the nondefaulting party fails to declare immediately a default or delays in taking any action. Pursuit of any remedies set forth in this agreement does not preclude pursuit of other remedies in this agreement or provided by law.

11. *Further Assurances.* Each signatory party agrees to execute and deliver any additional documents and instruments and to perform any additional acts necessary or appropriate to perform the terms, provisions, and conditions of this agreement and all transactions contemplated by this agreement.

12. *Indemnity.* Each party agrees to indemnify, defend, and hold harmless the other party from any loss, attorney's fees, expenses, or claims attributable to breach or default of any provision of this agreement by the indemnifying party.

13. *Integration.* This agreement contains the complete agreement of the parties and cannot be varied except by written agreement of the parties. The parties agree that there are no oral agreements, representations, or warranties that are not expressly set forth in this agreement.

14. *Legal Construction.* If any provision in this agreement is for any reason unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the parties, the unenforceability will not affect any other provision hereof, and this agreement will be construed as if the unenforceable provision had never been a part of the agreement. Whenever context requires, the singular will include the plural and neuter include the masculine

or feminine gender, and vice versa. Article and section headings in this agreement are for reference only and are not intended to restrict or define the text of any section. This agreement will not be construed more or less favorably between the parties by reason of authorship or origin of language.

15. *Notices.* Any notice required or permitted under this agreement must be in writing. Any notice required by this agreement will be deemed to be delivered (whether actually received or not) when deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address shown in this agreement. Notice may also be given by regular mail, personal delivery, courier delivery, facsimile transmission, or other commercially reasonable means and will be effective when actually received. Any address for notice may be changed by written notice delivered as provided herein.

16. *Recitals.* Any recitals in this agreement are represented by the parties to be accurate, and constitute a part of the substantive agreement.

17. *Time.* Time is of the essence. Unless otherwise specified, all references to "days" mean calendar days. Business days exclude Saturdays, Sundays, and legal public holidays. If the date for performance of any obligation falls on a Saturday, Sunday, or legal public holiday, the date for performance will be the next following regular business day.

[Signatures on Following Page]

GRANTOR:

CITY OF ROCKWALL:

By: _____
Its: City Manager

GRANTEES:

D.V.B. FAMILY LIMITED PARTNERSHIP

By: D Block Family L.C.

By: _____
David Block, President & Individually

STATE OF TEXAS *
*
COUNTY OF Rockwall *

Before me, a Notary Public, on May 6, 2008, personally appeared Julie Couch, City Manager of the City of Rockwall, Texas, known to me to be the person whose name is subscribed hereto, and after first being duly sworn, acknowledged to me that he executed the above Easement Agreement for Access for the purposes and consideration expressed therein and in the capacity therein stated.

VERONICA PADILLA
Notary Public
State of Texas
My Comm. Exp. 02-23-2009

_____
Notary Public, State of Texas

STATE OF TEXAS *
*
COUNTY OF Rockwall *

Before me, a Notary Public, on May 6, 2008, personally appeared David Block, known to me to be the person whose name is subscribed hereto, and after first being duly sworn, acknowledged to me that he executed the above Easement Agreement for Access for the purposes and consideration expressed therein and in the capacities therein stated.

VERONICA PADILLA
Notary Public
State of Texas
My Comm. Exp. 02-23-2009

_____
Notary Public, State of Texas

After Recording Return to:

David Block
2421 Kathryn
Heath, Texas 75032

EXHIBIT "A" TO EASMENT AGREEMENT FOR ACCESS

50' INGRESS-EGRESS EASEMENT
CITY OF ROCKWALL
TO
David Block and DVB Family Limited Partnership

BEING a 35,142 square foot ingress and egress easement across a tract or parcel of land situated in the G.W. RIDLIN SURVEY, ABSTRACT NO. 183, City of Rockwall, Rockwall County, Texas, and being across a part of Lot 1, ROCKWALL MUNICIPAL AIRPORT ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet B, Slide 47 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½" iron rod found for corner at an inner "L" corner of said Lot 1, and being at the southeast corner of a 3.56 acres tract of land as described in a Warranty deed from Charles T. Cody and Mary Ann Cody to Rockwall Property Corporation, dated August 30, 2000 and being recorded in Volume 1957, Page 54 of the Real Property Records of Rockwall County, Texas;

THENCE S. 08 deg. 34 min. 54 sec. E. a distance of 50.04 feet to a stake for corner;

THENCE S. 83 deg. 38 min. 46 sec. W. a distance of 97.07 feet to a stake for corner;

THENCE S. 06 deg. 41 min. 41 sec. E. a distance of 189.09 feet to a stake for corner;

THECNE S. 05 deg. 54 min. 37 sec. E. a distance of 369.87 feet to a stake for corner;

THENCE S. 89 deg. 07 min. 03 sec. W. a distance of 50.19 feet to a ½" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the West line of said Lot 1;

THENCE N. 05 deg. 54 min. 37 sec. W. along the west line of said Lot 1, a distance of 365.13 feet to a ½" iron rod found for corner;

THENCE N. 06 deg. 41 min. 41 sec. W. along the west line of said Lot 1, a distance of 201.33 feet to an "X" chiseled in concrete for corner;

THENCE N. 06 deg. 49 min. 00 sec. W. a distance of 37.72 feet to a northwest corner of Lot 1 in a hanger building wall;

THENCE N. 83 deg. 38 min. 46 sec. E. along a north line of Lot 1, a distance of 145.50 feet to the POINT OF BEGINNING and containing 35,142 square feet or 0.81 acres in said easement.

90

EXHIBIT "B"

TO EASEMENT AGREEMENT FOR ACCESS

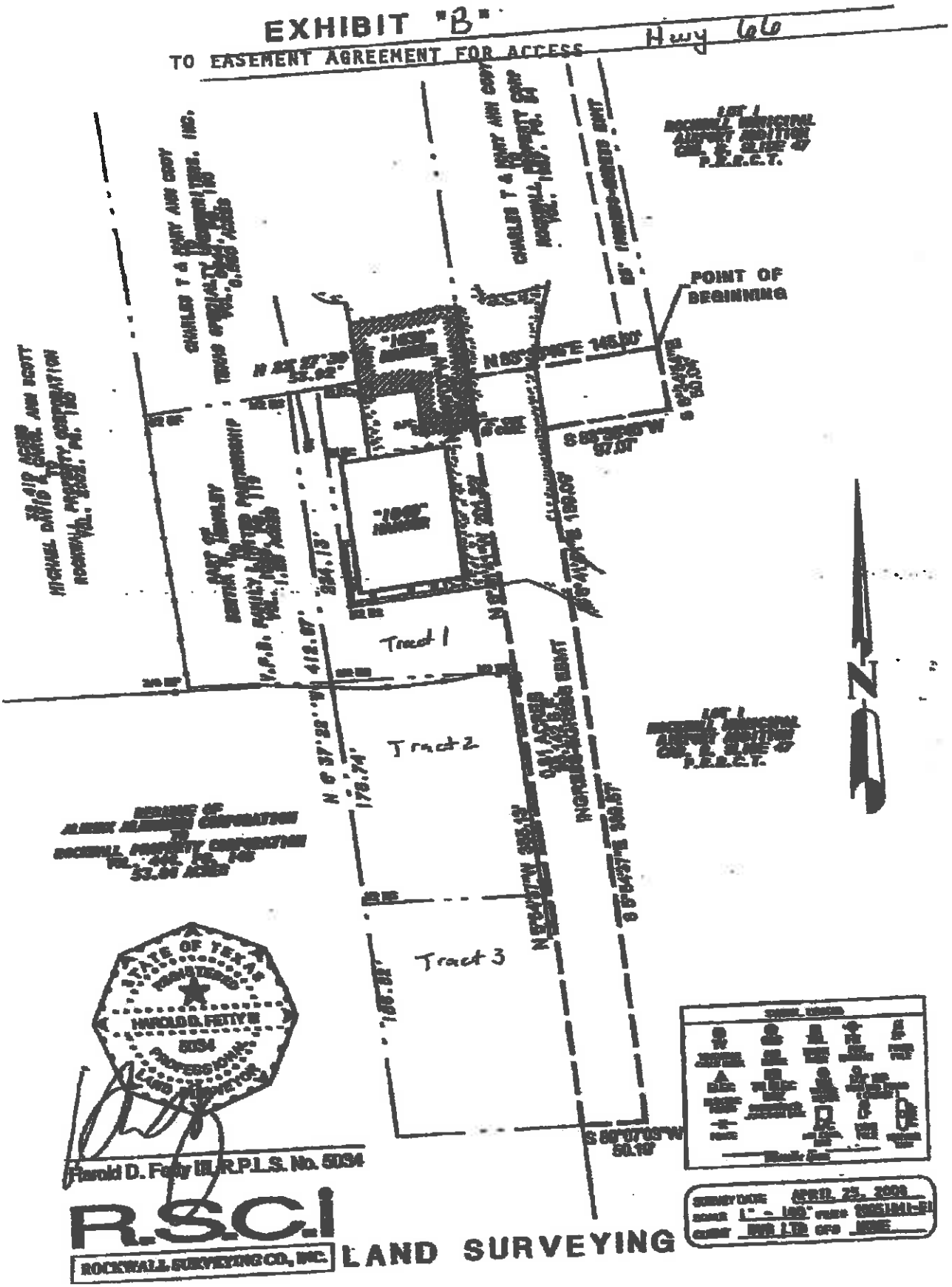


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EXHIBIT C TO EASEMENT AGREEMENT FOR ACCESS

Tract One

All that certain lot, tract or parcel of land situated in the G.W. RIDLIN SURVEY, ABSTRACT NO. 183, City of Rockwall, Rockwall County, Texas, and being a part of that 1.26 acres tract of land as described in a Warranty deed from Bertha M. Hensley and Hensley Aviation, Inc. to V.F.B. Family Limited Partnership, dated July 25, 1995 and being recorded in Volume 1028, Page 119 of the Real Property Records of Rockwall County, Texas, and being all of a 270.38 square foot tract as described in a Warranty deed from Texas Specialty Underwriters to V.F.B. Family Limited Partnership, dated September 12, 1996 and being recorded in Volume 1159, Page 79 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the North line of said 1.26 acres tract, said point being N. 82 deg. 27 min. 30 sec. E., 107.96 feet from a 1/2" iron rod found for corner at the Northwest corner of said 1.26 acres tract of land and the Southwest corner of a tract of land as described in a Warranty deed from Charles T. Cody and Mary Ann Cody to Texas Specialty Underwriters, Inc., dated September 28, 1994 and being recorded in Volume 944, Page 190 of the Real Property Records of Rockwall County, Texas;

THENCE N. 83 deg. 54 min. 14 sec. E. along the North line of said 1.26 acres tract, a distance of 53.82 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the Northwest corner of a 318 square foot tract as described in a Deed to Texas Specialty Underwriters, as recorded in Volume 1159, Page 76 of the Real Property Records of Rockwall County, Texas;

THENCE S. 07 deg. 00 min. 03 sec. E. along the wall of a hanger building, a distance of 12.04 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at edge of said hanger;

THENCE N. 83 deg. 01 min. 32 sec. E. along said hanger wall, a distance of 41.94 feet to corner;

THENCE S. 07 deg. 04 min. 45 sec. E. along said hanger wall, a distance of 96.00 feet to corner;

THENCE N. 82 deg. 55 min. 15 sec. E. along said hanger wall, a distance of 40.74 feet to an "X" chiseled in concrete for corner in the East line of said 1.26 acres tract and being in the West line of Lot 1, ROCKWALL MUNICIPAL AIRPORT ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet B, Slide 47 of the Plat Records of Rockwall County, Texas;

THENCE S. 06 deg. 41 min. 41 sec. E., along the East line of said 1.26 acres tract, a distance of 201.33 feet to a 1/2" iron rod found for corner at the Southeast corner of same;

THENCE S. 89 deg. 07 min. 03 sec. W. a distance of 137.89 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 06 deg. 37 min. 22 sec. W. a distance of 234.13 feet to the POINT OF BEGINNING and containing 0.70 acres of land.

Tract Two

All that certain lot, tract or parcel of land situated in the G.W. RIDLIN SURVEY, ABSTRACT NO. 183, City of Rockwall, Rockwall County, Texas, and being a part of that tract of land as described in a Warranty deed from Alumax Aluminum Corporation to Rockwall Property Corporation, as recorded in Volume 444, Page 146 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the Southeast corner of a 1.26 acres tract of land as described in a Warranty deed from Bertha M. Hensley and Hensley Aviation, Inc. to V.F.B. Family Limited Partnership, dated July 25, 1995 and being recorded in Volume 1028, Page 119 of the Real Property Records of Rockwall County, Texas, and in the West line of Lot 1, ROCKWALL MUNICIPAL AIRPORT ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet B, Slide 47 of the Plat Records of Rockwall County, Texas;

THENCE S. 05 deg. 54 min. 37 sec. E. a distance of 178.53 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE S. 89 deg. 07 min. 03 sec. W. a distance of 135.66 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the corner;

THENCE N. 06 deg. 37 min. 22 sec. W. a distance of 178.74 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the corner;

THENCE N. 89 deg. 07 min. 03 sec. E. along the South line of said 1.26 acres tract, a distance of 137.89 feet to the POINT OF BEGINNING and containing 0.56 acres of land.

Tract Three

All that certain lot, tract or parcel of land situated in the G.W. RIDLIN SURVEY, ABSTRACT NO. 183, City of Rockwall, Rockwall County, Texas, and being a part of that tract of land as described in a Warranty deed from Alumax Aluminum Corporation to Rockwall Property Corporation, as recorded in Volume 444, Page 146 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the East line of said Rockwall Property Corporation tract, said point being S. 05 deg. 54 min. 37 sec. E., 178.53 feet from the Southeast corner of a 1.26 acres tract of land as described in a Warranty deed from Bertha M. Hensley and Hensley Aviation, Inc. to V.F.B. Family Limited Partnership, dated July 25, 1995 and being recorded in Volume 1028, Page 119 of the Real Property Records of Rockwall County, Texas, and in the West line of Lot 1, ROCKWALL MUNICIPAL AIRPORT ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet B, Slide 47 of the Plat Records of Rockwall County, Texas;

THENCE S. 05 deg. 54 min. 37 sec. E. along the West line of said Lot 1 and the East line of said tract, a distance of 186.80 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

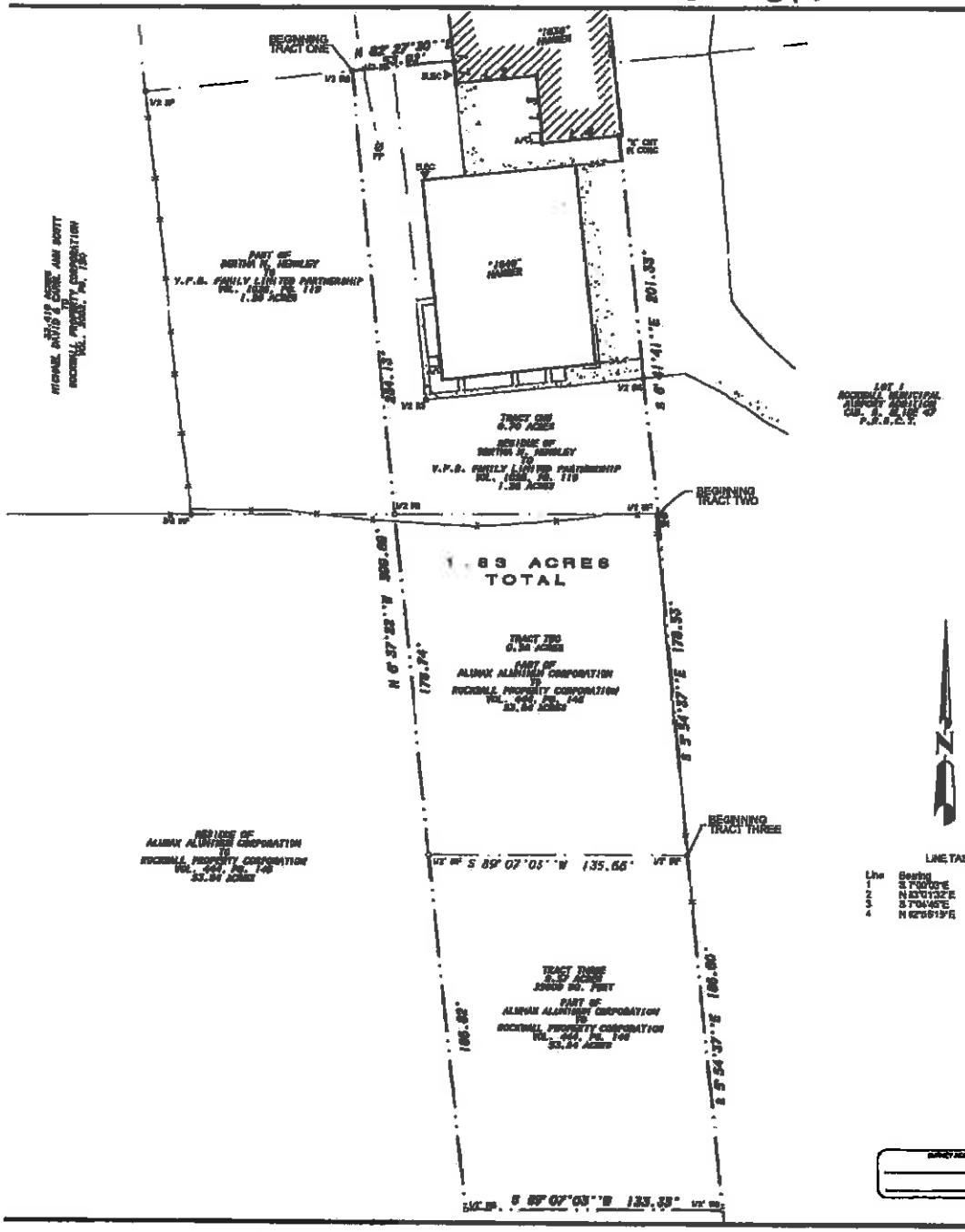
THENCE S. 89 deg. 07 min. 03 sec. W. a distance of 133.33 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the corner;

THENCE N. 06 deg. 37 min. 22 sec. W. a distance of 186.82 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 89 deg. 07 min. 03 sec. E. a distance of 135.66 feet to the POINT OF BEGINNING and containing 25,000 square feet or 0.57 acres of land.

92

Exhibit "C"



Tract One

All that certain lot, tract or parcel of land situated in the J.W. RIDLIN SURVEY, ABSTRACT NO. 183, City of Rockwall, Rockwall County, Texas, and being a part of that 1.38 acres tract of land as described in a Warranty deed from Bertha M. Hensley and Hensley Aviation, Inc. to V.F.B. Family Limited Partnership, dated July 25, 1995 and being recorded in Volume 1588, Page 119 of the Real Property Records of Rockwall County, Texas, and being all of a 27,036 square foot tract as described in a Warranty deed from Texas Specialty Underwriters to V.F.B. Family Limited Partnership, dated September 12, 1996 and being recorded in Volume 1788, Page 79 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the North line of said 1.38 acres tract, said point being N. 62 deg. 27 min. 30 sec. E., 107.98 feet from a 1/2" iron rod found for corner at the Northwest corner of said 1.38 acres tract of land and the Southwest corner of a tract of land as described in a Warranty deed from Charles Y. Cody and Mary Ann Cody to Texas Specialty Underwriters, Inc., dated September 28, 1994 and being recorded in Volume 944, Page 180 of the Real Property Records of Rockwall County, Texas;

THENCE N. 89 deg. 54 min. 14 sec. E., along the North line of said 1.38 acres tract, a distance of 53.82 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the Northwest corner of a 311 square foot tract as described in a Deed to Texas Specialty Underwriters, as recorded in Volume 1168, Page 79 of the Real Property Records of Rockwall County, Texas;

THENCE S. 0° deg. 09 min. 05 sec. E. along the west of a hangar building, a distance of 12.04 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at edge of said hangar;

THENCE N. 83 deg. 01 min. 32 sec. E. along said hangar wall, a distance of 41.94 feet to corner;

THENCE S. 0° deg. 04 min. 48 sec. E. along said hangar wall, a distance of 98.00 feet to corner;

THENCE N. 82 deg. 55 min. 18 sec. E., along said hangar wall, a distance of 40.74 feet to an "X" chiseled in concrete for corner in the East line of said 1.38 acres tract and being in the West line of Lot 1, ROCKWALL MUNICIPAL AIRPORT ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet B, Slide 47 of the Plat Records of Rockwall County, Texas;

THENCE S. 00 deg. 41 min. 41 sec. E., along the East line of said 1.38 acres tract a distance of 201.33 feet to a 1/2" iron rod found for corner at the Southeast corner of same;

THENCE S. 89 deg. 07 min. 03 sec. W. a distance of 137.89 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 00 deg. 37 min. 22 sec. W. a distance of 294.13 feet to the POINT OF BEGINNING and containing 0.76 acres of land.

Tract Two

All that certain lot, tract or parcel of land situated in the J.W. RIDLIN SURVEY, ABSTRACT NO. 183, City of Rockwall, Rockwall County, Texas, and being a part of that tract of land as described in a Warranty deed from Alumax Aluminum Corporation to Rockwall Property Corporation, as recorded in Volume 442, Page 146 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the Southeast corner of a 1.38 acres tract of land as described in a Warranty deed from Bertha M. Hensley and Hensley Aviation, Inc. to V.F.B. Family Limited Partnership, dated July 25, 1995 and being recorded in Volume 1588, Page 119 of the Real Property Records of Rockwall County, Texas, and in the West line of Lot 1, ROCKWALL MUNICIPAL AIRPORT ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet B, Slide 47 of the Plat Records of Rockwall County, Texas;

THENCE S. 00 deg. 54 min. 57 sec. E. a distance of 178.63 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE S. 89 deg. 07 min. 03 sec. W. a distance of 135.66 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the corner;

THENCE N. 00 deg. 37 min. 22 sec. W. a distance of 178.74 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the corner;

THENCE N. 89 deg. 07 min. 03 sec. E. along the South line of said 1.26 acres tract, a distance of 137.89 feet to the POINT OF BEGINNING and containing 0.56 acres of land.

Tract Three

All that certain lot, tract or parcel of land situated in the J.W. RIDLIN SURVEY, ABSTRACT NO. 183, City of Rockwall, Rockwall County, Texas, and being a part of that tract of land as described in a Warranty deed from Alumax Aluminum Corporation to Rockwall Property Corporation, as recorded in Volume 442, Page 146 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the East line of said Rockwall Property Corporation tract, said point being S. 00 deg. 54 min. 57 sec. E., 178.63 feet from the Southeast corner of a 1.38 acres tract of land as described in a Warranty deed from Bertha M. Hensley and Hensley Aviation, Inc. to V.F.B. Family Limited Partnership, dated July 25, 1995 and being recorded in Volume 1588, Page 119 of the Real Property Records of Rockwall County, Texas, and in the West line of Lot 1, ROCKWALL MUNICIPAL AIRPORT ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet B, Slide 47 of the Plat Records of Rockwall County, Texas;

THENCE S. 00 deg. 54 min. 57 sec. E. along the West line of said Lot 1 and the East line of said tract, a distance of 186.82 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE S. 89 deg. 07 min. 03 sec. W. a distance of 133.66 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the corner;

THENCE N. 00 deg. 37 min. 22 sec. W. a distance of 186.82 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 89 deg. 07 min. 03 sec. E. a distance of 135.66 feet to the POINT OF BEGINNING and containing 25,000 square feet or 0.57 acres of land.

SURVEYOR'S CERTIFICATE

DATE

DATE

R.S.C.I. ROCKWALL SURVEYING CO., INC. LAND SURVEYING

1504 S. FM 551 ROYSE CITY, TX 75189 972-772-5484 PHONE 972-772-5449 FAX

AUGUST 31, 2004

1" = 40'

2005.178

93

93

Exhibit "C"
List of Equipment to be leased to FBO

City will provide the following equipment:

1. Avgas fuel truck – 1966 Ford F350
2. Jet fuel truck – 1989 Chevrolet
3. 1952 Ford 8N Tractor
4. In-ground fuel tank and above-ground pump.
5. Radio Base station

FBO will provide the following equipment:

1. Bench grinder
2. Arbor press
3. Panel racks
4. Nitrogen cart
5. Telephone set
6. Shop crane
7. Drill press
8. Tow bar
9. Oxygen cart
10. Air compressor
11. Bead blaster
12. Tug
13. Miscellaneous tools and equipment

Exhibit "D"
Airport Financial / Operations
Reporting Form

Airport Operations Report

For Month of April 2014

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	1,200.00	
Av-Gas Sales	2,500.00	
TOTAL FUEL SALES	3,700.00	$0.00

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$2,700.00
Terminal Office Rental Revenue	$250.00
Closed Hangar Rental Revenue	$600.00
TOTAL HANGAR RENTALS	$3,550.00

HANGAR OCCUPANCY RATES

	QTY AVAILABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	10	5	50%
Terminal Office Rentals	1	1	100%
Closed Hangar Rentals	1	1	100%
TOTAL HANGAR OCCUPANCY	12	7	58%

AIRCRAFT OPERATIONS

ESTIMATED FLIGHT OPERATIONS	SINGLE ENGINE RECIP	SINGLE ENGINE TURBINE	MULTI-ENGINE RECIP	MULTI-ENGINE TURBINE
In-Bound Based Aircraft				
Inbound Transient Aircraft				
Outbound Based Aircraft				
Outbound Transient Aircraft				
TOTAL FLIGHT OPERATIONS	0	0	0	0

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10		$370.00	$370.00
City Owned Hangar Rentals	5.00%	$177.50		$0.00
TOTAL FEES DUE		$177.50	$370.00	$547.50

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

Exhibit "E"
FBO's RFP and Financial Information



Rockwall Municipal Airport

FIXED BASED OPERATOR PROPOSAL

Prepared for:Lea Ann Ewing Purchasing Agent

Prepared by Todd Parks, Managing Partner

November 26, 2013

EXECUTIVE SUMMARY

Candidate Information

Todd Parks has been directly involved in the aviation industry and specifically the General Aviation industry since 1976. Mr. Parks began his career in the United States Air Force where he served as a hydraulic and flight systems specialist on F-4 and F-15 fighter aircraft. Following four years of service and an honorable discharge Mr. Parks attended Texas State Technical Institute in Amarillo, Texas where he earned an applied science degree in1981. During his coursework at TSTI Mr Parks worked as a line service technician as a line service technician servicing small general aviation aircraft as well as a broad range of corporate and military jets and turbo-props. Following graduation from TSTI Mr. Parks completed FAA testing requirements and obtained his Airframe and Powerplant license. Mr Parks then worked for maintenance facilities as an aircraft technician for several years before earning a bachelors degree in Marketing from Texas Tech University. Mr parks continued work as an A & P technician for several years before joining his wife Denise in her State Farm Agency for two years followed by approximately ten years in the aircraft parts manufacturing and distribution business. Mr. Parks's recent experience includes work with one of the largest FBO chains in the country (Cutter Aviation) serving as a parts expeditor, parts department manager and finally as the new aircraft warranty administrator for the Dallas and San Antonio maintenance facilities. In 2011 Mr Parks was hired by Lake Texoma Jet Center as parts manager for the Sherman/Denison area maintenance facility and ultimately general manager of the company with responsibility for the maintenance shop, line service and administrative functions of the company. In January of 2012 the business was scaled back at Mr. Parks' recommendation to a line service facility after which Mr. Parks left the company to pursue other interests.

Goals

Mr. Parks would provide fixed base operator and maintenance services to aircraft owners currently based at the Rockwall Municipal Airport and surrounding areas. Our goal is to provide outstanding maintenance and FBO services in a manner that insures the safety of the flying public while providing outstanding customer service. We intend to operate the business in partnership with the city with the expectation of assisting with the management of the airport in the interest of the citizens of Rockwall. Mr. Parks is fully aware of industry trends regarding the operation of aircraft service facilities by municipalities and if chosen will structure the business accordingly. There are a number of issues facing city management and elected officials regarding airport growth and the airport's role in the economic growth of our community. We are proposing an agreement that recognizes these challenges and provides for some flexibility for the city as the airport grows. Our goal is to be a partner with the city in providing airport services that will enhance the appeal of the city to prospective businesses looking to relocate to the area.

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General Information

1. Operating company to be formed as Texas Air Center, LLC pending selection.

2. Managing partners include Todd L. Parks and Denise Parks. Mr. and Mrs. Parks have lived in McClendon Chisholm, Texas and more recently Heath, Texas since 1995. They are currently living in Rowlett, Texas awaiting completion of a home in Rockwall (Chandler's Landing). Mrs Parks is a twenty five year State Farm agent operating in Rockwall since 1998 and is an active member of the Rockwall Noon Rotary, a current board member of Rockwall County Helping Hands and a member of the Rockwall Chamber of Commerce.

3. Vendor acknowledges receipt of Request for Proposal Addendum 1 and 2

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FINANCIAL FITNESS

Capital Contributions

As sole managing partners, funding of the proposed FBO will be provided by Todd & Denise Parks. Given the proposed structure of the business it is estimated that the business will require an initial investment of $50,000.00. This capital contribution will be deposited in the LLC account upon Texas Secretary of State approval of the LLC. While additional capital would be available from LLC members it is anticipated that working capital requirements under the proposed business structure would be met from cash generated from FBO operations.

OPERATIONS PLAN

Aircraft Services

Texas Air Center, LLC will provide aircraft services to tenant and transient aircraft operating in and out of the Rockwall Municipal airport. Aircraft services typically include aircraft refueling, servicing of aircraft fluids and gases as well as tie down and hanger storage when available. We would also propose to provide aircraft repositioning services to tenant aircraft at a cost to be determined by and at the discretion of FBO management utilizing an aircraft towing tractor to be purchased at the FBO's expense. Texas Air Center will also agree to provide a courtesy car to transient aircraft owners or passengers. FBO management reserves the right to charge a reasonable fee for this service at managements discretion.

Fueling of aircraft will be performed only by personnel trained in the proper operation of fueling equipment and with a working knowledge of safety measures associated with refueling operations. All aircraft fueling operations will comply with applicable National Fire Prevention Association 407 Standards for Aircraft Fuel Servicing, FAA Advisory Circular 150/5230-4B, Federal, State and local environmental regulations and the City of Rockwall Fire Prevention Codes. Deviations from these standards may be approved by city management.

Current aircraft fuel storage consists of one 2200 gallon Jet-A truck owned by the current operator, one 600 gallon Av-Gas truck and one 12,000 gallon underground Av-Gas tank owned by the city. Given the city of Rockwall's retention of rights to operate any and all FBO functions as well as the relatively low volume of fuel sold at the airport we propose that the city purchase a Jet-A fuel truck for use by the FBO. The city of Rockwall will be responsible for the cost of repairs and maintenance of all aircraft fueling and fuel storage equipment. The FBO would assume responsibility for routine servicing of fueling equipment including the cost of fuel to operate the vehicles.

The FBO will provide a monthly report, due on the 5th of the month following the reporting period, of all aircraft fuel sales. This report will detail type of fuel sold, gallons sold and sell price.

Flight Training

While Texas Air Center, LLC has no current interest in operating a flight school we do appreciate the benefit such a venture provides the airport. Given that Rockwall FliteCenter currently operates a flight school out of the terminal we would propose that they be allowed to operate out of the existing space they occupy as a paid tenant, operating under their own FAA certificate and independent of Texas Air Center. If agreed to, Texas Air Center will provide appropriate fuel discounts necessary to insure the viability of the flight school. Rental of flight school facilities would be collected and retained by Texas Air Center.

Aircraft Maintenance Services

Texas Air Center will operate a maintenance facility in the hanger adjacent to the terminal offices. Given the limited shop space we would anticipate and have budgeted for, a small maintenance operation geared toward single and multiengine reciprocating aircraft. Our experience tells us that maintenance shop revenues will be limited by the restricted space available as well as intense competition from around the area. We anticipate offering a shop labor rate of $65.00 per hour with this figure subject to adjustments to reflect market conditions. A large percentage of the capital contributions mentioned in the financial fitness section will be used for purchases of shop equipment deemed appropriate for a shop of this size. Mr. Parks is certified as an A & P Mechanic but has not yet tested for an inspection authorization. Agreements for IA services are in place to meet the certification requirements outlined in the request for proposals. Mr. Parks anticipates obtaining an inspection authorization within one year of operation.

It should be noted that Texas Air Center views the maintenance of turbine aircraft as essential to our long term success. We are working on the hope that current airport improvements will be approved and that this will allow the operation of substantially more turbine aircraft off of the airport. Our growth is dependent on the growth of the airport and city.

Finally, we would propose that the current FBO be allowed to operate a maintenance shop out of the north maintenance hangar they have occupied for some time. We have no interest in seeing a family business displaced if they can compete fairly, pay rent, and operate under the same insurance requirements. If approved, we would like to offer the facility under a scheduled increase agreement over a six month period starting at $500.00 per month and ending at $1500.00 per month. These rents would be payable to Texas Air Center, LLC.

Parts Sales

Texas Air Center intends to provide over the counter aircraft parts sales to local and area aircraft owners. Inventory will consist of consumable items such as oil, filters, brake pads, and other items appropriate for the location.

CUSTOMER SERVICE

The aircraft service business has changed drastically since the late nineteen seventies. There are many reasons for the change but the end result has been a reduced number of hours flown and a decrease in the number of flying customers. As a result, great customer service has never been more important to the success of an aircraft business. With that said, it is also true that providing great customer service is just as easy as it has ever been. It is all about understanding the needs of your customers and more importantly developing great relationships with each of them. We intend to offer our tenants and visitors the best possible service because it not only insures the success of our business it is also represents what may be a first and lasting impression of our community to the flying public.

It really is as simple as doing your best to have aircraft fueled as requested, maintenance done correctly and delivered on time or maybe just having hot coffee every morning in the terminal. We have the experience to meet the needs of the Rockwall flying community. Given the opportunity we will also make sure that we have the equipment and personnel to meet our customer expectations.

MANAGEMENT

Management of the FBO will be the responsibility of Todd Parks. The aircraft is small and in our opinion could be operated with a manager and one to two line service personnel. It is our understanding that the current FBO employs a line attendant and we would anticipate interviewing him with the intention of offering employment on a full time basis. Additional line service personnel will be added at the discretion of the FBO manager.

The maintenance shop will operate at a level consistent with the financial goals of the FBO. It appears unlikely that the shop would support more than one full time mechanic in the near term. Todd Parks will perform most aircraft maintenance functions. If the work load dictates agreements are in place with other technicians to provide contract labor as needed.

MARKETING

Marketing of aircraft services will consist of direct contact with aircraft owners at industry gatherings and events, internet advertising such as web site development, email campaigns and publication of fuel prices on web sites such as AirNav, Foreflight and other flight planning service providers. As the aircraft grows Texas Air Center will play an active role in assisting the Rockwall Economic Development Board with marketing plans related to the airport and it capabilities and operations. We look forward to being an active partner in the city's efforts to promote the city.

FINANCIAL STATEMENTS

As requested we have attached Pro-Forma financial statements detailing estimated revenues and expenses related to FBO operations. While every effort has been made to represent projected financial amounts it should be understood that these are based on estimates by Mr. Parks. You will note that these figures do not include the purchase of fuel stocks. We would propose that the FBO and City of Rockwall negotiate a price for both the existing Av-Gas and Jet-A fuel inventory on hand and that figure be used as the purchase price of these inventories from the city.

Pro-Forma Profit & Loss
Texas Air Center, LLC (Proposed)
November 27, 2013

Account Name	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12
Operating Income												
Maintenance Operations												
Shop Labor Revenue	$ 4224.68	$ 4224.68	$ 4224.68	$ 4224.68	$ 4224.68	$ 4224.68	$ 4224.68	$ 4224.68	$ 4224.68	$ 4224.68	$ 4224.68	$ 4224.68
Parts Sales	$ 1267.40	$ 1267.40	$ 1267.40	$ 1267.40	$ 1267.40	$ 1267.40	$ 1267.40	$ 1267.40	$ 1267.40	$ 1267.40	$ 1267.40	$ 1267.40
Supplies - Shop	$ 211.23	$ 211.23	$ 211.23	$ 211.23	$ 211.23	$ 211.23	$ 211.23	$ 211.23	$ 211.23	$ 211.23	$ 211.23	$ 211.23
Oxygen/Nitrogen Service	$ 245.03	$ 245.03	$ 245.03	$ 245.03	$ 245.03	$ 245.03	$ 245.03	$ 245.03	$ 245.03	$ 245.03	$ 245.03	$ 245.03
Total Maintenance Operations Income	$ 5948.34	$ 5948.34	$ 5948.34	$ 5948.34	$ 5948.34	$ 5948.34	$ 5948.34	$ 5948.34	$ 5948.34	$ 5948.34	$ 5948.34	$ 5948.34
Fuel & Oil Sales												
Jet-A	$ 1568.63	$ 1335.00	$ 1335.00	$ 2202.75	$ 2002.50	$ 2202.75	$ 2670.00	$ 2336.25	$ 2269.50	$ 2670.00	$ 2336.25	$ 2002.50
Av-Gas	$ 9787.75	$ 7497.00	$ 6330.00	$ 13744.50	$ 12495.00	$ 13744.50	$ 16660.00	$ 14577.50	$ 14161.00	$ 16660.00	$ 14577.50	$ 12495.00
Oil Sales	$ 195.76	$ 149.94	$ 166.60	$ 274.89	$ 249.90	$ 274.89	$ 333.20	$ 291.55	$ 283.22	$ 333.20	$ 291.55	$ 249.90
Total Fuel & Oil Sales	$ 11552.13	$ 8981.94	$ 9831.60	$ 16222.14	$ 14747.40	$ 16222.14	$ 19663.20	$ 17205.30	$ 16713.72	$ 19663.20	$ 17205.30	$ 14747.40
Hangar & Tie Down Rental												
Tie Down Fees	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00	$ 250.00
Hangar Rentals	$ 2625.00	$ 2625.00	$ 2625.00	$ 2875.00	$ 2875.00	$ 2875.00	$ 3375.00	$ 3375.00	$ 3375.00	$ 3625.00	$ 3625.00	$ 3625.00
Total Hangar & Tie Down Rentals	$ 2875.00	$ 2875.00	$ 2875.00	$ 3125.00	$ 3125.00	$ 3125.00	$ 3625.00	$ 3625.00	$ 3625.00	$ 3875.00	$ 3875.00	$ 3875.00
Total Operating Income	$ 20375.47	$ 17805.28	$ 18654.94	$ 25295.48	$ 23820.74	$ 25295.48	$ 29236.54	$ 26778.64	$ 26287.06	$ 29486.54	$ 27026.84	$ 24570.74
Cost of Goods Sold												
Cost of Goods Sold - Maintenance												
Cost of Goods Sold - Parts	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55
Cost of Goods Sold - Shop Supplies	$ 105.62	$ 105.62	$ 105.62	$ 105.62	$ 105.62	$ 105.62	$ 105.62	$ 105.62	$ 105.62	$ 105.62	$ 105.62	$ 105.62
Cost of Goods Sold - O2 & N2	$ 49.01	$ 49.01	$ 49.01	$ 49.01	$ 49.01	$ 49.01	$ 49.01	$ 49.01	$ 49.01	$ 49.01	$ 49.01	$ 49.01
Total Cost of Goods Sold - Maintenance	$ 1105.17	$ 1105.17	$ 1105.17	$ 1105.17	$ 1105.17	$ 1105.17	$ 1105.17	$ 1105.17	$ 1105.17	$ 1105.17	$ 1105.17	$ 1105.17
Cost Of Goods Sold - Fuel & Oil												
Av-Gas	$ 6991.25	$ 5355.00	$ 5950.00	$ 9817.50	$ 8925.00	$ 9817.50	$ 11900.00	$ 10412.50	$ 10115.00	$ 11900.00	$ 10412.50	$ 8925.00
Jet-A	$ 1075.13	$ 915.00	$ 915.00	$ 1509.75	$ 1372.50	$ 1509.75	$ 1830.00	$ 1601.25	$ 1555.50	$ 1830.00	$ 1601.25	$ 1372.50

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Account Name	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12
Oil	$ 127.24	$ 97.46	$ 108.29	$ 178.66	$ 162.44	$ 176.58	$ 216.58	$ 189.51	$ 184.09	$ 216.58	$ 189.51	$ 162.44
Total Cost of Goods Sold - Fuel & Oil	$ 8193.62	$ 6367.48	$ 6973.29	$ 11505.93	$ 10459.94	$ 11505.93	$ 13946.58	$ 12203.26	$ 11854.59	$ 13946.58	$ 12203.26	$ 10459.94
Cost Of Goods Sold - Parts	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55	$ 950.55
Total Cost of Goods Sold	$ 10249.34	$ 8423.19	$ 9029.02	$ 13561.66	$ 12515.66	$ 13561.66	$ 16002.31	$ 14258.98	$ 13910.32	$ 16002.31	$ 14258.98	$ 12515.66
Gross Operating Profit	$ 10126.13	$ 9362.09	$ 9625.93	$ 11733.83	$ 11305.08	$ 11733.83	$ 13234.24	$ 12519.66	$ 12376.74	$ 13464.24	$ 12769.66	$ 12055.08
Operating Expenses												
Salaries & Wages	$ 6619.76	$ 6619.76	$ 6619.76	$ 6619.76	$ 6619.76	$ 6619.76	$ 6619.76	$ 6619.76	$ 6619.76	$ 6619.76	$ 6619.76	$ 6619.76
Payroll Taxes	$ 794.37	$ 794.37	$ 794.37	$ 794.37	$ 794.37	$ 794.37	$ 794.37	$ 794.37	$ 794.37	$ 794.37	$ 794.37	$ 794.37
Maintenance - Line Equipment	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00
Training & Education	$ 1000.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Advertising Expense	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00	$ 300.00
Company Vehicle Expense	$ 248.63	$ 248.63	$ 248.63	$ 248.63	$ 248.63	$ 248.63	$ 248.63	$ 248.63	$ 248.63	$ 248.63	$ 248.63	$ 248.63
Dues & Subscriptions	$ 76.17	$ 76.17	$ 76.17	$ 76.17	$ 76.17	$ 76.17	$ 76.17	$ 76.17	$ 76.17	$ 76.17	$ 76.17	$ 76.17
Utilities	$ 425.00	$ 425.00	$ 425.00	$ 425.00	$ 425.00	$ 425.00	$ 425.00	$ 425.00	$ 425.00	$ 425.00	$ 425.00	$ 425.00
Telephone & Internet Expense	$ 120.00	$ 120.00	$ 120.00	$ 120.00	$ 120.00	$ 120.00	$ 120.00	$ 120.00	$ 120.00	$ 120.00	$ 120.00	$ 120.00
Office Supplies Expense	$ 150.00	$ 65.00	$ 65.00	$ 65.00	$ 65.00	$ 65.00	$ 65.00	$ 65.00	$ 65.00	$ 65.00	$ 65.00	$ 65.00
Bank Service Charge	$ 18.00	$ 18.00	$ 18.00	$ 18.00	$ 18.00	$ 18.00	$ 18.00	$ 18.00	$ 18.00	$ 18.00	$ 18.00	$ 18.00
Credit Card Fees Expense	$ 611.26	$ 534.16	$ 559.85	$ 758.66	$ 714.82	$ 758.86	$ 877.10	$ 803.36	$ 788.61	$ 884.60	$ 810.86	$ 737.12
Insurance												
Products & Completed Operations Liabi	$ 383.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Premises Liability	$ 1390.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Hanger Keeper Liability	$ 680.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Insurance-Worker Comp	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Insurance-Auto	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00
Total Insurance Expense	$ 2653.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00	$ 200.00
Total Operating Expenses	$ 13216.19	$ 9601.09	$ 9626.58	$ 9825.79	$ 9781.55	$ 9825.79	$ 9944.02	$ 9870.29	$ 9855.54	$ 9951.52	$ 9877.79	$ 9804.05
Net Profit Before Taxes	$ (3090.06)	$ (218.99)	$ (0.65)	$ 1908.03	$ 1523.53	$ 1908.03	$ 3290.21	$ 2649.37	$ 2521.20	$ 3532.71	$ 2891.87	$ 2251.03

Pro-Forma Balance Sheet
Texas Air Center, LLC (Proposed)
November 27, 2013

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12
Assets												
Current Assets												
Cash On Hand	$1200.00	$1200.00	$1200.00	$1200.00	$1200.00	$1200.00	$1200.00	$1200.00	$1200.00	$1200.00	$1200.00	$1200.00
Cash In Bank	$2649.94	$2430.95	$2430.30	$4538.33	$5561.86	$7789.90	$11060.11	$18709.48	$16236.68	$19763.39	$22955.26	$24906.30
Jet-A Inventory	$7260.00	$7260.00	$7260.00	$7260.00	$7260.00	$7260.00	$7260.00	$7260.00	$7260.00	$7260.00	$7260.00	$7260.00
Av-Gas Inventory	$14800.00	$14800.00	$14800.00	$14800.00	$14800.00	$14800.00	$14800.00	$14800.00	$14800.00	$14800.00	$14800.00	$14800.00
Parts Inventory	$4000.00	$4000.00	$4000.00	$4000.00	$4000.00	$4000.00	$4000.00	$4000.00	$4000.00	$4000.00	$4000.00	$4000.00
Total Current Assets	$29909.94	$29690.95	$29690.30	$31798.33	$33121.86	$35029.90	$38320.11	$46969.48	$43496.68	$47023.39	$49915.26	$52166.30
Fixed Assets												
Shop Equipment	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00
Total Fixed Assets	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00	$17000.00
Total Assets	$46909.94	$46690.95	$46690.30	$48798.33	$50121.86	$52029.90	$55320.11	$57969.48	$60496.68	$64023.39	$66915.26	$69166.30
Liabilities												
Current Liabilities	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
Long Term Liabilities	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
Total Liabilities	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
Equity												
Capital Contributions	$50000.00	$50000.00	$50000.00	$50000.00	$50000.00	$50000.00	$50000.00	$50000.00	$50000.00	$50000.00	$50000.00	$50000.00
Retained Earnings	-$3090.06	-$3309.05	-$3309.70	-$1401.67	$121.86	$2029.90	$5320.11	$7969.48	$10496.68	$14023.39	$16915.26	$19166.29
Total Equity	$46909.94	$46690.95	$46690.30	$48598.33	$50121.86	$52029.90	$55320.11	$57969.48	$60496.68	$64023.39	$66915.26	$69166.29
Check Figure	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00

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AVIATION GENERAL LIABILITY PROPOSAL

Prepared for:

Texas Air Center, LLC

Rockwall, TX





Presented by:

Steve Bruss
Aviation Insurance Broker

Wings Insurance
14871 Pioneer Trail
Eden Prairie, Minnesota 55347
www.wingsinsurance.aero

AVIATION GENERAL LIABILITY PROPOSAL

Named Insured: Texas Air Center, LLC

Effective Date TBA
Insurance Company: U.S. Specialty Aviation
Annual Premium: $2,453
Broker: Steve Bruss

INSURED PREMISES:

F46 - ROCKWALL MUNI airport, ROCKWALL TX

COVERAGES:

Coverage	Deductible	Premium
Premises Liability: $1,000,000 Each Occurrence / $2,000,000 Aggregate		$1,390
Products & Completed Operations Liability: $1,000,000 Each Occurrence $1,000,000 Aggregate		$383
Hangarkeepers Liability: $50,000 Each Aircraft / $100,000 Each Occurrence	$2,500 Each aircraft	$680
Medical Payments: $1,000 Per Person / $5,000 Each Occurrence		Included
	Total Annual Premium:	**$2,453**

ADDITIONAL INTERESTS:

Additional Insured: City of Rockwall

All policy terms, conditions, and exclusions shall apply in accordance with the policy form in use by the company upon the date of binding. This quotation shall be valid for no longer than a period of 30 days from the date shown above. Coverages have not been bound at this time; however, we would be pleased to bind coverages after receipt of the signed and dated Binding Instructions.

Interview Notes for FBO Services at
Ralph M. Hall / Rockwall Municipal Airport

Interview Notes for Todd Parks

- Has lived in the Rockwall area for 18 years
- Has a website and marketing business that works with FBO's to market aviation services and airports
- Is a pilot
- Former military – Air Force
- Is a certified mechanic and is getting an IA certification
- His initial anticipated startup is $30-$50K
- Will be the primary maintenance department and run the day-to-day operations of the airport
- Will be the face of the organization and customers will deal with him directly
- He will buy the city's fuel inventory and assume purchasing both avgas and jet fuel as part of his FBO operation
- Would like the city to continue mowing, utilities, etc. everything it currently does
- He will provide ice, catering if necessary, oxygen/nitrogen to customers
- He will provide a courtesy car for local use
- Will purchase his own tug and other ground equipment
- Will open at least 12 hours / day, 7 days / week
- No tie-down fees if customers purchase fuel
- Believes customers should always be met on the ramp, marshalled in and out
- Would do normal repairs on facilities, but would need City's help with major repairs over $1,000
- Will offer opportunity to current FBO to subcontract for the flight school
- Will offer opportunity to current FBO to lease the northern box hangar to keep his repair shop / believes in fair competition / understands there are current customers loyal to Eddie

References for Todd Parks

Reference: Dave Larsen

- Known him for 12 years
- Has hired him for web services
- Very focused on serving customers and solving problems (better than most)
- Very high level of character and integrity
- Very motivated, even temperament, difficult to get under his skin
- Best attribute is dealing with people in an adverse situation

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Reference: Steve Seitz

- Known him for 15 years
- Todd also did website work for him
- General comments are that he's a good guy, very honest and reliable
- Former military, so he's disciplined
- Mr. Seitz's daughter worked for Todd, treats employees very good
- Very organized, treats people with kindness, very fair, great with customers
- Great family, Todd's wife handles his personal and professional insurance,
- His greatest strength is building and fostering personal and professional relationships
- Soft spoken, but very sharp.

Reference: Martin Sisk

- Known him for 8 years
- Worked with Todd at Cutter Aviation, works very well with others on maintenance issues and problem resolution
- Later worked with Todd at Texoma Jet Center when he was General Manager and Mr. Sisk was Director of Maintenance
- General comments are that Todd is very knowledgeable about aviation since he is a pilot, mechanic, has been a general manager
- Was very involved in all aspects of FBO operations – maintenance, fueling, etc.
- Very good dealing with customers – gives people an option – works with them instead of giving them a hard "yes" or "no", explains things to customers
- He's never rigid or abrupt when dealing with anyone
- Greatest strength is communication with customers and personnel and he's an innovative thinker.
- Very committed to his endeavors – both financially and personally – takes a hands on approach

Reference: Tom Chesna

- Known him for 15 years
- Todd has worked on his airplane and is very knowledgeable
- Knows a lot of people in the airport business
- Exceptional integrity, very honest
- Best strengths are that he is straight forward, keeps his word
- Very organized, very computer savvy

Reference: George Schuler

- Gives Todd his endorsement
- Todd knows the business, Worked for George and for Cutter Aviation
- Good guy

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Boyd, Joey

From: Todd Parks <tparks@trueheadings.net>
Sent: Tuesday, December 10, 2013 10:26 PM
To: Boyd, Joey
Subject: Re: RFP for FBO Services - Additional Information

Joey;

I have not finished the revised budget but did want to get a list of references to you with their contact information;

George Schuler 214.244.5678 gschuler@schulerdevelopment.com

Worked for George at Lake Texoma Jet Center

Tom Chesna 972.771.8651 No E-Mail

Tom owns an aircraft and bases it at Rockwall airport. He has built two houses for us and has been a friend since 1996

Dave Larsen 214.535.9415 dlarsen@dlarsenarchitects.com

Dave is a good friend. Lives in Heath and owns an architecture firm in Dallas.

Steve Seitz 972.772-9006 sseitz@seitzarchitects.com

Steve is a good friend and also lives in Heath. Has architecture firm in Rockwall

Martin Sisk 214.235.2727 martinsiskiv@gmail.com

Marty is a good friend. Worked with him at Cutter Aviation for several years where he ran the shop and was Director of Maintenance.

Please let me know if I can provide further information on these references.

TP

Boyd, Joey

From: Todd Parks <tparks@trueheadings.net>
Sent: Friday, December 13, 2013 1:42 PM
To: Boyd, Joey
Subject: Re: RFP for FBO Services - Additional Information

Good afternoon Joey;

I have reviewed the financial projections presented last week. These projections did not include the purchase of fuel trucks, just the purchase of estimated fuel stock at the time we begin operations. The quantities used were 2200 gallons of Jet-A and 600 gallons of Av-Gas. These will of course need to be adjusted to the actual quantities on hand and calculated based on last cost. Aside from that nothing has changed.

We discussed maintenance of buildings, maintenance of fuel equipment and rental of the other maintenance facility and office space for the flight school should Eddie decide to take advantage of that offer.

Maintenance of the terminal building and attached shop area will be the FBO's responsibility. Repairs to the facility in excess of $1000.00 would be submitted to the city for payment. FBO will be responsible for improvements to the facility supporting FBO operations.

Routine maintenance of fuel equipment and fuel trucks would be the responsibility of the FBO. Repairs to equipment and fuel trucks would be submitted to the city for payment.

We would propose rental of the north maintenance hanger currently occupied by the existing FBO to the current FBO based on the following schedule. Rental beyond the first twelve months would stabilize to the 12th month rate and governed under any existing rental agreements. The FBO would retain these rental revenues.

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12
North Maintenance Hangar	$500.00	$500.00	$500.00	$750.00	$750.00	$750.00	$1250.00	$1250.00	$1250.00	$1500.00	$1500.00	$1500.00
Flite School Facility	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00
	$750.00	$750.00	$750.00	$1000.00	$1000.00	$1000.00	$1500.00	$1500.00	$1500.00	$1750.00	$1750.00	$1750.00

I am willing to work out an agreement regarding mowing of the airport and support facilities. I will need to have a closer look but if we can purchase a mower (tractor and shredder) this might be advantageous to both parties.

All buildings constructed after the execution of an FBO agreement will be managed by the FBO. A management fee of 10% of the rental rate for each building will be billed each month regardless of the building's rental status.

There are probably things to discuss but hopefully we can come to some agreement after discussing these issues further. Please let me know if you have additional questions or need further clarification on points presented.

Best Regards,

Todd Parks

SIGNATURE PAGE

EXECUTED this 20th day of MARCH, 2014.

City of Rockwall a Home Rule Municipality and Political Subdivision of the State of Texas

Richard Crowley
City Manager

Todd Parks
FBO

Approved as to Form:

City Attorney

Attest: Kristy Ashberry
Kristy Ashberry
City Secretary

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 11/03/2014

APPLICANT: Christopher Orr, *Arcadia Lakes of Somerset Holdings, LLC*

AGENDA ITEM: **Z2014-025**; Lakes of Somerset (Amendments to PD-63)

SUMMARY:

Hold a public hearing to discuss and consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a zoning amendment to Planned Development District 63 (PD-63) to allow for changes to the concept plan and development standards stipulated by Ordinance No. 05-51 for a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District use, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.

BACKGROUND:

On October 3, 2005, the City Council approved a zoning change for the 139.354-acre subject property from an Agricultural (AG) District to Planned Development District 63 (PD-63) [*Ordinance No. 05-51*] for Single Family 10 (SF-10) District land uses. The approved zoning ordinance allowed for the establishment of the Lakes of Somerset subdivision, which was planned to be a 276 lot single-family community yielding a maximum density of 1.99 units per acre. The 276 proposed single-family lots were broken down into three (3) lot types with 117 lots being allocated to the 12,600 SF lot type, 111 lots being allocated to the 10,000 SF lot type, and 48 lots being allocated to the 8,400 SF lot type. In addition, the plan included approximately 34.4-acres (or ~24.8% of total land areas) of open space, which included an 8.2-acre public park.

On July 25, 2006, the Planning and Zoning Commission approved a site plan [*Case No. SP2005-033*] for the subdivision. This was followed by the approval of a master plat [*Case No. P2006-026*] and a preliminary plat [*Case No. P2006-027*] on August 21, 2006. The preliminary plat was renewed by the Planning and Zoning Commission on June 26, 2007 after no action was taken within one (1) year of the approval. The preliminary plat officially expired on August 21, 2008. In June of 2013, Arcadia Homes submitted a letter requesting that the preliminary plat be reinstated. The Planning and Zoning Commission approved the request on July 31, 2013, and the subsequent renewal request a year later on June 24, 2014. Currently, the preliminary plat vests the subject property to the zoning that is presently in place, and would only require the developer to submit engineering plans and a final plat to begin construction of the subdivision.

PURPOSE AND CHARACTERISTICS OF THE REQUEST:

On August 15, 2014, the applicant submitted an application proposing to amend the current Planned Development District ordinance to allow for changes to the concept plan and development standards for the proposed subdivision. Specifically, the applicant is proposing to establish 309 single-family lots at a density of 2.22 units per gross acre of land. The 309 single-family lots will be broken down into three (3) lot types with 93 lots being allocated to the 7,200

SF lot type, 135 lots being allocated to the 8,400 SF lot type, and 81 lots being allocated to the 10,400 SF lot type. Additionally, the plan increases the overall open space to 37.7-acres (or ~27.05% of total land area). A summary of the proposed density and dimensional requirements is as follows:

Table 1: Density and Dimensional Requirements

Lot Type (see Concept Plan) ►	***A***	***B***	***C***
Minimum Lot Width [1]	60'	70'	80'
Minimum Lot Depth	120'	120'	130'
Minimum Lot Area	7,200 SF	8,400 SF	10,400 SF
Minimum Front Yard Setback [2] & [5]	20'	20'	20'
Minimum Side Yard Setback	5'	5'	5'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'	10'	10'
Minimum Length of Driveway Pavement	25'	25'	25'
Maximum Height [3]	30'	30'	30'
Minimum Rear Yard Setback [4]	20'	20'	20'
Minimum Area/Dwelling Unit (SF)	2,200 SF	2,700 SF	3,200 SF
Maximum Lot Coverage	65%	65%	65%
Permitted Encroachment into Required Setbacks [5]	Allowed	Allowed	Allowed

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.

[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

[3]: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single family home.

[4]: As measured from the rear yard property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks (Adjacent to a Street)* and shall not encroach into public right-of-way [a *Sunroom* is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces] (*see Exhibit 'F'*).

STAFF ANALYSIS:

With the zoning approved in 2005 already being in place on the subject property, the Planning and Zoning Commission and City Council are essentially being asked to choose which Planned Development District provides the best development for the subject property. The following is a summary of the plans in a side-by-side comparison:

	2005 Zoning Ordinance	***Proposed Zoning Ordinance***	***Difference from Current to Proposed***
Number of Lots	276	309	+33
Density (Dwelling Units/Acre)	1.99	2.22	+0.23
Open Space (Acres)	34.4	37.7	+3.3
Minimum SF Per Dwelling Unit:			
Lot Type 1	1,750 SF	2,200 SF	+450 SF
Lot Type 2	2,000 SF	2,700 SF	+700 SF
Lot Type 3	2,250 SF	3,200 SF	+950 SF

The current plan does increase the number of lots and density from 276 lots at 1.99 units per acre to 309 lots at 2.22 units per acre, and change the lots sizes from 8,400 SF, 10,000 SF & 12,600 SF to 7,200 SF, 8,400 SF, 10,400 SF; however, the current plan also increases the overall open space from 34.4-acres to 37.7-acres, and increases the minimum square footage of the proposed housing stock. In addressing the reduction in lot sizes the Unified Development Code does state that "(m)inimum lot sizes in residential districts may be reduced up to 20 percent in order to preserve community or public open space, including trails, provided that the front of lots face, either directly or across a public street, over 75 percent of the edge of the

open space within the project." In this case, the applicant has stated that the main purpose of revising the existing zoning concept plan is to arrange the lots so that they are single loaded and face on to open space. The applicant's new concept plan achieves this goal by providing boulevards, medians and an abundance of open space adjacent to the proposed housing pads.

Additionally, the current Planned Development District design guidelines contained within the Unified Development Code were adopted in 2007 and revised in 2010. As a result, the 2005 zoning ordinance contains less restrictive guidelines. For example, the current zoning ordinances' anti-monotony restrictions stipulate that three (3) intervening lots are required to be between homes on the same side of the street before the same material and elevation are utilized. This standard fails to address structures on the other side of the street. The standard contained within the proposed zoning ordinance stipulates that five (5) intervening lots on the same side of the street and six (6) intervening lots across the street are required prior to utilizing the same material/elevation/encroachment (*i.e. front porch, sunroom, etcetera*). Additionally, the proposed ordinance addresses fences, roofing materials, roof pitch, garage orientation, and street tree requirements all of which are not addressed by the current 2005 zoning ordinance.

While the plan proposed by the applicant will slightly raise the lot count and density, it will also provide stricter standards for the development of the subject property. Stricter standards have the ability to better regulate the product that can be placed on the proposed lots. This being said zoning is a discretionary decision for the Planning and Zoning Commission and City Council.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The proposed zoning change does not change the proposed land use of the property and the applicant's request remains in conformance to the *Low Density Residential* land use designation indicated on the Future Land Use Map of the Comprehensive Plan. Moreover, according to the Comprehensive Plan, *Low Density Residential* areas are "generally defined as less than two (2) units per acre; however, a density up to two-and-one-half (2½) units per gross acre may be allowed within a residential Planned Development District …" The Unified Development Code (UDC) expands this statement by stating that additional amenities (*e.g. parks, open space, amenity centers, schools, trails, etcetera*) that exceed the minimum requirements would qualify a development for a density bonus of up to two-and-one-half (2½) [*Sec. 1.2, Art. X; UDC*]. In this case, the applicant has provided additional open space and single loaded the lots so that all properties will face on to an open space.

Taking into consideration the revised concept plan, the applicant's request for a planned development district with less than two-and-one-half (2½) units per acre is in conformance with the land use designation requirements specified by the Comprehensive Plan.

NOTIFICATION:

On August 29, 2014, staff mailed 27 notices to property owners and residents within 500-feet of the subject property. Staff also emailed a notice to the Oaks of Buffalo Way Homeowner's Associations (HOA), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign at the corner of the intersection of FM-549 and S. Goliad Street (SH-205) as required by the Unified Development Code (UDC). At the time this case memo was drafted staff had received three (3) notices opposed to the request.

RECOMMENDATIONS:

If the Planning and Zoning Commission recommends approval of the applicant's request to amend Planned Development District 63 (PD-63) then staff would propose the following conditions of approval:

1) The proposed development shall maintain compliance with the development standards, concept plan, open space plan, roadway diagram and street cross section contained within the proposed draft ordinance; and

2) Any construction resulting from the approval of this *zoning amendment* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On October 28, 2014, the Planning and Zoning Commission recommended approval of the applicant's request per staff recommendations by a vote of 7-0.

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CITY OF ROCKWALL, TEXAS
FIRE DEPARTMENT
MEMORANDUM

DATE: **October 9, 2014**

TO: **Planning & Zoning Chairman and Commissioners**

FROM: **Ariana Hargrove, Fire Marshal & Mark Poindexter, Fire Chief**

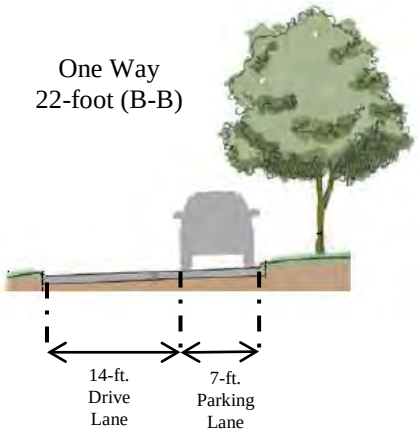
SUBJECT: **Somerset Park (formerly Lakes of Somerset)**

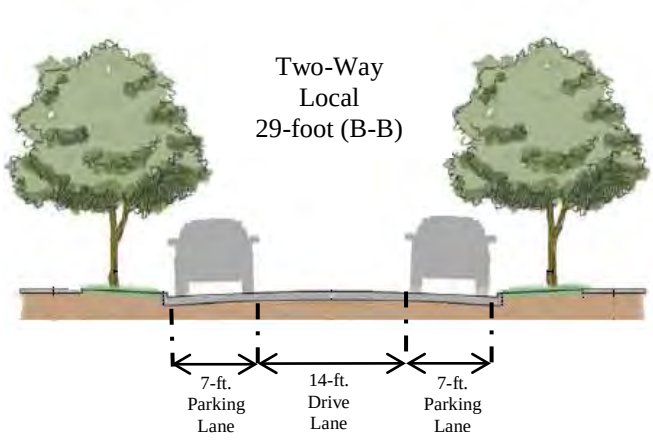
This memo is in reference to the request by Arcadia Realty Corporation for an amendment to Planned Development-63 Somerset Park (formerly Lakes of Somerset) within the City of Rockwall. With the amendment, Arcadia is requesting the use of a street design that varies from the standard residential street design for the City of Rockwall.

The City of Rockwall's minimum residential street design is a width of 29-feet (B -B) and parking allowed on both sides. Arcadia's initial PD amendment included a request for street design with 27-feet (B-B) with parking on two sides for the local roadways and a one way street section of 19-feet (B-B) with parking on one side. The Fire Department voiced concerns regarding access and operations with these proposed widths.

Arcadia worked with the Fire Department to address the concerns. They have revised the PD-63 amendment to include a local street design of 29-feet (B-B) with parking on two sides for the local roadways and a one-way street section of 22-feet (B-B) with parking on one side. The one-way streets will be provided with "No Parking" signage on the parkway side and stripped designated parking spots on the home side.

The revised proposed local street design matches the City of Rockwall's street design requirements. The revised one-way street design provides the same minimum operating widths for the fire apparatus as the local street design (See diagrams below). Therfore, the Fire Department has no objections to the revised PD-63 amendmedment (dated Oct 3, 2014).





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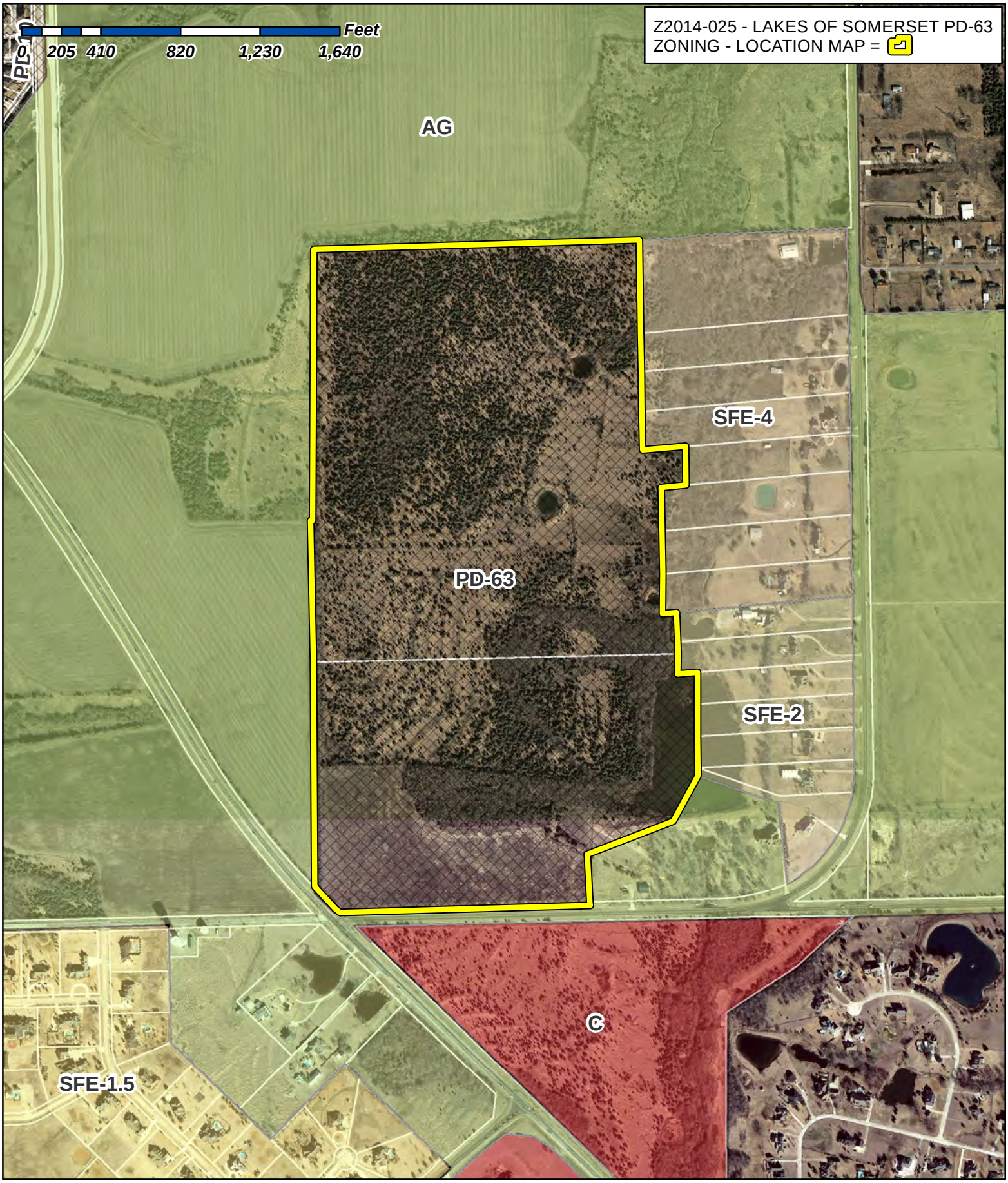

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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City of Rockwall

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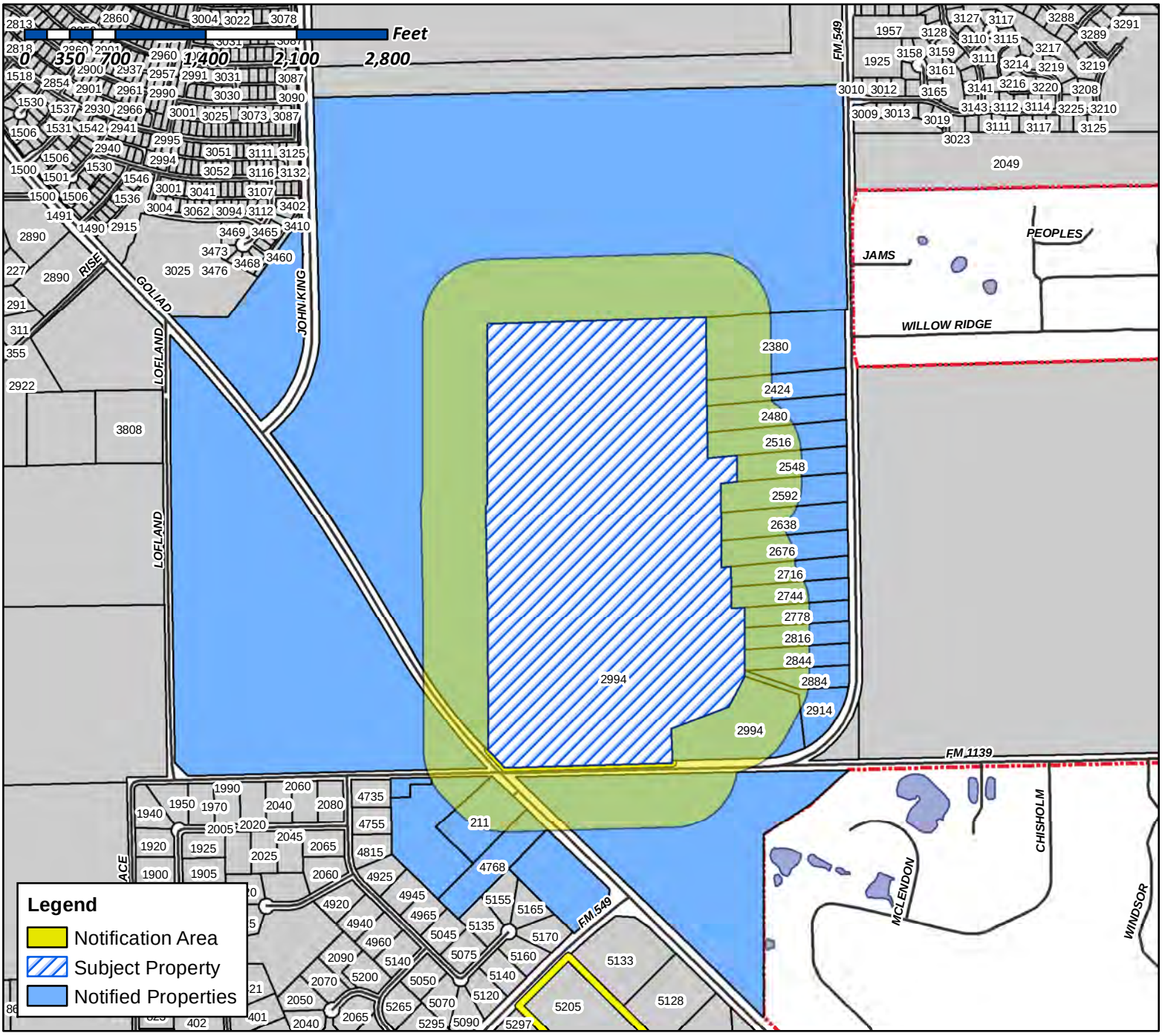
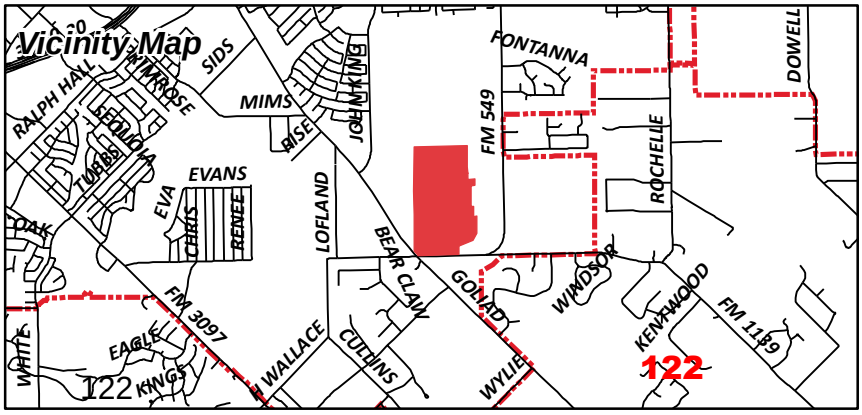


Case Number: Z2014-025
Case Name: PD-63 Amendment
Case Type: Zoning
Zoning: PD-63
Case Address: SH-205 & FM-549



Date Created: 08/21/2014

For Questions on this Case Call (972) 771-7745

ACCOUNT NUMBER	OWNER'S NAME	LEGAL DESCRIPTION	SITE ADDRESS	OWNER'S ADDRESS	SUITE #	CITY	STATE	ZIP
4323-0001-0001-00-0R	LEE RICHARD V & GLORIA J	LOFLAND LAKE ESTATES, BLOCK 1, LOT 1, ACRES 4.95	2638 S FM549	2638 S FM 549		ROCKWALL	TX	75032
4323-0001-0002-00-0R	LESTER STEVE & SHERRILL	LOFLAND LAKE ESTATES, BLOCK 1, LOT 2, ACRES 5.05	2592 FM549	PO BOX 460		CAMPBELL	TX	75422
4323-0001-0003-00-0R	DUGGAN CHRISTOPHER W & SHERRI L	LOFLAND LAKE ESTATES, BLOCK 1, LOT 3, ACRES 4	2548 FM549	2548 S FM 549		ROCKWALL	TX	75032
4323-0001-0004-00-0R	MORSE CHRISTOPHER T AND DONELLE D EKDAHL	LOFLAND LAKE ESTATES, BLOCK 1, LOT 4, ACRES 4.92	2516 S FM549	910 16TH ST STE 1100		DENVER	CO	80202
4323-0001-0005-00-0R	ACOSTA ANTHONY	LOFLAND LAKE ESTATES, BLOCK 1, LOT 5, ACRES 4.92	2480 S FM549	2480 S FM 549		ROCKWALL	TX	75032
4323-0001-0006-00-0R	HENSON RICHARD W & SHARON ES	LOFLAND LAKE ESTATES, BLOCK 1, LOT 6, ACRES 4.92	2424 FM549	PO BOX 1091		ROCKWALL	TX	75087
4323-0001-0007-00-0R	NELLER GARY K & HELEN COMEAU	LOFLAND LAKE ESTATES, BLOCK 1, LOT 7, ACRES 11.35	2380 FM549	148 HARVEST HILL DR		ROCKWALL	TX	75032
4324-0000-0003-00-0R	HOLLON GREGORY D	LOFLAND LAKE ESTATES #2, LOT 3, ACRES 3.076	2778 FM549	2778 S FM 549		ROCKWALL	TX	75032
4323-0001-0001-A0-0R	HALE S EDWARD JR & NORMA G	LOFLAND LAKE ESTATES, BLOCK 1, LOT 1A, ACRES 4.47	2676 S FM549	2676 S FM 549		ROCKWALL	TX	75032
4324-0000-0004-00-0R	BYRUM RICKY C & JO ANN	LOFLAND LAKE ESTATES #2, LOT 4, ACRES 3.076	2816 S FM549	2816 FM 549		ROCKWALL	TX	75032
4324-0000-0005-00-0R	WELCH CASEY K AND CATHARINE	LOFLAND LAKE ESTATES #2, LOT 5, ACRES 3.076	2844 FM549	2844 S FM 549		ROCKWALL	TX	75032
4324-0000-0006-00-0R	MONTGOMERY THOMAS E & JOAN L REVOCABLE LIVING TRUST	LOFLAND LAKE ESTATES #2, LOT 6, ACRES 2.271	2884 FM549	2884 S FM 549		ROCKWALL	TX	75032
4324-0000-0007-00-0R	COTTEN DAVID R & DELORES J	LOFLAND LAKE ESTATES #2, LOT 7R, ACRES 3.02, (REPLAT-2002)	2914 S FM549	2914 S FM 549		ROCKWALL	TX	75032
0123-0000-0007-00-0R	REALTY CAPITAL LAKES OF SOMERSET LTD	A0123 A JOHNSON, TRACT 7, ACRES 93.779, (PT OF 139.354 AC TR)		909 LAKE CAROLYN PARKWAY	STE 150	IRVING	TX	75039
4324-0000-0001-00-0R	POWERS DWAINE & ANNETTE	LOFLAND LAKE ESTATES #2, LOT 1, ACRES 3.461	2716 FM549	2716 S FM 549		ROCKWALL	TX	75032
4324-0000-0002-00-0R	OHMANN THOMAS J & CAROL J	LOFLAND LAKE ESTATES #2, LOT 2, ACRES 3.461	2744 FM549	2744 S FM 549		ROCKWALL	TX	75032
3584-000A-0001-00-0R	EDWARDS JODY	EDWARDS ACRES SUBD, BLOCK A, LOT 1, ACRES 10.106	2994 S FM549	2994 S FM 549		ROCKWALL	TX	75032
0080-0000-0010-01-0R	HOME BOY ENTERPRISES INC	A0080 W W FORD, TRACT 10-1, ACRES 7.130	FM205 & FM549	460 LAWRENCE DR		HEATH	TX	75032
0080-0000-0021-00-0R	HOUSER WILLIAM D & STACEY B	A0080 W W FORD, TRACT 21, ACRES 4.99	4768 S HWY205	4768 S STATE HIGHWAY 205		ROCKWALL	TX	75032
0080-0000-0007-02-0R	RCH WATER SUPPLY CORP	A0080 W W FORD, TRACT 7-2, ACRES .634	HWY205	PO BOX 2034		ROCKWALL	TX	75087
0080-0000-0007-00-0R	IMBURGIA JOHN & GRACE	A0080 W W FORD, TRACT 7, ACRES 6.95, (PT OF 8.3 AC TR)	ELVIS PRESLEY	211 ELVIS PRESLEY LANE		ROCKWALL	TX	75032
0080-0000-0006-00-0R	IMBURGIA JOHN & GRACE	A0080 W W FORD, TRACT 6, ACRES 1.35, (PT OF 8.3 AC)	211 ELVIS PRESLEY	211 ELVIS PRESLEY LANE		ROCKWALL	TX	75032
0080-0000-0017-05-0R	MEDCALF MARK M &	A0080 W W FORD, TRACT 17-5, ACRES 43.812	FM205 & FM549	PO BOX 461947		GARLAND	TX	75046
0123-0000-0003-01-0R	LOFLAND N L EST	A0123 A JOHNSON, TRACT 3-1, ACRES 90.121	FM205	1 CARMARTHEN CT		DALLAS	TX	75225
0123-0000-0003-00-0R	LOFLAND N L EST	ABS A0123, A JOHNSON, TRACT 3, 265.025 ACRES, (PT OF 310.769 AC TR)	FM205	1 CARMARTHEN CT		DALLAS	TX	75225
0123-0000-0001-00-0R	REALTY CAPITAL LAKES OF SOMERSET LTD	A0123 A JOHNSON, TRACT 1, ACRES 45.575, (PT OF 139.354 AC TR)	2994 S FM549	909 LAKE CAROLYN PARKWAY	STE 150	IRVING	TX	75039

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Outside of Notification Area

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-025: PD-63 Amendment (Lakes of Sommerset)

Hold a public hearing to discuss and consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a zoning amendment to Planned Development District 63 (PD-63) to allow for changes to the concept plan and development standards stipulated by Ordinance No. 05-51 for a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District use, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 9/9/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 9/15/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **9/15/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-025: PD-63 Amendment (Lakes of Sommerset)

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Arcadia is a quality developer, their plan is acceptable, and preferable development for the city of Rockwall to "the unknown." Good for the economy.

Name: Brian Leek

Address: 1570 Fairlakes Court Rockwall TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Miller, Ryan

From: Sanford, JoDee on behalf of Planning
Sent: Tuesday, September 16, 2014 8:42 AM
To: Miller, Ryan
Subject: FW: Case # z2014-025

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | http://www.rockwall.com
From: Richard Henson [mailto:hendad4@yahoo.com]
Sent: Monday, September 15, 2014 6:27 PM
To: Planning
Subject: Case # z2014-025

I am Opposed to the planned development due to the small 60x100' lots and appearance of low end properties. Are these government projects... Aka section 8 housing?

Richard Henson
2424 s fm 549

Sent from Yahoo Mail for iPhone

Miller, Ryan

From: Sanford, JoDee on behalf of Planning
Sent: Tuesday, September 16, 2014 8:43 AM
To: Miller, Ryan
Subject: FW: PD rezoning case: z2014-025

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | http://www.rockwall.com
From: Sharon Henson [mailto:txsharon1@yahoo.com]
Sent: Monday, September 15, 2014 9:39 PM
To: Planning
Subject: PD rezoning case: z2014-025

From:"Sharon Henson" <txsharon1@yahoo.com>
Date:Mon, Sep 15, 2014 at 9:35 PM
Subject:PD rezoning case: z2014-025

Our property backs up to this proposed planning development. I am opposed to the rezoning as presented in the attachment we received from the city. The lots are tiny with front entry and no alleys. Is this how we want Rockwall development to proceed? What is the starting price for these houses? Are these properties that will end up as rental properties?
I am just very concerned that the neighborhood will be more like an old Fox & Jacobs starter community than a Fontanna Ranch. I was glad it would be single family housing but most disappointed to see the lot sizes and other plan components.
It seems the city goes to great lengths to assure quality in the commercial development of our beautiful city. I hope you are adhering to similar requirements for new housing.
Sharon Henson
2424 S FM 549
Rockwall

Sent from Yahoo Mail on Android

PLEASE RETURN THE BELOW FORM

Case No. Z2014-025: PD-63 Amendment (Lakes of Sommerset)

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

Too much traffic / density / houses w/ lots of bedrooms (school needs) on small lots. Too many demands on water/sewers etc + tax return to the City may not be worthwile and water reroxting causes flooding on our property as it has before.

Name: Helen Cowan + Gary Nelle

Address: ~~PO Box~~ 2380 Hwy 549

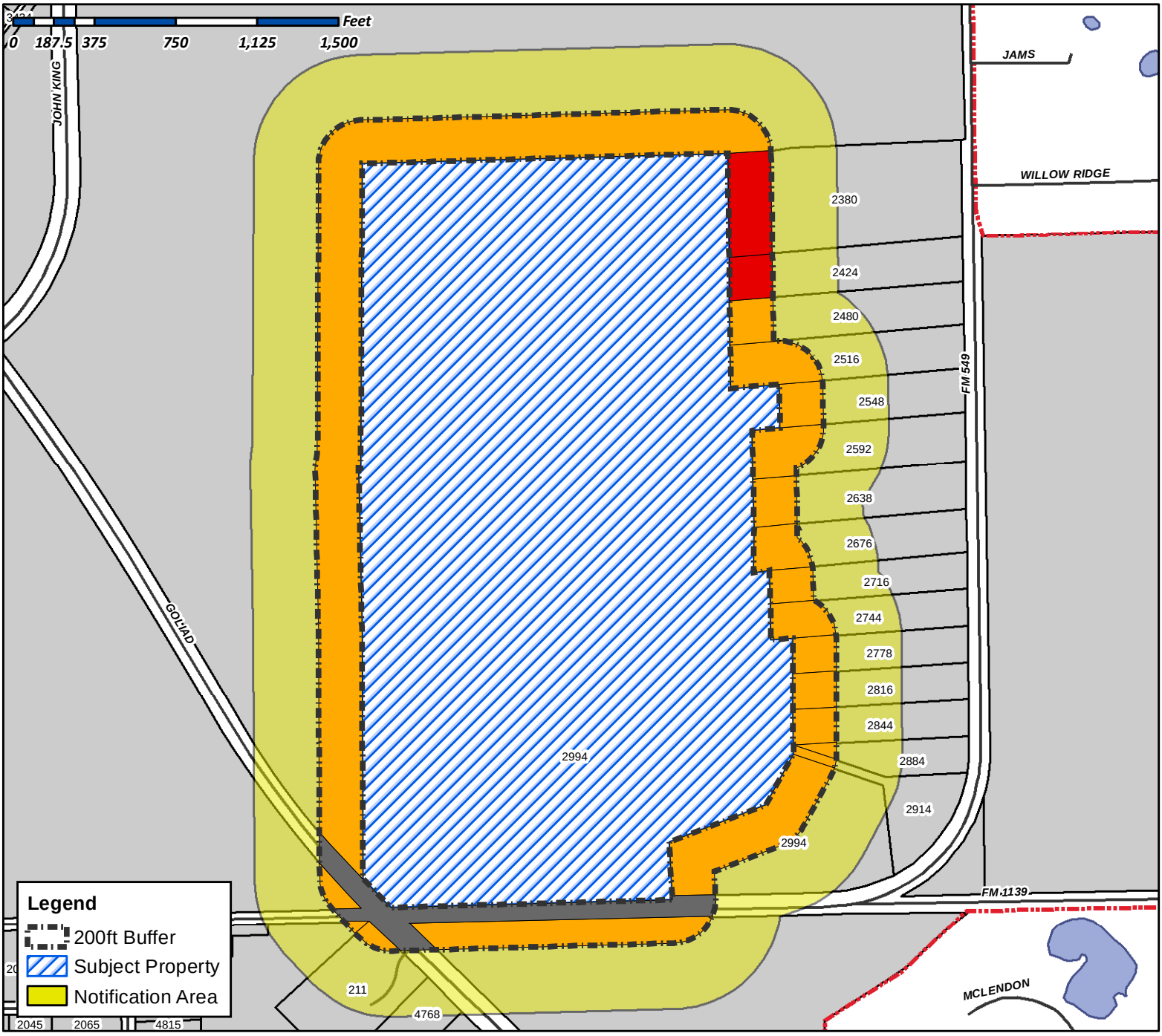
Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

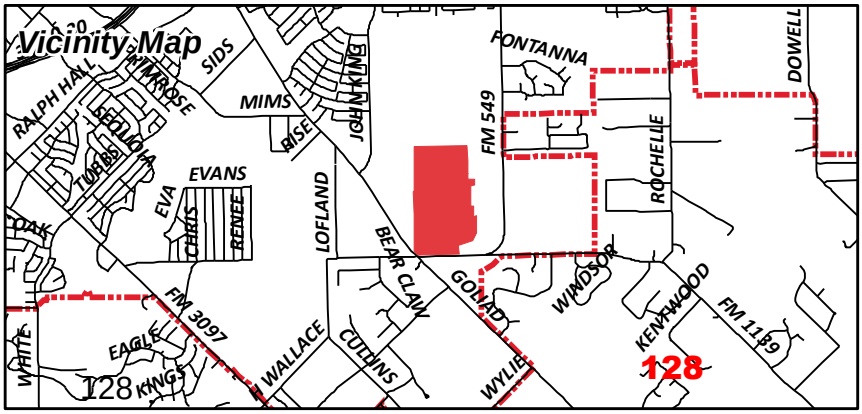


Against 6.05%

For 0%

No Response 85.40%

ROW 8.55%



Date Created: 10/28/2014

For Questions on this Case Call (972) 771-7745

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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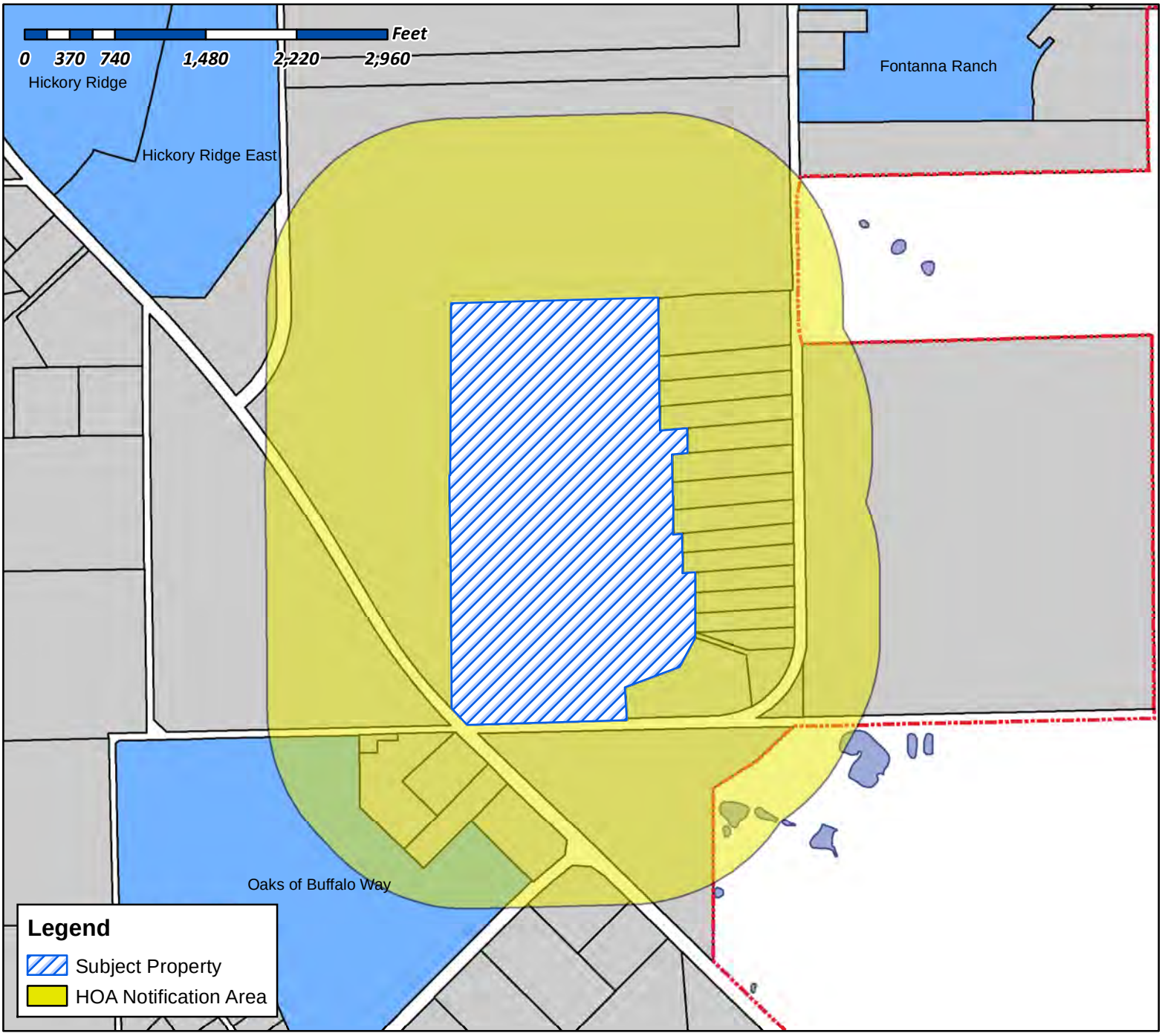
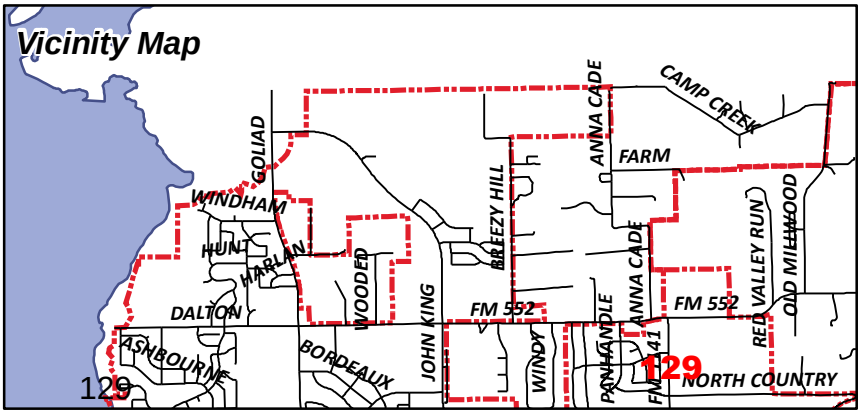


Case Number: Z2014-025
Case Name: PD-63 Amendment
Case Type: Zoning
Zoning: PD-63
Case Address: SH-205 & FM-549

Date Created: *08/21/2014*
For Questions on this Case Call (972) 771-7745





PRODUCT SUMMARY			
Symbol	Lot Size	Approx. Units	Percentage
	60′ x 120′	93	30.1%
	70′ x 120′	135	43.7%
	80′ x 130′	81	26.2%
TOTAL		**309**	**100%**

NOTE: Lot position may vary as plan is refined. Plan will not exceed 309 lots.

TBG

October 16, 2014

Scale 1″=100′

0′ 100′ 200′

Somerset Park

Conceptual Master Plan

ARCADIA

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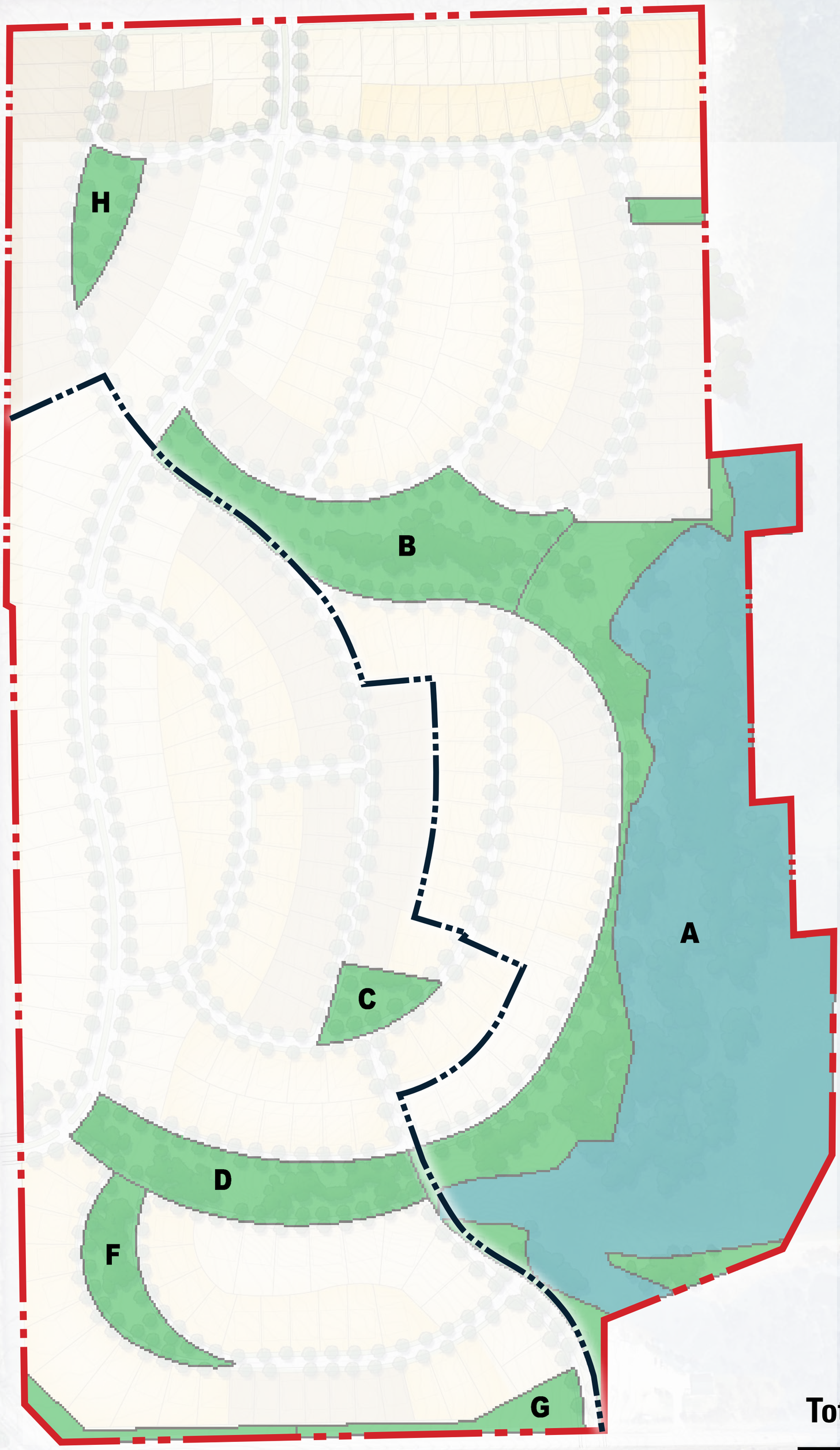

Total Open Space: 37.7 ac

Open Space Requirement		
Required Open Space (20% of 139.3ac)		27.9 ac
Open Space	18.8 ac	28.3ac
Floodplain (50% of 18.9 ac)	9.5 ac	
TOTAL		20%

Roadway				
Symbol	Type	R.O.W.	Pavement Width	Traffic
	Collector/Blvd	80′	46′ B-B	two-way
	Local	52′	29′ B-B	two-way
	One-way	35′	22′ B-B	one-way

TBG

October 16, 2014

Scale 1″=100′

0′ 100′ 200′

Somerset Park

Roadway Diagram

ARCADIA

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SOMERSET PARK / **CONCEPTUAL LOT TYPE PLAN**

TBG

Rockwall, TX Arcadia Realty 03 October 2014

The information shown is based on the best information available and is subject to change without notice.

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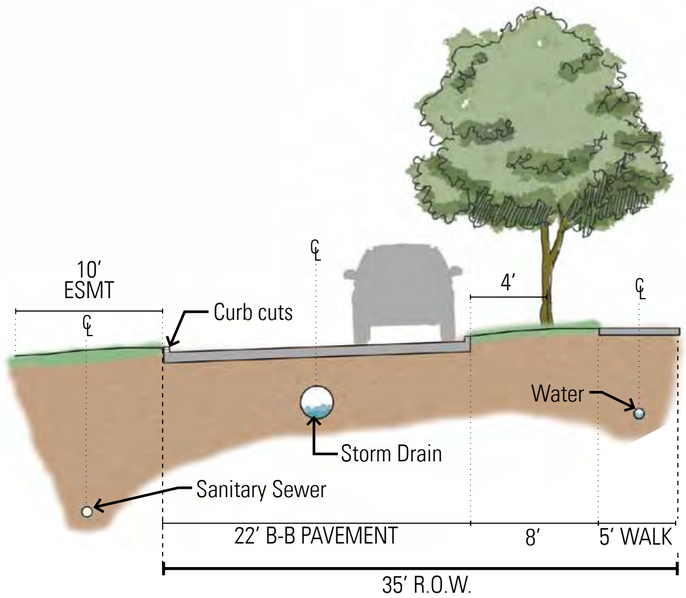
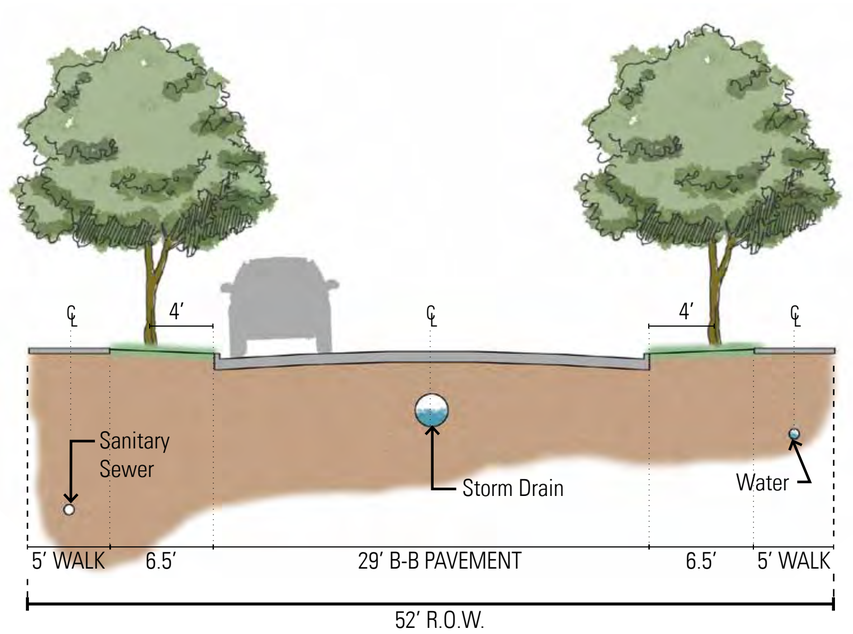
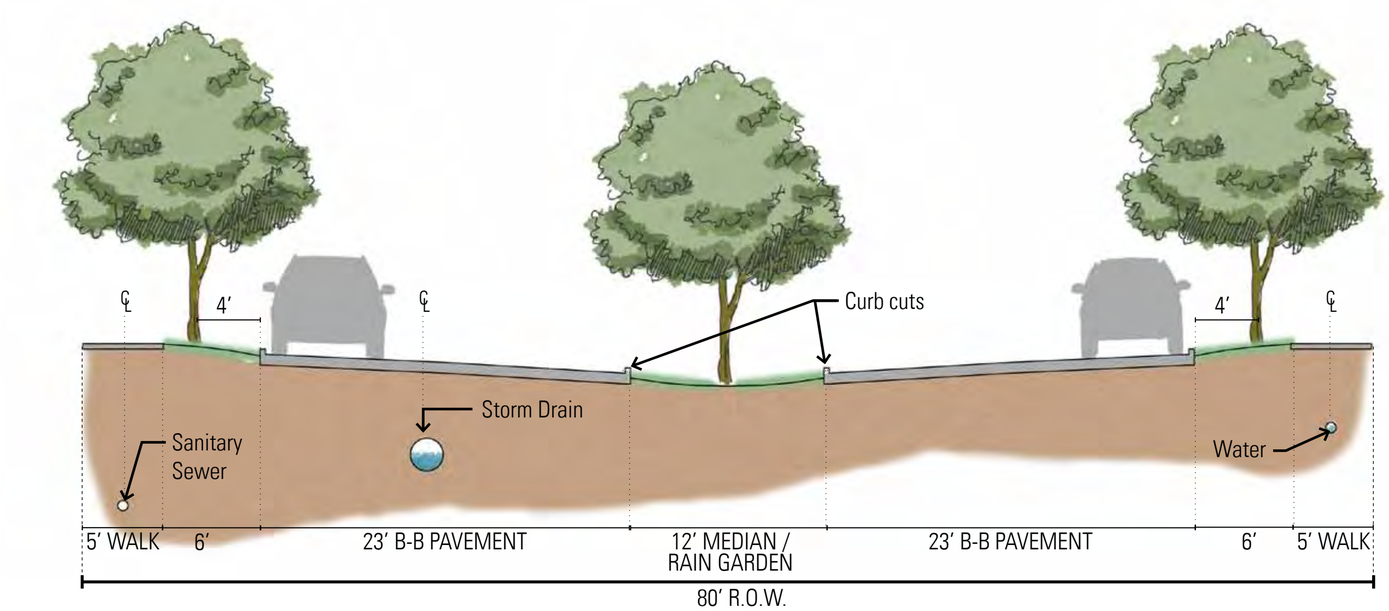


One-way



Local



Collector

Cementitious Fiberboard
Examples of Decorative Patterns





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CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 63 (PD-63) [*ORDINANCE NO. 05-51*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY SUPERSEDING *ORDINANCE NO. 05-51* FOR THE PURPOSE OF MODIFYING THE CONCEPT PLAN, OPEN SPACE PLAN AND DEVELOPMENT STANDARDS FOR THE SUBJECT PROPERTY, BEING A 139.354-ACRE TRACT OF LAND IDENTIFIED AS TRACTS 1 & 7 OF THE A. JOHNSON SURVEY, ABSTRACT NO. 123, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for an amendment to the Planned Development District 63 (PD-63) [*Ordinance No. 05-51*] and the Unified Development Code [*Ordinance No. 04-*38] of the City of Rockwall for the purpose of amending the Planned Development Concept Plan, Open Space Plan and Development Standards previously approved on October 3, 2005, for a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 63 [*Ordinance No. 05-51*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 05-51*;

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 3. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described within this ordinance, and unless specifically modified within this ordinance the *Subject Property* shall adhere to all development standards stipulated by the Single Family 10

PREVIOUS ORDINANCE 14-05

(SF-10) District as specified in Section 3.4, *Single-Family Residential (SF-10) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future;

Section 4. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 5. That development of open space on the *Subject Property* shall generally be in accordance with the *Open Space Plan*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which along with the recommendations of the *Parks Board* are deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*.

Section 6. That development of roadways on the *Subject Property* shall generally be in accordance with the *Roadway Diagram*, described in *Exhibit 'D'*, and the *Street Cross Sections*, described in *Exhibit 'E'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibits 'D' & 'E'*, which are deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 7. That development of the *Subject Property* shall generally be in accordance with the *Conceptual Lot Type Plan*, described in *Exhibit 'F'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'F'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 8. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'G'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'G'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 9. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(1) *Open Space Plan*. The City Council shall act on the *Parks Board's* recommendation concerning the *Open Space Plan* in accordance with the time-period specified in *Section 212.009* of the *Texas Local Government Code*.
(2) *Master Plat.* A *Master Plat Application* covering all of the *Subject Property* shall be submitted and shall identify each phase of the development. The *Master Plat Application* shall not be approved until the *Open Space Master Plan* for all of the *Subject Property* has been approved; however, the *Open Space Master Plan* may be processed by the *City* concurrently with the *Master Plat Application*.
(3) *PD Site Plan*. A *PD Site Plan* covering all of the *Subject Property* shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application, including a site plan application for improvements for parkland and/or trails, may be processed by the *City* concurrently with a *Preliminary Plat Application* for the development.
(4) *Preliminary Plat(s).* A *Preliminary Plat Application* covering all of the *Subject Property* or for each phase (conforming to the approved *Master Plat*) shall be submitted for approval. A *Preliminary Plat* application, including a site plan application for improvements for parkland and/or trails, may be processed by the

DRAFT ORDINANCE 11.03.2014

City concurrently with a *PD* Site Plan application for all of the *Subject Property* or for any phase of the development.

(5) *Final Plat(s).* Prior to the issuance of any building permits, a *Final Plat* for all of the *Subject Property* or for each phase (conforming to the approved *Preliminary Plat*) shall be submitted for approval.

Section 10. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 11. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 12. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 13. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 17TH DAY OF NOVEMBER, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *November 3, 2014*

2nd Reading: *November 17, 2014*

DRAFT ORDINANCE 11.03.2014

Exhibit 'A':
Legal Description

Situated in the County of Rockwall, State of Texas, being a part of the Abner Johnson Survey, Abstract No. 123 and being that tract of land conveyed to EN MARK PARENT CORPORATION and recorded in Volume 1430, Page 139, Deed Records, Rockwall County, Texas and being described by metes and bounds as follow:

Beginning at a ½" steel rod found at the northwest corner of Lot 7, Lofland Lakes Estates an addition to the County of Rockwall as recorded in Cabinet C, Page 231, Plat Record, Rockwall County, Texas;

Thence South 01º05'27" East with the west line of said Lofland Estates, a distance of 1084.84 feet to a found ½" steel rod at the southwest corner of Lot 4 of said addition;

Thence North 85º04'19" East with the south line of said Lot 4, a distance of 218.65 feet to a set ½" steel rod at the northwest corner of Lot 3 of said addition;

Thence South 00º39'24" East with the west line of said Lot 3, a distance of 199.86 feet to a found ½" steel rod at the southwest corner of said Lot 3, said rod also being in the north line of Lot 2 of said addition;

Thence South 84º51'15" West with the north line of said lot 2, a distance of 125.70 feet to a found ½" steel rod at the northwest corner of said Lot 2;

Thence South 00º52'08" East with the west line of said addition, a distance of 649.96 feet to a found ½" steel rod at the southwest corner of said addition;

Thence North 84º29'59" East with the south line of said addition, a distance of 93.68 feet to a point in a pond, said point also being the northwest corner of Lot 1, Lofland Lakes Estates No. 2, an addition to the County of Rockwall as recorded in Cabinet C, Page 251, Plat Record, Rockwall County, Texas;

Thence with the westerly line of said addition the following calls and distances:
South 00º53'53" East, a distance of 330.45 feet to a point,
North 85º06'54" East, a distance of 100.25 feet to a point,
South 00º41'12" West, a distance of 537.41 feet to a point, the southwest corner of said addition, said point also being the most northerly corner of Lot 1, Block A, Edwards Acres Subdivision, an addition to the City of Rockwall as recorded in Cabinet F, Page 86, Plat Record, Rockwall County, Texas;

Thence South 27º41'50" West with the westerly line of said Lot 1, a distance of 259.68 feet to found ½" steel rod;

Thence South 68º34'07" West with said westerly line, a distance of 467.37 to a found ½" steel rod;

Thence South 01º37'49" East with said westerly line, a distance of 265.80 feet to a set ½" steel rod in the north line of F. M. Road 549, a 80 foot right-of way;

Thence South 88º45'27" West with said north line, a distance of 1321.87 feet to a ½" steel rod set in the east line of State Highway No. 205, a 100 foot right-of-way;

Thence with said east line and a curve to the right having a radius of 5005.59 feet (chord bears

DRAFT ORDINANCE 11.03.2014

North 44º05'07" West, 122.20 feet) and arc length of 122.20 feet to a set ½" steel rod;

Thence North 00º50'31" West with the east line of that tract of land conveyed to N. L. Lofland and Annie Lofland and recorded in Volume 28, Page 487, Deed Records, Rockwall County, Texas, a distance of 1062.55 feet to a found ½" steel rod;

Thence North 00º46'55" West, a distance of 872.23 to a fence corner at the northeast corner of said Lofland Tract;

Thence North 85º28'38" West, a distance of 10.57 to a found ½" steel rod;

Thence North 00º08'29" East with the west line of said EN MARK PARENT CORPORATION tract, a distance of 1402.01 feet to a ½" steel rod set at the base of fence post;

Thence North 88º23'25" East with the north line of said EN MARK PARENT CORPORATION tract, a distance of 1672.69 feet to the Point-of-Beginning and Containing 139.308 acres of land.

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ORDINANCE
11.03.2014

Exhibit 'B':
Concept Plan



PRODUCT SUMMARY			
Symbol	Lot Size	Approx. Units	Percentage
	60' x 120'	93	30.1%
	70' x 120'	135	43.7%
	80' x 130'	81	26.2%
TOTAL		309	100%

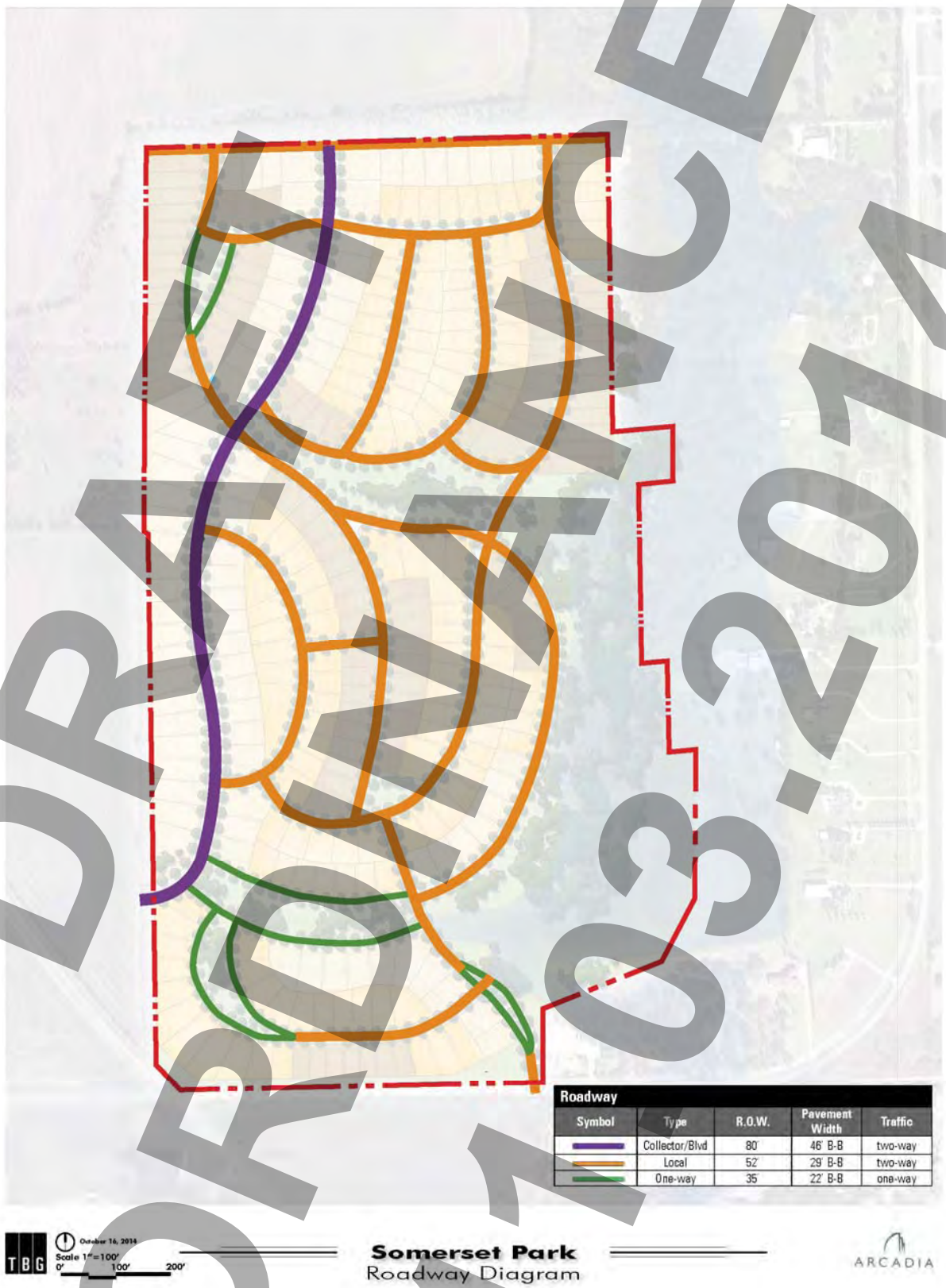
DRAFT ORDINANCE 11-03-2014

Exhibit 'C':
Open Space Plan



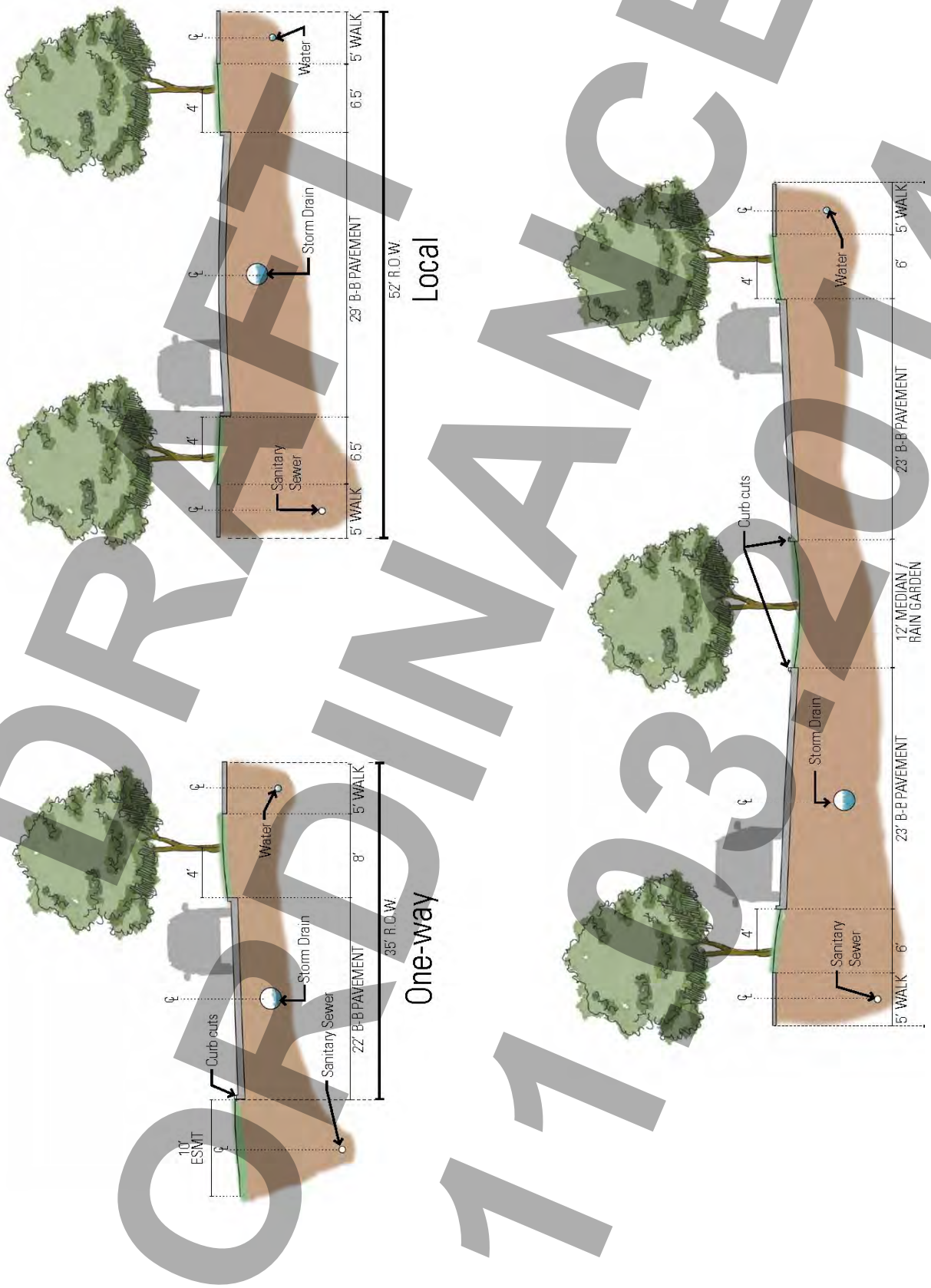
DRAFT ORDINANCE 1.13.2014

Exhibit 'D':
Roadway Diagram



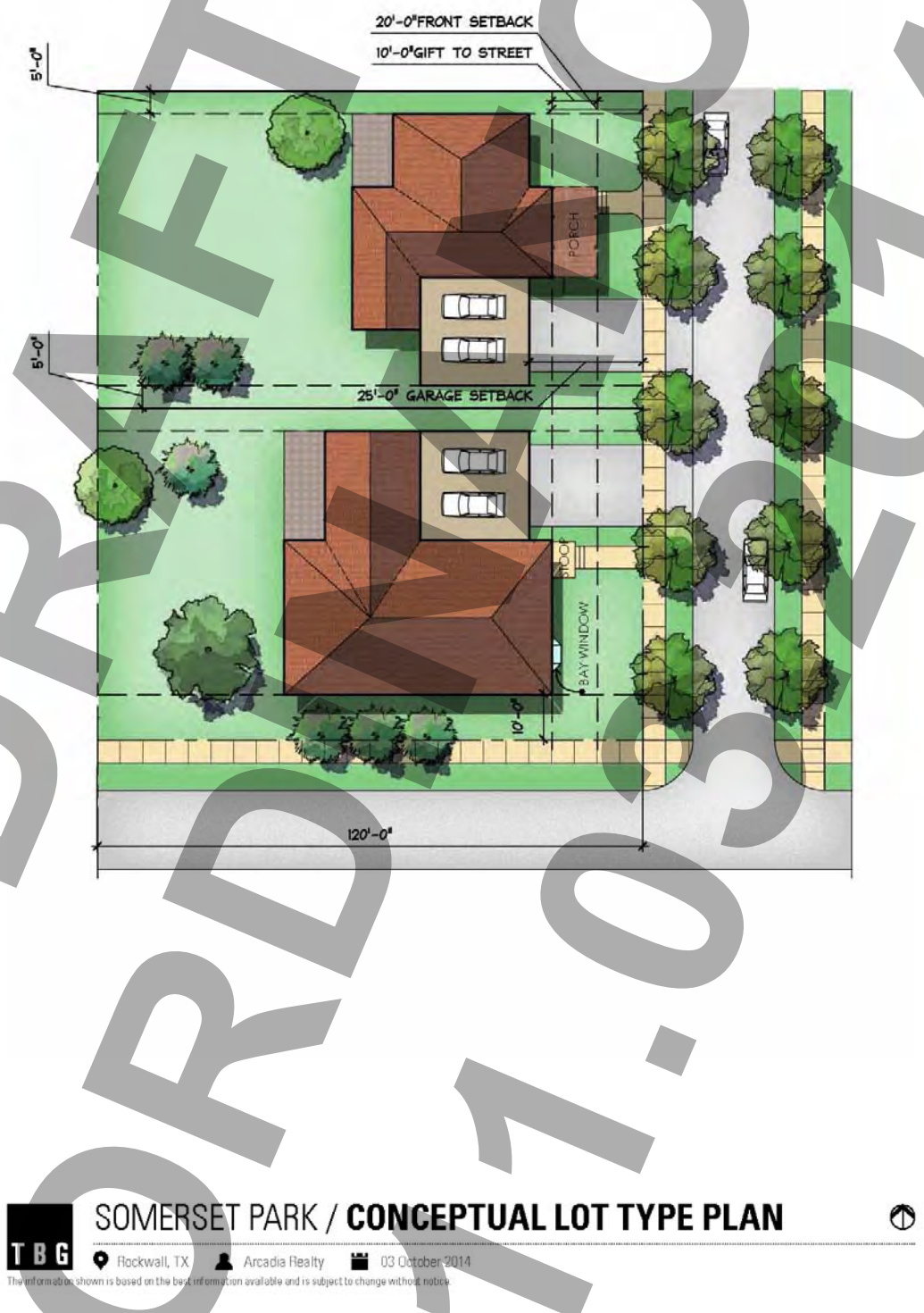
DRAFT ORDINANCE 10.03.2014

Exhibit 'E':
Street Cross Sections



DRAFT ORDINANCE 11-03-2014

Exhibit 'F':
Conceptual Lot Type Plan



DRAFT NOTICE 11.03.2014

Exhibit 'G':
Development Standards

Development Standards.

1. *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.

2. *Lot Composition and Layout.* The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* and stated in *Table 1* below. Allowances for changes to the quantity and locations of each lot type are permitted in conformance with the requirements listed below; however, in no case shall the proposed development exceed 309 units.

Table 1: Lot Composition

Lot Type	*Minimum Lot Size (FT)*	*Minimum Lot Size (SF)*	*Dwelling Units (#)*	*Dwelling Units (%)*
A	60' x 120'	7,200 SF	93	30.10%
B	70' x 120'	8,400 SF	135	43.70%
C	80' x 130'	10,400 SF	81	26.20%
		Maximum Permitted Units:	*309*	*100.00%*

The allocation of single-family dwellings among lot types may deviate from *Table 1* provided that the proposed lot composition meets the following criteria:

(1) The total number of lots does not exceed 309 units; and,
(2) The average lot size for the development is not less than 8,400 SF; and,
(3) Lot type *'C'* shall not decrease below 18.80% or 75 lots.

3. *Density and Dimensional Requirements.* The maximum permissible density for the *Subject Property* shall not exceed 2.22 dwelling units per gross acre of land; however, in no case should the proposed development exceed 309 units. All lots shall conform to the standards depicted in *Table 2* below and generally conform to *Exhibit 'F'* of this ordinance.

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ►	***A***	***B***	***C***
Minimum Lot Width [1]	60'	70'	80'
Minimum Lot Depth	120'	120'	130'
Minimum Lot Area	7,200 SF	8,400 SF	10,400 SF
Minimum Front Yard Setback [2] & [5]	20'	20'	20'
Minimum Side Yard Setback	5'	5'	5'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'	10'	10'
Minimum Length of Driveway Pavement	25'	25'	25'
Maximum Height [3]	30'	30'	30'
Minimum Rear Yard Setback [4]	20'	20'	20'
Minimum Area/Dwelling Unit (SF)	2,200 SF	2,700 SF	3,200 SF
Maximum Lot Coverage	65%	65%	65%
Permitted Encroachment into Required Setbacks [5]	Allowed	Allowed	Allowed

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.
[2]: The location of the *Front Yard Building Setback* as measured from the front property line.
[3]: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single family home.
[4]: As measured from the rear yard property line.
[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property;

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however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks (Adjacent to a Street)* and shall not encroach into public right-of-way [a *Sunroom* is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces] (*see Exhibit 'F'*).

4. *Building Standards.* All development shall adhere to the following building standards:

(a) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance the masonry requirement shall be limited to full width brick, natural stone, cast stone, and cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) or a decorative pattern (*see examples below*). Stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only.

Examples of Cementaceous Fiberboard





(b) *Roof Pitch.* A minimum of an *8:12* roof pitch is required on all structures with the exception of sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

(c) *Garage Orientation.* Garages maybe oriented toward the street in a front entry configuration; however, the front façade of the garage must be situated a minimum of five (5) feet behind the front building façade of the primary structure. In this case the front façade of the primary structure does not include a permitted encroachment (*e.g. a porch, sunroom, etcetera*) allowed in *Table 2* above. All garage configurations that are not front entry shall meet the requirements of Article VI, *Parking and Loading*, of the Unified Development Code.

5. *Anti-Monotony Restrictions.* The development shall adhere to the *Anti-Monotony Matrix* depicted in *Table 3* below (*for spacing requirements see the illustration below*).

Table 3 : Anti-Monotony Matrix

Lot Type	*Minimum Lot Size*	*Elevation Features*
A	60' x 120'	(1), (2), (3), (4)
B	70' x 120'	(1), (2), (3), (4)
C	80' x 130'	(1), (2), (3), (4)

(1) Identical brick blends or paint colors may not occur on adjacent (side-by-side) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.

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(2) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on FM-549 shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

(a) Number of Stories
(b) Permitted Encroachment Type and Layout
(c) Roof Type and Layout
(d) Articulation of the Front Façade

(3) Permitted encroachments (*i.e. porch and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.

(4) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

Illustration 1: Properties line up on the opposite side of the street. Where RED is the subject property.



Illustration 2: Properties do not line up on opposite side of the street. Where RED is the subject property.



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6. *Fencing Standards.* All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:

(a) *Front Yard.* Front yards may utilize a non-opaque fence, provided the fence is 40-inches in height and located a minimum of 1½-feet (18-inches) behind the sidewalk. Fence posts and gateways may have a maximum height of 44 inches. The area between the fence and sidewalk and the 1½-foot area behind the fence shall be landscaped. The property owner shall be responsible for maintaining the portion of the property situated between the fence and the sidewalk.

(b) *Corner Lots*. Corner lots shall utilize a wood fence that extends no further forward than the back (rear) corner of the house. The fence shall be a maximum of six (6) feet tall with the top two (2) feet of the fence being transparent or open and the bottom four (4) feet solid. The fence shall be located a minimum of five (5) feet from the sidewalk's edge. If the fence extends toward the front of the home on a corner lot, such fencing will be non-opaque wood, 40-inches in height and wrap to the front of the lot. Such fencing shall follow all front yard fence standards. The property owner shall be responsible for maintaining the portion of the property situated between the fence and the sidewalk.

(c) *Rear Yard Fences*. Rear yard fences shall not extend forward, towards the front of the house, beyond the back (rear) corner of the house.

(d) *Wood Fences*. All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the "public side" facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of six (6) feet in height.

(e) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.

(f) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

7. *Landscape and Hardscape Standards.*

(1) *Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. The following tree species are approved for planting within this subdivision:

(a) *Canopy/Shade Trees*. Bald Cyprus, Cedar Elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Alle Elm, Chinese Pistachio, Shumard Oak, Sycamore, and Burr Oak.

(b) *Accent/Ornamental/Under-Story Trees*. Texas Redbud, Eve's Necklace, Mexican Plum, Downy Hawthorn, Crepe Myrtle, Texas Mountain Laurel, Vitex, and Desert Willow.

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(2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

(a) Landscape Buffer and Sidewalks (FM-549). A minimum of a 20-foot landscape buffer shall be provided along the frontage of FM-549 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least one canopy tree shall be planted per 50-feet of linear frontage. A minimum of a five (5) foot sidewalk shall be required along FM-549.

(b) Landscape Buffer (SH-205). A minimum of a 20-foot landscape buffer shall be provided along the frontage of SH-205 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least one canopy tree shall be planted per 50-feet of linear frontage. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage.

(3) *Irrigation Requirements*. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association.

(4) *Street Trees.* Street trees shall generally be planted in conformance with *Exhibits 'B' & 'E'* of this ordinance. The Home Owner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of a 14-foot vertical clearance height for all trees. All street trees shall be planted a minimum of five (5) feet from all water, sanitary sewer and storm lines.

(5) *Hardscape.* Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the PD Site Plan.

8. *Street.* All streets shall generally conform to the roadway diagram contained in *Exhibit 'D'* and the roadway cross sections contained within *Exhibit 'E'*. Streets bordering open space areas will be designed with curbs adjacent to residential lots and with no curbs or curb cuts adjacent to the open space areas. These streets will be designed with split gutter grades to allow drainage to sheet flow across the pavement into the open space area. The locations for these roads are identified on the *Conceptual Drainage Plan* to be provided with the PD Site Plan.

9. *Lighting.* Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

10. *Sidewalks.* At a maximum, all sidewalks adjacent to a street shall begin two (2) feet behind the right-of-way line and be five (5) feet in overall width.

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11. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the Subject Property, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (3-phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

12. *Open Space.* The development shall consist of a minimum of *20.00%* open space (*or 27.9-acres*), and generally conform to the *Open Space Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas shall be maintained by the Homeowner's Association (HOA).

13. *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.

14. *Drainage Standards.* The development shall comply with existing drainage standards including the permissible spread of water in the streets and permissible gutter flow through intersections as outlined in the City of Rockwall's *Standards of Design and Construction* (*approved in August 2003 and updated in October 2007*). The proposed drainage areas, flow patterns, and storm drain system that will be constructed shall be based on the City's drainage criteria and be identified on a *Conceptual Drainage Plan*, which shall be submitted with the *Preliminary Plat*. The *Conceptual Drainage Plan* shall be reviewed and approved by the Engineering Department in compliance with engineering standards.

15. *Grading Standards*. *Lot-to-Lot* drainage shall be allowed provided drainage passes through only one (1) additional lot prior to collection in a drainage system, public right-of-way, drainage easement, or open space area. Proposed lot grading and flow patterns shall be identified on the *Conceptual Drainage Plan*, which shall be submitted with the *Preliminary Plat*.

    Lots may be graded to drain from the backyard of one (1) lot through the back or side yard of an adjacent lot. The lower elevation lot shall be constructed with back and side yard swales to capture upstream lot drainage and direct drainage around the home. Fences between homes with *Lot-to-Lot* drainage shall be constructed with a maximum two (2) inches of clearance above natural ground. The Home Owners Association (HOA) shall be responsible for resolving any *Lot-to-Lot* drainage issues.

16. *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of Section 38-15 of the Subdivision Regulations contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, screening fences associated with this development.

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17. Variances. The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

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11.03.2014

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 11/03/2014

APPLICANT: Mohamed Taha

AGENDA ITEM: **Z2014-028**; Auto Repair Garage, Minor (SUP)

SUMMARY:

Hold a public hearing to discuss and consider a request by Mohamed Taha for the approval of a Specific Use Permit (SUP) to allow a minor auto repair garage to be established in conjunction with an existing oil/lube change facility located on a 0.2755-acre parcel of land identified as Lot 3, Block B, Rockwall High School Addition, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2225 Ridge Road, and take any action necessary.

BACKGROUND INFORMATION:

The applicant has submitted an application for a Specific Use Permit to allow for a standalone "Auto Repair Garage, Minor" within the Commercial (C) District for an existing oil/lube change facility. The property is located at 2225 Ridge Road has been in operation since 1987; however, the facility occasionally stores vehicles overnight due to parts not being available for the vehicle.

Under the Unified Development Code (UDC), Article IV, Permissible Uses, Sec. 2.1.8, Auto repair garage, minor, the UDC reads as follows:

> *5. Vehicles, equipment, parts or inventory shall not be stored outside overnight unless expressly permitted by this [Unified Development Code]. In which case, they shall be screened from public streets, sidewalks, open space, and any residentially zoned lot.*

The applicant is requesting the SUP for the specific purpose of allowing outside storage of vehicles (not exceeding 48 hours) for customers that are in need of parts unavailable at the time of service. The vehicles would be parked/stored at the rear of the building until parts arrived and the vehicle could be serviced. The vehicles would not be stored outside for more than 48 hours and would not be visible from Ridge Road when parked behind the building. The site has seven (7) striped head-in parking spaces located at the rear of the building that should be considered when reviewing the SUP request.

Included in your packet is the letter requesting the SUP, the 1987 Site Plan that has been modified to depict the seven (7) head-in parking spaces that currently exist, a land use chart, the definitions for an automotive repair garage, and the code identifying the use requested. A request for an SUP is a discretionary act upon the Planning and Zoning Commission and City Council.

NOTIFICATION:

On October 3, 2014, staff mailed thirty (30) notices to property owners within 500 feet of the subject property. Staff also notified one (1) HOA within 1500 feet (Turtle Cove HOA) by e-mail. Additionally, staff posted a sign on the subject property as required by the Unified Development

Code (UDC). At the time this report was drafted, staff has received one (1) notice "for" and four (4) notices "opposed to" the SUP requested.

RECOMMENDATIONS:

Should the Planning Commission approve the proposed Specific Use Permit (SUP) for an "Auto Repair Garage, Minor," the Commission may additionally consider the applicant's request for the limited outside storage of motor vehicles, as specified on the attached site plan and the duration of storage time for these vehicles, as well as other conditions the Commission deem necessary for compatibility with the surrounding uses.

PLANNING AND ZONING COMMISSION:

On October 28, 2014, the Planning and Zoning Commission recommended approval of the applicant's request with the following conditions:

1) The applicant be permitted to store four (4) passenger automobiles and/or trucks (*not exceeding 7,000 pounds gross weight*); and,
2) The Specific Use Permit (SUP) shall expire 12-months from the effective date (*i.e. November 17, 2014*).

The motion was approved by a vote of 6-1, with Commissioner Renfro dissenting. In reference to the expiration date and after conferring with legal counsel, staff is unable to provide an expiration to a granted land use and per legal counsel is recommending a one (1) year review to determine compliance with the Specific Use Permit.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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To whom it may Concern;

I MOHAMED TAHA OWNER of BIG D LUBE INC located at 2225 RIDGE RD, ROCKWALL, Tx 75087 am writing this letter to request outside storage for 24-48 hours due to the fact that some vehicles I can not receive parts for the same day.

MOHAMMED TAHA



469-569-9799

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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
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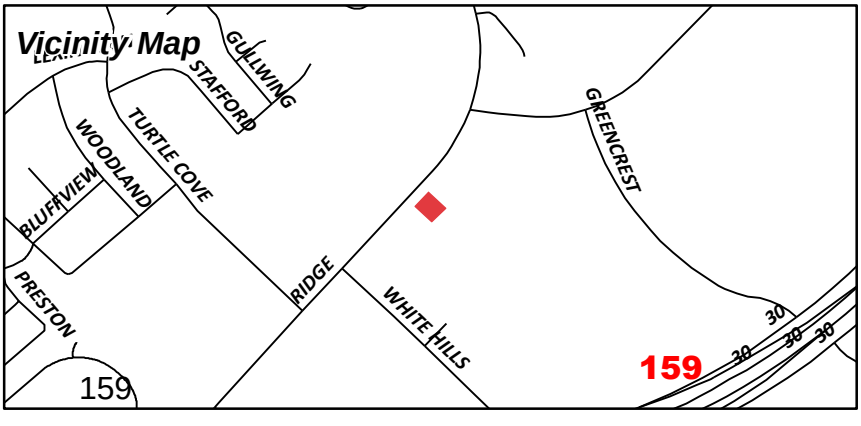
Case Number: Z2014-028
Case Name: 2225 Ridge Road
Case Type: Specific Use Permit
Zoning: Commercial (C) District
Case Address: 2225 Ridge Road



Date Created: 09/26/2014
For Questions on this Case Call (972) 771-7745

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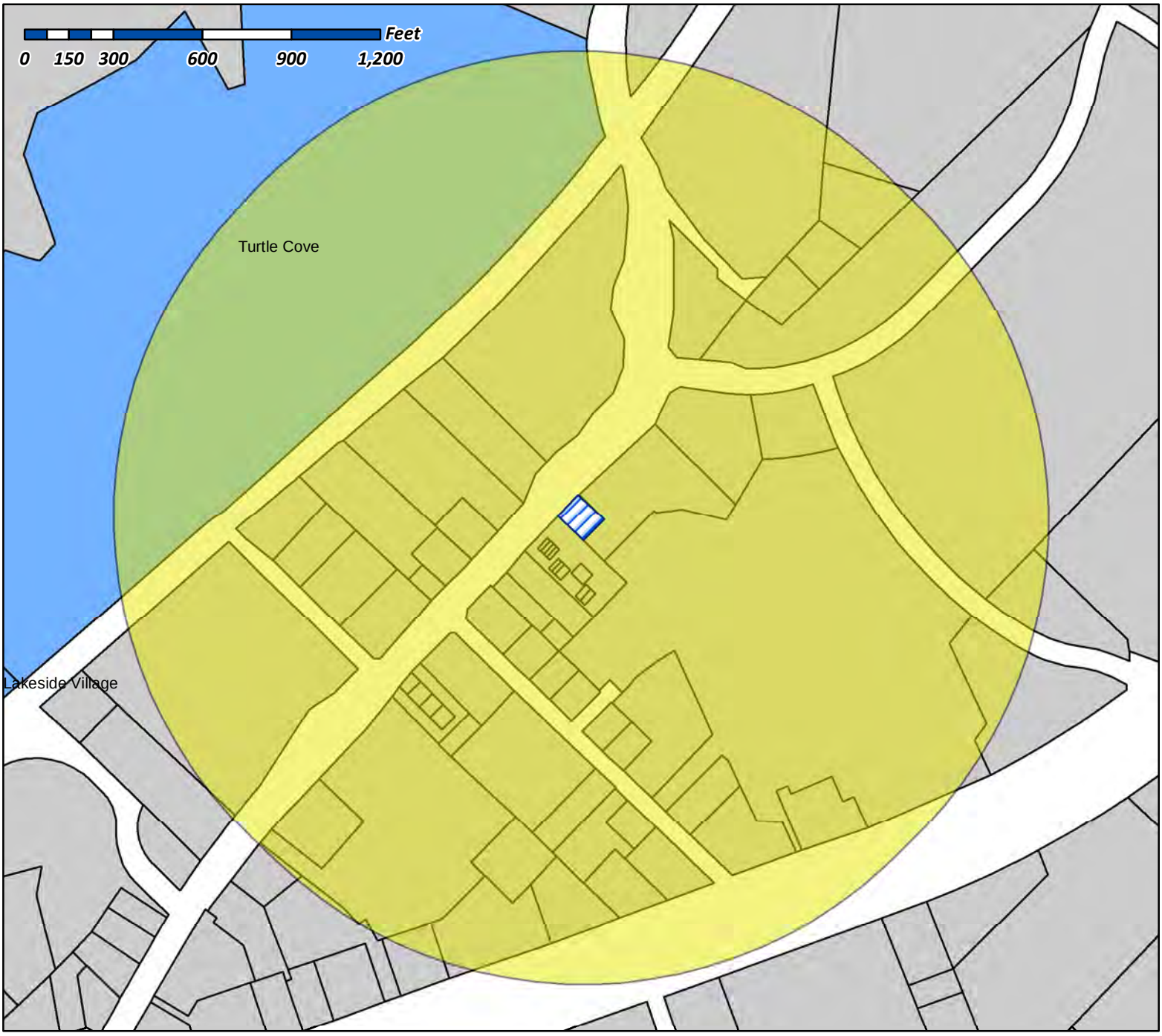

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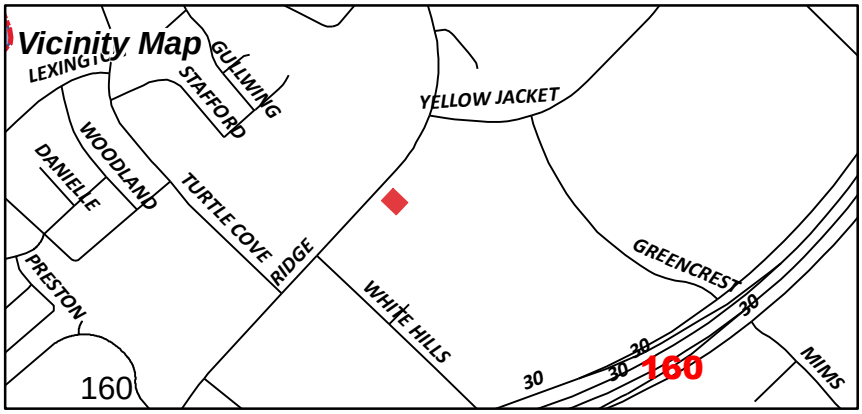

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2014-028
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Zoning: Commercial (C) District
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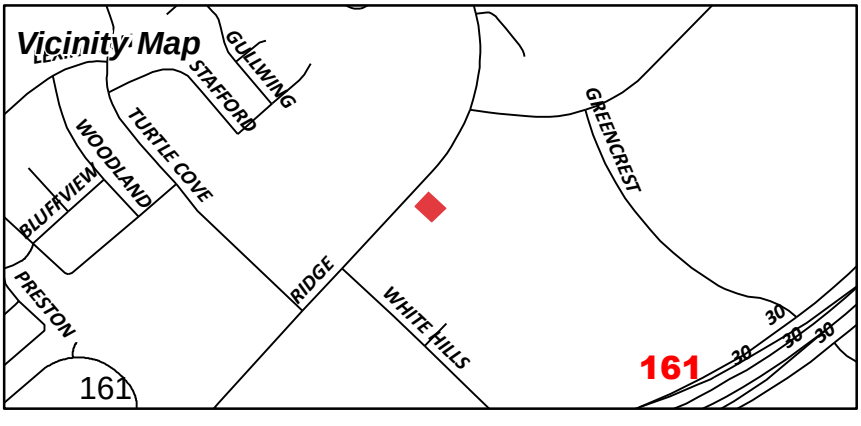

Date Created: 09/26/2014

For Questions on this Case Call (972) 771-7745

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-028: Big D SUP

Hold a public hearing to discuss and consider a request by Mohamed Taha for the approval of a Specific Use Permit (SUP) to allow a minor auto repair garage to be established in conjunction with an existing oil/lube change facility located on a 0.2755-acre parcel of land identified as Lot 3, Block B, Rockwall High School Addition, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2225 Ridge Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 10/28/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 11/3/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **11/3/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-028: Big D SUP

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

SKY INVESTMENT PROPERTY INC
106 E RUSK SUITE 200
ROCKWALL, TX 75087

MCKENNEY CARL K
2306 RIDGE RD STE 2
ROCKWALL, TX 75087

UNRUH CECIL J ESTATE
TAMARA SUE HARRIS INDEPENDENT EXECUTRIX
17627 CEDAR CREEK CANYON
DALLAS, TX 75252

HUDSPETH WARD
2304 RIDGE RD
ROCKWALL, TX 75087

Current Occupant
2231 RIDGE RD
Rockwall, TX 75087

JARA PARTNERS LTD
9615 COUNTY ROAD 2432
TERRELL, TX 75160

DGR ASSOCIATES INC A MISSOURI CORP
1710 WEISKOPF DR
HEATH, TX 75032

Current Occupant
2233 RIDGE RD
Rockwall, TX 75087

DOUPHRATE PROPERTIES INC
2235 RIDGE RD STE 200
ROCKWALL, TX 75087

Current Occupant
2237 RIDGE RD
Rockwall, TX 75087

MEHL ROBERT F III & JOAN
601 CARRIAGE TRL
ROCKWALL, TX 75087

ONE RIDGE PLACE LP
2245 RIDGE RD
ROCKWALL, TX 75087

Current Occupant
2255 RIDGE RD
Rockwall, TX 75087

DAKIER PARTNERS LTD
PO BOX 1059
ROCKWALL, TX 75087

SHEIKHA SABRI H MD
1120 SQUAW VLY
ROCKWALL, TX 75087

Current Occupant
601 WHITE HILLS DR
Rockwall, TX 75087

JORDAN MARK S &
ROSS I RAMSAY
PO BOX 328
MADISON, MS 39130

Current Occupant
2249 RIDGE RD
Rockwall, TX 75087

CHACKO & ABRAHAM INVESTMENTS LLC
4102 NORWICH DRIVE
GARLAND, TX 75043

VANDERSLICE ROBERT
1408 S LAKESHORE DR
ROCKWALL, TX 75087

Current Occupant
2308 RIDGE RD
Rockwall, TX 75087

Current Occupant
2310 RIDGE RD
Rockwall, TX 75087

COIT RIDGE PROPERTIES LLC
6031 SHERRY LN SUITE C
DALLAS, TX 75225

LAYAN INVESTMENTS INC
126 BERKLEY DR
ROCKWALL, TX 75032

Current Occupant
2225 RIDGE RD
Rockwall, TX 75087

PNEUMA VENTURES LTD
201 LAURENCE DR PMB 115
HEATH, TX 75032

MOUNTAINPRIZE INC
3225 CUMBERLAND BLVD SUITE 100
ATLANTA, GA 30339

BAPTIST GENERAL CONVENTION OF TEXAS
333 NORTH WASHINGTON
DALLAS, TX 75246

Current Occupant
782 I30
Rockwall, TX 75087

WAL-MART REAL ESTATE
BUSINESS TRUST
PO BOX 8050
BENTONVILLE, AR 72712

PLEASE RETURN THE BELOW FORM

Case No. Z2014-028: Big D SUP

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

This will be good for my property which is close by.

Pneuma Ventures LTD - 1725 Hwy 276, RW, 75032

Name: Gene Lamberth (Robert E. Lamberth)

Address: 480 SWIRL DR., HEATH, TX. 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

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NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-028: Big D SUP

Hold a public hearing to discuss and consider a request by Mohamed Taha for the approval of a Specific Use Permit (SUP) to allow a minor auto repair garage to be established in conjunction with an existing oil/lube change facility located on a 0.2755-acre parcel of land identified as Lot 3, Block B, Rockwall High School Addition, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2225 Ridge Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 10/28/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 11/3/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **11/3/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-028: Big D SUP

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

I believe it provides an unsafe environment & an already out of control vandalism problem we already have in Rockwall. Also, not to mention the unsafe environmental issues.

Name: Leslie Bird / Business Manager / Drs. Alexia & Ted Fields

Address: 2231 Ridge Road suite #102

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Gonzales, David

From: Dub Douphrate [redacted]
Sent: Monday, October 20, 2014 10:09 AM
To: Gonzales, David
Cc: LaCroix, Robert
Subject: Case No Z2014-028

David,
I am in receipt of the proposed SUP request to allow minor auto repair. Although I am glad to see Mr. Taha's growth in his business and I do commend him for his hard work in providing a good service to the community , but I am opposed to the specific use permit only because I do not think this location has the needed storage space required to perform minor auto repair. The number of vehicles frequently become stacked in the day to day course of business which causes a overflow to the front of the building making the view from Ridge Road unsightly.
Thanks
Dub

W.L. Douphrate II, P.E.
Douphrate & Associates, Inc.
Texas Registered Engineering Firm F-886
2235 Ridge Road
Rockwall, Texas, 75087
Office 972.771.9004
Fax 972.771.9005

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-028: Big D SUP

Hold a public hearing to discuss and consider a request by Mohamed Taha for the approval of a Specific Use Permit (SUP) to allow a minor auto repair garage to be established in conjunction with an existing oil/lube change facility located on a 0.2755-acre parcel of land identified as Lot 3, Block B, Rockwall High School Addition, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2225 Ridge Road, and take any action necessary.

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As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales, AICP
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **10/20/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-028: Big D SUP

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

1. This is a professional office area & scenic overlay district
2. The business has been operating as a car repair facility since I opened this last year and always has a number of cars out front & in back in various states of disrepair - unsightly

Name: At one time this was an oil change place but it was not painted with

Address: broken down cars 24 hrs a day - 7 days a week. There is an oil tank out of there now that looks bad & needs cleaned up.

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

R.D Vandeservice - 1408 S. Lakeshore Dr. Rockwall, TX 75087
Office Bldg owner - 2308 Ridge Rd Rockwall, TX 75087

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-028: Big D SUP

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David Gonzales, AICP
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **10/20/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

972-571-2929
BENNIE STANBERRY
9615 CR 2432
TERRELL, TX 75160

Case No. Z2014-028: Big D SUP

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

We already have a huge problem with oil/lube facility parking cars on our property and it is causing an unsafe environment. a Business like this will reduce the property value in the area.

Name: JARA PARTNERS, LTD (Bennie Stanberry)

Address: 9615 CR 2432, TERRELL, TX 75160

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

P = Permitted **A** = Accessory Use **S** = SUP "**+**" = Permitted with Conditions

Residential										*Permitted Uses*	*Mixed Use*		*Commercial*				*Industrial*		
AG	**SF-E**	**SF-1**	**SF-16**	**SF-10**	**SF-8.4**	**SF-7**	**ZL-5**	**2-F**	**MF-14**	**Auto & Marine-Related**	**DT**	**R-O**	**N-S**	**GR**	**C**	**HC**	**RT**	**LI**	**HI**
										Auto Repair Garage, Major +						P		P	P
										Auto Repair Garage, Minor +				S	S	P		P	P
										Automobile Rental					S	P		P	P
										Boat & Trailer Dealership (New and Used) +					S	P		S	P
										Car Wash/Auto Detail +			S	S	P	P		P	P
										Car Wash, Self Service				S	P	P		P	P
										Motor Vehicle Dealership, New (Cars and Light Trucks) +					S	P		S	P
										Motor Vehicle Dealership, Used (Cars and Light Trucks) +						A		A	A
										Parking, Commercial	S				P	P		P	P
										Parking Lot, non-commercial	A		S	P	P	P	P	P	P
										Recreational Vehicle (RV) Sales and Service					S	P		S	P
										Service Station +			S	P	P	P		P	P
										Towing & Impound Yard **+**						S		S	P
										Towing Service, No Storage **+**						P		P	P
										Truck Rental						P		S	P
										Truck Stop with Fuel and Accessory Services +						S		S	P

- **Sec. 2.1.8. - Auto and marine-related use conditions.**

Auto repair garage, major.

1.

General repair, rebuilding, or reconditioning of engines, motor vehicles or trailers, including body work, frame-work, welding, and major painting service.

2.

Garage doors shall not face the street or a residential lot.

3.

Vehicles, equipment, parts or inventory shall not be stored outside over night unless expressly permitted by this [Unified Development Code]. In which case, they shall be screened from public streets, sidewalks and open space, and any residentially-zoned lot.

Auto repair garage, minor.

1.

The replacement of any part or repair of any part that does not require removal of the engine head or pan, engine transmission or differential; incidental body and fender work, minor painting and upholstering service. It also includes "quick lube" type businesses. This applies to only to passenger automobiles and trucks not in excess of 7,000 pounds gross weight.

2.

In a General Retail (GR) District, an "auto repair garage, minor" is permitted as an accessory to a retail use, when the gross floor area of the auto repair and related storage does not exceed 30 percent of the retail sales floor area. If it is a stand-alone use, it shall require a specific use permit.

3.

In a Commercial (C) District, an "auto repair garage, minor" is permitted as an accessory to a retail use, provided all work is conducted wholly within a completely enclosed building. If it is a stand-alone use, it shall require a specific use permit.

4.

Garage doors or bays shall not face the street or a residential lot.

5.

Vehicles, equipment, parts or inventory shall not be stored outside over night unless expressly permitted by this [Unified Development Code]. In which case, they shall be screened from public streets, sidewalks and open space, and any residentially-zoned lot.

6.

A site plan must be approved by the director of planning prior to issuance of any building permit.

7.

In the Downtown District an auto repair garage, minor shall not be located within 500 feet of the Historic Courthouse property.

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SECTION 2. - DEFINITIONS

Accessory building or use. A subordinate building having a use customarily incident to and located on the lot occupied by the main building; or a use customarily incident to the main use of the property. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building, or is under an extension of the main roof and designed as an integral part of the main building.

Adopted policies. A written administrative directive discussed at a public meeting and officially adopted by a majority vote of the city council.

Agriculture. The planting, cultivating, harvesting and storage of grains, hay or plants, or vineyards, commonly grown in Rockwall County.

The raising and feeding of livestock and poultry shall be considered an agricultural venture if the area in which the livestock or poultry is kept is three acres or more in area, and if such raising of livestock and poultry is incidental or supplemental to the raising of crops and is not primarily for the raising or fattening of livestock. A feed lot exclusively for the fattening of livestock is not considered an agricultural use.

Alley. A minor way which is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street; it is also public space or way, 20 feet or less in width, which has been dedicated or deeded for public use.

Alteration. Any addition, removal, extension, or change in the location of any exterior wall of a main building or accessory building, or change or modification in construction or occupancy.

Apartment. A room or suite of rooms within an apartment house arranged, intended or designed for a place of residence of a single-family or group of individuals living together as a single housekeeping unit and who do their cooking therein. (See *Dwelling unit.*)

Apartment house or building. A building arranged, intended or designed for more than two families. (See *Dwelling unit, "multiple."*)

Associated recreation. Recreational uses which are an integral part of a common ownership or associated with high density residential development (example: homeowners association with a private club, swimming pool, and tennis courts).

Authorized agent. An architect, builder, developer, or other person empowered to act on behalf of other persons.

Automobile repair, major. Major repair, rebuilding or reconditioning of engines, transmissions, or other major components for motor vehicles; collision services including body, frame, or fender straightening or repair; customizing; overall painting or paint shop; automotive glass and upholstery; those uses listed under *Automobile repair, minor,* and other similar uses. All repair work shall be performed inside an enclosed building. Vehicles shall not be stored on site no longer than 90 days.

(Ord. No. 93-22, 7-6-1993)

Automobile repair, minor. Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil spark plugs, and filter changing; tire alignment; tune-ups, emergency road service; replacement of starters, alternators, hoses, brake parts, mufflers; performing state inspections and making minor repairs necessary to pass said inspection; servicing of air-conditioning systems, and similar minor services for motor vehicles except heavy land vehicles, but not including any operation named under *Automobile repair, major,* or any other similar use. All work must be performed inside an enclosed building. Vehicles shall not be stored on site for longer than 14 days.

(Ord. No. 93-26, 8-2-1993)

Bar, cocktail lounge, tavern, saloon, cantina. An establishment where alcoholic beverages are sold for on-premises consumption, other than a restaurant as defined in this section.





Gonzales, David

From: LaCroix, Robert
Sent: Thursday, October 23, 2014 1:19 PM
To: Gonzales, David
Subject: FW: Big D Auto pics
Attachments: Big D 1.JPG; Big D 2.JPG

For staff report.

From: Widmer, Jeffrey
Sent: Thursday, October 23, 2014 12:01 PM
To: LaCroix, Robert
Subject: Big D Auto pics





CITY OF ROCKWALL

ORDINANCE NO. 14-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR AN "AUTO REPAIR GARAGE, MINOR" TO BE ESTABLISHED IN CONJUNCTION WITH AN EXISTING OIL/LUBE CHANGE FACILITY WITHIN THE (C) COMMERCIAL DISTRICT, ON A 0.2755-ACRE PARCEL OF LAND IDENTIFIED AS LOT 3, BLOCK B, ROCKWALL HIGH SCHOOL ADDITION, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Specific Use Permit for an *Auto Repair Garage, Minor* in conjunction with an existing oil/lube change facility within the (C) Commercial district has been requested by Mohamed Taha on a 0.2755-acre parcel of land identified as Lot 3, Block B, Rockwall High School Addition, and more specifically described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code [*Ordinance No. 04*-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for *Automobile Repair Garage, Minor* in conjunction with an existing Oil and Lube Facility within a Commercial (C) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used and/or redeveloped only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and subject to the conditions set forth in *Section 2.1.8, Auto and Marine-Related Use Conditions, of Article IV, Permissible Uses, and Section 4.5, Commercial (C) District, of Article V, District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall

DRAFT ORDINANCE 04.03.2014

be subject to the additional following conditions and compliance standards:

2.1 Permitted Use Definitions

Automobile Repair, Minor. Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil spark plugs, and filter changing; tire alignment; tune-ups, emergency road service; replacement of starters, alternators, hoses, brake parts, mufflers; performing state inspections and making minor repairs necessary to pass said inspection; servicing of air-conditioning systems, and similar minor services for motor vehicles except heavy land vehicles, but not including any operation named under *Automobile Repair, Major* (*e.g. major repair, rebuilding or reconditioning of engines, transmissions, or other major components for motor vehicles; collision services including body, frame, or fender straightening or repair; customizing; overall painting or paint shop; automotive glass and upholstery, etcetera*), or any other similar use. All work must be performed inside an enclosed building. Vehicles shall not be stored on site for longer than 14 days.

2.2 Operational Conditions

The following conditions pertain to the operation of an *Auto Repair Garage, Minor* on the *Subject Property*, and conformance to these operational conditions are required for continued operation:

1) All operations on the *Subject Property* shall conform to the definition contained within *Section 2.1, Permitted Use Definitions*, of this ordinance;

2) Four (4) passenger automobiles and/or trucks (*not exceeding 7,000 pounds gross weight*) are permitted to be stored within the four (4) striped parking spaces indicated on the Site Plan depicted in *Exhibit 'B'* of this ordinance;

3) No equipment, parts, or inventory of any kind shall be permitted to be stored outside. This includes boats, trailers, and/or similar types of equipment with the exception of the permitted automobile storage depicted in *Exhibit 'B'* of this ordinance; and,

4) This ordinance shall be valid for a period of twelve (12) months from the effective date (*i.e. November 17, 2014*). If the applicant intends to request an extension of this ordinance, a letter of intent will need to be filed with the Planning and Zoning Department 90 days prior to the expiration date of this ordinance (*i.e. November 17, 2015*). Upon receipt of the letter of intent, the City Council shall review the Specific Use Permit (SUP) no later than 90 days from the expiration date and determine if an extension of this ordinance is warranted. Any review of this ordinance shall not constitute a change to the existing non-conforming status (*i.e. operations prior to the issuance of this Specific Use Permit*) of the *Subject Property*.

5) Regardless of the twelve (12) month time period required by this ordinance, the City Council shall reserve the right to review the Specific Use Permit (SUP) any time after the effective date (i.e. November 17, 2014).

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

DRAFT ORDINANCE 11.03.2014

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 17TH DAY OF NOVEMBER, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

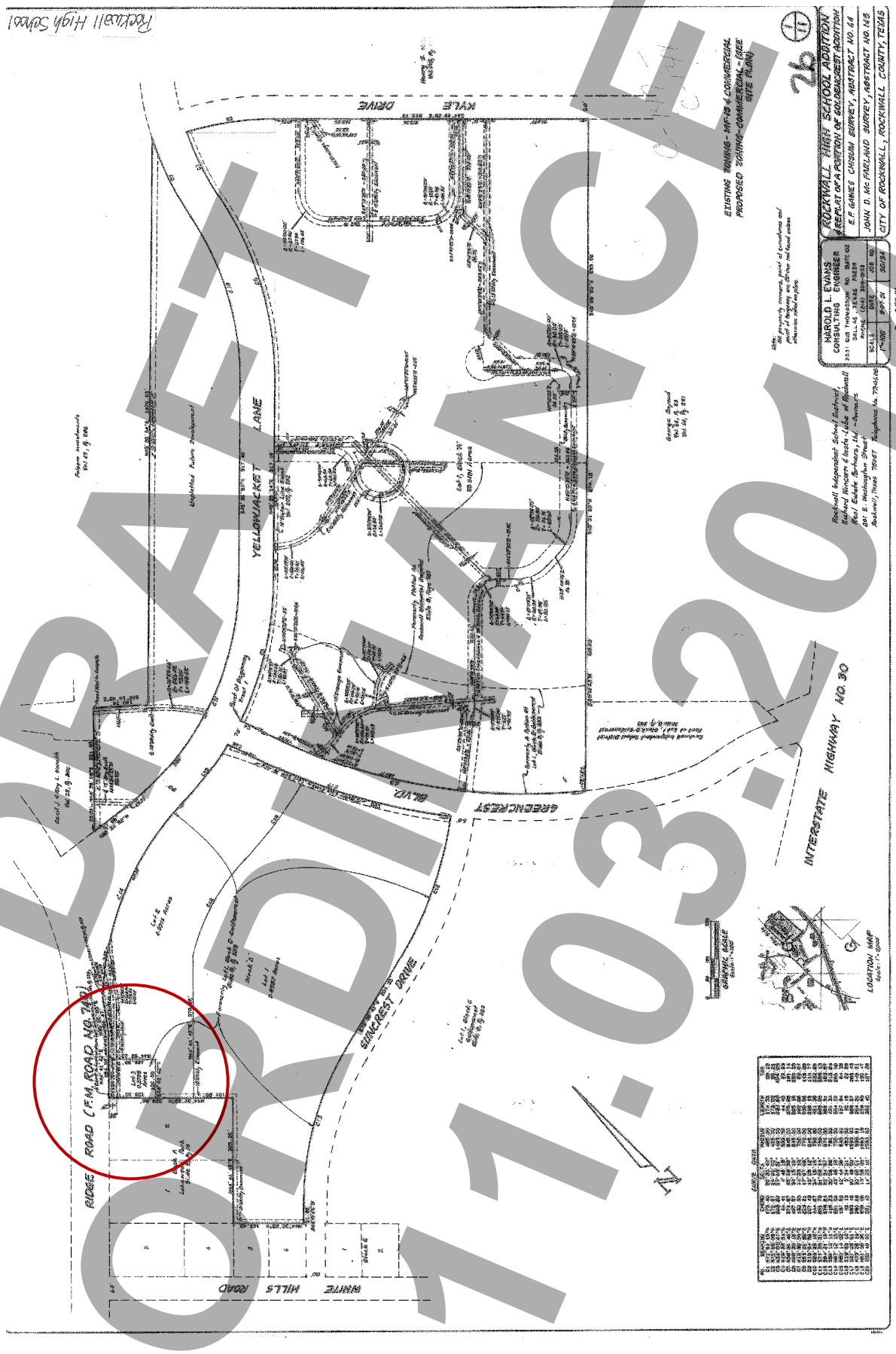
1st Reading: *November 3, 2014*

2nd Reading: *November 17, 2014*

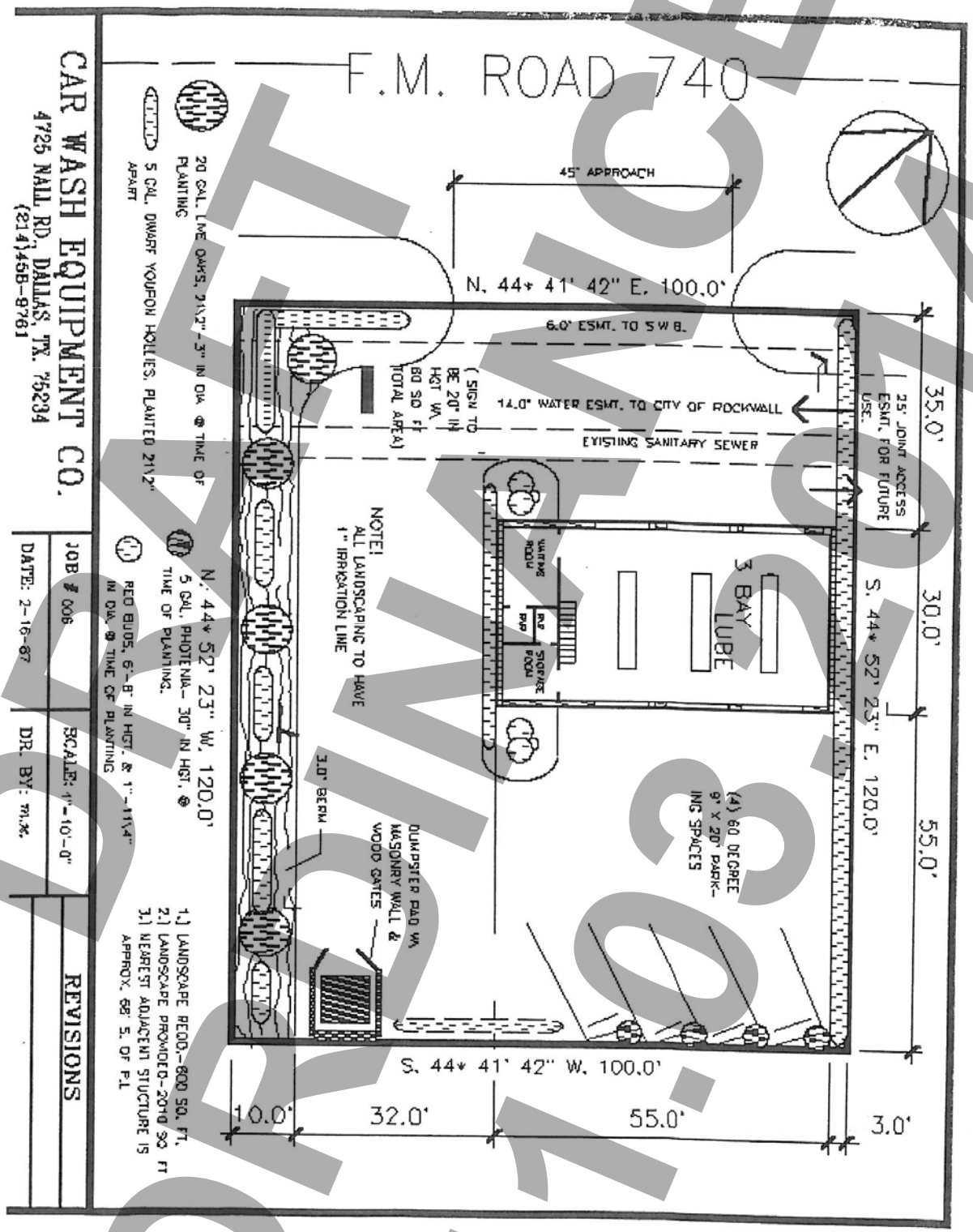
DRAFT ORDINANCE 11.03.2014

Exhibit A: Lot Description/Location Map

Subject Property: Lot 3, Block B, Rockwall High School Addition



DRAFT ORDINANCE 11-03-2014



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 11/03/2014

APPLICANT: Steven Freeman of Kimley-Horn and Associates, Inc.

AGENDA ITEM: **Z2014-029**; *Walmart Fuel Center SUP*

SUMMARY:

Hold a public hearing to discuss and consider a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a retail store with more than two (2) gasoline dispensers for a 0.743-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary.

BACKGROUND INFORMATION:

The applicant is seeking approval of a Specific Use Permit (SUP) for a proposed retail facility with a fuel center that has more than two (2) gasoline dispensers. The applicant has also submitted a request for Site Plan approval concurrently with the SUP for a Walmart Neighborhood Market (Case# SP2014-025). Should the SUP be approved, the fuel center will operate as a standalone retail facility, which is approximately 740 sq. ft. in area, with six (6) fuel dispensers on a 0.743-acre parcel of land (when subdivided) and will be owned and operated by Walmart. The property is zoned Planned Development District No. 45 (PD-45) which allows for General Retail land uses, is situated within the SH-205 By-Pass Overlay (205 BY-OV) and the SH-276 Overlay (SH-276 OV) Districts, and is generally located at the southeast corner of the intersection of SH-276 and John King Boulevard. The site can be accessed from one point of entry along John King Blvd and two points of entry along SH 276 by way of a mutual access easement.

Finally, staff would encourage the Commission and Council to consider a limitation of outside display at and around the fuel center. Currently, the applicant has indicated on the color elevations an ice machine, propane cage, and “Red Box” DVD kiosk adjacent to the fuel center facility.

NOTIFICATION:

On October 3, 2014, staff mailed ten (10) notices to property owners within 500 feet of the subject property. Staff also notified three (3) HOA’s within 1500 feet (Meadow Creek Estates, Lofland Farms, and Hickory Ridge HOA Organizations) by e-mail. Additionally, staff posted a sign at the intersection of John King Blvd and SH-276 (on the subject property) as required by the Unified Development Code (UDC). At the time this report was drafted, staff has not received any notices for or against the zoning change requested.

RECOMMENDATIONS:

Should the SUP be granted, staff would offer the following additional conditions:

1. That the development shall strictly adhere to the Building Elevations and Fuel Station Plans as attached hereto.

2. That the development shall be limited to six (6) fuel dispensers as indicated on the Fuel Station Plan.

3. That no outside display of merchandise or outside storage shall be allowed on the property, with the exception of the following items as depicted on the Building Elevations: ice machine, propane cage, and "red box" DVD rental kiosk.

4. Submittal and approval of an application for a final plat be submitted prior to issuance of a Certificate of Occupancy.

5. Adherence to all engineering and fire department standards.

PLANNING AND ZONING COMMISSION:

On October 28, 2014, the Planning and Zoning Commission recommended approval of the applicant's request per staff recommendations and with the additional conditions that there be no outside storage or display of merchandise (*e.g. ice machine, propane tanks, Redbox, etcetera*) and that no deliveries shall be permitted during school zone hours. The motion passed by a vote of 5-1, with Commissioner McCutcheon dissenting and Commissioner Neilson abstaining.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
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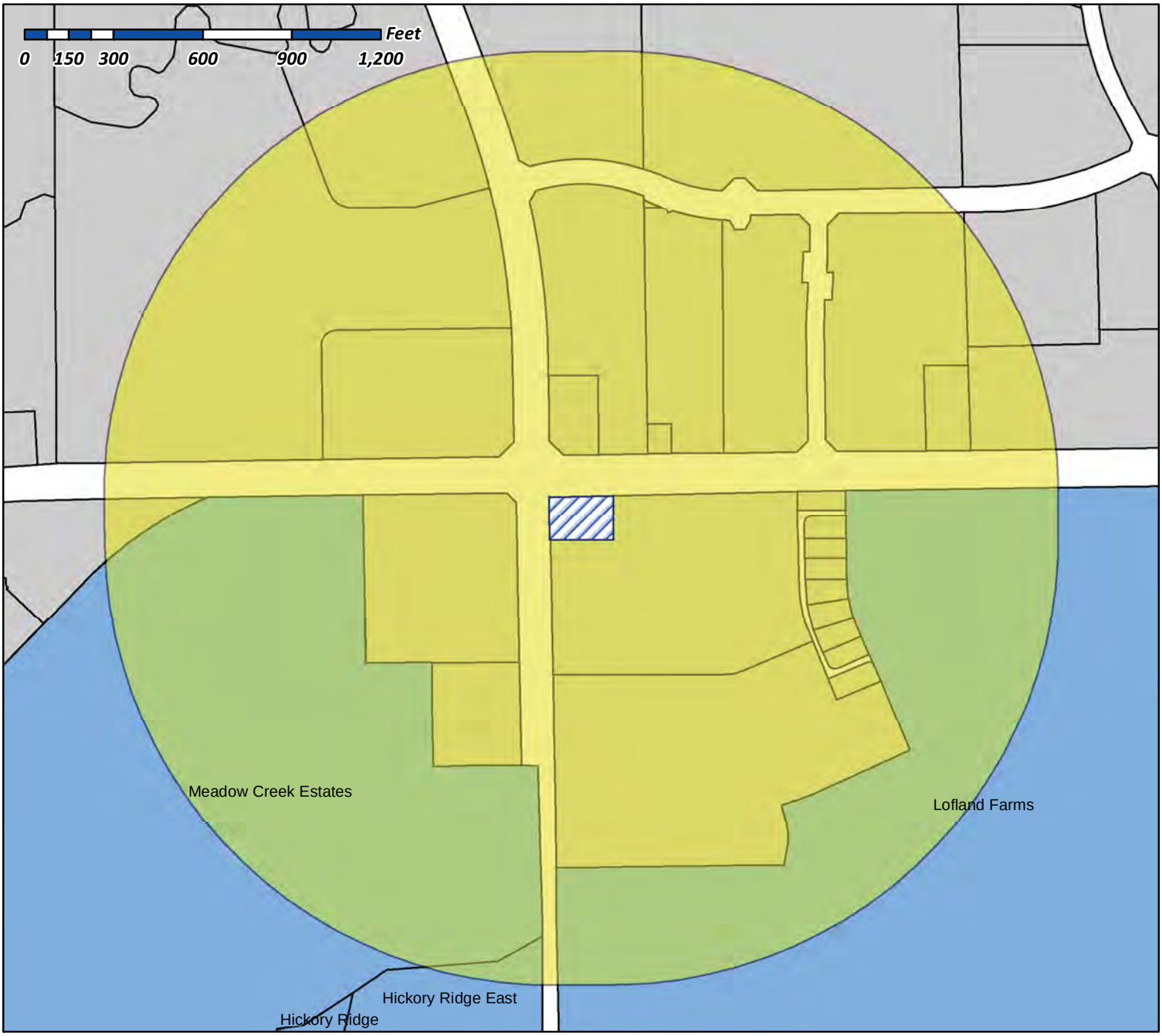
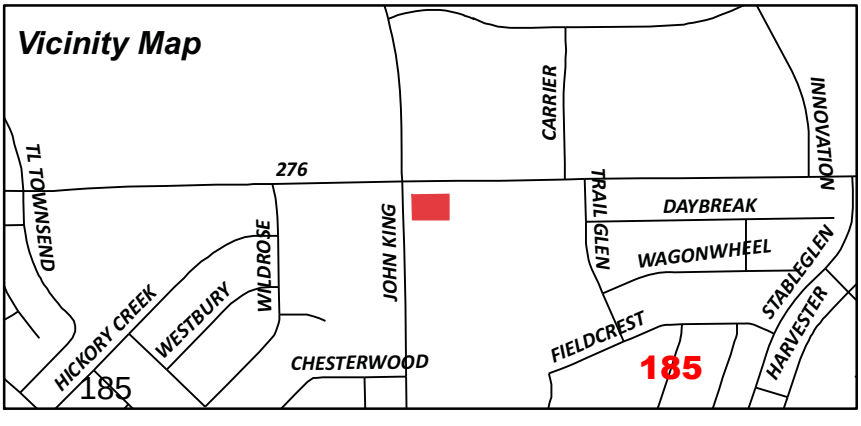


Case Number: Z2014-029
Case Name: Walmart Fuel Center SUP
Case Type: Specific Use Permit
Zoning: PD-45
Case Address: John King Blvd/SH-276

Date Created: *09/26/2014*
For Questions on this Case Call (972) 771-7745



Miller, Ryan

From: Sanford, JoDee
Sent: Thursday, October 30, 2014 2:49 PM
To: Miller, Ryan
Subject: FW: Neighborhood Notification Program: Notice of Zoning Request
Attachments: HOA Map.pdf

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | http://www.rockwall.com

From: Sanford, JoDee
Sent: Friday, October 10, 2014 3:51 PM
Subject: Neighborhood Notification Program: Notice of Zoning Request

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was also published in the Rockwall County News on October 2nd, 2014. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at http://www.rockwall.com/planning/planningDevCases.asp.

Z2014-029 - Hold a public hearing to discuss and consider a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a retail store with more than two (2) gasoline dispensers for a 0.743-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary.

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

Sincerely,

Planning Staff

City of Rockwall

Planning & Zoning Department

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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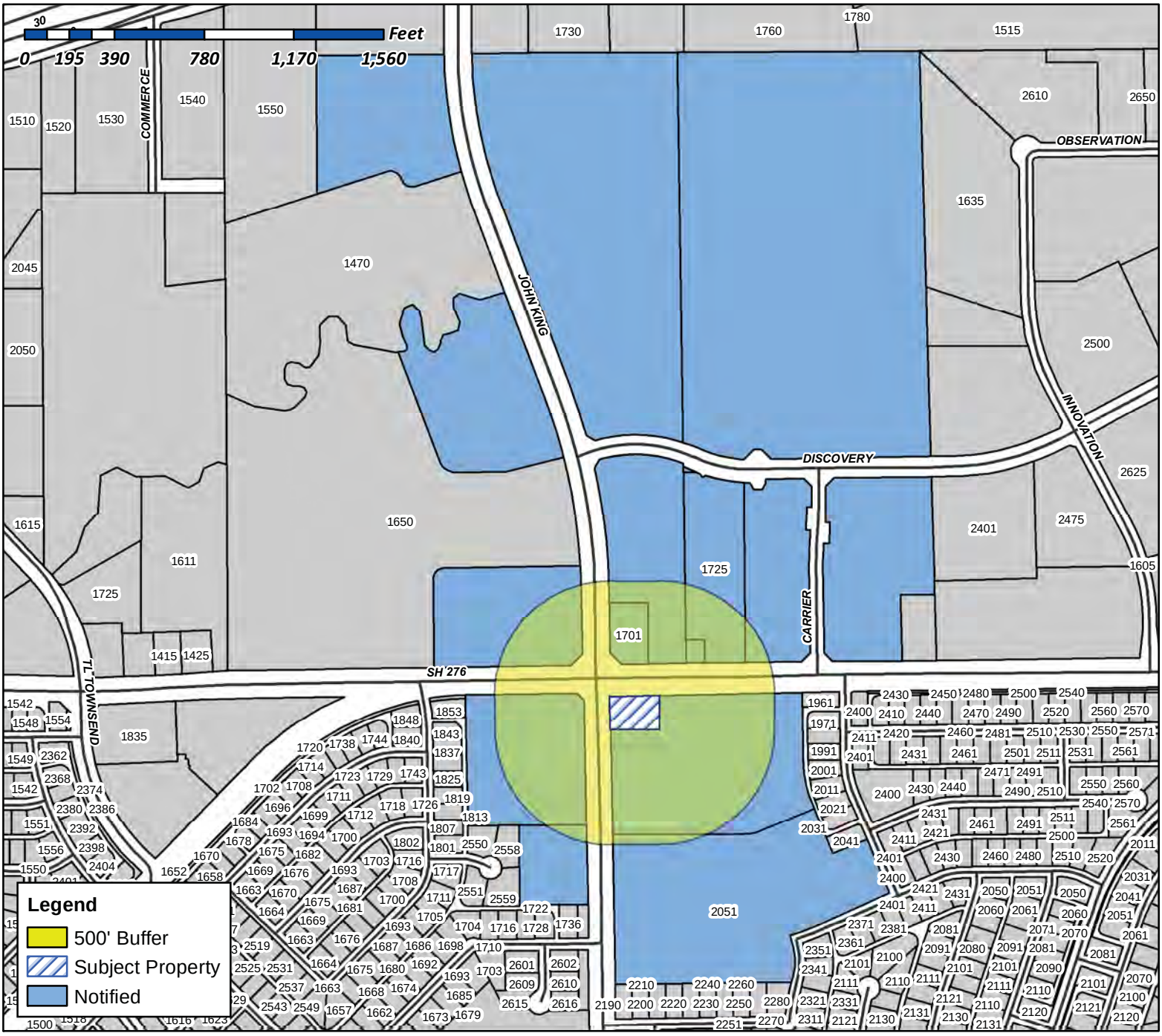
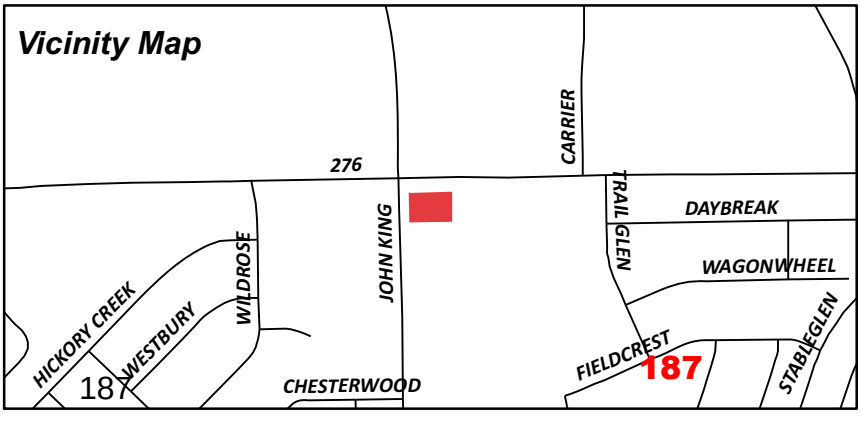


Case Number: Z2014-029
Case Name: Walmart Fuel Center SUP
Case Type: Specific Use Permit
Zoning: PD-45
Case Address: John King Blvd/SH-276

Date Created: *09/26/2014*
For Questions on this Case Call (972) 771-7745



CurrentOccupa nt
1725HWY276
Rockwall,TX75 032

PNEUMAVENTU RESLTD
201LAURENCE DRPMB115
HEATH,TX7503 2

BLACKLANDWATERSUPPLYCORP
POBOX215
FATE,TX75132

CAMBRIDGEPROPERTIESINC
C/OGARRETTPOINDEXTER
8235DOUGLASAVE
DALLAS,TX75225

ROCKWALLBYPASS,LTD
3008EHEBRON PKWYBLDG300
CARROLLTON,T X75010

LOFLANDFARMSLTD
C/OQHRINC
POBOX360399
DALLAS,TX75336

OACSENIORLIVINGLLC
610TOWSONA VENUE
FORTSMITH,AK72902

CurrentOccupa nt
2051TRAILGLEN
Rockwall,TX75 032

CurrentOccupa nt
1701HWY276
Rockwall,TX75 032

ACSHAGENINC
2500 NDALLASPARKWAY#108
PLANO,TX7509 3

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-029: Wal-Mart Fuel Station

Hold a public hearing to discuss and consider a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a retail store with more than two (2) gasoline dispensers for a 0.743-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 10/28/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 11/3/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **11/3/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-029: Wal-Mart Fuel Station

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Kimley»Horn

September 19, 2014

City of Rockwall
385 S. Goliad
Rockwall, TX 75087

RE: ***Specific Use Permit Request Letter***
Walmart 6-Dispenser Fuel Station
Lot 2 of Lofland Farms Retail Addition

To whom it may concern:

In accordance with Part III, Article IV, Section 1.1 of the City of Rockwall's Code of Ordinances, retail stores with more than 2 fuel dispensers shall be permitted only after obtaining a "Specific Use Permit". Please allow this letter to serve as request for an SUP for a 6-dispenser fuel station as shown on the site plan included with this application. The primary use on this site is a ±41,000 square foot Walmart Neighborhood Market grocery store. The fuel station is proposed as a complimentary use to the grocery store, and both the grocery store and fuel station will be owned and operated by Walmart. The fuel station is included on this site for convenience of the grocery customers. The proposed fuel station includes (6) dispensers based on Walmart's experience as a national retailer and projections for this location.

Please contact me at (281) 920-6314 or Steven.Freeman@kimley-horn.com if you have any questions.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Steven Freeman, P.E.

Exhibit 'A'

Legal Description

Lot 2

BEING a tract of land situated in the W.H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, and being a portion of a called 172.854 acre tract of land described in the deed to Lofland Farms, LTD., as recorded in Volume 1392, Page 271, Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

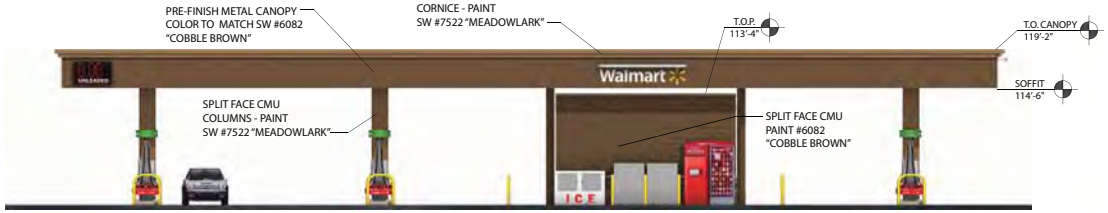
BEGINNING at the northeast corner of a called 0.787 acre tract of land described in the deed to City of Rockwall, as recorded in Volume 2532, Page 38, said Real Property Records, same being on the southerly line of a called 3.512 acre tract of land described in the deed to State of Texas, as recorded in Volume 73, Page 206, Deed Records of Rockwall County, Texas, same also being at the intersection of the easterly right-of-way line of John King Boulevard (110' right-of-way) with the southerly right-of-way line of State Highway 276 (120' right-of-way);

THENCE North 89°10'37" East, along the southerly line of said 3.512 acre tract, and along the southerly right-of-way line of said State Highway 276, a distance of 216.16 feet to a point for corner;

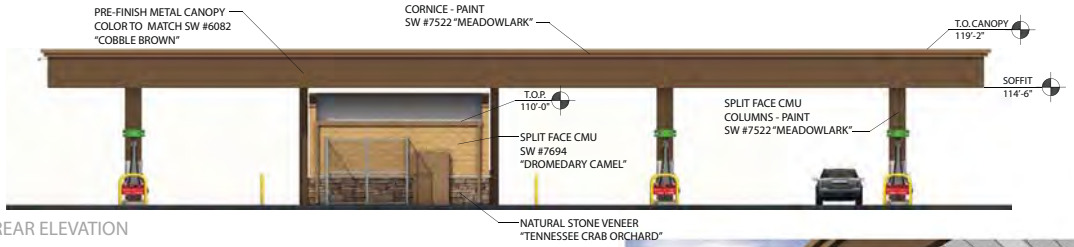
THENCE South 00°49'23" East, departing the southerly line of said 3.512 acre tract, the southerly right-of-way line of said State Highway 276 and crossing said 172.854 acre tract, a distance of 149.84 feet to a point for corner;

THENCE South 89°10'37" West, continuing across said 172.854 acre tract, a distance of 215.56 feet to a point for corner on the easterly line of said 0.787 acre tract, and the easterly right-of-way line of said John King Boulevard;

THENCE North 01°03'14" West, along the easterly line of said 0.787 acre tract, and along the easterly right-of-way line of said John King Boulevard, a distance of 149.84 feet to the **POINT OF BEGINNING** and containing 0.743 of an acre (32,345 square feet) of land, more or less.



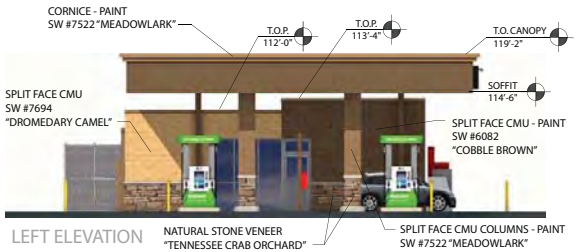
FRONT ELEVATION



REAR ELEVATION



RIGHT ELEVATION



LEFT ELEVATION









Exhibit 'B'

Color Perspective & Building Elevations

Walmart Neighborhood Market

Rockwall(E),TX#4604

FuelStation

RHA ARCHITECTS | October6,2014 | 8

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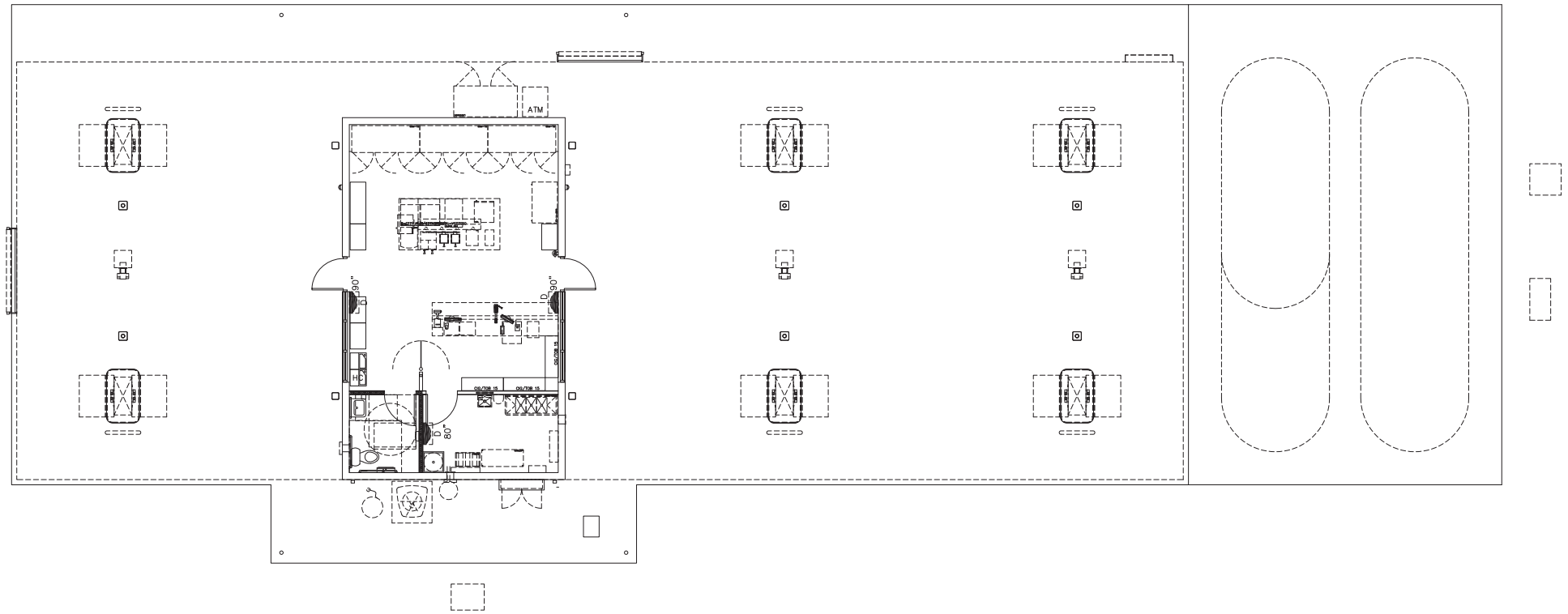

Exhibit 'C'

Fuel Center Plan

FuelStationPlan

Walmart Neighborhood Market

Rockwall(E),TX#4604

RHA ARCHITECTS | October6,2014 | 7

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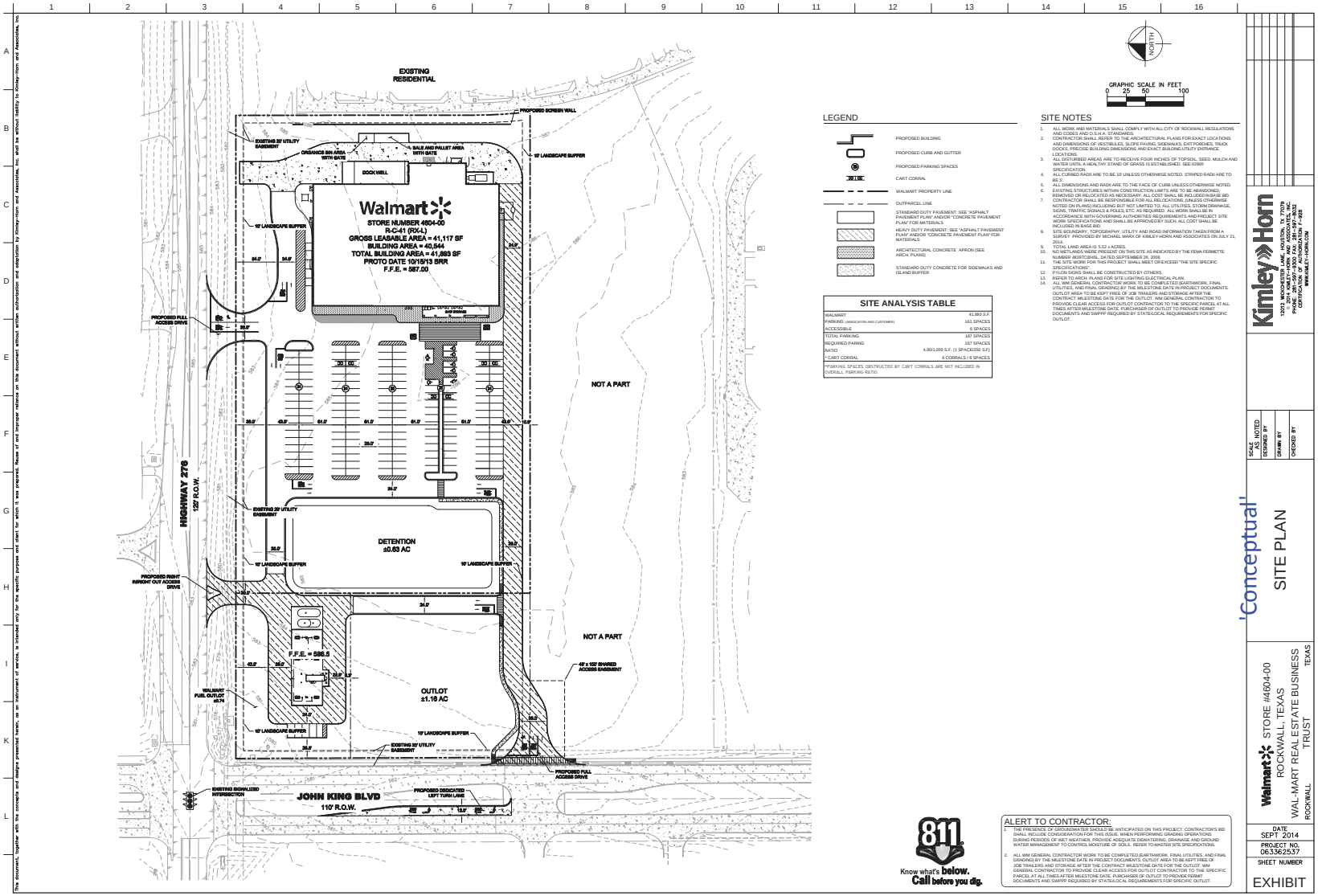

LEGEND

- PROPOSED BUILDING
- PROPOSED CURB AND GUTTER
- PROPOSED PARKING SPACES
- CART CORRAL
- WALMART PROPERTY LINE
- OUTPARCEL LINE
- STANDARD DUTY PAVEMENT: SEE "ASPHALT PAVEMENT PLAN" AND/OR "CONCRETE PAVEMENT PLAN" FOR MATERIALS
- HEAVY DUTY PAVEMENT: SEE "ASPHALT PAVEMENT PLAN" AND/OR "CONCRETE PAVEMENT PLAN" FOR MATERIALS
- ARCHITECTURAL CONCRETE APRON (SEE ARCH. PLANS)
- STANDARD DUTY CONCRETE FOR SIDEWALKS AND ISLAND BUFFER

SITE ANALYSIS TABLE

WALMART	41,993 S.F.
PARKING (ASSOCIATES AND CUSTOMER)	161 SPACES
ACCESSIBLE	6 SPACES
TOTAL PARKING	167 SPACES
REQUIRED PARING	167 SPACES
RATIO	4.00/1,000 S.F. (1 SPACE/250 S.F.)
* CART CORRAL	6 CORRALS / 6 SPACES

*PARKING SPACES OBSTRUCTED BY CART CORRALS ARE NOT INCLUDED IN OVERALL PARKING RATIO.

SITE NOTES

1. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY OF ROCKWALL REGULATIONS AND CODES AND O.S.H.A. STANDARDS.
2. CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
3. ALL DISTURBED AREAS ARE TO RECEIVE FOUR INCHES OF TOPSOIL, SEED, MULCH AND WATER UNTIL A HEALTHY STAND OF GRASS IS ESTABLISHED. SEE 02900 SPECIFICATION.
4. ALL UNLESS NOTED RADII ARE TO BE 10' UNLESS OTHERWISE NOTED. STRIPED RADII ARE TO BE 5'.
5. ALL DIMENSIONS AND RADII ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
6. EXISTING STRUCTURES WITHIN CONSTRUCTION LIMITS ARE TO BE ABANDONED, REMOVED OR RELOCATED AS NECESSARY. ALL COST SHALL BE INCLUDED IN BASE BID.
7. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, (UNLESS OTHERWISE NOTED ON PLANS) INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS & POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS AND PROJECT SITE WORK SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
8. REFER TO SURVEY FOR TOPOGRAPHY, UTILITY AND ROAD INFORMATION TAKEN FROM A SURVEY PROVIDED BY MICHAEL MAYK OF KIMLEY-HORN AND ASSOCIATES ON JULY 21, 2014.
9. TOTAL LAND AREA IS 3.52 ± ACRES.
10. NO WETLANDS WERE PRESENT ON THIS SITE AS INDICATED BY THE FEMA FERMETTE NUMBER 48397C0045L, DATED SEPTEMBER 26, 2008.
11. THE SITE WORK FOR THIS PROJECT SHALL MEET OR EXCEED "THE SITE SPECIFIC SPECIFICATIONS".
12. PYLON SIGNS SHALL BE CONSTRUCTED BY OTHERS.
13. REFER TO ARCH. PLANS FOR SITE LIGHTING ELECTRICAL PLAN.
14. ALL WM GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES, AND FINAL GRADING BY THE MILESTONE DATE IN PROJECT DOCUMENTS. OUTLOT AREA TO BE KEPT FREE OF JOB TRAILERS AND STORAGE AFTER THE CONTRACT MILESTONE DATE FOR THE OUTLOT. WM GENERAL CONTRACTOR TO PROVIDE CLEAR ACCESS FOR OUTLOT CONTRACTOR TO THE SPECIFIC PARCEL AT ALL TIMES AFTER MILESTONE DATE. PURCHASER OF OUTLOT TO PROVIDE PERMIT DOCUMENTS AND SWPPP REQUIRED BY STATE/LOCAL REQUIREMENTS FOR SPECIFIC OUTLOT.

811 Know what's below. Call before you dig.

ALERT TO CONTRACTOR:

1. THE PRESENCE OF GROUNDWATER SHOULD BE ANTICIPATED ON THIS PROJECT. CONTRACTOR'S BID SHALL INCLUDE CONSIDERATION FOR THIS ISSUE. WHEN PERFORMING GRADING OPERATIONS DURING PERIODS OF WET WEATHER, PROVIDE ADEQUATE DEWATERING, DRAINAGE AND GROUND WATER MANAGEMENT TO CONTROL MOISTURE OF SOILS. REFER TO MASTER SITE SPECIFICATIONS.
2. ALL WM GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES, AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS. OUTLOT AREA TO BE KEPT FREE OF JOB TRAILERS AND STORAGE AFTER THE CONTRACT MILESTONE DATE FOR THE OUTLOT. WM GENERAL CONTRACTOR TO PROVIDE CLEAR ACCESS FOR OUTLOT CONTRACTOR TO THE SPECIFIC PARCEL AT ALL TIMES AFTER MILESTONE DATE. PURCHASER OF OUTLOT TO PROVIDE PERMIT DOCUMENTS AND SWPPP REQUIRED BY STATE/LOCAL REQUIREMENTS FOR SPECIFIC OUTLOT.

Kimley»Horn
12012 WICKCHESTER LANE, HOUSTON, TX 77079
PHONE: 281-597-3000 FAX: 281-597-3032
FIRM # 10194154 - TBPE FIRM # 928
WWW.KIMLEY-HORN.COM

SCALE: AS NOTED
DESIGNED BY
DRAWN BY
CHECKED BY

'Conceptual'

SITE PLAN

Walmart STORE #4604-00
ROCKWALL, TEXAS
WAL-MART REAL ESTATE BUSINESS TRUST
ROCKWALL TEXAS

DATE: SEPT 2014
PROJECT NO. 063362537
SHEET NUMBER: EXHIBIT

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Walmart Neighborhood Market

Rockwall(E),TX#4604

SitePlan

RHA ARCHITECTS

October6,2014

2

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CITY OF ROCKWALL

ORDINANCE NO. 14-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A RETAIL STORE WITH MORE THAN TWO (2) GASOLINE DISPENSERS ON A 0.743-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 5-3 OF THE W. H. BAIRD SURVEY, ABSTRACT NO. 25, AND ZONED PLANNED DEVELOPMENT DISTRICT NO. 45 (PD-45) FOR GENERAL RETAIL LAND USES, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Specific Use Permit (SUP) to allow for a retail store with more than two (2) gasoline dispensers and zoned Planned Development District No. 45 (PD-45) for general retail land uses, has been requested by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD, on a 0.743-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, situated at the southeast corner of the intersection of SH-276 and John King Boulevard, and more specifically described in Exhibit 'A' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) to allow for a retail store with more than two (2) gasoline dispensers and zoned Planned Development District No. 45 (PD-45) for the *Subject Property*;

SECTION 2. That the Specific Use Permit shall be subject to the conditions set forth in ***Article V, Section 4.5, Commercial District*** of the City of Rockwall Unified Development Code (Ord. No. 04-38), as heretofore amended and as may be amended in the future, and shall be subject to the additional following additions:

1. The development shall generally adhere to the *Building Elevations* depicted in *Exhibit 'B'* and the *Fuel Station Site Plan* depicted in *Exhibit 'C'* of this ordinance;

DRAFT ORDINANCE 11.05.2014

2. The development shall be limited to six (6) fuel dispensers as indicated on the *Fuel Station Site Plan* contained in *Exhibit 'C'* of this ordinance;

3. No outside storage or display of merchandise (*e.g. ice machine, propane tanks, Redbox, etcetera*) shall be permitted on the *Subject Property*;

4. No deliveries shall be permitted during school zone hours; and,

5. A final plat application shall be submitted and approved prior to the issuance of a Certificate of Occupancy.

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 17TH DAY OF NOVEMBER, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *November 3, 2014*

2nd Reading: *November 17, 2014*

DRAFT ORDINANCE 11.03.2014

Lot 2

BEING a tract of land situated in the W.H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, and being a portion of a called 172.854 acre tract of land described in the deed to Lofland Farms, LTD., as recorded in Volume 1392, Page 271, Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at the northeast corner of a called 0.787 acre tract of land described in the deed to City of Rockwall, as recorded in Volume 2532, Page 38, said Real Property Records, same being on the southerly line of a called 3.512 acre tract of land described in the deed to State of Texas, as recorded in Volume 73, Page 206, Deed Records of Rockwall County, Texas, same also being at the intersection of the easterly right-of-way line of John King Boulevard (110' right-of-way) with the southerly right-of-way line of State Highway 276 (120' right-of-way);

THENCE North 89°10'37" East, along the southerly line of said 3.512 acre tract, and along the southerly right-of-way line of said State Highway 276, a distance of 216.16 feet to a point for corner;

THENCE South 00°49'23" East, departing the southerly line of said 3.512 acre tract, the southerly right-of-way line of said State Highway 276 and crossing said 172.854 acre tract, a distance of 149.84 feet to a point for corner;

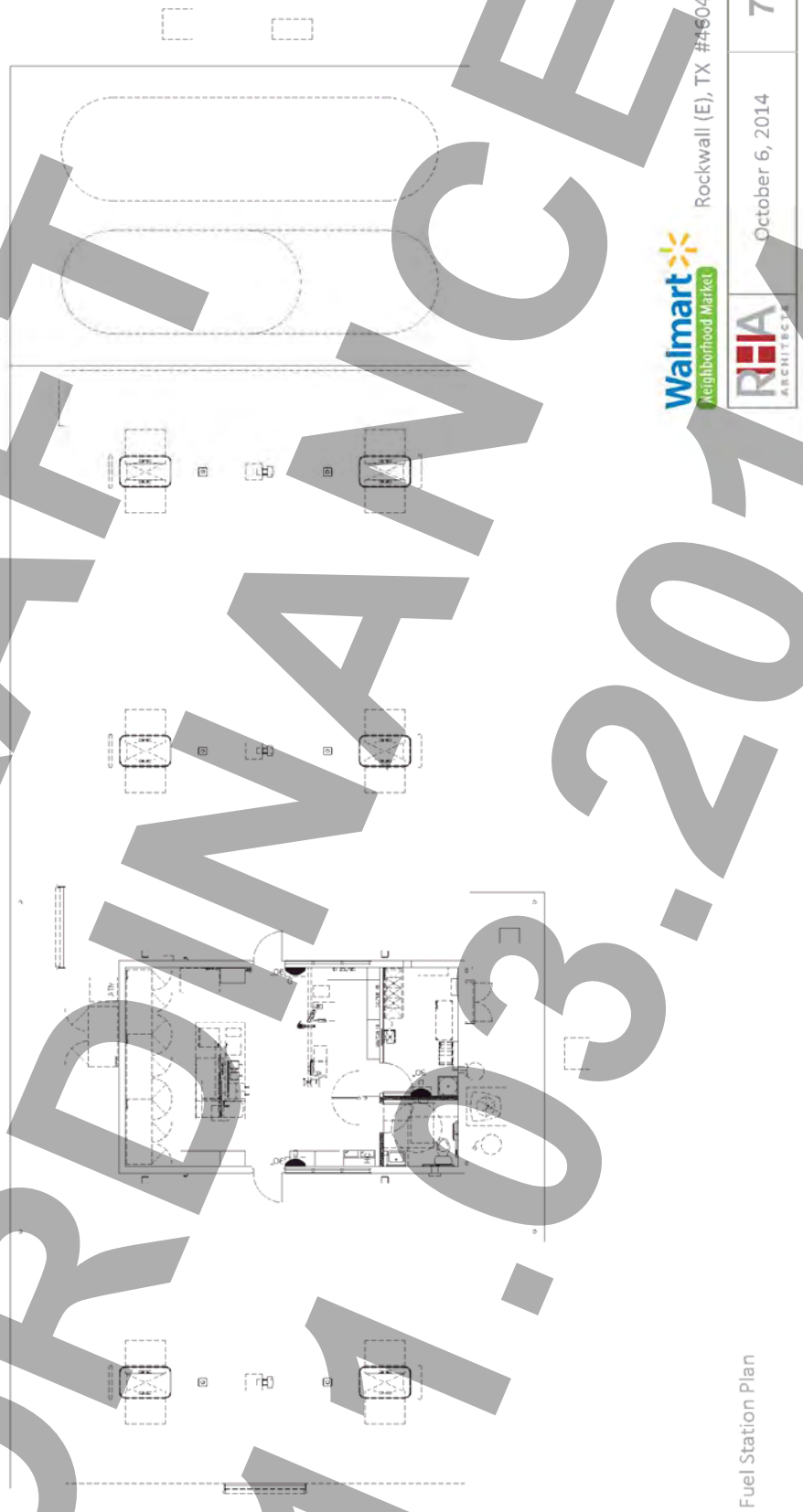
THENCE South 89°10'37" West, continuing across said 172.854 acre tract, a distance of 215.56 feet to a point for corner on the easterly line of said 0.787 acre tract, and the easterly right-of-way line of said John King Boulevard;

THENCE North 01°03'14" West, along the easterly line of said 0.787 acre tract, and along the easterly right-of-way line of said John King Boulevard, a distance of 149.84 feet to the **POINT OF BEGINNING** and containing 0.743 of an acre (32,345 square feet) of land, more or less.

DRAFT ORDINANCE 11.03.2014



DRAFT
ORDINANCE
10.03.2014



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ORDINANCE
11.03.2014

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 11/03/2014

APPLICANT: Steven Freeman of Kimley-Horn and Associates, Inc.

AGENDA ITEM: **Z2014-032**; *Walmart Neighborhood Market SUP*

SUMMARY:

Hold a public hearing to discuss and consider a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a building greater than 25,000 SF in a General Retail (GR) District for a 5.52-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary.

BACKGROUND INFORMATION:

The applicant is seeking approval of a Specific Use Permit (SUP) for a proposed building that exceeds 25,000 sq. ft. in area within a General Retail (GR) District. The applicant has also submitted a request for Site Plan approval concurrently with the SUP for a Walmart Neighborhood Market (*Case# SP2014-025*) which will be considered should the SUP be approved. The property is zoned Planned Development District No. 45 (PD-45) which allows for General Retail land uses, is situated within the SH-205 By-Pass Overlay (205 BY-OV) and the SH-276 Overlay (SH-276 OV) Districts, and is generally located at the southeast corner of the intersection of SH-276 and John King Boulevard.

NOTIFICATION:

On October 16, 2014, staff mailed thirty-seven (37) notices to property owners within 500 feet of the subject property. Staff also notified three (3) HOA's within 1500 feet (Meadow Creek Estates & Lofland Farms, and Hickory Ridge HOA Organizations) by e-mail. Additionally, staff posted a sign at the intersection of John King Blvd and SH-276 (on the subject property) as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received one (1) notice "for" and two (2) notices "opposed to" the zoning change requested.

PLANNING AND ZONING COMMISSION:

On October 28, 2014, the Planning and Zoning Commission recommended approval of the applicant's request per staff recommendations and with the additional recommendation that the applicant provide an eight (8) foot masonry wall along the eastern property line, adjacent to the single family homes. The motion was approved by a vote of 5-1, with Commissioner McCutcheon dissenting and Commissioner Nielson abstaining.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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Exhibit 'A' - Legal Description

BEING a tract of land situated in the W.H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, and being a portion of a called 172.854 acre tract of land described in the deed to Lofland Farms, LTD., as recorded in Volume 1392, Page 271, Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

COMMENCING at the northeast corner of a called 0.787 acre tract of land described in the deed to City of Rockwall, as recorded in Volume 2532, Page 38, said Real Property Records, same being on the southerly line of a called 3.512 acre tract of land described in the deed to State of Texas, as recorded in Volume 73, Page 206, Deed Records of Rockwall County, Texas, same also being at the intersection of the easterly right-of-way line of John King Boulevard (110' right-of-way) with the southerly right-of-way line of State Highway 276 (120' right-of-way);

THENCE North 89°10'37" East, along the southerly line of said 3.512 acre tract, and along the southerly right-of-way line of said State Highway 276, a distance of 216.16 feet to the POINT OF BEGINNING of the herein described tract;

THENCE North 89°10'37" East, continuing along the southerly line of said 3.512 acre tract, and along the right-of-way line of said State Highway 276, a distance of 624.55 feet to a ½-inch iron rod found for corner at the northwest corner of Lot 1, Block D, of Lofland Farms, Phase 3, according to the plat thereof recorded in Cabinet E, Slide 177, said Plat Records of Rockwall County, Texas;

THENCE South 0°51'57" East, departing the southerly line of said 0.787 acre tract and the southerly right-of-way line of said State Highway 276, along the westerly line of said Block D, a distance of 311.91 feet to a ½-inch iron rod with a cap stamped "OWENS" found for corner at the beginning of a tangent curve to the left having a central angle of 7°07'45", a radius of 585.00 feet, a chord bearing and distance of South 4°25'50" East, 72.74 feet;

THENCE in a southeasterly direction, continuing along the westerly line of said Block D, and with said curve to the left, an arc distance of 72.79 feet to a point for corner;

THENCE South 89°10'37" West, departing the westerly line of said Block D and crossing said 172.854 acre tract, a distance of 629.36 feet to a point for corner;

THENCE North 0°49'23" West, continuing across said 172.854 acre tract, a distance of 384.51 feet to the **POINT OF BEGINNING** and containing 5.517 acres (240,314 square feet) of land, more or less.

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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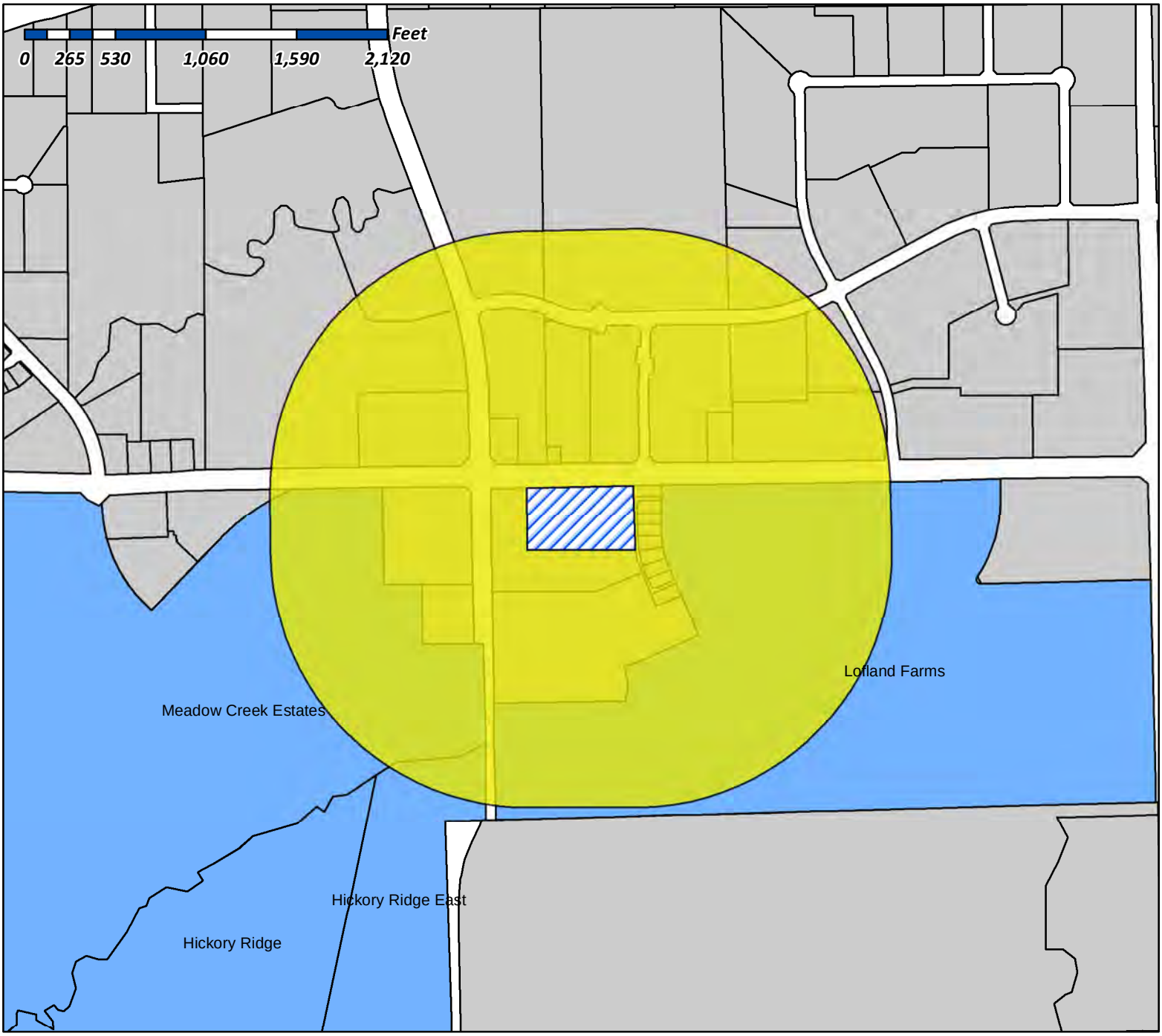
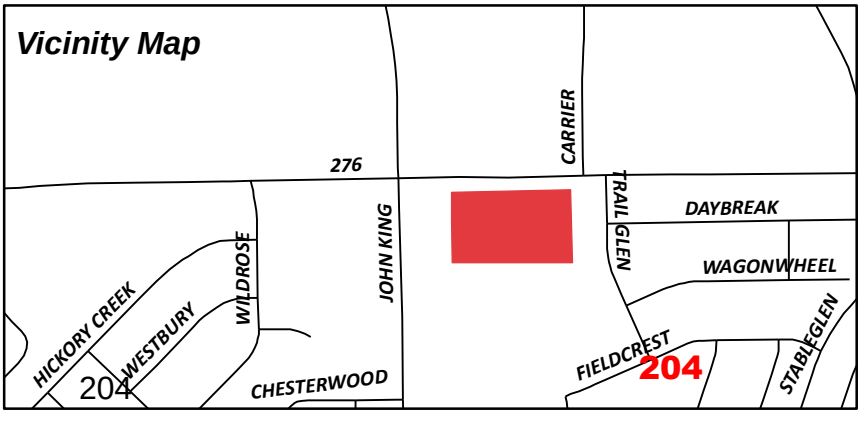


Case Number: Z2014-032
Case Name: Walmart Grocery SUP
Case Type: Specific Use Permit
Zoning: PD-45
Case Address: John King Blvd/SH-276

Date Created: ***10/15/2014***

For Questions on this Case Call (972) 771-7745



Miller, Ryan

From: Sanford, JoDee
Sent: Thursday, October 30, 2014 2:48 PM
To: Miller, Ryan
Subject: FW: Neighborhood Notification Program: Notice of Zoning Request
Attachments: HOA Map Z2014-032.pdf

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | http://www.rockwall.com

From: Sanford, JoDee
Sent: Monday, October 27, 2014 3:58 PM
Subject: Neighborhood Notification Program: Notice of Zoning Request

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was also published in the Rockwall County News on October 16th , 2014. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at http://www.rockwall.com/planning/planningDevCases.asp.

Z2014-032 - Hold a public hearing to discuss and consider a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a building greater than 25,000 SF in a General Retail (GR) District for a 5.52-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary.

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

Sincerely,

Planning Staff

City of Rockwall

Planning & Zoning Department

972.771.7745
planning@rockwall.com

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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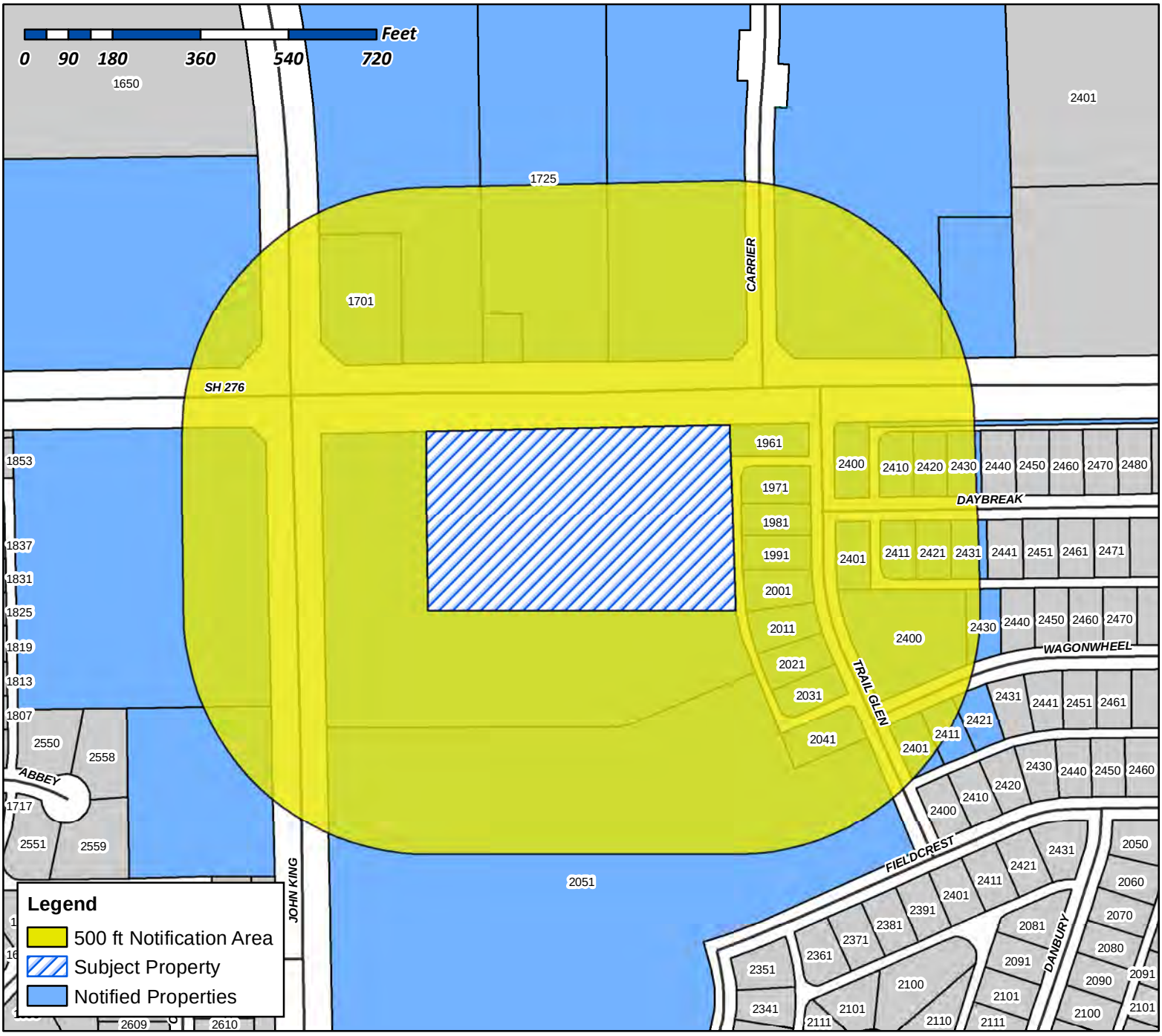
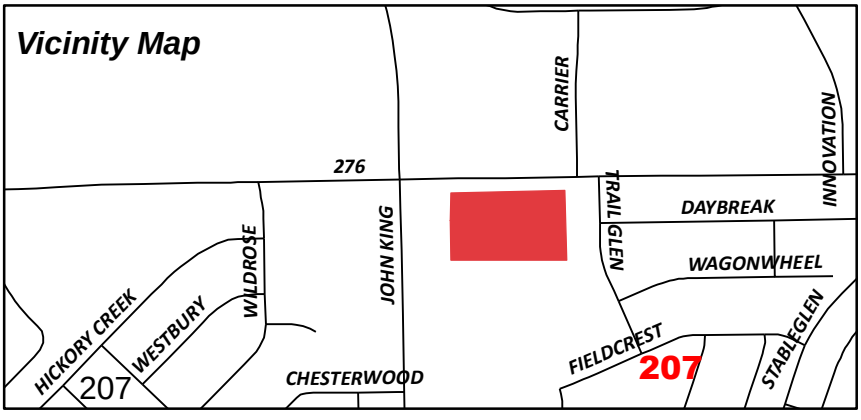


Case Number: Z2014-032
Case Name: Walmart Grocery SUP
Case Type: Specific Use Permit
Zoning: PD-45
Case Address: John King Blvd/SH-276

Date Created: *10/15/2014*

For Questions on this Case Call (972) 771-7745



NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-032: Wal-Mart Neighborhood SUP

Hold a public hearing to discuss and consider a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a building greater than 25,000 SF in a General Retail (GR) District for a 5.52-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 10/28/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 11/3/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **11/3/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-032: Wal-Mart Neighborhood SUP

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Reference No.	Name	Legal Description	Address 1	Address 2	Address 3	City	State	Zip
0002-0000-0001-00-0R	Current Resident	A0002 J M ALLEN, TRACT 1, ACRES 5.527, (PT OF 61.13 AC TR)		1725 HWY276		ROCKWALL	TX	75032
0002-0000-0001-00-0R	PNEUMA VENTURES LTD	A0002 J M ALLEN, TRACT 1, ACRES 5.527, (PT OF 61.13 AC TR)		201 LAURENCE DR	PMB 115	HEATH	TX	75032
0002-0000-0001-02-0R	PEAK PEDI LLC	A0002 J M ALLEN, TRACT 1-02, ACRES 1		6222 BROADWAY BLVD		GARLAND	TX	75043
0002-0000-0001-03-0R	BLACKLAND WATER SUPPLY CORP	A0002 J M ALLEN, TRACT 1-3, ACRES .178		PO BOX 215		FATE	TX	75132
0002-0000-0003-00-0R	CAMBRIDGE PROPERTIES INC	A0002 J M ALLEN, TRACT 3, ACRES 39.1104 (PT OF 47.4734 AC TR)	C/O GARRETT POINDEXTER	8235 DOUGLAS AVE		DALLAS	TX	75225
0025-0000-0001-02-0R	ROCKWALL BYPASS, LTD	A0025 W H BAIRD, TRACT 1-2, ACRES 2.41		3008 E HEBRON PKWY	BLDG 300	CARROLLTON	TX	75010
0025-0000-0005-03-0R	LOFLAND FARMS LTD	A0025 W H BAIRD, TRACT 5-3, ACRES 13.885	C/O QHR INC	PO BOX 360399		DALLAS	TX	75336
4316-000A-0001-00-0R	HARDIN TRAY R & KATIE M	LOFLAND FARMS PH 1, BLOCK A, LOT 1		2400 DAYBREAK DRIVE		ROCKWALL	TX	75032
4316-000A-0002-00-0R	GARCIA BRYAN E & ASHLEY N	LOFLAND FARMS PH 1, BLOCK A, LOT 2		2410 DAYBREAK DR		ROCKWALL	TX	75032
4316-000A-0003-00-0R	KAPP GILBERT ALLEN & GLORIA	LOFLAND FARMS PH 1, BLOCK A, LOT 3		2420 DAYBREAK DR		ROCKWALL	TX	75032
4316-000A-0004-00-0R	YARBROUGH JAMES & NANCY	LOFLAND FARMS PH 1, BLOCK A, LOT 4		2430 DAYBREAK DR		ROCKWALL	TX	75032
4316-000B-0001-00-0R	OWOYE EMANUEL	LOFLAND FARMS PH 1, BLOCK B, LOT 1		2401 DAYBREAK DR		ROCKWALL	TX	75032
4316-000B-0002-00-0R	ONEAL JUDY KAY	LOFLAND FARMS PH 1, BLOCK B, LOT 2		1325 S GOLIAD ST	APT 3206	ROCKWALL	TX	75087
4316-000B-0002-00-0R	Current Resident	LOFLAND FARMS PH 1, BLOCK B, LOT 2		2411 DAYBREAK DR		ROCKWALL	TX	75032
4316-000B-0003-00-0R	DINES CHARLES JAMES & KATHERINE	LOFLAND FARMS PH 1, BLOCK B, LOT 3		2421 DAYBREAK DRIVE		ROCKWALL	TX	75032
4316-000B-0004-00-0R	GOZA JASON & LINSIE	LOFLAND FARMS PH 1, BLOCK B, LOT 4		2431 DAYBREAK DRIVE		ROCKWALL	TX	75032
4316-000B-0021-00-0R	HUGHES NICHOLAS R	LOFLAND FARMS PH 1, BLOCK B, LOT 21		2430 WAGONWHEEL DRIVE		ROCKWALL	TX	75032
4316-000B-0022-00-0R	Current Resident	LOFLAND FARMS PH 1, BLOCK B, LOT 22, SWIM CLUB		2400 WAGONWHEEL DR		ROCKWALL	TX	75032
4316-000G-0001-00-0R	REDDING JOHN CHRISTOPHER AND	LOFLAND FARMS PH 1, BLOCK G, LOT 1	STACIE RICHELLE REDDING	2401 WAGONWHEEL DR		ROCKWALL	TX	75032
4316-000G-0002-00-0R	BUFFINGTON JUDITH L	LOFLAND FARMS PH 1, BLOCK G, LOT 2		2411 WAGONWHEEL DR		ROCKWALL	TX	75032
4316-000G-0003-00-0R	AKERS DAVID A & EREKA J	LOFLAND FARMS PH 1, BLOCK G, LOT 3		2421 WAGONWHEEL DR		ROCKWALL	TX	75032
4318-000D-0001-00-0R	Current Resident	LOFLAND FARMS PHASE 3, BLOCK D, LOT 1		1961 TRAIL GLEN DR		ROCKWALL	TX	75032
4318-000D-0001-00-0R	HOCKINSON KIRK & KAREN	LOFLAND FARMS PHASE 3, BLOCK D, LOT 1		25 PRAIRIE FALCON DR		NOVATO	CA	94949
4318-000D-0002-00-0R	ROACH ROBERT A AMD JANINE JABIN	LOFLAND FARMS PHASE 3, BLOCK D, LOT 2		1349 ALICANTE DR		PACIFICA	CA	94044
4318-000D-0002-00-0R	Current Resident	LOFLAND FARMS PHASE 3, BLOCK D, LOT 2		1971 TRAIL GLEN DR		ROCKWALL	TX	75032
4318-000D-0003-00-0R	WYATT GARRY	LOFLAND FARMS PHASE 3, BLOCK D, LOT 3		1124 LAKES DR		ROYSE CITY	TX	75189
4318-000D-0004-00-0R	Current Resident	LOFLAND FARMS PHASE 3, BLOCK D, LOT 4		1991 TRAIL GLEN DR		ROCKWALL	TX	75032
4318-000D-0004-00-0R	LEE CARL	LOFLAND FARMS PHASE 3, BLOCK D, LOT 4		4418 PERSHING AVE		FT WORTH	TX	75106
4318-000D-0005-00-0R	INMAN JENNIFER MICHELE	LOFLAND FARMS PHASE 3, BLOCK D, LOT 5		2001 TRAIL GLN		ROCKWALL	TX	75032
4318-000D-0006-00-0R	CLARKE DARIN & RACHELLE	LOFLAND FARMS PHASE 3, BLOCK D, LOT 6		2011 TRAIL GLN		ROCKWALL	TX	75032
4318-000D-0007-00-0R	Current Resident	LOFLAND FARMS PHASE 3, BLOCK D, LOT 7		2021 TRAIL GLEN DR		ROCKWALL	TX	75032
4318-000D-0007-00-0R	PFEFFER WILLIE A AND	LOFLAND FARMS PHASE 3, BLOCK D, LOT 7	EUGENE PFEFFER AND CAROL INMAN	4708 MILLRIDGE		MESQUITE	TX	75150
4318-000D-0008-00-0R	PUYEAR ALICE	LOFLAND FARMS PHASE 3, BLOCK D, LOT 8		2031 TRAIL GLN		ROCKWALL	TX	75032
4318-000D-0009-00-0R	ZELLER JOEL D & TAMMY SAMPLES	LOFLAND FARMS PHASE 3, BLOCK D, LOT 9		2041 TRAIL GLN		ROCKWALL	TX	75032
4784-0001-0001-00-0R	OAC SENIOR LIVING LLC	ROCKWALL BYPASS ADDITION, BLOCK 1, LOT 1, ACRES 6.705		610 TOWSON AVENUE		FORT SMITH	AK	72902
5213-000A-0001-00-0R	Current Resident	VRE ROCKWALL ADDITION, BLOCK A, LOT 1, ACRES 1.0080		1701 HWY 276		ROCKWALL	TX	75032
5213-000A-0001-00-0R	ACS HAGEN INC	VRE ROCKWALL ADDITION, BLOCK A, LOT 1, ACRES 1.0080		2500 N DALLAS PARKWAY #108		PLANO	TX	75093

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NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-032: Wal-Mart Neighborhood SUP

Hold a public hearing to discuss and consider a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a building greater than 25,000 SF in a General Retail (GR) District for a 5.52-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 10/28/2014 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 11/3/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **11/3/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-032: Wal-Mart Neighborhood SUP

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name: Judith L. Buffington

Address: 2411 Wagonwheel Dr. Rockwall, TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



...E BELOW FORM

Case No. Z2014-032: Wal-Mart Neighborhood SUP

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

Wal-mart Neighborhood market would sell alcoholic bev beverages too close to an elementary school, which happens to be where our kids go to school.

Name: Joel & Tammy Zeller

Address: 2041 Trail Glen

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

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David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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Your comments must be received by **11/3/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-032: Wal-Mart Neighborhood SUP

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

1. Too close to our elementary School - Dangerously increases traffic where children are near / walk / play.
2. Our neighborhood is tight getting into & out of - this will only further the congestion to our neighborhood. 3. This will lower our economic resale value of our home

Name: Darin & Rachelle Clarke

Address: 2011 Trailglen Rockwall, TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Gonzales, David

From: Sanford, JoDee on behalf of Planning
Sent: Thursday, October 23, 2014 8:28 AM
To: Gonzales, David
Subject: FW: Proposed Wal-Mart on 276

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | http://www.rockwall.com

From: Kris McDonald [redacted]
Sent: Wednesday, October 22, 2014 8:06 PM
To: Planning
Subject: Proposed Wal-Mart on 276

Attn: Dave Gonzalez

I am writing to you to voice my support for the proposed Wal-Mart grocery store on the corner of John King & Hwy 276. While some in the neighborhood are wringing their hands and screaming at others to "think of the children", the research shows that this decision is a positive one for our neighborhood and community.

While the loudest voices spout off baseless negative speculation about why this is terrible for our neighborhood, the reality is that the convenience is a blessing to us all, and our home values will only rise.(http://faculty.chicagobooth.edu/devin.pope/research/pdf/Pope_Pope_walmart_aej_applied.pdf)

Please do not be persuaded by a few loud voices. The silent majority are looking forward to this business moving within walking distance to our homes.

Sincerely,

Kris McDonald
Lofland Farm Resident

Research Paper from link to Follow

Research Paper Provided by Kris McDonald
See e-mail

When Walmart Comes to Town: Always Low Housing Prices? Always?[†]

Devin G. Pope
Booth School of Business
University of Chicago

Jaren C. Pope[*]
Department of Economics
Brigham Young University

Draft: September 2013

Abstract

Walmart often faces strong local opposition when trying to build a new store. One common complaint is that Walmart lowers nearby housing prices. In this study we use over one million housing transactions located near 159 Walmarts that opened between 2000 and 2006 to test if the opening of a Walmart lowers housing prices. Using a difference-in-differences specification, our estimates suggest that a new Walmart store actually increases housing prices by between 2 and 3 percent for houses located within 0.5 miles of the store and by 1 to 2 percent for houses located between 0.5 and 1 mile.

Keywords: Walmart; Housing Prices;

[†] We thank Emek Basker, Nick Kuminoff, Lars Lefgren, and Arden Pope as well as colleagues at the University of Chicago and Brigham Young University for helpful discussions about this paper. We also thank Chris Bruegge and Brendan Forster for excellent research assistance on this project. The standard disclaimer applies.
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Jaren Pope: Corresponding Author, Department of Economics, Brigham Young University, 180 Faculty Office Building, Provo, UT 84602-2363. Phone: 801-422-2037; email: jaren_pope@byu.edu .

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1. Introduction

One of the most significant changes over the past two decades in the U.S. retail market is the expansion of large box stores and supercenters. Walmart is the largest of these rapidly growing retailers and is currently the biggest private employer in the world. In the United States alone, Walmart currently operates more than 4,400 retail facilities and employs almost 1.4 million people.[1] Phone surveys suggest that 84% of households in the U.S. shop at Walmart in a given year with 42% of households reporting to be regular Walmart shoppers (Pew Research Center, 2005). These surveys also show that lower-income households are more likely to shop at Walmart than upper-income households. In fact, Basker, (2005b), Hausman and Leibtag (2007), and Basker and Noel (2009) have shown that Walmart "Supercenters" that sell groceries offer many identical food items as other grocers at an average price that is substantially lower than their competitors. Hausman and Leibtag (2007) also find that these lower prices translate into a significant increase in consumer surplus.

Despite the consumer benefits from the expansion of supercenters into new geographic markets, there is often significant opposition and controversy when Walmart tries to open a new store. One concern of opponents is the impact that a new Walmart will have on local employment opportunities and wages. There is a small literature that has analyzed this common concern including Basker (2005a), Hicks (2007a) and Neumark et al. (2008). The findings of these studies have been mixed with Basker (2005a) and Hicks (2007a) finding positive effects on employment and/or wages, while

[1] These numbers were taken from the August 2011 fact sheet provided on the Walmart website and can be found at http://walmartstores.com/pressroom/factsheets/

Neumark et al. (2008) found negative effects.[2] Another primary concern of opponents to a new Walmart, is the effect it will have on crime, traffic and congestion, noise and light pollution, the visual aesthetics of the local area, and ultimately the impact that these externalities will have on local housing prices which are likely to aggregate the positive and negative effects of a Walmart opening in a locality.[3] However, unlike the academic literature that surrounds the labor-market effects of Walmart, there has been no peer-reviewed work that attempts to understand the impact of Walmart on housing prices.[4]

In this paper we try to understand if building a new Walmart has a positive or negative effect on nearby housing prices. Answering this question is important as citizens and local governments grapple with the economic impacts of allowing Walmart to build a new store in their jurisdiction. Analyzing housing prices is a particularly useful way to understand the economic value of a Walmart entering a community. For example, when a Walmart is built, it generally is not built in isolation. The Walmart store often acts as a hub that attracts a variety of other businesses, which in turn, can also have impacts on housing markets. If households value convenient access to the goods and services that Walmart and these other businesses provide, then the new stores would have a positive

[2] The different findings in these studies depend primarily on the identification strategy employed to account for the potential endogeneity of the location and timing of Wal-Mart openings. See Basker (2007) and Neumark et al. (2008) for a discussion of these differences.

[3] Basker's (2007) overview article on the causes and consequences of Walmart's growth states that "Wal-Mart's effects on local government expenditures urban sprawl, traffic, crime, and social capital have received some attention in popular discourse." It also states that "Places that have limited Wal-Mart's entry have often cited its potential impact on urban sprawl, traffic, and congestion; however, research is needed to test these claims." Prominent concerns listed by opponents of Walmart on the internet include less local employment opportunities and lower wages, lower property values, increased crime, traffic, congestion, noise and light pollution. See for example: http://corpethics.org/downloads/northcross_no_walmart.pdf.

[4] There is a paper on the impact of Walmart on annual property tax collections and commercial properties by Hicks (2007b) and a working paper by Vandegrift, Loyer, and Kababik (2011). There is also a small but growing literature on the impact of Walmart on a variety of other outcomes outside of labor and housing markets. These include poverty rates (Goetz and Swaminathan, 2006), small business activity (Sobel and Dean, 2008), obesity (Courtemanche and Carden, 2011), social capital (Goetz and Rupasingha, 2006; Carden et al., 2009a), leisure activities (Carden and Courtemanche, 2009), traditional values (Carden et al., 2009b), and on other grocery stores (Ellickson and Grieco, 2013).

impact on housing prices. However, if Walmart and the businesses that agglomerate nearby also impose negative externalities such as increased pollution, crime, and traffic, then this could adversely impact prices of nearby houses. Thus the housing price effect *a priori* is ambiguous. Accurately estimating the housing price changes that result from the building and opening of a Walmart and the agglomeration it spurs may help local policymakers to better understand if the net effect of a new Walmart is perceived as beneficial to nearby households. This could in turn provide some economic justification for a local government to encourage or discourage the building of a Walmart store in its jurisdiction.

Our analysis of the impact that Walmart has on housing prices utilizes two unique datasets. The first dataset describes when and where Walmarts opened between 2000 and 2006. The second dataset includes data for more than one million residential housing transactions that occurred within four miles of 159 Walmarts that opened during this time period. In contrast to the county-level analyses conducted by most previous work on the impacts of Walmart, the micro-level nature of our dataset allows us to develop an identification strategy that can help us to overcome the potential endogeneity of the location and timing of Walmart openings. More specifically, we employ a difference-in-differences analysis that compares housing prices before and after a Walmart opens for areas very close to a newly built Walmart, to areas slightly farther away.

The results from this analysis suggest that a new Walmart store increases nearby housing prices. Our primary analysis suggests that houses located within 0.5 miles of the store see increases in their sale prices of about 2-3 percent when comparing the two and a half years before the Walmart opened to the two and a half years after the opening.

Houses between 0.5 and 1 mile from the Walmart see an increase of 1-2 percent. It does not appear that these price impacts are caused by an abrupt increase in the number of houses that sold in the area or by a change in the composition of houses that sold. Furthermore, graphical evidence and falsification tests provide no evidence of a spurious, positive effect due to differential housing price growth at the Walmart location and are therefore supportive of a causal interpretation of our difference-in-differences estimates of the impact of Walmart on housing prices.

The paper proceeds as follows. In section 2 we discuss the potential impacts of Walmart in terms of the value of accessibility and the costs of negative externalities. We proceed in section 3 to describe the key datasets used in our analysis. In section 4, we describe our empirical strategy for estimating the impact of Walmart on housing prices and in section 5, we present the results. Finally, we conclude in section 6.

2. Accessibility and Externality Effects of Walmart

Walmart likely affects housing prices through two main channels—accessibility and negative externalities. Many studies at the intersection of economics and geography have shown that land and housing prices vary with accessibility to "business districts" that provide shopping and employment. For example, the American Housing Survey (AHS), which is constructed by the U.S. Census Bureau and is based on household surveys that are aimed at better understanding the determinants of housing values throughout the United States, specifically asks households if there is "satisfactory shopping within 1 mile." Using this data, Emrath (2002) provided evidence that having satisfactory shopping within one mile increased housing prices substantially inside metro

areas. Others, including Sirpal (1994) and Des Rosiers et al. (1995), have also found a positive correlation between shopping centers and housing prices. These studies suggest that having convenient access to a Walmart might increase housing prices.

On the other hand, the introduction of a Walmart store in a community also has the potential to lower housing prices through increased local crime, noise and light pollution, traffic congestion, garbage accumulation, and loss of perceived visual aesthetics. Several studies have shown that these disamenities are capitalized into housing prices. For example, Linden and Rockoff (2008) and Pope (2008) have both recently shown that a discrete change in the risk of a localized crime can have a causal impact on housing prices, Smith et al. (2002) showed that freeway noise can have a negative impact on housing prices, and Lim and Missios (1995) showed the negative impact of landfills on housing prices.

An important question that has not been addressed in the literature is whether or not the benefits of access to a Walmart outweigh the costs imposed by any negative externalities that it imposes on the local community when it builds a store. Analyzing housing prices before and after a Walmart is built in a given locale offers the potential to test whether or not the benefits of accessibility outweigh the costs of negative externalities. If one were to see a decrease in housing prices near a Walmart store after it was built, this might signal that there are significant negative externalities imposed on landowners and households nearby Walmart. However, if one were to see an *increase* in housing prices, this might suggest that the benefits of easy access to Walmart's lower prices or the other shopping that naturally agglomerates near a Walmart outweigh any negative externalities imposed on local residents.

There is some evidence that the value of accessibility declines less rapidly across space than the costs of localized externalities. Li and Brown (1980) provide empirical evidence to suggest that although proximity to industry and commercial areas impose negative externalities on nearby houses, this same proximity creates substantial benefits to households far enough away to avoid the sphere of influence from the negative externalities. In the next sections we examine the impact of building Walmart stores on surrounding housing prices to test whether the benefits of accessibility to Walmart outweigh the costs of negative externalities that Walmart may impose.

3. Data

The analysis relies on two key datasets. The first is data on Walmart stores that opened over the relevant time frame of our study. The second is data on single family residential properties in areas where the Walmart stores opened. In this section we describe each source of data in preparation for our empirical analysis.

3.1 Walmart Data

The Walmart data includes the address and opening dates of regular Walmart stores and Walmart supercenters in the United States.[5] The original data contain the full universe of Walmart stores that were built between 1962 and Jan. 31, 2006. However, because we only have access to housing data between 1998 and 2008 (see next section), we focus on 159 stores that were built between July 2000 and January 31, 2006 for which

[5] The data was generously provided to us by Thomas J. Holmes of the University of Minnesota and was used in his paper, Holmes (2011). The data and additional information on how the data were collected can be found at Professor Holmes' website at: http://www.econ.umn.edu/~holmes/research.html

we have corresponding housing data. Table 1 provides summary statistics for this dataset over time and space. Panel A shows the years in which the 159 Walmarts in our primary sample were built. It may seem curious that there were 9 stores built in 2006 when our dataset ends January 31, 2006. However, Panel B of Table 1 shows that January is the most common month for Walmarts to open. This is because January 31st is considered the end of Walmart's fiscal year and so it appears there is a push to open new Walmarts before this date. Panel C shows the twenty U.S. states in our primary sample in which Walmarts were built.

We also collected some additional information on when it was announced that these Walmarts were to be built. This information was collected using the internet to find newspaper articles or other online sources that indicated the timing of when the building of a particular Walmart was announced to the community.[6] After collecting these dates, we found that the median number of days from when the Walmart store was announced until its construction was completed and the Walmart store was open for business was 516 days.[7] This information is useful in our analysis to help determine the appropriate size of the temporal window in which to analyze the housing price effects from a Walmart opening. The announcement information is also useful for explicitly estimating if there are price effects from the announcement itself.

[6] While we think the open dates are one hundred percent accurate since they are the dates reported by Walmart itself, the announcement dates are based on the earliest newspaper reference to the Walmart being built and therefore is more of an approximate date. We used www. newsbank.com which has a fully searchable database of more than 2,000 newspaper titles to find these approximate announcement dates.
[7] This number corresponds reasonably well with the statement that Walmart made in the Wall Street Journal on September 25, 2006 that it generally takes them 18-24 months to plan, construct and open a store.

3.2 Housing Price Data

Our analysis is based on a large housing dataset of more than one million observations on the sales of single-family residential properties across the United States between January 1, 1998 and January 31, 2008. We purchased the data from a commercial vendor who had assembled them from assessor's offices in individual towns and counties.[8] The data include the transaction price of each house, the sale date, and a consistent set of structural characteristics, including square feet of living area, number of bathrooms, number of bedrooms, year built, and lot size. Using these characteristics, we performed some standard cleaning of the data, removing outlying observations, removing houses built prior to 1900, and removing houses built on lots larger than 5 acres.

The data also include the physical address of each house, which we translated into latitude and longitude coordinates using GIS street maps and a geocoding routine. The lat-long coordinates were then used to determine the distance of each house to the nearest Walmart location. In our primary analysis we restrict the data to include only those houses that are within four miles of a Walmart and that sold in the two and a half years before the nearest Walmart opened or in the two and a half years after it opened.[9] Table 2 provides summary statistics of our primary housing dataset. The first column reports the summary statistics for the over 600,000 housing transactions between 1998 and 2008 that will be used in our primary analysis. The average sale price, square footage, # of baths, age, lot size, and number of bedrooms in our full sample of homes was approximately 267,000 dollars, 1,767 square feet, 2 baths, 30 years old, 0.25 acres and 3 bedrooms

[8] The commercial data vendor is Dataquick whose housing data is often used for academic research. Dataquick collects the housing data from county recorder and assessor offices. When a single-family house is transacted, the recorder's office records the transaction price and then these prices can be publicly disclosed in most areas of the country. The assessor's office, which is tasked with assessing the value of properties in a county for tax purposes, compiles information about the structural characteristics of all single-family houses in a county. Our data represents the combination of these two datasets and therefore is the universe of transactions in a given county (before cleaning the data).

[9] A four mile radius was chosen *a priori* following Holmes (2011) assumption that houses within 2 miles are considered within the Walmart's "neighborhood." Houses between two and four miles were included in our sample to act as a natural control group. Also, Ellickson and Grieco (2013) find that the effect of Walmarts that open with grocery stores on other grocery stores extends about three miles.

respectively. Also, about 15% of houses in our sample of transactions were newly constructed, approximately 2% are located within 0.5 miles of where a Walmart has or will be built, 7% are located between 0.5 and 1 mile, and 25% between 1 and 2 miles.[10] The columns labeled "1 to 2 miles", "0.5 to 1 mile" and "within 0.5 mile" provide summary statistics for houses within these distances to where a Walmart has or will be built. The summary statistics indicate that, houses closer to a Walmart tend to be smaller in size, somewhat newer, and on slightly smaller lots. These small differences in housing characteristics suggest that new Walmarts were not built in random locations. The endogenous placement of Walmarts motivates the empirical strategy that we outline below.

4. Empirical Strategy

4.1 Hedonic Pricing Method

When a household chooses to purchase a house, it is choosing more than just housing characteristics; it is also choosing a bundle of locational characteristics such as school quality, levels of criminal activity, proximity to work, and access to shopping. The hedonic model was developed by Rosen (1974) to provide a theoretical foundation for the relationship between prices and attributes. For over 40 years economists have used the hedonic pricing method in conjunction with the housing market to reveal household preferences for important locational characteristics.[11]

Early work in this area typically used cross-sectional data to try and identify the implicit price of the locational attribute of focus. The primary concern with this literature

[10] A house was defined as new construction if the year it sold was the same year it was reportedly built or the year after it was built.
[11] Ridker and Henning's (1967) study on the value of air quality is one of the earliest examples in this literature. See Palmquist (2005) for a more complete review of the hedonic method applied to housing markets.

has been the possibility that omitted variables lead to a bias in the estimates for key implicit prices. For example, if Walmarts tend to be built in areas where there is higher crime, then a cross-sectional estimate of the implicit price for living near a Walmart that excludes the relevant measures of crime will be biased downwards (more negative). Recognizing the importance of mitigating this type of omitted variable bias, a new wave of hedonic analyses have exploited quasi-experiments in time and/or space to better overcome omitted variable bias and identify implicit prices of interest. Examples of this new wave of quasi-experimental hedonic research include Black (1999), Figlio and Lucas (2004), Chay and Greenstone (2005), Pope (2008) and Linden and Rockoff (2008), among others.[12]

The work presented in this study builds off of this quasi-experimental literature in the construction of an identification strategy to understand the impact of Walmart openings on housing prices. The concern with using a "traditional" hedonic approach to analyzing the impact that Walmart has on housing prices is of course omitted variable bias. A quasi-experimental hedonic specification that could be used to help overcome the omitted variable bias concerns of the traditional approach would be a spatial difference-in-differences specification of the following form:

$$(1)\quad \log(P_{ijym}) = \alpha_{jym} + \gamma \mathbf{X}_i + \beta_0 D_{ij}^{0.5} + \theta_0 D_{ij}^{1} + \phi_0 D_{ij}^{2} + (\beta_1 D_{ij}^{0.5} + \theta_1 D_{ij}^{1} + \phi_1 D_{ij}^{2}) * Post_{iym} + \varepsilon_{ijym}$$

The log of the sale price of the house is a function of a store (j) by year (y) by month (m) specific effect (α_{jym}), observable individual (i) property characteristics ($\mathbf{X}_i$), indicator variables of individual houses within 0.5, 0.5 to 1, and 1 to 2 miles of a Walmart, where

[12] See Parmeter and Pope (2012) for a more detailed review of the quasi-experimental method applied to housing and hedonic models. Also, see Kuminoff and Pope (2012) for an in-depth discussion of the correspondence between capitalization effects identified in a quasi-experimental hedonic application and the welfare effects that the traditional hedonic model describes.

the omitted indicator variable is an indicator for homes between 2 and 4 miles from the nearest Walmart ($D_{ij}^{0.5}; D_{ij}^{1}; D_{ij}^{2}$), interactions of each of these spatial indicator variables with an indicator ($Post_{iym}$) for whether the housing transaction took place after the Walmart was opened (or announced), and a random error term that allows for year by month by store area specific correlation in housing prices (ε_{ijym}). The key parameters in this specification are the estimates for the spatial indicators ($\hat{\beta}_1; \hat{\theta}_1; \hat{\phi}_1$). These parameters give us the local effect on the treated spatial zones.[13]

The key advantage of the difference-in-differences specification is that by including spatial fixed effects and looking at housing prices before and after the opening of Walmarts, we can difference away time-invariant omitted variables that could bias our estimates. However, we must rely on the identifying assumption that housing price trends for areas near the Walmart and those areas slightly farther away from the Walmart would have been the same had the Walmart store (and any other stores from the agglomeration effect) not been built. This assumption would be less attractive if we were using county-level averages of housing prices to make comparisons between "treated" counties and "control" counties.[15] As discussed earlier, much of the literature on the labor market effects relied on county-level measures for their analyses. This is why, for example, Basker (2005a) and Neumark (2008) relied on instrumental variable strategies to deal with the endogeneity of Walmart location decisions. In our analysis, instead of needing

[13] The estimates generated from this specification are clearly for the houses near the Walmarts in our sample and may not be externally valid, for example, in very rural areas for which we do not have housing transactions.

[15] There is often an inherit tension in choosing a reasonable "control" group in these types of analyses. The closer the control group is to the treatment group, the more comparable it becomes to the treatment group, but it is also more likely to get treated.

housing price trends in treatment and control *counties* to be the same before and after Walmart is built, all we need is housing price trends to be the same in the *four mile zone* surrounding the Walmart.

Holmes (2011) convincingly argues that the roll-out of new Walmart stores was more about the shipping costs of retail items rather than the demand or cost characteristics of local markets. Given these motivations of Walmart, it becomes more plausible that conditional on some of the observables we can control for, that the siting of Walmart is quasi-random. Also, given that the area of a circle with a radius of 4 miles is approximately $1/12^{th}$ of the area of the median county in the U.S., exploiting the miro-level housing data in this way is very attractive.[16] Furthermore, the micro-level housing data allows us to explore any change in the rate at which houses sold or a change in the composition of houses that sold after Walmart was announced or built that could affect the interpretation of our estimates. The micro-level housing data also allows us to look at housing price trends graphically and also to conduct falsification tests by shifting the Walmart open dates forward. We explore the housing composition issue and do both of the checks on the validity of our key identifying assumption in the difference-in-differences framework in the results section.

5. Results

5.1 Cross-Sectional Results

[16] To calculate that a circle with a radius of 4 miles is $1/12^{th}$ the size of the median county, note that the median county size is approximately 622 square miles and the area of a 4 mile circle is approximately 50 square miles.

We first describe the results from estimating a "traditional" cross-sectional hedonic analysis. The housing data used in this regression are restricted to approximately 358,000 houses within four miles of a Walmart that sold in the two and a half years *after* the Walmart was built. The regression includes store-by-year-by-month fixed effects and the structural characteristics that were described in Table 2. The store-by-year-by-month fixed effects provide the regression with flexible control over time and space. This is important since we have pooled housing observations across the country to conduct our analysis and the fixed effects force identification to come from spatial differences within a four mile area surrounding a Walmart. The regression includes three spatial indicator variables that indicate if a house is less than 0.5 miles, 0.5 to 1 mile, or 1 to 2 miles from the nearest Walmart. In the traditional hedonic framework, the coefficients on these indicators provide information about the marginal willingness to pay to live near a Walmart store.

Column (1) in Table 3 provides the coefficients and their standard errors for the three spatial indicator variables. The standard errors have been clustered at the Walmart store level. Taken literally, the coefficient on the within 0.5 mile indicator suggests that Walmarts in our sample reduce the prices of homes within 0.5 miles by approximately 2.5% (statistically significant at the 5% level) and homes between 0.5 and 1 mile by a little less than 2% (statistically significant at the 10% level). Of course the concern with interpreting these estimates as the causal impact of Walmart on nearby housing prices is that they are likely to suffer from omitted variable bias. For example, if Walmart tends to open stores in areas that are less expensive for unobserved reasons (i.e. lower quality schools, the local landfill is nearby, further away from downtown, etc.) then these

unobservable disamenities could potentially bias the traditional hedonic coefficients downwards.

5.2 Primary Difference-in-Differences Results

To help mitigate the concern of omitted variable bias in our analysis we implement difference-in-differences regressions following Equation (1). The housing data used in this regression are restricted to houses within four miles of a Walmart that sold in the two and a half years after (just like in the cross-sectional analysis), but now we also include houses that sold in the two and a half years *before* the Walmart was built. The regression again includes store-by-year-by-month fixed effects and structural characteristics of the house that were described in Table 2. Besides the three spatial indicator variables that were included in the cross-sectional analysis, interactions of these indicators with an indicator for the house having sold after the Walmart opened are also included. The coefficients on these interaction indicators are of primary interest in the difference-in-differences analysis.

Column (2) in Table 3 provides the coefficients and their standard errors for the three spatial indicator variables and their interactions with the post-opening indicator variable. The standard errors have again been clustered at the Walmart store level. The coefficient on the "within 0.5 miles" indicator suggests that homes within a half mile of the future Walmart location sold for approximately 5% less than homes two to four miles away. However, the coefficient on "within 0.5 miles*post" suggests that homes within 0.5 miles of the constructed Walmart store actually sold for approximately 2.5% more than baseline, after the Walmart was built. In other words, while homes within 0.5 miles

of the future Walmart location sold for 5% less than homes 2 to 4 miles away, they only sold for 2.5% less after the Walmart was built. Similarly homes between 0.5 and 1 mile of the future Walmart sold for approximately 3% less before the Walmart, but experienced an increase in sales prices of approximately one percentage point after the Walmart was built. Homes between 1 and 2 miles experience a small, but statistically insignificant increase in housing prices after the Walmart opening relative to the 2 to 4 mile control band.

Our Analysis thus far has been using a window of two and a half years before and after a Walmart opens for the inclusion of housing data in the regressions. In an ideal quasi-experiment for Walmart openings, the building of a Walmart would be announced one day and then the next day it would be built and operating. With this sharp discontinuity in time, one could potentially narrow the temporal window to something less than two and a half years before and after the opening of the nearest Walmart. However, the Walmarts in our sample took approximately one and a half years on average to be built after they were publicly announced. Therefore if there is some change in housing prices due to the announcement rather than the opening, narrowing the temporal window would cause the estimates to be attenuated. On the other hand, if we allow the temporal window to be very large, then we would be forced to drop many Walmarts from our sample since we analyze only Walmarts that have enough housing data around the opening date to create a symmetric temporal window. Since we only have housing data from 1998 to 2008 available to us, requiring five years of pre-opening housing data and five years of post-opening housing data would only allow us to use Walmart's that were built in 2003. Thus two and a half years was chosen to balance the

tradeoff between excluding too many Walmarts and including enough housing sales that occurred before the announcement of the Walmart in an effort to mitigate the attenuation that may occur from the announcement effect.

Although from an experimental perspective it is convenient to keep the temporal window for the inclusion of housing data symmetric around the Walmart opening date to better avoid contamination from longer temporal trends and to keep the sample more balanced, one could potentially relax this to include Walmart stores in the analysis that have *at least* two and a half years of housing data before and after the opening, but then also include housing observations that were temporally more distant than two and a half years before or after the opening. Column (3) shows the results of this difference-in-differences specification that does not exclude housing observations that are temporally more distant than two and a half years before or after the nearest Walmart's opening. The key coefficients are slightly larger with the within 0.5 mile*post coefficient suggesting an approximate 3.3 percent increase in housing prices and the 0.5 to 1 mile*post coefficient suggesting an approximate 2.3 percent increase.

One could also potentially widen or narrow the temporal window to check for robustness and further analyze the time-path of treatment effects. Column (4) in Table 3 redoes the difference-in-differences analysis but widens the temporal window to include three years of housing data pre and post Walmart opening, while Column (5) narrows the temporal window to include only two years of housing data pre and post. The main findings are robust to these changes in the temporal window. The size of the coefficient on the "within 0.5 mile*post" indicator is slightly larger than in column (2) when the window is expanded to three years before and after, and slightly smaller when contracted

to two years before and after. This is consistent with our earlier conjecture that if there is some change in housing prices due to the announcement or construction of the Walmart prior to the opening, narrowing the temporal window would cause the estimates to be attenuated downwards.

We can also more formally analyze whether or not there is an announcement effect on housing prices by applying our difference-in-differences analysis to the announcement date rather than the opening date. This time we include the housing data covering the two and a half years before and after the Walmart is *announced*. Column (6) of Table 3 shows the results of this analysis. The coefficient on "within 0.5 miles" shows once again that homes within a half mile of the future Walmart location sold for approximately 5% less than homes two to four miles away. The interaction of the post-Walmart opening indicator for this distance suggests a 1.6% increase in housing prices although it is not statistically significant using conventional measures. The "0.5 to 1 mile*post" coefficient suggests an approximate 1.4% increase in housing prices in the year after the announcement in this spatial zone and this result is statistically significant at the 5 percent level. These results are suggestive of there being some impact even from the announcement of the Walmart.

5.3 Housing Composition Effects

One issue with how we interpret the results we have found, has to do with whether or not the types of houses that are selling after a Walmart is built (or announced) are substantially different than the types of houses that were being sold previously. If there is a large compositional difference in the types of houses that transacted before and

after, then this may signal that the housing price effects we observe are being at least partially driven by supply rather than demand. To be clear, this is still an impact of the Walmart being built (or announced), but it suggests that the estimates are not as tightly linked to household preferences and their perceptions about local externalities and the benefits of accessibility to shopping.

To explore the composition effects in this application, we ran a series of linear regressions with our key housing attributes on the left hand side and the distance to Walmart zone indicators and interactions on the right hand side. In these regressions we continued to control for store-by-year-by-month fixed effects and clustered the standard errors at the Walmart store level. Once again, the coefficients on the Walmart zone indicators interacted with the "post" time period are of primary interest as they will signal if there were substantial changes in these housing characteristics after the Walmart was built (or announced). Table 4 provides the results from these regressions. Panel A shows the results where we analyze changes in structural characteristics before and after Walmart *opened*, and Panel B shows the results where we analyze changes in structural characteristics before and after Walmart was *announced*. Of the 18 interaction coefficients that are estimated in Panel A, only one is statistically significant (at the 10% level) suggesting there was no substantial housing composition change before and after Walmart opened. Of the 18 interaction coefficients estimated in Panel B, 3 are statistically significant at the 10% level but only 1 of those is significant at the 5% level. This lone coefficient suggests that there was an approximate 5% decrease in new houses that were sold after the Walmart was announced in the 0 to 0.5 mile zone. Overall, these

regressions do not seem consistent with strong housing composition effects before and after either a Walmart's opening or announcement.

Another signal of potential instability in the marketplace caused by either the opening or announcement of a Walmart would be if there was an abrupt change in the number of homes that were being sold after the opening or announcement. To explore this hypothesis we analyzed the number of houses that transacted each quarter for the 10 quarters leading up to and the 10 quarters after the Walmarts in our sample opened. Figure 1 shows this graphically for each of the 4 spatial zones in our analysis relative to the opening date and the "approximate" announcement date.[17] The natural log of the number of housing transactions by quarter is used so that each of the zones can be easily compared.[18] As can be seen in Figure 1, the log number of houses in each area is gradually increasing over the time period and there do not appear to be any dramatic percentage changes or divergences between the 4 zones, suggesting that the housing markets were relatively stable over this time period.

5.4 Graphical Analysis and Falsification Tests

A key assumption in our difference-in-differences identification strategy is that within a localized four mile zone, Walmarts were not built in areas where there was a preexisting trend in housing prices. If for example, houses located within 1 mile of where

[17] The approximate announcement date is based on the median number of days between the earliest announcement date we found published in a local newspaper and the opening for the Walmart's in our sample.

[18] The 2-4 mile zone is substantially larger in area than the 0-0.5 mile zone so it mechanically has many more housing transactions such that taking the natural log makes for an easier comparison. We also created a plot that shows the residuals from regressing the ln(number of house sales in a quarter) on quarter of the year from Walmart opening and by distance from the new Walmart which also reveals no significant change in house sales due to a Walmart opening.

a Walmart opened were experiencing faster growth in housing prices relative to homes in the 1 to 4 mile band, this could lead to estimating a spurious positive effect of Walmart openings in our difference-in-differences analysis. One way to better examine if there are preexisting trends in the housing prices near where Walmart stores are built is to graphically illustrate housing price trends in the spatial zones before and after Walmart opens. These residual plots are critical for establishing that the pre-treatment trends appear to be comparable, and that the timing of the housing price increase relative to Walmart announcements and openings is reasonable.

To provide this graphical evidence we first run a regression following Equation (1) using the data in our primary specification (Table 3, column (2)), but we leave out the spatial indicators and their interactions. We then aggregate the residuals by quarter of the year, for two and a half years before and after the Walmart opened, for each spatial zone (within 0.5 miles, 0.5 to 1 mile, 1 mile to 2 miles and 2 miles to 4 miles from the Walmart), relative to the opening date of the nearest Walmart. Figure 2 plots the residuals from this regression. The y-axis ranges from -0.06 and 0.02 which represents an approximate 8 percentage point difference in housing prices. The x-axis ranges from -10 to 10 which represents the ten quarters before the Walmart opened and the ten quarters after the Walmart opened. The vertical line in the center of the graph shows the timing of the opening date for the Walmarts in our sample. The vertical line at -5.67 illustrates the approximate announcement date that is based on the statistic reported earlier that the median time between announcement and the opening of a Walmart in our sample is 516 days.

The top two lines in Figure 2 show that the residuals for houses between one and four miles from the Walmart are generally close to zero and unchanging over the five-year period. The third line down represents the residuals of houses between a half and one mile from the nearest Walmart and it can be seen that they trend about -0.02 log price points lower until about one year before the nearest Walmart opens, and then they experience a slow rise. The fourth line down, representing the residuals of houses within 0.5 miles of the Walmart, shows the most dramatic change from before and after the Walmart opens. The residuals start out around -0.04 until about one year before the Walmart opens and then there appears to be a dramatic increase in the residuals until they are near zero, two and a half years after the Walmart opens. Overall the residuals for the four zones are "fanned out" before the Walmart opens, are relatively steady until a year before the Walmart opens, and then they compress until they are nearly identical two and a half years after the Walmart opens. Given that it is likely to be apparent to homebuyers that a Walmart is being built two or three quarters before it is complete, this graphical evidence bolsters the argument that our difference-in-differences estimates are causal.

Figure 3 provides similar graphical evidence for the change in the residuals in the four spatial zones, before and after the Walmart was *announced* to be built. Again, before the announcement date there does not appear to be much of a trend in the residuals for any of the four zones. However, after the announcement of the new Walmart is made the residuals for the homes between 0.5 and 1 mile appear to begin trending upward and the homes within 0.5 miles trend upward even more rapidly. We find the residual plots presented in Figures 2 and 3 to be compelling evidence of a Walmart effect.

Another check for whether or not the increase in housing prices after the opening of a Walmart is due to differential trends in housing prices between homes nearest the Walmart relative to housing prices farther away is to conduct a falsification test. We do this by estimating Equation (1) using our 2.5 year pre and post window but including false Walmart opening dates. The false opening dates are set to two years, two and a half years, and three years prior to the actual opening dates of Walmart. The results presented in Table 4 provide no evidence of a spurious, positive effect due to differential housing price growth at the Walmart location. Thus this falsification test in combination with the graphical analysis is supportive of a causal interpretation of our difference-in-differences estimates of the impact of Walmart on housing prices.

5.5 Heterogeneity Analysis

While it appears that Walmart has a positive impact on housing prices in the areas for which we have data (our estimates are clearly average treatment effects on the treated and therefore are not externally valid to Walmart areas outside our sample), we have done little to establish the mechanisms by which this price increase occurs. We hypothesized at the outset of the paper that there are potentially countervailing influences of Walmart on housing prices. Negative externalities such as increased traffic, noise, crime and light pollution could cause nearby housing prices to be lower while increased accessibility for households to the goods and services Walmart provides could cause

nearby housing prices to be higher. Our analysis suggests that the accessibility effect appears to overwhelm the negative externality effect.[19]

To test this mechanism further we perform a heterogeneity analysis. If the accessibility effect is indeed a key mechanism for the rise in housing prices, then areas that differ in characteristics that likely affect how households access a local Walmart may provide additional supporting evidence that accessibility matters. For example, areas where Walmart supercenters open may be more important in terms of accessibility since a supercenter offers access to groceries and households tend to take more frequent trips to buy groceries (see the recent paper by Ellickson and Grieco (2013), which find impacts on other grocery stores from Walmart opening within about 3 miles). Also, in more densely populated areas, traveling a mile or two may be much more costly than in less populated areas. Thus living near a Walmart in a more densely populated area may confer more accessibility benefits than in a less densely populated area. Finally, areas with lower income, less education, a higher percentage of whites and a lower percentage of owner occupied housing might be areas that would be predicted a priori to place a higher premium on accessibility than areas with the opposite demographic characteristics.

Table 6 performs a series of heterogeneity specifications to better test the intuition we have about the heterogeneity in the value of access to Walmarts across areas with different Walmart types and different household types. Each of these specifications uses the same spatial differences-in-differences specification that generated our primary result in column (2) of Table 3. That primary result is reproduced in column (1) of Table 6 for

[19] There are other mechanisms that our data does not lend itself to testing. For example, it would be useful to test if some of the price impact stems from Walmart providing more taxes and reducing residents' tax liability, leading to a change in housing prices. The ideal data to do this test would be to have different tax jurisdictions near the Walmart and a boundary discontinuity design could be used to tease out differences in housing price changes near the boundary. Unfortunately these data are not readily available.

convenience of comparison. To conduct the heterogeneity analysis we used information in our Walmart dataset on whether or not a Walmart that opened was a supercenter, and collected 2000 census information on household income, education levels, percent non-white, and percent owner occupied homes at the census tract or block group level. We spatially merged the census information to each housing location in our dataset. Columns (2) and (3) of Table 6 show the results for specifications where we focus the analysis on Walmart supercenters and on Walmart areas above the median population density in our Walmart sample. The results in column (2) suggest that the positive housing price impact from the 88 supercenter Walmarts that opened in our sample was slightly larger within a half mile relative to the 71 regular Walmarts that opened. However, the impact of supercenters on housing prices in the half to one mile area appears to be twice as large suggesting an increase in housing prices after a supercenter opens of approximately 2%. Column (3), which analyzes just houses in Walmart areas that are above the median population density for our sample, also shows an increase in our point estimate for houses within a half mile. The new estimate is approximately 3.3% which is almost a one percentage point increase from our baseline estimate of approximately 2.4%. While these results are not statistically different from our baseline results, both of these results conform to our intuition that the treatment effect would be larger due to the availability of groceries at supercenters and the increased costs of travel in higher population density areas.

Columns (4) through (7) report results for a series of specifications that solely analyze the 79 Walmart areas that are below the median for household income, below the median for having at least an associate's degree, above the median for percentage non-

white, and below the median for percentage owner occupied homes. These specifications also largely conform with our priors that these median splits of the data would increase the importance of accessibility for the relevant demographic groups. Areas with lower education, higher percentage of non-whites and lower percentages of owner occupied housing all have higher point estimates for houses that sold within one half mile after a Walmart opened. Lower education and smaller percentage of owner occupied home areas also see a substantial increase in the point estimate for houses that sold after Walmart was built in the half to one mile zones. Areas with low income are the lone exception with the point estimate being slightly lower and less significant. While no individual point estimate is statistically different than our baseline estimates, taken as a whole, these estimates support our hypothesis that increased accessibility to the low cost goods and services of Walmart and any other stores that agglomerate nearby is what drives the price increases we have documented after the announcement and opening of Walmarts.

5.6 Target Analysis

An interesting question is whether or not the property value effects we have identified from the building of Walmart stores are specific to Walmart or if we would find similar results for the opening of any "Big Box" retailer in a community. To examine this question we gathered information on Walmart's closest discount retail competitor—Target. While both Walmart and Target are competing discount retailers, they clearly cater to different customers. Target is known for marketing to households

with higher income than those that frequent Walmart.[20] For example, Target is well known for carrying more upscale designer clothes and home décor, whereas Walmart tends to focus on stocking basics at the lowest possible price. Clearly the differences in customers and their preferences for shopping and access to that shopping could potentially lead to differing impacts on property values for the opening of Targets relative to Walmarts.

Given the average differences in the types of customers that frequent Target stores relative to Walmart, an analysis of all Targets that opened during the same temporal window as our Walmart analysis, may lead to different results that stem simply from differences in the types of locations where Target chooses to build new stores. To mitigate this bias in our comparison, we gathered information on the location of the *closest* Target store to each of the 159 Walmarts used in our primary Walmart analysis. These Target stores therefore are typically in the same county as the Walmart stores from our primary analysis. We then determined the opening date for each of these Targets. [21] Of these Target stores, 42 were built during the same time period as our Walmart openings (July 2000 through January 31, 2006). The median distance to the nearest Walmart for these Target stores was 3.9 miles and only 3 stores were within a mile of the closest Walmart. We then use the differences-in-differences specification in Equation (1)

[20] See for example the CBS/AP report on November 18, 2012 that reports that the average household yearly income ranges from $30,000 to $60,000 whereas the median household income of customers at Target is $64,000.

[21] We had research assistants call each Target to request an open date. These dates were then corroborated with information collected at flowingdata.com in the target data that is posted at http://flowingdata.com/2009/10/22/target-store-openings-since-the-first-in-1962-data-now-available/ .

and apply it to the Target openings to replicate the primary analysis that we conducted for Walmart.[22]

Table 7 gives the results of this analysis. Columns (1) and (2) reproduce our main Walmart cross-sectional and differences-in-differences results for convenience. Columns (3) and (4) show the corresponding results for the 42 Target openings. Looking at column (4), while not statistically significant, the coefficient on "Within 0.5 miles" suggests that homes nearest these Targets sell for about 4% less, which corresponds well to the equivalent result in our primary Walmart specification. The coefficients on the interactions of our within 0.5 mile and 0.5 to 1 mile variables with the post Target opening variable are both statistically insignificant. The point estimate for the "Within .5 miles*post" coefficient is smaller than the corresponding point estimate using the Walmart sample and the point estimate for the ".5 to 1 mile*post" coefficient is larger than the corresponding point estimate using the Walmart sample. The coefficient on the interaction with the 1-2 mile variable in the Target sample is positive and statistically significant. Taken literally, this result suggests that the opening of a new Target store increases property values by 1.5% for houses that are 1-2 miles away from the Target. This point estimate is larger than the corresponding point estimate using the Walmart sample.

Overall, the Target estimates are in the same direction and of roughly the same magnitude of the Walmart estimates. The larger effect found for the "1-2 miles*post" variable in the Target regression is larger and the only interaction estimate that is statistically different from the Walmart regression. It is possible that Target customers

[22] During this time frame there were approximately three times as many Walmarts being built as Targets and so this smaller number reflects this fact.

value access to Target, but may prefer living a reasonable distance from Target after it opens given different constraints for visiting the store. In general, however, we find evidence consistent with the story that any large box store, along with the other businesses that it attracts, has positive effects on nearby housing prices.

One concern with the comparison we have made is that there is additional selection bias since we only included the 42 (out of 159) Targets that happened to open during the same time frame as our Walmart sample. We therefore re-estimate our Walmart results for just the 42 Walmarts that are closest to the 42 Targets in our Target sample. As can be seen in columns (5) and (6) of Table 7, the results for these selected 42 Walmarts that coincide with the Target sample are very similar to the primary Walmart results suggesting that this form of selection bias is not impacting the Target-Walmart comparison we have made.[23]

6. Conclusion

Although recent academic work has made it clear that the opening of a Walmart lowers retail prices for consumers in the area, there has been little work that systematically tests whether or not the opening of a Walmart lowers *housing* prices. In this paper we have attempted to answer this question. We compiled a unique dataset that linked micro-level housing data to 159 Walmarts that opened in the United States between 2000 and 2006. Exploiting the spatial resolution of the data we compared areas

[23] Another concern for comparing these two samples might be that the Walmarts were systematically built before the Targets and so the accessibility effect is dampened for the Targets that arrive in a county after the Walmart was built. However, when comparing opening dates and dropping the 4 Walmart/Target locations where the two stores were built within 100 days of each other, Walmart was built before Target at 22 locations and Target before Walmart at 16 of the locations suggesting that the timing of the building is not a primary factor impacting the comparison that we make.

very near the Walmarts to areas slightly further away before and after the Walmarts opened. The results from our primary difference-in-differences specification suggest that a new Walmart store actually increases housing prices by between 2 and 3 percent for houses located within a half mile of the store and by 1 to 2 percent for houses located between a half and one mile from the store. For the average priced home in these areas this translates into an approximate $7,000 increase in housing price for homes within a half mile of a newly opened Walmart and a $4,000 increase for homes between a half and one mile.

Overall, the estimated capitalization effects that we find suggest a revealed preference by many households to live near a Walmart and the stores that naturally agglomerate nearby. On average, the benefits to quick and easy access to the lower retail prices offered by Walmart and shopping at these other stores appear to matter more to households than any increase in crime, traffic and congestion, noise and light pollution, or other negative externalities that would be capitalized into housing prices. This result is useful to policymakers that consider passing zoning regulations and other laws that could affect Walmart's ability to build new stores within their jurisdiction.

Although we in general find the results to be reasonably credible, some caveats should also be made. It is possible that while the accessibility benefits appear to extend out to at least a mile, there may still be negative externalities that affect households that live very close to a Walmart. Furthermore, our findings provide evidence that Walmarts increase housing values *on average*, but it is possible that in certain cases a new store may actually decrease housing values due to externalities. Finally, our estimates may be internally valid, but they may not be accurate in more rural areas, for example, where we

do not have housing data. Examining the housing price impacts of Walmart in these other settings may be important to policymakers and could be looked at in future research.

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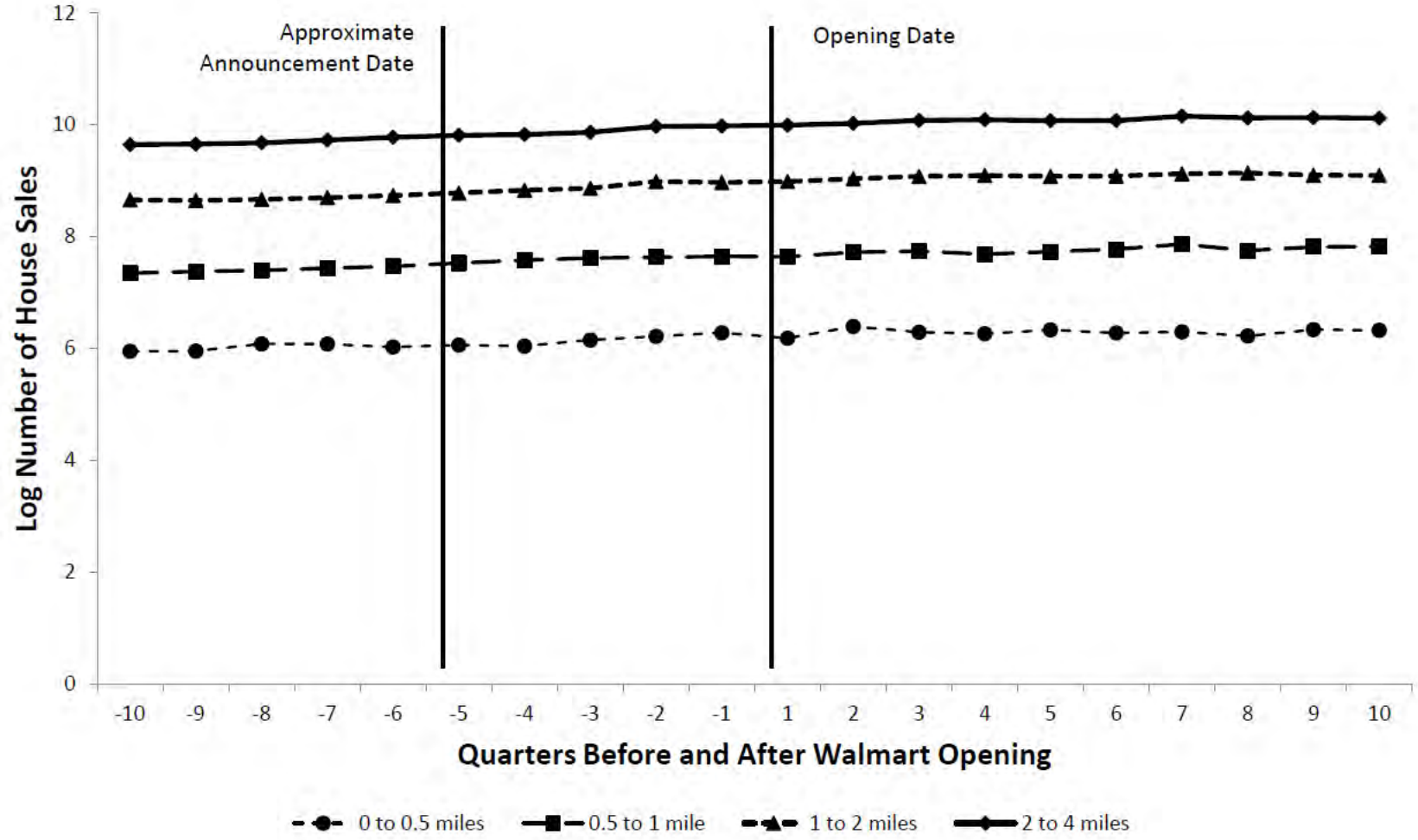
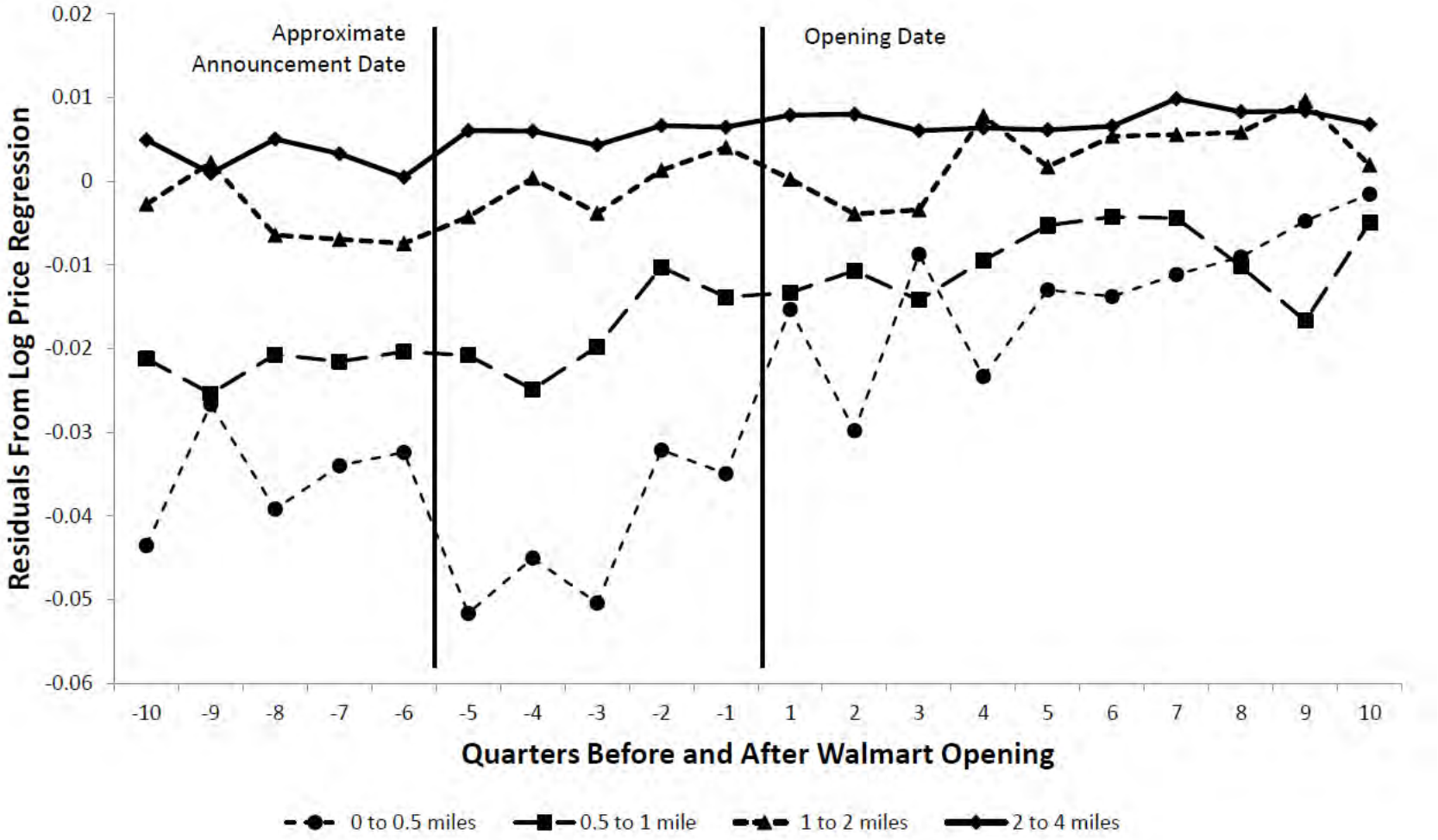
Figure 1: Log Counts of Housing Transactions by Distance to Walmart



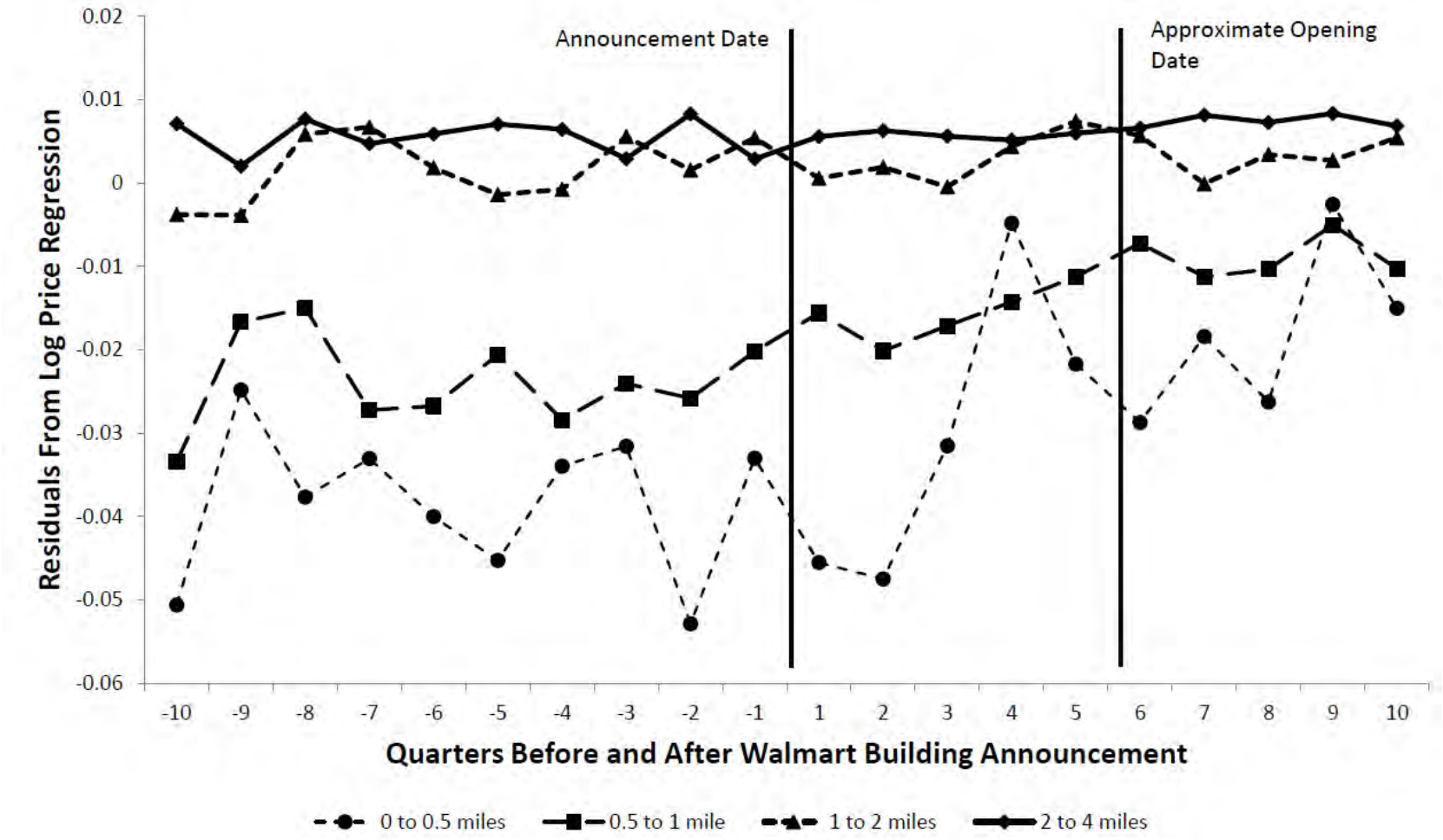
Note: Log counts have been aggregated by quarter for each of the 4 zones (0 to 0.5 miles, 0.5 to 1 mile, 1 to 2 miles, and 2 to 4 miles) around the 159 Walmarts in our sample. The x-axis shows the 2.5 years before (negative numbers) and 2.5 years after (positive numbers) the opening of a Walmart in quarters.

Figure 2: Residual Plot of Log Price Regression Before and After Walmart Opening



Note: Residuals have been aggregated by quarter. The y-axis shows the residuals from regressing ln(price) on housing characteristics by quarter of the year from the event (Walmart opening) and by distance from the new Walmart (0 to 0.5 miles, 0.5 to 1 mile, 1 to 2 miles, and 2 to 4 miles). The x-axis shows the 2.5 years before (negative numbers) and 2.5 years after (positive numbers) the opening of a Walmart in quarters.

Figure 3: Residual Plot from Log Price Regression Before and After Walmart Announcement



Note: Residuals have been aggregated by quarter. The y-axis shows the residuals from regressing ln(price) on housing characteristics by quarter of the year from the event (Walmart announcement) and by distance from the new Walmart (0 to 0.5 miles, 0.5 to 1 mile, 1 to 2 miles, and 2 to 4 miles). The x-axis shows the 2.5 years before (negative numbers) and 2.5 years after (positive numbers) the announcement of a Walmart in quarters.

Table 1: Tabulations of the Year, Month and State that Walmarts Opened

PANEL A

Year Walmart Opened

Year	Freq.	Percent
2000	7	4.4
2001	22	13.84
2002	34	21.38
2003	29	18.24
2004	34	21.38
2005	24	15.09
2006	9	5.66
Total	159	100

PANEL B

Month Walmart Opened

Month	Freq.	Percent
Jan.	44	27.67
Feb.	0	0
Mar.	10	6.29
Apr.	5	3.14
May	14	8.81
June	3	1.89
July	10	6.29
Aug.	23	14.47
Sept.	11	6.92
Oct.	37	23.27
Nov.	2	1.26
Dec.	0	0
Total	159	100

PANEL C

State Walmart Opened

State	Freq.	Percent
CA	36	22.64
CO	13	8.18
CT	14	8.81
DE	1	0.63
FL	21	13.21
MA	8	5.03
MI	1	0.63
MN	3	1.89
MO	1	0.63
NV	8	5.03
NC	6	3.77
OH	10	6.29
OR	2	1.26
PA	17	10.69
RI	1	0.63
SC	2	1.26
TN	1	0.63
VA	5	3.14
WA	8	5.03
WI	1	0.63
Total	159	100

Note: Tabulations of the year, month and state for the 159 Walmarts that are in our primary sample.

Table 2: Summary Statistics of Housing Data

Distance to Walmart:	**All Houses**	**1 to 2 miles**	**0.5 to 1 mile**	**Within 0.5 mile**
	mean (st. deviation)	mean (st. deviation)	mean (st. deviation)	mean (st. deviation)
Sale price	267,423 (188,323)	263,628 (181,397)	253,039 (161,573)	237,924 (145,603)
Square footage	1,767 (743)	1,742 (720)	1,721 (681)	1,625 (593)
# of baths	2.198 (0.854)	2.196 (0.856)	2.201 (0.832)	2.087 (0.759)
Age	30.116 (25.480)	30.300 (25.936)	28.487 (25.222)	29.069 (24.312)
Lot size (in acres)	0.254 (0.327)	0.242 (0.285)	0.226 (0.262)	0.213 (0.236)
# of Bedrooms	3.198 (0.811)	3.186 (0.807)	3.199 (0.783)	3.134 (0.756)
	Percentage	Percentage	Percentage	Percentage
New Sale	15.29%	15.07%	16.28%	11.70%
Within 0.5 miles	1.57%	0%	0%	100%
0.5 to 1 mile	6.64%	0%	100%	0%
1 to 2 miles	24.54%	100%	0%	0%
Sample size	626,750	153,775	41,622	9,826

Note: Summary statistics for all houses in our primary sample as well as summary statistics for areas closer to the locations of Walmarts in our sample.

Table 3: Impact of Walmart Store Openings and Announcements on Property Values

Analysis Type:	Walmart Opening					Announcement
Temporal Selection:	2.5 years post	2.5 years pre & post	>=2.5 yrs pre & post	3 years pre & post	2 years pre & post	2.5 years pre & post
	(1)	(2)	(3)	(4)	(5)	(6)
VARIABLES	lnprice	lnprice	lnprice	lnprice	lnprice	lnprice
Within 0.5 miles	-0.0260**	-0.0486***	-0.0512***	-0.0502***	-0.0484***	-0.0496***
	(0.012)	(0.013)	(0.013)	(0.013)	(0.013)	(0.016)
Within 0.5 miles * post		0.0237**	0.0331***	0.0296***	0.0209**	0.0155
		(0.010)	(0.009)	(0.009)	(0.010)	(0.010)
0.5 to 1 mile	-0.0178*	-0.0268**	-0.0299***	-0.0255**	-0.0243**	-0.0338**
	(0.009)	(0.010)	(0.011)	(0.011)	(0.011)	(0.013)
0.5 to 1 mile * post		0.00942*	0.0233***	0.0125**	0.00746	0.0139**
		(0.005)	(0.007)	(0.005)	(0.005)	(0.006)
1 to 2 miles	-0.0051	-0.00878	-0.0089	-0.00812	-0.0081	-0.00611
	(0.007)	(0.008)	(0.009)	(0.009)	(0.008)	(0.009)
1 to 2 miles * post		0.004	0.0103**	0.00535	0.00373	0.00167
		(0.004)	(0.005)	(0.004)	(0.003)	(0.006)
Store by year by month fixed effects	X	X	X	X	X	X
Store-level clustering of std. errors	X	X	X	X	X	X
Housing characteristics	X	X	X	X	X	X
# of walmart openings	159	159	159	155	164	119
Observations	358,076	626,750	1,481,811	721,200	513,962	401,383
R-squared	0.86	0.86	0.85	0.86	0.86	0.86

Note: All but column (1) are DID regressions. Analysis type refers to whether the analysis is focused on housing prices before and after the Walmart opening date or the Walmart announcement date. The temporal selection of 2.5 years post means that only houses transacted in the 2.5 years after the Walmart opened are included. All other temporal selections refer to the years pre and post the Walmart opening (or announcement in the case of the announcement analysis). Standard errors are clustered at the store level. A * means the estimate is significant at the 10% level, ** at the 5% level and *** at the 1% level.

Table 4: Housing Composition Regression Results

Panel A:	Before and After Walmart Opening					
	(1)	(2)	(3)	(4)	(5)	(6)
VARIABLES	sqft	bath	age	lotacre	bedrms	new_sale
Within 0.5 miles	-172.5***	-0.108**	-1.713	-0.0655***	-0.0920***	0.00378
	(37.000)	(0.042)	(1.431)	(0.010)	(0.032)	(0.029)
Within 0.5 miles * post	-18.81	-0.0168	0.151	-0.00497	-0.01	-0.0396
	(22.120)	(0.022)	(0.710)	(0.011)	(0.020)	(0.030)
0.5 to 1 mile	-110.3***	-0.0629**	-0.695	-0.0488***	-0.0479**	0.0245
	(26.150)	(0.026)	(1.114)	(0.009)	(0.022)	(0.017)
0.5 to 1 mile * post	11.13	0.0294*	-0.575	-0.00331	0.0118	-0.0251
	(14.980)	(0.017)	(0.622)	(0.004)	(0.014)	(0.016)
1 to 2 miles	-65.84***	-0.0342*	0.447	-0.0304***	-0.0454***	-0.000509
	(19.490)	(0.020)	(0.721)	(0.007)	(0.014)	(0.012)
1 to 2 miles * post	6.73	0.0126	-0.461	-0.00122	0.0121	-0.00424
	(12.200)	(0.010)	(0.395)	(0.004)	(0.011)	(0.012)
Observations	626,750	626,750	626,750	626,750	626,750	626,750
R-squared	0.19	0.258	0.513	0.193	0.128	0.249
Panel B:	**Before and After Walmart Announcement**					
	(7)	(8)	(9)	(10)	(11)	(12)
VARIABLES	sqft	bath	age	lotacre	bedrms	new_sale
Within 0.5 miles	-169.7***	-0.0845*	-2.651	-0.0578***	-0.0597*	0.0209
	(32.190)	(0.045)	(1.626)	(0.011)	(0.031)	(0.030)
Within 0.5 miles * post	-1.738	-0.0194	0.51	-0.00422	-0.00915	-0.0510**
	(21.910)	(0.025)	(0.809)	(0.010)	(0.022)	(0.025)
0.5 to 1 mile	-129.2***	-0.0669**	-1.002	-0.0520***	-0.0508**	0.0470*
	(27.400)	(0.030)	(1.341)	(0.010)	(0.025)	(0.024)
0.5 to 1 mile * post	34.91*	0.0410*	-1.021	0.00501	0.0113	-0.0227
	(20.520)	(0.023)	(0.742)	(0.006)	(0.019)	(0.023)
1 to 2 miles	-71.60***	-0.0306	0.386	-0.0287***	-0.0403**	0.00689
	(19.200)	(0.023)	(0.909)	(0.007)	(0.016)	(0.011)
1 to 2 miles * post	1.473	0.00354	-0.618	-0.00551	-0.0145	0.0105
	(16.120)	(0.014)	(0.418)	(0.004)	(0.014)	(0.015)
Observations	401,383	401,383	401,383	401,383	401,383	401,383
R-squared	0.182	0.265	0.481	0.206	0.116	0.25

Note: These linear regressions put the housing characteristics on the left hand size and the distance to the Walmart zones and interactions on the RHS while continuing to control for store-by-year-by-month fixed effects. Standard errors are clustered at the Walmart store level and a * means the estimate is significant at the 10% level, ** at the 5% level and *** at the 1% level.

Table 5: Falsification Tests of Walmart Opening on Property Values

Analysis Type:	Opening Date Falsification Tests		
# of Years Open Date is Shifted:	3 years earlier	2.5 years earlier	2 years earlier
	(1)	(2)	(3)
VARIABLES	lnprice	lnprice	lnprice
Within 0.5 miles	-0.0540***	-0.0571***	-0.0504***
	(0.017)	(0.015)	(0.014)
Within 0.5 miles * post	-0.00222	0.00785	0.00959
	(0.011)	(0.009)	(0.008)
0.5 to 1 mile	-0.0398**	-0.0363***	-0.0333***
	(0.015)	(0.014)	(0.012)
0.5 to 1 mile * post	0.00677	0.00461	0.0082
	(0.007)	(0.007)	(0.006)
1 to 2 miles	-0.00162	-0.0127	-0.0119
	(0.011)	(0.011)	(0.009)
1 to 2 miles * post	-0.000522	0.00413	0.00325
	(0.006)	(0.006)	(0.005)
Store by year by month dummies	X	X	X
Store-level clustering of std. errors	X	X	X
Housing Characteristics	X	X	X
# of walmart clusters	90	105	123
Observations	257,904	314,302	396,289
R-squared	0.859	0.853	0.848

Note: These are the results from difference-in-differences specifications that move the opening date forward for a falsification test. The # of years open date is shifted refers to how many years the open date is shifted forward.

Table 6: Heterogeneity of Walmart Store Openings on Property Values

	Walmart Opening Heterogeneity Analysis						
Sample Split Type:	All Walmarts	Super Walmarts Only	> Median Population Density	< Median Household Income	< Median Associates Degree	> Median Percent Non-White	< Median Percent Owner Occ.
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
VARIABLES	lnprice	lnprice	lnprice	lnprice	lnprice	lnprice	lnprice
Within 0.5 miles	-0.0486***	-0.0504***	-0.0467***	-0.0475**	-0.0614***	-0.0591***	-0.0712***
	(0.013)	(0.015)	(0.016)	(0.020)	(0.016)	(0.017)	(0.020)
Within 0.5 miles * post	0.0237**	0.0249*	0.0325***	0.0205	0.0318**	0.0310**	0.0343**
	(0.010)	(0.013)	(0.011)	(0.015)	(0.014)	(0.013)	(0.016)
0.5 to 1 mile	-0.0268**	-0.0295**	-0.0271	-0.0222	-0.0420***	-0.0348***	-0.0449***
	(0.010)	(0.015)	(0.017)	(0.017)	(0.015)	(0.012)	(0.015)
0.5 to 1 mile * post	0.00942*	0.0187**	0.0112	0.00675	0.0182**	0.00874	0.0151*
	(0.005)	(0.008)	(0.009)	(0.009)	(0.009)	(0.006)	(0.008)
1 to 2 miles	-0.00878	-0.00712	0.00316	-0.00814	-0.0296**	-0.0230**	-0.0210*
	(0.008)	(0.011)	(0.014)	(0.016)	(0.013)	(0.009)	(0.012)
1 to 2 miles * post	0.004	0.00368	-0.00413	0.00131	0.0108*	0.00544	0.00847
	(0.004)	(0.006)	(0.007)	(0.007)	(0.006)	(0.005)	(0.005)
Store by year by month fixed effects	X	X	X	X	X	X	X
Store-level clustering of std. errors	X	X	X	X	X	X	X
Housing characteristics	X	X	X	X	X	X	X
# of walmart openings	159	88	79	79	79	79	79
Observations	626,750	347,371	246,223	294,318	305,879	378,358	324,060
R-squared	0.86	0.85	0.85	0.83	0.86	0.86	0.85

Note: The results shown in column (1) are the same as the results in column (2) of Table 3. Sample Split Type refers to how the sample was split for each heterogeneity analysis. The temporal selection for each of these specifications is using housing data from 2.5 years prior and post Walmart opening. Standard errors are clustered at the store level. A * means the estimate is significant at the 10% level, ** at the 5% level and *** at the 1% level.

Table 7: Comparing the Impact of Walmart and Target Store Openings and on Property Values

Analysis Type:	Walmart Opening		Target Opening		Walmart Opening	
Temporal Selection:	2.5 years post	2.5 years pre & post	2.5 years post	2.5 years pre & post	2.5 years post	2.5 years pre & post
	(1)	(2)	(3)	(4)	(5)	(6)
VARIABLES	lnprice	lnprice	lnprice	lnprice	lnprice	lnprice
Within 0.5 miles	-0.0260**	-0.0486***	-0.0332	-0.0386	-0.0283	-0.0565***
	(0.012)	(0.013)	(0.033)	(0.036)	(0.019)	(0.020)
Within 0.5 miles * post		0.0237**		0.00588		0.0289**
		(0.010)		(0.016)		(0.014)
0.5 to 1 mile	-0.0178*	-0.0268**	0.0162	0.00434	-0.0236	-0.0361*
	(0.009)	(0.010)	(0.024)	(0.023)	(0.017)	(0.021)
0.5 to 1 mile * post		0.00942*		0.0121		0.0125
		(0.005)		(0.009)		(0.011)
1 to 2 miles	-0.0051	-0.00878	0.0217	0.00642	-0.0279**	-0.0341**
	(0.007)	(0.008)	(0.015)	(0.014)	(0.012)	(0.013)
1 to 2 miles * post		0.004		0.0154***		0.00651
		(0.004)		(0.005)		(0.006)
Store by year by month fixed effects	X	X	X	X	X	X
Store-level clustering of std. errors	X	X	X	X	X	X
Housing characteristics	X	X	X	X	X	X
# of walmart/target openings	159	159	42	42	42	42
Observations	358,076	626,750	108,968	194,887	93,102	160,952
R-squared	0.86	0.86	0.83	0.84	0.84	0.83

Note: The results shown in columns (1) and (2) are the same as the results in columns (1) and (2) of Table 3. The temporal selection of 2.5 years post means that only houses transacted in the 2.5 years after the Walmart or Target opened are included. All other temporal selections refer to the years pre and post the Walmart or Target opening. Standard errors are clustered at the store level. A * means the estimate is significant at the 10% level, ** at the 5% level and *** at the 1% level.

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A BUILDING GREATER THAN 25,000 SQUARE FEET IN A GENERAL RETAIL DISTRICT ON A 5.52-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 5-3 OF THE W. H. BAIRD SURVEY, ABSTRACT NO. 25, AND ZONED PLANNED DEVELOPMENT DISTRICT NO. 45 (PD-45) FOR GENERAL RETAIL LAND USES, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Specific Use Permit (SUP) to allow for a building greater than 25,000 square feet in a General Retail District and zoned Planned Development District No. 45 (PD-45) for general retail land uses, has been requested by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD, on a 5.52-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, situated generally at the southeast corner of the intersection of SH-276 and John King Boulevard, and more specifically described in Exhibit 'A' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) to allow for a building greater than 25,000 square feet in a General Retail (GR) District and zoned Planned Development District No. 45 (PD-45) for the *Subject Property*;

SECTION 2. That the Specific Use Permit shall be subject to the conditions set forth in ***Article V, Section 4.5, Commercial District*** of the City of Rockwall Unified Development Code (Ord. No. 04-38), as heretofore amended and as may be amended in the future, and shall be subject to the additional following additions:

DRAFT ORDINANCE 10.03.2014

1. An eight (8) foot masonry-screening fence shall be constructed adjacent to the eastern property line (*i.e. adjacent to the single-family homes situated within the Lofland Farms Subdivision*).

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 17TH DAY OF NOVEMBER, 2014.

_____

David Sweet, *Mayor*

ATTEST:

_____

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____

Frank J. Garza, *City Attorney*

1st Reading: *November 3, 2014*

2nd Reading: *November 17, 2014*

DRAFT ORDINANCE 11.03.2014

BEING a tract of land situated in the W.H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, and being a portion of a called 172.854 acre tract of land described in the deed to Lofland Farms, LTD., as recorded in Volume 1392, Page 271, Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

COMMENCING at the northeast corner of a called 0.787 acre tract of land described in the deed to City of Rockwall, as recorded in Volume 2532, Page 38, said Real Property Records, same being on the southerly line of a called 3.512 acre tract of land described in the deed to State of Texas, as recorded in Volume 73, Page 206, Deed Records of Rockwall County, Texas, same also being at the intersection of the easterly right-of-way line of John King Boulevard (110' right-of-way) with the southerly right-of-way line of State Highway 276 (120' right-of-way);

THENCE North 89°10'37" East, along the southerly line of said 3.512 acre tract, and along the southerly right-of-way line of said State Highway 276, a distance of 216.16 feet to the POINT OF BEGINNING of the herein described tract;

THENCE North 89°10'37" East, continuing along the southerly line of said 3.512 acre tract, and along the right-of-way line of said State Highway 276, a distance of 624.55 feet to a ½-inch iron rod found for corner at the northwest corner of Lot 1, Block D, of Lofland Farms, Phase 3, according to the plat thereof recorded in Cabinet E, Slide 177, said Plat Records of Rockwall County, Texas;

THENCE South 0°51'57" East, departing the southerly line of said 0.787 acre tract and the southerly right-of-way line of said State Highway 276, along the westerly line of said Block D, a distance of 311.91 feet to a ½-inch iron rod with a cap stamped "OWENS" found for corner at the beginning of a tangent curve to the left having a central angle of 7°07'45", a radius of 585.00 feet, a chord bearing and distance of South 4°25'50" East, 72.74 feet;

THENCE in a southeasterly direction, continuing along the westerly line of said Block D, and with said curve to the left, an arc distance of 72.79 feet to a point for corner;

THENCE South 89°10'37" West, departing the westerly line of said Block D and crossing said 172.854 acre tract, a distance of 629.36 feet to a point for corner;

THENCE North 0°49'23" West, continuing across said 172.854 acre tract, a distance of 384.51 feet to the **POINT OF BEGINNING** and containing 5.517 acres (240,314 square feet) of land, more or less.

DRAFT ORDINANCE 11.03.2014

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 11/03/2014

APPLICANT: Dub Douphrate, *Douphrate & Associates, Inc.*

AGENDA ITEM: **Z2014-030**; *Dowell Road Subdivision (AG to PD)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Barry Luff of L2 Properties, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 1 (SF-1) District land uses for a 138.79-acre tract of land identified as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City of Rockwall, Rockwall County, Texas, and zoned Agricultural (AG) District, generally located on the east side of Dowell Road south of the intersection of SH-276 and Dowell Road, and take any action necessary.

PURPOSE AND CHARACTERISTICS OF THE REQUEST:

The applicant, Dub Douphrate, is requesting to change the zoning of a 138.79-acre tract of land -- located off the eastern side of Dowell Road, south of SH-276 -- from an Agricultural (AG) District to a Planned Development District for Single Family 1 (SF-1) District land uses. It is the intent of the subdivision to provide 107, one (1) acre lots and incorporate a rural street section that will use valley ditches to facilitate proper drainage. As part of the request, the applicant will be asking for exceptions to the City's *On-Site Sewage* requirements stipulated by the Municipal Code of Ordinances, and to the standard residential street cross section required by the *Standards of Design and Construction* manual. Additionally, the development will be providing a minimum of 20% open space and a location for a neighborhood pocket park. A summary of the requested density and dimensional requirements is as follows:

Table 1: Lot Dimensional Requirements

Minimum Lot Width [1]	150'
Minimum Lot Depth	250'
Minimum Lot Area	43,560 SF
Minimum Front Yard Setback [2]	40'
Minimum Side Yard Setback	25'
Minimum Side Yard Setback (Adjacent to a Street)	25'
Minimum Length of Driveway Pavement (Rear and Side Yard Only)	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	25'
Minimum Area/Dwelling Unit (SF) [5]	2,600 SF
Maximum Lot Coverage	45%
Minimum Number of Paved Off-Street Parking Spaces	2 Spaces
Minimum Distance Between Buildings	10'

General Notes:

[1]: *The minimum lot width shall be measured at the Front Yard Building Setback.*

[2]: *The location of the Front Yard Building Setback as measured from the front property line.*

[3]: *The Maximum Height shall be measured to the eave or top plate (whichever is greater) of the single family home.*

[4]: *As measured from the rear yard property line.*

[5]: *The minimum area/dwelling unit only includes air conditioned square space.*

According to Section 44-243(c) of the City's Municipal Code of Ordinances,"(n)o permit for the installation of an on-site sewage facility (OSSF) will be issued for property of less than 1½-acres, unless an exception is granted by the City Council on the grounds that an undue hardship will be created if said lot is not connected to an OSSF." In this case, the applicant is requesting the exception due to the distance of the subject property from existing City sewer facilities. Staff has estimated that the subject property is in excess of 1½-miles to the closest City sewer line located in the Timber Creek Estates subdivision (*near the intersection of Rochell Road and SH-276*). In addition, the applicant would be required to install a lift station to properly provide adequate sewage facilities for this development. Should the City Council choose to grant the requested exception the applicant will be required to submit a septic system plan, designed by a licensed OSSF professional, on a lot-by-lot basis at the time of building permit.

With regard to the proposed interior street network the applicant is requesting to utilize a rural street cross section that will have 60-feet of right-of-way and be composed of 28-feet of pavement leading into a 15-foot bar ditch/drainage area (*that will be required to have a 4:1 [25%] minimum slope*). The applicant is requesting this modified street section for the purpose of maintaining a more rural aesthetic to compliment the larger lot, estate style appearance of the neighborhood. This street design will be utilized on all roadways with the exception of the northern most roadway (*i.e. Street 'C' on the Zoning Exhibit*). This street is currently identified on the City's Master Thoroughfare Plan as a *M4U* (*minor arterial, four [4] lane, undivided roadway*), and is depicted as aligning adjacent to the northern most property line; however, the applicant is requesting to reduce this road section to a *Minor Collector* and realign the roadway as depicted in the provided *Zoning Exhibit*. In order to do this the applicant has initiated a Traffic Impact Analysis (TIA), and the realignment and reclassification will depend on the results of this study. This has been added to the *Recommendation* section of this case memo as a condition of approval, and if approved the City Council will be required to amend the Master Thoroughfare Plan.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are several tracts of land that are currently vacant or have a mixture of residential and commercial uses situated on them. All these properties are zoned Agricultural (AG) District. North of these properties is SH-276.

South: Directly south of the subject property is a 47.88-acre tract of vacant land zoned Agricultural (AG) District. Beyond this is the City's corporate boundaries.

East: Directly east of the subject property is the City's corporate boundaries.

West: Directly west of the subject property is a vacant five (5) acre tract of land zoned Agricultural (AG) District followed by Dowell Road. East of the roadway are several large lot, estate style homes zoned Agricultural (AG) District.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Map contained within the Comprehensive Plan designates the subject property for *Low Density Residential* land uses. According to the Comprehensive Plan, the *Low Density Residential* designation is generally defined as less than two (2) units per acre. In this case, the applicant is proposing less than one (1) unit per gross acre and is in conformance with the intent of this land use designation and the Future Land Use Map.

In reference to the subject property the Comprehensive Plan states that, "(l)ow density residential is proposed for the … eastern-most areas adjacent to Heath and McLendon-

Chisholm … [and] (b)y developing low density residential in these areas, it is anticipated that a rural road section (two-lane with turning lanes) and reduced sizing of utilities can be used to service the area, particularly when the lot frontage of a development is a minimum 150-feet of more." When taking this statement into consideration with relation to the applicant's requests it appears that the proposed zoning change -- and exceptions to the standard roadway cross section and OSSF standards -- meets not only the land use designation, but also the intent for development in this area as stated by the Comprehensive Plan.

NOTIFICATION:

On October 3, 2014, staff mailed 26 notices to property owners and residents within 500-feet of the subject property. Additionally, staff posted a sign along Dowell Road as required by the Unified Development Code (UDC). At the time this case memo was drafted one (1) response in favor of the applicant's request was received by staff.

City staff has no knowledge of any Homeowner's Associations or Neighborhood Organizations located within 1,500-feet of the subject property.

RECOMMENDATIONS:

If the Planning and Zoning Commission recommends approval of the applicant's request to rezone the subject property from an Agricultural (AG) District to a Planned Development District for Single Family 1 (SF-1) District land uses then staff would propose the following conditions of approval:

1) Pending the results of the Traffic Impact Analysis (TIA), the City's Master Thoroughfare Plan should be revised to reflect the proposed realignment and reclassification;

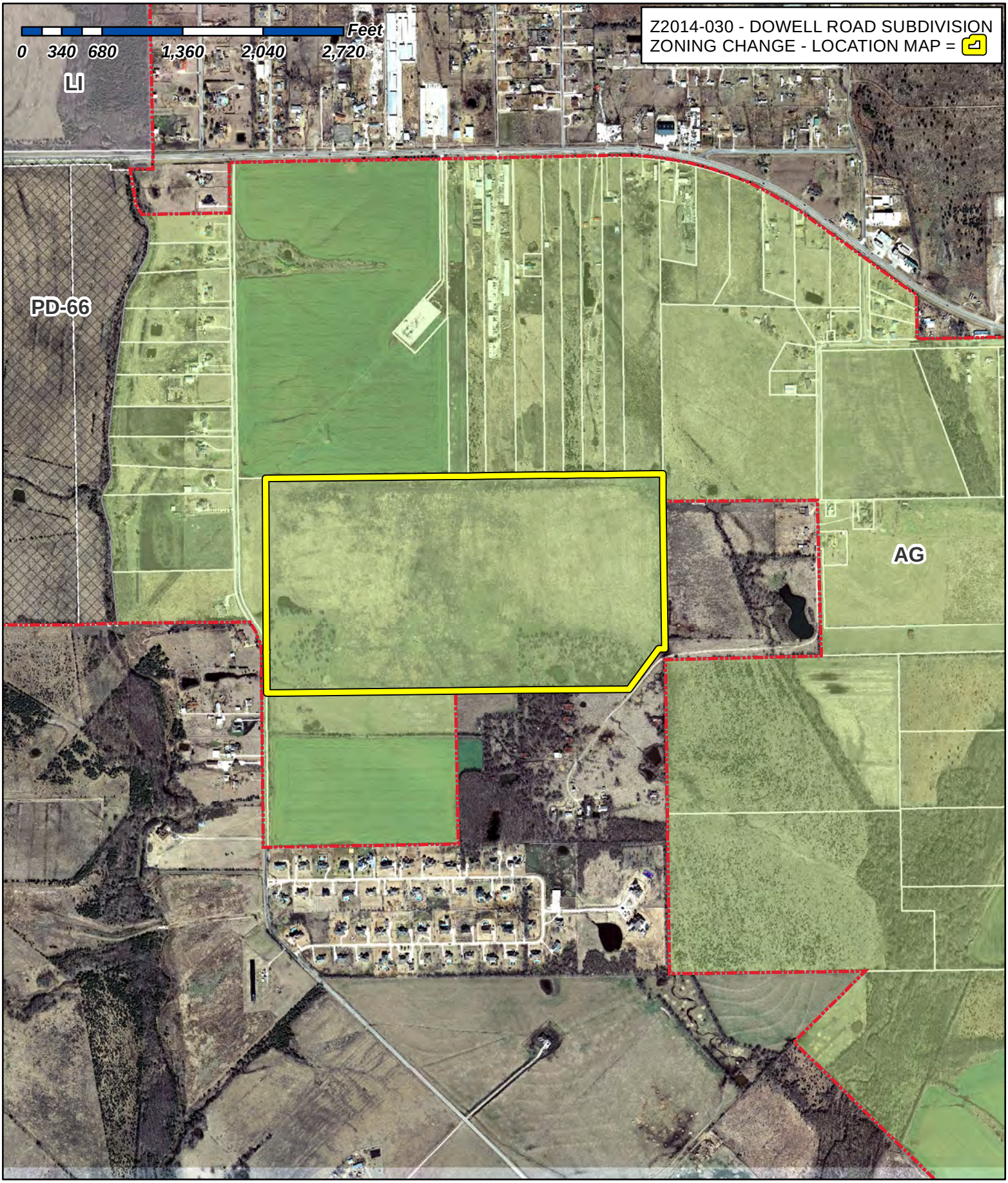
2) Prior to the submittal of a *Final Plat* the applicant shall be required to submit and be approved for a *PD Site Plan* and *Preliminary Plat* (*per the requirements of the proposed draft ordinance these items may be submitted concurrently*);

3) The proposed development shall maintain compliance with the development standards and concept plan contained within the proposed draft ordinance; and

4) Any construction resulting from the approval of this *zoning change* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On October 28, 2014, the Planning and Zoning Commission recommended approval of the applicant's request per staff recommendations by a vote of 7-0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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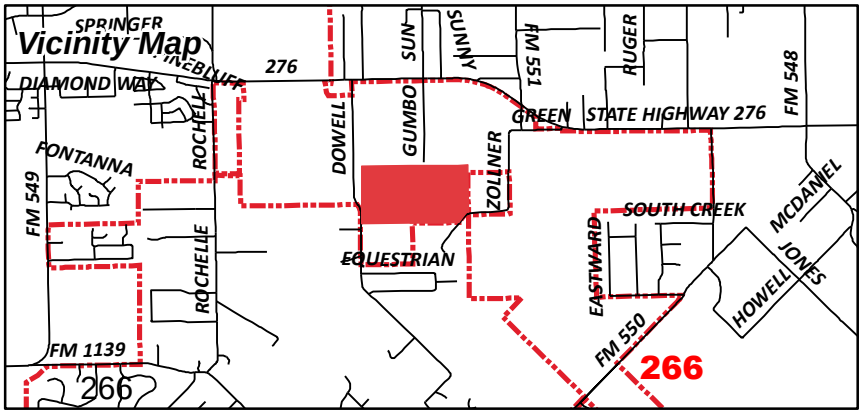
Case Number: Z2014-030
Case Name: Dowell Road Subdivision
Case Type: Zoning
Zoning: AG
Case Address: Dowell Road/SH-276

Date Created: *09/23/2014*

For Questions on this Case Call (972) 771-7745



RCAD Account	Property ID	Owner Name	Owner Address	Suite	City	State	Zip	Acreage	Legal Description	Site Address	Site Street	Site Suf	City2	State3	Zip4
0034-0000-0006-00-0R	10366	SMITH DARRELL L	400 HILLCREST		WEST TAWAKONI	TX	75474	15.00	A0034 J H BAILEY, TRACT 6, ACRES 15	114	GUMBO		ROCKWALL	TX	75189
0182-0000-0001-05-0R	45847	KITZ DANIELLE	648 DOWELL RD		ROCKWALL	TX	75032	5.76	A0182 J H ROBNETT, TRACT 1-5, ACRES 5.761	648	DOWELL	RD	ROCKWALL	TX	75032
0045-0000-0005-01-0R	10412	JONES LAWRENCE	144 ZOLLNER RD		ROYSE CITY	TX	75189	45.45	A0045 J H BAILEY, TR 5-1, ACRES 45.45 & A0022 BAILEY (PT OF 46.45 AC TR)		ZOLLNER	RD	ROCKWALL	TX	75189
0182-0000-0001-04-0R	45846	SANTOYO AGUSTIN	2300 DOWELL RD		ROCKWALL	TX	75032	2.04	A0182 J H ROBNETT, TRACT 1-4, ACRES 2.037, (PT OF 16.146 AC TR)	2300	DOWELL RD		ROCKWALL	TX	75032
0182-0000-0001-00-0R	12208	ZOLLNER BROOKS FAMILY LP	PO BOX 113		ROCKWALL	TX	75087	5.00	A0182 J H ROBNETT, TRACT 1, ACRES 5, FARM PROGRAM (PT OF 485.72 AC TR)				ROCKWALL	TX	75189
0034-0000-0009-00-0R	10370	TOMAINO PROPERTIES LP	2626 COLE AVE	STE 606	DALLAS	TX	75204	10.00	A0034 J H BAILEY, TR 9, ACRES 10.0 & A0046		HWY276		ROCKWALL	TX	75189
0034-0000-0007-00-0R	10367	JOHNSON JAY LYNN	2018 SUNNY CIR		ROCKWALL	TX	75032	11.53	A0034 J BAILEY, TR 7, ACRES 11.53 & A0046		HWY276		ROCKWALL	TX	75189
0034-0000-0002-00-0R	10361	ZACHARY RONALD E	4783 STATE HIGHWAY 276		ROYSE CITY	TX	75189	10.00	A0034 J H BAILEY, TRACT 2, ACRES 10	4783	HWY276		ROCKWALL	TX	75189
0022-0000-0003-00-0R	10218	ZOLLNER BROOKS FAMILY LP	PO BOX 113		ROCKWALL	TX	75087	58.60	A0022 J H BAILEY, TRACT 3, ACRES 58.6, (PT OF 485.72 AC TR)		ZOLLNER	RD	ROCKWALL	TX	75032
0137-0000-0001-00-0R	11525	L2 PROPERTIES LLC	142 WEMBLEY WAY		ROCKWALL	TX	75032	138.78	A0137 J LOCKHART, TRACT 1, ACRES 138.781		DOWELL	RD	ROCKWALL	TX	75189
0034-0000-0005-00-0R	10365	JANICE S EDWARDS FAMILY ESTATE TRUST	3321 PLEASANT VALLEY		SACHSE	TX	75048	20.00	A0034 J H BAILEY, TRACT 5, ACRES 20.00	4827	HWY276		ROCKWALL	TX	75189
0034-0000-0001-00-0R	10360	SORRELLS ROBERT	8731 REXFORD DR		DALLAS	TX	75209	107.54	A0034 J H BAILEY, TRACT 1, ACRES 107.539		HWY276		ROCKWALL	TX	75189
0034-0000-0008-00-0R	10368	HEARD GEORGE R	PO BOX 56		ATLANTA	TX	75551	10.00	A0034 J H BAILEY, TRACT 8, ACRES 10, (PT OF 15 AC TR)	4649	HWY276		ROCKWALL	TX	75189
0034-0000-0010-00-0R	10371	SARAGUSA MICHAEL G	1113 CHIMNEYROCK TRL		GARLAND	TX	75043	9.92	A0034 J H BAILEY, TR 10, ACRES 9.916 & A0046	3290	HWY276		ROCKWALL	TX	75189
0182-0000-0001-02-0R	45844	NULL HELEN LOUISE AND	842 DOWELL RD		ROCKWALL	TX	75032	10.59	A0182 J H ROBNETT, TRACT 1-2, ACRES 10.593	842	DOWELL	RD	ROCKWALL	TX	75032
0137-0000-0017-01-1R	82418	ZOLLNER BROOKS FAMILY LP	PO BOX 113		ROCKWALL	TX	75087	47.88	A0137 J LOCKHART, TRACT 17-01, ACRES 47.88, (PT OF 485.72 AC TR), (SEE 11528 FOR GRW & SRW)				ROCKWALL	TX	75189
0034-0000-0003-00-0R	10362	HAWKINS RONALD & JENIREE	1137 BAYSHORE DR		ROCKWALL	TX	75087	10.00	A0034 J H BAILEY, TR 3, ACRES 10.0 & A0046	4571	HWY276		ROCKWALL	TX	75189
0034-0000-0004-00-0R	10363	BOBALIK STEVE A	4521 STATE HIGHWAY 276		ROCKWALL	TX	75032	1.00	A0034 J H BAILEY, TRACT 4, ACRES 1.00, & AB 46 (PT OF 10 AC TR)	4521	HWY276		ROCKWALL	TX	75189
3542-0000-0011-00-0R	44774	TREJO JOSE & ROSA ELLIA	548 DOWELL RD		ROCKWALL	TX	75032	6.02	DOWELL ROAD ADDITION, LOT 11, ACRES 6.019	548	DOWELL	RD	ROCKWALL	TX	75032
3542-0000-0012-00-0R	44775	CHANNELL KENNETH R & BARBARA P	598 DOWELL RD		ROCKWALL	TX	75032	6.01	DOWELL ROAD ADDITION, LOT 12, ACRES 6.010	598	DOWELL	RD	ROCKWALL	TX	75032

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Case No. Z2014-030: Zoning Change (AG to PD)

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

When Dividing does begin, I ask for a wall to separate our properties. That is where coyotes run daily. People would lose animals, possibly children since the coyotes are being very brave. It is also to protect homeowners that may trespass + have no business on our property. Thanks

Name: Zollner-Brooks Ranch

Address: 1287 Zollner Rd.
214-356-5637

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

PLEASE RETURN THE BELOW FORM

Case No. Z2014-030: Zoning Change (AG to PD)

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name: Landart of Rockwall - Ron Hawkins

Address: 457 State Hwy 276, Rockwall, Tx 75032

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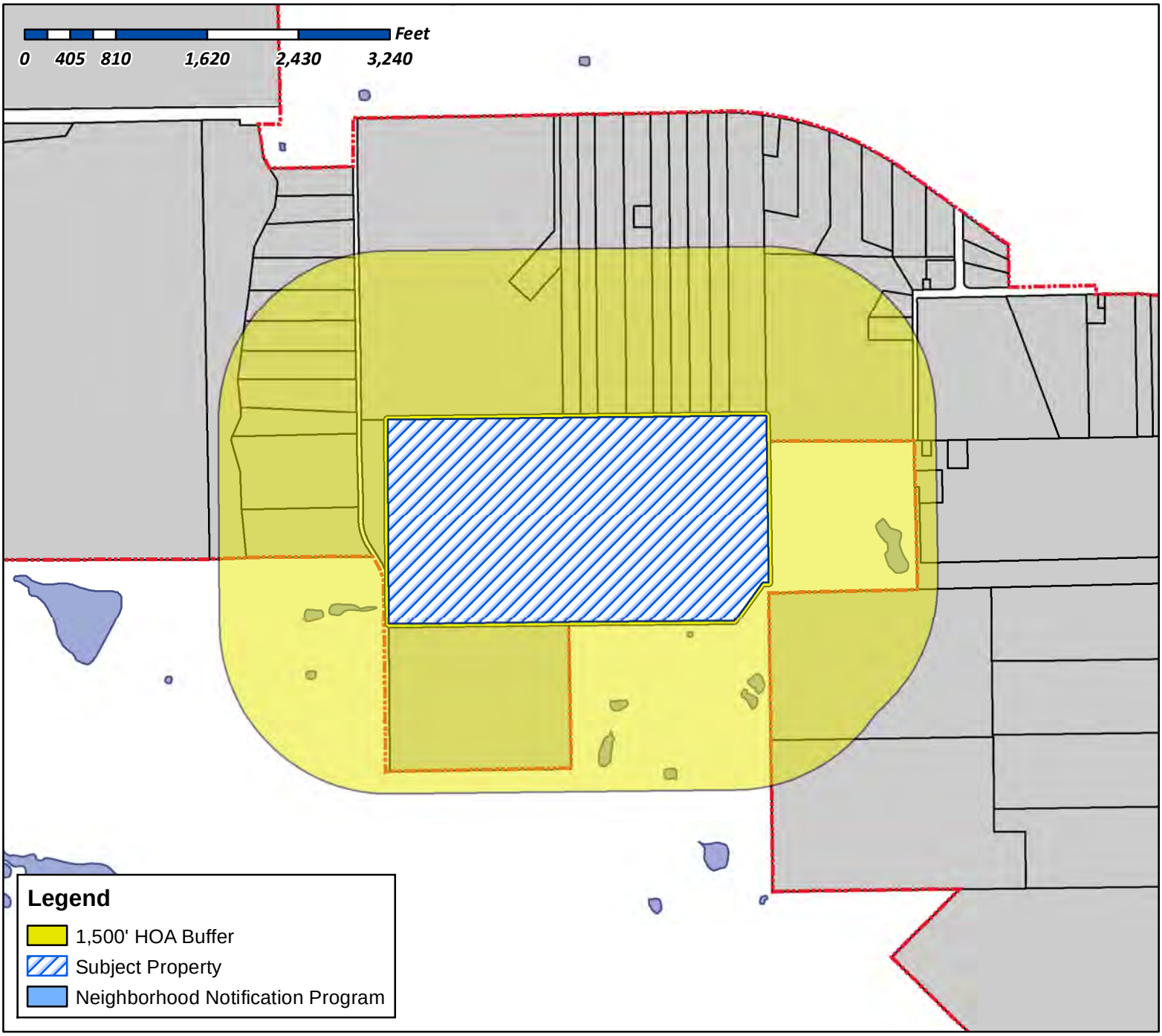

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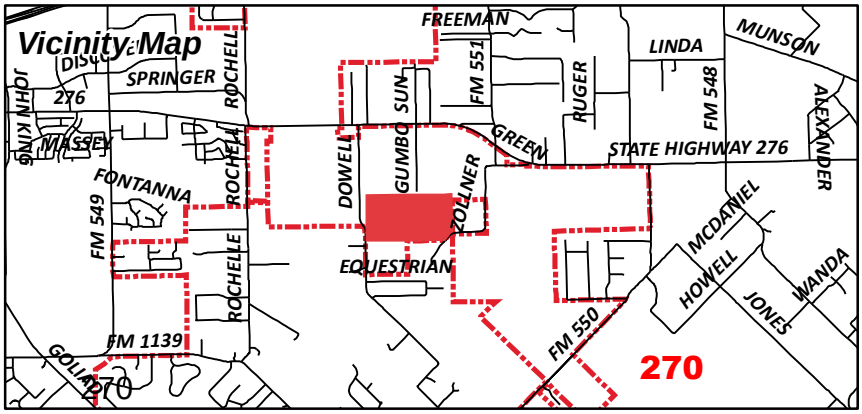

Date Created: 09/23/2014

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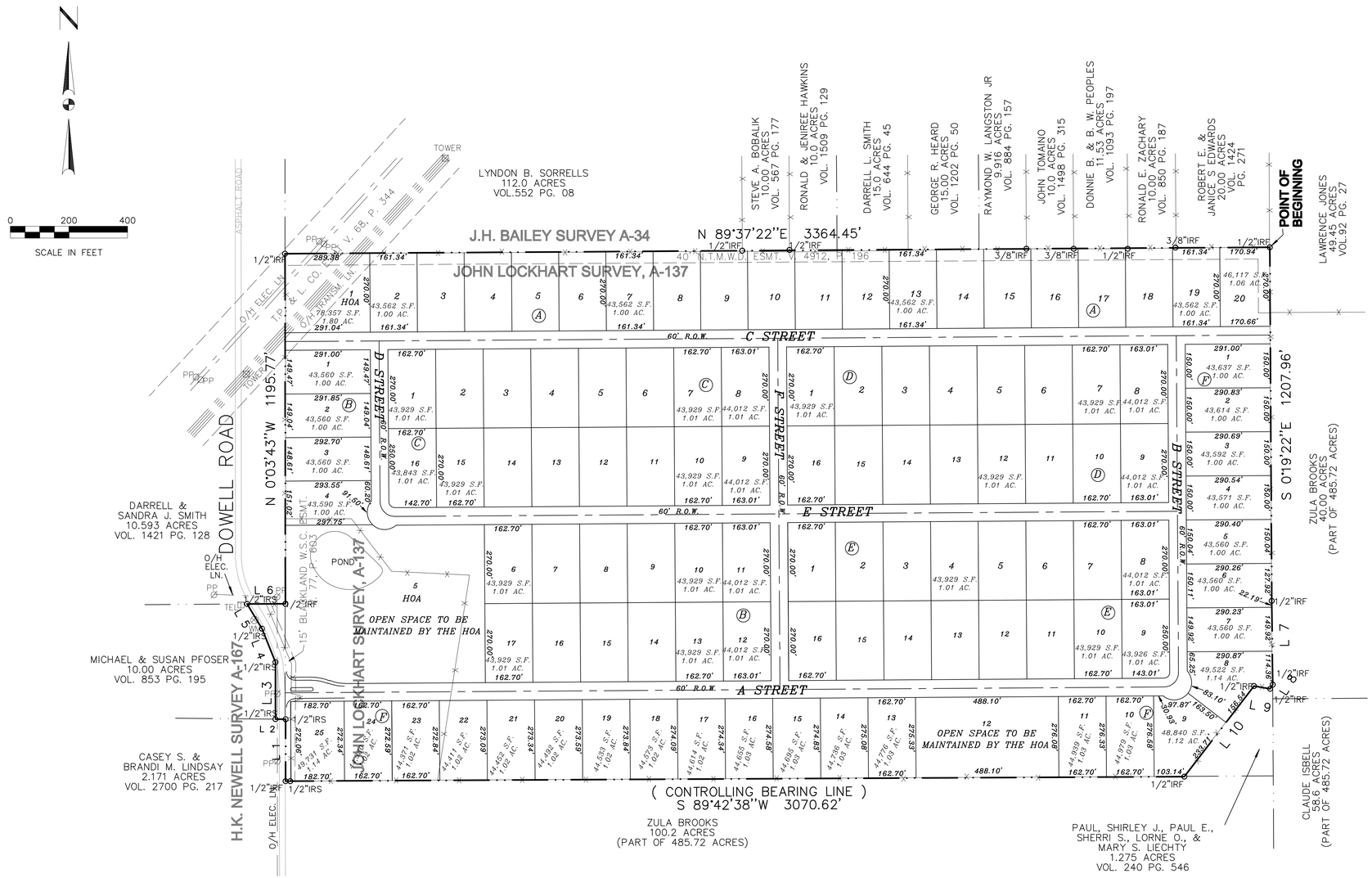
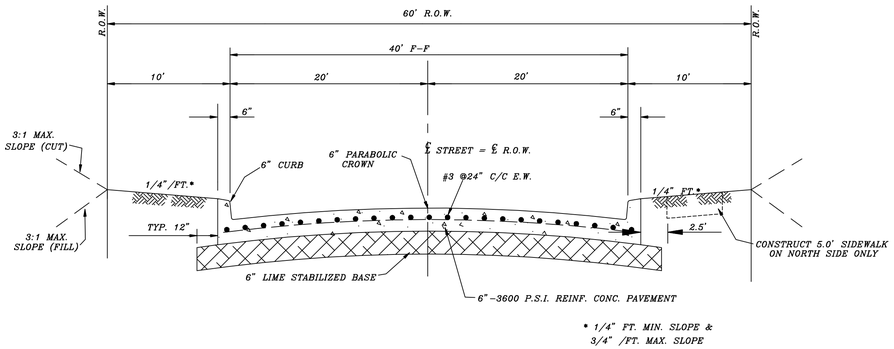
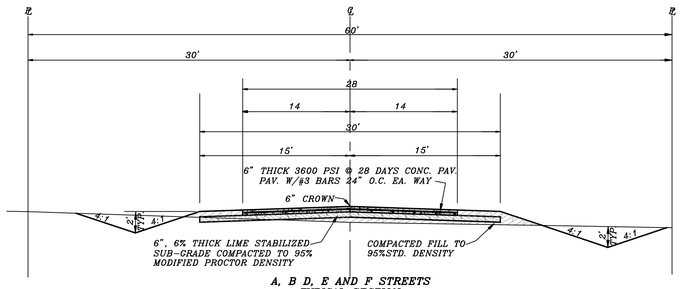


LINE TABLE

Line	Bearing	Distance
1	N 0°03'28"W	211.73'
2	N 89°29'31"W	34.26'
3	N 0°04'32"W	194.53'
4	N 21°45'35"W	123.31'
5	N 31°14'28"W	98.94'
6	N 89°44'09"E	131.11'
7	S 0°37'17"E	286.47'
8	S 31°44'42"W	16.52'
9	N 80°40'29"W	55.86'
10	S 37°34'16"W	390.25'



C STREET
TYPICAL SECTION
Not To Scale



A, B D, E AND F STREETS
TYPICAL SECTION
N.T.S.

EXISTING ZONING AG
PROPOSED ZONING PD

107 LOTS
LOT SIZE 1.00 AC. MIN.

138.79 ACRES

ALLEN & LORETTA ANDERSON
TO
L2 PROPERTIES, LLC
VOL. 4096, PG. 237
O.P.R.R.C.T.

OWNER:
L2 PROPERTIES, LLC

CASE NO. Z2014-030

14017 BASE

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY KENNETH L. DOUPHRATE P.E. NO. 60102, F-886, ON DATE: XXXXXXXXXXXXX, 20XX

DOUPHRATE & ASSOCIATES, INC.
ENGINEERING • PROJECT MANAGEMENT • SURVEYING
2235 RIDGE RD. # 200 ROCKWALL, TEXAS 75087
PHONE: (972)771-9004 FAX: (972)771-9005

SUMEER HOMES
PROPOSED ZONING
138.79 ACRES
J. LOCKHART SUR., A-137 & H.K. NEWELL SUR., A-167
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

REVISION	
W.L.D.	CHECKED
G.C.W.	DRAWN
SCALE	1"= 200' H 1"= V
AUG., 2014	DATE
14017	PROJECT
1 OF 1	

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Exhibit A

Legal Description of 138 Acre Tract

Located in the John Lockhart Survey, Abstract 137, and the

Newell Survey, Abstract No. 167, Rockwall, Texas

All that certain lot, tract or parcel of land situated in the JOHN LOCKHART SURVEY, ABSTRACT NO. 137 and H.K. NEWELL SURVEY, ABSTRACT NO. 167, Rockwall County, Texas, and being all of that 138.781 acres tract of land as described in a Warranty deed from Farm Credit Bank of Texas to Allen Anderson and wife, Loretta Anderson, dated November 27, 1991 and being recorded in Volume 657, Page 303 of the Real Property Records of Rockwall County, Texas, and the same tract as conveyed to L2 Properties, LLC by Deed recorded in Volume 4096, Page 237 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the base of a fence corner post at the Northeast corner of the above cited tract of land;

THENCE S. 00 deg. 19 min. sec. E. along the fenced East line of said tract, a distance of 1207.96 feet to a 1/2" iron rod found for corner;

THENCE S. 00 deg. 37 min. 17 sec. E. along the fenced East line of said tract, a distance of 286.47 feet to a 1/2" iron rod found for corner at the base of a fence corner post;

THENCE S. 31 deg. 44 min. 42 sec. W. along the fenced East line of said tract, a distance of 16.52 feet to a 1/2" iron rod found for corner at the base of a fence corner post;

THENCE N. 80 deg. 40 min. 29 sec. W. along the fenced boundary line of said tract, a distance of 55.86 feet to a 1/2" iron rod found for corner at the base of a fence corner post;

THENCE S. 37 deg. 34 min. 16 sec. W. along the fenced boundary line of said tract, a distance of 390.25 feet to a 1/2" iron rod found for corner at the base of a fence corner post at the Southeast corner of said tract and being at the Southwest corner of a 1.275 acres tract as described in a Deed to Paul Liechty, et al as recorded in Volume 240, Page 546 of the Real Property Records of Rockwall County, Texas;

THENCE S. 89 deg. 42 min. 38 sec. W. (Controlling bearing line) along the South line of said 138.781 acres tract, a distance of 3070.62 feet to a 1/2" iron rod found for corner in the East edge of Dowell Road;

THENCE N. 00 deg. 03 min. 28 sec. W. along the East edge of Dowell Road, a distance of 211.73 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 89 deg. 29 min. 31 sec. W. crossing said Dowell Road, a distance of 34.26 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the West margin of said road;

THENCE N. 00 deg. 04 min. 32 sec. W. along the West margin of said road, a distance of 194.53 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 21 deg. 45 min. 35 sec. W. along the West margin of said road, a distance of 123.31 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 31 deg. 14 min. 48 sec. W. along the West margin of said road, a distance of 98.94 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 89 deg. 44 min. 09 sec. E. crossing said Dowell Road, a distance of 131.11 feet to a 1/2" iron rod found for corner;

THENCE N. 00 deg. 03 min. 43 sec. W. a distance of 1195.77 feet to a 1/2" iron rod found for corner at the Northwest corner of said 138.781 acres tract;

THENCE N. 89 deg. 37 min. 22 sec. E. along the North line of said tract, a distance of 3364.45 feet to the POINT OF BEGINNING and containing 138.79 acres of land.

DOUPHRATE & ASSOCIATES, INC.
ENGINEERING • SURVEYING

2235 Ridge Rd., Su
Rockwall, TX
Tel: 972.77
Fax: 972.77

September 19, 2014

Mr. Robert LaCroix, AICP
Director of Planning
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

Re: Letter of Explanation for Zoning Change

Dear Mr. LaCroix:

On behalf of our client, Harlan Properties, the development company for Sumeer Homes, and L2, LLC, the owner of the subject property located on Dowell Rd and more particularly described as 138 acres in the John Lockhart Survey, Abstract 137, and the Newell Survey, Abstract No. 167, Rockwall, Texas, please accept this letter of explanation as to why the zoning change has been requested.

The applicant intends to develop the property into a single family residential development which will contain a minimum of 1 acre residential estate size lots.

Should you have any questions regarding the application for this zoning change request please let me know.

Sincerely,

W.L. Douphrate II, P.E. President / Owner

Douphrate & Associates, Inc.

Firm No. F-886

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 76 (PD-76) FOR SINGLE FAMILY 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 138.79-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE J. LOCKHART SURVEY, ABSTRACT NO. 137, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Barry Luff of L2 Properties, LLC for an amendment to the Unified Development Code [*Ordinance No. 04-*38] of the City of Rockwall for the purpose of changing the zoning from an Agricultural (AG) District to Planned Development District 76 (PD-76) for Single Family 1 (SF-1) District land uses, for a 138.79-acre tract of land identified as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the Unified Development Code [*Ordinance No. 04-38*], as heretofore amended, shall be further amended by amending the zoning map of the City of Rockwall so as to change the zoning district classification for the *Subject Property* from an Agricultural (AG) District to Planned Development District 76 (PD-76) for Single Family 1 (SF-1) District land uses.

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 3. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described within this ordinance, and unless specifically modified within this ordinance the *Subject Property* shall adhere to all development standards stipulated by the Single Family 1

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(SF-1) District as specified in Section 3.2-1, *Single-Family One (SF-1) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future;

Section 4. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 5. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 8. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(1) *PD Site Plan*. A *PD Site Plan* covering all of the *Subject Property* shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the *City* concurrently with a *Preliminary Plat Application* for the development.
(2) *Preliminary Plat.* A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat Application* may be processed by the *City* concurrently with a *PD Site Plan Application* for the development.
(3) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, for all of the *Subject Property* shall be submitted for approval.

Section 9. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 10. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 11. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

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Section 12. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 17TH DAY OF NOVEMBER, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *November 3, 2014*

2nd Reading: *November 17, 2014*

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Exhibit 'A':
Legal Description

Legal Description of 138.79-Acre Tract
Located in the John Lockhart Survey, Abstract 137, and the Newell Survey, Abstract No. 167, Rockwall, Texas

All that certain lot, tract or parcel of land situated in the JOHN LOCKHART SURVEY, ABSTRACT NO. 137 and H. K. NEWELL SURVEY, ABSTRACT NO. 167, Rockwall County, Texas, and being all of that 138.781 acres tract of land as described in a Warranty deed from Farm Credit Bank of Texas to Allen Anderson and wife, Loretta Anderson, dated November 27, 1991 and being recorded in Volume 657, Page 303 of the Real Property Records of Rockwall County, Texas, and the same tract as conveyed to L2 Properties, LLC by Deed recorded in Volume 4096, Page 237 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 112" iron rod found for corner at the base of a fence corner post at the Northeast corner of the above cited tract of land;

THENCE S. 00 deg. 19 min. sec. E. along the fenced East line of said tract, a distance of 1207.96 feet to a 112" iron rod found for comer;

THENCE S. 00 deg. 37 min. 17 sec. E. along the fenced East line of said tract, a distance of 286.47 feet to a *1/2"* iron rod found for comer at the base of a fence corner post;

THENCE S. 31 deg. 44 min. 42 sec. W. along the fenced East line of said tract, a distance of 16.52 feet to a 112" iron rod found for comer at the base of a fence corner post;

THENCE N. 80 deg. 40 min. 29 sec. W. along the fenced boundary line of said tract, a distance of 55.86 feet to a *1/2"* iron rod found for corner at the base of a fence corner post;

THENCE S. 37 deg. 34 min. 16 sec. W. along the fenced boundary line of said tract, a distance of 390.25 feet to a 112" iron rod found for corner at the base of a fence corner post at the Southeast corner of said tract and being at the Southwest corner of a 1.275 acres tract as described in a Deed to Paul Liechty, et al as recorded in Volume 240, Page 546 of the Real Property Records of Rockwall County, Texas;

THENCE S. 89 deg. 42 min. 38 sec. W. (Controlling bearing line) along the South line of said 138.781 acres tract, a distance of 3070.62 feet to a 112" iron rod found for corner in the East edge of Dowell Road;

THENCE N. 00 deg. 03 min. 28 sec. W. along the East edge of Dowell Road, a distance of 211.73 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for comer;

THENCE N. 89 deg. 29 min. 31 sec. W. crossing said Dowell Road, a distance of 34.26 feet to a *112"* iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for comer in the West margin of said road;

THENCE N. 00 deg. 04 min. 32 sec. W. along the West margin of said road, a distance of 194.53 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for comer;

THENCE N. 21 deg. 45 min. 35 sec. W. along the West margin of said road, a distance of 123.31 feet to a *112"* iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for comer;

THENCE N. 31 deg. 14 min. 48 sec. W. along the West margin of said road, a distance of 98.94 feet to a 112" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for comer;

THENCE N. 89 deg. 44 min. 09 sec. E. crossing said Dowell Road, a distance of 131.11 feet to a *112"* iron rod found for corner;

THENCE N. 00 deg. 03 min. 43 sec. W. a distance of 11 95.77 feet to a 112" iron rod found for corner at the Northwest corner of said 138.781 acres tract;

THENCE N. 89 deg. 37 min. 22 sec. E. along the North line of said tract, a distance of 3364.45 feet to the POINT OF BEGINNING and containing 138.79 acres of land.

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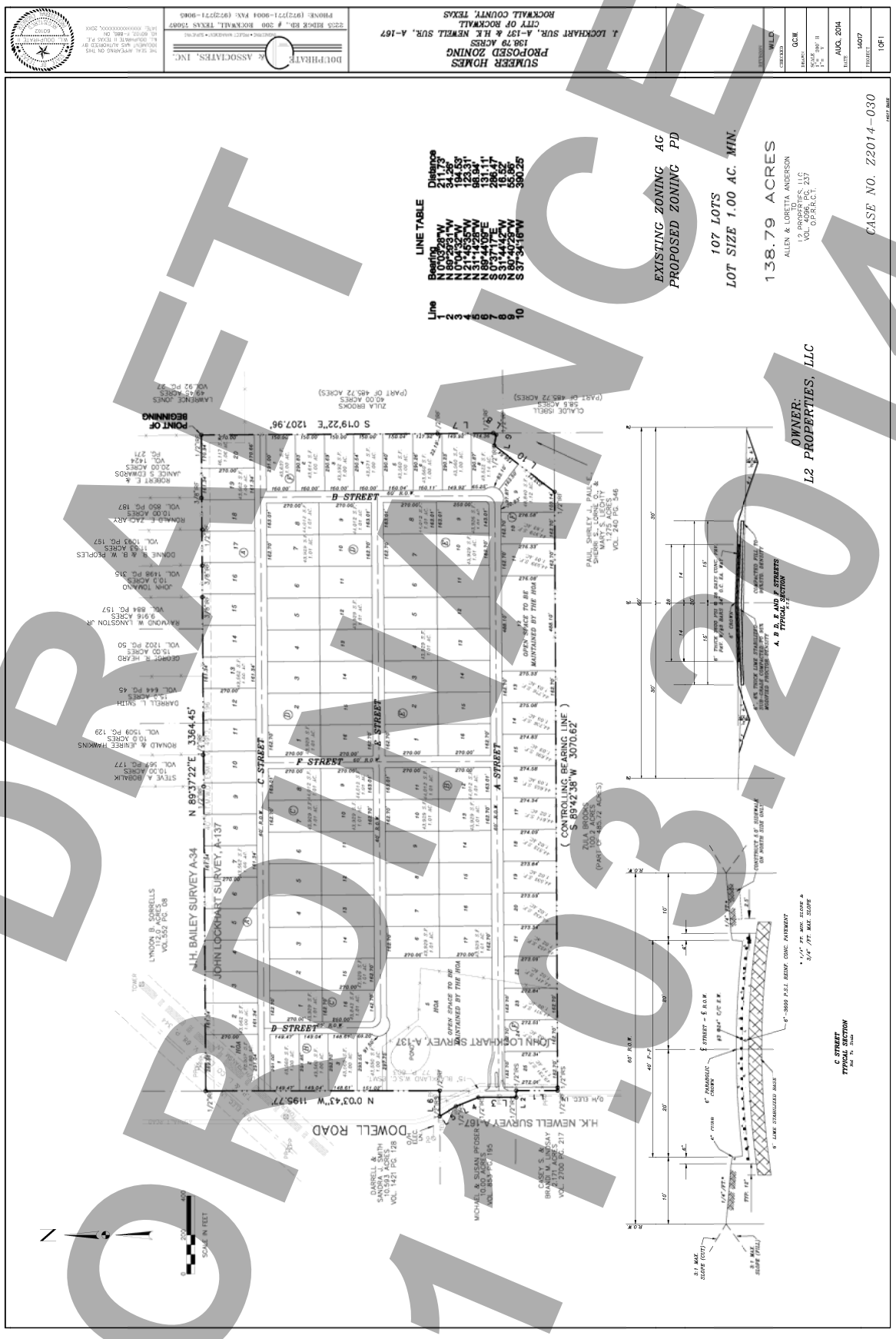
Exhibit 'B':
Concept Plan



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Development Standards.

1. *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 1 (SF-1) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.

2. *Density and Dimensional Requirements.* The maximum permissible density for the *Subject Property* shall not exceed one (1) dwelling unit per gross acre of land; however, in no case should the proposed development exceed 107 units. All lots shall conform to the standards depicted in *Table 1* below unless specifically provided for in *Table 2* below.

Table 1: Lot Dimensional Requirements

Minimum Lot Width [1]	150'
Minimum Lot Depth	250'
Minimum Lot Area	43,560 SF
Minimum Front Yard Setback [2]	40'
Minimum Side Yard Setback	25'
Minimum Side Yard Setback (Adjacent to a Street)	25'
Minimum Length of Driveway Pavement (Rear and Side Yard Only)	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	25'
Minimum Area/Dwelling Unit (SF) [5]	2,600 SF
Maximum Lot Coverage	45%
Minimum Number of Paved Off-Street Parking Spaces	2 Spaces
Minimum Distance Between Buildings	10'

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.
[2]: The location of the *Front Yard Building Setback* as measured from the front property line.
[3]: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single family home.
[4]: As measured from the rear yard property line.
[5]: The minimum area/dwelling unit only includes air conditioned square space.

Table 2: Lot Exceptions

Lot/Block Number	*Width*	*Depth*	*Lot Area*
Lot 1, Block B	149.47'	291'	43,560 SF
Lot 2, Block B	149.04'	291.85'	43,560 SF
Lot 3, Block B	148.61'	292.70'	43,560 SF
Lot 16, Block C	142.70'	250'	43,560 SF
Lot 7, Block F	149.92'	290.23'	43,560 SF
Lot 9, Block E	143.01'	250'	43,926 SF

Note. All lots are as depicted in Exhibit 'B' of this ordinance. Changes to the dimensions of these lots can be administratively approved by the Director of Planning or his/her designee, but at no point should the lot area be less than 43,560 SF.

3. *Building Standards.* All development shall adhere to the following building standards:

(a) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance the masonry requirement shall be limited to full width brick, natural stone, cast stone, cementaceous fiberboard

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horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*), and stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*). Cementaceous products (*e.g. HardiBoard, Hardy Plank, Stucco, etcetera)* shall be limited to 50% of the masonry requirement.

(b) Roof Pitch. A minimum of an *8:12* roof pitch is required on all structures with the exception of porches, which shall have a minimum of a *4:12* roof pitch.

(c) Garage Orientation. Garages shall be accessed from a traditional *'J'-Swing* or *Swing* type driveway arrangement. A second, single garage door facing the street is permitted behind the width of the required double door garage that is accessed from a traditional *'J'-Swing* or *Swing* configuration.

4. *Anti-Monotony Restrictions.* The development shall adhere to the following *Anti-Monotony* restrictions (*for spacing requirements see the illustration below*):

(1) Exterior wall materials must comply with the *Masonry Requirements* listed in *Section 3.(a)*. Additionally, all chimneys are required to utilize masonry materials.
(2) Identical brick blends or paint colors may not occur on adjacent (side-by-side) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) intervening homes of differing materials on the opposite side of the street.
(3) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on Dowell Road shall not repeat without at least two (2) intervening homes of differing appearance. Homes are consider to have a differing appearance if any of the following two (2) items deviate:

(a) Number of Stories
(b) Garage Location
(c) Roof Type and Layout
(d) Articulation of the Front Façade

(4) Crown molding will be installed in all living and family rooms, unless vaulted or pop-up ceilings are utilized. No *Formica* countertops maybe installed in kitchens and/or bathrooms, and vinyl flooring and blown acoustic ceilings are prohibited.
(5) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

See the Illustrations on the following page.

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Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.

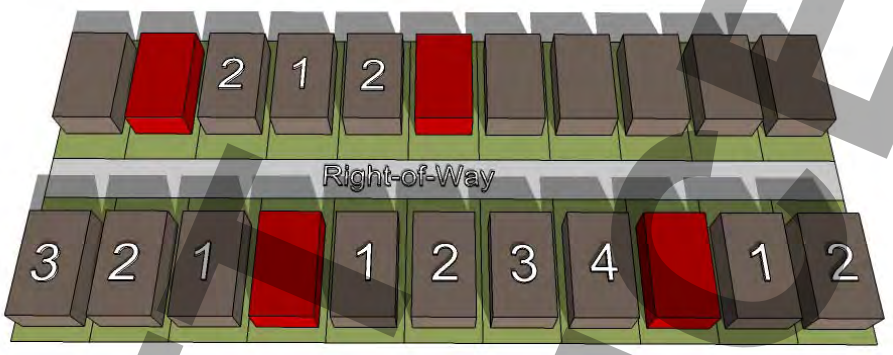

Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.



5. *Fencing Standards.* Fences are not mandatory for any lot within this subdivision; however, if a property owner chooses to construct a fence it will need to adhere to the following standards:

   (a) Solid Residential Fencing. All solid residential fencing shall be cedar standard fencing material (minimum ½" thickness) or better (*spruce fencing is not allowed*). All cedar pickets shall be placed on the *public side* facing the street or neighboring property.
   (b) Wrought-Iron/Tubular Steel Fencing. Lots located along perimeter roadways (*i.e. Dowell Road and Streets 'E' & 'A'*) and abutting open spaces, greenbelts and/or parks shall be required to install tubular steel fencing.
   (c) Common Area Fencing. All common areas and perimeter fencing shall be maintained by a Homeowners Association (HOA) as specified by the *Subdivision Regulations* contained in *Chapter 38* of the City's *Municipal Code of Ordinances*. Common area fencing shall be constructed of tubular steel and not exceed four (4) feet in height.

6. *Landscaping.* At the time of final inspection, all single-family lots shall be landscaped with large canopy trees as follows:

   (a) Two (2) minimum three (3) inch caliper trees, as measured six (6) inches above the root ball, shall be planted in the front yard of all interior lots.
   (b) Two (2) minimum three (3) inch caliper trees, as measured six (6) inches above the root ball, shall be planted in the front yard of all corner lots and two (20 additional trees shall be planted in the side yard facing the street.

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Note. Any existing trees that are in conformance with the tree mitigation requirements stipulated by Article IX, Tree Preservation, of the Unified Development Code, which can be preserved, will be counted as credits towards all required landscaping requirements.

7. *Lighting.* Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

8. *Streets.* The street cross sections shall be as depicted within *Exhibit 'B'* of this ordinance. The property owner (with direct adjacency) shall be responsible for maintaining the area between edge of pavement and their property line (*i.e. the bar ditches/drainage areas*).

9. *Sidewalks.* Sidewalks shall be required to be located along the northern boundary of *Street 'C'* as depicted in *Exhibit 'B'* of this ordinance, and shall begin two (2) feet behind the right-of-way line and be a minimum of five (5') feet in width.

10. *On-Site Sewage Facilities. Septic Systems* are permitted on all lots within this subdivision pending conformance to the following standards:

    (a) All *Septic Systems* shall be designed by a licensed *On-Site Sewage Facility (OSSF)* professional (*e.g. licensed engineer, sanitarian, and etcetera*).
    (b) A stamped and signed copy of the *Septic System* plans indicating the full limits of the septic field shall be submitted to the city at the time of building permit on a *lot-by-lot* basis.
    (c) All *Septic Systems* shall be inspected and approved by the City's chosen inspector.

11. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The *Developer* shall not be required to relocate existing overhead power-lines along the perimeter of the *Subject Property*.

12. *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the PD Site Plan.

13. *Homeowner's Association (HOA).* A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the *Municipal Code of Ordinances* of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, screening fences associated with this development.

14. *Variances.* The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 11/03/2014

APPLICANT: Jimmy Strohmeyer, *Strohmeyer Architects, Inc.*

AGENDA ITEM: **Z2014-031**; *Harbor Heights PD Development Plan (PD-32)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of D. W. Bobst of J-BR2, LLC for the approval of a PD Development Plan proposing to establish five (5) pad sites for restaurants and retail shopping within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary.

BACKGROUND:

On September 20, 2010, the City Council passed *Ordinance No. 10-21* [*Planned Development District 32 (PD-32)*], which established a concept plan and development standards for the approximate 78.89-acre tract of land commonly referred to as *PD-32* or the *Harbor District*. Within the approved concept plan, *PD-32* was divided into ten (10) subdistrict that contained individual development and land use standards. The subject property is a 2.893-acre portion of land located within the *Hillside Subdistrict*, which -- according to the *PD Ordinance* -- is intended "… to provide a cluster of restaurant anchors that can contribute to the creation of a vibrant, pedestrian oriented character within the *Harbor District*."

REQUEST:

On September 19, 2014, the applicant, Jimmy Strohmeyer, submitted an application for site plan showing the proposed layout for the 2.893-acre tract of land. At the time of submittal, the applicant included a request for a waiver to the *building placement requirements* [*Sec. 9.C; Ord. 10-21*] for the purpose of allowing buildings to be situated more than 12-feet from the build-to-line in order to incorporate larger patios adjacent to Harbor Heights Drive. In addition, the building elevations also depicted retaining walls, ranging in size from one (1) to an estimated seven (7) feet (originally nine [9] feet), adjacent to the sidewalks along Harbor Heights Drive. In accordance with *Ordinance No. 10-21*, staff required the applicant to change the request from a *PD Site Plan* to a *PD Development Plan* on the grounds that the retaining walls inhibited the pedestrian oriented character required by the concept plan for the *Hillside Subdistrict*, and thus the plan did not meet *Criteria 'A'* of Section 9.C (*i.e. meet the general intent of PD District or Subdistrict in which the property is located*). Additionally, the PD Development Plan grants the City Council discretionary approval over the request.

STAFF ANALYSIS:

The concept plan for the *Hillside Subdistrict* calls for existing slopes between 8-12% with the incorporation of two (2) pedestrian opportunities extending perpendicular to Harbor Heights

Drive at not more than 2% slope. Harbor Heights Drive -- which is intended to serve as the "…primary connector to the existing *Harbor Development* and is a primary street frontage for retail, residential and mix use development within [the] adjacent subdistricts…" -- is designated as a *Street Type 'D'*, and was constructed with slopes of 10.3% with one (1) pedestrian crossing constructed at a 1% slope in accordance to the concept plan. Additionally, the original plan depicted smaller pad sites that stepped down to adjust for the slope of the street, which allowed for storefronts and patios to be *at* or *closer to* grade. The plan submitted by the applicant does meet the majority of the technical requirements of *Ordinance No. 10-21*, with the exception of the *building placement requirements*; however, it also incorporates larger pad sites, which according to the applicant are more difficult to step down to a pedestrian level. In addition, the applicant has stated that the walls accommodate the projected retail and restaurant uses by allowing for larger patios and preserving the view corridor provided by Harbor Heights Drive.

The applicant's request to allow the buildings to be situated more than 12-feet from the build-to-line does appear to be a valid request in that it allows for additional pedestrian activity adjacent to Harbor Heights Drive; however, the request only meets the intent of the district if the proposed patios are located at a pedestrian level. Taking the intent of the district into consideration (*i.e. the creation of a vibrant, pedestrian oriented character within the Harbor District*) the current plan does not meet the vision laid out within the concept plan with respect to the creation of a pedestrian friendly environment. With this being said, it is important to point out that the applicant has incorporated one (1) of the pedestrian crossings, which allows for pedestrian foot traffic to access Harbor Heights Drive from the proposed parking areas. Staff has recommended to the applicant stepping the patios down at different intervals than the proposed building pads to bring the patios closer to grade and allow for pedestrian visibility of the storefronts. Under this recommendation, the plan could accommodate the larger building pads and increased patio space while still bringing the patios down to a pedestrian level allowing for increased access and visibility. The applicant has partially complied with this request by breaking the largest retaining wall into two portions by stepping the patio down. This brings the wall from an estimated nine (9) feet to an estimated seven (7) feet. Additionally, the applicant has provided a seat wall to provide a pedestrian element into the wall design.

With this being said the proposed plan was questionable enough with regard to the district's stated intent to bring to the City Council for discretionary approval. Should the City Council choose to grant the request the applicant will still need to submit a site plan that will be reviewed by the Architectural Review Board (ARB) and the Planning and Zoning Commission. The waiver to the *building placement requirements* will be accounted for in the PD Development Plan Ordinance provided to the City Council.

NOTIFICATION:

On October 3, 2014, staff mailed 23 notices to property owners and residents within 500 feet of the subject property. Staff also emailed notices to the Lakeside Village and Lago Vista Homeowner's Associations (HOA), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign at the corner of the intersection of Sunset Ridge Drive and the IH-30 Frontage Road as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

RECOMMENDATIONS:

If the Planning and Zoning Commission recommends approval of the applicant's request for a *PD Development Plan* then staff would propose the following conditions of approval:

1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *PD Development Plan* ordinance and summarized as follows:

(a) Development of this property shall generally conform to the *PD Development Plan* depicted in the *PD Development Plan* ordinance;

(b) Development of this property shall generally conform to the *Building Elevations* depicted in the *PD Development Plan* ordinance;

(c) All buildings shall be developed with consideration to the pedestrian access adjacent to Harbor Heights Drive. Additionally, the design of the buildings shall include four (4) sided architecture that creates a dual entry appearance, with buildings fronting on to IH-30 and Harbor Heights Drive;

(d) Building façades must be situated no greater than 27-feet from the build-to-line adjacent to Harbor Heights Drive;

(e) All building materials and color schemes proposed for this development should conform to the requirements stipulated by Planned Development District 32 (PD-32);

(f) Prior to the issuance of a Building Permit the applicant shall submit and seek approval for a detailed *PD Site Plan* that demonstrates compliance with all applicable standards of Planned Development District 32 (PD-32) [*as amended*] and with the requirements approved in this ordinance;

(g) All buildings throughout the development shall be constructed with a consistent design scheme, and be approved by the Architectural Review Board (ARB) at the time of the *PD Site Plan*;

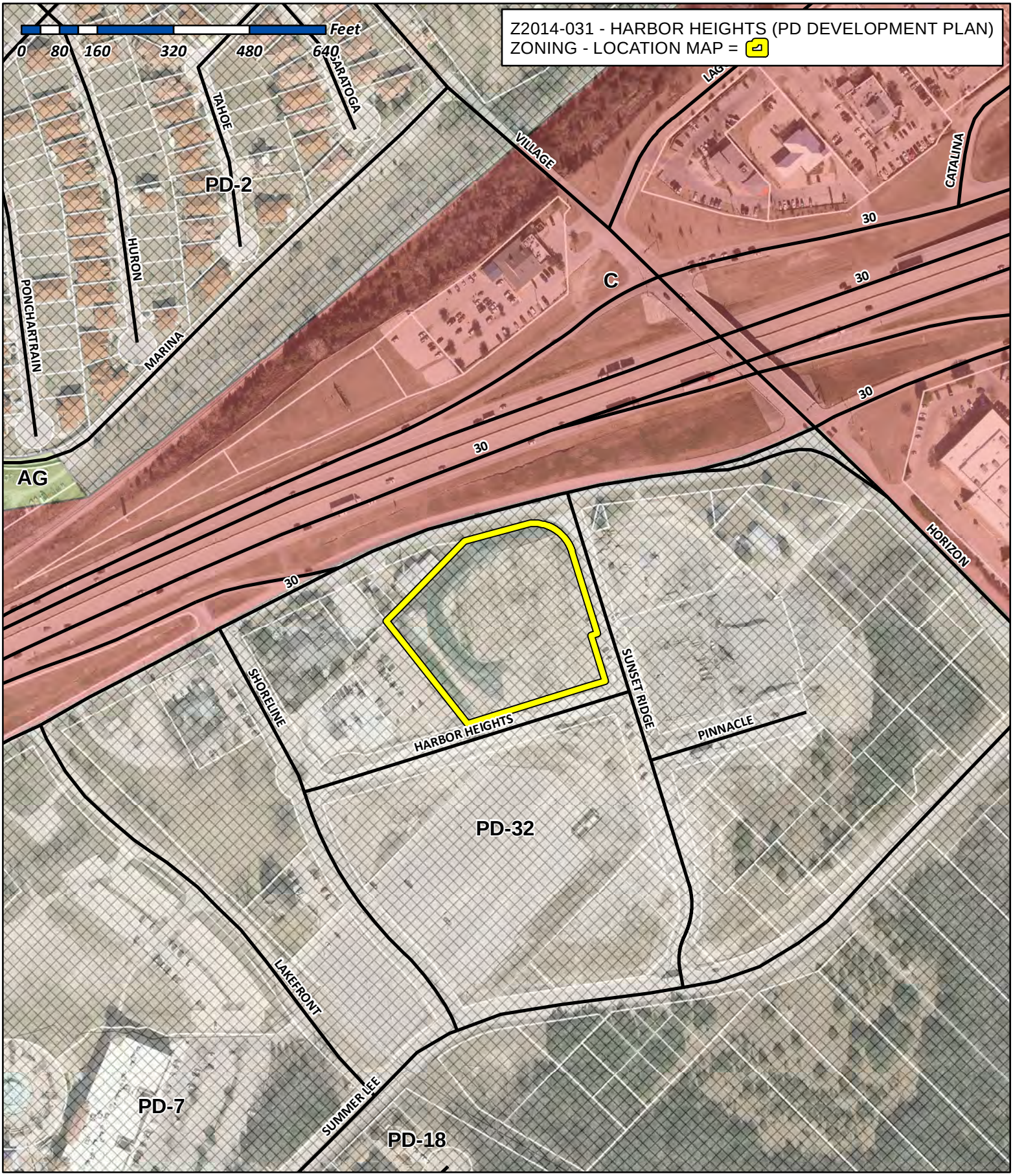
(h) Prior to the issuance of a Building Permit the applicant shall submit and seek approval for a replat that indicates all necessary easements; and,

(i) The proposed uses for this development shall be required to demonstrate that they have access to a sufficient number of parking spaces within the development itself to support the use.

2) Any construction resulting from the approval of this *zoning amendment* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On October 28, 2014, the Planning and Zoning Commission recommended approval of the applicant's request per staff recommendations by a vote of 7-0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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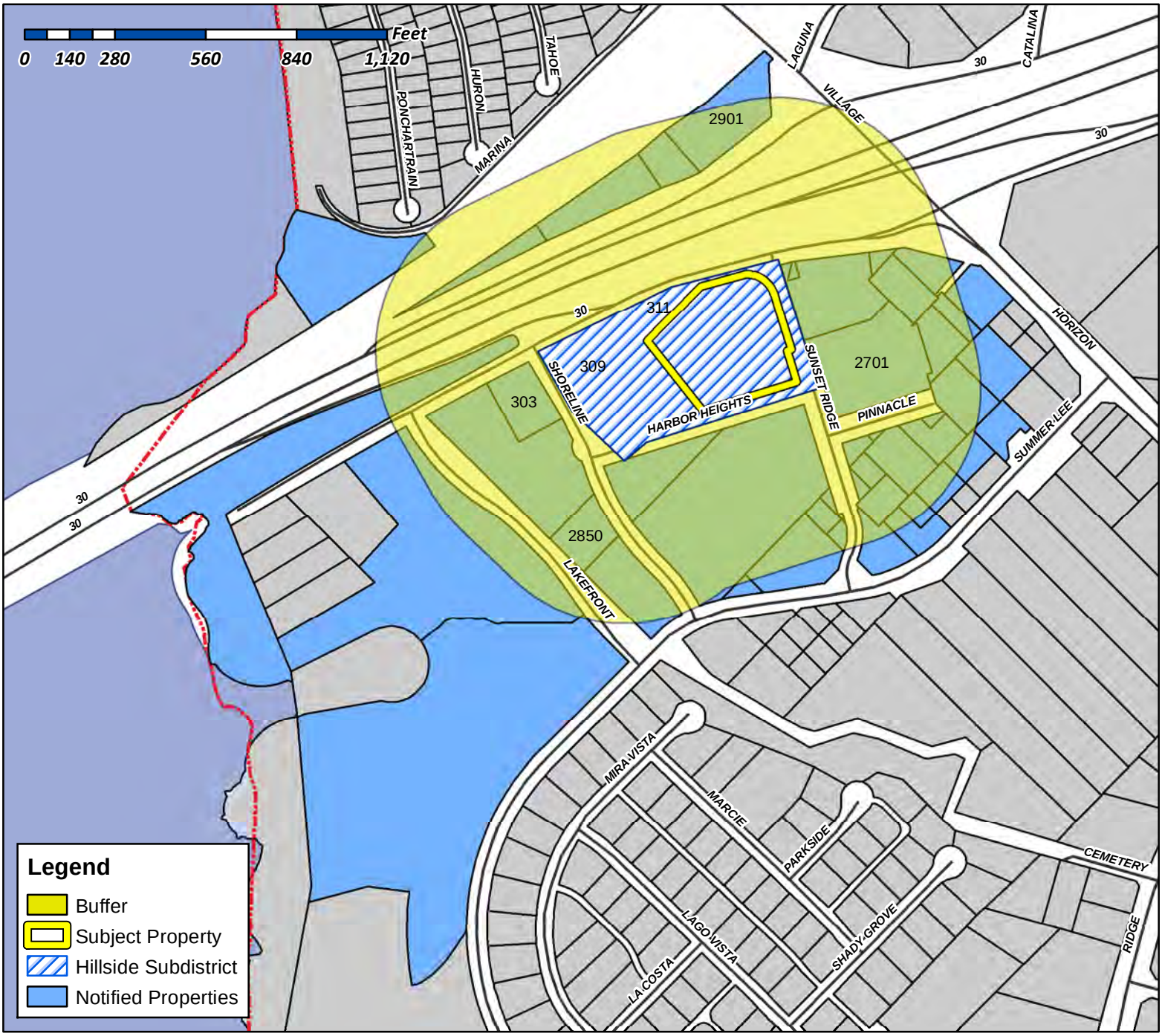
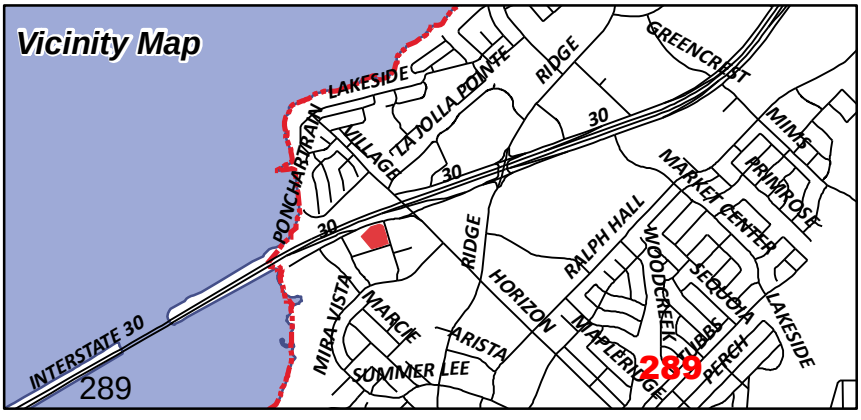


Case Number: Z2014-031
Case Name: Harbor Heights
Case Type: PD Development Plan
Zoning: PD-32
Case Address: Sunset Ridge/IH-30



Date Created: ***09/25/2014***

For Questions on this Case Call (972) 771-7745

RCAD Account Number	DBA	Owner Name	Owner Address	Suite	City	State	Zip	Acreage	Legal Description	Site Address	City2	State3	Zip2
4724-0000-0000-00-0R	SNUFFER'S	EAGLE SEIKI SALES LTD	603 WOODED TRAIL		ROCKWALL	TX	75087	1.30	RANCH HOUSE ADDITION, ACRES 1.2994	2901 VILLAGE DR	ROCKWALL	TX	75087
5210-0000-0001-01-0R		THE GAB FAMILY TRUST	603 WOODED TRAIL		ROCKWALL	TX	75087	0.81	VILLAGE 2, LOT EAST PT OF 1, ACRES 0.812	I30	ROCKWALL	TX	75087
5210-0000-0001-00-0R		FAULKNER INVESTMENT CO. LTD	3401 MAIN ST		ROWLETT	TX	75088	0.31	VILLAGE 2, LOT 1, ACRES 0.311	I30	ROCKWALL	TX	75087
0011-0000-0003-00-0R		THE GAB FAMILY TRUST	603 WOODED TRAIL		ROCKWALL	TX	75087	0.90	A0011 M J BARKSDALE, TRACT 3, ACRES .8991	N SERVICE RD	ROCKWALL	TX	75087
0011-0000-0019-02-0R		LAKESIDE VILLAGE HOMEOWNERS	4100 VILLAGE DR		ROCKWALL	TX	75087	0.53	A0011 M J BARKSDALE, TRACT 19-2, ACRES 0.529	N SERVICE RD	ROCKWALL	TX	75087
0011-0000-0017-01-0R		EASTER TERESE M	3502 LAKESIDE DR		ROCKWALL	TX	75087	0.20	A0011 M J BARKSDALE, TRACT 17-01, ACRES .202, (PT OF .531 AC TR)	S SERVICE RD	ROCKWALL	TX	75087
0011-0000-0017-02-0R		EASTER TERESE M	3502 LAKESIDE DR		ROCKWALL	TX	75087	0.04	A0011 M J BARKSDALE, TRACT 17-02, ACRES .036, (PT OF .531 AC TR)	S SERVICE RD	ROCKWALL	TX	75087
0011-0000-0017-00-0R		EASTER TERESE M	3502 LAKESIDE DR		ROCKWALL	TX	75087	0.29	A0011 M J BARKSDALE, TRACT 17, ACRES .293, (PT OF .531 AC TR)	311 E I30	ROCKWALL	TX	75087
3152-000A-0001-00-0R		BRISCOE OIL INC	2323 STEVENS RD		ROCKWALL	TX	75032	0.34	BRISCOE/HILLCREST ADDITION, BLOCK A, LOT 1, ACRES 0.336	I30	ROCKWALL	TX	75032
4460-0003-0001-00-0R		CULPEPPER/SPATEX JV	PO BOX 1068		HURST	TX	76053	0.63	MOTON, BLOCK 3, LOT 1,2,3 & 4	SUMMER LEE	ROCKWALL	TX	75032
4460-0010-0001-00-0R		ATTICUS REAL ESTATE SERVICES INC	5339 ALPHA RD	STE 300	DALLAS	TX	75240	0.29	MOTON, BLOCK 10, LOT 1 & 2	SUMMER LEE	ROCKWALL	TX	75032
0207-0000-0041-02-0R		BRISCOE TOM R/JENNIFER	2323 STEVENS RD		ROCKWALL	TX	75032	0.18	A0207 E TEAL, TRACT 41-2, ACRES 0.18	HILLTOP	ROCKWALL	TX	75032
3152-000A-0002-00-0R		BRISCOE OIL INC	2323 STEVENS RD		ROCKWALL	TX	75032	0.53	BRISCOE/HILLCREST ADDITION, BLOCK A, LOT 2, ACRES .526	HORIZON DR	ROCKWALL	TX	75032
0011-0000-0001-04-0R		FAULKNER INVESTMENT CO. LTD	3401 MAIN ST		ROWLETT	TX	75088	0.03	A0011 M J BARKSDALE, TRACT 1-04, ACRES 0.026		ROCKWALL	TX	75032
3381-000A-0001-00-0R		J BR2 LLC	1400 RIDGE ROAD		ROCKWALL	TX	75087	0.50	CHRISTIAN CHURCH SUBDIVISION, BLOCK A, LOT 1, ACRES .50	I30	ROCKWALL	TX	75032
0011-0000-0001-01-0R								0.08			ROCKWALL	TX	75032
4941-000A-0003-00-0R		CLEMENTS BOB L	PO BOX 1850		MCKINNEY	TX	75070	0.65	SHORELINE PLAZA ADDITION, BLOCK A, LOT 3, ACRES 0.652, (REPLAT 2006)	SHORELINE TRL	ROCKWALL	TX	75032
4941-000A-0001-00-0R	CULPEPPER'S	CLEMENTS BOB L	PO BOX 1850		MCKINNEY	TX	75070	1.40	SHORELINE PLAZA ADDITION, BLOCK A, LOT 1, ACRES 1.40	309 E I30	ROCKWALL	TX	75087
4460-0008-0001-00-0R		FIELDS EARNEST E	(MR)					0.29	MOTON, BLOCK 8, LOT 1 & 2	SUMMER LEE	ROCKWALL	TX	75032
4460-0013-0002-00-0R		CITY OF ROCKWALL						0.15	MOTON, BLOCK 13, LOT 2	SUMMER LEE	ROCKWALL	TX	75032
4460-0006-0001-00-0R		CARSON MARK R	701 N MUNSON RD		ROYSE CITY	TX	75189	0.16	MOTON, BLOCK 6, LOT 1 & PT OF LOT 4, (REMAINDER OF LOT 4 IS IN THE ROAD)	SUMMER LEE	ROCKWALL	TX	75032
4460-0012-0001-00-0R		J BR2 LLC	1400 RIDGE ROAD		ROCKWALL	TX	75087	0.15	MOTON, BLOCK 12, LOT 1	SUMMER LEE	ROCKWALL	TX	75032
4941-000A-0005-00-0R		LAKE FRONT TRAIL LP	166 YORKSHIRE DR		HEATH	TX	75032	0.57	SHORELINE PLAZA ADDITION, BLOCK A, LOT 5, ACRES 0.574, (REPLAT 2006), (REPLAT 2007)	2850 SHORELINE TRL	ROCKWALL	TX	75032
0207-0000-0041-00-0R		CITY OF ROCKWALL	385 S GOLIAD ST		ROCKWALL	TX	75087	6.20	A0207 E TEAL, TRACT 41, ACRES 6.1978	PINNACLE	ROCKWALL	TX	75032
4941-000A-0003-A0-0R		ROCKWALL RENTAL PROPERTIES LP	PO BOX 818		TERRELL	TX	75160	1.82	SHORELINE PLAZA ADDITION, BLOCK A, LOT 3A, ACRES 1.824, (REPLAT 2006)	SHORELINE TRL	ROCKWALL	TX	75032
4941-000A-0002-00-0R	OAR HOUSE	CLEMENTS BOB L	PO BOX 1850		MCKINNEY	TX	75070	0.65	SHORELINE PLAZA ADDITION, BLOCK A, LOT 2, ACRES 0.65	303 E I30	ROCKWALL	TX	75087
3812-000B-0001-00-0R		JBR2 LLC	1400 RIDGE RD		ROCKWALL	TX	75087	2.89	HARBOR DISTRICT ADDITION, BLOCK B, LOT 1, ACRES 2.893	SUNSET RIDGE DR	ROCKWALL	TX	75032
0207-0000-0041-00-0R		CITY OF ROCKWALL	385 S GOLIAD ST		ROCKWALL	TX	75087	6.20	A0207 E TEAL, TRACT 41, ACRES 6.1978	PINNACLE	ROCKWALL	TX	75032
4460-0013-0001-00-0R		CITY OF ROCKWALL						0.05	MOTON, BLOCK 13, LOT 1	SUMMER LEE	ROCKWALL	TX	75032
4460-0013-0004-00-0R		CITY OF ROCKWALL						0.00	MOTON, BLOCK 13, LOT 4	SUMMER LEE	ROCKWALL	TX	75032
4460-0013-0003-00-0R		CITY OF ROCKWALL						0.08	MOTON, BLOCK 13, LOT 3	SUMMER LEE	ROCKWALL	TX	75032
4460-0011-0002-00-0R		CITY OF ROCKWALL	385 S GOLIAD ST		ROCKWALL	TX	75087	0.06	MOTON, BLOCK 11, LOT 2	SUMMER LEE	ROCKWALL	TX	75032
4460-0011-0001-00-0R		CITY OF ROCKWALL	385 S GOLIAD ST		ROCKWALL	TX	75087	0.14	MOTON, BLOCK 11, LOT 1	SUMMER LEE	ROCKWALL	TX	75032
3812-000A-0002-00-0R		JBR2 LLC	1400 RIDGE RD		ROCKWALL	TX	75087	1.45	HARBOR DISTRICT ADDITION, BLOCK A, LOT 2, ACRES 1.4547	SUNSET RIDGE DR	ROCKWALL	TX	75087
0207-0000-0041-00-0R		CITY OF ROCKWALL	385 S GOLIAD ST		ROCKWALL	TX	75087	6.20	A0207 E TEAL, TRACT 41, ACRES 6.1978	PINNACLE	ROCKWALL	TX	75032
4460-0009-0001-00-0R		WHITE MICHAEL AND	2304 W WHEATLAND RD		DALLAS	TX	75232	0.57	MOTON, BLOCK 9, LOT 1,2,3 & 4	SUMMER LEE	ROCKWALL	TX	75032
4460-0007-0002-00-0R		WHITE MICHAEL AND	2304 W WHEATLAND RD		DALLAS	TX	75232	0.37	MOTON, BLOCK 7, LOT 2,3 & 4	SUMMER LEE	ROCKWALL	TX	75032
4460-0005-0001-00-0R		WHITE MICHAEL AND	2304 W WHEATLAND RD		DALLAS	TX	75232	0.62	MOTON, BLOCK 5, LOT 1,2,3 & 4	SUMMER LEE	ROCKWALL	TX	75032
3812-000A-0001-00-0R		HARBOR HEIGHTS INVESTORS LP	1400 RIDGE RD		ROCKWALL	TX	75087	2.06	HARBOR DISTRICT ADDITION, BLOCK A, LOT 1, ACRES 2.0617	2701 SUNSET RIDGE	ROCKWALL	TX	75087
0011-0000-0007-00-0R		CITY OF ROCKWALL	385 S GOLIAD ST		ROCKWALL	TX	75087	0.24	A0011 M J BARKSDALE, TRACT 7, ACRES 0.239	S SERVICE RD	ROCKWALL	TX	75032
4460-0019-0001-00-0R		CITY OF ROCKWALL					0	0.09	MOTON, BLOCK 19, LOT 1,2,3 & 4	SUMMER LEE	ROCKWALL	TX	75032
3812-000C-0001-00-0R		JBR2 LLC	1400 RIDGE RD		ROCKWALL	TX	75087	0.95	HARBOR DISTRICT ADDITION, BLOCK C, LOT 1, ACRES 0.9516	SUMMER LEE DR	ROCKWALL	TX	75032
4941-000A-0003-0B-0R		CITY OF ROCKWALL						0.87	SHORELINE PLAZA ADDITION, BLOCK A, LOT 3B, ACRES 0.869	SHORELINE TRL	ROCKWALL	TX	75032
3812-000D-0001-00-0R		JBR2 LLC	1400 RIDGE RD		ROCKWALL	TX	75087	0.45	HARBOR DISTRICT ADDITION, BLOCK D, LOT 1, ACRES 0.4542	SUMMER LEE DR	ROCKWALL	TX	75032
4460-0012-0002-00-0R		ANDERSON ALLEN D ETUX	1208 S LAKESHORE DR		ROCKWALL	TX	75087	0.34	MOTON, BLOCK 12, LOT 2,3 & 4	SUMMER LEE	ROCKWALL	TX	75032
3812-0000-0000-00-0R		CITY OF ROCKWALL						0.37	HARBOR DISTRICT ADDITION, BLOCK 0, LOT 0, ACRES .037, FIRE ACCESS EASEMENT	PINNACLE WAY	ROCKWALL	TX	75032
4460-0011-0003-00-0R		CULPEPPER/SPATEX JV	PO BOX 1068		HURST	TX	76053	0.30	MOTON, BLOCK 11, LOT 3 & 4	SUMMER LEE	ROCKWALL	TX	75032
3809-000A-0005-00-0R		TF HARBOR, LLC	777 E CAMPBELL RD	STE 650	RICHARDSON	TX	75081	12.67	HARBOR - ROCKWALL, THE, BLOCK A, LOT 5, ACRES 12.6747	SUMMER LEE DR	ROCKWALL	TX	75032
3809-000A-0007-00-0R		ROCKWALL RENTAL PROPERTIES LP	PO BOX 818		TERRELL	TX	75160	6.34	HARBOR - ROCKWALL, THE, BLOCK A, LOT 7, ACRES 6.3384	LAKE RAY HUBBARD	ROCKWALL	TX	75032
0207-0000-0041-00-0R		CITY OF ROCKWALL	385 S GOLIAD ST		ROCKWALL	TX	75087	6.20	A0207 E TEAL, TRACT 41, ACRES 6.1978	PINNACLE	ROCKWALL	TX	75032
1000-0000-0000-02-0R								5.09			ROCKWALL	TX	75087

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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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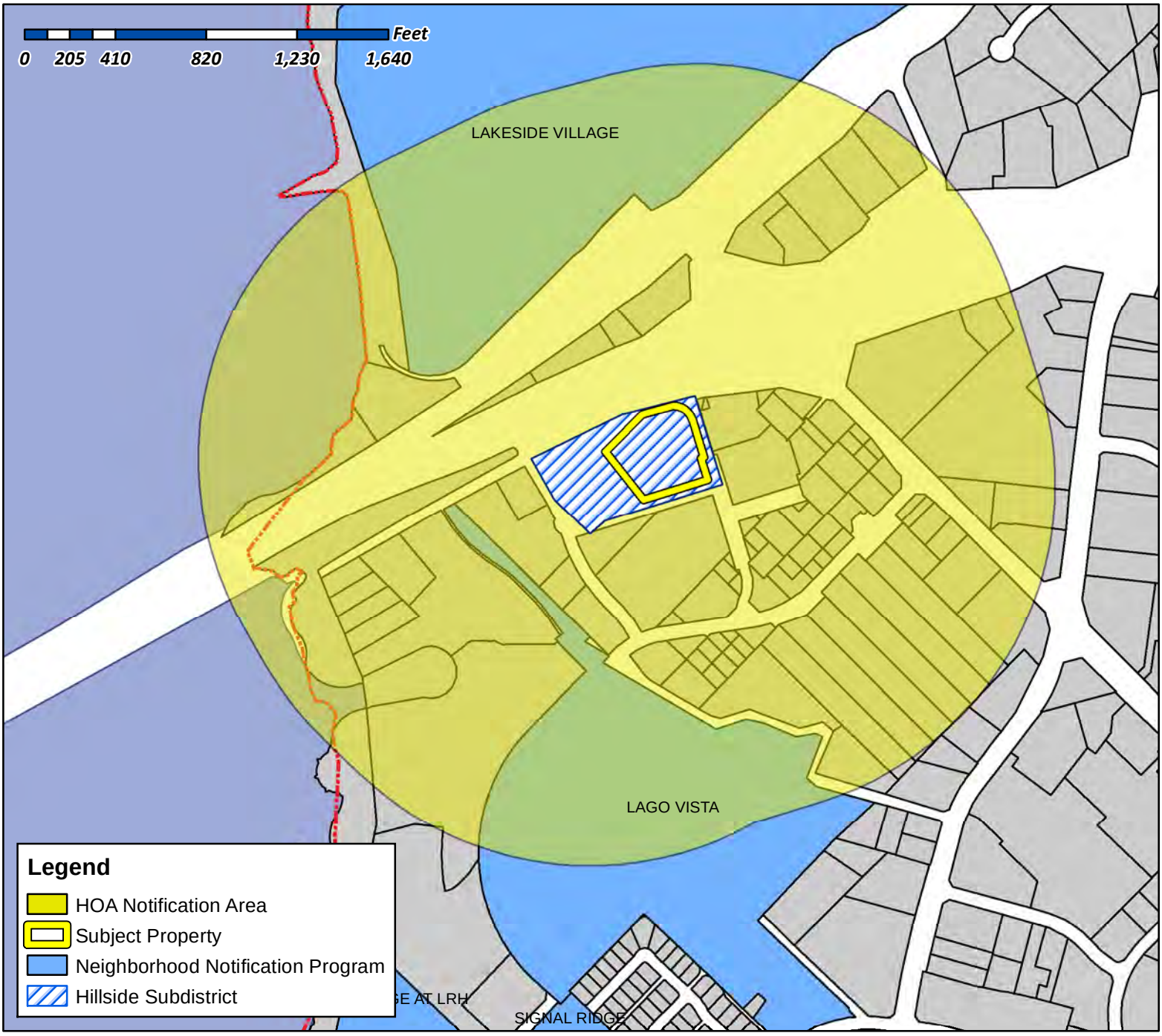
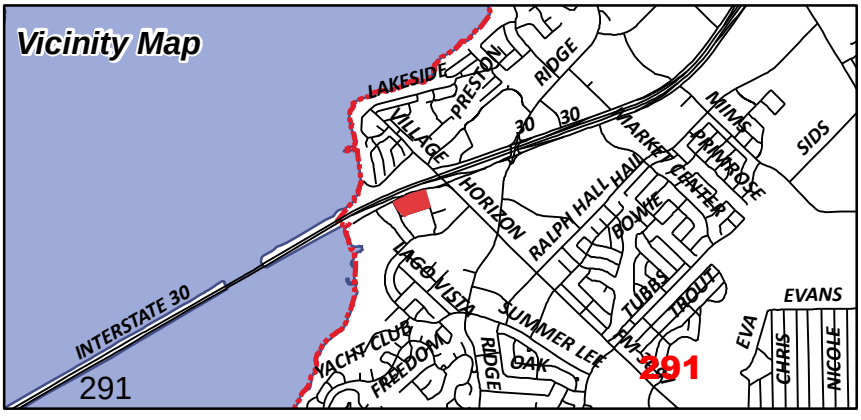


Case Number: Z2014-031
Case Name: Harbor Heights
Case Type: PD Development Plan
Zoning: PD-32
Case Address: Sunset Ridge/IH-30



Date Created: 09/25/2014

For Questions on this Case Call (972) 771-7745

!
!

September 26, 2014

Mr. Ryan Miller, AICP
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087!

RE: Harbor Heights Restaurant & Retail Pads 1-5.

Dear Ryan,

On behalf of J-BR2, LLC we respectfully request a variance on the following items:

1. Building Setback from Harbor Heights Drive
2. Patio & retaining walls shown on the submitted documents.

Thank you for your time and energy on this project.

Sincerely,



Jimmy Strohmeyer, AIA, NCARB
President & CEO
Strohmeyer Architects Inc

HILLSIDE SUBDISTRICT

GRADING PLAN

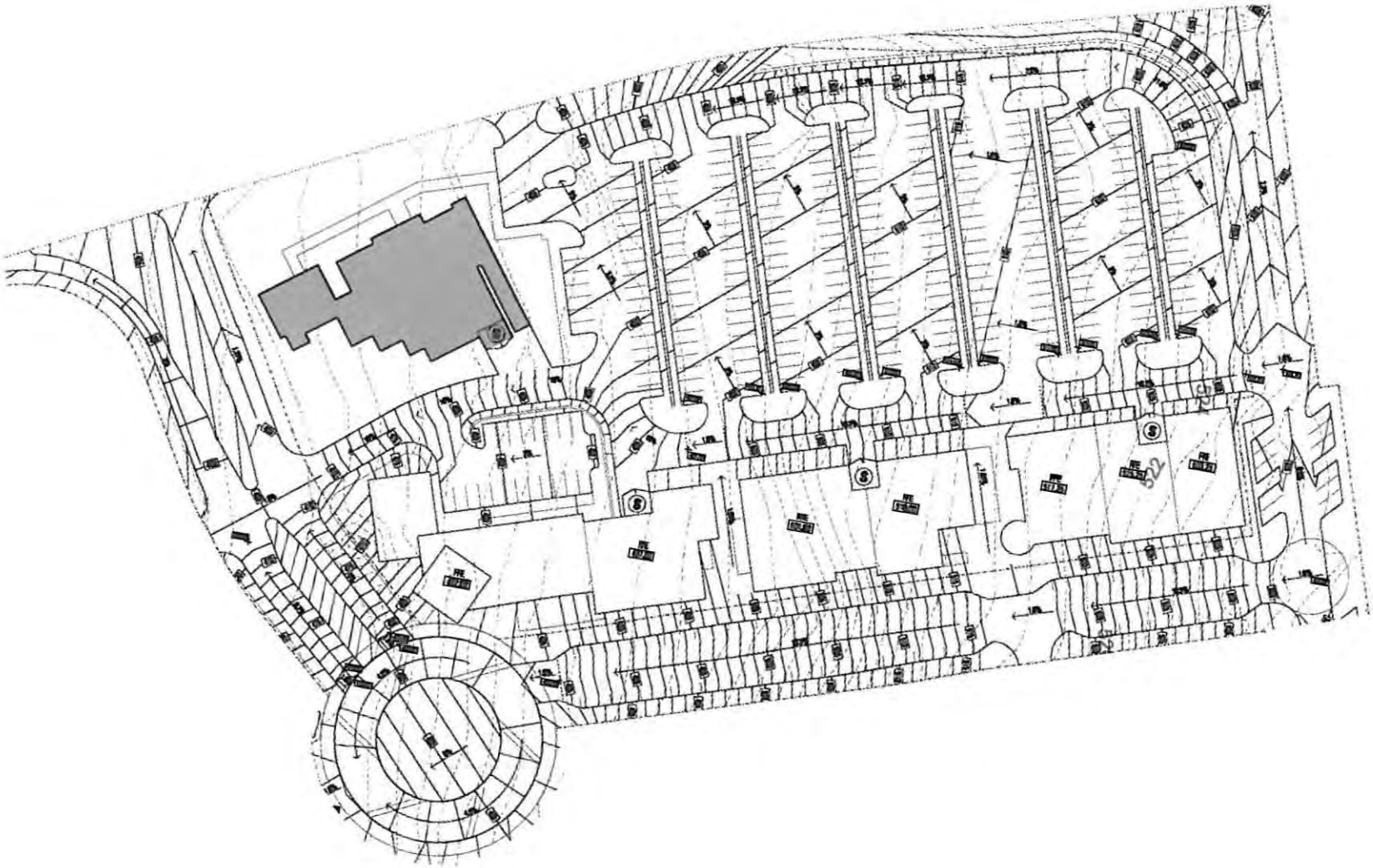


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Exhibit E-4 (Page 1 of 2)
Hillside Subdistrict

HILLSIDE SUBDISTRICT

The intent of the Hillside subdistrict is to provide a cluster of restaurant anchors that can contribute to the creation of a vibrant, pedestrian oriented character within the Harbor District. Existing slopes within this subdistrict are in the 8% - 12% range.

Building Placement

Build-to-line (Distance from R.O.W. line)	
Street Type D	8'
Street Type E	4'

Setback (Distance from R.O.W. line)	
Street Type A	5'
Street Type B	5'
Interstate 30 Frontage	250'

Building Form

Street Type D block face must have a minumum of 85% of its length defined by a building façade.
Street Type E block face must have a minumum of 100% of its length defined by a building façade.

Street Type D façade built to BTL	45%	min.
Street Type E façade built to BTL	45%	min.

Remaining façade must be no less than 2' and no greater than 12' from the BTL.

Maximum Lot Coverage	30%

Notes
When an abutting property with an existing building has windows facing to the side, any new building shall provide at least 10 feet of separation.

Use

Ground Floor	
	Retail
	Restaurant
Upper Floors	
	Retail
	Restaurant
	Office

Height

	stories / height
Maximum Building Height *	2 / 35'
Minimum 1st floor commercial Height (with other uses above)	15'
Minimum 1 story commercial Height	25'

Notes
* One additional story may be added for upper floor office use only.

Encroachments

Location	
Street Type D	5'
Street Type E	5'
Street Type A	5'
Street Type B	5'
Interstate 30 Frontage	5'

Notes
Canopies, awnings, balconies, and roof overhangs may encroach over the BTL as shown in the table above.

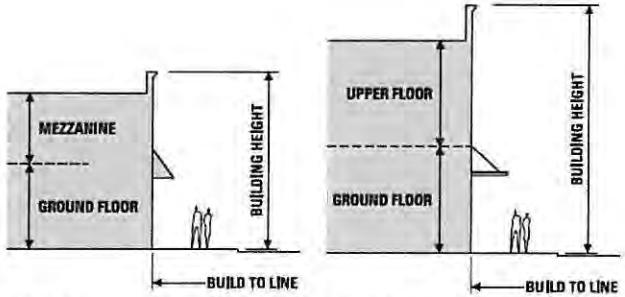
Parking

Surface Parking Setback (Distance from R.O.W. line)	
Street Type D	10'
Street Type E	10'
Street Type A	10'
Street Type B	10'
Interstate 30 Frontage	20'

Surface Parking Lots
A maximum of 100% of the total parking for this subdistrict may be surface parking.

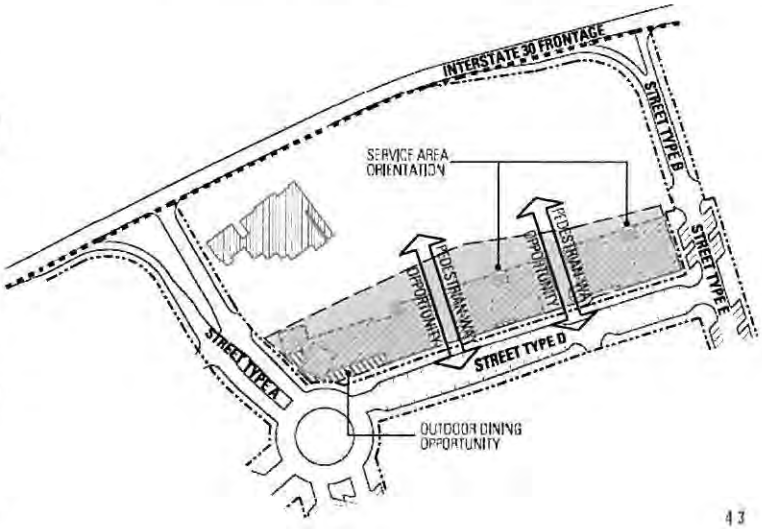
Driveways (Maximum number per block face)	
Street Type D	0
Street Type E, B	1
Street Type A	1
Interstate 30 Frontage	0

Pedestrianways (Minimum number per block face)	
Street Type D	2



1 Story Commercial Building

2 Story Commercial Building



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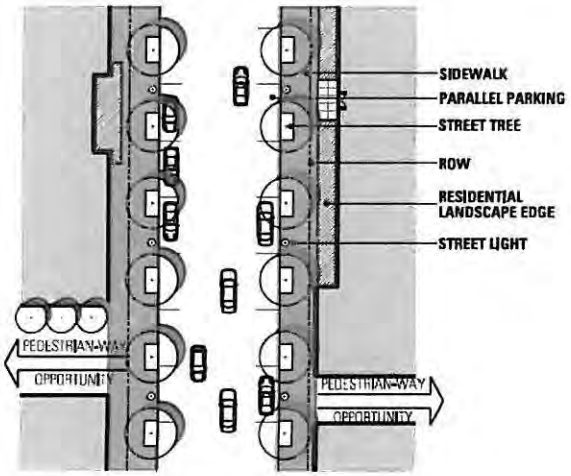
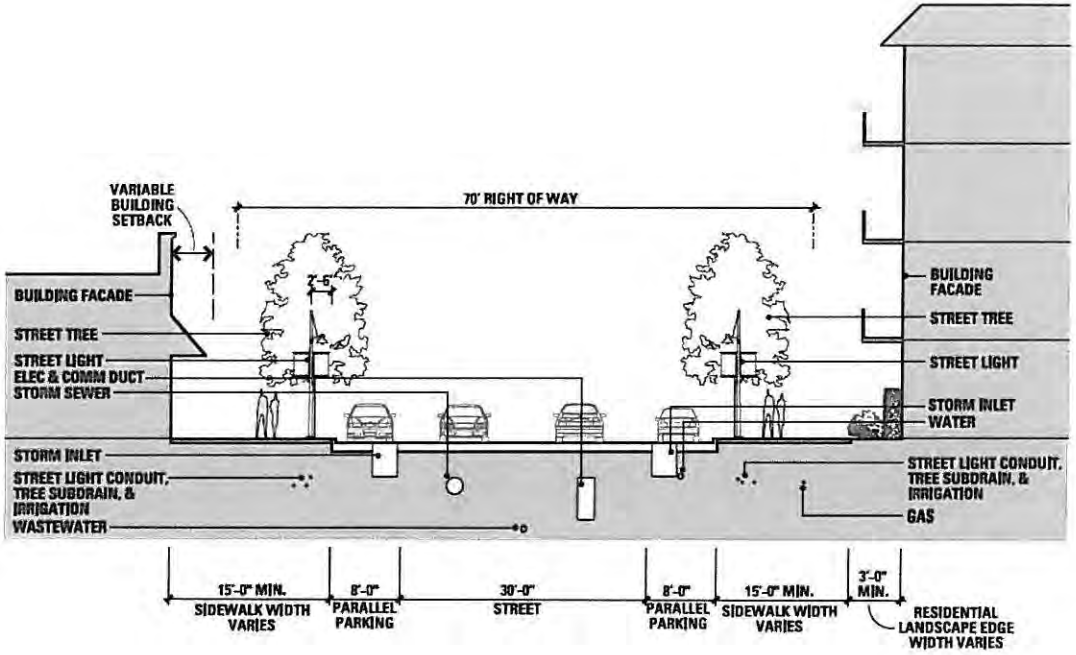
STREET TYPE D

Street Type 'D' serves as a primary connector to the existing Harbor development and is a primary street frontage for retail, residential, and mixed-use development within adjacent subdistricts. This street type consists of parallel parking on both sides of a 30' wide street within a 70' right of way. An 11'-6" wide sidewalk is provided on both sides of the street with street trees in 5' x 10' leave outs spaced at 30' O.C. and pedestrian scale street light fixtures spaced at 60' O.C. The pedestrian paving material is concrete pavers. Longitudinal slopes on this street type are generally 10%. At street intersections and key pedestrian crossing areas slopes are limited to 2% for





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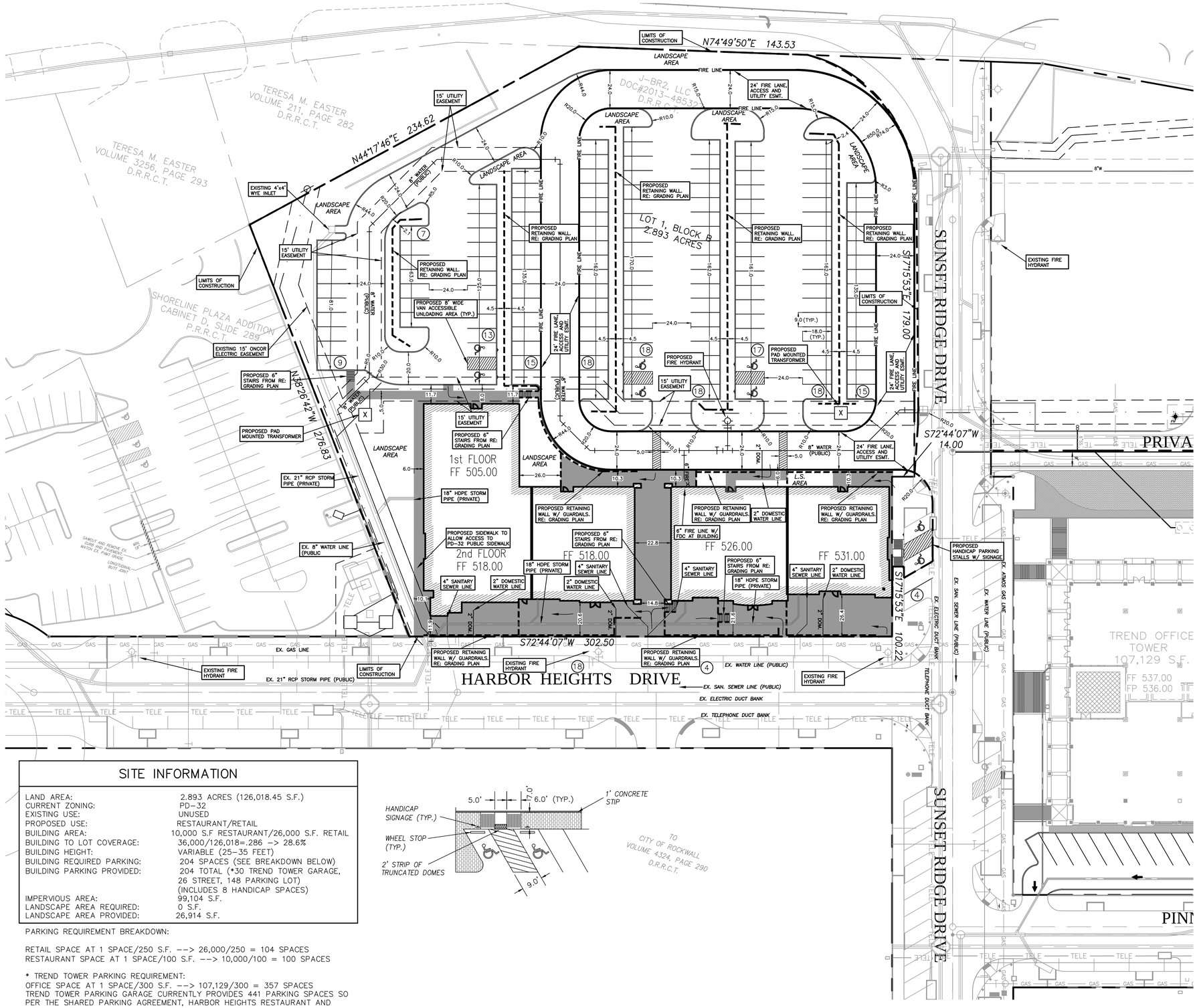
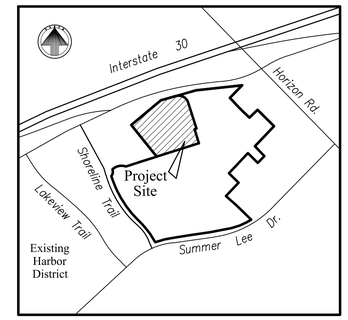
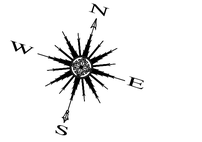




LOCATION MAP



30 15 0 30 60

1" = 30'

NOTE:

– IMPROVEMENTS TO SIGNAL RIDGE LIFT STATION WILL BE DONE AS A PART OF THIS ADDITION TO PD-32.

SITE INFORMATION

LAND AREA:	2.893 ACRES (126,018.45 S.F.)
CURRENT ZONING:	PD-32
EXISTING USE:	UNUSED
PROPOSED USE:	RESTAURANT/RETAIL
BUILDING AREA:	10,000 S.F RESTAURANT/26,000 S.F. RETAIL
BUILDING TO LOT COVERAGE:	36,000/126,018=.286 –> 28.6%
BUILDING HEIGHT:	VARIABLE (25-35 FEET)
BUILDING REQUIRED PARKING:	204 SPACES (SEE BREAKDOWN BELOW)
BUILDING PARKING PROVIDED:	204 TOTAL (*30 TREND TOWER GARAGE, 26 STREET, 148 PARKING LOT) (INCLUDES 8 HANDICAP SPACES)
IMPERVIOUS AREA:	99,104 S.F.
LANDSCAPE AREA REQUIRED:	0 S.F.
LANDSCAPE AREA PROVIDED:	26,914 S.F.

PARKING REQUIREMENT BREAKDOWN:

RETAIL SPACE AT 1 SPACE/250 S.F. –> 26,000/250 = 104 SPACES
RESTAURANT SPACE AT 1 SPACE/100 S.F. –> 10,000/100 = 100 SPACES

* TREND TOWER PARKING REQUIREMENT:
OFFICE SPACE AT 1 SPACE/300 S.F. –> 107,129/300 = 357 SPACES
TREND TOWER PARKING GARAGE CURRENTLY PROVIDES 441 PARKING SPACES SO PER THE SHARED PARKING AGREEMENT, HARBOR HEIGHTS RESTAURANT AND RETAIL (HHRR) PADS CAN USE A PORTION OF THIS PARKING, THEREFORE 26 PARKING STALLS FROM THE TREND TOWER PARKING GARAGE WILL BE AVAILABLE FOR HHRR USE.

TO CITY OF ROCKWALL VOLUME 4324, PAGE 290 D.R.R.C.T.

CASE NUMBER: Z2014-031

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Revision	Date	Description

Owner:
J-BR2, LLC
1400 Ridge Road • Rockwall, TX 75087 • 972-741-9748

Harbor Heights
Restaurant & Retail Pads 1-5
Rockwall, Texas

~ Civil Engineer ~
F.C. CUNY CORPORATION
#2 Horizon Court • Heath, Texas 75032 • (469) 402-7700
Texas Registered Engineering Firm F-7449

10/07/2014

STATE OF TEXAS
CAMERON A. SLOWN
106317
LICENSED PROFESSIONAL ENGINEER

Drawn By:	Checked By:
F.C. CUNY	F.C. CUNY
Date: 09/14	Project No.: -

Sheet Title: Site Plan

Scale:	Sheet No.:
1"=30'	4 of 11

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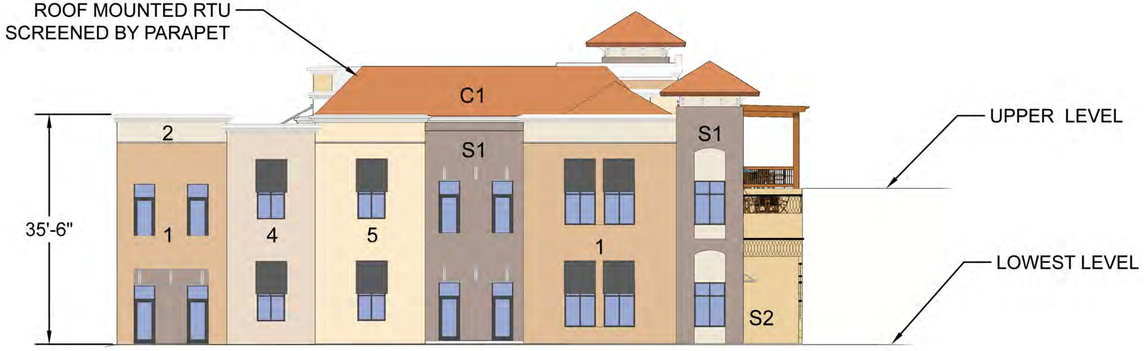


3 WEST ELEVATION
SCALE:

TOTAL BUILDING WALL HARD SURFACE : 3,616 SF
TOTAL PLASTER: 2,857 SF = 79%
TOTAL BUILDING STONE: 759 SF = 21%

MATERIAL SCHEDULE

PLASTER COLOR 1 -

PLASTER COLOR 2 -

PLASTER COLOR 3 -

PLASTER COLOR 4 -

PLASTER COLOR 5 -

BUILDING STONE (S1) - CORONADO ITALIAN VILLA STONE - PORTABELLA TO MATCH TREND TOWER.

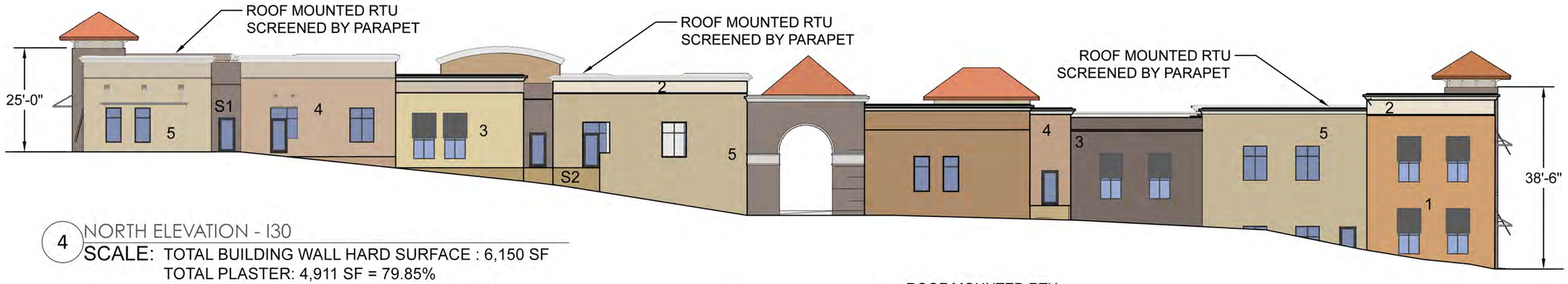
RETAINING WALL - (S2) - AUSTIN STONE

CLAY TILE ROOFING (C1)- MATCH TREND TOWER



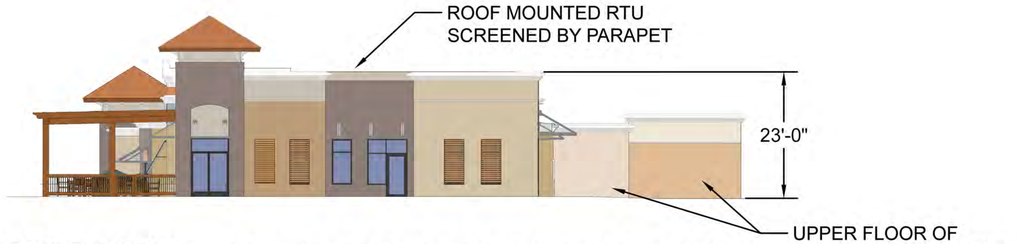
2 SOUTH ELEVATION - HARBOR HEIGHTS DRIVE
SCALE:

TOTAL BUILDING WALL HARD SURFACE : 6,350 SF
TOTAL PLASTER: 4,584 SF = 72.18%
TOTAL BUILDING STONE: 1,766 SF = 27.82%



4 NORTH ELEVATION - I30
SCALE:

TOTAL BUILDING WALL HARD SURFACE : 6,150 SF
TOTAL PLASTER: 4,911 SF = 79.85%
TOTAL BUILDING STONE: 1,239 SF = 20.15%



1 EAST ELEVATION
SCALE:

TOTAL BUILDING WALL HARD SURFACE : 1,426 SF
TOTAL PLASTER: 1,096 SF = 76.86%
TOTAL BUILDING STONE: 330 SF = 23.14%

APPLICANT: JIMMY STROHMEYER
STROHMEYER ARCHITECTS INC
1620 FAIRLAKES POINTE
ROCKWALL, TEXAS 75087
214-497-2057
JIMMY@STROHMEYERARCHITECTS.COM

OWNER: J-BR2, LLC
1400 RIDGE ROAD
ROCKWALL, TEXAS 75087

PROJECT: HARBOR HEIGHTS
RESTAURANT & RETAIL PADS 1-5

CASE NUMBER: Z2014-031

STROHMEYER ARCHITECTS INC.

Consultants:
CIVIL:
STRUCTURAL:
MEP:
FOOD SERVICE:
LANDSCAPING:

ELEVATIONS

NOT FOR CONSTRUCTION

OWNER
J-BR2, LLC
1400 RIDGE ROAD
ROCKWALL, TEXAS
75087

HARBOR HEIGHTS RESTAURANT & RETAIL PADS 1-5
ROCKWALL, TEXAS

Project Number: 051302
Drawing Date: 03/20/14
Drawn:
Checked:
Scale:
ACAD File: HHRR-092214-CitySub.dwg
© 204 Strohmeyer Architects, Inc.

Revisions:

Sheet Title:

A-201



298



299

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 10-21* OF PLANNED DEVELOPMENT DISTRICT 32 (PD-32) AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A DEVELOPMENT PLAN FOR RETAIL/RESTAURANT PAD SITES ON A 2.893-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK B, HARBOR DISTRICT ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of D. W. Bobst of J-BR2, LLC for an amendment to *Ordinance No. 10-21* of Planned Development District 32 (PD-32) and the Unified Development Code [*Ordinance No. 04-38*] for the purpose of establishing a PD Development Plan for retail/restaurant pad sites within the *Hillside Subdistrict*, on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 32 (PD-32) [*Ordinance No. 10-21*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That Planned Development District 32 (PD-32) [*Ordinance No. 10-21*] and the Unified Development Code [*Ordinance No. 04-38*], as heretofore amended, shall be further amended by adopting this PD Development Plan and amending the official zoning map of the City of Rockwall for the *Subject Property*; and,

Section 2. That development of the *Subject Property* shall generally be in accordance with the PD Development Plan, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*; and,

Section 3. That development of the *Subject Property* shall generally be in accordance with the Concept Building Elevations, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*; and,

DRAFT ORDINANCE 11.03.2014

Section 4. That the *Subject Property* shall be used only in the manner and for the purposes provided for in Planned Development District 32 (PD-32) [*Ordinance No. 10-21*], the Unified Development Code [*Ordinance No. 04-38*], and in compliance with the following conditions and requirements:

1) Development of this property shall generally conform to the *PD Development Plan* depicted in *Exhibit 'B'* of this ordinance;

2) Development of this property shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance;

3) All buildings shall be developed with consideration to the pedestrian access adjacent to Harbor Heights Drive. Additionally, the design of the buildings shall include four (4) sided architecture that creates a dual entry appearance, with buildings fronting on to IH-30 and Harbor Heights Drive;

4) Building façades must be situated no greater than 27-feet from the build-to-line adjacent to Harbor Heights Drive;

5) All building materials and color schemes proposed for this development should conform to the requirements stipulated by Planned Development District 32 (PD-32);

6) Prior to the issuance of a Building Permit the applicant shall submit and seek approval for a detailed *PD Site Plan* that demonstrates compliance with all applicable standards of Planned Development District 32 (PD-32) [*as amended*] and with the requirements approved in this ordinance;

7) All buildings throughout the development shall be constructed with a consistent design scheme, and be approved by the Architectural Review Board (ARB) at the time of the *PD Site Plan*;

8) Prior to the issuance of a Building Permit the applicant shall submit and seek approval for a replat that indicates all necessary easements; and,

9) The proposed uses for this development shall be required to demonstrate that they have access to a sufficient number of parking spaces within the development itself to support the use.

Section 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 7. The standards in this ordinance shall control in the event of a conflict between this

DRAFT ORDINANCE 03.17.14

ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 17TH DAY OF NOVEMBER, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *November 3, 2014*

2nd Reading: *November 17, 2014*

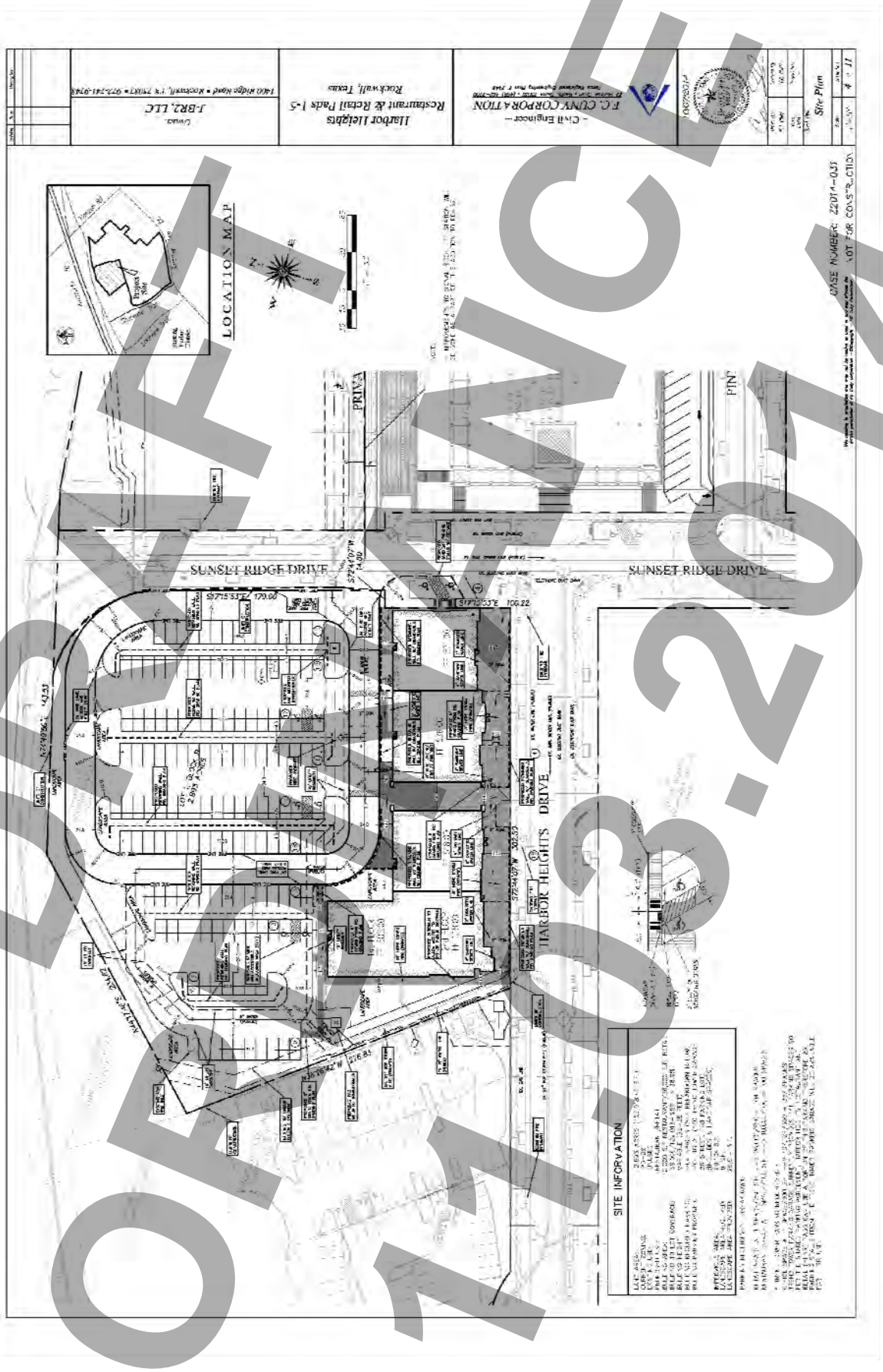
DRAFT ORDINANCE 11.03.2014

Exhibit 'A':
Legal Description
(Lot 1, Block B, Harbor District Addition)



DRAFT
ORDINANCE
1.03.14

Exhibit 'B':
PD Development Plan



DRAFT
NOT FOR CONSTRUCTION
11.03.2014

Exhibit 'C':
Building Elevations



DRAFT
ORDINANCE
11-03-14

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: October 28, 2014

SUBJECT: MIS2014-016; *509 Parks Avenue*

The applicant, David Dorotik, is requesting an exception to the residential parking requirements stipulated by Article VI, *Parking and Loading*, of the Unified Development Code (UDC) for the purpose of parking an antique farm tractor under an existing carport. According to Section 4, *Residential Parking*, of Article VI of the UDC, "(o)n lots less than five [5] acres … *farm machinery*, or similar equipment, … shall not be parked or stored on any residential or agricultural lot or the adjacent street …(unless) [1.] Such equipment shall be located beside or behind the primary structure and back from the nearest corner of the front façade of the house a minimum ten (10) feet … [2.] such equipment is screened from view of public right-of-way with a minimum six (6) foot solid fence or equivalent landscaping; and … [4.] it shall be parked on an approved surface of concrete, asphalt or stabilized gravel." The applicant is proposing to park the antique tractor under an existing carport situated behind the primary structure adjacent to Lilian Street. The tractor will not be screened and will be visible form a public right-of-way. In accordance with Section 8.5, *Criteria for Granting Special Exceptions*, of Article II, *Authority and Administrative Procedures*, of the UDC staff is bringing the applicant's case forward as a special exception. Under this section, the City Council may grant a special exception to the requirements of the UDC, pending a recommendation by the Planning and Zoning Commission, upon finding that the request meets the following criteria:

A. Such special exception will not substantially or permanently injure the appropriate use of adjacent property in the same district;
B. Such special exception will not adversely affect the health, safety or general welfare of the public;
C. Such special exception will not be contrary to the public interest;
D. Such special exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the exception is sought is located, except as provided elsewhere in this [Unified Development Code];
E. Such special exception will be in harmony with the spirit and purpose of this [Unified Development Code];
F. Such special exception will not alter the essential character of the district in which is located the property for which the exception is sought;
G. Such special exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located; and
H. Such special exception is within the spirit and intent of the city's comprehensive plan and other policies.

On October 28, 2014, the Planning and Zoning Commission recommended approval of the applicant's request by a vote of 7-0. Should the City Council choose to approve the applicant's request then Mr. Dorotik would only be permitted to store the antique tractor underneath the existing carport, and not on the adjacent driveway.

Oct 6, 2014

Mr. Robert La Croix, Director
Planning and Zoning
City of Rockwall

Dear Mr. LaCroix:

Per our conversations, I hereby request a meeting with the Commission to discuss placement of my antique FARMALL tractor.

Further supporting information shall be provided prior to the meeting.

Sincerely
David Dorotik
DAVID W. DOROTIK
509 Parks Ave
Rockwall, Tx 75087
972 771 3158



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

309

1:1,637


525 Lillian St
Rockwall, Texas
Street View - Apr 2013
Kernodle St
Lillian St
Nash St
N Clark St
Williams St
66
Back to Map
310
Image capture: Apr 2013
© 2014 Google
Terms
Privacy
Report a problem

10/28/14

TO:
Mr. Robert LeCroix

FM:
DAVID W. DOROTIK

Pls assure that these 8 exhibits are provided each of to the 7 P&Z members prior to the meeting as they are important to our presentation.

Thank you
David

EXHIBIT ①

CELEBRATING THE FOURTH



PHOTO SUBMITTED BY MIKE PITTMAN

David and Adam Dorotik ride their antique tractor through the historic streets of Rockwall.



PHOTO SUBMITTED BY KRISSY EDWARDS

These Rockwall-Heath cheerleaders are full of Fourth of July spirit. From left, Alexis Roland, Brittany Buchanan, Cayley Lott, Tara Woessner and Elleott Amick.



PHOTO SUBMITTED BY CANDI GERSHON

These patriotic pals, Taylor and Ashley Minor, participated in a neighborhood parade at The Shores in Rockwall, where the streets were painted red, white and blue.

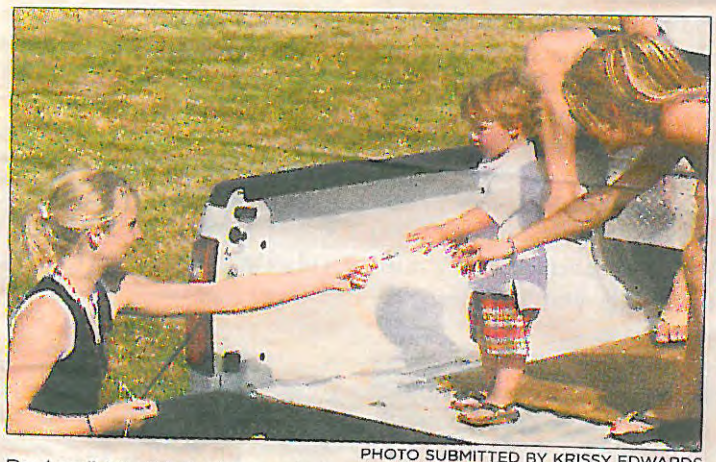

PHOTO SUBMITTED BY KRISSY EDWARDS

Rockwall-Heath's junior varsity head cheerleader, Tara Woessner, hands a lollipop to young fan at Heath's Independence Day Parade.

From patriotic parades to political Tea Parties, festive fireworks and backyard barbecues, families across North Texas celebrated the Fourth of July with a bang.

Visit neighborsgo.com to view hundreds of Independence Day pictures posted by *neighborsgo* staffers and many of your next door neighbors. Here are a few of our local favorites.



PHOTO SUBMITTED BY MIKE PITTMAN

Members of the American Legion Post 117 proudly carry their banner in the Old Town Rockwall parade.

EXHIBIT 2

The Dallas Morning News

9/28/14

JAMES TRAFICANT

Colorful politician cast from Congress

CLEVELAND — James Traficant, the colorful Ohio politician whose conviction for taking bribes and kickbacks made him only the second person to be expelled from Congress since the Civil War, died Saturday. He was 73.

Traficant was seriously injured Tuesday after a vintage tractor flipped over on him as he tried to park it inside a barn on the family farm near Youngstown. He died four days later in a Youngstown hospital, said Dave Betras, chairman of the Mahoning County Democratic Party.



EXHIBIT C

Patrick Trowbridge

601 Parks Avenue Rockwall, Tx 75087
972.722.9109 patrick.trowbridge@att.net

September 28, 2014

Rockwall City Council

385 South Goliand Street

Rockwall, TX 75087

Dear Council Members:

Please allow this letter to serve as my support for Mr. Dorotik's request to store his tractor, as he previously has, outside, covered and under his carport.

This request is not without consequence as we are in full view of the carport, garage and area where he previously stored his tractor. Lillian Street bifurcates our properties and we both access our garages from the same spot on Lillian.

The tractor is not abandoned. Mr. Dorotik often 'tinkers' with his antique tractor it to keep it running and move it when necessary. Apparently, the tractor would be permitted on a larger lot (>5 acres), but we feel it fits in our neighborhood – which we consider historical.

While I could understand the City's need to eliminate abandoned farm implements and other machinery, cars and appliances from neighborhoods, this appears to be a prime example of an 'exception' to the ordinance put in place after he acquired and started storing his tractor.

Sincerely,

Patrick Trowbridge

EXHIBIT 4

October 7, 2104

To Whom It May Concern:

It has been brought to my attention that the city of Rockwall has determined that an antique tractor, located at 509 Parks Ave., needs to be removed according to a city ordinance that bans agriculture equipment. While I can't speak to the actual verbiage of the ordinance, I am fairly certain the intent was to prevent the neighborhoods from looking like a feed store parking lot in some far-flung locale in rural Texas, not prevent antiques collectors from preserving a slice of Americana.

The equipment in question has been in place for the entire six years I have lived at 507 Parks and I cannot recall a time that anybody, including myself, voiced any objection. I do find it curious that "code enforcement" patrols have been driving through the area all this time and it was never a concern before now. Not sure what would be worse, incompetence or selective enforcement by code enforcement personnel or the city allowing itself to be used as a pawn to settle scores between citizens.

Respectfully Submitted,

Brooks W Tolman

EXHIBIT 5

To Who it may concern - 12 Oct. 14

In the 6 years that my family has lived a couple houses down from Mr. Doritek, we have never had a problem with his antique tractor. It's not in sight and it's not a nuisance. I've actually never noticed it parked on his property.

Mr. Doritek is a great neighbor to many and a wonderful fit for our neighborhood. We appreciate the freedom from an HOA, which is one primary reason we moved to this area. Would you please allow Mr. Doritek the freedom and right to keep his tractor tucked away on his personal property?

Thank you for your consideration,
Stacy Fuqua 604 Parks Ave.

EXHIBIT 6

William B. Freeman Jr., Ph.D.
508 Parks Ave.
Rockwall, TX 75087
(972) 832-0122

October 10, 2014

To Whom It May Concern,

I am a resident of the Historic District of Old Town Rockwall and a neighbor of David Dorotik on Parks Avenue. Mr. Dorotik has made me aware of a concern regarding his antique tractor. This quaint relic is maintained in working condition and is a character in our neighborhood, in much the same way as other old time institutions such as Boots Burgers. This tractor has occasionally been featured in our city's Fourth of July parade, putt-putting along with red, white and blue streamers and smiling, waving participants following along behind. It has been part of our neighborhood since before the 2008 ordinance that is now being cited as a reason to do away with or hide it.

We have others in the area with carports too and with, dare I say it, *MOTORCYCLES* in full view of pedestrians and *children* (not to mention senior citizens such as myself) at all times of the day and night! And these motorcycles are not nearly as distinguished. None of them have been in the Fourth of July parade! If we are to disallow our neighborhood's antique tractor to be in a carport, then it only makes sense to rule out motorcycles...and maybe lawn sprinklers too and lawn ornaments like "gazing balls", come to think of it. And let's not forget garden hoses... and hot dogs and apple pie...

As you can tell, I think that this is absurd.

I would like to point out that we in the neighborhood kind of like that tractor. It is antique *decoration*...not a working farm implement being stored between jobs...wholly consistent with the atmosphere, mood and character of the neighborhood. It ought to be grandfathered in as an exception. Just a suggestion...

I am proud to be a resident of the Old Town Historic District of Rockwall. It has a lot of character, just as we who live here do. We like the way our town square, our old fashioned houses and big trees and "apple-pie-ness" say AMERICA in bold, proud letters. I would request that those involved revisit this issue and use some common sense.

Sincerely,

William Freeman

EXHIBIT (7)

October 17, 2014

To Whom It May Concern:

My wife and I would like to request that the City of Rockwall grant David Dorotik an exception in order to keep his antique tractor at his home, located at 509 Parks Ave. We lived next door at 601 Parks from 2005 -2011 and we never even realized he had a tractor until we saw it in the parade one year. It has never been an eyesore or a problem for the neighbors. It is truly a novelty and such a wonderful way for young people to experience history in a tangible way. The Dorotiks are always eager to share their neat treasures.

Please allow Mr Dorotik to keep his antique tractor on his property.

Thank you,

Jay and Alison Odom
405 N Fannin St.
Rockwall, TX 75087
214-202-4226

EXHIBIT 8

Jonathan Marshall
510 Parks
Rockwall TX 75087

October 7, 2014

City of Rockwall
Code Compliance
Rockwall, TX 75087

To whom it may concern:

Recently, it was brought to my attention, that my neighbor across the street from my house has a tractor parked in his carport. It is covered with a tarp. My neighbor is David Dorivik at 509 Parks. I have been living directly across the street from his house for over 3 years. I face his home and have never even noticed this tractor until he pointed it out to me. Apparently your office has a problem with the tractor's location.

I would just like to voice my opinion about this matter. Both David and I keep the outside appearance of our homes in a condition that contributes to the beauty of our neighborhood. David's tractor is not an eyesore, nor a nuisance to this neighborhood. It is very difficult to notice that it is even there, as I myself have never known that it was there at all.

I have never heard any other complaints from any of my neighbors about this issue. David has been a long term resident in this neighborhood and is considerate toward others. I hope that he can continue to reside here without any further concern regarding his tractor, as it is not a concern to any David's neighbors.

Sincerely,

Jonathan Marshall

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Robert LaCroix

DATE: October 20, 2014

SUBJECT: Variance to the distance requirement for alcoholic beverage sales for off premise consumption in conjunction with a retail business.

The owner of the property located at the southeast corner of John King Boulevard and SH 276 has authorized David English with Ridge Pointe Commercial Real Estate to request a variance to the 300 foot distance requirement for alcoholic beverage sales for a proposed a retail grocery store (Walmart Neighborhood Market) to be located on this property. Currently the proposed the property line would be at its closer point, 138.8 feet from Jones Elementary School property line as shown on the attached exhibit. The City of Rockwall has adopted the distance requirements for the distance separation from schools, churches and hospitals as is required by the Texas Alcoholic Beverage Code for the sale of alcoholic beverages. The City's Unified Development Code states the following:

Retail establishments with alcoholic beverage sales.

1. Retail establishments may sell beer and wine for off-premises consumption by right if they are located on property that was within the city limits as of November 14, 2007, and are located in a zoning district allowing such use. Retail establishments located on property that was annexed after November 14, 2007, may not engage in the selling of beer and wine for off-premises consumption.

2. Retail establishments engaged in the selling of beer and wine to the general public for off-premises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and must be located not less than 300 feet from a church, public school, private school (as defined by the Texas Alcoholic Beverage Code) or public hospital. For a church or public hospital, the 300 feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools or private schools, the measurement of distance shall be in direct line from the property line of the public school to the property line of the retail establishment and in a direct line across intersections. If the permit or license holder is located on or above the fifth story of a multistory building, the measurement shall be in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line

across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

The city council may grant a variance to the distance regulations if the city council determines that enforcement of those regulations in a particular instance is not in the best interest of the public, constitutes waste of inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the city council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

The proposed neighborhood Walmart store is indicated to be 41,000 square feet in size and would have access drives on SH 276 and John King Boulevard. Jones Elementary has no direct access to John King Boulevard or SH 276 but does access from the Trailglen Drive which the school fronts to.

RIDGE POINTE
commercial real estate

September 25, 2014

Mr. Robert LaCroix
385 S. Goliad Street
Rockwall, Texas 75087

RE: Beer and Wine variance – SEQ of John King and Hwy 276; Rockwall, TX

Dear Robert:

The owner of the above referenced property has authorized me as per the attached letter to request a variance of the "300 foot alcohol rule" on his behalf. The subject property is currently under contract with plans to build a 41,000 sf "Neighborhood" grocery store on site.

I have attached a site plan showing the proposed store layout in relationship to the school and the closest distance- property line to property line. Please let me know what else you need so this request can be on the agenda for the October 20th meeting.

Sincerely,

David English
Principal

2255 Ridge Road • Suite 208 •Rockwall TX 75087 • Tel: 972.961.8532 • Fax: 972.961.8534
ridgepcre.com • denglish@ridgepcre.com

323

Lofland Farms, Ltd.

P.O. Box 360399
Dallas, Texas 75336

September 25, 2014

David English
Ridge Point Commercial Real Estate
2255 Ridge Road, Suite 208
Rockwall, Texas 75087

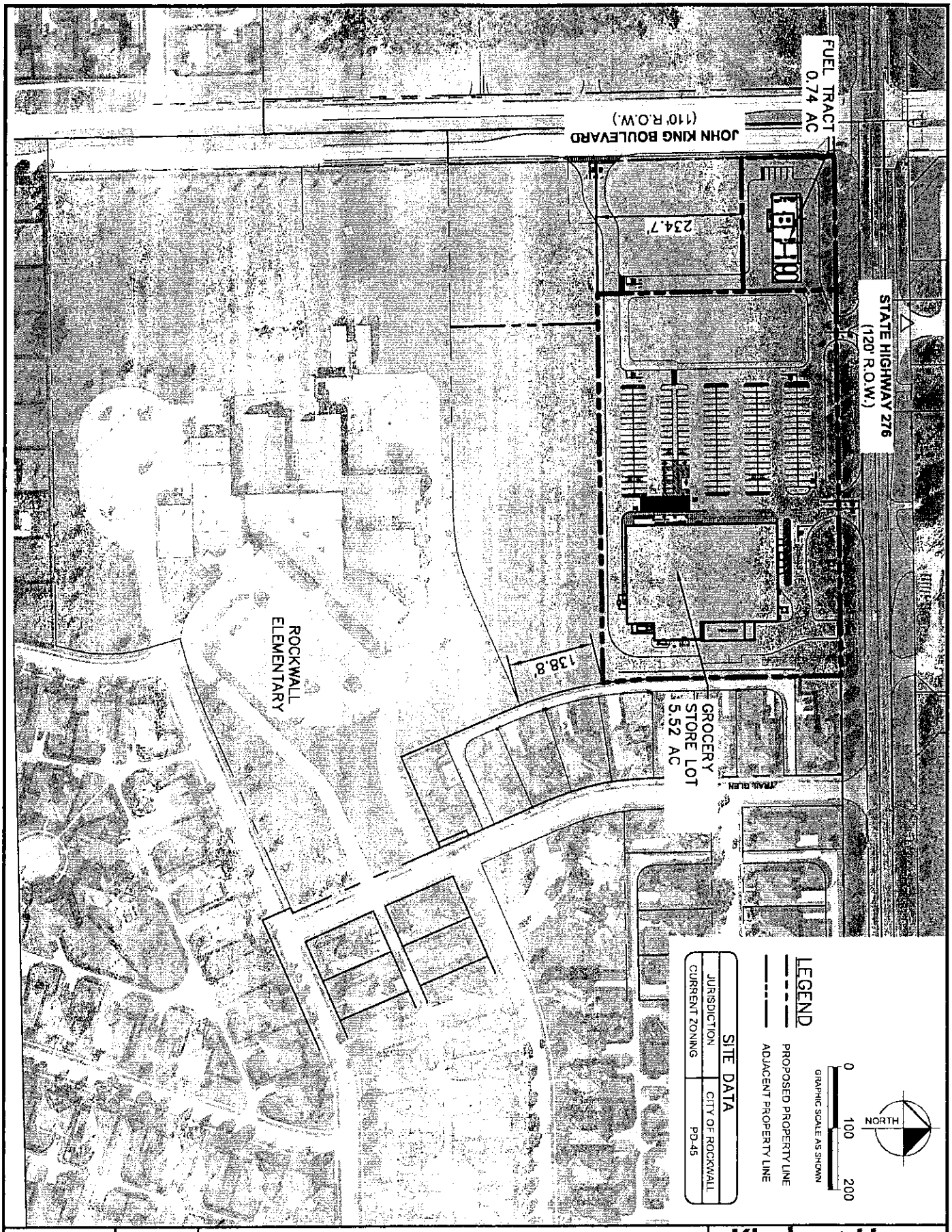
RE: Variance for the sale of beer and wine within 300 ft of a public school

David,

This letter shall serve as my authorization for you to speak to the city on my behalf regarding the above reference variance our buyer is requesting. It is my desire to complete the sale we have in place with Wal-Mart so they can build a 41,000 square foot neighborhood grocery store on my property. In order to do that, Wal-Mart will need to be able to sell beer and wine. I sincerely hope the city and school would support this development as I believe it is not only beneficial to the city, county and community but it is also much less threatening than a corner gas-convenience store or restaurant.

Regards,

Don Holloway
General Partner of Lofland Farms, Ltd.



SHEET NUMBER	DATE		
1.0	09/03/2014	ROCKWALL, TX #87244	Kimley»Horn
	PROJECT NO. 063362537	S.H. 276 AND JOHN KING BLVD	12012 WICKCHESTER LANE, SUITE 900, HOUSTON, TX 77079 PHONE: 281-387-8300 FAX: 281-387-8038 WWW.KIMLEY-HORN.COM TEXAS REGISTERED ENGINEERING FIRM F-928

325



City of Rockwall

0 100 200 300 Feet

ROCKWALL GIS
Date: 10/7/2014

N
W E
S

326

PROPOSED WALMART NEIGHBORHOOD MARKET SITE

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Robert LaCroix, *Director of Planning and Zoning*

FROM: JoDee Sanford, *Planning Technician*

DATE: October 29, 2014

SUBJECT: SP2014-007; *Variance to the Screening Requirements (Albright-Hill Office Building)*

The applicant, Matthew Mulliken of Mulliken Construction Management, Inc., has submitted a request for a variance to the residential adjacency screening requirements stipulated by *Article VIII, Section 5.6, of the Unified Development Code.* According to the applicant's letter, the purpose of the waiver request is to accommodate the historically landmarked residential home adjacent to the subject property as well as mitigate future maintenance costs of a masonry wall for the property owner.

A site plan for the property was approved by the Planning and Zoning Commission on May 13, 2014. City Council denied a request for a living screen in lieu of the required masonry screening on May 19, 2014 by a vote of 6-1 with Council Member White dissenting. At this time, the applicant on behalf of the neighbor, Mr. Rickerson who owns the adjacent landmarked property, and the property owner, is asking for the Council to reconsider the living screen.

MULLIKEN
CONSTRUCTION MANAGEMENT, INC.

October 2, 2014

Ms. JoDee Sanford
Planning Technician
City of Rockwall
385 South Goliad
Rockwall, Texas 75087

Re: Albright-Hill Office Building
105 St. Mary's Street
Rockwall, Texas

Dear Ms. Sanford,

I'm writing on behalf of the owners of the above referenced project and the next door neighbor to request a change in the requirement of a masonry screen wall on the North and East sides of the property. When the architect and I originally took this project to the city for the pre-design meeting, we discussed the City's requirement for a masonry screen between residential and commercial property. The City staff suggested, however, that because this structure was going to be built next to a historical residence, an alternative material might be acceptable. The use of a living screen wall was discussed and put into the site plan. This living screen wall consists of fifteen (15) – 3" caliber Eastern Red Cedar trees. This alternative screen wall was passed unanimously by the Planning and Zoning Committee, but was voted down by the City Council.

The reasoning for not using the masonry screen wall is the following:

1. It does not fit into the existing historic neighborhood.
2. Future maintenance could be an issue. While there are not any masonry screen walls around the current location, screen walls within a two block radius have experienced soil movement and the walls are tilting and cooked. With all of the existing vegetation and the fifteen trees that are going to have to be installed adjacent to this fence, future movement could be an issue.
3. The additional trees are necessary to meet the building code and the additional expense of the masonry screen wall is not an expense that was expected by the Owner based on our pre-design meeting with the City.

As we were preparing the property for construction to begin, I met and discussed the project with the next door neighbor, Mr. Charles Rickerson. He lives in and is currently restoring the residence directly to the East of the Albright-Hill property. He expressed his concern about the construction of the masonry wall. During our discussion, I told him that we were going to request a change in the masonry screen wall requirement, and he expressed his support for this change.

The owner would prefer to install the living screen wall as originally discussed with City staff. The living wall will require less maintenance for the owner and will provide a barrier similar to what already exists on the property and within this historic neighborhood. This type of screening is used along the South side of the City Hall complex between the parking lot and the residential complex next door.

MatthewMulliken@msn.com 903-450-2529 P.O. Box 2523 Rockwall Texas 75087

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A second option would be to use a wooded fence, similar to those you might find in a residential neighborhood. While there are not many found in this particular neighborhood, a wooden fence was used to screen the property between the First Baptist Church's Youth Building and the homes to the West and does present a softer look than a masonry wall.

Ideally, we would like to be given the opportunity to plant the 15 trees for your inspection. If after the inspection, the City is not satisfied with the results, a wooden fence could then be erected. I do believe, however, that all parties will be satisfied with the trees once they are planted.

We appreciate your consideration. If you have any questions or require any additional information, please do not hesitate to contact me.

Sincerely,

Matthew Mulliken

CC: Jennifer Hill
Albright, Hill, & Sumpter
12160 Abrams Road, Suite 412
Dallas, Texas 75243

Charles Rickerson
109 St. Mary's Street
Rockwall, Texas 75087



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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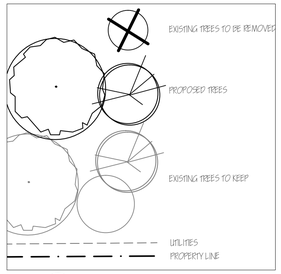
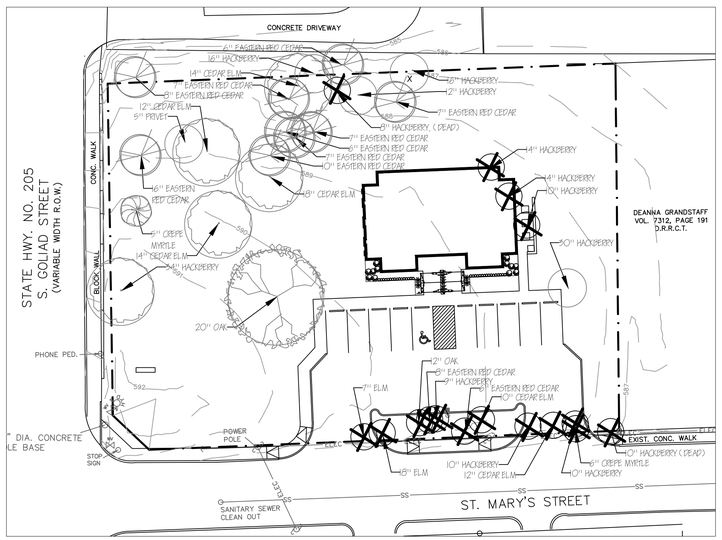


DRAWING KEY

Common Name	Size	Remove/Keep	Protected	Replacement inches required
Cedar Elm	7"	Remove	Protected	7"
Cedar Elm	18"	Remove	Protected	18"
Oak	12"	Remove	Protected	12"
Eastern Red Cedar	8"	Remove	Not protected	
Hackberry	9"	Remove	Not protected	
Eastern Red Cedar	6"	Remove	Not protected	
Cedar Elm	10"	Remove	Protected	10"
Hackberry	10"	Remove	Not protected	
Cedar Elm	12"	Remove	Protected	12"
Hackberry	10"	Remove	Not protected	
Crepe Myrtle	6"	Remove	Not protected	
Hackberry	10"	Remove (dead)	Not protected	
Hackberry	30"	Keep	Protected	
Hackberry	10"	Remove	Not protected	
Hackberry	14"	Remove	Protected	7"
Hackberry	14"	Remove	Protected	7"
Hackberry	16"	Keep	Protected	
Eastern Red Cedar	7"	Keep	Not protected	
Hackberry	12"	Keep	Protected	
Hackberry	16"	Keep	Protected	
Hackberry	8"	Remove (dead)	Not protected	
Eastern Red Cedar	6"	Keep	Not protected	
Hackberry	16"	Keep	Protected	
Cedar Elm	14"	Keep	Protected	
Eastern Red Cedar	7"	Keep	Not protected	
Eastern Red Cedar	7"	Keep	Not protected	
Eastern Red Cedar	6"	Keep	Not protected	
Eastern Red Cedar	7"	Keep	Not protected	
Eastern Red Cedar	10"	Keep	Not protected	
Cedar Elm	18"	Keep	Protected	
Cedar Elm	12"	Keep	Protected	
Viburnum	5"	Keep	Not protected	
Eastern Red Cedar	8"	Keep	Not protected	
Eastern Red Cedar	16"	Keep	Protected	
Crepe Myrtle	5"	Keep	Not protected	
Hackberry	34"	Keep	Protected	
Oak	20"	Keep	Protected	
Total replacement inches required				73"

EXISTING TREE LIST

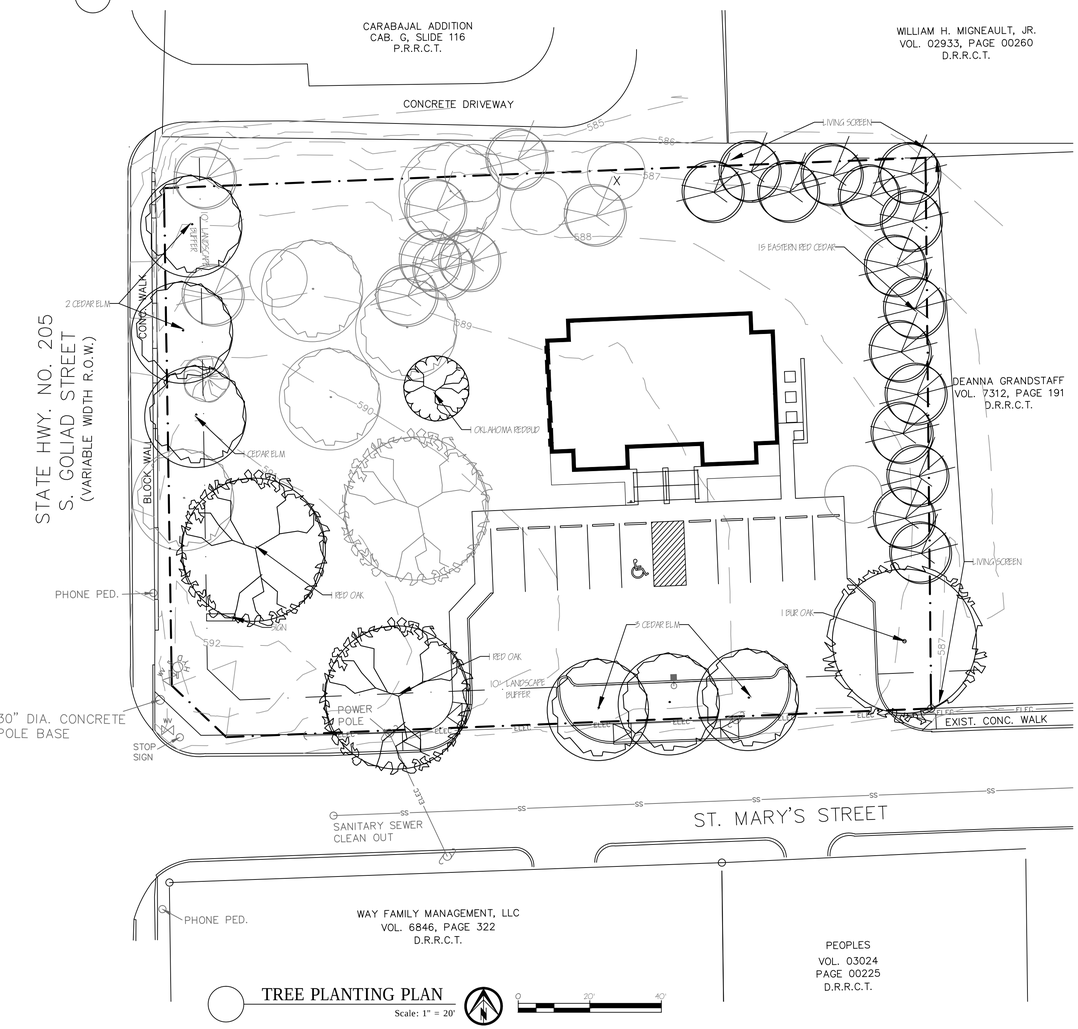


TREE REMOVAL DRAWING

Scale: 1" = 30'

Common Name	Botanical Name		Texas Native	Size	Qty	Notes	Replacement inches
Trees							
Bur Oak	*Quercus macrocarpa*	Tree	Yes	65 gal	1	3" cal min	3
Cedar Elm	*Ulmus crassifolia*	Tree	Yes	65 gal	6	3" cal min	18
Eastern Red Cedar	*Juniperus virginiana*	Tree	Yes	6-7	15	3" cal min	45
Redbud 'Oklahoma'	*Cercis canadensis var. texensis 'Oklahoma'*	Small tree	Yes	30 gal	1	2" cal min	0
Shumard Red Oak	*Quercus shumardii*	Tree	Yes	65 gal	2	3.5" cal mi	7
				Total replacement inch credit			73

TREE PLANTING LIST



TREE PLANTING PLAN

Scale: 1" = 20'

Sec. 9.1. Tree protection.
A. Prior to any construction or land development, the developer shall mark with an aluminum tag which indicates its relationship to the treescape plan and clearly flag with bright fluorescent red vinyl tape all protected trees. The red tape should be wrapped around the main trunk of the protected tree at a height of approximately five feet so that the tape is clearly visible during construction. In those instances where a protected tree is so close to the construction area that construction equipment could possibly damage the tree, a protective fence shall be required. The protective fence must be maintained during all construction phases until the project is finished.
B. Property owner shall be responsible for protecting feature trees including the use of an arborist, as necessary.

Sec. 9.2. Material and equipment storage. The developer or contractor shall not store any material or equipment under the canopy of any protected tree. During the construction stage of the development no cleaning or storage of equipment or material shall be allowed within the drip line of a protected tree. Those materials include, but are not limited to, oils, solvents, mortar, asphalt and concrete.

Sec. 9.3. Signs. No signs, wire or other attachments shall be attached to the protected trees.

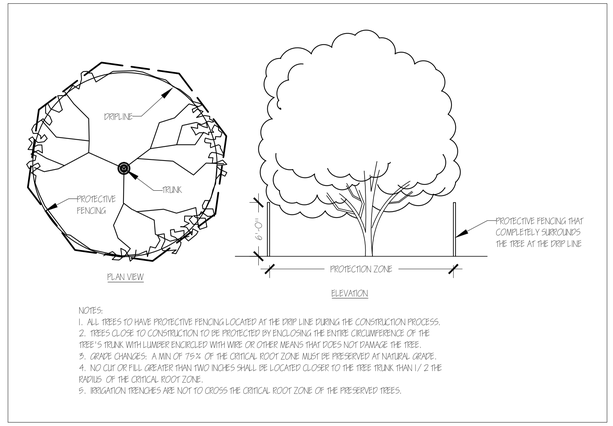
Sec. 9.4. Traffic. No vehicular traffic, construction equipment traffic or parking shall take place within the drip line of a protected tree other than on an existing street pavement. This restriction does not apply to single incident access for purposes of clearing underbrush, establishing the building pad and associated lot grading, vehicular traffic necessary for routine utility maintenance or emergency restoration of utility service or routine mowing operations.

Sec. 9.5. Grade. No grade change in excess of two inches shall be allowed within the drip line of any protected tree unless adequate construction methods are approved beforehand. If approved, major grade changes (i.e., two inches or greater) within the critical root zone of a protected tree will require additional measures to maintain proper oxygen and water exchange with the roots. Root pruning will be required when disturbance will result in root exposure.

Sec. 9.6. Tree flagging. At the time of submittal of the treescape plan all protected trees should be marked with an aluminum tag which indicates its relationship to the treescape plan and clearly flagged with bright fluorescent red vinyl tape. The red tape should be wrapped around the main trunk of the protected tree at a height of approximately four feet so that the tape is clearly visible.

Sec. 9.7. Boring. Boring of utilities under protected trees shall be required in those circumstances where it is not possible to trench around the critical root zone of a protected tree. When required, the length of the bore shall be the width of the critical root zone plus two feet on either side of the critical root zone and shall be at a minimum depth of 48 inches.

Sec. 9.8. Damage. Any physical damage to a tree preserved for credit that is considered to place the survival of the tree in doubt shall be eliminated as a credited tree and will require additional trees to planted in its place at the required ratio. A certified arborist shall be consulted to determine whether physical damage to a tree places the survival of the tree in doubt.



NOTES:
1. ALL TREES TO HAVE PROTECTIVE FENCING LOCATED AT THE DRIP LINE DURING THE CONSTRUCTION PROCESS.
2. TREES CLOSE TO CONSTRUCTION TO BE PROTECTED BY ENCLOSING THE ENTIRE CIRCUMFERENCE OF THE TREE'S TRUNK WITH LUMBER ENCIRCLED WITH WIRE OR OTHER MEANS THAT DOES NOT DAMAGE THE TREE.
3. GRADE CHANGES: A MIN OF 75% OF THE CRITICAL ROOT ZONE MUST BE PRESERVED AT NATURAL GRADE.
4. NO CUT OR FILL GREATER THAN TWO INCHES SHALL BE LOCATED CLOSER TO THE TREE TRUNK THAN 1/2 THE RADIUS OF THE CRITICAL ROOT ZONE.
5. IRRIGATION TRENCHES ARE NOT TO CROSS THE CRITICAL ROOT ZONE OF THE PRESERVED TREES.

Jurisdiction of Project

REGULATORY AUTHORITIES:

CITY OF ROCKWALL PLANNING & ZONING
385 S. GOLIAD ST.
ROCKWALL, TEXAS 75087
972.771.7745

TEXAS DEPARTMENT OF LICENSING AND REGULATION
ELIMINATION OF ARCHITECTURAL BARRIERS
E.O. THOMPSON STATE OFFICE BUILDING
920 COLORADO
AUSTIN, TEXAS 78701
(512) 463-3211
(512) 475-2886 (FAX)

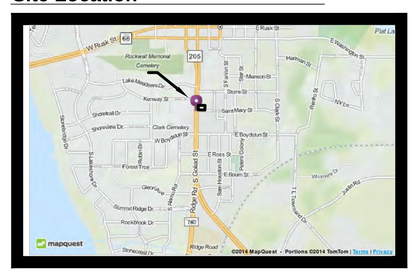
Tree Preservation Requirements

CITY OF ROCKWALL TREE PRESERVATION LANDSCAPE ORDINANCE
ARTICLE IX

1.2 NO PERSON, DIRECTLY OR INDIRECTLY, SHALL CUT DOWN, DESTROY, REMOVE OR MOVE OR EFFECTIVELY DESTROY THROUGH DAMAGING, ANY PROTECTED OR FEATURE TREE SITUATED ON A PROPERTY REGULATED BY THIS ORDINANCE WITHOUT FIRST SUBMITTING AND RECEIVING APPROVAL OF A TREESCAPE PLAN UNLESS OTHERWISE SPECIFIED IN THIS ORDINANCE.

1.3 ALL BUILDERS/CONTRACTORS SHOULD VERIFY IF THERE IS A TREESCAPE PLAN APPROVED ON A PARCEL OF LAND BEFORE WORK BEGINS. ALL BUILDERS /CONTRACTORS WHO HAVE NO SUBMITTED A REQUEST FOR A BUILDING PERMIT AS OF THE EFFECTIVE DATE OF THE ORDINANCE ARE SUBJECT TO THE REQUIREMENTS WITHIN.

Site Location



Owner & Professionals Information

OWNER
ALBRIGHT PROPERTIES LLC
JENNIFER HILL
12160 ABRAMS RD., DALLAS, TEXAS 75234
972 270-5452

LANDSCAPE ARCHITECT
CAROL FELDMAN
FELDMAN DESIGN STUDIOS
P.O. BOX 832346
RICHARDSON, TEXAS 75083
972.980.1730

TREESCAPE PLAN

FELDMAN DESIGN STUDIOS
P.O. Box 832346, Richardson, Texas 75083
Phone: 972 980-1750 Fax: 972 980-1740
info@feldmandesign.com

NO.	ITEM DESCRIPTION	DATE:
1.	SITE PLAN SUBMITTAL	4/9/14
2.	REVISED TREE REPLACEMENT	5/6/14
3.		
4.		
5.		
6.		
7.		

STATE OF TEXAS
CAROL FELDMAN
2080
REGISTERED LANDSCAPE ARCHITECT

These documents have been prepared under the supervision of Carol Feldman, Registered Landscape Architect #2080, Licensed Irrigator LI #20245

LANDSCAPE PLAN
ALBRIGHT, HILL & SUMPTER, PC
ST. MARY'S ST. AND SO. GOLIAD STREET
ROCKWALL, TEXAS

SHEET NO.
L1.01

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SECTION 02910 – SOIL PREPARATION
PART 1 – GENERAL
A. DESCRIPTION
1. PROVIDE COMPLETE GRADING AND SOIL PREPARATION, INCLUDING AMENDMENTS, AS SPECIFIED HEREIN.
B. EXAMINATION
1. EXAMINE SITE TO VERIFY REQUIRED ROUGH GRADING HAS BEEN COMPLETED CORRECTLY PRIOR TO BED PREPARATION WORK.
2. EXAMINE SITE TO VERIFY THAT ALL INVASIVE PLANTS AND THEIR ROOTS HAVE BEEN REMOVED PRIOR TO BED REPARATION WORK.
C. APPROVALS
1. ALL 'APPROVED EQUAL' MATERIALS MUST BE APPROVED BY LANDSCAPE ARCHITECT.

PART 2 – PRODUCTS
A. MATERIALS
1. COMPOST:
1.1. COTTON BUR COMPOST
1.2. SHALL BE SUPPLIED BY: GREENSENSE COMPOST, GARLAND, TX. OR, CLEAR FORK MATERIALS, ALEDO, TX, OR APPROVED EQUAL.
2. FERTILIZERS AND SUPPLEMENTS:
2.1. A 6–2–4 GRANULAR FERTILIZER WITH A WATER SOLUBLE SLOW RELEASE ORGANIC BASE SUCH AS GREENSENSE, OR SUSTANE. OR APPROVED EQUAL.
3. MULCH
3.1. SHALL BE SHREDDED HARDWOOD MULCH, SHREDDED CEDAR MULCH, SHREDDED NATIVE MULCH, OR APPROVED EQUAL.

PART 3 – EXECUTION
A. BED PREPARATION AND PREPARATION FOR SOD INSTALLATION
1. GENERAL
1.1. INSPECT ALL EXISTING CONDITIONS AND OTHER ITEMS OF WORK PREVIOUSLY COMPLETED. DO NOT PROCEED UNTIL DEFECTS ARE CORRECTED.
1.2. INSPECT THAT ALL INVASIVE PLANTS AND THEIR ROOTS HAVE BEEN REMOVED COMPLETELY.
1.3. ALL AREAS TO BE PREPARED WITH ORGANIC TECHNIQUES ONLY.
2. SHRUB BEDS:
2.1. BREAK UP AND TILL EXISTING SOIL TO A DEPTH OF 6 INCHES,
2.2. ADD A 3 INCH LAYER OF COMPOST TO THE BEDS,
2.3. TILL EXISTING SOIL AND COMPOST TOGETHER TO A TOTAL OVERALL DEPTH OF 8 INCHES.
2.4. RAKE OUT ROCKS AND CLODS AND FINE GRADE THE BEDS TO DRAIN IN APPROPRIATE DIRECTIONS.
2.5. TOP–DRESS BED WITH A 3 INCH LAYER OF MULCH AFTER PLANTING.
3. SOD AND SEED AREAS
3.1. LIGHTLY CULTIVATE COMPACTED SOIL AND RAKE THE SOIL SMOOTH.
3.2. ADD ½ INCH COMPOST TO ALL AREAS.
3.3. FINE GRADE TO DRAIN IN APPROPRIATE DIRECTIONS.

END OF SECTION 02910

NOTES
GENERAL LANDSCAPE

1. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND STRUCTURES WHETHER OR NOT SHOWN ON THE PLANS, AND SHALL BE RESPONSIBLE FOR DAMAGE TO SAID UTILITIES OR STRUCTURES CAUSED BY HIS/HER CREW AND SUBCONTRACTORS.

2. NO PLANTING TO TAKE PLACE UNTIL OWNER HAS INSPECTED AND APPROVED THE BED PREPARATION.

3. NO PLANTING TO TAKE PLACE UNTIL OWNER HAS INSPECTED AND APPROVED ALL PLANT MATERIAL AND ALL PLANT PLACEMENT. FIELD ADJUSTMENTS OF PLANT LOCATIONS TO BE COORDINATED WITH OWNER.

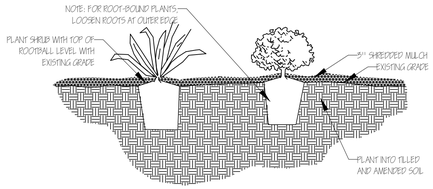
4. ALL CANOPY AND ORNAMENTAL TREES TO BE STAKED (SEE DETAIL.)

SECTION 02915 – LANDSCAPE PLANTING
PART 1 – GENERAL
A. SPECIAL CONDITIONS
1. COMPLY WITH APPLICABLE FEDERAL, STATE, COUNTY AND LOCAL REGULATIONS GOVERNING LANDSCAPE MATERIALS AND WORK.
2. EMPLOY ONLY EXPERIENCE PERSONNEL FAMILIAR WITH REQUIRED WORK. PROVIDE ADEQUATE SUPERVISION BY A QUALIFIED FOREMAN WITH A MINIMUM OF TEN(10) YEARS EXPERIENCE WITH PROJECTS OF SIMILAR COMPLEXITY.
3. DO NOT MAKE SUBSTITUTIONS OF TREE, SHRUB AND GRASS MATERIALS. IF REQUIRED MATERIAL IS NOT OBTAINABLE, SUBMIT PROOF OF NON–AVAILABILITY TO OWNER'S REPRESENTATIVE.
4. PROVIDE QUANTITY, SIZE, GENUS, SPECIES AND VARIETY OF TREES AND SHRUBS INDICATED AND SCHEDULED FOR LANDSCAPE WORK WHICH COMPLY WITH APPLICABLE REQUIREMENTS OF ANSI Z60.1 AMERICAN STANDARD FOR NURSERY STOCK , AND ANY APPLICABLE STATE AND FEDERAL LAWS CONCERNING DISEASE AND INSECT INFESTATION.
B. REFERENCE STANDARDS
1. AMERICAN STANDARD FOR NURSERY STOCK, APPROVED NOV. 6, 1996 BY AMERICAN NATIONAL STANDARDS INSTITUTE, INC.
2. SHINNERS & MAHLER'S, ILLUSTRATED FLORA OF NORTH CENTRAL TEXAS, BOTANICAL RESEARCH INSTITUTE OF TEXAS (BRIT), FORT WORTH, TEXAS, 1999.
3. HORTUS THIRD, CORNELL UNIVERSITY, 1967.
C. PREPARATION
4. COORDINATION WITH BUILDING AND ENGINEERING PROJECT ACTIVITIES.
5. COORDINATE THE WORK OF THIS SECTION WITH THAT OF REGULAR AND EMERGENCY WATER UTILITY ACTIVITIES ON THE SITE.
6. COORDINATION WITH IRRIGATION SYSTEM:
6.1. THE UNDERGROUND IRRIGATION SYSTEM MUST BE INSTALLED PRIOR TO COMMENCEMENT OF THE PLANTING OPERATIONS.
6.2. THE IRRIGATION SYSTEM SHALL BE OPERATIONAL AT THE TIME THAT PLANTING OPERATIONS COMMENCE.
6.3. COORDINATE WORK WITH THE IRRIGATION CONTRACTOR TO PREVENT DAMAGE TO THE IRRIGATION SYSTEM.
D. ALL PLANT MATERIALS FOR THIS PROJECT SHALL BE NURSERY–GROWN, INCLUDING TREES.
1. CONTAINER GROWN PLANTS SHALL HAVE BEEN STEPPED–UP AS NECESSARY TO PREVENT ROOT GIRDLING.
2. CONTAINER GROWN PLANTS SHALL HAVE BEEN IN THE CONTAINER FOR A MINIMUM OF SIX (6) MONTHS PRIOR TO DELIVERY TO THE SITE TO ENSURE ADEQUATE ROOT DEVELOPMENT.
3. THE 'ROOT FLARE' OF ALL TREES AND SHRUBS SHALL NOT BE COVERED WITH SOIL.
E. THE FOLLOWING TREE CARE PROCEDURES SHALL BE ADHERED TO:
1. DO NOT MAKE FLUSH CUTS OR LEAVE STUBS WHEN PRUNING. LEAVE THE BRANCH COLLAR INTACT.
2. DO NOT USE ANY TYPE OF PRUNING PAINT ON WOUNDS.
3. DO NOT USE ANY TYPE OF TREE WRAP, EXCEPT, TRUNKS MAY BE WRAPPED WITH BURLAP DURING PLANTING OPERATIONS ONLY.
4. DO NOT STAKE OR GUY ANY TREES. IN SPECIAL CASES, TREE STAKING MAY BE NECESSARY TO PRESERVE A TREE THAT CONTINUES TO BLOW OVER. THE CONTRACTOR WILL BE RESPONSIBLE FOR ANY TREES THAT NEED STAKING FOR A PERIOD OF ONE YEAR.
5. DO NOT HANDLE ANY TREE BY ITS TRUNK. ANY TREE HANDLED IN SUCH A MANNER SHOULD BE REJECTED.

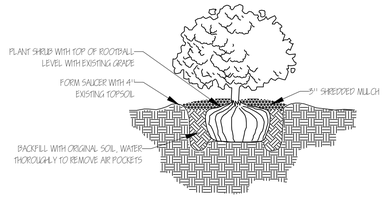
F. WARRANTEE
1. UNCONDITIONALLY WARRANT ALL PLANTS FOR A PERIOD OF ONE (1) YEAR AFTER THE DATE OF INSTALLATION INITIAL ACCEPTANCE. REPLACE MATERIALS NOT IN VIGOROUS, THRIVING CONDITION AS SOON AS WEATHER PERMITS AFTER NOTIFICATION BY OWNERS THAT THE PLANTS HAVE DIED OR ARE OTHER WISE NOT ACCEPTABLE. GUARANTEE REPLACEMENT PLANTS FOR ONE YEAR, STARTING FROM THE DATE REPLACEMENT IS MADE.
2. WARRANTY EXCLUDES REPLACEMENT OF PLANTS BECAUSE OF INJURY BY STORM, NATURAL DROUGHT, DROWNING, HAIL FOR FREEZING, IF REASONABLE CARE WAS TAKEN TO ADEQUATELY PROTECT THE MATERIAL, AND IN THE OPINION OF THE OWNER'S REPRESENTATIVE THAT THE PROBLEM OCCURRED AFTER THE DATE OF INITIAL ACCEPTANCE.

PART 3 – EXECUTION
A. PREPARATION FOR PLANT MATERIAL INSTALLATION
1. EXAMINE THE SUB–GRADE UPON WHICH THE WORK IS TO BE PERFORMED, VERIFY GRADE ELEVATIONS AND VERIFY THAT BEDS HAVE BEEN LEFT LOW BY OTHER TRADES. OBSERVE THE CONDITIONS UNDER WHICH THE WORK IS TO BE PERFORMED AND CONFIRM THAT UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED PRIOR TO PROCEEDING.
B. TIME OF PLANTING
1. CARE IS TO BE TAKEN SO THAT NO PLANTS SIT IN POTS IN THE SUMMER HEAT FOR MORE THAN 1 HOUR. IF PLANTING DURING HOT SEASONS (NOT PREFERRED) PLANTING IS TO BE DONE IN SMALL SECTIONS WITH STOCKPILED PLANTS TO BE PROTECTED FROM THE SUMMER HEAT (SHADE AREAS).
C. TREE PLANTING
1. STAKE LOCATIONS FOR TREES PRIOR TO DIGGING HOLES.
2. DIG PITS WITH ROUGH SIDES AND WHICH HAVE TAPERED WALLS, A MINIMUM OF TWICE THE WIDTH OF THE TREE BALL. A PEDESTAL SHOULD BE LEFT IN THE CENTER OF THE HOLE AND THE TREE BALL SET UPON THAT PEDESTAL.
3. SET PLANTS IN THE CENTER OF THE HOLE AND ON THE PEDESTAL, PLUM AND VERTICAL, AND AT SUCH A DEPTH THAT THE CROWN OF THE TREE BALL WILL BE LEVEL WITH THE SURROUNDING GRADE.
4. ALL PLANTS SHALL BE SET TO MEET THE SAME RELATIONSHIP TO THE FINISHED GRADE OF THE SURROUNDING SOIL THAT THEY BORE TO PREVIOUS EXISTING GRADE OF SOIL.
5. BACKFILL WITH EXISTING TOPSOIL AND WATER IMMEDIATELY.
6. FORM A SHALLOW BASIN SLIGHTLY LARGER THAN THE PIT TO FACILITATE WATERING. REMOVE PRIOR TO MULCHING.
7. COVER ALL TREE BALLS WITH A MINIMUM OF 3 OF SPECIFIED MULCH. EXTEND MULCH OUT TO THE EDGE OF THE TREE PIT, BUT KEEP AWAY FROM TRUNKS.
8. ALL EXCAVATED MATERIAL UNACCEPTABLE FOR REUSE SHALL BE DISPOSED OF OFF SITE, OR AS DIRECTED BY THE OWNER.
D. SHRUBS, TALL GRASSES AND PERENNIAL PLANTING.
1. REMOVE CONTAINER AND SET PLANT MATERIAL AT SUCH A LEVEL THAT AFTER SETTLEMENT, THE CROWN OF THE BALL WILL BE AT FINISHED GRADE.
2. GENTLY CUT OUTER ROOTS OF ANY ROOTBALLS THAT HAVE POT–BOUND PRIOR TO INSTALLATION.
3. COVER PLANTING BEDS WITH A MINIMUM 3 LAYER OF SPECIFIED MULCH.
E. SOD PLANTING
1. LAY SOD IN AN ORDERLY MANNER TO COVER ALL BARE SOIL AREAS.
2. WATER ALL AREAS OF THE SOD UNTIL THOROUGHLY WET.
3. ROLL SOD WITH A SOD ROLLER AFTER 24 HOURS AFTER LAYING AND WATERING SOD TO OBTAIN A UNIFORM, SMOOTH FINISH.
4. FILL JOINTS WITH COMPOST IF NECESSARY TO FORM A UNIFORM GRASS LAYER.
5. KEEP SOD ADEQUATELY WATERED UNTIL SOD MAKES A FIRM CONNECTION TO THE SOIL.

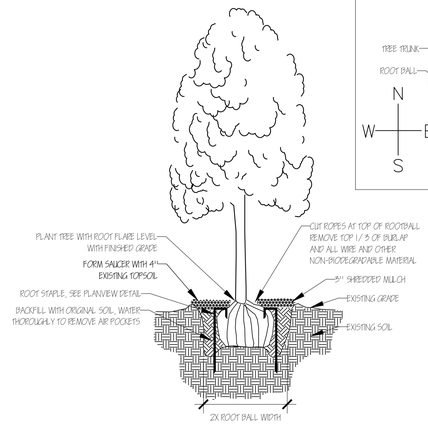
END OF SECTION 02915



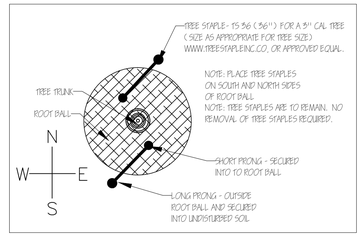
PERENNIAL PLANTING DETAIL
NOT TO SCALE



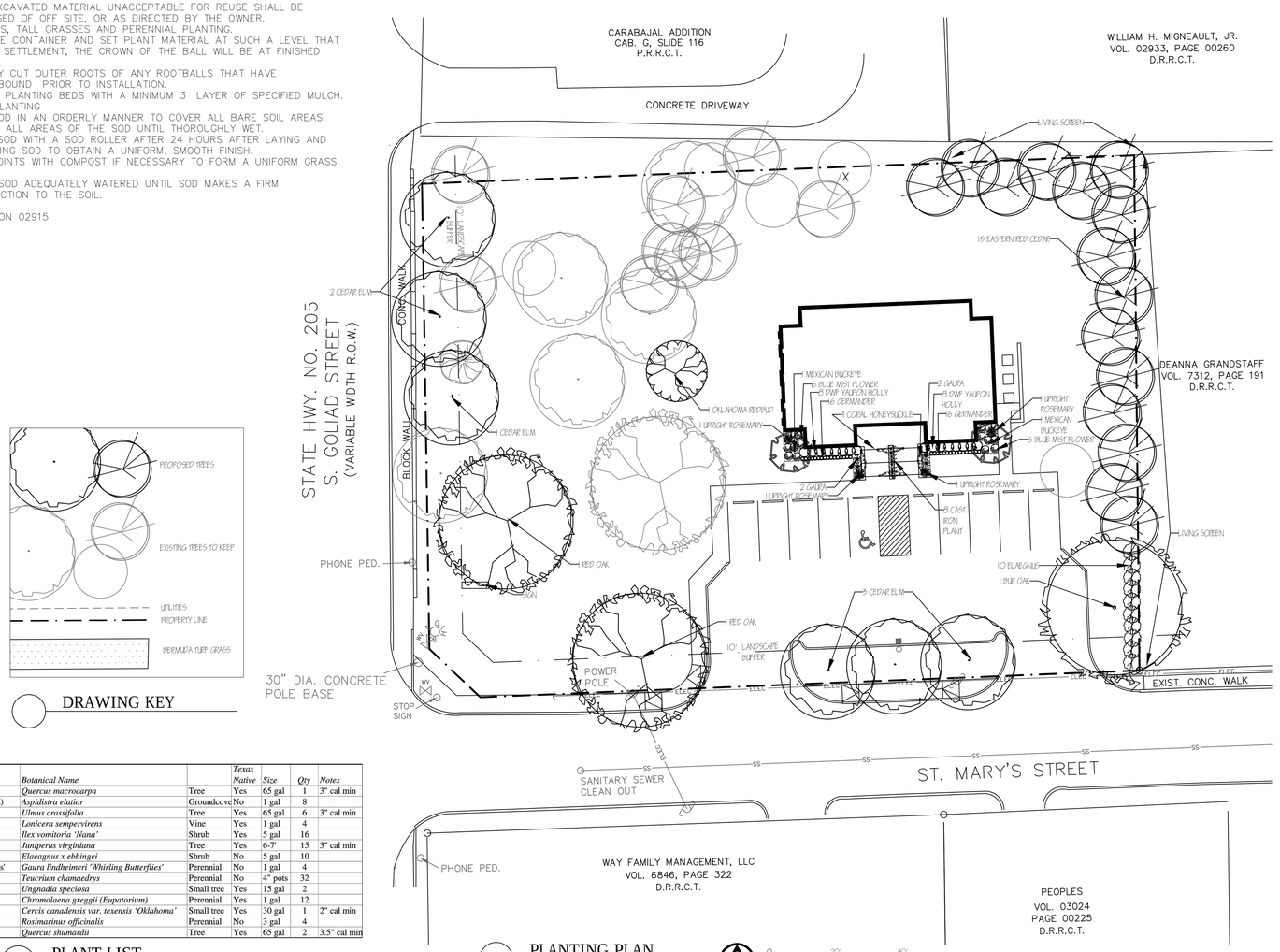
SHRUB & ORNAMENTAL GRASS PLANTING DETAIL
NOT TO SCALE



TREE PLANTING
NOT TO SCALE



TREE STAKING
Scale: 1/2" = 1'



PLANTING PLAN
Scale: 1" = 20'

DRAWING KEY

Common Name	*Botanical Name*		*Texas Native*	*Size*	*Qty*	*Notes*
Bur Oak	*Quercus macrocarpa*	Tree	Yes	65 gal	1	3" cal min
Cast Iron Plant (Aspisistra)	*Aspidistra elatior*	Groundcove	No	1 gal	8	
Cedar Elm	*Ulmus crassifolia*	Tree	Yes	65 gal	6	3" cal min
Coral Honeysuckle	*Lonicera sempervirens*	Vine	Yes	1 gal	4	
Dwarf Yaupon Holly	*Ilex vomitoria 'Nana'*	Shrub	Yes	5 gal	16	
Eastern Red Cedar	*Juniperus virginiana*	Tree	Yes	6-7'	15	3" cal min
Elaeagnus	*Elaeagnus x ebbingei*	Shrub	No	5 gal	10	
Gaura 'Whirling Butterflies'	*Gaura lindheimeri 'Whirling Butterflies'*	Perennial	No	1 gal	4	
Germander	*Teucrium chamaedrys*	Perennial	No	4" pots	32	
Mexican Buckeye	*Ungnadia speciosa*	Small tree	Yes	15 gal	2	
Mistflower, Blue	*Chromolaena greggii (Eupatorium)*	Perennial	Yes	1 gal	12	
Oklahoma Redbud	*Cercis canadensis var. texensis 'Oklahoma'*	Small tree	Yes	30 gal	1	2" cal min
Rosemary	*Rosimarinus officinalis*	Perennial	No	3 gal	4	
Shumard Red Oak	*Quercus shumardii*	Tree	Yes	65 gal	2	3.5" cal min

PLANT LIST

Jurisdiction of Project

REGULATORY AUTHORITIES:

CITY OF ROCKWALL PLANNING & ZONING
385 S. GOLIAD ST.
ROCKWALL, TEXAS 75087
972.771.7745

TEXAS DEPARTMENT OF LICENSING AND REGULATION
ELIMINATION OF ARCHITECTURAL BARRIERS
E.O. THOMPSON STATE OFFICE BUILDING
920 COLORADO
AUSTIN, TEXAS 78701
(512) 463-3211
(512) 475-2886 (FAX)

Landscaping Requirements

CITY OF ROCKWALL TREE PRESERVATION LANDSCAPE ORDINANCE
ARTICLE VIII LANDSCAPE STANDARDS

5.1 LANDSCAPE BUFFER STRIP --- 10' BUFFER STRIP PROVIDED

5.2 SCREENING OF OFF-STREET LOADING DOCKS --- N/A

5.7 STREET LANDSCAPING --- 10' LANDSCAPE BUFFER WITH 1 TREE PER 50 FT OF STREET FRONTAGE
GOLIAD STREET (139 LIN FT) - 3 TREES PROVIDED
ST MARY'S STREET (194 LIN FT) - 4 TREES PROVIDED

5.9 PARKING LOT LANDSCAPING
A. MIN LANDSCAPING --- N/A
B. PARKING LOT TREES FOR SPACES EXCEEDING 20,000 SF --- N/A

5.11 REQUIRED LANDSCAPING
A. AMOUNT OF LANDSCAPING
15% OF TOTAL SITE - COMMERCIAL
TOTAL SITE: 32,623 SF
REQUIRED: 4,893 SF PROVIDED: 23,743 SF

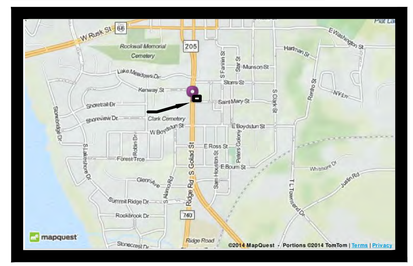
B. 50% OF LANDSCAPING REQUIREMENTS TO BE LOCATED IN FRONT (STREET SIDE)
PROVIDED

SECTION 8
8.1 LANDSCAPE DOES NOT OBSTRUCT TRAFFIC VISIBILITY.

Irrigation Requirements

UNDERGROUND AUTOMATIC SPRINKLING SYSTEM PROVIDED.
SYSTEM DESIGNED AND INSTALLED ACCORDING TO TCEQ LAWS AND REGULATIONS PROVIDING FOR 100% COVERAGE ON ALL LANDSCAPE AND TURF.
THE SYSTEM SHALL INCLUDE A FREEZE-RAIN SENSOR.

Site Location



Owner & Professionals Information

OWNER
ALBRIGHT PROPERTIES LLC
JENNIFER HILL
12160 ABRAMS RD., DALLAS, TEXAS 75234
972 270-5452

LANDSCAPE ARCHITECT
CAROL FELDMAN
FELDMAN DESIGN STUDIOS
P.O. BOX 832346
RICHARDSON, TEXAS 75083
972.980.1730

LANDSCAPE PLAN

FELDMAN DESIGN STUDIOS
P.O. Box 832346, Richardson, Texas 75083
Phone: 972 980-1750 Fax: 972 980-1740
info@feldmandesign.com

NO.	ITEM DESCRIPTION	DATE:
1.	SITE PLAN SUBMITTAL	4/9/14
2.	REVISED TREE REPLACEMENT	5/6/14
3.		
4.		
5.		
6.		
7.		

STATE OF TEXAS
CAROL FELDMAN
2080
REGISTERED
LANDSCAPE ARCHITECT

These documents have been prepared under the supervision of Carol Feldman, Registered Landscape Architect #2080, Licensed Irrigator LI #20245

LANDSCAPE PLAN
ALBRIGHT, HILL & SUMPTER, PC
ST. MARY'S ST. AND SO. GOLIAD STREET
ROCKWALL, TEXAS

SHEET NO.
L1.02



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Ashberry, Kristy

From: Griggs, Brad
Sent: Friday, October 31, 2014 3:07 PM
To: Ashberry, Kristy
Subject: FW: Handicap Accessible Park Playground

From: Crowley, Rick
Sent: Monday, October 27, 2014 4:59 PM
To: Griggs, Brad
Subject: FW: Handicap Accessible Park Playground

From: Milder, Scott
Sent: Friday, October 17, 2014 7:25 PM
To: Crowley, Rick
Cc: Sweet, David; Pruitt, Jim
Subject: Re: Handicap Accessible Park Playground

Rick,

I believe this should be placed on the agenda for further discussion and possible action and that you should call the Colberts to let them know.

Scott Milder
214-497-6411 cell

Sent from my smart phone

On Oct 15, 2014, at 4:14 PM, "Crowley, Rick" <RCrowley@rockwall.com> wrote:

> Mayor and Council
>
> FYI
>
> I know that several (or all) of you have received follow up questions after the last two work sessions several meetings ago months which occurred after Devon Colbert and his family addressed the Council regarding the need for additional handicap accessible park/playground facilities.
>
> A memorandum from Brad Griggs briefly summarizing the previous discussions of alternatives for adding such facilities to existing park playgrounds and an additional new alternative regarding the construction of a new handicap accessible playground in our park system. The memorandum includes a financing plan that would include use of Mandatory Neighborhood Park Fee receipts (Park District specific developer contributions), remaining G.O. Bond (voted) funds, and funds from Recreation Development Fund (primarily marina concession receipts (essentially rent paid as a percentage of gross sales from marinas).

At the conclusion of the work shop discussions, the Council indicated that if additional more acceptable alternatives for addressing this matter were identified that the Staff should bring those to the Council's attention.

If acceptable to the Council, this additional alternative would provide a fully accessible playground feature which would be useable kids with special accessibility needs, provide the opportunities that Mr. Colbert requested, and provide additional playground opportunities for those who have no particular special needs – an all-inclusive playground opportunity.

If there is interest in an item being placed back on the Council's agenda, either to re-examine those alternatives previously discussed or to discuss the additional alternative, please let me or Brad know that, and we will place it on the Council agenda.

Thanks,
Rick

<Memo re Playground Accessibility.doc>

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **October 15, 2014**

SUBJECT: **Accessible Playground**

In March of this year, Devon Colbert made an appointment with the City Council to request that a city owned playground be renovated to provide easier wheelchair access. Currently, the City owned playgrounds use a manufactured wood fiber surfacing material that meets the ASTM Standards for fall protection and is also an Americans with Disabilities Act (ADA) approved wheelchair accessible surface. Mr. Colbert requested that the City consider a poured rubber surface that is much easier to maneuver a wheelchair through and still provide the fall protection. Mr. Colbert is restricted to a wheelchair and enjoys taking his young children to the playground and wants to be able to interact with them while there.

The Council directed the staff to conduct an accessibility study of the playgrounds within the City and determine which playgrounds met the ADA requirements and identify the surfacing materials used for each playground. On May 5, 2014, the City Council held a work session to hear a report on the accessibility study conducted on the playgrounds within the City. The study was conducted by two Parks Department employees that are Certified Playground Safety Inspectors and outside consultants that are Registered Accessibility Specialists.

The City has nineteen playgrounds within its park system in sixteen different parks. With the exception of a small section of the Kidzone playground at Myers Park, manufactured wood fiber is being used as the fall surfacing. A small section of the Kidzone utilizes a poured in place rubber surface. The school district has two playgrounds within their inventory that use a poured rubber surface for approximately 50% of the safety surfacing. The Council directed staff to evaluate and bring back cost estimates to replace the manufactured wood fiber surfacing with a poured in place rubber safety surfacing for two playgrounds, one at the Park at Fox Chase and one for Kidzone.

At the July 7 Council meeting, a brief work session was held to provide further information on a poured in place safety surface. Temperatures were taken at three times at two locations of the surface of the poured in place surfacing. The temperatures

were consistently around 150 degrees while the temperature of the wood fiber surfacing was under 100 degrees.

The cost for a manufactured wood fiber playground surface is under $1 per square foot. The cost for a poured in place rubber safety surface is approximately $16 a square foot. Life expectancy for the wood fiber is 20 years or more because when the fiber becomes compressed or erodes, new material is added to achieve the desired depth. The life expectancy for a poured in place surface is ten years. A third option is available which is an artificial turf over the top of a rubber surface. The cost is approximately $18.60 per square foot and the life expectancy is close to the poured in place rubber. The advantage of the artificial turf option is that the surface temperature is cooler than the poured in place rubber.

Cost quotes to replace the surfacing at Fox Chase were solicited and provided through the BuyBoard Cooperative purchasing agreement. The cost to change the wood fiber to the rubber surfacing for the playground at the Park at Fox Chase is $66,056. The cost to change the surfacing at Kidzone is near $160,000.

In my opinion, easy wheelchair access to the play elements are only half of the problem. I believe that we need to provide access to all of the play elements within the playground to participants with physical limitations. I think we would be better served to build a barrier free playground that allows children and adults with physical limitations to move throughout the playscape through a series of ramps and feature additional grounds elements. This type of playground encourages an inclusive environment so that children, regardless of disability, can play together on the same structure. If we are to only make the surfacing easier to traverse in a wheelchair, we are not doing anything to provide a play structure that children with physical limitations can fully access and enjoy.

Contingent on City Council approval, I would like to propose that we consider building a barrier free playground at Yellowjacket Park in lieu of retrofitting safety surfacing at one or two facilities. The 2014-15 Recreational Development Fund includes a fairly minor amount of funding for new playground equipment at Yellowjacket Park. I would prefer to build a very large barrier free playground with a synthetic turf safety surfacing that would be located in the central part of the City, has off-street parking and permanent restrooms.

The cost to build a barrier free playground with an improved safety surfacing will be significantly higher than retrofitting an existing playground. With that in mind, I would like to offer the following for consideration to fund the project:

- Mandatory Park Land Dedication Ordinance Fees: Yellowjacket Park is located within Park District #20. According to our ordinance, the fees must be used within the district in which they were collected. The current balance is $137,077. At this time, we do not have any other immediate plans for the funds.
- 2005 Park/Bond Funds: In 2005, voters approved the sale of bonds for park and trail improvements and trail connections. We have a current fund balance of approximately $260,000. These funds have been used for the trail project to connect the trail system under SH 205 and we do not have any current immediate plans for the remaining balance.

- Recreational Development Fund: The fund balance at the conclusion of this fiscal year is budgeted at $250,000. I propose to fund the park infrastructure improvements such as parking and sidewalks in the amount of $75,000.
- Transfer from Park District #21: The playground equipment for Yellowjacket Park that was approved in the budget has been already purchased. I would propose that we use this equipment at Lofland Park to replace some dated playground equipment and transfer the funds from Park District 21 to Park District 20 in the amount of $20,000.

Therefore, the total project cost would not exceed $492,077 to build our first barrier free playground and related access routes. If the Council believes this is a good use of the funding and a worthwhile project, we can begin the design process immediately with the goal of being installed and available to the public as soon as possible.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **October 30, 2014**

SUBJECT: **Water Conservation**

The Board of Directors of the North Texas Municipal Water District has taken action to recommend adoption of a seasonal watering schedule as a supplement to the current Stage 3 water conservation program. The recommendation includes adoption of a "once every two weeks outdoor watering schedule (as needed)." This is proposed for implementation effective November 1 and is the same schedule adopted last year in November.

The continued condition of regional drought, the need to conserve water supply should there be no significant break in the drought condition, and information that NTMWD has received from horticultural and landscape experts indicating that the proposed watering schedule is adequate to preserve investments in current landscape materials have been noted by NTMWD district representatives as the seasonal watering schedule has been proposed and approved by the NTMWD Board.

The difficulties in maintaining disinfection residuals that all cities and water providers had during the summer months will be eased by cooler weather. The move this summer to once per week watering allowed cities, including Rockwall, to maintain these residuals and, at the same time, greatly reduce the amount of water lost to flushing and "dumping" of water to accomplish that. Some flushing may continue to be required during the winter, but with the cooler weather less flushing will be required.

It appears that all member cities and customers of NTMWD will adopt the proposed seasonal watering schedule.

While the adopted Drought Management Plan provides that such drought-related watering schedules may be implemented administratively, I have made every effort in the past to discuss upcoming changes in the watering schedules (which impact our customers) with the Council prior to their formal implementation. This item has been placed on the Council agenda for the purpose of having that discussion.

A copy of the document used last November to implement seasonal watering is attached. A similar document will be used for the same purpose this year.

Implementation of Stage 3 of the
Drought Contingency and Water Emergency Response Plan

Due to conditions related to the loss of availability of the North Texas Municipal Water District's raw water supply from Lake Texoma and current reservoir levels, long term weather forecasts, and ongoing drought the provisions of the City of Rockwall's *Drought Contingency and Emergency Response Plan, Stage 3* are hereby enacted. The goal for water use reduction under Stage 3 is ten percent of the amount of water obtained from North Texas Municipal Water District.

The provisions of the plan (including those associated with Stages 1&2) that are applicable on the effective date of November 1, 2013 are

- Limit landscape watering with sprinklers or irrigation systems between November 1 and March 31 to once every two weeks.
- Notify wholesale customers of actions taken and request similar implementation.
- Implement viable alternative water strategies.
- New landscaping and plantings (first year shrubs and trees) may be watered for up to two hours on any day by and hand-held hose, a soaker hose, or a dedicated zone using a drip irrigation system.
- Further accelerate public education efforts to reduce water usage (Stage 3).
- Prohibit using water in such a manner as to allow runoff or other waste.
- Public athletic fields used for competition may be watered twice per week.
- Golf courses may water greens and tee boxes without any restrictions.
- Locations using other sources of water supply for irrigation may irrigate without restrictions.
- ET/Smart irrigation systems are not exempt from Stage 3 water restrictions.
- Restrictions do not apply to locations using treated wastewater effluent for irrigation or the legal use of water pumped from Lake Ray Hubbard as regulated by the City of Dallas.

(There is no restriction of watering for the purpose of protecting building foundations or slabs; however, no spray hose or the like may be used. Soaker hoses are recommended for this purpose).

Rick Crowley
City Manager

11/1/13
Date

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City of Rockwall
The New Horizon

MEMORANDUM

TO:	**Mayor and Council**
FROM:	**Rick Crowley, City Manager** **Mary Smith, Assistant City Manager** **Joey Boyd, Director of Internal Operations**
DATE:	**October 31, 2014**
SUBJECT:	**Countywide Radio System Interlocal Agreement**

At the last City Council meeting, City Staff provided its comments and concerns that it had related to the Rockwall County Interoperability Radio Network (IRN). These items were forwarded to the County Attorney.

The Rockwall County Commissioners Court approved an interlocal agreement for participation in the Rockwall County Interoperability Radio Network (IRN) on Tuesday, October 28, 2014 and forwarded a copy to the City of Rockwall for review and execution

Many of the suggested changes were included in the version the Commissioners Court approved this week, but it also included changes from the previous draft that still causes concern with the City. Based on the City's review of the document the County Judge sent for review, the following concerns remain:

- All reference to the IRN Committee Section has been removed. While the City may have representation throughout the RFP process and the installation and testing process, the Interlocal Agreement doesn't provide any remedies or representation as to the operation of the system after final acceptance. The City would offer that a committee should meet to discuss any issues, etc. during the term of the contract, similar to the manner in which all cities meet and have representation in dealing with the county-wide ambulance contract.

  The County Judge has indicated that the IRN Committee is a "deal killer" for the Commissioners Court. As relates to the City's receipt of information which will

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be obtained through the RFP process, an alternative to the establishment of the IRN Committee as described in our attached draft might be that the City be provided such information as it may need to make its final determinations related to costs and technical details of the proposed system.

Related to the ongoing operation and use of the system after it is acquired, installed, and operational there should be, in the Staff's opinion some mechanism established in the agreement as to how this will work. If there are alternatives to the IRN Committee structure that will establish those, we should be willing to consider those options. For example, this agreement might include reference to an operating agreement among the entities that would be negotiated if the terms of the RFP responses are such that all entities make the decision to move forward with the system.

- In Article VI. - Installation and Use of IRN – The City wants to make sure the ongoing maintenance costs for the system beyond the initial maintenance and warranty period is favorable to the City. This amount will not be known until after the RFP process. This proposed change provides that the cost of the maintenance agreement be secured as a part of the proposal with the vendors' submission of their proposal.

- In Article VI. - Installation and Use of IRN - Mandatory Buildings – the County asked the member cities to remove buildings from the mandatory Coverage Requirements Section of the RFP. The reasoning behind this is to save upfront costs that bidders will build into their proposal for these buildings. The County would like to address these buildings as necessary after the system is installed. The County agrees that all buildings will have the acceptable level of portable coverage before final acceptance of the system. The City is documenting these buildings as an exhibit to the agreement.

- In Article VII. – Terms of Use – the agreement states that "The acquisition, installation, operation and maintenance of the City's Console Systems are the responsibility of the City unless otherwise stated in this Agreement." This is a change from a previous draft agreement. Purchase of Police and Fire Dispatch console equipment was previously included when there was discussion of merging into a centralized dispatch operation. The change that is being proposed is that the County pay the cost of the replacement of these consoles as a part of the system given that both dispatch centers would provide backup for the other in the event that for whatever cause, one of them might not functional.

- In Article VII. – Terms of Use –This language allows the County to turn off a radio from the control point without any knowledge to the City. If this radio belongs to a Police Officer or Firefighter, we need to know that they are turning it off for any reason. The City added back language that would provide notification and a chance to remedy the problem before just simply being "deactivated" as stated in the agreement.

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- Article VIII. Maintenance of the System – there are a lot of maintenance responsibilities and costs that are either unknown or contradictory in the proposed agreement.

- In Article X. – Compensation – the City needs the ability to share frequencies with other entities for the purposes of mutual aid with neighboring public safety agencies. With regard to the radio "trade-in", the City needs the ability to retain equipment necessary for interoperability with other agencies, such as Dallas Fire and Rescue, the Forest Service, etc. Also under this article, it states the City will pay for software upgrades for dispatch consoles and any other component subject to upgrades as a result of the upgrade to the IRN. This is contradictory to the idea that the County would pay for maintenance throughout the term of the agreement.

- There are items in the Interlocal Agreement related to costs that are not possible to quantity without having gone through the RFP process to know the specific costs. These costs will be known to both the City and the County upon receipt and evaluation of the proposal/s – before either makes a final decision as to whether to move forward with the system.

In summary, the amended agreement draft attached includes language that first addresses the issues that are known before the receipt of the responses to the RFP. There are considerations related to costs and technology that will not be known to the City or the County before the proposal/s are received. At such time as this information is made available as a result of the RFP submittals, the City will have the opportunity to evaluate and make its final decision regarding participation in the system at that time.

Attached for the City Council's review are the following:

1. Updated Interlocal Agreement
2. Exhibit 1
3. Exhibit 2
4. RFP Items to Address

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ROCKWALL REGIONAL PUBLIC SAFETY RADIO SYSTEM INTERLOCAL AGREEMENT BETWEEN ROCKWALL COUNTY AND THE CITY OF ROCKWALL FOR PARTICIPATION IN THE ROCKWALL COUNTY INTEROPERABILITY RADIO NETWORK

THIS INTERLOCAL COOPERATION AGREEMENT ("Agreement") executed by and between Rockwall County, Texas, a political subdivision of the State of Texas (hereinafter referred to as "County") acting herein by and through its duly authorized Commissioners Court, and the City of Rockwall, a municipal corporation of the State of Texas (hereinafter referred to as "City") acting herein by and through its duly authorized City Council, individually referred to as a "Party," collectively referred to herein as the "Parties."

WHEREAS, this Agreement is made under the authority of Section 791.001-791.029, Texas Government Code; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that Party; and

WHEREAS, each governing body finds that the subject of this Agreement serves a countywide public purpose and is necessary for the benefit of the public and each has the legal authority to perform and to provide the governmental function or service which is the subject matter of this Agreement; and

WHEREAS, each governing body finds that the performance of this Agreement is in the common interest of both Parties and that the costs covered by the County in exchange for use of facilities and infrastructure provided by the City is an equitable compensation to both Parties under this Agreement; and

WHEREAS, it is the intent of the County to request competitive sealed proposals from qualified firms to design, furnish, install, test, and maintain a county-wide radio network, otherwise known as the Rockwall County Interoperability Radio Network ("IRN"), for the benefit of the County and every participating municipality within the county; and

WHEREAS, it is the intent of the County to establish an IRN Committee for the purpose of preparation of the Request For Proposals ("RFP"), development of proposal evaluation criteria, evaluation of proposals, and award of contract for the IRN. The IRN Committee shall be comprised of representatives from each participating municipality; and

WHEREAS, it is the intent of the County to own, operate, and manage a county-wide radio network, otherwise known as the Rockwall County Interoperability Radio Network ("IRN"), for the benefit of the County and every participating municipality within the county; and

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WHEREAS, it is the intent of the City to make available antenna towers, equipment shelter, backup power, and dispatch center facilities for the purpose of the installation of IRN equipment as described herein; and

WHEREAS, based on the findings and recommendations contained in the RCC Study, the County and the City desire to implement a wide area, multi-site ("simulcast") digital trunked simulcast radio system compliant with P-25, Phase II interoperability standards; and

WHEREAS, the County and the City desire to enter this Agreement for the purpose of establishing the agreement regarding the purchase, installation, maintenance, operation, management, and use of the IRN.

NOW, THEREFORE, in order to carry out the intent of the Parties as expressed above, and for and in consideration of the mutual promises contained herein and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged by both Parties, the County and the City agree as follows:

Article I. DEFINITIONS

Unless the context clearly indicates a different meaning, the words and phrases set forth in this Article I shall have the following meanings when used in this Agreement:

"City Facilities" means antenna towers, equipment shelters, backup power, and dispatch center facilities owned and operated by the City and utilized to host equipment for the IRN.

"Console System" means all hardware and software associated with any dispatch console or set of consoles that are connected to the County's IRN.

"Effective Date" means the date this Agreement has been approved by the governing bodies of the Party's and signed by the authorized representative of each Party.

"FCC" means the Federal Communications Commission.

"FCC Licenses" means the radio communications licenses granted by the FCC to the County.

"Interoperability Radio Network" or **"IRN"** means the system or wide area, multi-site ("simulcast") digital trunked radio system compliant with P-25 interoperability standards as more expressly defined in the SPA.

"Interoperable Communications Plan" means the plan developed and established by the County to enhance and simplify radio communications among all agencies utilizing the County IRN or connecting its Site Repeater Systems or any Console Systems to the IRN.

"Master Site" means the hardware and software provided by the County as the core component of the P25 700 MHz Trunked Radio System. All Site Repeater Systems must connect to the Master Site.

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"Request for Proposals" or **"RFP"** means the Request for Proposals to be published, distributed and advertised by the County for the purpose of seeking proposals from qualified vendors relating to the purchase, installation, and maintenance of a public safety radio communications system and related services as described therein.

"Site Repeater System" means the base stations, antenna systems, controllers, and site-specific hardware and software infrastructure associated with the provision of a radio site owned and operated by the County to be connected to the Master Site.

"Subscriber Radio Equipment" means a control station (desktop radio), mobile radio, or portable radio and accessories, which has a unique identification number and is programmed to operate on the IRN for public safety and public works personnel or other city employees that use the IRN.

"System Maintenance Agreement" or **"SMA"** means the agreement for system maintenance between the County and the Vendor following the purchase, installation and initial warranty and maintenance period of the IRN.

"System Purchase Agreement" or **"SPA"** means the agreement related to the purchase, installation, initial maintenance and warranty period, and operation of the IRN.

"Talk Group" means the specific group of subscriber units allowed to communicate privately within that group over shared infrastructure resources

"Term" means, collectively, the initial term of this agreement together with each renewal term.

"Vendor" means the provider of the IRN selected by and duly contracted with the County following the RFP process.

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Article II. PURPOSE

The purpose of this Agreement is to establish and clarify each Party's intents, obligations, and costs as they relate to the establishment and operation of the IRN.
The Parties also agree and understand that this Agreement shall become null and void should the County be unable to procure the System for any reason.
The Parties also agree and understand that this Agreement shall become null and void should the County be unable to address all of the City's coverage, technical, and operational, and cost concerns through the RFP process and executed SPA.

Article III. GRANT OF LICENSE

The County hereby grants the City a non-exclusive specific license to operate its radios on the IRN including the P25 700 MHz Trunked Radio System to be procured, maintained and owned by the County in accordance with the specific details and requirements for use as set forth in this Agreement under Terms of Use.

Article IV. CITY FACILITIES

The City owns, operates and maintains antenna towers, equipment shelters, and backup power located at 305 E. Boydstun Street and 920 Rockwall Parkway. The City owns, operates and maintains a dispatch center, equipment room, and backup power located at 205 W. Rusk Street. These locations shall be collectivity referred to as City Facilities. The City hereby grants the County non-exclusive authority to utilize City Facilities to host and house equipment for the benefit of the IRN. The County agrees to submit equipment lists and installation plans for City approval prior to the placement or installation of any equipment. All equipment installations shall comply with best industry practices. Prior to placing any equipment on a City antenna tower, the County or its contractor will commission a structural analysis performed by a licensed Professional Engineer. The structural analysis shall demonstrate that the installation plans comply with relevant revisions and sections of TIA/EIA-222 standards. The City reserves the right to maintain equipment currently located on its towers but owned by other entities, such as cellular providers. Any ~~current or~~ future third party equipment located on City Facilities shall not create an undue interference with the coverage levels or performance of the IRN.

RCC will map towers currently owned by the City to be used for the IRN. The Vendor shall make every attempt to design the IRN to accommodate existing co-location customers. The City agrees that any future co-locating entities will design its system to accommodate the IRN and existing customers after installation. Any interference with existing communications providers will be resolved between the Vendor and the Third Party (such as cellular providers) before final acceptance of the new system.

Vendor shall be responsible to cure any inference with 3rd party providers so that the contractual obligations of the City are honored.

Any and all expenses related to site improvements related to the development and operation of the IRN project will be covered by the County.

Nothing herein shall preclude the use by the City of the provided structures for other purposes; however, both Parties agree that the structures shall remain available for uses associated with the IRN for the duration of system use.

Nothing herein shall be construed as granting the County any interest in real property owned by the City merely because a component of the IRN is located on or attached to the real property of the City.

Article V. TERM OF AGREEMENT

This Agreement shall begin between the County and the City upon the last day executed by both Parties and shall continue in full force and effect for term of ten (10) years. Thereafter, the Agreement will automatically renew for subsequent annual terms unless one of the Parties provides the other Party written notice of its desire not to renew the Agreement at least one year prior to the expiration of the initial term and subsequently at the beginning of each annual renewal. Termination or cessation of this Agreement between the County and the City will not

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affect the continuation of any other agreement the County may have with any other participating municipality. Any termination or default of this Agreement by the City before the end of the initial 10-year term of this Agreement will result in a termination of the non-exclusive permission to operate any radio equipment on the IRN. Additionally, the City must return all radio equipment provided to them by the County at the commencement of this Agreement. Any termination or default of this Agreement by either of the Parties will result in termination of the non-exclusive permission to utilize City Facilities to host or house IRN equipment. Additionally, the County must remove all equipment from City Facilities within ninety (90) days of termination.

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Any notice of intent to terminate must be delivered by deposit in the United States mail, certified, return mail receipt requested, to the other Party at the addresses set out herein. Upon termination of this Agreement, neither party will have any obligations to the other party under this Agreement, other than those set forth above.

Article VI. INSTALLATION AND USE OF IRN

The City hereby acknowledges that the County will issue the RFP, receive proposals from vendors, and enter into a SPA with the selected Vendor. The SPA shall define all equipment, software, and services to be provided, system performance terms, system acceptance terms, implementation schedules, and costs associated with the design, supply, installation, and commissioning of the IRN. The selected Vendor shall make provision for the initial maintenance and warranty period of the IRN including all equipment. The RFP must include costs for the initial maintenance and warranty period and costs for ongoing maintenance of the system for the initial 3 years after the expiration of the initial maintenance and warranty period. Execution of the SPA shall be contingent upon successful negotiation of IRN terms and costs.

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~~It is the intent of T~~the County will ~~to~~ provide equal or greater radio system coverage to the City as part of the IRN project. The results of the in-bound and out-bound signal test and Bit Error Rate testing as part of the system acceptance test will be provided to the City for review and evaluation.

The County requested that certain buildings in the City be removed from the Coverage Requirements portion of the RFP. ~~, Section A.4 – Mandatory Buildings.~~ The County agrees that all buildings removed from the list will have the acceptable level of portable coverage requirements before final acceptance of the system. The Mandatory Buildings are attached hereto as Exhibit 1. The buildings requested to be removed are noted and attached hereto as Exhibit 2.

Both Parties hereby agree that the system shall only be used by participating municipalities and authorized entities in Rockwall County. However, nothing in this Agreement shall be construed so as to restrict the County from granting other user licenses or allowing the City to grant use of the system by others when it is agreed by the County to be in the best interests of the Parties.

The County agrees that the City will designate employee(s) of the City to serve as system administrator and have rights and privileges to provide support and maintenance to users of the

IRN. The RFP will provide for the cost of training 2 members of the City to act as a primary and secondary support team for the City.

Article I. IRN COMMITTEE

The County and participating municipalities shall form an IRN Committee with responsibility for preparation/approval of the RFP, evaluation of vendor proposals, and award of a System Purchase Agreement ("SPA"). The IRN Committee shall also establish protocols for utilization of the IRN by system users. The City shall be represented in the IRN Committee by designee(s) of the City Manager. Committee members shall have access to all materials related to the IRN including previous and future studies, RFP documents, proposal responses, and SPA documents. The City shall have the ability to utilize a third-party consultant for review of materials and shall have the authority to share any and all relevant materials with their third-party consultant.

Note: How will all entities of the system address ongoing operational issues, concerns, complaints, etc.? How will each City have representation after acceptance of the system?

Article VII. TERMS OF USE

The County shall install, operate and maintain the P25 700 MHz Trunked Radio System Master Site to which any Site Repeater Systems and Console Systems will connect. The County shall provide radio ID's for all radios and dispatch consoles owned and operated by the City. City radio ID's will include a block of ID's that will be available to assign to future radios that may be purchased by the City. The City must provide written authorization to the County prior to the release of the City's radio ID's or any other information to a third party vendor or agency. Since both the City and the County Dispatch Consoles will serve as a primary and backup location for each other, consoles and related equipment will be included in the IRN and the SPA.

~~The acquisition, installation, operation and maintenance of the City's Console Systems are the responsibility of the City unless otherwise stated in this Agreement.~~

The County will be responsible for the acquisition and initial programming of all City radios. The City shall have the ability to utilize a manufacturer-certified contractor for subsequent radio programming activities. The City will have the ability to utilize internal staff for the programming of radios following manufacturer training of said staff. The City shall have the sole authority to program its radios with frequencies and systems that are not affiliated with the IRN and share the City's non-IRN affiliated frequencies with other entities not affiliated with the IRN for the purpose of mutual aid with neighboring law enforcement and/or public safety agencies.

The City, at its discretion, may obtain manufacturer training for administration of City radios and City Console Systems connected to the IRN. Trained staff shall have remote access to system administration tools including usage reports, activity logs, and user setup and administration. Access to system administration tools shall be limited to City equipment and City resources.

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The County is the holder of the FCC (Federal Communications Commission) license(s) that the County's Site Repeater System uses for its operation. Through this Agreement, the County grants permission for the City to connect to the IRN in accordance with all FCC license parameters and restrictions.

~~The County makes no guarantee, either express or implied, as to radio signal strength or a specific level of coverage for any particular location.~~ IRN performance will be a component of the SPA and the responsibility of the Vendor.

~~T~~he City shall use due diligence in the maintenance and configuration of their Subscriber Radio Equipment to ensure that no City radio causes a degradation to the operation of the IRN. After notice to the City and opportunity to cure the problem, t~~T~~he County shall have the right to remove from operation any field radio unit or equipment owned by the City that is operating on, or attached and/or interfaced to the IRN, if such equipment is found to cause interference or harm, to the IRN in any way. The County reserves the right to request that the City's Subscriber Radio Equipment operating on, attached and/or interfaced to the infrastructure be tested for proper operation and/or repaired by an authorized radio repair facility approved by the County. The cost of such testing or repair will be the sole responsibility of City. Furthermore, the County shall have the right to deactivate, without prior notification to or consent of the City, any field radio suspected of causing interference, intentionally or unintentionally, to any other radios on the IRN or the systems operation.

The County will develop a coordinated Interoperable Communications Plan to apply to the County and the users of its IRN. The City agrees to participate in the Plan and include the Plan's Interoperable Talk Groups in the programming of its subscriber units and Console Systems.

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Article VIII. MAINTENANCE OF SYSTEM

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Note: Maintenance responsibilities and costs are contradictory as proposed agreement is written. These items need to be discussed and resolved. The City hereby acknowledges that the County shall enter into a System Maintenance Agreement ("SMA") with the Vendor or authorized maintenance contractor to repair and maintain IRN components and software after expiration of manufacturer warranty coverage. The SMA will be structured to repair and maintain the IRN per manufacturer recommendations and exercise best industry practices for maximizing the system's availability and operation. Unless otherwise specified, software will be upgraded to the most recent version every two years. The City will provide all reasonable coordination and access to City Facilities necessary to repair, maintain, and upgrade IRN equipment and software.

Rockwall County assumes all maintenance costs for the system used by the City during the initial warranty period and throughout the term of the Agreement, excluding mobile and portable equipment (and accessories) after the initial warranty period and including any equipment procured separately by the City.

The City will deal directly with the Vendor for maintenance and warranty of equipment purchased after the initial system procurement, maintenance, and warranty period.

Article IX. FUTURE SYSTEM UPGRADES

The City and County recognize that changing conditions may impact the various needs of the Parties. Further, it is recognized that the system needs of the City and the County, while currently mutually compatible with the system, may become divergent at some point in the future.

If future system changes and upgrades are required by both Parties, they shall be made by mutual agreement of both Parties. If future system changes or upgrades are only required by one Party, the Party requiring said system changes or upgrades shall have the ability with County approval to meet their needs through the proper study, procurement, testing, and acceptance procedures.

Both Parties agree that the ability for future system changes and upgrades to cure coverage deficiencies will not be reasonably withheld from each other. The City and the County agree that no changes or upgrades made to the IRN will detract from the full use and enjoyment of the system by both Parties.

Article X. COMPENSATION

The County shall provide to the City all Subscriber Radio Equipment in a quantity equivalent to the current operating equipment levels of the City. The City will be responsible for maintenance of all City ~~'s~~ Subscriber Radio Equipment upon expiration of the initial maintenance and warranty period.

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The City shall deliver to the County all City radio equipment that is being replaced by the Subscriber Radio Equipment connected to the IRN no later than 90 days after the County's acceptance of the IRN upon the completion of its development, installation, and testing to be performed by the Vendor. The replaced radio equipment will become the property of the County to be utilized as a "trade-in" in an effort to receive discount pricing on the new Subscriber Radio Equipment. Those items necessary for the operation of the IRN will be excepted from this "trade-in" provision.

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The City shall provide to the County adequate space, including existing tower space, or real property for the development of necessary Site Repeater Systems in accordance with the recommendations of the County's project consultants and according to the terms of the RFP and the SPA with the Vendor. The final locations for the County's Site Repeater Systems shall be subject to mutual agreement between the County and the City. Nothing in this agreement will require the City to provide more space for this purpose than is currently owned and available.

~~The City shall pay the County an amount for any necessary software upgrade fees invoiced to the County by the Vendor, or its successors, for the upgrade of the City's Console Systems and any other component subject to upgrade as a result of the upgrade of the IRN.~~

Software upgrades and the costs to the IRN, the user equipment, or any other component of the IRN shall be negotiated and agreed to by the City and the County prior to their purchase.

Article XI. COMPLIANCE WITH LAWS

The County and the City shall comply with all current and future Federal, State, and Local laws, Ordinances, and Mandates, including Federal Communications Commission rules and regulations regarding proper use of radio communications equipment. The City will also comply with the guidelines, or procedures set out in this Agreement. Furthermore, the City is responsible for enforcing such compliance by its employees, volunteers, or any individual operating City Subscriber Radio Equipment. Furthermore, the City will be responsible for payment of any fines and penalties levied against the County as a result of improper or unlawful use of Subscriber Radio Equipment owned by the City.

In order to comply with Federal, State, and Local Laws and/ or Mandates, the City, as an authorized user of the County's licensed frequencies, may be required to modify, reconfigure, or replace owned Subscriber Radio Equipment. For as long as this Agreement is in force, the City will cooperate with the County to facilitate such activities as necessary. The City will be responsible for any and all costs associated with its own compliance activities unless otherwise arranged with the County or governing authority.

Article XII. LIABILITY

Nothing in the performance of this Agreement shall impose any liability for claims against the County or the City other than claims for which liability may be imposed by the Texas Tort Claims Act. The City's participation in this project is contingent on all other local government entities in Rockwall County participating in the project in a similar manner. Upon receipt of the cost of the IRN through the RFP process, the City reserves the option to terminate its obligation or to proceed under the terms of the Agreement. ~~The City's participation in this project is contingent on all other local government entities in Rockwall County participating in the project in a similar manner.~~

It is expressly understood and agreed that the City shall operate as a separate and distinct political subdivision as to all rights and privileges granted herein, and not as agent, representative or employee of the County. Subject to and in accordance with the conditions and provisions of this Agreement, the City shall have the exclusive right to control the details of its operations and activities and be solely responsible for the acts and omissions of its officers, agents, employees, contractors and subcontractors. The County agrees to maintain the IRN per manufacturer recommendations and the terms of the SMA.

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Article XIII. NON-APPROPRIATION OF FUNDS

The County and the City will use best efforts to appropriate sufficient funds and/or other applicable considerations to support obligations under this Agreement. However, in the event that sufficient funds and/or other applicable considerations are not appropriated by either Party's governing body, and as a result, that Party is unable to fulfill its obligations under this Agreement, that Party (i) shall promptly notify the other Party in writing and (ii) may terminate

this Agreement, effective as of the last day for which sufficient funds and/or other applicable considerations have been appropriated.

Article XIV. ASSIGNMENT

The City and County mutually agree that neither Party have the right to assign or subcontract any of its duties, obligations or rights under this Agreement without the prior written consent of the both Parties.

Article XV. NO WAIVER

The failure of either Party to insist upon the performance of any provision or condition of this Agreement or to exercise any right granted herein shall not constitute a waiver of that Party's right to insist upon appropriate performance or to assert any such right on any future occasion.

Article XVI. AMENDMENTS

No amendment to this Agreement shall be binding upon either Party hereto unless such amendment is set forth in writing, and signed by both Parties.

Article XVII. SEVERABILITY

If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired.

Article XVIII. CONFIDENTIAL INFORMATION

To the extent permitted by law, the City for itself and its officers, agents and employees, agrees that it shall treat all information provided to it by the County as confidential and shall not disclose any such information to a third party without the prior written approval of the County. The City shall store and maintain County information in a secure manner and shall not allow unauthorized users to access, modify, delete, or otherwise corrupt County information in any way. The City shall notify the County immediately if the security or integrity of County information has been compromised or is believed to have been compromised.

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Article XIX. FORCE MAJEURE

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The Parties shall exercise their best efforts to meet their respective duties and obligations hereunder, but shall not be held liable for any delay in or omission of performance due to force majeure or other causes beyond their reasonable control, including, but not limited to, compliance with any state or federal law or regulation, acts of God, acts of omission, fires, strikes, lockouts, national disasters, wars, riots, material or labor restrictions, transportation problems or existing contractual obligations directly related to the subject matter of this Agreement.

Article XX. GOVERNING LAW/VENUE

This Agreement shall be construed in accordance with the laws of the State of Texas. Venue for any action brought on the basis of this Agreement shall lie exclusively in state courts located in Rockwall County, Texas or the United States District Court for the Northern District of Texas - Dallas Division. In any such action, each Party shall pay its own attorneys' fees, court costs and other expenses incurred as a result of the action.

Article XXI. NOTICES

All notices sent pursuant to this Agreement will be in writing and must be sent by registered or certified mail, postage prepaid, return-receipt requested.
Notices sent pursuant to this Agreement will be sent to the following addresses for each respective Party:

COUNTY
County Judge
Rockwall County Judge's Office
101 Rusk Street, Room 202
Rockwall, Texas 75087

CITY
City Manager
City of Rockwall
385 South Goliad St.
Rockwall, Texas 75087

When notices sent pursuant to this Agreement are mailed by registered or certified mail, notices will be deemed effective three (3) days after deposit in a U.S. mail box or at a U.S. post office.

Article XXII. SIGNATURE AUTHORITY

The person signing this Agreement hereby warrants that he/she has the legal authority to execute this Agreement on behalf of the respective Party, and that such binding authority has been granted by proper order, resolution, ordinance or other authorization of the entity. The other Party is fully entitled to rely on this warranty and representation in entering into this Agreement.

Article XXIII. ENTIRETY OF AGREEMENT

This written instrument, including all Exhibits attached hereto, contains the entire understanding and agreement between County and the City as to the matters contained herein. Any prior or contemporaneous oral or written agreement is hereby declared null and void to the extent in conflict with this Agreement. This Agreement may not be amended unless set forth in writing and signed by both Parties.

EXECUTED THIS _____ day of _____ 2014.

Rockwall County
By:_____
Honorable Jerry Hogan
Rockwall County Judge

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Attest:

_____ Date: _____
Felicia Morris, Court Administrator

EXECUTED THIS _____ day of _____ 2014.
City of Rockwall
By:_____
Rick Crowley, City Manager

Attest:

_____ Date: _____
Kristy Ashberry, City Secretary

Exhibit 1

Table 3.4a – Mandatory Buildings			
Ref #	Facility	Agency	Facility Address
1	Fate DPS station	Fate	?????????
2	Heath Department of Public Safety	Heath	200 Laurence Dr.
3	Rockwall Heath High School	Heath	801 Laurence Dr.
4	Baylor Medical Center	Heath	6435 South FM 549
5	Holy Trinity Episcopal Church	Heath	1524 Smirl Dr.
6	OMI Crane	Royse City	1515 W IH 30
7	Stonebrook Learning Center	Royse City	3200 FM 548
8	Royse City High School	Royse City	700 FM 2462
9	Bimbo Bakery	Rockwall	3055 Discovery Blvd
10	Cinemark	Rockwall	2125 Summer Lee Dr
11	Costco	Rockwall	1225 Hwy 276
12	Hilton Bella Harbor	Rockwall	2055 Summer Lee Dr
13	Lake Pointe Church	Rockwall	701 E. Interstate 30
14	Presbyterian Hospital Rockwall	Rockwall	3150 Horizon Rd
15	Rockwall Commons	Rockwall	1345 Ridge Rd
16	Rockwall High School	Rockwall	901 W. Yellowjacket Ln
17	SPR	Rockwall	1480 Justin Rd
18	Trend Tower	Rockwall	2701 Sunset Ridge Dr
19	Whitmore Mfg.	Rockwall	930 Whitmore Dr
20	Rockwall County Sheriff's Office / Jail Facility	Rockwall County	950 T L Townsend Dr
21	Rockwall County Courthouse	Rockwall County	1111 E Yellow Jacket Ln
22	Rockwall County Historic Courthouse	Rockwall County	101 E. Rusk St.
23	Rockwall County Road and Bridge	Rockwall County	3322 S. FM 551, Royse City

Exhibit 2

Table 3.6a – Random Buildings to be Tested			
Ref #	Facility	Agency	Facility Address
1	Billie Stevenson Elementary School	Fate	636 Stevenson Dr, Rockwall
2	Herndon Intermediate School	Fate	300 Blackland Rd, Royse City
3	Miss May Vernon Elementary School	Fate	100 Miss May Dr, Fate
4	Amy Parks Elementary	Heath	330 Laurence Dr.
5	Church of Jesus Christ of Latter-Day Saints	Heath	6819 S. FM 549
6	Dorothy Smith Pullen Elementary	Heath	6492 FM 3097
7	First Baptist Church Heath	Heath	224 Smirl Dr.
8	First United Methodist Church	Heath	140 Smirl Dr.
9	Maurine Cain Middle School	Heath	6620 FM 3097
10	Springer Elementary	Heath	3025 Limestone Hill, Rockwall
11	The Fulton School	Heath	1623 Laurence Dr.
12	The Lighthouse Private School	Heath	5600 Horizon Rd.
13	Amanda Rochell Elementary	Rockwall	899 Rochell Ct
14	Celia Hays Elementary	Rockwall	1880 Tannerson Ln
15	Conference Center	Rockwall	2055 Summer Lee Dr
16	Cullins-Lake Point Elementary	Rockwall	5701 Scenic Dr
17	Dorris A. Jones Elementary	Rockwall	2051 Trail Gln
18	Dorris A. Jones Elementary	Rockwall	2051 Trail Glen
19	Grace Hartman Elementary	Rockwall	1325 Petaluma Dr
20	Hatfield Company	Rockwall	2475 Discovery Blvd
21	Herman E. Utley Middle School	Rockwall	1201 TL Townsend Dr
22	Howard Dobbs Elementary	Rockwall	101 S. Clark St
23	JW Williams Middle School	Rockwall	625 FM552
24	Nebbie Williams Elementary	Rockwall	350 Dalton Rd
25	Ouida Springer Elementary	Rockwall	3025 Limestone Hill Lane
26	Ouida Springer Elementary	Rockwall	3025 Limestone Ln
27	Precision Metal	Rockwall	2650 Observation Trail
28	RISD Admininstration	Rockwall	1050 Williams St
29	Shannon Elementary	Rockwall	3130 Fontanna Blvd
30	The Harbor	Rockwall	2091 Summer Lee Dr
31	Tom Thumb	Rockwall	3070 N. Goliad St

Table 3.6a – Random Buildings to be Tested			
Ref #	Facility	Agency	Facility Address
32	Virginia Reinhardt Elementary	Rockwall	615 Highland Dr
33	Virginia Reinhardt Elementary	Rockwall	615 Highland Dr
34	Wal-Mart Super Store	Rockwall	782 E. Interstate 30
35	Davis Elementary	Royse City	1500 FM 1777
36	Fort Elementary	Royse City	2801 FM35 / Epps Road
37	Four Brothers Outdoor Power	Royse City	2324 E IH 30
38	H H Browning Alternative Learning Center	Royse City	810 Old Greenville Road
39	Harry Herndon Intermediate	Royse City	300 Blackland Road
40	Royse City Middle School	Royse City	1310 E Main
41	Royse City Middle School	Royse City	1310 East Highway 66
42	Ruth Cherry Intermediate	Royse City	1400 FM 1777
43	Scott Elementary	Royse City	1401 Erby Campbell Blvd.

RFP
Radio System Concerns / Issues / Questions

- The radio system should provide the portable talk in & talk out, in-building coverage to 95% reliability. Today we have 95% reliability on portable talk in/out building coverage in the City.
- A long term contract defining the cost sharing between the County and all Cities should be developed.
- RFP should include costs associated with ongoing maintenance after the initial maintenance and warranty period.
- Radio system needs to include interoperability components for VHF, UHF and 800 systems.
- The radio system should have redundancy to the system so that it always has a backup system.
- Radio system should be monitored for integrity and all dispatch circuits as stated in NFPA 1221. This is an ISO requirement.
- All radio talk groups and 911 calls should be recorded and have instant play back capabilities. This is an ISO requirement.
- The radio system should be connected to existing ZETRON (Model 26 & Model 6) Station Alerting and have capability of expansion for the other cities and future Rockwall stations. Today we have four stations and at build out we will have 12 stations. Today we have capability to have 6 stations on our current Zetron System.
- All components of the radio system and dispatch center must be on emergency backup power. This is a NFPA and ISO requirement.
- This radio system should have two forms of back haul of radio traffic from the dispatch center, main site and to simulcast sites. Fiber with T1 back up.
- The RFP should provide detailed coverage prediction maps (both in-building and outside), a list of equipment (both infrastructure and end user equipment).
- Bidders should stipulate whether or not any equipment listed will reach its end of life within 10 years of installation. If so, which equipment and what is the replacement cost for each.

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- Bidder should provide capability for the system to be partitioned to allow for individual agencies to manage its own programming.

- The radio system must be capable of simulcast 700/VHF.

Dispatch Concerns / Issues / Questions

- The Fire Auto CAD system needs to have automated dispatch system component with integrated Fire Box Districts, Hydrant Module, CAD Mapping Module, Fire Pre-Plan Module, Fire Auto Cad In-Car Module, GIS Vehicle Tracking Module, and Hazardous Material Module. The Fire Marshal office also uses Building Records Module, Jacket Module, Inspections Module and Permits Module.

- The Rockwall Police Department CAD system – Must be compatible with New World

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City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

September 2014

Permits

Total Permits Issued: 260

Building Permits: 45 Contractor Permits: 215

Total Permit Values: $ 7,428,504.16

Building Permits: $ 6,607,965.79 Contractor Permits: $ 820,538.37

Total Fees Collected: $ 135,478.13

Building Permits: $ 121,508.97 Contractor Permits: $ 13,969.16

Board of Adjustment

Board of Adjustment Cases 0

City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

For the Period 9/1/2014 thru 9/30/2014

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	7	$0.00	$353.00
	1	$0.00	$51.50
30 DAY BANNER	6	$0.00	$301.50
CLEAN SHOW	3	$0.00	$225.00
	2	$0.00	$150.00
ELECTRICAL	1	$0.00	$75.00
CO	15	$0.00	$1,134.60
	1	$0.00	$75.00
BUSINESS	12	$0.00	$906.60
INTERIOR	1	$0.00	$76.50
SHELL	1	$0.00	$76.50
COMM	25	$1,402,665.35	$21,819.78
ADDITION	1	$100,000.00	$1,005.25
CONCRETE	1	$12,000.00	$220.75
ELECTRICAL	6	$7,600.00	$288.04
INTERIOR COMP	5	$605,200.00	$4,943.61
MECHANICAL	3	$92,300.35	$1,350.64
NEW	2	$430,795.00	$11,998.04
PLUMBING	4	$7,600.00	$274.41
REMODEL	3	$147,170.00	$1,739.04
NONPROFIT SIGN	1	$0.00	$0.00
	1	$0.00	$0.00
NONPROFIT SIGN PERMI	1	$0.00	$0.00
	1	$0.00	$0.00
SIGNAGE	8	$4,000.00	$678.00
WALL	8	$4,000.00	$678.00
SINGLE FAMILY	165	$6,021,838.81	$109,800.25
ACC BLDG	1	$65.00	$35.00
ADDITION	2	$22,500.00	$395.75
ALTERATION	1	$20,000.00	$332.75
CARPORT	1	$7,524.00	$168.05
CONCRETE	3	$9,250.00	$277.15
DECK	1	$300.00	$35.00
DEMO	1	$0.00	$50.00
ELECTRICAL	2	$6,033.00	$198.21
FENCE	39	$83,909.00	$1,405.90
IRRIGATION	15	$30,300.00	$529.50
MECHANICAL	17	$106,253.38	$2,444.82
NEW	18	$5,184,201.79	$98,976.43
PATIO COVER	7	$41,210.00	$1,019.27
PERGOLA	1	$3,000.00	$96.65
PLUMBING	31	$37,535.00	$1,632.60
REMODEL	2	$46,000.00	$764.13
RETAINING WALL	5	$57,800.00	$175.70
ROOF	8	$147,100.00	$285.20
SWIM POOL	5	$191,600.00	$801.64
WINDOWS	5	$27,257.64	$176.50
SPECIAL EVENT	35	$0.00	$1,467.50
	35	$0.00	$1,467.50

CRW SYSTEMS

City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

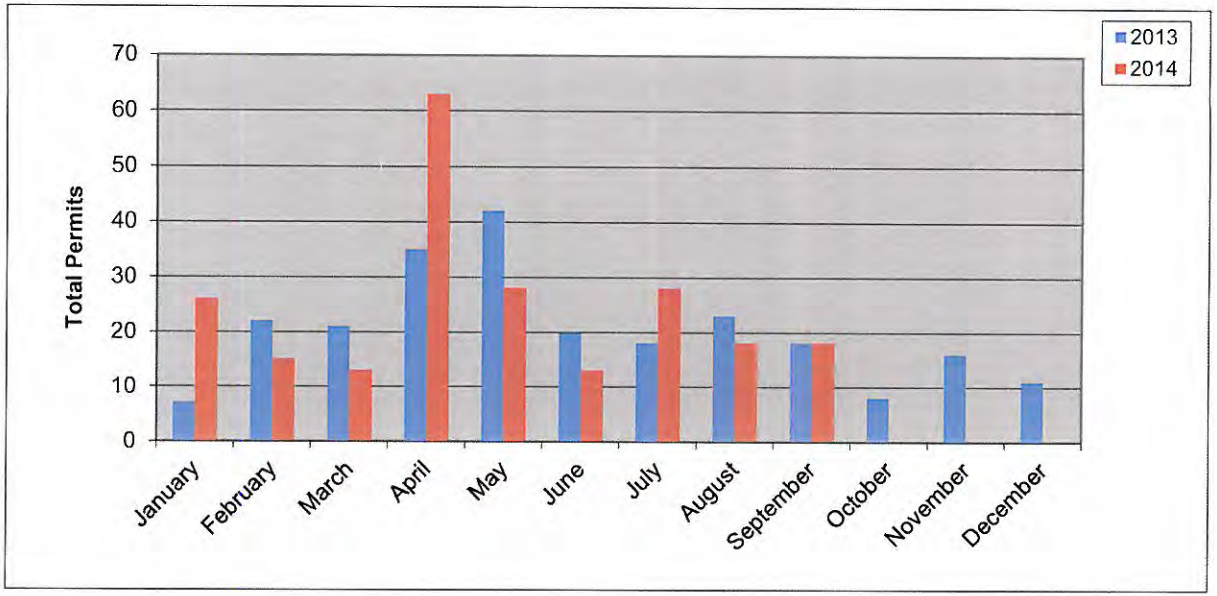
For the Period 9/1/2014 thru 9/30/2014

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
Totals:	260	$7,428,504.16	$135,478.13

CRW SYSTEMS

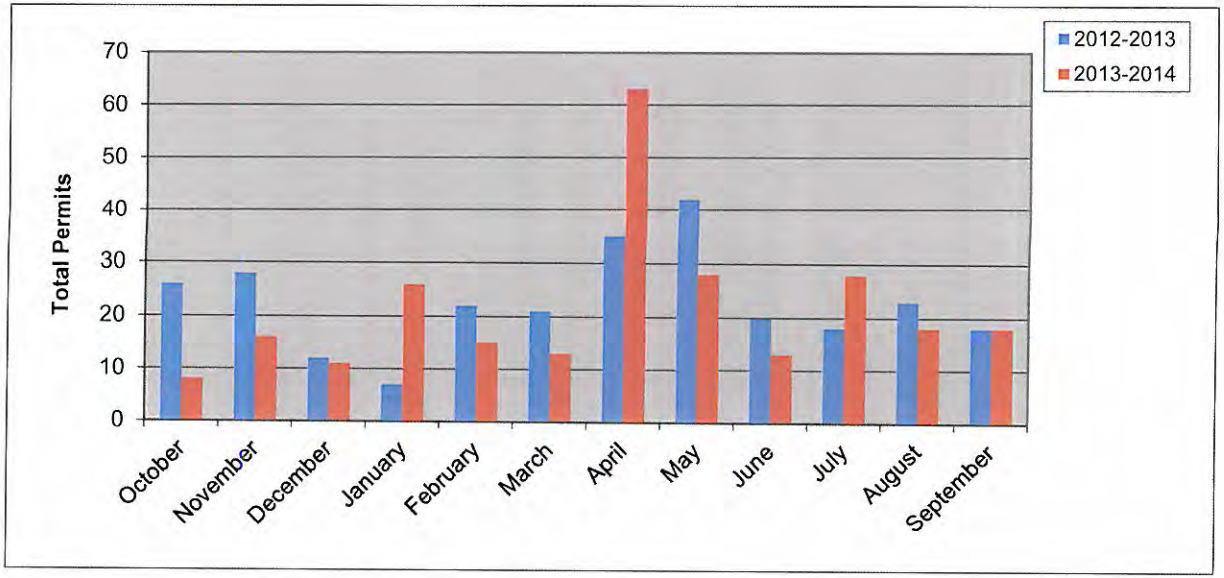
New Residential Permits Calendar Year

	Year	
	2013	2014
January	7	26
February	22	15
March	21	13
April	35	63
May	42	28
June	20	13
July	18	28
August	23	18
September	18	18
October	8	
November	16	
December	11	
Totals	**241**	**222**



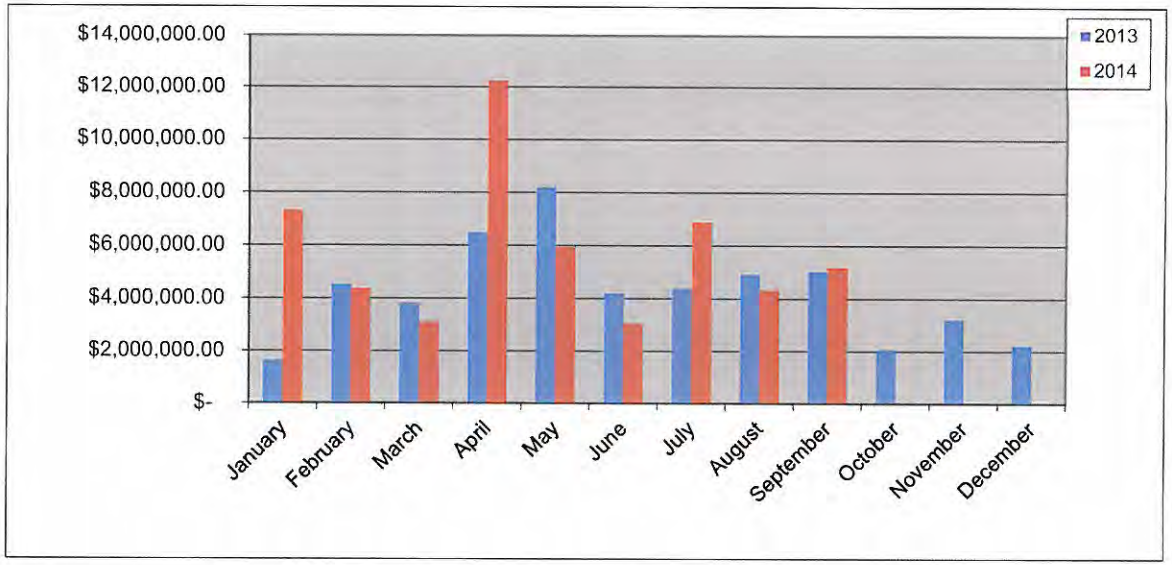
New Residential Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	26	8
November	28	16
December	12	11
January	7	26
February	22	15
March	21	13
April	35	63
May	42	28
June	20	13
July	18	28
August	23	18
September	18	18
Totals	**272**	**257**



New Residential Value Calendar Year

Year	2013	2014
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	$ 12,228,936.33
May	$ 8,193,211.00	$ 5,960,240.00
June	$ 4,185,842.00	$ 3,048,536.00
July	$ 4,382,866.00	$ 6,883,062.87
August	$ 4,906,203.00	$ 4,330,100.19
September	$ 5,018,954.00	$ 5,184,201.79
October	$ 2,078,584.00	
November	$ 3,202,067.00	
December	$ 2,215,924.00	
Totals	**$50,608,931.00**	**$ 52,371,431.92**



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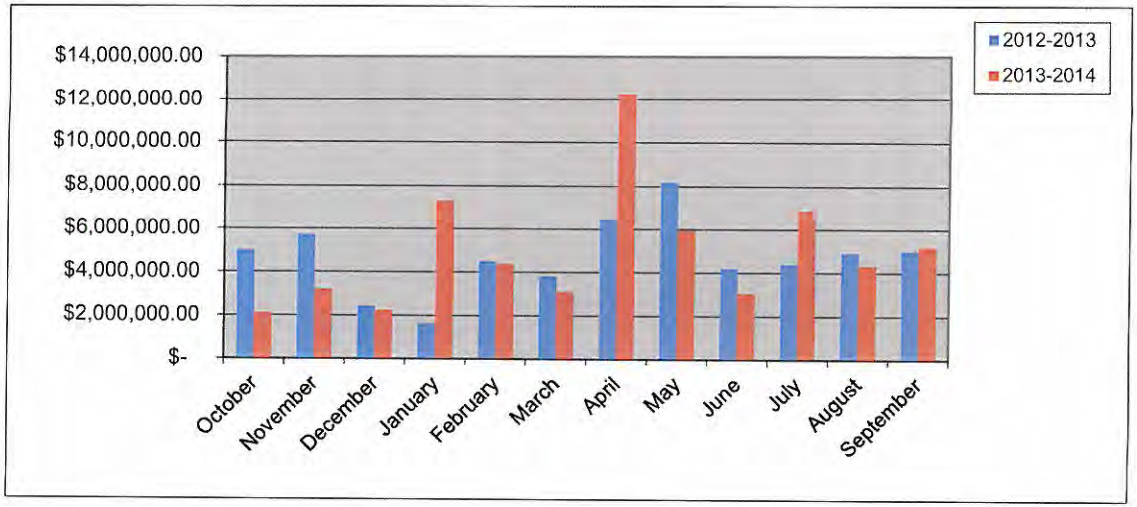
New Residential Value Fiscal Year

Year	2012-2013	2013-2014
October	$ 4,993,587.00	$ 2,078,584.00
November	$ 5,718,696.00	$ 3,202,067.00
December	$ 2,441,748.00	$ 2,215,924.00
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	$ 12,228,936.33
May	$ 8,193,211.00	$ 5,960,240.00
June	$ 4,185,842.00	$ 3,048,536.00
July	$ 4,382,866.00	$ 6,883,062.87
August	$ 4,906,203.00	$ 4,330,100.19
September	$ 5,018,954.00	$ 5,184,201.79
Totals	**$56,266,387.00**	**$ 59,868,006.92**



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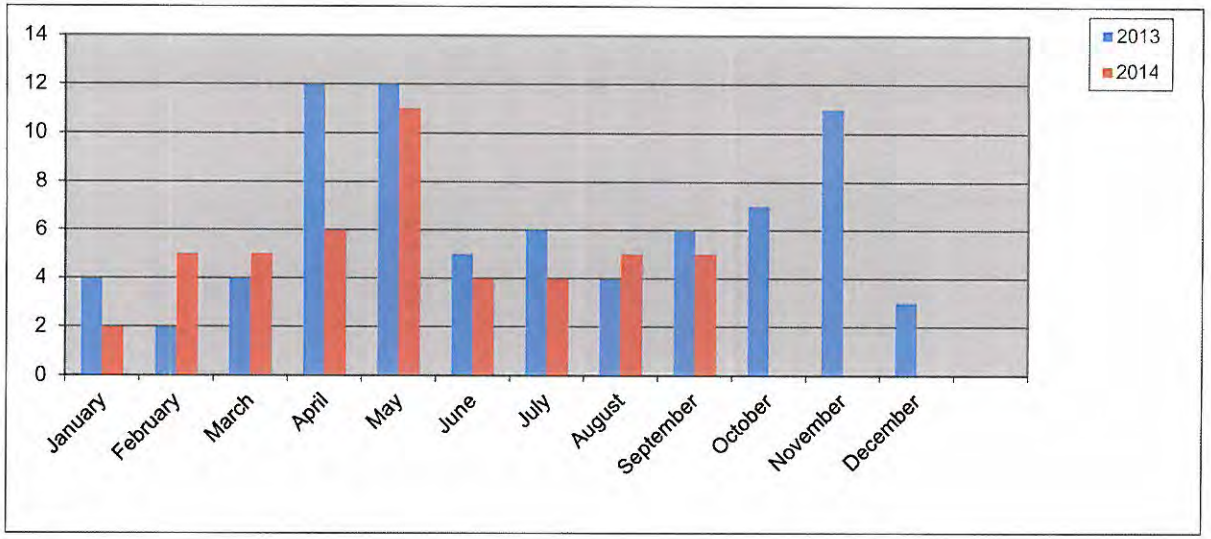
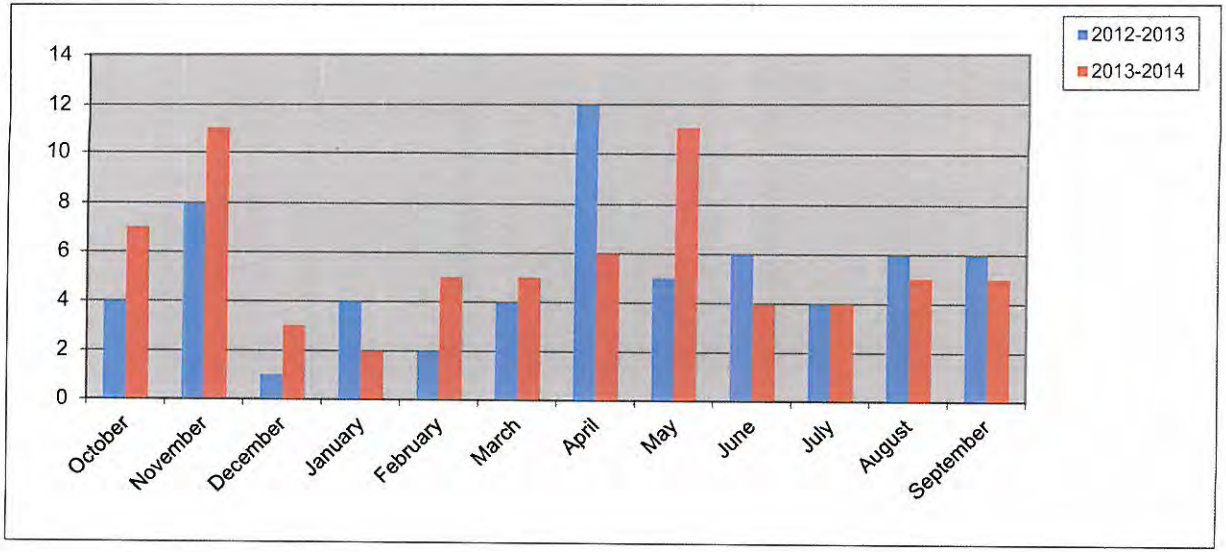
Residential Remodel Permits Calendar Year

	Year	
	2013	2014
January	4	2
February	2	5
March	4	5
April	12	6
May	12	11
June	5	4
July	6	4
August	4	5
September	6	5
October	7	
November	11	
December	3	
Totals	**76**	47



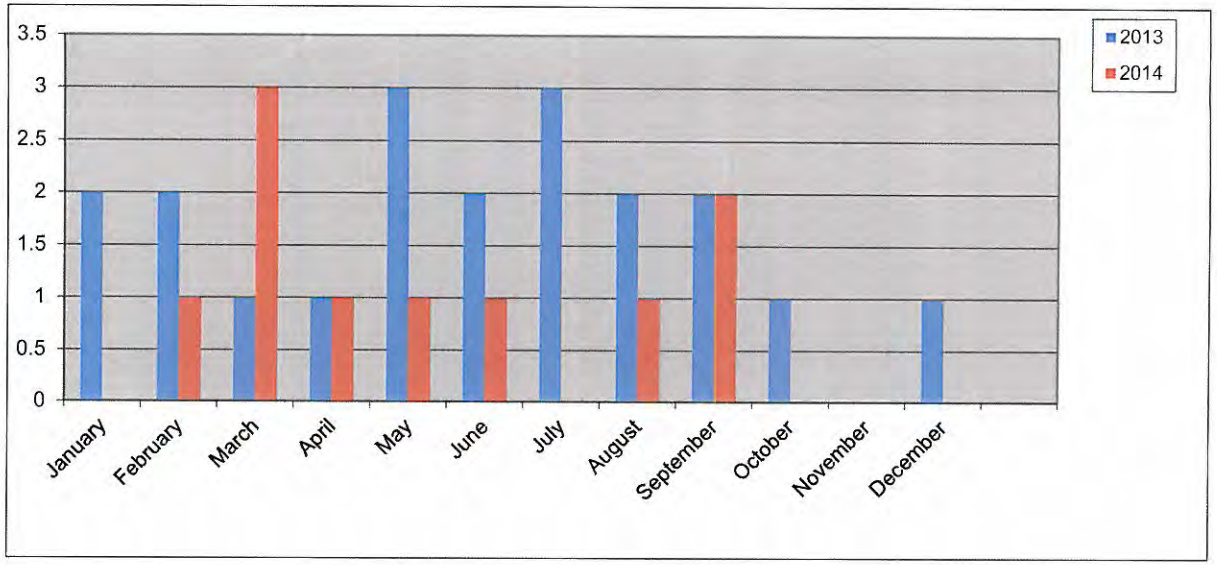
Residential Remodel Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	4	7
November	8	11
December	1	3
January	4	2
February	2	5
March	4	5
April	12	6
May	5	11
June	6	4
July	4	4
August	6	5
September	6	5
Totals	**62**	**68**



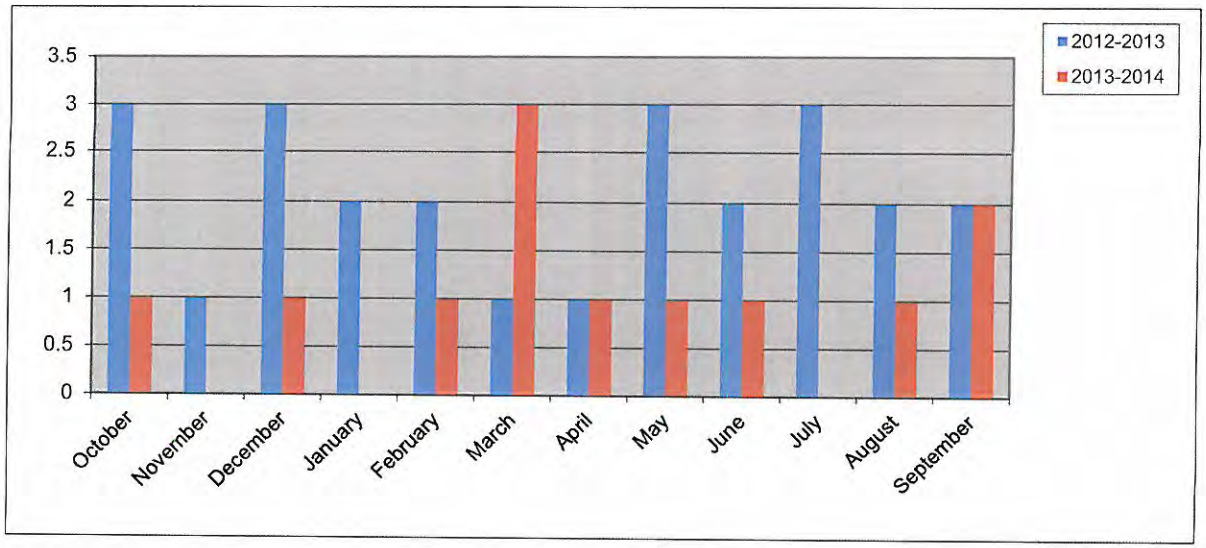
New Commercial Permits Calendar Year

Year		
	2013	2014
January	2	0
February	2	1
March	1	3
April	1	1
May	3	1
June	2	1
July	3	0
August	2	1
September	2	2
October	1	
November	0	
December	1	
Totals	**20**	**10**



New Commercial Permits Fiscal Year

Year		
	2012-2013	2013-2014
October	3	1
November	1	0
December	3	1
January	2	0
February	2	1
March	1	3
April	1	1
May	3	1
June	2	1
July	3	0
August	2	1
September	2	2
Totals	**25**	**12**



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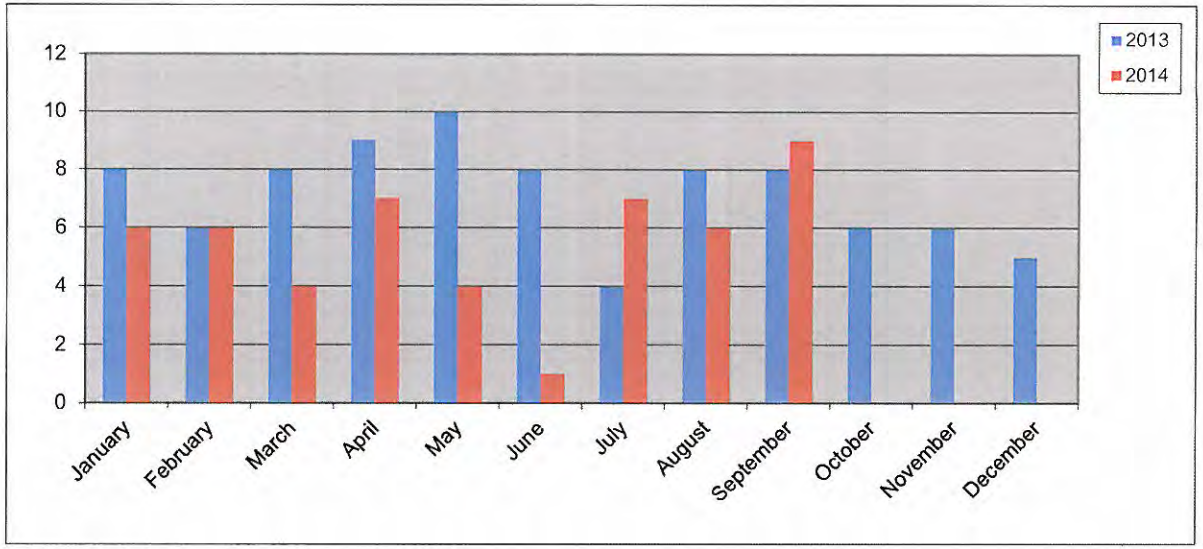
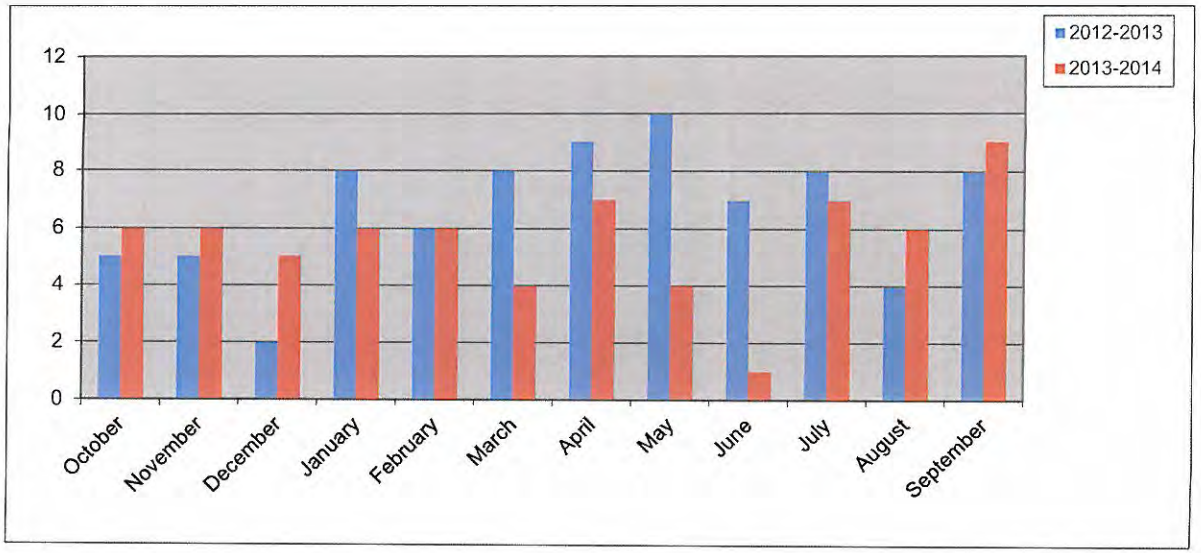
Commercial Remodel Permits Calendar Year

	Year	
	2013	2014
January	8	6
February	6	6
March	8	4
April	9	7
May	10	4
June	8	1
July	4	7
August	8	6
September	8	9
October	6	
November	6	
December	5	
Totals	**86**	**50**



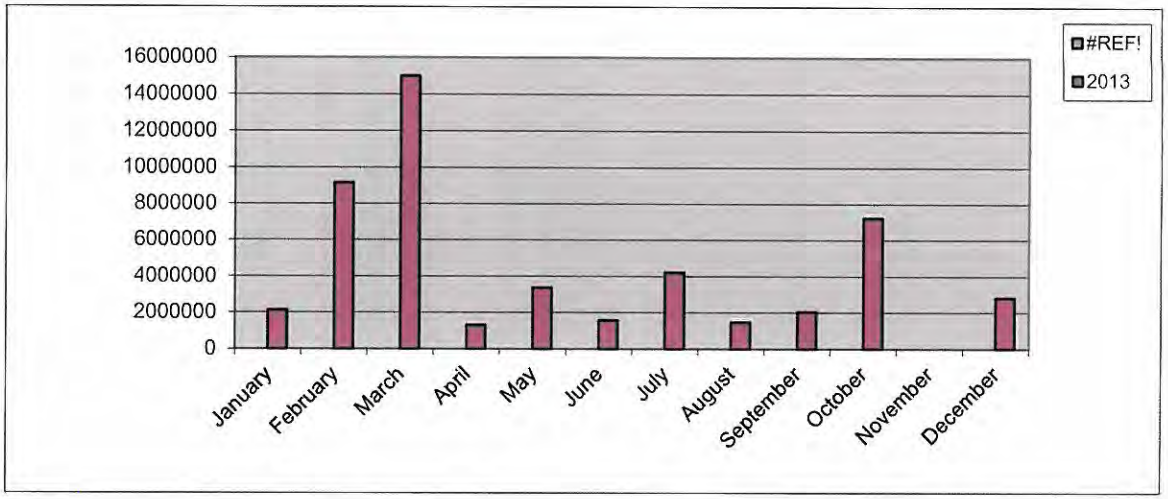
Commercial Remodel Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	5	6
November	5	6
December	2	5
January	8	6
February	6	6
March	8	4
April	9	7
May	10	4
June	7	1
July	8	7
August	4	6
September	8	9
Totals	**80**	**67**



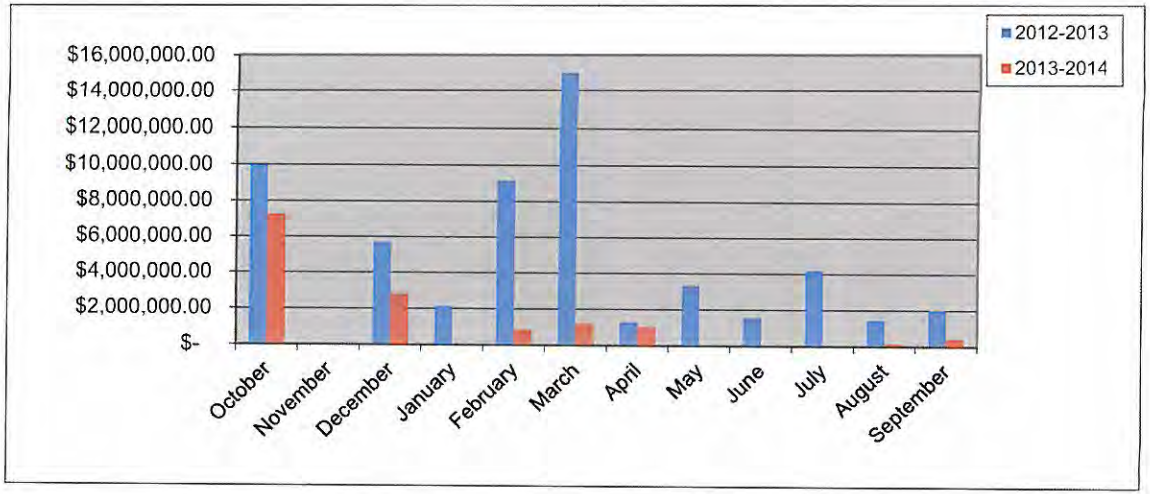
New Commercial Value Calendar Year

Year	2013	2014
January	$ 2,125,000.00	$ -
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	$ 1,185,000.00
April	$ 1,300,000.00	$ 1,000,000.00
May	$ 3,372,000.00	$ 5,000.00
June	$ 1,575,000.00	$ -
July	$ 4,200,000.00	
August	$ 1,454,000.00	$ 150,000.00
September	$ 2,040,000.00	$ 430,795.00
October	$ 7,225,000.00	
November	$ -	
December	$ 2,800,000.00	
Totals	**$ 50,241,000.00**	**$ 3,620,795.00**



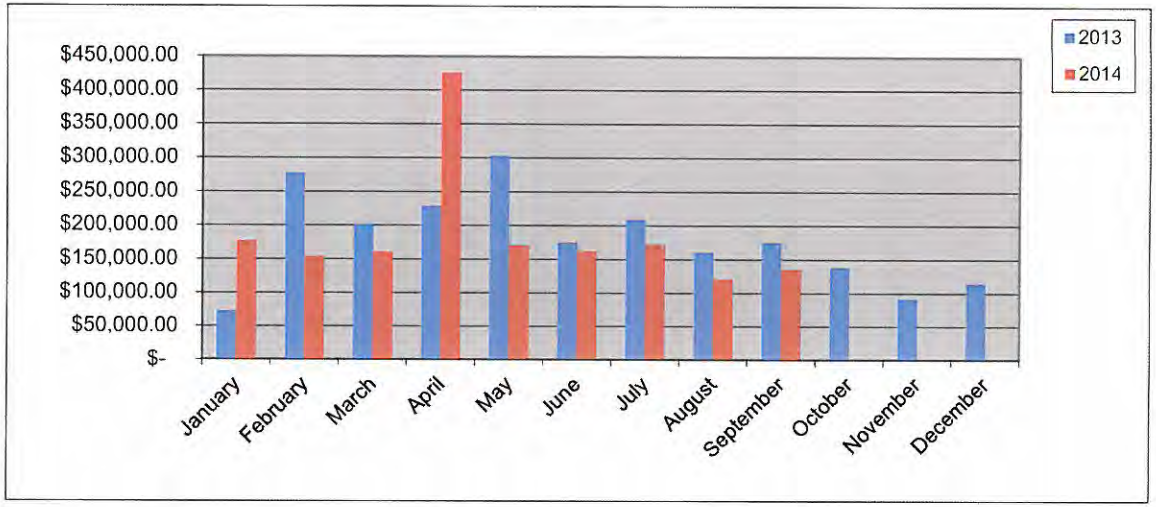
New Commercial Value Fiscal Year

Year	2012-2013	2013-2014
October	$ 10,000,000.00	$ 7,225,000.00
November	$ 5,000.00	$ -
December	$ 5,700,000.00	$ 2,800,000.00
January	$ 2,125,000.00	$ -
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	$ 1,185,000.00
April	$ 1,300,000.00	$ 1,000,000.00
May	$ 3,372,000.00	$ 5,000.00
June	$ 1,575,000.00	$ -
July	$ 4,200,000.00	
August	$ 1,454,000.00	$ 150,000.00
September	$ 2,040,000.00	$ 430,795.00
Totals	**$ 55,921,000.00**	**$ 13,645,795.00**



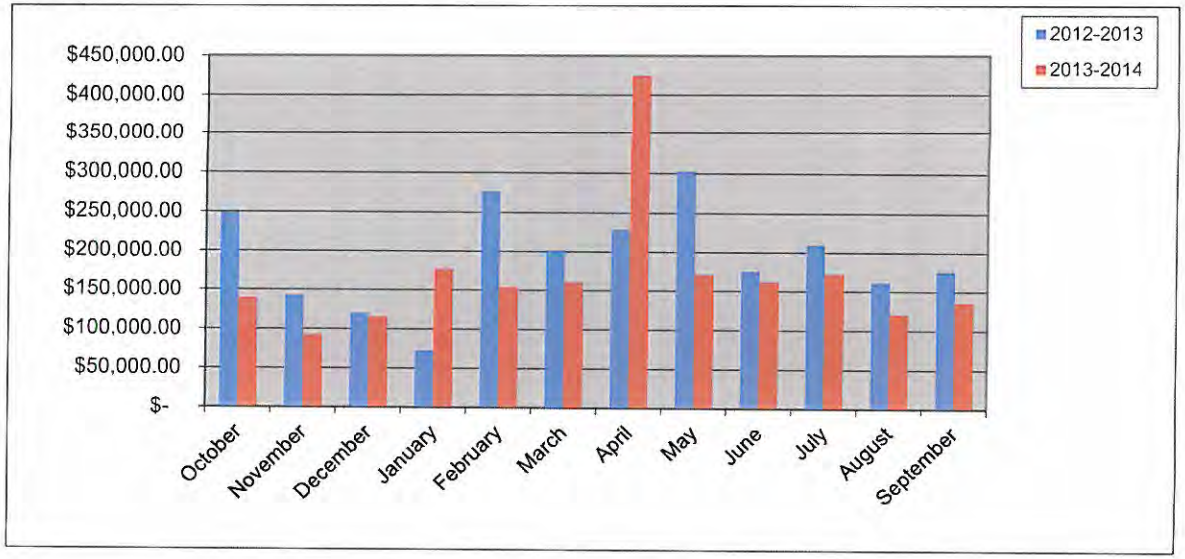
Total Fees Collected Calendar Year

	Year	
	2013	2014
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	$ 425,003.86
May	$ 302,928.73	$ 170,849.07
June	$ 174,872.41	$ 161,690.82
July	$ 209,566.63	$ 172,232.70
August	$ 161,080.17	$ 120,790.39
September	$ 175,835.03	$ 135,478.13
October	$ 138,771.53	
November	$ 91,778.83	
December	$ 114,645.28	
Totals	**$ 2,148,877.79**	**$ 1,676,197.49**



Total Fees Collected Fiscal Year

	Year	
	2012-2013	2013-2014
October	$ 248,932.46	$ 138,771.53
November	$ 142,356.98	$ 91,778.83
December	$ 119,604.19	$ 114,645.28
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	$ 425,003.86
May	$ 302,928.73	$ 170,849.07
June	$ 174,872.41	$ 161,829.08
July	$ 209,566.63	$ 172,232.70
August	$ 161,080.17	$ 120,790.39
September	$ 175,835.03	$ 135,478.13
Totals	**$ 2,314,575.78**	**$ 2,021,531.39**



PERMITS ISSUED

For the Period 9/1/2014 thru 9/30/2014

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0092 7/24/2014 9/5/2014	CO SHELL ACTIVE	3035 Ridge Rd Irving Canton LP - Shell Bldg CO	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
APPLICANT	Stacy McVey					(469) 426-7402
MECH CONTR	N/A					
OWNER	TEMUNOVIC, PARTNERSHIP I		HEATH	TX	75032	
INSPECTOR1	Rusty McDowell					
INSPECTOR2	John Shannon					
INSPECTOR3	Larry Daniel					
CONTRACTOR	COMMERCIAL CONSTRUCTIC	9535 FOREST LN, STE 200	Dallas	TX	75243	(972) 961-0444
PLB CONTR	The Plumbing Connection	1101 Majors	Mesquite	TX	75149	(972) 289-7187
ELEC CONTR	NORA FAULKNER	449 HARRIS D-103	Coppell	TX	75019	(214) 837-2801
BUS OWNER	Irving Canton LP	One Cowboys Pkwy	Irving	TX	75063	(972) 437-3651
BUSINESS	Irving Canton LP - Shell Bldg CO					

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0096 8/6/2014 9/4/2014	CO BUSINESS ACTIVE	210 E Rusk St ROCKWALL ORIGINAL TOWN Simply Kate, LLC	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	COLLIN-G, PROPERTIES LTD		ROCKWALL	TX	75087	
APPLICANT	Dorothy Spradlin					
BUS OWNER	Dorothy Spradlin	210 E Rusk St	Rockwall	TX	75087	
BUSINESS	Simply Kate, LLC					

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0099 8/12/2014 9/5/2014	CO INTERIOR ACTIVE	3035 Ridge Rd 101 HORIZON RIDGE ADDITION Dunkin Donuts	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
APPLICANT	Kevin Mckibben					(469) 426-7402
INSP RPT EMAIL	Star Dunkin LP	130 Royall St	Canton	MA	02021	(781) 737-5097
BUS OWNER	Star Dunkin LP	130 Royall St	Canton	MA	02021	(781) 737-5097
BUSINESS	Dunkin Donuts					
OWNER	TEMUNOVIC, PARTNERSHIP I		HEATH	TX	75032	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0101 8/18/2014 9/2/2014	CO BUSINESS ACTIVE	2065 SUMMER LEE DR. 103 HARBOR - ROCKWALL THE TWISTY TREATS	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	MARIAH, BAY DEVELOPMEN		ROCKWALL	TX	75087-036	
APPLICANT	EMILY HUYNH	2065 SUMMER LEE	Rockwall	TX	75032	(214) 403-5041

PERMITS ISSUED

For the Period 9/1/2014 thru 9/30/2014

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number			Valuation	Total Fees / Total SQFT	Fees Paid
BUS OWNER	EMILY HUYNH	2065 SUMMER LEE STE 103	Rockwall	TX 75032			(214) 403-5041
CO2014-0107 8/25/2014 9/11/2014	CO BUSINESS ACTIVE	2231 Ridge Rd 101 LAKEWOOD PARK Law Offices of Estrada & Estrada			0.00	$ 75.00 0	$ 75.00
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	JARA, PARTNERS LTD		TERRELL	TX 75160			
APPLICANT	Shannon Estrada	2231 Ridge Rd, #101	Rockwall	TX 75087			
BUS OWNER	Law Offices of Estrada & Estrada	2231 Ridge Rd, #101	Rockwall	TX 75087			
BUSINESS	Law Offices of Estrada & Estrada						
CO2014-0109 8/27/2014 9/16/2014	CO BUSINESS ACTIVE	2245 RIDGE RD 125 LAKEWOOD PARK Apple Orthodontix			0.00	$ 75.00 0	$ 75.00
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
APPLICANT	MICHAEL BLACK	2243 RIDGE ROAD, STE 125	ROCKWALL	TX 75087			(972) 877-3167
BUS OWNER	MICHAEL BLACK	2245 RIDGE ROAD, STE 125	ROCKWALL	TX 75087			(972) 877-3167
BUSINESS	APPLE ORTHODONTIX	2245 RIDGE ROAD, STE 125	ROCKWALL	TX 75087			(972) 578-7800
OWNER	ONE, RIDGE PLACE LP	840 CENTRAL PKWY STE 100	Plano	TX 75074			(972) 877-3167
CO2014-0111 9/2/2014 9/5/2014	CO BUSINESS ACTIVE	2255 S Goliad St ROCKWALL CENTRE CORNERS Soulman's BBQ			0.00	$ 76.50 0	$ 76.50
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	DON HALLETT	2255 S GOLIAD ST.	Rockwall	TX 75032			(214) 202-5729
BUS OWNER	Don Hallett	P.O. Box 1147	Royse City	Tx 75189			(214) 202-5729
BUSINESS	Soulmans BBQ						
CO2014-0115 9/8/2014 9/23/2014	CO BUSINESS ACTIVE	3225 Springer 111 YETTS ADDITION Heath Electrical Services			0.00	$ 75.00 0	$ 75.00
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	NBN, COMMERCIAL GROUP I		MESQUITE	TX 75150			
APPLICANT	Paul Newton	137 Larry Dr.	Heath	TX 75032			(972) 771-8422
BUS OWNER	Paul Newton	3225 Springer Rd# 111	Rockwall	TX 75032			(972) 771-8422
BUSINESS	Heath Electrical Services	137 Larry Dr.	Heath	TX 75032			(972) 771-8422
CO2014-0121 9/12/2014 9/24/2014	CO BUSINESS ACTIVE	3035 Ridge Rd. 109 Jersey Mike's Subs restaurant			0.00	$ 77.10 0	$ 77.10
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number			Valuation	Total Fees / Total SQFT	Fees Paid
OWNER	STACEY MCVEY	3035 RIDGE ROAD	ROCKWALL	TX	75087		(469) 426-7402
CONTRACTOR	Mike Nolan & Associates	12167 High Meadow, Inc.	Dallas	TX	75234		(214) 789-8845
APPLICANT	BRENT JONES						
BUS OWNER	Brent Jones	3035 Ridge Rd., #109	Rockwall	TX	75032		(903) 721-3686
BUSINESS	B & B SUBS DBA JERSEY MIK						
CO2014-0126	CO	610 IH 30			0.00	$ 75.00	$ 75.00
9/22/2014	BUSINESS	ROCKWALL TOWNE CENTER PH 2 & 3				0	
9/29/2014	ACTIVE	McDonald's					
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	KEVCO 7658 LLC	610 IH 30	Rockwall	TX	75087		(972) 771-0635
APPLICANT	KEVCO 7658 LLC	610 IH 30	Rockwall	TX	75087		(972) 771-0635
BUS OWNER	KEVCO 7658 LLC	610 IH 30	Rockwall	TX	75087		(972) 771-0635
BUSINESS	McDonalds						

14 **Permits Issued from: 9/1/2014** **Thru: 9/30/2014**

Total Valuation: $ 0.00
Total Fees: $ 1,059.60
Total Fees Paid: $ 1,059.60

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City of Rockwall
The New Horizon

CALLS BY TYPE SEPTEMBER 2014

City Calls	September
Situation Type	#
111 Building fire	1
112 Fires in structure other than in a building	1
113 Cooking fire, confined to container	1
131 Passenger vehicle fire (cars, pickups, SUV's)	1
134 Water vehicle fire	1
143 Grass fire	2
151 Outside rubbish, trash or waste fire	1
311 Medical assist, assist EMS crew	1
322 Motor vehicle accident with injuries	1
353 Removal of victim(s) from stalled elevator	2
411 Gasoline or other flammable liquid spill	2
412 Gas leak (natural gas or LPG)	1
430 Radioactive condition, other	1
445 Arcing, shorted electrical equipment	2
551 Assist police or other governmental agency	4
553 Public service	1
556 Public service - Non paged	4
622 No incident found on arrival at dispatch address	2
651 Smoke scare, odor of smoke	4
652 Steam, vapor, fog or dust thought to be smoke	2
671 HazMat release investigation w/no HazMat	1
700 False alarm or false call, other	1
733 Smoke detector activation due to malfunction	2
735 Alarm system sounded due to malfunction	3
740 Unintentional transmission of alarm, other	1
741 Sprinkler activation, no fire - unintentional	1
743 Smoke detector activation, no fire - unintentional	3
744 Detector activation, no fire - unintentional	1
745 Alarm system activation, no fire - unintentional	5
Totals:	53

MCClendon Chisholm	September
Situation Type	#
551 Assist police or other governmental agency	1
Totals:	1

County calls	September
Situation Type	#
611 Dispatched & canceled en route	1
Totals:	1

To: Chief Poindexter
From: BC Merritt
Re: September 2014 Structure Fire Report.
Date: September 16, 2014

2233 Ridge Road

We responded to a report of a Structure fire on September 04, 2014. The first unit on scene arrived and reported a small fire on the first and second floor of the exterior balcony. The fires were quickly extinguished and there was no major damage to the building itself. No firefighter injuries were reported on this incident.

Dispatch time: 06:52
Enroute time: 06:52
On scene time: 06:54
Clear time: 07:46

No crew times were reported due to all units being reduced to code 1 just minutes after the arrival of E1.

We had a total of 6 on duty Firefighters on scene, 8 Volunteers, 1 Investigator and 3 apparatus on this incident.

CITY RESPONSE
September 2014

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes	29 of 29 100% Criteria Met	0- 1 1/2 MINUTES	2 of 2 100% Criteria Met
CRITERIA MET %		CRITERIA MET %	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	28 of 29 96.55% Criteria Met	CRITERIA MET %	1 of 2 50% Criteria Not Met
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES		0-7 1/2 MINUTES	
CRITERIA MET%	28 of 29 96.55% Criteria Met	CRITERIA MET%	1 of 2 50% Criteria Not Met
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	

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COUNTY AND MUTUAL AID
RESPONSE
September 2014

COUNTY/MUTUAL	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	0 of 0 Criteria Met
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	0 of 0 Criteria Met
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	0 of 0 Criteria Met
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	

ARRIVAL OVERAGES
CITY CALLS
SEPTEMBER 2014

VENUE	ALARM DATE	ALARM TIME	ENROUTE TIME	ARRIVAL TIME	ENROUTE TO ARRIVAL	APPARATUS	INC. NUMBER	STATION	Lights and Sirens	REASON FOR OVERAGES
Rockwall	09/19/2014	14:13:02	14:14:32	14:32:21	0:17:49	E1	2014-00000739	Rockwall 2	Code 3	Wrong Location Given
Rockwall	09/19/2014	18:50:31	18:51:33	18:58:32	0:06:59	E6	2014-00000740	Rockwall 2	Code 3	This was a Marine 1 Call

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RESPONSE OVERAGES
CITY CALLS
SEPTEMBER 2014

VENUE	ALARM DATE	ALARM TIME	ARRIVAL TIME	RESPONSE	APPARATUS	INC. NUMBER	STATION	Lights and Sirens	REASON FOR OVERAGES
Rockwall	09/19/2014	14:13:02	14:32:21	0:19:19	E1	2014-00000739	Rockwall 2	Code 3	wrong location given
Rockwall	09/19/2014	18:50:31	18:58:32	0:08:01	E6	2014-00000740	Rockwall 2	Code 3	this was a marine 1 call

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Total Dollar Losses

September 2014

City of Rockwall
The Texas Treasure

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$0.00	$0.00	$10,100.00	$256,560.00	$427,044.90
Total Content Loss:	$0.00	$30,000.00	$0.00	$91,846.00	$197,188.94
Total Property Pre-Incident Value:	$400.00	$0.00	$344,780.00	$316,130.00	$2,479,187.00
Total Contents Pre-Incident Value	$0.00	$0.00	$0.00	$187,944.00	$13,134,352.20
Total Losses:	$.00	$30,000.00	$10,100.00	$348,406.00	$.00
Total Value:	$400.00	$.00	$344,780.00	$504,074.00	$15,613,539.20

Fire Alarms

SEPTEMBER 2014

Fire Inspection Status	Date	Address	Common Name	Dispostion Code	CFS Number	Incident Number	Incident ORI
	09/03/2014 09:11:11	1380 FAIRLAKES POINTE DR		FA	385	2014-00000708	TX504
		: 1					
	09/05/2014 12:53:59	3076 COOLWOOD LN		FA	812	2014-00029305	TX1990100 PD
		: 1					
	09/05/2014 12:53:59	3076 COOLWOOD LN		FA	812	2014-00000713	TX504
	09/07/2014 15:16:05	996 E I30	Best Western	FA	1211	2014-00000716	TX504
		: 2					
	09/09/2014 14:12:40	330 LAURENCE DR	Amy Parks Elementary	FA	1565	2014-00000265	TX402
		: 1					
	09/10/2014 08:10:27	1975 ALPHA DR	Baylor Emergency, Baylor ER	FA	1719	2014-00000720	TX504
		: 1					
	09/10/2014 09:08:57	6492 FM3097		FA	1724	2014-00000267	TX402
	09/10/2014 11:42:33	330 LAURENCE DR	Amy Parks Elementary	FA	1747	2014-00000268	TX402
		: 2					
	09/10/2014 20:53:18	3191 MARKET CENTER DR		FA	1845	2014-00000722	TX504
	09/13/2014 09:34:24	2935 RIDGE RD	First Convenience Bank (Kroger), Kroger Signature	FA	2248	2014-00000726	TX504
	09/16/2014 19:50:20	2935 RIDGE RD	First Convenience Bank (Kroger), Kroger Signature	FA	2883	2014-00000734	TX504
	09/17/2014 15:12:41	112 E RUSK ST	Fatted Calf	FA	3014	2014-00000736	TX504
	09/18/2014 07:29:39	3020 RIDGE RD	Summer Ridge Assisted Living	FA	3122	2014-00000738	TX504
	09/24/2014 15:33:26	3191 MARKET CENTER DR		FA	4220	2014-00000749	TX504
		: 6					
	09/25/2014 10:05:00	855 E I30	Chuck E. Cheese	FA	4359	2014-00031636	TX1990100 PD
		: 1					
	09/25/2014 10:05:00	855 E I30	Chuck E. Cheese	FA	4359	2014-00000754	TX504
	09/27/2014 17:28:43	2885 MARKET CENTER DR	Bath & Body Works	FA	4806	2014-00000764	TX504
	09/28/2014 16:50:02	2875 MARKET CENTER DR	Old Navy	FA	4967	2014-00000765	TX504
	09/29/2014 03:06:10	10 PARK CENTRAL LN		FA	5041	2014-00000767	TX504
	09/30/2014 13:17:23	1067 E I30	Rockwall Plaza (Freebirds)	FA	5262	2014-00000769	TX504
		: 5					

Inspection Totals Per Inspector

SEPTEMBER 2014

Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Inspection Number	Fire Inspection Status
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0110	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0103	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0085	Finaled
TX504	744 - Patrick	Certificate of Occupancy	2384	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0110	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0103	Finaled
TX504	744 - Patrick	Construction Final	2405	Pending
TX504	744 - Patrick	Construction Final	2400	Pending
TX504	744 - Patrick	Construction Final	2385	Finaled
TX504	744 - Patrick	Courtesy	2412	Finaled
TX504	744 - Patrick	Courtesy	2407	Finaled
TX504	744 - Patrick	Courtesy	2420	Finaled
TX504	744 - Patrick	Courtesy	2419	Finaled
TX504	744 - Patrick	Fire Spinkler System	2401	Pending
TX504	744 - Patrick	Fire Spinkler System	2404	Pending
TX504	744 - Patrick	Fire Spinkler System	2401	Pending
TX504	744 - Patrick	Kitchen Hood Suppression	2403	Finaled
TX504	744 - Patrick	Kitchen Hood Suppression	2403	Finaled
TX504	744 - Patrick	Kitchen Hood Suppression	2386	Finaled
TX504	744 - Patrick	Tanks-TEMP	2391	Finaled
TX504	744 - Patrick	Tanks-TEMP	2422	Finaled
Total Per Inspector: 21				
TX504	836 - Ayres	Annual	2418	Pending
TX504	836 - Ayres	Annual	2369	Pending
TX504	836 - Ayres	Annual	2368	Finaled
TX504	836 - Ayres	Annual	2317	Finaled
TX504	836 - Ayres	Annual	2408	Finaled
TX504	836 - Ayres	Annual	2344	Finaled
TX504	836 - Ayres	Annual	2347	Finaled
TX504	836 - Ayres	Annual	2344	Pending
TX504	836 - Ayres	Annual	2347	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0106	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0097	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0086	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0112	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0113	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0096	Finaled
TX504	836 - Ayres	Certificate of Occupancy	TCO2014-0008	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0093	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0118	Pending
TX504	836 - Ayres	Certificate of Occupancy	co2014-0117	Pending
TX504	836 - Ayres	Certificate of Occupancy	co2014-0116	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0109	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0123	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0097	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0118	Pending

TX504	836 - Ayres	Certificate of Occupancy	co2014-0116	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0112	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0127	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0126	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0126	Pending
TX504	836 - Ayres	Follow Up	2421	Pending
TX504	836 - Ayres	Follow Up	2409	Pending
TX504	836 - Ayres	Other	2413	Finaled
Total Per Inspector: 32				
TX504	843 - Clark	Annual	2406	Pending
TX504	843 - Clark	Annual	2406	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0121	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0122	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0114	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0124	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0124	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0124	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0124	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0124	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0114	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0089	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0115	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0099	Finaled
TX504	843 - Clark	Construction Final	2394	Finaled
TX504	843 - Clark	Construction Final	2378	Finaled
TX504	843 - Clark	Construction Final	2416	Finaled
TX504	843 - Clark	Courtesy	2398	Finaled
TX504	843 - Clark	Courtesy	2398	Pending
TX504	843 - Clark	Fire Alarm System	2414	Finaled
TX504	843 - Clark	Fire Alarm System	2414	Pending
TX504	843 - Clark	Fire Alarm System	2376	Pending
TX504	843 - Clark	Fire Alarm System	2423	Finaled
TX504	843 - Clark	Fire Spinkler System	2424	Pending
TX504	843 - Clark	Fire Spinkler System	2404	Pending
TX504	843 - Clark	Fire Spinkler System	2410	Finaled
TX504	843 - Clark	Fire Spinkler System	2379	Finaled
TX504	843 - Clark	Fire Spinkler System	2328	Finaled
TX504	843 - Clark	Follow Up	2392	Pending
TX504	843 - Clark	Follow Up	2392	Finaled
TX504	843 - Clark	Follow Up	2417	Pending
TX504	843 - Clark	Follow Up	2417	Pending
TX504	843 - Clark	Kitchen Hood Suppression	2415	Finaled
TX504	843 - Clark	Kitchen Hood Suppression	2399	Pending
TX504	843 - Clark	Kitchen Hood Suppression	2399	Finaled
TX504	843 - Clark	Kitchen Hood Suppression	2403	Pending
TX504	843 - Clark	Knox Box	2411	Finaled
TX504	843 - Clark	Knox Box	2390	Finaled
TX504	843 - Clark	Knox Box	2389	Finaled
TX504	843 - Clark	Knox Box	2388	Finaled

TX504	843 - Clark	Other	2393	Pending

Total Per Inspector: 41

Department Total: 94

9/30/2014 4:06:58 PM

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City of Rockwall
Inspection Totals Completed by Inspector
For the Period 9/1/2014 thru 9/30/2014

Bryan Patrick	
CO - FIRE	3
TOTAL INSPECTIONS for Bryan Patrick:	3
Kevin Clark	
CO - FIRE	7
TOTAL INSPECTIONS for Kevin Clark:	7
TOTAL INSPECTIONS COMPLETED:	10

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 9/1/2014 thru 9/30/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2014-117	08/12/14	51	2105 S GOLIAD	HPT, TA PROPERTIES TR	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	09/02/14	09/12/14	09/02/14
	COMM		Burger King - TA							
BLD2014-125	09/02/14	30	Ralph Hall Pkwy W	FLEMING, INVESTMENTS INC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	09/02/14	09/12/14	09/08/14
	COMM		Horizon Village New Bldg							
CO2014-0111	09/02/14	30	2255 S Goliad St	DON HALLETT	Ariana Hargrove	FIRE CO	APPROVED	09/02/14	09/05/14	09/02/14
	CO		Soulman's BBQ							
CO2014-0112	09/03/14	29	505 E BOYDSTUN AVE	ALAN PIERATT	Ariana Hargrove	FIRE CO	APPROVED	09/03/14	09/06/14	09/03/14
	CO		SHELL BUILDING							
SPEC2014-01	09/03/14	29	765 IH 30 E	The Home Depot	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/03/14	09/10/14	09/03/14
	SPECIAL EVENT		HOME DEPOT CHRISTMAS TREE STORAGE							
BLD2014-117	08/13/14	50	3035 Ridge Rd. 103	TEMUNOVIC, PARTNERSHIP LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/04/14	09/14/14	09/04/14
	COMM		Upscale Nails & Spa							
CO2014-0113	09/05/14	27	1950 ALPHA DR 100	THE, FIVE NINE SEVEN LIMITED PARTNE	Ariana Hargrove	FIRE CO	APPROVED	09/05/14	09/08/14	09/05/14
	CO		Cornerstone Comm Church							
CO2014-0114	09/05/14	27	1207 ARISTA DR 103	FHS, ROCKWALL L.P.	Ariana Hargrove	FIRE CO	APPROVED	09/05/14	09/08/14	09/05/14
	CO		Hormonal Health & Wellness Center							
PLB2014-029	09/05/14	27	2002 GOLIAD ST. S	SMAJLI, ISMET & DYLDYL	Ariana Hargrove	FIRE 972-772-6431		09/05/14	09/15/14	
	COMM		TANKLESS WATER HEATER AT LUIGI'S							
PLB2014-029	09/05/14	27	2231 Ridge rd	JARA, PARTNERS LTD	Ariana Hargrove	FIRE 972-772-6431		09/05/14	09/15/14	
	COMM		Replacing Backflow Device							
CO2014-0115	09/08/14	24	3225 Springer 111	NBN, COMMERCIAL GROUP LLC	Ariana Hargrove	FIRE CO	APPROVED	09/08/14	09/11/14	09/08/14
	CO		Heath Electrical Services							
PLB2014-029	09/08/14	24	2075 SUMMER LEE DR.	MARIAH, BAY DEVELOPMENT INC	Ariana Hargrove	FIRE 972-772-6431		09/08/14	09/18/14	
	COMM		REPLACE A 3" WATTS 908 RPZ WITH NEW ONE							
BLD2014-128	09/09/14	23	2209 Lakeshore Dr N	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/09/14	09/19/14	09/11/14
	COMM		Verizon Wireless - New Tower							
BLD2014-128	09/09/14	23	1611 SH 276	COLIN-G, PROPERTIES LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/09/14	09/19/14	09/15/14
	COMM		Houser Bldg - Addition							
BLD2014-128	09/09/14	23	455 National Dr	FRAUSTO, MICKEY & LISA L	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/09/14	09/19/14	09/11/14
	COMM		Generator addition. SOKW Diesel Generator							
BLD2014-129	09/09/14	23	3140 Horizon Rd.	ROCKWALL, REGIONAL HOSPITAL LLP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	09/09/14	09/19/14	09/17/14
	COMM		Shell Only- Spine Team Texas							
BLD2014-129	09/10/14	22			Ariana Hargrove	FIRE 972-772-6431		09/10/14	09/20/14	
	COMM									
BLD2014-129	09/10/14	22	2014 S GOLIAD 100	ROCKWALL, CENTRAL SHOP/CNTR JV	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	09/10/14	09/20/14	09/11/14
	COMM		Adding Demising wall to split existing space							

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 9/1/2014 thru 9/30/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2014-123	08/27/14	36	201 IH 30	DRZW, HOLDINGS LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/11/14	09/21/14	09/11/14
	COMM		Eclipse Fitness sectioning off area for another tenant							
CO2014-0121	09/12/14	20	3035 Ridge Rd. 109	STACEY MCVEY	Ariana Hargrove	FIRE CO	APPROVED	09/12/14	09/15/14	09/12/14
	CO		Jersey Mike's Subs restaurant							
CO2014-0122	09/12/14	20	2881 MARKET CENTER DR.	DUNHILL PARTNERS, INC.	Ariana Hargrove	FIRE CO	APPROVED	09/12/14	09/15/14	09/12/14
	CO		STYLES FOR LESS							
BLD2014-117	08/12/14	51	2075 SUMMER LEE DR.	TF HARBOR LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/15/14	09/25/14	09/15/14
	COMM		THREE SHEETS ROCKWALL LLC							
BLD2014-129	09/10/14	22	2014 S GOLIAD 100	ROCKWALL, CENTRAL SHOP/CNTR JV	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/15/14	09/25/14	09/15/14
	COMM		Adding Demising wall to split existing space							
BLD2014-130	09/15/14	17	730 IH 30	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/15/14	09/25/14	09/16/14
	COMM		AT&T exchanging antennas on existing installation							
DEM2014-00	09/15/14	17	489 IH 30	BENT, TREE REALTY CO	Ariana Hargrove	FIRE 972-772-6431		09/15/14	09/25/14	
	COMM		Sake Bomb - Partial Interior Demo							
MEC2014-01	09/15/14	17	1225 HWY 276	COSTCO, WHOLESALE CORP	Ariana Hargrove	FIRE 972-772-6431		09/15/14	09/25/14	
	COMM		COSTCO -REPLACE REFRIGERATED CASES							
MEC2014-01	09/15/14	17	1225 SH 276	COSTCO, WHOLESALE CORP	Ariana Hargrove	FIRE 972-772-6431		09/15/14	09/25/14	
	COMM		Costco - Replace Refrigerated cases							
BLD2014-130	09/15/14	17	305 E Boydstun	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/16/14		09/16/14
	COMM		AT&T exchanging antennas on existing installation							
ELE2014-006	09/16/14	16	1015 IH 30 E	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431		09/16/14	09/26/14	
	COMM		JC PENNEY'S INSTALLING 6 CANOPY LIGHTS, 6 PENDANT LIGHTS AND							
BLD2014-131	09/17/14	15	489 IH 30	BENT, TREE REALTY CO	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	09/17/14		09/17/14
	COMM		Sake Bomb - Interior Remodel							
BLD2014-132	09/17/14	15	1550 IH 30	CAMBRIDGE, COMPANIES	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	09/17/14	09/27/14	09/23/14
	COMM		Honda - installing walls & elec. for photo booth							
ELE2014-006	09/17/14	15	3041 GOLIAD ST N B	CHARTER CABLE TV	Ariana Hargrove	FIRE 972-772-6431		09/17/14	09/27/14	
	COMM		40 AMP SERVICE FOR CABLE TV BOX							
MEC2014-01	09/17/14	15	3375 RIDGE RD	FIRST, CHRISTIAN CHURCH	Ariana Hargrove	FIRE 972-772-6431		09/17/14	09/27/14	
	COMM		FIRST CHRISTIAN CHURCH - CHANGE OUT ROOF TOP SYSTEM							
BLD2014-132	09/18/14	14	2020 INDUSTRIAL	ROCKWALL, STEEL CO	Ariana Hargrove	FIRE 972-772-6431		09/18/14	09/28/14	
	COMM		Replace electrical Service Riser							
BLD2014-132	09/18/14	14	2701 Sunset Ridge 410	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	09/18/14	09/28/14	09/24/14
	COMM		Dr. Olmstead - Interior finishout							
CO2014-0123	09/18/14	14	3045 N. Goliad St. 103	PCB, PROPERTIES LLC	Mark Poindexter	FIRE CO	APPROVED	09/18/14	09/21/14	09/18/14
	CO		Donut Station #2							

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 9/1/2014 thru 9/30/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail: Contact	Review Type	Status	Date Sent	Date Due	Completed
PLB2014-031	09/18/14 COMM	14	3225 SPRINGER LN INSTALL BACKFLOW DEVICE	NBN, COMMERCIAL GROUP LLC	Ariana Hargrove	FIRE 972-772-6431		09/18/14	09/28/14	
CO2014-0126	09/22/14 CO	10	610 IH 30 McDonald's	KEVCO 7658 LLC	Ariana Hargrove	FIRE CO	APPROVED	09/22/14	09/25/14	09/23/14
BLD2014-135	09/23/14 COMM	9	3090 Goliad St N 102 Tenet Physician Resources - Interior Finishout	METROPLEX, ACQUISITION FUND LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	09/23/14	10/03/14	09/26/14
ELE2014-006	09/23/14 COMM	9	LAKE RAY HUBBARD INSTALL TWO LIGHT POLES ON HWY 66 JOGGING TRAIL	CITY, OF DALLAS	Ariana Hargrove	FIRE 972-772-6431		09/23/14	10/03/14	
SPEC2014-01	09/23/14 SPECIAL EVENT	9	701 I30 LAKEPOINTE FAMILY FALL FESTIVAL	LAKE, POINTE BAPTIST CHURCH	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/23/14	09/30/14	09/24/14
BLD2014-125	09/02/14 COMM	30	Ralph Hall Pkwy W Horizon Village New Bldg	FLEMING, INVESTMENTS INC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/24/14	10/04/14	09/24/14
SPEC2014-01	09/24/14 SPECIAL EVENT	8	602 S GOLIAD FALL FESTIVAL @FBC ROCKWALL	FIRST, BAPTIST CHURCH OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/24/14	10/01/14	09/24/14
BLD2014-137	09/25/14 COMM	7	803 N GOLIAD ST Decking, railing, sheetrock, etc.. 2nd floor is storage only	MILDER, SCOTT & LESLIE	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	09/25/14	10/05/14	10/01/14
CO2014-0127	09/25/14 CO	7	613 St Marys St MG Battery Electric	MCCALLUM, DARRELL	Ariana Hargrove	FIRE CO	APPROVED	09/25/14	09/28/14	09/25/14
CO2014-0128	09/25/14 CO	7	807 N Goliad Brian Adams Agency	Terry & Toni Rowe	Ariana Hargrove	FIRE CO	APPROVED	09/25/14	09/28/14	09/25/14
ELE2014-006	09/25/14 COMM	7	803 GOLIAD ST.N T-POLE	MILDER, SCOTT & LESLIE	Ariana Hargrove	FIRE 972-772-6431		09/25/14	10/05/14	
BLD2014-129	09/09/14 COMM	23	3140 Horizon Rd. Shell Only- Spine Team Texas	ROCKWALL, REGIONAL HOSPITAL LLP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/26/14	10/06/14	09/26/14
BLD2014-132	09/17/14 COMM	15	1550 IH 30 Honda - installing walls & elec. for photo booth	CAMBRIDGE, COMPANIES	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/26/14	10/06/14	09/26/14
BLD2014-138	09/29/14 COMM	3	513 IH 30 Painting with a Twist - remodel	BENT, TREE REALTY CO	Ariana Hargrove	FIRE 972-772-6431		09/29/14	10/09/14	
CO2014-0129	09/29/14 CO	3	2011 INDUSTRIAL BLVD. A CK STUDIO *Meter # 105676935	ROCKWALL, STEEL CO	Ariana Hargrove	FIRE CO	APPROVED	09/29/14	10/02/14	09/29/14
CO2014-0130	09/29/14 CO	3	2931 RIDGE RD Okawa Japanese Cuisine	REGENCY, CENTERS LP	Ariana Hargrove	FIRE CO	APPROVED	09/29/14	10/02/14	09/29/14
SPEC2014-01	09/25/14 SPECIAL EVENT	7	1540 FAIRLAKES POINTE DR NAT'L NIGHT OUT NEIGHBORHOOD BLOCK PARTY	TAYLOR, COLEMAN DAVID & SARA DIANE	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/29/14	10/09/14	09/29/14
BLD2014-138	09/30/14 COMM	2	IH 30 Rockwall Business park east -NEW BLDG	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431		09/30/14	10/10/14	

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City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 9/1/2014 thru 9/30/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2014-0131	09/30/14 CO	2	2231 RIDGE RD 202 CTS Construction, LP	JARA, PARTNERS LTD	Ariana Hargrove	FIRE CO		09/30/14	10/03/14	

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 9/1/2014 thru 9/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
CIP2014-006	09/10/2014		CAPITAL IMPROVEMENT	22	Tim Tumulty CITY ENGINEER	
CIP2014-006	09/10/2014		CAPITAL IMPROVEMENT	22	Amy Williams ASSISTANT CITY ENC	
CIP2014-006	09/10/2014		CAPITAL IMPROVEMENT	22	ENG - FIRE	
CIP2014-006	09/10/2014		CAPITAL IMPROVEMENT	22	ENG-ENGINEER	
CIP2014-006	09/10/2014		CAPITAL IMPROVEMENT	22	ENG-TECH	
CIP2014-006	09/10/2014		CAPITAL IMPROVEMENT	22	Billy Chaffin STREET DEPARTMEN	
CIP2014-006	09/10/2014		CAPITAL IMPROVEMENT	22	Steve Clawson SEWER DEPARTMEN	
CIP2014-006	09/10/2014		CAPITAL IMPROVEMENT	22	Curtis McAden WATER DEPARTMEN	
CIP2014-007	09/12/2014		CAPITAL IMPROVEMENT	20	Billy Chaffin STREET DEPARTMEN	
CIP2014-007	09/12/2014		CAPITAL IMPROVEMENT	20	Tim Tumulty CITY ENGINEER	
CIP2014-007	09/12/2014		CAPITAL IMPROVEMENT	20	Amy Williams ASSISTANT CITY ENC	
CIP2014-007	09/12/2014		CAPITAL IMPROVEMENT	20	ENG - FIRE	
CIP2014-007	09/12/2014		CAPITAL IMPROVEMENT	20	ENG-TECH Steve Clawson SEWER DEPARTMEN	

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 9/1/2014 thru 9/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
CIP2014-007	09/12/2014		CAPITAL IMPROVEMENT	20	Curtis McAden WATER DEPARTMEN	
CIP2014-007	09/12/2014		CAPITAL IMPROVEMENT	20		
E2014-003	01/24/2014		ENGINEERING HWY276	251	ENG-ENGINEER Amy Williams Assistant City Engineer	APPROVED 9/9/2014
E2014-003	01/24/2014		ENGINEERING HWY276	251	Ariana Hargrove Engineering: Fire	APPROVED 9/23/2014
E2014-003	01/24/2014		ENGINEERING HWY276	251	Kathleen Moreno Engineering: Engineer	APPROVED 9/24/2014
E2014-003	01/24/2014		ENGINEERING HWY276	251	Ariana Hargrove Engineering: Fire	COMMENTS 9/9/2014
E2014-021	07/23/2014		ENGINEERING 1700 JUSTIN RD	71	Amy Williams Assistant City Engineer	APPROVED 9/16/2014
E2014-021	07/23/2014		ENGINEERING 1700 JUSTIN RD	71	Amy Williams Assistant City Engineer	COMMENTS 9/16/2014
E2014-023	08/13/2014		ENGINEERING 901 WILLIAMS	50	Ariana Hargrove Engineering: Fire	APPROVED 9/2/2014
E2014-023	08/13/2014		ENGINEERING 901 WILLIAMS	50	Kathleen Moreno Engineering: Engineer	APPROVED 9/8/2014
E2014-023	08/13/2014		ENGINEERING 901 WILLIAMS	50	Amy Williams Assistant City Engineer	APPROVED W/ 9/8/2014
E2014-023	08/13/2014		ENGINEERING 901 WILLIAMS	50	Bruce Hanby Engineering: Technician	APPROVED W/ 9/8/2014
E2014-024	09/18/2014		ENGINEERING	14	Billy Chaffin STREET DEPARTMEN	
E2014-024	09/18/2014		ENGINEERING	14	Bruce Hanby ENG-TECH	COMMENTS 9/24/2014
E2014-024	09/18/2014		ENGINEERING	14	Curtis McAden WATER DEPARTMEN	

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 9/1/2014 thru 9/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-024	09/18/2014		ENGINEERING	14	Kathleen Moreno ENG-ENGINEER	COMMENTS 9/24/2014
E2014-024	09/18/2014		ENGINEERING	14	Ariana Hargrove ENG - FIRE	APPROVED 9/24/2014
E2014-024	09/18/2014		ENGINEERING	14	Tim Tumulty CITY ENGINEER	
E2014-024	09/18/2014		ENGINEERING	14	Steve Clawson SEWER DEPARTMEN	APPROVED 9/29/2014
E2014-024	09/18/2014		ENGINEERING	14	Amy Williams ASSISTANT CITY ENC	COMMENTS 9/25/2014
E2014-025	09/22/2014		ENGINEERING	10	Ariana Hargrove ENG - FIRE	COMMENTS 9/24/2014
E2014-025	09/22/2014		ENGINEERING	10	Kathleen Moreno ENG-ENGINEER	COMMENTS 9/25/2014
E2014-025	09/22/2014		ENGINEERING	10	Bruce Hanby ENG-TECH	COMMENTS 9/24/2014
E2014-025	09/22/2014		ENGINEERING	10	Billy Chaffin STREET DEPARTMEN	
E2014-025	09/22/2014		ENGINEERING	10	Steve Clawson SEWER DEPARTMEN	
E2014-025	09/22/2014		ENGINEERING	10	Amy Williams ASSISTANT CITY ENC	COMMENTS 9/26/2014
E2014-025	09/22/2014		ENGINEERING	10	Tim Tumulty CITY ENGINEER	
E2014-025	09/22/2014		ENGINEERING	10	Curtis McAden WATER DEPARTMEN	
E2014-026	09/25/2014		ENGINEERING 911 N GOLIAD	7	Amy Williams ASSISTANT CITY ENC	COMMENTS 9/25/2014
MIS2014-013	09/23/2014		MISCELLANEOUS 503 NICOLE DR	9	John Shannon Building Inspections Dep	

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 9/1/2014 thru 9/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
MIS2014-013	09/23/2014		MISCELLANEOUS 503 NICOLE DR	9	Amy Williams Engineering Department	APPROVED 9/26/2014
MIS2014-013	09/23/2014		MISCELLANEOUS 503 NICOLE DR	9	Ariana Hargrove Fire Department	APPROVED 9/26/2014
MIS2014-013	09/23/2014		MISCELLANEOUS 503 NICOLE DR	9	JoDee Sanford Planning Department	
MIS2014-014	09/23/2014		MISCELLANEOUS N LAKESHORE DR	9	Lance Singleton GIS Department	APPROVED W/
MIS2014-014	09/23/2014		MISCELLANEOUS N LAKESHORE DR	9	Ariana Hargrove Fire Department	APPROVED 9/26/2014
MIS2014-014	09/23/2014		MISCELLANEOUS N LAKESHORE DR	9	Amy Williams Engineering Department	APPROVED 9/25/2014
MIS2014-014	09/23/2014		MISCELLANEOUS N LAKESHORE DR	9	John Shannon Building Inspections Dep	APPROVED 9/23/2014
MIS2014-014	09/23/2014		MISCELLANEOUS N LAKESHORE DR	9	Ryan Miller Planning Department	APPROVED 9/23/2014
P2014-018	08/18/2014		PLAT	45	Ariana Hargrove FIRE	APPROVED 9/2/2014
P2014-018	08/18/2014		PLAT	45	John Shannon BUILDING	APPROVED 9/2/2014
P2014-018	08/18/2014		PLAT	45	Amy Williams ENGINEERING	COMMENTS 9/2/2014
P2014-019	08/18/2014		PLAT	45	Ariana Hargrove FIRE	APPROVED 9/2/2014
P2014-019	08/18/2014		PLAT	45	John Shannon BUILDING	APPROVED 9/2/2014
P2014-020	08/18/2014		PLAT	45	Amy Williams ENGINEERING	APPROVED 9/19/2014
P2014-024	09/12/2014		PLAT 901 WILLIAMS	20	Ariana Hargrove FIRE	APPROVED 9/16/2014

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 9/1/2014 thru 9/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
P2014-024	09/12/2014		PLAT 901 WILLIAMS	20	Amy Williams ENGINEERING	APPROVED 9/16/2014
P2014-024	09/12/2014		PLAT 901 WILLIAMS	20	JoDee Sanford PLANNING	COMMENTS 9/24/2014
P2014-024	09/12/2014		PLAT 901 WILLIAMS	20	John Shannon BUILDING	APPROVED 9/16/2014
P2014-024	09/12/2014		PLAT 901 WILLIAMS	20	Lance Singleton GIS	APPROVED 9/24/2014
P2014-025	09/15/2014		PLAT 103 MAYFLOWER CT	17	John Shannon BUILDING	APPROVED 9/16/2014
P2014-025	09/15/2014		PLAT 103 MAYFLOWER CT	17		
P2014-025	09/15/2014		PLAT 103 MAYFLOWER CT	17	PLANNING Amy Williams	 COMMENTS
P2014-025	09/15/2014		PLAT 103 MAYFLOWER CT	17	ENGINEERING Ariana Hargrove	9/16/2014 APPROVED
P2014-025	09/15/2014		PLAT 103 MAYFLOWER CT	17	FIRE Lance Singleton	9/16/2014
P2014-026	09/22/2014		PLAT BREEZY HILLS RD	10	GIS Ryan Miller	 APPROVED W/
P2014-026	09/22/2014		PLAT BREEZY HILLS RD	10	PLANNING Lance Singleton	9/23/2014 APPROVED W/
P2014-026	09/22/2014		PLAT BREEZY HILLS RD	10	GIS Ariana Hargrove	 APPROVED
P2014-026	09/22/2014		PLAT BREEZY HILLS RD	10	FIRE Amy Williams	9/26/2014 COMMENTS
P2014-026	09/22/2014		PLAT BREEZY HILLS RD	10	ENGINEERING John Shannon	9/25/2014 APPROVED
P2014-027	09/23/2014		PLAT BREEZY HILLS RD	9	BUILDING Lance Singleton	9/23/2014 APPROVED W/
					GIS	

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 9/1/2014 thru 9/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
P2014-027	09/23/2014		PLAT BREEZY HILLS RD	9	John Shannon BUILDING	APPROVED 9/23/2014
P2014-027	09/23/2014		PLAT BREEZY HILLS RD	9	Ariana Hargrove FIRE	COMMENTS 9/26/2014
P2014-027	09/23/2014		PLAT BREEZY HILLS RD	9	Amy Williams ENGINEERING	COMMENTS 9/25/2014
P2014-027	09/23/2014		PLAT BREEZY HILLS RD	9	Ryan Miller PLANNING	APPROVED W/ 9/23/2014
P2014-028	09/23/2014		PLAT 911 N GOLIAD	9	Amy Williams ENGINEERING	COMMENTS 9/25/2014
P2014-028	09/23/2014		PLAT 911 N GOLIAD	9	David Gonzales PLANNING	COMMENTS 9/24/2014
P2014-028	09/23/2014		PLAT 911 N GOLIAD	9	John Shannon BUILDING	APPROVED 9/23/2014
P2014-028	09/23/2014		PLAT 911 N GOLIAD	9	Ariana Hargrove FIRE	APPROVED 9/26/2014
P2014-028	09/23/2014		PLAT 911 N GOLIAD	9	Lance Singleton GIS	
P2014-029	09/23/2014		PLAT 5804 CONSTELLATION CIR	9	Lance Singleton GIS	
P2014-029	09/23/2014		PLAT 5804 CONSTELLATION CIR	9	John Shannon BUILDING	APPROVED 9/23/2014
P2014-029	09/23/2014		PLAT 5804 CONSTELLATION CIR	9	JoDee Sanford PLANNING	
P2014-029	09/23/2014		PLAT 5804 CONSTELLATION CIR	9	Amy Williams ENGINEERING	APPROVED 9/25/2014
P2014-029	09/23/2014		PLAT 5804 CONSTELLATION CIR	9	Ariana Hargrove FIRE	APPROVED 9/26/2014
P2014-030	09/23/2014		PLAT 105 INDEPENDENCE PL	9	Lance Singleton GIS	

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 9/1/2014 thru 9/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
P2014-030	09/23/2014		PLAT 105 INDEPENDENCE PL	9	JoDee Sanford PLANNING	
P2014-030	09/23/2014		PLAT 105 INDEPENDENCE PL	9	Amy Williams ENGINEERING	COMMENTS 9/25/2014
P2014-030	09/23/2014		PLAT 105 INDEPENDENCE PL	9	Ariana Hargrove FIRE	APPROVED 9/26/2014
P2014-030	09/23/2014		PLAT 105 INDEPENDENCE PL	9	John Shannon BUILDING	APPROVED 9/23/2014
SP2014-017	07/21/2014		SITE PLAN 3275 SPRINGER RD	73	Ariana Hargrove FIRE	COMMENTS 9/8/2014
SP2014-017	07/21/2014		SITE PLAN 3275 SPRINGER RD	73	Amy Williams ENGINEERING	COMMENTS 9/8/2014
SP2014-018	07/21/2014		SITE PLAN 1801 S GOLIAD ST	73	Amy Williams ENGINEERING	COMMENTS 9/4/2014
SP2014-018	07/21/2014		SITE PLAN 1801 S GOLIAD ST	73	Ariana Hargrove FIRE	COMMENTS 9/5/2014
SP2014-018	07/21/2014		SITE PLAN 1801 S GOLIAD ST	73	David Gonzales PLANNING	COMMENTS 9/17/2014
SP2014-018	07/21/2014		SITE PLAN 1801 S GOLIAD ST	73	Ariana Hargrove FIRE	APPROVED 9/17/2014
SP2014-018	07/21/2014		SITE PLAN 1801 S GOLIAD ST	73	David Gonzales Planning Department	COMMENTS 9/9/2014
SP2014-018	07/21/2014		SITE PLAN 1801 S GOLIAD ST	73	Amy Williams ENGINEERING	COMMENTS 9/17/2014
SP2014-018	07/21/2014		SITE PLAN 1801 S GOLIAD ST	73	John Shannon BUILDING	APPROVED 9/4/2014
SP2014-021	08/18/2014		SITE PLAN 1880 E I30	45	John Shannon BUILDING	APPROVED 9/2/2014
SP2014-021	08/18/2014		SITE PLAN 1880 E I30	45	Ariana Hargrove FIRE	APPROVED 9/2/2014

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 9/1/2014 thru 9/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
SP2014-021	08/18/2014		SITE PLAN 1880 E I30	45	Amy Williams ENGINEERING	APPROVED 9/3/2014
SP2014-023	09/15/2014		SITE PLAN	17	David Gonzales PLANNING	COMMENTS 9/24/2014
SP2014-023	09/15/2014		SITE PLAN	17	Ariana Hargrove FIRE	COMMENTS 9/23/2014
SP2014-023	09/15/2014		SITE PLAN	17	Amy Williams ENGINEERING	APPROVED 9/23/2014
SP2014-023	09/15/2014		SITE PLAN	17	Amy Williams ENGINEERING	
SP2014-023	09/15/2014		SITE PLAN	17	David Gonzales PLANNING	COMMENTS 9/17/2014
SP2014-023	09/15/2014		SITE PLAN	17	John Shannon BUILDING	APPROVED W/ 9/16/2014
SP2014-023	09/15/2014		SITE PLAN	17	Ariana Hargrove FIRE	COMMENTS 9/16/2014
SP2014-023	09/15/2014		SITE PLAN	17	Lance Singleton GIS	
SP2014-024	09/15/2014		SITE PLAN 1200 YELLOW JACKET LN	17	John Shannon BUILDING	APPROVED 9/16/2014
SP2014-024	09/15/2014		SITE PLAN 1200 YELLOW JACKET LN	17	Lance Singleton GIS	APPROVED 9/16/2014
SP2014-024	09/15/2014		SITE PLAN 1200 YELLOW JACKET LN	17	Amy Williams ENGINEERING	APPROVED 9/26/2014
SP2014-024	09/15/2014		SITE PLAN 1200 YELLOW JACKET LN	17	Amy Williams ENGINEERING	COMMENTS 9/16/2014
SP2014-024	09/15/2014		SITE PLAN 1200 YELLOW JACKET LN	17	Ryan Miller PLANNING	APPROVED W/ 9/16/2014
SP2014-024	09/15/2014		SITE PLAN 1200 YELLOW JACKET LN	17	Ryan Miller Planning Department	APPROVED 9/30/2014

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 9/1/2014 thru 9/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
SP2014-024	09/15/2014		SITE PLAN 1200 YELLOW JACKET LN	17	John Shannon BUILDING	APPROVED 9/29/2014
SP2014-024	09/15/2014		SITE PLAN 1200 YELLOW JACKET LN	17	Ariana Hargrove FIRE	APPROVED 9/30/2014
SP2014-024	09/15/2014		SITE PLAN 1200 YELLOW JACKET LN	17	Ariana Hargrove FIRE	COMMENTS 9/16/2014
SP2014-025	09/22/2014		SITE PLAN HWY 276 AND HWY205 BYPASS	10	David Gonzales PLANNING	COMMENTS 9/26/2014
SP2014-025	09/22/2014		SITE PLAN HWY 276 AND HWY205 BYPASS	10	John Shannon BUILDING	
SP2014-025	09/22/2014		SITE PLAN HWY 276 AND HWY205 BYPASS	10	Amy Williams ENGINEERING	COMMENTS 9/25/2014
SP2014-025	09/22/2014		SITE PLAN HWY 276 AND HWY205 BYPASS	10	Ariana Hargrove FIRE	COMMENTS 9/26/2014
SP2014-025	09/22/2014		SITE PLAN HWY 276 AND HWY205 BYPASS	10	Lance Singleton GIS	
SP2014-026	09/22/2014		SITE PLAN	10	Ariana Hargrove FIRE	APPROVED 9/26/2014
SP2014-026	09/22/2014		SITE PLAN	10	Lance Singleton GIS	APPROVED 9/26/2014
SP2014-026	09/22/2014		SITE PLAN	10	John Shannon BUILDING	APPROVED W/ 9/23/2014
SP2014-026	09/22/2014		SITE PLAN	10	JoDee Sanford PLANNING	
SP2014-026	09/22/2014		SITE PLAN	10	Amy Williams ENGINEERING	COMMENTS 9/25/2014
SP2014-027	09/23/2014		SITE PLAN S SERVICE RD	9	Lance Singleton GIS	
SP2014-027	09/23/2014		SITE PLAN S SERVICE RD	9	Ariana Hargrove FIRE	COMMENTS 9/26/2014

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 9/1/2014 thru 9/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
SP2014-027	09/23/2014		SITE PLAN S SERVICE RD	9	Amy Williams ENGINEERING	COMMENTS 9/25/2014
SP2014-027	09/23/2014		SITE PLAN S SERVICE RD	9	John Shannon BUILDING	APPROVED 9/23/2014
SP2014-027	09/23/2014		SITE PLAN S SERVICE RD	9	Ryan Miller PLANNING	
Z2014-027	09/04/2014		ZONING	28	Ryan Miller PLANNING	
Z2014-027	09/04/2014		ZONING	28	Ariana Hargrove FIRE	
Z2014-027	09/04/2014		ZONING	28	Amy Williams ENGINEERING	
Z2014-028	09/15/2014		ZONING 2225 RIDGE RD	17	Amy Williams ENGINEERING	
Z2014-028	09/15/2014		ZONING 2225 RIDGE RD	17	John Shannon BUILDING	
Z2014-028	09/15/2014		ZONING 2225 RIDGE RD	17	David Gonzales PLANNING	COMMENTS 9/24/2014
Z2014-028	09/15/2014		ZONING 2225 RIDGE RD	17	Ariana Hargrove FIRE	
Z2014-029	09/23/2014		ZONING HWY 276 AND HWY205 BYPASS	9	David Gonzales PLANNING	COMMENTS 9/26/2014
Z2014-029	09/23/2014		ZONING HWY 276 AND HWY205 BYPASS	9	John Shannon BUILDING	APPROVED 9/23/2014
Z2014-029	09/23/2014		ZONING HWY 276 AND HWY205 BYPASS	9	Ariana Hargrove FIRE	APPROVED W/ 9/26/2014
Z2014-030	09/23/2014		ZONING DOWELL RD	9	Amy Williams ENGINEERING	APPROVED W/ 9/25/2014
					John Shannon BUILDING	APPROVED 9/23/2014

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City of Rockwall
Project Routing Report By DATE_SENT
For the Period 9/1/2014 thru 9/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
Z2014-030	09/23/2014		ZONING DOWELL RD	9	Ariana Hargrove FIRE	DENIED 9/26/2014
Z2014-030	09/23/2014		ZONING DOWELL RD	9	Amy Williams ENGINEERING	COMMENTS 9/25/2014
Z2014-030	09/23/2014		ZONING DOWELL RD	9	Ryan Miller PLANNING	APPROVED W/ 9/24/2014
Z2014-031	09/25/2014		ZONING	7	Ryan Miller PLANNING	APPROVED W/ 9/26/2014
Z2014-031	09/25/2014		ZONING	7	Amy Williams ENGINEERING	COMMENTS 9/25/2014
Z2014-031	09/25/2014		ZONING	7	Ariana Hargrove FIRE	COMMENTS 9/26/2014

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Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2014-00032071	09/28/2014	19:28:52	Cinemark	Investigation	No Report
2014-00029644	09/08/2014	00:51:33	Cinemark	Investigation	No Report
2014-00029395	09/06/2014	02:46:28	Cinemark	Investigation	No Report
2014-00029535	09/07/2014	01:30:02	Hilton	Intoxicated	Arrest
2014-00029520	09/06/2014	23:48:00	Hilton	Narcotics	No Report
2014-00030118	09/11/2014	20:52:10	Hilton	Open Door/Window	No Report
2014-00029170	09/04/2014	09:02:59	Hilton	Property	Report
2014-00029243	09/04/2014	23:06:38	Hilton	Suspicious Activity	Report
2014-00031990	09/27/2014	22:54:33	The Harbor	General Complaint	No Report
2014-00030315	09/13/2014	20:22:00	The Harbor	Investigation	No Report
2014-00030762	09/17/2014	12:03:45	The Harbor	Property	No Report
2014-00030309	09/13/2014	18:24:45	The Harbor	Reckless Driver	No Report
2014-00029486	09/06/2014	20:21:00	The Harbor	Suspicious Activity	No Report
			Common Name		
			The Harbor	5	
			Hilton	5	
			Cinemark	3	
			Total	**13**	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
SEPTEMBER 2014

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	9	9	0	100%
ADMINISTRATIVE SERVICES	24	23	1	96%
AIRPORT	0	0	0	0%
ANIMAL SERVICES	4	4	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	3	3	0	100%
ENGINEERING	1	1	0	100%
FINANCE	3	3	0	100%
FIRE DEPARTMENT	42	42	0	100%
INTERNAL OPERATIONS	119	119	0	100%
MUNICIPAL COURT	10	10	0	100%
PARKS & RECREATION	17	17	0	100%
PLANNING & ZONING	1	1	0	100%
POLICE DEPARTMENT	31	30	1	97%
PUBLIC WORKS	8	8	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	272	270	2	99%

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
SEPTEMBER 2014

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	1	1	0	100%
CODE ENFORCEMENT	0	0	0	100%
FIRE DEPARTMENT	2	2	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	1	1	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	22	22	0	100%
PUBLIC WORKS	0	0	0	100%
UTILITY BILLING	0	0	0	100%
HEATH DEPT. PUBLIC SAFETY	3	3	0	100%
HOSPITAL CONTROL STATIONS	0	0	0	100%
SYSTEM ISSUES	1	1	0	100%
TOTAL	30	30	0	100%

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FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	215.00	$999.75
Av-Gas Sales	2,119.40	$11,123.22
TOTAL FUEL SALES	2,334.40	$12,122.97

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$2,150.00
Terminal Office Rental Revenue	$250.00
Enclosed Hangar Rental Revenue	$120.00
North Maintenance Hangar Rental Revenue	$500.00
TOTAL HANGAR RENTALS	$3,020.00

HANGAR OCCUPANCY RATES

	TOTAL HANGARS	QTY RENTABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	40	25	62.50%
Terminal Office Rentals	1	1	1	100%
Closed Hangar Rentals	1	1	1	100%
Open Hangar Cap Rentals	2	1	1	100%
TOTAL HANGAR OCCUPANCY	49	43	28	65%

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$233.44	$233.44
City Owned Hangar Rentals	5.00%	$151.00		$0.00
TOTAL FEES DUE		$151.00	$233.44	$384.44

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

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Rockwall Police Department

Monthly Activity Report
September-2014

ACTIVITY	CURRENT MONTH SEPTEMBER	PREVIOUS MONTH AUGUST	YTD 2014	YTD 2013	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	1	-100.00%
Sexual Assault	0	3	4		
Robbery	1	1	4	5	-20.00%
Aggravated Assault	3	0	22	9	144.44%
Burglary	14	12	66	71	-7.04%
Larceny	65	53	473	459	3.05%
Motor Vehicle Theft	2	3	34	41	-17.07%
TOTAL PART I	**85**	**72**	**603**	**592**	**1.86%**
TOTAL PART II	**162**	**128**	**1249**	**1132**	**10.34%**
TOTAL OFFENSES	**247**	**200**	**1852**	**1724**	**7.42%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	23	21	158	127	24.41%
D.W.I.	16	15	169	155	9.03%
TEEN CURFEW	2	2	11	8	37.50%
ARRESTS					
FELONY	19	31	170	150	13.33%
MISDEMEANOR	79	78	704	693	1.59%
WARRANT ARREST	40	31	296	244	21.31%
JUVENILE	6	7	57	40	42.50%
TOTAL ARRESTS	**144**	**147**	**1227**	**1127**	**8.87%**
DISPATCH					
CALLS FOR SERVICE	1530	1489	13246	12293	7.75%
ACCIDENTS					
INJURY	12	12	98	100	-2.00%
(INJURIES)	18	16	133	120	10.83%
NON-INJURY	50	48	394	357	10.36%
FATALITY	1	0	1	2	-50.00%
(FATALITIES)	1	0	1	2	-50.00%
TOTAL	**63**	**60**	**493**	**459**	**7.41%**
FALSE ALARMS					
RESIDENT ALARMS	44	56	526	615	-14.47%
BUSINESS ALARMS	125	157	1176	963	22.12%
TOTAL FALSE ALARMS	**169**	**213**	**1702**	**1578**	**7.86%**
Estimated Lost Hours	**111.54**	**140.58**	**1123.32**	**1041.48**	**7.86%**
Estimated Cost	**$2,653.30**	**$3,344.10**	**$26,721.40**	**$24,774.60**	**7.86%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**8**
Arrests	**5**
Arrest Warrants	**2**
Search Warrants	**0**
Seized	
Cocaine	5.5 g
Marijuana	4.39 oz
Hash Oil	1 g
Methamphetamine	481.9 g
Guns	2

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Rockwall Police Department
Dispatch and Response Times
September 2014

Police Department

	Average Response Time	
Priority 1		Number of Calls **135**
Call to Dispatch	0:00:32	
Call to Arrival	0:05:00	
% over 7 minutes	20%	
Priority 2	**Average Response Time**	Number of Calls **226**
Call to Dispatch	0:00:37	
Call to Arrival	0:06:15	
% over 7 minutes	31%	
Priority 3	**Average Response Time**	Number of Calls **15**
Call to Dispatch	0:01:26	
Call to Arrival	0:08:30	
% over 7 minutes	57%	
***Priority 4**		Number of Calls **1153**
****Priority 5**		Number of Calls **1**

*Priority 4 call averages are not given because they are calls that do not require an immediate response by police.
**Priority 5 calls are incidents that officers initiate themselves therefore response times are not calculated.

Average dispatch response time goals are as follows:
Priority 1: 30 Seconds
Priority 2: 45 Seconds
Priority 3: 1 Minute

Fire Department

	Average Response Time	
Call to Dispatch	0:00:12	Number of Calls **66**

Overages

None

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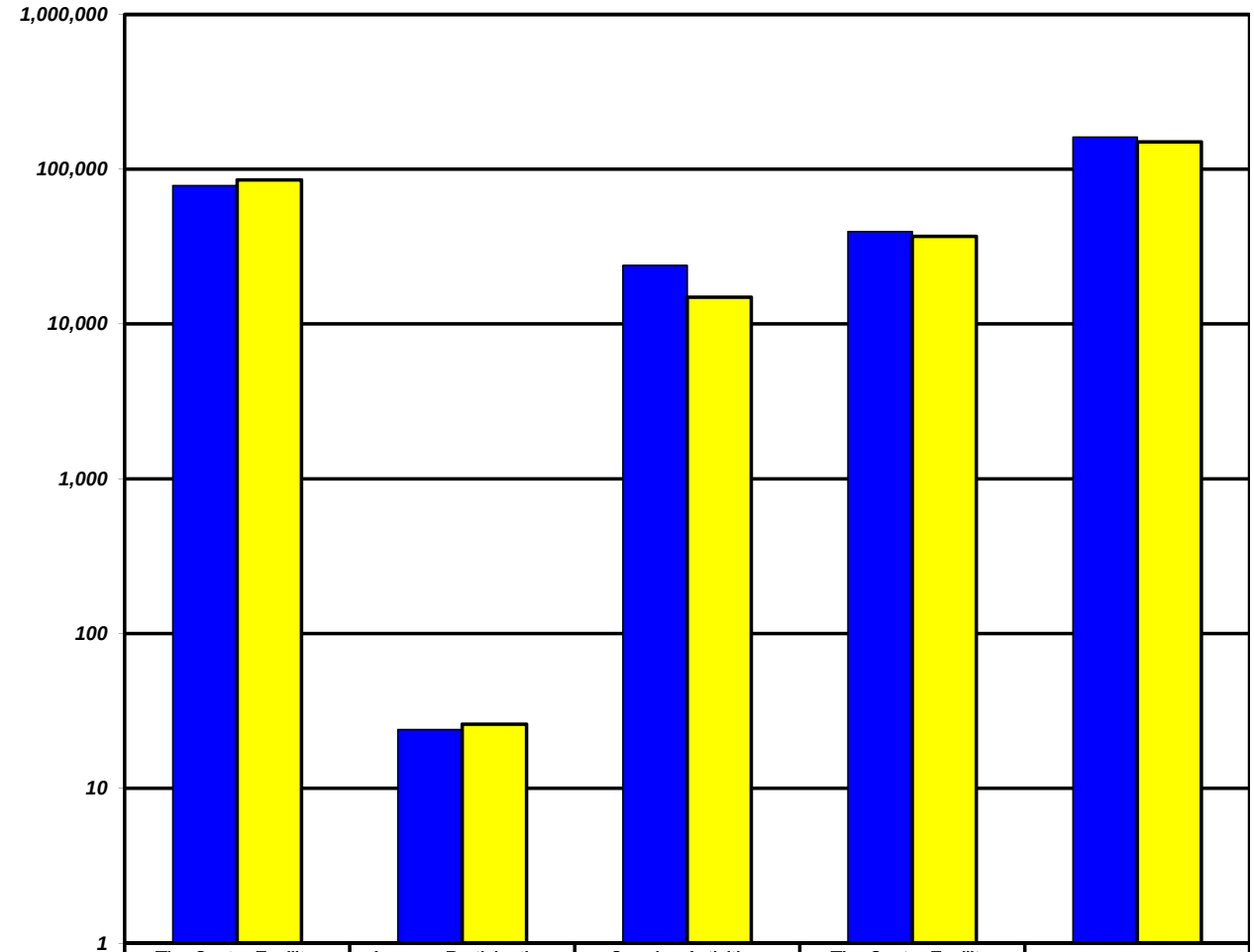
City of Rockwall
Parks and Recreation Department
FY14 September 2014



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY14 YTD	78,350	24	23,808	$39,428	$160,867
FY13 YTD	84,967	26	14,885	$36,758	$150,283

***Final year end revenue numbers are reported less than previous monthly report due to RBSL revenue account reconciliation with RBSL account revenues.**

The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.

Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.

Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
September 2014

DISPOSITION REPORT

	September
Intakes	177
1045	3
Adopted	99
Citizen Returned to Owner	0
Returned to Owner	31
Rescued	29
Euthanized	5
Live Outcome %	**95%**

FINANCIAL REPORT

Income	**September**
City of Rockwall	$0
Adoption Fee Income	$8,693
Impound Fee Income	$1,045
Owner Surrender	$1,205
General Donations	$13,645
Merchandise Sales	$85
Medical	$80
Quarantine Fee	$200
Total Income	**$24,953**

Expenses	**September**
Administrative Expenses (Payroll, etc)	$45,951
Shelter Expenses (Microchips, Drugs, etc)	$5,960
Veterinary Expenses	$9,841
Professional Services	$0
Training	$855
City of Rockwall	$0
Total Expenses	**$62,606**
Balance	**-$37,468**

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2013/14 City of Rockwall In kind values /Meals 4th Quarter
Meals On Wheels Senior Services

Jul-14 — 22 Days served

ROUTES	MILES	$
A	308	$172.48
B	220	$123.20
C	748	$418.88
E	682	$381.92
F & K	440	$246.40
H	276	$154.56
I&J	1320	$739.20
RM & R	332	$185.92
	4326	$2,422.56

	HOURS	$
A	22	$262.02
B	33	$393.03
C	22	$262.02
E	22	$262.02
F &K	43	$512.13
H	22	$262.02
I&J	33	$393.03
RM & R	33	$393.03
	230	$2,739.30

$ Value in kind volunteer services $5,161.86

4th of JulyHoliday Meal/Donated

Culvers	$750.00
Drinks	$50.00
Volunteer Miles & Hrs	$225.50

Total July inkind value $6,187.36

ROCKWALL PROGRAM MEALS
2,032 Home Delivered and Disabled
388 Congregate Centers

Total purchased Meals & Holiday 2,585

Aug-14 — 21 Days served

ROUTES	MILES	$
A	266	$148.96
B	190	$106.40
C	646	$361.76
E	589	$329.84
F& K	380	$212.80
H	238	$133.28
I&J	1140	$638.40
RM & R	286.72	$160.56
	3735.72	$2,092.00

	HOURS	$
A	19	$226.29
B	30	$357.30
C	19	$226.29
E	19	$226.29
F & K	40	$476.40
H	19	$226.29
I&J	30	$357.30
RM & R	30	$357.30
	206	$2,453.46

$ Value in kind volunteer services $4,545.46

Total August inkind value $4,545.46

ROCKWALL PROGRAM MEALS
1,942 Home Delivered and Disabled
391 Congregate Centers

Total purchased Meals 2,333

Sep-14 — 21 Days served

ROUTES	MILES	$
A	266	$148.96
B	190	$106.40
C	646	$361.76
E	589	$329.84
F& K	380	$212.80
H	238	$133.28
I&J	1140	$638.40
RM & R	286.72	$160.56
	3735.72	$2,092.00

	HOURS	$
A	19	$226.29
B	30	$357.30
C	19	$226.29
E	19	$226.29
F & K	40	$476.40
H	19	$226.29
I&J	30	$357.30
RM & R	30	$357.30
	206	$2,453.46

$ Value in kind volunteer services $4,545.46

Labor Day Holiday Meal

Taco Casa	$750.00
Drinks	$30.00
Volunteer Miles& Hrs	$225.00

Total September inkind value $5,550.46

ROCKWALL PROGRAM MEALS
1,978 Home Delivered and Disabled
348 Congregate Centers

Total Purchased Meals & Holiday Meals 2,491

THANK YOU
FOR YOUR
SUPPORT

Sincerely, Margie VerHagen E.D.

Total meals Program Purchased	In-kind VALUE Donated 4th Quarter 2013/14
7,409	$6,187.36 July Total $ 16,283.28
	$4,545.46 August
	$5,550.46 September

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Meals On Wheels Senior Services
Helping Hands Complex Bldg. C Suite 200
950 Williams Street, Rockwall, Tx 75087 972-771-9514

OCT 2013-SEPT 14

20132014 Meals and Services provided to the CITY OF ROCKWALL Elderly and Disabled
YEARLY SUMMARY

Customer

Name City of Rockwall
Address Goliad St
City Rockwall State TX ZIP 75087
Phone 972-771-7700

Misc

Date 9/30/2014
Order No.
Rep
FOB

Qty	Description				TOTAL/Value
29,796	Meals On Wheels provided Oct.1 2013-Sept.30, 2014 **Home-Delivered & Congregate**				$ 205,315.17
	Meals On Wheels Donated Delivery Volunteer Hrs., Miles &Kitchen Assistance **5 Days each week**				$ 97,000.00
	Holiday Meals		**October 2013-September 2014**		
300	**Hrs. Emergency Food Boxes- 5 days of shelf stable food (box cost is offset by FEMA)**				$ 18,600.00
3,600	**Total Hours for General Senior Services** Hrs.Vial of Life, Benefits Counseling, Health Fair Seminars, Training sessions, Caregiver Support Information, Referrals , Ombudsman Services information,Emergency Food Boxes,Board				$ 52,920.00
35	**Hrs. EMERGENCY ALERT AND PREPAREDNESS PROGRAM**				$ 515.00
	Congregate Educational Seminars, Exercise Program, & Craft Program				$ 8,500.00
				SubTotal	$ 382,850.17
				Total Value	**$382,850.17**

THANK YOU FOR YOUR FUNDING SUPPORT.
These numbers do not include other Cities in Rockwall County

Office Use Only

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AGENDA
ROCKWALL CITY COUNCIL
Wednesday, November 12, 2014
6:00 p.m. Special City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, and the Rockwall Economic Development Corporation (REDC) pursuant to Section 551.074 (Personnel Matters)

III. ADJOURN EXECUTIVE SESSION

IV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

V. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.
The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 7th day of November, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

Table of Contents

Agenda 5

Shannon Elementary School Recognition Day

Proclamation 11

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Rockwall Meals on Wheels Recognition Day

Meals on Wheels Proc 13

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Consider approval of the minutes from the November 3, 2014 regular city council meeting, and take any action necessary.

11/03 cc mtg mins 15

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Consider approval of the minutes from the November 12, 2014 Special City Council Meeting, and take any action necessary.

11-12-14 Special Minutes 42

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Consider authorizing the City Manager to enter into an agreement with the North Central Texas Council of Governments for the acquisition of aerial imagery, ground contours, and LiDAR (3D) GIS data in the amount of $29,279.25 to be paid from the Engineering operating budget, and take any action necessary.

Staff Memo 45

Agreement 46

Consider approval of an ordinance amending the Code of Ordinances in Ch. 36. Streets, Sidewalks and Public Places; Article IV. Art in Public Places Master Plan; Division 2. Art Review Team (ART) Commission; Section 33-77. Established, Subsection (a) Composition to change the required composition of the Commission membership, and take any action necessary. (2nd reading)

Ord_2nd reading (ART) 50

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Z2014-030 - consider approval of an ordinance for a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Barry Luff of L2 Properties, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 1 (SF-1) District land uses for a 138.79-acre tract of land identified as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City of Rockwall, Rockwall County, Texas, and zoned Agricultural (AG) District, generally located on the east side of Dowell Road south of the intersection of SH-276 and Dowell Road, and take any action necessary. (2nd Reading)

Ord 2nd reading (Z2014-030) 53

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Z2014-031 - Consider approval of an ordinance for a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of D. W. Bobst of J-BR2, LLC for the approval of a PD Development Plan proposing to establish five (5) pad sites for restaurants and retail shopping within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary. (2nd Reading)

Ord 2nd reading (Strohmeyer) 63

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Consider authorizing the City Manager to execute a contract with Texas Fire Museum Inc. for restoration of the 1959 Ford Fire Engine in the amount of $33,000 to be funded with Fire Equipment Funds and take any action necessary.

Memo 70

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P2014-033 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Matt Alexander of the Cambridge Company, Inc. for the approval of a final plat for Rockwall Downes, Phase 1, containing 34 residential lots on a 15.135-acre tract of land identified as a portion of Tract 3 of the J. M. Allen Survey, Abstract No. 0002, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10) for residential land uses, situated within the 205 By-Pass Overlay (205-BY OV) District, located south of the intersection of the IH-30 Frontage Road and John King Boulevard, and take any action necessary.

Staff Report 74

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P2014-036 - Consider a request by Philip Graham, PE of Wier & Associates on behalf of Sheri Franza of the Rockwall Economic Development Corporation for the approval of a replat for Lots 2 & 3, Block B, Rockwall Technology Park, Phase II being a 22.649-acre parcel of land currently identified as Lot 1, Block B, Rockwall Technology Park, Phase II, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, generally located east of the intersection of Corporate Crossing and Discovery Boulevard, and take any action necessary.

Staff Report 83

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P2014-037 - Consider a request by Arthur F. Beck of BSM Engineers, Inc. on behalf of the First United Methodist Church of Rockwall for the approval of a replat for Lots 6, 7 & 8, Block 1, First United Methodist Church Addition, being a 19.5556-acre tract of land composed of two (2) parcels of land identified as Lots 3 & 5, Block 1, First United Methodist Church Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1200 E. Yellow Jacket Lane, and take any action necessary.

Staff Report 89

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P2014-038 - Consider a request by Steven Heilbrun of Pacheco Koch, LLC on behalf of Williams H. Channell, Jr. of Channell Commercial Corp for the approval of a replat for Lot 2, Block A, Channell Subdivision, being a 18.762-acre parcel of land currently identified as Lot 1, Block A, Channell Subdivision, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of Airport Road, and take any action necessary.

Staff Report 96

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Z2014-033 - [Request to Postpone to the December 1, 2014 Meeting] Hold a public hearing to discuss and consider approval of an ordinance for a request by Amy and Mark Stehr for the approval of an amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, the subject property is addressed as 129 E. Ralph Hall Parkway, and take any action necessary. (1st Reading)

Staff Memo 103

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Z2014-027 - Hold a public hearing to discuss and consider approval of an ordinance for a City initiated zoning request for a text amendment to Article II, Authority and Administrative Procedures, Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of modifying various sections of the code, and take any action necessary. (1st Reading)

Staff Report 106

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SP2014-029 - Discuss and consider a request by John Spiars of Spiars Engineering, Inc. on behalf of Bill Lavin of Fenton Motor Group for the approval of variances associated with a site plan for a new automobile dealership on a 14.751-acre tract of land being composed of a 10.5-acre parcel of land identified as Lot 1, Block A, Lafon Addition and a 4.251-acre portion of Tract 2 & 12 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, being zoned Light Industrial (LI) and Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the 205 By-Pass Overlay (205-BY OV) District, located at the southeastern corner of the intersection of John King Boulevard and the IH-30 Frontage Road, and take any action necessary.

Staff Report 128

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Z2014-029 - [Applicant has requested to withdraw] Discuss and consider approval of an ordinance for a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a retail store with more than two (2) gasoline dispensers for a 0.743-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary. (2nd Reading)

Staff Memo . . . 147

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Z2014-025 - Discuss and consider approval of an ordinance for a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a zoning amendment to Planned Development District 63 (PD-63) to allow for changes to the concept plan and development standards stipulated by Ordinance No. 05-51 for a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District use, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM -549 and S. Goliad Street (SH-205), and take any action necessary. (2nd Reading)

Ord_2nd Reading (Somerset) . . . 151

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Discuss and consider a special request by Michael Clark to allow for a land use (fourplex residential dwelling unit) not otherwise allowed on property within the Southside Residential Neighborhood Overlay (SRO) with underlying zoning of Single Family Residential (SF-7) and located at 808 Sam Houston Street, City of Rockwall, and take any action necessary.

Staff Memo . . . 169

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Discuss and consider the results of a study of the City's current water and wastewater rates and approval of a resolution setting increased water and wastewater rates, and take any action necessary.

rates memo . . . 173

rates resolution . . . 175

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Discuss and consider appointments to the city's ART Commission, Architectural Review Board, and Main Street Advisory Board, and take any action necessary.

Memo_ART Commission . . . 178

Board Appts Needed . . . 179

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AGENDA
ROCKWALL CITY COUNCIL
Monday, November 17, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations)
2. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, and the Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding appointment of city council member liaisons to city boards, commissions, and committees pursuant to Section 551.074 (Personnel Matters)
5. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, November 17, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR SWEET

VII. PROCLAMATIONS / AWARDS

p.11 **1.** Shannon Elementary School Recognition Day

p.13 **2.** Rockwall Meals on Wheels Recognition Day

VIII. CONSENT AGENDA

p.15 **1.** Consider approval of the minutes from the November 3, 2014 regular city council meeting, and take any action necessary.

p.42 **2.** Consider approval of the minutes from the November 12, 2014 Special City Council Meeting, and take any action necessary.

p.45 **3.** Consider authorizing the City Manager to enter into an agreement with the North Central Texas Council of Governments for the acquisition of aerial imagery, ground contours, and LiDAR (3D) GIS data in the amount of $29,279.25 to be paid from the Engineering operating budget, and take any action necessary.

p.50 **4.** Consider approval of an **ordinance** amending the Code of Ordinances in Ch. 36. Streets, Sidewalks and Public Places; Article IV. Art in Public Places Master Plan; Division 2. Art Review Team (ART) Commission; Section 33-77. Established, Subsection (a) Composition to change the required composition of the Commission membership, and take any action necessary. **(2nd reading)**

p.53 **5.** **Z2014-030** - consider approval of an **ordinance** for a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Barry Luff of L2 Properties, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 1 (SF-1) District land uses for a 138.79-acre tract of land identified as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City of Rockwall, Rockwall County, Texas, and zoned Agricultural (AG) District, generally located on the east side of Dowell Road south of the intersection of SH-276 and Dowell Road, and take any action necessary. **(2nd Reading)**

p.63 **6.** **Z2014-031** - Consider approval of an **ordinance** for a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of D. W. Bobst of J-BR2, LLC for the approval of a PD Development Plan proposing to establish five (5) pad sites for restaurants and retail shopping within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary. **(2nd Reading)**

p.70 **7.** Consider authorizing the City Manager to execute a contract with Texas Fire Museum Inc. for restoration of the 1959 Ford Fire Engine in the amount of $33,000 to be funded with Fire Equipment Funds and take any action necessary.

p.74 **8.** **P2014-033** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Matt Alexander of the Cambridge Company, Inc. for the approval of a final plat for Rockwall Downes, Phase 1, containing 34 residential lots on a 15.135-acre tract of land identified as a portion of Tract 3 of the J. M. Allen Survey, Abstract No. 0002, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10) for residential land uses, situated within the 205 By-Pass Overlay (205-BY OV) District, located south of the intersection of the IH-30 Frontage Road and John King Boulevard, and take any action necessary.

p.83 **9.** **P2014-036** - Consider a request by Philip Graham, PE of Wier & Associates on behalf of Sheri Franza of the Rockwall Economic Development Corporation for the approval of a replat for Lots 2 & 3, Block B, Rockwall Technology Park, Phase II being a 22.649-acre parcel of land currently identified as Lot 1, Block B, Rockwall Technology Park, Phase II, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, generally located east of the intersection of Corporate Crossing and Discovery Boulevard, and take any action necessary.

p.89 **10.** **P2014-037** - Consider a request by Arthur F. Beck of BSM Engineers, Inc. on behalf of the First United Methodist Church of Rockwall for the approval of a replat for Lots 6, 7 & 8, Block 1, First United Methodist Church Addition, being a 19.5556-acre tract of land composed of two (2) parcels of land identified as Lots 3 & 5, Block 1, First United Methodist Church Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1200 E. Yellow Jacket Lane, and take any action necessary.

p.96 **11.** **P2014-038** - Consider a request by Steven Heilbrun of Pacheco Koch, LLC on behalf of Williams H. Channell, Jr. of Channell Commercial Corp for the approval of a replat for Lot 2, Block A, Channell Subdivision, being a 18.762-acre parcel of land currently identified as Lot 1, Block A, Channell Subdivision, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of Airport Road, and take any action necessary.

IX. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

X. PUBLIC HEARING ITEMS

p.103 **1.** **Z2014-033 - *[Request to Postpone to the December 1, 2014 Meeting]*** Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Amy and Mark Stehr for the approval of an amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, the subject property is addressed as 129 E. Ralph Hall Parkway, and take any action necessary. **(1st Reading)**

p.106 **2.** **Z2014-027** - Hold a public hearing to discuss and consider approval of an **ordinance** for a City initiated zoning request for a text amendment to Article II, Authority and Administrative Procedures, Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of modifying various sections of the code, and take any action necessary. **(1st Reading)**

XI. SITE PLANS / PLATS

p.128 **1.** **SP2014-029** - Discuss and consider a request by John Spiars of Spiars Engineering, Inc. on behalf of Bill Lavin of Fenton Motor Group for the approval of variances associated with a site plan for a new automobile dealership on a 14.751-acre tract of land being composed of a 10.5-acre parcel of land identified as Lot 1, Block A, Lafon Addition and a 4.251-acre portion of Tract 2 & 12 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, being zoned Light Industrial (LI) and Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the 205 By-Pass Overlay (205-BY OV) District, located at the southeastern corner of the intersection of John King Boulevard and the IH-30 Frontage Road, and take any action necessary.

XII. ACTION ITEMS

p.147 **1.** **Z2014-029 - *[Applicant has requested to withdraw]*** Discuss and consider approval of an **ordinance** for a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a retail store with more than two (2) gasoline dispensers for a 0.743-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass

Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary. **(2nd Reading)**

p.151 **2.** **Z2014-025** - Discuss and consider approval of an **ordinance** for a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a zoning amendment to Planned Development District 63 (PD-63) to allow for changes to the concept plan and development standards stipulated by Ordinance No. 05-51 for a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District use, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary. **(2nd Reading)**

p.169 **3.** Discuss and consider a special request by Michael Clark to allow for a land use (fourplex residential dwelling unit) not otherwise allowed on property within the Southside Residential Neighborhood Overlay (SRO) with underlying zoning of Single Family Residential (SF-7) and located at 808 Sam Houston Street, City of Rockwall, and take any action necessary.

p.173 **4.** Discuss and consider the results of a study of the City's current water and wastewater rates and approval of a resolution setting increased water and wastewater rates, and take any action necessary.

p.178 **5.** Discuss and consider appointments to the city's ART Commission, Architectural Review Board, and Main Street Advisory Board, and take any action necessary.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations)
2. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, and the Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding appointment of city council member liaisons to city boards, commissions, and committees pursuant to Section 551.074 (Personnel Matters)
5. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 14th day of November, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary Date Removed

Jacky Casey, Assistant Secretary

Proclamation

Rockwall, Texas

Whereas, Sharon Shannon Elementary first opened its doors in 2007 and had an overall attendance rate of 97% last year; and

Whereas, Shannon Elementary is the first school in Rockwall to receive the I Am a Leader Foundation Grant to become a "Leader in Me" school, which teaches the 7 Habits of Highly Effective People to teachers, students and their families; and

Whereas, Shannon Elementary has over 130 students participating in the 15 different campus leadership jobs and will become a "Leader in Me" Lighthouse school in 2015; and

Whereas, Shannon Elementary has a very active volunteer program, including "Dads of Great Students Watchdog Program"; and

Whereas, Shannon Elementary has the pleasure of having all the Special Education Programs on its campus, which gives their students the opportunity to show kindness and compassion to a wide range of students.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim Monday, November 17, 2014 as

Sharon Shannon Elementary School Recognition Day

in the City of Rockwall, Texas and urge all citizens to applaud and congratulate the students, teachers and staff of Sharon Shannon Elementary School for their noteworthy accomplishments and continued hard work towards quality education in Rockwall.

David Sweet, Mayor

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Proclamation

Rockwall, Texas

Whereas, Meals on Wheels offers an invaluable service to our community, delivering 29,796 meals annually to the home-bound elderly and congregate sites in the City of Rockwall; and

Whereas, Meals on Wheels also provides assistance to the elderly and disabled with countless issues relating to entitlement and insurance benefits; and

Whereas, Meals on Wheels ensures that caregivers have the most up-to-date information, education, and resources available; and

Whereas, Meals on Wheels equips each client with an Emergency Food Box twice a year containing a three to five day supply of stable, shelf-life food in case of inclement weather; and

Whereas, the Meals on Wheels program also offers information & referral service regarding in-home programs; Housing, Assisted Living, or Long-Term Care Facilities; transportation; and legal services.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby designate November 17, 2014 as

MEALS ON WHEELS RECOGNITION DAY

in the City of Rockwall and encourage all citizens to recognize this organization, including its leadership and volunteers, for the numerous beneficial services it provides to residents in our community.

In Witness Whereof, I hereunto set my hand and official seal this 17th day of November, 2014.

_____

David Sweet, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, November 03, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 4:00 p.m. Present were Mayor David Sweet, Mayor Pro Tem Jim Pruitt and Council members David White, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza. Mayor Sweet read the below listed discussion items into the public record before recessing the public meeting into Executive Session at 4:02 p.m.

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding right-of-way land acquisition located near Justin Road and John King Blvd. pursuant to Section 551.072 (Real Property) and status of Temunovic condemnation proceeding pursuant to Section 551.071 (Consultation with Attorney).
2. Discussion regarding Economic Development prospect pursuant to Section 551.087 (Economic Development)
3. Discussion regarding possible claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations)
5. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)
6. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission, and the Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)
7. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

III. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:58 p.m.

MINUTES
ROCKWALL CITY COUNCIL
Monday, November 03, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

Mayor Sweet called the public meeting back to order at 6:00 p.m. with all seven city council members present.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Pruitt made a motion to authorize the city manager to institute an action concerning the sale of city owned property at The Harbor. Councilmember Townsend seconded the motion, which passed unanimously of council (7 – 0).

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM PRUITT

Mayor Pro Tem Jim Pruitt delivered the invocation and led the Pledge of Allegiance.

VII. PROCLAMATIONS / AWARDS

1. Nebbie Williams Elementary School Recognition Day

Mrs. Gielow, principal at Nebbie Williams, came forth to introduce herself and several faculty members, students and parents. Mayor Sweet then read and presented the guests of Nebbie Williams Elementary School with a proclamation recognizing the school.

2. Pancreatic Cancer Awareness Month

Mayor Sweet invited Brenda Dillehay forth to invite her to say a few words. She explained that she is with the Pancreatic Cancer Network and is trying to have every city in the Metroplex issue a proclamation to help educate the public about this disease. Mayor Sweet then read and presented Ms. Dillehay with a proclamation declaring November as Pancreatic Cancer Awareness Month in the City of Rockwall.

3. Rockwall Boys and Girls Club Recognition Day

Mayor Sweet called forth Misti Potter, Executive Director of the local Boys & Girls Club. After a few introductions and brief comments, Mayor Sweet then read and presented the club with an honorary proclamation recognizing it for the numerous contributions it makes to benefit kids in the Rockwall community.

4. American Diabetes Month

Mayor Sweet called forth Ms. Sandi Peters. He then read and presented a proclamation declaring it to be American Diabetes Month in the City of Rockwall.

5. Pulmonary Hypertension Awareness Month

Mayor Sweet read this proclamation into the record, declaring November as Pulmonary Hypertension Awareness Month in the City of Rockwall.

6. Movember

Mayor Sweet called forth city employee, JoDee Sanford. Mrs. Sanford came forth and said a few words about Movember, explaining what that the campaign raises money and awareness about men's health issues, including certain cancers.

VIII. OPEN FORUM

Mayor Sweet explained how Open Forum is conducted and asked if anyone would like to come forth and speak during this portion of the meeting. There being no one wishing to come forward to speak, Mayor Sweet then closed Open Forum.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the October 20, 2014 regular city council meeting, and take any action necessary.

2. Consider approval of an **ordinance** amending the Code of Ordinances in Ch. 36. Streets, Sidewalks and Public Places; Article IV. Art in Public Places Master Plan; Division 2. Art Review Team (ART) Commission; Section 33-77. Established, Subsection (a) Composition to change the required composition of the Commission membership, and take any action necessary. **(1st reading)**

3. **P2014-027** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company (BH 60's POD, LTD) for the approval of a preliminary plat for Breezy Hill, Phases IXA & IXB, containing 92 residential lots on a 26.32-acre tract of land situated within the T. R. Bailey Survey, Abstract No. 30 and the J. Simmons Survey, Abstract No. 190, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally located east of the intersection of FM-552 and John King Boulevard, and take any action necessary.

4. **P2014-031** - Consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Kash Parbhu of Peak Pedi, LLC for the approval of a final plat for Lot 1, Block A, Peak Pedi Medical Office, being a 0.954-acre tract of land currently identified as Tract 1-02 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH276 OV) District, located on the north side of SH-276 east of the intersection of John King Boulevard and SH-276, and take any action necessary.

5. **P2014-032** - Consider a request by Richard Garcia of Triangle Engineering, LLC on behalf of Ketan Parekh of A. J. Squared, LLC for the approval of a replat for Lot 1, Block A, AJ Squared Addition being a 1.460-acre parcel of land currently identified as Lot 2, Block A, Rockwall

Assisted Living Facility Addition, zoned Planned Development District 18 (PD-18) for office and retail uses, situated within the Scenic Overlay (SOV) District, located on the west side of Ridge Road [FM-740] south of Cemetery Road, and take any action necessary.

6. Consider approval of a resolution of the City of Rockwall, Texas, declaring a public necessity for the acquisition of fee simple title to all portions of properties for the Justin Road Project located in Rockwall County, Texas owned by unknown persons and/or entities, described as follows: A tract of land containing 0.298 acres (12,991 square feet), located off Justin Road between Industrial Boulevard and John King Boulevard in the City of Rockwall, Rockwall County, Texas for the public purpose of construction, operation, reconstruction, improvement, repair and maintenance, of the Justin Road Street Project; authorizing all appropriate action of the City in the institution and prosecution of condemnation proceedings to acquire such properties that cannot be acquired through negotiation; authorizing all other lawful action necessary or incidental to such acquisitions.

Councilmember White made a motion to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, and 6). Councilmember Lewis seconded the motion. The ordinance for #2 was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-41

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CH. 36. STREETS, SIDEWALKS AND PUBLIC PLACES; ARTICLE IV. ART IN PUBLIC PLACES MASTER PLAN; DIVISION 2. ART REVIEW TEAM (ART) COMMISSION; SECTION 33-77. ESTABLISHED, SUBSECTION (a)(1). COMPOSITION TO CHANGE THE REQUIRED COMPOSITION OF THE FIVE (5) MEMBER COMMISSION; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Craig Renfro, Chairman of the Planning and Zoning Commission came forth and briefed the city council on recommendations of the Commission relative to Planning-related items on tonight's city council meeting agenda. The council took no action related to this agenda item.

2. Appointment with Todd Parks, FBO of the Ralph M. Hall / Rockwall Municipal Airport, to request a modification to winter operating hours and discuss holiday closings, and take any action necessary.

Mr. Parks came forth and explained that the contract that was signed back in April allows for changes if mutual agreed upon by both parties. He then requested that the council consider allowing him to change the operating hours, including some holiday hours (closing on Thanksgiving day, Christmas day, and possibly New Years day).

Mayor Pro Tem Pruitt suggested that Mr. Parks may consider staying open for these holidays this year in order to better gauge whether or not he will have transient traffic. After additional discussion,

Councilmember White made a motion to allow winter hours of 7 AM – 6PM (from November 1st through April 1st) and allow him to close Christmas, Thanksgiving and New Years Day with the availability of a "ten minute call out" (since he lives nearby). Councilmember Daniels seconded the motion, which passed unanimously of council present (7 – 0).

XI. PUBLIC HEARING ITEMS

1. **Z2014-025** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a zoning amendment to Planned Development District 63 (PD-63) to allow for changes to the concept plan and development standards stipulated by Ordinance No. 05-51 for a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District use, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix provided background information related to this agenda item. He explained that this is a request for a zoning change on a previously established Planned Development District. He stated that notices were sent out to adjacent properties located within five hundred feet (total of 27) of the subject property and to homeowner's associations located within fifteen hundred feet. Three notice replies were received back in opposition, and 1 was received back in favor. The Planning & Zoning Commission has recommended approval of this item by a vote of 7- 0. It was mentioned that a substantial sewer line extension will be needed, and the developer would bear this cost.

Mayor Sweet opened the public hearing and called the applicant forward. The applicant, Bill Gietema (3500 Maple Avenue Dallas, TX), came forth and explained that he is a master planned developer, not a home builder, and his company designs master planned neighborhoods. He then made a presentation to the council concerning elements of this particular master planned community.

Mayor Sweet asked if any member of the public in the audience would like to come forth and speak. There being no one in the audience wishing to do so, Mayor Sweet then closed the public hearing.

Councilmember Lewis asked what the price point may be for these homes. Mr. Gietema explained that they would likely start at about $320,000.00. Councilmember Daniels expressed concern about the increased lot size, especially in light of the current drought and associated water supply concerns. Mayor Pro Tem Pruitt asked if the applicant is prepared to move forward with this development if the council is not willing to go along

with approving the increase in density at this time. Mr. Gietema indicated that they would either develop it as it is currently approved, or they would sell it to a builder.

Councilmember Lewis asked if there is a way to calculate how much water it would take to water the lawns with lots of this size. City Engineer Tim Tumulty indicated that staff has done some calculations on this. He explained that, with the smaller lots, there will be more area that won't be pervious, so going with the smaller lots will actually save water since 'more house' will take up more of a smaller lot size.

Councilmember Milder expressed that he likes the uniqueness of this development and is in favor of granting a slightly higher density in order to get a development like this in Rockwall.

Councilmember Daniels asked Mr. Tumulty for clarification on the watering calculations, indicating that he still has concerns about increased water consumption that is likely associated with larger, estate homes (i.e. more showers, more toilet flushes, etc.) – not just concerns related to outdoor watering of the lawns and landscapes. Mr. Tumulty indicated that staff only focused on outdoor lawn watering when attempting to make some of these water consumption calculations.

Councilmember Lewis indicated that he has seen some of these developments in other cities, and they are very well done. Mr. Gietema indicated that in other developments, they have anywhere from eight to as many as eleven architectural styles to choose from with multiple builders involved.

There being no one else wishing to come forth and speak, Mayor Sweet then closed the public hearing.

Councilmember Lewis made a motion to approve 2014-025. Councilmember Townsend seconded the motion.

Mayor Sweet emphasized the uniqueness and quality of the homes that will be involved in this development.

The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-49

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 63 (PD-63) [*ORDINANCE NO. 05-51*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY SUPERSEDING *ORDINANCE NO. 05-51* FOR THE PURPOSE OF MODIFYING THE CONCEPT PLAN, OPEN SPACE PLAN AND DEVELOPMENT STANDARDS FOR THE SUBJECT PROPERTY, BEING A 139.354-ACRE TRACT OF LAND IDENTIFIED AS TRACTS 1 & 7 OF THE A. JOHNSON SURVEY, ABSTRACT NO. 123, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 in favor with 1 opposed (Daniels).

2. **Z2014-028** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Mohamed Taha for the approval of a Specific Use Permit (SUP) to allow a minor auto repair garage to be established in conjunction with an existing oil/lube change facility located on a 0.2755-acre parcel of land identified as Lot 3, Block B, Rockwall High School Addition, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2225 Ridge Road, and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix provided background information related to this agenda item, explaining that this request is for a stand alone, minor automotive repair business. He explained that there is already an established oil / lube business located at this address. Its use was established back in the 1980's, prior to the scenic overlay district being created in this area. He further explained that outside storage of vehicles and merchandise, such as tires, is not permissible at this location under the current zoning. The applicant now is asking the city council to consider allowing him to store no more than seven vehicles at the rear of the business, and these vehicles would be screened from FM-740 (Ridge Road). The applicant is aware that there have been some Code Enforcement related concerns at his location (i.e. storage of tires, boat, jet skis, etc.)

Notices were mailed out to thirty property owners within five hundred feet, and the Turtle Cove HOA was mailed notice since it is located within fifteen hundred feet. One notice was received back in favor, and six notices were received back in opposition. In addition, one email was received back indicating opposition. The Planning & Zoning Commission has recommended approval of this item with allowance for overnight parking of cars; however, they would like there to be an "expiration date" associated with this SUP if it is in fact granted. The SUP would then need to come back before the city council to be reviewed for a possible extension to be considered at that time.

Mayor Sweet opened the public hearing and called the applicant forth. The applicant not being present, Mayor Sweet asked the city attorney if the public hearing is allowed to be held. Mr. Garza indicated that moving forward with the public hearing is permissible, so Mayor Sweet continued with opening the public hearing, asking if anyone in the audience would like to come forth and speak.

Laura Carr
667 Stafford Circle
Rockwall, Texas 75087

Mrs. Carr came forth and presented various photographs to the council for their consideration. She explained that outside storage of both vehicles and tires has been taking place illegally at this location for some time now. It was clarified that the applicant has requested permission to leave as many as seven (7) vehicles parked in the rear of the business; however, the Planning & Zoning Commission has recommended allowing up to four (4) vehicles parked overnight in the rear of the building with the caveat that they be screened from public view. Mrs. Carr expressed concern about the outside storage being unsightly, and she also has some safety-related concerns and pollution-related concerns about "run off" associated with this type of business, especially since the lake is nearby. She generally encouraged the council to not approve this request.

Mr. Dan Donahoo
655 Turtle Cove Boulevard
Rockwall, Texas

Mr. Donahoo expressed that this is a health / safety issue. They are already doing some "minor" auto repairs at this location, and that is in violation of its current zoning. He is concerned about an increased amount of metal type products stored at the location. Also, there are not enough parking spaces at this location to accommodate overnight parking. He generally encouraged the council to not approve this request.

Dr. Jean Conway
358 Turtle Cove
Rockwall, TX

Mrs. Conway came forth and explained that she has concerns about the zoning violations that have been occurring, and the unsightliness of this business location along this scenic corridor within the city. For example, unsightly tires, until recently, were piled high at this business location. She explained that she is president of Eastfield College, and she watched the decline of the Pleasant Grove area over a period of time. She explained that this decline in Pleasant Grove began with one business that caused the whole area to eventually go downhill. She expressed general opposition to this request.

James R. Jackson
608 White Hills Drive
Rockwall, TX 75087

Mr. Jackson expressed that he owns an auto business in town, and he believes every business in town needs to abide by the regulations and associated zoning. In his opinion, the size of this particular location is far too small to accommodate various services, including automotive repairs. He generally expressed opposition regarding this SUP request.

There being no one else wishing to come forth and speak to the council at this time, Mayor Sweet then closed the public hearing.

Councilmember Lewis made a motion to deny Z2014-028 and the associated SUP request. Councilmember Daniels seconded the motion. Councilmember Daniels expressed that this business has had a long list of code-related violations ever since it opened, and none of these concerns have been addressed and rectified. He also has concerns about the applicant not even being here this evening to address the council.

Councilmember White asked if tires are allowed to be stored outside at this location right now. Mr. LaCroix indicated that a few, handful of tires can be displayed out front of the business during business hours only, but then they have to be taken indoors at closing. Also, right now, no outside storage of vehicles is allowed with the current zoning. Mr. Griggs explained that two citations have been issued to date for code related violations at this location; however, the outcome of those citations have been placed on hold for now until the applicant's zoning case is concluded. Mr. LaCroix clarified that any work done on vehicles at this business location would need to occur indoors, within the bay area with no work being allowed outdoors.

Mr. Crowley clarified that four citations have been issued at this location to date. These were issued only after city staff attempted to work with the business owner to rectify the violations. The city placed the outcome of these code violation citations 'on hold' until

the applicant has had an opportunity to have his zoning change request heard and considered by the Planning & Zoning Commission and by City Council.

Mayor Pro Tem Pruitt expressed that vehicles are parked in the front of the lot, and he has concerns about there being no accessible fire lane at this location. Fire Chief Mark Poindexter expressed that, at the time this was approved years ago, it was built without any reference to a fire lane requirement on the plat that was filed.

Mayor Sweet thanked Mr. Jackson and the representative from Christian Brothers Automotive (in the audience) for their abiding by their own business' zoning regulations.

The motion to deny then passed unanimously of council (7 ayes to 0 nays).

At 7:42 p.m., Mayor Sweet called for a brief break.

Mayor Sweet called the public meeting back to order at 7:55 p.m.

3. **Z2014-029** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a retail store with more than two (2) gasoline dispensers for a 0.743-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary. **(1st Reading)**

Mr. LaCroix, Planning Director, provided brief background information related to this agenda item. He indicated that the applicant has platted this area as two different properties. This particular application is for a fuel center with more than two gasoline pumps. It is located on almost ¾ of an acre. Traffic circulation will be off of John King Boulevard, including any fuel supply trucks. The Planning & Zoning Commission has recommended approval of this item by a vote of five in favor with one against with the requirement that no outside display of merchandise is to be allowed and that no delivery of fuel would be allowed during school zone hours.

Mayor Pro Tem Pruitt asked Mr. LaCroix for clarification on if this is a stand alone business. Mr. LaCroix clarified that this gas station location is associated with the adjacent, proposed Walmart Neighborhood Market. He asked if this location could accommodate a gas station of some other kind (i.e. a 7-11). Mr. LaCroix indicated that, yes, another gas station could be allowed here if an SUP were granted to allow the fuel tanks/pumps but that a gas station with no more than two pumps is already permissible here 'by right.'

Mayor Sweet opened the public hearing and called the applicant forth.

Steven Freeman with Kimley-Horne and Associates came forth as the applicant. Mr. Freeman explained that he has several representatives present this evening, including the following: Scott Johnson with Kimley Horne and Associates (did traffic study for this project); Ty Holcolm with Raymond Harris (the lead architect); and Kelly Dura with Walmart. Mr. Freeman clarified that this particular fuel center would be owned and

operated by Walmart (as opposed to Murphy Oil). He expressed concern about the recommended restriction that fuel not be delivered during school zone hours because this would be difficult to adhere to. So, he requested that the city council not include that restriction as part of this SUP approval.

Mayor Sweet asked if anyone in the audience would like to address the council at this time.

Nichole Clark
2011 Trailglen
Rockwall, TX 75032

Mrs. Clark expressed she would like this item bundled with the application for the building itself because she prefers that this development not be located in front of the school at all. She is generally opposed to this development.

City Attorney Frank Garza indicated that the applicant has submitted the applications separately, so, therefore, the city council must consider these two items separately with two, separate votes.

Eric Hatley
2440 Fieldcrest Drive
Rockwall, TX

Mr. Hatley also feels these two items should be bundled and considered together. He expressed that he has strong opposition to this item. He is concerned about the eighteen wheelers which may be delivering fuel during school zone hours when children are crossing at the nearby intersection. He explained that he has grave safety concerns.

Erica Akers
2421 Wagon Wheel Drive
Rockwall, TX

Mrs. Akers expressed that she thinks this development is a great idea; however, she does agree with some safety-related concerns associated with a nearby crossing guard area for school students going to and from the school. She does agree with limiting the times that fuel delivery trucks could make their deliveries due to safety related concerns associated with the nearby school and student pedestrians.

Leon Townsend
2111 Paint Creek Court
Rockwall, TX

He explained that he has lived in Lofland Farms for about ten years now. He expressed that he has safety-related concerns, especially related to drivers who are attempting to exit out of the subdivision onto SH-276 or onto John King Boulevard.

Tara Gonzales
2441 Teagle Drive
Rockwall, TX (Lofland Farms Subdivision)

Mrs. Gonzales expressed that she is in opposition of the proposed gas station. She generally expressed that there are a sufficient number of fuel stations located within close proximity to this location already. She has safety concerns related to underground fuel tanks, especially since they would be located in such close proximity to the nearby school.

Mike McQuiddy
2221 Fieldcrest
Rockwall, TX

Mr. McQuiddy reiterated what others have said in that he is opposed to the proposed gas station pumps. He has concerns about traffic congestion, which is already a serious issue, even without this development. He expressed that approval of this fuel center will only serve to compound the traffic congestion related concerns.

Mrs. Hatley
2440 Fieldcrest Drive
Rockwall, TX

Mrs. Hatley pointed out the mission statements of the Planning & Zoning for the city as well as the mission statement for the City of Rockwall itself, pointing out that both speak to a desire to have a safe community. She is not okay with this particular Walmart being located so close to the nearby school. She has concerns about child pedestrians crossing lanes of traffic, and she is concerned about 18 wheeler fuel tank trucks making fuel deliveries during school zone hours. She is not opposed to Walmart in general. In fact, she shops across town at the existing Walmart Neighborhood Market; however, she is not in favor of one going in at this particular location.

David Eason
202 E. Interurban
Rockwall, TX

Mr. Eason is generally opposed to this proposed fuel center and has safety related concerns.

Erica Akers
2421 Wagon Wheel Drive
Rockwall, TX

Mrs. Akers expressed that she is in agreement with both the gas station and the store. She believes the Clean Water Act and other regulations as well as current, modern day design standards will ensure the safety of in ground fuel tanks. Furthermore, she believes that a gas station at this location is very likely inevitable. She pointed out that if it is not a gas station that goes in at this location, it could be something even less desirable.

Ashley Denton
2160 Paintcreek Court
Rockwall, TX 75032

Mrs. Denton indicated that the crossing guard who normally works the intersection of John King Boulevard and SH-276 sometimes does not show up to assist children crossing the roadway. It was explained that some students go to Jones from the Meadowcreek subdivision, and those are the pedestrian students residents are concerned about.

Jamie Cutler
2461 Teagle Drive
Rockwall, TX 75032
(Lofland Farms)

Mrs. Cutler expressed that she walks her kids to school every day, and she is concerned about the already very congested area. She is concerned that a Walmart and fuel center at this location will only serve to increase traffic congestion in this is already a problem.

Mayor Pro Tem Pruitt made a motion to table action on this item until Public Hearing Item #4 and Action Item #2 can be addressed. Councilmember Milder seconded the motion.

Councilmember White asked for clarification as to where in this area kids are actually crossing to go to school.

Lesli Kilgore
1662 Chesterwood
Rockwall, TX

Mrs. Kilgore came forth to speak. It was clarified that kids cross at the intersection of John King Boulevard and Chesterwood, and that is where the school crosswalk is located. However, sometimes the crossing guard assigned to this crosswalk does not show up in the mornings and/or afternoons.

Councilmember White clarified with staff that SH-276 is proposed to be expanded by the State of Texas to four lanes and eventually to six lanes. Mr. Crowley affirmed that the roadway is slated for expansion sometime in the future, indicating that the expansion of this road would occur with some county road funding with a majority of the cost being funded by the Texas Department of Transportation (TXDOT).

Scott Johnson
Kimley-Horne
Dallas, TX

Mr. Johnson came forth and indicated that about 12,800 cars per day are currently on SH-276, which is considered "busy" but not "full" for a highway. Councilmember Lewis asked for how many days traffic was counted associated with this study. Mr. Johnson indicated that traffic was counted for one day, and it was most likely done on a Tuesday, Wednesday or Thursday. Councilmember Lewis expressed concern about the city council not being given the traffic study results. He also has concerns about the developer putting these items forth for consideration in two, separate parts.

The motion to table passed by a vote of 7 ayes to 0 nays.

Following Public Hearing item #4 and Action item #2, the council revisited this agenda item. Councilmember Townsend made a motion to approve Z2014-029. Councilmember Milder seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-XX
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A RETAIL STORE WITH MORE THAN TWO (2) GASOLINE DISPENSERS ON A 0.743-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 5-3 OF THE W. H. BAIRD SURVEY, ABSTRACT NO. 25, AND ZONED PLANNED DEVELOPMENT DISTRICT NO. 45 (PD-45) FOR GENERAL RETAIL LAND USES, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion to approve passed by a vote of 6 in favor with 1 against (Sweet).

4. **Z2014-032** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a building greater than 25,000 SF in a General Retail (GR) District for a 5.52-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix provided brief background information related to this item. Mr. LaCroix explained that these cases are being handled separately because they each require a separate SUP, and the applicant submitted them separately. He indicated that thirty-seven notices were sent out in accordance with the manner in which the city typically sends notice (within 500' of the property and to the homeowner's associations (HOA) located within fifteen hundred feet). In addition, a large, yellow sign indicated a proposed zoning change was also placed on site. The Planning & Zoning Commission did recommend approval of this item with the stipulation that an 8' masonry screening wall be placed at the rear of the building (east side of the property). Three official notices were received back in favor, and two were received back in opposition. Mr. Ryan Miller, Planning Manager, clarified that, in addition to staff receiving these replies to the official notice, several emails were received by staff as well.

Mayor Sweet expressed that the city has sincerely worked hard towards improving public notices on zoning cases, including expanding the notification area for those who receive mailed notice, and changing the signage to make them larger and more noticeable to

passersby. He expressed that the city council has experienced some confusion as to why these two items are being presented as two, separate cases for consideration.

Mayor Sweet opened the public hearing and called the applicant forth to speak. Mr. Steven Freeman with Kimley-Horn came forth and apologized for the confusion associated with the two SUP items being presented separately. He indicated that pre-development meetings were held with staff, and it was noted at that time that two, separate SUPs would be required – one for the Walmart store itself and one for the fuel center. It was originally projected that the SUP for the store itself would be further along and considered in advance of the fuel center SUP request, but they wanted them to both come forth for consideration at the same time. He then explained how 18-wheeler deliveries would be made to the store itself, indicating that the route the trucks would take would not actually pass through the existing school zone. He also spoke about the proposed buffer behind the proposed Neighborhood Market store itself, indicating that what they are proposing exceeds the city's minimum requirements.

Councilmember Milder asked for clarification as to where the wall buffer would be located. Mr. Freeman expressed that it would be an eight foot wall located between the tree and the back of the Walmart.

Eric Hatley
2440 Fieldcrest Drive
Rockwall, TX

Mr. Hatley came forth and expressed that he is not in opposition to Walmart itself; however, he believes there are better locations for this proposed Walmart to be located. Mr. Hatley expressed that if a gas station (only) goes in at this location, it will result in less traffic than would be created if the Walmart store itself also goes in at this site location. He suggested that there may be better locations North of SH-276. Mr. Hatley expressed that Walmart is convenient, but it comes at a cost. He generally has concerns about safety and security of kids in the area. He expressed that it will bring increased, abnormal traffic that kids both at the school and nearby pool and park areas are not accustomed to. He also questions if the physical condition of existing roadways will be able to handle the additional traffic and the large delivery trucks. Also, while he does not have actual crimes statistics, he does still have safety concerns related to possible increase in crime. He is also concerned about alcohol and tobacco products being sold in such close proximity to where children will be located. Mr. Hatley read an email from Linda Mitchell Duram, VP of the Rockwall ISD school board of trustees, which indicated that neither she nor the superintendent is in favor of any place that sells alcohol or tobacco being located within three hundred feet of any school. He also read some emails from a school board member and from the superintendent of schools expressing that they are opposed to the sale of alcohol and tobacco within three hundred feet of any Rockwall schools. Mr. Hatley generally expressed strong opposition to the proposed Walmart at this location.

Mr. LaCroix clarified that there is a vacant, commercial piece of property that would be located in between the Walmart and the nearby elementary school.

Tara Gonzales
2441 Teagle Drive
Rockwall, TX (Lofland Farms Subdivision)

Mrs. Gonzales expressed concern about there not being adequate infrastructure (roadways) in place prior to approving a development of this magnitude. She explained that she is not against Walmart; however, she is not in favor of one being placed at this particular location, especially in such close proximity to the nearby school. Mrs. Gonzales then read an email that she sent to both city council members and school board members earlier today. Mrs. Gonzales expressed that she believes there are better locations for placement of a Walmart of this nature. If indeed the council does chose to approve this SUP, she would like the council to consider some concessions. She would like the Walmart Neighborhod Market to be built at no more than 25,000 sq. feet, which is what this general retail area is currently zoned for (instead of the 40,000 sq. feet that is being proposed). She generally asked the council to consider the interests and concerns of the nearby residents and their school aged, pedestrian children walking to and from school. She would like additional traffic lights at entrances and exits. She would speed bumps placed in the area of SH-276 and Trailglen. Also, she would like street signs indicating "no thru traffic." Also, she is concerned about strangers that will be brought into her neighborhood. She would like this Walmart Neighborhood Market to not be allowed to be a 24 hour operation if it is in fact approved. She would also like no deliveries between 10PM and 7AM as well as any time the school zone lights are flashing. Furthermore, she requested that no overnight parking to be allowed if it is approved. Furthermore, she requested that the buffer / screen wall be at eight feet and that it be expanded to also provide a screen at the school property line. She also wants to prohibit the sale of alcohol at this particular location if it is approved.

Nichole Clark
2011 Trailglen
Rockwall, TX 75032

Mrs. Clark asked for certain considerations if this SUP is approved. She would like to see traffic signals / lights at the intersections of SH-276 at Trailglen and at John King and Fieldcrest. She believes the developer could be responsible for said signals lights. She would also like speed bumps installed on Trailglen, Stableglen, and Fieldcrest as well as "no thru traffic" signs to make it unappealing for traffic to cut through these areas. She would like restrictions on delivery times (none between 10 PM and 7 AM); no overnight parking; only downward facing lights on the property so they do not shine beyond the property's boundaries; a shopping cart containment system to ensure the carts are not taken off sight.

Mike McQuiddy
2221 Fieldcrest
Rockwall, TX

Mr. McQuiddy asked when the city staff first learned that the site plan submittal did not conform to the zoning. Mr. LaCroix indicated that staff was made aware about three weeks ago. At that time, the process was stopped, and city staff had to re-advertise the case. Mr. McQuiddy expressed that the development is poorly planned. The building size is about 70% greater that what a General Retail district actually allows (25k square feet is what it is zoned for). He is concerned about 24 hour operations if this Walmart is approved. He is concerned about noise, traffic, litter and late night hours, among other concerns. Mr. McQuiddy quoted some provisions located within the city's Unified

Development Code. He then encouraged the applicant to abide by the codes as they are written instead of asking for exceptions.

Jamie Cutler
2461 Teagle Drive
Rockwall, TX
(Lofland Farms)

Mrs. Cutler expressed that she is opposed to this development because of all of the children in and around the adjacent neighborhoods.

Mayor Pro Tem Pruitt explained that Walmart could, "by right," build a 25,000 square foot store with two gas pumps and not sell alcohol and not have to seek permission from the city council. He asked Mrs. Cutler if she would still be opposed if Walmart did this. Mrs. Cutler generally expressed that she may still be opposed to it even then.

Mr. Tommy Miller
2401 Fieldcrest Drive
Rockwall, TX

Mr. Miller generally expressed support for this proposed Walmart Neighborhood Market. He is not necessarily in support of adding speed bumps on nearby, neighborhood roadways. He also believes, in some cases, that having retail establishments somewhat close to residential areas actually has a positive affect on property values.

Erica Akers
2421 Wagon Wheel Drive
Rockwall, TX

Mrs. Akers expressed that she is in support of this proposed development. She expressed that the store itself sells limited items and that it caters to the nearby neighborhoods. This will bring about 100 part time positions (work force) to the area, and she believes this will be a good thing. She acknowledged that there are some traffic-related concerns that may accompany this development; however, she believes these concerns could be worked out. She expressed that there are already speeding concerns in the neighborhood, and she does not believe those will become any worse with this development. She also pointed out that this store would not directly abut the school property. There is another lot in between the two property lines. She generally expressed support for this proposed Walmart.

Mr. Tim Wilson
2850 Avery
Rockwall, TX
(Lofland Farms subdivision)

Mr. Wilson expressed that his main concern is simply how close it is to the nearby neighborhood community. He suggested that the onsite drainage be moved to the rear of the building rather than in the front of the building. He asked the Council to deny this Special Use Permit to relook at it to figure out how the circumstances associated with the development could be made better for the community.

Josh Denton
2160 Paintcreek Court
Rockwall, TX 75032

Mr. Denton is concerned about this development brining in additional traffic from other areas outside of the immediate, surrounding areas. Mr. Denton expressed that he prefers a 25,000 square foot store, with only two gas pumps and with no alcohol sales.

Ashley Denton
2160 Paintcreek Court
Rockwall, TX 75032

Mrs. Denton expressed that she is opposed to this SUP. She stated that the roadway infrastructure is not sufficient in this area to support this proposed Walmart at this time. SH-276 needs to be expanded first before something like this is possibly approved. She does not want this to be a 24 hour operation if it is in fact approved. She explained that she sometimes sits through six or seven cycles of the light at SH-276 and John King Boulevard. She is opposed to this development.

Mayor Pro Tem Pruitt and Mayor Sweet both pointed out that SH-276 is slated to be expanded to a six-lane roadway by the County and TXDOT.

Leon Townsend
2111 Paint Creek Court
Rockwall, TX

Mr. Townsend suggested that staff show a map of the area in order to solicit more input from potentially affected, nearby residents.

Mayor Pro Tem White indicated that the city recently amended its practice of notifying residents to also include notification to the Homeowner's Associations. He encouraged residents to ensure that management companies who oversee their HOAs are in fact disseminating word to the residents in their neighborhoods concerning zoning change notifications emailed by the city.

Mr. Tim Wilson came forth and indicated that he is the president of the Homeowners Association in this area (Lofland Farms). He stated that the city did notify the HOA management company; however, they did not send the notice to the correct contact person within the management company. Mr. Wilson expressed concern about the city not having confirmation from the HOA's to which they send notification. If the city does not have the correct contact information for the homeowner's association board president him/herself and only has contact information for the property management company, then saying that the city notified the HOA does not look good or go over well with the President of an HOA who may have in fact not received notification from the city. Planning Director Robert LaCroix explained that city staff made a registry for the various HOAs and associated management companies to utilize to keep the city staff informed of up-to-date and accurate contact information for the various HOAs throughout the community. The public is encouraged to utilize this registry to ensure notices sent to the HOAs by the city are received by the correct companies and/or individuals associated with those HOAs.

Mayor Pro Tem Pruitt made a motion to table this item until after Action Item #2 is addressed. Mayor Sweet seconded the motion. General discussion took place related to various, possible scenarios for what size building or type of business could go in at this location if this Walmart Neighborhood Market is not approved.

Action Item #2 was addressed next by Council.

Councilmember Townsend made a motion to approve Z2014-032, including the associated P&Z recommendations. Councilmember White seconded the motion. Brief comments took place related to fire wall related building materials and the associated fire code regulations. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-XX
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A BUILDING GREATER THAN 25,000 SQUARE FEET IN A GENERAL RETAIL DISTRICT ON A 5.52-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 5-3 OF THE W. H. BAIRD SURVEY, ABSTRACT NO. 25, AND ZONED PLANNED DEVELOPMENT DISTRICT NO. 45 (PD-45) FOR GENERAL RETAIL LAND USES, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion failed by a vote of 3 in favor with four against (Pruitt, Sweet, Daniels and Lewis).

Mayor Sweet then called for a brief, ten minute break.

Mayor Sweet called the meeting back to order and addressed Public Hearing item #5 next.

5. **Z2014-030** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Barry Luff of L2 Properties, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 1 (SF-1) District land uses for a 138.79-acre tract of land identified as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City of Rockwall, Rockwall County, Texas, and zoned Agricultural (AG) District, generally located on the east side of Dowell Road south of the intersection of SH-276 and Dowell Road, and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix provided brief background information related to this agenda item, indicating that this would be for 107, separate one acre lots and would be the city's first area with an SF-1 District. A rural street section would exist that would use

valley ditches to facilitate street drainage. This would require an exception to the city's on-site sewage requirements. Twenty percent would be open space with a "pocket park" being included. The lots would have 40' setbacks with a minimum lot width of 150' and a minimum 2,600 square foot dwelling size and a lot coverage of 45 percent. The closest sewage tie in is located about 1.5 miles away, so if these estate lots could be effectively implemented, the sewer-related variance would need to be granted. Regarding future construction of a nearby four-lane divided roadway (planned for in the city's Comprehensive Plan), a water line easement has been discovered, and it complicates plans associated with construction of this roadway. City staff did discuss possible construction of this roadway with the developer. A traffic impact analysis was done to see if in fact the traffic counts would warrant a four-lane divided roadway, and the results were just received back by staff on Friday. The study did indicated that a two lane divided roadway can accommodate the traffic with utilization of some 'flare outs' in some areas to allow for needed turn lanes. This area is slated to be low density in accordance with the city's Comprehensive Plan, so this development does meet the intent of the plan. Mr. LaCroix indicated that staff mailed out notices to twenty-six properties located within 500 feet of the proposed zoning. One notice was received back in support, and 1 notice was received back with what appears to be a neutral response.

City Manager Rick Crowley provided brief comments regarding a septic tank monitoring and inspections program that could be provided either through the county through expansion of a current interlocal agreement or through a private contractor. He explained that septic tank owners pay an annual fee that could fund an inspections services program through a private contractor.

Mayor Sweet opened the public hearing and called the applicant forth to speak at this time.

Dub Douphrate
Douphrate and Associates
2235 Ridge Road
Rockwall, TX

Mr. Douphrate came forth and indicated he represents the applicant and is here to answer any questions the council may have of him.

Mr. John Thomas
494 Dowell Road
Rockwall, TX

Mr. Thomas expressed concern about the poor condition of Dowell Road currently. He questions the ability of Dowell Road to handle construction-related and other traffic associated with this development.

There being no one else wishing to come forth and speak, Mayor Sweet closed the public hearing.

Councilmember White made a motion to approve Z2014-030. Councilmember Townsend seconded the motion.

Mr. Crowley asked if most of the construction related vehicles would utilize Dowell Road. Mr. Douphrate indicated that, yes, Dowell Road would mainly be utilized. Mr. Crowley

questioned if the developer may be willing to help assist with maintenance and or correct any issues associated with Dowell Road during the construction period. Mr. Douphrate indicated that he will need to speak with his client about making this concern a priority and facilitate discussions about this road and its condition. Mr. Douphrate indicated that the goal is to have two access points, and they are currently speaking with an adjacent property owner in order to hopefully accomplish this.

Mayor Pro Tem Pruitt asked if council could, as part of this approval, make some sort of condition related to the condition of Dowell Road. Mr. Garza indicated that, no, as part of this zoning change, conditions cannot be placed; however, the council could consider such conditions with the plat approval at a later date.

The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 76 (PD-76) FOR SINGLE FAMILY 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 138.79-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE J. LOCKHART SURVEY, ABSTRACT NO. 137, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of council (7 ayes to 0 nays).

6. **Z2014-031** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of D. W. Bobst of J-BR2, LLC for the approval of a PD Development Plan proposing to establish five (5) pad sites for restaurants and retail shopping within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary. **(1st Reading)**

Mr. LaCroix, Planning Director, provided background information related to this agenda item. Notices were sent out to twenty-three property owners within 500' of the area and to the HOAs in the area (within fifteen hundred feet). No replies related to these notices have been received back by staff at this time.

Mayor Sweet opened the public hearing and called the applicant forth to speak.

Jimmy Strohmeyer
1620 Fairlakes Point
Rockwall, TX

Mr. Strohmeyer came forth and explained the setback request and the requested "stair step" elevation located right in front of the restaurant/retail spaces. It was explained that the "stair step" slopes are being requested in order to accommodate outdoor seating at these retail spaces.

Councilmember White made a motion to approve Z2014-031, including staff recommendations. Councilmember Milder seconded the motion. After brief discussion, the ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 10-21* OF PLANNED DEVELOPMENT DISTRICT 32 (PD-32) AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A DEVELOPMENT PLAN FOR RETAIL/RESTAURANT PAD SITES ON A 2.893-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK B, HARBOR DISTRICT ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

XII. ACTION ITEMS

1. **MIS2014-016** - Discuss and consider a request from David Dorotik for approval of a Special Exception to the Unified Development Code, Article VI, Section 4, Residential Parking, regarding the storage of farm machinery (antique tractor) on a residential lot being zoned Single-Family Residential District (SF-7) and located at 509 Parks Avenue, Rockwall, Texas, and take any action necessary.

Planning Director Robert LaCroix provided brief background information related to this agenda item.

David Dorotik
509 Parks Avenue
Rockwall, TX

Mr. Dorotick pointed out six letters from surrounding neighbors who have all expressed having no problems or concerns with his tractor parked underneath his carport. Mr. Dorotick explained that this is a 1937 tractor that was originally purchased by his father. It is only utilized in local parades, and it is not utilized for farming operations. Mr. Dorotick explained that he has a large concern about safety involved in moving and storing the tractor. He expressed that a while back then Code Enforcement Supervisor

Cliff Griffin and employee Laura Morales had expressed to him that his tractor was ok being parked there; however, some time later, city staff informed him that it was not ok. He requested that the council allow him to continue to park his antique tractor on his property under the shed where it has been parked for quite some time now.

Councilmember White made a motion to approve MIS2014-016. Councilmember Townsend seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Action Item #3 was next addressed by city council.

2. Discuss and consider a request from David English with Ridge Point Commercial Real Estate for approval of a variance to the Unified Development Code, Article VI, Section 3.5, Permissible Uses, regarding the distance regulations for a retail establishment (Walmart Neighborhood Market) with alcoholic beverage sales on a tract of land being zoned Planned Development District 45 (PD-45) and located at the southeast corner of John King Boulevard, Rockwall, Texas, and take any action necessary.

Planning Director Robert LaCroix indicated that the city adopted TABC-related regulations pertaining to alcohol sales and distance requirements from nearby churches and schools. The regulations, in this instance (since it involves an adjacent school), mean that the 300' is measured from property line to property line, and, in this case, that distance is only about 139'. Therefore, this short distance requires a variance to be granted by the city council in order to allow alcoholic beverages to be sold at this proposed Walmart location.

Mr. English with Ridge Point Commercial Real Estate
2255 Ridge Road, Suite 208
Rockwall, TX

Mr. English generally encouraged the council to consider voting favorably to approve this request.

Mr. Freeman with Kimley-Horne came forth and reminded the council that the city council granted a variance to the large, Super Walmart near the Rockwall High School back in 2007 to allow alcohol to be sold at that location. He explained that the applicant has tried to listen to staff and resident concerns and bring forth a quality product that takes those concerns into consideration.

Mayor Pro Tem Pruitt asked the applicant - if the variance for alcohol is not granted, will that particular disapproval result in Walmart pulling out of this proposed store altogether? Mr. Freeman indicated that, yes, it will likely "kill the deal," so-to-speak.

Mayor Pro Tem Pruitt made a motion to deny this variance request concerning alcohol sales, especially in light of the school district board expressing strong opposition to it. Councilmember Lewis seconded the motion, which passed by a vote of 6 ayes with 1 against (White).

A vote related to Public Hearing item #3 was next addressed by council.

Mayor Sweet called for a brief break at 9:52 p.m. At 10:06 p.m., Mayor Sweet called the public meeting back to order. Public Hearing item #5 was addressed next by City Council.

3. Discuss and consider a request by Matt Mulliken of Mulliken Construction Management, Inc., on behalf of the owner of the property, for the approval of an amended site plan to allow for a variance to the screening from residential uses requirement stipulated by Article VIII, Landscape Standards, of the Unified Development Code for a professional office building on a 0.75-acre tract of land identified as Lot E, Block 117 & Lot D, Block 117 of B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, located at the northeast corner of the intersection of SH-205 [S. Goliad Street] and St. Mary's Street, and take any action necessary.

Mr. LaCroix provided brief background information related to this agenda item. The applicant, M

Mr. Matt Mulliken
2305 Lakeforest Drive
Rockwall, TX

Mr. Mulliken expressed that the neighbor is concerned about him building a physical wall as a buffer. Instead the neighbor and he himself would like permission to utilize the 'living screen' (trees) as a buffer in lieu of the masonry wall.

Mr. Rickerson
109 St. Mary's
Rockwall, TX

Mr. Rickerson expressed that he is the neighbor living adjacent to the subject property. He would like the "live screening" in lieu of the masonry wall because he feels it would be more in keeping with the historical feel of the area.

Councilmember Lewis made a motion to approve the "live screen" wall in lieu of the masonry wall. Councilmember Milder seconded the motion, which passed by a vote of 6 in favor with 1 against (Pruitt).

4. Discuss and consider ADA accessible playground options, including associated cost estimates, and take any action necessary.

Assistant City Manager Brad Griggs provided background information related to this agenda item, indicating that, as previously requested by Council, staff has evaluated the option of building a 'barrier free' playground that has a series of ramps so that those in a wheelchair could have unrestricted access. He indicated that mandatory neighborhood park land dedication fees in the amount of $137,000 as well as about $260,000 from previous trail bonds is available for park improvements. Also, $75,000 for infrastructure improvements could be taken from the city's Rec. Development Fund.

Mayor Sweet made a motion to move forward with the total project utilizing staff recommendations as outlined by staff. Councilmember Lewis seconded the motion.

Councilmember Lewis asked staff if they had an opportunity to speak with Texas Scottish Right hospital since they have a barrier free park there that is appealing. Mr. Griggs indicated that he has not yet reached out to that hospital. He clarified that this park would not include a cover/awning.

Mr. Crowley suggested to the city council that the proposed park plan for this park could first be run through the city's park board for review and to help plan this particular facility.

Mayor Pro Tem Pruitt asked for clarification on the bond program funding. Mr. Griggs indicated that no restrictions were placed on where in the city the funds could be spent, and there are no outstanding park related projects that these funds would need to be reserved for. After brief comments, Mayor Sweet pulled his original motion and made a replacement motion to have staff take this proposal before the city's Park Board for review and consideration at an upcoming Park Board meeting. Councilmember Lewis seconded this amended motion. Mr. Griggs explained that staff could advertise and receive public input at the December Park Board meeting and then bring back those recommendations to the council for consideration thereafter. The motion then passed by a vote of 7 ayes to 0 nays.

5. Discuss and hear update regarding ongoing water conservation efforts, including outdoor watering schedule, and take any action necessary.

Mr. Crowley indicated that the North TX Municipal water district is recommending a once every two week (instead of once every week) watering schedule for the winter months. So, unless he hears objections form the city council, he will move forward, administratively, with communicating this change to our citizens as soon as possible. No formal action was taken by the city council related to this discussion item.

6. Discuss and consider countywide Interoperability Radio System Interlocal Agreement and take any action necessary.

Mr. Crowley provided background information related to this agenda item.

Mayor Pro Tem Pruitt made a motion to approve the contract and submit it to Rockwall County. Councilmember Lewis seconded the motion.

Councilmember Milder expressed that he is feeling some reservations about moving forward with this contract proposal. After additional, brief comments, the motion passed by a vote of 6 in favor with 1 against (White).

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Dept. Monthly Report - September 2014
Fire Dept. Monthly Reports - September 2014
Harbor PD Monthly Report - September 2014
Internal Operations Department Monthly Reports - September 2014
Police Department Monthly Report - September 2014
Recreation Monthly Report - September 2014

Rockwall Animal Adoption Center Monthly Report - September 2014
4th Quarter and Fiscal Year End Report from Rockwall Co. Committee on Aging

2. City Manager's Report

Mr. Crowley indicated that the Park Foreman, Russell Lawrence, who has been serving the city for forty years now, recently informed staff of his intent to retire towards the end of this month.

Regarding the lake level being down, our Parks Department staff is being utilized to mow and take down some of the weeds and high grass in the takeline area of Lake Ray Hubbard. The city may consider some sort of joint venture type program to encourage residents to assist the city with cleaning up and properly disposing of old tires along the lakeshore.

Mayor Sweet adjourned the meeting at 11:14 p.m.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding right-of-way land acquisition located near Justin Road and John King Blvd. pursuant to Section 551.072 (Real Property) and status of Temunovic condemnation proceeding pursuant to Section 551.071 (Consultation with Attorney).

2. Discussion regarding Economic Development prospect pursuant to Section 551.087 (Economic Development)

3. Discussion regarding possible claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)

4. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations)

5. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)

6. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, Planning & Zoning Commission, and the Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)

7. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The council did not reconvene in Executive Session following the close of the public meeting agenda.

XVI. ADJOURNMENT

The meeting was adjourned at 11:14 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 17th day of November, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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MINUTES
ROCKWALL CITY COUNCIL
Wednesday, November 12, 2014
6:00 p.m. Special City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Pruitt called the meeting to order at 6:00 p.m. Present were Mayor Pro Tem Jim Pruitt and City Council Members David White, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis. Mayor David Sweet was not present at the meeting.

Mayor Pro Tem Pruitt read the below listed discussion items into the public record before recessing the public meeting into Executive Session at 6:02 p.m.

II. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)

2. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, and the Rockwall Economic Development Corporation (REDC) pursuant to Section 551.074 (Personnel Matters)

III. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 8:00 p.m.

IV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Pruitt called the public meeting back to order at 8:05 p.m. All council members were present with the exception of Mayor Sweet.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken.

VI. ADJOURNMENT

The meeting was adjourned at 8:06 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 17th day of November, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Lance Singleton, GIS Supervisor**

DATE: **November 13, 2014**

SUBJECT: **Purchase of Aerial Imagery, Contours, and Lidar for GIS**

The 2015 aerial imagery (Orthophotography), two foot ground contours, and Lidar (Light Detection and Ranging / or "3D surface model") acquisition is approved in the current budget.

This is a 16 county cooperative effort through the North Central Texas Council of Governments (NCTCOG). This data is collected by a NCTCOG contractor and sub-contracted aircraft. Flights will be conducted in February and estimated product delivery in late summer 2015. The flight area will include the corporate limits and our extra-territorial jurisdiction.
This data will be used by city staff for GIS, Planning, Engineering, and Public Safety mapping and design purposes.

2015 Orthophotography - 6 inch resolution	$5,948.25
2015 0.5m LiDAR	$8,316.00
2015 2' Contours (*our last ground contours were in 2001*)	$15,015.00
2015 Cooperative Project	Total $29,279.25

Staff asks the City Council to consider authorizing the City Manager to execute a purchase order to North Central Texas Council of Governments for the products described above for the total amount of $29,279.25.

North Central Texas Council of Governments

AGREEMENT BETWEEN
THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS AND
CITY OF ROCKWALL

WHEREAS, the North Central Texas Council of Governments (NCTCOG) has an interest in assisting local governments in providing information for planning, engineering, public safety, and municipal management;

WHEREAS, the **CITY OF ROCKWALL** (Entity), wishes to have its map-based information system include the 2015 digital orthophotography and/or LiDAR and contour data and has determined that the creation of this resource provides information for a multitude of uses throughout the Entity and thus serves a valid public purpose;

WHEREAS, the Entity requires this information to accomplish this purpose and has determined that NCTCOG can fulfill this need, and NCTCOG is willing to reciprocate; and

NOW THEREFORE, the parties, Entity and NCTCOG, agree to the following terms and conditions regarding the creation of digital aerial photography.

I. LICENSE AGREEMENT

The personnel specified in Appendix A will serve as points of contact for their respective organizations. The following provisions are a license agreement between NCTCOG and the Entity with respect to data products that are identified in section II. NCTCOG is the owner of and has the right to grant a license to use the said data products free of all liens, claims, encumbrances, and other restrictions and without otherwise violating any rights of any third party, including any patent, copyright, trade secret, or other proprietary rights.

The NCTCOG data product may be distributed to the Entity on CD-ROM, DVD, or portable hard drive. The Entity will need to install and operate the NCTCOG data product on properly configured and compatible computer equipment running third party system and application software supplied by the Entity. The Entity will also need to insure that any required data not supplied by NCTCOG is in proper format and no other software or equipment having an adverse impact on the NCTCOG product is present.

A. Licensed Operating Environment

(1) Operating Equipment. In exchange for monetary consideration listed in section III, the Entity will be granted an exclusive operation license to install, store, load, execute, and

display (collectively, "Use") the NCTCOG data product on as many local area networks and/or end-user workstations as the Entity reasonably needs in support of its own operation (the "Licensed Operating Environment"). Any software components of the NCTCOG data product are provided in machine-readable executable format only.

(2) Authorized Users. Unless otherwise agreed in writing, the NCTCOG data product will be used by Entity officials, officers, employees, and authorized contractors only ("Authorized Users"). A contractor shall be deemed authorized to Use the data products by the Entity or NCTCOG if such Use is incidental to a larger relationship between the contractor and the Entity, and is used for purposes no greater than reasonably needed to achieve the objectives of an actual project undertaken in connection with that relationship. The contractor must agree in writing to be bound by the provisions of this Agreement.

B. Permitted Uses

(1) Use of NCTCOG Products. The Entity's Authorized Users may Use the NCTCOG data product in the Licensed Operating Environment for any use that furthers the Entity's internal operations or in furtherance of the Entity's mission.

(2) Use of Generated Output or Other Data. Except as stated, the Entity will own all original works of authorship it may independently create. Digital output from the Entity's Use of the NCTCOG Data Product may be resized as desired and printed on black and white, color printers, or map plotters. Such printed hardcopies may be distributed to the Entity's officers, employees, citizens, contractors, or other persons in the regular course of business for their internal use or in connection with an actual transaction. Such printed output may be further copied, photographed, or reproduced digitally on the Internet. The Entity may charge a fee for such hardcopy printouts that exceed the actual direct cost of production. Without the prior written consent of NCTCOG, the Entity may not otherwise provide copied, digitized, reproduced, transmitted or disseminated, in whole or in part, any of the original digital data product in any form.

II. OBLIGATIONS

Upon delivery of the products, NCTCOG shall invoice the Entity for the stipulated amounts listed below.

Coverage Area: CITY OF ROCKWALL
Total Square Miles: 46

Product	Amount
2015 Orthophotography - **6** inch	**$5,948.25**
2015 0.5m LiDAR	**$8,316.00**
2015 2' Contours	**$15,015.00**
2015 Cooperative Project Total	**$29,279.25**

You have agreed to the payment terms listed below and have secured the total amount with purchase order (PO) number _____ (Please enter a PO number if blank. If you have not yet secured a PO, please enter 9999).

Invoice Date
Fiscal Year or **After Delivery**

Payment Years
FY 2015

If a payment term has not been specified, please select **FY 2015** or **FY 2015-16**

If your payment is spread across two fiscal years you will be invoiced 50% of the total amount each year. Upon receipt of the first invoice, the Entity had thirty (30) days to review the products and pay said invoice or the remaining amount owed to the North Central Texas Council of Governments (NCTCOG).

III. TERMINATION

The parties agree that the Entity may terminate this Agreement by providing thirty (30) days written notice to NCTCOG. Such notice shall be given to NCTCOG at the address set forth under its signature below. In the event of such termination, NCTCOG shall reimburse to the Entity pro-ratable portion of the contracted amount for services rendered. The Entity would also reimburse NCTCOG for staff time billed to the project up to termination.

IV. AFFIDAVIT OF PROHIBITED INTEREST

NCTCOG acknowledges and represents it is aware of the laws, City Charter, and City Code of Conduct regarding prohibited interests and that the existence of a prohibited interest at any time will render this Agreement null and void.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated below.

NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS



11/3/2014

Mike Eastland Date
Executive Director
616 Six Flags Drive, Suite 200
Arlington, Texas 76011

CITY OF ROCKWALL

Signature Date

Name: Rick Crowley

Title: City Manager

Street Address: 385 S Goliad St

City, State, Zip: Rockwall, TX 75087

APPROVED AS TO FORM:

APPENDIX A

NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS

	MAIN CONTACT		ADDITIONAL CONTACT	
Name:	Shelley Broyles		David Raybuck	
Title:	GIS Project Coordinator		Chief Technology Officer	
Department	Research and Information Services		Research and Information Services	
Organization:	NCTCOG		NCTCOG	
Street Address:	616 Six Flags Drive, Suite 200		616 Six Flags Drive, Suite 200	
City, State, Zip	Arlington, Texas 76011		Arlington, Texas 76011	
Phone/Fax:	(817) 695-9156	(817) 640-4428	(817) 608-2357	(817) 640-4428
E-mail:	sbroyles@nctcog.org		draybuck@nctcog.org	

CITY OF ROCKWALL

ORDINANCE NO. 14-48

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CH. 36. STREETS, SIDEWALKS AND PUBLIC PLACES; ARTICLE IV. ART IN PUBLIC PLACES MASTER PLAN; DIVISION 2. ART REVIEW TEAM (ART) COMMISSION; SECTION 33-77. ESTABLISHED, SUBSECTION (a)(1). COMPOSITION TO CHANGE THE REQUIRED COMPOSITION OF THE FIVE (5) MEMBER COMMISSION; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Rockwall City Council, in order to facilitate more inclusionary participation by members of the public who may wish to serve, has determined that the following composition for the city's Art Review Team (ART) Commission is in the best interest of the public;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Code of Ordinances in Chapter 36. Streets, Sidewalks, and Public Places; Article IV. Art in Public Places Master Plan; Division 2. Art Review Team (ART) Commission; Section 33-77. Established; Subsection (a)(1). Composition is hereby amended to henceforth read in its entirety as follows:

(a) (1) The art review team (ART) commission shall consist of five members, who shall all be "interested citizens" appointed by the city council. ~~The team members will include two visual arts professionals, two members of the business community who will be representative of the environmental design fields (architecture, landscape architecture, urban planning/design), and one resident of the community. Selection of the team will reflect ethnic, artistic, economic and demographic diversity of the community.~~ All team members ~~must~~ should possess knowledge of, or have an interest in contemporary, visual art, artistic principles and art media. ~~A board member of the Rockwall Alliance for the Arts and the director of parks and recreation or his designee will serve as ex officio (nonvoting) members.~~

a. The art review team (ART) commission shall consist of five regular members appointed by a majority of the city council. ~~The ex officio member from the Rockwall Alliance for the Arts will also be appointed by the city council. The ex officio member from the parks and recreation department~~ A staff liaison will be appointed by the city manager.

b. In the case of a vacancy of the commission, the city council, by a majority vote, may appoint a replacement member to the commission. Any person appointed shall serve until the expiration of the term of office of the vacated position.

c. Each member of the commission shall be a resident citizen and qualified voter of the city.

d. Upon the initial appointment of the commission by the city council, members shall draw lots for three two-year terms and ~~three~~ two one-year terms of service. Thereafter, the term of office of members of the commission shall be for two years. Members may be removed, as determined by the city council.

e. Members shall serve without compensation.

Section 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict;

Section 3. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void;

Section 4. That all ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal;

Section 5. That this Ordinance shall become effective immediately upon passage and approval and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 17th day of November, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 11-03-14

2nd Reading: 11-17-14

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CITY OF ROCKWALL

ORDINANCE NO. 14-50

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 76 (PD-76) FOR SINGLE FAMILY 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 138.79-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE J. LOCKHART SURVEY, ABSTRACT NO. 137, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Barry Luff of L2 Properties, LLC for an amendment to the Unified Development Code [*Ordinance No. 04-*38] of the City of Rockwall for the purpose of changing the zoning from an Agricultural (AG) District to Planned Development District 76 (PD-76) for Single Family 1 (SF-1) District land uses, for a 138.79-acre tract of land identified as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That the Unified Development Code [*Ordinance No. 04-38*], as heretofore amended, shall be further amended by amending the zoning map of the City of Rockwall so as to change the zoning district classification for the *Subject Property* from an Agricultural (AG) District to Planned Development District 76 (PD-76) for Single Family 1 (SF-1) District land uses.

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 3. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described within this ordinance, and unless specifically modified within this ordinance the *Subject Property* shall adhere to all development standards stipulated by the Single Family 1

(SF-1) District as specified in Section 3.2-1, *Single-Family One (SF-1) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future;

SECTION 4. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 5. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 8. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(1) *PD Site Plan*. A *PD Site Plan* covering all of the *Subject Property* shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the *City* concurrently with a *Preliminary Plat Application* for the development.
(2) *Preliminary Plat.* A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat Application* may be processed by the *City* concurrently with a *PD Site Plan Application* for the development.
(3) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, for all of the *Subject Property* shall be submitted for approval.

SECTION 9. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 10. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 11. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 12. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 17TH DAY OF NOVEMBER, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 11/03/2014

2nd Reading: 11/17/2014

Exhibit 'A':
Legal Description

Legal Description of 138.79-Acre Tract
Located in the John Lockhart Survey, Abstract 137, and the Newell Survey, Abstract No. 167, Rockwall, Texas

All that certain lot, tract or parcel of land situated in the JOHN LOCKHART SURVEY, ABSTRACT NO. 137 and H. K. NEWELL SURVEY, ABSTRACT NO. 167, Rockwall County, Texas, and being all of that 138.781 acres tract of land as described in a Warranty deed from Farm Credit Bank of Texas to Allen Anderson and wife, Loretta Anderson, dated November 27, 1991 and being recorded in Volume 657, Page 303 of the Real Property Records of Rockwall County, Texas, and the same tract as conveyed to L2 Properties, LLC by Deed recorded in Volume 4096, Page 237 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 112" iron rod found for corner at the base of a fence corner post at the Northeast corner of the above cited tract of land;

THENCE S. 00 deg. 19 min. sec. E. along the fenced East line of said tract, a distance of 1207.96 feet to a 112" iron rod found for comer;

THENCE S. 00 deg. 37 min. 17 sec. E. along the fenced East line of said tract, a distance of 286.47 feet to a *1/2"* iron rod found for comer at the base of a fence corner post;

THENCE S. 31 deg. 44 min. 42 sec. W. along the fenced East line of said tract, a distance of 16.52 feet to a 112" iron rod found for comer at the base of a fence corner post;

THENCE N. 80 deg. 40 min. 29 sec. W. along the fenced boundary line of said tract, a distance of 55.86 feet to a *1/2"* iron rod found for corner at the base of a fence corner post;

THENCE S. 37 deg. 34 min. 16 sec. W. along the fenced boundary line of said tract, a distance of 390.25 feet to a 112" iron rod found for corner at the base of a fence corner post at the Southeast corner of said tract and being at the Southwest corner of a 1.275 acres tract as described in a Deed to Paul Liechty, et al as recorded in Volume 240, Page 546 of the Real Property Records of Rockwall County, Texas;

THENCE S. 89 deg. 42 min. 38 sec. W. (Controlling bearing line) along the South line of said 138.781 acres tract, a distance of 3070.62 feet to a 112" iron rod found for corner in the East edge of Dowell Road;

THENCE N. 00 deg. 03 min. 28 sec. W. along the East edge of Dowell Road, a distance of 211.73 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for comer;

THENCE N. 89 deg. 29 min. 31 sec. W. crossing said Dowell Road, a distance of 34.26 feet to a *112"* iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for comer in the West margin of said road;

THENCE N. 00 deg. 04 min. 32 sec. W. along the West margin of said road, a distance of 194.53 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for comer;

THENCE N. 21 deg. 45 min. 35 sec. W. along the West margin of said road, a distance of 123.31 feet to a *112"* iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for comer;

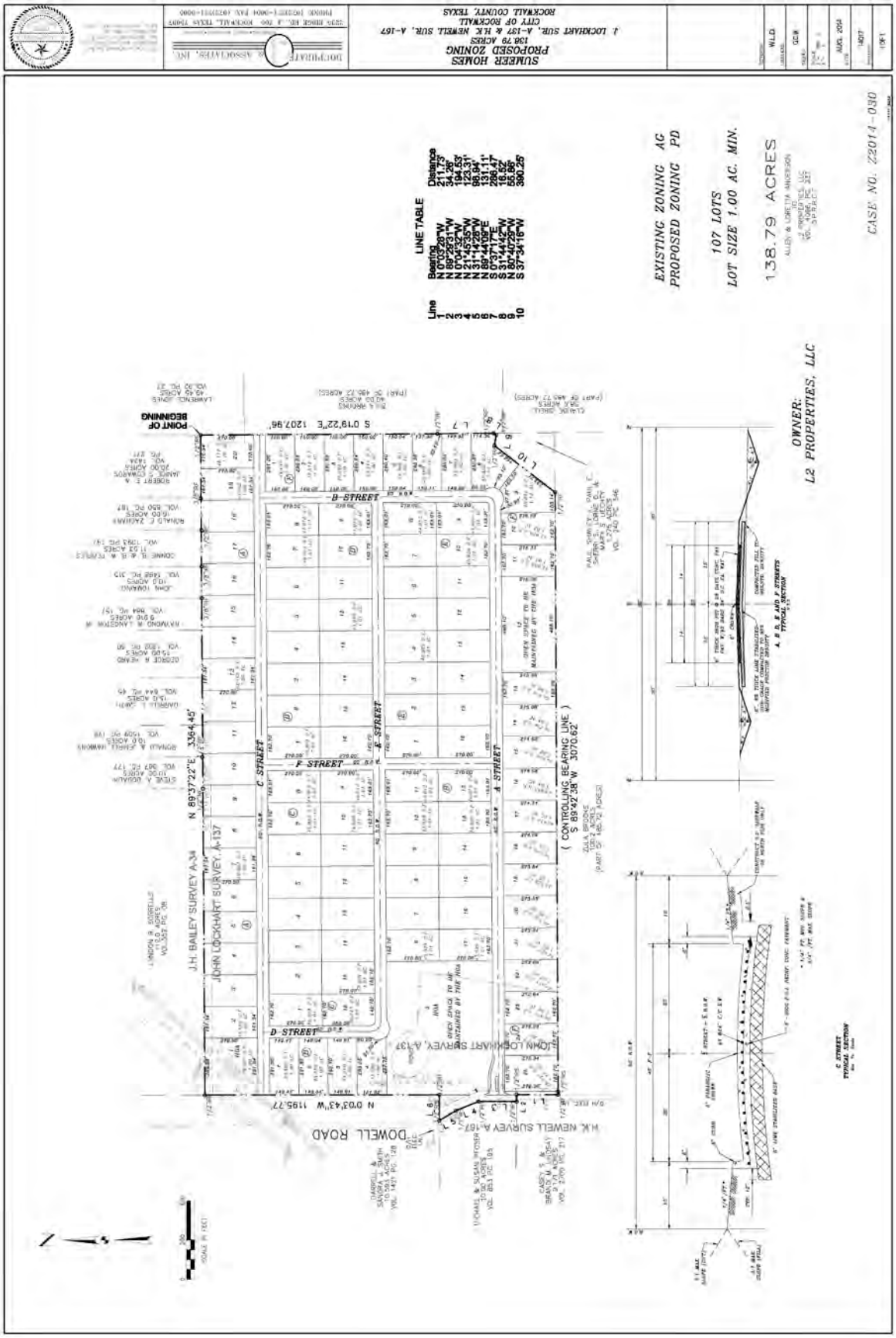
THENCE N. 31 deg. 14 min. 48 sec. W. along the West margin of said road, a distance of 98.94 feet to a 112" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for comer;

THENCE N. 89 deg. 44 min. 09 sec. E. crossing said Dowell Road, a distance of 131.11 feet to a *112"* iron rod found for corner;

THENCE N. 00 deg. 03 min. 43 sec. W. a distance of 11 95.77 feet to a 112" iron rod found for corner at the Northwest corner of said 138.781 acres tract;

THENCE N. 89 deg. 37 min. 22 sec. E. along the North line of said tract, a distance of 3364.45 feet to the POINT OF BEGINNING and containing 138.79 acres of land.

Exhibit 'B':
Concept Plan



Development Standards.

1. *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 1 (SF-1) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.

2. *Density and Dimensional Requirements.* The maximum permissible density for the *Subject Property* shall not exceed one (1) dwelling unit per gross acre of land; however, in no case should the proposed development exceed 107 units. All lots shall conform to the standards depicted in *Table 1* below unless specifically provided for in *Table 2* below.

Table 1: Lot Dimensional Requirements

Minimum Lot Width [1]	150'
Minimum Lot Depth	250'
Minimum Lot Area	43,560 SF
Minimum Front Yard Setback [2]	40'
Minimum Side Yard Setback	25'
Minimum Side Yard Setback (Adjacent to a Street)	25'
Minimum Length of Driveway Pavement (Rear and Side Yard Only)	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	25'
Minimum Area/Dwelling Unit (SF) [5]	2,600 SF
Maximum Lot Coverage	45%
Minimum Number of Paved Off-Street Parking Spaces	2 Spaces
Minimum Distance Between Buildings	10'

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.
[2]: The location of the *Front Yard Building Setback* as measured from the front property line.
[3]: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single family home.
[4]: As measured from the rear yard property line.
[5]: The minimum area/dwelling unit only includes air conditioned square space.

Table 2: Lot Exceptions

Lot/Block Number	*Width*	*Depth*	*Lot Area*
Lot 1, Block B	149.47'	291'	43,560 SF
Lot 2, Block B	149.04'	291.85'	43,560 SF
Lot 3, Block B	148.61'	292.70'	43,560 SF
Lot 16, Block C	142.70'	250'	43,560 SF
Lot 7, Block F	149.92'	290.23'	43,560 SF
Lot 9, Block E	143.01'	250'	43,926 SF

Note. All lots are as depicted in Exhibit 'B' of this ordinance. Changes to the dimensions of these lots can be administratively approved by the Director of Planning or his/her designee, but at no point should the lot area be less than 43,560 SF.

3. *Building Standards.* All development shall adhere to the following building standards:

(a) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance the masonry requirement shall be limited to full width brick, natural stone, cast stone, cementaceous fiberboard

horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*), and stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*). Cementaceous products (*e.g. HardiBoard, Hardy Plank, Stucco, etcetera)* shall be limited to 50% of the masonry requirement.

(b) Roof Pitch. A minimum of an *8:12* roof pitch is required on all structures with the exception of porches, which shall have a minimum of a *4:12* roof pitch.

(c) Garage Orientation. Garages shall be accessed from a traditional *'J'-Swing* or *Swing* type driveway arrangement. A second, single garage door facing the street is permitted behind the width of the required double door garage that is accessed from a traditional *'J'-Swing* or *Swing* configuration.

4. Anti-Monotony Restrictions. The development shall adhere to the following *Anti-Monotony* restrictions (*for spacing requirements see the illustration below*):

(1) Exterior wall materials must comply with the *Masonry Requirements* listed in *Section 3.(a)*. Additionally, all chimneys are required to utilize masonry materials.
(2) Identical brick blends or paint colors may not occur on adjacent (side-by-side) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) intervening homes of differing materials on the opposite side of the street.
(3) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on Dowell Road shall not repeat without at least two (2) intervening homes of differing appearance. Homes are consider to have a differing appearance if any of the following two (2) items deviate:

(a) Number of Stories
(b) Garage Location
(c) Roof Type and Layout
(d) Articulation of the Front Façade

(4) Crown molding will be installed in all living and family rooms, unless vaulted or pop-up ceilings are utilized. No *Formica* countertops maybe installed in kitchens and/or bathrooms, and vinyl flooring and blown acoustic ceilings are prohibited.
(5) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

See the Illustrations on the following page.

Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.



Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.



5. *Fencing Standards.* Fences are not mandatory for any lot within this subdivision; however, if a property owner chooses to construct a fence it will need to adhere to the following standards:

   (a) Solid Residential Fencing. All solid residential fencing shall be cedar standard fencing material (minimum ½" thickness) or better (*spruce fencing is not allowed*). All cedar pickets shall be placed on the *public side* facing the street or neighboring property.
   (b) Wrought-Iron/Tubular Steel Fencing. Lots located along perimeter roadways (*i.e. Dowell Road and Streets 'E' & 'A'*) and abutting open spaces, greenbelts and/or parks shall be required to install tubular steel fencing.
   (c) Common Area Fencing. All common areas and perimeter fencing shall be maintained by a Homeowners Association (HOA) as specified by the *Subdivision Regulations* contained in *Chapter 38* of the City's *Municipal Code of Ordinances*. Common area fencing shall be constructed of tubular steel and not exceed four (4) feet in height.

6. *Landscaping.* At the time of final inspection, all single-family lots shall be landscaped with large canopy trees as follows:

   (a) Two (2) minimum three (3) inch caliper trees, as measured six (6) inches above the root ball, shall be planted in the front yard of all interior lots.
   (b) Two (2) minimum three (3) inch caliper trees, as measured six (6) inches above the root ball, shall be planted in the front yard of all corner lots and two (20 additional trees shall be planted in the side yard facing the street.

Note. Any existing trees that are in conformance with the tree mitigation requirements stipulated by Article IX, Tree Preservation, of the Unified Development Code, which can be preserved, will be counted as credits towards all required landscaping requirements.

7. *Lighting.* Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

8. *Streets.* The street cross sections shall be as depicted within *Exhibit 'B'* of this ordinance. The property owner (with direct adjacency) shall be responsible for maintaining the area between edge of pavement and their property line (*i.e. the bar ditches/drainage areas*).

9. *Sidewalks.* Sidewalks shall be required to be located along the northern boundary of *Street 'C'* as depicted in *Exhibit 'B'* of this ordinance, and shall begin two (2) feet behind the right-of-way line and be a minimum of five (5') feet in width.

10. *On-Site Sewage Facilities. Septic Systems* are permitted on all lots within this subdivision pending conformance to the following standards:

    (a) All *Septic Systems* shall be designed by a licensed *On-Site Sewage Facility (OSSF)* professional (*e.g. licensed engineer, sanitarian, and etcetera*).
    (b) A stamped and signed copy of the *Septic System* plans indicating the full limits of the septic field shall be submitted to the city at the time of building permit on a *lot-by-lot* basis.
    (c) All *Septic Systems* shall be inspected and approved by the City's chosen inspector.

11. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The *Developer* shall not be required to relocate existing overhead power-lines along the perimeter of the *Subject Property*.

12. *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the PD Site Plan.

13. *Homeowner's Association (HOA).* A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the *Municipal Code of Ordinances* of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, screening fences associated with this development.

14. *Variances.* The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

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CITY OF ROCKWALL

ORDINANCE NO. 14-51

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 10-21* OF PLANNED DEVELOPMENT DISTRICT 32 (PD-32) AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A DEVELOPMENT PLAN FOR RETAIL/RESTAURANT PAD SITES ON A 2.893-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK B, HARBOR DISTRICT ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of D. W. Bobst of J-BR2, LLC for an amendment to *Ordinance No. 10-21* of Planned Development District 32 (PD-32) and the Unified Development Code [*Ordinance No. 04-38*] for the purpose of establishing a PD Development Plan for retail/restaurant pad sites within the *Hillside Subdistrict*, on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 32 (PD-32) [*Ordinance No. 10-21*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That Planned Development District 32 (PD-32) [*Ordinance No. 10-21*] and the Unified Development Code [*Ordinance No. 04-38*], as heretofore amended, shall be further amended by adopting this PD Development Plan and amending the official zoning map of the City of Rockwall for the *Subject Property*; and,

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the PD Development Plan, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*; and,

SECTION 3. That development of the *Subject Property* shall generally be in accordance with the Concept Building Elevations, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*; and,

SECTION 4. That the *Subject Property* shall be used only in the manner and for the purposes provided for in Planned Development District 32 (PD-32) [*Ordinance No. 10-21*], the Unified Development Code [*Ordinance No. 04-38*], and in compliance with the following conditions and requirements:

1) Development of this property shall generally conform to the *PD Development Plan* depicted in *Exhibit 'B'* of this ordinance;

2) Development of this property shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance;

3) All buildings shall be developed with consideration to the pedestrian access adjacent to Harbor Heights Drive. Additionally, the design of the buildings shall include four (4) sided architecture that creates a dual entry appearance, with buildings fronting on to IH-30 and Harbor Heights Drive;

4) Building façades must be situated no greater than 27-feet from the build-to-line adjacent to Harbor Heights Drive;

5) All building materials and color schemes proposed for this development should conform to the requirements stipulated by Planned Development District 32 (PD-32);

6) Prior to the issuance of a Building Permit the applicant shall submit and seek approval for a detailed *PD Site Plan* that demonstrates compliance with all applicable standards of Planned Development District 32 (PD-32) [*as amended*] and with the requirements approved in this ordinance;

7) All buildings throughout the development shall be constructed with a consistent design scheme, and be approved by the Architectural Review Board (ARB) at the time of the *PD Site Plan*;

8) Prior to the issuance of a Building Permit the applicant shall submit and seek approval for a replat that indicates all necessary easements; and,

9) The proposed uses for this development shall be required to demonstrate that they have access to a sufficient number of parking spaces within the development itself to support the use.

SECTION 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 7. The standards in this ordinance shall control in the event of a conflict between this

ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 17TH DAY OF NOVEMBER, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 11/03/2014

2nd Reading: 11/17/2014

Exhibit 'A':
Legal Description
(Lot 1, Block B, Harbor District Addition)

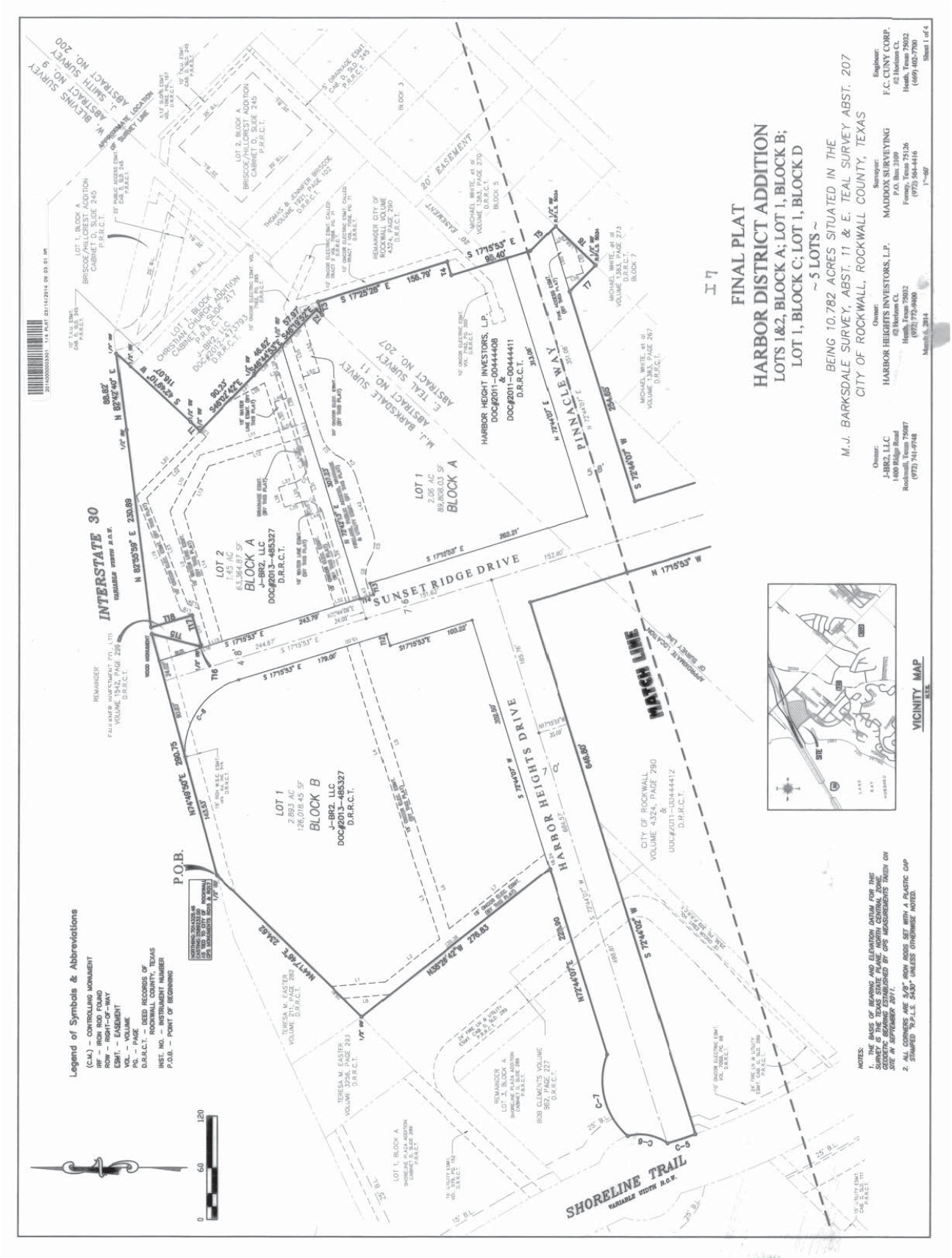


Exhibit 'B':
PD Development Plan

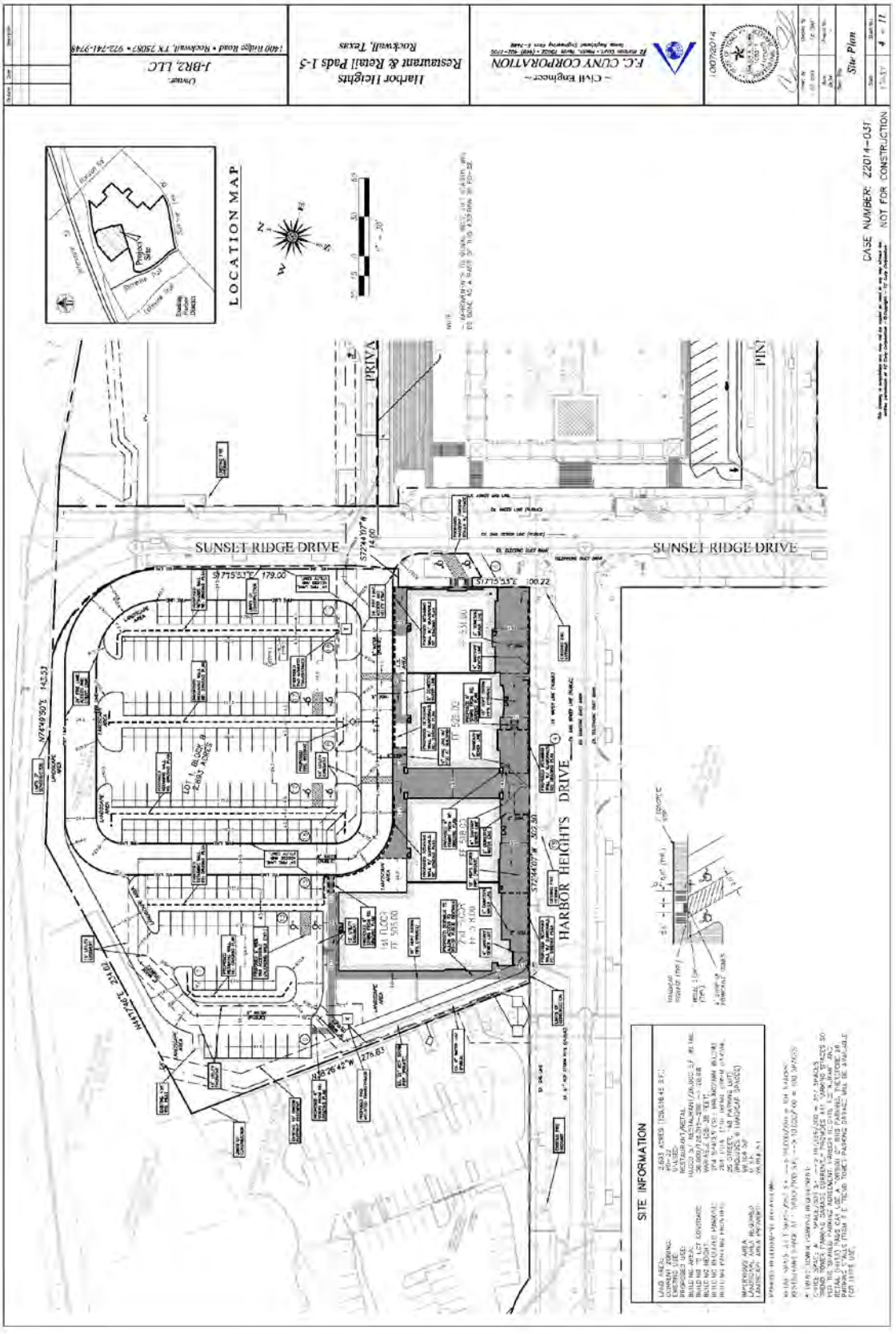
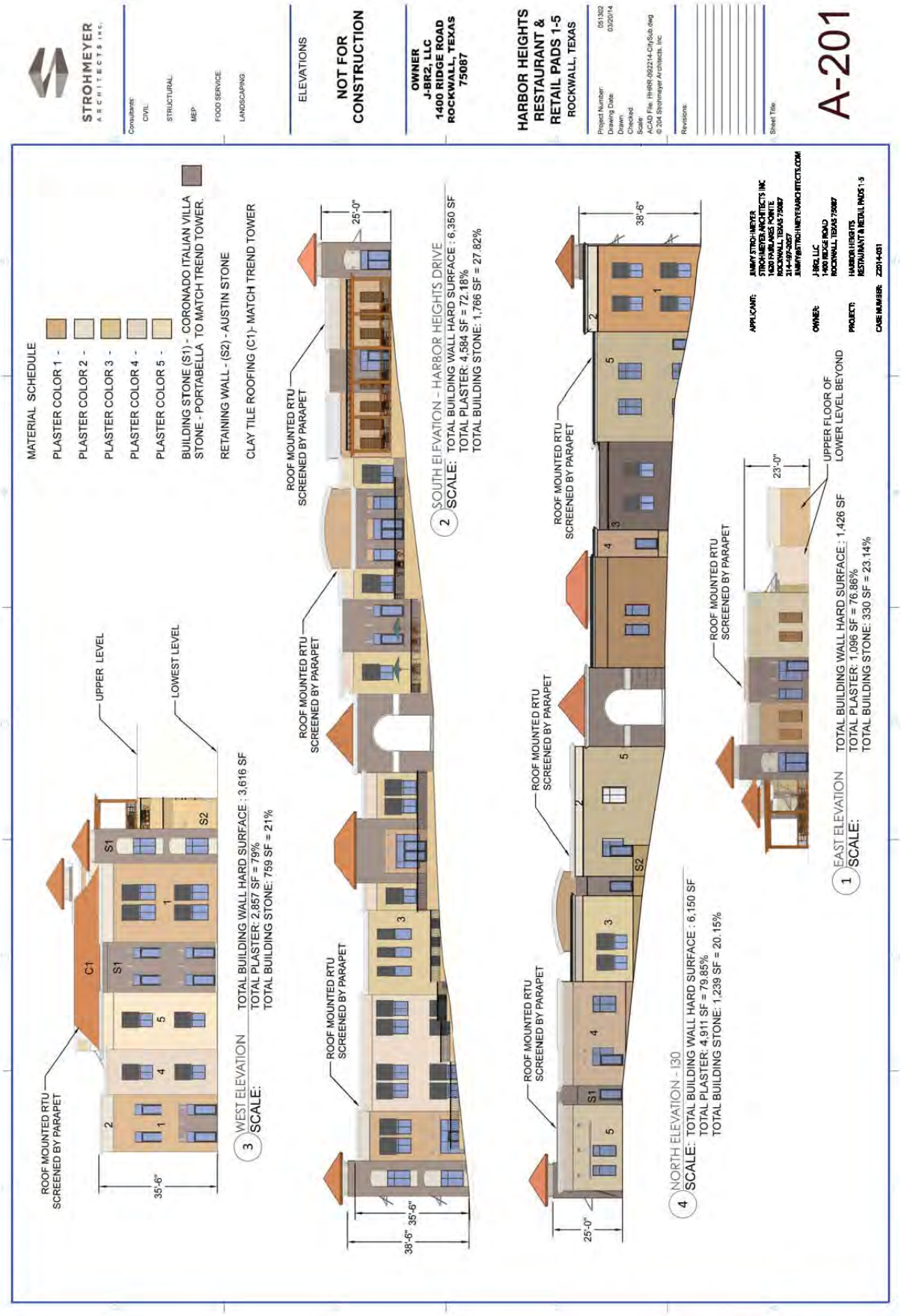


Exhibit 'C':
Building Elevations



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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**
CC: **Mark Poindexter, Fire Chief**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **November 5, 2014**

SUBJECT: **Restoration of the 1959 Ford Fire Engine**

In the current Fire Equipment Fund budget is the request to restore the 1959 Ford Fire Engine. At budget work session staff was gathering cost estimates and was asked to come back to City Council for funding consideration once a repair estimate had been established. Included for your review and consideration is a restoration estimate of $24,500 from Texas Fire Museum.

Texas Fire Museum is located in Dallas and provides turn-key restoration services for these types of vintage vehicles and equipment. Their estimate includes interior restoration and body work, tires, fuel line and fuel tank repairs. The truck was running until the fuel tank rusted. It is not anticipated that the engine will need to be replaced; however, once the fuel tank and lines are repaired, the engine may or may not need work. Because this is a repair, staff is asking that a contingency amount of $8,500 be approved to make any engine repairs necessary; up to and including engine rebuild. Total amount requested for this restoration is $33,000.

Restoration completion time is approximately 9 months to a year. Chief Poindexter will be at the council meeting to answer any questions you may have.

TEXAS FIRE MUSEUM, Inc.

Old City of Dallas Fire Department Maintenance Facility
2600 Chalk Hill Road, Dallas, Texas 75212-4506
P.O. Box 560724, Dallas, TX 75356

A NON-PROFIT ORGANIZATION

August 25, 2014

Rockwall Fire Department
ATTN: Mr. Mark Poindexter
Office: 972-771-7770
mpoindexter@rockwall.com

Mr. Poindexter,

RE: Restoration proposal – Estimated Cost to restore 1959 Ford Custom Cab Fire Engine

Body by Central 15497 original miles
V-8 engine 5 speed trans. was running when parked
Kept running until fuel tank rusted out - repair or replace fuel tank
Dual parking brakes (hand and Micro) inspect and repair if necessary
Need to clean fuel lines and carb.
Degrease and make clean under hood

Inside cab

Bench seat needs to be recovered
Head liner replaced
New rubber mat
Head light switch is hanging out of dash
Clean up extra wires (move or remove) also wires from roof (raido and opti com)
Rubber pad missing from brake pedal

Body - all glass good

Clean very little body work surface rust only
Dent in pass. side cab at rear where fire body meets cab
Truck needs to be sanded down and painted
Holes in roof from removal of opti com and coax to be filled / repaired
Running boards to be cleaned up and painted
Mirror brackets to be sanded and painted
Clean up all chrome and aluminum (surface rust) (hand rails and rollers)
Clean up under carriage and paint (flat black)
Graphics all redo as they are (hand paint Gold)
Hard suction is in fair condition clean up and possibly turn over to show better side
Note: clamps for hard suction 3 broken 1 good
Hose reels - remove old red line, clean up and paint, replace red line with new (they will supply)
Need new wood for hose bed

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Auxiliary pump to remain in place and running
Fix / replace 4 tail /brake lights
2 spot lights to be cleaned / polished
2 rotator lights to be cleaned and working
1 center bubble rotator light has cracked lens (red) need to replace (they have 2 clear)
Q siren to be checked out and cleaned up (they have replacement if needed)
Bench seat needed in hose bed for parades (centered in hose bed) bottom seat only [no back but wide seat]
* note: may need to move or remove hose bed divider for installation of parade seating
6 new tires
Tune up motor, oil change, parts, fluids inspect brakes
Purchase new battery
Red replacement globe for center rotator- cost TBD

Labor hours will be billed at $60.00 per man hour
Purchased parts will be billed at Texas Fire Museum Cost + 30%
Our estimated costs for labor, parts and materials for these tasks is $24,500.

We look forward to earning your business and bringing this piece of apparatus back to life for the Rockwall Fire Department.

Sincerely,

William F. Carroll
Treasurer, Texas Fire Museum
972-762-2091
bcarroll@texasfiremuseum.org

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 11/17/2014

APPLICANT: Chase Finch, *Corwin Engineering, Inc.*

AGENDA ITEM: **P2014-033**; *Rockwall Downes, Phase 1*

SUMMARY:

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Matt Alexander of the Cambridge Company, Inc. for the approval of a final plat for Rockwall Downes, Phase 1, containing 34 residential lots on a 15.135-acre tract of land identified as a portion of Tract 3 of the J. M. Allen Survey, Abstract No. 0002, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10) for residential land uses, situated within the 205 By-Pass Overlay (205-BY OV) District, located south of the intersection of the IH-30 Frontage Road and John King Boulevard, and take any action necessary.

FINAL PLAT INFORMATION:

- ✓ The purpose of the applicant's request is to final plat 34 single family, residential lots on a 15.135-acre tract of land for the construction of Phase 1 of the Rockwall Downes subdivision. The Rockwall Downes subdivision will be composed of 90 single family lots that will be broken down into three (3) phases with Phase 1 containing 34 lots, Phase 2 containing 30 lots, and Phase 3 containing 26 lots. Each single-family lot will have a minimum lot size of 55' x 110' (*or 6,050 SF*).

- ✓ The subject property is zoned Planned Development District 10 (PD-10), which designates the subject property for single family detached uses. According to Ordinance No. 04-25 the development standards for the subject property are as follows:

	Ordinance Requirements
Maximum Density (Dwelling Units Per Acre)	5
Minimum SF Per Dwelling Unit	1,500 SF
Minimum Lot Frontage on a Public Street	50'
Minimum Lot Width [1]	50'
Minimum Lot Depth	100'
Minimum Front Yard Setback	20'
Minimum Rear Yard Setback	10'
Minimum Side Yard Setbacks (Internal, Street, Arterial)	5', 15', 20'
Minimum Distance Between Buildings	10'
Maximum Lot Coverage	45%
Maximum Building Height	32'
Minimum Masonry Requirement [2]	90%

Notes:
[1]: *For lots without alley access the minimum lot width is 55-feet.*
[2]: *Masonry is defined as brick, stone, cultured stone cementaceous fiberboard and cementaceous stucco.*

- ✓ According to the International Fire Code (IFC), where there are more than 30 single family homes on a single public or private fire access road the dwelling units shall be equipped with automatic fire sprinklers or a secondary fire apparatus access point. Currently, Phase I contains 34 lots and only contains one (1) point of entry, which means all homes constructed within this phase will be required to incorporate automatic sprinklers.

- ✓ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for plats as stated in the *Subdivision Ordinance* in the *Municipal Code of Ordinances*, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

PARKS BOARD RECOMMENDATIONS:

On November 4, 2014, the Parks Board reviewed the final plat and made a recommendation that the private park land shall be maintained by the Homeowner's Association (HOA), and the ten (10) foot trail along John King Boulevard shall be constructed and dedicated to the city as a public trail. Additionally, the HOA shall be responsible for maintaining the right-of-way to the back of curb of John King Boulevard.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the *Final Plat* for the *Rockwall Downs Subdivision* staff would recommend the following conditions:

1) The *Final Plat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments. Specifically, the *Final Plat* should meet the following conditions:

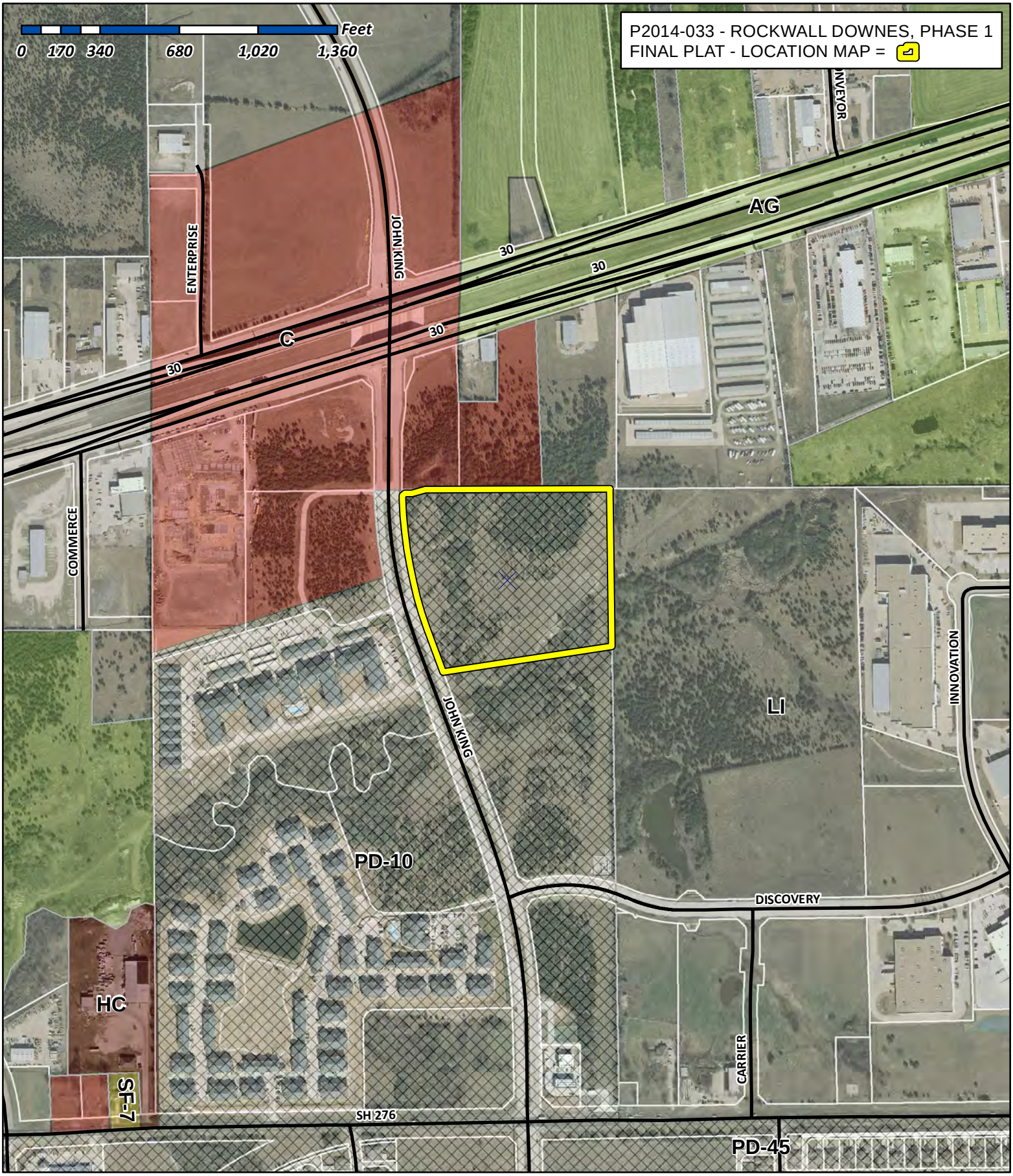
    a) *Fire Department.* Two (2) means of fire apparatus access shall be provided for developments of one or two-family dwellings where the number of dwelling units exceeds 30. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units can be equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the International Fire Code, access from two directions shall not be required. Currently, Phase 1 does not have two (2) means of fire apparatus access and exceeds 30 units.

2) The development shall conform to the recommendations made by the Parks Board for the *Final Plat (Case No. P2014-033)*, *Preliminary Plat (Case No. P2013-035)* and *Master Plat* (*Case No. P2013-034*); and,

3) Any construction resulting from the approval of this *Final Plat* shall conform to the requirements set forth by the Unified Development Code (UDC), the 2009 International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On November 11, 2014, the Planning & Zoning Commission recommended approval of the final plat per staff's recommendations by a vote of 7-0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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E. TRACTS G,H AND I DETACHED SINGLE FAMILY

1. **Common Open Space.** There shall be a minimum of 10% of the gross area of the Tracts developed for open space (to include the floodplain) in addition to the park land requirement referred to in "General" above and reflected as Tract I. However, the required parkland (reflected as Tract I) may be integrated with Tract H to better distribute parkland and increase its accessibility.
2. **Land Uses.** Detached Single Family residential, a clubhouse facility with amenities such as an exercise club, a pool, tennis courts, and a temporary sales office.
3. **Density.** Maximum of 5 units per acre.
4. **Minimum Square Footage-** 1,500 square feet per dwelling unit.
5. Minimum **lot frontage** on a public street – 50 feet measured at the front building line
6. Minimum **lot depth** – 100 feet
7. Minimum depth of **front yard setback** – 20 feet
8. Minimum depth of **rear yard setback** – 10 feet
9. Minimum width of **side yard setback** –
   a. Internal lot – 5 feet
   b. Abutting street – 15 feet
   c. Abutting an arterial – 20 feet
10. Minimum **distance between separate buildings** on the same or parcel of land – 10 feet
11. For lots less than 55 feet in width, **Garages** must be located at the rear of the property with alley access. Alleys are required unless lots back to open space areas in which case the lots shall be a minimum 55 feet in width and provide a front, sided loaded "J" swing garage or a garage toward the rear of the lot, as approved by the City. Lots which are 55 feet or more in width and containing a front-loaded garage must set back the face of the garage at least 3 feet from the nearest front corner of the house, or have a "pass-through" drive to a garage toward the rear of the property. A minimum single car attached garage is required for each lot.
12. Minimum **length of driveway** pavement from public right-of-way for rear, front and side yard – 20 feet
13. Maximum **building coverage** as a percentage of lot area – 45 percent
14. Maximum **building height** – 32 feet
15. Minimum number of paved **off-street parking spaces** required for:
   a. One single-family dwelling unit – 2. An enclosed garage shall not be considered in meeting the off-street parking requirements.

b. For all other uses see the Comprehensive Zoning Ordinance, Article VI Parking and Loading.

16. The dwelling must be permanently attached to a concrete **foundation**.

17. **Masonry Requirement.** Buildings shall contain 90% masonry, excluding windows and doors. For the purposes of this ordinance, masonry shall be defined as brick, stone, cultured stone, cementaceous fiber board (Hardy Plank or similar in 9-inch or smaller width boards) and cementaceous stucco. However, any clubhouse facility shall be constructed of a minimum of 20% stone or cast stone and any screening wall against 205 By-Pass and SH 276 shall employ stone, cultured stone or pre cast concrete caps along the solid portions of the wall.

18. **Subdivision Site Plan Review.** Site Plans for the subdivision shall be reviewed and include the following information (individual lot site plans will not be reviewed):

    a. The location of all existing and planned structures on the subject property and approximate locations of structures on adjoining property within 100 feet;

    b. Landscaping, lighting and/or fencing and/or screening of yards and setback areas;

    c. Design of ingress and egress;

    d. Off-street parking and loading facilities;

    e. Location of Fire Lanes;

    f. Location of solid waste collection facilities;

    g. Height of all structures;

    h. Proposed uses;

    i. The location and types of all signs, including lighting and heights;

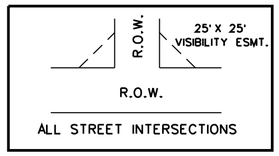
    j. Elevation drawings citing proposed exterior finish materials;

    k. Street names on proposed streets;

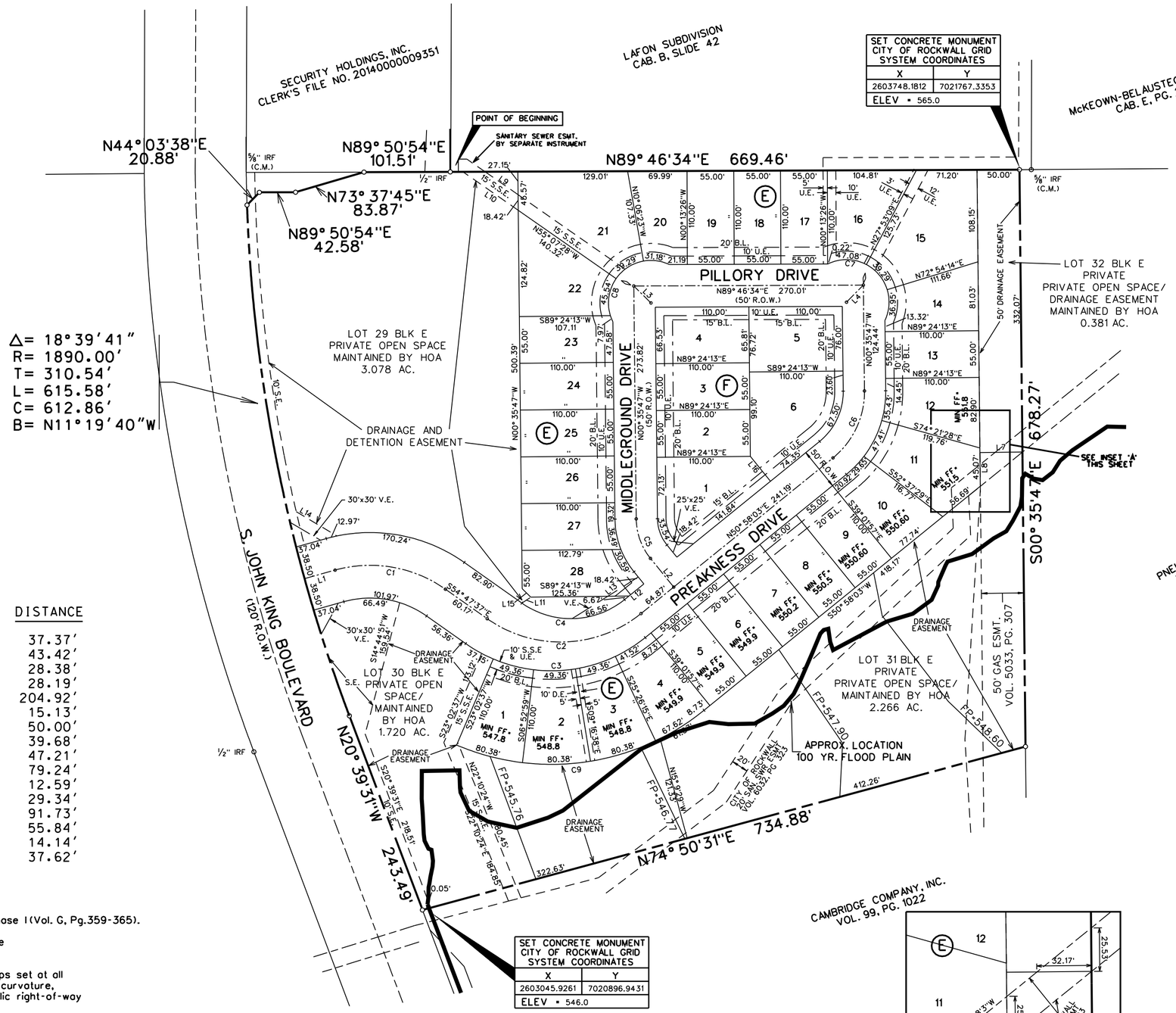
    l. Such additional information and detail as the Zoning Administrator deems necessary.

F. TRACT E COMMERCIAL (NW Corner of SH 276 and SH 205 By-Pass)

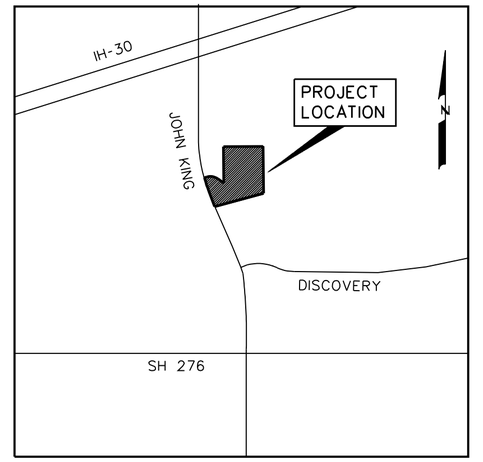
1. **Land Uses.** Only the following uses shall be allowed: (+ denotes special conditions required for use within the existing or any future zoning ordinance of the City) (outside storage allowed only as authorized under the Commercial zoning district)



VISIBILITY & SIDEWALK EASEMENT DETAIL
N.T.S.



0 50 100 200
SCALE: 1" = 100'



LOCATION MAP
N.T.S.

LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	N 74°30'05" E	37.37'
2.	N 39°01'57" W	43.42'
3.	S 45°24'36" E	28.38'
4.	S 44°35'24" W	28.19'
5.	N 89°46'34" W	204.92'
6.	N 00°13'26" W	15.13'
7.	S 89°24'13" W	50.00'
8.	S 00°35'47" E	39.68'
9.	N 55°07'28" W	47.21'
10.	N 55°07'28" W	79.24'
11.	N 56°04'48" E	12.59'
12.	S 50°58'03" W	29.34'
13.	N 57°43'45" E	91.73'
14.	S 59°15'42" E	55.84'
15.	S 45°35'47" E	14.14'
16.	S 39°01'57" E	37.62'

NOTES
1. Bearing are referenced to Stone Creek Phase I (Vol. G, Pg.359-365).
2. All lot lines are radial or perpendicular to the street unless otherwise noted by bearing.
3. 1/2" iron rods with "CORWIN ENGR. INC." caps set at all boundary corners, block corners, points of curvature, points of tangancy, and angle points in public right-of-way unless otherwise noted.
4. B.L. - Building Line.
U.E. - Utility Easements.
C.M. - Controlling Monument.
D.E. - Drainage Easement
S.S.E.- Sanitary Sewer Easement
F.F. - Finish Floor
V.A.M.S. - Visibility, Maintenence & Sidewalk Easement
BFE - Base Flood Elevation
S.E. - Sidewalk Easement
FP - 100 Year Flood Plain Elevation
P.O.E. - Positive Overflow Easement
V.E. - Visibility Easement
◊ - Street Name Change
5. All open spaces, drainage areas and other common areas shall be maintained by the Homeowners Association.

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
1.	50°42'18"	153.50'	136.10'	72.73'	131.69'	S80°11'40"E
2.	74°14'20"	150.00'	194.36'	113.52'	181.04'	N88°05'13"E
3.	74°14'20"	175.00'	226.75'	132.44'	211.22'	N88°05'13"E
4.	74°14'19"	100.00'	129.57'	75.68'	120.70'	N88°05'12"E
5.	38°26'10"	75.00'	50.31'	26.14'	49.37'	N19°48'52"W
6.	51°33'50"	100.00'	90.00'	48.30'	86.99'	N25°11'08"E
7.	141°18'40"	50.00'	123.32'	----'	94.35'	N45°24'36"W
8.	142°03'23"	50.00'	123.97'	----'	94.57'	N44°35'24"E
9.	62°04'34"	285.00'	308.78'	171.50'	293.90'	N82°00'20"E

INSET 'A'
SCALE: 1"=50'

TOTAL LOTS 34
TOTAL ACRES 15.135

FINAL PLAT
OF
ROCKWALL DOWNES PHASE 1
OUT OF THE
J.M ALLEN SURVEY, ABSTRACT NO. 2
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER
ROCKWALL DOWNES DEVELOPMENT, LLC.
8750 NORTH CENTRAL EXPRESSWAY, SUITE 1735
DALLAS, TEXAS 75231
214-691-2556
PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

JANUARY 2014 SCALE 1" = 100'

OWNER'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS
COUNTY OF ROCKWALL
We the undersigned owner(s) of the land shown on this plat, and designated herein as the ROCKWALL DOWNES PHASE 1, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the ROCKWALL DOWNES PHASE 1, subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

Rockwall Downes

_____ _____
Rockwall Downes Development, LLC. Mortgage or Lien Interest

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____day of _____, 2014.

Notary Public in and for the State of Texas My Commission Expires: _____

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared
known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____Day of _____, 2014.

Notary Public in and for the State of Texas My Commission Expires: _____

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

LEGAL DESCRIPTION

WHEREAS, CAMBRIDGE COMPANY, INC., is the owner a tract of land situated in the J.M. Allen Survey, Abstract No. 2 in the City of Rockwall, Rockwall County, Texas, being part of a tract of land as described in deed to Cambridge Company Inc., in Volume 99, Page 1022 in the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING, at a ½ inch iron rod found at the southwest corner of Lafon Subdivision, an addition to the City of Rockwall, as described in Cab. B, Pg. 42, in the Plat Records of Rockwall County, Texas, and being in the north line of said Cambridge Company, Inc. tract;

THENCE, North 89° 46'34" East, along south line of said Lafon Subdivision and the north line of said Cambridge Company, Inc. tract, for a distance of 668.87 feet, to a ½ inch iron rod set at the northeast corner of said Cambridge Company, Inc. tract;

THENCE, South 00° 35' 47" East, departing said south line and along the east line of said Cambridge Company, Inc. tract, for a distance 678.27 feet, to a ½ inch iron rod set with a yellow cap stamped Corwin Eng. Inc.;

THENCE, South 74° 50'31" West, departing south east line, for a distance of 734.88 feet, to a ½ inch iron rod set with a yellow cap stamped Corwin Eng. Inc., being in the east line of John King Boulevard;

THENCE, North 20° 39'31" West, along the east line of said John King Boulevard, for a distance of 243.49 feet, to a ½ inch iron rod set with a yellow cap stamped Corwin Eng. Inc. at the point of curvature of a curve to the right, having a radius of 1890.00 feet, a central angle of 18° 39'41" , and a tangent of 310.54 feet;

THENCE, continuing along said east line and with said curve to right for an arc distance of 615.58 feet (Chord Bearing North 11° 19'40" West - 612.86 feet), to a ½ inch iron rod set with a yellow cap stamped Corwin Eng. Inc.;

THENCE, North 44° 03'38" East, departing said east line, for a distance of 20.88 feet to a ½ inch iron rod set with a yellow cap stamped Corwin Eng. Inc.;

THENCE, North 89° 50'54" East, for a distance of 42.58 feet, to a ½ inch iron rod set with a yellow cap stamped Corwin Eng. Inc.;

THENCE, North 73° 37'45" East, for a distance of 83.87 feet, to a ½ inch iron rod set with a yellow cap stamped Corwin Eng. Inc. in north line of said Cambridge Company, Inc. tract and the south line of a 3.130 acre tract as recorded in clerk's file number 20140000009351 in the Deed Records of Rockwall County, Texas;

THENCE, North 89° 50'54" East, with said north and south lines, for a distance of 102.10 feet, to the POINT OF BEGINNING and containing 15.135 acres of land.

Recommended for Final Approval:

_____ _____
Planning & Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the_____day of _____, 2014.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the Counrt Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this_____ day of_____, 2014.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

SURVEYOR CERTIFICATE

I, WARREN L. CORWIN, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made under my direction and supervision and all corners are as shown thereon and there are no encroachments, conflicts, protrusions or visible utilities on the ground except as shown and said plat has been prepared in accordance with the platting rules and regulations of the City Plan Commission of the City of Rockwall, Texas.

DATED the this_____day of _____, 2014.

_____
WARREN L. CORWIN
R.P.L.S. No. 4621

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the_____day of _____, 2014.

_____
Notary Public in and for the State of Texas

FINAL PLAT
OF
ROCKWALL DOWNES PHASE 1
OUT OF THE
J.M ALLEN SURVEY, ABSTRACT NO. 2
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER
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8750 NORTH CENTRAL EXPRESSWAY, SUITE 1735
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PREPARED BY
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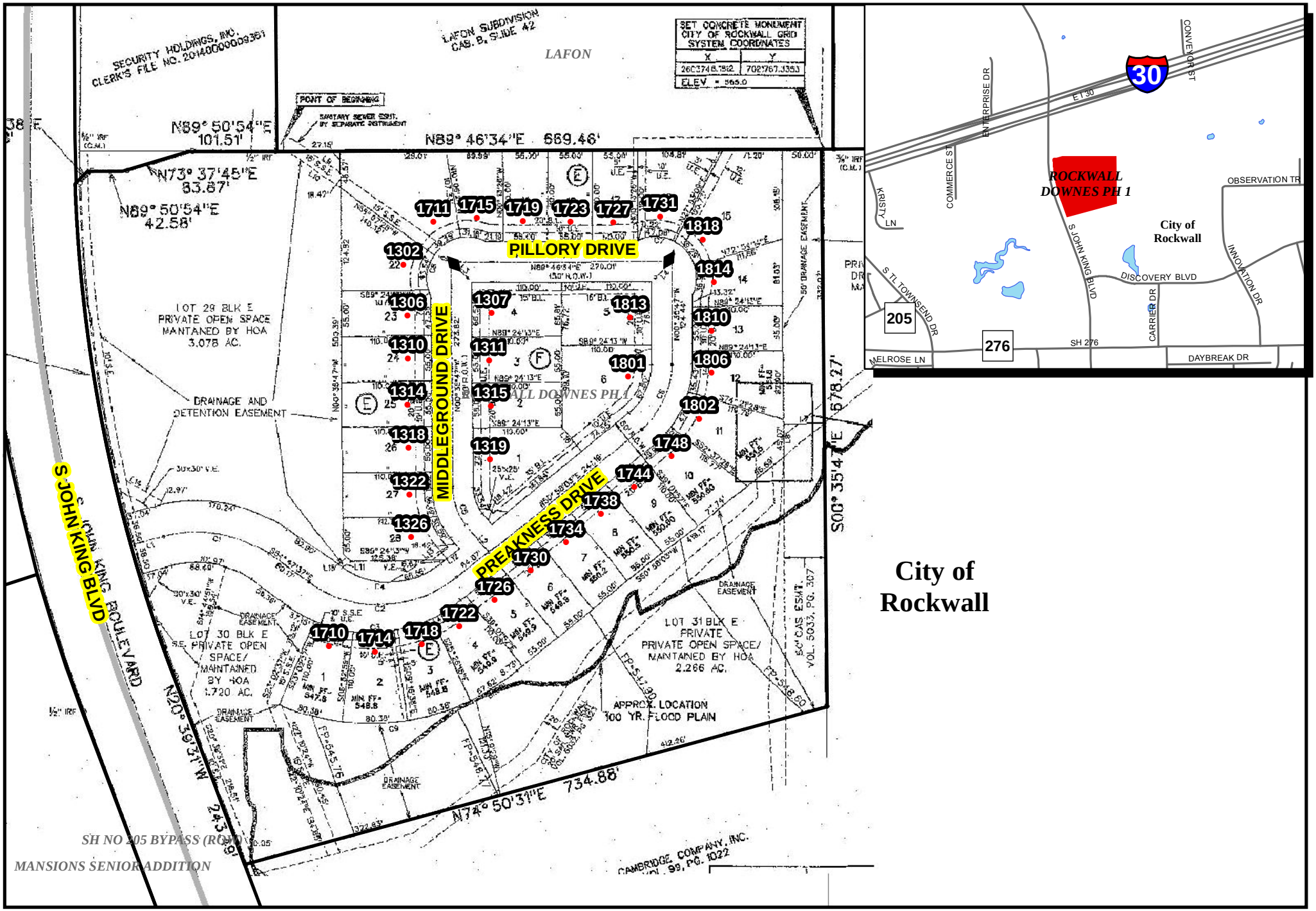
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

JANUARY 2014 SCALE 1" = 100'



City of Rockwall

N W E S

0 75 150 Feet

Date: 10/20/2014

City of Rockwall Geographic Information Systems

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

ROCKWALL DOWNES PH 1 ADDITION

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 11/17/2014

APPLICANT: Philip Graham, P.E.

AGENDA ITEM: **P2014-0036** Rockwall Technology Park (Col-Met Spray Booth)

SUMMARY:

Discuss and consider a request by Philip Graham, PE of Wier & Associates on behalf of Sheri Franza of the Rockwall Economic Development Corporation for the approval of a replat for Lots 2 & 3, Block B, Rockwall Technology Park, Phase II being a 22.649-acre parcel of land currently identified as Lot 1, Block B, Rockwall Technology Park, Phase II, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, generally located east of the intersection of Corporate Crossing and Discovery Boulevard, and take any action necessary.

COMMENTS:

- The objective of the request is to subdivide a 22.649-acre parcel of land for the purpose of developing a proposed (approximately) 173,000 sq. ft. industrial facility. A site plan was approved earlier this year for the proposed facility.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions below.

- With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

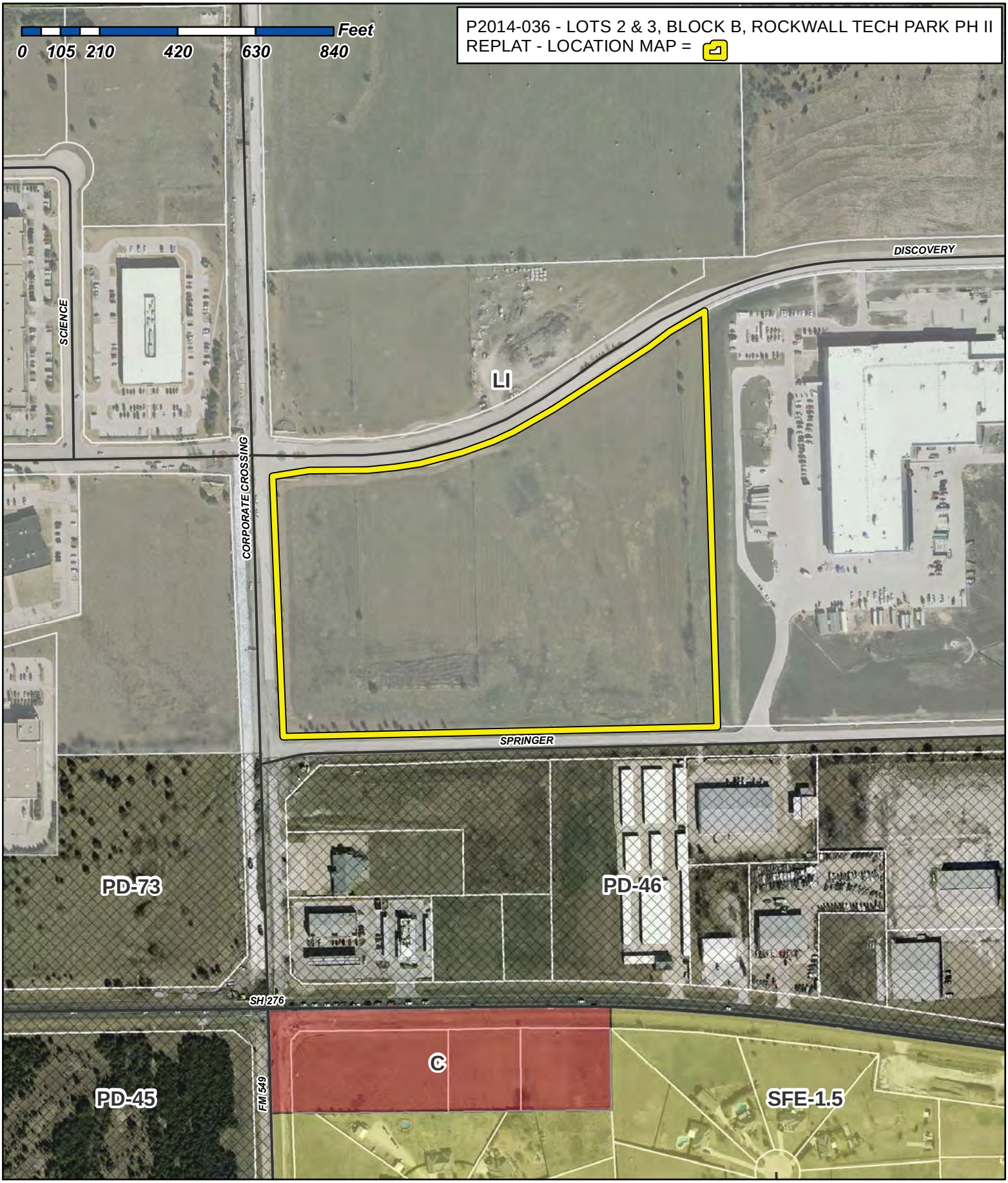
If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

1) All the technical comments from the Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following Planning Comments;

   a) Adherence to Engineering and Fire Department standards.
   b) Re-label firelane to include "Public Access Easement" where firelane labels are indicated on plat.
   c) Provide case number (P2014-036) on lower right corner of revised plan.

2) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

On November 11, 2014, the Planning and Zoning Commission recommended approval of the request with staff conditions by a vote of 7 to 0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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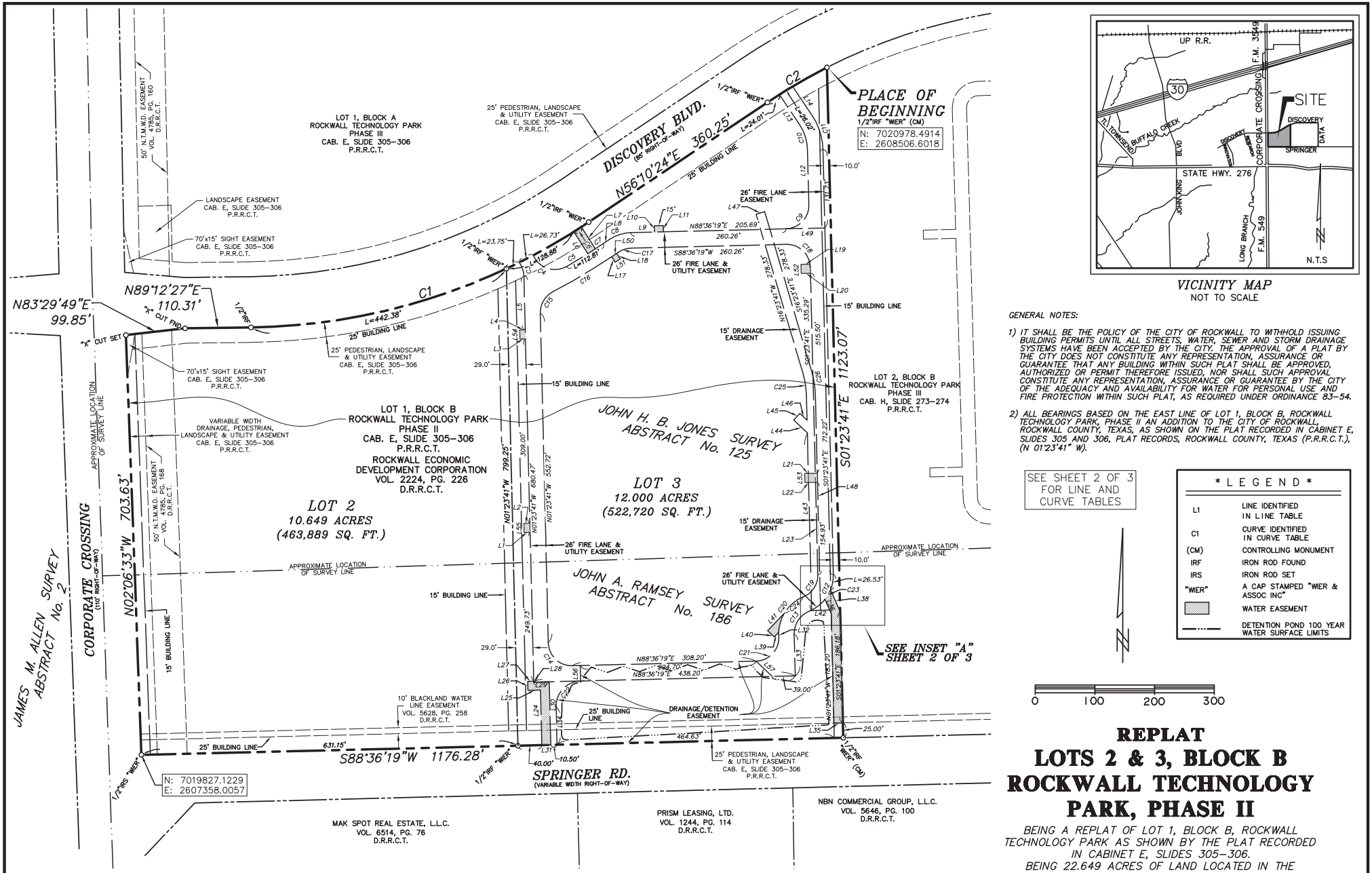

VICINITY MAP
NOT TO SCALE

GENERAL NOTES:

1) IT SHALL BE THE POLICY OF THE CITY OF ROCKWALL TO WITHHOLD ISSUING BUILDING PERMITS UNTIL ALL STREETS, WATER, SEWER AND STORM DRAINAGE SYSTEMS HAVE BEEN ACCEPTED BY THE CITY. THE APPROVAL OF A PLAT BY THE CITY DOES NOT CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE THAT ANY BUILDING WITHIN SUCH PLAT SHALL BE APPROVED, AUTHORIZED OR PERMIT THEREFORE ISSUED, NOR SHALL SUCH APPROVAL CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE BY THE CITY OF THE ADEQUACY AND AVAILABILITY FOR WATER FOR PERSONAL USE AND FIRE PROTECTION WITHIN SUCH PLAT, AS REQUIRED UNDER ORDINANCE 83-54.

2) ALL BEARINGS BASED ON THE EAST LINE OF LOT 1, BLOCK B, ROCKWALL TECHNOLOGY PARK, PHASE II AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS SHOWN ON THE PLAT RECORDED IN CABINET E, SLIDES 305 AND 306, PLAT RECORDS, ROCKWALL COUNTY, TEXAS (P.R.R.C.T.), (N 01°23'41" W).

REPLAT
LOTS 2 & 3, BLOCK B ROCKWALL TECHNOLOGY PARK, PHASE II

BEING A REPLAT OF LOT 1, BLOCK B, ROCKWALL TECHNOLOGY PARK AS SHOWN BY THE PLAT RECORDED IN CABINET E, SLIDES 305-306.
BEING 22.649 ACRES OF LAND LOCATED IN THE JOHN H. B. JONES SURVEY, ABSTRACT No. 125 AND THE JOHN A. RAMSEY SURVEY, ABSTRACT No. 186 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

PRELIMINARY
FOR REVIEW PURPOSES ONLY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

OWNER / DEVELOPER
ROCKWALL ECONOMIC DEVELOPMENT CORPORATION
697 EAST INTERSTATE 30
P.O. BOX 968
ROCKWALL, TEXAS 75087
(972) 772-0025

ENGINEER / SURVEYOR
WIER & ASSOCIATES, INC.
701 HIGHLANDER BLVD., SUITE 300
ARLINGTON, TEXAS 76015-4340
CONTACT: PHILIP GRAHAM, P.E., R.P.L.S.
PH: (817) 467-7700
FAX: (817) 467-7713

PREPARED BY:
WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
701 HIGHLANDER BLVD., SUITE 300 ARLINGTON, TEXAS 76015 METRO (817)467-7700
Texas Firm Registration No. F-2776 www.WierAssociates.com
Texas Board of Professional Land Surveying Registration No. 10033900

SHEET 1 OF 3

DATE: 10/23/2014
W.O. 98041

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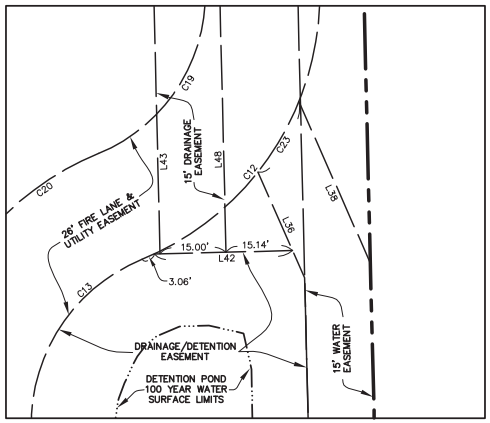
LINE TABLE		
LINE	BEARING	DIST
L1	S88°36'19"W	10.00'
L2	N88°36'19"E	10.00'
L3	S88°36'19"W	9.00'
L4	N88°36'19"E	9.00'
L5	N01°23'41"W	90.24'
L6	N32°36'05"W	43.50'
L7	S32°36'05"E	43.50'
L8	N56°10'24"E	13.04'
L9	N88°36'19"E	39.57'
L10	N01°23'41"W	10.56'
L11	S01°23'41"E	10.56'
L12	N01°23'41"W	92.73'
L13	N33°49'36"W	60.51'
L14	S33°49'36"E	59.51'
L17	N33°49'36"W	11.00'
L18	N33°49'36"W	11.00'
L19	N88°36'19"E	14.97'
L20	S88°36'19"W	15.25'
L21	S88°36'19"W	17.72'
L22	N88°36'19"E	17.72'
L23	S01°23'41"E	154.93'
L24	N01°23'41"W	92.28'
L25	S88°36'19"W	21.00'
L26	N01°23'41"W	15.00'
L27	N88°36'19"E	10.00'

LINE TABLE		
LINE	BEARING	DIST
L28	S01°23'41"E	1.50'
L29	N88°36'19"E	26.00'
L30	S01°23'41"E	105.78'
L31	S88°36'19"W	15.00'
L32	N01°23'41"W	4.64'
L33	N01°23'41"W	69.64'
L34	S01°23'41"E	63.78'
L35	S88°36'19"W	15.00'
L36	N23°53'41"W	26.23'
L38	S23°53'41"E	40.08'
L39	N43°36'19"E	11.12'
L40	N46°23'41"W	15.00'
L41	N43°36'19"E	40.47'
L42	N88°36'19"E	31.45'
L43	S01°23'41"E	297.53'
L44	S46°23'41"E	31.52'
L45	S43°36'19"W	15.00'
L46	N46°23'41"W	16.52'
L47	S73°36'19"W	15.00'
L48	N01°23'41"W	359.96'
L49	N88°36'19"E	65.00'
L50	S56°10'24"W	13.04'
L51	S56°10'24"W	10.00'
L52	N01°23'41"W	15.00'
L53	N01°23'41"W	15.00'

LINE TABLE		
LINE	BEARING	DIST
L54	N01°23'41"W	15.00'
L55	N01°23'41"W	15.00'
L56	N01°23'41"W	26.00'
L57	S46°23'41"E	36.77'

CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	BEARING	DIST.
C1	601.06'	1042.50'	33°02'02"	N72°41'26"E	592.77'
C2	115.74'	957.50'	6°55'33"	N59°38'11"E	115.67'
C3	24.36'	39.00'	35°46'53"	S19°17'07"E	23.96'
C4	66.49'	39.00'	97°41'13"	S71°09'43"E	58.73'
C5	41.70'	1086.00'	2°12'01"	N58°53'40"E	41.70'
C6	15.00'	1042.50'	0°49'28"	N57°23'55"E	15.00'
C7	15.72'	1086.00'	0°49'47"	N56°35'18"E	15.72'
C8	37.64'	66.50'	32°25'55"	N72°23'22"E	37.14'
C9	61.26'	39.00'	90°00'00"	N43°36'19"E	55.15'
C10	44.72'	79.00'	32°25'55"	N17°36'38"W	44.12'
C11	59.43'	105.00'	32°25'55"	S17°36'38"E	58.64'
C12	78.44'	65.00'	69°08'18"	S33°10'28"W	73.76'
C13	48.87'	40.50'	69°08'19"	S33°10'28"W	45.96'
C14	61.26'	39.00'	90°00'00"	S46°23'41"E	55.15'
C15	43.24'	39.00'	63°31'11"	S30°21'55"W	41.06'
C16	115.51'	1112.00'	5°57'06"	S59°08'57"W	115.46'
C17	22.92'	40.50'	32°25'55"	S72°23'22"W	22.62'
C18	61.26'	39.00'	90°00'00"	N46°23'41"W	55.15'
C19	47.06'	39.00'	69°08'18"	N33°10'28"E	44.26'
C20	80.25'	66.50'	69°08'19"	N33°10'28"E	75.46'
C21	61.26'	39.00'	90°00'00"	N43°36'19"E	55.15'
C22	65.97'	42.00'	90°00'00"	S43°36'19"W	59.40'
C23	18.59'	65.00'	16°23'02"	N30°10'45"E	18.52'
C24	42.78'	66.50'	36°51'39"	S49°18'48"W	42.05'
C25	37.31'	142.50'	15°00'00"	N08°53'41"W	37.20'
C26	41.23'	157.50'	15°00'00"	N08°53'41"W	41.12'



INSET "A"

REPLAT
LOTS 2 & 3, BLOCK B ROCKWALL TECHNOLOGY PARK, PHASE II

BEING A REPLAT OF LOT 1, BLOCK B, ROCKWALL TECHNOLOGY PARK AS SHOWN BY THE PLAT RECORDED IN CABINET E, SLIDES 305–306.
BEING 22.649 ACRES OF LAND LOCATED IN THE JOHN H. B. JONES SURVEY, ABSTRACT No. 125 AND THE JOHN A. RAMSEY SURVEY, ABSTRACT No. 186
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

PRELIMINARY
FOR REVIEW PURPOSES ONLY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

OWNER / DEVELOPER
ROCKWALL ECONOMIC DEVELOPMENT CORPORATION
697 EAST INTERSTATE 30
P.O. BOX 968
ROCKWALL, TEXAS 75087
(972) 772–0025

ENGINEER / SURVEYOR
WIER & ASSOCIATES, INC.
701 HIGHLANDER BLVD., SUITE 300
ARLINGTON, TEXAS 76015–4340
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SHEET 2 OF 3

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OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS THE ROCKWALL ECONOMIC DEVELOPMENT CORPORATION, BEING THE OWNER OF A TRACT OF LAND IN THE COUNTY OF ROCKWALL, STATE OF TEXAS, SAID TRACT BEING DESCRIBED AS FOLLOWS:

FIELD NOTES

BEING A TRACT OF LAND LOCATED IN THE JOHN A. RAMSEY SURVEY, ABSTRACT NO. 186 AND THE JOHN H.B. JONES SURVEY, ABSTRACT NO. 125, ROCKWALL COUNTY, TEXAS, BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO ROCKWALL ECONOMIC DEVELOPMENT CORPORATION, RECORDED IN VOLUME 2224, PAGE 226, DEED RECORDS, ROCKWALL COUNTY, TEXAS (D.R.R.C.T.), AND BEING ALL OF LOT 1, BLOCK B, ROCKWALL TECHNOLOGY PARK, PHASE II AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS SHOWN ON THE PLAT RECORDED IN CABINET E, SLIDES 305 AND 306, PLAT RECORDS, ROCKWALL COUNTY, TEXAS (P.R.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH CAP STAMPED "WIER & ASSOC INC" IN THE SOUTH RIGHT-OF-WAY LINE OF DISCOVERY BOULEVARD (AN 85 FOOT WIDE RIGHT-OF-WAY), SAID IRON ROD BEING THE NORTHEAST CORNER OF SAID LOT 1, AND THE NORTHWEST CORNER OF LOT 2, BLOCK B, ROCKWALL TECHNOLOGY PARK, PHASE III, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS SHOWN ON THE PLAT RECORDED IN CABINET H, SLIDES 273 AND 274, P.R.R.C.T.;

THENCE S 01°23'41" E, ALONG THE EAST LINE OF SAID LOT 1 AND THE WEST LINE OF SAID LOT 2, A DISTANCE OF 1123.07 FEET TO A 1/2" IRON ROD FOUND WITH CAP STAMPED "WIER & ASSOC INC" IN THE NORTH RIGHT-OF-WAY LINE OF SPRINGER ROAD (A VARIABLE WIDTH RIGHT-OF-WAY), SAID IRON ROD BEING THE SOUTHEAST CORNER OF SAID LOT 1 AND THE SOUTHWEST CORNER OF SAID LOT 2;

THENCE S 88°36'19" W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID SPRINGER ROAD AND THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 1176.28 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC INC", SAID 1/2" IRON ROD SET BEING THE SOUTHWEST CORNER OF SAID LOT 1 AND BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF SAID SPRINGER ROAD AND THE EAST RIGHT-OF-WAY LINE OF CORPORATE CROSSING (A 110 FOOT WIDE RIGHT-OF-WAY);

THENCE N 02°06'33" W, ALONG THE WEST LINE OF SAID LOT 1 AND THE EAST RIGHT-OF-WAY LINE OF SAID CORPORATE CROSSING (F.M. 3549), 703.63 FEET TO AN "X" CUT SET, SAID "X" CUT SET BEING THE NORTHWEST CORNER OF SAID LOT 1 AND BEING THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SAID CORPORATE CROSSING AND THE SOUTH RIGHT-OF-WAY LINE OF SAID DISCOVERY BOULEVARD;

THENCE ALONG THE NORTH LINE OF SAID LOT 1 AND THE SOUTH RIGHT-OF-WAY LINE OF SAID DISCOVERY BOULEVARD AS FOLLOWS:

(1) N 83°29'49" E, 99.85 FEET TO AN "X" CUT FOUND;

(2) N 89°12'27" E, 110.31 FEET TO 1/2" IRON ROD FOUND, BEING THE BEGINNING OF A CURVE TO THE LEFT;

(3) NORTHEASTERLY, AN ARC LENGTH OF 601.06 FEET ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1042.50 FEET, A DELTA ANGLE OF 33°02'02", AND A CHORD BEARING OF N 72°41'26" E, 592.77 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "WIER & ASSOC INC";

(4) N 56°10'24"E, 360.25 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "WIER & ASSOC INC", BEING THE BEGINNING OF A CURVE TO THE RIGHT;

(5) NORTHEASTERLY, AN ARC LENGTH OF 115.74 FEET ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 957.50 FEET, A DELTA ANGLE OF 6°55'33", AND A CHORD BEARING OF N 59°38'11" E, 115.67 FEET TO THE PLACE OF BEGINNING AND CONTAINING 22.649 ACRES (986,609 SQ. FT.) OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS LOTS 2 & 3, BLOCK B, ROCKWALL TECHNOLOGY PARK, PHASE II TO THE CITY OF ROCKWALL, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN ON THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED. I FURTHER CERTIFY THAT ALL OTHER PARTIES WHO HAVE A MORTGAGE OR LIEN INTEREST IN LOTS 2 & 3, BLOCK B, ROCKWALL TECHNOLOGY PARK, PHASE II HAVE BEEN NOTIFIED AND SIGNED THIS PLAT.

I UNDERSTAND AND DO HEREBY RESERVE THE EASEMENT STRIPS SHOWN ON THIS PLAT FOR THE PURPOSES STATED AND FOR THE MUTUAL USE AND ACCOMMODATION OF ALL UTILITIES DESIRING TO USE OR USING SAME. I ALSO UNDERSTAND THE FOLLOWING;

1. NO BUILDINGS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE UTILITY EASEMENTS AS DESCRIBED HEREIN.

2. ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER GROWTHS OR IMPROVEMENTS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF THEIR RESPECTIVE SYSTEM ON ANY OF THESE EASEMENT STRIPS; AND ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS OR EGRESS TO, FROM AND UPON THE SAID EASEMENT STRIPS FOR PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTING, PATROLLING, MAINTAINING, AND EITHER ADDING TO OR REMOVING ALL OR PART OF THEIR RESPECTIVE SYSTEM WITHOUT THE NECESSITY OF, AT ANY TIME, PROCURING THE PERMISSION OF ANYONE.

3. THE CITY OF ROCKWALL WILL NOT BE RESPONSIBLE FOR ANY CLAIMS OF ANY NATURE RESULTING FROM OR OCCASIONED BY THE ESTABLISHMENT OF GRADE OF STREETS IN THE SUBDIVISION.

4. THE DEVELOPER AND ENGINEER SHALL BEAR TOTAL RESPONSIBILITY FOR STORM DRAIN IMPROVEMENTS.

5. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE NECESSARY FACILITIES TO PROVIDE DRAINAGE PATTERNS AND DRAINAGE CONTROLS SUCH THAT PROPERTIES WITHIN THE DRAINAGE AREA ARE NOT ADVERSELY AFFECTED BY STORM DRAINAGE FROM THE DEVELOPMENT.

6. NO HOUSE DWELLING UNIT, OR OTHER STRUCTURE SHALL BE CONSTRUCTED ON ANY LOT IN THIS ADDITION BY THE OWNER OR ANY OTHER PERSON UNTIL THE DEVELOPER AND/OR OWNER HAS COMPLIED WITH ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY OF ROCKWALL REGARDING IMPROVEMENTS WITH RESPECT TO THE ENTIRE BLOCK ON THE STREET OR STREETS ON WHICH PROPERTY ABUTS, INCLUDING THE ACTUAL INSTALLATION OF STREETS WITH THE REQUIRED BASE AND PAVING, CURB AND GUTTER, WATER AND SEWER, DRAINAGE STRUCTURES, STORM STRUCTURES, STORM SEWERS, AND ALLEYS, ALL ACCORDING TO THE SPECIFICATIONS OF THE CITY OF ROCKWALL; OR

UNTIL AN ESCROW DEPOSIT, SUFFICIENT TO PAY FOR THE COST OF SUCH IMPROVEMENTS, AS DETERMINED BY THE CITY'S ENGINEER AND/OR CITY ADMINISTRATOR, COMPUTED ON A PRIVATE COMMERCIAL RATE BASIS, HAS BEEN MADE WITH THE CITY SECRETARY, ACCOMPANIED BY AN AGREEMENT SIGNED BY THE DEVELOPER AND/OR OWNER, AUTHORIZING THE CITY TO MAKE SUCH IMPROVEMENTS AT PREVAILING PRIVATE COMMERCIAL RATES, OR HAVE THE SAME MADE BY A CONTRACTOR AND PAY FOR THE SAME OUT OF THE ESCROW DEPOSIT, SHOULD THE DEVELOPER AND/OR OWNER FAIL OR REFUSE TO INSTALL THE REQUIRED IMPROVEMENTS WITHIN THE TIME STATED IN SUCH WRITTEN AGREEMENT, BUT IN NO CASE SHALL THE CITY BE OBLIGATED TO MAKE SUCH IMPROVEMENTS ITSELF. SUCH DEPOSIT MAY BE USED BY THE OWNER AND/OR DEVELOPER AS PROGRESS PAYMENTS AS THE WORK PROGRESSES IN MAKING SUCH IMPROVEMENTS BY MAKING CERTIFIED REQUISITIONS TO THE CITY SECRETARY, SUPPORTED BY EVIDENCE OF WORK DONE; OR

UNTIL THE DEVELOPER AND/OR OWNER FILES A CORPORATE SURETY BOND WITH THE CITY SECRETARY IN A SUM EQUAL TO THE COST OF SUCH IMPROVEMENTS FOR THE DESIGNATED AREA, GUARANTEEING THE INSTALLATION THEREOF WITHIN THE TIME STATED IN THE BOND, WHICH TIME SHALL BE FIXED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL.

I FURTHER ACKNOWLEDGE THAT THE DEDICATIONS AND/OR EXACTION'S MADE HEREIN ARE PROPORTIONAL TO THE IMPACT OF THE SUBDIVISION UPON THE PUBLIC SERVICES REQUIRED IN ORDER THAT THE DEVELOPMENT WILL COMPORT WITH THE PRESENT AND FUTURE GROWTH NEEDS OF THE CITY; I, MY SUCCESSORS AND ASSIGNS HEREBY WAIVE ANY CLAIM, DAMAGE, OR CAUSE OF ACTION THAT I MAY HAVE AS A RESULT OF THE DEDICATION OF EXACTIONS MADE HEREIN.

WITNESS OUR HANDS THIS THE _____ DAY OF _____, 2014:

FOR: ROCKWALL ECONOMIC
DEVELOPMENT CORPORATION

_____
OWNER

STATE OF TEXAS
COUNTY OF ROCKWALL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ OF ROCKWALL ECONOMIC DEVELOPMENT CORPORATION, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN STATED.

GIVEN UPON MY HAND AND SEAL OF OFFICE THIS _____DAY OF_____,2014.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

_____
PRINTED NAME

OWNER / DEVELOPER

ROCKWALL ECONOMIC
DEVELOPMENT CORPORATION
697 EAST INTERSTATE 30
P.O. BOX 968
ROCKWALL, TEXAS 75087
(972) 772-0025

ENGINEER / SURVEYOR

WIER & ASSOCIATES, INC.
701 HIGHLANDER BLVD., SUITE 300
ARLINGTON, TEXAS 76015-4340
CONTACT: PHILIP GRAHAM, P.E., R.P.L.S.
PH: (817) 467-7700
FAX: (817) 467-7713

SURVEYOR'S CERTIFICATION:

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, GREGG A.E. MADSEN, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION.

"THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF GREGG A.E. MADSEN, RPLS. NO. 5798 ON JULY 15, 2014. IT IS NOT TO BE USED FOR RECORDING, CONSTRUCTION, BIDDING, OR PERMIT PURPOSES. THIS DOCUMENT IS NOT TO BE RELIED UPON AS A COMPLETE SURVEY AND SHALL NOT BE RECORDED ."

_____
GREGG A.E. MADSEN REGISTERED PUBLIC SURVEYOR
STATE OF TEXAS NO. 5798
EMAIL: GREGGM@WIERASSOCIATES.COM

RECOMMENDED FOR FINAL APPROVAL

_____ _____
PLANNING AND ZONING COMMISSION, CHAIRMAN DATE

APPROVED

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF AN ADDITION TO THE CITY OF ROCKWALL, TEXAS, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL ON THE _____ DAY OF _____, 2014.

THIS APPROVAL SHALL BE INVALID UNLESS THE APPROVED PLAT FOR SUCH ADDITION IS RECORDED IN THE OFFICE OF THE COUNTY CLERK OF ROCKWALL COUNTY, TEXAS WITHIN ONE HUNDRED EIGHTY (180) DAYS FROM SAID DATE OF FINAL APPROVAL.

WITNESS OUR HANDS, THIS _____DAY OF_____,2014.

_____ _____ _____
MAYOR, CITY OF ROCKWALL CITY SECRETARY CITY ENGINEER

PRELIMINARY
FOR REVIEW PURPOSES ONLY
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REPLAT
LOTS 2 & 3, BLOCK B
ROCKWALL TECHNOLOGY PARK, PHASE II

BEING A REPLAT OF LOT 1, BLOCK B, ROCKWALL TECHNOLOGY PARK AS SHOWN BY THE PLAT RECORDED IN CABINET E, SLIDES 305-306.
BEING 22.649 ACRES OF LAND LOCATED IN THE JOHN H. B. JONES SURVEY, ABSTRACT No. 125 AND THE JOHN A. RAMSEY SURVEY, ABSTRACT No. 186
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

PREPARED BY:
WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
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SHEET 3 OF 3

DATE: 10/23/2014
W.O. NO. 98041

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 11/17/2014

APPLICANT: Arthur F. Beck, *BSM Engineers, Inc.*

AGENDA ITEM: **P2014-037**; *Lots 6, 7 & 8, Block 1, First United Methodist Church Addition*

SUMMARY:

Discuss and consider a request by Arthur F. Beck of BSM Engineers, Inc. on behalf of the First United Methodist Church of Rockwall for the approval of a replat for Lots 6, 7 & 8, Block 1, First United Methodist Church Addition, being a 19.5556-acre tract of land composed of two (2) parcels of land identified as Lots 3 & 5, Block 1, First United Methodist Church Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1200 E. Yellow Jacket Lane, and take any action necessary.

REPLAT COMMENTS:

☑ The purpose of the applicant's request is to replat two (2) non-residential parcels consisting of 19.5556-acres of land into three (3) non-residential parcels of land for the purpose of constructing an addition to the existing United Methodist Church. Staff previously approved an administrative site plan for the proposed church building on October 1, 2014 under *Case No. SP2014-024*.

☑ The Engineer has completed the majority of the technical revisions requested by staff, and this plat, conforming with the previously approved site plan, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this replat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

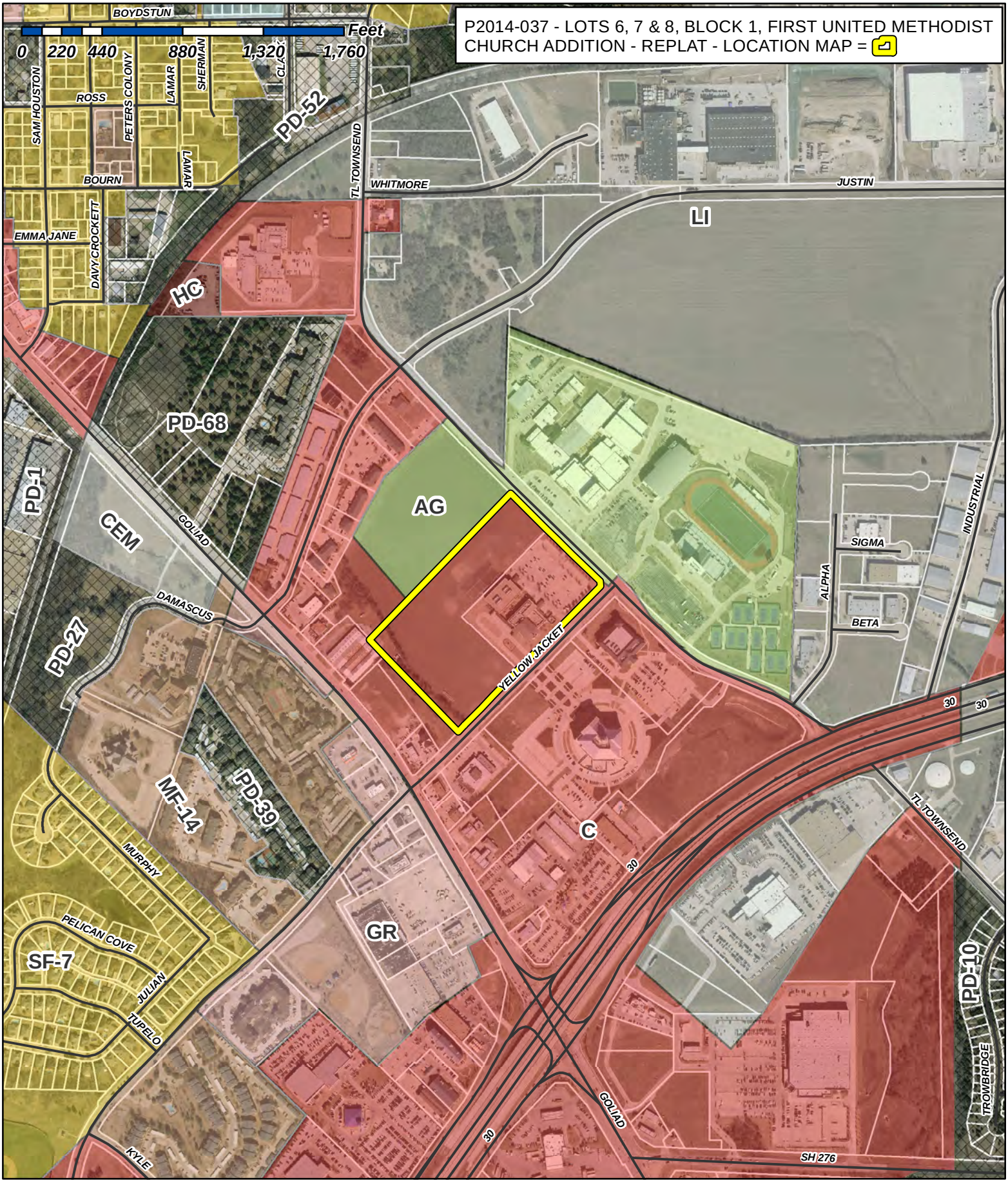
If the Planning & Zoning Commission and City Council choose to approve the replat for *Lots 6, 7 & 8, Block 1, First United Methodist Church Addition* then staff would recommend the following conditions of approval:

1) All the technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

2) Any construction resulting from the approval of this *replat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On November 11, 2014, the Planning & Zoning Commission recommended approval of the replat per staff's recommendations by a vote of 7-0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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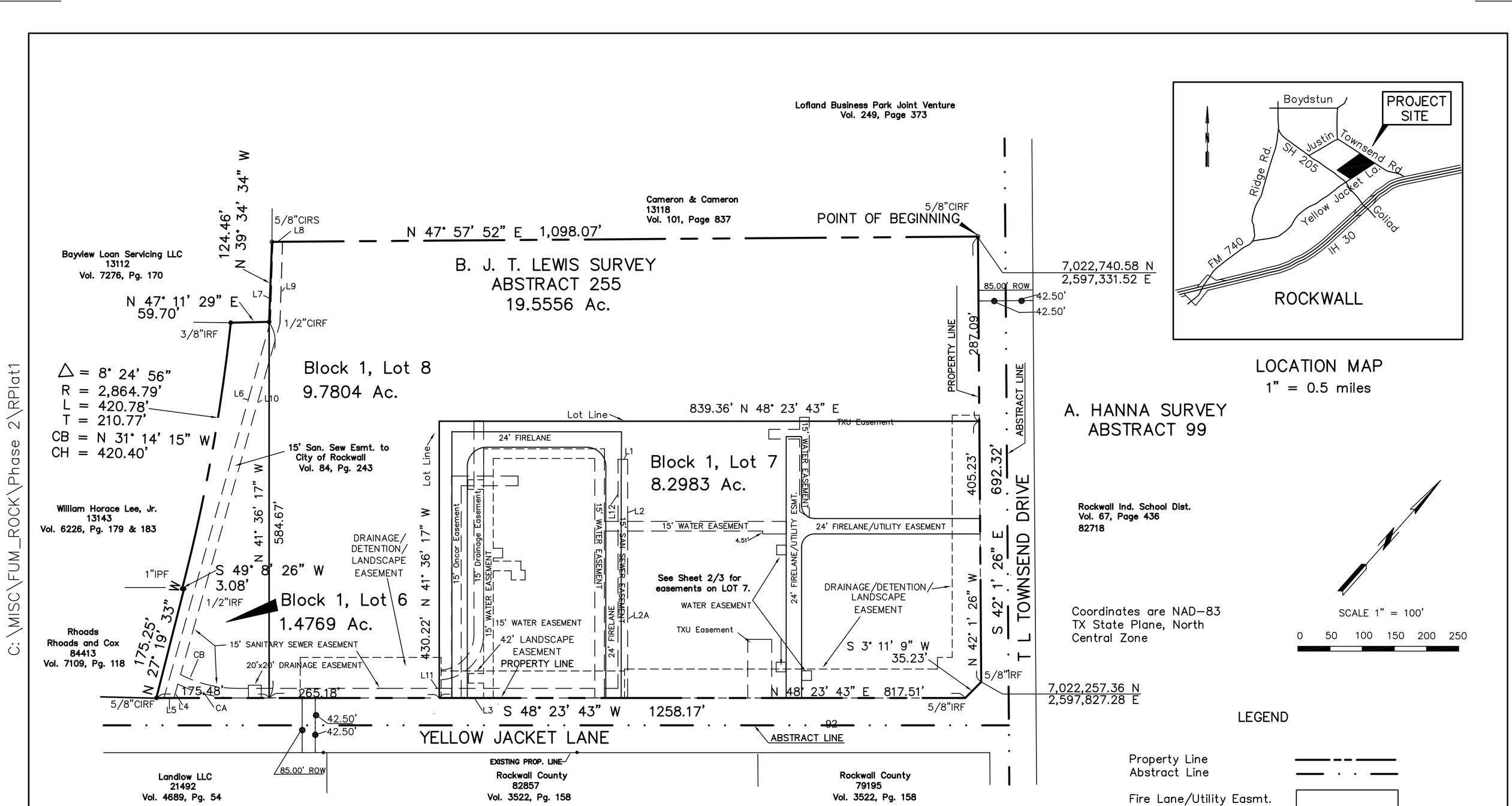


SANITARY SEWER EASEMENT

LINE	DISTANCE	BEARING
L1	15.00'	N 48° 23' 43" E
L2	96.51'	S 41° 36' 17" E
L2A	259.50'	S 41° 36' 17" E
L3	607.29'	S 48° 23' 43" W
L4	22.50'	S 25° 47' 36" E
L5	14.08'	S 48° 23' 43" W
L6	607.91'	N 25° 47' 36" W
L7	124.20'	N 39° 34' 34" W
L8	15.01'	N 47° 57' 52" E
L9	126.63'	S 39° 34' 34" E
L10	567.73'	S 25° 47' 36" E
L11	592.29'	N 48° 23' 43" E
L12	356.01'	N 41° 36' 17" W

CURVE	DELTA	RADIUS	LENGTH	TANGENT
CA	26° 24' 11"	207.50'	95.62'	48.67'
CB	27° 14' 20"	192.50'	91.52'	46.64'

LEGEND

Property Line	
Abstract Line	
Fire Lane/Utility Easmt.	
Water/San. Sewer Easement Line	
Drainage Easement Line	
Capped Iron Rod Found	CIRF
Iron Rod Found	IRF
Iron Pipe Found	IPF

J. CADLE SURVEY
ABSTRACT 65

ENGINEER

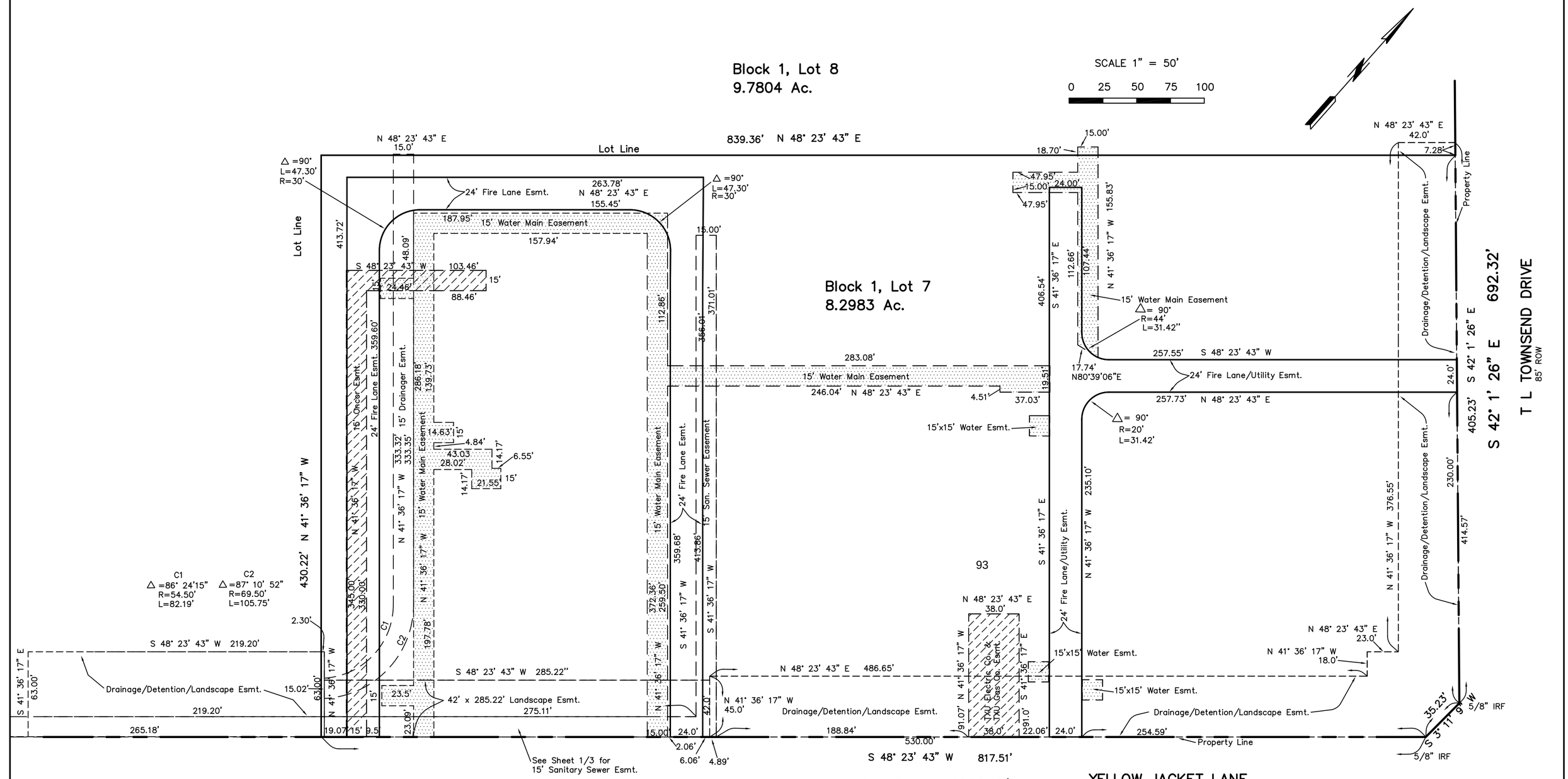
BSM ENGINEERS. INC.
4111 E. US HIGHWAY 80, SUITE 405
MESQUITE, TEXAS 75150
(972) 681-4680

OWNER

FIRST UNITED METHODIST CHURCH of ROCKWALL
1200 E. Yellow Jacket Lane
Rockwall, Texas 75087
(972) 771-5500

BLOCK 1, LOTS 6, 7 and 8 (1/3)
BEING A REPLAT OF
BLOCK 1, LOTS 3 and 5
FIRST UNITED METHODIST CHURCH ADDITION
B. J. T. LEWIS SURVEY, ABSTRACT 225
City of Rockwall, Rockwall County, Texas

October 30, 2014



LEGEND

Property Line	
Fire Lane/Utility Easmt.	
Water/San. Sewer Easement Line	
Capped Iron Rod Found	CIRF
Iron Rod Found	IRF

ENGINEER

BSM ENGINEERS. INC.
4111 E. US HIGHWAY 80, SUITE 405
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BLOCK 1, LOTS 6, 7 and 8
BEING A REPLAT OF
BLOCK 1, LOTS 3 and 5

FIRST UNITED METHODIST CHURCH ADDITION

B. J. T. LEWIS SURVEY, ABSTRACT 225
City of Rockwall, Rockwall County, Texas

2/3

October 30, 2014

C:\MISC\FUM_ROCK\Phase 2\RPlat3

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF ROCKWALL §

WHEREAS FIRST UNITED METHODIST CHURCH OF ROCKWALL BEING THE OWNER of a Tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

FIELD NOTES

BEING a tract of land situated in the B. J. T. Lewis Survey, Abstract No. 225, Rockwall County, Texas, and being a tract of land conveyed from Bill R. Cameron and Ida Jo Cameron to The Trustees of the First United Methodist Church of Rockwall, Texas by deed recorded in Volume 1790, Page 206 of the Deed Records of Rockwall County, Texas, and being that tract of land platted as First United Methodist Church Addition, Block 1, Lots 1 and 2, an addition to the City of Rockwall, recorded in Cabinet E, Slide 173 of the Map Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8" iron rod found with cap stamped "BSM" at the North corner of this tract on the west right of way line of T L Townsend Drive (85 feet wide);

THENCE South 42° 01' 26" East a distance of 692.32 feet following the southwest line of T L Townsend Drive to a 5/8 inch iron rod found for corner;

THENCE South 3° 11' 09" West a distance of 35.23 feet following a corner clip at the intersection of T L Townsend Drive and Yellow Jacket Lane to a 5/8" iron rod found for corner;

THENCE South 48° 23' 43" West a distance of 1258.17 feet following the northwest line of Yellow Jacket Lane to the east corner of a tract of land described in a deed from M. K. Zamani to Z's Automotive, Inc. as recorded in Volume 1288, Page 137, Deed Records, Rockwall County, Texas, and to a 5/8 inch iron rod found for corner with cap stamped "BSM";

THENCE North 27° 19' 33" West a distance of 175.25 feet following the northeast line of said Z's Automotive tract to a 1/2 inch iron rod found for corner;

THENCE South 49° 8' 26" West a distance of 3.08 feet following the northwest line of said Z's Automotive tract to the east corner of a tract of land described in a deed from Amanda Rochell to Horace L. Williams as recorded in Volume 56, Page 150, of the Deed Records of Rockwall County, Texas, and to the beginning of a curve to the left and to a 1 inch iron pipe found for corner;

THENCE following said curve to the left in a northwesterly direction and the northeast line of said Williams tract, said curve having a radius of 2864.79 feet through a central angle of 8° 24' 56", and arc length of 420.78 feet, a chord distance of 420.40 feet, a chord bearing North 31° 14' 15 " West to the north corner of said Williams tract and a point in the southeast line of a tract of land described in a deed to Texas Community Bank, N.A. as described in Volume 1749, Page 270, Deed Records of Rockwall County, Texas, and to a 3/8 inch iron rod found for corner, and to the end of said curve;

THENCE North 47° 11' 29" East a distance of 59.70 feet following the southeast line of said Texas Community Bank tract, to the east corner of said tract and to a 1/2 inch iron rod found for corner with cap stamped"Stovall & Assoc.";

THENCE North 39° 34' 34" West a distance of 124.46 feet following the northwest line of said Texas Community Bank tract to a 5/8 inch iron rod set for corner with cap stamped "BSM";

THENCE North 47° 57' 52" East a distance of 1098.07 feet following a line across the remainder of a tract owned by Cameron and Cameron as recorded in Volume 101, Page 837 of the Deed Records of Rockwall County, Texas and to the POINT OF BEGINNING and containing 851,841 square feet or 19.5556 acres, more or less.

Bearings based on southwest line of T L Townsend Drive as described in First United Methodist Church of Rockwall deed recorded in Volume 1790, Page 206 of the Deed Records of Rockwall County, Texas.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, **Arthur F. Beck** , do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

_____
Arthur F. Beck, R.P.L.S. No 2130

STATE OF TEXAS §
COUNTY OF ROCKWALL §

This instrument was acknowledged before me on the_____day of_____, 2014.

_____ _____
Notary Public in and for the State of Texas My Commission Expires

afb: 5
FUM_Rock.FN

STATE OF TEXAS · REGISTERED · ARTHUR F. BECK · 2130 · PROFESSIONAL LAND SURVEYOR

ENGINEER

BSM ENGINEERS. INC.
4111 E. US HIGHWAY 80, SUITE 405
MESQUITE, TEXAS 75150
(972) 681-4680

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS §
COUNTY OF ROCKWALL §

That, First United Methodist Church of Rockwall, acting by and through its duly authorized officers, does hereby adopt this plat designating the hereinabove described property as the **FIRST UNITED METHODIST CHURCH ADDITION** , a subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown for the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the First United Methodist Church Addition subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any building, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall;

   OR

   until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exaction's made herein.

By: _____

OWNER

FIRST UNITED METHODIST CHURCH of ROCKWALL
1200 E. Yellow Jacket Lane
Rockwall, Texas 75087
(972) 771-5500

STATE OF TEXAS §
COUNTY OF ROCKWALL §

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration herein stated.

Given upon my hand and seal of office this_____day of_____, 2014.

_____ _____
Notary Public in and for the State of Texas My commission Expires:

_____
Signature of Party with Mortgage or Lien Interest

STATE OF TEXAS §
COUNTY OF ROCKWALL §

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration herein stated.

Given upon my hand and seal of office this_____day of_____, 2014.

_____ _____
Notary Public in and for the State of Texas My commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall approval constitute any representation, assurance or guarantee by the City of any adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

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APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the_____day of_____, 2014

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS , this_____day of_____, 2014.

_____
Mayor, City of Rockwall — City Secretary, City of Rockwall — City Engineer, City of Rockwall

3/3

BLOCK 1, LOTS 6, 7 and 8
BEING A REPLAT OF
BLOCK 1, LOTS 3 and 5
FIRST UNITED METHODIST CHURCH ADDITION
B. J. T. LEWIS SURVEY, ABSTRACT 225
City of Rockwall, Rockwall County, Texas

October 30, 2014

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 11/17/2014

APPLICANT: Steven Heilbrun, *Pacheco Koch, LLC*

AGENDA ITEM: **P2014-038**; *Lot 2, Block A, Channell Subdivision*

SUMMARY:

Discuss and consider a request by Steven Heilbrun of Pacheco Koch, LLC on behalf of Williams H. Channell, Jr. of Channell Commercial Corp for the approval of a replat for Lot 2, Block A, Channell Subdivision, being a 18.762-acre parcel of land currently identified as Lot 1, Block A, Channell Subdivision, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of Airport Road, and take any action necessary.

COMMENTS:

☑ The subject property is a part of a final plat that was approved by City Council on March 17, 2014 under *Case No. SP2014-008*. This plat subdivided a 37.828-acre tract of land into two (2) non-residential lots [*Lot 1, Block A: 18.775-acres; Lot 1, Block B: 15.554-acres*] and indicated the location of the dedication of 3.499-acres of right-of-way for the alignment of Justin Road. Additionally, a site plan [*Case No. SP2014*-011] was approved earlier this year that showed the layout of a ~205,000 SF office/manufacturing facility. The objective of this request is to replat Lot 1, Block A, Channell Addition to account for all required easements for the construction of the proposed facility.

☑ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for replats as stated in the *Subdivision Ordinance* in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

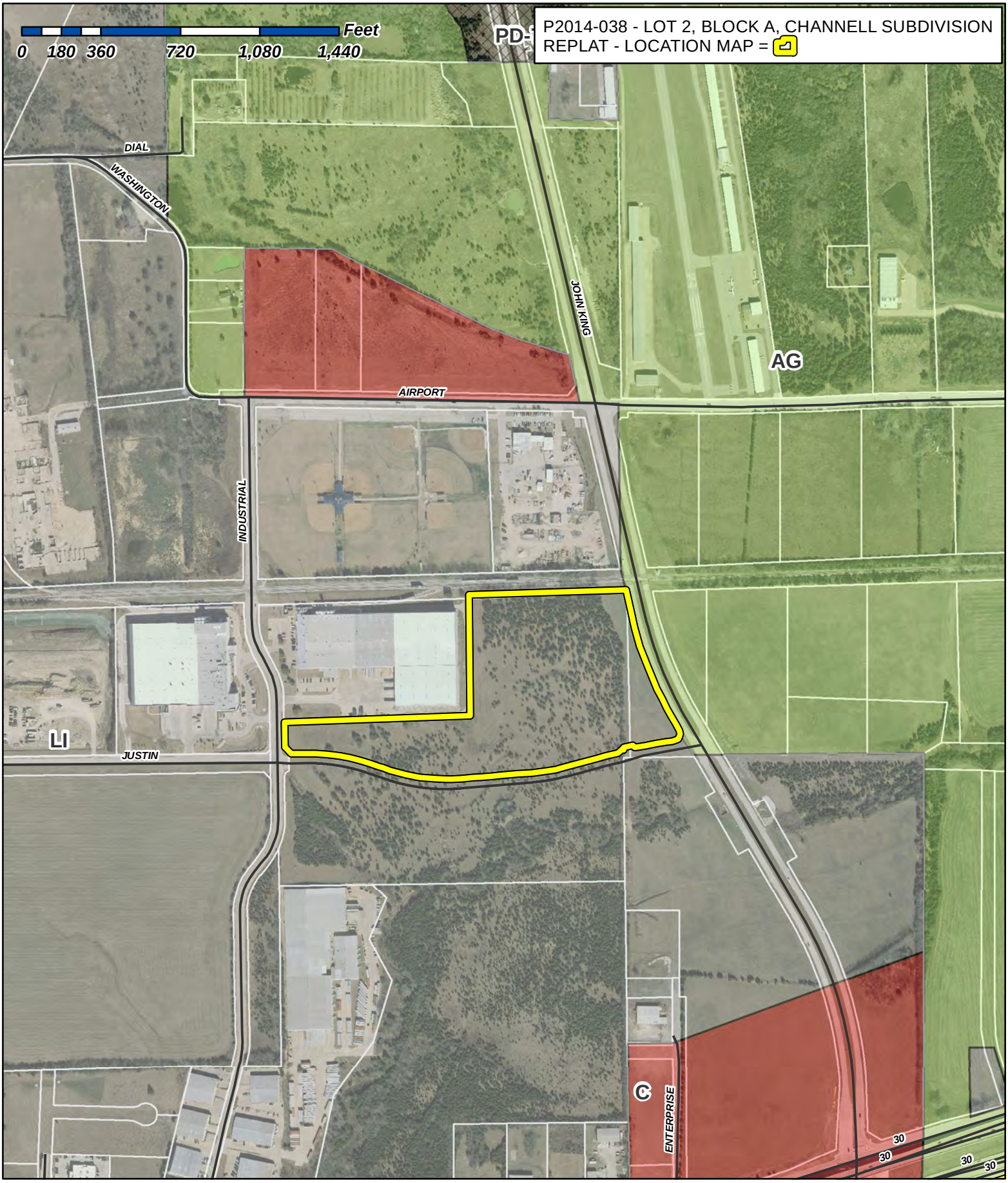
Staff recommends approval of the replat for *Lot 2, Block A Channell Subdivision* in conformance with the following conditions of approval:

1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat; and,

2) Any construction resulting from the approval of this *final plat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On November 11, 2014, the Planning & Zoning Commission recommended approval of the replat per staff's recommendations by a vote of 7-0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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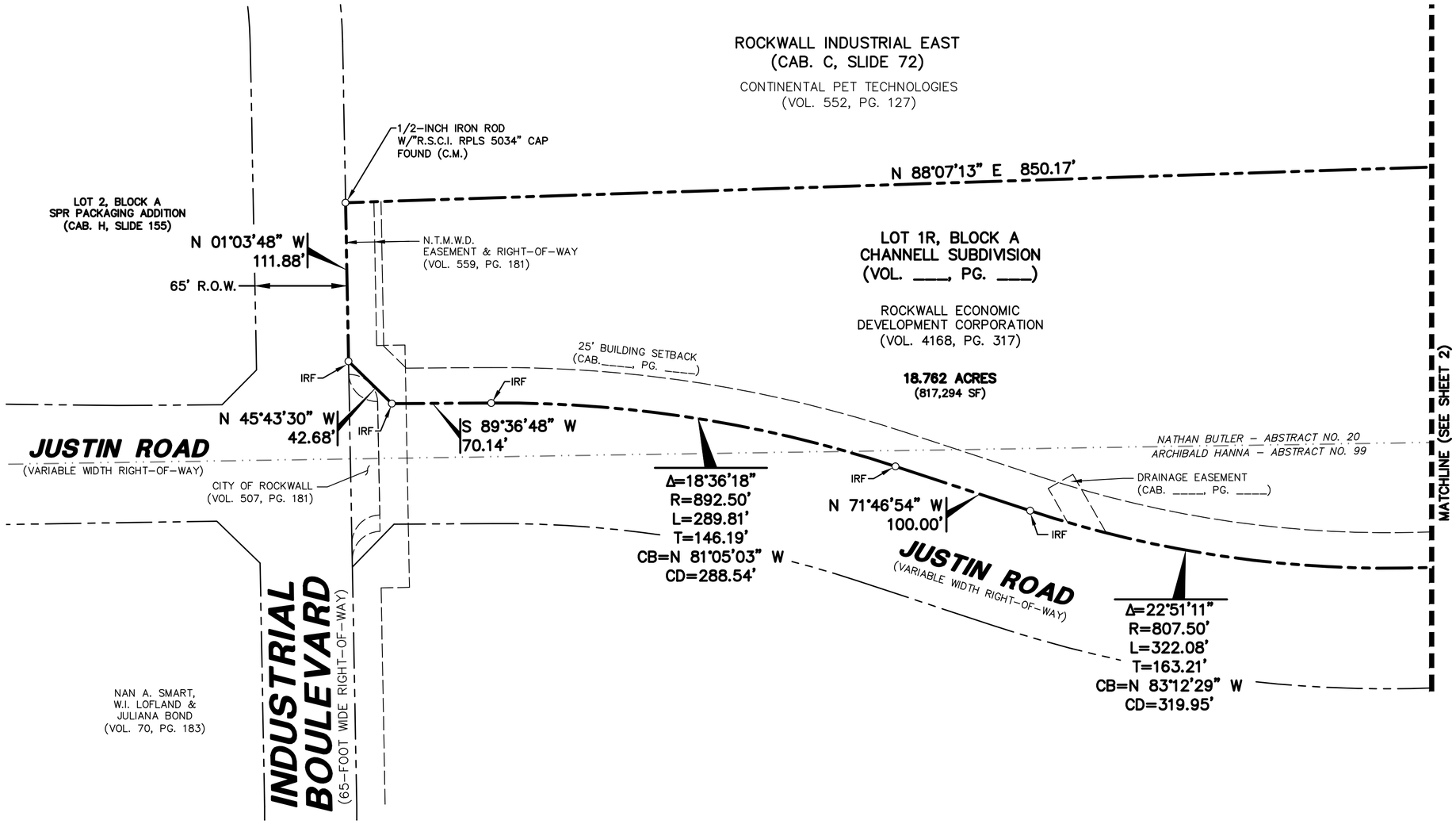



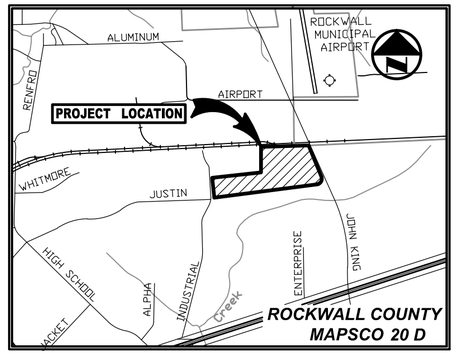

VICINITY MAP
(NOT TO SCALE)

LEGEND

IRF	1/2-INCH IRON ROD W/"WIER ASSOC INC" CAP FOUND
1-IRF	1/2-INCH IRON ROD W/"CSC 4252" CAP FOUND
IRS	1/2-INCH IRON ROD W/"PACHECO KOCH" CAP SET
(C.M.)	CONTROLLING MONUMENT
	PROPERTY LINE
	EASEMENT LINE
	PROPOSED EASEMENT LINE
	SETBACK LINE
	ABSTRACT LINE

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT. RELEASED 11/03/14.

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C1	137°25'37"	39.00'	93.54'	100.10'	S 50°55'12" W	72.68'
C2	4°28'08"	1,880.00'	146.64'	73.35'	S 20°01'41" E	146.60'
C3	6°11'20"	500.00'	54.01'	27.03'	S 25°21'25" E	53.98'
C4	103°14'18"	140.50'	253.16'	177.39'	S 23°10'04" W	220.28'
C5	65°39'23"	63.00'	72.19'	40.64'	N 72°23'05" W	68.31'
C6	50°26'36"	39.00'	34.34'	18.37'	N 64°46'42" W	33.24'
C7	90°00'00"	39.00'	61.26'	39.00'	S 45°00'00" W	55.15'
C8	4°28'05"	276.00'	21.52'	10.77'	S 02°14'03" E	21.52'
C9	35°02'28"	39.00'	23.85'	12.31'	S 21°59'19" E	23.48'
C10	35°14'22"	39.00'	23.99'	12.39'	N 13°09'06" E	23.61'
C11	4°28'05"	300.00'	23.39'	11.70'	N 02°14'03" W	23.39'
C12	29°26'08"	150.00'	77.06'	39.40'	N 14°43'04" E	76.22'
C13	22°09'34"	310.00'	119.89'	60.71'	N 40°30'55" E	119.15'
C14	38°24'18"	65.00'	43.57'	22.64'	N 70°47'51" E	42.76'
C15	80°05'48"	63.00'	88.07'	52.95'	S 49°57'06" E	81.07'
C16	4°08'57"	670.00'	48.52'	24.27'	S 11°57'59" E	48.51'
C17	0°32'48"	1,880.00'	17.93'	8.97'	S 14°18'51" E	17.93'
C18	137°22'19"	39.00'	93.51'	99.96'	S 83°16'25" E	72.67'
C19	79°56'54"	39.00'	54.42'	32.70'	S 50°01'33" E	50.11'
C20	3°59'22"	694.00'	48.32'	24.17'	S 12°02'47" E	48.31'
C21	8°13'17"	1,904.00'	273.21'	136.84'	S 18°09'06" E	272.97'
C22	6°11'20"	524.00'	56.60'	28.33'	S 25°21'25" E	56.57'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C23	103°14'18"	116.50'	209.92'	147.09'	S 23°10'04" W	182.65'
C24	65°39'23"	39.00'	44.69'	25.16'	N 72°23'05" W	42.29'
C25	50°26'36"	63.00'	55.47'	29.67'	N 64°46'42" W	53.69'
C26	90°00'00"	39.00'	61.26'	39.00'	N 45°00'00" W	55.15'
C27	90°00'00"	34.00'	53.41'	34.00'	N 45°00'00" E	48.08'
C28	90°00'00"	34.00'	53.41'	34.00'	N 45°00'00" W	48.08'
C29	29°26'08"	126.00'	64.73'	33.10'	N 14°43'04" E	64.02'
C30	21°34'41"	286.00'	107.71'	54.50'	N 40°13'29" E	107.07'
C31	38°59'11"	39.00'	26.54'	13.81'	N 70°30'24" E	26.03'
C32	128°30'37"	95.00'	213.08'	197.00'	N 27°58'41" W	171.14'
C33	37°02'20"	86.00'	55.59'	28.81'	N 17°45'28" E	54.63'
C34	9°19'24"	703.00'	114.40'	57.32'	N 03°54'00" E	114.27'
C35	9°19'24"	679.00'	110.49'	55.37'	S 03°54'00" W	110.37'
C36	37°02'20"	110.00'	71.11'	36.85'	S 17°45'28" W	69.88'
C37	131°39'29"	67.00'	153.96'	149.28'	S 29°33'07" E	122.25'
C38	9°32'14"	126.00'	20.97'	10.51'	S 04°46'07" W	20.95'
C39	40°22'03"	63.00'	44.39'	23.16'	N 69°48'58" W	43.47'
C40	0°28'15"	1,825.00'	15.00'	7.50'	S 14°16'09" E	15.00'
C41	0°49'21"	1,825.00'	26.20'	13.10'	S 23°15'31" E	26.20'
C42	0°57'01"	904.50'	15.00'	7.50'	S 78°02'37" W	15.00'
C43	1°32'21"	1,810.00'	48.62'	24.31'	S 16°13'17" E	48.62'
C44	23°36'15"	39.00'	16.07'	8.15'	N 19°54'33" W	15.95'

LINE TABLE

LINE	BEARING	LENGTH
L1	S 74°47'13" W	81.17'
L2	DUE SOUTH	54.89'
L3	S 04°28'05" E	64.29'
L4	N 04°28'05" W	64.29'
L5	S 74°47'13" W	81.17'
L6	DUE EAST	70.00'
L7	DUE NORTH	24.00'
L8	DUE WEST	70.00'
L9	DUE NORTH	41.94'
L10	DUE NORTH	5.24'
L11	N 60°00'00" W	18.15'
L12	S 89°59'57" W	105.96'
L13	S 02°14'00" E	7.38'
L14	S 81°26'18" E	24.00'
L15	S 02°14'00" E	7.51'
L16	N 89°59'57" E	137.27'
L17	DUE SOUTH	28.10'
L18	S 85°21'55" W	15.05'
L19	N 44°59'58" E	104.91'
L20	N 44°59'13" W	62.02'
L21	N 45°00'47" E	15.00'
L22	S 44°59'13" E	62.02'

LINE TABLE

LINE	BEARING	LENGTH
L23	N 44°59'58" E	66.04'
L24	DUE EAST	21.21'
L25	DUE NORTH	2.08'
L26	DUE EAST	102.26'
L27	S 13°21'09" E	15.42'
L28	DUE WEST	65.02'
L29	S 75°34'36" W	55.68'
L30	N 14°25'24" W	15.00'
L31	N 75°34'36" E	55.72'
L32	S 66°30'02" W	55.06'
L33	N 23°29'58" W	15.00'
L34	N 66°30'02" E	45.99'
L35	N 23°29'58" W	11.30'
L36	N 67°08'23" E	9.18'
L37	N 12°39'36" W	47.58'
L38	N 57°39'37" W	16.97'
L39	N 32°20'23" E	15.00'
L40	S 57°39'37" E	23.19'
L41	S 12°39'36" E	53.98'
L42	N 15°12'47" W	159.60'
L43	N 74°47'13" E	15.00'
L44	S 15°12'47" E	159.60'

LINE TABLE

LINE	BEARING	LENGTH
L45	S 74°47'13" W	15.00'
L46	DUE SOUTH	13.51'
L47	DUE WEST	29.52'
L48	DUE NORTH	110.50'

LINE TABLE

LINE	BEARING	LENGTH
L49	S 85°21'55" W	38.22'
L50	DUE EAST	16.33'
L51	DUE SOUTH	15.00'
L52	DUE WEST	10.90'

SHEET 1 OF 3

REPLAT

LOT 1R, BLOCK A, CHANNELL SUBDIVISION

BEING A REPLAT OF LOT 1, BLOCK A,
CHANNELL SUBDIVISION
CAB. _____, PG. _____
AND BEING OUT OF
THE NATHAN BUTLER SURVEY, ABSTRACT NO. 20,
THE ARCHIBALD HANNA SURVEY, ABSTRACT NO. 99
AND THE DAVID HARR SURVEY, ABSTRACT NO. 102
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SURVEYOR/ENGINEER:
PACHECO KOCH CONSULTING ENGINEERS
8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TEXAS 75206
PH: 972-235-3031
CONTACT: MIKE CLOVER

OWNER:
ROCKWALL ECONOMIC DEVELOPMENT CORPORATION
PO BOX 968
ROCKWALL, TEXAS 75032
PH: 972-772-0025
CONTACT: SHERI FRANZA

Pacheco Koch
8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
GMP	MCC	1"=60'	SEPT 2014	3273-14.192

DWG FILE: 3273-14.192RP.DWG

99

SHEILBRUN 11/03/2014 - 11:07AM
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LOT 1R, BLOCK A, CHANNELL SUBDIVISION - REPLAT

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, the Rockwall Economic Development Corporation and the City of Rockwall, Texas, are the owners of an 18.762 acre tract of land in the City of Rockwall, Rockwall County, Texas; said tract of land being described as follows:

LEGAL DESCRIPTION

DESCRIPTION, of an 18.762 acre tract of land situated in the Nathan Butler Survey, Abstract No. 20, the Archibald Hanna Survey, Abstract No. 99, and the David Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas; said tract being all of Lot 1, Block A, Channell Subdivision, an addition to the City of Rockwall, Texas according to the plat recorded in Instrument No. _____ of the Official Public Records of Rockwall County, Texas; said tract also being part of that certain tract of land described in Special Warranty Deed to Rockwall Economic Development Corporation recorded in Volume 4168, Page 317 of the Deed Records of Rockwall County, Texas; part of that certain tract of land described in Warranty Deed to the City of Rockwall, Texas recorded in Volume 5418, Page 54 of said Official Public Records and all of that certain tract of land described in Deed Without Warranty to Rockwall Economic Development Corporation recorded in Instrument No. 20130000499975 of said Official Public Records; said 18.762 acre tract being more particularly described as follows:

BEGINNING, at a 1/2-inch iron rod with "R.S.C.I. RPLS 5034" cap found for corner in the east right-of-way line of Industrial Boulevard (a 65-foot wide right-of-way); said point being the westernmost northwest corner of said Lot 1 and the southwest corner of Rockwall Industrial East, an addition to the City of Rockwall, Texas according to the plat recorded in Cabinet C, Slide 72 of the Plat Records of Rockwall County, Texas;

THENCE, North 88 degrees, 07 minutes, 13 seconds East, departing the said east line of Industrial Boulevard and along the south line of said Rockwall Industrial East, a distance of 850.17 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner; said point being the southeast corner of said Rockwall Industrial East;

THENCE, North 01 degrees, 03 minutes, 38 seconds West, along the east line of said Rockwall Industrial East, a distance of 550.29 feet to a 1/2-inch iron rod found for corner in the south right-of-way line of the UP/DALLAS GARLAND N.E. RAILROAD (a 100-foot wide right-of-way); said point being the northeast corner of said Rockwall Industrial East;

THENCE, along the said south line of the UP/DALLAS GARLAND N.E. RAILROAD, the following two (2) calls:

North 88 degrees, 10 minutes, 00 seconds East, a distance of 693.99 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found at an angle point;

North 88 degrees, 16 minutes, 13 seconds East, a distance of 16.20 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found for corner in the west right-of-way line of John King Boulevard (a 120-foot wide right-of-way);

THENCE, departing the said south line of the UP/DALLAS GARLAND N.E. RAILROAD and along the said west line of John King Boulevard, the following three calls:

South 13 degrees, 13 minutes, 35 seconds East, a distance of 112.68 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found at the beginning of a non-tangent curve to the left;

In a southeasterly direction, along said curve to the left, having a central angle of 17 degrees, 06 minutes, 33 seconds, a radius of 1,810.00 feet, a chord bearing and distance of South 21 degrees, 54 minutes, 26 seconds East, 538.48 feet, an arc distance of 540.49 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found at the end of said curve;

South 30 degrees, 27 minutes, 42 seconds East, a distance of 46.15 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found for corner; said point being at the northeast end of a circular right-of-way corner clip at the intersection of the said west line of John King Boulevard and the north right-of-way line of Justin Road (a variable width right-of-way) and the beginning of a non-tangent curve to the right;

THENCE, in a southwesterly direction, departing the said west line of John King Boulevard and along corner clip and said curve to the right, having a central angle of 84 degrees, 24 minutes, 20 seconds, a radius of 29.50 feet, a chord bearing and distance of South 37 degrees, 35 minutes, 03 seconds West, 39.63 feet, an arc distance of 43.46 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found for corner in the said north line of Justin Road; said point being at the southwest end of said corner clip;

THENCE, departing the said corner clip and along the said north line of Justin Road, the following fourteen (14) calls:

South 79 degrees, 47 minutes, 13 seconds West, a distance of 186.63 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found at an angle point;

South 89 degrees, 47 minutes, 13 seconds West, a distance of 50.50 feet to a 1/2-inch iron rod with "CSC 4252" cap found for corner;

South 00 degrees, 38 minutes, 16 seconds East, a distance of 8.89 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner;

South 79 degrees, 47 minutes, 13 seconds West, a distance of 10.22 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found at the beginning of a tangent curve to the left;

In a southwesterly direction, along said curve to the left, having a central angle of 04 degrees, 26 minutes, 56 seconds, a radius of 904.50 feet, a chord bearing and distance of South 77 degrees, 33 minutes, 45 seconds West, 70.22 feet, an arc distance of 70.23 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found for corner;

South 14 degrees, 39 minutes, 43 seconds East, a distance of 12.00 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found for corner; said point being the beginning of a non-tangent curve to the left;

In a southwesterly direction, along said curve to the left, having a central angle of 00 degrees, 33 minutes, 04 seconds, a radius of 892.50 feet, a chord bearing and distance of South 75 degrees, 03 minutes, 45 seconds West, 8.58 feet, an arc distance of 8.58 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found at the end of said curve;

South 74 degrees, 47 minutes, 13 seconds West, a distance of 191.98 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found at the beginning of a tangent curve to the right;

In a westerly direction, along said curve to the right, having a central angle of 10 degrees, 34 minutes, 42 seconds, a radius of 807.50 feet, a chord bearing and distance of South 80 degrees, 04 minutes, 34 seconds West, 148.87 feet, an arc distance of 149.09 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found at the end of said curve;

South 85 degrees, 21 minutes, 55 seconds West, a distance of 325.98 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found at the beginning of a tangent curve to the right;

In a westerly direction, along said curve to the right, having a central angle of 22 degrees, 51 minutes, 11 seconds, a radius of 807.50 feet, a chord bearing and distance of North 83 degrees, 12 minutes, 29 seconds West, 319.95 feet, an arc distance of 322.08 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found at the end of said curve;

North 71 degrees, 46 minutes, 54 seconds West, a distance of 100.00 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found at the beginning of a tangent curve to the left;

In a westerly direction, along said curve to the left, having a central angle of 18 degrees, 36 minutes, 18 seconds, a radius of 892.50 feet, a chord bearing and distance of North 81 degrees, 05 minutes, 03 seconds West, 288.54 feet, an arc distance of 289.81 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found at the end of said curve;

South 89 degrees, 36 minutes, 48 seconds West, a distance of 70.14 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found for corner; said point being at the southeast end of a right-of-way corner clip at the intersection of said north line of Justin Road with the said east line of Industrial Boulevard;

THENCE, North 45 degrees, 43 minutes, 30 seconds West, departing the said north line of Justin Road and along the said corner clip, a distance of 42.68 feet to a 1/2-inch iron rod with "WIER & ASSOC INC" cap found for corner in the said east line of Industrial Boulevard; said point being at the northwest end of said corner clip;

THENCE, North 01 degrees, 03 minutes, 48 seconds West, departing the said corner clip and along the said east line of Industrial Boulevard, a distance of 111.88 feet to the POINT OF BEGINNING;

CONTAINING, 817,294 square feet or 18.762 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I (we) the undersigned owner(s) of the land shown on this plat, and designated herein as the _____ subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the _____ subdivision have been notified and signed this plat.

I (we) understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I (we) further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I (we), my (our) successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of exactions made herein.

_____
Owner

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____ , 2014.

_____ _____
Notary Public in and for the State of Texas — My Commission Expires:

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission — Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____ , 2014.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____ , 2014.

_____ _____ _____
Mayor, City of Rockwall — City Secretary — City Engineer

Signature of Party with Mortgage or Lien Interest

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ Day of _____ , 2014

_____ _____
Notary Public in and for the State of Texas — My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Michael C. Clover, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT. RELEASED 11/03/14.

_____
Michael C. Clover
Registered Professional Land Surveyor
No.
mclover@pkce.com

SHEET 3 OF 3

REPLAT

LOT 1R, BLOCK A, CHANNELL SUBDIVISION

BEING A REPLAT OF LOT 1, BLOCK A,
CHANNELL SUBDIVISION
CAB. _____, PG. _____
AND BEING OUT OF
THE NATHAN BUTLER SURVEY, ABSTRACT NO. 20,
THE ARCHIBALD HANNA SURVEY, ABSTRACT NO. 99
AND THE DAVID HARR SURVEY, ABSTRACT NO. 102
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SURVERYOR/ENGINEER:
PACHECO KOCH CONSULTING ENGINEERS
8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TEXAS 75206
PH: 972-235-3031
CONTACT: MIKE CLOVER

OWNER:
ROCKWALL ECONOMIC DEVELOPMENT CORPORATION
PO BOX 968
ROCKWALL, TEXAS 75032
PH: 972-772-0025
CONTACT: SHERI FRANZA

Pacheco Koch
8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
GMP	MCC	NONE	SEPT 2014	3273-14.192

DWG FILE: 3273-14.192RP.DWG

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LOT 1R, BLOCK A, CHANNELL SUBDIVISION - REPLAT

U.P./DALLAS GARLAND N.E. RAILROAD

(A 100-FOOT RIGHT-OF-WAY)

N 88°10'00" E 693.99'

1/2-INCH IRON ROD FOUND (C.M.)

N 88°16'13" E 16.20'

IRF

IRF

MATCHLINE (SEE SHEET 1)

CONTINENTAL PET TECHNOLOGIES (VOL. 552, PG. 127)

ROCKWALL INDUSTRIAL EAST (CAB. C, SLIDE 72)

N 01°03'38" W 550.29'

12.0' X 15.0' WATER EASEMENT (BY THIS PLAT)

211.17'

DUE EAST 388.48'

162.31'

DUE EAST 392.03'

347.55'

WATER EASEMENT (BY THIS PLAT)

FIRE LANE EASEMENT (BY THIS PLAT)

FIRE LANE & WATER EASEMENT (BY THIS PLAT)

WATER EASEMENT (BY THIS PLAT)

S 44°59'58" W 218.41'

FIRE LANE EASEMENT (BY THIS PLAT)

WATER EASEMENT (BY THIS PLAT)

INGRESS/EGRESS EASEMENT (VOL. 5418, PG. 54)

S 13°13'35" E 112.68'

IRF

JOHN KING BOULEVARD

(A 120-FOOT WIDE RIGHT-OF-WAY)

PART OF CITY OF ROCKWALL (VOL. 5418, PG 54)

FIRE LANE EASEMENT (BY THIS PLAT)

WATER EASEMENT (BY THIS PLAT)

WATER EASEMENT (CAB. ____, PG. ____)

25' BUILDING SETBACK (CAB. ____, PG. ____)

Δ=17°06'33"
R=1,810.00'
L=540.49'
T=272.27'
CB=S 21°54'26" E
CD=538.48'

WATER EASEMENT (BY THIS PLAT)

ROCKWALL ECONOMIC DEVELOPMENT CORPORATION (INST. NO. 20130000499975)

120' R.O.W.

LOT 1R, BLOCK A CHANNELL SUBDIVISION (VOL. ____, PG. ____)

ROCKWALL ECONOMIC DEVELOPMENT CORPORATION (VOL. 4168, PG. 317)

18.762 ACRES (817,294 SF)

FIRE LANE EASEMENT (BY THIS PLAT)

FIRE LANE & WATER EASEMENT (BY THIS PLAT)

8.8' X 15.0' WATER EASEMENT (BY THIS PLAT)

DUE NORTH 509.03'

DUE NORTH 218.20'

351.32'

DRAINAGE EASEMENT (BY THIS PLAT)

IRS

N 00°45'42" W 261.88'

S 00°45'42" E 261.88'

0.55'

117.16'

IRF

DRAINAGE EASEMENT (CAB. ____, PG. ____)

WATER EASEMENT (BY THIS PLAT)

N 36°16'37" E 75.75'

S 36°16'37" W 78.61'

DRAINAGE EASEMENT (BY THIS PLAT)

FIRE LANE & WATER EASEMENT (BY THIS PLAT)

NATHAN BUTLER – ABSTRACT NO. 20
ARCHIBALD HANNA – ABSTRACT NO. 99
DAVID HARR – ABSTRACT NO. 102

DRAINAGE EASEMENT (BY THIS PLAT)

DRAINAGE EASEMENT (CAB. ____, PG. ____)

25' BUILDING SETBACK (CAB. ____, PG. ____)

117.70'

S 85°21'55" W 325.98'

IRF

JUSTIN ROAD

(VARIABLE WIDTH RIGHT-OF-WAY)

DRAINAGE EASEMENT (CAB. ____, PG. ____)

FIRE LANE EASEMENT (BY THIS PLAT)

DUE WEST 381.67'

DUE WEST 381.67'

WATER EASEMENT (BY THIS PLAT)

WATER EASEMENT (BY THIS PLAT)

CITY OF ROCKWALL (VOL. 5418, PG. 54)

L=32.89'

S 74°47'13" W 191.98'

IRF

Δ=10°34'42"
R=807.50'
L=149.09'
T=74.76'
CB=S 80°04'34" W
CD=148.87'

Δ=00°33'04"
R=892.50'
L=8.58'
T=4.29'
CB=S 75°03'45" W
CD=8.58'

S 89°47'13" W 50.50'

1-IRF

IRF

WATER EASEMENT (BY THIS PLAT)

DRAINAGE EASEMENT (CAB. ____, PG. ____)

S 14°39'43" E 12.00'

IRF

L=35.21'

IRF

IRS

S 00°38'16" E 8.89'

S 79°47'13" W 186.63'

S 79°47'13" W 10.22'

INGRESS/EGRESS EASEMENT (VOL. 4875, PG. 125)

Δ=04°26'56"
R=904.50'
L=70.23'
T=35.13'
CB=S 77°33'45" W
CD=70.22'

CITY OF ROCKWALL 20' SANITARY SEWER EASEMENT (VOL. 3182, PG. 118)

TEMUNOVIC PARTNERSHIP, LTD. (VOL. 7038, PG. 314)

CITY OF ROCKWALL 20' SANITARY SEWER EASEMENT (VOL. 3182, PG. 118)

Δ=84°24'20"
R=29.50'
L=43.46'
T=26.75'
CB=S 37°35'03" W
CD=39.63'

IRF

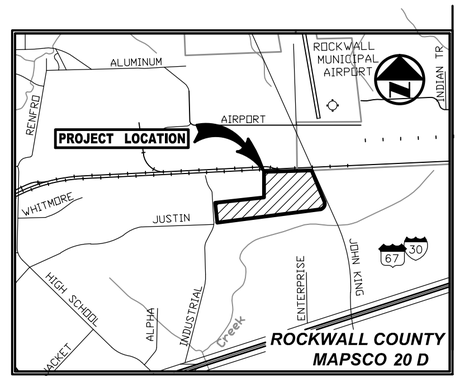
S 30°27'42" E 46.15'

IRF

IRF

0 30 60 120 180

GRAPHIC SCALE IN FEET



ROCKWALL COUNTY MAPSCO 20 D

VICINITY MAP

(NOT TO SCALE)

LEGEND

IRF	1/2-INCH IRON ROD W/"WIER ASSOC INC" CAP FOUND
1-IRF	1/2-INCH IRON ROD W/"CSC 4252" CAP FOUND
IRS	1/2-INCH IRON ROD W/"PACHECO KOCH" CAP SET
(C.M.)	CONTROLLING MONUMENT
	PROPERTY LINE
	EASEMENT LINE
	PROPOSED EASEMENT LINE
	SETBACK LINE
	ABSTRACT LINE

SEE SHEET 1 FOR LINE AND CURVE TABLE

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT. RELEASED 11/03/14.

SHEET 2 OF 3

REPLAT

LOT 1R, BLOCK A, CHANNELL SUBDIVISION

BEING A REPLAT OF LOT 1, BLOCK A, CHANNELL SUBDIVISION CAB. _____, PG. _____ AND BEING OUT OF THE NATHAN BUTLER SURVEY, ABSTRACT NO. 20, THE ARCHIBALD HANNA SURVEY, ABSTRACT NO. 99 AND THE DAVID HARR SURVEY, ABSTRACT NO. 102 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SURVEYOR/ENGINEER:
PACHECO KOCH CONSULTING ENGINEERS
8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TEXAS 75206
PH: 972-235-3031
CONTACT: MIKE CLOVER

OWNER:
ROCKWALL ECONOMIC DEVELOPMENT CORPORATION
PO BOX 968
ROCKWALL, TEXAS 75032
PH: 972-772-0025
CONTACT: SHERI FRANZA

Pacheco Koch
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DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
GMP	MCC	1"=60'	SEPT 2014	3273-14.192

SHEILBRUN 11/03/2014 - 11:08AM
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DWG FILE: 3273-14.192RP.DWG

LOT 1R, BLOCK A, CHANNELL SUBDIVISION - REPLAT

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: City Council

FROM: JoDee Sanford, *Planning Technician*

DATE: November 17, 2014

SUBJECT: Christian Brothers SUP Amendment [*Z2014-033*]

The applicant, Amy Stehr, requested that the Planning and Zoning Commission postpone the public hearing to the November 25, 2014 meeting. According to Section 6.2, *Public Hearing Postponements, Recess, and Continuations*, of the Article II of the Unified Development Code, a public hearing may be postponed by announcing the postponement at the public hearing by announcing the time and place the hearing is scheduled to begin.

Due to the postponement of the public hearing until the next Planning and Zoning Commission meeting, it is necessary for the City Council to also postpone the public hearing until the December 1, 2014 meeting. The announcement of a postponement shall be sufficient notice and no additional notice shall be required.

Sanford, JoDee

From: Amy Stehr < >
Sent: Thursday, October 30, 2014 4:28 PM
To: Sanford, JoDee
Subject: P&Z Public Hearing

JoDee,

Thank you so much for speaking with me this morning and your visit to the shop. And a big thanks to Robert too.

Please reschedule our P&Z Public Hearing to Nov 25. My Service Manager will be on vacation on Nov 11 and we both would like to present to the commission.

I'm working on another email for the commissioners that I will forward to you soon.

Thanks again for your suggestions and support.

Amy

Amy J. Stehr | Owner
Christian Brothers Automotive Rockwall

129 East Ralph Hall Parkway | Rockwall, TX 75032
PH 972.722.9500 M 214.457.0677 W CBAC.com E

Nice difference.

The information in this message is confidential to both sender and recipient. The information may also be legally privileged. It is intended only for the individual or entity named above.
If you are not the intended recipient, you are hereby notified that any use, review, dissemination, distribution or copying of this message, or any attachments to the message, is strictly prohibited. If you have received this document in error, please immediately notify us by telephone and delete the original message.

Thank you, Christian Brothers Automotive Corporation.

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105

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: November 17, 2014

SUBJECT: Amendments and Modifications to the Unified Development Code

On September 2, 2014, staff was directed to initiate text amendments to Article II, *Authority and Administrative Procedures*; Article IV, *Permissible Uses*; and Article V, *District Development Standards*, of the Unified Development Code (UDC). Specifically, the amendments address three (3) separate issues:

1) *Sec. 13.2, Art. II, UDC*. The UDC defines the qualifications and composition for appointing individuals to the Architectural Review Board (ARB). These requirements have made it difficult to find individuals living within the City that meet these qualifications, and have made it problematic maintaining a full seven (7) member board. The current requirements stipulate that the board be composed of one (1) member from any of the following fields: landscape architecture, civil engineering, structural engineering, commercial builder (*in the district [i.e. Overlay District]*), land planning, and building design. Due to the size of the community, finding qualified individuals has been a challenge. In response to this issue staff has prepared modifications that would change the restrictions to allow individuals with qualifications or training in a *general design related field* (*e.g. landscape architecture, interior or exterior design, municipal planning, municipal government, and etcetera*) to be eligible as board members. Inserting more flexible language into the code will allow more opportunities in the selection process and provide more chances for Rockwall citizens to participate on the ARB.

2) *Sec. 1.1 & 2.1.8, Art. IV, UDC*. At the behest of Bill Bricker the City Council has directed staff to establish a use that allows for the sale of a limited number of automobiles that will be stored and displayed indoors in a completely enclosed building. Staff is proposing the *Indoor Motor Vehicle Dealership/Showroom, New and/or Used* use and has drafted preliminary regulatory standards for said use.

3) *Sec. 4.1 & 5.1, Art. V, UDC*. The Unified Development Code currently restricts all commercial and industrial buildings, not within an Overlay District, from locating stucco within the first eight (8) feet above grade on any building façade that is visible from a street or public area [*Sec. 4.1.A.1 & 5.1.A.1; Art. V, UDC*]. This is in contrast to the Overlay District requirements, which are less restrictive and prohibit stucco from being located within the first four (4) feet above grade on any building façade that is visible from a street or public area (*e.g. Sec. 6.7.C.1.a; Art. V, UDC*). The purpose of this restriction is generally to allow for a greater variation of materials, and for the incorporation of a brick or stone wainscot. This has become an issue on past projects that propose smaller buildings (*typically located outside of the overlay districts*) built to a residential scale that usually utilize pitched roofs. In these cases, the eight (8) foot requirement is difficult to incorporate into the design, and

usually requires the applicant to request a variance from the Planning and Zoning Commission and City Council.

In accordance, with Section 4.2 of Article XI, *Zoning Related Applications*, of the UDC staff has brought the proposed amendments forward to the Planning and Zoning Commission for recommendation, and on November 11, 2014 the Planning and Zoning Commission made a motion to recommend approval of the text amendment pending the proposed *Indoor Motor Vehicle Dealership/Showroom, New and Used* require a Specific Use Permit in all permitted districts *(i.e. Commercial [C], Heavy Commercial [HC], Light Industrial [LI] and Heavy Industrial [HI] Districts*). The motion passed by a vote of 7-0. Attached to this case memo are the proposed changes to the UDC, as well as a draft ordinance that lays out the proposed text amendment with the Planning and Zoning Commission's recommendations. The projected schedule for this text amendment is as follows:

Planning and Zoning Commission:
~~Work Session: September 9, 2014~~
~~Work Session: September 30, 2014~~
~~Public Hearing: October 14, 2014 [*Cancelled*]~~
~~Public Hearing: November 11, 2014~~

City Council:
Public Hearing: November 17, 2014
2nd Reading: December 1, 2014

Staff has sent out a 15-day notice to the Rockwall County News in accordance with all applicable state laws and Section 6.1 of Article II, *Authority and Administrative Procedures*, of the UDC. The notice was published on October 23, 2014.

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Article II, Authority and Administrative Procedures, of the Unified Development Code

Section 13. Architectural Review Board

Section 13.2. Term of Office; Qualifications

A. *Term*. The members shall be appointed for a term of two years with staggered terms and shall be removable for cause by the city council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term the city council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the city council upon completion of a term to which he has been appointed.

B. Qualifications. At least one member shall be a registered architect in the State of Texas. Other members are chosen for qualifications and training in related fields such as landscape architecture, interior or exterior design, municipal planning, municipal government and other professions with related disciplines or civic interest.

~~***B. [Composition]. The membership shall include one registered architect, one residential property owner in the district and one commercial property owner in the district. The remaining membership shall include no more than one representative from any of the following categories:***~~

~~***(1) Landscape architects;***~~
~~***(2) Civil engineers;***~~
~~***(3) Structural engineers;***~~
~~***(4) Experienced commercial builders in the district;***~~
~~***(5) Professional land planners; and/or***~~
~~***(6) Building designers who are members in good standing with a recognized professional association.***~~

~~***All members must be residents of Rockwall County.***~~

C. *Attendance*. If a member has three consecutive absences that are not excused by the architectural review board, or is absent from more than 25 percent of the meetings, he may be removed from the board; however, if absent from 50 percent of the meetings in any calendar year, the member will automatically be removed from the architectural review board.

Article IV, Permissible Uses, of the Unified Development Code

Section 1.1. Use of Land and Buildings

Residential										Permitted Uses	Mixed Use			Commercial				Industrial	
AG	SF- E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Auto and Marine Related	DT	R-O	N-S	GR	C	HC	RT	LI	HI
										Auto repair garage, major +						P		P	P
										Auto repair garage, minor +	S			S	S	P		P	P
										Automobile rental					S	P		S	P
										Boat and trailer dealership (new and used) +					S	P		S	P
										Car wash/auto detail +			S	S	P	P		P	P
										Car wash, self-service				S	P	P		P	P
										Indoor Motor Vehicle Dealership/Showroom, New and/or Used +					***S***	***P***		***S***	***P***
										Motor vehicle dealership, new (cars and light trucks) +					S	P		S	P
										Motor vehicle dealership, used (cars and light trucks) +					A	A		A	A
										Parking, commercial	S				P	P		P	P
										Parking lot, noncommercial	A		S	P	P	P	P	P	P
										Recreational vehicle (RV) sales and service					S	P		S	P
										Service station +			S	P	P	P		P	P
										Towing and impound yard +						S		S	P
										Towing service, no storage +						P		P	P
										Truck rental						P		S	P
										Truck stop with fuel and accessory services +						S		S	P

NOTE: The Planning and Zoning Commission recommended that the use require an SUP in all permitted districts.

Article IV, Permissible Uses, of the Unified Development Code

Section 2.1.8. Auto and Marine-Related Use Conditions

Auto repair garage, major.

1. General repair, rebuilding, or reconditioning of engines, motor vehicles or trailers, including body work, frame-work, welding, and major painting service.
2. Garage doors shall not face the street or a residential lot.
3. Vehicles, equipment, parts or inventory shall not be stored outside overnight unless expressly permitted by this [Unified Development Code]. In which case, they shall be screened from public streets, sidewalks and open space, and any residentially-zoned lot.

Auto repair garage, minor.

1. The replacement of any part or repair of any part that does not require removal of the engine head or pan, engine transmission or differential; incidental body and fender work, minor painting and upholstering service. It also includes "quick lube" type businesses. This applies to only to passenger automobiles and trucks not in excess of 7,000 pounds gross weight.
2. In a General Retail (GR) District, an "auto repair garage, minor" is permitted as an accessory to a retail use, when the gross floor area of the auto repair and related storage does not exceed 30 percent of the retail sales floor area. If it is a stand-alone use, it shall require a specific use permit.
3. In a Commercial (C) District, an "auto repair garage, minor" is permitted as an accessory to a retail use, provided all work is conducted wholly within a completely enclosed building. If it is a stand-alone use, it shall require a specific use permit.
4. Garage doors or bays shall not face the street or a residential lot.
5. Vehicles, equipment, parts or inventory shall not be stored outside overnight unless expressly permitted by this [Unified Development Code]. In which case, they shall be screened from public streets, sidewalks and open space, and any residentially-zoned lot.
6. A site plan must be approved by the director of planning prior to issuance of any building permit.
7. In the Downtown District an auto repair garage, minor shall not be located within 500 feet of the Historic Courthouse property.

   (Ord. No. 11-13, § 2, 4-13-2011)

Boat and trailer dealerships (new and used).

1. The area to be used for outside storage and display shall not exceed 50 percent of the total lot area within 100 feet of any adjacent street.
2. All such outside storage and display areas must be permanently paved to city standards.
3. All such outside storage and display areas must be screened along all road frontages with a solid evergreen landscape screen a minimum of three feet in height.
4. All such outside storage and display areas may be lighted with directed exterior lighting that does not glare onto any adjacent roadways.
5. A site plan and landscape plan shall be approved prior to issuance of any building permit.
6. Such uses shall only be permitted along Interstate 30 and other arterials, as identified on the city's thoroughfare plan, but shall be excluded within the Scenic Overlay District along FM-740 and SH 66.

Carwash/auto detail.

The following standards apply to any freestanding or accessory carwash or auto detailing use:

1. Entrances and exits to the car wash shall not directly face any public street. On corner sites, car wash entrances or exits shall not open toward the street with the highest traffic volume, or as determined by the director of planning.
2. The car wash shall be set back a minimum of 50 feet from any street frontage.

Indoor Motor Vehicle Dealership/Showroom, New and/or Used.
The indoor storage of operable automobiles in a fully enclosed building for the purpose of holding such vehicles for sale, lease, distribution, or storage.

1. ***The sales/storage facility must be a completely enclosed building.***
2. ***Outside display or storage of vehicles shall be prohibited. This includes storing vehicles under canopies/awnings or similar covered structures.***
3. ***All activities shall remain inside the building (i.e. no detailing, sales activities, etcetera shall be performed outside the building).***
4. ***Accessory uses may be allowed in compliance with the "Permissible Use Charts" located within Section 1.1 of this Article.***

Motor vehicle dealerships (new and used).

1. Used vehicles may only be sold as an ancillary use to new vehicle sales.
   (Ord. No. 06-14, 4-17-2006)
2. All outside display of vehicles must be on an approved concrete, or enhanced concrete surface.
3. All vehicle display areas must meet the landscape standards for parking areas.

Service station.
An establishment where gasoline and other petroleum products are sold as the principal use of the property. Light maintenance activities such as engine tune-ups, lubrication, and minor repairs may also be provided if incidental to such principal use. Service station does not include any premises where retail sales space exceeds 25 percent of the total building area or 500 square feet of gross floor area, whichever is less.

Towing and impound yard.

1. A towing and impound yard must comply with all requirements, including definitions and permitting procedures for wrecking and towing services, that are specified in chapter 12, article VI of the Code of Ordinances, unless otherwise approved by city council as part of the specific use permit approved for the use.
   (Ord. No. 10-14, § 20, 7-6-2010)

Towing service, no storage.

1. A towing storage with no outside storage must comply with all requirements, including definitions and permitting procedures for wrecking and towing services, that are specified in chapter 12, article VI of the Code of Ordinances.
   (Ord. No. 10-14, § 20, 7-6-2010)

Truck stop with fuel and accessory services.

1. Entrances and exits to the service bays shall not directly face any public street. On corner sites, Service bay entrances or exits shall not open toward the street with the highest traffic volume, or as determined by the director of planning.
2. The location of access drives from adjacent streets shall be determined by the director of planning.

Article V, District Development Standards, of the Unified Development Code

Section 4.1. General Commercial District Standards

A. *Construction Materials.*

1. *Exterior walls.* Each exterior wall shall consist of 90 percent masonry materials as defined in article XIII, Definitions, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20 percent stone.

   All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g., stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first ***~~eight~~ four (4)*** feet above grade on a facade visible from a street or public area.

   Exceptions to this requirement may be permitted on a case-by-case basis by the council upon submission and approval of elevation drawings of the subject structure, and material samples.

Section 5.1. General Industrial District Standards

A. *Construction Materials.*

1. *Exterior walls.* Each exterior wall shall consist of 90 percent masonry materials as defined in article XIII, Definitions, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20 percent stone.
2. All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g., stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the buildings exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first ***~~eight~~ four (4)*** feet above grade on a facade visible from a street or public area.

   Exceptions to this requirement, including allowing concrete tilt-up walls, may be permitted on a case by case basis by the council upon submission and approval of elevation drawings of the subject structure, and material samples.

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 13.2 OF ARTICLE II, *AUTHORITY AND ADMINISTRATIVE PROCEDURES*; SECTIONS 1.1 & 2.1.8 OF ARTICLE IV, *PERMISSIBLE USES*; AND SECTIONS 4.1 & 5.1, *DISTRICT DEVELOPMENT STANDARDS*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Section 13.2, *Terms of Office; Qualifications*, of Article II, *Authority and Administrative Procedures*; Section 1.1, *Use of Land and Buildings*, and Section 2.1.8, *Auto and Marine-Related Use Conditions*, of Article IV, *Permissible Uses*; and, Section 4.1, *General Commercial District Standards*, and Section 5.1, *General Industrial District Standards*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*]; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That Section 13.2, *Terms of Office; Qualifications*, of Article II, *Authority and Administrative Procedures*; Section 1.1, *Use of Land and Buildings*, and Section 2.1.8, *Auto and Marine-Related Use Conditions*, of Article IV, *Permissible Uses*; and, Section 4.1, *General Commercial District Standards*, and Section 5.1, *General Industrial District Standards*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'A' & 'B'*.

Section 2. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 3. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

DRAFT
ORDINANCE
11.17.2014

Section 4. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1ST DAY OF DECEMBER, 2014.

_____

David Sweet, *Mayor*

ATTEST:

_____

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____

Frank J. Garza, *City Attorney*

1st Reading: *November 17, 2014*

2nd Reading: *December 1, 2014*

DRAFT ORDINANCE 11.17.2014

Section 13. Architectural Review Board
Section 13.2. Term of Office; Qualifications

A. *Term*. The members shall be appointed for a term of two years with staggered terms and shall be removable for cause by the city council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term the city council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the city council upon completion of a term to which he has been appointed.

B. Qualifications. At least one member shall be a registered architect in the State of Texas. Other members are chosen for qualifications and training in related fields such as landscape architecture, interior or exterior design, municipal planning, municipal government and other professions with related disciplines or civic interest.

~~***B. [Composition]. The membership shall include one registered architect, one residential property owner in the district and one commercial property owner in the district. The remaining membership shall include no more than one representative from any of the following categories:***~~

~~***(1) Landscape architects;***~~
~~***(2) Civil engineers;***~~
~~***(3) Structural engineers;***~~
~~***(4) Experienced commercial builders in the district;***~~
~~***(5) Professional land planners; and/or***~~
~~***(6) Building designers who are members in good standing with a recognized professional association.***~~

~~***All members must be residents of Rockwall County.***~~

C. *Attendance*. If a member has three consecutive absences that are not excused by the architectural review board, or is absent from more than 25 percent of the meetings, he may be removed from the board; however, if absent from 50 percent of the meetings in any calendar year, the member will automatically be removed from the architectural review board.

DRAFT ORDINANCE 11.17.2014

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Residential										Permitted Uses	Mixed Use			Commercial			Industrial		
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										Auto repair garage, minor +	S			S	S	P		P	P
										Automobile rental					S	P		S	P
										Boat and trailer dealership (new and used) +					S	P		S	P
										Car wash/auto detail +			S	S	P	P		P	P
										Car wash, self-service				S	P	P		P	P
										Indoor Motor Vehicle Dealership/Showroom, New and/or Used +					***S***	***S***		***S***	***S***
										Motor vehicle dealership, new (cars and light trucks) +					S	P		S	P
										Motor vehicle dealership, used (cars and light trucks) +					A	A		A	A
										Parking, commercial	S				P	P		P	P
										Parking lot, noncommercial	A		S	P	P	P	P	P	P
										Recreational vehicle (RV) sales and service					S	P		S	P
										Service station +			S	P	P	P		P	P
										Towing and impound yard +						S		S	P
										Towing service, no storage +						P		P	P
										Truck rental						P		S	P
										Truck stop with fuel and accessory services +						S		S	P

DRAFT ORDINANCE 11.17.2014

Section 2.1.8. Auto and Marine-Related Use Conditions

Auto repair garage, major.

1. General repair, rebuilding, or reconditioning of engines, motor vehicles or trailers, including body work, frame-work, welding, and major painting service.
2. Garage doors shall not face the street or a residential lot.
3. Vehicles, equipment, parts or inventory shall not be stored outside overnight unless expressly permitted by this [Unified Development Code]. In which case, they shall be screened from public streets, sidewalks and open space, and any residentially-zoned lot.

Auto repair garage, minor.

1. The replacement of any part or repair of any part that does not require removal of the engine head or pan, engine transmission or differential; incidental body and fender work, minor painting and upholstering service. It also includes "quick lube" type businesses. This applies to only to passenger automobiles and trucks not in excess of 7,000 pounds gross weight.
2. In a General Retail (GR) District, an "auto repair garage, minor" is permitted as an accessory to a retail use, when the gross floor area of the auto repair and related storage does not exceed 30 percent of the retail sales floor area. If it is a stand-alone use, it shall require a specific use permit.
3. In a Commercial (C) District, an "auto repair garage, minor" is permitted as an accessory to a retail use, provided all work is conducted wholly within a completely enclosed building. If it is a stand-alone use, it shall require a specific use permit.
4. Garage doors or bays shall not face the street or a residential lot.
5. Vehicles, equipment, parts or inventory shall not be stored outside overnight unless expressly permitted by this [Unified Development Code]. In which case, they shall be screened from public streets, sidewalks and open space, and any residentially-zoned lot.
6. A site plan must be approved by the director of planning prior to issuance of any building permit.
7. In the Downtown District an auto repair garage, minor shall not be located within 500 feet of the Historic Courthouse property.

(Ord. No. 11-13, § 2, 4-13-2011)

Boat and trailer dealerships (new and used).

1. The area to be used for outside storage and display shall not exceed 50 percent of the total lot area within 100 feet of any adjacent street.
2. All such outside storage and display areas must be permanently paved to city standards.
3. All such outside storage and display areas must be screened along all road frontages with a solid evergreen landscape screen a minimum of three feet in height.
4. All such outside storage and display areas may be lighted with directed exterior lighting that does not glare onto any adjacent roadways.
5. A site plan and landscape plan shall be approved prior to issuance of any building permit.

DRAFT ORDINANCE 4.1.2014

6. Such uses shall only be permitted along Interstate 30 and other arterials, as identified on the city's thoroughfare plan, but shall be excluded within the Scenic Overlay District along FM-740 and SH 66.

Carwash/auto detail.

The following standards apply to any freestanding or accessory carwash or auto detailing use:

1. Entrances and exits to the car wash shall not directly face any public street. On corner sites, car wash entrances or exits shall not open toward the street with the highest traffic volume, or as determined by the director of planning.
2. The car wash shall be set back a minimum of 50 feet from any street frontage.

Indoor Motor Vehicle Dealership/Showroom, New and/or Used.
The indoor storage of operable automobiles in a fully enclosed building for the purpose of holding such vehicles for sale, lease, distribution, or storage.

1. ***The sales/storage facility must be a completely enclosed building.***
2. ***Outside display or storage of vehicles shall be prohibited. This includes storing vehicles under canopies/awnings or similar covered structures.***
3. ***All activities shall remain inside the building (i.e. no detailing, sales activities, etcetera shall be performed outside the building).***
4. ***Accessory uses may be allowed in compliance with the "Permissible Use Charts" located within Section 1.1 of this Article.***

Motor vehicle dealerships (new and used).

1. Used vehicles may only be sold as an ancillary use to new vehicle sales.
   (Ord. No. 06-14, 4-17-2006)
2. All outside display of vehicles must be on an approved concrete, or enhanced concrete surface.
3. All vehicle display areas must meet the landscape standards for parking areas.

Service station.

An establishment where gasoline and other petroleum products are sold as the principal use of the property. Light maintenance activities such as engine tune-ups, lubrication, and minor repairs may also be provided if incidental to such principal use. Service station does not include any premises where retail sales space exceeds 25 percent of the total building area or 500 square feet of gross floor area, whichever is less.

Towing and impound yard.

1. A towing and impound yard must comply with all requirements, including definitions and permitting procedures for wrecking and towing services, that are specified in chapter 12, article VI of the Code of Ordinances, unless otherwise approved by city council as part of the specific use permit approved for the use.
   (Ord. No. 10-14, § 20, 7-6-2010)

DRAFT ORDINANCE 11.17.2014

Towing service, no storage.

1. A towing storage with no outside storage must comply with all requirements, including definitions and permitting procedures for wrecking and towing services, that are specified in chapter 12, article VI of the Code of Ordinances.

   (Ord. No. 10-14, § 20, 7-6-2010)

Truck stop with fuel and accessory services.

1. Entrances and exits to the service bays shall not directly face any public street. On corner sites, Service bay entrances or exits shall not open toward the street with the highest traffic volume, or as determined by the director of planning.
2. The location of access drives from adjacent streets shall be determined by the director of planning

DRAFT ORDINANCE 11.17.2014

Section 4.1. General Commercial District Standards

A. Construction Materials.

1. *Exterior walls.* Each exterior wall shall consist of 90 percent masonry materials as defined in article XIII, Definitions, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20 percent stone.

   All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g., stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first ***~~eight~~ four (4)*** feet above grade on a facade visible from a street or public area.

   Exceptions to this requirement may be permitted on a case-by-case basis by the council upon submission and approval of elevation drawings of the subject structure, and material samples.

Section 5.1. General Industrial District Standards

B. Construction Materials.

1. *Exterior walls.* Each exterior wall shall consist of 90 percent masonry materials as defined in article XIII, Definitions, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20 percent stone.

   All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g., stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the buildings exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first ***~~eight~~ four (4)*** feet above grade on a facade visible from a street or public area.

   Exceptions to this requirement, including allowing concrete tilt-up walls, may be permitted on a case by case basis by the council upon submission and approval of elevation drawings of the subject structure, and material samples.

DRAFT ORDINANCE 11.4.2014

Section 13. Architectural Review Board
Section 13.2. Term of Office; Qualifications

A. *Term*. The members shall be appointed for a term of two years with staggered terms and shall be removable for cause by the city council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term the city council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the city council upon completion of a term to which he has been appointed.

B. Qualifications. At least one member shall be a registered architect in the State of Texas. Other members are chosen for qualifications and training in related fields such as landscape architecture, interior or exterior design, municipal planning, municipal government and other professions with related disciplines or civic interest.

C. *Attendance*. If a member has three consecutive absences that are not excused by the architectural review board, or is absent from more than 25 percent of the meetings, he may be removed from the board; however, if absent from 50 percent of the meetings in any calendar year, the member will automatically be removed from the architectural review board.

DRAFT ORDINANCE 11.17.2014

Section 1.1. Use of Land and Buildings

Residential										Permitted Uses	Mixed Use			Commercial				Industrial	
AG	SF- E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Auto and Marine Related	DT	R-O	N-S	GR	C	HC	RT	LI	HI
										Auto repair garage, major +						P		P	P
										Auto repair garage, minor +	S			S	S	P		P	P
										Automobile rental					S	P		S	P
										Boat and trailer dealership (new and used) +					S	P		S	P
										Car wash/auto detail +			S	S	P	P		P	P
										Car wash, self-service				S	P	P		P	P
										Indoor Motor Vehicle Dealership/Showroom, New and/or Used +					S	S		S	S
										Motor vehicle dealership, new (cars and light trucks) +					S	P		S	P
										Motor vehicle dealership, used (cars and light trucks) +					A	A		A	A
										Parking, commercial	S				P	P		P	P
										Parking lot, noncommercial	A		S	P	P	P	P	P	P
										Recreational vehicle (RV) sales and service					S	P		S	P
										Service station +			S	P	P	P		P	P
										Towing and impound yard +						S		S	P
										Towing service, no storage +						P		P	P
										Truck rental						P		S	P
										Truck stop with fuel and accessory services +						S		S	P

DRAFT ORDINANCE 11.17.2014

Auto repair garage, major.

1. General repair, rebuilding, or reconditioning of engines, motor vehicles or trailers, including body work, frame-work, welding, and major painting service.
2. Garage doors shall not face the street or a residential lot.
3. Vehicles, equipment, parts or inventory shall not be stored outside overnight unless expressly permitted by this [Unified Development Code]. In which case, they shall be screened from public streets, sidewalks and open space, and any residentially-zoned lot.

Auto repair garage, minor.

1. The replacement of any part or repair of any part that does not require removal of the engine head or pan, engine transmission or differential; incidental body and fender work, minor painting and upholstering service. It also includes "quick lube" type businesses. This applies to only to passenger automobiles and trucks not in excess of 7,000 pounds gross weight.
2. In a General Retail (GR) District, an "auto repair garage, minor" is permitted as an accessory to a retail use, when the gross floor area of the auto repair and related storage does not exceed 30 percent of the retail sales floor area. If it is a stand-alone use, it shall require a specific use permit.
3. In a Commercial (C) District, an "auto repair garage, minor" is permitted as an accessory to a retail use, provided all work is conducted wholly within a completely enclosed building. If it is a stand-alone use, it shall require a specific use permit.
4. Garage doors or bays shall not face the street or a residential lot.
5. Vehicles, equipment, parts or inventory shall not be stored outside overnight unless expressly permitted by this [Unified Development Code]. In which case, they shall be screened from public streets, sidewalks and open space, and any residentially-zoned lot.
6. A site plan must be approved by the director of planning prior to issuance of any building permit.
7. In the Downtown District an auto repair garage, minor shall not be located within 500 feet of the Historic Courthouse property.

(Ord. No. 11-13, § 2, 4-13-2011)

Boat and trailer dealerships (new and used).

1. The area to be used for outside storage and display shall not exceed 50 percent of the total lot area within 100 feet of any adjacent street.
2. All such outside storage and display areas must be permanently paved to city standards.
3. All such outside storage and display areas must be screened along all road frontages with a solid evergreen landscape screen a minimum of three feet in height.
4. All such outside storage and display areas may be lighted with directed exterior lighting that does not glare onto any adjacent roadways.
5. A site plan and landscape plan shall be approved prior to issuance of any building permit.

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6. Such uses shall only be permitted along Interstate 30 and other arterials, as identified on the city's thoroughfare plan, but shall be excluded within the Scenic Overlay District along FM-740 and SH 66.

Carwash/auto detail.

The following standards apply to any freestanding or accessory carwash or auto detailing use:

1. Entrances and exits to the car wash shall not directly face any public street. On corner sites, car wash entrances or exits shall not open toward the street with the highest traffic volume, or as determined by the director of planning.
2. The car wash shall be set back a minimum of 50 feet from any street frontage.

Indoor Motor Vehicle Dealership/Showroom, New and/or Used.

The indoor storage of operable automobiles in a fully enclosed building for the purpose of holding such vehicles for sale, lease, distribution, or storage.

1. The sales/storage facility must be a completely enclosed building.
2. Outside display or storage of vehicles shall be prohibited. This includes storing vehicles under canopies/awnings or similar covered structures.
3. All activities shall remain inside the building (i.e. no detailing, sales activities, etcetera shall be performed outside the building).
4. Accessory uses may be allowed in compliance with the "Permissible Use Charts" located within Section 1.1 of this Article.

Motor vehicle dealerships (new and used).

1. Used vehicles may only be sold as an ancillary use to new vehicle sales.
   (Ord. No. 06-14, 4-17-2006)
2. All outside display of vehicles must be on an approved concrete, or enhanced concrete surface.
3. All vehicle display areas must meet the landscape standards for parking areas.

Service station.

An establishment where gasoline and other petroleum products are sold as the principal use of the property. Light maintenance activities such as engine tune-ups, lubrication, and minor repairs may also be provided if incidental to such principal use. Service station does not include any premises where retail sales space exceeds 25 percent of the total building area or 500 square feet of gross floor area, whichever is less.

Towing and impound yard.

1. A towing and impound yard must comply with all requirements, including definitions and permitting procedures for wrecking and towing services, that are specified in chapter 12, article VI of the Code of Ordinances, unless otherwise approved by city council as part of the specific use permit approved for the use.

DRAFT ORDINANCE 11.17.2014

(Ord. No. 10-14, § 20, 7-6-2010)

Towing service, no storage.

1. A towing storage with no outside storage must comply with all requirements, including definitions and permitting procedures for wrecking and towing services, that are specified in chapter 12, article VI of the Code of Ordinances.

   (Ord. No. 10-14, § 20, 7-6-2010)

Truck stop with fuel and accessory services.

1. Entrances and exits to the service bays shall not directly face any public street. On corner sites, Service bay entrances or exits shall not open toward the street with the highest traffic volume, or as determined by the director of planning.
2. The location of access drives from adjacent streets shall be determined by the director of planning.

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Section 4.1. General Commercial District Standards

C. Construction Materials.

1. *Exterior walls.* Each exterior wall shall consist of 90 percent masonry materials as defined in article XIII, Definitions, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20 percent stone.

   All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g., stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four (4) feet above grade on a facade visible from a street or public area.

   Exceptions to this requirement may be permitted on a case-by-case basis by the council upon submission and approval of elevation drawings of the subject structure, and material samples.

Section 5.1. General Industrial District Standards

D. Construction Materials.

1. *Exterior walls.* Each exterior wall shall consist of 90 percent masonry materials as defined in article XIII, Definitions, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20 percent stone.

   All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g., stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four (4) feet above grade on a facade visible from a street or public area.

   Exceptions to this requirement, including allowing concrete tilt-up walls, may be permitted on a case by case basis by the council upon submission and approval of elevation drawings of the subject structure, and material samples.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 11/17/2014

APPLICANT: John Spiars, P.E. of Spiars Engineering, Inc.

AGENDA ITEM: **SP2014-029**; Fenton Nissan of Rockwall

Discuss and consider a request by John Spiars of Spiars Engineering, Inc. on behalf of Bill Lavin of Fenton Motor Group for the approval of variances associated with a site plan for a new automobile dealership on a 14.751-acre tract of land being composed of a 10.5-acre parcel of land identified as Lot 1, Block A, Lafon Addition and a 4.251-acre portion of Tract 2 & 12 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, being zoned Light Industrial (LI) and Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the 205 By-Pass Overlay (205-BY OV) District, located at the southeastern corner of the intersection of John King Boulevard and the IH-30 Frontage Road, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, John Spiars of Spiars Engineering, Inc., is requesting approval of a site plan for a proposed new automobile dealership on a 14.751-acre tract of land. As you may recall, the property has two SUP's (Ord. No. 13-36 & Ord. No. 14-24) attached to the site that allows for the development. The site is generally located at the southwest corner of IH-30 and John King Blvd and is zoned Light Industrial (LI) and Commercial (C) districts. The property is located within the IH 30 OV and 205-BY OV Districts and is subject to the standards established for these districts; however, the applicant will be seeking variances to certain standards established within the Unified Development Code as outlined in staff's report. The applicant has provided a letter outlining the purpose for each variance requested.

VARIANCE REQUEST:

The applicant is requesting the following variances to various sections of Article IV, Auto and Marine Related Use Conditions, Article V, District Development Standards, and Article VIII, Landscape Standards of the Unified Development Code (UDC) as indicated below.

1) To allow for not meeting the masonry standards as established in Art. V, Sec. 4.1, A. Construction Materials, as calculated and depicted in the building elevations submitted.
2) To allow for not meeting the horizontal and vertical articulation standards as established in Art. V, Sec. 4.1, C., 1 (a), (b) as depicted in the site plan and building elevations submitted.
3) To allow for not meeting the screening standards as established in Art. VIII, Sec. 5.6 Screening from Residential Uses which requires a minimum 6-ft high masonry screening fence. The applicant is providing a 30-ft landscape buffer with trees as required by the UDC for buildings exceeding 80,000 sq. ft.; however, the adjacent property owner/developer has submitted a letter supporting the 30-ft buffer with a living screen and opposes the use of a masonry screening fence.

4) To allow for not meeting the requirements for service bays as established in Art. IV, Sec. 2.1.8, Auto Repair Garage… 4. Garage doors or bays shall not face a street or residential lot, as depicted on the site plan submitted.
5) To allow for the utilization of a 21-ft wide firelane width at the one-way entry and exit drive along the IH-30 service road. It should be noted that the Fire Department supports the approval of two 21-ft wide one-way fire lanes from/to service road (radius shall be confirmed during engineering phase).
6) To allow for not meeting the 20 percent natural or quarried stone requirements of the applicable overlay districts, as depicted in the building elevations submitted.
7) To allow for a Corporate Identity that conflicts with the design criteria of the applicable overlay districts as depicted in the building elevations submitted and the associated variances requested by the applicant.

The variances requested by the applicant require a simple majority vote in the affirmative of all council members present for approval of the requested actions. Variance request numbers 6 & 7 are associated with the IH-30 OV and 205 BY-OV districts and require approval by a ¾ majority vote of City Council for those members present.

RECOMMENDATIONS:

Architectural Review Board Recommendation:

On October 28, 2015, the Architectural Review Board (ARB) had a general discussion concerning the proposed dealership with staff. The ARB was concerned that even though the building met the ordinances (UDC, Overlay districts) intent, the buildings' material blend did not translate well. The ARB recommended that the applicant incorporate more ACM (aluminum composite material) panel and change the elevations to be similar to Nissan's prototypical building design. The ARB also requested that the project be re-reviewed via email prior to the Planning & Zoning Commission meeting to be held on November 11, 2014.

With no additional feedback from the ARB being received by staff by November 11, 2014, staff has determined that the revised elevations meet the intent of the ARB's recommendations that were forwarded to the applicant.

Planning and Zoning Recommendation:

Should the request be approved, staff would offer the following recommendations:

1. Adherence to all Engineering and Fire Department standards.
2. Consider recommendations forwarded to the Planning and Zoning Commission from the Architectural Review Board.
3. All exterior signage requires approval and submittal of a separate permit through the building inspections department prior to installation.
4. Submittal and approval of a replat prior to issuance of a Certificate of Occupancy.
5. Requested variances require approval by the appropriate voting process of City Council.

Planning and Zoning Commission:

On November 11, 2014, the Planning and Zoning Commission approved the Site Plan request with staff recommendations by a vote of 7 to 0 and included an additional condition that the

variance for articulation (variance request #2) be subject to the addition of a window product being incorporated into the southeast and southwest elevations where the wall plane extends beyond the calculated minimums for the purpose of breaking up the linear appearance of the wall face.

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November 6, 2014

Mr. David Gonzalez
Senior Planner
City of Rockwall – Planning and Zoning
385 S. Goliad St.
Rockwall, Texas 75087

Re: Development Application Variance Requests
Fenton Nissan of Rockwall
Lot 1, Block A, Rockwall County, Texas
Case Number SP2014-029
BWA Project No. D13049

Mr. Gonzalez,

Boynton Williams & Associates hereby submits the follow variance requests as outlined in the above-mentioned project for consideration:

Item #1 – Request alternative masonry percentages on exterior walls. The intent of this request is to allow the percentage of masonry at the exterior walls to vary from the amounts indicated in the City of Rockwall Uniform Development Code (UDC). This request is being made in order for the design to better comply with the Nissan corporate branding requirements as outlined in the Nissan Retail Environment Design Initiative (NREDI) standards. The NREDI standards create a consistent brand image for all Nissan facilities, and these standards do not recommend the use of masonry at the exterior walls. The Architectural Review Board (ARB) advised BWA at the 10/28/14 meeting they favored a design that more closely matches the Nissan facility brand design in lieu of one that forces a large percentage of masonry onto the design. In our opinion, this variance request will not only allow a design that is aesthetically pleasing and more in line with the Nissan facility brand image, but will also allow the use of masonry at more specific areas to create a more positive impact on the design and allow the Nissan corporate branding requirements to more naturally connect with the local masonry design language in Rockwall.

Item # 2 – Request alternative horizontal articulations of facades. The Nissan NREDI standards noted above require long expanses of uninterrupted wall surface at the showroom areas, and the vehicle service area along the south and east sides require long expanses of uninterrupted wall surfaces due to their functional requirements. The current design provides horizontal articulations around the entire building, especially on the most visible north and west facades while keeping the majority of the facades that, due to their functional requirements, cannot meet the prescribed horizontal articulation parameters, to the least visible south and east facades. In keeping with the ARB's request to provide a design that more closely matches the Nissan facility

Boynton Williams & Associates
3010 LBJ Freeway | Suite 110
Dallas, TX 75234
P 972.661.5461
F 972.661.5449

bwaarchitects.com

brand design, in our opinion, the proposed design achieves the intent of the UDC by creating a design that provides a large amount of horizontal articulations while minimizing the articulation of the façade areas that cannot meet the prescribed articulation requirement due to their functional requirements, and keeping such facades to the least visible south and east sides.

Item # 3 – Request alternative vertical articulations of facades. The Nissan NREDI standards noted above mandate specific height requirements for the facades that keep the vertical articulations to a minimum. The current proposed design provides a significant amount of vertical articulations for a one-story building of this size and strives to balance the Nissan requirements with the intent of the UDC. In keeping with the ARB's request to provide a design that more closely matches the Nissan facility brand design, in our opinion, the proposed design achieves the intent of the UDC by creating a design that provides a large amount of vertical articulation, while minimizing the areas that cannot meet the prescribed articulations due to their functional requirements, and keeping such facades to the least visible south and east sides.

Item #4 – Request variance to provide a living screen adjacent to the residential lots along the south property line. The request to use a living screen along the south side of our property in lieu of a 6' tall masonry screen wall was posed to us by the Owner of the property due south of our lot. The Cambridge Companies, who owned the property due south, advised the Fenton Motor Group they would rather have a living screen as indicated on the proposed landscape plan in lieu of a masonry screen wall as this feature will be more aesthetically pleasing and will add more value to their property. Since the owners of the lots due south will be providing their own fencing, having a living screen of cypress and oak trees beyond their fencing on our site would be more desirable than a 6' tall masonry screen.

Item #5 – Request variance to utilize 21' wide fire lane widths at the one-way entry and exit drives at the north side of the property. The proposed driveway widths and locations on the north side of the property align directly with the current driveway locations and widths. Per TxDOT, we are to maintain these current driveway locations and widths. That said, given the existing width of the entry on the west end of the north property line, we made this the main entry for the site, and created one-way entry and exit drives with a central landscaped island in between. This type of grand entry drive can be only achieved by providing own-way drives that are a maximum of 21' wide. Increasing these drives to 24' would require the elimination of the current one-way drives + island and require a single two-way drive that, in our opinion, is less appealing than the current design. It is important to note....

1. The 2009 International Fire Code (IFC) mandates a 20' minimum width for fire lanes. Our current design exceeds this by 1'.
2. These entry drives are one-way, and both have been designated as fire lanes. In the event that one lane is blocked by a car, the other lane more than likely will be free and clear, and a fire apparatus vehicle will still have more space than mandated in the IFC for navigating around any obstruction that might be present in either lane.
3. It is our understanding that Spiars Engineering has discussed this matter with the City of Rockwall Fire Marshal's office, and they take no exception to this variance request.

Based on the above, it is our opinion this variance request meets or exceeds the fire lane requirements outlined in the IFC, and does not pose any adverse impacts on the proposed fire lane access to and around this site.

It is our sincere hope the City of Rockwall Planning Staff will support all of the requests outlined herein, and that such support will be conveyed to both the Planning and Zoning Commission and the City Council. Please feel free to give me a call if you have any questions, or wish to discuss.

Sincerely,

Jeff Ball, - AIA
Sr. Vice President

Cc: Brad Fenton
Lance Fenton
Gary Halbrooks
John Spiars
David Bond

The Cambridge Companies, Inc.
8750 N. Central Expwy, Suite 1735
Dallas, Texas 75231
Telephone 214 691-2556 Facsimile 214 691-0682

Cambridge

November 6, 2014

Rockwall City Council
City of Rockwall
385 S. Goliad St.
Rockwall, Tx. 75087

Re: Commercial Masonry Screening
Rockwall Downes Ph. 1
Rockwall, Tx.

Dear Mayor and Council:

Please let this letter serve as written confirmation that The Cambridge Companies support the request by Fenton Motors to create a 30-foot wide living screen in-lieu of a Masonry screening wall as typically required to separate residential and commercial uses.

It is our opinion that our proposed retaining wall and 6-foot wood fence along our north line, which generally depresses our lots below their existing grade, and a 30-foot wide living screen is a better screening mechanism for our future residents than a retaining wall and a 6-foot masonry. Furthermore, we believe that the retaining wall, wood fence and trees (new and existing) will create a more natural and palatable feel for our future residents.

It is our understanding that Fenton Motors will create and maintain a solid and continuous living screen that will consist of existing trees, additional shade trees, and large "screening" type trees such as, Eastern Red Cedar or Leyland Cypress a minimum of 7-feet in height, will create a suitable living screen.

We would like to thank you in advance for your thoughtful consideration of this request. If you have any questions or need any additional information from us on this matter please do not hesitate to contact us. Thank you.

Sincerely,

Matthew W. Alexander, P.E.
Vice President - Development

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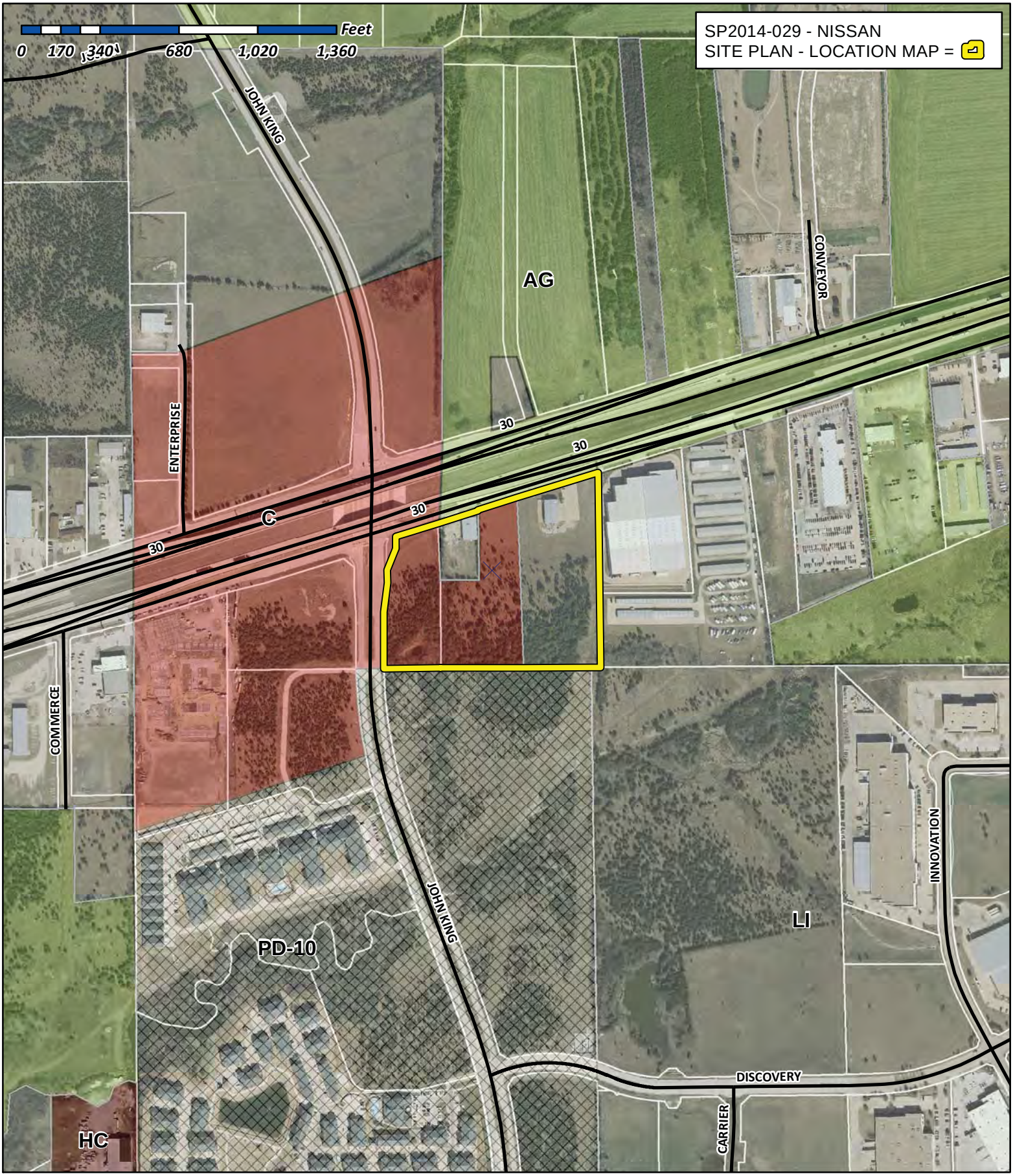

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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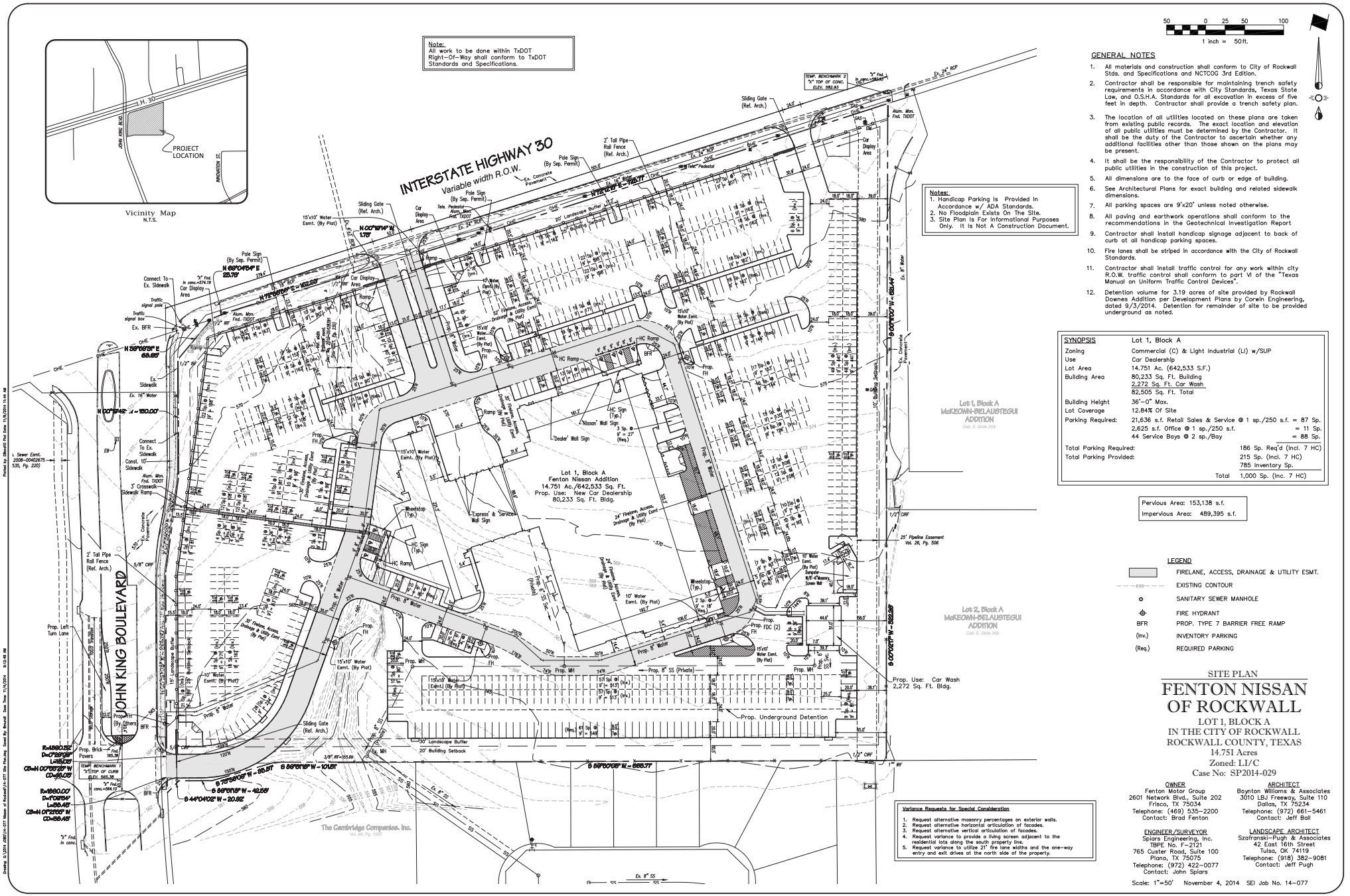

GENERAL NOTES

1. All materials and construction shall conform to City of Rockwall Stds. and Specifications and NCTCOG 3rd Edition.
2. Contractor shall be responsible for maintaining trench safety requirements in accordance with City Standards, Texas State Law, and O.S.H.A. Standards for all excavation in excess of five feet in depth. Contractor shall provide a trench safety plan.
3. The location of all utilities located on these plans are taken from existing public records. The exact location and elevation of all public utilities must be determined by the Contractor. It shall be the duty of the Contractor to ascertain whether any additional facilities other than those shown on the plans may be present.
4. It shall be the responsibility of the Contractor to protect all public utilities in the construction of this project.
5. All dimensions are to the face of curb or edge of building.
6. See Architectural Plans for exact building and related sidewalk dimensions.
7. All parking spaces are 9'x20' unless noted otherwise.
8. All paving and earthwork operations shall conform to the recommendations in the Geotechnical Investigation Report
9. Contractor shall install handicap signage adjacent to back of curb at all handicap parking spaces.
10. Fire lanes shall be striped in accordance with the City of Rockwall Standards.
11. Contractor shall install traffic control for any work within city R.O.W. traffic control shall conform to part VI of the "Texas Manual on Uniform Traffic Control Devices".
12. Detention volume for 3.19 acres of site provided by Rockwall Downes Addition per Development Plans by Corwin Engineering, dated 9/3/2014. Detention for remainder of site to be provided underground as noted.

SYNOPSIS	Lot 1, Block A	
Zoning	Commercial (C) & Light Industrial (LI) w/SUP	
Use	Car Dealership	
Lot Area	14.751 Ac. (642,533 S.F.)	
Building Area	80,233 Sq. Ft. Building 2,272 Sq. Ft. Car Wash 82,505 Sq. Ft. Total	
Building Height	36'-0" Max.	
Lot Coverage	12.84% Of Site	
Parking Required:	21,636 s.f. Retail Sales & Service @ 1 sp./250 s.f.	= 87 Sp.
	2,625 s.f. Office @ 1 sp./250 s.f.	= 11 Sp.
	44 Service Bays @ 2 sp./Bay	= 88 Sp.
Total Parking Required:		186 Sp. Req'd (Incl. 7 HC)
Total Parking Provided:		215 Sp. (Incl. 7 HC)
		785 Inventory Sp.
	Total	1,000 Sp. (Inc. 7 HC)

Pervious Area: 153,138 s.f.
Impervious Area: 489,395 s.f.

LEGEND

- FIRELANE, ACCESS, DRAINAGE & UTILITY ESMT.
- 699 EXISTING CONTOUR
- SANITARY SEWER MANHOLE
- FIRE HYDRANT
- BFR PROP. TYPE 7 BARRIER FREE RAMP
- (Inv.) INVENTORY PARKING
- (Req.) REQUIRED PARKING

Variance Requests for Special Consideration

1. Request alternative masonry percentages on exterior walls.
2. Request alternative horizontal articulation of facades.
3. Request alternative vertical articulation of facades.
4. Request variance to provide a living screen adjacent to the residential lots along the south property line.
5. Request variance to utilize 21' fire lane widths and the one-way entry and exit drives at the north side of the property.

SITE PLAN

FENTON NISSAN OF ROCKWALL

LOT 1, BLOCK A
IN THE CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
14.751 Acres
Zoned: LI/C
Case No: SP2014-029

OWNER
Fenton Motor Group
2601 Network Blvd., Suite 202
Frisco, TX 75034
Telephone: (469) 535-2200
Contact: Brad Fenton

ARCHITECT
Boynton Williams & Associates
3010 LBJ Freeway, Suite 110
Dallas, TX 75234
Telephone: (972) 661-5461
Contact: Jeff Ball

ENGINEER/SURVEYOR
Spiars Engineering, Inc.
TBPE No. F-2121
765 Custer Road, Suite 100
Plano, TX 75075
Telephone: (972) 422-0077
Contact: John Spiars

LANDSCAPE ARCHITECT
Szafranski-Pugh & Associates
42 East 16th Street
Tulsa, OK 74119
Telephone: (918) 382-9081
Contact: Jeff Pugh

Scale: 1"=50' November 4, 2014 SEI Job No. 14-077

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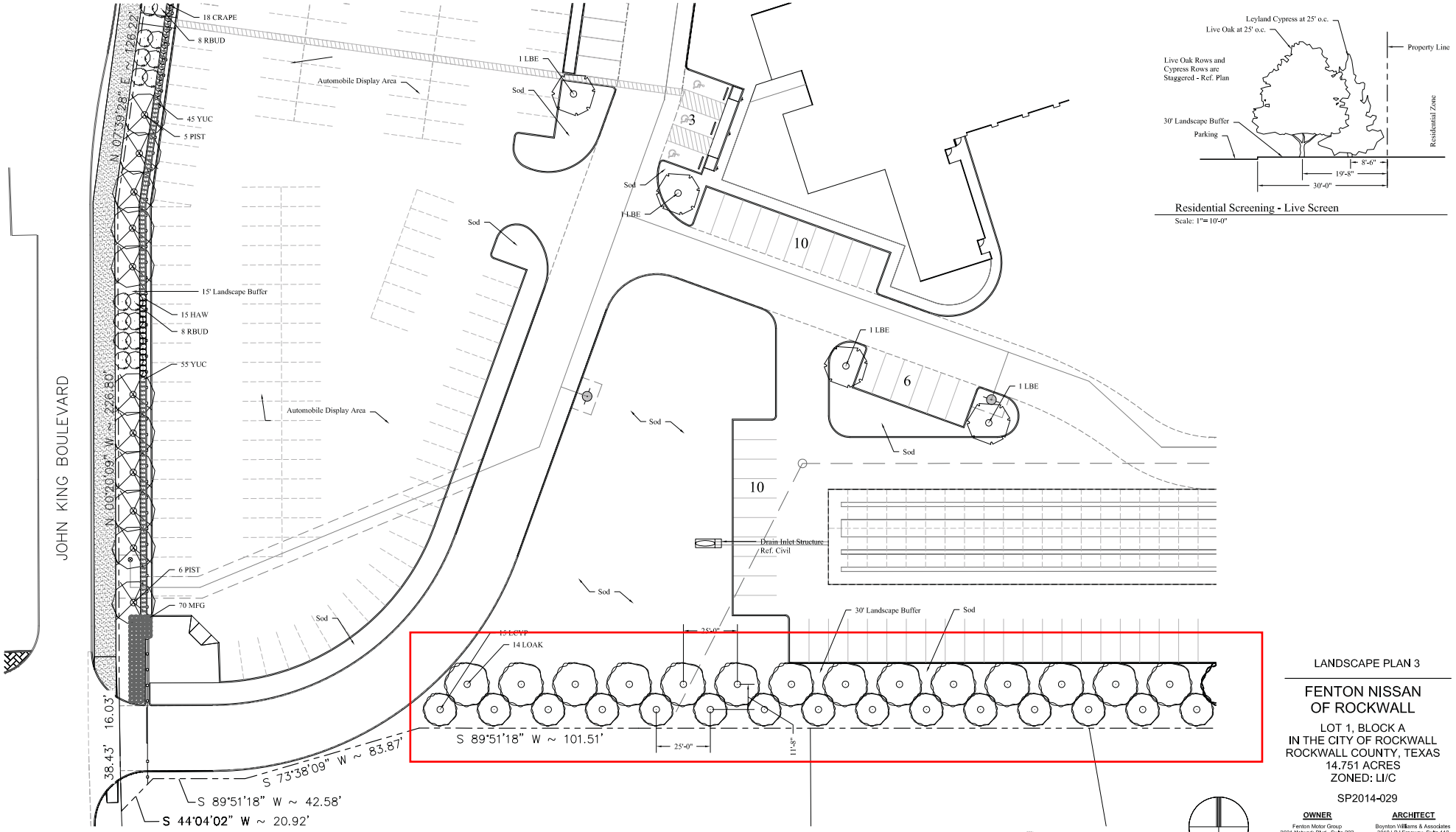

Residential Screening - Live Screen

Scale: 1"= 10'-0"

NORTH

0 10 20 40 60

Scale: 1"= 20'-0"

LANDSCAPE PLAN 3

FENTON NISSAN OF ROCKWALL

LOT 1, BLOCK A
IN THE CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
14.751 ACRES
ZONED: LI/C

SP2014-029

OWNER
Fenton Motor Group
2601 Network Blvd., Suite 202
Frisco, TX 75034
Telephone: (469) 535-2200
Contact: Brad Fenton

ARCHITECT
Boynton Williams & Associates
3010 LBJ Freeway, Suite 110
Dallas, TX 75234
Telephone: (972) 661-5461
Contact: Jeff Ball

ENGINEER/SURVEYOR
Spiars Engineering, Inc.
TBPE No. F-2121
765 Custer Road, Suite 100
Telephone: (972) 422-0077
Contact: John Spiars

LANDSCAPE ARCHITECT
Szafranski-Pugh & Associates
42 East 16th Street
Tulsa, OK 74119
Telephone: (918) 382-9081
Contact: Jeff Pugh

Date: 11/4/14

11/4/14

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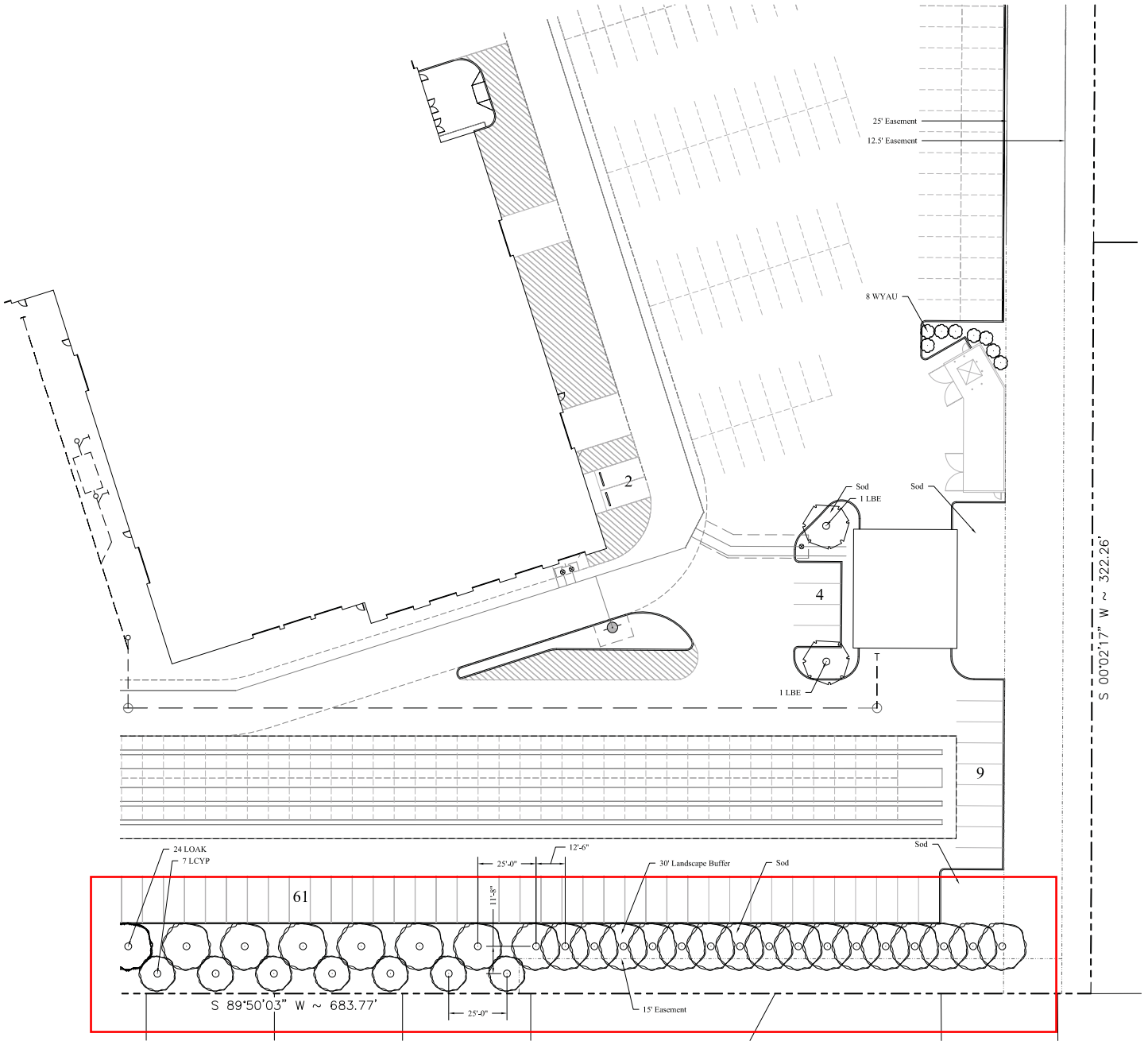

LANDSCAPE PLAN 4

FENTON NISSAN OF ROCKWALL

LOT 1, BLOCK A
IN THE CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
14.751 ACRES
ZONED: LI/C

SP2014-029

11/4/14

NORTH

0 10 20 40 60
Scale: 1"= 20'-0"

OWNER
Fenton Motor Group
2601 Network Blvd., Suite 202
Frisco, TX 75034
Telephone: (469) 535-2200
Contact: Brad Fenton

ARCHITECT
Boynton Williams & Associates
3010 LBJ Freeway, Suite 110
Dallas, TX 75234
Telephone: (972) 661-5461
Contact: Jeff Ball

ENGINEER/SURVEYOR
Spiars Engineering, Inc.
TBPE No. F-2121
765 Custer Road, Suite 100
Telephone: (972) 422-0077
Contact: John Spiars

LANDSCAPE ARCHITECT
Szafranski-Pugh & Associates
42 East 16th Street
Tulsa, OK 74119
Telephone: (918) 382-9081
Contact: Jeff Pugh

Date: 11/4/14

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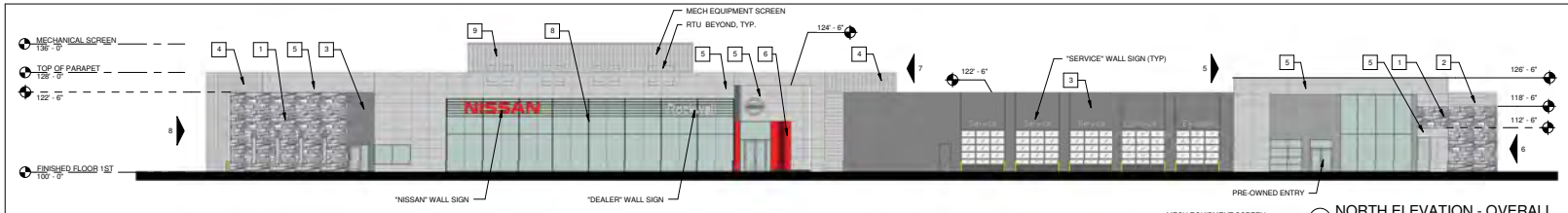
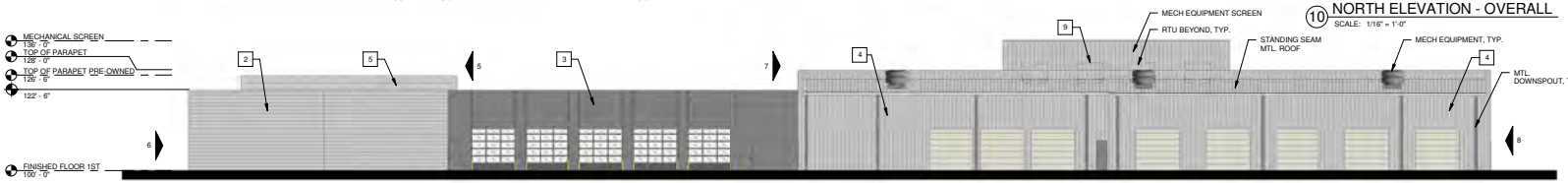
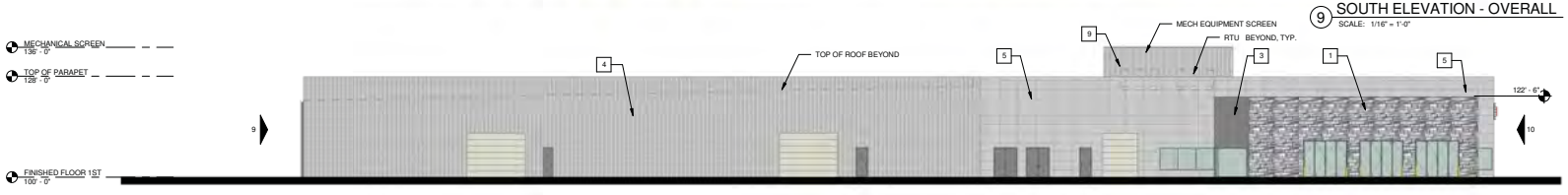


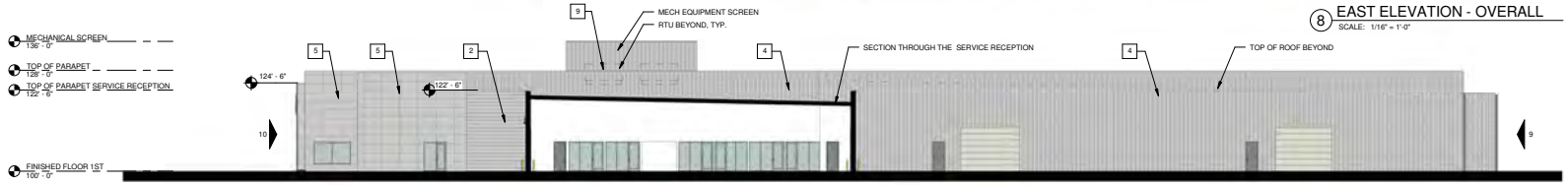
10 NORTH ELEVATION - OVERALL
SCALE: 1/16" = 1'-0"



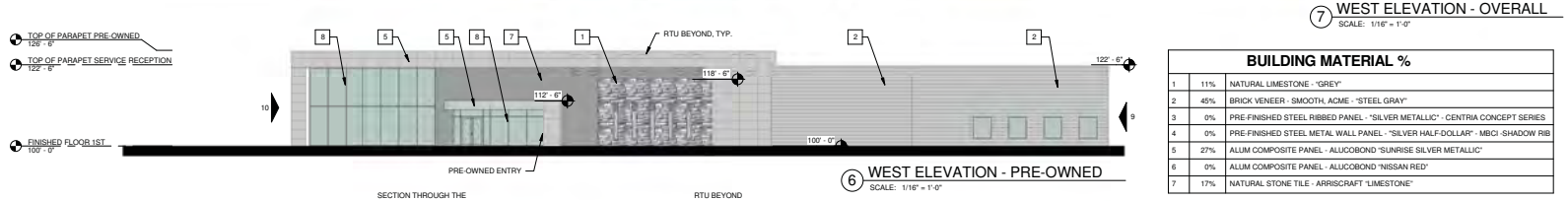
9 SOUTH ELEVATION - OVERALL
SCALE: 1/16" = 1'-0"



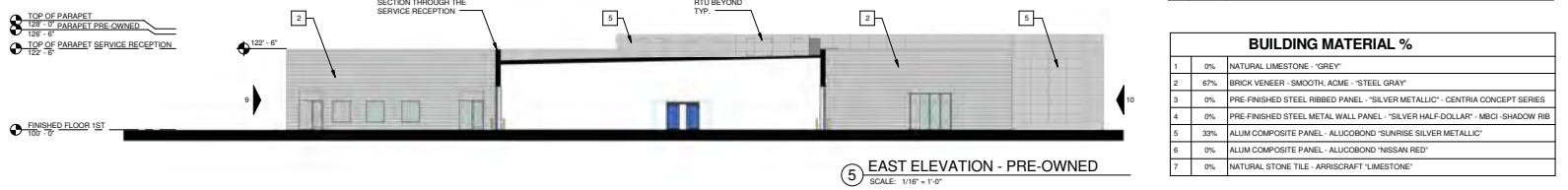
8 EAST ELEVATION - OVERALL
SCALE: 1/16" = 1'-0"



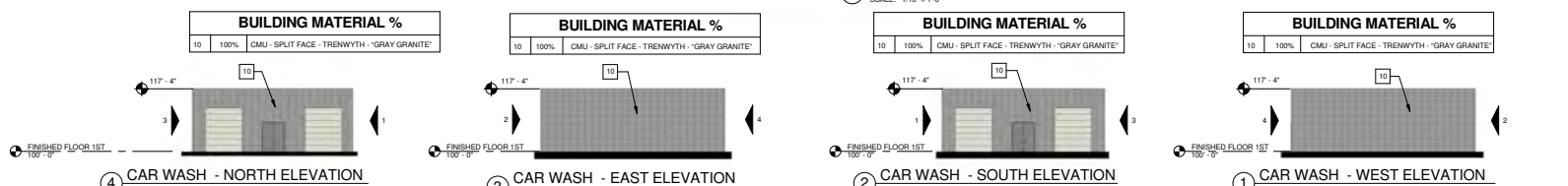
7 WEST ELEVATION - OVERALL
SCALE: 1/16" = 1'-0"



6 WEST ELEVATION - PRE-OWNED
SCALE: 1/16" = 1'-0"



5 EAST ELEVATION - PRE-OWNED
SCALE: 1/16" = 1'-0"



4 CAR WASH - NORTH ELEVATION
SCALE: 1/16" = 1'-0"

3 CAR WASH - EAST ELEVATION
SCALE: 1/16" = 1'-0"

2 CAR WASH - SOUTH ELEVATION
SCALE: 1/16" = 1'-0"

1 CAR WASH - WEST ELEVATION
SCALE: 1/16" = 1'-0"

BUILDING MATERIAL %		
1	16%	NATURAL LIMESTONE - "GREY"
2	4%	BRICK VENEER - SMOOTH, ACME - "STEEL GRAY"
3	29%	PRE-FINISHED STEEL RIBBED PANEL - "SILVER METALLIC" - CENTRIA CONCEPT SERIES
4	6%	PRE-FINISHED STEEL METAL WALL PANEL - "SILVER HALF-DOLLAR" - MBCI -SHADOW RIB
5	38%	ALUM COMPOSITE PANEL - ALUCOBOND "SUNRISE SILVER METALLIC"
6	2%	ALUM COMPOSITE PANEL - ALUCOBOND "NISSAN RED"
7	5%	NATURAL STONE TILE - ARRISCRAFT "LIMESTONE"

BUILDING MATERIAL %		
1	0%	NATURAL LIMESTONE - "GREY"
2	22%	BRICK VENEER - SMOOTH, ACME - "STEEL GRAY"
3	19%	PRE-FINISHED STEEL RIBBED PANEL - "SILVER METALLIC" - CENTRIA CONCEPT SERIES
4	56%	PRE-FINISHED STEEL METAL WALL PANEL - "SILVER HALF-DOLLAR" - MBCI -SHADOW RIB
5	3%	ALUM COMPOSITE PANEL - ALUCOBOND "SUNRISE SILVER METALLIC"
6	0%	ALUM COMPOSITE PANEL - ALUCOBOND "NISSAN RED"
7	0%	NATURAL STONE TILE - ARRISCRAFT "LIMESTONE"

BUILDING MATERIAL %		
1	13%	NATURAL LIMESTONE - "GREY"
2	0%	BRICK VENEER - SMOOTH, ACME - "STEEL GRAY"
3	1%	PRE-FINISHED STEEL RIBBED PANEL - "SILVER METALLIC" - CENTRIA CONCEPT SERIES
4	62%	PRE-FINISHED STEEL METAL WALL PANEL - "SILVER HALF-DOLLAR" - MBCI -SHADOW RIB
5	25%	ALUM COMPOSITE PANEL - ALUCOBOND "SUNRISE SILVER METALLIC"
6	0%	ALUM COMPOSITE PANEL - ALUCOBOND "NISSAN RED"
7	0%	NATURAL STONE TILE - ARRISCRAFT "LIMESTONE"

BUILDING MATERIAL %		
1	0%	NATURAL LIMESTONE - "GREY"
2	7%	BRICK VENEER - SMOOTH, ACME - "STEEL GRAY"
3	0%	PRE-FINISHED STEEL RIBBED PANEL - "SILVER METALLIC" - CENTRIA CONCEPT SERIES
4	77%	PRE-FINISHED STEEL METAL WALL PANEL - "SILVER HALF-DOLLAR" - MBCI -SHADOW RIB
5	16%	ALUM COMPOSITE PANEL - ALUCOBOND "SUNRISE SILVER METALLIC"
6	0%	ALUM COMPOSITE PANEL - ALUCOBOND "NISSAN RED"
7	0%	NATURAL STONE TILE - ARRISCRAFT "LIMESTONE"

BUILDING MATERIAL - OTHER	
8	STOREFRONT FRAMING - CLEAR ALUMINUM
9	METAL PANEL EQUIP SCREEN - PAC-CLAD "ZINC"

BUILDING MATERIAL %		
1	11%	NATURAL LIMESTONE - "GREY"
2	45%	BRICK VENEER - SMOOTH, ACME - "STEEL GRAY"
3	0%	PRE-FINISHED STEEL RIBBED PANEL - "SILVER METALLIC" - CENTRIA CONCEPT SERIES
4	0%	PRE-FINISHED STEEL METAL WALL PANEL - "SILVER HALF-DOLLAR" - MBCI -SHADOW RIB
5	27%	ALUM COMPOSITE PANEL - ALUCOBOND "SUNRISE SILVER METALLIC"
6	0%	ALUM COMPOSITE PANEL - ALUCOBOND "NISSAN RED"
7	17%	NATURAL STONE TILE - ARRISCRAFT "LIMESTONE"

BUILDING MATERIAL %		
1	0%	NATURAL LIMESTONE - "GREY"
2	67%	BRICK VENEER - SMOOTH, ACME - "STEEL GRAY"
3	0%	PRE-FINISHED STEEL RIBBED PANEL - "SILVER METALLIC" - CENTRIA CONCEPT SERIES
4	0%	PRE-FINISHED STEEL METAL WALL PANEL - "SILVER HALF-DOLLAR" - MBCI -SHADOW RIB
5	33%	ALUM COMPOSITE PANEL - ALUCOBOND "SUNRISE SILVER METALLIC"
6	0%	ALUM COMPOSITE PANEL - ALUCOBOND "NISSAN RED"
7	0%	NATURAL STONE TILE - ARRISCRAFT "LIMESTONE"

BUILDING MATERIAL %		
10	100%	CMU - SPLIT FACE - TRENWYTH - "GRAY GRANITE"

BUILDING MATERIAL %		
10	100%	CMU - SPLIT FACE - TRENWYTH - "GRAY GRANITE"

BUILDING MATERIAL %		
10	100%	CMU - SPLIT FACE - TRENWYTH - "GRAY GRANITE"

BUILDING MATERIAL %		
10	100%	CMU - SPLIT FACE - TRENWYTH - "GRAY GRANITE"

ELEVATIONS

FENTON NISSAN OF ROCKWALL

LOT 1, BLOCK A
IN THE CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
14.751 ACRES
ZONED: LI/C

SP2014-029

OWNER
Fenton Motor Group
2601 Network Blvd., Suite 202
Frisco, TX 75034
Telephone: (469) 535-2200
Contact: Brad Fenton

ARCHITECT
Boynton Williams & Associates
3010 LBJ Freeway, Suite 110
Dallas, TX 75234
Telephone: (972) 661-5461
Contact: Jeff Ball

ENGINEER/SURVEYOR
Spiars Engineering, Inc.
TBPE No. F-2121
765 Custer Road, Suite 100
Telephone: (972) 422-0077
Contact: John Spiars

LANDSCAPE
Szafranski-Pugh & Associates
42 East 116th Street
Tulsa, OK 74119
Telephone: (918) 382-0006
Contact: Jeff Pugh

SCALE: As indicated 10.31.2014 BWA JOB NO. D13049

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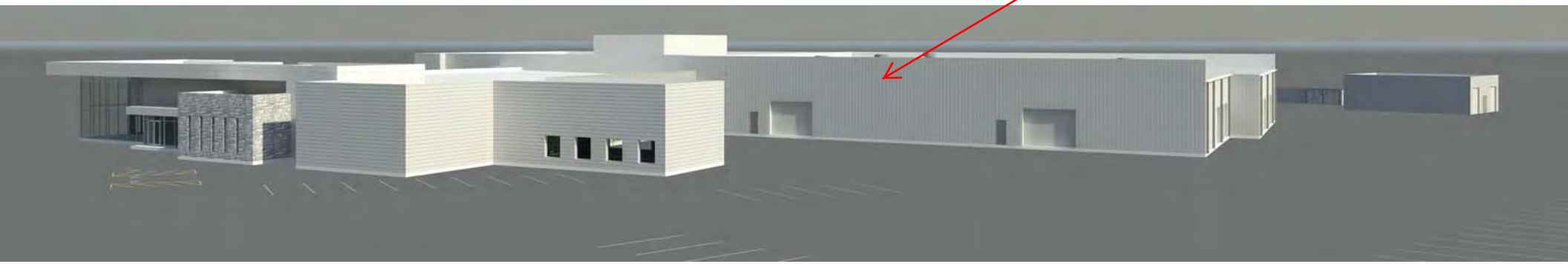
S.W. Facing Elevation



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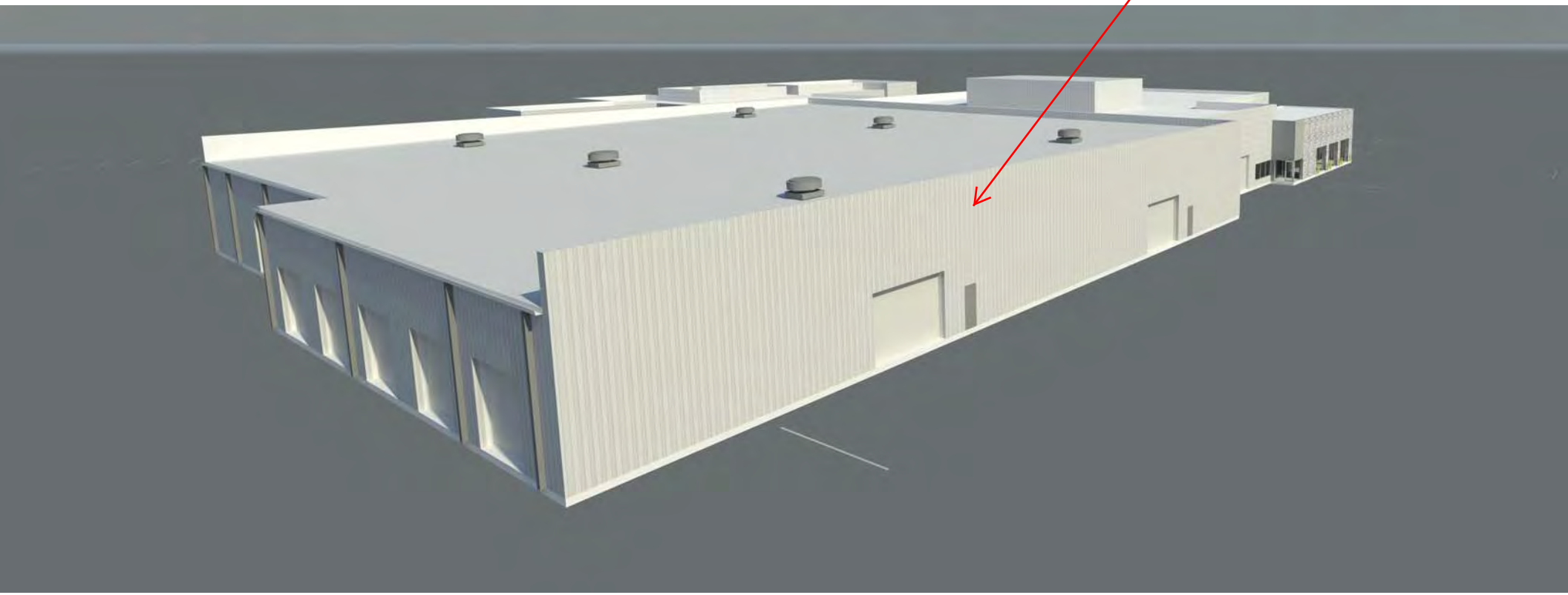

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Robert LaCroix, Director of Planning and Zoning

DATE: November 17, 2014

SUBJECT: Request to Withdraw Case Z2014-029 *(Walmart Fuel Center SUP)*

AGENDA ITEM

Hold a public hearing to discuss and consider a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a retail store with more than two (2) gasoline dispensers for a 0.743-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary.

On November 12, 2014, Steven Freeman of Kimley-Horne and Associates, Inc. advised staff via e-mail to withdraw the Specific Use Permit requested for the 6 pump fuel center. See attachment.

Gonzales, David

From:
Wednesday, November 12, 2014 7:11 AM
To: Gonzales, David
Subject: RE: Walmart - Rockwall

David,

Please withdraw the SUP request.

Thank you,

Steven Freeman, P.E.
Kimley-Horn | 12012 Wickchester Lane, Suite 500, Houston, TX 77079
Direct: 281-920-6314| Main: 281-597-9300

From: Gonzales, David [mailto:DGonzales@rockwall.com]
Sent: Tuesday, November 11, 2014 1:34 PM
To: Freeman, Steven
Subject: RE: Walmart - Rockwall

Steven,

Are you requesting to *withdraw* the SUP request for the fuel center or suspend it for a period of time? Since the SUP for the fuel center was approved by Council at the 1st reading on November 3rd, it then becomes scheduled for a 2nd reading of the ordinance at next Council meeting which is on Monday, November, 17th for final action.

Please let me know of your intentions.

Thank you,

DAVID GONZALES, AICP
SENIOR PLANNER • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6488 OFFICE
DGONZALES@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
CITY OF ROCKWALL INTERACTIVE MAPS

From:
Sent: Tuesday, November 11, 2014 10:36 AM
To: Gonzales, David
Subject: RE: Walmart - Rockwall

David,

Please allow this email to serve as our request to suspend the SUP request for the 6 pump fuel station. I received the letter that the SUP request on the store size is now a closed request, but I wanted to confirm the SUP for fuel does not carry forward to the Council meeting agenda on 11/17. Can you please confirm?

Thank you,

Steven Freeman, P.E.
Kimley-Horn | 12012 Wickchester Lane, Suite 500, Houston, TX 77079
Direct: 281-920-6314| Main: 281-597-9300

From: Gonzales, David [mailto:DGonzales@rockwall.com]
Sent: Monday, November 03, 2014 1:43 PM
To: Freeman, Steven
Subject: Walmart - Rockwall

Steven,

Here are 3 notices that we have received today for your records. Two are actual notices "For" and one is an e-mail from the Lofland Farms Community.

Thank you,

DAVID GONZALES, AICP
SENIOR PLANNER • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6488 OFFICE
DGONZALES@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
CITY OF ROCKWALL INTERACTIVE MAPS

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Other than the intended recipient, any confidential information contained in this email is prohibited from disclosure or use.

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Other than the intended recipient, any confidential information contained in this email is prohibited from disclosure or use.

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CITY OF ROCKWALL

ORDINANCE NO. 14-49

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 63 (PD-63) [*ORDINANCE NO. 05-51*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY SUPERSEDING *ORDINANCE NO. 05-51* FOR THE PURPOSE OF MODIFYING THE CONCEPT PLAN, OPEN SPACE PLAN AND DEVELOPMENT STANDARDS FOR THE SUBJECT PROPERTY, BEING A 139.354-ACRE TRACT OF LAND IDENTIFIED AS TRACTS 1 & 7 OF THE A. JOHNSON SURVEY, ABSTRACT NO. 123, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for an amendment to the Planned Development District 63 (PD-63) [*Ordinance No. 05-51*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall for the purpose of amending the Planned Development Concept Plan, Open Space Plan and Development Standards previously approved on October 3, 2005, for a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 63 [*Ordinance No. 05-51*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 05-51*;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 3. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described within this ordinance, and unless specifically modified within this ordinance the *Subject Property* shall adhere to all development standards stipulated by the Single Family 10

(SF-10) District as specified in Section 3.4, *Single-Family Residential (SF-10) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future;

SECTION 4. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 5. That development of open space on the *Subject Property* shall generally be in accordance with the *Open Space Plan*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which along with the recommendations of the *Parks Board* are deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*.

SECTION 6. That development of roadways on the *Subject Property* shall generally be in accordance with the *Roadway Diagram*, described in *Exhibit 'D'*, and the *Street Cross Sections*, described in *Exhibit 'E'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibits 'D' & 'E'*, which are deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 7. That development of the *Subject Property* shall generally be in accordance with the *Conceptual Lot Type Plan*, described in *Exhibit 'F'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'F'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 8. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'G'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'G'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 9. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(1) *Open Space Plan*. The City Council shall act on the *Parks Board's* recommendation concerning the *Open Space Plan* in accordance with the time-period specified in *Section 212.009* of the *Texas Local Government Code*.
(2) *Master Plat.* A *Master Plat Application* covering all of the *Subject Property* shall be submitted and shall identify each phase of the development. The *Master Plat Application* shall not be approved until the *Open Space Master Plan* for all of the *Subject Property* has been approved; however, the *Open Space Master Plan* may be processed by the *City* concurrently with the *Master Plat Application*.
(3) *PD Site Plan*. A *PD Site Plan* covering all of the *Subject Property* shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application, including a site plan application for improvements for parkland and/or trails, may be processed by the *City* concurrently with a *Preliminary Plat Application* for the development.
(4) *Preliminary Plat(s).* A *Preliminary Plat Application* covering all of the *Subject Property* or for each phase (conforming to the approved *Master Plat*) shall be submitted for approval. A *Preliminary Plat* application, including a site plan application for improvements for parkland and/or trails, may be processed by the

City concurrently with a *PD* Site Plan application for all of the *Subject Property* or for any phase of the development.

(5) *Final Plat(s).* Prior to the issuance of any building permits, a *Final Plat* for all of the *Subject Property* or for each phase (conforming to the approved *Preliminary Plat*) shall be submitted for approval.

SECTION 10. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 11. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 12. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 13. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 17TH DAY OF NOVEMBER, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 11/03/2014

2nd Reading: 11/17/2014

Exhibit 'A':
Legal Description

Situated in the County of Rockwall, State of Texas, being a part of the Abner Johnson Survey, Abstract No. 123 and being that tract of land conveyed to EN MARK PARENT CORPORATION and recorded in Volume 1430, Page 139, Deed Records, Rockwall County, Texas and being described by metes and bounds as follow:

Beginning at a ½" steel rod found at the northwest corner of Lot 7, Lofland Lakes Estates an addition to the County of Rockwall as recorded in Cabinet C, Page 231, Plat Record, Rockwall County, Texas;

Thence South 01º05'27" East with the west line of said Lofland Estates, a distance of 1084.84 feet to a found ½" steel rod at the southwest corner of Lot 4 of said addition;

Thence North 85º04'19" East with the south line of said Lot 4, a distance of 218.65 feet to a set ½" steel rod at the northwest corner of Lot 3 of said addition;

Thence South 00º39'24" East with the west line of said Lot 3, a distance of 199.86 feet to a found ½" steel rod at the southwest corner of said Lot 3, said rod also being in the north line of Lot 2 of said addition;

Thence South 84º51'15" West with the north line of said lot 2, a distance of 125.70 feet to a found ½" steel rod at the northwest corner of said Lot 2;

Thence South 00º52'08" East with the west line of said addition, a distance of 649.96 feet to a found ½" steel rod at the southwest corner of said addition;

Thence North 84º29'59" East with the south line of said addition, a distance of 93.68 feet to a point in a pond, said point also being the northwest corner of Lot 1, Lofland Lakes Estates No. 2, an addition to the County of Rockwall as recorded in Cabinet C, Page 251, Plat Record, Rockwall County, Texas;

Thence with the westerly line of said addition the following calls and distances:
South 00º53'53" East, a distance of 330.45 feet to a point,
North 85º06'54" East, a distance of 100.25 feet to a point,
South 00º41'12" West, a distance of 537.41 feet to a point, the southwest corner of said addition, said point also being the most northerly corner of Lot 1, Block A, Edwards Acres Subdivision, an addition to the City of Rockwall as recorded in Cabinet F, Page 86, Plat Record, Rockwall County, Texas;

Thence South 27º41'50" West with the westerly line of said Lot 1, a distance of 259.68 feet to found ½" steel rod;

Thence South 68º34'07" West with said westerly line, a distance of 467.37 to a found ½" steel rod;

Thence South 01º37'49" East with said westerly line, a distance of 265.80 feet to a set ½" steel rod in the north line of F. M. Road 549, a 80 foot right-of way;

Thence South 88º45'27" West with said north line, a distance of 1321.87 feet to a ½" steel rod set in the east line of State Highway No. 205, a 100 foot right-of-way;

Thence with said east line and a curve to the right having a radius of 5005.59 feet (chord bears

North 44º05'07" West, 122.20 feet) and arc length of 122.20 feet to a set ½" steel rod;

Thence North 00º50'31" West with the east line of that tract of land conveyed to N. L. Lofland and Annie Lofland and recorded in Volume 28, Page 487, Deed Records, Rockwall County, Texas, a distance of 1062.55 feet to a found ½" steel rod;

Thence North 00º46'55" West, a distance of 872.23 to a fence corner at the northeast corner of said Lofland Tract;

Thence North 85º28'38" West, a distance of 10.57 to a found ½" steel rod;

Thence North 00º08'29" East with the west line of said EN MARK PARENT CORPORATION tract, a distance of 1402.01 feet to a ½" steel rod set at the base of fence post;

Thence North 88º23'25" East with the north line of said EN MARK PARENT CORPORATION tract, a distance of 1672.69 feet to the Point-of-Beginning and Containing 139.308 acres of land.

Exhibit 'B':
Concept Plan



Exhibit 'C':
Open Space Plan



Exhibit 'D':
Roadway Diagram

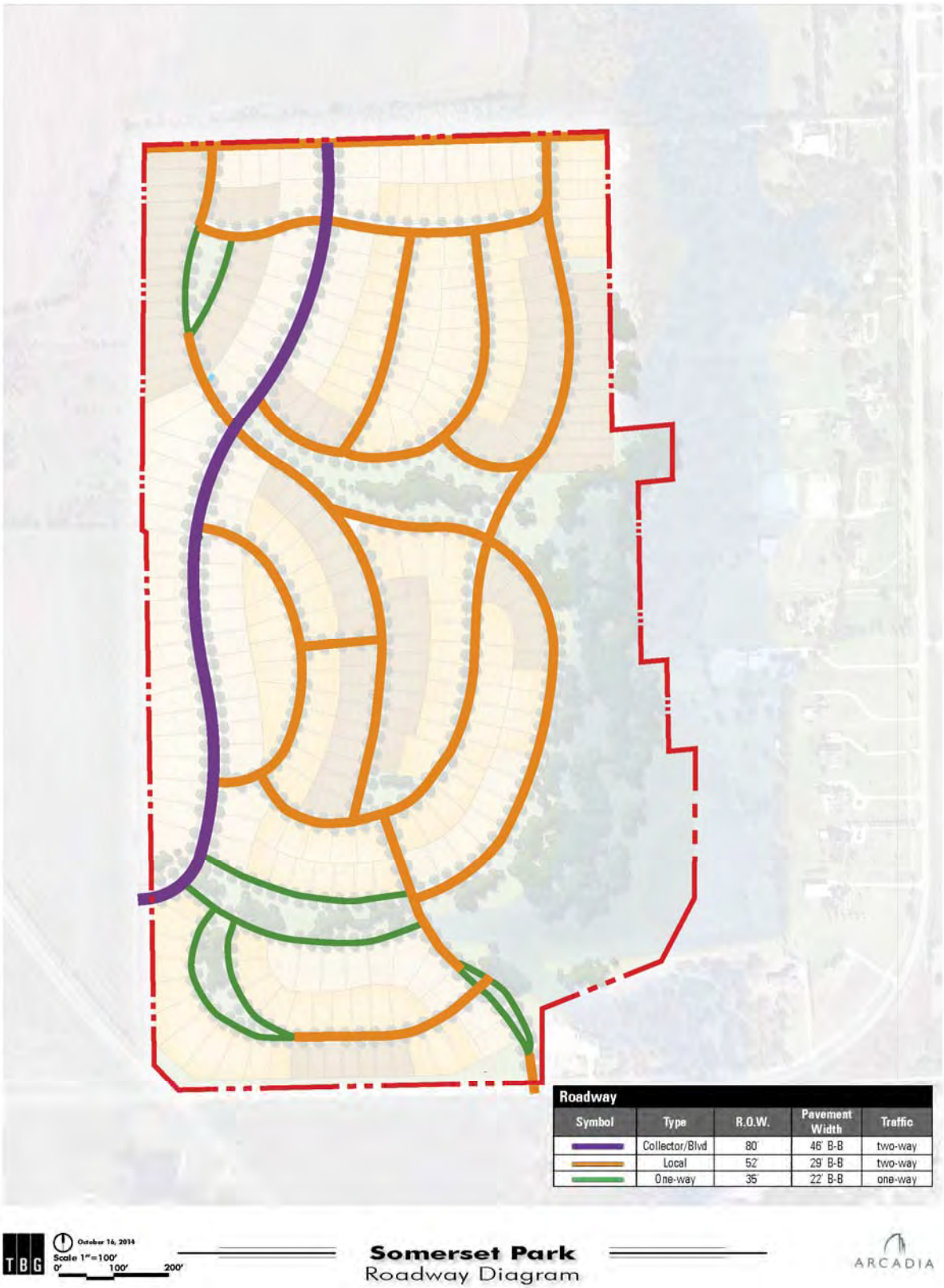
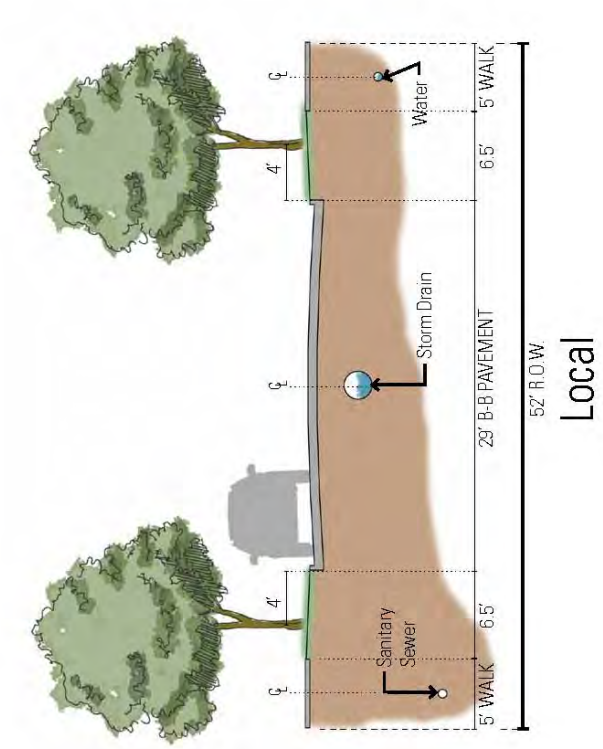
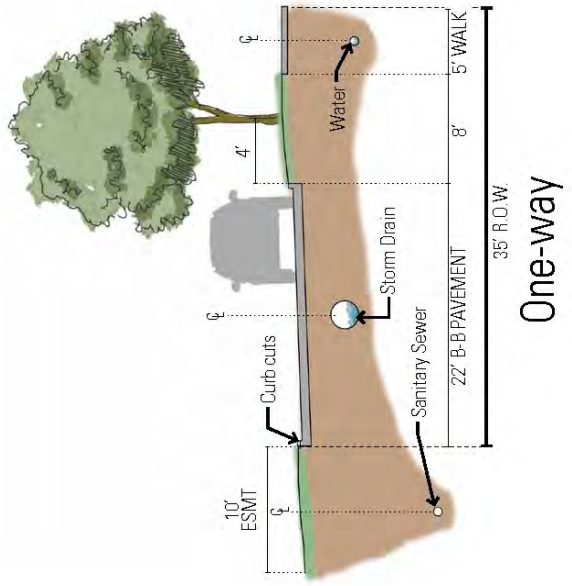


Exhibit 'E':
Street Cross Sections





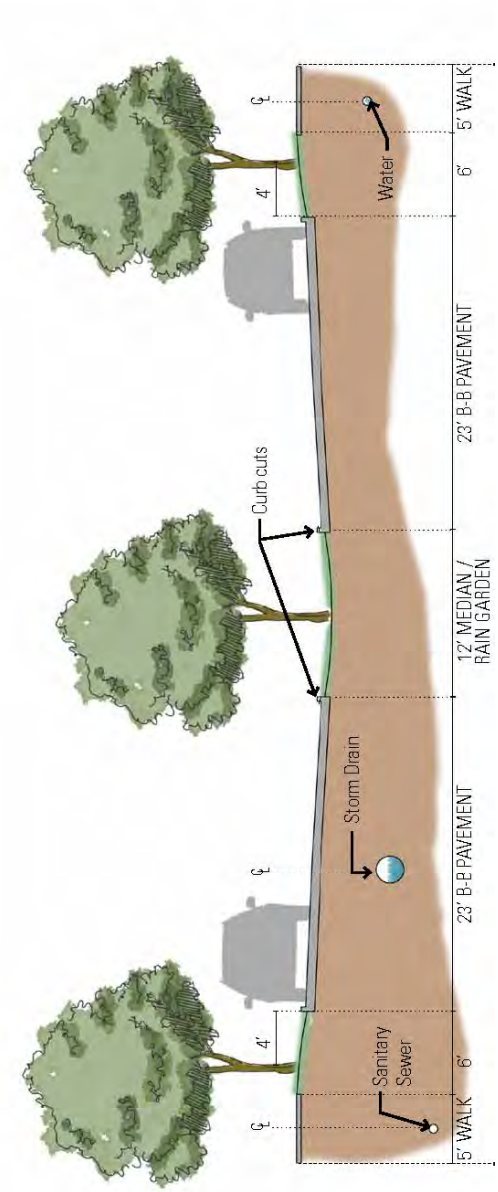


Exhibit 'F':
Conceptual Lot Type Plan



SOMERSET PARK / **CONCEPTUAL LOT TYPE PLAN**

TBG Rockwall, TX Arcadia Realty 03 October 2014

The information shown is based on the best information available and is subject to change without notice.

Development Standards.

1. *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.

2. *Lot Composition and Layout.* The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* and stated in *Table 1* below. Allowances for changes to the quantity and locations of each lot type are permitted in conformance with the requirements listed below; however, in no case shall the proposed development exceed 309 units.

Table 1: Lot Composition

Lot Type	*Minimum Lot Size (FT)*	*Minimum Lot Size (SF)*	*Dwelling Units (#)*	*Dwelling Units (%)*
A	60' x 120'	7,200 SF	93	30.10%
B	70' x 120'	8,400 SF	135	43.70%
C	80' x 130'	10,400 SF	81	26.20%
		Maximum Permitted Units:	*309*	*100.00%*

The allocation of single-family dwellings among lot types may deviate from *Table 1* provided that the proposed lot composition meets the following criteria:

(1) The total number of lots does not exceed 309 units; and,
(2) The average lot size for the development is not less than 8,400 SF; and,
(3) Lot type *'C'* shall not decrease below 18.80% or 75 lots.

3. *Density and Dimensional Requirements.* The maximum permissible density for the *Subject Property* shall not exceed 2.22 dwelling units per gross acre of land; however, in no case should the proposed development exceed 309 units. All lots shall conform to the standards depicted in *Table 2* below and generally conform to *Exhibit 'F'* of this ordinance.

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ►	***A***	***B***	***C***
Minimum Lot Width [1]	60'	70'	80'
Minimum Lot Depth	120'	120'	130'
Minimum Lot Area	7,200 SF	8,400 SF	10,400 SF
Minimum Front Yard Setback [2] & [5]	20'	20'	20'
Minimum Side Yard Setback	5'	5'	5'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'	10'	10'
Minimum Length of Driveway Pavement	25'	25'	25'
Maximum Height [3]	30'	30'	30'
Minimum Rear Yard Setback [4]	20'	20'	20'
Minimum Area/Dwelling Unit (SF)	2,200 SF	2,700 SF	3,200 SF
Maximum Lot Coverage	65%	65%	65%
Permitted Encroachment into Required Setbacks [5]	Allowed	Allowed	Allowed

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.
[2]: The location of the *Front Yard Building Setback* as measured from the front property line.
[3]: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single family home.
[4]: As measured from the rear yard property line.
[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property;

however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks (Adjacent to a Street)* and shall not encroach into public right-of-way [a *Sunroom* is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces] (*see Exhibit 'F'*).

4. *Building Standards.* All development shall adhere to the following building standards:

   (a) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance the masonry requirement shall be limited to full width brick, natural stone, cast stone, and cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) or a decorative pattern (*see examples below*). Stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only.

Examples of Cementaceous Fiberboard





   (b) *Roof Pitch.* A minimum of an *8:12* roof pitch is required on all structures with the exception of sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

   (c) *Garage Orientation.* Garages maybe oriented toward the street in a front entry configuration; however, the front façade of the garage must be situated a minimum of five (5) feet behind the front building façade of the primary structure. In this case the front façade of the primary structure does not include a permitted encroachment (*e.g. a porch, sunroom, etcetera*) allowed in *Table 2* above. All garage configurations that are not front entry shall meet the requirements of Article VI, *Parking and Loading*, of the Unified Development Code.

5. *Anti-Monotony Restrictions.* The development shall adhere to the *Anti-Monotony Matrix* depicted in *Table 3* below (*for spacing requirements see the illustration below*).

Table 3 : Anti-Monotony Matrix

Lot Type	*Minimum Lot Size*	*Elevation Features*
A	60' x 120'	(1), (2), (3), (4)
B	70' x 120'	(1), (2), (3), (4)
C	80' x 130'	(1), (2), (3), (4)

   (1) Identical brick blends or paint colors may not occur on adjacent (side-by-side) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.

(2) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on FM-549 shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

(a) Number of Stories
(b) Permitted Encroachment Type and Layout
(c) Roof Type and Layout
(d) Articulation of the Front Façade

(3) Permitted encroachments (*i.e. porch and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.

(4) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

Illustration 1: Properties line up on the opposite side of the street. Where RED is the subject property.

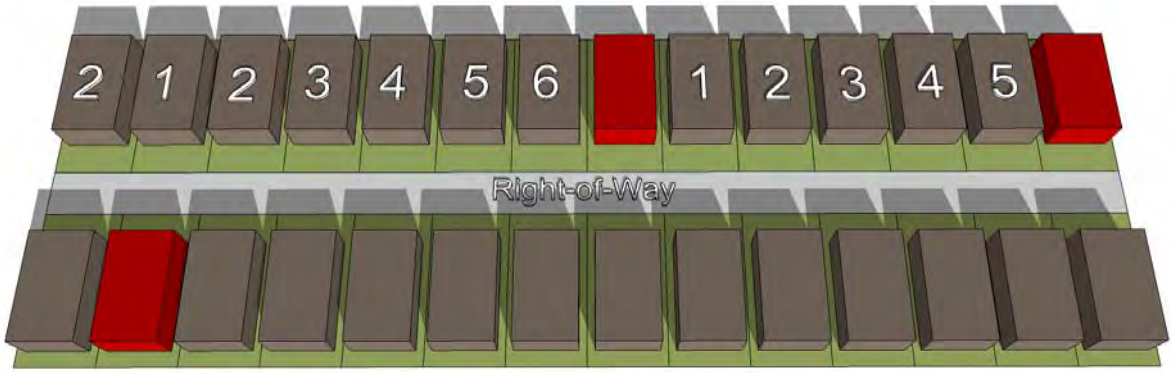
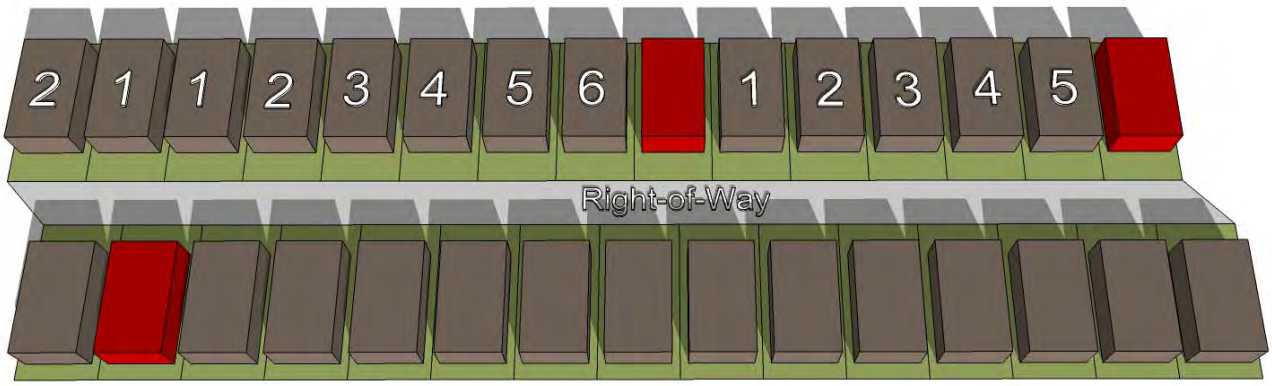


Illustration 2: Properties do not line up on opposite side of the street. Where RED is the subject property.



6. *Fencing Standards.* All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:

   (a) Front Yard. Front yards may utilize a non-opaque fence, provided the fence is 40-inches in height and located a minimum of 1½-feet (18-inches) behind the sidewalk. Fence posts and gateways may have a maximum height of 44 inches. The area between the fence and sidewalk and the 1½-foot area behind the fence shall be landscaped. The property owner shall be responsible for maintaining the portion of the property situated between the fence and the sidewalk.

   (b) Corner Lots. Corner lots shall utilize a wood fence that extends no further forward than the back (rear) corner of the house. The fence shall be a maximum of six (6) feet tall with the top two (2) feet of the fence being transparent or open and the bottom four (4) feet solid. The fence shall be located a minimum of five (5) feet from the sidewalk's edge. If the fence extends toward the front of the home on a corner lot, such fencing will be non-opaque wood, 40-inches in height and wrap to the front of the lot. Such fencing shall follow all front yard fence standards. The property owner shall be responsible for maintaining the portion of the property situated between the fence and the sidewalk.

   (c) Rear Yard Fences. Rear yard fences shall not extend forward, towards the front of the house, beyond the back (rear) corner of the house.

   (d) Wood Fences. All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the "public side" facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of six (6) feet in height.

   (e) Wrought Iron/Tubular Steel. Lots located along the perimeter of roadways, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.

   (f) Solid Fences (including Wood Fences). All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

7. *Landscape and Hardscape Standards.*

   (1) *Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. The following tree species are approved for planting within this subdivision:

      (a) Canopy/Shade Trees. Bald Cyprus, Cedar Elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Alle Elm, Chinese Pistachio, Shumard Oak, Sycamore, and Burr Oak.

      (b) Accent/Ornamental/Under-Story Trees. Texas Redbud, Eve's Necklace, Mexican Plum, Downy Hawthorn, Crepe Myrtle, Texas Mountain Laurel, Vitex, and Desert Willow.

(2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

(a) Landscape Buffer and Sidewalks (FM-549). A minimum of a 20-foot landscape buffer shall be provided along the frontage of FM-549 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least one canopy tree shall be planted per 50-feet of linear frontage. A minimum of a five (5) foot sidewalk shall be required along FM-549.

(b) Landscape Buffer (SH-205). A minimum of a 20-foot landscape buffer shall be provided along the frontage of SH-205 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least one canopy tree shall be planted per 50-feet of linear frontage. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage.

(3) *Irrigation Requirements*. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association.

(4) *Street Trees.* Street trees shall generally be planted in conformance with *Exhibits 'B' & 'E'* of this ordinance. The Home Owner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of a 14-foot vertical clearance height for all trees. All street trees shall be planted a minimum of five (5) feet from all water, sanitary sewer and storm lines.

(5) *Hardscape.* Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the PD Site Plan.

8. *Street.* All streets shall generally conform to the roadway diagram contained in *Exhibit 'D'* and the roadway cross sections contained within *Exhibit 'E'*. Streets bordering open space areas will be designed with curbs adjacent to residential lots and with no curbs or curb cuts adjacent to the open space areas. These streets will be designed with split gutter grades to allow drainage to sheet flow across the pavement into the open space area. The locations for these roads are identified on the *Conceptual Drainage Plan* to be provided with the PD Site Plan.

9. *Lighting.* Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

10. *Sidewalks.* At a maximum, all sidewalks adjacent to a street shall begin two (2) feet behind the right-of-way line and be five (5) feet in overall width.

11. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the Subject Property, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (3-phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

12. *Open Space.* The development shall consist of a minimum of *20.00%* open space (*or 27.9-acres*), and generally conform to the *Open Space Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas shall be maintained by the Homeowner's Association (HOA).

13. *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.

14. *Drainage Standards.* The development shall comply with existing drainage standards including the permissible spread of water in the streets and permissible gutter flow through intersections as outlined in the City of Rockwall's *Standards of Design and Construction* (*approved in August 2003 and updated in October 2007*). The proposed drainage areas, flow patterns, and storm drain system that will be constructed shall be based on the City's drainage criteria and be identified on a *Conceptual Drainage Plan*, which shall be submitted with the *Preliminary Plat*. The *Conceptual Drainage Plan* shall be reviewed and approved by the Engineering Department in compliance with engineering standards.

15. *Grading Standards*. *Lot-to-Lot* drainage shall be allowed provided drainage passes through only one (1) additional lot prior to collection in a drainage system, public right-of-way, drainage easement, or open space area. Proposed lot grading and flow patterns shall be identified on the *Conceptual Drainage Plan*, which shall be submitted with the *Preliminary Plat*.

    Lots may be graded to drain from the backyard of one (1) lot through the back or side yard of an adjacent lot. The lower elevation lot shall be constructed with back and side yard swales to capture upstream lot drainage and direct drainage around the home. Fences between homes with *Lot-to-Lot* drainage shall be constructed with a maximum two (2) inches of clearance above natural ground. The Home Owners Association (HOA) shall be responsible for resolving any *Lot-to-Lot* drainage issues.

16. *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of Section 38-15 of the Subdivision Regulations contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, screening fences associated with this development.

17. *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Robert LaCroix

DATE: November 17, 2014

SUBJECT: Special Request within the SRO District

The property located at 808 Sam Houston Street is zoned Single Family Residential (SF-7) and is located within the Southside Residential Neighborhood Overlay (SRO) District. Mr. Michael Clark is requesting consideration to allow for a fourplex residential dwelling unit on this property. The SRO District allows the city council to consider "special requests in furtherance of neighborhood preservation and enhancement…includ(ing), but not limited to, neighborhood signage plans, use of building materials not otherwise allowed, (and) authorization of specific land uses not otherwise allowed…" The SRO District requirements further state that "(u)pon receipt of such special requests, the city council shall review same and forward its recommendation to the planning and zoning commission for consideration. Upon recommendations from the planning and zoning commission, the city council may approve requests by amendment of the ordinance designating the neighborhood district. Any such amendment shall preempt any other underlying zoning restrictions in this Unified Development Code. Such special requests may be denied by the city council by passage of a motion to deny."

Due to the nature of the request, staff suggests a process that would allow for public participation; however, staff seeks the City Council's direction on the specific process and type of notification necessary should Council determine the request has merit.

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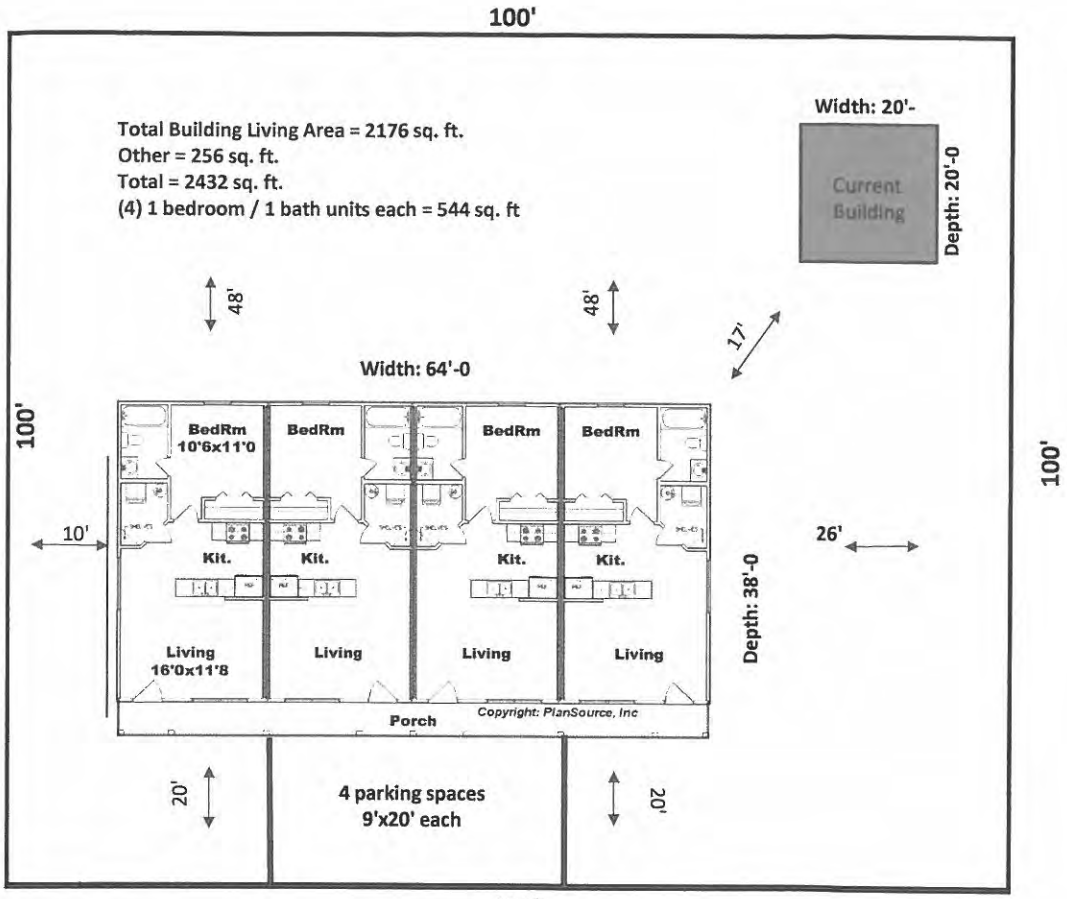
OWNER:	MICHAEL D. CLARK 8305 CONCORD ROWLETT, TX 75089	DATE: OCTOBER 30, 2014
TO:	ROCKWALL PLANNING AND ZONING	
PROJECT:	MULTI FAMILY 4-PLEX AT 808 SAM HOUSTON STREET, ROCKWALL, TX 75087	
RE:	**REQUEST TO BUILD MULTI FAMILY 4-PLEX**	

My request is to build a 64'x38' four plex home on 100 x100 lot at 808 Sam Houston Street.

I am requesting a special concession on the material. I would like to use 100% for the 12'x8 ¼' Hardie Lap siding for the entire house.

If you have any questions, please feel free to contact me at 214-694-0822

Proposed Site Map for 808 Sam Houston





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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **November 14, 2014**

SUBJECT: **Water and Wastewater Rate Increase**

The City's comprehensive water and wastewater rate update has been completed. North Texas Municipal Water District (NTMWD) provided member city rate estimates for treated water and the consultant used those to make longer-term projections for the City's rate structures through 2020.

NTMWD proves treated water and operates wastewater treatment facilities for the City's benefit. The City issues long-term debt to finance capital improvement projects needed to accommodate growth. The combined impact of payments to NTMWD and to bondholders is that 77% of our budget goes to those two categories. The remaining 23% pays for maintenance of water and sewer mains, meter reading, billing, collection, maintenance of water towers, more than 40 lift stations and a variety of equipment.

The NTMWD rate effective October 1st reflected an increase of 10.0% from the prior year's rate. In addition to the increase, mandatory conservation measures and our resident's overwhelming response have had a dramatic effect on revenues and depletion of the water and wastewater reserves. The City cannot absorb the NTMWD rate increase without increasing rates and has no remaining reserves to soften a proposed increase. The completion of the pipeline to Texoma to combat the Zebra Mussel problem, new raw water supplies, and treatment capabilities will require significant rate increases in the NTMWD member rates over the coming years. Bond covenants require we maintain revenue debt coverage factors and our financial policy calls for a minimum of 60 days of working capital, which is the utility's equivalent of fund balance. Rate increases as proposed in the study will allow the city to meet the bond covenants and preserve a reasonable reserve level.

NTMWD Rate Increases (Actual and District Projected)

	Rate per 1,000	% increase		Rate per 1,000	% increase
2014	1.87		2020	3.22	7.33%
2015	2.06	10.16%	2021	3.39	5.28%
2016	2.29	11.17%	2022	3.50	3.24%
2017	2.52	10.04%	2023	3.58	2.29%
2018	2.76	9.52%	2024	3.63	1.40%
2019	3.00	8.70%	2025	3.67	1.10%

RCH Water Supply Corporation and Blackland Water Supply Corporation purchase wholesale water under long-term contracts with us. Both contracts call for rates to be determined by a cost of service study rather than be tied to our residential increases. This study was updated as well. The proposed rate for Blackland and RCH is proposed to be $3.57 per thousand gallons. The study includes increasing rates for the next five years of those agreements if they are in place. The City of Heath contract is currently being renegotiated. The current agreement provides for a rate, which is 10cents higher than the member city rate. Staff is negotiating a longer-term contract with Heath at this time that will allow for more favorable rates (for Rockwall) in the coming years.

The proposed residential rates include an $8.00 increase to the water base rate and no change in the volumetric rate for water. Base and volumetric sewer rates are proposed to increase by 14.5%

Bob McLain of McLain Decision Support Systems will be at Monday's Council meeting to present the study findings and answer any questions. The accompanying rate resolution was prepared with the proposed rates. These rates, if approved by Council, would be effective for consumption beginning December 1, 2014. The new rates would begin to appear on bills in January. Based on average consumption, residents would see their bills increase by approximately $12 when not irrigating and $16 when irrigating.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS FIXING THE RATE TO BE CHARGED FOR WATER AND WASTEWATER SERVICES FURNISHED BY THE CITY

WHEREAS, Chapter 44, Article III, Section 44-74, of the City of Rockwall Code of Ordinances provides that rates and charges for water and wastewater services and the procedures relative to the collection thereof shall from time to time be set by resolution of the City Council, and

WHEREAS, the City Council finds that due to increasing costs it is necessary to increase the rates charged for water and wastewater services,

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Rockwall, Texas:

SECTION 1. The following monthly rates are hereby established and shall be collected for water and wastewater services billed by the City:

		Meter size		Water Rates		Wastewater Rates
Monthly Minimum Bills:						
Residential:		0.75	$	20.16	$	15.29
		1.00		23.59		17.88
		1.50		27.41		20.78
		2.00		34.57		26.21
Non-residential:		0.75	$	21.35	$	15.29
		1.00		23.59		17.88
		1.50		27.41		20.78
		2.00		34.57		26.21
		3.00		49.00		33.75
		4.00		63.35		43.67
		6.00		77.70		53.56
Irrigation Meters:		0.75	$	21.35	$	N/A
		1.00		23.59		N/A
		1.50		27.41		N/A
		2.00		34.57		N/A
		3.00		49.00		N/A
		4.00		63.35		N/A
		6.00		77.70		N/A
Rate per TH Gallons - Water:	Residential 2,001-12,000 gallons		$	3.07	$	N/A
	Residential over 12,000 gallons			5.37		N/A
	Irrigation over 2,000 gallons			5.37		N/A
	Non-residential over 2,000 gallons			4.61		N/A
	Wholesale Contract Rate			3.57		N/A
Rate per TH Gallons - Wastewater:				N/A		2.66

SECTION 2. Calculation of monthly volume charge for wastewater. The monthly volume charge for residential customers for wastewater service shall be calculated each year based on the average monthly water usage during the previous winter months, consisting of December, January, and February. Where no previous winter average is available, the Director of Finance shall estimate a volume to be used for this monthly charge. The monthly volume charge will be recalculated in March of each year.

SECTION 3. An initial deposit shall be required of all customers requesting utility service. Letters of good credit will not be accepted in lieu of a deposit.

Residential Meter Deposit	seventy five dollars ($75.00) per meter
Commercial Meter Deposit	one hundred dollars ($100.00) per meter
Irrigation Meter Deposit	one hundred dollars ($100.00) per meter

SECTION 4. The residential meter deposit shall be refunded to the customer's account after a 36 month period of prompt payments. The customer's account history shall not reflect any late payments, disconnection of service or non-sufficient funds items received by the City, during this period. The 36 month period shall be calculated on a rolling calendar basis.

SECTION 5. Service is subject to disconnection if any amount of a bill is delinquent after the due date of the following month's bill. In addition to payment of the total amount of the bill for which service has been disconnected, a reconnection fee of twenty-five dollars ($25.00) shall be charged to reestablish service. If a customer is disconnected for non-payment or payment by non-sufficient funds, a deposit shall be assessed prior to reconnection of services, if a deposit is not currently on file. If reconnection is requested after normal business hours, an additional after hours service charge of forty dollars ($40.00) shall also be charged. If a technician has been dispatched, all of the above charges shall be due regardless of whether or not service has actually been terminated.

SECTION 6. Builders requiring water service during construction shall be required to place a service deposit of twenty- five dollars ($25.00) per residential construction site, and thirty-five dollars ($35.00) per commercial construction site.

SECTION 7. In the event of receipt of any payment, which is later deemed to be uncollectible by the City's depository, the customer shall be charged an administrative fee of twenty-five dollars ($25.00) per occurrence.

SECTION 8. These rates and charges shall become effective for consumption after December 1, 2014.

PASSED AND APPROVED, THIS _____ day of _____, 2014.

APPROVED:

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

DATE: **November 12, 2014**

SUBJECT: **Art Review Team (ART) Commission appointments (5)**

During the 11/17 Consent Agenda, the council will have taken action on final adoption (2nd reading) of an ordinance making changes to the previously established composition of the city's Art Review Team (ART Commission). The updated provisions regarding its composition are as follows:

(a) (1) The art review team (ART) commission shall consist of five members, who shall all be "interested citizens" appointed by the city council. All team members should possess knowledge of or have an interest in contemporary, visual art, artistic principles and art media.

- *a. The art review team (ART) commission shall consist of **five regular members appointed by a majority of the city council**. A staff liaison will be appointed by the city manager.*
- *b. In the case of a vacancy of the commission, the city council, by a majority vote, may appoint a replacement member to the commission. Any person appointed shall serve until the expiration of the term of office of the vacated position.*
- *c. Each member of the commission shall be a resident citizen and qualified voter of the city.*
- *d. Upon the initial appointment of the commission by the city council, members shall draw lots for three two-year terms and two one-year terms of service. Thereafter, the term of office of members of the commission shall be for two years. Members may be removed, as determined by the city council.*
- *e. Members shall serve without compensation.*

The two city council members who are assigned to oversee review of applicants and make recommendations to the full council concerning appointments are Councilmember Milder and Mayor Sweet.

Boards & Commissions Appointments

2 year appointments to end of August 2016 unless otherwise noted

(Updated for 11/17/14 City Council Meeting)

ARCHITECTURAL REVIEW BOARD (ARB) - Milder (advisory board)

(1) Need to replace

- *Michael Johnston (currently serving as "commercial property owner")*
- *Mike Mershawn (attendance - has missed several mtgs.) (currently serving as "architect") (new member would serve partial term until Aug. 2015)*

MAIN STREET ADVISORY BOARD - Sweet (advisory board)

(1) Need to replace (terms are Jan. appts.)

- *SuLaine Callaway (resigned) (new board member's term would be through Jan. 2016)*
- *Sandra Whitley (will term out in Jan. – 6 year policy) (new board member's term would be through Jan. 2017)*
- *Barb Coleson (will term out in Jan. – 6 year policy) (new board member's term would be through Jan. 2017)*

(2) Eligible to be reappointed (in January)

- *Sarah Freed (new board member term would be through Jan. 2017)*

BOARD OF ADJUSTMENTS (BOA) - Full Council (regulatory board)

(1) Need to replace

- *Jennifer Willis (termed out - 6 year policy)*

BUILDING & STANDARDS COMMISSION - Full Council (regulatory board)

(1) Need to replace

- *David Marlett (termed out - 6 year policy)*
- *Bridgett Hoofnagle (termed out - 6 year policy)*
- *Mike Jusko (termed out - 6 year policy)*

ROCKWALL ECONOMIC DEVELOPMENT CORP. (REDC) – Full Council (regulatory board)

(1) Need to replace – *(all are termed out) (new board member terms would be thru Dec.2017)*

- John Hohenshelt
- Bill Houser
- Gary Bunch

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Z2014-027 - Consider approval of an ordinance for a City initiated zoning request for a text amendment to Article II, Authority and Administrative Procedures, Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of modifying various sections of the code, and take any action necessary. (2nd Reading)

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P2014-039 - Consider a request by Juan J. Vasquez, PE of Vasquez Engineering, LLC on behalf of James R. Thompson of Cavender Investment Properties E, LTD for the approval of a final plat for Lot 1, Block 1, Cavender's Addition being a 3.27-acre tract of land identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of the E. IH-30 Frontage Road west of Corporate Crossing [FM-549], and take any action necessary.

Staff Report 33

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P2014-040 - Consider a request by Cliff Lewis of Scott Lewis Custom Homes on behalf of Todd Winters, PE of Engineering Concepts and Design for the approval of a replat for Lot 8, Block 1, Horizon Ridge Addition being a 1.238-acre parcel of land currently identified as Lot 6, Block 1, Horizon Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located north of the intersection of Ralph Hall Parkway and Horizon Road [FM-3097], and take any action necessary.

Staff Report 38

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Consider authorizing City Manager to enter into a contract with Cambridge Fence for the installation of new fence at Tuttle Athletic Complex in the amount of $39,000 to be funded out of the Recreational Development Fund, and take any action necessary.

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Z2014-033 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Amy and Mark Stehr for the approval of an amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, the subject property is addressed as 129 E. Ralph Hall Parkway, and take any action necessary. (1st Reading)
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AGENDA
ROCKWALL CITY COUNCIL
Monday, December 01, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, and the Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding incentives to tenured employees and possible legal issues pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney).

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, December 01, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

VII. OPEN FORUM

VIII. CONSENT AGENDA

p.7 **1.** Consider approval of the minutes from the November 17, 2014 regular city council meeting, and take any action necessary.

p.18 **2.** **Z2014-027** - Consider approval of an **ordinance** for a City initiated zoning request for a text amendment to Article II, Authority and Administrative Procedures, Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of modifying various sections of the code, and take any action necessary. **(2nd Reading)**

p.33 **3.** **P2014-039** - Consider a request by Juan J. Vasquez, PE of Vasquez Engineering, LLC on behalf of James R. Thompson of Cavender Investment Properties E, LTD for the approval of a final plat for Lot 1, Block 1, Cavender's Addition being a 3.27-acre tract of land identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of the E. IH-30 Frontage Road west of Corporate Crossing [FM-549], and take any action necessary.

p.38 **4.** **P2014-040** - Consider a request by Cliff Lewis of Scott Lewis Custom Homes on behalf of Todd Winters, PE of Engineering Concepts and Design for the approval of a replat for Lot 8, Block 1, Horizon Ridge Addition being a 1.238-acre parcel of land currently identified as Lot 6, Block 1, Horizon Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located north of the intersection of Ralph Hall Parkway and Horizon Road [FM-3097], and take any action necessary.

p.44 **5.** Consider authorizing City Manager to enter into a contract with Cambridge Fence for the installation of new fence at Tuttle Athletic Complex in the amount of $39,000 to be funded out of the Recreational Development Fund, and take any action necessary.

IX. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

X. PUBLIC HEARING ITEMS

p.46 **1.** **Z2014-033** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Amy and Mark Stehr for the approval of an amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, the subject property is addressed as 129 E. Ralph Hall Parkway, and take any action necessary. **(1st Reading)**

XI. ACTION ITEMS

p.92 **1.** Discuss and consider proposals regarding designating the city's newspaper of record, and take any action necessary.

p.95 **2.** Discuss and consider appointments to city advisory boards, including the Architectural Review Board, Main Street Advisory Board, and Art Review Team (ART) Commission, and take any action necessary.

XII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

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2. City Manager's Report

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)

2. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, and the Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding incentives to tenured employees and possible legal issues pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney).

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 26th day of November, 2014 at 2:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

MINUTES
ROCKWALL CITY COUNCIL
Monday, November 17, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 4:00 p.m. Present were Mayor David Sweet and Councilmembers David White, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza. Mayor Pro Tem Jim Pruitt was absent from the meeting. Mayor Sweet read the below listed discussion items into the public record before recessing the meeting into Executive Session. It was noted that Mayor Sweet did not participate in the portion of Executive Session concerning discussion item #2 (filling of city council member vacancy).

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations)
2. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, and the Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding appointment of city council member liaisons to city boards, commissions, and committees pursuant to Section 551.074 (Personnel Matters)
5. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

III. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:58 p.m.

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Sweet reconvened the public meeting at 6:00 p.m. with all council members except Mayor Pro Tem Pruitt present.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Councilmember Townsend announced that no action was needed as a result of Executive Session.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR SWEET

Mayor Sweet delivered the invocation and led the Pledge of Allegiance.

VII. PROCLAMATIONS / AWARDS

1. Shannon Elementary School Recognition Day

Mayor Sweet called forth Mrs. Bennett, the principal of Shannon Elementary, who then introduced herself and her guests. A short video about Shannon Elementary was shown about their "Leader in Me" program. Mayor Sweet then read and presented the school with an honorary proclamation.

2. Rockwall Meals on Wheels Recognition Day

Mayor Sweet called the executive director, Margie Verhagen, forward to recognize Meals on Wheels. Mrs. Verhagen introduced herself and her guests, including several board members, volunteers and employees. The mayor then read and presented the organization with an honorary proclamation to recognize its contributions made to Rockwall residents.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the November 3, 2014 regular city council meeting, and take any action necessary.

2. Consider approval of the minutes from the November 12, 2014 Special City Council Meeting, and take any action necessary.

3. Consider authorizing the City Manager to enter into an agreement with the North Central Texas Council of Governments for the acquisition of aerial imagery, ground contours, and LiDAR (3D) GIS data in the amount of $29,279.25 to be paid from the Engineering operating budget, and take any action necessary.

4. Consider approval of an **ordinance** amending the Code of Ordinances in Ch. 36. Streets, Sidewalks and Public Places; Article IV. Art in Public Places Master Plan; Division 2. Art Review Team (ART) Commission; Section 33-77. Established, Subsection (a) Composition to change the required composition of the Commission membership, and take any action necessary. **(2nd reading)**

5. **Z2014-030** - consider approval of an **ordinance** for a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Barry Luff of L2 Properties, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 1 (SF-1) District land uses for a 138.79-acre tract of land identified as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City of Rockwall, Rockwall County, Texas, and zoned Agricultural (AG) District, generally located on the east side of Dowell Road south of the intersection of SH-276 and Dowell Road, and take any action necessary. **(2nd Reading)**

6. **Z2014-031** - Consider approval of an **ordinance** for a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of D. W. Bobst of J-BR2, LLC for the approval of a PD Development Plan proposing to establish

five (5) pad sites for restaurants and retail shopping within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary. **(2nd Reading)**

7. Consider authorizing the City Manager to execute a contract with Texas Fire Museum Inc. for restoration of the 1959 Ford Fire Engine in the amount of $33,000 to be funded with Fire Equipment Funds and take any action necessary.

8. **P2014-033** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Matt Alexander of the Cambridge Company, Inc. for the approval of a final plat for Rockwall Downes, Phase 1, containing 34 residential lots on a 15.135-acre tract of land identified as a portion of Tract 3 of the J. M. Allen Survey, Abstract No. 0002, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10) for residential land uses, situated within the 205 By-Pass Overlay (205-BY OV) District, located south of the intersection of the IH-30 Frontage Road and John King Boulevard, and take any action necessary.

9. **P2014-036** - Consider a request by Philip Graham, PE of Wier & Associates on behalf of Sheri Franza of the Rockwall Economic Development Corporation for the approval of a replat for Lots 2 & 3, Block B, Rockwall Technology Park, Phase II being a 22.649-acre parcel of land currently identified as Lot 1, Block B, Rockwall Technology Park, Phase II, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, generally located east of the intersection of Corporate Crossing and Discovery Boulevard, and take any action necessary.

10. **P2014-037** - Consider a request by Arthur F. Beck of BSM Engineers, Inc. on behalf of the First United Methodist Church of Rockwall for the approval of a replat for Lots 6, 7 & 8, Block 1, First United Methodist Church Addition, being a 19.5556-acre tract of land composed of two (2) parcels of land identified as Lots 3 & 5, Block 1, First United Methodist Church Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1200 E. Yellow Jacket Lane, and take any action necessary.

11. **P2014-038** - Consider a request by Steven Heilbrun of Pacheco Koch, LLC on behalf of Williams H. Channell, Jr. of Channell Commercial Corp for the approval of a replat for Lot 2, Block A, Channell Subdivision, being a 18.762-acre parcel of land currently identified as Lot 1, Block A, Channell Subdivision, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of Airport Road, and take any action necessary.

Councilmember Milder pulled item #3 for further discussion. Councilmember Lewis made a motion to approve the remaining consent agenda items. Councilmember White seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-48

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CH. 36. STREETS, SIDEWALKS AND PUBLIC PLACES; ARTICLE IV. ART IN PUBLIC PLACES MASTER PLAN; DIVISION 2. ART REVIEW TEAM (ART) COMMISSION; SECTION 33-77. ESTABLISHED, SUBSECTION (a)(1). COMPOSITION TO CHANGE THE REQUIRED COMPOSITION OF THE FIVE (5) MEMBER COMMISSION; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 14-50

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 76 (PD-76) FOR SINGLE FAMILY 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 138.79-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE J. LOCKHART SURVEY, ABSTRACT NO. 137, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 14-51

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 10-21* OF PLANNED DEVELOPMENT DISTRICT 32 (PD-32) AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A DEVELOPMENT PLAN FOR RETAIL/RESTAURANT PAD SITES ON A 2.893-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK B, HARBOR DISTRICT ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 in favor with 1 absent (Pruitt).

Concerning Consent Agenda item #3, Councilmember Milder expressed that he may not inclined to support this item; however, he asked staff for additional information and clarification concerning this technology and the associated cost.

Planning Director Robert LaCroix indicated that this expense is associated with having access to updated aerial photography through the North Central TX Council of Governments (NCTCOG) as well as 3-D imaging. Access to this new technology will enable the city's GIS program to be taken a step further and will enhance the program overall.

Councilmember Milder made a motion to approve Consent Agenda item #3. Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

IX. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Craig Renfro, Chair of the Planning & Zoning Commission, came forth and briefed the council on recommendations of the Commission relative to items on tonight's council agenda. The Council took no action related to this agenda item.

X. PUBLIC HEARING ITEMS

1. **Z2014-033 -** ***[Request to Postpone to the December 1, 2014 Meeting]*** Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Amy and Mark Stehr for the approval of an amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, the subject property is addressed as 129 E. Ralph Hall Parkway, and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix began discussion of this agenda item, indicating that the applicant has requested that this item be postponed until the December 1st city council meeting. Councilmember White asked if there have been any complaints related to this property by members of the public. Mr. Griggs, Assistant City Manager, indicated that the city itself has initiated a case concerning this property, and staff is currently working with the owner to address code/zoning related concerns; however, no public complaints have been received thus far.

Councilmember White made a motion to postpone Z2014-033 until the December 1, 2014 council meeting. Councilmember Lewis seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

2. **Z2014-027** - Hold a public hearing to discuss and consider approval of an **ordinance** for a City initiated zoning request for a text amendment to Article II, Authority and Administrative Procedures, Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of modifying various sections of the code, and take any action necessary. **(1st Reading)**

Mr. LaCroix began discussion of this item, generally explaining the three subject matters which are proposed to be amended with the passage of this ordinance (related to composition of the Architectural Review Board; related to created a new zoning/land use for indoor Motor Vehicle Dealership/Showroom, New and/or Used; and related to modifying the regulation on commercial/industrial buildings not located within an Overlay District to stipulate that stucco is prohibited from being located within the first four (4) feet above grade on any building façade that is visible from a street or public area as opposed to within the first (8) eight feet.

Mayor Sweet opened the public hearing and asked if anyone would like to come forth and speak. There being no one expressing such, Mayor Sweet then closed the public hearing. Councilmember Milder made a motion to approve Z2014-027. Councilmember White seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 13.2 OF ARTICLE II, *AUTHORITY AND ADMINISTRATIVE PROCEDURES*; SECTIONS 1.1 & 2.1.8 OF ARTICLE IV, P*ERMISSIBLE USES*; AND SECTIONS 4.1 & 5.1, *DISTRICT DEVELOPMENT STANDARDS*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absent (Pruitt).

XI. SITE PLANS / PLATS

1. **SP2014-029** - Discuss and consider a request by John Spiars of Spiars Engineering, Inc. on behalf of Bill Lavin of Fenton Motor Group for the approval of variances associated with a site plan for a new automobile dealership on a 14.751-acre tract of land being composed of a 10.5-acre parcel of land identified as Lot 1, Block A, Lafon Addition and a 4.251-acre portion of Tract 2 & 12 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, being zoned Light Industrial (LI) and Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the 205 By-Pass Overlay (205-BY OV) District, located at the southeastern corner of the intersection of John King Boulevard and the IH-30 Frontage Road, and take any action necessary.

Mr. LaCroix began discussion of this agenda item, explaining that the Planning and Zoning Commission has recommended approval of this site plan as well as several variances which have been requested. He explained that the variances are related to the following: not meeting the masonry standards; not meeting some of the horizontal/vertical articulation standards; not meeting the screening standards from residential uses (to the south); not meeting the requirements for service bays; twenty-one foot (rather than 24') fire lanes going in and out of the area; stone requirement (20% natural poured stone on all elevations); allowing some variances related to their design due to a desire to establish a "corporate identity." The Architectural Review Board did make some recommendations to the Planning & Zoning Commission, and the Commission did agree.

It was clarified that if the trees are planted as part of meeting the zoning's screening requirements, any trees that may die in the future would have to be replaced by the applicant because it would be considered a code violation if they were not in place and living. Mr. LaCroix indicated that once the trees are established, if they are the right type of trees, they should do ok; however, staff will physically go out and check on this over time. It was clarified that the applicant prefers to put a natural screen (trees) in lieu of the masonry wall between this development and the residential development to the south. It is

staff's understanding that the residential area would also prefer the natural screening, as they may put a small retaining wall and some sort of fencing of their own.

Jeff Ball
Boynton Williams & Associates (BWA Architects)

Mr. Ball clarified that the single family residential development is slated to put in a small retaining wall. He indicated that the "living screen" will consist of Live Oaks and Leland Cyprus trees spaced 25' on center and double stacked, so the residents in that future neighborhood will see a large canopy of trees when looking in the direction of the dealership. Mr. Ball showed a rendering of the articulation and briefly explained his request for a variance to the masonry standards, explaining their attempt to blend the masonry with Nissan's corporate identity. He explained that articulated windows are being placed on the East side of the building, even though they will not be visible from John King or from IH-30. Regarding the screening of the service doors on the front of the building, he explained that these will not be visible from IH-30 either, and they will not be seen until you are driving up the main entry on site.

After brief comments, Councilmember White made a motion to approve SP2014-029. Councilmember Lewis seconded the motion.

Councilmember Milder asked the council to consider amending the motion that has been made to move forward with approving item numbers three (3) and five (5) that have been recommended by the Planning & Zoning Commission (related to allowing a "live screen" in lieu of the masonry wall and related to the 21' fire lane) and then deny items #1, 2, 4, 6, and 7 that were recommended by P&Z.

Councilmember White indicated he did not wish to amend his motion and that his motion will stand 'as is.'

Councilmember Daniels pointed out that the Honda dealership's service bays face the street. Also, the council just granted an exception for a living screen/fence recently near St. Mary's and Goliad. He encouraged consistency and suggested that the city council may want to revisit some of its ordinance provisions since so many variance requests keep coming before the council for consideration.

After additional comments, the motion passed by a vote of 5 in favor, 1 against (Milder) and 1 absent (Pruitt).

XII. ACTION ITEMS

1. **Z2014-029 - *[Applicant has requested to withdraw]*** Discuss and consider approval of an **ordinance** for a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a retail store with more than two (2) gasoline dispensers for a 0.743-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District,

located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary. **(2nd Reading)**

It was noted in the public record that the applicant requested to withdraw, so the city council took no action concerning this item.

2. **Z2014-025** - Discuss and consider approval of an **ordinance** for a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a zoning amendment to Planned Development District 63 (PD-63) to allow for changes to the concept plan and development standards stipulated by Ordinance No. 05-51 for a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District use, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary. **(2nd Reading)**

Mr. LaCroix explained that first reading of the ordinance associated with this agenda item passed on first reading at the last council meeting. Councilmember Lewis made a motion to approve this agenda item (Z2014-025). Councilmember Townsend seconded the motion. Councilmember Daniels stated that he remains in opposition of this item because of the increased number of proposed lots. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-49

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 63 (PD-63) [*ORDINANCE NO. 05-51*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY SUPERSEDING *ORDINANCE NO. 05-51* FOR THE PURPOSE OF MODIFYING THE CONCEPT PLAN, OPEN SPACE PLAN AND DEVELOPMENT STANDARDS FOR THE SUBJECT PROPERTY, BEING A 139.354-ACRE TRACT OF LAND IDENTIFIED AS TRACTS 1 & 7 OF THE A. JOHNSON SURVEY, ABSTRACT NO. 123, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The ordinance passed by a vote of 5 in favor, 1 against (Daniels), and 1 absent (Pruitt).

Mayor Sweet then recessed the public meeting, calling for a short, ten minute break (7:08 p.m.).

3. Discuss and consider a special request by Michael Clark to allow for a land use (fourplex residential dwelling unit) not otherwise allowed on property within the Southside Residential Neighborhood Overlay (SRO) with underlying zoning of Single Family Residential (SF-7) and located at 808 Sam Houston Street, City of Rockwall, and take any action necessary.

Planning Director Robert LaCroix provided background information related to this agenda item, explaining that if the council elects to have this item considered, it will then be forwarded to the Planning & Zoning Commission for evaluation and recommendations. Then, those recommendations from the Planning & Zoning Commission would be

considered by the Council thereafter. He explained that the council could direct the P&Z Commission to hold public hearings to glean input concerning this matter and direct staff to send out public notifications to those living in the area as well.

Blakeley Hall (207 East Rusk Street) came forth, indicating he represents the applicant. He encouraged the city council to allow consideration of this item by sending it through the Planning & Zoning process.

Councilmember White asked staff who provided the petition in favor of this item. Mr. LaCroix indicated that Mr. Clark (the applicant) provided the petition to the city.

Councilmember Daniels made a motion to deny the request to allow for this land use. Councilmember Milder seconded the motion. Councilmember White indicated that he believes this item should be forwarded to the Planning & Zoning Commission to be heard. Mayor Sweet indicated that he also feels it should be forwarded to the Planning & Zoning Commission and allow public hearings to be held for public input concerning this item. After brief comments, the motion failed by a tie vote of 3 in favor, 3 against (White, Townsend and Sweet), and 1 absent (Pruitt).

Councilmember White made a subsequent motion to send this item to the Planning & Zoning Commission for consideration, including conducting a public hearing so that residents in the area will be able to provide feedback (clarification was given regarding the motion that staff should treat it like a zoning case by sending notices to those within 500' and implement all other notifications that would typically be made with zoning cases (i.e. large, yellow sign on the subject property). Councilmember Townsend seconded the motion.

Councilmember Milder indicated that he believes this area already has enough multifamily housing, and he does not believe it will ultimately be approved by the city council. He believes a fourplex does not fit well in this location, and he does not believe it would be good for the neighborhood overall. Councilmember White pointed out that the applicant has provided at least fifty signatures and names of individuals who have said they are in favor of this fourplex, so an opportunity to allow public input concerning the item is prudent and in the best interest of 'open government.' Going through the process will allow the public in to come forth and speak either in favor or against it. Mayor Sweet concurred that it is best to allow this item to go through a public hearing / public input process. Councilmember Townsend indicated that he has no problem soliciting public input through the Planning & Zoning Commission process.

After additional, brief comments, the motion passed by a vote of 6 in favor with 1 absent (Pruitt).

4. Discuss and consider the results of a study of the City's current water and wastewater rates and approval of a resolution setting increased water and wastewater rates, and take any action necessary.

City Manager Rick Crowley provided brief background information related to this agenda item, indicating that the council has previously discussed the city's water and wastewater rates. Mary Smith, Assistant City Manager, then introduced Bob McLain of McLain Decision Support Systems, the consultant who performed this rate study on behalf of the city. Mr. McLain then briefed the council on the findings of his rate study. Mrs. Smith pointed out that our city's average water consumption dropped from about 12,000 gallons per month down to about 8,000 gallons per month, which is a testament to how well our water customers have responded to conservation efforts. However, the city's drop in water sales has resulted in revenue shortages.

Councilmember Townsend made a motion to adopt the resolution and associated water and wastewater rates. Councilmember White seconded the motion, which passed by a vote of 6 in favor with 1 absent (Pruitt).

5. Discuss and consider appointments to the city's ART Commission, Architectural Review Board, and Main Street Advisory Board, and take any action necessary.

Mayor Sweet requested that this item be delayed until the next, regularly scheduled city council meeting (December 1, 2014). Councilmember White encouraged members of the public who are interested in Art to submit an application expressing interest in serving on the Art Commission.

The Council did not convene in Executive Session following the close of the public meeting agenda.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations)

2. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters)

3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, and the Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters)

4. Discussion regarding appointment of city council member liaisons to city boards, commissions, and committees pursuant to Section 551.074 (Personnel Matters)

5. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The Council did not convene in Executive Session following the close of the public meeting agenda.

XV. ADJOURNMENT

The meeting was adjourned at 7:47 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 1st day of December, 2014.

_____

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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17

2nd READING

1st reading was 11/17 passed by 6 - 0 with 1 (Pruitt) absent

CITY OF ROCKWALL

ORDINANCE NO. 14-52

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 13.2 OF ARTICLE II, *AUTHORITY AND ADMINISTRATIVE PROCEDURES*; SECTIONS 1.1 & 2.1.8 OF ARTICLE IV, *PERMISSIBLE USES*; AND SECTIONS 4.1 & 5.1, *DISTRICT DEVELOPMENT STANDARDS*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Section 13.2, *Terms of Office; Qualifications*, of Article II, *Authority and Administrative Procedures*; Section 1.1, *Use of Land and Buildings*, and Section 2.1.8, *Auto and Marine-Related Use Conditions*, of Article IV, *Permissible Uses*; and, Section 4.1, *General Commercial District Standards*, and Section 5.1, *General Industrial District Standards*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*]; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That Section 13.2, *Terms of Office; Qualifications*, of Article II, *Authority and Administrative Procedures*; Section 1.1, *Use of Land and Buildings*, and Section 2.1.8, *Auto and Marine-Related Use Conditions*, of Article IV, *Permissible Uses*; and, Section 4.1, *General Commercial District Standards*, and Section 5.1, *General Industrial District Standards*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'A' & 'B'*.

Section 2. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 3. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 4. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1ST DAY OF DECEMBER, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 11/17/2014

2nd Reading: 12/01/2014

Section 13. Architectural Review Board
Section 13.2. Term of Office; Qualifications

A. *Term*. The members shall be appointed for a term of two years with staggered terms and shall be removable for cause by the city council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term the city council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the city council upon completion of a term to which he has been appointed.

B. Qualifications. At least one member shall be a registered architect in the State of Texas. Other members are chosen for qualifications and training in related fields such as landscape architecture, interior or exterior design, municipal planning, municipal government and other professions with related disciplines or civic interest.

~~***B. [Composition]. The membership shall include one registered architect, one residential property owner in the district and one commercial property owner in the district. The remaining membership shall include no more than one representative from any of the following categories:***~~

~~***(1) Landscape architects;***~~
~~***(2) Civil engineers;***~~
~~***(3) Structural engineers;***~~
~~***(4) Experienced commercial builders in the district;***~~
~~***(5) Professional land planners; and/or***~~
~~***(6) Building designers who are members in good standing with a recognized professional association.***~~

~~***All members must be residents of Rockwall County.***~~

C. *Attendance*. If a member has three consecutive absences that are not excused by the architectural review board, or is absent from more than 25 percent of the meetings, he may be removed from the board; however, if absent from 50 percent of the meetings in any calendar year, the member will automatically be removed from the architectural review board.

Section 1.1. Use of Land and Buildings

Residential										Permitted Uses	Mixed Use			Commercial				Industrial	
AG	SF- E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Auto and Marine Related	DT	R-O	N-S	GR	C	HC	RT	LI	HI
										Auto repair garage, major +						P		P	P
										Auto repair garage, minor +	S			S	S	P		P	P
										Automobile rental					S	P		S	P
										Boat and trailer dealership (new and used) +					S	P		S	P
										Car wash/auto detail +			S	S	P	P		P	P
										Car wash, self-service				S	P	P		P	P
										Indoor Motor Vehicle Dealership/Showroom, New and/or Used +					***S***	***S***		***S***	***S***
										Motor vehicle dealership, new (cars and light trucks) +					S	P		S	P
										Motor vehicle dealership, used (cars and light trucks) +					A	A		A	A
										Parking, commercial	S				P	P		P	P
										Parking lot, noncommercial	A		S	P	P	P	P	P	P
										Recreational vehicle (RV) sales and service					S	P		S	P
										Service station +			S	P	P	P		P	P
										Towing and impound yard +						S		S	P
										Towing service, no storage +						P		P	P
										Truck rental						P		S	P
										Truck stop with fuel and accessory services +						S		S	P

Section 2.1.8. Auto and Marine-Related Use Conditions

Auto repair garage, major.

1. General repair, rebuilding, or reconditioning of engines, motor vehicles or trailers, including body work, frame-work, welding, and major painting service.
2. Garage doors shall not face the street or a residential lot.
3. Vehicles, equipment, parts or inventory shall not be stored outside overnight unless expressly permitted by this [Unified Development Code]. In which case, they shall be screened from public streets, sidewalks and open space, and any residentially-zoned lot.

Auto repair garage, minor.

1. The replacement of any part or repair of any part that does not require removal of the engine head or pan, engine transmission or differential; incidental body and fender work, minor painting and upholstering service. It also includes "quick lube" type businesses. This applies to only to passenger automobiles and trucks not in excess of 7,000 pounds gross weight.
2. In a General Retail (GR) District, an "auto repair garage, minor" is permitted as an accessory to a retail use, when the gross floor area of the auto repair and related storage does not exceed 30 percent of the retail sales floor area. If it is a stand-alone use, it shall require a specific use permit.
3. In a Commercial (C) District, an "auto repair garage, minor" is permitted as an accessory to a retail use, provided all work is conducted wholly within a completely enclosed building. If it is a stand-alone use, it shall require a specific use permit.
4. Garage doors or bays shall not face the street or a residential lot.
5. Vehicles, equipment, parts or inventory shall not be stored outside overnight unless expressly permitted by this [Unified Development Code]. In which case, they shall be screened from public streets, sidewalks and open space, and any residentially-zoned lot.
6. A site plan must be approved by the director of planning prior to issuance of any building permit.
7. In the Downtown District an auto repair garage, minor shall not be located within 500 feet of the Historic Courthouse property.

   (Ord. No. 11-13, § 2, 4-13-2011)

Boat and trailer dealerships (new and used).

1. The area to be used for outside storage and display shall not exceed 50 percent of the total lot area within 100 feet of any adjacent street.
2. All such outside storage and display areas must be permanently paved to city standards.
3. All such outside storage and display areas must be screened along all road frontages with a solid evergreen landscape screen a minimum of three feet in height.
4. All such outside storage and display areas may be lighted with directed exterior lighting that does not glare onto any adjacent roadways.
5. A site plan and landscape plan shall be approved prior to issuance of any building permit.

6. Such uses shall only be permitted along Interstate 30 and other arterials, as identified on the city's thoroughfare plan, but shall be excluded within the Scenic Overlay District along FM-740 and SH 66.

Carwash/auto detail.

The following standards apply to any freestanding or accessory carwash or auto detailing use:

1. Entrances and exits to the car wash shall not directly face any public street. On corner sites, car wash entrances or exits shall not open toward the street with the highest traffic volume, or as determined by the director of planning.
2. The car wash shall be set back a minimum of 50 feet from any street frontage.

Indoor Motor Vehicle Dealership/Showroom, New and/or Used.

The indoor storage of operable automobiles in a fully enclosed building for the purpose of holding such vehicles for sale, lease, distribution, or storage.

1. ***The sales/storage facility must be a completely enclosed building.***
2. ***Outside display or storage of vehicles shall be prohibited. This includes storing vehicles under canopies/awnings or similar covered structures.***
3. ***All activities shall remain inside the building (i.e. no detailing, sales activities, etcetera shall be performed outside the building).***
4. ***Accessory uses may be allowed in compliance with the "Permissible Use Charts" located within Section 1.1 of this Article.***

Motor vehicle dealerships (new and used).

1. Used vehicles may only be sold as an ancillary use to new vehicle sales.

   (Ord. No. 06-14, 4-17-2006)
2. All outside display of vehicles must be on an approved concrete, or enhanced concrete surface.
3. All vehicle display areas must meet the landscape standards for parking areas.

Service station.

An establishment where gasoline and other petroleum products are sold as the principal use of the property. Light maintenance activities such as engine tune-ups, lubrication, and minor repairs may also be provided if incidental to such principal use. Service station does not include any premises where retail sales space exceeds 25 percent of the total building area or 500 square feet of gross floor area, whichever is less.

Towing and impound yard.

1. A towing and impound yard must comply with all requirements, including definitions and permitting procedures for wrecking and towing services, that are specified in chapter 12, article VI of the Code of Ordinances, unless otherwise approved by city council as part of the specific use permit approved for the use.

   (Ord. No. 10-14, § 20, 7-6-2010)

Towing service, no storage.

1. A towing storage with no outside storage must comply with all requirements, including definitions and permitting procedures for wrecking and towing services, that are specified in chapter 12, article VI of the Code of Ordinances.

   (Ord. No. 10-14, § 20, 7-6-2010)

Truck stop with fuel and accessory services.

1. Entrances and exits to the service bays shall not directly face any public street. On corner sites, Service bay entrances or exits shall not open toward the street with the highest traffic volume, or as determined by the director of planning.
2. The location of access drives from adjacent streets shall be determined by the director of planning

Section 4.1. General Commercial District Standards

A. Construction Materials.

1. *Exterior walls.* Each exterior wall shall consist of 90 percent masonry materials as defined in article XIII, Definitions, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20 percent stone.

   All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g., stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first ***~~eight~~ four (4)*** feet above grade on a facade visible from a street or public area.

   Exceptions to this requirement may be permitted on a case-by-case basis by the council upon submission and approval of elevation drawings of the subject structure, and material samples.

Section 5.1. General Industrial District Standards

B. Construction Materials.

1. *Exterior walls.* Each exterior wall shall consist of 90 percent masonry materials as defined in article XIII, Definitions, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20 percent stone.

   All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g., stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the buildings exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first ***~~eight~~ four (4)*** feet above grade on a facade visible from a street or public area.

   Exceptions to this requirement, including allowing concrete tilt-up walls, may be permitted on a case by case basis by the council upon submission and approval of elevation drawings of the subject structure, and material samples.

Section 13. Architectural Review Board
Section 13.2. Term of Office; Qualifications

A. *Term*. The members shall be appointed for a term of two years with staggered terms and shall be removable for cause by the city council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term the city council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the city council upon completion of a term to which he has been appointed.

B. Qualifications. At least one member shall be a registered architect in the State of Texas. Other members are chosen for qualifications and training in related fields such as landscape architecture, interior or exterior design, municipal planning, municipal government and other professions with related disciplines or civic interest.

C. *Attendance*. If a member has three consecutive absences that are not excused by the architectural review board, or is absent from more than 25 percent of the meetings, he may be removed from the board; however, if absent from 50 percent of the meetings in any calendar year, the member will automatically be removed from the architectural review board.

Section 1.1. Use of Land and Buildings

Residential										Permitted Uses	Mixed Use			Commercial				Industrial	
AG	SF- E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Auto and Marine Related	DT	R-O	N-S	GR	C	HC	RT	LI	HI
										Auto repair garage, major +						P		P	P
										Auto repair garage, minor +	S			S	S	P		P	P
										Automobile rental					S	P		S	P
										Boat and trailer dealership (new and used) +					S	P		S	P
										Car wash/auto detail +			S	S	P	P		P	P
										Car wash, self-service				S	P	P		P	P
										Indoor Motor Vehicle Dealership/Showroom, New and/or Used +					S	S		S	S
										Motor vehicle dealership, new (cars and light trucks) +					S	P		S	P
										Motor vehicle dealership, used (cars and light trucks) +					A	A		A	A
										Parking, commercial	S				P	P		P	P
										Parking lot, noncommercial	A		S	P	P	P	P	P	P
										Recreational vehicle (RV) sales and service					S	P		S	P
										Service station +			S	P	P	P		P	P
										Towing and impound yard +						S		S	P
										Towing service, no storage +						P		P	P
										Truck rental						P		S	P
										Truck stop with fuel and accessory services +						S		S	P

Auto repair garage, major.

1. General repair, rebuilding, or reconditioning of engines, motor vehicles or trailers, including body work, frame-work, welding, and major painting service.
2. Garage doors shall not face the street or a residential lot.
3. Vehicles, equipment, parts or inventory shall not be stored outside overnight unless expressly permitted by this [Unified Development Code]. In which case, they shall be screened from public streets, sidewalks and open space, and any residentially-zoned lot.

Auto repair garage, minor.

1. The replacement of any part or repair of any part that does not require removal of the engine head or pan, engine transmission or differential; incidental body and fender work, minor painting and upholstering service. It also includes "quick lube" type businesses. This applies to only to passenger automobiles and trucks not in excess of 7,000 pounds gross weight.
2. In a General Retail (GR) District, an "auto repair garage, minor" is permitted as an accessory to a retail use, when the gross floor area of the auto repair and related storage does not exceed 30 percent of the retail sales floor area. If it is a stand-alone use, it shall require a specific use permit.
3. In a Commercial (C) District, an "auto repair garage, minor" is permitted as an accessory to a retail use, provided all work is conducted wholly within a completely enclosed building. If it is a stand-alone use, it shall require a specific use permit.
4. Garage doors or bays shall not face the street or a residential lot.
5. Vehicles, equipment, parts or inventory shall not be stored outside overnight unless expressly permitted by this [Unified Development Code]. In which case, they shall be screened from public streets, sidewalks and open space, and any residentially-zoned lot.
6. A site plan must be approved by the director of planning prior to issuance of any building permit.
7. In the Downtown District an auto repair garage, minor shall not be located within 500 feet of the Historic Courthouse property.

   (Ord. No. 11-13, § 2, 4-13-2011)

Boat and trailer dealerships (new and used).

1. The area to be used for outside storage and display shall not exceed 50 percent of the total lot area within 100 feet of any adjacent street.
2. All such outside storage and display areas must be permanently paved to city standards.
3. All such outside storage and display areas must be screened along all road frontages with a solid evergreen landscape screen a minimum of three feet in height.
4. All such outside storage and display areas may be lighted with directed exterior lighting that does not glare onto any adjacent roadways.
5. A site plan and landscape plan shall be approved prior to issuance of any building permit.

6. Such uses shall only be permitted along Interstate 30 and other arterials, as identified on the city's thoroughfare plan, but shall be excluded within the Scenic Overlay District along FM-740 and SH 66.

Carwash/auto detail.
The following standards apply to any freestanding or accessory carwash or auto detailing use:

1. Entrances and exits to the car wash shall not directly face any public street. On corner sites, car wash entrances or exits shall not open toward the street with the highest traffic volume, or as determined by the director of planning.
2. The car wash shall be set back a minimum of 50 feet from any street frontage.

Indoor Motor Vehicle Dealership/Showroom, New and/or Used.
The indoor storage of operable automobiles in a fully enclosed building for the purpose of holding such vehicles for sale, lease, distribution, or storage.

1. The sales/storage facility must be a completely enclosed building.
2. Outside display or storage of vehicles shall be prohibited. This includes storing vehicles under canopies/awnings or similar covered structures.
3. All activities shall remain inside the building (i.e. no detailing, sales activities, etcetera shall be performed outside the building).
4. Accessory uses may be allowed in compliance with the "Permissible Use Charts" located within Section 1.1 of this Article.

Motor vehicle dealerships (new and used).

1. Used vehicles may only be sold as an ancillary use to new vehicle sales.
   (Ord. No. 06-14, 4-17-2006)
2. All outside display of vehicles must be on an approved concrete, or enhanced concrete surface.
3. All vehicle display areas must meet the landscape standards for parking areas.

Service station.
An establishment where gasoline and other petroleum products are sold as the principal use of the property. Light maintenance activities such as engine tune-ups, lubrication, and minor repairs may also be provided if incidental to such principal use. Service station does not include any premises where retail sales space exceeds 25 percent of the total building area or 500 square feet of gross floor area, whichever is less.

Towing and impound yard.

1. A towing and impound yard must comply with all requirements, including definitions and permitting procedures for wrecking and towing services, that are specified in chapter 12, article VI of the Code of Ordinances, unless otherwise approved by city council as part of the specific use permit approved for the use.

(Ord. No. 10-14, § 20, 7-6-2010)

Towing service, no storage.

1. A towing storage with no outside storage must comply with all requirements, including definitions and permitting procedures for wrecking and towing services, that are specified in chapter 12, article VI of the Code of Ordinances.

   (Ord. No. 10-14, § 20, 7-6-2010)

Truck stop with fuel and accessory services.

1. Entrances and exits to the service bays shall not directly face any public street. On corner sites, Service bay entrances or exits shall not open toward the street with the highest traffic volume, or as determined by the director of planning.
2. The location of access drives from adjacent streets shall be determined by the director of planning.

Section 4.1. General Commercial District Standards

C. Construction Materials.

1. *Exterior walls.* Each exterior wall shall consist of 90 percent masonry materials as defined in article XIII, Definitions, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20 percent stone.

   All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g., stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four (4) feet above grade on a facade visible from a street or public area.

   Exceptions to this requirement may be permitted on a case-by-case basis by the council upon submission and approval of elevation drawings of the subject structure, and material samples.

Section 5.1. General Industrial District Standards

D. Construction Materials.

1. *Exterior walls.* Each exterior wall shall consist of 90 percent masonry materials as defined in article XIII, Definitions, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20 percent stone.

   All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g., stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four (4) feet above grade on a facade visible from a street or public area.

   Exceptions to this requirement, including allowing concrete tilt-up walls, may be permitted on a case by case basis by the council upon submission and approval of elevation drawings of the subject structure, and material samples.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 12/1/2014

APPLICANT: Vasquez Engineering, LLC

AGENDA ITEM: **P2014-039** (Cavender's Addition, Lot 1, Block 1)

SUMMARY:

Consider a request by Juan J. Vasquez, PE of Vasquez Engineering, LLC on behalf of James R. Thompson of Cavender Investment Properties E, LTD for the approval of a final plat for Lot 1, Block 1, Cavender's Addition being a 3.27-acre tract of land identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of the E. IH-30 Frontage Road west of Corporate Crossing [FM-549], and take any action necessary.

COMMENTS:

- The purpose of this request is to plat a 3.27-acre tract of land in order to construct a new retail building.

- The Engineer has completed the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the Recommendation section below.

With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the final plat for Lot 1, Block 1, Cavender's Addition, the following conditions of approval are offered:

1) All the technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat; and

2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On November 25, 2014, the Planning & Zoning Commission recommended approval of the final plat by a vote of 5-0 with Commissioners Lyons and Nielsen absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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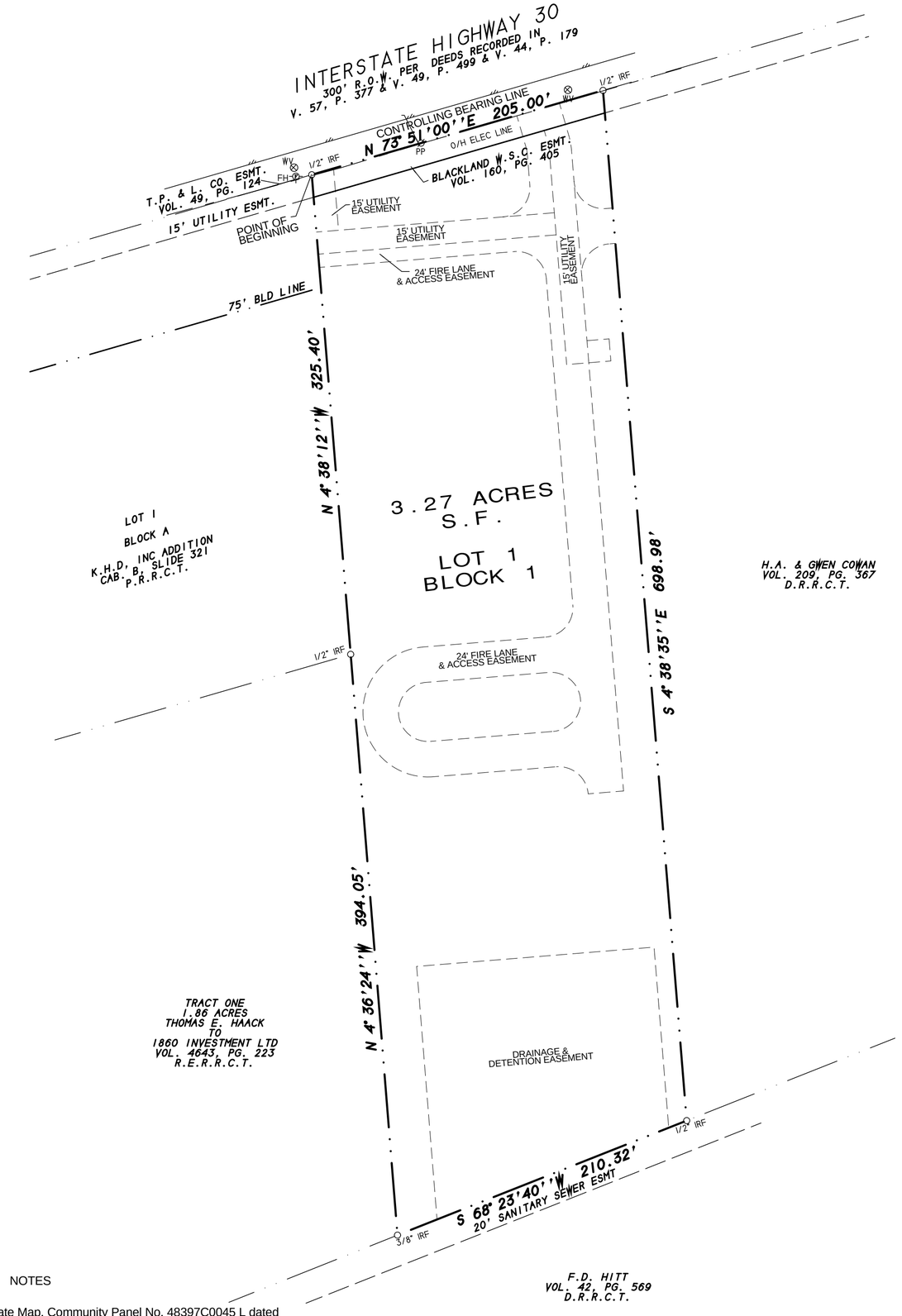

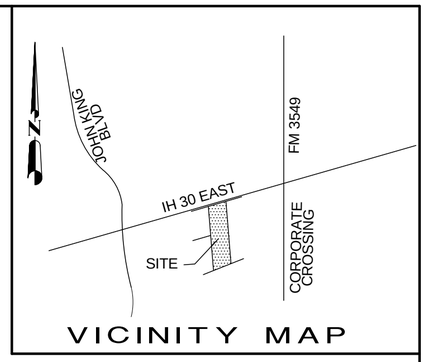

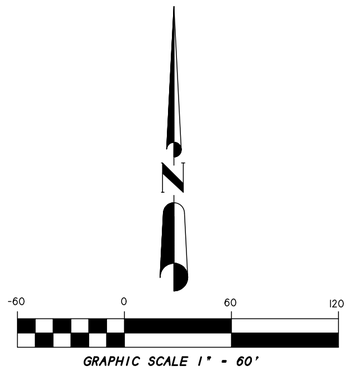

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0045 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

FINAL PLAT

CAVENDER'S ADDITION
LOT 1, BLOCK 1

3.27 ACRES OR 142,527 S.F.
(1 LOT)
JOHN LOCKHART SURVEY, A-134
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
CAVENDER INVESTMENT PROPERTIES E LTD
7820 SOUTH BROADWAY
TYLER, TX 75703

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC ELEC BOX SUBSURFACE JUNCTION BOX	WV WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (CORNER)
FENCE	EASEMENT LINE / PROPERTY LINES		A/C AIR COND. UNIT	PROPANE TANK

SURVEY DATE JUNE 26, 2014.
SCALE 1" = 60' FILE # 992500-PP
CLIENT CIPE,LTD GF # 14-178632-RW

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CITY CASE P2014-

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STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE
(Public Dedication)

WHEREAS, CAVENDER INVESTMENT PROPERTIES E LTD, BEING the Owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the JOHN LOCKHART SURVEY, ABSTRACT NO. 134, City of Rockwall, Rockwall County, Texas, and being all of a 3.268 acres tract of land as described as Tract II in a Warranty deed from Thomas E. Haack to 1860 Investments, LTD., dated May 31, 2006 and being recorded in Volume 4643, Page 223 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the Southeast right-of-way line of Interstate Highway 30, at the Northwest corner of said 3.268 acres tract, said point also being at the Northeast corner of Lot 1, Block A, of K.H.D. INC., an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet B, Slide 321, of the Plat Records of Rockwall County, Texas;

THENCE N. 73 deg. 51 min. 00 sec. E. along said right-of-way line, a distance of 205.00 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner at Northwest corner of a tract of land as described in a Deed to H.A. & Gwen Cowan, as recorded in Volume 209, Page 367 of the Real Property Records of Rockwall County, Texas;

THENCE S. 04 deg. 38 min. 35 sec. E. along the West line of said Cowan tract, a distance of 698.98 feet to a 1/2" iron rod found for corner at the Southeast corner of said 3.268 acres tract and being in the Northwest line of a tract of land as described in a Deed to F.D. Hitt, as recorded in Volume 42, Page 569 of the Deed Records of Rockwall County, Texas;

THENCE S. 68 deg. 23 min. 40 sec. W. along the Northwest line of said Hitt tract, a distance of 210.32 feet to a 3/8" iron rod found for corner at the Southwest corner of said 3.268 acres tract;

THENCE N. 04 deg. 36 min. 24 sec. W. a distance of 394.05 feet to a 1/2" iron rod found for corner at the Southeast corner of said Lot 1;

THENCE N. 04 deg. 38 min. 12 sec. W. along the East line of said Lot 1, a distance of 325.40 feet to the POINT OF BEGINNING and containing 142,527 square feet or 3.27 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner of the land shown on this plat, and designated herein as CAVENDER'S ADDITION LOT 1, BLOCK 1, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th eir respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exaction's made herein.

_____
for
CAVENDER INVESTMENT PROPERTIES E LTD

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

_____
Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of CAVENDER'S ADDITION LOT 1, BLOCK 1 an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of_____ ,_____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____ ,_____.

_____ _____
Mayor, City of Rockwall City Secretary City of Rockwall

_____ _____
City Engineer Date

FINAL PLAT

CAVENDER'S ADDITION
LOT 1, BLOCK 1

3.27 ACRES OR 142,527 S.F.
(1 LOT)
JOHN LOCKHART SURVEY, A-134
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF W/ YELLOW PLASTIC CAP STAMPED "R.S.C.I. RPLS 5034" FOUND (CORNER)
FENCE	EASEMENT LINE / PROPERTY LINES	A/C AIR COND. UNIT	PROPANE TANK	

OWNER:
CAVENDER INVESTMENT PROPERTIES E LTD
7820 SOUTH BROADWAY
TYLER, TX 75703

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE	JUNE 26, 2014.
SCALE	1" = 60'
FILE #	992500-PP
CLIENT	CIPE,LTD
GF #	14-178632-RW

CITY CASE P2014-

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 12/01/2014

APPLICANT: Cliff Lewis of Scott Lewis Custom Homes

AGENDA ITEM: **P2014-040** Horizon Village Addition

SUMMARY:

Discuss and consider a request by Cliff Lewis of Scott Lewis Custom Homes on behalf of Todd Winters, PE of Engineering Concepts and Design for the approval of a replat for Lot 8, Block 1, Horizon Ridge Addition being a 1.238-acre parcel of land currently identified as Lot 6, Block 1, Horizon Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located north of the intersection of Ralph Hall Parkway and Horizon Road [*FM-3097*], and take any action necessary.

COMMENTS:

- The objective of the request is to abandon and establish certain drainage easements for the 1.238-acre parcel of land for the purpose of developing a proposed 7,586 sq. ft. retail facility. An administrative site plan was approved earlier this year for the site.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions below.

- With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

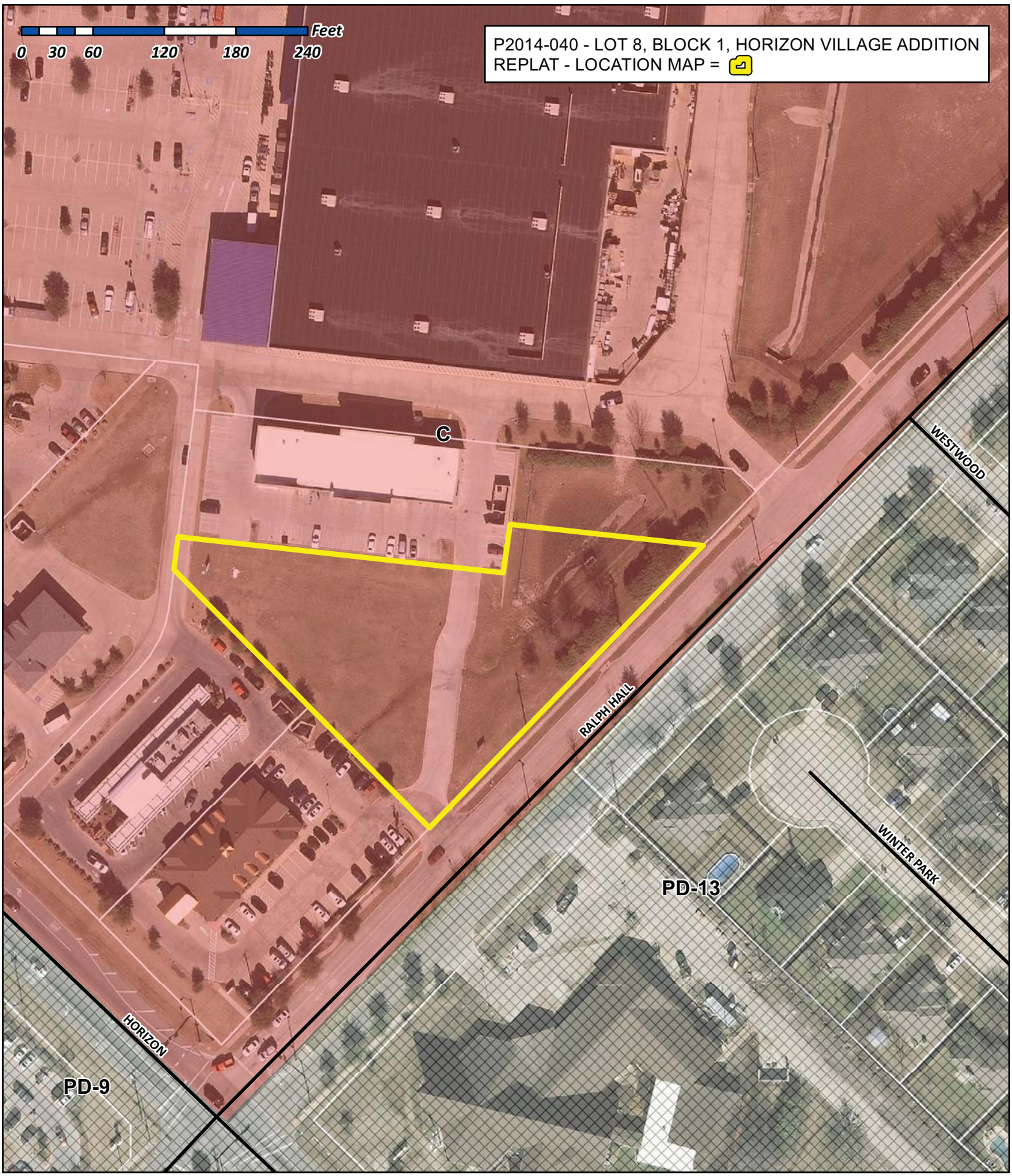
1) All the technical comments from the Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following Planning Comments;

   a. Adherence to Engineering and Fire Department standards.
   b. Indicate extreme limits of easements that are being created and abandoned by hatching those areas.
   c. Change lot number on plat and title block from Lot 6R to indicate "Lot 8, Block 1."
   d. Include the following statement under "Notes:" on page one of the plat: *"6. The property owner shall be responsible for the maintenance, repair, and/or replacement of the storm system in the northern most drainage easement."*

2) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission Recommendation:

On November 25, 2014, the Planning and Zoning Commission recommended approval of the request with staff conditions by a vote of 5 to 0 (Lyons and Neilsen – absent).



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
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(P): (972) 771-7745
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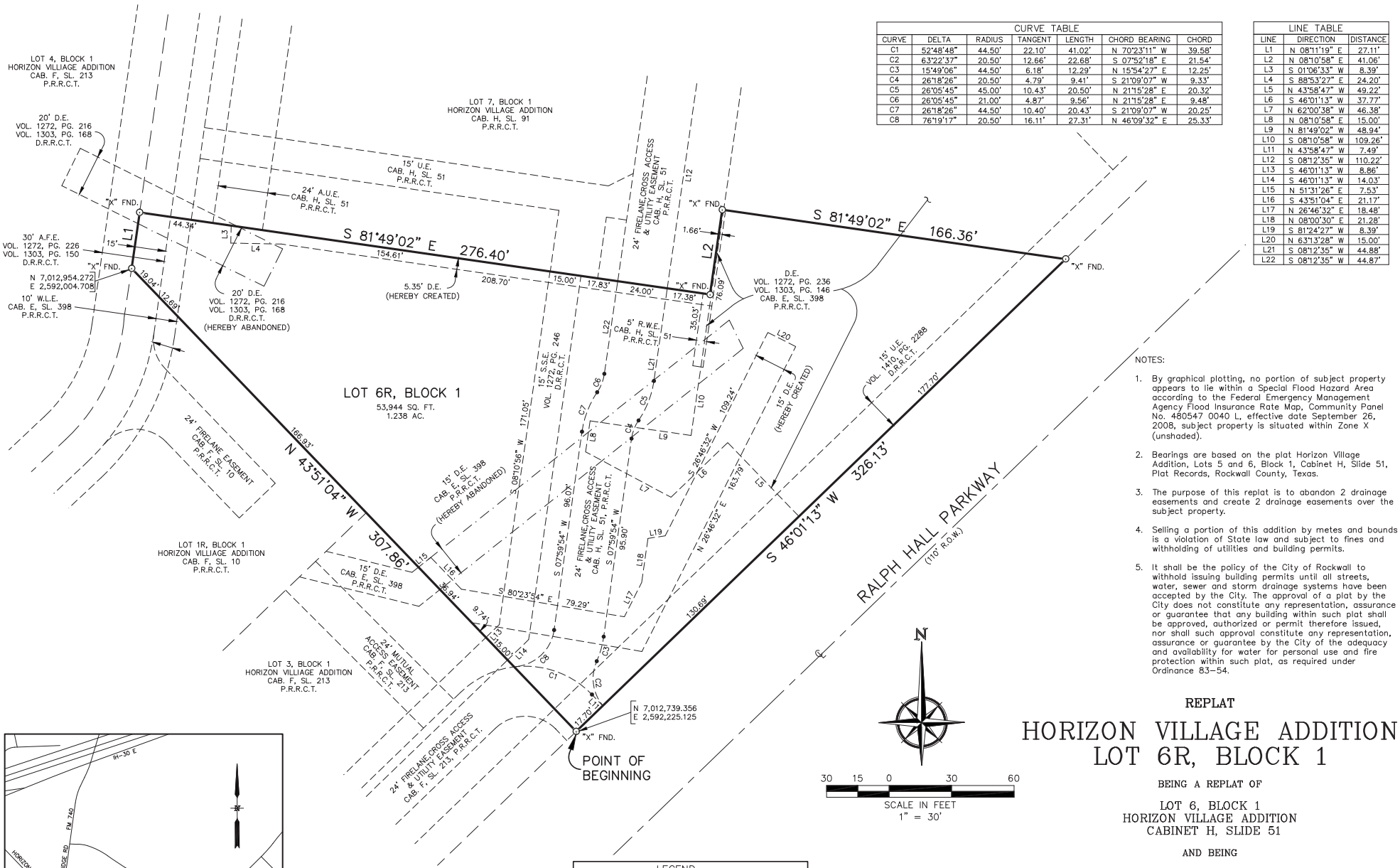
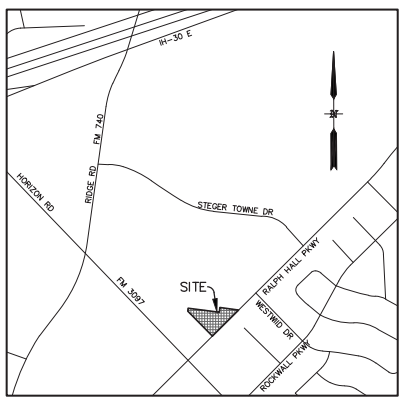


CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
C1	52°48'48"	44.50'	22.10'	41.02'	N 70°23'11" W	39.58'
C2	63°22'37"	20.50'	12.66'	22.68'	S 07°52'18" E	21.54'
C3	15°49'06"	44.50'	6.18'	12.29'	N 15°54'27" E	12.25'
C4	26°18'26"	20.50'	4.79'	9.41'	S 21°09'07" W	9.33'
C5	26°05'45"	45.00'	10.43'	20.50'	N 21°15'28" E	20.32'
C6	26°05'45"	21.00'	4.87'	9.56'	N 21°15'28" E	9.48'
C7	26°18'26"	44.50'	10.40'	20.43'	S 21°09'07" W	20.25'
C8	76°19'17"	20.50'	16.11'	27.31'	N 46°09'32" E	25.33'

LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	N 08°11'19" E	27.11'
L2	N 08°10'58" E	41.06'
L3	S 01°06'33" W	8.39'
L4	S 88°53'27" E	24.20'
L5	N 43°58'47" W	49.22'
L6	S 46°01'13" W	37.77'
L7	N 62°00'38" W	46.38'
L8	N 08°10'58" E	15.00'
L9	N 81°49'02" W	48.94'
L10	S 08°10'58" W	109.26'
L11	N 43°58'47" W	7.49'
L12	S 08°12'35" W	110.22'
L13	S 46°01'13" W	8.86'
L14	S 46°01'13" W	14.03'
L15	N 51°31'26" E	7.53'
L16	S 43°51'04" E	21.17'
L17	N 26°46'32" E	18.48'
L18	N 08°00'30" E	21.28'
L19	S 81°24'27" W	8.39'
L20	N 63°13'28" W	15.00'
L21	S 08°12'35" W	44.88'
L22	S 08°12'35" W	44.87'

NOTES:

1. By graphical plotting, no portion of subject property appears to lie within a Special Flood Hazard Area according to the Federal Emergency Management Agency Flood Insurance Rate Map, Community Panel No. 480547 0040 L, effective date September 26, 2008, subject property is situated within Zone X (unshaded).
2. Bearings are based on the plat Horizon Village Addition, Lots 5 and 6, Block 1, Cabinet H, Slide 51, Plat Records, Rockwall County, Texas.
3. The purpose of this replat is to abandon 2 drainage easements and create 2 drainage easements over the subject property.
4. Selling a portion of this addition by metes and bounds is a violation of State law and subject to fines and withholding of utilities and building permits.
5. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.



VICINITY MAP
N.T.S.

LEGEND	
D.E.	DRAINAGE EASEMENT
R.W.E.	RETAINING WALL EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
A.F.E.	ACCESS & FIRELANE EASEMENT
W.L.E.	WATER LINE EASEMENT
A.U.E.	ACCESS & UTILITY EASEMENT
U.E.	UTILITY EASEMENT
P.R.R.C.T.	PLAT RECORDS ROCKWALL COUNTY, TEXAS
D.R.R.C.T.	DEED RECORDS ROCKWALL COUNTY, TEXAS

REPLAT

HORIZON VILLAGE ADDITION
LOT 6R, BLOCK 1

BEING A REPLAT OF

LOT 6, BLOCK 1
HORIZON VILLAGE ADDITION
CABINET H, SLIDE 51

AND BEING

1.238 ACRES

SITUATED IN THE

JAMES SMITH SURVEY, A-200
CITY OF ROCKWALL,
ROCKWALL COUNTY, TEXAS

OWNER/DEVELOPER
SCOTT LEWIS CUSTOM HOMES, LLC
201 LAURENCE DRIVE
HEATH, TX 75032
(214) 668-8321

LAND SURVEYOR
GRIFFITH SURVEYING CO., LLC
605 AVENUE B, SUITE 115
LONGVIEW, TX 75773
(903) 295-1560
FAX (903) 295-1570

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE TEXAS 75098
(972) 941-8400 FAX (972) 941-8401

DATE: NOVEMBER 6, 2014

OWNER'S CERTIFICATE & DEDICATION

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS SCOTT LEWIS CUSTOM HOMES, LLC, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a 1.238 acre tract of land situated in the James Smith Survey, Abstract 200, City of Rockwall, Rockwall County, Texas, and being all of Lot 6, Block 1, Horizon Village Addition, an addition to the City of Rockwall, as recorded in Cabinet H, Slide 51, Plat Records Rockwall County, Texas, said 1.238 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at an "x" cut in concrete found for the south corner of said Lot 6 and the east corner of Lot 3, Block 1, Horizon Village Addition, an addition to the City of Rockwall, as recorded in Cabinet F, Slide 213 of said Plat Records, said corner being on the northwest right-of-way line of Ralph Hall Parkway, a 110 ft. right-of-way;

THENCE North 43 degrees 51 minutes 04 seconds West, with the common boundary line of said Lot 6 and said Lot 3, passing the north corner of said Lot 3 and the east corner of Lot 1R, Block 1, Horizon Village Addition, an addition to the City of Rockwall, as recorded in Cabinet F, Slide 10 of said Plat Records at a distance of 145.40 feet and continuing with the common boundary line of said Lot 6 and said Lot 1R, a total distance of 307.86 feet to an "x" cut in concrete found for a west corner of said Lot 6 and the north corner of said Lot 1R, said corner being in the east boundary line of Lot 4, Block 1, Horizon Village Addition, an addition to the City of Rockwall, as recorded in Cabinet F, Slide 213 of said Plat Records;

THENCE North 08 degrees 11 minutes 19 seconds East, with the common boundary line of said Lot 6 and said Lot 4, a distance of 27.11 feet to an "x" cut in concrete found for the northwest corner of said Lot 6 and the southwest corner of Lot 7, Block 1, Horizon Village Addition, an addition to the City of Rockwall, as recorded in Cabinet H, Slide 91 of said Plat Records;

THENCE Easterly, with the common boundary lines of said Lot 6 and said Lot 7, the following courses:

South 81 degrees 49 minutes 02 seconds East, a distance of 276.40 feet to an "x" cut in concrete found for corner;

North 08 degrees 10 minutes 58 seconds East, a distance of 41.06 feet to an "x" cut in concrete found for corner;

South 81 degrees 49 minutes 02 seconds East, a distance of 166.36 feet to an "x" cut in concrete found for the east corner of said Lot 6 and the southeast corner of said Lot 7, said corner being in the northwest right-of-way line of said Ralph Hall Parkway;

THENCE South 46 degrees 01 minutes 13 seconds West, a distance of 326.13 feet the POINT OF BEGINNING AND CONTAINING 53,944 square feet or 1.238 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as the HORIZON VILLAGE ADDITION, LOT 6R, BLOCK 1, an addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the HORIZON VILLAGE ADDITION, LOT 6R, BLOCK 1 subdivision have been notified and signed this plat. I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I (we) further acknowledge that the dedications and/or exactions made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I (we), my (our) successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of exactions made herein.

FOR: SCOTT LEWIS CUSTOM HOMES, LLC

BY: Scott Lewis, President

Signature of Party with Mortgage or Lien Interest

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Scott Lewis, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ____ day of _____, 2014.

Notary Public in and for the State of Texas
My Commission Expires _____

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ____ day of _____, 2014.

Notary Public in and for the State of Texas
My Commission Expires _____

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That I, Chris E. Griffith, do hereby certify that this plat was prepared under my supervision, from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

GIVEN UNDER MY SEAL OF OFFICE THIS THE ___ DAY OF _____, 2014.

Preliminary, this document shall not be recorded for any purpose.

CHRIS E. GRIFFITH
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 4846

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, on this date personally appeared Chris E. Griffith, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ___ DAY OF _____, 2014.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES: 02/14/2015

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission — Date

APPROVED

I hereby certify that the above and foregoing plat of HORIZON VILLAGE ADDITION, LOT 6R, BLOCK 1, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 2014.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this ____ day of _____, 2014.

Mayor, City of Rockwall — City Secretary — City Engineer

REPLAT

HORIZON VILLAGE ADDITION
LOT 6R, BLOCK 1

BEING A REPLAT OF

LOT 6, BLOCK 1
HORIZON VILLAGE ADDITION
CABINET H, SLIDE 51

AND BEING

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SITUATED IN THE

JAMES SMITH SURVEY, A-200
CITY OF ROCKWALL,
ROCKWALL COUNTY, TEXAS

OWNER/DEVELOPER
SCOTT LEWIS CUSTOM HOMES, LLC
201 LAURENCE DRIVE
HEATH, TX 75032
(214) 668-8321

LAND SURVEYOR
GRIFFITH SURVEYING CO., LLC
605 AVENUE B, SUITE 115
LONGVIEW, TX 75773
(903) 295-1560
FAX (903) 295-1570

ENGINEERING CONCEPTS & DESIGN, L.P.
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TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE TEXAS 75098
(972) 941-8400 FAX (972) 941-8401

DATE: NOVEMBER 6, 2014

SHEET 2 OF 2

2109\DWG\2109 Replat.dwg

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **November 24, 2014**

SUBJECT: **CONSTRUCTION OF CHAIN LINK FENCE AT TUTTLE ATHLETIC COMPLEX**

The FY 2015 approved budget includes $40,000 from the Recreation Development Fund for approximately 3,400 linear feet of new perimeter fencing to replace aging and deteriorating fencing at Tuttle Athletic Complex. Public bids for the project were advertised in early November. The City received bids from eight contractors on November 20th. The apparent low bidder was Cambridge fence for $39,000.

Staff requests that Council consider authorizing the City Manager to enter into a contract with Cambridge Fence to complete the project. Contingent upon approval the work could begin as soon as possible and be complete in time for the beginning of baseball and softball season.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 12/1/2014

APPLICANT: Amy and Mark Stehr

AGENDA ITEM: **Z2014-033;** Christian Brothers SUP Amendment

SUMMARY:

Hold a public hearing to discuss and consider a request by Amy and Mark Stehr for the approval of an amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, the subject property is addressed as 129 E. Ralph Hall Parkway, and take any action necessary.

BACKGROUND INFORMATION:

The applicant has submitted an application to amend an existing Specific Use Permit to allow for the outside storage of vehicles at an existing Christian Brothers facility located within a Commercial (C) District and located at 129 E. Ralph Hall Parkway. The SUP to allow for an "auto repair garage, minor" was approved in 2011 with a condition that "no vehicles, equipment, parts or inventory shall be stored outside overnight." According to the applicant's letter of request, the facility occasionally stores vehicles overnight due to parts not being available for the vehicle or customers dropping off or picking up vehicles after hours.

Additionally, under the Unified Development Code (UDC), Article IV, Permissible Uses, Sec. 2.1.8, Auto repair garage, minor, the UDC reads as follows:

5. Vehicles, equipment, parts or inventory shall not be stored outside overnight unless expressly permitted by this [Unified Development Code]. In which case, they shall be screened from public streets, sidewalks, open space, and any residentially zoned lot.

The applicant is requesting the amended SUP for the purpose of allowing outside storage of vehicles for customers needing to drop off or pick up vehicles after hours and vehicles in need of parts which are unavailable at the time of service. The vehicles would be parked/stored in the parking spaces located on the east side and at the rear of the building until parts arrived and the vehicle could be serviced. The applicant is requesting to utilize the eleven (11) striped head-in parking spaces located on the east side of the building and six (6) spaces at the rear of the building. The site contains an additional eight (8) parking spaces at the front of the building that will not be used for overnight storage of vehicles.

Included in your packet is the letter requesting the SUP amendment, a site plan for the property, and some current photos of the building. A request for an SUP is a discretionary act upon the Planning and Zoning Commission and City Council.

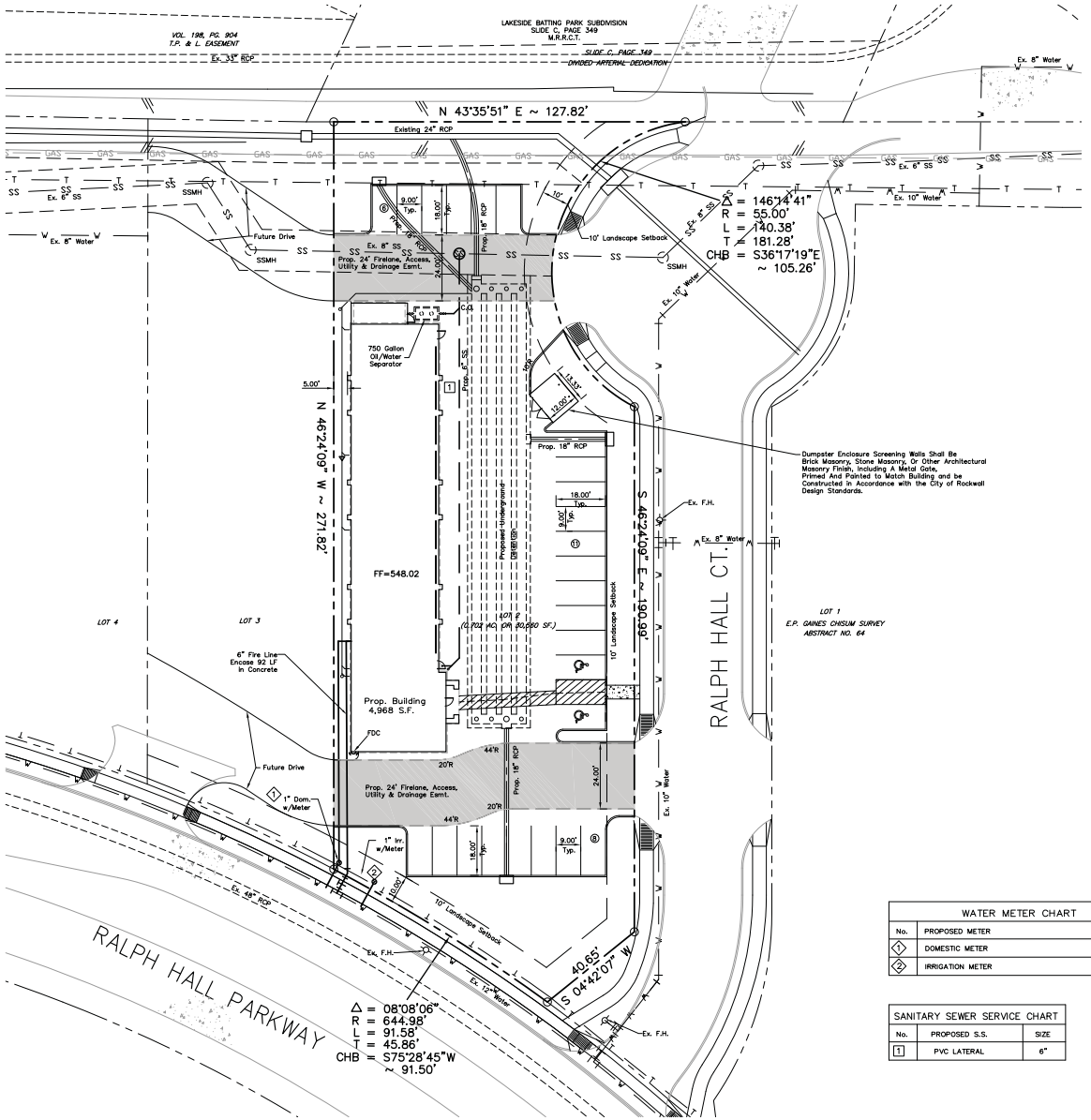
NOTIFICATION:

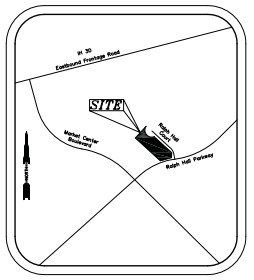
On October 31, 2014, staff mailed fifty-five (55) notices to property owners within 500 feet of the subject property. Staff also notified one (1) HOA within 1500 feet (Lynden Park HOA) by e-mail.

Additionally, staff posted a sign on the subject property as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received three (3) notices in favor of the request and no notices in opposition to the request.

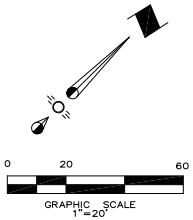
PLANNING & ZONING COMMISSION:

On November 25, 2014, the Planning & Zoning Commission recommended approval of an amendment to the SUP to allow for the outside storage of vehicles in the six (6) parking spaces on the north side of the building for a maximum of 72 hours by a vote of 4-2, with Commissioners Renfro and Jusko against and Commissioner Nielsen absent.





Vicinity Map
NTS



Note:
All site lighting shall be located on the building and be fully shielded from adjacent properties

NOTE:

HANDICAP PARKING IS PROVIDED IN ACCORDANCE WITH ADA STANDARDS

LIGHTING FOR THE SITE SHALL MEET CITY STANDARDS.

THERE ARE NO TREES ON THIS SITE.

LEGEND

	Proposed Firelane
	Proposed Sidewalk
	Existing Fire Hydrant
SSMH	Existing Sanitary Sewer Manhole
T	Existing Water Valve
	Proposed Water Meter
PP	Existing Power Pole
SS	Existing Sanitary Sewer Line
W	Existing Water Line
OHP	Existing Overhead Power Line
GAS	Existing Gas Line
T	Existing Telephone Line

SYNOPSIS

Zoning	C (S 81)
Proposed Use	Light Automotive Repair
Lot Area	0.702 Ac. (30,560 s.f.)
Building Area:	4,968 s.f.
Lot Coverage:	16.25%
Floor Area Ratio:	0.16:1
Impervious Area:	21,737 s.f.
Building Height:	24' (To The Ridge), 1 Story
Parking Required: (2 per service bay)	(18 Spaces)
Total Parking Provided:	(25 Spaces)
Handicap Parking Provided:	(2 Spaces)
Legal Description:	Lot 2, Block 1, Rockwall Market Center South Addition

WATER METER CHART		
No.	PROPOSED METER	SIZE
1	DOMESTIC METER	1"
2	IRRIGATION METER	1"

SANITARY SEWER SERVICE CHART		
No.	PROPOSED S.S.	SIZE
1	PVC LATERAL	6"

BENCHMARK:
BM#1

TOP NORTHEAST CORNER OF CONCRETE WYE INLET LOCATED IN SOUTHWEST CORNER OF HOME DEPOT.

ELEV. = 540.69

SURVEYOR
AJ Bedford Group, Inc.
301 N. Alamo Road
Rockwall, Texas 75087
Phone (972) 722-0225
Fax (972) 722-0361
Contact: Jay Bedford

DEVELOPER
Christian Brothers Automotive
15995 N. Barker Landing
Suite 145
Houston, Texas 77079
281-870-8900 ext.105
Contact: Curtis Cain

ENGINEER
Cross Engineering Consultants, Inc.
106 W. Louisiana Street
McKinney, Texas 75069
Phone (972) 562-4409
Fax (972) 562-4471
Contact: Jonathan D. Hake, P.E.

NOTE: THIS IS NOT A CONSTRUCTION DOCUMENT.
THIS DOCUMENT IS FOR PLANNING PURPOSES ONLY.

STOP!
CALL BEFORE YOU DIG
1-800 DIG TESS
(@ least 72 hours prior to digging)

Issue Dates:	Revisions:	Date:
1	1	
2	2	
3	3	
4	4	
5	5	
6	6	

CROSS ENGINEERING CONSULTANTS
106 W. Louisiana Street • McKinney, Texas 75069
972.562.4409 • Texas P.E. Firm No. F-5935

STATE OF TEXAS
JON DAVID CROSS
82618
REGISTERED
PROFESSIONAL ENGINEER

Drawn By:	Checked By:	Scale:
C.E.C.L.	J.D.C.	1" = 20'

SITE PLAN

CHRISTIAN BROTHERS - ROCKWALL
Rockwall Market Center South Addition
CITY OF ROCKWALL, TEXAS

Sheet No. SP
Project No. 11014

CHRISTIAN BROTHERS AUTOMOTIVE

48

Christian Brothers
AUTOMOTIVE

October 16, 2014

Robert LaCroix,
Director of Planning & Zoning
City of Rockwall
City Hall
385 S. Goliad
Rockwall, TX 75087

Dear Robert,

Attached please find my completed Developmental Application for Christian Brothers Automotive located at 129 E Ralph Hall Parkway, Rockwall, 75032 asking for relief of condition 2 of our SUP.

Since opening in March of 2012 we take pride in now servicing up to 100 customers a week. We continue to grow (YTD 39%, which has put us in the top 22% of all Christian Brothers stores in just our third year of operation) as our reputation for providing ethical and excellent automotive repairs reaches more people in the community.

We have complied with all the requirements of our SUP but struggle with part of condition 2 "no vehicles shall be stored outside overnight" and request relief. If needed we double stack up to 17 vehicles in our shop every night and as a result of our business success can sometimes have additional cars that need to be parked outside overnight.

We track cars left outside each night and can provide you that information if you like. The primary reasons are:

1. Customer's drop-off after hours. Sometimes customers drop their cars off after closing hours and put their keys through the mail slot. We think this is an important convenience for our customers.
2. Customers pick up after hours. Sometimes they do not pick it up as promised or are out of town for a few days.
3. Repairs that are on hold while we wait for parts. Traffic on I-30 slow parts delivery. Some repairs require parts that may take days to receive or they may need painting at a body shop prior to installation.
4. After hour tow-in. Tow trucks deliver cars to our shop after closing hours.
5. There are other more occasional reasons requiring waits while we acquire car titles, etc.

129 E. Ralph Hall Parkway, Rockwall, TX 75032 Phone: (972) 722-9500 Fax: (972) 722-0985

49

Christian Brothers
AUTOMOTIVE

We hope our business success will not be penalized. We realize our SUP has conditions and we want to be an exemplary business. We also respectfully request relief of a portion of condition 2 and ask you to consider that vehicles parked in our parking lot overnight do not look any different than those parked outside overnight at the adjacent business, Autumn Leaves. We do not repair vehicles outside nor leave broken down abandoned vehicles to remain any longer than the time necessary to get paperwork together to move them.

Our rapid growth was unexpected but welcomed as we become a staple in the Rockwall community. However we need flexibility with our parking situation and welcome creative solutions as for many situations, a vehicle length of stay is out of our control. Relief of this condition is critical to our continued operation and growth. We are serving the community and unable to control certain of the factors listed above.

As a possible solution, we propose that we add some type of screening including additional vegetation to screen the view of cars in the parking lot.

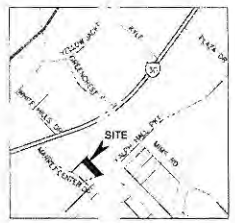
Please contact me with any questions at P: 972-722-9500 or E: amy.stehr@cbauto.net.

Sincerely,

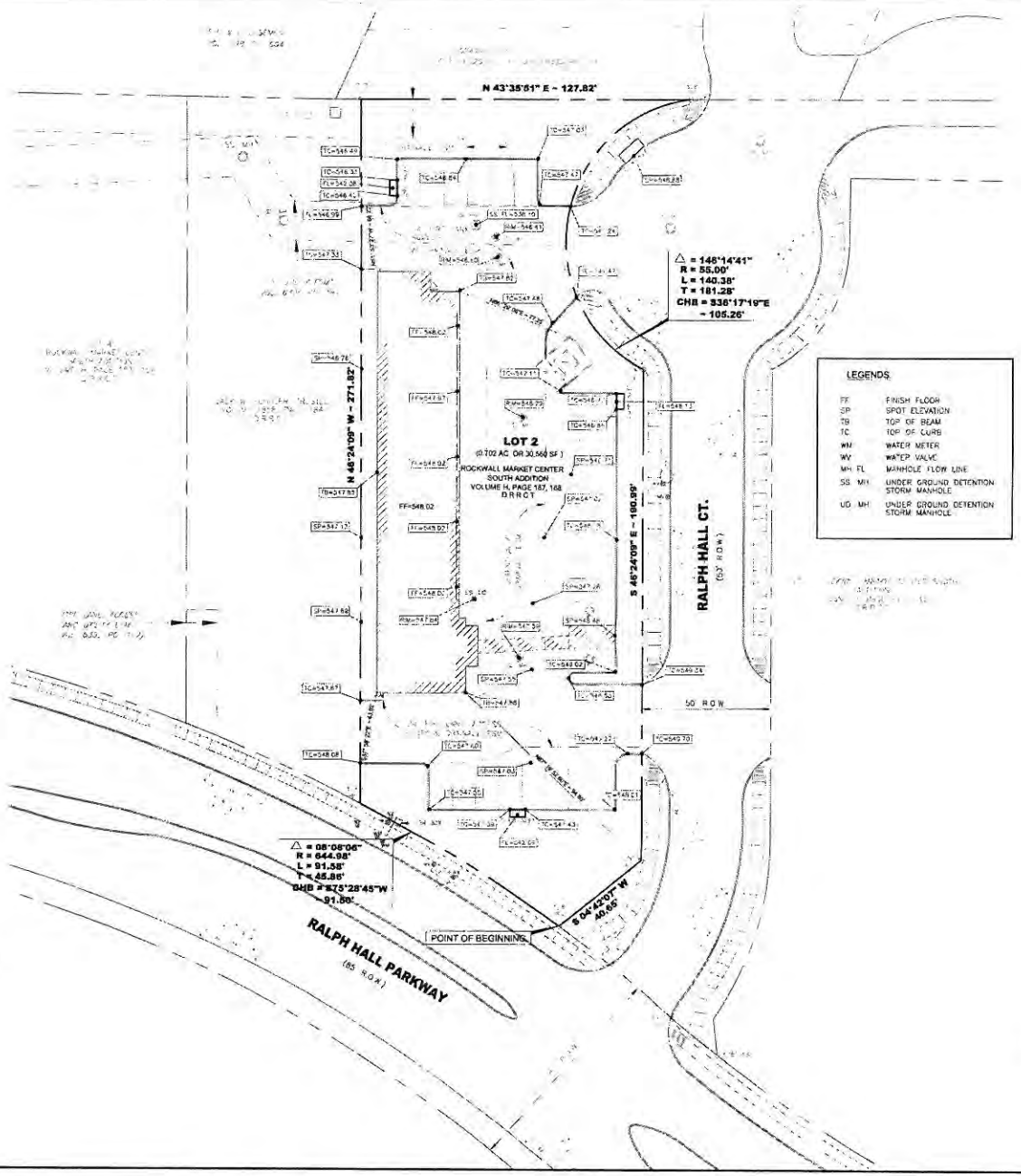
Amy Stehr

Amy Stehr
Owner

129 E. Ralph Hall Parkway, Rockwall, TX 75032 Phone: (972) 722-9500 Fax: (972) 722-0985







LEGENDS

FF	FINISH FLOOR
SP	SPOT ELEVATION
TB	TOP OF BEAM
TC	TOP OF CURB
WM	WATER METER
WV	WATER VALVE
MH FL	MANHOLE FLOW LINE
SS MH	UNDER GROUND DETENTION STORM MANHOLE
UG MH	UNDER GROUND DETENTION STORM MANHOLE

METES & BOUNDS DESCRIPTION

Being a tract of land situated in the E.P. Gaines Chisum Survey, Abstract No. 64, Rockwall County, Texas and being Lot 2, Rockwall Market Center South Addition to City of Rockwall, as recorded in Volume H, Page 167 and 168, Real Property Records, Rockwall County Texas, also being a part of that tract of land conveyed to JACK W. SCHULER, TRUSTEE, by Special Warranty Deed recorded in Volume 1854, Page 154, Real Property Records, Rockwall County Texas, and being more particularly described by metes and bounds as follows;

BEGINNING at 5/8 iron rod found at the most northerly end of a corner clip at the intersection of the west R.O.W. line of Ralph Hall CT. (50 foot width R.O.W.) with the north R.O.W. line of Ralph Hall Pkwy(85 foot width R.O.W.);

THENCE along a curve to the LEFT having a chord bearing of S 75 deg. 28 min. 45 sec. W, a chord length of 91.50 feet, a central angle of 08 deg. 08 min. 06 sec., a radius of 644.98 feet, and a tangent of 45.86 feet along Ralph Hall Parkway (85' R.O.W.) ; passing at 91.58 feet to a 5/8 inch iron rod set for a corner;

THENCE N 46 deg. 24 min. 09 sec. W, distance of 271.82 feet to a 5/8 inch iron rod set for a corner;

THENCE N 43 deg. 35 min. 51 sec. E, distance of 127.82 feet to a 5/8 inch iron rod set for a corner;

THENCE along a curve to the LEFT having a chord bearing of S 36 deg. 17 min. 19 sec. E, a chord length of 105.26 feet, a central angle of 146 deg. 14 min. 41 sec., a radius of 55.00 feet and a tangent of 101.28 feet, along Ralph Hall Court (50' R.O.W.), distance of 140.38 feet to a 5/8 inch iron rod set for a corner;

THENCE S 46 deg. 24 min. 09 sec. E, along Ralph Hall Court (50' R.O.W.), distance of 190.59 feet to a 5/8 inch iron rod set for a corner;

THENCE S 04 deg. 42 min. 07 sec. W, along Ralph Hall Court (50' R.O.W.), distance of 40.65 feet to **POINT OF BEGINNING** and containing 30,560 square feet or 0.702 acres of land, more or less.

SURVEYOR CERTIFICATE:

This is to certify that this map or plat and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA, ACSM and NSPS in 2005. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS, and ACSM and in effect on the date of this certification, undersigned further certifies that proper field procedures, instrumentation and adequate survey personnel were employed in order to achieve results comparable to those outlined in the "Minimum Angle, Distance and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys."

Pansak Sribhen, RPLS
Registered Land Surveyor # 3576

OWNER
CBH PROPERTIES ROCKWALL LLC
15995 NORTH BARKERS LANDING RD., STE 145
HOUSTON, TX 77079
(281) 870-1200

ASA ENGINEERING

AS BUILT SURVEY
FOR
LOT 2
ROCKWALL MARKET CENTER SOUTH ADDITION
RALPH HALL PARKWAY AND
MARKET CENTER DRIVE
E.P. GAINES CHISUM SURVEY, ABSTRACT NO. 64
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
FEBRUARY 22, 2012

51

Christian Brothers
AUTOMOTIVE

October 13, 2014

Robert LaCroiz
Director of Planning
City Hall
385 S. Golaid
Rockwall, TX 75087

Dear Robert,

Thank you for talking with me on Monday regarding the parking issues here at Christian Brothers.

To better understand the situation myself, last Friday around 7:15 pm I visited other repair shops in the area and saw most have 1 to 2 vehicles parked outside (except for Horizon Auto, which is exempt I understand). We had 7 and the garage was double stacked. During the busy summer weeks, we could have had up to 10 plus vehicles in the parking lot with the garage double stacked. The repairs were all minor and left out for customers to pick up or drop off after hours. The vehicles kept overnight, which are not after hours or tow-ins, are waiting for a part to arrive or in the process of the repair.

However some reasons are unusual such as 3 examples that were parked outside a few weeks ago. The first being a Cadillac that was towed in and abandoned, the second was a Suburban that was sold for scrap and the last was here for over 2 weeks waiting for the title in the mail before it was sold for scrap for the customer.

We have reached a slow period, but I've attached a daily log of the vehicles and reasons why they were parked outside. It is my hope this will give a better understanding of the services we provide and a status of the vehicles.

Our intentions are to be a good neighbor and business in the community. We want to continue moving forward to get this issue resolved and work closer with the city.

Please contact me with any questions at P: 972-722-9500 or E: amy.stehr@cbauto.net.

Sincerely,

Amy Stehr
Owner

129 E. Ralph Hall Parkway, Rockwall, TX 75032 Phone: (972) 722-9500 Fax: (972) 722-0985

CHRISTIAN BROTHERS ROCKWAL
OVER NIGHT PARKING LEDGER
DATE __10__/__06__/___2014___

VEHICLE	REPAIR TYPE	OVERNIGHT FOR:	COMMENT
00 TOYOTA SIENNA	BRAKE REPAIR	PART HOLD	WAITING PARTS
01 OLDS AURORA	NO REPAIR SOLD	AFTER HOUR PICK UP	CLIENT NO SHOW
99 CHEVY SILVERADO	TUNE UP	AFTER HOUR PICK UP	CLIENT NO SHOW
07 SATURN VUE	ALTERNATOR	AFTER HOUR DROP	CHECKING TODAY
01 HONDA CIVIC	OVER HEATING	AFTER HOUR DROP	CHECKING TODAY
01 FORD BOX VAN	HEADLIGHT SWITCH	PART HOLD	WAITING PARTS
07 DODGE CHARGER	TIMING BELT	LATE ARRIVAL	NO ROOM INSIDE

53

CHRISTIAN BROTHERS ROCKWAL
OVER NIGHT PARKING LEDGER
DATE 10 / 07 / 2014

VEHICLE	REPAIR TYPE	OVERNIGHT FOR:	COMMENT
01 FORD BOX VAN	HEAD LIGHT SWITCH	WAITING PART	WON'T FIT IN SHOP
00 CHEVY K1500	SENSORS	CUSTOMER PICK UP	CUSTOMER NO SHOW
07 FORD F150	OIL CHANGE	CUSTOMER PICK UP	CUSTOMER NO SHOW
02 PLYM VOYAGER	STATE INSPECTION	CUSTOMER PICK UP	CUSTOMER NO SHOW

54

CHRISTIAN BROTHERS ROCKWAL
OVER NIGHT PARKING LEDGER
DATE 10/08/2014

VEHICLE	REPAIR TYPE	OVERNIGHT FOR:	COMMENT
01 FORD BOX VAN	HEAD LIGHT SWITCH	PART HOLD	WON'T FIT IN SHOP
05 MERCEDES C230	"A" MAINTENANCE	AFTER HOUR PICK UP	AFTER HOUR PICK UP
03 CHEVY SILVERADO	OILCHANGE	DROPPED AFTER HOUR	WORKING TODAY

55

CHRISTIAN BROTHERS ROCKWAL
OVER NIGHT PARKING LEDGER
DATE 10/09/2014

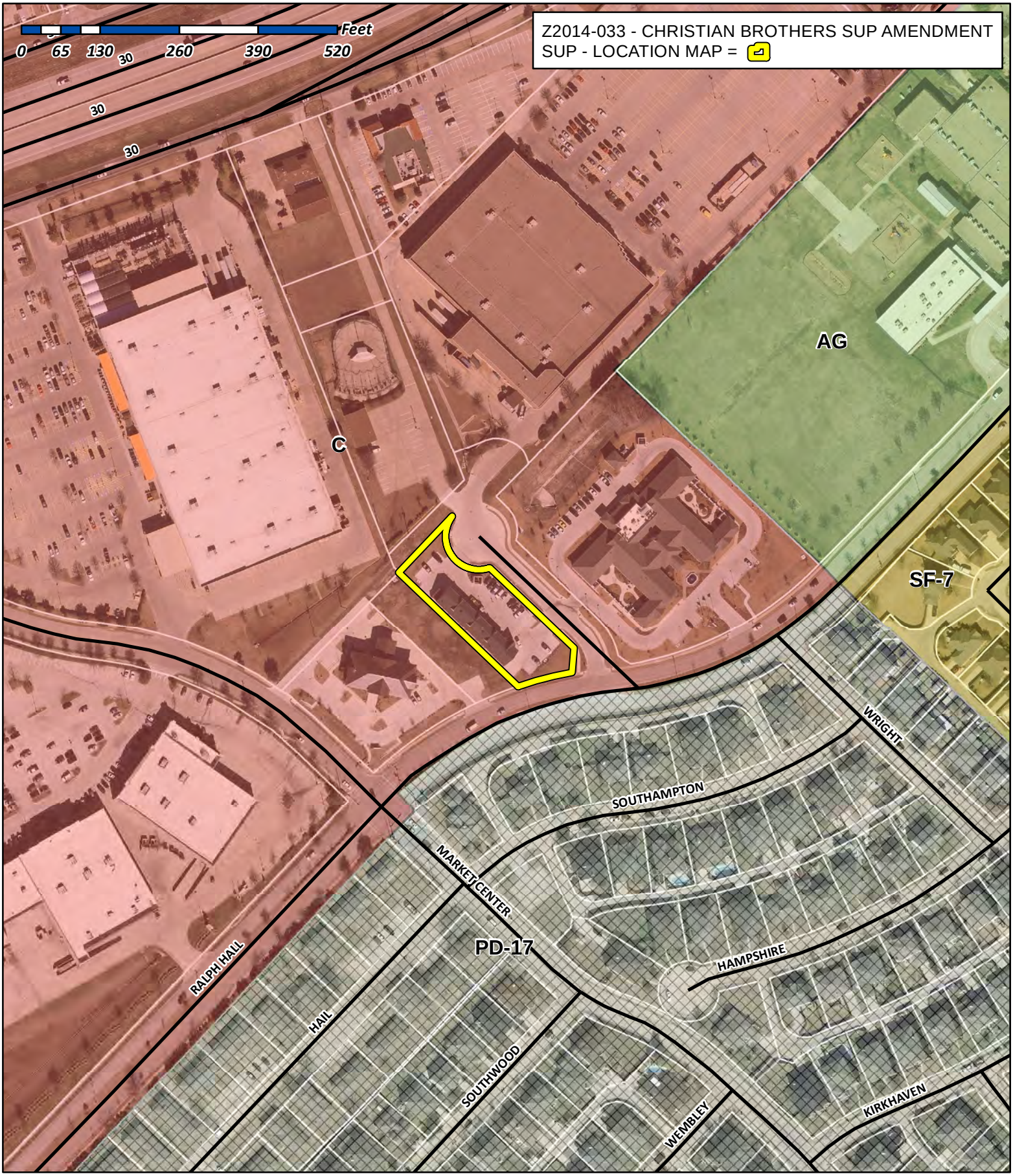
VEHICLE	REPAIR TYPE	OVERNIGHT FOR:	COMMENT
08 NISSAN ALTIMA	TUNE UP	AFTER HOUR DROP	AFTER HOUR DROP
97 MERCURY COUGAR	INTAKE REPAIR	AFTER HOUR DELIVER	CUSTOMER PICKED UP

56

CHRISTIAN BROTHERS ROCKWAL
OVER NIGHT PARKING LEDGER
DATE _10/10_/2014_

VEHICLE	REPAIR TYPE	OVERNIGHT FOR:	COMMENT
08 KIA SEDONA	WHEEL ISSUE	AFTER HOUR DROP	AFTER HOUR DROP
08 JAGUAR XTYPE	BRAKE NOISE	AFTER HOUR DROP	AFTER HOUR DROP

57



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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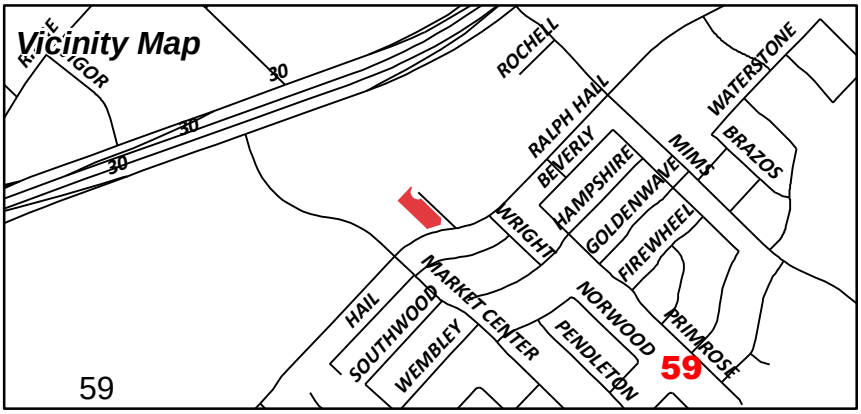
Case Number: Z2014-033
Case Name: Christian Bros. SUP
Case Type: Specific Use Permit
Zoning: C
Case Address: 129 E. Ralph Hall Parkway

Date Created: *10/17/2014*
For Questions on this Case Call (972) 771-7745



RCAD Account #	Owner Name	Legal Description	Site Address	Site_City	Site_State	Site_Zip	Owner Address_1	Owner Address_2	Owner Address_3	City	State	Zip
3896-000I-0005-00-0R	ETHRIDGE AMBER L & RICK BAUGH	HIGHLAND MEADOWS #2 (CRW), BLOCK I, LOT 5	2849 BEVERLY DR	ROCKWALL	TX	75032		2849 BEVERLY DR		ROCKWALL	TX	75032
4331-000A-0001-00-0R	SHEPHERD PLACE HOMES INC	LYNDEN PARK ESTATES PHASE 1A, BLOCK A, LOT 1	105 SOUTHAMPTON DR	ROCKWALL	TX	75032		620 ROWLETT RD		GARLAND	TX	75043
4331-000B-0003-00-0R	DIAZ EMMA	LYNDEN PARK ESTATES PHASE 1A, BLOCK B, LOT 3	118 SOUTHAMPTON DR	ROCKWALL	TX	75032		118 SOUTHAMPTON DR		ROCKWALL	TX	75032
4331-000B-0016-00-0R	OSUNA EDUARDO D AND	LYNDEN PARK ESTATES PHASE 1A, BLOCK B, LOT 16	123 HAMPSHIRE LN	ROCKWALL	TX	75032	MARIA EUGENIA YRIZAR	204 N 12TH STREET		GARLAND	TX	75040
4331-000A-0003-00-0R	FERRARO TERESA M	LYNDEN PARK ESTATES PHASE 1A, BLOCK A, LOT 3	115 SOUTHAMPTON DR	ROCKWALL	TX	75032		115 SOUTHAMPTON DRIVE		ROCKWALL	TX	75032
4331-000A-0004-00-0R	KEMPLE RICHARD A	LYNDEN PARK ESTATES PHASE 1A, BLOCK A, LOT 4	119 SOUTHAMPTON DR	ROCKWALL	TX	75032		119 SOUTHAMPTON DR		ROCKWALL	TX	75032
4331-000A-0005-00-0R	PERKINS WENDI	LYNDEN PARK ESTATES PHASE 1A, BLOCK A, LOT 5	123 SOUTHAMPTON DR	ROCKWALL	TX	75032		(MR)	MAIL RETURNED		TX	
4331-000A-0006-00-0R	WATSON BILLY & SHIRRELL	LYNDEN PARK ESTATES PHASE 1A, BLOCK A, LOT 6	127 SOUTHAMPTON DR	ROCKWALL	TX	75032		127 SOUTHAMPTON DR		ROCKWALL	TX	75032
4331-000A-0007-00-0R	JONES SHANA N	LYNDEN PARK ESTATES PHASE 1A, BLOCK A, LOT 7	131 SOUTHAMPTON DR	ROCKWALL	TX	75032		131 SOUTHAMPTON DR		ROCKWALL	TX	75032
4331-000B-0004-00-0R	HUGHES AUDREY	LYNDEN PARK ESTATES PHASE 1A, BLOCK B, LOT 4	122 SOUTHAMPTON DR	ROCKWALL	TX	75032		122 SOUTHAMPTON DRIVE		ROCKWALL	TX	75032
4331-000B-0013-00-0R	CHASE RONNIE E	LYNDEN PARK ESTATES PHASE 1A, BLOCK B, LOT 13	135 HAMPSHIRE LN	ROCKWALL	TX	75032		135 HAMPSHIRE LN		ROCKWALL	TX	75032
4331-000B-0014-00-0R	LUSSMYER JOHN CHRISTOPHER AND	LYNDEN PARK ESTATES PHASE 1A, BLOCK B, LOT 14	131 HAMPSHIRE LN	ROCKWALL	TX	75032	MARY BRADFORD BARNES	131 HAMPSHIRE LANE		ROCKWALL	TX	75032
4331-000B-0015-00-0R	NWABUKO FELIX & HAPPINESS	LYNDEN PARK ESTATES PHASE 1A, BLOCK B, LOT 15	127 HAMPSHIRE LN	ROCKWALL	TX	75032		127 HAMPSHIRE LN		ROCKWALL	TX	75032
4331-000B-0008-00-0R	GARCIA RICHARD S & LINDA R	LYNDEN PARK ESTATES PHASE 1A, BLOCK B, LOT 8	138 SOUTHAMPTON DR	ROCKWALL	TX	75032		138 SOUTHAMPTON DR		ROCKWALL	TX	75032
4331-000B-0018-00-0R	DONALDSON WILLIAM & DELALYAN	LYNDEN PARK ESTATES PHASE 1A, BLOCK B, LOT 18	115 HAMPSHIRE LN	ROCKWALL	TX	75032		115 HAMPSHIRE LN		ROCKWALL	TX	75032
4331-000A-0002-00-0R	SMITH NICHOLAS & JESSICA ESQUIVEL	LYNDEN PARK ESTATES PHASE 1A, BLOCK A, LOT 2	111 SOUTHAMPTON DR	ROCKWALL	TX	75032		111 SOUTHAMPTON DRIVE		ROCKWALL	TX	75032
4331-000A-0008-00-0R	WILLIAMS MICHAEL & GWENDOLYN	LYNDEN PARK ESTATES PHASE 1A, BLOCK A, LOT 8	137 SOUTHAMPTON DR	ROCKWALL	TX	75032		137 SOUTHAMPTON DR		ROCKWALL	TX	75032
4331-000C-0001-00-0R	GANG BRYAN	LYNDEN PARK ESTATES PHASE 1A, BLOCK C, LOT 1	302 WRIGHT AVE	ROCKWALL	TX	75032		PO BOX 1693		ROCKWALL	TX	75087
4331-000C-0002-00-0R	PATEL SANJAY	LYNDEN PARK ESTATES PHASE 1A, BLOCK C, LOT 2	308 WRIGHT AVE	ROCKWALL	TX	75032		308 WRIGHT AVE		ROCKWALL	TX	75032
4331-000B-0017-00-0R	THEDFORD KEITH & KAY	LYNDEN PARK ESTATES PHASE 1A, BLOCK B, LOT 17	119 HAMPSHIRE LN	ROCKWALL	TX	75032		119 HAMPSHIRE LN		ROCKWALL	TX	75032
4331-000B-0009-00-0R	BAILEY ROSELY C	LYNDEN PARK ESTATES PHASE 1A, BLOCK B, LOT 9	142 SOUTHAMPTON DR	ROCKWALL	TX	75032		142 SOUTHAMPTON DRIVE		ROCKWALL	TX	75032
4331-000B-0002-00-0R	HASSAN AKRAM AHMAD	LYNDEN PARK ESTATES PHASE 1A, BLOCK B, LOT 2	114 SOUTHAMPTON DR	ROCKWALL	TX	75032		114 SOUTHAMPTON DR		ROCKWALL	TX	75032
4331-000B-0001-00-0R	SHEPHERD PLACE HOMES INC	LYNDEN PARK ESTATES PHASE 1A, BLOCK B, LOT 1	108 SOUTHAMPTON DR	ROCKWALL	TX	75032		620 ROWLETT RD		GARLAND	TX	75043
4331-000B-0005-00-0R	NEWELL MICHAEL & AMBER	LYNDEN PARK ESTATES PHASE 1A, BLOCK B, LOT 5	126 SOUTHAMPTON DR	ROCKWALL	TX	75032		126 SOUTHAMPTON DR		ROCKWALL	TX	75032
4331-000B-0006-00-0R	VINSON DOUGLAS & CANDA	LYNDEN PARK ESTATES PHASE 1A, BLOCK B, LOT 6	130 SOUTHAMPTON DR	ROCKWALL	TX	75032		4824 WINDWARD PSGE		GARLAND	TX	75043
4331-000B-0007-00-0R	SAKHLEH SAMEER & JEANDARK	LYNDEN PARK ESTATES PHASE 1A, BLOCK B, LOT 7	134 SOUTHAMPTON DR	ROCKWALL	TX	75032		134 SOUTHAMPTON DR		ROCKWALL	TX	75032
4385-000A-0010-00-0R	ROCKWALL HOUSING DEV CORP	THE MEADOWS, BLOCK A, LOT 10	783 HAIL DR	ROCKWALL	TX	75032	A TEXAS NON-PROFIT CORP OF RW	787 HAIL DR		ROCKWALL	TX	75032
4385-000A-0011-00-0R	ROCKWALL HOUSING DEV CORP	THE MEADOWS, BLOCK A, LOT 11	787 HAIL DR	ROCKWALL	TX	75032	A TEXAS NON-PROFIT CORP OF RW	787 HAIL DR		ROCKWALL	TX	75032
4385-000B-0010-00-0R	ROCKWALL HOUSING DEV CORP	THE MEADOWS, BLOCK B, LOT 10	788 HAIL DR	ROCKWALL	TX	75032	A TEXAS NON-PROFIT CORP OF RW	787 HAIL DR		ROCKWALL	TX	75032
4385-000B-0009-00-0R	ROCKWALL HOUSING DEV CORP	THE MEADOWS, BLOCK B, LOT 9	786 HAIL DR	ROCKWALL	TX	75032	A TEXAS NON-PROFIT CORP OF RW	787 HAIL DR		ROCKWALL	TX	75032
4331-000E-0001-00-0R	GUTIERREZ SONIA	LYNDEN PARK ESTATES PHASE 1A, BLOCK E, LOT 1	105 SOUTHWOOD DR	ROCKWALL	TX	75032		105 SOUTHWOOD DR		ROCKWALL	TX	75032
4331-000E-0002-00-0R	ZHANG XIN	LYNDEN PARK ESTATES PHASE 1A, BLOCK E, LOT 2	109 SOUTHWOOD DR	ROCKWALL	TX	75032		5941 GLENDOWER LN		PLANO	TX	75093
0064-0000-0013-02-0R	ROCKWALL HOUSING DEVELOPMENT	A0064 E P G CHISUM, TRACT 13-2, ACRES .343	TUBBS RD	ROCKWALL	TX	75032	ATTN: TONY RIOS	787 HAIL DR		ROCKWALL	TX	75032
4719-000B-001A-00-0R	ROCKWALL DUNHILL LLC	R W MARKETCENTER ADDITION, BLOCK B, LOT 1A	I30	ROCKWALL	TX	75032		3100 MONTICELLO AVENUE	SUITE 300	DALLAS	TX	75205
4247-0000-0000-A0-0R	WALKER I REALTY INC	LAKESIDE BATTING PARK, ACRES 0.305, NORTH 81.94 FT	E I30	ROCKWALL	TX	75032	C/O CHARLES F WALKER	1112 POST OAK PL		WESTLAKE	TX	76262
3100-000A-0001-00-0R	WALKER I REALTY INC	BERNICE, BLOCK A, LOT 1, ACRES 0.845	801 E I30	ROCKWALL	TX	75087	C/O CHARLES F WALKER	1112 POST OAK PL		WESTLAKE	TX	76262
4817-000A-0002-00-0R	WEINBERGER HAROLD E 1998 FAMILY TRUST &	ROCKWALL MARKET CENTER EAST, BLOCK A, LOT 2, ACRES 1.6123	819 E I30	ROCKWALL	TX	75087	ELANA KROLL 1993 TRUST	1425 CAMINO LUJAN		SAN DIEGO	CA	92111
4247-0000-0000-00-0R	UNDERWOOD ARCHIE HARBERT	LAKESIDE BATTING PARK, ACRES 1.345	801 E I30	ROCKWALL	TX	75087		1804 KENTWOOD CIR		ROCKWALL	TX	75032
4817-000A-0001-00-0R	KOHLS ILLNOIS INC	ROCKWALL MARKET CENTER EAST, BLOCK A, LOT 1, ACRES 9.0142	823 E I30	ROCKWALL	TX	75087		PO BOX 2148		MILWAUKEE	WI	53201
0064-0000-0017-01-0R	ROCKWALL I S D	A0064 E P G CHISUM, TRACT 17-01, ACRES 11.605, EXEMPT	899 TUBBS	ROCKWALL	TX	75032						0
4002-000A-0001-00-0R	HD DEVELOPMENT PROPERTIES LP	HOME DEPOT-ROCKWALL ADDITION, BLOCK A, LOT 1, ACRES 11.389	765 I30	ROCKWALL	TX	75087	PROPERTY TAX DEPT #0531	PO BOX 105842		ATLANTA	GA	30348
4789-0000-0001-00-0R	ROCKWALL MEMORY CARE LLC	ROCKWALL MARKET CENTER SOUTH ADDITION, LOT 1, ACRES 3.187(	225 E RALPH HALL PKWY	ROCKWALL	TX	75032	A DELAWARE LIMITED LIABILITY COMPANY	545 E JOHN CARPENTER FWY	STE 545	IRVING	TX	75062
4789-0000-0004-00-0R	HOMEBANK at	ROCKWALL MARKET CENTER SOUTH ADDITION, LOT 4, ACRES 0.997(	105 RALPH HALL PKWY	ROCKWALL	TX	75032		PO BOX 909		SEAGOVILLE	TX	75159
4789-0000-0002-00-0R	GREAT AMERICAN RESORTS INC	ROCKWALL MARKET CENTER SOUTH ADDITION, LOT 2, ACRES 0.702(	129 E RALPH HALL	ROCKWALL	TX	75032		1917 ARROYO RD		DALHART	TX	79022
0064-0000-0012-02-0R	SCHULER JACK W TRUSTEE	A0064 E P G CHISUM, TRACT 12-2, ACRES .219	RALPH HALL PKWY	ROCKWALL	TX	75032		1500 INDUSTRIAL BLVD	STE 225	MCKINNEY	TX	75069

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City of Rockwall

Planning & Zoning Department
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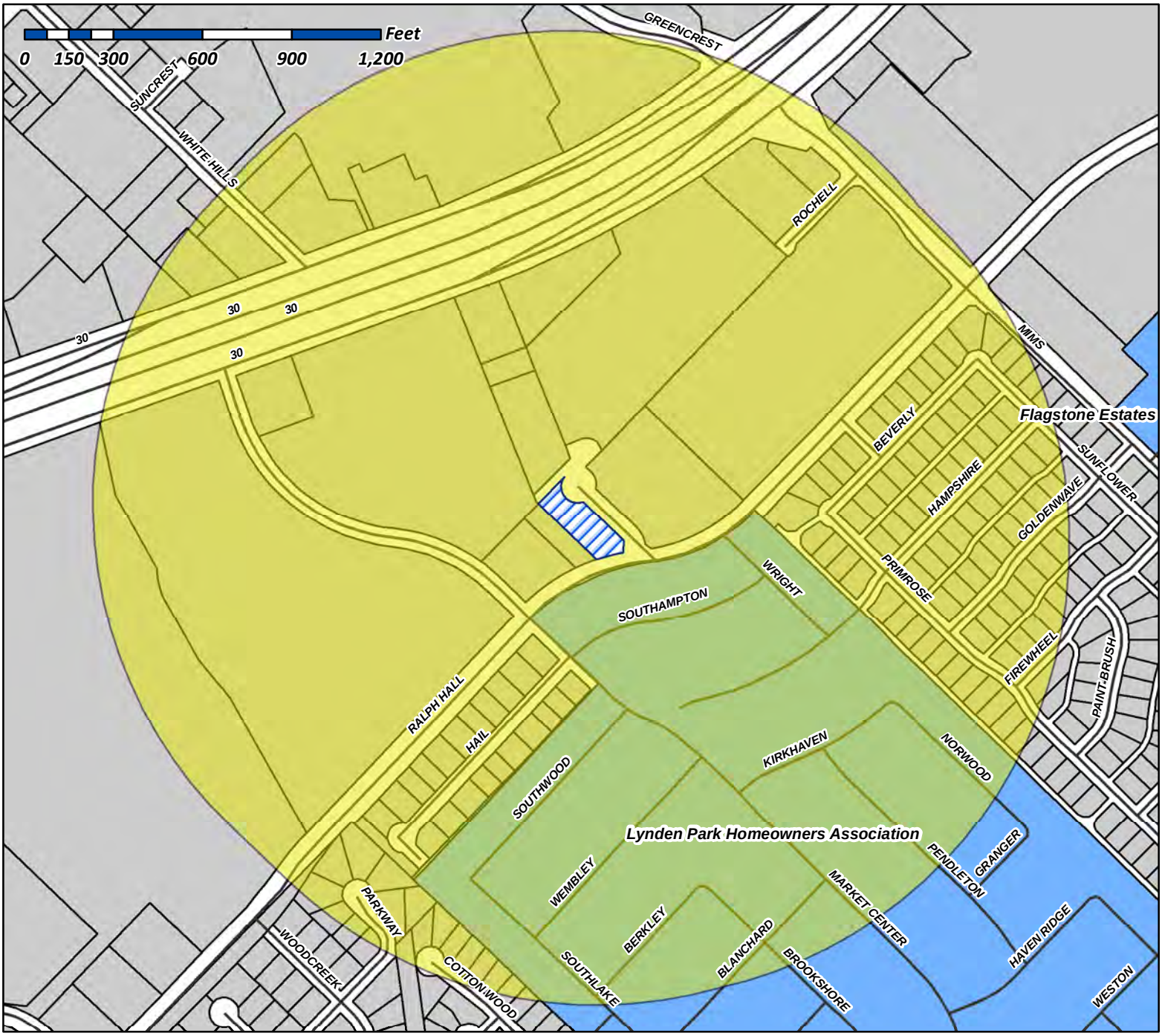
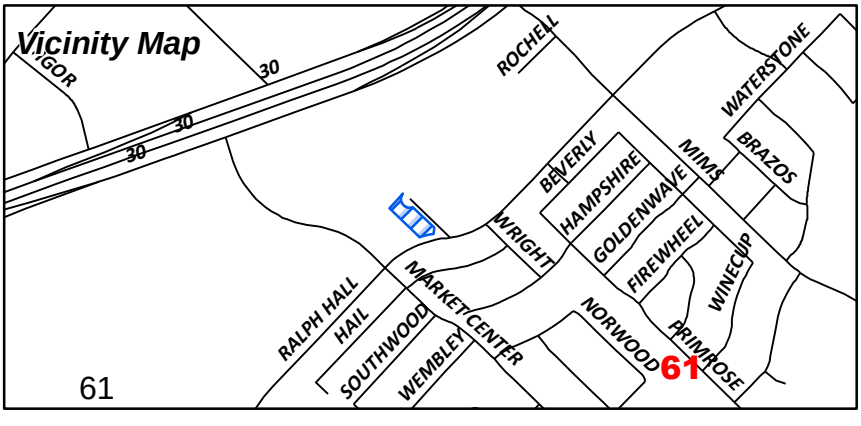


Case Number: Z2014-033
Case Name: Christian Bros. SUP
Case Type: Specific Use Permit
Zoning: C
Case Address: 129 E. Ralph Hall Parkway

Date Created: *10/17/2014*
For Questions on this Case Call (972) 771-7745



CITY OF ROCKWALL

ORDINANCE NO. 11-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR AN "AUTO REPAIR GARAGE, MINOR" WITHIN THE (C) COMMERCIAL DISTRICT, ON A 0.7-ACRE TRACT OF LAND KNOWN AS PART OF TRACT 12-2, ABSTRACT 64, E.P.G. CHISUM SURVEY, AND MORE SPECIFICALLY SHOWN IN EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Specific Use Permit for an "Auto Repair Garage, Minor" within the (C) Commercial district has been requested by Jonathan Wakefield of Christian Brothers Automotive Corporation on a 0.7-acre tract of land known as part of Tract 12-2, Abstract 64, E.P.G. Chisum Survey, and more specifically described in Exhibit "A"; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit for an "Auto Repair Garage, Minor" within the (C) Commercial district on a 0. 7-acre tract of land known as part of Tract 12-2, Abstract 64, E.P.G. Chisum Survey, and more specifically described in Exhibit "A"; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in ***Article V, Section 4.5, Commercial District*** of the City of Rockwall Unified Development Code (Ord. No. 04-38), as heretofore amended and as may be amended in the future, and shall be subject to the additional following additions:

1. Future site plan submittal and approval shall be required. However, development shall generally adhere to the building elevations (Exhibit B) attached hereto.
2. No vehicles, equipment, parts or inventory shall be stored outside overnight.
3. There shall be no bulk storage of tires within the facility.
4. No welding or painting work shall take place within the facility.
5. The Specific Use Permit may be subject to periodic review by the Planning and Zoning Commission or City Council to ensure the business is in compliance with all conditions stated herein.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code No. 04-38 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 7th day of February, 2011.

William R. Cecil, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

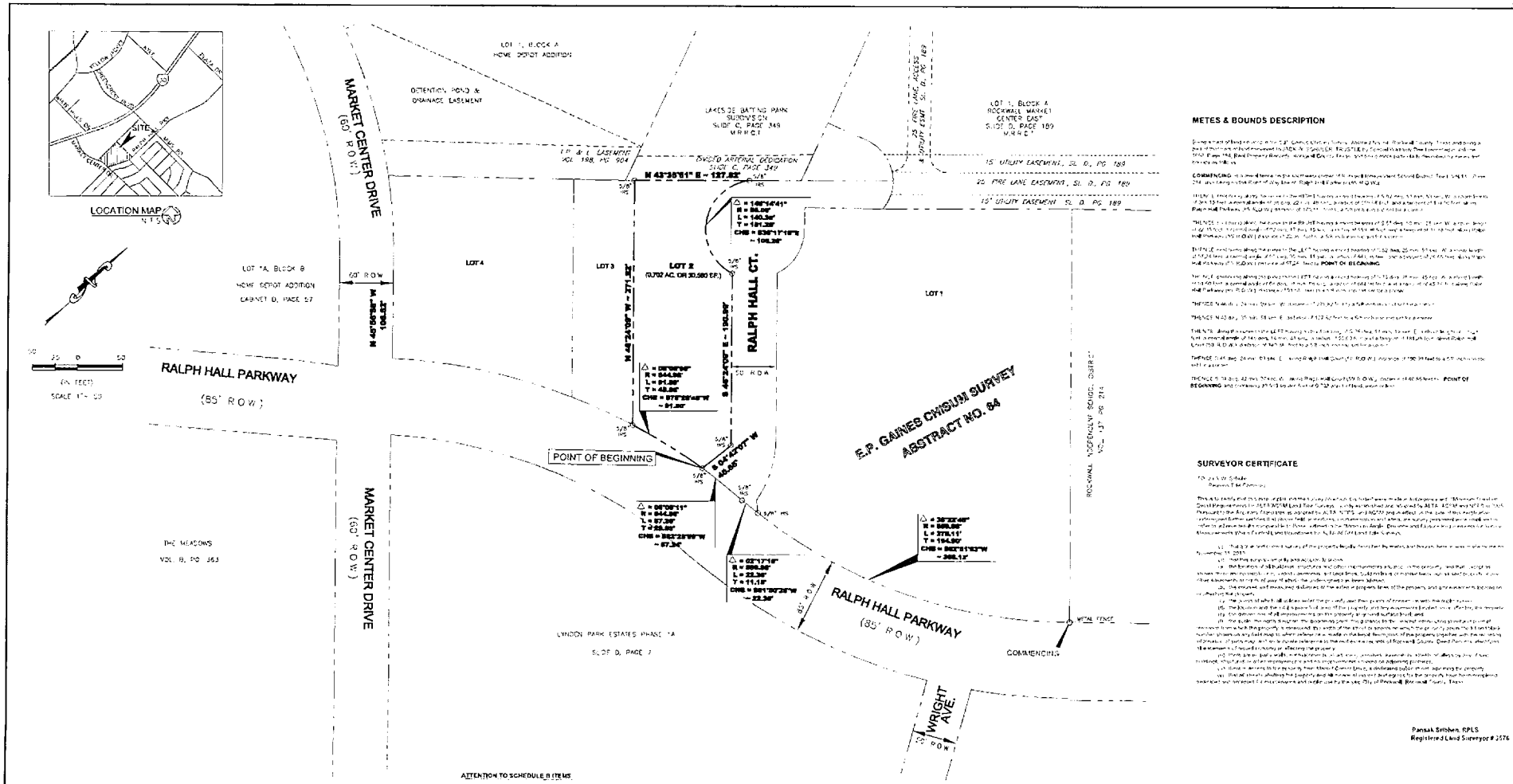
Pete Eckert, City Attorney

CITY OF ROCKWALL TEXAS SEAL

1st Reading: 01-18-11

2nd Reading: 02-07-11

EXHIBIT "A" - Z2010-025 (Christian Brothers Automotive)



METES & BOUNDS DESCRIPTION

SURVEYOR CERTIFICATE

Pansak Srihiran, RPLS
Registered Land Surveyor # 2576

ATTENTION TO SCHEDULE B ITEMS

SURVEY PLAT

FOR

LOT 2

ROCKWALL MARKET CENTER SOUTH ADDITION

RALPH HALL PARKWAY AND

MARKET CENTER DRIVE

E.P. GAINES CHISUM SURVEY, ABSTRACT NO. 64

CITY OF ROCKWALL

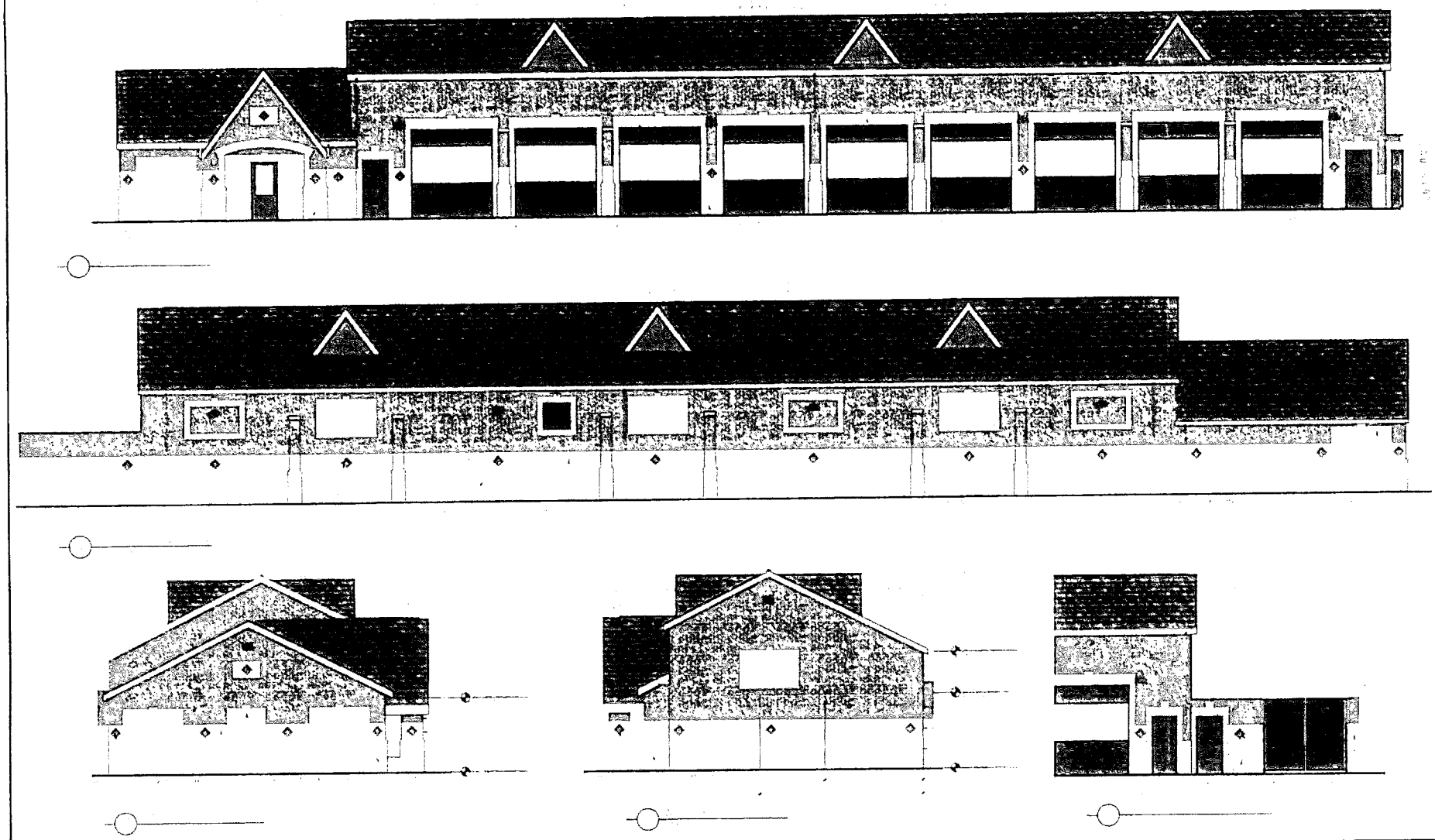
ROCKWALL COUNTY, TEXAS

DECEMBER 7, 2010

PSA ENGINEERING
7819 INWOOD ROAD, SUITE 215
DALLAS, TEXAS 75209
(972) 248-9851 FAX (972) 248-9667

OWNER
JACK W. SCHULER
1500 E. INDUSTRIAL BOULEVARD
McKINNEY, Texas 75069
(972) 562-5555

EXHIBIT "B" - Z2010-025 (Christian Brothers Automotive)



PAINT AND MATERIALS

MARK	AREA OR ELEMENT TO BE PAINTED	SHEEN COLOR	PPG MONARCH	BENJAMIN MOORE	SHERWIN WILLIAMS	OTHER	REMARKS

ICON Architects

Christian Brothers Automotive
Rockwall Market Center South Lot 2
Ralph Hall Pkwy & Ralph Hall Ct
Rockwall, TX

Christian Brothers Automotive
15205 N. Barbara Landing, St. 145
Houston, TX 77070

Approvals

COLOR
EXTERIOR
ELEVATIONS

A-4.1

65

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-033: Christian Brothers SUP Amendment

Hold a public hearing to discuss and consider a request by Amy and Mark Stehr for the approval of an amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, the subject property is addressed as 129 E. Ralph Hall Parkway, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 11/11/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 11/17/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

JoDee Sanford
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **11/17/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-033: Christian Brothers SUP Amendment

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

C. Brothers is an outstanding and involved business in our Rockwall Community.

Name: Shane Moore

Address: 765 E-I30

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

PLEASE RETURN THE BELOW FORM

Case No. Z2014-033: Christian Brothers SUP Amendment

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Vehicles stored overnight do not affect our business.

Lakeside Vet Clinic -

Name: DAN N. WALKER DVM

Address: 801 E I-30, Rockwall Texas. 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-033: Christian Brothers SUP Amendment

Hold a public hearing to discuss and consider a request by Amy and Mark Stehr for the approval of an amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, the subject property is addressed as 129 E. Ralph Hall Parkway, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 11/11/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 11/17/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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JoDee Sanford
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **11/17/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-033: Christian Brothers SUP Amendment

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

We don't see any harm in it

Name: Robbie Lee Hall

Address: 105 Southampton

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



November 6, 2014

To whom it may concern,

This letter is in regards to Christian Brothers Automotive requesting an Amendment to the zoning restrictions and allowance of having cars outside overnight. Christian Brothers Auto, as well as Amy and Mark Stehr, are outstanding citizens and business partners in this community. I have personally been involved in several community events that they have spearheaded such as Daddies and Daughter's Day and a Single Mother's Day. Both of these events were focused on education of our citizens and community involvement. In my opinion, Christian Brother's Auto is a wonderful business neighbor that works with the Home Depot and myself well and we have formed a solid relationship over the past few years working together. It is of my opinion that having cars outside of their facility will in no way negatively impact the area or the city. Christian Brothers maintains superior standards around cleanliness inside and outside of their business and I am positive they will not allow outside storage of a few cars alter their value on having a presentable business. If you have any questions or concerns please feel free to contact me. My cell number is 972-514-9501.

Shane Moore

Store Manager

Home Depot #531

Rockwall, TX, 75087

69

AUTUMN LEAVES™

BETTER MEMORY CARE. BY DESIGN.

11-13-14

To whom this may concern,

Autumn Leaves of Rockwall has a very good neighborly relationship with Christian Brothers Automotive. We have been neighbors since 2012 and have used each other's support in the past and will continue to do so in the future.

Autumn Leaves for Rockwall supports Christian Brothers Automotive with leaving their cars parked in the front or side of their building. We understand they are an automotive company and the owners have taken pride in keeping their property neat, clean and tidy for the public eye.

If you have any question or concerns, please give me a call Suzanne Withorn at 469-402-1883.

Sincerely,

Suzanne Withorn

Suzanne Withorn
Executive Director

October 30, 2014

To Whom It May Concern;

The letter is in behalf of Christian Brothers Automotive located at 129 E. Ralph Hall Parkway, Rockwall, TX, 75032.

As one of their neighbors for the last 2 years, we as a business have never seen parking as an issue at Christian Brothers. That includes cars they are currently working on or customers waiting for service.

Christian Brothers' reputation for cleanliness goes beyond expectation. They are completely professional in their quality of work and attention to detail of their property.

We, as the next door business are satisfied with Christian Brothers Automotive as a good neighbor.

Sincerely,

James Smith
SVP
HomeBank Texas

105 E. Ralph Hall Pkwy. Rockwall, Texas 75032
Ph. (972) 772-6888 Fax. (972) 772-6889

71

HOMEBANK

October 30, 2014

To Whom It May Concern;

I work next door to Christian Brothers Automotive, LLC in Rockwall and have since they were built in 2012.

They have always kept their property immaculately clean. Their parking lot is never disheveled or unsightly. Any cars that are parked on their property are always in spaces. The parking lot is kept organized at all times. Their professionalism is so impressive that I personally have used them to service all the vehicles of my household.

They are great neighbors for all the businesses around.

Thank you for your consideration,

Susie Stone

Susie Stone
Lobby Services Supervisor
HomeBank Texas
sstone@homebanktx.com

72

HOMEBANK

October 30, 2014

To Whom It May Concern:

RE: Christian Brothers Automotive
129 E. Ralph Hall Parkway
Rockwall, TX 75032

I work at Homebank which is next door to Christian Brothers Automotive and have watched it thru our drive thru window since they built the building over two years ago.

They have always been great neighbors and I have never noticed any problems with the way they handle their business.

The property is always kept neat and the parking of cars seems to be no issue since they are all parked neatly in the spaces provided.

Sincerely,

Melody Pike

Legends Batting Cages
801-B E. Interstate 30
Rockwall, TX 75087

September 10th, 2014

TO WHOM IT MAY CONCERN

Re: Christian Brother's Automotive

Dear Sirs:

This letter is to notify you of the high regards we have for Mrs. Amy Stehr and the rest of her staff at Christian Brother's Automotive.

From day 1 she was a great neighbor and friend.

I have always noticed their parking lot and landscaping to always be in excellent condition.

Clean, neat and well maintained.

We never had any negative issues with their place of business.

Furthermore: They have been great supporters of our baseball program and the children in the community.

THANK YOU IN ADVANCE FOR YOUR TIME.

Best regards,

Leo Rodriguez
(214) 998-9997

ROCKWALL BASEBALL

74

lakepointe
CHURCH

November 19, 2014

To Whom It May Concern:

I am writing in regards to Christian Brothers Automotive in Rockwall, Texas. I have the highest respect for this business and its employees. We recently partnered with them for a Father-Daughter event at Lake Pointe Church. They went above and beyond to help make our event a huge success. They networked us with another business in the community who played a significant role in our programming for the day. The employees gave of their time and expertise to come and teach our fathers and daughters how to care for their vehicle properly and change a tire (something every teenage girl should know!). The event exceeded our expectations and our church members are already asking for another one like it.

Amy Stehr, the owner and operator, is an absolute joy to work alongside. She is kind and generous. I believe she values the Rockwall community and seeks to make her customers feel valued. When we approached her about partnering with us for our event she was immediately excited because she saw the benefit not just for Christian Brothers, but for the relationship between dads and daughters also. Amy cares for people and uses her business as an avenue to make the lives of people better.

I am excited to partner with Christian Brothers in the future. As a member of the Rockwall community I am grateful for Christ-centered businesses that conduct themselves with integrity and honor the value of customer service. We are blessed to have Amy and her employees in our community!

Sincerely,

Rebecca Bradford
High School Girls Minister
Lake Pointe Church
469-698-2400

lakepointe
CHURCH

November 19, 2014

To Whom It May Concern:

We have a great relationship with Christian Brothers Automotive in Rockwall. Their shop is clean and they are professional in all our dealings. They regularly assist with our CARS Ministry program. They have assisted many families by providing discounted auto maintenance. They do a great job of helping single mothers by having an annual free oil change for the past three years. They also provide early morning drop off and night pick up to many of our members, which allow them to maintain their work schedule plus get their car taken care of. They have proven to be a good neighbor to all of us along Ralph Hall Parkway.

Sincerely,

John P. Wardell
Executive Pastor of Operations

JPW: ml

Amy Stehr <mark.stehr@christianbrothersauto.com>

Letter of recomendation

1 message

Ryan Lewis <ryanl@lakepointe.org> Wed, Nov 19, 2014 at 3:10 PM
To: "amy.stehr@cbauto.net" <amy.stehr@cbauto.net>

To Whom It May Concern:

Please let this letter serve as my support of Christian Brothers Automotive in Rockwall Texas. I have used Christian brothers automotive for all of my personal automotive maintenance and repair since they opened. The staff has always been very courteous, respectful and has always done exactly what they said they would do. On numerous occasions I have benefited from leaving my vehicle parked in their lot overnight when I have been unable to pick up or drop off during regular business hours and would appreciate that this service continue to be available if possible

Sincerely,

Ryan Lewis
Firewheel Campus Pastor
Director of Re|Engage
Lake Pointe Church
972-495-2713
@rlelewis

lakepointe CHURCH

ROCKWALL SURGICAL SPECIALISTS

David W. Ritter, M.D. Jake K. Abbott, M.D. Amy B. Eastman, M.D.
7501 Lakeview Parkway, Suite 270
Rowlett, TX 75088
Office: (972) 412-7700 Fax: (972) 412-7710

November 19, 2014

RE: Christian Brothers Automotive
129 East Ralph Hall Pkwy.
Rockwall, TX 75032

Dear Sir or Madam,

This letter is in regards to the above referenced business. I use Christian Brothers Automotive to service my personal vehicles. I appreciate the convenience of being able to drop off or pick up my vehicles after hours. Their shop and parking lot are always clean. The staff is very friendly, professional, and courteous.

In my line of work, normal 8-5 hours are not possible. I am thankful to Christian Brothers Automotive for always being willing to work with me on my time. Their accommodations have made it easier for me to service the community and help those who need medical attention.

I ask that you please reconsider the changes that you are imposing on Christian Brothers Automotive and allow them to continue the afterhours open parking lot. This benefits the community in several ways.

Sincerely,

Jake K. Abbott, M.D.

ROCKWALL SURGICAL SPECIALISTS

David W. Ritter, M.D. Jake K. Abbott, M.D. Amy B. Eastman, M.D.
7501 Lakeview Parkway, Suite 270
Rowlett, TX 75088
Office: (972) 412-7700 Fax: (972) 412-7710

November 19, 2014

RE: Christian Brothers Automotive
129 East Ralph Hall Pkwy.
Rockwall, TX 75032

Dear Sir or Madam,

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In my line of work, normal 8-5 hours are not possible. I am thankful to Christian Brothers Automotive for always being willing to work with me on my time. Their accommodations have made it easier for me to service the community and help those who need medical attention.

I ask that you please reconsider the changes that you are imposing on Christian Brothers Automotive and allow them to continue the afterhours open parking lot. This benefits the community in several ways.

Sincerely,

Amy B. Eastman, M.D.

November 17, 2014

To Whom It May Concern

I write on behalf of Christian Brothers Automotive Services located on Ralph Hall Parkway in Rockwall, Texas; concerning a pending City Ordinance that would restrict the overnight parking of vehicles in need of services/repairs on their premises.

As a residential neighbor to this business, my family and I have no objections and see no reason to deprive Christian Brothers Automotive Services permission to accept and park vehicles in need of services/repairs on its premises overnight.

I have come to value this added service provided by the Christian Brothers team; whereby, I am able to park my vehicle, and drop off the keys in a secured drop box. Enacting this City Ordinance will impact many vehicle operators who have come to rely on the expedient and effective service we receive from this business.

I pray that the Council will give due consideration to an alternative solution as opposed to the one that will negatively impact this growing community.

Thank you.

Adeyemi Coker
Lecturer & Consultant
106 Brookshore Drive
Rockwall, Texas 75032



November 4, 2014

Amy Stahr
Christian Brothers Automotive
129 East Ralph Hall Parkway
Rockwall, Texas 75032

Dear Amy:

I am writing to you out of concern about the possibility that you will no longer be able to allow your customers to leave their vehicle parked at your shop overnight. As you know, I have had occasions when I needed to drop off my vehicle the night before so that you could start work early the next day to meet my schedule needs. This accommodation is important to meeting the needs of your customers. If I can be of assistance in making this need known to city regulators, please let me know.

Thank you for providing a clean and professional shop for my automotive needs. Your employees have always treated Sue and I with professionalism and courtesy, and that is important to me.

Amy, I also want to take this opportunity to thank you for the support Christian Brothers has given to Rockwall County Young Life ministry. I'm glad to report that Young Life continues to effectively and strategically minister to around 100 kids each week, with a core group of probably 40 to 50 that participates weekly. So, we are touching the lives of a lot more than just 100 kids.

Again, let me know if I can be of service to you.

Kindest regards,

Bob Almond
ROA Services, LLC

JL Knapp Enterprises Inc.
6009 Baskerville Dr.
Rockwall,Tx.75087

November 19, 2014

To Whom It May Concern:

I am a long time Rockwall resident and own two automotive related businesses. I use Christian Brothers Automotive in Rockwall for all my automotive needs and refer all my customers to them as well. It is very beneficial for me and my customers to be able to drop off and pick up vehicles after hours due to busy schedules. It is an absolute pleasure to deal with a reputable organization in an industry that is known for questionable business practices.

Hopefully you will give this matter some well thought out consideration to allow this business to continue to service the community and its residents.

Sincerely,

Johnny Knapp
6009 Baskerville
Rockwall, TX 75087

Pro Star Collision
4200 E I-30
Mesquite, TX 75150
Ph: 972-681-7300

Accurate Glass Works
3718 Big A Road
Rowlett, TX 75088
Ph: 214-531-2027

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Amy Stehr <mark.stehr@christianbrothersauto.com>

Appreciation

1 message

Lisette Rothwell <lncardoza@hotmail.com> Fri, Nov 14, 2014 at 6:38 AM
To: "amy.stehr@cbauto.net" <amy.stehr@cbauto.net>

Amy & Mark Stehr,

I just wanted to let you know that your Christian Brothers location is such an asset to the community. Ever since I have been taking

my car there over the last 2 years, I am greeted with a smile and immediate attention. I feel comfortable in your warm atmosphere

and also knowing that I won't be overcharged or additional services will not be added for no reason.

In addition, you have contributed to my son's school Amy Parks for their annual Boosterthon Fundraiser. Thanks so much for your

donation.

Thanks,

Lisette Rothwell
(Christian Brothers Customer)

Blue Ribbon News

Christian Brothers Automotive & Lake Pointe Church offer free oil changes for single moms

ROCKWALL, TX. (October 8, 2014) Christian Brothers Automotive of Rockwall has partnered with Lake Pointe Church to perform free oil changes for single mothers throughout the area. The announcement is part of the company's goodwill service initiative and single mother's throughout the area to have their vehicles serviced free of charge. Appointments were scheduled in advance by Lake Pointe Church.

"We understand the challenges that mothers can face when caring for a child, or children, and we hope to be able to lend a helping hand to those in need and show our support for the single mothers in the community," said Amy Stehr, owner of Rockwall's Christian Brothers Automotive. "Christian Brothers Automotive cherishes the community and its members, and it is our mission to demonstrate our core values of honesty, integrity and reliability both in our shop and in the community. We look forward to seeing friendly faces from the community."
With its upscale home-charm décor, Christian Brothers Automotive has become a favorite car repair destination for the areas it serves, particularly among women who are used to the dirty, dingy image of auto shops and questionable practices.

"Historically, the automotive repair industry has been plagued by negative perceptions, and women are traditionally more hesitant about the car service experience because of the dishonesty often associated with the industry," added Stehr. "We exist to challenge the norm by insisting on quality, fairness and first-rate customer service at all times. And since women make up the majority of our customers, we go the extra mile to make them feel comfortable and at home."
Christian Brothers Automotive provides full-service automotive diagnostic testing and evaluation, maintenance programs and repair work for all domestic and foreign vehicles at each of their locations. All Christian Brothers Automotive facilities are staffed with automotive service excellence (ASE) certified technicians.







For more information regarding Christian Brothers Automotive of Rockwall, call 972.722.9500 or visit cbac.com/rockwall.

Blue Ribbon News

Rockwall Chamber recognizes Partner of the Month

Congratulations to Christian Brothers Automotive

October 1, 2013 – The **Rockwall Chamber** celebrates the achievements of local businesses and community organizations by featuring one outstanding business or organization each month. The Partner Spotlight of the Month is awarded to companies who have recognized and can demonstrate the added value of being a Chamber member. The Chamber has selected Christian Brothers Automotive as its September 2013 Partner Spotlight of the Month. Rob Grand-Lienard of SPM, Inc, a member of the Chamber Board of Directors, recognized Christian Brothers in a special video presentation, while last month's award winner, Tim Nichols of Nichols Wealth Management, handed off the traveling trophy.

"We joined the Rockwall Area Chamber of Commerce when we opened the shop in the first part of 2012. From the start it was obvious this group was different than most," said Amy Stehr, who owns the automotive repair shop along with her husband, Mark. "The entire Chamber staff is professional and welcoming. The Chamber has offered us many great opportunities, including participating as a sponsor of the Chick-fil-A LeaderCast event and the League of Their Own Partnership Campaign. We have enjoyed meeting some great people and wonderful speakers at the monthly Partnership Luncheons. We are honored to be recognized as a Partner Spotlight of the Month!"

Christian Brothers Automotive is located at 129 E. Ralph Hall Parkway (behind Home Depot). The shop is nearly 5,000 square-feet. With years of experience in the non-profit sector and as a business consultant, Amy assumes the on-site manager role, running day-to-day operations, while Mark uses his 30 years of experience in the automotive field to support technical issues as needed.

"Historically, the automotive repair industry has been plagued by negative perceptions, and women are traditionally more hesitant about the car service experience because of the dishonesty often associated with the industry," said Amy. "Christian Brothers Automotive exists to challenge the norm by providing high-quality, first rate customer service at all times, making everyone feel comfortable and at home."

Christian Brothers Automotive provides full service automotive diagnostic testing and evaluation, maintenance programs and repair work for all domestic and foreign vehicles including models such as Mercedes, BMW and Volvo. The facility is staffed with automotive service excellence (ASE) certified technicians and a German Car Specialist.

"We want to be the light in our community where customers can depend on us for their automotive needs," said Amy. "Christian Brothers Automotive is about educating our guests about their vehicles and how to keep their investment running optimally for as long as possible. We don't believe in hard sell tactics or forcing a customer to purchase additional services exceeding their vehicles' diagnosis. We pride ourselves on our business practices and becoming a go-to source for all community members who may have questions or concerns about their automobile."

85

Rockwall Art League Fine Art Show winners recognized



Best in Show goes to Laura Antony.

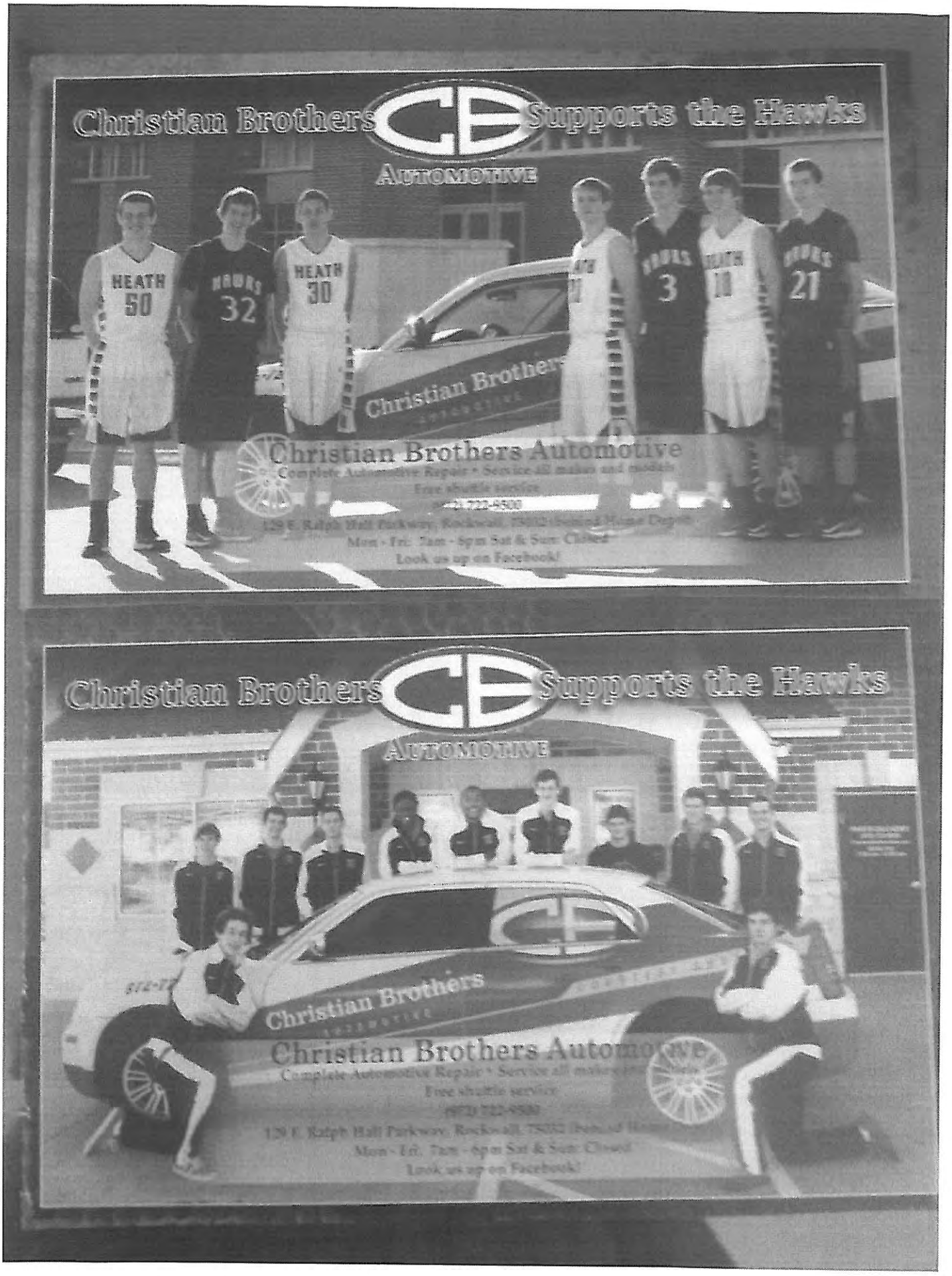
ROCKWALL, TX (October 6, 2014) The Rockwall Art League's Fine Art Show drew a steady crowd of art enthusiasts, buyers, friends, family and community members this weekend at Rockwall Rotary Hall. Many local businesses stepped up to provide door prizes and sponsor the awards, which were presented by Rockwall Mayor David Sweet on Saturday evening.

Nationally recognized, award-winning artist Rusty Jones judged the Show, following in the footsteps of Nancy Boren, Cecy Turner, Andrew Wages, John Pototshnik, Sharon Serrago and other accomplished artists and judges. Cash awards were presented for Best of Show, Oil, Acrylic, Water Media, Drawing, Photography, and Mixed Media/3-Dimensional. The People's Choice Award, sponsored by RAL, gave visitors a chance to vote on their favorite piece of artwork. An Honorable Mention was also recognized in each category.

Darlene Dittoe and Thom Loafman served as co-chairs of the 2014 event. Sales of artwork supported RAL's Tom Collins Memorial Fine Art Scholarship, which is given annually to a Rockwall graduating senior.

Award sponsors included Texas Health Presbyterian Hospital Rockwall, Milestone Electric, Lakeside National Bank Rockwall, Community Bank of Rockwall, North Texas Appliance, American National Bank, Toyota of Rockwall, Lake Pointe Medical Center, Local Cremation, Heritage GMC Buick Rockwall and Christian Brothers Automotive in Rockwall.

Businesses donating door prizes included Milestone Electric, Christian Brothers Automotive, Candles by Carol, Zanata, Olive Garden, On the Border, Chiloso's, Firehouse Subs and Edible Arrangements. Special thanks to The Flower Box for donating the centerpiece for the reception. Blue Ribbon News served as the media sponsor.


Christian Brothers
Supports the Hawks
Automotive
HEATH
50
HAWKS
32
HEATH
30
HAWKS
3
HEATH
10
HAWKS
21
Christian Brothers
Christian Brothers Automotive
Complete Automotive Repair • Service all makes and models
Free shuttle service
Mon - Fri: 7am - 6pm Sat & Sun: Closed
Look us up on Facebook!
Christian Brothers
Supports the Hawks
Automotive
Christian Brothers
Christian Brothers Automotive
Complete Automotive Repair • Service all makes and models
Free shuttle service
Mon - Fri: 7am - 6pm Sat & Sun: Closed
Look us up on Facebook!

CITY OF ROCKWALL

ORDINANCE NO. 14-___

SPECIFIC USE PERMIT NO. S-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND A SPECIFIC USE PERMIT (SUP) NO. S-81 [ORDINANCE NO. 11-05] TO ALLOW VHICLES TO BE STORED OUTSIDE OVERNIGHT IN CONJUNCTION WITH AN EXISTING AUTOMOTIVE REPAIR GARAGE WITHIN A COMMERCIAL (C) DISTRICT ON A 0.702-ACRE TRACT OF LAND IDENTIFIED AS LOT 2, ROCKWALL MARKET CENTER SOUTH ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Amy and Mark Stehr for the approval of an amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 129 E. Ralph Hall Parkway; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to amend a Specific Use Permit (SUP) No. S-81 [Ordinance No. 11.05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 129 E. Ralph Hall Parkway; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **Section 4.5, *Commercial (C) District*, of Article V, *District Development Standards*, of the City of Rockwall Unified Development Code (Ordinance No. 04-38)** as heretofore amended and as may be amended in the future, and shall be subject to the additional following conditions and definitions.

1. Vehicles may be stored outside in the six (6) parking spaces on the north side of the building (shown in Exhibit "A") for a maximum 72 hour period.
2. No equipment, parts or inventory shall be stored outside overnight.
3. There shall be no bulk storage of tires within the facility.
4. No welding or painting work shall take place within the facility.
5. The Specific Use Permit may be subject to periodic review by the Planning and Zoning Commission or City Council to ensure the business is in compliance with all conditions stated herein.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE ____ DAY OF _____, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

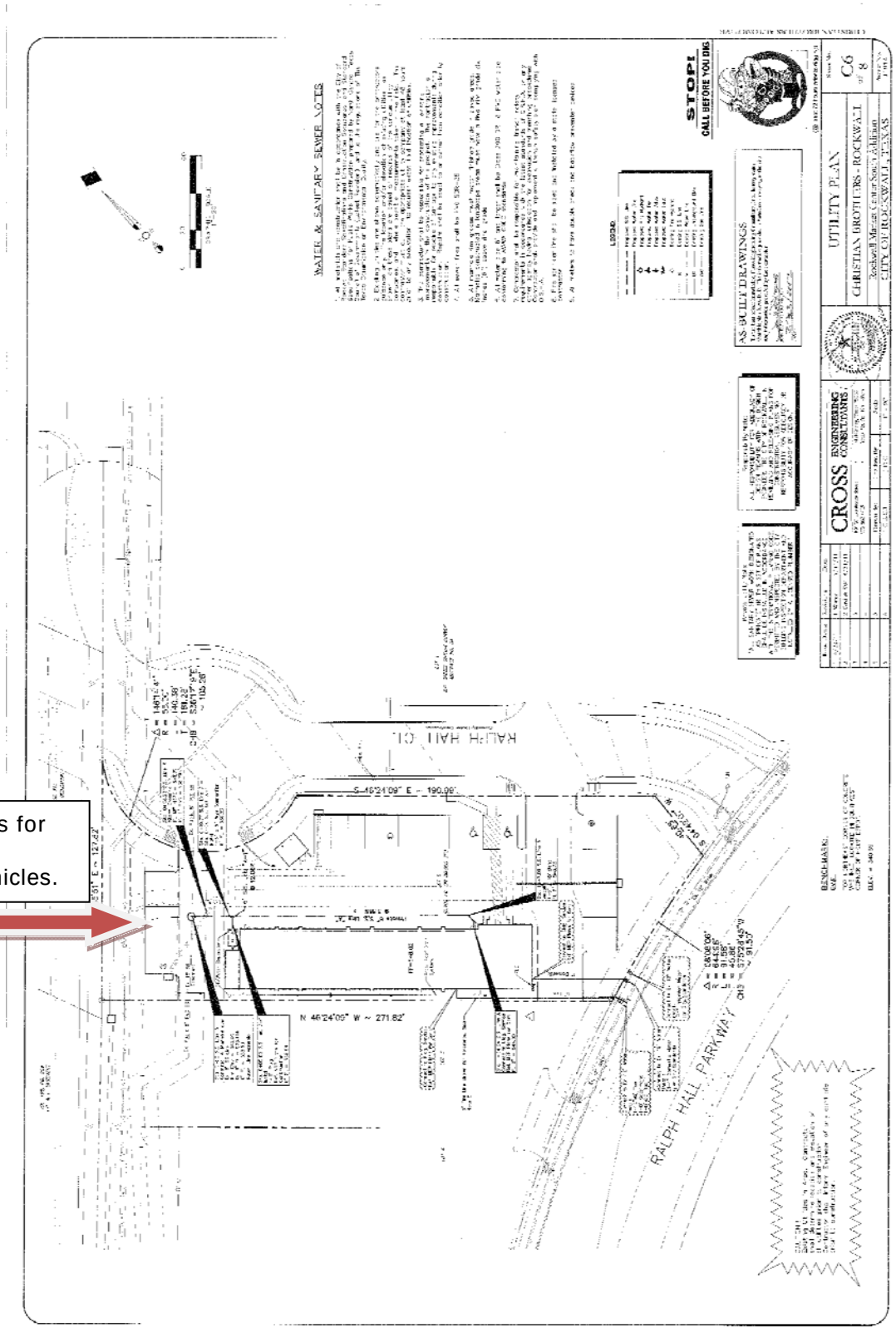
APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: _____

2nd Reading: _____

Exhibit “A” – Site Plan



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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

DATE: **November 25, 2014**

SUBJECT: **Proposals for designating newspaper of record**

The city has been utilizing the Rockwall County News as our newspaper of record for a number of years. However, according to Article XI., Sec. 11.02 of the city charter,

> *The City Council must designate annually a newspaper of general circulation in the City to serve as newspaper of record. All ordinances, notices and other matters required by this Charter, City ordinance, or the Constitution and laws of the State of Texas must be published in the newspaper of record.*

Several weeks ago, a letter requesting proposals was sent to the following newspapers: Rockwall County News, the Royse City/Rockwall Herald Banner, and the Dallas Morning News/Neighbors Go. Respondents were asked to (1) confirm that they meet the statutory requirements to be designated as our newspaper of record, and (2) send quotes on what they would charge for various types of publications. Three exhibits were initially sent – one notice of bond election; one ordinance caption; and one request for proposals ad). They were also asked to submit pricing information. Once staff received and began comparing the replies, it was noted that all respondents assess fees differently (i.e. by word; by column inch; by line, etc.). Therefore, in an effort to glean more "sample data" on fees charged, staff sent a subsequent letter with more sample publications (P&Z public hearing notices; bid proposal ad; notice of intent to issue COs; surplus unclaimed property sale; and notice of tax rate). Each newspaper respondent was asked to not only quote on these exhibits but also submit information concerning their subscriptions in Rockwall and their publication deadlines. All newspapers have asserted that they do meet the statutory requirements.

Staff has assimilated all responsive information into the attached spreadsheet for the city council to review. City Attorney Frank Garza will be present at the December 1st meeting to answer any questions the council may have related to statutory requirements regarding newspapers of record, and staff will be available to answer any general questions the council may have.

Responsive data & information re: requests for proposals for designating "Newspaper of Record"	Sample Legal Notices Sent to All Newspapers & Associated Quotes / Costs									Est. Subscription Numbers	Rate	Publication Frequency / Day	Deadlines
	Exhibit A (1 Bond Election Notice)	Exhibit B (1 Ordinance Caption)	Exhibit C (1 RFP ad)	Exhibit A (5 P&Z notices)	Exhibit B (1 bid proposals ad)	Exhibit C (1 notice to issue COs)	Exhibit D (1 surplus, unclaim property sale)	Exhibit E (1 notice of tax rate)	Est. Total per year for publishing these types of notices				
Est. Number of publications of this type last fiscal year	1	40	23	8 (40 total / 5)	23	1	2	1					
Rockwall County News	$ 1,720.00	$ 77.60	$ 162.40	$ 460.00	$ 285.60	$ 316.80	$ 169.60	$ 231.00		75032 - 496 75087 - 596	.80 / word or $11 / column inch	each Thurs.	5PM Mondays (but has been flexible - i.e. allowing up to 10 AM or even noon on Tues.)
	$ 1,720.00	$ 3,104.00	$ 3,735.20	$ 3,680.00	$ 6,568.80	$ 316.80	$ 339.20	$ 231.00	$ 19,695.00				
Dallas Morning News (Open Rate) (if $10k/yr. minimum is not agreed to/met)				$ 2,339.00	$ 1,660.00	$ 1,884.00	$ 987.00	$ 3,000.00		75032 - 2,693 75087 - 3,320	$14.00 per newspaper line	daily	10 AM prior day for Tues. - Sat.; 3PM for Sun. & Mon.
Dallas Morning News (Min. $10k/yr. contract rate)	$ 3,822.00	$ 126.00	$ 239.40	$ 962.00	$ 682.50	$ 761.00	$ 388.50	$ 3,000.00		75032 - 2,693 75087 - 3,320	$5.50 per newspaper line if min. of $3,000/year is met		
	$ 3,822.00	$ 5,040.00	$ 5,506.20	$ 7,696.00	$ 15,697.50	$ 761.00	$ 777.00	$ 3,000.00	$ 42,299.70				
Dallas Morning News NeighborsGo	$ 1,601.60	$ 73.82	$ 136.59	$ 249.20	$ 176.50	$ 190.20	$ 111.30	$ 560.00		75032 - 2,69375087 - 3,320	$1.10 per newspaper line + misc. fees	each Friday	deadline 10 AM the Fri. one week prior to next Friday publication
	$ 1,601.60	$ 2,952.80	$ 3,141.57	$ 1,993.60	$ 4,059.50	$ 190.20	$ 222.60	$ 560.00	$ 14,721.87				
Royse City / Rockwall County Herald Banner	$ 819.00	$ 79.00	$ 171.50	$ 267.50	$ 182.50	$ 212.50	$ 92.50	$ 300.00		Royse City HB is subscription based and also sold in newspaper racks and stands in Royse City; Est. total circulation is 405 Rck Co. HB is *not* subscription based; Est. number delivered to homes free of charge throughout the county - 11,638 Avg. No. sold in local stores - 189; HB advises that if anyone wants to pay a subscription-based fee and request to receive the Rck. Co. HB regularly, they can do so, and it will be mailed to them. Appx. 206 in Rck. County currently pay to have it mailed to them. Also, if they do not want the free edition thrown, they can request to opt out.	RC HB - $10 per column inch Rck HB - "No charge" (will be published in both)	Royse City HB - each Wed. Rck. HB - each Friday	Royse City HB - Friday at noon Rck. HB - Tues. at noon
	$ 819.00	$ 3,160.00	$ 3,944.50	$ 2,140.00	$ 4,197.50	$ 212.50	$ 185.00	$ 300.00	$ 14,958.50				

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

DATE: **November 25, 2014**

SUBJECT: **Art Review Team (ART) Commission appointments (5)**

The council recently adopted an ordinance making changes to the previously established composition of the city's Art Review Team (ART Commission). The updated provisions regarding its composition are as follows:

(a) (1) The art review team (ART) commission shall consist of five members, who shall all be "interested citizens" appointed by the city council. All team members should possess knowledge of or have an interest in contemporary, visual art, artistic principles and art media.

- *a. The art review team (ART) commission shall consist of **five regular members appointed by a majority of the city council**. A staff liaison will be appointed by the city manager.*
- *b. In the case of a vacancy of the commission, the city council, by a majority vote, may appoint a replacement member to the commission. Any person appointed shall serve until the expiration of the term of office of the vacated position.*
- *c. Each member of the commission shall be a resident citizen and qualified voter of the city.*
- *d. Upon the initial appointment of the commission by the city council, members shall draw lots for three two-year terms and two one-year terms of service. Thereafter, the term of office of members of the commission shall be for two years. Members may be removed, as determined by the city council.*
- *e. Members shall serve without compensation.*

The two city council members assigned to oversee review of applicants and make recommendations to the full council concerning appointments to this commission are Councilmember Milder and Mayor Sweet.

Boards & Commissions Appointments

(Updated for 12/1/14 City Council Meeting)

2 year appointments to end of August 2016 unless otherwise noted

THESE (ADVISORY) BOARD APPTS. MAY *NOT* BE DISCUSSED IN EX. SESSION

ARCHITECTURAL REVIEW BOARD (ARB) - Milder

(1) Need to replace

- *Michael Johnston (currently serving as "commercial property owner")*
- *Mike Mershawn (attendance - has missed several mtgs.) (currently serving as "architect") (new member would serve partial term until Aug. 2015)*

MAIN STREET ADVISORY BOARD - Sweet

(1) Need to replace (terms are Jan. appts.)

- *SuLaine Callaway (resigned) (new board member's term would be through Jan. 2016)*
- *Sandra Whitley (will term out in Jan. – 6 year policy) (new board member's term would be through Jan. 2017)*
- *Barb Coleson (will term out in Jan. – 6 year policy) (new board member's term would be through Jan. 2017)*

(2) Eligible to be reappointed (in January)

- *Sarah Freed (new board member term would be through Jan. 2017)*

ART REVIEW TEAM (ART) COMMISSION – Milder and Sweet

Need five (5) new appointments (see memo)

THESE (REGULATORY) BOARD APPTS. MAY BE DISCUSSED IN EX. SESSION

BOARD OF ADJUSTMENTS (BOA) - Full Council

(1) Need to replace

- *Jennifer Willis (termed out - 6 year policy)*

BUILDING & STANDARDS COMMISSION - Full Council

(1) Need to replace

- *David Marlett (termed out - 6 year policy)*
- *Bridgett Hoofnagle (termed out - 6 year policy)*
- *Mike Jusko (termed out - 6 year policy)*

ROCKWALL ECONOMIC DEVELOPMENT CORP. (REDC) – Full Council

(1) Need to replace – *(are termed out) (new board member terms would be thru Dec.2017)*

- John Hohenshelt
- Bill Houser

(2) Eligible to be reappointed

- Gary Bunch *(new term would be through Dec. 2017)*

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City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

October 2014

Permits

Total Permits Issued: 312

Building Permits: 49 Contractor Permits: 263

Total Permit Values: $ 8,605,755.34

Building Permits: $ 7,364,5609 Contractor Permits: $1,241,195.34

Total Fees Collected: $ 143,153.00

Building Permits: $ 123,946.24 Contractor Permits: $ 19,206.76

Board of Adjustment

Board of Adjustment Cases 0

City of Rockwall

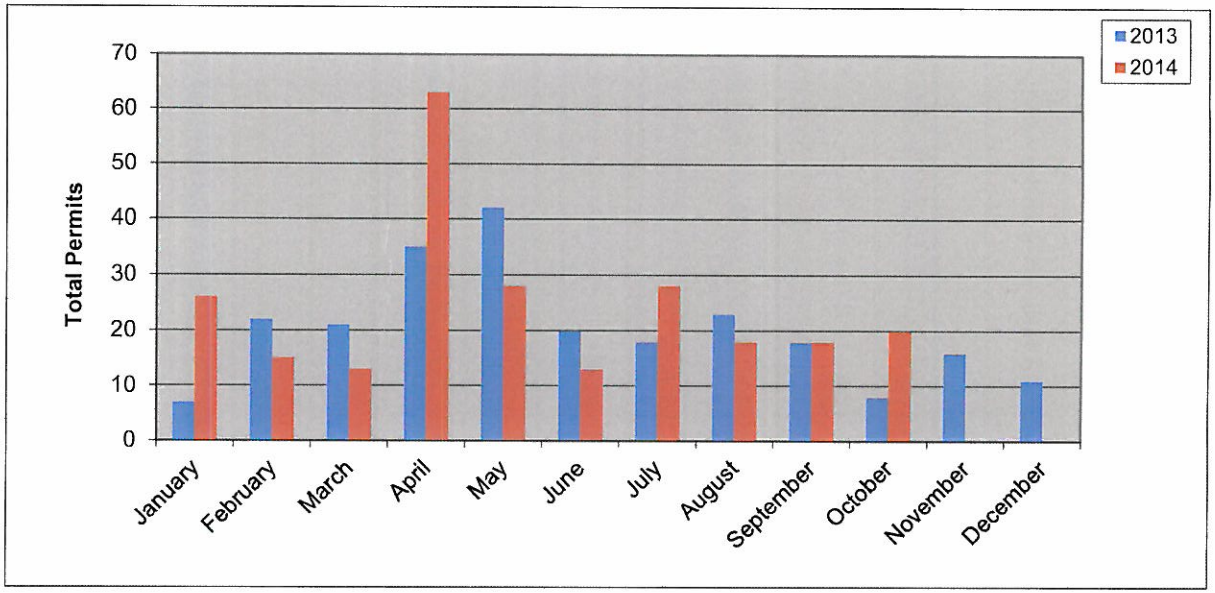
PERMITS ISSUED - Summary by Type and Subtype

For the Period 10/1/2014 thru 10/31/2014

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	3	$0.00	$153.00
	1	$0.00	$51.50
30 DAY BANNER	2	$0.00	$101.50
BANNER NONPROFIT	1	$0.00	$0.00
	1	$0.00	$0.00
CO	17	$0.00	$909.00
BUSINESS	17	$0.00	$909.00
COMM	33	$1,918,588.00	$18,128.56
ALTERATION	2	$83,000.00	$4,033.78
CONST TRAILER	1	$0.00	$100.00
ELECTRICAL	6	$94,400.00	$1,562.77
INTERIOR COMP	1	$240,000.00	$1,790.00
IRRIGATION	1	$3,500.00	$35.00
MISCELLANEOUS	3	$39,350.00	$722.11
NEW	1	$49,000.00	$645.15
PLUMBING	2	$1,600.00	$89.80
REMODEL	7	$1,197,850.00	$8,827.35
ROOF	9	$209,888.00	$322.60
SIGNAGE	7	$6,700.00	$1,125.00
MONUMENT	1	$0.00	$150.00
WALL	6	$6,700.00	$975.00
SINGLE FAMILY	241	$6,683,667.34	$122,830.94
ACC BLDG	7	$26,468.00	$689.70
ADDITION	2	$11,500.00	$275.40
BALCONY	1	$1,500.00	$65.00
CONCRETE	4	$7,176.00	$299.60
ELECTRICAL	5	$12,992.00	$398.68
FENCE	53	$126,661.00	$1,921.85
IRRIGATION	22	$44,100.00	$771.50
MECHANICAL	20	$170,681.00	$3,530.81
NEW	20	$5,661,792.00	$105,993.60
PATIO COVER	4	$16,200.00	$455.54
PERGOLA	2	$4,750.00	$171.30
PLUMBING	34	$28,460.00	$4,516.24
REMODEL	1	$12,000.00	$225.17
REPAIR	1	$62,000.00	$739.25
RETAINING WALL	1	$3,500.00	$35.00
ROOF	52	$370,189.83	$1,844.30
SWIM POOL	5	$97,000.00	$653.00
WINDOWS	7	$26,697.51	$245.00
SPECIAL EVENT	13	$0.00	$341.50
	13	$0.00	$341.50
Totals:	315	$8,608,955.34	$143,488.00

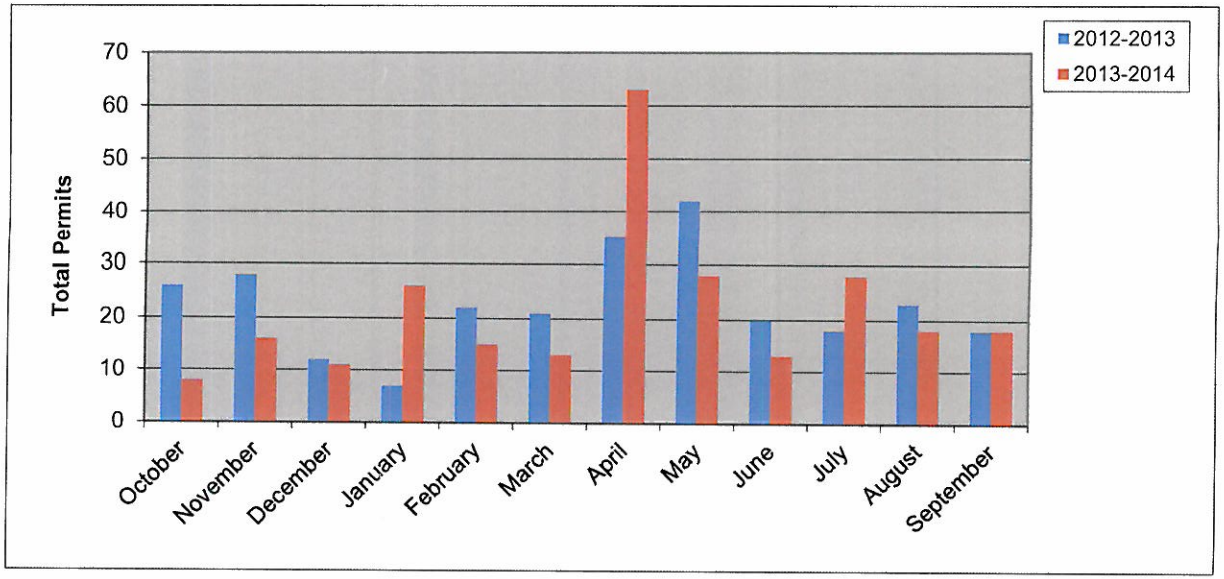
New Residential Permits Calendar Year

	Year	
	2013	2014
January	7	26
February	22	15
March	21	13
April	35	63
May	42	28
June	20	13
July	18	28
August	23	18
September	18	18
October	8	20
November	16	
December	11	
Totals	**241**	**242**



New Residential Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	26	8
November	28	16
December	12	11
January	7	26
February	22	15
March	21	13
April	35	63
May	42	28
June	20	13
July	18	28
August	23	18
September	18	18
Totals	**272**	**257**



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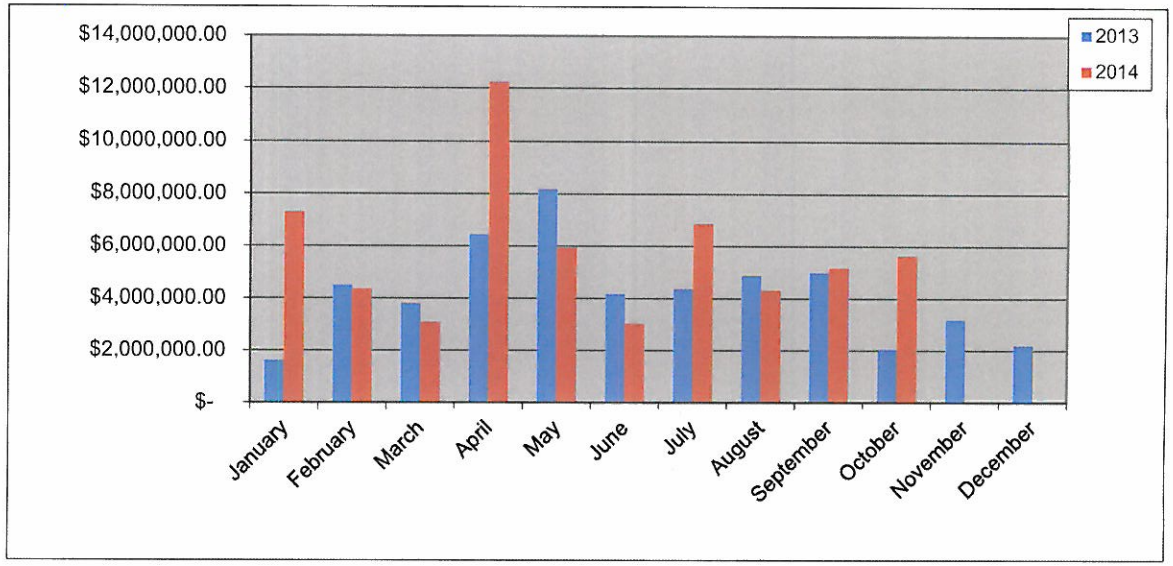
New Residential Value Calendar Year

	Year	
	2013	2014
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	$ 12,228,936.33
May	$ 8,193,211.00	$ 5,960,240.00
June	$ 4,185,842.00	$ 3,048,536.00
July	$ 4,382,866.00	$ 6,883,062.87
August	$ 4,906,203.00	$ 4,330,100.19
September	$ 5,018,954.00	$ 5,184,201.79
October	$ 2,078,584.00	$ 5,661,792.00
November	$ 3,202,067.00	
December	$ 2,215,924.00	
Totals	**$50,608,931.00**	**$ 58,033,223.92**



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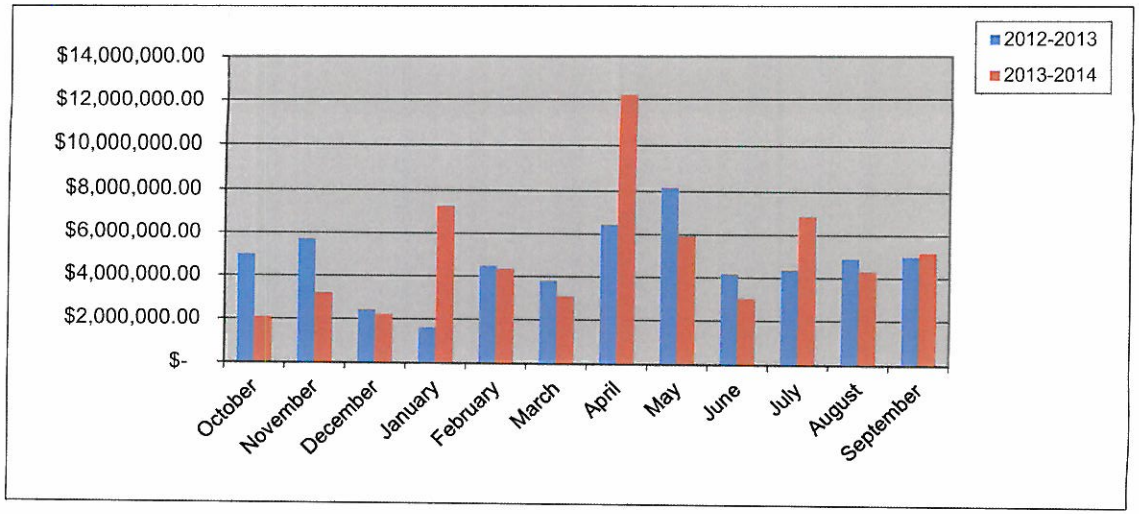
New Residential Value Fiscal Year

	Year	
	2012-2013	2013-2014
October	$ 4,993,587.00	$ 2,078,584.00
November	$ 5,718,696.00	$ 3,202,067.00
December	$ 2,441,748.00	$ 2,215,924.00
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	$ 12,228,936.33
May	$ 8,193,211.00	$ 5,960,240.00
June	$ 4,185,842.00	$ 3,048,536.00
July	$ 4,382,866.00	$ 6,883,062.87
August	$ 4,906,203.00	$ 4,330,100.19
September	$ 5,018,954.00	$ 5,184,201.79
Totals	**$56,266,387.00**	**$ 59,868,006.92**



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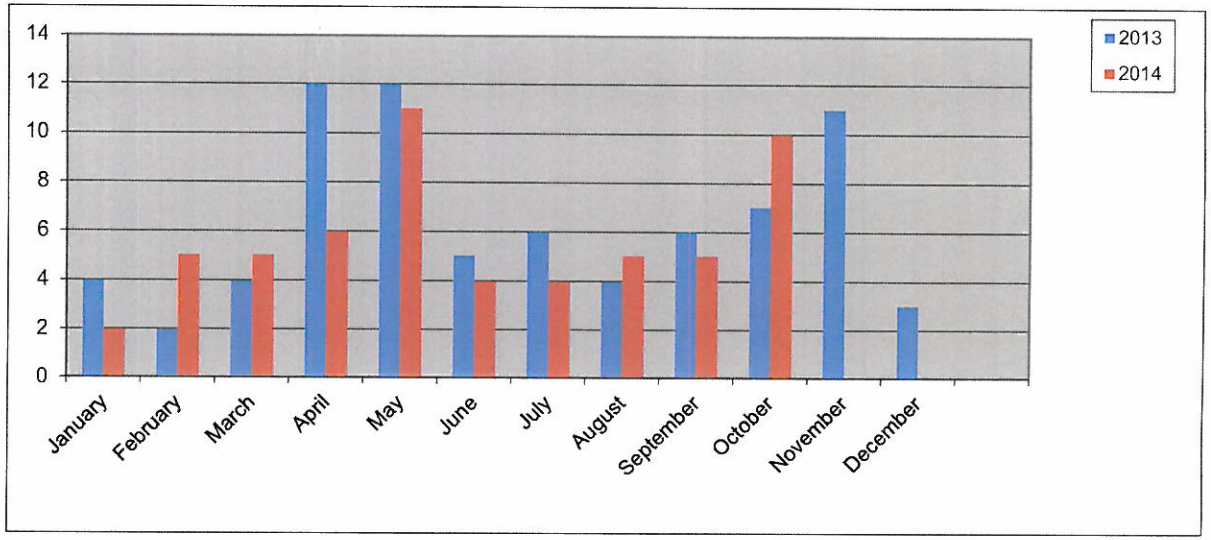
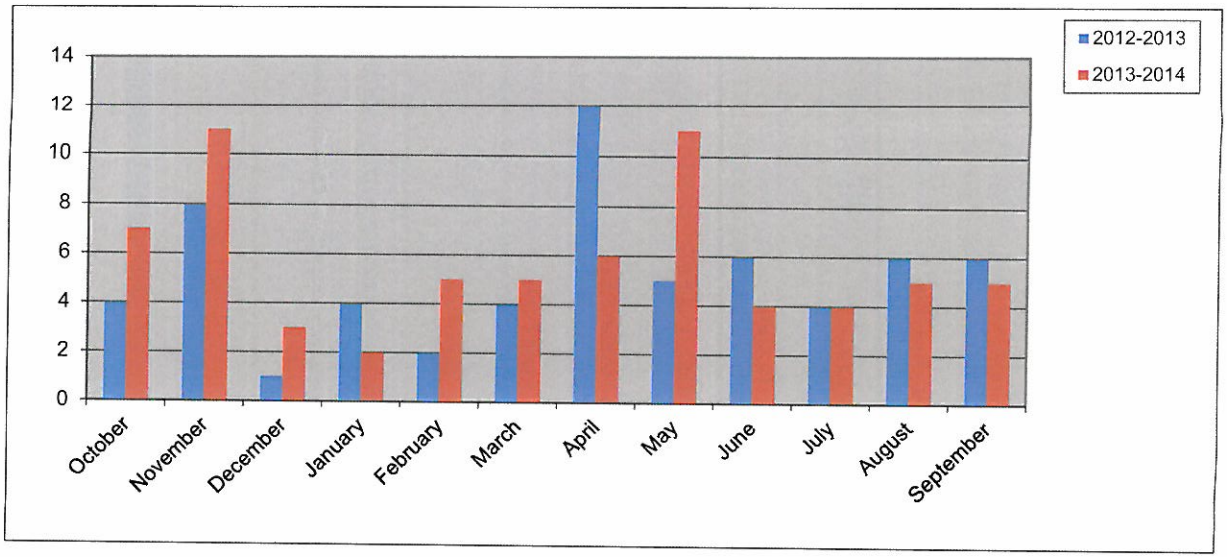
Residential Remodel Permits Calendar Year

	Year	
	2013	2014
January	4	2
February	2	5
March	4	5
April	12	6
May	12	11
June	5	4
July	6	4
August	4	5
September	6	5
October	7	10
November	11	
December	3	
Totals	**76**	57



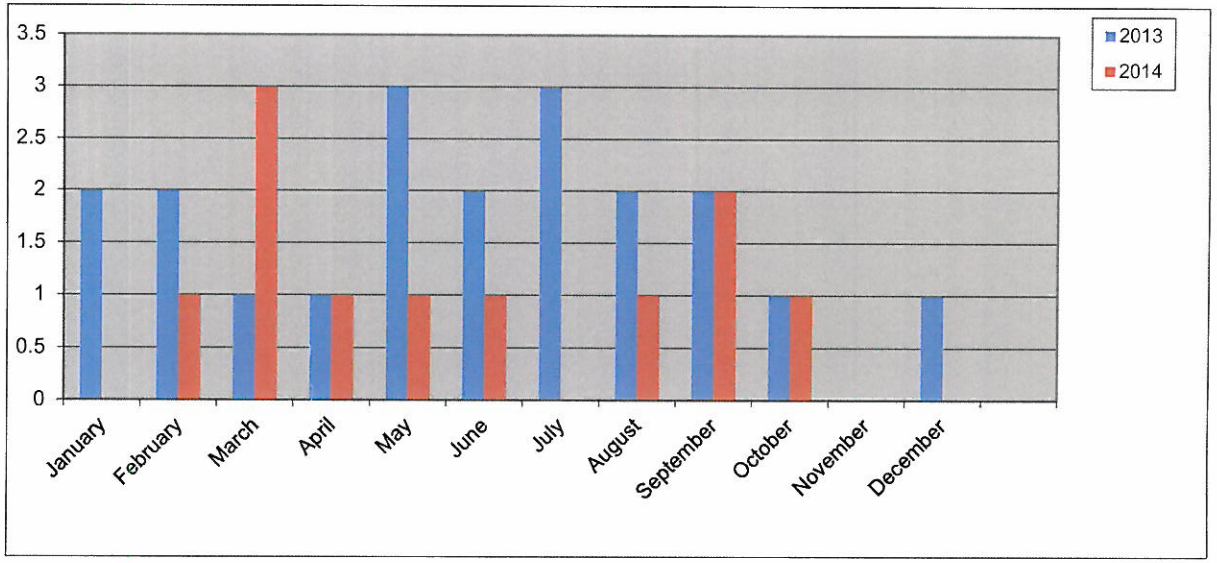
Residential Remodel Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	4	7
November	8	11
December	1	3
January	4	2
February	2	5
March	4	5
April	12	6
May	5	11
June	6	4
July	4	4
August	6	5
September	6	5
Totals	**62**	**68**



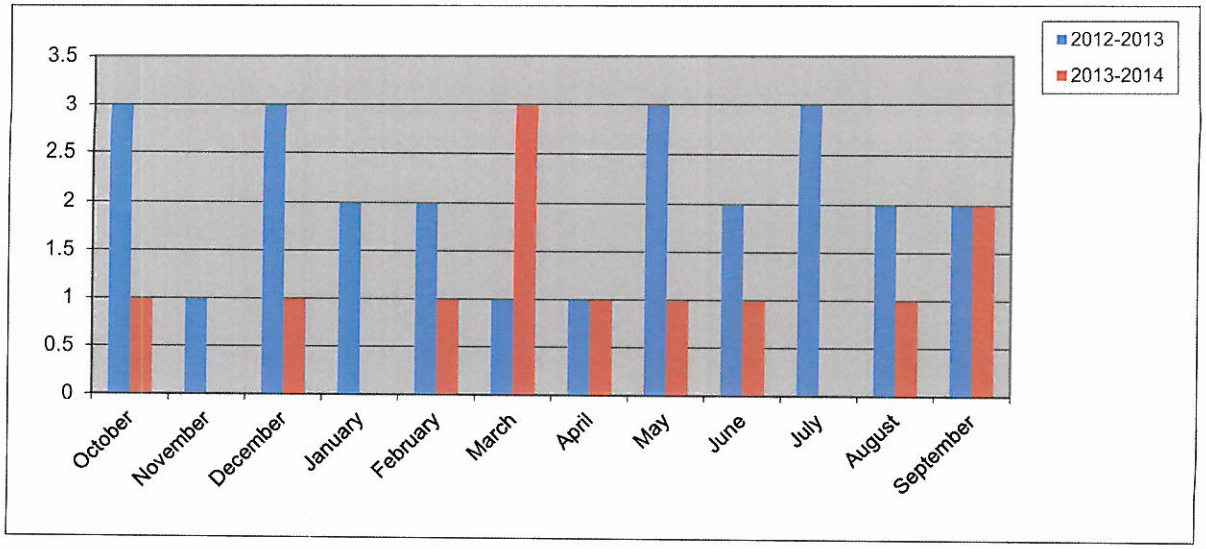
New Commercial Permits Calendar Year

	Year	
	2013	2014
January	2	0
February	2	1
March	1	3
April	1	1
May	3	1
June	2	1
July	3	0
August	2	1
September	2	2
October	1	1
November	0	
December	1	
Totals	**20**	**11**



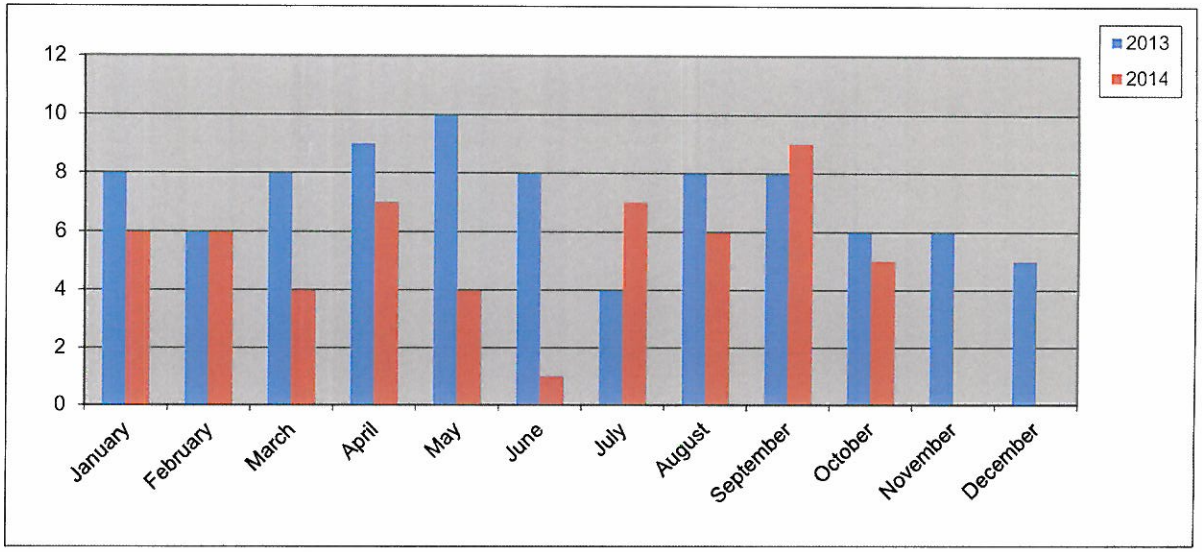
New Commercial Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	3	1
November	1	0
December	3	1
January	2	0
February	2	1
March	1	3
April	1	1
May	3	1
June	2	1
July	3	0
August	2	1
September	2	2
Totals	**25**	**12**



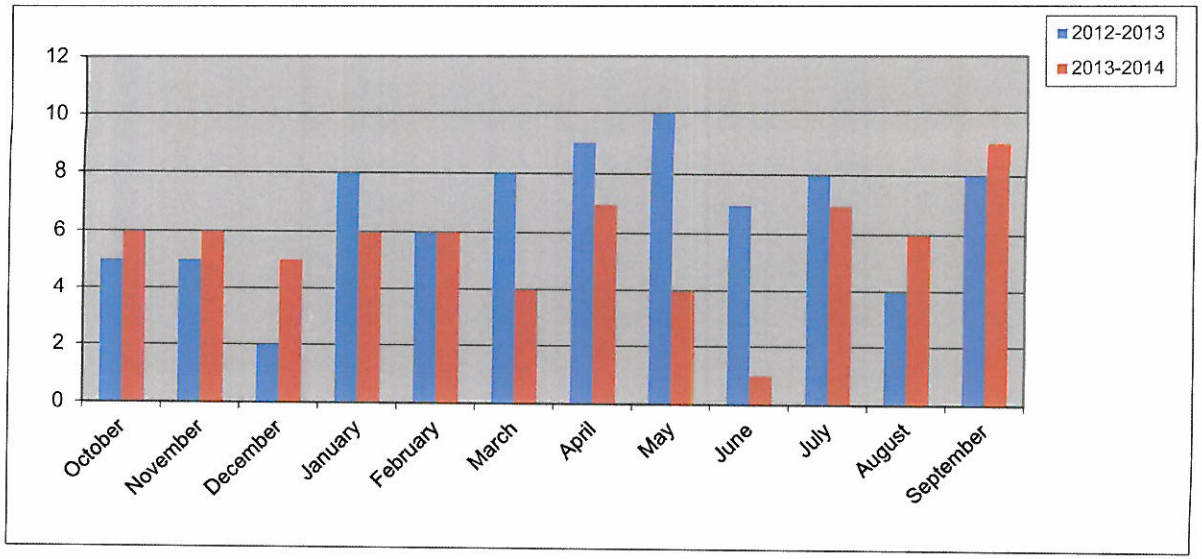
Commercial Remodel Permits Calendar Year

	Year	
	2013	2014
January	8	6
February	6	6
March	8	4
April	9	7
May	10	4
June	8	1
July	4	7
August	8	6
September	8	9
October	6	5
November	6	
December	5	
Totals	**86**	**55**



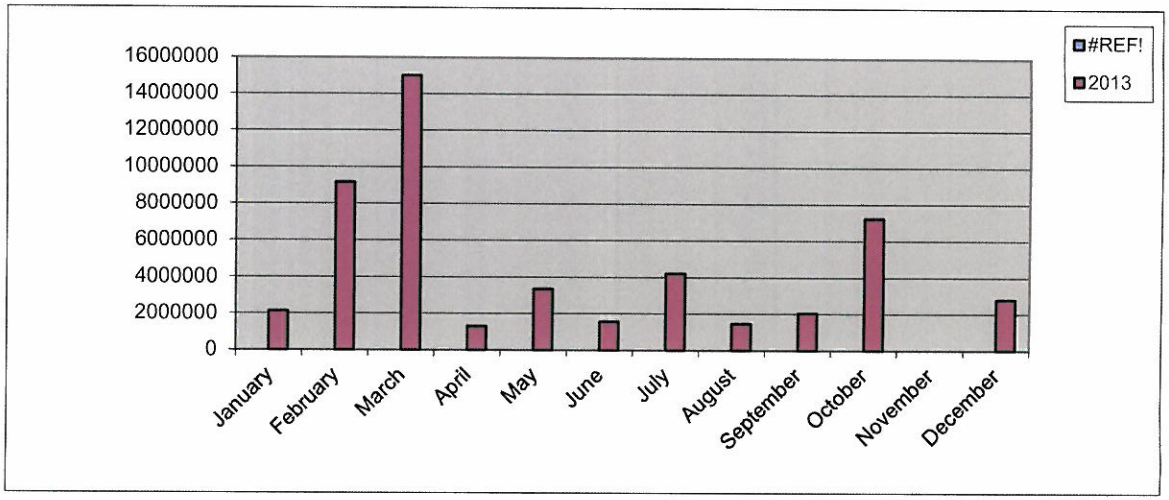
Commercial Remodel Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	5	6
November	5	6
December	2	5
January	8	6
February	6	**6**
March	8	4
April	9	7
May	10	4
June	7	1
July	8	7
August	4	6
September	8	9
Totals	**80**	**67**



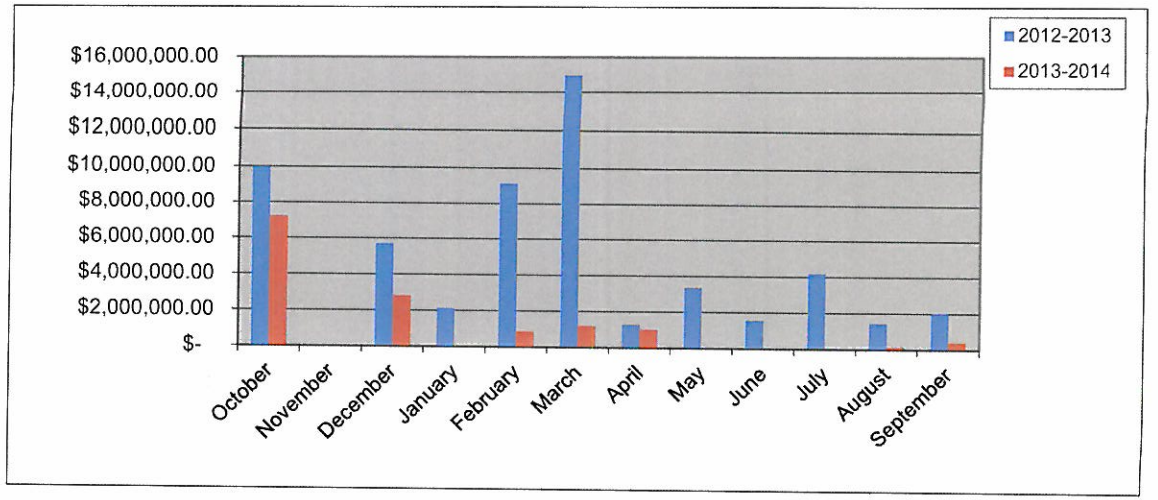
New Commercial Value Calendar Year

Year	2013	2014
January	$ 2,125,000.00	$ -
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	$ 1,185,000.00
April	$ 1,300,000.00	$ 1,000,000.00
May	$ 3,372,000.00	$ 5,000.00
June	$ 1,575,000.00	$ -
July	$ 4,200,000.00	
August	$ 1,454,000.00	$ 150,000.00
September	$ 2,040,000.00	$ 430,795.00
October	$ 7,225,000.00	$ 49,000.00
November	$ -	
December	$ 2,800,000.00	
Totals	**$ 50,241,000.00**	**$ 3,669,795.00**



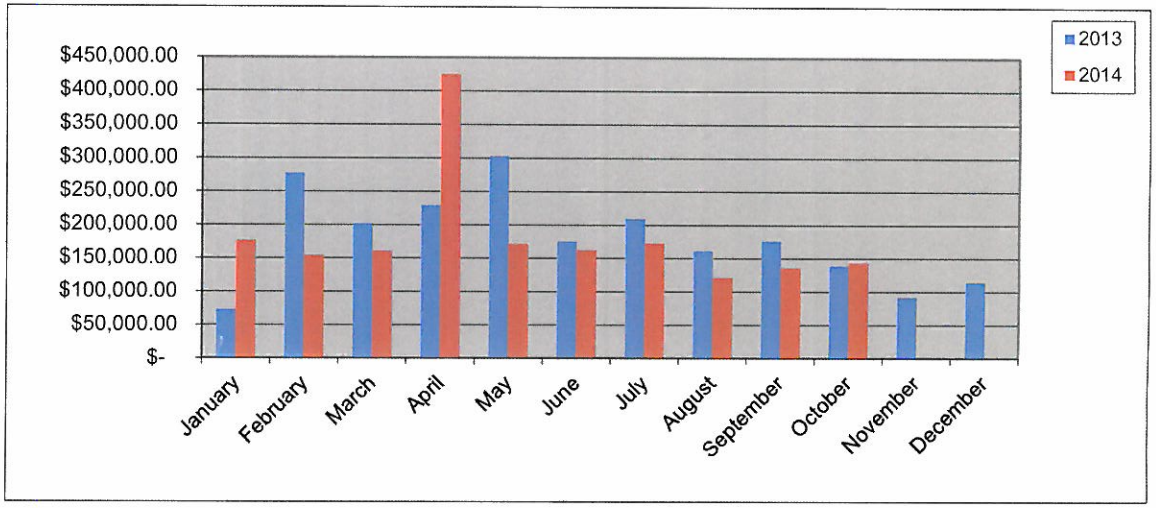
New Commercial Value Fiscal Year

Year	2012-2013	2013-2014
October	$ 10,000,000.00	$ 7,225,000.00
November	$ 5,000.00	$ -
December	$ 5,700,000.00	$ 2,800,000.00
January	$ 2,125,000.00	$ -
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	$ 1,185,000.00
April	$ 1,300,000.00	$ 1,000,000.00
May	$ 3,372,000.00	$ 5,000.00
June	$ 1,575,000.00	$ -
July	$ 4,200,000.00	
August	$ 1,454,000.00	$ 150,000.00
September	$ 2,040,000.00	$ 430,795.00
Totals	**$ 55,921,000.00**	**$ 13,645,795.00**



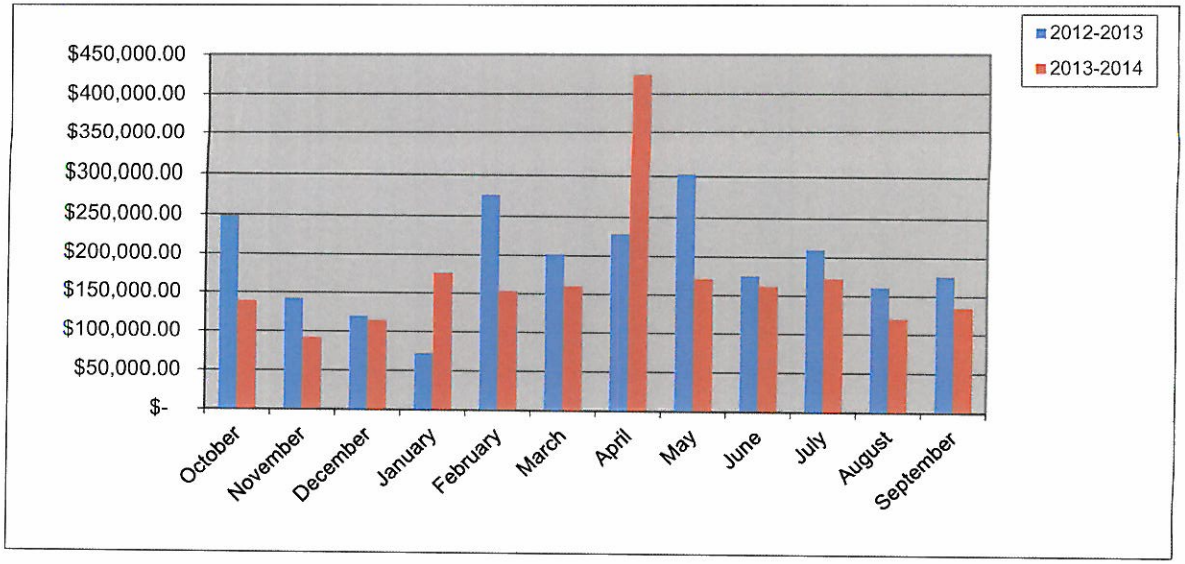
Total Fees Collected Calendar Year

Year	2013	2014
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	$ 425,003.86
May	$ 302,928.73	$ 170,849.07
June	$ 174,872.41	$ 161,690.82
July	$ 209,566.63	$ 172,232.70
August	$ 161,080.17	$ 120,790.39
September	$ 175,835.03	$ 135,478.13
October	$ 138,771.53	$ 143,153.00
November	$ 91,778.83	
December	$ 114,645.28	
Totals	**$ 2,148,877.79**	**$ 1,819,350.49**



Total Fees Collected Fiscal Year

Year	2012-2013	2013-2014
October	$ 248,932.46	$ 138,771.53
November	$ 142,356.98	$ 91,778.83
December	$ 119,604.19	$ 114,645.28
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	$ 425,003.86
May	$ 302,928.73	$ 170,849.07
June	$ 174,872.41	$ 161,829.08
July	$ 209,566.63	$ 172,232.70
August	$ 161,080.17	$ 120,790.39
September	$ 175,835.03	$ 135,478.13
Totals	**$ 2,314,575.78**	**$ 2,021,531.39**



City of Rockwall
PERMITS ISSUED
For the Period 10/1/2014 thru 10/31/2014

Subtype: BUSINESS

Permit No / Date Issued	Type of Permit / Status	Address / Parcel Number	Owner / Contractor	Valuation / Description	Total Fees	Fees Paid
CO2014-0081 10/15/2014	CO ACTIVE	1650 John King 4372-000A-0001-00-0R	WESTERN, RIM INVESTORS 20	$ 0.00 Orion at Lake Ray Hubbard	$ 75.00	$ 0.00
CO2014-0097 10/7/2014	CO ACTIVE	101 E Bourn Ave 4900-000L-0004-00-0R	EDWARDS, JASON	$ 0.00 Premier Audio & Video	$ 76.50	$ 76.50
CO2014-0103 10/23/2014	CO ACTIVE	1785 IH 30 E 105 0134-0000-0005-01-0R	OLLOM, GREGORY D	$ 0.00 TIM JOHNSON CUSTOM HOMES	$ 76.50	$ 76.50
CO2014-0110 10/15/2014	CO Active	1470 John King Blvd S 4373-000A-0001-00-0R	WESTERN, RIM INVESTORS 20	$ 0.00 Orion Rockwall - Senior Living	$ 76.50	$ 76.50
CO2014-0112 10/6/2014	CO Active	505 E BOYDSTUN AVE 4350-0001-0001-00-0R	ALAN PIERATT	$ 0.00 SHELL BUILDING CO	$ 75.00	$ 75.00
CO2014-0114 10/3/2014	CO ACTIVE	1207 Arista Dr. 103 4009-000A-0010-A2-0R	FHS, ROCKWALL L.P.	$ 0.00 Hormonal Health & Wellness Center	$ 75.00	$ 75.00
CO2014-0116 10/7/2014	CO Active	507 E BOYDSTUN AVE 4350-0001-0001-00-0R	ALAN PIERATT	$ 0.00 SHELL BUILDING	$ 0.00	$ 0.00
CO2014-0117 10/7/2014	CO Active	509 E BOYDSTUN AVE 4350-0001-0001-00-0R	ALAN PIERATT	$ 0.00 SHELL BUILDING	$ 0.00	$ 0.00
CO2014-0118 10/7/2014	CO ACTIVE	511 E BOYDSTUN AVE 4350-0001-0001-00-0R	ALAN PIERATT	$ 0.00 SHELL BUILDING CO	$ 0.00	$ 0.00
CO2014-0119 10/7/2014	CO ACTIVE	515 E BOYDSTUN AVE 4350-0001-0001-00-0R	ALAN PIERATT	$ 0.00 SHELL BUILDING	$ 0.00	$ 0.00
CO2014-0120 10/7/2014	CO ACTIVE	519 E BOYDSTUN AVE 4350-0001-0001-00-0R	ALAN PIERATT	$ 0.00 SHELL BUILDING	$ 0.00	$ 0.00
CO2014-0127 10/13/2014	CO ACTIVE	613 St Marys St 4420-0002-0009-00-0R	MCCALLUM, DARRELL	$ 0.00 MG Battery Electric	$ 75.00	$ 75.00
CO2014-0129 10/24/2014	CO ACTIVE	2011 INDUSTRIAL BLVD. A 4824-0000-0001-00-0R	ROCKWALL, STEEL CO	$ 0.00 CK STUDIO	$ 75.00	$ 75.00
CO2014-0130 10/3/2014	CO ACTIVE	2927 Ridge Rd. 105 4009-000A-0019-00-0R	REGENCY, CENTERS LP	$ 0.00 Okawa Japanese Cuisine	$ 75.00	$ 75.00
CO2014-0138 10/24/2014	CO ACTIVE	204 N Fannin St 3780-0003-000B-A0-0R	CHARLES FALLS	$ 0.00 At Water's Edge Counseling	$ 76.50	$ 76.50
CO2014-0143 10/28/2014	CO ACTIVE	204 E Kaufman 4820-000K-0002-A0-0R	FALL, C W	$ 0.00 Sign Mart	$ 76.50	$ 76.50
CO2014-0144 10/28/2014	CO ACTIVE	2951 Ridge Rd 107 4009-000A-0017-00-0R	REGENCY, CENTERS LP Erdman Company	$ 0.00 MedPost Urgent Care-Rockwall Ridge Rd	$ 76.50	$ 76.50
17 Permit(s) Issued with Subtype: BUSINESS				**$0.00**	**$909.00**	**$834.00**
				$0.00	**$909.00**	**$834.00**

17 Total Permit(s) Issued

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CALLS BY TYPE
OCTOBER 2014

City of Rockwall
The Texas Treasure

CITY CALLS	October
Situation Type	**#**
111 Building fire	1
112 Fires in structure other than in a building	1
143 Grass fire	2
154 Dumpster or other outside trash receptacle fire	1
300 Rescue, EMS incident, other	1
322 Motor vehicle accident with injuries	2
353 Removal of victim(s) from stalled elevator	2
412 Gas leak (natural gas or LPG)	1
424 Carbon monoxide incident	1
440 Electrical wiring/equipment problem, other	1
444 Power line down	10
445 Arcing, shorted electrical equipment	3
551 Assist police or other governmental agency	4
553 Public service	3
556 Public service - Non paged	10
611 Dispatched & canceled en route	1
622 No incident found on arrival at dispatch address	4
651 Smoke scare, odor of smoke	1
653 Smoke from barbecue, tar kettle	1
671 HazMat release investigation w/no HazMat	1
700 False alarm or false call, other	2
714 Central station, malicious false alarm	1
733 Smoke detector activation due to malfunction	3
735 Alarm system sounded due to malfunction	2
736 CO detector activation due to malfunction	1
740 Unintentional transmission of alarm, other	2
741 Sprinkler activation, no fire - unintentional	2
743 Smoke detector activation, no fire - unintentional	6
744 Detector activation, no fire - unintentional	3
745 Alarm system activation, no fire - unintentional	10
Totals:	84

COUNTY CALLS	October
Situation Type	**#**
131 Passenger vehicle fire (cars, pickups, SUV's)	1
151 Outside rubbish, trash or waste fire	1
444 Power line down	1
445 Arcing, shorted electrical equipment	1
631 Authorized controlled burning	2
Totals:	6

NO OTHER MUTUAL AID CALLS

To: Chief Poindexter
From: BC Merritt
Re: October 2014 Structure Fire Report.
Date: November 14, 2014

206 S. Clark

We responded to a report of a Structure fire on October 30, 2014. The first unit on scene reported smoke showing from the eve of the house. Upon further investigation flames were reported showing from the rear of the house. Firefighters made a quick attack of the fire from the back door and were able to contain the fire to the kitchen area of the house. Two dogs and 1 cat were removed from the smoke filled house by firefighters. The structure suffered moderate damage due to the smoke and fire. No firefighter injuries were reported on this incident.

Dispatch time: 12:03.26
Enroute time: 12:04.33
On scene time: 12:06.09
Clear time: 13:25.25

4 men on scene 12:07.37
8 men on scene 12:09.58

We had a total of 6 on duty Firefighters, 7 Volunteers, 3 Investigators, 2 Chiefs and 4 apparatus on this incident.

CITY RESPONSE
OCTOBER 2014

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes	37 of 39 95% CRITERIA MET	0- 1 1/2 MINUTES	2 OF 2 100% CRITERIA MET
CRITERIA MET %		CRITERIA MET %	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES	34 OF 39 87% CRITERIA NOT MET	0-6 MINUTES	1 OF 2 50% CRITERIA NOT MET
CRITERIA MET %		CRITERIA MET %	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES	37 OF 39 95% CRITERIA MET	0-7 1/2 MINUTES	2 OF 2 100% CRITERIA MET
CRITERIA MET%		CRITERIA MET%	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	

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COUNTY AND MUTUAL AID
RESPONSE
OCTOBER 2014

COUNTY/MUTUAL	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	4 OF 5
CRITERIA -ACHIEVE RESPONSE TIME	80.00%
60% OF TIME IN BOXES WITH	CRITERIA MET
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	5 OF 5
CRITERIA -ACHIEVE RESPONSE TIME	100%
60% OF TIME IN BOXES WITH	CRITERIA MET
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	5 OF 5
CRITERIA -ACHIEVE RESPONSE TIME	100%
60% OF TIME IN BOXES WITH	CRITERIA MET
STATIONS	

CITY CALLS
ENROUTE OVERAGES
OCTOBER 2014

VENUE	Alarm Date	Alarm Time	Enroute	Paged to Enroute	Apparatus	Incident #	Station	Lights and Sirens	REASON FOR OVERAGES
Rockwall	10/30/2014	12:02:08	12:04:16	0:02:08	843	2014-00000864	Rockwall 1	Code 3	Engine out on another call
Rockwall	10/12/2014	12:36:21	12:37:55	0:01:34	E1	2014-00000833	Rockwall 1	Code 3	CAD times don't match radio times

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CITY CALLS
ARRIVAL OVERAGES
OCTOBER 2014

VENUE	Alarm Date	Alarm Time	Enroute	Arrival Time	Enroute to Arrival	Apparatus	Incident #	Station	Lights and Sirens	REASON FOR OVERAGES
Rockwall	10/02/2014	17:04:26	17:05:00	17:20:02	0:15:02	842	2014-00000779	Rockwall 2	Code 3	Multiple Calls at Same Time during Storm
Rockwall	10/02/2014	19:51:45	19:52:58	20:06:03	0:13:05	E6	2014-00000795	Rockwall 2	Code 3	Multiple Calls at Same Time during Storm
Rockwall	10/02/2014	17:14:33	17:14:40	17:24:04	0:09:24	E6	2014-00000782	Rockwall 3	Code 3	Multiple Calls at Same Time during Storm
Rockwall	10/02/2014	16:49:21	16:50:33	16:58:47	0:08:14	E6	2014-00000776	Rockwall 2	Code 3	Multiple Calls at Same Time during Storm
Rockwall	10/02/2014	17:18:06	17:18:13	17:24:39	0:06:26	841	2014-00000783	Rockwall 1	Code 3	Multiple Calls at Same Time during Storm
Rockwall	10/02/2014	20:31:15	20:31:25	20:37:43	0:06:18	E1	2014-00000797	Rockwall 1	Code 3	Multiple Calls at Same Time during Storm

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CITY CALLS
RESPONSE OVERAGES
OCTOBER 2014

VENUE	Alarm Date	Alarm Time	Arrival Time	Alarm to Arrival (RESPONSE)	Apparatus	Incident #	Station	Lights and Sirens	REASON FOR OVERAGES
Rockwall	10/02/2014	17:04:26	17:20:02	0:15:36	842	2014-00000779	Rockwall 2	Code 3	multiple calls at same time during storm
Rockwall	10/02/2014	19:51:45	20:06:03	0:14:18	E6	2014-00000795	Rockwall 2	Code 3	multiple calls at same time during storm

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COUNTY OVERAGES
OCTOBER 2014

ENROUTE OVERAGES

VENUE	Alarm Date	Alarm Time	Enroute	Paged to Enroute	Apparatus	Incident #	Station	Lights and Sirens	REASON FOR OVERAGES
Rockwall County	10/04/2014	20:54:26	20:56:58	0:02:32	E6	2014-00000813	Rockwall 1	Code 3	CAD times don't match radio times

ARRIVAL OVERAGES

VENUE	Alarm Date	Enroute	Arrival Time	Enroute to Arrival	Apparatus	Incident #	Station	Lights and Sirens	REASON FOR OVERAGES
Rockwall County	10/02/2014	17:18:59	17:35:27	0:16:28	E2	2014-00000784	Rockwall 2	Code 3	Multiple calls as same time

RESPONSE OVEAGES

VENUE	Alarm Date	Alarm Time	Arrival Time	Alarm to Arrival (RESPONSE)	Apparatus	Incident #	Station	Lights and Sirens	REASON FOR OVERAGES
Rockwall County	10/02/2014	17:18:58	17:35:27	0:16:29	E2	2014-00000784	Rockwall 2	Code 3	multiple alls at same time

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City of Rockwall
The New Horizon

Total Dollar Losses

October 2014

	Current	Last Month	Same Month Last	Year To Date	Last Year To Date
Total Property Loss:	$27,580.00	$0.00	$61,300.00	$284,140.00	$488,344.90
Total Content Loss:	$16,548.00	$0.00	$25,250.00	$108,394.00	$222,438.94
Total Property Pre-Incident Value:	$78,800.00	$400.00	$262,690.00	$394,930.00	$2,741,877.00
Total Contents Pre-Incident Value	$47,280.00	$0.00	$116,714.00	$235,224.00	$13,251,066.20
Total Losses:	$44,128.00	$.00	$86,550.00	$392,534.00	$44,128.00
Total Value:	$126,080.00	$400.00	$379,404.00	$630,154.00	$15,992,943.20

Fire Alarms

OCTOBER 2014

Fire Inspection Status	Date	Address	Common Name	Dispostion Code	CFS Number	Incident Number	Incident ORI
	10/01/2014 16:44:40	2500 E STHY66	Rest Haven	FA	92	2014-00000771	TX504
		: 1					
	10/02/2014 16:00:56	2 CHILTON POINT RD		FA	228	2014-00000285	TX402
		: 1					
	10/02/2014 16:54:32	1225 STHY276	Costco	FA	247	2014-00000777	TX504
	10/02/2014 17:49:34	418 E BOURN AVE		FA	297	2014-00000789	TX504
		: 2					
	10/02/2014 17:52:13	20 NOBLE CT	Synergy Bank	FA	299	2014-00000288	TX402
		: 1					
	10/02/2014 20:13:12	500 TURTLE COVE BLVD	Church Ministries, Rockwall Executive Suites, Wallace Homes	FA	337	2014-00000796	TX504
	10/03/2014 02:37:36	1309 RIDGE RD		FA	390	2014-00000799	TX504
	10/03/2014 08:27:41	216 RANCH TRAIL RD		FA	413	2014-00000800	TX504
	10/03/2014 20:08:39	206 LAKEHILL DR		FA	533	2014-00000805	TX504
	10/04/2014 00:13:39	206 STORRS ST	Nursing Home, Rockwall, Rockwall Nursing Care, Rockwall Nursing Center	FA	575	2014-00000807	TX504
	10/05/2014 01:24:04	2800 DISCOVERY BLVD		FA	769	2014-00000814	TX504
	10/08/2014 13:39:36	1290 E I30	Shenaniganz	FA	1334	2014-00000820	TX504
		: 7					
	10/08/2014 19:03:02	1199 HIGHBLUFF LN		FA	1371	2014-00033174	TX1990100
		: 1					
	10/08/2014 19:03:02	1199 HIGHBLUFF LN		FA	1371	2014-00000821	TX504
		: 1					
	10/09/2014 09:53:38	800 FAITH TRL		FA	1470	2014-00000292	TX402
		: 1					
	10/10/2014 10:34:13	1408 S GOLIAD ST	First Methodist Church, First United Methodist (Goliad), Heritage Christian Academy, Methodist Church	FA	1670	2014-00000828	TX504
	10/10/2014 22:10:17	303 WILLIAMS ST		FA	1793	2014-00000831	TX504
	10/12/2014 12:35:06	1040 E I30	Value Place Hotel	FA	2030	2014-00000833	TX504
		: 3					
	10/13/2014 12:22:37	140 SMIRL DR		FA	2151	2014-00000298	TX402
		: 1					
	10/15/2014 13:27:34	1470 S JOHN KING BLVD	Mansion Active Adult (Senior)	FA	2507	2014-00000838	TX504
			ISD Admin, Rockwall, Quest Academy,				

10/16/2014 10:14:51	1050 WILLIAMS ST	RISD Education Center, Rockwall ISD Administration	FA	2653	2014-00000840	TX504
	: 2					
10/17/2014 15:40:23	664 MCKEE CT		FA	2881	2014-00006263	TX1990800
	: 1					
10/17/2014 15:40:23	664 MCKEE CT		FA	2881	2014-00000530	TX301
10/18/2014 01:32:36	698 CANNON DR		FA	2996	2014-00000531	TX301
	: 2					
10/24/2014 04:26:09	963 E I30	Bed Bath & Beyond 9 (Rockwall Crossing #4)	FA	4116	2014-00000855	TX504
	: 1					
10/25/2014 05:00:47	601 SH 66	Firehouse Day School	FA	4332	2014-00000543	TX301
	: 1					
10/25/2014 18:33:38	182 PLEASANT HILL LN		FA	4462	2014-00006583	TX1990800
	: 1					
10/25/2014 18:33:38	182 PLEASANT HILL LN		FA	4462	2014-00000546	TX301
	: 1					
10/28/2014 11:52:48	123 HIGHVIEW LN		FA	4978	2014-00000860	TX504
10/29/2014 15:10:40	2811 MARKET CENTER DR		FA	5216	2014-00000862	TX504
	: 2					
10/29/2014 22:39:24	12 CENTER CT		FA	5278	2014-00004666	TX1990300
	: 1					
10/29/2014 22:39:24	12 CENTER CT		FA	5278	2014-00000309	TX402
	: 1					
10/31/2014 18:45:52	206 STORRS ST	Nursing Home, Rockwall, Rockwall Nursing Care, Rockwall Nursing Center	FA	5656	2014-00000869	TX504
	: 1					

Inspection Totals Per Inspector

October 2014

Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Inspection Number	Fire Inspection Status
TX504	744 - Patrick	Annual	2468	Pending
TX504	744 - Patrick	Annual	2444	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0129	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0110	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0139	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0128	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0136	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0110	Finaled
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0081	Finaled
TX504	744 - Patrick	Construction Final	2448	Pending
TX504	744 - Patrick	Construction Final	Photo Booth	Finaled
TX504	744 - Patrick	Courtesy	2469	Finaled
TX504	744 - Patrick	Courtesy	2437	Finaled
TX504	744 - Patrick	Courtesy	2440	Finaled
TX504	744 - Patrick	Courtesy	2439	Finaled
TX504	744 - Patrick	Fire Alarm System	2376	Pending
TX504	744 - Patrick	Fire Spinkler System	2477	Pending
TX504	744 - Patrick	Fire Spinkler System	2477	Pending
TX504	744 - Patrick	Fire Spinkler System	2260	Finaled
TX504	744 - Patrick	Follow Up	2470	Finaled
TX504	744 - Patrick	Follow Up	2446	Finaled
TX504	744 - Patrick	Follow Up	2450	Finaled
TX504	744 - Patrick	Follow Up	2377	Finaled
TX504	744 - Patrick	Follow Up	2452	Finaled
TX504	744 - Patrick	Follow Up	2451	Finaled
TX504	744 - Patrick	Follow Up	2436	Finaled
TX504	744 - Patrick	Follow Up	2377	Pending
TX504	744 - Patrick	Remote FDC	2454	Finaled
TX504	744 - Patrick	Tanks-AST	2459	Pending
TX504	744 - Patrick	Tanks-AST	2459	Pending
TX504	744 - Patrick	Tanks-TEMP	2474	Finaled
Total Per Inspector: 31				
TX504	836 - Ayres	Annual	2457	Pending
TX504	836 - Ayres	Annual	2369	Finaled
TX504	836 - Ayres	Annual	2418	Finaled
TX504	836 - Ayres	Annual	2369	Pending
TX504	836 - Ayres	Annual	2444	Pending
TX504	836 - Ayres	Annual	2369	Pending
TX504	836 - Ayres	Annual	2369	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0127	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0118	Finaled
TX504	836 - Ayres	Certificate of Occupancy	co2014-0117	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0112	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0123	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0131	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0133	Pending

TX504	836 - Ayres	Certificate of Occupancy	CO2014-0123	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0134	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0135	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0138	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0138	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0106	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0143	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0134	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0123	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0135	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0131	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0133	Pending
TX504	836 - Ayres	Construction Final	2460	Pending
TX504	836 - Ayres	Fire Alarm System	2461	Pending
TX504	836 - Ayres	Fire Spinkler System	2463	Pending
TX504	836 - Ayres	Follow Up	2453	Finaled
TX504	836 - Ayres	Follow Up	2455	Pending
TX504	836 - Ayres	Follow Up	2456	Finaled
TX504	836 - Ayres	Follow Up	2441	Pending
TX504	836 - Ayres	Follow Up	2421	Pending
TX504	836 - Ayres	Follow Up	2441	Pending
TX504	836 - Ayres	Follow Up	2449	Finaled
TX504	836 - Ayres	Follow Up	2435	Finaled
TX504	836 - Ayres	Follow Up	2435	Pending
TX504	836 - Ayres	Follow Up	2427	Pending
TX504	836 - Ayres	Follow Up	2409	Finaled
TX504	836 - Ayres	Knox Box	2425	Finaled
TX504	836 - Ayres	Remote FDC	2462	Pending
Total Per Inspector: 42				
TX504	843 - Clark	Annual	2444	Pending
TX504	843 - Clark	Annual	2476	Pending
TX504	843 - Clark	Annual	2444	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0137	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0144	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0130	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0130	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0114	Finaled
TX504	843 - Clark	Construction Final	2434	Pending
TX504	843 - Clark	Construction Final	2433	Pending
TX504	843 - Clark	Construction Final	2434	Finaled
TX504	843 - Clark	Construction Final	2473	Pending
TX504	843 - Clark	Construction Final	2467	Pending
TX504	843 - Clark	Construction Final	2475	Pending
TX504	843 - Clark	Construction Final	2467	Pending
TX504	843 - Clark	Construction Final	2458	Pending
TX504	843 - Clark	Construction Final	2433	Finaled
TX504	843 - Clark	Construction Final	2458	Pending
TX504	843 - Clark	Fire Alarm System	2376	Pending
TX504	843 - Clark	Fire Alarm System	2471	Finaled

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TX504	843 - Clark	Fire Alarm System	2376	Finaled
TX504	843 - Clark	Fire Spinkler System	2472	Pending
TX504	843 - Clark	Fire Spinkler System	2472	Pending
TX504	843 - Clark	Fire Spinkler System	2465	Finaled
TX504	843 - Clark	Fire Spinkler System	2443	Pending
TX504	843 - Clark	Follow Up	2464	Finaled
TX504	843 - Clark	Follow Up	2417	Finaled
TX504	843 - Clark	Knox Box	2432	Finaled
TX504	843 - Clark	Knox Box	2426	Finaled
TX504	843 - Clark	Knox Box	2442	Finaled
TX504	843 - Clark	Knox Box	2445	Finaled
TX504	843 - Clark	Other	2393	Finaled
TX504	843 - Clark	Other	Special Event	Finaled

Total Per Inspector: 33

Department Total: 106

11/3/2014 11:10:03 AM

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					Contact	Review Type	Status	Date Sent	Date Due	Completed
PLB2014-033	10/01/14	33	479 IH 30 E	SABRE REALTY	Ariana Hargrove	FIRE 972-772-6431		10/01/14	10/11/14	
	COMM		CICI'S GAS REPAIR WITH GAS TEST							
PLB2014-033	10/01/14	33	1785 IH 30 E	OLLOM, GREGORY D	Ariana Hargrove	FIRE 972-772-6431		10/01/14	10/11/14	
	COMM		INSTALL DOUBLE CHECK VALVE							
BLD2014-131	09/17/14	47	489 IH 30	BENT, TREE REALTY CO	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/02/14	10/12/14	10/02/14
	COMM		Sake Bomb - Interior Remodel							
BLD2014-137	09/25/14	39	803 N GOLIAD ST	MILDER, SCOTT & LESLIE	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/02/14	10/12/14	10/02/14
	COMM		Decking, railing, sheetrock, etc.. 2nd floor is storage only							
CO2014-0132	10/02/14	32		REGENCY, CENTERS LP	Ariana Hargrove	FIRE CO		10/02/14	10/05/14	
	CO									
CO2014-0133	10/02/14	32	720 E I30	HP, ROCKWALL III 30 LTD	Ariana Hargrove	FIRE CO	APPROVED	10/02/14	10/05/14	10/02/14
	CO		Norment & Landers L.P.							
BLD2014-135	09/23/14	41	3090 Goliad St N 102	METROPLEX, ACQUISITION FUND LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/03/14	10/13/14	10/03/14
	COMM		Tenet Physician Resources - Interior Finishout							
CO2014-0134	10/03/14	31	2435 RIDGE RD 111	ROCKWALL, OCEANHILL LLC	Ariana Hargrove	FIRE CO	APPROVED	10/03/14	10/06/14	10/03/14
	CO		BOGO Pie							
CO2014-0135	10/06/14	28	2135 Ridge Rd. 101	IN, KYUNG H &	Ariana Hargrove	FIRE CO	APPROVED	10/06/14		10/06/14
	CO		Lenny's Sub Shop #162							
BLD2014-118	08/14/14	81	3018 RIDGE RD	AJ, SQUARED LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/07/14	10/17/14	10/07/14
	COMM		SHELL BUILDING - MEDICAL OFFICE							
BLD2014-141	10/07/14	27	200 Goliad St S.	PEOPLES, BILLY W	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/07/14	10/17/14	10/09/14
	COMM		Add 3 antennas to existing TXU Tower.							
BLD2014-142	10/07/14	27	303 LAKE MEADOWS DR	TRASSATTS, CORPORATION	Ariana Hargrove	FIRE 972-772-6431		10/07/14	10/17/14	
	COMM		BLD 1 - BENT CREEK CONDO - ROOFING							
CO2014-0136	10/08/14	26	PLAZA DR	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE CO	APPROVED	10/08/14	10/11/14	10/08/14
	CO		Nothing Bundt Cakes							
CO2014-0137	10/08/14	26	3920 IH 30	MITCHELL, ADAM	Ariana Hargrove	FIRE CO	APPROVED	10/08/14	10/11/14	10/08/14
	CO		Gearheads							
ELE2014-007	10/08/14	26	1000 SIGNAL RIDGE PL	SIGNAL RIDGE OWNERS ASSOCIATION	Ariana Hargrove	FIRE 972-772-6431		10/08/14	10/18/14	
	COMM		REPAIR 8 ELECTRICAL METERS FOR SIGNAL RIDGE							
BLD2014-140	10/06/14	28	2014 GOLIAD ST. S 100	ROCKWALL, CENTRAL SHOP/CNTR JV	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/09/14		10/09/14
	COMM		T-Mobile Remodel							
BLD2014-144	10/10/14	24	610 S GOLIAD	FIRST, BAPTIST CHURCH OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/10/14	10/20/14	10/10/14
	COMM		FABRIC SHADE STRUCTURE OVER PLAYGROUND AT 1ST BAPTIST							

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					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2014-144	10/10/14 COMM	24	2701 Sunset Ridge 702 & 703 7th FLOOR TREND TOWER MEETING ROOM	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/10/14	10/20/14	10/13/14
BLD2014-145	10/10/14 COMM	24	911 N GOLIAD COMMERCIAL REMODEL - NO TENANT YET	R.D. VANDERSLICE	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/10/14	10/20/14	10/13/14
BLD2014-145	10/10/14 COMM	24	1880 IH 30 E CAVENDER'S BOOT CITY	1860, INVESTMENTS LTD	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/10/14	10/20/14	10/14/14
CO2014-0138	10/10/14 CO	24	204 N Fannin St At Water's Edge Counseling	CHARLES FALLS	Ariana Hargrove	FIRE CO	APPROVED	10/10/14	10/13/14	10/13/14
BLD2014-138	09/29/14 COMM	35	513 IH 30 Painting with a Twist - remodel	BENT, TREE REALTY CO	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/13/14	10/23/14	10/13/14
BLD2014-120	08/19/14 COMM	76	213 RUSK ST. CHARLIES BURGER'S RESTAURANT	FALLS, C W	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/14/14	10/24/14	10/14/14
CO2014-0139	10/16/14 CO	18	650 IH 30 Valvoline Instant Oil Change	PAUL'S, KWIK KAR INC	Ariana Hargrove	FIRE CO	APPROVED	10/16/14	10/19/14	10/16/14
CO2014-0140	10/16/14 CO	18	1106A Ridge Rd Kean Financial Services	BENBROOKE, RIDGE PARTNERS LP	Ariana Hargrove	FIRE CO	APPROVED	10/16/14	10/19/14	10/16/14
BLD2014-028	03/11/14 COMM	237	182 JEFF BOYD RD. NEW GROOMS SENIOR LIVING FACILITY	ALIANCE ADDITION	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/17/14	10/27/14	10/17/14
BLD2014-140	10/06/14 COMM	28	2014 GOLIAD ST. S 100 T-Mobile Remodel	ROCKWALL, CENTRAL SHOP/CNTR JV	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/17/14	10/27/14	10/17/14
BLD2014-149	10/17/14 COMM	17	872 W RUSK ST Foot Joy Spa	SMYRNA, LAND CO LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/17/14	10/27/14	10/17/14
BLD2014-149	10/17/14 COMM	17	1005 W RALPH HALL PKWY 147 Lake Pointe Cafe - remodel	GA, HC REIT II ROCKWALL MOB LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/17/14	10/27/14	11/03/14
BLD2014-150	10/20/14 COMM	14	3035 Ridge Rd. 105 Juice it up - Interior remodel	TEMUNOVIC, PARTNERSHIP LTD	Bryan Patrick	FIRE 972-772-6431	COMMENTS NEEDED	10/20/14	10/30/14	10/24/14
SPEC2014-02	10/14/14 SPECIAL EVENT	20	901 WILLIAMS NO MONSTERS BASH	ROCKWALL, ASSEMBLY OF GOD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/20/14	10/27/14	10/27/14
BLD2014-145	10/10/14 COMM	24	911 N GOLIAD COMMERCIAL REMODEL - NO TENANT YET	R.D. VANDERSLICE	Mark Poindexter	FIRE 972-772-6431	APPROVED	10/21/14	10/31/14	10/21/14
CO2014-0141	10/21/14 CO	13	5733 FM 3097 Ridge Pointe Horizon lp - SHELL CO	JERRY, KISICK CUSTOM HOMES INC	Ariana Hargrove	FIRE CO	APPROVED	10/21/14	10/24/14	10/27/14
ELE2014-007	10/21/14 COMM	13	406 N GOLIAD Replacing Elec. Svc. New panel & Meter	KLUTTS, B A	Ariana Hargrove	FIRE 972-772-6431		10/21/14	10/31/14	
BLD2014-153	10/23/14 COMM	11	2975 Discovery Blvd Col-Met - NEW BLDG	ROCKWALL, ECONOMIC DEVELOPMENT	Ariana Hargrove	FIRE 972-772-6431		10/23/14	11/02/14	

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CO2014-0143	10/23/14	11	204 E Kaufman	FALL, C W	Ariana Hargrove	FIRE CO	APPROVED	10/23/14	10/26/14	10/27/14
	CO		Sign Mart							
CO2014-0144	10/24/14	10	2951 Ridge Rd 107	REGENCY, CENTERS LP	Ariana Hargrove	FIRE CO	APPROVED	10/24/14	10/27/14	10/27/14
	CO		MedPost Urgent Care-Rockwall Ridge Rd							
ELE2014-007	10/24/14	10	930 IH 30	DAVIS, MOORE TEXAS PROPERTY LP	Ariana Hargrove	FIRE 972-772-6431		10/24/14	11/03/14	
	COMM		Heritage Buick Retro-fit 42 high fixtures to Led							
BLD2013-190	12/12/13	326	2650 Champions	SHORES, COUNTRY CLUB LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/27/14	11/06/14	10/27/14
	COMM		Shores HOA Clubhouse							
BLD2014-117	08/12/14	83	2105 GOLIAD ST. S	HPT, TA PROPERTIES TR	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/27/14	11/06/14	10/27/14
	COMM		Burger King - TA							
CO2014-0145	10/28/14	6	2010 INDUSTRIAL BLVD 611	ROCKWALL, STEEL CO	Ariana Hargrove	FIRE CO	APPROVED	10/28/14	10/31/14	10/29/14
	CO		Sterling Tea							
BLD2014-158	10/30/14	4	611 ST MARYS PL	H, & M TOOL AND DIE CO	Ariana Hargrove	FIRE 972-772-6431		10/30/14	11/09/14	
	COMM		H & L Tool & Die metal roof							
BLD2014-159	10/30/14	4	507 GOLIAD ST. N	ARTVENTURES, STUDIO LLC	Ariana Hargrove	FIRE 972-772-6431		10/30/14	11/09/14	
	COMM		PICKET FENCE IN FRONT NOT TO EXCEED 42"							
BLD2014-160	10/31/14	3	1700 Justin Rd	ROCKWALL, ECONOMIC DEVELOPMENT	Ariana Hargrove	FIRE 972-772-6431		10/31/14	11/10/14	
	COMM		The Channell Project							

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E2006-003	02/06/2006		ENGINEERING	3,192	Kathleen Moreno Engineering: Engineer	COMMENTS 10/17/2014
E2006-003	02/06/2006		ENGINEERING	3,192	Ariana Hargrove FIRE	APPROVED 10/15/2014
E2006-003	02/06/2006		ENGINEERING	3,192	Curtis McAden Water Department	APPROVED 10/17/2014
E2006-003	02/06/2006		ENGINEERING	3,192	Billy Chaffin Street Department	COMMENTS 10/14/2014
E2006-003	02/06/2006		ENGINEERING	3,192	Bruce Hanby Engineering: Technician	COMMENTS 10/14/2014
E2006-003	02/06/2006		ENGINEERING	3,192	Tim Tumulty City Engineer	COMMENTS 10/22/2014
E2006-003	02/06/2006		ENGINEERING	3,192	Amy Williams Assistant City Engineer	COMMENTS 10/14/2014
E2006-003	02/06/2006		ENGINEERING	3,192	Steve Clawson Sewer Department	APPROVED 10/20/2014
E2013-013	03/29/2013		ENGINEERING E I-30 DR	584	Ariana Hargrove Engineering: Fire	APPROVED W/ 10/17/2014
E2013-013	03/29/2013		ENGINEERING E I-30 DR	584	Kathleen Moreno Engineering: Engineer	COMMENTS 10/21/2014
E2013-013	03/29/2013		ENGINEERING E I-30 DR	584	Bruce Hanby Engineering: Technician	APPROVED 10/23/2014
E2013-013	03/29/2013		ENGINEERING E I-30 DR	584	Steve Clawson Sewer Department	APPROVED 10/20/2014
E2013-013	03/29/2013		ENGINEERING E I-30 DR	584	Curtis McAden Water Department	APPROVED 10/17/2014
E2013-013	03/29/2013		ENGINEERING E I-30 DR	584	Amy Williams Assistant City Engineer	COMMENTS 10/17/2014

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E2013-013	03/29/2013		ENGINEERING E I-30 DR	584	Tim Tumulty City Engineer	COMMENTS 10/22/2014
E2013-017	04/25/2013		ENGINEERING	557	Bruce Hanby Engineering: Technician	COMMENTS 10/6/2014
E2013-017	04/25/2013		ENGINEERING	557	Kathleen Moreno Engineering: Engineer	COMMENTS 10/17/2014
E2013-017	04/25/2013		ENGINEERING	557	Ariana Hargrove Engineering: Fire	APPROVED 10/6/2014
E2013-017	04/25/2013		ENGINEERING	557	Amy Williams Assistant City Engineer	COMMENTS 10/3/2014
E2013-017	04/25/2013		ENGINEERING	557	Kathleen Moreno Engineering: Engineer	COMMENTS 10/3/2014
E2013-017	04/25/2013		ENGINEERING	557	Tim Tumulty City Engineer	COMMENTS 10/22/2014
E2013-017	04/25/2013		ENGINEERING	557	Steve Clawson Sewer Department	COMMENTS 10/15/2014
E2013-017	04/25/2013		ENGINEERING	557	Bruce Hanby Engineering: Technician	COMMENTS 10/17/2014
E2013-017	04/25/2013		ENGINEERING	557	Amy Williams Assistant City Engineer	COMMENTS 10/15/2014
E2014-020	07/16/2014		ENGINEERING 2975 DISCOVERY BLVD	110	Ariana Hargrove Engineering: Fire	APPROVED 10/6/2014
E2014-020	07/16/2014		ENGINEERING 2975 DISCOVERY BLVD	110	Amy Williams Assistant City Engineer	COMMENTS 10/6/2014
E2014-020	07/16/2014		ENGINEERING 2975 DISCOVERY BLVD	110	Kathleen Moreno Engineering: Engineer	APPROVED W/ 10/6/2014
E2014-020	07/16/2014		ENGINEERING 2975 DISCOVERY BLVD	110	Tim Tumulty CITY ENGINEER	APPROVED 10/7/2014
E2014-020	07/16/2014		ENGINEERING 2975 DISCOVERY BLVD	110	Bruce Hanby Engineering: Technician	APPROVED 10/6/2014

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E2014-020	07/16/2014		ENGINEERING 2975 DISCOVERY BLVD	110	Amy Williams Assistant City Engineer	APPROVED 10/22/2014
E2014-024	09/18/2014		ENGINEERING	46	Kathleen Moreno Engineering: Engineer	COMMENTS 10/6/2014
E2014-024	09/18/2014		ENGINEERING	46	Amy Williams Assistant City Engineer	APPROVED 10/10/2014
E2014-024	09/18/2014		ENGINEERING	46	Bruce Hanby Engineering: Technician	COMMENTS 10/6/2014
E2014-024	09/18/2014		ENGINEERING	46	Curtis McAden WATER DEPARTMEN	APPROVED 10/9/2014
E2014-024	09/18/2014		ENGINEERING	46	Kathleen Moreno Engineering: Engineer	APPROVED 10/10/2014
E2014-024	09/18/2014		ENGINEERING	46	Bruce Hanby Engineering: Technician	APPROVED 10/10/2014
E2014-024	09/18/2014		ENGINEERING	46	Billy Chaffin Street Department	APPROVED 10/14/2014
E2014-024	09/18/2014		ENGINEERING	46	Amy Williams Assistant City Engineer	COMMENTS 10/6/2014
E2014-025	09/22/2014		ENGINEERING	42	Amy Williams Assistant City Engineer	COMMENTS 10/17/2014
E2014-025	09/22/2014		ENGINEERING	42	Amy Williams Engineering: Technician	APPROVED 10/30/2014
E2014-025	09/22/2014		ENGINEERING	42	Amy Williams Assistant City Engineer	APPROVED W/ 10/29/2014
E2014-025	09/22/2014		ENGINEERING	42	Bruce Hanby Engineering: Technician	COMMENTS 10/20/2014
E2014-025	09/22/2014		ENGINEERING	42	Ariana Hargrove Engineering: Fire	APPROVED 10/17/2014
E2014-025	09/22/2014		ENGINEERING	42	Kathleen Moreno Engineering: Engineer	APPROVED 10/21/2014

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E2014-026	09/25/2014		ENGINEERING 911 N GOLIAD	39	Amy Williams Assistant City Engineer	APPROVED 10/15/2014
E2014-027	10/02/2014		ENGINEERING 1200 YELLOW JACKET LN	32	Amy Williams Assistant City Engineer	COMMENTS 10/23/2014
E2014-027	10/02/2014		ENGINEERING 1200 YELLOW JACKET LN	32	Ariana Hargrove Engineering: Fire	APPROVED 10/27/2014
E2014-027	10/02/2014		ENGINEERING 1200 YELLOW JACKET LN	32	Bruce Hanby Engineering: Technician	APPROVED 10/23/2014
E2014-027	10/02/2014		ENGINEERING 1200 YELLOW JACKET LN	32	Amy Williams Assistant City Engineer	APPROVED 10/31/2014
E2014-027	10/02/2014		ENGINEERING 1200 YELLOW JACKET LN	32	Curtis McAden WATER DEPARTMEN	APPROVED 10/9/2014
E2014-027	10/02/2014		ENGINEERING 1200 YELLOW JACKET LN	32	Amy Williams ASSISTANT CITY ENC	COMMENTS 10/3/2014
E2014-027	10/02/2014		ENGINEERING 1200 YELLOW JACKET LN	32	Bruce Hanby ENG-TECH	COMMENTS 10/6/2014
E2014-027	10/02/2014		ENGINEERING 1200 YELLOW JACKET LN	32	Kathleen Moreno ENG-ENGINEER	APPROVED W/ 10/6/2014
E2014-027	10/02/2014		ENGINEERING 1200 YELLOW JACKET LN	32	Steve Clawson SEWER DEPARTMEN	APPROVED 10/7/2014
E2014-027	10/02/2014		ENGINEERING 1200 YELLOW JACKET LN	32	Ariana Hargrove ENG - FIRE	COMMENTS 10/6/2014
E2014-028	10/06/2014		ENGINEERING 1880 E I30	28	Steve Clawson SEWER DEPARTMEN	APPROVED 10/7/2014
E2014-028	10/06/2014		ENGINEERING 1880 E I30	28	Billy Chaffin STREET DEPARTMEN	
E2014-028	10/06/2014		ENGINEERING 1880 E I30	28	Bruce Hanby ENG-TECH	COMMENTS 10/6/2014
E2014-028	10/06/2014		ENGINEERING 1880 E I30	28	Kathleen Moreno ENG-ENGINEER	APPROVED 10/10/2014

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E2014-028	10/06/2014		ENGINEERING 1880 E I30	28	Ariana Hargrove ENG - FIRE	COMMENTS 10/6/2014
E2014-028	10/06/2014		ENGINEERING 1880 E I30	28	Amy Williams ASSISTANT CITY ENC	COMMENTS 10/6/2014
E2014-028	10/06/2014		ENGINEERING 1880 E I30	28	Tim Tumulty CITY ENGINEER	APPROVED 10/13/2014
E2014-028	10/06/2014		ENGINEERING 1880 E I30	28	Bruce Hanby Engineering: Technician	APPROVED 10/29/2014
E2014-028	10/06/2014		ENGINEERING 1880 E I30	28	Ariana Hargrove Engineering: Fire	APPROVED 10/29/2014
E2014-028	10/06/2014		ENGINEERING 1880 E I30	28	Curtis McAden WATER DEPARTMEN	APPROVED 10/9/2014
E2014-028	10/06/2014		ENGINEERING 1880 E I30	28	Amy Williams Assistant City Engineer	COMMENTS 10/28/2014
E2014-028	10/06/2014		ENGINEERING 1880 E I30	28	Amy Williams Assistant City Engineer	APPROVED W/ 10/31/2014
H2014-003	10/06/2014		HISTORIC 602 KERNODLE ST	28	PLANNING	
P2014-031	10/02/2014		PLAT 1861 SH276	32	Amy Williams ENGINEERING	COMMENTS 10/3/2014
P2014-031	10/02/2014		PLAT 1861 SH276	32	Ariana Hargrove FIRE	APPROVED 10/3/2014
P2014-031	10/02/2014		PLAT 1861 SH276	32	JoDee Sanford PLANNING	
P2014-031	10/02/2014		PLAT 1861 SH276	32	John Shannon BUILDING	APPROVED 10/2/2014
P2014-031	10/02/2014		PLAT 1861 SH276	32	Lance Singleton GIS	APPROVED 10/9/2014
P2014-032	10/17/2014		PLAT RIDGE RD	17	Amy Williams ENGINEERING	APPROVED 10/17/2014

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P2014-032	10/17/2014		PLAT RIDGE RD	17	David Gonzales PLANNING	APPROVED W/ 10/23/2014
P2014-032	10/17/2014		PLAT RIDGE RD	17	John Shannon BUILDING	APPROVED 10/20/2014
P2014-032	10/17/2014		PLAT RIDGE RD	17	Ariana Hargrove FIRE	APPROVED 10/17/2014
P2014-032	10/17/2014		PLAT RIDGE RD	17	Lance Singleton GIS	
P2014-033	10/17/2014		PLAT HWY276	17	Lance Singleton GIS	APPROVED 10/20/2014
P2014-033	10/17/2014		PLAT HWY276	17	John Shannon BUILDING	APPROVED 10/20/2014
P2014-033	10/17/2014		PLAT HWY276	17	Ryan Miller PLANNING	APPROVED W/ 10/20/2014
P2014-033	10/17/2014		PLAT HWY276	17	Ariana Hargrove FIRE	APPROVED W/ 10/17/2014
P2014-033	10/17/2014		PLAT HWY276	17	Amy Williams ENGINEERING	APPROVED 10/17/2014
P2014-034	10/20/2014		PLAT 4015 MEDITERRANEAN	14	John Shannon BUILDING	APPROVED 10/22/2014
P2014-034	10/20/2014		PLAT 4015 MEDITERRANEAN	14	JoDee Sanford PLANNING	
P2014-034	10/20/2014		PLAT 4015 MEDITERRANEAN	14	Amy Williams ENGINEERING	COMMENTS 10/21/2014
P2014-034	10/20/2014		PLAT 4015 MEDITERRANEAN	14	Brian Patrick FIRE	APPROVED 10/24/2014
P2014-034	10/20/2014		PLAT 4015 MEDITERRANEAN	14	Lance Singleton GIS	
P2014-035	10/20/2014		PLAT 808 SAM HOUSTON ST	14	Lance Singleton GIS	APPROVED 10/23/2014

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Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
P2014-035	10/20/2014		PLAT 808 SAM HOUSTON ST	14	Brian Patrick FIRE	APPROVED 10/24/2014
P2014-035	10/20/2014		PLAT 808 SAM HOUSTON ST	14	Amy Williams ENGINEERING	COMMENTS 10/21/2014
P2014-035	10/20/2014		PLAT 808 SAM HOUSTON ST	14	David Gonzales PLANNING	COMMENTS 10/23/2014
P2014-035	10/20/2014		PLAT 808 SAM HOUSTON ST	14	John Shannon BUILDING	APPROVED 10/22/2014
SP2013-022	08/16/2013		SITE PLAN 1280 E RAPLPH HALL PKWY	444	Ariana Hargrove FIRE	COMMENTS 10/27/2014
SP2013-022	08/16/2013		SITE PLAN 1280 E RAPLPH HALL PKWY	444	Amy Williams ENGINEERING	COMMENTS 10/20/2014
SP2014-018	07/21/2014		SITE PLAN 1801 S GOLIAD ST	105	Amy Williams ENGINEERING	COMMENTS 10/20/2014
SP2014-018	07/21/2014		SITE PLAN 1801 S GOLIAD ST	105	John Shannon BUILDING	APPROVED 10/20/2014
SP2014-018	07/21/2014		SITE PLAN 1801 S GOLIAD ST	105	Ariana Hargrove FIRE	APPROVED 10/7/2014
SP2014-023	09/15/2014		SITE PLAN	49	David Gonzales PLANNING	APPROVED W/ 10/1/2014
SP2014-023	09/15/2014		SITE PLAN	49	Ariana Hargrove FIRE	APPROVED 10/2/2014
SP2014-023	09/15/2014		SITE PLAN	49	David Gonzales ENGINEERING	
SP2014-025	09/22/2014		SITE PLAN HWY 276 AND HWY205 BYPASS	42	John Shannon BUILDING	APPROVED 10/10/2014
SP2014-025	09/22/2014		SITE PLAN HWY 276 AND HWY205 BYPASS	42	Ariana Hargrove FIRE	APPROVED 10/9/2014
SP2014-025	09/22/2014		SITE PLAN HWY 276 AND HWY205 BYPASS	42	Amy Williams ENGINEERING	APPROVED W/ 10/8/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 10/1/2014 thru 10/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
SP2014-026	09/22/2014		SITE PLAN	42	John Shannon	APPROVED
					BUILDING	10/10/2014
SP2014-026	09/22/2014		SITE PLAN	42	Ariana Hargrove	APPROVED
					FIRE	10/10/2014
SP2014-026	09/22/2014		SITE PLAN	42	Amy Williams	COMMENTS
					ENGINEERING	10/10/2014
SP2014-028	10/14/2014		SITE PLAN	20	Ariana Hargrove	APPROVED W/
			2582 HWY276		FIRE	10/14/2014
SP2014-028	10/14/2014		SITE PLAN	20	Ariana Hargrove	APPROVED W/
			2582 HWY276		FIRE	10/29/2014
SP2014-028	10/14/2014		SITE PLAN	20	Lance Singleton	
			2582 HWY276		GIS	
SP2014-028	10/14/2014		SITE PLAN	20	Amy Williams	APPROVED
			2582 HWY276		ENGINEERING	10/28/2014
SP2014-028	10/14/2014		SITE PLAN	20	John Shannon	APPROVED
			2582 HWY276		BUILDING	10/28/2014
SP2014-028	10/14/2014		SITE PLAN	20	David Gonzales	COMMENTS
			2582 HWY276		PLANNING	10/15/2014
SP2014-028	10/14/2014		SITE PLAN	20	Amy Williams	COMMENTS
			2582 HWY276		ENGINEERING	10/14/2014
SP2014-028	10/14/2014		SITE PLAN	20	John Shannon	APPROVED
			2582 HWY276		BUILDING	10/15/2014
SP2014-029	10/17/2014		SITE PLAN	17	Lance Singleton	
			1700 E I30		GIS	
SP2014-029	10/17/2014		SITE PLAN	17	Ariana Hargrove	COMMENTS
			1700 E I30		FIRE	10/17/2014
SP2014-029	10/17/2014		SITE PLAN	17	Amy Williams	COMMENTS
			1700 E I30		ENGINEERING	10/17/2014
SP2014-029	10/17/2014		SITE PLAN	17	David Gonzales	COMMENTS
			1700 E I30		PLANNING	10/22/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 10/1/2014 thru 10/31/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
SP2014-029	10/17/2014		SITE PLAN 1700 E I30	17	John Shannon BUILDING	APPROVED 10/22/2014
Z2014-029	09/23/2014		ZONING HWY 276 AND HWY205 BYPASS	41	Ariana Hargrove FIRE	APPROVED W/ 10/9/2014
Z2014-030	09/23/2014		ZONING DOWELL RD	41	Amy Williams ENGINEERING	COMMENTS 10/9/2014
Z2014-031	09/25/2014		ZONING	39	Amy Williams ENGINEERING	APPROVED 10/8/2014
Z2014-032	10/14/2014		ZONING HWY 276 AND HWY205 BYPASS	20	PLANNING	
Z2014-032	10/14/2014		ZONING HWY 276 AND HWY205 BYPASS	20	Amy Williams ENGINEERING	
Z2014-032	10/14/2014		ZONING HWY 276 AND HWY205 BYPASS	20	Ariana Hargrove FIRE	
Z2014-032	10/14/2014		ZONING HWY 276 AND HWY205 BYPASS	20	John Shannon BUILDING	
Z2014-033	10/17/2014		ZONING RALPH HALL PKWY	17	Ariana Hargrove FIRE	APPROVED 10/17/2014
Z2014-033	10/17/2014		ZONING RALPH HALL PKWY	17	John Shannon BUILDING	APPROVED 10/22/2014
Z2014-033	10/17/2014		ZONING RALPH HALL PKWY	17	JoDee Sanford PLANNING	APPROVED 10/23/2014
Z2014-033	10/17/2014		ZONING RALPH HALL PKWY	17	Amy Williams ENGINEERING	APPROVED 10/17/2014

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Rockwall Police Department
Harbor District Calls For Service
October 2014

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2014-00033574	10/12/2014	05:20:00	Cinemark	Alarm-BUSN	False Alarm
2014-00035365	10/28/2014	20:45:09	Cinemark	BMV	Report
2014-00032427	10/02/2014	08:42:02	Dragon Fly	Alarm-BUSN	Cancelled Alarm
2014-00032604	10/03/2014	19:37:00	Hilton	Investigation	No Report
2014-00032651	10/04/2014	03:17:49	Hilton	Suspicious Activity	No Report
2014-00032664	10/04/2014	08:34:35	Hilton	Motor Vehicle Theft	No Report
2014-00033520	10/11/2014	20:26:31	Hilton	Investigation	No Report
2014-00034151	10/17/2014	22:45:00	Hilton	Disturbance	No Report
2014-00034194	10/18/2014	08:23:58	Hilton	BMV	Report
2014-00034753	10/23/2014	12:11:59	Hilton	Theft	Report
2014-00035159	10/27/2014	00:28:00	Hilton	Intoxicated	Arrest
2014-00032613	10/03/2014	20:46:00	The Harbor	Investigation	No Report
2014-00032632	10/03/2014	23:31:00	The Harbor	Investigation	Arrest
2014-00032927	10/06/2014	18:06:40	The Harbor	Civil Matter	No Report
2014-00033254	10/09/2014	12:54:53	The Harbor	Welfare Concern	No Report
2014-00034124	10/17/2014	20:38:30	The Harbor	Meet Complainant	Report
2014-00034700	10/22/2014	21:08:16	The Harbor	Motor Vehicle Theft	Report
2014-00034919	10/24/2014	23:30:00	The Harbor	Investigation	Arrest
2014-00035610	10/31/2014	00:45:06	The Harbor	Suspicious Activity	No Report
2014-00035685	10/31/2014	15:45:56	The Harbor	Suspicious Activity	No Report
2014-00032910	10/06/2014	14:55:32	Whittle Developement	Investigation	No Report
2014-00035476	10/29/2014	20:27:04	Zeus Botique	Alarm-BUSN	No Report

Common Name	
The Harbor	9
Hilton	8
Cinemark	2
Dragon Fly	1
Whittle Development	1
Zeus Botique	1
Total	**22**

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
OCTOBER 2014

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	8	8	0	100%
ADMINISTRATIVE SERVICES	2	2	0	100%
AIRPORT	0	0	0	0%
ANIMAL SERVICES	1	1	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	0	0	0	0%
ENGINEERING	0	0	0	0%
FINANCE	3	3	0	100%
FIRE DEPARTMENT	52	52	0	100%
INTERNAL OPERATIONS	110	110	0	100%
MUNICIPAL COURT	15	15	0	100%
PARKS & RECREATION	20	20	0	100%
PLANNING & ZONING	4	4	0	100%
POLICE DEPARTMENT	38	36	2	95%
PUBLIC WORKS	9	9	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	262	260	2	99%

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
OCTOBER 2014

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT	0	0	0	100%
FIRE DEPARTMENT	8	8	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	1	1	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	16	16	0	100%
PUBLIC WORKS	1	1	0	100%
UTILITY BILLING	0	0	0	100%
HEATH DEPT. PUBLIC SAFETY	1	1	0	100%
HOSPITAL CONTROL STATIONS	0	0	0	100%
SYSTEM ISSUES	0	0	0	100%
TOTAL	27	27	0	100%

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Airport Operations Report

For Month of October 2014

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	398.00	$1,832.70
Av-Gas Sales	3,284.90	$17,240.54
TOTAL FUEL SALES	3,682.90	$19,073.24

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$2,345.00
Terminal Office Rental Revenue	$250.00
Enclosed Hangar Rental Revenue	$120.00
North Maintenance Hangar Rental Revenue	$500.00
TOTAL HANGAR RENTALS	$3,215.00

HANGAR OCCUPANCY RATES

	TOTAL HANGARS	QTY RENTABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	40	32	80.00%
Terminal Office Rentals	1	1	1	100%
Closed Hangar Rentals	1	1	1	100%
Open Hangar Cap Rentals	2	1	1	100%
TOTAL HANGAR OCCUPANCY	49	43	35	81%

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$368.29	$368.29
City Owned Hangar Rentals	5.00%	$160.75		$0.00
TOTAL FEES DUE		$160.75	$368.29	$529.04

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

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Rockwall Police Department

Monthly Activity Report

October-2014

ACTIVITY	CURRENT MONTH OCTOBER	PREVIOUS MONTH SEPTEMBER	YTD 2014	YTD 2013	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	1	**-100.00%**
Sexual Assault	2	0	6		
Robbery	0	1	4	5	**-20.00%**
Aggravated Assault	0	3	22	9	**144.44%**
Burglary	7	14	73	83	**-12.05%**
Larceny	57	65	530	520	**1.92%**
Motor Vehicle Theft	9	2	43	47	**-8.51%**
TOTAL PART I	**75**	**85**	**678**	**672**	**0.89%**
TOTAL PART II	**137**	**162**	**1386**	**1244**	**11.41%**
TOTAL OFFENSES	**212**	**247**	**2064**	**1916**	**7.72%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	14	23	172	142	**21.13%**
D.W.I.	11	16	180	172	**4.65%**
TEEN CURFEW	2	2	13	8	**62.50%**
ARRESTS					
FELONY	11	19	181	160	**13.13%**
MISDEMEANOR	73	79	777	756	**2.78%**
WARRANT ARREST	22	40	318	277	**14.80%**
JUVENILE	5	6	62	47	**31.91%**
TOTAL ARRESTS	**111**	**144**	**1338**	**1240**	**7.90%**
DISPATCH					
CALLS FOR SERVICE	1493	1530	14739	13637	**8.08%**
ACCIDENTS					
INJURY	11	12	109	118	**-7.63%**
(INJURIES)	21	18	154	144	**6.94%**
NON-INJURY	54	50	448	403	**11.17%**
FATALITY	0	1	1	2	**-50.00%**
(FATALITIES)	0	1	1	2	**-50.00%**
TOTAL	**65**	**63**	**558**	**523**	**6.69%**
FALSE ALARMS					
RESIDENT ALARMS	64	44	590	677	**-12.85%**
BUSINESS ALARMS	116	125	1292	1077	**19.96%**
TOTAL FALSE ALARMS	**180**	**169**	**1882**	**1754**	**7.30%**
Estimated Lost Hours	**118.8**	**111.54**	**1242.12**	**1157.64**	**7.30%**
Estimated Cost	**$2,826.00**	**$2,653.30**	**$29,547.40**	**$27,537.80**	**7.30%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**8**
Arrests	**7**
Arrest Warrants	**5**
Search Warrants	**0**
Seized	
Marijuana	1.48 ounces
Methamphetamine	8.03 ounces
Xanax	6 pills
Cocaine	3.7 grams
Guns	2

Rockwall Police Department
Dispatch and Response Times
October 2014

Police Department

	Average Response Time	
Priority 1		Number of Calls **113**
Call to Dispatch	0:00:29	
Call to Arrival	0:05:58	
% over 7 minutes	27%	
Priority 2	**Average Response Time**	Number of Calls **231**
Call to Dispatch	0:00:27	
Call to Arrival	0:06:46	
% over 7 minutes	37%	
Priority 3	**Average Response Time**	Number of Calls **11**
Call to Dispatch	0:00:17	
Call to Arrival	0:13:45	
% over 7 minutes	44%	
***Priority 4**		Number of Calls **1138**
****Priority 5**		Number of Calls **0**

*Priority 4 call averages are not given because they are calls that do not require an immediate response by police.
**Priority 5 calls are incidents that officers initiate themselves therefore response times are not calculated.

Average dispatch response time goals are as follows:
Priority 1: 30 Seconds
Priority 2: 45 Seconds
Priority 3: 1 Minute

Fire Department

	Average Response Time	
Call to Dispatch	0:01:44	Number of Calls **99**
Call to Arrival	0:06:56	

Overages

Incident No.	Date	Time Rec'd	Call Type	Time Disp	Resp Time	Reason
2014-777	10/2/2014	16:54:47	Fire Alarm Commercial	16:55:54	0:01:07	Storm and high call volume
2014-788	10/2/2014	17:50:01	Fire Alarm Residential	17:52:05	0:02:04	Storm and high call volume
2014-789	10/2/2014	17:52:28	Fire Alarm Commercial	17:54:49	0:02:21	Storm and high call volume
2014-783	10/2/2014	17:04:04	Fire Alarm Commercial	17:18:06	0:14:02	Storm and high call volume
2014-782	10/2/2014	16:57:48	Fire Alarm Commercial	17:14:33	0:16:45	Storm and high call volume

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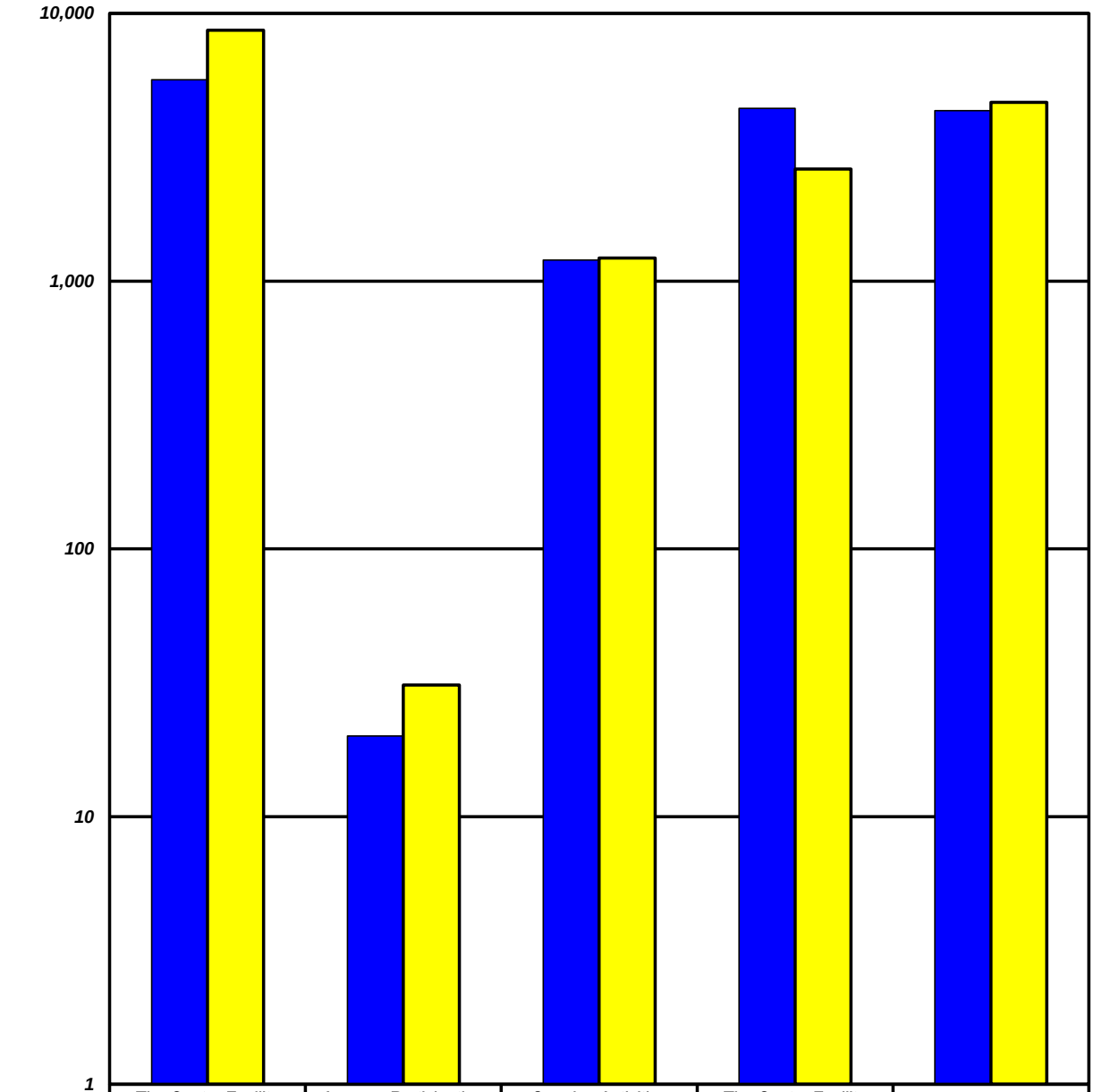
City of Rockwall
Parks and Recreation Department
FY15 October Report



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY15 YTD	5,658	20	1,199	$4,419	$4,333
FY14 YTD	8,652	31	1,220	$2,626	$4,651

The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.
Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.
Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
October 2014

DISPOSITION REPORT

	October
Intakes	159
1045	3
Adopted	89
Returned to Owner	30
Rescued	21
Euthanized	7
Live Outcome %	**93%**
Number of Animals in Foster	5

FINANCIAL REPORT

Income	**October**
City of Rockwall	$133,949
Adoption Fee Income	$7,300
Impound Fee Income	$1,030
Owner Surrender	$880
General Donations	$3,765
Merchandise Sales	$0
Medical	$0
Quarantine Fee	$300
Total Income	**$147,225**

Expenses	**October**
Administrative Expenses (Payroll, etc)	$46,740
Shelter Expenses (Microchips, Drugs, etc)	$4,841
Veterinary Expenses	$1,635
Professional Services	$0
Training	$1,894
Total Expenses	**$55,109**
Balance	**$92,115**

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Agenda 4

Rockwall County Helping Hands Appreciation Day

- Helping Hands Proc 8
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Tammy Sharp Recognition Day

- Tammy Sharp Recognition 10
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Consider approval of the minutes from the December 1, 2014 regular city council meeting, and take any action necessary.

- 12-01-14 12
- Blank Page 22

Z2014-033 - Consider approval of an ordinance for a request by Amy and Mark Stehr for the approval of an amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, the subject property is addressed as 129 E. Ralph Hall Parkway, and take any action necessary. (2nd Reading)

- Ord_2nd Reading 23
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Consider authorizing the city manager to execute a contract with Transamerica Life Insurance Company to secure reinsurance/stop loss coverage for the City's health insurance plans, applying to claims exceeding $100,000, and take any action necessary.

- Stop Loss Agreement 27
- Blank Page 28

Consider authorizing the city manager to execute an interlocal agreement with Rockwall County related to municipal judge services for "No Refusal Weekends" during the upcoming year, and take any action necessary.

- Memo 29
- no refusal wkend agreement 30
- Blank Page 34

Consider approval of the First Amendment to the Blackland Water Supply Corporation Wholesale Water Contract and take any action necessary.

- WSC memo 35
- First Amendment 36
- blank page 39

Z2014-035 – Hold a public hearing to discuss and consider a request by Chris & Jill Blasé for the approval of an ordinance for a zoning change from Planned Development District 3 (PD-3) to a Single Family 10 (SF-10) District for a one (1) acre portion of land located within Tract 11-3 being a 13.3-acre tract of land situated within the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 3 (PD-3) for Commercial (C) District land uses, situated east of the intersection of East Fork Road and North Lakeshore Drive, and take any action necessary. (1st reading)

Staff Report . . . 40
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MIS2014-017 - Hold a public hearing to discuss and consider a request by Michael Clark for the approval of a special request to construct a four-plex residential dwelling unit on a 0.23-acre parcel of land currently identified as the eastern ½ of Lot 3, Block K, Sanger Brothers Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 808 Sam Houston Street, and take any action necessary.

Staff Report . . . 55
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Discuss and consider a Park Board recommendation related to the purchase, installation and associated costs of a barrier free playground to be located at Yellowjacket Park, and take any action necessary.

Memo . . . 66
CC Minutes 3-17-14 . . . 68
CC Minutes 5-5-14 . . . 70
CC Minutes 7-7-14 . . . 72
Memo - 10-15-14 . . . 73
CC Minutes 11-3-14 . . . 76
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YJ 3d page 1 . . . 86
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Discuss and consider appointments to city advisory boards including the Main Street Advisory Board, Architectural Review Board, and the Art Review Team (ART) Commission, and take any action necessary.

Board appts needed . . . 91
Memo_ART Review Team Commission . . . 92
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Discuss and consider acceptance of Mayor David Sweet's resignation from the Rockwall City Council and take any action necessary.

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AGENDA
ROCKWALL CITY COUNCIL
Monday, December 15, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

1. Hold work session to discuss and consider the city's participation in the Rockwall County Open Space Alliance and possible nominations to the steering committee, and take any action necessary.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, December 15, 2014
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DENNIS LEWIS

VIII. PROCLAMATIONS / AWARDS

p.8 **1.** Rockwall County Helping Hands Appreciation Day
p.10 **2.** Tammy Sharp Recognition Day

IX. CONSENT AGENDA

p.12 **1.** Consider approval of the minutes from the December 1, 2014 regular city council meeting, and take any action necessary.

p.23 **2.** **Z2014-033** - Consider approval of an **ordinance** for a request by Amy and Mark Stehr for the approval of an amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, the subject property is addressed as 129 E. Ralph Hall Parkway, and take any action necessary. **(2nd Reading)**

p.27 **3.** Consider authorizing the city manager to execute a contract with Transamerica Life Insurance Company to secure reinsurance/stop loss coverage for the City's health insurance plans, applying to claims exceeding $100,000, and take any action necessary.

p.29 **4.** Consider authorizing the city manager to execute an interlocal agreement with Rockwall County related to municipal judge services for "No Refusal Weekends" during the upcoming year, and take any action necessary.

p.35 **5.** Consider approval of the First Amendment to the Blackland Water Supply Corporation Wholesale Water Contract and take any action necessary.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

XI. PUBLIC HEARING ITEMS

p.40 **1.** **Z2014-035** – Hold a public hearing to discuss and consider a request by Chris & Jill Blasé for the approval of an **ordinance** for a zoning change from Planned Development District 3 (PD-3) to a Single Family 10 (SF-10) District for a one (1) acre portion of land located within Tract 11-3 being a 13.3-acre tract of land situated within the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 3 (PD-3) for Commercial (C) District land uses, situated east of the intersection of East Fork Road and North Lakeshore Drive, and take any action necessary. **(1st reading)**

p.55 **2.** **MIS2014-017** - Hold a public hearing to discuss and consider a request by Michael Clark for the approval of a special request to construct a four-plex residential dwelling unit on a 0.23-acre parcel of land currently identified as the eastern ½ of Lot 3, Block K, Sanger Brothers Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 808 Sam Houston Street, and take any action necessary.

XII. ACTION ITEMS

p.66 **1.** Discuss and consider a Park Board recommendation related to the purchase, installation and associated costs of a barrier free playground to be located at Yellowjacket Park, and take any action necessary.

p.91 **2.** Discuss and consider appointments to city advisory boards including the Main Street Advisory Board, Architectural Review Board, and the Art Review Team (ART) Commission, and take any action necessary.

p.94 **3.** Discuss and consider acceptance of Mayor David Sweet's resignation from the Rockwall City Council and take any action necessary.

XIII. RECOGNITION OF OUTGOING MAYOR AND SWEARING IN OF NEWLY APPOINTED MAYOR AND CITY COUNCIL MEMBER, PLACE 2

1. Recognition of outgoing mayor, David Sweet

2. Swearing in of new mayor, Jim Pruitt, and newly appointed Place 2 city council member, John Hohenshelt

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 12th day of December, 2014 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

Proclamation

Rockwall, Texas

Whereas, Rockwall County Helping Hands lifts up neighbors by providing greater access to the essentials of life, thereby making Rockwall a better place; and

Whereas, the agency is managed and funded locally, providing resources for a variety of local needs, including disaster response donations management and other related assistance; and

Whereas, donations to the Helping Hands Centsible Thrift Store & Boutique go to support neighbors in crisis, serving more than 10,000 Rockwall area residents through its food, shelter, health, Assistance and Referral programs; and

Whereas, 24,000 bags of food have been provided this year with over 300 families receiving Thanksgiving food baskets and more than 3,000 toys being distributed for children at Christmastime; and

Whereas, Helping Hands has offered health care as part of its operation since the year 2000, with over a 1,000 vaccines and lab tests provided annually to healthcare center patients; and

Whereas, twenty-five years of strong leadership from the Executive Director have consistently lifted up neighbors in need and helped the advantaged find meaningful ways to volunteer, support and serve their neighbors and their community.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim Monday, December 15, 2014 as

HELPING HANDS APPRECIATION DAY

in the City of Rockwall and encourage all citizens to applaud this organization for its numerous acts of service, generosity and kindness which benefit our neighbors in need.

In Witness Whereof, I hereunto set my hand and official seal this 15th day of December, 2014.

_____

David Sweet, Mayor

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Proclamation

Rockwall, Texas

Whereas, for many years Tammy Sharp has owned a business in historic downtown Rockwall, has served as Secretary of the Downtown Merchants Association and has been actively involved in the Old Town Shoppes Association; and

Whereas, Tammy had a long-term vision for several years to host a local, fun-filled Christmas celebration downtown to include free or low cost events for Rockwall families and visitors; and

Whereas, as part of Tammy's vision, she aimed to combine Rockwall County's "TisChristmas Time" event, the city's annual Christmas Tree Lighting ceremony, the Kiwanis Parade and various downtown holiday festivities into one, single-day event;

Whereas, this year, after extensive collaboration with numerous organizations including Rockwall County, the City of Rockwall, the Rockwall Main Street Program, Friends of Downtown, the Downtown Merchants Association, Rockwall Kiwanis, and others, Tammy's efforts came to fruition; and

Whereas, on December 6, 2014, the first annual "Hometown Christmas Celebration" was held in and around the downtown Rockwall area, and it proved to be a large success.

Now, Therefore, I, David Sweet, Mayor of the City of Rockwall, Texas, do hereby proclaim Monday, December 15, 2014 as

TAMMY SHARP RECOGNITION DAY

in the City of Rockwall and encourage all citizens to applaud Tammy's work and efforts toward helping provide a quality, "win-win" holiday event for organizers, business and families alike.

In Witness Whereof, I hereunto set my hand and official seal this 15th day of December, 2014.

David Sweet, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, December 01, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 4:00 p.m. Present were Mayor David Sweet, Mayor Pro Tem Jim Pruitt and Council Members David White, Mike Townsend, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza. Councilmember Milder was absent from the meeting.

Mayor Sweet read the below listed items into the public record before recessing the meeting into Executive Session at 4:01 p.m.

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development).
2. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters).
3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, and the Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters).
4. Discussion regarding incentives to tenured employees and possible legal issues pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney).

III. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:45 p.m.

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Sweet reconvened the public meeting at 6:00 p.m. with six of the seven city council members present (Milder was absent from the meeting).

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Pruitt made a motion to appoint John Hohenshelt to fill the Place 2 City Council member vacancy to take effect immediately following the December 15, 2014 city

council meeting (agenda). Councilmember Townsend seconded the motion, which passed by a vote of 6 ayes with 1 absent (Milder).

Mayor Pro Tem Pruitt made a motion to reappoint Gary Bunch to serve an additional term on the Rockwall Economic Development Corporation (REDC) board (term will begin January 1st and run through December of 2017). Councilmember Townsend seconded the motion, which passed by a vote of 6 ayes with 1 absent (Milder).

Mayor Pro Tem Pruitt made a motion to appoint Matthew Nielsen and Dale Cherry to serve on the Rockwall Economic Development Corporation (REDC) board with the understanding that terms for both members will begin January 1, 2015 (and run through December of 2017). Councilmember Lewis seconded the motion, which passed by a vote of 6 ayes with 1 absent (Milder).

Mayor Pro Tem Pruitt made a motion to appoint Annie Fishman to serve on the city's Planning and Zoning Commission (to fill vacancy left by Matthew Nielsen; this partial term appointment will begin January 1, 2015 and run through August of 2017). Councilmember Townsend seconded the motion, which passed unanimously of council present (Milder absent).

Mayor Pro Tem Pruitt made a motion to appoint G. David Smith to the city's Board of Adjustments effective immediately (Mr. Smith will replace former member, Jennifer Willis, for a partial term running through August of 2016). Councilmember Townsend seconded the motion, which passed unanimously (Milder absent).

Mayor Pro Tem Pruitt made a motion to appoint the following individuals to the city's Building and Standards Commission: Tobye Kernan, Jim Turner and Bryan Oney (all partial term appointments replacing outgoing board members and running through August of 2016). Councilmember Lewis seconded the motion, which passed unanimously (Milder absent).

Mayor Pro Tem Pruitt made a motion to direct the city manager to offer voluntary retirement incentives to qualified tenured employees per direction given in Executive Session. Councilmember Townsend seconded the motion, which passed by a vote of 6 ayes with 1 absent (Milder).

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

Councilmember Daniels delivered the invocation and led the Pledge of Allegiance.

VII. OPEN FORUM

David Eason
202 Interurban
Rockwall, TX

Mr. Eason came forth and suggested that the council consider city research and development to explore new ideas, creative thinking and planning related to things such as energy efficient homes that are self-heating.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the November 17, 2014 regular city council meeting, and take any action necessary.

2. **Z2014-027** - Consider approval of an **ordinance** for a City initiated zoning request for a text amendment to Article II, Authority and Administrative Procedures, Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of modifying various sections of the code, and take any action necessary. **(2nd Reading)**

3. **P2014-039** - Consider a request by Juan J. Vasquez, PE of Vasquez Engineering, LLC on behalf of James R. Thompson of Cavender Investment Properties E, LTD for the approval of a final plat for Lot 1, Block 1, Cavender's Addition being a 3.27-acre tract of land identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of the E. IH-30 Frontage Road west of Corporate Crossing [FM-549], and take any action necessary.

4. **P2014-040** - Consider a request by Cliff Lewis of Scott Lewis Custom Homes on behalf of Todd Winters, PE of Engineering Concepts and Design for the approval of a replat for Lot 8, Block 1, Horizon Ridge Addition being a 1.238-acre parcel of land currently identified as Lot 6, Block 1, Horizon Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located north of the intersection of Ralph Hall Parkway and Horizon Road [FM-3097], and take any action necessary.

5. Consider authorizing City Manager to enter into a contract with Cambridge Fence for the installation of new fence at Tuttle Athletic Complex in the amount of $39,000 to be funded out of the Recreational Development Fund, and take any action necessary.

Councilmember Lewis made a motion to approve the entire Consent Agenda (#1, 2, 3, 4 and 5). Councilmember White seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 14-52

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 13.2 OF ARTICLE II, *AUTHORITY AND ADMINISTRATIVE PROCEDURES*; SECTIONS 1.1 & 2.1.8 OF ARTICLE IV, *PERMISSIBLE USES*; AND SECTIONS 4.1 & 5.1, *DISTRICT DEVELOPMENT STANDARDS*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a unanimous vote (6 ayes with 1 (Milder) absent).

IX. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Craig Renfro, Chair of the Planning & Zoning Commission, came forth and briefed the council on recommendations of the Commission relative to the one Public Hearing item on tonight's city council meeting agenda (Z2014-033). He explained that the applicant owns an automotive repair garage and originally requested the ability to utilize eleven (11) parking spaces on the East side of the building as well as six (6) parking spaces located at the rear of the building (North side) for outside parking and storage of up to seventeen (17) vehicles overnight. The P&Z Commission has recommended approval of the use of six (6) parking spaces for overnight parking / storage of vehicles on the North side of the subject property. They have also recommended that the vehicles have a maximum of seventy-two (72) hours associated with parking of each, individual vehicle. This recommendation was approved by a vote of 4 in favor with 2 against (Renfro and Jusko) and 1 absent (Nielsen). No action was taken by council at this time.

X. PUBLIC HEARING ITEMS

1. **Z2014-033** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Amy and Mark Stehr for the approval of an amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, the subject property is addressed as 129 E. Ralph Hall Parkway, and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix provided background information related to this agenda item, explaining that this request involves council consideration to amend an existing SUP that has been in place since 2011. He explained that this is an automotive repair garage (Christian Brothers). It is located in a commercial district near Home Depot and is surrounded by an Alzheimer's/nursing facility and a bank. He generally explained that the applicant is requesting to utilize some of their outside parking spaces to store vehicles overnight. He clarified that two of the eleven spaces on the East side of the building are handicap parking spaces, so essentially the applicant would likely regularly utilize only nine of those eleven spaces. He explained that this particular store was originally proposed by the corporate office, and they were ok with the SUP restrictions pertaining to no outside storage of vehicles overnight because they did not anticipate this Rockwall store would perform as well as it has. He further explained that the corporate office has indicated this particular store in Rockwall is doing very well and is among the top producers of stores statewide. P&Z held a public hearing with fifty-five notices being sent out to properties within five hundred feet, and one HOA (Lyndon Park Homeowners Association) being notified. Three notices were received back in favor with no notices being received back in opposition. The Planning and Zoning Commission has recommended approving six parking spaces on the North end of the property to be

utilized for outside, overnight storage of vehicles with a maximum of seventy-two (72) hours associated with overnight parking of each vehicle in those six spaces. Mayor Pro Tem Pruitt asked if the city has had any history of violations associated with the existing SUP at this location. Mr. LaCroix indicated that staff did begin observing some instances of violations associated with the outside, overnight parking limitations in about August or September of this year. Councilmember Lewis inquired about if the number of parking spaces at this business is sufficient if some of them are being utilized for storing vehicles. Mr. LaCroix indicated that the number of spaces does seem to be sufficient for the business at this time.

Councilmember Daniels asked Mr. LaCroix to clarify how this particular request compares to the recent request made by another minor automotive repair-related business located on Ridge Road. Mr. LaCroix explained that that particular applicant had about seven spaces located at the rear of the building; however, that other business had a circulation issue related to ingress and egress of vehicles. Also, there is no fire lane at the other location, and it already lacked adequate parking spaces for employees and customers. Chief Mark Poindexter clarified that at the Christian Brothers, the fire lane is adequate, and no vehicles would be allowed to be parked in it.

Mayor Pro Tem Pruitt clarified that the matter at hand in both this instance and the recent, previous case, is related to outside overnight storage of vehicles.

Mayor Sweet opened the public hearing and called the applicant forth.

Amy and Mark Stehr
129 E. Ralph Hall Parkway
Rockwall, TX 75032

She introduced her service manager, Pat Brewer, and her husband, Mark.

Mrs. Stehr came forth and introduced herself, explaining a little bit about her company, including the following: her and her husband own and operate this business on a daily basis; they are a Christian-based company; they pride themselves in providing honest and ethical car repairs; they employee seven employees including three master technicians, they are a member of the Chamber of Commerce and they support and give back to the community in various ways. Mrs. Stehr went on to share comments made in various letters of support for her request for outside, overnight storage of vehicles. She further explained that they are requesting an amendment to their existing SUP on the "base side parking side" (east side of the building across from the garage bay doors – has nine regular spaces and 2 handicap spaces) to allow for vehicles to be parked overnight in these parking slots for no more than a forty-eight (48) hour period. This will allow her company to continue offering after hours vehicle drop off and pick-ups to customers. She suggested the council consider allowing them to screen outside vehicles being stored by planting mature, pampas grass. Mrs. Stehr pointed out several comments that surrounding business and residential neighbors have offered related to her business, including its cleanliness and how well the property is kept. She explained that, if approved, she will hire a professional landscaper to design and install the pampas grass she proposes to utilize in order to screen vehicles that would be stored overnight in these nine bay side parking slots.

Mayor Pro Tem Pruitt pointed out that very recently the council disapproved a request for a variance to an SUP related to granting overnight parking at the rear of a building that would have been screened entirely from street view. Pruitt clarified the city's Planning & Zoning recommendations related to this request being considered tonight. Pruitt asked the applicant if she would still like to have the six spaces approved on the end (north side) of the building if the nine bay side (east side) parking spaces are not approved for overnight storage of vehicles. Mrs. Stehr indicated that, yes, they would still like approval for overnight parking in those spaces regardless.

Mr. LaCroix indicated that ongoing, outside storage of vehicles overnight is generally not allowed in commercial districts, including these types of businesses. He explained that these types of commercial businesses are intended to be "minor repair automotive" businesses, offering "in and out" type services such as oil changes or tire rotations. Mr. LaCroix explained that, according to the corporate office, which was the original applicant when the SUP was first established in 2011, Christian Brothers does not typically do major repairs or have outside overnight storage of vehicles. He also explained that, years ago in the 1980s, some SUP ordinances did permit outside, overnight vehicle storage, but it had to be screened, and the city has since moved further away from allowing those types of uses.

Councilmember White asked staff for clarification concerning outside parking at some other, local businesses of a similar nature such as Jackson Automotive, Horizon, Marlyn Robert's shop, Jim & Deans, and Archer's. Mr. LaCroix indicated that the city did grant approval to Archers, for example, to allow for outside storage of vehicles overnight for up to 48 hours. Brief comments were offered by White concerning the spirit of the ordinance as it was originally enacted.

Mayor Sweet asked if anyone else in the audience would like to come forth and speak during this Public Hearing.

Mr. Freddie Jackson
1812 Bristol Lane
Rockwall, TX

Mr. Jackson came forth and asked the council how allowing storage of these vehicles outside overnight at this particular location might affect other, similar, small businesses elsewhere in the city.

There being no one else in the audience wishing to come forth and speak, Mayor Sweet then closed the public hearing.

Councilmember White made a motion to approve Z2014-033 and the associated Planning & Zoning Commission recommendation (allowing the use of the six parking spaces on the north of the building for outside, overnight storage) but with the stipulation that no vehicle will be allowed to be stored outside for longer than 48 hours. Councilmember Lewis seconded the motion. Mayor Pro Tem Pruitt indicated that he did not know that Archer's has a similar 48-hour variance in their SUP for outside, overnight storage of cars. Furthermore, he does not believe the proposed screening (tall pampa grass) will sufficiently screen the vehicles being stored overnight. He is also concerned that other small businesses of a similar nature may come forth in the future to make similar requests for outside, overnight storage of vehicles in their business' parking lots.

Councilmember Townsend explained that he had a problem with Christian Brothers original request (for the seventeen spaces); however, he generally agrees with the Planning & Zoning Commission's recommendation to allow for the six spaces on the north side of the building.

Mayor Sweet indicated he believes the applicant went about her request in a logical, active, business-like way, including gleaning feedback from nearby residents, business and members of the community. He believes these sorts of requests are to be handled on a case-by-case basis.

After brief comments, the ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-___
SPECIFIC USE PERMIT NO. S-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND A SPECIFIC USE PERMIT (SUP) NO. S-81 [ORDINANCE NO. 11-05] TO ALLOW VHICLES TO BE STORED OUTSIDE OVERNIGHT IN CONJUNCTION WITH AN EXISTING AUTOMOTIVE REPAIR GARAGE WITHIN A COMMERCIAL (C) DISTRICT ON A 0.702-ACRE TRACT OF LAND IDENTIFIED AS LOT 2, ROCKWALL MARKET CENTER SOUTH ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of council (Milder absent).

XI. ACTION ITEMS

1. Discuss and consider proposals regarding designating the city's newspaper of record, and take any action necessary.

City Attorney Frank Garza briefed the council on State laws concerning selecting an official newspaper of record for a city. He then explained the criteria that a city must consider when selecting a newspaper of record. He further explained that all of the newspapers that submitted proposals to the city secretary do meet these qualifications under state law criteria. City Secretary Kristy Ashberry then provided a briefing to the council concerning the methodology utilized

Mayor Sweet reiterated that all of these responding newspapers are legally sound and fit the requirements. City Attorney Frank Garza confirmed that all four newspapers do meet the requirements.

Mayor David Sweet then made a motion to designate the Royse City/ Rockwall County Herald Banner as the newspaper of record for the City of Rockwall. Mayor Pro Tem Pruitt seconded the motion.

Councilmember Lewis asked if this particular newspaper's deadline is acceptable. Mr. Crowley indicated that, yes, it is okay.

Councilmember Townsend sought clarification regarding the pricing for the Royse City /Rockwall County Herald Banner. Ms. Ashberry explained that this newspaper will publish our notices in the Royse City Herald Banner at a cost of $10 per column inch and will also publish them in the Rockwall County Herald Banner "free of charge," but the city will be responsible for paying the $10 per column inch fee regardless.

Mayor Pro Tem Pruitt sought clarification regarding if the prices being quoted are negotiable and if the council is being asked to approve the pricing as well. Mr. Garza clarified that the council is only being asked at this time to select which newspaper they would like to designate as the official newspaper of record. Mr. Garza explained that, under state law, a newspaper of record is only allowed to charge the city the lowest legal rate that they currently charge any one of their current customers. Additional explanation ensued related to the methodology staff utilized to glean estimated pricing from the various, responding newspapers, keeping in mind that all of the newspapers have a different pricing methodology (per line, per column inch, per word, etc.).

Mayor Pro Tem Pruitt asked if the city is free, at any time, to change our designated newspaper of record, if, for example, it is discovered that one of the other newspapers has a cheaper rate. Mr. Garza indicated that the city may change its designation at any time; however, it must designate a newspaper of record at least once per year.

After additional, brief comments, the motion passed by a vote of 6 in favor with 1 absent (Milder).

2. Discuss and consider appointments to city advisory boards, including the Architectural Review Board, Main Street Advisory Board, and Art Review Team (ART) Commission, and take any action necessary.

Mayor Pro Tem Pruitt made a motion to appoint Adan Tovar to serve on the city's Architectural Review Board (ARB) (replacing former member, Michael Johnston, for a partial term to expire in August 2016). Councilmember White seconded the motion, which passed unanimously of those present (Milder absent).

Mayor Pro Tem Pruitt made a motion to reappoint Sarah Freed to serve an additional term on the Main Street Advisory Board (term will expire January 2017). Councilmember White seconded the motion, which passed unanimously of those present (Milder absent).

Mayor Pro Tem Pruitt made a motion to appoint Kevin McCormick and Toni Waldrop to brand new terms on the city's Main Street Advisory Board (terms will begin January 1, 2015 and run through January 2017). Councilmember White seconded the motion, which passed unanimously of those present (Milder absent).

Mayor Sweet indicated that appointments related to the city's ART Review Team Commission will be placed on the December 15, 2014 council meeting agenda for consideration.

XII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - October 2014
Fire Department Monthly Reports - October 2014

Harbor PD Monthly Report - October 2014
Internal Operations Department Monthly Report - October 2014.
Police Department Monthly Report - October 2014
Recreation Monthly Report - October 2014
Rockwall Animal Adoption Center Monthly Report - October 2014

2. City Manager's Report

City Manager Rick Crowley reminded the city council about the Saturday, December 6 Christmas Tree Lighting ceremony and associated activities which will take place in and around the downtown area all day and into the evening. San Jacinto is almost all the way complete (95 percent) at this time as far as construction is concerned, and some holiday decorations are being put up at this time. Aaron Dobson, an existing Parks & Rec staff member, has been named as the replacement for Russell Lawrence to serve as the city's Parks Superintendent. Additional changes and promotions in that particular city department are forthcoming in the coming week. The land proposals authorized at the last council meeting have been sent out. Mr. Crowley indicated that City Hall will be closed on December 25 and 26 for the Christmas holiday in accordance with city policy.

The City council did not reconvene in Executive Session following the close of the public meeting agenda.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development).

2. Discussion regarding appointment to fill city council member vacancy in accordance with City Charter provisions pursuant to Section 551.074 (Personnel Matters).

3. Discussion regarding appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Board of Adjustments, and the Rockwall Economic Development Corporation pursuant to Section 551.074 (Personnel Matters).

4. Discussion regarding incentives to tenured employees and possible legal issues pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney).

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The City council did not reconvene in Executive Session following the close of the public meeting agenda. See start of the public meeting above (6:00 p.m.) for action taken out of the 4:00 p.m. Executive Session.

XV. ADJOURNMENT

Mayor Sweet adjourned the public meeting at 7:06 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 15th day of December, 2014.

ATTEST: **David Sweet, Mayor**

_____

Kristy Ashberry, City Secretary

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22

This is 2nd reading
1st reading was on
12/01 with all
voting to approve
(Milder absent)

CITY OF ROCKWALL

ORDINANCE NO. 14-53

SPECIFIC USE PERMIT NO. S-128

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND A SPECIFIC USE PERMIT (SUP) NO. S-81 [ORDINANCE NO. 11-05] TO ALLOW VHICLES TO BE STORED OUTSIDE OVERNIGHT IN CONJUNCTION WITH AN EXISTING AUTOMOTIVE REPAIR GARAGE WITHIN A COMMERCIAL (C) DISTRICT ON A 0.702-ACRE TRACT OF LAND IDENTIFIED AS LOT 2, ROCKWALL MARKET CENTER SOUTH ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Amy and Mark Stehr for the approval of an amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 129 E. Ralph Hall Parkway; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to amend a Specific Use Permit (SUP) No. S-81 [Ordinance No. 11.05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 129 E. Ralph Hall Parkway; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **Section 4.5, *Commercial (C) District*, of Article V, *District Development Standards*, of the City of Rockwall Unified Development Code (Ordinance No. 04-38)** as heretofore amended and as may be amended in the future, and shall be subject to the additional following conditions and definitions.

1. Vehicles may be stored outside in the six (6) parking spaces on the north side of the building (shown in Exhibit "A") for a maximum 48 hour period.
2. No equipment, parts or inventory shall be stored outside overnight.
3. There shall be no bulk storage of tires within the facility.
4. No welding or painting work shall take place within the facility.
5. The Specific Use Permit may be subject to periodic review by the Planning and Zoning Commission or City Council to ensure the business is in compliance with all conditions stated herein.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 15th DAY OF December, 2014.

_____
David Sweet, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

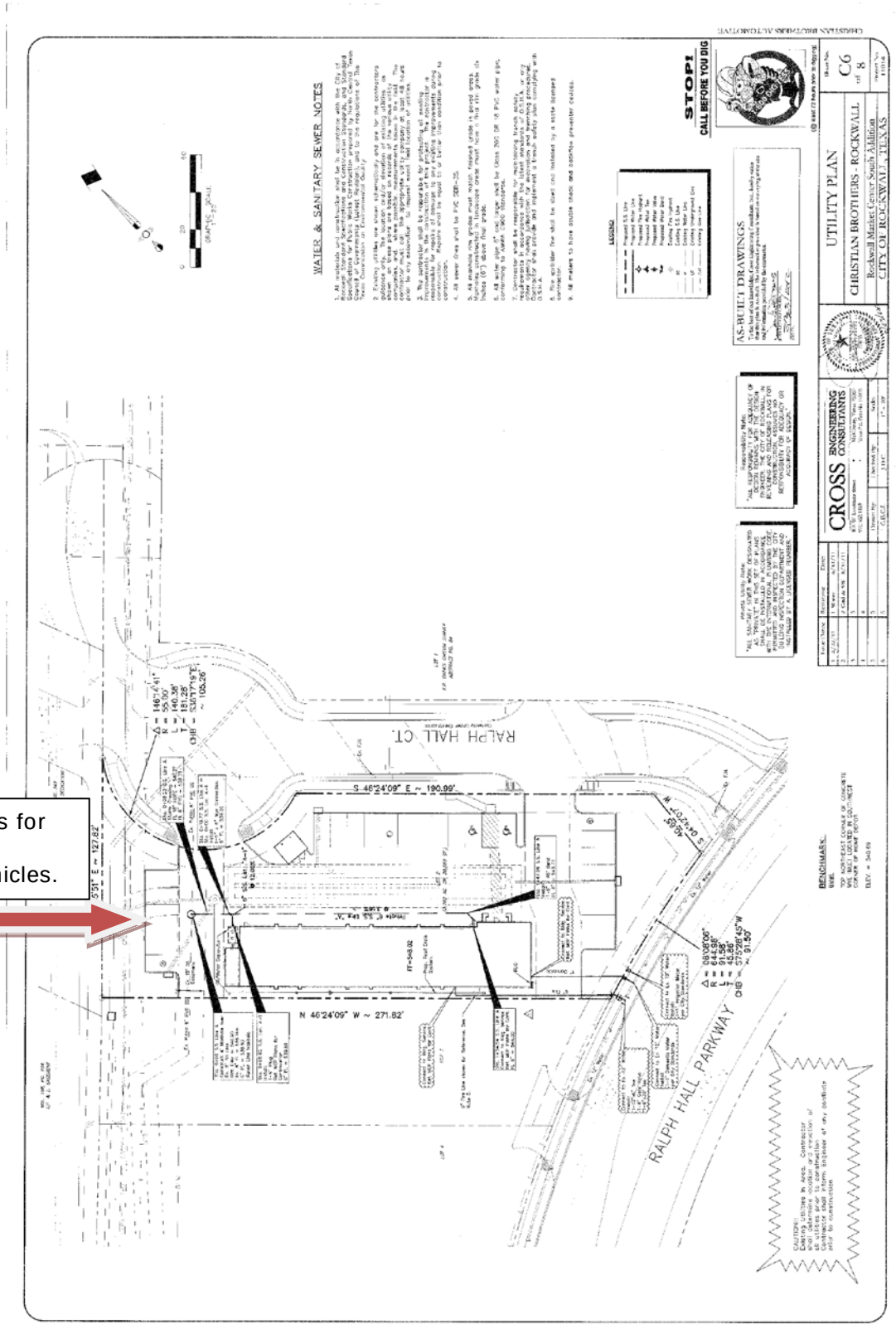
APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 12-01-14

2nd Reading: 12-15-14

Exhibit “A” – Site Plan



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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Cheryl Dunlop**
Director, Administrative Services

DATE: **December 9, 2014**

SUBJECT: **City's Employee Health Stop Loss Insurance Renewal**

The City self-insures employee health coverage which provides an opportunity for cost and benefit management of this important program. One element of the management plan is the *reinsurance/stop loss coverage* which the City has secured since 1987. Bids for this coverage have been received, and the staff and the City's consultant are requesting the Council authorize the City Manager to execute a contract with **Transamerica Life Insurance Company** to secure this coverage. This coverage applies to claims exceeding $100,000.

Holmes Murphy, the City's consultant, secured bids from 10 different vendors (including the current provider) with various stop loss levels for this coverage. Renewal with the current provider ***ING (Now known as Voya)*** would result in a *total annual fixed cost* increase of 8.09% and 30.42% increase in *total annualized expected costs* for the 2015 plan year. The Transamerica bid provides for the most competitive overall cost and liability to the City. The Transamerica bid results in total *annual fixed cost decrease* of 20.70% from 2014 and a 5.7% increase in total annualized expected cost for the 2015 plan year. Also of note is that there are no lasers on any claimants as we had for 2014.

The plan cost projections that are made by the stop loss insurance companies are made up of the following items:

- the actual paid claim experience results for the medical plan during the past 24 months;
- the current enrollment of employees and dependents in each of the two (2) health plan choices (Standard and Premium plans);
- the changes in the average age and gender mix of the enrollment this year compared to the prior year;
- any potential large claims that are considered to be ongoing in nature;
- the anticipated health care cost inflationary trend (the estimated charges by health care providers to provide services over the next 12 months compared to those costs for the same services over the previous 12 months).

Council is asked to consider authorizing the City Manager to execute the appropriate contract documents to secure the stop-loss coverage.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary**

DATE: **December 10, 2014**

SUBJECT: **Interlocal Agreement re: No Refusal Weekends**

Included in your meeting packet is an interlocal agreement between Rockwall County and the City of Rockwall regarding municipal judge services for "No Refusal Weekends" during the upcoming year. Staff has reviewed the agreement, and it is the same as past agreements the council has authorized for this purpose.

INTERLOCAL COOPERATION AGREEMENT BETWEEN ROCKWALL COUNTY AND THE CITY OF ROCKWALL REGARDING MUNICIPAL JUDGE SERVICES

THIS INTERLOCAL COOPERATION AGREEMENT is made and entered into by and between Rockwall County, Texas, a political subdivision of the State of Texas (*hereinafter referred to as "COUNTY")*, and the City of Rockwall, a municipal corporation of the State of Texas (*hereinafter referred to as "CITY."*)

WHEREAS, the CITY is located within the COUNTY and its citizens are represented by the Rockwall County Criminal District Attorney in criminal matters; and

WHEREAS, both the CITY and the COUNTY seek to protect their citizens from harm and damage to property; and

WHEREAS, the COUNTY through the Rockwall County Criminal District Attorney intends to hold multiple "No Refusal Weekends" during the course of the year wherein warrants will be sought to draw blood from individuals suspected of driving while intoxicated who have refused to provide a breath or blood sample; and

WHEREAS, the CITY through its municipal court has the authority to issue evidentiary warrants in the State of Texas under certain conditions; and

WHEREAS, the CITY desires to make a municipal judge available to review, consider and sign, if appropriate, evidentiary warrants to obtain blood samples from individuals in Rockwall County suspected of driving while intoxicated during the periods set forth in this Agreement; and

WHEREAS, it is in the best interest of the citizens of Rockwall County to hold "No Refusal Weekends"; and

WHEREAS, both the COUNTY and CITY desire to enter into an Interlocal Cooperation Agreement, pursuant to Texas Government Code Chapter 791.011 (a), whereby the COUNTY and the CITY will agree upon the terms of said written agreement;

NOW, THEREFORE, the COUNTY and the CITY mutually agree as follows:

I.
TERM OF AGREEMENT

A. The COUNTY and the CITY mutually agree that the term of this Agreement shall be for one (1) year commencing on the date it is formally and duly executed by both the COUNTY and the CITY.

B. During the term of this Agreement the COUNTY shall perform the "No Refusal Weekend" on four occasions as follows:

(1) New Year's Day – 12:01 a.m. December 30, 2014 through 5:00 p.m. January 6, 2015;
(2) Memorial Day – 12:01 a.m. May 22, 2015 through 5:00 p.m. May 26, 2015;
(3) Independence Day – 12:01 a.m. July 2, 2015 through 5:00 p.m. July 6, 2014; and
(4) Labor Day – 12:01 a.m. September 4, 2015 through 5:00 p.m. September 8, 2015.

C. Notwithstanding the foregoing, this Agreement may be terminated by either party by giving thirty (30) days' written notice of intent to terminate this Agreement to the other party. Any notice of intent to terminate must be delivered by deposit in the United States mail, certified, return mail receipt requested, to the other party at the addresses set out herein. Upon termination of this Agreement, neither party will have any obligations to the other party under this Agreement, except with respect to payment for services already rendered under this Agreement, but not yet paid.

II.
COUNTY RESPONSIBILITIES

The COUNTY will pay the CITY at a rate of $120.00 an hour for a total amount not to exceed $2500.00 for each of the aforementioned "No Refusal Weekend" periods, for the services of Judge Cathy Mason Penn to review, consider and sign, if appropriate, evidentiary warrants to obtain blood samples from individuals suspected of driving while intoxicated during the "No Refusal Weekend" periods. Payment of the judge's fee is specifically not made contingent upon approval of the warrant by the judge.

III.
CITY RESPONSIBILITIES

The CITY through Municipal Judge Cathy Mason Penn shall review, consider and sign, if appropriate, evidentiary warrants to obtain blood samples from individuals suspected of driving while intoxicated during the "No Refusal Weekend" periods. The CITY agrees that Judge Penn will be available to provide these services at times to be scheduled at a later date during the "No Refusal Weekend" periods. The CITY further agrees to submit an invoice to the COUNTY (c/o the Rockwall County Auditor) for the services provided by the Judge. Payment shall be made 30 days after receipt of the invoice by the Rockwall County Auditor.

IV.
GENERAL PROVISIONS

A. **General Administration:**
The COUNTY and the CITY will designate their respective representatives for the general administration of this Agreement.

B. **Alteration, Amendment or Modification:**
This Agreement may not be altered, amended, or modified except in writing signed by all parties to this Agreement.

C. **Notice:**
All notices sent pursuant to this Agreement will be in writing and must be sent by registered or certified mail, postage prepaid, return-receipt requested.

Notices sent pursuant to this Agreement will be sent to the Rockwall County Judge's Office at the following address:

County Judge
Rockwall County Judge's Office
101 East Rusk, Room 202
Rockwall, Texas 75087

Notices sent pursuant to this Agreement may be delivered or sent to the City at the following address:

Rick Crowley
City Manager of Rockwall
385 South Goliad Street
Rockwall, Texas 75087

When notices sent pursuant to this Agreement are mailed by registered or certified mail, notices will be deemed effective three (3) days after deposit in a U.S. mail box or at a U.S. postal office.

D. **Severability:**
If any provision of this Agreement is found to be invalid, illegal, or unenforceable, such invalidity, illegality, or unenforceability will not affect the remaining provisions of this Agreement.

E. **Breach:**
The failure of either party to comply with the terms and conditions of this Agreement will constitute a breach of this Agreement. Either party will be entitled to any and all rights and remedies allowed under Texas law for any breach of this Agreement by the other party.

F. **Non-Waiver:**
The waiver by either party of a breach of this Agreement will not constitute a continuing waiver of such breach or of a subsequent breach of the same or a different provision. Nothing in this Agreement is intended by wither party to constitute a waiver of any immunity from suit or liability to which it is entitled under applicable law.

G. **Entire Agreement:**
This Interlocal Cooperative Agreement constitutes the entire Agreement between the COUNTY and the CITY. No other agreement, statement, or promise relating to the subject matter of this Agreement and which is not contained in this Agreement or incorporated by reference in this Agreement will be valid or binding.

H. **Terms used in Document:**
As used in this Agreement, the terms "Interlocal Cooperation Agreement", "Interlocal Agreement", "Agreement", and "Contract" are synonymous.

I. **Non-Defined Terms:**
If not specifically defined in this Agreement, words and phrases used in this Agreement will have their ordinary meaning as defined by common usage.

EXECUTED THIS 25th day of November 2014.

Rockwall County

By: _____
Honorable Jerry Hogan
Rockwall County Judge

Attest:

_____ Date: 11/25/14

EXECUTED THIS _____ day of _____ 2014.

City of Rockwall

By: _____
Rick Crowley, City Manager
City of Rockwall

Attest:

_____ Date: _____

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **December 9, 2014**

SUBJECT: **Wholesale Supply Contract Amendment – Blackland WSC**

The City supplies wholesale treated water to Blackland Water Supply Corporation (Blackland) under an agreement expiring December 31, 2014. The current agreement anticipated NTMWD being able to provide direct service to Blackland during the term of the agreement. At this time the District is not ready, and is not able to provide a date in the future when they will be ready, indicating it may be 5 or more years in the future. Blackland approached City staff to negotiate an extension of the contract and the resulting proposed amendment is ready for Council consideration. This would be a five-year extension with an additional five-year option. During this timeframe, Blackland's Board will continue to prepare to switch over to the NTMWD when the opportunity becomes available.

The amendment provides the following:

- Five-year extension with an additional five-year extension option
- Reset the number of Blackland water connections and growth allowance per year. Any and all costs associated with Rockwall costs to accommodate their growth are borne by Blackland in the original agreement.
- In anticipation of TCEQ standards currently being developed, requires Blackland, as their system grows, to meet adopted city standards for fire hydrants, fire flow, and pressures.

Blackland's Board has authorized their President to execute the document if the City Council approves the amendment. Staff requests Council consider authorizing the City Manager to execute the wholesale water supply agreement with Blackland Water Supply Corporation.

FIRST AMENDMENT TO WHOLESALE WATER PURCHASE AGREEMENT

This First Amendment to Wholesale Water Supply Agreement (this "Agreement") is made and entered into as of the __th day of _____, 2014 ("Effective Date"), by and between the City of Rockwall, Texas (hereinafter called "Rockwall") and Blackland Water Supply Corporation (hereinafter called "Blackland"). Collectively, Rockwall and Blackland are referred to herein as the Parties.

Whereas, Rockwall and Blackland entered into that certain Wholesale Water Purchase Agreement, dated December 13, 2007 (the "Original Agreement").

Whereas, the Parties desire to extend the Original Agreement for five years and grant Blackland the option to extend for another five years.

Whereas, the Parties desire to amend the Agreement to project the number of additional connections to Blackland's system during the next five years based upon the number of additional connections to Blackland's system that occurred since the Original Agreement was signed.

Whereas, the Parties desire to amend the Agreement to reflect changes in regulatory requirements relating to fire flows within the extraterritorial jurisdiction of municipalities.

NOW, THEREFORE, in consideration of the mutual covenants, obligations, and benefits set forth in this Agreement, Rockwall and Blackland agree to amend the Original Agreement as follows:

1. Amendments relating to extending the Original Agreement for five years and granting an option to extend for another five years:

   A. Section 3 is amended by replacing the date "December 31, 2014" in two places with the date "December 31, 2019."

   B. Section 3, as amended, is further amended by adding the following text at the end of the existing text:

      Blackland may extend this Agreement for a five year term beginning December 31, 2019, and extending December 31, 2024 by providing Rockwall notice of Blackland's intent to extend the Agreement on or before June 30, 2019.

   C. Section 6 is amended by amending the second sentence by deleting the phrase "a total of a forty-two percent (42%) increase over the seven year term of this Agreement."

2. Amendments relating to demand as of the date of this First Amendment and projected demand:

A. Section 4 is amended by replacing the existing table or chart with the following table or chart:

Name/location of existing delivery point	Maximum daily demand (any consecutive 24-hours)	Instantaneous rate of flow, not to exceed, at any time	Maximum equivalent residential connections*
Airport Road Station	0.20 mgd	0.20 mgd	124
Green Pump Station	1.60 mgd	1.60 mgd	1,495
FM 549/IH 30	0.005 mgd	0.005 mgd	5

3. Amendments based upon changes to state law relating to fire flows within the extraterritorial jurisdiction of municipalities: Section 13 is amended by adding a new subsection read as follows:

C. In Accordance with Texas Health and Safety Code, sections 341.0358 and 341.0359, and TCEQ rule 290.45(y), relating to fire hydrant flow standards, the City may adopt standards that Blackland, the City, and other utilities providing water service within Rockwall's extraterritorial jurisdiction, to maintain a minimum sufficient water flow and pressure to fire hydrants in a residential area located in Rockwall's corporate limits or extraterritorial jurisdiction. If the City adopts such standards, then, in addition to the maximum daily demand, Blackland must provide, for the purposes of emergency fire suppression, water supply meeting those standards but at the least: (i) a minimum sufficient flow of at least 250 gallons per minute for at least two hours; and (ii) a minimum sufficient water pressure of at least 20 psi. Provided, however, Blackland shall not be required to build, retrofit, or improve infrastructure existing at the time City adopts such standards. In addition, should City adopt minimum fire flow standards, then Blackland and City agree to the following terms and conditions, intended by the parties to satisfy the requirements of the above-cited laws and rules:

1. Blackland will make available to City's fire department, or fire departments(s) designated by City, the use of fire hydrants located on water transmission and distribution facilities ("Water Facilities") constructed by or on behalf of the Blackland after December 31, 2014, and located within residential subdivisions in the City's corporate limits and extraterritorial jurisdiction, as those boundaries may change from time to time.
2. Blackland will install fire hydrants that are compatible with City's fire suppression vehicles and equipment, and City will review and approve the selection of fire hydrants prior to Blackland's installation.
3. Blackland will maintain a minimum static residual pressure in accordance with the City's standards in effect when the Water Facilities were designed, but not less than 35 pounds per square inch ("psi") during normal flow and no less

than 20 psi during fire flow conditions. Blackland will maintain the minimum water flow requirements of the City in effect when the Water Facilities were designed, but not less than 250 gallons per minute for at least two hours. Blackland will test, maintain, and repair the fire hydrants in accordance with reasonable standards adopted by the City, or if none adopted, minimum standards of a prudent water utility operator.

4. Blackland will notify City prior to any interruption in water flow through the transmission facilities (or as soon as Blackland is aware of any interruption due to unforeseen circumstances).
5. Following the usage of a fire hydrant subject to this MOU, within thirty days the City will supply, or will cause the designated fire department to supply, an estimate of the water usage from the hydrant(s) to the Blackland for the sole purpose of figuring the Blackland's water loss.
6. City will not be charged for use of Blackland's water supply or facilities for fire suppression purposes

The duties set forth above are duties of the parties to this Agreement to one another only, solely for their mutual benefit, and it is the express intention of the parties that these duties are not enforceable by any third party or alleged third party beneficiary.

IN WITNESS WHEREOF, EXECUTED by Blackland Water Supply Corporation and the City of Rockwall under the authority of their respective governing bodies in Duplicate Originals on the dates indicated below.

_____

Jim Myers
President, Board of Directors
Blackland Water Supply Corporation
P. O. Box 215, Fate, Texas 75132
Date:_____

ATTEST:

By:_____
Secretary

_____

Rick Crowley
City Manager, City of Rockwall
385 S. Goliad, Rockwall, Texas 75087
Date:_____

ATTEST:

By:_____
City Secretary

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 12/15/2014

APPLICANT: Chris and Jill Blase

AGENDA ITEM: **Z2014-035**; Rezone (PD-3 to SF-10)

SUMMARY:

Hold a public hearing to discuss and consider a request by Chris & Jill Blasé for the approval of a zoning change from Planned Development District 3 (PD-3) to a Single Family 10 (SF-10) District for a one (1) acre portion of land located within Tract 11-3 being a 13.3-acre tract of land situated within the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 3 (PD-3) for Commercial (C) District land uses, situated east of the intersection of East Fork Road and North Lakeshore Drive, and take any action necessary.

BACKGROUND INFORMATION:

The purpose of the request is to change the zoning from Planned Development District No. 3 (PD-3), which has an underlying zoning of Commercial (C) District, to a Single Family Residential (SF-10) District in order to construct a guest house/secondary living quarters on the described property. The applicant has stated that the subject property will be combined with the existing (adjacent) single family lot. The secondary living quarters is permitted as an accessory use for the property so long as the area of the structure does not exceed 30% of the primary home and the structure cannot be sold as a separate dwelling unit without meeting the requirements for zoning and subdivision of the property.

The subject property is identified as a 10,000 sq. ft. portion of an approximately 13.3-acre tract of land identified as the Blasé Family Farm and is located within the A. Hanna Survey, Abstract No. 98. Although the City's Comprehensive Plan and Future Land Use Map indicate the property as commercial in nature, the majority of the properties within this area are residential and staff believes a rezoning would not have an adverse effect on the surrounding properties.

ADJACENT PROPERTIES ZONZING DISTRICTS:

The zoning adjacent to the subject property is generally recognized as residential, unless otherwise stated, and is as follows:

North: The zoning directly north of the subject property is PD-3 & PD-29 (PD-3 is generally residential with an underlying commercial use and PD-29 is residential with an elementary school just north).

South: The zoning directly south of the subject property is PD-41 (generally residential).

East: The zoning directly east of the subject property is SF-10 & PD-29 (generally residential).

West: The zoning directly west of the subject property is PD-3 & PD-11 (generally residential).

NOTIFICATION:

On November 26, 2014, staff mailed fifty-two (52) notices to property owners within 500 feet of the subject property. Staff also notified three (3) HOA's within 1500 feet (Hillcrest at the Shores, The Shores/Ray Hubbard, and Lakeview Summit HOA Organizations) by e-mail. Additionally, staff posted a sign in front of the property along East Fork Drive as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received two (2) notices "for" and no notices "opposed" to the zoning change requested.

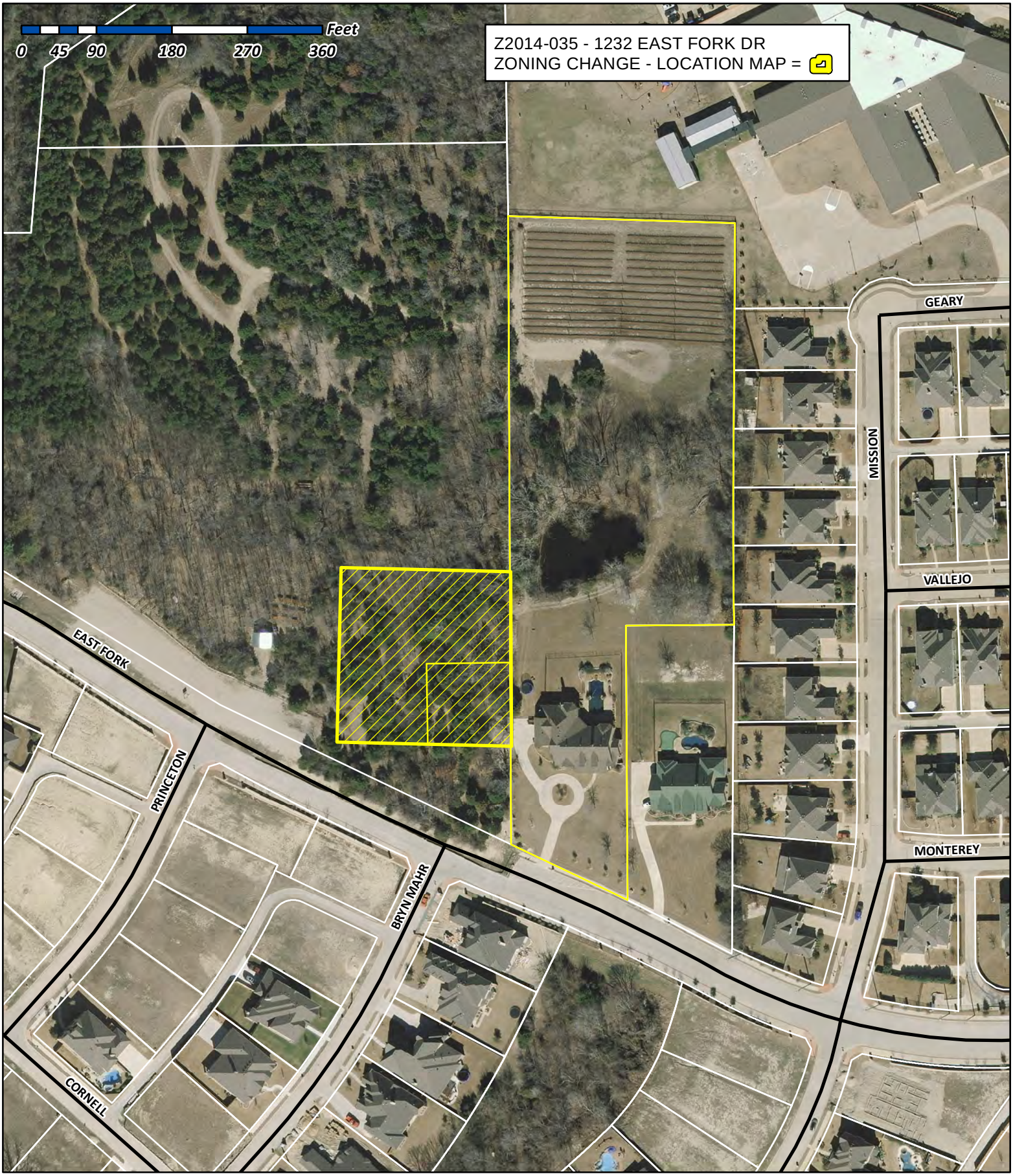
RECOMMENDATIONS:

Should the request be approved, staff would offer the following conditions of approval:

1. The submittal and approval of a replat shall be required.

2. By approving this zoning change, the City Council will effectively be approving changes to the Comprehensive Land Use Plan, specifically, changing the designation of the subject property from *Commercial* to *Medium Density Residential*.

On December 9, 2014, the Planning and Zoning Commission recommended approval of the request with staff conditions by a vote of 6 to 0 (Conley – absent).



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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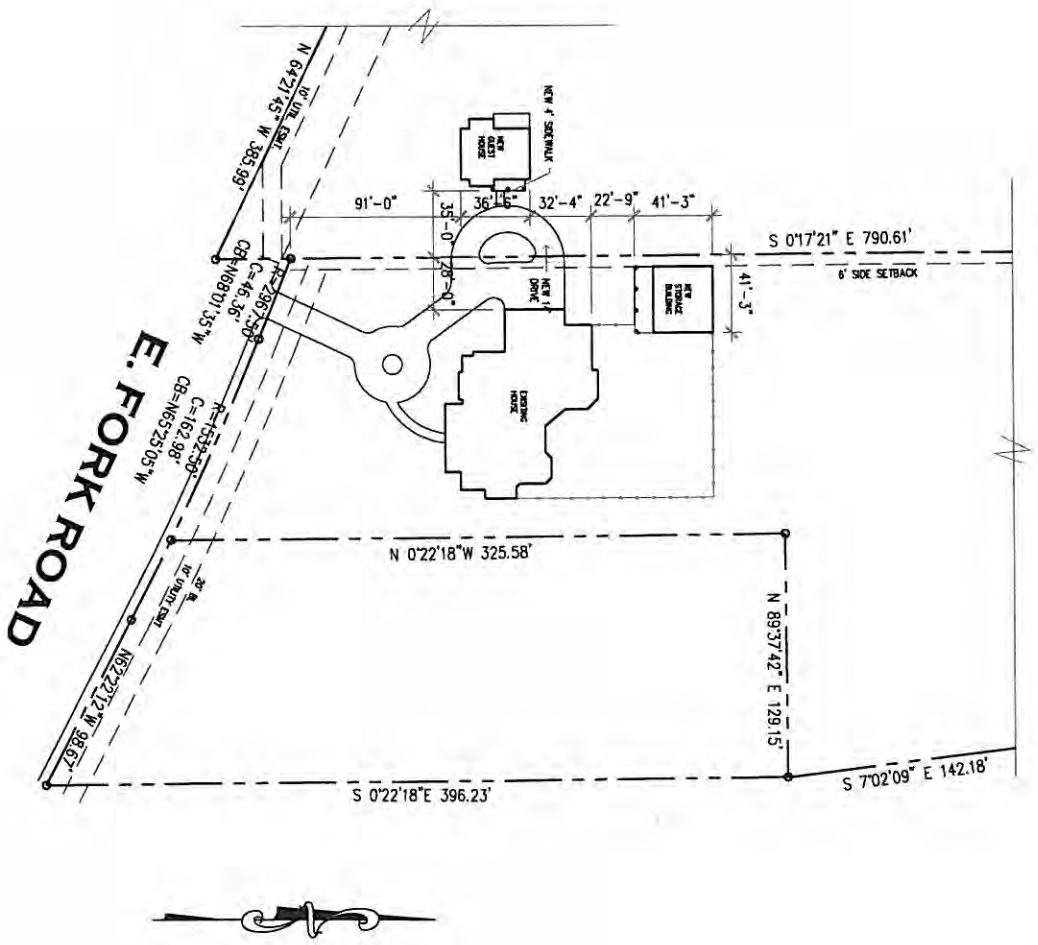

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CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.

SHEET A1 OF 7	Scale: 1" = 30'-0"	BLASE GUEST HOUSE & STORAGE BLDG. 1220 EAST FORK RD, ROCKWALL, TX	
	Date: 11/11/2014	SITE PLAN	
	Project No.: 140513		
	Designed: DR		
	Drawn: TM		
	Checked: DR		

No.	Date	Revision	By

MEDICAL COMMERCIAL CHURCHES
RESIDENTIAL RESTAURANTS INSTITUTIONAL
MERSHAWN ARCHITECTS
2313 RIDGE ROCKWALL
PHONE: 972-722-5302
FAX: 972-249-2081

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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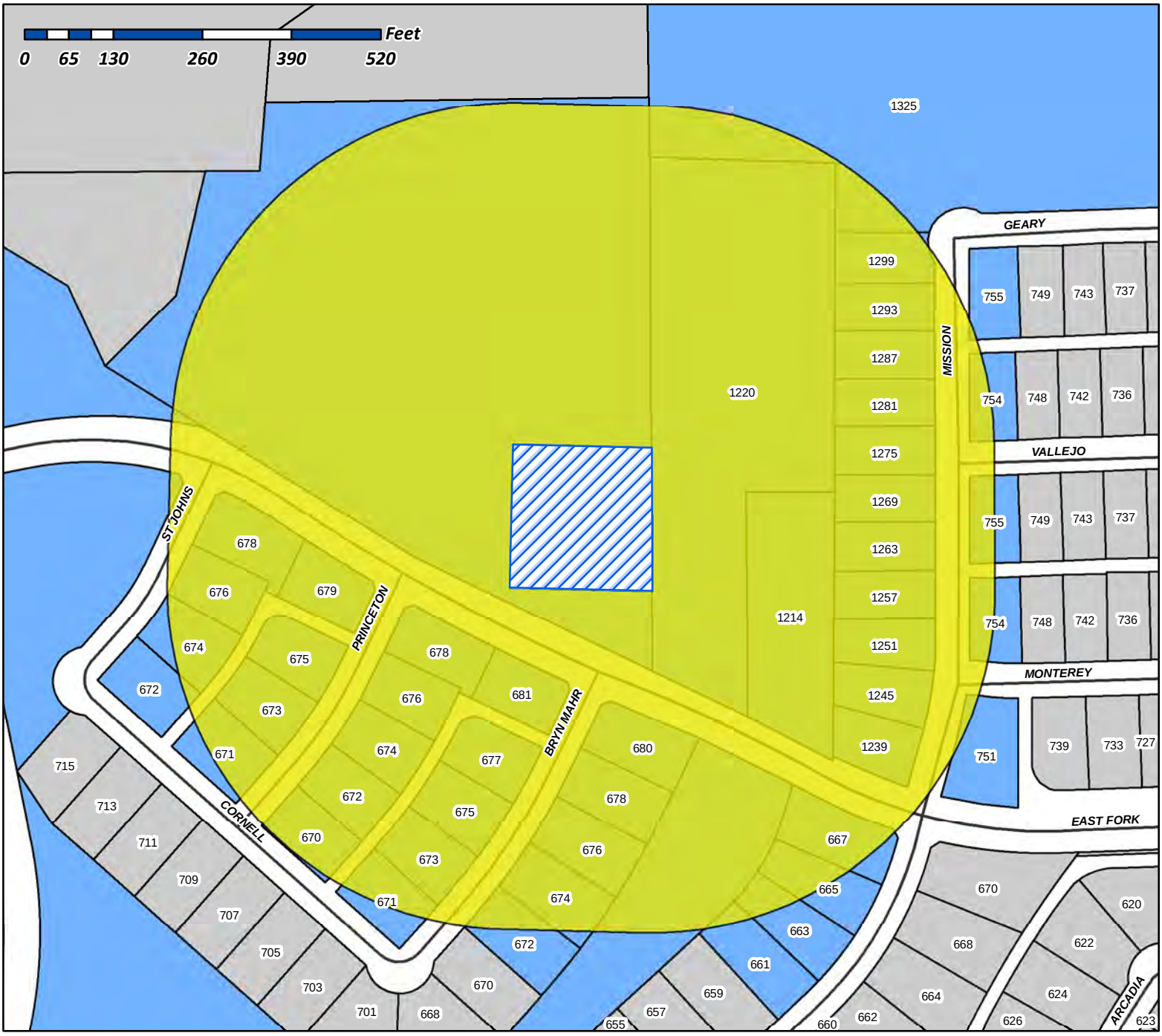
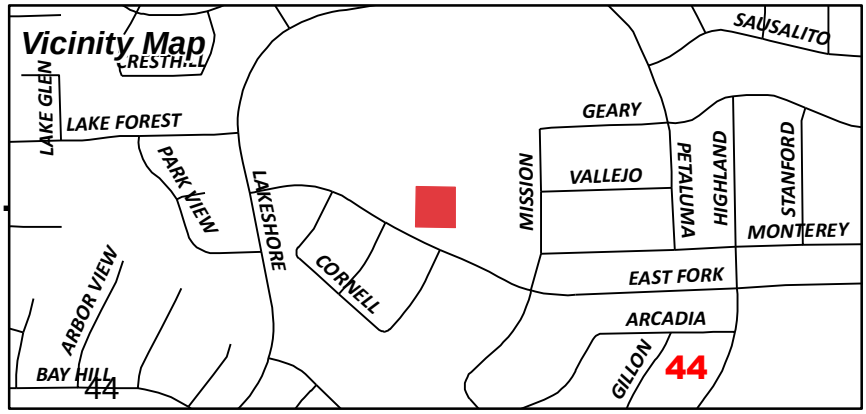


Case Number: Z2014-035
Case Name: PD-3 (C) to SF-10
Case Type: Zoning
Zoning: PD-3 (Commercial)
Case Address: E. Fork at Lakeshore Blvd.



Date Created: 11/25/2014
For Questions on this Case Call (972) 771-7745

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-035: Blase Zoning Change

Discuss and consider a request by Chris & Jill Blasé for the approval of a zoning change from Planned Development District 3 (PD-3) to a Single Family 10 (SF-10) District for a one (1) acre portion of land located within Tract 11-3 being a 13.3-acre tract of land situated within the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 3 (PD-3) for Commercial (C) District land uses, situated east of the intersection of East Fork Road and North Lakeshore Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 12/9/2014 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 12/15/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **12/15/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-035: Blase Zoning Change

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

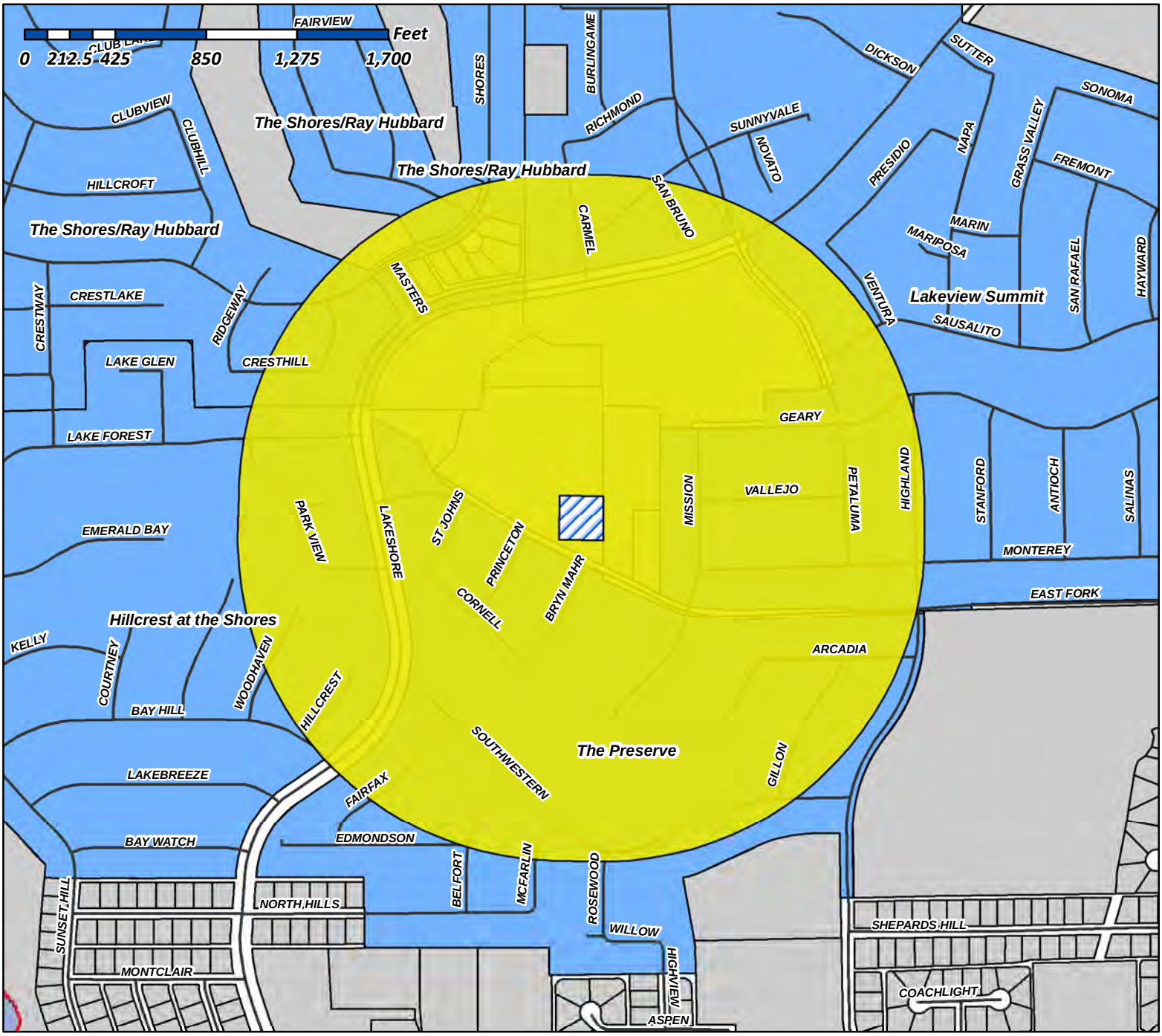
Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

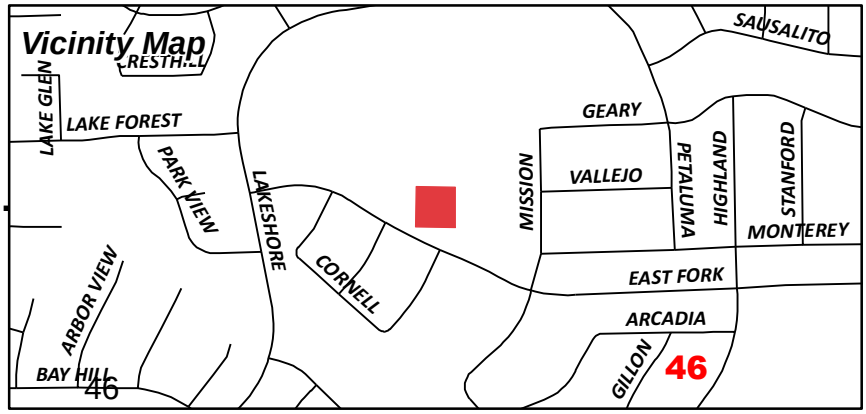
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Case Number: Z2014-035
Case Name: PD-3 (C) to SF-10
Case Type: Zoning Change
Zoning: PD-3 (Commercial)
Case Address: E. Fork at Lakeshore Blvd.



Date Created: 11/25/2014
For Questions on this Case Call (972) 771-7745

BLASE CHRISTOPHER & JILL
1220 E FORK
ROCKWALL, TX 75087

DALLAS ERIN C & COLIN M
1214 EAST FORK
ROCKWALL, TX 75087

CLARK CHARLES L & SANDRA J TRUSTEES
CHARLES L & SANDRA J CLARK FAMILY TRUST
1739 MORLEY STREET
SIMI VALLEY, CA 93065

Current Occupant
755 GEARY DR
ROCKWALL, TX 75087

HUBERT BARBARA J
754 VALLEJO DR
ROCKWALL, TX 75087

ALSROUJI DIAB K
755 VALLEJO DR
ROCKWALL, TX 75087

ACKER DAVID M
754 MONTEREY DR
ROCKWALL, TX 75087

DODSON DONALD T & HUA
751 MONTEREY DRIVE
ROCKWALL, TX 75087

ANZAI HIDEHIRO & MIKI
1239 MISSION DR
ROCKWALL, TX 75087

HUX MARK
1245 MISSION DR
ROCKWALL, TX 75087

CONFIDENTIAL
1251 MISSION DR
ROCKWALL, TX 75087

PEREZ HUMBERTO
1257 MISSION DRIVE
ROCKWALL, TX 75087

Current Occupant
1263 MISSION DR
ROCKWALL, TX 75087

TAYLOR DAVID I AND JENNIFER S
4710 KYNDRA CIR
RICHARDSON, TX 75082

LEA MELVA JO
1269 MISSION DRIVE
ROCKWALL, TX 75087

ROWAN KERTI R AND
RYAN D ENGRAV
1275 MISSION DRIVE
ROCKWALL, TX 75087

GARCIA FRANCES
1281 MISSION DR
ROCKWALL, TX 75087

Current Occupant
1287 MISSION DR
ROCKWALL, TX 75087

CHANDLER JEFFREY & KIMBERLY
1293 MISSION DR
ROCKWALL, TX 75087

GUANCIAL JOSEPH
1299 MISSION DR
ROCKWALL, TX 75087

MASTER DEVELOPERS SNB LLC
ATTN LORI WOLFE
2400 DALLAS PARKWAY 0
PLANO, TX 75093

Current Occupant
678 ST JOHNS PLACE
ROCKWALL, TX 75087

NIELSEN MATTHEW GRIFFITH
676 SAINT JOHNS PL
ROCKWALL, TX 75087

Current Occupant
674 ST JOHNS PLACE
ROCKWALL, TX 75087

STEWART KIMBERLYN & CAROLYN
672 ST JOHNS PLACE
ROCKWALL, TX 75087

FIRST TEXAS HOMES INC
500 CRESCENT CT 0
DALLAS, TX 75201

Current Occupant
671 PRINCETON WAY
ROCKWALL, TX 75087

Current Occupant
673 PRINCETON WAY
ROCKWALL, TX 75087

Current Occupant
675 PRINCETON WAY
ROCKWALL, TX 75087

Current Occupant
679 PRINCETON WAY
ROCKWALL, TX 75087

47

Current Occupant
678 PRINCETON WAY
ROCKWALL, TX 75087

DR HORTON - TEXAS LTD
4306 MILLER RD
ROWLETT, TX 75088

Current Occupant
676 PRINCETON WAY
ROCKWALL, TX 75087

Current Occupant
674 PRINCETON WAY
ROCKWALL, TX 75087

FIRST TEXAS HOMES INC
500 CRESCENT COURT 0
DALLAS, TX 75201

Current Occupant
672 PRINCETON WAY
ROCKWALL, TX 75087

JESZ RONALD R & MARGARET A
670 PRINCETON WAY
ROCKWALL, TX 75087

COBB STEPHEN L & MELANIE E
671 BRYN MAHR
ROCKWALL, TX 75087

GRAVES JAMES GREGORY & ALISHA DIANE
673 BRYN MAHR LN
ROCKWALL, TX 75087

TREVINO RAUL & MARIA J
675 BRYN MAHR LANE
ROCKWALL, TX 75087

PALMER JAMIE A AND MITCHELL
677 BRYN MAHR LN
ROCKWALL, TX 75087

Current Occupant
681 BRYN MAHR LN
ROCKWALL, TX 75087

SCHWERTNER RAY & SHEILA
672 BRYN MAHR LANE
ROCKWALL, TX 75087

VOTTERI CHRISTOPHER MARK & BONNIE DARLINDA
674 BRYN MAHR LN
ROCKWALL, TX 75087

DESHETLER TODD M
676 BRYN MAHR LN
ROCKWALL, TX 75087

SOLOMON BRIAN & KELLY
678 BRYN MAHR LANE
ROCKWALL, TX 75087

BARKER CHARLES W & LISA M
680 BRYN MAHR LANE
ROCKWALL, TX 75087

Current Occupant
667 MISSION DR
ROCKWALL, TX 75087

RAMSEY JAMES & CYNTHIA
665 MISSION DR
ROCKWALL, TX 75087

Current Occupant
663 MISSION DR
ROCKWALL, TX 75087

CUMMINGS TERRENCE J & CHERYL L
661 MISSION DR
ROCKWALL, TX 75087

Current Occupant
1325 PETALUMA DR
ROCKWALL, TX 75087

Case No. [illegible] Blase Zoning Change

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

spoke w/ planning & zoning dept.
discussed that the Blase are wanting to construct a guest house on property adjacent to theirs.

Name: Jim + Cindy Ramsey

Address: 665 Mission Dr.
Rockwall, Tx 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2014-035: Blase Zoning Change

Discuss and consider a request by Chris & Jill Blasé for the approval of a zoning change from Planned Development District 3 (PD-3) to a Single Family 10 (SF-10) District for a one (1) acre portion of land located within Tract 11-3 being a 13.3-acre tract of land situated within the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 3 (PD-3) for Commercial (C) District land uses, situated east of the intersection of East Fork Road and North Lakeshore Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 12/9/2014 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 12/15/2014 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **12/15/2014** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-035: Blase Zoning Change

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

I AGREE WITH THE ADDITION OF APPOX 10,000 SF TO THE WEST SIDE OF PARCEL 1220 AS SHOWN. (PER DISCUSSION WITH DAVID GONZALES 12/2/14)

Name: Roy Schwantes

Address: 672 Bryn Mahr, Rockwall, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM PLANNED DEVELOPMENT DISTRICT NO. 3 (PD-3) TO A SINGLE FAMILY RESIDENTIAL (SF-10) DISTRICT FOR A 10,000 SQUARE FOOT PORTION OF LAND LOCATED WITHIN TRACT 11-3 BEING A 13.3-ACRE TRACT OF LAND SITUATED WITHIN THE A. HANNA SURVEY, ABSTRACT NO. 98, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Chris and Jill Blasé (property owners), for an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from Planned Development District No. 3 (PD-3) to a Single Family Residential (SF-10) District for a 10,000 square foot portion of land located within Tract 11-3 being a 13.3-acre Tract of land situated within the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from Planned Development District No. 3 (PD-3) to a Single Family Residential (SF-10) District for the *Subject Property*; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for in *Section 3.4, "Single Family Residential (SF-10) District", Article V, "District Development Standards", of the Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

Section 3. That the official zoning map of the City of Rockwall be corrected to reflect the changes in the zoning described herein.

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of two thousand dollars ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE ____ DAY OF _____, 2014.

_____
David Sweet, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading:
2nd Reading

Exhibit "A"

All that certain lot, tract or parcel of land situated in the A. HANNA SURVEY, ABSTRACT NO. 98, City of Rockwall, Rockwall County, Texas, and being a part of a tract of land as described in a Warranty deed from Hillwood Shores, LP to BREC Enterprises, LLC, dated May 11, 2011 and being recorded in Volume 6449, Page 208 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the east boundary line of said tract and in the west boundary line of Lot 1, Block 1, BLASE ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet G, Slide 245, Plat Records, Rockwall County, Texas, said point being N. 00 deg. 14 min. 53 sec. W., a distance of 61.00 feet from the southwest corner of Lot 1, Block 1;

THENCE S. 89 deg. 45 min. 07 sec. W. a distance of 100.00 feet to a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE N. 00 deg. 14 min. 53 sec. W. a distance of 100.00 feet to a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE N. 89 deg. 45 min. 07 sec. E. a distance of 100.00 feet to a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the west line of Lot 1, Block 1;

THENCE S. 00 deg. 14 min. 53 sec. E. along the west line of Lot 1, Block 1, a distance of 100.00 feet to the POINT OF BEGINNING and containing 10,000 square feet or 0.23 acres of land.

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54

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning and Zoning*

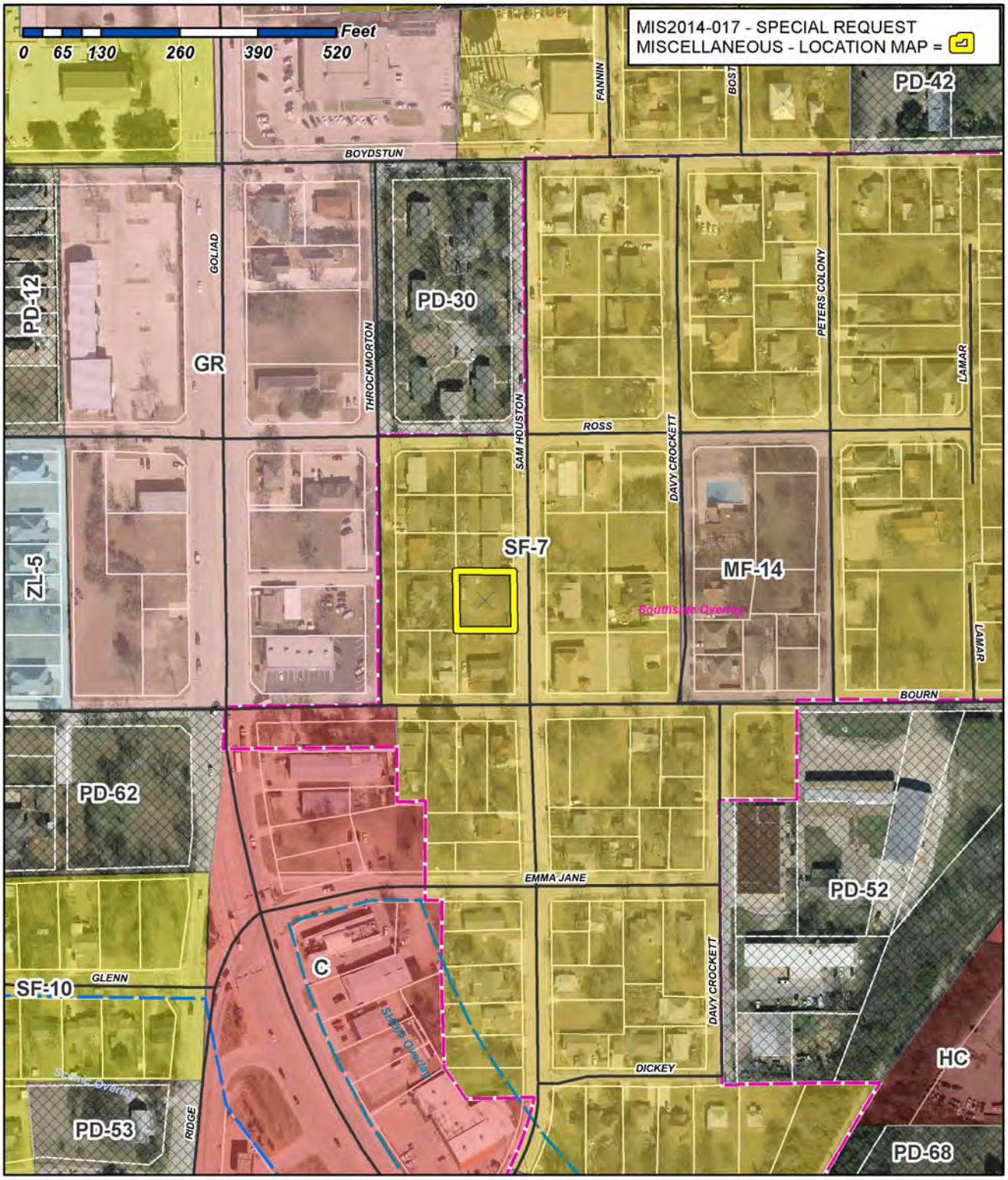
FROM: Ryan Miller, *Planning Manager*

DATE: December 15, 2014

SUBJECT: MIS2014-017; *808 Sam Houston Street (Special Request)*

The applicant, Michael Clark, is requesting consideration of a special request to construct a four-plex residential dwelling unit on the subject property at 808 Sam Houston Street, which is situated within the Southside Residential Neighborhood Overlay (SRO) District. According to Section 6.4, *Southside Residential Neighborhood Overlay (SRO) District*, of Article V, *District Development Standards*, of the Unified Development Code, "(t)he City Council may consider special requests … [*that*] may include, but not necessarily be limited to neighborhood signage plans, use of building materials not otherwise allowed, *authorization of specific land uses not otherwise allowed*, or other requests submitted for consideration." Additionally, the section states that the City Council shall preliminarily review the request, and may choose to forward the request to the Planning & Zoning Commission for a recommendation prior to final action. On November 17, 2014, the City Council reviewed the applicant's request and voted 6-0 (*with Council Member Pruitt absent*) to send the case to the Planning & Zoning Commission for a recommendation. As part of the motion to approve, the City Council stipulated that the case shall be heard as a public hearing at both the Planning & Zoning Commission and City Council, and that City staff shall advertise the case utilizing the same procedures used for zoning cases. In response to this action, staff placed a sign of the subject property on November 18, 2014, and sent out public hearing notices to all property owner and inhabitants within 500-feet of the subject property on November 26, 2014. Additionally, city staff notified the neighborhood/homeowner's association representative of record for the Southside District (*i.e. Freddy Jackson*) via email per the voluntary *Neighborhood Notification Program*, and published a notice about the public hearings in the Rockwall County News. On December 9, 2014, the Planning & Zoning Commission voted 6-0 (*with Commissioner Conley absent*) to recommend denial of the applicant's request. At the time this memorandum was drafted staff had received three (3) emails from residents outside of the notification area in opposition to the request, and a petition submitted by the applicant signed by a majority of the residents within the Southside District in favor of the request. Both of these correspondences have been provided within the attached packet [*Exhibit 'D' & 'E'*].

Exhibit 'A'
Location Map



City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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1:2,456

OWNER:	MICHAEL D. CLARK 8305 CONCORD ROWLETT, TX 75089	DATE: OCTOBER 30, 2014
TO:	ROCKWALL PLANNING AND ZONING	
PROJECT:	MULTI FAMILY 4-PLEX AT 808 SAM HOUSTON STREET, ROCKWALL, TX 75087	
RE:	**REQUEST TO BUILD MULTI FAMILY 4-PLEX**	

My request is to build a 64'x38' four plex home on 100 x100 lot at 808 Sam Houston Street.

I am requesting a special concession on the material. I would like to use 100% for the 12'x8 ¼' Hardie Lap siding for the entire house.

If you have any questions, please feel free to contact me at 214-694-0822

OWNER:	MICHAEL D. CLARK 8305 CONCORD ROWLETT, TX 75089	DATE: OCTOBER 30, 2014
TO:	ROCKWALL PLANNING AND ZONING	
PROJECT:	MULTI FAMILY 4-PLEX AT 808 SAM HOUSTON STREET, ROCKWALL, TX 75087	
RE:	**REQUEST TO BUILD MULTI FAMILY 4-PLEX**	

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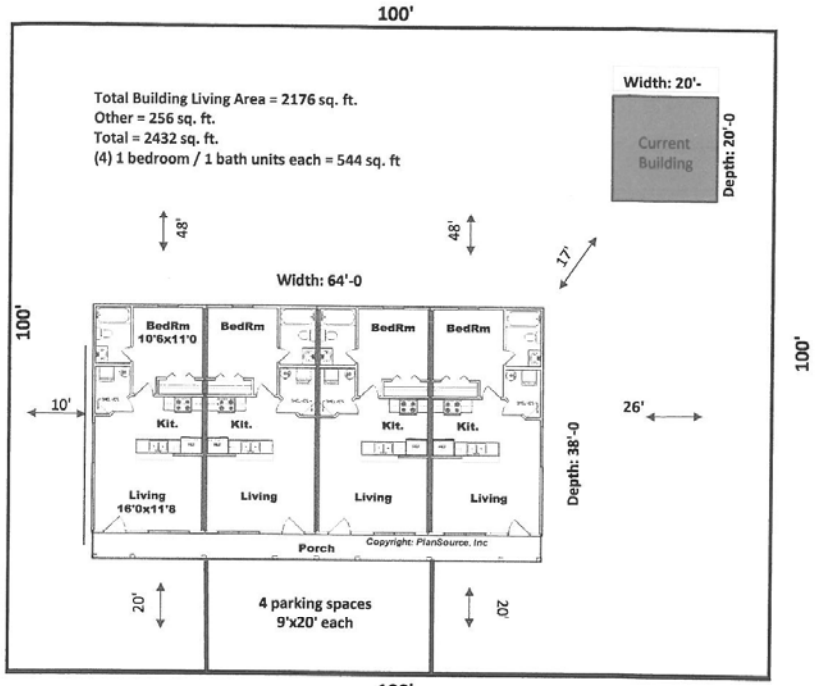
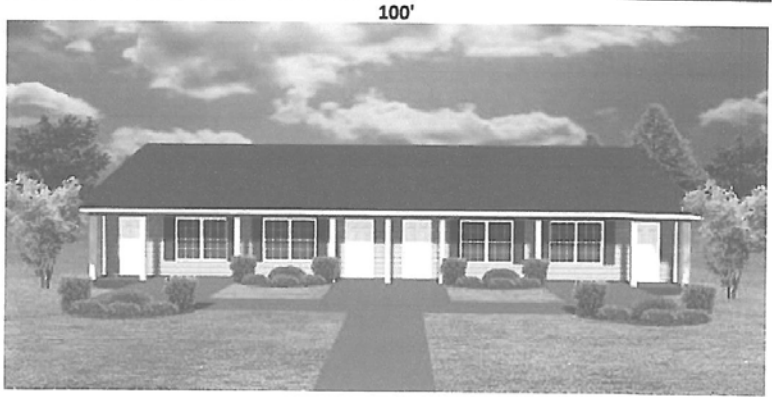
If you have any questions, please feel free to contact me at 214-694-0822

1

Exhibit 'C'
Proposed Site Plan

Proposed Site Map for 808 Sam Houston





Dear City Council,

I am witting in reference to Action Item 3 on City Council meeting this evening. Take a few minutes to look at the direction that the Southside community has been headed. That direction is Single Family homes and not a four-plex(multifamily living units).

Back to the day of Joe Robbins edition which was the first homes that started rebuilding side, to the last home that is been built today by Habitat on the corner of Emma Jane & Davy Crockett.

A home on the corner of Sam Houston & E. Bourn was just remodeled inside and now is occupied. There are two homes that was built in the past couple of years on the corner of Sam Houston and Ross, which is one block from E Bourn. There has been other homes built that I can list if needed.

Now on Sam Houston and Ross catercorner from the two homes on Ross is the old apartments or what is called the projects that need remodeling. Then there is a old due-plex across from the property in questioned that also needs remodeling. Both of these complex's was built somewhere in the early 60's I would say. Then you have a the tri-plex on E bourn just before Peter Colony that was built within the past 10 years. This is the only property that has been built that was not a Single Family home , then it's not bricked and a multi-living complex. Not sure how this got in the community.

The direction that the Southside Community has been headed is Single Family Homes. Southside has its share of multifamily units.

The builder is going to say it's for elderly low income people but the fact is, once this is built the owner can rent these one bed room four complex to whoever he wishes to no matter what age.

I as ask the council to look at this for what's best for the community overall that the direction that the community has been headed.

Council, please make the right decision and do not pass it on are set it off. If you want to ask me any questions, please do not hastate to contact. 214-620-7990

Thank you for your time,

Freddie Jackson

Miller, Ryan

From: Sanford, JoDee on behalf of Planning
Sent: Tuesday, December 09, 2014 11:36 AM
To: Miller, Ryan; LaCroix, Robert
Subject: FW: Propsed 4 pleX to be built in Southside

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | http://www.rockwall.com

From: Carol Crow [redacted]
Sent: Tuesday, December 09, 2014 10:15 AM
To: Planning
Subject: Propsed 4 pleX to be built in Southside

Dear Chairman Renfro and Members of P and Z:

It has come to my attention that a 4-pleX residential unit may be built in the Southside on a vacant lot, if P and Z gives its approval, and that a petition has been submitted that residents want this. I cannot imagine why the residents would want more multi-family in their neighborhood. I do know that Freddie Jackson and members of the church there do not want more multi-family housing in that location.

Old Town and the Southside neighborhoods are the oldest in Rockwall. Southside has every type housing already but in recent years, new single family homes have sprung up and it's one of the only locations south of I-30 where affordable single family homes can or have been built. Habitat has also built many nice brick homes in Southside.

I cannot see that the neighborhood would benefit from a 4pleX and I see real harm done to the revitalization effort already underway there. Please help the Southside and Old Town not become the dumping ground for every type housing possible and to stay real neighborhoods within the city.

Thank you,

Carol Crow
504 Williams
Rockwall

1

Miller, Ryan

From: Sanford, JoDee on behalf of Planning
Sent: Tuesday, December 09, 2014 11:34 AM
To: Miller, Ryan; LaCroix, Robert
Subject: FW: Proposed Rezoning Houston St.

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | http://www.rockwall.com

-----Original Message-----
From: Jeanne Davis [redacted]
Sent: Tuesday, December 09, 2014 8:32 AM
To: Planning
Subject: Proposed Rezoning Houston St.

Honorable Chairman & Commission Members:

I support Freddie Jackson's opposition to this proposed rezoning of 808 Sam Houston. Southside and Old Town are united in opposing multi-family and working to preserve our historic single family neighborhoods. Our old neighborhoods are slowly being rebuilt by replacing old houses and renovation of existing homes. It's a good thing and it is working to preserve our neighborhoods. Please reject this proposed change in zoning and help us to maintain and preserve our historic neighborhoods.

Thank you for your consideration of my request.

Jeanne Davis
706 Williams St.

Sent from my iPad

1

To the Rockwall City Council:

We the undersigned strongly "Support" the multi-unit (4 plex) planned development of 808 Sam Houston, Rockwall TX. I have had the opportunity to view the site plan and am fully aware of it's intended use. I feel this affordable housing project is greatly needed and will serve to enhance our community.

	Name (sign)	Name (print)	Address
1	Doris Brown	Doris Brown	705 Throckmorton
2	Roscoe Brown Jr.	Roscoe Brown Jr	705 Throckmorton
3	Katrina Brown	Katrina Brown	705 Throckmorton Rockwall, Texas
4	Debbie Anthony	Debbie Anthony	702 Sam Houston
5	Shaquila anthony	Shaquila Anthony	702 Sam Houston
6	Marilyn Haigler	Marilyn Haigler	705 Throckmorton
7	SANdra Roquemore	Sandra Roquemore	704 SAM Houston
8	Angela Rivas	Angela Rivas	707 Throckmorton St.
9	Ethan Rivas	Ethan Rivas	707 Throckmorton St.
10	Roscoe Brown III	Roscoe Brown III	712 SAM Houston
11	James A. Cranshaw	James A. Cranshaw	707 Davy Crockett
12	Margarine Jones	Margarine Jones	410 Bayshore
13	Carolyn Jackson	Carolyn Jackson	753 Hail Dr. Rockwall
14	Ethel Jean Allen	ETHEL JEAN ALLEN	711 SHERMAN ST. ROCKWALL
15	Michael Ward	Michael WARD	773 Hail Dr Rockwall
16	Angela Brannon	Angela Brannon	706 Peter Colony
17	Audrey Dabney	Audrey Dabney	706 Peter Colony
18	Tashunda Lafayette	Tashunda Lafayette	801 Throckmorton
19	Estelle Lafayette	Estelle Lafayette	801 Throckmorton
20	Kathy Mims	KATHY MIMS	264 BOURN
21	Lorenza Cranshaw	LORENZA CRANSHAW	707 DAVY CROCKETT ST.
22	Ruby Shelby	Ruby Shelby	1325 S. Goliad #1209
23			

To the Rockwall City Council:

We the undersigned strongly "Support" the multiunit (4 plex) planned development of 808 Sam Houston, Rockwall TX. I have had the opportunity to view the site plan and am fully aware of it's intended use. I feel this affordable housing project is greatly needed and will serve to enhance our community.

Name (sign)	Name (print)	Address
Billy W Scroggins	Billy W. Scroggins	208 E Bourn St
Joyce Scroggins	Joyce Scroggins	203 E. Bourn St
Ronald Sims	Ronald Sims	506 Dickey
Gary Mcallister	GARY Mcallister	707 Bourn St
Paul Price	Paul Price	112 S Herron
KAREN Gibson		504 Dickey St
DEBRA MATHIS	DEBRA MATHIS	504 Dickey St
Willie Davis	—	—
Avenia Davis	Avenia Davis	1008 Davy Crockett
Barbara Price	Barbara Price	106 Davy Crockett St
Rodrick Taylor	Rodrick Taylor	804 Sam Houston
Shalara Noe	Shalara Anthony	1008 Davy Crockett
Lisa Sims	Lisa Sims	803 Throckmorton
Tonya Lafayette	Tonya Lafayette	801 Throckmorton
Lance Jones	LANCE JONES	304 Bourn St
Willa O Hall	Willa O. Hall	815 Davy Crockett St.
Shibrailla Brown	Shibrailla Brown	402 Davy Crockett St
Debra Brown	Debra Brown	902 Davy Crockett
Lena Jones	LENA JONES	708 Sherman St
	Curtis Scheidly	306 Bourn
Michael King	Michael King	405 E. Bourn St.

Exhibit 'E'
Petition Supporting the Request

To the Rockwall City Council:

We the undersigned strongly "Support" the multiunit (4 plex) planned development of 808 Sam Houston, Rockwall TX. I have had the opportunity to view the site plan and am fully aware of it's intended use. I feel this affordable housing project is greatly needed and will serve to enhance our community.

Name (sign)	Name (print)	Address

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **December 11, 2014**

SUBJECT: **BARRIER FREE PLAYGROUND**

For additional background details, I have included the minutes from four previous City Council Agendas and staff memo from the November 3rd Council in the packet. A summary of the timeline is as follows:

- Mr. Devon Colbert requested an appointment with City Council at the March 17th meeting to discuss the issue of accessibility the City's parks. He explained that after his accident in 2012 he realized that movement in and around local parks was very difficult. Council voted to instruct staff to conduct an accessibility study for our current playgrounds and to prepare cost estimates.

- On May 5, 2014 Council held a work session to hear preliminary report on the accessibility study conducted on the playgrounds within the city. The study was conducted by two Parks Department Employees that are Certified Playground Safety Inspectors. The Council directed staff to evaluate and bring back cost estimates to replace the manufactured wood fiber surfacing with poured in place rubber surfacing at Foxchase Park and Myers Park Kid Zone.

- At the July 7 Council meeting, a brief work session was held to provide further information on the costs associated with poured in place rubber surfacing.

- As requested by Council, staff evaluated the option of building a barrier free playground and presented a project budget not to exceed $420,077 at the November 3rd Council meeting for consideration. Council made a motion to move forward with the project utilizing recommendations as outlined by staff. Mr. Crowley suggested to Council that the proposed park plan be reviewed by Park Board and take public input. The motion passed unanimously of Council.

Notices to hear public input at the December 2nd Park Board meeting were sent through various digital news, social and print media. Staff also contacted with the Rockwall Independent School District Special Education Department as well as the Marigold

Learning Academy which specializes in disabilities related to Autism. Notices were also sent to homes of Angel League participants within Rockwall.

Staff consulted with two playground design consultants to provide preliminary designs and cost estimates which were presented to Park Board. Site plans and 3D renderings were provided along with photos of each proposed element and feature. Both proposals were turnkey installations and within budget. Of the $492,077 budget, approximately $420,000 is allocated for the installation of play equipment, rubber surfacing and shade. The balance of the budget is slated for plan review and inspection for ADA compliance; infrastructure and accessibility improvements by adding sidewalks; asphalt driveway and eight additional handicap parking spaces near the playground.

Approximately 15 to 20 people attended the December 2nd Park Board meeting. Of those, five requested to speak in support of the project as presented and provided the following feedback:

- Include plenty of shade.
- Utilize 100% rubber surface.
- Incorporate music play and sensory panels for children with Autism related disorders.
- Include swings with high backs for upper body support.
- Include ramps.
- Include bouncing and spinning elements.
- Enclose the entire playground with fencing to reduce the fear of a child wandering off unattended.
- Provide signage explaining that the playground includes elements specifically designed for those with special needs.

The Park Board voted unanimously to approve a playground design that included the elements and features discussed above. Staff was instructed to select the final design of the two proposals based on the playground company's ability deliver all of the features requested and within the approved budget for Council's consideration. Once final proposals were received, Park Board Chairman Brad Bassett appointed a subcommittee to assist staff with evaluating the final designs. The final design selected was submitted by The Playwell Group.

The final design selected includes: 5,100 sq. ft. of shade canopies, approximately 9,700 sq. ft. of poured in place rubber surfacing, a large composite play structure for 5 to 12 year olds with multiple slides, climbers, spinning elements, three outdoor musical instruments, multiple sensory panels, a separate play structure for 2 to 5 year olds, with slides, climbers and motion based features, a three bay swing (that will accommodate 2 regular belt seats, 2 tot seats and 2 high back seats), signage and a variety of other independent play features designed for those on the spectrum of Autism disorders.

Contingent upon Council approval, the time line to receive equipment is about four to five weeks lead time. Construction time is estimated to be four to six weeks. This time frame would be sufficient to have the project substantially completed in time for the Lake Pointe youth baseball season which begins in mid-March.

THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 14-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A HEAVY COMMERCIAL (HC) DISTRICT FOR A 6.057-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 3-06 OF THE W.H. BARNES SURVEY, ABSTRACT NO. 26, CITY AND COUNTY OF ROCKWALL, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

Regarding Consent Agenda item #8, Councilmember Milder asked if the site work portion of the work is considered essential or non-essential. Mr. Hendricks and Mr. Hickey from Birkhoff, Hendricks and Carter, came forth and briefly addressed this topic. Councilmember Milder then made a motion to approve Consent Agenda item #8. Councilmember Lewis seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Mr. Craig Renfro, chair of the Planning & Zoning Commission, came forth and provided a brief update to the city council regarding recommendations of the Commission relative to planning-related items on tonight's city council agenda. The council took no action related to this agenda item.

2. Appointment with Kim Bowen to discuss and consider handicap usage of city parks, and take any action necessary.

Mr. Devon Colbert, a twenty-two year resident of Rockwall, came forth and provided comments related to the need for a handicap accessible park in our community. Mr. Colbert explained he had an accident in December of 2012, and after that time, he realized that movement around in local parks was not very easy. Mr. Colbert explained that access ramps with wider play decks and smooth services (rather than wood chips) would better accommodate mobility. He then shared a brief list of other cities in the Dallas / Fort Worth area that have truly handicap accessible parks. He explained that these other parks went beyond normal ADA accessibility codes in order to make mobility feasible for handicap residents. Mr. Colbert indicated that he is considered a quadriplegic, so gravel, inclines and wood chips in park areas make it extremely difficult for him to interact with his kids while playing in the park.

The Mayor and staff then briefly discussed some of the other cities that have invested in one particular park in their community to make it very handicap accessible to the public.

Councilmember Milder asked staff if they can look into an accessibility study for our parks to see how much it would cost in order to retrofit one, if not two, of our city parks.

Mayor Sweet then made a motion to instruct staff to conduct an accessibility study for our current playgrounds and to prepare cost estimates to potentially retrofit one to two existing playgrounds to make them accessible. Councilmember Lewis seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

Mrs. Bowen stated she would appreciate staff and council also evaluating handicap accessibility in the restrooms at city parks. She pointed out that even if there are separate male and female accessibility restrooms, it is problematic if the person of that gender needs a person of the opposite gender to go with him/her into the restroom to assist. Therefore, a unisex or 'family' type bathroom stall would be most helpful.

3. Appointment with Mark Spencer of MHS Planning and Design to discuss and consider authorizing Phelps Lake park improvements, and take any action necessary.

Mr. Spencer of MHS Planning & Design came forth and briefed the council on design work and planned improvements at Phelps Lake Park.

Councilmember Milder made a motion to approve the plan as presented. Mayor Pro Tem White seconded the motion. Mr. Griggs indicated that pro rata equipment fees paid by the developer will cover the cost of the park improvements. Mr. Spencer indicated that about 30-45 days are needed to finish design, and then the construction work could begin and possibly be finished by about August. After brief comments, the motion passed by a vote of 6 ayes to 1 absent (Pruitt).

XI. PUBLIC HEARING ITEMS

1. **Z2014-005** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Ron Ramirez of Wier & Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of a zoning change from an Agriculture (AG) District to a Light Industrial (LI) District for a 2.006-acre tract of land identified as a portion of Tract 2-7 of the David Harr Survey, Abstract No. 102, Rockwall, Rockwall County, Texas, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of Airport Road, and take any action necessary **(1st Reading)**.

Planning Director Robert LaCroix provided brief background information related to this agenda item. He indicated that the plan for this property is future development. Seven notices were sent out in the area in accordance with the law. No notices were received back by staff.

Mayor Sweet opened the public hearing and called the applicant forth.

MINUTES
ROCKWALL CITY COUNCIL
Monday, May 05, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 4:00 p.m. Present were Mayor David Sweet, Mayor Pro Tem David White, and Council Members Jim Pruitt, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs, and City Attorney Frank Garza.

II. WORK SESSION (4:00 P.M.)

1. HOLD A WORK SESSION TO PRESENT THE PROPOSED SCHEMATIC LAYOUT OF SH 276 FROM SH 205 TO FM 549 TO CITY COUNCIL FOR THEIR INFORMATION, AND TAKE ANY ACTION NECESSARY.

City Manager Rick Crowley provided a brief introduction related to this item, indicating this item covers the schematic layout of SH-276, which is a project of the countywide road consortium and is being worked on by TXDOT and its consultant. City Engineer Tim Tumulty gave a short briefing to council related to the project. He explained that, on March 9, a public meeting was held by TXDOT, and about twelve people attended. He generally indicated that this roadway will be a six land roadway (instead of the current two lanes). Mr. Tumulty explained that an alignment study was conducted in close consultation with TXDOT and that the Rockwall Economic Development Corporation (REDC) provided input as well since this roadway is located near the Tech Park. The goal is to have this project ready to go to bid in July of next year (2015), but its start is contingent on TXDOT receiving funding for it. Mayor Sweet clarified that SH-276 will be under reconstruction at the same time that FM-549 will be under construction. Mr. Tumulty generally indicated that the ramp reversals at the IH-30 exit will help, and two lanes will always remain open during construction. It is anticipated that this will be a two year project. Mr. Crowley explained that, while funding is not yet available for this project, the consultant who works with the countywide road consortium is working to have the project proposal finished, waiting and ready to go when funding does become available. Discussion ensued related to signalization of intersections on state roadways, with Mr. Crowley explaining that TXDOT installs signals in a reactive manner once traffic warrants installation (rather than proactively, ahead of time). The Council took no action related to this agenda item.

2. HOLD WORK SESSION TO HEAR UPDATE REGARDING PARK ACCESSIBILITY ASSESSMENT, AND TAKE ANY ACTION NECESSARY.

Parks Manager, Andy Hesser, came forth and briefed the council on a recently conducted park accessibility assessment which was performed at the request of the City Council at its March 17 meeting. Mr. Hesser explained the various accessibility standards at both the state and federal levels. He further explained "fall zones" and materials such as "Fibar" (engineered, shredded, wood fiber) and "poured in place rubber surfacing" (rubber and epoxy that is poured in a similar manner as concrete). Mr. Hesser shared that two individuals on the Parks staff are Certified Playground Safety Inspectors, and they helped with this study. Furthermore, Registered Accessibility Specialists were also utilized during

the study, helping to perform the detailed accessibility inspections. The city's nineteen playgrounds were assessed (on sixteen or seventeen different pieces of property). He explained that accessibility of equipment, routes and fall zone surfacing. He indicated that route improvements could be considered in six of the city's older playgrounds, a couple of which were built by developers and then dedicated to the city. However, most all of them meet accessibility standards by various methods. Mr. Hesser mentioned that four parks in the city do have 'poured in place' rubber surfacing, which Mr. Crowley explained is easier for a wheel chair to navigate on. Mr. Hesser mentioned Casey's Clubhouse, a 15,000 square foot playground that is considered one of the premier playscapes in North Texas. It has very specific handicap elements, with about $600,000 being spent on equipment and about $215,000 on surfacing and about. He mentioned it was an older park that the city renovated with the help of a great deal of private donations.

Several alternatives were discussed with council if it were decided to make modifications to some parks to make them even more accessible. Mr. Crowley mentioned that funding for any such modifications would either be budgeted out of the general fund or be taken out of the city's Recreational Development Fund. Mrs. Smith indicated that over $200,000 is currently in the city's Recreation Development Fund.

Mayor Sweet acknowledged that he understands most city parks meet accessibility standards; however, he also understands the reality of not very easily being able to maneuver around in a wheelchair on the ground level at playgrounds.

Mayor Sweet made a motion to instruct staff to evaluate and bring back costs associated with making surface modifications at Myers Park Kid Zone (on the north side) and Fox Chase (on the south side) to make these parks more handicapped accessible. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

At 4:50 p.m., Mayor Sweet read the below-listed discussion items into the public record before recessing into Executive Session.

III. EXECUTIVE SESSION (4:15 P.M.)

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding update on proposed land lease/acquisition located near the Justin Road right-of-way pursuant to Section 551.072 (Real Property).
2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

Mayor Sweet recessed Executive Session to allow Russell Phillips to make a short presentation showing plans for PD-32 and the needs for extending the Property Exchange Agreement with Harbor Heights. Once the presentation was completed, Mayor Sweet reconvened Executive Session.

IV. ADJOURN EXECUTIVE SESSION

Executive Session adjourned at 5:55 p.m.

MINUTES
ROCKWALL CITY COUNCIL

Monday, July 07, 2014
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 4:00 p.m. Present were Mayor David Sweet, Mayor Pro Tem Jim Pruitt, and Council Members David White, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza.

II. (4:00 P.M.) WORK SESSION

1. HOLD WORK SESSION TO DISCUSS PROPOSED RESIDENTIAL DEVELOPMENT BY ARCADIA REALTY (BILL GIETEMA).

Mr. Gietema came before Council to present various design options for The Lakes of Summerset located at the intersection of 205 and FM 549. General discussion took place and no action was taken at this time.

2. HOLD WORK SESSION TO HEAR UPDATE REGARDING PLAYGROUND SURFACING

Assistant City Manager Brad Griggs gave general update regarding the surface temperatures of playground equipment at the various parks within the city. Mr. Griggs stated that he would bring this item and more information back before Council on a future agenda. No further action was taken.

At 5:01 p.m., Mayor Sweet read the below listed discussion items into the public record before recessing the public meeting into Executive Session.

III. (4:30 P.M.) EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations).
2. Discussion regarding proposed term extension of a Real Property Exchange Agreement with Harbor Heights Investors, L.P. / JBR2, LLC relating to real property located within the PD-32 area pursuant to Section 551.071 (consultation with attorney) and Section 551.087 (Economic Development negotiations).

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **October 15, 2014**

SUBJECT: **Accessible Playground**

In March of this year, Devon Colbert made an appointment with the City Council to request that a city owned playground be renovated to provide easier wheelchair access. Currently, the City owned playgrounds use a manufactured wood fiber surfacing material that meets the ASTM Standards for fall protection and is also an Americans with Disabilities Act (ADA) approved wheelchair accessible surface. Mr. Colbert requested that the City consider a poured rubber surface that is much easier to maneuver a wheelchair through and still provide the fall protection. Mr. Colbert is restricted to a wheelchair and enjoys taking his young children to the playground and wants to be able to interact with them while there.

The Council directed the staff to conduct an accessibility study of the playgrounds within the City and determine which playgrounds met the ADA requirements and identify the surfacing materials used for each playground. On May 5, 2014, the City Council held a work session to hear report on the accessibility study conducted on the playgrounds within the City. The study was conducted by two Parks Department employees that are Certified Playground Safety Inspectors and outside consultants that are Registered Accessibility Specialists.

The City has nineteen playgrounds within its park system in sixteen different parks. With the exception of a small section of the Kidzone playground at Myers Park, manufactured wood fiber is being used as the fall surfacing. A small section of the Kidzone utilizes a poured in place rubber surface. The school district has two playgrounds within their inventory that use a poured rubber surface for approximately 50% of the safety surfacing. The Council directed staff to evaluate and bring back cost estimates to replace the manufactured wood fiber surfacing with a poured in place rubber safety surfacing for two playgrounds, one at the Park at Fox Chase and one for Kidzone.

At the July 7 Council meeting, a brief work session was held to provide further information on a poured in place safety surface. Temperatures were taken at three times at two locations of the surface of the poured in place surfacing. The temperatures

were consistently around 150 degrees while the temperature of the wood fiber surfacing was under 100 degrees.

The cost for a manufactured wood fiber playground surface is under $1 per square foot. The cost for a poured in place rubber safety surface is approximately $16 a square foot. Life expectancy for the wood fiber is 20 years or more because when the fiber becomes compressed or erodes, new material is added to achieve the desired depth. The life expectancy for a poured in place surface is ten years. A third option is available which is an artificial turf over the top of a rubber surface. The cost is approximately $18.60 per square foot and the life expectancy is close to the poured in place rubber. The advantage of the artificial turf option is that the surface temperature is cooler than the poured in place rubber.

Cost quotes to replace the surfacing at Fox Chase were solicited and provided through the BuyBoard Cooperative purchasing agreement. The cost to change the wood fiber to the rubber surfacing for the playground at the Park at Fox Chase is $66,056. The cost to change the surfacing at Kidzone is near $160,000.

In my opinion, easy wheelchair access to the play elements are only half of the problem. I believe that we need to provide access to all of the play elements within the playground to participants with physical limitations. I think we would be better served to build a barrier free playground that allows children and adults with physical limitations to move throughout the playscape through a series of ramps and feature additional grounds elements. This type of playground encourages an inclusive environment so that children, regardless of disability, can play together on the same structure. If we are to only make the surfacing easier to traverse in a wheelchair, we are not doing anything to provide a play structure that children with physical limitations can fully access and enjoy.

Contingent on City Council approval, I would like to propose that we consider building a barrier free playground at Yellowjacket Park in lieu of retrofitting safety surfacing at one or two facilities. The 2014-15 Recreational Development Fund includes a fairly minor amount of funding for new playground equipment at Yellowjacket Park. I would prefer to build a very large barrier free playground with a synthetic turf safety surfacing that would be located in the central part of the City, has off-street parking and permanent restrooms.

The cost to build a barrier free playground with an improved safety surfacing will be significantly higher than retrofitting an existing playground. With that in mind, I would like to offer the following for consideration to fund the project:

- Mandatory Park Land Dedication Ordinance Fees: Yellowjacket Park is located within Park District #20. According to our ordinance, the fees must be used within the district in which they were collected. The current balance is $137,077. At this time, we do not have any other immediate plans for the funds.
- 2005 Park/Bond Funds: In 2005, voters approved the sale of bonds for park and trail improvements and trail connections. We have a current fund balance of approximately $260,000. These funds have been used for the trail project to connect the trail system under SH 205 and we do not have any current immediate plans for the remaining balance.

- Recreational Development Fund: The fund balance at the conclusion of this fiscal year is budgeted at $250,000. I propose to fund the park infrastructure improvements such as parking and sidewalks in the amount of $75,000.
- Transfer from Park District #21: The playground equipment for Yellowjacket Park that was approved in the budget has been already purchased. I would propose that we use this equipment at Lofland Park to replace some dated playground equipment and transfer the funds from Park District 21 to Park District 20 in the amount of $20,000.

Therefore, the total project cost would not exceed $492,077 to build our first barrier free playground and related access routes. If the Council believes this is a good use of the funding and a worthwhile project, we can begin the design process immediately with the goal of being installed and available to the public as soon as possible.

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Mayor Sweet called for a brief break at 9:52 p.m. At 10:06 p.m., Mayor Sweet called the public meeting back to order. Public Hearing item #5 was addressed next by City Council.

3. Discuss and consider a request by Matt Mulliken of Mulliken Construction Management, Inc., on behalf of the owner of the property, for the approval of an amended site plan to allow for a variance to the screening from residential uses requirement stipulated by Article VIII, Landscape Standards, of the Unified Development Code for a professional office building on a 0.75-acre tract of land identified as Lot E, Block 117 & Lot D, Block 117 of B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, located at the northeast corner of the intersection of SH-205 [S. Goliad Street] and St. Mary's Street, and take any action necessary.

Mr. LaCroix provided brief background information related to this agenda item. The applicant, M

Mr. Matt Mulliken
2305 Lakeforest Drive
Rockwall, TX

Mr. Mulliken expressed that the neighbor is concerned about him building a physical wall as a buffer. Instead the neighbor and he himself would like permission to utilize the 'living screen' (trees) as a buffer in lieu of the masonry wall.

Mr. Rickerson
109 St. Mary's
Rockwall, TX

Mr. Rickerson expressed that he is the neighbor living adjacent to the subject property. He would like the "live screening" in lieu of the masonry wall because he feels it would be more in keeping with the historical feel of the area.

Councilmember Lewis made a motion to approve the "live screen" wall in lieu of the masonry wall. Councilmember Milder seconded the motion, which passed by a vote of 6 in favor with 1 against (Pruitt).

4. Discuss and consider ADA accessible playground options, including associated cost estimates, and take any action necessary.

Assistant City Manager Brad Griggs provided background information related to this agenda item, indicating that, as previously requested by Council, staff has evaluated the option of building a 'barrier free' playground that has a series of ramps so that those in a wheelchair could have unrestricted access. He indicated that mandatory neighborhood park land dedication fees in the amount of $137,000 as well as about $260,000 from previous trail bonds is available for park improvements. Also, $75,000 for infrastructure improvements could be taken from the city's Rec. Development Fund.

Mayor Sweet made a motion to move forward with the total project utilizing staff recommendations as outlined by staff. Councilmember Lewis seconded the motion.

Councilmember Lewis asked staff if they had an opportunity to speak with Texas Scottish Right hospital since they have a barrier free park there that is appealing. Mr. Griggs indicated that he has not yet reached out to that hospital. He clarified that this park would not include a cover/awning.

Mr. Crowley suggested to the city council that the proposed park plan for this park could first be run through the city's park board for review and to help plan this particular facility.

Mayor Pro Tem Pruitt asked for clarification on the bond program funding. Mr. Griggs indicated that no restrictions were placed on where in the city the funds could be spent, and there are no outstanding park related projects that these funds would need to be reserved for. After brief comments, Mayor Sweet pulled his original motion and made a replacement motion to have staff take this proposal before the city's Park Board for review and consideration at an upcoming Park Board meeting. Councilmember Lewis seconded this amended motion. Mr. Griggs explained that staff could advertise and receive public input at the December Park Board meeting and then bring back those recommendations to the council for consideration thereafter. The motion then passed by a vote of 7 ayes to 0 nays.

5. Discuss and hear update regarding ongoing water conservation efforts, including outdoor watering schedule, and take any action necessary.

Mr. Crowley indicated that the North TX Municipal water district is recommending a once every two week (instead of once every week) watering schedule for the winter months. So, unless he hears objections form the city council, he will move forward, administratively, with communicating this change to our citizens as soon as possible. No formal action was taken by the city council related to this discussion item.

6. Discuss and consider countywide Interoperability Radio System Interlocal Agreement and take any action necessary.

Mr. Crowley provided background information related to this agenda item.

Mayor Pro Tem Pruitt made a motion to approve the contract and submit it to Rockwall County. Councilmember Lewis seconded the motion.

Councilmember Milder expressed that he is feeling some reservations about moving forward with this contract proposal. After additional, brief comments, the motion passed by a vote of 6 in favor with 1 against (White).

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
   Building Inspections Dept. Monthly Report - September 2014
   Fire Dept. Monthly Reports - September 2014
   Harbor PD Monthly Report - September 2014
   Internal Operations Department Monthly Reports - September 2014
   Police Department Monthly Report - September 2014
   Recreation Monthly Report - September 2014

MINUTES
PARKS AND RECREATION BOARD
City Hall, 385 S. Goliad, Rockwall, TX 75087
December 2, 2014
6:00 PM

Call To Order

The meeting was called to order in the Council Chambers at 6:00pm by Chairman Brad Bassett with the following Board Members present: Kevin Moffatt, Bob Lewis, Charles Johnson, Ray Harton and Wayne Larson. Board Member Larry Denny was absent. Also present were Parks and Recreation Manager Andy Hesser, Administrative Secretary Wendy Young, Recreation Superintendent Andrew Ainsworth and Parks Superintendent Aaron Dobson.

Consider approval of amended minutes from the November 4, 2014 Park Board meeting and take any action necessary.

The minutes from the November 4, 2014 Park Board meeting were provided to the Board for their review and approval. Board Member Bob Lewis made a motion to approve the minutes. Board Member Ray Harton seconded the motion which passed by a vote of 6-0 (1 absent, Denny).

Discuss and consider public input regarding design of special needs playground at Yellowjacket Park and take any action necessary.

Parks & Recreation Manager Andy Hesser explained that in March of this year, Devon Colbert made an appointment with the City Council to request that City owned playgrounds be renovated to provide easier wheelchair access. Mr. Colbert requested that the City consider a poured rubber surface that is much easier to maneuver a wheelchair through and still provide the required fall protection. At the November 3rd City Council meeting, the Council directed staff to take the proposed project to Park Board to hear public input and assist with the planning of the facility. Staff immediately advertised the public meeting in the local media outlets and social media sites. Additionally staff spoke with Mr. Cory White, Director of Special Education for Rockwall ISD to request that the public input meeting was made available to the parents of the students in the special education program. Invitations were also extended to the Rockwall residents that participated in the Kiwanis Angel League. The City is a co-sponsor of the Angel League by scheduling and hosting softball games for children and adults with special needs. The projects that will be presented are turnkey installation that includes the fall zone safety surface, play elements and possibly shade structures. Also provided in the budget is infrastructure such as adding handicap parking spots, accessible sidewalks, ADA plan review fees and landscaping. Contingent upon approval, staff is prepared to move forward with the goal of completing the construction by the end of March 2015. In looking at playground design, there are many things that go into the process. We want to provide a variety of experiences for everyone. Some of the elements we look for are social interaction, socialization, sense of challenge, sense of accomplishment, sensory elements, sense of motion, movement, strength, the ability to enhance motor skills, cognitive skills and balance. Mr. Hesser went over several examples in order to facilitate

public input and feedback taking into consideration shade, sensory play, music play, swings, gliders, climbers, overhead elements. The site that is being considered is Yellowjacket Park which is located between Ridge Rd and Yellowjacket Lane. Part of the budget is infrastructure with a need for paving and accessible parking spaces. The addition of paving and accessible parking spaces Will put in 5' approaches adding sidewalks to also get to the ball fields. The footprint is 100x80' to fit in between the 2 ball fields with proximity to the restrooms and the parking lot.

Open Forum

Nikki Jenkins
2761 McCormick Ct
Rockwall, TX 75087

Ms. Jenkins came forth and stated that she has an 11 year old daughter who is autistic. When you have an autistic child that has sensory issues and you put them in a group of children that are screaming and yelling and parents with young toddlers who don't understand why an 11 year old child who is acting the way she is acting is very uncomfortable. Sensory issues from fibar to rubber would be difficult, any time there is a change in surface it's difficult for her daughter to walk, she wears orthotic shoes and she struggles. She will not walk on the fiber board, it's too uneven and uncomfortable, she would sit down on her knees and the time at the park would be over. Her preference as a parent would be the carbon/foamy stuff just because of the sensory issues. She can't use the swings at Harry Myers Park because she can't sit up straight so a suggestion would be to have the wheelchair swings and/or more high back swings. The parking spots addressed is not enough. If she has to walk her all the way down the ramp we wouldn't make it because it looks really far. The glider is great but my daughter would not sit with a group of other children, if you have a child that is uncomfortable with social interaction that may be a problem. As far as walking through the 2 ball fields, I would have a slight concern about balls flying over. My child pays no attention to things around her. Many children with autism run and that is a scary thing especially being off 205 and Ridge. The music is very important, anything that makes sound and sounds beautiful to them and they can repetitively bang on is important. The shade structure is also very important. Also, the parking would be an issue. There definitely needs to be more parking spaces and closer to the playground.

Kristy Solis
1207 Blue Brook
Rockwall, Texas 75087

Ms. Solis came forth and expressed concern about there not being any fencing around the playground. Her child has down syndrome and is a runner. The 2 other suggestions would be a wheelchair swing and the canopies and poles be wrapped in foam.

Patricia Johnson
2809 Juniper Hills Drive
Rockwall, TX 75087

Ms. Johnson came forth and explained that her 3 year old son has down syndrome. The parking is the biggest concern. Would be concerned about vehicles parked that close to the backstops. There is a grassy area that would accommodate more parking. Son also wears orthotics shoes and he loses his balance easily so would suggest the rubber structure more than the fibar.

Devon Colbert
1464 Brittany Way
Rockwall, TX 75087

Mr. Colbert came forth and explained that being in a wheelchair is impossible to push on the wood surfacing. The poured in place surface would be so much easier for those in wheelchairs. Would also suggest more van accessible parking and the slides are very hot in the heat of the summer.

Karri Wilson
401 W Washington
Rockwall, TX 75087

Ms. Wilson came forth and stated that she is Director of Miracle Learning Academy School in Rockwall. She would suggest anything the kids can bounce on or trampolines. The school has gone through 3 of them very quickly. She suggested that we keep the music separate from the other structures and possibly putting cocoon opposite from the music play.

After much discussion Board Member Moffatt made a motion to recommend approval of the special needs playground project for City Council consideration. Board Member Charles Johnson seconded the motion and it passed unanimously.

Staff updates on upcoming programs and events and take any action necessary.

Parks & Recreation Superintendent Andrew Ainsworth gave an update on upcoming events. The Christmas Tree Lighting will take place on Saturday, December 6 at 6pm. Breakfast with Santa will be on December 13 and there will be 2 sessions in the morning giving people 2 time options. Gingerbread House Building is December 16 at The Center. Children will be given pre-made gingerbread houses and they will create and design their houses with candy and icing. Our newest program is Reindeer Food and Santa's Cookie Decorating on December 23. Children will get a chance to make food for Santa's reindeer and create cookies to leave for Santa.

Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 7:57 p.m.

PASSED AND APPROVED BY THE PARK BOARD OF THE CITY OF ROCKWALL, TEXAS, this 6th day of January 2014.

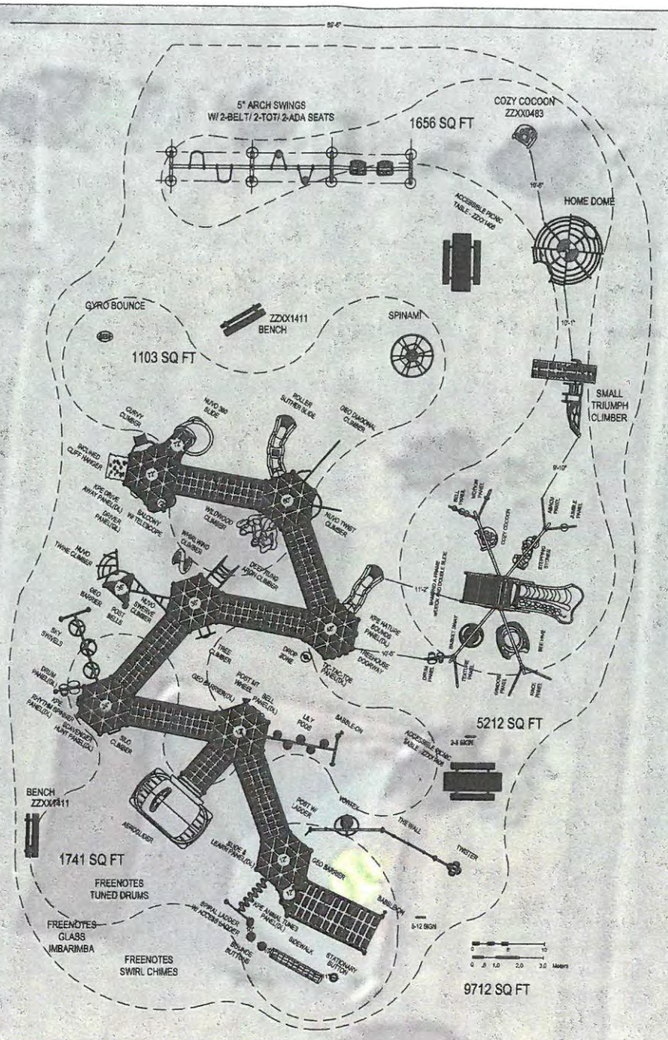
_____
Brad Bassett
Chairman, Park Board

ATTEST:

_____
Wendy Young
Administrative Secretary

Scale: 1" = 6
Existing Public Restrooms
4' Conc. Sidewalk
5' Conc. Sidewalk
5' Conc. Sidewalk
4' Conc. Sidewalk
60.0'
56.0'
249.68'
259.35'
Exist. Asphalt
W. YELLOW JACKET LANE

82



*Playground Supervision Required

ASTM F1487-07

USERS 2-5 / 5-12

PLAYWORLD™

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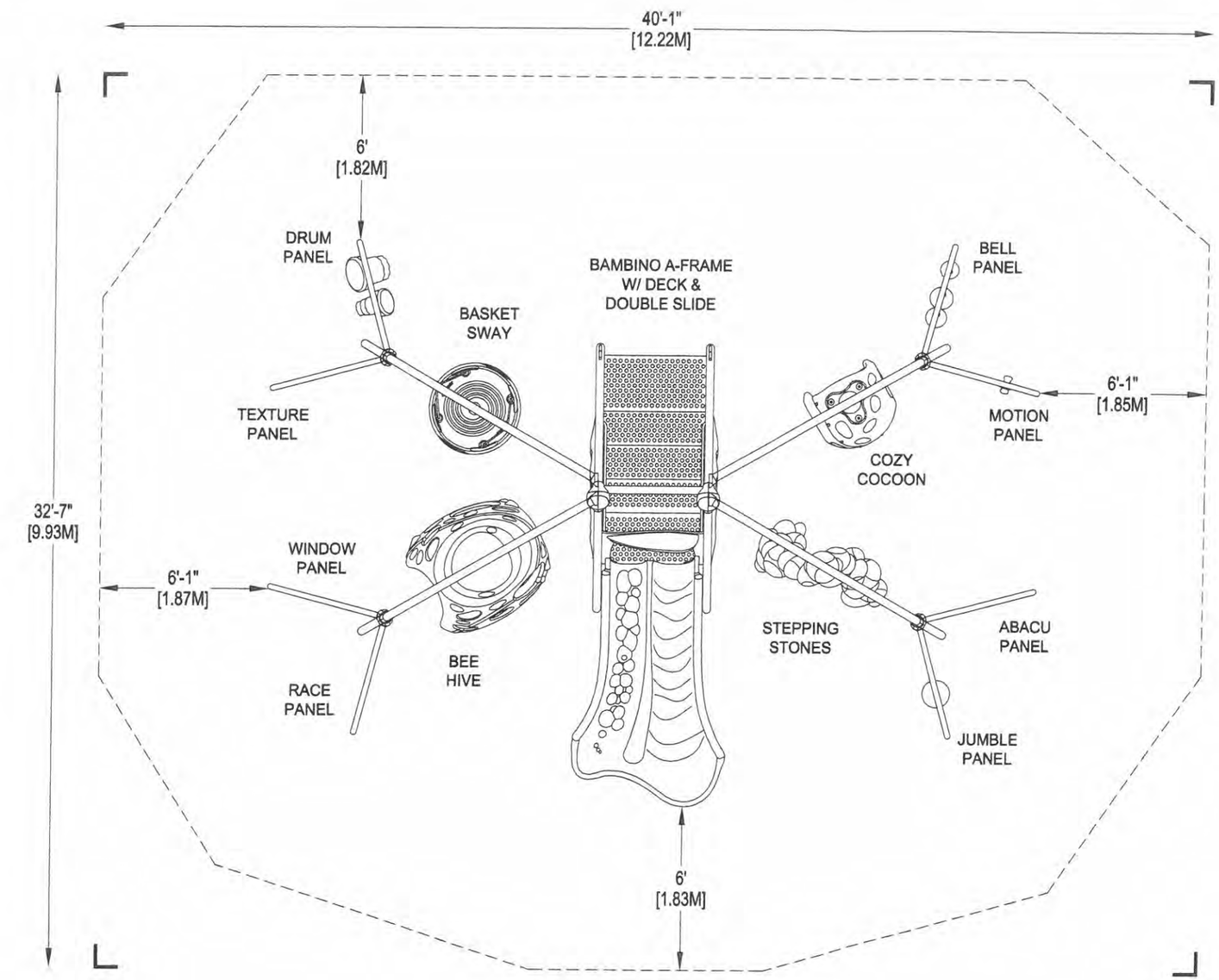
PROJECT NO:	REV:	DATE:
491407	10F	12/8/2014
SYSTEM: PLAYMAKERS		SCALE: 3/16" = 1'-0"
SITE PLAN		DRAWN BY: CCHAVEZ

YELLOWJACKET PARK

CITY OF ROCKWALL

Company Name
Address
Address
Phone #

83



ASTM F1487-11 CPSC #325

33 USERS

2-5

27'-11" x 20'-8" x 11'-2"

4 Ft

1,155 Sq.Ft.

40'-1" x 32'-7"

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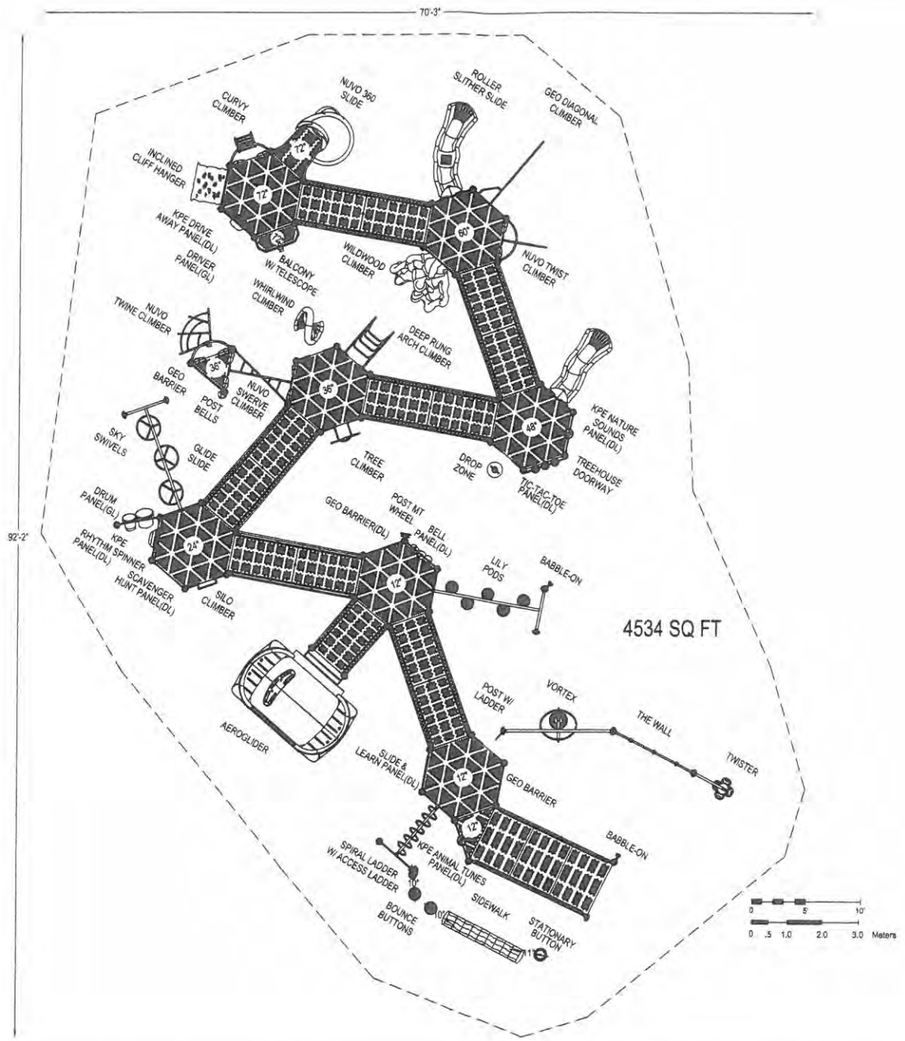
ACT-1300

PROJECT NO: ACT-1300	REV: A	DATE: 29-JAN-14	
SYSTEM: ACTIVO		SCALE: NOT TO SCALE	
SITE PLAN		DRAWN BY: M. MERTZ	

84



*Playground Supervision Required

ASTM F1487-07

187 USERS

5-12

PLAYWORLD™

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57'-6" X 79'-2"

8'

4534 SQ FT

70'-3" X 92'-2"

PROJECT NO:	REV:	DATE:
491407	12B	12/10/2014
SYSTEM: PLAYMAKERS		SCALE: 3/16" = 1'-0"
STRUCTURE PLAN		DRAWN BY: CCHAVEZ

YELLOWJACKET PARK

CITY OF ROCKWALL

Company Name
Address
Address
Phone #

85

YELLOWJACKET PARK

City of Rockwall

PLAYWORLD SYSTEMS
The world needs play.
PVC-Free Pledge



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86

YELLOWJACKET PARK

City of Rockwall

PLAYWORLD SYSTEMS
The world needs play!
PVC Free Pledge



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The world needs play.



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Boards & Commissions Appointments
(Updated for 12/15/14 City Council Meeting)

THESE (ADVISORY) BOARD APPTS. MAY *NOT* BE DISCUSSED IN EX. SESSION

ARCHITECTURAL REVIEW BOARD (ARB) - Milder

(1) Need to replace

- *Mike Mershawn (attendance - has missed several mtgs.)*
  (new board member would serve partial term until Aug. 2015)

MAIN STREET ADVISORY BOARD - Sweet

(1) Need to replace (terms are Jan. appts.)

- *SuLaine Callaway (resigned)*
  (new board member's would serve partial term through Jan. 2016)

ART REVIEW TEAM (ART) COMMISSION – Milder and Sweet

Need five (5) new appointments (see memo)

THESE (REGULATORY) BOARD APPTS. MAY BE DISCUSSED IN EX. SESSION

BOARD OF ADJUSTMENTS (BOA) - Full Council

Need four (4) "alternate members" appointed (by city ordinance)

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

DATE: **December 10, 2014**

SUBJECT: **Art Review Team (ART) Commission appointments (5 members needed)**

The council recently adopted an ordinance making changes to the previously established composition of the city's Art Review Team (ART Commission). The updated provisions regarding its composition are as follows:

(a) (1) The art review team (ART) commission shall consist of five members, who shall all be "interested citizens" appointed by the city council. All team members should possess knowledge of or have an interest in contemporary, visual art, artistic principles and art media.

- *a. The art review team (ART) commission shall consist of **five regular members appointed by a majority of the city council**. A staff liaison will be appointed by the city manager.*
- *b. In the case of a vacancy of the commission, the city council, by a majority vote, may appoint a replacement member to the commission. Any person appointed shall serve until the expiration of the term of office of the vacated position.*
- *c. Each member of the commission shall be a resident citizen and qualified voter of the city.*
- *d. Upon the initial appointment of the commission by the city council, members shall draw lots for three two-year terms and two one-year terms of service. Thereafter, the term of office of members of the commission shall be for two years. Members may be removed, as determined by the city council.*
- *e. Members shall serve without compensation.*

The two city council members assigned to oversee review of applicants and make recommendations to the full council concerning appointments to this commission are Councilmember Milder and Mayor Sweet.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary**

DATE: **December 12, 2014**

SUBJECT: **Mayor David Sweet's resignation**

This item will be verbally discussed at Monday's city council meeting.

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